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PROCEEDINGS AND DEBATES OF THE 85th CONGRESS, FIRST SESSION

SENATE

FRIDAY, JUNE 21, 1957

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal God, whose glory the heavens and the earth declare, and whose garments, vast and white, we touch in all truth, all beauty, and all goodness, in a world swept by violent forces with which unaided we cannot cope, Thou only art our help and hope. Though our faces are shadowed by the tragedies which blight the earth, we lift them in faith to the light that no darkness can put out. Praying for a strength not our own to make us worthy of so momentous a time, when the pattern of humanity's life in the tomorrows may be largely fixed by the power to help and to heal, as wielded on this Hill, our intercession rises for our Nation and all who influence its policies and for all the people of the Republic, that the fearful cost paid to defend the decencies and sanctities of free life may at last bring all mankind, without shackles of mind or body, to the fairer earth for which we pray. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Thursday, June 20, 1957, was approved and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 768) to designate the east 14th Street highway bridge over the Potomac River at 14th Street in the District of Columbia as the Rochambeau Memorial Bridge.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the following committees or subcommittees were authorized to meet today during the session of the Senate:

The Committee on Finance.

The Committee on Rules and Administration.

The Committee on Agriculture and Forestry.

The Subcommittee on Health, Education, Welfare, and Safety, of the Committee on the District of Columbia; and

The Subcommittee on Welfare and Pension Plans Legislation, of the Committee on Labor and Public Welfare, until 12 o'clock noon today.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour for the introduction of bills and the transaction of other routine business. In that connection, I ask unanimous consent that statements be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF DISSOLUTION OF THE UNITED STATES COMMERCIAL COMPANY

The PRESIDENT pro tempore laid before the Senate the following letter from the Secretary of the Senate, which, with the accompanying papers, was ordered to be placed on file:

JUNE 21, 1957.

The PRESIDENT OF THE SENATE,
United States Senate.

In accordance with law, the Reconstruction Finance Corporation has transmitted to me, as Secretary of the Senate, an official copy of a notice of the dissolution of the United States Commercial Company, a Government corporation, effective at the close of business on June 20, 1957.

I am transmitting the letter to you to be laid before the Senate for its information.

Respectfully,

FELTON M. JOHNSTON,
Secretary of the Senate.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON COOPERATION WITH MEXICO IN CONTROL AND ERADICATION OF FOOT-AND-MOUTH DISEASE

A letter from the Acting Secretary of Agriculture, reporting, pursuant to law, that there have been no significant developments to report for the month of May 1957, relating to the cooperative program of the United States with Mexico for the control and eradication of foot-and-mouth disease; to the Committee on Agriculture and Forestry.

AMENDMENT OF GOVERNMENT CORPORATION CONTROL ACT

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to amend the Government Corporation Control Act, as amended (with accompanying papers); to the Committee on Banking and Currency.

AUDIT REPORT ON RURAL ELECTRIFICATION ADMINISTRATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Rural Electrification Administration, Department of Agriculture, for the fiscal year ended June 30, 1956 (with an accompanying report); to the Committee on Government Operations.

LAWS ENACTED BY LEGISLATURE OF TERRITORY OF HAWAII

A letter from the secretary of Hawaii, Honolulu, T. H., transmitting, pursuant to law, copies of laws enacted by the Legislature of the Territory of Hawaii in its regular session of 1957 (with accompanying papers); to the Committee on Interior and Insular Affairs.

PETITION

The PRESIDENT pro tempore laid before the Senate a letter in the nature of a petition from the Hawaiian Telephone Co., Honolulu, T. H., signed by J. Ward Russell, executive assistant to the president, praying for the enactment of House bill 7431, to provide the necessary funds to implement the recommendations of the National Science Foundation with respect to the provision of adequate training and research facilities at the Hawaii Institute of Geophysics at the University of Hawaii, which was referred to the Committee on Appropriations.

RESOLUTIONS OF MINNESOTA UNITED NATIONS ASSOCIATION

Mr. HUMPHREY. Mr. President, I have just received a copy of 10 resolutions approved at the annual meeting of the Minnesota United Nations Association. Most of these recommendations are ones which I myself have made on

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many occasions in the past. As a delegate to the 11th General Assembly of the United Nations, I am particularly pleased that the Minnesota association continues its forward-looking community leadership on these issues.

I ask unanimous consent that the resolutions be printed in the RECORD, and appropriately referred.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Draft Resolutions Reported by the Committee on Resolutions for Consideration at the Annual Meeting of the Minnesota United Nations Association, and Approved as Revised on May 4, 1957

1. Membership: We note with satisfaction the expansion of the membership of the United Nations to include 81 states. We do not share the fear that some have expressed that this will alter the balance of power in the General Assembly to the disadvantage of the West. We value the firm support of United Nations principles demonstrated by the new members in recent crises.

2. The Middle East: We commend the General Assembly of the United Nations and the Secretary General and his staff for the vigorous action taken in securing withdrawal of the forces which invaded Egypt, in maintaining order on the frontier between Egypt and Israel by use of the United Nations emergency force, and in clearing the Suez Canal.

The mobilization and deployment of the emergency force has been a model of rapid, effective action, which goes far to demonstrate the utility of an international police and the capacity of the United Nations to direct it.

The clearing of the canal, which was accomplished with exceptional efficiency and economy, reflected great credit upon the capacity of the Secretary General's staff for effective administrative management, even under emergency conditions.

We believe that the restoration of the status which existed under the general armistice of February 24, 1949, was a necessary preliminary step for an orderly determination of the rights of the parties. We note with satisfaction the decisive support of this policy by the Government of the United States. We urge that the United Nations also seek an authoritative determination of the question of the right of Israeli ships to innocent passage through the Suez Canal and the Strait of Tiran. In the probable event that Egypt and Israel are unable to agree upon submitting the issue to adjudication by the International Court of Justice, we believe that an application by the General Assembly or the Security Council for an advisory opinion would be appropriate.

Although restoration of order has been a necessary first step, we believe there must also be a major effort through procedures of peaceful change to adjust some of the continuing issues between Israel and her neighbors. In particular, we urge the United Nations and the Government of the United States to seek a permanent solution of the problem of the Palestine refugees in the Gaza strip and a final determination and recognition of the boundaries of Israel.

We favor a fair trial of Egypt's willingness to operate the canal in accordance with the principles of the Treaty of Constantinople (1888), as interpreted by the International Court of Justice. We also favor substantial economic assistance to Egypt in the development of the Nile, provided the Egyptian Government demonstrates a willingness:

(a) To satisfy the claims properly arising from expropriation of the Suez Canal,

(b) To respect the rights of Israel in the Suez Canal and the Gulf of Aqaba as determined by the International Court of Justice,

(c) To move in a reasonable spirit toward settlement of outstanding issues with Israel.

3. Hungary: We condemn the ruthless brutality of the Government of the U. S. S. R. in suppressing the political liberties and right of self-determination of the Hungarian people. Although the United Nations is unable to apply sanction to the U. S. S. R., it has justly condemned its conduct. We support every effort to unite the forces of world opinion against the conduct of the U. S. S. R.

4. North Africa: We urge the Government of France to discontinue its practice of frustrating discussion of north African problems in the United Nations. We believe it is in the best interests of France and of world peace to have a full airing of these problems in the United Nations. We believe that the effort of Egypt to poison the atmosphere of the entire Arab world should be exposed and condemned.

5. Kashmir: We urge the Government of India to refrain from any steps to integrate the Kashmir area into India until there has been an impartial plebiscite to determine the preferences of the inhabitants. To that end we urge a genuine effort to achieve demilitarization, if necessary by acceptance of a United Nations emergency force to patrol the area until the plebiscite has been taken.

6. Atomic energy—disarmament: We commend the efforts of those whose energy and devotion have produced the framework of the International Atomic Energy Agency. It is our conviction that the work of this Agency will be a positive contribution, not only to development of scientific, medical, and industrial uses of atomic energy for the benefit of mankind, but also to the solution of the problem of effective inspection to prevent misuse of fissionable materials. In this way it may mark a path toward atomic disarmament. We note also with satisfaction the apparent disposition of the powers represented in the United Nations Subcommittee on Disarmament to agree upon preliminary steps in a plan of progressive disarmament. Such agreement, even upon a modest scale, will help to establish the mutual confidence needed for more significant steps.

7. Technical assistance: We believe that the continued expansion of progress of technical assistance to underdeveloped countries is essential because of the obstacles to movements of private capital and the disruption of traditional foreign trade patterns. We consider the United Nations peculiarly fitted to undertake such work in that it can in a flexible manner draw upon the skills of many countries and can make continuing contributions without arousing fears of economic imperialism, distrust, or resentment. We therefore urge that increasing reliance be made upon the technical assistance programs of the United Nations. To that end we believe that it is desirable—

(a) To increase the funds available for technical assistance and economic development. The creation of the International Finance Corporation has been a useful step. We hope support will be given also to the establishment of the Special United Nations Fund for Economic Development.

(b) To implement the Secretary General's suggestions for training a permanent corps of international civil servants in administrative management who could assist nations lacking trained administrators in their national development program.

8. International trade: The success of the General Agreement on Tariffs and Trade (GATT) in providing a framework for negotiations to minimize trade barriers has demonstrated the utility of international organization for this purpose. To give permanent expression to the principles upon which GATT is based and to provide a regular system of consultation which will be a safeguard against any recurrence of the economic nationalism which aggravated the great depression, it is desirable to set up the proposed Organization for Trade Cooperation. We urge the Government of the United States to support this proposal.

9. Human rights: We welcome the resumption of consideration during the last Assembly of the draft Covenants on Human Rights, and the plan to conclude redrafting during the 12th Assembly. We urge the Government of the United States to reverse its position that it will not submit human rights covenants to the Senate for ratification.

10. Committee on Foreign Relations: We recommend adoption by the United States Senate of Senate Resolution 113 (85th Cong., 1st sess.), submitted by Senator HUBERT H. HUMPHREY and referred to the Committee on Rules and Administration, which calls for redesignation of the Senate Committee on Foreign Relations as the Committee on International Relations. We believe the proposed title better expresses spirit of reciprocal and mutual action of states and reflects also the growing importance of action through international agencies. A corresponding change in the names of the House Committee on Foreign Affairs and of the Department of State might appropriately be considered.

RESOLUTIONS COMMITTEE,
CHARLES MCLAUGHLIN, *Chairman.*
VERNIE WOLFSBERG,
Dr. CLARENCE RIFE.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 1730. A bill to implement a treaty and agreement with the Republic of Panama, and for other purposes (Rept. No. 479).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GOLDWATER:

S. 2351. A bill for the relief of Kim Choi Sam; to the Committee on the Judiciary.

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2352. A bill for the relief of Deanna Marie Greene (Okhe Kim); and

S. 2353. A bill for the relief of Charles Fredrick Canfield (Kim Yo Sep); to the Committee on the Judiciary.

(See the remarks of Mr. NEUBERGER when he introduced the above bills, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 2354. A bill for the relief of Mae Susan Parr (Mai Soon Bai); and

S. 2355. A bill for the relief of Frances Mary Jones (Kim Jung Sook); to the Committee on the Judiciary.

By Mr. POTTER (for himself and Mr. MCNAMARA):

S. 2356. A bill to authorize the Honorable Thomas J. McAllister, judge of the United States Court of Appeals, to accept and wear the decoration tendered him by the Government of France; to the Committee on Foreign Relations.

By Mr. SCOTT:

S. 2357. A bill to establish a Federal employees' health insurance program; to the Committee on Post Office and Civil Service.

By Mr. HRUSKA:

S. 2358. A bill for the relief of Julia Ann Ayars (Kim Jan Tark); to the Committee on the Judiciary.

By Mr. HAYDEN:

S. 2359. A bill to authorize the establishment of the Petrified Forest National Park, in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KERR:

S. 2360. A bill for the relief of Wayne Bryan McKinney (Cho Byung Oh); and

S. 2361. A bill for the relief of Kim Lynn Nix (Kim Kyoo Im); to the Committee on the Judiciary.

By Mr. ANDERSON:

S. 2362. A bill to exempt conveyances of real property by or to a State or local political subdivision from the documentary stamp tax; to the Committee on Finance.

By Mr. ALLOTT:

S. 2363. A bill to authorize the erection of a national monument symbolizing the ideals of democracy; to the Committee on Interior and Insular Affairs.

By Mr. BARRETT:

S. 2364. A bill for the relief of Antonious Nicholaos Kapranis; to the Committee on the Judiciary.

By Mr. CHURCH:

S. 2365. A bill to amend the Internal Revenue Code of 1954 to provide that no documentary stamp tax shall be imposed with respect to conveyances to which a State or political subdivision thereof is a party; to the Committee on Finance.

By Mr. POTTER:

S. J. Res. 108. Joint resolution to authorize the President to proclaim the week which includes July 4 as "National Safe Boating Week"; to the Committee on the Judiciary.

By Mr. BUTLER:

S. J. Res. 109. Joint resolution to authorize the sale of one Victory-type vessel for conversion to an ore and coal carrier for use on Great Lakes operations; and

S. J. Res. 110. Joint resolution to authorize the sale of a troopship of the C–4 type for conversion to a passenger and cargo carrier; to the Committee on Interstate and Foreign Commerce.

By Mr. SALTONSTALL:

S. J. Res. 111. Joint resolution to extend the time limit for the Secretary of Commerce to sell certain war-built vessels for utilization on essential trade routes 3 and 4; to the Committee on Interstate and Foreign Commerce.

REPORT OF UNITED NATIONS SPECIAL COMMITTEE ON HUNGARY

Mr. KNOWLAND. Mr. President, it has been 8 long months since the people of Hungary first took the control of their destiny out of the hands of the Communist rulers in their country. The United Nations Special Committee on Hungary has just reported a document of terror which is the most comprehensive and authentic indictment ever rendered against a ruthless and immoral government.

Mr. President, if the special report of the Special Committee on Hungary were not so completely documented, I would ask permission to have it inserted in the body of the RECORD. I would sincerely urge all Members of the Congress, both of the House of Representatives and the Senate, to obtain a copy of this report so that they might have a full understanding of the tragedy of Hungary which has, up to this point, been magnified by the inaction of the United Nations itself. I want to pay by personal tribute, and I am sure the tribute of all of my colleagues on both sides of the aisle, to the representatives of Australia, Ceylon, Denmark, Tunisia, and Uruguay who, in a unanimous report—and I underline the word unanimous—have performed a service in the cause of justice which will assure forever their place in the halls of international statesmanship.

Mr. President, as the Members of this body know, the United Nations, in its deliberations on the Hungarian revolution, passed 10 resolutions which were ignored and flouted by the Union of the Soviet Socialist Republics and its puppet Kadar regime in Hungary. With the evidence that has now been made public, and in the words of the special United Nations committee itself, "A massive armed intervention by one power on the territory of another, with the avowed intention of interfering with the internal affairs of the country must, by the Soviet's own definition of aggression, be a matter of international concern," the United Nations is now at one of its turning points in history, as a world that cries for peace with justice calls upon it for its decision.

In my judment the people of the United States and those of all other nations which are members of the United Nations, desire that the report of the special committee be given prompt consideration.

I hope it will not be delayed until the United Nations session next year, but, rather, that the United Nations General Assembly will be called into session to act on the report.

I am, therefore, on behalf of myself, and the senior Senator from Illinois [Mr. DOUGLAS], submitting, for appropriate reference, a concurrent resolution which will express the judgment of the Congress that the United Nations be convened in special session to consider its committee's report on the Hungarian revolution.

I will request the Foreign Relations Committee to give this concurrent resolution prompt consideration and approval, and I hope its unanimous report.

The PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 35), submitted by Mr. KNOWLAND (for himself and Mr. DOUGLAS), was received and referred to the Committee on Foreign Relations, as follows:

Senate Concurrent Resolution 35

Whereas the Special Committee on the Problem of Hungary, established by the General Assembly of the United Nations under its Resolution 1132 (XI) adopted at its 636th plenary meeting on January 10, 1957, has now submitted a report (A/3592) of its findings to the General Assembly under terms of the said resolution; and

Whereas it has been established by the said special committee:

That what took place in Hungary in the latter part of 1956 was a spontaneous national uprising caused by longstanding grievances engendered by the oppressive way of life under Communist rule and by the state of captivity of Hungary under control of the U. S. S. R.; and

Whereas the said special committee concludes that a massive armed intervention by one power on the territory of another with the avowed intention of interfering in its internal affairs must be a matter of international concern; and

Whereas the General Assembly of the United Nations, by its Resolution 1119 (XI) adopted at its 668th plenary meeting on March 8, 1957, authorized "the President of the General Assembly, in consultation with the Secretary General and with the member states the representatives of which are serving as the General Committee during the session to reconvene the General Assembly as necessary in order to consider further item 66 or 67," item 67 being the problem of Hungary:

Therefore it is the sense of the United States Congress that the United States Government instruct the United States delegation to the General Assembly of the United Nations to take urgent steps to recommend the reconvening of the General Assembly at this time to consider further the problem of Hungary in the light of the report of the United Nations' Special Committee on the Problem of Hungary.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. KNOWLAND. Yes.

Mr. MORSE. I may say once again I find myself in accord with the distinguished minority leader on a foreign policy matter. I wish to say, as a colleague of his on the Foreign Relations Committee, I shall be associated with him in the effort he is making.

Mr. KNOWLAND. I thank the Senator for his support of the concurrent resolution.

STUDY OF CANADIAN FAMILY ALLOWANCES ACT AND ITS ADMINISTRATION

Mr. NEUBERGER. Mr. President, for nearly 12 years there has been in operation in Canada a family allowance program designed to make available more clothing, better and more wholesome foods, more medical care, and greater opportunities for cultural and educational advancement for the children of Canada who are under 16 years of age.

From personal observation and conversation and correspondence with Canadian officials and citizens, I am convinced that this program has been a great boon, not only for the children of Canada, but for all Canada. Increased milk consumption, greater production of children's shoes, rises in purchases of healthful foods are only a few of the visible benefits which can be traced directly to initiation of the family allowances program. Under this program both the child and the economy prosper.

During the 84th Congress, I submitted Senate Resolution 109 to create a special Senate committee to study family allowances plans, and particularly the Canadian Family Allowance Act, with a view to determining the advisability of such legislation for the United States. Today I resubmit my resolution. I am happy to be joined in sponsoring this legislation by the Senator from Minnesota [Mr. HUMPHREY], the Senator from Illinois [Mr. DOUGLAS], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Michigan [Mr. MCNAMARA]. A similar resolution is being submitted in the House of Representatives by Representative CHARLES O. PORTER of Oregon.

Recent events in Canada, Mr. President, have impelled me again to sponsor at this time this resolution for a study of Canada's experiment with family allowances.

To begin with, the Canadian Parliament this year increased the monthly payment provided for under the family allowances system. This increase was not controversial and was supported by all major political parties in Canada.

Under Canada's family allowances plan, as amended, regular monthly payments of $6 for each child under 10 years of age and $8 for each child 10 to 15 years old are made to the child's mother or legal guardian. Canadian law requires only that the money be spent for "the health and welfare of the child."

Secondly, family allowances were in no sense an issue in the Canadian election held earlier this month, because family allowances were indorsed by the Liberals, by the Conservatives, by the CCF—indeed, by every party fielding candidates for seats in the House of Commons. I think this is significant proof of the success of the program.

On top of all this, Canada has been enjoying an unprecedented prosperity. It is the most attractive spot in the world for wealthy American investors. It has made vast gains in population, national income and sources of wealth. The Canadian dollar is now worth $1.05 in relation to the American dollar. Orthodox economists in the United States cite Canada as an example to follow in balancing our budget and retiring our debt. And, during all this period of prosperity, Canada has supported an extensive system of family allowances.

Furthermore, Mr. President, our present national budget which is such an object of controversy contains huge subsidies for airlines and steamship operators, for various farm crops such as corn and cotton and tobacco, for private utility companies in the form of fast tax writeoffs, for certain postal users, for all sorts of special-interest groups. In view of these facts, I am not ashamed to suggest that we of the Senate study Canada's experiment with a subsidy for the most important and precious resource that any nation can possess—namely, its children.

It is my belief that a family allowances program in the United States would have a favorable impact on the health, happiness, and welfare of the nation's children, and I therefore again urge the adoption of my resolution, so that a committee of the Senate may undertake a careful study of Canada's record of operation and management of its family allowances program, thus providing the people of the United States with a sound basis on which to determine how and when they may wish to adopt for themselves and their children the benefits of family allowances.

Mr. President, I ask unanimous consent that my resolution be printed in the RECORD, together with my article in the May 1957 issue of America in which I discuss family allowances and their application in the United States.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, without objection, the article will be printed in the RECORD.

The resolution (S. Res. 149), submitted by Mr. NEUBERGER (for himself and other Senators), was received and referred to the Committee on Labor and Public Welfare, as follows:

Whereas there are now more births each year in the United States then ever before in American history; and

Whereas it is in the best interest of this Nation that its children be adequately provided with the necessities of life in order that they may develop into strong, healthy, well-educated and useful citizens; and

Whereas our good neighbor, Canada, this year is marking the 12th year of an enlightened social experiment known as family allowances, which was adopted originally to promote the well-being of its children; and

Whereas the Canadian family allowances program is reported to have had a favorable effect upon infant mortality, child health, juvenile delinquency and the general welfare of children in that country; and

Whereas the welfare and well-being of the millions of children in the United States call for careful study and examination of the operation and the effectiveness of the family allowances program in Canada: Therefore be it

Resolved, That a special committee of five Senators, to be appointed by the President of the Senate, is authorized and directed to make a full and complete inquiry and study of the Canadian Family Allowances Act and its administration, with a view to determining the advisability of instituting a similar system of family allowances for the promotion of health, development, and well-being of children in the United States. The committee shall report to the Senate, as soon as practicable, the results of its inquiry and study, together with its recommendations, if any, for appropriate legislation.

SEC. 2. (a) The committee is authorized to sit and act at such places and times during the sessions, recess, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, and clerical and stenographic assistants as it deems necessary.

(c) The expenses of the committee, which shall not exceed $26,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the committee.

The article presented by Mr. NEUBERGER is as follows:

[From America of May 11, 1957]

FAMILY ALLOWANCES

(By Senator RICHARD L. NEUBERGER)

Within the next few weeks I intend to offer again my resolution in the Senate for a full-scale study of Canada's program of family allowances. When I offered such a proposal in the summer of 1955, it was the first time that legislation dealing with family allowances ever had been presented in either Chamber of our Congress. I felt it was long overdue. I still think so. Cosponsors of the family-allowances resolution were Senators Paul H. Douglas of Illinois, Herbert H. Lehman of New York, John F. Kennedy of Massachusetts, Wayne Morse of Oregon, Hubert H. Humphrey of Minnesota, Estes Kefauver of Tennessee, and Patrick V. McNamara of Michigan.

EXAMPLE OF CANADA

It is my hope that a careful and thorough analysis by a Senate committee of Canada's highly successful experiment with family allowances—an experiment now nearly a dozen years old—will convince the United States that it no longer should be virtually the only nation of the Free World without some form of governmental assistance to the families who are carrying the major burden of raising the next generation.

I know that a question will inevitably be raised, in view of our present record peacetime budget of $72 billion. People will wonder how I can offer a resolution to study a welfare program that costs some $397 million in Canada and would cost approximately $3.9 billion if applied to the far larger population of the United States. Yet certain aspects of the 1958 budget must be understood, and one of these is the fact that its expenditures per capita are less than those for a good many earlier years.

Furthermore, a New York Times breakdown of the budget has shown that such items as national defense, overseas aid, veterans' benefits, and interest on the public debt absorb 80 percent of the total budget. By contrast less than 5 percent of it is assigned to items broadly classified as labor and welfare.

I believe strongly in adequate defenses, of which foreign aid is a legitimate part. But I fear that growing disillusionment will sweep our country if to pay for both overseas assistance and our Military Establishment we deny the American people needed programs in the field of education, natural resources, public health and general welfare.

Here is how I look at family allowances. A good part of our foreign-aid expenditures in the military field goes to countries that have some form of governmental aid to families with young children—the Scandinavian nations, France, Italy and others. I do not begrudge this. Such expenditures serve to strengthen our allies in the constant war against communism.

Yet it is ironic that the United States, a land whose children must forego family allowances because of the huge Federal budget and debt, is providing financial assistance to nations where family allowances are an accepted part of the social structure. This anomaly will not be tolerated indefinitely by the American people.

I have no doubt that Treasury Secretary Humphrey's theory of economics pretty rigidly excludes any such welfare program as family allowances. It does not exclude, I might add, the 27.5-percent depletion allowance which practically exempts so many big oil companies from income taxes, nor does it rule out the accelerated tax writeoffs that have been such a bonanza to private utility companies and similar corporations. It does not even militate against the subsidies which go to airlines, steamship lines and other carriers in connection with mail contracts. Yet subsidies for children would in the long run do more good to the United States and the rest of mankind than subsidies to immense business combines.

The Humphrey theory of economics is not the only one, of course. Some economists believe that the spending of money by consumers helps to keep a Nation prosperous. Prof. Sumner H. Slichter, of Harvard, wrote in the New York Times for March 22: "Certainly one procedure that will not solve the problem of inflation is encouraging people to spend less than is needed to maintain full employment. That would merely substitute the problem of unemployment for the problem of slowly rising prices."

Every study made in Canada has demonstrated that the bulk of family-allowance funds soon find their way into channels of trade and business. In 1951, after family allowances had been distributed for 6 years, researchers at Laval University in Quebec discovered that the allowances had been used most frequently for the following purposes.:

1. Children's clothing.

2. Insurance policies and annuities for children.

3. Medical care and medicines for children.

4. More nutritious food for children.

5. Children's savings accounts in banks and other savings institutions.

6. Toys and amusement for children.

Family allowances require about 8 percent of the total budget of the National Government of Canada. This is a substantial proportion. It exceeds by 3 percent the proportion of the United States budget that goes to all labor and welfare matters. It likewise exceeds by exactly 3 percent the proportion of our Federal budget that a program of family allowances would constitute, should our Congress enact legislation patterned precisely after the Canadian plan.

Has this had an adverse impact on the Canadian economy? Has it made the investing of money in Canada less attractive to those rugged individualists south of the international boundary who describe disdainfully as a handout any proposal for family allowances in this country?

Last January the English quarterly Lloyds Bank Review gave this advice to prospective investors:

"Canada is booming. * * * The relative importance of American capital is increasing all the time. Over the past 7 years, it has accounted for more than 80 percent of the increase in the book value of all foreign investments in Canada. In 1954, some 60 percent of the American capital—$5.7 billion—was the direct investment of American companies in Canadian business."

In other words, during the very period when family allowances have been in the process of adaptation to Canada's social-welfare program, hardheaded American businessmen have been hurrying to invest an unprecedented amount of their funds in Canadian enterprises.

This, of course, does not prove that family allowances have anything to do with Canada's attractiveness for American investors. It does most definitely prove, however, that family allowances are in no degree the deterrent to free enterprise that some American critics seem to think.

HOW IT LOOKS TO CANADIANS

What do Canadians themselves think of the Government checks which are mailed on the 20th day of each month to mothers or principal guardians of Canadian boys and girls?

I was serving in the Yukon Territory with the American troops building the great Alcan Highway to Fairbanks when such men as the then Prime Minister Mackenzie King, Father Léon Lebel, and Prof. Leonard Marsh were discussing the idea of family allowances. Canadians confessed to me their skepticism. This was particularly true of families who felt they could raise their children without a sop from Ottawa. A Gallup poll in 1943 showed that slightly less than 50 percent of Canadians favored the proposal. Many of the opponents were vocal and vehement.

Between the end of World War II in 1945 and my election to the United States Senate in 1954, my wife and I returned to Canada each year to gather material for books and articles. We talked with literally hundreds of Canadians—with Indians and Eskimos, Hudson's Bay Co. factors, Catholic, and Anglican missionaries, members of Parliament, train conductors, mounted police officers, utility executives, fishermen, nurses, teachers. We saw opposition to family allowances slowly but steadily wane, even on the part of our most conservative Canadian friends.

A 1950 Gallup poll showed 90 percent of the people of Canada in favor of family allowances. There has been no serious criticism of the program in Parliament for almost a decade. All the major political parties today accept the program as a worthwhile feature of the country's national life.

Whenever I address a meeting on the topic of family allowances, some member of the audience is sure to charge that such a program would sap individual initiative. That this has not occurred in Canada seems to make no difference to the complainants. Many American leaders of big business frequently point to Canada as an example of a nation with a balanced budget and a sound dollar. And what of the long experience of other lands with family allowances? What country resisted Soviet aggression more heroically, for example, than did little Finland in the cold and bitter winter fighting of 1939? Government payment to every Finnish family with a child younger than 16 does not appear to have weakened the vitality of this hardy northern people.

GILT-EDGED INVESTMENT

My legislative proposals concerning family allowances are occasionally criticized as offering an undue reward to families with large numbers of children. To this there is an abundance of answers.

To begin with, children, whether in large or small families, are the hope of our nation and of the world. It is essential that they have adequate diet, warm clothing, competent medical and dental care, sound schooling, development of their natural talents and a valid opportunity for fun and for personal happiness. Why should a child in a large family be penalized?

Secondly, the Bureau of the Census has disclosed that about 33 percent of the individuals in the Nation's total civilian labor force are rearing over 90 percent of the children under 18 years of age. Thus the next generation of Americans is being reared largely upon the earnings of only one-third of the population. What is wrong with using a progressive system of taxation to help spread this burden somewhat more equitably?

In addition, the United States has long ago established the basic principle of granting at least indirect aid to families with large numbers of children. This was done when the Federal income-tax laws first allowed extra exemptions for each dependent.

Few questions are asked of me more frequently than why I do not try to accomplish my goal through increased income-tax deductions for dependents, rather than through a complicated governmental system of family allowances.

The inquiry is a logical one. I can understand the reasoning behind it. Yet, to me, there are two unanswerable replies:

1. The increasing of exemptions would be disproportionately beneficial to those in the upper-income brackets, as compared with low-income families, whose children probably require assistance the most.

2. The increasing of exemptions would put no pressure or moral suasion on a family to spend the additional money for the special benefit of the children. It merely would be another tax reduction, and the savings might be spent on an automobile, fishing tackle, golf-club dues, or anything else. Under a program of family allowances, by contrast, the payments are by law made for the direct benefit of the health and welfare of the child.

The latter point deserves amplification. If a general tax reduction takes place, no particular advantage accrues to children. They may indeed share in some of the bounty; but it is, at most, a very general and across-the-board sharing. Family allowances, on the other hand, are pinpointed for the express benefit of the children to whom they are assigned. There is a real difference.

NEW DAY FOR CANADA'S CHILDREN

During the first year that family allowances were in force, infant mortality in Canada dropped from 51 to 47 per 1,000 births—a most heartening and welcome development. In the same period, the monthly production of children's shoes soared from 762,000 pairs to 1.18 million pairs, a prodigious increase of over 54 percent.

On the streets of Edmonton, Mrs. Neuberger and I have seen long lines of mothers and children waiting to purchase shoes a day or so after the monthly family-allowances check was due in each household. Traders at remote wilderness outposts told us there had been no real demand for Pablum or vitamins until family allowances went into effect. The number of Canadian doctors specializing in pediatrics has multiplied many times since the system was adopted.

At the British Columbia community of Revelstoke, in the heart of the towering Selkirk Mountains, I met a Canadian Pacific locomotive engineer. He and his attractive wife had five young children. Their first few family-allowances payments each year were used to finance a thorough medical and dental checkup at a local clinic for all five children. Several potentially serious difficulties had thus been detected in ample time.

Would the engineer and his wife have undertaken such an expenditure if they had received merely a tax reduction? Would the reduction have carried with it the compulsion to do something specifically for the children, as is the case with family allowances?

Every year 4 million babies are born in the United States. A program of family allowances would be an annual investment by the Government of $3.9 billion in the health, happiness, and security of these babies, at least until their 16th birthdays. What subsidy—and I am not afraid to use the word—could be more justifiable? After all, millions of veterans received a subsidy under the GI bill of rights. Railroads received fabulous subsidies in rich land grants along their western rights-of-way. Airlines and merchant shipping are still subsidized as mail carriers. Farmers get soil-bank payments and price-support loans. Many newspapers, magazines and book publishers enjoy mailing privileges.

I am not criticizing these subsidies. They are part of our way of life. The $5-billion agricultural budget has come in for relatively scant questioning. Our rural economy desperately needs bolstering. But since we almost automatically provide subsidies for so many segments of our population, can anybody seriously argue that it is unwise or inadvisable to extend this policy to our most precious resource of all—our children?

There is not the slightest doubt in my mind that the United States will eventually join the long roster of free nations that support some form of family allowances. I am not irrevocably wedded to the precise form that the American system of family allowances will take. I merely hope that those in charge of our governmental decisions can keep in mind a couplet from the poem which was Lincoln's favorite, "The Present Crisis" by James Russell Lowell:

> New occasions teach new duties
> Time makes ancient good uncouth.

REVIEW OF GRANTING OF TAX AMORTIZATION CERTIFICATES FOR ACCELERATED DEPRECIATION

Mr. CASE of South Dakota submitted the following resolution, which was referred, as indicated:

S. Res. 150. Resolution favoring a review of the granting of tax amortization certificates for accelerated depreciation; to the Committee on Finance.

(See the remarks of Mr. CASE of South Dakota when he submitted the above resolution, which appear under a separate heading.)

RELIEF OF CERTAIN IMMIGRANT ORPHANS

Mr. NEUBERGER. Mr. President, I recently received a petition sent to me by George Vanaman, of 420 East 31st Street, Eugene, Oreg., and signed by 149 students of Roosevelt Junior High School of Eugene, strongly urging the passage of legislation similar to my bill to admit to the United States 10,000 orphan children who have been or will be adopted by American families. These children cannot now enter the United States unless general orphan legislation is enacted or unless private legislation is passed in each specific case.

I was indeed pleased that the chairman of the Senate Immigration Subcommittee and the Senate Judiciary Committee [Mr. EASTLAND] yesterday advised the Senate that our proposed legislation relating to orphans will soon be on the Senate Calendar and that he favors such legislation. This is certainly good news to the parents who are encountering such difficulties in bringing their adopted children to the United States.

Mr. President, on behalf of myself and my colleague, the senior Senator from Oregon [Mr. MORSE], I introduce, for reference to the appropriate committee, two additional private bills so that these adopted children will be permitted to enter the United States and join their parents. I ask unanimous consent that the fine, humanitarian petition of the students of Roosevelt Junior High School be printed in the RECORD.

The PRESIDENT pro tempore. The bills will be received and appropriately referred; and, without objection, the petition without the signatures attached, will be printed in the RECORD.

The bills, introduced by Mr. NEUBERGER (for himself and Mr. MORSE), were received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

S. 2352. A bill for the relief of Deanna Marie Greene (Okhe Kim); and

S. 2353. A bill for the relief of Charles Frederick Canfield (Kim Yo Sep).

The petition presented by Mr. NEUBERGER is as follows:

JUNE 11, 1957.

To the Honorable RICHARD L. NEUBERGER:

We, the undersigned students of Roosevelt Junior High School of Eugene, Oreg., believe the following to be true:

1. The United States has a definite responsibility toward the illegitimate and orphaned children of American servicemen in foreign countries.

2. These children in most cases are not accepted by the people of their own countries.

3. Many of these children will starve, and most will not receive adequate education, if any at all.

4. Some of these children that the orphanages will not find will die of diseases because they will have to get their food from garbage cans and will have to sleep in the streets and gutters.

5. Such men as Harry Holt are doing an excellent work of charity, while at the same time filling an obligation which our entire country owes.

Believing this to be true and for other unlisted reasons we strongly urge the passage of pending legislation which would permit the entry of 10,000 orphans of 12 years of age and younger into this country in the next 10 years.

(Signed by George Vanaman, and 148 other students of Roosevelt Junior High School, Eugene, Oreg.)

DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1958—AMENDMENT

Mr. MORSE (for himself, Mr. MANSFIELD, Mr. MURRAY, Mr. NEUBERGER, and Mr. JACKSON) submitted an amendment, intended to be proposed by them, jointly, to the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes, which was ordered to lie on the table and to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MORSE:

Address delivered by Senator CLARK, of Pennsylvania, on May 1, 1957, at mid-Atlantic regional conference, the President's Committee on Education Beyond the High School.

NOTICE OF CONSIDERATION OF A NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, the Committee on Foreign Relations received today the nomination of Neil H. Jacoby, of California, to be the representative of the United States of America on the Economic and Social Council of the United Nations, vice John C. Baker, resigned.

Notice is given that the nomination will be eligible for consideration by the Committee on Foreign Relations at the expiration of 6 days, in accordance with the committee rule.

EXCESSIVE OIL IMPORTS

Mr. JOHNSON of Texas. Mr. President, I was informed yesterday that the Texas Railroad Commission had to cut the oil allowable by 390,000 barrels a day.

This is a tremendous blow to our independent oil producers. It means that since the Suez Canal has been reopened, their production has been cut 700,000 barrels a day.

And meanwhile, oil imports have reached the level of 1,700,000 barrels a day.

Mr. President, the situation for our independent producers has become a one-way street leading to oblivion.

When the Suez Canal was shut down, they were asked to increase production. The Texas Railroad Commission responded by raising the allowable 400,000 barrels a day without regard to normal procedures.

Now that the crisis is over, they have been left in the lurch. There is clear authority to handle this situation, and it is time that cooperation again become a two-way street.

Mr. President, I am hopeful that action taken recently by the Office of Defense Mobilization will expedite a decision by the President under the authority of the Reciprocal Trade Agreements Act. Such a decision is long overdue, and I call upon the Executive to administer the law, and utilize the authority given to him, to correct the terrible situation to which I have called attention.

I ask unanimous consent that there be printed in the RECORD following my statement an article from the Wall Street Journal of yesterday relating to this matter.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TEXAS BOARD CUTS STATE'S JULY OIL OUTPUT RATE 390,449 BARRELS A DAY—IT SETS 13-DAY OPERATION, DOWN FROM 15 IN JUNE—ONE COMMISSIONER OPPOSED

AUSTIN, TEX.—Heeding pleas by both purchasers and producers of oils, the Texas Railroad Commission reduced the State's permitted production for July by 390,449 barrels a day from the June 15 level and nearly 800,000 barrels below the record high reached during the last week of March.

Next month's proration order calls for 3,027,786 barrels daily average crude oil output. This compares with 3,418,235 barrels daily for the week ended June 15 and the record 3,821,426 barrels in the final week of March, when oil demand from Europe was high because of the Middle East crisis.

The July order will allow only 13 days' flow in the 31-day month. The June schedule is 15 days.

Howard-Glasscock field in west Texas, formerly exempt from shutdown, will be restricted to 23 days in July. Six-day production was ordered for two other west Texas pools, the Headlee (Devonian) and the Dora Roberts.

Commission Chairman Olin Culberson, absent from the statewide hearing, wrote that he objected to any reduction below 15 days monthly. He said other States have not borne their proportionate share of production cuts and that a further reduction would have a serious and adverse effect upon State government finances in Texas.

Texas collects nearly 13 cents a barrel in tax on oil production, making this a principal source of State income. Reductions ordered since March will trim tax revenues at a rate of nearly $30 million annually.

Commissioners Ernest O. Thompson and William J. Murray, Jr., issued the order for a July cut. Witnesses from both producing and refining segments of the industry called for this as the only course to avoid more serious problems of oversupply later.

Imports plus the effort to supply Europe with oil during the Suez crisis were blamed for the domestic industry's present plight.

Webb Walker, Jr., representing Fort Worth independent operators, drew laughter with a statement: "It is our belief that the President will act soon to limit imports."

"Belief or hope?" interrupted Commissioner Murray.

"Both," replied Mr. Walker.

Presidents of four Texas producers' associations, after the hearing, sent a telegram to Senator JOSEPH C. O'MAHONEY, Democrat, Wyoming, chairman of the Senate subcommittee investigating the oil industry, urging action to limit imports of foreign oil.

The telegram said the 13-day production schedule for July is an "unprecedented low,

thereby placing in jeopardy thousands of independent producers and undermining national security." The action, it stated, "underscores the fact that imports now supplant domestic production, making the United States dependent on unreliable foreign oil. It amplifies the urgency for immediate action for curtailment of excessive imports."

Mr. JOHNSON of Texas subsequently said: Mr. President, for some time I have maintained close touch with the Office of Defense Mobilization on the question of the excessive oil imports which threaten our domestic producers.

Since I made my statement earlier today, ODM Director Gordon Gray has assured me that action is under way. I hope that it will be followed through.

Mr. Gray advised me that the President is in agreement with his preliminary findings that there is reasonable ground to believe that excessive oil imports are threatening the national security.

Mr. Gray also said that the President indicated he was ready to initiate the investigation under section 7 of the Reciprocal Trade Agreements Act. Such an investigation is a necessary preliminary to action.

The President has also asked Mr. Gray to explore the feasibility of making voluntary arrangements which will help solve the situation, if he concludes that import reductions are necessary.

Mr. President, it is good news that action is under way. I have already discussed some of the latest developments which threaten our domestic producers.

The ODM Director assures me that he is taking expeditious action. I hope that a conclusion will not be too long delayed.

SVENSKARNAS DAG CELEBRATION

Mr. THYE. Mr. President, on Sunday, June 23, thousands of Swedish Americans in the Twin Cities area of my State of Minnesota will gather for the annual observation of Svenskarnas Dag, or Swedes Day.

Last weekend it was my pleasure to join with our Swedish friends in the Duluth area in observation of this midsummer eve festival. I am sorry I will not be able to be present for the festivities in Minneapolis on Sunday; but I am pleased that my friend and colleague, the able senior Senator from Washington [Mr. MAGNUSON], will be the speaker of the day. Senator MAGNUSON is a native of our State; he was born in Moorhead, Minn. I know he will enjoy returning to Minnesota for this occasion, and I know he will be well received in traditional Minnesota Scandinavian hospitality.

Svenskarnas Dag originated in Sweden more than 1,000 years ago. Originally it was the celebration of the end of the cold winter, long nights, and the accompanying hardships, and the return to long, warm summer days and an easier way of life. This year, as the people of Sweden again prepare to celebrate this midsummer eve festival, they will rejoice in more than the warmth and brightness of summer. They will be celebrating their freedom, a democratic way of life, and one of the highest standards of living in the world today. Our Minnesota Scandinavians speak with pride of the remarkable economic and social progress in Sweden. They also are proud to say that for more than 500 years, the ordinary people of Sweden have had a real voice in their government.

I also know, from conversations with people from Sweden, that they are proud of the close and friendly association of their nation with the United States. I know they are particularly proud of the great contributions which men and women of Swedish descent have made toward the development of our own great Nation. People of this type came to Minnesota years ago, and dedicated themselves to the transformation of a wilderness into a vigorous and prosperous State. All this has been done in less than 100 years.

We must not forget that Sweden was the first nation, not engaged in the Revolutionary War, which recognized the independence and equality of the United States. A Swede, John Hanson, was the first President of the United States in Congress assembled. It is also worthy of note that one of the very first permanent settlements in this country was a colony of Swedes on the shores of Delaware.

We can observe the leadership of Sweden in world affairs through the work of Dag Hammarskjold, as Secretary General of the United Nations. It is this type of sensitivity to changing world conditions which sets Sweden apart as a nation dedicated to the cause of freedom and independence.

Mr. President, these are some of the reasons why Svenskarnas Dag means so much to the people of Minnesota.

WE'VE BEEN EISENHOWERED

Mr. MORSE. Mr. President, there are times when I truly regret our self-restraint in prohibiting photographic reproductions in the RECORD. This is one such time. In the Central Oregonian, of June 13, 1957, this Prineville, Oreg., newspaper had on its front page a news picture which in capsule form epitomizes what so many of us have been saying for so long. The scene is a cafe which has just gone out of business. The laconic explanation is lettered on the front window. The simple stark sentence reads: "We've been Eisenhowered."

Mr. President, since the photograph cannot be reproduced in the CONGRESSIONAL RECORD, I ask unanimous consent that the caption of the photograph be printed at this point in the RECORD, in connection with my remarks. It reads as follows:

We've been Eisenhowered, points out Davey Pinkston as he waves the white flag of surrender after closing the doors on his cafe business last week. The Republican administration's tight money policy, which is being blamed for the current lumber recession, is also blamed by Pinkston for his troubles. "What's good for General Motors wasn't good enough for me," said Davey, who predicts there won't be enough Republicans left in office to make it worth while counting them when the 1958 election is over.

ECONOMIC SLUMP IN OREGON

Mr. MORSE. Mr. President, I have talked at some length on the slump that is stalking the economy of the State of Oregon. Anyone who doubts that the housing industry is in bad shape should read some recent articles by William Dean, which were published in the Eugene (Oreg.) Register Guard.

I ask unanimous consent that these articles be inserted in the body of the RECORD.

I want to say I am indebted to William Dean for the very fine reporting job he has done. I also wish to say I have talked in recent days to a number of Oregon businessmen who have come to Washington to express their great concern about the exceedingly serious recession which has struck the economy of Oregon. They point out—and most of them are Republicans, I may say—that the fiscal and economic policies of the Eisenhower administration, as epitomized by the big-business attitude of Secretary of the Treasury Humphrey, in connection with his tight-money policy and high-interest policy, are doing great damage to the economy of our State and great damage particularly to the bellwether of the economy of our State—the lumber industry.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

TIGHT MONEY DID IT: LUMBER'S BOOM TURNS TO GLOOM

(EDITOR'S NOTE—The state of the Nation's housing industry determines to a large extent the condition of the Emerald Empire's economy. In the last year, there have been some drastic changes and much confusion over the condition of housing, the causes and the solutions. This is the first of a series which will attempt to explain some of the factors involved.)

(By William Dean)

Look around your own neighborhood. Probably, you'll find someone who is out of work, or is getting only a short shift, or whose business isn't quite as good as he thinks it should be.

It may be you.

There are a number of reasons for this—but ask most any lumber producer or seller, real-estate man or builder, and he'll give it to you in two words: "Tight money."

This doesn't mean that the dollar bill is any more giddy than usual as a medium of exchange. This two-word phrase has become the symbol of the jagged rock on which nearly 8 out of every 10 of us saw our hopes for a sustained boom flounder early in 1956. In the year since these two words first came into public use they have been blamed for everything but the common cold.

BEHIND THE DITTY

Behind these 10 letters there are unspoken volumes about national policy, economics, astute politics and the future health of the lumber industry, as well as of the Nation's second largest industry: home construction. Many of these volumes, however, have little to do with the Federal Reserve Board's tight-fisted money policy.

In the last 2 weeks, lumber producers from this area have been getting a concentrated lesson in what that catch-all, two-word ditty really encompasses. At a meeting a week ago of the Western Forest Industries Association in Vancouver, British Columbia, and of another meeting last week of the West Coast Lumbermen's Association in Portland they were told that there are about as many

ramifications to what is going on in the housing business as a bandsaw has teeth.

Every one of these ramifications has had some effect on home construction. In 1955 home building was at an all-time high of 1,350,000 starts. Lumbermen couldn't seem to satisfy the demand for forest products. Mortgage credit was free and easy.

In fact, it may have been too free and easy. The Federal Reserve Board, keeping a sharp eye on the state of the economy, foresaw a burgeoning inflation and clamped on some controls. The Board, through its regional banks, began charging more for the money it loaned to member banks. It became less easy for homebuilders to get credit and financing.

INVESTMENT INFLATION

However, the financing controls did not slow down the accumulation of consumer credit, nor the "investment inflation"—the pouring of additional millions of dollars into business and industrial expansion.

At the same time, the industry itself apparently underwent a change. There was a shift from many relatively low-cost units to fewer, more expensive houses.

Early in 1956, lumber and plywood producers watched housing starts slide off their peak. Less than 1,100,000 new houses were started during the year. Lumber demand skidded downward almost in pace with the new starts. By the beginning of 1957 the monthly lumber production rate was anywhere from 7 to 10 percent below the 5-year average.

Stated another way, the loss of 200,000 houses meant a loss in demand for forest products of almost twice the annual production of all of Lane County's mills.

Western producers scrambled to hold on to their markets and to develop new ones to cushion the drop. Just how hard a blow it was depends largely on individual circumstances and how well the lumber sales organizations scrambled.

LUMBER PRICES SKID

More seriously for most western Oregon mills was the sharp drop in lumber prices. Buyers, who found the industry geared up nationwide to supply the needs developed during a 10-year boom of the construction industry, began to dicker.

By mid-March, 1957, when industry market analysts finally began to see a consistent upward flicker in western lumber prices and demand, the average of all the Northwest's major species was $13.19 below the same period last year. Plywood was correspondingly lower priced. The average for green fir lumber, western Oregon's mainstay, was down an even $14.

In many cases, these prices meant that the value of the product had been squeezed down so close to the cost of timber that there was little left in between for logging and milling costs, let alone for profit.

The result was a general cutback in production during 1956, and probably during most of 1957. This is why there is probably someone in your neighborhood, perhaps even yourself, who has had a pretty lean time of it. Men were laid off. In many cases the mills have been able to soften the shock to individual employees by working shifts on alternate weeks, giving each man 1 week of work out of every 2 or so, or by cutting back from 5- to 4-day weeks.

SOME ENCOURAGING SIGNS

The picture is not all bleak. In fact, there are some encouraging signs for the near future, despite predictions that home construction this year will be down around 1 million or even less. Almost everyone says there will be a great year dawning about 1958 or 1959.

But in view of what happened last year, it's no wonder that ears prick up whenever there is mention of the magic but loosely used words "tight money."

HIGHER INTEREST RATES FOR BUSINESS LOANS; CONSUMER CREDIT ATTACTS CAPITAL—COMPETITION FOR MONEY, NOT LACK OF IT, HURTS HOUSING INDUSTRY

(EDITOR'S NOTE.—The state of the Nation's housing industry determines to a large extent the condition of the Emerald Empire's economy. In the last year there have been some drastic changes and much confusion over the condition of housing, the causes and the solutions. This is the second of a series which will attempt to explain some of the factors involved.)

(By William Dean)

Anyone who has bought a house knows that real-estate men and loan officers have a lingo all their own.

Sometimes this bafflegab would seem to have little point other than to confuse the purchaser. But this is only a grammar-school version of the pidgin English used upstairs in the money market.

And that is exactly what it is, a money market. Greenbacks, securities, mortgages are merely commodities that some people sell in the same way many of us sell lumber, beets, or gasoline.

Recent events in this particular commodity market have a lot to do with what has happened to the home construction industry of the Nation—as well as to our own local lumber industry. This money market is a highly refined world of paper, discounts, points and careful dealing in dollars to make dollars. The uninitiated can wander through it in complete bewilderment and pick up only a pointer here and there; a familiar, ordinary word like rent.

RENT A KEYSTONE

Rent seems to be one of the keystones to what is wrong with the housing business. Rent is what you pay a landlord for one of his houses, or for the use of some equipment that you are not able to buy outright. It's also what you pay if you want to use some other guy's money.

Right now money rent is one of the key topics among builders, lenders, a unique creature called Fannie May, and a host of others, including politicians.

One of the big problems of the housing business today is that money is like any other free commodity—it goes to the highest bidder—the one who can pay the most rent. And today the highest bidders are the businesses and industries who can borrow for expansion and charge off part of the cost through taxes. House builders are limited on their Government-backed financing to a rate of rent which is below the starting bid of most business loans—and they are limited by the nature of the market and some other factors to the amount that can be paid in rent on the so-called conventional loans.

COMPETITION COUNTS

This competition for money, more than any actual shortage of it, has turned a lot of capital from house construction, which will pay rates from 4½ to 6½ percent, to business loans at 8 percent or consumer credit financing with interest rates of 12 percent.

Actually, there is more money in circulation now than there was a year ago. It just seems as though there is less money because the demand is so great, Hermann N. Mangels, president of the Federal Reserve Bank of San Francisco, told the West Coast Lumbermen's Association last week. Mangels said that it would be possible for "The Fed" to allow more money to circulate but that if this were done without a corresponding increase in production, the result would be a pyramiding inflation.

Another view of essentially the same problem was stated by Nels Severin, a vice president of the National Association of Home Builders. Severin told the Western Forest Industries Association convention week before last that he usually builds 500 houses a year in his area in southern California. This year, he said, he has 21 houses under construction because of the difficulty of obtaining financing.

"I'm not nearly as concerned with inflation today," Severin said, "as I am with deflation. My business is deflating."

Severin's group—which is made up of builders as well as manufacturers of such items as toilets and doorknobs—has been critical of the effect of credit restrictions on home financing at a time when consumer credit and industrial expansion are allowed to run unfettered.

"It's absurd to consider our tight money policy as though it stands by itself. Our monetary policy goes off in one direction to curb inflation and causes a deflation in the home building industry. On the other hand, our tax policy encourages business spending rather than saving," Severin said.

He said that business investments in plants and facilities rose 48 percent during 1956 while the light construction industry fell off 29 percent.

"If the administration were sympathetic with our problems," he said, "we could get some of this money channeled down to us rather than into industrial expansion."

FANNIE MAY

One way Severin would take to channel money into the housing industry is to beef up the activities of Fannie May. This is formally known as the Federal National Mortgage Association and is part of the Housing and Home Finance Agency of the Federal Government. It operates as a central mortgage bank, buying mortgages where and when money is scarce and selling them where money is more plentiful.

Although Fannie May can buy only the GI and FHA guaranteed mortgages (about 40 percent of the Nation's total house-mortgage debt), Severin and others feel that stronger purchases by Fannie May could contribute greatly to the health of the house construction industry.

Paul Akin, western manager for Fannie May, told the WFIA group that the purpose of his organization is to do just that by providing some liquidity in the mortgage market.

"Capital is scarce in the West because this is a relatively new region," he said. "We buy mortgages more heavily in this area than in most parts of the Nation and attempt to resell them in the East and New England States where there actually is something of a surplus."

IN NEW ENGLAND

As an illustration of the differences between the capitalization of the West and the East, Akin pointed out that the GI home loan program, which ground to a halt in most parts of the Nation a year ago, is still functioning in New England.

"We want to have a sustaining and leveling effect on the mortgage market," Akin said, "but we operate only when it is clear that we must."

It became clear last fall that Fannie May "must." Limited to purchases of GI and FHA mortgages the organization holds about 3 percent of the $93 billion invested in such paper. Last August, Fannie was purchasing about 4,000 mortgages a month. By December 1956, a high point which has been sustained since, purchases were at 18,000 a month with a value of about $140 million monthly.

Akin forecast a continuation of this high level, which is now considerably more than 3 percent of current loans, throughout the year.

However, housing's problem is not simply a case of whether Fannie can continue to buy heavily in the secondary mortgage market. As Akin said, "We can only hope to level out some of the hills and valleys" in mortgage investments.

Neither Fannie nor anyone short of Congress can help the home builder compete with expanding industry for money. Congress can help but it would involve, at least, major changes in Government-guaranteed loan provisions. Possibly it would involve subsidization. And, even that might not solve a basic problem created by a change within the industry itself.

BUILDING SLUMP SWELLS LINES OF UNEMPLOYED

(EDITOR'S NOTE.—The state of the Nation's housing industry determines to a large extent the condition of the Emerald Empire's economy. In the last year, there have been some drastic changes and much confusion over the condition of housing, the causes and the solutions. This is the final installment of a series which has attempted to explain some of the factors involved.)

(By William Dean of the Register-Guard)

An employee of a Eugene firm which is largely dependent on the lumber industry has been laid off since early in the year. He's been more fortunate than some fellow workers who were turned out as long ago as last summer.

The other day he checked with his old employer after making the rounds looking for another job and he was told:

"Don't expect to come back to work here. The way things look, we'll be cut down to the bone at least through early summer, maybe longer."

The experience of this Eugene man shouldn't come as a shock to anyone who has gone by the Oregon State Employment Service office on East 11th or Carpenters Hall, at 5th and Willamette, in the early morning. At these two offices and several others there are regular morning lines of men looking for work.

These lines are made up of many of the 1,777 men and 578 women who drew State unemployment compensation for the week ending March 28. For this period, there were 507 more men and women out of work than the same week a year ago. Besides these people there are another group of railroad employees who are drawing compensation from a railway fund.

The unemployment figures don't show the number of men who are getting 1, 2, or 3 days of work a week, nor the plywood workers who are on a 4-day week.

Nor do they adequately describe the 2 skilled workmen who were glad to split $1.50 for a lawn-raking job a week ago.

Nor the part owner of a substantial small lumber mill who said, "It hurts to work like hell all month and end up losing money."

Nor the equipment dealer who commented, "Collections are sure slow."

Even these examples do not make up a fully accurate picture of the effect on Lane County of a 30-percent slump in the Nation's housing industry. Economically, times are bad here; but they are better in some businesses than others, and they could be worse overall.

There are many who figure that the low point has been reached; that the downward trend of the house-construction industry will be halted and the industry perhaps will be started back upward this year.

Last week's employment figures, worse than last year's, are still better than those of a month ago. Last week's lumber prices, lower than last year's, are still higher than those of a month ago.

And looking ahead to the next year and the next some expect something almost similar to the housing boom of the last 10 years.

In the immediate future changes in Government support and financing of new houses are almost certain to come. An equally important factor is that industrial and business expansion are showing signs of leveling off. This is the thing that has caused tight money, the competition of the high-bidding industries with relatively low-bidding home builders for the available investment money.

LONG-RANGE OUTLOOK

However, as one builder said, "There's quite a time lapse between the gleam in a builder's eye and the moment he starts work." In other words, actions taken by Congress and the administration in attempts to beef up home construction probably won't be felt strongly until the next building season, spring of 1958.

The long-range outlook is more encouraging.

The principal reason for this is that we've had a lot of babies in the last 17 years and some of them—the first wave—are about ready to move out of the home nests into vine-covered bungalows of their own.

Dan Goldy, of the Department of Labor's regional office in Seattle, outlining the effect of this young population wave, says that the demand for housing is being dammed up behind the current slump in construction.

FIGURES CONSERVATIVE

Based on Labor Department figures, the Nation should be building in 1957 about as many houses as we built in 1955—or 1,300,000. The yearly average of new starts between 1960–65 should go to 1,400,000 and then to 1,600,000 in the next 5-year period. In the 1970's it should be around 1,800,000.

Goldy, who says these figures are considered conservative, explains that these new houses will be needed not only for new families but to take care of the destruction and obsolescence of existing houses. He says that around one-half million replacement houses will be needed yearly in the next 5 years.

These are a lot of figures, glowing figures when stacked up against estimates of housing starts for this year ranging from a low of 800,000 to a high of about 1 million.

And they mean a lot of lumber when you figure that it takes forest products equivalent to about 975 million board feet of lumber to build 100,000 houses. That is about the same volume of lumber produced annually in Lane County.

But these figures won't do much this month toward reducing the line of men looking for work.

WILL-O'-THE-WISP FARM PROSPERITY

Mr. MORSE. Mr. President, in common with many, if not all, of my colleagues, I am in receipt of much mail from constitutents justifiably concerned with the high cost of living. The Eisenhower "prosperity" evidently is a selective prosperity; to judge from my mail, it is not shared by many of my correspondents.

Why this is so can be well illustrated by some figures, based on data provided by the Departments of Agriculture and Commerce, which have been prepared by the Conference on Economic Progress and are published in the May 24 issue of the Washington Newsletter of the National Farmers Union.

Here are the simple but compelling facts: Net farm operators income has dropped 5.4 percent since 1953; labor income for the same period is up but 3.2 percent; unincorporated business and professional income has had only a 2.3 percent increase. Who then has received the benefit of Eisenhower "prosperity"? Interest income has climbed 6.8 percent; dividends have kept pace; they are up 6.6 percent.

This seems to me, Mr. President, to lay a foundation for questioning again the statement of an Eisenhower Cabinet official that "What's good for General Motors is good for the country." Surely an economic distribution of income that favors the holders of capital by increasing their share by more than 6 percent, while farmers are penalized by an income drop of 5.4 percent—and that in a period of rising prices—does not make for a very healthy economic situation.

If consumer food prices had reflected the loss the farmers have taken, Mr. President, although it would not have been just, it might have been accepted as a necessary sacrifice on their part for the greater good of the whole economy. But this is not the case. The consumer did not receive lower food prices as farm prices fell. Profiteering by big business and the manipulation of the interest rate upward to favor the holders of stocks and bonds at the expense of the farmer and the consumer, the laboring man and the small-business man, Mr. President, are the hallmarks of this Eisenhower "prosperity."

Leon Keyserling, Chairman of the Council of Economic Advisers under President Truman, has made an excellent analysis of our economy today. The study is called Consumption: Key To Full Prosperity, and it was published by the Conference on Economic Progress. I ask unanimous consent, Mr. President, that an article entitled "Business in Slump—Ike's Management of Economy Hit," a review of the Keyserling report that underlines the main conclusions that were reached in it, be printed in full in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BUSINESS IN SLUMP—IKE'S MANAGEMENT OF ECONOMY HIT

The United States economy again has been dragged to a halt by the administration's upward manipulation of interest rates and profiteering by the major corporations.

The current slump in business just about wipes out whatever hope might have existed for even slight improvement in the farm economy this year.

Two months ago (March 29) this Newsletter forecast that "another recession is just around the corner." The present business slump is now generally acknowledged and identified by expert observers of economic trends. The Wall Street Journal recently stated that the latest trend is now called a lull, or the lull, and that it seems to be deepening.

A hard-hitting diagnosis of what's ailing the United States economy, plus a bold prescription for curing it and stimulating robust good health comes, therefore, at an exceptionally appropriate time this week.

It was published by the Conference on Economic Progress, headed by Leon Keyserling, Chairman of the Council of Economic Advisers under President Truman. Among the conference's national committee members are FU leaders Jim Patton, Glenn Talbott, and M. W. Thatcher, along with other farm, co-op, and labor leaders and businessmen.

The most important point driven home by the Keyserling study is that this is a growing Nation, with a fast increasing population and rising productive ability, and that

its economy must grow at a healthy rate to keep up.

As Keyserling puts it:

"Our rate of economic growth, the basis of expanding consumption and living standards, has slowed down during recent years to only about half our best past performance in peacetime. Yet we preen ourselves on a little more production and consumption today than a year ago, like a child who has grown 1 inch when it should have grown 2."

Keyserling's entire criticism of the administration's economic policies, and his proposals for alternative policies, hinge upon this point. Contrariwise, the administration's defense of its management of the economy turns backward on this identical point; United States planners boasted that national production in 1954 was almost as good as in 1953, and similarly bragged on very inadequate performances in 1955 and 1956. Of this record, Keyserling says:

"The growth in our total production has fallen from more than 4½ percent a year during 1947–53, to only about 2½ percent a year during the past few years, and to only about 2 percent from fourth quarter 1955 to fourth quarter 1956. We have thus slowed down to less than half the rate of progress within our power."

For farmers especially, economic growth is of utmost importance. Farm production in the United States has increased at a remarkably steady pace. From 1900 to 1950, total United States farm production increased at an average rate of 2 percent per year, and regardless of drought, flood, depression, or war, farm production never varied either up or down from the previous year by more that 4 percent in any of those 50 years.

Obviously, farmers cannot hold their own unless the economy expands sufficiently to absorb the steady annual average increase in farm production. Actual experience over the past 25 years has been that farmers' purchasing power is likely to drop unless the gross national product increases by 8 percent or more over the previous year. This experience is all the more meaningful with the administration now hinting darkly that it will give less and less help to farmers in securing a fair share of the national income.

The farm depression is recognized in the Keyserling study as a major cause of the economic slowdown.

"This is true, even though net farm operators' income is a small fraction (4 percent) of total consumer income, because farm income has collapsed so drastically," the study points out. "In the 10 years ending last December, net farm operators' income, measured in uniform dollars, declined about 32 percent (mostly since 1951) while total national income rose about 42 percent."

Keyserling blames inadequate consumer purchasing power for the failure of the economy to maintain full employment and full production. "Some groups have received relatively too little," he maintains. As a result of this unbalance, he contends, big businesses are putting more money than is needed into investments in new plants, while consumers aren't able to buy even the full output of existing factories.

Keyserling's prescription for balanced and maximum economic expansion consists primarily of policies which would increase consumer purchasing power, including an entirely new farm program using income parity aids, ending the hard money policy immediately, reduced income taxes for low-income families, and action to probe and halt monopoly where involved in selectively administered price inflation and profiteering. He advocates increased spending for schools, old-age assistance, housing, and other welfare programs, increased natural resource development projects. Rising national productivity would cut the size both of the budget and the national debt in relation to national income, and increased national income would boost tax revenues sufficiently to balance the higher budget, he maintained. He proposes that by 1960 wages, salaries, and employee benefits be increased by 20 percent, and net farm operators' income by about 72 percent, over the 1956 level.

The hard money policy is roundly scored in the Keyserling booklet. The administration, in following it, is fighting "the wrong economic enemies at the wrong time with the wrong weapons," he asserts, and in doing so is tilting at windmills of an imaginary general inflation, while pouring oil on the fires of selective inflation and water on the embers of selective deflation.

"To be sure," Keyserling points out, "some industrial prices have been rising sharply. And the cost of living has risen to new all-time peaks, at a faster pace than in any previous period other than war or quick transition from war to peace. But these soaring prices have not been caused by excessive demand, nor justified by higher costs. Administered price fixing and profiteering are cutting into consumer purchasing power, and feeding a boom in plant and equipment out of line with deficient consumption."

A classic example is furnished by what is happening in the steel industry. Steel production has been running at approximately full capacity most of the time since World War II. Everyone agrees that the price of almost any manufactured commodity is directly influenced by the price of steel. Defenders of hard money have pointed to the tight steel supply as justification for their contention that demands need to be curbed in order to prevent prices from being bid up.

This argument is new completely exploded. Steel production has been running below 90 percent of capacity. The New York Times and other industry analysts predict that it will sag below 80 percent later this year, when the rush orders to beat the expected July 1 price increase is over.

But in the face of this steel surplus, reports the New York Times, the steel industry is preparing new price increases July 1. It goes on to say that most observers feel the increase will be in the $5 to $6 (per ton) range. (Steel is now $140 per ton.)

THE CONGRESSIONAL QUARTERLY

Mr. NEUBERGER. Mr. President, in order that the Senate may know both sides of an important public issue, I ask unanimous consent to have printed in the body of the CONGRESSIONAL RECORD a letter dated June 14, 1957, from the executive editor of the Congressional Quarterly, Mr. Thomas N. Schroth, to the distinguished Senator from Kansas [Mr. SCHOEPPEL].

On June 13, 1957, the Senator from Kansas voiced some very sharp and direct criticisms of the Congressional Quarterly during a speech on the Senate floor. Because I myself have considered the Congressional Quarterly to be a useful source of information and facts, I believe that my colleagues are entitled to know all aspects of this question, which is certainly the privilege of legislators and other public officials in a free land.

Therefore, Mr. President, I ask unanimous consent that the letter from Mr. Schroth to the Senator from Kansas, presenting the side of the Congressional Quarterly, be printed in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL QUARTERLY,
Washington, D. C., June 14, 1957.

Hon. ANDREW F. SCHOEPPEL,
Senate Office Building,
Washington, D. C.

DEAR SENATOR SCHOEPPEL: It seems a shame that an experienced and knowledgeable lawmaker such as yourself should be misled into delivering on the floor of the United States Senate inaccurate and unfair attacks on Congressional Quarterly. I believe that, if you knew of the false basis of the "research" material you have been handed, purporting to analyze CQ studies, you would not use that material.

Certainly our presidential support story of May 12, which I sent to you, did not flatter the Republicans. But it was prepared with the same objective disinterest in the results that our stories in past years have featured. It was simply based on the votes of the Members and not on any "political viewpoint."

You noted in your speech on June 13 that the study prepared for you last year was "based on the entire record." So was the Congressional Quarterly Presidential Support story for last year. In the Congressional Quarterly story, you had a record of support for the President's program of 69 percent. Taking your own statistics, which you say are much more reliable than ours, you have a support score of 67.5 percent.

If we are trying to "distort" the record, then the "statistics" you are using compound the "distortion." I suggest you review the source of the "statistics" you quote. I believe you will find the Congressional Quarterly approach far more objective than the one you have been led to accept.

Frankly, Senator, I am at a loss to understand why you accept figures which put the Republican record in a worse light than that revealed by CQ figures.

For example, in your speech on the Senate floor on June 13 (CONGRESSIONAL RECORD p. 8995), you refer to the "flexible methods used by Congressional Quarterly to make the statistics fit their own purposes. Their purpose in this case was to divide the Republican Party and to continue to further the Congressional Quarterly theory that over the years President Eisenhower has been supported by the Democrats in this body and opposed by members of his own party."

Here are the facts: Congressional Quarterly's summary scores for the 83d Congress:

[Percent]

	Republicans		Democrats	
	Support	Opposition	Support	Opposition
Senate	72	17	41	43

Congressional Quarterly's summary scores for the 84th Congress:

[Percent]

	Republicans		Democrats	
	Support	Opposition	Support	Opposition
Senate	72	16	44	38

Not only does this show exactly the opposite of what you charge—the Congressional Quarterly figures show clearly that the Republicans gave greater support than the Democrats to the President's program during the 83d and 84th Congresses—but our score of Republican support in both Congresses is

greater than your scores of 64.7 percent for the 83d Congress and 59.4 percent for the 84th Congress.

Indeed your own Republican "truth squad" used the Congressional Quarterly figures repeatedly to plead the Republican cause throughout the 1956 election campaign.

I do not understand why you accept an analysis of Presidential support which worsens the record of the Republicans in preference to the Congressional Quarterly analysis which presents the objective facts.

The Congressional Quarterly interim story on Presidential support for the current session, issued as of May 12, was, as you say, timed to reach the press when President Eisenhower made his first television address. We consider that good journalism and the scores of newspapers of all political points of view which used the story apparently agreed with us.

In reference to your comment about flexible methods used in tabulation of Presidential support and opposition scores may I point out that Congressional Quarterly has used a consistent method since it began its tabulations and it is clearly defined in each release of Congressional Quarterly's Presidential support and opposition scores. The method used for the tabulation of the May 13, 1957, release is the same method used for the previously listed scores for the 84th and 83d Congresses.

Senator, if what you say is true—that Congressional Quarterly deliberately distorts the voting records of Congress—we would go out of business within a year. Why? Because we are designed to serve and we get most of our revenue from newspapers of the widest political differences, such as these clients: the Chicago Tribune and the New York Post; the Los Angeles Times and the St. Louis Post-Dispatch; and our list of more than 230 publications includes such fact-conscious publications as Time magazine, the New York Times, the Christian Science Monitor, Newsweek, U. S. News & World Report, and the Kansas City Star.

Your own minority leader, Senator WILLIAM F. KNOWLAND, whose family publishes a distinguished newspaper and Congressional Quarterly client, the Oakland (Calif.) Tribune, used the very analysis you complain about just last week on a nationwide television program, Face the Nation, when he said: "* * * according to Congressional Quarterly, I stand among the six highest Republicans, percentagewise in support of the President's program, both domestic and foreign, with a percentage, I think, of 89 percent."

Because of the distortion of the fine record of reporting which Congressional Quarterly has supplied to newspapers and others interested in an objective view of Congress during the last decade, I feel it is important that your colleagues in Congress get the true facts. Accordingly, I am going to send them a copy of this letter in the near future.

I would like to repeat my interest, as expressed in my letter of August 2, 1956, to you, in discussing the Congressional Quarterly methods with you. You or any member of your staff are welcome to visit us at 1156 19th Street NW., to examine how we go about our studies of congressional activity. We are trying to present a fair and understandable picture of this activity and we are always open to suggestions for improvement. Our success so far in this field has led us to believe that there will be a continuing interest in this type of intensive coverage of Congress.

Cordially yours,

THOMAS N. SCHROTH,
Executive Editor.

DECREASE OF TEXAS OIL PRODUCTION

Mr. YARBOROUGH. Mr. President, the latest news dispatches from Texas carry distressing news that the Texas Railroad Commission has cut Texas oil production back to a new low point. This means less income for Texas and the Nation; it is a stunning reverse for a great national industry, vital to our national economy.

This cut in production and resulting cut in the income of Texas is particularly hard on the small companies and the independent oil producers who have borrowed money to explore for oil, based on their pledged income from oil production.

This decrease in production will materially reduce the revenues of the State and its school districts, making it harder for Texas to build the school plant it needs to educate its youth.

The small companies represent the truest spirit of American business enterprise; they have the spirit of initiative and competition upon which the free enterprise system was nurtured and upon which it grows.

This ordered reduction in oil production will cause smaller runs at refineries, and lessened employment, not only at refineries, but with truckers, oil well drillers, equipment companies, and, ultimately, the manufacturers of pipe and other oil-field equipment.

Mr. President, why was the production of oil in Texas ordered reduced by 25 percent from the production of 3 months ago? The answer is simple: The tanks and pipelines are full of oil, and there is no room for this Texas production.

Why, Mr. President, is there no room for this Texas oil production in this Nation? The answer, again, is simple: This administration has opened the floodgates for foreign oil, and Arabian oil produced by American companies, but free of American taxes, has glutted the American market. The flood of oil from the Middle East is drowning out our American oil production, to the detriment of our businessmen, bankers, laborers, and our governmental revenue sources.

The O'Mahoney committee has done an outstanding job of exposing the tax dodging of the American-Arabian oil interests, but the full damage to the economy of this Nation, caused by the subservience of the American Government to the American-Arabian oil interests, is only now becoming known to the public.

Mr. President, this administration has often pledged to do something about these foreign oil imports, and then just as often has hedged its pledge, and done nothing.

Since this administration's known proclivity and settled reputation for doubletalk is known to the Senate, I am hopeful that the Congress has time left to do something to halt these uncontrolled oil imports before our small domestic companies are ruined.

The small producer in America has learned that this administration worships "Mr. Big." I call on the Congress of the United States to aid our domestic producers against the squeeze play of this administration and the Arabian-American oil interests.

Oil imports should be cut before the hair of our domestic oil industry is grayed as well as curled.

DEVELOPMENT OF UNITED STATES WATER RESOURCES

Mr. JOHNSON of Texas. Mr. President, the key to the future of our country is the development of our water resources.

If a human being fails to get a drink of water every now and then, he soon dies. If our water resources are not conserved and used to supply our expanding economy, then the point will be reached at which it can no longer expand.

WE ARE NOT DOING ENOUGH

I am deeply concerned that we are not doing enough—not nearly enough—in the field of water-resources development.

The President's budget for fiscal 1958 proposes only 24 new and resumed projects by the Corps of Engineers. It proposes only six new and resumed projects by the Bureau of Reclamation.

Think of it. Only 30 new starts and resumptions in the field of water development in the entire United States.

Mr. President, we are falling far behind the Nation's needs.

This is a dynamic and aggressive era. Technological advances present new and exciting frontiers. We cannot reach those frontiers on a road paved only with good intentions.

We must have a big program, not a puny one. We must have action—bold, farsighted action—not just soothing words from an advisory committee.

Mr. President, I call upon the Congress to exercise fully its constitutional responsibility for the national land and water resources program.

We must resist the tendency of the Bureau of the Budget to exercise a pocket veto over vitally necessary projects by refusing to include them in the budget.

We must improve the present procedure for presenting projects. We are losing too much time between initiation and construction of a project. We are permitting too much secrecy about the status of projects after the engineers' findings regarding them are transferred to other executive agencies.

COOPERATIVE EFFORT NEEDED

We must insist that the Corps of Engineers and the Bureau of Reclamation work together for the good of the people both are designed to serve.

At the same time that we are coordinating the work of Federal agencies, we must integrate the Federal effort with State leadership and local community effort.

Above all else, we must get rid of the kind of thinking that would have us believe we cannot afford more new flood control and water-conservation projects. We can afford them. We must have them.

Mr. President, I regard these as reasonable goals in the field of water-resources development. More than that, I regard them as essential goals. I will continue to press for their attainment.

Mr. President, I desire to speak on another subject.

The PRESIDING OFFICER. The Senator from Texas has the floor.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I desire to give notice that the District of Columbia appropriation bill conference report is ready for the consideration of the Senate. As soon as I can coordinate with Senators on both sides of the aisle, I shall try to work out a convenient time to bring up that report for consideration.

In addition, Mr. President, there is on the calendar, reported from the Committee on Appropriations, the very important Interior Department appropriation bill. It has been pending for some time now, and we are very anxious to get it before the Senate and to the President at the earliest possible date.

Next week we expect to have ready for consideration the Defense Department appropriation bill and, we hope, the public-works appropriation bill. We still have conference reports on the District of Columbia appropriation bill, the Labor-Health, Education, and Welfare appropriation bill, the Agriculture appropriation bill, and the independent offices appropriation bill.

I should like to give notice that as soon as those conference reports are ready for action they will take priority in the Senate.

Furthermore, I serve notice that if we can conclude consideration of the unfinished business early today, as we planned last night, we certainly should do so. If not, we expect to have a night session to conclude consideration of the bill. If it is impossible to dispose of it at the night session, I must serve notice, reluctant as I am, that there must be a Saturday session.

We have great responsibilities in the present situation. The Congress is of one party, and the administration is of another. The President has submitted to the Congress 146 recommendations. We have attempted to expedite action on those recommendations in the Senate. We wish to pass as many of them as the Senate believes should be passed at this session. We have held relatively few night sessions. I doubt if the Senate has remained in session later than 8 o'clock more than a dozen times this session. I doubt if there have been half a dozen Saturday sessions during this session of Congress.

It is customary, in May, June, and the early part of July, for the Senate to convene early and stay late, working 6 days a week. Certainly the majority party wishes to do that, and I expect to receive the cooperation of all my colleagues. I know that some of us have family obligations. It is graduation time. Some of us like to go home for weekends. Some of us have friends and members of the family who are ill, and whom we wish to visit. But our first job is here in the Senate. It is our responsibility to meet the issues. If for any reason the measures to which I have referred are delayed, it will not be the fault of the majority leader.

I hope Senators will make their remarks as brief as possible in connection with the unfinished business, and I hope a vote can be reached by 3:30 or 4 o'clock this afternoon.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. I should like to ask the majority leader whether the estimate of the time to be consumed in debate which he made last night is still current, so far as his side of the aisle is concerned.

Mr. JOHNSON of Texas. Yes. I expect less than an hour to be consumed on this side of the aisle. Has the Senator changed his estimate so far as the other side of the aisle is concerned?

Mr. DIRKSEN. So far as I know, the estimate with respect to this side of the aisle remains the same.

Mr. JOHNSON of Texas. I appeal to my friend from Oregon, my friend from Washington, and all my other friends on the other side of the aisle not to consume more than an hour. If we can stay within the limitations already referred to, we can reach a vote by 3:30 p. m. today.

If action on the Hells Canyon bill is completed, one way or the other, the majority leader will ask unanimous consent that the Senate adjourn or recess until Monday next. In the event the bill is disposed of this afternoon, there will be no night session, and no Saturday session, and on Monday we hope there will be no controversial legislation before the Senate.

Mr. JOHNSON of Texas subsequently said: Mr. President, I ask unanimous consent that, following the statement I made this morning, there be printed in the RECORD a statement I have prepared showing night and Saturday sessions of the Senate from January 3 to June 21, 1957. I should like to have the detailed breakdown appear in the RECORD at the conclusion of my previous remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Eighty-fifth Congress, first session, January 3, 1957, to June 21, 1957:

Saturday sessions, two; January 5, March 2.

Night sessions, seven (cutoff, 8 p. m.): May 15, May 28, May 29, June 11, June 14, June 18, June 20.

CONDITIONS IN KOREA

Mr. FULBRIGHT. Mr. President, I read with considerable interest this morning the announcement by the Department of Defense that the United Nations Command in Korea has been instructed to advise the Communists that we can no longer ignore Communist violations of the 1953 Armistice Agreement, and that steps will be taken to build up our military forces in the area.

From time to time we have had indications that the Communists have violated the truce agreement, and I do not question that there is sufficient reason for the United Nations to take the proposed action. It is rather curious, Mr. President, that there has been no consultation with the Committee on Foreign Relations about this step. As chairman of the Foreign Relations Subcommittee on the Far East, I would certainly have been interested in knowing of a development of this kind prior to its public announcement.

I cannot help but contrast the vigor with which the administration has pressed its desire to send Senators to the London disarmament negotiations with the complete silence which has surrounded steps taken to abrogate certain parts of the Korean Armistice Agreement.

It is also rather curious that at the very moment we are engaged in most serious disarmament negotiations in London the United States should have urged a course of action in Korea involving substantial increase in our military power in that area.

It also seems rather strange that an announcement of a political decision having such serious potentialities should be made by the Department of Defense. I am aware, of course, that the Department of Defense has been urging for some time that new arms be sent into South Korea, and that the Department of State has apparently had serious doubts about the wisdom of this move. Now that the step has been taken, however, I assume that it represents a major policy decision which has been considered by the National Security Council, and that the decision is based upon consultation with other United Nations forces stationed in Korea.

In this connection, I note, however, that Assistant Defense Secretary Murray Snyder, according to the report in the Washington Post and Times Herald for this morning, would not say whether the decision to strengthen our forces in Korea was unanimous with respect to other United Nations members who still maintain forces in Korea—Great Britain, Canada, Australia, New Zealand, France, Turkey, Greece, and Thailand. According to the newspaper report, Mr. Snyder did say "every opportunity was given to every country" to express its views and there were no protests after the decision was made.

In concluding my comments, I wish to reiterate the remark which I made earlier, that I do not question that the Department of Defense has reliable evidence of the Communist buildup in North Korea in violation of the terms of the armistice. I am sure that the United States would not propose any buildup on the part of the United Nations forces without firm evidence of Communist violations of the agreement.

In this connection I ask unanimous consent to have printed in the body of the RECORD an article entitled, "Modern Planes, Tanks, Artillery To Be Provided," written by John G. Norris, and published in the Washington Post this morning.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post of June 21, 1957]

MODERN PLANES, TANKS, ARTILLERY TO BE PROVIDED

(By John G. Norris)

The United Nations Command in Korea nullified the arms proviso of the 1953 Korean Armistice early today and immediately began modernizing American forces there.

Representatives of the United States and its Allies at Panmunjom told the Chinese and North Korean Communists that the step is being taken to counter an enormous

Red buildup in North Korea carried on in complete disregard of the truce agreement.

New jet warplanes, capable of carrying atomic bombs, were standing by to fly to South Korean bases as soon as the notice was served on the Reds Friday (at 1:30 a. m., e. d. t.), a Pentagon spokesman said last night.

Article II, section 13 (d) of the Korean Armistice agreement banned either side from reinforcing its forces in Korea, and prescribed that wornout weapons could be replaced only with those of the same type. Scrupulous compliance of this proviso by the U. N. Command, in the face of gross violations by the Reds, has upset the military balance and endangered South Korea, the Pentagon said.

Assistant Defense Secretary Murray Snyder said that modern tanks, artillery, and other ground equipment also will be shipped to Korea to replace obsolete weapons in the hands of the two United States Army divisions there.

FOR UNITED STATES TROOPS ONLY

But no atomic weapons or missiles are being sent to ground forces "at this time," Snyder said in answer to newsmen's questions. Also, only American forces in Korea are being shipped modern arms, for the present, he said, although consideration is being given to modernization of the 21 South Korean divisions under the military assistance program.

Snyder said he could not explain the decision to withhold atomic weapons and missiles from the Army. Only last month Defense Secretary Charles E. Wilson said that plans for modernizing American forces in Korea called for equipping them with Honest Johns, Corporals, and other missiles capable of carrying nuclear as well as conventional warheads.

There was speculation that withholding these weapons—normally part of the equipment of Army forces—from the 7th and 24th United States Infantry Division in Korea, stemmed from the fact that almost simultaneously this Nation was presenting a disarmament plan in London.

Snyder declined to say whether the United States fighters and bombers moving in South Korea would be equipped with atomic bombs—on the ground the law prohibits disclosure of the whereabouts of nuclear weapons.

The Pentagon gave out the text of a statement to be handed to Communist Chinese and North Korean representatives by Maj. Gen. Homer L. Litzenberg, USMC, of Washington, D. C., senior member of the Armistice Commission. A Defense Department statement also handed out for release at the same time.

The Pentagon statement declared that at the time of the Armistice, the Communists had not one combat plane in North Korea and that all Red airfields south of the Yalu had been bombed out. Today, it was asserted, the Communists have "hundreds of the most modern jet types of combat aircraft based in North Korea."

"This conclusion," said the Defense Department, "is supported by all types of intelligence information including the evidence of radar trackings, the testimony of defectors, as well as long-range photographs."

Similarly, the truce agreement has been violated by the Red introduction of modern ground equipment, it was charged.

The document presented to the Reds declared that their "flagrant, repeated, and willful violations" of the truce in the face of repeated protests entitles the U. N. Command "to be relieved of corresponding obligations" not to replace its outmoded weapons with modern arms.

The U. N. Command statement stressed that: (1) The only purpose of their action was to restore the relative balance of military strength contemplated under the truce pact; (2) their replacement weapons are being deployed for defensive purposes only; (3) all other provisos of the truce agreement, including the cease-fire, will continue to be fully observed by the United States and its allies.

Snyder said that the decision to abrogate the truce provision was made by the United States "after consultations and discussions" with other United Nations members who still maintain forces in Korea. They are: Great Britain, Canada, Australia, New Zealand, France, Turkey, Greece, and Thailand.

The Defense official would not say whether the decision was unanimous but said that "every opportunity was given to every country" to express their views and that there were no protests after the decision was made.

Intelligence sources estimate that the Communist and United Nations forces in Korea have been approximately equal in numbers, but not equipment. The North Koreans have a reorganized and reequipped army of 400,000 men, and about 350,000 Chinese soldiers are still in North Korea, plus another million across the Yalu in Manchuria.

The Reds have about 800 tanks and some 700 planes, including 500 jets, based at 38 airfields in North Korea. By contrast, there are about 700,000 South Korean troops, 80,000 Americans, and less than 5,000 other U. N. forces. They are equipped with only 150 F-86 Sabrejet fighters and outmoded tanks and other wagons.

ACCELERATED TAX AMORTIZATION FOR THE AIRCRAFT INDUSTRY

Mr. BEALL. Mr. President, in view of much recent discussion over accelerated tax amortizations, I wish to present for printing in the body of the RECORD a statement by Mr. Jacob Friedman, a Maryland engineering consultant and mathematician, concerning the adverse effect that the denial of acceleration would have upon our aircraft industry.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ACCELERATED TAX AMORTIZATION FOR THE AIRCRAFT INDUSTRY

(By Jacob Friedman, business and engineering consultant)

Accelerated tax amortization apparently still remains one of the most misunderstood national issues. Repeated statements by certain Government officials and congressional members to eliminate it immediately in its entirety represent criticism of a destructive nature. The purpose of this discussion is to point out the need to at least continue the granting of accelerated tax amortization to the aircraft industry.

It is well known that the financial stability of any company is subject to considerable risk when military business exceeds 50 percent of total volume during peacetime. This condition is applicable to the aircraft industry where military projects comprise a minimum of 50 percent up to 100 percent of total volume of business but where expansions of facilities are required solely to meet current military requirements.

The realization that this country cannot afford to be second best in the matter of weapons for national defense has been accompanied by a continual need for new developments to insure such an objective. Now new weapons are not designed, developed, and evaluated overnight. It requires considerable lead time from the drafting board to their prototype development and evaluation so that they can be ready for production as called for by military logistics. For example, no plane designed after Pearl Harbor was ever flown in combat during World War II. Sound military mobilization planning should give special attention to those items requiring a long lead time, which is the situation in the aircraft industry.

Let us assume that a military logistic plan calls for a new type of guided missile that will meet requirements so rigid that they would have been considered merely a theoretical monstrosity heretofore. The Government must set up a design competition among aircraft producers that are qualified beyond doubt to handle such a product. In spite of "scuttlebutt" to the contrary, military business is brutally competitive from the standpoint of technical know-how. This should be quite obvious in view of the "ups and downs (or out completely)" of highly respected firms in the aircraft industry.

Among the items considered are capacity of present facilities to handle such a project. However, the matter of facilities is not a simple one. As well known, adequate facilities without the necessary know-how or adequate know-how without the necessary facilities is to no avail. It is the latter condition that usually exists. What steps does the Government take? Normally, the Government will insist that the contractor finance his own plant and certain items of equipment but a complex financing problem may confront the contractor. A large current investment in facilities has already been made solely for Government development and production projects. The company is well acquainted with the nature of military projects, which are subject to sudden drastic cutbacks and terminations due to obsolescence, failure of final product after evaluation due to circumstances beyond control of contractor, change in policy due to international situation, dependency on congressional appropriations, etc. Thus, a satisfactory necessity certificate may be a condition precedent to the approval of bank loans to finance new facilities at various stages of the project. Due to the complex nature of the developments involved, it is impracticable in the early planning stages (often until the research project is about 80 percent complete) to determine the facilities that will be required by either prime or subcontracting levels to ensure completion of the project.

If the company is either a sole source of supply or a desired source of supply because of unique qualifications, it may well be in a position to demand that the Government directly finance the new plant in the absence of the accelerated tax amortization procedure. In other words, if the Government really needs the project, does it want the know-how of the aircraft industry to accomplish its intended purpose? When the Government finances the plant through a facilities contract, the start of construction will be delayed about 10 months as compared to the contractor financing a plant to be covered by a necessity certificate. This is a very important factor because of the ramifications involved, particularly as to meeting overall logistic schedules.

The important benefit derived from necessity certificates is the use without interest of money that would otherwise be paid into the United States Treasury as taxes the first 5 years after construction of the plant. If the tax rate and profits remain the same, the entire tax saving will be recovered by the Government over the normal depreciation period. After the end of 5 years, unless the tax rate is lower (which even after considering the political issues involved doesn't seem practicable), the Government has made an apparent modest investment in saving the contractor interest in consideration of additional capacity required for meeting an objective that our national defense will not be second best. However, certain other factors to lessen this modest investment by the Government must also be taken into consideration. If the plant has no further economic or practical utilization, the contractor rather than the Government is burdened

with the cost of maintaining it. In addition, the Government from the very start of construction is not also burdened with various administrative costs, such as record keeping, plant inspections, maintenance, disposition, etc. These costs arise due to the justified necessity for Government interference with the business of the contractor to insure protection of its property.

The cost-plus-fixed-fee contracts held by aircraft manufacturers are referred to as being lush from some sources. The reason for such contracts being on a cost-plus basis is that they are usually of a development nature. Under such conditions, it is not practicable to establish a firm price. The fees allowed on such contracts are usually less than the profit returns normally received in commercial business for precision work. Disallowed costs, which are more prevalent than the general public realizes, further reduce these fees. In addition, the renegotiation procedure acts as a control against apparent excess profits. There is no such control against losses.

A military source has predicted that the present plants of aircraft companies will be utilized to less than half capacity by 1960 due to availability of more powerful and destructive weapons and cutbacks in manned aircraft production. This seems somewhat of a paradox as there is an unprecedented current requirement for a large quantity and variety of facilities, both brick and mortar and highly specialized equipment. Thus, the aircraft industry and the military not only have the problem of how to obtain facilities to manufacture weapons of the future but the main problem concerns the manufacture of the weapons of today. This is all the more reason for allowing the accelerated tax amortization to the aircraft industry since the expansions are required to meet current peculiar defense needs. By 1960 it may be a question of the survival of the fittest among aircraft manufacturers because of a meager military budget but a tremendous mobilization standby capacity will be available. This is another reason why certifying percentages should be currently raised for the aircraft industry. The possibility of utilizing the facilities for standard commercial products is remote. There is already a tremendous surplus of facilities to produce commercial products in very highly overdeveloped competitive markets. With the specialized facilities and highly skilled type of labor required by the aircraft industry, it would be impossible to compete in such a market. In the event of a future sale of this amortized facility, a normal gain rather than a capital gain for tax purposes is allowed for that portion of the cost which has been the maximum allowed or allowable writeoff through accelerated tax amortization.

In view of the above, when the contractor carries the risk of utilizing his facilities to advantage, more initiative will be exercised to develop further know-how so that the organization can qualify for additional developments or production to be undertaken under future Government contracts that will require the facilities. This represents a rigid condition of risk to the contractor. It is emphasized that to obtain benefits through a necessity certificate the contractor must make profits through the utilization of the certified plant. The aircraft manufacturer can remain financially stable only through a demonstrated efficiency in meeting requirements of the armed services. The tremendous volume of potential standby capacity that is being made available through necessity certificates where the risk is borne by the contractor is undoubtedly one of the most overlooked factors in the entire defense program.

After World War II, accelerated tax amortization was eliminated. However, in the spring of 1948 the cold war started. In retrospect, there is no doubt that the resumption of accelerated tax amortization then would have saved the Government considerable funds in the long run and have increased our industrial might where and when required in a rapid manner. At that time the Government began to curtail its activities in the disposition of Government-owned facilities and provide for a more formidable military industrial reserve. However, we were not set up to expand military production rapidly. If accelerated tax amortization had been adopted in 1948, the inertia stemming from a voluntary expansion of facilities by private industry would have allowed the further necessary expansion in 1950 to be accomplished in a more orderly manner, that is, not accompanied by such inflationary tendencies and undue confusion (less activity in priorities, allocations, etc.). As long as a cold war exists, let's not knowingly limit our potential military strength.

A pattern of 30 percent has been generally applied as a certifying percentage to buildings constructed by airframe, guided missile, and jet engine manufacturers (40 percent to buildings applied for by component manufacturers with additional 5 percent if in small business category). Equipment is generally certified at 65 percent with additional 5 percent if applicant is in small-business category. Certain specialized structures, such as wind tunnels and jet engine test cells, have been certified at 80 percent according to a pattern established. Other structures just as specialized as wind tunnels and jet engine test cells, such as a static test facility, are also utilized by the aircraft industry. The present need for a static test facility would generally arise solely because of an unique specialized military requirement. Thus, it is logical and reasonable that such a facility should also fall into the pattern of 80 percent certification. A review is also suggested to determine whether or not more favorable certifying percentages should be applicable to the cost of large new aircraft and guided missile plants to be located in nonindustrial areas. It must be recognized that the financial risks of the aircraft industry are extraordinary in the light of the current technological revolution, obsolescent factors and changing requirements attendant to the aircraft and guided missile programs.

An example of extreme unfairness to the certifying authority is the unfavorable publicity regarding the Idaho Power Co. applications recently approved. The following facts and conditions point out the relative merit of these applications:

(a) When the Idaho Power Co. filed two applications for a necessity certificate in 1953, an open expansion goal for electric power existed.

(b) The same objective standards had to be applied to Idaho Power as were applicable to other companies in the same industry.

(c) Final action on these applications was delayed pending the outcome of litigation involving the validity of the licenses issued by the Federal Power Commission.

(d) When the license granted to Idaho Power was determined to be valid, final action was taken on the applications.

(e) The Office of Defense Mobilization would have discriminated against Idaho Power in favor of other companies in the same industry had it not certified their applications at the same percentages that were established as a pattern for the electric power industry.

It would be appropriate if those who question the action taken by ODM on the Idaho Power applications would analyze the above factors. Unfair criticism has far-reaching ramifications even to the point of affecting merited cases. The aircraft industry would be particularly hurt if the applicable facts as confirmed by aircraft specialists were not the guiding factor in the resolution of unusual cases.

The aircraft industry has always been enthusiastic to cooperate in behalf of the defense effort as evidenced by its advanced creative technological contributions thereto. However, in the interest of national security, the fear of financial instability cannot be ignored either by the individual companies or by the Government. Thus, the need to at least continue the granting of accelerated tax amortization to the aircraft industry is self-evident.

The writer believes that the true plight of the aircraft industry has been pointed out above in only a mild manner. However, the objective of this discussion will be accomplished if it will only stimulate a desire to understand the facility problems confronting the aircraft industry due to the current technological revolution and how our very security is dependent upon the satisfactory solution of such problems.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Is there further morning business? If not, morning business is concluded.

Without objection, the Chair lays before the Senate the unfinished business.

HELLS CANYON DAM

The Senate resumed the consideration of the bill (S. 555) to authorized the construction of the Hells Canyon Dam on the Snake River, between Idaho and Oregon, and for related purposes.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on final passage of the bill, so that all Senators may know that we expect to have a yea and nay vote.

The yeas and nays were ordered.

Mr. GOLDWATER. Mr. President, once again we have the notorious—and, from the way things are being misrepresented to the public, I might even say nefarious—Hells Canyon bill pending before the Senate.

About a year ago we were debating S. 1333—the 1956 version of the hardy perennial bill to authorize a Federal dam at Hells Canyon. On July 19, 1956, the Senate defeated that bill by a vote of 51 to 41.

The defeat was not due to lack of adequate consideration. Proposed legislation to authorize this Federal development has been introduced in every Congress since 1950. Extensive hearings have been held before both House and Senate committees. In the 84th Congress Senate hearings, including the appendix, ran to 1,365 pages, and the printed record of the House hearing, serial No. 14, was 523 pages long. There were 4 days of full debate last year before the Senate wisely defeated the proposed legislation for the third time since 1950.

Mr. President, on August 4, 1955, the Federal Power Commission, an independent agency of the United States Government, created by the Congress, an arm of the Congress itself, issued a license to the Idaho Power Co. to construct 3 dams at the same location on the Snake River where the bill now pending before the Senate (S. 555) would authorize construction of a Federal dam. The company has proceeded with construction as it was required to do under the FPC license. The largest of these three dams is already half completed and both it and the second dam will be

completed with power on the line by the end of next year.

The right of the Federal Power Commission to issue a license to the company has been contested in the courts, as the Hells Canyon Association threatened it would be. The FPC action was unanimously upheld by the United States Court of Appeals, and the Supreme Court has twice refused to review the lower court's decision.

Mr. MAGNUSON. Mr. President, will the Senator yield? I think we can clear up a certain point, as between the opponents and the proponents of the bill.

Mr. GOLDWATER. I yield.

Mr. MAGNUSON. I think the RECORD should show—and I think the distinguished Senator from Utah [Mr. WATKINS], who is one of the good lawyers of the Senate, will agree—that the Court ruled in this case upon the authority of the Federal Power Commission to issue such licenses, and not on the merits of the particular license.

Mr. GOLDWATER. That is perfectly admissible. I do not think that affects the issue at all. The Court, in ruling on the authority, has in effect denied a hearing.

Mr. WATKINS. Mr. President, inasmuch as my name has been mentioned, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I yield.

Mr. WATKINS. I do not agree with the statement which has been made. I think the Court looked at the entire situation before it decided to deny a writ of certiorari. I do not believe that the decision was confined to the question of authority.

Mr. MAGNUSON. I thought we could agree on that point. If we cannot, very well.

Mr. GOLDWATER. Not to disagree with my distinguished friend from Utah, the question of authority was certainly a part of the decision. I agree with my friend from Utah that the entire subject had to be reviewed if the Court was to come to any conclusion.

Mr. WATKINS. When the Court denies a writ of certiorari we do not know the ground on which it is denied. But the Court certainly took a look at the entire record. We have a right to assume that the Court looked at the entire question before it decided that there was nothing for it to decide, nothing to review, and that the case had been handled properly.

Mr. GOLDWATER. Mr. President, the public-power proponents have exhausted every legal means of stopping the company from providing a sorely needed supply of electric power to a power-short area. Now they come back to the Congress and ask us to stop them.

Mr. President, there should be a time when this Hells Canyon controversy is resolved once and for all. Otherwise it will cast a cloud on every order or license issued by any administrative agency. It is my sincere hope that this Congress will put the final quietus on this Hells Canyon Dam issue. Business, more and more every day, has to rely on orders, permits, licenses, and other controls of Federal agencies. If the Congress is going retroactively to overrule the acts of the agencies it has created, we can only live in fear and trembling of the direction in which we are heading.

Mr. President, never in my life have I heard so much confusion, so many misstatements and accusations, and so many quotations taken out of context as I have in connection with this Hells Canyon issue.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. WATKINS. The Senator has mentioned Government agencies, and the doubt that will be cast on them, particularly in connection with the activities of the Federal Power Commission, if that Commission is now overruled. Is it not a fact that the Federal Power Commission is a direct agency of Congress, not under the control of the executive department at all? In other words, Congress created the Federal Power Commission for the purpose of going into the very matters which are involved here, namely, the comprehensive development of the river systems of the United States.

Mr. GOLDWATER. I might say in answer to the distinguished Senator that in my opening remarks I said, "The Federal Power Commission, an independent agency of the United States Government, created by the Congress, an arm of the Congress itself, issued a license to the Idaho Power Co. to construct three dams."

Mr. WATKINS. That is a very fine statement of the situation. I should also like to ask the Senator whether it is not true that one of the reasons Congress created such an agency, to go into these matters for Congress, was the complex character of the problems which arise in determining what is best for the river systems of the country and what is in the interest of the best overall comprehensive development.

Mr. GOLDWATER. There is no question about that. The Senator and I know, because we come from the dry area of the West, that this agency in particular goes into these matters very thoroughly. I do not believe there is an issue—certainly since I have been in the Senate—which has received such thorough attention by an agency of the Government as has this particular issue.

Mr. WATKINS. I thank the Senator. If he will yield for one more observation, I should like to say that the Federal Power Commission has no other job to do than to take care of the particular assignments which are made to it by Congress. In other words, they have ample time to sit and listen to the contesting parties on the subject of river development.

Let us consider a case such as the one before us today. The questions raised by the proponents of the high Hells Canyon Dam, a Federal dam, and the proponents of another system, were heard by the Commission. The Idaho Power Co., a private utility, filed with the Federal Power Commission, under the law, a petition to have their proposal considered. Then the Federal Power Commission, with its staff of experts and lawyers and engineers and power-rate people and other specialists, listened carefully to the evidence, and it considered fully what would be the best thing to do and what would be to the greatest advantage to the Government and to the people and in the interest of a comprehensive development of the river system. All the facts were considered.

Since all the interested persons cannot come to our committees, because we do not have the time to hear them, a Government agency like the Federal Power Commission does that work for Congress. After all, we have to consider not only reclamation legislation, and other legislation dealing with matters within our country, but we must consider legislation for practically the half of the world, it seems. The Federal Power Commission is the arm of Congress and is the agency which fully considers matters related to the subject of power. That certainly was done in this particular case.

Mr. GOLDWATER. Yes. The Senator is anticipating my next few sentences.

Mr. WATKINS. I am sorry, but I think that ought to be emphasized time and time again.

Mr. GOLDWATER. I thank the Senator.

Mr. WATKINS. What the proponents of the Hells Canyon Dam are now proposing is that we overrule the Federal Power Commission, after that Commission made one of the most thorough investigations a commission could make.

Mr. GOLDWATER. I thank the Senator for that observation. I am not going to go into all the questions of how much power can be generated under one plan as against another or what the cost of that power will be. I covered that subject completely last year in my speech in the CONGRESSIONAL RECORD, volume 102, part 10, pages 13014 and those that follow.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. WATKINS. I should like to ask the Senator if he would be willing to have his speech reprinted in the RECORD at this time, for the information of Senators?

Mr. GOLDWATER. The Senator from Arizona would be very happy to do so. However, I should like to tell the Senator from Utah a little secret. If the debate becomes prolonged, I may wish to use the speech again, because the situation has not changed. However, I shall be very happy to have it printed in the RECORD at the conclusion of my remarks.

Mr. President, I ask unanimous consent that that be done.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GOLDWATER. Mr. President, there is no reason for repeating those facts, which were well documented at the time I presented them to the Senate. The Federal Power Commission, with experts on this sort of thing, had 12 months of public hearings and compiled a record of more than 20,000 pages of testimony on this subject, and then decided that the Idaho Co. plan and not the Federal

development was best adapted to a comprehensive development of the river.

The FPC was severely criticized for not issuing a license to the company until August 4, 1955, which was after Congress adjourned, although it had decided to issue the license while Congress was still in session. I, for one, have no criticism of the Commission on that ground. A bill to authorize a Federal development was pending before the Congress. If FPC had then rendered its decision that the company plan was best, that alone would have greatly diminished whatever chance the Hells Canyon bill might have had of obtaining Congressional approval. Then the Commission could have been accused, with some justification, of trying to influence the Congress. But as it was, the Commission's delay should have been appreciated rather than condemned by the proponents of a Federal development.

But that is not all that FPC has been charged with, Mr. President. They have been quoted with approval in one breath and condemned in the next. When quoted they were quoted out of context, of course, which left an erroneous impression of their findings. As I said before, I do not wish to burden the Senate with a rehash of all this argument, but if not familiar with the facts, I urge the Senators to read my speech of July 17, 1956.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. WATKINS. Is it not a fact that in the committee report, by the majority of the Committee on Interior and Insular Affairs, instead of quoting from the Federal Power Commission's decision, most of the quotations are from the hearing examiners?

Mr. GOLDWATER. The Senator is correct in that statement.

Mr. WATKINS. It seems to me that would be like someone quoting from a committee recommendation, as against quoting from the final decision of the Senate itself on an important matter.

Mr. GOLDWATER. The two cases would be exactly the same.

Mr. WATKINS. In other words, what the proponents are saying is that the opinion of the Committee on Interior and Insular Affairs is the important thing, and that what the committee found is the sound position, but that what the Senate itself decided to do in the way of proposed legislation which had been reported by the committee—the final decision by the Senate—is not so important as the recommendation of the committee. That would be a fair comparison, would it not?

Mr. GOLDWATER. I think that is a very fair comparison.

Mr. President, inasmuch as that speech has already been ordered to be printed in the RECORD at the conclusion of my remarks, I shall not read the speech again, unless it becomes obvious that the facts are needed to be restated on the floor.

Now, Mr. President, the latest furore raised in connection with this subject is over the fact that the Office of Defense Mobilization issued so-called rapid amortization certificates to the Idaho Power Co. on April 17, 1957, permitting them to accelerate depreciation for tax purposes only on a part of the cost of their development.

I believe most Senators are aware of the fact that the Idaho Power Co. addressed a telegram to Mr. Gordon Gray, Director of the Office of Defense Mobilization, declining its tax amortization certificate. Reference to that fact was made in this morning's newspapers. However, I wish to read the opening sentence of the telegram, because I believe it highlights the whole matter. I quote from the telegram:

"To eliminate further beclouding of the real issues involved in the pending Hells Canyon legislation"—then it lists the reasons for their declining the tax amortization, which has been enjoyed by 21,000 other corporations and firms in the country.

I say that is important, because the real issue in the controversy is public versus private power. I am happy, now that we can get back to that issue.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. BARRETT. At the outset, let me commend the Senator for the splendid statement he is making today. Idaho Power Co. was very fair and quite wise in removing the cloud of the rapid-tax amortization controversy from the main issue, which is the construction of three dams on the Snake River by private industry, without expense to the Federal Government.

Personally, I think Congress is obligated to take a good look at the authority for rapid-tax amortization. As a matter of fact I think that provision of law has outlived its usefulness and should be repealed. But the Senator from Arizona is eminently correct when he says that more than 900 utility companies have taken advantage of that provision of the law, without complaint having been made by any Member of the Senate, so far as I have been able to ascertain. Furthermore, 20,000 corporations have been granted the same privilege.

Moreover, it seems to me that despite all the discussion with reference to rapid tax amortization, no mention has been made of the fact that any company, under the 1954 Revenue Act, as a matter of right and as a matter of law, can obtain rapid-tax amortization merely by filing a return with the Internal Revenue Service to that effect. As I understand, under the provisions of section 167 of the Internal Revenue Code of 1954, the applicant can use a rapid-tax amortization based on the sum of the year's depreciation for income-tax purposes and thereby will accomplish somewhat the same result, although probably not exactly the same as was allowed in this instance by the Federal Power Commission and the Office of Defense Mobilization.

I commend Idaho Power Co. for removing this cloud from the controversy at the present time, so that we can proceed on the real merits of the case and seek to uphold the decision of the Federal Power Commission, an impartial body created by Congress, which, as the Senator from Arizona has well pointed out, held 160 days of hearings and took 20,000 pages of testimony.

I commend the Senator from Arizona again for his excellent presentation.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. WATKINS. Since the telegram from the Idaho Power Co. has been mentioned, it seems to me it would be very appropriate to place it in the RECORD at this point.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the telegram be printed at this point in my remarks.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

BOISE, IDAHO, *June 20, 1957.*

Mr. GORDON GRAY,
Director, Office of Defense Mobilization, Washington, D. C.:

To eliminate further beclouding of the real issues involved in the pending Hells Canyon legislation, Idaho Power Co. notifies you that we hereby decline to exercise any right under ODM Certificates No. TA-NC 26407 (Oxbow) and TA-NC 26500 (Brownlee), and are returning the certificates to you by registered mail for cancellation.

We most sincerely believe that neither yourself or members of your staff, nor any industry, or company, should be subjected to criticism for issuance or acceptance of these certificates in accordance with the law. Any criticism of the granting of these certificates should be directed against the law itself, rather than toward the agency administering that law or a certificate holder who has qualified under that law. If the provisions of the Internal Revenue Code, which authorize this amortization procedure, are no longer of value to the Nation, they should be appropriately amended or repealed.

We submit that both the Oxbow and Brownlee projects were fully qualified for certification under all criteria and procedures established under the Internal Revenue Code and Office of Defense Mobilization regulations. The importance of these projects to the needs of not only Idaho but to the entire Pacific Northwest, including industries and installations vital to national defense, should be fully apparent in view of the admitted and serious power shortage which exists, and the fact that our projects will make available large power surpluses by the winter of 1958 to satisfy these shortages. No other source of electric supply can be so quickly provided.

The record is clear that Idaho Power Co. has repeatedly made known its position regarding accelerated amortization certificates. Our applications for these certificates were filed nearly 4 years ago in 1953, and our intention to qualify for certification, if available, has been consistently and repeatedly made clear to the Federal Power Commission, the courts and, especially during last year's debate, before the Congress itself. As we did in recent voluntary appearance before Senate subcommittee, we again most emphatically deny that any true basis exists for any claim that this company has at any time failed to make known its intention to obtain certification if we were found to qualify.

We now reject both the Brownlee and Oxbow certificates so there can be no diversionary questions pending to direct attention away from the merits of our licensed projects now under construction. Those merits were fully established by the Federal Power Commission, and the Commission's decision has been sustained by the highest court in the land.

T. E. ROACH,
President, Idaho Power Co.

Mr. WATKINS. Mr. President, I should like to call attention to some of the statements which are made in the telegram. For instance, in the second paragraph of the telegram to Mr. Gordon Gray, Director of the Office of Defense Mobilization, Mr. T. E. Roach, President of Idaho Power Co., stated:

> We most sincerely believe that neither yourself or members of your staff, nor any industry or company, should be subjected to criticism for issuance or acceptance of these certificates in accordance with the law. Any criticism of the granting of these certificates should be directed against the law itself, rather than toward the agency administering that law or a certificate holder who has qualified under that law. If the provisions of the Internal Revenue Code which authorize this amortization procedure are no longer of value to the Nation, they should be appropriately amended or repealed.

Would the Senator from Arizona like to comment on that paragraph?

Mr. GOLDWATER. I will comment only in this way: If tax amortization certificates are no longer needed, if they should not be given in time of peace, then the act should have been terminated after World War II. If it was necessary to start the procedure again for the Korean war, it should have been stopped again after the Korean war. But the fact of the matter is that it was never stopped. I know of only one piece of proposed legislation which has been directed toward the cessation of those certificates, and that is at present being considered by a committee of Congress.

Mr. WATKINS. Is that the one in the Senate?

Mr. GOLDWATER. That is the one in the Senate.

Mr. WATKINS. Is that the proposal of the Senator from Virginia [Mr. BYRD]?

Mr. GOLDWATER. That is the proposal of the Senator from Virginia.

Mr. WATKINS. That does not actually provide for stopping the issuance of the certificates; it merely redefines more narrowly the conditions under which the certificates shall be issued.

Mr. GOLDWATER. That is the point. The opponents of the tax amortization certificates given to Idaho Power Co. have had many more years than I have had to introduce proposed legislation to stop their issuance.

As I said in my remarks on the subject earlier, I am not in favor of rapid tax amortization in peace time. On the other hand, so long as provision to that effect is a part of the law, I actually feel that the stockholders of any corporation have a right to go before their board and complain if the corporation fails to take advantage of what is the law of the land. I do not condone the law; I should like to see the law either tempered, modified, or repealed in time of peace. Nevertheless, in this instance an American company took advantage of the law.

Mr. WATKINS. I call attention to the fact that the Senator has mentioned a large number of companies which have been given the amortization certificates. The Senator was referring, I take it, to utilities.

Mr. GOLDWATER. No. The Senator again is anticipating my next paragraph. But I shall mention in my statement that of the 22,000 certificates which have been issued, more than 900 were issued to the utility industry.

Mr. WATKINS. On page 9640 of the CONGRESSIONAL RECORD of June 19, 1957, there appears a table entitled "Tax Amortization for Power Company Certificates of Necessity Issued for Electric Facilities." The listing is by States. Everything is stated in detail. The listing covers several pages of the RECORD. It is astounding to see that these certificates have been issued to the electric power utilities of practically every State in the Union, with the possible exception of one—not to all the companies, but, at least, to some of them. That went on in the Truman administration, and the policy has been carried on in the Eisenhower administration, as well.

For instance, I find that in 1956 some 15 certificates were issued to utilities in Virginia. I never heard a single protest about any of them.

Mr. GOLDWATER. The Senator is correct. I think there is only one State in the Union in which some of these certificates have not been granted to utilities. I am not certain which State it is.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. KEFAUVER. I point out to the Senator from Arizona that counsel for the Idaho Power Co. and other persons have stated that the company expected to build the proposed dams without cost to the Government. Mr. Roach stated he had only a faint hope of getting the tax amortization certificates when he filed the application for a license with the Federal Power Commission. Indeed, the Federal Power Commission named as one of the considerations that the dams would be built without cost to the Government.

We find that after the Idaho Power Co. got the license, they increased their efforts to get a certificate, and did exactly what some of the officials of the company had said they were not going to do, when they said the dams would be built without cost to the Government. So immediately before a vote in the Senate, they have again reversed themselves, apparently for the purpose of trying to get more support in the Senate.

The point is that a mere statement from Mr. Roach does not indicate or assure anyone that when it comes to preparing the tax return for the Idaho Power Co. in 1960, he will not again reverse himself and claim the benefit which he has a right to elect.

Mr. GOLDWATER. I think the Senator from Tennessee is stretching his imagination quite a bit when he seeks to determine what Mr. Roach will do in 1960. I do not know Mr. Roach personally, but I have every reason to believe he is an honorable man. I do not think he would try to do anything dishonorable.

I do not believe the Senator from Tennessee can charge that there has been anything illegal about the procedure. It has been done perfectly in accordance with the law.

I do not believe the Senator from Tennessee can say there has been anything immoral in connection with the procedure. It has been done under the laws of the United States. There was no conniving that we have learned of. There was no pressure that has been proved, or that we know of. In other words, a company came to the United States Government in 1953, 4 years ago, and made application for the certificates. The certificates were granted only a few months ago.

At the time, as the Senator from Tennessee knows, I was critical, as I have been openly critical of the tax-amortization certificates ever since the war with Korea was finally brought to a close.

Mr. KEFAUVER. I cannot agree with the Senator from Arizona that Idaho Power Co. has not been talking out of both sides of its mouth.

Mr. GOLDWATER. The Senator from Arizona did not make such a statement as that.

Mr. KEFAUVER. I cannot agree that Idaho Power Co. has been dealing openly and above-board about the matter of the certificates.

First, the company said if the dams were built by it, they would not cost the Government anything. Nevertheless, the company obtained the certificates, which—according to Mr. Rainwater, of the Tax Commission—would cost the taxpayers $83,500,000.

But now, on the eve of the vote, the company issues a press release again changing its position, and saying it is giving up something of great value to it—in an apparent effort to persuade the United States Senate today. But until the certificates have finally been canceled—and they have not been canceled—and withdrawn by the Office of Defense Mobilization, and until the board of directors of the Idaho Power Co. has acted, we have no assurance that in 1960, when the company has a right to use the certificates, it will not elect to use them, and again will not change its position on this matter, on some pretext or another.

Mr. GOLDWATER. Again, I call attention of the Senator from Tennessee to the first paragraph of the telegram: "and are returning the certificates to you by registered mail for cancellation."

If the Senator from Tennessee wishes to call Mr. Gray, I suggest that about tomorrow or the next day the certificates ought to reach Washington; and then the Senator from Tennessee can satisfy himself as to their location.

Mr. BARRETT. Mr. President, will the Senator from Arizona yield to me?

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). Does the Senator from Arizona yield to the Senator from Wyoming?

Mr. GOLDWATER. I yield.

Mr. BARRETT. In reference to the colloquy the Senator from Arizona has had with the Senator from Tennessee, let me say that the figure the Senator from Tennessee just stated—namely, $83,500,000, as testified to by Mr. Rainwater, when he appeared before the committee of the Senator from Tennessee—is based on compound interest. So I asked the Federal Power Commission to compute the figure, based on simple interest at 3½ percent. Today, I have received from the Federal Power Commission a letter

in which the computed interest is stated. The letter states that on the basis of simple interest, at 3½ percent, the figure is $26,699,045, rather than the $83,595,827 testified to by Mr. Rainwater and computed on the basis of compound interest, rather than simple interest.

I submit it is only fair to state the figure on the basis of simple interest. Although the question is moot at this time, nevertheless it is proper, in my opinion, to state that the figure should have been stated as $26 million, rather than $83 million.

Mr. KEFAUVER. Mr. President, on that point, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I yield.

Mr. JOHNSON of Texas. Mr. President, we are very anxious to have a vote reached today. Although we do not wish to have debate limited, and although we wish Senators to speak for as long as they desire, nevertheless usually the Senators who speak during the day are not present in the evening. Therefore, I wish to announce that I desire to have the Chair enforce the rule that Senators who have the floor may yield for questions only.

Mr. GOLDWATER. This is the first opportunity the opponents of the bill have had to make their presentation.

Mr. JOHNSON of Texas. We wish all Senators to have ample opportunity to make the speeches they desire to make, and to yield for any questions which other Senators may wish to ask them.

Mr. GOLDWATER. Mr. President, by some queer coincidence, around 22,000 such certificates had been issued to many types of industries that contribute to national defense. Over 900 of them had been issued to the utility industry, and there had not been any fuss about it. But, Mr. President it was a different story when the Idaho Power Co. got one for its Snake River development at Hells Canyon. I shall deal with this tax amortization feature, even though the company has sent back its certificates. Until I read of the matter in the morning newspaper, I did not know of that action on the part of the company. However, I think it would be improper to allow some of the charges which have been made to go unanswered, because they touch on American business, not merely on the Idaho Power Co.

The President was compared with Dave Beck, and was accused of stealing from the taxpayers. The matter was called a rape of our resources, a perversion and prostitution of our tax laws, a big bonanza for private industry, grand larceny on the American public; and any number of other slanderous accusations were made. Why did this provision of the law—which was sponsored, enacted, and administered under a Democratic administration, years before—become so terrible all of a sudden, when the Idaho Power Co. got one of the more than 22,000 certificates which have been issued to industries all over the country?

Before going any further, Mr. President, let us have a clear understanding of just what this law is all about. The accelerated amortization program has a long history. It was used during two World Wars. Most recently, it was used as a defense incentive during the Korean War and the cold war period which still exists. President Truman, in his mid-year economic report of July 26, 1950, under the summary of legislative recommendations, said:

> To expedite the production of certain commodities needed for the military and for adequate stockpiling, and to guard against a dangerous shortage of these materials in the event of any emergency calling for further expansion of our military efforts, a program should be adopted which provides loans and incentives for the expansion of capacity, for technological developments, and for the production of essential supplies (pp. 14–15).

That is the reason for our accelerated amortization law, Mr. President: to provide that incentive, so as to encourage industry to build the surplus capacity for production needed during an emergency. Electric power is a very essential part of our production capacity, for without it the wheels of all industry would be at a standstill. Mr. President, if the period of emergency has passed, we certainly are wasting a great deal of the taxpayers' money by maintaining our large military establishment. It is true that from time to time we may catch up with our requirements in the case of certain industries; and when we do, we should suspend the rapid amortization for that industry, until again we fall behind. But, as I shall show later, electric power in the Northwest is not in that category at present.

The law, as passed by Congress in 1950, states:

> Every person, at his election, shall be entitled to a deduction with respect to the amortization of the construction cost of an emergency facility. Such amortization deduction shall be * * * in lieu of the normal depreciation deduction with respect to such facility.

Mr. President, I emphasize the word "shall," in the clause "every person, at his election, shall be entitled." That is the law, as passed by the Congress of the United States, and signed by President Truman. When Congress passed the Internal Revenue Code of 1954, it included the same tax provision, and it is still the law.

It is not my intention to argue the relative merits or demerits of the law at this time, except to say, as I have stated before, that I think it is a good law for the purpose it was designed to fulfill. But in my opinion it is not a law which should remain on the statute books when emergencies do not exist.

No one could expect prudent businesses to provide, at the expense of their owners, capacity in excess of that needed for their normal operations, unless there was some incentive for so doing. The American people cannot expect individual businesses to provide such capacity for the benefit of all, unless the people are willing to encourage them to do so by providing some sort of incentive.

Of course, the Government could build this excess capacity itself; it could give business grants of tax funds with which to build it; it could guarantee to take the output of the plant over a period of years at a certain price; or it could offer the rapid amortization incentive as under the present law.

Unless we want to revert to the government-ownership system of some of the countries we now support, it would seem to me that the rapid tax-amortization method of providing capacity for national emergencies is far superior to other methods, because it more nearly conforms to our American free-enterprise system. It will harness the full power and strength of American industry; it saves capital investment of tax funds; it provides capacity that will produce, rather than consume, tax funds; and private industry can build, maintain, and operate the facilities, along with their other facilities, much more economically than could the Government.

Yes, Mr. President, I am sure that rapid tax amortization incentive provides the facilities needed for national defense at much less cost to the taxpayers than any other method we can employ. It may be that the need for such a program, or a part of it, no longer exists. If so, we should repeal the law; but that is a question which should be thoroughly explored with those responsible for maintaining our national defense at an adequate level. In the meantime, we have no right to crucify a private utility company for complying with the law, just because it has stepped on the pet ideology of some "Government-or-nothing" power boys.

Mr. President, before I conclude, I shall discuss some of the idiotic figures of cost to the Government and benefit to the company that have been bandied around in connection with the Idaho Power Co. case; but at this point I want to make it crystal clear that no taxes are forgiven by the rapid tax-amortization method. The recipient of the certificate simply pays less taxes during the first 5 years than it would pay under normal depreciation methods, and pays higher taxes during the remaining useful life of the facility. The Government collects the same amount of taxes in the end.

Mr. BUSH. Mr. President, will the Senator yield, or would he prefer to continue with his statement?

Mr. GOLDWATER. I yield to the Senator from Connecticut.

Mr. BUSH. I should have asked the Senator the question before he opened up a new subject, but I was very much interested in what he was saying about the desirability of having private industry develop power. I should like to ask the Senator a question on the subject. In order that I may develop my question, I desire first to read from the Republican platform of 1956. This is a very brief quotation:

> On its centennial, the Republican Party again calls to the minds of all Americans the great truth first spoken by Abraham Lincoln:
>
> "The legitimate object of government is to do for a community of people whatever they need to have done but cannot do at all, or cannot so well do, for themselves in their separate and individual capacities. But in all that people can individually do as well for themselves, government ought not to interfere."

I ask the Senator if such a case is not one to which this issue specifically and directly applies.

Mr. GOLDWATER. The distinguished Senator from Connecticut, who was chairman of the platform committee of the Republican convention, could not have chosen a better example of what the Republican platform specified, nor could he have chosen a better example to offer to keep the party in consonance with the thinking of Abraham Lincoln.

Mr. BUSH. Is it not true that government participation is completely unnecessary at this time? There is no necessity whatever for the Federal Government's barging into the Hells Canyon situation, because there is a private organization ready, willing, and able—financially and in every other way—to do the job and provide electric energy. Is not that so?

Mr. GOLDWATER. It is not only so, but the first dam is nearly half completed. The second dam is under construction. The two dams will be completed by 1958, and power will be in the lines by the end of that year.

Mr. BUSH. The Senator will recall that when he and I ran for office together in 1952, one of the pledges we and the President made was that we would try to get the Government out of business as much as we possibly could. I remind the Senator, as he already knows, I am sure, that because of the efforts of the administration, the Government has gotten out of 500 business enterprises, some of them substantial, indeed, such as the artificial rubber plants. I ask the Senator if it is not highly inconsistent with that kind of progress to put the Government back into a very large business enterprise, when there is absolutely no necessity for it.

Mr. GOLDWATER. I could not agree more with the Senator from Connecticut. I may say that the partnership program of the administration is working, and will continue to work, in relation to power needs; but there certainly is no necessity at the present time for the taxpayers of the Nation to be asked to pay for the construction of a high dam in the reaches of the Snake River. I might say, for the information of the Senator—this information is a year old, and since the cost of living is going up, the figure would be slightly higher now—if the Government built the high dam at Hells Canyon, it would cost the people of Connecticut $5,968,000. Can the Senator from Connecticut imagine any benefit that might accrue to the people of Connecticut from a dam built on the border of Idaho and Oregon?

Mr. BUSH. I believe the cost to the people of Connecticut would be more than $10,000,000. And I might say to the Senator the enthusiasm for this project in the State of Connecticut is exceedingly cool, and the enthusiasm for it is so well controlled that it might be called nonexistent.

I congratulate the Senator for the splendid address he is making.

Mr. THYE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. THYE. Of the three dams proposed to be constructed by the Idaho Power Co., which two dams have been authorized? Are they the 2 larger of the 3 dams in question?

Mr. GOLDWATER. They are the two smaller dams.

Mr. THYE. The rapid tax amortization or writeoffs were first approved for the two smaller dams. Now, according to the newspapers of this date, the Idaho Power Co. has rejected the privilege of using the rapid tax writeoff. The question is, Will we be confronted with the same question when the third dam is considered, and will there be a possibility of granting a rapid tax writeoff on the third dam?

Mr. GOLDWATER. I cannot answer the Senator. I wish I could. Not knowing the persons in high office in the company, I do not know what they have in mind. I will say this to the Senator, however, as I said earlier: If the law is still on the books, or substantially so, I would think any American corporation would be derelict in its duties to its stockholders if it did not apply for a rapid tax writeoff. I have no idea what the Idaho Power Co. intends to do as to the third dam. I have only a copy of the telegram and a copy of the newspaper, which show that the two certificates are being returned to the Office of Defense Mobilization.

Mr. THYE. It must have been disturbing to the Senator from Arizona, as it was disturbing to me, when the Defense Mobilization Director granted the certificate for a rapid writeoff of taxes on the two projects which had been approved. I personally voted for the Idaho Power Co. when I opposed the proposed legislation that was before the Senate a year ago, which would have authorized a high Federal dam.

I will be perfectly frank and state that when I learned about the rapid tax writeoffs, I had made up my mind that I was going to vote for S. 555. I am now trying to determine, on the floor of the Senate, whether there is any justification for my changing my opinion, because I was greatly disturbed to think that the Idaho Power Co. had gone so far as to obtain fast tax writeoffs when it had preempted a wonderful power site at Hells Canyon for its own private power development. For the power developed the utility company would be able to charge rates which would cover the company's cost of the project and all the costs of depreciation which might be involved. In addition to that, the company was to get the benefit of a rapid tax writeoff. That fact was so disturbing to me that I had deliberately made up my mind to vote against the project of the Idaho Power Co.

Now we are confronted with the statement that the company is going to deny itself the benefit of the fast tax writeoff. I frankly state to the Senator that I am trying to make up my mind whether there are facts which would justify my continued support of the Idaho Power project, because I am in favor of private enterprise in this American system of ours. I am not, however, in favor of giving the American private enterprise system in any sense get the benefit through the government, of taxpayers' dollars.

Mr. GOLDWATER. I am happy to hear the Senator from Minnesota state his openmindedness on this subject. I sincerely hope the explanation I shall make will convince him the charges which have been made on the tax amortization case are a little on the idiotic side.

To get down to some of the specifics in the Idaho Power Co., one of the most ridiculous charges made in this connection is that Congress was deceived a year ago when it killed the Hells Canyon bill because Congress was led to assume that the Idaho Power Co. was going to build these dams without cost to the United States and that it did not intend to obtain rapid amortization certificates. In the first place, the company is building these dams without cost to the United States. Not one single dime of appropriation has been sought. The dams are being financed completely and entirely with moneys raised by the Idaho Power Co. The charge that rapid amortization results in cost to the United States is a question I intend to pursue later, but the charges that Congress did not know anything about the Idaho Power Co. having requested rapid amortization certificates of ODM were discussed numerous times on the floor of the Senate by Senators who voted both for and against the Hells Canyon authorization bill. I, myself discussed the matter on July 18, 1956, as appears in the CONGRESSIONAL RECORD, volume 102, part 10, page 13014. So the Senate, Mr. President, was not in ignorance of the fact that the company had requested certificates.

The charge has also been made that FPC, when considering the company's application for license, had no knowledge of the fact that the company was trying to obtain such certificates. This charge, too, has no foundation in fact. In December 1953 the president of the company testified that not only had applications been filed with ODM with respect to Oxbow and Brownlee projects, but he also testified that if rapid amortization were available, the company would certainly take advantage of it. At one time he did say that he had faint hope of receiving certificates, and for very good reason. At the time he made the statement the electric power "goal" had been temporarily suspended and, since there was so much interference and delay because of opposition to the company license from FPC, it was doubtful to him that he would receive licenses in time to complete construction under the ODM deadline. But there was never any concealment of the fact before either Congress or the FPC that the Idaho Power Co. had made request for certificates and would use them if issued.

When testifying before a Senate committee on May 31, 1957, the Chairman of the FPC, Mr. Kuykendall, was asked this question by the Senator from Illinois [Mr. DIRKSEN]:

When you issue a license, there is no requirement on the FPC insofar as I know that you take into account whether or not at some future time a licensee is going to make application for a rapid amortization certificate. Does that enter into your consideration at all

when the matter of issuing a license is before the Commission?

Mr. KUYKENDALL. No; it does not and did not in this case enter into our considerations at all.

Senator KEFAUVER. Does it at any time with respect to any project?

Mr. KUYKENDALL. None that I know of.

Mr. KEFAUVER. Is there anything in the law under which you operate that makes it necessary for you to give attention to that factor?

Mr. KUYKENDALL. No, there is nothing that I am aware of.

Mr. Kuykendall later stated to the committee, when discussing cost to Government:

Of course, what we were really talking about was that there would have to be no appropriation from the Federal Government for these projects to be built.

The Senate Subcommittee on Antitrust and Monopoly, under the chairmanship of the Senator from Tennessee [Mr. KEFAUVER], has tried to make a great deal out of the fact that the company did not definitely schedule completion of Oxbow until after the Supreme Court decision. There is nothing strange to me about the fact that the company did not rush headlong into construction of the Oxbow development with an appeal pending before the Supreme Court, until it had some assurance that it would not be stopped from building the project. Otherwise the company could have spent a great deal of money for which it might not have been reimbursed if the Court decided its license was not legal. As soon as the Supreme Court decision was handed down, the company proceeded to schedule its second dam for completion during 1958, which qualified it for a rapid amortization certificate. Personally, I cannot see what the committee is driving at. Under the regulations laid down by ODM there is a certain completion date required. The company is endeavoring to comply with that completion date. If it does not, of course, it cannot use its rapid amortization certificate.

The committee has also made a great deal, Mr. President, of the fact that the Secretary of the Interior recommended against issuance of certificates to the Idaho Power Co. He did, Mr. President, but his recommendation was not directed at the Idaho Power Co. There was no contention on his part that the Idaho Power Co.'s facilities did not meet the criteria laid down by ODM, and therefore did not rate a certificate. The Secretary's objection was to the ODM criteria. Of course, the responsibility for setting up the criteria was in ODM, and not in the Interior Department. There could be many opinions on the criteria. One can no doubt go to other agencies, such as the Defense Department, and find complete accordance with the criteria. ODM certainly believed in it, or it would not have established it, and, after all, it was the agency under the law that carried the responsibility.

If the Idaho Power Co.'s construction met the criteria as laid down by ODM—and ODM said it did, or it would not have issued the certificates—the company would have been derelict in its duties to its consumers if it had not applied for the certificates. In fact, the State Commission under which the company operates could and should have severely censured the company for not taking advantage of any tax benefits under the law.

There have been charges that, regardless of cost or benefits, there was no justification for issuing certificates on these Idaho Power Co. dams because the company would have built them anyway. In this connection, Mr. President, I wish to point out that the FPC did not permit the company to follow its own program of construction which it presented to the Commission. The company intended to build the Oxbow plant first. Oxbow would have taken care of the company's existing needs. The company then intended to build the Brownlee plant. In its license order, however, the FPC changed this order of construction completely around. Because of the value of the million acre-feet of storage which the Brownlee Dam would provide for power, flood control, and navigation purposes, the Commission required that the Brownlee Dam be constructed first. Brownlee had twice the power capacity of Oxbow and required more than twice as much capital investment. The fact that Oxbow would have taken care of the company's immediate requirements, and the company was required to build another development which would provide twice as much power as Oxbow, certainly establishes the fact that the company was being required to build in excess of its immediate requirements, thereby making additional capacity available to the area. Now then, the company has scheduled Oxbow for completion at the same time as the Brownlee development, which means just that much more capacity in excess of the company's requirements for the Northwest area. In other words, Mr. President, the company is bringing in more than half a million kilowatts of new power in an area where a critical shortage now exists.

Mr. THYE. Mr. President, will the Senator yield for another question?

Mr. GOLDWATER. I am happy to yield for another question.

Mr. THYE. When does the Idaho Power Co. expect to put in the third installation?

Mr. GOLDWATER. I am sorry I cannot answer that question. Perhaps the Senator from Utah [Mr. WATKINS] is able to answer it. The question is, When does the Idaho Power Co. intend to put in the third dam?

Mr. WATKINS. As I understand the testimony, that installation will be constructed just as soon as the demand justifies its being put in. It is definitely a part of the program approved by the Federal Power Commission. A certificate on that installation was not issued at the time the other two certificates were issued, because the two dams, Brownlee and Oxbow, will take care of the load for a number of years.

Of course, it is a pretty heavy burden on a company to finance three low dams at one time. They are not small dams, by any manner of means. The third installation will come along just as soon as the point is reached where demand will justify it.

Mr. THYE. I thank the Senator.

Mr. GOLDWATER. I thank the Senator from Utah for answering the question.

Mr. WATKINS. Mr. President, if I may add one comment, that dam probably will be one of the largest contributors of power when it is actually constructed. It will be built somewhere near the site proposed for the high Hells Canyon Dam.

Mr. THYE. Mr. President, may I make one further inquiry, in view of the statement of the Senator from Utah? Why has the company not proposed to construct the highest installation as the first construction project?

Mr. GOLDWATER. I thought I covered that, but possibly I did not cover it clearly enough. They are building only what they require for current needs. It is very difficult for a utility company to finance for anticipated needs. It is even difficult, as the Senator from Utah knows, for the Federal Government to decide the distribution of power where a Federal dam is being built when the call or demand is not already there.

I think the Idaho Power Co. is following perfectly good business practice by building the two dams they are now constructing. I have been in that canyon. In fact, last year, when I was on duty with the Air Force at Boise, I flew down the entire length of the canyon.

I am not an engineer, but the Oxbow Dam is the one I would have constructed first, as the power company desired, because they already have a small power unit there, and there is a natural sharp curve in the river which would make construction of the dam and production of energy from falling water a little easier.

As I related, the Federal Power Commission made them reverse the order of construction.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. WATKINS. I think the principal reason why the Idaho Power Co. is building the dams as they are is that that was the requirement of the Federal Power Commission. The Federal Power Commission thought that ought to be done, and required the Idaho Power Co. to build Brownlee Dam first. Actually, the other dam site will not be as high as the Brownlee Dam, but because of its location it will produce a great deal of power, which will bring up the total of the power that will finally be produced under the three-dam program.

Mr. THYE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. THYE. The Senator from Utah stated that the Federal Power Commission had demanded that the company build the dams in a certain order. Did not the Federal Power Commission have before it the applications on which it was acting, and would it be within the prerogative of the Federal Power Commission to direct a private utility where to build, when to build, and how much to con-

struct? That seems a little out of its jurisdiction, in my opinion.

Mr. GOLDWATER. Let me repeat what I said shortly before the distinguished Senator asked his question.

I wish to point out that the FPC did not permit the company to follow its own program of construction which it presented to the Commission. The company intended to build the Oxbow plant first. Oxbow would have taken care of the company's existing needs. The company then intended to build the Brownlee plant. In its license order, however, the FPC changed this order of construction completely around.

These are the reasons which were given: Because of the value of the million acre-feet of storage which the Brownlee Dam would provide for power, flood control, and navigation purposes, the Commission required that the Brownlee Dam be constructed first. Brownlee had twice the power capacity of Oxbow and required more than twice as much capital investment.

The Federal Power Commission does have such authority, and uses it quite often.

Mr. THYE. In other words, the Commission took into consideration the factor that the one installation would afford greater flood-control protection?

Mr. GOLDWATER. And control of navigation, which comes within its jurisdiction.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. NEUBERGER. I believe that the distinguished Senator from Minnesota asked about the third proposed dam of the company's trio. Is that correct?

Mr. THYE. That is correct.

Mr. NEUBERGER. I should like to read to the Senator from Minnesota and the Senator from Arizona what the Federal Power Commission actually said about the third dam, which, I think, would be a slightly more accurate answer, even, than the speech of the Senator from Arizona.

Mr. GOLDWATER. The Senator from Arizona has not touched on the third dam.

Mr. NEUBERGER. I believe the Senator from Minnesota asked about the third dam.

Mr. THYE. I did.

Mr. GOLDWATER. And I believe he got an answer.

Mr. NEUBERGER. I should like to read what the Federal Power Commission had to say with respect to the situation at Hells Canyon:

> If a sufficient load does not develop to justify construction of low Hells Canyon within the time limits imposed in the license, the Commission may either extend the time for construction or terminate the license for that project, whichever is in the public interest at the time the matter is under consideration.

So the Senator from Minnesota certainly can see that there is no definite assurance that the third dam will be built at all.

Mr. GOLDWATER. I thank the Senator from Oregon for supplying that information, because it does more accurately answer the question of the Senator from Minnesota. I think it further points up the flexibility in the situation. If the company does not fulfill the requirements under the order, construction of the third dam can be denied.

I may say, judging from our experience in the West, that as the demand for electric power develops, the company will be in a position to know whether or not it would be justified in going ahead with the third dam, and so will the Federal Power Commission.

Last January, with only 24 hours' warning, the Bonneville Power System was forced to drop completely all of the interruptible industrial loads in Oregon and Washington—490,000 kilowatts. That power cutoff required the shutdown of 17 plants owned by 13 of the largest industrial firms in the Northwest. These were all strategic metal industries and it is my understanding that it was weeks before these plants were finally back in service. That was because of a power shortage, Mr. President—a half million kilowatt power shortage, if you please—that exists today, not sometime in the future, but right now. Can you picture, Mr. President, the effect upon this country, upon the American people, if that had happened during war or other national emergency?

But the public power people out there say, "What's the difference?" After all, it was only supposed to be interruptible load and interruptible power that these industries were using in the first place. A fine answer, Mr. President. I suggest that they try to explain that one to the American people—to our soldiers, sailors, Air Force men, and marines—some fine day when the chips are really down.

Do Senators know why it was only interruptible power? It is because there is no other kind of power except interruptible power left out there in the Northwest—with its air bases, airplane factories, metal plants, and atomic energy installations. It is power which is available to essential defense industries only on an "if, as, and when we've got it" basis.

I point out that the Brownlee and Oxbow plants will add over 500,000 kilowatts of installed capacity to the Northwest system. The point is that if these two dams and powerplants had been in service last January, with half a million kilowatts of power in the Northwest system, of which the Idaho Power Co. is a part, that entire shutdown could have been prevented.

Mr. President, I ask unanimous consent to insert in the RECORD at this point a portion of a news article which appeared in the Portland Oregonian on January 27, 1957.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

POWER CUTBACK BY BPA SLOWS 17 BIG PLANTS

The mercury plunged toward the bottom of the thermometer throughout the Northwest Saturday, and was expected to come near the all-time low record of minus 3 degrees at Portland early Sunday.

The temperature dropped to 6 above shortly after 6 a. m. Saturday at Portland International Airport, where the area's all-time low of minus 3 was recorded February 2, 1950.

The temperature climbed back to 28 degrees in midafternoon, but had dropped back to 9 by 1 a. m. Sunday.

BPA CUTS OFF SOME

Among more serious effects of the prolonged cold snap were frozen water pipes, a power outage in the southeast Portland area and cutoff by Bonneville Power Administration of interruptible power to 17 plants owned by 13 Northwest firms. Largest are the three aluminum companies—Aluminum Company of America, Reynolds Metals Co., and Kaiser Aluminum Corp.

Alcoa announced closing of 2 potlines—1 at Vancouver and 1 at Wenatchee.

Donald H. Tilson, Northwest manager for Alcoa, said about 170 men will be laid off through shutting down of its 2 lines at 7 a. m. Sunday. The 2 plants employ a total of about 2,800 men.

Reynolds Metals Co. Saturday night was in the process of taking one potline out of production at its Troutdale plant. Half a line dropped Saturday at the firm's Longview plant and the rest of the line was being taken out of production Saturday night.

LAYOFFS TO FOLLOW

The Troutdale line represents about 25 percent of the plant's capacity and H. W. Shoemaker, plant manager, said a proportional number of the plant's 920 employees would be affected. V. G. Kneeskern, manager of the Longview plant, said more than 100 men of the 515 employed would be affected there with one-third of the plant capacity down.

In Spokane, Kaiser Aluminum Corp. said it was considering closing one potline at its Mead reduction plant. About 200 men would be affected. Officials estimated that the Trentwood rolling mill there could continue for 10 more days with materials on hand.

The power cutbacks resulted from a situation in which power just wasn't available in any form. BPA originally had planned to stop all delivery of interruptible power at midnight Saturday, but had expected to replace it with provisional power from Hungry Horse Dam in Montana.

By Saturday morning, however, demands for power for such items as home heating had grown so heavy BPA cut 200,000 kilowatts from its interruptible powerload, a reduction of about 45 percent.

So heavy were demands on the system that the additional power could not be brought in from Hungry Horse. Bonneville Dam also reported that ice conditions at the intakes for water used to cool its generators forced a slowup in generation, costing the BPA system 70,000 kilowatts.

Spokesmen for both Alcoa and Reynolds pointed out that they could not obtain even the more expensive steam power to replace the hydroelectric from BPA.

Mr. THYE. Mr. President, inasmuch as the Senator has interrupted his statement to place something in the RECORD, will he yield to me again?

Mr. GOLDWATER. I yield.

Mr. THYE. The Senator stated that these two installations would provide half a million kilowatt-hours.

Mr. GOLDWATER. Yes.

Mr. THYE. And that that was the need at the time.

Mr. GOLDWATER. It is the need at the present time.

Mr. THYE. We know that the load is constantly increasing. We have the history of the TVA, and we have the history of utilities furnishing power in all sections of the United States. If the present need is 500,000 kilowatts, it is a certainty that in possibly 1, 2, or 3 years the need may very well be 1 million

kilowatt-hours, because the load increase can be expected to be that much.

For the first electricity I was privileged to buy, I thought $6 or $7 a month would be the maximum bill. Today it is not uncommon to receive an electric-power bill for $40 or $50. That represents the increase in the load factor in my case. That experience can be multiplied many times. We know what the TVA has demanded, because there has not been a year when we have not been faced with the question of firming up electric power with steam plants in that area.

The question is simply this: Would the 3 dams planned by the Idaho Power Co. furnish as much electricity, if the 3 dams were completed, as the 1 high dam would furnish if it were completed? I know that is a hypothetical question, because it involves three dams. However, we know the potential of the three dams, and we also have statistical information as to the potential of the high dam. Which of the projects—the high dam or the three dams—would ultimately generate the greater amount of electricity?

Mr. GOLDWATER. I may say to the Senator in answering that question that one can reach several conclusions. Let me give one answer.

The 3-dam plan would produce 1,175,000 kilowatts, while the proposed high dam would produce 900,000 kilowatts. I readily admit that if 5 additional dams were built downstream from the proposed Federal high dam, the difference would be about 17,000 kilowatt-hours in favor of the Federal high dam. It has been the contention of the junior Senator from Arizona that it would be wrong, in the first instance, to ask the taxpayers of the country to build the high dam. It would be doubly wrong to ask them to spend nearly $750 million for a difference of 17,000 kilowatts.

Mr. THYE. Mr. President, if the Senator will further yield, the positive engineering figures with respect to the high dam for Hells Canyon show that the single dam would generate 900,000 kilowatts, or less than 1 million kilowatts, and that the 3 dams of the Idaho Power Co., if all were installed, would generate 1,175,000 kilowatts. Are those the engineering figures?

Mr. GOLDWATER. Those are the figures available to me. However, as I stated in a speech last year, there are numerous figures for the high dam. The 3-dam system proposed would produce 1,175,000 kilowatts. With the completion of the Federal project, if it were ever completed—and it requires more than merely the high dam—there would be an increase of 17,000 kilowatts above the production of the 3-dam project. In my opinion, the production of the Federal project would be somewhere in the neighborhood of 1,900,000 kilowatts.

Mr. THYE. Mr. President, if the Senator will yield further, I should like to ask him another question. Assuming that the high dam were installed, would it be possible to install a series of smaller dams on the same river at a lower area in the canyon?

Mr. GOLDWATER. Oh, yes, certainly; the stream could be dammed. I am not an engineer, but I have visited it and I have flown over it, and I think that the other dams could be built. In fact, by a peculiar coincidence, the Senator from Minnesota asked me to yield to him almost a year ago on the precise question he is asking me now. I have been looking up the record.

Mr. THYE. I do not consider these questions lightly, because I know that electric energy is something the Nation must develop to the maximum potential of all the hydroelectric installations in the United States, for cheap power is the economic need of the Nation if we are to remain competitive throughout the world. Therefore every hydroelectric site to me is of potential value to the economy of the Nation.

If I thought a high dam would generate more electricity and still allow a series of low dams to be constructed, as the need required, I would be in favor of a high dam today, and not in favor of destroying the potential of additional smaller dams on the streams at a later date.

That is what is disturbing me. If the three dams are authorized and constructed, would they destroy the possibility of developing as much electricity as if we were to build a high dam first and then build a series of other dams as the Nation's needs required?

Mr. GOLDWATER. The answer is no. I should like to refer to my remarks of last year. I quote from my speech from the CONGRESSIONAL RECORD, volume 102, part 10, page 13461:

> When the proponents of the high dam talk about any more power than 688,000 kilowatts, they are talking about the construction of 8 dams downstream, 5 of which have not been built, and they do not include in the cost of the construction of the high dam the cost of the other 5 dams.

Therefore, if we can build five dams downstream from the Federal project to augment other power to bring it up to a comparable figure with the three-dam system, certainly the construction of the three dams will not preclude further development, if it is proven necessary in the years to come.

Mr. THYE. Inasmuch as the Senator from Arizona has flown over the area, and even though he is not a civil engineer—and of course the Senator has basic knowledge of the canyon and is generally alert to the questions involved, and therefore his opinion would have considerable weight—I should like to have him answer this question for me: How many miles on that canyon are capable of development so far as hydroelectric sites are concerned?

Mr. GOLDWATER. That would be a very difficult question to answer exactly. I should like to consult a map before I answered a question like that. At best I could only make an estimate, based on how long it took me to fly an airplane down the canyon at a certain speed.

Mr. WATKINS. I have asked to have a map brought to the Chamber. It will illustrate the situation on the river. If the high Hells Canyon Dam is built, it will flood out the three smaller dam programs.

Mr. THYE. If the Senator from Arizona will permit me to ask him this further question, I should like to inquire whether the high Hells Canyon Dam is intended to be constructed below the site of the two dams which have been authorized and the third project which is contemplated for the future?

Mr. GOLDWATER. The high dam is proposed to be built at almost the exact spot at which the third dam would be built. If the Federal dam were built, it would flood out the two dams below, and would require the Federal Government to pay damages to the Idaho Power Co.

Mr. THYE. I should like to ask a further question. This seems to be developing into a matter of much greater importance than I thought at the outset. I am commencing to get the mental picture involved. I said last year that I regretted I had not flown over the area before I had cast my vote. I said last summer if I were ever faced with this question again I would fly over the area before I would cast my vote. I should like to see with my own eyes what the situation is there. However, the Senator from Arizona, and the Senator from Utah also, have made it possible for me to see this fully even though I am not there. The Senator states that the high dam would be constructed at a lower point in the Hells Canyon?

Mr. GOLDWATER. The Senator is correct.

Mr. THYE. Lower than the three dams?

Mr. GOLDWATER. No. The high dam would be built below the present two dams, but it would be built at about the same site at which the company would build its third dam.

Mr. THYE. In order to get the picture completely in my own mind, how many feet higher would the high dam be than the highest of the private-utility dams?

Mr. WATKINS. I do not have the exact figures, but I can get them. The total head—that is what is important—is exactly the same in the high dam and in the three dams.

Mr. THYE. The Senator says that the total head from the standpoint of flowing water is the same?

Mr. WATKINS. That is correct.

Mr. THYE. But from the standpoint of the backed up water in the canyon, which is important if there are flood conditions—and flood control is involved here—what is the situation? In other words, if the one high dam is 500 feet higher than the three dams, the water level, of course, is raised in the entire canyon. At the head of the dam it would be 500 feet higher, and then it would slope back, as the water sought its level in the canyon. The question, therefore, is, do we effect greater flood control in that way with a high dam than we do with a series of of low dams?

Mr. WATKINS. Mr. President, I should like to answer that question. The greatest flooding area is in the two lower streams, the Clearwater and the Salmon. Actually we do not have at this stage of the river a great deal of flooding.

Mr. THYE. That is below, the Senator says?

Mr. WATKINS. Those two rivers are below the high Hells Canyon Dam. There is no serious flood-control problem at the site of the high Hells Canyon Dam.

The greatest contribution to flood control would be derived from the building of the Bruces Eddy Dam on the Clearwater. That is a stream in Idaho, a tributary of the Snake. So is the Salmon River. Both flow into the Snake River below the high Hells Canyon Dam site. They are the real flooders. They are located in Idaho, where it is impossible to take out any water for irrigation. Idaho cannot use either one of those streams for irrigation.

Mr. THYE. In the event enough electricity is not obtained from the development at Hells Canyon, then in the future it would be necessary to go to the Clearwater and the other rivers and place installations on them for the purpose of getting the maximum development of the entire Northwest river network. Is that correct?

Mr. GOLDWATER. I do not believe I can give an answer to that question. Because of the rapid development of atomic sources of electric power, it is my opinion that we may well be constructing the last hydroelectric dams in this country. I am convinced that as time goes on atomic-produced power will be gotten down to a level, millwise and coastwise, which will compare favorably with steam and flowing water generation of electricity.

Mr. WATKINS. I wish to point out for the RECORD the discussion which has taken place to the effect that the matter of power development depends on water supply. A high Hells Canyon Dam under the program would require almost 4 million acre-feet in order to operate. There would be many years, the testimony showed, when there would not be enough water to operate the powerplant to capacity. It could operate to full capacity in only about 1 year in about 19. But it would make some contribution to power generation downstream.

The reason why Idaho Power Co. decided to build 3 dams instead of 1 was that they could get the same head at 602 feet and not require so much water as might be needed for future development of irrigation of land upstream in the Snake River Valley. That, apparently, is about the only area Idaho has in which to develop water for consumptive uses. It has approximately 2 million acres of land which may be developed.

Mr. THYE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. THYE. Could the Hells Canyon Valley or Hells Canyon in itself be considered something like the rain barrel which the oldtimer used to have under the eaves of his house? He knew that only so many inches of rain fell in a year, so he put out enough rain barrels to get for himself a supply of water which would last throughout the dry spells.

If there is a large enough installation, and the rains come, so that the water can be kept from going over the spillway, in order to retain the amount of rain which falls, there is a rain barrel so to speak, which will hold the water against the day when a dry season or two will come.

Therefore, Hells Canyon may be more important from the standpoint of a head of water, a supply of water, and a reservoir, than simply what meets the eye from first examining the question.

Mr. GOLDWATER. The Senator from Minnesota has put his finger on a point which to us western Senators is very important in the public versus private power fight. The Senator from Utah related to the Senator from Minnesota the testimony before our committee that there would not be sufficient water in the river to create 4 million acre-feet. The high dam would be built in an almost inaccessible canyon. There is no possible use for that water for irrigation purposes. So the comparison of the dam with a farmer's rain barrel would not be correct in this instance.

The Senator from Minnesota must keep in mind that one of the purposes of the high dam would be navigation control. The Columbia River is a navigable stream, so a plug could not be put in the petcocks; they have to be kept open to let a certain amount of water go through to supply a regulated flow.

There are downstream users—farmers and cities—who have prior rights to the water. They will have to be satisfied. That is one reason why Western Senators have been so strongly back of the three-dam system. They feel it will never impair the water rights of the downstream users.

Statements have been made on the floor that the construction of a high dam would in no way imperil the rights of users downstream. I think that statement could be made in some degree of good faith if the Supreme Court had not issued an opinion—in fact, two opinions—which cause westerners great apprehension. It might work, if the Attorney General did not hold so strongly to the idea that the Federal Government does have rights, and prior rights, in the waters of the West. That is what frightens us. If the high dam is built, and we get proof of the testimony that there is not enough water to fill the dam, what is the first thing the Federal Government will say under the concept of the prior rights of the Federal Government? The Federal Government will say to the upstream irrigation users, "We will have to let so much water out this year, because we cannot deprive the downstream users of it; nor can we control navigation with the amount of water that is coming down."

The distinguished Senator from Wyoming is probably the most expert person in this field in the United States. I certainly would appreciate any comment he might make to enlighten Senators further. Water is extremely important to us in the West. It is far more important to us than water is to the farmers in the East. We have to have our rights to it.

Mr. THYE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. THYE. Going back to the storage of rainwater in the barrels under the eaves of the plains-country shack where the rain comes at certain times of the year, the rancher is trying to store all the water he possibly can.

If the high dam is built at Hells Canyon and 1 or 2 extremely wet years occur, years having high rainfall and much snow, the water will back up in large quantities. But if there are 3 low dams, the water will go over them, downstream toward the ocean. With 1 high dam, however, the water will keep backing up at Hells Canyon. It will not overflow and bring destruction to property, because the canyon walls are there—solid rock—and they will hold, as will the high dam. So there will be the effect of a huge reservoir which will impound water. The water can be held. There will be, of course, a little evaporation, but a tremendous amount of water can be impounded and held as a head against the dry years. Of course, it will be necessary to let some water run out at all times, but the vast reservoir of water can be held back. The level can be kept firm. At the same time, there will be a tremendous head in the reservoir for the purpose of generating electricity.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. BARRETT. Is it not true that there is no compact between the State of Idaho and the States of Oregon and Washington with respect to the Snake River?

Mr. GOLDWATER. That is correct.

Mr. BARRETT. As a consequence, the irrigators upstream from the high Hells Canyon Dam or from the three dams of Idaho Power Co. need some protection. As I understand the situation—I am certain the Senator from Arizona is familiar with this point—Idaho Power Co. obtains its State water rights through application to the State. In addition to that, the licenses from the Federal Power Commission specifically ordered that the project should be operated in such manner as would not conflict with the future depletion of water from the flow of waters upstream from the dam. So the irrigators on the Snake River upstream from the sites at Hells Canyon have adequate protection under the existing arrangement with Idaho Power Co.

The same is not true so far as the Federal dam is concerned, notwithstanding section 2 of the bill. A future Congress could change that section. For that reason, the people of Idaho quite generally have objected to the bill which is before the Senate today, because water can be used for development purposes upstream from the dam.

It seems to me, as a matter of fairness, that the people of Idaho, whose State, after all, is the one that contributes water to the Snake River, with which we are concerned today, are entitled to some protection. The only way they can get the protection is through the recourse they have presently in the State application granted to Idaho Power Co. under the restrictions of the Federal Power Commission.

I think that certainly is a complete answer to the question that if we are to protect the future developments of the waters of the Snake River in Idaho, a State where thousands and thousands of acres may be put under water in the years ahead, we certainly must afford

the people of the State protection, so that when the time comes they will not find that their water rights have been legislated away or given away by someone else.

Mr. GOLDWATER. I do not think I have completely answered the Senator's question, but I want to refer to an answer I used with him last year, because it touches on this year's question. That is the matter of storing water from river control or flood or navigation control. Let me read what I said last year. I read from the bound volume of the RECORD of July 19, 1956, page 13462, the first column:

> Let us see what the United States Government has just found out, as published in the Oregonian, a very responsible newspaper in Oregon, after the last flood, which was the third largest flood in the history of the basin. It is said that if the high dam had been constructed and in operation it would have saved the crest of the flood 0.8 of a foot. It is also said that if Brownlee, one of the dams of the three-dam project, had been constructed, it would have saved the crest 0.6 of a foot. That is the difference of 0.2 of a foot. What is two-tenths of a foot? It is about two and a half inches.
>
> How crazy can the United States Senate become, when it is proposed to take a quarter of a billion dollars from the taxpayers of the country to pay for 2½ inches of flood control on the Columbia River?

That statement brings out what was said in the course of the testimony, namely, that the Brownlee Dam is sufficient for all known flood conditions, and that it is extremely doubtful that the proposed high dam at Hells Canyon will be filled. I do not say it cannot be filled, because, as the Senator has suggested, after 2 or 3 wet years in a row, the dam could be filled. But the present proposal is to have the Government spend one-quarter of a billion dollars, as opposed to nothing, in order to provide flood control to the extent of two-tenths of 1 foot, or approximately 2½ inches.

Mr. THYE. That would be on the Columbia River, would it not?

Mr. GOLDWATER. Yes. By the way, any floods on the Snake River would, after they meet the waters of the Salmon River, have their worst effect on the Columbia River.

Mr. WATKINS. Mr. President, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I yield.

Mr. WATKINS. I think it should be pointed out that the high Hells Canyon Dam, as proposed, is not what is called a carryover storage dam to any great extent. It is not like the Glen Canyon Dam, on the Colorado, which has a 26-million-acre-foot reservoir and carries over the water for 20 years—or, as one Senator has suggested, catches the water in rain barrels. The Glen Canyon Dam is planned to take care of the consumptive needs downstream, in Arizona, Colorado, and the other States.

On the other hand, the bill now before the Senate provides for purely a power dam with some incidental flood control.

Mr. THYE. But could not the high Hells Canyon Dam be used for the purpose of rain-barrel storage? After all, Hells Canyon is composed of granite, and is very deep; and if a dam is built high enough to shut off all the flow, then, at times of heavy rainfall or excessive snow meltings, it will be possible to impound absolutely all the water in the canyon, and to keep it there for 20 years, if that is desired.

Mr. WATKINS. But that is not the flooding part of the Snake River.

Mr. THYE. I grant that. But if there is excessive rainfall or an excessive amount of snow in the canyon, although it may not cause a devastating flood at that particular time, it would be possible to impound the water and to hold it there.

I am seeking information; I am not trying to cross-examine. I have been greatly concerned about this matter, in view of the fact that a year ago I voted in favor of construction of the dams of the Idaho Power & Light Co. Subsequently, I became disturbed about the rapid tax-writeoff situation; and I made up my mind that I would support proposed legislation providing for the building of a high dam at Hells Canyon.

Now I am searching for facts, in order to be certain that my judgment is not in error.

Certainly there is a question here. An investment has been made by the private company in the smaller dams at Hells Canyon. If the present installation of the Idaho Power & Light Co. is destroyed, the company will have to be reimbursed for it. I do not know what amount of money is involved, but compensation would have to be made. So this matter involves good faith on the part of an agency of the United States Government, namely, the Federal Power Commission, which granted the license to the Idaho Power Co. The courts have passed on that question. Therefore, the private company has acted on the basis that the Federal Government has given it a certificate, and the judicial branch of the Government has approved it.

All these features cause me to ask questions. I am not attempting to needle or to make things difficult for the Senator from Arizona.

Mr. GOLDWATER. I shall try to answer the various questions which the Senator from Minnesota has indicated are in his mind.

He must remember that the proposed project, whether built by the Federal Government or built by private industry companies, is purely and simply a power project. No reclamation or irrigation at all is connected with it. It has an element of flood control, by virtue of the fact that it is a dam, and dams control rivers. It also has a navigation feature, by virtue of the same phenomenon. So we must think of this proposal as purely one involving power.

It is possible to develop with the three dams the same head that can be developed with the high dam. The head is what develops the power—in other words, the falling water. The water passing through the three dams will create as much electricity—and more—under this proposal, as will the high dam.

The Senator's argument about falling water over a period of time does not apply in the case of Hells Canyon, although certainly those of us in the West, those of us who live in the reclamation States, are interested in that. If the Senator's argument were valid for a dam of that size, I would suggest that it might be built twice as high, and thus impound that much more water. But the Senator from Minnesota must keep in mind that this project is one solely for power.

Mr. THYE. Mr. President, will the Senator from Arizona yield for a further question?

Mr. GOLDWATER. I am glad to yield.

Mr. THYE. What is the drop from the top? That makes a great deal of difference, in terms of the amount of water which can be stored in the canyon, because if the drop is a great number of feet to the mile, less water will be backed up by the dam, whereas, if the drop in Hells Canyon were only a few feet per mile, a dam there would back up a great deal more water. We can demonstrate that by tilting a trough. When the trough is level, it holds a certain amount of water; but when the trough is tilted, much of the water it was holding will gush out at the low end.

If Hells Canyon has a drop of only a certain number of feet per mile, only a certain amount of water can be stored behind a dam there. On the other hand, if there were a smaller drop per mile, a series of dams would hold or store much more water than the amount which could be stored behind one large dam.

Mr. GOLDWATER. I am sorry that I do not have that information.

Mr. THYE. Is not the information obtainable from the engineers? If the drop per mile is a certain number of feet, only a certain amount of water can be stored behind a high dam; but if a series of small dams is built up the stream, water will be impounded behind each one of the dams. Therefore, I believe it very important for us to ascertain the drop in feet per mile, in the case of Hells Canyon, for in that way we can determine how effective the high dam will be, as compared to a series of lower dams.

Mr. GOLDWATER. Undoubtedly that point was taken into consideration by the engineers, in arriving at their determination. I have never heard the figure for the number of feet drop per mile stated, so far as I recall, in any of the hearings. I may say that figure is not considered of extreme importance in the case of developments in the West where dams are built. For instance, in the case of the Grand Canyon—and I think the Snake River has a drop of at least as much as the Grand Canyon, if not more—if a development were to be made at Marble Canyon, or if a development were to be made at Bridge Canyon, which is below the park, it would be possible to develop more storage by means of a series of dams, as compared to a high dam, as the Senator from Minnesota has suggested.

But in this instance it has been determined that three low dams will develop more power and will store all the water needed to be stored and will prevent

floods—based on the floods which have occurred in the past. So the three dams will do all that the high dam will do, and more; and they will do it, in fact, at no cost to the American people.

As I have stated, if we consider this matter purely as one involving power, we proceed on a sounder basis.

In my State, the companies will build a series of dams—as the Senator from Minnesota has stated—one dam after the other. In fact, on the Salt River system of Phoenix, Ariz., there are 4 dams; and the water from 1 dam backs up to the other, because of the rapid drop of the river; and it is possible to store there approximately 2½ million acre-feet of water, although at the present time a little less than 500,000 acre-feet is stored. So the Senator's theory of dam construction is correct, although we do not figure the drop per mile. We figure out how high the dam should be to produce the kind of power and other features needed.

Mr. THYE. If a stream does not have the high granite walls that Hells Canyon has, no more water can be impounded than what the banks will hold. Therefore, that factor would have to be taken into consideration. But Hells Canyon is different from the average canyon, and the question involved is as between a series of small dams and one large dam. The issue involves a high dam constructed by the Federal Government versus three small dams constructed by a private company. I do not know why the Idaho Power Co. did not decide to build one large dam, in accordance with the findings of the engineers for the Federal Government, but I presume the reason is——

Mr. GOLDWATER. If the Senator will yield, it is cheaper to build 3 low dams than 1 high dam, for substantially the same results. If a high dam were built there would still have to be built 5 of the other 8 dams to produce the additional 17,000 kilowatts.

To get a better picture of Oxbow and Brownlee, they are located in a portion of the canyon that is wider. Oxbow will be 205 feet high. That is nearly double the height of Bonneville. Hells Canyon will be 325 feet high, which is nearly twice the height of Niagara. Brownlee will be 275 feet high, which is higher than the Capitol dome.

Mr. THYE. What would have been the height of the high dam had it been constructed?

Mr. GOLDWATER. I would have to speak only from memory. I believe it would have been 100 feet higher than the proposed high dam of the company, but I may have to stand corrected on that point. In other words, these 3 dams will produce what is needed. The lower dams, the 205-foot dam and the 275-foot dam—which is not a small dam—are in reaches of the river where there is a rather wide valley, but where the Federal high dam would be, and where the company high dam will be, there are granite walls that rise nearly 2,000 feet above the stream. It is nearly 7,000 feet from the top of the mountains in Idaho to the river. I hate to admit it, but it is higher than Grand Canyon, although we do not exactly call it a canyon.

Mr. THYE. What is the maximum height to which a dam could be built and still have canyon walls hold the water back and not have the water spill out somewhere?

Mr. GOLDWATER. I am trying to answer the Senator's question. If he will bear with me for one moment, I can read the decision of the Federal Power Commission:

> After full consideration of the comparative economics of the power features of the 1-dam and the 3-dam plans as presented by the evidence of record and as analyzed in the several briefs filed herein we conclude that, assuming financing, construction and operation of both plans by the same entity, the ratio of power benefits to power costs of the 3 high dams is greater than that for the 1-dam plan, and although the high Hells Canyon project would produce a greater amount of power than the 3-dam plan, the additional amount of power that could be produced by the high Hells Canyon project would have a benefit-cost ratio of about 1 to 1.

That is substantially the backbone of the decision.

The Senator asked one other question, and that is how high the dam could be built within the granite walls. There again I would have to know the foot drop. Assuming that a dam 1,000 feet high could be built—which I do not think could be done—it would back up the river and probably flood the small town at the head of the canyon, which would be a distance of 35 or 40 miles.

Mr. THYE. I thank the distinguished Senator for yielding to me as many times as he has yielded. His answers have been most educational.

Mr. GOLDWATER. I thank the Senator from Minnesota for the questions he has asked, which have been helpful.

These two projects, with half a million kilowatts of new power capacity, a large part of which will be surplus over and above the Idaho Power Co.'s present needs, are so closely related to national defense and emergency needs that to have refused certificates of rapid amortization would have been rank and unjustifiable discrimination under the law and the policy which the ODM has consistently been following.

I also call attention to the fact that every application for Federal development of power facilities in the Pacific Northwest recites as a most important reason for development of the needs of national defense. That applies to the bill now pending before the Senate for a Federal development at Hells Canyon. I ask, How is it, if the Federal Government develops a waterpower project on a river, that is in the interest of national defense, but if private industry develops approximately the same capacity at the same site, using the same water, it has no connection with national defense? Just how absurd can we get when discussing these questions of Government versus private power?

Let us consider some of these ridiculous charges of cost to Government and benefit to company. We have had all kinds of estimates, and the proponents of public power have either willfully or ignorantly confused the two. They have arrived at some astronomical figure of benefit to company and have at least conveyed the impression that the benefit to company is cost to the taxpayers. They claim that "they have ransacked the Treasury" of these vast sums of money. I was not surprised when the Washington lobbyist for REA, Mr. Ellis, and the Public Power Association, Mr. Radin, made such wild statements and when some of my colleagues echoed these statements on the floor of the Senate. They have no experience with corporate financing, and the organizations they represent are not bothered with the Federal tax problem—they do not have to pay such taxes. I was surprised, however, when the Chief Accountant of FPC, Mr. Rainwater, came up with such ridiculous figures. It is rather a sad situation, Mr. President, when the Chief Accountant of a Federal agency, charged with the duties and responsibilities of regulating our largest single industry, has no conception of the important question of business finance. In fact, I cannot help but wonder how the electric and gas industries are able to operate under the Commission. If this is what is going on, I think we ought to hurry up and pass the gas bill and look into passing a bill that will give some kind of relief to the electric companies, also.

In figuring cost to Government both the lobbyists for public power and the chief accountant of the FPC have used compound interest. It is assumed that the cost of tax amortization to the Federal Government is the amount of money that the Government must pay in interest to borrow an amount equal to the taxes deferred under the tax-amortization program. Because under this amortization, tax revenues are paid later than normally, it is thought that the Government must float bonds to make up the revenue lag, and the cost to Government is the interest it must pay on these bonds. In order to follow that assumption, we must assume that the Government is operating on an unbalanced budget and is having to borrow additional money because of taxes deferred; or that if these deferred taxes were collected earlier, this money would be used to retire Government debt and not for additional appropriations. In order to use the compounding theory it is assumed that in the second year, and every year thereafter throughout the revenue-lag period, the Government would be paying interest, not only on the bonds themselves, but that bonds would have to be floated in order to obtain money to pay the interest charges on those bonds. In this manner the debt service charges on bonds compound throughout the tax-deferral period until all postponed taxes have been repaid.

This interest cost to Government view involves a basic tax fallacy. It assumes that tax revenues are something that preexist and are separate and apart from the law of the land. If Congress says the tax income does not exist, its receipt cannot be postponed, and when Congress enacted section 168 of the Internal Revenue Code, permitting deductions from income for the cost of constructing defense

related facilities, it did precisely this. Congress declared that rapid amortization deductions did not constitute taxable income. To claim that what Congress has defined as a business expense deduction constitutes a cost to Government is simply a contradiction in terms.

Moreover, what is involved here is a business expense that Congress said can be deducted from gross income if the Government obtains a certain quid pro quo. Therefore, from the standpoint of the Federal Government the result is no different from any situation where the Government has failed to impose a tax. The result is no different from the tax the Government does not collect on rental value of the parsonage; on interest paid on State and municipal bonds; on the income generated by State and municipal proprietary business activities. Finally, the result is no different, from the standpoint of Federal revenues, from the 5-year accelerated amortization of grain storage facilities. None of the above are properly described as "cost to Government." More properly they are illustrations of situations where Congress has said that taxable income does not exist.

That is, if by congressional declaration taxable income does not exist, there is no taxable income to be postponed. Admittedly, the national debt is always with us, but specific interest costs on the debt can no more be attributed to deductions taken under code section 168 than they can be attributed to deductions taken under code section 104.

It can be effectively argued that amortization increases overall tax revenues. In other words, unless industry constructed and successfully operated the amortized facility—or its certified portion—at a profit, industry would contribute no additional revenue to the Government, only a portion of which is deferred. Thus, before amortization may be characterized as an interest-free loan it should be made clear that amortization increases overall tax revenues. It provides the Government with the very capital that hypothetically it loans back to industry.

Statistics presented, the purpose of which is to show the cost to Government, give the impression that Government is giving a tangible-cash amount to the certificate holder, that something is being given away that the taxpayer has, that money is taken from the Treasury and given to the business—ransacked from the Treasury. This is not true. The Government, as a result of laws passed by Congress, merely has said to the recipient, "you can keep this a little longer and use it if you do something that we, the Congress, say is in the public interest."

Another important point is that these estimates on the cost of the program to Government seldom, if ever, are presented in net terms. In other words, estimates as to cost are not related in any way to what the Government received in return. The estimates always assume that the Government got nothing. Even if we should assume that the interest cost to Government theory is valid, it is still clear that the Government has realized substantial benefits through the tax-amortization program. That is, even if it did cost the Government something in interest, the Government obtained productive capacity for national-defense purposes without capital cost to the Government.

If there is any justification for compounding the interest cost on bonds that substitute, theoretically, for the tax-revenue lag, one could just as reasonably compound the value of the annual Federal taxes that would not be collected if the Government built the project. These and many other things would have to be taken into consideration in order to figure net cost or benefit to Government.

Mr. President, if we are going to go into this question, perhaps we should take the amount of Federal taxes to be paid by the company and compound that $6 million a year at 3½ percent interest. The FPC accountant admitted that in order to be fair this should be done. That was brought out when he was questioned by the Senator from Utah. That computation alone would amount to more than $809 million over a 50-year period. This $809 million gain by Government would be in comparison with the so-called eighty-odd million dollars loss to Government.

On the other hand let us consider the $50 million of nonreimbursable costs of Federal development as proposed under S. 555, and start compounding that to see where we come out. That, according to my mathematics, would be about $279 million, and I am just using the same kind of arithmetic that the lobbyists for public power and the chief accountant of the FPC use. This shows what the nonreimbursable features of Federal construction alone would cost the taxpayers over a 50-year period—of course, it goes on forever.

Now, let us turn it around and talk about benefits to Government by company construction. It is estimated—and these are Army engineer estimates—that benefits from flood control would amount to $1 million per year, that benefits from fish and wildlife would be approximately $200,000 per year, and that benefits from navigation would be approximately $100,000 a year. These are just a few of the benefits that would accrue from company construction. Let us start compounding these, and at the end of 50 years we will come up with a figure of $175 million for the national benefits due to company construction. I might add that this has nothing to do with added power capacity available for defense production or taxes that the company will pay.

The point I am trying to bring out, Mr. President, is that one can take mathematics or figures and prove almost anything. But the important thing is what one starts out with as basic assumptions. No one denies the ability of either the public power lobbyists or the chief accountant of the FPC to multiply and add, but the important thing is, what assumptions did they use when they started out? Are their assumptions valid, Mr. President? I say to the Senate that they are ridiculous. Answers are bound on one side of the ledger, which absolutely disregard any benefits that accrue to the Federal Government on the other side.

Now, Mr. President, the Washington lobbyists of REA and the Public Power Association figure that the cost to the Federal Government from this rapid amortization in connection with the Idaho Power Commission development amounts to some eighty-odd million dollars. And the chief accountant for FPC verifies those figures. It is strange to me that he goes right along with the public power crowd, when it is perfectly obvious that all one has to know are the simplest rudiments of economics and finance to know that the assumptions started off with are ridiculous. It would seem to me that the chief accountant would have gone a little deeper into this question, that appears on the surface. One cannot figure deficits without figuring benefits, but this is something that was obviously ignored.

Now, Mr. President, I want to bring up a ridiculous and utterly absurd question of the compound interest theory on benefits to the recipient of rapid amortization certificates. The public power lobbyists—and I might say that the chief accountant of FPC agrees with their arithmetic—argue that the benefits to the company from these rapid amortization certificates are some $339 million—from these taxes that are deferred by the Idaho Power Co. for 5 years, then paid back in higher taxes during the next 45 years.

No one denies that all these deferred taxes are paid to the Government in full, but while the company is paying these taxes over the 45 years it is said to have made $339 million on the side from the earnings in interest on the original amount of the taxes deferred.

How is this done, Mr. President? By taking their tax deferrals and the earnings thereon each year and investing them in new utility property and making 6 percent on it, and then reinvesting this 6-percent profit and making 6 percent on that, and so on year after year ad infinitum. I do not know why they stop with 50 years, because this process would go on forever.

The story goes, Mr. President, that they put this money to work, they earn on it, they get earnings from it, they get income from it.

The claim is made, Mr. President, that the owners of the company—the stockholders—make all of this money. Those making these claims know, or should know, that that cannot happen. In the first place FPC itself and practically all of the State regulatory commissions have ordered that these tax-deferred funds cannot be paid out in dividends. Secondly, the Idaho Regulatory Commission requires that any savings in interest costs that result from the use of such funds in the business by the company will redound directly to the benefit of the consumers in the form of cheaper finance cost. Moreover, the representatives of the Idaho Power Co. have openly explained that they will use their tax deferrals to reduce their outstanding debt. It is clear, therefore, Mr. President, that there will be no mysterious earnings of enormous sums of money.

Even if the earnings did compound, Mr. President, one simple, obvious, and absolute fact that all these figuring statisticians have overlooked is that we have a Federal income tax in this country. The overall corporation rate, as we all well know, is that the corporation pays 52 percent out of every dollar of net taxable income that it makes. Uncle Sam takes 52 cents and the corporation keeps only 48 cents. Now, this $339 million which the public power lobbyists and the chief accountant of FPC say the corporation will make, Mr. President, is all income. The Idaho Power Co. has to earn it all and keep it all, because the story goes that at the end of the 50-year period it is all still there, invested in utility property—every dollar of it—and that is, of course, the $339 million benefit to the company.

Perhaps these so-called economists and statisticians have not heard about the income tax—at least they forgot about it—because this $339 million represents the 48 cents out of every dollar that the Federal income tax will permit the company to keep.

At least some of the mathematicians overlooked this plain and obvious fact because they were more interested in propaganda than in facts. If the Idaho Power Co. was benefited to the extent of $339 million from the 5-year partial tax deferral, all of which was later repaid, then during the same period the Government was also benefited to the extent of $367 million in income taxes that the company would have had to pay in order to retain the $339 million that it earned and put to work at 6 percent in new property investment. And remember this represents only part of the revenues paid through company development. So, however we figure it, if the company benefits the United States gets a much greater benefit due to the fact that the company did benefit.

Of course, Mr. President, even if you assume these incredulous earnings first you have to assume that the minute this saving, or the interest thereon, becomes available, the company has an immediate investment to put the money into and that that money immediately begins to earn and return the full 6 percent. Of course, if the company puts the money into new plant it takes a certain time to build a new plant and earnings cannot start until this new plant is built and in operation, a factor that anyone who knows anything about new plant construction knows is an absurdity to start with. Who knows, Mr. President, whether the company, prudently and realistically speaking, will need all this additional and increasing plant investment over a period of 50 years? I am sure the company cannot tell you that.

Mr. President, on June 5, 1957, at pages 8378–8379, I inserted in the RECORD some discussion between the Senator from New Mexico and a Mr. Robinson, a staff engineer with National Rural Electric Cooperative Association on the subject of earning a 6-percent return on investments. Mr. Robinson had been testifying about this big "bonanza" the company was going to get by investing its tax deferrals at a 6-percent compounded return. He had the company making some $338 million profit over the 50-year period.

The Senator from New Mexico, a cosponsor of the pending bill (S. 555), is also a good businessman. He could not swallow such absurd assumptions. He jumped Mr. Robinson on this question and said, "But you cannot figure that somebody is going to invest his money so it makes 6 percent."

Furthermore, Mr. President, the assumption is based upon the company being guaranteed a 6 percent return on its investment. Mr. President, one thing that these proponents of public power forget is that the company has no assured earnings of any percent on its investment at any time. Under some corporation commission laws companies are entitled to earn up to 6 percent or maybe more on their invested capital. But this is no assurance. The company has to justify its investment and justify its operating expense. If the company has not been prudent in its investments it may not be entitled to earn anything. There is no assurance of any income. And this is another fallacious assumption of those who go into the wild blue yonder in their calculations of company returns.

You would have a hard time convincing some of the owners of utility stocks during the depression years that the companies had any guaranteed earnings. If the big war loads drop off in the Pacific Northwest and the company should lose that outlet for power and lose its irrigation pumping loads because of some national situation, do you think the regulatory commission would let it double or triple its rates to make some set earnings on its investments? Certainly not, Mr. President, and if the Commission did let it so increase rates, who would or could afford to buy the power?

Mathematics can do anything, Mr. President. It is not hard to sit down and become a millionaire, on paper, of course, in the chicken business. All you have to do is take the eggs laid and the chickens hatched, let them lay some more eggs and hatch them and then raise them up and sell them at a certain profit, and you can become rich. But just get out and try it.

Mr. President, in these remarks, I have answered some of the latest charges that have been drummed up to stop the progress of free enterprise and load the overburdened taxpayers with further unnecessary expenditures. Technical questions have already been thoroughly debated on the floor of the Senate. I have purposely refrained from rehashing all of these old questions at this time. I would like to see us vote on the question and get it behind us once and for all so we can proceed with important business. But I understand, Mr. President, that some of our colleagues have expressed their intention of discussing all phases of the question at some length. If they do, I give notice right now that there assertions are going to be answered. I am against a Federal development at Hells Canyon, Mr. President, and the facts and the record bear me out. Otherwise I would not have the temerity to take up the time of the Senate in further discussion.

I feel that the case was well made last year. The situation has not changed one iota. The situation today calls for a resounding vote against the waste of taxpayers' money in the reaches of Hells Canyon.

EXHIBIT I

PROPOSED HELLS CANYON DAM

Mr. GOLDWATER. Mr. President, I rise in opposition to S. 1333, a bill which will be under consideration later this week. I apologize for making this speech today. I would rather have made it during the debate on the bill, but because of the limitation of the time for debate, I shall be unable to do so.

Had this proposed legislation been allowed to proceed through the ordinary and customary legislative channels, it would never have been on this calendar. The full committee that was asked to pass final judgment on the bill last year, after reviewing all of the testimony and argument pro and con, voted against reporting it to the Senate. This year, however, the Democratic national chairman, Mr. Paul Butler, declared in a letter to the leaders of both Houses that this was a "must" piece of legislation in order to enhance the chances of reelection of one of our colleagues. I may be naive in my inexperience in this body, but I do not believe it has ever come to my attention before that a chairman of one of the two major political parties exerted such power over the leadership in the Congress that they are willing to go around the customary procedures in order to satisfy Mr. Butler's desires. Certainly the Constitution does not prescribe that this power should exist, and I do not believe the people of the United States are particularly pleased with the idea that such control is in effect.

The committee of Congress which was charged with the responsibility of listening to the testimony and passing on the merits or demerits of it refused to report the bill. The fact that the committee membership was changed is not of extreme importance and is not deserving of mention at this time, for the change was probably a natural one, occasioned by the untimely death of two of our beloved colleagues. But to barter one piece of legislation against another, with the suggestion that one, a highly desirable and long-needed act, might not be favorably looked upon if this particular bill, S. 1333, were not reported, is a maneuver that smacks of six-gun technique and is not, in my opinion, in conformity with the best standards of the Senate. Our distinguished majority leader has termed it legislation from the heart. I agree with the heart part of it. It would put a knife right through the heart of our private enterprise system. I am amazed that this body of lawmakers should even entertain proposed legislation having the far-reaching implications of the bill before us. Frankly, I am somewhat astounded when I look over some of the names of the distinguished Senators who sponsored it.

We are considering a development which private industry is not only willing and able to build, but is actually well in the process of building, and we are standing on the floor of the Senate debating whether we should take it away from private enterprise and build a monument to Federal fiscal folly. It is a development which the Federal Power Commission, a nonpartisan Federal agency, well staffed with career technicians, after 12 months of public hearings and 20,000 pages of testimony, unanimously decided should be built by the Idaho Power Co.

The Federal Power Commission was brought into being by Congress to make just such determinations. Not only that, but the act plainly states in section 28 of part I that a license granted by the Commission cannot be altered, amended, or revoked after it has once been issued without the mutual consent of the parties thereto.

The utilities rely on these licenses in planning their future requirements and financing such undertakings. Now we are debating whether we should pass legislation which will tell the utilities that a Federal license is not worth the paper it is written on. This is something in which all of us should be interested. If a Federal license authorizing a power development is no good, what value has any Federal license? What value have radio, television, oil leases, and any other free-enterprise undertakings which are under Federal regulation? Passage of this proposed legislation would mean the beginning of the downfall of all Federal regulation.

Of course, it will not happen, at least not during this session of Congress, but I should like to suggest that there come before the Senate a bill to authorize the nationalization of all the electric power industry of the United States. Then we could have a yea-and-nay vote and see who stands for what. There is not a Member of the Senate who does not profess to stand for free enterprise, but there are entirely too many Members of the Senate who cast votes at every opportunity for proposed legislation which, if enacted into law, would gradually destroy free enterprise. Many Members of this body, Mr. President, have voted in favor of every public power bill which has come before the Senate, and sponsored or supported many other bills which have never gotten past a committee assignment. Many of those Members are sponsors of the bill now before the Senate. Let me tell my friends who continually support Federal power legislation that they can destroy our free-enterprise system bit by bit just as surely as they can in one overall action. The only difference is the timing. The bit-by-bit method is just as sure, but it takes a little longer.

In the early thirties only seven-tenths of 1 percent of the electric power in the United States was produced by the Federal Government. In 1953, 12.4 percent of it was produced by the Government. Presently authorized developments would increase the Federal power production by an additional 24,557,000 kilowatts, or 20 percent of the present total capacity. During this period, 190 electric companies have been taken over in whole or in part by some form of Government ownership. This is all a direct result of the Federal Government's activities in the field of electric power. In other words, for the past several years we have been chiseling away at our private-enterprise system bit by bit under the guise of flood control, navigation, and so forth. Now the public-power advocates are getting bolder. They want the Federal Government to spend tax funds to build an all-out hydroelectric power project—one that could not by the farthest stretch of the imagination be justified under flood control, navigation, or irrigation; a project already authorized by a Government agency for private development; a development well under construction by that private company; a project that could not get the authorization of the Congress during the heyday of the New Deal-Fair Deal.

What kind of politics are we playing, Mr. President? I do not have to think back very far to remember when a great deal of to-do was made over a $2,500 campaign contribution—in fact, so much to-do that this body created a special committee of four distinguished Senators to make an investigation of the affair. But we have quit playing with marbles now. We are playing with hundreds of millions of dollars which are squeezed out of the taxpayers—my constituents and yours. Bringing this bill up for consideration is politics in its rawest form, and nothing else. I am a Republican, but I would condemn my own party for such tactics just as I am now condemning some members of the other party. When we sink to such a low in this country that we have to resort to squandering tax funds to try to win elections, we are in a sad plight.

The taxpayers rely upon us, the elected representatives, to protect their interests, and it is certainly not to their interest to spend tax dollars to buy elections. We are not going to betray that solemn trust, Mr. President. Thank God, there are enough statesmen on both sides of the aisle to stop this scandalous waste of public money.

I have in my hand, Mr. President, a tabulation showing what this boondoggle would cost each State. I also hold in my hand a copy of the bill we are considering, with a list of its sponsors. Some of the names on this list are a mystery to me.

Any Senator has a perfect right to, and should, sponsor and support any proposed legislation which he believes to be to the national interest. But what national interest is involved in subsidizing the electric bills of some power consumers in Idaho?

I notice that the distinguished senior Senator from Illinois [Mr. DOUGLAS], a noted economist, is one of the sponsors. It is hard to reconcile his position on this bill with the fact that time and again on this very floor I have heard him offer amendments to cut appropriations for projects which had some merit. I am sure the Senator was sincere in his efforts to save the taxpayers' money on these other appropriations, so why does he now propose spending more than $38½ million of Illinois money to subsidize some power bills for people in the Pacific Northwest? Illinois people get their power from private industry; they are not asking anyone else to help pay their power bills. Are the people of Illinois that interested in electing or defeating some candidates for public office?

Another sponsor of the bill is the distinguished junior Senator from Michigan [Mr. MCNAMARA], who is now occupying the chair. The people of Michigan finance their own utilities through private industry, and their power bills include 25 percent for taxes. But their junior Senator is willing to tax his constituents to the tune of almost $29 million to furnish some tax-free power to people in the Far West.

I am not surprised to note that the distinguished and generous junior Senator from New York [Mr. Lehman] is a sponsor. He has been supporting legislation for years to give his taxpayers' money to other sections of the country to build their TVA's, Bonnevilles, and so forth; so another 76 million New York State dollars for Idaho does not mean much to the wealthy State he, in part, represents. It is a heavily industrialized State, so I am sure it can afford to spend its tax dollars to subsidize power in other areas so as to strengthen the position of the poorer areas in competing for some of New York's industries.

Both of the distinguished Senators from Oklahoma favor the pending proposed legislation, but it will only cost that wealthy oil State $5 million, and I am sure that is peanuts to them; but $5 million of tax funds still is not hay in Arizona.

In going over the list of sponsors, Mr. President, I do not think I should leave out the distinguished senior Senator from West Virginia [Mr. NEELY]. The economy of his State depends largely upon the coal industry, and that industry is sick. We hear a great deal of talk about limiting oil imports because of the effect of foreign oil upon our American coal industry. I might suggest to my friend from West Virginia that cheap oil is necessary if private industry is forced to complete with tax free subsidized Federal power.

Here is West Virginia sitting on top of the finest coal fields in the world. It should have an advantage over almost any State in producing cheap power. It should be in a very good competitive position for industries. But is it using that competitive advantage to increase its industrial strength? No, Mr. President; its senior distinguished representative in this body supports subsidized Federal hydroelectric power so that industries which might otherwise settle in this State are attracted to the cheap Federal power areas.

I might suggest to my friends who are supporting a Federal development at Hells Canyon that the tax dollars they are so willing to send from their States to help pay the electric power bills for some Idaho folks would build a lot of roads, schools, hospitals, and other needed additions in their own States.

In most of the States represented by sponsors of this proposed legislation the people finance their own power requirements through private industry, and pay their fair share of taxes in their power bills. But that does not satisfy some of my colleagues from other States, they want a benevolent Federal Government to use their constituents' taxes to do a job in Idaho which the Idaho people are willing to do for themselves.

I want to make it crystal clear, Mr. President, that no Member of the Senate is a stronger advocate of irrigation, reclamation, flood control, and other beneficial conservation uses of land and water resources than the junior Senator from Arizona, and the record will bear out that statement. If irrigation is needed for the economic growth of any area, I will support it. If flood control is needed, I will support that, too, although I believe that those benefited should bear a part of the cost. If hydroelectric power can be developed economically and sold to help defray the costs of irrigation and flood control, I will support that. And if there was—but there is not—an area in the United States that needed electric power, and private industry was unable or unwilling to supply it, I would favor the Federal Government going to the assistance of that area.

But in the legislation pending before the Senate, Mr. President, we have no irrigation, we have no navigation benefits, and we do not have enough additional flood-control benefits even to discuss. We have an all-out Federal hydroelectric power project—nothing more, nothing less. The Idaho people do not need the taxpayers from other States to help them build their power requirements or help pay their power bills. They are taking care of their own requirements and building these dams now with private enterprise dollars, not tax funds; yet here we are talking about stopping them and letting Uncle Sam do it for them.

Mr. President, in all my experience I have never encountered so many misstatements of fact as have been made, and so much misleading propaganda as has been put out, on the Hells Canyon Dam issue. But we are going to clear up this fog of propaganda and look at the facts.

The most misleading statement we hear—and I am being very kind when I call it only misleading—is the comparison of the amounts of power between the two methods of development. In speeches and in print, some of the most vociferous proponents of a Federal development charge that Idaho Power Co. is developing only one-half of the power potential of this site. They conclude, therefore, that the Government is giving away half of the power potential of the best remaining power site in the country.

When they get down to quoting figures to try to prove this erroneous claim, they go back to the hearings held before the Federal Power Commission and drag out some figures which purport to show that the Federal high dam would produce 924,000 kilowatts and the 3 company dams would produce only 505,000 kilowatts. That is just about like saying that John Jones' orchard produces 20 tons of grapefruit per acre a year because it produced that much 1 year when weather conditions were perfect, and

that Bill Williams' orchard produces only 10 tons per acre a year because that is what it produced the year of the big freeze.

This comparison appeared in a statement, obviously prepared by Government dam advocates, which the senior Senator from Washington [Mr. MAGNUSON] had printed in the CONGRESSIONAL RECORD, volume 101, part 6, page 7523. The same comparison appears in another statement, the authorship of which was not disclosed, inserted by the senior Senator from Oregon, in the CONGRESSIONAL RECORD, volume 102, part 8, page 10211.

As the installed capacity of the Federal dam is to be only 800,000 kilowatts, any statement that its power output would be 924,000 kilowatts obviously bears looking into.

Both figures—924,000 kilowatts for the single dam, and 505,000 kilowatts for the 3 dams—are referred to in the tentative decision of the Federal Power Commission hearing examiner. The examiner, however, made no such comparison. He made it very clear that these 2 figures represent 2 entirely different things, which are in no way comparable. The 924,000-kilowatt figure for the high dam represents not only the power output at the single dam itself, but also power assumed to be produced at downstream plants, and "allocated" to the Federal Hells Canyon as a result of the release of its water held in storage. In the second place, the 924,000-kilowatt figure for the single dam is based on so-called nominal prime power, which assumes conditions of most favorable river flow. This power is not firm, Mr. President; it is not dependable. It is power that might be there in some years and will not be there in other years.

To make matters worse, the estimated, assumed downstream power generation, credited back to the single dam, came from 8 so-called downstream plants—5 of which are not even in existence. Construction of only 1 of these plants—Ice Harbor—has barely begun. The other 4—John Day, on the Columbia; and Little Goose, lower Granite, and lower Monumental, on the lower Snake—have not been started; no appropriations have been made for their construction; and some of them may never be built. The construction cost of these dams has been officially estimated at over half a billion dollars. So there go a lot more tax dollars, Mr. President, if any of those kilowatts are ever to be realized.

On the other hand, the 505,000-kilowatt figure used for the 3 dams—as the examiner's opinion and exhibits before the FPC make clear—is at-site production only, with no consideration given to downstream power generation from storage releases, and is based upon assumed conditions of critical streamflow in a low-water year. These Federal power advocates cannot live on facts, Mr. President; they have to pick out a figure here and a figure there. It makes no difference that the figures relate to two different things, just so long as they can be quoted to serve their purpose.

During all of the period since 1949, when bills to authorize the Government dam have been before Congress every year—and have consistently failed of passage—so many estimates have been made of its power capacity, that a review of such estimates is enlightening. It seems that the power capacity at Hells Canyon is however many kilowatts it takes to justify the Federal development.

When the Hells Canyon Dam was still part of the Army's program, the Corps of Engineers' power estimate for the Government dam is contained in the 308 Review Report on the Columbia River, volume VIII, page 4066. In that official document, 602,000 kilowatts was estimated as the capacity of the Hells Canyon plant at site. The reports also gave it credit for 199,000 additional kilowatts at downstream plants—the same 8 plants referred to above, 5 of which are not built. That made a total of 801,000 kilowatts, both at-site and downstream.

But—and this is important, Mr. President—included in this figure was the power from a second smaller dam at Hells Canyon, just downstream from the high dam—a reregulating dam to level out the water surges in the river that would be caused by the operation of Hells Canyon.

That additional reregulating dam and the powerplant, which the Army said was necessary, were estimated to cost approximately $50 million at that time. Of course, they would cost considerably more now. Somehow, the need for the cost of a reregulating dam have been lost in the shuffle, since the Bureau of Reclamation took over Hells Canyon from the Corps of Engineers. This is just another of the cost items that does not show up in a project proposal until after the Congress has been sucked into an authorization. But, Mr. President, you can bet your last bottom dollar that this oversight would be discovered once the main dam was under construction.

The 801,000 kilowatts of prime power which the Army engineers attributed to Hells Canyon, including downstream power at other plants, also included 100,000 kilowatts from the regulating dam, which the Bureau has managed to drop out of the picture. Actually, therefore, the estimate for the Hells Canyon Dam alone was only 701,000 kilowatts, based upon the Army engineers' studies as contained in the 308 report.

The Bureau of Reclamation, in its own report on the Hells Canyon Dam—House Document No. 473, 81st Congress, 2d session, volume 2, page 196—estimated only 854,000 kilowatts for the single dam including downstream production. But that was not enough to sell the idea to Congress, Mr. President; so in a supplemental typewritten report, approved by the Secretary of the Interior on May 11, 1951, they increased the high dam's output to 1,430,500 kilowatts. That report is the one now referred to in section 1 of S. 1333 and its identical companion bills in the House.

The report itself admits that all the power that the Hells Canyon plan could produce would be only 688,000 kilowatts—less than half the total amount of prime power which the report claims. All the rest of it was to come from these 8 downstream plants, of which, let me repeat, 5 are not built, and based upon a so-called incremental nominal prime power theory, which, as hereinafter mentioned, Federal Power Commission engineers have denounced as improper for comparative purposes.

Even the Federal dam enthusiasts could not support such a ridiculous figure, Mr. President; but the report is still referred to in the present bills. On March 31, 1950, in the House hearings on H. R. 5743—identical in purpose with the present bills—a Bonneville Power Administration witness came down into the stratosphere with another estimate of 1,124,000 kilowatts—again claiming only 688,000 kilowatts for the Hells Canyon Dam itself, and relying on the assumed 8 downstream plants for the remaining 436,000 kilowatts of incremental nominal prime power.

Incidentally, the same witness, the power manager for the Bonneville Power Administration, also made it clear that in a low-water year such as 1936–37, his 688,000 kilowatts of nominal prime power was an average for 9 months of the year only; and that during the 3 months of the year required to refill the reservoir, the actual power production from the high Government dam would have to be cut down to only 66,000 kilowatts. In other words, when a low-water year came along—which is not too infrequent—you and I could run our refrigerator and turn on our lights for 9 months, and then could use them for less than 10 percent of the time for the remaining 3 months. What kind of power is that, Mr. President? It is not firm and it is not prime. The very best we can call it is interruptible.

In the New York Times, on August 19, 1955, a letter to the editor was printed, written by the junior Senator from Oregon. The Senator defined prime power as "power available almost 365 days a year." An output of only 66,000 kilowatts—from an 800,000-kilowatt powerplant—during 3 entire months of a low-water year presents an interesting comparison with the astronomical figures of prime power available almost 365 days a year, which the advocates of the Federal dam have put forth in so many varying amounts. This well illustrates the fallacy of the incremental nominal prime power method of approach, upon which the Government dam advocates pin all their assumed power output figures for the single dam, but not for the three dams. The Federal Power Commission's regional engineer in charge of its San Francisco office, testified at the FPC hearing that, "You can't use the incremental approach correctly" to evaluate or compare mutually exclusive projects—that is, projects in the same reach of the river, where only one can be built.

I should like to hear some of these Federal power advocates explain some of this nominal prime power, or the "almost 365 days a year power" of the Senator from Oregon, or "now you have it and now you don't power" whichever one chooses to call it, to some chicken hatchery people with incubators full of eggs, or dairy farmers with a herd of bawling cows on their hands and no one at the dairy who knows how to handmilk, or to some irrigators whose crops are burning up because there is no power with which to pump water. The public power zealots would get a free lesson in what constitutes firm power, and probably would pick up, in the bargain, a few choice words for their vocabulary.

The FPC engineering staff made a 44,000 man-hour study of the entire Hells Canyon problem, which was presented to the Commission by three FPC engineers, with numerous supporting exhibits. These men are career men, Mr. President. They are expert technicians—not political engineers. The testimony of these men was that the actual dependable power capacity from the Hells Canyon Dam, would be only 785,000 kilowatts, and that the average output from the high dam would be only 634,000 kilowatts. Remember there is quite a bit of difference between average and dependable. Why have these figures been so studiously ignored in the statements which the proponents of the Government dam have been supplying to Congress and its committees? Why were the Power Commission staff engineers, career men who are experts in this field, not called by the subcommittees in the House and Senate hearings a year ago, and only Bonneville and Bureau of Reclamation witnesses called instead? The Federal Power Commission heard all the witnesses—those from BPA and the Bureau of Reclamation, as well as their own FPC engineers. The answer, of course, is that proponents of the high dam are obviously trying to present only one side of the case, and to obscure the actual facts.

Mr. President, there is only one agency of the Government that is in a position to give a fair and impartial judgment of all these questions. That agency is the Federal Power Commission. It is the bipartisan agency created and delegated by the Congress, in the Federal Power Act, to decide these complex questions. Every one of its five members was confirmed by the Senate. It has no ax to grind. As it stated in its license decision, its sole duty under the Federal Power Act was that of "determining what is the best plan of development."

The FPC heard all the evidence, on all sides, in a hearing that lasted over a year, and the record of which includes almost 20,000 pages of testimony as well as some

450 technical exhibits. It heard the Bureau witnesses, the Bonneville witnesses, the Army witnesses—experts of every kind, including three of its own staff engineers.

It concluded that the three-dam plan covered by its license to Idaho Power Co., was "best adapted to a comprehensive plan of development" of the river; and that "The United States itself should not undertake the development of the water resources of the Hells Canyon reach of the Snake River for public purposes."

The FPC found that the dependable capacity of the 3-dam licensed project will be 767,000 kilowatts. This figure compares with 785,000 kilowatts for the proposed Government dam, a difference of only 18,000 kilowatts, or about 2.3 percent. Thus, although the Government dam would cost approximately a quarter of a billion dollars more than the FPC-licensed project, it would provide only 18,000 kilowatts more, measured in terms of actual dependable capacity. This represents a cost of about $14,000 per kilowatt for the additional dependable capacity—about 100 times what it would cost per kilowatt to build steam capacity to offset it.

In summarizing its findings, the FPC stated that on an equal basis of comparison, "the power features of the 1-dam plan have no clear economic advantage over those of the 3-dam plan." The Commission further found that "the ratio of power benefits to power costs of the 3-dam plan is greater than that for the 1-dam plan."

The comparison of 924,000 kilowatts for the Government dam, as against 505,000 kilowatts for the FPC-licensed 3-dam project, has been used time and time again by those who are attempting to obtain authorization of the Federal project. Such a pretended comparison is not only misleading as to power output, but is also further misleading because of the effect that these figures have upon the purported comparison of power costs—another fallacy which advocates of the Government dam have given wide publicity and distribution.

The farfetched comparison, appearing in the table in the CONGRESSIONAL RECORD, volume 102, part 8, page 10211, is the statement that the cost of power from the Government Hells Canyon Dam would be only 2.7 mills per kilowatt-hour, while that from the FPC-licensed 3-dam project would cost 6.69 mills per kilowatt-hour.

Mr. President, I am rather apologetic about taking up the Senate's time on this subject. It is so ridiculous on the face of it. Here is a project built by an electric company that is going to cost $133 million as compared with a Federal project that is going to cost about 3 times as much. They both produce about the same amount of power. But we are told that the power produced by the power company will cost 2½ times as much as that produced by the Government. It is time for a real investigation if the Government is subsidizing Federal power to that extent, unless someone is naive enough to believe that the Government is several times as efficient as private industry.

In order to recognize the absolute and utter misinformation in the statement that power from the Government dam would cost 2.7 mills, one has only to look at the paragraph numbered 3, following the tabulation. In one breath, it says that the power will be generated at 2.7 mills; and, in the next, that it will be available to serve loads at "slightly over 2 mills per kilowatt-hour." All in one and the same sentence, Mr. President. And then another paragraph goes on to tell how there will be available power revenues to subsidize irrigation.

So we produce power at a cost of 2.7 mills, sell it for slightly over 2 mills, pay off the power investment in 50 years, and still make enormous power profits to subsidize irrigation. Are these people trying to make us believe that the Government can sell at a loss and still make a profit?

Mr. President, how far can we go with this big-lie technique?

At the Senate subcommittee hearings on S. 1333, at page 271 of the printed record, a statement was made to the subcommittee by the distinguished senior Senator from Oregon [Mr. MORSE]. Governors Smylie and Langlie, of Idaho and Washington, had presented some figures against the Federal dam which the Senator did not like. The Senator from Oregon said:

"Let me state to the people of my State, your Senator is going to continue to stand on the figures of the Army engineers and the figures of the Reclamation Bureau engineers."

Very well. Mr. President, what did the Bureau of Reclamation say as to the cost of power from the Hells Canyon powerplant?

According to the Bureau of Reclamation report, the cost of firm power from the Government Hells Canyon Dam would be 4.4 mills per kilowatt-hour (H. Doc. No. 473, USBR rept., vol. 2, pp. 189, 202). That is what the Bureau of Reclamation engineers, to whom the distinguished Senator referred, said in their official report that Hells Canyon power would cost in order to pay out the project—not slightly over 2 mills, nor even 2.7 mills, as this pretended comparison would lead one to believe, but 4.4 mills per kilowatt-hour.

Where, then, did the 2.7-mill figure, which appears in the tabulation (CONGRESSIONAL RECORD, vol. 102, pt. 8, p. 10211) come from? It came from a statement in the FPC examiner's preliminary opinion that firm power from the Government dam would cost approximately $23.80 per kilowatt-year, as compared with the present Bonneville rate of $17.50 per kilowatt-year. Dividing $23.80 by 8,760—the number of hours in a year—we arrive at 2.72 mills. However, to get this figure of $23.80 per kilowatt-year the examiner had to use the 924,000 kilowatt nominal prime power output for the Government dam, that is, at-site production plus assumed production at 8 downstream plants, 5 of which are not built, in a high-water year; and it is furthermore based on 100 percent load factor, which assumes that a power customer uses his peak-power requirements continuously, 24 hours a day around the clock, for 365 days a year. We do not have that kind of customers, Mr. President, and the Snake River does not flow that kind of water. Actual power use, except for a few selected industries, is an approximately 60- to 70-percent load factor, which makes the cost of power correspondingly higher.

Turning now to the other side of the comparison, it is said that 6.69 mills is the cost of power from the FPC-licensed 3-dam project. This figure also comes from the examiner's tentative opinion; and, as he clearly pointed out, it was based upon 505,000 kilowatts of at-site generation only. The use of these incomparable power-output figures in itself makes the pretended comparison of power costs invalid and worthless.

But, Mr. President, that is not all. For his estimate of construction cost of the 3-dam licensed project, upon which the 6.69-mill power cost is based, the examiner chose a figure of $191,328,000. Both the company and the contractor, which is now constructing 2 of the powerplants, at Brownlee and Oxbow, estimated the cost of the 3-dam project at $133 million. In using the highest figure available for the cost of the three dams, the examiner said that it "would provide the greatest margin for error"—certainly a novel basis for factfinding.

For his annual operating costs for the three-dam project, the examiner adopted an even greater differential, for what he called a margin of safety. His estimate of annual operation and maintenance costs for the three-dam project was admittedly higher by far than Idaho Power Co.'s. Actually, they exceeded those of the power company, based on its operating experience, as well as estimates submitted by Major General Robins, formerly of the Corps of Engineers, as the examiner said, "by about 370 percent."

For his costs of transmission of the power from the three dams to market areas, the figure used by the examiner resulted in a cost of 1.8 mills per kilowatt-hour for transmission alone. This is approximately double the costs estimated by Idaho Power Co., and approximately 50 percent higher than average transmission costs anywhere in the Northwest.

Obviously, Mr. President, if construction costs estimates are arbitrarily increased by 44 percent, if operating costs estimates are quadrupled, and the estimated cost of transmission is doubled any power can be priced out of the picture. This type of estimating the company's plan is highly satisfactory to the Federal power advocates, but when they start estimating costs for the Federal project they take off in the opposite direction and the taxpayer usually gets hooked for a lot more than he originally contemplated.

It thus appears that the purported comparison of 2.7 mills, as against 6.69 mills, was based entirely upon choosing the most favorable figures which could be found anywhere in the record for the Government dam, as against the worst possible figures available for the three-dam project.

According to the examiner's computations in the examiner's opinion, it appears that the estimated cost of power from the 3 dams would run from a minimum of 2.72 mills to as high as 4.82 mills per kilowatt-hour, depending upon which estimates were chosen for annual fixed charges and operating costs. As pointed out, the examiner selected the highest possible figures for the three-dam project, in order to provide the greatest margin for error.

The examiner also pointed out that the FPC staff assigns a cost of 6.69 mills per kilowatt-hour to the output of the 3-dam plan. An examination of the record, however, shows that this figure was based upon 66.2 percent load factor.

To summarize this pretended comparison of 2.7 mills for the Government dam, as against 6.69 mills for the Idaho Power dams, we have the following:

For the Government dam: At-site plus assumed downstream production, in a high-water year, and assuming 100 percent load factor use by customers.

For the 3-dam project: At-site production only, in a critical water year, and the FPC staff made it clear that their 6.69-mill cost was based upon use of power at only 66.2 percent load factor.

The FPC staff estimate of the cost of power from the 3 dams at 6.69 mills, at 66.2 percent load factor, is equivalent to only 4.43 mills at 100 percent load factor—almost identical with the 4.4-mill cost of power from the single dam, as referred to in the Bureau of Reclamation report. In other words, the estimated cost of power from the two plants of development will be almost identical, even accepting the fact that estimates for the Federal dam are put forth in their best light and those of the company dams in their worst.

But, and listen to this, Mr. President, the Idaho Power Co.'s present rates in its 1955 reports on file with the FPC show that its sales of power to other utilities and large industrial users average from 2.5 mills to 4.8 mills per kilowatt-hour, depending upon size of load and amount of use. Officials of the company testified that the 3-dam project can be built for less per kilowatt of installed capacity than the cost of many of the powerplants now in its system; that power from the 3 plants would be salable at from 4 to 5 mills, and that it could be sold

under the company's existing rate structure, the actual rate depending upon size of load and load factor.

Furthermore, it should not be overlooked that included in these rates is a substantial taxload which the licensed project will have to pay, and which the Federal dam will avoid. The FPC reports show that in 1955 the utility company paid over $6,790,000 in taxes—about 31 percent of its total gross revenue.

The proponents of the Federal dam have mixed feelings about the examiner and his decisions. They blow hot and cold on him. They quickly adopt some of his computations, like those referred to above—but only those which suit their purposes. The others, they blithely ignore. To his proposed decision, they objected violently. Here are some of the things they said about him when their lawyers filed their exceptions to his opinion: They called the findings irresponsible guesswork. They said his conclusions were based on dubious assumptions and tealeaf prognosis. They even said that his analysis of the law was a diametric perversion. But they hang onto his power output and power cost computations—even with the examiner's clear explanation of them—like a drowning man clutches at a straw.

Mr. President, another subject which has been quite controversial is the question of cost of constructing the two plans. The tabulation in the CONGRESSIONAL RECORD, volume 102, part 8, page 10211, shows the cost of the Federal dam, without transmission lines, as $308,473,000. This is compared with $175,766,000 as cost of the three-dam plan. The figures for the company's 3 dams is the one used by FPC in its licensing order, which the Commission pointed out was 28 percent higher than the estimates of the power company and the contractor that is now building 2 of the dams.

I wish to point out, Mr. President, that the contractor who prepared the estimate and is now building the dams is one of the largest in the world and has probably built more dams than any other contracting company. The company's and the contractor's estimate for the three dams is $133 million, and I am reliably informed that construction is proceeding well within cost estimates.

Whence came the $308,473,000 figure for the high dam?

Not from anything in the FPC record. There, the sworn testimony of Government engineers was that the Hells Canyon Dam would cost $356,810,000 based on January 1952 prices; and that, at present-day price levels, it would cost $399 million.

In the tabulation, immediately following the $308,743,000 figure for the Hells Canyon dam, there appears a quotation picked at random from the examiner's decision. The apparent implication, of course, is that this cost figure came from the examiner's findings. This is another example of the misleading use of figures which the proponents of the high dam have foisted upon Members of Congress, to have printed in the CONGRESSIONAL RECORD and then used for publicity purposes.

Neither the examiner, nor the Commission, made any such finding, nor referred to any such figure; nor is there anything in the entire FPC record that even approaches any such figure. What did the examiner find?

The examiner found that the capital cost estimated by the Bureau of Reclamation for the high dam project (exclusion of fish facilities) is $383,570,000, based on January 1952 prices.

This, of course, is one of the examiner's findings which the proponents of the Government dam so studiously overlook and so blithely ignore.

Mr. President, so many estimates of the cost of the Hells Canyon dam have been given to the Congress, that a brief review of the question will be enlightening.

When the Hells Canyon dam was being considered by the Corps of Engineers, as officially reported on in the 308 report—House Document 531, 81st Congress, 2d session—the cost estimate made by the Army engineers appears in volume I of the report, at page 216, and again, in detail, in volume IV, page 1489. Including interest during construction, and a downstream reregulating dam which the Corps of Engineers determined was necessary to level out the water surges from the Hells Canyon powerplant, the cost of the Hells Canyon project was estimated—at 1948 prices—at $372,863,000.

Later, the Hells Canyon dam was transferred to the jurisdiction of the Bureau of Reclamation, and in their exhaustive and detailed report—House Document No. 473, 81st Congress, 2d session—in volume II, pages 181 and 182, their cost estimate of the dam was $433,660,000, including transmission, and estimate was also based on construction cost levels which existed in 1948.

Later, in May 1951, the Bureau of Reclamation estimated the cost of the powerplant alone, without transmission lines, at what the Commissioner of Reclamation reported to be 1951 price levels, at $356,810,000.

At the FPC hearings on the proposed 3-dam project, the Bureau of Reclamation sent their chief estimator from their main office in Denver to testify. His testimony was given under oath. He said his estimates were based on construction costs as of January 1952. He further testified that the records of the Bureau indicated that a 4-percent increase in the estimate would be necessary to bring it up to then current levels. That appears in the FPC transcript of the hearings, volume 77, pages 9786 and 9787.

The chief estimator from the Bureau of Reclamation then testified that the cost of the Hells Canyon Dam was officially estimated at $356,810,000, based on 1952 prices. The basis for all items comprising the estimate were given in great detail. But the above did not include any allowance for interest during construction, which would be at least another $26 million to $27 million—see 1955 Senate hearings on S. 1333, pages 451 and 452. In the power-cost studies made by the FPC's engineering staff, the Bureau's estimated figure of $356,810,000 was used, interest during construction was added, and it was adjusted to current prices by adding the 4 percent which the Bureau admitted was a proper allowance for rise in cost levels, bringing the cost of the high dam, exclusive of fish facilities, to $399 million.

But, Mr. President, according to the table in the CONGRESSIONAL RECORD, volume 102, part 8, page 10211, we find that the Hells Canyon Dam will now cost only $308,473,000. And again, this purported estimate does not include interest during construction.

The genesis of this estimate is in the testimony of this same Bureau of Reclamation engineer, given when he appeared at the Senate subcommittee hearings on S. 1333—pages 428 and 478—on May 2, 1955, a year ago. In the morning of that day, this witness appeared and claimed that construction cost levels were lower than in 1952, and he reduced his cost estimate from $356,810,000 to $353,740,000, based on April 1955 prices.

The tabulation appears in the printed hearing record at page 428. The witness made it clear that this figure did not include any allowance for transmission lines and, again, it included nothing for interest during construction. That was during the morning session of the subcommittee hearing.

In the afternoon, following the luncheon recess, this same witness came back to the witness stand. He then stated that he had prepared "a revised cost estimate based on experience gained at Hungry Horse." As a result of this experience at Hungry Horse this witness then said that he thought that Hells Canyon could be built for $308,473,000, roughly, $308,500,000.

It would, indeed, be interesting to know what happened to the witness during the lunch hour. Who talked to him? Who called him back to testify again? When was this new estimate prepared? Obviously, Mr. President, this new figure was not an estimate at all, as all the witness did—hearing record, page 478—was to reduce some of the items of cost by percentage figures.

What was the experience at Hungry Horse that brought about the witness' sudden change of mind during the noon recess at the hearing, to the extent of $45 million? If a comparison of the original estimates for Hungry Horse, made to obtain project authorization, with actual completed project costs means anything at all, the estimate for Hells Canyon should have been increased substantially, instead of being reduced to the tune of $45 million.

The Analysis of Cost Increases of Reclamation Projects, published by the Bureau of Reclamation under date of May 5, 1953, tells the story.

Hungry Horse was originally authorized in 1944, on the basis of a cost estimate prepared by the Bureau of Reclamation, in the amount of $48 million. Although the project was authorized in 1944, necessary appropriations were not obtained and work was not started until 1947. By this time, the Bureau of Reclamation had changed the plans, increased the height of the dam by 20 feet—after Congressional authorization had been safely obtained—and their estimate of the project costs had nearly doubled—from the $48,319,000 to $93,500,000.

Later, as the Bureau of Reclamation report shows, and in spite of the fact that several structural and engineering modifications of the dam were made, which actually decreased the construction cost by over $5,400,000, the project cost estimate, by 1954, had again increased by another $10 million, to $102,900,000. So if we are going along with the Bureau estimator, based on Hungry Horse experience, maybe we should double his estimate instead of reducing it.

That is the basis for the $308,473,000 figure which appears in the table, which the senior Senator from Oregon [Mr. MORSE] caused to be printed in the CONGRESSIONAL RECORD for June 13, 1956, at page 10211.

The Senator from Oregon should check his figures. He, too, had appeared as a witness before the Senate subcommittee, at its 1955 hearings on S. 1333—page 453. There the Senator himself stated that according to the latest figures the Hells Canyon Dam and powerplant will cost $356,810,000; transmission lines, $144,274,000; additional turbines and generators at downstream dams, $53,707,000, for a total of $559,791,000, in round numbers.

I am sure, Mr. President, able lawyer that he is, the Senator is not a construction estimator so he must have obtained these figures from reliable sources and, in fact, they are subject to verification in numerous official studies and reports made by responsible officials of the Bureau of Reclamation.

Again, it must not be overlooked—see hearing report, pages 451 and 452—that the above figures which the Senator gave to the subcommittee do not include interest during construction, estimated at between $26 million and $27 million. So, according to the Senator's own figures, and they are the official figures of the Bureau of Reclamation, the total cost of the Hells Canyon Dam—including transmission lines, and the additional turbines and generators that would have to be installed at downstream dams in order to obtain the 924,000 kilowatts of power output referred to in the tabulation—would not be $559,791,000 as he stated, but—using the lowest figure for interest during construction, hearing report, page 451—would be $586,321,000.

But, Mr. President, the Hells Canyon powerplant and transmission facilities are not all

that S. 1333 and companion House bills would authorize. Also included are 2 additional powerplants on Scriver Creek, estimated to cost another $52,134,000. In the controversy over Hells Canyon, this part of the bill has been completely overlooked. And when you add the reregulating dam below Hells Canyon, which the Army engineers said was necessary and which I am sure the Bureau of Reclamation would find necessary, after the project was started, of course, you add another $50 million.

When we talk about authorizing S. 1333, Mr. President, we are not talking about $308 million—we are talking about over twice that much—almost $700 million.

Mr. President, my colleagues who are really interested in reclamation and irrigation had better look this one over for a long time before authorizing a power project that will eventually require $700 million of Federal funds. This one will separate the true friends of reclamation from advocates of all-out Federal power. Over a period of the past 10 years the Bureau of Reclamation has received in appropriations for construction purposes about $1,950,000,000, an average of $195 million a year. If we authorize the Hells Canyon development, and I must assume that those in favor of authorization are in favor of appropriating the money to build it, it will mean that approximately $87 million a year will come out of the Bureau construction funds for this power project. We need not delude ourselves. The Bureau of Reclamation will only get so much money each year for construction purposes and every cent of that money used for a strictly power project is just that much less money for irrigation.

Irrespective of his ideology on the private enterprise versus Government socialism of the electric industry, I fail to see how any true friend of reclamation can support diverting funds from the limited appropriations granted reclamation to build Federal power projects unless his belief in this socialistic endeavor is so fanatical that he is willing to make any sacrifice to further its cause.

Mr. President, erroneous statements of power costs, construction costs, and available capacity are not the only misstatements of fact the proponents of a Federal development at Hells Canyon have used in an attempt to mislead the people on this subject. We continually hear the charge that the Idaho Power Co. is a foreign corporation. I thought I had put the quietus on that sort of humbuggery when I inserted in the CONGRESSIONAL RECORD, volume 102, part 8, pages 10804–10805—an exchange of correspondence between Mr. T. E. Roach, president of the Idaho Power Co., and the senior Senator from Tennessee [Mr. KEFAUVER], in which Mr. Roach completely refuted any such charge. But the Federal power advocates continue the charge in their speeches and their publications.

Mr. President, we in public life should be very careful of our public utterances. We are privileged to represent the people in a very distinguished position. The dignity of the position demands such respect that people are likely to accept what we tell them as fact, unless they have had the opportunity to study the subject and know otherwise. So we owe the public a solemn duty to be sure of our facts when making public statements. It is embarrassing to go back to our public and tell them something we had stated as fact we later found was not true. Too many are prone to let the first statement ride without correction, hoping that it will not come back to haunt them and that is particularly true if the erroneous statement was effective in helping their side of an issue.

I do not know where this charge of foreign corporation leveled at the Idaho Power Co. got started, but I do know that the charge originated in order to prejudice the people against the company. Of course, the word "foreign" could leave several implications. Some might think that some foreign government owned this company, and I am sure that impression would be all right with the originators of the charge, for that would certainly increase the prejudice. On the other hand, some may think of that sinister group located in an area bounded on the south by Philadelphia, on the north by Hartford, on the east by the Atlantic Ocean, and on the west by some line not many miles inland, as foreign. But the Idaho Power Co. was incorporated in Maine. Possibly there are some who still think of that State as foreign although they would not turn down her delegates' votes when seeking high office at the national convention of their party.

I am sure, however, that if pinned down, the originators of the charge "foreign" would say they meant that the local people served by the company did not own it lock, stock, and barrel. Well, I wonder if there is any utility operation, whether it be public or private, where the local people served put up all of the money to finance it. When municipalities, public utility districts, and State authorities issue revenue bonds to finance their utilities, they sell the bonds to investment houses, most of them located in the area I bounded a few minutes ago. Private companies finance their expansion by issuing stocks and bonds and by distributing them to the public through investment houses.

I am certain that the people of Idaho have invested many times the interest in the Idaho Power Co. that the 1.17 percent interest the people of Tennessee have invested in the Tennessee Valley Authority represents.

And if Congress is ever so foolish as to permit the TVA to issue revenue bonds, I feel sure the bonds will be sold to the general public through the channels of investment houses. I would also wager that when the bonds were distributed, the ownership in Tennessee would not exceed the present 1.17 percent. I am sure also that if someone called the Tennessee Valley Authority a foreign corporation, the senior Senator from Tennessee [Mr. KEFAUVER] would be the first one on his feet protesting in righteous indignation, despite the fact that the people of Tennessee had only put up 1.17 percent of the investment.

Every director and every officer of the Idaho Power Co. lives in the area served by the company. The company was incorporated in Maine in 1916 for good and sufficient reason, as explained in Mr. Roach's letter, but the company has to conform to the corporation requirements of every State in which it operates.

Mr. PAYNE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. PAYNE. Those good and sufficient reasons are undertaken by a good many other corporations, too, because of the very favorable climate in Maine for the organization of corporations.

So far as Maine being in a foreign country is concerned, it is true that in 1936 there were some persons in the United States who thought Maine and Vermont were in foreign countries and outside the borders of the United States. But since that time, I am happy to say, the other 46 States generally have seen the wisdom of joining us, so that we are all one country at the present time.

Mr. GOLDWATER. I am grateful to the distinguished Senator from Maine for explaining to our colleagues in the Senate what I mean by a proper climate for corporation formation. I happen to know something about the desirable climate of Maine for that purpose, because in connection with the incorporation of my own firm we looked into Maine very thoroughly. However, we went to another State for reasons which were good and sufficient unto us.

Mr. President, the company has wisely refrained from the foolish expenditure of $300,000 to change the place of incorporation, which would serve no useful purpose, never dreaming that anyone would direct prejudicial charges at it for not having done so.

Mr. President, while talking about misleading statements and erroneous information, I also invite your attention to the charge of little dams. Every statement I have heard and every article I have read in opposition to the company's development has referred to the three little dams. The junior Senator from Oregon [Mr. NEUBERGER] referred to them as pygmy dams. What impression does the expression pygmy leave with you? If I referred to dams as "pygmy dams," I would be thinking in terms of somebody's stock water tank. I feel certain the junior Senator from Oregon would not be too disappointed if the people got the same idea from his description of the three company dams.

What will be the size of the three company dams, Mr. President? The Brownlee Dam, 1 of the 3, will be among the 15 largest in the United States, and there are a great many dams in this country. It will be 395 feet high. What is pygmy about that? The Oxbow Dam will be 205 feet high, and the Hells Canyon 320 feet high. What is pygmy about those dams, Mr. President? Those are big dams, all three of them. So why should the public-power advocates continually refer to them as three small dams, and why should a United States Senator continue to call them pygmy dams?

Another thing on which proponents of a Government Hells Canyon Dam are trying to mislead us, Mr. President, is flood control. One would think that if the Government did not build the dam, the whole lower valley of the Columbia River would be flooded out. Well, only recently there was a flood out there—the third largest on record. The Army engineers and the United States Geological Survey made their computations. One can read all about this in the Oregon Journal of June 19, 1956.

The record shows that, if high Hells Canyon Dam had been in existence, the flood crest at Vancouver would have been reduced by eight-tenths of a foot. It also shows that the Brownlee Dam, one of the company dams, would have reduced the crest by six-tenths of a foot—only two-tenths of a foot less than the high Hells Canyon. Mr. President, that is less than 2½ inches. Have we become so free with the taxpayers' money that we are willing to spend a quarter of a billion dollars more than the company is spending for less than a 2½-inch reduction in a flood crest? How wild eyed can we get?

I commend the Oregon Journal article to you Senators. It goes on to say that if Pleasant Valley Dam on the Snake River, for which the Pacific Northwest Power Co. is now seeking a license, is built, it, together with the Idaho Power Co. dams, would give control equal to that of a high Hells Canyon Dam.

When we consider navigation, the company plan is superior to the Government plan. The Army engineers say that navigation requires a minimum release of 5,000 second-feet. The company plan contemplates exactly that, while the release from the Government dam would vary down to less than 2,000 second-feet.

The company plan is far superior for fish, wildlife, and recreation. Two of its lakes will be at a constant elevation, while the elevation of the third lake formed by the largest of the dams will fluctuate within reasonable limits. The elevation of the water in the lake to be formed by the high Federal dam would fluctuate as much as 289 feet. Anyone who has had experience with lakes subject to large drawdowns knows that such lakes are very unsatisfactory for fish propagation and recreation facilities. Recreation

facilities at water's edge at one time may be miles from water at another time, with nothing but mud flats in between.

Another old, wornout charge which we continually hear from the Federal Hells Canyon people is the cry of "giveaway". What is being given away, Mr. President? The company is not being given any water. As a matter of fact, if some of the water the company is depending upon is used for irrigation upstream at a later date, the company will simply be out of luck. It is not being given any concrete or any equipment. No, Mr. President, the company is not being given anything. It is simply permitted to spend money, money invested in the company by American citizens who have confidence in its management to build facilities to supply American people with a very necessary service. The company pays taxes to the local, State, and Federal Governments at the rate of 31 cents on every dollar it collects for this service and the investors pay taxes on the dividends and interest they collect from the company for money they have invested to finance these facilities. The company also provides for public benefit flood control, navigation, and recreation without cost to the Federal treasury.

Mr. President, the people who finance the company facilities do so willingly. But what do the Federal High Hells Canyon people want? They want to take our taxes, yours and mine, from citizens all over the country, although they may be unwilling, and invest this conscripted money in an undertaking that will and should be constructed by local people through private enterprise. And that is not all: The power from this Federal facility would be tax free. Although built with the confiscated taxes of all the people, this proprietary business venture would pay no taxes. It would dodge paying its fair share of the very taxes that would be used in part to build it. And that is still not all; the power produced at this Federal business undertaking would be reserved for distribution by public agencies that also dodge taxes.

No, Mr. President, we who favor private financing and construction of the Hells Canyon reach of the Snake River are not favoring a giveaway of anything that belongs to the people. We are opposing a takeaway of something which belongs to all of the people, namely their money, taken away from them by taxation.

It is extremely hard for me, Mr. President, to follow the philosophy of these Federal power proponents, the reason being that it is inconsistent and simply does not make good sense.

They claim that private industry is not doing the job; that it is necessary for the Federal Government to step into the business of producing electric power. And that applies whether it is hydro or atomic energy. They are always visioning power shortages. And yet every time private industry starts an undertaking, these same Federal power advocates leave no stone unturned to oppose private industry. We have it now on the Hells Canyon issue. They fought that before the Federal Power Commission, are fighting it in the courts, and are now fighting it before the Congress. The Pelton development is the same story. It was fought before the FPC, then in the courts, and now before the Congress. John Day, Trinity, Pleasant Valley, Mountain Sheep, and others are all objected to by this same group of individuals and organizations.

They say, "the Government has got to do it because private enterprise cannot, or will not, but if private enterprise tries we will fight it every step of the way—through the commissions, through the courts, and through the Congress." Mr. President, what kind of reasoning do you call that? Do you have any question as to why I have a difficult time trying to understand it?

They claim that natural resources belong to all of the people, so only the Government should develop them. Of course, now they are talking mostly of water, and in particular hydroelectric power. But I am sure that once they put their water philosophy across, the next step will be toward coal, oil, gas, land, and other resources. But aside from that, they claim that when these resources are developed, the electric power should be made available to a selected few of the citizens—only 20 percent of the total—who are supplied power by some form of Government operations.

Mr. President, what kind of philosophy is that? The resource belongs to all the people, so it should be financed by tax money from all of the people, but the benefits should go tax free to a privileged minority of the people. Mr. President, are you now beginning to get the idea of why I have such a hard time understanding such illogical arguments?

Another thing these Federal power advocates argue, Mr. President, is that electric power is such an essential commodity to our way of life that it should be made available to all our people in ample quantities at a cheap price. I agree that electric power is an essential commodity, but I also know that it is cheap now—the cheapest element in our family and industrial budget. I know, too, that it is not Federal competition that has made it cheap. It is cheap because of technological advancements made by private industry over the years.

But how sincere are these people, Mr. President? They say an abundance of power is needed; yet they do everything within their power to stop development of additional power, even in areas threatened with a power shortage. That is what they are trying to do at Hells Canyon now, and in other places in the Pacific Northwest. They would rather see a power shortage than have private industry develop the supply.

And what about the cheap part? The only place they want to see cheap power is where it is subsidized with tax funds; otherwise why do they contest private industry's attempts to develop a source of cheap power for their customers?

Moreover, Mr. President, when the Federal power advocates talk about making cheap power available, one would think they were talking about making it available to the little fellow—the homeowner. But, Mr. President, as soon as the power is available they start talking about getting industries into the area. Of course, it does not matter that the industries would come from other areas or would otherwise locate in other areas where electric power is supplied by privately financed electric companies. No; it is perfectly proper with them to use tax-free subsidized Federal power as the bait to entice industries to locate in the Federal power area. They do not recognize the fact that it is the industries which use the power that get out of paying the taxes on it—industries which compete with other industries, some with their power bill subsidized by the Federal Government as against others which pay their full share of taxes on the electric power they use. What kind of Americanism is that, Mr. President? Is it any wonder that I have a hard time finding any logic in their arguments?

There is still another contention, Mr. President, and that is we have to have Federal power in order to furnish competition with power companies and hold rates down—a yardstick, so to speak. But what kind of a yardstick do these people want to use? Is the measurement by the same standards? Oh, no, Mr. President, I find that the Federal power advocates have two standards of measurement—a 36-inch yardstick for the power companies, and a 20-inch stick for the Government power. We were not taught to measure in that fashion by our forefathers who established our form of government. In their philosophy a yardstick was a full 36 inches and all citizens were measured by the same standards.

For the past several years we seem to have accepted the two units of measurement concept. As taxes on the power companies have increased and subsidies to Federal power operations have increased, the yardstick applied to Government power has become shorter. If we continue this trend, it will be only a matter of time until electric utilities in this country will be in Government ownership and operation. That is nationalization of a basic industry, Mr. President. After taking the step with one industry, it will be only a matter of time until we nationalize other basic industries. Passage of S. 1333 would be a big step in that direction. If we are ready to stop private development at Hells Canyon and launch the Federal Government into an all-out proprietary business undertaking, I can see no end in sight.

Mr. President, I have put in a great deal of study on this Hells Canyon question. I have read most of the statements and claims of the proponents of the bill, and I have studied the hearings held before the Federal Power Commission. In this speech I have cited misstatements of fact, misleading representations, and pure distortions of the truth. I have yet to see or hear one statement—I repeat, one statement—by the proponents of this proposed legislation purporting to be fact that will withstand the light of impartial analysis. I have reviewed some of the arguments advanced in favor of Federal power and shown them to be illogical, discriminatory, and entirely foreign to the basic concept of our free-enterprise system. I hope and pray, Mr. President, that this, the greatest deliberative body on earth, will rise above partisan politics and bury once and for all this un-American attack on our free-enterprise system.

Actions speak louder than words, Mr. President. By the yea-and-nay vote on this bill, we shall know those who truly believe in our present system and those who would launch the Federal Government into foreign ideologies which have proved the downfall of every government that has tried them.

VISIT TO THE SENATE BY SENATOR MILADY L'OFFICIAL OF THE DOMINICAN REPUBLIC

Mr. JOHNSTON of South Carolina. Mr. President, I should like to introduce to the Senate a distinguished visitor, Senator Milady L'Official of the Dominican Republic, who is accompanied by Miss Maria Perdomo, First Secretary of the Dominican Embassy.

The PRESIDING OFFICER. May the Chair state, in behalf of the Senate, that we are delighted to have these distinguished visitors with us. [Applause, Senators rising.]

FIFTEEN-HUNDRED-DOLLAR BILL STUNS PARENTS OF RESCUED BOY

Mr. PURTELL. Mr. President, in the course of our daily lives, we have become accustomed to the ordinary run of what may be termed the usual quota of sensational news in our daily papers. If we are seasoned, we discount the sensations and put them in proper perspective in the day's news.

But on rare occasions we come upon an item that touches the heart and excites the emotions because it is so unusual.

Such an item was printed in the Nation's newspapers this morning. It shocked me profoundly because it seems to be a callous affront to the whole character of our people.

Let me recount briefly the circumstances on which this morning's item is based.

Some 5 weeks ago, little 6-year-old Benjamin Hooper, while playing in the yard of his parents' modest home, fell into and was trapped in a well his father was digging. Frantic efforts of his father to release him proved unsuccessful and the community of Manorville, Long Island, became aroused at the boy's plight.

Firemen, policemen, public-utility workers, and hundreds of others from the local and surrounding communities literally dropped everything and concentrated on preventing a tragedy in the lives of this little boy and his parents. Searchlights, oxygen supplies, earth-moving equipment, and other materials were rushed to the wellhead to aid in the rescue.

The plight of the boy and the desperate fight of his rescuers to release him before life was choked out of him drew the attention of the Nation. Bulletins appeared hourly on the radio and television and newspapers reported progress of the rescue. Soon the whole Nation was aroused to this small human tragedy being enacted in Long Island. Thousands of messages of hope, courage, and sympathy poured into the home of his parents. Bibles, prayerbooks, cards, toys, and small sums of money came spontaneously from the hearts of people in every section of the country and millions of prayers were offered in churches, homes, and places of work.

The boy's rescue seemed hopeless as method after method failed to bring satisfactory results. Finally, a countershaft was sunk and buttressed parallel to the well where the boy was trapped. A continuous shift of handworkers operated around the clock to dig a lateral tunnel to the well imprisoning the boy. It was as if God were watching over the youngster because after interminable hours, in which he could hardly be expected to live, he was finally reached and lifted out alive. The whole country breathed a sigh of thankfulness and of gratitude to those who toiled to free the boy at what was truly a miracle rescue.

Little Benny Hooper was rushed to the hospital and remained there for 7 days while a case of pneumonia was counteracted. Today, the boy is healthy and well and another tragedy which wrung the heartstrings of our people had been averted.

I wish I could say this was the happy end of this episode. It could have been the end of it, but for the shocking item in this morning's news. This item bears the headline: "One Thousand Five Hundred Dollar Doctor Bill Stuns Parents of Rescued Boy."

It seems that Dr. Joseph K. Kris, who was described as a volunteer and who attended the boy all during his ordeal and in the hospital afterward, feels that Benny Hooper's tragedy is just another commercial call. It is he who sent this $1,500 doctor bill to the parents of the boy.

I do not doubt that Dr. Kris performed the services stated in his bill. He says his colleagues told him he would be foolish not to present a bill. He says that his time is worth $30 an hour; and he probably feels generous in charging only half of what his 100 hours of service would have amounted to.

I cannot believe that this represents the thinking of the medical profession today. I am sure that it does not represent the traditions of that great profession.

But, Mr. President, this is not an ordinary case. The Nation was aroused over this impending tragedy. Over 200 workmen rushed to the scene and gave of their time freely. These volunteers worked more than 23 hours around the clock. The hospital made no charges for the 7 days the boy had to spend there. Dr. Kris himself was listed in the newspaper accounts of the event as among the volunteers.

A Negro worker, Sam Woodson, took on the extra dangerous task of going through the small, unstable lateral tunnel to reach the boy. He had worked around the clock at the well and risked his life to rescue the boy.

Not one of all these people whose sympathies were aroused by the plight of this little boy ever thought of asking a penny's compensation. None rendered a bill for services or risk of life.

Only Dr. Kris seems to think that this was a case within the routine run of medical business. His bill for $1,500 has stunned the modestly situated parents of Benny Hooper.

From all reports of their circumstances, they cannot possibly pay this bill. They have already suffered much in damages to their property, unexpected loss of worktime and wages, not to mention the shock of the tragedy to their emotions and health.

Yet, they are now faced with this medical bill which would be large even for many in far better circumstances.

Mr. President, if this doctor must exact the last pound of flesh from the practice of his profession, perhaps we can prevail upon the thousands of people whose hearts were touched 5 weeks ago to make one more display of America's great reputation for human kindness. I think we ought to appeal to them to take up a collection to pay this doctor what he feels he must get from this tragedy. And I am willing, out of the outrage to my soul, to subscribe the first $50 to such a fund.

Mr. THYE. Mr. President, will the Senator yield?

Mr. PURTELL. I yield.

Mr. THYE. I too read the same article to which the Senator from Connecticut has referred. It was as shocking to me as it was to my colleague, the distinguished Senator from Connecticut.

I am glad the Senator has spoken as he has on the floor of the Senate, voicing his sadness and indignation that such a bill should be rendered to these unfortunate parents. I thought that the colored man who lay in the tunnel, digging with his bare hands in trying to protect the little boy and to free him from the entrapping sand, was probably rendering a greater service than the doctor who controlled the valve at the oxygen tank.

I commend the Senator for having spoken as he has. It had to be said, and the matter had to be brought to the attention of the public, in order to show just exactly what this doctor is doing.

Mr. PURTELL. I am about to finish my remarks. I call attention to the article in the newspaper which quotes the doctor as saying: "He must be a great boy. He takes things as they come." I am glad the doctor at least recognizes this virtue in someone else.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. PURTELL. I yield.

Mr. PASTORE. If I may give a little bit of advice, it would be that the Hooper family consult their legal aid society to determine their legal responsibility for the bill. If the doctor volunteered his services and he served as a volunteer, and there was no intention at the time that he be compensated for his services, and the family understood at the time that they were not to pay him, there is no legal responsibility in the premise. I think they ought to take it up with the local legal profession. I know that there are throughout the country local legal agencies to assist people who cannot afford to pay for legal services. The parents can get such legal advice by applying to the local legal aid society.

Mr. PURTELL. I do not know under what circumstances the doctor was called to render his professional services. I assume that the legal profession in the neighborhood will advise the parents of the boy. All I know is that they got a bill from the doctor for $1,500.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 10, 20, and 28 to the bill, and concurred therein, and that the House insisted on its disagreement to the amendment of the Senate numbered 1 to the bill.

The message also announced that the House had passed a bill (H. R. 7125) to make technical changes in the Federal excise-tax laws, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H. R. 7125) to make technical changes in the Federal excise tax laws, and for other purposes, was read twice by its title and referred to the Committee on Finance.

THE UNITED NATIONS SPECIAL COMMITTEE REPORT ON THE HUNGARIAN UPRISING

Mr. JAVITS. Mr. President, we have before us today one of the most epoch-making reports which has ever been issued by the United Nations, and the Senate certainly should give it the strictest attention. It is a report issued by the United Nations Special Committee on the Problems of Hungary, which exposes the tragic crimes committed against the people of Hungary by their Soviet masters and the real masters of Hungary.

What makes it so significant is that the factfinding committee is composed essentially of small powers—indeed, some powers which may have been considered neutralist—and therefore the report is weighted on the side of complete objectivity. I believe that the names of the men who served on the committee, to whom the world is greatly indebted, should be mentioned. They are Alsing Andersen, of Denmark; Mongi Slim, of Tunisia, a new country; Enrique Rodriquez Fabregat, of Uruguay; and R. S. S. Gunewardene, of Ceylon.

The Soviet Union has been trying very hard to throw a great deal of dust in the air in an effort to deny that it was enslaving its satellites and had repressed Hungary by force.

We now have an objective finding by four distinguished men from small countries, who state that this was one of the high crimes and misdemeanors committed against mankind.

Our State Department has expressed the view—and it is a view which I believe the Congress should endorse—that this report stands as a grave indictment of Soviet misdeeds in Hungary and of the repression which has been ruthlessly applied in that unfortunate country at Soviet direction.

Everyone of us in the Congress should back the proposed action of our country, which, according to the State Department, is that we shall seek all practical redress of the wrong that has been committed, in violation of the principles of the United Nations and of elemental requirements of humanity.

Mr. President, I hope that every power in the world which favors mediation between the United States and the U. S. S. R. as to international tensions will be clear eyed enough to see that mediation is open only when nations have clean hands, and that the Soviet Union must come into the court of mankind with clean hands and must cleanse itself of the crimes against the people of Hungary.

CONSTRUCTION OF HELLS CANYON DAM

The Senate resumed the consideration of the bill (S. 555) to authorize the construction of the Hells Canyon Dam on the Snake River, between Idaho and Oregon, and for related purposes.

Mr. NEUBERGER obtained the floor.

Mr. KEFAUVER. Mr. President, will the Senator yield so that I may suggest the absence of a quorum?

Mr. NEUBERGER. I would do so ordinarily, and I appreciate very much the Senator's courtesy in that respect. However, the majority leader said earlier today that a great many Senators were eager to vote before very many more hours of the afternoon had elapsed, because many of them had made commitments over the weekend. For that reason, if it is agreeable to the Senator from Tennessee, I should like to save the time of the Senate by not asking for a quorum call at this time. I am afraid a quorum call would consume too much of the fleeting time which remains for the disposition of the bill.

Mr. KEFAUVER. Of course I shall abide by the decision of my friend, but we could have a quorum call started and call it off at any time, if necessary.

Mr. NEUBERGER. I appreciate the Senator's courtesy. However, since the majority leader stated earlier today that he wanted to save time, I should like to proceed without a quorum call, which would perhaps produce a larger attendance on the floor, but I appreciate the Senator's kindness.

Mr. President, one of the most urgent reasons for passing the bill for a high dam at Hells Canyon is to protect one of the last great upland wilderness realms remaining within the borders of the United States.

Let me explain what I mean. The people of the Pacific Northwest are entitled to flood-control safeguards and to hydroelectric power for industries, farms, and homes. In the Senate, on June 1, 1955, the prediction was made by me that if this flood control and power were not obtained at Hells Canyon, a move would develop to obtain it by desecrating the vast Clearwater-Salmon River solitudes. This is the only part of the fabulous Lewis and Clark trail, from St. Louis to the Pacific's shores, which is still in its original primeval grandeur.

Unless the high Hells Canyon Dam is built, I fear that the scenery, wildlife, migratory fisheries, and wilderness majesty of this unparalleled region will be sacrificed to reservoirs providing power and flood control.

This is no idle or academic fear. It is desperately real. Indeed, it is upon us now. My prophecies of 2 years ago have materialized even earlier than I thought they would.

Bruces Eddy Dam on the north fork of the Clearwater River actually has been authorized by the Senate—over my strenuous objections, I might add—and now is pending in an omnibus bill before the House Public Works Committee.

Mr. THYE. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. THYE. I am not familiar with the valley, except as I have looked at it on the map. Is Bruces Eddy below the Hells Canyon area, or above it?

Mr. NEUBERGER. Bruces Eddy is in the Snake River Valley, which is a part of the Columbia Basin. However, Bruces Eddy is a part of the Clearwater River system. It is on the North Fork of the Clearwater River, not far from Lewiston, Idaho. Lewiston, Idaho, is about 100 or 120 miles below the site of the proposed Hells Canyon Dam.

Mr. THYE. That was my understanding as I studied the map. It is a little difficult for me to associate the importance of Bruces Eddy from a conservation and wildlife standpoint in relation to the Snake River and the Hells Canyon installation.

Mr. NEUBERGER. If the Senator from Minnesota will listen to my remarks a little further along, I will attempt to make the association for him. I might say, in very brief reply to the question he has voiced, that Bruces Eddy, Penny Cliffs, and Nez Perce, all projects which would be immensely injurious and perilous to wildlife, have been proposed as alternatives to Hells Canyon, so that the flood control and power lost by the abandonment of the Hells Canyon site would be recovered at the alternative sites in the same river basin.

Mr. THYE. Would the construction of a high dam in Hells Canyon on the Snake River foreclose any future possibility of developing either Bruces Eddy or any of the other installations?

Mr. NEUBERGER. It would not impose any legal restrictions on such development, but it would make less likely, certainly for a good many years in the future, that there would be pressure on those sites for power and flood control, because the high dam at Hells Canyon would provide an additional supply of both.

Mr. THYE. My questions are in the interest of seeking information, not in an endeavor to obstruct. My understanding is that the power requirements are such that there is a need for only two installations by Idaho Power Co. at present, and that the third is a matter for the future. That is the information which the Federal Power Commission has in its records, as it was read to me when I sought information on the floor less than an hour ago.

Mr. NEUBERGER. There must be a need for more power, because the Bruces Eddy project, which is opposed by virtually every great outdoor conservation group in America, has already been authorized by the Senate in an omnibus public works bill.

Mr. THYE. Is the Bruces Eddy project strictly a power development, or is there some flood control feature involved in it.

Mr. NEUBERGER. At Bruces Eddy both power and flood control are involved, although to a substantially smaller degree than at the proposed high dam at Hells Canyon.

Mr. THYE. What is the distance in actual mileage between the Hells Canyon Dam site and Bruces Eddy?

Mr. NEUBERGER. They are not on the same tributaries.

Mr. THYE. I grant that, but I am speaking of geographics—distances in miles.

Mr. NEUBERGER. I would have to estimate it cursorily. It would be probably 120 miles, as the crow flies, over the mountains. There are several great mountain ranges intervening, such as the Seven Devils.

Mr. THYE. This is strictly rugged terrain, is it?

Mr. NEUBERGER. Very rugged.

Mr. THYE. Therefore, to construct transmission lines would be almost impossible. To attempt to transmit current from Hells Canyon over the mountains into the valley of Bruces Eddy would not be practicable. Therefore, Bruces Eddy, for the purpose of the generation of electricity, is not a site from which power could be wheeled by transmission lines over the rugged terrain of the mountains.

Mr. NEUBERGER. I think the Senator from Minnesota misunderstands the manner in which the power would be used. There is no need for power at Bruces Eddy, which is located in a vast wilderness. The power would be generated there, but it would be carried downstream by transmission lines and put into the general Bonneville pool system, perhaps at Lewiston, Idaho.

Mr. THYE. Is not the distance from Bruces Eddy to the Bonneville system closer by 100 miles than to Hells Canyon?

Mr. NEUBERGER. No, not at all. Hells Canyon, if I am not mistaken, is west of the Bruces Eddy area, and is therefore closer to Bonneville. These areas are in very high mountains, not necessarily on the same tributary of the Columbia.

I do not see what the Senator from Minnesota is driving at, because all the power from the proposed Federal projects in this area would go into the Columbia River system.

Mr. THYE. The Senator from Minnesota is not driving at anything; he is trying to draw from a vacuum of considerable confusion, caused by varying statements of first one Senator, and then another, who has spoken, information concerning the installations and the generating potentials of Hells Canyon, Bruces Eddy, and other locations in that vast area. I am asking the questions only to get as much information as I can. I am not driving at anything.

Mr. NEUBERGER. The proposed projects are on different tributaries, but they are a part of the general Columbia River system. If one project is abandoned, or if one project is ruled out because the site is taken over for a smaller capacity of generation by a private utility company, pressure will immediately spring up in the region to utilize less favorable sites because of the need for flood control and power.

One paragraph I was about to read, when the Senator asked me his very valid question, bears directly on this point.

Mr. THYE. If the Senator will bear with me, and will permit me to ask one more question, some conservationists, sportsmen, and other persons who have been most influential and helpful in the development of the wilderness area of northeastern Minnesota have written to me, expressing great alarm over the danger of destruction to wildlife, game, and fish which may be involved if the high dam is not constructed. I have endeavored to gather all the information available to determine why they have such a fear. In the event Idaho Power Co. were permitted to proceed with the construction of its dams, why will they involve the jeopardizing of wildlife, including game and fish, in the entire network of streams in the vicinity of that area of the Nation?

Mr. NEUBERGER. I know the Senator from Minnesota, who is an ardent conservationist, is concerned with the future of wildlife and fish. The best analogy I can make is that when Meriwether Lewis and William Clark, the first Americans who went west with our flag, came through the very region of which we are speaking, they were short of game; they had nothing to eat. They were starving. They found no wildgame animals while they crossed the Bitterroots. They had to kill their horses for food. That is the best parallel I know of in this situation. Because of a lack of game, they resorted to eating their horses. Because of a lack of good power sites, people today may be goaded into using sites which will endanger our wildlife.

The Hells Canyon site is a site from which, if the high dam is built, the people of the great Northwest can obtain hydroelectric power and flood control to a high degree. If that site is abandoned and the high dam is not built, pressure will spring up, and has already started, to get alternative kilowatts of power and also flood-control advantages at sites in the region which will do great damage to migratory fish, big game animals, and wilderness areas which have been dedicated for recreation. That is the specific situation involved in this controversy.

Mr. THYE. I thank the Senator from Oregon.

Mr. NEUBERGER. In a letter from a White House administrative assistant to seven Pacific Northwest Senators, both Bruces Eddy and the Penny Cliffs Dam, the latter across the beautiful Middle Fork of the Clearwater, have been proposed as alternatives to Hells Canyon.

Furthermore, the staff of the Federal Power Commission has recommended the Nez Perce Dam as another alternative to Hells Canyon. This dam would imperil the great Chinook salmon pilgrimages of the Columbia Basin.

These alternatives, if carried out, would spell the doom of the scenic and wildlife resources to which I have referred. Bruces Eddy will choke off steelhead migrations and will flood the winter feeding grounds of our Nation's largest surviving elk herd. Penny Cliffs will thrust a reservoir into the marvelous Selway-Bitterroot wilderness area; it would create an impounded artificial lake along the crystal-clear Lochsa Fork of the Clearwater, which has been spared in its primeval state ever since the great explorers, Meriwether Lewis and William Clark, trudged down its shores a century and a half ago, with the American flag.

All of these adverse effects upon our last great timbered frontier of mountains, uplands, and wilderness could be avoided if only the high dam at Hells Canyon is built. At Hells Canyon, through the erection of the Government dam, we can obtain in the future an ultimate 1,122,000 kilowatts and 3.8 million acre-feet of flood-control storage.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. MORSE. First, I wish to thank my colleague once more for the great leadership he is extending to our State and our country in regard to the issue of full river basin development.

Mr. NEUBERGER. The real leader in this fight is the senior Senator from Oregon, as he has been for many years.

Mr. MORSE. No; we have teamwork in this matter. I wish to develop, if I may, a few questions with my colleague, concerning what I consider to be needed answers for the RECORD to a couple of objections I have heard to the high dam proposal.

One of them is the so-called inflation objection, namely, that the authorization of Hells Canyon dam at this time might increase inflationary pressure.

The first question: Is it not true that for some time past we have suffered, particularly in our State, although it is true that the suffering exists in the region as a whole, an unemployment rate, in the long winter months, of from 10 to 12 percent, and that the rate seems to be increasing? Has not that been the case for the past several years?

Mr. NEUBERGER. For the past several years, and particularly during the last winter, the State of Oregon, which the senior Senator from Oregon and I are privileged to represent in the Senate, has had the highest unemployment rate in the Nation, during the winter months.

Mr. MORSE. Does my colleague agree with me that whenever he finds such an economic situation existing in his State, he has the clear duty to do what he can to bring into the State new industries which will create new jobs and will put unemployed men back to work, thus bringing, of course, an economic livelihood to their families?

Mr. NEUBERGER. Of course we have that obligation, and our State desperately needs the type of payroll and economic development which the high Hells Canyon Dam will provide.

Mr. MORSE. Does the junior Senator from Oregon think that the full river basin development, which—as the Senator has pointed out—will bring with it new jobs, is inflationary or anti-inflationary?

Mr. NEUBERGER. I think it is anti-inflationary, because it creates much new wealth which adds to the resources of the country, and the dam will be paid for by the people who purchase the power—just as the Bonneville Dam has been nearly half paid for, although the Bonneville Dam has been in operation for only 20 years, this year.

UNANIMOUS REQUEST AGREEMENT

Mr. JOHNSON of Texas. Mr. President, I wonder if I may have the attention of my friend from Illinois, the acting minority leader [Mr. DIRKSEN]. It is late in the week. Most of our colleagues would like to be informed in advance of a vote. Most of the Senators who desire to speak have spoken. We are down to the last few moments of debate. I wonder if it would be agreeable to have some kind of agreement that we begin

voting at about 4 o'clock, after a live quorum is obtained.

Mr. DIRKSEN. I have been canvassing the situation. The Senator from Utah [Mr. WATKINS] would like to have about 45 minutes.

The PRESIDING OFFICER. The Chair will state that five Senators have requested an opportunity to speak.

Mr. JOHNSON of Texas. Will the Chair give me a list of those names?

The PRESIDING OFFICER. The Senator from Idaho [Mr. DWORSHAK], the Senator from Connecticut [Mr. PURTELL]——

Mr. NEUBERGER. The Senator from Connecticut has spoken.

The PRESIDING OFFICER. The Senator from Kentucky [Mr. MORTON], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Maryland [Mr. BEALL].

The Chair is advised that the Senator from Maryland's speech will take 3 minutes.

Mr. MAGNUSON. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. MAGNUSON. Will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. MAGNUSON. I may say that the Senator from Tennessee will take only about 15 minutes. I myself will take only 5, 10, or 15 minutes.

Mr. JOHNSON of Texas. Mr. President, I shall be glad to change the request to 4:15 p. m. That will be 2 hours from now. I will be glad to agree that the majority use only 30 minutes of those 2 hours, to show my desire to cooperate with the minority. That will allow us 2 extra hours. The majority will use only 30 minutes of that time, and we will yield 1 hour and a half to the minority.

Mr. WATKINS. Mr. President, I am delighted with that, but I wonder why the majority leader is so generous?

Mr. JOHNSON of Texas. Because the minority needs more time than we do.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. JOHNSON of Texas. Mr. President, I desire to make a unanimous-consent request, if I can obtain the form which I have sent for. I have not received it yet.

I ask unanimous consent that at 4:15 p. m., it be in order to suggest the absence of a quorum, and, when a quorum is obtained, that the Senate proceed to vote on the pending measure, provided that the time between now and 4:15 be divided as follows: 30 minutes to the majority, and 1 hour and 30 minutes to the minority, to be controlled, respectively, by the majority leader and minority leader; provided, further, that no amendment that is not germane to the provisions of said bill shall be received.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the majority leader? The Chair hears none, and the agreement is entered.

Mr. JOHNSON of Texas. Mr. President, I yield my friend the Senator from Oregon 5 minutes.

Mr. NEUBERGER. Mr. President, because of the brief time left for debate, I ask unanimous consent that the rest of the statement I have prepared for delivery be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

HELLS CANYON WOULD SPARE FISHERIES

This development would obviate the need, at least for many decades, of such dams as Bruces Eddy and Penny Cliffs with their destructive impact upon fisheries, scenery, and big-game animals. Every great outdoor group in America is opposed to these alternatives to Hells Canyon.

How tragic is it, Mr. President, that this administration is so callus to values of this imperishable quality that it is willing to sacrifice them in order to appease the avarice and greed of a private-utility empire. Such a decision, although he may not know it now, would haunt Dwight Eisenhower's reputation all through the corridors of time.

Mr. President, America is on the move and America is growing. In 20 years, from 1926 to 1946, the use of recreational facilities in our national forests tripled from 6 million people to 18 million. Their use nearly tripled again in the 10-year period between 1946 and 1956—from 18 million people to over 53 million. Attendance in national parks reflects a similar demand for healthful and inspiring recreation in the outdoors.

The Congress has authorized a program costing $33 billion to build a great 41,000-mile network of interstate highways. This will add to the need for recreational opportunities under the heavens and the stars. People will travel more than ever. The great wilderness basins of the Clearwater and the Salmon Rivers could serve to acquaint countless millions, in the years ahead, with what this continent once was like when the Stars and Stripes first was carried across it.

Shall we end such an opportunity for all time, merely in order to add a few ciphers to the dividends and salaries of the owners and executives of the Idaho Power Co.?

I realize there are many Members of this Senate who, perhaps, will wonder why we should spare the great north Idaho wilderness from commercial desecration. They will feel that the sacrifice of this vast green realm is worth while if it will make possible the surrender of Hells Canyon to so-called free enterprise.

Let me say to those among my colleagues who may entertain such a philosophy, that wilderness values are intangible but they are nonetheless real. Long ago, in America's infancy, the great naturalist, Henry David Thoreau, wrote: "We need the tonic of wilderness to wade sometimes in marshes where the bittern and the meadowlark lurk, to hear the booming of the snipe, to smell the whispering sedge where only some wilder and more solitary fowl builds her nest, and the mink crawls with its belly close to the ground."

That was written by one of the most eloquent and gifted of Americans, long before bulldozers and blasting powder removed most of the solitudes within our borders.

Recently there were found some hitherto-unpublished letters of the great British poet, William Blake. Among them appears this sentence: "The tree that moves some to tears of joy is in the eyes of others only a green thing that stands in the way." Taking off from this moving utterance, I can only add that we shall have removed from our way a resource which can never be duplicated if we permit reservoirs to invade the fastnesses of the Salmon, the Clearwater, the Lochsa, and the Selway in order that this Government can go through with its complete relinquishment of Hells Canyon to the Idaho Power Co.

HELLS CANYON HIGH DAM CONSISTENT WITH WILDLIFE

I believe the Columbia River can be developed in such a way that maximum production of both fish and kilowatts can be attained. But this invaluable goal may not be reached if the Hells Canyon area is abandoned to wasteful, partial development. The conclusion is inescapable. If the potential of Hells Canyon is wasted, the total benefits from use of Columbia Basin waters will be sharply reduced for all time to come. A basic conservation principle rides with the fate of the bill now before the Senate, but other issues of economic and governmental policy are at stake, too.

For many generations it has been the policy of our Government to spend river-control funds where the need for such expenditures has existed. That is why about 38 percent of all Corps of Engineers' appropriations has been invested since the year 1900 on the Mississippi-Missouri River system. This is the principal river system of our country, and it is where the major threat of floods has existed.

Second greatest of our river systems in volume of water is that of the Columbia, and it exceeds the Mississippi-Missouri substantially in power potential because the Columbia bisects lofty mountain ranges rather than meandering across flat prairie and plains. In 1933 President Franklin D. Roosevelt commenced the first Federal power and flood-control developments in history on the Columbia River.

But since 1953 not one power and other multipurpose undertaking has been authorized by the Federal Government in the river basin where murmurs approximately one-third of all the potential waterpower available in the United States. This is not only discrimination. It is blind and senseless waste of a resource of incalculable value, as the surging reaches of the Columbia pour unchecked and unused to tidewater and the sea. That is why the Hells Canyon issue is so vital a test. It is a test of whether or not the great Government of the United States plans to use in the public interest—nay, in the national interest—the single greatest source of inexhaustible energy within our borders.

Lack of new construction starts at Columbia Basin Dam sites is ample evidence that the administration has turned its back on needs of the region since 1953.

Although the Columbia annually discharges 180 million acre-feet of water, its reservoirs store only about 9 million acre-feet, or less than one-third the goal sought by Army engineers to curb costly floods such as the one which claimed 52 lives in 1948. The Columbia is capable of turning generators to produce over 30 million kilowatts, but the output of Federal projects existing and under construction will provide only 4 million kilowatts, or about one-eighth of the potential power. The Columbia is the Nation's only great river to traverse a major mountain range, but only a fraction of its capacity for handling waterborne commerce has been developed. Although the region has about 4 million acres of farmland under irrigation, water is available to bring another area of like size into production.

In light of the benefits possible from full development of Columbia Basin water resources, it is difficult to explain the administration's wanton discrimination against further Federal participation in this field. Perhaps part of the reason derives from the fact that some westerners themselves are among the most vocal critics of Columbia River projects. I have heard the claim that Pacific Northwest States already have received more than a fair share of Federal

funds for water-resource projects. Yet the region has vast power potential, a threatening flood problem, great possibilities for navigation and irrigation. Where should investments be made except in an area with latent assets and imminent dangers inherent in the handling of its water resources?

COLUMBIA POWER SYSTEM IS FINANCIAL SUCCESS

Similarly, critics of the Federal Columbia River power system have argued that the Bonneville Power Administration sells power at a price below the cost of production at individual dams. It is true that the Bonneville Power composite average rate of 2.38 mills per kilowatt-hour is the lowest in the Nation. But this enviable condition has not been achieved at the cost of fiscal solvency. Indeed, the latest annual report of the Bonneville Power Administration states that "repayment of $202,176,121 on the invested power capital to June 30, 1956, exceeds the estimated scheduled capital repayment requirements by approximately $77.1 million." The Bonneville system also has repaid to the Treasury $109 million to cover all operation and maintenance costs, and $137 million in interest payments. Profitable operation such as this does not come from selling a product below cost.

In their attempts to discredit Federal dams on the Columbia, critics have claimed that power from such dams at Hungry Horse in Montana, is marketed below cost. Perhaps such assertions are the fruits of ignorance of Federal power system operation. Power from the separate units in the Bonneville system is not marketed on the basis of isolated projects. The system secures much of its fiscal and operating strength from the fact that all dams are interconnected as a unified system, thus enabling the averaging of costs between structures such as Bonneville and Grand Coulee—built during periods of low-construction costs—and subsequent dams built during times of higher prices.

The ability to blend low-cost kilowatts with those of greater cost is one of the best reasons for continuing and expanding the Federal power system. Power consumers are thus assured of the benefits resulting from averaging in the low-cost kilowatts from sites of high productivity, developed when prices were low.

Operation of the Federal power system as an integrated unit has contributed to the assurance that low rates needed for industrial expansion can be maintained. The nationally known engineering firm of Ford, Bacon & Davis, Inc., in a detailed and exhaustive 1955 study of Bonneville power operations said:

"BPA should not increase the overall level of its present rate structure, since it already has a comfortable surplus and the estimated revenues for each of the fiscal years 1956 through 1963, exceed cash-payout requirements as determined by BPA."

Power-rate experts of the Bonneville Power Administration have testified that Hells Canyon Dam can be added to the system without disturbing the prevailing rate of $17.50 a kilowatt-year, the lowest wholesale power rate in the United States.

Mr. President, I have been amazed by the array of nagging but baseless objections raised by opponents to the Hells Canyon project. But, most baffling is the fact that the administration's discriminatory, wasteful, and antiwestern water-resources policies have found adherents among some westerners. The most contradictory of the arguments used by the opponents of Hells Canyon is the double standard they have set up for judging its value. They use one yardstick for projects in their own region, but another table of measure for Hells Canyon Dam.

PROPHETS OF GLOOM ARE REPUDIATED BY HISTORY

The economic progress of our Nation must be seen as a continuing entity. Federal investment has been necessary for such basic fundamentals of economic progress as river channels, ports, and other navigation facilities. Federal support was the instrument which thrust railroads and modern highways into isolated segments of the Nation. Such action is also needed for the best development of the great natural resources of the West at sites such as Hells Canyon. The objections to a high Federal dam are facsimiles of the captious arguments since the founding of this Nation to curb western growth and progress. The Lewis and Clark Expedition was assailed as a squandering of public funds. Setting aside of forest preserves and the activation of the first reclamation projects likewise were objects of the most specious arguments. Fortunately, the petty faultfinders did not prevail. Nor can we permit such frivolous arguments to triumph over Hells Canyon.

Ever since the administration withdrew its objections to licensing of Idaho Power Co. exploitation of Hells Canyon in 1953, confusion has reigned in policy for developing the remaining stretch of the middle Snake River. The river's great power and flood control has become the object of chaotic mismanagement.

We have heard over and over again the argument that Congress should rely on the judgment of the Federal Power Commission in the Hells Canyon issue. Many Senators will remember when the administration withdrew from the Hells Canyon case, we were told that Congress should not take action for a high dam because it was being considered by the FPC. We were told that it was necessary to rely on the experts of the Commission. Yet, Mr. President, when the FPC decision awarded three licenses to the Idaho Power Co., we were told the action was taken because Congress had failed to authorize the construction of a high Federal dam at Hells Canyon.

This has been a colossal runaround.

I wonder, Mr. President, what the congressional action would be if the FPC—instead of awarding Hells Canyon to a private utility—had carried out its responsibility under the Federal Water Power Act and had recommended development by the Federal Government. I think the weight of such a recommendation would have had great influence on the Congress. Instead, the Commission said, in effect: "We don't think Congress will approve a high dam at Hells Canyon, so we won't recommend it, and instead will approve the less adequate projects of the Idaho Power Co."

The FPC's strange decision has set an undesirable precedent. If licenses are henceforth decided by the Commission on reasoning that unsound development is better than delayed full development, and that its recommendations in favor of Federal development depend on political forecasts by Commission members as to what Congress might or might not do, then the American people stand to lose their great undeveloped dam sites one by one. The granting of licenses on such a basis would wipe out any consideration of a project's merits. The FPC would merely serve the function of rubberstamping the license applications of the private utilities as fast as submitted.

POWER COMPANY WILL BE TREATED FAIRLY BY GOVERNMENT

Mr. President, we have also heard the argument that Hells Canyon Dam should not be authorized because of expenditures made by the company on its Brownlee project. I would like to call the attention of the Senate to a section of the committee report on the Hells Canyon bill which states:

"It is the consensus of the committee that in event of the passage of S. 555 all the equities of the case would require that the company be recompensed for its actual expenses in proceeding with work in the canyon under the FPC license."

This additional expense would not increase the net cost of the dam to the taxpayer at all; since it would all be charged to the cost of power from the dam, it would be repaid in full from power revenues, with interest.

This additional charge to the cost of the dam allocated to power could hardly be said to constitute a very serious burden to the electric ratepayers of the Northwest. In discussing this problem on page 9 of its report on S. 555, the Interior Committee stated:

"For instance, a payment of $15 million to the power company would require a charge of less than 10 cents a kilowatt-year, or barely one one-hundredth of a mill per kilowatt-hour, in the present system and could very easily be absorbed in the existing rate structure without any increase in it."

If the cost of buying the company out of the canyon should prove to be as high as $30 million, this would therefore mean an increase of only two one-hundredths of a mill per kilowatt-hour in the cost of power in the area. I can assure you, Mr. President, that the people of the Pacific Northwest would gladly pay far more than this tiny amount to save the nearly half-million kilowatts which will be lost forever if the Idaho Power Co. is permitted to complete its underdevelopment of this tremendous resource.

Much also has been said about so-called alternatives or substitutes for high Hells Canyon Dam. Mr. President, there are no substitutes for Hells Canyon Dam. Under the light of examination and analysis, each supposed alternative means that the American people would get less power, less flood control, less opportunity for power-revenue assistance to irrigation.

Why should the people of this great Nation be asked to accept less than total productivity from their river resources? Fundamentally, that is the question which will be answered one way or another by the action on this bill. Either the multipurpose usefulness of Hells Canyon will be reserved for the benefit of the American people, or this vast stretch of the Snake River will be doomed to piecemeal and fragmentary use. The decision will be irreversible. It is my hope that the Senate will accept the challenge of this decision, and will authorize the construction of a Federal dam at Hells Canyon. That is the fateful action which will best serve this generation and those yet unborn.

Mr. NEUBERGER. Mr. President, before I yield the floor, in the few minutes which are left to me from the time granted to me by the majority leader, I should like to comment very briefly on the announcement in the early hours of this morning by the President of the Idaho Power Co. that they are forsaking the so-called fast tax writeoff certificate which was granted to them earlier by the Office of Defense Mobilization. Mr. President, if ever I have seen deathbed repentence, this is it. What was right, presumably, a few days ago, is repudiated now. What does this do to the wisdom of the agency of the administration that originally granted it?

Let me also ask this question: For how long does this renunciation take place? At a later hour, if perhaps—and I hope it does not take place—the high dam bill should be defeated, will they again change their minds and ask that there be restored the fast tax writeoff? Furthermore, the renunciation does not apply, presumably, to the third dam in their triumvirate of three low dams in

the Hells Canyon stretch of the Snake River.

These questions remain unresolved, and the Idaho Power Co. has not made clear for how long this renunciation will take place. The RECORD should show that at his press conference several days ago the President of the United States confirmed and upheld the fast tax writeoff granted by the Office of Defense Mobilization.

Mr. President, I ask unanimous consent that at the conclusion of my remarks, there may appear an article from the New York Times of June 20, entitled "President Backs Gray in Tax Fight."

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. NEUBERGER. Mr. President, because I have emphasized the extremely important issue of conservation of natural resources in my remarks to the Senate on S. 555, I ask unanimous consent that there may also be printed in the RECORD at the conclusion of my remarks an article from the New York Times of June 18, in which the great Dr. Vannevar Bush, one of the most eminent scientists of our times, is quoted as saying that it is absolutely necessary for us to protect our natural resources, and particularly that one natural resource which is of paramount importance to the continuation and survival of human life—water.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 2.)

Mr. NEUBERGER. Mr. President, I yield the floor.

EXHIBIT 1

PRESIDENT BACKS GRAY IN TAX FIGHT—SAYS AID WAS EIGHT IN NOT REVEALING SEATON OPPOSED IDAHO POWER'S WRITEOFF

(By William M. Blair)

WASHINGTON, June 19.—President Eisenhower confirmed today that a White House decision had cleared for public information the opposition of the Secretary of the Interior to a fast Federal tax writeoff for the Idaho Power Co.

The President defended the action of Gordon Gray, director of the Office of Defense Mobilization, in not having made known to a Senate subcommittee a letter of opposition written by Fred A. Seaton, the secretary until Mr. Gray was allowed to do it.

However, General Eisenhower did not describe the circumstances of the case that Democratic public power advocates have used as an example of the concealment by the administration. They have made this point to bolster their charges that the administration is favoring private-power interests.

The President's statements at his morning news conference came shortly before the Senate began debate on another bill to authorize a Federal dam in Hells Canyon of the Snake River on the Idaho-Oregon border.

Democrats and Republicans clashed on the floor over public or private development of natural resources, an issue the Democrats are expecting to carry into the 1958 congressional elections. A vote on the Federal dam, which the Senate twice has rejected, is expected on Friday.

ATTACKED BY DEMOCRATS

Senate Democrats have hammered at Mr. Gray on the rapid tax amortization he granted on April 17 to Idaho Power for two dams on the Snake River. Senator ESTES KEFAUVER, Democrat, of Tennessee and chairman of the Senate antimonopoly subcommittee, has charged Mr. Gray with seeking to suppress Mr. Seaton's opposition and withholding other vital information under a claim of executive privilege.

Mr. Seaton's opposition was stated in a letter to Mr. Gray's predecessor, Dr. Arthur S. Flemming, who had requested Mr. Seaton's views. The Seaton letter was dated March 11. Mr. Gray succeeded Dr. Flemming on March 14.

Yesterday, at another subcommittee hearing, Senator KEFAUVER charged Mr. Gray with withholding another important document, a memorandum that had been attached to the Seaton letter in Dr. Flemming's files. Mr. Gray declined to produce the memorandum on the ground of executive privilege and contended it was not relevant to the official files.

Mr. Gray also disputed what he said was an inference by the Senator that Dr. Flemming also had opposed the Idaho Power tax concessions. "That is not the case," he asserted. Repeatedly, however, he refused to make the memorandum available to the subcommittee.

PRESIDENT NOT CONSULTED

General Eisenhower said in answer to a question today that he had not been consulted on the differences between Mr. Gray and Mr. Seaton because Mr. Gray was the official "responsible" for a decision in the Idaho Power case and Mr. Seaton was not.

"The actual fact is that there was an associate's opinion, his personal convictions, given to Gordon Gray, and he studied them, but Gordon Gray is the responsible man in executing this law," the President said.

In answer to a question, the President said he had "never heard of the practice of withdrawing from the official files." He added that Federal law provides punishment for destruction of public records.

He reaffirmed, however, the use of executive privilege on communications among officials. "You must have this privileged character of these communications or you soon are going to have no coordination in that executive department," he asserted.

He went on to say that he did not know the exact circumstances of the questioning of Mr. Gray on Capitol Hill, but, he continued:

"I can well understand that he was very embarrassed, because he did not know what he was allowed to do, and it was only after he determined that this particular communication could be exposed that he would be allowed to do it."

Otherwise, he added, so far as Mr. Gray was concerned, the letter from Secretary Seaton was a "privileged opinion given by an associate in the executive department to him."

The President did not explain how the Seaton letter came to be regarded as privileged by Mr. Gray and how the White House came to remove it from the privilege category.

OFFICIAL OPINION

White House sources said that Mr. Seaton's letter had been a formal official expression of the Interior Department's opposition to the Idaho Power tax writeoffs and therefore a part of the official record and not privileged.

Mr. Gray, however, has taken a different view. His position, shared by the general counsel of ODM, Charles H. Kendall, is that there was every indication that the White House and Mr. Seaton regarded the latter's letter as privileged.

This view stems from a press release prepared to announce the tax writeoffs and cleared with Mr. Seaton and the White House. That press release made no mention of Mr. Seaton's opposition but contained a statement that the Interior Department had recommended the tax writeoffs be granted in 1955.

EXHIBIT 2

PIONEERING URGED TO AID RESOURCES—VANNEVAR BUSH TELLS PARLEY SCIENTISTS MUST ACT—CITES WATER SHORTAGE THREAT

(By Donald Sanson)

OKLAHOMA CITY, June 17.—Vannevar Bush called on independent scientific groups tonight to pioneer in finding ways to assure an adequate future supply of natural resources.

The eminent scientist said the shortage of water was becoming particularly dangerous in some areas.

He visualized ideas that he said now seemed farfetched as holding promise for long-range answers. In a measure, he explained, this rules out Government studies toward solutions because "some programs will call for experiments that are sheer gambles" employing unconventional approaches.

"The Government will do more if there are independent organizations with aggressiveness setting the pace and seeking out the opportunities," he asserted, in an address prepared for delivery at a 1-day international symposium on science, industry, and education.

SURFACE ONLY SCRATCHED

Mr. Bush, chairman of Massachusetts Institute of Technology Corp., suggested that "skillful use of 'detergents' could teach science how to make soils absorb the water of a sudden violent rain instead of allowing most of it to run off.

"The magnitude of effort in water research is by no mean commensurate with its importance," he declared. He said science had a long way to go in learning how to restore salty or contaminated water to its essential purity.

The scientist added that the surface has only been scratched in recovering needed elements the ocean holds in vast amounts but in diluted form.

"It is entirely possible that great bodies of sea water could be isolated and made to contain enormous concentrations of special lower organisms supplied with nutrients, with all parasites and competitors excluded," he suggested, "devoting their lives to concentrating from sea water things that we could find very useful."

Some lower organisms have the facility of seizing on minute quantities of a chemical element and concentrating it in their structure.

He said it was in fields such as these, which are not of the most immediate concern, where "Government proceeds haltingly or not at all."

Mr. Bush, president emeritus of the Carnegie Institute, was "scientific chief of staff" of the Nation's Military Establishment in the World War II period. He was a key force in the program that developed the atomic bomb.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1958—CONFERENCE REPORT

During the delivery of Mr. NEUBERGER's speech,

Mr. JOHNSON of Texas. Mr. President, will the Senator from Oregon yield? I wish to ask unanimous consent for the consideration of the conference report on the District of Columbia appropriation bill, with the understanding that the remarks made in that connection will appear in the RECORD following the speech of the Senator from Oregon, and with the further understanding that in yielding for that very

laudable purpose, he will not lose the floor.

Mr. NEUBERGER. I yield.

Mr. MORSE. I am happy to suspend; and thereafter I shall continue my questions.

Mr. PASTORE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the admendments of the Senate to the bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. CLARK in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of June 21, 1957, pp. 10002-10003, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the report.

Mr. PASTORE. Mr. President, the conference report provides for appropriations totaling $195,676,480. This sum is $960,370 less than the amount of the appropriations provided in the bill as passed by the Senate; it is $3,146,180 larger than the amount of the appropriations included in the House version of the bill; and it is $13,828,320 less than the total budget estimates.

In order to enable the Members of the Senate and other interested persons to know the appropriation details, I ask unanimous consent to have printed at this point in the RECORD a summary of the 1958 appropriation bill for the District of Columbia.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Summary of District of Columbia appropriation bill, 1958 (H. R. 6500)

Item	Appropriations, 1957	Budget estimates, 1958	House bill	Senate bill	Conference bill
OPERATING EXPENSES					
Executive Office	$323,000	$387,400	$362,500	$378,200	$370,030
Department of General Administration	3,783,990	4,573,000	4,525,000	4,545,000	4,540,000
Office of Corporation Counsel	483,600	565,200	544,000	544,000	544,000
Compensation and retirement fund expenses	11,100,000				
Regulatory agencies	1,080,240	1,248,600	1,200,000	1,215,000	1,207,500
Department of Occupations and Professions	265,200	294,800	287,000	294,800	294,800
Public schools	32,670,750	37,789,200	37,160,000	37,246,050	37,246,050
Public library	1,783,000	1,958,000	1,950,000	1,950,000	1,950,000
Recreation Department	1,903,000	2,161,000	2,145,000	2,161,000	2,161,000
Metropolitan Police	14,531,100	18,201,000	18,100,000	18,201,000	18,150,000
Additional municipal services, inaugural ceremonies	155,000				
Fire Department	6,755,000	9,036,000	9,000,000	9,000,000	9,000,000
Veterans Service Center	98,500	104,300	104,000	104,000	104,000
Office of Civil Defense	78,000	193,000	86,000	86,000	86,000
Department of Vocational Rehabilitation	147,000	209,600	200,000	208,500	208,500
Courts	4,370,850	4,534,600	4,488,500	4,534,600	4,534,600
Department of Public Health	25,694,920	28,710,700	28,130,000	28,229,300	25,229,300
Department of Corrections	4,710,000	5,328,000	5,275,000	5,275,000	5,275,000
Department of Public Welfare	11,092,500	13,136,000	12,450,000	13,136,000	13,136,000
Department of Buildings and Grounds	1,780,000	2,096,000	2,000,000	2,010,000	2,010,000
Office of the Surveyor	170,000	180,900	180,000	180,000	180,000
Department of Licenses and Inspections	1,658,000	1,902,000	1,840,000	1,885,700	1,862,000
Department of Highways	6,535,000	7,232,000	7,050,000	7,050,000	7,050,000
Department of Vehicles and Traffic	1,303,000	1,457,000	1,350,000	1,438,000	1,438,000
Motor Vehicle Parking Agency	295,000	602,900	519,000	602,900	519,000
Department of Sanitary Engineering	10,896,200	12,310,000	12,210,000	12,210,000	12,210,000
Washington Aqueduct	2,137,000	2,328,000	2,250,000	2,322,000	2,322,000
National Guard	145,500	155,300	155,300	155,300	155,300
National Capital Parks	2,535,000	2,762,000	2,750,000	2,750,000	2,750,000
National Zoological Park	720,000	798,000	770,000	798,000	784,000
Personal services, wage scale employees	943,000	1,162,500		1,162,500	1,162,500
Total, operating expenses	150,143,350	161,417,000	157,081,300	159,672,850	159,480,480
CAPITAL OUTLAY					
District debt service	394,500	572,000	572,000	572,000	572,000
Public building construction	14,479,529	14,377,800	10,496,000	10,733,000	10,733,000
Department of Highways	14,668,000	22,612,000	14,791,000	15,301,000	15,301,000
Department of Sanitary Engineering	15,068,000	9,568,000	9,400,000	9,400,000	9,400,000
Washington Aqueduct	3,500,000	958,000	190,000	958,000	190,000
Total, capital outlay	48,110,029	48,087,800	35,449,000	36,964,000	36,196,000
Grand total	198,253,379	209,504,800	192,530,300	196,636,850	195,676,480

The PRESIDING OFFICER. The question is on agreeing to the report.

Mr. MORSE. Mr. President, as a member of the Committee on the District of Columbia, I wish to say that I appreciate very much the leadership the Senator from Rhode Island [Mr. PASTORE] has given in the case of this appropriation bill. Of course he knows that I wish the bill provided larger appropriations. But the responsibility for the insufficient appropriations carried in the bill—in my opinion they are insufficient—is not the responsibility of the Senator from Rhode Island.

I wish to say to the people of the District of Columbia that I know, of my own personal knowledge, that the Senator from Rhode Island fought hard for the highest figure he thought there was any chance of getting the Congress to vote for this year. I thank him for it.

At the same time, I wish to have the RECORD show my keen disappointment in the appropriations provided in the conference report. I cast no reflection upon the Appropriations Committee, but I do cast a reflection upon the entire Congress. I think it is very sad that the Congress subjects a people who have no franchise rights to what I consider to be an appropriation by the Federal Government that is far below what the Federal Government owes to the people of the District of Columbia, by way of a fair Federal contribution.

Again I wish to say that I do not know what the word "quit" means, and I am not going to quit in this fight. We have lost this round again this year; but I am satisfied that our case is sound; and the people of the District of Columbia are entitled to a larger appropriation by way of Federal grants, for reasons which I have stated so many times in the past.

At this time I simply wish to serve notice that, so far as I am concerned, as a member of the Committee on the District of Columbia, I shall continue to fight for a larger Federal contribution for the District of Columbia. The lump-sum payment made by the Federal Government to the District of Columbia should, instead of being 13 or 14 percent of the District of Columbia budget, be 25 percent.

Mr. PASTORE. Mr. President, I thank the Senator from Oregon for his statement. I wish to point out that the conferees on the part of the Senate tried very hard to retain in the conference report the amount voted by the Senate, but it was impossible to do so. The House had just voted to reject the $500,000 increase the Senate previously voted.

I repeat that my sentiments parallel those expressed by the Senator from Oregon.

Mr. FREAR. Mr. President, will the Senator from Rhode Island yield to me?

Mr. PASTORE. I yield.

Mr. FREAR. Does the conference report include the item of $1,710,000 for equipment for the new hospital in the District of Columbia?

Mr. PASTORE. No; that item comes under the independent offices appropriation bill, and I understand that it was included in that bill. It does not come under this bill.

Mr. DIRKSEN. Mr. President, if the Senator from Rhode Island will yield to me, let me say to the Senator from Delaware that the item of $1,710,000 was included in the independent offices appropriation bill, as it was passed by the Senate.

Mr. FREAR. I thank the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I wish to say that the distinguished Senator from Rhode Island has very stoutly and in very distinguished fashion contended for the position taken by the Senate. However, in view of the fact that the House of Representatives has already, by separate vote, rejected the increase voted by the Senate in the lump-sum payment for the District of Columbia, it appears that all that the Senate can do at the moment is to agree to the conference report.

Mr. LAUSCHE. Mr. President, will the Senator from Rhode Island yield to me?

Mr. PASTORE. I yield.

Mr. LAUSCHE. In the discussion which took place several weeks ago, I pointed out to the distinguished Senator from Rhode Island that the moneys voted this year by the Senate for allocation to the District of Columbia are, I believe, less than those of last year. The distinguished Senator from Rhode Island said to me that that disparity in figures does not reflect accurately the fiscal position of the District of Columbia, as created by the new highway program which was adopted. Will the Senator from Rhode Island explain that situation?

Mr. PASTORE. At this time I cannot state the exact figures, but, in round figures, when the ratio was changed from 50–50 to 90–10 in the case of Federal participation in the highway-construction program for the District of Colombia, that enabled the District of Columbia to pick up approximately $7,500,000, insofar as the highway fund is concerned; and that amount is reflected as a difference between the appropriation for 1957 and the appropriation for 1958. However, it does not mean that the various departments of the District of Columbia government will have larger appropriations in 1958 than they had in 1957. As a rule, the appropriations have been a little higher each year.

Mr. LAUSCHE. The Senator from Rhode Island seemed to point out to me that although the cold figures included in the report would seem to show smaller appropriations for the District of Columbia for 1958 than those for 1957, yet when the additional $7 million benefit is considered, it will be found that much more money will be available to the District of Columbia.

Mr. PASTORE. Yes; I would say that. How much more is pretty hard to say, unless the figures submitted are consulted.

Mr. LAUSCHE. I think the figures, as I saw them, indicated about $7 million more. Is that correct?

Mr. PASTORE. Approximately so, but again, without having the papers, I would not want to commit myself to a specific figure. But it is true that the figure is larger.

Mr. LAUSCHE. I recognize that the same advantage which has come to the District of Columbia has also come to every municipality in the country. Is that correct?

Mr. PASTORE. Absolutely. The District of Columbia is not unique in that respect. The advantage that has come to the District of Columbia comes under the highway construction act, and all the States have the same privileges and the same advantages.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 6500, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
June 21, 1957.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 10, 20, and 28 to the bill (H. R. 6500) entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes," and concur therein;

That the House insist on its disagreement to the amendment of the Senate numbered 1.

Mr. PASTORE. Mr. President, I move that the Senate recede from its amendment No. 1.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

Mr. JOHNSON of Texas. Mr. President, I commend the very able junior Senator from Rhode Island for the excellent job he has done, and for the very excellent manner in which he has discharged his responsibility. This is his first year on the Appropriations Committee. I know all the people in the District of Columbia are grateful to him for the interest he has manifested in their problems. I think his service has not only been a credit to his country, but has been a service that all the members of his party can be proud of.

Mr. PASTORE. I thank the Senator.

CONSTRUCTION OF HELLS CANYON DAM

The Senate resumed the consideration of the bill (S. 555) to authorize the construction of the Hells Canyon Dam on the Snake River, between Idaho and Oregon, and for related purposes.

Mr. MAGNUSON. I yield myself 1 minute of our time.

I merely wish to supplement for 1 minute what the Senator from Oregon has said about the unusual announcement made earlier this morning. The newspaper reporters called me on the telephone about midnight, with relation to the matter, and I said it reminded me of the fellow who was caught outside the chicken house with a bag of chickens, when he said, "I will give them back"; but on the next dark night, when the dog is tied up, he will be back again.

This is a repudiation of strong testimony given by the Idaho Power Co. only 4 or 5 days ago—last week, as a matter of fact—when they refused to adopt any suggestion of doing what they are now doing. The company has changed its mind on many occasions. This has nothing to do with the question of whether a third dam should be built or whether small dams should be built.

I do not know that there has been a meeting of the board of directors, or that the stockholders of the company have met. I remember a statement made by the president of the Idaho Power Co. who said—and I think I quote him almost verbatim—he owed it as a duty to his stockholders to insist upon this right.

This announcement is an obvious attempt on the eve of a vote to influence the votes of Senators on the Hells Canyon Dam bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MAGNUSON. Mr. President, I yield myself 2 additional minutes.

Those of us who have fought for a long time for this resource and its full potential development did not bring this matter up; it was brought up by the Idaho Power Co. people, by virtue of their action in an application for a tax amortization certificate.

I merely wish to say, for the benefit of those who might read the statement, that the announcement does not change the issue one iota. There still is a very simple problem which we have to face. One of the last great remaining dam sites on the whole of the North American Continent, which belongs to the people, is involved. We are trying to develop it to its full potential, to fit it into a comprehensive development of the river.

The construction by the Idaho Power Co. of the 2 or 3 small, measly dams, compared to the great multipurpose high dam on the river violates a concept of 50 years of planning for the development of this river for the benefit of all. If the Idaho Power Co. were going to build a high dam in Hells Canyon, I think we would say, "More power to them," to coin a phrase. If they were going to build a high dam and develop water storage so that the power would go into the pool which encompassed public, municipal, and private power, we would be cheering, but they want literally to take the cream off the river, under certain concessions they have obtained.

That is what this controversy is all about. I do not know that the solution is so simple in the minds of some people, but the problem is simple. It is a problem of whether or not we desire to develop to the full potential a great natural resource, or whether we wish to foreclose forever the development of the greatest dam site left on the whole North American Continent. I shall have a little more to say at the end of the debate, but, because we are trying to save time, I ask unanimous consent that I may have printed in the body of the RECORD at this point some remarks I prepared on this subject.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

PARTISANSHIP VERSUS WESTERN UNITY

(Speech by United States Senator WARREN G. MAGNUSON, of Washington)

Should any Member of the Senate not now know the real merits of a high Federal dam in Hells Canyon—and my advocacy of full development of this God-given resource—there is no use wasting your and my time simply discussing it.

Ten months ago in closing our debate over Hells Canyon, I stood on this floor and promised that if I was returned to the Senate I would remind my colleagues of certain things.

That promise I fulfill today.

And let my very presence here this afternoon, regardless of what I say, remind many of you of a basic fact that transcends much

of the technical detail that is invoked to obscure this simple issue.

That basic fact is that most of the citizens of this country in general—and the Northwest in particular—know about Hells Canyon, have not been fooled by anybody's assertions, and want and continue to demand even after being victims of a 9-year brainwashing, a high dam with full development of the resource potential of this site.

Last year on this floor—by questions or statements—some Senators were under the delusion that the voters did not want a high Hells Canyon Dam. They based this misconception on the trumped opposition of a few elected officials in the area.

Well, I am here and most happy to sit among you today after being returned by the voters—voters who I went before as an out-and-out advocate of a high Federal dam—a high dam such as is provided in the bill again before you for rollcall shortly.

My opponent, a former governor, who was one of the leaders of the opposition, is not among us.

But that is not the end of the story, or an isolated instance.

Through the States of Washington, Oregon, and Idaho, in the legislatures, in the gubernatorial mansions, the House of Representatives, and the Senate contests, wherever there was a pro- or anti-Hells Canyon issue drawn—and that was just about everywhere—the voters rejected the opponents of the high Hells Canyon Dam and elected the advocates.

It was as clear a mandate in the election of candidates as I have ever witnessed—it was a grand slam.

I knew what my people wanted.

I heard and heeded their verdict when they shouted, "Save us from the dinky corporation dams and give us the high Federal dam; don't waste our resource."

But I want to assure Senators they were not talking to me alone; they were also talking to this entire body.

I recommend, my colleagues, you listen when the people speak.

And that is the first thing I remind you of in accordance with my promise when last we debated this matter.

Senators now have the answer to the question some onetime opponents of this bill raised as to what the people really wanted, and it is a clear and final answer.

And so we now are possessed for the first time in this Hells Canyon debate with a clear, fresh answer as to what the people really want.

Something new and very important to us has been added since we last discussed this subject.

Now there is another matter of which I promised a year ago to remind the Senate if I sat among you again.

It is to many of us so significant I will not hesitate—always with the greatest respect—to command your attention by addressing some questions to Senators regarding certain great public works in your States for which you have identified yourselves as champions.

Those are primarily works to develop—through the strength and wisdom of our National Government for the benefit of all the people—the full water and power resources of your communities.

This Hells Canyon project—on which we will shortly vote—is so clearly in that category and has been studied, analyzed and appraised, and endorsed unanimously by our trained and recognized national experts for such tasks, that it has become a national issue.

I leave to my colleagues the realm of technical justification.

Our exhaustive studies have established—all quibbling aside—that the highest Federal dam in the world at Hells Canyon would provide this Nation with virtually double the needed kilowatts at half the price; almost quadruple the flood protection the small dams would yield.

Yet a power company is rushing to preempt this canyon while we talk.

Here we have, in crystaline form, a national water and power policy in jeopardy, a national water and power policy that we and our predecessors have spent three-quarters of a century developing, and implementing and ratifying, largely through acts on this Senate floor.

And as we put it into effect by building such stupendous works as Boulder Dam, Grand Coulee in my State of Washington, Shasta in California, and many others elsewhere, all foursquare in philosophy with Hells Canyon—as provided in the authorization before us now—the United States and this Senate both had great pleasure and pride in the results.

Many of us here in the Senate contributed to, and participated in, developing and writing into law that national water and power policy.

Fundamental was the concept that the Nation's rivers belonged to all the people, and should be fully developed for the benefits for all the people, and, when necessary and feasible, this could be done by all the people through the Federal Government.

Clearly indicated and included was this belief, these rivers should not be given away, in whole or in part, to special interests.

Naturally, public bodies were more nearly representative of all the people than private corporations, so public body preference was given in distributing power benefits.

Some private power corporations did not like that then.

They do not like it now.

But it is the national policy.

I think it fair to say this policy developed in a nonpartisan fashion with the West taking leadership because of its outstanding water and power needs and its lack of alternatives.

The West first banded together in unity, regardless of political persuasion, to achieve the framework of policy and law in this field.

Later, as possibilities and needs became apparent elsewhere, particularly in matters of hydroelectric development, the Senators from TVA, the Niagara-St. Lawrence areas, and elsewhere joined up in common cause to establish true national policy through true nonpartisan unity.

I remind the Senate of this because I want to ask you what's happened to that nonpartisan unity now?

I also want to ask my colleagues how they individually expect to reap the benefits of that unity—in terms of benefits through projects for their individual States—if we shatter the unity, abandon the policy, and defy the very underlying laws we have passed to achieve those ends?

Now this Hells Canyon controversy has been falsely termed—for transparent reasons—just another public versus private power fight. Or, more extravagantly, a fight for survival of private power.

It is nothing of the kind, and that is not the issue.

I think we must, should, and always will have private power.

The power corporations will have all they can do meeting the legitimate and skyrocketing demands made on them for low-cost kilowatts—kilowatts our people must have.

The issue here is not, and never was, public versus private power.

We must have both.

The issue is reversing national policy to give away to a corporation—for perpetual preemption as long as water runs down hill—the best remaining dam site on our continent for developing about half the power potential at double the kilowatt-hour rate and virtually ignoring many other public benefits available. This issue can be resolved rightly if and when we stand up to our national, legal, and public responsibility and pass this bill.

This controversy has also been termed, for equally transparent reasons, a partisan political fight.

I regret that on such realistic evidence as some rollcalls—which, with a few exceptions reflected chiefly straight partisan divisions, with Democrats favoring, and Republicans opposing a high Federal Hells Canyon Dam authorization. It seems true that partisanship, invoked and policed by the administration lash, has been substituted for bipartisan unity—a unity which could achieve such a spectacular development for all the people, as a high Federal Hells Canyon Dam.

And I'll also make good on my promise this reminder day to remind Senators just how that happened.

It occurred, because in 1952 an administration came into power that proclaimed disbelief and disenchantment with a lot of established national policy and Federal laws which it had taken an oath of office to support and fairly and faithfully administer.

Whether it was beholden or not, to certain corporate powers that long opposed these policies and laws, I will not speculate.

And the merits of the administration's disbelief and disenchantment are not here appraised.

The fact remains that the administration and its spokesmen—including President Eisenhower—publicly branded our Federal power development as "an example of creeping socialism."

A broad offensive was undertaken through all the executive agencies—operating in lockstep and reciting in chorus—to revise and reverse the national water and power policies the legislative branch—chiefly through the Senate—had developed through nonpartisan unity over three quarters of a century and written into law we thought was lasting.

It was no simple task the administration undertook, no matter how dedicated and devoted it was to such nullification.

In some areas some progress was reported, but on Hells Canyon the going was so rough that instead of the high dam concept quietly dying a dramatic and recognized national political issue was created.

It is of such partisan tactics that political issues are inevitably and inescapably born.

There is no other way under our system of government.

Without embroidering the oblique tactics of how a stacked Federal Power Commission reversed all previous recommendations of legislative, executive, and judicial branches—as well as its precedessor Commission's findings—not to mention its own existent hearings officer, who sat for over a year considering the merits, the quiet give-away route did not work at Hells Canyon.

Therefore, we are about to stand up and be counted again on the proposition of authorizing a high dam.

That authorization I recommend to my colleagues.

But I am no novice here and under no delusion as to the weight of my study and recommendation on Hells Canyon as compared with the fury of the administration lash being laid on many of my colleagues to vote this authorization down or else.

So, as a realist, I will always with due respect and within all Senate proprieties and practices of courtesy, do a bit more promised reminding, and call the roll on some one-time practitioners of nonpartisan unity toward water and power national policy, colleagues who may want to recall certain facts before they cast their votes.

Let me remind my colleagues from California that there is in their fair State an all-California water and power and flood

control project known as the Central Valley project.

I have seen it personally. I believe it to be a splendid project in the public interest, a project of even greater total scope than Hells Canyon.

After long controversy over the same frequently reconfirmed, reratified, and reindorsed national water and power policies that Hells Canyon opponents here propose to obliterate, the Central Valley project is well along toward completion.

I have observed over the years my distinguished California colleagues have done great service in securing and protecting the Central Valley project.

This protection always came under our reclamation—public power law—and policy verbatim with the high Hells Canyon Dam bill before us now.

For their performance I want to now pay them public tribute for the courageous manner in which they voted down every proposal to give away the power facilities of their Central Valley's resource.

I thought they were so everlastingly right in so doing that I believe they will acknowledge that I, a member of an opposite political faith but as one practitioner of the now somewhat forgotten western unity, voted with them on every Central Valley rollcall I can remember for the last decade.

I pay public tribute to the senior and junior Senators from California for their great performance, but remind them that they have not achieved final victory yet.

Just the other day when the administration sent up to us still another proposal to give away Central Valley power, this time on the new Trinity division and under the same type of sloganized and ill-defined partnership scheme by which it has sought to give away Hells Canyon—the junior Senator from California, I am sure with the support of the senior Senator from California, rose to blast and denounce it and proclaim it would never pass with his vote.

I now take pleasure in publicly pledging them here and now that separate and distinct from—and regardless of how they vote on Hells Canyon—I am going to vote, I hope with them as soon as I get the chance, against the Central Valley power giveaway proposal. I'm voting that way as a matter of public interest and principle.

But at the same time I say to them now that any vote for the Hells Canyon giveaway is inevitably a vote to establish a new national precedent favoring the pending Central Valley giveaway, and there is no escape from that fact.

Let me remind my colleagues that we must vote legislation up or down for all the people. We should not vote as apostles of any thesis that what's rotten for California is just fine for the Pacific Northwest where Hells Canyon happens to be located.

Likewise, I would remind good Republican friends of the upper Colorado States that there is a huge project in that area called the upper Colorado storage project, to which you claim undying devotion.

It is not yet built—in fact, it has just started into construction—and years of appropriations will be required before the benefits therefrom are actually reaped by your constituents.

The last Democratic Congress scorned any deals linking the upper Colorado and Hells Canyon bills and authorized the upper Colorado, regardless of opposition to Hells Canyon from some Senators from that area.

Speaking for myself alone, I know I voted for upper Colorado as a matter of principle and as a continuing practitioner of nonpartisan western unity in water and power development. I firmly believe it is a good project, in the public interest for all the people, even if it obviously falls far short of Hells Canyon in financial feasibility and repayment criteria.

This is not a failure of principle, but merely the result of natural phenomena that the Colorado River does not possess the magic power potential of those rivers in the Columbia Basin.

We must acknowledge—and I herewith remind Senators of it—that no matter how we seek to bewilder each other by technical hairsplitting, both the upper Colorado storage project and Hells Canyon authorizations are—and were presented and supported—under the same broad policy. That policy demands the full development of the resource for all the people by the Federal Government where necessary.

In fact, both projects came before the Senate under the philosophy and terms and many times the verbatim provisions of the reclamation laws.

Let me remind Senators that in this league there is such a thing as consistency, and none of us can perpetually and simultaneously run with the hare and bay with the hounds without coming a cropper.

The upper Colorado is not built, or even appropriated for yet, and if we westerners who know these problems can bring it to near completion in 20 years, we are, indeed, lucky.

Just ask yourselves, gentlemen, if you vote against Hells Canyon—and thereby succeed in rejecting, reversing, and repealing a policy and precedent—that happens to be the identical policy and precedent under which we all forgot partianship last year and undertook the upper Colorado—are you serving yourselves and your constituents?

Are Senators speeding or delaying the day when their great States can actually reap some of the promised—and to me, very real—benefits of the upper Colorado project?

And to my able friend, the senior Senator from Colorado, let me issue a special invitation and a special reminder. He is not only an upper Colorado Senator but also the home-State Republican sponsor of the Frying Pan-Arkansas project still to be authorized by the Congress under the same justification, theory, philosophy, policy, and actual laws supporting the high Federal Hells Canyon Dam.

In fact, the twin proposals come before us virtually simultaneously by the same route, with the same endorsement of the Senate Committee on Interior and Insular Affairs which functions as our working expert in this field.

No matter what political pressure the Senator may be subjected to, how in the name of all that is logical and rational can he ask us tomorrow, or the next day, to vote for and forward Fryingpan-Arkansas when, and if, he kicks out the very essence of its justification by voting against Hells Canyon?

If Senators think that is a cruel question, let me withdraw it now—I didn't expect an answer. I was merely modestly trying to dramatize for the Senate that, despite our senatorial dexterity, there is a limit beyond which we should not be allowed to venture.

And further on this problem let me pledge to the Senate here and now my vote for Fryingpan-Arkansas as a matter of principle, because I think it a project in the public interest and as a token of my continuing convictions as to the necessity of nonpartisan western unity on such matters.

Last year this Democratic majority passed Fryingpan-Arkansas through the Senate, my vote included.

I hope and believe it will do so again with the essential votes of the Hells Canyon sponsors helping Colorado.

Respected colleagues, I am getting to be a veteran around here. I am not now speaking to fill the air with unanswerable conundrums, to fill up the CONGESSIONAL RECORD, or to justify myself to any constituents back home on Hells Canyon.

They've all known for years just where I stood in favor of Hells Canyon high dam and many other natural resource developments and that's one reason they've sent me back to enjoy—as I do enjoy—the society of the Senate for 6 more years.

This afternoon I am talking in honest terms. Terms I'm certain all will understand and I hope appreciate in a frank endeavor to secure some votes for the high Hells Canyon Dam in what must shortly be a close rollcall.

I could go on and on with this recap of vital western projects—projects which exemplify the western bipartisan unity which resulted in their authorization and construction.

My South Dakota colleagues know, for example, of the difficulties they faced in battling for and winning public power dams in the Missouri Basin—say at Fort Randall, Oahl, Gavins Point, and Angastoria—even though today they appear allergic to the best of them all at Hells Canyon.

Other Midwestern colleagues swear allegiance to the Federal reclamation dams along the North Platte, which is certainly consistent representation of the only State which long since exercised its sovereign rights and banned private-power companies. Nevertheless, these same esteemed colleagues seem to think Hells Canyon should be given away to a Maine corporation for gross underdevelopment—in the name of private profit—just because it's in the Pacific Northwest.

I might even courteously soliloquize about the schizophrenic views of a very few of my colleagues from the TVA South and the St. Lawrence-Niagara area on power policy—their views at home in contrast to their views on Hells Canyon.

But I will not exhaust the Senate. We are adults; we know the score.

The truth is the partisan lash is being laid on many today to whip them cruelly into line to defeat Hells Canyon or else.

Senator's own convictions—this Senate's privilege and right to decide such matters—national policy, and the laws we've enacted—all must be ignored or else.

It makes no difference how the voters vote, when they get their hands on this issue in the only way they can, namely, by defeating candidates opposed to Hells Canyon and electing Hells Canyon advocates many Senators are told to vote it down or else.

This is no secret.

The word has been passed—vote it down or else.

This has even been done formally by communications of record from the Bureau of the Budget—by the rulings of the stacked Federal Power Commission—and by the statements of such an unhappy administrative scapegoat and spokesman of the administration as genial Douglas McKay, Secretary of the Interior, retired.

Let me point out—even if it extends and contradicts my previous little rollcall—this Hells Canyon bill has three good Republican sponsors. Witness the names of the distinguished Republican senior Senator from Wisconsin [Mr. WILEY]—and both the senior and junior Senators from North Dakota [Mr. YOUNG and Mr. LANGER].

They are voting their true convictions on Hells Canyon; are refusing to be told "vote against it or else."

This may be the last time around on Hells Canyon, so I also remind Senators, it may be your last chance to speak up.

And, good friends and colleagues, don't try to answer my simple questions now. I'll have my answers when Senators stand up to be counted on the Hells Canyon rollcall.

Mr. MAGNUSON. Mr. President, I wish to add one more thought, although it has been expressed many times. The Idaho Power Co. originally said that they would build these dams without cost to the taxpayers, and then it turned out, of course, that they are going

to cost the taxpayers a great deal. However, let us assume that is not the case. I hope there is no misconception about it, for I never feel embarrassed about asking the United States Senate to appropriate money for the development of known, feasible, engineer-tested hydroelectric developments, because all we ask is a loan, which is paid back with interest.

I have often been asked, "How is it paid back? When is it paid back?"

We started this about 20 years ago——

The PRESIDING OFFICER. The Senator has used 6 minutes of his time.

Mr. MAGNUSON. I yield myself 5 additional minutes.

The Senator from Montana [Mr. MURRAY] was here in the Senate when this program started. In the area there is a power capital investment of $1,288 million. Hells Canyon Dam would make the investment much greater, and it would also firm up the power downstream.

We have repaid, as of June of this year, $200,176,000 on the capital investment. We paid into the Treasury interest expense of $137,702,000 as of June 1.

Bonneville Dam, the first dam on the system, has now paid back to the Federal Treasury 41.22 percent, with interest. Bonneville Power Administration has paid back 25 percent. The Columbia Basin has paid 25 percent, and even Hungry Horse has already paid back nearly 6 percent, with interest, to the Treasury.

Hells Canyon Dam will do the same, and at the same time will add to the taxable wealth of the Nation and assure the development of a great river system.

The problem is as simple as that. If there are constructed 2 or 3 measly dams—it may be 2, for I do not know whether Idaho Power is going to build the third dam—it will be an inadequate development of this great resource we have, which we must develop, rather than throw away the substance of our people. Surely we are the guardians of our natural resources and we should provide for their development for our children and our children's children.

I hope that the Senate will treat this bill in that light.

Tax amortization added another feature to the problem, but I predicted last year that the company would ask for this benefit and would get it, if Congress did not pass the bill which was under consideration at that time, and that prediction came true. I will predict now that the minute this fight is over and the dust has settled, the company will be back again seeking the same benefit. I think I am safe in that prediction.

I shall have a little more to say at the the end of the discussion.

Mr. JOHNSON of Texas. Mr. President——

The PRESIDING OFFICER. The Senator from Washington has used 8 minutes of the 30 minutes allotted to the majority under the unanimous-consent agreement.

Mr. JOHNSON of Texas. Mr. President, I wish to reserve the remaining time of the majority, but if the Senator from Tennessee [Mr. KEFAUVER] is ready to speak, I will yield him 3 minutes.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 3 minutes. The Senate is operating under a unanimous-consent agreement, the Chair advises the Senator, and there are only 19 minutes left of the time allotted to the majority.

Mr. KEFAUVER. Mr. President, the Idaho Power Co. and the administration have now gone full cycle. We read from the newspapers that Mr. T. E. Roach, the president of the Idaho Power Co., has decided that he does not wish to have the $339 million in tax benefits from the Government after all. Whether this is the end of the dance, or whether the band will strike up "Waltz Me Around Again, Willie" is not determinable at this time. Mr. Roach has been coy about these tax certificates before. At first, when he was trying to get his license from the Federal Power Commission, he was going to build the dams "without one cent of cost to the taxpayers," and then, when he got the license, he decided to push the application for the certificates, because he owed it to his stockholders. Originally he said he had no faith that he would get these certificates, but nevertheless he hired Ebasco to pursue them and bent every effort to get them.

Now, with the Hells Canyon bill on the floor, lo and behold, Mr. Roach, overcome by a burst of generosity for the taxpayers of the United States, has decided to forego the $339 million worth of benefits to his stockholders.

Or has he? There is nothing official about this. All we know is what we read in the newspapers. Mr. Roach issued a press release. The chief counsel for the Antimonopoly Committee, Mr. Rand Dixon, called the chief counsel of ODM this morning when he read about Mr. Roach's decision, and asked if the certificates had been canceled. The answer was "No." As a matter of fact, under the law I do not know how they can be canceled. The option is with the holder, and the holders' day of decision is not until January 1, 1959, when he makes out his tax return.

I received a message from Mr. Kendall a little while ago in which he stated that this transaction was treated as a withdrawal of the application for certificates. But I cannot find any legal justification under the statute for ODM taking such action. Regardless of the action of ODM, we do not know what the Internal Revenue Service will do about this case when 1959 rolls around.

It is nice to know that Mr. Roach wrote Mr. Gray about this. But all Mr. Gray has, as I understand, is a copy of the certicate. The official certificate is in the hands of the Internal Revenue Department, the people who collect the tax. Mr. Roach wrote the wrong pen pal. Russell C. Harrington, the Commissioner of Internal Revenue, has the certificate.

Furthermore, Mr. Roach's withdrawal is not effective without approval of the stockholders or the board of directors. This is, undoubtedly, a valuable right that cannot be given away by an officer of the company, and a minority stockholder might file a suit to enjoin it.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. JOHNSON of Texas. I yield an additional minute to the Senator from Tennessee.

Mr. KEFAUVER. It should be pointed out that Mr. Roach, in speaking of this rate amortization matter, said he felt it was an obligation inherent in the fulfillment of the obligation of the officers of the company.

Certainly no officer of the company, even if he were acting in good faith, and not merely for the purpose of trying to obtain votes for the passage of the bill, has a right to give away something of great value—almost as valuable as the property of the Idaho Power Co. at the present time—without the consent of the stockholders or, at the very least, the consent of the board of directors.

After this controversy is over, in the event the bill is not passed, we may find that a minority stockholder or the board of directors will overrule Mr. Roach's action, or contend that Mr. Roach had no authority. The regulatory commission of the State of Idaho may say that he cannot give away benefits of the Idaho Power Co., and we shall be back exactly where we started.

The vote on Hells Canyon Dam will be taken today. Mr. Roach might say today that he has decided he does not want the certificates. But he can change his mind tomorrow. He can change his mind anytime between now and January 1, 1959. He might decide again that he owes it to his stockholders to change his mind.

I think Mr. Roach is trying today to induce the Senate, with an unsecured promissory note for $83½ million of the taxpayers' own money, to vote against the Hells Canyon bill.

Mr. President, I warn the Senate not to take this press release of Mr. Roach's at face value. I warn Senators that this deal smells as bad as Dixon-Yates. Like Dixon-Yates, the more you nudge it, the more vermin crawl out.

Something mighty funny happened between June 13, when Mr. Roach appeared before our committee, and last night, when he put out a press release tossing away $339 million in benefits.

Before our committee this exchange took place:

Senator O'MAHONEY. Why do you not pay them back now, pay them now? Why do you not surrender this certificate and pay the taxes now, and thereby help the Government to pay the interest upon the Federal debt?

Mr. ROACH. I will tell you exactly why, Senator, if you will give me the opportunity.

Senator O'MAHONEY. Of course.

Mr. ROACH. We are a publicly regulated, taxpaying utility. We are not free agents, as corporate officers or as administrators of a publicly regulated agency, to wave aside any of the provisions of the Federal income-tax law.

The only result, the utilization of which would be a slight reduction or maybe more than a slight reduction in the overall cost of the money, every benefit of which accrues, not to the benefit of the company, but to the customers we serve.

And our Idaho Public Utilities Commission has stated not once but many times that we have an obligation, as a regulated utility,

to take full advantage, and I do not agree for one second that the use of the amortization certificate is in any way a subsidy, nor do I agree that Idaho Power should be singled out from among 22,000 or 30,000 taxpayers of the State for persecution simply because, in pursuit of its normal course of business, it filed its application, and that application was favorably acted upon by the ODM for no reason other than we met every established criteria in exactly the same fashion as the people in your State of Wyoming who receive certificates of permit.

Then at page 1271:

MR. ROACH. I very positively stated that if the certification were available to us, we certainly would take advantage of it, Senator.

Now the signals have been changed, for the purpose of this vote today, I dare say. Mr. Roach has shifted gears and gone into reverse. Tomorrow he may begin the forward movement again.

This whole deal, like the Dixon-Yates deal, is surrounded in secrecy. There have been pleas of privilege all around the lot. We are not through trying to find out what really happened. Today I sent this telegram to Mr. Roach:

MR. T. E. ROACH,
President, Idaho Power Co.,
Boise, Idaho.

Note by this morning's paper you have decided to forgo rapid tax writeoff. The Subcommittee on Antitrust and Monopoly Legislation is in process of preparing further hearings on this subject for next week. In view of your strong testimony before our subcommittee last week that you were entitled to the writeoff and in view of your testimony that you owed it to your stockholders to make the effort to obtain the writeoff, please wire immediately the names of offices of the executive branch of the Government with whom you, Mr. Parry, Mr. Kimball or any others of your company or any representative of Ebasco or anyone in your behalf have had contact, conferences or consultation regarding this step. Please wire immediately giving time and details of such contacts, conferences, or consultations.

ESTES KEFAUVER,
Chairman, Subcommittee on Antitrust and Monopoly Legislation, Committee on the Judiciary.

I do not think we will get the full facts by this method.

I think that eventually there is only one way we will get them. That will be when President Eisenhower orders all agencies, as he did in the Dixon-Yates deal, to get up a chronology, stating just exactly all the conferences held, all the moves they made. And this time I hope he will tell them in the beginning not to leave things out of the chronology, as they did of the name of Adolph Wenzell, in the Dixon-Yates deal.

Mr. President, I have prepared a statement showing the facts developed in our investigation to date, and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KEFAUVER

The relative merits of the multipurpose, high Hells Canyon Dam, as opposed to the 2 or, maybe someday, 3 low dams that have been licensed to be built by the Idaho Power Co. for that reach of the Snake River, have been discussed previously on this floor.

On the merits alone, it seems to me that there is no question but that the high dam should be built. This great area should not be despoiled by the plans of the Idaho Power Co.

However, the opposition to the comprehensive full development of the river has been so arbitrary, some of the concerted actions of Government officials and company officials have been so close to rare coincidence, that it has long seemed to me there must be a fairy godfather somewhere in the picture looking after the interests of the Idaho Power Co.

A review of the facts seems pertinent here.

On June 24, 1947, the Idaho Power Co. filed its application with the Federal Power Commission for a preliminary permit to investigate the Oxbow site.

At the direction of President Truman, the Department of the Interior and the Army Corps of Engineers instituted a study of development of the river and on October 1, 1948, a comprehensive plan was published. Among other things, it included as a key project the construction of the high Hells Canyon Dam. On June 21, 1949, the FPC endorsed this coordinated plan. On December 15, 1950, 2 weeks before the expiration date of its preliminary permit, the Idaho Power Co. applied to the Federal Power Commission for a license to construct the Oxbow Dam. To this application the Interior and the Agriculture Departments, as well as other interested groups, filed protests.

On November 10, 1952, the Idaho Power Co. amended its Oxbow application to include a new proposal to construct three dams, Oxbow, Brownlee, and Little Hells Canyon. When the new administration was installed in office in February 1953, Secretary of Agriculture Ezra Taft Benson, withdrew that Department's intervention against Idaho Power Co.'s Oxbow application which had been filed under Secretary Brannan in late December 1952.

On May 5, 1953, coincidental to the withdrawal of Secretary Benson's intervention, then Interior Secretary Douglas McKay withdrew former Secretary Chapman's intervention against the Oxbow application.

The greasing of the tracks for Idaho Power had begun.

On May 15, 1953, Idaho Power Co. filed for licenses to build Brownlee and Little Hells Canyon Dams. With this application the Federal Power Commission then consolidated the three dam applications into one proceeding and scheduled hearings before Federal Power Commission which began on July 7, 1953.

And thereupon began the company's big deception—which I think we could justifiably call a big fraud—the propaganda that this is a way to get something for nothing, a propaganda which they are resorting to today. Thereupon they began telling us that the dams they were going to build weren't going to cost the taxpayers 1 cent.

In its opening statement before the Federal Power Commission, Idaho Power Co.'s attorney stated: "The applicant is here before you asking the privilege of constructing solely out of its own money and without a cent of cost to the taxpayers of the United States a great multipurpose project."

This statement by the Idaho Power Co. was reiterated time after time during the proceedings, and before Congressional committees as well as the court. For instance, in the company's opening brief to the Federal Power Commission on November 5, 1954, it was stated: "It is difficult to conceive of a development which will more completely fulfill the definition of a comprehensive plan for the development of a waterway. When accompanied by the fact that this is accomplished by a tax-paying utility without investment of public funds then the correctness of the statement is even more apparent."

Also, at page 138 of the transcript it is stated: "It (applicant's project) will be privately financed and will contribute large amounts of tax benefits both to State and local tax units and to the Federal Government."

Also in this same brief, in a footnote on page 48 it is stated: "Applicants financing studies have assumed entirely conventional financing and taxation under laws as existing in 1953, and to give no consideration to possible accelerated tax amortization, or increased rates of depreciation for tax purposes. To the extent available to applicant these would increase cash generation and to such extent reducing the amount of securities required to be issued."

Subsequently in the same vein, Idaho Power Co. attorney, Mr. R. P. Parry, told the Senate Interior and Insular Affairs Committee during hearings on the Hells Canyon bill, S. 1333: "We have here a private company providing great flood control, navigation, and recreational benefits to the Nation, free of cost to the Nation, and without request on the part of the company for contributions from the Federal Government." (Hearing, p. 571.)

Likewise, during the course of the hearings the Idaho Power Co. president, in answer to a question as to why the company had not made any provision in the projected exhibit for any accelerated amortization items relating to Oxbow and Brownlee stated as follows:

"I think I have explained it in its entirety as far as I know. Our filing of the application I felt was an obligation and inherent in our fulfillment of our responsibility as officers of the company, because the Internal Revenue Act, section 124 (a), specifically provides for it, and had we not at least made the effort, even though we had faint hope of any success, we would have been derelict in our responsibility to our customers. (FPC hearings, pp. 8733–8734.)

The representations by Idaho Power Co. that licenses should be issued for the construction of the three dams because the construction would be realized without cost to the Government in that the cost of such construction would be assumed by conventional financing without any real hope of obtaining tax amortization certificates was most effective upon the Federal Power Commission as indicated by its opinion of July 27, 1955, granting the licenses for all three projects. In this opinion No. 283 which accompanied the decision there is included the following: "However under existing law, these public purposes will be realized without expense to the United States to the extent that the projects are constructed by a non-Federal entity. Development by applicant for the Hells Canyon reach of the Snake River would provide 1 million acre-feet of flood control storage and the required stream flow regulation in aid of navigation on the lower river at no cost to the United States."

Mr. President, coincidentally with these representations before the Federal Power Commission and a committee of the Senate, the Idaho Power Co. was engaged in a large nationwide advertising program as a sponsor of advertisements appearing in nationally circulated magazines, such as the Saturday Evening Post and others, also stressing the representation that the Idaho Power Co. would build its dams in Hells Canyon at no cost to the taxpayers.

During proceedings which are presently being conducted by the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary looking into the issuance of tax amortization certificates it has been revealed that at the same time the Idaho Power Co. was representing to the Federal Power Commission and to the Members of Congress that it intended to build its dams at no cost to the Government and that it intended to finance the dams with conventional financing, it nevertheless was vigorously pressuring applications for rapid writeoff certificates on

the Oxbow and Brownlee projects before the Office of Defense Mobilization.

I believe that an excellent case has been made out for the reopening of the proceedings by the Federal Power Commission. I believe that body was misled into issuing licenses to the Idaho Power Co. by the fraudulent misrepresentations which were made to it during the proceedings. When these misrepresentations were called to the attention of the chairman of the Federal Power Commission during recent hearings before our subcommittee, the chairman commented that it certainly was a mistake to say that this was to be built at no cost to the Government in view of the granting of the tax certificates to the Idaho Power Co.

The decision rendered by the Federal Power Commission granting the licenses to the Idaho Power Co. in July 1955 was appealed to the Circuit Court of Appeals for the District of Columbia which court subsequently upheld the decision of the Federal Power Commission and the decision of this court was made final on April 1, 1957, by decision of the Supreme Court.

Quite obviously during this pending litigation it was never final until the Supreme Court's decision that the action of the Federal Power Commission would be upheld.

During this period of time while the case was pending the series of coincidental occurrences took place which materially affected the ultimate tax certificates that were issued by the Office of Defense Mobilization to the Idaho Power Co. In December 1953 the Office of Defense Mobilization suspended goal No. 55 which established the Defense Mobilization goal for the generation of electric power. Under this goal tax certificates could be issued for electric generating facilities meeting certain prescribed criteria within the limit of 117 million kilowatts and if such facilities could be completed by December 1956. The suspension of this goal remained in effect until April 15, 1955, when the goals were reopened by the Office of Defense Mobilization and reset at 150 million kilowatts to be completed by December 31, 1958.

At a hearing held June 18 by the Antitrust and Monopoly Subcommittee exhibits were received which conclusively show that during the period of time when goal 55 was suspended and prior to April 15, 1955, when the goal was expanded, the Interior Department vigorously protested the reopening and expansion of the goal as proposed by the Office of Defense Mobilization. As of this date the Antitrust and Monopoly Subcommittee has been unable to determine the exact reasons or basis for the expansion of goal 55 other than the explanation that it was decided to expand this goal in order to take care of full mobilization. This appears to be more than coincidence because it must be remembered originally goal 55 for this industry was created in order to meet the Korean emergency situation. It is also to be remembered that this situation had come to a head in 1953 and at about the very time the goal was reopened and expanded, President Eisenhower was in Europe at the Summit giving the American people the definite impression that "we had entered a new and peaceful era."

Nevertheless the Office of Defense Mobilization saw fit to expand goal 55 based on full mobilization. Quite obviously with this expansion the Idaho Power Commission tax amortization application was kept alive as well as keeping alive the opportunity to grant some 96 other applications.

On April 17 the Office of Defense Mobilization issued tax amortization certificates to the Idaho Power Co. for the Oxbow and Brownlee Dams in the amount of an estimated total cost of $103,081,970. Brownlee was certified for 65 percent of its cost estimate by the company at $67,138,240, and Oxbow was certified for 60 percent of its cost estimate at $35,943,730.

The Chairman of the Federal Power Commission was accompanied during his appearance by the chief accountant of the Federal Power Commission, who volunteered the information that they had computed the benefits of the two certificates to the Idaho Power Co. in the amount of $339 million to the company. He likewise stated that as a result of the loss of revenue it would cost the Government $83.5 million.

Mr. President, I ask you to take note of this statement by the chief accountant of the Federal Power Commission in the light of representations that have repeatedly been made by the Idaho Power Co. that it would build its dams without any cost to the Government. Perhaps $83.5 million is too small a sum of money for the Idaho Power Co. to characterize as any sizable cost to the Government. Certainly it is too large a sum for the president of the company to be able to give away today without stockholders approval.

Perhaps coincidentally but nevertheless of vital importance was the statement given by Mr. Gordon Gray to the Antitrust and Monopoly Subcommittee in explanation of his action in granting the certificates to the Idaho Power Co. Mr. Gray very carefully among other things pointed out to the subcommittee that the Department of Interior which was the delegate agency for this purpose, by a memorandum of October 25, 1955, had recommended the issuance of necessity certificates for both of the projects to Idaho Power Co.

Mr. Gray quoted quite extensively from this memorandum and pointed to the fact that the application for these two projects met the criteria upon which applications were measured.

During Mr. Gray's appearance members of the staff of the Antitrust and Monopoly Subcommittee were allowed to examine pertinent files of the Department of the Interior. As a result of this examination a letter dated March 11, 1957, addressed by Dr. Flemming, former director of the Office of Defense Mobilization, to the present Secretary of Interior Seaton, was made available to the staff by the Department of Interior.

Within 15 minutes of the time this letter was made available to the staff, Mr. Gray saw fit to make available the original copy of the letter upon his reappearance before the subcommittee.

In this letter of March 11, 1957, Secretary Seaton, as had been requested, reviewed the application of the Idaho Power Co. for rapid tax amortization for the Oxbow and Brownlee developments. He concluded definitely therefrom that in view of the record before the Federal Power Commission it was clear the company had never established any basis of need for financial assistance for the issuance of tax amortization certificates nor had the Idaho Power Co. established that the two projects would create any excess capacity in the company's system which would be a critical factor in the granting of the tax amortization certificates. He accordingly recommended the denial of tax certificates as requested by the Idaho Power Co.

When examined concerning this letter Mr. Gray's explanation in effect was that in his opinion the recommendations of Secretary Seaton, who was the head of the delegate agency or the expert in advising on these matters, was not relevant to the criteria by which such applications were to be measured.

It was stated by the General Counsel of the Office of Defense Mobilization that he nor no one under his supervision ever rendered a legal opinion on the issuance of any certificates in the electric generating field and particularly in the case of Idaho Power Co.

Mr. President, a great deal of mystery seems to surround the issuance of the tax amortization certificates to the Idaho Power Co. On February 6, 1956, Senators MORSE, MAGNUSON, JACKSON, NEUBERGER, MURRAY, and MANSFIELD joined by Representatives PFOST, METCALF, GREEN, and MAGNUSON, addressed a letter to Director Flemming of the Office of Defense Mobilization outlining in detail opposition to granting certificates to Idaho Power Co., and specifically requesting that the Office of Defense Mobilization hold full and public hearings on the applications.

When asked why these members were not accorded the courtesy of an answer to their request or as to why such hearings were not held Mr. Gray professed to have no knowledge of the correspondence. This same atmosphere seemed to prevail throughout Mr. Gray's appearance. When he was examined concerning a pertinent notation which was found on a staff paper concerning expansion of goal 55 containing the names of Sherman Adams, Governor Pyle, General Persons, Gerald Morgan, and Elmer Bennett, Mr. Gray explained that these names had been written by one of his assistants, Mr. Wycoff, for the purpose of checking a proposed press release announcing the granting of the certificates to the Idaho Power Co.

Mr. Gray repeatedly retreated behind the screen of executive privilege when interrogated concerning details of his conversations with these persons, as well as others in the executive branch.

Mr. President, it is a sorry situation indeed when the people of the United States are denied a complete look at the circumstances surrounding a relationship of a branch of its Government with a private party. Indeed this is a strange setting for the partnership power policy. Any explanation or inquiry into the relationship is inevitably met with the plea of executive privilege.

The most recent refusal of Mr. Gordon Gray, the Director of the Office of Defense Mobilization, occurred on June 18. I had telephoned Dr. Arthur S. Flemming, Mr. Gray's predecessor, on Saturday, June 15, and among other things asked for an oral explanation concerning the March 11, 1957, letter which was addressed to him by Interior Secretary Seaton.

Dr. Flemming advised me that he had addressed a memorandum to Mr. Gray specifically concerning the March 11 letter of Secretary Seaton. I was given the impression by Dr. Flemming that he had not considered this memorandum privileged and accordingly I requested Mr. Gray to produce it for examination by the subcommittee.

Mr. Gray again pleaded privilege. I am quite sure that this memorandum could have thrown considerable light upon this troublesome question but again this body was refused the privilege of examination.

Mr. Gray told the Antitrust and Monopoly Subcommittee that he made his mind up to issue the tax certificates to the Idaho Power Co. on or about April 9 or 10. He stated that thereafter he checked with the four individuals in the White House and the present Solicitor of the Interior Department, the proposed press release that was issued by the Department on April 29. At the instruction of Mr. Gray the tax certificates were signed on April 17.

Mr. Jacob B. Wycoff, chief of the Tax Amortization Branch of the Office of Defense Mobilization, stated that on either April 16 or 17 he telephoned the Ebasco representative, a service company, and agent for the Idaho Power Co. He told the representative to come by his office the next morning, that he had something for him. A copy of the tax certificates was delivered to the agent who receipted for them on April 18. The Ebasco agent stated that upon receipt of the first call he telephoned the vice president of the Idaho Power Co. in Boise, Idaho, and informed him that he believed the tax certificates had been issued. When he actually received copies of the certificates he confirmed this fact by a later call to the same official of the Idaho Power Co.

Coincidentally, with the mystery surrounding this telephone call, a peculiar fact occurred on the New York Stock Exchange. On April 17 some 4,300 shares of Idaho Power Co. stock turned over on the exchange. During 1956, an average trading day in this stock consisted of approximately 700. This fact would not have been so unusual had the public been let in on the announcement that the tax certificates had been issued to the Idaho Power Co. However, according to the testimony of Mr. Gray, the first public mention of the granting of the tax certificates was made by him at a press conference on April 25. The official press release was not made public until April 29.

The Subcommittee on Antitrust and Monopoly is presently investigating the purchases of this stock. Last week I noted with pleasure that on the order of the Director of Defense Mobilization the practice of that office of informing the recipients of tax amortization certificates privately prior to public announcement was discontinued. I understand that in the future the public announcement will be made on the date that the certificates are issued.

Mr. President, those in support of the administration's position vigorously argue that benefits accruing to the State and Federal Governments in the form of taxes, navigational aids, irrigation aids, will amount to in excess of $400 million.

If these benefits are possible, they are possible only by virtue of extremely high payments by the consumers for the power which is to be produced by this company. The hearing examiner, in a report recommending the licenses for the construction of these dams, referred to the power that would be produced by these dams as fancy-priced power. I cannot foresee how this great section of our Pacific Northwest will be in any way materially benefited by the construction of these dams by the Idaho Power Co., resulting in such high cost. I cannot foresee any orderly industrial development in an area wherein power is fancy priced. I would challenge any member of this body to predict that any great aluminum plant might be built in an area served by such high-priced power. Should S. 555 be passed and the high dam built in Hells Canyon, the power generated by such a dam would be cheap power. Its sale to industry and to the ultimate users at cheap prices would completely repay the Government for the construction of the dam. I can also foresee, if this dam is built, an orderly development for this great area. I can foresee great plants being built in this area. I can foresee great prosperity if the dam is built.

I cannot foresee the corresponding prosperity if the Idaho Power Co. is allowed to destroy this great dam site by the so-called low dams that are presently being constructed.

I recommend the passage of this bill.

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes to the Senator from Colorado [Mr. CARROLL].

Mr. CARROLL. Mr. President, I wish to compliment the distinguished Senator from Tennessee, who has been chairman of the Antitrust Subcommittee of the Judiciary Committee investigating the Idaho Power Co.'s fast tax writeoff.

The statement of the distinguished Senator from Tennessee with respect to this morning's rejection of the tax writeoff certificates by the Idaho Power Co. was accurate. I read now from a headline on the front page of this morning's Washington Post:

Idaho Power decides to reject writeoff.

Here we are, on the eve of voting on one of the most important national issues to come before this body in 5½ months. The present president of the Idaho Power Co., Mr. T. E. Roach, we are now informed, has taken action to reject the fast tax writeoff.

As a matter of fact, he is in no position to reject it, and there is no official document before this body to show that he is authorized to take such action.

A few days ago, on June 8, when he appeared before the Antitrust Committee, Mr. Roach was interrogated by the distinguished Senator from Tennessee [Mr. KEFAUVER] and the distinguished Senator from Wyoming [Mr. O'MAHONEY]. He was asked, in substance, "Why did you mislead the Federal Power Commission when you were applying for your license?"

The Chairman of the Federal Power Commission, Mr. Kuykendall, had testified before our committee that he never intended that the company should receive any financial assistance from the United States Government. By their own testimony the company officials indicated that they had faint hope of any fast tax writeoffs. This is what Mr. Roach said when the Senator from Wyoming pressed him and asked why, after he had obtained the license, he had asked for this tax writeoff relief. Mr. Roach said, only 8 days ago:

We are a publicly regulated taxpaying utility. We are not free agents as corporate officers or as administrators of a publicly regulated agency, to waive aside any of the provisions of the Federal income-tax law.

And our Idaho Public Utilities Commission has stated, not once, but many times, that we have an obligation, as a regulated utility, to take full advantage of the law.

I agree with the distinguished Senator from Tennessee that this action is a sham, a hoax, and fraud on the eve of this important vote. It is another attempt to misrepresent the position of the Idaho Power Co. before this body.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. CARROLL Let me make one further observation.

This body will decide this issue today. This body should pass the bill now before it. The effort we are making as legislators is the only safeguard, the only protection we can give to the great Snake River project which the distinguished Senator from Washington has accurately described as being in the public interest.

And let me make one further observation. No statement by the Idaho Power Co. to a newspaper, and no official notice, even to ODM, is binding on the United States Government. If the stockholders and the board of directors have certain rights under the law, they will assert those rights. I ask this body not to be deceived, as I believe it was deceived a year ago, when many distinguished and able Members of this body said that there would be no Federal contribution to this program.

I now yield to the distinguished Senator from Tennessee.

Mr. KEFAUVER. As the Senator says, at various times Mr. Roach, in speaking about the rapid tax writeoff, said that he had an obligation to his stockholders and to the company which he could not waive, to try to obtain this valuable right. Having obtained the valuable right, however he may have obtained it, would not the same situation prevail, that he could not, on his own responsibility, waive or give away something valuable which the company had obtained? And, of course, this right is of tremendous value.

Mr. CARROLL. The Senator is correct. A stockholder could institute suit against him. A great benefit of $339 million flows to the corporation from these tax writeoff certificates.

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. MANSFIELD. I yield 1 minute more to the Senator from Colorado.

Mr. CARROLL. There is only one way, in good faith, that this tax amortization certificate can be revoked under the law by ODM. Let me read what the law says:

The certifying authority—

That is, the ODM—

may cancel any certificate where it has been obtained by fraud or misrepresentation.

If the appropriate document from ODM had been received by this body—and I assume none has been received—we would then know that there had been a withdrawal or cancellation of the certificates. No such document is forthcoming.

In these last few moments of debate before this momentous vote, let me say that we have studied this question for weeks and months. I cast no reflection upon the fine men who voted against this project a year ago. But I think they were misled, and I think this latest development, this attempt to turn back in the ill-gotten tax certificates is false propaganda to mislead us again, on the eve of the vote.

Mr. HUMPHREY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. MANSFIELD. I yield 1 minute more to the Senator from Colorado.

Mr. CARROLL. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I merely wish to ask the Senator from Colorado if, in the situation to which he refers, the announcement by the Idaho Power Co. that it decides to reject the writeoff is not something like the action of the man who was caught stealing chickens? As he was walking out of the coop the chickens began to squawk, and when he was caught by the local sheriff he wanted to put the chickens back in the coop. I say, "Watch out for the dark of the night, when the watchdog is on the job."

That is what the Senator from Colorado is saying, that this will be a replay, and now the propaganda comes out that, "We don't want anything to do with this nice bonanza which was going to be handed to us." They were perfectly willing to accept it until Sheriffs KEFAUVER and O'MAHONEY exposed them. When they are caught with their hand in the cash register they say, "Oh, we were just looking around to see what

was happening." Mr. President, I urge the passage of the bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, I yield 30 minutes to the distinguisher Senator from Idaho.

Mr. DWORSHAK. Mr. President, last year the Senate by a decisive vote of 51 to 41 defeated legislation to authorize a Federal dam at Hells Canyon on the Snake River. That action was accepted as ending a controversy which has retarded water resource development in the State of Idaho. Even during the campaign of 1956 Hells Canyon was not discussed as an issue in Idaho.

However, Mr. President, there have been tremendous forces, not only in some sections of Idaho, but throughout the Northwest, which have persisted in maintaining Hells Canyon as a symbol of the public versus private power controversy. Many advocates of this Federal power development at Hells Canyon have professed an interest in our State, but unfortunately, there has been conclusive evidence to show that selfish objectives have motivated those who arbitrarily claim the right to plan a comprehensive basin development along lines which give priority to other considerations which are detrimental to Idaho.

In the great Columbia River Basin, we have had a diversified and integrated resource development to provide maximum benefits of irrigation, flood control, navigation, recreation, and power development. In some areas, the Federal Government is best qualified to construct multiple-purpose projects, while in other areas non-Federal agencies and private utilities have been able to do an outstanding job sponsoring projects for which they were best qualified. More than half of the power generated in the Columbia Basin has been provided by non-Federal sources. Competition between these various groups has resulted in stimulating materially power generation so that consumers are beneficiaries of both efficient service and reasonable rates. It is my opinion that such a competitive situation is highly desirable in preventing monopolistic trends by either Government or non-Federal interests.

I refuse to accept the theory that all power projects should be constructed by the Federal Government; and therefore, I believe that it is imperative that constant turmoil and friction over the public-power issue be submerged so that a realistic approach may be used in orderly development of the Columbia Basin. Great progress has been made through the Northwest power pool to insure efficient marketing of power regardless of its source. This system of distribution has been widely accepted, and shows what can be accomplished when there is cooperation and integration.

Hells Canyon Federal Dam is only one of several projects vitally affecting Idaho. Both the Army Engineer Corps and the Bureau of Reclamation have recommended such projects as Bruces Eddy on the North Fork of the Clearwater River and the Burns Creek Reregulating Dam on the South Fork of the Snake River. It is extremely unfortunate that Members of Congress from other States and interests outside of Idaho have attempted to influence resource development on the basis of their own selfish interests rather than letting Idaho plan its own development.

On April 29 of this year, I addressed the annual meeting of the Idaho Reclamation Association at Pocatello, Idaho, and proposed that a State water coordinating advisory board be created to unify planning of water-resource development. Idaho has extremely valuable water resources, and maximum conservation and use of these resources would be expedited if we had a State advisory board which could endeavor to compose differences and insure orderly development. This would take into account the various areas within our State and the needs for our industrial, agricultural, and recreational growth.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD some of the objections to S. 555 as outlined in the minority views, which I signed.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SOME OF THE OBJECTIONS TO S. 555 AS OUTLINED IN THE MINORITY VIEWS

While the Congress is struggling to reduce the budget so that inflation can be halted and debt and tax reductions granted, the proposal made in S. 555 would represent an unnecessary out-of-Treasury expenditure or an outright tax loss, of a billion dollars.

The action recommended in S. 555 would result in a denial to the Nation of the benefits of assistance from non-Federal sources in the development of our hydroelectric resources.

S. 555 proposes upsetting a unanimous decision of the Congress' own bipartisan power agency, the Federal Power Commission. This proposal is made in spite of the fact that the FPC deliberations on the Hells Canyon decision were the most extensive in the agency's history—extending over 2 years and amassing 20,000 pages of testimony in 150 hearing days. The FPC procedures and decision were upheld by a recent action of the United States Supreme Court.

Power is still urgently needed in Idaho and elsewhere in the Pacific Northwest, and yet S. 555 would halt the contemplated delivery of energy from the Brownlee project in 1958 and postpone comparable power production at the Hells Canyon reach of the Snake River at least until 1964.

High Hells Canyon Dam would not contribute a drop of water for irrigation, municipal, or industrial use in Idaho.

In demanding the high Hells Canyon Dam as a flood control necessity, supporters of S. 555 are ignoring the fact that at least 90 percent of the unsolved flood control problem on the Columbia River originates from flood flows downstream from Hells Canyon and on other Columbia River tributaries. Furthermore, the high dam would not solve flood control problems upstream on the Snake River and its tributaries, where it is needed within the State of Idaho.

Rejection of S. 555 would not mean discrimination against the States of Oregon and Washington in their water resource development. These States already have received one-seventh of Federal flood control and navigation construction funds and one-fifth of Federal reclamation construction funds appropriated for all the 48 States.

If the project proposed in S. 555, including both transmitting and generation facilities, were built in 6 years, as the supporters contend it will be, the project would require nearly $100 million a year in reclamation appropriations. Total reclamation construction funds requested in the 1958 Presidential budget amount to only $156 million for all 17 Western States, and efforts are being made in some quarters to reduce this amount.

Section 3 (c) of S. 555 directs the Secretary of the Interior to supply and transmit from the McNary Dam, many miles downstream, the necessary construction power for the Hells Canyon Dam, in spite of the fact that the Secretary of the Army has specifically stated that "the purpose of this provision is not clear and might prove undesirable from an economic standpoint."

Mr. DWORSHAK. Mr. President, the limitations of time make it inadvisable to refer to all of the inaccuracies and misstatements contained in the report of the Committee on Interior and Insular Affairs favorably recommending authorization of the high Hells Canyon Dam on the Snake River.

On page 16 of the report are two paragraphs under the heading "Hells Canyon, a Prime Weapon Against Floods." Attention is then called to the flood threat in the Columbia Basin in 1956 being as great as any year of record, but that the orderly runoff of snow packs precluded any devastating floods in that year. The report emphasizes the need of providing storage to impound flood waters in the Columbia Basin with the implication that a high Hells Canyon Dam would remove the flood threat which occurs almost annually in the lower Columbia Basin.

While the Army Engineer Corps and the Bureau of Reclamation have in the past evaluated flood storage in the middle Snake River area, it should be pointed out that the Snake River is the only 1 of 4 main watersheds in Idaho which has any storage dams or river development.

As recently as March 28, 1957, at hearings before the House Subcommittee on Appropriations on the Public Works Budget for 1958, General Foote, divisional engineer from the Portland Army Engineer Corps office, testified as follows: "The existing gross storage on the Snake River above its confluence with the Salmon River totals approximately 9,967,000 acre-feet, located in a total of 138 reservoirs. Of this amount, approximately 8,750,000 acre-feet is considered active storage. There are approximately 2,833,000 acre-feet of usable storage for downstream flood control, and in addition to this, irrigation diversion and storage will provide a considerable measure of flood control."

At the same hearing, General Foote submitted pertinent data on the source of major floodwaters in the Columbia River Basin.

Naturally, many of these reservoirs on the Snake River were not in existence in June 1894 when the major flood occurred in the Columbia Basin. In 1894, the Engineer Corps table, showing the Columbia River peak flow at The Dalles as 100 percent, the Snake River above Salmon—at Oxbow—contributed 8.5 percent of the peak flow and only 9 percent of the volume flow during the flood period.

In the devastating Columbia River flood of May 1948, the same basis of 100 percent peak flow of the Columbia River at The Dalles, the Snake River

above Oxbow contributed only 5 percent of the peak and only 4.9 percent of the volume of the water in the Columbia River at The Dalles during the flood period. In the June 1956 Columbia River flood, according to the Army engineers' testimony before the House group, the Snake River at Oxbow contributed only 5.8 percent of the peak flow of 100 percent in the Columbia River at The Dalles and only 6.4 percent of the volume flow during the flood period.

Therefore, according to these figures submitted by General Foote for the 2 major floods of June 1894 and May 1948 and also June 1956, more than 90 percent of the floodwaters in the lower Columbia River originated downstream from the site of the proposed high Hells Canyon Dam. In all sincerity, I ask my colleagues to explain how a dam built to control floodwaters comprising less than 10 percent of the total flood potential of the Columbia River will effectively control floodwaters arising on the Columbia River in Canada, the Kootenai River, the Clark Fork and the Pend O'reille River, the Clearwater River, Salmon River, the Spokane River below Coeur d'Alene Lake, and several miscellaneous streams and tributaries downstream from the Snake River at Oxbow.

I appreciate fully Mr. President that it is possible to make preposterous political claims concerning the floodwaters of any watershed like the Columbia River. However, the figures submitted at the House hearing by the Army Engineer Corps should prove conclusively the fallacy of claiming that a high Hells Canyon Dam would be the potent weapon in alleviating the flood menace in the Columbia Basin. This is about as impractical as attempting to make water run uphill. But even this may be contemplated by those who should realize that their speeches, claims, and unrealistic planning cannot disprove or refute accurate records compiled by the Army Engineer Corps.

Some of the cosponsors of the proposed Hells Canyon project have vigorously opposed the authorization of a multiple-purpose dam at Bruces Eddy on the north fork of the Clearwater River. According to the data submitted by the Army Engineer Corps at the recent House hearing, the Clearwater River at Spaulding in 1894 contributed 12.2 percent of the peak flow at The Dalles compared with only 8.5 percent from the Snake River at Oxbow.

In 1948, the Clearwater River discharged 16.4 percent of the peak floodwaters as compared with only 5 percent from the Snake River at Oxbow.

In 1956, the Corps reports, the Clearwater River discharged 10.7 percent of the peak waters in the Columbia at The Dalles as compared with only 5.8 percent contributed by the Snake River at Oxbow.

These figures should decisively show the need of flood storage reservoirs on the Clearwater River such as Bruces Eddy where the real flood threat originates when the Columbia River is confronted with a flood menace.

Mr. President, in the recent spring of 1957 there were some devastating floods in the upper watershed. But it plainly shows that those floods were not in the vicinity of the proposed Federal dam in the Hells Canyon reach of the Snake River. The floodwaters were either in the upper tributaries or far downstream tributaries, such as the Clearwater River, in a different watershed.

So again I must emphasize that if we want to control floodwaters, obviously it is necessary to build dams where the flood waters are being discharged. A flood control dam should not be built in some remote canyon, where the floodwaters are not a real menace.

Mr. President, I shall devote my remarks now to the question of why the compact between the seven States in the Columbia River Basin has not been ratified by the Legislatures of either Oregon or Washington. The Legislatures of Idaho, Utah, and Nevada—the latter two States participating only to a limited extent in the utilization of the waters of the Columbia River Basin—have ratified the compact. However, in Oregon and Washington, without regard to partisanship, there has been opposition to the compact. A meeting has been scheduled for this week of members of the compact commission at Portland, Oreg., and it is possible that some new effort will be made to reach an equitable agreement conducive to greater cooperation among the seven States of the basin.

During debate on the Senate floor on Monday, January 14, 1957, the senior Senator from Oregon [Mr. MORSE] emphatically declared that he would do everything he could to defeat the compact. On that occasion, in response to a question from me, the Senator from Oregon said:

> We are not going to agree on the question of the compact. I think a compact would not be in the interest of my State or the Pacific Northwest, and I shall oppose it.

Continuing, the senior Senator from Oregon declared during that debate:

> I want to say that in the State of Oregon the compact does not have the chance of a snowball in a hot oven. I am not going to sit in the Senate and support a program which I am satisfied the people of my State would want me to reject.

That is the ultimatum delivered to the upper basin States, and I question whether that reflects a firm determination in Oregon tha. the people there will oppose a basin compact indefinitely.

Negotiations for an interstate compact between the seven States have been in progress for more than 6 years. They were first conducted on an informal basis by representatives of the various States, prior to the passage of authorizing legislation. Then, after formal authority to conduct such negotiations had been enacted by the Congress and the legislatures of the States involved, the negotiations were continued by the officially appointed representatives of the various States.

From the point of view of the upstream States, the fundamental requisite of any compact is proper protection for present and future irrigation water rights against the large water rights which are necessarily required for, and become appurtenant to, the great downstream powerplants. In other words, already there are water requirements for the great downstream plants which, in low-water periods, require more than the entire flow of the stream. If these rights are strictly enforced, there can be no further irrigation expansion in the great semiarid upstream basins of the Columbia River tributaries.

This was particularly important to the State of Idaho, which has the greatest potentials for irrigation development. Admittedly this will reach a minimum of a million additional acres, with the possibility that this may increase up to 2 million additional acres. All of this is over and above the present irrigated empire of approximately 2¾ million acres.

Accordingly, throughout all the negotiations, the Idaho representatives have insisted that, without qualification, there must be a provision that present and future upstream irrigation water rights have priority over downstream nonconsumptive power rights. Idaho was fully supported in this position by the other upstream States. It was agreed that the same priority for irrigation rights should prevail with respect to the eastern portions of the downstream States of Washington and Oregon, for they, too, are dependent upon expansion of irrigation reclamation for their future agricultural growth.

Also, the upstream States, with Montana as their leading spokesman, have insisted that with respect to any future power developments having large storage reservoirs in any upstream State, the rights of the State in which the project is located to an equitable share of all of the resulting power, both at site and downstream, should be protected. From the experience at Hungry Horse, it was realized that storage reservoirs would be operated, not with the principal object of producing the most power at site, but rather with respect to producing maximum power in the overall hydro system, extending clear down through the lower reaches of the Columbia, so that much of the actual resulting power from the storage would be produced at lower plants. It was also realized that the impending power shortages on the Pacific coast would initially absorb all new power, but the State of Montana felt that they should have the right hereafter, after due and proper notice, to draw back for use in the State their equitable share of the new generation when it was there needed in future years.

The other upstream States fully supported Montana in this position.

Many other questions are involved in the compact, but these were the basic matters discussed.

The history of the proceeding so far in the compact negotiations is as follows:

First. Negotiations of Columbia River compact authorized by act of Congress of July 16, 1952, amended July 14, 1954.

Second. (a) The States of Idaho, Washington, Nevada, and Montana each passed specific legislative acts in 1951 creating commissions to negotiate this compact.

(b) Wyoming, Utah, and Oregon all had continuing compact negotiating authority of a general nature which enabled them to participate without further legislative action.

Third. After many meetings, in all the States of the basin, of the full group of commissioners, comprising some 40 men, and many meetings of special subcommittees, drafting committees, and other groups, a draft of the compact was agreed upon and was formally approved by the full group in Spokane, Wash., on December 29, 1954.

Fourth. The compact was formally signed at Portland, Oreg., on January 15, 1955, by the commissioners, and was approved by the Federal representative, Mr. Frank A. Banks.

Fifth. The 1955 Legislatures of Idaho, Nevada, and Utah formally approved the compact. It has not been approved by the legislatures of the other States.

BACIC FEATURES OF COMPACT

While necessarily lengthy, and technical in language, the compact is basically simple.

The one absolutely mandatory provision, article VII, is that which provides that all irrigation water rights in the upstream area which are either now in existence or which may be acquired prior to the year 2000 shall be prior to any downstream, nonconsumptive power rights.

Mr. President, in the compact which was originally negotiated, it is provided that either at the year 2000—or in 2050 if it is later unanimously agreed to extend the time to that date—any then unappropriated waters may be apportioned among the States.

The importance of this provision is emphasized by the specific provision—article VII (D)—that the compact shall not become effective unless the Federal law approving it accepts this priority provision. All other provisions of the compact with respect to power or water rights, other than the foregoing absolute priority of irrigation rights acquired up to and including the year 2000, are merely recommendatory.

The compact provides for a permanent interstate compact commission comprised of 11 members, 2 each from Idaho, Montana, Oregon, and Washington, and 1 each from Nevada, Utah, and Wyoming. This commission is intended to be a truly representative body, representing all of the States in the basin. It is given the power either to initially propose or to review and consider proposals made by other Federal or State agencies with respect to all plans for the construction of works relating to flood control, navigation, power development, irrigation, or other water uses. It is intended to have general planning and review authority, with the purpose of making it a truly adequate and representative spokesman for the whole basin.

Among the things upon which this permanent commission shall make recommendations are those with respect to the allocation of power in connection with all newly proposed projects. There is stated the basic provision that there shall be a fair and equitable apportionment of the hydroelectric power among the States in the basin. Also, that with this basic principle in mind the commission shall, with respect to all new projects, whether either federally constructed or constructed under licenses issued by the Federal Government, determine the amount of power and energy which, in its judgment, is equitable for reservation and use in the State or States in which the project is located, and the kind of reservation which would be reasonable and practical in the particular case, and shall make its recommendation to the Congress or the licensing agency.

It is, of course, recognized that the only power of the permanent commission is to make such a recommendation, and that the determination with respect thereto would, in the final analysis, be made either by Congress or by the Federal Power Commission, as the case may be.

The commission also is directed to make recommendations to the proper agencies with respect to pollution control, fish, wildlife, and recreation protection, and to itself engage in general planning activities. The commission would be financed by the States of the basin. A nonvoting Federal representative shall serve as chairman of the commission.

Mr. President, the need for the execution of such a compact before the creation of any new downstream Federal project is very great. And particularly is there need for such a compact prior to the construction of any Federal project on the Snake River above the mouth of the Salmon River, for the demands for water in that section of the Columbia River Basin are already highly competitive and will rapidly become more so.

All now concede that if any such Federal project as Hells Canyon Dam were constructed, the Federal Government, under its constitutional authority, would be supreme, regardless of whatever protective language might be included in the act, for the reason that any such protective clause would be at best subject to immediate change by Congress and of no binding effect upon any Federal executive department claiming constitutional rights.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. DWORSHAK. Yes, briefly.

Mr. BARRETT. Is it not a fact that Wyoming and Idaho have entered into a compact for a division of the waters of the Snake River?

Mr. DWORSHAK. Yes, that is true. I intend to mention that later in my statement. That compact was entered into in 1950, I think.

Mr. BARRETT. Is it not true that the people of Idaho feel that the only assurance they can have of securing their full share of the waters of the Snake River is through a compact between Idaho and Oregon?

Mr. DWORSHAK. Yes, that is true, because Idaho furnishes so much of the water which flows down the Snake, the Clearwater, and the Salmon into the lower Columbia River Basin.

Mr. BARRETT. Practically all the water is furnished by Idaho except for water from Wyoming.

Mr. DWORSHAK. Yes, that is true, and there is a small portion which comes from Eastern Oregon.

Mr. BARRETT. So Idaho would be unprotected unless there were a compact if a Federal dam were built on the Snake River.

Mr. DWORSHAK. That is correct, in the section of the Snake River which would be largely dependent on water discharged by the main Snake River.

The Snake River above the mouth of the Salmon River already has almost 10 million acre-feet of storage, this being by far the best developed stream in the basin. This existing storage will not fill in low water years. In 1934 the American Falls Reservoir, with the second oldest priority of the large reservoirs, filled only approximately 50 percent. Even the ardent advocates of the high dam admit it will not fill in years of low stream flow. Accordingly, there will inevitably be a clash between the demands for water in the Federal dam and the demands of the upstream irrigation water rights.

Without a prior interstate compact, the present and future irrigation water rights are in great danger. With an investment of a half billion dollars in the Hells Canyon project and its transmission lines, and additional billions of dollars in affected downstream projects, the pressure would be irresistible on the operators of the Federal dam in low water years to demand sufficient water for its full operation, even if it adversely affected upstream water rights. The downstream interest would demand that this be done.

A compact would be the only protection. It would bind the downstream States to recognize the upstream irrigation priorities. It would bind the Congress both morally and legally. And no Federal officials who were operating dams could trespass on irrigation rights unless and until the Congress had with all formality terminated or altered the compact.

Mr. President, the specious argument, in the committee report completely overlooks the point that a compact would bind the downstream States. It also overlooks the fact that such documents, executed in accordance with the express permission of the United States Constitution, are instruments of the highest character—similar to international treaties. They are the approved and frequently used methods for establishing rights between several States.

No further Federal dams on the Snake River, below the great irrigated empire, should be built until, by compact, the irrigation rights of the upstream areas have been assured protection.

It is appropriate at this point to refer—as has already been done by the Senator from Wyoming—to the fact that Public Law 464, of the 81st Congress, 2d session, is an act granting the consent and approval of the Congress to a compact entered into by the States of Idaho and Wyoming, relating to the waters of the Snake River. That act was approved on March 21, 1950. It is very significant that this compact is conclusive evidence of the good will and the desire for cooperation on the parts of the States of Idaho and Wyoming to have an equitable distribution and full utilization of the waters of the upper Snake River. If the States of Idaho and Wyoming could agree, as they did, to this compact—which makes a division and allocation of the water of the upper Snake River—then certainly the States of Oregon and

Washington could be expected to do likewise.

Article 1 of the compact or agreement between Wyoming and Idaho provides as follows:

A. The major purposes of this compact are to provide for the most efficient use of the waters of the Snake River for multiple purposes; to provide for equitable division of such water; to remove causes of present and future controversies; to promote interstate comity; to recognize that the most efficient utilization of such waters is required for development of the drainage area of the Snake River and its tributaries in Wyoming and Idaho; and to promote joint action by the States and the United States in the development and use of such waters and the control of floods.

So, Mr. President, I am sure that the people of Idaho are justified in the position they take, namely, that in the absence of a compact ratified by the States of Oregon and Washington, there is little justification for the State of Idaho to consent to the building of a high dam in the Hells Canyon, almost entirely dependent upon water from the States of Wyoming and Idaho to operate the dam, until there is a complete understanding, based upon the provisions of the basin compact which already has been ratified by the Legislatures of the States of Idaho, Nevada, and Utah.

Mr. President, I think one of the most potent arguments made by those who are opposed to the high Federal dam is that thus far there has been a complete lack of good faith and good intentions on the part of the officials of the two lower-basin States of Oregon and Washington.

Mr. President, at this point I should like to refer briefly to the distinction which exists when projects are built by non-Federal agencies, under licenses granted by States such as Idaho.

The Department of Reclamation, State of Idaho, has granted to the Idaho Power Co. three water permits for construction and operation of dams on the Snake River—Brownlee, Oxbow, and Hells Canyon. These permits contain a provision which makes these water rights subordinate to all upstream present and future consumptive uses.

The Federal Power Commission license provides that the private project—

shall be operated in such manner as will not conflict with the future depletion in flow of the waters of Snake River and its tributaries, or prevent or interfere with the future upstream diversion and use of such water above the backwater created by the project, for the irrigation of lands and other beneficial consumptive uses in the Snake River watershed.

Thus, Mr. President, under this plan the State retains full control, whereas under the high-dam proposal the Federal Government would exercise absolute control.

Mr. BARRETT. Mr. President, at this point will the Senator from Idaho yield to me?

Mr. DWORSHAK. Yes; I yield briefly.

Mr. BARRETT. Is it not a fact that the water rights for upstream users are protected under the State license granted to the Idaho Power Co. for the construction of its dams?

Mr. DWORSHAK. Yes; that is the interpretation made by those who are authorities on water law.

Mr. BARRETT. So the State application protects the irrigators upstream from the dam, and the Federal Power Commission has done the same thing in granting the license.

Mr. DWORSHAK. That is stipulated in the license.

Mr. President, a concise statement of this position is that made by J. Lee Rankin, Solicitor General of the United States, at a hearing before the House Interior and Insular Affairs Committee on February 22, 1956, while that Committee was considering the "Water Rights Settlement Act of 1956," which is the same act as the so-called Barrett bill. I now read from the hearing:

The Representative from the Second Congressional District in Idaho—

Just one question, and then I will yield. To bring this down to a specific bill which is pending before this committee * * * if that bill were enacted, then would the State laws be abrogated, so far as the waters of the Snake River and its tributaries are concerned?

Mr. RANKIN. You have to have certain assumptions. Assume that it is a valid Federal project—and we would assume that—and that the Congress approved that action, any place where the State law would interfere with the carrying out of the will of Congress, we would say that the executive branch did not have to comply with that particular part of the State law, because they could not carry out the Congressional will, and, insofar as the State law would try to prevent the Federal Government from acting in its proper sphere, it has no control.

Mr. BUDGE. In other words, if this Congress should pass the Hells Canyon bill, the control over the waters of the Snake River and its tributaries would be under the control of the Federal Government, insofar as any conflict arose between the operation of the project and State water laws. Is that correct?

Mr. RANKIN. I think that would have to follow.

So, Mr. President, I think that is convincing evidence that the people of the upper Snake River Valley, in Idaho, are justifiably alarmed over the possibilities of having their water rights placed in jeopardy by the construction of a Federal dam in the Hells Canyon area.

Mr. WATKINS. Mr. President, will the Senator from Idaho yield at this point, in order to give me an opportunity to request that an insertion be made in the RECORD?

Mr. DWORSHAK. I yield.

Mr. WATKINS. Mr. President, the minority members of the Interior Committee stated their views regarding this threat to Idaho's water rights. I ask unanimous consent to have printed at this point in the RECORD that portion of the minority views.

There being no objection, the excerpt from the minority views was ordered to be printed in the RECORD, as follows:

S. 555 THREATENS IDAHO'S WATER RIGHTS

4. S. 555 violates the precedent of Congressional respect for States rights in water resource legislation affecting the semiarid West.

No interstate compact has been effected to adequately protect the rights of Idaho and other upper Snake River Basin States to consumptive uses of water in the Columbia River and its tributaries. This was a basic objection to S. 1333. It remains a basic objection to S. 555.

People who live in the humid sections of the country have difficulty in comprehending the active interest in water resource legislation that is taken by people who live west of the 98th meridian, in what is the semiarid region of this great country of ours. In much of this part of the West, annual precipitation averages only from 5 to 10 inches a year. This represents only a little more moisture than falls in the humid East during a typical week of heavy hurricane rains. Furthermore, most of this limited precipitation in the semiarid West occurs in the winter in the form of snow. Therefore, to have water for its cities and its relatively small agricultural oases, the West is obliged to build storage reservoirs which trap moisture during the spring snow melt and conserve it for use during the dry months of the year.

In western water development, a major advantage has been enjoyed by the downstream water users on our large rivers. The downstream areas frequently are the first to develop, have the best hydropower sites, and build up population justifying earlier development.

COMPACT PRECEDENT SET ON NEIGHBORING RIVER

This was the situation faced by the upper States of the Colorado River Basin when the downstream users first proposed large-scale storage on that river in the 1920's. The upper basin States, whose watersheds supply 90 percent of the water of the Colorado, recognized that the tremendous storage capacity proposed for the Boulder Canyon project would enable the downstream States of California and Arizona to put to use all the available unappropriated water in that river. Hence, the upper basin States refused to approve the construction of the Boulder Canyon project until the lower basin States had guaranteed to them, in an interstate compact, specific consumptive water uses in the river. Ratification of such a compact was required by Congress in 1928 as a condition to authorization of the project act which ultimately made possible the construction of Hoover Dam.

A similar situation exists on the Columbia River today. Tremendous power and irrigation projects have been constructed on the lower river. In this river basin, however, unlike the situation on the Colorado, the coastal sections are a water-surplus area, and considerable reclamation development has already occurred in Idaho's arid Snake River drainage basin. Hence, there has not been a comparable drive in the Northwest for protection of the legitimate uses in the several basin States. The day is here, however, when an agreement between the States is necessary to safeguard the rights of investors in water-use projects and to avoid unnecessary waste of millions in needless litigation.

In the Snake River Basin of Idaho, a lack of an interstate compact or a judicial adjudication will be a barrier to future water development in that State. This is the basis of Idaho opposition to the high Hells Canyon proposal at this time.

IDAHO'S FEARS AMPLY JUSTIFIED

These fears are amply justified A power dam consumes relatively little water, but it establishes an appropriative right to streamflow which must be considered legally and morally in any future water development. In the case of the high Hells Canyon Dam, long-term storage rights are sought for a reservoir impounding 4 million acre-feet of water, held vitally necessary for national defense, flood control, power production, and regulation of the riverflow to provide firm power at downstream power dams.

Proponents of high Hells Canyon Dam have sought to reassure the people of Idaho that their future water rights in the Snake River are adequately protected by section 2

of S. 555. Responsible western water law authorities do not concur in this opinion.

When H. R. 5743 was introduced into the 82d Congress, section 2 read as follows:

"SEC. 2. The operation of the Hells Canyon division shall be only such as does not conflict with any present beneficial consumptive use, valid under State law, of the upstream waters of the Snake River and its tributaries, and as does not conflict with any future depletion of flows arising from future upstream diversions for beneficial consumptive uses under State law—

"(1) in a total amount which is reasonable and equitable for the irrigation of new and supplemental land developments which are, in total area, like those indicated in chapter IV of the substantiating materials to the Hells Canyon Project Report, as set forth in volume 2 of House Document No. 473, 81st Congress; and

"(2) in a total amount which is reasonable and equitable for future upstream consumptive uses for domestic, municipal, stockwater, mining, and industrial purposes."

PROVISO NO ADEQUATE SUBSTITUTE FOR COMPACT

This provision, we maintain, is no adequate substitute for a formal interstate compact, but it does spell out the rights preserved for the upstream States, which are the only rights endangered by this proposed reservoir project.

In S. 1333 of the 84th Congress, this section had been watered down to this form:

"SEC. 2. The operation of the Hells Canyon Dam shall be only such as does not conflict with present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing, valid under State law, of the upstream waters of the Snake River and its tributaries."

In committee, this was further modified, to read as follows (new material in brackets):

"SEC. 2. [Notwithstanding the provisions of any other law,] the operation of the Hells Canyon Dam shall be only such as does not conflict with present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing, valid under State law, of the waters of the Snake River and its tributaries upstream from the dam [and downstream]."

1956 SECTION 2 RATED ULTIMATE

This section was described as follows in the committee report on S. 1333, last session:

"The committee concludes that section 2, as amended, provides the fullest possible protection against infringement by this project on any beneficial consumptive use rights, present or future. The only way greater protection could be afforded would be by an amendment of the Constitution."

In spite of this unqualified endorsement, the section was further amended in S. 555, to read as follows (new material in brackets):

SEC. 2. Notwithstanding the provisions of any other law, the operation of the Hells Canyon Dam shall not conflict with, [and shall be subordinate to], present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing, valid under State law, of the waters of the Snake River and its tributaries upstream from the dam and downstream.

A close analysis of section 2 of S. 555 discloses that at best it is confusing, and at worst it holds out false hopes to the people of Idaho that their future needs for water for consumptive purposes will be fully protected.

HIGH DAM WOULD ESTABLISH RIGHT UNDER STATE LAW

It is the understanding of the minority that the State laws of both Idaho and Oregon recognize the use of water for hydropower production as an appropriative beneficial use right which will have priority over any other rights initiated and established subsequently upstream from the powerplant. Section 2 limits the protection for so-called future rights to those valid under State law. A future use upstream would be subsequent to the establishment of the Hells Canyon Dam, which under both the laws of Oregon and Idaho in such a situation would be first in time and, therefore, first in right. That would be a valid right under State law, and any future use right upstream would be junior to the Hells Canyon hydropower right. Under the same State law, therefore, the upstream water development is defined as a junior right and, consequently, is only valid to that extent.

Thus we have one valid right against another, or two valid rights under State law—one senior and the other junior. And this State law cannot be changed by an act of Congress.

Thus section 2 fails to accomplish its announced purpose.

There is still another point of view to be considered. It has long been the position of Idaho irrigation interests that the language of section 2 is, in actuality, meaningless. First, it is obvious that this or any other Congress could repeal or amend this language at any time; and in the event of a clash of water rights between the single dam and irrigation interests, as mentioned above, this would be a probable occurrence. And, secondly, this language does not give any protection against Federal control of the river.

Most western water States have had disillusioning experiences with downstream hydroplants on streamflow subsequently required for upstream consumptive water uses. Such downstream plants, including at least one Federal project, have had to be purchased outright, or otherwise compensated for water intended to be used by the water users, to fill reservoirs which were being planned to store water for municipal, industrial, and agricultural uses.

FPC LICENSE MAKES POWER USE SUBORDINATE

This prospect is not faced by Idaho in the case of the Federal Power Commission dams, because the license specifically provides that upstream water depletion for future consumptive use takes precedence over production of hydropower at the Hells Canyon site, now and in the future.

If section 2 does not in fact—and should this be later established by the courts—protect the rights of the upstream States to all consumptive use needs now and in the future, as proponents contend, then it should be pointed out that such future needs could very likely deplete the flow of water of the Snake to the point where efficient power generation at the high dam will be greatly reduced. That is a risk that may well become a reality, and under such circumstances the Federal Government certainly should not make an investment of over $500 million based on such a risky water supply.

We believe this comment is fully justified. If the downstream States of Oregon and Washington are willing to consent to a provision of this bill that will fully protect Idaho's future rights to water for consumptive needs now and in the future, then why are these States so adamant against joining in an interstate compact which would be ratified by their legislatures and bind them formally to recognize such rights and make it possible for Idaho's rights to be fully protected in the courts of the land?

COLUMBIA RIVER STATES HAVE DRAFTED COMPACT

The Columbia River States have a proposed compact, drafted in 1954 after interstate considerations extending over several years. However, the proposed compact, while signed by the Interstate Compact Commission in early 1955, has not been ratified by the lower basin States of Oregon and Washington and these States have refused to ratify a revised draft completed in 1956. In fact, the impression has been given that these States will never ratify such a document. Hence, Oregon and Washington are telling Idaho, in effect, "We refuse to guarantee upstream rights by entering into a compact, but we offer you in place of such a formal legal compact, a so-called protective clause in S. 555 which we believe will effectively protect your rights to Snake River waters."

So far, Idaho has not accepted the assurances that a proviso of S. 555 will protect its rights to develop a rightful share of Snake River water. On the contrary, Idaho leaders and farm groups have accepted the alternative proposal of the Idaho Power Co. to develop needed kilowatts by a 3-dam project which requires only 1 million acre-feet of storage.

No one has contended that this smaller reservoir could not be filled from excess streamflow, and it is not authorized by Congress as the key to a regulatory program to increase firm power production at large downstream Federal power dams. Furthermore, the license for this 3-dam project contains a proviso (art. 41), which specifically directs that water rights for the Idaho Power Co. dams—obtained on application to the State of Idaho—shall be subordinate to consumptive uses upstream, now and in the future.

This restrictive article in the Federal Power Commission license provides that the project "shall be operated in such manner as will not conflict with the future depletion in flow of the waters of Snake River and its tributaries, or prevent or interfere with the future upstream diversion and use of such water above the backwater created by the project, for the irrigation of lands and other beneficial consumptive uses in the Snake River watershed." Both the Federal Power Commission and the State of Idaho can police this directive. Legal remedy, if required, can be obtained in Idaho courts.

An attempt was made in committee to substitute the language of this proviso for section 2 of S. 555, but it was beaten down by the supporters of high Hells Canyon. Such an amendment would not be an adequate substitute for a compact, but it would more effectively spell out the upstream rights, which are the only ones at stake here.

Mr. DWORSHAK. Mr. President, I have indicated that I believe wholehearted cooperation among the seven States in the Columbia River Basin is highly desirable if we are to have equitable conservation and use of our valuable water resources.

At this point I should like to call attention to the fact that the total acreage in the Snake River drainage—according to House Document No. 531, of the 81st Congress, 2d session, a printed report of the Chief of Engineers, dated February 14, 1950—is 69,760,000. In other words, there are approximately 70 million acres in the Snake River Basin. The report indicates that Idaho has 46,297,600 acres, or approximately two-thirds of all the acreage in the entire Snake River drainage. Yet we have heard Senators from other States in the Columbia River Basin contend that they are so solicitous about the interests of Idaho that they want to have a dam built in complete disregard of the fact that most of the water originates in the State of Idaho, as well as in the State of Wyoming, and of the fact that Idaho has approximately two-thirds of the total acreage in the Snake River drainage area.

Mr. President, in this connection I ask unanimous consent to have a brief table on the Snake River drainage printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Snake River drainage

State	Irrigated acreage [1]	Total acreage [2]	Square miles [2]
Oregon	422,500	12,992,000	20,300
Washington	7,195	3,392,000	5,300
Idaho	2,168,983	46,297,600	72,340
Wyoming	76,573	3,270,400	5,110
Nevada	40,904	3,577,600	5,590
Utah	6,320	230,400	360
Total	2,722,475	69,760,000	109,000

[1] Irrigation census of 1950 covering year 1949.
[2] H. Doc. 531, 81st Cong., 2d sess., a printed report of the Chief of Engineers (Feb. 14, 1950).

Mr. DWORSHAK. Mr. President, Idaho wants upstream development and maximum utilization of her vast water resources. This development must safeguard water rights, prevent encroachment by the Federal Government, and nullify selfish efforts of the lower basin to preempt Idaho's rich heritage.

Mr. President, a few minutes ago, during the debate, some references were made to the value of fish and wildlife and whether that element is involved to a great extent in the building of the Federal Hells Canyon Dam. During the past 2 years extensive studies of fish and wildlife have been in progress throughout that section of the middle Snake River and on the Clearwater River drainage, in order to determine the extent to which fish and wildlife are affected.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The time yielded to the Senator from Idaho has expired.

Mr. DWORSHAK. Will the Senator from Illinois yield an additional minute to me?

Mr. DIRKSEN. Mr. President, I yield 1 additional minute to the Senator from Idaho.

The PRESIDING OFFICER. The Senator from Idaho is recognized for 1 additional minute.

Mr. DWORSHAK. I thank the Senator from Illinois.

Mr. President, at this point I should like to read a telegram which I have just received from Blaine Stubblefield, of Weister, Idaho. It reads as follows:

WEISER, IDAHO, *June 20, 1957.*

Hon. HENRY DWORSHAK,
Senator from Idaho,
Washington, D. C.:

Suggest these points be emphasized in debate on Senate bill 555. Anyone can see that unless Brownlee goes on the line as ordered by Federal Power Commission the Northwest will face a drastic power shortage in 1958, which will curtail industry and jeopardize defense. Ask opposition where is alternate power source. Also emphasize that proposed Federal dam would inundate low-level gorge and seriously impair scenic values. Drawdown of nearly 300 feet would leave muddy smear unfavorable to water sports. The three-dam project ordered by FPC will create impoundments much like present running river, vastly superior for recreation. I am pioneer and only commercial navigator of Hells Canyon. Thanks.

BLAINE STUBBLEFIELD.

Mr. President, although the limitation on time has prevented me from discussing various other aspects involved in this controversy, which involves public power versus private power, I have tried to emphasize, in the brief time at my disposal, the fact that in Idaho there is real apprehension over what will result if the lower basin States are permitted to take over completely the control of the waters which flow down the great Snake River in Idaho.

Mr. BARRETT. Mr. President, will the Senator from Illinois yield 1 additional minute to the Senator from Idaho?

Mr. DIRKSEN. I yield an additional minute to the Senator from Idaho.

The PRESIDING OFFICER. The Senator from Idaho is recognized for 1 additional minute.

Mr. BARRETT. Mr. President, will the Senator from Idaho now yield to me?

Mr. DWORSHAK. I yield.

Mr. BARRETT. I wish to commend the Senator from Idaho for his splendid presentation of the issues involved in the pending controversy. I know he has referred to the interests of the conservation groups in this bill. I have before me an article, issued by the Hells Canyon Association, Lynn Tuttle, Chairman, of Clarkston, Wash. He is urging the passage of Senate bill 555 and also the construction of the Nez Perce Dam.

As I understood, all the conservation people were opposed to the Nez Perce Dam.

Mr. DWORSHAK. I think that question should properly have been submitted to some of the proponents of the high dam, because, obviously, that dam would impair the migration of fish up the Salmon River.

Mr. BARRETT. So I have understood, but I cannot quite understand how the proponents of this bill can come into the Senate with clean hands and say they are looking after the interests of conservation when they are proposing construction of a dam at Nez Perce which will obstruct the passage of salmon up the Salmon River.

Mr. DWORSHAK. Possibly that controversy will come before the Congress at some future time.

Mr. BARRETT. I thank the Senator.

Mr. DIRKSEN. Mr. President, I yield 6 minutes to the Senator from Vermont.

Mr. FLANDERS. Mr. President, let me first say, in my considered opinion, the persisting idea that there is some intrinsic reason why hydroelectric power should be developed by the Federal Government is fallacious. Special consideration should rule in each case, and not generalities. There are special considerations in favor of the high Federal dam in Idaho. One of these special considerations is that it would provide cheap subsidized power. A second consideration, less effective than the first one, is that to some extent at least it would be a multipurpose dam. However, the information we have just had as to the importance of its flood-controlling capabilities for the waters downstream indicates that the multipurpose element of it is scarcely worthy of consideration.

There is another reason which sometimes makes it advisable for the Federal Government to undertake a development of this sort, and that is that the project may be too big for private development. That is not the case here, because a private corporation has already begun the development.

There are certain special considerations which lead in the opposite direction, toward the construction of this power project by private capital. The proposed dam, the single high dam, is by the very necessities of engineering design, expensive in capital cost for the power produced. That is inherent in the situation, in the matter of tons of reinforcing steel and cubic yards of poured concrete. The increased power derived is at an expense too great to make it cheap in any sense of the word.

Furthermore, I do not want to be taxed for cheap subsidized power from Hells Canyon. I want the Idaho Power Co. taxed, so as to relieve, to that extent, my tax burden; and I have confidence in the legal safeguards of the Federal Power Commission and the Idaho Utilities Commission. Let me close these brief remarks by saying, just a little louder, "I don't want to be taxed."

Mr. DIRKSEN. Mr. President, I yield 4 minutes to the Senator from Kentucky [Mr. MORTON].

Mr. MORTON. Mr. President, I realize the so-called fast tax writeoff has become a moot question, but there has been much said recently and much heat generated by proponents of S. 555, a bill to authorize construction of a Federal high Hells Canyon Dam. I am particularly disturbed that some of my colleagues have chosen to indict the present administration as having done something morally wrong in granting certificates of necessity which make possible the so-called fast tax writeoff to the Idaho Power Co. in its private development of Hells Canyon.

This is a very important issue and one in which there well may be varying opinions and philosophies. However, the basic argument is concerned with the development of Hells Canyon and whether it shall be a public or a private project. Undoubtedly, much can be said for either side of that question. But I believe that specious arguments which attempt to label private development or the granting of certificates of necessity as morally wrong are wholly unjustified, unreasonable, and a disservice to this body and the citizens of this Nation.

As a matter of fact, certificates of necessity are granted to private companies as an instrument for encouraging private investment for defense supporting facilities. These certificates were provided for by Congress and up to May 27, 1957, 21,929 certificates were granted, totaling $23,106,134,000. Of these, 927 certificates were in the power field. There is no question of dishonesty or immorality here. These certificates are granted as a matter of public policy, as established by the Congress itself.

The Office of Defense Mobilization on April 29 announced it had authorized Idaho Power Co. to depreciate 65 percent of the $67,138,240 cost of Brownlee Dam

and 60 percent of the $35,943,730 cost of Oxbow Dam in 5 years rather than over a longer period. This means Idaho Power Co. could have deducted—until it withdrew its privilege today—$65,206,094 from its taxable income in figuring out its income taxes over that 5-year period. Ordinarily, the company could deduct only one-fiftieth of that amount each year, or $6,520,609 for the 5-year period. The difference equals $58,685,485. This extra depreciation deduction would have saved the company $30.5 million in taxes over the 5-year period. But its subsequent taxes would have been higher because it would have used up some of its depreciation deductions.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. BARRETT. The Senator from Kentucky is making a very fine statement. The fact of the matter is that the rapid tax amortization is based on $6 million a year for 5 years.

Mr. MORTON. The Senator is correct. The amount would be $30½ million, according to my calculations.

To simplify the matter, let us look at it in another way. If the owner of a small grocery store spent $1,000 to enlarge his store, he would be able to deduct the depreciation on the $1,000 from his taxable income. If he used the fast tax writeoff concept he could deduct $200 a year for 5 years from his taxable income. This would lower his taxes for 5 years. However, since the normal depreciation period is 20 years, he would pay higher taxes for the remaining 15 years, since he would have no depreciation left to deduct. In simple terms this explains the fast tax writeoff. And the Congress has authorized all business to depreciate its investment in facilities.

If the Congress wishes to do away with certificates of necessity it may do so. Until it does, however, these certificates must be understood for what they are—a public policy to encourage private investment for defense supporting facilities. And electric power is certainly a primary defense supporting facility.

The facts are that if S. 555 is enacted and the partially built private 3-dam project is brought to a halt, the Federal Government will be committed to spend up to $651,800,000 over the next 6 years, only to face an outright Federal loss of roughly $400 million which includes the loss of prospective tax receipts. Also the State of Idaho would lose roughly $200 million in taxes. At the same time, we would be delaying for at least 6 years the objective now obtainable in 1958 of providing 1 million acre-feet of needed flood-control storage on the Columbia River's Snake River tributary, producing needed wintertime electric power for Idaho and the Northwest at 2 of the 3 FPC-licensed dams.

This total cost of the Federal high dam and the downstream generating and transmission addition is estimated at $651,000,000 in the minority views expressed in Senate Report No. 324.

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

Mr. MORTON. Mr. President, will the Senator from Illinois yield me 2 additional minutes?

Mr. DIRKSEN. I will yield 1 additional minute to the Senator from Kentucky, Mr. President.

Mr. MORTON. Mr. President, this is $651,800,000 which the taxpayers of the United States will not have to pay if the private development goes forward. Completion of the project will initiate production of power, which ultimately will return $5,642,526 annually to the Federal Treasury in Federal income taxes, and another $4 million annually to State and local taxing units in Idaho. Furthermore, the industrial expansion and additional employment made possible by the project, and the additional energy generated, will return additional millions to the Treasury in personal income taxes. Hence, the assumption properly should be that it will not be necessary for the Federal Government to borrow anything to make up for the temporary deferral of Idaho Power taxes on the defense-certified facilities. If the high Federal dam is authorized, on the other hand, no Federal, State, or local taxes will be paid on the construction of the facility or on the generation of power.

Let me reemphasize this point. This issue of the so-called fast writeoff is a smokescreen. It should more logically be labeled a deferred tax plan. The certificates of necessity issued to Idaho Power defer taxes but do not forgive them. If the Government builds the high dam, there will be no taxes at any time and all will be forgiven. And now the Idaho Power Co. does not intend even to use these certificates.

I agree with President Eisenhower that private initiative and capital should develop the resources of America whenever possible. The Federal Government should step in only when the job cannot be done by private interests or local governmental units. In this case private capital and initiative are ready, willing, and able to do the job. In fact, the Idaho Power Co. has already spent or committed itself to spend about $50 million. Let us defeat this proposed legislation, and permit the great American system of free enterprise to get on with the job.

Mr. DIRKSEN. Mr. President, I yield 4 minutes to the distinguished Senator from Michigan [Mr. POTTER].

Mr. POTTER. Mr. President, I should like to comment briefly on the effect which the pending bill, if enacted, would have on States which themselves do not manufacture large quantities of hydroelectricity.

My own State of Michigan is a water-conscious State. With the exception of a relatively short strip of land on her southern border, Michigan's vast boundaries are entirely formed by water. However, these are lake waters which do not lend themselves to power development in the same way as do our Nation's fast-running streams.

Nevertheless, Michigan has a vital stake in the Hells Canyon bill. It is simply this: Her taxpayers would contribute to the cost of a high Federal dam across the Snake River. In that way the people of Michigan would be subsidizing a power development which over the long run would work to their harm. For what would happen, once the dam is completed and the kilowatts begin pouring forth? The power manufactured at Hells Canyon will be sold at the low rates made possible by Federal subsidization—the same type of cheap power produced in our southern regions. And following the pattern established in the South, that cheap power will lure our Michigan industries away from their communities and their established position in my State.

This principle holds true for the taxpayers of all those States which do not possess within their boundaries the natural resources for development of cheap hydro power. The Hells Canyon proposal which is now under consideration asks my State to sign away its own economic vitality. It asks my State to help build its own competition. Therefore, I oppose it.

I should like to draw a distinction between the type of Federal power project we are considering and the fine work which is being done by the Rural Electrification Administration. A number of REA projects in my State have distinguished themselves for wise and prudent operation. They pay for their power and amortize their investment as they go along. This is entirely businesslike and commendable. But surely it is asking a great deal of these citizens to "shell out" tax dollars so that their Government may construct a project which threatens their own operation.

As we all know, Federal projects frequently are "under-priced" as they come before Congressional scrutiny. Later, when the work gets under way, we find that the cost is two or three or more times the estimates given to Congress. This, unfortunately, is now happening with a most worthy project, the St. Lawrence Seaway. But nowhere have I seen figures so grossly out of line as the estimates for the high dam at Hells Canyon. The proponents State that it would come to $352 million. Mr. President, the figures presented in the minority views on this bill list items involved here which would at least double that figure. I repeat, at least double it. I predict that the total cost would come close to $1 billion.

The PRESIDING OFFICER. The time of the Senator from Michigan has expired.

Mr. POTTER. Mr. President, will the Senator yield me 1 additional minute?

Mr. DIRKSEN. I yield 1 additional minute to the Senator from Michigan.

Mr. POTTER. Mr. President, the Congress has had a mandate from the American people to economize. Let us think a long time before committing public funds up to a billion dollars for a proposal that can be equally well carried out by private enterprise.

A number of cogent objections to this bill appear in the minority views. I should like to emphasize a few:

S. 555 would upset a unanimous decision of the Federal Power Commission, which studied this matter for over 2 years, and whose decision was upheld by a recent action of the United States Supreme Court.

This bill violates a precedent we in Congress have long observed—water resource legislation affecting the semiarid West should originate in the States.

The high dam would not contribute precious water for irrigation, municipal, or industrial use in Idaho or anywhere else in the West.

The three-dam project is more economical. While additional kilowatts would be produced by the single high dam, its production would still fall far short of basin requirements.

Mr. President, we have come a long way from the early thirties, when private power companies dragged their feet and hesitated to step into power-short areas. The Federal Government stepped into the South and provided cheap power in a poverty-stricken area of our Nation. Today the situation is entirely different. Private power companies stand ready and willing to pioneer in these developments and the three-dam proposal is a case in point. If we are to do anything more than pay lip service to the term "private enterprise," we must give the Idaho Power Co. this opportunity to serve the people of the States of Idaho and Oregon.

Mr. DIRKSEN. Mr. President, I yield 30 minutes to the distinguished Senator from Utah [Mr. WATKINS]. Incidentally, I may say, in yielding time to the Senator, I salute him at the same time for the vigilant and sustained way in which he has carried on the struggle with respect to the bill which is pending before the Senate.

The PRESIDING OFFICER. The Senator from Utah [Mr. WATKINS] is recognized for 30 minutes.

Mr. WATKINS. I thank the Senator from Illinois.

Mr. President, there is one question that has received little or no attention in this debate. At least, it certainly has not been answered. That is the question, Mr. President, of what the consequences would be to the people of southern Idaho, and northern Nevada, and eastern Oregon—yes; and also the people of my own State of Utah—in terms of power shortage, should Congress now pass S. 555.

The immediate result, of course, would be that it would put a stop to the hydroelectric construction now underway on the Snake River, which will develop over half a million kilowatts of power, and a million acre-feet of flood-control storage, that will otherwise be ready and in operation by the winter of 1958.

What would be the effect of this stoppage? What would be the impact upon the entire Northwest, and the effect upon the problems of national safety and defense? These are vital and immediate questions, Mr. President, which cannot be overlooked or avoided in the consideration of S. 555.

Completion of Oxbow and Brownlee late next year—in time for the winter peak loads, and when water is short on the main Columbia power system—will add over half a million kilowatts of generating capacity to an area that is already desperately short of power even today.

It has already been said here, I believe, that last winter many defense plants were partially closed down during the winter.

Mr. President, if the Brownlee and Oxbow construction is stopped, I ask the question—what will that area do for its power requirements, which are growing rapidly? There is no additional power to be had from the Bonneville Power Administration. Bonneville and the Federal power system out there cannot even take care of its own requirements now.

Just last January, Bonneville was forced to cut off 490,000 kilowatts of industrial loads—including metal industries and loads that would be vital to defense—because it did not have the power to serve them. That was this year, January 1957, Mr. President, and electric demands are constantly growing. These power requirements certainly could not be supplied from a Federal Hells Canyon project, which would take 7 to 10 years to construct, after plans were completed, and after appropriations were made.

There is no source of power other than Brownlee and Oxbow that can possibly be completed in 1958, to supply these shortages. No other source of power is available for the Northwest requirements in the years immediately ahead. What would happen to Idaho and the Northwest, should we pass S. 555 and stop this construction now?

Do the proponents of S. 555 propose a moratorium on Northwest power consumption? Are they ready to say to business, industry, and agriculture that they should stop all growth and progress for 7 to 10 years, and stop any further increased use of electricity, so they can ultimately get their power from a Federal project, rather than to get it now from a privately financed project licensed under the Federal Power Act?

What about the farmers, Mr. President, and their continuing increase of power uses on their farms and ranches, and for irrigation pumping? Do the proponents of S. 555 say to the farmers that the national public power demands that they put a halt to their progress and wait 7 to 10 years for Hells Canyon?

How about industrial growth, Mr. President? Do we have another 7- to 10-year moratorium in industry, too, and in the expansion of many industries that will be vital to national safety and defense? Are they willing to impose a shutdown on industrial growth, stop the creation of new jobs, and stagnate the area for the sake of substituting an expensive Federal power development some 7 to 10 years from now for practical developments now well along to completion?

There has been a great deal of talk about taxes, their possible loss through rapid tax amortization, and the urgent need of the Federal Government for additional tax revenues. If we pass S. 555, Mr. President, we not only stop the construction of projects that will ultimately provide the Government with nearly $6 million a year in new Federal income, but those jobs that we forestall, those industries we prohibit from starting or expanding—all of these would provide taxes, too.

The real tax loss develops, Mr. President, when we adopt a public-power-or-nothing program, the only result of which can be to aggravate an already existing power shortage and to isolate the people of Idaho and the Northwest from the power supply that they simply must have if they are to maintain their economy and a healthy and tax-productive place in the national economy.

What are the people of Idaho going to do for their future power needs—even for their present-day requirements—if Brownlee, for example, is not ready next year? That affects my own constituents, too, Mr. President, down in Utah, for we are also a part of the Northwest power pool.

To tide over the delay in getting its license from the Federal Power Commission, the Idaho Power Co. has been getting up to 100,000 kilowatts of power from the Utah Power & Light Co. from Salt Lake City. That contract expires in September 1958, because Utah is growing too. That means that the Idaho Power Co.—which serves about 60 percent of the entire population of the whole State of Idaho—will lose all of its power supply from Utah upon the expiration of its steam power contract in the fall of next year.

Mr. President, where is this power for southern Idaho to come from, if Congress puts a stop to their construction, by passing S. 555 at this late day, when the first of the 3 dams at Brownlee, with 360,000 kilowatts, is half completed, and the Oxbow plant also underway?

Certainly Utah can no longer supply this power, Mr. President. We need it down in Utah ourselves. It is the Idaho customers who will suffer. Where is the power going to come from to supply the present load—let alone future growth requirements? If S. 555 is passed and construction is stopped, a half a million kilowatts of power for Idaho and the Northwest will not exist in 1958. It simply will not be there. And the people will have to take their power shortage, and lump it. It does not require a slide rule, Mr. President, to figure that out.

There are several hundred thousand people to be considered here—good, honest citizens, I am sure—half the entire population of Idaho—entitled to fair and equitable consideration of their problems—as much as any other group of citizens of this country. And their electric power supply today—not 7 to 10 years from now, is their problem.

Authorization of a Federal Hells Canyon power dam now would force these people to stop where they are—stop their growth and development and prosperity for at least 7 years. Does that make sense, Mr. President, when the local power company has already spent $50 million to supply them with needed power next year? Shall we now destroy that investment—tear it out, flood it out—and then pay for doing it both in dollars and delay in getting power that the whole Northwest critically needs today?

Those are questions that are basic in our consideration, Mr. President, and the answers can only point to the defeat of S. 555.

Mr. President, I have previously had occasion to remark about the warmed-over hash which some of the supporters of S. 555 have again dished up to us in

this debate. Nothing new has been added; we have had the same arguments that were made and considered last July when the Senate defeated S. 1333 by a 51 to 41 vote. We are wasting the time and money of the Senate, Mr. President. I suggest that what we should have done is to have inserted the CONGRESSIONAL RECORD of July 17, 18, and 19, 1956, in the RECORD by reference only, and adopted it as the debate on S. 555.

We have listened to the same old claim that power from a Federal dam at Hells Canyon could be sold for 2.7 mills per kilowatt-hour. Apparently, the continuous repetition of this statement, which was fully exploded in the argument a year ago, is on the theory that if one repeats the claim that black is white often enough, there are some people who will eventually believe him. Even the Bureau of Reclamation and Army engineers did not claim anything so ridiculous as that.

The Bureau's report on the Columbia River and the Army's 308 report on the Columbia River are the law and the gospel to the supporters of S. 555—at least, those parts that support their contentions. But they have apparently forgotten, as was pointed out in last year's debate, that both the Army engineers and the Bureau admitted in those reports that Hells Canyon power would have to be sold at 4 to 4.4 mills, if the big dam was ever going to pay out.

Mr. President, I have on previous occasions remarked about the subsidization of power on the Bonneville system in the Northwest—and the fact that Bonneville is selling much of its Government power at less than cost.

I filled the RECORD with the details, giving the names of the big industries which are receiving a free ride on the so-called tax amortization certificates. In addition, they were getting their power at less than cost from the new dams.

The time has long passed when this situation should have been corrected. I do not believe that the taxpayers in 46 States, all of which have their own industrial and economic problems, should any longer continue to subsidize power and industry in two States out in the Pacific Northwest.

Mr. President, recently an article appeared in Public Utilities Fortnightly magazine, the issue of April 11, 1957. It was entitled "Bonneville's Net Revenues Shrinking Rapidly."

The Columbia River power system now represents a Federal investment of about $1.7 billion. It is claimed that about 16 percent of the Government's investment has been repaid, and while repayments are said to be ahead of schedule. According to the BPA's report, these estimates are "tentative pending the formalization of the cost allocations and repayment schedules."

This is the picture, Mr. President, and it is not a healthy one. In 1952, Bonneville's net revenues reached their peak, and have been declining rapidly ever since. In 1952, BPA had a gross revenue of $40,180,000 with a net revenue of $15,891,000, or nearly 40 percent of total operating revenue. For the fiscal year 1956, BPA's gross revenue had increased to $60,993,000, but its net revenue had actually declined to only $5,949,000—or less than 10 percent of gross.

But the worst of it, is the BPA estimate for fiscal year 1958, when an all-time gross revenue of $74,400,000 is anticipated—with a net revenue of only $5,980,000, or only 8 percent. You can well imagine, Mr. President, what it would do to the BPA financial picture to put Hells Canyon power in the pool at a cost of 4 to 4.4 mills per kilowatt-hour, and then turn around and sell it at an average of 2.7 mills or even less.

I ask unanimous consent that the article, Bonneville's Net Revenues Shrinking Rapidly, be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BONNEVILLE'S NET REVENUES SHRINKING RAPIDLY

The Columbia River power system consists of the Bonneville Power Administration (BPA) and various other hydro projects such as Grand Coulee, Hungry Horse, McNary, Chief Joseph, The Dalles, and so forth. The system is operate by BPA under the United States Department of Interior. During the year the Columbia River system added 562,000 kilowatts new generating capacity, including 280,000 at McNary, 256,000 at Chief Joseph, and 26,000 elsewhere.

The Columbia River system now represents an investment of $1.7 billion, of which nearly three-quarters is allocated to power and over one-quarter to nonpower functions such as irrigation, flood control, navigation, and so forth. Since 1952 the increased investment allocated to power has increased 148 percent while the nonpower component gained only 70 percent. About 16 percent of the Government's investment had been repaid as of last June. While these repayments are said to be ahead of schedule, the estimates are tentative pending the formalization of the cost allocations and repayment schedules.

With favorable hydro conditions, sales to customers of Bonneville totaled 26 billion kilowatt-hours in the fiscal year ended June 30, 1956, an increase of 19 percent over the previous year. Water conditions were favorable during the year. Of the combined power revenues of $61 million for the Columbia River power system, the aluminum industry last year contributed 33 percent, other industry 13 percent, publicly owned utilities 32 percent, privately owned utilities 20 percent, and others 2 percent.

During its 18 years of operation, the composite average kilowatt-hour rate charged by BPA has averaged 2.38 mills per kilowatt-hour. Sales to publicly owned utilities averaged 2.81 mills, and to privately owned 2.30 mills. Industries paid 2.24 mills (aluminum slightly less), benefiting by very high load factors approaching 100 percent.

Bonneville and Grand Coulee are very low-cost power producers, primarily because they were constructed largely at prewar price levels. However, since 1952 the cost of the additional hydro projects has been much greater per kilowatt of capacity, which has resulted in a rapid rise in costs, particularly depreciation and interest. Since wholesale power rates have not been increased, net revenues have dropped sharply. Net revenues reached a maximum of $15.9 million in 1952, equal to nearly 40 percent of operating revenues, but by last year had dropped to $5.9 million or less than 10 percent of gross, and the ratio is expected to drop to 8 percent in 1958. (See chart, page 541.)

The Administration is hopeful of increasing net revenues by revising rates. Sales of nonfirm energy to the industries on an interruptible basis have been substantial in recent years, but have not been covered by formal contracts. BPA hopes to place sales of interruptible power on a firm contractual basis, with possible advantages to both itself and the customer.

While interruptible power is available for a fairly substantial percentage of the time, on the average, additional and substantial amounts are available for a much smaller part of the time, during the high runoff months of late spring and early summer and during other times when stream flow conditions are unusually favorable. If this low-availability energy can be offered for sale at sufficiently attractive rates, it may be possible to sell large quantities to replace steam generation, particularly for new steam plants, to supplement coastal hydro plants, or to industries that can adapt their operations to such power.

Ford, Bacon & Davis has prepared a report of the entire rate structure, which is being studied. Bonneville Power Administration's recommendations relative to the report will be submitted to the Secretary during the coming year.

Mr. WATKINS. There is one other matter, Mr. President, which I cannot let pass. During most of the years of my life and legal career I have worked with western water law and the problems of farmers and water users. Day before yesterday, in his opening speech on S. 555, the junior Senator from Idaho repeated the old argument—again an argument that was made and answered last year—that the power company, with an FPC license, which be just as much of a threat to upstream irrigators and waters rights as would the much larger Hells Canyon power reservoir owned and operated by the Federal Government. I shall not again compare the size of these reservoirs, and point out again that the Brownlee Dam can be filled every year, even low-water years, during the spring flood runoff period—whereas the larger reservoir could not be refilled in many years. That has been gone over time and time again.

But I do want to point out the oratorical inaccuracy of the junior Senator from Idaho [Mr. CHURCH] when he said:

> It seems clear, then, that the Federal power over the Snake River in Hells Canyon remains paramount, even though the private dams are built there. The Federal power, whatever it may be, floats on the river all the way to the sea. Those who fancy this power as a possible threat to future upstream diversions of the water in the Snake River are furnished no shield by private dams in Hells Canyon. The same Federal power will rest on top of them as it rests on the Government dams downstream.

Mr. President, the distinguished junior Senator from Idaho was not in the Senate a year ago, when this same point was debated. So he could not be blamed for repeating the argument again, except for the fact that Senator CHURCH got himself involved in a newspaper debate last year with Representative BUDGE, of Idaho, on this same point. Representative BUDGE is a distinguished and able lawyer in the field of water law. The junior Senator from Idaho made this same contention, and Representative BUDGE answered it.

I do not ask Senators to accept either side of this legal argument, although I personally and strongly agree with Representative BUDGE. But, as to the rights of an FPC license on a navigable river, I again refer the junior Senator from Idaho to the decision of the United States Court of Appeals in California—as Representative BUDGE also referred him. The junior Senator from Idaho may not have taken the time to read Representative BUDGE's reply to this argument; or if he did, he most conveniently avoids reference to the case of *U. S.* v. *Central Stockholders of Vallejo* (52 Fed. 2d, p. 322).

A licensee under the Federal Power Act does not have the same powers, or the sovereignty, of the United States.

The Supreme Court has in several decisions held that the licensee does not obtain the paramount rights of the Federal Government itself: *Henry Ford & Son* v. *Little Falls Fiber Co.* (280 U. S. 369); *U. S.* v. *Central Stockholders of Vallejo* (52 F. 2d 322); *Federal Power Commission* v. *Niagara Mohawk Power Corporation* (347 U. S. 239). In the Vallejo case, the United States Court of Appeals held that a licensee under the Federal Power Act "is not clothed with any of the sovereign rights of the United States to assert control of the stream under the commerce clause of the Constitution, and that a licensee is, by the Federal Power Act itself, 'subordinated to the rights of private owners interfered with or affected by the authorized project.'"

Mr. President, the Idaho Power Co. has obtained from the State of Idaho—through whose great irrigated valleys the Snake River flows—a waterpower permit for its plants that makes them specifically subject to both present and future needs for irrigation upstream. The water users can therefore enforce this protection against the company in their own States courts. And the company's FPC license contains the same provision, so that the company's rights under Federal law are likewise limited.

I should like to point out that I offered in committee the same provision that the Federal Power Commission put into the license granted to the Idaho Power Co. I offered it as an amendment to the pending bill. It was rejected. In place of it, section 2 was added, which I believe is completely phony in its effect to protect the Idaho users in the future of nearly 2 million acres of land yet to be put under cultivation. That land cannot be cultivated without a water supply, and the only water supply is in the Snake River. The high Hells Canyon Dam, calling for 4 million acre-feet a year will deprive the upper basin of much-needed water for its future use.

Those State and Federal rights are all the company has. They are limited, Mr. President, by their very creation and definition. And that is a far different matter from the sovereignty of the United States Government under the commerce clause of the Constitution, as the Vallejo decision of the United States court of appeals has pointed out.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Utah has 14 minutes remaining.

Mr. THYE. Mr. President, will the Senator yield?

Mr. WATKINS. I will yield for a brief question, because I must hurry along. My time is limited.

Mr. THYE. The question is this, If the Idaho Power Co. is permitted to continue with its installations, will that cause any greater danger to fish and wildlife and conservation practices than if the high dam were constructed?

Mr. WATKINS. It will not cause as much, because the dams are not so high. Besides, the Federal Power Commission requires the Idaho Power Co. to construct some bypasses for the fish, at its own expense. Under the high Hells Canyon Dam scheme the United States Government would have to pay for all of it. That cost is not reimbursable, I may say.

Mr. THYE. The other objection is that if there are 3 installations, and 3 flues are built, through which the water must pass in those installations, in order to get the water through the power units, there would be danger to fish life, because there would be actually 3 dams the fish would have to bypass, or the fingerlings would be sucked into the flue.

Mr. WATKINS. The company would put in whatever the Fish and Wildlife Service required. There are several ways in which the situation could be handled. They could even collect the fingerlings and bypass them by truck and put them into the river upstream.

Mr. THYE. That would be at a tremendous expense, would it not?

Mr. WATKINS. That would be paid for by the Idaho Power Co.

Mr. THYE. I thank the Senator.

Mr. WATKINS. They would pay for all of it. On the other hand, it would be paid for by the Federal Government out of taxpayers' money, and would not be reimbursed, under the high Hells Canyon scheme.

Mr. THYE. In the event that the Idaho Power Co., with its 3 dams, should not generate as much power as 1 high dam would, they would then have to go downstream and put in additional installations, which again would have the tendency to flood vast areas of wildlife refuge. Is that correct?

Mr. WATKINS. Of course wherever a dam is built in that region, the result is bound to be that it will flood out some wildlife. At the same time, additional wildlife areas would be created.

Mr. THYE. Of course the Senator lives in that area and is familiar with it. That is the reason I am asking these questions of him.

Mr. WATKINS. I am satisfied that the three-dam plan is better for wildlife and for conservation than the high Hells Canyon Dam. However, there are many more dams to be built on the Columbia River, and particularly on the Salmon and Clearwater, and those dams will give more flood control, because they are where the floods occur. The upper Snake is very largely controlled now. There should be no great floods on the upper stream. The place to provide for flood control is on the Clearwater and Salmon, where the real floods occur.

Mr. President, I shall speak on miscellaneous matters connected with the issue now under discussion.

While I applaud the action of the Idaho Power Co. in rejecting the proffered rapid tax amortization certificate and in that way removing a beclouding diversion, I deplore the insinuations of misconduct which have been directed at the company and at the officers of ODM in this matter. I wish to point out that I have gone through the record and I have read the proceedings affecting Mr. Gray of ODM before the Kefauver committee. I have read the statements made by the Idaho Power Co. officials before that committee. I was there and took part in the proceedings. I cannot find in the record one instance where the law was violated. It was a law that was placed on the statute books by Congress. It has been administered year after year. The Idaho Power Co. came forward as other companies did, and made its case, under the regulations of the Office of Defense Mobilization, and Mr. Gray carried out the provisions of the law. All should be equal before the law. The tax amortization was granted. Today they have renounced it. That ought to end the matter. It seems as though all one need to do is to make insinuations in asking questions and in that way smear a good man in Government. I do not know Dr. Gray. I have never met him. I have talked to him on the telephone once. I want to say, however, that I think he has been very unfairly treated by Members of the Senate and members of our committee. He has been smeared. He was carrying out the law which Congress had enacted. There is nothing immoral or dishonest about his actions. I went into this matter and what the Idaho Power Co. had done. They acted in compliance with the law.

I wish to call the attention of the Senate to what they were willing to do.

They were willing to pay taxes, which would have amounted to $229 million, as I recall, in 50 years. They were also willing to do certain things which, under the high Hells Canyon Dam scheme, would be required to be done at the expense of the taxpayers of the United States, without any hope of reimbursement. The Idaho Power Co. would do them at no expense to the Government. There are direct Federal costs which would not be reimbursed, or actual Federal tax losses which would result if the private project were terminated. There would be $48 million in nonreimbursable allocation to flood control, aid to navigation, and recreation, as set forth in the summary on page 392 of the Senate hearings on S. 1333, 84th Congress.

To my knowledge, this does not include funds for fish-protection facilities, which would add at least another $5 million to this figure, according to an FPC estimate. These services would be provided without cost to the Federal Government by the Idaho Power Co. in its three-dam project, but would be paid for by Uncle Sam if the Federal dam should be authorized.

Mr. THYE. Mr. President, will the Senator yield?

Mr. WATKINS. I cannot yield. I have only a few minutes left.

The Idaho Power Co. has gone ahead in good faith. It has spent approximately $50 million. The people of that area are desperately in need of power. They have come to Utah to get power until 1958, which is as long as Utah can furnish it.

What are the farmers of Idaho going to do for power? They cannot wait 7 years, until a high Federal dam has been built, a dam which will give them very little more than what the dams now being built will supply.

If the high dam should be built, the Idaho Power Co. would be in the Court of Claims, because the company has been upheld by the Supreme Court, by the Federal circuit court of appeals, and by the Federal Power Commission, in their right to a legal, lawful license.

What about the people who will lose by not having power? What about the revenue which the power company will lose if they are stopped now, after having made expenditures in the millions of dollars?

Consider what the Federal Government will lose by way of taxes paid to the Federal Treasury during the 50-year period of the Federal license. Also during the same period, Idaho Power Co. would pay local and State taxes in the State of Idaho totaling $200 million. Those State tax revenues are not included in the Federal summary. That money will be lost if Idaho Power Co. cannot go forward with its three-dam Hells Canyon project.

Federal income taxes that would be paid to the Federal Treasury during the 50-year license period of the private 3-dam project would amount to $282,126,300.

The grand total of all the items I have mentioned is $398,126,300. If we amortize that, as Mr. Rainwater did, on the so-called tax amortization which was deferred, and if we figure it at the same compound interest rate on the $398,126,300, the total, roughly, would come to $2,226,495,452.

I point out that Mr. Rainwater said that if compound interest were used in figuring the benefits which Idaho Power Co. would get, we are entitled, by the same token, to use the same compound interest rate on the benefits Idaho Power Co. would bring to the Federal Government.

If that be done, I say without fear of contradiction from anyone that Idaho Power Co. would be building that project without cost to the Federal Government or the taxpayers of the United States. The balance in that partnership arrangement between the Federal Government, on the one side, and the power company, on the other side, would be overwhelmingly in favor of the private investment company, which would be building the dams. Senators ought to keep that in mind. Senators who have projects in their various States should keep in mind, as well, that it will take $100 million, at least, each year, to get a high Hells Canyon Dam finished in about 7 years. It will cost approximately that amount of money.

The House has appropriated $113 million for reclamation construction in the entire country. That is almost as much as the amount in the pending bill. That means that if the Federal Government now attempts to build a high dam at Hells Canyon and calls upon the taxpayers to build it, all those who need power in that region will have to stand aside while the Government rushes in and contributes at least $100 million a year for construction. That is not fair to us. Washington and Oregon have already received one-fifth of all the reclamation money spent in the United States. They have received one-seventh of all the flood-control money spent in the United States. They have received all that they are entitled to, and a lot more besides. Yet they claim there has been discrimination practiced against them.

I voted for many of their projects. I would vote now for a Federal dam—probably the three-dam program, because I believe it is superior under the circumstances in the Hells Canyon reach of the Snake River—if there were no other means of building it. But as long as there is a means of building the dams and furnishing the power needed, together with some flood control at that point through the resources of private enterprise, then we ought to take advantage of that, because the Federal Government should do for the people only those things which the people cannot do for themselves. It has been demonstrated that private capital can and is doing the job there.

Our own agency—the FPC—has heard all the evidence and has concluded that the private program will bring about faster, more comprehensive development of the river system. The license has been granted. Now it is sought to revoke it on the basis of evidence which was taken in committee, where there were only 2 or 3 Senators present, and probably not 4 or 5 Members of the entire Senate have read the evidence which was taken before the committee. Nevertheless, a bipartisan commission has heard the testimony, has made a careful analysis of it, and has approved a program.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD several statements I have prepared, which I will not have time to deliver.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR A. V. WATKINS

Much of the attention in this debate on S. 555 has centered upon a feature which has never been really germane to this legislative measure. It is the subject of rapid tax amortization, a matter that really belongs in the Finance Committee and not in this floor discussion of a reclamation bill.

There is nothing in the bill relative to rapid tax amortization.

Furthermore, if the bill passes, and the Federal dam is authorized, the private project will be effectively killed, and the rapid tax amortization certificate granted to Idaho Power Co., even though it had not been declined—as it has—would be without effect.

On the other hand, regardless of action on this bill, the problem of what to do about rapid tax amortization and other incentives for defense facilities will remain with us—in other committees and in other legislation.

However, since the proponents for the high Federal dam injected the subject of rapid tax amortization into this debate, I think it entirely appropriate that we delve back into legislative history and review the background of the defense incentive. This should be done in all fairness to Mr. Gordon Gray, of the ODM, and to the Idaho Power Co.

First of all, I think we should review the findings of the Special Committee Investigating the National Defense Program. This committee's report on "Renegotiation," published February 20, 1948, during the second session of the 80th Congress, included this revealing information on profiteering during World War II:

"ACCOMPLISHMENTS

"Mr. John R. Paull, Chairman of the War Contracts Price Adjustment Board during 1947, testified before the committee that based on the latest figures then available, the Price Adjustment Boards had renegotiated more than $190 billion of war business and recovered excessive profits of over $10 billion. As excess-profits taxes would have recovered about $7 million of this amount the actual recovery directly attributable to renegotiation was between 3 and 4 billion dollars. The cost of making this recovery was about $37 million, or slightly over 1 percent of the net amount recovered.

* * * * *

"The average profits allowed contractors from whom recoveries were obtained was approximately 10 percent. For example, in 1943 and 1944, the average profit was 10.7 percent, and in 1945 it was 10.4 percent. This is an average figure made up of a great many individual cases where profits ranged from a very small percent of gross sales to a relatively substantial percent of such sales. It is interesting that the average remained so constant.

* * * * *

"The War Department Price Adjustment Board furnished the committee a study of the renegotiation of companies in the $100,000 to $500,000 bracket under the 1942 act. Of 3,728 cases in this bracket 1,631 or 44 percent were found to have made excessive profits totaling $57,371,000. Even more interesting is a tabulation of a group of 13 companies selected at random, and all in the $100,000 to $500,000 bracket during 1943 and therefore not subject to renegotiation. These companies had average profits of 38.1 percent of gross sales. One company's profits were 91 percent of its $152,880 in gross sales.

"Administrators of the act testified that companies in this bracket could be renegotiated with very few more renegotiators and that the cost of renegotiating them would be very small.

* * * * *

"CERTIFICATES OF NECESSITY

"Certificates of necessity are mentioned in this report on the renegotiation law only because they have been the source of considerable war profiteering. Section 124 of the Internal Revenue Code provided that companies constructing new facilities for war production could under certain conditions obtain a certificate of necessity permitting them to amortize the cost of such facilities over a 5-year period. Furthermore, if the emergency period was declared over prior to the end of the 5-year period, the company could accelerate the amortization over the period up to the date of such a declaration. About 43,500 certificates covering facilities values at $6 billion were issued during the war. Until December 1943, the War and Navy Departments were authorized to issue these certificates and they issued about 39,000. After December 1943,

the War Production Board issued the balance.

"Practically all the certificates issued by the War and Navy Departments were on a 100-percent basis. Thus, a company could amortize the facility's entire cost over the 5-year period or less. However, the War Production Board official responsible for issuing certificates of necessity testified that about 80 percent of the certificates issued by that Board were for only 35 percent of the cost of the facilities. The percentage certificates take into consideration the postwar value of the facility and only allow amortization of the war use of the facility. He testified that in his opinion the cost of the war could have been reduced by $3 billion if the War and Navy Departments had used a similar percentage method.

"Legal profiteering resulted from certificates of necessity. Many companies came out of the war with new, valuable, fully amortized facilities which they could either use or, as some have done, sell. In this way a facility actually paid for out of a contractor's war taxes was additional war profit to him to the extent of its postwar value.

"High-profit war contractors profited even more when they were permitted to accelerate the rate of amortization over the period from the date of the certificate to the date of the declaration ending the war emergency. This period might be any length of time up to 5 years. When a contractor elected to do this his resulting increased annual amortization expense was credited against excessive profits that Price Adjustment Boards may have assessed against him. He would therefore have to refund a lesser amount of excessive profits and would own a fully depreciated and probably valuable facility. For example, the committee found that 20 of the largest oil companies were able to credit amortization in the amount of $59 million against excessive profits determined after renegotiation to be $65 million. These companies had to refund only $6 million and in fact paid for these facilities out of their excessive war profits. It would seem that these results redounded to the financial benefit of the high-profit producer rather than the war contractors who had priced closely and made no excessive profits.

"Serious study should be given to the forulation of a procedure under which war facilities could be financed by private capital to the greatest extent possible and at the same time unreasonable profits prevented. Many administrators of the Renegotiation Act think that the largest unjustifiable war profits were made as a result of the certificate-of-necessity program."

STATEMENT BY SENATOR WATKINS

These excerpts disclose, for one thing, that the average profits allowed contractors who did $190 billion worth of defense business during World War II were approximately 10 percent. In 1943 and 1944, the report states, the average profit was 10.7 percent, and in 1945 it was 10.4 percent. I bring these figures up only to contrast the earnings of 6 percent allowed regulated utilities in both peacetime and wartime.

The report also disclosed that 39,000 out of 43,500 rapid tax amortization certificates issued during World War II were for 100 percent of the cost of the facilities. This contrasts with the more conservative policies pursued under this program after organization of the War Production Board in World War II and under administration of the Defense Production Authority and the Office of Defense Mobilization since 1950.

The report also suggests that 20 of the largest oil companies not only were allowed a profit of at least 10 percent in war contracts, but also were permitted to write off $65 million in amortization credits against excess profits determined after renegotiation.

These points are brought up to suggest that we have had many years of experience with rapid tax amortization and with war profits at a significantly higher rate than 6 percent.

This World War II experience on rapid tax amortization was reviewed in 1951 by Acting Secretary Thomas J. Lynch, in a memorandum to Chairman Burnet R. Maybank, of the Joint Committee on Defense Production and published in Defense Production Act progress report No. 8.

I hereby append this memorandum at this point:

THE SECRETARY OF THE TREASURY,
Washington, April 20, 1951.

Hon. BURNET R. MAYBANK,
Chairman, Joint Committee on Defense Production, United States Senate, Washington, D. C.

MY DEAR SENATOR: I am enclosing a memorandum on the tax effects of the special amortization provisions of the Internal Revenue Code which we prepared in response to your letter of April 5, 1951. Since the several questions raised in your letter are interrelated and concern the question of whether the revenue cost of this program will not be recouped through future taxation of income from fully amortized property, we have organized our reply in the form of a general discussion and have not attempted to answer each question separately.

As you know, this Department has no responsibility for the issuance of necessity certificates but is charged only with responsibility for the proper allowance of amortization deductions with respect to approved certificates. Accordingly, the accompanying memorandum is limited to the tax aspects of this problem.

I hope that the enclosed material will be useful to your committee in its investigations, and that you will feel free to call on us if we can be of any further assistance to you.

Sincerely yours,
THOMAS J. LYNCH,
Acting Secretary of the Treasury.

"TAX EFFECTS OF THE SPECIAL AMORTIZATION PROVISIONS OF THE INTERNAL REVENUE CODE

"As a result of the greatly enlarged requirements for national defense after Korea, the Revenue Act of 1950 reenacted the World War II amortization provisions of section 124 as section 124A of the Internal Revenue Code. While the former provisions of section 124 were modified in several respects, the essential features of the law are similar. In addition, the Renegotiation Act of 1951 requires that amortization be allowed as a cost before recapture of excessive profits.

"Section 124 of the Internal Revenue Code, enacted by the Second Revenue Act of 1940, permitted taxpayers to amortize over a period of 5 years the cost of facilities constructed or acquired in the interest of national defense. Such amortization was authorized by the principal procurement agencies upon the issuance of necessity certificates for construction of new facilities. Any unamortized balance could be written off, at the election of the taxpayer, when the facility ceased to be needed or by September 29, 1945, the end of the emergency period. Section 124A of the Revenue Act of 1950 provides for a similar 5-year writeoff but no provision is made for acceleration of such amortization before the end of this 5-year period.

"A deduction for amortization is in lieu of, not in addition to, normal depreciation charges for the portion of cost eligible for amortization. The adjusted tax basis of fully amortized property is therefore zero or the same as that of fully depreciated property.

"Amortization differs from depreciation in that the total cost written off is unadjusted for residual values. Further, land may be amortized under section 124 of the code, as in the case of section 124; land, of course, is not subject to depreciation for tax purposes, although depletion may be taken on depletable property such as mineral and oil property.

"In the event of a sale of property amortized either under section 124 or section 124A, the new basis of the property for depreciation is the cost of the property to the purchaser regardless of its adjusted basis in the hands of the seller. Thus fully amortized property with a zero basis to the vendor is depreciable by the buyer to the full extent of its purchase price. When there is a tax-free exchange between A and B of property owned by A and amortized under these sections, the adjusted basis of this property carries over to B. For example, A's fully amortized property establishes a zero basis for depreciation to B in such an exchange.

"Under the World War II amortization provisions of section 124, gains from the sale of such property were taxed at the preferential capital gains rate of 25 percent. Gains from the sales of property amortized under section 124A are taxed as ordinary income to the extent of the difference in the adjusted basis as between normal depreciation and 5-year amortization.

"World War II experience

"Legislation

"The purpose of rapid amortization was to remove tax deterrents to the private financing of new plant facilities essential to national defense but whose usefulness to the business might end with the termination of the emergency. Provision for amortization was made at the recommendation of the Advisory Committee of the Council of National Defense which advised that substantial capital would not be invested in the construction of emergency facilities unless corporations were permitted to depreciate such assets in a shorter period than that ordinarily allowed under the tax laws. These deterrents were believed to be particularly significant in conjunction with the profit limitation on Government contracts then imposed by the Vinson-Trammel Act. Rather than adopt the practice followed during World War I of allowing estimated actual wartime losses in value to be written off for tax purposes, the committee urged that the entire cost of wartime facilities be written off over the period of the emergency but not to exceed an arbitrary period of 5 years. The World War I provision, enacted 3 months after the armistice, permitted corporations to recompute their wartime taxes on the basis of the loss in useful value of war-constructed facilities. Such determinations of value were frequently contested and resulted in prolonged litigation.

"As a result of section 124, businesses were able to write off the cost of new facilities against high wartime income and excess-profits tax rates which reached a maximum of 95 percent and an effective rate ceiling of 80 percent before the postwar credit allowance of 10 percent of excess-profits taxes paid. In addition, it should be noted, price-adjustment boards were required to allow such amortization deductions in the determination of excessive profits upon renegotiation. Amortization costs were at first expressly disallowed for this purpose but the law was subsequently amended by a joint resolution of February 5, 1942, to permit such costs to be recovered by corporations in renegotiation of contracts.

"Total Amortization Deductions

"It is estimated that between 1940 and 1947 amortization deduction in the amount of $5.7 billion were taken by corporations for tax purposes. Of this amount $1.4 billion represents amortization estimated to be taken in 1945, with the termination of

the emergency period, and spread back to the applicable years by amended income-tax returns. The total and annual amounts before adjustment for spread back were as follows:

	Millions
"1940	$7.6
1941	113.8
1942	410.8
1943	690.5
1944	981.2
1945	1,950.8
1946	64.5
1947	58.9
Spreadback (estimated)	1,411.8
Total	5,689.9

"The discrepancy between the amount of amortization deducted by corporations for tax purposes and the total amount of certificates issued of $7.3 billion may arise from failure to complete facilities costing this amount as well as from failure of corporations to elect to take amortization in all cases. The total actually taken by corporations is not completely recorded in statistics of income which are computed from original tax returns, while the speedup in amortization taken at the end of the emergency period was allocated by taxpayers to prior years through amended income-tax returns. The estimate of the spreadback of $1,411.8 million is subject to some margin of error. No data are available on the amount of amortization taken by unincorporated businesses.

"During World War II amortization appears to have been of greatest benefit to large corporations. In 1945, for example, corporations with assets over $100 million accounted for $1,297 million, or about two-thirds of the total amortization reported for that year. This contrasts with their ownership of about one-half the gross capital assets and of about one-third of the reported profits of all corporations.

"Usefulness of Emergency Plants After the War

"Although amortization was originally designed to encourage private financing of wartime facilities which might have only limited, if any, postwar usefulness, it is believed that the great majority of these plants were continued in peacetime production. Some, in fact, saw little or no wartime use, but nonetheless could be written off for tax purposes in the last year of the emergency.

"The high proportion of wartime emergency plants retained in postwar production can be explained by the fact that tax amortization, in itself, did not permit corporations to recoup the entire cost of such facilities since tax rates were less than 100 percent. Where the value of such facilities was clearly limited to wartime production there was little inducement to undertake their private financing. Some corporations were reimbursed for the cost of emergency plants through procurement contracts and allowance for amortization in the recapture of excessive profits renegotiated. For the most part, however, the Federal Government undertook the financing of facilities which were of questionable postwar value.

"The Treasury has field reports on a considerable number of corporations which retained practically all their amortized property in postwar use. These corporations accounted for approximately $700 million of amortization taken during the years 1940–45, on which estimated wartime tax savings were realized of $440 million, after allowance for ordinary depreciation.

"The following pertinent data are presented on several representative cases:

"Case 1: A corporation acquired emergency facilities at a cost of $4.8 million and fully amortized them in the period ended September 30, 1945. These facilities represented approximately one-third of taxpayer's total plant and equipment as of December 31, 1948. Only $130,000 of the emergency facilities had been disposed of since 1945; the remainder were being used in the business. For book purposes, the taxpayer had computed normal depreciation on the emergency facilities and had accumulated a reserve of $1.3 million against them by December 31, 1948. The excess of amortization over normal depreciation in the war years was approximately $3.3 million, resulting in a gross tax saving of approximately $2.8 million. On December 31, 1948, these facilities were carried on the taxpayer's books at a depreciated value of $3.3 million.

"Case 2: The taxpayer, an electric power company, constructed a generating unit at a total cost of $8.2 million. The project was fully amortized in 1944 and 1945. It is still in use, and taxpayer has added another unit since the war. In 1944 and 1945 the excess of amortization over normal depreciation (at 3.5 percent per year) was $7.8 million, resulting in a gross tax saving of approximately $6.7 million.

"Case 3: In the years 1940–45 a large manufacturing company acquired $29.1 million of land and buildings under a certificate of necessity. These outlays were fully amortized against income of the period 1940–45. In 1950 the buildings were still being used in normal peacetime operations. The normal depreciation allowance on buildings of this type would have been 2.5 percent a year, and would have totaled $2.4 million in 1940–45. The excess of rapid amortization over normal depreciation was $26.7 million, which reduced the company's wartime tax liabilities by approximately $18.4 million.

"Case 4: A cotton mill acquired regular textile equipment under certificates of necessity. This equipment is still being used in peacetime operations. The normal depreciation rate on this type of equipment is 4 percent a year. In the taxpayer's fiscal years 1944–46 amortization allowed was $115,000, compared with normal depreciation of $11,000. The excess of amortization over normal depreciation in these 3 years was, therefore, $104,000 and the estimated tax saving was approximately $89,000.

"All of these facilities are believed to be operated by the same taxpayer which received the benefits of accelerated amortization. While many emergency facilities were subsequently sold, the Treasury has no evidence of the extent to which such sales took place.

"Tax benefits to business

"Avoidance of High Emergency Tax Rates

"As a result of amortization, corporations (and other businesses) have the benefit of writing off the cost of facilities acquired at high income and excess-profits tax rates enacted during the emergency period and, where such property continues to have usefulness, of deferring taxable income to the postemergency period when tax rates are expected to be lower. Since the depreciable basis of property is then reduced to zero, taxable income in future years is higher than it might have been under ordinary depreciation. Direct tax benefits may, therefore, be realized by the difference in tax rates during the period of amortization and those in effect after the 5-year period to which such income is deferred.

"The gross tax saving indicated above must, therefore, be reduced by the amount of future taxes payable over the depreciable life of the fully amortized property. However, possible tax reductions after the end of the emergency period should be taken into account in estimating net tax savings, as occurred following World War II when the excess-profits tax was repealed and the income-tax rate reduced to 38 percent for the years 1946–49. Corporations thus had the benefit of writing off their 'emergency' facilities at a maximum excess-profits tax rate of 95 percent (less 10 percent postwar credit) and sacrificed depreciation deductions at a rate of 38 percent in the postwar years. Subsequent rate increases have narrowed this disparity, but a substantial rate differential still remains. The likelihood that special amortization will result in permanent tax saving is enhanced by the probability that corporations would not continue to be subject to excess-profits tax in every year following the period of special amortization, even if this tax were retained.

"It is also significant that amortization allowances are more comprehensive and complete than those for ordinary depreciation. No recognition is given to residual value in computing depreciation, whereas the percentage allowed as amortization applies to the full cost of the facilities. Also, land may be amortized but is not subject to depreciation.

"Prospective tax benefits from amortization for new investment during the present period are not significantly different from those during World War II. At the present time, corporations are subject to a maximum income tax rate of 47 percent. Corporations subject to the excess profits tax must pay an additional tax of 30 percent on such excess profits, but not to exceed a combined effective income and excess profits tax rate of 62 percent on net income. The maximum marginal tax rate payable is therefore 77 percent. The Treasury Department has proposed increasing the corporation income tax rate to a maximum of 55 percent, which would raise the top marginal income and excess profits tax rate to 85 percent, and the combined ceiling rate to 70 percent.

"The gross tax savings for each million dollars of new amortizable investment with a depreciable life of 40 years, at the above tax rates, for the 5-year amortization period are shown as follows:

	Amount	Percent
"Present rates:		
47 percent	$411,250	41.1
77 percent	673,750	67.4
62 percent	542,500	54.3
Proposed rates:		
55 percent	481,250	48.1
85 percent	743,750	74.4
70 percent	612,500	61.3

"The operation of the tax benefit may be illustrated as follows: A facility costing $1 million, with an ordinary life of 40 years, is entitled to annual amortization of $200,000 under the accelerated program, compared with ordinary depreciation of $25,000; the excess of $175,000 at a rate of 77 percent amounts to an annual saving of $134,750, or 13.5 percent a year. The total tax saving over the 5-year period amounts to $673,750 or 67.4 percent of the investment.

"Financial Benefits of Tax Postponement

"It is frequently overlooked that rapid amortization affords substantial benefits to taxpayers in the postponement of gross tax savings indicated above. That is, the taxpayer has the benefit of the use of tax funds which in the absence of special amortization he would have paid to the Treasury. In effect, he has an interest-free loan from the Government for the useful life of the assets. Such benefits are in addition to direct tax savings which might be realized by reductions in tax rates after the emergency period. Therefore, even if tax rates remain indefinitely at their present levels, corporations would realize definite and predictable advantages in the postponement of taxes attributable to amortization.

"The benefits from tax postponement vary with the gross amount of tax savings realized in the 5-year amortization period, the length of time over which depreciation would

ordinarily be taken, and the cost of capital to the corporation. If, for example, necessity certificates in the amount of $10 million were issued for the construction of plant and equipment with an average depreciable life of 20 years and were amortized under income- and excess-profits tax rates of 77 percent, the gross tax savings would amount to $6,737,500. By postponing the payment of taxes over the 20-year period, a corporation having the use of such funds at an assumed rate of 5 percent would enjoy a benefit worth about $1,860,000. At an income- and excess-profits tax rate of 85 percent, the tax deferment value of such benefit would amount to about $2,056,000.

"The value of tax postponement to a corporation with depreciable assets of 40 years would be considerably greater. Assuming an alternative cost of financing $10 million capital additions at 5 percent, the value of the use of such tax funds to a corporation would be about $3,350,000, at a tax rate of 77 percent, and about $3,700,000 at a tax rate of 85 percent.

"Cost to the Government

"As a result of amortization, the Government incurs a revenue loss which reflects the value of this privilege to industry. It is not possible to forecast the aggregate amount of necessity certificates which will be awarded, the percentage of amortization which will be allowed, or the trend of future tax rates. However, on the basis of the $3.9 billion necessity certificates already granted (by March 23, 1951) on which $2.8 billion amortization was allowed, it is estimated that the decrease in income and excess-profits tax liabilities during the next 5-year period would be $1,550 million, at the present corporation rates. If the rates proposed in the 1951 tax program are enacted, the immediate loss in revenue is estimated at $1,700 million. Future authorizations will of course increase this revenue loss correspondingly.

"Because of the uncertainty over future tax rates, it is not possible to calculate the ultimate loss to the Treasury arising from amortization deductions. In addition to any ultimate net revenue loss, the cost of the special amortization program from the viewpoint of the Government includes the interest on the tax revenue which would have been received in the absence of amortization. The cost to the Treasury of such postponements is measured by the average interest cost of Treasury financing for the average length of life of the amortized assets."

STATEMENT BY SENATOR WATKINS

It will be recalled that some have objected to the rapid tax amortization granted to Idaho Power Co. on the grounds that the facilities did not have a 5-year life for exclusive defense purposes. Therefore, I wish to underscore Secretary Lynch's estimate of the program pursued during World War II:

"Although amortization was originally designed to encourage private financing of wartime facilities which might have only limited, if any, postwar usefulness, it is believed that the great majority of these plants were continued in peacetime production. Some, in fact, saw little or no wartime use, but nonetheless could be written off for tax purposes in the last year of the emergency (when $1,950 billion worth of facilities were written off in one big year).

"The high proportion of wartime emergency plants retained in postwar production can be explained by the fact that tax amortization, in itself, did not permit corporations to recoup the entire cost of such facilities since tax rates were less than 100 percent. Where the value of such facilities was clearly limited to wartime production there was little inducement to undertake their private financing. Some corporations were reimbursed for the cost of emergency plants through procurement contracts and allowance for amortization in the recapture of excessive profits renegotiated. For the most part, however, the Federal Government undertook the financing of facilities which were of questionable postwar value."

If I might interject, I would like to suggest that the Federal Government also took a heavy financial beating on the billions invested in those wartime defense plants. In fact, the extreme losses under the Federal-built facility program contributed to post-War II enthusiasm for private financing under the rapid tax amortization incentive.

It is also significant that a report was made by this Treasury official on the tax effects of the rapid tax amortization program. He reported that by March 23, 1951, amortization of $2.8 billion had been granted on certificates issued. On the basis of the proposed 1951 tax rates, Mr. Lynch estimated, this would cost the Federal Government a total of $1.7 billions.

Now I trust that the Senate will note that this report was made to the joint committee on April 20, 1951. Inasmuch as no changes were made in the tax structure, I think it safe to assume that the Congress felt that this concession was justified by the defense considerations and by the disillusioning experience of Government-built war plants during Wars I and II.

Furthermore, inasmuch as this 1950 legislation has not been changed until this day, I think it can be safe to assume that until the law is modified, the Congress still stands behind its policy of granting rapid tax amortization for defense facilities. In fact, I believe that Senator BYRD's bill, which I expect to support, does not repeal rapid tax amortization; it merely narrows the definition of the qualifications for such assistance.

The verdict of the Nation's chief defense official on the value of rapid tax amortization was expressed to the joint committee in a statement made by DPA Administrator William H. Harrison in an appearance as a witness in April of 1951. I hereby submit the Harrison statement as carried in the Defense Production Act Progress Report No. 8.

"The CHAIRMAN. Senator Brewster, in the 80th Congress, took over the committe that Senator Truman and Senator Mead had carried on during the last war. He made a rather scathing attack as to what had been done in the last war. I am not going to read it. It is a public record, and I guess most people are familiar with it.

"Anyhow, I am going to ask that this be made a part of the record.

"For instance, he says: 'Practically all the certificates issued by the War and Navy Departments were on a 100-percent basis.'

"Well, I am glad to note that the certificates of necessity you gentlemen have issued so far this time are far better than that because some of them only run 20 percent and very few run 100 percent. But this is what happened last time.

"Then he goes on and says:

" 'Legal profiteering resulted from certificates of necessity. Many companies came out of the war with new, valuable, fully amortized facilities which they could either use or, as some have done, sell.'

"Then he goes into this long report that Senator Brewster filed on April 28, 1948. I guess you gentlemen are familiar with it. If not, it is worth reading, because that is just what we do not want to happen again: to have a report here 2 or 3 years from now showing that these big business corporations profited unduly from tax amortization—and we have got nothing against big business here; they deserve it. Senator Brewster ends up that it is his opinion that the cost of the war could have been reduced $3 billion if the War and Navy Departments had used a similar percentage method.

"I understand, and I want to say the good with the bad; that this time you gentlemen have not gone into this 100-percent amortization except in a few isolated cases.

"On the other hand, you have sent me the list up to March 16 showing that the little-business man of the small-business man, as far as I can see, is still sort of out in the cold. You have a lot of applications pending.

"How many more, Mr. Harrison, have you gotten that you have not certified? You had $7.5 billion last time.

"Mr. HARRISON. I would guess, Senator, that they are in terms of around a value of eleven-odd-billion dollars and probably six-thousand-odd requests.

"The CHAIRMAN. Six thousand requests for around 11 billion?

"Mr. HARRISON. Yes.

"(Mr. Harrison's prepared statement, by direction of the committee, follows:)

" 'STATEMENT OF WILLIAM H. HARRISON, ADMINISTRATOR, DEFENSE PRODUCTION ADMINISTRATION

" 'Mr. Chairman and members of the committee, it is my understanding you wish me to discuss the broad matter of emergency tax amortization, and I welcome the opportunity to do so.

" 'Sound administration of the functions of the Defense Production Act is of tremendous importance, for the Congress has granted wide administrative authority. With particular reference to emergency tax amortization, under section 124A of the Internal Revenue Code, wise and courageous use of this authority can be of far-reaching value in accomplishing the objectives of the Defense Production Act; and similarly, because of the tax benefits to the recipients, there must be clear justification for the certifications thus made.

" 'This was recognized at the outset, and in October of 1950 administrative regulations covering this matter were issued by the Chairman of the National Security Resources Board, and approved by the President. Later, with the establishment of the Office of Defense Mobilization and its subordinate agency, the Defense Production Administration, further clarifying administrative policies were established. Your committee has copies of these regulations.

" 'I personally have been associated with the administration of this important matter since its inception; first, in the National Production Authority, and more recently in the Defense Production Administration. I am mindful of the meticulous care which is required in the administration of this statutory authority. There must be balanced on the one hand the pressing need for expansion of resources and of certain special facilities, and on the other there must be scrupulous regard that no tax advantage be granted other than that intended by this statute.

" 'Fundamentally, the election to accelerate the amortization of defense facilities is granted a taxpayer by the statute, and our job as certifying authority is to carry out the Congressional mandate to determine as a matter of fact, on the basis of our best judgment, whether a particular facility is necessary for defense, and, if so, what proportion of the investment thereof is entitled to enjoy accelerated depreciation. Once we have answered that question, the machinery of the law takes over and the consequences follow automatically.

" 'My opinion of the virtues or failings of the statutory scheme cannot alter the job the Congress and the President have given us to do. I must say, however, that I am convinced emergency amortization is one of the soundest instrumentalities of government to encourage expansion of industrial strength for national security. In this I assume, of course, there will continue to be careful and well-balanced administration of these operations, and our organization and procedures are being constantly strengthened to attain this end.

" 'The defense production effort in which we are engaged has been described many times; by the Congress as in the opening paragraphs of the Defense Production Act, by the President as in the Economic Report of January 12, and by the Director of Defense Mobilization as in his first report on mobilization of April 1.

" 'Without exception, to my knowledge, that production effort has been described as consisting of two major parts: First, a rapid increase in our current armed strength, planes, tanks, weapons, combat vessels, and all the rest of the modern arsenal; and, second, an expansion of our capacity to maintain a strong economy, to retard inflation, and to be ready to produce armament in a quantity and at a speed that would deter or overwhelm an aggressor.

" 'Many devices are available to increase the production of military end items. Armament procurement is supported by preference ratings, by limitations on nonessential uses of materials and facilities, by conversion of peacetime industry to war work. For the short run, the explosive effort, these methods are adeqaute. But we must be prepared for quick mobilization at any time over a period of years—we must have in being the machinery for war production while production for peace continues.

" 'Emergency controls channel and direct an industrial vitality that is built upon normal commerce and trade. Too long continued, those controls would weaken our economy, nourish ruinous inflation, and reduce our war-making potential.

" 'From the experience of 2 world wars, we have learned 2 outstandingly effective ways to increase basic capacity for production. One is Government construction; the other is accelerated amortization for tax purposes.

" 'Although both methods were used to secure needed expansion in World War II—the dollar outlay for Government plants was more than twice the amount of expansion certified for tax purposes.

" 'In the present situation, it is my opinion that in most cases privately financed expansion of resources or facilities which are indicated to have postemergency use is preferable to the construction of Government plants. On the other hand, there likely will be instances where Government-built plants represent the sound procedure; and in the revision of the Defense Production Act, authority is being requested for this purpose.

" 'Emergency amortization operates to encourage expansion by permitting concentration of depreciation allowances in the first few years after construction or acquisition of the facility. In effect, it allows the taxpayer to postpone a part of his taxes for 5 years. And there is always the possibility of further tax gains in that taxes may be lower when the 5 years are up.

" 'It is not alone in the promise of a possible net gain in taxes that encouragement to expansion lies. Emergency amortization helps the taxpayer to finance expansion by telescoping much of the process of capital adjustment into the years immediately ahead, when the chances for high income and full use of the new facility seem good.

" 'From the Government's standpoint, there is put at risk a part of the cost of the facility in terms of taxes postponed, and there is the indicated immediate loss of tax revenue. Whether the ultimate revenue will be less or greater for the postponement cannot be known. But neither is there any certainty in the recovery of Government investment in its own plants.

" 'In no case where the expanded facility is anticipated to have post-emergency utility should the accelerated depreciation be recognized as an item of cost in the pricing of Government contracts. To do this would be contrary to public interest.

" 'Applications totaling roughly $16 billion have been received with request for certification. Approximately $4.6 billion has been certified at an average of 70 percent. Normal depreciation allowance would have averaged between 20 and 25 percent. So we have authorized the concentration of about $2.4 billion in capital-asset depreciation into the next 5 years, which would normally be spread over 20 years or more.

" 'In return there is substantial present expansion in the production of iron and steel, and of aluminum. Basic chemicals will be available in larger quantities; our rail transportation system will be strengthened. And, not least, our capacity for the production of weapons is being greatly enlarged.

" 'I make no claim the certifications are precise and subject to a formula test. Rather, they are based in large measure on factors of judgment in evaluating the necessity and the risks involved. We have a limited but well-qualified staff, and against the background of existing conditions, I feel we are administering the statute to insure the end result the Congress sought, and with meticulous regard for the public interest.

" 'It should be pointed out that the 70-percent figure thus far authorized does not represent a cross-section treatment of the entire file of pending applications now totaling over $11 billion. Many of the most urgently needed expansions have been processed, and the bulk of the remainder will likely fall into a category of cases receiving lower depreciation benefits.

" 'In my judgment, the accelerated depreciation granted is a sound investment for the Nation; I think the Congress was very far sighted when it made this grant of administrative authority. There will result a far stronger America, a more nearly self-sufficient Free World, a greater readiness to combat and defeat both aggression and inflation in the years to come.

" 'To facilitate your consideration of the types of expansion thus far approved, the attached table will be of interest. A tabulation of the application received as of March 16, the applications granted and those denied as of March 23, has been made available to your committee.' "

It will be noted that in this statement, DPA Chief Harrison said flatly: "In my judgment, the accelerated depreciation granted is a sound investment for the Nation; I think the Congress was very far-sighted when it made this grant of administrative authority. There will result a far stronger America, a more nearly self-sufficient Free World, a greater readiness to combat and defeat both aggression and inflation in the years to come."

STATEMENT BY SENATOR WATKINS

I shall not take time to comment on other excerpted material presented in this review, but it is assembled here as a record for those who want to look at some of the hitherto-ignored background of this incentive for defense expansion.

And, I might add that this is still a defense period we are in, based upon expenditures for goods and services in the interests of national security since 1950:

1950	$21,400,000,000
1951	38,600,000,000
1952	50,400,000,000
1953	54,500,000,000
1954	44,900,000,000
1955	40,800,000,000

I append at this point other material from Governmental reports on defense production since 1950:

"ACCELERATED TAX AMORTIZATION

"One of the strongest instruments Congress has provided to encourage the expansion of our industrial capacity, is the accelerated tax-amortization authority in section 124–A of the Internal Revenue Code.

"The far-reaching effect of this authority in accomplishing the objectives of the Defense Production Act was recognized as early as October 1950 when regulations were issued by the Chairman of the National Security Resources Board and approved by the President. Later, when DPA was established, the administrative responsibility for processing the certificates of necessity was transferred to this agency.

"Accelerated amortization operates to encourage expansion by permitting concentration of depreciation allowances in the first few years after construction or acquisition of the facility. It is designed also to help the taxpayer to finance expansion by telescoping much of the process of capital adjustment into the years immediately ahead when the chances for high income and full use of the new facilities seem good.

"Prior to passage of section 124–A of the Internal Revenue Code, the period permitted for depreciation of new facilities by the Bureau of Internal Revenue varied up to 25 years depending on the normal life expectancy of the facility. Under the statute, this period may be shortened to 5 years for such portion of the new investment as DPA may determine.

"The percentage authorized for amortization depends primarily on the need for increased productive capacity in the industry to meet defense needs. Other factors taken into consideration are the type of facility, the probable usefulness of the plant for other than defense purposes after the emergency, and the degree of financial aid deemed necessary to encourage the expansion. In the case of machine tools the percentage varies from 50 to 85 percent with an average of 70 percent for all cases approved to date. The industry has never felt this percentage adequate. It has repeatedly requested 100 percent amortization on the premise that no machine-tool builder needs to expand his present plant to handle the business he will have when the defense program is terminated.

"In view of their general situation, a tax amortization plan was the type of financial aid the machine-tool builders needed from the Goverment if they were going to expand their production. As early as November 1950 tool builders began to send their applications to Washington. The machinery had not been set up to properly review and handle applications and naturally they began to pile up. Even the claimant agencies, who are the point of first reference, were not staffed with personnel properly trained to review and pass judgment as to whether 'a particular facility was necessary for defense, and if so, what percentage of the investment thereof was entitled to accelerated depreciation.'

* * * * *

"CONCLUSIONS

"Three main problems dominate the field in considering the adequacy of the electric-power supply:

"1. Widespread difficulties are being encounterd in having allocation tickets honored.

"2. Because of differences of opinion concerning the size of the expansion program required in this field, doubts are expressed by some as to whether sufficient allocations of materials are being made for increasing electric-power-production capacity.

"3. Coupled with the fact that manufacturing capacity for large steam-turbine generators appears to be completely booked through 1953, every day lost in adequate planning now because of lack of appreciation of lead time as a factor means that for a large portion of the electric industry no net gain in productive capacity can be realized

until 1954. The lost day cannot be effectively made up until that time. Before then, a new order for such turbines could merely displace another already on the order boards with no net gain in productive capacity. There is no magic wand which can cure this situation. It behooves officials in charge of planning and carrying out the electric-power program to give adequate recognition to lead time and the danger of delay. As shown elsewhere in this report, the usual time required to translate a decision to increase power-production capacity into a physical plant capable of that production varies from 3 to 5 years for a hydroelectric plant. It takes 3 years for a steam plant to be completed.

"Have you ever stepped on the starter of an automobile on a cold morning and been unable to start the motor because of battery failure? You have an investment of between $2,000 and $3,000 unable to function because of lack of electric power from a battery representing a cost of about 1 percent of the investment. For your purposes at that moment the automobile is useless and so is the entire investment it represents. The same analogy applies to a defense plant lacking the electric power to make it operate.

"Unfortunately, the difficulties of this problem are compounded because, while you can normally replace your automobile battery from any auto-parts supplier's stock, it takes from 3 to 5 years to build electric-power systems for some defense plants, even without considering further delays caused by lack of materials under an allocation economy.

"If this study does nothing more than instill in all who control its programing an understanding of the importance of lead time in the electric-power industry, it will have served a useful purpose.

"Other problems have also arisen to harass those trying to provide adequate electric power to turn the wheels of America's industries.

"An electric powerplant is not like the old automobiles which reputedly would run even without all the component parts with which they were originally equipped. A steam plant needs a boiler and a boiler needs a fan. Yet a fan is a B product in our present system of allocations and may not receive the same preferred treatment as a boiler when it comes to allocations. It is important that in the administration of the allocations system, adequate measures be taken to assure that the fan will be available when needed so that the boiler may be incorporated in the steam plant on schedule and the plant in turn may be ready to supply the energy to produce defense items on time. It is urgent that the 'kingdom' not be lost 'for want of a horseshoe nail.'

* * * * *

"'ELECTRIC POWER ADVISORY COMMITTEE

"'Recently DPA Administrator Fleischmann appointed an Electric Power Advisory Committee to make recommendations to him in regard to the size of an electric power-expansion program which will serve adequately the country's needs for both defense and civilian purposes.

"'As a groundwork for its recommendations the Committee has requested the Defense Electric Power Administration to collate the latest and best possible information in regard to electric power requirements and supply from everyone who is concerned with the supply or demand for electric power and energy. The Committee has requested the assistance of DEPA in obtaining from utilities their estimates of power and supply in the geographical areas in which they operate and has requested DEPA to obtain from the Defense Production Administration and National Production Authority their estimates as to the requirements of the defense program and supporting programs and civilian needs.

"'After it has available the best possible information in regard to requirements and supply needs, the Electric Power Advisory Committee will make recommendations to Mr. Fleischmann as to what it thinks the power program should be. It will, to the best of its ability, evaluate for him risks which might be taken if power is not provided for every need and purpose. The Committee's function is to prepare information for him and assist him in making a decision.

"'The decision as to the carrying out of the program, its size, and its timing, is, of course, the responsibility of Administrator Fleischmann.

"'2. ELECTRIC POWER FOR ALUMINUM

"'Aluminum requires large amounts of electric energy—approximately 9 to 10 kilowatt-hours per pound. Some of the older plants are of varying sizes and are somewhat less efficient than modern ones. They may require between 11 and 12 kilowatt-hours per pound.

"'The electric energy used in making aluminum is one of the largest two items in the production cost of the metal; and, as a general statement, production plants are located wherever electric energy can be purchased at the lowest prices. It makes little difference as to the source of the energy—it can be from hydroelectric plants, steam-driven generating plants or internal-combustion-engine-driven generating plants—the important factor being the cost per kilowatt-hour of the energy.

"'Early production of aluminum in this country was at Niagara Falls, N. Y., Massena, N. Y., and Badin, N. C.—these plants getting their energy from hydroelectric sources. There was little change in this pattern until 1941 when, because additional low-priced power was not available, one producer turned to the gas fields of the Southwest as a source of cheap energy and built a plant which receives its power from both steam-driven and internal-combustion-engine-driven units. Both generating plants use gas as a source of fuel, and the cost of energy on the bus is approximately 3 mills or less per kilowatt-hour.

"'At this same time, in 1941, additional aluminum-reduction plants were built in the Pacific Northwest because it was possible to obtain a limited supply of hydroelectric energy there at a price of about 2 mills per kilowatt-hour. An additional plant was built at Massena, N. Y., near the one in existence; but, as no more low-priced hydroelectric energy was available, it was necessary to gather up steam energy from sources in the area and transmit it to Taylorsville, N. Y., to Massena over a new line built by the Corps of Engineers.

"'As no more low-priced hydroelectric power was available in the country, plants were built wherever the amounts of power needed could be obtained; and, as these were located in areas where power was produced from steam-driven sources, it was necessary to pay a higher price for the energy. A plant built at Maspeth, N. Y., obtained energy at the rate of 6.6 mills per kilowatt-hour. The plants at Riverbank and Los Angeles, Calif., paid about 4.9 mills and 6.2 mills, respectively, per kilowatt-hour, and another plant at Burlington, N. J., bought at 6 mills per kilowatt-hour. After the war, all these plants were shut down, as it was not possible for them to compete economically with plants getting power for 2 to 3 mills.

"'After World War II the Aluminum Company of America built a plant at Port Lavaca, Tex., using internal-combustion engines and this is the first case of a primary producer following such a course in peacetime and without the compulsion of wartime production. Other primary producers are also locating plants in the Southwest turning to gas-fired plants as a source of cheap energy. Some new reduction facilities are being installed in the Pacific Northwest, but at present, the amount of low-cost power available there is somewhat limited.

"'The present price of aluminum is dependent on the availability of electric energy at about 3 mills per kilowatt-hour. The producers say that anything above this would necessitate a price increase. Aluminum's competitive position at present is excellent, with the copper supply being more or less limited, and with the greatly increased demand for aluminum for use in many fields, its prospects are very bright.

"'Finally, price is the primary consideration when purchasing electric energy for use in making aluminum. The producers do not care what the source of the fuel is—hydro, coal, gas, lignite, oil, or anything else. Their need is for large amounts of electric energy at the lowest possible prices and they will locate reduction plants wherever they find the combination of large, adequate supplies of energy at low prices.'

* * * * *

"The American Public Power Association endorsed the December 6, 1951, statement of Administrator Fairman of DEPA warning of the danger of a power shortage. Stating that its member systems throughout the country, consisting primarily of municipally owned systems, are actively engaged in programs to increase their power supply, the association concluded:

"'In view of this situation, our recommendations to your committee are threefold:

"'1. Because of the vital defense-supporting nature of the electric power industry, we respectfully request that your committee urge the Defense Production Administration to give full support to the Defense Electric Power Administration's power program by making available to the electric industry critical materials in amounts sufficient to carry forward the DEPA power program without further slippage.

"'2. Because of the considerable lead time which is required in the construction of hydroelectric projects, we urge that the Congress give continuing consideration to the orderly development of our Nation's hydroelectric resources, so that the economically feasible projects may be brought into production at the earliest practicable time. Such renewable resources should be harnessed with the least possible delay.

"'3. We note with considerable regret, through press reports, that at least one State regulatory commission has injected the private versus public power issue in its comments to your committee. At a time when power supplies from all sources are urgently needed for our national security, we believe such an action by a State regulatory commission or any other group is untimely and reprehensible. Neither public nor private power groups should attempt to block the efforts of the other during this emergency period. We believe that support should be given to the private power companies wherever necessary, and at the same time we strongly advocate that these companies abandon their fight on the public systems during this national emergency, so that both public and private systems can make the maximum contribution to our mobilization program. Such a policy, we believe, is clearly in the national interest.'

"Because it was the only organization replying from the standpoint of rural needs for electric power, there is included at this point the comments of the National Rural Electric Cooperative Association made on its behalf by its executive manager, Mr. Clyde T. Ellis. The association notes that 863 systems are members of this service organization of the rural electric systems of the United States, and that it has a consumer membership of

approximately 3 million farm families in 42 States and Alaska.

"Mr. Ellis stated:

" 'The farmers of America have been asked to produce more food and fiber than ever before in history. Tremendous quantities of these raw materials are needed to feed and clothe the Armed Forces and civilian populations of nearly every nation fighting against totalitarian aggression. These agricultural production goals must be achieved despite the fact that farm labor is being siphoned into more lucrative industrial jobs and into the Armed Forces. This manpower loss must be compensated for by more intensified use of machinery on the farm. The term "farm machinery" no longer denotes a gasoline tractor and its associated apparatus, but includes a myriad of electrically driven equipment. Such items as barn cleaners, silage elevators, feed grinders and dryers, milking machines, water pumps, and automatic brooders are examples of electrically driven laborsaving machinery used on the farm. If this machinery is to prove really productive, it must be employed on a large scale, operate efficiently, and be available when needed. An adequate source of reliable electric power must be available at all times.

" 'Some 2½ million farms in the United States receive central station electric service from rural electric cooperatives and power districts, local autonomous farmer-owned electric distribution systems financed on a self-liquidation basis by the Rural Electrification Administration. Last year (1950), these cooperatives purchased 7½ billion kilowatt-hours of energy at wholesale for distribution to farms and other rural establishments, some 4 billion of which they bought from commercial power companies. At the present time, the cooperative loads are doubling every 5 years and would increase even more rapidly were abundant wholesale energy available. Thus, by 1960, if present trends continue, the cooperatives may require 30 billion kilowatt-hours for their consumers. Of this amount, about 16 billion kilowatt-hours will be required of the power companies compared with 4 billion kilowatt-hours purchased from such companies last year. The experience of the cooperatives indicates that many of these companies may not be in a position to meet this increased load. Such inability will be manifest in poor voltage regulation at cooperative substations, excessive periods of outage, limited transmission-line capacity, and rate structures that discriminate against large farm loads.

" 'Last year, while the power companies were appearing before committees of the Congress, reiterating with the aid of elaborate charts and graphs the fact that they were willing and able to serve all loads, 19 percent of the rural electric distribution systems were already handicapped by an existing shortage of wholesale power. Twenty-one percent of the systems had insufficient power to meet anticipated load growth. These figures are not guesses. They are results tabulated from an annual survey conducted by the rural electric cooperatives of the country through their national association.

" 'The electric power shortage is an old story to leaders of rural electric systems. Wherever and whenever these leaders have met during the past 5 years, they have spoken of their increasing demands for electric service and methods of meeting these demands from the meager sources of energy made available to them. Time and time again they have called to attention of the Congress and the public existing and threatening power shortages in many parts of the country. But in almost every instance, our efforts to point out weaknesses in the electric power reserves of the country were met by loud denunciations from the power companies. The power shortage which farsighted men have been predicting for years is no longer problematical. It is with us in the form of interruptions to aluminum production as well as the inability of industry to locate any applicable block of power anywhere in the United States for expansion purposes, defense, or otherwise. The elaborate plans of proposed generation plants and the multicolored maps of planned transmission systems which have so frequently decorated Congressional hearing rooms are doing little to turn the wheels of new industry.

" 'DEPA Administrator James F. Fairman recently stated that: "Present estimates indicate that by the end of 1952, total capacity requirements will be in the neighborhood of 85 million kilowatts. The generating capacity, if the whole 1952 program is achieved will be slightly less than 85 million kilowatts. Thus, failure for the third successive year to increase the margin between supply and demand means that during 1952 we can expect greater areas in which the power supply will be precarious." Mr. Fairman is a power company official.

" 'Thus, assuming that every bit of new capacity scheduled for delivery in 1952 is installed, the electric capacity of the Nation will fall further behind. What is even worse, a national survey conducted by the electric power industry indicates that although some 10 million kilowatts of capacity are scheduled for delivery in 1952, from 2 to 4 million kilowatts of this capacity will not be available because of material shortages. Therefore, generation capacity may fall an additional 4 or 5 million kilowatts behind anticipated demand.

" 'This is a dangerous situation, a situation which can mean nothing but greater curtailments in the industrial and agricultural expansion needed to meet emergency production goals.

" 'No other major American industry is growing anything like as fast as the electric power industry. Demands are and have long been growing so fast that it must double the capacity of its entire plant facility every 10 years. The rate of increase now requires a 100-percent increase every 7½ years. The loads of the rural electric systems are growing even faster. They are doubling every 5 years.

" 'Despite the fact that rural electric coperatives have, to an increasing degree, been hard pressed to obtain sufficient wholesale energy during the last few years, power company spokesmen were stating as late as July of 1950 that the industry stood ready to meet all electric requirements in the country. One particular industry spokesman stated, "We are in an enviable position to meet power demands, not only for an enlarged defense program but to continue civilian production at a high rate."

" 'Early in the Korean war, the same people predicted that the Government would use the war as excuse to impose controls on the industry and to increase Government production in the power business. Not until the war was well underway did the companies realize how badly they had underestimated the country's need for electricity. They then poured a torrent of frenzied orders for new equipment onto overloaded manufacturers. Predictions of large reserves were revised downward, but still the companies did not admit any serious shortage. As late as April 1951 they were still not fully awake to the fact that the situation was critical. A reserve of 8½ percent was predicted for this winter. A reserve of not less than 15 percent is considered safe. The peak load for 1951 will occur next week and I feel very strongly that the reserve capacity during this peak may well be less than half of what was predicted. Next week's figures of demand versus capability for the Nation will purport to indicate what reserve is available. Figures for demand will, however, indicate only connected loads. There is no way of knowing the real demand for electric power because no company ever connects more load than it can serve. It is therefore impossible for the measured demand to exceed the generation capability. However, the unavailability of large quantities of power for industrial expansion anywhere in the country is the real indication of what we are facing in the way of a power shortage. I am of the opinion that if the unconnected demand were considered in next week's determination of reserve capacity for 1951, the result would be an appreciable deficit rather than any reserve margin.

" 'With this situation as the background, increasing numbers of the rural electric cooperatives are attempting to develop independent sources of wholesale energy. They are working at top efficiency to get construction underway on additional generation and transmission systems so that agricultural production will not be interrupted by power shortages. Many of these cooperative generation plants will operate as integrated parts of Federal hydroelectric facilities. The engineers say that integration with hydroelectric capacity is the best way to derive the maximum benefit from the steam plants, and we certainly need every available kilowatt just as fast as it can be developed.

" 'The commercial utility companies are fighting these generation plants and integration plans to the utmost. They are fighting them in committees of the Congress; they are fighting them in the offices of the Rural Electrification Administration; they are fighting them before State regulatory bodies; they are fighting them in State legislatures; and they are fighting them in State and Federal courts. I have spent 2½ days of this week in the United States District Court for the District of Columbia listening to the legal arguments of 10 Missouri power companies that are trying to prevent the farmers of western Missouri from constructing a steam-generating plant to serve themselves. The companies say this is competition and claim they have the absolute right to operate free from competition. How these attempts to restrict the electric capacity of the Nation can be justified in these times of emergency, we do not know. We think that there is no justification for it any more than we think there is justification for the industry's long fight against the development of Federal hydroelectric capacity and the transmission lines to deliver the hydro power at wholesale where it is needed. In short, we see the present acute power shortage as the inevitable result of the commercial power companies' perpetual underestimation of national power requirements and their long fight against expansion of the electric capacity of the Nation, and we see these same companies, unable to meet expanding loads themselves, still fighting to prevent others from rectifying the serious shortage they have brought about. The power companies have still apparently not learned what is wrong. They still talk about achieving adequate reserves of 16 percent by the end of 1954. It appears to us that we will have an ever present power shortage until the Nation recognizes the need of encouraging not a 16 percent reserve by 1954 but an all-out unrestricted development of all the power resources of the Nation.

" 'The limiting factor in our power development must be the power needs of the country rather than the economic capability of the companies. Certainly the companies are entitled to a fair return on their investment. Such a return is one prerequisite for maintaining and expanding modern efficient commercial utilities. We encourage such expansion because our systems purchase over 50 percent of their power from commercial utility companies. We paid them over $37 million for power in fiscal 1950. We have

never opposed the expansion plans of any utility anywhere. In turn, we only ask that where these private utilities find it uneconomical to serve thin areas, even at wholesale, as evidenced by excessive rates and inadequate service, they allow the rural electric cooperatives and federally financed hydroelectric facilities to fill the gap instead of jeopardizing the welfare of the country by attempting to maintain exclusive rights to generate and transmit electric power.'

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"DETERMINATION OF POWER PROGRAM

"3. Those in charge of allocation policy must give due recognition to the vital need for electric power as an essential ingredient in the formula for successful defense mobilization. The exact amount of power required is a matter subject to honest differences of opinion. The determination of this amount should be recognized as a problem separate from the policy decision regarding what amount of scarce materials should be made available to meet that target. It boils down to the question 'How much power do we need?' as distinguished from the question 'How much power can we get in an allocated economy?' Your committee appreciates that the latter question is a difficult one to answer, especially when the answer must be obtained by balancing requirements for electric power against requirements for other elements needed in a mobilization economy. Your committee agrees that the needs of the Armed Forces deserve and must get first priority. Administrative officials and policymakers, however, cannot afford to underestimate the need for adequate electric power to produce the items needed by the military services. A Nation twice unprepared for its own defense within the lifetime of those now living should surely recognize the folly of allowing itself to lapse into that situation again. With our understandable pride in the miracles of modern American productive capacity in industry, there is danger that we rely too heavily on the ingenuity of American business to produce vast quantities of defense and civilian materials overnight. It must be realized that production takes time and advance planning. Embarking on a policy of increasing the productive capacity of American industry during the present emergency, care must be taken to see that all necessary elements required for that increase are given due consideration and provided. Obviously one of these elements is electric power. Your committee cannot emphasize too strongly the need for realizing the long lead time required to increase the output of electric power. In the face of past and current predictions by men competent in this field that the Nation faces a power shortage, especially in the Southeast and the Northwest, our policymakers both in Government and in industry must give full recognition to the lead-time factor. As recently as this month, Administrator Fairman, of DEPA, forecast that by the end of 1952 total generating capability will be slightly less than total capacity requirements even if the whole 1952 program is achieved. Because electric power, due to physical limitations, cannot be carried effectively to all parts of the country, Mr. Fairman's forecast points up the danger of shortages in specific geographic areas. He believes the prospects are that power will be short in 1952 from the Great Lakes to the gulf and in the Northwest. His forecast considered the growing aluminum-producing program, which consumes vast quantities of electric power. Approximately 10 kilowatt-hours of electricity are required to manufacture a single pound of aluminum.

"Already on the controlled materials list, aluminum is held forth as one of the materials which can be used as a substitute in some uses for even scarcer copper. As noted on page 22 of Progress Report No. 11 of your committee, DPA is working on an assumption that the estimated supply of aluminum for the first quarter of 1952 will be 646 million pounds. This translates roughly into a requirement for 6,460,000,000 kilowatt-hours of electricity. Electric output in the week ended December 8 has been estimated at 7,443,964,000 kilowatt-hours, which of itself represents a 7.7-percent increase over estimated output in the comparable 1950 week. Output for the preceding 1951 week ran slightly higher at 7,475,693,000 kilowatt-hours. Projecting this same output into the first quarter of 1952 would give an approximate output of 97 billion kilowatt-hours. While this figure is used for illustrative purposes only and not as an accurate forecast, it is noted that the manufacture of the amount of aluminum contemplated would use about 7 percent of the total available output. With current discussions of an increase in Air Force strength with its accompanying demands for more aluminum, it should be borne in mind that this in turn will greatly increase the demand for electric power.

"It must also be remembered that DEPA's estimates for power requirements are based upon present military requirements. Any increase in these requirements—which is entirely possible—will cause an increase in requirements for electric power capacity.

"In view of these considerations, there is more danger of underestimating than of overestimating electric power requirements—yet this Nation cannot afford to underestimate those requirements."

MINORITY VIEWS OF MR. WATKINS, MR. DWORSHAK, MR. BARRETT, AND MR. GOLDWATER ON S. 555

We, the undersigned members of this committee, recommend against enactment of S. 555, and submit for committee consideration this summary of views in opposition to the proposed Federal dam project at Hells Canyon.

For convenience, the opposing views are summarized herewith, with a detailed discussion following:

OBJECTIONS TO BILL SUMMARIZED

1. While the Congress is struggling to reduce the budget so that inflation can be halted and debt and tax reductions granted, the proposal made in S. 555 would represent an unnecessary out-of-Treasury expenditure or an outright tax loss, of a billion dollars.

2. The action recommended in S. 555 would result in a denial to the Nation of the benefits of assistance from non-Federal sources in the development of our hydroelectric resources.

3. S. 555 proposes upsetting a unanimous decision of the Congress' own bipartisan power agency, the Federal Power Commission. This proposal is made in spite of the fact that the FPC deliberations on the Hells Canyon decision were the most extensive in the Agency's history—extending over 2 years and amassing 20,000 pages of testimony in 150 hearing days. The FPC procedures and decision were upheld by a recent action of the United States Supreme Court.

4. S. 555 violates the precedent of Congressional respect for States rights in water-resource legislation affecting the semiarid West.

5. Power is still urgently needed in Idaho and elsewhere in the Pacific Northwest, and yet S. 555 would halt the contemplated delivery of energy from the Brownlee project in 1958 and postpone comparable power production at the Hells Canyon reach of the Snake River at least until 1964.

6. High Hells Canyon Dam would not contribute a drop of water for irrigation, municipal, or industrial use in Idaho or elsewhere in the semiarid West.

7. Based on expected average power production at the dam site, the three-dam project is eminently justifiable economically, and the additional generation at a high dam is but a small fraction of basin requirements.

8. The action upsetting the FPC decision undoubtedly would entail Federal liability for a large investment, of as yet unspecified size, already made by a private utility acting under a license lawfully issued by a Congressional agency in procedures sustained by the United States Supreme Court. Proponents have not offered an adequate estimate of this expected liability, nor shown its impact upon project feasibility.

9. In demanding the high Hells Canyon Dam as a flood control necessity, supporters of S. 555 are ignoring the fact that at least 90 percent of the unsolved flood control problem on the Columbia River originates from flood flows downstream from Hells Canyon and on other Columbia River tributaries. Furthermore, the high dam would not solve flood control problems upstream on the Snake River and its tributaries, where it is needed within the State of Idaho.

10. Section 4 of S. 555 provides for establishment of a Snake River project account but does not specify how the account would operate. This is a serious defect in this legislation, especially in view of the fact that no reclamation projects, as such, are authorized in the bill.

11. Proposed sale of 4-mill power from high Hells Canyon for 2.1 mills represents a large subsidy from taxpayers for industries, private utilities, and other prospective large volume users of that power.

12. Rejection of S. 555 would not mean discrimination against the States of Oregon and Washington in their water resource development. These States already have received one-seventh of Federal flood control and navigation construction funds and one-fifth of Federal reclamation construction funds appropriated for all the 48 States.

13. Revenues from the high dam would not be available to support reclamation development in the Snake River Basin until, at earliest, the year 2014, and then only upon direct Congressional authorization of such participating projects.

14. If the project proposed in S. 555, including both transmitting and generation facilities, were built in 6 years, as the supporters contend it will be, the project would require nearby $100 million a year in reclamation appropriations. Total reclamation construction funds requested in the 1958 Presidential budget amount to only $156 million for all 17 Western States, and efforts are being made in some quaretrs to reduce this amount.

15. The rapid tax amortization granted Idaho Power Co. is no giveaway as charged.

16. Section 3 (c) of S. 555 directs the Secretary of the Interior to supply and transmit from the McNary Dam, many miles downstream, the necessary construction power for the Hells Canyon Dam, in spite of the fact that the Secretary of the Army has specifically stated that "the purpose of his provision is not clear and might prove undesirable from an economic standpoint."

DETAILED EXPLANATION OF OBJECTIONS

1. While the Congress is struggling to reduce the budget so that inflation can be halted and debt and tax reductions granted, the proposal made in S. 555 would represent an unnecessary out-of-Treasury expenditure or an outright tax loss, totaling a billion dollars.

A brochure widely distributed by 10 organizations supporting S. 555 states that the cost of the high Hells Canyon project amounts to only $352 million.

The true costs of the project—since the brochure deals with power production at site and downstream—actually are in excess of a half billion dollars for power generation and

transmission facilities. These costs, as set forth in committee hearings and in the majority report on S. 1333 last session, and affirmed in the hearings on S. 555, are as follows:

Estimated costs of high Hells Canyon project

Construction of Hells Canyon Dam [1]	$367,000,000
Interest costs during construction [2]	33,000,000
Transmission:	
Southern Idaho and system integration	68,200,000
Main system additions	8,700,000
Total, Hells Canyon Dam and transmission	476,900,000
Scriver Creek power project	52,100,000
Total costs authorized in S. 555	529,000,000
Transmission for additional system generation	69,100,000
Installation of 11 generating units at downstream plants	53,700,000
Total estimated cost to produce at-site and downstream power	651,800,000

[1] Containing powerplant of 1,250,000 kilowatts capacity.

[2] Estimated 6¾-year construction period and 3 percent interest.

This total does not include compensation that presumably would have to be paid to Idaho Power Co., if S. 555 is passed, thereby abrogating a legally issued Federal Power Commission license sustained by a recent action of the United States Supreme Court. This reimbursable cost is estimated at more than $48 million, including costs for construction expenditures and equipment orders.

In addition, it must be considered that the Idaho Power Co. and the area it serves are badly in need of additional power and are now in a position to obtain energy from Brownlee Dam in 1958. If passage of S. 555 abrogates this entire legal license to obtain additional power when it is needed, we believe that the Federal Government would be liable to demands for additional compensation to meet redress for damages and extra costs that would be suffered by the Idaho Power Co.

A BILLION DOLLAR MISTAKE

Now, in addition to all these actual project costs—which are nearly double the estimate of high Hells Canyon Dam proponents referred to previously—the passage of this measure would destroy a private power project now under construction. In 1958 this three-dam project of Idaho Power Co. could start paying local, State, and Federal taxes on its power generation at the Brownlee unit. It is estimated that the taxes which would be derived from the 3 dams would amount to $10 million annually, or $500 million in the 50-year licensing period. The Federal Government would be the recipient of $300 million of these estimated taxes.

This means, that in addition to forcing the Federal Government to spend more than a half billion dollars that it does not need to spend, the passage of S. 555 would throw away another half billion dollars in potential tax revenues.

This all adds up to a billion-dollar mistake that the Nation cannot afford to make in these days when the Congress and the executive branch are trying desperately to reduce Federal spending to halt inflation and to permit debt and tax reduction.

CLOSES THE DOOR TO PRIVATE ENTERPRISE

2. The action recommended in S. 555 would result in a denial to the Nation of the benefits of assistance from non-Federal sources in the development of our hydroelectric resources.

One of the issues posed by S. 555 is simple, yet fundamental. It is whether there is to be any place in the development of our hydroelectric resources for assistance from non-Federal sources when that assistance can be rendered entirely consistent with development in accordance with a coordinated comprehensive plan.

S. 555 would deny the Nation the benefit of such assistance. By so doing, S. 555 would overturn national resource policies developed over the last half century, and embodied in the National Reclamation Act of 1902 and in the Federal Water Power Act of 1920. The latter act encourages non-Federal participation in the development of our water resources under conditions adequately protecting the public interest, when such development is best adapted to a comprehensive plan for the improvement of the water resources for beneficial public purposes.

Approval of S. 555 would mark a departure from a half century of reclamation policy that reserves Federal sponsorship to projects which are not practicable for State or private financing.

Private enterprise has constructed three-fourths of the reclamation works in this country. Reclamationists are strong believers in private enterprise, and the whole purpose of the historic Reclamation Act of 1902 was to provide for Federal financing of sound reclamation projects which could not be undertaken by State or local interests. Nowhere in the Federal reclamation program is it proposed that the Federal Government should exclusively develop our water resources.

POWER NEEDS ESTIMATED AT $94 BILLION

There exists a tremendous backlog of desirable public-works projects, authorized and proposed, that could conceivably qualify for Federal financing. This backlog in the water resource development field was estimated at $70 billion alone. Secretary Seaton recently estimated private and public power needs for the next 20 years at $94 billion. To find these billions, and, at the same time, to meet our continuing astronomical defense costs, it is essential that all avenues of financial assistance—Federal, State, local, and private business—be utilized.

Here in the Hells Canyon area, we have a sound private utility that not only has offered to finance a power-flood control project, but also has obtained the necessary license from the FPC and energetically expedited construction work. Under these circumstances, and in view of the billions required for a large variety of needed public works, it just doesn't make sense to kill a going private enterprise project which will provide low-cost power and, at the same time, will provide 1 million acre-feet of flood-control storage free to the lower Columbia Basin, especially when it is considered that both power and flood-control benefits can be provided under the private plan several years ahead of the high Federal dam.

Abraham Lincoln long ago told the people: "The legitimate object of government is to do for a community of people whatever they need to have done but cannot do at all or cannot so well do, for themselves in their separate and individual capacities. But in all that people can individually do as well for themselves, government ought not to interfere." These sentiments were sound a century ago, and they are a good guiding principle for us today.

PROPOSES UPSET OF CONGRESS' OWN AGENCY

3. S. 555 proposes upsetting a decision of the Congress own bipartisan power agency, the Federal Power Commission. This proposal is made in spite of the fact that the FPC deliberations on the Hells Canyon decision were the most extensive in the agency's history—extending over 2 years and amassing 20,000 pages of testimony in 150 hearing days. The FPC procedures and decision were upheld by a recent action of the United States Supreme Court.

Section 7 of the Federal Power Act provides that, as between private applicants the Federal Power Commission shall give preference to the one which has the best plan to "develop, conserve, and utilize in the public interest the water resources of the region."

If the Commission's findings indicate that Federal development should be undertaken, the Commission is instructed by section 7 (b) not to approve a license application, but instead to submit its findings and recommendations to the Congress. Section 10 (a) requires that any license issued must be on condition that the project approved be the one "best adapted to a comprehensive plan for improving or developing a waterway * * * for * * * beneficial public purposes," and that section directs the Commission, if necessary, to require any modification of the project requisite to that end before the Commission gives its approval.

FPC CONSIDERED BEST COMPREHENSIVE PLAN

The Federal Power Act stresses repeatedly the concept that development proposals must measure up to the standard of being best adapted to a comprehensive plan for the utilization of the region's water resources. In determining whether non-Federal applicants are to be refused an opportunity to undertake a project, that concept of comprehensive development is properly the test. But if a project measures up to the test of comprehensive development, not only is there nothing in the Federal Power Act that calls for a license application to be refused in favor of Federal development, but such a position is entirely contrary to the objectives of the act.

The Federal Power Act came as the culmination of decades of study and experience by trial and error which demonstrated that administrative government machinery to test all project proposals by the measuring rod of comprehensive development was essential to the optimum utilization of the Nation's water resources in the public interest.

Late in the 19th century and in the early years of the 20th century, the Congress itself undertook to examine and license by separate statutes each individual non-Federal hydroelectric project proposal. This practice did not assure consistency with the public interest because the Congress was not equipped technically to examine proposals from the point of view of optimum development of the resources of the region involved. Furthermore, the lack of uniform standards made determination of the best multipurpose development impossible and tended toward piecemeal, limited development of the better hydroelectric sites.

FPC APPROACH FAVORED BY TEDDY ROOSEVELT

These deficiencies were early recognized by Presidents Theodore Roosevelt and William Howard Taft, who refused to approve individual licensing bills and who urged upon the Congress the necessity for legislation of general application that would establish standards to be met by non-Federal project proposals.

Out of this, and after prolonged study by Congressional committees and commissions established to develop national water policy, came the Federal Water Power Act of 1920, enacted during the administration of President Woodrow Wilson.

This act, which was designed to enable and encourage participation in water-resource development by non-Federal entities, public as well as private, contains the provisions

and requirements mentioned above in order to assure that, whatever the agency of development, the end served will be that of a comprehensive, coordinated water-resource program.

FPC PROGRAM EXPANDED BY F. D. ROOSEVELT

These provisions, after most thorough Congressional review, were reenacted as a part of the Federal Power Act of 1935, during the administration of President Franklin D. Roosevelt.

The present Commission was established by the 1935 act as an independent body of 5 members, no more than 3 of which may be of the same political persuasion. The Commission is equipped with a staff of expert engineers and attorneys to study and to present to it all of the facts relevant to the applications pending before it. All parties having an interest in any proposal before the Commission are afforded the opportunity to participate fully in the proceedings.

All of this is designed to assure that applications for licenses will be thoroughly and searchingly examined, with the fullest opportunity for presentation of all points of view, in order that decision may be reached whether the act's standard of "comprehensive, coordinated development" can be met by a non-Federal development proposal.

The enactment of S. 555 would abrogate by special legislation, in an individual case, a license which has been lawfully issued by the Federal Power Commission as a result of its consideration, after protracted proceedings in which all points of view, including the proponents of Federal development for Hells Canyon site, were fully heard. These proceedings occupied a period of more than 2 years, during which a record of approximately 20,000 pages and nearly 400 documents were amassed. It was, in fact, the most extensive proceeding in the Commission's entire history, the hearings alone occupying approximately 150 hearing days.

PROCEDURES SUSTAINED BY HIGHEST COURTS

Upon its consideration of the record and after applying the tests specified by the Congress, the Commission found the three-dam private development proposal to be "best adapted to a comprehensive plan" for the development of the Columbia Basin for the public purposes of flood control, navigation, recreation, and power. This finding, as provided by law, was sustained by the United States court of appeals, and the United States Supreme Court on April 1 denied a petition to review the license. High Hells Canyon backers immediately filed a motion for a rehearing, but no decision has been made on this motion.

We of the minority do not presume to decide these issues as between the Hells Canyon 1-dam plan and the 3-dam plan. The majority would have the Congress undertake this task. In so doing, the majority would commit the Congress to a task for which it has neither the time nor the technical resources. It would have the Congress return to a method of individual project review tried and found wanting 50 years ago.

Furthermore, the majority position appears to be based upon the false premise that comprehensive development requires exclusive Federal development of our water resources—a concept never approved by the Congress. The fundamental purpose of the Federal Power Commission is "to issue licenses" for the construction of water-resource projects by non-Federal public and private agencies.

We submit that the proper way to correct inadequacies, if any there be, in the Federal Power Act is by general legislation and not by special legislation such as S. 555.

Furthermore, passage of S. 555 would tend to throw a cloud over the licensing actions of all independent agencies set up by Congress. What reliance could a licensee take in any legally issued Federal license, including those from highly respected agencies such as the ICC, FCC, and other administrative agencies comparable to FPC, if the public concludes that this precedent-making Hells Canyon proposal means that such licenses are subject to arbitrary upset by Congress, even if legally issued and sustained by our highest courts?

S. 555 THREATENS IDAHO'S WATER RIGHTS

4. S. 555 violates the precedent of Congressional respect for States rights in water resource legislation affecting the semiarid West.

No interstate compact has been effected to adequately protect the rights of Idaho and other upper Snake River Basin States to consumptive uses of water in the Columbia River and its tributaries. This was a basic objection to S. 1333. It remains a basic objection to S. 555.

People who live in the humid sections of the country have difficulty in comprehending the active interest in water resources legislation that is taken by people who live west of the 98th meridian, in what is the semiarid region of this great country of ours. In much of this part of the West, annual precipitation averages only from 5 to 10 inches a year. This represents only a little more moisture than falls in the humid East during a typical week of heavy hurricane rains. Futhermore, most of this limited precipitation in the semiarid West occurs in the winter in the form of snow. Therefore, to have water for its cities and its relatively small agricultural oases, the West is obliged to build storage reservoirs which trap moisture during the spring snow melt and conserve it for use during the dry months of the year.

In western water development, a major advantage has been enjoyed by the downstream water users on our large rivers. The downstream areas frequently are the first to develop, have the best hydropower sites, and build up population justifying earlier development.

COMPACT PRECEDENT SET ON NEIGHBORING RIVER

This was the situation faced by the upper States of the Colorado River Basin when the downstream users first proposed large-scale storage on that river in the 1920's. The upper basin States, whose watersheds supply 90 percent of the water of the Colorado, recognized that the tremendous storage capacity proposed for the Boulder Canyon project would enable the downstream States of California and Arizona to put to use all the available, unappropriated water in that river. Hence, the upper basin States refused to approve the construction of the Boulder Canyon project until the lower basin States had guaranteed to them, in an interstate compact, specific consumptive water uses in the river. Ratification of such a compact was required by Congress in 1928 as a condition to authorization of the project act which ultimately made possible the construction of Hoover Dam.

A similar situation exists on the Columbia River today. Tremendous power and irrigation projects have been constructed on the lower river. In this river basin, however, unlike the situation on the Colorado, the coastal sections are a water-surplus area, and considerable reclamation development has already occurred in Idaho's arid Snake River drainage basin. Hence, there has not been a comparable drive in the Northwest for protection of the legitimate uses in the several basin States. The day is here, however, when an agreement between the States is necessary to safeguard the rights of investors in water-use projects and to avoid unnecessary waste of millions in needless litigation.

In the Snake River Basin of Idaho, a lack of an interstate compact or a judicial adjudication will be a barrier to future water development in that State. This is the basis of Idaho opposition to the high Hells Canyon proposal at this time.

IDAHO'S FEARS AMPLY JUSTIFIED

These fears are amply justified. A power dam consumes relatively little water, but it establishes an appropriative right to streamflow which must be considered legally and morally in any future water development. In the case of the high Hells Canyon Dam, long-term storage rights are sought for a reservoir impounding 4 million acre-feet of water, held vitally necessary for national defense, flood control, power production, and regulation of the riverflow to provide firm power at downstream power dams.

Proponents of high Hells Canyon Dam have sought to reassure the people of Idaho that their future water rights in the Snake River are adequately protected by section 2 of S. 555. Responsible western water law authorities do not concur in this opinion.

When H. R. 5743 was introduced into the 82d Congress, section 2 read as follows:

"SEC. 2. The operation of the Hells Canyon division shall be only such as does not conflict with any present beneficial consumptive use, valid under State law, of the upstream waters of the Snake River and its tributaries, and as does not conflict with any future depletion of flows arising from future upstream diversions for beneficial consumptive uses under State law—

"(1) In a total amount which is reasonable and equitable for the irrigation of new and supplemental land developments which are, in total area, like those indicated in chapter IV of the substantiating materials to the Hells Canyon project report, as set forth in volume 2 of House Document No. 473, 81st Congress; and

"(2) In a total amount which is reasonable and equitable for future upstream consumptive uses for domestic, municipal, stockwater, mining, and industrial purposes."

PROVISO NO ADEQUATE SUBSTITUTE FOR COMPACT

This provision, we maintain, is no adequate substitute for a formal interstate compact, but it does spell out the rights preserved for the upstream States, which are the only rights endangered by this proposed reservoir project.

In S. 1333 of the 84th Congress, this section had been watered down to this form:

"SEC. 2. The operation of the Hells Canyon Dam shall be only such as does not conflict with present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing, valid under State law, of the upstream waters of the Snake River and its tributaries.

In committee, this was further modified, to read as follows (new material in brackets):

"SEC. 2. [Notwithstanding the provisions of any other law,] the operation of the Hells Canyon Dam shall be only such as does not conflict with present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing, valid under State law, of the waters of the Snake River and its tributaries upstream from the dam [and downstream]."

1956 SECTION 2 RATED ULTIMATE

This section was described as follows in the committee report on S. 1333, last session:

"The committee concludes that section 2 as amended provides the fullest possible protection against infringement by this project on any beneficial consumptive use rights, present or future. The only way greater

protection could be afforded would be by an amendment of the Constitution."

In spite of this unqualified endorsement, the section was further amended in S. 555, to read as follows (new material in brackets):

"SEC. 2. Notwithstanding the provisions of any other law, the operation of the Hells Canyon Dam shall not conflict with, [and shall be subordinate to,] present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing, valid under State law, of the waters to the Snake River and its tributaries upstream from the dam and downstream."

A close analysis of section 2 of S. 555 discloses that at best it is confusing, and at worst it holds out false hopes to the people of Idaho that their future needs for water for consumptive purposes will be fully protected.

HIGH DAM WOULD ESTABLISH RIGHT UNDER STATE LAW

It is the understanding of the minority that the State laws of both Idaho and Oregon recognize the use of water for hydropower production as an appropriative beneficial use right which will have priority over any other rights initiated and established subsequently upstream from the powerplant. Section 2 limits the protection for so-called future rights to those valid under State law. A future use upstream would be subsequent to the establishment of the Hells Canyon Dam, which under both the laws of Oregon and Idaho in such a situation would be first in time and, therefore, first in right. That would be a "valid" right under State law, and any future use right upstream would be junior to the Hells Canyon hydropower right. Under the same State law, therefore, the upstream water development is defined as a junior right and, consequently, is only valid to that extent.

Thus we have one "valid" right against another, or two valid rights under State law—one senior and the other junior. And this State law cannot be changed by an act of Congress.

Thus section 2 fails to accomplish its announced purpose.

There is still another point of view to be considered. It has long been the position of Idaho irrigation interests that the language of section 2 is, in actuality, meaningless. First, it is obvious that this or any other Congress could repeal or amend this language at any time; and in the event of a clash of water rights between the single dam and irrigation interests, as mentioned above, this would be a probable occurrence. And, secondly, this language does not give any protection against Federal control of the river.

Most western water States have had disillusioning experiences with downstream hydroplants on streamflow subsequently required for upstream consumptive water uses. Such downstream plants, including at least one Federal project, have had to be purchased outright, or otherwise compensated for water intended to be used by the water users, to fill reservoirs which were being planned to store water for municipal, industrial, and agricultural uses.

FPC LICENSE MAKES POWER USE SUBORDINATE

This prospect is not faced by Idaho in the case of the Federal Power Commission dams, because the license specifically provides that upstream water depletion for future consumptive use takes precedence over production by hydropower at the Hells Canyon site, now and in the future.

If section 2 does not in fact—and should this be later established by the courts—protect the rights of the upstream States to all consumptive use needs now and in the future, as proponents contend, then it should be pointed out that such future needs could very likely deplete the flow of water of the Snake to the point where efficient power generation at the high dam will be greatly reduced. That is a risk that may well become a reality, and under such circumstances the Federal Government certainly should not make an investment of over $500 million based on such a risky water supply.

We believe this comment is fully justified. If the downstream States of Oregon and Washington are willing to consent to a provision of this bill that will fully protect Idaho's future rights to water for consumptive needs now and in the future, then why are these States so adamant against joining in an interstate compact which would be ratified by their legislatures and bind them formally to recognize such rights and make it possible for Idaho's rights to be fully protected in the courts of the land?

COLUMBIA RIVER STATES HAVE DRAFTED COMPACT

The Columbia River States have a proposed compact, drafted in 1954 after interstate considerations extending over several years. However, the proposed compact, while signed by the Interstate Compact Commission in early 1955, has not been ratified by the lower basin States of Oregon and Washington, and these States have refused to ratify a revised draft completed in 1956. In fact, the impression has been given that these States will never ratify such a document. Hence, Oregon and Washington are telling Idaho, in effect, "We refuse to guarantee upstream rights by entering into a compact, but we offer you in place of such a formal legal compact, a so-called protective clause in S. 555 which we believe will effectively protect your rights to Snake River waters."

So far, Idaho has not accepted the assurances that a proviso of S. 55 will protect its rights to develop a rightful share of Snake River water. On the contrary, Idaho leaders and farm groups have accepted the alternative proposal of the Idaho Power Co. to develop needed kilowatts by a 3-dam project which requires only 1 million acre-feet of storage.

No one has contended that this smaller reservoir could not be filled from excess streamflow, and it is not authorized by Congress as the key to a regulatory program to increase firm power production at large downstream Federal power dams. Furthermore, the license for this 3-dam project contains a proviso (art. 41), which specifically directs that water rights for the Idaho Power Co. dams—obtained on application to the State of Idaho—shall be subordinate to consumptive uses upstream, now and in the future.

This restrictive article in the FPC license provides that the project "shall be operated in such manner as will not conflict with the future depletion in flow of the waters of Snake River and its tributaries, or prevent or interfere with the future upstream diversion and use of such water above the backwater created by the project for the irrigation of lands and other beneficial consumptive uses in the Snake River watershed."

Both the FPC and the State of Idaho can police this directive. Legal remedy, if required, can be obtained in Idaho courts.

An attempt was made in committee to substitute the language of this proviso for section 2 of S. 555, but it was beaten down by the supporters of high Hells Canyon. Such an amendment would not be an adequate substitute for a compact, but it would more effectively spell out the upstream rights, which are the only ones at stake here.

S. 555 WOULD DELAY NEEDED POWER FOR NORTHWEST

5. Power is still urgently needed in Idaho and elsewhere in the Pacific Northwest. Yet S. 555 would halt the contemplated delivery of energy from the Brownlee and Oxbow projects in 1958 and postpone comparable power production at the Hells Canyon reach of the Snake River at least until 1964.

The power that will be produced from the Idaho Power Co. dams presently under construction is vitally needed, and is being counted upon, both in that company's service area and in the whole Northwest region.

Denial of this power to the Idaho Power Co.'s service area could bring about a regional economic catastrophe. Evidence was presented at the hearing that the company's peak demands already are greatly in excess of its present dependable peaking capacity. Temporary supplies available from steam plants in Utah will no longer be available after next year and emergency supplies can be obtained from the Bonneville Power Administration only during the Columbia flood season in late spring and summer.

BROWNLEE POWER WOULD PREVENT INDUSTRY SHUTDOWN

As it stands now, the company and its area will be in a very critical condition from September 1957 until April 1958. If by act of this Congress, construction of the Brownlee Dam were halted, the position of the power users in the company's service area would be tragic. The Brownlee project of the company, which will begin supplying power in the fall of 1958, is the one possible source of supply which can alleviate the condition in the company's area. Likewise, that project will make immediately available additional power for use in the Pacific Northwest region as a whole, and prevent shutdowns of great electrometallurgical industries such as occurred in the spring of 1957. Expected shortages in the Northwest in 1958 were expected to be made up by delivery of energy from Brownlee Dam.

All planning with respect to serving power needs in the Pacific Northwest through 1964 is based on the assumption that the company's three units—Brownlee, Oxbow, and Hells Canyon—will come into service on the planned time schedule of the company.

The chart introduced in evidence (Committee Hearings Record, facing p. 256) depicts graphically how the company's plants will supply its own needs and, in addition, make available surpluses for the so-called West Group of the Pacific Northwest power pool. It is in this region that the greatest shortages occur.

Any action which would prevent the scheduled completion of these FPC-approved powerplants will bring severe economic loss, not only to Idaho, but also to the entire Pacific Northwest. In addition, production at vital defense industries in the Northwest could be seriously impaired for several years if power shortages result from passage of this measure.

HIGH DAM CONTRIBUTES NO WATER FOR ARID WEST

6. High Hells Canyon Dam would not contribute a drop of water for irrigation, municipal, or industrial use in Idaho or elsewhere in the semiarid West.

In spite of the fact that this measure was handled by the Senate Irrigation and Reclamation Subcommittee, it is not fundamentally a reclamation project. On the contrary, it is primarily a power project with some flood-control values which can be adequately provided under an alternative program in the same reach of the river and elsewhere in the basin.

The high Hells Canyon Dam would not conserve water for use over sustained drought cycles. Nor does it provide any water for reclaiming land by irrigation or for the municipalities and industries in the semiarid region of Idaho, eastern Oregon and Washington. It is not a holdover storage reservoir like those on the Upper Snake and

on the Colorado River. The reservoir behind the dam would be used exclusively for flood control, river regulation, and power production. This means that the dam would merely retard the flow of the Snake River for a relatively brief period of time, and would not conserve it for use over prolonged dry cycles.

In fairness, it should be pointed out that revenues from this project may be utilized to finance irrigation projects in the Snake River Basin upon completion of the 50-year amortization period, if Congress so directs. But the same claim could also be made for the 3-dam project, which is licensed only for 50 years.

It is significant that the Idaho State Reclamation Association, representing over 2 million acres of irrigated land in the State most directly affected, has been adamantly fighting the high Hells Canyon proposal for the past 9 years, and is solidly opposed to S. 555.

THREE-DAM PROJECT EMINENTLY JUSTIFIABLE ECONOMICALLY

7. Based on expected average power production at the dam site, the 3-dam project is eminently justifiable, economically, and the additional generation at a high dam is but a small fraction of basin requirements.

Most comparative analyses of costs for the two competing projects at Hells Canyon deal not with the actual costs of producing and transmitting the power, but with the price at which the Federal power will be sold. This gives a tremendous advantage to the Federal project because S. 555 prescribed that the power from the high Federal dam would be sold by the Bonneville Power Administration, much of it presumably at the system wholesale industrial rate, which averages 2.1 mills per kilowatt-hour, largely because of extremely low-cost power from a few depression-built hydro dams.

In other words, even though the actual cost of power produced at the proposed high Federal dam will be in excess of 4 mills, for energy generation and transmission, it will be sold for slightly more than 2 mills, and the proponents of high Hells Canyon will be claiming that this sales price represents the costs of power from that project. At the same time, advocates of high Hells Canyon ignore the actual cost of power from the 3-dam private project and quote, instead, a production-cost figure which includes local, State, and Federal taxes, none of which is paid by the Federal project.

COMPARATIVE DATA GIVEN FOR PROJECTS

In order to give a true statistical picture of the comparative costs of these two projects, and the high Pleasant Valley project which was injected into committee deliberations this year, an analysis was made of all testimony submitted last session and this to show comparative costs. The comparative data are as given in table I of this report:

TABLE I.—*Comparison of costs and economics of plans for power development on Snake River between Weiser, Idaho, and confluence with Salmon River*

[High Pleasant Valley would inundate Hells Canyon unit of the 3-dam plan]

	3-dam plan under license of FPC	High Hells Canyon Dam	High Pleasant Valley Dam
Cost of structure [1]	$133,000,000	$400,000,000	$300,000,000
Annual cost [4]	$15,400,000	$18,170,000	$13,100,000
Average annual generation, millions kilowatt-hours at site	4,793	4,900	4,830
Cost per kilowatt-hour, at site, mills	3.21	3.08	2.71
Cost less Federal tax, mills	2.38	----------	----------
Cost less Federal and State taxes, mills	1.75	----------	----------
Installation, kilowatts	[2] 1,175,100	[3] 1,250,000	1,250,000
Initial, kilowatts	783,400	800,000	----------
Heads, maximum, feet	602	602	575

[1] Including power installation, but exclusive of transmission.
[2] Ultimate under FPC license.
[3] Unofficial estimate of installation possibility.
[4] Annual costs include for all plans costs for flood control operations.

Economic values as measured by a comparison of at-site investment cost per average kilowatt of output, also are reflected in table II, which is reproduced for Senate consideration at this point:

TABLE II.—*At-site investment analysis*

[All values in round numbers]

	3-dam plan	High dam [1]
Total cost of dams	$133,000,000	$367,000,000
Interest during construction	----------	$33,000,000
Transmission: Local and regional	$21,000,000	$77,000,000
Total project investment, Idaho area	$154,000,000	$477,000,000
Annual generation, at site in average kilowatts [2]	546,000	634,000
Investment cost per average kilowatt of output	$280	$752

[1] Idaho area only.
[2] These values are derived by dividing the "average annual generation" quantity of the previous table by 8,760, the hours in a year.

Table I shows that, based upon average annual generation, the three-dam plan would produce energy for 1.75 mills per kilowatt-hour, if Federal, State, and local taxes are disregarded. Comparable energy costs for the high dam are 3.08 mills based upon the estimated output from the larger installed capacity (1,250,000 kilowatts) proposed by the committee at the 1957 hearings. The costs per kilowatt-hour also are lower at the proposed high Pleasant Valley Dam, which, like the three-dam project, would cost considerably less than the high dam. No report has been made on the latter project, however, and this reference does not imply approval of that project.

Based upon plant investment and unit energy costs, therefore, the three-dam plan is shown by these tables to be eminently justifiable from an economic standpoint.

THREE-DAM PLAN VALUES CONFIRMED

Another interesting observation in the engineer's report is that even though the installed capacity of the high Hells Canyon powerplant is increased 50 percent—from 800,000 kilowatts to 1,250,000 kilowatts—the expected average generation will be increased only a little less than 4½ percent. The engineer's estimate of the average annual energy output of the 1,250,000-kilowatt plant is indicated in the table at 5,900 million kilowatt-hours. The estimate is based upon an analysis of available water supply, covering 20 years of streamflow records, extending from 1929 to 1948.

The official project report, however, recommends an initial installation of 800,000 kilowatts with provisions for addition of a 100,000 kilowatt unit.

Increased downstream production, which could result from the storage releases of all three proposed reservoirs, is disregarded because no such installation of additional generating equipment is authorized in this legislation.

Downstream production of power properly is a matter for later legislation, which will be required to authorize appropriation of at least $150 million for that purpose. Also, before the maximum amount of downstream power can be produced from Hells Canyon storage, it will be necessary for the Congress to appropriate more than a billion dollars to build additional power dams on the Columbia River below Hells Canyon.

LIABILITY FOR DESTRUCTION IS IGNORED

8. The action upsetting the FPC decision undoubtedly would entail Federal liability for a large investment, of as yet unspecified size, already made by a privately owned public utility, acting under a license issued by a Congressional agency in procedures sustained by the United States Supreme Court. Proponents of high Hells Canyon dam have not offered a concrete estimate of this expected liability nor shown its impact upon project feasibility.

Plans for the Brownlee and Oxbow Dams of the 3-dam Idaho Power Co. project were approved by the Federal Power Commission (following prior approval by the Chief of Engineers and the Secretary of the Army) in November 1955. The licensee power company, cognizant of the time limitations imposed in the license, promptly initiated construction of the Brownlee Dam. The company reports expenditures of more than $24 million in construction work and has committed itself to orders for more than $24 million in machinery and equipment. One thousand men are now at work on the Brownlee Dam.

Company officials predict that the Brownlee project will be entirely completed and in operation in the fall or early winter of 1958, in time to supply winter peak loads. Initial deliveries will exceed 360,000 kilowatts of energy for both groups of the Northwest power pool.

In anticipation of this production, the power company on May 3 announced the start of construction on a $4,500,000 transmission line. In addition, substations at Boise and American Falls, Idaho, are being built at a cost of $7,500,000.

Proponents of the high Hells Canyon Dam have made no visible effort to assess the total loss and the expected Federal liability that would result if this going project is destroyed by Congressional approval of S. 555. Compensation paid by the Federal Government to this licensee would, of course, be a legitimate part of the high-dam costs.

FLOOD-CONTROL NEEDS ON OTHER TRIBUTARIES

9. In demanding the high Hells Canyon Dam as a flood-control necessity, supporters of S. 555 are ignoring the fact that at least 90 percent of the unsolved flood-control problem on the Columbia River originate from flood flows downstream from Hells Canyon and on other Columbia River tributaries. Furthermore, the high dam would not solve flood-control problems upstream on the Snake River and its tributaries, where it is needed within the State of Idaho.

An Army engineer testified at the 1957 hearings (pp. 228–229) that the Snake River above the Oxbow Dam site, contributed less than 10 percent of the flood flows in the three largest Columbia River floods on record. Furthermore he pointed out that the proposed Brownlee and Pleasant Valley Dams

will solve 70 percent of the flood-control problem on the upper Snake River.

Percentages of the record floods contributed by Columbia River tributaries were fixed as follows:

Columbia River floods

Year of record	Percentage of flood flows at The Dalles contributed by major tributaries		
	Snake River above Oxbow Dam	Salmon and Clearwater Rivers	Remainder of Columbia River
	Percent	*Percent*	*Percent*
1894	9.0	16.0	75.0
1948	4.9	19.3	74.7
1956 (preliminary figures)	7.0	23.0	70.0

When it is considered that nearly half of the flood-control storage capacity recommended for the central and upper Snake River by the Corps of Engineers in 1948 is under construction at the Brownlee Dam site, it is obvious that the concern for flood control on the Columbia should be directed at other tributaries.

UPPER SNAKE RIVER ADEQUATELY CONTROLLED

The facts are that the upper Snake River today is one of the best-controlled rivers in the Nation. Twenty water-storage reservoirs have been built on the Snake River above Hells Canyon since 1906, with a total storage capacity of 7,781,000 acre-feet or the equivalent of about two-thirds of the average annual flow of the Snake River at Weiser, Idaho. Another 1 million acre-feet of storage capacity will be added in 1958, upon completion of Brownlee Dam. Four other storage reservoir projects are under active study: Garden Valley on the Payette River, with a capacity of 843,000 acre-feet; and 3 Snake River dams at Burns Creek, 120,000 acre-feet; Alpine, 780,000 acre-feet, and Marsing, 830,000 acre-feet, or a total additional storage capacity of 2,573,000 acre-feet. This means that storage existing, under construction, and in planning on the Snake River above Hells Canyon totals 11,354,000 acre-feet, or roughly equal to the average annual flow of the river at Hells Canyon. Certainly three-quarters of this active storage space, 8,500,000 acre-feet as a minimum, is beneficial directly to alleviating flood damages on the Columbia River.

NO STORAGE AT ALL ON WORST FLOODERS

By contrast, there is no existing reservoir storage on the Clearwater and Salmon Rivers, long characterized as two of the worst "flooders" on the Columbia.

House Document 531 of the 81st Congress, 2d session, estimated that 7,380,000 acre-feet of flood-control storage space was required for the upper Snake River, including tributaries. By operating the existing and planned reservoirs on the Snake River for flood control as well as other storage uses, and incorporating modern runoff forecasting based on snow measurements, it appears reasonable to conclude that the addition of the Brownlee storage will meet all but local control requirements on the upper Snake River. Additional information on this subject should be included in the coming report on the engineers' review of the Columbia River "308" report, expected this summer or fall.

Meanwhile, we are provided with the spectacle of high-dam supporters trying to force this measure through Congress, prior to receipt of this up-to-date flood-control review, ostensibly to correct a flood-control problem that does not exist to any demonstrable extent, on this portion of the river, and ignoring the flood-control hazards on other tributaries where flood-control funds logically should be spent. Moreover, passage of S. 555 would prevent completion of 1 million acre-feet of flood-control storage by the fall of 1958.

It is significant that the Corps of Engineers, which is the responsible agency for flood control, did not object to the three-dam license granted Idaho Power Co. by the FPC. The Brownlee Reservoir will be operated for flood control, with the entire 1 million acre-feet of storage available for this purpose under the Corps of Engineers, whenever required. And this storage will be provided several years before Hells Canyon Dam could be constructed.

NO PROVISION FOR PROJECT ACCOUNT OPERATION

10. Section 4 of S. 555 provides for establishment of a Snake River project account, but does not specify how the account would operate. This is a serious defect in this legislation, especially in view of the fact that no reclamation projects, as such, are authorized in the bill.

The bill ostensibly establishes a project fund to support reclamation projects, but no reclamation projects as such are authorized and no funds to assist reclamation are expected to be available from this project until after the repayment in 50 years, of capital costs of the authorized high Hells Canyon Dam and the Scriver Creek power units. Furthermore, project power would not be priced and sold by the Secretary of Interior, as in the case with other reclamation projects on the upper Snake River, but would be marketed by the Bonneville Power Administration, which has as its objective, not reclamation development, but low-cost Federal power.

If such a fund is set up in this reclamation legislation, this section should be clarified to insure that it will operate in the interests of reclamation development as well as low-cost power. It is significant, however, that when an amendment was introduced in committee, calling for a pricing policy to produce revenues for water resource development concurrent with the repayment of the power facilities, it was defeated by the backers of high Hells Canyon Dam.

NORTHWEST PROJECTS SELL POWER BELOW COST

11. Proposed sale of 4-mill power from high Hells Canyon for 2.1 mills represents a large subsidy from taxpayers for industries, private utilities, and other prospective large volume users of that power.

Estimates of 3.79 mills per kilowatt-hour for the cost of power from high Hells Canyon Dam, including transmission, were made at the 1957 hearings by a Department of Interior witness. Costs for the Scriver Creek power were estimated at 4.7 mills per kilowatt-hour. An estimate given by a departmental spokesman in a letter to Senator WATKINS during 1956 placed the costs for the power from the combined projects at 4.5 mills per kilowatt-hour, including transmission. Table I of this report fixes the energy cost at 3.08 mills. When BPA unit transmission costs are added, the total power cost becomes 4.18 mills.

In spite of these estimates of plus 4-mill power at high Hells Canyon, proponents of the Federal project testified that the power would be sold at the Bonneville Power Administration wholesale rate, which averages 2.1 mills per kilowatt-hour for large industrial users and 2.3 mills for all power users.

That such below-cost sale of power in the Pacific Northwest would not be a precedent is indicated in the experience at the recently completed Hungry Horse project in Montana. This project produces power at an at-site cost of 3.76 mills per kilowatt-hour, according to Department of Interior figures, and the cost ultimately will increase to 4.19 mills per kilowatt-hour.

POWER SALES FROM HUNGRY HORSE

Yet, in spite of these actual costs for power at the Hungry Horse plant, the half-cost rates at which a large amount of this power was sold during fiscal 1956 are indicated in the following table, prepared by Bonneville Power Administration:

TABLE C.—*Power sales in Montana by the Bonneville Power Administration*

Purchaser	Fiscal year 1956					Estimated load in fiscal year 1961 (average kilowatts)
	Energy sales (in thousands of kilowatt-hours)			Revenue	Average revenue (mills per kilowatt-hour) [1]	
	Total	Firm	Nonfirm			
Anaconda Aluminum Co.	806,908	709,416	97,573	$1,541,581	1.72	110,000
Victor Chemical Works	340,613	267,558	73,055	762,142	2.24	30,000
Montana Power Co.	385,799	351,391	34,408	961,020	2.49	40,000
Pacific Power & Light Co.	71,523	50,019	21,504	175,792	2.46	13,000
Flathead Electric Cooperative	17,746	17,746		57,431	3.24	4,000
Lincoln Electric Cooperative	8,296	8,296		29,488	2.55	2,000
Missoula Electric Cooperative	9,007	9,007		31,929	3.54	1,000
Ravalli County Electric Cooperative	7,756	7,756		26,254	3.39	1,000
Northern Lights	2,807	2,807		9,283	3.31	1,000
Total	1,740,536	1,513,996	226,540	3,594,920	2.07	[2] 202,000

[1] The low rate realized by the Anaconda Aluminum Co. is the result of buying power at the system at-site rate. This rate is $14.50 per kilowatt-year of maximum demand as compared with the basic C rate of $17.50 per kilowatt-year of maximum demand. The at-site rate is available only to customers taking power at site for use within 15 miles of the project. The variation in the rates paid by the other customers is due to different load factors at which they take power. The basic rate applies to the maximum demand and does not change as the load factor changes. The $17.50 rate at 100 percent load factor results in about 2 mills per kilowatt-hour. As the load factor drops, the mills per kilowatt hour increase.

[2] Shortly after fiscal year 1961 these Montana loads will require the full 208,000 kilowatts.

This table shows clearly that, in spite of the at-site costs of 3.76 mills to produce this power at Hungry Horse, more than $1.5 million worth was sold to Anaconda Aluminum Co. for an average cost of 1.72 mills per kilowatt-hour. This, therefore, represents an annual subsidy of roughly $2 million a year in below-cost power, or a total subsidy of $107,600,000 during the 50-year repayment period.

It is obvious from analysis of this table that other large industries in the State of Montana also are the recipients of a considerable subsidy of below-cost power from Hungry Horse. The table shows that 3.76-mill Hungry Horse power is supplied to these large industrial corporations and private utilities at these bargain rates:

	Mills per kilowatt-hour
Victor Chemical Works	2.24
Montana Power Co.	2.49
Pacific Power & Light Co.	2.46

COOPERATIVES PAY MORE THAN BIG INDUSTRY

It is also interesting that the power sold to the 5 cooperative customers brings a more realistic rate of return—an average of 3.24 to 3.55 mills per kilowatt-hour.

At another recently completed power dam on the Columbia—at The Dalles, Oreg.—power is produced for 3.4 mills per kilowatt-hour, but is sold for 2.1 mills per kilowatt-hour. One large industrial customer, the Harvey Machine Co., gets a price of 1.72 mills per kilowatt-hour for 120,000 kilowatts of power. The subsidy for this large industrial user, therefore comes to approximately $1.8 million annually, or nearly $90 million in 50 years.

There is nothing illegal about this below-cost sale of power. The authority is provided for in legislation authorizing a so-called postage stamp power rate for the system, and the agency employees and the consuming industries apparently are proceeding legally and aboveboard in setting these rates and negotiating contracts.

This makes it readily apparent that large quantities of higher-cost power are being absorbed into the Bonneville power system, which has long prided itself on its 2-mill rate. Estimates for at-site power costs at some forthcoming projects, provided by BPA, are as follows: Ice Harbor, 4.8 mills; Hills Creek, 4.6 mills; Cougar, 5.1 mills; and Roza, 3.3 mills per kilowatt-hour. Yet, in spite of such Columbia River power costs in excess of 4 mills, the backers of high Hells Canyon dam have been endeavoring to discredit all hydro projects that must sell power at a higher rate than 2 mills.

ONE TWENTY-FOURTH OF STATES RECEIVE ONE-SEVENTH OF INCOME

12. Rejection of S. 555 would not mean discrimination against the States of Oregon and Washington in their water-resource development. These States already have received one-seventh of Federal flood-control and navigation construction funds and one-fifth of the reclamation construction funds appropriated for all the 48 States.

The Northwest States of Oregon and Washington—which represent one twenty-fourth of the 48 States by number—have received approximately one-seventh of the total construction funds for flood-control and navigation projects, and an even greater proportion of the reclamation construction appropriations for all 48 States. And they have roughly one-fourth of the backlog projects already authorized for construction.

Maj. Gen. Charles G. Holle, Deputy Chief of the Corps of Engineers, in a speech in the Pacific Northwest in the fall of 1955 stated:

"During the 4 years, fiscal 1953 through 1956, almost a half billion dollars have been appropriated for new works by the Corps of Engineers in this basin—a sum far greater than that provided for any other river basin in this Nation, and amounting to some 30 percent of the new work appropriations for the entire United States."

NORTHWEST IS GENEROUSLY TREATED

This does not make it appear that the great Pacific Northwest has been discriminated against in funds appropriated for water-resource development. On the contrary, it makes it abundantly clear that just the reverse is true.

In addition to this generous treatment, it is true that the States of Oregon and Washington will benefit tremendously from the three-dam project on the Snake River. This Idaho Power Co. project will make it possible for downstream Federal powerplants to produce much additional energy, simply by the addition of supplemental generating and transmission equipment. Furthermore, the Brownlee Dam will contribute a million acre-feet of storage to the Columbia River flood-control program aimed at reducing the flood danger to downstream power and navigation installations and to the city of Portland, Oreg. The project also will provide navigation benefits to the Pacific Northwest, again at no cost.

It also should be considered that there is underway in the Pacific Northwest today one of the greatest hydroelectric construction programs ever undertaken at one time in any single area in the Nation. This billion dollar program, the Wall Street Journal estimated, will result in the addition of 4.6 million kilowatts to Northwest power generation, roughly the equivalent of the installed capacity of the Federal hydroelectric plants completed in that region. This partnership program, involving both public power agencies and privately owned utilities, would suffer from enactment of S. 555.

NO REVENUES FOR WATER DEVELOPMENT FOR HALF CENTURY

13. Revenues from the high dam would not be available to support reclamation developments in the Snake River Basin until, at earliest, the year 2014, and then only upon direct congressional authorization.

The conventional reclamation project authorizes so-called participating projects, which are water-development projects eligible to participate in excess revenues from project units which produce hydropower. Project-power rates, therefore, are set at a level to return both the cost of power facilities and funds to help develop water. This is definitely not the case with respect to S. 555, which authorizes only 3 power units, which are to be repaid from revenues within 50 years.

This means that the power users of the high Hells Canyon project would be the exclusive project beneficiaries for a half century. Also it would mean that projects to help develop water in the Snake River Basin—where all the water for the Hells Canyon reservoir originates—would have to wait at least until the year 2014 for assistance from high Hells Canyon power revenues, because it would require at least 6 years to complete construction of the high dam and 50 years to repay its cost.

Revenues from the three-dam project, on the other hand, would be available for such purposes several years earlier, if they were deemed essential for area water development and if the Government assumes operation of the facilities or provides for such revenues in a license extension at the end of the 50-year licensing period. Hence, the possibilities for irrigation and municipal water assistance from the three-dam project are just as good as they are from the Federal project, and funds can be obtained several years earlier—in spite of claims to the contrary by supporters of S. 555.

Under the FPC plan, the Government retains ownership of the dam and reservoir site, and the water rights are left within the States affected. Only a limited revocable license is issued to the privately owned public utility, which must construct and operate the power facilities required. Hence, there is absolutely no justification for the charge of an alleged giveaway of this Federal power resource.

WOULD COMPETE WITH BONA FIDE RECLAMATION PROJECTS

14. If the project proposed in S. 555, including both transmitting and generating facilities, is built in 6 years, as the proponents contend it will be, the high Hells Canyon project would require nearly $100 million a year in reclamation appropriations. Total reclamation construction funds requested in the 1958 Presidential budget amount to only $156 million for all 17 Western States, and efforts are being made in some quarters to reduce this amount.

Explanation: Self-explanatory.

TAX INCREASE MAY ELIMINATE ADVANTAGE

15. The rapid tax amortization granted Idaho Power Co. is no giveaway as charged.

Proponents of high Hells Canyon are seeking to build a smokescreen on the granting by the Office of Defense Mobilization of a rapid tax amortization certificate to Idaho Power Co. on the Brownlee and Oxbow plants.

The minority feels that the merits and demerits of the tax-amortization program have no direct bearing on the authorization of a Federal power dam on the Snake River. This defense-building incentive program was authorized by Congress during the Truman administration, and the legislation has been left, in effect, by the Democratic 84th and 85th Congresses. Both President Eisenhower and Treasury Secretary Humphrey have announced their opinion that this Korean war legislation should be reviewed and a major part of the program curtailed.

It is significant that tax-amortization certificates have been granted to some 913 privately owned utilities throughout the country, including the Pacific Northwest. Hence, the granting of such a certificate to Idaho Power Co. was not a precedent by any means.

CERTIFICATE TERMS DESCRIBED

Furthermore, it should be considered that the certificate merely permits the Idaho Power Co. to amortize 65 percent of its investment on 2 dams in 5 years instead of the customary 20 to 30 years. This means that, in the event of tax increases between 1963 and 1978 or 1988, the company may actually pay more in taxes than it would have had to pay if the amortization period were extended over the entire first 20 to 30 years of the project repayment. In addition, the 2 dams must be completed in 1958 in order for the firm to qualify for the certificate.

And since this is a regulated public utility, if any savings in company operations result from this transaction, the overall savings would have to be passed on to the power customers in the utility's area. It should be considered, however, that the firm is undergoing heavy expense in investing $133 million in the new facilities, a private investment which will make it possible for the Federal Government to forego the necessity of spending more than a half billion dollars in the Hells Canyon area. These private facilities, moreover, will contribute flood-control benefits valued at $1 million annually, and public recreational and navigation values worth many million dollars more. It also contributes a windfall of potential increased power production to Federal plants downstream from Hells Canyon.

TAX AMORTIZATION GRANTS TO NORTHWEST INDUSTRIES

By contrast, among the tax amortization grants extended in the Pacific Northwest was one to Anaconda Aluminum Co. at Butte, Mont. This company not only will receive a subsidy of a hundred million dollars' worth of below-cost power from Hungry Horse, but also received in 1952 a rapid-tax-amortization certificate for 85 percent of its $65,250,000 aluminum plant.

From the same Hungry Horse project, Montana Power Co. obtains a million dollars worth of power annually at a rate one-third below the at-site cost. In addition to this total rate subsidy of $16 million, Montana Power has received 3 tax-amortization certificates between 1951 and 1956 for a total of $11,285,000, or nearly half o. the firm's investment in new power facilities.

And farther down the river, the Harvey Machine Co., in December 1953, received a rapid-tax-amortization certificate for $55,462,000, or 85 percent of the cost of its new aluminum plant at The Dalles, Oreg. This concession to an industry which operations and profits are not State-regulated, as is the

case with public utilities, was granted, in addition, a below-cost rate of 1.72 mills for power, which in 50 years will amount to a subsidy of $300 million.

This type of public generosity apparently is fine for the States of Montana, Oregon, and Washington—because no one from that area has complained of it publicly—but a lesser concession in the State of Idaho is being criticized today as morally reprehensible, or worse.

It is also surprising that backers of high Hells Canyon Dam would object to a defense production incentive for Snake River power facilities. The authorizing section of virtually every Hells Canyon Dam bill, including S. 555, stresses the national defense values of this proposed project.

HIGH HELLS CANYON BACKERS AFFIRM DEFENSE VALUES

In the Senate hearings, Representative GRACIE PFOST made this statement of the importance of Hells Canyon power to national defense:

"We have learned once again how close the world teters on the brink of conflict—and we know that might and force are still the universal language. We remember what Bonneville and Grand Coulee meant to us during World War II, and we realize that only by continuing to be the arsenal of democracy can our voice be truly effective in a grave and uncertain future. Huge blocks of low-cost power, such as the high Hells Canyon Dam would provide, lend considerable authority to that voice."

In view of the urgent need for large blocks of new power in the Pacific Northwest, as persistently proclaimed by many supporters of the high Hells Canyon project, we fail to see how these individuals can justify destruction of a partially built project that can produce comparable power and start delivery of it in 1958 in favor of a project that cannot be in production to the same level until 1964. Furthermore, we fail to see how they can now consistently attack the ODM tax-amortization action of the three-dam Hells Canyon project as not being justified for defense needs.

M'NARY CONSTRUCTION POWER USE QUESTIONED

16. Section 3 (c) of S. 555 directs the Secretary of the Interior to supply and transmit from the McNary Dam, many miles downstream, the necessary construction power for the Hells Canyon Dam, in spite of the fact that the Secretary of the Army has specifically stated that "the purpose of this provision is not clear and might prove undesirable from an economic standpoint."

This objection from Secretary Brucker is included in a letter to Chairman MURRAY of the Senate Committee on Interior and Insular Affairs, dated March 4, 1957, and reproduced in the Senate hearings on S. 555.

ARTHUR V. WATKINS.
HENRY C. DWORSHAK.
FRANK A. BARRETT.
BARRY GOLDWATER.

Mr. DIRKSEN. Mr. President, I yield myself 10 minutes.

It was just 11 months ago, almost to the day, that we considered the Hells Canyon issue. It was defeated in the Senate by a vote of 51 to 41. I have been looking over the yea and nay vote at that time. It is rather interesting. Probably I should ask at an appropriate time that it be made a part of my remarks.

I listened also with interest the other day to a very lengthy speech by a very distinguished Member of the Senate who seemed to be experiencing some spiritual agony about it. I can well understand his agony, because in Idaho, it would appear from letters I have seen, Hells Canyon was regarded as a dead issue in October 1956. But in 1957 it certainly becomes a glorious issue again.

All we have to do, I think, is to recite the facts. The first plans of Idaho Power Co. were made in 1946. That was 11 years ago. There is nothing new about this project. They applied to the Federal Power Commission for their preliminary permits in 1947. That was 10 years ago. All that was done in the light of day.

Then came their license applications—their formal applications for licenses. The first one was in 1950; the second one, in 1953. That was 7 years ago and 4 years ago, respectively, that the company made the applications. The hearing was the longest in the history of the Federal Power Commission. As I recall, there were 20,000 pages of testimony in the transcript.

The hearing was conducted by regular procedures. I read from page 23 of the Federal Power Commission findings:

On the contrary, these applications were processed in accordance with usual Commission procedures and when the applicant has made any change or addition to its original proposals, amendatory or supplementary applications have been filed with the Commission.

There was nothing extraordinary about that. The application was considered like any other application before the Commission.

Then, the findings are here for anyone to see. They consist of two short paragraphs, on page 19. The Commission said:

For the reasons heretofore stated, it is our judgment that the United States itself should not undertake the development of the water resources of the Hells Canyon reach of the Snake River for public purposes.

That was the Commission speaking, after the taking of thousands and thousands of pages of testimony before their examiner.

The Commission said one thing more:

Most of what we have already said indicates that the applicant's three-dam proposal is best adapted to a comprehensive plan of development as required by section 10 (a) of the Federal Power Act * * *.

If that is not conclusive, then I have not seen any conclusive language anywhere, at any time.

There was their finding. They were ready to go ahead. The finding was in the public interest. But the company was before the Supreme Court, and it did not get out of the Court until April of this year. But at last the writ of certiorari was denied, and then the Idaho Power Co. was ready to go ahead.

Then came the question of the certificate. Mr. President, how long ago do you think it was when the company made its application for the certificate? It was in 1953.

It was stated that the company's dams would be built at no cost to the taxpayers of the country. Quite true, that was an assertion before the Federal Power Commission; but it had nothing to do with the Office of Defense Mobilization.

Much was made of the statement by the president of the Idaho Power Co. that they had faint hope. That statement was based on the possibility of completion in 1956. But after the company was ready to go ahead, then came the suspension of the goals in December. Later the goals were reopened. Later they were suspended again. Later they were again reopened.

It is said that the estimate of the power which would be required had been pushed up. However, when the war in Korea was over and when the goals were suspended, certainly there was faint hope.

Mr. Roach, the president of the Idaho Power Co., was under obligation to the consumers, to the customers of his company. It has 130,000 customers in 75 communities. Mr. Roach has been in the power business for a great many years, and he made one of the best witnesses I ever saw appear before the committee.

Mr. THYE. Mr. President, will the Senator from Illinois yield to me?

The PRESIDING OFFICER (Mr. GORE in the chair). Does the Senator from Illinois yield to the Senator from Minnesota?

Mr. DIRKSEN. I yield briefly.

Mr. THYE. The distinguished Senator from Illinois has been privileged to attend many of the hearings. What is the estimated cost per ton which would be saved if the high Hells Canyon Dam was constructed, as compared with the cost if the three low dams to which reference has been made were constructed?

Mr. DIRKSEN. The cost per ton of what?

Mr. THYE. The cost per ton of commercial fertilizer.

Mr. DIRKSEN. I do not know; no testimony on that particular question was taken before our committee.

Mr. THYE. There have been statements to the effect that if the low dams were constructed, the cost would be increased by $15 a ton. I have searched for facts in connection with that statement, but I have not been able to find them. I repeat the statement now on the floor of the Senate, in the hope that some Senator will be able to answer my question, because I cannot make sense out of that charge.

Mr. DIRKSEN. Mr. President, that matter was outside the jurisdiction of the committee, so no testimony on it was adduced there.

But much testimony was adduced on the question of tax writeoffs. It was made to appear that the company came in with unclean hands. But the company was in court for 4 years, where all the world could see.

Now it has been stated that the company has rejected the tax-writeoff certificates. But what compensation does the company receive for rejecting them? It is subject to nothing but suspicion, as is evidenced by statements made on the floor of the Senate. It has been stated that the company could not reject the certificates. It has also been stated that if the company did reject the certificates, later it could go into court and could obtain relief by way of an injunction.

Mr. GOLDWATER. Mr. President, will the Senator from Illinois yield to me?

Mr. DIRKSEN. I yield.

Mr. GOLDWATER. The Senator from Illinois is a member of the Appropriations Committee. Can he state whether any funds have been appropriated to cover any of the losses which would be sustained, as alleged, if the tax amortization went through?

Mr. DIRKSEN. I have not seen any appropriation of that sort.

Mr. GOLDWATER. Is it not a misstatement for anyone to suggest that $339 million would be given this company?

Mr. DIRKSEN. A fancy gimmick of compounding the interest for 50 years was used. But if that is to be done, then let the cost of the high dam be compounded for 50 years. If that were done, the sum would be so astronomical that the mind of man simply could not comprehend it.

Mr. GOLDWATER. Furthermore, inasmuch as the $339 million represents 48 percent of the taxes which would be paid, would not 52 percent be $367 million?

Mr. DIRKSEN. Exactly so.

Mr. President, before the time available to me expires, I wish to read a statement made by the president of the Idaho Power Co. in response to a question asked by the Senator from Wyoming [Mr. O'MAHONEY]. The question by the Senator from Wyoming was this:

Where is your crystal ball, Mr. Roach?

Mr. Roach replied:

I will guarantee this, Senator: $300 million of Federal taxes; State and local taxes, Oregon, Idaho, northern Nevada, $200 million.

The value of the flood control we are supplying free of cost to the Federal Government has been stated by the Army engineers to be worth at least a million dollars a year; for 50 years, $50 million.

The navigation benefits, $100,000 a year; and over 50 years, $5 million.

The Federal Power Commission estimated that the annual saving or the annual cost of the fish-handling facilities which otherwise would be a burden to the Federal Government, are $200,000 a year. Over a 50-year period, $10 million.

Then I asked, "Did you compound the interest on that, Mr. Roach?"

Mr. Roach replied, "No."

I said that he ought to do it, in view of the fact that these very fancy figures have been floating around. But there are tax benefits that add up to $565 million, and they have not been disputed.

But, Mr. President, the essential fact remains that the Federal Power Commission for months and months, after careful examination and exploration, unanimously issued these licenses on a matter that has been pending for nearly 11 years, where all the world could see; and the application for the tax amortization certificates was pending for 4 years. Yet an effort has been made to read mystery into that matter and to make it appear that something is radically wrong.

I never saw a witness before any congressional committee who was so candid and so frank and who presented his whole case in so persuasive a manner as did the man who is the guiding genius of the private power interest, which now is licensed to build the Oxbow, Brownlee, and Hells Canyon dams.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

The Senator from Illinois has 2 minutes remaining under his control.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the distinguished Senator from South Dakota [Mr. CASE].

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 1 minute.

Mr. CASE of South Dakota. Mr. President, two issues seem to be before the Senate. One is the Hells Canyon proposal, on its own merits. The other is the tax-amortization matter.

Personally, I intend to vote, as I did before, to permit the use of private capital for the construction of the smaller dams, believing that I am not warranted in asking the reclamation funds or the taxpayers of my State to provide the funds needed for that purpose, when other capital is available.

However, I think the facts which have been developed by one of the Senate committees are important, and should not be ignored.

Therefore, I propose to submit the following resolution:

Resolved, That the Senate of the United States believes that tax-amortization certificates for accelerated depreciation should not be granted unless there is a clearly defined need of an increase of industrial potential for the purposes of national defense and that pending action on the comprehensive review undertaken by the appropriate committees of the Congress, all agencies having any responsibilities in connection with the granting of such certificates should suspend the processing of such applications and their granting forthwith.

The PRESIDING OFFICER. The time yielded to the Senator from South Dakota has expired.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that I may submit the resolution at this time, for appropriate reference.

The PRESIDING OFFICER. Is there objection?

There being no objection, the resolution (S. Res. 150) was received and referred to the Committee on Finance.

The PRESIDING OFFICER. The Senator from Illinois has 1 minute remaining under his control.

The Senator from Texas has 6 minutes remaining under his control.

Mr. DIRKSEN. Mr. President, before the vote is taken, I wish to say that the distinguished junior Senator from North Dakota [Mr. YOUNG] is detained in the departments downtown, this afternoon, as a result of a need to look after constituents who have been disastrously affected by a tornado which struck the city of Fargo, N. Dak. It may be impossible for the Senator from North Dakota to return to the Chamber in time to vote, but I think this fact should be noted for the RECORD.

Mr. JOHNSON of Texas. Mr. President, I should like to suggest to the distinguished acting minority leader that in cases of this kind, we are always glad to cooperate. There will be a quorum call at 4:15 p. m. We shall have the quorum call proceeded with slowly, so that notice may be given to any absent Senator. I do not anticipate we shall have it before 5 o'clock. So that will allow almost 1 hour. I ask the aids on each side of the aisle to get on the telephone immediately and notify any absent Senator, whether he is for the bill or against the bill, that a quorum call will be started at 4:15 p. m. We will ask that Senators be present for the quorum call, and after a quorum is obtained, then we will have the yeas and nays on the bill.

The PRESIDING OFFICER. Does the Senator from Illinois wish to yield back the time remaining to him?

Mr. DIRKSEN. I yield back the time remaining to me.

Mr. JOHNSON of Texas. Mr. President, I yield myself the remaining time.

Mr. MANSFIELD. Will the Senator yield to me before he starts?

Mr. JOHNSON of Texas. Yes.

Mr. MANSFIELD. There has been a good deal of talk on the other side of the aisle about tax losses inherent in the building of a high Hells Canyon structure. I think Senators ought to examine the photographic map in the back of the Chamber and see how much taxable land will be taken out of production, and then take a look at the topographic map on the other side. May I illustrate by saying that the building of Hungry Horse Dam resulted in a loss of $5,000 a year in taxable property, but as a result of the construction of that dam there has been an increase in the assessed valuation of Flathead County, Mont., from $32 million to $87 million. As a result of that dam a new aluminum plant has been built, employing 700 people on a year-round basis, as well as a phosphate plant in Silver Bow County employing 400 people. The tax base has been broadened. More people and industries are paying taxes, electric rates for the REA's have been reduced, and prosperity has been brought to that area. I think the same thing that happened as a result of Hungry Horse Dam will happen if a high Hells Canyon Dam is constructed. I hope the measure now before us, S. 555, will be adopted.

Mr. JOHNSON of Texas. Mr. President, I cannot yield any more time, because I have very limited time, and I wish to be able to complete my statement.

Mr. President, I rise to support the Hells Canyon bill.

I do so not because of any abstract philosophy as to public or private power. My position is based solely upon my judgment—after examining the facts—that this specific measure best serves the interests of our people.

My attitude toward public and private power has always been that there is need for both and room for both. I think we must go carefully into every project that is proposed and decide which method—in a specific case—does the best job for the people.

Mr. President, I expect there will come before the Senate next week the Niagara power measure and the TVA measure,

both of which are somewhat controversial, and I expect the membership to resolve those controversies solely on the basis of what is best for all the people.

The last minute decision of the Idaho Power Co. to relinquish its tax amortization privileges does not alter my position.

It seems to me that if the company had a just case for accepting the privilege, it should have stuck by its guns. If it did not have a just case, it should not have applied for the privilege originally.

The unexpected and dramatic announcement—right on the eve of a vote—is not very impressive. At best, it merely raises a question in my mind as to the merits of the company's whole case.

But it does not alter the basic facts that emerge from comparing the proposal in this bill with the plans of the private power company.

The Federal dam would produce twice the power at half the cost to the consumer.

The Federal dam would produce almost four times the amount of active storage for flood control.

The Federal dam would have a benefit-to-cost ratio of 1.83 to 1—compared to a ratio of 0.91 to 1 for the private power project.

These are facts—facts taken directly from the report of the Federal Power Commission examiner who held 150 days of hearings on the project.

I do not agree with his nontechnical recommendations. But the engineering facts and estimates speak for themselves. I ask unanimous consent that they be printed in the RECORD at this point in my remarks.

There being no objection, the findings were ordered to be printed in the RECORD, as follows:

Summary of the FPC examiner's comparative findings for Hells Canyon Dam and the three-dam plan

Item	High Hells Canyon Dam	Idaho Power Co., 3 dams [1]
1. Power output (prime kilowatt).	924,000	505,000.
2. Power costs (per kilowatt-hour).	2.7 mills.	6.69 mills.
3. Active storage (acre-feet)	3,880,000	1,000,000.
4. Flood-control benefits (annual).	$2,300,000	$1,000,000.
5. Navigation benefits (annual)	$189,000	$108,000.
6. Recreation benefits (number annual visitors).	500,000–650,000	250,000–325,000.
7. Power revenues for aid to future reclamation.	Yes	No.
8. Availability of power to entire region.	Yes	No.
9. Development of phosphate fertilizer.	"The high-dam project, by providing power at low rates, might be expected to stimulate large-scale development of the phosphate resources and large-scale expansion of fertilizer production" (examiner's finding No. 159).	"The 3-dam plan would stimulate less phosphate development and less fertilizer production than the high-dam project" (examiner's finding No. 160).
10. Development of electroprocess industries.	"The high-dam project, because of its high volume and low cost power output, might be expected to stimulate the expansion of electroprocess industries to a greater extent than the 3-dam plan, including those which would utilize regional mineral resources" (examiner's finding No. 162).	(See examiner's finding No. 162 opposite.)
11. Cost of project (less transmission lines).	$353,740,000	$175,766,000.
12. The better investment	FPC examiner said: "The facts seem to point to the inescapable conclusion that with the marked and substantial advantage of the Government's credit the high dam would be dollar-for-dollar the better investment and the more nearly ideal development of the middle Snake."	
13. Benefit-to-cost ratio	1.83 to 1	0.91 to 1 (dividing the examiner's figures on annual value of power at market by the annual cost of power at market. This shows the 3-dam plan to be economically unfeasible.)

[1] In fact, the FPC and company have indicated that the 3d dam may never be built even if the FPC decision is not reversed.

Mr. JOHNSON of Texas. Mr. President, it seems to me that much of the opposition to the Federal project is based upon confusion as to the cost situation. The confusion arises from a failure to distinguish between initial cost and cost to the taxpayer.

The latest revised cost estimate of the high dam—including an expanded power plant—is $367 million.

But of this total cost, over 85 percent will be allocated to power. That means that this 85 percent will be repaid—with interest—over the 50-year pay-out period.

Only $55 million will be non-reimbursed Federal expenditures to cover the cost of such public benefits as flood control and recreation.

It seems to me that these are benefits well worth the money. Any Texan can tell you from harsh experience that money spent for flood control is money well spent indeed.

Moreover, we should look beyond the pay-out period, when about 90 percent of the power revenues will be net profit to the taxpayers. In the long run, this project does not represent a drain upon our pocketbooks.

Mr. President, the arguments that favor construction of the Federal dam at Hells Canyon appear to me to be compelling.

The Federal dam provides the fullest use of the water resources available in the area.

The Federal dam provides the greatest benefits at the lowest cost to consumers.

And finally—and I think this is an important factor—all the evidence indicates that the people of the area desire the Federal dam.

I am a strong advocate of granting the people of an area the strongest possible voice in determining their own destiny. They have made their wishes clear in 2 gubernatorial, 3 senatorial, and a number of House elections.

As one who has always felt that the people of my State should have a strong voice in working out their own problems, I believe that the people of the Northwest should also have a strong voice in working out their own problems.

Mr. President, on the basis of the record, the Federal dam appears to me to be the best course of action for all of our people. For that reason, it shall have my affirmative vote.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Fulbright	Morse
Allott	Goldwater	Morton
Anderson	Gore	Mundt
Barrett	Green	Murray
Beall	Hayden	Neuberger
Bennett	Hennings	O'Mahoney
Bible	Hickenlooper	Pastore
Bricker	Hill	Payne
Bush	Hruska	Potter
Butler	Humphrey	Purtell
Byrd	Ives	Robertson
Carlson	Jackson	Russell
Carroll	Javits	Saltonstall
Case, N. J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S. C.	Scott
Chavez	Kefauver	Smathers
Church	Kennedy	Smith, Maine
Clark	Kerr	Sparkman
Cooper	Kuchel	Stennis
Cotton	Langer	Symington
Curtis	Lausche	Talmadge
Dirksen	Long	Thurmond
Douglas	Magnuson	Thye
Dworshak	Malone	Watkins
Eastland	Mansfield	Wiley
Ellender	Martin, Iowa	Williams
Ervin	Martin, Pa.	Yarborough
Flanders	McClellan	
Frear	McNamara	

Mr. MANSFIELD. I announce that the Senator from Florida [Mr. HOLLAND] and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate.

The Senator from California [Mr. KNOWLAND] is necessarily absent attending the wedding of his daughter.

The Senator from West Virginia [Mr. REVERCOMB] and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Jersey [Mr. SMITH] and the Senator from Indiana [Mr. JENNER] are necessarily absent.

The PRESIDING OFFICER. A quorum is present.

The Senate will be in order. The Chair is not advised as to the need for so many guests in the Chamber of the Senate, and will ask the Sergeant at Arms to invite them to leave unless order is preserved.

The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and to be read the third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THYE (when his name was called). On this vote I have a pair with the senior Senator from New Hampshire [Mr. BRIDGES]. If he were present and voting he would vote "nay." If I were at liberty to vote I would vote "yea." I therefore withhold my vote.

Mr. JOHNSON of Texas (when his name was called). On this vote I have a pair with the distinguished minority leader [Mr. KNOWLAND], who is unavoidably absent. I wish to protect him. If I were at liberty to vote I would vote "yea." If he were present and voting he would vote "nay." I therefore withhold my vote.

The legislative clerk resumed and concluded the call of the roll.

Mr. MANSFIELD. I announce that the Senator from Florida [Mr. HOLLAND] and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

The Senator from Oklahoma [Mr. MONRONEY] is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Oklahoma would vote "yea" and the Senator from Indiana would vote "nay."

The Senator from West Virginia [Mr. NEELY] is paired with the Senator from West Virginia [Mr. REVERCOMB]. If present and voting, the Senator from West Virginia [Mr. NEELY] would vote "yea" and the Senator from West Virginia [Mr. REVERCOMB] would vote "nay."

The Senator from Florida [Mr. HOLLAND] is paired with the Senator from North Dakota [Mr. YOUNG]. If present and voting, the Senator from Florida would vote "nay" and the Senator from North Dakota would vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Jersey [Mr. SMITH] and the Senator from Indiana [Mr. JENNER] are necessarily absent.

If present and voting, the Senator from Indiana [Mr. JENNER] and the Senator from New Jersey [Mr. SMITH] would each vote "nay."

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate and is paired with the Senator from Oklahoma [Mr. MONRONEY]. If present and voting, the Senator from Indiana [Mr. CAPEHART] would vote "nay" and the Senator from Oklahoma [Mr. MONRONEY] would vote "yea."

The Senator from California [Mr. KNOWLAND] is necessarily absent attending the wedding of his daughter, and his pair with the Senator from Texas [Mr. JOHNSON] has been previously announced.

The junior Senator from West Virginia [Mr. REVERCOMB] is absent on official business and is paired with the senior Senator from West Virginia [Mr. NEELY]. If present and voting, the junior Senator from West Virginia [Mr. REVERCOMB] would vote "nay" and the senior Senator from West Virginia [Mr. NEELY] would vote "yea."

The Senator from New Hampshire [Mr. BRIDGES] is absent because of illness and is paired with the Senator from Minnesota [Mr. THYE] as previously announced.

The Senator from North Dakota [Mr. YOUNG] is absent on official business and is paired with the Senator from Florida [Mr. HOLLAND]. If present the Senator from Florida [Mr. HOLLAND] would vote "nay" and the Senator from North Dakota [Mr. YOUNG] would vote "yea."

The result was announced—yeas 45, nays 38, as follows:

YEAS—45

Aiken	Hayden	Morse
Anderson	Hennings	Murray
Bible	Hill	Neuberger
Carroll	Humphrey	O'Mahoney
Chavez	Jackson	Pastore
Church	Johnston, S. C.	Russell
Clark	Kefauver	Scott
Cooper	Kennedy	Smathers
Douglas	Kerr	Smith, Maine
Eastland	Langer	Sparkman
Ellender	Long	Stennis
Ervin	Magnuson	Symington
Fulbright	Mansfield	Talmadge
Gore	McClellan	Wiley
Green	McNamara	Yarborough

NAYS—38

Allott	Dirksen	Martin, Pa.
Barrett	Dworshak	Morton
Beall	Flanders	Mundt
Bennett	Frear	Payne
Bricker	Goldwater	Potter
Bush	Hickenlooper	Purtell
Butler	Hruska	Robertson
Byrd	Ives	Saltonstall
Carlson	Javits	Schoeppel
Case, N. J.	Kuchel	Thurmond
Case, S. Dak.	Lausche	Watkins
Cotton	Malone	Williams
Curtis	Martin, Iowa	

NOT VOTING—12

Bridges	Johnson, Tex.	Revercomb
Capehart	Knowland	Smith, N. J.
Holland	Monroney	Thye
Jenner	Neely	Young

So the bill (S. 555) was passed, as follows:

Be it enacted, etc., That in order to foster comprehensive development of the resources of the Columbia River and its tributaries, and for the purposes, among others, of controlling and utilizing the Snake River and its tributaries for beneficial objects, including generation of hydroelectric power and energy for the national defense and other purposes, irrigation of lands, navigation and flood control, and for purposes incidental to any of the foregoing, including providing financial assistance to Federal reclamation projects, the Department of the Interior, under the supervision and direction of the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized and directed to construct, substantially in accordance with the physical plans set out in the reports referred to hereinafter as—

(a) the Hells Canyon Dam, as described in volume 2 of House Document No. 473, 81st Congress, and as modified by the report of the Commissioner of Reclamation, approved by the Secretary on May 11, 1951; and

(b) the Scriver Creek power facilities of the Payette unit of the Mountain Home division, as described in the report of the Commissioner of Reclamation, approved by the Secretary on May 11, 1951.

The Secretary in prosecuting his activities under this section and in operating and maintaining said projects shall, except as is otherwise provided in this act, be governed by the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto).

SEC. 2. Notwithstanding the provisions of any other law, the operation of the Hells Canyon Dam shall not conflict with, and shall be subordinate to, present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing, valid under State law, of the waters of the Snake River and its tributaries upstream from the dam and downstream.

SEC. 3. (a) In order to facilitate the development of the central and upper Snake River Basin, and also that of downstream areas, the Hells Canyon Dam and powerplant and the Federal Columbia River power system shall be interconnected, and 500,000 kilowatts of firm power attributable to the Hells Canyon project, or such portion thereof as is required from time to time to meet loads under contracts made within this reservation, shall be made available for use in central and upper Snake River Basin and to all other parts of Idaho lying outside the central and upper Snake River Basin.

(b) Electric energy available from Hells Canyon Dam and powerplant and the Scriver Creek power facilities not required for the operation thereof shall be marketed by the Secretary in accordance particularly with sections 1, 2, 3, 4, 5, 6, and 7 of the Bonneville Project Act of 1937, as amended (50 Stat. 731), dealing with transmission, distribution, sale, and rate schedules.

(c) The Secretary is authorized and directed to supply and transmit from the McNary Dam the necessary construction power for the Hells Canyon Dam.

SEC. 4. (a) The initial works of the projects authorized by section 1 of this act and any additional works or division, including the irrigation features of the Payette unit of the Mountain Home division, that may be authorized as hereinafter provided shall be treated as one project for the purpose, among others, of providing for the application of project revenues to the return of reimbursable costs in accordance with the provisions of the Federal reclamation laws. Federal reclamation developments proposed to be constructed in the central and upper Snake River Basin may be authorized as works of divisions of these projects but only if such authorization is specifically provided by an act of Congress. Recommendations by the Secretary with respect to such authorizations shall be made in connection with the Secretary's report and findings under section 9 of the Reclamation Project Act of 1939 (53 Stat. 1187), which report shall include findings as to the costs and benefits of the proposed developments and as to the effect of such authorization on the project's power rate structure. In the case of the irrigation features of the Payette unit of the Mountain Home division, such a report shall be made and transmitted to the Congress not later than during the term of the 85th Congress.

(b) The term "central and upper Snake River Basin" as used in this act shall mean the area comprising the drainage basin of the Snake River and its tributaries down to and including the Clearwater River.

SEC. 5. There are hereby authorized to be appropriated, out of moneys not otherwise appropriated, such sums as may be required to carry out the purposes of this act.

[Manifestations of applause in the galleries.]

Mr. RUSSELL. Mr. President, may we have order in the galleries?

The VICE PRESIDENT. The Chair reminds the guests of the Senate in the gallery that demonstrations of approval or disapproval are not permitted.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. MAGNUSON. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Washington [Mr. MAGNUSON].

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, may we have order?

The VICE PRESIDENT. The Senate will be in order.

NATIONAL SYSTEM OF NAVIGATION AND TRAFFIC CONTROL FACILITIES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 443, S. 1856.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill, S. 1856, to provide for the development and modernization of the national system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of of the Senator from Texas.

The motion was agreed to, and the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce with amendments.

ORDER FOR ADJOURNMENT TO MONDAY

Mr. JOHNSON of Texas. Mr. President, I have agreed with certain Members of the Senate that if we concluded action on the bill which has just been passed by the Senate, there would be no further business transacted this evening, there would be no session tomorrow, and the Senate would adjourn until Monday.

Therefore, Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today—and I shall yield now only for insertions in the RECORD—that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The VICE PRESIDENT. Without objection, it is so ordered.

SENATORIAL PARTICIPATION IN DISARMAMENT TALKS

Mr. JOHNSON of Texas. Mr. President, I have received two letters from the Secretary of State today, which should be of interest to all Members of the Senate. For their complete information, I will read the letters verbatim. The first letter is dated June 21, 1957, and reads:

JUNE 21, 1957.

Hon. LYNDON B. JOHNSON,
United States Senate.

DEAR LYNDON: I am enclosing herewith a formal request to you which is idential with a letter I am likewise sending Senator KNOWLAND.

In the light of some press reports which have indicated that there might be a divergence of views between you and myself on this matter, I want to make it quite clear that I have never felt that such a divergence existed and that, on the contrary, I have been most appreciative of your repeated efforts to further bipartisan cooperation in matters of international concern.

Sincerely yours,

JOHN FOSTER DULLES.

The second letter is dated June 21, 1957, and reads:

The Honorable LYNDON B. JOHNSON,
United States Senate.

DEAR SENATOR JOHNSON: You are aware that the United States has long considered the achievement of a sound and safeguarded disarmament agreement one of its most vital foreign policy objectives. We have persistently sought such an agreement in the United Nations and more recently in the negotiations in the subcommittee of the United Nations Disarmament Commission. This subcommittee is now meeting in London.

The course of the negotiations which are going on at the present time suggest the desirability of obtaining further senatorial participation in this important endeavor. Any agreement which might eventuate would, we hope, be of a scope and character which would require it to be submitted to the Senate as a treaty, for its advice and consent to ratification. It is my belief that senatorial participation at this juncture could contribute substantially to the achievement of the end result we seek. Accordingly, I ask that you and Senator KNOWLAND designate Members of the Senate who would study, observe, and, to the extent they desire, consult with appropriate officials engaged in these negotiations. While it is my judgment that it would be premature at this time for Senators to join the delegation at London, I hope that it will be possible for some of the designated Senators to participate in these talks if that becomes desirable. The President fully concurs in this request.

In making this request I should emphasize that whereas the Soviet position has moved closer to that of the United States in several respects in recent months, many important and difficult obstacles remain in the way of the achievement of even a limited agreement for the control of armaments. The Soviet Union has, in recent months, affirmed its readiness to seek a limited first-step agreement and to accept certain controls and verifications, and it is our hope that the Soviet position will further evolve so as to increase the prospects that a first-phase agreement of some worthwhile dimensions can be reached. Senatorial participation at this time will serve as a further earnest of the United States seriousness of purpose. It will demonstrate anew our consistent desire for an agreement which will reduce the threat of war and improve the outlook for a true and lasting peace.

If you agree, I will arrange for the appropriate briefings and other assistance.

I am sending a similar letter to Senator KNOWLAND.

Sincerely yours,

JOHN FOSTER DULLES.

Mr. President, because there has been considerable comment on the issues involved in senatorial participation at the London talks, I wish to make a brief statement elaborating on these letters.

Last week, the distinguished minority leader and I were approached by the Secretary of State. He requested that we set up an arrangement whereby certain Senators would be designated to attend the disarmament conference in London.

I told the Secretary that in line with our customary procedure, the Senate would be pleased to cooperate in advancing the foreign policies of this Nation. I raised four points, however, which I felt should be considered.

First, I felt it should be made clear that senatorial attendance could not become a matter of usurpation of an Executive responsibility and prerogative.

Second, I felt that the Senators should attend in the capacity of observers—rather than advisers making binding and advanced commitments for the Senate. In this connection, I feel it should be noted there is a distinction between giving advice and having the official status of an adviser.

Third, I felt that the difficulties of detaching Senators from the Senate floor during such a crucial period of the legislative session should be considered.

Fourth, I felt that in accord with established practices, the request should come from the President as head of the executive department, either directly or through the Secretary of State, with an indication of the urgency for senatorial attendance in London at a particular time.

By some, these reflections were construed as a rejection of the Secretary's request. I do not know how that interpretation arose as neither I nor the Secretary felt that way.

We were merely discussing the detailed questions involved in the request, as we frequently have done during the closing day of a legislative session.

It seems obvious to me that Congress should not usurp Executive functions. It seems obvious to me that Senators should maintain a position which will enable them to express an independent judgment when they consider a treaty that might grow from an international conference.

It seems obvious to me that in a closely divided Senate, Members should be called away only upon questions of urgency. It seems equally obvious that the request should come from the President, either directly or through the Secretary of State.

At any rate, these matters have now been cleared up. As the Secretary of State indicated in the letter I just read, he and the President believe it would be premature to have senatorial attendance in London at the present time.

Within a brief period, I shall designate—after consultation—Members of the majority. They will be charged with the specific responsibility of following the negotiations closely.

I might add that some time ago there was established a Subcommittee on Disarmament, composed of members of the Senate Committee on Foreign Relations, the Senate Committee on Armed Services, and the Joint Committee on Atomic Energy. The Subcommittee on Disarma-

ment, headed by the distinguished junior Senator from Minnesota [Mr. HUMPHREY], is made up of some of the most distinguished and able Members of the Senate. Only a few days ago they met at some length and received a full report from the Secretary of State and his assistant, Mr. Stassen, concerning the current status of the disarmament negotiations. The subcommittee is now, and has been all the time, ready, willing, and eager to receive any briefing or any report, and to consult at any time, anywhere.

At any time the President deems it essential that they go to London to participate in the conference, we shall cooperate.

It seems to me that we now have a complete meeting of the minds on all points. In line with the policy of this Congress—to cooperate responsibly on these questions—we now have an arrangement satisfactory to the President, the Secretary of State, and the leadership on both sides of the aisle.

I ask unanimous consent to have printed in the body of the RECORD as part of my remarks, a memorandum covering instances in the past where the President has requested senatorial participation in international conferences.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

NOTE ON PRACTICE OF NAMING SENATORS AS MEMBERS OF UNITED STATES DELEGATIONS TO INTERNATIONAL CONFERENCES

When individuals (including Senators) are named as official Members of United States delegations to international conferences, it is the normal practice for the President of the United States formally to issue them a commission for that purpose. In the case of United States delegations to annual meetings of the United Nations General Assembly, delegates are nominated by the President, subject to confirmation by the Senate as required by the United Nations Participation Act.

In past instances when Senators have been named as delegates to conferences culminating in the conclusion of a peace treaty—the Japanese peace treaty, for example—they serve under a Presidential commission. In such cases, there is no requirement that they be confirmed by the Senate.

Nonofficial records available indicate that Senators participating in the 1945 San Francisco Conference on the United Nations were invited to participate as members of the delegation by the President of the United States. Former Senator Connally has reported in his autobiography that "Roosevelt now asked me to serve as a member of the United States delegation to help write the United Nations Charter" (see Connally and Steinberg, My Name Is Tom Connally, p. 272). Senator Connally reported that he had advised the President to make the delegation bipartisan. Continuing, Connally wrote: "As a result, he (President Roosevelt) agreed to appoint two Senators and Representatives as Congressional delegates to the future Charter Conference" (p. 272).

The Private Papers of Senator Vandenberg discuss at some length problems that arose during the period when Senator Vandenberg was considering whether or not to accept an invitation from President Roosevelt to participate in the San Francisco Conference. (See The Private Papers of Senator Vandenberg, edited by Arthur H. Vandenberg, Jr., pp. 146 and following). The following excerpt may be noted:

On February 13, 1945, the State Department announced that the Senator had been named as a delegate to the United Nations Conference. Vandenberg did not immediately accept" (pp. 146–147).

On February 15, Vandenberg wrote to President Roosevelt as follows: "I take the liberty of inquiring what specific commitments, if any, would be implicit in my acceptance of this designation; and whether I might feel that I would not violate your commission or your expectations if I freely present my own points of view to our delegation and if I reserve the right of final judgment upon the ultimate results of the conference" (p. 149).

On February 17, Vandenberg wrote to Dulles that: "I cannot go to this conference as a stooge. * * * I do not think the Republican Party can make a graver blunder than to decline senatorial cooperation (under appropriate circumstances) when it is tendered by the President in a critical case of this nature and at such a critical moment."

On March 5, 1945, Vandenberg issued a press release reading in part as follows: "Following an exchange of cordial and satisfactory personal letters with the President, clarifying my right of free action I am glad to say that I have accepted this invitation" (p. 154).

Subsequently, after the death of Roosevelt, President Truman told the delegation "there would be no changes in the delegation" (p. 169).

One final point might be noted. Edward S. Corwin in his book The President: Office and Powers, notes that "beginning with Washington, Presidents have practically at discretion despatched 'secret' agents on diplomatic or semidiplomatic missions without nominating them to the Senate; while at other times they have, with or without the consent of the Senate, designated Members of that body or of the House to represent the United States on international commissions."

INVITATION TO SERVE AS DELEGATES TO THE UNITED NATIONS CONFERENCE AT SAN FRANCISCO

Letter from President Roosevelt to Secretary of State Stettinius, Hon. Cordell Hull, Senator Connally, Senator Vandenberg, Representative Bloom, Representative Eaton, Comdr. Harold Stassen, Dean Virginia Gildersleeve:

"I take pleasure in inviting you to serve as a member of the Delegation of the United States to the United Nations Conference which is to meet at San Francisco on April 25, 1945, to prepare a charter for a general international organization along the lines proposed in the informal conversations at Dumbarton Oaks. You will understand, I am sure, that the sending of this invitation several days after the public announcement is due to the unavoidable delay in my return to Washington from the Crimea Conference.

"I feel certain that this important conference bringing together all the United Nations which have so loyally cooperated in the war against their common enemies will successfully complete the plans for an international organization through which the close and continuing collaboration of all peace-loving peoples may be directed toward the prevention of future international conflict and the removal of the political, economic, and social causes of war.

"I am confident that as a member of the delegation you would effectively contribute to the realization of the hopes and aspirations of the American people for an international organization through which the Nation may play its full part in the maintenance of international peace and security."

(Above letter dated February 28, 1945.)

Mr. JOHNSON of Texas. I have had some difficulty in understanding the Secretary's letter since at one point it reads:

It is my belief that senatorial participation at this juncture could contribute substantially to the achievement of the end result we seek.

At another point the letter emphasizes:

Senatorial participation at this time will serve as a further earnest of the United States seriousness of purpose.

Apparently, however, the Secretary has in mind that Senator KNOWLAND and I "designate Members of the Senate who would study, observe, and consult." I assume he means their activities will be confined to the United States for the present.

I am not clear as to why members of the existing disarmament subcommittee should not serve this consultative purpose. They have been working hard on the subject for 2 years under the able chairmanship of Senator HUMPHREY.

If the Secretary and the President, however, desire specific designees, I shall be glad to accommodate them.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. There has been some preliminary discussion of the matter, and I recall distinctly the emphasis which was placed upon the items set forth by the majority leader: the necessity for always having proper respect for the separation of powers, so that there will be no encroachment upon the executive by the legislative branch; and to be certain that the emphasis in every case be that Senators act in their capacity as observers rather than to act as participants.

I know from my discussions with the majority leader, with the chairman of the minority conference, and others, that Senators on this side of the aisle are fully ready to cooperate at the appropriate time and are prepared to name Senators who would attend the conference pursuant to the request of the Secretary of State and, I think, at the request of the President of the United States.

Mr. JOHNSON of Texas. I deeply appreciate the statement of my friend, the acting minority leader. So far as I am aware, there has never been any difference between the minority leader [Mr. KNOWLAND] and the majority leader with regard to the importance of the selection of representatives.

We have discouraged Senators from being away from the Chamber during the last days of a session. It has not been necessary to discourage them, because very few Senators are willing to leave except with the understanding that their rights will be protected during their absence. However, at any time the President and the Secretary of State feel that we can make a contribution, we certainly want to do so. We would do so only at their invitation and with the assurance that matter was of the greatest urgency.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. HUMPHREY. I thank the Senator from Texas, the distinguished majority leader. I want the RECORD to show that the majority leader has consulted very carefully with the Members of the Senate who are deeply involved in these matters by way of their assignments to the Committee on Foreign Relations, the Committee on Armed Services, and the Joint Committee on Atomic Energy. I should like the RECORD to show that the minority leader, likewise, has been extremely cooperative. There has been no effect on the part of anyone in the Senate to bypass constituted authority.

The Senate Subcommittee on Disarmament is a bipartisan committee of 12 members, 6 Democrats and 6 Republicans.

I suggest to the distinguished acting minority leader that with his observations as to the role of Senators at such a conference, if their attendance is required, the junior Senator from Minnesota fully agrees, and, I gather, the majority or all the Members of the Senate agree—in other words, that there should be participation, if needed and if requested; but the participation should be in the role of observers and, as the Secretary of State has noted, as consultants, if advice and counsel are sought.

Let me assure the Secretary of State and the President of the United States, and also let me assure the majority leader and the minority leader, that the Senate Subcommittee on Disarmament is prepared at all times to work with Mr. Stassen, with whom it has always worked in the closest cooperation; that the subcommittee is prepared to work with and consult with, and to do whatever else it possibly can to be of assistance, with the Secretary of State or any of his assistants. We are prepared to receive and review documents, cables, and other information, on the basis of being informed and on the basis of consultation.

If the majority leader and the minority leader feel that further representation is needed, I should like to have both of them know that the members of the Subcommittee on Disarmament, or at least its chairman, will feel that that is a decision which rests solely in their hands, and that it will be respected.

There is no attempt on the part of anyone to do anything but cooperate.

I read with considerable interest, and some dismay, yesterday, an editorial which was published in one of the great newspapers of this city. I felt that the editorial was unfortunate. I wish to state for the record that, as chairman of the subcommittee, I have worked in the closest cooperation with Mr. Stassen, both in public and in private sessions. At no time has there been any desire or effort to play politics or to interfere with the good work he is attempting to fulfill. The wishes of the Senator from Minnesota are for success at the conference at London—success for effective disarmament and success for the policies of the United States of America.

I wish to commend the majority leader for the diligence with which he has pursued this subject. It has been a delicate one; and it has also been one which has been misunderstood, I regret to say. But the position the majority leader has taken is a sound one, and one in which I am confident the Senate concurs.

Mr. THYE. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. THYE. Mr. President, I believe in a bipartisan attitude regarding these matters, as has just been stated by the Chairman of the Disarmament Subcommittee. But I believe that if and when there comes a time when specific agreements will be made among nations, a representation of the United States Congress or of the United States Senate should be present. I believe that will do much to assist in bringing about a general understanding of what the United States is committing itself to.

We are dealing with a most vital question, namely, disarmament; and that question will be negotiated with the Soviet Union and with other nations. It is necessary that there be a disarmament program. I believe that the steps now being taken in connection with the conference in London are bringing about confidence and understanding on the part of the people of many countries, who are pleased at the progress of the conference. When there is a final agreement, I believe a Senate delegation will be most helpful in allaying any fear that the United States would be committing itself to any arrangement which would not be desirable.

So I believe that the designation of a delegation, in order to have it ready to attend such a conference, whether in Great Britain or elsewhere, is most timely.

Mr. SPARKMAN. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. SPARKMAN. Mr. President, I wish to ask the majority leader for clarification in the case of one matter. I listened to his reading of the letter, and the statement was repeated several times. But I am not quite clear about the point that the attendance of Senators at the present time would be premature. Did I correctly understand the Senator from Texas?

Mr. JOHNSON of Texas. Yes.

I read that part of the letter again:

While it is my judgment that it would be premature at this time for Senators to join the delegation at London, I hope that it will be possible for some of the designated Senators to participate in these talks if that becomes desirable.

Mr. SPARKMAN. In other words, this is merely an alert for later on; but the letter does not call for active participation at this time; is that correct?

Mr. JOHNSON of Texas. The letter does not call for active participation at London at this time; it says it would be premature. We have provided for adequate participation in the view of the majority leader. But the majority leader has found, from one morning to another, a change of arrangements, and sometimes certain Members have been designated for him without his knowledge and his consent. I do not say the Secretary of State has done that; but I refer to the news stories, and otherwise.

I may say that I was never asked about who might serve on the delegation.

I have always consistently expressed the hope that consultation would be carried on so far as possible in the Nation's Capital. In other words, if the President can be briefed each morning on these consultations and if the Secretary of State can be briefed on them, I assume that the Senate Subcommittee on Disarmament can be briefed on them. I assume that that applies likewise to our experts in the field of foreign relations and in the field of armed services and in the field of atomic energy.

But if it became urgent for these Members to go to the Conference, then I wanted the President to say so, just as President Roosevelt said to Senator Vandenberg in 1945. In that connection, I may quote from the letter which Senator Vandenberg wrote to President Roosevelt on February 15, 1945:

I take the liberty of inquiring what specific commitments, if any, would be implicit in my acceptance of this designation; and whether I might feel that I would not violate your commission or your expectations if I freely present my own points of view to our delegation and if I reserve the right of final judgment upon the ultimate results of the Conference.

On February 17, Senator Vandenberg wrote to Mr. Dulles:

I cannot go to this conference as a stooge. * * * I do not think the Republican Party can make a graver blunder than to decline senatorial cooperation (under appropriate circumstances) when it is—

I emphasize these words—

tendered by the President in a critical case of this nature and at such a critical moment.

On March 5, 1945, Senator Vandenberg issued a press release reading in part as follows:

Following an exchange of cordial and satisfactory personal letters with the President, clarifying my right of free action, I am glad to say that I have accepted this invitation.

Subsequently, after the death of President Roosevelt, President Truman told the delegation that there would be no changes in it.

One final point might be noted. Edward S. Corwin, in his book The President: Office and Powers, notes that—

Beginning with Washington, Presidents have practically at discretion dispatched "secret" agents on diplomatic or semidiplomatic missions without nominating them to the Senate; while at other times they have, with or without the consent of the Senate, designated Members of that body or of the House to represent the United States on international commissions.

Senator Connally has reported in his autobiography that—

Roosevelt now asked me to serve as a member of the United States delegation to help write the United Nations Charter—

And so forth. We have adequate precedents; but we were trying to determine on what basis, at what time, in what number, we should do what?

The Secretary has made it clear, this afternoon, what he desires done, namely, for the time being to consult with Members of the Senate who are interested in this subject, and to receive our suggestions and to keep us aware of what is developing. I think this is highly commendable. If it becomes necessary for

a delegation to go abroad, then I shall select from the membership of the Subcommittee on Disarmament and the Foreign Relations Committee and the Armed Services Committee and the senatorial representation on the Joint Committee on Atomic Energy, Members of the Senate to carry out that mission, if three members from the majority can go. If not, then we shall have to select one at a time.

Mr. SPARKMAN. Mr. President, will the Senator from Texas yield further to me?

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Texas yield further to the Senator from Alabama?

Mr. JOHNSON of Texas. I yield.

Mr. SPARKMAN. I wish to say that, as the distinguished majority leader knows, and as all other Senators know, he did talk with members of the Disarmament Subcommittee and members of the Foreign Relations Committee, although of course I have no way of knowing what other Senators he talked with. But is it not true that from the very first, the majority leader took exactly the same stand he has taken here this afternoon, and the same stand that was taken by Senator Vandenberg?

Mr. JOHNSON of Texas. That is correct.

Mr. SPARKMAN. In other words, that there should be a little more to it than merely a telephone call or a suggestion carried through the press?

Mr. JOHNSON of Texas. I may say there have been more than telephone calls. I have had numerous conferences with the Assistant Secretary of State, and with the Secretary of State himself. I thought that we were reasonably close to agreement, and I thought that agreement was in accord with the previous practices of the Senate, and I did not think it would require Members of the Senate to be absent at this time. Subsequently, interpretation was placed on my remarks that indicated I was less than enthusiastic about even participating in the matter. Nothing could be further from the fact.

Mr. SPARKMAN. Mr. President, will the Senator yield further?

Mr. JOHNSON of Texas. Yes, indeed.

Mr. SPARKMAN. I want to say that I felt the treatment of this matter in many parts of the press was most unfair so far as the majority leader was concerned.

Mr. JOHNSON of Texas. The majority leader realizes that happens at times.

Mr. SPARKMAN. As a matter of fact, he was simply trying to establish the proper liaison, as has been done by many of the majority leaders who have preceded him.

Mr. JOHNSON of Texas. Can the Senator from Alabama imagine the cry that would go up if the Senator from Texas sought to recommend that six Senators leave before the vote yesterday or before the vote today, and have them away from town, except upon the request of the President, and except upon a matter of the greatest urgency?

Mr. SPARKMAN. In spite of all the outcry, Senators are not desired in London, are they? The urgency has not at all been shown to be the kind of urgency that many columnists and writers tried to insist it was.

Mr. JOHNSON of Texas. Mr. President, I do not want to get into any argument with columnists or newspapers.

Mr. SPARKMAN. I do not want to, either.

Mr. JOHNSON of Texas. I find myself in enough difficulty with them already without wanting to aggravate it; but I will say this: From the time the matter was first broached to me I have thought that the Secretary of State and the leadership on both sides of the aisle were in reasonable agreement. I thought that we understood each other and understood the problems that were facing us. The only question was, Would it be helpful to our national interest for a delegation of Senators to be present in London? There had been some indications that it would be helpful. So I said, if that is true, and if the President so indicates, or if the Secretary indicates, with the knowledge and concurrence and approval of the President, then I will be prepared to take prompt action.

Mr. SPARKMAN. If the Senator will yield once more, and then I shall be through——

Mr. JOHNSON of Texas. I yield.

Mr. SPARKMAN. Frequent mention has been made of the Subcommittee on Disarmament. I count it a privilege to be a member of that subcommittee, but I particularly want to pay tribute to the chairman of the subcommittee, the Senator from Minnesota [Mr. HUMPHREY], and I wish to say a tremendous job has been done by that subcommittee. Much work has been carried on, and excellent reports have been made. I feel that considerable progress has been made in the line of moving toward something that may at long last be tangible. I think much credit should go to the Senator from Minnesota.

I am using that statement as a predicate to this statement to the majority leader: The life of the committee is about to expire; I believe that one of the most important things that we could do would be to extend the life of that committee. My own feeling is, and I want to say it now for the RECORD, that the life of the committee ought to be extended as long as there is some hope of accomplishing some result in the field of disarmament.

Mr. JOHNSON of Texas. I share completely the views expressed by my able friend from Alabama. He may be assured of my absolute, complete, and enthusiastic cooperation to that end.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield now to my delightful friend from Rhode Island.

Mr. PASTORE. I want to applaud the distinguished majority leader for the position he has taken, not only today, but in all his discussions with the State Department with reference to this very delicate situation. I think he is perfectly right. I wish to add a rejoinder to the statement made by our distinguished colleague, the Senator from Alabama, in praising the chairman of the subcommittee, the Senator from Minnesota [Mr. HUMPHREY]. I think if the subcommittee has served any purpose at all—and certainly it has served many, many noble purposes—it has been in creating an adequate liaison between the Senate and the executive department. On the last return of Mr. Stassen to the United States, he was invited to come before the subcommittee, and the chairman of the subcommittee took the pains and the trouble not to confine that meeting only to the members of the Subcommittee on Disarmament, but, indeed, to include the representatives of all committees of the Senate that were interested in the subject of disarmament.

If I remember correctly, the distinguished majority leader attended that meeting. The meeting was briefed by the Secretary of State himself and by Mr. Stassen. We were there for a whole afternoon, if I recall correctly. I think we were told everything that could be told to us.

Mr. JOHNSON of Texas. I will say the majority leader and the minority leader and the members of the subcommittee met with the Secretary of State and with Mr. Stassen. We met at length, and were briefed in detail. The majority leader has again and again and again expressed to the Department of State his willingness and the willingness of every Senator on this side of the aisle to meet at any time, any place, for any purpose that could conceivably contribute to bringing about a better world. The entire question was whether Senators could and should leave and go to London at this stage of the game. If so, they should do so only under certain circumstances: First, under circumstances that they themselves would accept; second, under circumstances which their colleagues would approve and understand, because it would do no good to send 2 or 3 Senators away to act as observers for the Senate if they did not go with the approval of the Members of the Senate.

The distinguished chairman of the Subcommittee on Disarmament and the distinguished chairman of the Foreign Relations Committee [Mr. GREEN] both worked cooperatively with me and with the Department of State, and we plan to continue to do so.

I appreciate the very fine attitude of my friend, the junior Senator from Rhode Island [Mr. PASTORE], whom I consider to be one of the outstanding experts in the field of atomic energy. I know whenever he can make a contribution, he will be only too glad to do so, without regard to party.

IMPORTANCE OF STRENGTHENING LATIN-AMERICAN TIES

Mr. WILEY. Mr. President, will the Senator yield to me?

Mr. JOHNSON of Texas. I yield to my friend from Wisconsin.

Mr. WILEY. Mr. President, today's newspapers demonstrate how America's responsibilities have grown in the shrunken world of the atomic age, the changed world which has been foreshortened by man's scientific ingenuity and inventiveness.

The papers report, of course, on our leading domestic issues like the Hells Canyon debate, but in addition, a great many foreign matters. The many news reports from abroad evidence America's growing responsibility on the world scene.

Concerning Asia, we read of Japanese Premier Kishi's welcome visit to the United States, and also in that area, we read of the sound United States decision to reinforce our weapons in Korea.

MUCH NEWS ON LATIN AMERICA

We read here, in our own hemisphere, about the signature by the International Finance Corporation of its first investment in Latin America.

This $92 million institution, which was set up last year by 49 governments to make profit-sharing investments in private enterprise, is lending $2 million to a company in Brazil to finance a new electrical factory there. This investment decision is a most welcome sign of economic progress.

It is on Latin America that I should like to make these remarks today, for I recall very clearly my visit 1½ years ago to Brazil as a delegate to an inter-American economic conference there. That great country is headed toward vast new horizons, and so are its sister republics. This vast continent of Latin America is worthy of our best energies and attention.

WE MUST UNDERSTAND LATIN AMERICANS

It is also worthy of our sympathetic understanding because, aside from its common heritage with us, there are many differences which do exist between ourselves and the various lands.

Let us note that it is easy enough to be friends with those who speak the same language and have the same form of government as ourselves. But it is more difficult, yet vitally necessary, to be friends with those who are our next-door neighbors, but who have different forms of government from our own.

Fortunately, there is an increasing awareness on the part of the American people that we must give wider attention to the problems of the Western Hemisphere.

In the past we, as a people, have been traditionally preoccupied with challenges facing us in Europe and later in Asia.

REDS IN GUATEMALA REMINDED US OF DANGERS HERE

Only when some crisis has arisen as, for example, during the alarming period of the Communist Arbenz regime in Guatemala, have we remembered that world communism is actively at work in "our own backyard" as well.

If we are to be successful in combatting the Communist danger here and elsewhere, we must work with the various friendly governments. We may not fully agree with those governments, any more than we fully agree with regimes elsewhere in the world. But we must not allow communism to capitalize on avoidable frictions between ourselves and our friends.

Fortunately, during the last few decades, we have been enjoying ever improved relations with Latin America.

There have been growing economic, defense, political, cultural, and psychological ties with the 20 nations below the Rio Grande.

MANY WISCONSIN BRANCH ENTERPRISES IN LATIN AMERICA

Not so long ago, for example, it was my privilege at the kind invitation of Mr. H. F. Johnson, president, to address the S. C. Johnson Co., in Racine. The company had brought in the managers of its successful subsidiaries from all over Latin America, as well as the rest of the world, to discuss trade and related problems.

Many other Wisconsin businesses and businessmen likewise enjoy splendid economic and other relations with Latin lands—with Brazil, Venezuela, the Argentine, Cuba, the Dominican Republic, Mexico, and so forth.

All of this has occurred within the past 25 years.

GOOD NEIGHBOR POLICY REPLACED DOLLAR DIPLOMACY

During this fruitful period, we as a Nation have fortunately helped to erase the scars which were left over from the unfriendly time of what was known as United States dollar diplomacy.

This was the period when America intervened directly in the internal affairs of various Caribbean countries. It was the period when United States Armed Forces were used as instruments of American political power in several of these lands.

I will not go into the history of that regrettable era, the circumstances which caused and followed that situation.

I will only state that it has taken a great deal of patient and constructive diplomacy to undo the bitter taste which was left in Latin America.

The indignation over what was called Yankee imperialism still has not completely subsided. Fortunately, however, our good neighbor policy of the past two and one-half decades has healed most of the scars.

Fortunately, too, there is an awareness on the part of Latin America that the American people have invariably proceeded from the best of motives—motives of friendship, motives of desiring the best for the peoples of Latin America.

I trust that America's vital role in the International Finance Corporation, to which I have earlier referred, will be clearly noted as one of a great many indications of the sound economic approach which we have followed and which we will continue to follow.

The World Bank, the Export-Import Bank—these, too, have played a splendid role and must do still more if we are to do justice by our friends in terms of the many economic challenges to them.

OUR MANY REASONS FOR RELIANCE ON HEMISPHERE

Think now of the vast markets which this hemisphere represents: of the raw materials we urgently need, the foodstuffs.

Think of the indispensable Panama Canal and of our vital relations with our friends of Panama, who now look to us for passage of certain essential land, wage-rate, and bridge legislation which we have promised and which we intend to carry out.

MUCH MILITARY COOPERATION

Think of the military cooperation—from all the many ways in which, for example, our Panamanian friends cooperate to the important guided-missile tracking station in the Dominican Republic, and to the 12 military assistance agreements which we have signed with the nations there.

It is for these and related reasons that I want my country to be especially understanding in appraising problems in the hemisphere.

That is my basic purpose in speaking today—to urge that we minimize instead of maximize frictions between us, that we stick to the facts in our occasional disputes, instead of indulging in personalities or in hearsay inferences or in idle conjecture.

DARE WE RISK A NEW TYPE OF IMPERIALISM UNDER IDEALISTIC CLOAK

It is with deep regret, therefore, that I note evidence in some recent developments of an opposite tendency, a tendency which can impair friendships with several of the nations which have different forms of government from our own. Yes, some folks, well-intentioned though they may personally be, may unwittingly be recommending, in effect, that the practice of a new type of "Yankee imperialism" be revived.

Some people may not realize the nature of this unsound tendency. Why? because the present idea of intervention is clothed under the so-called idealistic concept that it is up to us Americans to undermine those strong-men governments which are not established on the same basis of freedom as ours in the Western Hemisphere.

Any such approach is, of course, utterly contrary to the policies of the State Department. The Department carefully and rightly hews to a correct line of sound and friendly relations with all governments of the hemisphere.

No other policy would be tolerable or acceptable.

THE ABORTIVE EFFORT TO UNDERMINE PERON

Let us frankly recall that the last time any such undermining or overthrow effort was reportedly tried against a strong man, it was a notorious failure.

I refer, of course, to the period when American actions in Argentina were interpreted as an effort on the part of the United States to overthrow the then existing regime of General Peron.

That purported effort completely backfired, as all such efforts reportedly involving a foreign government, would inevitably fail. The reason is because no people wants to be told by a foreign government or a foreign people who its leaders shall be, and what its way of life shall be.

I REVERE FREEDOM

Let me make it quite clear: I, for one, like all of my colleagues here, prize freedom as much or more than any other American.

Freedom is a part of my being. It is a part of my religion, of my devotion to this Republic, of everything that I have learned and revered in fraternal, political, social, and spiritual life.

I hope that all peoples will come to enjoy the political standards we enjoy.

DIFFERENT PEOPLES AND GOVERNMENTS HAVE DIFFERENT LEVELS CONCEPTS

But I point out that each people—in Latin America, Europe, Asia—is the product of a different background. Our national cultures are different, our religious and interpretations of religion are different.

We come from different political, economic, military, and other conditions.

We all live on one globe. But we are at different stages of development. Peoples are in different stages of readiness for government and self-government.

I hope that all peoples will come to govern themselves democratically. But it is clear that circumstances and obstacles and limitations in different parts of the world give pause to think if anybody attempts an automatic or uniform solution of this problem.

MY BASIC SUGGESTION TODAY: LET AMERICANS BE MORE JUDICIOUS

And so, today, as I have indicated, I have risen for the purpose of suggesting this to my colleagues and to the public generally: Let us be more judicious and more careful in our gratuitous suggestions and advice.

I urge that we be a little more respectful and understanding of the feelings of our Latin friends, especially the heads of state. I urge that we do what our experts in the State Department well advise us; namely, let our friends work out their destiny in their own way.

I point out to my colleagues and to the public that if we were to attempt—overtly or covertly—to interfere, if we were mistakenly to attempt to tell them what is best for them, what leader or government is best for them, what way of life is best for them—they would simply feel that we are "know-it-all Yankees" trying to boss them around.

INSULTS TO FOREIGN HEADS OF STATE SHOULD BE AVOIDED

Of course, every American is entitled to his own opinions. Every American, especially a Member of Congress—of the House or Senate—is entitled to present his opinions about a foreign government to his constituents and to the Republic generally. But we should certainly not be unfair in our presentation of the facts and of our opinions, nor should we indulge in personalities, if it can be possibly avoided.

And we should certainly think twice and more times before ourselves indulging in insults against a friendly government, and leader with whom we as a Nation have enjoyed good relations.

And that includes any personal attacks against men who have been good friends to the United States in these various lands, such as General Batista in Cuba, President Luis Somoza in Nicaragua, Generalissimo Trujillo in the Dominican Republic, President Perez Jiminez of Venezuela, and others.

My remarks are not, however, confined to this hemisphere. I include heads of states elsewhere in the world, whether it be King Ibn Saud, of Arabia—who admittedly heads an absolute monarchy—or other men with whom we are endeavoring still further to improve diplomatic and other relations, despite differences which do exist.

In other words, let's keep our eyes on the main ball—our own national interest.

Aren't there enough problems already in Latin America, enough ferment, enough of a danger of Communist intrigue exploiting conditions, without our allowing the situation to be aggravated?

Can we not try to resolve problems in accordance with established diplomatic procedures.

FATHER THORNING'S WARNINGS AGAINST DANGEROUS AGITATION

Problems in the Caribbean, as for instance regarding our Dominican friends, are a case in point. The Caribbean is the neighboring area which is well called the American Mediterranean, the very title used by an expert in the area's problems—Father Joseph Thorning—for an article which appears in the summer edition of World Affairs, of which he is associate editor.

Father Thorning, often called the Padre of the Americas, has long been an expert observer of the dangerous Communist intrigue in the Caribbean and elsewhere.

He has pointed often to the systematic, unceasing agitation against our country's friends in this and other areas, and he has rightly urged Americans to be wary of becoming unwitting pawns of any such unjustified agitation.

CONTRASTING CONDITIONS IN HAITI, DOMINICAN REPUBLIC

Recent developments on the island of what Columbus called Hispanola reemphasize what I am saying regarding the already severe ferment in the area.

There have been no fewer than six governments recently in the island Republic of Haiti. Following President Magloire's fall, there has been continuous instability, intermittent rioting, coups d'etat. And Haiti's still relatively primitive economy has been brought almost to a dead halt.

The contrasting conditions of stability on the other side of the island have been apparent.

THE BASIC QUESTION: OUR NATIONAL INTEREST

In looking at American relations with the Caribbean, or for that matter any other area, my interest always is in answering this question: "What action will best serve the national interests of our own beloved country?"

That question must be asked in terms of our relations with any country anywhere in the world—Haiti, the Dominican Republic or any other land.

OUR SOUND RELATIONS WITH SPAIN

For example, turning again to another part of the world, for a number of years there has been the vital issue of improving relations with the Government of Spain.

Critics have fired all sorts of irrelevant arguments over that issue and over General Franco, personally. The critics ignored the basic point, however, that the Spanish regime has been exceedingly cooperative with us on the highest priority matters of national interest, particularly in the construction of air and naval bases in Spain.

Commencing next month, we will have operational, essential Strategic Air Command bases in Spain.

To me, this is a crucial factor which obviously overrides all considerations of lesser magnitude.

For this and other reasons, therefore, of our own national interest, I welcome improved economic, political, social, and cultural relations with the Spanish Government and Spanish people.

SMALLER COUNTRIES HAVE HELPED

Other countries—smaller nations—may occupy less of a military-national security role, so far as we are concerned.

But the fact is that they do what they can to the limit of their own resources.

Let the facts be noted, therefore, of the tremendous cooperation which was afforded to us during World War II by the Cuban and Dominican Governments when enemy submarines prowled all through the neighboring waters, doing tremendous damage to Allied shipping.

DOMINICAN MILITARY-NAVAL COOPERATION

Let the fact be further noted that, along with 11 other governments of this hemisphere, the Dominican Republic has signed a standard military-assistance agreement with us for the protection of the mutual defense of this hemisphere.

Let the fact be noted that our Government has signed a loran agreement giving us the right to set up a loran station there—a long-range aid to sea and air navigation. This will provide assistance, as well, in the tracing of hurricanes.

And let the fact be further noted, that earlier this year we were glad to sign a naval mission agreement, under which for the same objective of common defense, we will assist in modernizing and improving Dominican naval forces.

PRAISE FROM CONGRESSMAN JOHN M'CORMACK

I quote the words of the Democratic leader of the House of Representatives from the May 8 CONGRESSIONAL RECORD. The Honorable JOHN W. MCCORMACK stated, referring to a recent visit by 4 House Members to the Dominican Republic:

Mr. MCCORMACK. Mr. Speaker, it is encouraging to note that four of my distinguished colleagues, in the course of a visit to the Dominican Republic, formed the same favorable impressions of the broad, humanitarian policies of Generalissimo Rafael Leonidas Trujillo Molina, LL. D., that have been entertained by numerous United States leaders and citizens throughout the last 27 years.

My colleagues discovered what the highest officials in our Army, Navy, and Air Force have known, namely, that good will, cooperation, and friendship are among the best ideals of the Dominican Government now headed by President Hector B. Trujillo Molina.

LET US KEEP OUR PERSPECTIVE

I refer to all this because the Dominican Republic, like a few other lands, currently has problems with us. I cite these facts so that the problems will be understood in proper perspective, so that we will not look simply at the problems themselves and ignore the whole of our past, present, and future relations.

DOMINICAN ECONOMIC PROGRESS AND STABILITY

What are some other facts in the United States-Dominican record?

Here are a few:

Last year, the prospering Dominican Republic, despite its relatively small size, imported $108 million worth of goods, and exported $124 million.

Between the years 1945 to 1955, her exports went up three times; her imports five times. Her international reserves increased from $15 million to $36 million.

Let the fact be noted that she is a signatory to the bilateral atoms-for-peace agreement with us. And she has taken her own steps for the harnessing of atomic energy for the betterment of her Republic and of its citizens.

Let the fact be remembered that she has made tremendous strides in the improvement of public health, public sanitation, and in other fields.

These facts of economic progress, the facts of sound monetary and fiscal policies under Generalissimo Trujillo, the fact that the country has no foreign debt are, therefore, for all to see. The facts speak for themselves.

They are not the only facts by any means, but they are significant points worthy of remembrance by us.

Now, these factual observations may unfortunately be misunderstood in some quarters. But I trust they will not be, because they are intended merely to cite a factual record which we, in our own national interest, should not forget.

I repeat: Our own national interest. That is my concern.

STOP, LOOK, AND LISTEN BEFORE WE CONDEMN

And so, when we hear all sorts of criticisms of the head or leader of a foreign state, let us follow the words of the old motto on the caution sign at the railroad crossings: Stop, Look, and Listen.

In other words, when there is a lot of uproar and furor, let us stop, look, and listen. Let us find out where we are, in what direction we are going, and why. Let us see whether the furor and uproar is moving us in the right direction.

GALINDEZ-MURPHY CASES UNDER APPROPRIATE REVIEW

Let me make it quite clear, the two specific pending cases involving the Dominican Republic which have caused so much comment are matters which are now being expertly handled by the Department of Justice and the Department of State.

I know nothing of these cases but what I have read in the papers.

What I have read—what everyone has read—however, is accusation after accusation, hearsay and conjecture; inference piled on top of inference.

Let us wait on coming to our final opinions till the facts are in and have been properly evaluated by those well qualified to do so.

DON'T PREJUDGE CASES

Yes, I urge that we, as individuals, not try to be prosecutor, judge, and jury all at once, mistakenly assuming that we now have all the facts, when obviously we do not.

In other words, what I urge is that we try to be more judicial in our approach, that we not prejudge a case, that we not condemn a man or a government before we have the facts, that we try to be fair and objective.

Can any fair-minded person disagree with such an approach?

Let me affirm emphatically that I have faith that the Departments of Justice and State will take whatever action they feel is appropriate in the public interest. Let me make this point quite clear, too: The protection of American citizens or, for that matter, of aliens in the United States is a matter of significance always and must be effectively followed through.

But that is why we have an executive branch of Government. And we in the legislative branch likewise have important responsibilities to get the facts and then judge accordingly.

MAINTAIN CORRECT RELATIONS

In the meanwhile, let us be especially fair and understanding; neither ignoring facts nor exaggerating hearsay or rumor.

In any event, let us maintain correct diplomatic relations with all legally established governments—in Central America, South America, in Europe, Asia, the Middle East, or elsewhere, neither meddling nor interfering in internal affairs.

This is an attitude worthy of us as a great Nation. It is an attitude of a Nation which, while it is convinced that its own way of life is best, respects the right of other governments and peoples to enjoy their own way of life.

It is an attitude of a Government which does not presume that it is omniscient and omnipotent.

FAITH IN STATE DEPARTMENT

I reiterate my confidence in our State Department and in its Assistant Secretary for Latin American Affairs and his associates. I know they will do their best to advance the diplomatic objectives of our country. I say, "Give these men the chance to do their job, as all their years of experience and dedication enable them."

And so I conclude—not, I repeat, for purposes of defense of any man or government in Latin America, Spain, the Middle East, or anywhere else, but in defense of a principle—I mean the principle of correct diplomatic relations, the principle of a good neighbor, the principle of noninterference, of never again doing anything that may be construed as imperialism in any way, shape, or form.

My remarks have not been directed against any particular individual nor for any individual as such. These comments are solely for one great cause, one great objective in this atomic age: protecting the national interest of this Republic. That is a goal above personalities. It is a goal which we must never forget.

PASSAGE OF HELLS CANYON DAM BILL

Mr. NEUBERGER. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield to my friend, the Senator from Oregon.

Mr. NEUBERGER. Mr. President, today the Senate of the United States voted to authorize one of the greatest projects for waterpower and flood control possible anywhere in the world. This feat could not have been accomplished without the leadership of many men. To enumerate all the people who participated outstandingly in this great undertaking would not only intrude too greatly upon the time of the Senate, but would run the risk of the omission of the name of someone who should be given recognition.

However, like the junior Senator from Washington, who represents a State which borders on this great river development for power, I should like to refer to one or two people.

I believe the majority vote of the Senate today was a tribute to the long, persistent, and tireless fight carried on in this Chamber by the senior Senator from Oregon [Mr. MORSE], often against seemingly hopeless and overwhelming odds.

I believe, in addition, that every single one of us from the Pacific Northwest who favors this great undertaking owes a debt to the senior Senator from Texas [Mr. JOHNSON]. He represents a State which is not as generously favored with an abundance of water as is our State, yet his people in the Southwest, like our people in the Northwest, have the same urgent need for flood control and water conservation. Perhaps the types of projects may be slightly different, but the reliance upon a Federal Government with liberal and enlightened policies is the same.

I want the senior Senator from Texas to know and realize that we from the Pacific Northwest are fully conscious of the leadership which he has provided and which he has demonstrated today, and in the days leading up to today, before this great project was authorized.

Before I conclude I should like to mention 1 or 2 other Senators who truly deserve more than a slight reference.

The senior Senator from Montana [Mr. MURRAY], the chairman of the Senate Committee on Interior and Insular Affairs, has continually provided in the committee the guidance necessary to bring this bill to the Senate floor.

Furthermore, all of us in the committee know that the full committee itself never could have considered the bill had not the junior Senator from New Mexico [Mr. ANDERSON] managed and presided over long, almost interminable hearings in the subcommittee in charge of irrigation and reclamation matters of the full Committee on Interior and Insular Affairs. In addition, we all are grateful for the cheerful and never-flagging encouragement provided by the senior Senator from Washington [Mr. MAGNUSON], whose name already is associated with Grand Coulee and other heroic undertakings.

Today, two dramatic episodes occurred, one on this side of the aisle, and one on the other side of the aisle, and they should be mentioned.

The oldest Member of the Senate, as shown by history—and by "old," I mean old in years and not old in heart, because he is young in heart—the senior Senator from Rhode Island [Mr. GREEN], returned, at great sacrifice to his time

and energy, to the Senate today so that he could arrive here at the last moment, in time to vote on this great project, which is 3,000 miles from his home State. That is a tribute to the youthful attitude and political courage of THEODORE FRANCIS GREEN, because he has a national viewpoint and not a provincial or local viewpoint. I believe every single Member of the Senate, regardless of how he voted on this issue, was thrilled with the vigor demonstrated by the senior Senator of the Senate, when he came to the Chamber today to vote on the Hells Canyon issue.

In addition, I know all of us felt an emotional experience when the senior Senator from North Dakota [Mr. LANGER], a man who has been plagued with illness the past 10 or 12 weeks, rose from a hospital bed and came to the Chamber so that he could vote, as he has always voted, for the people's management and custodianship of their own natural resources.

I have no desire to mention anybody further, because if I were to go beyond the few names I have mentioned, I know I might omit somebody who deserves encomiums quite as much as those I have listed in this brief roster today.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. NEUBERGER. I am happy to yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I wish to associate myself wholeheartedly with the remarks of the junior Senator from Oregon. I, too, was happy to see our oldest and most distinguished colleague [Mr. GREEN] come to the Chamber at the last moment to cast his vote to help our youngest colleague, the junior Senator from Idaho [Mr. CHURCH].

I think due credit should be given to the junior Senator from Idaho for the magnificent speech he made following the opening remarks by my senior colleague, the chairman of the Committee on Interior and Insular Affairs [Mr. MURRAY], because I think his speech set the tone for the whole proceeding, and, to me, it was one of the finest speeches, if not the finest speech, I have ever listened to relating to hydroelectric projects.

Yesterday our party was divided, so some people thought. Today, under the leadership of our majority leader, we showed that while we have our differences, when the chips are down we can obviate those differences and work together. I think the Democratic Party acted, performed, and voted today in a way which will show the Nation exactly what we stand for in the field of natural resources, because the vote today was a vindication on a national scale of what the Democratic Party stands for.

In addition to all the others who have been mentioned by the distinguished Senator from Oregon, I think a great deal of credit is due to our majority leader, who, while he comes from a semiarid State in large part, at least, nevertheless put his shoulder to the wheel today and was able to come up with what I would call—and this is a modest statement—a very respectable showing with respect to the construction of a high dam at Hells Canyon. There is enough credit to go all the way around.

I think, so far as we Democrats are concerned, this has been a good day for the country.

Mr. MORSE. Mr. President, will my colleague yield to me?

Mr. NEUBERGER. I should like to comment briefly on the remarks of the Senator from Montana first, and then I shall be glad to yield.

I concur with everything the Senator has said. I believe the vote today was a demonstration that the Democratic Party stands for full development, and development in the public interest, of our resources.

I do want to say this—and I am sure the Senator from Montana and the majority leader will agree with me—that those very few members of the Republican Party who did not concur with the policy of their own national administration on the rollcall vote, certainly deserve credit for joining us on this issue. Again, that was a demonstration of the fact that, throughout the modern history of this country, there have always been a handful of Republicans who have been willing, occasionally, to join the Democrats, and to aid them in making possible the wise use of such resources as water, timber, and soil. These are Republicans in the tradition of Theodore Roosevelt and Gifford Pinchot and our own Charles L. McNary.

I yield now to the senior Senator from Oregon.

Mr. MORSE. I wish to say to my colleague that he has demonstrated once again a fact which I know from many, many experiences is true, that he is one of the most gracious and considerate men I have ever known. I want to join with him in expressing, on behalf of the two Senators from Oregon, our very deep and sincere appreciation for the wonderful help the people of Oregon—not only the Senators, but the people of Oregon and of the Pacific Northwest and of the Nation—received from Members of the Senate of the United States this afternoon. Let it be understood that no Senator has won a victory, just as no candidate ever wins. A candidate is elected by the people who support him and work for him. The candidate symbolizes a program and a policy. All that the Senators who are cosponsors of the Hells Canyon bill have done, really, is to symbolize a great principle in the field of natural resources, namely, that full river basin development is the right of all the people of the United States.

It was the people of the Nation who won a victory here this afternoon, but I do wish to join with my colleague in putting into the RECORD today a word of appreciation for the support we received from the Senate this afternoon.

At the head of the list is the name of the great majority leader from the State of Texas. I wish to say to the people of Oregon from my desk this afternoon that the victory they won on the floor of the Senate today could not have been accomplished if we had not had the leadership of Senator LYNDON JOHNSON of Texas. In fact, I know that when he leaves tonight for a few days of very much deserved rest he is going to be greatly relieved because he knows that he is not going to have to listen to the senior Senator from Oregon at least once a day, and sometimes many times a day, discuss the Hells Canyon Dam parliamentary situation with him. I wish it were possible for me to really tell to the people of Oregon the many, many hours the Senator from Texas has spent on this issue during his years of majority leadership since I have been in the Senate and I have been the author of the Hells Canyon Dam bill. I thank LYNDON JOHNSON today. I think he knows how appreciative I am, but I want the RECORD to show that I believe the people of the Nation, as well as of my State individually, are greatly indebted to him.

Then I wish to say that one of the greatest sources of strength I have had in the struggle for the successful passage of the bill has been my junior colleague [Mr. NEUBERGER]. In fact, I would be less than frank if I did not say that sometimes it looked a little hopeless, and Senator NEUBERGER's comment was, "WAYNE, you never quit," and it was in that spirit that both of us persisted on this issue.

I do wish to put into the RECORD the names of each and every one of my colleagues who are co-sponsors of the bill, because I think that is the best way for us to express appreciation to them. Some of them are here on the floor. Sitting a few seats from me is the Senator from Minnesota [Mr. HUMPHREY]. I do not know how anyone could have been more encouraging and helpful to us on this issue over the years than Senator HUMPHREY.

Then there is my good colleague from Tennessee [Mr. GORE], who has fought shoulder to shoulder with me on every natural resource issue—TVA, the Missouri Valley problem, Mississippi problems, Columbia and Snake River problems, and all the other river project problems, along with his colleague, the senior Senator from Tennessee [Mr. KEFAUVER]. To Senator KEFAUVER let me say that his investigation of the tax writeoff giveaway to the Idaho Power Co. did much to awaken the people of the Nation to what the Eisenhower administration is up to in the field of natural resources.

I wish to share the expressions of the Senator from Montana [Mr. MANSFIELD] in regard to the help we have received in the historic fight from the new Senator from Idaho [Mr. CHURCH].

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may yield the floor to the Senator from Montana, so that he may in turn yield to the other Senators who may desire to speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I yield to the senior Senator from Oregon.

Mr. MORSE. I wish to share the evaluation of the Senator from Montana [Mr. MANSFIELD] of the contribution of the Senator from Idaho [Mr. CHURCH] to fight on the issue concluded today. I have already expressed myself to the same effect on the floor of the Senate. I think his was the best analysis on the issue in the whole debate.

I believe that the Democratic whip [Mr. MANSFIELD] knows how much help I think he was to me and I thank him from the bottom of my heart.

Of course, I express appreciation to the young man of the Senate, the senior Senator from Rhode Island (Mr. GREEN). On some occasions he has said, "Don't give up. You are going to win." That happens to be the philosophy of Senator GREEN. He advised me as follows: "If you think you are right, and don't give up, the chances are that the public will rally behind you and you will win."

I also wish to join in expressing appreciation to the Republicans who helped us, MARGARET CHASE SMITH, JOHN SHERMAN COOPER, Senator AIKEN, of Vermont, Senator WILLIAM LANGER, Senator WILEY, of Wisconsin, Senator YOUNG, Senator THYE, whose records will show that they either voted for or were paired for Hells Canyon Dam. I think the votes of these Republicans will stand to their everlasting credit, and will be appreciated by future generations of American boys and girls.

Let me stress that natural resource issues are nonpartisan issues in the opinion of the people of the country and we Senators ought to keep them so. There are millions of Republicans who are sincere ardent conservationists. They recognized in the Hells Canyon issue a great conservation issue. The Republican Senators who joined us really vote in support of the natural resource philosophy of Teddy Roosevelt and Gifford Pinchot, who were the two great liberal Republicans that fathered the doctrine that each generation is the trustee of God's gift of natural resources to our people. Of course I want to pay special tribute to that great and grand rugged liberal and populist from the great State of North Dakota, BILL LANGER. I am sure he would not object if I added this personal note to the discussion, because I was not sure that BILL LANGER should come to the Senate today.

Mr. NEUBERGER. He would not have stayed away.

Mr. MORSE. That is right. For a time we thought we might have to use strong-arm tactics to keep him away, because I said to him, as he will acknowledge, "Bill, you must not come if it would in any way be a risk to your health." He said, "It would be the best tonic I could have to come and cast a vote in support of my friend WAYNE MORSE, and in support of a bill which the country needs. I insist that you let me know in time to get to the Senate and vote."

Of course, the great record of BILL LANGER in the many fights for the protection of natural resources always will be a great monument that will live in the history of the United States Senate. As I have said to BILL LANGER personally, I want to say in the RECORD, I am never going to forget the act of personal friendship and dedication to public duty which WILLIAM LANGER, of North Dakota, demonstrated on the floor of the Senate today by coming for the first time in months to the Senate so he could vote for Hells Canyon Dam. I pray that it did not cause him to overtax his strength. I want him to be sure that the people of my State will appreciate his devotion to the cause of Hells Canyon Dam. I also wish to express appreciation to all others who were of help to us and who joined me in sponsoring the Hells Canyon Dam bill, which I authored. The names of all the cosponsors of the bill are as follows:

Mr. MAGNUSON, Mr. CHURCH, Mr. JACKSON, Mr. MURRAY, Mr. MANSFIELD, Mr. NEUBERGER, Mr. O'MAHONEY, Mr. ANDERSON, Mr. CARROLL, Mr. CHAVEZ, Mr. CLARK, Mr. DOUGLAS, Mr. FULBRIGHT, Mr. GREEN, Mr. HENNINGS, Mr. HILL, Mr. HUMPHREY, Mr. JOHNSTON of South Carolina, Mr. KEFAUVER, Mr. KERR, Mr. LANGER, Mr. MCNAMARA, Mr. NEELY, Mr. SCOTT, Mr. SPARKMAN, Mr. WILEY, Mr. MONRONEY, and Mr. YARBOROUGH.

Now I want to say a word about our fellow Senators who oppose us in this legislative fight. I want the opposition to know that I have not the slightest rancor or ill feeling about this matter. Our differences were honest and sincere.

Mr. NEUBERGER. They were never personal.

Mr. MORSE. They were never personal. I hope as we continue to support legislation on natural resources issues in other parts of the country we may be more successful in convincing some of our opponents on the Hells Canyon Dam issue that they should join forces with us in our obligation of trusteeship of God's gift of natural resources to the people of this country.

The very essence of my philosophy in this field is that no one owns these natural resources. They belong to God. They are loaned to us from generation to generation, under what I consider to be a sacred trusteeship, and we have the duty of seeing to it that we hand them down to future generations in better condition than that in which we found them. That is the epitome of my position on the natural resource issue.

Only to the extent that we keep faith with that trusteeship do we keep faith not only with the people of our generation, but with American history to come.

Mr. NEUBERGER. Mr. President, I thank the senior Senator from Oregon. I should like to add a comment which I thought of when he was echoing my words of praise of the senior Senator from Texas [Mr. JOHNSON].

About a week ago member of Senator JOHNSON's staff told me that the Senator had received some criticism from his home State because he was spending so much time on a project that was so far from Texas.

I have been thinking about it ever since, because every Senator is concerned with his relationships with his own State. I was thinking of the fact that there would be no national-forest reserves at all in our great Western States if Gifford Pinchot, of Pennsylvania, had not devoted himself to the protection of the great uplands 2,500 miles from Pennsylvania, which resulted in the saving of the vast forest reserves in the Western States.

There would be no Tennessee Valley Authority in the State so ably represented by the senior Senator from Tennessee, who exploded the tax-writeoff plot, and by the junior Senator from Tennessee, who is on the floor, had not George W. Norris, of Nebraska, devoted himself to the welfare of these great natural resources in the Tennessee Valley, 1,500 miles from Nebraska. There would have been no Grand Coulee Dam on the uplands above the Columbia River in the State of Washington, over 3,000 miles from Hyde Park, N. Y., had not Franklin D. Roosevelt successfully championed that greatest of undertakings ever built by human hands.

Therefore, when Senator JOHNSON of Texas shows an interest in the development of Hells Canyon, 2,000 miles from the State of Texas, he is following in the great American legacy and heritage of people of vision and enlightenment in both major political parties, like Gifford Pinchot and George W. Norris and Franklin D. Roosevelt. I know the people of the State of Texas will value having their Senator in such illustrious company.

I now yield to the Senator from North Carolina.

Mr. SCOTT. Mr. President, I should like to join in paying tribute particularly to the two young Senators, Senator GREEN and Senator CHURCH, as well as to all the other Senators who helped to secure the passage of the bill. Of course, I agree that it is dangerous to start calling names. However, I would especially like to pay tribute to LYNDON JOHNSON for the time he has given so devotedly to this subject.

I also wish to mention another thing that I do not believe any other Senator has mentioned. I was glad to see the outburst in the galleries. The people sitting there could not contain themselves. Neither could I. I merely wished to add this statement to these proceedings.

Mr. NEUBERGER. The Senator from North Carolina purposely became a member of the Committee on Interior and Insular Affairs last year so that this issue could be brought before the Senate in 1956. All of us realize that there is no greater champion of the welfare of rural people and of farmers than the Senator from North Carolina, who all his adult life has been a foremost advocate of bettering the condition of our farm people. I know that he championed the Hells Canyon bill and he voted for the bill, and that he helped us get the bill out of committee, because he realized that this vast supply of low-cost power in the Intermountain States will mean cheap fertilizer with the development of the Idaho phosphate deposits for the benefit of all the farmers of America, including the farmers in the wonderful State of North Carolina.

Therefore, I wish to express my great appreciation to the Senator from North Carolina, whose sincerity and whose rugged qualities of friendship have the admiration and affection of all of us.

I now yield to my seat mate, the Senator from Idaho.

Mr. CHURCH. I thank my seat mate, the junior Senator from Oregon.

Mr. President, there is nothing I can add to what has already been said. There is nothing that I can say so well as what I have heard said by the great Senators from Oregon [Mr. MORSE and

Mr. NEUBERGER]. I wish to associate myself with their remarks.

I desire to say to the present Presiding Officer, the Senator from North Carolina [Mr. SCOTT], whose support of the Hells Canyon bill has been a source of great inspiration to me in my brief tenure in the Senate of the United States, that I hope my years of service will be characterized by the same devotion to the public interest that he invariably has displayed in his service as a Senator.

I wish to associate myself, too, with the statement of the junior Senator from Oregon [Mr. NEUBERGER], when he spoke about our leadership, because I believe that the Senate, in passing the bill today, has not only done a beneficent thing, but has taken a giant stride toward recapturing for the people the Hells Canyon site.

This could not have been accomplished had it not been for the devoted and continuing support and direction given to us by our very distinguished majority leader, in whom all Democrats should take great pride, the Senator from Texas [Mr. JOHNSON].

I agree, too, with what the junior Senator from Oregon has said with reference to the role which has been played these many years by the senior Senator from Oregon [Mr. MORSE]. He has been the champion of Hells Canyon. It is the senior Senator from Oregon to whom the people of the country today will properly turn their eyes and whose efforts will be in their thoughts today as the news reaches them that this bill has at last been passed.

To each of the other Senators—to the Senator from North Dakota [Mr. LANGER], who came from his hospital bed; to the Senator from Rhode Island [Mr. GREEN], who came with police escort from the airport, and to many other Senators who made a special effort to come to the Chamber to register their vote—I wish to express my heartfelt thanks.

I can only add that it happens that today is my 10th wedding anniversary, and I cannot think of a finer anniversary present to be given to a Senator of the United States.

Mr. NEUBERGER. I thank the Senator. I did not know that this was such an auspicious day. It makes it more eventful than ever to have had such a great occurrence take place.

When the Senator mentions the senior Senator from Oregon and the senior Senator from Texas, who teamed together to give us this leadership, I can remember on one occasion, when talking to both of these men, and when it seemed almost impossible that the passage of the bill would be brought about, to save this greatest of all North American power sites, quoting to them that famous passage from Alfred Lord Tennyson's, Ulysses, which is inscribed on the cross in the white wastes of Antarctica over the graves of some of the bravest men who ever lived, Captain Robert Scott and his companions, who staggered back from the South Pole only to perish 11 miles from One-Ton Camp and safety. It reads:

To strive, to seek, to find, and not to yield.

Because our leaders did not yield, because they did not surrender in the face of overwhelming political difficulties, today the Senate of the United States passed a bill to save for the people of this generation and of future generations the finest site for the development of water power within the borders of our country.

Mr. MANSFIELD. So long as we are throwing out all these posies, we should not forget the floor management by the able distinguished senior Senator from Washington [Mr. MAGNUSON] and his equally distinguished colleague, the junior Senator from Washington [Mr. JACKSON]. They were steady and consistent, and they formed a good backstopping team for the shock troops in the battle. Together with the distinguished junior Senator from Idaho [Mr. CHURCH], the distinguished Senators from Oregon [Mr. MORSE and Mr. NEUBERGER], and the distinguished senior Senator from Montana [Mr. MURRAY], the chairman of the Committee on Interior and Insular Affairs, they were the ones who carried the brunt of the fight; they were the ones who were primarily successful in the necessary efforts leading up to this day.

Mr. GORE. Mr. President, I rejoice with my colleagues in this great victory for the bill. I have read something of the history of the Senate, and I thrill in the thought that here truth will out, and right will prevail. I have observed that if a Senator, though he may feel that his voice for a while is lonely, like one in a wilderness, speaks the truth and speaks it with conviction and vigor, that Senator cannot long be ignored if he speaks in the well of the Chamber the truth with frequency and vigor.

There are other battles for the people that we must win. We must go forth with renewed vigor. We must, for one thing, drive the moneychangers from the temple of the Government.

DEPRECIATION OF UNITED STATES GOVERNMENT BONDS

I regret to call to the attention of the Senate that bonds of the United States Government again, yesterday, sank to an all-time low. Fourteen issues, in all, reached all-time lows on yesterday. One day after another, the obligations of our country are deteriorating. The people who invested in those marketable bonds lost yesterday, in the value of their holdings, $99,893,450.

The losses in value to the holders alone, however, is by no means the most far-reaching or the most damaging consequences of a fallacious policy. I say it is fallacious, Mr. President, because it has as its purpose a reconcentration of wealth, income, and economic opportunity in the United States.

Mr. President, this policy must be altered. It will be altered in time.

Mr. NEUBERGER. Mr. President, I wish to pay brief tribute to the people at the grassroots, without whom this victory would not have been possible.

I should like to mention the National Hells Canyon Association and the many groups associated with it all over the country, including the farm groups, the labor groups, the rural electric cooperative groups, public power groups, and many other organizations which raised money at the grassroots, and whose members went out and pushed doorbells, and sent postcards, telegrams, and letters to Members of Congress.

The distinguished Senator from Minnesota [Mr. HUMPHREY], who is one of the stanch conservationists in Congress, has also just handed me a reminder about the valiant conservation groups which fought to save the Hells Canyon site because they did not want the great wilderness realms of the Clearwater River and the Salmon River and the Lochsa River desecrated and despoiled by alternative projects.

I should like to read the list which the Senator from Minnesota has given me and to remind the Senate of the groups which joined with us in making victory possible:

North American Wildlife Federation, Wilderness Society, Izaak Walton League, Citizens Committee on Natural Resources, National Parks Association, National Wildlife Federation, Wildlife Management Institute, and the Save the Clearwater Association.

Possibly there were other organizations which may have been overlooked. For that neglect, we apologize, and we include them all here, at least in spirit and by implication.

ORDER FOR RECESS UNTIL MONDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 12 o'clock noon on Monday.

The PRESIDING OFFICER (Mr. SCOTT in the chair). Without objection, it is so ordered.

PERSONAL STATEMENT BY SENATOR MORSE

Mr. MORSE. Mr. President, on a question of personal privilege, I wish to make a public reply to a charge which has been made against the senior Senator from Oregon, the Senator from Washington [Mr. MAGNUSON], the Senator from Montana [Mr. MURRAY], and I understand also the Senator from Massachusetts [Mr. KENNEDY]. I shall not name the colleague who is reported by the wire services to have made the charge; but I want to answer it in the RECORD. I hope my erring colleague will retract the charge because he has wronged himself. He owes it to himself to retract his false statement.

I understand that a colleague has told the press, in recent minutes, that the Senators I have named sold out civil rights this afternoon in a trade for votes for Hells Canyon.

I say on the floor of the Senate that if that colleague is correctly reported in the press, his statement is a vicious, unwarranted falsehood. I have never traded a vote in the Senate in my terms here, and I never shall.

I am likewise satisfied that my colleagues who are mentioned in the press statement have been falsely charged.

I think this kind of attack upon colleagues in the Senate of the United States is unwarranted, unjustified, and unbecoming any United States Senator who makes it. I realize that some people in defeat let their feelings run away with them but I hope that upon reflection the Senator involved in this false charge will repudiate his unwarranted attack.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HUMPHREY. Knowing the Senators whom the senior Senator from Oregon has named, it is indeed quite obvious that not one of them is for sale; not one would trade his vote; not one would have tried to use such influence.

Mr. MANSFIELD. Mr. President, I join with the Senator from Minnesota and the Senator from Oregon in their remarks. I express the hope that the author of the alleged statement will reconsider his position and not make accusations which are untrue on their face.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. NEUBERGER. I had not heard of this infamous report until the senior Senator from Oregon mentioned it. I believe the very division of the Senators from the Northwest on this issue demonstrates how false that charge is.

I am a Senator from the Northwest. I share the responsibility with the senior Senator from Oregon for trying to get the Hells Canyon Dam authorized. No one ever mentioned at a single time during the entire episode prior to the vote, that there be any trade or swap or barter of any kind; and I am certain that is true of the other Senators whose names were mentioned.

Mr. MORSE. It is true, to my knowledge.

PASSAGE OF HELLS CANYON DAM BILL

Mr. YARBOROUGH. Mr. President, I wish to say a word about how thrilled I am, as the most junior Member of the Senate, to have voted for the Hells Canyon bill today.

I pay tribute to those who welded together the great Democratic leaders who have made possible the passage of the bill.

As the most junior Member of the Senate, I was privileged to join with the Senator having the greatest seniority, the distinguished Senator from Arizona [Mr. HAYDEN]; with the Senator who is oldest in years, the distinguished Senator from Rhode Island [Mr. GREEN]; and with the Senator who is youngest in years, the distinguished Senator from Idaho [Mr. CHURCH], who made such a brilliant case for the people not only of Idaho alone, but of the entire Nation; and with all Senators who for many years have fought to attain this victory.

I hope I may be pardoned this personal expression. I served in 1935 on the original board of directors of the Lower Colorado River Authority, in Texas, which we call the little TVA. We built six dams under the leadership of the then youngest Representative in the Nation, the present majority leader, the distinguished senior Senator from Texas [Mr. JOHNSON]. It was under his leadership in the United States Congress that those dams were built.

We have watched from afar, and with great admiration, the fight which has been made over decades for this great power development in the Pacific Northwest.

As recently as a year ago, I never dreamed that I would have the privilege of sitting on the floor of the Senate of the United States and voting for that development for the benefit of all the people.

This has been a proud day for me, and I think the result has been a great victory for the United States and all its people—when, by means of this development, this great natural asset has been turned back to its rightful owners and for their benefit—all the people of the United States.

Mr. CHURCH. Mr. President, will the Senator from Texas yield to me?

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Texas yield to the Senator from Idaho?

Mr. JOHNSON of Texas. I yield.

Mr. CHURCH. I wish only to say that it was a proud day for the Democratic Party when RALPH YARBOROUGH was elected to the United States Senate.

Mr. YARBOROUGH. I thank the Senator from Idaho for his very generous words.

Mr. JOHNSON of Texas. Mr. President, I wish to express my appreciation for the very generous words which have been said of me this afternoon.

Mr. HUMPHREY. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield to my friend, the Senator from Minnesota.

Mr. HUMPHREY. First of all, Mr. President, I wish to join in the statements of thanks and appreciation which have been made this afternoon by several of my colleagues to all of those responsible for the success of the Hells Canyon Dam bill, Senate bill 555, on which the Senate has taken action today.

Again I wish to state, along with my colleagues, that the work of the majority leader on that bill, as on many others, was monumental and meant, indeed, the difference between victory and defeat.

I share with the junior Senator from Texas [Mr. YARBOROUGH] this moment of happiness and jubilation over the great achievement for the people.

Let me add that it would not have been possible if it had not been for some of our new Members, such as the junior Senator from Texas, who came to the Senate to cast his vote in behalf of the people and to work in the interest of the sound management of the Nation's great natural resources.

THE EFFECT OF HIGHER INTEREST RATES

Mr. JOHNSON of Texas. Mr. President, in reading the statment made before the Senate Finance Committee on Tuesday, by Secretary of the Treasury George Humphrey, I took a great deal of pleasure in finding a thought with which I could agree.

In his concluding paragraphs he said:

> We have not achieved perfection. We have been unable to fully accomplish some of our debt-management objectives. We have perhaps checked, but not entirely stopped, inflationary pressures.
>
> In the process, some of our citizens, some of our municipalities and some of our businesses have been unable to obtain all the credit they would have liked.

I believe Mr. Humphrey is to be congratulated for pointing out that some of our citizens, municipalities, and businesses cannot obtain all the credit they would like. I only wish that he had continued his train of thought and had designated the companies which have been able to get the credit they want.

A clue which might lead to the answer can be found in Tuesday's and Wednesday's issues of the Wall Street Journal.

The Wall Street Journal of June 18 carries an article headlined "Michigan Utility's $30 Million Bonds Go at 6.145-Percent Rate."

The Wall Street Journal of June 19 carries an article headlined "Southern Bell $70 Million Issue Sold at 4.91-Percent Rate."

Such headlines have not been uncommon in the past few weeks. They indicate clearly that the businesses which can get credit are those who do not care how much they pay for it, because they can pass the cost directly on to the consumer.

But how about the small-business man who is not in a position to pass the cost on to the consumer? But can he survive in a money market where bond issues go at 6.145 percent and 4.91 percent?

Mr. President, this is a game where everybody loses except the lender—and the corporations who can force the public to take their services and commodities at any price.

The small-business man is squeezed out of the money market. The consumer finds himself forced to pay higher and higher prices to live.

This is a situation which cannot continue indefinitely. Eventually we will have to act.

I ask unanimous consent to have printed in the RECORD the two articles from the Wall Street Journal which give the borrowing costs in detail.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal of June 18, 1957]

MICHIGAN UTILITY'S $30 MILLION BONDS GO AT 6.145 PERCENT RATE—MICHIGAN CONSOLIDATED GAS ACCEPTS THAT COST ON 6¼ PERCENT FIRST MORTGAGE SECURITIES—ISSUES EXPECTED TO SELL FAST

DETROIT.—Michigan Consolidated Gas Co. accepted a 6.145 percent borrowing cost to sell its $30 million of first mortgage bonds, due 1982.

That rate is a bit lower than the 6.185 percent Michigan Wisconsin Pipe Line Co. is paying for the $30 million it raised last week on 20-year first mortgage pipeline 6¼ percent bonds.

But this does not mean that there has been an improvement in the corporate bond market, investment bankers noted, since yesterday's Michigan Consolidated issue outranks in rating the Michigan Wisconsin 6¼s.

Underwriters led by White, Weld & Co. and Lehman Brothers took the new Michigan Consolidated securities with their bid of 101.309 for a 6¼-percent coupon.

Following compliance with Securities and Exchange Commission requirements, the group is putting the bonds out for general distribution at 103.216, to yield 6 percent.

Indications were that all or nearly all of the 25-year issue would sell out quickly at that price.

Investment bankers last week were taking a possible 5½-percent to 5¾-percent yield for the public in yesterday's Michigan Consolidated bonds, rather than the 6 percent which investors now actually are getting. The borrowing cost for the utility presumably would have been correspondingly lower had the issue come to market at that time.

The Michigan Consolidated 6¼s carry an A rating, compared with the Baa rating carried by the Michigan Wisconsin Pipe 6¼s. The latter issue also went to investors on a 6-percent yield basis, on reaching the market in the middle of last week.

Yesterday's bonds will be optionally redeemable by Michigan Consolidated at 109.47 until July 1, 1958, and thereafter at prices ranging down to par.

The only other bid for the issue—101.260 for a 6¼-percent coupon—came from Halsey, Stuart & Co., Inc., and associates. A third group, led by Blyth & Co., Inc., withdrew from the competition prior to the bidding deadline.

[From the Wall Street Journal of June 19, 1957]

SOUTHERN BELL $70 MILLION ISSUE SOLD AT 4.91 PERCENT RATE—BORROWING COST ON 29-YEAR DEBENTURES IS HIGHEST FOR THE UTILITY SINCE 1929—BIG RETAIL DEMAND REPORTED

NEW YORK—Southern Bell Telephone & Telegraph Co. will pay 4.91 percent annually for the $70 million it raised on 29-year debentures.

That marks the borrowing as the costliest for Southern Bell since October 18, 1929, when it sold $32 million of 5 percent bonds at 5.32 percent.

It also ranks as the most expensive debt financing by any Bell System unit since January 13, 1930, when parent A. T. & T. itself floated $150 million of 5 percent debentures at a cost of 5.22 percent.

Yesterday's lofty rate came about notwithstanding the fact that Southern Bell agreed to make the 29-year securities non-callable for the first 5 years.

Halsey, Stuart & Co., Inc., and associates won the big issue with a bid of 101.33 for a 5 percent coupon.

Following compliance with Securities and Exchange Commission requirements, the group is putting the debentures out for general distribution at 102.32, to yield 4.85 percent to maturity on June 1, 1986.

An unmistakably big retail demand for the securities at this price was building up, ahead of today's formal public offering.

A closely competing bid of 101.20 for the debentures as 5s came from a Morgan Stanley & Co. group.

Yesterday's 4.91 percent net interest cost compares with the 3.95 percent Southern Bell is paying for the $60 million it raised last October 8 on 27-year debenture 4s.

Southern Bell will use the proceeds from the new issue, President Ben S. Gilmer said, "to provide telephone facilities to meet the continuing strong demand for telephone service in the South."

INCREASE IN THE INTEREST RATE ON SHORT-TERM BORROWINGS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article appearing in the Wall Street Journal. The article shows that a business institution engaged in lending money to consumers has increased, for the second time in 1 week, the interest rate it pays on its borrowings on short-term notes. This, of course, will be reflected in increased costs paid by this lending institution's consumer borrowers.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DEALERS RAISE COMMERCIAL PAPER RATES ANOTHER ONE-EIGHTH PERCENTAGE POINT—ASSOCIATES INVESTMENT ALSO BOOSTS RATES IT PAYS, FOR SECOND HIKE IN WEEK

NEW YORK.—Interest rates on commercial paper marketed through dealers moved upward one-eighth percentage point for the second time in 2 weeks.

One major sales finance company that sells its notes directly to investors also raised its rate another one-eighth point—its second in a week—but other finance firms did not follow suit yesterday.

This finance company, Associates Investment Co., South Bend, Ind., raised the interest rate it pays investors after it announced postponement of a $20 million debenture issue it had been planning to offer today.

But Associates Investment's borrowing cost on short-term notes, even at the top rate of 4 percent set in its new schedule, still will be substantially under the rate it would have had to pay on the debentures, in the view of money market observers. Recent issues of similar long-term securities have entailed a borrowing cost of 5 percent or more.

Commercial paper is the money-market term for leading corporations' short-term promissory notes. Commercial paper dealers sell such notes in the open market, mainly to banks outside New York City. Finance paper is placed directly with investors by large sales finance companies.

The new schedule on dealer-marketed paper is a 3⅞ percent rate, up from 3¾ percent, on prime 4-to-6 month paper of the biggest industrial borrowers. Notes of smaller industrial concerns and small finance companies went up to 4¼ percent from 4⅛ percent. On prime 90-day paper offered by some dealers the rise was to 3¾ percent from 3⅝ percent.

Associates Investment's new rates on notes of varying maturities are: 5 to 29 days, 3⅜ percent; 30 to 89 days, 3½ percent; 90 to 179 days, 3⅝ percent; 180 to 239 days, 3¾ percent; 240 to 270 days 4 percent.

Those rates are one-eighth percentage point above the level to which five large finance firms, including Associates, had raised their rates, also by a one-eighth percentage point boost, last Wednesday and Thursday. Until last week there had been no change in these rates since last October.

On dealer-marketed paper, the one-eighth percentage point rise of 2 weeks ago, now duplicated, ended 8 months of stability in that sector of the money market.

The new interest boosts were described as a reflection of general conditions in the money market.

"There's no one thing you can ascribe it to," said one commercial paper dealer. "It's just an inevitable part of the whole action of the money market—Government bonds, Government agency bonds, Treasury bills and tax-exempts."

The Treasury bill rate—the interest cost to the Government on 91-day borrowing—rose on this week's offering to 3.404 percent, its highest level in 24 years. Fluctuations in that rate are an index to the availability of short-term money, and are usually used as a guide by those who set commercial paper rates.

Dealers said a special factor in the past week's money market situation was Monday's income tax settlement date for big corporations, which cut down the amount corporations might otherwise have had available for the purchase of Treasury bills.

Mr. JOHNSON of Texas. Mr. President, I express to my delightful friend, the Senator from Minnesota [Mr. HUMPHREY], my gratitude for his indulgence and his patience.

THE VOICE OF THE WHEAT-GROWERS

Mr. HUMPHREY. Mr. President, I wish to call the attention of the Senate to the overwhelming approval voted by the Nation's wheatgrowers yesterday for continuing market quotas—and avoiding further cuts in price-support levels.

While returns are incomplete because of storm conditions in the upper Midwest, the Department of Agriculture agrees that there is no doubt about the outcome. At present, it appears that over 83.3 percent of farmers voting cast ballots in favor of continuing the program, with that figure still rising. It is likely it will reach over 85 percent. Minnesota, with more returns still coming in, voted 97.1 percent in favor of the wheat quotas. North Dakota returns are running 96.7 percent favorable, with less than 17,000 out of an expected 60,000 votes yet to be counted, because of storm conditions. Historically, North Dakota has been one of the strongest supporters of the program.

Mr. President, I hope the Senate appreciates the significance of this vote. It is emphatic evidence that farmers are opposed to Secretary Benson's announced intention of seeking further flexibility in price-support laws, so he can further lower support levels. By voting "yes" in the referendum, farmers have agreed to accept quotas in 1958 in return for an assurance of at least 75 percent of parity—too little, but all that Secretary Benson will grant them under his present discretionary authority. If they had voted "No," they could have avoided quotas, but they would have received only 50 percent of parity. Despite all the talk about farmers being against "controls," this vote is overwhelming evidence to the contrary. They are willing to try and help adjust their own production downward, if they are given some assurance of price protection. They are unalterably opposed to breaking the support level down still further.

I hope Secretary Benson pauses in his campaign to undermine the farm program, in his current series of appeals for support from among nonfarm groups around the country, to consider this expression of sentiment from wheat growers—including, I may emphasize, Republican wheat growers, or, at least, wheat growers from what have been Republican States; I am inclined to think they have

learned enough of a lesson to change their minds in 1958 and 1960.

Mr. President, I ask unanimous consent to have printed at the conclusion of these remarks a statement I had broadcast in the Midwest, in advance of the referendum, urging the growers to vote favorably, as I am happy to report they have done.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WHEAT REFERENDUM

(Statement by Senator HUBERT H. HUMPHREY, of Minnesota, for GTA, June 18, 1957)

With the plight of our family farmers growing worse instead of better, farmers must speak up themselves in every way possible to protect their right to earn a decent living.

Farmers have a chance to speak for themselves Thursday, in the wheat referendum. Every wheatgrower should vote, and every grower should consider carefully the alternatives he faces.

Admittedly, the farmer does not have a very happy choice—as a result of constant undermining of the farm program by Secretary Benson.

However, by voting "yes" wheatgrowers can prevent prices from plunging down still further.

A "yes" vote in the referendum could benefit the average wheat farmer between $7 and $9 an acre.

A "yes" vote by two-thirds of the growers will mean continuing quotas next year with price support at around $1.78 a bushel.

A "no" vote would drop price support to 50 percent of parity, or $1.19 a bushel. It would eliminate quotas, but allotments would be continued—and a grower who planted in excess of his allotment would not be eligible for the soil bank.

Failure of two-thirds of our wheatgrowers to express themselves as wanting the higher support level could well mean the end of the price-support program and much lower market prices.

There would be no doubt about the outcome, if Secretary Benson set the support level at 90 percent of parity as it should be instead of 75 percent. But 75 percent is far better than 50 percent—and that is all farmers will get if they vote "no."

Unfortunately, we have not been able to get much improvement in farm legislation this year in the face of all-out opposition from the administration. Instead of improving the farm program, they want to make it more flexible than ever—and flexible downward.

Secretary Benson has made it clear that he wants Congress next year to give him more discretion to lower supports further.

If farmers vote against the highest level that they can now receive, it will be regarded as approval of Secretary Benson's request for lower supports.

But if farmers vote "yes" overwhelmingly, it will help encourage Congress to resist the administration pressures for lower farm prices.

For that reason I am convinced it is urgently important for all wheatgrowers to vote in the referendum Thursday—and to vote "yes."

AFL–CIO CODES OF ETHICAL PRACTICES

Mr. HUMPHREY. Mr. President, the recent disclosures concerning abuses in the management of union welfare funds have focused attention on a problem which has concerned the national AFL–CIO.

On many occasions, I have said that the disclosure of wrongdoing is proper whenever and wherever it occurs. I have also said that it would be highly unfortunate if the disclosures of certain practices by labor leaders should cast discredit on the ethical practices which characterize the behavior of the vast majority of national labor leaders and their unions.

This whole matter is such a timely one, Mr. President, that I think our attention should be directed to the AFL–CIO Codes of Ethical Practices. These have been conveniently assembled in a new booklet published by the AFL–CIO. Because of their widespread interest and their relevance to investigations now being undertaken by the Congress, I ask unanimous consent that the text of this booklet be printed in the body of the RECORD following my remarks.

Mr. President, at this point I wish to add that every American is deeply indebted to Mr. George Meany and Mr. Walter Reuther for the excellent standards they have established and for the manner in which they have sought to maintain honorable practices in the trade-union movement—a living standard for all representatives of organized labor to abide by.

Mr. KENNEDY. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I am glad to yield.

Mr. KENNEDY. I am glad the Senator from Minnesota is having the AFL–CIO Codes of Ethical Practices printed in the RECORD. I think they have given a great leadership to the labor cause, and they demonstrate that the responsible labor leaders are anxious to maintain a high standard in the labor movement. Certainly the maintenance of a high standard in the entire labor movement will be of great benefit to all the country.

So I am very glad that the Senator from Minnesota is drawing attention to these codes, which I believe will help considerably the whole situation.

Mr. HUMPHREY. I thank the Senator from Massachusetts. I recall that recently he addressed a rather large labor meeting, where he expressed himself in like manner in what I thought was one of the most constructive addresses I had read for some time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota?

There being no objection, the codes were ordered to be printed in the RECORD, as follows:

AFL-CIO CODES OF ETHICAL PRACTICES—AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

FOREWORD

The American Federation of Labor and Congress of Industrial Organizations is committed, by word and deed, to the concept that free, democratic trade unionism must be clean, honest, trade unionism.

This handbook contains the sections of the AFL-CIO constitution relating to corrupt or Communist efforts to infiltrate the labor movement; pertinent resolutions and policy statements adopted by the AFL-CIO convention in 1955 and by subsequent meetings of the AFL-CIO executive council; and six codes of ethical practices prepared by the AFL-CIO Ethical Practices Committee and adopted by the executive council.

I commend these documents to union members and officials as guides to help insure the continued healthy development of our American labor movement.

GEORGE MEANY, *President.*

1. AFL–CIO CONSTITUTION ON ETHICAL PRACTICES

Article II, section 10

The objects and principles of this federation are:

To protect the labor movement from any and all corrupt influences and from the undermining efforts of Communist agencies and all others who are opposed to the basic principles of our democracy and free and democratic unionism.

Article VIII, section 7

It is a basic principle of this federation that it must be and remain free from any and all corrupt influences and from the undermining efforts of Communist, Fascist or other totalitarian agencies who are opposed to the basic principles of our democracy and of free and democratic trade unionism. The executive council, when requested to do so by the president or by any other member of the executive council, shall have the power to conduct an investigation, directly or through an appropriate standing or special committee appointed by the president, of any situation in which there is reason to believe that any affiliate is dominated, controlled or substantially influenced in the conduct of its affairs by any corrupt influence, or that the policies or activities of any affiliate are consistently directed toward the advocacy, support, advancement or achievement of the program or of the purposes of the Communist Party, any Fascist organization or other totalitarian movement. Upon the completion of such an investigation, including a hearing if requested, the executive council shall have the authority to make recommendations or give directions to the affiliate involved and shall have the further authority, upon a two-thirds vote, to suspend any affiliate found guilty of a violation of this section. Any action of the executive council under this section may be appealed to the convention, provided, however, that such action shall be effective when taken and shall remain in full force and effect pending any appeal.

Article XIII, Section 1 (d)

The Committee on Ethical Practices shall be vested with the duty and responsibility to assist the Executive Council in carrying out the constitutional determination of the Federation to keep the Federation free from any taint of corruption or communism, in accordance with the provisions of this constitution.

2. AFL–CIO RESOLUTION ON ETHICAL PRACTICES (ADOPTED BY AFL–CIO CONVENTION, DECEMBER 1955)

The democratic institutions of the United States of America were established on the foundation of honesty, integrity, responsibility. The free and democratic labor movement of our country similarly rests upon the foundations of brotherhood, honesty, and integrity.

Any departure from the most exacting ethical principles is harmful not only to the people directly affected but to the whole fabric of our civilization.

The American labor movement has ever been quick in its denunciation of public officials who betray their trust. We have been equally critical of businessmen who have used corrupt methods and bribery to gain their selfish, acquisitive ends. We must be equally quick to recognize and condemn those instances of racketeering, corruption, and disregard for ethical standards when they occur inside our labor movement.

The vast majority of labor union officials accept their responsibility and trust. They endeavor honestly to carry out the democratic will of their members and to discharge

the duties of their office. Yet the reputations of the vast majority are imperiled by the dishonest, corrupt, unethical practices of the few who betray their trust and who look upon the trade union movement not as a brotherhood to serve the general welfare, but as a means to advance their own selfish purposes or to forward the aim of groups or organizations who would destroy our democratic institutions. By the adoption of the Constitution of the American Federation of Labor and Congress of Industrial Organizations, the American labor movement has clearly accepted the responsibility for keeping its own house in order and to protect the movement "from any and all corrupt influences and from the undermining efforts of Communist agencies and all others who are opposed to the basic principles of our democracy and free and democratic unionism." Only by their wholehearted dedication to this constitutional objective can labor unions meet their obligations to their memberships. Failure to meet these responsibilities can only result in governmental assumption of what are properly trade union functions. Reliance on the agencies of Government for keeping our movement free from the infiltration of racketeers, crooks, Communists, Fascists and other enemies of free democratic unionism would constitute a threat to the independence and freedom of the entire movement: Now, therefore, be it

Resolved—

1. The first constitutional convention of the AFL–CIO calls upon all its affiliated national and international unions to take whatever steps are necessary within their own organizations to effect the policies and ethical standards set forth in the constitution of the AFL–CIO. When constitutional amendments or changes in internal administrative procedures are necessary for the affiliated organizations to carry out the responsibilities incumbent upon autonomous organizations, such amendments and changes should be undertaken at the earliest practicable time.

2. This first constitutional convention of the AFL–CIO pledges its full support, good offices, and staff facilities of the AFL–CIO committee on ethical practices to all national and international unions in their efforts to carry out and put into practice the constitutional mandate to keep our organizations "free from any taint or corruption or Communism."

3. RESOLUTION ON PROCEDURES (ADOPTED BY AFL–CIO EXECUTIVE COUNCIL, JUNE 1956)

Whereas, article II, section 10 and Article VIII, Section 7, of the AFL–CIO constitution provide that it is a basic principle of this federation that it must be and remain free from any and all corrupt influences; and

Whereas, article VIII, section 7, authorizes the executive council, upon the request of the president or any other member of the executive council, "to conduct an investigation directly or through an appropriate standing committee or special committee appointed by the president, of any situation in which there is reason to believe that any affiliate is dominated, controlled or substantially influenced in the conduct of its affairs by any corrupt influence * * *"; and

Whereas, article XIII, section 1 (d) provides for a committee on ethical practices which shall be vested with the duty and responsibility to assist the executive council in carrying out the above constitutional principles, and such committee has been appointed by the president with the approval of the executive council; Now, therefore, be it

Resolved by the Executive Council of the American Federation of Labor and Congress of Industrial Organizations, 1. That the committee on ethical practices is vested with the authority of the council to conduct formal investigations, including a hearing if requested, on behalf of the council, into any situation in which there is reason to believe an affiliate is dominated, controlled or substantially influenced in the conduct of its affairs by any corrupt influence and in which such formal investigation is requested by the president or any member of the executive council. The committee shall report to the executive council the results of any such investigation with such recommendations to the council as the committee deems appropriate.

2. The committee is authorized, upon its own motion or upon the request of the president, to make such preliminary inquiries as it deems appropriate in order to ascertain whether any situations exist which require formal investigation. The committee will report to the executive council as to any situations in which it believes that formal investigation is required or desirable and shall undertake such formal investigation as provided in paragraph 1 of this resolution.

3. The committee is directed to develop a set of principles and guides for adoption by the AFL–CIO in order to implement the constitutional determination that the AFL–CIO shall be and remain free from all corrupt influences. Upon the development of such recommended guides and principles, they shall be submitted by the committee to the executive council for appropriate action.

4. AFL–CIO STATEMENT REGARDING COOPERATION WITH ALL APPROPRIATE PUBLIC AGENCIES INVESTIGATING RACKETEERING (ADOPTED BY THE AFL–CIO EXECUTIVE COUNCIL, JANUARY 28, 1957)

The American Federation of Labor and Congress of Industrial Organizations is pledged both by its constitution and by fundamental principles of trade union morality to keep the labor movement free from any taint of corruption.

While the AFL–CIO has its own responsibility for keeping its house in order and is attempting to meet this obligation to the best of its ability, this does not in any sense mean that appropriate agencies of government and the public do not have rights, obligations, and responsibilities in eliminating racketeering and corruption from all segments of American life, including the labor movement.

No institution or agency, whether labor or business, public or private, enjoys special immunity from the equal application of the laws, from appropriate investigation by duly constituted legislative committees and from scrutiny of its operations by the members of the press or the general public.

Investigations by fair and objective legislative committees in the field of labor-management relations have been of tremendous help in eliminating abuses in this area.

The investigation conducted by the La-Follette committee exposing as it did, unsavory and illegal practices on the part of important business interests, contributed greatly to the enactment of the Wagner Act and to the elimination of employer practices which prevented union organization and caused strife and violence in labor-management relations. The recent investigation by the Douglas subcommittee of the Senate Labor Committee, exposing, as it did, instances of corruption and improper conduct by labor officials and others in the handling of health and welfare funds, has provided for the public and the labor movement invaluable information which has laid the foundation for proposed disclosure legislation in this field, endorsed by the AFL–CIO, and which in addition, has enabled the AFL–CIO and its affiliates to do a better job of keeping their house in order. Both law enforcement agencies, in the interest of enforcing law, and legislative committees in the interest of enacting corrective legislation, by reason of their power and authority to subpena witnesses and to place them under oath, as well as their superior investigatorial facilities, have means beyond those of the labor movement to expose and bring to light corrupt influences.

It goes almost without saying that law enforcement agencies, legislative committees, and the labor movement itself share the common responsibility of conducting investigations fairly and objectively, without fear or favor and in keeping with due process concepts firmly imbedded in the tradition and Constitution of our great country. It is a firm policy of the AFL–CIO that the highest ethical standards be observed and vigorously followed by all officials of the AFL–CIO and its affiliates in the conduct of their offices, in the handling of trade union and welfare funds, and in the administration of trade union affairs. Trade union and welfare funds are the common property of the members of our unions and must, therefore, be administered as a high and sacred trust for their benefit.

The AFL–CIO is determined that any remaining vestiges of racketeering or corruption in unions shall be completely eradicated. We believe that Congress, in the interest of enacting corrective legislation, if the same be deemed and found necessary, has the right, through proper committees, to investigate corruption wherever it exists, whether in labor, industry, or anywhere else.

It is the firm policy of the AFL–CIO to cooperate fully with all proper legislative committees, law enforcement agencies and other public bodies seeking fairly and objectively to keep the labor movement or any other segment of our society free from any and all corrupt influences. This means that all officials of the AFL–CIO and its affiliates should freely and without reservation answer all relevant questions asked by proper law enforcement agencies, legislative committees, and other public bodies, seeking fairly and objectively to keep the labor movement free from corruption. We recognize that any person is entitled, in the exercise of his individual conscience, to the protection afforded by the fifth amendment and we reaffirm our conviction that this historical right must not be abridged. It is the policy of the AFL–CIO, however, that if a trade-union official decides to invoke the fifth amendment for his personal protection and to avoid scrutiny by proper legislative committees, law enforcement agencies, or other public bodies into alleged corruption on his part, he has no right to continue to hold office in his union. Otherwise, it becomes possible for a union official who may be guilty of corruption to create the impression that the trade-union movement sanctions the use of the fifth amendment, not as a matter of individual conscience, but as a shield against proper scrutiny into corrupt influences in the labor movement.

5. CODES—ETHICAL PRACTICES CODE I—LOCAL UNION CHARTERS (APPROVED BY THE AFL-CIO EXECUTIVE COUNCIL, AUGUST 29, 1956)

The AFL–CIO, as one of its specific objectives, has a constitutional mandate "to protect the labor movement from any and all corrupt influences * * *"

The committee on ethical practices has been vested by the AFL–CIO constitution with the "duty and responsibility" to assist the executive council in its determination to keep the AFL–CIO "free from any taint or corruption * * *"

As the statement on ethical practices adopted unanimously by our first constitutional convention pointed out, "The vast majority of labor union officials accept their responsibility and trust. * * * Yet the reputations of the vast majority are imperiled by the dishonest, corrupt, unethical practices of the few who betray their trust and who look upon the trade-union movement not as a brotherhood to serve the general welfare but as a means to advance their own selfish purposes. * * *"

The statement of our constitutional convention specifically called upon our affiliated national and international unions "to take whatever steps are necessary within their own organizations to effect the policies and ethical standards set forth in the constitution of the AFL–CIO." The same resolution pledged the "full support, good offices, and staff facilities" of the ethical practices committee to our affiliated national and international unions in "their efforts to carry out and put into practice the constitutional mandate" to keep our organization free of corruption.

At its June 1956 meeting the executive council directed the committee on ethical practices "to develop a set of principles and guides for adoption by the AFL–CIO in order to implement the constitutional determination that the AFL–CIO shall be and remain free from all corrupt influences" and directed that such recommended guides and principles be submitted to the council.

In accordance with these constitutional responsibilities and mandates, the committee on ethical practices, in the period since its formal creation, undertook an analysis of the issuance of local union charters as it relates to the problem of corruption. The code recommended in this report is the first in a series which the committee plans to develop in accordance with the executive council's direction.

The committee found that in this area, as in the field of union welfare funds, the instances of corruption are relatively rare. The vast majority of local union charters are issued by the affiliated national and international unions of the AFL–CIO for legitimate trade union purposes and without any taint or possibility of corruption. In a few instances, however, local union charters have fallen into the hands of corupt individuals who have used these charters for their own illicit purposes instead of legitimate trade union objectives.

The posession of charters covering "paper locals" has enabled such racketeers to victimize individual workers, employers and the general public, while giving a black eye to the labor movement. They have used these charters to enter into conspiracies with corrupt employers to prevent, for a price, the genuine organization of workers into legitimate unions, thus depriving these workers of the benefit of honest collective bargaining agreements. These racketeers also use a charter as a basis to falsely invoke the collective strength of the trade union movement for their illegitimate ends, thus demeaning the trade union's historic respect of the legitimate picket line, and injuring honest businessmen in the conduct of their affairs. A local union charter, improperly issued, can be used to control a local union unit vote, which negates the legitimate unit vote of bona fide local unions and thus subverts the democratic process within the trade union movement at various levels. A racketeer treats a charter as a "hunting license" to invade the jurisdictions of other national or international unions, in the interests only of corruption and dishonest gain, and to cloak with a respectable name a whole range of nefarious and corrupt activities.

Such corrupt practices are not widespread. But even the few instances in which local union charters have been corruptly used are too many. The name of the AFL–CIO, and of the national and international unions affiliated with it, must always be a hallmark of ethical trade-union practices.

Scrupulous adherence, the committee believes, to certain traditional practices and principles of the trade-union movement with reference to the issuance of local union charters will serve to prevent and to eliminate the specific evils in this area.

The basic principle with reference to the issuance of a local union charter is that the charter is, in all unions, a solemn instrument establishing a subordinate or affiliated body of the international union, composed of organized workers in a particular subdivision of the union. The committee has made a study of the practices and constitutions of a greater number of national and international unions with respect to the issuance of local union charters. In the vast majority of cases, the committee found, there is a constitutional prohibition against the issuance of charters in the absence of application by a minimum number of bona fide employees, eligible for membership in the union, within the jurisdiction covered by the charter.

The specific rules governing the issuance of charters necessarily vary greatly from to union. And each national and international union, as part of its autonomous right, has comeplete authority to prescribe the particular procedures governing the issuance of local union charters. But whatever the particular procedures, each autonomous union has the duty to see to it that the purpose of issuing local union charters is to promote the general welfare of workers. The constitution of the AFL–CIO makes it clear that no affiliate has an autonomous right to permit corrupt or unethical practices which endanger the good name of the trade-union movement.

The committee believes that implementation and enforcement of the basic principle that local union charters are to be issued only to give recognition to workers joining together in a subordinate or affiliated body of a national or international union, which is in fact expressed in the vast majority of union constitutions, will provide an effective method of preventing the kind of evils described in this statement.

Therefore, the ethical practices committee, under the authority vested in it by the constitution of the AFL–CIO and pursuant to the mandate of the first constitutional convention of the AFL–CIO, recommends that the executive council of the AFL–CIO adopt the following policies to safeguard the good name of the AFL–CIO and its affiliated unions and to prevent any taint or possibility of corruption in the issuance of local union charters:

1. A local union charter, whether issued by the AFL–CIO or by a national or international union affiliated with the AFL–CIO, should be a solemn instrument establishing a subordinate or affiliated body. To assure this, the AFL–CIO and each national and international union, by constitution or administrative regulation, should require, for issuance of a local union charter, application by a group of bona fide employees, eligible for membership in the union, within the jurisdiction covered by the charter.

2. The purpose of issuing such charters should be to promote the general welfare of workers and to give recognition to their joining together in a subordinate or affiliated body.

3. A charter should never be issued to any person or persons who seek to use it as a "hunting license" for the improper invasion of the jurisdictions of other affiliated unions.

4. A charter should never be issued or permitted to continued in effect for a "paper local" not existing or functioning as a genuine local union of employees.

5. A charter should never be issued to persons who are known to traffic in local union charters for illicit or improper purposes.

6. The provision of the AFL–CIO constitution prohibiting the AFL–CIO and any affiliated national or international union from recognizing any subordinate organization that has been suspended or expelled by the AFL–CIO or any national or international union plainly includes and prohibits the issuance of a local union charter by the AFL–CIO or any affiliated national or international union to any group of individuals or any individuals suspended or expelled from the AFL–CIO or any affiliated national or international union for corruption or unethical practices.

7. The AFL–CIO and each national and international union shall take prompt action to eliminate any loopholes through which local union charters have been or can be issued or permitted to continued in effect contrary to these policies.

8. The AFL–CIO and each national and international union shall take prompt action to insure the forthwith withdrawal of local union charters which have been issued and are now outstanding in violation of these policies.

ETHICAL PRACTICES CODE II—HEALTH AND WELFARE FUNDS (APPROVED BY THE AFL-CIO EXECUTIVE COUNCIL, JANUARY 31, 1957)

At its June 1956 meeting the executive council directed the committee on ethical practices "to develop a set of principles and guides for adoption by the AFL–CIO in order to implement the constitutional determination that the AFL–CIO shall be and remain free from all corrupt influences" and directed that such recommended guides and principles be submitted to the council. In accordance with this direction, and its constitutional responsibilities, the committee on ethical practices submitted to the executive council at its August 1956 meeting the first of a proposed series of recommended codes. This code covering the issuance of local union charters was unanimously adopted by the council.

This report, and the recommended code contained in it, is the second in the series which the committee, in accordance with the council's direction, is developing to implement the constitutional mandate that the AFL–CIO shall be and remain free from any and all corrupt influences and the determination of the first constitutional convention of the AFL–CIO that the reputations of the vast majority of labor union officials, who accept their responsibilities and trust, are "imperiled by the dishonest, corrupt, unethical practices of the few who betray their trust and who look upon the trade union movement not as a brotherhood to serve the general welfare, but as a means to advance their own selfish purposes * * *."

Both the American Federation of Labor and the Congress of Industrial Organizations prior to the merger of these two organizations into the AFL–CIO gave thorough consideration to the subject of health and welfare funds. This subject was also considered by and dealt with by the first constitutional convention of the AFL–CIO and a resolution dealing with this subject matter was adopted by that convention.

As stated in the resolution adopted by the first constitutional convention of the AFL-CIO, the task of administering and operating health and welfare programs which have been developed through collective bargaining has placed heavy new responsibilities upon the shoulders of trade-union officials. The funds involved are paid for through the labor of the workers covered by the plans. They much be administered, therefore, as a high trust for the benefit only of those workers.

Most trade-union officials have been faithful to the high trust which has been imposed upon them because of the development of health and welfare funds. The malfeasances of a few, however, have served to bring into disrepute not only the officials of the particular unions involved, but also the good name of the entire American labor movement. For this reason, it is imperative that the AFL-CIO and each of the national and international unions affiliated with it rigorously adhere to the highest ethical standards in dealing with the subject of health and welfare funds.

For these reasons, the ethical practices committee, under the authority vested in it

by the constitution of the AFL–CIO and pursuant to the mandate of the first constitutional convention of the AFL–CIO, recommends that the executive council of the AFL-CIO adopt the following policies to safeguard the good name of the AFL-CIO and its affiliated unions:

1. No union official who already receives full-time pay from his union shall receive fees or salaries of any kind from a fund established for the provision of a health, welfare or retirement program. Where a salaried union official serves as employee representative or trustee in the administration of such programs, such service should be regarded as one of the functions expected to be performed by him in the normal course of his duties and not as an extra function requiring further compensation from the welfare fund.

2. No union official, employee or other person acting as agent or representative of a union, who exercises responsibilities or influence in the administration of welfare programs or the placement of insurance contracts, should have any compromising personal ties, direct or indirect, with outside agencies such as insurance carriers, brokers, or consultants doing business with the welfare plan. Such ties cannot be reconciled with the duty of a union official to be guided solely by the best interests of the membership in any transactions with such agencies. Any union official found to have such ties to his own personal advantage or to have accepted fees, inducements, benefits or favors of any kind from such outside agency, should be removed. This principle, of course, does not prevent the existence of a relationship between a union officer or employee and an outside agency where—

(a) No substantial personal advantage is derived from the relationship, and

(b) The outside agency is one in the management of which the union participates, as a union, for the benefit of its members.

3. Complete records of the financial operations of all welfare funds and programs should be maintained in accordance with the best accounting practice. Each such fund should be audited regularly by internal auditors. In addition, each such fund should be audited at least once each year, and preferably semiannually, by certified public or other independent accountants of unquestioned professional integrity, who should certify that the audits fully and comprehensively show the financial condition of the fund and the results of the operation of the fund.

4. All audit reports should be available to the membership of the union and the affected employees.

5. The trustees or administrators of welfare funds should make a full disclosure and report to the beneficiaries at least once each year. Such reports should set forth, in detail, the receipts and expenses of the fund; all salaries and fees paid by the fund, with a statement of the persons to whom paid; the amount paid and the service or purpose for which paid; a breakdown of insurance premium paid, if a commercial insurance carrier is involved, showing, insofar as possible, the premiums paid, dividends, commissions, claims paid, retentions and service charges; a statement of the person to whom any commissions or fees of any kind were paid; a financial statement on the part of the insuring or service agency, if an agency other than a commercial insurance carrier is employed; and a detailed account of the manner in which the reserves held by the fund are invested.

6. Where health and welfare benefits are provided through the use of a commercial insurance carrier, the carrier should be selected through competitive bids solicited from a substantial number of reliable companies, on the basis of the lowest net cost for the given benefits submitted by a responsible carrier, taking into consideration such factors as comparative retention rates, financial responsibility, facilities for and promptness in servicing claims, and the past record of the carrier, including its record in dealing with trade unions representing its employees.

The trustees of the fund should be required to include in reporting to the membership the specific reasons for the selection of the carrier finally chosen. The carrier should be required to warrant that no fee or other remuneration of any kind has been paid directly or indirectly to any representative of the parties in connection with the business of the fund.

7. Where a union or union trustees participate in the administration of the investment of welfare fund reserves, the union or its trustees should make every effort to prohibit the investment of welfare fund reserves in the business of any contributing employer, insurance carrier or agency doing business with the fund, or in any enterprise in which any trustee, officer, or employee of the fund has a personal financial interest of such a nature as to be affected by the fund's investment or disinvestment.

(This is not to be construed as preventing investment in an enterprise in which a union official is engaged by virtue of his office, provided (i) no substantial personal advantage is derived from the relationship, and (ii) the concern or enterprise is one in the management of which the union participates for the benefit of its members.)

8. Where any trustee, agent, fiduciary or employee of a health or welfare program is found to have received an unethical payment, the union should insist upon his removal and should take appropriate legal steps against both the party receiving and the party making the payment. Where health and welfare funds are negotiated or administered by local unions or by other organizations subordinate to or affiliated with a national or international union, provision should be made to give the national or international union the authority to audit such funds and to apply remedies where there is evidence of a violation of ethical standards.

9. Every welfare program should provide redress against the arbitrary or unjust denial of claims so as to afford the individual member prompt and effective relief where his claim for benefits has been improperly rejected. Every program should provide for the keeping of complete records of the claims experience so that a constant check can be maintained on the relationship between claims and premiums and dividends, and on the utilization of the various benefits.

10. The duty of policing and enforcing these standards is shared by every union member, as well as by local, national and international officials. The best safeguard against abuses lies in the hands of a vigilant, informal and active membership, jealous of their rights and interests in the operation of health and welfare programs, as well as any other trade union program. As a fundamental part of any approach to the problem of policing health and welfare funds, affiliated unions, through education, publicity and discussion programs, should seek to develop the widest possible degree of active and informed interest in all phases of these programs on the part of the membership at large. International unions should, wherever possible, have expert advice available for the negotiation, establishment and administration of health and welfare plans, and should provide training for union representatives in the techniques and standards of proper administration of welfare plans.

11. Where constitutional amendments or changes in internal administrative procedure are necessary to comply with the standards herein set forth, such amendments and changes should be undertaken at the earliest practicable time.

ETHICAL PRACTICES CODE III—RACKETEERS, CROOKS, COMMUNISTS, AND FASCISTS (APPROVED BY THE AFL-CIO EXECUTIVE COUNCIL, JANUARY 31, 1957)

This is the third in a series of recommended codes which the committee on ethical practices has developed in accordance with the direction of the executive council that it should "develop a set of principles and guides for adoption by the AFL–CIO in order to implement the constitutional determination that the AFL–CIO shall be and remain free from all corrupt influences."

Article VIII, section 7, of the constitution of the AFL–CIO establishes that "it is a basic principle of this federation that it must be and remain free from any and all corrupt influences and from the undermining efforts of Communist, Fascist, or other totalitarian agencies who are opposed to the basic principles of our democracy and of free and democratic trade unionism." Under this constitutional provision there is no room within the federation or any of its affiliated unions for any person, in a position of leadership or responsibility who is a crook, a racketeer, a Communist, or a Fascist. And it is the obligation of every union affiliated with the AFL–CIO to take appropriate steps to insure that this principle is complied with.

To be sure, neither the AFL–CIO nor its affiliated unions are law-enforcing agencies. It is not within the purview or authority of a trade union to convict its members of a violation of statutory law. But it is the duty and responsibility of each national and international union affiliated with the federation to see to it that it is free of all corrupt, Communist, or Fascist influences. Consequently, a trade union need not wait upon a criminal conviction to bar from office corrupt, Communist, or Fascist influences. The responsibility of each union to see to it that it is free of such influences is not a responsibility placed upon our unions by law. It is a responsibility which rests upon our unions by the AFL–CIO constitution and by the moral principles that govern the trade-union movement. Eternal vigilance in this area is the price of an honest democratic trade-union movement.

It is not possible, nor is it desirable, to set down rigid rules to determine whether a particular individual in a position of responsibility or leadership in the trade union movement is a crook, a racketeer, a Communist, or a Fascist. Obviously, if a person has been convicted of a crime involving moral turpitude offensive to trade union morality, he should be barred from office of responsible position in the labor movement. Obviously also, a person commonly known to be a crook or racketeer, should not enjoy immunity to prey upon the trade unions movement because he has somehow managed to escape conviction. In the same manner, the fact that a person has refrained from formally becoming a member of the Communist Party or a Fascist organization should not permit him to hold or retain a position of responsibility or leadership in the trade union movement if, regardless of formal membership, he consistently supports or actively participates in the activities of the Communist Party or any Fascist or totalitarian organization.

In this area, as in all others, determinations must be made as a matter of commonsense and with due regard to the rights of the labor unions and the individuals involved.

On the basis of these considerations, the ethical practices committee, under the authority vested in it by the constitution of the AFL–CIO, pursuant to the mandate of the first constitutional convention of the AFL–CIO, recommends that the executive council of the AFL–CIO adopt the following policies to safeguard the good name of the AFL–CIO and its affiliated unions:

1. The AFL–CIO and each of its affiliated unions should undertake the obligation,

through appropriate constitutional or administrative measures and orderly procedures, to insure that no persons who constitute corrupt influences or practices or who represent or support Communist, Fascist, or totalitarian agencies should hold office of any kind in such trade unions or organizations.

2. No person should hold or retain office or appointed position in the AFL–CIO or any of its affiliated national or international unions or subordinate bodies thereof who has been convicted of any crime involving moral turpitude offensive to trade-union morality.

3. No person should hold or retain office or appointed position in the AFL–CIO or any of its affiliated national or international unions or subordinate bodies thereof who is commonly known to be a crook or racketeer preying on the labor movement and its good name for corrupt purposes, whether or not previously convicted for such nefarious activities.

4. No person should hold or retain office or appointed position in the AFL–CIO or any of its affiliated national or international unions, or subordinate bodies thereof who is a member, consistent supporter or who actively participates in the activities of the Communist Party or of any Fascist or other totalitarian organization which opposes the democratic principles to which our country and the American trade-union movement are dedicated.

ETHICAL PRACTICES CODE IV—INVESTMENTS AND BUSINESS INTERESTS OF UNION OFFICIALS (APPROVED BY THE AFL-CIO EXECUTIVE COUNCIL, JANUARY 31, 1957)

This is the fourth in a series of recommended codes which the committee on ethical practices has developed in accordance with the direction of the executive council that it should "develop a set of principles and guides for adoption by the AFL–CIO in order to implement the constitutional determination that the AFL–CIO shall be and remain free from all corrupt influences." Prior codes have dealt with the issuance of local union charters, welfare funds, racketeers, crooks, and Communists. The code herein recommended deals with conflicts of interest in the investment and business interests of union officials.

It is too plain for extended discussion that a basic ethical principle in the conduct of trade union affairs is that no responsible trade union official should have a personal financial interest which conflicts with the full performance of his fiduciary duties as a workers' representative.

Obviously an irreconcilable conflict of interest would be present if a trade union official, clothed with responsibility and discretion in conducting the representation of workers, simultaneously maintains a substantial interest in the profits of the employer of the workers whom he is charged with representing. Even though, in a particular instance, there may be no actual malfeasance in the representation of the employees involved, the opportunity for personal gain at the expense of the welfare of the employees whom the union official represents obviously exists.

Such a simple case, however, does not fully present the problems which exist, or may exist, in this area. There may be cases in which the conflict of interests is not so clear, but nevertheless exists. There are, on the other hand, forms of private investment which seem wholly devoid of any possibility of corruption or dereliction in trade union responsibility. It will be the purpose of this report to discuss some of the varying situations which may arise in this area and, on the basis of such discussion, to present a recommended code of minimum standards to which the committee believes all trade union officials should adhere in their investment and business interests.

The problems in this area, of course, could all be eliminated by adoption of the simple principle that no trade union official should, under any circumstances, use his own personal funds or property in any form of business enterprise or investment. But the committee feels that it is both unnecessary and unwise to establish such a rigid standard for trade union officials; union officers and agents should not be prohibited from investing their personal funds in their own way in the American free enterprise system so long as they are scrupulously careful to avoid any actual or potential conflict of interest. The American trade union movement does not accept the principle that either its members or its leaders should own no property. Both union leaders and members have the right to set aside their own personal reserves for themselves and their families, and to invest and use those reserves in legitimate ways.

But the trade-union leader does have certain special responsibilities which he must assume and respect because he serves as a leader in the trade-union movement. And those responsibilities, the committee believes, necessarily imply certain restraints upon his right to engage in personal investment, even with his own funds and on his own time. In a sense, a trade-union official holds a position comparable to that of a public servant. Like a public servant, he has a high fiduciary duty not only to serve the members of his union honestly and faithfully, but also to avoid personal economic interest which may conflict or appear to conflict with the full performance of his responsibility to those whom he serves.

Like public servants, trade-union leaders ought to be paid compensation commensurate with their services. But, like public servants, trade-union leaders must accept certain limitations upon their private activities which result from the nature of their services. Indeed, the nature of the trade-union movement and the responsibilities which necessarily must be accepted by its leaders, make the strictest standards with respect to any possible conflict of interest properly applicable.

It is plain, as already stated, that a responsible trade-union official should not be the owner in whole or in part of a business enterprise with which his union bargains collectively on behalf of its employees. The conflict in such a case is clear.

It is almost equally clear, the committee believes, that a trade union official should not be the owner of a business enterprise which sells to, buys from, or in other ways deals, to any significant degree, with the enterprise with which he conducts collective bargaining. Again, the possibility that the trade union official may be given special favors or contracts by the employer in return for less than discharge of his obligations as a trade union leader, exists.

Somewhat different considerations, however, apply to the ownership, through purchase on the open market or other legitimate means, of publicly traded securities. Employee ownership of stock is certainly a fairly common practice in American life. Often, indeed, there are special stock purchase plans designed to stimulate such employee investments.

On the other hand, ownership, even of publicly traded securities, in sufficient amounts to influence the course of management decision seems to the committee incompatible with the proper representation of the employees by a trade union official.

The committee believes, therefore, that the minimum standards of ethical conduct in this area should not forbid all investment by a trade union official in the corporate securities of companies employing the workers he represents. Such investment by a trade union official, however, should always be subject to the restriction that it is not acquired in an illegitimate or unethical manner, that it is limited to securities which are publicly traded, and that his interest should never be large enough so as to permit him to exercise any individual influence on the course of corporate decision.

There is nothing in the essential ethical principles of the trade-union movement which should prevent a trade-union official, at any level, from investing personal funds in the publicly traded securities of corporate enterprises unrelated to the industry or area in which the official has a particular trade-union responsibility. Such securities offer a wide choice of investment and are, generally speaking, so far removed from individual stockholder control or influence that with the exceptions above noted, there is no reason to bar investment by trade-union officials.

The same principles apply with respect to privately owned or closely held businesses which are completely unrelated to the industrial area in which the trade-union leader serves.

On the basis of these considerations, the ethical practices committee, under the authority vested in it by the constitution of the AFL–CIO and pursuant to the mandate of the first constitutional convention of the AFL–CIO, recommends that the executive council of the AFL–CIO adopt the following policies to safeguard the good name of the AFL–CIO and its affiliated unions:

1. No responsible trade-union official should have a personal financial interest which conflicts with the full performance of his fiduciary duties as a workers' representative.

2. No responsible trade-union official should own or have a substantial business interest in any business enterprise with which his union bargains collectively, or in any business enterprise which is in competition with any other business enterprise with which his union bargains collectively.

3. No responsible trade-union official should own or have a substantial business interest in a business enterprise a substantial part of which consists of buying from, selling to, or otherwise dealing with the business enterprise with which his union bargains collectively.

4. The provisions of paragraphs 2 and 3 above do not apply in the case of an investment in the publicly traded securities of widely held corporations which investment does not constitute a substantial enough holding to affect or influence the course of corporate decision.

5. No responsible trade-union official should accept "kickbacks," under-the-table payments, gifts of other than nominal value, or any personal payment of any kind other than regular pay and benefits for work performed as an employee from an employer or business enterprise with which his union bargains collectively.

6. The policies herein set forth apply to: (a) all officers of the AFL–CIO and all officers of national and international unions affiliated with the AFL–CIO, (b) all elected or appointed staff representatives and business agents of such organizations, and (c) all officers of subordinate bodies of such organizations who have any degree of discretion or responsibility in the negotiation of collective bargaining agreements or their administration.

7. The principles herein set forth apply not only where investments are made by union officials, but also where third persons are used as blinds or covers to conceal the financial interests of union officials.

ETHICAL PRACTICES CODE V—FINANCIAL PRACTICES AND PROPRIETARY ACTIVITIES OF UNIONS (APPROVED BY THE AFL–CIO EXECUTIVE COUNCIL, MAY, 22, 1957)

This is the fifth in a series of recommended codes which the committee on ethical practices has developed in accordance with the direction of the executive council that it should "develop a set of principles and guides

for adoption by the AFL–CIO in order to implement the constitutional determination that the AFL–CIO shall be and remain free from all corrupt influences." On August 29, 1956, the council approved a code dealing with the issuance of local union charters; on January 31, 1957, the executive council approved codes dealing with health and welfare funds, racketeering, crooks and Communists, and investment and business interests of union officials.

There are principles inherent in the conception of a free, honest, and democratic trade-union movement, which, the committee believes virtually dictate the outlines of any code of ethical practices dealing with union finances. The first of these principles hardly requires statement. It is simply that a labor union is an organization whose primary function is to improve the wages, hours and working conditions of the employees it represents, through the processes of collective bargaining with employers. It is not a business enterprise or an investment company. Unions, of course, must have funds with which to operate and it is clearly desirable that they should maintain reserves to cover contingencies which may arise in the course of the performance of their functions as workers' representatives. But, equally clearly, the accumulation of funds per se is not the objective for which the union exists. A union is not a profitmaking institution but a democratic organization with definite social aims and principles. Union funds are held in trust for the benefit of the membership. But a union, unlike a bank, a trustee, or other fiduciaries, is not primarily a manager of funds vested with the duty of enhancing their value and making distributions. Increasing the value of the union's funds should never become an objective of such magnitude that it in any way interferes with or obscures the basic function of the union, which is to devote its resources to representing its members, honestly and faithfully.

A second basic principle which dictates the terms of a code of ethical practices with respect to the handling of union funds is again simple. It is that unions are democratic organizations. The fact that a union is a democratic organization plainly implies that the members of the union are entitled to assurance that the union's funds, which are their funds, are not dissipated. They are also entitled to be reasonably informed as to how the funds of the organization are being used or invested. Finally, their delegated representatives in the union's governing body and conventions should have the power and responsibility to oversee the expenditure of the union's moneys so that the members can be guaranteed that funds are expended solely for the purposes for which the organization exists.

A final fundamental principle, the committee believes, is involved. That principle is that each national or international union affiliated with the AFL–CIO, in the words of the resolution on ethical practices which was unanimously adopted by the founding convention of the AFL–CIO in December 1955, "has clearly accepted the responsibility for keeping its own house in order and to protect the movement 'from any and all corrupt influences and from the undermining efforts of Communist agencies and all others who are opposed to the basic principles of our democracy and free and democratic unionism.'"

From these three basic principles, the committee believes that certain conclusions necessarily follow. Since a union holds its funds for the benefit of its membership and to further their interests it should comply with standards generally applicable to fiduciaries or trustees with respect to the manner in which it keeps its records and accounts. Regular audits should be made and there should be appropriate distribution of summaries of such audits so that the membership and the public are adequately apprised of the state of the organization's finances.

In this connection, a committee of secretary-treasurers of AFL–CIO affiliates has drawn up a suggested set of minimum accounting and financial controls for affiliates of the AFL–CIO. This set of controls represents, the committee believes, the minimum with which any affiliated organization should comply in order to fulfill the constitutional mandate that the labor movement should be kept free from any taint of corruption. Almost all unions, the committee believes, today comply with the minimum controls set forth in the recommendation of the secretary-treasurers. Many, indeed, have much stricter controls. The minimum controls suggested by the secretary-treasurers, therefore, should not be regarded as an optimum. Unions are to be commended and encouraged to establish and maintain even more stringent accounting and financial controls.

In addition to accounting and financial procedures necessary to conform to the controls applicable generally to well-run business organizations and fiduciaries, the committee believes that certain other rules follow the basic principles set forth above. Because a union is a union, not a business organization or a trust company, the rules which guide its use and investment of funds are necessarily different. For example, investments by business organizations in other businesses from which they buy or sell, so that the investing business may get favored treatment in its sales or purchases, may be an acceptable business practice; similar investment by a labor union in business enterprises with which it bargains collectively presents serious problems. Such investment is not good practice for a union.

The fact that the basic objective in the management of trade union funds is not the maximizing of profit, but to further the objectives of the members joining together in a union leads to additional conclusions.

A business organization has one function: to make money for its stockholders. A fiduciary's primary obligation is to preserve and, within limits defined by the necessity for safety, to augment the funds which the trustee is charged with holding for the benefit of the beneficiaries.

Since these are not a union's primary function, a union's investment policy may properly be governed by different considerations. For example, business institutions and corporate trustees might question today the propriety of investing all of their reserves in Government bonds because of their comparatively low yield. Yet, for a trade union, one of whose fundamental objects is to protect and strengthen our democratic institutions, such an investment policy is to be commended. Similarly, since another object of a trade union is to aid and assist other unions and to promote the organization of the unorganized into unions of their own choosing loans and grants for mutual aid and assistance are part of the proud tradition of the labor movement even though foreign to the business community and not justified by any considerations of financial gain or even security.

Similarly, the business community may not regard it to be a bad business practice for a business enterprise to buy or sell from firms in which the officers of the business have a financial interest. Nor may the business community regard it as bad practice for a business organization to lend money, on adequate security, to members of the organization. Because the funds of a labor union are both held in trust for the benefit of its members and are held to further legitimate trade union purposes, practices which may be acceptable in business organizations, the committee believes, should be limited if not completely eliminated among labor organizations.

All of these considerations lead to this ultimate conclusion. With respect to accounting and financial controls and the expenditure of its funds for proprietary (housekeeping) functions the labor movement, it goes almost without saying, should follow the strictest rules applicable to all well-run institutions. With respect to the policies governing its financial and proprietary decisions, a higher obligation rests upon the trade union movement: to conduct its affairs and to expend and invest its funds, not for profit, but for the benefit of its membership and the great purposes for which they have joined together in the fraternity of the labor movement.

On the basis of these considerations the committee on ethical practices, under the authority vested in it by the constitution of the AFL–CIO and pursuant to the mandate of the first constitutional convention of the AFL–CIO and of the executive council, recommends that the executive council of the AFL–CIO adopt the following policies to safeguard the good name of the AFL–CIO and its affiliated unions:

1. The AFL–CIO and all affiliated national and international unions should comply with the minimum accounting and financial controls suggested by the committee of secretary-treasurers and approved by the executive council, which is annexed hereto.

2. The AFL–CIO and all affiliated national and international unions should conduct their proprietary functions, including all contracts for purchase or sale or for the rendition of housekeeping services, in accordance with the practices of well-run institutions, including the securing of competitive bids for all major contracts.

3. Neither the AFL–CIO nor any national or international union affiliated with the AFL–CIO should permit any of its funds to be loaned, invested, or otherwise dealt with in a manner which inures to the personal profit or advantage of any officer, representative or employee of the union.

4. Neither the AFL–CIO nor any national or international union affiliated with the AFL–CIO should enter into any contracts of purchase or sale or for the rendition of services which will inure to or result in the personal profit or advantage, including gifts of more than nominal value, other than his regular salary or compensation, of any officer, representative or employee of the union.

5. Neither the AFL–CIO nor any national or international union affiliated with the AFL–CIO should invest in or make loans to any business enterprise with which it bargains collectively.

6. The provisions of paragraph 5 shall not be construed as prohibiting investment by unions in the publicly traded securities of widely held corporations which investment does not constitute a substantial enough holding to affect or influence the course of corporate decision; the provisions of paragraphs 3 and 4 shall not be construed as applying to the profit that may result from a proper investment by a union officer, representative or employee. Nor shall such provisions be construed as preventing investment in a business or enterprise in which an official of an affiliate is engaged by virtue of his office, provided (a) no substantial personal advantage is derived from the relationship, and (b) the business or enterprise is one in the management of which the affiliate participates for the benefit of its members. The provisions of such paragraphs, however, shall apply wherever third persons are used as blinds or covers to conceal the personal profit or advantage of union officials.

7. Neither the AFL–CIO nor any national or international union affiliated with the AFL–CIO should make personal loans to its officers, representatives, employees, or members, or members of their families, for the purpose of financing the private business or investment of such persons.

8. Each national or international union affiliated with the AFL–CIO should promptly take whatever internal steps are needed to insure that the standards set forth in this code are made applicable to itself and each of its locals and other subordinate or affiliated bodies. Wherever constitutional amendments or changes in internal administrative procedures are necessary to fully comply with those standards, such amendments and changes should be undertaken by the affiliates at the earliest practicable opportunity.

SUPPLEMENTAL CODE—MINIMUM ACCOUNTING AND FINANCIAL CONTROLS (DRAFTED BY SPECIAL COMMITTEE OF UNION SECRETARY-TREASURERS; APPROVED BY EXECUTIVE COUNCIL, MAY 22, 1957)

A. Detailed and accurate records of accounts, in conformity with generally recognized and accepted principles of accounting, should be currently maintained by all affiliates of the AFL–CIO. These records should include, as a minimum need, a cash receipt record, a cash disbursements record, a general ledger, a dues or per capita tax record, an investment record, and a payroll record.

B. All receipts should be duly recorded and currently deposited. No disbursements of any nature should be made from undeposited cash receipts.

C. All expenditures should be approved by proper authority under constitutional provision and be recorded and supported by vouchers, providing an adequate description of the nature and purpose of the expenditure sufficient for a reasonable audit by internal and independent auditors. Disbursements should be made only by check, with the exception of disbursements from petty cash, in which situation, an imprest petty-cash fund should be established.

D. Salaries of elected officials should be established only by constitutional provision. Compensation to nonsalaried elected officials, and to other officials, representatives and employees, if not fixed by constitutional provision, should be established and paid in strict conformity with such authority as is provided by the constitution and in accordance with its applicable provisions.

E. Reimbursement of expenses, including per diem expenses, should be made only where such expenses have been duly authorized and are supported in a manner that will permit a reasonable audit.

F. Every precaution should be taken to insure the soundness and safety of investments and that investments are made only by persons duly authorized to act for and on behalf of the affiliate. Investments in securities should either be restricted to the type of securities which legally qualify for trust fund investments in the domicile state or a person or persons authorized to invest funds of an affiliate should, in making such investment, be required to exercise the judgment and care under the circumstances then prevailing which men of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation but in regard to the permanent disposition of their funds, considering probable safety of their capital as well as probable income. No investment should be made by an affiliate in a business or enterprise in which any officer of that affiliate has a direct or indirect personal financial interest of such a nature as to be affected by the affiliate's investment or withdrawal of investment. (This last stated provision is not to be construed as preventing investment in a business or enterprise in which an official of an affiliate is engaged by virtue of his office, provided (a) no substantial personal advantage is derived from the relationship, and (b) the business or enterprise is one in the management of which the affiliate participates for the benefit of its members.) Securities owned by the affiliate should be under dual officer control and held by a bank or a trust company as agent or if that is not feasible, such securities should be placed in a safety deposit vault. All investments and legal title to all assets of an affiliate should be in the name of the affiliate or its duly designated agent or trustee.

G. Periodic, but not less than semiannual, detailed financial reports should be prepared in accordance with generally recognized and accepted standards of financial reporting. These reports should be prepared and submitted by the elected financial officer of the affiliate to the executive body of such affiliate for its study and such action as may be required.

H. A record of each meeting of the executive body of an affiliate should be made and maintained. These records should note all official actions taken by that body, in relation to accounting and financial matters.

I. Adequate fidelity bond coverage should be required by an affiliate for all officers, representatives and employees of that affiliate in positions of trust, including officers and employees of subordinate bodies of such affiliate.

J. Affiliates and their subordinate bodies should be subject to a system of internal audits made by auditors or by other competent persons in accordance with generally accepted standards of auditing so as to maintain current vigilance over all financial transactions.

K. At least annually, an audit of the accounts of each affiliate, except directly affiliated local unions of the AFL–CIO, should be made by independent certified public accountants. A summary of such audit approved by such independent certified public accountants should be made available to the membership of the affiliate and the public.

Each such affiliate should require, at least annually, that an audit be made of the accounts of its subordinate bodies by competent persons. A summary of such audit approved by such competent persons should be made available to the membership of such subordinate body.

An annual audit of the accounts of directly affiliated local unions should be made by authorized competent representatives of the AFL–CIO designated by the secretary-treasurer of the AFL–CIO. A summary of such audit, approved by such representative, shall be made available to the membership of such directly affiliated local unions.

L. All financial and accounting records of affiliates and their subordinate bodies, and all supporting vouchers and documents, or microfilm copies thereof, should be preserved for a period of time not less than that prescribed by applicable statutes of limitations.

M. Neither the AFL–CIO nor any national or international union affiliated with the AFL–CIO should make personal loans to its officers, representatives, employees, or members, or members of their families, for the purpose of financing the private business or investment of such persons.

N. No kickbacks or any other improper payments should be accepted or made, directly or indirectly, by any officer, representative or employee of an affiliate in connection with any financial transaction of such affiliate.

O. Affiliates should take every precaution necessary to insure their full compliance with all properly authorized and applicable requirements of State or Federal law pertaining to financial and accounting matters and to reporting.

P. In order to protect and safeguard the good name and reputation of the AFL–CIO and its affiliates, the financial and accounting controls set forth herein are made applicable to itself and each of the affiliates of the AFL–CIO and their subordinate bodies and to all their funds of whatever nature.

Q. Where constitutional amendments or changes in internal administrative procedure are necessary to a full compliance with the standards set forth herein, such amendments and changes should be undertaken by affiliates at the earliest practicable opportunity.

ETHICAL PRACTICES CODE VI—UNION DEMOCRATIC PROCESSES—(APPROVED BY THE AFL-CIO EXECUTIVE COUNCIL, MAY 23, 1957)

This is the sixth in a series of recommended codes developed by the AFL–CIO committee on ethical practices. The prior codes have dealt, primarily, with the questions related to corruption and conflicts of interest. The present code has been developed by the committee pursuant to the mandate contained in article II, sections 10 and 11, of the constitution of the AFL–CIO which sets forth the basic objectives of the federation to protect the labor movement not only from corrupt influences and Communist agencies but also from all others who are opposed to the basic principles of our democracy and free and democratic unionism, and to safeguard the democratic character of the labor movement.

These constitutional provisions of the AFL–CIO give effect to the democratic tradition upon which the entire labor movement is based. Freedom and democracy are the essential attributes of our movement. Labor organizations lacking these attributes, like Hitler's labor front, Franco's syndicates, and Moscow's captive unions, are unions in name only. Authoritarian control, whether from within the labor movement or imposed from without by government, is contrary to the spirit, the tradition and the principles which should always guide and govern our movement.

We are proud of our record. Just as the constitution of the AFL–CIO proclaims its dedication to the concepts of freedom and democracy and contains machinery for their implementation in the federation's operations, so also do the constitutions of its affiliates. Almost without exception, they provide for the basic elements of union democracy: The right of full and equal participation by each member in the affairs and processes of union self-government, in accordance with the principles of representative democracy, and the necessity for protecting the rights of individual members.

The record of union democracy, like the record of our Nation's democracy, is not perfect. A few unions do not adequately, in their constitutions, provide for these basic elements of democratic practice. A few unions do not practice or implement the principles set forth in their constitutions. Finally, while the overwhelming majority of American unions both preach and practice the principles of democracy, in all too many instances the membership by apathy and indifference have forfeited their rights of union citizenship.

The provisions of the Taft-Hartley Act have substantially frustrated previously successful efforts by unions to insure maximum attendance and participation by the membership in union meetings and affairs. The real corrective in this area is not so much the establishment of new principles as the exercise of rights presently recognized and accorded. Just as eternal vigilance is the price of liberty, so is the constant exercise of the rights of union citizenship the price of union democracy.

It is valuable, nevertheless, to restate the principles which should govern all free and democratic unions and to rededicate the labor movement to the preservation of these principles.

The committee on ethical practices has attempted to formulate in the following code the basic and elementary principles which any affiliated union should achieve if it is to comply with the basic principles and objects of the AFL–CIO constitution. Necessarily, since each union has grown up in its own tradition and with its own background, forms and procedures may differ widely. Unions should be free to determine their own

governmental structure and to regulate their own affairs. But, whatever the form, the basic democratic rights set forth in the code should be guaranteed.

1. Each member of a union should have the right to full and free participation in union self-government. This should include the right (a) to vote periodically for his local and national officers, either directly by referendum vote or through delegate bodies, (b) to honest elections, (c) to stand for and to hold office, subject only to fair qualifications uniformly imposed, (d) to voice his views as to the method in which the union's affairs should be conducted.

2. Each member of a union should have the right to fair treatment in the application of union rules and law. The general principle applicable to union disciplinary procedures is that such procedures should contain all the elements of fair play. No particular formality is required. No lawyers need be used. The essential requirements of due process, however—notice, hearing, and judgment of the basis of the evidence—should be observed. A method of appeal to a higher body should be provided to ensure that judgment at the local level is not the result of prejudice or bias.

3. Each member of a union has the responsibility (a) fully to exercise his rights of union citizenship and (b) loyally to support his union. The right of an individual member to criticize the policies and personalities of his union officers does not include the right to undermine the union as an institution, to advocate dual unionism, to destroy or weaken the union as a collective-bargaining agency, or to carry on slander and libel.

4. To safeguard the rights of the individual members and to safeguard its democratic character, the AFL–CIO and each affiliated national or international union should hold regular conventions at stated intervals, which should be not more than 4 years. The convention should be the supreme governing body of the union.

5. Officers of the AFL–CIO and of each affiliated national or international union should be elected, either by referendum vote or by the vote of delegate bodies. Whichever method is used, election should be free, fair, and honest and adequate internal safeguards should be provided to insure the achievement of that objective.

6. All general conventions of the AFL–CIO and of affiliated national or international unions should be open to the public, except for necessary executive sessions. Convention proceedings or an accurate summary thereof should be published and be available to the membership.

7. The appropriate officials of the union and such bodies which are given authority to govern a union's affairs between conventions should be elected, whether from the membership at large or by appropriate divisions, either by referendum vote or by the vote of delegate bodies. Such bodies shall abide by and enforce the provisions of the union's constitution and carry out the decisions of the convention.

8. Membership meetings of local unions should be held periodically with proper notice of time and place.

9. Elections of local union officers should be democratic, conducted either by referendum or by vote of a delegate body which is itself elected by referendum or at union meetings.

10. The term of office of all union officials should be stated in the organization's constitution or bylaws and should be for a reasonable period, not to exceed 4 years.

11. To insure democratic, responsible, and honest administration of its locals and other subordinate bodies, the AFL–CIO and affiliated national and international unions should have the power to institute disciplinary and corrective proceedings with respect to local unions and other subordinate bodies, including the power to establish trusteeships where necessary. Such powers should be exercised sparingly and only in accordance with the provisions of the union's constitution, and autonomy should be restored promptly upon correction of the abuses requiring trusteeship.

12. Where constitutional amendments or changes in internal administrative procedures are necessary to comply with the standards herein set forth such amendments and changes should be undertaken at the earliest practicable time.

APPROVAL OF BAN ON FORCED LABOR

Mr. HUMPHREY. Mr. President, news dispatches from Geneva indicate that delegates from 78 countries now attending the International Labor Organization Conference will approve today a ban on forced labor. This subject has been close to my heart, Mr. President, because of the hearings which have been held in the Congress. The ILO Committee on Forced Labor 3 days ago gave its approval to the draft which will be considered today. The committee rebuffed amendments from the Iron Curtain countries to shift the emphasis away from forced labor of the type practiced in the Soviet orbit.

I was glad to note in the press today, Mr. President, that Mr. George Delaney, the AFL-CIO international representative at the conference, spoke in strong terms about the hypocrisy of ratification of the forced labor convention by Communist-bloc countries. We are finally doing what we should have been doing in previous conferences on this issue—putting the Communists on the spot in unmistakable terms.

There was a time when our Government, out of fear and timidity, was unwilling to back an international forced labor convention. This was the situation last year when I introduced Senate Resolution 284, Senate Concurrent Resolution 75, and Senate Joint Resolution 117. These resolutions would have placed the Senate on record in support of the ILO Forced Labor Convention. The hearings which were held on Senate Joint Resolution 117 by the Senate Labor Subcommittee in April 1956 played, I am convinced, an important role in reversing our own Government's position.

Mr. George Delaney himself is due a major share of the credit for this reversal. I want to commend him again, as well as the distinguished senior Senator from Illinois [Mr. DOUGLAS], for his valiant help in chairing the subcommittee hearings last year.

Mr. President, I ask unanimous consent that an article by A. H. Raskin which appeared in the New York Times on June 18, 1957, and another article by him which appeared in this morning's Times be printed at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times of June 18, 1957]

ILO GROUP VOTES BAN ON SLAVE LABOR

(By A. H. Raskin)

GENEVA, June 17.—The Committee on Forced Labor of the International Labor Organization gave unanimous approval tonight to a world ban on slave labor.

Representatives of the United States, the Soviet Union, Britain, and most other major powers took part in the vote. All that now stands in the way of a draft treaty outlawing compulsory labor is the necessity for formal endorsement of the committee's action by the full conference of the United Nations agency.

The committee rebuffed attempts from the Iron Curtain countries to load the treaty with amendments designed to shift the emphasis away from forced labor of the type practiced in the Soviet orbit.

The treaty would bind each ratifying power to suppress all forms of labor coercion as means of political punishment, economic development, labor discipline, reprisal against strikes or racial discrimination.

Its approval is the fruit of a fight begun 10 years ago by the American Federation of Labor and aimed at slave labor in the Soviet Union. Two official investigating committees appointed as a result of the campaign found many instances of labor enslavement in Iron Curtain countries.

However, all the Communist countries at the present conference insist that they have no forced labor and that the chief abuses exist in the Asian and African colonies of capitalist powers.

The Soviet Union and its 8 satellite delegations have given every indcation that their Governments will ratify the treaty when it is sent to the 78 member nations for action.

COMPLAINTS SAID TO GROW

This will intensify pressure for more effective enforcement machinery within the United Nations labor organization to guard against hypocritical assumption of international obligations by the Soviet bloc. Complaints on this score have grown as a result of the wholesale ratification by the Communist countries in the last few months of treaties guaranteeing free trade unionism.

The watchdog committee of the labor organization on the application of conventions will ask the full conference early next week to authorize a special request to Communist Hungary for information on how she is living up to the treaty on free unionism. Under normal procedures no official report from the Hungarian regime is due until late in 1959.

The Hungarian delegation already has told the committee it does not intend to be rushed. However, the moral force of a demand for early submission of the data by the full conference may prove more persuasive than the unsupported request of the committee.

The labor organization changed its rules this afternoon to end the ability of the Soviet countries to filibuster by demanding rollcall votes any time they wanted them. Under the old rules a rollcall was obtainable on the demand of 20 delegates; the new rules require a minimum of 50. The combined number of all the Iron Curtain representatives is 36.

At a plenary session of the conference, a speaker urged private employers in industrial countries to give their workers job guaranties for a fixed period. The proposal was made by Leon E. Trocliet, Belgian Minister of Labor and Social Welfare.

He warned that fear of unemployment would retard automation unless labor received assurances of job security. He called also for a revision in concepts of unemployment insurance to meet the challenge of machines used to run other machines.

[From the New York Times of June 21, 1957]

ILO BARS CHECK ON SLAVE LABOR—KILLS MOVE FOR PERMANENT INSPECTION—UNITED STATES UNIONIST HITS REDS ON HUNGARY

(By A. H. Raskin)

GENEVA, June 20.—The International Labor Organization killed today a move for a

permanent inspection system to police the projected world ban on forced labor.

The action came after a United States union leader had denounced the Soviet Union for its suppression of the Hungarian revolt and had accused the Communist bloc of hypocritical ratification of treaties guaranteeing labor freedom.

The entire Hungarian delegation to the annual conference of the United Nations labor agency walked out during the attack, made by George P. Delaney, international representative of the American Federation of Labor-Congress of Industrial Organizations.

Prof. Amazasp A. Arutiunian, chief Soviet representative, also quit the hall while Mr. Delaney was listing the findings of the United Nations Special Committee on Hungary to support his charge that Moscow had been guilty of one of history's greatest betrayals.

PROPOSALS CALLED TOO LATE

Mr. Delaney made an unexpected proposal yesterday for the establishment of a watchdog committee to check on how faithfully countries lived up to their commitments on wiping out slave labor. Today Arnold Saxer, of Switzerland, Chairman of the Committee on Forced Labor, ruled that the idea had been put in too late for consideration at the present experience.

Delegates from 78 countries are scheduled to approve a treaty against compulsory labor at tomorrow's plenary session. Each country must then submit the pact to its own government for individual ratification.

Mr. Delaney gave the conference its first knowledge of the contents of the United Nations special report on Hungary. After an extended recital of the Committee's findings, he asked how the Soviet delegates could come before the sessions and prattle of Moscow's desire for peace or its concern for workers' rights.

"How long do we propose to allow member states of the ILO to violate at will every principle of this organization and yet come here to give us lipservice and boast of the ratification of conventions?" the United States unionist asked.

He asserted that without proper inspection treaties to protect labor would be just dead pieces of paper.

Later two Communist spokesmen struck back with personal attacks on Mr. Delaney.

Laszlo Hermann, director of Hungary's acoustical and cinematrographic equipment factory, termed the union official an employer delegate. He described the talk as despicable and improper.

Serge A. Slipchenko, the Ukrainian Deputy Minister of Foreign Affairs, asserted that Mr. Delaney's wrath stemmed from the inability of the United States to stir successful uprisings in Communist countries, despite the spending of hundreds of millions of dollars to organize provocations.

DESIGNATION OF LYON, YELLOW MEDICINE, REDWOOD, AND BROWN COUNTIES, MINN., FOR EMERGENCY LOANS

Mr. HUMPHREY. Mr. President, about 2 days ago in the Senate I urged action by the Department of Agriculture in behalf of the people of Minnesota that have been the victims of tremendous, devastating floods—floods all through the southwestern portion of our State. I am happy to report today that a letter has just been delivered to me by my assistant stating that "the State Farmers Home Administration director, in making this report has recommended to the Department the designation of Lyon, Yellow Medicine, Redwood, and Brown Counties for emergency loans. This proposed action is in accordance with the provisions of Public Law 38."

Mr. President, I ask unanimous consent that the letter to which I have referred, from the Department of Agriculture Farmers Home Administration, be printed in the RECORD at this point in my remarks, since it is in reply to a statement I made in the Senate on, I believe, Wednesday of this week.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF AGRICULTURE,
FARMERS' HOME ADMINISTRATION,
Washington, D. C., June 21, 1957.

Hon. HUBERT H. HUMPHREY,
United States Senate.

DEAR SENATOR HUMPHREY: This letter is in reply to your telegrams of June 19 regarding the damage that has occurred on farms in some of the southwest Minnesota counties as a result of the recent floods.

On Monday, June 17, the State Farmers' Home Administration officials were in the flooded area and began a general survey of the farm damage and emergency credit needs. The completion of this necessary work preparatory to the Department of Agriculture taking action to make emergency loans available has been hampered somewhat by the road conditions and by the lack of good communications in the flooded area. However, we received in Washington today a full report covering the results of the survey. The State Farmers' Home Administration director in making this report has recommended to the Department the designation of Lyon, Yellow Medicine, Redwood, and Brown Counties for emergency loans. This proposed action is in accordance with the provisions of Public Law 38. The farm damage in the area consists mainly of losses of corn and bean crops, other small grains, hay, and pastures. Some farm buildings have been lost or damaged. Although some damage has occurred in other surrounding counties as a result of the floodwater, the survey submitted shows that the credit needs of farmers in these other counties can now be handled through private sources of credit supplemented by the Farmers' Home Administration under its regular lending programs. FHA county officials in these surrounding counties have been requested to inform local agricultural leaders, farmers, and other interested groups of the credit services available through the agency.

We have assured FHA field officials that quick action will be taken by this agency and by the Department regarding their recommendation to authorize emergency loans in the four-county area. When these emergency loans are authorized, farmers may apply for both at the local Farmers' Home Administration county offices. These loans will be available to meet the cost of replanting crops, other expenses incurred as a result of the flood, and for meeting general agricultural expenses necessary for the continuation of the farming operations of the applicant. For your ready reference we are enclosing several copies of leaflets explaining in more detail the emergency loan program. We will be glad to inform you as soon as final action has been taken in connection with the making of emergency loans available in the area indicated.

We greatly appreciate your interest in the activities of this agency and want to assure you of our desire to be of assistance to you in connection with any additional questions you may have regarding this agency's activities.

Sincerely yours,

H. C. SMITH,
Acting Administrator.

ARMAMENTS IN KOREA

Mr. HUMPHREY. Mr. President, this morning the United Nations Command in Korea announced that it would begin to replace the obsolete weapons of its forces in South Korea. The decision turns our attention once again to the situation existing in Korea. I should like to spend a few minutes to review that situation and at the same time to offer what I think is a constructive additional step for our Government to consider taking at this time.

The announcement of the United Nations Command was not surprising. Ever since the Korean armistice was signed in 1953, the Communists have been steadily adding to and modernizing the weapons of North Korean forces. They paid no heed to those clauses of the armistice which prohibited the reinforcement of military personnel and equipment. On the other side of the armistice line, however, the United Nations Command scrupulously observed the armistice agreement and shipped into South Korea only replacements for existing weapons, however outmoded those weapons were.

The result has been an ever-widening imbalance in military strength in Korea, although the very purpose of the arms-control provisions of the armistice had been to maintain the balance which existed at the end of hostilities. At first glance there appears to be a balance in manpower. In North Korea there is reportedly an army of 790,000, of whom 490,000 are North Koreans and 300,000 are Communist Chinese. In South Korea the Republic of Korea has an estimated army of 650,000, supplemented by 80,000 American troops and 5,000 troops from other members of the United Nations.

However, the apparent manpower balance in Korea masks a dangerous imbalance. Beyond the Yalu River in Manchuria there are a million additional Chinese Communist troops who could march into Korea at any time. Equally serious, the United Nations and South Korean forces, having observed the armistice, are equipped only with the amount and types of weapons which they had 4 years ago when the Korean war ended. This means they are saddled with outmoded planes, tanks, and artillery. In contrast, and in violation of the armistice, the Communists have been supplied new weapons. Whereas there were no planes in North Korea at the time of the armistice, there are now known to be more than 700 planes, of which 500 are jets.

Such an imbalance in power is exceedingly dangerous. It is to correct this imbalance, this invitation to aggression, that the administration has decided to begin immediately to modernize the equipment of American forces in Korea. I am happy to note that some restraint in this decision has been exercised. The United States acted only after consulting all the other nations with troops still in Korea. The announcement made it clear that all other provisions of the armistice will continue in effect. For the present only the American forces will be supplied the

modern armaments, and for the present atomic weapons and missiles will not be included at all.

This is not the first portion of the armistice which has been grossly violated by the Communists. They also sabotaged the inspection system which was established to supervise the arms control provisions. They hampered attempts at inspection in every conceivable way.

Unfortunately, the inspection system established by the armistice left some loopholes which made evasion of the inspection provisions possible. It did not provide for aerial inspection. Two of the four members of the Neutral Nations Supervisory Commission, Poland and Czechoslovakia, acted as agents for the Communists and blocked effective inspection by the other 2 members, Sweden and Switzerland. There was no neutral chairman to break a tie vote. Finally, even ground inspectors were limited to certain areas rather than having unimpeded access to all of Korea. However, the inspection system did provide valuable lessons on the requirements of effective inspection which we can utilize in future agreements.

I submit, in the negotiations at London, the lessons of Korea should be carefully watched and applied.

As a result of the failure of the inspection system, on May 31, 1956, the United Nations Command announced that as long as the Communist side defaulted in its obligations for inspection, the United Nations side would also not comply with the inspection provisions.

The action of the Communists in North Korea, as I have pointed out, invited and made necessary the decision of the United Nations Command to equip United States forces in Korea with modern armaments. The Communists could hardly expect to replenish and augment their military force in Korea indefinitely and have the United Nations Command sit idly by and watch the armistice being flagrantly violated.

Mr. President, this problem was brought directly to my attention and to the attention of the subcommittee on disarmament some time ago by Arthur Dean, former special Ambassador to Korea. Mr. Dean, when he testified before the subcommittee in January of this year, cited numerous examples of how the Communists had violated the inspection and arms limitation provisions of the armistice. I have pondered about this problem for a long time and I have tried to think of it both in terms of protecting our forces and position in Korea, and also in terms of the present state of international tension throughout the world.

Mr. President, what I am about to suggest should not in any way be construed as criticizing the decision of the National Security Council to rearm our troops in Korea under the present circumstances. I believe firmly that if the Communists continue to supply their forces with new armaments with increased firepower, and if they insist on ignoring the armistice, we must act to protect our troops and to fulfill our responsibility to the United Nations and to South Korea.

I think, however, that at this stage in crucial disarmament negotiations we must look at the Korean problem also from a world viewpoint. We are all aware, Mr. President, that the United States is working diligently in London today to try to achieve a first-step disarmament agreement. We must recognize that the world is desperately hoping that the arms race may be halted. We want to be able to reduce world tensions.

Therefore, I suggest to my colleagues and to the administration that another step should be fully explored. That step is this. We should offer to meet with the Communist command and propose new military arrangements providing for a thinning out of armed forces and armaments and for effective mutual inspection. We know that the inspection system that had been followed in the Korean armistice was woefully inadequate. But the Soviet Union has subsequently accepted, in principle at least, the concept of both ground and aerial inspection. If proper inspection safeguards could be installed, then a potentially dangerous arms competition between North and South Korea might be averted. If such an agreement could eventually be worked out, it would simultaneously provide an excellent pilot area for the mutual air and ground inspection on which the United Nations Disarmament Subcommittee is at present negotiating in London. I also believe that an eventual thinning out of the armed forces and armaments of both sides would be more likely to enhance a political settlement of the Korean problem than action which would result in sending more armaments to an area already charged with extreme tension.

Mr. President, Korea can be a testing ground of the sincerity of the Soviets. Korea can be a test area as to whether or not we can enter into a disarmament negotiation and agreement with any degree of safety. Korea can be a test area for the effectiveness of inspection. And Korea is a pilot area which ought to be fully explored with reference to disarmament discussions.

Mr. President, it is apparent that wars may break out between small powers and in specific geographical areas in the same way that they can be fomented by a large power. The danger of surprise attack has not been removed in Korea. Therefore, this country has a vital interest in seeing that the likelihood of armed conflict does not increase but, in fact, decreases. We need to be trying arms control and inspection systems wherever we can. Let us test the Communists by giving them an opportunity to submit to effective aerial and ground inspection and a reduction of the armaments and armed forces in Korea.

Mr. President, I hope that this course will commend itself to the administration. We have shown admirable restraint in the decision to supply our forces in Korea by not at this time supplying them with atomic weapons. But even this choice may be made inevitable if the Communists refuse to consider the folly of continuing to send armaments into North Korea. I firmly believe that it would help the cause of peace and the cause of disarmament if the United States were to proceed simultaneously with the modernization of military equipment in Korea and the offer to renegotiate with the Communists for a new arms limitation and inspection system in Korea.

I underscore the statement that we must proceed simultaneously to notify the Communists that we will rearm every man and every division of troops in every area where we have military forces at the same time we are prepared to negotiate to secure disarmament.

We must be careful that the tenuous armistice does not become broken altogether and allow the war to be resumed. If we offer and the Communists refuse, then we shall again receive sad but realistic news that the Communists are not yet willing to take positive steps for peace.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

FARM CREDIT ADMINISTRATION

The Chief Clerk read the nomination of Marshall R. Edwards, of Florida, to be a member of the Federal Farm Credit Board, Farm Credit Administration, for the term expiring March 31, 1963.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of George W. Lightburn, of Oklahoma, to be a member of the Federal Farm Credit Board, Farm Credit Administration, for the term expiring March 31, 1963.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. I wish to give notice, Mr. President, that on Monday we expect to proceed to consider the Interior Department appropriation bill. We will also handle any conference reports that may be agreed upon.

In addition, we expect there will be reported to the Senate next week the Defense Department appropriation bill and the Public Works appropriation bill,

and we expect those to be considered at the earliest possible date.

We are hopeful we may be able to finish all the appropriation bills, with the exception of the mutual aid-mutual security bill, and send them to the President, by the end of the fiscal year.

Mr. President, I should like to announce also that it has been agreed among the majority leader, the minority leader, the Senator from Georgia [Mr. RUSSELL] and the Senator from Illinois [Mr. DOUGLAS] that none of us—nor anyone we can persuade to follow our suggestions—will take any action with regard to the civil rights bill which was placed on the calendar yesterday, or any other bill of that nature, before July 8. We hope to use the intervening time to pass appropriation bills, which must be passed before the end of the fiscal year, and to clear our calendar of emergency measures. It may be, on July 8, that a motion will be made to proceed to the consideration of the civil rights bill, or that some other action will be taken, but the agreement entered into by the Members involved provides that none of them will take such action prior to July 8.

I desire to make a parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. An order has been entered, has it not, that when the Senate concludes its deliberations today it will stand in recess until Monday noon?

The PRESIDING OFFICER. The Senator is correct.

Mr. JOHNSON of Texas. The Senate will stand in recess, and not in adjournment?

The PRESIDING OFFICER. The Senator is correct.

Mr. JOHNSON of Texas. I previously announced, but I wish to repeat, that we expect to call the calendar next week. I should like to have the calendar committees on both sides to take notice of that fact.

The PRESIDING OFFICER. What is the pleasure of the Senate?

RECESS TO MONDAY

Mr. JOHNSON of Texas. Mr. President, if there are no other Senators who desire to address the Senate at this time, in accordance with the order previously entered, I now move that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 6 o'clock and 26 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until Monday, June 24, 1957, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 21, 1957:

UNITED NATIONS

Neil H. Jacoby, of California, to be the representative of the United States of America on the Economic and Social Council of the United Nations, vice John C. Baker, resigned.

UNITED STATES DISTRICT JUDGE

Joseph C. Zavatt, of New York, to be United States district judge for the eastern district of New York, vice Clarence G. Galston, retired.

UNITED STATES ATTORNEY

William Cozart Calhoun, of Georgia, to be United States attorney for the southern district of Georgia for a term of 4 years. (Reappointment.)

CONFIRMATIONS

Executive nominations confirmed by the Senate June 21, 1957:

FARM CREDIT ADMINISTRATION

To be members of the Federal Farm Credit Board, Farm Credit Administration, for the term expiring March 31, 1963

Marshall R. Edwards, of Florida
George W. Lightburn, of Oklahoma

HOUSE OF REPRESENTATIVES

FRIDAY, JUNE 21, 1957

The House met at 11 o'clock a. m.

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MCCORMACK). The Chair lays before the House the following communication from the Speaker.

The Clerk read as follows:

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES, U. S.
Washington, D. C., June 21, 1957.

I hereby designate the Honorable JOHN W. MCCORMACK to act as Speaker pro tempore today.

SAM RAYBURN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou Eternal God, as we turn to Thee in prayer, may we receive a vivid and vital sense of those spiritual realities and resources which invest life with dignity and worth.

Give us the certainty that none of the high and noble ideals and aspirations which we cherish are too lofty to be fulfilled by Thy divine wisdom and power.

Grant that by Thy grace we may triumph over all our doubts and fears and daily be strengthened in mind and heart by a joyous faith in the Lord God omnipotent.

May our whole life be aglow with a radiant vision of the splendor and glory of that great day when the kingdom of peace and good will shall be established upon the earth.

In Christ's name we offer our prayer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 196. Concurrent resolution commemorating the week of June 30 through July 6, 1957, the "125th Anniversary of 'America' Week."

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 118]

Anfuso	Diggs	Murray
Ayres	Dorn, S. C.	O'Hara, Minn.
Bailey	Durham	Patterson
Barden	Edmondson	Powell
Baumhart	Farbstein	Rains
Beamer	Fino	Rivers
Blatnik	Fisher	Robeson, Va.
Blitch	Grant	Rogers, Mass.
Bonner	Gubser	Sadlak
Bow	Healey	Santangelo
Bowler	Hébert	Saund
Buckley	Holifield	Scherer
Cederberg	Holtzman	Scott, Pa.
Chamberlain	Kearney	Sheehan
Christopher	Kluczynski	Sikes
Clark	Knutson	Steed
Collier	Krueger	Teller
Colmer	LeCompte	Vursell
Coudert	McConnell	Walter
Curtis, Mo.	McIntosh	Wharton
Dawson, Ill.	Machrowicz	Williams, Miss.
Dawson, Utah	May	Wilson, Calif.
Delay	Montoya	Zelenko

The SPEAKER pro tempore. On this rollcall, 364 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FURLOUGH TRAVEL BY SERVICE PERSONNEL

Mr. COOPER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill H. R. 7954, relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons.

The bill was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

Mr. FULTON. Mr. Speaker, reserving the right to object, this is a very worthy measure, but is there any information from the committee as to when coal is going to be relieved from the transportation tax which was put on as a wartime measure?

Mr. COOPER. That is not involved in this matter at all.

Mr. FULTON. No; I am aware of that; but that is a possible proposal.

Mr. COOPER. I suggest that the gentleman might take that up with the Treasury Department. They have told us they are opposed to any changes in the tax laws that will result in the loss of revenue.

Mr. FULTON. I have full confidence in the gentleman and in his committee, and I thought he might be taking up something on his own motion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, effective with respect to amounts paid after the date of the enactment of this act, section 4263 (e) of the Internal Revenue Code of 1954 (relating to exemption from the tax on the transportation of persons in the case of certain round trips by service personnel) is amended by striking out "2.025 cents per mile" and inserting in lieu thereof "2.5 cents per mile."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, H. R. 7954 is intended to preserve and continue an existing statutory exemption from the excise tax on the transportation of persons that is provided for our servicemen and servicewomen under certain conditions.

This exemption is available to them when they are traveling in uniform at their own expense while on official leave or furlough, if they are traveling on round-trip tickets sold to them under special tariffs providing for fares of not more than 2.025 cents per mile. The exemption has been in effect since enactment of Public Law 878, 81st Congress, on December 15, 1950.

The rate per mile just mentioned has been sufficiently high to permit all of the fares of this type to qualify for exemption. Now, however, increases in the special round-trip rail tariffs for service personnel have been approved by the Interstate Commerce Commission, to take effect July 1, 1957. It is my understanding that these increases follow general raises in regular coach and first-class rail fares authorized earlier this year.

The great majority of the new special fares will be at the rate of 2.25 or 2.277 cents per mile, although in a few instances the rate will be 2.475 cents. If no change were made in the amount specified in the existing exemption provision, it would mean that after July 1, 1957, service personnel traveling on leave would be required to pay an additional 10 percent on top of the increased fare. This would be an unwarranted additional financial burden on the men and women of our Armed Forces.

To prevent this, I introduced H. R. 7954, and my distinguished colleague, the gentleman from New York [Mr. REED], ranking minority member of the Committee on Ways and Means, introduced an identical bill, H. R. 7955. Both bills would set the mileage rate limit on fares eligible for the exemption at 2.5 cents per mile. While this figure is higher than the new rates will be, it was set so that exemption will continue to be available to all service personnel and not denied to a few. The amount selected is not intended to presage a further increase in special fares, for these, like regular rail fares, are subject to control by the ICC.

The Committee on Ways and Means was unanimous in favorably reporting H. R. 7954. I urge prompt and favorable action on the bill, so that it may become law by July 1, 1957, thus continuing the existing exemption for servicemen and servicewomen.

Mr. REED. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield to the distinguished gentleman from New York.

Mr. REED. Mr. Speaker, it is my privilege to join with the distinguished chairman of the Committee on Ways and Means, the gentleman from Tennessee [Mr. COOPER], in urging my colleagues in the House to act favorably on H. R. 7954. This legislation would continue the tax-exempt status of certain railroad travel for Armed Forces personnel on furlough.

Under present law our young men and women in uniform are exempt from the 10-percent Federal excise tax on transportation of persons if they are traveling by reason of furlough or other similar reason on round-trip tickets sold to them at a rate of not more than 2.025 cents per mile. The special tariff applicable to such travel has recently been increased effective July 1, 1957, to an amount slightly in excess of the statutory exempt amount. Accordingly, the Committee on Ways and Means, in the interest of continuing this exemption has unanimously acted favorably on this legislation so as to increase the maximum exempt amount from its present level to a level of 2.5 cents per mile.

This meritorious legislation should receive the favorable action of the Congress.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Ohio.

Mr. JENKINS. Mr. Speaker, I am in favor of this bill. It gives meritorious benefit to the deserving young men and women serving in our Country's Armed Forces. H. R. 7954 would increase from 2.025 cents per mile to 2.5 cents per mile the exemption on the special tariff that is exempt from the Federal excise tax on transportation of persons for travel by members of the Armed Forces on furlough.

COMMITTEE ON THE JUDICIARY

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may be privileged to sit during general debate next week.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. GROSS. Mr. Speaker, reserving the right to object, and, of course, I shall not object. In the future, however, I am going to insist that chairmen of committees desiring to transact business go to the microphone to state their request, and I am going to insist on that for the remainder of this session.

Mr. MARTIN. Reserving the right to object, does this meet with the approval of the gentleman from New York [Mr. KEATING]?

Mr. CELLER. Yes, it does.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

PROGRAM FOR WEEK OF JUNE 24

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time in order to ask the majority leader if he will kindly advise us as to the program for next week.

Mr. ALBERT. I shall be delighted to do so.

I may say to the gentleman that it is the plan of the leadership to adjourn over to Monday if we finish this week's program today. The bills previously announced will be considered today except H. R. 72, the Veterans' Guardians Gratuities Act, and H. R. 7168, is the Federal Construction Contract Procedures Act, both of which will go over to next week.

Monday is District day. There are 10 bills on the District Calendar, as follows:

H. R. 7249, change support of families law.

H. R. 6517, District of Columbia retirement of police, firemen, and Secret Service.

H. R. 8256, amend Income and Franchise Tax Act of 1947.

H. R. 7409, Association of Oldest Inhabitants.

S. 1264, exempt from taxation, National Trust for Historic Preservation.

H. R. 7835, increase authorization appropriations, Hospital Center.

S. 1586, American Historical Association, estate holdings.

S. 1576, exempt certain war memorials from sales tax.

H. R. 7785, provide appointment additional judge, juvenile court.

H. R. 6259, the Marine Insurance Act.

House Joint Resolution 379, supplemental appropriation, Post Office Department, 1958.

There are three bills that will be called under suspension of the rules:

H. R. 7992, amend Atomic Energy Act of 1954.

H. R. 7050, county school funds, Klamath Indians.

H. R. 7522, authorize extension certain timber rights.

The bill H. R. 7168, the Federal Construction Contract Procedures Act, will also be considered.

For Tuesday and the balance of the week the following bills will be taken up:

H. R. 7963, Small Business Act.

H. R. 5728, authorize deferment of interest payments on borrowings, St. Lawrence Seaway Development Corporation.

H. R. 72, the Veterans' Guardians Gratuities Act, which is carried over from this week.

House Resolution 251, investigations, District of Columbia Committee, re public works and revenue acts and Department of Public Health of the District.

Any further program will be announced later; and, of course, there is the usual reservation that conference reports may be called up at any time.

Mr. ARENDS. May I ask the gentleman further if he has any information as to when we may expect the postal rate bill to be called up for consideration? It has been some time since it has been reported from the committee and I am hoping that it may be brought up for consideration very quickly.

Mr. ALBERT. I desire to state to the gentleman that that is a matter that will be taken up with the appropriate committee at a future date.

Mr. ARENDS. It seems to me it is very important, and I hope we can have early consideration of the bill.

I thank the gentleman.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1958

Mr. RABAUT. Mr. Speaker, I call up the conference report on the bill H. R. 6500, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes, and as unanimous consent that the statement of the manager on the part of the House may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 592)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 25, 30, 34 and 35.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 7, 8, 9, 11, 14, 15, 17, 18, 19, 21, 24, 26, 29, 32, and 33, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$370,930"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,540,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,207,500"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$18,150,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,960,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert "but not more than $900 per annum for each automobile"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert "not exceeding 6 per centum of appropriations for such construction projects"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,862,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$784,000"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows: In lieu of the sum stricken by said amendment insert "$646,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 10, 20, and 28.

LOUIS C. RABAUT,
OTTO E. PASSMAN,
WILLIAM H. NATCHER,
CLARENCE CANNON,
EARL WILSON,
BENJAMIN F. JAMES,
JOHN TABER,
Managers on the part of the House.

JOHN D. PASTORE,
JOHN L. MCCLELLAN,
LYNDON B. JOHNSON,
ALAN BIBLE,
J. ALLEN FREAR, JR.,
EVERETT M. DIRKSEN,
IRVING M. IVES,
J. GLENN BEALL,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

FEDERAL PAYMENT TO DISTRICT OF COLUMBIA

Amendment No. 1: Reported in disagreement.

Amendments Nos. 2 and 3: Increase the loan authorization to the highway fund by $510,000 to finance the construction of a bridge on Park Road over Piney Branch as proposed by the Senate.

Operating expenses

Amendment No. 4—Executive Office: Appropriates $370,930 instead of $362,500 as proposed by the House and $378,200 as proposed by the Senate.

Amendment No. 5—Department of General Administration: Appropriates $4,540,000 instead of $4,525,000 as proposed by the House and $4,545,000 as proposed by the Senate.

Amendment No. 6—Regulatory agencies: Appropriates $1,207,500 instead of $1,200,000 as proposed by the House and $1,215,000 as proposed by the Senate.

Amendment No. 7—Department of Occupations and Professions: Appropriates $294,800 as proposed by the Senate instead of $287,000 as proposed by the House.

Amendments Nos. 8 and 9—Public schools: Authorize $408,666 for development of vocational education as proposed by the Senate instead of $375,598 as proposed by the House; and appropriate $37,246,050 as proposed by the Senate instead of $37,160,000 as proposed by the House.

Amendment No. 10—Public schools: Reported in disagreement.

Amendment No. 11—Recreation Department: Appropriates $2,161,000 as proposed by the Senate instead of $2,145,000 as proposed by the House.

Amendments Nos. 12 and 13—Metropolitan Police: Appropriate $18,150,000 instead of $18,100,000 as proposed by the House and $18,201,000 as proposed by the Senate; and provide that of the sum appropriated $1,960,000 shall be payable from the highway fund instead of $1,952,850 as proposed by the House and $1,969,000 as proposed by the Senate.

Amendment No. 14—Department of Vocational Rehabilitation: Appropriates $208,500 as proposed by the Senate instead of $200,000 as proposed by the House.

Amendment No. 15—Courts: Appropriates $4,534,600 as proposed by the Senate instead of $4,488,500 as proposed by the House.

Amendments Nos. 16, 17 and 18—Department of Public Health: Increase the limitation on annual allowance for dairy inspectors' privately owned automobiles from $840 as proposed by the House to $900 in lieu of language proposed by the Senate authorizing the District Commissioners to establish the limitation; appropriate $28,229,300 as proposed by the Senate instead of $28,130,000 as proposed by the House; and increase the inpatient per diem rate for medical care rendered to indigent patients by contract hospitals to $18 as proposed by the Senate instead of $16 as proposed by the House.

Amendment No. 19—Public Welfare: Appropriates $13,136,000 as proposed by the Senate instead of $12,450,000 as proposed by the House.

Amendment No. 20—Public Welfare: Reported in disagreement.

Amendments Nos. 21 and 22—Department of Buildings and Grounds: Appropriate $2,010,000 as proposed by the Senate instead of $2,000,000 as proposed by the House; and increase the percentage limitation on the amount that may be spent for construction services to 6 per centum instead of 4 per centum of the first $2,000,000 and 3¾ per centum of amounts in excess of $2,000,000 as proposed by the House and language pro-

posed by the Senate authorizing the District Commissioners to administratively determine such amount.

Amendment No. 23—Department of Licenses and Inspections: Appropriates $1,862,000 instead of $1,840,000 as proposed by the House and $1,885,700 as proposed by the Senate.

Amendment No. 24—Department of Vehicles and Traffic: Appropriates $1,438,000 as proposed by the Senate instead of $1,350,000 as proposed by the House.

Amendment No. 25—Motor Vehicle Parking Agency: Appropriates $519,000 as proposed by the House instead of $602,900 as proposed by the Senate.

Amendment No. 26—Washington Aqueduct: Appropriates $2,322,000 as proposed by the Senate instead of $2,250,000 as proposed by the House.

Amendment No. 27—National Zoological Park: Appropriates $784,000 instead of $770,000 as proposed by the House and $798,000 as proposed by the Senate.

Amendment No. 28—Personal services, wage-scale employees: Reported in disagreement.

Capital outlay

Amendments Nos. 29, 30, and 31—Public building construction: Appropriate $10,733,000 as proposed by the Senate instead of $10,496,000 as proposed by the House; and authorize $646,000 for construction services instead of $569,475 as proposed by the House and language proposed by the Senate authorizing the District Commissioners to determine such amount.

Amendments Nos. 32 and 33—Department of Highways: Appropriate $15,301,000 as proposed by the Senate instead of $14,791,000 as proposed by the House; and provide that of the sum appropriated $14,901,000 shall be payable from the highway fund as proposed by the Senate instead of $14,391,000 as proposed by the House.

Amendment No. 34—Washington Aqueduct: Deletes language for continuing construction of a flocculation-sedimentation basin at Dalecarlia as proposed by the Senate.

Amendment No. 35—Washington Aqueduct: Appropriates $190,000 as proposed by the House instead of $958,000 and language as proposed by the Senate.

LOUIS C. RABAUT,
OTTO E. PASSMAN,
WILLIAM H. NATCHER,
CLARENCE CANNON,
EARL WILSON,
BENJ. F. JAMES,
JOHN TABER,
Managers on the Part of the House.

Mr. RABAUT. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1: Page 1, line 9, strike out "$20,000,000" and insert "$20,500,000".

Mr. RABAUT. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 10: On page 8, line 8, after "District", insert "*Provided further*, That this appropriation shall be available for the payment of retirement costs to the public school food services fund."

Mr. RABAUT. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 20: Page 17, line 7, insert "*Provided further*, That when specifically authorized by the Commissioners this appropriation may be used for visiting any ward of the Department of Public Welfare placed outside of the District of Columbia and the States of Virginia and Maryland."

Mr. RABAUT. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 28: On page 25, line 18, insert:

"PERSONAL SERVICES, WAGE-SCALE EMPLOYEES

"For pay increases and related retirement costs for wage-scale employees, to be transferred by the Commissioners to the appropriations and funds from which the employees are properly payable, $1,162,500, of which $142,000 shall be payable from the highway fund, $101,600 from the water fund, and $56,400 from the sanitary sewage works fund."

Mr. RABAUT. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

Mr. RABAUT. Mr. Speaker, for the information of the House, the budget estimates for this bill were $209,504,800. The House figure was $192,530,300. The Senate figure was $196,636,850.

The conference bill figure is $195,676,480.

The conference bill is below the budget estimates by $13,828,320. The conference figure is above the House bill by $3,146,180 and below the Senate bill by $960,370.

While the conference bill is above the House bill by $3,146,180, I would like to point out to the membership that approximately $2,220,000 of the increase was occasioned by supplemental budget estimates not considered by the House but agreed to in conference as being necessary for the efficient operation of the District government.

GIRARD CASE

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JARMAN. Mr. Speaker, the unfortunate situation resulting from the dispute over the proper authority to assume jurisdiction for the trial of Specialist Girard is being solved in a proper manner by court action interpreting the law governing the case. Federal District Judge McGarraghy, in his decision, pointed up sharply the right of court martial to which every member of the armed services is entitled when an offense is committed while on duty status. It has been undisputed by evidence that the offense allegedly committed by Specialist Girard was committed while in a duty status. Under these circumstances, our domestic law and international law conclusively provide for the right to trial by court-martial.

Even in the Status of Forces Agreement of 1953 entered into with Japan, American military authorities are reserved the primary right to exercise jurisdiction over a serviceman in relation to offenses arising out of any action or omission done in the performance of official duty. It appears that since both nations agreed to all parts of this pact, the United States should expect the Japanese government to recognize the clear language of the agreement and further recognize that the commanding general of Girard's division certified that Girard was on duty at the time of the offense.

Aroused foreign sentiment about a particular case should not compel our Government to abandon all the written law and written agreements between nations which undertake to both protect our troops and regulate the relationship created by their presence on foreign soil.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6974) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 6974, with Mr. HAYS of Arkansas in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday there was pending the amendment offered by the gentlewoman from New York [Mrs. KELLY]. Without objection, the Clerk will again report the amendment.

There was no objection.

The Clerk again reported the Kelly amendment.

Mr. MATTHEWS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment will, I know, be very thoroughly discussed and debated. Let us please keep in mind that according to the provisions of H. R. 6974 as reported by the Committee on Agriculture there is a section prohibiting transactions under this act with Communist nations, or nations dominated or controlled by the U. S. S. R.

It should be pointed out that the bill transmitted to the Speaker by Executive Communication No. 480 included a provision which would have repealed this section and would have had the effect of authorizing barter transactions with such nations.

Our committee thoroughly discussed this proposition and we concluded that it would be best to retain this language that we already have in the bill. We did not grant this authority to condone, if you please, barter transactions with these nations in question.

The gentlewoman from New York [Mrs. KELLY] wants to give the Congress, by means of a concurrent resolution, the adjudication of the question of these nations that are dominated or controlled by Soviet Russia. The committee's bill, if I interpret it properly, leaves with the President of the United States that particular authority.

Mr. Chairman, let it be said at the outset that I am not willing to abdicate to the President of the United States authority that I believe constitutionally belongs to Congress. I do not think this is an issue of whether or not we shall abdicate. I do not think this is an issue of whether we are for communism or against communism. I am convinced that the gentlewoman from New York, who sponsors this amendment, is just as opposed to communism as I am. But I am going to be a little bit confused now as this debate proceeds, because I know that earnest members of this Committee on both sides of the aisle are going to have conflicting opinions which pinpoints again to me the fact that the President of the United States, through his Secretary of State, ought to have this paricular authority which is limited now, mind you, to the provisions of Public Law 480.

I know that our opinions change constantly here on the floor of the House. For example, just a few days ago, when the citizens of Formosa despoiled the Stars and Stripes, it would have been very difficult for me to conceive of Formosa as a friendly nation at that time.

This morning, in the Washington Post, I read a very interesting article by the columnist, Mr. Alsop, referring to the Middle East crisis. He said:

> But this policy we have embarked upon runs squarely counter to the Nasser-style brand of Arab nationalism, which is the strongest popular force in the Arab lands today. It is also a policy of inordinate complexity and delicacy. It necessarily involves much secret diplomacy and many accurate judgments of character and situation. It calls for inordinate tact mingled with occasional extreme boldness.

Deliberations under Public Law 480 are similar. They require extreme tact and diplomacy. I for one am willing to leave to the President of the United States the adjudication of what nation is friendly to our great country and what nation is entitled to receive this aid under Public Law 480.

Several days ago I heard a distinguished colleague comment that if the President of the United States would invite Tito to this country he would resign in protest. I respect his judgment, but I do not believe the people I represent would agree with that statement. The way I personally believe about it, if the President of the United States wants to invite the Prime Minister of Shangri-La or the President of Timbuktu—I am using these names because I believe they refer to hypothetical countries, and I do not want to offend anyone; you cannot talk about anyone with impunity in here except the Anglo-Saxon population of the Deep South, and I do not want to offend anyone—if the President of the United States wants to invite these gentlemen and they are not enemies of the United States, they are not controlled by the despotic rule of Russia, I for one would be delighted to see him render that invitation. But I have come to the opinion, Mr. Chairman, that if he refused to invite these gentlemen because he was afraid of any one Congressman, I would be inclined to resent in disgust such weakness of a President, be he Republican or Democratic.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. POAGE. Mr. Chairman, I ask unanimous consent that the gentleman from Florida may be permitted to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MATTHEWS. I am grateful for the indulgence of the Committee.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I will be delighted to yield to the gentleman from Ohio.

Mr. VORYS. I agree with the gentleman's statement, but in my judgment the question involved in the Kelly amendment is not merely a general matter of policy; it is a matter of involving the constitutional powers of the President. Let me quote briefly from the annotations to the Constitution, prepared by the Library of Congress, by Edward S. Corwin. The annotation states:

> In consequence of his power to receive and dispatch diplomatic agents, but more especially the former, the President possesses the power to recognize new states, communities claiming the status of belligerency, and changes of government in established states; also, by the same token, the power to decline recognition, and thereby decline diplomatic relations with such new states or governments. The affirmative precedents down to 1906 are succinctly summarized by John Basset Moore in his famous Digest, as follows: "In the preceding review of the recognition, respectively, of the new states, new governments, and belligerency, there has been made in each case a precise statement of facts, showing how and by whom the recognition was accorded. In every case, as it appears, of a new government and of belligerency, the question of recognition was determined solely by the Executive."

This amendment places the determination of the recognition of friendly states solely in the hands of the Congress through the concurrent resolution device, cutting the President out entirely from that constitutional responsibility of his. This is clearly a violation of the Constitution; and remember, we are sworn to uphold and defend the Constitution.

Mr. MATTHEWS. I thank the gentleman for his contribution.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from Indiana.

Mr. HALLECK. I commend the gentleman on the statement he has made. May I add to that this word: I have served here quite a few years. There have been times when I have resented what seemed to me to be Executive usurpations of legislative authority. Having taken that position through the years, I have also felt it incumbent upon me to be very careful to see to it that we did not undertake to exercise legislative usurpation of what is clearly Executive authority.

I think the gentleman has spoken very well on this particular matter. I agree with him that this sort of decision is one that should be made by the executive branch under the discretion vested in the executive branch by the legislation enacted by the Congress of the United States. I think that, having enacted that legislation, we have gone as far as we should go in respect to the matter.

Mr. MATTHEWS. I thank the gentleman for his statement.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from New York.

Mr. WAINWRIGHT. In the first place, may I commend the gentleman from Florida on his fine statement. He has fast become one of the House's foremost spokesmen. May I say that the gentlewoman from New York in suggesting that the House of Representatives or the United States refuse aid to a nation which is clearly dominated by the Russian flag is on very, very sound ground.

It is with a great deal of regret that, intellectually, I must concede the statement made by the gentleman from Ohio [Mr. VORYS] that she is invading a constitutional prerogative of the President of the United States, otherwise, I would support her amendment 100 percent.

Mr. MATTHEWS. I thank the gentleman.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. FEIGHAN. I would like to make a comment with reference to the observation made by the gentleman from New York in which he admitted that the Polish Communist regime is now dominated by Russia. Consequently, the interpretation of the President or the State Department that the Communist regime is a friendly nation is wrong or else the gentleman from New York is right, and I believe that today Poland is still under Russian occupation just as it was prior to October 1956.

Mr. MATTHEWS. Of course, I do not want the Committee to forget my position. I am certainly opposed to the amendment of the gentlewoman from New York, and I think the discussion we have had so far pinpoints the difficulty of obtaining a concurrent resolution of the Congress to adjudicate whether one of these nations is friendly or not.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. FULTON. I compliment the gentleman on his statement and I agree with him. Of course, it is the President of the United States who should have the right under the Constitution to decide which are friendly and unfriendly countries and which countries should be recognized. I think you have made a good point. I would add further that this Kelly amendment is really aimed at knocking the props out from under the present negotiations with Poland to give the Polish people necessary food and cotton and supplies to keep these poor people from starving to death, and to permit the Polish people to renew their ties and friendship with their good friends, the American people.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FULTON. Mr. Chairman, I move to strike out the last word.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to my friend from Connecticut.

Mr. MORANO. Mr. Chairman, I take this moment to express my opposition to this Kelly amendment, and also to say that my distinguished colleague, the gentleman from Connecticut [Mr. SADLAK] is unavoidably absent, unhappily because he has to attend the funeral of a former member of his staff. I know that my colleague from Connecticut would want me to say that he is opposed to this amendment. If he were here, he would oppose it most vigorously and vote against it.

Mr. Chairman, I thank the gentleman from Pennsylvania for yielding.

Mr. FULTON. Mr. Chairman, if the ladies and gentlemen of the Congress will look at the RECORD of yesterday, they will find what the situation is on this Kelly amendment. For example, on page 9885 the Congresswoman from New York [Mrs. KELLY] said:

> I do not believe that any person in this House would now say that Poland is not dominated by Moscow. I feel the Secretary bypassed the determination of Congress expressed in this act and thereby involved us in the negotiations with Poland.

I disagree, and believe that Poland is not dominated by the Soviet Union as determined by the President and Secretary of State.

As you know, negotiations with the Polish representatives have been concluded and they have now returned to Poland. There has been an arrangement for $95 million worth of surplus farm products such as oil, fats and so on. While the negotiations have been secret, I will read you the list from the classified paper, but I believe I am not yet allowed to give the amounts in detail.

Under the Export-Import Bank, the items provided are wheat, cotton, soy beans, and lastly machinery—but in a small amount—4.2 percent of the $95 million. Transportation is a good-sized item added to these items.

There are also items: cotton, tallow, vegetable oil and transportation. Under Public Law 480, to be expended by the act, we are working on here wheat and cotton and again transportation. That means on agricultural surplus commodities, out of $95 million, $77.6 million total, the rest of it is transportation and only 4.2 percent has any kind of machinery or industrial equipment at all.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield.

Mr. WAINWRIGHT. Why should it be that items going to a Communist nation should be a secret from the Members of the House of Representatives?

Mr. FULTON. That secrecy is placed on the negotiations to protect the negotiators against outside pressures while the negotiations are in progress, and of course once these preliminaries are concluded, there is little need for secrecy.

Mr. WAINWRIGHT. Is there a member of your committee who can answer that question?

Mr. FULTON. I can answer, but my paper is still marked "classified" right on top of this statement.

Mr. WAINWRIGHT. All I am trying to find out is why it is marked "classified."

Mr. FULTON. Mr. Chairman, some of the Members of Congress have been currently kept advised of the secret negotiations with the Polish representatives. I am one of the Members who knows about these negotiations and who feels they should be supported because our United States representatives have already made the firm agreement in part, and have made a tentative commitment for the balance of this aid for the Polish people.

I doubt if you realize what the amendment offered by the gentlewoman from New York [Mrs. KELLY] will do. The amendment is defective because it will let go through in the Polish aid program anything else than agricultural products. Unless this amendment is defeated it will mean that we will have to come here for a joint resolution of Congress for agricultural products. Public Law 480 refers only to agricultural products, and Congresswoman Kelly adds the amendment on to the agricultural products bill, Public Law 480.

Mr. BENTLEY. Mr. Chairman, if the gentleman will yield, the gentleman cannot tell us just what the export is; that is classified.

Mr. FULTON. I believe the individual amounts only are classified.

Mr. BENTLEY. I have here a breakdown of the gentleman's figure; I believe it is the same information.

Mr. FULTON. I will give the items then, so I am glad you helped me.

Mr. ROONEY. Mr. Chairman, will the distinguished gentleman yield?

Mr. FULTON. I yield to the gentleman from New York.

Mr. ROONEY. Is it not the fact that this surplus agricultural commodity disposal program with Poland is already in effect and that the pending legislation would merely authorize an extension of it?

Mr. FULTON. Yes, the Department through its negotiators is able to give part of the current aid to Poland under the previous authorizations now in effect, under Public Law 480.

Mr. ROONEY. So the program is already in effect, and the pending bill refers only to the $46.1 million balance of the total $95 million program?

Mr. FULTON. Part of the Polish program is already in effect, but there is $46.1 million worth that must be authorized by this particular extension bill we are now discussing.

Mr. ROONEY. My question was whether or not it is the fact that the program with the Polish people is already in existence right now and in this current fiscal year.

Mr. FULTON. That is right; and if the Kelly amendment is put into the bill it will drop the remaining portion of Polish aid that is being granted under the proposed agreement. Our United States negotiators have only been able to sign a memorandum of intention to agree on the final amount, which is $46,100,000, as there is not enough authority remaining under Public Law 480.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FULTON. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes to explain this.

Mr. MASON. Mr. Chairman, reserving the right to object, and I shall not in this instance, but from now on I do not want the time of this House monopolized by those on the committee and on the Foreign Affairs Committee who have simply dominated the time during the last day or so. From now on there will be no extension and no giving of time by one Member to the other.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 additional minutes.

Mr. FULTON. May I say to the gentleman from Illinois, my good friend, that I have been asked by the Chairman of the House Foreign Affairs Committee, as well as several senior members of the Committee on Agriculture to give my time at the committee table during this debate because I know the programs, know of the secret agreements, and some have not been developed publicly. So I have given my time on the floor for 3 days to be of assistance.

Mr. GROSS. How secret are they?

Mr. FULTON. They have been released, I am glad to say.

Mrs. KELLY of New York. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentlewoman from New York.

Mrs. KELLY of New York. I thank the gentleman.

The gentleman from Pennsylvania said, and I feel that I am quoting him correctly, that the effect of my amendment, if passed, is that "it will let go through" the other negotiations. Now I want to say this——

Mr. FULTON. That it will let go through the other current negotiations? No.

Mrs. KELLY of New York. It will let go through.

Mr. FULTON. No. It will block the remainder of the current negotiations for further food aid to Poland.

Mrs. KELLY of New York. It will not block the secret negotiations that have already been agreed to a week ago Friday by the State Department, but it would block the remaining $47 million under the surplus.

Mr. FULTON. That is just what I said.

Mrs. KELLY of New York. I do not want to be associated in any way with the secret negotiations signed by the State Department 2 weeks ago Friday.

Mr. FULTON. I would like to say to the gentlewoman that she will block the remainder of the United States agricultural surplus being sold to Poland, the remaining $46,100,000 that has already been tentatively agreed to. That amount is under this particular extension bill we are debating, and we need the authority for it. Under the previous Public Law 480 authorization that part of the agreement is all going through. But I might say to the gentlewoman that if she is worried about the secrecy, her present amendment is only referring to agricultural surpluses. Where there is machinery involved, and I shall give the machinery item, $4 million in this program, her amendment does not block that item but merely food for these almost starving Polish people.

Mrs. KELLY of New York. I have no control over that.

Mr. FULTON. You are attacking the wrong place.

Mrs. KELLY of New York. That is under the mutual security section of the Presidential fund which I cannot control.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Ohio.

Mr. HAYS of Ohio. I would like to ask the gentleman, what is this highly secret information he has? Does he have any more or has he revealed it all up to this time? I was in the committee and if there is anything he has not revealed, I will be glad to give the membership the benefit of it. The only thing he has not said is "Coal mining machinery" which is what it is.

Mr. FULTON. That is the end item. We on our European Subcommittee all know what the secret negotiations were as they went along. The Department kept us well advised and I favor this program to aid our longtime friends, the Polish people.

Mr. DORN of New York. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from New York.

Mr. DORN of New York. The gentleman knows and some of the other Members do.

Mr. FULTON. We are talking about the Subcommittee on Europe of the House Foreign Affairs Committee.

Mr. DORN of New York. I would like to know whether the gentleman favors giving our surplus agricultural produce to Communist nations.

Mr. FULTON. The point is this: We must distinguish as between the Communist governments and the Communist-dominated peoples in these satellite nations who are doing their best to stand on their own feet, and become independent and free peoples again. We must all remember, too, that hunger has occurred in Poland, and many Polish people are unemployed and in dire economic straits.

Mr. DORN of New York. What is the difference between a Communist-dominated people and a Communist people? They are both controlled by Russia. I would like to keep on asking this question.

Mr. FULTON. Would the gentleman repeat the question?

Mr. DORN of New York. Does the gentleman believe we should give surplus agricultural produce to Communist nations?

Mr. FULTON. I believe we must look to see what friendly peoples are trying within their abilities to become independent and free even though now dominated by military force and Communist regimes.

It is a pleasure to say that Senator KENNEDY and I have the same position, that the United States should not use food and starvation as a method in our foreign policy. The United States policy should not force the satellite peoples into the position where they have to revolt, as they did in Hungary, even to exist. In Poland, Hungary, Eastern Germany and in Yugoslavia, the people are moving from the Communist form of government in order to get their independence.

We should show these satellite peoples that they also have strong ties with the West, that we are still their friends. We must remember that 95 percent of the people of Poland are now Catholic and a religious people. I admire the Polish people for standing up for their religious beliefs under great hardship. Wladyslaw Gomulka, the present Premier, has been backed by outstanding representatives of the Catholic Church for reelection to form this current government. The Polish people themselves and the Jugoslav people likewise are by the mere power of the people, moving toward more freedom of religion, more freedom of enterprise, more political and press rights and a broader based government. Should we turn our backs on these satellite peoples who in large majority are not now Communist, and have not been, but have been overrun by stronger military force?

I believe that we should strongly oppose those Americans who wrongly propose that the United States should refuse food and clothing assistance to the Polish people, or the Jugoslav people, yes and even to the Hungarian refugees on the argument that these poor refugees should not have fled. I still remember the food packages which we Americans through our Government facilities, were able to give to the citizens of East Berlin, and East Germany, under the leadership of President Eisenhower, when these people were desperately in need of food and assistance.

I oppose the proposal that the United States maintain a firm or repressive policy against the peoples of Eastern Europe now dominated by outside military force, and Communist ruling groups. I do not agree with those who say that this policy would make more burden for the Communist governments and absentee military power that has dominated this area. We must not put this burden on these poor dominated peoples, as such policy is certainly not in our United States humanitarian and religious traditions.

I visited Jugoslavia last month, and was deeply impressed with rising independence and power of the Jugoslav people, and the progress they are making against great odds and in many instances against, and changing the policy of the Tito Communist government. In spite of the religious leaders being restrained or imprisoned, the people of Jugoslavia have opened their churches to everybody, and are attending church services.

In spite of the collectivization program of the government, the Jugoslav people have left the collective farms so that 85 percent have closed since 1953. Do not think that because we want to give the people the chance to progress, when they are so overwhelmingly non-Communist, that any of us favor the particular kind of Communist or totalitarian government now in power or now dominating such unfortunate peoples from abroad. I continue to oppose Communist domination of any type or variety. I do not believe the Poles, the East Germans, the Ukrainians, the Hungarians, the Jugoslavs, or the majority of the Eastern European peoples are Communist people.

Senator JOHN F. KENNEDY, of Massachusetts, a good personal friend whose views I respect, and with whom I concur fully on this question of aid to Poland, says in his letter to the Secretary of State dated March 12, 1957:

"I visited Poland less than 2 years ago, and I know first hand of the population's rejection of Communist philosophy. Poland may still be a satellite government—but the Poles are not satellite people. To deny them help because they have not been able to shake off total Communist control would be a brutal and dangerous policy, either increasing their dependence on Russia or drawing them into the slaughter of a fruitless, premature revolt."

Since the Hungarian revolution last fall, and the ruthless suppression by the Soviets of the Hungarian people, the satellites and Eastern European peoples are afraid of similar use of force against them likewise, and will not permit their governments to move closer to the Soviets, but are moving toward their friends in the West, and our type of economic progress and freedom. We in the United States must assist them in their gradual progress toward greater freedom, and we must not confuse the peoples who are taking part in this gradual silent revolution, with their dominating and presently powerful governments of any Communist persuasion.

I confidently look forward to the day when the friendly peoples of Eastern Europe will again be free, and join the society of the free democratic governments of the world.

Mr. MADDEN. Mr. Chairman, I move to strike the requisite number of words.

SURPLUS AID FOR POLAND

Mr. Chairman, I hope the Congress will enact the pending bill, which will extend the agricultural trade

development and assistance program. I also oppose the amendment offered by Congresswoman KELLY of New York. This amendment has good import but should be considered separately from this bill. This legislation is not only an emergency program for disposing of surplus agricultural commodities, but I believe, if properly administered, will help us considerably in building up good will among nations throughout the world. By disposing of our grain surplus in this manner, we are not adding any additional burden upon the taxpayers, but are accomplishing two much-needed objectives: First, the opportunity to aid unfortunate humanity who need food and supplies on account of their country's weakened economic conditions and in this way build up international good will; and second, it will bring about a reduction of the accumulated surplus-grain problem which in recent years has been a detriment to the prosperity and economy of our farmers.

A great deal has been said in this debate against approving the sale of surplus grain and commodities to Poland. The Polish people have made great progress in the last couple of years by securing concessions of self-government and independence from the Soviet tyrants who have had this Nation under complete domination since World War II. Ninety-five percent of the Polish people are anti-Communists, and one only has to read the history of the Soviet duplicity, infiltration, aggression and military force to learn how the Polish Nation was a victim of Communist slavery. No doubt the executive department of our Government will receive the proper assurances that this surplus grain and foodstuffs will be given to the Polish people and not used by the Soviet controls within their country to aid communism. Americans of Polish descent are almost unanimous for our Government to send aid to the Polish people in their fight for liberty.

I wish to here incorporate with my remarks a telegram which I received from Charles Rozmarek, president of the Polish-American Congress concerning this legislation:

WASHINGTON, D. C., *May 3, 1957.*

Hon. RAY MADDEN,
House Office Building,
Washington, D. C.:

Opinion of Americans of Polish descent is undivided and enthusiastic in support of legislation which would enable aid in the form of credits to Poland. Urge you to oppose any amendment to the Agricultural Trade Development and Assistance Act which would prevent aid to the Polish Nation, which is gallantly striving to free itself from Moscow domination.

CHARLES ROZMAREK,
President, Polish American Congress.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Pennsylvania.

Mr. FULTON. First, may I compliment the gentleman on his excellent speech. May I ask the gentlewoman from New York [Mrs. KELLY] a question? What would she do if there was a sudden crisis and need for food and aid abroad that the President of the United States feels should be given but the Congress is out of session so that for 6 or 7 months there could be no joint or concurrent resolution of the Congress? What would she do then? Her amendment would block vital United States policy.

Mrs. KELLY of New York. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. I yield to the gentlewoman from New York.

Mrs. KELLY of New York. I would like to say to my colleague from Pennsylvania that this determination that we are dicussing today in late June was decided in December. I am sure that if the administration was so interested in aid to Poland at that time there were sufficient funds under this bill. And, I will say this, I feel that the short duration that would be encountered when we are not in session would not be disastrous for there is plenty of flexibility in other laws, for one under the mutual-security program, to send aid and gift food to nations.

Mr. FULTON. Suppose Congress is out of session for 5 months and a big revolution occurs abroad such as last fall in the Eastern European countries. Then the gentlewoman's amendment prevents major action for relief until there is a concurrent resolution of the Congress. The United States Government must have immediate authority to act, and should not be required to take the time to come back to Congress for a concurrent resolution to use United States surplus-food products under Public Law 480.

Mrs. KELLY of New York. Did the President not send food to the people of Hungary? He has all the authority needed.

Mr. FULTON. Yes, but under the present language of the law, the President did not have this Kelly amendment blocking action in the future. Now the gentlewoman wants to limit the President's power, and I am strongly against it, as we in the United States need the ability to act quickly in the case of a new Hungarian, Polish, or satellite crisis or revolution.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from New York.

Mr. WAINWRIGHT. I would like to ask the gentleman from Indiana whether he saw in the New York Times yesterday the picture of the Prime Minister of Poland and the Prime Minister of East Germany, which I am sure the gentleman will grant is under Russian domination, linked arm in arm, having just signed a treaty of warm friendship between the Polish people, who he now claims are not under Russian domination, and the East German people? Now, how can he say that one nation that has joined with another Communist nation is free and independent and should receive support?

Mr. MADDEN. I think the greatest asset in our fight against communism would be the good will of 98 percent of the people of the Polish Nation rather than the Prime Minister.

Mr. BENTLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I might inform the House that because of the position of the gentleman from Illinois [Mr. MASON] I am not going to be able to yield to any Members for questions during the time allotted me.

Now I would like to tell the House just a little bit about this Polish situation. As the gentleman from Pennsylvania [Mr. FULTON] said, $48,900,000 of the assistance is already in effect regardless of what we do or do not do on the pending amendment. The passage of this proposed legislation, the extension of Public Law 480, will permit another $46,100,000 in this negotiation.

I would like to say just one thing with respect to something that was made a great deal of yesterday. That is the repayment in local currencies. In the first place, a large part of this, approximately one-third of this money, is repayable in dollars at an interest rate of 4½ percent, by the Polish Government. That has already been agreed to.

In the second place, the rest of it is repayable in local currency, but the Polish Government has already agreed that after 5 years from the date of this agreement they will buy back at the official rate, for dollars, all of the unused local currency existing at that particular time over a period of time.

I should like to go on for a minute on the terms of these negotiations. The gentleman from Pennsylvania I think was a little bit in error when he talked about the fact that a great deal of this was classified, because the press release from the State Department 2 weeks ago today gave a rather complete breakdown and I am going to ask the attention of the House to tell you just what is in this aid for Poland.

First of all, what is in the $48.9 million that will go through whether or not this amendment is agreed to.

One hundred thousand metric tons of wheat. Twenty-five and one-half thousand metric tons of cotton. Sixty thousand metric tons of soy beans. Seventeen and one-half thousand metric tons of fats and oils. Four million dollars worth of mining machinery. Nine million, seven hundred thousand dollars for transportation costs.

If they are able to conclude the rest of these negotiations with the extension of Public Law 480, there would be in addition to this, 400,000 metric tons of wheat, 24,500 metric tons of cotton and an estimated transportation cost of $3,400,000.

So there is nothing secret about this at all. I have here another press statement. This is a press statement that was given to the press 2 weeks ago today by the chairman of the Polish delegation here in Washington explaining what was going to be done with these particular commodities. I read as follows:

1. The agricultural products which will be purchased now by Poland in the United States will be used in the following ways:

(a) The wheat is to be used for an increase of stockpiles which is necessary in order to stabilize wheat prices on the free market at a level fair to producers and consumers.

An agreement of January 1957 between the Polish United Workers Party and the Polish Peasant Party established that the compulsory deliveries of grain and other agricultural products should be gradually reduced with the objective of their eventual elimination.

In this connection the Polish Government recently made public its decision to reduce in part the compulsory deliveries of grain. This decision will enable the peasants to sell about 700,000 more tons of grain than heretofore at free market prices which are higher than the prices under the compulsory deliveries system. In order to avoid serious problems in meeting consumer needs, the Government must have sufficient stockpiles of grain at its disposal. The purchase of wheat in the United States will be made with this purpose in mind.

(b) Cotton and fats are to be used in order to increase the inventories in the factories. Poland had to import every year large quantities of raw materials necessary for industrial production. Because of balance of payments difficulties, inventories of these raw materials are insufficient.

The policy of giving more freedom of decision to individual industrial enterprises makes it necessary to provide these enterprises with larger inventories. It is this policy which has contributed recently to larger imports of iron ore, wool, nonferrous metals, etc., and the agreement just concluded will enable us to meet, on favorable conditions the needs of our cotton textile and fat industries, giving them larger inventories of raw materials.

2. The relatively small amount of $4 million will be allocated to the purchase of mining equipment necessary for our coal-mining industry. Poland is interested in buying American investment goods for much larger amounts but these bigger needs could not be satisfied at the present moment.

3. The agreements just concluded are of great importance for the economic relations between our countries and are a considerable step toward their further development.

4. I am convinced that apart from the economic negotiations which have just been completed, public opinion in both countries received with satisfaction the news that voluntary aid organizations, as for instance CARE and American Relief for Poland, will be able to resume their activities with respect to Poland.

5. The recently published decision of the Polish Government's reducing or abolishing customs duties in Poland for most goods sent in gift parcels from abroad will greatly facilitate this form of assistance given by Poles living all over the world, especially in the United States, to their relatives in Poland.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. BENTLEY. I yield to the gentleman from New York.

Mr. WAINWRIGHT. Can the gentleman see any difference between the presentation he is making now and the presentation he made last year when he opposed similar aid to Tito in Yugoslavia?

Mr. BENTLEY. I am going to take some time during the discussion of the Mutual Security legislation to tell the gentleman from New York and anybody else interested why I am still not in favor of aid to Yugoslavia and am in favor of limited assistance to Poland, but I am not going to take the time to do it now.

I should like for the remaining few minutes I have to tell the House 1 or 2 things. I regret that my colleague from the First Congressional District of Michigan [Mr. MACHROWICZ] has not yet returned from his visit to Poland so he could give the Members the benefit of his views and experiences over there.

Mr. BASS of Tennessee. Mr. Chairman, I move to strike out the last word.

Mr. COOLEY. Mr. Chairman, if the gentleman will yield, I wonder if we cannot agree on a time limit on the pending amendment. I suggest we close all debate on the amendment in 30 minutes.

Mr. ROONEY. I object, Mr. Chairman.

Mr. COOLEY. Let us make it 45 minutes.

Mrs. KELLY of New York. I will not object if I can be assured of having sufficient time, 4 or 5 minutes.

Mr. COOLEY. The gentlewoman has already spoken on the amendment.

Mrs. KELLY of New York. I spoke on my amendment yesterday, but there were several things said today that I want to answer.

Mr. COOLEY. I have no objection to that. I may yield to the gentlewoman some of my time.

Mr. ROONEY. Reserving the right to object, Mr. Chairman, I want to be sure there is opportunity for everyone who so desires to be heard on this matter.

Mr. COOLEY. All right; I just want to get through with it.

Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 1 hour.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BASS of Tennessee. Mr. Chairman, about 2 months ago the Committee on Agriculture of which I am a member came before the House with what was referred to at that time as the corn bill. Several times during the debate on that bill, and immediately after, colleagues of mine in the House would say to me, "Ross, why don't you people on the Agriculture Committee get together? Why don't you decide what you want to do, so we will know how to support you and help you? They said "Come out on the floor united, and we can get your bill through for you."

I felt the same way as they did. We were not united, and we had trouble with our bill and did not pass it.

This time we come to the floor of the House for the first time this year with an important piece of legislation united—and, mind you, this is from the Committee on Agriculture, notwithstanding all of the other debate and amendments that have been offered to this bill. This bill comes from the Committee on Agriculture. We are united. This bill was reported out of our committee unanimously, this extension of Public Law 480.

Now what happens? When we from the Committee on Agriculture come to the floor united the Appropriations Committee and the Foreign Affairs Committee try to take our bill over and wreck it with amendments. Let me bring this debate back into focus. This is a bill for the purpose of disposing of surplus agricultural commodities. It is not one making international agreements. It does not have anything in the world to do with making diplomatic agreements with other nations. This is a farm bill, a bill allowing us to dispose of our surplus agricultural commodities. It does not create the expenditure of any new money. The money has already been appropriated and has already been spent for the commodities that are now in surplus in our warehouses. Let me make this point clear. Through the disposal of these agricultural commodities, we are not just doing these countries a favor. They are also doing us a favor. They are helping us to stabilize an agricultural program that has been hampered by the excess of surplus commodities in the warehouses. They are buying and paying for most of the commodities under this bill. Some of the debate here would lead Members of the House to believe that these countries are doing us a great favor by buying commodities that are in surplus in our warehouses today. We are doing this in order to help ourselves to try to do something for the American farmer. Judging from the debate and the amendments that have been offered to this bill, it is so confusing that I would venture to say that people reading the CONGRESSIONAL RECORD or sitting in the galleries and listening to the debate would think that we here today are talking about some great expansive international agreement or the appropriation of new funds to be expended by the Government, which is absolutely not the case. I would like all of you, my colleagues of the House, to consider this bill as a bill to dispose of agricultural commodities. It is a bill that has been brought to the floor of the House by the Committee on Agriculture and has had the unanimous approval of all the members of that great committee. Let us pass this bill and be about our business of trying to do something to take care of our surplus commodity situation.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. DORN].

Mr. DORN of New York. Mr. Chairman, this amendment not only will prevent the sale of surplus agricultural produce to Poland, but it will prevent such sale to Communist China, to Communist Hungary, and to other Communist nations in the world. I believe that if we keep on going the way we are, we will soon be doing business with all of the Communist nations in this world.

It is a mistake. I wish to support the amendment offered by the gentlewoman from New York [Mrs. KELLY]. It is time that we in the House of Representatives take a stand against dealing with Communist nations. Oh, yes, some have said that Poland is not a Communist nation, but its leader and its spokesman Wladyslaw Gomulka is a Communist. Chester Bowles wrote from Warsaw just 4 months ago:

Gomulka is * * * still a Communist. He knows his Communist Party is a minority in an anti-Communist sea. Second, he knows that Poland is at the mercy of the Red army. * * * Poland is a long, long way from being out of the Soviet woods. On her eastern border are 100 Red army divisions, 20 more are to the west in Germany. The government in power, although in no mood to accept direct Soviet domination, is a Communist government. * * * As long as Germany remains divided Soviet divisions will remain there. Because its military communication lines run across Polish terri-

tory Moscow will allow only limited independence.

Of course, as someone has said, probably 98 percent of the people of Poland are non-Communist, but they were non-Nazi when they were under the domination of Germany. That does not mean that we should have helped Poland when it was Nazi controlled.

I am unalterably opposed to any means by which aid, financial, military, agricultural, or otherwise, may be extended to Communist countries. I have the greatest respect and sympathy for the Polish patriots—those brave men and their families who fled before the Nazi hords or who have remained to be tread under the Communist's heavy heel. If there were any way by which we, of the Free World, could assure these particular people of our assistance without helping Russia and communism, I would be the first to applaud.

In the June 2 issue of the New York Times was a special dispatch telling of the visit of Edward Ochab, Poland's Minister of Agriculture to Moscow. While purportedly his visit was to participate in a Soviet agricultural exhibition at Moscow's invitation, it is significant to note that he was the Polish party's First Secretary until Gomulka's restoration to power last October. This augurs his sustaining strength and his ties to Soviet Russia. Only the week before, this same dispatch states Gomulka "conducted conversations with Khrushchev, Soviet party chief, with unusual success."

In the June 6 issue of the New York Times, a dispatch from Warsaw dated June 5, reads, and I quote:

Wladyslaw Gomulka told the workers of Poznan today that Poland's alliance with Soviet Union was "necessary for Poland to exist." The First Secretary of the United Workers (Communist) Party also told them: "In the present political situation we are forced to abide by the Warsaw Pact." This is the military alliance linking the members of the Soviet bloc.

The dispatch goes on to say:

Part of the United States credit agreed upon, Mr. Gomulka said, has "such high interest compared to the terms of credit in Socialist countries that it becomes a burden."

"Despite the smallness of the total amount, considering our needs, the final agreement has helped our economic difficulties," Mr. Gomulka said. "In the present political situation it is important to remember that such credits carry political implications."

He made clear his belief that despite the "political implications" Poland had no alternative to the closest ties to the Soviet Union.

"There were many mistakes and many lies in our national life in the last 10 years," he said. "But there was one truth among it all, and this truth has always been said by our party and by every patriotic Pole: that the alliance with the Soviet Union is essential. We say this and we continue to say it not only because we love socialism but because we love our country, our nation, our Poland."

He was asked whether the Soviet Union would be in a position to guarantee Poland's postwar frontier on the Oder and Neisse Rivers. To this he replied:

"The Soviet Union can guarantee the Oder-Neisse frontier when we ourselves can guarantee to them that we will follow a policy of friendship with the Soviet Union and with the countries of the Socialist bloc."

These facts and these statements by Poland's top leaders would seem to leave no doubt as to the closeness of Poland's present Government to that of Communist Russia.

The reports from Poland have established that the sustenance of the Polish people, both in food and raw materials, has been drained off and sent to Russia. It is now being fed back in heartbreaking driblets. I cannot believe that pouring our great wealth of surplus into Poland will come to any other end.

The basic difficulty with dealing with any Communist government is that Communists are not to be trusted. The word of a Communist government is no more valuable than the air into which it is uttered. The history of the last 40 years is replete with one Communist perfidy after another.

Until such time as we can find definite assurance from responsible governments that such aid, loans, or assistance as we may be able to offer will be used for the benefit of peoples and not governments, I believe we, in the legislative body, should direct the Executive to withhold any such offers.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. GORDON].

Mr. GORDON. Mr. Chairman, I rise in opposition to the amendment offered by the gentlewoman from New York [Mrs. KELLY]. Although this amendment does not mention Poland by name, it has for its object the denial of surplus agricultural commodities to Poland.

Of course, Poland has a Communist government. It is also true that under this same government the people have, to a measurable extent, been able to break away from the iron control of the Kremlin. Recent months have witnessed considerable strides by the Polish people in achieving a degree of freedom and reestablishment of their ties with the Western democracies.

The Polish people and the American people have a long tradition of mutual friendship. We should not overlook the fact that the Polish people are forced to follow a careful and restrained policy if they are not to endanger and lose the little they have recently gained in their struggle for freedom. I am personally convinced that the desire for human rights and justice and religious freedom is as strong today in the hearts of the Polish people as it ever was. We must not forget that Poland has seen in the brutal Soviet action in Hungary what premature action can bring.

I believe that our own interests require that we take a realistic approach to the situation in Poland. After the Polish revolution of October 1956, we promised aid to the Polish people. The Polish people need our help to secure the gains they have made. It may well be that we are taking a risk in supplying our agricultural commodities to Poland, but it is a risk well worth while.

If there is anything we can do in supplying agricultural surpluses to Poland which will help her attain some degree of economic security and make her less dependent on Soviet Russia, it is in our mutual interest to do so. The adoption of this amendment cannot possibly help our foreign policy. It would have a negative effect. In the words of Cardinal Wyszynski:

Do not commit this terrible mistake of refusing, for various political fancies, of refusing assistance, bread, and kindness to those, who are in such great need of assistance, bread, and kindness."

Mr. Chairman, I urge my colleagues in the House to vote against this amendment and I hope it will not be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. VORYS].

Mr. VORYS. Mr. Chairman, I will take time to read only two sentences from the voluminous precedents which show that the Kelly amendment is an unconstitutional attempt to take away from the President the authority he has under the Constitution of the United States, and give this power to Congress.

In Cannon's precedents, volume 7, page 305, it is stated:

Congress cannot deal with foreign powers.

Another quotation:

The Supreme Court of the United States has said that the President has the sole power of recognition.

Yet the Kelly amendment reserves this power solely to the Congress, the power to recognize friendly governments. We certainly should not establish such an unconstitutional precedent.

I regret we did not hear further from the gentleman from Michigan [Mr. BENTLEY] who has just recently returned from a study mission in Poland.

Mr. BENTLEY. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from Michigan.

Mr. BENTLEY. I would like to say to the committee that when I went into Poland some 2 months ago, I went in there with as skeptical a mind on the question of Polish aid as any Member of the House could possibly have. But I came back convinced that although we may not be able to get Poland out from under Soviet political pressure, the passage of this bill and the extension of this assistance will definitely assist the Poles in getting away from economic domination by the Soviet Union and it will strengthen Poland's ties with the West.

Let me say further that I know that the Gomulka government is Communist. The gentleman from New York [Mr. DORN] said it is a Communist island in an anti-Communist sea. What we are interested in is the fact that 98 percent of the people of Poland are definitely anti-Communist and are trying to get away from control by Moscow.

Mr. VORYS. However, if we adopt the Kelly amendment we know there will be no agricultural surplus going to Poland under this law unless and until the Congress passes a concurrent resolution sometime in the sweet by-and-by.

Mr. BENTLEY. If the Kelly amendment were adopted it would mean that the contemplated amounts for assistance to Poland will be cut in half. Yesterday, I received a letter from our Ambassador at Warsaw to the effect that a great deal of the psychological advantage which we

hoped to gain by this assistance to Poland has been lost already.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, Chicago has the largest population of people of Polish descent of any city in the world. The gentleman from Illinois [Mr. GORDON], the distinguished chairman of the powerful Foreign Affairs Committee of this House, before he was city treasurer of Chicago was the business manager of a daily newspaper with the largest circulation in the world of Polish newspapers printed in the English language. The Polish Americans in Chicago constitute a fine, patriotic, proud, and religious segment of our population. They are looking for the day when Poland will be again free of the heel of the conquerer. They are all strongly in favor of the giving of aid at this time of trial and of crisis to the people of Poland as is here contemplated. I do not know of any better guide we can have for our action than the decision arrived at by these fine Polish American fellow citizens of ours, all of whom are agreed that it is necessary now to help Poland regain her freedom. Therefore, I am opposed to the pending amendment.

From Jamestown, where men of Polish blood helped in the laying of the foundations of the land that has become the world fortress of liberty, to the 85th Congress, in which our Chairman GORDON and many others of our distinguished colleagues of Polish blood, the pages of American history carry the imprint of Polish influence. Polish blood has been spent on every American battlefield and Polish sweat has gone into every work that has built our country into her position of world power.

My fellow Chicagoans of Polish blood abhor a communism that is based upon a philosophy of materialism and denies the existence of a God. No group of people in our own or any other land is more uncompromising or more militantly in combat with an ideology that would destroy every concept that to them makes life worth while.

While proud and noble Poland has been under the heel of a brutal and godless invader, in every Polish-American home in Chicago daily have prayers gone up for her liberation. While many generations of American citizenship separate the Polish-Americans of Chicago from the Poland of today there has been a continuing contact by Polish-Americans with those remaining in Poland and of the same family bloodlines. If there are Americans of any group who are qualified to pass upon the advisability of the program we have under consideration it is only commonsense to say that that group is composed of our fellow Americans of Polish blood and descent.

They would be the last people in the world to do anything or to encourage the doing of anything that would strengthen the Communist hold upon Poland. They would be the first people in the world to do anything that, in good conscience, could be done or encourage such doing, to loosen forever the hold on noble and proud Poland of a power that would supplant a government under God with a government of brutal materialism.

Anything that we in the Congress do, or anything that is done by anyone with human limitations, can prove to be the thing that should have been done or the thing that should not have been done. When the moment of decision comes to us in voting on the measures before this body we are guided by our understanding and by our consciences. Conscience cannot exercise itself unless there be understanding. From whence do we get our understanding? It has been my experience, as I am certain it has been the experience of my colleagues, that the best source of understanding is that which is given us by those closest to the problem; most earnest and most devoted to the attainment of the desired objective.

Our fellow Americans of Polish blood and descent recommend that we give this helping hand to the Polish people, even though the Polish Government was not established by the free choice of the Polish people but is much more moderate than its predecessor under the conqueror as a result of the revolt of the Polish workers. This course is recommended to us by every organization of Polish-Americans. It is recommended to us by individual Polish-Americans of highest distinction and of the lowest station in life. Are we to turn to this recommendation ears that are deafened by our own conceit that we know better?

On every Polish anniversary occasion, I with my colleagues in this body pledge our support to the people of Poland in their fight for the light and life of freedom, and we pledge ourselves to stand by however long and dark the night until proud and noble Poland again is free. Mr. Chairman, I intend to keep my pledge. I will not now slap down our fellow Americans of Polish blood who recommend that to help the hungry and the needy and to advance the coming of the light of a new day to Poland we should take this course. I trust, Mr. Chairman, that the amendment will be defeated by such a vote that into every Polish heart in Poland, in our own country and throughout the world will come the joy of knowing that in the House of Representatives of the Congress of the United States the loyalty to the cause of a free Poland is a loyalty of action as well as of words.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the distinguished gentleman from Illinois.

Mr. BOYLE. Transmitting the grave constitutional problem posed by the amendment of the gentlewoman from New York [Mrs. KELLY] and appreciating the magnificent motivation which has urged her to introduce her amendment, I am compelled to urge the rejection of the Kelly amendment. Time is of the essence since the present law 480 expires on June 30, 1957. I would like to commend my distinguished colleague and friend the gentleman from Illinois [Mr. O'HARA] for his excellent statement. I want to associate myself with what the gentleman from the great Foreign Affairs Committee has stated. I share his philosophy, I share his feeling. He is truly representing the enlightened thinking of the Polish people of Chicago and of Illinois. It would be a shame to let any extraneous issues cloud our thinking to the extent that we would literally chase the Polish people into the Soviet Union Communist orbit. This is a very critical time in world history and the great Polish people do not have very much freedom of specification. Let us remember they have made many contributions to the society of free nations. If our conduct induce the Polish people, because of no other choice, to turn their direction totally to the Soviet bloc, the help extended should not be predicated because of our surpluses but as a gesture of good will. The exigencies of the moment demand we extend the hand of sympathy, the arm of compassion and our total essence on behalf of enlightened brotherhood.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I am delighted to hear some members of the Committee on Foreign Affairs now expressing the utmost concern for the preservation of the Constitution of the United States. I wish that they had been as much concerned last year when hearings were held before the Foreign Affairs Committee on the status of forces treaties and agreements by which the constitutional rights of American servicemen and their dependents are forfeited and they can be tried in foreign courts and incarcerated in foreign prisons.

I rise to ask somebody, perhaps some member of the Committee on Foreign Affairs, what has been the experience with the $90 million loan that was made to Poland back in 1946 or 1947. Has any of that money been repaid? I understand we are now making a new loan agreement with Poland, and someone said here on the floor this morning that Poland has agreed to repay us in terms of interest at 4 percent on the money. Since no one cares to respond, I must assume the answer is that there have been no payments on the $90 million loan made back in 1946 or 1947.

I would like to ask someone on the House Committee on Agriculture: what is the purpose of giving food to Poland? Is it to feed hungry people?

Mr. GATHINGS. Mr. Chairman, if the gentleman will yield, I will say to the gentleman that it is not a question of Poland alone.

Mr. GROSS. Wait a minute. Let us use Poland.

Mr. GATHINGS. We want to feed these people who are hungry.

Mr. GROSS. So as to feed the hungry people; is that correct?

Mr. GATHINGS. That is right.

Mr. GROSS. Then I wonder why in Poland they do not keep their canned pork and canned hams at home and feed their hungry people?

Mr. GATHINGS. I want to say to the gentleman that they do ship some of that ham over to this country—the gentleman is right—but the Polish people need other foods as well.

Mr. GROSS. Yes, about 25 million pounds of pork products last year.

Mr. GATHINGS. Surplus agricultural commodities could or should be bartered to Poland in exchange for scarce metals and defense needs of the United States.

Mr. GROSS. But if the Polish people are hungry, they ought to keep their fats and oils at home. I want to agree with the gentleman from Ohio [Mr. HAYS], who spoke of his concern about the exportation of mining machinery to Poland. I wonder what is going to happen when we ship mining machinery and technicians over there to teach them how to use it. What will happen to the exportation of American coal to Western Europe? I doubt whether in the history of this country we have ever exported more coal to Western Europe than we have in the past year or two.

The CHAIRMAN. The Chair recognizes the gentleman from Vermont [Mr. PROUTY].

Mr. PROUTY. Mr. Chairman, I am not qualified to discuss the constitutional question which has been raised, but certainly if the Kelly amendment were to be adopted, Members of Congress would be setting themselves up as experts in the very complex and involved field of international relationships. I just do not feel so qualified. I think we have to rely on the judgment of the people who have the requisite background of knowledge and experience. Certainly if there were no other evidence to suggest that Poland is veering away from the yoke of Soviet tyranny, I think the mere fact that Cardinal Wyszynski and other high officials of the Catholic Church in that country, all endorsed the candidacy of Prime Minister Gomulka, not because he is a Communist but because they believed that he could with assistance from others gradually ease the Polish people from the yoke of Soviet tyranny.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. PROUTY. I yield.

Mr. FULTON. Just to answer the question asked by the gentleman from Iowa [Mr. GROSS] with reference to the 1946 Polish loan; the Polish Government is 100 percent up to date in all its payments. It has made them all.

Mr. PROUTY. Let us not consider this question on a basis of blind and unreasoning emotionalism. Let us think of it realistically, objectively. I think the Polish people and their hopes for freedom will certainly be harmed tremendously if we approve this amendment which will deny them the help so desperately needed.

Moreover, the adoption of this amendment will be against the best interest of the American farmer, because it will place a needless restriction upon the disposal of farm surpluses.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. FLOOD].

WHY POLAND SHOULD BE HELPED

Mr. FLOOD. Mr. Chairman, legally I consider the amendment unconstitutional and procedurally most mischievous.

Since the October upheaval in Warsaw, when, in the wave of unrest and discontent of the population, Polish Communists recognized the urgency of needed economic and political reforms, American sympathy for Poland has been growing rapidly. From humanitarian and, to some extent, diplomatic views, at least 90 percent of American press and radio and television commentators favor technical and economic help for Poland. However, in this gratifying wave of sympathy for the Polish people a sense of apprehension could be detected. One question is being frequently asked—whether while helping Poland we would at the same time strengthen the Soviet Union and communism.

The answer to this question is an emphatic "No," for the following reasons:

First. The Polish people are painfully aware of the fact that Communist concepts of economy and industrial planning have brought them to the brink of disaster. The Communists themselves accepted this truth by retreating from such spheres of economic activities as the collectivization of farms which has been brought to a standstill and complete socialization of small private enterprises which has been abandoned.

These two examples prove beyond doubt that the Polish people have forced Communists to a considerable retreat from stubborn entrenchment in Marxist-Leninist theories and practices. And this is only the beginning. Given more time and morale as well as material support, the Poles will eventually go farther on the road to complete independence.

Second. Polish national interests, historic evolvement, as well as cultural and spiritual ties with Western civilization, clash with Communist designs for world domination. Polish implacable hostility toward communism in general and toward Russian colonialism in particular is a proven fact of history.

There is no danger that by helping Poland economically we would be strengthening communism and the Soviet Union. On the contrary, stronger and more independent Poland would mean a gradual retreat of communism in Central and East Europe and would effectively oppose Russian designs for conquest.

Another argument is being set forth even by people whose sympathy toward Poland is sincere, that there is a great risk involved in helping the Polish people now. They say that American aid for Poland would provoke Russian wrath against the Poles. They add that the Polish people have already aroused Russian antagonism to a breaking point.

Let us bear in mind, therefore, that the Poles are well aware of the risk. They are willing to take it. The very fact that they asked us for help instead of begging the Kremlin for handouts proves beyond doubt that Poland wants to return to the Western family of nations where her national birth placed her a thousand years ago. The Poles have already taken a risk by turning to the West. It should be evaluated as a calculated risk. They are risking far more in turning to us than we are risking in granting them help.

The stakes are high and worth the chance both for Poland and for the United States. In the long view of history, the Communist system of government forced on Poland by the might of Russian Army is only transitory. Poland as a nation successfully opposed "russification" in the past and, with her boundless devotion to freedom and democracy, will emerge victorious from Communist oppression. But she needs our help and fully deserves to be helped in her hour of dire need.

Finally, some aspects of Poland's foreign policy are being used in arguments against a large-scale help. We should remember that Poland's current foreign policy is not of her own choice. It has been linked to Russia with full consent and support of the Western Powers at Yalta. Poland is not yet able to follow an independent course in foreign affairs. This can develop only in accordance with the amount of material and moral help that Poland could get from the West.

I will now read a resolution introduced by me on May 6:

Whereas the recent changes occurring in the Government of Poland, which tend to indicate that the present rulers of Poland have in some degree drawn themselves away from the strict control of the Kremlin, may have an important effect on the efforts of the United States to bring about peace in the world; and

Whereas these changes were forced upon the present rulers of Poland by a gallant people whose dedication to the principles of freedom dates back 1,000 years and was most recently demonstrated during the Poznan uprisings; and

Whereas, even though the Polish people do not yet enjoy complete freedom of assembly, freedom of the press, or free self-government, the present Communist rulers of Poland nevertheless mirror to some degree the diminution of the terror and exploitation which prevailed in Poland prior to the Poznan uprisings, and they have to some degree restored religious freedom in that country; and

Whereas it is essential that the United States encourage the further development of freedom in Poland as a part of a relentless struggle against the world Communist conspiracy which has unremittingly sought to enslave mankind: Therefore be it

Resolved, That the House of Representatives expresses its continued opposition to the international Communist conspiracy which is attempting to enslave the world and with it eventually the United States. Despite the continued presence of Communist rulers in Poland, the House of Representatives recognizes that the people of Poland have made real gains toward freedom and should be encouraged to continue their peaceful efforts toward complete liberation from Communist rule. The House of Representatives extends to the people of Poland its warm and sincere congratulations for the magnificent manner in which they have conducted themselves in bringing about a significant break in the Iron Curtain, and pledges that the moral strength and material resources of the United States will be used, in the search for a just and lasting peace and for international security in a world where freedom reigns, to help the people of Poland in their difficult progress toward full freedom.

SEC. 2. It is the sense of the House of Representatives that, in order to provide immediate and effective support for the people

of Poland in their struggle for complete liberation from Communist rule—

(1) the United States should speedily furnish substantial economic and technical assistance to the people of Poland, subject to careful control through the use of inspection teams or otherwise to insure that commodities and equipment so furnished will not be diverted to Russia or her satellites but will remain in Poland for the purpose of strengthening her internal economy and bolstering her people in their quest for freedom;

(2) the United States should seek permission from the Government of Poland for Americans to send CARE packages into Poland, and for recognized American relief agencies to enter that country and distribute surplus American farm commodities to the Polish people, until such time as future harvests eliminate the near famine which has resulted from the coerced collectivization of Polish farms;

(3) mailing charges on packages being sent by Americans into Poland should be reduced so as to encourage a greater flow of such packages and a corresponding increase in help to the Polish people during the present economic crisis;

(4) the United States should seek, as a condition of economic and technical assistance, a reduction in (or the elimination of) the high tariffs presently imposed by the Polish Government on relief packages being sent into Poland from the United States.

(5) the United States should recognize Poland's western boundaries as established in the Potsdam agreement, thereby bolstering the faith of the enslaved nations of eastern Europe in American leadership, dispelling their fear that the revival of predatory militarism in Germany is being achieved with American help, and depriving Russia of her only claim for keeping Soviet troops in Poland;

(6) the United States should seek through diplomatic channels the return to Poland of her eastern lands which have been seized by Russia;

(7) the United States delegation to the United Nations should continue to press for free and unfettered elections in Poland so as to give to the people of Poland the complete freedom of self-expression which was in fact denied them in the recent alleged Polish elections;

(8) the United States should not release the $75 million in Polish private assets presently frozen in the United States until the zloty-dollar exchange is brought to a more equitable level;

(9) the obsolete and unfair formula for determining quotas under the Immigration and Nationality Act should be changed to provide a more realistic quota system under which Poland and the other middle European nations would be granted larger quotas; and

(10) the Department of State should take immediate steps to enlarge its embassy staff in Warsaw to facilitate the issuance of immigration and tourist visas to Polish nationals.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Chairman, it seems to me, with reference to the Kelly amendment that we should be very careful that we do not abandon the section of the Constitution which delegates to the President the authority to fix our foreign policy. That is within his province. He understands it much better than most of us here, perhaps with the exception of members of the Committee on Foreign Affairs who are all experts. But I think as far as I am concerned, while I may not always agree with the foreign policy, I think we are better off to leave it in the hands of the President who has his diplomatic staffs and agents throughout the world to keep him informed of what is going on in every country.

So I feel that the Kelly amendment should be defeated and should not become part of this bill.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Chairman, I rise in opposition to the pending amendment. It is indeed seldom that I find myself in disagreement with my distinguished colleague from New York [Mrs. KELLY]. However, I should be remiss if I did not point out that in this morning's New York Times there is an article by Sydney Gruson from Warsaw, Poland, under yesterday's date, which reads in part as follows:

CARDINAL WYSZYNSKI LEADS 300,000 IN WARSAW IN LARGEST RELIGIOUS MARCH SINCE 1930's

This capital was the scene today of an extraordinary display of Roman Catholic devotion and of the harmony now existing between the church and Poland's ruling Communists.

A great crowd, estimated by some policemen at 300,000, walked in the first Corpus Christi procession since Stefan Cardinal Wyszynski, Primate of Poland, was freed from house detention last year—the beginning of the church-state accord.

The tremendous turnout was yet another demonstration of the esteem in which the cardinal had come to be held.

I should like to read a translated extract or two from certain remarks made by His Eminence Stefan Cardinal Wyszynski to a group of American women of Polish descent who participated in the ceremonies at the conclusion of the Marian Year at Jasna Gora, in Poland, on the 3d of May last, on the subject of aid to Poland:

Your press is also deliberating as to whether one should aid Poland or not.

When you see your child sick, do you deliberate whether to aid it or not?

When you see your mother in distress, do you rack your brains and deliberate politically, whether it is fitting to hurry to her assistance or not?

Beloved children, do not make the great mistake of refusing—for various political considerations—aid, bread, your hearts, to those who need aid, bread, your hearts.

The nation needs aid, bread, and your hearts.

Mr. Chairman, I submit that the man who uttered these words has fearlessly stood under the guns of the Soviet Union for many years. He is no Red, no atheist, no Communist. I think he is qualified to speak in behalf of the freedom-loving Polish people, and I shall take his judgment in the premises rather than the judgment of others who cannot possibly be as acquainted with the situation in Poland as he is. We must be realistic about this matter of surplus agricultural products for Poland and we must hold out some hope to her people.

I am in agreement with the gentleman from Michigan [Mr. BENTLEY] in that while I oppose adoption of the pending Kelly amendment which as a lawyer I am sure is unconstitutional, and which would bar the sale of any of our surplus agricultural commodities to Poland, that this does not mean that I favor aid of any kind to Tito. I opposed the first Yugoslav loan and since then I have each year consistently opposed all military or economic aid for this Communist dictator.

On yesterday the distinguished, capable, and charming gentlewoman from New York [Mrs. KELLY] at the time she offered the pending amendment, inferred that if it were rejected it was possible that the Department of State might next advocate admission of Red China's representatives to the United Nations. In this connection let me say that the regular annual appropriation bill for the Department of State which bears my name as author and which was passed by the House and Senate, signed by the President on June 11, and thereby enacted into law, contains the following provision:

SEC. 105. It is the sense of the Congress that the Communist Chinese Government should not be admitted to membership in the United Nations as the representative of China.

A section similar to the foregoing section has been contained in each of the State Department appropriation bills bearing my name as author which have become law in the past 4 or 5 years and it is my intention to continue to vigorously resist admission of the Communist Chinese Government to membership in the United Nations.

The following are additional translated excerpts from the address given by His Eminence Stefan Cardinal Wyszynski at Jasna Gora on May 3 last:

Perhaps they will say about us there [in America], "You are going far; maybe you are going too far."

We shall reply: "Yes, truly we are going far. We often go very far, even to prisons, when necessary."

And for us this is not heroism. It is duty, which we perform calmly, with dignity and with the confidence that—ultimately God triumphs because He is the Lord of this land, He is the Lord of the hearts which He animates and arouses for this land. He is the Lord of this people.

I read in the Polish-American press considerations and articles on the subject: Should Poles visit the motherland?

Opinions differ. Some accept it with enthusiasm, as a normal, natural thing, and others with reservations.

My answer is: Everyone has the right to do something about the feelings which are awakened in him, and everyone has the right to his motherland.

You, too, have it. And you do well when you show an independent judgment, an independent decision, and you come here to pray in common with us, to look at the motherland, to bring us joy.

If anyone should ask you: "What does the primate think—should the children of Poland visit their motherland or not?" you can reply that I answer boldly: "They have the right and even the duty to do so."

We are defending life, and we defend it as our first duty, because one must first live. And everyone who is aware of his community with the nation must remember that he has the duty to come to the aid of the nation, regardless of the conditions in which the nation finds itself, because that is the duty of natural law.

Everyone who can should come to the aid of those who are in dire need. And the Polish nation is in dire need.

In this respect my attitude may be very distinct and different, but full of conviction and full of truth, as I understand it.

We are here and want to remain here. We know the needs of the nation and we appeal for aid to that nation. We appeal, perhaps, at times in a manner which is very humiliating for us.

Let the statesmen defend the prestige of the nation * * * they sometimes have the duty not to go further than the prestige of the nation requires.

But I am not a statesman. I am a child of my nation.

And if there be a need to humiliate myself for the good of that nation, I will do it, regardless of any raison d'etat, of any policy.

My policy is first: To feed the hungry, to clothe the naked, to assure the poor of a roof. Anyone anywhere can judge me as he sees fit. In this instance it makes no difference to me. I am performing my duty.

So I say:

Tell your sisters, tell your compatriots, tell your daughters, tell your husbands, that the primate of Poland on his knees—because he is not obliged to fight for his dignity—appeals to you for aid to the hungry, to the naked, to the sick (of whom there are terribly many in our land) and to the homeless.

On the issue presented by the pending amendment I prefer to err, if I do, in charity to a historically freedom-loving people. These are not American dollars with which we are concerned, these are surplus agricultural commodities which may subsequently go to waste and ruin. I am willing to support the administration's negotiated program for Poland in connection with these surplus products and I hope that when the roll is called on this issue there will not be a half dozen votes in support of the pending amendment. I urge its rejection.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, I think it is of paramount importance that the Congress immediately pass this bill, and thus validate and implement the essential agreement for assistance to Poland.

I do not think any Member of this House seriously considers the Polish people or any considerable part of the Polish people as Communists. That would be a great injustice and a great error. They are historically a people and a nation that throughout the centuries has made very gallant, bloody struggles for freedom, and they have invariably associated themselves with the democratic nations of the world. They are our friends and now in their despair and distress they deserve our wholehearted support. I think it is of the utmost urgency that we move fast in this matter. We cannot afford to delay further in enacting this bill. We must not temporize with sacred human life. We will not do so.

I believe it is clearly demonstrated by this debate and by the quotations that were made from the recent remarks of a beloved and very distinguished spiritual leader of the Polish people, by the distinguished gentleman from New York [Mr. ROONEY], that human lives are at stake, lives of a great people who above all peoples on the democratic side have made bitter sacrifices for the cause of the Free World.

I know that the House understands the dire and tragic need that this program will relieve. It is time to act with promptitude and dispatch. It is time to hold out the hand of compassion and sympathy and brotherhood to the suffering peoples of Poland. If this program does nothing else, if it achieves that end, it will more than justify its continuance.

So, Mr. Chairman, I am convinced that this bill, amended as it will be in accordance with the will of the House, is meritorious and should be passed forthwith. I hope that it will be speeded through the other body and promptly be put into effect by the President.

In the name of humanity, as well as in our own interests, let us act favorably upon this bill now.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. PHILBIN. I yield to the gentleman from Pennsylvania.

Mr. FULTON. May I compliment the gentleman on his fine statement for the people of Poland.

Mr. PHILBIN. I thank the distinguished gentleman.

Mr. DONOHUE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. GATHINGS].

Mr. GATHINGS. Mr. Chairman, just as the gentleman from Massachusetts has said, time is of the essence. This bill ought to be speedily enacted. June 30 is the deadline and the very last day. The act will expire at midnight on June 30.

The amendment offered by the charming lady from New York would require affirmative action of this Congress on the matter of who would be considered as a friendly nation. I believe those matters, and such decisions, should be left in the hands of the executive branch of the Government. Last summer Secretary of State Dulles came before our committee and made a splendid case for additional discretionary power with respect to this act. He wanted to strike out section 304 of the act and be given the authority to make bilateral agreements with certain nations behind the Iron Curtain in return for goods we needed. I wish that we had approved his suggestions in both Houses. Our committe was favorable to the Secretary's recommendations. He foresaw the trouble and unrest in the satellite nations. We should have given him the authority to move these surpluses into the hands of the needy people behind the Iron Curtain. I wish it had been done.

Mr. BENTLEY. Mr. Chairman, will the gentleman yield?

Mr. GATHINGS. I yield to the gentleman from Michigan.

Mr. BENTLEY. Was this strictly for barter purposes, not for sale but barter?

Mr. GATHINGS. For barter. That was the purpose of his coming before our committee, to give him the privilege to go in there and barter these various foods, and hold them up to the hungry mouths of those people who needed the food so badly. We, in turn, could get precious minerals and metals that we could use in our stockpile.

More elasticity is needed in this program, to my way of thinking. The amendment now under consideration would restrict the act and make it more rigid and difficult to administer. Secretary Benson and his associates have done a splendid job in moving these commodities.

Mr. Garnett, the Administrator, and Mr. Whipple, Assistant Administrator of the Foreign Agricultural Service, are entitled to the praise and plaudits of an appreciative people for their highly commendable service in the disposition of surplus agricultural commodities. Just to show you, let me read these figures. They have entered into 30 contracts with as many countries for the distribution of 2½ million bales of cotton, 22 million bags of rice, 430 million bushels of wheat, 150 million pounds of meat, 130 million pounds of dairy products, and many other commodities of various types, including 1.2 billion pounds of vegetable oils and feed grains, totaling 75 million bushels. The three main objectives of this program are being carried out and fulfilled and they are to regain and maintain our rightful markets in the world, to move out of our swollen warehouses these surpluses, thereby saving enormous storage costs.

I hope the amendment offered by the gentlewoman from New York will be defeated.

The CHAIRMAN. The Chair recognizes the gentlewoman from New York [Mrs. KELLY].

Mrs. KELLY of New York. Mr. Chairman, I want it clearly understood that I am not against the people of captive nations. I have in the past voted for and I will in the future vote to give agricultural surpluses to these people. Nor do I want at this point to bring religion into the issue. My only wish in life is that all peoples regardless of their faith will have their natural God-given rights and be recognized as children of God. If the President of the United States decided tomorrow that Red China or North Korea or North Vietnam were friendly nations, I wonder how the Members would vote on my amendment or I wonder how they would wish they had voted. That is the issue. If you do not vote for my amendment, you divest the Congress of any say in this critical and crucial matter which is the disposition of these surplus commodities and nothing else. I feel it is absolutely ridiculous to consider my amendment an invasion of the President's power. This is no more an invasion of the President's power than clause 1 of this section 107 of the bill because in clause 1 the Congress precludes the U. S. S. R. from being a friendly nation. Therefore, I believe, Mr. Chairman, that when this original definition of mine was accepted by the Committee on Agriculture and accepted

by that able chairman, our former colleague from Kansas, Mr. Hope, it could have been declared unconstitutional at that time. It has been in operation since that time. My amendment is not to clause 1 of section 107, but it is to clause 2. Therefore, if clause 2 as amended by me would be unconstitutional then you must declare that clause 1 is unconstitutional.

Mr. Chairman, I hope my amendment will be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Maine [Mr. McINTIRE].

Mr. McINTIRE. Mr. Chairman, I simply want to express my opposition to this amendment. May I say that the factors involved, the issues underlying this discussion and the purpose of the amendment, are problems that I have given close consideration. While I feel that there is merit in an objective consideration of the issue, it is inappropriate to attach this amendment to this legislation. Decisions should be reserved to the President.

Mr. Chairman, I urge the Members to vote against the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. WAINWRIGHT].

Mr. WAINWRIGHT. Mr. Chairman, the gentlewoman from New York is a very courageous person. She is defending international morality by refusing to aid a country which is clearly Communist and within the Communist orbit. It is a strange thing that many of the Members who are opposing her amendment—who are normally very isolationist—are doing so on the grounds that the Polish people in their districts are in favor of aid to Poland. We do strange things for politics in this House.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. POAGE] to close the debate.

Mr. POAGE. Mr. Chairman, might I suggest to the membership that we have an important bill before us, one that everybody agrees is a sound bill, one that everybody thinks we need to continue, a program that has worked well—and that is saying a great deal for one of these agricultural programs—a program that almost everybody agrees with.

Now we have an amendment proposed that bears no relationship to the purpose of the legislation. Whether the purpose of the amendment is desirable or undesirable, it has nothing to do with the disposition of surpluses but is intended to impose a type of philosophy or thought about the government of some foreign nations. That is not a very relevant part of the legislation before us that we are trying to extend.

Whether you feel we should have a separate vote here every time we make a trade agreement or whether you do not, whether you feel that the Polish Government is controlled from Moscow or that the Poles are trying to establish a government of their own; whether you feel we should be of help to them, or not, it seems to me it is altogether out of place to use this bill, this successful program, as a vehicle on which to attach a program about which there is so much controversy and which we know would be so detrimental to this program of disposal of surpluses.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Why should we bring in the question of the recognition of Communist China on the sale of our United States agricultural surplus products that are involved in the bill debated here, extending Public Law 480? This is farm legislation from the Agriculture Committee. Members of the Foreign Affairs Committee should handle consideration of major foreign affairs problems but not as amendments to farm legislation. Why do this today?

Mr. POAGE. I have not the slightest idea, I will have to say to the gentleman from Pennsylvania.

But I have observed that every time the Committee on Agriculture brings a bill onto this floor about six other committees want to help us write the legislation. I simply want to suggest to the Foreign Affairs Committee that when they bring in a bill sometime in the next few weeks, a bill which is similar in character to this this bill I hope they will not feel it is out of place for us of the Agriculture Committee to try to write in some of the details.

Mr. BOLAND. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Chairman, I rise in opposition to the amendment of the gentlewoman from New York and I sincerely hope that the House will vote it down. The effect of this amendment is to deprive Poland of any assistance under the provisions of Public Law 480, the extension of which is now under consideration by this committee.

In the debate on the amendment yesterday, it was said that no one in the House would now say that Poland is not now dominated by Moscow. I am one who, in the face of recent events and facts, is willing to declare that Moscow does not dominate Poland or the brave, courageous Polish people. The stirrings, declarations, and pronouncements that have emanated from the leaders of the Polish nation under Premier Gomulka ever since the upheaval of last fall tend me to believe that the leaders have veered away perceptibly and are not completely subservient to the Kremlin. Of course, the facts and events demonstrate that the Polish people generally have never been arrayed or ever will be found on the side of communism. For their whole character and makeup is opposed to any system that kills freedom of the individual and stifles the desires of a people to have a government of their own choosing.

The change in the political climate of Poland over the past months has been remarkable and it has been continuing. The Gomulka regime has removed the jamming of Western radio broadcasts. The Polish people are now free to listen and to learn. The newspapers of the Western world are now permitted in the stores and on the streets of Poland and the Polish people are no longer isolated of the world events and news. Cardinal Wyszysnki is again free to mingle with his people and to travel outside of Poland as he recently did in his visit to the Vatican. The present Polish rulers are now permitting Americans and other westerners to visit Poland and to allow Poles to travel in the West. Those of us in this Congress who have been close to this situation know how difficult and how impossible it was to obtain visas for anyone to enter Poland or for anyone to leave Poland before the Gomulka government assumed control. And it is significant to note the number of people that are now freely traveling to and from Poland. All of these events have brought more freedom to this once completely dominated Communist country or whose government was Communist dominated. And we have been taking advantage of these avenues of freedom. We want these freedoms to continue and to grow. To turn our backs on the realities of the times and the great opportunities that are before the Western world would be tragic indeed. Here is another and a real and a great chance to prove to the world that we are willing and anxious to help people to cast off the shackles of slavery and domination. For if these people cannot turn to us, where will they turn? The answer, it seems to me is crystal clear for there is no other place, is to the Soviet. It is idle to believe that Poland can pull itself up by its own bootstraps. To think this, one would have to close one's eyes to the past 17 years from the time that Hitler started the destruction of Poland followed by the terrible slaughter of the Polish people and the shattering of her entire economy and the stifling of freedom by Stalin and his gang. Poland needs a big shot of American assistance. Under this bill we are debating she gets a start, a real start on the long road back. By this help we are giving the Polish people real hope that they can get a better break under the Gomulka's national communism than under a regime that is tied lock, stock, and barrel to Moscow.

Mr. Chairman, this bill helps to dispose of our surplus commodities. Poland will pay in her own currency and this money will be used to trade with her and to build up her own economy.

Mr. Chairman, I ask for the defeat of the amendment that would deny assistance under Public Law 480 to Poland.

The question was taken; and on a division (demanded by Mr. ROONEY) there were—ayes 5, noes 108.

So the amendment was rejected.

Mr. SMITH of Mississippi. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Mississippi: Add a new section, to be numbered properly, to read as follows: "That section 210 of the Agricultural Act of 1956, Public Law 540, 84th Congress (70 Stat. 202), is amended (1) by inserting after the word 'State' the words 'and local penal and,' and (2) by striking out 'for minors'."

Mr. SMITH of Mississippi. Mr. Chairman, this amendment is not one which is unfamiliar to the committee

Members. It was considered in committee and at one time approved by the committee at a certain stage of the proceedings. I offer it today not in any attempt to impede Public Law 480 but because I think it offers an opportunity to accomplish what I believe is a desirable purpose in regard to our surplus food program.

The amendment would have the effect of making surplus foods available to local and State penal institutions. They are now available to penal institutions that are of the reform school type but they are not available to penal institutions generally. I do not understand the difference in the classification and why surplus food was made available to reform schools but was not made available to all penal institutions.

In this program where surplus food is being given away to public institutions of various types, given away for relief and things of that nature, and given away in all types of distribution, we should make it available to our own public institutions. This amendment has been recommended by The American Correctional Association.

The language of the amendment provides that this surplus food be made available in addition to the regular normal purchases by these institutions. I think the merit of the idea is obvious to everyone. It would help supplement the diets of these people, and this is a very important matter to all of us. This surplus food should be made available to penal institutions throughout the country and I hope, therefore, that the committee will adopt the amendment.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Mississippi. I yield to the gentleman from North Carolina.

Mr. COOLEY. The amendment just adds "penal institutions." The law already provides for reformatories?

Mr. SMITH of Mississippi. The law makes it available to reformatories and this would make it available to all types of penal institutions.

Mr. COOLEY. Mr. Chairman, while I have no authority from the committee to accept the pending amendment I do want to say that our committee has considered this matter very carefully on 2 or 3 former occasions and, if my recollection is correct, on these former occasions our committee reported legislation of this type. The law does provide now that surplus foods can be made available to reformatories, and I see no real difference between a reformatory and a prison as far as the distribution of surplus food is concerned. Therefore, I have no further comment to make, and I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. SMITH].

The amendment was agreed to.

Mr. COOLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COOLEY: Page 2, following line 3, add the following new paragraph numbered (4):

"Section 104 (e) of such act is amended by striking out the semicolon at the end thereof and adding a comma and the following: 'for which purposes not more than 25 percent of the currencies received pursuant to each such agreement shall be available through and under the procedures established by the Export-Import Bank for loans mutually agreeable to said bank and the country with which the agreement is made to United States business firms and branches, subsidiaries, or affiliates of such firms for business development and trade expansion in such countries and for the establishment of facilities for aiding in the utilization, distribution, or otherwise increasing the consumption of, and markets for, United States agricultural products: *Provided, however,* That no such loans shall be made for the manufacture of any products to be exported to the United States in competition with products produced in the United States. Foreign currencies may be accepted in repayment of such loans.'"

Mr. COOLEY. Mr. Chairman, this is a slight variation from the amendment which was adopted by the committee. I was instructed, I think by unanimous vote of the committee, to offer this amendment. But, there has been a slight change in the amendment that I now have presented by the proviso which I will read:

Provided, however, That no such loans shall be made for the manufacture of any products to be exported to the United States in competition with products produced in the United States.

I introduce it with that explanation as a committee amendment. There was one other change which I am sure the members of the committee are entirely familiar with.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Iowa.

Mr. GROSS. Now, under the terms of this loan could foreign countries buy surplus feed grains from the United States?

Mr. COOLEY. Yes. But this amendment has no effect on that—it is in the law now.

Mr. GROSS. All right. Let me ask the gentleman this question: Having bought these grains, can they, for instance, feed hogs in foreign countries and then ship canned hams and other pork products into this country?

Mr. COOLEY. No. The proviso takes care of that: "No such loans shall be made for the manufacture of any products to be exported to the United States in competition with products produced in the United States."

Mr. GROSS. How are you going to distinguish? The Poles are now shipping pork into this country at the rate of about 25 million pounds of boned canned ham and other similar products a year. How can you determine whether the feed shipped over there at bargain prices is not used for this purpose? How do you break that down?

Mr. COOLEY. The gentleman realizes, of course, that the President has the authority to prevent the importation of agricultural products when it conflicts with our own agricultural program.

Mr. FULTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. FULTON. I have been waiting for a question on the amendment, but, if they are starting to debate it, I have a point of order against the amendment. They are starting to debate it, and I want to reserve my point of order.

Mr. COOLEY. We have been debating it for about 5 minutes.

Mr. GROSS. Mr. Chairman, I submit the point of order comes too late.

Mr. FULTON. There was a question on the amendment, so I have a point of order on it.

Mr. COOLEY. All right. I make the point of order that the point of order comes too late.

The CHAIRMAN. The gentleman from Pennsylvania will state his point of order.

Mr. FULTON. I make the point of order that the amendment is not germane to this bill; that it is actually tariff legislation; and, secondly, that it is an impossible, indefinite amendment. It would mean a restriction abroad on the production of plants without any time limit on it. First, it is tariff legislation; secondly, it is a restriction abroad that we have no control over in the United States of America.

The CHAIRMAN. The Chair would have to overrule the point of order because debate has been had on the amendment. The gentleman's point of order comes too late.

Mr. FULTON. Mr. Chairman, may I be heard on that point?

The CHAIRMAN. The Chair regrets that there is no point in discussing the matter. The Chair has ruled that the point of order comes too late.

Mr. FULTON. Mr. Chairman, may I be heard on that point? I had understood——

Mr. COOLEY. Mr. Chairman, I thought the Chair had already ruled.

The CHAIRMAN. The Chair has already ruled. I am sure the gentleman understands that points of order have to be made before there is debate upon the amendment. Debate has been had upon the amendment. The Chair, therefore, rules that the point of order comes too late. The Chair cannot hear the gentleman further.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman.

Mr. GROSS. The gentleman made some statement, when the interruption came, to the effect that there was some way by which these imports of pork products could be shut off.

Mr. COOLEY. The President already has the authority to prevent the importation of agricultural commodities that compete with our own commodities to the extent that they interfere with our farm programs.

Mr. GROSS. Surely, he does. Let me remind the gentleman that we in Congress passed, in good faith, the Battle Act, to deny aid to foreign countries that shipped strategic materials to Communist countries. Yet when the President was confronted with the question of shutting off aid to Britain and France, who admittedly were shipping strategic materials to Communist countries, he said that it was in the interest of the

United States to continue to give aid to those countries, hereby completely nullifying the Battle Act. And the President will not intervene, and the gentleman knows it, to shut off the importation of agricultural products such as canned hams from Poland.

Mr. COOLEY. What can the gentleman from North Carolina do about it if your President does not act? The gentleman from North Carolina has no authority to compel him to act.

Mr. GROSS. I am saying that by the gentleman's amendment he is going to help increase the importation of certain agricultural commodities into this country.

Mr. COOLEY. No, it certainly will not do that. The purpose of this amendment is to make loans to American businessmen to build processing plants for agricultural commodities abroad, and for other purposes. It just provides an additional use for the funds rather than to let the money rest in some banks in some 20-odd nations.

Mr. GROSS. And what did we do in Japan after the end of the war? We sent modern knitting machinery and technicians over there to teach the Japanese how to make knitted products that Americans would wear and today they have absorbed a substantial part of our production and have driven many of our knitted wear plants out of business.

Mr. COOLEY. That would not be possible under my amendment.

Mr. GROSS. Yet, but it is by just such enactments as this that Congress made it possible to do these things.

Mr. COOLEY. The gentleman is wrong. If we have given up control over these matters, we gave them up when we originally enacted the law. This is an effort to tie down at least 25 percent of the funds, to be used for a purpose that we think would be advantageous to the American taxpayer.

Mr. BROWN of Missouri. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman.

Mr. BROWN of Missouri. Mr. Chairman, I share the sentiments of the gentleman from Iowa [Mr. GROSS] regarding the importation of pork products. But as I read the chairman's amendment, I believe the proviso that the chairman has included will definitely shut off these importations.

Mr. COOLEY. That is the reason I put the proviso in there. I will say to the gentleman from Iowa [Mr. GROSS] that that was the reason and the one purpose of the proviso—to prevent loans for manufacture of products to be imported into the United States—including agricultural products such as hams.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

Mr. MASON. Mr. Chairman, I object.

Mr. JENSEN. Mr. Chairman, I am sure every Member of Congress knows that we have a great many people out of work in America today. The primary reason is that our tariff wall has been reduced year after year to such an extent that a flood of foreign goods are coming into this country and being sold so cheaply that our affected industries cannot compete.

Mr. Chairman, whatever this House does in this bill today, I hope we will not do anything that will in any way help American industry or industry of any other country build factories or processing plants in any foreign country to compete against our domestic industry. Much as I should like to help the peoples of the world, people that need and deserve help, we must not forget that if we do not keep our great buying power, our friends across the seas will really suffer.

Every year we buy billions of dollars worth of their products which they must sell and which we need. If the time ever comes when the American people no longer buy those products, then our friends across the seas will really be in trouble.

There is another thing I want to talk about. The peoples of the world are all clamoring for American dollars. Those who buy for the Government of the United States and for private industry go all over the world and, knowing that those people want our dollars, buy cheaper than they should. In fact they say, "You need our dollars. We will pay you so much for these goods." Which is generally much too little. Then in order to build up their economy, Uncle Sam sends them billions upon billions of dollars for Christmas, so to speak, at all the United States taxpayers' expense.

It reminds me of the time I was a boy on the farm. Our neighbor always bought our calves. He would come over about September 1 and say to my father, "Martin, you have some calves about ready to sell, haven't you?" Dad would say, "Yes." "What do you want for them?" "What are you paying?" "Oh, $12 a head." The price was always the same, $12 a head. And Dad would sell them. But that neighbor always sent us a big sack of candy at Christmas time.

That is what we do. We buy from peoples all over the world for less than we should pay for their products, and then we send them billions of dollars to keep them in good humor and on our side, we hope.

I had an experience while I was in Japan a number of years ago. The press asked for a press conference with our delegation and a Japanese reporter asked us this question, "Do you think Japan would be better off in the long run to tie their business relations and their economy to China or to the United States?" Congressman McGrath, of New York, was chairman of the committee. He asked me to answer that one. So I gave them a lot of reasons why they should tie to the United States of America. I said, "The American dollar is good all over the world. We buy your silk and we buy your tea and we buy your toys. We buy almost everything you have for sale." I gave him a lot of reasons. So said I, "I am sure that Japan would be better off if they tied their economy and their trade relations to the United States." Then the reporter said, "That is what I thought your answer would be." I said, "What is wrong with it?" He said, "Well, only this, all your private purchasers and your Government purchasers come over here and they beat the price down on everything we have to sell to the point where we cannot pay our laboring people anything above a subsistence." Said he, "If the United States of America would pay what our goods are worth comparable to what such goods are worth in America, we would need little financial assistance from the United States and would take care of ourselves, and all our relations with the United States would be greatly improved."

I hope the Members of Congress and our importers will really take this serious matter to heart, for certainly it has far-reaching implications. Nations are no different than most individuals regardless of who they are or where they are, they would rather stand on their own feet than to be obligated to anyone, at least when they are able to operate on their own power.

Mr. PELLY. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. PELLY moves that the Committee of the Whole House do now rise and report the bill back to the House with the enacting clause stricken out.

Mr. PELLY. Mr. Chairman, what I have to say is said with the greatest respect. I am a Member of the Congress, but I am not a member of the Committee on Agriculture. Like many of the Members who have been in this Chamber during both days of debate on this bill, I have thought that I had a right to look to the members of the Committee on Agriculture for leadership and guidance. I have been present through this entire debate and I have seen the chairman of the Committee on Agriculture in several instances not defend the committee against what I considered certain crippling amendments.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. PELLY. I yield.

Mr. COOLEY. The gentleman evidently was not listening to me a moment ago. I said this is a committee amendment.

Mr. PELLY. I heard the gentleman say the amendment was almost similar to one supported by the committee.

Mr. COOLEY. And we have only had 1 amendment adopted, or 2 amendments.

Mr. PELLY. What I want to say is said in the greatest respect but the gentleman has not defended the bill against attack.

Mr. COOLEY. The last amendment adopted was an amendment that had been reported by our committee on 3 or 4 different occasions. It could not possibly be construed as an attack on the bill.

Mr. PELLY. I want to explain the confusion caused by the chairman.

Mr. COOLEY. The chairman has not confused the gentleman.

Mr. PELLY. Mr. Chairman, I cannot yield further until I make this explanation.

First of all, the chairman of the committee said he would accept personally

certain amendments, but that he did not speak for the rest of the committee. This was with reference to earlier amendments. Later on, he did present and support an amendment which came up, which he said was a little bit different in form. But, in any event, I want to repeat that I look to the members of the Committee on Agriculture who have heard the committee testimony on this agricultural extension act for leadership and for support of the position of the committee. I do not think I have seen that in this instance. Personally, I am going to vote against the bill unless some of the amendments that have been accepted are stricken out later on when the time comes.

Mr. COOLEY. Will the gentleman be kind enough to specify the amendments to which he objects?

Mr. PELLY. One amendment, to be specific, would be the Thompson amendment on cotton. I urge its defeat. I do support legislation to reduce CCC surplus commodities as reported by the full Agricultural Committee. I trust my statement here and position are clear. Certainly I have intended in no way to reflect on the actions of the chairman of the Agricultural Committee or any member.

Mr. ABERNETHY. Mr. Chairman, I move to strike out the last word.

I am not going to oppose the motion, Mr. Chairman, in fact, I think I am going to vote for it. I am going to do so reluctantly, however. We have now spent about 3 days in an effort to pass a bill, a pretty good bill, incidently, which was requested by the administration. It is wanted by President Eisenhower, Secretary Dulles, and Secretary Benson. They want the bill, and for 3 days now we have been trying to pass it. But there does not seem to be very much cooperation. If we had a little better cooperation, I think perhaps we could have gotten the bill for them. Evidently no one wants the bill—that is, not many in the House, especially among the Republicans.

So, that being their attitude, I suggest we go along with the gentleman's motion, strike out the enacting clause and get on with something that somebody does want.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. ABERNETHY. I yield.

Mr. ARENDS. I have listened very attentively to what the gentleman said about the President, the Secretary of State, and others.

Mr. ABERNETHY. I was not saying that critically.

Mr. ARENDS. I agree with what the gentleman says about this bill. I think it is absolutely correct, 100 percent correct.

I wonder if there has been any desire on their part to have incorporated in this bill what I term to be the needless amendment that was adopted yesterday.

Mr. ABERNETHY. I could not answer the gentleman; I do not know, but the amendment which was adopted yesterday is certainly not the crux of all the controversy we have here. This matter has been shuttled off into so many different channels and so much criticism has been made of the Committee on Agriculture—I happen to be a member of that committee—that we are just beginning to tire of it. This is one instance in which we have done our best to cooperate and assist the leaders of this administration. But we are not getting much cooperation from where it is most needed or most expected. So I suggest that the House ought to adopt the preferential motion offered by the gentleman from Washington and get on with something else.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. ABERNETHY. I yield.

Mr. LAIRD. I have been sitting here throughout the consideration of this bill and I have not noticed that there have been many crippling amendments.

Mr. ABERNETHY. I am not speaking of amendments.

Mr. LAIRD. As a matter of fact, no amendment was offered from this side of the aisle.

Mr. ABERNETHY. I am not speaking altogether of amendments; I am speaking of the general attitude of many in the House who have for 3 days criticized everything about this bill, including the Committee on Agriculture. Evidently the House does not want the bill, so I am suggesting that we adopt the preferential motion and get on to something the Members do want. If the Members do want the bill, then let us put an end to this marathon of controversy and pass it.

The CHAIRMAN. The time of the gentleman from Mississippi has expired; all time has expired.

The question is on the preferential motion.

The motion was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from North Carolina [Mr. COOLEY].

The question was taken; and on a division (demanded by Mr. COOLEY) there were—ayes 75, noes 56.

So the amendment was agreed to.

Mr. ARENDS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, an amendment passed yesterday would authorize the Commodity Credit Corporation to donate raw cotton, mattress ticking, sheeting, and blanketing to States for distribution to needy persons and charitable institutions. The amendment contemplates that the State distributing agencies—which handle the distribution of surplus foods—would be responsible for financing the cost of further processing these materials into mattresses, sheets, and blankets.

I strongly feel that the House should reconsider its action of yesterday. Such a program cannot make a contribution to the effective disposal of CCC inventories. In fact, these donations are certain to replace the regular purchases of cotton products—especially by the institutions that would be receiving the mattresses, blankets, and sheets.

First, there is a practical limit to the number of mattresses, blankets, and sheets a family or institution can use. Thus, if the Federal Government makes them available without cost, there is no reason why these families will continue to buy such products. Thus, a program the Congress passes in the name of surplus disposal is, in fact, a program to reduce the regular markets of the cotton industry.

Second, few, if any, States would find it practical to undertake the expenses involved in contracting for the manufacture of these donated cotton materials into mattresses, sheets, and blankets. When a program of this type was operated during the depression years, the manufacturing was done in WPA sewing projects—at no cost to the State. Even then—when the need for such a program certainly could better be defended, only 657,000 bales of cotton were moved in the 5 years the program was in operation. I do not see, therefore, how we can expect such a program to contribute to the cotton disposal program under present-day conditions.

You will recall that the Department of Agriculture found it was impractical to give wheat and corn to States when the States had to bear the expense of processing these grains into flour and meal. If that program did not prove possible, I cannot see how we could expect that States will be in a position to finance the manufacture of mattresses. If this legislation should pass, the Congress would soon be faced with the necessity of putting CCC in the mattress business. Is that what you want—more Government in business in competition with your people?

Third, this program would require the Commodity Credit Corporation to take on added expenses that could not be justified. In addition to the investment in raw cotton, it would cost more than $100 a bale for the CCC to process cotton into mattress ticking, sheeting, and blanketing. Not proposed in Committee nor considered. And, added to that, would the costs of hiring additional employees to contract for the processing and supervise State administration of the program. And, all this would be authorized at a time when the administration and the Congress is seeking every means of holding down Federal expenditures.

I know every Member of the House is seeking ways to constructively use our surplus agricultural inventories. But this program will only add to the difficulties faced by the cotton industry and to the costs of the Federal Government.

Also, the addition of this amendment to the bill gets away from the real purpose of Public Law 480, to define CCC commodities abroad. Also, the amendment might well place in jeopardy the final passage of this worth while and objective legislation. Let us not load this bill with this unneeded amendment. On a rollcall vote, which will be had, the amendment should be defeated.

The program authorized in this amendment cannot—for all the expenditures involved—result in any significant increase in domestic consumption of cotton. It will, in fact, jeopardize the industry's market among the institutions and families that would be receiving free mattresses, blankets, and sheets.

When the time comes to request a separate vote on any amendment, I shall demand a separate vote on this amendment, and I trust the House in reconsidering this matter, in view of the information it has on the whole problem, will reject the amendment, go ahead with the basic purpose of the bill as reported by the Committee on Agriculture of the House, and get it over to the Senate for action.

Mr. COOLEY. Mr. Chairman, I move to strike the last two words.

Mr. Chairman, if I might temporarily divorce myself from my position as chairman of the Committee on Agriculture, I would like to speak as a mere Member of the House in favor of the amendment which was adopted, and to which the gentleman from Illinois has just referred.

Basically, this amendment is perfectly sound and I cannot see any reason why we are willing to give cotton and other fibers to all the needy of the universe and deny it to our own needy people in this country. Under the law we make available to all of our needy people the entire amount of food we have in storage and we have adopted an amendment here today which does not seem to be very controversial making this food available to prisoners, to people who have committed infamous crimes and are now incarcerated. We make food available to orphanages and mental institutions. Now, the only proposition here is to make some cotton available to the poor people in America who just cannot afford to buy cotton goods.

Now, the situation could never arise as has been indicated by the speaker who just preceded me, that the market for American textiles would be taken over by the Federal Government as the result of this amendment. That is not true at all, because the only person that would be eligible for this raw cotton would be some poor person who has been certified as eligible.

Now, in the State of Pennsylvania alone we are told that there are 611,000 people that cannot even buy food. Now, if they cannot buy food, how can they afford to buy mattresses for their children to sleep on or a cheap blanket to keep them warm in the wintertime? Now, we are being generous with everybody on earth except with our own people. I grant you that we are not going to get rid of an awful lot of cotton as the result of this, but we will get rid of some. The relief aspects have more appeal to me than the economic values involved. I submit it is a good amendment and it should be put into operation. We had a similar program to this back in the days of the depression, and I have seen people in my own little town take these mattresses with deep gratitude, people that had been sleeping on shucks and straw. What is wrong with having a mattress to sleep on and a blanket to keep them warm?

Now, you say it is going to cost $100 a bale. It is not going to cost that; I do not think it will cost over $75 a bale to give it away under the old mattress program. It costs $70 a bale to put our cotton in the foreign export market under a subsidy program, and as the result of that subsidy program it has cost the taxpayers of America $535 million in the last 18 months, and this program certainly could not approach any such sum as that.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Could a southern Congressman from south Pittsburgh ask why, this being a bill for the disposal of surplus agricultural commodities, and cotton is a surplus agricultural commodity, cotton should be discriminated against?

Mr. COOLEY. Well, that is it. It is just the idea that somebody has proposed here. Now, I am frank to say that we have bills before our committee providing for this very program, but we cannot pass this sort of a program over Presidential veto. We cannot pass it, perhaps, with Mr. Benson's objection out of our committee. But I know one thing: The President of the United States will not find this amendment so obnoxious that he will veto this bill. I do not think anybody would be foolish enough to even suggest the possibility of a veto. It is just the idea that we want to be generous with everybody else in kingdom come except our own people.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Connecticut.

Mr. MORANO. Was not this amendment adopted in the Committee of the Whole?

Mr. COOLEY. Certainly; but the gentleman from Illinois said he would demand a separate vote. I hope the committee will vote to keep this amendment.

Mr. McGOVERN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I will not use all the 5 minutes. I had intended to offer an amendment at this point, but I am withdrawing it lest it further complicate the passage of this fine bill which provides for the constructive use of American farm surpluses. The amendment that I had planned to offer contains a concept that I hope will in the near future become a part of Public Law 480. I am referring to the extension of that program to give greater assistance to the voluntary agencies that have done such a wonderful job of implementing the program to date.

Now, under the present provisions of the law, it is possible for Public Law 480 surplus foods to be used by the voluntary agencies, by religious and humanitarian and charitable organizations, in the distribution of food abroad. These agencies are carrying on that function with great credit to themselves and to the tremendous advantage of America's relations abroad. Last year alone private American agencies distributed more than 1 billion pounds of surplus food.

But we have not yet seen fit to grant authority to these same voluntary agencies to use Public Law 480 funds for carrying on medical work, the training of practical nurses and medical personnel, the carrying on of educational programs, and other humanitarian activities that have been so important a part of our efforts to assist our brothers in other countries.

I think we have reached a point, in terms of some of the basic things that we are trying to achieve in American foreign policy, where we ought to give much greater attention than we have thus far to the tremendous role that these private voluntary agencies can play. The best conceived foreign-aid programs under the sponsorship of our Government have oftentimes been misinterpreted by foreign countries as evidence on our part of a desire to control their economies or to dictate to them politically. But no such objection has ever been raised to aid programs carried on by religious organizations or by charitable or humanitarian groups from this country. The peoples of the world know that the religious institutions of America and our charitable and philanthropic organizations are motivated only by their belief in the dignity and brotherhood of man.

I hope that in the very near future the Committee on Agriculture and the Congress itself will see fit to extend this Public Law 480 program so that we can make greater use of the facilities and the personnel provided by our great voluntary agencies.

Mr. ZABLOCKI. Mr. Chairman, I rise in support of H. R. 6974, the bill to extend the Agricultural Trade Development and Assistance Act of 1954.

This legislation was enacted by Congress to aid in disposing of our surplus agricultural commodities through various means calculated to bring some permanent benefits to our entire Nation.

These means include the sale of our surplus agricultural commodities for foreign currency, barter, and domestic and foreign donations.

There is no doubt but that this legislation has been of tremendous assistance in aiding to reduce our vast stock of surplus agricultural commodities. United States farm exports, for instance, increased with the help of this legislation from approximately $3 billion in fiscal 1954 and fiscal 1955 to an estimated $4.5 billion in the current fiscal year. I am confident that, with the continuation of this program, we will be able to make an even more impressive record in the year to come.

These export gains are needed to help us solve our agricultural surplus problem. According to the recent annual report of the Secretary of Agriculture, the Commodity Credit Corporation has between $8 billion and $9 billion tied up in supporting the prices of agricultural commodities. During the last fiscal year, the CCC's net realized program losses amounted to almost $1 billion.

Surely it is good sense on our part to stimulate the export of agricultural surplus and to work for a reduction in the huge surpluses which are crowding all available storage facilities and depressing the overall agricultural situation.

I believe that the program which the legislation before us proposes to extend has proved to be useful and constructive. We should continue it, and, I for one, am strongly of the opinion that the legislation merits our active support.

Mr. GEORGE. Mr. Chairman, needless to say, I was extremely disappointed

in the action taken by the Public Works Subcommittee of the Appropriations Committee, in deleting an item of $85,000 for final planning on the Elk City—Table Mound—Dam and Reservoir project.

When I checked with members of the subcommittee, I discovered that the information supplied to members of this committee by the staff inadvertently had this project listed as a new start, which was not true, as it was an appropriation to complete planning; $165,000 had previously been allocated by your committee for this project.

When your committee established the policy of no new starts in considering the budget for fiscal year 1958, and when the membership glanced down to the Elk River project and saw it listed as a new start, no question was raised when writing up the final bill, as to the deletion of this item.

It seems to me that this project was the victim of an unfortunate error in the preparation of the worksheet, and I hope that when your conferees meet with the Senate conferees in the finaling out of this bill, consideration will be given to the error that has been made, and that the error will be rectified.

I have been reliably informed by numerous members of your committee that it always has been customary to pass the final appropriations for planning on projects that are as far along as this one, without controversy.

Again, I wish to state I hope that this error may be rectified in your conference with the Senate conferees, so that equal treatment may be granted by your committee to the people of the Third Congressional District of Kansas, that has been extended to other sections of the United States.

This $85,000 is to complete planning of the Elk City—Table Mound—Dam and Reservoir project. It is not for a new start as $165,000 for planning has already been appropriated and spent.

Mr. DONOHUE. Mr. Chairman, with deepest appreciation and respect for the most earnest and sincere motives of our distinguished colleague, the gentlewoman from New York, who so conscientiously and capably fulfills her legislative responsibilities, I am nevertheless impelled to speak and vote against this proposed amendment designed to provide for Congressional determination of friendly nations, under the language of this bill.

In my studied judgment, the dangers of disastrous and unjust discrimination, inherent and inevitable, in the provisions of this amendment make it most doubtful and uncertain that it would work out in the wholesome and patriotic manner I know is sincerely envisioned by the gentle lady.

For instance it could, and very probably would, develop that the courageous and long-suffering people of Poland, currently in such desperate need of even basic foods, might be determined ineligible to participate in and benefit from this surplus-commodity distribution and exchange program.

While it is true that Poland is now within the Soviet orbit it is just as true, as their great history demonstrates, that the Polish people will never succumb to attempted Communist infusion of principle and philosophy based on atheistic godlessness. The Polish people have valiantly and continuously opposed and refused to bend under the iron heel of cruel and ruthless Russian tyranny for over 36 years and they will never surrender their Christian heritage to the Kremlin leaders or any other oppressor. The blessed beliefs in individual dignity, liberty, and allegiance to the Almighty burn brightly in the hearts and minds of all Poles and they will forever.

This country and the Free World is under enormous debt to heroic Poland and it would be most unwise to unwittingly provide evidence upon which a mistaken impression could be generated that we were abandoning or neglecting their continuing basic welfare. While there is some element of gamble in this situation it is a gamble on the side of the good Polish people and the divine providence that watches over them and all of us. There is no doubt that the Polish people are our ally. There is no gamble in this Nation and the Free World doing everything within reason to maintain and encourage the high spirit and unparalleled fortitude of the Polish people to fight on against Communist imperialism to the blessed day when she will regain her freedom and independence; please God may that day not be distant.

The CHAIRMAN. There being no further amendments, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. COOPER) having resumed the chair, Mr. HAYS of Arkansas, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6974) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, had directed him to report the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask for a separate vote on the cotton-mattress amendment adopted yesterday in Committee of the Whole.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put them en bloc.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report the amendment on which a separate vote is demanded.

The Clerk read as follows:

Amendment offered by Mr. THOMPSON of Louisiana: Page 2, following line 3, add the following new section:

"SEC. 2. The Agricultural Trade Development and Assistance Act of 1954 is amended by adding at the end thereof the following new section:

"'SEC. 306. (a) The Commodity Credit Corporation is authorized, on such terms and under such regulations as the Secretary may deem in the public interest, to donate raw cotton, and mattress ticking, sheeting, and blanketing made of cotton, to such State, Federal, or private agency or agencies as may be designated by the proper State or Federal authority and approved by the Secretary, for use in the United States in assisting needy persons, and in charitable institutions, including hospitals, to the extent that needy persons are served.

"'(b) The Secretary, before making any donations under this act, shall obtain such assurances as he deems necessary that—

"'(1) such raw cotton and such cotton products will be used by the recipient agency in a program under which such cotton and cotton products will be processed into finished mattresses, sheets, and blankets and distributed among needy persons,

"'(2) the recipients of such raw cotton and such cotton products will not diminish their normal expenditures for cotton and such cotton products by reason of such donation.

"'(c) (1) In order to facilitate the appropriate disposal of such raw cotton and cotton products, the Secretary may from time to time announce the quantity thereof which will be available for distribution.

"'(2) The Commodity Credit Corporation may pay, with respect to cotton and cotton products disposed of under this act, the cost of acquiring such commodities (unless procured from the stocks of such Corporation), and the cost of reprocessing, packaging, transporting, handling, and other charges accruing up to the time of their delivery to a Federal agency or to the designated State or private agency.

"'(3) For the purposes of this act, the terms "State" and "United States" include the District of Columbia, Puerto Rico, and each Territory or possession of the United States.'"

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. AUGUST H. ANDRESEN), there were—ayes 79, noes 121.

Mr. THOMPSON of Louisiana. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

So the amendment was rejected.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

Mr. THOMPSON of Louisiana. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] Two hundred and thirty-seven Members are present, a quorum.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. MASON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MASON. I am, Mr. Speaker.

The SPEAKER pro tempore. The gentleman qualifies. The Clerk will report the motion of the gentleman from Illinois to recommit the bill.

The Clerk read as follows:

Mr. MASON moves that the bill be recommitted to the Committee on Agriculture.

Mr. COOLEY. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 345, nays 7, not voting 81, as follows:

[Roll No. 119]

YEAS—345

Abbitt	Devereux	Kitchin
Abernethy	Dies	Knox
Adair	Dingell	Laird
Addonizio	Dixon	Landrum
Albert	Donohue	Lanham
Alexander	Dorn, N. Y.	Lankford
Allen, Calif.	Dowdy	Latham
Allen, Ill.	Doyle	Lennon
Andersen, H. Carl	Dwyer	Lesinski
	Elliott	Lipscomb
Anderson, Mont.	Engle	Long
	Evins	McCarthy
Andresen August H.	Fallon	McCulloch
	Fascell	McDonough
Andrews	Feighan	McFall
Arends	Fenton	McGovern
Ashley	Flood	McGregor
Ashmore	Flynt	McIntire
Aspinall	Fogarty	McMillan
Auchincloss	Forand	McVey
Avery	Ford	Macdonald
Baker	Forrester	Mack, Ill.
Baldwin	Fountain	Mack, Wash.
Baring	Frazier	Madden
Barrett	Frelinghuysen	Magnuson
Bass, N. H.	Friedel	Mahon
Bass, Tenn.	Fulton	Mailliard
Bates	Garmatz	Marshall
Becker	Gary	Martin
Beckworth	Gathings	Matthews
Belcher	Gavin	May
Bennett, Fla.	George	Meader
Bennett, Mich.	Gordon	Merrow
Bentley	Granahan	Metcalf
Berry	Gray	Michel
Betts	Green, Oreg.	Miller, Calif.
Boggs	Green, Pa.	Miller, Md.
Boland	Gregory	Miller, Nebr.
Bolling	Griffin	Miller, N. Y.
Bolton	Griffiths	Mills
Bosch	Gross	Minshall
Boykin	Gubser	Moore
Boyle	Gwinn	Morano
Bray	Hagen	Morgan
Breeding	Hale	Morris
Brooks, La.	Haley	Morrison
Brooks, Tex.	Halleck	Moss
Broomfield	Harden	Moulder
Brown, Ga.	Hardy	Multer
Brown, Mo.	Harris	Mumma
Brown, Ohio	Harrison, Nebr.	Natcher
Brownson	Harrison, Va.	Neal
Broyhill	Harvey	Nicholson
Budge	Haskell	Nimtz
Burleson	Hays, Ark.	Norblad
Bush	Hays, Ohio	Norrell
Byrd	Hemphill	O'Brien, Ill.
Byrne, Ill.	Henderson	O'Hara, Ill.
Byrne, Pa.	Heselton	O'Konski
Byrnes, Wis.	Hess	Osmers
Canfield	Hiestand	Ostertag
Cannon	Hill	Passman
Carnahan	Hoeven	Patman
Carrigg	Holifield	Pelly
Chamberlain	Holland	Perkins
Chelf	Holmes	Pfost
Chenoweth	Holt	Philbin
Chiperfield	Horan	Pilcher
Christopher	Hosmer	Pillion
Chudoff	Huddleston	Poage
Church	Hull	Poff
Clevenger	Hyde	Polk
Coad	Ikard	Porter
Coffin	Jackson	Preston
Cole	Jarman	Price
Cooley	Jenkins	Prouty
Cooper	Jennings	Rabaut
Corbett	Jensen	Radwan
Cramer	Johnson	Ray
Cretella	Jonas	Reece, Tenn.
Cunningham, Iowa	Jones, Ala.	Reed
	Jones, Mo.	Rees, Kans.
Cunningham, Nebr.	Judd	Reuss
	Karsten	Rhodes, Ariz.
Curtin	Kean	Rhodes, Pa.
Curtis, Mass.	Kearns	Riehlman
Dague	Kee	Riley
Davis, Ga.	Keeney	Roberts
Dawson, Utah	Kelley, Pa.	Robsion, Ky.
Delaney	Kilburn	Rodino
Dempsey	Kilday	Rogers, Colo.
Dennison	Kilgore	Rogers, Fla.
Denton	King	Rogers, Mass.
Derounian	Kirwan	Rogers, Tex.
Rooney	Springer	Van Zandt
Roosevelt	Staggers	Vinson
Rutherford	Stauffer	Vorys
St. George	Steed	Wainwright
Saylor	Sullivan	Watts
Schenck	Taber	Weaver
Schwengel	Talle	Westland
Scott, N. C.	Teague, Calif.	Whitener
Scrivner	Tewes	Whitten
Scudder	Thomas	Widnall
Seely-Brown	Thompson, La.	Wier
Selden	Thompson, N. J.	Wigglesworth
Shelley	Thompson, Tex.	Williams, N. Y.
Shuford	Thomson, Wyo.	Willis
Sieminski	Thornberry	Wilson, Ind.
Siler	Tollefson	Winstead
Simpson, Ill.	Trimble	Wolverton
Simpson, Pa.	Tuck	Wright
Sisk	Udall	Yates
Smith, Miss.	Ullman	Young
Smith, Va.	Utt	Younger
Smith, Wis.	Vanik	Zablocki
Spence	Van Pelt	

NAYS—7

Alger	Kelly, N. Y.	Smith, Kans.
Hoffman	Mason	
Johansen	Smith, Calif.	

NOT VOTING—81

Anfuso	Durham	Murray
Ayres	Eberharter	O'Brien, N. Y.
Bailey	Edmondson	O'Hara, Minn.
Barden	Farbstein	O'Neill
Baumhart	Fino	Patterson
Beamer	Fisher	Powell
Blatnik	Grant	Rains
Blitch	Healey	Rivers
Bonner	Hébert	Robeson, Va.
Bow	Herlong	Sadlak
Bowler	Hillings	Santangelo
Buckley	Holtzman	Saund
Burdick	James	Scherer
Cederberg	Kearney	Scott, Pa.
Celler	Keating	Sheehan
Clark	Keogh	Sheppard
Collier	Kluczynski	Sikes
Colmer	Knutson	Taylor
Coudert	Krueger	Teague, Tex.
Curtis, Mo.	Lane	Teller
Davis, Tenn.	LeCompte	Vursell
Dawson, Ill.	Loser	Walter
Dellay	McConnell	Wharton
Diggs	McCormack	Williams, Miss.
Dollinger	McIntosh	Wilson, Calif.
Dooley	Machrowicz	Withrow
Dorn, S. C.	Montoya	Zelenko

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Taylor.
Mr. Keogh with Mr. Keating.
Mr. Buckley with Mr. Baumhart.
Mr. Walter with Mr. Vursell.
Mr. Anfuso with Mr. Sheehan.
Mr. Rains with Mr. O'Hara of Minnesota.
Mr. Holtzman with Mr. Collier.
Mrs. Blitch with Mr. Coudert.
Mr. Colmer with Mr. Dellay.
Mr. Santangelo with Mr. Dooley.
Mr. Dorn of South Carolina with Mr. Beamer.
Mr. Bonner with Mr. James.
Mr. Bailey with Mr. Wharton.
Mr. Farbstein with Mr. Scott of Pennsylvania.
Mr. Durham with Mr. Sadlak.
Mr. Zelenko with Mr. McIntosh.
Mr. Healey with Mr. McConnell.
Mr. Machrowicz with Mr. Bow.
Mr. Teller with Mr. Cederburg.
Mr. Powell with Mr. Fino.
Mr. Dawson of Illinois with Mr. Ayres.
Mr. Celler with Mr. Kearney.
Mr. Bowler with Mr. Krueger.
Mr. Clark with Mr. Curtis of Missouri.
Mr. Dollinger with Mr. Patterson.
Mr. O'Neill with Mr. Scherer.
Mr. Kluczynski with Mr. Withrow.
Mr. Sheppard with Mr. Wilson of California.
Mr. Williams of Mississippi with Mr. Burdick.
Mr. Blatnik with Mr. LeCompte.
Mr. Loser with Mr. Hillings.

Mr. HOFFMAN changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. ALGER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, I regret that so few share my disapproval of this bill. This in no way lessens my objection. There are other ways of disposing of our agricultural surplus besides giving it away. There are other means to provide for our needs. I too believe we must dispose of the surpluses and help those less fortunate.

I hold simply that it is not the role of the Federal Government to feed, clothe or house our citizens or citizens of other nations. This is socialism; this is flagrant disregard for traditional constitutional government, United States style; this is flagrant disregard for States rights through asserting Federal prerogatives. Therefore, I oppose the bill.

CONTINUING IN EFFECT HOUSE RESOLUTION 190 AND HOUSE RESOLUTION 386, 83D CONGRESS

Mr. WILLIS. Mr. Speaker, I offer a privileged resolution (H. Res. 21) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That effective from January 3, 1957, the provisions of House Resolution 190, 83d Congress, agreed to March 26, 1953, and House Resolution 386, 83d Congress, agreed to August 1, 1953, are continued in effect.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WILLIS. Mr. Speaker, in 1953, certain members, former members, and employees of the Un-American Activities Committee of the House of Representatives were named as defendants in the case of Wilson, et al., against Loew's, Inc., et al.

This proceeding contained 23 separate causes of action brought by 23 persons against certain motion-picture companies, their executives and certain members, former members, and employees of the Committee on Un-American Activities. The plaintiffs sought recovery of damages, both actual and punitive, to the extent of $2,250,000, or a grand total of $51,750,000 for all.

The complaint in the above-entitled suit alleged a conspiracy on the part of all the defendants and alleged also that the members of the committee had acted both in their official capacity with relation to the said House Un-American Activities Committee and individually in nonofficial capacities. Under House Resolution 190, the Committee on the Judi-

ciary under its then chairman, the late Mr. Reed, of Illinois, appointed a subcommittee to carry out the authorized study and investigation. The subcommittee then retained Guy Richard Crump, Esq., of Los Angeles, Calif., as counsel to represent the members and former members of the Un-American Activities Committee, as well as the staff who had been named defendants in the case. Prior thereto, the defendant members of that committee and its staff had been ably represented by Slate & Sawtelle, also of Los Angeles, Calif., who were continued in the case as associate counsel by authorization of the subcommittee of the Committee on the Judiciary.

On August 1, 1953, the House passed House Resolution 386 which continued the authority contained in the earlier House Resolution 190 and further authorized the Committee on the Judiciary to arrange for the defense of members, former members, and employees of the Committee on Un-American Activities in any suit thereafter brought against such individuals. Both resolutions also authorized the Committee on the Judiciary to incur all necessary expenses for the purposes authorized, including such items as expenses of travel and subsistence, employment of counsel and other persons to assist it and also, if deemed advisable by the Committee on the Judiciary or a subcommittee, to employ, counsel to represent any and all members of the House Committee on Un-American Activities who might be named as party defendants in any such action or actions. This, of course, included the case of Michael Wilson, et al., against Loew's Inc., et al. The payment of these expenses were to be made from the contingent fund of the House of Representatives on vouchers authorized by the Committee on the Judiciary and signed by the chairman thereof and approved by the Committee on House Administration.

As a result of the representation of the attorneys retained as counsel for these members, former members, and employees, the circuit court of Los Angeles County set aside the summonses and subpenas that were issued upon the nonresidents of the State of California. The subpenas against Messrs. Doyle and Jackson were recalled and quashed but the service of summons was held valid. As to the defendant Wheeler, an employee of the committee, both the summons and subpena were ruled valid. This action took place after a special appearance had been entered on behalf of the House defendants and a motion had been made to set aside and quash subpenas and depositions.

On July 9, 1954, demurrer filed by the defendants to the complaint was sustained. Plaintiffs thereupon filed an amended complaint to which the defendants again demurred and were sustained. On September 16, 1954, plaintiffs appealed from that ruling. On that appeal briefs were filed and oral argument held in the district court of appeals, the second appellate district in the State of California. Those involved in the appeal were Messrs. Doyle, Jackson, and Wheeler. That court affirmed the judgment of the superior court sustaining the demurrers and dismissing the complaint.

Petition was then filed with the Supreme Court of the State of California, but the petition was denied.

On November 5, 1956, a petition for writ of certiorari was filed in the Supreme Court of the United States. Briefs were submitted by all parties, including one by the American Civil Liberties Union, southern California branch, as amicus curiae. On January 21, 1957, the petition for the writ of certiorari was granted. The matter is now pending before the Supreme Court of the United States.

To date counsel has been paid fees in the sum of $2,550 to Mr. Crump, which entails services rendered for 17 days, at $150 per day, and the sum of $2,500 to Slate & Sawtelle for legal services rendered of 136 hours, plus $96.36 for out-of-pocket expenses, making a total of $2,596.36.

Since the above payment, Mr. Crump has submitted an additional bill for the sum of $1,746.45 for services and out-of-pocket expenses on an appeal, covering the period from September 1, 1955, to November 1, 1956. These expenses are broken down as follows:

Legal services for 11 days, at $150 per day	$1,650.00
Printing respondents' brief	96.45

It is expected that additional moneys will be necessary to pay for the legal services which will be rendered in connection with the case now pending before the Supreme Court of the United States. In order that these legal fees and expenses may be paid and also subsequent fees, it is necessary that this resolution be favorably approved. This is due to the fact that the authority to retain these attorneys and to pay them from the contingent fund of the House expired at the termination of the 84th Congress.

Therefore, the Committee on the Judiciary recommends favorable enactment of House Resolution 21.

FOOD-STAMP PLAN TO DISTRIBUTE SURPLUS FOOD

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mrs. SULLIVAN. Mr. Speaker, I was on my feet seeking recognition in order to offer a motion to recommit H. R. 6974 before the passage a few moments ago of that bill extending Public Law 480, but could not get recognition because, under the rules of the House, the minority party has priority in offering motions to recommit. Had I been recognized, I intended to offer a motion to recommit the bill to the Committee on Agriculture with instructions to report the bill back forthwith with an amendment establishing the food-stamp plan to distribute our surplus food to needy people on the relief rolls in this country. I am extremely sorry this was not accomplished in this bill. I have reservations about the bill because of this omission. Nevertheless, I voted for the passage of the bill, because I feel we must continue authority now expiring for the programs it does cover.

GENERAL LEAVE TO EXTEND REMARKS

Mr. POAGE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed, H. R. 6974.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6500) entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes.

The message also announced that the Senate recedes from its amendment No. 1 to the above-entitled bill.

GOVERNMENT SPENDING VERSUS GOVERNMENT BUDGET

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McGREGOR. Mr. Speaker, for several weeks we have been discussing Government spending versus Government budget. We cannot blame the Appropriations Committee for appropriating the money when we, who are Members of Congress and are members of legislative committees, authorize that appropriation. I believe we should assume our responsibility and, if we want to cut down expenditures which are not absolutely essential and necessary to the welfare of our country, vote no when unnecessary subjects and projects are presented to us for authorization.

The records will show that I have voted consistently for reduction in expenditures, except where our expenditures are necessary for our welfare and the protection of our freedoms. The foreign aid bill will again soon be on the floor of Congress for our consideration. Although I am not a member of the Foreign Affairs Committee which handles this legislation, I sincerely hope that the Committee will carefully scrutinize and analyze, yes, with a "fine-tooth comb," every request and every expenditure for foreign aid. I firmly believe that in this period of high taxes, high living costs,

and large national debt we should hold financial aid to foreign lands at a minimum, if at all. We have many people in this country who are finding it hard to pay taxes, raise a family, and maintain a living standard which our freedoms grant to us.

I cannot help but make the observation that some people in foreign lands will "sit in the shade" as long as we continue to give them handouts. It seems ridiculous to me that this great Nation, which is in debt more than any other, should continue to give finances to those countries which are in debt the least.

JOINT COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. SMITH of Virginia. Mr. Speaker, I call up the concurrent resolution (H. Con. Res. 172) to establish a joint congressional committee to investigate matters pertaining to the growth and expansion of the District of Columbia and its metropolitan area and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there is hereby established a joint congressional committee to be composed of the members of the Committee on the District of Columbia of the Senate and the members of the Committee on the District of Columbia of the House of Representatives. The joint committee shall select a chairman and a vice chairman from among its members. A majority of the joint committee shall constitute a quorum except that a lesser number, to be fixed by the joint committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

SEC. 2. The joint committee, or any duly authorized subcommittee thereof, shall examine, investigate, and make a complete study of any and all matters pertaining to (a) the problems created by the growth and expansion of the District of Columbia and its metropolitan area, (b) how and with what degree of success such problems are handled and resolved by the various agencies and instrumentalities of the Government which are charged with the duty of resolving such problems, and (c) how the resolution of such problems is affecting the affairs of the District of Columbia. The joint committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate and the House of Representatives at the earliest practicable date, but not later than January 31, 1958. Upon the submission of such report, the joint committee shall cease to exist and all authority conferred by this resolution shall terminate.

SEC. 3. The joint committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times within the United States, to hold such hearings, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony as it deems advisable.

SEC. 4. The joint committee shall have power to employ and fix the compensation of such experts, consultants, and other employees as it deems necessary in the performance of its duties.

Mr. SMITH of Virginia. Mr. Speaker, I think the language of the resolution explains it. I know it is not at all controversial. The author of the bill is the gentleman from Maryland [Mr. HYDE] and he is more competent to explain the provisions of the resolution than I am. I favor the resolution and I would like to yield to the gentleman from Maryland [Mr. HYDE] for an explanation of its purposes such time as he may desire.

Mr. HYDE. Mr. Speaker, I thank the gentleman from Virginia for yielding me time to explain this resolution. As the gentleman from Virginia has just stated, there is no controversy regarding this resolution so far as I know. It received the unanimous support of the Committee on Rules and has also been studied by the House Committee on the District of Columbia. That committee unanimously stated that it had no objection to the resolution. Moreover, it has the support of the Commissioner of the District of Columbia, the Washington Board of Trade, and all local planning groups. What it does, as we will see from reading it, is simply to establish a joint committee of the Congress to study problems created by the growth and expansion of the District of Columbia and its metropolitan area.

Actually it is an investigation and study that is of the utmost importance, because it involves one of the most serious crises facing America today, and that is the crisis created by urbanization.

As a matter of fact, this resolution was suggested by a number of things that have occurred this past year. This past winter a meeting of the National Planning Association called for a 10-year program for the metropolitan areas of the country. I understand also that the association suggested a White House conference on this subject because of its serious importance.

All of you, I am sure, are aware of the tremendous expansion of metropolitan areas, actually since World War II. The urban centers of many of our great cities are becoming obsolete.

The problems that should be studied involve traffic strangulation, slum areas, mass transportation systems, schools, recreational areas, hospitals, streets, water supply, sewers, air pollution, flight plans, and social aggravations, and so forth.

In other words, the purpose of this committee will be to make a study of all these serious problems and how these problems should be met and to study how the different political jurisdictions involved in these great metropolitan areas are coping with these problems.

When we first considered the drafting of this resolution it was thought that we should have a joint committee to study urbanization throughout the United States, but then it was thought that we might get more definitive answers of real value in trying to solve the problem if we confined the study to just one particular metropolitan area; and, of course, the most logical place for a joint committee of Congress to make the study is the metropolitan area of the District of Columbia.

That, Mr. Speaker, briefly, is the purpose of this resolution to establish this committee to make this study.

A good deal of the work that such committee might do has already been done and will have been completed this fall. You will recall, of course, that this Congress provided for a mass transportation study. That study will be completed this fall, I understand, and, of course, that will all be available to this committee. Several of the committees have done a good deal of work. So quite a lot has already been done, but there remain many other problems to be studied other than that of mass transportation, and unless we can make a thorough study of the problem and come to some definitive answers it is going to be more difficult in the future to meet it, we will come to a problem so aggravated that it will create chaos.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield.

Mr. GROSS. Is there any presently existing committee or commission that can study this problem without creating a whole new staff of consultants, experts, and so on and so forth?

Mr. HYDE. No, there is not. The answer is "No."

Mr. GROSS. What is it going to cost?

Mr. HYDE. We do not know, but it is a study of a problem, I would say to the gentleman from Iowa, that we cannot afford to put off; in fact, we are all familiar with the chaos that now exists in many areas as the result of the explosion of our urban centers. Different political jurisdictions within the same metropolitan areas acting without common direction present a situation that should be handled in some joint way and on some cooperative basis.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. HYDE. I yield.

Mr. GROSS. Who is going to pay for this? Is this going to be paid out of the Treasury or what is the story?

Mr. HYDE. The money will be provided by the Committee on House Administration just as is the case with other joint committees of Congress.

Mr. GROSS. So it is coming out of the Federal Treasury.

Mr. HYDE. That is correct.

Mr. GROSS. It is going to serve the metropolitan area which means, of course, that it will include Maryland and Virginia. Is that not correct?

Mr. HYDE. Oh, yes.

Mr. GROSS. Are they going to make any contribution to this?

Mr. HYDE. No.

Mr. MULTER. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from New York.

Mr. MULTER. I am pleased to associate myself with what the gentleman has said in favor of this resolution. It may be true that the surrounding area in Virginia and Maryland may benefit ultimately from this but benefits will come to all the taxpayers of the country and the various communities at taxpayers' expense. This is a study that is long past due. I am sure benefits will be developed that can be obtained for the entire community and the country because this is the capital of the United States and this will redound to the benefit of all the taxpayers who, incidentally, must pay for the cost of the study. We in the Congress will have the right to say how much will be spent before this

committee can operate. After we pass this resolution, the Committee on House Administration will present a resolution and you will have the opportunity then to say what should be spent.

Mr. HYDE. I thank the gentleman for his contribution. Actually what we are proposing will serve as a pilot study for the use of urban centers throughout the United States. That is another one of its real purposes.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from California.

Mr. MILLER of California. I want to congratulate the gentleman and ask for the adoption of this resolution. I invite his attention and those of you who are interested in the problem, and all of us who come from metropolitan areas must be, to a statement I put in the RECORD which was a reprint from an article that included an interview with Professor Robsion, of the University of London, who is an exchange professor at the University of California, an authority on these matters. He stated that the same thing applies here as applies to a mess of Balkan States. That is that these subdivisions are going off in different directions. It is one of the greatest problems that confronts the people of this country today. I think it is a fine thing to have the Nation's Capital as a testing ground for these investigations.

Mr. HYDE. I thank the gentleman.

Mr. RABAUT. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Michigan.

Mr RABAUT. I thank the gentleman. I want to know how much duplication there is going to be in this investigation. The Committee on Appropriations has made 3 or 4 investigations during this past year, upon which considerable money has been spent. I notice the gentleman states something about hospitals. We just had an investigation of the hospitals in the District. We have had an investigation of welfare conditions in the District, and we have had an investigation of the schools of the District. Is this going to be a complete duplication?

Mr. HYDE. No.

Mr. RABAUT. Further, the District of Columbia is in no way different from any other big city of this country. The city of Detroit, for instance, has had a city the size of Pittsburgh built around its perimeter. These are facts. It is not going to be built; it is built now. The District Commissioners stated before our committee that one of the problems is that business is going just outside the District lines with these new big department stores. The same thing has happened in Detroit.

Mr. Speaker, I do not think that the general public of the United States ought to pay for an investigation that deals with two States and the District of Columbia. The amount of it that should be paid ought to be about one-fourth by the District, one-fourth by the Federal Government, one-fourth by Virginia, and one-fourth by Maryland. Years ago somebody established a high-water line over there in Virginia. The person who did it was a smart one. We have been paying for bridges across the river ever since because it is in the territory of the District of Columbia. I do not think it is right.

Mr. HYDE. The purpose of this study is not to study the welfare system of the District of Columbia or to study hospitals or a hospital program in the District of Columbia.

I think I can best explain it and its benefit to the Nation as a whole in this fashion by quoting a statement put out by the National Planning Association:

> If Americans continue to stumble into future developments in and around the rapidly expanding metropolitan areas on the basis of thousands of separate and unrelated private development schemes and local plans, and if they deal separately with highways, with schools, with housing, and with hospitals, they are likely to misdirect their efforts and waste their time and resources. And what happens to the future requirements for open spaces and recreation, or any other need which happens not to be powerfully represented by an interest group at a given moment of decision?

In other words, may I say that the purpose of this is to study how these problems are being handled by the different political jurisdictions and how they best may be handled on a cooperative and coordinated basis. It is a much different proposition, may I say to the gentleman, than studying a particular welfare system or a particular hospital. As I tried to point out several times, the purpose and hope of this is that it will be of benefit to the entire United States.

When we first thought about establishing this joint committee, it was thought first to study the problem of urbanization throughout the United States, but then it was felt that more definitive answers, better results, could be obtained by studying a particular problem and that it would serve as a guide for other great metropolitan areas.

Mr. RABAUT. Mr. Speaker, will the gentleman yield further?

Mr. HYDE. I yield to the gentleman from Michigan.

Mr. RABAUT. I appreciate the gentleman's interest in it, and there is much truth to what he says; but do you think that every big city in this country has been standing idly by while these developments are going on all around?

Mr. HYDE. No.

Mr. RABAUT. They are all putting through superhighways in their cities, building them on less valuable ground, steering them in a direction so as to avoid big buildings, and so forth. I think there is a tremendous amount of duplication going to take place here.

Mr. HYDE. I would say to the gentleman certainly there have been cities in this country which are doing a tremendous job. My attention was just called by the gentleman from Pennsylvania [Mr. FULTON] to the great job that was done in the Pittsburgh area in connection with this urbanization problem. New York is studying it on a regional basis. The District of Columbia has established a regional council for the purpose of getting together the political leaders, the officeholders of the various jurisdictions for meeting regularly to consult with regard to these mutual problems. This plan is to make a study to act as a guide to these areas as to how best to handle these mutual problems that are now being handled on a separate political basis, and in many, many areas on a basis that is creating chaos, losing recreational areas, and that sort of thing.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Since the city of Pittsburgh has been mentioned, I might say that the city of Pittsburgh has a city the size of it outside of its own borders. We have had a redevelopment authority for some time, and we have worked across party lines to redevelop. I can see no objection to this resolution that has been suggested, and I hope it passes, just as it has been brought before us.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from California.

Mr. YOUNGER. Mr. Speaker, I would like to associate myself with this measure, and I want to call the attention of the House to a bill that I presented 4 years ago for the creation of a Department of Urbaculture. The arguments presented today and the problems of the cities that are growing on us all the time is just water over the mill, and I am glad to associate myself with this particular measure.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Ohio.

Mr. VANIK. Will the gentleman tell me what special reason there is for the subpena power for this kind of a committee? It would seem to me that information of this type should be voluntarily submitted, and I do not offhand see any reason for it. I am sympathetic to the purposes of the resolution, but what are the reasons for the subpena power?

Mr. HYDE. The only reason is that it is the same provision that is put in all resolutions for the establishment of committees of the House and Senate. I do not anticipate any need for the use of it, but it is the same language that is used in all other resolutions establishing committees of the House and Senate.

Mr. VANIK. Would there be any objection to taking it out if there is no special need for it?

Mr. HYDE. Unless there is some special technical reason why it should be there, I hold no particular brief for it.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from New York [Mr. LATHAM].

Mr. LATHAM. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. JUDD. Mr. Speaker, 8 long months ago the people of Hungary demonstrated in an act of pure nobility

that they simply could not tolerate being compelled to live any longer as something less than human beings. They rose to give the Communist world conspiracy the greatest blow it has ever received. They exposed the falsity of the vaunted boast of the Communists that by indoctrination and controlled education they could produce in human beings the kind of subservient creature they wanted, just as Pavlov could produce in animals the kind of conditioned reflex that he wanted. The world learned with a thrill, and the masters in the Kremlin with terror, that students trained by Communist techniques are in fact, more violently anti-Communist than are people who have not had firsthand experience with its cruelties.

This exposé can give the death blow to Communist propaganda if we exploit it successfully.

You will recall that the United Nations General Assembly passed 10 resolutions condemning the Red aggression and demanding various corrective actions by the U. S. S. R. or the Kadar regime. The United Nations resolutions were defied, ignored, or scorned on every occasion.

So the United Nations Assembly set up a special committee to examine the facts in the situation and report back. On that committee were appointed representatives of Australia, Ceylon, Denmark, Tunisia, and Uruguay. In the last 2 days they have made public their report. It is a devastating indictment—and it is unanimous. Ceylon is one of the leading neutralist countries; Tunisia is a newly independent Arab country. These two groups of countries generally have not gone along with too severe criticisms of the Soviet Union. Their participation in preparing and their endorsement of this report makes all the more eloquent its factual but scathing exposure of the cruelty and the barbarism exhibited by the Soviet Union in Hungary. It is the adequate reply to Mr. Khrushchev's TV program revealing the fakery and bypassing of his peaceful pretenses.

Every Member should read the findings of the United Nations Special Committee as to what the real facts are in a country under communism. Among its conclusions is the following:

> A massive armed intervention by one power on the territory of another with the avowed intention of interfering in its internal affairs must, by the Soviet's own definition of aggression, be a matter of international concern.

Mr. Speaker, the United Nations itself is now on trial. What will it do about its own committee's report? The resolution establishing the special committee authorized the President of the United Nations General Assembly to call the Assembly back into session to deal with the report of this special committee. And so today several of us have introduced resolutions calling upon our President to instruct our delegate to the United Nations to press the President of the United Nations General Assembly to call it back into special session immediately to deal with this report on the Hungarian revolution.

The Communists never miss an opportunity to make propaganda even out of the most transparent fakery. Here is an unanswerable indictment of Communist behavior by the official representatives of civilized mankind and we must, for the sake of the truth and to get the facts before those here or abroad who may still be misled or befuddled by Communist propaganda, get this report presented dramatically to the public.

The gentleman from Arkansas [Mr. HAYS] has joined me in introducing the following resolution here and I know other Members will also wish to do so. In the other body a similar resolution is being introduced today by Senator KNOWLAND of California, and Senator DOUGLAS, of Illinois:

> Concurrent resolution to express the sense of the Congress that the United States urge reconvening of the General Assembly of the United Nations to consider the report of its Special Committee on Hungary
>
> Whereas the special committee on the problem of Hungary, established by the General Assembly of the United Nations under its resolution 1132 (XI) adopted at its 636th plenary meeting on January 10, 1957, has now submitted a report (A/3592) of its findings to the General Assembly under terms of the said resolution; and
>
> Whereas it has been established by the said special committee that what took place in Hungary in the latter part of 1956 was a spontaneous national uprising caused by longstanding grievances engendered by the oppressive way of life under Communist rule and by the state of captivity of Hungary under control of the U. S. S. R.; and
>
> Whereas, the said special committee concludes that a massive armed intervention by one power on the territory of another with the avowed intention of interfering in its internal affairs, must be a matter of international concern; and
>
> Whereas the General Assembly of the United Nations, by its Resolution 1119 (XI) adopted at its 668th plenary meeting on March 8, 1957, authorized "the President of the General Assembly, in consultation with the Secretary General and with the member states the representatives of which are serving as the General Committee during the session to reconvene the General Assembly as necessary in order to consider further item 66 or 67," item 67 being the problem of Hungary: Now, therefore, be it
>
> *Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the United States Congress that the United States Government instruct the United States delegation to the General Assembly of the United Nations to take urgent steps to recommend the reconvening of the General Assembly at this time to consider further the problem of Hungary in the light of the report of the United Nations Special Committee on the Problem of Hungary.

Mr. Speaker, I should like also to quote a few sentences from the U. N. special committee's report:

> What took place in Hungary was a spontaneous national uprising, caused by longstanding grievances.
>
> The uprising was led by students, workers, soldiers, and intellectuals, many of them Communists or former Communists. * * * It is untrue that the uprising was fomented by reactionary circles in Hungary or that it drew its strength from imperialist circles in the West.
>
> The uprising was not planned in advance, but actually took participants by surprise. * * * It would appear that the Soviet authorities had taken steps as early as October 20, to make armed intervention possible.
>
> Mr. Nagy has established that he did not issue any invitation to the Soviet authorities to intervene.
>
> It is incontrovertible that the Nagy government, whose legality under the Hungarian Constitution, until it was dispossessed, cannot be contested, protested against the entry and the use of Soviet forces on Hungarian territory, and not only asked that these forces should not intervene in Hungarian affairs, but negotiated and pressed for their ultimate withdrawal.
>
> Irrespective of the assurances given to Premier Nagy by Soviet political personalities, there existed a definite plan for the reconquest and military subjugation of Hungary. This plan in fact was carried through fully.
>
> It is no less incontrovertible that the Nagy Government was overthrown by force. The successor assumed power as a result of military aid by a foreign state. The Nagy government neither resigned nor transferred its powers to the Kadar government. * * * Strong repressive measures have been introduced and general elections have been postponed for 2 years. * * * (Kadar) refuses in present circumstances to discuss withdrawal of the Soviet troops. * * * Since the second Soviet intervention on November 4 there has been no evidence of popular support for Mr. Kadar's government. * * * Capital punishment is applicable to strike activities.

Mr. ZABLOCKI. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, I am happy to join with my colleagues in cosponsoring a concurrent resolution to express the sense of the Congress that our Government, through our delegate to the United Nations, should press for the reconvening of the General Assembly to promptly consider the report of its special committee on Hungary.

The special committee has established that what took place in Hungary in the latter part of 1956 was a spontaneous, national uprising caused by longstanding grievances engendered by the Communist oppression.

The special committee further established, and thoroughly documented, the brutal Soviet intervention in Hungary, and the bloody Soviet suppression of the uprising.

Finally, the special committee concluded that massive armed intervention by one power on the territory of another, with the avowed intention of interfering in its internal affairs, is a matter of international concern.

These findings, included in the report submitted by the special committee, provide ample reason for immediate consideration of this grave matter by the General Assembly.

I believe that the United States ought to, and must, urge prompt reconvening of the General Assembly. The concurrent resolution which I am cosponsoring is intended to further the achievement of this end.

In justice to the heroic stand taken by the people of Hungary, and to their tremendous sacrifice for the cause of freedom, I believe that the free world should not wait even a day in consider-

ing, within the United Nations, the report of the special committee. The time for action is now.

Mr. LATHAM. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Speaker, I ask unanimous consent to speak out of order and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MEADER. Mr. Speaker, I take this time to call attention to a very serious matter involving the Rules of the House of Representatives.

In the Washington Post of yesterday this headline appears: "RAYBURN Will Ban Televised Hearings."

In the Washington Post of this morning this headline appears: "WALTER Scorns RAYBURN's House Rule, Continues Televising His Hearing."

I have today introduced a resolution which will set at rest this continuing controversy over the interpretation of House rules. I am glad the chairman of the Committee on Rules is on the floor, as I want to call this important matter to his attention. My resolution would amend rule XI, 25 (g), by adding a new provision reading as follows:

(2) Each committee may upon such terms and conditions as it deems advisable permit the broadcasting and telecasting of its proceedings by radio and television and the dissemination of news of its proceedings by such methods and by other methods and media of communication.

Let me call attention to the fact that this question first arose in February of 1952 when the Un-American Activities Committee was conducting hearings in the city of Detroit. At that time the distinguished minority leader of the House, Mr. MARTIN, propounded a parliamentary inquiry to the then Speaker, Mr. RAYBURN, concerning the propriety under the Rules of the House of permitting telecasting and broadcasting of the un-American activities hearings in Detroit. At that time Speaker RAYBURN ruled that the Rules of the House being silent on the subject there was no authority in the House or in its committees to permit the telecasting and broadcasting of the committee proceedings.

Subsequently, in the 83d Congress, when the former distinguished minority leader became the Republican Speaker of the House, although there was no formal parliamentary ruling Speaker MARTIN indicated informally that he had no objections and that under the Rules of the House he thought the committees had the right to permit the telecasting and broadcasting of their proceedings in their discretion; and in fact, the committees of the House did permit the telecasting and broadcasting of their proceedings in the Republican 83d Congress.

In January of 1955 when Mr. RAYBURN again became Speaker of the House, early in the session I propounded a parliamentary inquiry on the same subject and the Speaker reaffirmed the position he had taken earlier. In response to the colloquy, in which other Members joined, he even expanded the ruling to include not only television and radio apparatus but also movie cameras and still photography.

I regret that there has been this disagreement between two longtime friends, two outstanding leaders on the Democratic side of the House of Representatives, but I am happy that it has called to the attention particularly of the Rules Committee of the House the kind of situations which can arise when ambiguities in the rules exist.

Since February of 1952 I have sought to have this matter brought before the House of Representatives so that it can be clarified and the House can work its will on its rules and eliminate this ambiguity. Perhaps it was not so serious when it was simply a disagreement between a Republican Speaker and a Democratic Speaker but it has now become a disagreement between one of the foremost constitutional lawyers in this body and a Speaker of long and distinguished experience. When two minds of that distinction disagree, is it not the duty of the Committee on Rules to study this question and settle this ambiguity and decide whether or not the American people are entitled to have this new instrument of learning about the public business available to them in the House as it is in the Senate and in the press conferences of the President?

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from New York.

Mr. ROONEY. Would the gentleman care to make an expert prognostication of his chances of success in the adoption of his amendment?

Mr. MEADER. I know that I could not succeed without the support of a great many friends like the gentleman from New York, who I am sure does not wish to keep the American people from knowing about the public business.

Mr. Speaker, under permission to include extraneous material, I include the two articles I referred to from the Washington Post and Times Herald and the text of the resolution which I have introduced today.

[From the Washington Post and Times Herald of June 20, 1957]

RAYBURN WILL BAN TELEVISED HEARINGS

(By Frank Eleazer)

Speaker SAM RAYBURN said yesterday he would put a stop to out-of-town televised hearings by the House Committee on Un-American Activities.

RAYBURN said the lid he clamped on broadcasting or televising proceedings of House committees several years ago applies wherever the committees are meeting.

He expressed surprise at reports that the Committee on Un-American Activities had been permitting filmed or live TV coverage at some of its out-of-town hearings.

RAYBURN's attention was drawn to the committee's practice by news accounts of the apparent suicide of a scheduled witness before the committee at current hearings in San Francisco. In a farewell letter the prospective witness, a biochemist, said he had "a fierce resentment of being televised."

RAYBURN said if he found the committee had been violating the ruling he propounded in 1952 and again in 1955, he will direct that the practice be stopped.

Richard Arens, staff director for the Un-American Activities group, confirmed that the committee at some hearings outside Washington has been admitting TV film or live cameras. He said the committee considered that RAYBURN's ruling applied only in Washington.

"Outside Washington we use the facilities of the Federal courts," he explained. "We take the position we are guests of the local Federal judge. We follow whatever rules he applies to the courtrooms we use."

Arens said some judges admit TV film cameras only, while others permit live telecasts. Others bar all cameras.

RAYBURN ruled in 1952 that in the absence of specific rules by the House to the contrary, the general House rules apply also to its committees. He said the general House rules do not permit radio or television broadcasts of House sessions.

He told the House then it was his interpretation that unless the House wanted to vote otherwise, the radio and TV ban also applied to committee sessions, whether in or outside Washington.

[From the Washington Post and Times Herald of June 21, 1957]

WALTER SCORNS RAYBURN'S HOUSE RULE, CONTINUES TELEVISING HIS HEARING

(By Warren Unna)

Representative FRANCIS E. WALTER (Democrat, of Pennsylvania) curled his lip at Speaker of the House SAM RAYBURN yesterday and Mr. Sam didn't like it one bit.

Informed that WALTER, as chairman of the House Un-American Activities Subcommittee, was defying his House rule by holding televised hearings in San Francisco, RAYBURN declared: "There will not be any more (House) Committee or Subcommittee hearings in Washington, or anywhere else televised or broadcast by radio. Period."

Informed of RAYBURN's command, WALTER glared into the cameras in San Francisco and told a pleading witness: "There is no such rule."

A United Press teletype of WALTER's remarks was brought to RAYBURN in the Speaker's lobby in the midafternoon yesterday. He masticated each word as he read it. His face reddened right up through his bald scalp. And then he snapped: "No comment."

But the news of WALTER's action swept through the House cloakrooms. Whispered comments ignored debate on an agricultural bill and crept along the benches on the House floor. Both Democrats and Republicans were seen to head for the news ticker in the back of the lobby.

Representative CLYDE DOYLE (Democrat, California), a member of WALTER's Un-American Activities Subcommittee who drafted fair-play amendments for House committee hearings 2 years ago, declared:

"The existing interpretation of the Rules of the House by the Speaker of the House take preference and priority over any ruling or any position taken by any Member of the House. TV may have educational value but we are all familiar with the Speaker's ruling and we have no business permitting it (TV hearings)."

Representative ROY W. WIER (Democrat, Minnesota), who has voted against appropriations for WALTER's subcommittee ever since his first year in Congress in 1949, declared:

"I think I have got the cure for the whole controversy and that is to wipe out the committee. It assumes to be the investigator, the judge and the jury and even takes over judicial authority in the disposition of its cases.

"What's more," said WIER, "I do not like the way they are using the committee to get headlines in the districts of the men running for election."

RAYBURN and Representative WILBUR D. MILLS (Democrat, Arkansas), were overheard discussing Monday's Supreme Court ruling

in which Chief Justice Earl Warren had castigated the Un-American Activities Subcommittee for "exposure for the sake of exposure."

Fellow Congressmen said RAYBURN and MILLS voiced agreement with the Court's remarks and declared WALTER's investigation methods had gone too far.

House Members of both parties seemed to make no bones about their allegiance to Speaker RAYBURN yesterday. For the past few years, criticism of WALTER has been muted because of his three powerful positions:

1. Chairman of the House Democratic patronage committee, which dispenses Capitol Hill jobs.

2. Chairman of the House Immigration Subcommittee, which approves private immigration bills and enhances a Congressman's popularity back in his district.

3. Chairman of the House Un-American Activities Subcommittee, which keeps the files on black marks.

For years, WALTER has been known to be one of Speaker RAYBURN's closest advisers. In recent months, however, Democratic Members have been quietly saying that WALTER hopes to become the next Democratic Speaker, once RAYBURN steps down.

They point to WALTER's speech last Thursday on behalf of a jury trial amendment to the civil rights bill and term it an outright appeal to the southern bloc for a someday Speaker's candidacy.

The Rayburn-Walter fracas began Wednesday when the Speaker's attention was drawn to the fact that a San Francisco Peninsula biochemist had committed suicide to avoid appearing as a witness before the WALTER subcommittee's current Communist investigation. The scientist, in a suicide note, explained he had a fierce resentment of being televised.

(In San Francisco, the scientist's widow, Mrs. William K. Sherwood, filed a $500,000 "wrongful death" suit against members of the subcommittee, the United Press reported. Mrs. Sherwood filed the suit in San Francisco superior court naming WALTER and Members ROBERT J. MCINTOSH, Republican, of Michigan, and GORDON H. SCHERER, Republican, of Ohio; staff counsel, Frank Tavenner; and staff investigator William Wheeler.)

RAYBURN had ruled in 1952, and again in 1955, that unless the House voted otherwise, radio and TV would be banned from House hearings in or outside Washington. The House never voted otherwise.

The first response to RAYBURN's ruling came from Richard Arens, Un-American Activities Subcommittee staff director.

"Outside Washington, we use the facilities of the Federal courts," he explained. "We take the position we are guests of the local Federal judge. We follow whatever rules he applies to the courtrooms we use."

WALTER backed Arens, first by declaring that he thought RAYBURN's rule applied only to Washington hearings, and was no longer in force anyway.

WALTER said he intended to bring a contempt citation against at least one of the witnesses before his hearing and force a court test of his subcommittee's power to investigate. He also predicted that Congress would soon pass anti-Communist laws that even the Supreme Court will understand.

RESOLUTION TO AMEND RULE XI OF THE RULES OF THE HOUSE OF REPRESENTATIVES

Resolved, That rule XI 25 (g) of the Rules of the House of Representatives is hereby amended by inserting "(1)" immediately after "(g)," and by adding at the end thereof the following:

"(2) Each committee may, upon such terms and conditions as it deems advisable, permit the broadcasting and telecasting of its proceedings by radio and television, and the dissemination of news of its proceedings by such methods and by other methods and media of communication."

I have discussed this matter on many occasions, and a list of references to those discussions appears in the CONGRESSIONAL RECORD of May 18, 1954, volume 100, part 5, on pages 6778 to 6780. Since then my remarks on this subject appear in the CONGRESSIONAL RECORD as follows:

July 19, 1954, volume 100, part 8, pages 10955 to 10956.

January 20, 1955, re televising press conferences, volume 101, part 1, page 494.

January 24, 1955, re parliamentary inquiry and remarks on televising committee hearings, volume 101, part 1, pages 628 to 629 and pages 636 to 637.

February 10, 1955, re House Resolution 99, volume 101, part 2, page 1427 and pages 1442 to 1445.

March 21, 1955, re House Resolution 151 to amend rules relating to committee procedures, volume 101, part 3, pages 3297 to 3299.

March 23, 1955, re debate on House Resolution 151, volume 101, part 3, pages 3569 to 3585.

Mr. MEADER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LATHAM. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, this is the second time in 20 years that it became necessary to confess that after my vote had been cast listening to a colleague, a misunderstanding arose, I changed my vote and later discovered I was right in the first instance. That happened on the bill today. I changed from "aye" to "nay" when from my viewpoint "aye" was the correct vote.

I promise my constituents—not the Members of the House, but my constituents—that I will be a little more careful hereafter. I hope they will forgive me for this one, even though the result was not affected that is a bad thing to do especially when you want to answer a Democrat who in his remarks made a slight mistake, as did the gentleman from Michigan [Mr. DINGELL]. He said:

Mr. Speaker, I rise to pin the tail on the elephant.

I thought I had better confess before he told me that I made the same mistake he did yesterday. You remember how the game was played? The player was blindfolded, given a cloth tail and attempted to pin it on a drawing of either an elephant or a donkey. I think we were both misled. He had quite a little to say about Republicans not going through on a teller vote on an amendment. He said:

I ask the distinguished minority leader to deny that the Republican Party is liberal and humanitarian in principle and tight and stingy with money and the hungry of this country.

Well, that reminds me of the argument we had when other appropriations bills were up. He made the too broad, general charge that the Republicans want to see the hungry continue to be hungry. An absurdity on its face. Neither party can be charged with anything like that. We are all about the same kind of people, whether we are in one party or the other.

The gentleman then said this:

What is the situation in my own city of Detroit? Right now we have 100,000 people out of work. We have thousands of others on minimum or lower incomes. Other cities and States face similar problems. Twelve million people today in America live on subsistence-level or lower. We are merely trying to see to it that in giving away a lot of these products, we think a little more of our own people; that we care for our own hungry, our own needy, our own aged, our own pensioners, our unemployed, our retirees.

That we take care of our own first, has always been my creed. That may be one reason I have been called an isolationist, which, when the test is whether it is my country or the interest of another first; I always have been.

Then he calls attention to the fact that he hopes someone will bring that situation in Detroit and in Michigan to the attention of the voters when next we have an election. That is a good suggestion.

I think the record is rather clear that some of us have consistently and from the very beginning of the program voted against giving so much aid abroad, in favor of taking care of first our own people here in America. So we do not need to worry about that issue. The Democratic Party under Roosevelt and Truman started that and carried it on.

If anyone is in doubt as to whether the Republicans or the Democrats are responsible for the situation described by our colleague from Detroit yesterday, listen to our former colleague, Democrat Frank Hook.

Mr. RABAUT. He came here with me. We came together.

Mr. HOFFMAN. Mr. Hook is a very active statesman. Now let us see—and this is good for your Democratic Party and I hope that your Detroit papers will get it because Frank places the blame for Detroit's and Michigan's plight, which we all wish to end, where it ought to be. He writes to the editor of the Detroit Free Press. The letter was published on the 18th of June.

I read:

For your information there is a powerful group of Democrats who are sick and tired of being pushed around by the Gust Scholle-Williams-National Socialist Labor group.

And if you want to compliment Frank Hook in his opposition to that, join up; if you will give me your names and ad-

dresses, I will be glad to send them to him. He adds:

We are organizing as free Democrats for the purpose of bringing the Democratic Party back to the Democrats.

I see the gentleman is nodding his head—does that mean, yes, you are in favor of that? You are. Thanks.

All we have had is a captive government since 1948 in Michigan under the domination of the Gust Scholle-Williams gestapo.

Gust, president of the CIO, said that no voter in Michigan should ever vote for a Republican, no matter how able or how patriotic he might be. That label "Republican" is one which to Gust prevents office holding. We ought to have had something of that kind in the civil-rights bill.

Then, Frank wrote:

It is my sincere hope that Senator McCLELLAN'S committee investigate the unholy alliance of the State administration and that gang—

While I do not approve of that word "gang," it may be descriptive.

Frank says:

It might prove very interesting.

it sure will be helpful to the State and its people.

There you have it.

I noticed Senator McNAMARA put in the RECORD the other day a list of corporations that had moved into Michigan in the last few years.

It was quite impressive. Then, just a day or two ago, I received a letter from a resident of one of the towns named in the Senator's list as one in which 2 corporations had located, with the statement that 1 of the industries which came in had faded out almost immediately and that the other was on its way out.

It would be very informative and, as Frank wrote, interesting, to know just how many industries have left Michigan, just how many have come in, since Governor Williams inaugurated his policy of soaking industry—especially corporations—and Reuther ascended his throne as dictator of when an industry should and should not produce and how much it should pay for the privilege of employing workers.

One thing is indisputable and that is that no sound, sensible individual or board of directors or operators of a business will long continue the effort to produce, to give jobs, where taxes are unduly high, labor relations arbitrary, unreasonable.

Business people are like everyone else. Unless there is a profit in sight—an opportunity to be successful—they just will not make the effort.

Michigan has many, many natural advantages. It has an almost unlimited supply of skilled workers. There is no reason why it should not be, and continue to be, one of the foremost industrial States of the Union.

Long ago, Williams and Reuther should have seen the light. We all hope it is not too late.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. LATHAM. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado [Mr. HILL].

Mr. HILL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a statement by Assistant Secretary of State Thorsten V. Kalijarvi.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HILL. Mr. Speaker, I include the following statement by the Honorable Thorsten V. Kalijarvi, Assistant Secretary of State for Economic Affairs, before the House Select Committee on Small Business, Friday, June 21, 1957:

I appear today in response to the chairman's request for the Department's views concerning two major problems under consideration by the committee relative to the export of iron and steel scrap. Consequently my statement will cover (1) the discussions with foreign governments dealing with the limitations on the scrap they plan to take from the United States, and (2) the Department's policy pertaining to the scrap importing arrangements of the European Coal and Steel Community and Japan.

I. DISCUSSIONS WITH MAJOR FOREIGN IMPORTERS OF UNITED STATES SCRAP

The Department of State is involved in the ferrous scrap export problem because of the need to balance conservation of essential supplies of this material at home with the essential requirements of friendly countries which represents a legitimate foreign policy consideration. The principal importing areas, Japan, the European Coal and Steel Community, and the United Kingdom, are heavily dependent on us for the scrap supplies which are essential to the health of their economies and to their defense positions. These considerations are important to the security interests of the United States.

Accordingly, the Department has been actively engaged in the consideration of the scrap problem since 1955. It has recognized that, in attempting to insure a continuing flow of minimum essential requirements to the major importers, we cannot indefinitely continue to make ever-increasing supplies of scrap available to them. We have, on the contrary, emphasized the need for moderation and have encouraged the importing areas to achieve a balance in their metallics supply which will bring such dependence on us to an end. We have also, through our missions abroad, surveyed the scrap reservoirs of other countries on a worldwide basis in an effort to ascertain if there are any untapped or insufficiently tapped sources of the material the exploitation of which might reduce the demand on the United States as a world supplier. These latter efforts have not produced any particularly fruitful results.

However, we are hopeful that the years following 1957 will see a progressive lessening of the demand upon us. The European Coal and Steel Community will have heavy requirements in 1958 and substantial ones in 1959 but assures us that by 1960 its demands on us will be negligible. It advises that at the present time it is using only 39 percent of scrap in its melt (as compared with about 50 percent in the United States and still higher in Japan) but that by 1960 the scrap component may be reduced to as low as 21 percent. The Community states that this reduction will be the result of an investment program by means of which it is planned nearly to double blast furnace capacity between 1956 and 1960. Moreover, the high authority of the Community has established an incentive system entailing payment of a premium to producers for scrap saved through increased consumption of pig iron.

Japan has a steel industry less developed than that of the Coal and Steel Community and envisages some continuing dependence on us. However, it plans to increase its 417,000 metric ton 1955 capacity in converter steel (which uses very little scrap) to 750,000 tons in 1957 and to a tentative 3,800,000 tons by 1960. Pig-iron production, at 5,256,000 metric tons in 1955, is to be raised to 6,560,000 tons in 1957 and to a tentative 9,163,000 tons in 1960.

Now, with your permission, I should like to review the steps taken with a view to limiting the quantities of scrap shipped abroad. The exportation of scrap from the United States in quantity, largely a phenomenon of the recent postwar years, attracted attention when in 1954 shipments began to rise sharply. In the case of the European Coal and Steel Community the rise was precipitous and in mid-1955 this trend was discussed informally with the high authority which undertook to level off the Community takings at the rate of 150,000 metric tons per month during the second half of the year.

At the beginning of 1956 it was determined that shipments to Japan and the United Kingdom might also be reaching too high a level and the Departments of State and Commerce consulted with the three major importing areas to urge voluntary restraint as a means of avoiding the possible necessity of restrictive action. We were informed that the Coal and Steel Community, Japan and the United Kingdom would require minimums of 1,980,000, 1,320,000 and 550,000 short tons respectively. At this time we did not seek commitments from the importers but expressed to them our hope that their imports for the year would not exceed these essential quantities.

When, at the middle of the year, export licensing was running somewhat ahead of the indicated requirements, the three major importers were again urged to exercise moderation. The Coal and Steel Community gave assurance that its 1,980,000-ton limit would be respected while the United Kingdom indicated that any taking on its part over the 550,000 tons would be negligible. However, Japan expressed the view that the figure quoted in its original estimate had been inadequate and that nearly 2 million short tons (1,800,000 metric tons) would be needed. In response to this unexpected development, we noted that an increase of this magnitude might make mandatory limitations unavoidable and again urged Japan to hold imports to a minimum.

During the closing months of the year, Japan's imports continued heavy and several times our Embassy in Tokyo made oral representation of the subject. The increase in Japanese imports also created an indirect problem in the sense that our urging of moderation to the other major importers in the face of this increase could be interpreted by them as discriminatory in favor of Japan. However, in enacting the extension of the Export Control Act of 1949, Congress had instructed the Department of Commerce to make a survey of scrap availabilities in the United States. Until this survey, under preparation by the Battelle Memorial Institute, and its evaluation by the Department of Commerce were completed we were without concrete information as to whether or not a scrap shortage was imminent. However, the problem of excessive exports was raised in the Council on Foreign Economic Policy where it was determined not to apply quotas but to seek a solution to the problem through further discussions with the importing areas.

Toward the end of the year the Coal and Steel Community expressed the hope that

its imports from us might be increased by about 55,000 short tons per month. We asked the community to adhere to its original limitation and it agreed to do so for the balance of the year but warned that during 1957 additional quantities would be required. However, we indicated our belief that the 1957 level of shipments should not be permitted to exceed that of 1956.

At the beginning of February 1957 the Department of Commerce survey was published and showed that although there was no shortage or prospect of shortage in lighter grades of scrap there was a likelihood of shortages developing in the heavy melting grades which ordinarily constitute approximately two-thirds of our exports. At the same time a mission representing the Japanese steel industry arrived in Washington to discuss scrap requirements with the Department of Commerce, and stated that over 2,700,000 tons would be needed during 1957. The Japanese were told that the matter would be studied but it was indicated to them that the 1956 level of shipments should not be exceeded.

Subsequently, the data presented by the Japanese scrap mission were reviewed in the Departments of State and Commerce. Although the United Kingdom and the Coal and Steel Community were on notice that moderation was still required, further discussions with them were not undertaken at the time. It was felt that Japan represented the most pressing problem both because of the increase in its imports and of the relative extent of its dependence on us as a source of supply which has been brought about by the industry's rapid postwar growth.

On concluding review of Japan's requirements in the light of the Department of Commerce survey we decided that in view of the fact that only heavy melting material appeared to be in danger of depletion, we should ask Japan to limit its imports on heavy melting scrap to the amount shipped in 1956 but that exports of lighter grades should be unrestricted. Similar proposals were then made to the Coal and Steel Community and to the United Kingdom.

All three importing areas agreed to study these suggestions but Japan and the Coal and Steel Community indicated that acceptance of the terms would have serious effects on steel production. Subsequently Japan returned with a counterproposal involving quantities somewhat greater than last year's but less than those previously requested. It was determined that the Japanese figure struck an acceptable balance between that country's dependence on us in scrap and our need to conserve the material. The proposal was accepted by us and the Government of Japan states that the Japanese steel industry will be advised not to import during 1957 in excess of the agreed figure. Understandings based on the same formula have recently been reached with both the Coal and Steel Community and United Kingdom. Pursuant to these understandings the 3 major importers will limit their imports of premium material to tonnages about 13 percent higher than those of last year but no limits will be placed on movement of the lighter grades of scrap.

II. FOREIGN SCRAP IMPORTING ARRANGEMENTS

Let us now discuss the second problem, namely, the foreign business arrangements for the importation of United States generated scrap. It is my understanding that lengthy testimony has been presented to the committee setting forth in detail the manner in which scrap importing arrangements in the European Coal and Steel Community and Japan allegedly have interfered with the exports of certain United States scrap firms. Several witnesses have referred to "protests" or representations by the Department of State in this connection. The committee has indicated that it would appreciate the Department's comments concerning these representations and our present policy with respect to this problem. First, it should be pointed out that the actions which the Department has taken are in conformity with and in furtherance of the basic United States foreign economic policy calling for the encouragement of free competitive enterprise in the Free World nations and for the elimination of restrictive business practices in international trade. Under this policy the United States seeks to encourage competitive enterprise and to eliminate restrictive practices as a means of contributing to the economic strength of the Free World. Free economic institutions offer greater promise of more favorable conditions than economies burdened by monopolies, restrictive business practices, and excessive government regulation. In response to the request of the chairman, we have prepared for the information of this committee a more detailed presentation of our foreign economic policy in this field. It is attached to the copies of my statement.

(See attachment A.)

EUROPEAN COAL AND STEEL COMMUNITY

Before discussing the Department's policy toward the scrap importing arrangements of the European Coal and Steel Community (sometimes referred to as the CSC), it may be helpful for the committee to have some background information about the Community and about these arrangements.

Since 1948, the United States has supported projects designed to further the economic integration of Western Europe. One of the more important is the six-nation Coal and Steel Community which came into existence in July 1952 after the basic treaty had been ratified by the national parliaments of France, the Federal Republic of Germany, Italy, Belgium, Luxembourg, and the Netherlands. Less than a year later the common markets for coal, iron ore, scrap, and steel had been established. With the creation of these common markets, national barriers to trade, such as tariffs, quantitative restrictions, and discriminatory pricing, were abolished within the Community. The object of these unprecedented steps was to bring the coal and steel industries of the 6 CSC countries into competition with one another in one vast common market comprising 150 million consumers.

The CSC Treaty also envisaged the elimination of private agreements restricting the production and marketing of these commodities. Articles 65 and 66 of the treaty, directed against cartels and monopolies, were accurately characterized as "Europe's first major antitrust law." These provisions were completely unprecedented outside of the United States.

In any consideration of the Coal and Steel Community it is important to note that the six member states have relinquished to the Community by treaty most of their powers over their coal and steel industries. The principal organ of the Community is the executive body known as the high authority. This body has the major responsibility for administering the CSC Treaty, subject to certain checks and balances by the other Community institutions such as the common assembly and the court of justice.

As regards CSC scrap importing arrangements, the private scrap organization in Brussels known as the OCC (Office Commun des Consommateurs de Ferraille), or the Joint Office of Scrap Consumers, was set up in the spring of 1953. This organization is responsible for CSC scrap imports and was established to cope with special problems arising out of shortages of scrap in the Community. Payments are made from a common fund to purchasers of scrap imported through the OCCF to equalize the higher delivered cost of imported scrap with that of domestic scrap. The creation of the OCCF was authorized by the high authority under article 65 of the CSC Treaty. Article 65 prohibits all restrictive agreements which would tend in any manner to impede the normal operation of competition within the common market. However, agreements for specialization of production or joint selling or buying may be authorized by the high authority under certain specified conditions.

Early in 1955 we became aware of the fact that the OCCF had concluded an exclusive contract with a group of three United States scrap dealers headed by Luria Bros., Inc. In March of that year the Acting United States Representative to the CSC informed the high authority that the United States questioned the compatibility of this exclusive arrangement with the CSC objectives of establishing and maintaining competitive conditions in the community. This action was stimulated in part by protests from other United States scrap dealers who were precluded by the arrangements from exporting to the community. Later, on May 4, 1955, the acting United States representative submitted to the high authority a letter recapitulating the views of the United States Government on this exclusive arrangement. Since the committee has expressed a specific interest in the nature of the Department's approach to the high authority on this problem, I shall be glad to submit the text of this letter for insertion in the record if the committee so desires.

The exclusive purchasing arrangement with the Luria group was terminated by the high authority effective December 1, 1955. A public announcement of this decision was made in November of that year in the form of a press release issued by the high authority. It was announced that in the future the OCCF "would not enter into any commitments involving exclusive purchasing arrangements or bearing on a fixed percentage of Community requirements" as regards scrap imports from the United States. Further, the release stated that the OCCF "will in the future examine proposals submitted by third country suppliers on the basis of normal commercial criteria, such as price, quality, delivery possibilities, etc." I should like to submit the text of this press release for insertion in the record.

Although exclusive purchasing in the United States has been terminated, centralized purchasing by the OCCF has been continued. Beginning about July 1956 and continuing down to the present, various United States scrap exporters have complained to the Department and our CSC mission in Luxembourg about OCCF purchasing methods. These complaints have been presented in detail to the committee. One point should be emphasized with respect to these charges by United States scrap exporters. Neither the Department nor our CSC mission has been in a position to evaluate them. The mission has been instructed to present the nature of these complaints to the high authority or to members of the high authority staff and to discuss with them the practices being pursued by the OCCF, and their conformity with the criteria stated in the high authority press release.

Until recently responses which we received from the high authority with respect to the specific complaints concerning the purchasing methods of the OCCF indicated that the high authority was inclined to leave such matters to the OCCF which they considered in the nature of day-to-day commercial transactions. The Department still wished to bring about an improvement in the situation and to this end instructed our CSC mission to continue its discussions of the matter with the high authority. On June 18 the high authority delivered to our mission in Luexembourg an aide-memoire on the Community's scrap import purchasing arrangements and the high authority's policy concerning these arrangements.

Copies of this aide-memoire are attached to my statement. (See attachment B.) The essence of this statement is as follows: "The high authority has decided that steps should be taken to avoid any possibility of misunderstanding, either in the United States or the Community, of the policies of the high authority or of its determination to enforce those policies. It has, therefore, * * * undertaken to formulate detailed criteria and procedures to be followed by the OCCF in purchasing scrap in the United States. These criteria and procedures will be designed to eliminate any discriminatory or restrictive practices or any other practices in any other way contrary to the purposes of the Community."

We feel that this is a significant step by the high authority and we are hopeful that it will produce a substantial improvement in the situation.

JAPAN

Now let us consider the situation with respect to importation of scrap by Japan. As in the case with the coal and steel community, Japan purchases virtually all of its imported scrap through a central buying organization known as the scrap coordinating committee. This committee, which is composed of representatives of the leading Japanese steel mills, is a private group operating in close liaison with the Ministry of International Trade and Industry.

The first complaint relating to Japanese scrap importing arrangements was made to the Department in August 1956. It was charged that the scrap coordinating committee was about to conclude an exclusive contract with one United States firm. The Embassy in Tokyo looked into this matter and determined that the committee had given the United States firm, Luria, a fourth-quarter contract for 335,000 tons. Although this was not an exclusive contract in form, it had the effect of virtually cutting off scrap exports to Japan during that quarter by all other United States suppliers. The Department subsequently received complaints from other suppliers which were sent to the Embassy for discussion with appropriate Japanese officials.

When the scrap coordinating committee began negotiating contracts for 1957, the Department learned that the committee had decided to apportion their requirements among four United States dealers. The Embassy was again instructed to intercede but, although the number of dealers was raised to six, this intercession was unsuccessful in obtaining a restoration fo competitive conditions.

Throughout our dealings with both the Japanese Government and the Coal and Steel Community on this problem, we have consistently maintained the position that all United States suppliers should have an equal opportunity to compete for the business. Of course, if one firm obtained a majority or all of the business, there could be no objection provided free and open competition had prevailed. It should also be emphasized that we have not, and cannot, intercede in the interest of any one supplier or group of suppliers. The basic principle which we have been attempting to establish is a nondiscriminatory purchasing policy.

In conclusion, Mr. Chairman, permit me to point out that with respect to discussions with foreign governments on scrap imports from the United States we have sought to reach a balance which will preserve and promote the national interests of the United States. We have tried to give adequate consideration to our domestic industry and to meet, as far as possible, the requirements of friendly importing nations. As to the scrap importing arrangements in foreign countries, we have followed a policy designed to give all United States firms an equal opportunity to compete for foreign-scrap business. This is in accordance with our foreign economic policy of encouraging free competitive enterprise abroad.

ATTACHMENT A

ATTACHMENT TO STATEMENT BY THORSTEN V. KALIJARVI, ASSISTANT SECRETARY OF STATE FOR ECONOMIC AFFAIRS, BEFORE THE HOUSE SELECT COMMITTEE ON SMALL BUSINESS—UNITED STATES FOREIGN ECONOMIC POLICY WITH RESPECT TO RESTRICTIVE BUSINESS PRACTICES

This memorandum sets forth the recent historical development of United States foreign economic policy with respect to the encouragement of free competitive enterprise abroad and the elimination of restrictive business practices, the means by which this policy is carried out, and the progress which has so far been made.

GENERAL HISTORICAL DEVELOPMENT

The United States has long recognized the adverse effects of restrictive practices in international trade on its own economy. Our own antitrust laws, for example, have always applied to restrictions on our foreign as well as domestic commerce. In addition, the effects of foreign cartel activity have been repeatedly felt both by American business and the United States Government. Foreign cartels have resulted in barring American firms from investment and trade opportunities abroad and in discriminatory treatment of, or high prices to, American industries dependent on foreign sources of supply. The activities of foreign cartels in frustrating economic development in the United States were brought home with particular vividness in the last war with the revelations of their effects in such vital fields as synthetic rubber.

United States foreign economic policy with regard to restrictive business practices necessarily developed after World War II as an integral part of our overall policy and programs to attack and reverse a serious international trend toward restrictionism. Before the war, a variety of factors including the rise of nationalism and the effects of the depression had caused a greatly increased use of protectionist devices and other restrictive measures in trade between states, and use of economic planning and controls within national boundaries. In this period the official policies of foreign governments increasingly favored the cartel system as a form of stabilization, some countries even adopting compulsory cartelization statutes. In the international field likewise little attention was given to the strangling effects on international trade of private restrictive agreements.

In deciding what course to pursue in its postwar foreign economic policy, the United States was thus faced with the prevalence abroad of a restrictive philosophy extending throughout governmental planning and approaches on the national and international levels and with regard to both governmental and business activities. It became clear that this trend must be reversed if the nations which had been devastated by the war were to revive. It was natural that at first primary emphasis should be directed to international trade to develop the basis for an expanding international economy. In the cartel field, various proposals for multilateral cooperation on international cartel practices were advanced. However, none has yet proven practicable for generalized adoption.

As a specialized aspect of this policy of expanding international trade, the United States became particularly interested in promoting trade liberalization within Europe as a major force in European economic cooperation. The adverse effects of restrictive practices on this program were recognized in Europe as weell as in the United States. The Organization for European Economic Cooperation declared in 1950 that private restraints in Europe "may well restrict competition more than foreign trade controls and tariffs alone. * * * The risk is that, as official restrictions were removed, these restrictive practices created within the business world itself may tend to expand in their stead."

Our concern with this problem led to the inclusion in the bilateral ECA agreements with the European governments of a commitment to take appropriate action with respect to restrictive practices international in scope which were found to interfere with the recovery effort.

The problem of restrictive practices in the European recovery program was, however, not limited purely to the question of international trade. It was soon recognized that such practices on a national level were a major impediment to the expansion of European production and the achievement of higher living standards, both vitally necessary to economic recovery and popular resistance to the lure of communism. Arrangements of a restrictive nature among business enterprises have been widely prevalent in many countries, particularly in Western Europe. These cartel activities, typically carried out through domestic trade associations, have as one of their principal purposes the fixing of prices throughout entire industries. Many also establish production quotas, receive and allocate orders among enterprises, set up exclusive areas of sale, and control the entry of new firms. By removing much of the incentive for more efficient methods of production, they have been a significant factor in Western Europe's lag in productivity behind both the United States and the U. S. S. R. They have tended to inhibit Europe's ability to compete in world markets and thus have contributed to balance of payments problems. They have held down new investment and therefore basic economic expansion. In connection with the mutual defense effort, it became apparent that a substantially added cost could result from the operation of cartel arrangements.

The Congress gave recognition to the importance of this problem in 1951 by the adoption of an amendment to the Mutual Security Act explicity stating a policy of encouraging free enterprise and competitive activity in countries receiving United States aid. This policy has been reaffirmed in subsequent amendments of the act. In its present form, known as the Thye amendment, the amendment reads as follows:

"The Congress recognizes the vital role of free enterprise in achieving rising levels of production and standards of living essential to the economic progress and defensive strength of the Free World. Accordingly, it is declared to be the policy of the United States to encourage the efforts of other free nations to increase the flow of international trade, to foster private initiative and competition, to discourage monopolistic practices, to improve the technical efficiency of their industry, agriculture and commerce, and to strengthen free labor unions; and to encourage the contribution of United States enterprise toward the economic strength of other free nations, through private trade and investment abroad, private participation in the programs carried out under this act (including the use of private trade channels to the maximum extent practicable in carrying out such programs), and exchange of ideas and technical information on the matters covered by this section."

President Eisenhower also gave attention to the subject when he stated in his 1955 Economic Report to the Congress:

"It is to the advantage of each nation to attend to the barriers that have caused international trade and investment to lag behind the growth in production and incomes. Our own interest clearly calls for a policy that will in time extend into the international field those principles of competitive

enterprise which have brought our people great prosperity with freedom."

Considerable interest in and concern over this problem has also been expressed by United States business representatives. For example, Mr. Ernest Breech of the Ford Motor Co. aptly described the situation as follows:

"Some Europeans are still skeptical of many United States industrial policies that have led to greater productivity and higher living standards in this country. They have an ingrained fear of competition and prefer to divide the existing market through cartels and other voluntary agreements, rather than through free competition for ever-expanding markets.

"These and other similar attitudes are a challenge to the American businessman. They are, in a sense, psychological roadblocks to the maximum expansion of Free World economies. Anything we can do to persuade them to change will, in my opinion, be a major contribution to Free World strength."

IMPLEMENTATION OF POLICY

The measures which can be taken to implement our policy of discouraging restrictive business arrangements and encouraging competitive enterprise are subject to two important limitations. First, rapid and dramatic results cannot be expected in this field, because we are dealing with methods of doing business and a whole pattern of thinking that has become engrained over scores of years. The process of change can therefore only be gradual. Second, we cannot interfere in the internal affairs of other sovereign nations, and it would certainly defeat our aims to do so. We can only encourage and assist where this is desired.

With these caveats in mind, the United States has been able to pursue the following activities:

1. One of the basic requisites of progress in this field is the adoption of effective anticartel legislation in other countries. Accordingly, emphasis has been placed on this objective. Foreign governments have been assisted in a variety of ways in the preparation or administration of anticartel legislation by enabling them to draw on United States antitrust experience where it can appropriately be applied to their own problems and needs. Of particular importance have been a number of missions from foreign governments brought to the United States to study in detail our antitrust laws and related statutes and their administration. These have included teams from the United Kingdom, France, the Federal Republic of Germany, and Belgium.

2. Related to this but somewhat broader in scope, this Government has placed considerable emphasis in the programs for increased productivity on the necessity of encouraging competitive activity. These programs have been centered on the training of employees and management in more efficient technical and business methods. It became apparent that the benefits of this technical training could not be maximized unless accompanied by increased competition. Accordingly, the productivity programs were planned with this factor in mind, and many foreign officials and businessmen have been brought to this country to observe the operation of our competitive system at first hand. The constitution of the European Productive Agency, established several years ago to coordinate European national efforts in this field, reflects this emphasis. The EPA now has a continuing long-range program on the subject, adopted under United States stimulus, which includes regular meetings of European government specialists on restrictive business practices, the preparation of basic studies, and the exchange of ideas and experiences with American specialists. The cross-fertilization of ideas and experience thus taking place among government officials in Western Europe in a position to guide the policies of their governments on this subject is proving highly productive.

3. The United States has adopted the policy of making Export-Import Bank and other public loans in a manner to avoid strengthening international cartel arrangements or contributing to monopoly situations.

4. In the program for offshore procurement of defense materials, United States procurement officers have been instructed to use channels of procurement which would reduce risk of prices being inflated, deliveries hampered, or production impeded by restrictive business practices. Competitive bidding is employed where circumstances permit. In one case alone, the refusal to accept a collusively fixed price resulted in a saving of $4 million for the United States. In addition, our NATO allies have agreed to employ international competitive bidding on most projects being jointly financed by the members of NATO.

5. We have included in our recent bilateral treaties of friendship, commerce, and navigation, a provision under which the two governments agree to consult with regard to restrictive business practices harmful to trade between them and to take such action as may be deemed appropriate. There are currently treaties in force containing this provision with the Federal Republic of Germany, Greece, Ireland, Israel, Italy, and Japan. Five others have been negotiated.

6. The Government has, wherever possible, assisted American business concerns to overcome foreign cartel restraints on their activities. In some cases, this assistance has taken the form of diplomatic representations, in others more informal action; in either case it is designed to remove discriminations by private cartels and business associations. Such discriminations may involve, for example, denying an American firm the right to invest or do business in a foreign country, cutting off its supply of raw materials, or attempting to force it into arrangements for price fixing or divisions of markets. In a few cases more direct assistance has proven practical. For example, an American firm was encouraged to develop a source of industrial diamonds free of control of the diamond cartel and was given financial assistance under the program for acquisition of strategic materials.

PROGRESS TO DATE

As noted above, before the war, governments often supported and encouraged cartels and little action was taken against them. Now there is a significant body of foreign legislation pointing in the direction of free competitive enterprise and a considerably wider body of vocal public opinion is in support of this course. These changes are truly significant when viewed in light of the fact that progress in this field must of necessity consist of gradual change.

There is no concrete way of assessing the degree to which United States policy and programs have influenced these developments. It is safe to say, however, that these activities plus the example of our own vigorous antitrust policy have been significant factors.

Laws to regulate restrictive practices of varying effectiveness are now in force in a growing number of foreign countries. In Western Europe alone, Austria, France, the Netherlands, the Scandinavian countries, and the United Kingdom have already adopted laws. The present United Kingdom statute, adopted this past year, promises to be one of the most effective yet enacted. The Federal Republic of Germany is actively working on an anticartel law of its own to replace the Allied occupation statutes in this field.

The movement toward western European integration has likewise produced significant developments in the anticartel field. In marked contrast to the operations of the prewar international steel cartel, the treaty establishing the European Coal and Steel Community contains strong provisions forbidding private arrangements in restraint of completion in the community and controlling the degree of economic concentration in the community coal and steel industry. The recently negotiated treaty for a European common market, which, when ratified will embrace the same six countries as the Coal and Steel Community, contains provisions to prohibit restrictive agreements among the member countries. These were inserted in specific recognition of the fact that it would be useless to remove governmental barriers to trade, such as tariffs and quotas, and then permit private restrictive agreements to take their place. While it is too early to assess the effectiveness of these provisions, they are highly significant as the first attempt at multilateral cooperation to control cartel agreements. In addition, if successful, this international activity will inevitably lead to the strengthening of national legislation in the area.

Many evidences of Europe's determination to move in the direction of free competitive enterprise are contained in public statements of key government officials. For example, German Economics Minister Erhard, in commenting on the remarkable economic recovery of Germany, asked his countrymen why they would want "to go back to regulations and restrictions," when "we have demonstrated what competition and free prices can do."

The enhancement of the competitive system in Western Europe which is taking place is of direct significance and benefit to the United States. Not only will it aid American businessmen to operate more freely and efficiently in the area, but the greater economic strength thus achieved will contribute to the security of the free world in general and to our own national security.

ATTACHMENT B

ATTACHMENT TO STATEMENT BY THORSTEN V. KALIJARVI, ASSISTANT SECRETARY OF STATE FOR ECONOMIC AFFAIRS, BEFORE THE HOUSE SELECT COMMITTEE ON SMALL BUSINESS—TEXT OF HIGH AUTHORITY AIDE-MEMOIRE ON SCRAP IMPORT PURCHASING ARRANGEMENTS, JUNE 18, 1957—ARRANGEMENTS MADE BY ENTERPRISES OF THE EUROPEAN COAL AND STEEL COMMUNITY FOR THE PURCHASE OF FERROUS SCRAP IN THE UNITED STATES

The high authority of the European Coal and Steel Community desires to submit this aide-mémoire in response to the request of the United States mission to the high authority for information with respect to the practices relating to ferrous scrap purchases on behalf of enterprises of the community and the policy of the high authority in this regard.

The community is an institution with sovereign powers, delegated to it by the six countries that established it by treaty, and separate from the coal and steel enterprises subject to its jurisdiction. The high authority, as the executive branch of the Coal and Steel Community, has the responsibility for seeing that the common market for coal, steel, and iron, created under the treaty, operates free of restrictions and discriminations and that competitive conditions are maintained within the community.

In carrying out this responsibility, the high authority has taken note of the special situation created by the shortage of ferrous scrap. Prior to the establishment of the common market, each of the member countries of the community maintained quota or other restrictions to deal with the problems created by this shortage. With the establishment of the common market those restrictions were abolished. In order to pre-

vent economic dislocations the high authority approved a system whereby the additional cost of scrap imported from nonmember countries is apportioned equitably among all users of scrap within the Community. It is contemplated that this system will be needed so long as the acute scrap shortage continues.

So as to provide the machinery through which this system could be operated, the high authority in 1953 authorized the enterprises of the Community that use scrap to create an independent association. This association, known as the OCCF, acts as a common clearinghouse for the purchases of scrap from sources outside of the community and serves as a mechanism for apportioning the additional cost of imported scrap among its member enterprises.

The OCCF maintains an office in Brussels. It does not itself purchase scrap but locates potential sources and negotiates purchase agreements on behalf of member enterprises. In this way the OCCF assures that the claims made for compensation under the apportionment arrangements are not excessive.

In addition to this function in relation to the apportionment arrangements, the OCCF has since its establishment served as a mechanism through which the high authority has been able to limit scrap import from the United States, in compliance with voluntary limitations imposed by the high authority after discussion with the United States Government.

In authorizing the creation of OCCF the high authority made the findings required by the provisions of article 65 of the treaty establishing the Coal and Steel Community. It found that the operations of the OCCF would contribute to a substantial improvement in the distribution of scrap: that the association was essential to achieve those results and was not more restrictive than necessary and that the OCCF was not capable of giving the member enterprises the power to determine prices, or to control or limit the introduction or selling of a substantial part of scrap within the community market, or of protecting those enterprises from effective competition by other enterprises within the community market.

Under the provisions of article 65, the high authority must revoke or modify its authorization of the agreement creating the OCCF if it should find that as a result of a change in circumstances the OCCF no longer fulfills the conditions found at the time of its establishment or that the actual results of its operations are contrary to those conditions.

By a letter of May 4, 1955, Mr. Robert Eisenberg, the then acting United States representative to the high authority, called the attention of the high authority to the fact that certain exclusive scrap purchasing arrangements, which existed between the OCCF and a group of American scrap dealers, might not be compatible with the objectives of establishing and maintaining competitive conditions in the European coal and steel industry.

Upon the receipt of this letter, the then president of the high authority, M. Jean Monnet, communicated with Mr. F. A. Goergen, the then president of the OCCF, in order to ascertain the facts and to take steps to correct any practice that might be contrary to the community's purposes. After conversations between officials of the high authority and of the OCCF, the OCCF terminated all exclusive agreements then in effect for the purchase of scrap in the United States. Following this action, on November 10, 1955, the high authority issued a press communique in which it announced:

"In accordance with the position previously taken by the high authority, it has been agreed that in the future the OCCF in importing from the United States will not enter into agreements containing exclusive provisions, nor relating to a fixed percentage of the community's needs.

"Consequently, the OCCF in the future will examine the offers of suppliers in third countries in accordance with customary commercial criteria, such as prices, quality, delivery terms, etc."

During the year 1956 following the termination of its exclusive purchase arrangements, the OCCF purchased scrap in the United States through about a dozen scrap dealers.

In spite of the elimination of these exclusive arrangements it has now come to the attention of the high authority, that in testimony before the Small Business Committee of the United States House of Representatives, certain United States scrap dealers have charged that the buying practices of the OCCF continue to discriminate against them in favor of the group of American scrap dealers with whom the OCCF previously had exclusive arrangements. The high authority is undertaking a thorough investigation to ascertain the facts as to the validity of these charges. Whether or not these charges prove to be well founded, however, the high authority has decided that steps should be taken to avoid any possibility of misunderstanding, either in the United States or the community, of the policies of the high authority or of its determination to enforce those policies. It has, therefore, also undertaken to formulate detailed criteria and procedures to be followed by the OCCF in purchasing scrap in the United States. These criteria and procedures will be designed to eliminate any discriminatory or restrictive practices or any practices in any other way contrary to the purposes of the community.

It is contemplated that the formulation of these criteria and procedures, together with control arrangements necessary to assure that they will be followed, will be completed and adopted after consideration at the next meeting of the OCCF. When adopted these arrangements will be made available to the State Department and enforced by the high authority.

Mr. RIEHLMAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

IRON AND STEEL SCRAP—EXPORT POLICY

Mr. RIEHLMAN. Mr. Speaker, the Honorable Thorsten V. Kalijarvi, Assistant Secretary of State for Economic Affairs, made a statement today before the House Small Business Committee concerning, first, the discussions with foreign governments dealing with the limitations on the scrap they plan to take from the United States; and second, the Department's policy pertaining to the scrap importing arrangements of the European Coal and Steel Community and Japan. My distinguished colleague and ranking minority member on the House Small Business Committee, the gentleman from Colorado [Mr. HILL] has placed the entire statement of the Assistant Secretary of State in the CONGRESSIONAL RECORD. I join him in recommending to the membership of the House a careful reading of the statement.

Personally, after listening to and carefully studying the Assistant Secretary's remarks, I am convinced that the Department of State, Department of Commerce, and other agencies of our Government which have been working to find a proper solution to the problems created by the exportation of iron and steel scrap have earnestly and consistently had in mind the welfare of the many thousands of small-business men engaged in the iron and steel scrap business in the United States. It must be remembered that the problems involving the exporation of iron and steel scrap not only concern the needs of our friends abroad but also concern the economic health and welfare of the United States. The Export Control Act of 1949, as amended, declares that "it is the policy of the United States to use export controls to the extent necessary (a) to protect the domestic economy from the excessive drain of scarce materials and to reduce the inflationary impact of abnormal foreign demand; (b) to further the foreign policy of the United States and to aid in fulfilling its international responsibilities; and (c) to exercise the necessary vigilance over exports from the standpoint of their significance to the national security." The statement of the Assistant Secretary of State has very definitely clarified the situation which has obtained with respect to the exportation of a valuable raw material. As I stated, the testimony is irrefutable that at no time has the United States Government failed in its several discussions with foreign governments to take into account the small-business aspects of the iron and steel scrap problem. In its negotiations with the high authority of the European Coal and Steel Community on the purchase of ferrous scrap in the United States, it is very apparent that the best interests of our free competitive enterprise system and our national security have been adequately and faithfully preserved.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. HILL. I yield.

Mr. EVINS. Mr. Speaker, I should like to associate myself with the remarks of the gentleman from Colorado [Mr. HILL] in pointing out some of the constructive work of the Select Committee on Small Business of the House.

Our committee has been holding a series of objective hearings on an alleged domestic, monopolistic situation in the steel-scrap industry, which extends into an international cartel system of absolute control. The State Department has taken cognizance of the situation and has indicated that steps are being taken to insure in every way that free trade and competitive competition be maintained.

In this connection I ask unanimous consent to have reproduced in the RECORD a statement of the distinguished chairman of our committee, Congressman WRIGHT PATMAN, relating to some developments of our hearings and investigations.

The statement follows:

STATEMENT OF WRIGHT PATMAN, CHAIRMAN, SELECT COMMITTEE ON SMALL BUSINESS, UNITED STATES HOUSE OF REPRESENTATIVES

This morning, the Honorable Thorsten V. Kalijarvi, Assistant Secretary of State, read to the House Small Business Committee a diplomatic note from the high authority of the European Coal and Steel Community, which states that the high authority is taking steps to eliminate restrictive purchase practices of the OCCF, the central buying

agency of the community countries for purchasing scrap from the United States. This action, when carried out, will break the near monopoly control which a small combine of United States firms have recently had for exporting scrap to the six European countries which make up the European Coal and Steel Community, known as the CSC. This note which was transmitted by Mr. Butterworth, our Ambassador to the CSC in Luxembourg, said that the high auhority has "undertaken to formulate detailed criteria and procedures to be followed by the OCCF in purchasing scrap in the United States. These criteria and procedures will be designed to eliminate any discriminatory or restrictive practices or any practices in any other way contrary to the purposes of the community."

Assistant Secretary Kalijarvi told the committee that "in furtherance of the basic United States foreign economic policy calling for the encouragement of free, competitive enterprise in the free-world nations and for the elimination of restrictive business practices in international trade," the State Department has taken steps to encourage free trade practices in the purchase of iron and steel scrap by both the OCCF and Japan. The community countries and Japan are the principal foreign markets for United States iron and steel scrap. Both make scrap purchases from the United States through central buying cartels.

The committee listened with approval to the statement of the Assistant Secretary of State and suggested that it would welcome on the part of the high authority its promised action, "which should not only strengthen free, competitive enterprise in Europe—an objective of the CSC—but an action which will help preserve free, competitive enterprises within the United States, by freeing some 4,000 small scrap dealers in this country from the threat of monopoly control." The committee further expressed the hope that the State Department will follow very closely developments of the corrective actions which have been promised by the high authority, and that it will take whatever steps are appropriate to encourage an early adoption of these actions.

The House Small Business Committee has been holding hearings since May 20, on both domestic and export problems affecting the United States iron- and steel-scrap trade. On June 6, Representative PATMAN invited attention of the State Department to transcripts of the committee's hearings, saying witnesses had charged "that a central buying cartel in Japan and the OCCF, the central buying agency for the European Coal and Steel Community, restrict opportunity for making sale of scrap in these markets to a small group of selected United States companies."

In its diplomatic note of June 18, the high authority said it had previously asked its OCCF purchasing agency—in November of 1955—to eliminate the exclusive contract with the small group of United States firms for all scrap shipped from the United States, but the note continues:

"In spite of the elimination of these exclusive arrangements, it has now come to the attention of the high authority, that in testimony before the Small Business Committee of the United States House of Representatives, certain United States scrap dealers have charged that the buying practices of the OCCF continue to discriminate against them in favor of the group of American scrap dealers with whom the OCCF previously had exclusive arrangements."

Assistant Secretary Kalijarvi told the House Small Business Committee that the State Department had interceded with the Japanese to open up their market to all United States firms on a competitive nondiscriminatory basis, saying:

"But, although the number of dealers was raised to six, this intercession was unsuccessful in obtaining a restoration of competitive conditions."

The CSC is made up of France, Germany, Italy, Belgium, Luxemburg, and the Netherlands. The Assistant Secretary told the committee that the CSC was formed in July of 1952 "to bring the coal and steel industries of the 6 CSC countries into competition with one another in 1 vast common market," and to eliminate barriers to trade within the CSC countries "such as tariffs, quantitative restrictions, and discriminatory pricing." The Assistant Secretary added that the CSC treaty among the six nations has anticartel provisions which are accurately described as "Europe's first major antitrust law."

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. HILL. I yield.

Mr. ROOSEVELT. I want also to commend the gentleman from Colorado and to agree as well with the remarks made by the gentleman from New York [Mr. MULTER].

I believe the results of this investigation have pointed out once again how important the work of the Small Business Committee is and how productive it can be when all of the Members on both sides of the aisle work together.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. HILL. I yield.

Mr. VANIK. I want to associate myself with the remarks of the gentleman from Colorado.

Mr. HILL. Mr. Speaker, I would like to read a paragraph or two of the letter that Mr. Kalijarvi presented as he appeared before our committee. This is not information that happened yesterday. This is information that happened today. And I want to tell the Members of the House that we are happy to report this is a matter that is very important to these United States, it is very important to our friends, the Japanese, as they are working on that particular issue now.

The high authority of the European coal and steel community desires to submit this aide-memoire in response to the request of the United States mission to the high authority.

Then he goes ahead and tells us what they have done to get the countries of middle Europe together on the purchase of scrap steel.

SMALL BUSINESS COMMITTEE HEARINGS ON SCRAP METAL

Mr. MULTER. Mr. Speaker, will the gentleman yield?

Mr. HILL. I yield to the gentleman from New York.

Mr. MULTER. Mr. Speaker, I am pleased to associate myself with the remarks of the gentleman from Colorado, the ranking minority member of the Select Committee on Small Business, and at the same time to pay my compliments to the chairman of the committee, the gentleman from Texas [Mr. PATMAN]. They have done a fine job in setting up these hearings, and the results speak for themselves.

I wish also to pay my compliments to the distinguished majority leader, the gentleman from Massachusetts, [Mr. MCCORMACK] for having given impetus to this study and also to say a word of appreciation to the gentleman from Pennsylvania [Mr. GREEN] and the gentleman from New Jersey [Mr. RODINO] for having submitted much material to us that was helpful in this work. The majority leader, Mr. MCCORMACK, has been as interested in this work as the most diligent committee member. We are grateful to him for his aid. The small-business men of this industry owe him a vote of thanks.

As a result of this study the foreign cartels which have been, certainly, if nothing else, hurting small business in this country, will, we hope, adhere to their agreements to permit free competition in their markets. This should give an opportunity to small-business men, some 4,000 of them throughout the country, who are engaged in the scrap metal industry, to participate freely and competitively in exporting their scrap to Japan, the United Kingdom, and the European Continent.

Mr. LATHAM. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL. Mr. Speaker, to bring the discussion back to the business at hand, I should like to rise in support of House Concurrent Resolution 172 and to commend my colleague from Maryland with whom I share the honor of representing the suburban areas of Washington for his authorship and sponsorship of this resolution.

There has been some reference made here earlier that Washington is no different from a lot of other big cities in the country. There is a difference, a big difference, the difference being that Washington is our Nation's Capital, the Capital City of all the people of the United States. It is not necessary for me to remind the Members of this body that the Congress is the city council of the District of Columbia and it is charged with the responsibility of helping in the solution of the many problems confronting our Nation's Capital.

One of the more difficult things in arriving at a solution of these problems is that it is very difficult to confine these problems within the geographic boundaries of the District of Columbia. It only contains about 840,000 people. The District of Columbia, in effect, has grown out into the surrounding States to where we now have to look at the solution of these problems as a metropolitan area as a whole and as a great big city of over 2 million people.

What aggravates that problem further is the fact there are two States involved, in addition to the District of Columbia, and various political subdivisions within those States. Congress has recognized its responsibility in helping us to arrive at a solution of this problem before. Back in the 83d Congress we set up a Presidential Commission to do what this resolution would do here today, but the bill was vetoed, due to an amendment which was placed on the bill by the other body. In the meantime, the various States and communities around here have been desperately trying to arrive at a solution to these problems.

Someone has said that the States of Virginia and Maryland are not spending any money to solve these problems. That is not true. These States have

spent hundreds of thousands of dollars in studies and surveys in an effort to solve the vast problems that seem to be getting worse and worse every day. It is almost impossible to coordinate the various activities into one great big metropolitan community in order to secure a coordinated solution to the problem.

The main purpose of this resolution is to provide a means to coordinate all of these various studies and surveys and the efforts of the people of the various communities to come up with one major overall project to solve the problem.

There is the matter of traffic, there is the matter of bridges, which have been mentioned here today, something about future bridges in the District. There is the matter of pollution and the water supply. Those are very serious problems.

In 1950 the Congress authorized the construction of another airport here for the District of Columbia. There is a great deal of disagreement and argument as to where that airport should be located. I do not want to suggest that this resolution will take any jurisdictional authority away from the Committee on Interstate and Foreign Commerce, but certainly insofar as the location of an airport having an impact on the surrounding community is concerned, I do believe that that matter could be discussed by this committee once it is established. So, let us say that the adoption of this resolution will give us a better chance to arrive at an orderly solution to this problem. I say again that everyone in the country should be concerned with this, because this is the Nation's capital, and as pointed out by the gentleman from Maryland [Mr. HYDE] in addition to that, it would set up a pilot plan which a lot of the metropolitan areas of the country who are experiencing similar problems may follow.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL. I yield to the gentleman from Iowa.

Mr. GROSS. I simply want the RECORD to show that I am opposed to this resolution, and opposed to the taxpayers of all the country continuing to finance projects of this kind in the District of Columbia and the surrounding territory. I thank the gentleman for yielding to me so that I can make my position clear in the RECORD.

Mr. BROYHILL. I assume the gentleman does not object to the Congress as well as the District of Columbia meeting its obligations to assist in arriving at a solution of a problem of this sort.

Mr. GROSS. I have always voted for reasonable appropriations for the District of Columbia for carrying on the Federal city.

Mr. BROYHILL. The main purpose of this resolution is in the interest of our National Capital, which is the Capital of all the people.

Mr. LATHAM. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. JACKSON].

Mr. JACKSON. Mr. Speaker, the current issue of national interest, or certainly one of the current issues, is the controversy which is presently raging over the House Committee on Un-American Activities. That controversy has resolved itself to the point where the future effectiveness of this instrument of the House of Representatives may well be determined within the course of the next few weeks.

The present situation as respects the committee has been brought about by several factors, one of which, as we well know, is the issue of the televising and the broadcasting of committee hearings. I should like to point out to the House that the original order by the Speaker of the House relative to the televising of committee hearings came in 1952 when the House Committee on Un-American Activities was in the city of Detroit, Mich., attempting to determine, if possible, the extent to which the Communist elements in that city had succeeded in infiltrating into the Ford union, the largest union in the country. We had placed on the stand a number of union officials, from top to bottom; a number of the board of directors of that union, all of whom had previously been identified under oath by other witnesses as past or present members of the Communist Party. Midway in the hearings an order was received from the Speaker to cease television broadcast of the hearing.

As has been pointed out by the gentleman from Michigan [Mr. MEADER], that order was rescinded during the Speakership of the gentleman from Massachusetts [Mr. MARTIN], who gave into the hands of the committee chairman the power to decide whether or not televised hearings were to be held. However, the pot is boiling again, and it is my understanding that resolutions have been introduced or will be introduced to abolish the House Committee on Un-American Activities. To that resolution I might say that I lend my wholehearted support, not out of any sympathy for the purposes behind the resolution but in order that the resolution may be brought to the well of this House and that the membership of the House may then have an opportunity to express their confidence or their lack of confidence in the House Committee on Un-American Activities. For my part I am proud of the work done by the House Committee on Un-American Activities and of the disclosures relative to Communist penetration of our institutions and our Government which have been made by this committee.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. JACKSON. I am happy to yield to the gentleman.

Mr. HOFFMAN. Does the gentleman mean that he is in favor of a resolution under which we would be required to answer to a rollcall and identify ourselves as either favoring the continuance of the committee or not?

Mr. JACKSON. I would say to the gentleman that it would give me a great deal of personal pleasure.

Mr. HOFFMAN. Nothing would give me greater personal pleasure, too.

Mr. JACKSON. I certainly hope that the appropriate committee having jurisdiction over this matter will promptly report to the House such a resolution in order that we may determine once and for all whether the House is to have any investigative powers in the area of subversive activities, the Supreme Court to the contrary notwithstanding, or whether we shall, in effect, remove the dome from the top of the Capitol and move it across the street and hang a sign on that beautiful building "Open Under New Management."

On Thursday next, I have a special order to address the House and I issue a most ardent and enthusiastic invitation to those who have traditionally disapproved of and opposed the House Committee on Un-American Activities, quietly it is true—they have not had the fortitude to come into the well and oppose it openly with possibly one or two exceptions. At that time I shall discuss the activities of this committee and, I invite those who are in opposition to its operations to participate in the debate. I think it might bring out some facts of interest not only to the Congress but to the people of the United States. That special order is on Thursday next following any other special orders heretofore entered.

Mr. Speaker, these issues are of transcendent importance to the Congress if it is to retain in the first instance its power to legislate; and in the second instance if it is to continue its inherent power to investigate and recommend remedial legislation.

Mr. LATHAM. Mr. Speaker, I ask unanimous consent that all Members who have spoken on this resolution may have permission to revise and extend their remarks.

The SPEAKER pro tempore. Without objection, it is so ordered. There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina, the chairman of the District of Columbia Committee [Mr. MCMILLAN].

Mr. MCMILLAN. Mr. Speaker, I heartily endorse the pending resolution and say to the Members of the House that in order for the Committee on the District of Columbia to properly perform its functions, the functions which have been placed on our shoulders, we must have all the information we can possibly get as to conditions existing in the District of Columbia.

I hope this resolution will pass.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

KLAMATH TRIBE OF INDIANS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 265 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 469) to authorize the United States to defray the cost of assisting the Klamath Tribe

of Indians to prepare for termination of Federal supervision, to defer sales of tribal property, and for other purposes. After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from New York [Mr. LATHAM] and yield myself such time as I may require.

Mr. Speaker, House Resolution 265 provides for the consideration of Senate 469, authorizing the United States to defray the cost of assisting the Klamath Tribe of Indians to prepare for termination of Federal supervision, and defer the sales of tribal property. This bill was reported by the House Interior and Insular Affairs Committee with amendments.

The resolution provides for an open rule and 1 hour of general debate on the bill.

Public Law 587 of the 83d Congress provided for the termination of Federal supervision over the property of the Klamath Indian Tribe, located in Oregon, and the individual members of the tribe. S. 469, as amended, amends Public Law 587 to provide that no sales of tribal property be made until after the adjournment of the second session of the 85th Congress. The bill also extends the final termination date from August 13, 1958 to August 13, 1960. It is believed that during this period the sales of tribal property, which consists of approximately 590,000 acres of commercial timberland, may be arranged at times and in quantities which will not depress the market and reduce the stumpage prices to the Indians.

Another amendment to Public Law 587 provides for the reimbursement of an amount equal to one-half of the expenditures made from tribal funds in carrying out the termination program, or the sum of $550,000, whichever is the lesser amount. The Senate provided $1,100,000 for this purpose.

A further amendment gives preference rights for the purchase of the property to the tribe and to members who stay in the tribe as well as members who withdraw from the tribe. Studies have been conducted which indicate that under the provisions of Public Law 587 70 percent of the enrolled Klamath Indians, residing in 18 States and the Territory of Alaska, will elect to withdraw from the tribe and have their interest in tribal property converted into money and paid to them. The other alternative is to remain in the tribe and participate in a management plan to be set up under the provisions of this law.

S. 469 also clarifies the provision in Public Law 587 which provides for the protection of the rights of members of the tribe who are minors, noncompos mentis or who need assistance in conducting their affairs.

I urge favorable action on the rule so the House may proceed to the consideration of this bill.

Mr. LATHAM. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to speak out of order and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

A FALSE AND WICKED CHARGE

Mr. HOFFMAN. Mr. Speaker, under a dateline of June 10 out of South Haven, Mich., local daily papers carry the statement that Irving Fidelman, South Haven resort owner, while host to the fourth annual Institute on Human Relations at his vacation spot charged that "Michigan leads the Midwest with more than 48 percent of its resorts, inns and hotels admitting they discriminated against Jews."

His tirade brought headlines which may have been Fidelman's purpose.

Not long ago he gained publicity by threatening court action against school officers who permitted the reading of portions of the Bible in public schools. He also may have wanted to advertise his resort.

The News Palladium, of Benton Harbor, headlines read: "Charge Michigan Is Anti-Semitic—South Haven Conference Told State's Record Is Worst.

St. Joseph Herald Press headlines read: "Tourist Discrimination Hit by South Haven Hotel Man."

South Haven's Daily Tribune carried the story on the front page.

From Deputy Attorney General Joseph Sullivan came the comment:

> I am shocked. I had no idea that Michigan had reached this stage of infamy with regard to discrimination in the resort business.

As applied to the six southwestern counties of Michigan, Fidelman's story is false and wicked.

That Sullivan, as one of Governor Williams' law-enforcing officers, knows or should know Michigan has a law prohibiting discrimination. As Deputy Attorney General did Sullivan cite violations or convictions? The press give none. Has Fidelman ever made a complaint? He cites none.

Fidelman's charge as applied to the community in which he lives is not only false and wicked—it is an insult to the members of his race. To accept his charge one must believe that Jews as a race are dumb, ignorant and completely foolish. A silly suggestion. They are known to be exceptionally intelligent, shrewd and alert. Jews do not go where they are not wanted and they flock to southwestern Michigan.

South Haven is almost directly across the Lake from Chicago. To reach it you go by boat across the lake or around its foot over 4-lane superhighways.

You first hit St. Joseph. There Leon Harris, a Jew and one of the finest men alive, operates the Whitcomb Hotel, one of the country's finest. Filled the year around, it is difficult to obtain a room unless advance reservation is made. Most of his guests are wealthy Jews, who come year after year to enjoy the mineral baths and cool Lake Michigan breezes. Just across the river is Benton Harbor. For years an exceptionally pleasant and capable Jewish lady presided at the desk.

Then on to South Haven 23 miles away. That is the community in which Fidelman lives. And 90 to 95 percent of the resort business is operated and patronized by Jews.

Southwestern Michigan plays no favorites, discriminates against no one. I know. I have lived there 80 years. I humbly suggest Fidelman consider what John Heywood wrote more than 400 years ago. I quote: "It is a foule byrd that fyleth his owne nest."

Read it again Mr. Fidelman.

Mr. Speaker, I yield back the balance of my time.

Mr. LATHAM. Mr. Speaker, I am in accord with the statement of the gentleman from Missouri. I am in favor of the resolution.

Mr. Speaker, I have no further requests for time.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

Mr. HALEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 469) to authorize the United States to defray the cost of assisting the Klamath Tribe of Indians to prepare for termination of Federal supervision, to defer sales of tribal property, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, S. 469, with Mr. ROONEY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Florida [Mr. HALEY] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. SAYLOR] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. HALEY].

Mr. HALEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this is one of the very simple, little Indian bills that we have in our committee every once in a while. I think it is well agreed that this legislation is necessary. Briefly, the legislation does three things. As stated by the gentleman from Missouri, it helps defray the cost and the expenses of the Klamath Tribe or at least to assist them in the termination program which is under way at the present time. It also defers for 2 additional years the termination date.

It provides for private trust companies to look after the interests of the incompetent Indians when the Secretary of the Interior determines the need for

assistance. That, Mr. Chairman, is about what this bill accomplishes.

The bill was on the Consent Calendar and the only reason it is here is because there was some disagreement with the committee's original bill. I believe that the amendments that will be offered today will clear up this slight disagreement entirely and I think everyone is actually in harmony on this bill.

Mr. SAYLOR. Mr. Chairman, I yield 10 minutes to the gentleman from South Dakota [Mr. BERRY].

Mr. BERRY. Mr. Chairman, the Klamath Indian Tribes are in a unique position in that their reservation is located in the heart of a very wealthy timber area in Oregon. The Klamath Indians themselves are now in a unique position in that a large percentage of the Indians at Klamath have been integrated into the white society up and down the coast.

There is a provision in the Klamath treaty which reads as follows:

SEC. 6. The Congress of the United States may hereafter abolish these restrictions and permit the sale of the land so assigned if the prosperity of the Indians will be advanced thereby.

For 20 years the Klamath Indians have been trying to get out from under the jurisdiction of the Federal Government. They want to take this property that is theirs and to go on their own. They have asked, they have appealed, they have voted, they have done everything trying to get out from under the yoke of the Federal Government, but until the 83d Congress they were turned down. This, of course, was not popular in the timber area because they had too much virgin timber within their reservation, they have too many natural resources; so the white people of the area were careful to see that their property was kept under their control and that it was kept under the supervision of the Indian Department.

The above was the situation for about 20 years. Then came a new Commissioner of Indian Affairs, a new commissioner with a new idea that the Indian people were, after all, not too much different from their white neighbors, and that if they were ever going to be anything other than just wards of a Great White Father, they should be given an opportunity to own their own property, to use their own property for their own best interests and for their own economic welfare.

As I said a while ago, the 83d Congress, following the Commissioner's lead, passed this legislation giving them the opportunity to control their own destinies, to take this tribe out of the bondage of socialism where an all-wise Federal Government in Washington shall decide for these people what property they can own, what they shall do with their property, what they shall do with the moneys received from rentals, and so forth. The legislation that was passed by the 83d Congress provided briefly four things.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. BERRY. I yield to the gentleman from Colorado.

Mr. ASPINALL. The gentleman I know does not want to leave the impression that there was a unanimous desire on the part of this tribe to get out from under Federal supervision. What the gentleman is saying is that there was such a large majority that it was sufficient to make those who were studying this problem feel that it was the desire of the Klamath Nation itself. Is that not right?

Mr. BERRY. That is absolutely correct. I thank the gentleman from Colorado for his remarks. The gentleman has a very complete understanding of the Indian problem and he has given a great deal of his time and effort in the solution of many of these problems and programs. I have the greatest respect for his judgment and ability and I appreciate his contribution. There was a division of about 50–50 of those who wanted to get out. But the two different groups got together and worked out this agreement.

The agreement that they worked out and the legislation that we passed as a result of that agreement provided for termination of Federal supervision over the Klamath Tribe and the individual members thereof, and provided as follows:

First. Cause an appraisal to be made of all tribal property showing its fair market value by practical logging or other appropriate economic units.

Second. Give each adult member of the tribe an opportunity to withdraw from the tribe and have his interest in tribal property converted into money and paid to him, or to remain in the tribe and participate in a management plan.

Third. Determine and select the portion of the tribal property which, if sold at the appraised value, would provide sufficient funds to pay the members who elect to have their interests converted into money, arrange for the sale of such property, and distribute the proceeds of sale among members entitled thereto.

Fourth. Cause a plan to be prepared satisfactory to the tribe and the Secretary for management of tribal property retained by those who remain in the tribe. This management plan would be carried on under a trustee, or by the tribe operating as a corporation or other legal entity.

Mr. Chairman, because of the unwarranted delay that came about following the passage of this bill, this amendment has become necessary and I want to emphasize this unwarranted delay.

This bill:

First, extends final determination date to August 13, 1960, 2 years;

Second, gives preference rights to the tribe and the members who stay in the tribe; and

Third, provides a few minor changes some of which I am certain are good, such as more fully protecting the property of minors by going into State court, and so forth.

Mr. Chairman, I want to read from the May, 1957 issue of the American Forest Magazine, which gives, I think, a good illustration of the reason back of the delay in carrying out this law. This magazine has a long article on this Klamath withdrawal. Among other things it says:

It would be helpful now if someone a decade ago had heeded the clear signals of impending liquidation of the Klamath Reservation. Somebody should have started a comprehensive economic study of the Klamath Basin to determine the role of the reservation in the overall economy.

They are not talking about the economy of the reservation; they are talking about the overall economy of the area.

Fundamentally the question regarding disposal of Klamath Indian property are another evidence of the tremendous pressures exerted upon the Nation's natural resources by a rapidly expanding population. Other friction points known to all include such things as the million acres being absorbed annually by new urban, industrial, highway, and other uses; land withdrawals for military use; wilderness needs; loss of valuable agricultural and forest land in flood control projects; drainage of the nesting grounds of migratory waterfowl, to name just a few.

The American Forestry Association believes that thorough study of future needs and planned use of all the Nation's resources to meet these needs is mandatory.

I think that gives you just a little idea of why this delay is required, not for the benefit of the Indians of the Klamath Reservation but because of the desire on the part of these organizations to provide an overall program for the basin and the Klamath Indians; because of the pressure of the chambers of commerce, the wildlife groups, the lumber companies, the sportsmen who want to preserve their flyways, and so forth—all at the expense of the Indians. The telegrams received by the committee were nearly all from these groups, while the telegrams from the Indian people were primarily against the extension of time.

The delay is sought not by the Indians but by these other groups and it will be made at the expense of the Indians.

Mr. HALEY. Mr. Chairman, I yield such time as she may desire to the gentlewoman from Oregon [Mrs. GREEN].

Mrs. GREEN of Oregon. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Chairman, I rise in support of the general objectives of the bill now before the House, S. 469, to authorize the United States to defray the cost of assisting the Klamath Tribe of Indians to prepare for termination of Federal supervision, to defer sales of tribal property, and for other purposes, but with certain reservations as to the provisions of the bill in several respects.

I refer the Members of this body to the remarks I made on this floor on May 14, 1957, at the time I introduced a bill, H. R. 7524, to provide minors and incompetents of the Klamath Indian Tribe with certain much-needed protections against excessive guardianship fees and costs.

I noted at that time my deep and abiding respect for the members of the legal profession to whom we all are so deeply indebted. Those enduring fundamental rights and freedoms enshrined in our Bill of Rights owe much to the legal profession for their preservation. My fears, therefore, concerning the amounts which may be charged in guardianship fees and costs do not in any way stem from any mistrust of lawyers. Quite the contrary is true.

But we must be realists. In every profession, in every occupation there are bound to be a few who are so devoid of the deep and abiding faith in ethical principles that they may—if no restraints are placed in their way—act unscruplously toward those too weak to defend themselves.

It is for this reason that I have already proposed that such guardianship fees and costs be limited by a Federal law tying them to the amounts which may be charged, under State law, by guardians of veterans. I hope, therefore, that an amendment to this bill will be offered to that effect or, in the alternative, that the House Committee on Interior and Insular Affairs will promptly schedule and hold hearings on the measure which I have already presented to this body.

Another provision in this bill which is of concern to me is the provision in paragraph (d) permitting, in the case of minors and persons declared incompetent by judicial proceedings, the Secretary of the Interior to designate a person to make the election as to whether the minor or incompetent will remain in the tribe or will withdraw.

This is a dangerous provision. For we must remember that about half the persons involved are minors. The passage of this measure in its present form will give into the hands of the Secretary of the Interior, without any recourse whatsoever on the part of the parents of these minors or the guardians of these incompetents—the power to determine the results of the total tribal election. Such unbounded, uncontrolled power should not be given to the Secretary of the Interior, whoever he may be. We must give to the parents of these minors and to the guardians some voice, some recourse, some appeal from arbitrary action on the part of the Secretary of the Interior or his subordinates. We give to the members of the Klamath Indian Tribe in the present law a choice as to whether they want to stay in or leave the tribe. Let that choice be real, not illusory.

I therefore hope that, with respect to this provision also, an amendment will be offered to safeguard the rights of the parents of these minors and of the guardians of these incompetents, thereby also protecting the rights of the minors and incompetents themselves.

There is a further point that disturbs me greatly, Mr. Chairman, disturbs me as much as any of the others.

I have spoken already of the dangers that may lie in the present statute with respect to the dissipation of the estates of minors and incompetents through excessive guardianship fees and costs.

I have shown that under the fee schedule adopted by the Klamath County bar association, if the estate of a minor is $50,000, the cost in the first year to establish the guardianship estate will run as high as $4,064 where an individual guardian is used. Assuming no withdrawals of capital and a normal return, annual attorney and guardianship fees will consume $1,000 of the estate, so that at the end of 15 years the estate, through guardianship and attorney's fees alone, will have been decreased by $18,064. The minor, out of an estate of $50,000 would have left about $31,000.

And this example is based on the assumption that only the minimum fees will be charged.

It has been estimated that about one thousand members of the Klamath Tribe are minors. If we assume that the estate of each will be $50,000, the total sum involved for all these minors will be $50 million. Under the Klamath County bar association's minimum fee schedule, if individual guardians are appointed, $4,064 of the estates of these Indian minors could be expended the first year in fees and charges merely to establish guardianships for these children.

I have offered a bill limiting these charges. What does the bill before us offer? It would authorize the Secretary of the Interior, as an alternative to guardianship through judicial proceedings in the State courts, to establish trusts for these minors and incompetents. The bill, however, contains no limitation on the discretion that the Secretary of the Interior may use.

In the first place, there is no appeal from his decisions to establish trusts. He can, under it, establish trusts for minors who have parents entirely competent to manage their estates. He can under the provisions of this bill establish trusts for persons declared incompetent and for whom the courts of my State have already appointed guardians perfectly capable of managing the estates of such incompetents.

Word has already reached me that, even before the passage of this bill, the Bureau of Indian Affairs has been negotiating with a few banks in Portland, Oreg., for the establishment of trusts for these minors and incompetents. The terms of the tentative draft of a proposed trust agreement have come to hand, and it contains provisions which cause me concern.

My reservations with respect to the proposed trust arrangements should not be construed as reflecting in any way upon the integrity, stability, or ability of any of the banks involved. Their competence to manage trust funds has been amply proven.

My reservations, however, are with respect to the relations that do and should exist between the Klamath Indians and the Federal Government, the duty which this Government owes them upon termination of supervision, and the fact that under the proposed trust agreement the banks will be called upon to perform duties not always of a fiscal nature.

These Indians are at present wards of the Federal Government. If we permit the Secretary of the Interior to enter into trust agreements with corporate banking institutions to act as trustees for the estates of more than 1,000 minors and the unknown number found to be incompetent are we not thereby substituting one wardship for another wardship?

If well over half of these Indians are to become, in essence, the wards of a few banks rather than the wards of the Federal Government, what have they gained?

As I say, I do not question the ability of any of the banks involved to manage the estates wisely and well from a fiscal standpoint.

I can see where the corporate trustee would be competent on affairs dealing with safe and profitable investments, but is it correct to equate the bank trustee with one who is competent also to counsel on such matters as the education of the minor or the business or profession in which he should train and engage?

Is it wise to leave such decisions entirely to a bank without recourse or appeal on the part of the minor, his parents, or the incompetent's legally appointed guardian?

Yet that is exactly what the tentative draft of the proposed trust agreement would do.

Permit me, Mr. Chairman, at this point to read from that agreement:

> The beneficiary, if of an age and mental capacity to do so, shall be encouraged and given reasonable financial assistance to obtain a satisfactory education, including training in a trade or profession where deemed appropriate.

Since when are banks education counselors? Suppose the young Indian lad wants to go to college and the bank—in its fiscal wisdom—does not believe that he is good college material? Is such a lad—and his parents—to be denied the opportunity of making such a basic decision, so vital to his future, merely because it does not jibe with some trust officer's opinion of educational values?

Let us look at another provision:

> The trustee shall pay to or apply on behalf of the beneficiary at convenient intervals, such amounts of income and/or principal as the trustee in its sole discretion may deem advisable for the maintenance, care, welfare, support, and education of the beneficiary and for those members of his family for whose care he is legally responsible.

These are decisions the agent for the Bureau of Indian Affairs now makes. They will be made by the bank in the future. Is this what we mean by termination of Federal supervision over the Klamath Indian Tribe? Is it not rather the transfer of supervision to the banks?

How long will the trust last? That too is left to the corporate trustee. This is the provision in the tentative, proposed agreement:

> A beneficiary who has attained legal majority shall be given all reasonable opportunity to demonstrate his fitness and ability to manage his own financial affairs in a prudent and businesslike manner. In exercising its discretion with respect to distributions to the beneficiary the trustee shall give full and careful consideration to the judicious distribution of lump-sum amounts at such time or times and in such manner as the trustees may feel will enable the beneficiary to gain experience in the handling of

funds and to assist in determining his competence in that respect.

The term of a trust for a minor could, therefore, be for the life of the minor and is to be determined within the discretion—the unreviewable discretion—of the trustee.

And finally, Mr. Chairman, what of fees? I have made considerable point of this with respect to guardianship fees and costs. The argument has been advanced that the trust device proposed would be cheaper. Perhaps it would, but let us look at what the tentative proposed trust agreement provides:

> The trustee shall * * * have the right and power * * * to pay all taxes, charges, commissions and other expenses of the trust estate, including the compensation for its own services in accordance with the schedule of fees in use by the trustee at the time such fees become payable and reimbursement for all outlays and advances.

I call your attention to the words "including the compensation for its own services in accordance with the schedule of fees in use by the trustee at the time such fees become payable." In effect this means, Mr. Chairman, that the fees will be set by the corporate trustee without any maximum at all in the trust agreement, without any appeal being vested in the beneficiary.

The bill before us contains no safeguards or limitations. I think it should. I hope some are proposed so that the minors and incompetents of the Klamath Indian Tribe will be afforded full protection against dissipation of their estates without, at the same time, sacrificing their rights.

My remarks, Mr. Chairman, are not prompted, as I have already stated by any lack of appreciation of or respect for the vital functions performed in our society either by attorneys or corporate trustees. They are prompted only by a sincere and earnest desire to protect the members of the Klamath Indian Tribe as fully as possible and to accord to them the treatment and the protections they need and deserve.

I hope amendments will be offered to write into this bill such protections. If they are not, I shall continue to work toward securing them.

Mr. HALEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Chairman, there is serious doubt in many informed quarters as to Public Law 587 of the 83d Congress and the feeling is growing among those closest and most unselfish to Indian welfare that this law of the 83d Congress should be repealed. The measure now under consideration is to extend the termination period, which otherwise would have been reached on March 31, 1958, another 18 months. If the present measure should be enacted into law, it is to be hoped that immediately a restudy of the entire question will be commenced and that in the next session of the 85th Congress we will have the opportunity of voting for a measure, resulting from this restudy, and which will assure us that the Indians of the Klamath Tribe will receive full justice in their own interest and in the interest of our country.

Dr. Sol Tax, chairman of the department of anthropology of the University of Chicago, is recognized as one of the outstanding authorities on the American Indians. Perhaps no one is more fully and more intimately informed in this field. Dr. Tax is strongly convinced that the Klamath termination is a disaster and that the consent of the Indians was obtained by threats and bribery. I have just received a letter from Dr. Tax, sent special delivery to my office and which has just been brought to me here on the floor of the House. I know that this will prove of interest to my colleagues and that it will furnish food for thought for them in the present deliberations. Therefore I am taking the liberty of reading the letter, as follows:

DEAR CONGRESSMAN O'HARA: A quick reply to your request for my reaction to S. 469, which postpones some of the acts of termination for the Klamath Tribe of Indians and provides that not all of the costs of the termination be borne by the tribe.

The Klamath termination (like the Menominee termination) is a disaster. The consent of the Indians was obtained pretty much by threats and bribery; the Indians were really given no choice. The result in both cases is clearly seen now by all who study the situation to be harmful to the interests and futures of the Indians. Fairly prosperous and well-integrated communities that were costing the Government virtually nothing are almost certainly going to be dispossessed of their lands and ancestral heritage and broken up. The Indians will become poor and dependent—a great many of them charges on county, State, and Federal treasuries. The only gainers may be some people who buy forest holdings cheap when their sale is forced by the termination.

The Indians are in a great fright at the prospect ahead. In turn it is their panic which in part brings on the disaster. They are unable to act in any constructive manner while the termination ax hangs over their heads.

What S. 469 does is (1) stay the ax for 18 months, and (2) provide that the Indians only have to pay half the cost of the ax.

Under the circumstances of course S. 469 is good.

But the only really good bill would be a repeal of Public Law 587, 83d Congress, which turns out to have been a tragic mistake. Once that termination act is repealed, the Indians and their friends would work with Congress toward a plan that would be in everybody's interest. The previous system whereby the Government ran all the affairs of the tribe was bad indeed; but termination as enacted turns out to be a cure far worse than the sickness—it is simply killing the patient.

Postponement (S. 469) is obviously necessary, and a bill to repeal Public Law 587 should be introduced and passed as soon as possible. Then the Klamath can begin work on a constructive solution. (Ditto for Menominee.)

With best regards,
Sincerely,

SOL TAX,
Chairman.

Mr. SAYLOR. Mr. Chairman, the difficulties which existed in this bill and caused the rule have been worked out amicably between the members of the committee, and the amendments which will be offered to the committee amendment are satisfactory to everyone.

I have no further requests for time, Mr. Chairman.

Mr. HALEY. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon [Mr. ULLMAN].

Mr. ULLMAN. Mr. Chairman, the Klamath Indian Reservation is located in my district in Oregon. It is a very important asset. It was established by treaty in 1864 and today comprises a reservation of approximately 860,639 acres of land, of which we have 745,000 acres forested. Five hundred and ninety thousand of those acres are good commercial timber. There are 115,639 acres of open grazing land, much of it in the Klamath marsh, which is very essential to the flyway for ducks in that area. There are 2,043 members of the Klamath Indian Reservation, about half of them being minors. This is an important asset not only from the point of view of the human resources; it is very important from the point of view of the economy of the area. By act of August 13, 1954, as was referred to by my friend the gentleman from South Dakota [Mr. BERRY], the Klamath Temination Act was passed by this body. It set up certain procedures whereby the reservation would be terminated. The purpose of this bill before us today is to defer the final termination as it was originally set up under the act of August 13, 1954. We are deferring the original sale of the assets until the end of the 85th Congress and are deferring the final sale of those assets until August 13, 1960.

The additional purposes of the legislation is to partially defray the cost of termination due to the fact that this is more or less a guinea-pig program of terminating major Indian reservations and it is taking a considerably longer period of time to get the job done. Therefore we will partially help the Indians defray the cost of that termination. And then, in addition, there are certain technical amendments that have been offered and supported by the Bureau of Indian Affairs in order to help facilitate this termination procedure.

The support for this legislation is nearly unanimous. The only opposition comes from very small segment of the Indians. We have the Klamath Tribe behind us on the legislation; the Tribal Council; the Secretary of the Interior; the Bureau of Indian Affairs; the management specialists who went into the field in order to carry out the terms of the act. The Oregon State house and senate have passed a joint memorial urging this legislation. The Oregon Council of Churches and various wildlife organizations are behind it. I think it is very necessary legislation and I urge its support by the Members of the House.

Mr. WIER. Mr. Chairman, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman from Minnesota.

Mr. WIER. Much has been said about the great resources of virgin timber, which interests me. Under the terms,

who disposes of this timber? Does the tribe, or the Government, or is it sold on the open market by the individual who holds it?

Mr. ULLMAN. In answer to the question of the gentleman from Minnesota, under the terms of the act of August 1954, the management specialists are having an appraisal made of the assets of the Indians. They are in the process of dividing the forest land and the other land into parcels. Under the terms of the existing law, they will sell those parcels of land to the highest bidder. That is the present procedure.

I am glad the gentleman raised the question because I believe there are certain fundamental defects in the procedure as it is being worked out. This additional time will give this body an opportunity to consider the perfecting of this legislation so that it will not harm the resources of the area, the economy of the area; and so that it will give the greatest benefit to the Indians who actually own this land.

Mr. BERRY. Mr. Chairman, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman from South Dakota.

Mr. BERRY. The gentleman indicated that a very small segment of the Indians was in favor of the legislation. Is it not a fact that about 70 percent of the Indians are in favor of withdrawal and want to withdraw?

Mr. ULLMAN. I am glad my friend from South Dakota asked that question. It is my opinion that a great majority of the Indians favor this particular legislation which allows the termination to proceed but which defers the final termination. Many of those Indians who favor this legislation are definitely in favor of withdrawing but desire an orderly termination.

I firmly believe that Congress has an obligation of effectuating such an orderly termination. Enactment of the legislation now before us would give Congress the needed time to both devise and adopt a sound termination program. Such a program would not only mean the full protection of the welfare of the Klamath Indians, but it would also insure preservation of great natural resources.

Mr. HALEY. Mr. Chairman, I yield 4 minutes to the gentleman from North Carolina [Mr. SHUFORD].

Mr. SHUFORD. Mr. Chairman, I take this time to call the attention of the members of the committee to page 3 of the bill, lines 10 and 11. That subsection provides in part as follows:

> Immediately after the appraisal of the tribal property and approval of the appraisal by the Secretary, give to each member whose name appears on the final roll of the tribe an opportunity to elect to withdraw from the tribe and have his interest in tribal property converted into money and paid to him, or to remain in the tribe and participate in the tribal management plan to be prepared pursuant to paragraph (5) of this subsection.

Then I call your attention to this particularly:

> in the case of members who are minors, persons declared incompetent by judicial proceedings, or deceased, the opportunity to make such election on their behalf shall be given to the person designated by the Secretary.

I want to ask the members of the committee why it is necessary that the Secretary of the Interior give his consent to a deceased person. I think it would be well to strike out the comma after "proceedings" and the words "or deceased" and then the comma thereafter, so that it would be clear. If a person is deceased then his property and his rights have descended to his next of kin or heirs at law. Suppose a competent person inherited the deceased person's land, then you would not want the Secretary of the Interior making a decision for a dead person, when a competent person is then owner of the property and could make his own decision. Can the gentleman from Pennsylvania give any reason why the phrase should not be stricken out?

Mr. SAYLOR. I know of no reason why that should not be stricken out.

Mr. SHUFORD. Then I propose to offer an amendment to strike out the comma and the words "or deceased" and the comma appearing thereafter, when the appropriate time arrives.

May I say that the members of the Indian Affairs Subcommitte of the Committee on Interior and Insular Affairs were in accord on this bill. I think it is proper legislation. I believe it is necessary that we have it. I hope the Members of the House will accept the amendments which have been agreed upon also, and that the bill will be passed.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. SHUFORD. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Can the gentleman tell me how many minors there are in the Klamath Tribe?

Mr. SHUFORD. I have been informed there are 1,100 to 1,400. I am not exactly sure. Perhaps the gentlewoman can tell me that.

Mrs. GREEN of Oregon. If there are 2,100 members on the Klamath roll, then more than half of them would be either minors or incompetents for whom guardians or trustees would have to be appointed.

Mr. SHUFORD. I would not say incompetents. I know there are a good many minors there. The provisions of the bill take care of the control of their property during their minority.

Mrs. GREEN of Oregon. I mean the minors and the incompetents, the sum total would be over half the members of the tribe.

Mr. SHUFORD. I will have to rely on the gentlewoman to advise me on that.

Mrs. GREEN of Oregon. Then, in effect, are we not transferring the minors and the incompetents, if there be some, from one wardship to another? So what have we really gained if we transfer a thousand or 1,200 or 1,400 of the minors and incompetents from being wards of the Federal Government to being wards of the banks?

Mr. SHUFORD. I cannot agree with the gentlewoman because I think that when the termination has occurred and the individuals have the ownership of their property the same would be held under a trust agreement and managed pursuant to the terms of that trust agreement. It could not be carried on under the Department. They are relieved of any supervision by the Department of the Interior or the Indian Bureau.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. SHUFORD. I yield to the gentleman from Colorado.

Mr. ASPINALL. What the gentleman is saying is that he believes in local control rather than the control of such property rights from Washington?

Mr. SHUFORD. That is it exactly. We have already passed the legislation for the termination of the supervision over the Klamath Tribe, and this is simply continuing the present operation until it can be terminated.

Mr. HALEY. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Chairman, it had been the intent of the Agriculture Committee to bring up the so-called desert entry bill immediately following the consideration of this bill. The members of the Committee on Agriculture remained here for the purpose of taking that bill up.

As chairman of the subcommittee that heard the bill, I want to say in all frankness I think it is a fair bill. I think it is a bill that should be passed. I think it is a bill that does nothing but justice to a group of people who were evidently inadvertently omitted from the previous law. But, apparently, there are powers in this House who do not want legislation presented simply on its merits. I think we had an example of that in the vote an hour or two ago when, with only two exceptions, we had a solid party vote to take out a provision which would have made cotton mattresses, sheets, and so forth, available to the needy on the same terms we now make processed milk products, or processed grain products available. Apparently, as soon as the gentlemen on my left realized that this might be of benefit to the cotton-producing areas they voted against it. I do not believe in that kind of legislating. I do not believe in legislation that would penalize the gentleman from Idaho [Mr. BUDGE] simply because somebody does not like him or his politics. Earlier this week there was an effort to take a project out of the civil-works bill. Someone said the effort was made because someone else did not like Mr. BUDGE. I thought the project was sound. I voted for it. I think this bill is fair. I supported it in the committee. I am ready to support it on the floor.

Mr. MARSHALL. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield.

Mr. MARSHALL. Surely I never supposed that the time would come in this House when I would have difficulty with some of my colleagues putting words in my mouth. I was rather shocked and amazed a while ago to hear rumors on the floor of the House that I was opposing this bill because my good friend, the gentleman from Idaho [Mr. BUDGE] is

interested in it. That is the furthest removed from any intention that I have. I disagree entirely with the chairman of this subcommittee even though I have a high regard for him. I think this bill is one of the worst proposals that could possibly come before the Congress at this time. It is going absolutely in the opposite direction from what we are trying to do so far as surpluses are concerned. It is directly in opposition to the fundamental principles of the Farmers' Home Administration. For those reasons and for a few other reasons that I expect to go into, I am opposed to the legislation because of the legislation itself. Never have I opposed any legislation upon this floor because of any personality conflict. One of the last persons I would oppose would be the gentleman from Idaho even though I have disagreed and will continue to disagree with the gentleman from Idaho. He is a hard working, conscientious, member of our committee, and he has a right to his opinions. I do resent the fact that anyone is trying to put words into my mouth indicating that I am opposing the bill because of any feeling I have for the gentleman from Idaho. The gentleman from Idaho is entitled to have his bill discussed in the House, I did not attempt to delay it today or any other day. I objected to it on the absent calendar, I felt that the House should be given the opportunity to work its will. To my knowledge no one on the Democratic side has tried in anyway to delay consideration of it.

Mr. POAGE. I am sure the gentleman from Minnesota has good reasons for opposing the bill, and I certainly was not referring to him but I heard on the floor statements earlier this week as to why certain other Members were opposed to the amendment offered by the gentleman from Idaho to the Civil Works bill. I am simply referring to what is in the RECORD of the proceedings of this House.

Why the pending bill was passed over this afternoon, I do not know, but I do know that the leadership on the Republican side has decided that they do not want to bring the bill up. They do not want to bring the bill up before this House. And if they do not want to bring it up before the House, that is perfectly all right with me. The bill does not have any application in either my district or my State. I have no ill will for its author. I consider him a high-class gentleman. But my support of the bill is based solely on my belief that if we are to make FHA loans to homestead entrymen we should treat the desert entrymen just the same.

Mr. BUDGE. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield.

Mr. BUDGE. May I say to the gentleman from Texas that I very much appreciate the consideration he has given this bill both in the subcommittee and for remaining here on the floor to present the bill on its merits, which is all that I would seek to do and all that he would seek to do.

Mr. POAGE. I know it.

Mr. BUDGE. The gentleman from Minnesota has previously expressed to me his opposition to this measure and as a matter of fact we have had several friendly discussions concerning it. He and I have served and are serving together on the Committee on Appropriations and I know the gentleman from Minnesota is well aware of the fact that I hold him in the highest esteem and that I know of his complete sincerity in his objection to this legislation. And I do appreciate very much the courtesy that has been extended by the gentleman from Texas. I hope at some later date the bill can be presented on its merits for such disposition as the House may see fit to make.

Mr. POAGE. I hope the bill can be considered on its merits. I do not mean to imply that anybody here is fighting it on any basis other than the merits of the bill. I can only express regret that my Republican friends did not see fit to use this formula of merit alone in dealing with the amendment relating to cotton earlier this afternoon. I cite the cotton amendment as an example of bad legislative procedure, and I am sorry that we shall not have an opportunity this afternoon to demonstrate that the majority members of the Agriculture Committee do not engage in such procedures. We were and are ready to try to pass this bill or any other bill we consider fair without regard to whose district would be benefited. If the Republican leadership could agree to proceed we would pass this bill this afternoon, but the Republican leadership does not agree. Maybe they fear we would apply the vindictive rule they applied. If so, their fears are groundless, but I want to make it clear it is the Republican leadership who objects to considering the bill today.

Mr. HALEY. Mr. Chairman, I have no further requests for time.

Mr. SAYLOR. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That (a) the act entitled "An act to provide for the termination of Federal supervision over the property of the Klamath Tribe of Indians located in the State of Oregon and the individual members thereof, and for other purposes," approved August 13, 1954 (68 Stat. 718), is amended by adding at the end thereof the following new section:

"SEC. 27. Notwithstanding any other provisions of this act, no sales of tribal property shall be made pursuant to paragraph (3) of subsection (a) of section 5, or section 6 of this act prior to the adjournment of the 2d session of the 85th Congress."

(b) Subsection (b) of section 5 of such act is amended to read as follows:

"(b) Such amounts of Klamath tribal funds as may be required for the purposes of this section shall be available for expenditure by the Secretary. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as the Secretary deems necessary, but not to exceed $1,100,000 to reimburse the tribe for such expenditures of tribal funds."

(c) Subsection (b) of section 6 of such act is amended by striking out "four years" and inserting in lieu thereof "7 years."

(d) Subsection 5 (a), paragraph (2), of the act is amended to read as follows:

"(2) immediately after the appraisal of the tribal property and approval of the appraisal by the Secretary, give to each member whose name appears on the final roll of the tribe an opportunity to elect to withdraw from the tribe and have his interest in tribal property converted into money and paid to him, or to remain in the tribe and participate in the tribal management plan to be prepared pursuant to paragraph (5) of this subsection; in the case of members who are minors, persons declared incompetent by judicial proceedings, or deceased, the opportunity to make such election on their behalf shall be given to the person designated by the Secretary as the person best able to represent the interests of such member;".

(e) Subsection 5 (a), paragraph (3), of the act is amended by deleting the second proviso and by inserting in lieu thereof the following: "*Provided further*, That if such property is not purchased for public use any person whose name appears on the final roll of the tribe, or a guardian on behalf of any such person who is a minor or an incompetent, shall have the right to purchase, for his or its own account but not as an agent for others (which fact shall be subject to final and conclusive determination by the Secretary), any of such property in lots as offered for sale for not less than the highest offer received by competitive bid; any individual Indian purchaser may apply toward the purchase price all or any part of the sum due him from the conversion of his interest in tribal property; and if more than one right is exercised to purchase the same property pursuant to this proviso the property shall be sold to one of such persons on the basis of competitive bids:".

(f) Subsection 2 (e) of the act is amended to read as follows: "'Adult' means a person who is an adult according to the law of the place of his residence."

(g) Subsection 8 (c) of the act is amended by inserting after "on land owned by" the words "one or by".

(h) Subsection 8 (b) of the act is amended by deleting the language that precedes the proviso and by inserting in lieu thereof "All restrictions on the sale or encumbrance of trust or restricted interests in land, wherever located, owned by members of the tribe (including allottees, purchasers, heirs, and devisees, either adult or minor), and on trust or restricted interests in land within the Klamath Indian Reservation, regardless of ownership, are hereby removed 4 years after the date of this act, and the patents or deeds under which titles are then held shall pass the titles in fee simple, subject to any valid encumbrances:".

SEC. 2. Nothing in the act of August 13, 1954 (68 Stat. 718), shall affect the authority to make timber sales otherwise authorized by law prior to the termination of Federal control over such timber.

Mr. HALEY (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill may be considered as read, be printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 2, line 9, after the word "Secretary.", strike out the balance of line 9 and all of lines 10, 11, 12, and 13, and insert in lieu thereof the following: "In order to reimburse the tribe, in part, for expenditure of such tribal funds as the Secretary deems necessary for the purposes of carrying out the requirements of this section, there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, an amount equal to one-half of such expenditures from tribal funds, or the sum of $550,000, whichever is the lesser amount."

The amendment was agreed to.

The Clerk read as follows:

Page 2, line 23, strike out the word "seven" and insert the word "six".

The amendment was agreed to.

The Clerk read as follows:

Page 3, line 17, after the word "That", strike out "if such property is not purchased for public use."

The amendment was agreed to.

The Clerk read as follows:

Page 4, after line 9, insert a new subsection, as follows:

"(g) Subsection 5 (a), paragraph 5, of the act is amended by deleting 'tribe' and by inserting in lieu thereof members who elect to remain in the tribe".

The amendment was agreed to.

The Clerk read as follows:

Page 4, line 13, strike out "(g)" and insert "(h)".

The amendment was agreed to.

The Clerk read as follows:

Page 4, line 16, strike out "(h)" and insert "(i)".

The amendment was agreed to.

The Clerk read as follows:

Page 5, after line 2, add a new subsection as follows:

"(j) Section 15 of the act is amended by changing the period at the end thereof to a comma and by adding 'without application from the member, including but not limited to the creation of a trust of such member's property with a trustee selected by the Secretary, or the purchase by the Secretary of an annuity for such member: *Provided, however,* That no member shall be declared to be in need of assistance in conducting his affairs unless the Secretary determines that such member does not have sufficient ability, knowledge, experience, and judgment to enable him to manage his business affairs, including the administration, use, investment, and disposition of any property turned over to such member and the income and proceeds therefrom, with such reasonable degree of prudence and wisdom as will be apt to prevent him from losing such property or the benefits thereof: *Provided further,* That any member determined by the Secretary to be in need of assistance in conducting his affairs may, within ninety days after receipt of written notice of such Secretarial determination, assert in any naturalization court for the area in which such member resides, that he does not need assistance in conducting his affairs, and the decision of such court shall be final with respect to the affected member's conduct of his affairs."

Mr. SAYLOR. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. SAYLOR to the committee amendment: Page 5, line 20, after the word "within", strike out "ninety" and insert "one hundred twenty"; and on line 21 after "determination," strike the balance of line 21 and all of lines 22 to 25, inclusive, and insert "contest the Secretarial determination in any naturalization court for the area in which said member resides, by filing therein a petition having that purpose; the burden shall thereupon devolve upon the Secretary to show cause why such member should not conduct his own affairs, and the decision of such court shall be final and conclusive with respect to the affected member's conduct of his affairs."

Mr. SAYLOR. Mr. Chairman, this amendment has been agreed to by all the members of the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The amendment was agreed to.

The CHAIRMAN. The question recurs on the committee amendment as amended.

The committee amendment as amended was agreed to.

Mr. SHUFORD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SHUFORD: Page 3, line 10, following the word "proceedings", strike out the comma and the word "or deceased".

Mr. SHUFORD. Mr. Chairman, I think I explained my amendment just a few minutes ago and I hope it will be accepted. I do not see how anyone can make a decision for a deceased person. Someone may explain that to me otherwise, but it is just impossible for me to understand how the Secretary of the Interior can make a decision for a deceased person.

I hope the amendment will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. SHUFORD].

The amendment was agreed to.

Mr. SAYLOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAYLOR: On page 3, line 14, after "member" strike out the semicolon and insert *"Provided, however,* That any member for whom the Secretary has so designated a representative may (on his own behalf, through his natural guardian, or next friend) within 120 days after receipt of written notice of such secretarial designation, contest the secretarial designation in any naturalization court for the area in which such member resides, by filing of a petition therein requesting designation of a named person other than the secretarial designee, and the burden shall thereupon devolve upon the Secretary to show cause why the member-designated representative should not represent the interests of such member, and the decision of such court shall be final and conclusive."

Mr. SAYLOR. Mr. Chairman, this amendment has been agreed to by all parties and is self-explanatory.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The amendment was agreed to.

Mr. SAYLOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAYLOR: Page 3, line 22, after "other" strike out the balance of line 22, line 23, and "tary" and the parenthesis on line 24.

Mr. SAYLOR. Mr. Chairman, this amendment is one to correct language which it is necessary to have deleted by the other two amendments that have been adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The amendment was agreed to.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. COOPER] having resumed the chair, Mr. ROONEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill S. 469 to authorize the United States to defray the cost of assisting the Klamath Tribe of Indians to prepare for termination of Federal supervision, to defer sales of tribal property, and for other purposes, pursuant to House Resolution 265, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore (Mr. COOPER). Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJOURNMENT UNTIL MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE WHEAT QUOTA VOTE: A REPUDIATION

Mr. ANDERSON of Montana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. ANDERSON of Montana. Mr. Speaker, announcement today of the overwhelming vote of the farmers for wheat acreage allotments and quotas should stop dead in its tracks Ezra Benson's crusade to abolish farm price-support programs.

Approximately 5 out of 6 of the wheat farmers voted to retain their programs, in the face of Secretary Benson's current crusade before Congress and on the stump before city groups, to end them.

The vote is a repudiation of the Secretary, and a new demonstration that he does not represent the people in agriculture. If farm people could vote directly on retaining the Secretary or discharging him, he would be ousted by at least as great a majority as was given the wheat marketing quotas.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ROONEY to revise and extend remarks he may make in Committee of the Whole today and to include extraneous matter therein.

Mr. MASON on the subject of foreign aid and to include a statement.

Mr. ARENDS.

Mr. BURDICK.

Mr. FASCELL and to include extraneous matter.

Mr. BREEDING and to include extraneous matter.

Mr. BARING.

Mr. O'KONSKI in two instances and to include extraneous matter.

Mr. KELLEY of Pennsylvania.

Mr. MULTER and to include extraneous matter.

Mr. ENGLE and to include extraneous matter.

Mr. VAN ZANDT (at the request of Mr. ALLEN of Illinois) and to include a speech made by Mr. VAN ZANDT.

Mr. MILLER of Nebraska.

Mr. FLOOD (at the request of Mr. ALBERT), the remarks he made in the Committee of the Whole today and to include a resolution.

Mr. HOLT and to include extraneous matter.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 17 minutes p. m.), under its previous order, the House adjourned until Monday, June 24, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

970. A letter from the Chairman, President's Appointed Bipartisan Commission on Increased Industrial Use of Agricultural Products, transmitting the Report of the Commission on Increased Industrial Use of Agricultural Products in its final printed form, pursuant to Public Law 540, 84th Congress; to the Committee on Agriculture.

971. A letter from the Acting Secretary of Agriculture, transmitting the report of the month of May relating to the cooperative program of the United States with Mexico for the control and eradication of foot-and-mouth disease, pursuant to Public Law 8, 80th Congress; to the Committee on Agriculture.

972. A letter from the Administrator, Housing and Home Finance Agency, transmitting a draft of proposed legislation entitled "A bill to provide an interim extension of the voluntary home mortgage credit program"; to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURDICK: Committee on the Judiciary. H. R. 5810. A bill to provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the act of September 3, 1954; without amendment (Rept. No. 602). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 6259. A bill to amend the act known as the "District of Columbia Revenue Act of 1937", approved August 17, 1937; without amendment (Rept. No. 603). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANE: Committee on the Judiciary. S. 1169. An act for the relief of Herbert C. Heller; without amendment (Rept. No. 593). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 1339. A bill for the relief of the Malowney Real Estate Co., Inc.; without amendment (Rept. No. 594). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 2752. A bill for the relief of Frank A. Simmons; without amendment (Rept. No. 595). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 3344. A bill for the relief of Kenneth F. Alles; without amendment (Rept. No. 596). Referred to the Committee of the Whole House.

Mr. CRAMER: Committee on the Judiciary. H. R. 5365. A bill for the relief of Robert B. Peterman; with amendment (Rept. No. 597). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. H. R. 6166. A bill for the relief of Michael S. Tilimon; with amendment (Rept. No. 598). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 6530. A bill for the relief of Arthur L. Bornstein; without amendment (Rept. No. 599). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 6664. A bill for the relief of Raymond R. Sanders Van Service; with amendment (Rept. No. 600). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 6961. A bill for the relief of Walter H. Berry; with amendment (Rept. No. 601). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 528. An act for the relief of Nicolaos Papathanasiou; without amendment (Rept. No. 604). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 749. An act for the relief of Loutfie Kalil Noma (also known as Loutfie Siemon Noma or Loutfie Noama); without amendment (Rept. No. 605). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1212. An act for the relief of Evangelos Demetre Kargiotis; without amendment (Rept. No. 606). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H. R. 8290. A bill to authorize the erection of a national monument symbolizing the ideals of democracy in the fulfillment of the act of August 31, 1954 (68 Stat. 1029), an act to create a National Monument Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CELLER:

H. R. 8291. A bill to amend section 239 of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. DEMPSEY:

H. R. 8292. A bill to amend the Internal Revenue Code of 1954 to provide that no documentary stamp tax shall be imposed with respect to conveyances to which a State or political subdivision thereof is a party; to the Committee on Ways and Means.

By Mr. ELLIOTT:

H. R. 8293. A bill to make the evaluation of recreational benefits resulting from the construction of any flood control, navigation, or reclamation project an integral part of project planning, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FLOOD:

H. R. 8294. A bill to provide for national scholarships for college and university undergraduate study; to the Committee on Education and Labor.

By Mr. HYDE:

H. R. 8295. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JONES of Alabama:

H. R. 8296. A bill to authorize the erection of a national monument symbolizing the ideals of democracy in the fulfillment of the act of August 31, 1954 (68 Stat. 1029), an act to create a National Monument Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. O'BRIEN of New York (by request):

H. R. 8297. A bill to amend Public Law 517, 83d Congress, chapter 558, 2d session, an act to revise the Organic Act of the Virgin Islands of the United States; to the Committee on Interior and Insular Affairs.

By Mr. O'HARA of Illinois:

H. R. 8298. A bill to require that all negotiable securities, paper money, and stamps be plate printed from engraved plates in the Bureau of Engraving and Printing; to the Committee on Banking and Currency.

By Mr. REES of Kansas:

H. R. 8299. A bill to provide Federal contributions and authorize payroll deductions for prepaid health insurance for Federal employees and their dependents, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SMITH of Wisconsin:

H. R. 8300. A bill to authorize the erection of a national monument symbolizing the ideals of democracy in the fulfillment of the act of August 31, 1954 (68 Stat. 1029), an act to create a National Monument Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WESTLAND:

H. R. 8301. A bill to authorize the erection of a national monument symbolizing the ideals of democracy in the fulfillment of the act of August 31, 1954 (68 Stat. 1029), an act to create a National Monument Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WILLIAMS of New York:

H. R. 8302. A bill to amend title 18 of the United States Code to exempt certain retired officers of the Armed Forces from the operation of section 281 thereof; to the Committee on the Judiciary.

By Mr. GEORGE:

H. R. 8303. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc; to the Committee on Ways and Means.

By Mr. THOMPSON of Louisiana:

H. R. 8304. A bill to incorporate the Blinded Veterans Association; to the Committee on the Judiciary.

By Mr. ANDERSON of Montana:

H. R. 8305. A bill to change the method of computing basic pay for members of the uniformed services, to provide term retention contracts for Reserve officers, and for other purposes; to the Committee on Armed Services.

By Mr. MORRISON:

H. R. 8306. A bill to amend the Internal Revenue Code of 1954 to provide that no documentary stamp tax shall be imposed with respect to conveyances to which a State or political subdivision thereof is a party; to the Committee on Ways and Means.

By Mrs. PFOST:

H. R. 8307. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc; to the Committee on Ways and Means.

By Mr. POAGE:

H. R. 8308. A bill to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes; to the Committee on Agriculture.

By Mr. REED:

H. R. 8309. A bill to amend the provisions of the Social Security Act to consolidate the reporting of wages by employers for income tax withholding and old-age, survivors, and disability insurance purposes, and for other purposes; to the Committee on Ways and Means.

By Mr. SAYLOR:

H. R. 8310. A bill to provide for the issuance of a postage stamp bearing the phrase "Highway Courtesy Is Contagious"; to the Committee on Post Office and Civil Service.

By Mr. ZABLOCKI:

H. R. 8311. A bill to increase the normal tax and surtax exemption, and the exemption for dependents, from $600 to $700; to the Committee on Ways and Means.

By Mr. COFFIN:

H. J. Res. 383. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PROUTY:

H. J. Res. 384. Joint resolution granting the consent and approval of Congress to an amendment of the agreement between the States of Vermont and New York relating to the creation of the Lake Champlain Bridge Commission; to the Committee on Public Works.

By Mr. WATTS:

H. J. Res. 385. Joint resolution to authorize the Library of Congress to provide a loan service of captioned motion-picture films for the deaf; to the Committee on House Administration.

By Mr. HAYS of Arkansas:

H. Con. Res. 197. Concurrent resolution to express the sense of the Congress that the United States urge reconvening of the General Assembly of the United Nations to consider the report of its Special Committee on Hungary; to the Committee on Foreign Affairs.

By Mr. JUDD:

H. Con. Res. 198. Concurrent resolution to express the sense of the Congress that the United States urge reconvening of the General Assembly of the United Nations to consider the report of its Special Committee on Hungary; to the Committee on Foreign Affairs.

By Mrs. BOLTON:

H. Con. Res. 199. Concurrent resolution to express the sense of the Congress that the United States urge reconvening of the General Assembly of the United Nations to consider the report of its Special Committee on Hungary; to the Committee on Foreign Affairs.

By Mr. FEIGHAN:

H. Con. Res. 200. Concurrent resolution to express the sense of the Congress that the United States urge reconvening of the General Assembly of the United Nations to consider the report of its Special Committee on Hungary; to the Committee on Foreign Affairs.

By Mr. ZABLOCKI:

H. Con. Res. 201. Concurrent resolution to express the sense of the Congress that the United States urge reconvening of the General Assembly of the United Nations to consider the report of its Special Committee on Hungary; to the Committee on Foreign Affairs.

By Mr. MEADER:

H. Res. 285. Resolution to amend rule XI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. PORTER:

H. Res. 286. Resolution creating a select committee to conduct an investigation and study of the Canadian Family Allowances Act for the purpose of determining the advisability of enacting similar legislation in the United States; to the Committee on Rules.

H. Res. 287. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 286; to the Committee on House Administration.

By Mr. BURNS of Hawaii:

H. Res. 288. Resolution creating a select committee to conduct an investigation and study of the Canadian Family Allowances Act for the purpose of determining the advisability of enacting similar legislation in the United States; to the Committee on Rules.

H. Res. 289. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 288; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to payments in lieu of taxes to counties containing large areas of federally owned land; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to the use of national forests; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHLEY:

H. R. 8312. A bill to authorize the President to award posthumously to George Fox, Alexander Goode, Clark Poling, and John P. Washington, Congressional Medals of Honor; to the Committee on Armed Services.

By Mr. BARTLETT:

H. R. 8313. A bill for the relief of Wayne W. Powers, of Walla Walla, Wash.; to the Committee on the Judiciary.

By Mr. BURNS of Hawaii:

H. R. 8314. A bill for the relief of Mrs. Ingeborg Ruth Ohlemann Takeuchi; to the Committee on the Judiciary.

H. R. 8315. A bill for the relief of Tobun Arakaki; to the Committee on the Judiciary.

By Mr. DEVEREUX:

H. R. 8316. A bill for the relief of Warren S. Boggess; to the Committee on the Judiciary.

By Mr FORD:

H. R. 8317. A bill to authorize the Honorable Thomas J. McAllister, judge of the United States court of appeals, to accept and wear the decoration tendered him by the Government of France; to the Committee on Foreign Affairs.

By Mr. KEAN:

H. R. 8318. A bill for the relief of Regina Kraessel; to the Committee on the Judiciary.

By Mrs. KELLY of New York:

H. R. 8319. A bill for the relief of Orville Bindley Ince and Melanese Yvonne Ince; to the Committee on the Judiciary.

By Mr. McINTIRE:

H. R. 8320. A bill to authorize and direct the Secretary of the Treasury to cause the vessel *Edith Q.* owned by James O. Quinn of Sunset, Maine, to be documented as a vessel of the United States with full coastwise privileges; to the Committee on Merchant Marine and Fisheries.

By Mr. TOLLEFSON:

H. R. 8321. A bill for the relief of Elmer E. Johnson; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

292. Mr. McCULLOCH presented a petition of W. H. Preston and 52 other citizens of the Fourth District of Ohio in support of H. R. 4835, which was referred to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Postal Pay

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 21, 1957

Mr. MULTER. Mr. Speaker, the following is my statement before the House Post Office and Civil Service Committee on June 21, 1957, regarding the necessity of an increase in the salaries of postal employees:

STATEMENT OF REPRESENTATIVE ABRAHAM J. MULTER OF NEW YORK, BEFORE THE HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE, JUNE 21, 1957

Mr. Chairman and members of this distinguished committee, I appreciate the opportunity you have given me to present my views on the legislation now before you, H. R. 2474.

I appear before this committee to urge the immediate adoption of H. R. 2474, which provides for a salary increase to postal employees. This increase has been long overdue. It will merely allow postal offices to catch up with wage increases that employees in private industry, who have the benefit of collective bargaining, have received over recent years.

I will not reiterate the facts which you have already before the committee. It is well known that the efficiency of postal employees has increased over recent years and their

rise in productivity compares favorably with the gains in efficiency of employees in manufacturing or other sectors of the economy where increases in wages for improved productivity are taken as a matter of course. Many employees in private industry also receive adjustments in wages when the cost of living increases, but postal employees have been subjected during the past year to a reduction in their real take-home pay, as the cost of living increased by more than 4 percent.

The arguments that a salary increase to postal employees would be inflationary appears to me spurious as well as callous. We cannot expect that postal employees will continue to subsidize the cost of Government by accepting low wages which provide for less than a decent standard of living.

Self-interest would require us to improve the wages of postal employees. I do not have to belabor the point that the services of the post office are essential for the operations of the economy. Failure to provide for adequate wage increases for postal employees would have the effect of allowing the postal service to deteriorate through many resignations and the inability of the postal service to recruit new competent employees.

Having worked as a railway mail clerk in the Post Office Department, I know how hard these employees work. Never having lost my interest and contacts with them, I can personally attest to their loyalty and integrity.

Mr. Chairman, yes, adoption of H. R. 7474 is not good only for the postal employees, it is also good for the country. This proposed legislation can no longer be postponed. I repeat—I urge this distinguished Committee to consider this bill favorably.

Again, let me thank you for the privilege of presenting my views.

What the Giveaway Means

EXTENSION OF REMARKS

OF

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 21, 1957

Mr. O'KONSKI. Mr. Speaker, on April 28, 1957, speaking on the Farm Day program at Ashland, Wis., I said:

This country is mortgaged to the hilt at this moment. The $275 billion Federal debt—that you and I owe—equals the full assessed value of all the land, all the buildings, all the mines, all the machinery, all the factories, all the livestock—everything of tangible value—in the United States of America.

The total of American gifts to foreign nations from July 1, 1940 through June 30, 1957, is $130,350,032,000. That is 48½ percent of the $275 billion national debt Senator BYRD mentions.

In 27 years, the American Government has taken away from the American people, by force of tax laws, 48½ percent of their total wealth for gifts to foreign nations. The American Government has given away to foreign governments 48½ percent of America.

The human mind cannot comprehend such a sum as $130,350,032,000.

But break it down a bit.

The estimated population of the United States at present is 170 million. Let us say that this 170 million averages out to about 43 million American families.

One hundred and thirty billion three hundred and fifty million thirty-two thousand dollars represents more than $3,000 for every family in America.

What do you suppose 43 million American families, each with $3,000 to spend, would buy and build in America? There are those who say:

"A Government spending program of $80 billion a year represents that much buying of goods and services from American business. Think how many jobs that creates and how it stimulates the economy. If you suddenly cut off the $80 billion a year that Government is pumping into the economy, you'd create a terrible depression."

Where does the Government get the $80 billion that it pumps into the economy? The Government does not create the money, it takes it away from the people.

If you keep the money from going to the Government, you don't take it out of our economy. You merely change pumpers, so to speak. You leave $80 billion a year in the hands of the people who earned it, the 170 million Americans who will do their own pumping into the economy.

I'd rather pump my own money into the economy, for things I want, than to have Washington politicians take my money away from me and spend it on things I consider harmful to me and my country.

If the $130,350,032,000 which has been taken away from the American people for foreign gifts had been spent by the American people for things they wanted, we would not have inflation today.

Government foreign aid is the primary cause of inflation. The Government pours vast sums of money into the economy, but takes goods out of the economy and sends them abroad. This means that there is more money in circulation than there are goods to buy: hence, the price of all goods and services goes up.

This is the main reason why the purchasing power of the American dollar is now about half what it was in 1940 when the great foreign giveaway began.

A Triumph for Senator Hill

EXTENSION OF REMARKS

OF

HON. JOHN F. KENNEDY

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Friday, June 21, 1957

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a very fine article written by Doris Fleeson and published in the Evening Star, Washington, D. C., on June 14, 1957, concerning the legislative achievements of our distinguished colleague, Senator LISTER HILL, from Alabama.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A TRIUMPH FOR SENATOR HILL—POPULAR LAWMAKER WINS $32 MILLION EXTRA FUNDS FOR MEDICAL RESEARCH

(By Doris Fleeson)

A dedicated Senator, riding his personal popularity in the Senate, and putting to a test his feeling that the economy wave has receded from its peak, has succeeded in adding $32 million more than President Eisenhower had called for to the budget. The object was more medical research.

Senator LISTER HILL, the son of a distinguished pioneer surgeon, has been a sponsor of health legislation throughout his Senate career. It was he who first raised the question with the then Secretary of Health, Education, and Welfare Oveta Culp Hobby as to whether the Department had planned to meet the demand for Salk vaccine. It had not foreseen the demand, Mrs. Hobby declared, a statement later quoted in hundreds of Democratic speeches. It eventually was a Hill-sponsored bill which made possible free vaccine for all children between the ages of 5 and 20.

Senator HILL is in a unique position to further his interest in health matters. He is chairman of the Senate Labor and Public Welfare Committee before which such matters come. He also is chairman of the appropirations subcommittee which operates in the same field. He has made the most of his opportunity. Again and again Senate appropriations for medical research have outrun the proposals of the administration.

There is a certain amount of sublimation in HILL'S devotion to the cause of health. Early in his career in the Senate he was chosen as whip under the leadership of Alben Barkley, at that time majority leader. The young Senator had a bright career before him, which certainly would have landed him the position of majority leader by now. It might have taken him to higher things.

The growing discord over the question of civil rights settled HILL'S fate. He recognized that he could not sponsor Democratic civil-rights legislation as majority leader and remain as a Senator from Alabama. He resigned his post as whip. Since then he has concentrated on health and welfare matters.

HILL had been heard to say that he would not try to increase the health research appropriations unless he felt a change in the Senate's economy mood. In a number of instances lately that mood has been exhibited more fiercely than in the House. His judgment was apparently correct. There was not a single vote against his amendments.

On the contrary, even some of the most avid economists in the body practically fell over themselves in praising HILL. In the RECORD the praise appears fulsome enough to have done appropriately for a departed colleague of whom no one will say unkind things.

HILL went right down the line reaching for increases, playing no favorites among the enemies of mankind. Cancer research got an added $11.6 million. Mental-health problems received $4.2 million more, heart disease research $5.3 million extra, arthritis

and metabolic diseases $5.6 million additional, and neurology and blindness $5.1 million more.

Although voting to support Senator HILL at every turn, the Senate salved its conscience in the matter of economy by voting more than $96 million less for the total labor-welfare appropriation bill than President Eisenhower had requested. It even managed to reduce the amount appropriated by the House by $38 million or so.

But for Senator HILL, no one would say him nay. It was a triumph not only over the winds of economy which have been blowing through the Congress, but over an administration he thinks has been lagging in promoting medical research.

Results of Questionnaire

EXTENSION OF REMARKS
OF
HON. JOE HOLT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. HOLT. Mr. Speaker, I recently sent out to the people of the 22d Congressional District, which consists of Hollywood and the San Fernando Valley, my Fifth Annual Legislative Questionnaire. The response I received was better than ever before and most gratifying. Approximately 50,000 returns have been received. Inasmuch as it is always difficult to ask questions on all legislation pending before Congress and the many governmental problems facing us today, I received hundreds of additional comments and letters from my constituents expressing their viewpoints and recommendations. Tabulation of the answers has now been completed.

The results are as follows:

	Percent
I. Please check 3 of the following 6 items you think should be cut most in Federal spending:	
Number of Federal employees	78
Construction of Federal public works, (highways, dams, airports, buildings, etc.)	19
Federal aid to States, municipalities, school districts, and local public agencies	44
Foreign aid	80
National defense	11
Federal aid to agriculture and small business	30
II. To put the Post Office Department on a pay-as-you-go basis, the administration has recommended two alternative proposals: (1) Combine airmail and first-class mail with a 5-cent rate. All first-class mail would then be sent by the fastest available means, whether by air, rail, or otherwise; or (2) increase first-class mail 1 cent to a 4-cent rate. Both plans include increases in 2d- and 3d-class mail rates (advertising matter, newspapers and magazines). I favor:	
Plan (1) above	32
Plan (2) above	47
Neither plan and no increase	16
No opinion	5

	Percent		
	Yes	No	No opinion
III. Do you favor—			
(1) Reduction of Federal taxes even though it unbalances the budget?	32	63	5
(2) Our Government inviting to this country for conference the heads of foreign states with whom we do not agree?	65	30	5
(3) Requiring all new National Guardsmen and Army reservists to take 6 months' training on active military duty?	68	17	15
(4) Congress authorizing the admission of a greater number of immigrants to the United States from Hungary?	31	58	11
(5) A special tax reduction or some type of special relief for small business?	70	20	10
(6) Union welfare funds being more closely regulated by the State and Federal Governments?	89	8	3
(7) Labor unions being allowed to make contributions to political campaigns by using funds from their regular membership dues?	12	83	5
(8) Including private business in partnership with municipalities, States, and the Federal Government, for the development of water uses in irrigation, flood control, power production, domestic and industrial uses?	51	32	17
(9) The sale and barter of farm surpluses to Communist nations?	30	61	9
(10) The "tight money" policy of the Federal Reserve Board, which is currently being used to check inflation, recognizing that this policy tends to restrict the availability of mortgage money?	65	21	14
(11) Stronger antitrust laws, including closer Government scrutiny of merger proposals of large companies?	76	14	10
(12) Controls by the Federal Government of rents, wages and prices in peacetime?	13	83	4

Which Party Is Best Able To Reduce Taxes?

EXTENSION OF REMARKS
OF
HON. LESLIE C. ARENDS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. ARENDS. Mr. Speaker, the most recent Gallup survey of public opinion, published a few days ago, raised the question as to which party—Democrat or Republican—is best able to reduce taxes?

According to this survey, 25 percent of the voters said there was no difference between the two parties in that respect; 24 percent believed the Republicans were best able; and, 35 percent believed the Democrats to be.

But what does the actual record show? The true test is not in words of promise but in acts of accomplishment. The measure of ability is not in what one promises to do but in what one actually does.

The record shows that it was the Democrat Party which, in 1913, enacted the first Federal income tax. Since that time there have been 15 increases in individual income taxes. The Democrat Party is responsible for 14 of them and the Republicans for only 1.

The record also shows that during this same period since the adoption of the 16th amendment to allow income taxation, there have been 12 reductions. We Republicans brought about 9 of them, and the Democrats only 3.

The record further shows that it was the Democrat Party which placed people of low income under the Federal tax law by reducing the exemption for the married from $2,500 to $1,000 and for the single from $1,000 to $500. During the 2 years of Democrat rule approximately 45 million people were added to the tax rolls.

That is the actual record. It speaks for itself. The people need only to be reminded of it. With deeds, not mere words, as the measure they will have conclusive proof that the Democrat Party is traditionally the party of taxing and spending, and the Republican traditionally the party of economy and less taxes.

Foreign-Aid Program

EXTENSION OF REMARKS
OF
HON. NOAH M. MASON
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. MASON. Mr. Speaker, the official total of the amount of American money spent or invested in foreign countries between July 1, 1940, and July 1, 1956, is $109 billion. If we add the amount appropriated for the current fiscal year ending June 30, 1957, it will amount to approximately $115 billion.

In addition to this huge sum of $115 billion, we left behind us billions when we brought the boys home at the end of World War II—billions of dollars worth of supplies, machinery, barracks, roads, and even scrap. We have also reduced our tariffs for the entry of foreign goods made with cheap labor at the expense of American industries and American workingmen's jobs.

Mr. Speaker, the three countries that have benefited most by our soft-headed American largess are Great Britain, Russia, and Nationalist China. Of these three, today only Britain is still a solid ally, and Britain is gradually breaking away, as shown by her Egyptian fiasco and her present attitude toward trade with Communist China, the direct opposite to our attitude.

Mr. Speaker, I ask those Members of Congress who have been voting for these giveaway billions: What have we bought with your squandering of the American taxpayers' hard-earned dollars? Why continue this foolish effort to buy friends? Why not spend some of these billions for the benefit of our own people, or leave the dollars in the American taxpayers' pockets for them to spend, or save, or use for their own special welfare?

These are questions that should be faced and answered by each and every Member of Congress. Let us face the facts as they are today. Let us take care of our own people first. Charity should begin at home.

Minerals Program a Joke

EXTENSION OF REMARKS
OF
HON. WALTER S. BARING
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. BARING. Mr. Speaker, on June 4 the Department of the Interior presented to the Congress, in an obviously jocular vein, what it chose to call the administration's long-range minerals program.

I use the term "jocular vein" advisedly because the program was a joke, and a cruel one at that, in view of the plight the American mining industry finds itself in. Thousands of miners already out of work, and thousands of others facing unemployment may be a joking matter with the Department of the Interior but I say it is a deadly serious problem that this Congress needs to face up to and provide remedies.

The program presented by the Department of the Interior calls for affirmative action in respect to only two minerals—lead and zinc—and the author of the lead and zinc so-called remedy must have had his tongue in his cheek when he wrote it.

It calls for an inadequate sliding scale import tax schedule in lieu of present inadequate tariffs on these two minerals.

But the real joker in the proposal, Mr. Speaker, is that the President already has legislative authority to accomplish what the Department is asking the Congress to do. Yes, even more than that, the President has adequate legislative authority to accomplish even more for lead and zinc than it is proposed that Congress act upon.

I call the membership's attention to the fact that section 7 of the Trade Agreements Extension Act of 1955 provided that the President has power to, and I quote, "Take such action as he deems necessary to adjust the imports of such articles to a level that will not threaten to impair the national security." And, Mr. Speaker, I submit that there is more than adequate historical background for a determination of foreign imports that threaten to close down our domestic mines, which in the language of the statute is a situation that does "threaten to impair the national security."

And, Mr. Speaker, if that is not sufficient authority, under section 1364 of the United States Code annotated—the so-called escape clause—where articles are being imported into the United States in such quantities and I quote "either actual or relative, as to cause or threaten serious injury to the domestic industry producing like or directly competitive products" the President has authority, and I again quote from the statute, "to make such adjustments in the rates of duty, impose such quotas, or make such other modifications found to be necessary to prevent or remedy serious injury to the domestic industry."

In other words, Mr. Speaker, the Department of the Interior in the case of lead and zinc has asked the Congress to assume the responsibility of making a decision for the President.

The Girard Case

EXTENSION OF REMARKS
OF
HON. USHER L. BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. BURDICK. Mr. Speaker, the action of the Government in this case is another black page in our national history. The exact situation is this: We are quartering our Armed Forces in Japan for the protection of Japan. Our soldiers were ordered there by the administration and are not there from their own choice. An area was set aside for the camp of our soldiers, and in this area the jurisdiction over crimes committed by our men remains with the army of occupation. In this manner, and that alone, can the constitutional rights of our soldiers be protected.

Girard was on guard duty at the time of this incident, and did exactly what he was ordered to do. He was to protect the area from trespassers and was provided with arms to enforce that protection. Some Japanese citizens came into the area and were ordered to leave. When they did not do so Girard, then on duty, fired a few shots to scare these trespassers off, and one of these shots accidentally killed a Japanese woman who came into the area and was a trespasser there.

If the shooting was not justified the United States Army court-martial had authority to make an inquiry, which it did, but because of the Status of Forces Treaty, held that he should be turned over to the Japanese for trial.

Whatever the outcome of this matter finally is, it means that we have tried to abandon one of our soldiers in time of trouble, and in order to appease the Japanese we have thrown this soldier to the wolves.

This action clearly demonstrates that under the policy of appeasement followed by this administration and the two preceding ones we are willing at any time to sacrifice one of our men if the Japanese Government cannot be conciliated in any other way.

The people of the United States should be advised on whose order Girard was turned over to the Japanese, and should further be advised that our altruistic policy toward the Japanese should be stopped at once, and every last soldier of the United States be withdrawn from Japan. The people of this country will never stand for any policy that keeps our soldiers in a foreign country for the protection of that country, and at the same time permits them to be tried by a foreign government.

When the NATO treaty was up for approval in 1953, under which it was agreed that members of our Armed Forces abroad should be tried by the NATO government of the countries in which our troops were stationed, I raised a protest and my statement appeared in the CONGRESSIONAL RECORD. But the appeasement slant to our foreign policy was so strong that it had no effect, and the treaty was approved.

The President stated that the agreement to have our troops tried in foreign countries is justified because that gives us the power and jurisdiction to try foreign soldiers in this country. What a statement. The President must have known that this country does not have to have foreign soldiers here for our protection, and that no foreign troops are here except a few for observation purposes. What a trade this was. To trade away the constitutional rights of thousands of our men in the Armed Forces for a chance to try foreign soldiers in this country—when we have none to try.

If we are powerless or spineless enough to abandon Girard, then we should immediately remove every last man of our Armed Forces in Japan. The same doctrine applies to any other foreign country where this treaty is in force. If we cannot protect our own men it simply shows just how weak and vacillating this great country has become, and it is time to call a halt to such procedure. Judge McGarraghy has called a halt on it by issuing an order enjoining the Army from turning Girard over to Japan. If the administration could muster up courage enough to follow this judge's decision we could end this whole squabble.

As court decisions are now coming out, this decision of Judge McGarraghy's is a bright spot in the present obviously confused judicial pronouncements.

Who Got It?

EXTENSION OF REMARKS
OF
HON. ALVIN E. O'KONSKI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. O'KONSKI. Mr. Speaker, who got the money from our grand give-away program? Here is a list of where the money went since June 30, 1945.

But the spenders say we had to do it to stop communism. Yet if you look at these figures closely you will see that the two biggest Communist countries, Russia and Yugoslavia, got a big chunk. Yes; the givers want to see communism prosper, too, on taxpayers' dollars.

Here is a list of who got it:

Aid to international organizations	$1,126,325,000
Aid to unspecified areas in Europe	11,393,213,000

Aid to unspecified areas in Asia and in the Pacific	$3,112,623,000
Aid to unspecified areas in Near East and Africa	1,746,502,000
Aid to "other" unspecified areas	402,612,000
Aid to unspecified areas in South and Central America	327,945,000
Afghanistan	4,254,000
Albania	20,444,000
Argentina	198,000
Australia	12,539,000
Austria	1,061,196,000
Belgium-Luxembourg	582,773,000
Belgian Congo	17,000
Bolivia	49,576,000
Brazil	26,914,000
Britain (England, Wales, Scotland, Northern Ireland, Isle of Man, Channel Islands)	3,763,332,000
British Bahamas	68,000
British Borneo	216,000
British East Africa	90,000
British Africa (unspecified place)	15,000
British Guiana	170,000
British Honduras	439,000
British Leeward and Windward Islands	163,000
British Gambia	34,000
British Gold Coast	174,000
British Hong Kong	4,043,000
British Jamaica	807,000
British Malaya	695,000
British Malta	1,333,000
British Nigeria	50,000
British Sierra Leone	7,000
British Singapore	55,000
Burma	20,956,000
Cambodia	39,827,000
Canada	3,964,000
Ceylon	238,000
Chile	11,644,000
China—Taiwan	2,200,208,000
Colombia	9,496,000
Costa Rica	14,972,000
Cuba	1,705,000
Czechoslovakia	185,827,000
Denmark	247,634,000
Dominican Republic	2,223,000
Ecuador	9,710,000
Egypt	50,363,000
El Salvador	5,675,000
Ethiopia	9,872,000
Finland	3,522,000
France	4,333,707,000
French Africa (unspecified place)	299,000
French Algeria	107,000
French West Africa	13,000
French West Indies	17,000
Germany (East)	17,318,000
Germany (West)	3,798,559,000
Greece	1,677,991,000
Guatemala	31,770,000
Haiti	15,460,000
Honduras	6,734,000
Hungary	5,855,000
Iraq	8,902,000
Iran	187,839,000
Iceland	29,758,000
India	216,334,000
Indochina (unspecified as to whether aid went to Cambodia, Laos, or Vietnam)	111,317,000
Indonesia	118,476,000
Ireland	18,346,000
Israel	251,151,000
Italy	2,574,663,000
Italian Somaliland	43,000
Italian Trieste	48,155,000
Japan	2,360,520,000
Japanese Ryukyu Islands	221,133,000
Japanese Islands—miscellaneous	13,000
Jordan	28,988,000
Korea	1,497,449,000
Laos	65,502,000
Lebanon	17,208,000
Liberia	$6,981,000
Libya	27,931,000
Mexico	105,685,000
Morocco	780,000
Nepal	3,549,000
Netherlands	911,239,000
Netherlands New Guinea	23,000
Netherlands Surinam	526,000
New Zealand	2,300,000
Nicaragua	11,701,000
Norway	236,482,000
Pakistan	223,552,000
Palestine	175,000
Panama	10,802,000
Paraguay	9,102,000
Peru	17,437,000
Philippines	$763,531,000
Poland	364,978,000
Portugal	18,217,000
Portuguese India	349,000
Portuguese Africa (unspecified place)	61,000
Rhodesia and Nyasaland	1,000
Saudi Arabia	4,255,000
Soviet Union (since 1946)	465,434,000
Spain	116,638,000
Spanish Canary Islands	16,000
Sudan	6,000
Sweden	87,143,000
Switzerland	1,803,000
Syria	1,026,000
Tangier	$17,000
Thailand	52,000,000
Tunisia	339,000
Turkey	495,068,000
Uruguay	2,183,000
Venezuela	2,207,000
Vietnam	316,325,000
Yugoslavia	734,304,000

Yes, folks, that is the way your money goes—where it goes nobody knows. Supposedly, it is all to stop communism—yet even the Communists are getting billions from our great and grand giveaway. Thank the Lord I never voted for this.

P. G. & E. Co., Already Second Largest Beneficiary of Fast Tax Writeoff, Can Get the Same Deal on the Trinity River Project as Idaho Power Co. Got on Snake River

EXTENSION OF REMARKS
OF
HON. CLAIR ENGLE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. ENGLE. Mr. Speaker, in presenting its proposal to build the Trinity River powerhouses, the Pacific Gas & Electric Co. has indicated a great solicitude for the Federal taxpayer. The P. G. & E. Co. says that it will pay $65 million in Federal taxes over the 50-year period of the proposed contract. While thus asserting that it will fatten the United States Treasury to the tune of $65 million, the P. G. & E. is holding fast tax writeoff certificates amounting to $179 million. This has been calculated as a benefit to the P. G. & E. Co. to the tune of $270 million over the normal 33-year amortization period, and $880 million over 50 years. The actual loss to the Treasury of the United States in interest that the Federal Government will have to pay on borrowed money because of the P. G. & E. Co.'s tax payments being reduced during the writeoff period is about $220 million. The difference in the value to the company and the actual cost to the Treasury is explained by the fact that the value to the company is based on the commercial interest rates for money, whereas the actual cost to the Treasury is less due to the fact that the Federal Government borrows its money at lower rates of interest.

On the basis of the compilation submitted by the Office of Defense Mobilization, the Pacific Gas & Electric Co. is receiving the second largest subsidy in the Nation in accelerated tax depreciation certificates. Since the P. G. & E. Co. has indicated such an interest in saving the taxpayers money, I wish to suggest that this company forfeit the subsidies it has received, thus saving the Treasury the amount of $220 million. The Idaho Power Co. set a good precedent for the P. G. & E. last week. This is four times the cost of construction of the Trinity River powerhouses of $55 million.

It will be recalled that the Idaho Power Co. led the Federal Power Commission to believe that its construction on the Hells Canyon project would not cost the Federal Treasury a cent. Now we find out that the Idaho Power Co. secured the benefit of accelerated tax depreciation certificates, which would, unless forfeited, cost the Federal Treasury, according to the estimate of Russell C. Rainwater, Chief Accountant of the Federal Power Commission, the sum of $83.5 million and will yield a benefit to the Idaho Power Co. in the amount of $339.3 million over a 50-year period.

Since the Idaho Power Co. secured a writeoff under what the Office of Defense Mobilization calls normal procedures, what is to prevent the P. G. & E. Co., if granted the right to build the Trinity River powerhouses, from making a similar application? If such an application is made and certificates granted covering 60 percent of the cost of the power facilities, the actual cost to the Federal Treasury would be about $43 million, and the value of the tax writeoff to the Pacific Gas & Electric Co. would be $170 million over the 50-year contract period, or more than 2½ times the $65 million the company claims it will pay the Federal Government in taxes. It is apparent from these figures that in such event the Federal Government would save no money whatever, but actually would lose money by turning the powerhouses on the Trinity over to the Pacific Gas & Electric Co.

Social Security for Disabled Workers

EXTENSION OF REMARKS
OF
HON. AUGUSTINE B. KELLEY
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. KELLEY of Pennsylvania. Mr. Speaker, in less than a fortnight, on July 1, a very important new program

of Government goes into effect—one of the most far-reaching changes in social security since the original act was passed in 1935.

It is the program for full social-security benefits for workers age 50 or older who are considered completely and permanently disabled. This program was authorized in the social-security amendments we passed last year. Under the previous law, a disabled worker could obtain a "freeze" of his work record to protect the future size of his benefits from being reduced because of enforced long unemployment, but he still had to wait until age 65 to collect benefits.

I want to make it clear that although I think the law we passed to begin payments of the benefits at age 50 or thereafter for the disabled was a great advance—an outstanding improvement in the social-security concept—nevertheless, I do not believe the program is being administered in a way to assure benefits to all those for whom they were intended.

Many disabled persons, I am afraid, will find themselves almost strangled to death in red tape in trying to qualify. Others will probably become so discouraged by the runaround and the buck-passing and the delays and the heartbreaking rejections that they will give up and write the whole thing off as a cruel deception.

I have called for a Congressional investigation by the House Committee on Ways and Means into the whole administration of the disability features of social security, based primarily on the unhappy experiences of so many disabled persons trying to get a "freeze" of their work records, as allowed by law. My bill, House Resolution 195, states as its premise that the way the program is now being administered "results in a denial of the benefits of this program to virtually all workers except those who are completely paralyzed."

That is because the administration interprets the wording in the law to mean that if a disabled person could do any work at all—whether or not such work would normally be available to him—he is not completely disabled. The fact that he cannot do the work for which he is trained or cannot be trained into doing some other skilled work, does not seem to be taken into account.

DISABLED WORKERS SHOULD APPLY IMMEDIATELY

I have protested such rulings in many cases, and just this week succeeded in having one decision reversed for a man in Westmoreland County. But more than a half year was spent on getting this one decision reversed. Usually the administration turns the applicant down almost automatically on the first step, and the disabled person has to appeal to get any consideration at all. Often, the worker is so discouraged he does not even bother to appeal. My advice to any disabled person who believes himself to be eligible under the disability program is to expect a turndown the first time around, and then appeal immediately.

In any event, it is important for disabled persons covered by social security, whether they are under or over 50, to apply for a "freeze" of their work record. It is important, too, that they do this as soon as possible. Unless they apply by July 1, or unless Congress acts by then to enact a House-passed bill now pending in the Senate, such persons could lose many years of valuable retroactive benefits. The bill referred to would extend the deadline for applying for the "freeze" until July 1, 1958, but anyone who is possibly eligible should not count on that and should apply immediately.

While protesting bitterly the delays and redtape in certifying eligibles for the disability program, I have also called upon the Department of Health, Education, and Welfare to take a more effective course of action in helping disabled persons who do not qualify for full disability certification. I have demanded that they help retain those whose disabilities are not considered sufficiently complete to prevent their doing substantial work.

In this connection, I am now assured by Secretary Marion B. Folsom that they are going to work with the vocational rehabilitation agencies of the States to refer for training individuals too disabled for their regular jobs but still physically able to do substantial work if properly helped and trained.

Status-of-Forces Agreements

EXTENSION OF REMARKS
OF

HON. A. L. MILLER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 21, 1957

Mr. MILLER of Nebraska. Mr. Speaker, as you know, a great wave of indignation is sweeping the Nation as a result of the gross and inexcusable handling of the William Girard case in Japan. This wave of resentment will grow and grow unless the judgment of a patriotic and courageous United States judge is upheld and the jurisdiction of Japan is denied.

Mr. Speaker, the Vice President of the United States yesterday inserted in the CONGRESSIONAL RECORD the text of a resolution recently passed by the Legislature of Nebraska. I appreciate the action of the Vice President in this important matter.

I am informed that several other State legislatures have taken similar action with more to follow. This is a healthy sign. I want to call your particular attention to these two paragraphs from the Nebraska resolution as follows:

Now, therefore, be it

Resolved by the Legislature of the State of Nebraska, That the members of this body deplore the arrangements now existing which make service in our Armed Forces abroad a hazard by depriving our servicemen, their civilian components, and dependents of each, of the rights and guaranties of our Constitution when they are stationed in foreign lands; and be it further

Resolved, That we respectfully urge the Congress of the United States to immediately enact legislation now pending or similar legislation which will secure a modification or denunciation of the provisions of the NATO Status-of-Forces Treaty and all other agreements which surrender to foreign nations criminal jurisdiction over our servicemen.

In addition to the resolution from the Nebraska Legislature, Mr. Speaker, I have received many letters from individuals and from civic and patriotic organizations concerning the Girard case.

Individuals and organizations alike have expressed in no uncertain words their amazement and their abhorrence of the fact that such a series of circumstances could exist under the Constitution and the flag of the United States of America. "How?" they ask, and "Why?"

Mr. Speaker, I have received from my distinguished colleague, the gentleman from Ohio [Mr. Bow], some statistics which have surprised, disturbed, and horrified me.

These statistics point up the fact that reports from the military show a great lag in time. The last figures are for November 30 of last year.

Figures from January 1 to November 30 of 1954 indicate that during 11 months 7,416 charges against American servicemen were filed in courts of foreign nations, in the following year ending November 30 the figure was 10,249 and last year 14,394.

Of the more than 32,000 cases, the number brought to trial was 9,054. In 7,691 cases the defendant was fined or reprimanded. In 425 cases the defendant was sentenced to confinement but the sentence suspended. In 305 cases the defendant was jailed.

The report showed 88 persons confined as of last November 30, 50 of them in Japan.

Mr. Speaker, of the letters and resolutions I received, few commented on the guilt or innocence of young Girard. That matter is entirely beside the point. If he is innocent, he should be cleared of all charges. If he is guilty of a crime, he should be punished accordingly.

However, I feel, and all my Nebraska correspondents feel, that he should be tried under the laws of the United States and not by the courts of Japan.

This young man was on duty in Japan, not of his own volition but because he was assigned there by the Department of Defense. To my mind, it is absolutely unthinkable that there should be any question of jurisdiction.

This boy—innocent or guilty—is an American. The Constitution and the flag must follow him around the world, wherever he is assigned. To do otherwise, is to sell him down the river.

It is argued that he will get a fair trial in a Japanese court. That may or may not be true. In this particular case, able to save face, it might be the Japanese court would lean over backward to be lenient. That, again, is beside the point.

Americans have grown up under a certain set of rules. We have our own way of life. Foreign nations have their ways of life. The precepts upon which our various nations were founded are

different. What is the common custom of one is abhorrent to another. What may be a major crime in one nation is a misdemeanor in another.

Some nations chop off a man's right hand on conviction of petty theft. Some nations have no right to trial by jury. Some nations presume that the charged defendant is guilty until he proves himself innocent. Some nations hold a cow to be holy and sentence to death a man who kills a cow.

It is inconceivable to me that we have bartered away some of the rights on which this Nation was built.

I maintain with all my strength it is wrong to delegate any of the power of the United States of America to any nation on earth. I will do all in my power to protect not only the rights of William Girard but of every American boy who, as a member of the Armed Forces, is an official representative of our country.

The Status of Forces Agreements must be modified for the protection of our servicemen. They should be modified now.

Dupont Plaza Center a New Service Facility Concept at Miami, Fla.

EXTENSION OF REMARKS
OF
HON. DANTE B. FASCELL
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. FASCELL. Mr. Speaker, almost every literate person in our country is aware of some of the tremendous strides taken by Florida in the past decade.

Florida has created innumerable opportunities for the aggressive businessman.

Florida is welcoming a swelling tide of new residents, some 2,500 new families each week.

During the past year hundreds of new industries, employing thousands of personnel, have established in Florida.

This extraordinary progress has resulted in unprecedented construction in Florida. In the first quarter of 1957 alone building permits in Dade County, Fla., increased 24 percent over the like period of 1956.

The eyes of the entire construction industry of the United States are centered on Florida—not only for the reasons I have set forth, but also because of a most unusual development now under construction.

In Miami, Fla., there is presently building the only project of its kind in the world—an $11 million triple purpose structure designed to serve the general public, the construction industry, and all its collateral or associated services, and the great body of building product manufacturers in the United States.

This great project, the Dupont Plaza Center, will house under a single roof the 120,000-square-foot Architects International Institute of Building Products, the 70,000-square-foot "Number One Miami" office building, and the 301-room Dupont Tarleton Hotel.

This mammoth structure will be 625 feet in length and 14 stories high. It will spread more than 1,000 feet along Biscayne Bay, and on its water side will provide safe anchorage for many yachts.

Despite many engineering problems that beset this enterprise, due in some measure to its location in downtown Miami, on Biscayne Bay, its developers have pursued their plans with determination, and have recently announced that the Architects International Institute and the "Number One Miami" office building will be opened in November of this year, while the Dupont Tarleton Hotel will open its doors before Christmas of 1957.

This is a tremendous accomplishment. Florida is grateful to the group of Miami businessmen who conceived, developed and carried to fruition this entire project.

I have been informed by Mr. Clinton T. Wetzel, executive vice president of the Dupont Plaza Center, that between 800 and 1,000 building product manufacturers will have permanent displays of their products and services in the Architects International Institute portion of this structure. They will exhibit between 8,000 and 10,000 items of interest to everyone, from the owner of a single family dwelling to corporations planning the erection of new industrial structures.

Another important and far-reaching aspect of the Dupont Plaza Center's operation is spelled out in the fact that provisions have been made to include exhibits of foreign manufacturers of building products, and to extend both a warm welcome and special assistance to foreign visitors, particularly those from our good neighbor Latin American nations.

Indicative of the scope of planning applied to this unique venture are some of the completely new services that will be available to its guests, exhibitors, and tenants.

This structure, already considerably more than one-half completed, will have facilities to stage conventions and banquets of up to 1,200 persons. It will have closed circuit television. There will be color television in each hotel room. A pool of secretaries fluent in Spanish, French, Italian, and German will be available for those who require their services.

The most comprehensive library of architectural, engineering, and construction publications in our country will be housed in this center.

The leading technicians of both this country and foreign nations will lecture before professional groups in the center's auditorium.

There is actually only one other facility in the world that remotedly approaches the concept of Dupont Plaza Center. That is the "Bouwcentrum" in Rotterdam, Holland. This is purely a center for the maintenance of technical information about construction. It was established to aid in the reconstruction of Rotterdam and other bombed-out cities of Europe.

However, the Bouwcentrum" is limited in both its services and its physical facilities. Its display area, for instance, is less than one-half that of the Architects International Institute of Building Products. Further, it does not have office space and it does not have a hotel.

The importance of the Dupont Plaza Center may be further judged by the eminent professional societies which will move their headquarters to this structure when accommodations are ready next fall.

Seven of these societies, all well-recognized and authoritative in their various fields, will have their offices in the Dupont Plaza Center. I am advised they include the following:

The American Institute of Architects, Florida South Chapter.

The Florida Architects Association.

The Florida Engineering Society.

The American Institute of Decorators.

The Producers Council, Inc., Miami Chapter.

The Associated General Contractors of America, South Florida Chapter.

The Home Builders Association of South Florida.

When this project is completed and functioning to the fullest planned extent, it will be to the construction industry what a legal reference library is to an attorney.

I have every belief that this new enterprise will also be a fruitful source of employment for many of Florida's new residents.

I am aware that many of our new citizens bring with them unusual skills in the construction and allied fields. I am certain that the advent of Dupont Plaza Center will act as a notable stimulant to the construction industry in addition to supplying a substantial quota of jobs under its own operation.

My optimism for the future potentials stems from my belief that almost every manufacturer who is exposed to the dynamic progress of Florida, will make it his business to aggressively pursue the expanding business possibilitites in Florida. I feel certain that many of the 800–1,000 manufacturers of building products who will exhibit their merchandise in this new facility, will eventually establish local production in Florida.

Increase in REA Interest Rates

EXTENSION OF REMARKS
OF
HON. J. FLOYD BREEDING
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. BREEDING. Mr. Speaker, I have been studying with great concern the President's proposal to increase interest rates on REA and other Government loans.

New legislation which has recently been sent from the Bureau of the Budget to the House Committee on Ways and Means calls for the rate of interest to be set on the average yield on marketable Government securities which, in my mind, is worse than setting it on the average interest rates. President Eisenhower's plans for raising interest rates in the form of a recommended bill which

was sent to the Congress recently would wipe out all legal ceilings and let the administration set interest rates on all Government loans as high as they want.

The proposed bill, sent from the Bureau of the Budget, provides that the interest rate shall be fixed by the Secretary of the Treasury, and takes into consideration the current average market yields of outstanding marketable obligations of the United States having maturities comparable to the loans made to the Department or Agency. The interest rate on any loans hereafter made by any department or agency shall not be less than the interest rate paid by the Treasury on its borrowings, if borrowed from the Treasury at the time the interest rate on the loan is fixed.

For example, a 3-percent interest rate maturing bond issued by the Federal Government now, for maturity in 40 years, sold for 88 cents on the dollar recently. Thus the market yield is about 3½ percent on the $88 for which such a bond can now be bought. So in order to figure the market yield you ignore the 3-percent rate printed on the bond and look at what the market is paying on the bond. The lower the price goes the higher the rate of interest.

There is added to the above increased interest rate an additional amount deemed adequate to cover administrative expenses and probable losses to the extent consistent with the purposes of the loan program. The Secretary of the Treasury will set the interest rate insofar as it will be consistent with the loan program. This is a very flexible arrangement. In the case of REA they have estimated that this would be one-half of 1 percent on the loan at the present time. From all indications it is reasonable to expect that this new interest rate would double the interest cost on REA loans. In fact it could go higher if inflation continues. The financial page of the New York Times recently carried an article from the financial lenders working for even higher interest rates.

The money markets fixed interest rates at the highest point since the 1933 bank holiday.

The Rural Electrification Administration of the Department of Agriculture today furnished me the following figures by telephone:

REA applications for loans pending as of June 20, 1957

United States total electric loans, 106	$177,000,000
United States telephone loans, 160	64,000,000
Kansas total electric loans, 2	1,400,000
Kansas total telephone loans, 13	2,700,000

Just consider the added interest cost on these pending REA applications if this bill is passed. With this proposed increase in interest rates think what it would mean to my great State of Kansas and the Nation as well.

I am deeply concerned about the far-reaching implications of this proposed legislation. In fact, it prompted me to wire the President and make a plea for consideration to protect Mr. and Mrs. Rural America.

JUNE 19, 1957.

The PRESIDENT,
The White House,
Washington, D. C.:

Legislation has recently been introduced in Congress to increase interest rates on future loans for REA and similar projects. Hundreds of rural and urban families of my district and America would not have rural electrification or telephone communications today if it had not been for this law. Cheap interest rates have made these necessities available to many of us. This is only a means of starting a program to increase interest rates for many Americans. I am opposed to any increase in interest rates on these loans or any similar future loans. I hope that you see fit to protect Mr. and Mrs. Rural America.

Education: A National Responsibility

EXTENSION OF REMARKS
OF
HON. WAYNE MORSE
OF OREGON
IN THE SENATE OF THE UNITED STATES
Friday, June 21, 1957

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the CONGRESSIONAL RECORD a very able address by our colleague, the Senator from Pennsylvania [Mr. CLARK], delivered before the Mid-Atlantic Regional Conference of the President's Committee on Education Beyond the High School.

I wish to say one only has to read this speech to know full well why this great liberal from the State of Pennsylvania was elected in the 1956 election. I commend the Senator from Pennsylvania for what I think is a most excellent speech, and I ask unanimous consent to have it printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

EDUCATION: A NATIONAL RESPONSIBILITY

(Address by Senator JOSEPH S. CLARK, Democrat, of Pennsylvania, the Mid-Atlantic Regional conference, the President's Committee on Education Beyond the High School)

I am glad to be able to meet today with so many thoughtful persons concerned with the State of higher education in America. No problem facing our country is more worthy of your attention.

The problems which confront higher education are a part of the general crisis in education—and I want to discuss today the question of support for education generally, not merely education beyond the high school.

I need not outline the dimensions of the crisis—you have all seen the figures. We can agree that the President spoke truly last January when he described the task facing education as unprecedented in its sheer magnitude. He called rightly for the greatest expansion of educational opportunity in our history. And this committee, in its interim report, stated the inescapable statistic—that twice as many Americans were born in 1956 as in 1936.

For higher education, that means at least twice as many students in 1975 as in 1955—considerably more than that if we succeed in getting into college all the young people who should be there.

All this is numbers. But because the numbers have already engulfed us, the quality of education—which is what counts—has been falling for some time now. In any case, our standards of education are not nearly good enough. We are a sluggish giant educationally.

Let's look around us. We see hundreds of thousands of children getting only a part-time education; hundreds of thousands more are being cheated of effective instruction because classes are too large; hundreds of school buildings are in use that should be torn down as obsolete; thousands of teachers are employed who do not meet minimum qualifications, and in none of these aspects is the situation improving. The teacher shortage is moving upward—it is still acute in the lower grades, has reached the high schools, and is beginning to be felt in the colleges.

In the higher college and administrative levels, salaries will not buy even as much of the world's goods as they bought in 1904. And at no level, as Mr. Rumi has shown, have teachers' salaries kept pace over the past half century with those of coal miners or auto workers or electrical workers. Thus the teaching profession has been losing its drawing power and thousands of our ablest teachers have left, and are leaving. As for education beyond the high school, few communities, engrossed as they have been in building elementary schools and high schools, have truly comprehended the compelling need for new facilities and expanded programs. I am not at all sure that, as a Nation, our plans to handle the flood of children who will be of college age in the next few years are much more adequate than were our plans for the lower grades some years ago, despite what we should have learned from that experience.

That is the sorry picture as we look around us.

I do not believe that all this has come about because the American people have ceased to value education as they once did. Americans know, whenever we stop to think about it, that all of the goals of our society rest on education. Our material progress; the self-realization and happiness of the individual; the success of democratic institutions; the richness of our culture; the good life both individually and collectively; above all, the grasp and mastery of the challenges and the dangers that confront us around the globe, all depend on the development of skills, of knowledge, and of wisdom in our schools.

Yes, Americans still believe in education. We have not become so material minded that we are deliberately neglecting the institutions that mold the mind and spirit of America. We do want to provide our children with greater and greater educational opportunity.

Then, you may ask, why aren't we doing it? The answer, I am afraid, is this: We have allowed ourselves to succumb to a myth, a piece of folklore that has been sedulously propagated, for both altruistic and not-so-altruistic reasons, the myth that education is a State and local problem, that, therefore, the problem should be dealt with locally, and national action through the Federal Government would be improper or immoral.

The breakdown in education is not local in its scope, it is nationwide. It affects every State, almost every school district, and the vast majority of American homes. Its impact is not only on the local community but on the national economy, the national well-being, the national security. If Soviet communism outstrips us in education, particularly scientific and technical education, as they show every sign of doing already—that could determine our national survival. Does anyone contend that whether we survive is exclusively a State and local problem too?

Of course, there is a deep national interest in the breakdown of education. Let's admit it and start from there. That is why the White House Conference on Education was held. That is why this President's Committee was held. That is why this President's

Committee was established. That is why, as a nation, we must either solve the problem through national action or satisfy ourselves that it is being, or can be, solved without it.

What we are talking about, of course, is dollars. Billions of dollars must be obtained from somewhere and poured into education—for buildings, for teachers, for better pay, for scholarships and fellowships to induce the fullest development of talent. We may debate just how much money is needed and how it should be used—but these are secondary. The basic issue is how to get the billions. It is a matter not of education, but of finance; not for educators primarily but for politicians and statesmen. And the basic issue, of course, is whether we tap our great and rising national resources on a national basis for the purpose.

It is my considered judgment that we must. The State and local governments simply cannot do what has to be done—certainly not with the speed and decisiveness that the national interest makes imperative.

I have been a local official, and I am intensely aware of the handicaps that communities are up against.

Some localities—not many, but some—lack the will and the leadership. We may decry this, but it is a pragmatic fact. You can say, "That's their funeral." Sure, but it's ours, too.

Where there is all the will in the world, there is still the severe limitation of local tax systems, which rest so heavily on the property tax. Our property tax is relatively inflexible, relatively less productive, and grossly unfair. Property is unevenly distributed; some school districts have a railroad or a powerplant to tax, some nothing but farms or houses. The location of large concentrations of taxable wealth bears no necessary relation to the location of children who need to be taught. Intangible wealth is rarely taxed at all. As the national income rises, the property tax base responds but slowly and unevenly.

State aid is only a partial answer. Wealth is also spread unevenly among the States. Some of the poorer States make the greatest educational effort in terms of the proportion of their per capita income spent on schools—and yet their schools are still below the average. State tax systems are inflexible, too, and in some States are hedged in with constitutional restrictions.

Finally, there is the fact of tax competition. In last Sunday's New York Times is the story of how General Motors and other industrial concerns are threatening to locate outside the State of Michigan if new corporation taxes are imposed to meet the needs of education. The president of General Motors says they have already been giving preference to low-tax States. The companies have also been avoiding metropolitan centers in the State and locating in low-tax suburbs. So the State or the school district that sets out to outstrip its sister States or districts in education does so at its peril. And with threats like these big taxpayers can beat down educational advance.

All this explains why State and local action has not been adequate up to now in dealing with our educational crisis. It explains why it will be even less adequate to cope with what is ahead. And, therefore, as long as we succumb to the myth that it has to be done that way, so long as we consider Federal action improper or dangerous or immoral, so long will we fail the children of America—and national safety itself.

Now, is there any good reason Federal resources shouldn't be employed? I don't think so. But, like other Members of Congress, I've been reading my mail, and I regret to tell you that the opponents of Federal aid to education have succeeded in raising three very live and formidable bogies.

I've been trying to lay these creatures to rest with my constituents, and I'd like to try to lay them to rest here.

The first bogey is Federal control.

There is no question but that this Nation is virtually unanimous in its opposition to Federal control of education. I know of no responsible person who wants the Federal Government involved in matters of curriculum or teacher training or educational policy in any sense. The President has denounced any such idea; so has every Member of Congress who has spoken on the subject; so, I think, has every educator.

There have been Federal-aid programs in other fields which involved Federal control; but that has been by deliberate choice, where uniform standards have been essential to the success of the program. To say that Federal aid must mean Federal control, whether or not we will it, is to deny our very capacity in America for self-government. Of course, we can do what we unanimously want to do. To say otherwise is to have no faith in democracy.

The bills which Senator MORSE and I have introduced, for Federal aid to public schools and for Federal scholarships, have as strong a prohibition against Federal control as anyone has found possible to write. If a stronger prohibition can be drafted, we will accept it.

I am sure that among those lobby groups who are agitating loudest against Federal aid are those who don't put any more stock in this Federal control bugaboo than I do. They aren't really concerned about keeping faith with Thomas Jefferson or about the sanctity of the 10th amendment. They simply believe that if they kill off Federal aid, the money won't be spent at all, for the reasons I've given—or, to the extent it is spent, it will be raised through a different kind of taxing system.

This difference in taxing systems is perhaps the most important point of all to understand. Once it is understood, it frames a new kind of issue—the issue of essential fairness.

The Federal tax system is progressive; State and local systems are not. The Federal Government collects most of its tax revenue—more than 80 percent—from taxes which are related to ability to pay—mainly personal income taxes and corporation profit taxes. State governments, on the other hand, collect most of their revenue from taxes which pay no attention to ability to pay—more than half from sales and excise taxes. And local governments, including school districts, collect almost all of their revenue from the property tax.

As a consequence, State and local taxes fall twice as heavily on the lower income groups as do Federal taxes, and Federal taxes fall twice as heavily on upper income groups. And the trend is even more in the same direction; State tax systems are getting less, not more, progressive. To finance a bold program in the field of higher education, the Governor of my State is proposing a tax of a penny a bottle on soda pop, which is one of the least progressive taxes conceivable but about all that is permitted under our constitution.

So this issue of Federal aid raises another question: Not just whether the States and local communities alone can and will support public education but whether they should—whether these added billions that we need for education should be raised through sales taxes and property taxes or through income and corporation taxes on the time-honored basis of ability to pay. That's the essential issue: Which tax system do you prefer? I believe the Federal tax system is far superior from the point of view of equity and fairness.

Now we come to the second bogy.

This is the notion that the Federal Government has been usurping State responsibilities, and that the States and cities are lying down on the job and not putting forth the effort they should.

The facts are just the opposite. Since 1946, Federal taxes and other receipts per capita, in constant dollars, have gone up 16 percent. But State and local taxes have gone up 3 times as fast, by 49 percent. While the Federal debt actually declined in the last decade, States and localities have been forced to more than triple their debt, and many have reached the limit of their borrowing capacity. So it can truly be said that far from lying down on the job in this postwar period, the States and localities have strained themselves to a greater degree than has the Federal Government. The Federal taxpayers have indeed succeeded in pushing an increasing proportion of the total taxload onto the people who pay the greater share of property taxes and sales taxes, and when there are efforts now to push it further I doubt that supposed constitutional principles are in every case the most important motivation.

The third bogey in the public mind is that President Eisenhower's budget is so large that it threatens the strength of our economy, threatens our free-enterprise system with destruction.

This, of course, is economic nonsense, and vicious nonsense at that. From the economic standpoint, taxes are nothing more than the means for diverting expenditures from the private to the public sector of the economy. Taxes are the means—and the only means we have—for buying public schools and public roads, and all the rest.

I think it can be demonstrated that it is the public sector of the economy, not the private, that has been neglected. How many of you have seen sleek new $3,000 motorcars idling away at congested intersections because we have not built the roads they need? How many of you have seen fine new subdivisions of $30,000 houses, with a bedroom for every child, but the same child with barely room to sit down in school? Huge private investments in our fine old cities are threatened because of lack of public action to clean up congestion, blight, and slums. Our rivers are turned into life-killing sewers for lack of public control and public expenditure. And so it goes.

Yet I have just come from Capitol Hill, and I can tell you that oldtime Members of Congress say the pressure for cutting taxes has never been so great as now.

They tell us that Federal aid to education at any level is apt to be a casualty of this tax-cutting fever. In other words, we are in the midst of witnessing an epic of national shortsightedness.

There is a short-term and a long-term reason for this disaster. The short-term reason is this: When the Secretary of the Treasury attacked the President's budget at the time it was sent to Congress, the President didn't defend it. In fact, he virtually disowned it. For a long time, nobody at all defended the President's budget—it was abandoned on Congress' doorstep like an unwanted foundling. I had the temerity to speak a kind word about it during a visit to Pennsylvania, and not even the Republicans defended me. All I got for my pains was twice as much antitax mail. By the time the President came to the defense of his budget, it was too late; the pressure against it was unstoppable.

The long-term factor in the present situation is the incessant propaganda campaign that has been waged nationwide against taxes. It carries a simple three-word theme, "Taxes are bad." You see it in the cartoons of the taxpayer clad in a barrel or with his pockets inside out. You see it in more subtle ways: I picked up a serious study of taxation the other day and found the word "burden" seven times on the first page. Try an association test on your friends. Ask them to repeat the first word that enters their heads when you mention "taxes." Most of them will automatically say "high" or "cut." It will be one man in a thousand who will say "services" or "benefits." People have

been conditioned, like Pavlov's dog, to hate taxes.

Now, I am not being partisan when I say that, unfortunately, for 20 years one of our great political parties lent its weight to this propaganda—by campaigning unendingly on the theme that Federal taxes were too high and the taxpayer was being scalped unnecessarily. Millions of people came to believe it. They were convinced that when the Republicans came in, things would be different. Now they feel they have been betrayed. They are frustrated and they are angry. There may be a question as to whether it's fair for them to blame their Senators and Congressmen, but there is no question as to their mood. They sure feel like taking it out on somebody.

This is the national frame of mind that all of us who believe in public education must work to counteract. The time is short and the prospects may be slim, but we need to launch right now a concerted campaign to save Federal aid to education from being ground to death under the wheels of the economy drive that is underway.

Where the national interest lies, it seems to me, is clear. We need to tap our national resources on a national basis to raise the standards of education in America to where they ought to be—in the elementary schools, in the high schools, and beyond the high schools. It cannot be done without Federal action. It can be done without Federal control. We should not limit our vision nor apologize in our approach. We should proceed with a clear conscience to give a broad, general lift to education at all levels—not as an emergency matter but permanently.

At a time when we have the highest national output, the highest national income, the greatest corporate profits, the highest wage levels of any nation in the history of the world—when we are spending more on highways, more on cars, more on European travel and Caribbean cruises, more on alcohol and tobacco, more on pleasure seeking of every kind, it is ludicrous to say that we do not have the resources to do what needs to be done in the field of education.

This is a moral issue. Complacency and materialism are our enemies.

Let us measure the national need—and then let us fulfill it.

The Lutheran Missionary in the Middle East

EXTENSION OF REMARKS

OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 21, 1957

Mr. VAN ZANDT. Mr. Speaker, it was a distinct privilege to address the annual convention of the Eastern District of the American Lutheran Church at Chambersburg, Pa., Tuesday, June 19, 1957, on the subject, "The Lutheran Missionary in the Middle East."

The address follows:

THE LUTHERAN MISSIONARY IN THE MIDDLE EAST

(Address delivered by JAMES E. VAN ZANDT, Member of Congress, 20th District of Pennsylvania, at the convention banquet of the Eastern District, American Lutheran Church, at Chambersburg, Pa., June 19, 1957)

The responsibility of religion in our time is probably without precedent, with the result that the duties of evangelism today are at least as great as they were in the days of Paul of Tarsus.

It happens that as I speak the prime target of the great struggle that engulfs mankind is the Middle East.

Those who speak of the Middle East in the councils of the great powers may emphasize oil or geography or military strategy.

But the key to the issues is a moral one, and its solution in the end will be moral and religious.

The question at the root of the multiplicity of middle eastern troubles, so far as the American Lutheran Church is concerned, is simply this:

How can religion help?

It is my conviction that it is impossible to be a good evangelical American Lutheran in any area of the world without being at the same time in the best sense an American ambassador of good will.

Yet I wish I could convince myself that the problem is as ordinary as that.

For what is involved are postures and attitudes, tolerance and understanding, in the most delicate of all human relationships, namely, man's dignity, his fiery sense of independence, his pride, and finally his need.

Religion can help today as it did in the days of early Christendom, by fulfilling man's gnawing spiritual aspirations.

But because of the character of the world of our time, the dominance of the economic phases, of modern life everywhere, spiritual aspirations must be promoted without indifference to people's other needs, such as shelter, nourishment, and their medical wants.

One cannot help but be impressed by the splendid record of humanitarian service rendered by American Lutheran missionaries and institutions in the Holy Land, in Ethiopia, in Hong Kong, and New Guinea, and in Indonesia.

It is reported that Lutheran world action, in its world mission, is expending an excess of $1 million a year.

In addition to some 60,000 baptisms annually and the operation of over 1,400 mission schools with an enrollment of some 81,000 students, Lutheran hospitals and clinics treat nearly three-quarters of a million patients.

This impressive record of service to humanity is a tribute to the faith and zeal of Lutheran missionaries all over the world.

As a veteran of two world wars and brief service in the Korean conflict, I have seen countries in time of war and upheaval.

There is of course the stirring and sometimes terrifying situation of a whole nation in a state of convulsion.

Terror may fill the streets and uncertainty seize the governments.

Epidemics may be prevalent or threatening and violence unreasoned and uncontrollable may take hold of entire populations, destroying all semblance of law and order.

In the Middle East, more especially than anywhere at the moment, the potential situation is charged with unlimited possibilities.

It is because of this that I emphasize the important role played by American missionaries as they strive to give a positive answer to the Biblical question, Am I my brother's keeper?

It is my opinion that no American missionary in our time, anywhere in the world, represents himself alone or represents merely the religious denomination that sent him.

We must remember, all of us, that in a very particular and a special sense the American missionary represents the United States.

The missionary in the Middle East today may arrive there with only the Gospels and spiritual dedication to his work.

But whether he realizes it or not, he arrives also as an American and his role unofficially, but most importantly, is that of an ambassador of good will.

Forty years ago that might not have been so much the case.

But today every American in Egypt, in Korea, on Formosa, in Africa and Asia, yes, anywhere on the face of the globe, is regarded by the native population as a living image of Uncle Sam.

He is constantly watched with a scrutiny in every nook and corner of the earth that will not miss his every gesture, the smallest comment, or the faintest expression of opinion or criticism.

This is because the world divided is engaged in what is termed "a contest for the minds of men."

In this contest the high point is the spiritual value.

In this contest, too, is also the position of the United States as a Nation before mankind.

What they are asking themselves in the Middle East more hotly at the moment than anywhere else is, Are Americans sincere?

In other words, shall they believe the Kremlin or the Americans?

They know that the Middle East is the most strategic piece of real estate on earth.

It is the heartbeat of Europe, Asia, and Africa.

Napoleon gambled on it and lost to Nelson and the British Navy.

In losing he had to give up his ambitions for Africa, India, and the Far East.

The Middle East is the wall that the Soviet Union is now seeking to climb because on the other side rests two-thirds of the world's oil supply.

If the free world should permit the Middle East to pass under Communist domination it would mean the crippling of NATO and paralysis for the industrial capacity of Western Europe and Great Britain.

It could mean catastrophe for the free world because it would give Russia precisely what she has been seeking since she dreamed of warm-water ports in the days of Peter the Great.

Recently Russia attempted to establish a Communist government in Greece.

She toyed desperately with Turkey in an effort to get control of the Dardenelles.

Elsewhere she sought domination by all manner of modern tricks of infiltration and the manipulation of situations of poverty and need.

Of course, it is not the function of the religious missionary to perform the role of the official or even the unofficial diplomat.

It is not the function of the missionary to come to Egypt or the Holy Land or Iraq or Pakistan or Saudi Arabia or Iran or Syria with the Bible in one hand and the job of winning political battles in the other.

Nevertheless, the Lutheran missionary, his sermons, his teachings, his medical ministrations, his contacts, his schools, his orphanages, and his clinics represent a connecting link between the people of the United States as well as Lutheranism and the people in the area.

He will be judged by these people not only as an exemplary Lutheran but also as a representative of the United States.

Everything he does will operate for or against not only himself, his religious preaching and organizational work, but also for or against his country.

And in this hour of the world's struggle between the spiritual values of the Western World and the materialistic values of Soviet communism, the missionary from the West is certainly charged with a powerful responsibility.

But there is another reason with a downright diabolical background that invests with special significance the role of the missionary in the Middle East.

This has to do with the Soviet weapon of religious infiltration for political ends.

For tragic as the situation is, it is nevertheless one of the most melancholy facts of our time that the Russian Orthodox Church in the Soviet Union is not so much a church as it is a political arm of the Soviet Union.

The Kremlin has taught itself to recognize that a prostituted church manipulated by the Soviet regime as it manipulates all elements in the total state, can become a creature of value for subversive activity.

Thus religion may be used to tie together the slave world everywhere.

During World War II it was announced that a so-called understanding had been reached between the leaders of the Russian Orthodox Church and the Soviet Government.

Since that time and as a result of the much-heralded understanding the Russian Orthodox Church has emerged as a political agent of Soviet intrigue and infiltration.

If I were asked: What are the problems of the Lutheran missionary in the Middle East? I would say that this is one of the most pressing.

But while I can pose the problem before you I cannot provide you with its solution or with advice on how to go about counteracting this insidious type of religious prostitution.

This is a field of endeavor in which, as a Congressman, I find I must place in the capable hands of American missionaries of all religious faiths.

They have the experience abroad and the skill in dealing with anti-Christian religions that strive to halt or cripple their missionary activities.

The Lutheran missionary will know best how to summon the kind of delicacy of approach, the manner of warfare, the perhaps refined form of spiritual combat that a situation fraught with so much evil demands.

I know the Lutheran Church is an old and tested hand and its missionaries will know their way around in any struggle with a religious swindle so obvious as a Kremlin-dominated church trying to make capital out of Middle Eastern unrest.

The Lutheran Church is well equipped to battle the Soviet technique of using the Christian religion as a political pawn.

For example, whenever the Soviet Union launches one of its fraudulent peace movements it compels its church dignitaries to travel to the target countries on presumably peace missions like so many spiritual circus horses.

Frequently these so-called religious missions make great propaganda out of the spectacle of the devil which they invent and that devil is invariably America and her Wall Street warmongers.

I was very much moved recently when reading some of the Lutheran Evangelical literature to find one method of persuasion that is employed by Lutheran missionaries abroad.

Just how this method is implemented interests me very much as I find the idea highly inspiring.

I was particularly impressed with the fact that it was being employed in Egypt's Cairo, which is one of the key spots in the Middle East now calling for the best possible display of American character and influence.

The method this missionary is described as using is simply that he "loved Moslems into the kingdom of God."

This Lutheran missionary went about his task without the unbecoming zeal that may excite hostility more often than it wins converts.

Rather, he went about, according to his own words, "seeking to understand the world of Islam."

There is, of course, nothing so powerful as the understanding heart.

This Lutheran missionary studied the Koran and made not merely contacts, but friends with as many Moslem students as possible.

He was their appreciative companion and he indicated the respect for them that he wished them to display for him.

In such a mutual situation it was not long before the Moslem students were asking the missionary about his religion, about Christianity, and in particular about Lutheranism.

Truly he had sown the seed for the kind of mutual understanding, perhaps the conversion, that makes for a peaceful world and attitudes of international courtesy.

In this connection it is significant that the Lutheran Churches of America have sent as much as 100,000 pounds of clothing to Egyptian victims of the recent war within a month.

This is good and effective work.

The shipments went to refugees in the Port Said area and were authorized by the Lutheran world relief.

This is a concrete example of practical Christianity at its best.

But beside it, let me insist, is the work of the missionary who made it his business to understand the Moslems and their faith.

He had the remarkable grace and restraint to enter into discussion with them concerning his own faith only when in due course they proceeded to make their inevitable inquiries.

This missionary in portraying the role of a modern John the Baptist by preparing the way for our Lord added greatly to the good intentions of American Lutherans in sending material gifts from the United States.

In reviewing Lutheran activities in the field of foreign missions the hundreds of Lutheran missionaries merit our heartfelt gratitude for their remarkable achievements in the holy land, in Egypt, throughout the entire Middle East, and around the world.

It is appropriate at this point to pay a marked tribute of love and respect to those Lutheran missionaries who have suffered persecution by the Communists.

With their brothers in Christ of other religious faiths they have like the early Christian martyrs remained steadfast in their faith preferring to suffer death if necessary in defense of the truths of Christianity.

We owe them not only our expressions of gratitude but our constant and earnest prayers.

May God continue to watch over them and rescue them from the chains that bind them.

It is my firm conviction that the work done by Lutheran missionaries will make its mark on world history.

It is my further conviction that the struggle we are now engaged in for the minds of men and for the survival of the free world will be decided ultimately by moral and religious values.

These are the same moral and religious values which the missionaries firmly implant all over the world in the interests of the true faith and for the betterment of the human race.

SENATE

MONDAY, JUNE 24, 1957

(Legislative day of Friday, June 21, 1957)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. J. Sanford Lonsinger, minister of the Third Presbyterian Church, of Newark, N. J., offered the following prayer:

Our help is in the name of the Lord, who made heaven and earth.

Blessed is the nation whose God is the Lord.

Blessed be Thou, O Lord our God, by whose almighty hand hath been brought into being this glorious Nation, dedicated to righteousness, to freedom, to peace among the nations, to the dignity and worth of all men.

We make our earnest prayer that Thou wilt keep the United States in Thy holy protection. Grant us peaceful times and fruitful seasons; bless our homes, prosper our industries, and unite the hearts of Thy people in unity and godliness.

Govern and protect Thy servant, the President of the United States, his Cabinet, the Congress, the Supreme Court, and all in the seats of authority and power. We beseech Thee to grant to the Senate of the United States that guidance and wisdom which shall protect and strengthen the glorious heritage of this great Nation.

Bless all governments and peoples of the world which are dedicated to a just and lasting peace. Bring deliverance to all peoples who languish in fear and enslavement.

Make us equal to our high trusts; make us reverent in the use of freedom; make us just in the exercise of power; make us generous in the protection of the weak. May our Nation be one, truly under God, indivisible, with liberty and justice to all. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Friday, June 21, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting the nomination of Vinton Chapin, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary to Luxembourg, and withdrawing the nomination of August Todd to be postmaster at Joppa, Ill., which nominating message was referred to the Committee on Foreign Relations.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 469) to authorize the United States to defray the cost of assisting the Klamath Tribe

of Indians to prepare for termination of Federal supervision, to defer sales of tribal property, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 6974. An act to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes; and

H. R. 7954. An act relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 172) to establish a joint Congressional committee to investigate matters pertaining to the growth and expansion of the District of Columbia and its metropolitan area, in which it requested the concurrence of the Senate.

The message informed the Senate that Hon. JOHN W. MCCORMACK, a Representative from the State of Massachusetts, had been elected Speaker pro tempore during the absence of the Speaker.

ENROLLED BILLS SIGNED

The message also announced that the Speaker pro tempore had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 768. An act to designate the east 14th Street Highway Bridge over the Potomac River at 14th Street in the District of Columbia as the Rochambeau Memorial Bridge; and

H. R. 6500. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes.

HOUSE BILL REFERRED

The bill (H. R. 7954) relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons, was read twice by its title and referred to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 172) to establish a joint Congressional committee to investigate matters pertaining to the growth and expansion of the District of Columbia and its metropolitan area, was referred to the Committee on the District of Columbia, as follows:

Resolved by the House of Representatives (the Senate concurring), That there is hereby established a joint congressional committee to be composed of the members of the Committee on the District of Columbia of the Senate and the members of the Committee on the District of Columbia of the House of Representatives. The joint committee shall select a chairman and a vice chairman from among its members. A majority of the joint committee shall constitute a quorum except that a lesser number, to be fixed by the joint committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

SEC. 2. The joint committee, or any duly authorized subcommittee thereof, shall examine, investigate, and make a complete study of any and all matters pertaining to (a) the problems created by the growth and expansion of the District of Columbia and its metropolitan area, (b) how and with what degree of success such problems are handled and resolved by the various agencies and instrumentalities of the Government which are charged with the duty of resolving such problems, and (c) how the resolution of such problems is affecting the affairs of the District of Columbia. The joint committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate and the House of Representatives at the earliest practicable date, but not later than January 31, 1958. Upon the submission of such report, the joint committee shall cease to exist and all authority conferred by this resolution shall terminate.

SEC. 3. The joint committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times within the United States, to hold such hearings, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony as it deems advisable.

SEC. 4. The joint committee shall have power to employ and fix the compensation of such experts, consultants, and other employees at it deems necessary in the performance of its duties.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Agriculture and Forestry was authorized to meet today during the session of the Senate.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there may be the usual morning hour, during which Senators may introduce bills and transact other routine business, subject to a 3-minute limitation on statements.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AUTHORIZATION FOR CERTAIN PERSONNEL OF ARMED FORCES TO ACCEPT AND WEAR CERTAIN DECORATIONS

A letter from the Assistant Secretary of the Navy, transmitting a draft of proposed legislation to amend the act of August 3, 1956, to authorize certain personnel of the Armed Forces to accept and wear decorations conferred by the Philippine Government (with an accompanying paper); to the Committee on Armed Services.

PROPOSED TRANSFER BY NAVY DEPARTMENT OF AIRCRAFT RESCUE BOAT TO STATE OF MARYLAND

A letter from the Assistant Secretary of the Navy (Material), reporting, pursuant to law, that the Department of the Navy proposes to transfer a 63-foot aircraft rescue boat, with engine, to the State of Maryland; to the Committee on Armed Services.

PROMOTION OF NATIONAL DEFENSE BY AUTHORIZATION OF CERTAIN FUNCTIONS OF AERONAUTICAL RESEARCH

A letter from the Executive Secretary, National Advisory Committee for Aeronautics, Washington, D. C., transmitting a draft of proposed legislation to promote the national defense by including two representatives of the Department of the Army as members of the National Advisory Committee for Aeronautics and by authorizing specifically certain functions necessary to the effective prosecution of aeronautical research (with an accompanying paper); to the Committee on Armed Services.

EXTENSION OF VOLUNTARY HOME MORTGAGE CREDIT PROGRAM

A letter from the Administrator, Housing and Home Finance Agency, Washington, D. C., transmitting a draft of proposed legislation to provide an interim extension of the Voluntary Home Mortgage Credit Program (with an accompanying paper); to the Committee on Banking and Currency.

REPORT OF COMMISSION ON GOVERNMENT SECURITY

A letter from the Chairman, Commission on Government Security, Washington, D. C., transmitting, pursuant to law, a report of that Commission, dated June 1957 (with an accompanying report); to the Committee on Government Operations.

AMENDMENT OF TITLES 10, 14, AND 32, UNITED STATES CODE, RELATING TO CODIFICATION OF MILITARY LAW

A letter from the General Counsel of the Department of Defense, Washington, D. C., transmitting a draft of proposed legislation to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the code (with an accompanying paper); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of California; to the Committee on Agriculture and Forestry:

"Assembly Joint Resolution 25

"Joint resolution relative to use of national forests

"Whereas the State of California has long recognized and supported the wise and proper use of the multiple resources available within the federally controlled national forests in this State; and

"Whereas the individual citizens of this State as well as the industrial and agricultural economy of this State are becoming more and more dependent upon these lands for commodities, services, and above all, the necessary water to insure our present and future well-being; and

"Whereas certain groups have, from time to time, sponsored Federal legislation which has the tendency to dedicate specific portions of our national forest areas to the limited use of these groups for limited purposes at the expense of the other segments of the population dependent on these areas; and

"Whereas a similar movement is presently underway to limit the use of these areas in the form of legislative proposals to create a national wilderness preservation system: Now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California (jointly)*, That the

Legislature of the State of California respectfully memorializes the Congress of the United States to completely retain without qualification the existing authority of the Secretary of Agriculture to regulate the use of all national forests, including wilderness areas; and be it further

"Resolved, That the chief clerk of the assembly is directed to transmit suitably prepared copies of this resolution to the President, Vice President, and the Secretaries of Agriculture and Interior of the United States, and the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Armed Services:

"Assembly Joint Resolution 32

"Joint resolution relative to the Navy jet base in Lemoore

"Whereas the United States Government has already appropriated $10 million to buy land and draw plans for a proposed Navy jet base at Lemoore, Calif.; and

"Whereas the location of this base, because of its extensive size and remoteness from densely populated areas, is eminently suitable for its use as an airfield for modern aircraft; and

"Whereas it is ideal from a defense standpoint due to its proximity to the coast, yet its vulnerability to enemy attack is lessened by the range of mountains separating it from the ocean; and

"Whereas economically considered, operation of the base at Lemoore will benefit the people of the entire area, and thus is desirable from a business point of view; and

"Whereas construction of the base is heartily endorsed by all of the local chambers of commerce in the region, and enthusiastically supported by the citizens: Now, therefore, be it

"Resolved by the Assembly and the Senate of the State of California (jointly), That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to continue their plans for construction of the United States Navy jet base at Lemoore, Calif.; and be it further

"Resolved, That the chief clerk of the assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Secretary of Defense, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Government Operations:

"Senate Joint Resolution 14

"Joint resolution relative to payments in lieu of taxes to counties containing large areas of federally owned land

"Whereas the Federal Government owns approximately 47 percent of the total land acreage in California; and

"Whereas counties in which national forests are located receive annually 25 percent of the revenue received; and

"Whereas Mono County, which has by far the largest acreage of federally owned forest lands of any county in this State, having 771,587 acres in the Inyo National Forest and 378,601 acres in the Toiyabe National Forest, all of which are withdrawn from the tax rolls of the county, received only $15,774.90 as such 25-percent payment in the fiscal year 1955–56; and

"Whereas these two national forests are comprised primarily of watershed lands and do not and will not produce revenues to any large amounts as do national forests primarily comprising commercial timber; and

"Whereas in the instance of Mono County, in excess of 400,000 vacationists visit the Inyo and Toiyabe National Forests for fishing, hunting, general recreation, and other uses every year. This influx of people creates sanitation, police, and other problems for the local residents and taxpayers of Mono County: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to take such action as may be required to insure that a thorough study be made to determine the amounts to be apportioned to counties in which exist large areas of federally owned land and which place additional burdens of local governmental services on account of such Federal ownership; and be it further

"Resolved, That the secretary of the senate is hereby directed to prepare and transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Secretary of Agriculture."

A joint resolution of the Legislature of the State of California; to the Committee on Interstate and Foreign Commerce:

"Assembly Joint Resolution 33

"Joint resolution relative to nonstop air transportation between San Francisco and New York

"Whereas the city and county of San Francisco, through its public utilities commission, owns and operates the San Francisco International Airport provided by the citizens of San Francisco at great expense in order that they may enjoy the finest air transportation service possible; and

"Whereas the city and county of San Francisco is one of the largest cities in the West and one of the great air markets of the United States and the world and the air hub of the San Francisco metropolitan area; and

"Whereas American Airlines, Inc., has on file with the Civil Aeronautics Board a motion to sever and set down for immediate hearing the San Francisco-New York nonstop portion of its application in docket No. 5903; and

"Whereas the public utilities commission of the city and county of San Francisco deems that the public convenience, interest, and necessity of the people of that city and county and the surrounding area require that they be provided with all possible and necessary facilities for air commerce to and from San Francisco and New York City; and

"Whereas the city and county of San Francisco has a civic, property, and financial interest in the motion of American Airlines, Inc., which would afford the city and county of San Francisco improved air service between San Francisco and New York; and

"Whereas the legislature has been informed that the city and county of San Francisco is about to file an answer and motion with the Civil Aeronautics Board supporting the motion of the American Airlines, Inc., to sever and set down for immediate hearing the San Francisco-New York nonstop portion of the application in docket No. 5903, in believing that San Francisco is entitled ot a third nonstop air service between San Francisco and New York: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California (jointly), That the Legislature of the State of California respectfully requests the Civil Aeronautics Board to give consideration to the answer and motion of the city and county of San Francisco requesting an immediate hearing on the San Francisco-New York nonstop portion of the application in docket No. 5903, and requests the United States Senators from California and the Congressmen from the San Francisco metropolitan area to support said answer and motion; and be it further

"Resolved, That the chief clerk of the assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Chairman of the Civil Aeronautics Board, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the legislature of the State of California; to the Committee on Public Works:

"Assembly Joint Resolution 34

"Joint resolution relative to Federal support of air pollution control activities

"Whereas air pollution continues to be a serious problem throughout California with areas affected by air pollution in the past continuing to increase in size and definite evidence of air pollution in new areas; and

"Whereas although local air pollution control districts in the State of California, the United States Public Health Service, the State department of public health, universities throughout the State, and a number of private nongovernmental agencies have been and are now engaged in air pollution studies and research, many basic questions as to some of the causes and some of the components of air pollution, effective methods of control, and the extent of the health hazard created by air pollution remain unanswered; and

"Whereas the Congress of the United States has recognized that the grave air pollution problem existing in this country is one of Federal concern and, in 1955, enacted a 5-year, $25 million potential Federal air pollution program to provide technical service and financial aid to State and local agencies in their air pollution programs (act of July 14, 1955; Public Law 159, 84th Cong.; 69 Stat. 322); and

"Whereas the act recites that it is the policy of the Congress to preserve and protect the primary responsibilities and rights of the State and local governments in controlling air pollution, to support and aid technical research to devise and develop methods of abating such pollution, and to provide Federal technical services and financial aid to State and local government air pollution control agencies and other public and private agencies and institutions in the formulation and execution of their air pollution abatement research programs; and

"Whereas the moneys appropriated for this program since its inception have not yet approached the amounts authorized to be appropriated; and

"Whereas the Legislature of California, cognizant of the seriousness and magnitude of the problem and the need for additional and coordinated research to permit evaluation of the inter-relationships among the causes, the distribution, dispersion, and effects of air pollution, has furnished specific funds in the past, and in this 1957 regular session is engaged in developing a program to expand and coordinate the air pollution research activities throughout the State of California: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California (jointly), That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to appropriate the full amounts authorized by Public Law 159, 84th Congress, in order to provide to State and local agencies the technical services and financial aid which are essential to eventual abatement of the air pollution menace; and be it further

"Resolved, That the chief clerk of the assembly be hereby directed to transmit copies of this resolution to the President and Vice

President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution of the Legislature of the State of Nebraska; to the Committee on Post Office and Civil Service:

"Legislative Resolution 42

"Whereas the majority of postal employees receive a salary of approximately $3,700 per year; and

"Whereas the top average salary of postal employees is approximately $4,410 per year; and

"Whereas the standard of living costs have increased and the inadequate pay scale doesn't permit the postal employees to maintain the American standard of living; and

"Whereas there is now pending in the Congress bills which would increase the salaries of postal employees commensurate with existing costs of living: Now, therefore, be it

"Resolved by the members of the Nebraska Legislature in 68th session assembled—

"1. That this legislature favors adequate compensation for postal employees, and respectfully memorializes the Congress of the United States to enact such legislation that will increase the wage scale of postal employees commensurate with existing costs of living.

"2. That authenticated copies of this resolution be transmitted to the President of the Senate and the Speaker of the House of Representatives of the United States, and to each of the United States Senators and Representatives from Nebraska."

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on Finance:

"Senate Joint Resolution 95

"Joint resolution relating to memorializing Congress to enact legislation restricting the importation of plywood

"Whereas a large number of hardwood plywood plants have already been shut down, with others curtailing operations to the extent that hundreds of workers have lost their means of livelihood; and

"Whereas these plants comprise the backbone of the economy of many communities and towns; and

"Whereas hardwood plywood imports ate up 46.6 percent of United States markets in 1956; and

"Whereas American industry cannot compete with imported hardwood plywood sold duty-paid, for less than the cost of production in the United States; and

"Whereas a number of bills are now pending in the Congress of the United States relating to such restriction on imports as provided in Congressman LAIRD's bill, H. R. 5939; Congressman O'KONSKI's bill H. R. 5837; Senator WILEY's joint Senate bill, S. 1598; and other similar legislation: Now, therefore, be it

"Resolved by the senate (the assembly concurring), that the Wisconsin Legislature memorializes the Congress of the United States to enact early legislation restricting the importation of hardwood plywood; and be it further

"Resolved, That a copy of this resolution be sent to the President of the United States, the Secretary of Commerce, the Tariff Commission, and to each House of Congress, and each Wisconsin Member thereof, and to Congressmann JERE COOPER, chairman of the House Ways and Means Committee of Congress.

"ROBERT G. MAROTZ,
"Speaker of the Assembly.
"ARTHUR L. MAY,
"Chief Clerk of the Assembly.
"W. P. KNOWLES,
"President of the Senate.
"LAWRENCE R. LARSEN,
"Chief Clerk of the Senate."

A joint resolution of the Legislature of the State of Illinois; to the Committee on the Judiciary:

"Senate Joint Resolution 24

"Resolved by the Senate of the Seventieth General Assembly of the State of Illinois (the House of Representatives concurring herein), That the Congress of the United States of America hereby is respectfully requested to propose an article in the following form, or substantially so, as an amendment to the Constitution of the United States:

" 'ARTICLE—

" 'SECTION 1. On or before the 15th day after the beginning of each regular session of the Congress, the President shall transmit to the Congress a budget which shall set forth his estimates of the receipts of the Government, other than trust funds, during the ensuing fiscal year under the laws then existing and his recommendations with respect to expenditures to be made from funds other than trust funds during such ensuing fiscal year, which shall not exceed such estimates of receipts. The President in transmitting such budget may recommend measures for raising additional revenue and his recommendations for the expenditure of such additional revenue. If the Congress shall authorize expenditures to be made during such ensuing fiscal year in excess of such estimated receipts, it shall not adjourn for more than 3 days at a time until such action has been taken as may be necessary to balance the budget for such ensuing fiscal year. In case of war or other grave national emergency, if the President shall so recommend, the Congress by a vote of three-fourths of all the Members of each House may suspend the foregoing provisions for balancing the budget for periods, either successive or otherwise, not exceeding 1 year each.

" 'SEC. 2. This article shall take effect on the first day of the calendar year next following the ratification of this article.

" 'SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress'; and be it further

"Resolved, That the Congress of the United States hereby is respectfully requested to provide as the mode of ratification that such amendment shall be valid as part of the Constitution of the United States, when ratified by the legislatures of three-fourths of the several States; and be it further

"Resolved, That the secretary of state of the State of Illinois is directed to send one duly certified copy of this resolution to the Senate of the United States and one such copy to the House of Representatives of the United States and one such copy to the secretary of state of each of the other States.

"Adopted by the senate, May 15, 1957.
"JOHN WM. CHAPMAN,
"President of the Senate.
"EDWARD E. FERNANDEZ,
"Secretary of the Senate.

"Concurred in by the house of representatives, June 13, 1957.
"WARREN L. WOOD,
"Speaker of House of Representatives.
"FRED W. RUEGG,
"Clerk of House of Representatives."

By Mr. WILLIAMS:

A resolution of the House of Representatives of the State of Delaware; to the Committee on Public Works:

"House Resolution 96

"Resolution expressing the sentiment of the city of Seaford as to the operation of the Nanticoke River Bridge at Sharptown, Md.

"Wheres it has come to the attention of the house of representatives of the 119th general assembly that the mayor and Council of the City of Seaford have voiced their objections to the proposed operation of the Nanticoke River Bridge at Sharptown, Md.;

"Whereas it has been proposed that the Nanticoke River Bridge at Sharptown, Md., be open only from 6 a. m. to 6 p. m. unless there is given a 6-hour notice; and

"Whereas such a reduction of hours of operation of the bridge would seriously hamper the daily flow of oil and grain and other commodities being shipped by way of the Nanticoke River to and from the Seaford, Del., area: Now, therefore, be it

"Resolved by the members of the house of representatives of the 119th general assembly, That the Highway Department of the State of Maryland continue the operation of the Nanticoke River Bridge at Sharptown, Md., on a 24-hour basis, in order to expedite the transportation of commodities being transported by way of the Nanticoke River to and from the Seaford, Del., area; be it further

"Resolved, That a copy of this resolution be transmitted forthwith to the chief engineer of the Maryland Highway Department, the chief engineer of the Delaware Highway Department, the mayor of the city of Seaford, and to the Members of the Senate and the members of the House of Representatives of the United States from the State of Delaware."

By Mr. COTTON (for himself and Mr. BRIDGES):

A concurrent resolution of the Legislature of the State of New Hampshire; to the Committee on Armed Services:

"Resolved by the house of representatives (the senate concurring), That the general court of New Hampshire urges the Congress of the United States to provide that the so-called Portsmouth Air Base, located in Newington, N. H., be named and hereafter be known as the Pease Air Force Base, in honor of Harl Pease, Jr., holder of the Congressional Medal of Honor and the Distinguished Flying Cross; be it further

"Resolved, That the secretary of state transmit certified copies of this resolution to the Senators and Representatives of New Hampshire in the Congress, and to the Speaker of the House of Representatives and the President of the Senate of the United States.

"Passed June 19, 1957.

"Attest:

"HARRY E. JACKSON,
"Secretary of State.
"W. DOUGLAS SCAMMAN,
"Speaker of the House of Representatives,
"ERALSEY C. FERGUSON,
"President of the Senate."

The memorial of Edward T. Paca, of Englewood, Colo., relating to tax writeoffs; to the Committee on Finance.

A letter from the vice president, Legislature of the Virgin Islands, informing the Senate that the Legislature of the Virgin Islands had agreed to a resolution to adopt the recommendations of the report of Dr. Carl J. Friedrich to the organic act committee of the legislature; to the Committee on Interior and Insular Affairs.

A resolution adopted by the North Iowa Conference, the Methodist Church, Waterloo, Iowa, favoring the enactment of legislation to prohibit the interstate transportation of alcoholic beverage advertising; to the Committee on Interstate and Foreign Commerce.

RESOLUTION OF SOUTH HIWAY 41 ADVANCEMENT ASSOCIATION

Mr. WILEY. Mr. President, I have received from Theodore Fadrow, president of the South Hiway 41 Advancement Association in Milwaukee, Racine, and Kenosha Counties of Wisconsin, a

resolution dealing with the future of that important road artery.

I present the resolution and ask unanimous consent that it may be printed in the RECORD and be thereafter referred to the Committee on Public Works.

There being no objection, the resolution was referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

To the Honorable United States Senate, the Honorable House of Representatives, and the Honorable United States Committees on Finance, Highways, and Judiciary:

Whereas the South Hiway 41 Advancement Association was organized in 1952, and duly assigned a State charter for the purpose of advancing and improving the welfare of all people concerned, comprised of small business, residential, and farm lands zoned for future business and residence; and

Whereas the said advancement association represents Kenosha, Racine, and Milwaukee Counties in the State of Wisconsin, and has certified membership in said named counties; and

Whereas United States Highway 41 is in the process of relocation and improvement; and

Whereas appraisals and purchase of certain properties as of executed date are already completed; and

Whereas to the best knowledge and information of the advancement association, the proper authorities, directed and under the supervision of the State and county governments, did not inform the general public, including the small businesses, of the intent to relocate U. S. 41, involving the following strip area: from the south limits of Kenosha County, and through Racine County, to the south boundary of West Layton Avenue, said Layton Avenue situated on the south end of Milwaukee County; and

Whereas the advancement association believes that proper information and public hearings should have been held with respect to the relocation of U. S. 41, in the said named counties; and

Whereas millions of dollars of property adjacent to and abutting U. S. 41, in the said named counties, such as already established business houses and residences, will be affected detrimentally, particularly so in Milwaukee County along strip heretofore described; and

Whereas established business places in Milwaukee County, along U. S. 41, from West Layton Avenue to the southern boundary of Milwaukee County, will be particularly affected, with possible complete loss of business, or business dangerously impaired by the projected relocation of said highway, from the Root River north to West Layton Avenue; and

Whereas the advancement association believes that the authorities empowered to proceed with relocating said highway did not fairly consider the tremendous population and business which would be direly affected adversely; and

Whereas the advancement association believes that the Constitutions of the United States and the State of Wisconsin provide full public protection and fair dealing with all concerned, and finally resorting in justice for all, to the long-established maxim of properly conducted public hearings: Now, therefore, be it

Resolved, That the South Hiway 41 Advancement Association do pray, appeal to, and beseech the honorable Senate, the honorable House of Representatives, and the honorable committees directly involved in this matter, to consider diligently the above resolution and to investigate the complaints herein stated, and to quickly and fairly rectify any and all abuses that have been engendered by improper proceedings.

Respectfully submitted.

THEODORE FADROW,
President.
ARTHUR G. BURY,
Secretary.

JOINT RESOLUTION OF VERMONT LEGISLATURE

Mr. FLANDERS. Mr. President, I present, for appropriate reference, and ask to have printed in the RECORD, a joint resolution from the Legislature of the State of Vermont, sent to me by the Honorable Howard Armstrong, secretary of state, requesting the repeal of Federal excise taxes on the transportation of persons and property.

There being no objection, the joint resolution was referred to the Committee on Finance, and, under the rule, ordered to be printed in the RECORD, as follows:

Senate Joint Resolution 28

Joint resolution urging the repeal of Federal excise taxes on transportation of persons and property

Whereas the Federal transportation tax on the movement of passengers and freight was adopted as a wartime tax to discourage movement of civilian passengers and freight in 1942; and

Whereas hostilities have ceased, this tax, rather than being of a benefit to Vermont welfare, is now working as a detriment to Vermont economy; and

Whereas the transportation tax is not applicable to private carrier operations, it is working a hardship on for-hire carriers which are essential to the national defense and welfare; and

Whereas the transportation tax, because of its nature or application tends to become discriminatory as to communities and individuals; and

Whereas the transportation tax, because of its nature or application tends to restrict trade areas, thereby interfering with the free flow of commerce: Now, therefore, be it

Resolved by the senate and house of representatives, That the Vermont Senate and House of Representatives be placed on record in favor of the repeal of the 3 percent Federal transportation tax on all commodities shipped by for-hire carriers, and the repeal of the 10 percent transportation tax on all passenger fares, and be it further

Resolved, That a copy of this resolution be forwarded by the secretary of state to the representatives of the State of Vermont in the Senate and House of Representatives of the United States with the recommendation that serious consideration be given to supporting the repeal of excise taxes as applicable to the movement of people and goods via for-hire carriers.

RESOLUTION OF HOUSE OF REPRESENTATIVES OF ILLINOIS

Mr. DOUGLAS. Mr. President, on June 13, 1957, five members of the Illinois House of Representatives introduced House Resolution 100, memorializing Congress to make the golden corn tassel our national floral emblem. This resolution was bipartisan in nature as two sponsors, Messrs. Morris and Simon are Democrats and three sponsors, Messrs. Lewis, Laufer, and Rogers are Republicans. This was adopted unanimously by the Illinois house. Thus, the importance of corn to the economy of the Nation and to the great State of Illinois transcends party lines and I hope Members of both sides of the aisle will join me in support of my resolution, Senate Joint Resolution 105 making the golden corn tassel our national floral emblem.

I ask unanimous consent that Illinois House Resolution 100 be printed in the RECORD, and thereafter be referred to the Committee on the Judiciary.

There being no objection, the resolution was referred to the Committee on the Judiciary, and, under the rule, ordered to be printed in the RECORD, as follows:

House Resolution 100

Whereas a bill has been introduced in the Congress of the United States which would establish the corn tassel as the official floral emblem of the United States; and

Whereas as a food and as an agricultural commodity, corn has been closely associated with the settlement, growth and development of this Nation; and

Whereas the State of Illinois is this Nation's leading producer of corn: Therefore be it

Resolved by the House of Representatives of the 70th General Assembly of the State of Illinois, That we respectfully urge the Congress of the United States to enact legislation which will establish the corn tassel as the official floral emblem of the United States; and, be it further

Resolved, That a suitable copy of this preamble and resolution be forwarded by the secretary of state to the Members of the United States Senate and the United States House of Representatives from this State.

Adopted by the house, June 13, 1957.

WARREN L. WOOD,
Speaker, House of Representatives.
FRED W. RUEGG,
Clerk, House of Representatives.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 669. A bill for the relief of Mrs. Antonietta Giorgio and her children, Antonio Giorgio and Menotti Giorgio (Rept. No. 481);

S. 789. A bill for the relief of Herbert T. King; his wife, Chang Si-Ling King; and his daughter, Chen Hsiao-Ling King (Rept. No. 482);

S. 811. A bill for the relief of Fannie Alexander Gast (Rept. No. 483);

S. 832. A bill for the relief of Matilda Strah (Rept. No. 484);

S. 862. A bill for the relief of Barbara L. Weiss (Rept. No. 485);

S. 1053. A bill for the relief of Poppy Catherine Hayakawa Merritt (Rept. No. 486);

S. 1097. A bill for the relief of Francoise Beyronneau (Rept. No. 487);

S. 1309. A bill for the relief of Susanne Burka (Rept. No. 488);

S. 1363. A bill for the relief of Vassilios Kostikos (Rept. No. 489);

S. 1397. A bill for the relief of Angeline Mastro Mone (Angelina Mastroianni) (Rept. No. 490);

S. 1508. A bill for the relief of Salvatore LaTerra (Rept. No. 491);

S. 1519. A bill for the relief of Isaac Lidji, Henry Isaac Lidji, and Sylvio Isaac Gattegno (Rept. No. 492);

S. 1774. A bill for the relief of Yee Suey Nong (Rept. No. 493);

S. 1838. A bill for the relief of Charles Douglas (Rept. No. 494);

S. 1848. A bill for the relief of Michelle Patricia Hill (Patricia Adachi) (Rept. No. 495);

S. 2027. A bill for the relief of Vendelin Kalenda (Rept. No. 496);

H. R. 1752. An act for the relief of Frank J. and Mae T. W. Burger (Rept. No. 513);

H. R. 1754. An act for the relief of Eleanor French Caldwell (Rept. No. 514);

H. R. 2964. An act to confer jurisdiction on the United States district court for the eastern district of Texas, Jefferson division, to hear, determine, and render judgment on certain claims of George W. Edwards, Jr., against the United States (Rept. No. 515);

H. R. 4342. An act for the relief of Mrs. Thomas L. Davidson (Rept. No. 516); and

H. J. Res. 273. Joint resolution to waive the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, in behalf of certain aliens (Rept. No. 510).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 20. A bill for the relief of the widow of Col. Claud C. Smith (Rept. No. 497);

S. 178. A bill for the relief of Mrs. Edward J. Smith (nee Concetta Chiodo) and her daughter, Roberta Smith (Rept. No. 498);

S. 554. A bill for the relief of Giorgio Giordanella (Rept. No. 499);

S. 823. A bill for the relief of Maud Abraham (Rept. No. 500);

S. 876. A bill for the relief of Katharina Theresia Beuving Keyzer (Rept. No. 501);

S. 1007. A bill for the relief of Sgt. Donald D. Coleman (Rept. No. 502);

S. 1244. A bill for the relief of Teiko Watanabe Holderfield (Rept. No. 503);

S. 1283. A bill for the relief of Garth Cecil Briden (Rept. No. 504);

S. 1311. A bill for the relief of Maria Gradi (Rept. No. 505);

S. 1510. A bill for the relief of Reginald S. Levy (Rept. No. 506);

H. R. 3558. An act for the relief of Ernest Hagler (Rept. No. 517);

H. R. 4159. An act for the relief of Z. A. Hardee (Rept. No. 518);

H. J. Res. 288. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 511);

H. J. Res. 307. Joint resolution for the relief of certain aliens (Rept. No. 512); and

S. Con. Res. 27. Concurrent resolution to create a joint committee to represent Congress at the 350th anniversary of the founding of Jamestown, Va. (Rept. No. 480).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 439. A bill for the relief of Susan Tsiang Ho (Rept. No. 507);

S. 1240. A bill for the relief of Panagiotis Tulios (Rept. No. 508); and

S. 1817. A bill for the relief of Alexander John Panagiotov (Rept. No. 509).

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. 1823. A bill to authorize the conveyance of Bunker Hill Island in Lake Cumberland near Burnside, Ky., to the Commonwealth of Kentucky for public park purposes (Rept. No. 519).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Jean Sala Breitenstein, of Colorado, to be United States circuit judge, 10th circuit, vice Walter A. Huxman, retired;

John Minor Wisdom, of Louisiana, to be United States circuit judge, fifth circuit, vice Wayne G. Borah, retired;

Leonard G. Hagner, of Delaware, to be United States attorney for the district of Delaware;

George E. MacKinnon, of Minnesota, to be United States attorney for the district of Minnesota;

Wendell A. Miles, of Michigan, to be United States attorney for the western district of Michigan; and

C. Enard Erickson, of Minnesota, to be United States marshal for the district of Minnesota.

By Mr. DIRKSEN, from the Committee on the Judiciary:

William W. Kipp, Sr., of Illinois, to be United States marshal for the northern district of Illinois.

By Mr. HENNINGS, from the Committee on the Judiciary:

Edward L. Scheufler, of Missouri, to be United States attorney for the western district of Missouri; and

Omar L. Schnatmeier, of Missouri, to be United States marshal for the eastern district of Missouri.

By Mr. McCLELLAN, from the Committee on the Judiciary:

Richard Beal Kidd, of Arkansas, to be United States marshal for the eastern district of Arkansas.

By Mr. WATKINS, from the Committee on the Judiciary:

Howard Call, of Utah, to be United States marshal for the district of Utah.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CARLSON:

S. 2366. A bill for the relief of Giuseppe Camardelli; to the Committee on the Judiciary.

S. 2367. A bill to provide for the issuance of a special postage stamp to commemorate the 100th anniversary of the American Dental Association in 1959; to the Committee on Post Office and Civil Service.

By Mr. JAVITS:

S. 2368. A bill for the relief of Aristogiton Zahariadis; to the Committee on the Judiciary.

By Mr. DIRKSEN:

S. 2369. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. DIRKSEN when he introduced the above bill, which appear under a separate heading.)

By Mr. McCLELLAN:

S. 2370. A bill for the relief of Kim Yoo Hwa; to the Committee on the Judiciary.

By Mr. DWORSHAK:

S. 2371. A bill to terminate the issuance of certificates under section 168 of the Internal Revenue Code of 1954 relating to rapid amortization of emergency facilities; to the Committee on Finance.

By Mr. ANDERSON:

S. 2372. A bill for the relief of Andres Torres; to the Committee on the Judiciary.

By Mr. WATKINS:

S. 2373. A bill for the relief of Janet R. Parker; and

S. 2374. A bill for the relief of Christine Fahrenbruck; to the Committee on the Judiciary.

By Mr. WATKINS (for himself and Mr. BENNETT):

S. 2375. A bill to provide a program for the development of the minerals resources of the United States, its Territories and possessions by encouraging exploration for minerals and providing for payments as incentives for the production of certain minerals, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2376. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc; to the Committee on Finance.

(See the remarks of Mr. WATKINS when he introduced the above bills, which appear under a separate heading.)

By Mr. O'MAHONEY (for himself, Mr. EASTLAND, Mr. KEFAUVER, Mr. WILEY, Mr. DIRKSEN, and Mr. BUTLER):

S. 2377. A bill to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses; to the Committee on the Judiciary.

(See the remarks of Mr. O'MAHONEY when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK:

S. 2378. A bill to authorize the sale of five Liberty-type vessels to Belgium or its citizens for use in the exportation of anthracite coal from Philadelphia to ports in Belgium and the Netherlands; to the Committee on Interstate and Foreign Commerce.

By Mr. CARLSON:

S. J. Res. 112. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. MUNDT (for himself, Mr. THURMOND, Mr. SMITH of New Jersey, and Mr. MANSFIELD):

S. J. Res. 113. Joint resolution proposing an amendment to the Constitution of the United States with respect to the election of President and Vice President; to the Committee on the Judiciary.

(See the remarks of Mr. MUNDT when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. EASTLAND (for himself and Mr. JOHNSTON of South Carolina):

S. J. Res. 114. Joint resolution proposing an amendment to the Constitution of the United States prescribing the term of office of members of the Supreme Court; to the Committee on the Judiciary.

APPOINTMENT OF MEMBERS TO ATTEND NEXT MEETING OF COMMONWEALTH PARLIAMENTARY ASSOCIATION

Mr. GREEN submitted the following concurrent resolution (S. Con. Res. 36), which was referred to the Committee on Foreign Relations:

Resolved by the Senate (the House of Representatives concurring), That the Vice President and the Speaker of the House of Representatives are authorized to appoint 4 Members of the Senate and 4 Members of the House of Representatives, respectively, to attend the next general meeting of the Commonwealth Parliamentary Association to be held in India on the invitation of the Indian branch of the association and to designate the chairmen of the delegations from each of the Houses to be present at such a meeting. The expenses incurred by the members of the delegations and staff appointed for the purpose of carrying out this concurrent resolution shall not exceed $15,000 for each delegation and shall be reimbursed to them from the contingent fund of the House of which they are Members, upon submission of vouchers approved by the chairman of the delegation of which they are members.

PROPOSED AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

Mr. DIRKSEN. Mr. President, on the last day of the 84th Congress, 2d session, the Senate passed an immigration and

nationality bill, to meet certain emergency and hardship situations. That bill passed the Senate, but failed in the House.

Today I am introducing a bill substantially like that which failed at the last session. There are some additions, to meet additional situations which arise.

In that connection I submit a statement which I ask to have printed in the body of the RECORD. It explains in some detail the various provisions of the bill.

The bill (S. 2369) to amend the Immigration and Nationality Act, and for other purposes, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on the Judiciary.

There being no objection, the statement presented by Mr. DIRKSEN was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DIRKSEN

I have today introduced a bill (S. 2369) designed to take care of certain emergent situations which have arisen in the immigration and nationality field. This proposal contains several points of my own legislative program contained in a bill (S. 129) which I introduced early in January, of this year. A related measure to S. 129 passed the Senate during the closing days of the session last year when the Senate accepted the amendments proposed by the senior Senator from Connecticut [Mr. BUSH], former Senator Clements, of Kentucky, and myself, as a substitute to the House-passed bill, H. R. 6888. That measure failed enactment by the time the 84th Congress adjourned sine die.

This new bill is designed to take care of the general orphan situation. It defines the term "child" and would apply the term "stepchild" to a child whether or not born out of wedlock. It also contains a provision to admit foreign-born children adopted by American parents.

I have included in this proposal certain provisions of the administration's immigration bill (S. 1006) as well as certain provisions contained in H. R. 8123, introduced in the House by Congressman WALTER, chairman of the Judiciary Subcommittee on Immigration and Naturalization.

In addition, I have also included certain amendments of the House Judiciary Committee to two Senate-passed private immigration bills, both of which passed the House on May 21, 1957. The first private bill (S. 247) was amended to clarify the immigration status of certain aliens who misrepresented their nationality and/or place of birth in visa applications because of fear of repatriation to certain countries ruled and dominated by Communist governments, and the second bill (S. 461), as amended, would make it possible for certain foreign skilled specialists in this country to adjust their status to that of aliens lawfully admitted for permanent residence, if petitions are filed prior to the date of enactment of this measure.

In other words, this measure as drafted would eliminate the processing of a great number of private immigration bills. As of the week of June 10, of this year, nearly 3,000 private immigration bills of all categories have been introduced in the 1st session of the 85th Congress. Of that number, for instance, approximately 320 of those bills are for the relief of orphans.

Briefly, my new bill, analyzed section by section, is as follows:

ANALYSIS OF BILL TO AMEND THE IMMIGRATION AND NATIONALITY ACT

Section 1: Under section 101 (b) (1) of the Immigration and Nationality Act, much difficulty has been encountered in the interpretation of the term "stepchild." As now written, that designation does not apply to a child born out of wedlock to a woman who subsequently marries a man not the father of the child. As a result, much hardship is caused by separation of families, since a child in this circumstance is not in a position to receive a nonquota or preference status under the law. For example, an American citizen who marries such a woman can bring her to this country as a nonquota immigrant; but he cannot bring her illegitimate child as a nonquota immigrant, resulting often in a long wait by the infant for a quota visa. This proposal would apply the term "stepchild" to a child whether or not born out of wedlock. (Identical provisions can be found in section 22 of S. 1006 which was introduced by Senator WATKINS on January 31, 1957, in furtherance of the President's recommendations for revision of the immigration laws. Substantially the same provisions can be found in section 2 of H. R. 8123 introduced on June 13, 1957, by Congressman FRANCIS E. WALTER, chairman of the House Subcommittee on Immigration.)

Section 2: Section 101 (b) of the Immigration and Nationality Act defines the term "child" as used in titles I and II. This section of the bill would amend the definition by adding two further categories of children. The first would clarify the law so that an illegitimate child would, in relation to his mother, enjoy the same status under immigration laws as a legitimate child. It is believed that the drafters of this provision of the act did not intend to deprive an illegitimate child of the status he enjoyed under earlier law, but it appears that the language contained in section 101 (b) requires the interpretation that an illegitimate child may not be considered the "child" of his mother.

The second change would extend the definition of "child" to adopted children under limited circumstances. An adopted child may not now be given the status of child under the immigration laws. This has led to hardship in many cases, particularly where a child was adopted at a young age, long before his adoptive parents contemplated emigration to the United States. If, in such cases, the child was born in a country with a heavily oversubscribed quota, he cannot accompany his adoptive parents. It is therefore desirable that consideration be given to an amendment whereby a child adopted while under the age of 14 and who has lived with his adoptive parents for at least 2 years prior to the visa application may be considered a child under the immigration laws. A proposal of this type would prevent abuse through ad hoc adoptions made only for the purpose of circumventing the immigration laws. (Substantially the same or similar provisions can be found in sec. 23 of S. 1006 and sec. 2 of H. R. 8123.)

Section 3: Section 203 (a) (1) of the present law accords first preference status to spouses and children accompanying an alien to the United States who has been given first preference status because he has a special skill, ability, education, or experience which is needed in the United States. This section would amend existing law by granting first preference status also to spouses and children of the skilled aliens who are following to join him in the United States. This would prevent separation of families and permit the prompt immigration of such families who were, for one reason or another, possibly illness and the like, unable to accompany their father or husband when he came to the United States. (Substantially the same provision can be found in sec. 25 of S. 1006.)

Section 4: Under existing law there is no available method whereby American citizens who wish to adopt alien children can bring them to this country without encountering the delays which follow if the child was born in a quota area the quota of which is exhausted. It has been established under previous legislation which permitted the admission of orphans that these children were well suited for adjustment to the American form of life and that they made worthy additions to our population. This section would authorize the issuance of not more than 2,500 nonquota immigrant visas annually to certain alien orphans, under the age of 14 years, who are adopted or are to be adopted by a United States citizen. Special provision is made for the filing of assurances with the Attorney General that the proposed adoption will be completed, that the child shall be actually an orphan, and that the natural parent shall derive no benefit under the immigration laws by virtue of the admission of the orphan to the United States. (Substantially the same provisions can be found in sec. 36 of S. 1006. Comparable but not identical provisions are contained in sec. 1 of H. R. 8123.)

Section 5: This section vests the Attorney General with discretionary authority to authorize a visa for, and to admit to the United States spouses, parents, or children of a United States citizen or of an alien lawfully admitted for permanent residence notwithstanding the commission by such relative of crimes involving moral turpitude or the fact that the relative may have at some time in the past been connected with or engaged in certain immoral activities. This measure would leave to the sound determination of the Attorney General consideration of the question whether this extraordinary relief should be granted in those cases where, for example, extreme hardship would be caused if the alien were to be excluded, and where it appears to the Attorney General that the admission to the United States of the alien would not be contrary to the national welfare. (Similar provisions can be found in sec. 9 of H. R. 8123.)

Section 6: This section would permit the Attorney General to authorize a visa for, and to admit to the United States, under such controls as he deemed necessary, the spouses, parents, and children of United States citizens or of lawfully resident aliens, notwithstanding the fact that such relative is afflicted with tuberculosis. This is another measure primarily designed to alleviate hardships and to prevent the unnecessary separation of families. (Substantially the same provisions will be found in sec. 5 of H. R. 8123.)

Section 7: This section sets up a procedure whereby the immigration status of parolees may be adjusted to that of a lawfully permanent resident. The Attorney General could grant such adjustment of status, as a discretionary matter, after the alien has been in the United States for at least 2 years and if the applicant is of good character, and if the adjustment would not be contrary to the national interest. A report of the Attorney General's action, if favorable, would be submitted to the Congress. Unless the Congress disapproved, the alien's entry would be recorded as of the date of his last arrival in the United States. If the Congress does not approve the administrative action, the Attorney General is directed to require the departure of the alien from the United States. This measure is of vital importance at this time particularly because of the numbers of persons, including Hungarian escapees from Communist oppression, certain orphans, and other worthy folk, who are now in the United States in a parole status, and for whom there is no prospect of acquiring a lawful status or citizenship unless this legislation is enacted. (The identical provisions can be found in sec. 5 of S. 1006.)

Section 8: This section permits the United States to waive the documentary travel requirements for persons temporarily coming to the United States on a reciprocal basis if

they are coming from countries in the Western Hemisphere, or if they are crewmen or visitors for business or pleasure coming from any country. Such waivers are now permitted on a limited basis. This proposal would allow a further optional relaxation of certain formal documentary requirements which have the effect of impeding travel to this country, but only if reciprocal arrangements have been made with other countries. It will show the free world that we are not averse to the visits here of bona fide visitors. (The identical provisions can be found in sec. 2 of S. 1905, introduced by Senator BUTLER on April 17, 1957.)

Section 9: In prescribing the procedures for the conduct of hearings before special inquiry officers of the Immigration and Naturalization Service to determine eligibility of persons to enter the United States (so-called exclusion hearings), existing law provides that such hearings shall be conducted by a special inquiry officer. The law does not specifically provide for the assignment of an additional officer to present evidence at such hearings. In regard to deportation proceedings, the existing statute provides for the assignment of an additional officer to present the Government's case. In order to remove any doubt as to the authority of the Attorney General to assign an additional officer to perform the prosecutive functions in exclusion cases, in his discretion, where he deems such procedure to be desirable in particular cases, express statutory authority should be provided. Section 9 of the bill would remove any doubt as to the authority of the Attorney General to make such assignments of examining officers in exclusion cases. (The identical provision can be found in sec. 15 of S. 1006.)

Section 10: This section would provide that deportation proceedings may be instituted otherwise than by a warrant of arrest. Under a practice of long standing, deportation proceedings have been instituted by a physical arrest of the respondent. Such action has been regarded on occasions as being unduly harsh, particularly when the alien is a child of tender years, or is of advanced age, or for some other reason is not likely to abscond. Although section 242 (b) of the present law prescribes the deportation hearing procedure, it does not specify the manner in which such proceedings must be initiated. The Department of Justice has recently adopted the practice of commencing a deportation proceeding with an order to show cause, reserving a physical arrest for those cases in which custody and detention of the alien is regarded as necessary in the public interest or safety. While this procedure is regarded as being entirely within the contemplation of the law, enactment of this section would afford an unmistakable statutory sanction for this less drastic procedure. (The identical provisions can be found in sec. 18 of S. 1006.)

Section 11. This section will forgive certain displaced persons and refugees, as well as spouses, parents and children of United States citizens or residents, misrepresentations made in applying for immigration visas or for entry into the United States. Most of the persons affected by this section are displaced persons, many of whom I understand are in my State, who were forced to make misrepresentations when they were applying for their visas in order to avoid forcible repatriation by the Communists to countries behind the Iron Curtain. Substantially the same provisions are contained in section 4 of H. R. 8123. (This legislation passed the House of Representatives in the bill, S. 247, on May 21, 1957. Similar provisions are contained in section 17 of S. 1006. A similar measure passed the Senate last year when it accepted the amendments to H. R. 6888, 84th Cong.)

Section 12: This section would grant discretionary authority to the Secretary of State and the Attorney General to waive the requirement of fingerprinting on a reciprocal basis, for aliens coming temporarily to the United States as nonimmigrants. This type of proposal has been twice recommended by the President of the United States as being within the interest of relieving the restrictions upon travel to the United States. I would have you observe that there is nothing mandatory about my proposal; should the appropriate officials of the Government believe that fingerprinting is necessary, they have all the power they need to require it. (Provisions having a similar effect are contained in sec. 14 of S. 1006.)

Section 13: This section grants the Attorney General discretionary authority to adjust the status of certain skilled specialists who are in the United States temporarily but whose services have been deemed to be urgently needed in the United States. Spouses and children of those aliens would also be granted nonquota immigrant status. This section applies only to foreign skilled specialists who are in the United States on May 1, 1957. It should be carefully noted that the benefits of this proposal will be available only to those aliens who are not subject to the restrictions imposed upon exchange students and visitors under the act of Congress which became law on June 4, 1956, known as Public Law 555. (Substantially the same provisions as my proposal passed the House of Representatives in the bill, S. 461, on May 21, 1957. Similar provisions are also contained in sec. 3 of H. R. 8123.)

Section 14: This section would cancel the mortgages imposed on the quotas of certain countries as the result of the issuance of visas under the Displaced Persons Acts, as well as under two acts relating to immigration of sheepherders from Spain. (The same result would be accomplished by sec. 8 of H. R. 8123 as well as sec. 1 of S. 1006.)

Section 15: Section 323 of the Immigration and Nationality Act, relating to the naturalization of children adopted by citizens of the United States, would be amended by this section so as to authorize the naturalization of children adopted by United States citizens in those cases in which the parent is stationed abroad in the Armed Forces or in the employment of the United States Government, or of an American firm or international organization when it is intended that the child reside abroad with the parent until the parent's employment is terminated. The new provision would confer benefits upon adopted children similar to those conferred upon spouses of citizens under the provisions of section 319 (b) of the act. Specifically, the present requirements for residence and physical presence in the United States by the child before he may be naturalized would be waived. This amendment is regarded as necessary to avoid separation of families. (The same provisions can be found in sec. 33 of S. 1006 and sec. 1 (e) of H. R. 8123.)

Section 16: This section makes applicable to my bill, where necessary, the existing definitions contained in section 101 (a) and (b) of the Immigration and Nationality Act.

PROPOSED AMENDMENT OF CONSTITUTION RELATING TO VOTING EQUALITY IN PRESIDENTIAL ELECTIONS

Mr. MUNDT. Mr. President, I introduce, for appropriate reference, a joint resolution proposing an amendment to the Constitution of the United States, on behalf of myself, the Senator from South Carolina [Mr. THURMOND], the senior Senator from New Jersey [Mr. SMITH], and the majority whip, the acting majority leader, the Senator from Montana [Mr. MANSFIELD]. Mr. President, I ask that the joint resolution be printed in the RECORD at this point.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S. J. Res. 113) proposing an amendment to the Constitution of the United States with respect to the election of President and Vice President, introduced by Mr. MUNDT (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved, etc., That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by three-fourths of the legislatures of the several States:

"ARTICLE —

"SECTION 1. Each State shall choose a number of electors of President and Vice President equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be chosen an elector.

"The electors to which a State is entitled by virtue of its Senators shall be elected by the people thereof, and the electors to which it is entitled by virtue of its representatives shall be elected by the people within single-elector districts established by the legislature thereof; such districts to be composed of compact and contiguous territory, containing as nearly as practicable the number of persons which entitles the State to one Representative in the Congress; and such districts when formed shall not be altered until another census has been taken. In choosing electors of President and Vice President the voters in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

"The electors shall meet in their respective States, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of Government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and the House of Representatives, open all the certificates and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors chosen; and the person having the greatest number of votes for Vice President shall be the Vice President, if such number be a majority of the whole number of electors chosen.

"If no person voted for as President has a majority of the whole number of electors, then from the persons having the 3 highest numbers on the lists of persons voted for as President, the Senate and the House of Representatives, assembled and voting as individual members of 1 body, shall choose immediately, by ballot, the President; a quorum for such purpose shall be three-fourths of the whole number of the Senators and Representatives, and a majority of the

whole number shall be necessary to a choice; if additional ballots be necessary, the choice on the fifth ballot shall be between the 2 persons having the highest number of votes on the fourth ballot.

"If no person voted for as Vice President has a majority of the whole number of electors, then the Vice President shall be chosen from the persons having the three highest numbers on the lists of persons voted for as Vice President in the same manner as herein provided for choosing the President. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

"SEC. 2. The Congress may by law provide for the case of the death of any of the persons from whom the Senate and the House of Representatives may chose a President or a Vice President whenever the right of choice shall have devolved upon them.

"SEC. 3. This article supersedes the second and fourth paragraphs of section 1, article II, of the Constitution, the 12th article of amendment to the Constitution and section 4 of the 20th article of amendment to the Constitution.

"SEC. 4. This article shall take effect on the first day of July following its ratification, but shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within 7 years from the date of its submission to the States by the Congress."

Mr. MUNDT. Mr. President, this is a proposed revision of the so-called Mundt-Coudert amendment, which has been before the Congress and the country for several years. It is also a revised version of part of the twin purpose constitutional amendment on which the Senate had an opportunity to act about a year ago. In the main, the proposed amendment follows the outline of the so-called district plan of electoral college reform.

The proposed amendment has been redrafted to overcome the one valid objection which was made against the amendment, namely, the one with regard to gerrymandering.

This new joint resolution which has been introduced provides language whereby the congressional district lines within each State shall be drawn in such a manner as to eliminate distorted geographic shapes, grossly unequal population, and purely partisan movements, which are within the meaning of the word "gerrymandering."

The proposed amendment provides that the districts shall be composed of compact and contiguous territory, containing, as nearly as practicable, the number of persons which entitles the State to one Representative in the Congress. This does not mean necessarily that the congressional district and the presidential elector district within a State will be one and the same, although in many instances, and probably most instances, that will be true.

Mr. President, this amendment proposes the restoration, by constitutional amendment, of the original plan envisioned by the Founding Fathers of the Constitution, by which the electoral college was to operate.

This plan was abandoned when strong majority parties of certain States early in the history of the Republic, arrogated to themselves the full presidential weight of the State, by adopting the general presidential ticket system, whereby each voter voted for a statewide slate of presidential electors, under the winner-take-all theory, whereby the winner received the credit not only for those people who voted for him but also credit for the votes cast for the losing side and the losing candidate.

I think the present system, the general ticket system has developed in this country what we can call a presidential United States of America and a Congressional United States of America, both operating within one single national boundary, but each having its officials elected by different electors in a different way. This accounts in a large part for the growing split in opinions, attitudes and policies which have come to exist in this country between the executive branch of the Government and the Congressional branch of the Government.

In addition, this amendment would provide for the first time since the early days of this Republic, that the vote of each American citizen voting for President would have equal weight and equal authority, whether the citizen lived in a large State or a small State. Under the terms of the new amendment each voter in the United States will vote for 3, and only 3, presidential electors.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. MUNDT. I am happy to yield to my distinguished friend, the Senator from New Jersey, cosponsor of the proposed amendment, and I ask that he be allowed the regular time under the morning hour, while I hold the floor.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

Mr. SMITH of New Jersey. Mr. President, I rise to congratulate the distinguished Senator from South Dakota for introducing this joint resolution. I have been interested in this subject for some years. In fact, I was a cosponsor of the joint resolution introduced on the subject a few years ago by Ambassador Henry Cabot Lodge, when he was a Member of this body and took the initiative in introducing it in the United States Senate. We had long debate on the subject that year. That joint resolution passed the Senate and was approved by the appropriate committee in the House, but was not passed by the House and submitted to the States. Since then the whole matter has been carefully studied, and the terms of the joint resolution have been refined.

Thanks to the leadership of the distinguished Senator from South Dakota, I feel the Senate has now before it a joint resolution which the Senate should consider carefully to see if we cannot submit a constitutional amendment to the States this year to improve the operation of the electoral college.

Mr. President, in connection with my remarks I ask unanimous consent to have printed at this point in the RECORD a statement prepared at my request by Dr. Lucius Wilmerding, of Princeton, N. J., on the subject of amending the method of electing Presidents. Dr. Wilmerding is an expert in this field, and was formerly connected with Princeton University. He has given a great deal of study to determining the best way of accomplishing the desired results. He has now come to consideration of a refinement of the so-called district system, which the Senator from South Dakota [Mr. MUNDT] advocated. I feel his statement is very relevant.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT PREPARED BY DR. LUCIUS WILMERDING, OF PRINCETON, N. J., ON AMENDING THE MANNER OF ELECTING THE PRESIDENT

In considering this and every proposition change the method of electing the President of the United States we must constantly bear in mind one fundamental proposition, a proposition that, I believe, will be accepted by every Member of the Senate: The President is the man of the people—not the man of the States or of any combination of States. He is a national officer, elect him as you may; and all his powers operate nationally.

But if the President is the man of the people, he should, I submit, be chosen according to the sense of the people. The primary practical problem that we have to consider is by what means the sense of the people may most accurately be ascertained. No method is absolutely infallible, but some are better than others. The worst is surely the one which we now use—the general ticket system under which the entire electoral vote of each State is credited to a single person regardless of the sentiments of divisions within the State.

I shall not catalog all the objections that might be made against the general ticket system, but I can demonstrate its unfairness by one simple example. Let it be assumed that the Union consisted of only two States—New York and Pennsylvania. If these 2 States voted by general ticket every election would be governed by the plurality party in New York, for they would always cast 45 electoral votes, and no more than 32 votes could ever be brought against them. Yet it is plain that a vast majority of the people in the two States together might be opposed to the candidate of the New York plurality party and in favor of his principal opponent. In a union of 48 States the mathemetics are more complicated but the argument is the same: the President, the man of the people, is given a federative instead of a popular origin; the large States, as such, rather than the people of the Union as a whole, determine who he shall be.

This arrangement is, I maintain, contrary to the intention of the Constitution, as we understand it now and as the Founding Fathers understood it in 1787. For as Senator Benton, of Missouri, long ago pointed out, that instrument "in giving to each elector a separate vote, instead of giving to each State a consolidated vote composed of all its electoral suffrages, clearly intended that each mass of persons entitled to 1 elector should have the right of giving 1 vote according to their own sense of their own interest." As every student of history knows, the general ticket system is not prescribed by the Constitution, was scarcely known to the Founding Fathers, and was adopted by the several States separately, with apologies and excuses, on the sole basis of retributive justice, as "the only expedient for baffling the policy of the particular States which had set the example." The explanation is Madison's.

Among the people almost everyone who has given thought to this matter agrees that change is necessary. Three plans are before the country—the national-plebiscite system; the proportional-voting system; and the district system.

The national-plebiscite system is a good one and perfectly consonant to the intention of the Constitution. It would get rid not merely of the presidential electors but the electoral votes and commit the choice of the

President to the qualified voters in the Nation at large. But it presents certain difficulties. As we all know, the requisites to the right of suffrage are very different in the different States and even in adjoining States, and these requisites are determined by the State legislatures. If the President were elected by a nationwide popular vote, an unseemly competition would arise between the States to increase their relative weights by extending the franchise, say by lowering the voting age to 18, to 16, to 14. To prevent this competition it would be necessary to impose uniform voting qualifications throughout the Union. And this reform, however meritorious it may be, I do not think the States are ready to accept. Nor do I think that the small States will willingly give up the advantage that they now possess in the distribution of electoral votes by reason of the two electors allotted to each State without regard to population. In short, I think that the national-plebiscite system must be ruled out of consideration on the ground that it has no chance of being accepted by the Senate or adopted by the States.

The proportional voting system is not open to these objections. It would preserve the electoral votes and consequently the present relative weight of the States, but it would divide the whole number of each State's electoral votes among the several candidates by the principle of proportion; a candidate who polled a fraction of a State's popular vote would receive the same fraction of its electoral vote. On the point of fairness I have no criticism of this system. But it has two practical disadvantages and one theoretical one. In the first place, every close election would be a disputed election—disputed in every State, in every county, in every election district, for on the principle of ratios a gain anywhere would be a gain everywhere; such elections would be difficult to resolve. Secondly, it might often happen that in close elections the President and the majority of the House of Representatives, solely because of the mode of election, might be of different political parties. For it is by no means certain that the two methods of taking the sense of the people, the proportional voting system, and the district system will produce the same result. But my main objection to the proportional voting system is one of principle. The underlying idea of that system is that equal ideological masses of people, rather than equal geographical masses, are entitled to equal votes, and that, I submit, is an idea that ought not to be introduced into our institutions. I am not worrying about the President, for he is a single person, not susceptible to subdivision; you cannot make him Republican from the waist up and Democratic from the waist down, with perhaps a Communist big toe. But I am worrying about the House of Representatives. If we admit the principle of P. R.—the proportional representation of ideological groups—in the distribution of a State's electoral votes, it will be hard to deny it in the distribution of a State's congressional seats. And I think most of us agree that a legislative body elected by ideological rather than geographical constituencies is a body scarcely able to legislate.

The proposal that I support would establish by constitutional amendment a uniform mode, of electoral voting by districts. It makes no change in the method of distributing the whole number of electoral votes between the several States, but it provides for their further distribution within each State by the principles of the single-member district system. It is grounded on the idea—which I believe to be solid—that each equal mass of persons, comprising voters and nonvoters alike, is entitled, through its qualified voters, to cast one electoral vote for President according to its own sense of its own interests.

Putting the matter in the broadest possible point of view, I would say that the district system would let the election for the presidency rest wholly on the people; furthermore it would put all the people of the Union on the same footing. I confess it would break down the power of the great States, or rather of the dominant parties in the great States, since they would no longer be able to control the election by seizing the votes of their minorities and counting them as if they had been cast for themselves. But I can see no objection if, in curtailing their power, the same measure regulates the rights of the whole Nation equally.

There is one other point that I am led to make at this time. We all know that sectional feeling and sectional prejudices are rising in different parts of our country. Any measure that would tend to diminish the rancor and bitterness of party should be given careful consideration. It is my thought that if districts in different parts of the Union were permitted to unite with each other in promoting the election of the President of their common country, a strong bond of union would be formed and sentiments generated friendly to the harmony of the Nation. Madison, I think, had this in mind when he said this: "The States when voting for President by general tickets are a string of beads; when they make their elections by districts, some of these differing in sentiment from others and sympathizing with that of districts in other States, they are so knit together as to break the force of those geographical and other noxious parties which might render the repulsive too strong for the cohesive tendencies within the political system."

I have heard but one real objection against the district system. It is said that the States will convert it into the gerrymandering system, and so manage to cast a consolidated vote or a nearly consolidated vote for a single person after all. But this proposal contains an antigerrymander clause, requiring the States to draw the district boundaries fairly; furthermore, it gives to Congress an original and concurrent power to make or alter the State regulations on this subject if they do not conform to the Constitution. It is my opinion that these clauses will not only prevent the drawing of unequal presidential districts but will tend to prevent the same abuse in the drawing of congressional districts. One of the reasons for making the number of presidential districts in each State equal to the number of its Representatives in Congress (leaving two electoral votes to be cast at large) is to encourage the use of these districts for the election of Representatives. If the States are compelled to elect the President by a fair and uniform single-member district system, they will find it hard to elect Representatives by the gerrymandering or the general ticket system.

I have directed my remarks to the leading principles of this proposal. I am persuaded that the course of things under the present mode of electing the President is pernicious and that it has a tendency to prevent the object intended by the Constitution of a pure elective magistracy. I am equally persuaded that the establishment of a uniform mode of election by districts will provide the necessary corrective.

Mr. MUNDT. Mr. President, I thank the Senator from New Jersey very much, indeed.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MUNDT. Mr. President, I ask that I may yield to the distinguished Senator from Montana [Mr. MANSFIELD], coauthor of the joint resolution, under the same arrangement.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I wish to express my appreciation to the distinguished senior Senator from South Dakota for allowing me to be one of the cosponsors of the proposed amendment.

The Senator from South Dakota has been, in a sense, a pioneer in the field of electoral college reform. Those of us who join with him; namely, the senior Senator from New Jersey [Mr. SMITH], the Senator from South Carolina [Mr. THURMOND], and I, hope that it will be possible, before too long, for the Judiciary Committee to hold hearings, and that all who are interested may make their views known.

Again I express my appreciation to the pioneer in his field, the Senator from South Dakota.

Mr. MUNDT. I thank the Senator very much, indeed.

Mr. President, I ask unanimous consent that I may yield to the fourth cosponsor of the proposed amendment, the distinguished Senator from South Carolina [Mr. THURMOND], under the same conditions.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, I wish to make a few brief remarks with reference to the joint resolution for revision of the electoral system which is being sponsored by the senior Senator from South Dakota, the senior Senator from New Jersey, the junior Senator from Montana, and myself.

I believe the sponsorship of this measure is sufficient evidence that its intent is purely nonpartisan and nonsectional.

Mr. President, the intent of the joint resolution is to bring about changes in the electoral system, through the method provided for constitutional amendments, so as to more exactly reflect the will of the citizens of this Nation in presidential elections.

I am convinced that it would create more interest in presidential elections, because each electoral district would be represented in the electoral college by one elector from that district.

In addition to choosing one elector from each district the voters also would choose two other electors on the basis of a statewide vote to represent the State in the electoral college.

This would mean that every vote would count more than under the present system, when electors are chosen in most States by statewide voting instead of the district system. Under the present system, it is not unusual for a candidate to receive from 40 to 49 percent of the popular vote in a State without receiving a single electoral vote.

The district system would more nearly reflect the candidate's proportional share of the popular vote in the electoral college.

Such an improvement would greatly increase the possibility over the present system of nominating candidates best qualified for the offices of President and Vice President. It would no longer be necessary to limit the choices to a few

persons from geographically strategic States.

Sectional considerations would be almost entirely eliminated from the standards now applied to prospective presidential candidates in nominating conventions.

The joint resolution would provide for a system which was conceived by the framers of the Constitution, and which was generally used in the early days of the Republic.

To my mind another important effect would be that of equalizing the voting power of individual citizens. Presently, citizens in New York vote for 45 electors, while in the smallest States they vote for only 3. The proposed amendment to the Constitution would cause each citizen, regardless of where he lived, to vote for 3 electors—1 in his own district and 2 in statewide voting.

Mr. President, I am convinced that adoption of the proposed amendment would do more to equalize the voting power of citizens in this country than any step taken since the Constitution was adopted.

I hope the joint resolution will be considered in the light in which it is being offered to the Senate—as nonpartisan and nonsectional. Electoral system reform is an old subject, but there has been long consideration and no action on it. Now is the time for action.

In closing, I wish to congratulate the senior Senator from South Dakota for the magnificent work he has done along the line of electoral college reform. In 1955 and 1956 I had the pleasure of working with him and the then junior Senator from Texas, Senator Price Daniel, on this same project. At that time the joint resolution was not brought before the Senate for final passage, because a two-thirds vote would have been required, and there was some question as to the system being advocated at that time.

We feel that the joint resolution being introduced today will meet all the necessary qualifications to bring about the desired change in the electoral college system.

It is a pleasure to join the senior Senator from South Dakota, the junior Senator from Montana, and the senior Senator from New Jersey in trying to help to bring about this desirable change, and to bring to the attention of the American people the importance of the change, which is so badly needed.

Mr. MUNDT. Mr. President, I thank my distinguished friend for his felicitations. I appreciate the cosponsorship of the three distinguished Senators joining me in sponsoring the proposed constitutional amendment. We all hope the Judiciary Committee will promptly hold hearings on the joint resolution, and that it will be brought before the Senate for a vote, because we believe the proposed amendment is in such form that it will receive the necessary two-thirds vote.

I ask unanimous consent to have printed in the RECORD at this time a news release which I have prepared on this subject.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

VOTING EQUALITY IN PRESIDENTIAL ELECTIONS

Senator KARL E. MUNDT, Republican, South Dakota, today, with three other Senators, introduced a constitutional amendment to guarantee voting equality of citizens in presidential elections regardless of the difference in electoral votes of the States in which they live. Joining with Senator MUNDT in sponsoring the amendment are Republican Senator H. ALEXANDER SMITH, of New Jersey, and Democratic Senators MIKE MANSFIELD, of Montana, and STROM THURMOND, of South Carolina.

"This amendment," said Senator MUNDT, "is a revision of the so-called Mundt-Coudert amendment. It overcomes the only valid objection raised against the original amendment, namely, 'gerrymandering.' 'Gerrymandering,' I should explain, is the practice indulged in by the majority party in some States of drawing Congressional district lines to its own advantage by carving out districts of distorted geographic shapes and of grossly unequal population, to insure party control."

The amendment, as introduced, provides that "the electors to which a State is entitled by virtue of its Senators shall be elected by the people of the State," and "the electors to which it is entitled by virtue of its Representatives shall be elected by the people within single-elector districts established by the legislature," with "such districts to be composed of compact and contiguous territory containing as nearly as practicable the number of persons which entitles the State to one Representative in the Congress."

"In other words," explained Senator MUNDT, "the new amendment would require State legislatures to set up presidential elector districts according to constitutional standards. In most cases these districts would correspond with Congressional districts, but not necessarily so.

"The district system is the plan envisioned by the Founding Fathers and followed by most of the States in the early days of the Republic. It was abandoned when the majority party in a State arrogated to itself the full presidential weight of that State by adopting the general ticket system whereby each voter voted for a statewide slate of presidential electors. However, this principle of representation has not been applied, except in a few instances, to the election of Members of the House of Representatives.

"As a result of the universal use of the general ticket system by the States in Presidential elections, presidential United States of America and Congressional United States of America are different countries, politically speaking, within one national boundary. But, under the terms of the new amendment each voter in the United States would vote for 3, and only 3, presidential electors, just as he now votes for 2 Senators and for 1 Representative in Congress. Today, as we all know, the voter in New York votes for 45 presidential electors but for only 2 Senators and 1 Representative. His ratio of voting influence in presidential elections is 15 times his influence in Congressional elections.

On the other hand, citizens in such 1 Representative State, as Delaware, vote for 3 presidential electors just as they vote for 2 Senators and 1 Representative. Their influence in presidential elections is exactly the same as in Congressional elections.

"Under the proposed amendment every voter in every State, regardless of population, would have exactly the same weight in a presidential election that he now has in elections of the Congress. It would mean true voting equality for every citizen."

The amendment follows:

"ARTICLE —

"SECTION 1. Each State shall choose a number of electors of President and Vice President equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be chosen an elector.

"The elector to which a State is entitled by virtue of its Senators shall be elected by the people thereof, and the electors to which it is entitled by virtue of its Representatives shall be elected by the people within single-elector districts established by the legislature thereof; such districts to be composed of compact and contiguous territory, containing as nearly as practicable the number of persons which entitles the State to 1 Representative in the Congress; and such districts when formed shall not be altered until another census has been taken. In choosing electors of President and Vice President the voters in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

"The electors shall meet in their respective States, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and the House of Representatives, open all the certificates and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors chosen; and the person having the greatest number of votes for Vice President shall be the Vice President, if such number be a majority of the whole number of electors chosen.

"If no person voted for as President has a majority of the whole number of electors, then from the persons having the three highest numbers on the lists of persons voted for as President, the Senate and the House of Representatives, assembled and voting as individual members of one body, shall choose immediately, by ballot, the President; a quorum for such purpose shall be three-fourths of the whole number of the Senators and Representatives, and a majority of the whole number shall be necessary to a choice; if additional ballots be necessary, the choice on the fifth ballot shall be between the two persons having the highest number of votes on the fourth ballot.

"If no person voted for as Vice President has a majority of the whole number of electors, then the Vice President shall be chosen from the persons having the three highest numbers on the lists of persons voted for as Vice President in the same manner as herein provided for choosing the President. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

"SEC. 2. The Congress may by law provide for the case of the death of any of the persons from whom the Senate and the House of Representatives may choose a President or a Vice President whenever the right of choice shall have devolved upon them.

"SEC. 3. This article supersedes the second and fourth paragraphs of section 1, article II, of Constitution, the 12th article of amendment to the Constitution and section 4 of the 20th article of amendment to the Constitution.

"SEC. 4. This article shall take effect on the first day of July following its ratification, but shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within 7 years from the date of its submission to the States by the Congress."

ADDRESSES, EDITORIALS, ARTICLES ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the CONGRESSIONAL RECORD, as follows:

By Mr. BEALL:

Address delivered by him at dedication ceremonies for new dormitory building of the Ner Israel Rabbinical College, Baltimore, Md., June 23, 1957.

By Mr. YARBOROUGH:

Address delivered by him before the Democracy Club of Galveston County, Texas City, Tex., June 15, 1957.

NOTICE OF CONSIDERATION OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate received today the nomination of Vinton Chapin, of New Hampshire, a Foreign Service officer of the class of career minister, to be Ambassador of the United States to Luxembourg.

Notice is given that the nomination will be eligible for consideration by the Committee on Foreign Relations at the expiration of 6 days, in accordance with the committee rule.

NOTICE OF HEARING ON NOMINATION OF LEONARD PAGE MOORE TO BE UNITED STATES CIRCUIT JUDGE, SECOND CIRCUIT

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, July 2, 1957, at 10 a. m., in room 424 Senate Office Building, upon the nomination of Leonard Page Moore, of New York, to be United States circuit judge for the second circuit, vice Jerome N. Frank, deceased.

At the indicated time and place all persons interested in the above nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Indiana [Mr. JENNER], and myself, as chairman.

CRACKING DOWN ON THE DISGRACEFUL NARCOTICS TRAFFIC

Mr. WILEY. Mr. President, I was pleased to note in the June 20 Evening Star an article about a press conference held by the Nation's No. 1 fighter against the narcotics evil—the Honorable Harry J. Anslinger, Commissioner of the Narcotics Bureau, of the Treasury Department. Commissioner Anslinger reiterated the importance of tough sentences to be handed down by Federal, State, and local judges against the peddlers of dope.

Fortunately, the Congress has acted by enacting a tough minimum sentence against the human vultures who poison the Nation with dope, especially those who sell it to our country's youngsters.

Unfortunately, however, in quite a few States and cities the judges fail to mete out tough sentences. As a result, narcotics traffic continues locally or statewide on a widespread basis.

I earnestly hope that the remaining cities and States which are infested with this evil will crack down, as the Congress has cracked down.

I hope, too, that the nations of the Free World will continue to use every available means to impede the flooding of the world by narcotics from Red China.

The Peiping government is today the No. 1 source of illicit narcotics in the world, according to the well-documented evidence compiled by Commissioner Anslinger and his men.

I send to the desk the text of the Star's article, and I ask unanimous consent that it be printed at this point in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ANSLINGER CITES PROGRESS IN WAR ON DOPE TRAFFIC

(By G. K. Hodenfield)

The illicit traffic in narcotics is being stamped out throughout the world despite the active noncooperation of Communist China, an expert in the field said today.

Harry J. Anslinger, United States Commissioner of Narcotics, told newsmen the Red Chinese are reaping an "enormous" harvest of foreign exchange from dope addicts the world over.

The China mainland, Mr. Anslinger said, is the source of about 65 percent of the narcotics found in illicit channels.

"Other countries are making an effort to stop the traffic," he said. "The Red Chinese government is doing nothing at all. The narcotics come down from Red China to Burma, Thailand, and Laos. Some of it then finds its way to Hong Kong and Japan, thence to the United States."

SYRIA IS HEROIN SOURCE

Aside from Red China, Mr. Anslinger said, the main source of heroin has shifted to Syria. Last year Lebanon was the chief source of heroin smuggled into the United States, he said, but pressures from the Lebanese government forced the smugglers to move their operations to Syria.

Turkey grows much of the opium poppy crop found in that region and converts the poppies into legitimate medical purposes. Dope traffickers, however, buy the poppies from farmers and smuggle them into Syria. There, in clandestine laboratories, the poppy seeds are converted into opium, then morphine, then heroin.

"The situation has grown so bad," Mr. Anslinger said, "that the Turks recently mined their borders to keep the smugglers out."

Mr. Anslinger is the United States representative to the United Nations Commission on Narcotic Drugs and recently studied the full report on the worldwide narcotic situation.

PRAISES SHAH OF IRAN

He lauded a number of nations for battling the scourge of dope addiction but reserved his highest praise for Iran, one of the world's greatest producers of opium. The Shah of Iran, Mr. Anslinger said, has pushed through a law prohibiting the production of opium and has asked the United States and United Nations to help in eradicating the evil in his country.

In the United States, the commissioner said, there are about 50,000 addicts. That represents 1 addict to every 3,500 of the population. Twenty to 30 years ago the ratio was 1 addict to every 400 persons.

The smoking of opium is now almost unheard of in this country, Mr. Anslinger said. "In fact, we can't even find an opium pipe to use for an exhibit," he added. Most dope taken in this country today is by injection of heroin into the bloodstream.

Just as in other parts of the world, dope traffic in this country suffers most when stiff laws against it are passed and enforced.

Mr. Anslinger said judges throughout the country are getting tougher with convicted "pushers" and are handing down stiffer and stiffer penalties.

The main trouble spots in this country, he said, are in New York and Texas. There is practically no problem in the South or in New England.

SENATORIAL DELEGATION TO THE LONDON CONFERENCE

Mr. KNOWLAND. Mr. President, under date of June 21, I received the following letter from the Secretary of State:

THE SECRETARY OF STATE,
Washington, June 21, 1957.

The Honorable WILLIAM F. KNOWLAND,
United States Senate.

DEAR SENATOR KNOWLAND: You are aware that the United States has long considered the achievement of a sound and safeguarded disarmament agreement one of its most vital foreign policy objectives. We have persistently sought such an agreement in the United Nations and more recently in the negotiations in the Subcommittee of the United Nations Disarmament Commission. This subcommittee is now meeting in London.

The course of the negotiations which are going on at the present time suggests the desirability of obtaining further senatorial participation in this important endeavor. Any agreement which might eventuate would, we hope, be of a scope and character which would require it to be submitted to the Senate as a treaty, for its advice and consent to ratification. It is my belief that senatorial participation at this juncture could contribute substantially to the achievement of the end result we seek. Accordingly, I ask that you and Senator JOHNSON designate Members of the Senate who would study, observe, and, to the extent they desire, consult with appropriate officials engaged in these negotiations. While it is my judgment that it would be premature at this time for Senators to join the delegation at London, I hope that it will be possible for some of the designated Senators to participate in these talks if that becomes desirable. The President fully concurs in this request.

In making this request I should emphasize that whereas the Soviet position has moved closer to that of the United States in several respects in recent months, many important and difficult obstacles remain in the way of

the achievement of even a limited agreement for the control of armaments. The Soviet Union has, in recent months, affirmed its readiness to seek a limited first-step agreement and to accept certain controls and verifications, and it is our hope that the Soviet position will further evolve so as to increase the prospects that a first-phase agreement of some worthwhile dimensions can be reached. Senatorial participation at this time will serve as a further earnest of the United States seriousness of purpose. It will demonstrate anew our consistent desire for an agreement which will reduce the threat of war and improve the outlook for a true and lasting peace.

If you agree, I will arrange for the appropriate briefings and other assistance.

I am sending a similar letter to Senator JOHNSON.

Sincerely yours,

JOHN FOSTER DULLES.

On June 21, I replied to the Secretary of State as follows:

JUNE 21, 1957.

The Honorable JOHN FOSTER DULLES,
Secretary of State,
Department of State,
Washington, D. C.

DEAR MR. SECRETARY: Pursuant to your letter of June 21 and our conversations of recent date, I am prepared to recommend three members of the minority in the Senate to be fully briefed on all aspects of the current disarmament negotiations including incoming and outgoing cables.

At such a time as the President and you might decide it would be helpful to have senatorial observers at the disarmament negotiations one or more of the group with similar representation from the majority side would be available to attend such sessions in London or elsewhere.

The three from the minority will be: Senator ALEXANDER WILEY, of Wisconsin; Senator BOURKE B. HICKENLOOPER, of Iowa; Senator LEVERETT SALTONSTALL, of Massachusetts.

With best personal regards, I remain

Sincerely yours,

WILLIAM F. KNOWLAND.

SAVING WILDERNESS AREAS

Mr. NEUBERGER. Mr. President, I ask unanimous consent to include in the body of the RECORD an effective editorial from the New York Times of June 23, 1957, entitled "Saving Wilderness Areas." This editorial is particularly propitious now because the Senate and House Interior Committees have just held hearings on the legislation under discussion. As one of the sponsors of S. 1176, the bill to establish a system of wilderness reserves, I can indorse wholeheartedly the splendid New York Times editorial, which answers effectively some of the captious and frivolous objections that have been raised to date against this merited legislation.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 23, 1957]

SAVING WILDERNESS AREAS

Hearings are being held in both Senate and House on the wilderness bill, a proposal sponsored by a dozen Senators and a half-dozen Representatives from both parties, and from States as widely separated as Maine and California. It would establish as a matter of national legislative policy the protection of certain unspoiled wilderness areas that now are under Federal control.

The basic purpose of the bill would be to preserve permanently a small remnant of primeval America for scenic, recreational, and other uses, free from further encroachments of civilization and from the relentless developments of this mechanized age.

A wide variety of Federal lands would be covered by the bill, some already dedicated to wilderness preservation, some set aside primarily for other uses, but all still in relatively untouched state. The agencies that now administer these lands would continue to do so. The big change brought about by the wilderness bill would be not to take land away from previously productive uses but to prevent arbitrary disposal of our existing wilderness areas, and, even more important, to place Congress clearly on record as approving a national wilderness-preservation system formally set up under protection of law rather than by administrative fiat. The wilderness bill has met with a bureaucratic and a special-interest opposition that its moderate and reasonable terms do not deserve.

THE MONETARY PROBE

Mr. BUSH. Mr. President, the Hartford Courant, of Hartford, Conn., is the oldest newspaper in the United States in continuous publication since its founding, and one of the most responsible newspapers in New England today.

An exceptionally fine editorial in this newspaper deals with the subject of the investigation being conducted presently by the Finance Committee, under the chairmanship of the distinguished Senator from Virginia [Mr. BYRD]. The title of the editorial is exceedingly well chosen. It reads, "A Bad Beginning in the Monetary Probe."

The editorial points out that if the political tone which has marked the opening of these hearings is to continue, very little in the way of constructive results will come out of the investigations.

The editorial commends the President for pointing out earlier this year the need for an objective study of all financial arrangements in the United States, including the Federal Reserve System, the banking system and all its component parts, and the whole question of Government finance. The President asked for a nonpartisan commission to make such a study, but Congress has refused to act on that request, and the Finance Committee picked up the loose ball and now is running wildly, but without so far making any favorable impression.

Mr. President, I ask unanimous consent that the editorial, which is entitled "A Bad Beginning in the Monetary Probe," be printed at this point in the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Hartford Courant of June 22, 1957]

A BAD BEGINNING IN THE MONETARY PROBE

There is, and should be, considerable discouragement over the start of the Senate Finance Committee's hearing into the financial condition of the United States. This was the hearing that the Finance Committee seized upon in response to the President's request for a serious and sober study of the banking system by a National Monetary and Financial Commission. But in the political tone that has marked the opening of the hearings, little can be expected.

Secretary of the Treasury George M. Humphrey knew that when he sat in the witness chair. He had been warned that Democrats were expected to challenge the tight money and high interest rates of the present day. He has also been under pressure as a result of what looks like a deliberate campaign to discredit the Treasury, by suggesting that this agency of the Government may run out of money. The latter is impossible—but it is based on the squeeze in which the Treasury finds itself in borrowing to meet its bills, pay off loans, and redeem savings bonds.

So Mr. Humphrey attacked, with one of the finest demonstrations of the administration's economic achievements possible. His statement deserves to be read in full. He summed it up himself: "It is a record of a prospering America with new high levels of employment, rising income, and increasing purchasing power. It is a record of more and better homes, jobs, more homes, more cars, more leisure, and more recreation. It is a record of unequaled prosperity with both the blessings and the problems of such a period."

Mr. Humphrey's defense was magnificent, although Senator BYRD promptly challenged him on a statement that the debt had been reduced. Senator BYRD's point was that Federal spending has risen again, which is indisputable. Senator BYRD cannot comprehend how costs can be greater in a cold war than in a shooting war. He is too able a man not to realize that if this country loses the cold war, it may well have no chance in a hot one. But for political purposes, the point is enough to make.

These political exchanges are disheartening. There is a serious and important job to be done in measuring the investing and lending activities and institutions of the country. We need to know more about fiscal and credit restraints, and about public policy in promoting stable growth. The investigation and study must be made, however, without endangering confidence in the system as it stands. The facts suggest that improvements are necessary to reconcile the growth of governmental financial institutions outside the scope of the Federal Reserve, to mention only one factor. But they must be accomplished with care and precision, not in the hoop-la of a Congressional political circus.

FEDERAL STUDENT LOAN BILL

Mr. JAVITS. Mr. President, in connection with a bill introduced by me and the senior Senator from New York [Mr. IVES], the Senator from Kentucky [Mr. COOPER], the Senator from Maine [Mr. PAYNE], and the Senator from Maryland [Mr. BEALL] to establish a student loan program to help institutions of higher education meet their problems in the field of education and to help students of merit who cannot go to institutions of higher learning for economic reasons, I ask unanimous consent to have printed in the RECORD a digest of an analysis made by the Library of Congress of comments from a great many colleges and universities on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FEDERAL STUDENT LOAN BILL

Following is a digest of an analysis by the Library of Congress of comments from colleges and universities on the bill sponsored by me with Senators IVES, COOPER, PAYNE, and BEALL to establish a student loan program to assist students needing financial help for a college education. Of 30 letters received, 23 are generally favorable (16 private and 7 public institutions), 6 are gen-

erally unfavorable (3 private and 3 public) and 1 will comment later.

Following the introduction of the bill, a sampling of leading colleges and universities was made to determine professional opinion in the educational field on the merits of the proposal and whether changes in the bill were desirable. The Library of Congress then was requested by Senator JAVITS to make the analysis.

The overwhelming support of the principles advocated in this program by those institutions replying indicates the need for the Federal Government's participation in aid to students through a loan program. I am highly gratified that the vast majority of those institutions replying share my view that a loan program is the most acceptable form of Federal aid to institutions of higher learning. And I am also grateful to those who criticize the program for outlining their arguments and reasons supporting them.

"The enthusiasm of the replies, the variety of comments, and the overwhelming interest in the specifics of the bill could only be covered generally in these letters, however. It is for this reason that I urge the Senate Committee on Labor and Public Welfare to conduct hearings on this bill, so that objections can be aired and divergent viewpoints considered."

The bill provides that the Secretary of Health, Education, and Welfare shall set up a program to assist individuals in obtaining an education beyond the secondary school level. The creation of a Bureau of Student Loans in the Department of Health, Education and Welfare to operate under the Commissioner of Education is provided for in the bill.

According to the terms of the bill, a special fund to be known as the Federal education loan and loan insurance fund would be established in the Treasury to be used as a revolving fund for insuring private loan sources. The loans shall not exceed $1,000 per student for any academic year of education, and shall not be made for more than 5 such years of education.

Direct loans would bear interest at 2 percent a year or such higher rate as shall be fixed by the Secretary so that it is contemplated that the rate is equal to about one-half the going rate of commercial loans. The Secretary may make up the difference in interest needed to get the loans. No interest would accrue prior to the commencement period of repayment or 1 year after ceasing full-time study, whichever is sooner. The borrower would have 10 years to repay.

The bill provides for Government insurance on loans made by private sources, including universities and colleges, to students. Administration of this program would largely be concentrated in the institutions themselves. This section of the bill states that the loan insurance plan provides for payment to financial institutions and institutions of higher education of 90 percent of any losses suffered on loans.

Specific comments on the bill included:

From President Conolly, Long Island University:

"This loan program should be reserved especially for that portion of high-school graduates who possess the ability and can qualify for college admission but who are not at the very top, and hence cannot benefit from the State and private scholarship programs and the scholarships available at the colleges and universities throughout the land."

From President Sadler, of Texas Christian University:

"The Federal Government, cooperating with the State government, should provide a perfectly ample number of good scholarships so that no person would be deprived of higher education regardless of financial circumstance."

A few representative leaders in higher education should be brought in by the committee to discuss "A few changes * * * which would improve the bill."

From Columbia University's vice president, John A. Krout:

"The annual limit of $1,000 and the 5-year limit of $5,000 are very high * * *. A lower dollar limit and a higher number of years to allow for professional and graduate school would be better * * *. Holding a scholarship or receiving veterans' aid should not prevent a student from borrowing."

President Malott, of Cornell University:

"I am happy to endorse the provisions of S. 1727 because it seems to me it is a sound way to assist deserving students to obtain a college education."

The president of the University of Rochester, C. W. de Kiewiet, said that "This type of program has a great deal to be said for it, and I congratulate you for your share in carrying the thing as far as it has gone."

While the president of Tuskegee Institute, B. H. Foster, expressed the hope that "The Congress will find it possible to enact this constructive piece of legislation."

President Eric A. Walker, of Pennsylvania State University, emphasized that "Everything that the Federal Government can do to lighten the burden of these individuals whose education is in the public interest will be greatly appreciated. Your Senate bill 1727 represents one important phase of a program which will result in better leadership in America."

President John S. Dickey, of Dartmouth College, in expressing opposition to the bill, stated that "it simply does not make sense to me to have the Federal Government worrying about a scholarship or loan program for college students while at the same time the Federal Government is frankly being subsidized in the performance of one of its most essential responsibilities by hundreds of American colleges and universities which have ROTC programs."

The general comments most frequently made among those supporting the education loan program were:

1. A loan program is "the most acceptable form of Federal aid to institutions of higher education."
2. Loan program places responsibility on the borrower.
3. Loan program would supplement current private scholarship programs.
4. Loan program could be a supplement to a Federal-State scholarship program.

The general comments most frequently made by those opposing the bill were:

1. Loan funds in many institutions of higher education are not now used to capacity.
2. Loan program does not help institutions very much. They increase the student body and the need for facilities.
3. Would a student loan program actually reach the financially needy student?
4. The Federal Government could help in other ways, such as income tax deduction for dependent's college education, assistance to institutions for ROTC programs, and help with medical education facilities.
5. Will the cost of administration be prohibitive?
6. Problems of collection appear to be most complicated.

In addition to general and specific comments on the bill, the survey catalog suggested additions to the bill's provisions. These included:

1. It should include junior colleges.
2. What about theological seminaries?
3. A provision should be included which would preclude the use of the loan money to pay tuition in a tax-supported institution.
4. Could an installment plan for the payment of tuition be included in the bill?
5. The bill should include a provision similar to Government home-loan insurance which would encourage private investment capital to enter the student loan market.

Following is a list of institutions commenting on the student loan bill:

Cornell University, Maryland State Teachers College, Maryland State College, Baltimore Junior College, Maryland College of Notre Dame, Goucher College in Maryland, Long Island University, Loyola College in Maryland, and the University of Maryland.

Also replying were New York University, Penn State University, Tuskegee Institute in Alabama, St. John's College in Maryland, Washington College in Maryland, Westminster Theological Seminary in Maryland, Yeshiva University in New York, Roth Brothers Marketing Analysts in Illinois, Texas Christian University, University of Florida, Vassar College, Columbia University, University of North Carolina, and the University of Rochester.

All of the above reported favorably. The following six were generally unfavorable:

Dartmouth College, George Washington University in the District of Columbia, Hood College in Maryland, Montgomery Junior College in Maryland, State University of New York, and the University of Tennessee.

ORDER FOR CALL OF THE CALENDAR ON WEDNESDAY NEXT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that measures on the calendar to which there is no objection, commencing with order No. 389, Senate bill 25, may be called on Wednesday, June 26, immediately following the close of morning business.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

HELLS CANYON

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD sampling of some telegrams I have received on the Hells Canyon issue.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

SALEM, OREG., *June 22, 1957.*

SENATOR WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Congratulations on your victory. Thank you for your untiring efforts.

DEMOCRATIC PARTY OF MARION COUNTY,
CORNELIUS C. BATESON, *Chairman.*

CORVALLIS, OREG., *June 21, 1957.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

We have just received news of Hells Canyon bill passing the Senate. Words cannot express our deep appreciation for your many efforts and hard work toward the passage of this bill. Many thanks.

BOARD OF DIRECTORS, CONSUMERS POWER, INC.

THE DALLES, OREG., *June 21, 1957.*

SENATOR WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Congratulations on a marvelous piece of work on Hells Canyon.

BILL DENT AND VERN BURDA.

PORTLAND, OREG., *June 21, 1957.*

Senator WAYNE L. MORSE,
Senate Office Building,
Washington, D. C.:

Oregon Democrats thrilled with Hells Canyon vote and proud of our Senators who helped make it possible. Congratulations.

BOB BOYER, *State Chairman.*

JUNE 21, 1957.
Hon. Senator WAYNE MORSE,
United States Senate.
DEAR SENATOR: Congratulations to you and your colleagues for the passage of the Hells Canyon bill.
Mr. and Mrs. LLOYD KEY.
Mr. and Mrs. FRANK GARRED.

NEWBERG, OREG.
Senator WAYNE MORSE,
Washington, D. C.:
Congratulations on a tremendous job well done.
FRANCIS STRONG NEWBERG.

WASHINGTON, D. C.
Hon. WAYNE MORSE,
Senate Office Building:
Congratulations on your Hells Canyon victory.
CHARLIE CALLISON,
National Wildlife Federation.

PORTLAND, OREG., *June 21, 1957.*
Hon. WAYNE MORSE,
Senate Office Building:
Congratulations on Senate Hells Canyon victory, and many many thanks for the long hard work that made it possible. This is a happy day for all of us in the Northwest.
Kindest regards,
J. T. MARR,
President,
National Hells Canyon Association.

ALBANY, OREG., *June 21, 1957.*
Senator WAYNE MORSE,
Senate Office Building:
Senate action on Hells Canyon a great victory for the people. Kindly express the sincere appreciation of the Oregon Farmers Union to your fellow Senators who by their vote today demonstrated both the judgment and the courage to act in the public interest. People of the Northwest have real cause to be grateful for the services performed this day by you and your colleagues.
HARLEY LIBBY,
President, Oregon Farmers Union,
Salem, Oreg.

PORTLAND, OREG., *June 22, 1957.*
Senator WAYNE MORSE,
Senate Office Building:
Hells Canyon Dam victory in United States Senate yesterday is a great personal tribute to Oregon's two Senators. Young Democrats of Oregon are proud of you and congratulate you on a job well done. Your tireless and effective efforts on behalf of enlightened resource development policies reflect credit on the State of Oregon as well as upon yourself. We, young Democrats, reaffirm our support for your tremendous battle in carrying the Hells Canyon authorization successfully over the first great hurdle. We know you will continue the good fight until turbines on the high Hells Canyon Dam are producing jobs and payrolls for young people, now and for future generations.
BRUCE BISHOP,
President for the Executive Committee, Young Democratic Clubs of Oregon.

GREAT FALLS, MONT., *June 22, 1957.*
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:
Appreciate your outstanding work on the successful Hells Canyon fight in the Senate.
LEONARD KENFILD,
President, Montana Farmers Union.

SPRINGFIELD, OREG., *June 22, 1957.*
Senator WAYNE L. MORSE,
Senate Office Building,
Washington, D. C.:
Congratulations on important victory for public power and a job well done.
SPRINGFIELD UTILITY BOARD,
DON PEGLOW, *Chairman.*

PORTLAND, OREG., *June 23, 1957.*
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:
We congratulate you on your courageous stand in promoting favorable action on Hells Canyon bill.
MEGGIE and CHARLIE HENSLEY.

GRANTS PASS, OREG., *June 22, 1957.*
Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.:
Heartiest congratulations on a hard-fought battle and a beautiful piece of statesmanship. Our best to you and Mrs. Morse.
ELLA AND ED KINSTRA.

LA JUNTA, COLO., *June 22, 1957.*
Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.:
Your work and vote for Hells Canyon bill almost completely approved and applauded by citizens of this valley.
J. D. CRAIGHEAD.

FOREST SERVICE TIMBER ACCESS ROADS

Mr. MURRAY. Mr. President, I wish to associate myself with the remarks of my colleagues in favor of appropriating the full authorization for timber access roads. There is substantial evidence which indicates the necessity for these roads. The fact that the Forest Service plans to expend $60 million on timber access-road construction alone demonstrates the emphasis that is being put on this program, but only $15 million of this expenditure must be accomplished under the sound and tried procedures prescribed by the Federal Highway Act. This alone should cause us to make the full authorization available.

There is a great need for these roads in order to put our national forests on a sound operating basis. The sale of timber is inhibited and the development of many forested communities is held back because the timber in the rough and inaccessible parts of the forest is not available. If the Government were to adopt the position of a private owner it would purposefully be slow in developing and marketing its timber in the hope that adjacent supplies would be used up, and then the remaining supply would rise in price. The Government is not in the business of holding these forests to make every last cent it can by using such tactics. It is in this activity to promote a full sustained cut of the timber.

It is impossible to really practice sustained yield forestry unless most of our forest area is accessible. This is particularly true in my State, where we have vast stands of pine which should be cut selectively. Without a full road network one can cut the sustained yield amount in one part of the forest, to be sure. However, in the rest of the forest there may be annual losses as great or greater than the cut, due to insects, disease, and fire. If, however, roads were available, one would be able to salvage and cut the timber which is otherwise lost to nature. It is a double loss when there is not a full access-road system.

I am familiar with the dollar and cents arguments, demonstrating the soundness of this program, which my colleagues so ably make. I fully appreciate the soundness of Congressional control over the appropriations which each agency receives. To my way of thinking, a major point which we in the Congress must consider is whether the program we are approving for the Executive to carry out provides for the full and proper development of our natural resources. On this basis it is my conclusion that we should expand timber access-road construction and, in expanding, we should give preference to the use of appropriated funds for its financing. This approach is also recommended by the Comptroller General, and I believe his views deserve our consideration.

COMMISSION ON GOVERNMENT SECURITY

Mr. McNAMARA. Mr. President, yesterday the report of the Commission on Government Security was made public.

I should like to read for the RECORD a brief statement I issued this morning on this report:

REPORT OF THE COMMISSION ON GOVERNMENT SECURITY

The proposals of the Commission on Government Security, while clearly motivated by a desire to strengthen national security, nevertheless seem to contain many serious threats to individual liberties.

The need for a commonsense approach to governmental loyalty and security programs is self-evident. Confusion, arbitrary decisions, and the deprivation of constitutional rights have long been the result of the multitude of conflicting programs in existence.

Yet, in my view, the answer does not lie in the ever-tightening control over the individual as propounded by the Commission's proposals.

These proposals, from the creation of a Central Security Office in an already overburdened field, through the application of severe restrictions in industry, passport issuance, immigration procedures, and a recommended legalizing of wiretapping, contain, to me, many elements of police state control. There is likewise serious danger in the proposed punishment of civilians who disclose so-called classified documents.

Coming as it does in the wake of several historic Supreme Court decisions which have emphasized the basic rights of the individual, the Commission's report strikes me as being in sharp conflict with a reawakened desire of the American people to fight back against an insidious encroachment of their liberty.

The need for a rational approach to security and loyalty remains. But I feel this can be, and should have long ago been, clearly set forth by the President through Executive order and other administrative procedures.

In short, we need fewer restrictions on the individual; not more.

Mr. President, I ask unanimous consent that an editorial from today's New York Times on the same subject be printed in the RECORD at the conclusion of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SECURITY IN A DEMOCRACY

The long-awaited report of the Commission on Government Security turns out to be a monumental document, helpful in some important respects and disappointing in others. It is the product of some 18 months work to study violations of civil liberties and individual rights in the Federal Government's internal security system.

No one can pretend that the problem of reconciling the basic freedoms of American citizens with the requirements of internal defense against the Communist threat is an easy one. But we think no objective observer could deny that during the past decade a drastic imbalance occurred in which individual liberty grievously suffered in the hopeless quest for an absolute security. Only within the last couple of years has the commonsense of the American people tended to reassert itself in favor of the Constitution and the Bill of Rights. This trend has been greatly stimulated and fortified by a succession of notable decisions on the part of the Supreme Court.

It is because the tone and some of the recommendations of the Commission report tend to revert toward the old stress on ultrasecurity that we say it is disappointing. In striking contrast to last year's fine report on the same subject by the Association of the Bar of the City of New York, the Commission would extend the Federal employee security system instead of curtailing it.

The Commission urges the legislative and judicial branches of Government to establish loyalty and security programs of their own. It would formalize the Attorney General's list of subversive organizations, which has been notoriously misused and misinterpreted, after making certain changes "to minimize possible abuses."

The Commission would extend the security program into the civil air transport industry, and would broaden the scope of its application to United States citizens in international organizations. In some respects the Commission would tighten present passport procedures. Its general approach to the immigration laws partially reflects the security-mania of Representative WALTER, one of its 12 members. Another indication of the Commission's point of view lies in its proposals to legalize evidence obtained by wiretapping in certain cases and to extend the penalties for disclosure of classified information.

Without a detailed examination and discussion of each of these various proposals it would be premature to say that they are all wrong; but we are bothered by the apparent tendency toward tightening and extending the program disproportionately to the size and immediacy of the threat. Our confidence in the objective of the report has not been heightened by the concluding statement issued last week by the Commission's Chairman, Loyd Wright, a former president of the American Bar Association, who delivered himself of a sharply critical and ill-considered comment on the Supreme Court's ruling in one of the important recent civil liberties cases.

Nevertheless, there is much in the Commission's voluminous report that is of great value, and many recommendations that would immensely improve the present Federal security process. Establishment of greater uniformity in security procedures—whether or not through the specific device of a Central Security Office, as the Commission recommends—is a vital need. Separation of the loyalty problem from that of security is, of course, desirable. Training of security personnel, as recommended, could do much to improve the whole picture. Reforms of hearing and screening procedure are in the right direction. Emphasis on the right to confrontation—though it is not deemed an absolute right—is all to the good. Important reforms in the security program for military personnel are proposed. A more sensible approach to classification of documents is urged. Abolition of the present confusion between State and Justice Departments in immigration matters would be highly desirable.

There are plenty of good suggestions in the report, which we hope will be considered on their merits, and with due regard for the various other studies that have been made of these problems. As the Supreme Court has so tellingly reminded us in recent days, there are issues here that go to the heart of the democratic process.

The PRESIDING OFFICER (Mr. CARLSON in the chair). Is there further morning business? If not, morning business is concluded, and the Chair lays before the Senate the unfinished business.

DEVELOPMENT AND MODERNIZATION OF THE NATIONAL SYSTEM OF NAVIGATION AND TRAFFIC CONTROL

The Senate resumed the consideration of the bill (S. 1856) to provide for the development and modernization of the national system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, and for other purposes.

APPROPRIATIONS FOR INTERIOR DEPARTMENT AND RELATED AGENCIES, 1958

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 484, House bill 5189, the Interior Department appropriation bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes, which had been reported by the Committee on Appropriations with amendments.

ADDITIONAL FUNDS FOR A STUDY OF JUVENILE DELINQUENCY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 300, S. Res. 126.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 126) providing additional funds for a study of juvenile delinquency in the United States.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration with amendments, in line 2, after "March", to strike out "20" and insert "19", and, after line 7, to insert:

SEC. 2. The limitation of expenditure as authorized by Senate Resolution 89, agreed to June 1, 1953, as amended, is hereby increased by $548.83; and the limitation of expenditure as authorized by Senate Resolution 62, agreed to March 18, 1955, as amended, is hereby increased by $1,000.

So as to make the resolution read:

Resolved, That Senate Resolution No. 173, agreed to on March 19, 1956, as amended, be amended by striking out, in section 4, lines 21 and 22, "Expenses of the committee, under this resolution which shall not exceed $80,000" and inserting in lieu thereof the following: "Expenses of the committee, under this resolution which shall not exceed $82,500."

SEC. 2. The limitation of expenditure as authorized by Senate Resolution 89, agreed to June 1, 1953, as amended, is hereby increased by $548.83; and the limitation of expenditure as authorized by Senate Resolution 62, agreed to March 18, 1955, as amended, is hereby increased by $1,000.

Mr. KEFAUVER. Mr. President, the resolution would amend three prior resolutions of the Senate under which funds were made available to the Subcommittee on Juvenile Delinquency of the Committee on the Judiciary. In toto, an additional amount of $4,000 would be made available to cover obligations of the subcommittee in excess of the three previous authorizations. The amounts go back over a number of years, and have just recently come to my attention. As chairman of the subcommittee, I believe they should be paid.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. KEFAUVER. I yield.

Mr. KNOWLAND. Did the Senator say $4,000 or $2,500?

Mr. KEFAUVER. The total amount is $4,000. The resolution as originally submitted was for $2,500. Then section 2 was added in committee. That accounts for an additional $1,500.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution (S. Res. 126), as amended, was agreed to.

CLERICAL AND OTHER ASSISTANTS OF THE LATE SENATOR McCARTHY, OF WISCONSIN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 440, Senate Resolution 147.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 147) to continue on the payroll for a further period the clerical and other assistants of the late Senator Joseph R. McCarthy, of Wisconsin.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. CURTIS. Mr. President, the resolution is for the purpose of continuing on the payroll the clerical and other assistants of the late Senator Joseph R. McCarthy 60 days beyond July 3, 1957, with a considerable measure of control over such employees exercised by the Secretary of the Senate.

The resolution was favorably considered by the Committee on Rules and Administration, and was favorably reported by the committee. We urge that it be adopted by the Senate.

In presenting the resolution, I merely wish to say that the general practice of the Senate is to continue in employment for a period of 60 days only the employees of a deceased Senator. The resolution is not intended to change that general practice, and is not intended as a precedent for continuing employees in such circumstances for a longer period than in the past.

Senate Resolution 147 is designed to meet a situation which is peculiar to this case. My information is that 47 States of the Union provide that in case of a vacancy in the office of United States Senator, the Governor may appoint to fill the vacancy. Wisconsin is the only State which does not have such a law. Consequently, it is not possible for Wisconsin to hold the necessary primary election, nominating activities, or other election, within the 60-day period. Because of that unusual situation, Senate Resolution 147 was submitted, and was reported favorably by the Committee on Rules and Administration.

The purpose of the resolution is not to grant employment or other benefits to the employees; it is to continue the necessary services required for the benefit of the State of Wisconsin, in order to complete the work which needs to be done to continue the official business of the office of Senator McCarthy. It is believed that, by the expiration of the time provided in the resolution, a Senator will have been chosen by the State of Wisconsin.

I urge that the resolution be agreed to.

The PRESIDING OFFICER. The resolution is open to amendment. If there be no amendment to be proposed, the question is on agreeing to the resolution.

The resolution (S. Res. 147) was considered and agreed to, as follows:

Resolved, That the clerical and other assistants of the Honorable Joseph R. McCarthy, late a Senator from the State of Wisconsin, on the payroll of the Senate on the date of his death, shall be continued on such payroll at their respective salaries for a further period of 60 days from July 3, 1957, to be paid from the contingent fund of the Senate: *Provided*, That any such assistants continued on the payroll, while so continued, shall perform their duties under the direction of the Secretary of the Senate, and he hereby is authorized and directed to remove from such payroll any such assistants who are not attending to the duties for which their services are continued.

APPROPRIATIONS FOR INTERIOR DEPARTMENT AND RELATED AGENCIES, 1958

Mr. MANSFIELD. Mr. President, I ask that the Senate resume the consideration of the Department of the Interior appropriation bill, which was temporarily laid aside.

The Senate resumed the consideration of the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HAYDEN. Mr. President, as shown by the committee report, the amount of the Interior Department and related agencies appropriation bill for 1958 as passed by the House was $454,395,700.

The amount by which the bill was increased by the Appropriations Committee of the Senate is $1,856,900 net.

I might say the appropriations contained in the bill as passed by the House represented a reduction of about 12 percent from the appropriations estimated by the Budget Bureau.

As I have said, the Senate Committee on Appropriations has added $1,856,900 to the amount of the bill as passed by the House, making the total of the bill as reported to the Senate $456,252,600. This still leaves the total amount of the bill practically 12 percent under the estimates of the Bureau of the Budget.

The estimates of the Bureau of the Budget which were considered by the committee totaled $515,189,700.

The amount of the appropriations for fiscal 1957, including supplemental and deficiency appropriations, was $463,187,700.

The bill as reported to the Senate is $58,937,100 under the budget estimates; and it is $6,935,100 under the appropriations for the fiscal year 1957.

It should be noted that the amount recommended by the committee includes funds in the amount of $7,896,900 for activities and programs for which the House did not provide any funds.

These are: Fish and Wildlife Service, administrative expenses, $1,196,000; and the acquisition of strategic materials, $6,700,000.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc; that the bill as thus amended be considered the original text for the purpose of the amendment; and that points of order shall not be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments agreed to en bloc are as follows:

Under the heading "Title I—Department of the Interior—Departmental Offices—Office of Saline Water", on page 2, line 7, after the word "uses", to strike out "$1,159,000" and insert "$725,000."

Under the subhead "Office of the Solicitor", on page 2, line 25, after the word "amended", to insert a colon and the following additional proviso:

"*Provided further*, That not to exceed $18,500 of the unobligated balance remaining on June 30, 1957, of the appropriation granted under this head in the Department of the Interior and Related Agencies Appropriation Act, 1957, shall remain available during the current fiscal year for printing the Handbook of Indian Federal Law."

Under the subhead "Office of Minerals Mobilization", on page 3, line 12, after the word "fuels", to strike out "$313,000" and insert "$263,000."

On page 3, after line 13, to insert:

"ACQUISITION OF STRATEGIC MINERALS

"For necessary expenses in carrying out the provisions of the 'Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956' (70 Stat. 570), including services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), $6,700,000, to remain available until December 31, 1958: *Provided*, That this appropriation shall not be available for expenses incurred in connection with materials procured under said act after their transfer to the strategic or supplemental stockpile."

On page 3, line 24, after the amendment just above stated, to insert a colon and the following additional proviso:

"*Provided further*, That none of the funds appropriated in this paragraph shall be available for purchases authorized in section 2a of said act."

Under the subhead "Bureau of Land Management—Construction", on page 5, line 5, after the word "expended", to strike out "$6,500,000" and insert "$5,480,000".

Under the subhead "Administrative Provisions", on page 5, line 18, after the word "of", to strike out "31 passenger motor vehicles for replacement only" and insert "not to exceed 41 passenger motor vehicles, of which 31 shall be for replacement only."

Under the subhead "Bureau of Indian Affairs—Education and Welfare Services", on page 7, line 16, after the word "museums", to strike out "$59,560,000" and insert "$59,460,000".

Under the subhead "Resources Management", on page 8, line 3, after the word "Indians", to insert a colon and "*Provided*, That, notwithstanding the provisions of section 4 (a) of the Civil Service Retirement Act of July 31, 1956 (70 Stat. 747), not to exceed $80,000 of this appropriation shall be available for payment of the Federal matching contribution to the retirement fund for Federal employees paid from tribal funds."

Under the subhead "General Administrative Expenses", on page 9, line 11, after the word "offices", to strike out "$3,400,000" and insert "$3,500,000".

Under the subhead "Administrative Provisions", on page 9, line 21, after the word "exceed", to strike out "270" and insert "300".

Under the subhead "Tribal Funds", on page 10, line 11, after the word "appropriated", to strike out "$3,000,000" and insert "$2,920,000".

Under the subhead "Geological Survey—Surveys, Investigations, and Research", on page 12, at the beginning of line 14, to

strike out "$36,000,000" and insert "37,500,000".

Under the subhead "Administrative Provisions", on page 13, line 3, after the word "exceed", to strike out "125 passenger motor vehicles, for replacement only" and insert "145 passenger motor vehicles, of which 125 are for replacement only", and in line 21, after "(63 Stat. 145)", to strike out the colon and "*Provided*, That notwithstanding the provisions of any other law, the President is authorized to appoint a retired officer as such representative, without prejudice to his status as a retired Army officer, and he shall receive such compensation and expenses in addition to his retired pay."

Under the subhead "Bureau of Mines—Conservation and Development of Mineral Resources", on page 14, line 10, after the word "substitutes", to strike out $18,700,000" and insert "$18,910,000".

Under the subhead "General Administrative Expenses", on page 14, line 25, after the word "offices", to strike out $1,135,000" and insert "$1,095,000."

Under the subhead "National Park Service—Management and Protection", on page 16, line 12, after the word "Basin", to strike out "$13,750,000" and insert "$14,500,000."

Under the subhead "Maintenance and Rehabilitation of Physical Facilities", on page 16, line 21, to strike out "$11,500,000" and insert "$11,763,000."

Under the subhead "Construction", on page 17, line 6, after the word "expended", to strike out "$20,000,000" and insert "$17,000,000."

Under the subhead "Administrative Provisions", on page 17, line 22, after the word "exceed", to strike out "117 passenger motor vehicles for replacement only," and insert "124 passenger motor vehicles of which 117 shall be for replacement only."

Under the subhead "Fish and Wildlife Service—Construction", on page 19, line 15, after the word "therein", to strike out "$5,332,000" and insert "$5,677,000".

On page 19, after line 20, to insert:

"GENERAL ADMINISTRATIVE EXPENSES

"For expenses necessary for general administration of the Bureau of Sport Fisheries and Wildlife, including such expenses in the regional offices, $166,190."

Under the subhead "Bureau of Commercial Fisheries—Management and Investigations of Resources", on page 20, line 10, after the word "law", to strike out "$6,000,000" and insert "$5,781,000".

At the top of page 21, to insert:

"GENERAL ADMINISTRATIVE EXPENSES

"For expenses necessary for general administration of the Bureau of Commercial Fisheries, including such expenses in the regional offices, $117,510."

On page 21, after line 16, to insert:

"OFFICE OF THE COMMISSIONER OF FISH AND WILDLIFE

"*Salaries and expenses*

"For necessary expenses of the Office of the Commissioner, $913,200."

Under the subhead "Administrative Provisions", on page 21, line 24, after the word "exceed", to strike out "114 passenger motor vehicles" and insert "124 passenger motor vehicles of which 114 shall be".

On page 22, after line 20, to insert:

"Not to exceed 5 percent of any appropriation for the Fish and Wildlife Service in this act may be transferred to any other such appropriation, exclusive of appropriations for general administrative expenses and salaries and expenses, upon the approval of the Secretary: *Provided*, That no appropriation shall be increased by more than 5 percent by such transfers."

Under the subhead "Office of Territories—Administration of Territories", on page 23, line 24, after the name "Samoa", to strike out "$1,965,000" and insert "$1,940,000".

Under the subhead "Trust Territory of the Pacific Islands", on page 25, line 13, after the word "Congress", to insert a colon and "*Provided further*, That, notwithstanding the provisions of any law, the Trust Territory of the Pacific Islands is authorized to receive, during the current fiscal year, from the Department of Agriculture for distribution on the same basis as domestic distribution in any State, Territory, or possession of the United States, without exchange of funds, such surplus food commodities as may be available pursuant to section 32 of the act of August 24, 1935, as amended (7 U. S. C. 612c) and section 416 of the Agricultural Act of 1949, as amended (7 U. S. C. 1431)."

On page 26, after line 6, to strike out:

"ALASKAN PORT OF ENTRY FACILITIES

"For necessary expenses in the preparation of plans for port of entry and related facilities adjacent to the Alaskan Highway at the Alaska Canadian border, in Alaska, as authorized by the act of August 2, 1956 (70 Stat. 939), $30,000, to remain available until expended."

Under the subhead "General Provisions, Department of the Interior," on page 28, line 22, after the word "exceed", to strike out "$50" and insert "$100", and in line 23, after the word "exceed", to strike out "$125,000" and insert "$200,000".

Under the heading "Title II—Related Agencies—Department of Agriculture—Forest Service—Forest Protection and Utilization," on page 30, line 14, after the word "lands", to strike out "$39,000,000" and insert "$68,750,000", and in the same line, after the word "which", to strike out "$5,250,000" and insert "$5,000,000".

On page 31, line 2, after the word "law", to strike out "$11,325,000" and insert "$11,835,000."

Under the subhead "General Provisions, Forest Service," on page 33, line 10, after the word "exceed", to strike out "157" and insert "168".

On page 36, after line 4, to insert:

"BOSTON NATIONAL HISTORIC SITES COMMISSION

"The appropriation granted under this heading in the Supplemental Appropriations Act of 1956 shall remain available until June 30, 1958."

Under the subhead "National Capital Planning Commission," on page 37, at the beginning of line 4, to strike out "$4,793,000" and insert "$1,393,000"; in the same line, after "(a)", to strike out "$3,475,000" and insert "$75,000", and in line 9, after the word "exceeding", to strike out "$125,000" and insert "$69,000".

Under the subhead "Smithsonian Institution," on page 39, after line 2, to strike out:

"Additions to the Natural History Building: For necessary expenses of preparing plans and specifications for additions on the east and west ends of the Natural History Building, as authorized by the act of June 19, 1930 (46 Stat. 785), including incidental expenses of the Regents of the Smithsonian Institution, $800,000, to remain available until expended: *Provided*, That the preparation of the design, plans, and specifications for the additions and all work incidental thereto shall be under the supervision of the Administrator of the General Services Administration in accordance with provisions of the Public Buildings Act of May 25, 1926, as amended (40 U. S. C. 345)."

The PRESIDING OFFICER. The bill is open to further amendment.

Mrs. SMITH of Maine. Mr. President, I have an amendment at the desk which I desire to call up at this time.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 31, after line 24, it is proposed to insert:

ASSISTANCE TO STATES FOR TREE PLANTING

For expenses necessary to carry out section 401 of the Agricultural Act of 1956, approved May 28, 1956 (70 Stat. 188), $500,000, to remain available until expended.

Mrs. SMITH of Maine. Mr. President, my amendment would provide $500,000 for assistance to States for tree planting. This program was authorized in the Soil Bank Act of 1956, and is commonly known as the Title IV Program.

The budget included an estimate of $4 million for this purpose. This estimate was disallowed by the House, and the Committee on Appropriations has recommended that it be disallowed by the Senate.

While it is true that the testimony before the committee was to the effect that very few States were ready to proceed with this program, I have been advised that 10 States are not only interested, but have funds available for this purpose. It is my understanding that these State funds can be used only if they are matched with Federal funds. I know that is true with respect to my own State of Maine, the legislature of which has appropriated $20,000 that can be used only if a like amount of Federal funds is provided.

Mr. President, the record should indicate that the following States are ready to proceed with this program, and my amendment would provide the necessary Federal funds: (1) Florida, (2) Maine, (3) Michigan, (4) Minnesota, (5) New York, (6) Pennsylvania, (7) Oregon, (8) Rhode Island, (9) Vermont, and (10) Washington.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mrs. SMITH of Maine. I am glad to yield.

Mr. HOLLAND. First, I thank the distinguished Senator from Maine for offering the amendment.

Second, I wish to add my voice to hers. The Legislature of Florida which has just adjourned, appropriated a small amount of funds to match the funds called for by the existing Federal law, in which the Federal Government offers to match the funds of the States if the States are interested in taking part in this particular effort. Certainly I think it is not only the part of wisdom, but also the part of justice in the observance of our commitments, for Congress to go along with the States which have evidenced a complete willingness to provide funds, and to move ahead with the States in the joint venture to increase reforestation planting.

I thank the Senator from Maine for having interested herself in this matter.

Mrs. SMITH of Maine. I thank the Senator from Florida very much.

Mr. AIKEN. Mr. President, will the Senator from Maine yield to me?

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Maine yield to the Senator from Vermont?

Mrs. SMITH of Maine. I yield.

Mr. AIKEN. I wish to compliment the Senator from Maine for having this particular matter in mind and for proposing

the amendment to provide a small amount of funds for the States which are ready to go ahead with the comprehensive reforestation program. This appropriation will be applicable to title IV of the soil-bank law, which is the only permanent part of the soil-bank law, the other provisions of it expiring at the end of 4 years. In the long run, this may be the most important part of the entire soil-bank law, not only because it is permanent, but also because it looks toward providing an adequate supply of timber in the United States, and particularly softwood timber, so that it may enhance our national security and also may add materially to the economic welfare of the country.

This provision of the law—title IV—provides, in effect, that the Federal Government may cooperate with States on reforestation programs in a manner similar to that in which it now cooperates with them in the small watershed program, which is intended to conserve soil and water. It ties in very nicely with the small-watershed program.

So I hope the Senator from Arizona will accept the amendment offered by the Senator from Maine.

Mr. HAYDEN. Mr. President, I am quite sure that when the House Appropriations Committee denied this item, it was under the same impression that the Senate Appropriations Subcommittee was under at the time when it held its hearings, in that it was generally understood that the States had taken no action. The House committee indicates that by saving that to delay matters will permit the State legislatures to meet and to take action.

In the meantime, direction was given to the clerk of the committee to ascertain whether any States had taken the necessary steps. As the Senator from Maine has pointed out, 10 States have done so. Under the circumstances, inasmuch as the budget item was $4 million, whereas the amount proposes that $500,000, or one-eighth of the budget item be made available immediately, and because a sufficient number of States are prepared to match the Federal funds, I have no objection to taking the amendment to conference.

Mr. MUNDT. Mr. President, will the Senator from Maine yield to me?

Mrs. SMITH of Maine. I yield.

Mr. MUNDT. Speaking as the ranking Republican member of the Appropriations Subcommittee, let me say that I have discussed the amendment with some of those who are interested. Like the chairman of the subcommittee, the distinguished senior Senator from Arizona, I may say that this matter came to us in the form of new information since the time when we marked up the appropriation bill and since the time when the House of Representatives considered it.

I shall raise no objection to taking this amendment to conference.

I think the RECORD should clearly show that the amendment is not intended solely for the 10 States mentioned in the debate, but that the money is to be available for any other States which subsequently may qualify under the terms of the proposed legislation.

Mr. HAYDEN. That would be true in the case of those which qualified during the fiscal year.

Mr. MUNDT. Yes.

Mr. HAYDEN. We had not been advised that as many as 10 States had qualified.

Mrs. SMITH of Maine. Mr. President, that is the purpose of having the amendment provide $500,000—in other words, so that other States whose legislatures may provide the necessary matching funds will be able to qualify.

Mr. President, I wish to state that I appreciate very much, indeed, the remarks made by the chairman of the Appropriations Subcommittee, the distinguished senior Senator from Arizona [Mr. HAYDEN]; those made by the Senator from Florida [Mr. HOLLAND]; those made by the ranking Republican member of the subcommittee, the distinguished senior Senator from South Dakota [Mr. MUNDT]; and especially those made by the distinguished senior Senator from Vermont [Mr. AIKEN], who, as I understand, was the first to make such a proposal in this field.

I very much appreciate the willingness of the chairman of the Appropriations Subcommittee to take the amendment to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine [Mrs. SMITH].

The amendment was agreed to.

Mr. MORSE. Mr. President, I wish to take a few minutes to discuss the question of timber-access-roads.

My colleagues, the junior Senator from Oregon [Mr. NEUBERGER] the senior Senator from Montana [Mr. MURRAY], and the junior Senator from Montana [Mr. MANSFIELD] have very ably discussed the various aspects of our timber access road amendment. They have presented the issue so well that I do not propose to make a speech about it. However, there are some questions which I should like to ask the distinguished chairman of the Appropriations Committee, so that as we consider the key points, perhaps we can reach agreement on how to proceed. I am sure I have an open mind; but if someone can demonstrate to me that timber access roads are a bad investment of the taxpayers' money, I shall be very much surprised.

In the past few years dynamic events have been taking place in our national forests. Timber demand has increased, recreational use has increased water is in greater demand. I think the Senate and House have done a good job of responding to the challenge. I am pleased with the language in the committee report, but I think we should back it up with some action on our part by making the full amount of the present modest authorization available.

I wish the chairman of the Appropriations Committee and his colleagues to know that the questions I ask this afternoon are not intended as any criticism of the chairman of the committee or his colleagues. I believe that over the years they have done an excellent job in regard to timber access roads. However, I wish to have the Federal Government move forward as rapidly as possible in regard to such roads, and that is why I ask the chairman of the committee to engage with me in this colloquy.

Before asking the questions, I request unanimous consent to have printed at this point in the RECORD a letter from the gentleman from Oregon, Representative CHARLES O. PORTER, to the Forest Service, and the reply of the Forest Service. I think these letters tell the story. In this case the Forest Service is pushing new timber inventories. In that connection, the Appropriations Committee and the Senate Committee on Interior and Insular Affairs lit a fire under the Forest Service. The new inventories prove there is more timber; for instance, one forest in my State shows a 138-percent increase. The Forest Service simply needs more roads, in order to make possible the cutting of this timber.

At this time, Mr. President, I ask to have the letters to which I have referred printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MAY 7, 1957.

Mr. RICHARD E. MCARDLE,
Chief, Forest Service,
Department of Agriculture,
Washington, D.C.

DEAR MR. MCARDLE: The Eugene Register-Guard of April 17, 1957, carried an article which noted, "An increase of 138 percent in the known merchantable timber volume in the Siuslaw National Forest was revealed Tuesday when J. Herbert Stone, regional forester for the United States Forest Service, announced the results of an intensive inventory made in the last year."

In this connection, I should like to ask the following questions:

1. Will this mean a proportionate increase in allowable cut?

2. What are your findings or estimates with regard to the inventories in the other national forests in southwestern Oregon, that is, the Fourth Congressional District?

3. Do not these increased figures mean that more money will be needed for access roads, personnel, equipment, and the like?

Your comments on these questions and related matters will be much appreciated.

Sincerely,

CHARLES O. PORTER,
Member of Congress.

UNITED STATES
DEPARTMENT OF AGRICULTURE,
FOREST SERVICE, PACIFIC
NORTHWEST REGION,
Portland, Oreg., May 24, 1957.

Hon. CHARLES O. PORTER,
House of Representatives,

DEAR CONGRESSMAN PORTER: Your letter of May 7 has been referred to this office for reply.

The questions raised are discussed below in the same order as in your letter.

1. Will this (increase in volume on the Siuslaw National Forest) mean a proportionate increase in allowable cut? The answer is "Yes." Representatives of this office will confer with forest personnel next week to work on the calculation of allowable annual cut. The final answer must await calculations, but a substantial increase is evident.

2. Findings from inventories of forests in southwestern Oregon. New inventories were started on the Umpqua, Siskiyou, and Rogue River National Forests last week. It is estimated that completion will take two seasons. Interim cuts have been established on these forests which reflect our best estimates of

the increases which can be expected in allowable cut as a result of new inventories.

3. Will more money be needed for access roads, personnel, equipment, and the like? As a rule of thumb, 1 additional man is required for sales of each additional 10 million board-feet. A tentative estimate of the increase in allowable cut on the Siuslaw, Umpqua Rogue River, and Siskiyou Forests is 200 million board-feet. Assuming this estimate to be reasonably accurate, there will be a need for at least 20 additional foresters to market and administer the increased cut. One of the serious bottlenecks we are experiencing today is technical help. It appears now that we will be able to obtain only about one-third of the 170 additional foresters we would like to hire for this region during 1957. While a part of our lack of success to get men stems from a disadvantage in salary scales, it must be recognized that there just are not enough technical foresters graduating from our schools to satisfy the demand from all sources.

Additional money will be needed for housing. There is little advantage in hiring men if we cannot provide adequate housing.

Present policy dictates that a majority of volume sold be in small- to medium-sized sales. Additional funds for access roads will be necessary if increased volume is put on the market under this policy. Funds for added equipment will also be necessary if additional personnel is to function effectively.

Your interest in this subject is appreciated. We welcome the opportunity to provide information which will give you an insight into our problems.

Please advise if we can be of further service.

Sincerely yours,

J. HERBERT STONE,
Regional Forester.
By WM. DUNHAM.

Mr. MORSE. Mr. President, I should like to ask the distinguished chairman of the Appropriations Committee to inform me regarding the forest road and trail program of the Forest Service, by means of his answers to the following questions:

First. Page 24 of the committee report shows that $60 million will be spent on timber access roads alone by the Forest Service in the coming fiscal year, and that only one-fourth of this road construction money will come from funds appropriated by the Congress. The other three-fourths or $44 million to $45 million in road construction funds will come from reductions in the price of Federal timber so that the timber purchaser can build the roads needed. Am I correct in this?

Mr. HAYDEN. The Senator from Oregon has made a correct statement.

Mr. MORSE. Second. Does Congress have any control over the $45 million the Forest Service will deduct from the price of timber so that purchasers can build roads?

Mr. HAYDEN. In the past we have relied entirely upon the Forest Service in this matter. I think they have done an excellent job.

Mr. MORSE. Third. If the Government appropriated such part of $45 million as was needed for main line access roads, the budget would go up, but offsetting revenue would come in, so in reality there would not be an uncompensated increase in Federal expenditures. Is that statement correct?

Mr. HAYDEN. That is a correct statement.

Mr. MORSE. I wish to point out, as the Senator from Arizona and I have pointed out in past colloquies in making the legislative history regarding this item, that this really is a money-making investment for the Federal Government, when everything is added up.

Mr. HAYDEN. I have been convinced of that for a long, long time.

Mr. MORSE. Of course, part of the necessary funds for the roads are included in the appropriation bill; and by that means the Federal Government saves some of the timber which otherwise would be lost because of insects, fire, and rot. When the road is already in, then more of the timber is sold, and competitive bidding is increased, with a result that a better price is obtained for the timber. All that adds up to increased revenue in the Federal Treasury. Is that correct?

Mr. HAYDEN. That is correct.

Mr. MORSE. Fourth. Someone is going to spend the money, either the purchaser who pays less for the Federal timber and builds the road, or the Government, which builds the road and then sells the timber for more money. So there is no inflation involved in an increase in the budget here.

Mr. HAYDEN. No inflation whatever.

Mr. MORSE. Fifth. I should particularly like the distinguished chairman to consider with me another aspect of this problem. Is it not true that where national forests are located, both in the West as well as in the East, often 50 percent or more of the land in the county is in national forests?

Mr. HAYDEN. That is true.

Mr. MORSE. Sixth. Is it not also true that these counties depend upon 25 percent of the revenue from the national forest as "in lieu" payments?

Mr. HAYDEN. Again the Senator from Oregon is correct.

Mr. MORSE. Seventh. Is it also true that these funds must be used for the schools and roads in those rural counties?

Mr. HAYDEN. The law so provides.

Mr. MORSE. Yes, and that should be stressed at this point in the RECORD. When we speak of these funds in lieu of taxes, it should be pointed out that the counties use these funds for roads and for schools in the counties, and this is a very important source of county income.

Mr. HAYDEN. Many small counties could not carry on a county government unless they had this revenue.

Mr. MORSE. Otherwise the school system would break down, in such cases; is that true?

Mr. HAYDEN. That is true.

Mr. MORSE. And we must not forget that the schools are in part for the benefit of children of hundreds and in some cases thousands of workers in the woods and in the mills, whose livelihood is dependent upon the timber economy. In fact, in some counties in my State the entire economy would come to a standstill, as it is gradually happening now in some of our counties where the lumber industry suffers a depression.

My eighth question is as follows: I should like to inquire whether or not the Senator from Arizona believes that these several hundred rural counties in the 38 States where there are national forests are in good financial shape to maintain their roads and schools.

Mr. HAYDEN. They must have these funds.

Mr. MORSE. Ninth. Would the Senator agree that they do not have a tax base for these Federal lands which would enable them to put on such forest lands, a valuation of, for example, $50 an acre and a 100 or 200 mill tax rate?

Mr. HAYDEN. The answer is "Yes."

Mr. MORSE. Tenth. Instead, is it not true that the counties get 25 percent of receipts, and these receipts may fluctuate between counties as cutting varies in the national forests; and thus the counties lack a stable or predictable income?

Mr. HAYDEN. That is true, also.

Mr. MORSE. Eleventh. These counties cannot collect back "in lieu payments," can they, if cutting temporarily drops and revenues decline?

Mr. HAYDEN. No; it all depends on what was done during a given year.

Mr. MORSE. That is, on an annual basis. That is why I receive so many protestations, when the economy of so many counties in Oregon is suffering. If the counties do not receive the money this year, they cannot collect it on any retroactive basis.

Twelfth. On page 853 of the House hearing I inserted the timber access road cost record in Oregon and Washington. In 1953 roads financed by reducing the value of Government timber worth $6.8 million were constructed, while in 1956 almost 3 times that, or $18 million worth of roads, were constructed by this method. In 1955 the value of such road construction was about $12 million. It jumped about $6 million between 1953 and 1954, and $6 million more between 1955 and 1956. Does it not appear to the Senator that the Forest Service has drastically expanded the part of its road-construction program that is to be built by timber purchasers?

Mr. HAYDEN. It has, in recent years.

Mr. MORSE. I so understand. I deplore it, Mr. President, so far as roads built by purchasers are concerned. I commend the Forest Service for every road it helps build itself.

Mr. HAYDEN. The Senator should remember it has been somewhat difficult to persuade Congress it was sound public policy to build such roads. The Forest Service should not be blamed entirely.

Mr. MORSE. I do not blame it entirely. This is really an educational process, in getting many persons, including Members of Congress, to understand that a capital investment such as is here proposed is not only self-liquidating, but actually returns to the Treasury many times its cost, by way of increased profit from timber.

Thirteenth. Is it also not true that, by using this method to finance road construction, in 1956 alone, $4½ million that should have been available to the counties for local schools and roads was in effect taken from them?

Mr. HAYDEN. That is my understanding.

Mr. MORSE. Fourteenth. Does the Senator understand that it is a part of

the administration's program and a part of the program of the Democratic Party to aid local governments in school construction?

Mr. HAYDEN. That is my understanding.

Mr. MORSE. Fifteenth. If we appropriated the full authorization, would we not be helping to see to it that the local governments got all the money from these vast Federal holdings to which they were entitled? Might this also perhaps help to meet a portion of the demand for Federal aid to education?

Mr. HAYDEN. It undoubtedly would.

Mr. MORSE. I think that would be sound Federal aid to education. Here are these in-lieu payments going to the counties, with a pledge by the counties that a certain amount of the 25-percent portion will go to provide schools to benefit the children of lumber workers who are developing these forests.

Sixteenth. Is it not possible that in the last 4 years the several hundred counties in the 38 States where national forests are located have been shorted by $40 million or more in funds which could have been used for schools and roads?

Mr. HAYDEN. If the Congress had done what the Senator from Oregon and I would have liked to see done, that would not have occurred. That is true.

Mr. MORSE. That would have been the effect of it. I think it is a fair description of what has happened. This has been false economy on the part of the Congress. As a result, the counties have suffered in getting "in lieu" payments, and the Federal Treasury has suffered, because if the roads had been built, our national forests would have produced more revenue.

Seventeenth. Is it not true that the way this timber purchaser-road construction program has operated, it has been hard for the local governments to understand what has been happening to their potential forest income?

Mr. HAYDEN. That appears to be so.

Mr. MORSE. Eighteenth. I want to be perfectly fair with this question, I may say to the chairman of the committee. If the Forest Service had not proceeded to sell timber, even though a big road job was tied in, then there often would have been no revenue. Is that correct?

Mr. HAYDEN. That is correct.

Mr. MORSE. Nineteenth. So the Forest Service had no choice in the face of Budget Bureau policy?

Mr. HAYDEN. That is correct.

Mr. MORSE. The Forest Service is not to be blamed entirely for that, as the Senator from Arizona said previously, although I have felt it should have been more militant in its activities before Congress, and prior to the matter reaching Congress, with the Bureau of the Budget, and, through it, the administration, whether it was Republican or Democratic, in trying to get larger amounts for access roads.

Twentieth. I should now like to inquire about another aspect. The national forests are about 2 billion board feet under their stated allowable cut. If this timber could be put on the market, would it help the economy in the 38 States that have these great national forests?

Mr. HAYDEN. There can be no doubt about that.

Mr. MORSE. Twenty-first. Is the Senator familiar with the fact that our old-growth, high-quality timber is being cut much faster than it grows?

Mr. HAYDEN. That is true.

Mr. MORSE. Twenty-second. Is the Senator also familiar with the Forest Service report that timber quality is declining?

Mr. HAYDEN. I have heard such reports.

Mr. MORSE. Twenty-third. So if more of the national forest timber could be cut up to sustained yield, overcutting in some private forests might be reduced?

Mr. HAYDEN. That is correct.

Mr. MORSE. Twenty-fourth. So when the General Accounting Office makes the recommendation to build roads with appropriated funds, it does so because it has studied the situation and sees an economy? Is that correct?

Mr. HAYDEN. That is true.

Mr. MORSE. I wish to commend the GAO for the recommendation it has made in this matter.

Twenty-fifth. Did the GAO not show that when we appropriated funds to the Forest Service for roads they had bids 13 percent below the engineers' road cost estimates? So there was a stretching of the taxpayers dollar here?

Mr. HAYDEN. It so appears in its report.

Mr. MORSE. Twenty-sixth. GAO also showed that when timber purchasers built the road, the timber cut often exceeded the estimate. In the cases it sampled there was a 21 percent loss. Is that correct?

Mr. HAYDEN. That is correct.

Mr. MORSE. Twenty-seventh. Thus, is it not true we may have a 21-percent loss under timber-purchaser construction, and we do not always have the opportunity for a 13-percent saving due to bids?

Mr. HAYDEN. The Senator is again correct.

Mr. MORSE. It illustrates the great saving we would make for the taxpayers if we did not have this pennypinching, false economy move in regard to access roads. If we built the roads needed, we would help the counties, the schools, and the Treasury of the United States.

Twenty-eighth. The Senator is also aware that these road projects may cost $500,000 or more each. So some big losses have occurred, have they not?

Mr. HAYDEN. They have.

Mr. MORSE. I wish to say to the Senator that because I have had a discussion with him about it and I know his attitude concerning the amendment I had intended to propose, I am not going to offer the amendment, but I am going to have it printed, inasmuch as I do not believe in engaging in idle gestures on the floor of the Senate. I belive it is a sound amendment, but I am going to follow my leader's advice, and the Senator from Arizona is my leader in this matter, I may say. I hope next year we shall be more successful, if the administration follows a course which will make it necessary to offer such an amendment.

The amendment to which I refer would appropriate the full authorization, which is $27 million, instead of the $24,336,000 requested by the Budget Bureau, which would be but a $2,664,000 increase. It is all we could do under the circumstances it seems to me, but am I correct in my understanding that the Senator thinks it would be a mistake for me to offer the amendment because he does not believe anything could be accomplished by taking the amendment to conference?

Mr. HAYDEN. That is my view. The Senator understands the situation with which we are faced. There has been an insistent and persistent demand for economy, and that the budget be cut. The House has made reductions in all appropriation bills.

Only in one instance this year, prior to this time, has the Senate passed a bill providing for a larger total sum of money than the House had provided. In all other instances, the Senate has provided less than the House.

In the Health, Education, and Welfare appropriation bill, we did provide some additional money for cancer, heart disease, and other research work. It yet remains to be determined whether those amounts will be retained in conference.

With respect to this matter, I have carefully read the report of the Comptroller General. I think he makes an excellent argument. For the first time we observe that an agency of the Government actively supports, with facts and figures, what the Senator has been saying and what I have been saying. This is, I think, the first time I have ever asked the Senate under any circumstances not to vote money for access roads in the national forests. I have always urged that more and more money be spent. For that matter, I have always supported road appropriations of all kinds.

However, in this instance, we propose to find out during the course of the present year what the true situation is. As the committee report shows, we have asked the Forest Service to give us even more accurate and more detailed figures than have been obtained by the General Accounting Office. The General Accounting Office operated only through spot checks in various sections of the country. The Forest Service can consolidate that information.

Based upon that action, I intend to request the Secretary of Agriculture and the Director of the Bureau of the Budget, as an economy measure, to recommend more money for this purpose. What is really needed is not an increase of approximately $3 million, which the Senator is suggesting, but an increase of about $30 million. If we appropriate $30 million more for this work, which is approximately what the Forest Service is now allowing the major operators to spend, for which they get a reduced price on their stumpage, that expenditure will

bring in a very substantial profit to the Treasury. If those involved can be made to understand that point, the budget estimates next year should be in very much different shape from what they are this year.

Mr. MORSE. If the Senator from Arizona will yield further—and I am almost through—I want him to know that I speak for the cosponsors of the amendment when I say that we appreciate very much not only the statement he has made on the floor of the Senate at this time, but also the grand cooperation he has always extended to those of us from national forest States with respect to the access road problem.

I agree with the chairman of the committee that $30 million ought to be the minimum figure. I think the Senator will agree that we have not gone that high before, because we have had pretty hard sledding, so to speak, in getting as much as we have been able to get from year to year.

As a result of the request the chairman of the committee has made to the Forest Service, we hope that we can obtain a figure next year somewhere near $30 million.

Mr. HAYDEN. The Senator will agree that $3 million, while helpful, is not adequate to do the work.

Mr. MORSE. It is certainly not adequate. We thought it was a request in the right direction, and that is why we urged that this much be provided.

For the record, I wish to say that we desire to work with the chairman and the distinguished members of his committee. We do not want to ask them to take to conference an item that may prove difficult just now. We agree that it would be proper to conduct the careful study the committee has called for as promptly as possible so the results will be ready for next year's budget.

The record should show that if we appropriated the full authorization we would not really be expending 1 cent more. Instead of timber access roads getting $15 million plus from appropriated funds, they would get $18 million. Timber purchasers would contract $42 million worth of roads instead of $45 million worth. I think the conference report should show this to be the fact. We can extend this help to our timber economy, and to local governments that need schools and roads.

If the chairman believes that in these friendly discussions we have helped develop a factual record on this matter, we will not seek to put the question to a vote but await the study.

I think the remarks of the chairman of the committee on the floor of the Senate show that we are in complete agreement as to our objective. I want the chairman to know that we appreciate the legislative history he is making. We hope the conferees in their report will cover this matter thoroughly, so that next year, without having to offer amendments, we can secure an appropriation somewhere near $30 million.

Mr. President, I should like to have my amendment, which is identified as amendment A at the desk, printed at this point in the RECORD, but I announce that I shall not call it up, because of the legislative history which the Senator from Arizona has helped me make on this matter, for which I thank him very much.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. MORSE (for himself, Mr. MANSFIELD, Mr. MURRAY, Mr. NEUBERGER, and Mr. JACKSON) to the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes, viz:

On page 31, line 18, strike out "$24,336,000" and insert "$27,000,000."

Mr. MANSFIELD subsequently said: Mr. President, I have before me a statement which I wished to incorporate in the RECORD at the time the Senator from Oregon [Mr. MORSE] was discussing his amendment relative to forest-timber access roads. I ask unanimous consent that the statement may be printed in the RECORD at the conclusion of his remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MANSFIELD BEFORE SENATE ON TIMBER ACCESS ROADS FOR THE NATIONAL FOREST

Mr. President, I want to urge that the Senate appropriate the full authorization of $27 million as provided in the Federal Highway Act which the Congress enacted last year. The present budget estimate as approved by the House calls for only $24,336,000, or $2,664,000 less than the authorization for timber access roads.

If economy could be effected by reducing the expenditures for this program, I would warmly endorse a reduction in this item. However, there will be no economy by appropriating less than the present authorization. This authorization covers only a small part of the total expenditures for road and trail construction and maintenance. The Forest Service estimates that it will have available to it $36,184,000 for its entire road program, of which the $24,336,000 is only the part which comes under the Federal highway authorization. The balance comes from 10 percent of revenues which are made available under a separate law. If $36 million covered the entire road budget, I would not be here requesting this additional money. But it does not, for there is at least another $45 million which is hidden from congressional scrutiny and which is expended by the Forest Service. As I understand the procedure, if a road is needed into timber and appropriated funds are not available for its construction, the Forest Service will reduce the price of its timber by an estimated amount so that the purchaser can construct the road. There are two weaknesses to this procedure. First, if this is a large road-construction job and there is only one bidder for the timber, the Government may lose money if the estimate is higher than the actual cost. I am advised that the Comptroller General has found that, during one period, estimates on road-construction projects for timber access were 13 percent above the actual cost. So if we do not have the benefit of competitive bidding, we have a substantial loss to the taxpayers.

Second, a loss may occur if there is more timber cut under the contract than was originally contemplated. As I understand the situation, the Forest Service divides the total estimated cost of the road by the estimated volume of timber in the sale to arrive at a cost per thousand board-feet. If the volume of timber cut is greater than the estimate, the road allowance has been greater than is needed. I understand that, in one group of contracts, the Comptroller General found that the road allowance was 21 percent greater than was originally contemplated.

The advantage of using the Federal highway authorization to the full amount specified by the Congress is that the chance for losses by these two situations becomes limited. All roads are constructed after a competitive bid has been received from a road contractor, and the road is not tied into a timber sale.

One of the reasons that I joined as a sponsor on S. 1136 is that I believe a complete review is needed of our timber access road program. However, as long as the Forest Service is, in effect, taking $45 million a year from revenues for road construction, I do not believe that we can justify appropriating less than the current authorization. As far as I can see, the amount of money being expended annually over which the Congress, and particularly this important Appropriations Committee, has no control is far too great.

If the Congress does not appropriate the full authorization, the Forest Service will still expend $60 million for timber access road construction. Therefore, it seems to me that the only question that is before us is the extent to which it is both desirable and necessary to have congressional control over revenues and expenditures. On this basis I am confident the Senate will agree with me that the full authorization should be appropriated this year.

Mr. NEUBERGER. Mr. President, I should like to compliment the Appropriations Committee for the generally excellent job they have done to provide the necessary funds for the Forest Service to carry out its many functions. As a member of the Senate Interior and Insular Affairs Committee, I participated in exhaustive hearings which were held in 1955 and 1956 on Federal timber sale policies. Our committee concluded that the construction of an adequate system of timber access roads was the most important capital investment that could be made to assure sound management of Federal forest lands, and I am delighted to note that the Appropriations Committee has recommended that the Department of Agriculture review the situation with the Public Works Committees to determine if it is in the interest of the Government to increase the authorization. I think we can accomplish this in the Senate Public Works Committee as we consider S. 1136, which would expand the authorization for timber access roads.

Last year the Congress authorized $27 million for direct appropriations to construct timber access roads. I think it is significant to remember that the House set a $27 million authorization in the Fallon bill when it was reported. In the Senate we arrived at this figure when we voted on the Allott-Morse amendment. When the Department came before Congress for this year's appropriation, they asked for only just enough more than they received last year under the Federal highway authorization to pay the increased cost for contributions to the retirement fund pursuant to Public Law

854. In other words, they did not ask any part of the increase authorized by Congress last year. Their request is $2,664,000 below the authorization.

The Forest Service has two apparent sources of access road funds which appear in the budget document: the money appropriated under the Federal Highway Act, and their authority to utilize up to 10 percent of revenues from timber sales for roads. Because of revenue uncertainties, it is difficult to forecast exactly what will be available for the coming year when these two accounts are merged. The Forest Service has authority, for example, to transfer funds, and in fiscal year 1956 $1,200,000 less than the estimated amount was spent for road construction than was planned because of the necessity of diverting funds to repair flood damage. There may appear to be a saving in not budgeting the authorized access road funds, but it is wholly illusory. The Forest Service has available to it other road money which again the Congress does not control.

I was amazed to discover that it is far bigger than the amount we appropriate. Whenever you sell timber, you have to have a road in to it in order to log it. After the Forest Service allocates the money controlled by Congress to various projects, it still does not have enough to get all the roads constructed. Thus, it has been the practice to reduce the price of the timber to the purchaser by the estimated cost to build the road. In this coming fiscal year the Forest Service estimates that it will be able to allocate between $15 million and $16 million for the actual construction of timber access roads from appropriated funds. It will secure road construction valued at another $45 million without any congressional control or authorization. I understand that 10 years ago only about 5 million dollars was secured for road construction by this method. Now it is up to $45 million, over which we have no control. I would like to urge that the Senate give consideration to what the Comptroller General has suggested to us in his audit report of the Forest Service. His recommendation to the Congress is—

> To provide the Congress with a better opportunity to review and control expenditures for road construction and to permit wider use of road construction contracts awarded on the basis of competitive bidding, we recommend that the Congress consider greater use of appropriated funds for financing construction of mainline access roads.

The Comptroller General also pointed out in his report the importance of access roads when he told us:

> The presence or lack of access roads has a direct and controlling influence on the amount of timber that can be marketed. Because of lack of access roads and other factors, the actual timber cut, about 7 billion board feet for fiscal year 1956, fell short of the annual allowable cut by more than 1½ billion board feet.

He also stated:

> Under the current system of financing mainline access roads, partly from appropriated funds and partly from appraisal allowances, the Forest Service, through determining its overall road program, exercises a degree of control over use of national forest receipts. The Service determines which roads are to be financed through appraisal allowances, and thereby reduce receipts. Year-to-year variations in payments to States may, therefore, result. We believe that the reduction of national forest receipts through allowances granted purchasers of timber and the level of payments made to States are matters which the Congress may wish to control.

His report shows that when the Forest Service relied upon appropriation-financed projects to construct timber access roads, the bids were appreciably lower than the engineering estimates. These construction contracts are let under a system of competitive bids. On 34 projects which were tested by him, the low bids were 13 percent less than the engineering estimates.

On the other hand, his audit showed that the major road construction projects financed through reduction in timber sale prices are generally associated with large timber sales, and on these sales frequently only limited bidding competition develops. Thus, if there are errors in the estimate of road cost, the Government does not secure the savings that the competitive bid system of road construction would provide. His study also showed that the amount of timber cut often exceeds the sale estimate. There was a 21 percent loss in the cases he tested.

The Forest Service is capable of, and in fact is planning on, spending $45 million for timber access road construction outside the appropriation process. If we increase the budget by $2,664,000, it will not in any way close the gap to $45 million, but it will enable the Forest Service to program more of the difficult road construction jobs with the use of appropriated funds. I think it is our duty to look at this question from both sides, because as we strive to balance the budget we seek to control both expenditures and revenues. If the Forest Service reduces the income paid to the Treasury by $2.6 million, it has exactly the same effect as if we appropriate the money. However, if the allowance that the Forest Service makes is too liberal by 13 percent, as was disclosed by the Comptroller General's audit, the Treasury will have lost money. If the timber-sale estimate is off, perhaps another 21 percent will be lost. Thus, it would be far cheaper for the Congress to have appropriated the full authorization. I think that this factor alone should command the consideration of all of us who are economy minded.

Several Senators addressed the Chair.

Mr. HAYDEN. I yield to the Senator from Mississippi [Mr. STENNIS].

Mr. STENNIS. Mr. President, I wish to commend and thank the Senator from Arizona and the other members of his subcommittee for their fine work in considering and reporting the Interior Department appropriation bill. Again I call to the attention of the Senate and the Nation the knowledge and interest and understanding the distinguished Senator from Arizona has for forestry and his recognition of the importance of Federal programs for reforestation, proper forest management, and forestry research, in cooperation with the States.

The further development of our forest resources represents perhaps our greatest long-range potential in increasing and stabilizing farm income, and this is a matter of vital concern to my own area of the country. Each year I spend in my own State several days learning firsthand more about the programs underway there by the United States Forest Service, in cooperation with the various State agencies and associations. In Mississippi, during the past 10 or 15 years, more and more of our small timber owners have become aware of the many opportunities offered by a long-range investment program in forests.

Through increased funds for research it has been possible for these small growers to obtain the necessary information about sound and practical management practices. Today they realize what a sound investment well-managed and well-stocked timberlands can be.

In addition, many of our farmers and others in our rural areas find employment in growing, harvesting, transporting and processing forest products, and of Mississippi's 3,300 manufacturing plants, more than 2,000 derive their raw materials from our forests. More than one-third of our people are employed full time by forest industries, and many more supplement their income by part-time work.

GENETICS RESEARCH INCREASE

Past research findings justify the prediction of a new variety of trees scientifically developed to serve as parents for the breeding of future quality trees. The supertree—one which grows twice as fast—is disease resistant and produces more wood, is definitely a part of our future. Years will be required to develop this tree, but it can be realized sooner under this expanded research program as provided by the committee.

I wish to thank the Senator from Arizona for his special interest in genetics research with reference to the southern variety of the pine tree. As the Senator knows, a small unit is engaged in genetics research, which is not expensive at all, but which is greatly improving the variety of the tree for pulpwood, poles, pilings, and saw logs. In the course of years they are certain to produce a supertree.

Mr. HAYDEN. I am convinced of that. I think it is one of the most important of the new undertakings engaged in by the Forest Service.

Mr. STENNIS. We thank the Senator. He has pushed that program and expanded it. It does not cost a great deal of money, but it is highly important.

FOREST-FIRE-CONTROL RESEARCH

Fire research, the first step in effective forest-fire control, needs to be expanded, and the committee recommended an increase of $250,000 for this year. This was a sound move, indeed.

HARDWOOD RESEARCH

This year I joined with the Senator from Vermont [Mr. FLANDERS] in an effort to secure additional funds for important hardwood research. I commend

and thank him for his untiring efforts in support of this necessary research. Although the committee did not recommend an increase for hardwood research in the Southeast, I am pleased that the committee did direct the Forest Service to submit a full report on progress made in this field within the last 5 years. That report will undoubtedly show the need for expanding research on producing better southern hardwood. A vast area of our southern bottomlands are best suited for growing hardwood, and increased funds for this research are fully justified. I shall renew my efforts next year for funds which would expand the fine work already underway on hardwood research at the Southern Forest Experiment Station at Stoneville, Miss.

The funds we make available will keep our National and State cooperative forest programs moving forward on a sound basis and will enable us to take advantage of the great opportunities afforded through our forests, our greatest resource. Long after many of our other resources are exhausted, the forests we rebuild now will furnish a livelihood for many millions of people.

I thank the Senator, and his committee.

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from Vermont.

Mr. FLANDERS. I should like to express my appreciation, on behalf of the hardwood wood-lot owners of my area, for the $100,000 appropriation the committee has recommended for hardwood research. The soft woods have had quite a bit of attention. Some of the softwood forest lots are of an immense size, and many of them are owned by great corporations, whereas the hardwood business is a small-owners business. It is not the business of giant corporations.

Both in the effective use and development of the national and State forests in my area, and also in the private forests, this appropriation will make a great deal of difference.

Mr. HAYDEN. I am convinced it will. I think it is highly desirable that this research be undertaken.

Mr. FLANDERS. I thank the Senator for his interest, which is a real and effective interest, in this matter.

With respect to genetics, I might mention the fact that in Sweden genetics research was conducted as to the yellow birch, and a fast growing variety with a superior grain was developed, which is the basis of the Swedish furniture industry, which industry has sent many thousands of pieces of furniture to this country. Genetics applies to hardwoods the same as it does to soft woods. I hope we shall make a beginning in that direction. Our thanks, in the Northeast and in New England, go to this committee and its chairman.

Mr. HAYDEN. I thank the Senator.

Mr. JAVITS. Mr. President, I invite the Senator's attention to page 26 of the report, which relates to the Jamestown-Williamsburg-Yorktown Celebration Commission, for which there is provided a modest appropriation for the celebration of a very great event, namely, the first settlement at Jamestown.

I should like very much to have the Senator's views on this question. A situation arose in New York in which six New Yorkers—I will not say they were all New Yorkers, but six men, including Dr. C. B. Powell, publisher of the New Amsterdam News, which is circulated in areas heavily populated by Negroes, were barred from a Virginia State celebration because they were Negroes. Although they were natives of Virginia, and had received invitations from the Governor, as soon as it was learned that they were Negroes the invitation was withdrawn.

I know the views of the chairman of the committee, and I am not raising this question to ascertain his views, but I think the record should be made clear that any money the United States may appropriate will not be used for any celebration from which Negroes may be barred when they properly belong there.

Mr. HAYDEN. The incident to which the Senator refers was a very unfortunate circumstance, and I hope it will not occur again.

Mr. JAVITS. I thank the Senator very much.

Mr. MANSFIELD. Mr. President, the Senior Senator from Montana [Mr. MURRAY] and I have an amendment at the desk having to do with increasing the amount on page 4, line 12, for the item "Bureau of Land Management, Management of Lands and Resources," from $22 million to $22,060,000.

The reason for the amendment is that a number of events have been occurring recently which my distinguished colleague and I have not been able to bring to the attention of the committee, because of the fact that they happened so recently.

Mr. President, the American Legion Post No. 57, in Malta, Mont., has under lease from the Department of the Interior a hot-water plunge which has been developed into one of the chief recreation attractions of northeastern Montana.

The plunge began as an abandoned oil well out on the prairie which produced hot water and has been steadily developed into an unusual recreation center drawing tourists from a wide area. The plunge is complete with modern swimming pools, cabins and picnic grounds.

The 25-year lease now held by the Legion Post is up for renewal in 1958 and during the past it has been negotiating with the Bureau of Land Management about the renewal of their lease or the outright purchase of this property under the provisions of the Recreation Act of June 14, 1926, as amended.

A recent Government appraisal of this land and improvements set the value of the property at $40,000, involving a considerable investment on the part of the American Legion estimated at $75,000. The Federal Government's original investment was $22,667.

The hot-water well has been gushing 108° water at a pressure of 500 pounds per inch for nearly 40 years and on the 5th of June only 19 days ago, the well stopped flowing because of an obstruction. It is estimated that repairing the existing well will cost $15,000 while a new well could not be drilled for much less than $60,000.

I ask that a letter I have received from the Geological Survey, dated May 31, 1957, and a letter dated May 28, 1957, from the Montana office of the Bureau of Land Management be printed at this point in my remarks. Both documents provide information of a background nature and the Geological Survey report gives the status of the well and estimated cost of repairs.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
BUREAU OF LAND MANAGEMENT,
Billings, Mont., May 28, 1957.

Hon. MIKE MANSFIELD,
United States Senate,
Washington, D. C.

DEAR SENATOR MANSFIELD: Yesterday, we met in the Northern Hotel with you to discuss a problem which has recently developed in connection with the use of the hot water well under lease by American Legion Post, No. 57, of Phillips County, Malta, Mont. Mr. Harry Perrigo, of the USGS office, and a delegation from the Phillips County American Legion Post and other civic organizations were also present. You asked that you be furnished with a report as to circumstances and problems in this connection in order that your office may be fully informed and take whatever action appears appropriate.

American Legion Post, No. 57 has a lease agreement with the Department of the Interior which was entered into on July 20, 1933, for a period of 25 years under the special act of Congress signed June 30, 1932 (47 Stat. 452). The lease grants the exclusive right of using warm water from the abandoned Bowdoin well located on the east one-half southeast one-quarter southwest one-quarter, section 35, township 32 north, range 32 east, principal meridian, Montana. The lease also authorizes the legion post the right to construct on these public lands buildings, plants, and improvements necessary for the full use and enjoyment of the water from the well for other recreational uses.

The terms of the lease provide that the lessee is to pay annually a royalty of 5 percent of the gross revenue derived from the operation of the plunge for the first 5 years of the lease and at the end of which the royalty may be adjusted to such an amount as may be considered equitable by the Secretary of the Interior, but in no case more than 10 percent of the gross revenue. The lease also provides that no buildings or other recreational improvements shall be placed nearer than 50 feet in any direction from this hot water well, and that the lessee shall maintain the improvements constructed on the lands by the Government in a proper state of repair without expense to the United States.

The Government-owned improvements on the lands consist of a recreation hall, pumphouse, underground powerhouse, a Legion clubhouse, a wellhouse, a semienclosed pavilion, an icehouse, a woodshed, a swimming pool, and other miscellaneous structures used in connection with the recreational development. These improvements were placed on the land by the Resettlement Administration. The American Legion post has also constructed several buildings and for recreational purposes.

Public Law 589, 84th Congress (68 Stat. 173), authorized Phillips County Post, No. 57, of the American Legion, to purchase lands (60 acres) on which the improvements are located, together with all Government-owned improvements under the provisions of the Recreation Act of June 14, 1926, as amended. Pursuant to this authorization, the American Legion post filed application to purchase the lands.

An appraisal made by this office of the Government-owned improvements and lands involved revealed a value of $40,000. Under the Recreation Site Act above referred to, the Secretary of the Interior may adjust the purchase price to the extent of as much as 70 percent where the facilities and lands are to be used for public purposes.

In the land office manager's decision of November 26, 1956, it was determined that a 70 percent reduction in the purchase price could be authorized and the American Legion post thereby required to pay $12,000 for the improvements. The Legion post has appealed from this decision and final action is now pending in our Washington office.

The above is a brief history of the past use and leasing arrangements. Recently, as you were informed at our meeting, the hot-water well has been flowing shale intermittently and in varying amounts, which indicates that serious trouble is developing possibly through corrosion and rusting away of the well casing. This seriously interferes with the use of water for recreational purposes and is a threat to the future use of this entire development which fills a most significant need to residents in Phillips County and adjoining areas.

In view of this development, I have suggested to our Washington office that action on the pending appeal be suspended until a determination is made as to what should be done to recondition the water well. I have discussed this matter with Mr. Perrigo, of the United States Geological Survey, whose office has responsibility for supervision of oil and gas production on public lands and who also supervises the well abandonments and conditioning of oil and gas wells for use such as in the instant case. Mr. Perrigo is of the opinion that it may be necessary to install tubing or casing inside the present well in order to shut off the intrusion of shale. If this is not successful, then it may be that a new well may have to be drilled. Preliminary estimates of the United States Geolcgical Survey are to the effect that installation of tubing will cost in the neighborhood of $10,000. Construction of a new well and plugging of the old well may exceed $40,000.

Mr. Perrigo will, no doubt, report to you concerning other technical aspects concerning this reconditioning project. There is the possibility that in the event the present condition is allowed to continue that the well may become a serious menace to the existing producing gas field in the Bowdoin area, and there are at least two producing gas wells within a quarter of a mile of this hot-water well.

Our office is fully cognizant of the problems concerning this well. At the same time, we have no funds available which could be used for reconditioning this well and it is pointed out by the American Legion post the expense is probably prohibitive to their organization. This problem is considered an emergency and some action needs to be taken at an early date.

I trust that the above information will help you to understand the problem and its significance to the people of northeastern Montana.

If you desire further information, I shall be happy to provide that which is available.

I am furnishing a copy of this report to our Director Woozley, in Washington.

Sincerely yours,

R. D. NIELSON,
State Supervisor.

UNITED STATES
DEPARTMENT OF THE INTERIOR,
GEOLOGICAL SURVEY,
Billings, Mont., May 31, 1957.

Hon. MICHAEL J. MANSFIELD,
United States Senate,
Washington, D. C.

DEAR SENATOR MANSFIELD: Reference is made to the conference held in the Northern Hotel on May 27, 1957, relative to the Bowdoin Oil & Gas Co. well No. 2, SE¼SW¼ sec. 35, T. 32 N., R. 32 E., M. P. M., lease Great Falls 079208.

This well was commenced October 3, 1922, and completed October 5, 1923, at a depth of 3,180 feet, bottomed in the Madison formation. The Bowdoin Oil & Gas Co. was unable to complete or plug the well because of financial difficulties and it was reclaimed and conditioned by the United States from Public Works Administration moneys at a cost of $22,667. This work was completed August 14, 1931. The area is now under lease to the Phillips County Post, No. 57, of the American Legion, department of Montana, under a special-use lease approved June 30, 1932.

The log of the well shows the following:

Water	Gas	Oil
68 to 138 feet	242 feet (show)	2,338 to 2,340 feet (show).
230 to 242 feet	710 to 780 feet (heavy gas flow)	
1,740 to 1,745 feet	970 feet (gas)	
2,120 feet	2,270 to 2,280 feet (show of gas)	
2,203 to 2,225 feet		
2,226 to 2,235 feet (flowing)		
2,311 to 2,323 feet (flowing)		
2,338 to 2,340 feet (flowing 1,000 barrels)		
2,838 to 2,900 feet		
3,100 to 3,180 feet (flowing 24,840 barrels warm water (Madison)).		

Size	Casing, weight per foot (pounds)	Amount (feet)
15½-inch	70	148
12½-inch	50	915
10-inch	40	1,912
8¼-inch	32	2,420
6⅝-inch	24	2,920
5⅜₁₆-inch	20	3,180

It is unofficially reported that the 5⅜₁₆-inch casing was not run to the bottom of the hole at 3,180 feet as reported above, but was set at approximately 3,100 feet.

On or about May 1, 1957, the manager of the pool noticed particles of shale in the water which later increased to as much as a cubic yard during a 24-hour period. This matter was brought to my attention on May 13, and I visited the area on May 22, 1957, and collected samples of the shale. The samples of shale cannot be positively identified and may be coming from an upper horizon through a hole in the casing or they may be coming from between the top of the Madison and the bottom of the 5⅜₁₆-inch casing. Holes could and may have developed in the casing as all strings are badly corroded both inside and out.

The well was drilled through the Bowdoin Dome gas horizons and presents an immediate danger as the water may break out and flood these horizons at any time. The Bowdoin Dome unit is comprised of approximately 50 percent Federal lands.

Two methods of handling the situation are proposed:

NO. 1

Move in equipment and see if hole is open to bottom. If so, run string of 3½-inch tubing to bottom of hole, cement from bottom to top, perforate opposite Madison formation, and install wellhead connections. If unable to reach bottom, it is recommended that the well be plugged. It is estimated that the well can either be reconditioned or plugged at a cost of $15,000.

NO. 2

In the event of failure to recondition the well under plan No. 1, it is recommended that a new well be drilled with estimated cost as follows:

3,200 feet of drilling at $6 per foot	$19,200
1,000 feet of 8⅝-inch 24-pound casing at $2.85 per foot	2,850
3,200 feet of 5½-inch 14-pound casing at $1.67 per foot	5,344
Mud, cement, well services, etc	15,000
Total	42,394

The actual estimated cost of the above is $57,394; however, it is recommended that the total amount be increased to $60,000 to cover cost of supervision and miscellaneous expenses.

Sincerely yours,

H. H. PERRIGO,
District Engineer.

Mr. MANSFIELD. The big problem facing these people in northeastern Montana is how are they going to save this resort. Numerous individuals have contacted the Senator from Montana [Mr. MURRAY], Representatives LEE METCALF and LEROY ANDERSON and myself asking our assistance in this matter. Let me say for the RECORD that the people of northeastern Montana have spent a fortune in telephone calls and telegrams to make us aware of the difficulty.

The Montana delegation called a special meeting with the appropriate departmental officials in my office, and at that time it was resolved that under existing law the Legion post is responsible for maintaining the improvements on the land without expense to the Federal Government. In addition, the Department of the Interior has no legal authority to make the necessary repairs.

This case may appear to be clear cut as to the responsibility for these repairs, but the American Legion post is not in a position to finance the repairs because under their lease they have operated as a nonprofit organization with a minimum of profit which was immediately reinvested on improvements. The post has been under a contractual limitation in its charges and fees made to the public and have not been able to build up a cash reserve to meet such a major emergency. Fees and charges have not been increased to correspond with increased costs.

I feel that the Federal Government has a responsibility in the matter because of limitations imposed on the lessee. The American Legion has maintained the buildings and facilities without cost to the Government.

The plunge is of great importance economically to the community and I am told that if it were abandoned the existing properties would be of little value

to anyone because the stone buildings cannot be removed. I understand that the actual value of the land is about $300.

Let me say to the distinguished chairman of the Appropriations Committee that my senior colleague [Mr. MURRAY] and I have an amendment at the desk providing that $60,000 shall be made available in this appropriation bill to make the necessary repairs on the hot-water well at the Phillips County American Legion Plunge so that it can be put into operation again. I should like to have the Senator's advice.

Mr. HAYDEN. Mr. President, if the bill is passed today it will probably go to conference before the end of the week.

The House conferees would naturally say that they had never heard of the item, and have no knowledge of it. There have been no committee hearings on the subject.

Could this subject be properly looked into and brought to the attention of the House committee, even before it is brought to the attention of the Senate, in connection with the supplemental bill which will be coming along very soon?

Mr. MANSFIELD. Is that the advice of the Senator?

Mr. HAYDEN. That is my advice, as a practical matter. The item might be entirely rejected by the House in connection with its action on this bill, because Members of the House have no knowledge of it.

On the other hand, if the item is brought to the attention of the House committee in the manner I have suggested, it may be glad to earmark a sum of money for that purpose in connection with the supplemental bill.

Mr. MANSFIELD. My distinguished colleague and I are glad to accept the Senator's suggestion. We shall do the best we can to inform Members of the other body of the situation. As I have stated, this event took place on June 5 of this year, only 19 days ago, so naturally Members of the other body have had no means of knowing about it.

Mr. BARRETT. Mr. President, I notice that in the item for forest surveys there is an increase of $309,800.

Mr. HAYDEN. Mr. President, that item is for the purpose of expediting and speeding up forest inventories.

Mr. BARRETT. I think the committee is to be commended for increasing the funds for that purpose.

The question I have in mind particularly relates to the matter of cooperation with the States, particularly the Mountain States, in making intensified local forest-timber surveys. In a good many sections of Wyoming, as well as in the forest areas of other States in the Rocky Mountain region we have never had a survey made of timber supplies and requirements conducted or carried out. This will be the first time that surveys have been conducted. We are very badly in need of information with reference to the timber resources of States like Wyoming if we are going to be able to furnish the statistical information necessary to encourage the expansion of forest industries. We need that inventory right now.

What I should like to inquire about particularly is what arrangements, could be made, through contributions from the States, to accelerate the program of forest surveys?

Mr. HAYDEN. I am sure that any State legislature which would advance funds for that purpose would find the Forest Service ready and willing to cooperate. There can be no question about that.

Mr. BARRETT. As I understand, in this bill funds for this purpose have been increased by $309,800 for the next fiscal year. Can the Senator tell me what proportion of that amount would be available for cooperative arrangements with the States?

Mr. HAYDEN. Since there has been no testimony given on that subject, it is a question which would be left to the discretion of the Secretary of Agriculture.

Mr. BARRETT. In other words, the Secretary of Agriculture does have the discretion under the bill to enter into cooperative agreements.

Mr. HAYDEN. That is correct. He could enter into such cooperative agreements. There is a total of $1,406,000 provided for the survey.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the yeas and nays be ordered on the question of the passage of the bill.

The yeas and nays were ordered.

Mr. BARRETT. Mr. President, I thank the distinguished chairman of the Committee on Appropriations for his assistance in this matter. A very worthwhile purpose will be served by increasing funds for the survey.

Now I would like to take a moment to discuss funds for forest roads and trails.

I understand that not only the full amount of the budget request has been made available for that purpose but an additional amount of $336,000. I assume the additional amount was to take care of payments to the civil service retirement fund.

Mr. HAYDEN. Yes; the full budget estimate figure was allowed.

Mr. BARRETT. I thank the Senator.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. CASE of South Dakota. First of all I wish to express my personal appreciation for the constructive action the committee has taken with reference to the funds for roads and trails in all three categories; namely, the forest roads and trails, with an allowance of $24,336,000, under the Department of Agriculture; the $31 million for the National Park Service, and the $12 million for the Bureau of Indian Affairs.

As the distinguished chairman knows, over a great many years the National Park Service and the Indian Bureau, particularly, have suffered from a situation whereby—although Congress authorized appropriations to build the roads——

Mr. HAYDEN. They could never obtain the funds.

Mr. CASE of South Dakota. They could not obtain the funds. There was a great lag. In the 1954 public roads bill I proposed that there be established the principle of contracting authorizations. That has been recognized by the Committee on Appropriations, and it is now made possible for the services which administer the roads on lands where Uncle Sam has responsibility, to take care of the roads and to do justice and a fair job, as in the case of other roads.

I know the Senator from Arizona, who has done so much for the building of good roads, believes in the principle that Uncle Sam should take care of his public lands as well as privately owned lands are taken care of.

Mr. HAYDEN. I certainly do.

Mr. CASE of South Dakota. I should like to ask a few questions. With respect to the funds for the mineral purchase program, I notice a sentence to the effect that there are adequate funds for carrying on the columbium-tantalum buying program. Can the Senator be more specific on that point? I refer to the item "Acquisition of Strategic Materials" on page 4 of the committee report.

Mr. HAYDEN. The amount recommended to be appropriated for that purpose is ample. If additional money is not needed, there is no use in recommending that it be appropriated.

Mr. CASE of South Dakota. When the debate occurred not so long ago with reference to the tungsten program we were told that there would be included in the bill an amount for columbium-tantalum.

Mr. HAYDEN. That debate involved a lump-sum appropriation. Our information is that the columbium-tantalum program has a balance left over which will take care of it for the entire year, and that additional appropriations are not necessary at this time.

Mr. CASE of South Dakota. I am glad to have the assurance of the chairman on that point, because I recall testimony by experts from downtown who stated that the columbium-tantalum program had not reached the national defense goal and that there was need for further acquisition of those two minerals, which are increasing in importance.

Mr. HAYDEN. There is no doubt that they are increasing in importance, but the development has been slow, and money is available. Therefore, there was no necessity for appropriating any more money at this time.

Mr. CASE of South Dakota. There is one further point about which I should like to inquire. It is with reference to the Office of Saline Water. I note that the House allowed the budget estimate of $1,159,000, whereas the Senate committee's recommendation is for $725,000.

Mr. HAYDEN. The Senator will note that that is a very substantial increase over the appropriation of last year. The committee, after careful consideration, decided that we could not justify such an increase as the House provided. The amount was increased over the previous year, however.

Mr. CASE of South Dakota. Yes; it was an increase of possibly $175,000 over the amount provided last year.

Mr. HAYDEN. That is correct.

Mr. CASE of South Dakota. I believe the Senator agrees with me that the Office of Saline Water has produced notable results, and that possibly the money which the Government expends

on this research program will repay itself many times over and over again in the form of increased water supplies which we may be able to obtain for some of our larger municipalities, for example.

Mr. HAYDEN. We hope that some inventive genius will break through the barrier and make it possible to get the salt and alkali out of water. That has not yet been done from an actual economical standpoint. But the experiments are proceeding, and from them we hope results will come. It is an important program. In fact, it is of such importance that the committee recommends more money than was appropriated last year, although we do not recommend as much as the budget estimate calls for.

Mr. CASE of South Dakota. The junior Senator from South Dakota has prepared a statement on this subject. I shall not take the time to read it or to burden Senators with it. However, I should like to ask permission to have it printed in the RECORD as a part of my remarks, in the hope that the conferees may refer to it, and that possibly in conference during the consideration of this item, some of the points I make may lead toward approaching the House figure.

Mr. HAYDEN. If the Senator's statement is up to his usual par, I am sure we will benefit from having the statement before us.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that the statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CASE OF SOUTH DAKOTA

The original Saline Water Act of 1952 with the amendments introduced and strongly supported by myself was for $2 million for 5 years, or $400,000 a year. In 1955, because of the encouraging results obtained by the Department of the Interior under that small exploratory research program, I introduced and urged enactment of the amendments in 1955 which increased and extended the program that was then approaching pilot-plant phases.

Those amendments were enacted, increasing the authorization from $2 million to $10 million, or about $1.2 million a year. This was done in light of the growing water shortages throughout the country and the rapid progress being made into the more expensive pilot-plant phase on several of the developments.

Now for the first full appropriation year under the 1955 amendment the House of Representatives has passed without a single reduction or limitation the amount requested by the Department, which was slightly less than the pro rata annual fraction of the $10 million. That appropriation is sorely needed.

The pro rata amount is approximately $1,250,000 and the Department requested only $1,159,000 based upon conservative estimates for this very essential expansion. The amount requested was necessarily estimated more than a year ago, of course.

Now only a few weeks ago the House Committee on Interior and Insular Affairs issued a report insisting that the Department expedite and expand this important work in fiscal year 1958, and the Department has advised that all of this appropriation is essential to move the program into high gear. The research and development work has clearly reached the stage where the more extensive pilot-plant activity is imminent and the House committee, which has kept close surveillance on this fine work, concurred in the need for this expansion.

As might be expected, only a few ideas of the many hundreds proposed have withstood the tests of scientific study and laboratory experimentation.

One of them, developed entirely under the saline-water conversion program, is a method called solvent extraction, whereby certain solvents are used to extract fresh water from salt water.

Another is a completely new process which the Department has named osmionisis; in that process the difference in the salt concentrations of two saline water sources is used as the energy source in a separation process using ion-exchange membranes, eliminating the need for a separate power supply.

Another method uses hydraulic pressure in combination with certain membrane materials to extract the fresh water.

Under this program work has been done on the development of small conversion units which would be suitable for household or individual farm use, particularly for such a purpose as livestock watering, for example. I certainly believe that such developments have a definite place in the program. Some type of small distillation equipment or perhaps some type of membrane demineralizer which could improve the quality of water supplies from underground or brackish sources by removing salts and at the same time softening the water—such a household unit would be most useful in my State as well as in North Dakota, Nebraska, Texas, Oklahoma, Arizona, and other States that have similar water problems; it would also be useful, of course, in coastal States. Research is needed in order to develop practical foolproof units of that type which could be sold at a reasonable price.

This program, which I have described very briefly, reflects the fact that additional sources of fresh water will become necessary in the future. Our population is growing rapidly. It is generally agreed that someday we will need to develop fresh water from the ocean for great cities. This program is pointing the way.

The annual report of the Secretary of the Interior for 1956 says:

"Progress during the year on several conversion processes shows continued improvement in factors affecting low-cost production.

"Several improvements in distillation processes have been developed and, if intermediate research and pilot plant work now started is successful, it appears reasonably certain that costs of large-scale distillation of saline water will be reduced to 50 cents or less per 1,000 gallons in the near future.

"Improvements in solar distillation, consisting of both increased production rates and reduced capital costs, show rather clearly that water may be produced by these processes in areas where the climate and other pertinent factors are favorable, at costs comparable with the costs of other distillation processes.

"Developments in improved freezing processes for separating salt from water also appear promising and one contract research program is underway which offers promise of producing water at between 50 cents and $1 per 1,000 gallons.

"The various electrochemical and osmotic processes which appear more suitable for treatment of brackish waters are advancing very satisfactorily, both in this country and abroad, and the results of field testing of one membrane process have provided valuable information by aid of which major further improvements are now being undertaken."

There is another aspect of the problem. It is the problem of personnel.

I have followed the program closely and I know something of the difficulty that is encountered in persuading engineering and scientific organizations to divert the time and attention of their scarce professional personnel from one scientific pursuit to another. I commend the officials of the Department for having obtained the cooperation and assistance of some of the finest scientific engineering and industrial organizations of the country on this work.

They have been able to do so, however, only through faith that the Congress will follow through on the more advanced stage of the research and development—indeed as both Houses have unanimously declared should be done when they enacted the amendments of 1955.

The curtailment of much of this research as proposed under this committee reduction would not merely cause delay of some work to 1959, more seriously even, it would cause the reassignment of much of this scientific personnel to other work, discourage the cooperation of the industrial and scientific organizations, and set the saline water program back many years.

These are precious years—waterwise—in this country and we cannot afford to waste them.

This important program has cost only about $2 million all together in 5 years. This is approximately only one-half of one-thousandth of 1 percent the total national budget.

Therefore, I hope that the conferees should restore the amount of the budget estimate as passed by the House.

Mr. CASE of South Dakota. Mr. President, I asked the Department of the Interior, Saline Water Division, to advise me as to what would be the result, in terms of program curtailment, if the budget estimate is not fully provided for this research program. The Department replied under date of June 21, 1957, and I ask unanimous consent that the letter, together with an attached statement, be printed in the RECORD at this point.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., June 21, 1957.

Hon. FRANCIS CASE,
United States Senate,
Washington, D. C.

DEAR SENATOR CASE: In response to telephonic request today by your administrative assistant, Mr. Jack Gerken, there follows the information as best as we can estimate at present of the effects of the proposed appropriation cut reported by the Senate Appropriations Committee in appropriations for the saline water conversion program for fiscal year 1958:

The field testing of the new Hickman distillation process which you inspected at Cambridge, Mass., some time ago would have to be delayed until fiscal year 1959.

Further work on the W. L. Badger evaporation cycle would have to be postponed in February and the technical personnel dispersed, causing perhaps another 6 months' delay and at the added cost of closing down and starting up.

The large-scale solar distillation pilot plant scheduled now for San Diego would have to be deferred a year.

Much of the very productive exploratory work on the valuable new ideas for low-cost conversion would be stopped. The work on processes suitable for treating brackish

waters would have to be curtailed, although not quite in the same proportion as the others because of the emphasis placed on this work in the Senate committee report.

The needs and reductions are shown on the attached table.

Sincerely yours,

DAVID S. JENKINS,
Director.

Office of Saline Water

Effect of Senate reduction of $434,000 on research and development program, fiscal year 1958

Activity	Needed	Reduction
Development of rotary stills; defer field test Badger-Hickman still (continue research and development)	$85,000	$35,000
Other distillation (except solar); shutdown W. L. Badger, LTV distillation Mar. 1, 1958. Suspend low temperature difference development October 1957	175,000	150,000
Solar distillation; cancel construction of large in-place still	130,000	75,000
Membrane processes (brackish waters); suspend testing work at Bureau of Reclamation and postpone all cell development but continue existing membrane research and development	217,000	80,000
Freezing processes; eliminate previously approved project	95,000	20,000
Other processes and surveys; postpone for 1 year work on nuclear energy combinations and industrial use survey	156,500	74,000
Total reduction		434,000

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. SALTONSTALL. I should like to ask the Senator from Arizona, the distinguished chairman of the Committee on Appropriations, why the committee cut out all the planning money for the Natural History Museum of the Smithsonian Institution. As a member of the committee, I voted to eliminate the money, but I did so without completely realizing its importance. I call the attention of the chairman of the committee to page 564 of the hearings, where in a very succinct manner is pointed out the necessity for the planning money. This project was originally started in 1930, when it was considered that the facilities in the Natural History Building of the Smithsonian were inadequate. This year the House adopted the budget estimate, but the Senate committee eliminated the $800,000. I realize the Senate committee cut out all new planning money in the bill.

Mr. HAYDEN. There is $30 million now available for their new museum on which action has been very slow.

Mr. SALTONSTALL. What did the Senator say? Is there money available?

Mr. HAYDEN. Thirty million dollars is available for the new museum, progress on which has been going along very slowly.

Mr. SALTONSTALL. Oh, yes; but that is entirely different from the matter under discussion.

Mr. HAYDEN. So I understand, but it is in the same general area.

Mr. SALTONSTALL. The money provided by the House was for additional space in the present building, which is extremely crowded so that the employees have to work under very difficult conditions. I am not going to ask the Senate now to restore any of the money, because I know that the committee voted against all these authorizations. But the House did include $800,000. I know that even half that amount would be extremely acceptable to the Smithsonian Institution in order to go forward with the project this year.

I only ask the chairman that he be not too stiff in his conference with the House on this subject, because half the amount provided by the House would allow the Smithsonian to go forward with what is really a very great need.

Mr. HAYDEN. I am certain the Senate conferees will give very special and respectful consideration to any representation made on the part of the House.

Mr. SALTONSTALL. I am certain I speak for veteran Senators who are regents of the Smithsonian and who have gone into this subject for 2 or 3 years. I hope the Senator, with his usual broadmindedness, will reconsider the matter.

PUBLIC LAW 733—THE MINERALS PURCHASE ACT

Mr. MALONE. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. MALONE. I notice on page 4 of Report No. 476 concerning the Interior Department and related agencies appropriation bill, 1958, that an appropriation is recommended in the amount of $6,700,000 under the Minerals Purchase Act, Public Law 733, 84th Congress, for the purchase of fluorspar and asbestos.

Mr. HAYDEN. That is correct.

Mr. MALONE. That amount is provided to continue the purchase of the minerals asbestos and fluorspar; but no money is included for the purchase of tungsten. The report says that there is money reserved for the purchase of columbium-tantalum.

Will the distinguished chairman of the Committee on Appropriations give us an explanation.

Mr. HAYDEN. The explanation is that we have tried earnestly and on frequent occasions to obtain appropriations for tungsten, and have found the House to be absolutely adamant against them. Originally, as the Senator from Nevada will remember, this appropriation was included in the urgent deficiency bill, and the House refused even to consider it. Then we added it to two supplemental bills.

So on three different occasions the Senate gave the House an opportunity to act on the matter. Finally there was a very decisive vote on the floor of the House, which indicated that the House would not accept the item. Such being the case, we felt that the only way to handle the matter, in view of all the representations which we made, and our apparent inability to get anywhere, was at least to try to obtain what it seemed the House would agree to, which, in this instance, is to make the funds available for asbestos and fluorspar.

Mr. MALONE. The first appropriation approved by the Senate last year was $35 million. The conference committee came up with $21 million, which we knew would not last out the 1957 fiscal year. I am certain the chairman of the Committee on Appropriations agrees with me that Congress should appropriate funds to continue the purchase of tungsten along with the other minerals, in accordance with Public Law 733 of the 84th Congress. What suggestion would the chairman have to handle this matter in the future?

Mr. HAYDEN. Under the circumstances, there having been two very decisive record votes in the Senate, showing that the vast majority of Senators favor this program, and indicating their view that there is a very important moral commitment and obligation on the part of Congress to those who engage in the mining of tungsten, in view of the attitude of the House, which refuses to agree, the only suggestion I can make—and I have heard it advanced by the Senator from Nevada on other occasions—is that if we cannot provide a subsidy of this kind in cash, a tariff protection would be the only other way out. That is to say, if there were to be an adequate import duty on tungsten, so that the difference between the cost of production in the United States and abroad could be made up, then the mines in the United States could continue to develop, and would not have to be closed.

As a practical matter, I understand, in accordance with the new strategic metals program, which the administration is advocating, the House Committee on Ways and Means proposes to give this proposal prompt consideration. If such be the case, and if such a bill then comes over from the House, the Senate will have an opportunity to see what can be done for the domestic producers of tungsten.

FIXED PRICE PER UNIT OR A DUTY DIFFERENCE IN WAGE STANDARDS OF LIVING

Mr. MALONE. Then the chairman of the Committee on Appropriation believes, as does the senior Senator from Nevada, that it is necessary to make up the difference between the cost of production here and in the chief competing nation on each product—tungsten, in this particular case—either by a fixed price, which was done in Public Law 733, or with a flexible import duty or tariff, which would make up that difference.

In either case the difference in the wage standard of living and by this cost of doing business here and abroad must be represented.

Mr. HAYDEN. Those are the only two known ways which to accomplish that result, if we are to have a living, thriving, continuous strategic minerals industry in the United States.

Mr. MALONE. The Senator from Nevada agrees wholeheartedly with the distinguished Senator from Arizona that it would be much better if Congress were again to reassert its constitutional responsibility in the field of foreign trade and were again to establish the policy, such as it had for 145 years, of making up the difference with a duty. Take the profit out of sweatshop labor at the water's edge. Article 1, section 8, of the

Constitution specifically provides that Congress shall regulate foreign trade and the national economy, and provides Congress the means to do the job with a duty that would equalize labor costs.

Since the Secretary of the Interior apparently has broken the sound barrier at the White House and has at least a suggestion from the White House concerning lead, zinc, and some other metals, that a difference made up either in a duty or a fixed price is necessary to continue the mining of such strategic materials in the United States, does the Senator from Arizona believe that a bill introduced in the House and considered by the House Ways and Means Committee called the administration long-range plan is the manner in which to handle the matter?

Mr. HAYDEN. That is my judgment. There are only two ways to do it, and that is one way. If it is handled in that way, we will be doing nothing more for tungsten than the administration is proposing for lead and zinc.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. MUNDT. I agree with the Senator from Arizona. The committee tried, I think, every conceivable way of including this item, from the standpoint of the Committee on Appropriations, but there was no realistic chance of including it, because of the position taken by the House. As a matter of fact, when the committee held its first meeting to mark up the Interior Department appropriation bill, which we are now discussing, we met around the table and decided among ourselves that we were going to cooperate with the economy program, in which the country is tremendously interested, and that we would not only hold the line as drawn by the House Committee on Appropriations, but would bring about some reductions in places where we thought the House has been overly generous in its appropriations.

So the appropriation recommended by the Senate Committee is, in fact, some $1 million less than that provided by the House, with the sole exception of strategic materials item. Having done that, having reached our judgment on the items, and having brought about a $6 million reduction in the House appropriations, we adjorned to wait and see what the House would do on tungsten and other strategic minerals. We could have had a bill before the Senate a long time earlier, except for that.

The chairman suggested, and we all thought, that it was wise to wait to see what would happen in the House. We know what happened.

As a consequence, the Senate committee placed in the bill $6,700,000, which is not in controversy with the House, and which is essential if we are to continue the program affecting fluorspar and asbestos, which is amply justified by the record, and if we are going to continue to have columbium and tantalum.

By putting the $6,700,000 in the bill, that brought the total appropriation bill to an amount slightly above the amount provided by the House, a net increase of $1,856,900.

But there is no question that the problem which the Senator from Nevada points out is a very realistic one. It is understood by our committee. But I think we are going to have to find a new tool with which to work.

We have in the State which I have the privilege to represent, in part, the Homestake Gold Mining Co., which is the largest domestic producer of gold in the United States. It is confronted with a very serious problem growing out of the situation of the fixed price of gold and a constantly increasing cost of production. With the dwindling supply of gold, the market is not very relaxed. The matter is one of serious consequence. We must consider this question carefully. I do not know what will happen if we cease producing gold altogether in America.

After all, the Homestake Gold Mining Co. is a commercial institution, not an eleemosynary institution. It must be able to obtain for the gold it produces an amount sufficient to meet its cost of production; it cannot produce gold at a loss or just for the fun of producing it.

In the United States we are reaching a situation in which we require gold in abundance for monetary purposes. But our great Nation is about to be without a single operating gold mine because of a failure to face a problem in regard to gold very closely analogous to that the Senator from Nevada is discussing in the case of other minerals.

Mr. MALONE. Mr. President, let me say that about the only way to help gold mining would be either through a realization that gold is a depleting metal, and thus to include it under the depletion allowance, which I think really should be done. We raised the depletion allowance on 24 metals in the Senate Finance Committee from 15 percent to 23 percent in 1951, I believe it was. I have two gold bills in the Senate—one a free market—and one for a gold standard.

Mr. MUNDT. I agree:

OWNERSHIP OF FORT KNOX GOLD

Mr. MALONE. As a matter of fact, although at Fort Knox the United States has $22,400,000,000 of gold in storage, only $6,500,000,000 of it belongs to the United States. In a few days I shall take the floor of the Senate to explain that the difference between the $6½ billion and the $22½ billion is owned by foreigners, bought with Marshall plan money or with the money of the successor of the Marshall plan.

Mr. MUNDT. When the Senator from Nevado makes that speech, which I know will be of edification to the Congress and to the entire country, I hope he will point out at the same time that the United States is about to lose its last large supplier of gold. So someone had better begin to think seriously about providing, by means of governmental action, some relief for the gold producers of the United States.

Mr. MALONE. Mr. President, in closing my remarks about gold, I should like to say that the important point in that connection is the security of the Nation. The gold standard may also be a contributor to the security of the United States. For 24 years the United States has had no gold behind its currency. Now the Congress of the United States says it is trying to stop inflation, but they make no move that would do it.

The Senate Finance Committee, of which I am a member, has now embarked upon an inquiry into this situation; and in that connection it is important to bear in mind that the Congress has gone crazy the last 24 years in dividing the markets of the United States among the other nations of the world through the 1934 Trade Agreements Act. They took this country off the metal standard in 1933. They have sent more than $60 billion of taxpayers' money to foreign nations.

I ask unanimous consent, Mr. President, to have printed at this point in the RECORD a statement appearing on page 4 of the report of the Appropriations Committee, under the heading "Acquisition of Strategic Minerals."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Acquisition of startegic minerals

Appropriation, fiscal year 1957	$21,000,000
Budget estimate, fiscal year 1958	40,000,000
House allowance	None
Committee recommendation	6,700,000

The committee recommends the allowance of $6,700,000 for the acquisition of strategic minerals under Public Law 733, 84th Congress.

The recommendation will provide $4,200,000 to continue the fluorspar program and $2,500,000 to continue the asbestos program. There are adequate funds available to continue the columbium-tantalum program.

The committee recommends that no funds be allowed for the purchase of tungsten. It is the view of the committee that it is not possible to obtain funds for the purchase of tungsten under the provision of Public Law 733. In the event Public Law 733 is amended or new legislation enacted pertaining to the acquisition of tungsten the committee would consider a request for funds, which should be submitted in the regular manner, to implement such legislation.

FOREIGN EFFORT TO BREAK TUNGSTEN MARKET

Mr. MALONE. Mr. President, I should like to point out, particularly to the chairman of the committee, so the debate will show that in the last few months there has been a great, concentrated effort to break the tungsten market of the world.

The history of all the strategic and critical materials, especially the minerals, has been that there is always an effort to put our domestic producers out of business through low unit prices, and then to raise the world price as much as the market will bear when the domestic producers are closed down.

The United States market is the objective of all foreign producers. Whenever the producers in the United States are engaged in production, the foreign market goes down. Whenever the United States producers go out of production, the foreign market goes up, and the foreign price goes up as much as the market will bear. The sweatshop labor countries of Europe and Asia can

do this under the 1934 Trade Agreements Act.

In the case of tungsten, we have foreign contracts as high as $59 a unit, and we are still carrying out the contracts.

FOREIGN CONTRACTS

I ask unanimous consent to have printed at this point in the RECORD a table showing the foreign contracts for tungsten which the United States intends to fulfill.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Active contracts with foreign tungsten producers as of Dec. 31, 1956

Contract No., GS-OOP (1)	Contract date (2)	Contractor (3)	Origin (4)	Undelivered balance (STU) Dec. 31, 1956 (5)	Contract unit price in effect Dec. 31, 1956, per STU (6)	Estimated value undelivered quantity [1] (7)	Termination date (8)
614 (SCM)	Feb. 6, 1951	King Island Scheelite	Australia	101,250	$55.00	$5,568,750	Apr. 8, 1958
724 (SCM)	June 22, 1951	Wah Chang Corp.	Brazil	414,460	55.00	22,795,300	Dec. 4, 1959
1068 (SCM)	May 1, 1951	Minerales y Metales	Argentina	179,140	50.00	8,957,000	June 30, 1958
1336 (SCM)	Oct. 11, 1951	S. A. Fermin Malaga	Peru	118,250	46.739	5,526,886	Dec. 21, 1958
1612 (SCM)	Oct. 2, 1951	Canadian Exploration, Ltd	Canada	180,000	55.00	9,900,000	Do.
2486 (SCM)	Jan. 2, 1952	Mauricio Hochschild	Bolivia	51,214	59.00	3,021,626	June 30, 1957
2610 (SCM)	Dec. 31, 1951	Bolivian Tin & Tungsten	do	58,333	[2] 59.00 / [3] 55.00	3,348,256	Dec. 31, 1957
3727 (SCM)	Jan. 27, 1953 [4]	African Metals Co	South Africa	3,000	53.00	159,000	Feb. 28, 1957
2857 (SCM)	Apr. 22, 1952	Storeys Creek Tin Mining Co	Tasmania	5,130	55.00	282,150	Apr. 21, 1957
18034 (D)	Aug. 29, 1952	Minerales de Compostela	Spain	10,300	53.00	545,900	Mar. 20, 1957
12224 (D)	Mar. 18, 1952	Beralt Tin & Wolfram	Portugal	39,000	47.50	1,852,500	Sept. 30, 1957
Total				1,160,076	53.60	61,957,368	

[1] Based on contract unit price in effect Dec. 31, 1956.
[2] Grade A.
[3] Grade B.
[4] Offer actually accepted by the Government Sept. 5, 1952.

Columbite, 800,532 pounds, at $2.411=$1,929,282.
Fluorspar, 169,322 short dry tons, at $65.03=$10,672,365.
Asbestos, all grades, 2,883 short tons, at from $250 to $832=$1,722,887.

Mr. MALONE. The total amount of the contracts is greater than any appropriation we have proposed to continue a domestic going concern mining industry under the provisions of Public Law 733. The total amount of the foreign contracts is double the proposed appropriation of $30 million for domestic purchases.

Mr. HAYDEN. They vastly surpass it.

Mr. MALONE. Naturally, we believe that the purchases under the contracts should be fulfilled, since the credit and honor of the United States are involved, although the contracts should not have been entered into in the first place.

In order that the RECORD may be complete, I should like to point out that the amount of tungsten being used in the manufacture of jet engines and other critical materials then being constructed in the United States was reduced during the Korean war and subsequent thereto. Early last year, Mr. Quarles testified. In that connection, I now read from the CONGRESSIONAL RECORD of February 18, 1957, at page 2166:

> Mr. Quarles testified before our committee last year. Mr. Quarles had never heard of the production of tungsten in this country.

I digress to remind the chairman of the committee that for 20 years very little tungsten was produced in this country, according to all the statements of the Government officials there was no tungsten to be found in this Nation.

Of course, under a policy of free trade, with no tariff or no fixed price to make up the difference in the wage living standards here and abroad the tungsten mines in the United States could not operate, so no tungsten was produced in the United States.

We pay more per workingman in industrial insurance and social security than many foreign nations pay in wages.

Mr. HAYDEN. As I recall, during those years the United States was dependent almost entirely upon a Chinese source.

Mr. MALONE. That is correct. What a predicament the United States would be in today, if that situation had continued.

I read further from the CONGRESSIONAL RECORD of February 18, 1957:

> Mr. Quarles testified before our committee last year. Mr. Quarles had never heard of the production of tungsten in this country. He still thought it to be in short supply—and must be rationed—that is, the amount of tungsten which could be used in jet engines, or percentage must be reduced below the needed amount for a maximum life of the engine. The life of the engines was very much shortened through this shortsighted policy.
>
> Many of our aviators, who participated in the Korean war, flew in jetplanes with engines made with too little tungsten. As a result, the engines had a short life, and no doubt that fact resulted in additional loss of life among our aviators from engine failures.

I read further:

> However, as soon as he learned that we were producing large amounts of tungsten in this country he abolished the limitation provision.
>
> That was only last year, let me point out, when at that moment we were producing twice as much as we were consuming.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of my Senate bill 34, which is before the Committee on Interior and Insular Affairs.

Eighteen critical minerals are included and when the Tariff Commission taxes only as an agent of Congress—this Nation will be back in business.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted, etc.,

DECLARATION OF POLICY

SECTION 1. It is declared to be the policy of the Congress—

(a) to facilitate and encourage trade with foreign nations on the basis of fair and reasonable competition;

(b) to maintain an investment climate through the principle applying equally to the whole country;

(c) to provide necessary flexibility of import duties, on certain critical minerals, metals, and materials, thereby making possible appropriate adjustments in response to changing economic conditions;

(d) to assure the accomplishment of these objectives by returning to the provisions of the Constitution (article 1, section 8) in the control over American import duties on such critical minerals, metals, and materials, now subject to international agreements;

(e) that as used in this act and amendments made by this act the term "critical metals, minerals, and materials" includes antimony, asbestos, beryllium, chromite, cobalt, columbium-tantalum, copper, fluorspar, lead, manganese, mica, molybdenum, nickel, titanium, tungsten, vanadium, uranium, and zinc, all being used in the production of jet engines;

RESTATEMENT OF EXISTING IMPORT DUTIES

SEC. 2. Title I, paragraph 1 to 1559, inclusive, of the Tariff Act of 1930 are hereby amended by repealing the classifications and rates therein contained on critical minerals, metals, and materials, and substituting therefor the classifications and rates obtaining and in effect on the expiration of 90 days after the date of enactment of this act, by reason of proclamations of the President under section 350 of the Tariff Act of 1930 or otherwise; and all other acts and parts of acts inconsistent with any of the provisions of this act are hereby repealed.

ADMINISTRATION OF TRADE AGREEMENTS

SEC. 3. Title III, part II, of the Tariff Act of 1930 is amended by adding after section 331 the following new section:

"SEC. 331A. Administration of trade agreements.

"(a) All powers vested in, delegated to, or otherwise properly exercisable by the President or any other officer or agency of the United States in respect to the foreign trade agreements on critical minerals, metals, and materials, entered into pursuant to section 350 of this act are hereby transferred to, and shall be exercisable by the Commission, including, but not limited to, the right to invoke the various escape clauses, reservations,

and options therein contained, and to exercise on behalf of the United States any rights or privileges therein provided for the protection of the interests of the United States.

"(b) The Commission is hereby authorized and directed—

"(1) to terminate as of the next earliest date therein provided, and in accordance with the terms thereof, all the foreign trade agreements on critical minerals entered into by the United States pursuant to section 350 of this act;

"(2) to prescribe, upon termination of any foreign trade agreement, that the import duties established therein shall remain the same as existed prior to such termination, and such import duties shall not thereafter be increased or reduced except in accordance with this act."

PERIODIC ADJUSTMENT OF IMPORT DUTIES

SEC. 4. Title III, part II, section 336, of the Tariff Act of 1930 is hereby amended to read as follows:

"SEC. 336. Periodic adjustment of import duties.

"(a) The Commission is authorized and directed from time to time, and subject to the limitations hereinafter provided, to prescribe and establish import duties on critical minerals, metals, and materials, which will, within equitable limits, provide for fair and reasonable competition between domestic articles and like or similar foreign articles in the principal market or markets of the United States. A foreign article shall be considered as providing fair and reasonable competition to United States producers of a like or similar article if the Commission finds as a fact that the landed duty paid price of the foreign article in the principal market or markets in the United States is a fair price, including a reasonable profit to the importers, and is not substantially below the price, including a reasonable profit for the domestic producers, at which the like or similar domestic articles can be offered to consumers of the same class by the domestic industry in the principal market or markets in the United States.

"(b) In determining whether the landed duty paid price of a foreign article, including a fair profit for the importers, is, and may continue to be, a fair price under subdivision (a) of this section, the Commission shall take into consideration, insofar as it finds it practicable—

"(1) the lowest, highest, average, and median landed duty paid price of the article from foreign countries offering substantial competition;

"(2) any change that may occur or may reasonably be expected in the exchange rates of foreign countries either by reason of devaluation or because of a serious unbalance of international payments;

"(3) the policy of foreign countries designed substantially to increase exports to the United States by selling at unreasonably low and uneconomic prices to secure additional dollar credits;

"(4) increases or decreases of domestic production and of imports on the basis of both unit volume of articles produced and articles imported, and the respective percentages of each;

"(5) the actual and potential future ratio of volume and value of imports to volume and value of production, respectively;

"(6) the probable extent and duration of changes in production costs and practices;

"(7) the degree to which normal cost relationships may be affected by grants, subsidies (effected through multiple rates of export exchange, or otherwise), excises, export taxes, or other taxes, or otherwise, in the country of origin; and any other factors either in the United States or in other countries which appear likely to affect production costs and competitive relationships.

"(c) Decreases or increases in import duties on critical minerals, metals, and materials, designed to provide for fair and reasonable competition between foreign and domestic articles may be made by the Commission either upon its own motion or upon application of any person or group showing adequate and proper interest in the import duties in question: *Provided, however,* That no change in any import duty shall be ordered by the Commission until after it shall have first conducted a full investigation and presented tentative proposals followed by a public hearing at which interested parties have an opportunity to be heard.

"(d) The Commission, in setting import duties so as to establish fair and reasonable competition as herein provided, may, in order to effectuate the purposes of this act, prescribe specific duties or ad valorem rates of duty upon the foreign value or export value as defined in sections 402 (c) and 402 (d) of this act or upon the United States value as defined in section 402 (e) of this act.

"(e) In order to carry out the purposes of this act, the Commission is authorized to transfer any article from the dutiable list to the free list, or from the free list to the dutiable list.

"(f) Any increase or decrease in import duties ordered by the Commission shall become effective 90 days after such order is announced: *Provided,* That any such order is first submitted to Congress by the Commission and is not disapproved, in whole or in part, by concurrent resolution of Congress within 60 days thereafter.

"(g) No order shall be announced by the Commission under this section which increases existing import duties on foreign articles if the Commission finds as a fact that the domestic industry operates, or the domestic article is produced, in a wasteful, inefficient, or extravagant manner.

"(h) The Commission, in the manner provided for in subdivisions (c) and (f) in this section, may impose quantitative limits on the importation of critical minerals, metals, and materials, in such amounts, and for such periods, as it finds necessary in order to effectuate the purposes of this act: *Provided, however,* That no such quantitative limit shall be imposed contrary to the provisions of any foreign trade agreement in effect pursuant to section 350 of this act.

"(i) For the purpose of this section—

"(1) the term 'domestic article' means an article wholly or in part the growth or product of the United States; and the term 'foreign article' means an article wholly or in part the growth or product of a foreign country;

"(2) the term 'United States' includes the several States and Territories and the District of Columbia;

"(3) the term 'foreign country' means any empire, country, dominion, colony, or protectorate, or any subdivision or subdivisions thereof (other than the United States and its possessions);

"(4) the term 'landed duty paid price' means the price of any foreign critical mineral, metal, and material, after payment of the applicable customs or import duties and other necessary charges, as represented by the acquisition cost to an importing consumer, dealer, retailer, or manufacturer, or the offering price to a consumer, dealer, retailer, or manufacturer, if imported by an agent.

"(j) The Commission is authorized to make all needful rules and regulations for carrying out its functions under the provisions of this section.

"(k) The Secretary of the Treasury is authorized to make such rules and regulations as he may deem necessary for the entry and declaration of foreign articles with respect to which a change in basis of value has been made under the provisions of subdivision (d) of this section, and for the form of invoice required at time of entry."

AMENDMENT OF SECTION 337

SEC. 5. Title III, part II, section 337, of the Tariff Act of 1930 is hereby amended as follows:

(a) Subdivision (a) thereof by striking out the word "President" and substituting therefor the words "Tariff Commission."

(b) Subdivision (b) thereof is hereby repealed.

(c) Subdivision (d) thereof is hereby repealed.

(d) Subdivision (e) thereof is hereby amended to read as follows:

"(e) Exclusion of articles from entry: Whenever the existence of any such unfair method or act shall be established to the satisfaction of the Commission, it shall direct that the articles concerned in such unfair methods or acts, imported by any person violating the provisions of this act, shall be excluded from entry into the United States, and upon information of such action by the Commission the Secretary of the Treasury shall, through the proper officers, refuse such entry."

(e) Subdivision (f) thereof is hereby amended to read as follows:

"(f) Entry under bond: Whenever the Commission has reason to believe that any strategic and critical mineral, metal, and material is offered or sought to be offered for entry into the United States in violation of this section, but has not information sufficient to satisfy it thereof, the Secretary of the Treasury shall, upon its request in writing, forbid entry thereof until such investigation as the Commission may deem necessary shall be completed; except that such articles shall be entitled to entry under bond prescribed by the Secretary of the Treasury."

(f) Subdivision (g) thereof is hereby amended to read as follows:

"(g) Continuance of exclusion: Any refusal of entry under this section shall continue in effect until the Commission shall find and advise the Secretary of the Treasury that the conditions which led to such refusal of entry no longer exist."

STATISTICAL ENUMERATION

SEC. 6. Title IV, part III, section 484 (e), of the Tariff Act of 1930 is hereby amended to read as follows:

"(e) Statistical enumeration: The Chairman of the Tariff Commission is authorized and directed to establish from time to time, after consultation with the Secretary of the Treasury and the Secretary of Commerce, a statistical enumeration of imported articles in such detail as he may consider necessary and desirable to effectuate the purposes of this act. As a part of each entry there shall be attached thereto or included therein an accurate statement giving details required for such statistical enumeration. The Secretary of Commerce is hereby authorized and directed to make such reasonable and proper digests from, and compilations of, such statistical data as the Chairman requests. In the event of a disagreement between the Chairman and the Secretary of Commerce as to the reasonable and proper nature of any request the matter shall be referred to the President, whose decision shall be final."

REVISED TEXT OF TARIFF ACT

SEC. 7. The Tariff Commission, as soon as practicable, shall prepare and cause to be printed as a public document available for public distribution a complete revised text of the Tariff Act of 1930, as amended: *Provided,* That all acts or parts of acts conflicting herewith are hereby repealed.

EFFECTIVE DATE

SEC. 8. This act shall take effect upon the expiration of 90 days after the date of its enactment, but no foreign trade agreement shall be entered into under section 350 of

the Tariff Act of 1930, as amended, after the date of enactment of this act.

Mr. MALONE. The bill amends the 1930 Tariff Act and provides the flexibility needed by the Tariff Commission, an agent of the Congress, to take the profit out of foreign cheap labor at this water's edge. The flexible duty or tariff would be reduced as the wage living standard of the chief competitive nation were improved—and when they approached our standard free trade would be almost automatic and immediate. The duty would be sufficient at all times to make up the difference between the wage standard of living and the cost of doing business in the United States and in the chief competing foreign nation.

KOREAN GOVERNMENT HELPED BREAK MARKET

Let me say to the chairman of the Appropriations Committee that on June 4, 1957, the Korean Government sold at auction to 3 bidders, 225 tons of tungsten concentrates. The price ranged from $15.50 less $2 penalty, to $12.08 without penalty; $7.93 duty was paid on the entire lot. That had the effect of breaking the entire world market.

In addition, let me say that the taxpayers of the United States are the ones who spent the money to open the Korean mines, purchased the machinery and opened the mines in Korea, while the Korean war was going on. As a matter of fact, when the Korean war became unpopular, toward the end—when our troops were being murdered, because they were neither allowed to win nor allowed to lose—some of the State Department officials said that the Korean war was justified because it made the necessary tungsten available to the United States—although, as a matter of fact, there is in the United States more tungsten than can be used in 500 years; and all that is needed—as the chairman of the committee has pointed out—is a duty or a fixed price sufficient to make up for the difference between the wage standard of living and the cost of doing business in the United States and in the chief competing country.

Mr. President, if the Senator will yield further, would the chairman believe that in the bill which is now before the House Ways and Means Committee—the administration bill to deal with zinc and lead—through imposing tariffs or duties when the world market dropped below a certain price or parity and would not apply when the price rose beyond a given point could be utilized to stabilize the price for tungsten?

Could an appropriation be included in that bill to buy tungsten under the Public Law 733?

Let us remember that the Secretary of the Interior, Mr. Seaton, has testified repeatedly before the Interior and Insular Affairs Committee that he approves Public Law 733, and the necessary appropriation, and did recommend that $40 million be included for fiscal year 1958 for the purchase of tungsten, fluorspar, asbestos, and columbium-tantalum. Does the chairman of the committee believe we could handle the matter in that way through that legislation?

Mr. HAYDEN. Let me ask the Senator a question first. The quantity of tungsten used to harden steel is comparatively small. I am speaking now of percentagewise. In a given ton of steel, the amount of tungsten necessary to harden the steel is small—so small that any fluctuation in the price of steel would more than compensate for the amount of tungsten in it. Is that correct?

Mr. MALONE. I would say to the Senator, which is something little realized by the public, it is like the soda in biscuits. The amount of tungsten or the amount of manganese in a ton of steel makes no apparent difference in the price of steel.

Mr. HAYDEN. That is true.

FLEXIBLE TARIFF

Mr. MALONE. The price of tungsten or manganese makes no difference because they are like the soda in the biscuits—so little is used.

Mr. HAYDEN. That being the case, I cannot conceive why there should be any strong objection to a flexible tariff such as the Senator from Nevada has suggested, and such as the Secretary of the Interior suggested with respect to lead and zinc. The principle would be the same; but an increase in the price of lead and zinc, because they are mineral products used in comparatively large quantities would more adversely affect American industry than would the price of tungsten.

Mr. MALONE. That is correct. The Senator from Nevada was a special consultant for the Senate Military Affairs Committee during World War II, and also for the Secretary of the Interior, on critical minerals and materials—and the examination of military establishments.

He used the phrase in reports then that the price of tungsten or manganese had little relation to the price of the end product, simply because it was like the soda in a biscuit. Whether one paid 10 cents or 50 cents a pound for it, he could not find that difference in the price of the product. I point out, further, that manufacturers using tungsten in their tungsten-carbide product have a tariff on tungsten-carbide of 42 cents a pound, plus a 10 percent ad valorem tariff, which makes the difference in American and foreign wages—keeping them in business.

Mr. HAYDEN. That is the old story that we must have a tariff on a manufactured product, but we must have raw materials free of tariff.

Mr. MALONE. Everybody, I think—logically so from their standpoint—is for free trade on what he buys and for a tariff on what he sells; but I will say to the distinguished chairman of the committee we are beyond that point. We must have a principle laid down by Congress, if our security is not to be threatened. The security of the Nation comes first.

According to laboratory experiments tungsten is shown as being the most important critical mineral, simply because there is nothing except a tungsten alloy that will increase the heat resistance of metals from 1,650° to 2,000° and above.

As guided missiles replace long-range airplanes, and as jet airplanes increase in speeds, higher heat resistance in metals is necessary. So it would be very easy to defeat the security program of this country by closing domestic mines and making us dependent on nations across major oceans for our supply.

In connection with this debate, and without going into it further, I should like to point out, that on page 5900 of the debate on April 17, 1957—this year—I pointed out the Morgenthau referendum, where Harry Dexter White first suggested that we give $5 billion to Russia to furnish these minerals to us, so that we would become dependent entirely on Russia.

This was when the Secretary of the Interior had sold his bill of goods to the country—that we did not have any tungsten or manganese—which we knew was a hoax, but he evidently believed it. Then Morgenthau sent to the President of the United States a recommendation for giving $10 billion to Russia to furnish these materials.

Mr. THYE. Mr. President, will the Senator yield at that point?

Mr. MALONE. Let me complete this one statement first.

Mr. THYE. Very well.

Mr. MALONE. I want to have the debate show that for 20 years we produced little of these materials simply because of the free-trade program—this 1934 Trade Agreements Act—the so-called reciprocal trade act. The people were sold a bill of goods that we had no such materials when as a matter of fact the only thing preventing production was that Congress put the American workingmen in direct competition with the sweatshop labor of Europe and Asia through the 1934 Trade Agreements Act which expires in June of 1958 and should not be renewed.

I will say now, for the benefit of the Senate, and I would like anyone who cares to debate it to do so, that we can be independent in the production of manganese and tungsten and several of these critical and very vital materials in the United States if we are willing to lay down the policy that countries which send those materials to us pay the difference between the wages and cost of doing business in this country and those in the chief competing nations on each product.

What these spokesmen for cheap imports mean is they do not want to pay American wages.

Mr. THYE. Mr. President, will the Senator yield?

Mr. MALONE. If the chairman will allow me to.

Mr. HAYDEN. Certainly.

Mr. THYE. If the distinguished chairman of the committee will permit me——

Mr. HAYDEN. Certainly.

Mr. THYE. The Senator from Nevada is very familiar with the various minerals, because he has made them a specialty in his life's work. We in Minnesota have endeavored to obtain an appropriation, and we have been successful, because $100,000 has been provided

for plans and planning for a research laboratory which will come under the Bureau of Mines. We in Minnesota have a vast deposit of low-grade iron ore in the form of taconite. We have other known minerals in the iron ore region in my State. A research laboratory might well develop methods of obtaining various strategic materials which are so essential and so needed in a self-sufficient economy.

Does the Senator, as a mining engineer, agree with me that the provision for a research laboratory in an area of vast iron-ore deposits in the northern region of Minnesota is a most timely and most worthwhile expenditure on the part of the Federal Government?

Mr. MALONE. We have discussed it in our committee. I am wholeheartedly in favor not only of that laboratory work, but of all the laboratory work going on in the Bureau of Mines at the present time. We should supplement it and we should augment it, for the very reason that the taconite ore now made available through a new laboratory process will result in not millions but billions of tons of profitable iron ore.

Mr. THYE. An unlimited quantity.

Mr. MALONE. So far as anyone knows, the supply is unlimited. Therefore, instead of the United States being short of iron ore, as everybody was writing in magazines a few years ago, it would be running out of our ears if we would just pay the price necessary to make up the difference in the labor costs.

The same is true with manganese.

Mr. THYE. Yes.

Mr. MALONE. We had never been able to work 10 or 12 percent manganese ore until the new experiments showed us the way, but all we need now is to take the action already described under article I, section 8 of the Constitution.

If Congress reassumes its constitutional responsibility by not extending the 1934 Trade Agreements Act in June of next year, the United States will be in business again, and not dependent upon India for manganese, for example, where we could not get a pound of the required ore, when war started, and where they can stop delivery in peacetime, like they stopped the shipment of monosite sands a few years ago, because they thought we did not have another source. We did have another source.

If we become dependent upon these nations, then we are forced to sign further agreements for their benefit, because they will say it may not be convenient to continue sending these minerals to us. It is a case of genteel blackmail.

Mr. THYE. Mr. President, will the Senator yield further?

Mr. HAYDEN. I yield.

Mr. THYE. Mr. President, I am a member of the committee. I am delighted to know we were able to obtain in the appropriation bill an item of $100,000 for the purpose of the research laboratory to be established in Minneapolis, Minn.

Mr. President, for years we carried on research in the field of taconite, to find a method of separating the mineral from the rock to make that mining operation economically feasible. Having been successful, through the research conducted at the University of Minnesota and the Bureau of Mines, we developed a plan for the separation of the mineral from the rock. That brought about the development of a new industry in Minnesota.

There is a large plant at Silver Bay on the north shore of Lake Superior. At that plant not only are hundreds of men employed, but the development of iron-ore mining and iron-ore operations has been greatly increased, because the taconite was an overburden on the high-grade ore. There was a cost involved in its removal and handling, but now, rather than being a cost, it is actually a part of our iron-ore economy.

Also, as the Senator from Nevada [Mr. MALONE] has said, this process has opened up unlimited tonnage of iron ore within the confines of the United States, and we will not be dependent for our iron on some other country.

This research laboratory which is provided for by the planning funds of $100,000 might well make available other startegic minerals which are necessary in this age of advanced science and scientific development.

Mr. MALONE. Mr. President, will the Senator yield further?

Mr. HAYDEN. I yield.

Mr. MALONE. In closing my part of the debate Mr. President—and the reason I have taken this time is because I think the record should be clear—that the chairman believes that the principle embodied in Public Law 733 can be augmented in the administration's long-range mineral bill, either through a tariff or duty arrangement, or the necessary appropriation for the continued purchase of tungsten either in the long-range minerals bill or a subsequent supplemental appropriation bill.

Mr. BIBLE. Mr. President, will the Senator from Arizona yield for a few observations?

Mr. HAYDEN. I yield.

Mr. BIBLE. First, I read with great regret that there is no inclusion in the regular Interior Department appropriation bill of money for the purchase of tungsten. I am certain the Senator from Arizona knows my feelings in that regard. I have expressed them at other times.

Mr. HAYDEN. They are very similar to my own.

Mr. BIBLE. I recognize that the Senator from Arizona has been most sympathetic and has done his very best to prevail upon the House of Representatives to recede on that particular item; without success, to date.

I am interested in determining what the Appropriations Committee means when it says in its report, on page 4:

> In the event Public Law 733 is amended or new legislation enacted pertaining to the acquisition of tungsten the committee would consider a request for funds, which should be submitted in the regular manner, to implement such legislation.

Mr. HAYDEN. We were hopeful that something would come out of the long-range mineral program the administration recently submitted. That is what we were driving at. We are still hopeful something will be done in that respect.

Mr. BIBLE. I am asking the question, I may say, primarily because of the fact that the Secretary of the Interior, Fred Seaton, speaking before the Committee on Interior and Insular Affairs, with relation to the long-range mining program, specifically said that so far as tungsten was concerned the administration wholeheartedly supported Public Law 733 and wholeheartedly supported the appropriations that went with it, but that was, in effect, the long-range program. Since I happen to be a member of the Committee on Interior and Insular Affairs, I wonder if there is any thought in the mind of the Appropriations Committee as to how the law could be amended so as to secure proper implementing legislation.

Mr. HAYDEN. The language read from the report was inserted merely because we knew there was a new program underway, which was recommended by the Department. Having tried and tried to operate under the program and having been unable to get the money, we were hopeful that something could be done, and we thought it would do no harm for the committee to suggest that if any new legislation is enacted, we would consider funds to carry out such legislation.

Mr. BIBLE. Is it fair to say that if the climate on the other side of the Hill should improve, the position of the Senate Committee on Appropriations is the same as it has been throughout on this particular problem; that is, to keep full faith with the American miner in carrying out the plain provisions of Public Law 733?

Mr. HAYDEN. I think we have demonstrated over and over again that we felt the Government was breaking faith, by our failure to provide the money. We would like, certainly, to have full faith maintained.

Mr. BIBLE. The Senator from Arizona feels, however, that at this particular time there is no particularly good purpose to be served by again going to the House of Representatives with this item.

Mr. HAYDEN. We have tried it 3 times without any success. Of course, this bill has to be passed. We simply had to give that item up. We did take care of the other two minerals.

Mr. BIBLE. I thank the Senator.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. ALLOTT. There is just one question which has occurred to me.

In the language of the report which has been read, it says:

> In the event Public Law 733 is amended or new legislation enacted pertaining to the acquisition of tungsten the committee would consider a request for funds, which should be submitted in the regular manner, to implement such legislation.

May I inquire, does that mean that perhaps the Committee on Interior and Insular Affairs should itself initiate some

legislation in order perhaps to make a new request for tungsten?

Mr. HAYDEN. What the committee had in mind was that undoubtedly the administrators would submit to the Committees on Interior and Insular Affairs of the House and Senate their new plan. It is not essential at all that those committees accept the plan without change. They may modify it. If they should make such a modification, we thought it might be helpful to tungsten, and we wanted to show it.

Mr. ALLOTT. Then is it the intention of the committee to have this request come through the executive department in the ordinary course as a request for funds in the budget, and so forth?

Mr. HAYDEN. Yes.

Mr. ALLOTT. I am sure all the other Senators who are interested feel just as I do; that is, we are very appreciative of the effort the chairman of the Committee on Appropriations and the other members have made to look into this very critical question, which is going to affect so many of our people in the West.

I would be very remiss if I did not at this time pay my compliments to the chairman, and thank him for all the efforts he has made in behalf of our western miners.

Mr. HAYDEN. We did it with sincerity, I assure the Senator.

Mr. NEUBERGER. Mr. President, it is not my purpose to ask a long list of questions, because I know that the chairman of the committee has already been subjected to a great deal of arduous interrogation.

I should like to ask about one item in which I am particularly interested. I think the chairman realizes my preoccupying interest in outdoor recreation, and particularly in the national forests, which are so important to the chairman's State and to my State.

With respect to the amounts allowed by the committee for recreation in the national forests, I note that the committee has recommended $8,770,000. I believe that is the same sum that was proposed by the House of Representatives.

Mr. HAYDEN. It is.

Mr. NEUBERGER. I note that it is somewhat lower than the budget estimate. This is the question that I should like to ask the distinguished chairman of the committee.

Is it his belief and that of his colleagues on the committee that the sum recommended for recreation in the national forests will permit the inauguration on an effective basis of the so-called Operation Outdoors, by which the officials of the Forest Service expect greatly to expand the recreational facilities and opportunities within the borders of the national forests?

Mr. HAYDEN. Of course, it will not carry out the proposed plan as fully as more money would. On the other hand, the committee report states that this amount will provide an increase of $5 million over the amount available for the current year. That allows for a start on the program, and that is what we were aiming at.

Mr. NEUBERGER. Let me ask one further question. I am sure the chairman of the committee has in mind that for the next 5 years, at least, which is the immediate scope of the contemplated program, there will be generous appropriations for recreation in the national forests, so that such facilities as campgrounds, picnic grounds, trails, and similar facilities, can be improved and saved from the deterioration which has taken place in the past several decades?

Mr. HAYDEN. There is no question about the need of money for that purpose. The need is so great that I do not see how the Budget Director could refuse to recommend more money for the program. That is my own judgment. I am living in that hope. Our committee asked the Forest Service to present such a program. We feel that we have made a good start, and we intend to stay with the task.

Mr. NEUBERGER. I thank the chairman of the committee. I am well aware of his great interest in this program. If I am not mistaken, in 1955, which was the year when I first came to the Senate, I had some conferences with the chairman of the committee. That was one of the things which contributed toward his sponsorship of the largest sum the Forest Service had ever received for recreation in the national forests. I may be mistaken about that, but certainly in recent years that was the most generous appropriation ever allowed for that purpose.

Mr. HAYDEN. I have tried to be helpful in that regard.

Mr. NEUBERGER. I appreciate the interest of the chairman of the committee. Having visited in his State, I know that the forests in Arizona have fully as great recreational opportunities for visitors as do those magnificent national forests in Oregon. So I am sure the Senator from Arizona will continue to watch this program very vigilantly.

I thank the chairman of the committee.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. ANDERSON. I know the Senator from Arizona is careful, thoughtful, and helpful in connection with these bills.

It so happens that I am a member of the Board of Regents of the Smithsonian Institution, and have been very much interested in its building program.

On page 564 of the hearings there was a presentation of an item of $800,000 for planning for new wings of the Natural History Building.

The able chairman, if he will consult the hearings, will find that only 2 or 3 questions were asked, but the item was eliminated. It was approved by the House. I wonder if there was any particular reason for that action, or whether it was merely a desire to keep the bill within proper proportions.

Mr. HAYDEN. It was important to keep the bill in line. We shall have an argument with the House conferees over whatever increases or reductions we have made when we reach the stage of conference.

However, the fact is that other building enterprises for the Smithsonian Institution have progressed very slowly. What is practically a $30 million program is underway. In view of the slow progress being made with that, we felt that perhaps a little delay in this instance would not be harmfull.

Mr. ANDERSON. The slowness in connection with the $36 million building program resulted from the fact that the architects came back with a $50 million program, and we felt that the Congress had expressed itself as desiring a $36 million program. So we asked the architects to cut the program back to the figure of Congress, which I am sure the Senator from Arizona would feel to be the proper course. But the other additions have been authorized for a substantial period of time. I do not intend to argue with the able Senator from Arizona on the floor of the Senate about this item, but I express the hope that when the bill reaches conference this subject will receive careful consideration.

Mr. HAYDEN. We shall certainly give it careful consideration.

Mr. ANDERSON. The United States has made very slight progress in museum construction of this type in the past 50 years. Other countries have made most substantial progress. If a person wishes to see the latest in museum design, he must go to Germany, France, or Switzerland to see it. He will not see it in the United States. It seems too bad that the Smithsonian Institution, which I think the Senator will agree is a most distinguished institution—

Mr. HAYDEN. There is no question about that.

Mr. ANDERSON. It seems too bad that the Smithsonian Institution cannot have this money. I only express the hope that when the bill goes to conference the Senator from Arizona will take a more optimistic attitude toward the possibility of constructing these facilities.

Mr. DOUGLAS. Mr. President, will the distinguished chairman of the committee yield for a few questions?

Mr. HAYDEN. Certainly.

Mr. DOUGLAS. First, I congratulate the chairman of the committee for effecting substantial reductions in the total appropriations requested by the administration. I understand that such reductions amount to approximately 11 percent. I think the committee deserves a great deal of credit for the economies which have been effected. I have studied the bill in some detail. I think the cuts have been made very judiciously. Essential services have been conserved, and in some respects expanded, while wasteful expenditures have been reduced, and in many cases eliminated.

However there is one subject about which I should like to ask a series of questions.

On May 31 of this year an article written by a well-known commentator and columnist was published in the Washington Post, and in numerous other

newspapers over the country, in which it was stated that the redecorating of the offices in the Fish and Wildlife Service and the two bureaus underneath the Fish and Wildlife Service had entailed an extra expense of $38,287.33. I should like to ask the distinguished chairman, whom we all respect and honor, and for whom we have great affection, whether he went into this charge?

Mr. HAYDEN. Inquiry was made with regard to it. We were advised that the figures the Senator has quoted were Services Administration for such furnishings.

Mr. DOUGLAS. Are the figures substantially correct?

Mr. HAYDEN. Yes; they are substantially correct, but they are comparable to other figures——

Mr. DOUGLAS. These figures represent the cost of redecorating certain offices, if I may use a phrase, "to suit the advanced status" of the officials thus appointed. Is that correct?

Mr. HAYDEN. That may be assumed to be at least one reason why it was done.

Mr. DOUGLAS. Am I correct in understanding that the cost of redecorating the office of Assistant Secretary Leffler came to $8,256.08?

Mr. HAYDEN. I believe that is correct.

Mr. DOUGLAS. And of this amount scarlet-colored carpeting and oriental rugs cost $2,320.29.

Mr. HAYDEN. It is so stated.

Mr. DOUGLAS. Is that correct, approximately?

Mr. HAYDEN. It is.

Mr. DOUGLAS. That is approximately correct?

Mr. HAYDEN. It is.

Mr. DOUGLAS. Those are very expensive rugs for which the taxpayers had to pay. They are oriental rugs, not American rugs. I understand that some scarlet-colored drapes for the assistant secretary cost $766.25. Is that correct?

Mr. HAYDEN. I believe that is correct .

Mr. DOUGLAS. Those are rather extravagant drapes, I would say, costing $766.25. I wonder whether there were not some other drapes left over that could have been used.

Mr. HAYDEN. Undoubtedly there were some old ones available.

Mr. DOUGLAS. My wife has some drapes which she bought, I believe, for about $20, and they look very well. Then I am told that $1,135.60 was spent for two electric typewriters. Are those figures approximately correct?

Mr. HAYDEN. Yes, they are correct. There is a great demand for electric typewriters.

Mr. DOUGLAS. Did they need the electric typewriters?

Mr. HAYDEN. I assume that they were substituted for some old ones.

Mr. DOUGLAS. So that possibly this particular expenditure might be justified; is that correct?

Mr. HAYDEN. I believe so.

Mr. DOUGLAS. Then there was an expensive desk and some chairs for $1,130.37. Is that not rather an expensive desk? The figure of $1,130.37 for a desk and some chairs is correct, is it not?

Mr. HAYDEN. That is correct.

Mr. DOUGLAS. Does that not seem to be a rather extravagant expenditure for a desk and chairs?

Mr. HAYDEN. Knowing what good furniture costs, it may or may not be.

Mr. DOUGLAS. Were there not already desks and chairs available that could have been used?

Mr. HAYDEN. Perhaps.

Mr. DOUGLAS. I believe the desk in my office and I think the Senator's desk in his office have been in use for a good many years.

Mr. HAYDEN. I would not trade my desk for any other desk in the world.

Mr. DOUGLAS. Perhaps the market value would not be in excess of $100. Is that not true?

Mr. HAYDEN. If age and depreciation have anything to do with my desk, I believe that is true.

Mr. DOUGLAS. In Illinois we had an expenditure of $99 for a wastepaper basket, which some said was a necessity. Now we have in a Federal Government office an expenditure of $1,130.37 for a desk and some chairs.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. CHAVEZ. One of the problems in connection with the new Senate Office Building at the moment is providing furniture for it.

Mr. DOUGLAS. I hope the Senate will be more careful than the Department of the Interior has been.

Mr. CHAVEZ. I am hopeful the Senator from Illinois and the Senator from Arizona and the other Senators will keep their old desks.

Mr. DOUGLAS. I pledge myself to keep my old desk and wastepaper basket. I believe my wastepaper basket has a commercial value of 90 cents.

Mr. CHAVEZ. Because if we are going to buy new furniture for all the new offices in the new building, and also furniture in the refurbishing of the old office building, it will amount to a great deal of money. I am giving that notice now.

Mr. DOUGLAS. I think the warning is a very timely one, and I hope all of us will heed the injunction of the Senator from New Mexico. I want to say that I will do so.

Mr. President, when the new Assistant Secretary was appointed head of the Fish and Wildlife Service, he was given a deputy, was he not?

Mr. HAYDEN. That is correct.

Mr. DOUGLAS. Mr. Suomela is the deputy, as I understand.

Mr. HAYDEN. That's correct.

Mr. DOUGLAS. For redecorating his office, an additional expenditure was made of $2,234.32.

Mr. HAYDEN. That is quite a modest sum.

Mr. DOUGLAS. I shall comment on it in a moment. One item is for $540.95, for an oriental rug. Is that correct?

Mr. HAYDEN. That is correct.

Mr. DOUGLAS. In justice to Mr. Suomela, it should be noted that he tried to stop the redecoration of his office.

Mr. HAYDEN. It has been so reported.

Mr. DOUGLAS. Is it not true that Mr. Suomela tried to avoid having his office redecorated at the expense of the taxpayers?

Mr. HAYDEN. It was so reported.

Mr. DOUGLAS. But he was forced to have his office redecorated by higher officials in the Department of the Interior. Despite his protests, an oriental rug costing $541, approximately, was forced down his throat, so to speak. Is that not true?

Mr. HAYDEN. Apparently so.

Mr. DOUGLAS. The Senator from Arizona is a very cautious man. I am glad that he is cautious, because I do not believe in besmirching reputations. However, I wish to say for the sake of the RECORD that Mr. Suomela seems to be a very conscientious man, and I wish we had more people like him in the Government service, people who are interested in saving the taxpayers' money.

Now to continue. Am I correct in my understanding that two additional offices were fitted up, for the Director of Commercial Fisheries and the Director of Sports Fisheries?

Mr. HAYDEN. There was a general refurnishing.

Mr. DOUGLAS. The refurnishing of those offices came to $27,796.93.

Mr. HAYDEN. I believe that is the correct figure.

Mr. DOUGLAS. For the sake of the RECORD, I believe it should be made clear that these figures are comprised in the total figure of $38,287.33, and should not be considered as being in addition to that figure.

There was also expended in this total of $38,287.33 a sum of $16,510 for partitions and tile lavatories.

Mr. HAYDEN. Tile is very popular.

Mr. DOUGLAS. Very popular and very expensive.

Mr. HAYDEN. It costs money.

Mr. DOUGLAS. Is it necessary for these functionaries to take shower baths in a tile lavatory? Is it necessary for them to stand on expensive tile? Is it not possible for them to stand on concrete while they wash their physical bodies?

Mr. HAYDEN. From a practical standpoint, I believe that is possible.

Mr. DOUGLAS. Am I correct also in understanding that $4,008.14 was spent on additional carpets for the offices?

Mr. HAYDEN. An office must have carpeting.

Mr. DOUGLAS. Did they not already have some carpeting which could have been used, even though it was slightly worn?

Mr. HAYDEN. They were starting anew.

Mr. DOUGLAS. The Senator is trying to be fair, and he is leaning over backwards. That is always a good thing to do, but I think the truth should be brought out. Is it not true that $4,008.14 was spent on new carpets for these two offices?

Mr. HAYDEN. I believe the Senator's figures are correct.

Mr. DOUGLAS. Is that not a gross waste of public money? Am I correct in understanding that the excuse of the Department for making these expendi-

tures is that since these men were promoted in status by Congress they were entitled to the prerequisites of their higher status and that it was Congress' fault because it created the new positions?

I should like to ask the Senator from Arizona this question: Is there any act of Congress providing that when a man becomes an Assistant Secretary, he should get $2,320 worth of oriental rugs, $766 worth of scarlet drapes, and a desk and some chairs worth $1,130, or $16,510 in partitions and tiled lavatories and $4,000 in carpeting for another office?

Mr. HAYDEN. There is no such mandatory provision in the law.

Mr. DOUGLAS. In other words, the Department took advantage of the increase in status of these people in order to expend the taxpayers' money on lavish and extravagant expenditures not justified in any way?

Mr. HAYDEN. The criticism of the Senator may be justified in some respects.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. LAUSCHE. Does the new lighting equipment which has been installed in Senators' offices come under this budget?

Mr. HAYDEN. That is provided for in the legislative budget.

Mr. LAUSCHE. Does the Senator know the lighting I have in mind?

Mr. DOUGLAS. Yes, I do.

Mr LAUSCHE. I did not know whether some conceived the idea of throwing money away, and that that was the most effective way to do it. At least I was greatly disturbed when I saw the new lamps being brought into the office. The lamps I had were wholly adequate. It looked to me as though someone was trying to serve the seller, not the Senators or the taxpayers.

Mr. DOUGLAS. We do not have $1,000 desks or $2,300 worth of carpet, or $766 worth of drapes, or $2,000 worth of other carpeting, or expensive tile lavatories.

Mr. CHAVEZ. But we are likely to have them unless we stop them before the new Senate Office Building is furnished and the Old House Office Building is refurnished.

With the indulgence of the Senator from Illinois, I may say to the Senator from Ohio that one of those lights was placed in my office without my asking for it. I preferred the old lights. I asked to have the new light removed, because it made the room look like an operating room. It looked as though preparations were being made to work on someone's physique. The lamps are beautiful. But if we had let them put in the new hospital lamps, every one of the old, fine lamps would have become junk, and probably would have been sold as surplus to some junk dealer.

Mr. DOUGLAS. I think the Senator from New Mexico has given a very timely warning. I hope we will all use restraint and back him up in the furnishing of the new Senate Office Building. I think it is a great mistake when people get the idea that dignity of office must be shown in extravagance of expenditures. There is too much of it.

Mr. CHAVEZ. Such as in the purchase of new lights.

Mr. DOUGLAS. Or drapes, or oriental rugs, or desks, or wastebaskets, or other articles. Simplicity ought to govern.

Mr. CHAVEZ. And more than simplicity. The desk before which I now stand in my desk. It was occupied, I have been told, by Henry Clay. I would not exchange it for a $1,500 desk. There are some people who would be glad to furnish me one, if the Senate would buy it.

Mr. LAUSCHE. May I ask the Senator if it was felt there would be a lot of operating done in the Senator's office, and that therefore it was necessary to put in surgery room lighting equipment?

Mr. CHAVEZ. That must have been what they had in mind. But I would not change the lamps which are now in my office. Not long ago a whole string of new lights was installed across the room unbeknown to me. The girls could not work on the typewriters or answer the telephone because the lights were so bright.

Mr. DOUGLAS. I am certain that no improper operating of any kind took place in the office of the Senator from New Mexico.

Mr. CHAVEZ. It will have to be done with my consent, or it will not be done.

Mr. DOUGLAS. I should like to ask one final question on this subject. Did the subcommittee of the Committee on Appropriations dealing with the Interior Department consider the possibility of reducing the administrative expenditures of the Department of the Interior for the coming year by an amount sufficient to penalize the Department for the lavish extravagance which it showed?

Mr. HAYDEN. The committee made a reduction of approximately $700,000.

Mr. DOUGLAS. In the administrative expenses?

Mr. HAYDEN. That is correct.

Mr. DOUGLAS. The committee took into account the lavish expenditures, and felt that the department should tighten its belt correspondingly?

Mr. HAYDEN. The committee felt that the department could get along with less money.

Mr. DOUGLAS. I congratulate the committee and the Senator from Arizona. I hope similar action will be taken in the case of every department which is wasting the people's money by making lavish expenditures. While I do not wish to make a partisan issue of this, I may say that the insolence of office quickly enmeshes people, so that any pledge of economy disappears quickly, and they acquire extravagant habits, particularly when they can charge them up to the taxpayers.

Mr. CHAVEZ. Mr. President, will the Senator from Arizona yield, to permit me to make an observation?

Mr. HAYDEN. Certainly.

Mr. CHAVEZ. I have been in Congress and on the Appropriations Committee for 27 years. In what I am about to say I am not referring to the Department of the Interior particularly, but to all departments. Every time a new appointee takes over a particular office, he wants new furniture, new rugs, new everything. That generally costs something. The discarded equipment is sent to surplus. Some study should be made of such practices in all departments. I know how such persons behave and how they operate. A man will hold office for 8 months; then he will leave and return to his own business. A new businessman comes into the picture, and he has to change everything. That is the viciousness of this system.

Mr. DOUGLAS. Each secretary has to have a deputy and has to have an undersecretary. Each undersecretary has to have a deputy. There is a multiplicity of assistant secretaries. Each assistant secretary has to have a deputy. So there is a proliferation of officials having high-sounding titles, plus extremely costly redecorating. Is that not true?

Mr. CHAVEZ. Yes.

Mr. DOUGLAS. Does the Senator from New Mexico not think it is high time the administration became thrifty and tried to save the taxpayers' money?

Mr. CHAVEZ. I do.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. GOLDWATER. Will the Senator allow me a few moments to comment on the resurrection of my good friend from Illinois [Mr. DOUGLAS]? I use the word "resurrection" advisedly, because I recall that back in 1950 or 1951 the distinguished Senator wrote what was, in my opinion, one of the finest works which was ever written about economy in the Federal Government. I have felt on occasions that my good friend from Illinois has wandered away from his original thesis.

Mr. DOUGLAS. Oh, no.

Mr. GOLDWATER. I am glad to hear him today sounding like the Senator DOUGLAS of old, who stands up and defends wasteful practices in the Government.

Mr. DOUGLAS. The Senator does not mean "defends," does he? I am opposing them.

Mr. GOLDWATER. Yes; the Senator is opposing wasteful practices in Government. There were occasions during the last week when I felt he might have wandered a little afar from his original thesis.

If the Senator from Illinois has the figures showing the amount of the waste in the Department of the Interior, the junior Senator from Arizona will be very glad to join him in offering an amendment to strike out the amounts for those expenditures, if the Senator from Illinois will prepare the amendment. I suggest that only because I do not have the figures.

Mr. DOUGLAS. I should be glad to do it, but I understand from the Chairman that that has already been done. The committee has already inflicted punitive damages, so to speak, upon the administrative officials of the Department of the Interior.

Mr. HAYDEN. The expenditures to which the Senator from Illinois refers

have already been made. The committee took that situation into consideration and made a cut of $700,000 in the amount available for administrative expenses in the next fiscal year.

Mr. GOLDWATER. Am I correct in assuming, then, that the figures related by the Senator from Illinois are history?

Mr. DOUGLAS. Yes; but they are recent history.

Mr. GOLDWATER. They are nothing at all compared with the inventory of 120 years' supply of jeep parts, which the Senator found in 1951; or the 280,000 pounds of hamburger which the Navy had in 1950.

I thank the Senator from Illinois for bringing these things to the attention of the Senate. I agree that that is the way to cut budgets. We ought to look for bright lights; we ought to stop dripping faucets; we ought to stop the purchase of expensive carpets and equipment; and we ought to stop financing Hells Canyon dams.

Mr. DOUGLAS. I thought the Senator would come to that. I am very glad the Senator from Arizona has shown the solicitude for my moral character which he has. I tried to be solicitous about it myself. I am very glad when others also are solicitous.

Mr. GOLDWATER. It is a subject for which no solicitude is needed.

Mr. DOUGLAS. I am always glad to have criticism, even though gentle, which suggests lines of thinking and lines of improvement.

This is no recent cause on my part. I criticized waste under the Truman administration, under my own party's administration.

I think, therefore, I am privileged to criticize waste under this administration. I have done so on numerous occasions this year. So far as the implication of the junior Senator from Arizona that I should not have voted for the Hells Canyon bill and certain other bills, I may say that I believe the Government should be an instrument for human welfare. I believe the Government should carry out natural resource development when such development is economical.

I believe in national security, but I do not believe in waste. Neither do I believe in subsidies to people who do not need them. That is my position.

I opposed the upper Colorado project because it is an extremely wasteful project, with very high-cost power. The cost of power is about 7 mills on the upper upper Colorado.

I favored Hells Canyon because that will provide low-cost power, power costing about 2.5 to 2.7 mills a kilowatt-hour.

Where the projects are economically justifiable, I will favor them; where they are not economically justifiable, I will oppose them.

Similarly, I favor Federal expenditures to help education, to help the aged, and to help those who are sick. But I am opposed to huge subsidies to airlines who do not need them or to shipbuilders who do not need them or to ship operators who do not need them or to mineral interests who do not need them, and to a whole series of other wasteful subsidies to the rich and powerful who do not need them.

I mention these in order that the Senator from Arizona may realize that I am more consistent regarding these matters than he might believe me to be.

Mr. GOLDWATER. I have never doubted the consistency of the Senator from Illinois, although at times, as I have stated, I thought his feet were beginning to wander from the true path.

Mr. DOUGLAS. When that occurs, I hope the Senator from Arizona will notify me; and if that happens, I shall try to correct myself.

Mr. GOLDWATER. It develops that the Senator from Illinois is in favor of these projects, but is opposed to having certain persons in the Department of the Interior stand on tile, and is opposed to the use of Persian carpets——

Mr. DOUGLAS. They cost money, too.

Mr. GOLDWATER. And the Senator from Illinois is opposed to expenditures for draperies. So the issue narrows down to one of interior decoration.

Mr. DOUGLAS. No; there are many other aspects which involve economy, which I have opposed this year and in other years, but this is one on which I have touched today.

Mr. GOLDWATER. Tonight, I shall read the Senator's book again; but I believe that in 1951 he had more expansive—not expensive—ideas, which I think included dealing with such items as hamburger.

Mr. DOUGLAS. And I did not want the major auto makers to "soak" the Government by way of excessive markups for spare parts, as I pointed out in my book.

Mr. GOLDWATER. And there was also objection regarding 11,000 dozen oyster forks.

I simply wished to lay the basis for my next question to my senior colleague, as follows:

On page 469 of the hearings, in connection with the matter of research which will be done to local archeological areas in Arizona, New Mexico, and Utah, I notice the following:

> It is planned to carry out much of the survey and excavation work with the full cooperation of local agencies, such as the University of Utah and the New Mexico State Museum. However, as their resources are limited, it would not be possible for them to carry out a program of this scope unaided.

Is it not true that the committee also had in mind that the University of Arizona, the Museum of Northern Arizona, and possibly Arizona State College might participate in this?

Mr. HAYDEN. Yes. The others are referred to as examples.

Mr. GOLDWATER. I have no objection to the inclusion of the University of Utah and the New Mexico State Museum, but I wished to make sure that my senior colleague intended that the Arizona institutions also be included.

Mr. HAYDEN. That is correct.

Mr. HRUSKA. Mr. President, on page 16 of the committee report, there is an item regarding the DeSoto-Bertrand Bend Wildlife Refuge. Reference to the hearings indicates that the estimate for the project is $200,000. I should like to know where the money to be allocated will come from.

Mr. HAYDEN. It will come from two sources: the duck stamp fund, and probably from an additional appropriation later on.

Mr. HRUSKA. Is it not true that the balance remaining in the duck stamp fund is relatively so meager at the present time that any substantial depletion of it would be unwelcome in other parts of the country?

Mr. HAYDEN. I did not understand that the duck stamp fund had faded out.

Mr. HRUSKA. It has not, and I do not mean to say that it is insolvent.

Mr. HAYDEN. I assume a share will come from that source, and the rest will have to be appropriated.

Mr. HRUSKA. The report also states:

> None of the funds provided for this refuge are to be obligated until the Migratory Bird Conservation Commission has considered the proposals and granted its approval of the refuge.

As I understand, until that approval is granted, none of this money will be expended.

Mr. HAYDEN. It was judgment of the committee that an authority of this kind knew much more about migratory bird matters than we do, and that it was the proper authority to pass upon the feasibility and practicability of carrying on that work.

Mr. HRUSKA. Of course, there would be much objection by the landowners on either side of the river, as I understand, to the taking of the property.

Mr. HAYDEN. They might object; but, on the other hand, if they are paid what the land is worth, their objections may cease.

But as to the question of whether this is the proper place in the area for the refuge, we wish to consult the best authority.

Mr. HRUSKA. I thank the chairman of the committee.

My next question is somewhat contingent on the public works appropriation bill, which contains an item of approximately $600,000 for the digging of the cutoff channel, pursuant to the recommendation which has been submitted by the Fish and Wildlife Service. Unless that language is changed, or unless some alternatives are proposed, it would appear that it is taken for granted that the refuge will be approved as an entire plan, because the engineers are directed to dig that channel.

Mr. HAYDEN. If it were deemed to be advantageous, from the point of engineering reasons, that the channel be dug, that could be done without any relationship whatever to the establishment of a wildlife refuge. For example, I remember that a witness who owned land in that bend said he had no objection to the construction of a channel, but he did not want his farm taken for a wildlife refuge.

Mr. HRUSKA. That might be true. My question is this: If it is done, where will the funds come from, to compensate for the separation damages in the case of approximately 4,000 acres of Nebraska

land which will be separated from the mainland of Nebraska?

Mr. HAYDEN. What is the separation damage to which the Senator refers?

Mr. HRUSKA. The damage is this: Those 4,000 acres are now within one mile and a half or so of a paved highway, and they are within the reach of utilities, markets, and so forth. However, they will be removed by at least 10 miles from a paved highway, and there will be difficulty of access, and they will be isolated, and will virtually be an island; and I presume that separation damage will ensue as a result, because that land will be included within the loop created by the digging of the cutoff channel.

Mr. HAYDEN. Will those circumstances be greatly different from the circumstances in connection with other cases of the construction of such loops?

Mr. HRUSKA. My question is this: Will funds be allowed for the damage which will be caused by reason of that separation?

Mr. HAYDEN. It seems to me that the Corps of Engineers will have to take those factors into consideration. Frankly, I do not know whether they have taken them into consideration.

Mr. HRUSKA. I appreciate the Senator's statement. Apparently they have not taken them into consideration, because they are expecting the funds for the land acquisition and the development of the land within the loop for the bird refuge to come from the Fish and Wildlife Service, and apparently they are making no allowance for the $600,000 for the digging of the channel itself. My question simply was where those funds would come from, if that transpired.

Mr. HAYDEN. That will have to be developed.

Mr. HRUSKA. I thank the chairman.

Mr. SMITH of New Jersey. Mr. President, I should like to ask a question about the item for additions to the Natural History Building of the Smithsonian Institution. I am a member of the Board of Regents of the Smithsonian Institution, and some of my colleagues have asked me about this matter and about the position of the Senate Appropriations Committee regarding the amount approved by the House of Representatives in connection with the plans for additions to the Natural History Building of the Smithsonian Institution.

I wish to say that I am among those who feel that it is most unfortunate that this item has been deleted. I understand that it has been authorized since 1930, and that the only thing which now stands in the way is our desire not to spend any more money than necessary this year.

I should like to have the RECORD show why that item was deleted.

Mr. HAYDEN. I have previously stated that to other members of the Board of Regents.

Mr. SMITH of New Jersey. I am sorry that I was not in the Chamber at the time.

Mr. HAYDEN. One of the reasons was that we had made an appropriation for other construction for the Smithsonian Institution; and so little progress had been made, that we thought the same situation might apply in this case.

Second, as the Senator from New Jersey has stated, we thought the Smithsonian Institution could get along with a little delay at a time when there is widespread demand for reduction in Federal expenditures.

Mr. SMITH of New Jersey. Am I correct in my understanding, along with that of the Senator from Massachusetts [Mr. SALTONSTALL] and others, that the Senator from Arizona plans to discuss this matter in the conference?

Mr. HAYDEN. Yes, indeed. We shall be glad to.

Mr. SMITH of New Jersey. I hope that will be done, so that we can get all the facts before the conferees.

Mr. HAYDEN. We shall not be adamant about the matter. We shall be open-minded, and shall be glad to listen to reason.

Mr. SMITH of New Jersey. I thank the Senator very much.

SURVEY OF GROUND WATER RESOURCES IN THE MISSISSIPPI VALLEY EMBAYMENT AREA

Mr. FULBRIGHT. Mr. President, I am pleased that funds are provided in the pending Department of Interior appropriation bill to initiate a survey of the ground water resources in the Mississippi Valley embayment area.

In the 84th Congress I introduced a bill to authorize the Department of the Interior to conduct such a survey. This bill was cosponsored by Senators Hill, Sparkman, McClellan, Clements, Long, Stennis, Symington, Kefauver, and Gore. I am sure that the cosponsors will be glad to learn that the survey proposed by the bill will be initiated in the next fiscal year. When the bill was pending before the Senate Interior and Insular Affairs Committee, the Department of the Interior and the Bureau of the Budget recommended against enactment of the legislation on the basis that passage of this type of legislation would hinder their efforts to carry out an orderly nationwide program for studying our water resources. However, at the same time the Department announced that it was in full accord with the objectives of the legislation. The distinguished chairman of the committee, the Senator from Montana [Mr. MURRAY] wrote to Secretary Seaton and urged that the Department of the Interior request funds for the 1958 fiscal year to begin the survey, in view of the fact that the Department in its objections to the authorizing legislation assumed the responsibility for requesting funds from Congress to carry out an orderly program for conducting surveys of this type. I am grateful for the helpful and cooperative work of the Senator from Montana, and everyone in the Mississippi Valley embayment area will be indebted to him for his efforts in getting the survey started.

The Mississippi Valley embayment area is that portion of the Midsouth area which in the geologic past was covered by the sea. It is now underlain by a natural groundwater reservoir which furnishes more than 90 percent of the water used for domestic, industrial, and agricultural purposes in the entire region. The embayment area covers parts of Arkansas, Alabama, Mississippi, Kentucky, Louisiana, Missouri, Tennessee, and Texas. It would be rather superfluous for me to point out at this time that we have ample supplies of surface waters in this area. However, not even 10 percent of the water used for all purposes in the region is derived from surface sources. To indicate the importance of groundwater reserves in the embayment region, I might point out that the Memphis area alone uses more than 135 million gallons a day for municipal and industrial purposes, while irrigation requires 400 million gallons a day during the 3-month rice-growing season in the Grand Prairie region in Arkansas. The water supply of almost every farm, town, and city in the region is dependent upon underground water reservoirs.

Our water resources are a depletable asset, and we must find ways to recharge the reservoirs which are slowly being depleted by the increased demands for water in the region. The disastrous droughts of the last few years in the area west of the Mississippi have graphically illustrated the need for preserving this precious asset. The proposed survey will enable the Geological Survey, in cooperation with other interested Federal, State, and local agencies, to examine this multistate system of underground water formations in order to determine its capacity to transmit and store water, the quality and quantity of the water, and the extent to which the water table may be recharged by use of surface waters. A thorough knowledge of the characteristics of the underground water system in the area will be of untold value in determining how to use our water resources most efficiently.

It has been estimated that it will take 5 years or more to complete an exhaustive survey of the entire embayment area. I understand that the Geological Survey is prepared to spend $75,000 in the next fiscal year in getting the survey underway. This is certainly a very small initial investment on a program which could be of tremendous importance to all the States within its region. I know that the results will prove to be a wise investment toward better management of our Nation's water resources.

Mr. President, I request unanimous consent to have a statement which I prepared concerning this project printed in the body of the RECORD following my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

NEED FOR A COMPREHENSIVE INVESTIGATION OF THE GROUND-WATER RESOURCES OF THE MISSISSIPPI VALLEY EMBAYMENT

The Mississippi Valley embayment as here considered consists of 90,000 square miles in the Mississippi River Valley extending from about the latitude of the 32d parallel northward to the confluence of the Ohio and Mississippi Rivers, as shown on the attached map. It includes parts of eight States—eastern Arkansas, northwestern Alabama, northern Mississippi, southwestern Kentucky, northern Louisiana, southeastern Missouri, western Tennesseee, and northeastern Texas.

Because the area extends into the related coastal part of the Gulf Coastal Plain the southern boundary is not clearly defined and has been drawn arbitrarily along county lines.

For many years in the geologic past this area was an embayment covered by an arm of the sea, during which time several thousand feet of sediments were deposited in the embayment. Included in these sediments are deposits of sand and gravel which now form the huge ground-water reservoirs of the embayment, and make the area one of the most important ground-water provinces in the United States. The reservoirs consist of water-bearing formations, or aquifers. Water enters these geologic formations where they are at or near the surface, and moves considerable distances to points of withdrawals, in some places passing under State lines. Thus the area is underlain by a natural hydraulic system which should be studied as a unit.

Large surface streams cross the area at various points. However, this supply is not available where it is needed most, as the use of these streams for irrigation is economically limited in most instances to the proximity of the streams.

The most valuable resources of the area are the soil and the water that makes the soil productive. The average annual precipitation is 45 to 50 inches. However, droughts are common during the growing season.

The importance of ground water can best be realized when one considers that the water supply of almost every farm, town, and city in the region comes from wells. More than 90 percent of the water used for domestic, industrial, and irrigation supplies comes from wells and springs, because ground water is nearly everywhere available and costs less to develop and treat than surface water. Also, ground water has a relatively constant temperature and quality, and is silt free.

Large quantities of ground water are pumped from the water-bearing formations of the embayment for irrigation, municipal, and industrial supplies. It is estimated that in the Grand Prairie region of Arkansas 400 million gallons of water a day is pumped for rice irrigation during the 3-month growing season. With the expansion of the area of rice irrigation northeast and east of the Grand Prairie region, the consumption of water for irrigation in that part of the State is more than that for the Grand Prairie region. In part of the Grand Prairie region the rate of withdrawal of ground water exceeds the rate of replenishment by natural recharge, and therefore further studies are needed to determine whether it is feasible to replenish the aquifers by artificial recharge. Within the last few years the area of rice irrigation has been extended into Mississippi and Missouri. In Mississippi the number of irrigation wells in the Mississippi alluvial plain increased from about 25 to 350 between 1949 and 1954. The volume of water pumped for rice irrigation in Mississippi almost doubled each year during this period. In 1954 the total pumpage of ground water for irrigation in all of northern Mississippi was estimated at 325 million gallons a day, average for the entire year. For the 3-month growing season in the delta the average pumpage was at the rate of 1,210 million gallons a day.

Supplemental irrigation of row crops and pasture is increasing rapidly, and will continue to increase, as a result of the present drought conditions and the fact that recent research by agricultural experiment stations has demonstrated that supplemental irrigation is practical as a means of saving the crops and also of increasing their yields even in seasons of normal rainfall. The extension of the Bankhead-Jones Farm Tenant Act to include the entire United States and the passage of the Hope-Aiken bill will tend to further the use of supplemental irrigation. Recent experiments by Louisiana Agricultural Experiment Station in northern Louisiana show that the yield of such crops as sweetpotatoes can be increased considerably by irrigation, and that use of water from underground sources eliminates the danger of plant disease carried by surface water. It appears reasonable to conclude that eventually such a large number of farmers will install irrigation systems that the resulting demand for ground water will become greater than the supply.

In addition to the use of water for irrigation, industrial plants and municipalities in the embayment area down to the 32d parallel in Mississippi use a total of about 134 million gallons of ground water a day. Also, in the Memphis area more than 135 million gallons of ground water a day is used for municipal and industrial purposes.

Industrial expansion and increased agricultural prosperity therefore are dependent to a considerable extent upon the availability, amount, and quality of ground water, and the extent to which the supply may be reused as a result of adoption of methods of natural or artificial recharge.

Ground water in the Mississippi Valley embayment occurs in four principal aquifers, all of which extend under more than one State. All yield water to wells in more than one State. Water may enter the aquifers in one State and move to centers of pumping in other States. In each aquifer the effects of pumping may extend across State boundaries. For example, effects of heavy pumping from wells in the Memphis area extend into Mississippi and Arkansas, and part of the water pumped in Memphis comes from these States. Likewise, large withdrawal of water in Mississippi and Arkansas may affect the parts of ground-water reservoirs that underlie Tennessee. None of these aquifers is sufficiently investigated so that the availability, amount, and quality of the ground water can be evaluated. It would be unwise to attempt a large-scale development without this information. Also, the proposed investigation will yield information needed to assure wise conservation and regulation of water.

The present investigations being made by the United States Geological Survey in cooperation with the States of Alabama, Arkansas, Kentucky, Louisiana, Mississippi, Tennessee, Texas, and the city of Memphis give valuable information on parts of embayment. However, they do not cover the entire area, and they do not treat the study on a regional basis. The Mississippi Valley embayment includes parts of eight States, and is underlain by a geologic and hydrologic system that must be studied as a unit. Therefore, in view of the major importance of ground water to the welfare of the area, a comprehensive regional study of the ground-water resources is needed, and should be conducted either as a Federal program or as a joint, coordinated Federal-State cooperative program, in contrast to the group of generally unrelated Federal-State cooperative programs in each of the States.

In studying the occurrence, quantity, and quality of ground water it would be necessary to map the aquifers both on the surface and in the subsurface. Where an aquifer crops out and is subject to recharge, the size and shape of the recharge area would be determined. The possibility of increasing the recharge through recharge wells or spreading of surface water on the recharge area would be studied. The relationship of ground water to flood control and drainage projects and to the use of excess rainfall for recharge, thus saving flood water otherwise lost to the gulf, would be considered. In areas where water is discharged from the aquifer, the relationship between the aquifer and streamflow would be studied, both to determine the effect of decreased discharge from an aquifer into a stream brought about by increased pumping from wells and to predict the base flow of the stream when there is no direct surface runoff.

The extent of the water-bearing formations, the continuity of the different formations, the capacity of the ground-water reservoirs to transmit water, the storage capacity of the aquifers, the amounts of pumping, the configuration of the water tables, and the quality of water would be determined. By combining all of the information as to the outcrop area, the amount of recharge to and discharge from the aquifer, and the continuity and ability of the aquifer to transmit water, it would be possible to estimate the perennial yield of each water-bearing formation.

All available information, both from the Federal projects now in operation and from State surveys, would be used. It is estimated that such a program would require 5 years and cost $900,000; the cost during the first year would be $100,000. A large part of this money would be spent on an exploratory program of test-well boring and conducting pumping and other aquifer tests and making electrical and radioactivity logs of wells to determine the character, thickness, and extent of the aquifers. By the end of the third year the major part of the exploratory drilling and boring program would be completed and emphasis would be placed on pumping tests and other quantitative studies and on the chemical analyses of the water. Observations on the fluctuations of the water to determine storage effects and quantitative changes in storage should be started as soon as practicable and continued indefinitely.

Progress reports covering the results of the work would be prepared annually, with a comprehensive report on the geology and hydrology to be included in the report at the end of the third year. A final report analyzing all the data obtained and giving information in regard to the perennial yield of the area, the areas of overdraft, and the areas in which additional water could be developed would be prepared at the end of the fifth year.

AREA BY STATES

Alabama

All or parts of six counties in the northwestern part of Alabama are included in the embayment region. The water-bearing formations (aquifers) which underlie this part of Alabama are some of the most productive in the State and extend into Mississippi. Some of the water which enters these formations in Alabama moves into Mississippi. Studies are needed to determine how much water is available in Alabama and the quantity that moves into Mississippi.

None of these aquifers in Alabama have been sufficiently investigated, so that the availability, amount and quality of ground water can be evaluated. It would be unwise to attempt a large-scale development without this information. Also, the proposed investigation will yield information needed to assure wise conservation and regulation of water.

Arkansas

About one-half of the State consisting of all or parts of 46 counties in eastern and southern Arkansas is included in the project. This part of the State is the source of some of the largest groundwater supplies in Arkansas. In the Grand Prairie region, Arkansas, more than 400 million gallons of water a day is required for rice irrigation during the 3-month growing season. With the expansion of the area of rice irrigation northeast and east of the Grand Prairie region the consumption of water for irrigation in that part of the State is more than that for the Grand Prairie region. Also, the use of ground water to irrigate crops such as

cotton, corn, and oats is increasing. It appears reasonable to conclude that eventually such a large number of farmers will install irrigation systems that the resulting demand for ground water will become greater than the supply. Industrial expansion and increased agricultural prosperity therefore are dependent to a considerable extent upon the availability, amount, and quality of ground water, and the extent to which the supply may be replenished as a result of adoption of methods of natural or artificial recharge.

In a large part of the area in Arkansas none of these aquifers are sufficiently investigated to make possible a sound evaluation of the availability, amount, and quality of ground water. It would be unwise to attempt a large-scale development without this information. Also, the proposed investigation will yield information needed to assure wise conservation and regulation of water.

Mississippi

Fifty-one counties in Mississippi are included in the embayment region. More than 95 percent of the public water supplies are from wells. In the Mississippi alluvial plain (Yazoo delta) the number of irrigation wells in operation increased from about 25 to 350 between 1949 and 1954. The volume of water pumped for irrigation almost doubled each year during the period. In 1954 the total pumpage of ground water for irrigation was estimated at 1,225 million gallons a day during the growing season.

The use of supplemental irrigation from wells for row crops and pasture is growing rapidly, and will continue to grow, as a result of the passage of the Hope-Aiken bill. In addition to the irrigation development, several industrial plants in the Mississippi alluvial plain are using a total of about 100 million gallons of water a day.

Some of the aquifers in Mississippi are not sufficiently investigated, so that the availability, amount, and quality and quantity of water can be evaluated. It would be unwise to attempt a large-scale development without this information. Also, the proposed investigation will yield information needed to assure wise conservation and regulation of water.

Kentucky

All or parts of 11 counties in the western part of Kentucky are included in the Mississippi Valley embayment. About 90 percent of the municipal supplies are from ground water. This is one of the most productive ground-water areas in Kentucky. This region has the greatest potential for ground-water development of any area in Kentucky, with the possible exception of glacial alluvium along the Ohio River known as the Jackson Purchase region. It is an area of rapid industrial growth, and information on the quantity and quality of water available is urgently needed. It would be unwise to attempt a large-scale development without this information. Also the proposed investigation will yield information needed to assure wise conservation and regulation of water.

Missouri

All or part of nine counties in southeastern Missouri are included in the embayment region. This forms a part of a large area in which large quantities of ground water are used for rice irrigation. Further studies of the area are needed to determine the quantity and quality of water available.

Louisiana

Fourteen parishes in northern Louisiana are included in the embayment region.

Tennessee

Most of Tennessee west of the Tennessee River—all or parts of 19 counties—is included in the embayment. This is the most productive ground-water area in Tennessee. Large quantities of water from wells are used for domestic, public, and industrial supplies. In the Memphis area more than 135 million gallons of ground water a day is used for municipal and industrial purposes.

In most of this area these aquifers are not sufficiently investigated, so that the availability, amount, and quantity and quality of ground water can be evaluated. It would be unwise to attempt a large-scale development without this information. Also, the proposed investigation will yield information needed to assure wise conservation and regulation of water.

Texas

Four counties in northeastern Texas are included in the embayment region.

Mr. CLARK. Mr. President, I should like to call up my amendment to the pending bill, sent to the desk earlier today.

The PRESIDING OFFICER. The amendment offered by the Senator from Pennsylvania will be stated.

The LEGISLATIVE CLERK. On page 17, line 6, it is proposed to strike out "$17,000,000" and insert in lieu thereof the following: "$17,900,000: *Provided*, That of such amount $1,000,000 shall be used for the construction and development of the Independence National Historical Park."

Mr. CLARK. Mr. President, this amendment has been discussed with the distinguished chairman of the Committee on Appropriations and with the ranking minority member. Its purpose is to make it possible to continue in the fiscal year 1958 the improvements already under way at Independence Hall in Philadelphia, and the surrounding area.

In 1948 the Congress created the Independence National Historical Park. It was a three-way deal. The city of Philadelphia gave Independence Hall and the surrounding area to the United States Government and undertook to make certain improvements. The Commonwealth of Pennsylvania undertook to improve the area north of Independence Hall, has spent some $7½ million already, and is about to spend more. The Federal Government has already spent $7½ million in the area which it undertook to improve.

Because of something, which I can only describe as a "snafu," with which the distinguished Senator from Arizona is cognizant, the necessary amount to continue that work this year was left out of the budget.

The Director of the National Park Service, Mr. Wirth, appeared before the Committee on Appropriations and explained how that unfortunate incident had occurred. He pointed out they had programed for this work, during the coming fiscal year of 1958, an amount slightly in excess of $1 million, which was to be divided among demolition, landscaping, and restoration of historic buildings.

Mr. President, if this amendment is not adopted and I hope it will be accepted by the distinguished Senator from Arizona [Mr. HAYDEN]—the work which is now about one-third to halfway completed will stop, and nothing will happen to the Federal part of the program during the fiscal year, while the State and city will go ahead. The Federal Government will be unable to continue the work that it has been undertaking.

Mr. President, as a result of the appearance before the distinguished Senator's Subcommittee on Appropriations by the senior Senator from Pennsylvania [Mr. MARTIN], myself, and the Chairman of the committee appointed by the President to put this project through, Judge Edwin O. Lewis, of Philadelphia, the sum of $100,000 was appropriated for this work.

Mr. President, it has been my view—and I imagine the Chairman of the committee will agree with me—that not very much can be done on a $1 million program if only $100,000 is provided to carry it out. I hope very much that the distinguished Chairman of the committee will accept the amendment.

Mr. HAYDEN. Mr. President, I do not think we can agree to all the Senator asks for, as the Senator has stated that there is no budget estimate. It was an accident or something which happened, so that the estimate simply was not submitted.

We are, of course, loath to put items in an appropriation bill for which there is no estimate or request.

There was an explanation made of the item, to which perhaps the committee did not respond properly when it provided $100,000.

How would the Senator feel if I conferred with my friend, the ranking Republican member of the subcommittee [Mr. MUNDT], and suggested $500,000 as a suitable amount for the next fiscal year? Could something worth while be done with that amount?

Mr. CLARK. I may say to my friend, the Senator from Arizona, that every little bit helps. We can certainly do 5 times as much with $500,000 as we can do with $100,000. While we can only do half as much as we could with $1 million, I have come to learn, in my short span in the Senate, that half a loaf is better than no bread.

Mr. HAYDEN. We can take that amount to the House. Is that agreeable?

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. MUNDT. Mr. President, I have conferred with the chairman of the subcommittee on the Interior Department appropriations about this matter and I have also talked with the distinguished Senator from Pennsylvania [Mr. CLARK]. I have also been approached by the distinguished Senator from Pennsylvania [Mr. MARTIN].

I must say that I visited at Independence Square just a week ago tomorrow in connection with the Alexander Hamilton Student Scholarship Convention, which was concluded there on Friday, and I had an opportunity to be shown around the place. I looked at some of the improvements which are being made, and I feel it is a highly meritorious project of interest to all Americans. After all, that is the birthplace of the Constitution, the greatest charter of freedom any free people have ever had.

I wish to associate myself with the statement made by the chairman of the

committee, and agree to take the $500,000 to conference.

Mr. CLARK. Mr. President, I desire to modify my amendment by reducing the amount requested from $1 million to $500,000, which will call for decreasing the total sum from $17,900,000 in the proposed amendment $17,400,000.

As modified the amendment would read as follows:

On page 17, line 6, strike out "$17,000,000" and insert in lieu thereof "$17,400,000: *Provided*, That of such amount $500,000 shall be used for the construction and development of the Independence National Historical Park."

The PRESIDING OFFICER. The Senator has the right to modify his amendment.

Mr. HAYDEN. It will be earmarked in the bill instead of in the report.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. CLARK] as modified.

The amendment, as modified, was agreed to.

Mr. CLARK. Mr. President, I take this opportunity to express my deep gratitude to the distinguished Senator from Arizona [Mr. HAYDEN] and the distinguished Senator from South Dakota [Mr. MUNDT] for their understanding of the need to have this work go forward not only for the benefit of my hometown, but for the benefit of the Nation as a whole.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. COOPER. Can the distinguished Senator, who has charge of the Interior Department appropriation bill, tell me whether the pending bill includes any funds for the acquisition of lands to create, to add to, or to take the place of a wildlife refuge in western Kentucky between the Tennessee and Cumberland Rivers, near the site of the Barkley Dam?

Mr. HAYDEN. There is no money in this bill for that purpose.

Mr. COOPER. Many citizens of Lyon, Trigg, and other counties have written me. They express great concern over a reported plan to acquire a large acreage, estimated at some 15,000 acres, in their counties. They have stated that the proposed refuge would require the acquisition of most of the land along the shores of the lake to be created on the Tennessee and Cumberland Rivers, and that it would remove from the tax rolls a large percentage of the arable and cultivable land in their counties. Can the Senator also inform me whether or not there were any deliberations in the committee relating to plans in anticipation of such acquisition?

Mr. HAYDEN. There was no discussion whatsoever.

In a general way, my understanding is that the construction of the Barkley Dam would do away with a certain area devoted to fish and wildlife refuges, and that the Corps of Engineers feels obligated to replace the area taken away. From what the Senator says, the proposed replacement is not acre for acre, but some proposals would very greatly increase the acreage.

Mr. COOPER. This proposal would call for 15,000 acres in place of the wildlife refuge of 4,000 acres.

Mr. HAYDEN. This is a matter which Congress must consider very carefully before anything is done. Nothing of the kind is provided for in the pending bill.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. LAUSCHE. Under the heading "Acquisition of Strategic Minerals," there is a proposed appropriation of $6,700,000, to remain available until December 31, 1958, for the purpose of "carrying out the provisions of the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956." My inquiry is: Will this appropriation, if made, be available for the purchase of tungsten?

Mr. HAYDEN. No. There is a specific limitation in the bill.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Was the amendment offered by the Senator from Pennsylvania [Mr. CLARK] accepted?

Mr. HAYDEN. I understood that the amendment was adopted.

The PRESIDING OFFICER. The amendment, as modified, was agreed to.

Mr. LAUSCHE. As I understand, the bill does not contemplate the purchase of tungsten.

Mr. HAYDEN. Not at all.

Mr. LAUSCHE. I understand that the exclusion of the money for use for the purchase of tungsten is covered in the following language:

Provided further, That none of the funds appropriated in this paragraph shall be available for purchases authorized in section 2 (a) of said act.

Mr. HAYDEN. Purchases under section 2 (a) of the act are discussed in the committee report, in the following language:

The committee recommends the allowance of $6,700,000 for the acquisition of strategic minerals under Public Law 733, 84th Congress.

The recommendation will provide $4,200,000 to continue the fluorspar program and $2,500,000 to continue the asbestos program. There are adequate funds available to continue the columbium-tantalum program.

The committee recommends that no funds be allowed for the purchase of tungsten. It is the view of the committee that it is not possible to obtain funds for the purchase of tungsten under the provision of Public Law 733. In the event Public Law 733 is amended or new legislation enacted pertaining to the acquisition of tungsten the committee would consider a request for funds, which should be submitted in the regular manner, to implement such legislation.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Minnesota [Mr. HUMPHREY], the Senator from Texas [Mr. JOHNSON], the Senator from West Virginia [Mr. NEELY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Rhode Island [Mr. PASTORE], the Senator from Georgia [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Mississippi [Mr. STENNIS] are absent on official business.

The Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

I further announce that if present and voting, the Senator from Minnesota [Mr. HUMPHREY], the Senator from Texas [Mr. JOHNSON], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Rhode Island [Mr. PASTORE], the Senator from Georgia [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Mississippi [Mr. STENNIS] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate.

The Senator from Indiana [Mr. JENNER] is necessarily absent.

If present and voting the Senator from New Hampshire [Mr. BRIDGES], the Senators from Indiana [Mr. CAPEHART and Mr. JENNER], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] would each vote "yea."

The result was announced—yeas 81, nays 0, as follows:

YEAS—81

Aiken	Church	Green
Allott	Clark	Hayden
Anderson	Cooper	Hennings
Barrett	Cotton	Hickenlooper
Beall	Curtis	Hill
Bennett	Dirksen	Holland
Bible	Douglas	Hruska
Bricker	Dworshak	Ives
Bush	Eastland	Jackson
Butler	Ellender	Javits
Byrd	Ervin	Johnston, S. C.
Carlson	Flanders	Kefauver
Carroll	Frear	Kennedy
Case, N. J.	Fulbright	Kerr
Case, S. Dak.	Goldwater	Knowland
Chavez	Gore	Kuchel

Lausche	Mundt	Smith, Maine
Long	Murray	Smith, N. J.
Magnuson	Neuberger	Symington
Malone	Potter	Talmadge
Mansfield	Purtell	Thurmond
Martin, Iowa	Revercomb	Thye
Martin, Pa.	Robertson	Watkins
McClellan	Saltonstall	Wiley
McNamara	Schoeppel	Williams
Morse	Scott	Yarborough
Morton	Smathers	Young

NOT VOTING—14

Bridges	Langer	Payne
Capehart	Monroney	Russell
Humphrey	Neely	Sparkman
Jenner	O'Mahoney	Stennis
Johnson, Tex.	Pastore	

So the bill (H. R. 5189) was passed.

Mr. HAYDEN. I move that the Senate insist upon its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HAYDEN, Mr. CHAVEZ, Mr. MAGNUSON, Mr. MUNDT, and Mr. YOUNG conferees on the part of the Senate.

PROPAGANDA EXPOSED JEOPARDIZING PALESTINE ARAB REFUGEES

Mr. JAVITS. Mr. President, in the press in Washington today and in the press in New York we have two widely divergent stories on what is happening in the latest chapter in Egypt's propaganda against the United States. The Washington Post says in its headline, "Egypt's Press Says United States Plot Stirs Revolts." The New York Times headline is "New Cairo Drive Aims at Refugees."

We are told by the Egyptian press of secret negotiations between Iraq, Jordan, and Israel, with the United States in the alleged role of mediator to resettle in Iraq the approximately 500,000 Palestine Arab refugees now in Jordan. This is called an American plot. The facts of the situation are that the propaganda datelined Cairo, and emanating from the Government-controlled Egyptian radio and press, deals with the very lives of 922,000 Palestine Arab refugees. I wish to denounce this as false propaganda and it is exposed by the New York Times. It is dangerous propaganda, too. It plays with the misery of human beings, and holds back again the solution of this vexing problem of the Palestine Arab refugees.

Such malicious irresponsibility must be promptly and unhesitatingly exposed. It must be well known to Colonel Nasser and his propagandists that riots and bloodshed among the Palestine Arab refugees—which have occurred before—are the only likely outcome of such false propaganda.

The time is ripe for the United States to spark a major drive in the Middle East for the resettlement of the Palestine Arab refugees, including implementation of the Johnston plan for the development of the Jordan River valley. But this would be done in the open, with full consultation of all parties and assurances of Israel's contribution toward resettlement.

The Palestine Arab refugees remain one of the most nettling problems standing in the way of some affirmative progress toward permanent peace and regional cooperation in the Middle East. It is my conviction that for some time Egypt's Colonel Nasser has been the principal advocate of continuing to use these 922,000 unhappy human beings as the main unsettling factor in the Middle East by blocking efforts to resettle them in Arab lands.

I have made inquiries here into this matter. I state again that I can find no substance to the Cairo story I have referred to. I hope this irresponsible propaganda—maliciously false—will backfire even in the troubled Near East, and show the Palestine Arab refugees that the Arab States other than Egypt—which, in my opinion, is in effect doing the Soviet Union's work in that area of the world—and that the other nations, including our own, who contribute so generously to the UNRWA for Palestine Arab refugees, know how essential is resettlement of the Palestine Arab refugees on the highest priority.

I ask unanimous consent that the two news stories to which I have referred may be printed in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from New York?

There being no objection, the news articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of June 24, 1957]

EGYPT'S PRESS SAYS UNITED STATES PLOT STIRS REVOLTS—HAMMERS AT CHARGES OF SECRET PARLEYS ON REFUGEE HOME IN IRAQ

CAIRO, June 23.—The Egyptian press today predicted that wat it called an American plot against Palestine Arab refugees would lead to revolts and disturbances in Jordan.

For the third day, the Government-controlled press hammered away at the charge that the United States was mediating in secret talks between Israel and pro-Western Arab countries to resettle refugees from Jordan in neighboring Iraq.

(Israeli sources in Jerusalem denied any such talks were in progress.)

A half million Arab refugees of the 1948 Palestine war are crowded into the territory west of the Jordan River annexed by Jordan after the war.

The press accused Saudi Arabia, Jordan, Iraq, and Lebanon of treating with hated Israel and with American colonialism.

Iraq officials denied that Iraq would accept the refugees. A statement said Iraq is not in favor of settling Palestine refugees in any country except in their homeland in Palestine.

The Egyptian press also carried a report of the semiofficial Middle East News Agency that Foreign Minister Samir Rifai of Jordan and Israeli Prime Minister David Ben-Gurion met recently in Aqaba, Jordan, with a view to reaching agreement on preliminary steps toward the conclusion of a peace agreement between the two countries.

The leftist newspaper Al Messa said: "The biggest treason is being committed these days in the history of the Arab nations—a treason that will remain a black spot in Arab history and lead to the ouster of those who committed it."

[From the New York Times of June 24, 1957]

NEW CAIRO DRIVE AIMS AT REFUGEES—REPORT OF JORDANIAN-ISRAELI TALKS VIEWED AS EFFORT TO STIR UP UNREST

(By Osgood Caruthers)

CAIRO, June 23.—Using the Palestine refugee problem as his most powerful weapon President Gamal Abdel Nasser has opened a massive propaganda campaign against those Arab governments that have abandoned him to line up with the West.

This has become evident during the last 3 days in a sudden outburst of obviously inspired stories, bitter editorials and radio broadcasts emanating from Cairo.

President Nasser's semi-official Middle East News Agency topped a barrage against Jordan today with a completely unattributed story that Samir el-Rifain, Jordan's Deputy Premier and Foreign Minister, had met secretly with Premier David Ben-Gurion of Israel at Aqaba "with a view to reaching agreement on preliminary steps toward the conclusion of a peace agreement between the two countries."

The story went on to say that "agreement was reached between Israel and the representatives of pro-West Arab countries on the forcible transfer of Palestinian refugees to unpopulated areas in the desert between Jordan and Iraq."

The Middle East agency distributed this story under an Amman dateline although the news service has not had a reporter in Jordan since its correspondent was expelled from that country in April.

The principal target of the Cairo stories, editorials and broadcasts has been King Hussein and his pro-Western Jordanian Government. Diplomats in Cairo see in President Nasser's campaign an all-out effort to incite the half-million Palestine refugees in Jordan to open revolt.

Those who have watched the events of the last three months, in which Jordan, Lebanon, and Saudia Arabia have come out in open opposition to the pro-Soviet policies of Egypt and Syria, have wondered how President Nasser would strike back.

The Egyptian leader has held that the people of those countries still support his nationalist policies of "positive neutralism," which in fact have invited Soviet penetration into the Middle East.

PAST RIOTS CITED

In now becomes clear that the Egyptians have decided that Palestine refugees, whose hungry and hopeless thousands make up half of Jordan's population, are the best weapon.

Incredible as the Middle East agency's report may seem to a student of the Middle East, it is certain to have some effect among more innocent masses of refugees and Arabs throughout the Middle East.

Any suggestion of a final peace with Israel is like a red flag among the great majority of Arabs. More important, however, is the fact that any suggestion of a resettlement of Palestine refugees or of trying to resolve their problem any way other than by their return to their homes in what is now Israel is almost certain to incite violence. Such suggestions in the past have caused riots among the refugees.

An analysis of Egyptian press and radio reports shows that President Nasser's campaign began subtly a month ago. At that time there was a sudden spate of inexplicable attacks against the United Nations Relief and Works Agency for Palestine Refugees, which is charged with caring for almost 1 million refugees.

Although Egyptian authorities pledged full cooperation with the United Nations agency, charges continued that it was "plotting to annihilate refugees," was helping the Jordanian Government identify and arrest "Arab nationalist" element in refugee camps and was halting its rehabilitation services as part

of a so-called Western imperialist plot to settle the problem in Israel's favor.

IRAQ AID TO JORDAN SEEN

(By Sam Pope Brewer)

BAGHDAD, Iraq, June 23.—Iraq has agreed to give important economic aid to Jordan, according to a reliable source. Representatives of the two countries conferred today on details.

King Feisal of Iraq, King Hussein of Jordan, and Crown Prince Abdul Iliah of Iraq attended part of the meetings, but the main talks involved cabinet ministers in technical discussions.

Iraq already has paid 250,000 dinars ($700,000) to Jordan as the first installment of the equivalent of $4,620,000 pledged last year for development projects.

Ali Mumtaz, Iraq's Minister of Finance, said that Iraq was prepared to aid Jordan, but he added that he could not give any details before the talks were completed. The meetings began last night and were expected to continue at least through tomorrow. The atmosphere of the discussions was reported to be harmonious.

DEVELOPMENT NEEDS OUTLINED

The Jordanian delegation was understood to have presented detailed specifications of Jordan's needs for basic industrial and agricultural development projects. The question of defense aid also was expected to come up.

Development aid is important to Jordan, but she also is worried about replacing the £12,,500,000 ($35 million) annual subsidy she formerly received from Britain under their defense treaty.

Saudi Arabia, Egypt, and Syria agreed in January to furnish an equivalent sum to Jordan following cancellation of the British treaty. But only Saudi Arabia has paid her first installment.

Iraq is represented at the talks by Premier Ali Jawdat, Finance Minister Mumtaz, Dr. Nadim Pachachi, Minister of Economy, and Ahmed Mukhtar Baban, Minister of Defense.

Jordan's representatives are Premier Ibrahim Hashem; Samir Rifai, Foreign Minister and Deputy Premier; Anastas Hananiyah, Minister of Finance, and Khelousi Alkhairi, Minister of Economy.

ALTERING OF MATERIAL FOR PUBLICATION IN U. S. NEWS & WORLD REPORT

Mr. JOHNSTON of South Carolina. Mr. President, I should like to call to the attention of the Senate an unusual and uncalled for case of censorship by the editor-publisher of a leading magazine. What I have to say should serve as a warning to other Senators, when submitting material for publication in U. S. News & World Report. Senators should realize that the editor-publisher of that magazine, David Lawrence, may alter it to serve his point of view.

In the May 24 issue of U. S. News & World Report there appeared an article entitled "You Can Have Better Postal Service—If," by Postmaster General Summerfield, covering 15 pages of the magazine. In my judgment, it was not an accurate portrayal of the complex postal problem. It contained many discredited claims, distorted statistics, and charts.

In the interest of correcting the record I telegraphed Mr. Lawrence as follows on May 28:

Have read exclusive interview with Postmaster General Summerfield, "You Can Have Good Mail Service—If." As you no doubt know, there has existed a difference of opinion between the Congress and the Postmaster General over Post Office policy. I would appreciate opportunity to present opposing side of this complex issue. Knowing your creed of presenting all facts in interest of better informed public, trust you will accept this article for an early June issue.

I received a hand-delivered reply on May 29 signed by Carson F. Lyman, managing editor. That letter stated:

Your telegram addressed to Mr. Lawrence was referred to me as I am in charge of the news content of the magazine. We would be glad indeed to have you send us at an early date the article on the postal service referred to in your telegram, so that we may publish it in a future issue. Please address the article to my attention.

My manuscript reply was delivered to Mr. Lyman's office on June 7. On June 12 I wrote a letter to Mr. Fitzhugh Turner, another editor of the magazine. Mr. Lyman had gone on vacation and I was advised to deal with Mr. Turner. In the June 12 letter, I requested that some additional language be included in my original manuscript. I also included the following sentence:

Should this be too long an insertion and need rewriting, I would appreciate your checking with me any such rewriting in order that we all may be sure the proper sense of my suggestion is carried out.

I kept my reply to the Summerfield article reasonably short. It would have covered 5 or 6 pages of the magazine, as contrasted with the 15 pages and 6 charts required for the Summerfield interview. I sent two very effective charts along with my manuscript.

I fully expected that my article would appear as written. I know it will shock Members of the Senate, as it did me, to learn that Mr. Lawrence took it upon himself to trim 25 percent of my manuscript—and I might say the most telling arguments—without so much as a phone call to let me know what he was up to. The two very enlightening charts I prepared were discarded and did not appear with the article.

I recognize that Mr. Lawrence had no obligation to accept for publication an article prepared by me. I feel strongly, however, that once having agreed to print the article, he violated the code of a newspaperman and publisher when he performed major surgery on my manuscript without first notifying me of his intention to do so.

Certainly, I would have withdrawn the article if I had had any advance warning that 25 percent of my language would be censored. I condemn Mr. Lawrence's lack of courtesy in this matter. In my opinion, he trimmed from the article those viewpoints which did not happen to coincide with his own. As I said previously, Senators should be on notice regarding this practice of U. S. News & World Report.

In order that Senators may judge for themselves whether the censored paragraphs are as important and informative as I believe them to be, I ask unanimous consent that the article as submitted by me for publication be printed at this point in the RECORD with the deleted language appearing in italics.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the U. S. News & World Report of June 21, 1957]

I am grateful to the editors of U. S. News & World Report for this opportunity to set the record straight on the complex postal issue. The granting of this privilege is in the best traditions of the free press we all cherish so deeply.

I have no desire to engage in a war of words with the head of the postal service. Yet there are two sides of the postal coin. The American people have heard the arguments of the Postmaster General. In my judgment he has used distorted statistics to achieve a preconceived result. If the Congress were to accept his arguments, we would reverse almost overnight 180 years of postal history.

The American people are entitled to the best postal service in the world. They are not getting it today. What's more, service will deteriorate further if Mr. Summerfield carries out his newest threat to close post offices on Saturday, and curtail operations in other areas. The morale of postal employees is at its lowest ebb.

Postal patrons know without my telling them just how bad service is today. Both the House and the Senate postal committees have been studying the Department for the past 4 years in an effort to improve service. Senators and Representatives are hearing constantly from constitutents about unsatisfactory postal service. Newspaper editors pound out editorials daily about the need for improvement in the archaic workings of the post office. Never in my lifetime has mail delivery been so slow. Recently I mailed a letter to my office in Columbia, S. C. It arrived 7 days later. The people are justifiably aroused at such poor service when they learn that in Paris a letter mailed at noontime is delivered within the city the same night.

There seems to be unanimity on one important phase of the postal problem: The physical facilities of the postal service are "archaic and antediluvian," to use the phrase of Deputy Postmaster General Stans. Aside from the substandard conditions our loyal postal workers must endure—poor lighting, insufficient space, poorly designed buildings, inferior ventilation, etc.—the outmoded postal plant slows down mail handling to a considerable degree while adding to costs.

If we are to provide the best postal service in the world for the American people, we must come to grips with the over-riding need for modern postal facilities. The Post Office Department's thinking in this regard is reminiscent of the gay nineties. While industry is constantly moving ahead in the 20th century to provide the most efficient buildings and equipment to accommodate the needs of the modern world, the post office has virtually stood still.

I propose to introduce legislation shortly which would remedy this tragic condition. My bill would authorize the Postmaster General to borrow the sum of $2 billion from the Federal employee's retirement fund. Under the supervision of a special commission composed of Members of the Senate, Members of the House and representatives from the executive branch, such funds would be expended for (1) the construction of modern postal buildings throughout the land, (2) modernization of existing facilities, and (3) the development of the most

advanced mechanical devices to process the everexpanding volume of mail.

This plan would offer an immediate solution to Post Office Department problems and provide the necessary funds for a sweeping modernization and rebuilding program. This program, when completed, would insure much better service at drastically reduced costs to the American people.

It should be noted that the Federal Treasury is presently paying 2⅞ percent interest on such retirement funds, which it borrows from Federal employees. My bill would provide for the payment of 3½ percent interest by the Post Office for the loan of such retirement funds. The people would benefit all around under my proposal and the Federal Employees' Retirement Fund would be strengthened.

This may sound like a revolutionary proposal. It is. But I consider it a sound approach to a problem which Postmasters General and the Congress have not dealt with adequately in the past.

Congress has never been unwilling to provide adequately for the United States Postal Service. It has resented the misuse and overspending of such funds. Particularly, when higher and higher postal appropriations have been followed by poorer and poorer service.

Are postal rate increases necessary to improve service? I submit the answer is "No." The fact is that even if the Government extracted a billion more dollars a year from the public, through mail rate increases, the Postmaster General would not get one extra dime to run the postal service. All receipts from stamp sales and other fees levied by the Post Office go to the United States Treasury. There is no connection between postal receipts and Post Office operating funds. The Post Office cannot spend any of the money it takes in. Every penny of the $3-billion-plus it takes to run the Post Office for a year is appropriated by Congress, in the same fashion as for other Government departments. I repeat it is a plain fact that increasing rates has nothing to do with improving service.

The propaganda war now being waged to force Congress to raise postage rates is unparalleled.

In my experience, no Cabinet Member ever spent so much time on Capitol Hill or lobbied so much with Senators and Representatives to put across his project. One House leader revealed he was telephoned by Mr. Summerfield seven times in a single day, each call being to urge action to raise mail rates. Many Members have wondered: Why this massive and continuous campaign? It will be recalled that the previous Postmaster General, Jesse Donaldson, a Democrat, also advocated rate increases on several occasions. But Mr. Donaldson proposed; he did not demand. Some Members say that is why Mr. Donaldson succeeded where the present Postmaster General has failed. This issue, however, cannot be settled on the basis of personalities.

What is the real reason for this insistence on raising postal charges, which of course is just another way of raising taxes? I think I know the answer. Mr. Summerfield decided he could gain the headlines by making an ogre out of the postal deficit. He knew that the cost of running the total postal establishment has exceeded the revenue for many years, except during wartime when the military assumed many postal costs. He would change all that, and put the Post Office on a pay-as-you-go basis. The Postmaster General soon discovered that the only way this could be done fast would be to increase first-class letter rates to 4 cents. This he set out to do when he assumed office in January 1953.

Somehow, this plan has not succeeded, and I hasten to add that the shifting political tides are not the reason. After all, he had a Republican Congress in 1953 and 1954, and still failed. The Congress takes seriously its constitutional prerogative of establishing postal policy for the United States and will not be stampeded into hasty or ill-advised action.

I mentioned at the start that—

many of the claims of the Postmaster General are neither factual nor logical. Let's take some examples. A chart often used by the Postmaster General and reproduced in his article attempts to prove that there were fewer postal employees in 1956 than in 1952. This chart is designed to show that the Post Office Department is handling a greater volume of mail with fewer employees. Experts know that the proper measure of employment is man-years. A man-year is one employee working full time for 12 months. One man working 60 hours each week would constitute 1½ man-years.

Thousands of substitute clerks and carriers have even declined to become regulars because their workweek would then be restricted to 40 hours. To make ends meet they work many long hours overtime.

On this basis, the Senate Committee on Appropriations disclosed recently that there has been a substantial increase in employment, actually about 47,000 more man-years in 1958 than 1952. So the claim of reduced employment is not factual.

Let's look at the key argument that Mr. Summerfield makes in his demands for rate increases. We are led to believe 3-cent letters are carried at a loss. He demands a 4-cent rate, and suggests that a 5-cent rate is required. The Post Office's figures for 1956 show that first-class mail made a profit of about $36 million.

I referred to distorted statistics and this is what I had in mind.

Since the Post Office's own report shows a profit on first-class mail, and the Postmaster General claims he is losing money at the 3-cent rate, the public is entitled to ask, How come? This conflict between fact and claim is difficult to rationalize.

The Post Office decided it needed a new formula if 4-cent letters were to be justified, so it created intangible factors which are now included in its computations. These intangible factors would place a percentage value on first-class mail in excess of the actual cost of handling such mail matter. Until the present Postmaster General assumed office, no consideration was ever given to such an arbitrary formula. When the rate on first-class was increased in 1932 from 2 cents to 3 cents, the legislation was processed by the House Ways and Means Committee as a tax measure. During the depression years the Federal Government was seeking funds from every conceivable source. First-class users, as a result, have been paying more than their fair share of postal costs for the past 25 year. In my judgment it is unfair, on the basis of newly conceived factors, to again tax such users through the medium of a 4-cent rate. It may simply be coincidence but the use of these arbitrary intangible factors transforms a $36 million first-class profit into a $346 million loss—just enough to justify a 4-cent rate.

Actually first-class letter mail would not show a profit if it were not for the fact that billions of letters carry more than 3 cents in postage. A first-class letter weighing 1.1 ounces requires 6 cents postage, and it would be 8 cents if pending legislation passes. The Post Office makes a considerable profit on letters weighing over 1 ounce since the average cost of handling first-class mail as a whole is just a little over 3 cents per each ounce.

Considering the fact that first-class post cards are handled for only 2 cents, it will be obvious that the profit on first-class letter mail would be even greater if the $31 million current loss on these cards were not included in the overall first-class mail cost statistics.

A claim often made by the Postmaster General and Department officials is that they have achieved a $1 million a day savings in the operation of the postal service through efficiency. The basis of this assertion is that the postal deficit was $720 million in 1952, and $363 million in 1955. Mr. Summerfield's charts on this achievement are most dramatic. But let's take a close look at the claim.

Rate increases enacted by a Democrat Congress in 1951, but not fully effective until 1954, increased postal revenues by $272 million annually. (I sponsored the legislation which increased second-class rates by 30 percent and the third-class bulk rate by 50 percent. Post cards were increased 100 percent. In addition, parcel-post rates have been hiked more than 100 percent since 1949, including a substantial boost since Mr. Summerfield assumed office.)

Congress also passed a law which transferred $37 million of franked and penalty mail costs to other Federal agencies.

In like manner the airmail subsidy of $70 million was transferred to the Civil Aeronautics Board. Theretofore the Post Office was charged for this large item.

Of course, the taxpayers did not save a dime by these actions. The users of the mails and the taxpayers are still paying for these $379 million of statutory and bookkeeping adjustments. Yet the Postmaster General, relying on the public's lack of knowledge regarding these items, claims a daily saving of $1 million.

Facts are revealing, aren't they?

We are now faced with another crusade. The Postmaster General says that unless he gets an additional $149.5 million in operating funds for the coming year, he will cut service on July 1. At this writing, I do not want to prejudge a matter on which I will have to vote, after weighing the evidence. But I can and do deplore Mr. Summerfield's tactics in giving Congress an ultimatum. He says, in effect, "give me all the money I want or I will take it out on the public by cutting service." This is what he did last spring, causing the greatest public outcry ever raised against any Postmaster General. The April service cutback was completely unnecessary. The fact is that financial mismanagement—to the point of being illegal according to the official opinion of the Comptroller General—caused the April crisis. The Postmaster General knew, a year in advance, how much he had to spend during the fiscal year ending June 30, 1957. He overspent the funds allowed him during the first 9 months of the year, then demanded that Congress give him more money to operate in the last quarter. This shotgun-to-the-head approach was without precedent in our history. I regret to say that it worked, at least in part. Congress knuckled under. Having once succeeded in bending Congress to his will, Mr. Summerfield is now staging a repeat performance.

The whole Nation is up in arms over the level of Government spending. There is an unprecedented demand for every possible economy, and I say it is about time we heeded the public outcry. It is only proper that the Post Office should cut some corners, like every other Government department is being forced to do.

I refuse to believe that a small reduction in the Postmaster General's requests for additional postal funds forces such drastic action. The little bit of economy required can be achieved without reducing service or

firing regular employees. Actually Congress already has given him $166 million more for 1958 than it appropriated last year.

Why is it that whenever Congress declines to give Mr. Summerfield every cent he demands, he reacts by slapping the faithful mailman? Why not do some trimming among the brass? After all, the faithful mailman is the one who delivers the mail to your door thereby performing the vital service for which the Post Office was created. The many top postal officials can only confuse that service by issuing orders from the many new different levels of authority. The salary of 1 top administrator equals the pay of 4 mailmen.

A disturbing angle of the current controversy is the suspicion that all this fuss about funds to run the Post Office is really a false front to focus attention on the annual effort to raise postal rates. The two issues are in no way related.

One area of postal operations where a considerable saving could be achieved is in the regional and district offices established since November 1953. The Postmaster General over my objection and without the approval of the Congress, divided the Nation into 15 postal regions, each with a regional director at $16,000 per annum, an assistant director, an operations manager, a real estate manager, a vehicle manager, a personnel manager, an industrial engineering manager, and a comptroller. Each regional director has about 6 district managers, and each of them has a large staff working to complicate postal operations.

The regionalization program has raised costs by over $20 million a year. Where there was always one level of responsibility, this administration has produced three which has created the ridiculous situation of conflicting orders, that serves only to slow the service.

Publicity activities of the Post Office offer another opportunity for economy. I asked the Comptroller General to tell me how many press agents there are on the Post Office payroll. The budget shows seven public relations positions in Washington, but the Comptroller General reported to me the publicity staff had increased 1000 percent under this administration, despite job descriptions which obscure the nature of the work being done.

There is a steady flow of press releases from the Department, all devoted to the same sort of propaganda for the Postmaster General's program. These releases are numbered consecutively; not long ago the number got so high as to be embarrassing, so the Postmaster General started all over again with No. 1. The waste in manpower, paper and ink is more than I can measure. You would think that a Postmaster General really interested in economy would do a bit of paring of publicity.

The Postmaster General keeps insisting that he can exercise no real discretionary control over 96 percent of his $3¼ billion budget. His claim is that no economy is possible except on about $140 million of his operating funds. What he does not tell you is that he has almost complete control over the number of persons he employs and man-hours they work, which, after all, determine how much money he spends. He apparently has misled himself because in his article he pats himself on the back for saving $500 million a year through efficiencies and economies, etc. This wizardry with figures is truly amazing.

What can be done to find a permanent solution for the ills of the Post Office? I don't regard the situation as completely hopeless. As a matter of fact, I think it is possible to devise a set of ground rules which will be sensible, workable, and constructive. The Senate Committee on Post Office and Civil Service is on the threshold of attaining such a goal. It has taken a long time, partly because of the vigorous opposition of the Postmaster General, and we still have a way to go. But the outlook is reasonably good for a solution this year.

To explain what I mean, let's review a little history. Back in 1953, a Republican-controlled Senate authorized a $100,000 study of postal problems, including rates. After a thorough investigation in which many experts participated, an excellent report was issued in 1954. Senator Frank Carlson, Republican, of Kansas, headed the postal committee at that time and took the leadership in directing the study. I was the ranking minority member of the committee at the time, and cooperated fully with Senator Carlson. If the recommendations contained in the Carlson report had been adopted by the Post Office, I am confident that the present controversy would never have arisen.

Unfortunately, Postmaster General Summerfield chose to attack the findings, even questioning the motives of some of those who had contributed their time and energy in an effort to draw a blueprint to solve the postal problem. The Post Office even produced an expensive book which cost thousands of dollars to print and circularize, all to answer the Carlson report. While accepting some of the suggestions made, the Postmaster General rejected the major premise and recommendations of the report and little action resulted. He brushed aside all helpful suggestions and continued his relentless drive for a 4-cent first-class letter rate.

When I again assumed the committee chairmanship in 1955, Senator Carlson and I decided to make another try at setting forth some ground rules for the guidance of the postal establishment, and to assist the Congress in legislating sensibly for the Post Office. For the second time the Senate voted unanimously for another full-scale study of the postal establishment. Again, the reaction of the Postmaster General has been completely derisive. The report of the Citizens' Advisory Council was condemned by the Postmaster General even before it was released. In violation of the code of a gentleman, he broke the release date of the report and bitterly assailed the Council's findings. Once again, he impugned the motives of the authors of the report. Though only 3 of the 7 distinguished citizens who served on the Advisory Council are publishers and second-class mail users, the Postmaster General cried "publisher domination." (Incidentally, the Postmaster General also has a Citizens' Advisory Board. Two of its members are publishers and second-class mail users.)

Because of the propaganda efforts of the Postmaster General, the recent report of the Citizens' Advisory Council has not received the attention it deserves. It contained these recommendations:

1. Congress should enact a modern postal policy now to lay the groundwork for subsequent consideration of proper rate adjustment.

2. Such a policy should enumerate and separate the costs to be borne by users of the mails from those to be met in the public interest by appropriation.

3. Congress should reaffirm its responsibility for, and power to set all postal rates so that a uniform policy once established can be maintained.

4. Congress should direct the executive branch to make an immediate survey of the impact of postal rate increases on the economy, especially on small business.

5. Congress should direct the Post Office to request adequate appropriations for research and capital improvements compatible with the highest standards of modern business efficiency, and provide for a periodic review by the Congress of progress achieved.

6. Improvement in postal service and better working conditions for postal workers can only come about if wage scales are adjusted on the basis of merit and economic conditions, and not tied to postal rates or postal revenues.

One of the main features of the Council's report is a set of charts demonstrating that the postal deficit for fiscal 1955, the latest year for which complete figures were available when the report was prepared late last year, was $362.7 million. Items considered by the Council to be of a public welfare nature, the cost of which should be recovered through taxes rather than by increased rates, are shown to total $392.4 million. Should the Congress adopt this finding, the alleged deficit would diminish or completely disappear.

(See chart I.)

Enumerated among these public welfare costs are nonpostal services performed by the Post Office ($14.4 million); free services for newspapers within the country publication, free mail for the blind, and free registered mail for Government agencies ($15.9 million); and preferred rates on books and exempt publications ($60.5 million). Other costs cited are the loss on postal cards ($35.8 million); losing special services such as registered and special delivery mail ($48 million); the loss on parcels diverted from the mail because of a size and weight limitation law passed in 1951 ($73 million); the estimated loss on rural delivery ($95 million); and the loss in operating third- and fourth-class post offices which do not meet expenses ($51.8 million). The total of these items is $392.4 million which represents only 12 percent of present postal expenditures.

The report also points to other hidden public welfare costs which cannot be precisely determined. These costs are estimated in the millions and occur in transportation costs and free services. Here is a partial listing from the Council's report of free services performed for the American people by our great postal establishment. It is impossible to put a dollar value on these desirable services and no one would recommend their elimination:

Provide notary public service for people.

Make collections for the Collector of Customs on mail received with duty charged.

Sell documentary stamps for deeds and stock transfers.

Help the armed services to find relatives of deceased servicemen.

Aid the FHA (Federal Housing Administration) in making surveys of vacancies.

Make flags for veterans' funerals available on behalf of the Veterans' Administration.

Register aliens for the State Department.

Aids the Federal Bureau of Investigation in the apprehension of criminals.

Helps recruit employees for the entire Federal Government.

Sells United States savings bonds and stamps.

Distribute income tax forms for the Department of Internal Revenue.

Receive and transmit funds for volunteer charities: Heart, cancer, polio, etc.

Witness the marking of absentee ballots.

Witness declarations of competence by private bondsmen.

Administer oaths of office.

Certify widows and children in January and July for continued pension benefits.

Although the total public welfare cost is debatable, I am very sure the Council was on the right track in making its compilation. The report will be most useful to our committee in drawing the ground rules for postal operations.

One of the most helpful charts contained in the Council's report demonstrates graph-

ically how the Post Office Department leads all Government agencies in the recovery of costs. Only the postal establishment can point to an 88-percent recovery of costs. The word "deficit" is a word applied to the Post Office alone. All other Federal agencies have appropriations. (See chart II.)

This report, entitled "The Post Office as a Public Service," is a most enlightening document, prepared by seven well-qualified and highly public-spirited citizens. It gets more directly to the heart of the postal problem and suggested remedies than anything offered to date. The report has been the subject of hearings before a Senate Subcommittee which I head. The witnesses were practically unanimous in endorsing the report. I am hopeful that very soon there will be a tangible result from this report and the hearings on it.

I anticipate that a bill setting forth fundamental policy for the postal establishment will be introduced and reported. The chances for Senate passage this year are excellent. Once such a bill becomes law, it should not take long to make whatever rate adjustments seem required. This appears to me to be the orderly way to approach the complex problems of the Post Office.

One facet of the rate situation that worries many Members of Congress, but seems to be of little concern to the present administration, is the impact that across-the-board rate increases will have on our economy. Many small business concerns back home in South Carolina, which depend entirely on mail distribution, have informed me that they will be forced out of business if drastic rate increases are enacted. This would lead to unemployment and loss of tax revenue. While our Committee has asked for it, we are still waiting for some agency of Government to supply us with factual material on the impact of mail rate increases. I am particularly concerned about the little fellows, who lack the flexibility and resources of big business. The most shocking suggestion made by Mr. Summerfield in his article was a reduction of mail volume through increased rates. This is apostasy on the part of a Cabinet officer who should agree with the administration's goal of an expanding economy. A reduced volume of mail can only mean that the small mailer will be forced to the bankruptcy wall. My view is that an increasing volume of mail is good for America. Benjamin Franklin had such a concept. I can see no reason in the year 1957 to depart from the Franklin goal.

I strongly feel that we must proceed full speed ahead with our consideration of a postal policy. Once that issue has been decided by the Congress and agreed to by the President, the Congress should, without delay, enact a rate bill that would more fairly distribute the burden of postal costs in accordance with that policy.

I disagree with the Administration goal that first-class mail users should carry the entire burden for the postal service.

Mr. Summerfield summed up the administration's policy on this question when he told the House Post Office and Civil Service Committees:

"Why are we asking an increase in first-class mail when that is the only class that, considering arithmetical reckoning alone, shows a profit?

"The practical fact is that it is the only class of mail which can help make a substantial reduction in our annual deficit without inflicting any particular hardship on the individual."

One final comment. I note that your earlier interview bore a title, quoting Mr. Summerfield as saying, "You can have good mail service, if—." I would like to make it plain that I don't think there should be any ifs about good mail service. Service is what the post office was created to render. Frankly, I think postal service has deteriorated under the present management, and I think the general public agrees with me. I have faith that Congress will provide the necessary funds, when the Postmaster General lays his pistol down and turns his unbounding energies toward providing an efficient, modern postal service at the lowest possible cost to the American people.

DEVELOPMENT AND MODERNIZATION OF THE NATIONAL SYSTEM OF NAVIGATION AND TRAFFIC CONTROL

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which shall be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1856) to provide for the development and modernization of the national system of navigation and traffic control facilities, to serve present and future needs of civil and military aviation, and for other purposes.

FLOOD DAMAGE IN ARKANSAS, OKLAHOMA, MISSOURI, AND TEXAS

Mr. FULBRIGHT. Mr. President, today I received from the Corps of Engineers a report on the damage caused by the flood conditions which have existed for the past several months in parts of Arkansas, Oklahoma, Missouri, and Texas.

The report contains a commentary on flood-affected areas of the Arkansas, White, and Red River Basins, and contains also a number of tables showing the status of the public works projects in each of these major river basins.

Since the Senate will soon consider the appropriation bill providing funds for public works projects, I think my colleagues will find the reports interesting. Therefore, I ask unanimous consent that they be printed in the body of the RECORD.

There being no objection, the reports were ordered to be printed in the RECORD, as follows:

ARKANSAS RIVER BASIN

The eastern part of the Arkansas River Basin lying in Oklahoma and southeastern Kansas has been subject to severe flood conditions for almost 2 months. Major flooding is still underway on a number of the tributary streams and heavy rainfall has just occurred over the lower Canadian River Valley. At the beginning of this year the area generally was still in the grip of a prolonged drought.

On the main stem of the Arkansas River peak flows have reached from 6½ feet above flood stage at Tulsa, Okla., to 14½ at Van Buren, Ark. Levees at Hutchinson, Kans.; Tulsa and Jenks, Okla.; and uncompleted works at Wichita and Valley Center, Kans., have been fully effective, but heavy losses have occurred in unprotected areas. The main line levees of the lower Arkansas River are carrying the flood to the Mississippi. In this reach there has been a major flood and some flood fighting has been necessary, but the levees have so far prevented inundation of the lower valley.

The Cimarron River has experienced 3 storms with rainfalls of as much as 10 inches in 24 hours. Peak flows were over 8 feet above flood stage at Guthrie and Perkins, Okla. There are no Federal flood control projects on this tributary. In its lower valley the cities of Enid, Rover, Stillwater, and Doyle suffered severe flood damage. The floodway authorized for Enid, but not yet constructed, would have reduced damages substantially.

The Verdigris River has suffered a series of storms and its greatest flood is now underway, and crested on June 13 at Bartlesville, Okla. The Fall River Reservoir is now storing water but is still well below full pool and it is anticipated that the Hula Reservoir will fill to at least three-fourths of its capacity. Four additional reservoirs are authorized for construction on this stream, of which two—Oologah and Toronto—are now under construction.

There has been serious flooding in the valley of the Grand (Neosho) River in Oklahoma; and flows from this tributary have contributed to flooding in the Arkansas Valley below Muskogee, Okla. There are two reservoirs on this river, Pensacola, of the Grand River Dam Authority, and the Fort Gibson Reservoir, which are operated for flood control by the Corps of Engineers. Late in May storms of cloudburst intensity were experienced over these reservoirs and immediately above, when they were almost at full pool. Necessary releases from Fort Gibson reached 210,000 cubic feet per second. Although this flow was much greater than channel capacity and caused serious flooding, an even greater degree of flooding would have occurred without the two reservoirs. Details of the effect of these reservoirs are not yet available. The program for this river is only partly complete as 4 additional reservoirs are authorized for construction upstream in Kansas and 1 reservoir, Markham Ferry is authorized, but not started, in Oklahoma. The 2 existing reservoirs have a flood-control storage capacity of 1.4 million acre-feet. Those now authorized would add over 700,000 acre-feet.

There was moderate flooding on the Illinois River above the Tenkiller Ferry Reservoir but practically no flooding below the dam. The reservoir is within less than a foot of being full.

Flooding has also occurred on the Poteau River in Oklahoma, Petit Jean, and Fourche La Fave Rivers in Arkansas. On these rivers the existing Wister, Blue Mountain, and Nimrod Reservoirs have filled, and capacities of the first two have been exceeded. Although flood damages have occurred, they would have been much greater without these projects.

Preliminary estimates indicate that for the Arkansas Basin as a whole the completed reservoirs and local flood-protection works have prevented damages of about $20 million. Since flooding is still underway, it is possible to present only an approximation of the damage that has occurred, but this appears to be at least $38 million. It is believed that about $13 million of this could have been prevented by Federal works authorized but not yet built.

There are now over 3 million acre-feet of floodwater in storage in the Arkansas River Basin which must be released when downstream conditions permit. This is over and above the water in power and conservation pools, which will be used.

The figures given above of damage prevented do not reflect the value of the main-line levees below Pine Bluff, Ark., which have protected the broad lower valley. Failure of these levees would have resulted in tremendous losses.

The attached tabulations show the cost and status of the authorized program in the Arkansas Basin which affected or would affect this flood, and the status of authorized flood storage.

ARKANSAS RIVER BASIN

TABLE 1.—*Status of program*

Projects	State	Estimated cost	Funded through fiscal year 1957	In fiscal year 1958 budget
1. Complete or in operation:				
Reservoirs:				
Nimrod, Fourche La Fave River	Arkansas	$3,772,000	$3,772,000	0
Blue Mount, Petit Jean River	do	4,771,000	4,771,000	0
Wister, Poteau River	Oklahoma	10,428,000	10,428,000	0
Tenkiller Ferry, Illinois River	do	22,115,000	22,115,000	0
Fort Gibson, Grand River	do	41,063,000	41,063,000	0
Pensacola, Grand River [1]	do			
Hula, Verdigris	do	10,898,000	10,898,000	0
Fall River, Verdigris	Kansas	10,455,000	10,455,000	0
Heyburn, Polecat Creek	Oklahoma	2,374,000	2,374,000	0
Local works:				
Levees, Fort Smith-Pine Bluff	Arkansas	13,159,000	13,159,000	0
Jenks	Oklahoma	345,000	345,000	0
Tulsa and West Tulsa	do	2,785,000	2,785,000	0
Total		122,165,000	122,165,000	0
2. Under construction:				
Reservoirs:				
Oologah, Verdigris River	Oklahoma	31,400,000	5,397,000	$6,800,000
Markham Ferry, Grand River [1]	do			
Keystone, Arkansas River	do	137,000,000	2,237,000	3,100,000
Eufala, Canadian River	do	153,000,000	2,650,000	5,200,000
Toronto, Verdigris River	Kansas	15,600,000	8,146,000	4,700,000
Local works:				
Oklahoma city floodway	Oklahoma	8,700,000	8,700,000	0
Conway County Levee District No. 1	Arkansas	250,000	0	250,000
Wichita and Valley Center	Kansas	11,906,000	10,936,000	830,000
Total		357,850,000	38,066,000	20,880,000
3. Authorized, not started:				
Reservoirs:				
Elk City, Verdigris	Kansas	22,600,000	165,000	85,000
Neodesha, Verdigris	do	18,100,000	0	0
Strawn, Grand-Neosho	do	31,000,000	330,000	125,000
Council Grove	do	12,100,000	150,000	125,000
Cedar Point	do	5,460,000	0	0
Marion	do	6,850,000	0	0
Local works:				
Holla Bend	Arkansas	344,000	0	0
Enid, Buggy Creek	Oklahoma	1,050,000	0	0
Total		97,504,000	645,000	335,000
Grand total		577,519,000	160,876,000	21,215,000

[1] Constructed by Grand River Dam Authority.

TABLE 2.—*Authorized storage capacity*

[Acre-feet]

Reservoirs	Flood control	Power	Water supply	Permanent pool	Total
1. Complete or in operation:					
Nimrod	307,000	0	0	29,000	336,000
Blue Mountain	233,000	0	0	25,000	258,000
Wister	400,000	0	0	30,000	430,000
Tenkiller Ferry	600,000	345,000	0	285,000	1,230,000
Fort Gibson	922,000	365,000	0		1,287,000
Pensacola	523,000	996,000	0	134,000	1,653,000
Hula	252,800	0	26,900	15,400	295,100
Fall River	236,000	0	17,000	10,000	263,000
Heyburn	49,500	0	5,200	5,000	59,700
Total	3,523,300	1,706,000	49,100	533,400	5,811,800
2. Under construction:					
Oologah	950,000	0	46,000	25,000	1,021,000
Markham Ferry	233,000	187,000	0		420,000
Keystone	1,414,000	0	50,000	415,000	1,879,000
Eufala	1,428,000	1,379,000	0	897,000	3,704,000
Toronto	171,000	0	10,000	14,000	195,000
Total	4,196,000	1,566,000	106,000	1,351,000	7,219,000
3. Authorized, not started:					
Elk City	263,000	0	0	26,000	289,000
Neodesha	80,000	0	0	10,000	90,000
Strawn	320,600	0	17,300	50,000	387,900
Council Grove	60,000	0	0	25,000	85,000
Cedar Point	36,200	0	15,800	3,000	55,000
Marion	60,000	0	25,300	4,700	90,000
Total	819,000	0	58,400	118,700	996,900
Grand total	8,539,100	3,272,000	213,500	2,003,100	14,027,700

WHITE RIVER BASIN

There has been a continuous flood on the White River in Arkansas and Missouri since late March of this year. Heavy rains of from 4½ to 7½ inches fell over the upper basin early in April; and even greater rainfall returned in May. The volume of the resulting flood exceeds that of record above the Table Rock project (under construction) in Missouri and is about the maximum of record downstream in Arkansas at Bull Shoals.

The river has been above flood stage at Newport, Ark., since mid-April. Operation of the two existing reservoirs, Bull Shoals and Norfolk, has resulted in a peak flow of 87,000 cubic feet per second at Newport, which would otherwise have exceeded 200,000 cubic feet per second.

The reservoirs on White River, and its tributary Black River, have functioned well in this flood. It is expected that water now in sight will fill Bull Shoals. The Clearwater Reservoir is filled to within about 1

foot of full pool; and Norfolk is about two-thirds full. Also it was possible to store over a million acre-feet in the Table Rock project now under construction. There are now about 5 million acre-feet of floodwaters in storage in these reservoirs which must be released over the coming months.

The completed reservoirs and local flood-protection works prevented damages of about $7 million. Damages that occurred are estimated at $6 million and it is estimated that at least $2 million of these could have been prevented by the works under construction or authorized but not started.

Table 1 herewith shows the cost and status of the part of the authorized program for flood control and water conservation on White River that affected or would affect the current flood. Table 2 shows the storage capacity of the reservoirs which form a major part of this program.

White River Basin

TABLE 1.—*Status of program*

Projects	State	Estimated cost	Funding through fiscal year 1957	In fiscal year 1958 budget
1. Complete or in operation:				
Reservoirs:				
Bull Shoals	Arkansas	$75,260,000	$75,260,000	0
Norfork	do	28,602,000	28,602,000	0
Clearwater	Missouri	9,715,000	9,715,000	0
Local works:				
Newport	Arkansas	314,000	314,000	0
Village Creek	do	532,000	532,000	0
Des Arc	do	177,000	177,000	0
De Valls Bluff	do	241,000	241,000	0
Clarendon	do	227,000	227,000	0
Augusta to Clarendon	do	2,579,000	2,579,000	0
Total		117,647,000	117,646,000	
2. Under construction:				
Reservoirs:				
Table Rock	Missouri	69,600,000	33,401,000	$17,000,000
Greers Ferry	Arkansas	52,100,000	1,145,000	1,700,000
Local works: None		0	0	0
Total		121,700,000	34,546,000	18,700,000
3. Authorized but not started:				
Reservoirs:				
Beaver	Arkansas	46,700,000	275,000	250,000
Lone Rock	do	29,460,000	131,000	0
Local works: Levee units 5 and 6	Arkansas-Missouri	5,900,000	20,000	0
Total		82,060,000	426,000	250,000
Grand total		321,407,000	152,344,000	18,950,000

TABLE 2.—*Authorized storage capacity*

[Acre-feet]

Reservoirs	Flood control	Power	Water supply	Permanent pool	Total
1. Complete or in operation:					
Bull Shoals	2,360,000	2,084,000	0	964,000	5,408,000
Norfork	732,000	707,000	0	544,000	1,983,000
Clearwater	391,000	0	0	22,000	413,000
Total	3,483,000	2,791,000	0	1,530,000	7,804,000
2. Under construction:					
Table Rock	760,000	1,932,000	0	770,000	3,462,000
Greers Ferry	934,000	716,000	0	1,194,000	2,844,000
Total	1,694,000	2,648,000	0	1,964,000	6,306,000
3. Authorized, not started:					
Beaver	308,000	759,000	0	587,000	1,654,000
Lone Rock	657,000	0	0	30,000	687,000
Total	965,000	759,000	0	716,000	2,341,000
Grand total	6,142,000	6,198,000	0	4,111,000	16,451,000

Red River Basin

There have been two major flood-producing storms over the Red River Basin during the past 2 months, and a large amount of intervening rainfall. The first of these storms produced a peak stage at the control point at Fulton, Ark., of about 30.5 feet, or about 3½ feet above flood stage. The volume of the flood at Denison (Lake Texoma) will apparently approach that of of the previous of record in 1908.

Floodwater from above Denison came from a relatively small part of the basin above the dam, due to rainfall of high intensity in parts of the area. In the upper basin flooding occurred along the Washita with damage at Pauls Valley and Lindsay, Okla., and to farmlands. Other upper tributaries also suffered damages and flooding occurred at Waurika, Okla., and at Wichita Falls, Tex.

The full capacity of Denison Reservoir was used and the maximum water in storage at the peak was about 4.2 million acre-feet, including use of part of the power pool with storage 3 feet above the full pool level. Damages in unprotected areas along the Red River below Denison were substantial, but would have been much greater if storage had not been available at Denison.

Serious flooding along the north bank tributaries below Denison, the Boggies, Kiamichi, and on Little River, contributed to flows on the main Red River and to damage on that stream. The three reservoirs authorized to control those streams (Boswell, Hugo, and Millwood) but not yet constructed, would have provided about 4 million acre-feet of storage and would have greatly reduced damages on the rivers below.

The Texarkana Reservoir, although not complete, was used to store floodwaters, and the existing reservoirs, Wallace Lake and Bayou Bodcau, on small tributaries in Louisiana were used but were largely local in effect.

On the lower Red River, below Fulton, Ark., there has been a large amount of flooding in areas not protected by the Federal levees. Due to high flood stages and long duration of the flood, drainage of local tributaries has been blocked and backwater areas between Alexandria and Shreveport, La., have been flooded to a much greater extent than in the flood of 1953.

The 467 miles of main-line Red River levees are in good condition and are protecting the vast agricultural areas and cities and towns of the lower valley. The Corps of Engineers and local agencies have cooperated in guarding and strengthening this incomplete levee line.

There has been high water on the Ouachita River but no major flood.

Is is estimated that completed reservoirs and local flood protection works, exclusive of main line levees generally below Shreveport, prevented about $8 million in damages. Flooding in unprotected areas caused damages now estimated at $11 million. Of this latter amount it is probable that the Federal works authorized but not yet started could have prevented about $4 million in damage. The main line levees are successfully passing the flood downstream.

There are about 4 million acre feet of flood waters in storage in the Red River basin which must be released over subsequent months.

The attached tabulations show the cost and status of the authorized flood control program in Red River basin that affected or would affect this flood; and the status of authorized storage.

RED RIVER BASIN

TABLE 1.—*Status of program*

Projects	State	Estimated cost	Funded through fiscal year 1957	In fiscal year 1958 budget
1. Complete or in operation:				
Reservoirs:				
Denison	Texas-Oklahoma	$74,289,000	$73,289,000	$1,000,000
Texarkana	Texas	33,800,000	33,800,000	0
Bayou Bodcau	Louisiana	4,075,000	4,075,000	0
Wallace Lake	do	1,212,000	1,212,000	0
Local works: Levees (approximate)	do	8,348,000	8,348,000	0
Total		121,724,000	120,724,000	1,000,000
2. Under construction:				
Reservoirs: Ferrells Bridge	Texas	11,800,000	8,506,000	3,294,000
Local works: Levees below Denison	Arkansas, Texas, Louisiana	9,530,000	6,285,000	300,000
Total		21,330,000	14,791,000	3,594,000
3. Authorized, not started:				
Reservoirs:				
Boswell	Oklahoma	21,200,000	129,000	0
Hugo	do	18,700,000	60,000	0
Millwood	Arkansas	51,500,000	197,000	0
Cooper	Texas	12,500,000	125,000	275,000
Mooringsport	Louisiana	11,200,000	0	0
Local works: Minor				
Total		115,100,000	511,000	275,000
Grand total		258,154,000	136,026,000	4,867,000

TABLE 2.—*Authorized storage capacity*

[Acre-feet]

Reservoirs	Flood control	Power	Water supply	Permanent pool	Total
1. Complete or in operation:					
Denison	2,694,000	1,730,000	21,000	1,085,000	5,530,000
Texarkana	2,509,000	0	0	145,300	2,654,300
Bayou Bodcau	357,300	0	0	0	357,300
Wallace Lake	88,300	0	0	7,800	96,100
Total	5,648,600	1,730,000	21,000	1,237,100	8,637,700
2. Under construction: Ferrells Bridge	558,300	0	251,600	32,100	842,000
3. Authorized, not started:					
Boswell	1,094,200	0	0	35,800	1,130,000
Hugo	830,000	0	0	20,000	850,000
Millwood	2,208,000	0	0	52,000	2,260,000
Cooper	130,000	0	10,000	5,000	145,000
Mooringsport	660,000	0	0	150,000	810,000
Total	4,922,200	0	10,000	262,800	5,195,000
Grand total	11,129,100	1,730,000	282,600	1,532,000	13,874,700

SENATORIAL ATTENDANCE AT LONDON DISARMAMENT CONFERENCE

Mr. MANSFIELD. Mr. President, in view of the announcement made by the distinguished minority leader, I believe it would be appropriate to read for the information of the Senate a letter addressed by the distinguished majority leader to the Secretary of State:

JUNE 22, 1957.

Hon. JOHN FOSTER DULLES,
Secretary of State,
Washington, D. C.

MY DEAR MR. SECRETARY: I am enclosing a page from the RECORD in which I stated my position yesterday following receipt of your letter. As I said, naturally I am ready to be cooperative in any worthwhile enterprise pertaining to our Nation's security and foreign policy.

In my opinion, it would not be the part of wisdom to set up another group to compete with the present disarmament subcommittee in obtaining information on the current disarmament negotiations. Therefore, I urge that you have this group briefed and kept fully informed in accordance with the terms of your communication.

When and if you and the President deem it essential that Senators be assigned to travel to London to serve as observers and in a consultative capacity, I will designate Members to perform that responsibility. Naturally, they will come from the Disarmament Subcommittee which combines the three committees which have major jurisdiction in this field.

Sincerely,

LYNDON B. JOHNSON.

Mr. President, this letter is based upon the belief that there is no point in duplicating existing activities of the Senate. The disarmament subcommittee is a regularly established group which has been conducting hearings in this field.

It is apparent that, as time goes on, the work of this subcommittee will become increasingly important. Therefore, it is the group which will have to have the fullest and freest access to the facts of the current talks in London.

The designation of Senators to attend a conference in London is a practical problem which depends upon the circumstances of the time. There are some Senators who could go one week but who could not go another.

The President and the Secretary of State tell us that it would be premature to send Senators to London at present. Therefore, when the President and the Secretary decide that such a step is necessary, the designation will be made on the basis of conditions then prevailing.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 1264. An act to exempt from taxation certain property of the National Trust for Historic Preservation in the United States in the District of Columbia;

S. 1576. An act to exempt the sale of materials for certain war memorials in the District of Columbia from the District of Columbia Sales Tax Act;

S. 1586. An act to eliminate the financial limitation on real and personal estate holdings of the American Historical Association and to exempt from taxation certain property of such association in the District of Columbia; and

S. 2243. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 24, 1957, he presented to the President of the United States the enrolled bill (S. 768) to designate the east 14th Street Highway Bridge over the Potomac River at 14th Street in the District of Columbia as the Rochambeau Memorial Bridge.

LEGISLATIVE PROGRAM—ORDER FOR RECESS TO WEDNESDAY

Mr. MANSFIELD. Mr. President, for the information of the Senate, I should like to make an announcement about the legislative program. The Senate having completed action upon the Interior Department appropriation bill, it is the intention of the leadership to move that the Senate recess until 12 o'clock noon on Wednesday next. This will give the committees of the Senate an opportunity to meet tomorrow and transact important committee business and file reports with the Senate.

Mr. President, I also ask unanimous consent that when the Senate completes it business today, it stand in recess until noon on Wednesday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS DURING RECESS OF SENATE

Mr. MANSFIELD. Mr. President, I now ask unanimous consent that all standing committees of the Senate be permitted to file reports during the recess of the Senate following the completion of today's business.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILLS SUBJECT TO CONSIDERATION FOLLOWING CALL OF CALENDAR

Mr. MANSFIELD. Mr. President, I have already announced and obtained unanimous consent for a call of the unobjected to measures on the calendar on Wednesday following the completion of morning business. It is the intention that at that time, after it is ascertained what proposed legislation remains on the calendar following the consent call, to schedule for consideration by the Senate, either then or on Thursday or Friday, such measures as can be acted upon by motion at that time.

There are some bills on the calendar which we can be reasonably sure will not be passed on the consent call. Accordingly, I should like to list some of these bills which will be taken up on Wednesday after the calendar call in the event they are objected to during the call of the calendar:

First. Calendar No. 448, S. 1856, the Airways Modernization Act, which is the pending business before the Senate.

Second. Calendar No. 420, S. 1918, to increase the appropriation authorizations for the construction of the Atomic Energy Commission office building.

Third. Calendar No. 437, S. 2194, to increase the appropriation authorization for the District of Columbia Hospital Center.

Fourth. Calendar No. 446, S. 2299, amending section 3 (b) of the Securities Act of 1933.

Fifth. Calendar No. 447, S. 2212, amending the North Pacific Fisheries Act.

Sixth. Calendar No. 449, S. 1718, amending the Civil Aeronautics Act relative to the terms of office of board members.

Seventh. Calendar No. 472, S. 1459, amending section 208 (c) of the Interstate Commerce Act.

Eighth. Calendar No. 481, H. R. 7238, amending the Public Assistance provisions of the Social Security Act.

It is anticipated that during the remainder of the week conference reports on appropriation bills will be periodically submitted to the Senate. It is our intention to schedule action on such conference reports at the very earliest opportunity, and accordingly, I wish to advise Members of the Senate to maintain contact with the aids on the floor in order to learn from them as soon as possible when such action on conference reports is planned to be taken.

It is still anticipated that the Defense, legislative, and public works appropriation bills may be reported this week. I should like to remind Senators that their consideration by the Senate will be scheduled just as soon as arrangements for such action can be worked out.

FRYINGPAN-ARKANSAS PROJECT

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. ALLOTT. I should like to inquire with respect to Calendar No. 331, Senate bill 60, to authorize the construction, operation, and maintenance of the Fryingpan-Arkansas project in Colorado. It was my previous understanding that upon the completion of the business last week, the Fryingpan-Arkansas bill might well be considered at this time, or perhaps this week. I do not think it will require much time.

Mr. MANSFIELD. I may say to the Senator from Colorado that the distinguished minority leader has brought this matter to my attention, as has also the distinguished junior Senator from Colorado [Mr. CARROLL]. I cannot make a definite commitment about the bill at this time, but I assure both Senators from Colorado and also the minority leader that we will do our best to try to have this measure taken up on Thursday, if that is at all possible, and if it be agreeable to the minority leader.

Mr. ALLOTT. I am sure that both my colleague and I would be very happy if the bill could receive the attention of the Senate on that day. I believe the distinguished junior Senator from Colorado will agree with me that the probability is that not much time will be consumed on the bill. A similar bill has been before the Senate twice, and has passed the Senate by a unanimous vote. For that reason, we are anxious to have the bill brought before the Senate, because it covers a subject which is very vital and critical to our State.

Mr. MANSFIELD. I assure the Senator from Colorado that I will do my best to have the bill considered on Thursday.

Mr. CARROLL. Mr. President, will thet Senator yield?

Mr. MANSFIELD. I yield.

Mr. CARROLL. I fully concur in the views expressed by my colleague, the distinguished senior Senator from Colorado. Although minority views were filed, the bill was approved by the committee unanimously. A minor question was raised by the distinguished Senator from California, with whom I discussed the matter this morning. A pro forma amendment will be offered. I think it can be disposed of very quickly. As the distinguished senior Senator from Colorado has said, similar bills passed the Senate twice on previous occasions, without much debate.

Mr. MANSFIELD. I wish to assure both Senators that we shall do our best to accommodate them, and we shall try to bring up that matter on Thursday.

Mr. ALLOTT. Mr. President, I wish to express my appreciation to the Senator from Montana; and the people of Colorado will also be very appreciative of having this matter taken care of.

EXEMPTION OF CERTAIN WHEAT PRODUCERS FROM LIABILITY UNDER THE AGRICULTURAL ADJUSTMENT ACT

Mr. MANSFIELD. Mr. President, I ask that the unfinished business be temporarily laid aside, and the Senate proceed to the consideraiton of Calendar No. 465, Senate bill 959.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. Calendar No. 465, Senate bill 959, to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes.

The PRESIDING OFFICER. Is there objection?

Mr. YOUNG. Mr. President, reserving the right to object, I wish to ask a question of the acting majority leader: Does he intend to have the Senate consider immediately thereafter Calendar No. 466, Senate bill 606? The Department of Agriculture believes that the enactment of Senate bill 606 will be needed in any event; and most farm organizations believe that the two bills should

have been joined. If one of the bills is to be passed, I believe the other one should be passed immediately thereafter.

Mr. MANSFIELD. Mr. President, this is the first notice we have heard about that particular measure. I wish to assure the Senator from North Dakota that it will be given every possible consideration. But we have been asked to have Calendar No. 465, Senate bill 959, considered at this time.

Mr. YOUNG. I think I shall have to object, because the understanding of the Department of Agriculture is that the provisions of Calendar No. 466, Senate bill 606, are very important if Calendar No. 465, Senate bill 959, is passed. As one who has favored the wheat bill, I do not believe there should be a separation.

Mr. MANSFIELD. Mr. President, after consultation with the minority leader, it is agreeable to have both bills brought up at the same time. However, I ask unanimous consent that Calendar No. 465, Senate bill 959, be taken up first.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 959) to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes, which had been reported from the Committee on Agriculture and Forestry, with an amendment.

Mr. MANSFIELD. Mr. President, I ask the Senator from Delaware [Mr. WILLIAMS] to explain the bill.

Mr. WILLIAMS. This bill would exempt excess wheat from marketing penalties if the entire crop is used for feed, seed, or food on the farm where grown. It would be retroactive to the 1954 crop. Except for retroactivity and provisions with respect to food use, the first section of the bill is identical to S. 46, which passed the Senate in 1955.

Section 2, which would be added by the committee amendment, would amend section 114 of the Soil Bank Act to permit farmers who obtain exemptions from marketing penalties under the bill to qualify for payments under the acreage reserve programs for other commodities and the conservation reserve program. Section 114 disqualifies farmers who exceed their allotments from eligibility to receive any payments under the Soil Bank Act. Since farmers obtaining exemption would be permitted to exceed their allotments, they should not be penalized for so doing.

Mr. President, I have at the desk an amendment to the bill, which I call up and offer at this time on behalf of the committee; and I ask that the amendment be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 3, after line 23, it is proposed to insert the following new paragraph:

If any producer on the farm votes in any referendum under section 336, beginning with the referendum applicable to the 1959 crop, no producer on the farm shall be eligible for exemption under this section with respect to the crop to which such referendum is applicable.

Mr. WILLIAMS. Mr. President, this amendment is offered on behalf of the committee.

Section 336 of the Agricultural Adjustment Act of 1938 restricts the wheat marketing quota referendum to farmers who will be subject to the quota. Farmers who obtain exemption under the bill should, therefore, not be permitted to vote in the referendum. However, the referendum is held before application for exemption is likely to be required. The committee therefore included in the report a recommendation to the Secretary of Agriculture that he require farmers to elect, at the time of the referendum, whether they will vote in the referendum or will maintain their eligibility for exemption under the bill. This recommendation is set out on page 2 of the report.

The committee also directed the committee staff to discuss this recommendation with lawyers for the Department of Agriculture, so that an appropriate amendment could be offered when the bill was considered by the Senate, if such amendment was determined to be necessary to carry out the committee's recommendation. While the committee's intention probably would be carried out in any event, it was agreed that the adoption of the amendment I am now offering would be advisable to assure that result. The amendment provides that if any producer on the farm votes in the referendum, no producer on the farm would be eligible for exemption.

Since the referendum for the 1958 crop was held on June 20, this provision would become effective with the 1959 crop.

Mr. POTTER. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS. I yield.

Mr. POTTER. First, I should like to commend the Committee on Agriculture and Forestry for reporting the bill.

As the Senator from Delaware will recall, earlier in the session I submitted, as an amendment to another agricultural bill, a bill of this nature. At that time, as a result of the statements made by the members of the committee, we did not press for the adoption of that amendment because of the assurance that the committee would report the bill which now is before the Senate.

I also wish to state that I think the amendment the Senator from Delaware has called up is a just one. Certainly a farmer should not be allowed to vote in the referendum if he is not going to come under the provisions of the act. Many farmers in my State who have grown an amount of wheat just a little bit over the limitation have been prosecuted, and fines have been levied. I know that such action, if continued, would be a real blow to free agriculture. So I commend the distinguished Senator from Delaware and his committee for reporting the bill to the floor.

Mr. WILLIAMS. I thank the Senator from Michigan. It is true that at that time the committee had before it a similar bill, which had been introduced by the Senator from Michigan, and also a bill introduced by the senior Senator from Utah [Mr. WATKINS]. Those bills were along the same line.

As the Senator from Michigan has stated, this bill provides that a farmer can raise and feed his own wheat without being subject to any penalties, but at the same time if a farmer chooses to take advantage of this provision, he cannot use his acreage as a means of qualifying himself to vote in a referendum on wheat.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware.

The amendment was agreed to.

Mr. WILLIAMS subsequently said: Mr. President, I ask unanimous consent that a portion of the committee report on S. 959 be printed as a part of my remarks.

There being no objection, the excerpts from the report (No. 458) were ordered to be printed in the RECORD, as follows:

This bill would exempt excess wheat from marketing penalties if the entire crop is used for feed, seed, or food on the farm where grown. It would be retroactive to cover the 1954, 1955, and 1956 crops, as well as future crops. If exemptions were obtained on the 1954, 1955, or 1956 crops, penalties paid on such crops would be refunded; wheat stored to avoid such penalties would be released from storage; and the Secretary would pay producers the value of any wheat delivered to him to avoid such penalties. Except for retroactivity and provisions with respect to food use, the first section of the bill is identical to S. 46, which passed the Senate in 1955, and is substantially the same as S. 403, S. 658, and S. 901 introduced by Senators WATKINS, BYRD, and POTTER, respectively. The substance of this provision was also included in an amendment offered by Senator POTTER to S. 1771 earlier this year.

Section 2, which would be added by the committee amendment, would amend section 114 of the Soil Bank Act to permit farmers who obtain exemptions from marketing penalties under the first section of the bill to qualify for payments under the acreage reserve programs for other commodities and the conservation reserve program, even though they exceed their wheat acreage allotments. (Sec. 114 disqualifies farmers who exceed their allotments from eligibility to receive any payments under the Soil Bank Act.)

The bill and the committee amendment are further explained in the attached letters from the Department of Agriculture.

Section 336 of the Agricultural Adjustment Act of 1938 restricts the marketing quota referendum to farmers who will be subject to the quota, and producers exempt under the bill would therefore not be eligible to vote. The Secretary should, by appropriate regulation, require producers to elect whether they will vote in the referendum or maintain their eligibility for an exemption under the bill. Applications from producers for exemption should not be approved after they have elected, by voting in the referendum, to remain subject to quotas. Since exemptions are made on a farm basis, the Secretary may provide that the election of any producer on the farm to remain subject to quotas. Since exemptions are made on a farm basis, the Secretary may provide that the election of any producer on the farm to remain subject to the quota shall prevent the exemption from being granted for the farm. The requirement that producers make an election as to whether they will vote in the referendum or maintain their eligibility for an exemption should, of course,

only be made applicable to referendums held with respect to the 1959 and subsequent crops.

The exemption provided by the bill is restricted to farms which consume all of the wheat they produce and introduce no wheat into commerce. The exemption is null and void if the conditions upon which it is granted are not met, and the entire crop would be subject to the penalty provisions of the act if even the smallest quantity should be removed from the farm contrary to the provisions of the bill. It is expected that the Secretary would take special care to see that the conditions of exemption are fulfilled and that the amount of wheat moving in commerce is not increased by any wheat produced on farms exempted under the bill.

The PRESIDING OFFICER. The committee amendment will be stated.

The CHIEF CLERK. On page 3, after line 23, it is proposed to insert:

SEC. 2. Section 114 of the Soil Bank Act (70 Stat. 196) is amended by changing clause (2) in the first sentence thereof to read as follows: "(2) in the case of a farm which is not exempted from marketing quota penalties under section 335 (f) of the Agricultural Adjustment Act of 1938, as amended, the wheat acreage on the farm exceeds the larger of the farm wheat acreage allotment under such title or fifteen acres, or."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question now is on the engrossment and third reading of the bill.

The bill (S. 959) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 335 of the Agricultural Adjustment Act of 1938, as amended, is further amended by adding a new subsection (f) after subsection (e) to read as follows:

"(f) The Secretary, upon application made pursuant to regulations prescribed by him, shall exempt producers from any obligation under this act to pay the penalty on, deliver to the Secretary, or store the farm marketing excess with respect to any farm for any crop of wheat harvested in 1954 or subsequent years on the following conditions:

"(1) That none of such crop of wheat is removed from such farm except to be processed for use as human food on such farm or with respect to wheat of the 1954, 1955, or 1956 crop to be placed in off-farm storage or delivered to the Secretary in accordance with applicable regulations in order to avoid or postpone the payment of any penalty due under the provisions of this act;

"(2) That such entire crop of wheat is used on such farm for seed, human food, or feed for livestock, including poultry, owned by any such producers, or a subsequent owner or operator of the farm; and

"(3) That such producers and their successors comply with all regulations prescribed by the Secretary for the purpose of determining compliance with the foregoing conditions."

Failure to comply with any of the foregoing conditions shall cause the exemption to become immediately null and void unless such failure is due to circumstances beyond the control of such producers as determined by the Secretary. In the event an exemption becomes null and void the provisions of this act shall become applicable to the same extent as if such exemption had not been granted. No acreage planted to wheat in excess of the farm-acreage allotment for a crop covered by an exemption hereunder shall be considered in determining any subsequent wheat-acreage allotment or marketing quota for such farm.

In accordance with regulations issued by the Secretary in the case of wheat of the 1954, 1955, or 1956 crop upon which the producer obtains an exemption as herein provided, such producer shall be entitled to a refund of any penalty paid by him under the act with respect to such wheat, or of the value, as determined by the Secretary, of any such wheat delivered to the Secretary in accordance with applicable regulations in order to avoid or postpone payment of the penalty, and shall be authorized to remove from storage any such wheat stored under applicable regulations to avoid or postpone payment of the penalty under this act for use on the farm for any purpose authorized by the exemption hereunder. There is hereby authorized to be appropriated sums necessary for the payment of the refunds provided for herein, and in addition sums collected as wheat penalties which are on special deposit for refund of excess collections, may be used to make the refunds provided for herein.

If any producer on the farm votes in any referendum under section 336, beginning with the referendum applicable to the 1959 crop, no producer on the farm shall be eligible for exemption under this section with respect to the crop to which such referendum is applicable.

SEC. 2. Section 114 of the Soil Bank Act (70 Stat. 196) is amended by changing clause (2) in the first sentence thereof to read as follows: "(2) in the case of a farm which is not exempted from marketing quota penalties under section 335 (f) of the Agricultural Adjustment Act of 1938, as amended, the wheat acreage on the farm exceeds the larger of the farm wheat-acreage allotment under such title or 15 acres, or."

Mr. CARLSON subsequently said: Mr. President, I was called off the floor of the Senate when the Senate passed Calendar No. 465, S. 959, to exempt certain wheat producers from liability under the act when all the wheat crop is fed or used for seed or food on the farm.

I certainly would not move to reconsider the vote by which the bill was passed, but I wish to make a short statement.

I appreciate very much the report from the Senate Committee on Agriculture and Forestry which accompanied the bill. I think the bill is a timely one. It exempts from penalties farmers who plant wheat for home use on their own farms. It should have been passed years ago. As a matter of fact, many farmers have been penalized in the Federal courts and fined because of small violations amounting to an excess of 3 or 5 acres, in the marketing quotas established for their counties.

I have in my hand a list of cases filed in the United States district court in Kansas by the United States attorney for 1954, 1955, 1956, and 1957. As I read the bill, the provision with respect to penalty payments will be retroactive, and, where penalties have been collected, will be refunded. Cases which are pending, if the bill becomes law, will be removed from the docket. This is very timely proposed legislation, and I appreciate the fact that the Senate Committee on Agriculture and Forestry reported the bill.

I ask unanimous consent to have printed in the RECORD as a part of my remarks a short statement from the President's message to the Congress of January 9, 1956, and also a resolution adopted by the American Farm Bureau Federation at its 38th annual meeting at Miami Beach, Fla., on December 13, 1956, regarding this proposed legislation.

There being no objection, the extract from the President's message and the resolution were ordered to be printed in the RECORD, as follows:

In the President's message to the Congress of January 9, 1956, he stated as follows:

"Legislation already has passed the Senate and is pending in the House of Representatives which would exempt from marketing quotas those producers who use for feed, food, or seed on their own farms all the wheat they raise. Because of the failure to pass this legislation last year the Department of Agriculture has been compelled by law to hail before the courts farmers whose only offense was to raise and feed wheat outside their quotas. Again the administration urges prompt enactment of this legislation. Correction of this problem should be delayed no longer."

RESOLUTION ADOPTED BY THE AMERICAN FARM BUREAU FEDERATION AT THE 38TH ANNUAL MEETING, MIAMI BEACH, FLA., DECEMBER 13, 1956

FEED WHEAT

We recommend legislation to exempt from wheat-marketing quotas if all wheat produced thereon is used only as food, feed, or seed on the farm where grown or on farms under the same operation. Producers taking advantage of this exemption should not be eligible to participate in any price-support program for wheat or other feed grains, and all wheat producers affected by marketing quotas should be eligible to vote thereon. Such legislation should be substituted for the present 15 acre and 200 bushel wheat-marketing quota exemptions.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. WATKINS. I just heard the Senator's remarks with respect to S. 959. I also was called off the floor, and when I returned to the floor the bill had been passed. I had stepped out for a few moments. I am not going to ask for its reconsideration. I certainly desire to associate myself with the remarks the Senator from Kansas has made. I think it is high time such a bill was passed. A number of wheat growers in my State have been penalized. I am sure such legislation will prevent such events in the future.

As a matter of fact, in some sections of my State the kind of wheat which is ordinarily sold on the wheat markets of the country is not grown. The wheat is used largely for feed. Occasionally the farmers grow a few acres of millable wheat. By reason of the provisions of the law it has been very difficult for these farmers to operate. They have been penalized, or threatened with penalties, even in areas which suffered severe drought, because they were using some of the wheat to feed animals which were in need of food.

Mr. President, if the Senator will yield further, I ask unanimous consent to have printed in the RECORD as a part of my remarks following the passage of the bill a statement which I had prepared and which I had intended to deliver.

Mr. CARLSON. Mr. President, I certainly have no objection.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WATKINS

I urge the Senate to pass S. 959. Section 1 of this bill would (1) exempt excess wheat from marketing quota penalties if the entire crop is used for feed, seed, or food on the farm where grown; (2) refund such penalties on the 1954, 1955, and 1956 crops if such entire crop of wheat was used for feed, seed, or food.

This section of the bill, as the report makes clear, "is substantially the same as S. 403" which I introduced on January 9, 1957. My action in introducing S. 403 was prompted by a genuine concern for the welfare of livestock producers in deficit feed producing areas such as the Intermountain and New England States, where livestock, poultry, and dairy production are the major agricultural activities.

Section 1 of S. 959 will serve to alleviate much of the economic distress producers in these areas have been and are experiencing. In some of these States, drought conditions not only have reduced local feed production, which at best cannot meet local needs, but also have served to raise retail feed prices. Producers who have not adequate financial resources simply cannot make ends meet even in spite of the USDA's feed grain subsidy program. In other States, rising costs of production and marketing, especially transportation, when coupled with continued increase in livestock numbers in the "basic commodities" producing areas of the country, in spite of the soil bank, have resulted in market prices way below parity.

For example, in May 1956, eggs were bringing producers 89 percent of parity; in May 1957, average prices received by producers had declined 23 points to 66 percent of parity. During the corresponding period, the average prices received index declined (1) 7 points for lambs; (2) 17 points for turkeys; (3) 8 points for chickens; and (4) 1 point for sheep. As of May 15, 1957, the average prices received as percentages of parity prices for (1) cattle stood at 78 percent of parity; (2) calves at 76 percent of parity; and (3) hogs at 79 percent of parity.

As these data indicate, if any part of agriculture has been hard hit by the cost-price squeeze, it has been the livestock and poultry industries. Passage of S. 959 will provide some measure of relief to these industries. On the other hand, its passage will not adversely affect, materially, the welfare of commercial wheat producers, since the wheat produced under the exemption features of this bill will not find its way into commercial trade channels nor will it end up under price support.

By way of illustration, let me point out that whereas farmers in my own State of Utah produced over 6.5 million bushels of wheat in 1954, less than 8 percent of it was placed under price support.

In many of the deficit feed-producing States which are designated as being in the "commercial wheat area" acreage allotments are very small. With respect to 1954, the only year such data is available, the USDA reported that of 12,163 farms which produced wheat in Utah, for example, only 1,313 had wheat acreage over 100 acres, 2,993 had acreages between 16 and 100 acres, and 7,857 had acreage below 16 acres. Utah farmers derive only 6.4 percent of their income from wheat production, and although it qualifies as a commercial-wheat State, because Utah farmers produce more than 25,000 acres of wheat, it plainly is not a major commercial-wheat-producing State. On the other hand, Utah farmers derive a major portion of their income from livestock products, as follows: 22.5 percent from beef cattle and calves, 16.8 percent from dairy products, 8.8 percent from eggs, and 7.7 percent from turkeys. Most of the grains produced, including wheat, are fed to livestock; they are not sold in commercial trade.

In general, what is true of Utah's agriculture is also true of the agriculture of many other States in the intermountain and New England areas, and other parts of the country as well. Authority for farmers in such areas to produce wheat for feed without penalty on their farms would be of material assistance under prevailing economic conditions.

Historically, wheat used for livestock was a significant proportion of our annual wheat crop. For many reasons, this is no longer true. But the fact remains, as the President noted in his January 1956 special agricultural message, "there are opportunities to use more wheat for feed in feed-deficit areas distant from the Corn Belt."

This point of view is substantiated by a letter dated January 21, 1957, to me from Mr. David H. Jones, former Utah commissioner of agriculture. In part, this letter reads:

"I want to congratulate you on your fine thinking and the action you have taken to remove the restrictions on wheat acreage where extra wheat is needed for feed or seed purposes. We in the State of Utah really import grains for feeding purposes, and the bill should prove to be a worthy one.

"In my own farming experience, I never sold grain off the farm. I found there was no equal to wheat mixed with other grains for livestock feed. I am certain it will be a fine thing to have Senate bill 403 passed, and it should benefit many people."

Similar concern was expressed to me in a letter also dated January 21, 1957, from Mr. Ralph Blackham, a director of the executive council of the Utah Council of Farmer Cooperatives. In part Mr. Blackham wrote:

"I am very much in favor of the passage of * * * S. 403, and I appreciate more than I can say your action in instituting this legislation. Farmers in the intermountain area who feed livestock or poultry have been put to an increasing disadvantage the past several years for two reasons: high Government price supports and reduced acreage allotments on wheat, and rapidly increasing freight rates on all feed."

Typical of the reactions I have received from producers to S. 403, which substantially was incorporated as section 1 of S. 959, was that of Mr. Zelph S. Calder, of Vernal, Utah. His letter of February 5, 1957, reads in part as follows:

"I read with interest and approval press comments to the effect you were entering a bill in Congress which would allow a farmer to feed his excess wheat to his cattle without paying a penalty on it.

"The following example might be of help to you.

"Last year I produced about 6,000 bushels of wheat and fed and pastured 200 stocker cattle that I bought last spring. The local USDA wheat-allotment office declared October 31, 1956, that I had excess wheat in the amount of 2,780 bushels and that if the penalty of $1.07 per bushel was not paid on the wheat stored and bonded by November 15, 1956, I would have to pay the above penalty on the 6,000 bushels. (I was and now am of the opinion that I did not have an excess acreage because of winter-killed and volunteer wheat acreage counted by the said office.)

"Uintah County was declared last fall a drought disaster area. I could not qualify for the $1.50 per cut subsidy given by the Government in this area on grain fed to cattle because I had wheat and because I had stocker and feeder cattle, notwithstanding I had suffered greater loss due to the drought than my neighbor who had breeding cattle."

The Congress to date has given very little attention to pleas for relief from such livestock producers. Other than a few direct purchase or surplus removal programs, which more often than not have had very little price-boosting effect, livestock producers have received little assistance. Passage of S. 959 will help a great many farmers and ranchers in the nonbasic commodity producing areas of this country.

Mr. CARLSON. Mr. President, I wish to state that the Senator from Utah [Mr. WATKINS] is always watching after the interests of the farmers not only in the State of Utah but in the Nation. I am in thorough accord with the Senator's statement that this is timely legislation. It is pretty hard to go to a farmer and tell him he cannot grow wheat for feed on his own farm. That has been the situation in the past. This bill, if enacted, should correct it. I am very happy about it.

Mr. WATKINS. I thank the Senator. I wish to point out that many poultry producers in my State have been heavily penalized because of the situation as it exists under the present law. When the bill, amending the law, has been finally passed by both Houses, I think that situation will be largely corrected. I think they will be very grateful to those who have reported the bill and had it passed by the Senate.

TRANSFER OF WHEAT ACREAGE ALLOTMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be again temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 466, Senate bill 606.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. Calendar No. 466, Senate bill 606, to permit the transfer of wheat acreage allotments of lands taken by any Federal, State, or other agency having the right of eminent domain.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (S. 606) to permit the transfer of wheat acreage allotments of lands taken by any Federal, State, or other agency having the right of eminent domain, which had been reported from the Committee on Agriculture and Forestry, with an amendment, to strike out all after the enacting clause and insert:

That section 334 of the Agricultural Adjustment Act of 1938, as amended, is amended (1) by striking out in the second sentence of subsection (c) the word "three" immediately preceding the words "marketing years" and inserting in lieu thereof the word "four"; (2) by adding at the end of subsection (c) two new sentences reading as follows: "Any acreage planted to wheat in excess of the 1958 and subsequent farm acreage allotments shall not be taken into account in establishing future State, county, and farm acreage allotments. The planting on the farm of wheat of the 1958 or any subsequent crop for which no farm wheat acreage allotment was established shall not make the farm eligible for an allotment as an old farm under the first sentence of this

subsection."; and (3) by changing subsection (d) to read as follows:

"(d) Notwithstanding any other provision of this section, the acreage allotment established, or which would have been established, for a farm which is removed from agricultural production in 1954 or thereafter because of acquisition by any Federal, State, or other agency having a right of eminent domain shall be placed in an allotment pool and shall be used only to establish equitable allotments for other farms owned or acquired by the owner of the farm so acquired by such agency: *Provided*, That such owner makes application therefor within 3 years after the end of the calendar year in which such farm was removed from agricultural production: *Provided further*, That the allotment so made for any farm, including a farm on which wheat has not been planted during any of the 4 marketing years preceding the marketing year in which the allotment is made, after taking into consideration the acreage allotment which was placed in the pool from the farm acquired from the applicant, shall compare with the allotments established for other farms in the same locality which are similar except for the past acreage of wheat."

Mr. YOUNG. Mr. President, I ask unanimous consent that the report of the Senate Committee on Agriculture and Forestry, starting with page 2, be printed in the RECORD as a part of my remarks.

There being no objection, the excerpt from the report—No. 459—was ordered to be printed in the RECORD, as follows:

THE COMMITTEE SUBSTITUTE

The report of the Department of Agriculture suggested an amendment in the nature of a substitute, which was subsequently modified pursuant to suggestions of Department spokesmen and is recommended by your committee. The substitute would make the following changes in the wheat marketing quota law:

First, it would give "old" farm status to farms on which wheat has been produced during any of the previous 4, instead of 3, marketing years. (At least 97 percent of the State wheat acreage allotment must be apportioned to "old" farms.) This change would give recognition to crop rotation systems, well established in certain areas, under which wheat is planted once each 4 years.

Second, it would prohibit wheat planted in excess of 1958 and subsequent allotments from counting as history for future State, county, or farm allotments, and would prohibit wheat planted to 1958 or subsequent crops in the absence of allotments from giving any farm "old" farm status. Provisions preventing excess acreage from counting as history are now applicable to the other basic commodities, except corn, and a provision preventing plantings in the absence of allotments from giving old farm status is applicable to tobacco; 563,000 wheat farms overplanted their wheat allotments in 1956. About 95 percent of these planted less than 15 acres and were exempt from quotas. Crediting these farms with their overplanted acreage results in a shift of allotments from farms which complied with their allotments and a shift from the large wheat farm areas to small wheat farm areas.

Third, it would amend the provision pooling allotments of farms acquired by the United States for national defense purposes to—

(a) Extend it to farms acquired for any purpose of any agency having a right of eminent domain;

(b) Restrict it to farms removed from agricultural production in 1954 or thereafter on account of such acquisition;

(c) Permit allotment to other farms from the pool only if application is made within 3 years after the end of the calendar year in which the original farm was removed from production; and

(d) Require the acreage placed in the pool to be taken into account in fixing the acreage allotted to any farm from the pool.

The pooling provision proposed in the committee amendment differs from that proposed in the bill as introduced in that (1) it eliminates a provision applicable to farms acquired for national defense purposes since 1950 on the ground that no wheat farms have been so acquired since 1950; (2) it clarifies the cutoff date on the period within which application for allotment from the pool must be made; and (3) it makes a technical change to reflect the proposed change in the definition of old wheat farms.

MODIFICATIONS OF DEPARTMENT RECOMMENDATIONS

The Department's report on the bill included a suggestion that allotments be apportioned on the basis of 5-, instead of 10-, year seeded acreages. Since it made this recommendation, the Department determined that the acreage planted in excess of allotments during recent years was such that this suggestion would result in a substantial shift of allotments to areas of noncompliance. The Department consequently withdrew this recommendation. Department spokesmen also suggested that the allotment pooling provision suggested by the Department be modified by (1) striking out the words "in 1955 or thereafter" where they appeared after the words "because of acquisition"; and (2) inserting the words "in 1954 or thereafter" before the words "because of acquisition." Use of 1954 is preferable to 1955 in order to cover the situation as fully as possible. (Wheat acreage allotments were not in effect in the years prior to 1954 so that the Department does not have adequate data to extend the provision prior to 1954.) This modification would also make pooling effective at the time of removal of the farm from agricultural production rather than the time of acquisition, since frequently farms continue in production after acquisition by an agency having the right of eminent domain.

DEPARTMENTAL REPORT

DEPARTMENT OF AGRICULTURE,
Washington 25, D. C., April 5, 1957.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, United States Senate.

DEAR SENATOR ELLENDER: This is in reply to your request of January 16 for a report on S. 606, a bill to permit the transfer of wheat acreage allotments of lands taken by any Federal, State, or any other agency having the right of eminent domain.

This Department recommends the enactment of this bill, modified as indicated below.

This bill would amend subsection 334 (d) of the Agricultural Adjustment Act of 1938, as amended, so as to extend the so-called Barden amendment for wheat to include acquisitions of farms made for any purpose in 1956 or thereafter by any Federal, State, or other agency having a right of eminent domain. In addition, the bill would limit to 3 years the period in which a dispossessed farm owner could apply for an adjustment in the wheat allotment determined for other farms owned or acquired by him. Under existing legislation the Barden amendment is limited to Federal acquisition for national-defense purposes beginning with 1950. The inclusion of such earlier date in the modified amendment is not necessary since there have been no acquisitions for national-defense purposes during the period 1950 to the present time.

We believe that the objective of this amendment could best be achieved by changing the language therein to read as follows:

Notwithstanding any other provision of this section, the acreage allotment established or which would have been established for a farm which is removed from agricultural production because of acquisition in 1955 or thereafter by any Federal, State, or other agency having a right of eminent domain shall be placed in an allotment pool and shall be used only to establish equitable allotments for other farms owned or acquired by the owner of the farm so acquired by such agency: *Provided*, That such owner shall make application therefor within 3 years after the end of the calendar year in which such farm was removed from agricultural production: *Provided further*, That the allotment so made for any farm, including a farm on which wheat has not been planted during any of the 4 marketing years preceding the marketing year in which the allotment is made, after taking into consideration the allotment acreage which was placed in the pool from the farm acquired from the applicant, shall compare with the allotments established for other farms in the same locality which are similar except for the past acreage of wheat.

The principal changes made by this revised language are (1) the elimination of the 1950 date for reasons explained above; (2) clarification of the cutoff date within which a dispossessed farm owner must apply for an adjusted allotment under the amendment; and (3) change the definition of an old wheat farm in a manner described in more detail under item 2 below.

In addition to the change in the Barden amendment, there are certain other changes in section 334 which should be made at the same time to improve the operations of the acreage allotment and marketing quota programs for wheat. The additional changes needed for this purpose are as follows:

1. Eliminate in subsections (a) and (b) the word "ten" wherever it appears and insert in lieu thereof the word "five". These changes would require that the national wheat acreage allotment be apportioned to States and counties on the basis of the acreage seeded for production of wheat during the preceding 5 years instead of the preceding 10 years. Such changes are considered desirable because it is believed that the use of a 5-year period would result in State and county wheat acreage allotments which are more representative of current production operations.

2. Eliminate in the second sentence of subsection (c) the word "three" immediately preceding the words "marketing years" and insert in lieu thereof the word "four". This change would redefine an old wheat farm to be one on which wheat has been seeded in at least 1 of the immediately preceding 4 years instead of 3 years. It is believed that this change will result in the establishment of allotments for "old" wheat farms which reflect more accurately the crop-rotation system carried out on the farm. There are certain areas of the country where seeding wheat for grain once every 4 years is a well-established crop rotation practice. Therefore, to avoid the necessity of classifying such farms as "new" wheat farms, a 4-year period should be used.

3. Add at the end of subsection (c) two new sentences reading as follows: "Any acreage planted to wheat in excess of the 1958 and subsequent farm acreage allotments shall not be taken into account in establishing future State, county, and farm acreage allotments. The planting on the farm of wheat of the 1958 or any subsequent crop for which no farm wheat acreage allotment was established shall not make the farm eligible for an allotment as an old farm under the first sentence of this subsection." Both of these legislative requirements now apply to tobacco and the first now applies to all basic crops except wheat and corn. It is felt that the planting of wheat in excess of the farm allotment should not be permitted to influence the size of future allotments and

that the planting of wheat on a farm for which no wheat allotment was established should not be allowed to make the farm eligible for an old-farm allotment.

Enclosed is a draft of a proposed bill, which if enacted into law, we feel would not only accomplish the objective of S. 606 but also would add the three additional changes referred to above which would greatly improve the operations of the acreage allotment and marketing quota program for wheat.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AGRICULTURAL ADJUSTMENT ACT OF 1938

SEC. 334 * * *

(c) The allotment to the county shall be apportioned by the Secretary, through the local committees, among the farms within the county on the basis of past acreage of wheat tillable acres, crop-rotation practices, type of soil, and topography. Not more than 3 percent of the State allotment shall be apportioned to farms on which wheat has not been planted during any of the [three] *four* marketing years immediately preceding the marketing year in which the allotment is made. *Any acreage planted to wheat in excess of the 1958 and subsequent farm acreage allotments shall not be taken into account in establishing future State, county, and farm acreage allotments. The planting on the farm of wheat of the 1958 or any subsequent crop for which no farm wheat acreage allotment was established shall not make the farm eligible for an allotment as an old farm under the first sentence of this subsection.*

(d) Notwithstanding any other provision of this section, the allotments established, or which would have been established, for [any farm acquired in 1950 or thereafter by the United States for national-defense purposes] *a farm which is removed from agritural production in 1954 or thereafter because of acquisition by any Federal, State, or other agency having a right of eminent domain* shall be placed in an allotment pool and shall be used only to establish *equitable* allotments for other farms owned or acquired by the owner of the farm so acquired by [the United States. The] *such agency: Provided, That such owner make application therefor within 3 years after the end of the calendar year in which such farm was removed from agricultural production; Provided further, That the* allotment so made for any farm, including a farm on which wheat has not been planted during any of the [3] *4* marketing years preceding the marketing year in which the allotment is made, *after taking into consideration the acreage allotment which was placed in the pool from the farm acquired from the applicant*, shall compare with the allotments established for other farms in the same [area] *locality* which are similar except for the past acreage of wheat.

Mr. YOUNG. The report gives a good explanation of the provisions of the bill. All the provisions are recommended by the Department of Agriculture.

There are three major provisions. First, the original purpose of the bill was to provide a system of redistributing acres of wheat lost to any Federal project or to any governmental unit having the power of eminent domain.

Under the second provision any farm which has a 4-year rotation system will not lose wheat acres by reason of not planting wheat once every 3 years, as is the case at the present time. This provision is especially needed in the Midwest; Ohio, Indiana, and similar areas.

Under the third provision there will not be any increase in acreage history for wheat farmers who overseed their allotted acres, as is the case now. This will merely put wheat in the same position as other basic commodities, except corn.

That outlines in brief the provisions of the bill. Unless there are questions that is all I have to say.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

Mr. CARLSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas desire recognition?

Mr. CARLSON. I should like to ask a question or two, if I may.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. CARLSON. Do I understand correctly that when this bill is approved farmers who use and practice good soil conservation practices will not be penalized if they do not use the allotment acreage more than once every 4 years?

Mr. YOUNG. The Senator is correct. At the present time the farmers have to plant wheat once in 3 years or they lose their wheat allotment. This bill provides that if they plant wheat once in 4 years they can retain the allotment. Those farmers who use the 4-year-rotation system will receive a benefit from this bill.

Mr. CARLSON. That is one of the problems in my State, and I think it is a problem in the wheat-producing area generally. Many of our best farmers, who worked hard at soil-conservation improvement programs, lost their allotment acres many years ago. They were penalized. The man who did a poor job of farming continued his crop year in and year out, and now has his allotment acres. It is an unfair and unfortunate situation. This bill, if enacted will make it possible to plan on a 4-year rotation.

Mr. YOUNG. The Senator is correct.

Mr. CARLSON. It will not cure the basic problem of some years ago, which I hope some day Congress will correct.

Mr. YOUNG. I think this provision will be particularly helpful to the farmers of eastern Kansas. The Department was thinking mostly of the farmers in Ohio, Indiana, Michigan and that area.

Mr. CARLSON. I thank the Senator.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 606) was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to amend the wheat marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended."

THE URBAN RENEWAL PROGRAM

Mr. CLARK. Mr. President, we have been put on notice that powerful groups within the administration still have as one of their prime targets the urban renewal program, which means so much to the cities of the Nation. Apparently the administration is unimpressed by the decisive action this body took not long ago in indicating its conviction that the urban renewal program should move ahead at full speed, and the corresponding action of the House of Representatives in approving a program of $250 million a year.

In the New York Times of yesterday, June 23, Mr. Edwin L. Dale, Jr., reported that influential forces within the Eisenhower administration are advocating a complete end to the Government's slum clearance program. He says, "Opposition to the program centers in the Treasury, with a similar attitude in the Budget Bureau and the Council of Economic Advisers, it is understood."

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, an editorial, published this morning in the Washington Post, which expresses very well the reasons why the urban renewal and slum clearance program should be carried out.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EASY PICKINGS?

It is difficult to fathom why the Treasury and the Budget Bureau reportedly consider the Federal slum clearance and urban redevelopment program to be "easy pickings" in their long-range economy drive. By far the great majority of Americans live in cities, and the population trend is increasingly in that direction. Even with most cities still in the early planning and clearance stages of their redevelopment efforts, the program has strong support from municipal administrations throughout the country. In Congress, this support manifested itself this spring despite the economy drive there, resulting in authorizations for next year higher than those proposed by the administration.

Somehow the job of rebuilding the outworn cores of urban America has to be done. Problems of land assembly and population relocation make it an impossible job for private enterprise alone. The division of taxes makes it equally impossible for cities to finance redevelopment without some Federal help. Federal redevelopment aid is merely a proper recognition of the stake which the Treasury has in healthy, productive urban growth, a chief source of Federal revenues.

Mr. CLARK. Mr. President, I hope very much that all Members of the Senate who stood steadfastly behind the program of urban redevelopment and slum clearance when the housing bill was before the Senate several weeks ago, will stand fast against the present move, which I can describe in no other way than an attempted rape of the cities.

Mr. President——

The PRESIDING OFFICER. The Senator from Pennsylvania.

THE KINZUA DAM, ON THE ALLEGHENY RIVER

Mr. CLARK. Mr. President, in the Washington Post of today there appeared, under the title "Questionable Project," an editorial having to do with an item, included in the appropriation bill passed last week, for the beginning of construction of the Kinzua Dam, in western Pennsylvania. The dam was authorized in 1936, as the result of disastrous floods which caused $200 million worth of property damage in the Pittsburgh area and took 36 lives. Since then, from time to time the Allegheny River has again flooded and overflowed its banks and has caused great loss of life. Nevertheless, here, in the year 1957 is the first time when the construction of that dam—first approved by the Army engineers in 1936—has been implemented by legislation.

Despite that fact, the editorial in this morning's Washington Post attacked the action of the House of Representatives.

I ask unanimous consent that the editorial from the Washington Post may be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

QUESTIONABLE PROJECT

One item in the public works appropriations bill passed by the House ought to be scrutinized with special care in the Senate. The House included a million dollars to start work on the Kinzua Dam to provide flood control on the upper Allegheny River in spite of vigorous protests from the Seneca Indians based on a treaty their ancestors signed with President George Washington. Some control of the upper Allegheny appears to be essential to curb disastrous floods, but this would not justify violation of a solemn agreement without a specific finding by Congress that the taking of the land is necessary.

The Corps of Engineers recognized as long ago as 1939 that the proposed construction of the Kinzua Dam would probably necessitate that an agreement be entered into with the Seneca Nation before the Indians' lands could be taken. Indeed, the treaty of 1794 pledged that the United States will never claim the land in question nor disturb the Seneca Nation in its occupancy of that area. No agreement to alter this commitment has been reached. It is true that Congress has authorized the dam and that it can under its powers of eminent domain take the land for public use despite the treaty. But it is extremely doubtful whether the Indians' land can be legally flooded without specific legislation on that point and the moral responsibility of Congress in the matter seems unmistakably clear.

The Indians claim that alternative plans for flood control would be more effective than the proposed dam. Certainly those alternatives should be carefully studied, and we are glad to know that the Indians' protests are under review by the Interior Department. If there are feasible alternatives, the President could well ask the Senate to strike out the appropriation. If not, the least Congress can do is to pass a law specificially authorizing the seizure of this land and providing equally desirable living space for the Indians elsewhere.

Mr. CLARK. The Kinzua Dam project is a major unit in the general comprehensive plan for flood control in the Ohio River Basin, as authorized by Congress back in 1936.

One of the objections in the editorial relates to the displacement of some Seneca Indians. The editorial states:

It is extremely doubtful whether the Indians' land can be legally flooded without specific legislation on that point.

While we are all sympathetic with the problems of the Seneca Nation, and while they certainly deserve just and fair treatment by our Government, in cases such as this one, their interests, like the interests of any other citizens affected, must be subordinate to the interest of the entire region.

In a decision of the Federal district court at Buffalo, N. Y., last January, Judge Morgan held that legislation "establishes, clearly and convincingly, that Congress authorized the construction of the Allegheny Dam and Reservoir, not only with presumed but with actual knowledge of the history of the lands within the Allegheny Indian Reservation, and particularly the so-called Pickering Treaty of 1794." and that the Secretary of the Army had authority to "take these lands for flood-control purposes."

Judge Morgan further held that "the treaty of November 11, 1794—with the Seneca Tribe—cannot rise above the power of Congress to legislate."

The other point raised in the editorial related to certain "alternative plans for flood control"—presumably a diversion canal from the upper Allegheny River to Lake Erie. The Corps of Engineers have studied this possibility several times, first in 1924. These surveys show that such a canal would be more costly to build, more costly to maintain, and less efficient than a single flood-control reservoir. To eliminate projects which ultimately pay for themselves in direct economic benefits is not true economy.

I hope we will not have again property damage and loss of life because the Congress of the United States is unwilling to start a project that will make the banks of the Allegheny River a safe place on which to live.

THE GIRARD CASE

Mr. NEUBERGER. Mr. President, like other Members of the Senate, I have received numerous letters from men and women in Oregon expressing surprise and disagreement with the decision of the American Government to agree to the trial of Sgt. William S. Girard in a Japanese court for the death of a Japanese woman which he caused while on guard duty at an American base in Japan.

The recent decision by Federal District Judge Joseph C. McGarraghy, that the United States military forces in Japan may not turn Sergeant Girard over to the Japanese for trial, is further evidence of the fact that an extremely doubtful and difficult legal decision was involved in this determination of our Government in the Girard case.

Mr. President, I am not a lawyer and do not presume to predict the ultimate legal determination which may be reached on appeal from Judge McGarraghy's decision. Clearly, the problem is not a simple or easy one, involving, as it does, both our international relations and the status of Americans who are serving in our Nation's Armed Forces. This whole problem of the adjudication of controversies involving our servicemen stationed abroad has been and will be one of the most troublesome consequences of our assumption of new international responsibilities in the postwar world.

On the one hand, we cannot expect foreign nations to accept virtual extraterritoriality for the many thousands of members of our armed services who spend long periods of time in their countries. Certainly, it seems reasonable that Americans abroad should be answerable in the ordinary courts of the country for actions which they commit on their own time, off their military bases, perhaps even in civilian clothes. On the other hand, there must be the clear rule that a foreign civilian court cannot try an American serviceman for acts committed by him in execution of his orders while on military duty.

The difficulty obviously lies in defining and administering the rules to govern the gray area between these two extremes of black and white. Its solution is of fundamental significance because of the fact that the American whose rights are in question may very well have been drafted into the armed services and sent abroad without any consent of his own—in other words, because simple and unmitigated compulsion by our own Government is involved at every step of the process.

As I understand, under the agreement we have with Japan, a board of representatives of the two nations decides the jurisdictional question in each instance. To avoid the kind of crisis of constitutional dimensions which is likely to develop under the Girard case, we may be entitled to expect the United States members of such bipartisan boards to bend over backward to preserve United States military jurisdiction in every case in which any claim can be made that the serviceman is question was on duty or under military orders at the time of the event. Apparently, for the sake of our relations with Japan, this seems not to have been done in the Girard case. Serious questions about the long-range effect of this choice made by our Government are being raised, not only among opponents of the entire concept behind our status-of-forces agreement, but also among supporters of the kind of international accommodations and cooperation which are necessary for our modern arrangements for the defense of the free world.

I ask unanimous consent, Mr. President, to have printed in the body of the CONGRESSIONAL RECORD, at the conclusion of my remarks, an editorial from the Eugene Register-Guard of June 5, 1957, which is an example of this attitude.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

UNITED STATES PUSILLANIMITY IN THE GIRARD CASE

The case of William C. Girard, an American soldier stationed in Japan, threatens to blow wide open the smoldering controversy

about the status of forces agreements this country has negotiated within nations where our troops are stationed. This is unfortunate, because the case appears to us to be an exceptional one, and one in which the American decision was wrong—unfair to the soldier and prejudicial to the idea of the status of forces agreements. First, some background:

The agreements provide that American soldiers stationed on foreign soil can be tried in foreign courts and held in foreign jails for crimes they commit outside the line of duty. If, for example, an American soldier rapes a French girl, robs a British store, or murders a Japanese civilian and if such acts are not committed in line of duty, then he will be turned over to the courts of the nation where the crime was committed.

In the Girard case, the soldier had been assigned to guard United States Army property. While he was on duty, a Japanese woman was killed by a cartridge case which had been fired from a grenade launcher. The Japanese accused the soldier of a crime. Feeling in Japan, fanned by the left-wing and anti-American press, ran high. The Japanese wanted to try him. The Americans bowed to this pressure and now say they will permit this to happen.

For the first time in several years, we find ourselves in agreement with Ohio's Senator BRICKER. The Senator described the American decision as "the sacrifice of an American soldier to appease Japanese public opinion." And that's certainly how the decision looks from here.

If the Japanese had reason to believe that the soldier killed the woman on the street, not in line of duty, it would have been a different matter. Then we would agree—although Senator BRICKER probably would not—that the Japanese should try him, just as our courts would try a foreign soldier who was accused of a crime in this country.

But this is not the case. The soldier was assigned to guard the United States property. He was on duty. He may have exceeded his orders. He may have been guilty of poor judgment or even, as the Japanese contend, have been guilty of enticing the woman to come closer before she was shot. But these are suppositions that should be disposed of by the United States Military Establishment in a court-martial. America now is in the dangerous position of permitting a Japanese court to decide whether or not an American soldier exceeded his duty.

What may such a decision mean to American morale? How will a guard in England, France, Italy, or Germany feel in the future if he tries to do his duty and protect property he was ordered to protect? Must he feel that when the chips are down Uncle Sam will abandon him?

The decision in this matter is bound to bring heavy resentment from the United States. It is too likely that this case will be regarded as a typical case under the status-of-forces agreements. And it is not at all typical. It is too likely that the case will lead to further demands that America abrogate these treaties. In our view it is not the treaties that are at fault. Rather it is the pusillanimous attitude of the folks at home.

THE PROBLEM OF HUNGARY

Mr. KNOWLAND. Mr. President, last Friday I submitted for myself and the distinguished Senator from Illinois [Mr. DOUGLAS] Senate Concurrent Resolution 35. The Senate Foreign Relations Committee has included the concurrent resolution on its agenda for consideration at tomorrow morning's session. I ask unanimous consent that the concurrent resolution may be printed in full at this point in my remarks in the RECORD.

There being no objection, the concurrent resolution (S. Con. Res. 35) was ordered to be printed in the RECORD, as follows:

Whereas the Special Committee on the Problem of Hungary, established by the General Assembly of the United Nations under its resolution 1132 (XI) adopted at its six hundred and thirty-sixth plenary meeting on January 10, 1957, has now submitted a report (A/3592) of its findings to the General Assembly under terms of the said resolution; and

Whereas it has been established by the said special committee. That what took place in Hungary in the latter part of 1956 was a spontaneous national uprising caused by longstanding grievances engendered by the oppressive way of life under Communist rule and by the state of captivity of Hungary under control of the Union of Soviet Socialist Republics; and

Whereas the said special committee concludes that a massive armed intervention by one power on the territory of another with the avowed intention of interfering in its internal affairs, must be a matter of international concern; and

Whereas the General Assembly of the United Nations, by its resolution 1119 (XI) adopted at its six hundred and sixty-eighth plenary meeting on March 8, 1957, authorized "the President of the General Assembly, in consultation with the Secretary General and with the member states the representatives of which are serving as the general committee during the session to reconvene the General Assembly as necessary in order to consider further item 66 or 67", item 67 being the problem of Hungary: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the United States Congress that the United States Government instruct the United States delegation to the General Assembly of the United Nations to take urgent steps to recommend the reconvening of the General Assembly at this time to consider further the problem of Hungary in the light of the report of the United Nations Special Committee on the Problem of Hungary.

Mr. KNOWLAND. Mr. President, I also ask unanimous consent that there may be printed in the body of the RECORD as a part of my remarks a number of editorials and comments relative to the situation in Hungary, growing out of events of last October and November, and more particularly pointed up by the United Nations recommendations of the special committee which studied the Hungarian situation and the action of the Soviet Union in enforcing its will upon the people of Hungary.

The first is an editorial from Life magazine of June 24, 1957, under the heading "Still Time To Help Hungary."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

STILL TIME TO HELP HUNGARY

"To all U. N. members and delegates—delegates of the peoples:

"While your sons are at peace, we sons of the Hungarian nation are falling under the cruel fire of Soviet tanks. Our country has been attacked from abroad. We turn to you. You are our last citadel of hope." (Free Radio Csokonay, November 4, 1956.)

Seven months have gone by since the Russian tanks, in defiance of all principles of international law and morality, and in betrayal of the Soviet Union's own promise to withdraw, crushed the last cries of the heroes of Hungary and drowned the nation's freedom in their blood. What has the U. N., their last citadel of hope, the organized conscience of the world, done in answer?

As is well known, the U. N. has made 10 separate demands about Hungary, calling on the Soviet Union to get out of Hungary, to provide free elections, and allow U. N. observers; it has condemned the Soviet invasion as violating the U. N. Charter. All the resolutions have been ignored, the violation continues and instead of holding free elections the Kadar puppet regime is executing patriots in a reign of Stalinist terror.

The U. N. has done something more. For 5 months the events in Hungary have been studied in minute detail by a special committee composed of delegates from small nations (Australia, Ceylon, Denmark, Tunisia, Uruguay). Unable to enter Hungary, the five have gone everywhere else that eyewitnesses could be found. They have interviewed all free members of the short-lived freedom regime and more than 100 witnesses of the revolt and suppression. This week they are issuing their report. Important findings:

The report gives the lie for all time to Soviet claims that the Hungarian revolt was the inspired act of Fascists. It proves beyond question that the uprising was the spontaneous revolt of a whole people, aimed not at overthrowing socialism but rather at achieving freedom.

It proves the Red army was not "invited" to intervene, as the Soviet claims, but did so though Hungarian leaders refused at gunpoint to request such intervention.

It confirms that thousands of men, women, and children have been deported. Countless others have been tortured.

The puppet regime, contrary to Khrushchev's recent claim on United States TV, has no support from the Hungarian people.

All these facts, of course, are well known to the Free World. They are even known in the Soviet Union, where increasing questions are being asked about the murder of Hungary. But the confirmation of these facts by a judicial body made up of impartial small nations now provides an unassailable legal basis for the U. N. to take new action upon Hungary, and to take it quickly.

Cynical and weary men—some of our State Department spokesmen among them—are asking feebly, "What can the U. N. really do?"

The answer is: It can do plenty.

It can reconvene, now and urgently, the General Assembly which suspended its session in March pending this investigation. If the Assembly is not called it will not meet until September.

The reconvened Assembly can demand that the Soviet Union show cause why, if it continues to violate the resolutions of the General Assembly, it should not be expelled.

It can expel the Kadar puppet delegates.

Secretary General Hammarskjold, who was long denied access to Budapest but was told recently he can now "come anytime," ought to go there immediately to present this indictment on his arrival and demand answers. His mere physical presence in Hungary would go far toward halting the execution of patriots. Some 2,000 of them have already been sentenced to death.

Economic sanctions against the Soviet should be considered by the 59-nation majority which voted for this investigation. It will be argued these would not be very effective but the taking of them—as a display of moral opprobrium—is all important.

A permanent UNEF military force, ready to act in future Hungarys, should be created.

Not only action by the U. N. is needed. A vigorous worldwide protest by individuals and organizations should be made to the Soviet Union. In Warsaw the Polish Writers' Union, even under communism's eye, has just

had the courage to protest it. United States and other writers and journalists can demand, specifically, the release of these Hungarian writers now known to be imprisoned: Zoltan Molnar, Gyula Fekete, Aneras Sandor, Joseph Gall, Miklos Obersovsky, Julius Hay, Zoltan Zetak, Tibor Tardos, Balasz Lengyel, Domokos Varka, Sandor Novobaczky, and the world-renowned Gyorgy Lukacs. Let the eight Nobel prizewinners who cabled their outrage last year cable it again, to prominent opposite numbers in Soviet professions. Let British Laborites send a new and sterner protest. Let Pandit Nehru recall his sorrow of December and give it notice anew. Let the United States Congress solemnly memorialize the supreme Soviet on the crime of Hungary.

The Kadar regime, after promising amnesty to the freedom fighters, has begun exterminating the survivors. It proclaims: "We have two paths ahead of us, a merciless government or a state of chaos." The U. N. clearly has two alternatives: a somnolent summer undisturbed by the death cries of forsaken patriots, or the path of duty to keep a merciless spotlight upon the murderers so that their guilt will stand clear in the glare of condemnation from the world.

Mr. KNOWLAND. I also ask unanimous consent that there be printed as a part of my remarks in the body of the RECORD an editorial from the New York Times of last Friday, under the heading "The Rape of Hungary."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE RAPE OF HUNGARY

An extraordinarily moving document was presented to the world yesterday. It is the indictment of the Soviet Union for its rape of Hungary, an indictment prepared by the United Nations Special Committee on Hungary. It is the unanimous judgment of the Hungarian events by official representatives of Australia, Ceylon, Denmark, Tunisia, and Uruguay, and through them it represents the judgment of Free World public opinion upon Soviet treachery, aggression, and murder.

Already yesterday Moscow began denouncing this document as propaganda. That was to be expected. No individual or nation that commits acts of murder and treachery likes to be exposed. But the very calmness of the language employed in this document, the scrupulous care given to present accurately the Soviet point of view, and the enormous body of evidence on which the report is based, all these give the lie direct to the Soviet complaints.

We can make clear why Moscow is so seriously disturbed merely by quoting briefly some of the conclusions of this report:

"What took place in Hungary was a spontaneous national uprising, caused by long-standing grievances. * * *

"The uprising was led by students, workers, soldiers, and intellectuals, many of them Communists or former Communists. * * * It is untrue that the uprising was fomented by reactionary circles in Hungary or that it drew its strength from imperialist circles in the West. * * *

"During the few days of freedom, the popular nature of the uprising was proved by the appearance of a free press and radio and by general rejoicing among the people. * * *

"Since the second Soviet intervention on November 4 there has been no evidence of popular support for Mr. Kadar's government. * * *

"Consideration of the Hungarian question by the United Nations was legally proper. * * * A massive armed intervention by one power on the territory of another with the avowed intention of interfering in its internal affairs must, by the Soviet Union's own definition of aggression, be a matter of international concern."

The report, in short, demolishes all of the lies, inventions, and rationalizations by which the Soviet Government has sought to explain, justify, and defend its crimes in Hungary. It strips the Soviet Government morally bare. It makes plain that what the Soviet Government did in Hungary was as rotten and criminal as anything in the worst pages of the bloody history of Czarist Russia.

The question now arises: What is to be done? Hungary today is a country occupied by Soviet troops and controlled from Moscow through the use of a puppet regime. The protests of the free people of the world have up to now been of no avail and the demands for justice in Hungary voiced in the United Nations have been met with complete contempt and defiance. To accept this situation is to make a mockery of all standards of decency and law in international affairs. It is in effect to legitimize a double standard of international morality in which some nations are required to submit to United Nations injunctions while others, specifically the Soviet Union, are permitted to defy them without reprisal.

Our own Government's representatives are reported to be planning strategy for next September's scheduled meeting of the General Assembly. But is not the situation revealed in this report more than adequate justification for immediate reconvening of the General Assembly to consider the enslavement of Hungary? And is it not a mockery of the facts and of the sentiments of all who love freedom and justice that the puppet regime in Budapest is still recognized as a legal government? The oppressed people of Hungary deserve more of the Free World than they have received. It is not too late to make plain the outrage of all decent humanity against their oppressors.

Mr. KNOWLAND. Mr. President, I ask unanimous consent next that there be printed in the body of the RECORD an editorial which appeared in the New York Herald Tribune under date of Friday, June 21, entitled "The Crime Against Hungary."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE CRIME AGAINST HUNGARY

When the cruel suppression of the Hungarian revolt against communism was shocking the world last year, the pro-Soviet regime of Budapest steadfastly refused all pleas to admit a United Nations inspection team into the strifetorn country. The Western world, and large sections of the Eastern world, too, wanted to get a clear and honest picture of what was happening in Hungary, but officials in Budapest and Moscow, fearing the truth, blocked all attempts to send U. N. observers to the scene.

But a special investigatory committee was set up by the General Assembly; unable to do its work in Hungary, it held hearings in Geneva, Rome, Vienna, London, and New York. It conducted its operations by interviewing refugees from Hungary—more than 100 of them gave testimony—and by delving into recent Hungarian history and firsthand reports of the events of last October and November.

Now the report to the General Assembly is ready—a 391-page document that constitutes probably the most biting and bitter denunciation that any U. N. member has ever undergone at the hands of its peers. The report represents the unanimous finding of five nations which range from pro-Western to neutralist—Australia, Denmark, Uruguay, Tunisia, and Ceylon. By no stretch of the imagination can it be called a partisan or biased document. Rather does it represent the finding of the world's conscience in the wake of one of the most vicious crimes of modern times.

What does the committee find? It finds that the revolt of the Hungarian people was "a popular uprising" instigated not from the outside, as the Communists allege, but by the people's effort to redress "long-standing grievances." It finds that the revolt was suppressed not by the legitimate Hungarian authorities but by the "armed intervention" of Russian troops. It estimates the strength of Soviet forces rushed into Hungary at from 75,000 to 200,000 men with 1,600 to 4,000 tanks. Many of these soldiers were Mongol and Tartar forces from Central Asia who had been told they were being sent to Egypt to do battle against "Anglo-French imperialists." Brutality, ruthlessness and torture were the weapons of these foreign forces, and the shackles of Communist control removed briefly by the insurrectionists are now "being reimposed step by step."

The Commission points out in the clearest and strongest possible language: "It is incontrovertible that the Nagy government, whose legality under the Hungarian constitution, until it was deposed, cannot be contested, protested against the entry and the use of Soviet forces on Hungarian territory. * * * It is no less incontrovertible that the Nagy government was overthrown by force. Its successor assumed power as the result of military aid by a foreign state." That is to say, the Soviet Union, by the use of naked force, imposed a puppet regime upon a people desperately battling for independence, in order that it could maintain its grip over Hungary and keep its garrisons on Hungarian soil.

These are the methods by which the Communists succeeded in reestablishing a satellite regime which the overwhelming majority of the Hungarian people had acted to cast off at the risk of their lives and possessions. Few documents of our time are more moving in their depiction of human suffering or more convincing in establishing the guilt of the responsible parties. If the Kadar regime or its Kremlin masters have any human feelings left, surely they must flinch before the accusing fingers pointed at them in this devastating and damning report.

But the question remains, what can the Free World or the United Nations do about it? The U. N. Commission plainly asserts the right of the world organization to take countermeasures. "A massive armed intervention by one power on the territory of another," concludes the report, "with the avowed intention of interfering with the internal affairs of the country must, by the Soviet's own definition of 'aggression' be a matter of international concern."

To translate that concern into action now becomes the business of the U. N. The Kadar regime, the report finds, has little support within Hungary; free elections would make short work of it. Ambassador Lodge has called a meeting of the 24 nations which sponsored the Hungarian resolution to plan for action at next September's General Assembly session, when the foreign ministers of the leading powers will be present. The U. N. must make it clear that it does not intend to let the Hungarian matter rest, that it will not accept the Kremlin's orders as the final word on this brave nation's fate.

Mr. KNOWLAND. Finally, Mr. President, I ask unanimous consent that there be included in the body of the RECORD as a part of my remarks an editorial which appeared in the Washington Daily News of today, under the title "Soviet Blackmail."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SOVIET BLACKMAIL

Never has the weakness and double standard of the United Nations been exposed so clearly as during the brutal Soviet intervention in Hungary last fall. In the end, a majority of U. N. members were willing only to wag a finger at Moscow and set up a committee to investigate and report on what happened.

The report of that committee is now before the world. It indicts the Soviet Union of almost every crime possible against humanity.

It is now up to the U. N. Assembly to decide what to do. The least it can do is to make sure that this report is widely distributed, widely and thoroughly debated, and then made part of official U. N. records. And the sooner this process is started—a midsummer session of the Assembly if necessary—the better.

The Soviets and their puppets in Hungary refused to let the committee enter Hungary to make on-the-scene observations. Therefore, it is not surprising that Pravda denounces the report as illegal and slanderous propaganda.

What is disturbing, however, is the beginning of cries by the timid to forget the crime against Hungary—lest we anger the Bolsheviks while they are acting nice. Those who tried to soft pedal the U. N. debate on Hungary last fall will be at it again. Already India's elder statesman Chakravarti Rajagopalachari is saying:

"The U. N. committee's report on Hungary may be good or it may be unreliable.

"But let us hope that it does not develop into a conspiracy to sabotage the hopes that peep through the London disarmament talks."

It is not surprising that that is Pravda's line, too—that the West is using the Hungarian report to distract public attention from Soviet disarmament proposals.

What rot.

If the Soviet disarmament proposals are genuine—and we confess to continued great skepticism—nothing can damage them. But if they are only phony propaganda, then debate on the Hungarian report will help expose them.

In fact, Pravda's reaction makes it look much as though the Soviet proposals on disarmament were partially blackmail—made to try to get the West to forget Soviet crimes in Hungary. Some haven't fogotten that the Soviet "new look" on disarmament was made last November 17—in the midst of the Hungarian revolution and at a time when world opinion was aghast at the bloody massacre of Hungarians by the Soviets.

The U. N.'s record in the Hungarian case is not good. If it is scared out of accepting the Hungarian report as part of its official records by Pravda's wolf cries or neutralists' scared cries, the consciences of freemen everywhere should revolt.

ASSISTANCE TO KLAMATH TRIBE OF INDIANS TO PREPARE FOR TERMINATION OF FEDERAL SUPERVISION

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 469) to authorize the United States to defray the cost of assisting the Klamath Tribe of Indians to prepare for termination of Federal supervision, to defer sales of tribal property, and for other purposes, which were, on page 2, line 9, strike out all after "Secretary." down through and including line 13, and insert "In order to reimburse the tribe, in part for expenditure of such tribal funds as the Secretary deems necessary for the purposes of carrying out the requirements of this section, there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, an amount equal to one-half of such expenditures from tribal funds, or the sum of $550,000, whichever is the lesser amount."."; on page 2 line 16, strike out "seven" and insert "six"; on page 3, lines 3 and 4, strike out "or deceased,"; on page 3 line 7, strike out "member;" and insert "member: *Provided, however,* that any member for whom the Secretary has so designated a representative may (on his own behalf, through his natural guardian, or next friend) within 120 days after receipt of written notice of such secretarial designation, contest the secretarial designation in any naturalization court for the area in which such member resides, by filing a petition therein requesting designation of a named person other than the secretarial designee, and the burden shall thereupon devolve upon the Secretary to show cause why the member-designated representative should not represent the interests of such member, and the decision of such court shall be final and conclusive".; on page 3, lines 10 and 11 strike out "if such property is not purchased for public use."; on page 3, line 15, strike out all after "others" down to and including "tary)" in line 17; on page 4, after line 3, insert:

(g) Subsection 5 (a), paragraph 5, of the act is amended by deleting "tribe" and by inserting in lieu thereof "members who elect to remain in the tribe."

On page 4, line 4, strike out "(g)" and insert "(h)"; on page 4, line 6, strike out "(h)" and insert "(i)"; and on page 4, after line 16, insert:

(j) Section 15 of the act is amended by changing the period at the end thereof to a comma and by adding "without application from the member, including but not limited to the creation of a trust of such member's property with a trustee selected by the Secretary, or the purchase by the Secretary of an annuity for such member: *Provided, however,* That no member shall be declared to be in need of assistance in conducting his affairs unless the Secretary determines that such member does not have sufficient ability, knowledge, experience, and judgment to enable him to manage his business affairs, including the administration, use, investment, and disposition of any property turned over to such member and the income and proceeds therefrom, with such reasonable degree of prudence and wisdom as will be apt to prevent him from losing such property or the benefits thereof: *Provided further,* That any member determined by the Secretary to be in need of assistance in conducting his affairs may, within 120 days after receipt of written notice of such secretarial determination, contest the secretarial determination in any naturalization court for the area in which said member resides, by filing therein a petition having that purpose; the burden shall thereupon devolve upon the Secretary to show cause why such member should not conduct his own affairs, and the decision of such court shall be final and conclusive with respect to the affected member's conduct of his affairs.

Mr. NEUBERGER obtained the floor.

Mr. WATKINS. Mr. President——

Mr. NEUBERGER. Mr. President, I should like to make a motion.

Mr. WATKINS. Is it for the purpose of having conferees appointed on the Klamath Indian bill?

Mr. NEUBERGER. The Senator is correct.

Mr. WATKINS. I just took over from the Senator from California [Mr. KNOWLAND]. He said there was no further business to come before the Senate this afternoon, except what I wished to say. That is why I asked the question. I have no objection.

Mr. NEUBERGER. Mr. President, I move that the Senate disagree to the House amendments, request a conference thereon with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. TALMADGE in the chair) appointed Mr. NEUBERGER, Mr. ANDERSON, Mr. CHURCH, Mr. WATKINS, and Mr. GOLDWATER conferees on the part of the Senate.

IMPLEMENTATION OF LONG-RANGE MINERALS POLICY

Mr. WATKINS. Mr. President, on behalf of my colleague, the junior Senator from Utah [Mr. BENNETT], and myself, I introduce, for appropriate reference, two bills to implement the long-range minerals policy recommended by the President and Secretary Seaton. I hereby invite any of our colleagues interested to join as cosponsors of the proposed legislation, and for that purpose I ask that the bills lie on the table for 2 days.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be held at the desk, as requested by the Senator from Utah.

The bills introduced by Mr. WATKINS (for himself and Mr. BENNETT) were received, read twice by their titles, and referred, as indicated:

To the Committee on Interior and Insular Affairs:

S. 2375. A bill to provide a program for the development of the minerals resources of the United States, its Territories, and possessions by encouraging exploration for minerals and providing for payments as incentives for the production of certain minerals, and for other purposes.

To the Committee on Finance:

S. 2376. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc.

Mr. WATKINS. Mr. President, this is legislation to contribute to the stability of a vital domestic industry, and I believe that it fully merits a wide measure of bipartisan support.

The first bill provides for the establishment of a program of Federal financial assistance on a participating basis for exploration by private industry within the United States and its Territories for such minerals, excluding organic fuels, as the Secretary of Interior may designate. If exploration financed in part by the Government in this program results in a discovery, the Federal

assistance would be repaid, with interest, from production royalties.

This type of a program not only will contribute to additional discoveries of vital new mineral wealth for this country, but it also will be greatly appreciated by many small operators who face the prospect of being forced out of the mining business by increased costs and competition from foreign imports. It is the little operator, the prospector, who makes the bulk of the new mineral discoveries, and who has been the backbone of the mining industry since it was established in this country.

Title II of this bill would authorize a program of incentive payments as a bonus for the domestic production of certain essential minerals. Strategic minerals specified on the list include beryl, columbium-tantalum, and chromite.

Title II of the bill provided for a review of this program in 2 years by the Secretary of the Interior.

A second bill proposes amendment of the Internal Revenue Code of 1954 to provide for imposition of import taxes on lead and zinc.

The proposed excise taxes would not apply on lead until the price of the metal goes below 17 cents a pound, when excise taxes of 1 cent to a maximum of 3 cents per pound would be applied. For zinc metal, excise taxes ranging from one-half cent to 2 cents a pound would apply when the price of the metal drops to less than 14½ cents a pound.

The need for import regulation to preserve the domestic lead-zinc industry already has been recognized by the United States Tariff Commission, after an extensive review conducted under the escape clause of the Trade Agreements Act.

I have assembled a sampling of news articles on the present situation faced by the lead-zinc industry, including recent telegrams to me from individuals and organizations in lead-zinc mining communities, and I hereby request unanimous consent to have these communications printed in the RECORD at this point.

There being no objection, the articles and communications were ordered to be printed in the RECORD, as follows:

[From the Salt Lake Tribune of June 13, 1957]

ACT NOW TO AID LEAD-ZINC, AMC EXECUTIVE IMPLORES

(By Robert W. Bernick)

Speedy enactment of measures to relieve the lead-zinc industry of the Western United States was urged Wednesday by Julian D. Conover, executive vice president of the American Mining Congress.

Mr. Conover said the move was especially necessary "in light of recent drastic declines in lead and zinc prices" in the United States.

(The price drops resulted in announcement of closure Wednesday of the Chief Consolidated Mining Co. at Eureka, Utah.

The Washington resident said "The minerals policy as presented by Interior Secretary Fred Seaton * * * is highly gratifying as to lead and zinc in that it recognizes the principle of protection that has been so consistently expressed by the American mining industry."

This principle, he explained, is that some degree of protection must be provided against low-cost imports of these metals when domestic prices decline to the point that they threaten serious injury to domestic producers.

The proposed excise taxes on imports would be removed when domestic prices are at a level under which the American industry can live, he added.

CONSTRUCTIVE SUGGESTIONS

The veteran mining leader said the industry would have constructive suggestions for the consideration of Congress on the details of the program. These will concern peril points which are to be established in the proposed law, amount of the proposed import tax and the differentials between taxes on metals and on imported concentrates. A peril point is that point at which the excise import tax would become operative.

"In the light of recent drastic declines in lead and zinc prices, it is fervently hoped that this lead-zinc proposal will be speedily formulated into legislation and enacted into law," Mr. Conover said.

He added that "it must be recognized that the stockpile purchases and bartering of surplus commodities for the foreign-produced metals and minerals, while of definite help in past years, are necessarily temporary, stopgap measures."

He said these measures also contributed to "world overproduction" of metals.

SERVE OTHER MINERALS

The American Mining Congress executive said the "proposed import tax measure for lead and zinc could well serve for other minerals to which it would be applicable."

He said it was "unfortunate that the 'long range minerals program' as presented does not seem to provide adequate relief for other branches of the mining industry which currently are in a depressed condition."

He said proposals to expand the exploration effort of the domestic industry, while commendable, do little good if the ore bodies developed cannot be sold at economic prices.

"It is noteworthy that Secretary Seaton, in response to questioning by Senators recently, stated directly that the proposed import tax program had been concurred in by all departments of Government concerned—including the State Department," Mr. Conover emphasized.

He said that some 2,000 mining industry leaders were expected to attend the western metal mining sessions of the AMC September 9–11 in Salt Lake City. The meetings at Newhouse Hotel and Hotel Utah will be preceded by 2 days of preliminary sessions and followed by a day of trips to mine and metallurgical facilities in the State.

[From the Salt Lake Tribune of June 13, 1957]

END OF THE MINING ROAD, UTAH'S CHIEF CON CLOSES

(By Robert W. Bernick)

Chief Consolidated Mining Co., producer of lead and zinc for the Nation since 1909, Wednesday announced indefinite suspension of operations, effective June 15.

This date thus marks the end of the road for the last operating metal mine in the historic Eureka-Tintic district of Utah, which has produced $500 million worth of strategic metals during two World Wars and the Korean war for the United States.

Cecil Fitch, Jr., president and general manager, said Wednesday, "We have been fighting an economic battle against foreign imports for 11 years. The mines that are closing now, including the Chief Consolidated, are not marginal mines. They all closed 5 years ago.

"It is simply that under the impact of inflationary costs and low-wage-produced foreign metals coming into the United States, every mine in America will become marginal at a certain price," the Utahan said.

Some 70 miners and their families will be affected immediately by the closure.

But for the miners in the Eureka-Tintic district, the process of economic struggle has been a losing one since the start of active promotion and subsidization by successive Washington administrations of metals produced in foreign nations and imported to this country.

Where thousands once labored in the creation of wealth for Utah there remained only hundreds in this district in the postwar period.

In September 1954 the mining company pulled its pumps in the main ore-producing areas of the Chief No. 1 mine. From 286 miners, employment was reduced to the present 70 whose jobs end in a few days.

The miners of yesterday have now found other work, many outside the industry.

Mr. Fitch paid high tribute Wednesday to the men who have worked for the Chief.

"They have been a very faithful crew. They have produced as no other miners, even though in recent years wage reductions were necessary if any jobs were to be had at all. The United Steelworkers of America (AFL–CIO) has recognized our peril and our labor relations have been excellent.

"But we just cannot carry on any longer," the Eureka district spokesman said.

The Chief Consolidated Mining Co. was founded by the late Walter Fitch and his son, Cecil Fitch, Sr., both Michigan miners.

Mr. Fitch, Sr., on Wednesday marked his 72d birthday.

[From the Salt Lake Tribune of June 2, 1957]

UNITED STATES MINERALS PROGRAM: THE STRESS IS ON SPEED

(By Robert W. Bernick)

With only about 6 weeks remaining for Congress to act on the administration's long-range minerals program, it is plain that great speed and dexterity will be required to steer the plan, as amended, through the legislative halls to the President's desk.

The issues inherent in the tariff program might strain some ties within the lead-zinc industry, as they have in the past.

This should be of little importance to the Congressional delegations from the mining States.

The 1 or 2 importers of these 2 metals, who for too long have had the ear and support of the United States State Department, are not voters. Jobs their imports would liquidate are held by voters, however.

As for the operators, only by presenting a basic unity and refusing to compromise on the principles of tariff as laid down in the administration program, will the entire industry be able to survive on a rewarding basis the immediate years ahead.

There are those in the Utah segment of the business who believe that where opposition is presented by self-seeking foreign producers of these metals, then these interlopers to this domestic issue should be effectively exposed once and for all.

TIME HAS PASSED THEM BY

Time has long since passed these people by.

Even during the halcyon days of Federal (taxpayers) support of the metals started by the administration as an alternative to the tariff principle now recommended, foreign producers did not abide by Mr. Eisenhower's request to voluntarily limit dumping of their metals on our shores.

They cannot now appear in Washington with clean hands.

The long-range minerals program is not being established for the benefit of low-wage cost foreign producers of metals.

Its necessity results from a final battle for survival for the remaining operating properties in the Western and Middle Western States.

Nor are we, as Americans and westerners, called upon to make any apologies to anyone, anywhere, for fighting to the last inch to protect and to expand the basis of our employment and our livelihood.

Salt Lake City is no different from mining areas such as Wallace, Idaho, Butte, Mont., or Ely, Nev. It's only a bit bigger town. But it doesn't live on air, any more than do those other towns.

Close the mines down and every merchant on Main Street will feel the pinch.

Close the mines down and every school district will be hurt.

Close the mines down and limit the opportunity of our children.

Close the mines down and eventually you close us all down.

For lead and zinc are but a few of the metals that are in trouble. The long-range minerals program aims to aid by establishment of its principles of protection of all important metals.

To say otherwise is to say it is but half a loaf.

Tungsten, copper, mercury, fluorspar, manganese, potash, chromite—all face these selfsame issues in varying degree.

WITHOUT BASIC TARIFF OR IMPORT QUOTA PROTECTION

Without basic tariff or import quota protection, mines, smelters, refineries, and concentrators producing these materials for American consumption must: (1) face declining profits placing a squeeze on wage increases; (2) dropping production, which affects employment; (3) closure, which eliminates jobs, stockholders, and taxes paid to cities, counties, and States.

Today it is lead, zinc, tungsten, and other metals.

Tomorrow it may be copper, potash, iron ore, oil.

Lateness of the hour by which the administration finally prepared its "barebones specifics" as to the minerals program may pose problems.

By adhering to the tariff principle, many complaints can be downed.

A "dogfight" over commodity amendments can be avoided.

Consumer objections—generally raised not by consumers but by manufacturers desiring cheaper raw materials—can be faced resolutely and frankly.

Giving the lead producer the same sort of protection afforded fabricators of lead products in the United States against competing finished materials from abroad would add 30 cents on the dollar to import of raw lead.

Giving the tungsten producer like consideration with the domestic fabricator and processor of this metal would double the existing tariff on tungsten metal. (Not a bad idea.)

You can include other domestic metals in this same situation.

INCLUDE OTHER DOMESTIC METALS

Such actions will not raise the price to the consumer. The price is there now, on the finished goods.

Western raw-materials producers seek only elimination of growing inequities in this relationship.

By any conceivable index, they too long have been denied a just share of our expanding economy.

For too long has the western economy been stilted by an injurious Federal policy now forcing our minerals industry to its knees.

SALT LAKE CITY, UTAH, *June 11, 1957.*

Hon. ARTHUR V. WATKINS,
United States Senate,
Washington, D. C.:

Many western mines facing near future decision concerning continued operations in face of falling metal prices—lead from 16 to 14 cents and zinc from 13½ to 11 cents. Current imports of those metals continue at record levels, putting further pressure on prices, and mine operators are despairing of constructive action on long-range minerals policy so long discussed as basic relief measure.

Labor, investors, and public vitally interested, and we, therefore, urge that you use all possible influence to implement action on long-range minerals program recently announced but not yet introduced for Congressional consideration.

NEW PARK MINING CO.
UNITED PARK CITY MINES CO.
CHIEF CONSOLIDATED MINING CO.
INTERNATIONAL SMELTING & REFINING CO.
COMBINED METALS REDUCTION CO.
UNITED STATES SMELTING, REFINING & MINING CO.

SALT LAKE CITY, UTAH, *June 21, 1957.*

Senator ARTHUR V. WATKINS,
United States Senate,
Senate Office Building,
Washington, D. C.:

All of us miners and our families want to call on you once again and ask you to please contact members of the House Ways and Means Committee to urge immediate action on the proposed legislation to help lead and zinc.

FRANK WARDLAW.

HEBER CITY, UTAH, *June 21, 1957.*

Senator ARTHUR V. WATKINS,
Senate Office Building,
Washington, D. C.:

Our economy in balance. Vital that minerals policy bill passed. Appreciate your support.

R. N. JIACOLETTI,
Mayor.

PARK CITY, UTAH, *June 22, 1957.*

Hon. ARTHUR V. WATKINS,
Senate Office Building,
Washington, D. C.:

We are faced with almost certain shutdown if Congress does not act on minerals policy bill during this session. Please do everything possible to start hearings right away.

UNITED PARK CITY MINES CO.
H. K. DROUBAY, *General Manager.*

PARK CITY, UTAH, *June 22, 1957.*

Hon. ARTHUR V. WATKINS,
Senate Office Building,
Washington, D. C.:

Western independent miners will suspend operations unless minerals policy bill is acted upon this session. Mines stoppage would be disastrous to this community and its people. Please do everything possible to secure action this session.

ALBERT B. SMITH,
Park City Progressive Association.

[From the Department of the Interior, Information Service]

STATEMENT OF THE HONORABLE FRED A. SEATON, SECRETARY OF THE INTERIOR, BEFORE THE SENATE INTERIOR AND INSULAR AFFAIRS COMMITTEE ON THE ADMINISTRATION'S LONG-RANGE MINERALS PROGRAM, TUESDAY, JUNE 4, 1957

I am glad to have this opportunity to discuss with the members of this committee the administration's long-range minerals program.

It is hardly necessary to emphasize to this committee the importance of the domestic minerals industries of the United States. These industries employ people in every State of the Union. The value of their production in 1956 was $17.3 billion. In 1955, according to the Department of Commerce, the extraction of minerals and their processing into salable products accounted for 7 percent of our national income. If we include the manufacturing industries turning out machinery and other products derived from metals and minerals, we find fully one-fourth of our total national income generated by this sector of our economy.

The administration believes that the Federal Government has a proper role to play in keeping this important group of American industries healthy and strong. The long-range minerals program is designed to serve this purpose, within the scope of proper Federal activity and within the limits imposed by the Government's other responsibilities, both to the people of the United States and to the community of free nations.

More than 2 years of intensive work have gone into planning this program.

On November 30, 1954, President Eisenhower approved the recommendations of a Cabinet Committee on Minerals Policy. The President had asked this Committee to study the problems relating to the production and utilization of metals and minerals and to make recommendations for national policies in this field.

One of the Committee's observations was that twice within a 15-year period the United States had been drawn into international conflict with almost no stockpile of strategic and critical materials and had been forced to resort to costly expansion programs to obtain them.

As a result of the Committee's studies and recommendations, in the past 2 years there has been a systematic and critical review of the Nation's mineral resources in the light of our national security needs. Action has been taken to increase the Nation's ready store of essential minerals and metals, to strengthen segments of the mobilization base, and to revitalize segments of the domestic mining economy. Existing legislation provides adequate authority for any additional measures that may be needed to obtain mineral raw materials required for defense.

The Committee, however, not only made security recommendations, it also called for an optimum development of the country's mineral resources. For it recognized that a strong, vigorous, and efficient domestic mineral industry is essential to the long-term economic development of the United States.

Some of the recommendations of the Committee regarding the development of domestic mineral resources are being carried out under the general authority the Department has in connection with public lands, the Geological Survey and the Bureau of Mines. The stockpiling program and other programs carried on for defense purposes have also contributed to the development of these resources.

The long-range program is designed to serve the general needs of our peacetime economy as well as the longer term demands of our national defense. Through this program we are trying to maintain a mining industry large enough and strong enough to take advantage of the abundant opportunities for production of mineral wealth within this country.

We might have tried to achieve these ends in any one of three ways:

(a) By advocating an all-out effort by the Federal Government to underwrite virtually every mine and miner. Such an approach would entail Government management of the minerals economy—a course which neither the industry nor the Government favors. This approach the administration rejected.

(b) By saying that the basic problems of the minerals industry had to be resolved by the industry itself, and that no steps should be taken beyond those normally performed by the bureaus of our Department. Such an approach was also rejected.

(c) By recognizing the problems facing the domestic industry and by arriving at

their solution through programs of benefit to the industry and to the national economy as a whole. This requires a continuous appraisal of problems within the industry on a case-by-case basis and an evaluation of each minerals-industry problem in terms of its national significance. This is the course which was selected.

I should like to comment briefly on the principal features of the program we are submitting.

The first thing the Department proposes is to intensify its research. Mineral resources cannot be renewed. We therefore have to learn all we can about finding new ore deposits and about handling lower grade deposits. Geologic mapping will have to be expanded, as will such newer types of investigations as those which make use of colorimetry, microchemistry, thermal analysis, and radioactivity. Through such activities the Geological Survey will serve American mining even better than it has long done.

The program of the Bureau of Mines must likewise be speeded up to enable the Government to find ways to process lower grade ores more efficiently, expand the uses of plentiful materials, develop substitutes for scarce materials, and find greater uses for newer materials. The value of such work is illustrated by the part which the Bureau of Mines played in the development of titanium and zirconium, the latter being the metal which in large part made possible the Navy's atomic submarine, the *Nautilus*. If engineering progress is to keep pace with inevitable changes in such fields as nuclear technology and aircraft design and propulsion, an acceleration of research is required to develop mineral products capable of containing and supporting the complex, expanding, and in part unknown stresses, temperature, and speeds involved.

We must make a continuing review of our mining and mineral leasing laws in order to encourage as a matter of Federal policy the conservation and wise development of the mineral resources of the public domain. The Department now has under study the problem of further revising the mining laws in order to encourage and facilitate the use of newer geophysical exploration techniques.

Under the new program it is also planned that the administration will continue to adopt fiscal policies which encourage private initiative and the investment of risk capital in exploration for and development of the Nation's mineral resources.

Related to this feature is the Department's recommendation that legislation be enacted to provide a long-term program of financial assistance to private industry for mineral exploration. The greatest problems faced by the domestic mining industry today are the depeletion of its easily accessible high-grade reserves, the substantially increased costs that go with the mining of low-grade ores, and the difficulties encountered in the search for and mining of more deeply buried ore deposits. It is generally conceded that the obvious large and easily worked mineral deposits in the United States have been found.

Since April 1951, under authority of the Defense Production Act of 1950, as amended, the Defense Minerals Exploration Administration has conducted a program to encourage exploration for strategic and critical minerals. The program appeals especially to small business, and many small mine operators participate. Nearly 60 percent of all the contracts entered into by DMEA have been for projects of less than $25,000 each. Another 16 percent of the contracts have been for projects of between $25,000 and $50,000 each. Of a total of 1,013 contracts approved, 434—or 42.8 percent—call for the operator to supply less than $3,000. These small operators have been especially active in exploration for highly strategic minerals not found in the United States in deposits of sufficient size to interest large companies.

As part of the new long-range program the Department recommends that a program of financial assistance to private industry for exploration be authorized and made a responsibility of the Department of the Interior under new legislative authority.

Finally, in addition to those long-term essentials, the new program includes measures for special assistance to the lead and zinc industries to minimize injury as a result of imports; and special encouragement to producers of beryl, columbium-tantalum, chromite, and asbestos. It is believed that technical advances will eventually make these latter four industries competitive. This listing of minerals which now need long-range assistance is neither final nor exhaustive. We recognize that other mineral commodities may need similar assistance in the future when defense or interim purchase programs near completion. On the basis of the current position of such minerals, we believe that long-range plans should be formulated after these commodities have had an opportunity to adjust to nondefense markets.

The Department believes it necessary to increase the duties on imports of lead and zinc because of the recent sharp decline of prices of these commodities and to minimize the further threat to the lead and zinc mining industries posed by the high level of imports.

In order to provide more adequate protection to the domestic producers of lead and zinc without at the same time materially restricting needed imports of these commodities, the Department recommends the use of an import excise tax which becomes effective when price declines threaten injury to domestic producers, and which is suspended when prices again return to and remain firm at levels sufficiently high to prevent distress to the domestic industry. The tariff would be eliminated. The excise tax, substituted for it, applicable in three stages would be suspended when prices reach prescribed levels. This plan is outlined in detail in the description of the program.

The other minerals recommended to receive special assistance are in a very different category from that of lead and zinc. For three of these minerals—specifically beryl, columbium-tantalum, and chromite—domestic production is now almost entirely related to defense programs. It is believed, however, that competitive domestic industries may eventually be developed in these commodities. Known reserves of these minerals are substantial, but the grade of ore is so low that production at this time is not profitable at world prices.

Limited known world reserves, the strategic nature of these minerals, and the heavy dependence of the United States on distant overseas sources for supplies underscore the desirability of making every effort to develop and maintain some production of these commodities from domestic sources.

In view of longer term security considerations the Department proposes that a continuing program be established to pay bonuses for a limited production of these commodities as research continues to seek ways of making these industries competitive. A special program is also recommended at this time for chrysolite asbestos.

These programs should be reviewed at intervals of no longer than 2 years, not only to determine the desirability of continuing such assistance, but also to ascertain whether similar provision should be made for other commodities.

Many minerals of economic and defense importance are covered by this program only through the general provisions for research and development and financial assistance for exploration. There are a variety of reasons for not including some of the more important minerals in the program for direct Government assistance at the present time. For example:

ANTIMONY

Two major considerations lead the Department to conclude that no special program is justified for antimony:

1. Requirements for primary antimony are decreasing. Economies in use and changes in our industrial mix are resulting in a long-term downtrend in consumption of primary antimony.

2. The Nation's resource base in antimony, on the basis of the best available information, is insufficient to support a sustained high level of output of this commodity. Recently, at the request of the Office of Defense Mobilization, the General Services Administration undertook a study of potential domestic antimony production. It was determined that as much as 3,000 or 4,000 short tons per year could be produced at a price roughly double the present market price of 33 cents per pound. If the Government were to support domestic production at this level, it would increase the production of primary requirements supplied from domestic mines from 5 percent to 25–30 percent, and raise the proportion of total requirements (including secondary) from 70 percent to 80 percent. At this rate of production our known resource base in antimony would probably be exhausted in a few years.

Much antimony goes to market in the form of antimonial lead. If a program is established to aid primary antomony producers, it will probably encourage only the extraction of antimony from this antimonial lead and also from scrap. The practical reason for this is that the price necessary to aid primary antimony producers would be large enough to make extraction from antimonial lead and scrap profitable. Consequently, the primary antimony producers would receive little benefit from such program.

BARITE

Barite is used primarily as a constituent of drilling muds and in the chemical industry. Domestic production of this commodity has shown a steady growth from the 1948 level of 778,000 short tons to production in 1956 estimated at 1,200,000 short tons. Consumption is in a steadily rising uptrend. Imports, while increasing, do not now constitute a threat to the domestic industry. No special program beyond that of the Bureau of Mines, which is directed toward the development of improved methods of separation of barite from complex ores is necessary at this time.

BAUXITE

Domestic production of bauxite has increased steadily since 1948. Consumption is at record rates; it is still growing. Consequently, there is no present necessity for any special assistance for this commodity.

BORON

Since 1948 domestic production of boron has increased from 450,000 short tons per year to a 1956 record high of 1,124,000 short tons. This industry has shown such steady growth and there is such promise of an increasingly broad range of applications for this commodity, that no special Government action is indicated beyond the limited research programs now underway.

COBALT

Cobalt does not meet the criteria for commodities requiring special programs. Domestic resources are not abundant, and there is little promise, aside from that presented by research, of the development of a fully competitive domestic industry for this material in the foreseeable future. The long-term outlook is for significantly increased

world supplies of cobalt. We anticipate that this will result in substantial decreases in price. No reasonable program of support could, on the basis of present technology, provide assurance of development of a commercial domestic industry in the near future. We shall continue to investigate the technology of cobalt; such investigation constitutes the most hopeful long-term approach to the problems presented by this commodity.

The bulk of domestic production of cobalt is currently being mined and sold to the Government under premium price contracts.

COPPER

Copper has not been included in view of the continuing good price and the fact that a 2-cent excise tax comes into effect when the price falls below 24 cents. The current rate of domestic production is expanding, and the market situation is stable at current conditions.

FLUORSPAR (ACID-GRADE)

The Public Law 733 program for acid-grade fluorspar received administration support because it provided a remedy for the problem posed by the temporary surplus of this material then on the market as a result of completion of Government stockpile contracts. The Public Law 733 program, if continued as we have urged, will enable the industry to ride out the period of temporary surpluses and provide time for consumption to catch up with supply, and for the industry to orient its operations to normal commercial markets. At the conclusion of the Public Law 733 program we shall review the situation with respect to this commodity. Industry requirements are expanding rapidly, and new uses should create additional new markets.

FLUORSPAR (METALLURGICAL GRADE)

Government buying for the defense stockpile is providing a floor under the domestic price. It is expected that with the continuance of the stockpile-purchase program for a while longer, the industry will be reoriented at reasonable price and production levels.

GYPSUM

Gypsum is one of the major mineral products used in building construction in the United States. Production since 1948 has risen from 7,255,000 short tons to nearly 11 million short tons. Over the same period industrial consumption has increased by roughly 50 percent. It is anticipated that with the continued expansion of construction activities in the United States, gypsum and gypsum products will continue to have a ready market. The present health and vigor of this industry make unnecessary the provision of any special governmental program beyond research conducted by the Bureau of Mines on the problem of hydration of gypsum plaster.

IRON ORE

Iron ore presents one of the most serious problems within the minerals area. The enormous demands of two world wars and the recent period of emergency together with the requirements placed on this industry by the sustained growth of the economy have depleted a major portion of our high-grade iron ore reserves. Steel producers and merchant producers of iron ore have done an outstanding job in utilization of low-grade domestic resources. This has largely solved the immediate problems confronting this industry. At the present time there is no requirement for any special Government program for iron ore. We are watching this commodity carefully, however, and are conducting a research program with expenditures at the rate of approximately three-fourths million dollars per year by the Bureau of Mines. Nearby large deposits on the North American continent are supplying a large portion of our requirements.

MAGNESIUM

Production of magnesium in the past has expanded in time of war and receded just as rapidly once the emergency has passed. The domestic industry is currently operating at approximately 68,000 tons per year, most of this from a single firm. There are no particular problems with respect to this commodity which are amenable to treatment through special governmental programs in peacetime. We shall continue to conduct research aimed at cheaper methods of producing magnesium, but the major task, to increase markets for this commodity, must be performed by the industry itself through developing new markets.

MANGANESE

The Nation's resources of manganese are for the most part low grade and complex. The basic solution to the domestic manganese problem lies in research to advance the technology of this commodity. The existence of a special Defense Production Act purchase program which will continue into 1960 makes unnecessary the provision for any further programs of special assistance at this time. Approximately $1 million a year is being spent by the Bureau of Mines on research directed toward improved beneficiation methods.

MERCURY

Since 1952 the market price for this commodity has been sufficiently high to cause domestic production to more than double in volume. At the present time, and through 1958, a Defense Production Act purchase will provide a floor of $225 per flask. At this time there is no requirement for an additional Government program. With the duty paid, the current price in New York is approximately $257 per flask.

MICA (STRATEGIC)

The long-range problem in strategic grades of mica can best be solved by emphasis upon research leading to synthesis of mica, and development of mica substitutes. The Bureau of Mines is now conducting a modest program along these lines. In addition, the General Services Administration is administering a program of Government financed industry research in mica synthesis. The Government stockpile program takes all strategic mica produced in the United States today and will continue to do so until December 1962.

MICA (NONSTRATEGIC)

The United States produces the bulk of its requirements (more than 90 percent in 1956) of nonstrategic mica. Domestic production is expanding rapidly. Production in 1956 was almost three times the 1949 level. It is anticipated that the domestic mica industry will continue to grow rapidly as the total economy expands and particularly as construction requirements increase. There is at the present time no requirement for a special program for this commodity.

MOLYBDENUM

Domestic production of molybdenum has increased almost threefold since 1948. The domestic industry is now producing this commodity at full capacity to supply an expanding domestic market, an expanding export market, and the stockpile. The bulk of domestic production is from a single producer. Most of the remainder is produced as a byproduct from other mining operations. The increased level of production of this commodity, together with the health and vigor of its industry, indicates that there is no requirement for any special Government program beyond a modest program of research conducted by the Bureau of Mines and directed towards the production of massive, ductile molybdenum.

NICKEL

Prior to 1953 domestic mine production of nickel was negligible. Currently the United States is producing about 4,500 short tons of this commodity, some 3 percent of our requirements. This production is under Government contracts. The long-term outlook for nickel is for continued dependence upon Canadian and Cuban sources of production. In all probability there will eventually be established on a sound commercial footing a small production in the United States, probably not greatly in excess of that currently prevailing. There is no requirement for any special Government program for this commodity beyond those now being conducted under Defense Production Act authority and by the Bureau of Mines. The Bureau is spending approximately $150,000 per year to develop an efficient economic method of separating cobalt and nickel and a process for extracting nickel, cobalt, iron, and chromium from nickeliferous laterite deposits of low metal content.

PHOSPHATE ROCK

Domestic production of phosphate rock is currently approximately 13,500,000 long tons per year. Production has increased by approximately 50 percent from 1949 levels, and it is estimated that there will be further increases in production as utilization of fertilizers expands. The growth and high level of activity in this industry make unnecessary the provision of any special Government program beyond that of the Bureau of Mines, which is designed to conduct mining and processing investigations.

POTASH

Domestic production of potash (K_2O equivalent) has increased from 1,140,000 short tons in 1948 to 2,140,000 short tons in 1956. It is anticipated that consumption of this commodity will continue to increase as fertilizer use becomes more widespread. Imports are a minor factor. There is no requirement for any special Government program beyond that now conducted by the Geological Survey directed toward expanding knowledge of United States reserves of this commodity.

SULFUR

Domestic production of sulfur has increased from 5,500,000 long tons in 1948 to approximately 7,000,000 long tons in 1956. Steadily expanding domestic and export markets for this commodity, in conjunction with the health and vigor of the producing industry, make unnecessary the provision of any special Government assistance beyond the Bureau of Mines research on processes for the development of economical supplies of sulfur from presently marginal or submarginal sources. The United States, the world's largest producer of this commodity, has the largest known reserves.

TIN

Production of primary tin in the United States is negligible. Secondary production provides roughly one-third of total domestic consumption. The remainder is from imports. There is no requirement for a special program of assistance for tin in this country, because we have no known commercial deposits and have never developed a producing industry. However, there is a need for continuance by the Bureau of Mines of long-term research to develop techniques for recovering tin from ores, scrap, slimes, and other tin-bearing materials.

TUNGSTEN

The Department of the Interior has supported and will continue to support the tungsten purchase provisions of Public Law 733. We feel that it is right and proper that the domestic industry be enable to amortize investments made at the urgent request of the Government during the Korean conflict, and be given an opportunity to reorient their operations to the market. Continuation of Public Law 733 is the best method of assur-

ing these objectives. We believe that if the industry operates under this program until December 1958, the production then existing, coupled with new and reasonably anticipated demands from industry, will provide a more realistic basis from which to evaluate the position of the industry in our overall economy.

Other minerals were included in the administration's review, but they are not mentioned in the above list because the reasons for their exclusion from the direct assistance program require no detailed explanation. In one category are minerals of national significance—such as sand and gravel or clay—which have problems largely local in character. In another category—gold or uranium, for example—are minerals of which the production or price is regulated by the Federal Government. In the case of a third group, which includes germanium and cadmium, production is primarily a byproduct of the mining of other minerals, which have been discussed. A final category includes minerals like titanium, and the rare earths, which have only lately entered into commercial use.

This program, which I have briefly outlined for you, represents the administration's judgment on what should properly be done now to maintain the vigor of the country's minerals industries. Such a program, of course, cannot be rigid and fixed and permanent. It is intended to be a sensitive and sensible response to certain economic facts; and such facts, in a dynamic and expanding economy, constantly change. For this reason the program would demand continual scrutiny and review. Such review would assure that the program would be as sound for the needs of tomorrow as we believe it is for the needs of today.

Officials of the Department will be available to supplement the information contained in the description of the program given to you.

Mr. WATKINS. Mr. President, the Congress is now embarked upon the task of considering legislation for the first long-range minerals program ever attempted, at least to my knowledge, in this country. For the minerals-producing States of the Nation, we Members of Congress are charged with a serious responsibility in this task, and I hope that we enter into it with a high degree of cooperation and serious intent. This legislative phase is equally important, and equally as difficult, as the planning phase completed by the executive branch. I sincerely trust that we get on with the business at hand and complete some sound legislative action as soon as possible this session.

My State is one of the principal lead-zinc producers, and we have been particularly anxious about the establishment of a long-range minerals policy which would help sustain this and other vital domestic mining industries.

However, we have tried to be fair in our firmness in demanding action on this matter. We have recognized that the mess in which the mining industry finds itself today was not created by Secretary Seaton and the Eisenhower administration. Our troubles were created largely by trade policies and piecemeal minerals policies of preceding Congresses and executive administrations of both parties. Secretary Seaton and the administration may not have moved as fast as we would have liked to see them move on this matter, and they may not have gone as far as we would like to see them go; but they have moved, and they are trying to solve a complex problem which, by and large, they inherited in 1953.

On May 27 of this year, following the announcement of the administration's program, the Salt Lake Tribune, carried an editorial headlined, "An Excellent Long-Range Mine Program." Here are some excerpts from this editorial published by a newspaper which has consistently stressed the need for such a program:

The administration's long-range minerals program represents a great victory for those who believe that the solution for the minerals industry's problem lies in the application of the protective tariff principle. * * *

Now, after careful consideration and intensive study, Mr. Seaton has drafted a program which has won the approval of both President and Cabinet. This latter accomplishment is in itself notable, since the State Department had previously opposed any program which involved use of the tariff power.

While the administration's program represents a major victory, the ultimate victory is yet to be won. Mr. Seaton has prepared the program, but it must now win the approval of Congress. And that will take the same concerted effort that resulted in the administration's program.

Secretary Seaton deserves high praise for his work. So, too, do western leaders, both in the mining industry and in public life, who have fought for the principle of protection over the years.

This is the type of response evoked in a mining State by the announcement of the administration's program. We in the Congress may desire to extend this program or to increase the protective measures proposed. That is our prerogative, and I am sure that Senate hearings will be extensive and thorough enough to provide expression from all segments of the mining industry, and representatives of States and communities where mining is a basic industry.

In this regard, I wish to direct your attention to the concluding paragraph of Mr. Seaton's statement to the Senate Interior Committee last June 4:

This program, which I have briefly outlined for you, represents the administration's judgment on what should properly be done now to maintain the vigor of the country's minerals industries. Such a program, of course, cannot be rigid and fixed and permanent. It is intended to be a sensitive and sensible response to certain economic facts; and such facts, in a dynamic and expanding economy, constantly change. For this reason, the program would demand continual scrutiny and review. Such review would assure that the program would be as sound for the needs of tomorrow as we believe it is for the needs of today.

What Mr. Seaton has proposed is a flexible policy which can be expanded to meet new problems as they arise, and which can be pursued soundly, without, I hope, undue opposition from interests which are likely to oppose positive legislation of any type for the mining industry. This means that this policy legislation, and its future refinements, will be a constant problem for and challenge to this Congress and to our successors for many years to come.

In view of the tremendous importance of the mining industry to the economic strength of this Nation in peace and war, I urge my colleagues in the Senate and the House to expedite action on this vital legislation. It is a program that warrants a large share of bipartisan support from representatives of mining States, and a sympathetic reception from the representatives of other States who can recognize the national interest in maintaining a stable domestic mining industry.

I urge my colleagues that we all get in and work unitedly and on a bipartisan basis to the end that the Congress may prove adequate to the leadership which has been exhibited by the executive branch in this important field of long-range minerals policy.

Mr. President——

The PRESIDING OFFICER. The Senator from Utah has the floor.

FIRST NAVAHO STUDENTS GRADUATE FROM RICHFIELD (UTAH) SCHOOL

Mr. WATKINS. Mr. President, some seven years ago the people of Brigham City, in the northern part of my native State, became host to Indian students, largely Navaho, at the Intermountain School, converted from what was previously the Bushnell General Hospital.

More recently our people in Richfield in the south-central portion of Utah became hosts in their public schools to a smaller group of Navaho students in a program worked out with the Bureau of Indian Affairs and Sevier County school board.

I am now happy to report that, according to the Richfield Reaper, some days ago 15 Navaho school students—9 girls and 6 boys—became the first group to graduate from Richfield Junior High School, according to the school's principal, Roy Adams.

All completed 4 years work in 3 except Jim Jensen, who attended school only 1 year. As juniors these students have covered themselves with honor

The graduating students are: Sallie Tsinniginnie, Mary Etta Jackson, Josephine Small Canyon, Sarah Sombrero, Susie Bighorse, Maud Chee Lane, Lorraine Yellowhair, Laura Johnson, Maxine Tree; Jim Jensen, Fred Salt, George Whitehat, Wilford Smith, Herman Smith, Kee Nez Fowler.

It has been remarked time and time again that there are very few places on the reservation where schools for the Navahos could be built. For a long time approximately 16,000 Navaho children were unable to go to school, not because they did not want to go, but because of lack of facilities. A plan was finally worked out to take many of these youngsters who wanted to go to school to the neighboring white settlements, and make arrangements with the school boards to have them attend classes with their white neighbors, while living in dormitories or boarding houses provided by the Federal Government for their keep during the school year.

By means of that program, and a series of trailer schoolhouses placed upon the reservation, it has been possible to bring nearly all of the 16,000 students into school, for the first time in many years.

The circumstance to which I have called attention shows what the result in one of these communities has been. Fifteen Navaho Indian students were recently graduated from the Richfield Junior High School.

Mr. President——

The PRESIDING OFFICER. The Senator from Utah.

NAVAHOS PUT FIVE-TWELFTHS OF ANNUAL BUDGET IN EDUCATION TRUST FUND

Mr. WATKINS. Mr. President, this year, due largely to income derived from oil and gas leases, the Navaho Tribal Council had nearly double its funds for the previous year to apportion in the 1957–58 annual budget.

I think we in Congress will gladly note that of the $12 million budget agreed on for the new year the tribal council voted to set aside $5 million to provide a trust fund yielding $200,000 annually. This will be used for scholarships in colleges and universities to support alert young Navaho men and women, in order that they may further their educational progress.

Those selected must be approved in a tribal committee screening. Also, they must agree to return to aid the tribe with their newly acquired skills.

Mr. President, I most heartily commend the wise and far-seeing leaders of the Navahos for this thoughtful provision of five twelfths—nearly half—their budget for educational needs of their younger men and women of promise. I know that money might well have been spent in myriad and no doubt useful other ways. This very act speaks well, however, at once of self-sacrifice and of the faith in the Navaho youth that so strikingly characterizes our Navaho leaders. I feel that their trust will be honored, a hundredfold, by those in whom they are willing to express such confidence.

I ask unanimous consent that an article from the June 22 issue of the Christian Science Monitor, commenting on this topic, be included here as a part of my remarks in the CONGRESSIONAL RECORD. I deeply urge my colleagues in the Senate and House to take note of this heartwarming development.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor of June 22, 1957]

SCHOLARSHIPS TO AID NAVAHO YOUTH—TRIBE EARMARKS FUNDS

(By Dorothy L. Pillsbury)

SANTA FE.—One of the most significant acts in the history of American education took place recently at Window Rock, Ariz. There the Navaho Tribal Council, representing about 80,000 Navahos living largely in northwestern New Mexico and northeastern Arizona, adopted their 1957–58 budget. That budget of $12 million was twice as large as any ever set up for the tribe. It was made possible by $30 million derived from oil and gas leases on their arid, unproductive land.

Of the $12 million budget, the Tribal Council set aside nearly half—$5 million—to provide a trust fund yielding $200,000 a year to be used for scholarships in colleges and universities by their likely young people.

MUST RETURN TO RESERVATION

Navaho youth granted these scholarships are carefully selected by a tribal committee. They agree to return to the reservation at completion of their training in law, engineering, business administration, public health, education, and other subjects to share their newly acquired skills with their people.

More than a dozen years ago, this writer sat in on a Tribal Council meeting at Window Rock for a full week—morning, afternoon, and evening sessions—where Navaho oratory rolled endlessly like the surge of a sea. At that time the Navahos were at one of their lowest financial ebbs, due to the reduction of their flocks by the Indian Bureau. This reduction seemed necessary because of overgrazing. The tragedy was that nothing had been provided to make up the loss in income. Navajo economy had suffered a staggering blow. Starvation was an ever-present specter.

A white man from far away Washington appeared on the platform to outline various suggestions how this great loss might be met. The Navahos listened politely but with smoldering eyes. At last an aged Navaho wearing a little fur cap on his long hair got to his feet and in broken English said, "Mr. Chairman, I move that all this talk go on the table. Let us use all the time we have left to talk about education. Unless we are educated, what good is all this fine talk?"

UNLESS WE ARE EDUCATED

"Unless we are educated" became a kind of tribal slogan for the years to come. In 1945 there were school facilities on the reservation for only one-fourth of the school-age children. Fewer than 100 out of 20,000 children of school age were in high school. Indian boarding schools in the region were not accredited to the State universities of either Arizona or New Mexico.

It has been a long hard pull to get Navaho children into school. It has taken every educational facility available—Indian Bureau schools, public schools, and mission schools. It has meant hauling children 50 miles a round trip by bus to public schools. It has meant the building of dormitories in nearby towns where Navaho children from a distance could live through the school week and return to their families over weekends. It has meant trailer schools rolling about the reservation in hot pursuit of children whose parents moved from scattered pasture to pasture.

Within the past few years, it could be said truthfully that every Navaho child of school age whose parents wanted him to "learn paper" was in school. During the last few years the tribal council has been spending $100,000 a year from the tribal income to send outstanding graduates of these schools to colleges and universities.

INVESTMENT STABILIZED

This year that investment has been stabilized by the establishment of the trust fund of $5,000,000 allowing $200,000 a year for scholarships.

Somewhere out between the towering red rocks of Navaholand where the scent of cedar fills the dry warm air, I hope that aged Navaho with his little fur cap on his long black locks knows that the words he used long years ago, "Unless we are educated," have blossomed prodigiously. They have blossomed in this great tribal trust fund which in turn will blossom strangely with young Navaho engineers, business administrators, lawyers, and educators—year after year.

UTAH FATHER, FOUR SONS, ALL HAVE DOCTOR'S DEGREES

Mr. WATKINS. Mr. President, my native State of Utah is proud of many educational attainments, and now we feel that we Utahans may have another. At least I doubt if there are many families in America that can boast a father and four sons—all with doctor's degrees, either in medicine or philosophy.

Dr. Wayne B. Hales, the father, a Ph. D. for many years, is professor of physics and mathematics at Brigham Young University in Provo. I might note that in addition to the 4 sons now possessing doctor's degrees, that Mrs. Hales and their 2 daughters also hold college degrees. In all then here is a family that has amassed a total of 56 years of education on the college level and 59 years in teaching.

If any Senator or Representative can lay claim in his or her State to a comparable or superior record, I surely would like to know of it.

As teachers and as doctors of medicine I think we all know the service to our country that such a family has and will render.

Mr. President, I ask unanimous consent to have included as a part of my remarks in the CONGRESSIONAL RECORD a news account regarding the Hales family printed in the Daily Herald of Provo, Utah, June 13.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EVERY MAN HAS DOCTOR'S DEGREE—WAYNE B. HALES FAMILY SETS EDUCATION RECORD

If you were to ask for Dr. Hales at a Wayne B. Hales family reunion you'd be apt to get five answers.

For that's how many members of the family—every man in it, incidentally—who have attained doctor's degrees, either doctors of medicine or philosophy.

Dr. Wayne B. Hales, the father, has held his Ph. D. for many years as a professor of physics and mathematics at Brigham Young University. He won his Ph. D. in 1926, at the California Institute of Technology.

Every one of his four sons have by now attained their doctor's degree, the latest of whom was Robert, who graduated this spring from the University of Utah School of Medicine. Others holding the coveted degree are J. Vern Hales, who achieved his Ph. D. in 1952 from the University of California at Los Angeles, and is now a department chairman of meteorology at the University of Utah; D. Wilson Hales, who graduated as a doctor of medicine in 1945 from the University of Wisconsin and is now a staff member at an Ogden clinic and instructor in surgery at the University of Utah Medical School, and Richard W. Hales, who attained his Ph. D at the University of California in 1952 and is now an associate professor of physics at Brigham Young University.

Not to be outdone by the men, all three women in the family—Mrs. Wayne B. Hales and two daughters—have college degrees. Each graduated from Brigham Young University with bachelor degrees, Mrs. Hales in 1938; her daughter Isabel (Mrs. George I. Cannon), in 1944, and daughter Margaret (Mrs. Delos E. Bown), in 1946.

Every member of the entire family has graduated from Brigham Young University except Richard, whose studies were interrupted by World War II and who took his bachelor degree from Iowa State College in 1946.

The family has amassed a total of 56 years' education on the college level, 29 of them at Brigham Young University. There have been 59 years spent by the family in teaching, headed by the father, who has taught a total of 41 years—27 of them at the "Y."

PARSONS COLLEGE SENIORS IN THE SERVICE OF GOD AND STATE

Mr. MARTIN of Iowa. Mr. President, on Sunday, June 2, I was accorded the honor of delivering the commencement address at the commencement exercises of Parsons College, Fairfield, Iowa. The baccalaureate sermon on that occasion was delivered by the Reverend Dr. Paul Silas Heath, of New York City. The Reverend Millard G. Roberts, president of Parsons College, conferred the doctor of divinity degree upon the Reverend Kenneth L. Hubler, minister of the Grace Presbyterian Church at Council Bluffs, Iowa, and the doctor of laws degree on John A. Fisher, president of Buena Vista College, Storm Lake, Iowa, the Reverend Dr. Paul S. Heath, of New York City, and me.

I ask unanimous consent that the baccalaureate sermon delivered by Dr. Heath and the commencement address delivered by me be printed in the body of the RECORD.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

THE BIRTH STRUGGLE OF A NEW CHURCH, AND ITS NEED FOR LEADERSHIP—A BACCALAUREATE SERMON PREACHED BY THE REVEREND DR. PAUL SILAS HEATH, GENERAL PRESBYTER OF THE PRESBYTERY OF NEW YORK CITY, AT PARSONS COLLEGE, FAIRFIELD, IOWA, ON JUNE 1, 1957

Norman Cousins, the editor of the Saturday Review of Literature, on returning recently from a visit around the world, summed up some of his conclusions in this way:

"The world is wide open for a new and big idea. Communism no longer fills that role for millions of Asians and Africans. Only a short time ago communism seemed to many of these people to be a fast express to a better future * * * but no longer. Somewhere along the line the express has gone off the track.

"But neither is democracy as proposed by America this big idea. We do not do a very good job of translating what democracy means to us into foreign languages in a way that gives meaning to the hopes of the multitudes. The big idea, when it comes, will have something to do with giving reality to the great connections between people that exist independent of ideologies or national units."

In this same editorial, Mr. Cousins tells of an interview he had with Dr. Martin Buber, Jewish philosopher and theologian—one of the great minds of our time. "Year by year the things that separated men from one another have been hardening," Buber said, "year by year the price of such separation has been growing." Then the wise scholar added, "The burden on young people is especially large. They must comprehend what is needed and move toward it with all the resources at their command."

You young people are graduating from college and entering into new responsibilities at a crucial time in the history of the world. It is at one and the same time the winter of despair and the spring of hope—a time of crisis, but a time of opportunity. The nuclear age which has brought us to omnipotence in nature, is also a time of impotence in using these powers for the well-being of man.

This is also true with the church in America today. At a time when more and more people are turning to the church, we have the increasing crime and delinquency and the extraordinary callousness and indifference of people to the malfeasance of many leaders in politics, in labor unions, and in other fields.

You graduates may well ask, "How can we cope with such a day as ours?" I would like to speak to this point, beginning as we narrow down the complexity of our problem to at least one sore spot.

I believe the sickness of our world lies in "separation" and all that word implies. The new "big idea" for which the world is waiting will be one that gives reality to connections between people. We must learn through this idea to conquer separation and bring about acceptance.

THE SIN OF SEPARATION

It would be a mistake to presume this sin of separation and the need for acceptance is applicable just to relations between whole peoples and nations alone. Actually, this same sin and sickness of separation lies at the root of despair and breakdown and failure and defeat right here in our own land, and even right here on this campus.

Are there people here on this campus hurt by the sin of snobbery, by the pride of superiority, by the cruelties of ostracism and condescension? This is the sin and sickness of separation. Let us remember the 1 out of 10 Americans in institutions of mental health is there because of failure to conquer separation in oneself, between oneself and one's fellows, and between oneself and God.

In the city of New York the large numbers of young people in trouble, becoming involved in gang violence or the influence of drugs or alcohol, who become rootless and aimless, are the victims of our failure to bring down the walls of separation and achieve acceptance.

The actual taking of such drugs is to these young people a sacrament of the meaninglessness of life. When we remember what the Lord's Supper can mean to us, in the knowledge that we are forgiven and accepted by God and that separation within ourselves or with our fellows is ended by His grace, we begin to understand this. A life can be so riven from wholesome community with one's fellows that drug taking seems the only out.

OUR INNER SELVES

This finally narrows down to our own inner selves. Most of our personal problems and difficulties arise from this same inward division. The good that we would do we do not; the evil that we would not we do. We find it very difficult to accept ourselves. We become separated from ourselves, from our fellows, and isolated from God.

Certainly such a world as ours is wide open for a new big idea, one that will bring to an end the sickness of separation. This must give reality to the great connections which exist between people independent of nation or race or ideology, and lead to the greatest connection of all—the reality of our connection with God.

It is here that we preachers come along and say: "The Christian Church has the answer to all this. The Gospel of Jesus Christ is the idea big enough to win the world and conquer its ills." Just to say this doesn't really help in a world like ours. The plain truth is that the Christian Church as presently constituted does not persuade people that it is big enough to give reality to the great connections that exist between people, independent of one's nationality, the color of one's skin, the amount of money one has, or the side of the track one comes from.

THE CHURCHES PRACTICE SEPARATION

In America today, more than two-thirds of the people are listed as members of some church. Dr. Wilbur La Roe, a Presbyterian elder and former moderator of the general assembly, has made a tongue-in-cheek definition of the Presbyterian Church as:

"A fellowship of middle-class people who enjoy being affiliated with an organization of good standing in the community to which they can belong with comfort and without heavy expense; who believe in brotherhood within well-defined limits and in social progress if it is not carried too far; most of whom cast a conservative vote, and who find real satisfaction in listening to good sermons and tolerable church music and in being associated with respectable people of his own class."

Certainly the practitioners of such a faith do not have the big idea which can win and heal the world. D. T. Niles, the brilliant and able young church leader from Ceylon said recently in New York that "our sickness results from our failure to meet God at the places where God comes to meet us." This is profoundly true. Our failure in New York City, and in many another city, is that church people have been hanging around their own tree-lined suburban street corners, and not in the teeming cities where the problems of separation lie.

We are not meeting God at the spots where He comes to meet us, and so we miss Him. Where are these spots? They are the spots where the sin of separation and alienation have erected barriers that wall off human beings from each other, where there can be no community, no sharing, no mutuality. These things never happen, because we never meet. Pride, superiority, and self-righteousness coupled with fear and hatred, have made us strangers to each other.

ARE CHURCHMEN REALLY CONCERNED?

Dr. Paul Tiddich, of Harvard, has recently defined faith as the state of being ultimately, unconditionally, infinitely concerned. This is not the state of our Christian faith within the churches today.

Our church is so set in its ways; its patterns are so firmly fixed. Most of the men of my age preaching sermons are too old to bring about a revolution commensurate with the revolution going on in our world today. This makes the burden on you young people especially large.

I know young people today who are hearing this challenge and taking it seriously. Let me speak of just one such group. In the upper East Side of Manhattan there is an area known as East Harlem. It is an area of blighted slums with people crowded into filthy tenements.

If you have never been in a city slum with a 5- or 6-story walk-up, rat-infested, a cold water spigot in your crowded apartment where there is no privacy, and a water closet on the floor below you, you have no idea what it means to try to survive physically, mentally, spiritually. This is the area of greatest density of population, highest delinquency, and drug addiction. Every school is crowded, hopelessly old and inadequate. Family life is completely disorganized.

Into this area came a group of young ministers and their wives and other seminary students to live there and identify themselves with these people in all their problems. They have felt that if the Gospel of the Incarnation meant being ultimately concerned it should have the power for such a situation as this.

Into this group last fall came a young student and his wife to live and work. He was from Princeton University, president of his class. Speaking rather frankly, he was a good Christian who, like the rich young ruler, had consistently kept the law and been a fine leader of youth in a conventional way.

Let me read you some words he wrote after being there a few months, for he found out something about human separation:

"The following could be written about countless places. I write it about East Harlem where some things may be easier to see.

East Harlem breaks my self-confidence—the first time I have known real breakage in my life. My life has been marked by one success piled atop another—the presidency of my class throughout high school and college, repeated academic and personal honors—

"Yet, neither dramatically nor suddenly, I have nevertheless been broken, broken by this place called East Harlem, and I am very thankful. Here I have dimly known what the New Testament calls rebirth. Truly to hear the cry from the Cross in our time, to know truly our guilt in the crucifixion this day."

Here is a young man actually facing the state of being unconditionally, ultimately concerned. With it, we can see a glimpse of the new "idea" big enough to give reality to the connections between people. He goes on:

"Let me try to explain why I believe the East Harlem Protestant Parish hears the muffled cry of a suffering world. Separation, alienation are the realities of human existence. Human separation cannot be overcome except by the grace of God in Jesus Christ. The grace of God alone can overcome separation within a man, between man and God. God's word of radical forgiveness and acceptance must undergird the form and the spirit of the churches' ministry."

Slowly, these young people are building a new kind of spiritual community, not just a new kind of church. It is not dominated by a ministry that does all the work, but the people become the ministers and the people themselves carry the gospel of acceptance into the community. They meet to carry on worship and prayer; to share problems and analyze personal and community needs and to accept assignments of ministry. Everyone becomes a witness.

AN APPEAL TO GRADUATES

I have taken some time in describing this particular situation because these young people are strongly convinced that their situation is not unique despite its more desperate character. As young Brown says, "It is easier to see things in East Harlem."

But the sin of separation and the need for acceptance are everywhere, and the need for the appearance in the church of an outburst of fresh dynamics for the "big idea" is everywhere—in rich suburbia, in Fairfield, as well as East Harlem.

For only as rich suburbia and Fairfield realize they are like East Harlem in its desperate need of God's forgiveness and in its need of meeting Him where He comes to meet us, is there any hope. Only then can the Church mediate the powerful healing force entrusted to it.

This is my appeal to you young people as you set out in your new life. Comprehend what is needed, and move toward it with all the resources at your command. Involve yourselves in the birth of a fresh creative expression of the gospel of the Incarnation in the Church, big enough for the healing of the separations that are threatening to destroy the spring of hope in the nuclear age.

ADDRESS BY SENATOR THOS. E. MARTIN AT THE COMMENCEMENT EXERCISES, PARSONS COLLEGE, FAIRFIELD, IOWA, JUNE 2, 1957, ENTITLED "THE FUTURE, OPPORTUNITY, AND RESPONSIBILITY OF THE EDUCATED AMERICAN"

The educated American is up against everything the Free World is up against in this second half of the 20th century—only more so.

This makes the role of the graduates of Parsons College and the role of the graduates of other institutions of learning everywhere in our country one, that is touched with a proud but a fearful destiny.

There is a burden of responsibility upon your generation of Americans. This burden is balanced by the promise of a full and an ample life, rich in the realization—actually—of great dreams. No people in all the ages have ever had the state of well-being, the national and individual dignity, that cloak you as you leave this, your alma mater, for the great world in front of you.

And no previous generation in all the annals of history was ever confronted by a greater peril.

It is in this context that I ask you to evaluate your career that stands before you and relate these coming years to the story of man since the beginning of time.

Let us ask ourselves:

Is this generation really unique in terms of the problems that face it? Or is this term, this word—unique—merely the text that invests every commencement address?

As I see it the answer is that every age is of course unique in some form.

In the days of early Christianity the issue was between God and Caesar, an issue that has a strikingly identical parallel today.

In the days of Columbus there was the task of bringing whole new continents within the compass of contemporary civilization.

In the latter part of the 18th century there was the question of a small group of American colonies seeking freedom and independence from an oppressive tyranny.

We are the immediate beneficiaries of the incredible success of these incredible ventures.

The Civil War raised the question, and answered it, whether this Nation or any nation conceived in liberty and dedicated to the proposition that all men are created equal can long endure.

World War I and World War II presented supreme tests to mankind of certain fundamental tenets of civilization and of government.

Today the issue, I firmly believe, is clearer than it ever has been, for the world of this generation stands clearly divided between the slave and the free. It is the collateral issues that are complex.

There is nothing unique in this primary issue, except possibly its greater clarity, since the days of the Old Testament.

But there is this about your generation that is unique:

Our age is more extraordinary than any comparable period of the past, because what is done anywhere on earth engulfs the whole planet, whether it is the development and use of penicillin, nuclear fission, or the question of what ships may or may not pass through the Suez Canal.

This time in which we live presents the whole race of man on this earth and everywhere in it with certain basic questions.

The first question is whether man, under God, wants to be governed by himself, or whether, without God, he will submit to the tyranny of dictatorship and the erasure of his own personality and the elimination of the dignity of the individual.

The second question is whether man has the intelligence to recognize that a democracy or a republic sincerely means government by consent of the governed, or whether he can indeed be deceived into believing that a Soviet despotism is a people's democracy, and whether he can be blinded to the omnipresent fact that communism is a dictatorship of deceit.

Unless this generation of graduates of Parsons College and kindred institutions knows, recognizes, and acts upon its role in this unique crystallization of the issue of the centuries, then this much of the victory is lost to the Free World.

The Napoleonic wars were fought without our participation.

The Civil War was fought without Europe's participation.

We know now that wars like these can never again be localized, or isolated, or contained.

Thus, your generation of Americans is unique in that your horizons, as of this moment, cover this entire planet and may—before long—be obliged to reach into stellar space.

All this represents uniqueness indeed on a canvas so sweeping, so enormous, so total—it engulfs not only all of mankind, but it carries with it the question of whether there is to be a future at all, the question of whether man is so limited in his capacity to manage himself that he will use the power that is now his to destroy forever all life on this planet.

Your generation is unique because until this hour man has never been presented with so vast and so final a decision.

The burden of my message to you today is that you are the recipients of the richest fruits our civilization has within its gift, and that, as the custodians of this intellectual and spiritual wealth, there rests upon you precisely a certain concentration of responsibility.

All Americans are involved in the issues, the educated, the near-educated, and the uneducated, and all—in a democracy—have a voice, but democracy has never denied the principle of leadership under law. The educated men and women of America constitute certainly a selected fragment of mankind toward whom, in the first instance, the mass of Americans will look for guidance, so that when the decision is made by all of us, we shall have taken counsel properly and duly with those among us who are presumably, the better trained and the best informed.

What I plead for is not a priesthood of the educated. What I plead for is the service of the dedicated.

The United States has a right to expect that its educated citizens will serve as an echelon of enlightenment on all local, State, National, and international issues that confront, a government such as ours. This is not to be construed to mean that I expect that we shall have government by college graduates per se. It is of the nature of the intellect to be controversial and probing. Men who think never conform to a single pattern. It is the contest of ideas that gives democracy its strength. But feeding the contest we want knowledge and not prejudice. It is at this juncture that education plays its most magnificent role.

Thomas Jefferson put it this way:

"I know of no safe depositary of the ultimate powers of society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion by education."

Having quoted a distinguished Democrat permit me to quote an equally distinguished American whose thinking constitutes—I believe—the foundation of the Republican Party of today. Alexander Hamilton put it this way:

"A representative democracy, where the right of election is well secured and regulated, and the exercise of the legislative, executive, and judiciary authorities is vested in selected persons, chosen really and not nominally by the people, will, in my opinion, be most likely to be happy, regular, and durable."

Here are two men—among the greatest political scientists this Nation has produced—political opposites, yet agreed on the basic tenet that the best democracy is of course an informed democracy. Woodrow Wilson has insisted that "the informing function of Congress should be preferred even to its legislation function."

One of the dangers of our time and therefore pregnant with threats to the republican form of government and the Free World is the weariness of the average voter with the problems of the day. This weariness may better be described as a boredom derived in

the first instance from the complexity of the issues collateral to the struggle between the free and the Communist world. The weariness may have deep psychological roots in two world wars and Korea. If so, it is the youth now coming up and the educated youth more directly to which I am now addressing myself, that, it seems to me, must take up the slack.

The workload of knowledge about public affairs with which a self-governing people must burden itself is more considerable and more complicated in detail than it ever has been in the life of nations. It goes to the very heart of representative government and the effectiveness of its operation. In a republican form of government like our own we must have representatives of the people—not delegates. When I speak in the Senate of the United States my voice is only as good as the constituency I represent. Once a Senator or a Representative is obliged to think of himself as a delegate whose thinking bears no relation to the thinking back home, or whose constituency is too wearied or preoccupied to think of public affairs, then we have arrived at the beginning of the end of free government.

If we are to persist successfully in this extraordinary phenomenon of Government where 170 million people are actually governed by themselves—for civilization as we know it hangs upon our survival—then the duty for the electorate to be informed, to vote and act on their information and their convictions, is not only sacred in the most exalted meaning of the term, but it is indispensable. Either we know or we cease to be citizens. This means that the man in the street must have some understanding of a $71.8 billion budget. True, yesterday it was Korea, then Formosa, now the Middle East. But if we know, as we must, that civilization for a certainty, and perhaps all life on this planet rests in the balance, then how can we fail to participate in the Government which must make the decision and which is founded on the idea of the people's participation? It is not only up to us here in Iowa, to know the difference between fixed and flexible price support, but it is up to the agriculturally withdrawn folk in the canyons of Manhattan also to know their respective meanings. We are all citizens of the same Nation, and again unless we recognize our close interrelationship we stand on the doorstep of doom. It is not enough that we know the Monroe Doctrine, like something learned by rote in grammar school: We must know the Truman doctrine and what it did and we must know the Eisenhower doctrine in favor of which I voted. We should look to see what it is doing now to stop dead in its tracks a communism that has its Red tentacles over one-fourth of the world's surface and one-third of the earth's population.

Nor am I one of those who is altogether convinced that the brain of the electorate is too tired to be informed. We are gifted with an immense and an extremely competent system of private communication, instantaneous, free as communications have never been free in the history of civilization, and richly endowed not only with talent, but with resources and overwhelming technical proficiency. This communication comes to us by voice, in print, in pictorial form and by television and recordings: Newspapers, magazines, periodicals, trade journals, radio, television. It is of the very heart stuff that democracy and the republican form of government is made. Thus the educated men and women of today—the graduates of Parsons College—have at their hands, created for them, a vast arsenal of communication to be used by them as a tool for the dissemination of the ideas that make up the genius of America. In our regional arrangements, NATO or SEATO or the Baghdad Pact, call for clarification to the general public, is it too much to expect that—in the interest of representative government—you will help to inform your fellow citizens? Is it too much to expect that, your training having made you intellectually more accessible to understanding of the problems that shake the world, you will now serve as the interpreters and the explainers of the complex?

For we are living in an age when the function of the Congress to inform the people must have reinforcement. If the representative process is to work so that the liaison between the Members of the Senate and the House, and the people, is close and constant and fluidly informative, then our system of government under its present burdens must look to you for participation. I argue that this participation must of necessity be far more intense from your group—the educated American—than from any other, short of the Members of Congress themselves. My faith in the electorate's eagerness to know—as distinguished from their alleged weariness with public affairs—has its concrete testimony in a questionnaire I have composed and mailed from Washington each year for the past 8 years to people in this State.

My purpose in sending out a list of some 36 highly significant questions about contemporaneous events and trends, legislative propositions, and issues, was as much to widen the range of public interests in these issues, as to determine public reaction to them in Iowa. Out of more than 41,000 questionnaires this year, I got no less than 6,256 replies, many of them indicating the wealth of discussion the questionnaires precipitated among farmers, laboring people, businessmen, the professions, the white-collar category, women's groups, and others. More than half wrote me highly informative and illuminating letters along with their questionnaires. Nothing that I can recall in my public life has helped so much to establish the close contact I seek with the people of my State so that my action in Federal affairs may be invested with the thinking, the support, the cooperation of the people whose representative I am in the Senate of the United States.

That is how I see one function of my role in the Senate of the United States.

When I speak of the obligation of the educated American to the representative form of government, I am not speaking in merely ideological equations. I speak rather in terms of contractual commitments. Our universities and colleges are State supported, in many instances tax exempt, privately and publicly endowed. Parsons College, as you know, gets its financial backing from its endowment income, from gifts from the town of Fairfield, the alumni of the college, the Presbyterian Church of the United States and the Presbyterian Synod of Iowa, the trustees of the college, corporations, and other friends of the institution. Campaigns are now afoot to augment the facilities of this institution and I hope these efforts receive the wide and wholehearted support they certainly have earned for themselves. But my point is that all this combined communal effort to provide higher education for our youth must call forth a concomitant response wholly independent of one's concentration upon the advancement of one's own career.

I note from a survey of the council for financial aid to education, that present private giving falls $600 million short of meeting the rockbottom annual needs of the Nation's nearly 1,900 colleges and universities during the next decade. It has been estimated that it will cost the average American college and university $1,000 a year in the near future to educate each student. It is possible that enrollments will reach well beyond 6 million in 1970. I am informed that this will bring the total annual educational bill to $10 billion or more. These figures do not take into account the need for additional buildings. It is not my point here to go into the situation of privately controlled as against publicly controlled institutions of learning. The products or graduates of both owe something to the community whose substance provides them their training and their learning. Certainly in the case of Parsons College—it provides them the strengthening of their spiritual and moral background.

But consider what a force rests behind democratic and representative government in a Republic like ours if we could depend for our first line of intellectual defense, of missionary effort, of communication of the problems and ideals that concern us, upon the more than 3 million students enrolled in 1956–57 in our institutions of higher education in continental United States. Next year—1957–58 this enrollment will be 3,450,000. By 1970 it will, as I said, be well over six and a half million. We are, incidentally, proud that standards today are higher than in the past.

Ten billion dollars for the cost of higher education in the United States is no criterion by which to evaluate the inspirational and moral values instilled in the minds and and hearts of four, five, or six millions of American youth. But it does indicate in at least one concrete form the measure of the burden. There is the element of selection. Youth admitted to certain of our institutions of learning and receiving their benefits constitute a properly and correctly favored group in our society. Inherent in this fact is a reciprocal contract that has profound meaning both for the individual student and for the country. Here is the force upon which the Nation must depend to help overcome the appalling statistic that almost half of our citizens do not vote. In the light of the average the citizens of the State of Iowa emerge well ahead of the rest of the country in their sense of political responsibility. The figures show that while throughout the Nation the average of citizens of voting age who went to the polls in the 1956 presidential year was only 60.4 percent, in Iowa it was 74.1 percent.

Iowa was sixth among the 48 States.

Our 74.1 percent was bested by Idaho with 77.3 percent; Connecticut with 76.6 percent, Utah with 76.1 percent, Massachusetts with 75.3 percent, and New Hampshire with 75.2 percent. What these figures prove is that Iowa might do better but it proves also that our State is well toward the top and this is something of which we may be reasonably proud. I like to think that the influence of institutions like Parsons College is a contributor to this exemplary record.

Finally, in seeking citizenship participation in representative government let us remember that election or appointment to office is perhaps the highest and the most direct of all forms of service. I do not hold the opinion by any manner of means that a college graduate is ipso facto an ideal legislator or the perfect public servant. But in a definitely preponderant number of cases it is surely an asset. Easily the heavier proportion of Members of Congress have been touched by the advantages of some kind of collegiate training. The technical age that confronts us with petrochemicals, plastics, antibiotics, radioisotopes, nuclear energy, electronics, nucleonics and automation, is reaching out for the trained mind with an almost savage desperation.

The geopolitical age that confronts us demands a new dimension in statesmanship. It is possible to travel now between New York and Paris faster than it was possible 30 years ago to travel between Boston and New York by motor. Overall the issue before mankind—whether the immediate problem is civil rights or Taft-Hartley, or Suez, or foreign aid, or aid to education, or Federal authority over the money structure—is a

moral one. Your fellow citizens will, consciously or unconsciously, reevaluate you 5, 10, 20, 30 years from now. In the ultimate the tabulation of your contribution to yourself, your community, your nation, your family, your alma mater, will be a moral tabulation.

If you take away with you from Parsons College the powerful Presbyterian precepts that do so much to mold character, you will be found in the coming years, to the limit of your capacity, performing services in every aspect of life, that will keep your country strong and free and that will put the underpinnings of moral might and righteousness beneath what is today a badly shaken world.

I give you my salute and I wish you Godspeed.

DISCLOSURE OF GOVERNMENT FILES

Mr. O'MAHONEY. Mr. President, on behalf of the Senator from Mississippi [Mr. EASTLAND], the chairman of the Committee on the Judiciary, the Senator from Tennessee [Mr. KEFAUVER], the Senator from Wisconsin [Mr. WILEY], the Senator from Illinois [Mr. DIRKSEN], the Senator from Maryland [Mr. BUTLER], and myself, I desire to introduce a bill for appropriate reference to amend chapter 223 of title 18 of the United States Code. The purpose of this bill is to clarify the law with respect to the disclosure of Government files to defendants in criminal cases.

The reason the bill is being introduced today is that there has been considerable misinterpretation in the press and even in the courts as I see it, of the decision which was handed down by the Supreme Court on June 3, 1957, in the case of Clinton E. Jencks, petitioner, versus the United States of America.

The effect of the misinterpretation of the decision has been to require United States attorneys in various districts to drop pending criminal cases rather than to submit irrelevant information in the hands of the Government which would have resulted in the improper disclosure of hearsay and confidential evidence which had no bearing upon the case at issue.

Among these cases have been numerous prosecutions of defendants charged with violation of the Narcotics Act.

In an antitrust action in the United States District Court for the District of Western Pennsylvania the Justice Department declined to call FBI agents as witnesses when it was reported that the defense would demand all the FBI reports. In the case of Vice President James R. Hoffa, of the Teamsters Union, the Department of Justice was ordered by the court to produce oral statements made to FBI agents by the Senate committee counsel whom it was alleged the defendant had attempted to bribe.

It has been stated in some news articles in the press that the effect of the decision is to open the files of the FBI to any and all defendants, and therefore to make it impossible for the Government to prosecute cases in which subversive activities against the country were being carried out.

In one case it has been reported that the presiding judge seemed to feel that the information gathered by the FBI should be revealed before the case began, while in another court it was reportedly held that the material should not be made available until after the Government evidence was in. These are only samples of contrary interpretations which began to develop immediately after the decision was rendered.

The cause of these contrary interpretations may have been the result of the fact that the opinion of the court was handed down by Justice Brennan, with the concurrence of Chief Justice Warren, Justice Black, and Justice Douglas. Two concurring opinions were filed, one by Justice Frankfurter and one by Justice Burton and Justice Harlan, which reached the same result as the Court but for different reasons, and finally a dissenting opinion was filed by Justice Clark, formerly Attorney General, who did express the view that unless Congress changes the rule the decision would cripple intelligence agencies of Government and open to defendants in criminal cases "confidential information as well as vital national secrets."

I desire only to point out that a careful reading of the opinion would indicate that the Court was thinking only of relevant material in the Government files furnished by the Government witness who was produced in court.

I desire to point out that in this decision the Court quoted language from other cases, making it clear that the reasoning of the Court in reaching the majority opinion was that the rule it was upholding would not propose any broad or blind fishing expedition among documents possessed by the Government.

Briefly stated, the theory of the majority was that if the Government sent into court a witness to testify against a defendant, and had at the same time in its files a statement by such witness having to do with the activities of the defendant which was not presented, the defendant would be justified in asking for and receiving an order compelling the presentation in court of the additional material, if it were relevant to the case. It does not appear from a reading of the decision that a defendant would be entitled to rove at will through the Government files.

It is always a marvel that laws or opinions or statements can be written by black marks on white paper and be made intelligible. It would also be a marvel if any laws were ever enacted by any government which were not the subject of conflicting opinions with respect to their meaning.

The Department of Justice has found that by reason of what it regards as a loose interpretation of the decision of the Supreme Court, the Department has been compelled to abandon many cases which were valid.

The Subcommittee on Improvements in the Criminal Code, of the Committee on the Judiciary, of which I happen to be the chairman, plans to conduct a hearing upon this measure in order to make clear just what the scope of the Court decision should be.

In order that the measure which I am introducing may be available immediately, I ask unanimous consent that the text of the bill may be printed at this point in my remarks.

The bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses, introduced by Mr. O'MAHONEY (for himself, Mr. EASTLAND, Mr. KEFAUVER, Mr. WILEY, Mr. DIRKSEN, and Mr. BUTLER), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That chapter 223 of title 18, United States Code, is amended by adding a new section 3500 which read as follows:

SEC. 3500. Demands for production of statements and reports of witnesses.

(a) In any criminal prosecution brought by the United States, any rule of court or procedure to the contrary notwithstanding, no statement or report of any prospective witness or person other than a defendant which is in the possession of the United States shall be the subject of subpoena, discovery, or inspection, except as provided in paragraph (b) of this section.

(b) After a witness called by the United States has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce for the inspection of the court in camera such reports or statements of the witness in the possession of the United States as are signed by the witness, or otherwise adopted or approved by him as correct relating to the subject matter as to which he has testified. Upon such production the court shall then determine what portions if any, of said reports or statements relate to the subject matter as to which the witness has testified and shall direct delivery to the defendant, for use in cross-examination, such portions, if any, of said reports or statements as the court has determined relate to the subject matter as to which the witness has testified. The court shall excise from such reports and statements to be delivered to the defendant any portions thereof which the court has determined do not relate to the subject matter as to which the witness has testified.

(c) In the event that the United States declines to comply with an order of the court under paragraph (b) hereof to produce the report or statement of any witness to the court or to deliver to the defendant any report or statement or such portion thereof as the court may direct, the court shall strike from the record the testimony of the witness and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared.

RECESS TO WEDNESDAY

Mr. WATKINS. Mr. President, in accordance with the order heretofore entered, I now move that the Senate stand in recess until Wednesday next at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 53 minutes p. m.) the Senate took a recess, the recess being under the order previously entered, to Wednesday, June 26, 1957, at 12 o'clock noon.

NOMINATION

Executive nomination received by the Senate June 24 (legislative day of June 21), 1957:

DIPLOMATIC AND FOREIGN SERVICE

Vinton Chapin, of New Hampshire, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

WITHDRAWAL

Executive nomination withdrawn from the Senate June 24 (legislative day of June 21), 1957:

POSTMASTER

Mr. August Todd, at Joppa, in the State of Illinois.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 24, 1957

The House met at 12 o'clock noon.

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. McCORMACK). The Chair lays before the House the following communication from the Speaker.

The Clerk read as follows:

THE SPEAKER'S ROOMS,
House of Representatives, U. S.,
Washington, D. C., June 24, 1957.

I hereby designate the Honorable JOHN W. McCORMACK to act as Speaker pro tempore today.

SAM RAYBURN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou who art our creator and bountiful benefactor, we beseech Thee to be present and favorable unto us during this day, granting us grace to discharge our duties in faith and in faithfulness.

We pray that the Members of the Congress may know how to legislate wisely as they daily seek to find the best ways and means of promoting the welfare of all mankind.

Give wisdom to our minds and courage to our hearts and may we never take counsel with our fears or allow anything to shatter and supplant our faith in Thy divine power.

Grant that we may understand more clearly that if our vexing national and international problems are ever to be solved then the souls of men must be touched and transformed by the spirit of brotherhood and good will.

Hear us in Christ's name. Amen.

The Journal of the proceedings of Friday, June 21, 1957, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McBride, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 555. An act to authorize the construction, operation, and maintenance of the Hells Canyon Dam on the Snake River between Idaho and Oregon, and for related purposes.

ELECTION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will request the gentleman from Oklahoma [Mr. ALBERT] to take the chair.

Mr. ALBERT assumed the chair.

Mr. COOPER. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 290

Resolved, That Hon. JOHN W. McCORMACK, a Representative from the State of Massachusetts, be, and he is hereby, elected Speaker pro tempore during the absence of the Speaker.

Resolved, That the President and the Senate be notified by the Clerk of the election of Hon. JOHN W. McCORMACK as Speaker pro tempore during the absence of the Speaker.

The resolution was agreed to.

Mr. McCORMACK took the oath of office as Speaker pro tempore as administered by Mr. COOPER.

TESTIMONY BEFORE COMMITTEE ON FOREIGN AFFAIRS ON MUTUAL-SECURITY BILL

Mr. GORDON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GORDON. Mr. Speaker, the Committee on Foreign Affairs is now in its final week of executive session hearings on the mutual-security program. Much of the material submitted to the committee in support of the mutual-security bill is classified and cannot be released. Nearly all the details concerning the military-assistance program are secret, and there are a number of other items relating to specific countries which cannot be made public in the national interest.

Part of this classified information is classified by the executive branch, because it would aid our enemies if it were known to them. The rest is classified because if it became known, it would, in the judgment of our officials, injure us in our relations with other nations. The committee is obligated to observe these restrictions placed on this information by the executive branch.

Neither the committee nor the executive desires to keep any of this classified material from any Member of Congress. The most complete statement of the program is contained in seven loose-leaf volumes which are classified "Secret." These volumes also contain unclassified information and are so marked that there is no difficulty in determining which data are secret and which can be made public.

I wish to announce, Mr. Speaker, that a set of these seven volumes is available in the committee room on the gallery floor where it may be examined by any Member of the House who is willing not to divulge the classified information they contain. I also plan having these volumes on the floor when the bill comes up for consideration by the House.

I might mention that I believe these volumes constitute the best presentation yet made to the committee by the executive branch. Each year the committee has insisted upon more complete data and its presentation in such a way as to make the essential facts more easily accessible. These volumes are not perfect, but they do constitute a further significant improvement in presentation, particularly over the great masses of unrelated documents and papers submitted to the committee in the early days of the foreign-aid program.

I do hope that Members of the House will avail themselves of this opportunity to examine these books and I am confident that those who do so will strictly observe and respect their classification.

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations be authorized to file a supplementary report to accompany the bill H. R. 7390.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

SP3C. WILLIAM S. GIRARD

Mrs. KEE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from West Virginia?

There was no objection.

Mrs. KEE. Mr. Speaker, many a father and mother with sons in our Armed Forces, stationed overseas, or approaching draft age, will, I know, breathe a sigh of relief at the decision handed down by Judge Joseph C. McGarraghy, in Federal court last week, in the Girard case. Status of treaty commitments notwithstanding, it is tremendously reassuring to every American—parent or not—to know that, as matters now stand, American youths, serving the Nation in foreign lands, will stand trial for their misdeeds in our own military courts and in accordance with our own American standards of justice.

The administration has filed an appeal in the Supreme Court against Judge McGarraghy's decision which directed the Government to retain custody of Specialist First Class Girard, and not to hand him over to the Japanese Government for trial on charges of killing a Japanese woman while on active duty. The administration's action is, I feel, ill-advised. Public sentiment strongly supports Judge McGarraghy's verdict and it is to be fervently hoped that the decision of the Supreme Court will do likewise.

We have already spilled precious American blood, and our people have poured out billions of their hard-earned dollars—and are being asked to pour out still more billions—to preserve freedom in many of these foreign lands. But freedom—the love of freedom—Mr. Speaker, is not something to be bartered for the highest favors in the cold war of international politics. How much reliance can the Western World place in

friends and allies who can be won in no other way?

Mr. Speaker, are the American people now to be asked to offer up their sons on the dubious auction blocks of the administration's shaky diplomatic maneuvers to improve our foreign relations?

EFFECTIVE CROP PRODUCTION CONTROLS

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, final results of last Thursday's referendum among the Nation's wheat producers make it amply clear that an important segment of agriculture has once again, firmly and convincingly endorsed the principle of effective crop production controls in return for a decent price.

It is also exceedingly clear that Secretary of Agriculture Benson is completely out of step with farmer thinking in these United States, and consequently should resign his post as Secretary of Agriculture.

Official reports indicate that more than 83 percent of those participating in the wheat referendum, approved marketing quotas and acreage allotments for next year's crop. I believe this is especially significant in view of Secretary Benson's recent plea to Congress to grant him the authority to abandon all mandatory price protection on farm commodities, and in view of the psychological warfare to which he has been subjecting the Democratic farm programs during the last 4 years.

If wheat farmers were in agreement with Secretary Benson they would have rejected acreage allotments for 1958 and the price support level of $1.78 a bushel, which they are guaranteed in return for their compliance with Government regulations. The alternative would have given them the legal permission to produce all the wheat they desired next year, without penalty—except loss of Government price support.

This was agriculture's opportunity to return to the free market system, which Secretary Benson has extolled, in a free and open referendum, which is the heart of our democratic system of government. But they spoke firmly and strongly against a return to anarchy in the market place.

It is my earnest hope, as I know it is of millions of farmers, that Congress will heed these significant expressions of agriculture and go on to enact farm programs accordingly.

WATER DIVERSION PROJECT

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I am much concerned with the present apparent attitude of the Government of Canada toward the United States. There is the appearance that the new administration in the Dominion is about to embark on a program inspired by a spirit of anti-Americanism. I trust this will not prove to be the case, but if it should be the policy of the new government to work at cross-purposes with the United States it is well that we in the Congress and the American people should be alerted.

In the Chicago Sunday Tribune of June 23, 1957, is a dispatch from Ottawa by Eugene Griffin quoting an unidentified member of the Cabinet of the Dominion Government predicting that his government would authorize more trade with Communist China, ignoring America's objections. Further, that the defense expenditures by Canada would be reduced by the Tory government and that the defense cuts would go through despite any objections from Washington, which objections this unidentified Cabinet member stated would be ignored.

He also stated that the new government in Canada would start a movement to divert the Dominion import trade from the United States to England, and Canadian industry would be encouraged to process in Canada national resources that now are exported in the raw state to American mills. All through this interview with an unidentified member of the Canadian Government ran a strong note of hostility to the United States.

In recent weeks we have been informed that young men graduating from the large universities in England have expressed their intention of leaving England and of settling in Canada. To this we certainly have no objection, but if there is a growing trend in Canada to work, not in wholesome competition with the United States, but at cross-purposes, we are concerned.

The amiable relations that have existed for many years between the Dominion of Canada and the United States of America have been an inspiration to us on both sides of the border. If a new Canadian Government is to depart from the spirit and the practice of friendly cooperaiton it is well that we should take time by the forelock. In this connection it is well to remember that while the United States has strained its economy to maintain the security of the free world the treasury of the Dominion of Canada has not suffered a strain in any comparable degree. Meanwhile, American capital, in tremendous volume, has gone into the Dominion of Canada to build up her industries and develop her resources.

The unidentified cabinet member of the new government of the Dominion of Canada is quoted as saying that Canada will continue to oppose the diversion from Lake Michigan into the Illinois Waterway at Chicago. This diversion, as planned in the bill thrice passed by the House, cannot possibly have any harmful effect upon Canada. It is as necessary to the health of the city of Chicago and to the people living on the inland waterway as medicine to a patient lying dangerously ill.

It is to the common interest of the people of Canada and of those of the United States that the friendly relations between the 2 governments and the 2 peoples that have existed so long should not be disturbed. I trust that the new Premier of Canada will immediately disown the statements made in the Chicago Tribune by this unidentified member of his cabinet.

But in any event the answer of the United States should be the passage in jig jig time by the other body of the Lake Michigan water diversion bill and its immediate signing by the President of the United States. This kind of a reply would be in the best American tradition. There is no sense in continuing negotiations with someone who has no legitimate interest in the subject matter and feeds vanity by playing a dog-in-the-manger game.

THE SUPREME COURT

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ANDREWS. Mr. Speaker, I was distressed to read in yesterday's Star the following Associated Press story, dateline London, June 22, the headline of which was "British Communist Paper Praises Justice Black." The article is as follows:

BRITISH COMMUNIST PAPER PRAISES JUSTICE BLACK

LONDON, June 22.—London's Communist Daily Worker praised United States Supreme Court Justice Hugo Black today in the newspaper's Profile of the Week. The unsigned short biography of Justice Black said:

"Victims of McCarthy during America's dark years of prejudice and persecution have been consistently defended by Justice Hugo Lafayette Black. * * *

"Unknown Negroes, the tragically well-known Rosenbergs, aliens and deportees, radical professors, trade unionists, and Communist leaders have heard the voice of Justice Black speak out for their rights as laid down by the American Constitution."

The paper quoted from a number of Justice Black's decisions and underlined that he "wanted all 14" Communists acquitted in the Supreme Court's decision this week to free 5 and send for retrial 9 convicted California Communists.

"What sort of man is this," asked the Daily Worker, "who for 20 years on 3 Mondays a month hands down judgments on appeals on every conceivable point of law, and whose dissenting opinions on behalf of the rights of man will remain longer in men's minds and more thumbed in the lawbooks than many majority opinions?"

The Daily Worker said he was named Hugo, after "the great French radical writer, Victor Hugo, whose book his mother was reading when he was born."

It said Justice Black joined the Ku Klux Klan "as a southern lawyer seeking advancement in politics," and that opponents of Franklin Roosevelt's New Deal exploited his membership in the Klan, from which he resigned.

"A lesser man would have been destroyed," said the Communist Party organ, "but Black calmly rode the storm and remained to

write court opinions, which show him as the champion of every human right denied by the Klan."

Mr. Speaker, and Members of the House, let me appeal to you to take action before the Supreme Court destroys this Nation.

CONGRESS AND THE COURT

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, in view of what the gentleman who preceded me a little while ago said about Mr. Justice Black, may I suggest one possible remedy the Congress apply to the Supreme Court if the Congress ever comes to believe the Court's decisions are in disregard, in opposition to the principles of the Constitution? That remedy would be impeachment—on the theory that the Court is attempting to overthrow the Government through fallacious reasoning, rendering decisions which make constitutional provisions void.

While we are talking about Justice Black, why do we not give him and his associates a little credit for this decision Monday, June 10, where the Court held that those two women who were convicted by a military court for killing their husbands in some foreign country should be freed because they did not have a jury trial?

If the Supreme Court continues along the same line of thinking enunciated in Reid against Covert and Kinnella against Krueger, what becomes of the civil-rights bill we passed a few days ago which denied the right of trial by jury to one accused with interfering with the right to vote? If it is not improper, may I humbly suggest that Members read these two cases, 701 and 713, October term, 1955, decision handed down June 10, 1957. The Congress said that the armed services should try certain offenders. The armed services did just that. But the Court said the accused were entitled to a jury trial, and our legislation to the contrary was unconstitutional.

If the Congress cannot give the armed services power to charge, try, convict, and punish killers living in foreign lands under its control, how can it be said Congress has authority to give the Attorney General and a district court the power to indict, try, condemn, and punish an alleged offender without trial by jury?

MODERN REPUBLICANISM

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, Abraham Lincoln once said that he devoted as much or more time to analyzing the thinking of his opposition as he devoted to his own views on matters of public controversy.

Following that advice I have tried to keep posted on developments in the opposition party as well as those that are taking place in my own party. One thing that has had me confused in recent weeks, however, is the considerable amount of talk about modern Republicanism. All this talk has complicated the difficulties of those of us who try to keep posted on the thinking of our opposition.

I had about decided that modern Republicanism must refer to the thinking of the younger members of the GOP, as contrasted to the old-fashioned stalwarts of an earlier clime.

It was, therefore, something of a surprise to me to read in yesterday's press that delegates to the National Young Republican Convention have just repudiated President Eisenhower's leadership on 4 out of 5 issues on which convention votes were taken.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. McGOVERN. Not at this time.

This would seem to indicate either that President Eisenhower is not a modern Republican, or that I have been mistaken in assuming that the young Republicans are modern. Perhaps some of the confusion stems from the fact that young Republicans are changing their minds. We are informed that they approved the right-to-work law in an overwhelming voice vote whereas 2 years ago they laughed this proposal out of the hall.

In any event I am developing an appreciation for the frankness of Senator GOLDWATER who said recently:

> None of us in the Republican Party seems to know what modern Republicanism means.

CALL OF THE HOUSE

Mr. MASON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. McMILLAN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 120]

Adair	Colmer	Gwinn
Anfuso	Cooley	Healey
Bailey	Coudert	Holtzman
Barden	Cretella	Kearney
Barrett	Curtis, Mass.	Kelley, Pa.
Baumhart	Curtis, Mo.	Kelly, N. Y.
Beamer	Dawson, Ill.	Keogh
Becker	Delaney	Kilburn
Belcher	Denton	Kluczynski
Blatnik	Diggs	Krueger
Boland, Mass.	Dollinger	Latham
Bolton	Donohue	Lennon
Bonner	Dooley	McConnell
Bosch	Farbstein	McCulloch
Bow	Fenton	Macdonald
Bowler	Fino	Machrowicz
Broomfield	Fountain	Moore
Brownson	Frelinghuysen	O'Neill
Buckley	Grant	Osmers
Byrne, Pa.	Green, Oreg.	Patterson
Celler	Green, Pa.	Philbin
Chudoff	Griffiths	Pillion
Powell	Siler	Teller
Rains	Spence	Thompson, Tex
St. George	Staggers	Tollefson
Saund	Steed	Wainwright
Sheehan	Taylor	Wigglesworth
Shelley	Teague, Tex.	

The SPEAKER pro tempore. On this rollcall, 349 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AUTHORIZING FILING OF MINORITY VIEWS ON H. R. 4520

Mr. HARRIS. Mr. Speaker, I am today filing a report on the bill (H. R. 4520) to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certifications for certain air carriers operating between the United States and Alaska, and I ask unanimous consent that any Member of the minority may have until midnight Wednesday to file a report to accompany the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

SUBCOMMITTEE HEARING ON H. R. 1108

Mr. DOYLE. Mr. Speaker, I ask unanimous consent that the subcommittee hearing witnesses on the bill, H. R. 1108, be privileged to sit today during general debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

RULES GOVERNING COMMITTEE HEARINGS

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, today I have introduced an amendment to the rules of the House of Representatives to permit each committee of the House to decide if its public hearings are to be carried by radio, movie, and television facilities.

The resolution also provides that if a witness objects he would not be required to testify before these media.

At present, the House rules are silent as to whether committee hearings can be televised or broadcast. Speaker MARTIN has ruled in the past that the decision is up to each committee. Speaker RAYBURN has ruled that the decision shall be made by the Speaker of the House.

I believe the time has come to bring uniformity and continuity to this situation. My own personal feeling, as outlined in this resolution, is that the sovereignty of each committee should be preserved and each should make its own rulings as to the manner in which it is to carry out its proceedings.

The present House rules state broad principles within which the committees

are to operate. That concept would be carried out by enactment of my resolution. Otherwise, we can be subjected to outright fiat by the Speaker, which I do not believe is the proper approach. As a matter of fact, it is my understanding that the distinguished Speaker would welcome clarification of the rules.

Certainly there are matters of sufficient public interest to justify the use of radio and television in committee hearings. These are well recognized means of public information, and it is hard to exclude them completely while allowing free rein to members of the press.

We must not pass up any legitimate and sound way to familiarize the American people with the legislative process. But any such move must, of course, be tempered by our concern to protect the constitutional rights of the people involved.

There are serious constitutional questions raised when an unwilling witness is compelled to testify before radio, television and movie facilities. It is highly possible the courts would rule it a denial of due process under the fifth amendment.

To safeguard the rights of witnesses, I believe each should have the right to refuse to make his appearance before television, movie, and radio facilities.

I believe my resolution would chart the proper middle course by leaving the decision as to radio, movie, and television coverage up to each committee, but at the same time assuring each witness his rights by permitting him to refuse to be subjected to such coverage.

It is time for the House once and for all to resolve the tangled jurisdictional, procedural, and constitutional problems brought on by the increasing use of these new media of communication. I hope the Rules Committee will recognize the importance of clarifying the House rules on this subject and will give early consideration to my proposal.

A copy of the proposed resolution is attached.

Resolved, That rule XI of the Rules of the House of Representatives is amended by adding at the end thereof the following:

"(r) Each committee is authorized in its discretion to permit the dissemination of news of its proceedings, or the proceedings of any subcommittee thereof, during such proceedings or thereafter, by radio and television, and by such other methods and mediums of communication, and upon such terms and conditions, as it deems advisable. Each committee shall ascertain in advance from each witness whether the witness is willing to appear and testify before newsreel and television cameras, or have his testimony broadcast or specially recorded. If the witness informs the committee of his unwillingness to appear and testify under any such condition, he shall not be required to testify under such conditions."

PERSONAL ANNOUNCEMENT

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, on rollcall No. 119 I was unavoidably absent from the Chamber when the roll was called. If I had been present, I would have voted "aye."

REREFERENCE OF BILL H. R. 7534

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent that the Committee on Public Works be discharged from the further consideration of the bill H. R. 7534, and that it be rereferred to the Committee on Interior and Insular Affairs.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

DISTRICT DAY

The SPEAKER pro tempore. This is District of Columbia day. The gentleman from South Carolina [Mr. McMILLAN] is recognized.

AMENDING DISTRICT OF COLUMBIA REVENUE ACT

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill H. R. 6259, to amend the act known as the District of Columbia Revenue Act of 1937, approved August 17, 1937, and ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

Mr. O'HARA of Minnesota. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. McMILLAN. Yes. It has to do with the regulation of marine insurance in the District of Columbia and changes the method so as to bring it in conformity with the systems used in the States of Virginia and Maryland.

The District of Columbia Marine Insurance Act of 1922—Public Law 162, 67th Congress; act of March 4, 1922 (42 Stat. 402, ch. 93)—was an act complete within itself for the regulation of marine insurance in the District and changed the method of taxation of marine insurance companies from a premium receipts basis to an underwriting profits basis for the purpose of fostering the development of the marine insurance business in this country as an adjunct to a strong American Merchant Marine by placing American marine underwriters on a parity with their foreign competitors, which were taxed—and are still taxed—on the basis of underwriting profits. This act imposed an annual license fee of $200 on every company writing marine insurance in the District if its assets exceeded $5 million—title 35, District of Columbia Code, section 1113—and fixed the annual tax at 5 percent of the annual underwriting profits of the companies on marine insurance written within the District—title 35, District of Columbia Code, sections 1108 and 1109. This method of taxation of marine insurance companies was thereafter adopted by a number of the States where a large volume of marine insurance is written. It was adopted by New York in 1927, Pennsylvania in 1927, Rhode Island, Oregon, and the State of Washington in 1929, California in 1931, and Massachusetts in 1946.

In 1937 the District of Columbia Revenue Act of 1937 was enacted. Sections 1 and 6, title II, of this act as originally introduced provided, respectively, for an annual license fee of $25 and an annual premium tax of 2 percent on all lines of insurance—title 47, District of Columbia Code, sections 1801 and 1806. At the request of the counsel for the American marine insurance industry the following provision was added in section 6 in order to continue the taxation of marine insurance companies on the basis of underwriting profits rather than on the basis of premiums;

"Nothing contained in this section or in section 1 or 7 of this title shall apply with respect to marine insurance written within the said District and reported, taxed, and licensed under the provisions of the act entitled "An act to regulate marine insurance in the District of Columbia, and for other purposes," approved March 4, 1922, as amended.

This provision now appears as the last sentence of title 47, District of Columbia Code, section 1806. It is clear that the Revenue Act of 1937 made no change with respect to the Marine Insurance Act of 1922 imposing an annual license fee of $200 and an annual tax of 5 percent of underwriting profits.

In 1940 Congress passed the Fire and Casualty Act—Public Law 824, 76th Congress, 3d session—a regulatory, not a revenue statute—title 35, District of Columbia Code, sections 1301 through 1350. Section 46 of the act provides:

All laws or parts of laws, insofar as they relate to the business affected hereby, and are in conflict with any of the provisions of this act, are hereby repealed.

The wording of section 46 now appears in a compiler's note after section 35-1349.

An examination of the hearings and reports—including those of this committee—on the bills which became the Fire and Casualty Act discloses that neither the proponents of the Fire and Casualty Act, nor the Superintendent of Insurance, nor the Congress or its committees, had any intent or idea that the enactment of the provisions of the Fire and Casualty Act would affect, modify or repeal the provisions of the Marine Insurance Act relating to the taxation of marine insurance which had then been in effect for 18 years.

In 1953 the Superintendent of Insurance requested the opinion of the Corporation Counsel as to the rate of taxation applicable to marine insurance companies in the District of Columbia. On August 11, 1953, the Corporation Counsel advised the Commissioners that as marine insurance companies were licensed under the Fire and Casualty Act, the exclusion provision of the 1930 Revenue Act with respect "to marine insurance written within the said District and reported, taxed, and licensed" under the provisions of the Marine Insurance Act were in the conjunctive, and as marine insurance companies were no longer licensed under the Marine Insurance Act, they lost the benefit of the exclusion provision of the 1930 Revenue Act and were

therefore taxable under the provisions of that act on the basis of premium receipts.

The reasons which led Congress to tax marine insurance companies on the basis of underwriting profits—to foster the development of the marine insurance business in this country by taxing American marine underwriters on the same basis as their foreign competitors—are as valid today as when Congress enacted the Marine Insurance Act in 1922 and when it reconsidered the problem at the time it passed the 1937 Revenue Act.

Restoration of the tax to the underwriting profit base will not necessarily reduce the amount of tax payable to the District. A relatively small amount of marine insurance is written in the District of Columbia and the Marine Insurance Act of 1922 imposes an annual license fee of $200 and fixes the annual tax at 5 percent of the annual underwriting profits of the companies on marine insurance written within the District, whereas the Revenue Act of 1937 only imposes an annual license fee of $25 and an annual premium tax of 2 percent.

As the foreign marine insurance companies with whom American marine insurance must compete are still taxed on the basis of underwriting profits, the committee believes that marine insurance companies doing business in the District of Columbia should be taxed on a like basis.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina, that the bill be considered in the House as in the Committee of the Whole?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the last sentence of section 6 of title II of the District of Columbia Revenue Act of 1937 (act of August 17, 1937, 50 Stat. 676, ch. 690, title II, sec. 6; 47 D. C. Code, 1951 edition, sec. 1806) is amended to read as follows: "Nothing contained in this section or in section 1 or 7 of this title shall apply with respect to marine insurance written within the said District, which shall be taxed under the provisions of the Act entitled 'An Act to regulate marine insurance in the District of Columbia, and for other purposes,' approved March 4, 1922, as amended (35 D. C. Code, 1951 edition, secs. 1101 to 1132)."

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that after each District bill called up I may have permission to extend my remarks in explanation of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

ASSOCIATION OF OLDEST INHABITANTS OF THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia I call up the bill (H. R. 7409) to provide for the conveyance of certain real property in the District of Columbia to the Association of the Oldest Inhabitants of the District of Columbia, and ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, the purpose of this legislation is to provide for the conveyance of certain real property in the District of Columbia to the Association of the Oldest Inhabitants of the District of Columbia.

The Association of the Oldest Inhabitants in the District of Columbia was forced to give up property, which they occupied, some time ago and now have an opportunity to acquire a piece of property that is owned by the District of Columbia government and is not used for any purpose whatsoever.

The Commissioners of the District of Columbia have agreed to deed this property to the Association of the Oldest Inhabitants of the District of Columbia in return for having given up quarters which they formerly occupied in an old enginehouse at 19th and H Streets NW.

The Commissioners are favorable to this legislation but suggest certain amendments to the bill which were written in by the subcommittee which considered this legislation and the full committee at the time it was reported so as to safeguard the rights of the District of Columbia whenever the Association of the Oldest Inhabitants no longer occupies the property for the purposes of the association. In other words at the time the title and the property will revert to the District of Columbia.

The other amendment written into the bill simply gives an accurate property description of the property being transferred by the bill.

A public hearing was held by the Judiciary Subcommittee of the House District Committee on June 10, 1957, and no one appeared in opposition to this legislation.

The Clerk read as follows:

Be it enacted, etc., That the Board of Commissioners of the District of Columbia is authorized and directed to convey, without monetary consideration, to the Association of the Oldest Inhabitants of the District of Columbia, all right, title, and interest of the District of Columbia in and to the real property in the District of Columbia described in section 2 of this Act.

SEC. 2. The property referred to in the first section of this act is part of lot 47 in square 1200 described as follows:

Beginning for the same on the south line of M Street to a point distant 127.50 feet west of the west line of Wisconsin Avenue and running thence east along the said south line of M Street 38.50 feet more or less to a point distance 89 feet west of the west line of Wisconsin Avenue, thence south 90 feet, thence west 38.50 feet, and thence 90 feet to the beginning.

With the following committee amendments:

On page 1, line 8, immediately before the period at the end of the first section insert the following: ": *Provided*, That whenever the said real property no longer is occupied by the said association for the purposes of said association, all right, title, and interest of the said association in and to such property shall revert to the District of Columbia.

"As used in this section the term 'purposes of said association,' means substantially the purposes of the said association as they were set forth in the constitution and bylaws of the said association as of January 1, 1957, and such purposes shall be deemed to include the housing and care of such firefighting equipment belonging to the District of Columbia or to said association as we being housed and cared for by said association as of January 1, 1956. No conveyance pursuant to this Act shall be effective until such time as there shall be filed with the Recorder of Deeds of the District of Columbia a certified copy of said constitution and bylaws, and an itemization of said firefighting equipment approved by the said Board of Commissioners: *Provided*, That the said Board of Commissioners may, without effecting a reverter, withdraw from the custody of said association such of the firefighting equipment as is the property of the District of Columbia."

On page 2 strike lines 3 through 9 and insert in lieu thereof the following: "Beginning for the same at a point on the south line of M Street, said point of beginning being 127.50 feet west of the west line of Wisconsin Avenue; and running thence east along the south line of M Street 38.38 feet to the center line of the west wall of the premises 3208 M Street, N. W.; thence in a Southerly direction along the centerline of said wall and a continuation thereof 90.0 feet; thence in a westerly direction along a line parallel to the south line of M Street 38.88 feet, more or less, to a point 127.50 feet west of the west line of Wisconsin Avenue; thence in a northerly direction 90.0 feet to the point of beginning: All as shown on plat of survey recorded in the Office of the Surveyor of the District of Columbia in survey book 51, page 66."

Mr. HALEY. Mr. Speaker, may I inquire of the gentleman from South Carolina if this land of the Oldest Inhabitants Association was sold by the District of Columbia and who bought it?

Mr. McMILLAN. The Federal Government condemned it for the building of a bank building.

Mr. HALEY. Did they pay the Oldest Inhabitants Association?

Mr. McMILLAN. The District of Columbia owned the property.

Mr. HALEY. I thank the gentleman.

The SPEAKER pro tempore. The question is on the committee amendments.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL TRUST FOR HISTORIC PRESERVATION IN THE UNITED STATES IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 1264) to exempt from taxation certain property of the National Trust for Historic Preservation in the United States in the District of Columbia and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

Mr. O'HARA of Minnesota. Mr. Speaker, reserving the right to object, will the gentleman explain this bill?

Mr. McMILLAN. I may say to the gentleman from Minnesota that the purpose of the bill is to free this historic building from taxation. There is no profit at all in this historic preservation and I feel it should fall in the same category as other properties that are free from taxation.

Mr. THOMPSON of New Jersey. This is the Decatur project?

Mr. McMILLAN. Yes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That certain property in the District of Columbia described as lots numbered 42, 43, 44, 45, and 46 in the subdivision of lot numbered 36 in square numbered 167, as said subdivision is recorded in the office of the Surveyor of the District of Columbia in book W. B. M., at folio 293, now known as lot 46 and lot 809, in square numbered 167, together with the improvements thereon and the furnishings therein, being premises numbered 748 Jackson Place, Northwest, known as "Decatur House," owned by the National Trust for Historic Preservation in the United States, a corporation chartered by Act of Congress, approved October 26, 1949, be exempt from all taxation, so long as the same is used in carrying on the purposes and activities of the National Trust for Historic Preservation in the United States, and is not used for commercial purposes, subject to the provisions of sections 2, 3, and 5 of the Act entitled "An Act to define the real property exempt from taxation in the District of Columbia", approved December 24, 1942 (56 Stat. 1091; D. C. Code, secs. 47–801b, 47–801c, and 47–801e). Use of the premises by agencies of the United States of America or by the Truxtun-Decatur Naval Museum of the Naval Historical Foundation for museum purposes and conference accommodations shall not affect the exemption from taxation provided for herein. Any real estate taxes, penalties or interest on the aforesaid property which may be due to the District of Columbia with respect to periods after the property was acquired by the National Trust for Historic Preservation in the United States shall be abated.

Mr. THOMPSON of New Jersey. Mr. Speaker, the purpose of this bill is to exempt from taxation certain property, now known as lot 46 and lot 809, in square 167, in the District of Columbia, being premises 748 Jackson Place NW., known as Decatur House, owned by the National Trust for Historic Preservation in the United States.

The National Trust for Historic Preservation is a charitable, educational, and nonprofit corporation chartered by act of Congress, approved October 26, 1949. Its purpose is to receive donations of sites, buildings, and objects in American history and culture, to preserve and administer them for public benefit, to accept, hold, and administer gifts of money, securities, or other property in connection with carrying out the preservation program. The national trust anticipates keeping Decatur House open as an education museum during normal daily visiting hours every weekday, as any other historic house museum.

The assessed value of the 2 lots involved is $293,212, and, at the current rate of tax of $2.30 per hundred, the tax loss to the District of Columbia would be $6,743.88 annually.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMERICAN HISTORICAL ASSOCIATION

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 1586) to eliminate the financial limitation on real and personal estate holdings of the American Historical Association and to exempt from taxation certain property of such association in the District of Columbia and ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

Mr. RABAUT. Mr. Speaker, reserving the right to object, how much money is involved in these various properties that are being considered today, and how much is being taken off the tax rolls? The reason I ask that question is every time the District of Columbia appears before the Appropriations Committee they are everlastingly wanting to increase Federal payments to the District predicated upon so much property being transferred out of the District and thereby reducing the tax revenues of the District. I wonder how much is involved in these properties?

Mr. McMILLAN. In connection with this building there will be a loss of $228 in revenue.

Mr. RABAUT. Will the gentleman tell us what the other two amount to?

Mr. McMILLAN. I do not have the exact figures.

Mr. RABAUT. Are they substantial amounts?

Mr. McMILLAN. One involves $6,000.

Mr. RABAUT. That is what happens. One day they are taken off the rolls and the next day they think the Feleral Government ought to reach in and pay the difference.

Mr. McMILLAN. I think, too, we are taking too much property out from under taxation.

Mr. RABAUT. I think the gentleman watches these operations closely, but I want to note the complaint that comes to us on the Appropriations Committee with reference to the number of pieces of property that are taken off the tax rolls.

The SPEAKER pro tempore. Is there objction to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to incorporate the American Historical Association," approved January 4, 1889 (25 Stat. 640), is amended by striking out in the second sentence thereof "only as may be necessary to its lawful ends to an amount not exceeding $500,000" and inserting in lieu thereof: "as may be necessary to its lawful ends."

SEC. 2. The real property situated in square 817, in the city of Washington, District of Columbia, described as lot 23, owned, occupied, and used by the American Historical Association, is exempt from all taxation so long as the same is so owned and occupied, and not used for commercial purposes, subject to the provisions of sections 2, 3, and 5 of the act entitled "An act to define the real property exempt from taxation in the District of Columbia," approved December 24, 1942 (56 Stat. 1089; D. C. Code, secs. 47–801b, 47–801c, and 47–801e).

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is twofold. It would eliminate the financial limitation of $500,000 on real and personal estate holdings of the American Historical Association, and would exempt from taxation certain property of such association in the District of Columbia.

The charter of the American Historical Association was approved by Congress under an act of incorporation approved January 4, 1889, and the association was authorized to hold real and personal estate in the District of Columbia to an amount not to exceed $500,000. As a result of the devaluation of the dollar in the 1930's and the existing general prosperity of the country, the securities now held by the association have a market value of about $650,000. In addition, it owns real estate valued at about $40,000, which is used entirely for nonprofit, educational, and historical purposes.

The bill would exempt from District of Columbia real estate taxes, the real property situated in square 817, described as lot 23, owned, occupied, and used by the American Historical Association, so long as the same is so owned and occupied, and not used for commercial purposes. This property is located at 400 A Street SE., and the land and building is assessed at $9,923. The current rate of tax is $2.30 per hundred, and the tax loss to the District of Columbia would be $228.22 annually.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASING APPROPRIATIONS FOR HOSPITAL CENTER IN D. C.

Mr. McMILLAN. Mr. Speaker, I call up the bill (H. R. 7835) to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, this municipal hospital center is being built out at the Old Soldiers Home site. I had some questions that I wanted to raise about not only the report but the lack of funds for completing the hospital center.

You will recall that in 1946 we passed some legislation to authorize Garfield Memorial Hospital; Episcopal Eye, Ear, and Throat Hospital; and the central

dispensary at Emergency Hospital to sell their properties to the Federal Government and then go into this hospital center that is being built out at the site of the Old Soldiers Home. I think there was one error created at the time we passed the original bill, and I call attention to it in the report on the first page, third column: "Under the act as amended, 50 percent of the amount appropriated was to be repaid by the District of Columbia over a 30-year period." Well, that is true, but there is another hitch in that. It will be repaid if the Congress sets up a formula for repayment. We never did do that in the original legislation. In other words, it takes affirmative action by the Congress to have 50 percent of the $21.7 million repaid to the Treasury, and I think the Congress ought to take some affirmative steps to do just that.

Then the other item I would call attention to is on page 4 of the report, which lists some of the costs of the center, including the acquisition of the site. They originally wanted some $2.5 million to complete the hospital center. Costs have gone up considerably so that we have to make some additional appropriation, but I raise the question why the land cost of $638,541 should be charged to the hospital center, when I believe those lands are in the control of the District of Columbia. Maybe I am wrong on that point. It was part of the Old Soldiers Home, which, I understand, dates away back to Civil War days as a place to send their wounded, as well as soldiers during World War I and World War II, which are being taken care of at this center. But, I believe this land was owned by the District of Columbia, and they are charging the hospital $638,541 for the land that they already own.

Then there is another item in the bill. The building is being built by the GSA, and they have an item for design and administration by GSA of $1,459,400. In other words, here is one arm of the Government charging another arm of the Government for design and supervising and building of the hospital. If those two items had been left out of the costs, there would be no further need of appropriating additional funds to complete the hospital. I raise the question as to why they should have charged them first for the land and, second, the GSA charge for supervising the building of it, because they are an arm of the Government.

Mr. RABAUT. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Michigan.

Mr. RABAUT. What land is the gentleman referring to, the Soldiers Home?

Mr. MILLER of Nebraska. I am referring to the land in the Old Soldiers Home.

Mr. RABAUT. That belongs to the old soldiers.

Mr. MILLER of Nebraska. I raised that question; does it?

Mr. RABAUT. Yes.

Mr. MILLER of Nebraska. Did not Congress pass some legislation about 1890 transferring that land to the District of Columbia?

Mr. RABAUT. I do not think so.

Mr. MILLER of Nebraska. Then it belongs to the old soldiers?

Mr. RABAUT. It belongs to the old soldiers. I think the transfer of it was a matter of a conference and an appraisal.

Mr. MILLER of Nebraska. I was under the impression that some 50 or 60 years ago this land was returned to the District of Columbia.

Mr. RABAUT. I do not think so.

Mr. MILLER of Nebraska. The other question that I raised was the charge by the GSA of $1,459,000 for supervising the building of the institution.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman.

Mr. GROSS. Does this call for spending $36,710,000?

Mr. MILLER of Nebraska. I am not able to answer that. The original appropriation, I think, was $35 million. Then there were some Hill-Burton funds which raised the amount of the appropriation. The gentleman from Virginia [Mr. SMITH], may be able to answer that question.

Mr. SMITH of Virginia. The original authorization was $35 million. Now they find in view of the increased costs that it is necessary to increase the authorization by $2 million.

Mr. GROSS Is this medical center designed to serve all the people of the District of Columbia?

Mr. McMILLAN. Mr. Speaker, I would like to say that they are supposed to sell Emergency Hospital, Garfield Hospital, and Sibley Hospital and use that money to pay for this medical center for the District of Columbia.

Mr. GROSS. Then it does serve all the people in this area?

Mr. McMILLAN. That is correct.

Mr. MILLER of Nebraska. I yield back my time.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, the purpose of this act is to increase the authorization for appropriations for the hospital center and facilities in the District of Columbia.

The act of August 7, 1946 (60 Stat. 896), as amended (65 Stat. 657), authorized $35 million to be appropriated at such times and in such amounts as the Congress shall determine, for the establishment, in the District of Columbia, of a modern, adequate and efficient hospital center, and for the making of grants for hospital facilities to private agencies in the District of Columbia and for other purposes. Of this amount all but $290,000 has been allocated. An additional appropriation in the amount of $2 million is necessary to complete equipping the hospital center. This will require a net increase of $1,710,000 in the amount authorized to be appropriated.

ADDITIONAL JUDGE FOR THE JUVENILE COURT OF THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I call up the bill (H. R. 7785) to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 19 of the Juvenile Court Act of the District of Columbia approved June 1, 1938, as amended (sec. 11–920, D. C. Code, 1951 edition) is hereby amended so as to read as follows:

"SEC. 19. The juvenile court of of the District of Columbia shall consist of two judges learned in the law and appointed by the President, by and with the advice and consent of the Senate. Each judge appointed after the effective date of this amendatory Act shall serve for a term of 10 years or until his successor is appointed and qualified. To be eligible for appointment as judge of the juvenile court a person must, for at least 5 years immediately preceding his appointment, have been a member of the bar of the District of Columbia and a resident of the District of Columbia or of the metropolitan area of the District, and have a knowledge of social problems and procedures and an understanding of child psychology. Each judge shall before entering upon the duties of his office, take the oath prescribed for judges of the courts of the United States. The President shall designate one of the judges to be the chief judge of the juvenile court. The chief judge shall serve as the chief administrative officer of the court. During the temporary absence or disability of the chief judge the associate judge of the juvenile court shall act as the chief administrative officer of the court. The salary of the chief judge shall be equal to the salary of the chief judge of the municipal court for the District of Columbia and the salary of the associate judge shall be equal to the salary of an associate judge of the municipal court for the District of Columbia. For the purpose of this act the term 'Metropolitan Area of the District' means Montgomery and Prince Georges Counties in Maryland and Arlington and Fairfax Counties and the cities of Alexandria and Falls Church in Virginia."

SEC. 2. The judge of the juvenile court of the District of Columbia who, on the effective date of this Act, is occupying the position of judge created by such Act approved June 1, 1938, shall continue in office and shall be deemed to be occupying one of the two positions of judge provided for by section 19 of such Act, as amended by the first section of this Act, until the term for which he was appointed shall expire and until his successor is duly appointed and qualified. Such judge shall be entitled to compensation in accordance with the provisions of section 19 of such Act approved June 1, 1938, as amended by the first section of this Act.

SEC. 3. (a) Section 20 of the Juvenile Court Act of the District of Columbia, as amended, is amended by striking the word "the" where it first appears before the word "judge" and inserting in lieu thereof the word "either."

(b) Sections 3 and 27 of such Act, as amended, are amended by striking the word "judge" wherever it appears therein and inserting in lieu thereof the word "judges".

(c) Sections 22 and 24 of such Act, as amended, are amended by inserting the word "chief" before the word "judge" where the same appears therein.

(d) Sections 5, 13, 26 and 36 of such Act, as amended, are amended by striking the word "the" where the same appears immediately before the word "judge" and inserting the word "a" in lieu thereof.

(e) Section 23 of such Act, as amended, is amended by striking from the second sentence "the judge" and inserting in lieu thereof "a judge"; and by striking from the third sentence "the judge as he may direct and keep full records of its work", and inserting in lieu thereof "the court as it may direct and such Department shall keep full records of its work".

(f) The second sentence of subsection (b) of section 28 of such Act, as amended, is amended by striking therefrom "The judge may also provide by rule or", and inserting in lieu thereof "The court may also provide by rule or a judge may provide by".

(g) Section 42 of such Act, as amended, is amended by striking the words "judge and other."

SEC. 4. Section 21 of such Act, as amended, is amended (a) by striking the word "judge" and inserting in lieu thereof the word "court", (b) by striking thereform "a clerk, a deputy clerk," and (c) by inserting at the end of such section the following: "The court shall also have power to appoint a clerk and a deputy clerk who shall hold office at the pleasure of the court."

SEC. 5. Wherever in any statute reference is made to the judge of the juvenile court of the District of Columbia such reference shall be construed to mean any judge of such court.

With the following committee amendments:

On page 1, line 11, strike the word "or" and insert "and."

On page 4, at the end of section 5, add a new section 6:

"SEC. 6. Appropriations for expenses necessary for carrying out the purposes of this Act, including personal services, are hereby authorized."

The committee amendments were agreed to.

Mr. McMILLAN. Mr. Speaker, the purpose of this legislation is to provide for the appointment of an additional judge for the juvenile court of the District of Columbia.

At the present time the juvenile court has one judge. The bill would authorize an appointment of a second judge for the court. In the opinion of many witnesses who testified on the bill a second judge for the court is urgently needed to carry on the work of the court.

In 1938 the number of cases heard by the court was 2,500. In 1948 the number rose to 3,000. In 1953 the court heard approximately 10,000 cases, and in the fiscal year 1956 the number of court hearings was in excess of 16,000.

The jurisdiction of the court includes all children under the age of 18 years who are charged with violations of the law, who are beyond parental control, who are truant from home or school, who are engaged in conduct endangering their own health, morals, or safety, or the health, morals, or safety of others, or who are without adequate parental care. The court also has original and exclusive jurisdiction in cases involving the paternity of children born out of wedlock, adults charged with violation of the child labor and compulsory education laws, and with contributing to the delinquency of minors. The court also has concurrent jurisdiction with the United States District Court for the District of Columbia in criminal cases involving non-support of wife or children.

It should be noted that a great many of the cases are of the felony type, i. e., cases involving offenses which, if commited by an adult would be within the exclusive jurisdiction of the United States District Court for the District of Columbia. Cases of this kind before the juvenile court are now running about 2,000 a year.

The need for this legislation was pointed out in public hearings held by the judiciary subcommittee of this committee by the United States Attorney for the District of Columbia, Honorable David Karick, a member of the Board of Commissioners for the District of Columbia, the chief judge of the municipal court for the District of Columbia, the chairman of the council on law enforcement for the District of Columbia, the present judge of juvenile court for the District of Columbia, the president of the District of Columbia Bar Association and Inspector John E. Winters of the Youth Aid Division of the Metropolitan Police Department.

The cost of this legislation has been estimated at approximately $35,000.

Mr. MULTER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: On page 2, lines 3 and 4, strike out the words "immediately preceding his appointment."

Mr. MULTER. Mr. Speaker, this language as to the qualifications of a judge of the juvenile court, I understand, is new to the courts in the District. Presently there are requirements for municipal court judges to have local residence, and for admission to practice before the local bar. There is no such provision for qualifications of judges of the juvenile court. This bill as now presented without this amendment requires that there be at least 5 years residence in the District or in the metropolitan area and 5 years membership in the local bar for a continuous period immediately preceding the appointment.

There is no objection to the 5-year provision for admission to practice before the local bar or residence in the District or the metropolitan area.

My amendment would simply take out the words "immediately preceding appointment." That would continue the 5-year requirement. It would not require that the 5 years be continuous or immediately precede the appointment.

I urge the adoption of the amendment.

Mr. DAVIS of Georgia. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, I introduced this bill, and before introducing it talked with Mr. George Hart, who is the president of the Council on Law Enforcement in the District of Columbia.

This bill would provide for a second judge for the juvenile court. In my opinion, such a judge is very much neded. This bill was carefully drawn. Hearings were held before the Judiciary Subcommittee of the Committee on the District of Columbia. The gentleman from Mississippi [Mr. ABERNETHY] is chairman of that subcommittee, and the gentleman from Minnesota [Mr. O'HARA] is the ranking minority member on it.

My thought is that if there should be any amendment offered that is the place to offer it, in the subcommittee and while the bill is still before the committee, and not come now on the floor of the House to offer an amendment which would have such a changing effect as this one would have.

Everyone who is familiar with the juvenile court knows that when the last appointment was made there was some question as to the residence of the judge who subsequently qualified. This bill was drawn after that. I think it is a wise bill. I think one who is going to fill this important position of judge of the juvenile court certainly ought to have 5 years of residence here immediately before being appointed. There are some very unusual conditions in Washington. I think that one who is going to fill this important position ought to be familiar with the conditions here.

Frankly, I can see no reason why this amendment should be offered. If there is any reason for it, I think it should have been offered in the subcommittee and while the bill was still in the committee. Therefore, I hope it will be voted down.

Mr. MILLER of Nebraska. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I am in opposition to the amendment. I do not think it improves the bill. I do want to speak in favor of an additional juvenile judge. If the Members of the House will take the time to read the report, you will note that in 1938 the number of cases heard by the court was 2,500. In 1948 the number rose to 3,000. In 1953 the court heard approximately 10,000 cases, and in the fiscal year 1956 the number of court hearings was in excess of 16,000. So in 10 years the number of cases has jumped from 3,000 to 16,000, which ought to offer occasion for pretty sober thinking to the people of the District of Columbia and the Members of Congress, as to the direction we are going in our juvenile problem. Certainly the load has increased to such an extent that it is not possible for one judge to handle properly all the cases that come before the court.

I am not a lawyer, but I would agree with the gentleman from Georgia [Mr. DAVIS] that the amendment does not improve the bill. I believe we ought to go forward in providing an additional judge for the juvenile court because of the tremendous increase in juvenile delinquency cases that now appear daily before this court.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Iowa.

Mr. GROSS. Can the gentleman give the reason for this tremendous increase in the number of juvenile cases in the District of Columbia?

Mr. MILLER of Nebraska. On page 2 of the committee report appear these words:

The jurisdiction of the court includes all children under the age of 18 years who are charged with violations of law, who are beyond parental control, who are truant from home or school, who are engaged in conduct endangering their own health, morals, or safety, or the health, morals, or safety of others, or who are without adequate parental care. The court also has original and exclusive judisdiction in cases involving the paternity of children born out of wedlock, adults charged with violation of the child labor and compulsory education laws, and with contributing to the delinquency of minors.

There is a whole list of items the courts are charged with enforcing. The gentleman knows as well as I do the trend of the times, whether it is caused by automobiles, television, speed of living or the change in the thinking of the people all over the world, that there has been a tremendous increase in the number of cases of juvenile delinquency.

Mr. GROSS. Yes, but those reasons can apply to any city in the United States. Am I to understand that there has been the same increase in juvenile delinquency in cities of comparable population?

Mr. MILLER of Nebraska. I believe the other body had a committee investigating juvenile delinquency; they held some hearings all over the United States. I believe the results of those hearings show there is a general increase in the trend in juvenile delinquency—maybe not as fast as in the case here. We have jumped from 3,000 in 1948 to over 16,000 10 years later. That is a tremendous increase. Perhaps, it is due to the environment of people living in the city of Washington or the influx of people coming to the city. The cases of children born out of wedlock is a shocking example of what happens here in the District of Columbia.

Mr. GROSS. If the gentleman will yield further, we had a bill here the other day to provide a planning commission for the District of Columbia, one or two gentlemen took the floor to say that its report would serve as a model for all of the rest of the cities of the country. And now we hear that juvenile delinquency has probably increased more here than any other city in the United States.

Mr. MILLER of Nebraska. It is part of the general trend, I would say to the gentleman, and I think it is desirable that an additional juvenile court judge be supplied to the district to handle the ever-increasing load.

Mr. GROSS. I just do not understand how it can be such a model city on the one hand and so ridden with juvenile delinquency on the other hand. Perhaps, it can be better described as the most wonderful city of make-believe in the country.

Mr. MILLER of Nebraska. I would not agree with the gentleman that this is the most model city in the United States.

Mr. GROSS. I did not say it was. I just said that other gentlemen, in supporting the bill the other day by which all the taxpayers are called upon to pay for a planning commission here, made that assertion.

Mr. MILLER of Nebraska. The gentleman makes an excellent point.

Mr. MULTER. Mr. Speaker, I ask unanimous consent to withdraw the amendment I have at the desk and to make an explanation and to say that this is a good bill and I do not want it confounded or confused with this amendment which I have there, which I am now told was not considered by the committee. I suggest to those who have urged that I offer this amendment to present their case in support of this on the other side when that committee is considering the bill there, and I am sure that they will get proper and ample consideration of the proposal.

Therefore, Mr. Speaker, I ask unanimous consent to withdraw my amendment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. The amendment offered by the gentleman from New York [Mr. MULTER] is withdrawn.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

AMENDING DISTRICT OF COLUMBIA SALES TAX ACT

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 1576) to exempt the sale of materials for certain war memorials in the District of Columbia from the District of Columbia Sales Tax Act, and ask unanimoust consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 128 of the District of Columbia Sales Tax Act, as amended (63 Stat. 112; D. C. Code 47-2605) is amended by adding at the end thereof the following:

"(r) Sales of material to be incorporated permanently in any war memorial authorized by Congress to be erected on public grounds of the United States."

SEC. 2. The amendment made by the first section of this Act shall be effective only with respect to sales taking place on and after January 1, 1957.

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to amend section 128 of the District of Columbia Sales Tax Act, as amended—Public Law 76, 81st Congress—so as to exempt from sales tax, sale of materials to be incorporated permanently in any war memorial authorized by Congress to be erected on public grounds of the United States. This exemption shall apply only with respect to sales taking place on and after January 1, 1957.

The District of Columbia Sales Tax Act provides that a "semipublic institution means any corporation, and any community chest, fund, or foundation organized exclusively for religious, scientific, charitable, or educational purposes, including hospitals, no part of the net earnings of which inures to the benefit of any private shareholder or individual. For the purpose of this title an organization or institution which does not embrace the generally recognized relationship of teacher and student shall be deemed not to be operated for educational purposes." There is no provision in the Sales Tax Act for the exemption of a transaction made between two nonexempt parties because the transaction takes place on Government ground or because the property involved may be located on Government ground.

The Office of the Assessor, Sales and Use Tax Division, has determined that these organizations do not comply with the Sales Tax Act as organizations organized exclusively for religious, scientific, charitable, or educational purposes, and therefore they would have to pay a sales tax on the sale of materials to be used for war memorials in the District of Columbia. This bill would exempt such sales from the District of Columbia Sales Tax Act.

The loss in revenue to the District of Columbia is so small that it was impossible to estimate what it would really amount to.

The bill has the approval of the Board of Commissioners of the District of Columbia.

The bill was ordered to be read the third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RECIPROCAL LEGISLATION IN SUPPORT CASES

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 7249) to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the following provisions to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law in respect thereto, shall be in effect in the District of Columbia on and after the effective date of this Act.

DEFINITIONS

SEC. 2. As used in this act, unless the context requires otherwise—

(a) "State" includes any State, Territory, or possession of the United States and the Commonwealth of Puerto Rico and the District of Columbia in which this or a substantially similar reciprocal law has been enacted.

(b) "Initiating State" means any State in which a proceeding pursuant to this or a substantially similar reciprocal law is commenced.

(c) "Responding State" means any State in which a proceeding pursuant to the proceeding in the initiating State is or may be commenced.

(d) "Court" means the Domestic Relations Branch of the Municipal Court for the District of Columbia and, when the context requires, means the court of any other State as defined in a substantially similar reciprocal law.

(e) "Duty of support" includes: (1) any duty of support imposed by statute or by common law, or by any court order, decree, or judgment, whether interlocutory or final, whether incidental to a proceeding for divorce, judicial separation, separate maintenance, or otherwise; (2) any duty of reimbursement imposed by law for moneys expended by a State or a political subdivision or an agency thereof for support, including institutional care; and (3) the duty imposed by section 20 of this act.

(f) "Dependent" means any person who is in need of and entitled to support from a person legally liable for such support.

(g) "Plaintiff" means any person or any State or political subdivision or agency thereof, commencing a proceding pursuant to this or a similar reciprocal law, whether on his or its own behalf, or on behalf of a dependent as herein defined.

(h) "Defendant" means any person owning a duty of support, against whom a proceeding is commenced pursuant to this or a similar reciprocal act.

REMEDIES ADDITIONAL TO THOSE NOW EXISTING

SEC. 3. The civil remedies herein provided are in addition to and not in substitution for any other remedies.

EXTENT OF DUTIES OF SUPPORT

SEC. 4. Duties of support enforcible under this act are those imposed under the laws of any State in which the defendant was present during the period for which support is sought, or in which the dependent was present when the failure to support commenced or where the dependent is when the failure to support continues. The defendant shall be presumed to have been present in the responding State during the period for which support is sought until otherwise shown.

REMEDIES OF A STATE FURNISHING SUPPORT OR INSTITUTIONAL CARE

SEC. 5. Whenever any State or a political subdivision or agency thereof has furnished, or is furnishing support or institutional care to a dependent, it shall for the purposes of securing reimbursement of past expenditures and of obtaining continuing support, have the same right to invoke the provisions of this act as the dependent to whom such support or care was furnished, or is being furnished.

HOW DUTIES OF SUPPORT ARE ENFORCED; JURISDICTION

SEC. 6. Proceedings to enforce duties of support initiated in the District of Columbia shall be commenced by the filing of a complaint irrespective of the relationship between the plaintiff and defendant. Jurisdiction of all proceeding under this act shall be vested in the domestic relations branch of the municipal court for the District of Columbia, which branch in exercising the jurisdiction vested in the court by this act, shall have all of the power and authority which is vested in the court by the act entitled "An act to establish a domestic relations branch in the municipal court for the District of Columbia, and for other purposes," approved April 11, 1956 (70 Stat. 111, chapter 204).

CONTENTS OF THE COMPLAINT

SEC. 7. The complaint shall be verified and shall state the name and, so far as known to the plaintiff, the address and circumstances of the defendant and of the dependents for whom the duty of support is sought to be enforced, and all other pertinent facts necessary to enable the court to determine whether a duty of support exists on the part of the defendant. The plaintiff may include in or attach to the complaint any information which may help in locating or identifying the defendant including, but without limitation by enumeration, a photograph of the defendant, a description of any distinguishing marks of his person, other names and aliases by which he has been or is known, the name of his employer, his fingerprints, or social security number.

REPRESENTATION OF PLAINTIFF

SEC. 8. In any instance in which the Corporation Counsel of the District of Columbia is satisfied that a public support burden has been incurred or is threatened, it shall be his duty to represent the plaintiff in any proceedings arising under this act or a similar reciprocal act. In all other cases the court may, in its discretion, appoint private counsel to represent the plaintiff: *Provided*, That the plaintiff may be represented by private counsel in any proceedings under this act at his own expense.

COMPLAINT ON BEHALF OF A MINOR

SEC. 9. A complaint on behalf of a minor dependent may be brought by any person or agency as next friend of the minor, regardless of whether such person or agency has been appointed guardian of such minor.

DUTY OF COURT WHEN DISTRICT OF COLUMBIA IS INITIATING STATE

SEC. 10. If the court finds that a complaint initiated in the District of Columbia sets forth facts from which it appears that the defendant owes a duty of support, as defined in this act, and that a court of a responding State may obtain jurisdiction of the defendant, it shall so certify and shall cause to be transmitted to the court in the responding State, 3 copies of its certificate, 3 certified copies of the complaint, and 3 copies of this act.

COSTS AND FEES

SEC. 11. The complaint, when initiated in the District of Columbia, shall be accompanied by such fees and costs as may be required by the court as well as by the court of the responding State: *Provided*, That the court whether the District of Columbia be the initiating or responding State, may in its discretion direct that payment or prepayment of any part or all fees and costs incurred in the District of Columbia be waived upon the filing of an affidavit representing that the plaintiff is unable to pay the same: *Provided further*, That the court shall direct waiver of payment or prepayment of such fees and costs whenever the plaintiff is a State having a similar provision for waiver of fees, or a political subdivision or agency thereof. Nothing in this section shall be construed to deprive the court of its discretion to assess costs and fees.

JURISDICTION BY ARREST

SEC. 12. When the court has reason to believe that the defendant may flee the jurisdiction of the responding State, it may (a) as the court of the initiating State, request in its certificate that the court of the responding State obtain the body of the defendant by appropriate process if that be permissible under the law of the responding State, or (b) as the court of a responding State, obtain the body of the defendant by any appropriate process.

INFORMATION AGENT

SEC. 13. The Corporation Counsel of the District of Columbia is hereby designated as the reciprocal information agent under this act and it shall be his duty to transmit a copy of this act and any subsequent changes therein to the State information agency of every other State which has adopted this or a substantially similar act, and to maintain a registry of the names and addresses of the courts having jurisdiction of such proceedings in other States.

DUTY OF THE COURT WHEN THE DISTRICT OF COLUMBIA IS RESPONDING STATE

SEC. 14. (a) When the court receives from the court of an initiating State certified copies of a complaint or other proceedings containing the essential allegations of a complaint, under whatever name it may be known, and a certificate similar to that required by section 10 hereof, it shall docket the cause and refer the matter to the Corporation Counsel, or to private counsel, if appropriate, for such further action as may be necessary to obtain jurisdiction of the defendant in order to carry out the provisions of this act.

(b) If the court is unable to obtain jurisdiction of the defendant due to inaccuracies or inadequacies in the complaint or otherwise, the court shall communicate this fact to the court in the initiating State, and shall hold the case pending receipt of more accurate information or an amended complaint from the court in the initiating State.

ORDER OF SUPPORT

SEC. 15. If the court finds a duty of support as defined by this act it may order the defendant to pay such amounts under such terms and conditions as the court may deem proper. The court may require the defendant to furnish recognizance in the form of a cash deposit or bond, and may punish a defendant who violates any order of the court to the same extent as is provided by law for contempt in any other suit or proceeding cognizable by the court.

COPIES OF ORDERS TO BE TRANSMITTED TO INITIATING STATE

SEC. 16. The court shall cause to be transmitted to the court of the initiating State a certified copy of all orders of support or for reimbursement therefor entered by it.

ADDITIONAL DUTIES OF THE COURT

SEC. 17. The court shall have the additional duty, which may be carried out by the clerk of the court, to receive payments made pursuant to order of the courts by defendants within the District of Columbia or transmitted by the court of a responding State, and to disburse the same in accordance with the order of the court, and upon request of the court of an initiating State shall furnish to that court a certified statement of all payments received and disbursed in a particular case.

TESTIMONY OF SPOUSE

SEC. 18. In all proceedings arising under this act, husband and wife shall be competent witnesses and may be compelled to testify to any relevant matter, including marriage and parentage.

APPLICATION OF PAYMENTS

SEC. 19. No order of support entered by the court in any proceeding arising under this act shall supersede any previous order of support entered in a divorce or separate maintenance action, or any other proceedings, but the amounts for a particular period paid pursuant to either order, when verified, shall be credited against amounts accruing or accrued for the same period under both.

SUPPORT OF ILLEGITIMATE CHILDREN

SEC. 20. The natural father of an illegitimate child shall have the duty to support such child until the age of 16 years (a) when paternity has been established by judicial process, or (b) when paternity has been directly acknowledged by the putative father under oath.

EFFECT OF PARTICIPATION IN PROCEEDING

SEC. 21. Participation in any proceedings under this act shall not confer upon any court jurisdiction of any of the parties thereto in any other proceedings.

APPEALS

SEC. 22. Any party aggrieved by any final or interlocutory order or judgment entered

in the court shall have the same right of appeal available in respect to any final or interlocutory order or judgment entered in the civil branch of the municipal court for the District of Columbia.

SEVERABILITY

SEC. 23. If any provision hereof or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

APPROPRIATIONS AUTHORIZED

SEC. 24. Appropriations for expenses necessary for carrying out the purposes of this act, including additional personal services for the court and for the Office of the Corporation Counsel, are hereby authorized.

REORGANIZATION

SEC. 25. Where any provision of this act refers to an office or agency abolished under the provisions of Reorganization Plan No. 5 of 1952 (66 Stat. 824), such reference shall be deemed to be to the office, agency, or officer now or hereafter exercising the functions of the office or agency so abolished. Nothing contained in this act shall be construed as a limitation on the authority vested in the Commissioners by such reorganization plan.

EFFECTIVE DATE

SEC. 26. This act shall take effect 60 days after appropriations therefor become available.

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to enact for the District of Columbia the Uniform Reciprocal Enforcement of Support Act, substantially similar versions of which are in effect in each of the States and in Alaska, Guam, Hawaii, and Puerto Rico.

H. R. 7249 represents a revision of other bills introduced in the House on the same subject, namely, H. R. 3413, H. R. 5334, and H. R. 5965.

At a hearing held by the Judiciary Subcommittee of this Committee on May 8, witnesses representing the Commissioners, the Judges of the Municipal Court, the corporation counsel, the United States Attorney for the District of Columbia, the Bar Association of the District of Columbia, and members of the National Conference of Commissioners on Uniform State Laws, testified in favor of H. R. 7249.

The bill creates a new civil remedy in the District of Columbia whereby a person entitled to be supported who is not in the District may bring an action in the place where he or she is, and have the claim litigated in the District of Columbia if the person owing the duty of support is to be found in the District of Columbia; and likewise a person in the District of Columbia claiming support from a person outside the District would be able to bring the action in the District, and have the claim litigated in the place where the person owing the duty may be found. The bill is not intended to be a substitute for any other remedy a person may have to enforce duties of support, such as a criminal nonsupport action.

The plaintiff in any such action may be represented by counsel of his own selection or by counsel appointed by the court or by the corporation counsel if the latter is satisfied that a public support burden has been incurred or is threatened.

The court in a responding State, for example, a State where the defendant is found, after obtaining jurisdiction of the defendant and giving him a hearing, determines his ability to pay, orders payments made to the court and transmits these payments to the court in the initiating State which disburses the money to the persons entitled to support. The Domestic Relations Branch of the Municipal Court is designated as the court to adjudicate cases arising in other jurisdictions when the District of Columbia is the responding State as well as cases arising in the District where the District is the initiating State.

In addition to providing for the enforcement of duties of support as between individuals, the bill includes the duty to reimburse a State or a political subdivision or an agency of a State for support, including institutional care.

The bill also establishes a statutory duty for the natural father of an illegitimate child to support such child until the age of 16 years when paternity has been established by judicial process or through acknowledgment by the father under oath. This statutory duty is not in substitution for the remedies now provided in the act entitled "An act relating to children born out of wedlock," approved January 11, 1951, the provisions of which are enforcible in the juvenile court.

The bill authorizes appropriations to be made for carrying out the purposes of the act, including additional personal services for the Domestic Relations Branch of the Municipal Court and for the Office of the Corporation Counsel. Since the District is the only jurisdiction in the United States in which the act is not in force, it has been charged that the District is a "haven for runaway fathers." For that reason, it is believed the number of cases referred to the District as a responding State will greatly exceed the number of cases originating in the District.

The additional cost to the District of Columbia for administering this act is estimated at $98,000 a year.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT OF 1947

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 8256) to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social-security benefits and to provide additional exemptions for age and blindness, and to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I think this bill requires some explanation. In the first place may I address a question to the chairman? In effect this is a tax-reduction bill, is it not?

Mr. McMILLAN. In the case of certain people.

Mr. BYRNES of Wisconsin. Do I understand that the total revenue loss or reduction is about $300,000? If not, what is the total loss?

Mr. McMILLAN. That is correct.

Mr. BYRNES of Wisconsin. Referring to the report I find the first six pages deals almost exclusively with the business tax or licensing fee. Is that correct?

Mr. McMILLAN. I will yield to the gentleman from Virginia [Mr. SMITH], chairman of the subcommittee that handled this bill.

Mr. BYRNES of Wisconsin. Then, if I may address myself to the gentleman from Virginia. I do not find any particular explanation in the committee report, for instance, with regard to section 2 of the bill which I understand in effect increases the standard deduction from $500 to $1,000. Is that correct?

Mr. SMITH of Virginia. I wonder if the gentleman would let me take a little time and explain the bill. He may find therein the answers to his questions as I go on.

I happen to be chairman of the Fiscal Affairs Subcommittee of the Committee on the District of Columbia. Last year we enacted a pretty comprehensive District income-tax law in which we raised the income taxes on citizens of the District of Columbia to a very great degree.

In reviewing the operation of that bill this year it became apparent, as it would in any bill as comprehensive as that, that there were some inadvertent things in the bill, that pretty obviously needed correcting. With that end in view we held a hearing on those items.

This bill is designed to bring the District income tax law into line with the Federal income-tax law. There are several discrepancies here where the District law allows a smaller exemption or no exemption in certain areas, where the Federal law allows an exemption. You will find, therefore. that practically all of this bill is devoted to correcting those things. For instance, allowing an exemption to the blind, increasing certain other exemptions from $500 to $1,000, bringing it into conformity with the Federal law.

The gentleman's remark about reducing taxes is very pertinent but let me say to the gentleman that by reason of this law that we enacted last year we increased the collections for the District of Columbia by an amount that runs into $16 million.

These corrections that we are making we think are just and should be made. The total reduction estimated by the Commissioners is that it will be around $300,000.

Mr. O'HARA of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Minnesota.

Mr. O'HARA of Minnesota. May I say, in addition to concurring in what the distinguished gentleman from Virginia has said, that this bill does correct inequities and injustices which had accumulated under our tax-revenue program. The revenue that has been raised has also been increased so that this $300,000, while it is certainly not a small amount, is one that goes to a good purpose in that it gives relief to a type of people who are in need of it.

Mr. BYRNES of Wisconsin. Can the gentleman tell me why the committee report, does not spell out in detail for the Members of the House what the changes are that are made in sections 2, 3 and 4, in fact all of the changes that were made. The only change I can find any explanation of, I may say to the gentleman from Virginia, is the item with respect to the licensing fees, the $25 revenue license fee which is placed on various people doing business in the District of Columbia. The only other explanation has to do with effective dates. Then we get into the Ramseyer rule.

Mr. SMITH of Virginia. Yes. The Ramseyer rule gives you a full explanation.

Mr. BYRNES of Wisconsin. It shows what the changes are but no explanation as to why they are made. For instance, section 2 changes the personal exemption, the standard deduction from $500 to $1,000; does it not?

Mr. SMITH of Virginia. I did not get the gentleman's question. Will he state it again?

Mr. BYRNES of Wisconsin. On page 2 of the bill, section 2. One of the things that is done is to increase the standard deduction available to all persons in the District of Columbia from $500 to $1,000 for a single person or a married person not living with either husband or wife.

Mr. SMITH of Virginia. Certainly. That is in the bill.

Mr. BYRNES of Wisconsin. You are giving a general tax reduction to that extent?

Mr. SMITH of Virginia. Yes.

Mr. BYRNES of Wisconsin. Can the gentleman tell me why you are giving that tax reduction at this time?

Mr. SMITH of Virginia. If the gentleman will let me answer his question, then ask another question, we will get along better. I have already explained to the gentleman that the income-tax bill which we labored over last year raised taxes very drastically and we find now that we are not in conformity with the Federal law. We are merely bringing this in line with the Federal exemptions. I have explained that thoroughly. The gentleman may not agree with the reasoning, but I do not think he can say we have not made clear what we are doing. Maybe we are wrong, but that is our best judgment on it.

Mr. BYRNES of Wisconsin. Why do we not find the explanation in the report on this bill?

Mr. SMITH of Virginia. If you will look in the section that complies with the Ramseyer rule you will find certainly that we struck out "$500" and inserted "$1,000." I have undertaken to give the gentleman the best explanation I can of why that was done. I did not write the report and I do not know why it is not in there.

Mr. ALLEN of California. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from California.

Mr. ALLEN of California. Is it not also true that this income tax is now being imposed for the first time with a withholding provision? The anticipated revenue was quite a bit less than the revenue actually realized, so we find now we are receiving more money by the tax than we had originally intended to raise, and that made it rather evident, if we wanted to raise the revenue back to our original intention, that some change had to be made in this act.

Mr. BYRNES of Wisconsin. Mr. Speaker, it is not my intention to hold the floor, but my suspicion was aroused with respect to this legislation when I read in the newspapers over the weekend a story concerning this bill which, in effect, is a tax reduction for the District of Columbia, and then in another article I found where the District is coming in with an expanded building program, and in discussing the method of financing this expanded building program they have suggested that it not be done by any increase in District tax, but it should be done by calling on the Federal Government for an increase in the Federal Government contribution. It occurred to me, as long as they were talking about an expanded public works program, which they know would require additional funds, that maybe we should take a second look at this matter of reducing the income taxes that are paid.

I would suggest, Mr. Speaker, that the House should have more of an explanation than the fact that this is an attempt to bring the District of Columbia income tax laws in conformity with the Federal tax laws. I know, for example, in my State of Wisconsin we do not get many of the exemptions provided under the Federal tax laws, but that fact does not furnish a justification for a reduction in Wisconsin income taxes. The only point I make, Mr. Speaker, is that I think we are moving pretty fast in giving a tax reduction to the people of the District at this time and I wonder whether all of the Members have full information as to exactly what we are doing and why it is being done.

I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 2 (b) of title III of the District of Columbia Income and Franchise Tax Act of 1947, as amended (61 Stat. 328; sec. 47-1557a (b), D. C. Code, 1951), is amended by adding at the end thereof the following new subsection:

"(15) Social-security benefits: Insurance benefit payments received under section 202 (a), (b), (c), (d), (e), (f), (g), (h), (i), of title II of the Social Security Act, as amended."

SEC. 2. Subsections "(a)" and "(b)" of section 2, title VI of the District of Columbia Income and Franchise Tax Act of 1947, as amended (sec. 47-1567a, D. C. Code, 1951, Supp. V), are amended to read as follows:

"(a) (1) An exemption of $1,000 for a single person or a married person not living with husband or wife.

"(2) An additional exemption of $500 for the taxpayer if he has attained the age of 65 before the close of his taxable year, and an additional exemption of $500 for the spouse of the taxpayer if a separate return is made by the taxpayer, and if the spouse has attained the age of 65 before the close of such taxable year, and, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer.

"(3) An additional exemption of $500 for the taxpayer if he is blind at the close of his taxable year, and an additional exemption of $500 for the spouse of the taxpayer if a separate return is made by the taxpayer, and if the spouse is blind and, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer. For purposes of this subsection, the determination of whether the spouse is blind shall be made as of the close of the taxable year of the taxpayer; except that if the spouse dies during such taxable year, such determination shall be made as of the time of such death. For purposes of this subsection, an individual is blind only if his central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if his visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

"(b) An exemption of $2,000 for a head of a family or a married person living with husband or wife. A husband and wife living together shall, in addition to the exemptions for age and for blindness allowed by subparagraphs (a) (2) and (a) (3) above, receive but one personal exemption of $2,000, but if such husband or wife make separate returns, the personal exemption of $2,000 shall be divided equally between them."

SEC. 3. Section 2 (b) (9) of title III of the District of Columbia Income and Franchise Tax Act of 1947, as amended (sec. 47-1557 (a) (b) (9), D. C. Code, 1951), is amended to read as follows:

"(9) Payments to veterans and others: (A) Payments, under any of the laws relating to veterans, of benefits made to or on account of a beneficiary, to the extent such payments are not subject to taxation under the Internal Revenue Code of 1954.

"(B) Amounts received as a pension, annuity, or similar allowance for personal injuries or sickness resulting from active service in the armed forces of any country or in the Coast and Geodetic Survey or the Public Health Service to the extent such amounts are excluded from gross income under section 104 (a) (4) of the Internal Revenue Code of 1954."

SEC. 4. Section 3 (a) (13) of title III of the District of Columbia Income and Franchise Tax Act of 1947, as amended (sec. 47-1507b (a) (13), D. C. Code, 1951, Supp. V), is amended to read as follows:

"(13) Optional standard deduction and irrevocable election: In lieu of the foregoing deductions, any resident may elect to deduct for the taxable year an optional standard deduction of 10 percent of the adjusted gross income or $1,000, whichever is lesser; in the case of joint returns filed by husband and wife living together, the combined standard deduction shall be limited to 10 percent of the adjusted gross income of both, or $1,000, whichever is lesser; in the case of separate returns by husband and wife, living togther, the standard deduction of each spouse shall be limited to 10 percent of the adjusted gross income of that spouse or $500, whichever is lesser, but the standard deduction shall be allowed to neither if the net

income of one of the spouses is determined by itemizing the deductions. The option provided in this paragraph shall not be permitted on any return filed for any period less than a full calendar or full fiscal year.

"The election to claim the optional standard deduction, or to itemize deductions, shall be irrevocable for the taxable year for which the election is made."

SEC. 5. Section 4 (a) of title VI of the District of Columbia Income and Franchise Tax Act of 1947, as amended (sec. 47–1567b (b), D. C. Code, 1951, Supp. V), is amended by striking from said section the figure "$10,000" and inserting in lieu thereof the figure "$5,000."

SEC. 6. Subparagraph numbered "Second" of paragraph numbered 10 of section numbered 6 of the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903 and for other purposes," approved July 1, 1902 (32 Stat. 590, 620, ch. 1352) as amended (sec. 47–1208, D. C. Code, 1951, Supp. V), is amended by striking from said subparagraph the phrase in parentheses reading "(to the extent of the first $1,000 of their value)," and by inserting a comma after the word "boats" in said subparagraph.

SEC. 7. Subsection (b) of section 1 of title XIV of the District of Columbia Income and Franchise Tax Act of 1947, as amended (sec. 47–1591 (b), D. C. Code, 1951, Supp. V), is amended to read as follows:

"(b) Trade, business, or professional license: Every person, other than a corporation, who, as an individual, sole proprietor, partner, associate, or joint venturer shall, in the District of Columbia, engage in or conduct a trade, business, or profession which is excluded from the imposition of the District of Columbia tax on unincorporated businesses under the definition set forth in section 1 of title VIII of this article, shall file with the Assessor prior to December 1 of the calendar year 1957 and prior to December 1 of each calendar year thereafter, an application for a trade, business, or professional license, accompanied by a license fee of $25, which license, upon issuance, shall entitle such person to engage in or conduct a trade, business or profession in the District of Columbia during the next ensuing calendar year: *Provided*, That no license shall be required under this subsection to be obtained by any individual or sole proprietor engaging in or conducting a trade, business, or profession in the District of Columbia whose annual gross receipts from such trade, business, or profession in the District of Columbia were, during the prior calendar year, less than $5,000, and no partner, associate, or joint venturer shall be required to obtain a license where the annual gross receipts of the partnership, association, or joint venture in the District of Columbia were, during the prior calendar year, less than $5,000 and provided further that every person who, during any calendar year commences as an individual, sole proprietor, partner, associate, or joint venturer, to engage in or conduct a trade, business, or profession in the District of Columbia without having so engaged in the prior calendar year, shall, within 15 days after the date in said commencement year on which such trade, business, or profession attains gross receipts of $5,000, make application to the Assessor, accompanied by a license fee of $25, for the license required by this subsection for the calendar year during which the trade, business, or profession was commenced, and any person who, during the prior calendar year, although engaged in a trade, business or profession, did not attain gross receipts of $5,000, shall, within 15 days after the date within the calendar year on which such trade, business or profession attains gross receipts of $5,000, make application to the Assessor, accompanied by a license fee of $25, for the license required by this subsection for the calendar year during which the trade, business, or profession, attained gross receipts of $5,000.

"No license shall be required of any registered nurse or practical nurse for the purpose of engaging in or conducting a trade, business, or profession of registered nurse or practical nurse in the District of Columbia, and no officer or employee of the Government of the United States, or the government of the District of Columbia, and no individual in private or public employment who is compensated for services performed by him as an employee for his employer shall, for such employment, be required to obtain a license and, in the case of a partnership, association, or joint venture, no license shall be required of any partner, associate, or joint venturer who does not himself engage in or conduct the trade, business, or professional activities of the partnership, association, or joint venturer in the District of Columbia."

SEC. 8. The amendments made by sections 1, 2, 3, 4, and 5 of this act shall be applicable to taxable years beginning after December 31, 1956. The amendment made by section 6 of this act shall be effective on July 1 next following the date of approval of this act. The amendment made by section 7 of this act shall be applicable to the calendar year 1958 and subsequent calendar years.

Mr. McMILLAN. Mr. Speaker, the purpose of this legislation is to amend the District of Columbia Income and and Franchise Tax Act of 1947, as amended, so as to exclude social-security benefits, to provide additional exemptions for age and blindness. The legislation would also increase the exemption for the head of a family to $2,000 as provided under Federal law. The bill would further exclude from gross-income tax subject to tax disability payments to all Armed Forces personnel. Excuse from the personal property tax—boats used solely for pleasure purpose—in the District of Columbia.

The bill would also amend the law relating to the so-called $25 professional tax so as to exclude professional men who serve in the position under salary or whose gross income was less than $5,000 annually.

Another provision of the bill would be to change the option standard deduction from $500 applicable under District Law to $1,000, the same as the Federal income tax law.

The total loss in revenue to the District of Columbia under this legislation would be approximately $300,000.

Mr. HYDE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HYDE: Page 3, line 21, insert "(a)" immediately after "SEC. 3."

Page 4, after line 11, insert the following:

"(b) Section 2 (b) (2) of title III of the District of Columbia Income and Franchise Tax Act of 1947, as amended (D. C. Code, sec. 47–1557a (b)), is amended by adding at the end thereof the following new subparagraph:

"'(C) Government annuities: In addition to any amount excluded from gross income under any other provision of this paragraph, amounts not to exceed $1,200 received as a pension, annuity, or other retirement benefit, under the Civil Service Retirement Act, the act entitled "An act for the retirement of public-school teachers in the District of Columbia," approved January 15, 1920 (41 Stat. 387), as amended, the act entitled "An act for the retirement of public-school teachers in the District of Columbia," approved August 7, 1946 (60 Stat. 875), as amended, or section 12 of the act entitled "An act making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes," approved September 1, 1916 (39 Stat. 676), as amended.'"

Mr. HYDE. Mr. Speaker, this amendment would exempt from the District of Columbia income tax the first $1,200 of income received from Government pensions, annuities, and other retirement benefits, which would include policemen, firemen, and teachers. In other words, it would give the same exemption in the District of Columbia income-tax law on income from Government pensions as now prevails in the Federal income-tax laws.

The general purpose of the bill is to bring the District income-tax laws, as far as certain exemptions are concerned, in line with the Federal income tax, and certainly it seems to me that this is another Federal income-tax exemption which should apply also to the District of Columbia income-tax laws. I confess that we do not have the exact figures of how much this would increase the loss in revenue. I will say that I offered this amendment in the Committee on the District of Columbia but it was suggested that I offer it on the floor and that is the reason for my offering it here.

Mr. BROYHILL. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Virginia.

Mr. BROYHILL. Mr. Speaker, I should like to associate myself with the gentleman in the remarks he has made. I support his amendment. I believe that our colleague, the gentleman from Virginia [Mr. SMITH], did point out, as did the gentleman from Maryland also, that the main purpose of this bill is to bring it more into line with the Federal income-tax laws. Certainly the great Committee on Ways and Means and the Congress recognized that there was merit in giving those citizens who have to live on meager annuities some small additional tax relief. I believe, by the same token, we should provide that relief for the people of the District of Columbia who likewise have to live on meager annuities in a very high-cost area. I am hopeful that the Committee on Post Office and Civil Service will in the very near future take cognizance of this and do something about increasing those meager annuities.

Now one question. Maybe this is somewhat superfluous but generally, when we adopt legislation here affecting active employees, it does not affect those who are on retirement. Obviously, if this amendment is approved, the retirees, those already retired, will get the same exemption as those who retire in the future; is that correct?

Mr. HYDE. That is right. I thank the gentleman for his support. The District revenues were increased some $16 million by the income-tax law which has just been mentioned by previous speakers on this bill. The revenues realized from it, as I understand it, run well over $1 million more than expected.

This amendment, as I understand it, would not increase the loss in revenue to the District more than the amount which was collected in excess of the estimated amount.

Mr. WIER. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Minnesota.

Mr. WIER. Mr. Speaker, I want to congratulate not only the chairman of this subcommittee, our good friend, the gentleman from Virginia [Mr. SMITH], for initiating this legislation, but, also, I want to associate myself with my colleague on the District Committee, Mr. HYDE, for the amendment he has offered. I think, after years of experience, and after the passage of the income tax last year to raise certain revenues, we discovered there is room for improvement in this tax bill that we passed hurriedly last year. That improvement, of course, goes to those in the lower brackets in the community of the District. So I want to add my support to the gentleman from Virginia [Mr. SMITH] and the gentleman from Maryland [Mr. HYDE] on the bill and the amendment which has been offered by the gentleman from Maryland.

Mr. SMITH of Virginia. Mr. Speaker, I rise in opposition to the amendment. Let me say, Mr. Speaker, that getting all the kinks out of a tax bill is not the easiest task in the world.

I see my friend, the gentleman from Minnesota [Mr. O'HARA] over there. He and I labored for months on this income tax bill for the District of Columbia. We placed quite a burden on the people of the District of Columbia. I remember, for instance, that before we passed this bill every citizen of the District of Columbia had an exemption of $4,000; something I think unheard of any other place. That exemption resulted before he was compelled to pay any income tax. We reduced that exemption to $1,000.

The amendment which the gentleman refers to may have merit, but it does so happen that this bill did not include that amendment. There may be other amendments which, upon study, may be found to have merit. The matter was brought up hastily in the committee. Commissioner Karrick was present and testified. He advised us that this matter had just come to his attention, that he had no idea what it would cost in the way of loss of tax revenue and until he could study it and make some recommendation to the committee, he would like it deferred. Somebody along the line has to protect the Treasury. We who are on this committee and we who have studied this thing and devised this kind of taxation are doing the best we can to be fair to everybody.

I think it would be a great mistake for us to just up and offhand, without knowing anything about the results of our action, say, "Yes, we will allow you this. We don't know what it will cost and we don't much care."

Mr. O'HARA of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. O'HARA of Minnesota. I wonder if the great State of Maryland or Virginia has such an exemption as this.

Mr. SMITH of Virginia. I am not aware because I am trying to legislate for the District of Columbia at the moment.

Mr. BROYHILL. I might say to the gentleman that no, the State of Virginia does not have such a provision now, but all the candidates for the House of Delegates are promising that in their campaign now.

Mr. SMITH of Virginia. Of course they are approaching an election.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was rejected.

Mr. GROSS. Mr. Speaker, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I should like to ask someone the meaning of these words in the title of the bill: "to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes."

I wonder why pleasure boats are being exempted from taxation.

Mr. SMITH of Virginia. Does the gentleman desire me to answer?

Mr. GROSS. Yes.

Mr. SMITH of Virginia. That puzzled me a little bit, too, and it is a peculiar situation, but this is what happened. It seems that the owners of these boats naturally trade with District merchants and bring in a sales tax and other kinds of taxes. They have gotten into the habit, so they tell me, and that was the evidence before the committee, of moving down to Annapolis, so that the District loses the revenue that would otherwise be derived indirectly from the fact that the boats were anchored here, that would bring other benefits and other trade and other revenue to the District government. I am told that the total amount of the tax is negligible. That is the best explanation I can make.

Mr. GROSS. What type of boats are exempted?

Mr. SMITH of Virginia. Pleasure boats.

Mr. GROSS. I mean what length or draft; what is the specification for a pleasure boat for tax purposes, or is there any?

Mr. SMITH of Virginia. I am not a sailor, and I do not know how long these boats are.

Mr. GROSS. There are some large pleasure boats parked in the river along Maine Avenue.

Mr. SMITH of Virginia. Let me say to the gentleman in further answer that the amount of revenue derived from all of them put together is only about $14,000.

Mr. GROSS. Well, that helps some.

On page 8 of the report appears this language:

> Income exempt under treaty: Income of any kind to the extent required by any treaty obligation of the United States.

Is my understanding correct that some foreign countries own revenue-producing property in the District of Columbia? I am just asking for information. Do some foreign countries own revenue-producing property in the District of Columbia?

Mr. SMITH of Virginia. I am not competent to answer the gentleman's question.

Mr. GROSS. Does anyone else know, and if so, are they exempt from taxation in the District of Columbia?

Mr. SMITH of Virginia. If I may try to straighten this question out. I was not sure what the gentleman was talking about. What the gentleman has reference to is on page 8 of the report, which is merely a reprint of an existing law under the Ramseyer rule, which is not changed by this law, and therefore has nothing to do with what is taking place under this bill.

Mr. GROSS. I would still like some information as to how much property, if any, various foreign countries own in the District of Columbia accumulating rents therefrom and, perhaps, being exempt from taxation. I do not know and I want to find out because we are doing a pretty good job of subsidizing foreign countries in many other ways.

Mr. O'HARA of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. O'HARA of Minnesota. I will try to answer the gentleman's question. Of course, the embassies and other such official buildings under the jurisdiction of the foreign governments are exempt here from taxation. But, I do not know whether any foreign government owns any income-producing property. If they do, I do not know anything about it, I will say that much to the gentleman. But, as I said, of course, the embassies are exempt.

Mr. GROSS. I understand that, but I wonder if they own any apartment houses and property of that description from which they derive rents and perhaps are exempt from taxation.

Mr. O'HARA of Minnesota. None that I know of.

Mr. HYDE. I will be glad to try to answer the gentleman's question. I will say to the gentleman from Iowa, I know of some property here in the District which is owned by some foreign countries which are revenue producing, but they pay taxes on it.

The pro forma amendments were withdrawn.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

METROPOLITAN POLICE FORCE, FIRE DEPARTMENT, UNITED STATES PARK POLICE FORCE

Mr. McMILLAN. Mr. Speaker, I yield to the gentleman from Georgia [Mr. DAVIS], chairman of the Subcommittee on Police, Fire, Streets, and Traffic of the Committee on the District of Columbia.

Mr. DAVIS of Georgia. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 6517) to provide for the retirement of officers and members of the Metropolitan Police force, the Fire De-

partment of the District of Columbia, the United States Park Police force, the White House Police force, and of certain officers and members of the United States Secret Service, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

Mr. O'HARA of Minnesota. Mr. Speaker, reserving the right to object, would the gentleman explain the bill and then yield to me later for some questions?

Mr. DAVIS of Georgia. I will be glad to follow the suggestion of the distinguished gentleman from Minnesota.

The purpose of this bill is to completely overhaul the police and fire pension system, the beneficial effects of which remained substantially unchanged since 1916, and to give to the members coming under its benefits substantially similar benefits given by the Civil Service Retirement Act amendments of 1956. Further, it is the intent of the bill to prevent the loss of any benefits under existing legislation.

PRINCIPAL PROVISIONS OF THE BILL

(a) The rate of contribution by members is increased from 5 percent to 6½ percent.

(b) After 20 years of police or fire service and attaining age 50, it provides credit for prior Federal and District government service in computing total service for pension eligibility. It also provides a credit for military service, except where such military service was subject to social-security deductions.

(c) It provides for non-service-connected disability benefits after 5 years of police and fire service. Lack of such a provision is one of the glaring inequalities in the present law.

(d) Provides for disability benefits for service-connected injuries from a permissible maximum of 50 percent to a minimum of 66⅔ percent with a maximum of 70 percent contingent upon the required service which would determine such eligibility. This provision was the result of an attempt to equalize benefits arising from the Federal Employees Compensation Act available to civilian employees of the Federal and District governments, but heretofore denied police and firemen.

(e) Provides that the minimum age to which a policeman or fireman may be eligible to retire after 20 years of police or fire service shall be age 50. This provision is identical with the minimum age at which Federal law-enforcement officers may retire under the provisions of Public Law 854—Civil Service Retirement Amendments of 1956—84th Congress. Language is also provided for the suspension of the right of a member to retire at age 50 after 20 years of service when the Commissioners of the District of Columbia determine the existence of an emergency which places the public safety in jeopardy. However, the Commissioners, the Chiefs of the White House Police force, United States Park Police force, or the United States Secret Service Division may individually determine in such a situation whether to suspend the rights of eligible members subject to their respective jurisdictions to retire. The purpose of this proviso is to place responsibility in one body only for determining the existence of an emergency. Flexibility is provided by permitting the chief of the respective service to determine individually whether the mission of his service would be materially affected unless such retirement privilege were suspended for the duration of the emergency.

Provision is also made for police or fire service to be given retirement credit at 3 percent for each year of service in excess of 20, but not to exceed a total service of 30 years. On this basis, a possible maximum pension of 70 percent may be achieved over a 30-year career.

(f) Provides for an increase of survivors' benefits available to widows and children and includes a provision for dependent widowers which parallels a like provision in the Civil Service Retirement Act Amendments of 1956.

(g) A further provision specifically excludes any employee covered by the provisions contained in this bill from being eligible for any benefits of the Federal Employees Compensation Act. This provision has for its purpose clarification of any doubtful or questionable areas which might later be the subject of interpretation unless made clear by substantive legislation.

COST

The District of Columbia government will realize a substantial saving for the first few years, due to the increased retent from 5 percent to 6½ percent.

The expenses for the next few years will be offset by the accrued savings of the initial period, thus it will be many years before the District government has any actual increased expense.

At public hearing held by the Police, Firemen, Streets, and Traffic Subcommittee of the House District Committee on April 30 and again on May 3, 1957, the president of the Board of Commissioners, the Chief of the Metropolitan Police Department, the head of the White House Police Department, the Acting Chief of the United States Park Police, Hon. George L. Hart, chairman of the Law Enforcement Council of the District of Columbia and many other individuals and organizations appeared in support of this legislation.

The Commissioners did not agree with this one provision to which I have already called attention and that is for the 10 years of service following the first 20 years of service the percentage shall be 3 percent. They objected to that. The subcommittee gave careful hearing and consideration to their objections and concluded for reasons which I will go into later on that the bill should contain this provision. Substantially, I believe that covers the principal provisions of the bill.

Mr. O'HARA of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Minnesota.

Mr. O'HARA of Minnesota. I want to ask several questions, the first one of which is, How much is the employee going to pay in? As I understand it, that is increased from 5 to 6½ percent?

Mr. DAVIS of Georgia. Yes.

Mr. O'HARA of Minnesota. That is the standard payment that is made by the general civil-service employees?

Mr. DAVIS of Georgia. Yes, that is correct.

Mr. O'HARA of Minnesota. What does the Federal Government pay in with reference to the civil-service employees? It pays in 6½ percent?

Mr. DAVIS of Georgia. As the gentleman knows, the payments have been somewhat irregular during the past 5 or 6 years. In some years the Federal Government contributes and in some years it does not.

Mr. O'HARA of Minnesota. It is my understanding that in the case of the general civil-service employees, the employer pays in 6½ percent and the employee pays in 6½ percent.

Mr. DAVIS of Georgia. That is the theory if the Government pays in every year, but it has not paid in every year.

Mr. O'HARA of Minnesota. Is it not true that the District government under this bill will be compelled over the years to average 39.02 percent instead of the 6½ percent paid in by the Government theoretically for the general civil-service employees? The District government will have to pay in 39 percent?

Mr. DAVIS of Georgia. That is covered in the report, I believe.

Mr. BROYHILL. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Virginia.

Mr. BROYHILL. Under the present law, the District of Columbia government has to pay 33.2 percent. Insofar as the civil-service system is concerned, the Federal Government pays 18½ percent for the law-enforcement men.

Mr. O'HARA of Minnesota. Those are new figures and I am glad to have the gentleman give them. I have not heard them before. Let me ask the gentleman this question: Are the Capitol Police included in this bill?

Mr. DAVIS of Georgia. No; the Capitol Police are not included in this bill.

Mr. O'HARA of Minnesota. Why are the Park Police and the Secret Service people included as an obligation on the part of the District of Columbia?

Mr. DAVIS of Georgia. Because that is the method under which they have been employed and under which they have worked.

Mr. O'HARA of Minnesota. They are Government employees; they are not District government employees.

Mr. DAVIS of Georgia. That is true; however, many of the Park Police, and they testified in the hearings as to the percentage of them, operate within the District of Columbia. Many of them serve here in the District of Columbia. I believe that the percentage who serve inside the District is 45 percent and those who service outside the District 55 percent.

Mr. O'HARA of Minnesota. The Park Police are scattered all over this country. Now, you pick up a few of the Park Police here in the District of Columbia, who are hired by the Federal Government, and impose them for this purpose

on the District of Columbia, as you do the Secret Service people.

Mr. DAVIS of Georgia. No. They serve here in the District, and the District Committee and the District of Columbia have always handled this, and this bill makes no change in that respect. This bill deals only with the retirement of these Park Police, the Secret Service Police, and the White House Police.

Mr. O'HARA of Minnesota. Who is going to pay the retirement fund?

Mr. DAVIS of Georgia. The District of Columbia will get reimbursement for the proportionate part which should be reimbursed to the District from the Federal Government and from these other agencies which are involved.

I call the attention of the gentleman to the testimony of Commissioner McLaughlin on page 15 of the hearings. He states:

> Section 6 authorizes reimbursement to the District of Columbia from Federal funds for excess amounts paid by the District of Columbia as benefits to such members of the United States Park Police who are paid from Federal funds, to members of the White House Police force, and to such members of the United States Secret Service Division as are entitled to the benefits of both bills to the extent that such payments are in excess of the deductions from salaries of such persons. This provision is similar to one which has been in effect since 1951 in respect to members of the White House Police force and the Secret Service Division.

I would say also to the gentleman that there are no Park Police involved in this except those who serve here in the District of Columbia and in the metropolitan area.

Mr. O'HARA of Minnesota. Of course, you are giving under this bill considerably greater retirement benefits to those that you are picking up, then, than you are to the other Federal employees; is that not true?

Mr. DAVIS of Georgia. Of course, these benefits, it is obvious on the face of it, are greater than those which are given to a stenographer or clerk or other civil-service employee in the Federal Government. But, they are equal insofar as the age limit and those features are concerned to the benefits which are given to the FBI, to the employees of the penitentiary system, except that in this bill the percentage for the 10 years after 20 years service, from 20 to 30 years service, is 3 percent instead of 2 percent, and in the long run that will not be any advantage over the FBI and the penitentiary employees, for this reason, that in this bill the maximum amount which they can receive, that is, the police and firemen, is 70 percent of their basic salary whereas the FBI can receive 80 percent, and every employee in the Federal Government can receive 80 percent.

Mr. O'HARA of Minnesota. The gentleman admits, though, that they have an optional retirement at 50 years under this bill.

Mr. DAVIS of Georgia. That is true.

Mr. O'HARA of Minnesota. Now, you certainly do not extend that across the board to the other Government employees, do you?

Mr. DAVIS of Georgia. No.

Mr. O'HARA of Minnesota. That will follow up this bill, is that not the situation?

Mr. DAVIS of Georgia. That is true. But, the reason for that is that the Chief of Police and everyone who keeps up with law enforcement here knows that it is most difficult to recruit police up to the authorized strength. For instance, the authorized strength now in the Metropolitan Police force is 2,500, and although that has been the authorized strength for something like 2 years, today the actual strength of the Metropolitan Police force is 2,298. They are short 202 policemen of being up to the authorized strength. This is an incentive, and they said that this incentive is sorely needed in order to bring the actual strength of the police force up to the authorized strength.

Mr. O'HARA of Minnesota. The concern that I have about this bill is this: If it passes and the cost is imposed—and like legislation, of course, is going to be asked for the rest of the Government employees—I want to say to the gentleman that it is going to increase the Government cost for all of the Government employees about $1.2 billion a year. Now, we better be fair about this. If we are going to pass this bill, it is going to cost the Federal Government more money and it is going to cost the District of Columbia government more money.

Mr. DAVIS of Georgia. I will give the gentleman the figures on the costs. They are shown on page 4 of the committee report. They are shown there in detail; the cost from the first year up to the 20th year and on.

For the first year there would be no cost whatsoever. The Government will make $455,145 on the deal.

Mr. O'HARA of Minnesota. I do not see how they figure that, because somebody is going to retire.

Mr. DAVIS of Georgia. Here is the way they figure it. The increase in contribution from 5 percent to 6½ percent will put this extra money into the Treasury.

Mr. O'HARA of Minnesota. Mr. Speaker, will the gentleman yield at that point?

Mr. DAVIS of Georgia. I yield.

Mr. O'HARA of Minnesota. It is my understanding that the Civil Service Commission and the Budget have computed that this bill, overall, will cost an average of 39 percent over the lifetime of the legislation; that is, 39 percent per year to the District government. I hope there is no dispute about that because I understand those figures are not disputed.

Mr. DAVIS of Georgia. I think the gentleman from Virginia gave the answer to that a moment ago when he said that the present cost is 33 percent plus. Of course, when you increase retirement naturally there will have to be an increase in the cost of it. And it should not all fall on the employee and in this bill it will not. But in the 20th year of the operation of the law with this amendment, the additional cost, for all of the firemen and all of the policemen, will be $1,074,785. Let me add this to that; that there is only a difference of $126,000 per year if the 10-year period involved should be at 2 percent as contrasted to 3 percent. That was brought out in the hearings. That is the only difference between this bill and the bill which has the wholehearted and unconditional approval of the Commissioners.

Mr. O'HARA of Minnesota. If the gentleman will yield further, why were the Capitol Police left out of this bill?

Mr. DAVIS of Georgia. They do not draw their retirement under this system. They are not employees of the District. As I understand it, they come under the legislative branch.

Mr. O'HARA of Minnesota. You take care of the Park Police and the Secret Service; why could they not have been taken care of here?

Mr. DAVIS of Georgia. That has been the law for many more years than I have been here, I will say to the gentleman.

Mr. O'HARA of Minnesota. Who else is left out of this bill besides the Capitol Police? Are there any other policemen up here?

Mr. DAVIS of Georgia. They are not left out; they have never been in the District of Columbia retirement system. They have not been left out. They are where they have been all the time.

Mr. O'HARA of Minnesota. Are they not subject to the same hazards as the average policeman, to some degree at least?

Mr. DAVIS of Georgia. I would not say yea or nay. I would say probably they are when a bill comes up for them, I think that would be the time to take it up and certainly not now, because they are not involved in this bill.

Mr. O'HARA of Minnesota. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That this act be cited as the Policemen and Firemen's Retirement and Disability Act Amendments of 1957.

SEC. 2. It is the intent of Congress in enacting the Policemen and Firemen's Retirement and Disability Act of 1957 to give the members coming under such act benefits substantially similar to benefits given by the Civil Service Retirement Act Amendments of 1956 to officers and employees covered by the Civil Service Retirement Act of May 29, 1930, as amended.

SEC. 3. Section 12 of the act approved September 1, 1916 (39 Stat. 718), as amended, is amended to read as follows:

"DEFINITIONS

"SEC. 12. (a) Wherever used in this section—

"(1) The term 'member' means any officer or member of the Metropolitan Police force, of the Fire Department of the District of Columbia, of the United States Park Police force, of the White House Police force, and any officer or member of the United States Secret Service Division to whom this section shall apply.

"(2) The terms 'disabled' and 'disability' mean disabled for useful and efficient service in the grade or class of position last occupied by the member by reason of disease or injury, not due to vicious habits or

intemperance as determined by the Board of Police and Fire Surgeons, or willful misconduct on his part as determined by the Commissioners.

"(3) The term 'widow' means the surviving wife of a member who was married to such individual while he was a member.

"(4) The term 'widower' means the surviving husband of a member who was married to such individual while she was a member.

"(5) The term 'child' means an unmarried child, including (a) an adopted child, and (b) a stepchild or recognized natural child who received more than one-half his support from the member in a regular parent-child relationship, under the age of 18 years, or such unmarried child regardless of age who, because of physical or mental disability incurred before the age of 18, is incapable of self-support.

"(6) The term 'basic salary' means regular salary established by law or regulation including any differential for special occupational assignment but shall not include overtime, holiday, or military pay.

"(7) The term 'annuitant' means any former member who, on the basis of his service, has met all requirements of this section for title to annuity and has filed claim therefor.

"(8) The term 'survivor' means a person who is entitled to annuity under this section based on the service of a deceased member or of a deceased annuitant.

"(9) The term 'survivor annuitant' means a survivor who has filed claim for annuity.

"(10) The term 'police or fire service' means all honorable service in the Metropolitan Police Department, White House Police Force, Fire Department of the District of Columbia, the United States Park Police Force, and the United States Secret Service Division coming under the provisions of this act.

"(11) The term 'military service' means honorable active service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States, but shall not include service in the National Guard except when ordered to active duty in the service of the United States.

"(12) The term 'Commissioners' means the Commissioners of the District of Columbia or their designated agent or agents.

"(13) The term 'service' means employment which is creditable under subsection (c).

"(14) The term 'Government' means the executive, judicial, and legislative branches of the United States Government, including Government-owned or controlled corporations and Gallaudet College, and the municipal government of the District of Columbia.

"(15) The term 'Government service' means honorable active service in the executive, judicial, or legislative branches of the United States Government, including Government-owned or controlled corporations and Gallaudet College, and the municipal government of the District of Columbia, and for which retirement deductions, other than social security deductions, were made.

"(16) The term 'department' means any part of the executive branch of the United States Government, or any part of the government of the District of Columbia whose members come under this section.

"UNITED STATES SECRET SERVICE DIVISION

"(b) Whenever any member of the United States Secret Service Division has actively performed duties other than clerical for ten years or more directly related to the protection of the President, such member shall be authorized to transfer all funds to his credit in the Civil Service Retirement and Disability Fund created by the act of May 22, 1920, to the general revenues of the District of Columbia and after the transfer of such funds the salary of such member shall be subject to the same deductions for credit to the general revenues of the District of Columbia as the deductions from salaries of other members under this section, and he shall be entitled to the same benefits as the other members to whom this section applies.

"CREDITABLE SERVICE

"(c) (1) A member's service for the purposes of this section shall mean all police or fire service and such military and Government service as is authorized by this section prior to the date of separation upon which title to annuity is based.

"(2) Each member shall be allowed credit for periods of military service served prior to the date of the separation upon which the annuity is based; however, if a member is awarded retired pay on account of military service, such military service shall not be included, unless such retired pay is awarded on account of a service-connected disability (a) incurred in combat with an enemy of the United States or (b) caused by an instrumentality of war and incurred in line of duty during an enlistment or employment as provided in Veterans' Regulation No. 1 (a), part I, paragraph I, or is awarded under title III of Public Law 810, 80th Congress. Nothing in this section shall affect the rights of members to retired pay, pension, or compensation in addition to the annuity herein provided.

"(3) Credit shall be allowed for leaves of absence granted a member while performing military service, excluding from credit so much of any other leaves of absence without pay as may exceed 6 months in the aggregate in any calendar year.

"(4) A member who, during any war or national emergency as proclaimed by the President or declared by the Congress, has left or leaves his position to enter the military service shall not be considered, for the purposes of this section, as separated from his position by reason of such military service, unless he shall apply for and receive his salary deductions: *Provided*, That such member shall not be considered as retaining such position beyond December 31, 1957, or the expiration of 5 years of such military service, whichever is later.

"(5) Each member shall be allowed credit for Government service performed prior to appointment in any of the departments mentioned in paragraph (1), subsection (a) of this section: *Provided*, That such member deposits with the Collector of Taxes of the District of Columbia, for credit to the revenues of the District of Columbia, a sum equal to the entire amount including interest, if any, refunded to him for such period of Government service: *Provided, further*, That if such member so elects he shall deposit with the Collector of Taxes of the District of Columbia, the total amount of such refund in equal monthly installments not exceeding 24.

"(6) The total service of a member shall be the full years and 12th parts thereof, excluding from the aggregate any fractional part of a month.

"DEDUCTIONS, DEPOSITS, AND REFUNDS

"(d) (1) From and after the first day of the first pay period which begins on or after the effective date of this amendatory section, there shall be deducted and withheld from each member's basic salary an amount equal to 6½ percent of such basic salary. Such deductions and withholdings shall be paid to the Collector of Taxes of the District of Columbia, and shall be deposited in the Treasury to the credit of the District of Columbia.

"(2) Any member coming under the provisions of this section who is separated from his department, except for retirement as authorized by this section, shall be refunded the amount of the deductions made from his salary under this section. The receipt of payment of such deductions by such member shall void all annuity rights under this section, unless and until such member shall be reappointed to any department whose members come under this section. If such officer or member is subsequently reappointed to any department whose members come under this section, he shall be required to redeposit the amount of deductions so refunded to him.

"(3) In order to facilitate the settlement of the accounts of each member coming under the provisions of this section who dies prior to retirement leaving no survivor entitled to receive an annuity under the provisions of this section, the Commissioners shall pay all deductions for retirement made from the salary of such deceased member to the person or persons surviving at the time of death, in the following order of precedence, and such payment shall be a bar to recovery by any other person of amounts so paid:

"First, to the beneficiary or beneficiaries designated in writing by such member, filed with the Commissioners and received by them prior to the death of such member;

"Second, if there be no such beneficiary, to the child or children of such deceased member and the descendants of deceased children by representation;

"Third, if there be none of the above, to the parents of such member, or the survivor of them;

"Fourth, if there be none of the above, to the duly appointed legal representative of the estate of the deceased member, or if there be none to the person or persons determined to be entitled thereto under the laws of the domicile of the deceased member.

"MEDICAL AND HOSPITAL SERVICE

"(e) Whenever any member shall become temporarily disabled by injury received or disease contracted in the performance of duty, to such an extent as to require medical or surgical services, other than such as can be rendered by the Commissioners, or to require hospital treatment, the expense of such medical or surgical services, or hospital treatment, shall be paid by the District of Columbia; but no such expense shall be paid except upon a certificate of the Commissioners setting forth the necessity for such services or treatment and the nature of the injury or disease which rendered the same necessary.

"RETIREMENT FOR DISABILITY NOT INCURRED IN PERFORMANCE OF DUTY

"(f) Whenever any member coming under this section completes 5 years of police or fire service and is found by the Commissioners to have become disabled due to injury received or disease contracted other than in the performance of duty, which disability precludes further service with his department, such member shall be retired on an annuity computed at the rate of 2 percent of his basic salary at the time of retirement for each year or portion thereof of his service: *Provided*, That such annuity shall not exceed 70 percent of his basic salary at time of retirement: *Provided further*, That the annuity of a member retiring under this subsection shall be at least 40 percent of his basic salary at time of retirement.

"RETIREMENT FOR DISABILITY INCURRED WHILE PERFORMING DUTY

"(g) Whenever any member is injured or contracts a disease in the performance of duty or such injury or disease is aggravated by such duty at any time after appointment and such injury or disease or aggravation permanently disables him for the performance of duty, he shall upon retirement for such disability, receive an annuity computed at the rate of 2 percent of his basic salary at the time of retirement for each year or portion thereof of his service: *Provided*, That such annuity shall not exceed 70 percent

of his basic salary at the time of retirement, nor shall it be less than 66⅔ percent of his basic salary at the time of retirement.

"OPTIONAL RETIREMENT

"(h) (1) Any member who completes 20 years of police or fire service may, after giving at least 60 days' written advance notice to his department head stating his intention to retire and stating the date on which he will retire, voluntarily retire from the service and shall be entitled to an annuity computed at the rate of 2 percent of his basic salary at the time of his retirement for each year of service; except that the rate of 3 percent of his basic salary at time of retirement shall be used to compute each year's police or fire service in excess of 20 years: *Provided*, That such notice requirement may be waived by the department head when, in his opinion, circumstances justify such waiver: *Provided further*, That whenever the Commissioners or the Chief of the White House Police force, or the Chief of the United States Park Police force, or the Chief of the United States Secret Service Division shall determine that there exists an emergency which is likely to endanger the safety of the public and that the public safety cannot be adequately protected except by suspending the retirement provisions of this paragraph (1), then the Commissioners or any of said Chiefs shall be authorized to suspend the retirement provisions of this paragraph (1) in any one or more of the departments under their respective jurisdictions until such time as, in the opinion of the Commissioners or any of said Chiefs, respectively, public safety can be adequately protected without such suspension.

"(2) Any member of the Metropolitan Police force or of the Fire Department of the District of Columbia having reached the age of 60 years shall, in the discretion of the Commissioners, and any member of the White House Police force or of the United States Park Police force or of the United States Secret Service Division to whom this section applies shall, in the discretion of the head of his department, be retired from the service and shall be entitled to receive an annuity as computed in subsection (h), paragraph (1).

"(3) No annuity granted under paragraph (1) or (2) of this subsection (h) shall exceed 70 percent of the basic salary of such member at the time of retirement.

"INVOLUNTARY SEPARATION FROM SERVICE

"(i) If any member is injured or contracts a disease during his first 5 years of service in his department which, in the judgment of the Board of Police and Fire Surgeons, disables him from performing further duty in his department, and if the Police and Firemen's Retiring and Relief Board finds that such injury or disease was not incurred in the performance of duty in his department, such member shall, upon the approval of such finding by the head of his department, and without regard for the provisions of any other law or regulation, be separated from the service.

"RECOVERY FROM DISABILITY OR RESTORATION TO EARNING CAPACITY

"(j) (1) If any annuitant retired under subsection (f) or (g), before reaching the age of 55, recovers from his disability or is restored to an earning capacity fairly comparable to the current rate of compensation of the position occupied at the time of retirement, payment of the annuity shall cease (1) upon reemployment in the department from which he was retired, (2) 1 year from the date of the medical examination showing such recovery, or (3) 1 year from the date of determination that he is so restored, whichever is earliest. Earning capacity shall be deemed restored if in each of two succeeding calendar years the income of the annuitant from wages or self-employment or both shall be equal to at least 80 percent of the current rate of compensation of the position occupied immediately prior to retirement. Nothing in this subsection shall preclude such member from having an annuity reestablished if his disability recurs, or when his earning capacity is less than 80 percent of the rate of compensation of the position occupied immediately prior to retirement for any full year thereafter: *Provided*, That whenever any member is reinstated with his respective department it shall be at the same grade or rank held by the member at the time of his retirement.

"(2) When an annuitant recovers prior to age 55 from a disabling condition for which he has been retired, and applies for reinstatement in the department from which he was retired, he shall be reinstated in the same or nearest equivalent grade and salary available as that received at the time of his separation from the service: *Provided*, That such applicant meets the current entrance requirements of such department as to character.

"SURVIVOR ANNUITIES

"(k) (1) In case of the death of any member before retirement, or of any former member after retirement, leaving a wife or husband, such wife or husband shall be entitled to receive an annuity in the greater amount of (1) $1,800, or (2) 30 percent of such member's basic salary at the time of death, or 30 percent of the basis upon which the annuity, relief, or retirement compensation being received by such former member at the time of death was computed. Such annuity shall begin on the first day of the month in which the member or former member dies, and such annuity or any right thereto shall terminate upon the survivor's death or remarriage. If such member or former member is survived by a wife or husband, each surviving child shall be entitled to receive an annuity equal to the smallest of (1) 40 percent of such member's basic salary at the time of death, or 40 percent of the basis upon which the annuity, relief, or retirement compensation being received by such former member at the time of death was computed, divided by the number of children, (2) $600; or (3) $1,800 divided by the number of children. If such member or former member is not survived by a wife or husband, each surviving child shall be paid an annuity equal to the smallest of (1) 50 percent of the member's basic salary at the time of death, or 50 percent of the basis upon which the annuity, relief, or retirement compensation being received by such former member at the time of death was computed, divided by the number of children, (2) $720; or (3) $2,160 divided by the number of children. The annuity of any child under this subsection shall begin on the first day of the month in which the member or former member dies, and such annuity or any right thereto shall terminate upon (1) his attaining age 18, unless incapable of self-support, (2) his becoming capable of self-support after age 18, (3) his marriage, or (4) his death.

"(2) Upon the death of the surviving wife or husband or termination of the annuity of a child, the annuity of any other child or children shall be recomputed and paid as though such wife, husband, or child had not survived the member or former member.

"(3) Any member retiring under subsection (f), (g), or (h) of this section, may, at the time of such retirement, elect to receive a reduced annuity in lieu of the full annuity, and designate in writing the person to receive an increased annuity after the retired annuitant's death: *Provided*, That the person so designated be the surviving spouse or child of the retiring member. Whenever such an election is made, the annuity of the designee shall be increased by an amount equal to the amount by which the annuity of such retiring member is reduced. The annuity payable to the member making such election shall be reduced by 10 percent of the annuity computed as provided in subsection (f), (g), or (h). Such increase in annuity payable to the designee shall be reduced by 5 percent for each full 5 years the designee is younger than the retiring member, but such total reduction shall not exceed 40 percent. The increase in annuity payable to the designee pursuant to this paragraph (3) shall be paid in addition to the annuity provided for such designee pursuant to paragraph (1) or (2) of this subsection and shall be subject to the same limitations as to duration and other conditions as the annuity paid pursuant to such paragraphs (1) and (2).

"FUNERAL EXPENSES

"(l) The Commissioners are authorized to pay a sum not exceeding $300 in any one case to defray the funeral expenses of any deceased member dying while in the service thereof.

"DUTIES OF COMMISSIONERS IN RETIREMENT AND ANNUITY MATTERS

"(m) The Commissioners shall consider all cases for the retirement of members and all applications for annuities under this section. In each case of retirement of a member the Commissioners shall certify in writing the physical condition of the member for whom retirement is sought. The Commissioners shall give written notice to any member under consideration by them for retirement to appear before them and to give evidence under oath. The proceedings before the Commissioners involving the retirement of any member, or any application for an annuity under this section, shall be reduced to writing and shall show the date of appointment of such member, his age, his record in the service, and any other information which may be pertinent to the matter of such retirement or annuity. The Commissioners are authorized to administer oaths and affirmations, may require by subpena or otherwise the attendance and testimony of witnesses and the production of documents at any designated place. In the event of contumacy or refusal to obey any such subpena or requirement under this subsection, the Commissioners may apply to the municipal court for the District of Columbia for an order requiring obedience thereto. Thereupon the court, with or without notice and hearing, as it in its discretion may decide, shall make such order as is proper and may punish as a contempt any failure to comply with such order in accordance with the provisions of subsection (c), section 5, of the act of April 1, 1942 (56 Stat. 193, ch. 207; sec. 11–756 (c), D. C. Code, 1951 edition).

"PAYMENT OF ANNUITIES

"(n) (1) Each annuity is stated as an annual amount, one-twelfth of which, fixed at the nearest dollar, accrues monthly and is payable on the first business day of the month after it accrues.

"(2) Any person entitled to an annuity under this section may decline to accept all or any part of such annuity by a waiver signed and filed with the Commissioners. Such waiver may be revoked in writing at any time, but no payment of the annuity waived shall be made covering the period during which such waiver was in effect.

"(3) In order to facilitate the settlement of the accounts of each person who, at the time of his death, was receiving or was entitled to receive, an annuity under this section, the Commissioners shall pay all unpaid annuity due such person at the time of death to the person or persons surviving at the date of death, in the following order of precedence, and such payment shall be a

bar to recovery by any other person of amounts so paid:

"First, to the widow or widower of such person;

"Second, if there be no surviving spouse, to the child or children of such person, and descendants of deceased children, by representation;

"Third, if there be none of the above, to the parents of such person or the survivor of them;

"Fourth, if there be none of the above, to the duly appointed legal representative of the estate of the deceased person, or if there be none, to the person or persons determined to be entitled thereto under the laws of the domicile of the deceased person.

"DELEGATION OF FUNCTIONS

"(o) The Commissioners are hereby vested with full power and authority to delegate from time to time to their designated agent or agents any of the functions vested in them by this section.

"REGULATIONS

"(p) The Commissioners are authorized to promulgate such rules and regulations as they may deem necessary to carry out the purposes of this section.

"REORGANIZATION

"(q) Where any provision of this section refers to an office or agency abolished by Reorganization Plan No. 5 of 1952 (66 Stat. 824), such reference shall be deemed to be to the office, agency, or officer now or hereafter exercising the functions of the office or agency so abolished. Nothing contained in this section shall be construed as a limitation on the authority vested in the Commissioners by Reorganization Plan No. 5 of 1952."

NO REDUCTION IN PRESENT RELIEF

SEC. 4. Nothing in this act shall be deemed to reduce in the relief or retirement compensation to which any person is entitled on the effective date of this act and the rights of such members and their survivors shall continue in the same manner and to the same extent as if this act had not been enacted.

REPEALS

SEC. 5. The following acts and parts of acts are hereby repealed:

(1) The paragraph under the heading "Police and Firemen's Fund" in the act entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes," approved June 7, 1924 (43 Stat. 539);

(2) Section 5 of the act entitled "An act to fix the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia," approved June 1, 1930 (46 Stat. 839);

(3) Section 7 of the act entitled "An act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the Fire Department of the District of Columbia," approved May 27, 1924 (43 Stat. 176);

(4) The act entitled "An act to permit retired policemen and firemen of the District of Columbia to waive all or part of their relief or retirement compensation," approved August 31, 1954 (68 Stat. 1044).

REIMBURSEMENT TO DISTRICT OF COLUMBIA

SEC. 6. There are hereby authorized to be appropriated from revenues of the United States such sums as are necessary to reimburse the District Columbia, on a monthly basis, for benefit payments made from revenues of the District Columbia to or for Federal employees and to or for the surviving children and spouse of such Federal employees under the provisions of the Policemen and Firemen's Retirement and Disability Act, to the extent that such benefit payments exceed the deductions from the salaries of Federal employees for credit to the revenues of the District of Columbia. For the purpose of this section, (a) the term "benefit payments" includes relief, retirement compensation, pensions, and annuities and medical, surgical, hospital, and funeral expenses, and (b) the term "Federal employees" means and includes such members of the United States Park Police force as are paid from funds of the United States, members of the White House Police force and such members of the United States Secret Service Division as have or may hereafter become entitled to benefits under the Policemen and Firemen's Retirement and Disability Act.

EFFECTIVE DATE

SEC. 7. This act shall take effect on the first day of the first month which begins more than 30 days after the date of approval of this act.

With the following committee amendments:

On page 1, line 6, after the word "Act", insert the word "Amendments."

On page 2, line 25, after the word "term", strike the word "'widower'" and insert in lieu thereof "'dependent widower.'"

On page 3, line 2, after the word "member", insert the following: ", and who is incapable of self-support by reason of mental or physical disability, and who received more than one-half his support from such member."

On page 7, following line 18, insert a new subsection:

"(7) Notwithstanding any other provision of this subsection, any military service (other than military service covered by military leave with pay from a civilian position) performed by an individual after December 1956 shall be excluded in determining the aggregate period of service upon which an annuity payable under this act to such individual or to his widow or child is to be based, if such individual or widow or child is entitled (or would upon proper application be entitled), at the time of such determination, to monthly old-age or survivors benefits under section 202 of the Social Security Act based on such individual's wages and self-employment income. If in the case of the individual or widow such military service is not excluded under the preceding sentence, but upon attaining retirement age (as defined in section 216 (a) of the Social Security Act) he or she becomes entitled (or would upon proper application be entitled) to such benefits, the Commissioners shall redetermine the aggregate period of service upon which such annuity is based, effective as of the first day of the month in which he or she attains such age, so as to exclude such service. The Secretary of Health, Education, and Welfare shall, upon the request of the Commissioners, inform the Commissioners whether or not any such individual or widow or child is entitled at any specified time to such benefits."

On page 7, lines 21 and 22, strike out "the effective date of this amendatory section" and insert in lieu thereof "October 1, 1956."

On page 11, line 11, after the word "who", insert the following: "attains the age of 50 years and."

On page 11, strike line 18 and insert in lieu thereof "year of service; except, that the rate of 3 per."

On page 14, lines 23 and 24, strike the following: "leaving a wife or husband, such wife or husband" and insert in lieu thereof the following: "leaving a widow or dependent widower, such widow or dependent widower."

On page 20, following line 15, insert a new subsection:

"SHORT TITLE

"(r) This section may be cited as the 'Policemen and Firemen's Retirement and Disability Act.'"

On page 20, line 20, strike the word "members" and insert the word "persons."

On page 22, following line 16, insert a new section as follows:

"ELIGIBILITY UNDER THE FEDERAL EMPLOYEES' COMPENSATION ACT

"SEC. 7. Notwithstanding any other provision of law, no person entitled to receive any benefit under the Policemen and Firemen's Retirement and Disability Act on account of death incurred, an injury received, or disease contracted, or an injury or disease aggravated, in the performance of duty shall be entitled, because of the same death, injury, disease, or aggravation, to benefits under the Federal Employees' Compensation Act, as amended (5 U. S. C. 751, and the following)."

On page 22, lines 18 through 20, strike out the following: "This act shall take effect on the first day of the first month which begins more than 30 days after the date of approval of this act" and insert in lieu thereof the following:

"SEC. 8. The effective date of this act shall be October 1, 1956."

The committee amendments were agreed to.

Mr. BROYHILL. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I hope the discussion so far on this legislation has not created the impression that this is an extravagant measure by any means. It is a most reasonable bill. I believe anyone who is familiar with the problems of the Metropolitan Police force and the Fire Department of the District of Columbia and has studied the situation will agree that it is a very reasonable bill.

As pointed out by the gentleman from Georgia [Mr. DAVIS] we have not made any amendments to this act or any major revisions to this act for the past 41 years. A very interesting and rather serious situation insofar as the Police and Fire Department Retirement System is concerned is that we have a very severe mortality rate. The average age at death of a policeman or fireman is 62. The median age at which they come to work is 26. They work an average of 26 years and are on retirement for an average of 10 years. The average age at death is 62. This is true in spite of the fact that 75 percent of the applicants for positions are turned down on account of physical disability. It is serious and hazardous work and a strain on the members of those departments, which does shorten their natural life span.

The gentleman from Minnesota [Mr. O'HARA] pointed out that this might encourage increases in other retirement systems. On the contrary, this more or less follows increases in other retirement systems throughout the Government. We increased the retirement for the civil service generally throughout the Government last year, and early this year we increased it for school teachers, so this is merely bringing it in line with what has happened for other civil service employees.

Mr. Speaker, I believe it is of urgent concern that we take speedy action on

H. R. 6517 which will provide long overdue improvements in the retirement and disability protection of policemen and firemen and their families in the District of Columbia. At the present time, members of the Metropolitan Police Force, the Fire Department of the District, the United States Park Police, and certain officers and members of the United States Secret Service are governed by a pension plan which has remained substantially unchanged for the last 41 years.

The modernization of this system is not only a matter of simple equity to its members but it is also necessary if the residents of the District of Columbia are going to have adequate police and fire protection. Within the last 2 weeks, Metropolitan Police Chief Robert V. Murray has testified before the Senate District Subcommittee that the proposed retirement plan revisions were "a life and death matter" to the police and fire departments. The problem of recruiting and retaining competent personnel has greatly increased. During the past 5 years, the 2,500-man police force has been short 200 to 300 at all times. There are at the present time, Chief Murray stated, 85 applications pending for transfers to Federal law-enforcement agencies and the United States Marshal's office. This legislation, by equalizing retirement and disability benefits available to district policemen and firemen with those available to law-enforcement officers of Federal agencies in the Washington area, will make it possible for the District to recruit and hold the kind of men we need for effective police and fire departments.

The bill is designed to give District policemen and firemen substantially the same benefits as those granted Federal employees under last year's Civil Service Retirement Act amendments. These liberalizations will help to close the large gap between the benefits of Washington policemen and firemen and those of policemen and firemen in other large cities of comparable size.

Let me summarize some of the major improvements which will be effectuated by H. R. 6517.

Under present law a District policeman or fireman, unlike a Federal civil-service employee, has no benefit protection if he becomes disabled while off duty. The bill will eliminate this inequality of treatment and provide benefits which will range from 40 to 70 percent of his salary, depending upon his length of service.

Under present law a District policeman or fireman can receive a maximum benefit of only 50 percent of his salary for disabilities incurred in the line of duty. The bill would raise this to a minimum of 66⅔ percent with a maximum of 70 percent, depending on his years of service. This is designed to equalize benefits for policemen and firemen protection with those afforded Federal employees and other District employees under the Federal Employees Compensation Act.

Under present law a District policeman or fireman has to wait until he has attained the age of 55 and has 25 years of service before he has the option of retirement. H. R. 6517 would liberalize this provision so that an individual could retire at age 50 after 20 years of service. This is in line with a provision of the Civil Service Retirement Act for employees engaged in hazardous law enforcement duty.

Under present law a District policeman or fireman can receive a maximum retirement benefit of only 50 percent of his salary. H. R. 6517 would raise this maximum to 70 percent over a 30-year career. This would be done by allowing retirement credits of 2 percent for the first 20 years of service and 3 percent for the next 10. The Civil Service Retirement Act permits a maximum benefit of 80 percent. The purpose of this provision of the bill is to encourage qualified men to remain in service after they have the option to retire. H. R. 6517 provides a further incentive to remain in service by allowing 20-year men to credit prior Federal, District and military service. Under the present law no credit is given to any policemen or firemen for such service.

It is unfortunate that an identical bill—S. 1770—has been delayed in the Senate where some misunderstanding has arisen in regard to cost aspects of this legislation. It was asserted on the floor that the Government would be paying percentagewise a much greater amount for these benefits than for Federal employees under the Civil Service Retirement Act. The facts, I maintain, do not seem to bear out this argument. John P. Jones, Acting Actuary, for the Treasury Department, estimates that the new plan would cost the Government only 1.4 percent of payroll more than the systems providing retirement and disability benefits to employees in similar positions covered by the Civil Service Retirement Act and the Federal Employees Compensation Act. Moreover, as Warren B. Irons, Civil Service Commission, testified, trying to compare the proposed plan with the civil service retirement program is like trying to compare "apples and oranges." This is true because the civil service retirement system does not bear the cost of retirement for occupational disability which is borne by the Federal employees' compensation system. I agree with him when he states that the District plan should be compared with those in other cities.

I feel sure that, when these facts are brought to the attention of the full Senate, the bill will receive speedy approval. The legislation is the result of many days of hearings before the House and Senate Committees, the president of the board of commissioners, the chief of the Metropolitan Police Department, the head of the White House Police Department, the acting chief of the United States Park Police, the Honorable George L. Hart, chairman of the law-enforcement council of the District of Columbia, and many other individuals and organizations, have appeared in support of this legislation.

Let us remember that the costs of this measure are no greater than the costs of 1 major 4-alarm fire. We are here concerned with providing the kind of benefits which will keep competent men in our police and fire establishments. This will provide protection not only for the men on the force but for all of us. It is poor economy penny-pinch in this vital area. We need to get, and keep, the best people we can.

All of us are concerned with the need for further reducing crime in the District, not only because of its cost in dollars but because of its cost in human terms. Last year's crime statistics testify to the efficiency of the men who now man our police force in the District. They show that, while serious crime over the country rose 13.3 percent and passed the 2.5 million mark for the first time, the District's crime total dropped 9.3 percent below the 1955 total. Police Chief Murray attributed the decrease to better utilization of his department's manpower. He said he had been able to work with the equivalent of a 2,500-man force by working men on overtime, 6-day weeks, and by using rookie school trainees. The loss of a single one of these trained and dedicated officers is a matter of crucial concern.

In order to keep these men on the job, and so that we can recruit men of equal caliber for the future, we must offer them the kind of retirement protection which they need. They must also have adequate protection for their families in case they should meet death in the line of duty. The Congress cannot trade much longer on their loyalty to the force and to the city which has kept them on the job. We must act on this bill, and act promptly on their behalf.

I submit finally that this is a reasonable bill. I hope the House will overwhelmingly adopt it and then permit us to come back and take care of those who are already retired who should likewise be taken care of.

Mr. McMILLAN. Mr. Speaker, I would like to state for the benefit of the Members of the House that the purpose of this legislation is simply to bring these law-enforcement officers here in the District of Columbia in conformity with other law-enforcement officers throughout the country that are employed by the Federal Government. These policemen are required to take similar examinations that law-enforcement officers in all of the departments take.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield.

Mr. HOLIFIELD. I want to ask this question. This was arrived at on the same basis that the Treasury agents and the alcoholic tax unit agents retirement provisions were?

Mr. McMILLAN. That is the example we are trying to follow.

Mr. HOLIFIELD. It takes into consideration the hazards of the employment of these men rather than the nonhazardous employment of regular civil-service employees; is that correct?

Mr. McMILLAN. That is the reason for the proposed legislation.

Mr. HOLIFIELD. I want to thank the gentleman for yielding and also I congratulate the committee for bringing in this bill which I think is long overdue. I have talked to some of these people about their retirement who have served on the Metropolitan Police, and from what they have said to me and from

looking over this bill, I think it is a very meritorious bill and I shall support it.

Mr. McMILLAN. I further understand that the rate of accidents on this police force here in Washington is very high. I understand that 431 men were injured during the past year. It is rather regretable that we did not bring this bill for consideration before this late date.

Mr. WILLIAMS of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield.

Mr. WILLIAMS of Mississippi. I think it might be pointed out also that the subcommittee had available to it information regarding the policemen and firemen retirement programs in cities of comparable size to the District of Columbia. We took that into consideration in working out this bill. I can assure the Members of the House that the program of retirement that has been worked out under this bill is very much in line with the retirement programs of other cities and is not out of line by any means.

Mr. McMILLAN. I thank the gentleman. I further understand that one of the members of the Metropolitan Police Force tendered his resignation for the purpose of accepting a position with the Maryland Highway Patrol because they have a better retirement pay and better facilities.

Mr. DAVIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield.

Mr. DAVIS of Georgia. In that connection, I would like to point out that from January 1, 1956, through January 1957 there were 84 resignations from the Metropolitan Police Department.

The reasons given for those 84 resignations are that 9 resigned to accept work in other police departments, 10 resigned to accept work in other governmental departments, 27 resigned to accept work in private industry, and 7 resigned to accept employment elsewhere. That is pretty well the average rate of resignations, and this bill is very much needed.

While I am on my feet, if I may, I wish to pay tribute also to the head of the Metropolitan Police Department of Washington, Chief Murray. I have had a number of years' experience with law enforcement. He measures up to the very highest standards of law enforcement that I have observed anywhere during my lifetime. The Metropolitan Police Force is one of the finest and has one of the best records of law enforcement of any body of men I have observed anywhere. I think they deserve the very highest praise. I could not let this opportunity pass without saying these few words in their behalf.

Mr. McMILLAN. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. KEARNS].

Mr. KEARNS. I thank the gentleman.

I merely wish to add that the subcommittee throughout the course of these hearings was furnished with all the accurate data we needed, and I am sure that when we submitted our report unanimously to the full committee we were highly sincere in the belief that the firemen and policemen of the District of Columbia should be taken care of. I feel it is our obligation to improve the retirement system, that we may encourage the best police force possible under the leadership of Mr. Murray.

Mr. McMILLAN. Mr. Speaker, I yield to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. I appreciate the wonderful tribute paid to the Metropolitan Police Force and others included in this bill by various Members. There is one point, however, I wish to call to your attention. It has been suggested that this bill is not going to cost anything for a while. How are you going to get along without its costing money when you put all these additional provisions in the bill?

You are going to charge the employee 6½ percent. Someone said you were following the 1956 bill as applied to Federal Government employees. The 1956 bill would charge those employees 6½ percent and the Federal Government is expected to contribute a like amount. But where are you going to get the money to pay the difference which we all know has got to be met some way. Does it come from District funds or the Federal Treasury.

Looking through the bill I see that the Park Police have been included. That is all right if you want to put them in, but you have thousands of Park Police in other parts of the country. What are you going to do about them? You are now putting Park Police under the same category as the FBI as I understand this legislation.

Mr. McMILLAN. The only United States Park Police I know anything about are located here in Washington. The other people connected with law enforcement in the national parks are park rangers, not Park Police.

Mr. REES of Kansas. They act in the same capacity.

Mr. McMILLAN. No. These Park Police in Washington act under a system of reciprocity with the District Police which gives them jurisdiction of law enforcement in the city and in the parks.

Mr. REES of Kansas. But they will be paid out of the Federal Treasury; will they not? Once more, how are you going to get the money when the time comes to take care of these increased retirement benefits. Out of the Federal Treasury or out of the District of Columbia?

Mr. McMILLAN. Did the gentleman listen to the figures read by the gentleman from Georgia [Mr. DAVIS]?

Mr. REES of Kansas. I did.

Mr. McMILLAN. I would like to say that our committee is merely following the gentleman from Georgia, and to remind the gentleman from Kansas that the gentleman from Georgia is a member of the Committee on Civil Service. He does not recommend a bill that has not been fully considered.

Mr. REES of Kansas. I appreciate that and I appreciate his services, but I still would like to know where you are going to get this extra money, that is all; and the gentleman has not told us that yet.

Mr. DAVIS of Georgia. The cost of it will be paid as the present cost is paid. The employee will pay 6½ percent and the District of Columbia will pay the difference. The figures are given on page 4 of the committee report. The Commissioners have unanimously endorsed this legislation with the one exception which I pointed out and that was the 1 extra percent on the 10-year period following the first 20 years of service.

Mr. REES of Kansas. When there will be an appropriation bill for the District of Columbia to make that contribution, is that correct?

Mr. DAVIS of Georgia. The District will make $455,000 out of it the first year, $359,000 the second year, $97,000 the third year and $29,000 the fourth year. It will not cost the District a penny extra until 5 years. Then it will cost $39,480, and it goes up until at 20 years it will cost an additional $1,616,000.

Mr. REES of Kansas. I do not want to labor the point but where does that $440,000 come from?

Mr. DAVIS of Georgia. From the increase of retent the employee pays.

Mr. REES of Kansas. That is their contribution to the fund?

Mr. DAVIS of Georgia. They will pay 6½ percent.

Mr. REES of Kansas. Does the gentleman think that 6½ percent, the extra 1½ percent, will take care of these charges?

Mr. DAVIS of Georgia. It goes into the Treasury every year and, as I said, the first year the District of Columbia will make $455,000 out of it.

Mr. REES of Kansas. That is rather interesting to me because on behalf of Federal workers, we have to contribute several million dollars. I wish the gentleman would make that apply to the Federal Treasury as well as the District of Columbia.

Mr. DAVIS of Georgia. I join the gentleman in that respect.

Mr. REES of Kansas. I would not be misunderstood—I want the employees in the District of Columbia to be accorded just as fair treatment as those in classified service outside the District. I do think, however, that if this committee is asking the Congress to approve legislation that will cost an additional sum of several hundred thousand dollars, arrangements should be made for the appropriation of funds to take care of the additional charge. I can't understand, in view of the statement of Mr. O'Hara that there are no funds on hand at the present time, how in the world you are going to take care of the extra cost without appropriations from the Federal Treasury or from funds allocated direct to the District of Columbia. Let me repeat, I am willing to help the employees in the District as well as but no better than those outside of the District.

Mr. THOMSON of Wyoming. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, in connection with this bill and the other District bills which we have considered today, I certainly voice my respect for the work done by the District Committee. I know the gentlemen who serve on this committee oftentimes do so by "detail" as an additional service and at no request of their own.

The thing that concerns me about this bill, and some of the other District bills considered previously today, is the amount of money involved. Several of these bills will eventually call for an appropriation of money. This bill eventually, as I understand it, will cost $1.7 million. I have listened to the justification for the money and can certainly agree that the functions of police and fire protection are proper functions of government. We should make adequate provision therefore within the limitations of funds available.

We have though the responsibility to pick and choose. I am concerned from what I have read in the newspapers and from personal experience with the public-school system here in the District of Columbia, an equally important if not more important function of local government. The judiciary is also included in one of these previous bills and that will cost money. That too is a necessary function of government. But, again, I say, so is education. I think it is an alarming thing when in this Congress there is proposed and another committee has reported a bill to take care of the school-construction needs of the Nation at large, when we are not taking care of our own responsibilities here in the District of Columbia to provide an adequate number of classrooms. We are asked to usurp local responsibilities to construct schools across the Nation without any showing of need and over the protest of local governments and the people while here in the District where you have classrooms with 39 or 40 children, and we are not doing anything about it. I think it is time to stop and take an inventory of this overall question.

Of course, some of us as individuals can do something about it, but I would do so with reluctance; that is, send our children to private schools. I, though, happen to believe in the public school system. I prefer my children go to the public schools. I think it would behoove all of us to ask the Committee on the District of Columbia to give this matter their immediate and careful attention. From now on as to any District bills that cost money, I am going to look at them with a tough eye until we take care of a problem that is a great one, a responsibility that is ours: to provide at least a minimum number of adequate classrooms in the District. I certainly am not going to take care of the needs and to pay money out to States that do not want it and do not need it until this immediate problem is taken care of, either by appropriation or at least by authorizing the District to solve its own problem by raising the necessary construction money through the issuance of bonds.

Mind you we have not even given authority to the District to bond itself for the purpose of solving this problem of providing an adequate number of classrooms. Here we are coming to the people of my State of Wyoming and every other State of the Union and saying, "We encourage you to bond yourself; we encourage you to go into debt to build your school buildings," but at the same time we refuse to even permit such here in the District. They have already taken care of their responsibility. If we will just take care of our own responsibility instead of meddling in someone else's business we will make available here in the District adequate classroom space. I can speak from personal observation and experience that they do not have such today, with from 39 to over 40 students grouped in one classroom and the teachers telling you that they cannot give the children the attention that they need, particularly if they need a little extra attention. I hope the District Committee will accept this responsibility and do something to correct a deplorable condition without delay.

Mr. O'HARA of Minnesota. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I have been concerned about the cost of this bill. And I believe that some of the information which we originally got was not very accurate.

Now, an identical bill was debated for some 2 days over in the other body, and the distinguished chairman of the subcommittee finally asked that it be sent back to the Senate District Committee for further consideration. Now, I want to say to you that this bill is going to cost you a lot more money than you expect it would. The cost to the District government, if this retirement bill is passed, is going to be increased from the overall standard of what the Federal Government pays to the regular civil-service employees from 6.5 to 39.2 percent. That will be the overall cost. Then, if this bill becomes law—and usually this is the way the pilot operations work—out of the District Committee will come a bill, and they will say "Well, that is the lead," and that goes through, and then the other Government employees come in and they want the same thing, justly so. There is no reason why there should be discrimination.

Now, if you add this kind of a bill to all of the rest of the Government employees, there will be an annual cost of $1.2 billion. And, I want you to know that.

Mr. Speaker, I think the healthy thing would be for this bill to be sent back to the District Committee until we review some of this business, until we find out what the other body has found out about this bill that they did not know about when it got on the floor and asked that it be returned to the committee. I say to you that it cannot possibly cost less to the District government than 39 percent in its overall 20-year basis. That will be the average cost. The District employees and these other employees here will pay in 6.5 percent. Now, if we can afford to pay that kind of retirement, all right; we ought to understand it, but I want to say to you that I am very troubled about this type of legislation that is not thought through as to its cost and its ultimate effect and its overall effect upon the other employees of our Government. It is impossible to write one of these bills on the floor. I think the thing that should be done is that it should be sent back to the committee for further study and consideration.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I was a member of the subcommittee that considered this bill, and I can assure my distinguished friend from Minnesota that the subcommittee went into every problem connected with this bill that has been raised on the floor today. The report of the subcommittee was unanimous, as well as I recall, after having worked out the committee amendments and getting the bill in the shape that it is in now. I am thoroughly convinced that this is good legislation and needed legislation, and I hope that it will be approved by the House.

Mr. DAVIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS of Mississippi. I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. Mr. Speaker, the committee, as the gentleman from Mississippi [Mr. WILLIAMS] has just said, held extensive hearings on this proposed legislation. We had 2 days of hearings. We had before the subcommittee the District Commissioners, the head of each department involved, the Police Department and the Fire Department; and we opened up the hearings to everyone who wanted to be heard, private citizens as well as officials. In these two volumes of hearings there is accurate testimony on every issue that is involved in this legislation. If the bill were to be returned to the committee, not one iota of information that is not in these hearings could be adduced. For instance, on page 36 of the hearings we have in great detail a statement of the cost of this retirement; what it has cost every year from 1950 through 1956. We have the payments to beneficiaries; we have the hospital and benefit care; we have the refunds; we have the reimbursements from the White House Secret Service; deduction from salaries. Every bit of information which could be adduced is here.

I recommend that every member of the committee examine the committee report. It is a complete and accurate statement of this legislation. Everything that could be brought out has been brought out. It is good legislation, and I think it is long overdue.

It makes no difference what the other body does. They can do as they see fit about legislation, this as well as all other. But the duty rests on us to get this retirement bill out and to provide this incentive to the morale of the Metropolitan Police force so that the head of that force can get the actual strength up to the authorized strength.

Mr. MULTER. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I wish to associate myself with those who have urged the enactment of this bill. It is a good bill. If there are any defects in it, and my attention has been called to none, they can be worked out as experience may dictate, after the bill is enacted. It is high time this legislation was enacted for the benefit of the large corps of civil servants in the District.

Home rule for the District of Columbia will relieve Congress from the burdens of this kind of legislation.

In the absence thereof, we would be derelict in our duty if we failed to pass this bill.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this subject in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. McMILLAN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

Mr. O'HARA of Minnesota. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. O'HARA of Minnesota. I am.

The SPEAKER pro tempore. The gentleman qualifies.

The Clerk read as follows:

Mr. O'HARA of Minnesota moves to recommit the bill H. R. 6517 to the District of Columbia Committee for further study.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion was rejected.

The SPEAKER pro tempore. The question is on passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. POAGE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended as follows:

(1) Sections 109 and 204 of such act are amended by striking out "1957" and substituting in lieu thereof "1958."

(2) Section 103 (b) of such act is amended by striking out "$3,000,000,000" and inserting in lieu thereof "$4,000,000,000."

(3) Section 203 of such act is amended by striking out "$500,000,000" and inserting in lieu thereof "$600,000,000."

(4) Section 304 of such act is deleted.

Mr. POAGE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE: Strike out all after the enacting clause and insert the provisions of the bill H. R. 6974, as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SUPPLEMENTAL POST OFFICE DEPARTMENT APPROPRIATIONS, 1958

Mr. GARY. Mr. Speaker, under unanimous consent obtained last Thursday, I call up the joint resolution (H. J. Res. 379) making supplemental appropriations for the Post Office Department for the fiscal year 1958 and for other purposes, and ask unanimous consent that it be considered in the House as in Committee of the Whole.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Post Office Department for the fiscal year ending June 30, 1958, namely:

POST OFFICE DEPARTMENT

Current authorizations out of postal fund

Administration and Research

For an additional amount for "Administration and research," $2 million.

Operations

For an additional amount for "Operations," $90 million.

Transportation

For an additional amount for "Transportation," $24 million.

Facilities

For an additional amount for "Facilities," $17 million.

Mr. GARY. Mr. Speaker, I move to strike out the last word, and ask unanimous consent that my time be extended 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GARY. Mr. Speaker, this is a joint resolution providing for a supplemental appropriation for the Post Office Department. The Post Office Department submitted to the Congress a supplemental request for the fiscal year 1958, which begins on July 1 next, of $149,500,000. Our committee has unanimously recommended an appropriation of $133 million, which is a reduction of $16,500,000 in the Department's request. The original request for funds for the Post Office Department for the year 1958 was $3,250,000,000. You will recall that the House upon recommendation of our committee cut those funds $58 million and appropriated $3,192,000,000 in the regular appropriation bill. The total recommended for 1958 with this supplemental appropriation is $3,325,000,000. That is an increase of $75 million over the original request. It is an increase of approximately $300 million over the appropriation for 1957.

I think it is fair to the Post Office Department to say that in the $300 million increase are included some mandatory payments which are being made in accordance with laws subsequently adopted by the Congress. In other words, the retirement fund contribution for 1958, which has been transferred by law from the general fund of the Treasury to the Department, amounts to $131,482,059. There will be an extra work day in 1958, which will cost the Department $6,552,042.

The within-grade promotions require $24,523,679 and the biannual surety bond premium $400,000. This makes a total of $162,957,780, but that still leaves a balance of $136,702,220 over and above the mandatory payment.

The department insists that this full amount is made necessary because of the increased volume of mail. I want to be perfectly frank with the Members of the House, and to say to you that I think the amount which our committee has recommended is too high. In my opinion the Department could operate with much less than this amount by instituting proper economies and by making some adjustments which would not seriously curtail the necessary services of the Post Office Department.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield.

Mr. MORANO. I am concerned about reports that have appeared in the press that there may be a Saturday closing of the Post Office and all services turned off on Saturday. I was wondering whether this subcommittee has officially recommended that such be done in order for the Department to live within the amount recommended by the committee.

Mr. GARY. I will answer the gentleman by saying that this committee has not recommended any curtailment of any services and the committee believes that the amount which this appropriation would give the Post Office Department will be ample for them to operate on without any serious curtailment of services and without any reduction in the number of its employees.

Mr. MORANO. If the gentleman's committee has decided that there would not need to be any curtailment of services on Saturday, then where does the gentleman think a saving can be made so that this appropriation will be sufficient for the needs of the Post Office Department?

Mr. GARY. Any administrator who cannot save $16 million out of a total appropriation of $3,325,000,000 to my mind is not making a proper contribution toward economy which the country is demanding at the present time.

Mr. MORANO. Then will the gentleman agree that the services to be rendered by the Post Office Department in

the next fiscal year need not in anyway be curtailed under this appropriation?

Mr. GARY. Certainly not seriously curtailed. If the gentleman will permit me to proceed for just a few moments, I will discuss that.

Mr. MORANO. I thank the gentleman.

Mr. BASS of Tennessee. Mr. Speaker, will the gentleman yield for a question?

Mr. GARY. I yield.

Mr. BASS of Tennessee. Can the distinguished gentleman from Virginia tell me whether he has any information in relation to the Postmaster General also curtailing or about to put an embargo on third-class mail effective as of July 1?

Mr. GARY. I will answer that too, if the gentleman will just permit me to proceed for a few moments.

Mr. BASS of Tennessee. I thank the gentleman.

Mr. GARY. During this entire discussion, the Postmaster General has insisted that they cannot save enough money to cut their expenditures below the amount they have asked for. Set out on page 25 of the hearings, however, is a list of possible service curtailments which would effect estimated savings of $149,500,000, the amount of this request. In its list of curtailments, the Department says that the discontinuance of the city and rural delivery of mail and the closing of the post office services on Saturday would save $70 million. It also says that the elimination of the sale of money orders in first and second-class post offices and their branch stations woulld save $26 million. The reduction of mail distribution in railway post offices; reduced frequency of star-route service to once daily, where practicable; the deferring of new highway post office routes and the making of other transportation revisions would save $18 million. The suspension of all additions and extensions of city carrier service during the entire fiscal year—except extensions already deferred from fiscal year 1957—would save $16,300,000.

The reduction of renovation work in post offices, the light color, and ventilation program to $2.5 million, and the reduction of purchases of needed equipment by $3 million, and the reprograming of other capital expenditures would save $7,400,000.

To require second-class publications and third-class bulk mailers to zone their mail would save $5 million.

I think the gentleman from Connecticut will agree with me that is a substantiol savings, if they can save $5 million simply by requiring users of second-class mail and users of third-class bulk mail to zone their mail. We asked the representatives of the Post Office Department why they did not do this a long time ago.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield.

Mr. MORANO. What was the answer the Post Office Department gave to the question you asked?

Mr. GARY. There was no answer to that, to be frank with the gentleman. I say that is one savings they could make and one change they should make. That is one reason I would not say to the gentleman that there would not be any changes in the service. That is one that should be made. I think the Post Office Department recognizes it and that it will go into effect very shortly.

Then to close 2,000 small post offices would save $2.5 million; and an embargo on third-class mail from December 1 to December 25 would save $4 million.

Frankly I do not think that embargo should be put into effect unless it is clearly demonstrated that it would not seriously affect third-class mail.

Mr. BASS of Tennessee. Mr. Speaker, did the gentleman say December 1?

Mr. GARY. Yes; December 1 to December 25.

Mr. BASS of Tennessee. The question I would like to ask if the gentleman will yield, is that in addition to the embargo which the Postmaster General has said he would put in effect on third-class mail effective July 1 this year?

Mr. GARY. That is out and there is no suggestion of that kind at all. This is merely a suggestion to embargo bulk third-class mail from December 1 to December 25; and that will not be necessary under the action this House has taken.

Mr. BASS of Tennessee. In other words the gentleman is now saying that the July 1 embargo will not be put into effect.

Mr. GARY. It will not be put into effect.

I can also say that if this bill is passed there will be no reason for the loss of salary or position by any postal employee in the service because the bill contemplates an increase in personnel of 24,000 during the next year to take care of the increased volume of mail. Twenty thousand of these would be new employees.

We have recommended a reduction of $16,500,000. Therefore there should not be one single person cut off of the Post Office payroll because of this bill.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield.

Mr. BROWN of Ohio. Did I understand the gentleman to say that if third-class mail is curtailed by embargo from December 1 to December 25 of each year it would not have any effect on third-class mail?

Mr. GARY. No; I did not say that; the gentleman misunderstood me. I said I did not think it ought to be embargoed unless it could be proven that it would not seriously affect third-class mail.

Mr. BROWN of Ohio. How could it help but affect it if third-class mail were embargoed for a whole month at a time?

Mr. GARY. It would unquestionably affect it but I am not prepared to say how seriously. I do not believe, however, that the Postmaster General is going to put it into effect. Our committee certainly is not telling the Postmaster General how to run his department.

Mr. BROWN of Ohio. Does the gentleman think there is any likelihood of the Post Office Department's doing so.

Mr. GARY. I do not think so. I think they may require zoning of bulk mail. That in itself would result in considerable savings and is entirely in conformity with the low rate the users are paying for handling it.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Wisconsin.

Mr. LAIRD. With reference to the curtailment of service under the present appropriation that the gentleman read from pages 25 and 26 of the committee hearings, many people fail to realize the curtailment outlined in that statement is not the recommendation of the Post Office Department but was submitted to the Appropriations Committee and the subcommittee of which the gentleman from Virginia is chairman at the request of the subcommittee in order to show the subcommittee where curtailments could be made in the amount of $149,500,000. Many people, from letters I have received and from the newspapers, particularly the Hearst Press in Wisconsin, are led to believe that is a recommendation for curtailment by the Postmaster General. Actually it was a request for information which the committee made of the Postmaster General.

Mr. GARY. It is not the recommendation of the Post Office Department, nor is it the recommendation of our committee. It was a list submitted by the Post Office Department merely to show what curtailments they would have to make if our committee did not grant any part of the $149,500,000 which the Department had requested.

Mr. LAIRD. The list was submitted to the committee at the request of the committtee, is that correct?

Mr. GARY. No; I do not think that is strictly correct.

Mr. LAIRD. In reading over the statement on page 25 it appears in the hearing record on june 7 that the hearing was adjourned until June 11 with the directive to the Post Office Department to come prepared to submit such a program.

Mr. GARY. To submit a program under which they would operate if no additional funds were granted. They submitted that program. They had this list prepared previously, however, which they were going to present to the committee to show what curtailments would have to be made if the Congress did not grant their request.

Mr. LAIRD. These curtailments were not recommended by the Postmaster General?

Mr. GARY. They were not recommended by the Postmaster General, that is correct. Certainly I have not tried to convey the impression to the House that they were recommended either by him or by our committee. However, our committee has recommended a reduction of $16,500,000 in the request which we think can be accomplished by economies in the Department. For example, the Post Office Department has set up in the United States 15 new regional offices in which they have a number of high-priced new officials.

The SPEAKER pro tempore. The time of the gentleman from Virginia has expired.

(By unanimous consent (at the request of Mr. BASS of Tennessee) Mr. GARY was allowed to proceed for 5 additional minutes.)

Mr. GARY. Mr. Speaker, they have set up 100 additional district offices. Frankly, I have an idea that all of them could be abolished without imparing the service. I have never been sold on this decentralization idea, but I am not prepared to say that is correct. I am convinced, however, that by a reduction in the number of those offices they could save substantial sums of money without impairing the efficiency of the Post Office Department one particle.

Mr. BASS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Tennessee.

Mr. BASS of Tennessee. I want to commend the gentleman for his attitude and, certainly, I would like to suggest his committee go further into the possibility of the expenditures involved in regional and district offices. I should like to ask a further question. I am sure the gentleman realizes that Christmas greeting cards, which are mailed primarily in the month of December, are for the most part mailed as third-class mail. This possible embargo on third-class mail would have the effect then of making all Christmas cards subject to being mailed first class; is that correct?

Mr. GARY. I can say to the gentleman that I have no idea there will be any embargo on any mail. I do not think there should be any embargo. I think we should carry the mail and that it ought to pay its own way.

Mr. BASS of Tennessee. I agree with the gentleman.

Mr. GARY. Let me call the gentleman's attention to the fact that the estimate of the deficit for 1958 was $650 million. That estimate has now been revised upward and the present estimate of the deficit for 1958 is $702 million.

Mr. BASS of Tennessee. That is the greatest in the history of the country?

Mr. GARY. It is certainly near the top.

Mr. BASS of Tennessee. I would like to ask the gentleman a further question. Can he tell the Committee if the Postmaster General now has authority to require complete zoning on all second- and third-class mail, or would that require legislation?

Mr. GARY. He has the authority now.

Mr. McCARTHY. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Minnesota.

Mr. McCARTHY. Did the Post Office Department give the gentleman any estimate of the cost of maintaining the regional and district offices?

Mr. GARY. They claim that it is a saving. There is a lot of testimony in the hearings on that subject, if the gentleman is interested. Frankly, I still am not convinced.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from North Carolina.

Mr. JONAS. With respect to the zoning comment that has been made, would that apply only within city mailings? It would, would it not?

Mr. GARY. Of course, that is in the bulk mail for these advertisers.

Mr. JONAS. It would be impossible for an advertiser to zone mail in Chicago if he mailed it to New York?

Mr. GARY. Yes.

Mr. JONAS. The zoning would apply only within the city.

Mr. GARY. It would be governed by regulation of the Department, which I am certain would be reasonable.

Now, Mr. Speaker, just let me give you a little illustration to show what the appropriation that this bill carries together with the regular appropriation heretofore made, would mean in expenditures for the Post Office Department for 1958. When the Wise Men of the East made their immortal journey to the manger in Bethlehem nearly 2,000 years ago, if instead of bringing gifts of gold, frankincense, and myrrh, they had established a memorial fund in honor of the King and 5 cents had been placed in that fund every second from that day until the present, the fund still would not amount to as much as the wise men of the West tell us is necessary for the operation of the Post Office Department for the fiscal year 1958. That illustrates how much money is involved.

If this bill passes, the total appropriation for the Department for the fiscal year 1958 will be $19.44 per man, woman, and child in the United States. The expenditures of that Department will be $63,942,307 per week, $9,134,615.38 per day, $380,608.97 per hour, $6,343.48 per minute, and $105.72 per second.

I submit that should be more than enough money to run the Post Office Department of the United States, even though it is one of the greatest businesses in the entire world.

Mr. CANFIELD. Mr. Speaker, I move to strike out the last word, and I ask unanimous consent to proceed for 10 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CANFIELD. Mr. Speaker, I think my good friend and colleague, the distinguished gentleman from Virginia [Mr. GARY], the chairman of our committee handling Post Office-Treasury funds, has made a very factual and a very forthright statement concerning this bill.

Now, this year, on this supplemental request of the Post Office Department for $149.5 million to permit it to operate normally and properly during the fiscal year 1958, we had a most satisfactory and a most cordial meeting of our subcommittee with the witnesses from the Post Office Department, headed by the Postmaster General. At the conclusion of that hearing I was so glad to hear the gentleman from Virginia, the chairman of our committee, say, in so many words, that this was one of the most satisfactory hearings we have ever held with the Post Office Department witnesses. He said to the Postmaster General, "You have presented your case very efficiently and very effectively. I am sure the committee will do what they think is right to give you the money needed."

I agree with the distinguished gentleman from Virginia that, barring an unanticipated increase in the volume of mail during fiscal year 1958, barring intervening legislation on the part of the Congress of the United States leading to additional service costs, and barring fire, storm, or flood disasters in our country, the Department will be able on these funds appropriated here to operate properly and normally. It will permit the Department of the Post Office to accommodate an increase in volume of mail of 4 percent during the fiscal year 1958 over that required during the fiscal year 1957.

It will enable the Postmaster General to project into the cities of our land and into suburbia 5,000 additional much needed extension routes. And it will provide funds, too, to pay for soaring supply costs. Furthermore, it will enable the Department to go ahead with its mechanization and modernization program which it has had to defer in recent months.

Let me say this, too. I agree with the distinguished gentleman from Virginia [Mr. GARY] that there is no reason, as a result of this bill and these funds we shall appropriate today, why the Postmaster General should find it necessary to indulge in any serious curtailments of service of any kind.

Mr. SCHENCK. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman.

Mr. SCHENCK. That was one of the questions I had intended to ask our distinguished colleague from New Jersey. Newspaper reports carried the story that the Committee on Appropriations had recommended certain changes and cutbacks in postal service. I gather from the gentleman's statement that that is not a true report.

Mr. CANFIELD. As the gentleman from Virginia [Mr. GARY] so well stated, our committee has done no such thing. We are not mandating the Post Office Department to indulge in any serious curtailment of service. Under the funds we are according the Postmaster General in this bill today there is no reason why he should make any serious curtailments of any kind. Only $16.5 million is being cut from a request totaling $3,341,000,000 for the fiscal year 1958 and $5 million of this cut can be saved through zoning of second-class publications and third-class bulk mailings.

Mr. SCHENCK. I thank the gentleman.

Mr. CANFIELD. The gentleman from Virginia [Mr. GARY] has spoken about the Wise Men of the East and the number of years and minutes and seconds that have elapsed since their time. The gentleman talked about the cost per capita to our country as a result of the appropriation bill for 1958. He said that the cost per capita would be $19.44 for 1958 as a result of this bill. That is not exactly the factual picture. This amount, of course, is largely offset by estimated revenues of $16.44 per capita as a result of the sale of stamps and special services in the Post Office Department of the United States. The cost would be almost entirely offset by revenues if an equitable postal rate increase bill were enacted. Think of it. We never give our Department the tools

they require to maintain a business operation. We compel them to live on 1932 rates when they have to face 1957 costs.

In respect to the 1958 estimated $700 million postal deficit carried by the taxpayers, it should be remembered that business accounts for practically 75 percent of the mail by volume, while contributing only 40 percent of the total tax revenue.

Mr. Speaker, I want to say a word about Saturday deliveries. While we have not mandated the Department in any way to curtail Saturday deliveries in our United States, it is true that the distinguished gentleman from Virginia [Mr. GARY] and I have a different philosophy, a different approach to, or viewpoint on, Saturday deliveries. The delivery of mail on Saturdays by city carriers for residences and business is now restricted to one delivery a day. If Saturday delivery were discontinued, it would mean that a letter arriving in a city after 6 o'clock on Friday morning could not be delivered in the residential section for more than 3 days; and mail received for business firms after noon on Friday would not be delivered until the following Monday. In other words, you could mail a letter in your home city to some person in that city; you might put the letter in the mailbox late at night, and that letter would not get to the post office before 6 o'clock the following morning. Four days would be involved in that transaction, the delivery of that letter occurring on the following Monday. Millions of persons on rural service and in the cities, particularly in the smaller cities, would be deprived of their daily paper. This would materially affect business concerns, particularly those in the distributing, publishing, and sales activities. Many weekly and other publications which are regularly received on Saturday and enjoyed over the weekend would not be delivered until the following week. Read the telegram sent to the Postmaster General this last week by Mr. James L. Knight, president of the Southern Newspaper Publishers Association, on that issue. Much of the merchandise delivered to retailers on Saturdays is now sold on the very same day. Business firms which are open on Saturdays have regularly expressed the desire for mail delivery on that day, and serious objections were raised in all sections of the country by an appreciable portion of such firms when deliveries were reduced to one on Saturday. Further restrictions of delivery service on Saturday will be short of that which the public desires and has the right to expect. We want to avoid placing a handicap on business firms by reason of inadequate mail service.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Virginia.

Mr. GARY. I am certain the gentleman does not want to create the wrong impression. He said he and I disagreed on Saturday deliveries.

Mr. CANFIELD. Yes, on the extent of such services.

Mr. GARY. That is true. But I want to make it perfectly plain, and I think the gentleman will agree, that I have never advocated a complete abolition of Saturday deliveries.

Mr. CANFIELD. That is very true.

Mr. GARY. What I have said is that I think in view of the fact that industry and business in the United States are rapidly turning to a 5-day week the Post Office Department could save substantial sums by recognition of that fact and adapting their service to this modern trend. In that connection, there is on page 52 of the hearings a survey which was conducted by the Post Office Department itself in which they asked various postmasters throughout the country their reaction to the Saturday closing which took place on order of the Postmaster General several months ago. Then there was a complete stoppage of mail on Saturday. Even on that question this survey shows that sentiment in this country was almost evenly divided.

Mr. CANFIELD. Let me answer the gentleman on that very point. Having in mind that this question might arise today, I asked the Post Office Department for a statement bearing on the testimony to which the gentleman from Virginia has just alluded. This is the statement given me by the Post Office Department, and I shall read it to the gentleman:

> While the public tolerated to some degree the mail service curtailment for 1 week and the closing of post offices on Saturday, from the information we have received through newspaper publicity and other communications including numerous complaints we feel that there would be strong opposition to such curtailment on a continuing basis.
>
> The size of the sample check, there being only 214 offices contacted, was too small to give reliable results. Other offices have been contacted with particular reference to the delivery of parcel post, and we feel that at some places more than 95 percent of the business houses are open on Saturday and expect their mail.
>
> We feel that some of the postmasters—

I am sure the gentleman from Virginia will be interested in this and will understand—

> may have been biased in answering the questions concerning Saturday delivery, since such an arrangement would tend to give them a 5-day instead of a 6-day week.
>
> On further inquiry, and especially some compliants, we are confident that a majority of the business firms are not ready for a 5-day week so far as mail service is concerned. Such action would not only eliminate the mail service on Saturday, but would delay delivery during the following week.

The gentleman will recall that when the Postmaster General was before us on this supplemental appropriation bill, we asked him this question: Has this Saturday cutoff ever been presented and reviewed before the House legislative Committee on Post Office and Civil Service? And his answer was in the negative.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield.

Mr. GARY. I would like to say to the gentleman that my mail from my district, and a great deal of mail from other sections of the country shows that the great majority of people in the United States would be willing to have their Saturday mail deliveries curtailed if they could get some economy. That is the one thing the people of this country are clamoring for above everything else. The people want economy in Government, and they want these tremendous Government costs cut. If they can get some economy, then they would be willing to suffer a little inconvenience in their postal service.

Mr. CANFIELD. Yes, the people of the United States want economy, but they do not want economy at the expense of the postal service of the United States of America. When they compare our postal service with the postal service of the leading nations of the world, they know of our deficiencies, particularly, in the frequency of mail delivery. Why even in Moscow they have two deliveries of mail a day in residential areas today.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to my friend from Colorado.

Mr. ROGERS of Colorado. Do I understand from the report on the appropriation made to the Post Office Department that the Postmaster General assures us that that is sufficient money for him to carry on the department, and that we will get Saturday mail deliveries?

Mr. CANFIELD. That is true.

Mr. ROGERS of Colorado. And that so far as your committee is concerned, you have given him sufficient funds for that operation according to the representation made? And has this committee denied to the Postmaster General any funds whatsoever to keep him from carrying out efficient postal service to the people of the United States?

Mr. CANFIELD. The committee has not and this report is unanimous on the part of our subcommittee and the full committee of the House and the Committee on Appropriations. There are no differences as to the sum involved here.

Mr. ROGERS of Colorado. And you feel if there should be a curtailment of service by the Postmaster General where he places his finger on the Congress of the United States for not performing its duty, do you feel he would be in error in making such an accusation in the future as he has been in the past?

Mr. CANFIELD. The Postmaster General has never put his finger on the Congress of the United States. He has come down here to ask for counsel and advice repeatedly. I am sure that no member of our subcommittee will say otherwise. He has been very frank and forthright. He has come down to say, "Well, now, gentlemen of the Congress, you want me to live under this appropriation. They involve serious cuts in our service. Tell me where those cuts should be. I want to counsel with you. I want your help. I want your advice."

Mr. ROGERS of Colorado. Do you recall recently there was a curtailment of the postal service?

Mr. CANFIELD. Yes; and the gentleman knows why.

Mr. ROGERS of Colorado. The Postmaster General said it was because we did not give him the money.

Mr. CANFIELD. That is true. That is correct.

Mr. ROGERS of Colorado. Now the point I want to make certain, and you

have clarified it so that he who runs may read in the future, will know that the Congress of the United States has acquiesced in giving to the Postmaster General everything that he asked for. Is that not true?

Mr. CANFIELD. The Congress of the United States has given to the Postmaster General the funds he said are needed to operate normally during fiscal year 1958.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to my colleague of the House Appropriations Committee.

Mr. LAIRD. I would like the gentleman to explain to me in view of the statement he just made the discrepancy I see in the report that the Postmaster General asked for $149,500,000.

The SPEAKER pro tempore. The time of the gentleman from New Jersey has expired.

Mr. LAIRD. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey may proceed for an additional 5 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. LAIRD. The amount recommended in this bill was $133 million. The bill compared with the estimate is $16½ million below the amount asked for by the Postmaster General. I note in the report where a saving of $5 million can be made through orders which I understand are in preparation in the Post Office Department at the present time to zone second- and third-class mail in cities. That still leaves the figure of $11.5 million and I would like the gentleman to explain to me where those savings will be made.

Mr. CANFIELD. I cannot explain just where those savings will be made, and I agree with the distinguished gentleman from Virginia; and, Mr. Speaker, every member of our subcommittee thought a request of $3,341,500,000 by the Post Office Department for the fiscal year 1958, that Department headed by Postmaster General Summerfield could absorb those extra costs; and I do not think there will be any trouble on the part of the team doing that job.

Mr. LAIRD. Mr. Speaker, will the gentleman yield further?

Mr. CANFIELD. I yield.

Mr. LAIRD. I have two wires here, one from the Wisconsin Daily Press and another from the publisher of the Milwaukee Sentinel, in Milwaukee, in which they allude to the proposed orders of Postmaster General Summerfield to curtail Saturday mail deliveries. I am at a loss to understand why such information ever reached such reliable people as these editors in Wisconsin; where could they have received such information?

Mr. CANFIELD. I know of no such orders.

I think the gentleman from Virginia was very forthright on that point. Our committee has in no sense mandated the Postmaster General to effect such cuts, and there is no reason under the sun why he is obliged to effect serious curtailments under this bill. If he got a bad press in some places that is unfortunate. He was deserving of better treatment because he wants the postal patrons of our country to have the best possible service.

Mr. BALDWIN. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to my friend from California.

Mr. BALDWIN. On the question originally raised by the gentleman from Colorado, does not the record still show that the request received by Congress from the Post Office Department was for $149,500,000? And that the House Committee on Appropriations, not the Postmaster General had cut it by the sum of $16,500,000? I think the record should be clear on that.

Mr. CANFIELD. True, but let me tell the gentleman from California that the subcommittee of the Appropriations Committee—the gentleman will recall—when the Treasury-Post Office bill was before us last February, unfortunately the first key bill to come before us, slashed that bill. The House cut that bill $58 million, and the Senate sustained that cut. That is the way the bill went to the President and he reluctantly was forced to sign the bill, knowing as the Postmaster General did, that he would have to request supplemental funds.

In this bill under consideration we restore every cent of that $58 million cut plus $75 million additional to meet this 4 percent increase in volume throughout the country over 1957, and the extension of routes that have to be made in our cities into the suburbs, and to meet other increased costs and demands.

Mr. BALDWIN. Mr. Speaker, will the gentleman yield further?

Mr. CANFIELD. I yield.

Mr. BALDWIN. As I understood the gentleman from Colorado he was trying to turn this around in such way where if there was any reduction necessary because of this $16,500,000 cut the reduction would be the fault of the Post Office Department and no responsibility of the Congress whatsoever; but the facts of this committee report show that the cut was made by the Committeee on Appropriations and not by the Post Office Committee.

Mr. CANFIELD. In all fairness, the cut was made by the House Appropriations Committee, every member of that committee believing that the Post Office Department could operate efficiently and properly under such funds for the fiscal year 1958.

I believe that if the gentleman from California were to call the Postmaster General to ask him how he feels about it he would say "I am perfectly satisfied, and I believe we are going to do the job the American people want us to do under these appropriation funds."

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield.

Mr. GARY. Is it not a fact that our committee approached this whole problem on the assumption that the House by its action on the supplemental appropriation bill had decided that they did not want any cuts in the postal service? We tried to agree on a figure that would not bring about any reduction in the postal service, although some of us did not agree with that position—I for one felt that some reduction would not be objectionable—but we agreed, and $133 million was the only figure that our subcommittee could unanimously agree on.

Mr. CANFIELD. That is true.

Mr. GARY. In other words, it was a case of you sacrificing some of your views, and the other members of the committee sacrificing some of theirs, so that we could bring this unanimous report to the floor.

Mr. CANFIELD. Will the gentleman agree with this statement: Outside of the zoning matter we did not in any way direct or mandate the Postmaster General to effect any curtailment in service?

Mr. GARY. We did not direct him there, but we said we could not understand why he had not done that a long while ago. If he can get by without doing that he can still do it under this bill.

Mr. CANFIELD. That is true. It was in effect an indirect request.

Mr. GARY. We said in our report we thought it should have been done a long while ago. It is $5,000,000 which can easily be saved.

The SPEAKER pro tempore. The time of the gentleman from New Jersey has expired.

(By unanimous consent (at the request of Mr. PELLY) Mr. CANFIELD was allowed to proceed for 5 additional minutes.)

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Washington.

Mr. PELLY. Do I understand from the distinguished gentleman from New Jersey that the committee is unanimous that the salaries now paid in the Postal Department are proper and comparable to private industry in all areas of the Nation?

Mr. CANFIELD. No, the committee is not unanimous and I am sure the gentleman knows we do not have jurisdiction over the salary question.

Mr. PELLY. I understand that.

Mr. CANFIELD. That is under the jurisdiction of the House Committee on Post Office and Civil Service. I see some of the members of that committee on the floor who may be able better to answer the gentleman.

Mr. PELLY. The gentleman does not believe there would be enough money in this bill if an adjustment were made?

Mr. CANFIELD. Of course not.

Mr. PELLY. Then could I ask the gentleman to indicate as to whether or not he might not agree with me that in certain areas wages are not the same as private industry?

Mr. CANFIELD. I certainly do. That has been my position for a long time.

Mr. SIEMINSKI. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from my home State of New Jersey.

Mr. SIEMINSKI. I think it might be helpful to the gentleman from California if he had two factors in mind. First, that of the total postal budget expended,

78.4 percent goes for wages, salaries, and fringe benefits to postal employees, leaving for operations and other factors like research and development, about 23 percent of this $3 billion plus budget to operate on. It might be significant to register this added factor, that the production in pounds per man-hour in 1956 was 10.2 pounds. On the basis of first-class letters at 1 ounce each that would mean that per man-hour we were handling in 1956 163.2 letters an hour. That certainly allows this subcommittee, it seems to me, to feel with confidence that there is much room for increased efficiency without hurting people or their wages for an increase in productive efficiency in the Department.

Mr. CANFIELD. I thank the gentleman.

Mr. TEWES. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Wisconsin.

Mr. TEWES. The question which disturbed the gentleman from California and the gentleman from Colorado still bothers me. The Postmaster General requested $149 million.

Mr. CANFIELD. One hundred and forty-nine and one-half million in this supplemental: a total of $3,341,000,000 for the fiscal year 1958.

Mr. TEWES. We are awarding him $153 million, so he is still short $16.5 million. There seems to be agreement in the committee that probably $5 million of that can be absorbed in the zoning provision. But there is $11.5 million here the disposition of which is a matter of opinion and well could be the matter of disagreement between the committee and the Postmaster General so that if the Postmaster General came back here and said: "You did not give me this $11.5 million and I have to curtail Saturday service," there would still be a matter of disagreement between the committee and the Postmaster General?

Mr. CANFIELD. I talked with the Postmaster General in recent hours, and I measure my words. There is no division on this $133 million. He believes and we believe that he and his team can operate efficiently and properly on the funds we are voting today.

Mr. TEWES. Will the gentleman say that the Postmaster has agreed he will not need to curtail Saturday service if he is deprived of this $11.5 million?

Mr. CANFIELD. Yes.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Michigan, a member of the legislative Committee on Post Office and Civil Service.

Mr. CEDERBERG. We cannot definitely state at this time that the possibility may not arise for a further supplemental appropriation?

Mr. CANFIELD. I emphasized that in prefacing my remarks today; barring some unforeseen circumstances, some changes in our economy, this amount is sufficient.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield further?

Mr. CANFIELD. I yield.

Mr. CEDERBERG. When we go back and look at the history of the Department, we had about 3 years where there was money turned back to the Treasury. But historically, because of the extension of the mail service to all areas of the country and the extension of the number of people and the number of homes, we cannot pinpoint it so close, and we cannot say right now at the end of this fiscal year that we may not need an additional few million dollars, or whatever it may be.

Mr. CANFIELD. I am glad the gentleman brought up that point, because the Postmaster General, our present Postmaster General, has been so fair, so decent, so honest with the Congress of the United States. During the fiscal years 1953, 1954, and 1955, what did he do? He returned as surplus to the Treasury of the United States $236 million.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Virginia.

Mr. GARY. Is it not probable that if we, the Congress, adopt this rate-increase bill, as we should, the increased rates may cause some curtailment in the volume of mail? In that case, the volume may not be as large as now estimated for 1958, and, therefore, under this appropriation, he still may have something to turn back to the Treasury at the end of this next fiscal year?

Mr. CANFIELD. That may be so, but the testimony of the Postmaster General was that if that eventuated, and we of our subcommittee all hope it will, he did not anticipate now any great discrepancy in volume.

The SPEAKER pro tempore. The time of the gentleman from New Jersey has again expired.

(By unanimous consent, at the request of Mr. CEDERBERG, Mr. CANFIELD was given permission to proceed for 5 additional minutes.)

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Do I understand that this appropriation has some relation to the proposed postal increase bill that is pending in the Committee on Post Office and Civil Service?

Mr. CANFIELD. No; it does not.

Mr. ROGERS of Colorado. It does not contemplate any of that at all, and whether we pass it or whether we do not, the Postmaster General, according to your statement, was satisfied that he had sufficient funds?

Mr. CANFIELD. That is true.

Mr. ROGERS of Colorado. One other question. Of course, we recognize that if the discharge petition for a postal pay increase to postal workers should secure the necessary signatures or the Committee on Post Office and Civil Service should report an increase bill for the postal workers, it would be necessary then for this committee to again reevaluate the situation and come in with a supplemental appropriation in the event that the President signed the increase to those postal workers.

Mr. CANFIELD. If that pay bill became the law of the land, our committee would find it necessary to recommend additional proper supplemental funds.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield further?

Mr. CANFIELD. I yield.

Mr. CEDERBERG. This matter of rates has nothing to do with the appropriation, because the revenues of the Department go directly to the Treasury, so the Committee on Appropriations appropriates only for the actual needs of the Department. The gentleman from Virginia said that there may be some reduction if an increase were put into effect. I think historically that really has not been quite the case, although we have not had any adequate increase recently; only third-class mail was increased the last time—there was for a short time a reduction, but then the volume went up gradually or probably even faster than it had in previous times.

Mr. CANFIELD. May I comment as to the effect of what happens when you eliminate a service by the Post Office Department. It has been suggested that we eliminate money order sales at first- and second-class offices. Now, what does that mean? The discontinuance of postal money orders at first- and second-class offices would result in a fee revenue loss of about $55 million as against a cost of $26 million that would be saved, and by eliminating that service, which many of our Members contend for today, it would increase the deficit around $26 million.

Mr. CEDERBERG. After this supplemental is concluded, what will the deficit of the Department be?

Mr. CANFIELD. The projected deficit of the Post Office Department for fiscal 1958 in terms of today is $702 million.

Mr. CEDERBERG. And the rate bill that has been proposed by our committee, if I recall correctly, will be around $400 million, so we will still be faced with a $300 million deficit and no salary increase in addition to that. I would like to say one more thing as a member of the committee. I think before any cuts are made in the service, that ought to be done in cooperation with the Committee on Appropriations and the Committee on Post Office and Civil Service. I think we have a joint responsibility there, and I think it is a mistake for the Committee on Appropriations to come in and say, "You ought to cut here, you ought to cut here, you ought to cut there." We have a legislative committee and they ought to look into that, too.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to my friend from North Carolina.

Mr. JONAS. I have been reading in the press since the trouble back in the spring, a great many editorials criticizing the Department for trying to operate a modern Post Office Department with horse-and-buggy machinery. Just for the record, I should like the gentleman to tell the House whether the Department has been engaged in any modernization program and to what extent that exists.

Mr. CANFIELD. Under this bill, for the fiscal year 1958, the Department will have between $4 million and $5 million for research and additional millions for capital modernization. It is true that we have an ancient, inadequate plant. I

think there is some merit in the proposal made by a Member of the other body that before long some billions, possibly as much as $2 billion, will have to be spent to modernize our post office plant throughout the country. Currently, in the buildings that we have in our larger cities, we are cramped for space, and many do not even lend themselves to automation.

Mr. JONAS. Mr. Speaker, I understood that in Detroit, Chicago, New York, and other places, they have pilot programs under way now streamlining inter-post office operations; is that correct?

Mr. CANFIELD. That is true. And the Department expects those operations to pay off in the years ahead.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Virginia.

Mr. GARY. Mr. Speaker, I would like to say to the gentleman that under the proposal the Department would have $4,871,000 for research and engineering, and $9,550,000 for a revised capital program.

Mr. CANFIELD. Those are the correct figures; I thank the gentleman.

Mr. WOLVERTON. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from New Jersey.

Mr. WOLVERTON. Mr. Speaker, I wish to commend the gentleman from New Jersey [Mr. CANFIELD] for what has been to me a demonstration of zeal and care and intelligent action in connection with this appropriation. The gentleman has answered the questions which have been asked him in a way that has been most satisfactory and which he could do only by the close study he has given the matter. I wish also to commend the chairman of the subcommittee [Mr. GARY] who has worked in such close cooperation with the gentleman from New Jersey [Mr. CANFIELD] in this splendid work they have done and which they have presented so well to the House today.

Mr. CANFIELD. Mr. Speaker, I think the dean of our New Jersey delegation may be a little biased with reference to the gentleman from Virginia [Mr. GARY] and the gentleman now in the well of the House, but I know I speak for the gentleman from Virginia and for myself when I say we are very grateful. Now, Mr. Speaker, one other item. Reference has been made to the subject of decentralization. Let me present a bit of testimony shown on page 103 of our subcommittee hearings on this supplemental:

Mr. CANFIELD. Before the session closes I would like to get one bit of testimony on the record in answer to one question.

Among the witnesses today is Mr. Bruce of the Post Office Department. I referred to him on one occasion as "Mr. Post Office Department" because he has been down at the Department so long and he is so expert in departmental matters. Reference has been made in our discussion today to the regional program of the Department. I would like Mr. Bruce to tell us briefly what he thinks about the program of regionalization and the costs and efficiency produced as a result of that program.

Mr. BRUCE. Mr. Canfield, as you mentioned I have been with the postal service for quite a few years. That service has covered everything from Bangor to San Diego, from Lake-of-the-Woods to the Gulf of Mexico. I have had the advantage of seeing the operation of the service from, you might say, before and after, prior to the regionalization program and of course subsequent to that program. It was evident to all of us in the service, particularly those of us who were in the field at the time, that even during the depression years prior to the beginning of the war years of World War II, the Department began to get topheavy in management, that the field even then was growing beyond the point at which sound management could be exercised at a central point.

Following World War II, of course, it was very evident that we were rapidly approaching the point of diminishing returns. I think that was evident to each of us who was in the Department at the time from the voluminous backlog of correspondence that we had at that time and the difficulty we were having in trying to control the post offices, particularly those on the west coast and the outlying areas, where you simply could not get to them except through correspondence. At that time we had over 40,000 post offices, and each post office was a law unto itself. It did the best it could under the circumstances. It was quite evident that the management at the departmental level could not cope with the situation at that point.

Following decentralization, we had the usual amount of confusion that we always have in a tremendous operation of that sort. After a year or so it settled down, and it has reached the point now that we are beginning to reap the rewards of that system. The difficult part has been resolved through routine. We have centralized the financial management in the regions, where we get accurate and prompt information. We think that we are just beginning to reap the full benefits of that system.

Speaking for myself, I have reached one conclusion. Whether the exact format that we follow now will be the exact regionalization program 10 or 15 years from now I do not know. One thing I do know is that we will never again have centralized management of the postal service.

Mr. CANFIELD. Was there a time in yesteryear when there were thousands of letters at headquarters completely unattended to, completely unanswered? Is that not true?

Mr. BRUCE. Hundreds of thousands, over the years.

Mr. CANFIELD. Hundreds of thousands.

Mr. BRUCE. During the war it was absolutely hopeless.

Mr. CANFIELD. You are the best witness that the Post Office Department has on that problem, I think, and I am glad to hear you make that statement. You are from Louisiana, and the gentleman from Louisiana, Mr. Passman, has such an affection for you.

Mr. PASSMAN. Louisiana produces executives of that caliber, of course.

Mr. CANFIELD. That is all, Mr. Chairman.

Mr. SIEMINSKI. Mr. Speaker, the challenge we face in the operation of the post office is to get more and more mail to more and more people at a price they are willing to pay and to get this mail to them when they expect it.

You can mail a letter day or night anywhere in the United States rain or shine, Saturdays, Sundays, or holidays, and know that it is in safekeeping and will be on its way when expected.

You pay twice for the letter you mail, once when you buy your stamp and again when you pay your income tax to Uncle Sam. One penny of every tax dollar coming to Uncle Sam for 1957, it is estimated, will go to pay for the postal deficit. That deficit will amount to over $500 million. In 1958, the deficit might be over $700 million. This in spite of the $133 million we vote the post office in this supplemental bill today.

Either postal rates will be raised to meet the deficit, or there will be a realization and an acceptance by our citizens that more and more of their annual tax dollar to Uncle Sam will be used to get the mails through. One penny of every tax dollar collected by Uncle Sam now goes to make the post office break even.

It should be clear that we are not borrowing money at interest to meet the postal deficit year after year. It does not put the Government further into debt. The postal deficit does not add to our national debt as I understand it. We do not have to go out and borrow money to tide the post office over from year to year. The people meet this deficit in their annual taxes to Uncle Sam. One penny of every tax dollar collected in 1957 will go to meet the 1957 postal deficit, as I understand it.

I have labored at length on this point, Mr. Speaker, lest those who clamor for an increase in postal rates forget one point; and that is that if postal rates are raised to meet postal deficits, that the penny or two out of every tax dollar now or about to be used to meet the postal deficit be specifically earmarked and used to reduce taxes or to reduce the national debt, and thus the interest on the national debt.

It seems to me that it would be unfair to raise postal rates to meet the postal deficit and not give the penny or two out of every tax dollar now used to cover the deficit back to the people. To raise rates without doing this would make Congress guilty of the old shell game.

Above, in my remarks directed for the benefit of the gentleman from California, certain data were cited. For example, I said that in 1956, the Post Office handled 10.2 pounds per paid man-hour. That means that in 1956, according to the figures furnished me, in fiscal 1956, the Post Office handled 10,928,906,050 pounds of mail in 1,069,120,000 man-hours. This comes to some 10.2 pounds per man-hour. Assuming every first-class letter weighs 1 ounce, I further said above, that on this volume, it meant 163.2 letters were handled per man-hour.

For fiscal 1957, it is estimated 1,098,240,000 man-hours will have been used. No estimate by weight in pounds is yet available. But we do know that in fiscal 1957 we will have used 29,120,000 more man-hours than in 1956. It will be interesting to see how 1957 pounds per man-hour change over 1956.

The question is, Will this knowledge help the Post Office better gage its request for funds and enable the Congress more readily to meet its request? I hope so.

To what extent these added ratios contribute to our all around confidence in voting postal appropriations in the future, I do not know. But I hope they help. For example, in Life magazine, in an April 1957 issue, an editorial commented on the President's 1958 budget. It said that the $71.8 billion budget, though the highest in peacetime history,

was only 16 percent of the gross national product. It has been as high as 20 percent. Further, our national debt had gone down to 50 percent of our national income. What about Post Office figures?

The estimated 1958 Post Office expenditure budget is seven-tenths of 1 percent of the gross national product. And it is 4 to 5 percent of the total $71.8 billion budget. Nine other Cabinet officials swallow up the other 95 percent of the budget.

And, of course, 78.4 percent of the postal budget, as I said above, goes to employees' wages, salaries, and fringe benefits. That leaves 21.6 percent for the Postmaster General to use for other factors. It would seem that this is a most unique ratio. The challenge is terrific. Good luck, General.

Mr. GARY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. BOLLING). The question is on engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read the third time and was read the third time.

The SPEAKER pro tempore. The question is on passage of the joint resolution.

The joint resolution was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. GARY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks on the joint resolution just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

CONGRESSIONAL REVIEW OF ATOMIC POWER PROGRAM

Mr. DURHAM. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 7992) to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

The Clerk read the title of the bill.

Mr. DURHAM. Mr. Speaker, I withdraw my motion, and instead move to suspend the rules and pass the bill (S. 2243) to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

The Clerk read as follows:

Be it enacted, etc., That section 261 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 261. APPROPRIATIONS.—

"a. There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this act, except—

"(1) Such as may be necessary for acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction or expansion: *Provided,* That for the purposes of this subsection a., any nonmilitary experimental reactor which is designed to produce more than 10,000 thermal kilowatts of heat (except for intermittent excursions) or which is designed to be used in the production of electric power shall be deemed to be a facility.

"(2) Such as may be necessary to carry out cooperative programs with persons for the development and construction of reactors for the demonstration of their use, in whole or in part, in the production of electric power or process heat, or for propulsion, or solely or principally for the commercial provision of byproduct material, irradiation, or other special services, for civilian use, by arrangements (including contracts, agreements, and loans) or amendments thereto, providing for the payment of funds, the rendering of services, and the undertaking of research and development without full reimbursement, the waiver of charges accompanying such arrangement, or the provision by the Commission of any other financial assistance pursuant to such arrangement, or which involves the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion undertaken by the Commission as a part of such arrangements.

"b. The acts appropriating such sums may appropriate specified portions thereof to be accounted for upon the certification of the Commission only."

SEC. 2. The Atomic Energy Act of 1954, as amended, is amended by adding a new section 58 with appropriate amendment to the table of contents, as follows:

"SEC. 58. Review: Before the Commission establishes any fair price or guaranteed fair price period in accordance with the provisions of section 56, or establishes any criteria for the waiver of any charge for the use of special nuclear material licensed or distributed under section 53 the proposed fair price, guaranteed fair price period, or criteria for the waiver of such charge shall be submitted to the Joint Committee, and a period of 45 days shall elapse while Congress is in session (in computing such 45 days there shall be excluded the days in which either House is not in session because of adjournment for more than 3 days): *Provided, however,* That the joint committee, after having received the proposed fair price, guaranteed fair price period, or criteria for the waiver of such charge, may by resolution waive the conditions of or all or any portion of such 45 day period."

The SPEAKER pro tempore (Mr. MCCORMACK). Is a second demanded?

Mr. COLE. Mr. Speaker, I demand a second. I assume the Senate bill, S. 2243, to which the gentleman's motion is now directed, is identical with the House bill?

Mr. DURHAM. The gentleman is correct.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DURHAM. Mr. Speaker, the bill, S. 2243, amends the Atomic Energy Act of 1954 by amending section 261 concerning authorization of appropriations and providing a new section 58 concerning Congressional review of Atomic Energy Commission determinations which affect the civilian reactor power program.

I may say this measure was very carefully drafted after a long series of meetings between the Commission and the committee. The bill has the unanimous approval of the joint committee, both Republican and Democratic members alike.

The Atomic Energy Commission has indicated that it will comply with the provisions of the bill in submitting its annual request for authorization.

From 1946 up until the 1954 act the Atomic Energy Commission had blanket authorization to come to the Appropriations Committee and secure its operating funds.

At that time the Joint Committee placed section 261—which is the authorizing section—in the 1954 act. This required the Commission to get authorization for the construction or acquisition of certain projects. S. 2243 amends 261 and further broadens the control of Congress over authorizations. In my opinion, the Commission has, of course, done an excellent job over these many years, but I think it is always best for the Congress as far as possible to keep its control over authorizations.

We had the same situation when we set up the NACA which operated for many, many years without specific authorization legislation because of the fact that most of its equipment, such as wind tunnels, was complicated. A few years ago we adopted a plan to have the NACA obtain specific authorizations. The Commission's position is somewhat similar to that situation because it, too, is technical. In most of the reactors that we deal with it is difficult to separate out the Commission's research which goes into the development of a power program for this country by private enterprise. This bill, in effect, I think gives Congress better control over the cooperative arrangements of the Commission. The gentleman from California [Mr. HOLIFIELD] who is chairman of the subcommittee on legislation handling this bill is very familiar with it and so is the gentleman from New York [Mr. COLE].

Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Speaker, I do not know whether it is necessary to take 5 minutes at this time. We have spent several weeks working over this language and holding hearings on the provisions of this bill. Very briefly, the purpose of this bill is to regain control over an area of projects which have heretofore been handled by the Atomic Energy Commission on the basis of broad authorization language contained in the act of 1954. The Atomic Energy Commission took the position that this broad authorization language for reasearch and development activities authorized them to go ahead and make cooperative contracts for the building of reactors with both cooperative groups and private industry groups.

Some few weeks ago the chairman of the Committee on Appropriations arose on the floor and made a speech. He pointed out certain areas where in his opinion the original act did not authorize these specific arrangements. He also thought the act did not authorize the waiver of fuel costs of these experimental reactors which are, in effect, a loan of fissionable material to place in these experimental reactors. We have carefully drawn this bill so that both present and future projects will be outlined in the line item authorization bill, which is to be considered within a few days. The Atomic Energy Committee will go

over each one of those items very carefully and, if we feel they are justified, we will authorize them. If we feel they are not justified, we will have the privilege of striking out the request from the Atomic Energy Commission. That is as plainly as I can explain that part of it.

Another part of the bill provides that the Joint Committee is to see any general price schedule before the schedule becomes effective for the production of special nuclear materials in these reactors. Special nuclear material is made in some of these reactors. Since the original act places title to that material in the United States Government it is mandatory that we take charge of this material.

A schedule of prices will be publicized in the Federal Register for this material which is made in a privately owned reactor or in a reactor under some type of special arrangement with the Commission under contract. Heretofore this has occurred without any consultation with the Congress. In the future all such schedules of fair prices for the repurchase of material or the waiver of rental price of this material which will be used in experimental reactors will come to the joint committee for thorough scrutiny and will lie before the joint committee for 45 days before it becomes effective.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. GROSS. As I understand, this gives the committee a long overdue authority to scrutinize expenditures for the purposes contained in this bill; is that correct?

Mr. HOLIFIELD. That is exactly right.

Mr. GROSS. May I ask the gentleman another question?

Do the expenditures under the terms of this bill apply strictly to reactors constructed in this country?

Mr. HOLIFIELD. As I understand, this applies to reactors constructed in this country, research reactors which are not plutonium producing as such but are for medical or research purposes and already authorized under the law. We have had some of these small research reactors located in foreign countries. We had one at the Geneva Conference.

Mr. GROSS. This applies to any reactor built with AEC funds, whether it is in this country or some other country.

Mr. HOLIFIELD. I was going to continue to say that we are furnishing special nuclear material to run these medicinal- and research-type reactors in one or two instances now.

Yes, if any reactor is going to be built in a foreign country with AEC funds in the future which uses this material they would have to come to us for authorization.

Mr. GROSS. My concern is this: The gentleman well knows that the other body last week, or the week before, adopted a statute providing for an international atomic agency, I believe.

Mr. HOLIFIELD. Yes.

Mr. GROSS. Is that correct?

Mr. HOLIFIELD. That is right.

Mr. GROSS. Do the provisions of this bill relate in any way to control with respect to that statute?

Mr. HOLIFIELD. In my judgment that statute is a treaty, and the House has nothing to do with it. It was approved in the other body, and this has no direct relationship to that, so far as I know.

Mr. GROSS. May I ask the gentleman where they will obtain the money to carry out the provisions of that treaty, or agreement, statute, call it what you will? Where will they obtain the money to finance the projects contemplated under that?

Mr. HOLIFIELD. Any money that is used must come from the Congress.

Mr. DURHAM. It comes from the participating funds of the nations involved.

Mr. HOLIFIELD. Yes; but our own particular part would have to come from the Congress.

Mr. GROSS. Of course, the United States would put up some participating funds, would it not?

Mr. DURHAM. I imagine so.

Mr. GROSS. Under the terms of the pending bill the committee will have no control over those funds. Is that correct?

Mr. DURHAM. The bill before us has nothing directly to do with the general appropriations for the agency. Some participating legislation will be needed to supplement the international treaty.

Mr. GROSS. My hope was that we would find some control in this bill over those funds, because I think there are some very serious deficiencies in the statute passed by the other body creating the international atomic agency.

Mr. COLE. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from New York.

Mr. COLE. On the point that has been raised by the gentleman from Iowa, if it should develop at a later time the Atomic Energy Commission desires to participate in some special project under the sponsorship of the international agency whatever funds the Atomic Energy Commission may desire to use for that project will have to follow the same route which is provided in the terms of the pending bill with respect to domestic projects.

Mr. HOLIFIELD. They would have to have authorization.

Mr. COLE. They would have to come to the joint committee and apply to the joint committee before funds could be appropriated for that purpose.

Mr. HOLIFIELD. I thank the gentleman.

Mr. COLE. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, as has been pointed out, this bill is necessary in order to resolve a dispute which has arisen in respect to the authority of the Atomic Energy Commission to obtain public funds by way of appropriation without those funds having been previously authorized expressly by statute. Originally, the Commission had blanket authority to seek and obtain appropriations for whatever purpose it desired. The joint committee had no responsibility with respect to the appropriation of funds except to keep itself informed as to what is going on. In 1954 when the act was changed, the committee inserted a provision in the act which continues the general authorization within the Commission to have appropriations for whatever purposes it might want, with the exception that funds needed for a Commission plant or facility or project would have to be specifically authorized.

A question has arisen as to whether this was intended without limitation to also apply to projects in which the Commission might have some participating action or relationship. The Commission has argued that its procedure with respect to appropriations in the past has been completely in compliance with the Atomic Energy Act of 1954. Personally, I am not in disagreement with that interpretation. However, some question has arisen, and, in order to resolve this dispute and properly to give the joint committee greater responsibility for the appropriation of funds than it has in the past, this bill seems to be advisable at this time.

Mr. Speaker, I ask unanimous consent to insert at this point, following my remarks, the opinion on this question of interpretation of the law which has been submitted and prepared by counsel for the Atomic Energy Commission, Mr. William Mitchell, who, may I say, in my opinion, has done a remarkable job in helping the joint committee initially in revising the atomic-energy law, which in itself was quite a substantial and monumental task, and more particularly for his part in interpreting and guiding the work of the Commission in connection with the interpretation of the intent and purposes of the provisions of that law. His counsel has been both sound and enlightened, and I deeply regret that he has found it necessary to leave the Commission both for reasons of health and salary. He has done a remarkable job for the Commission and will be greatly missed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The statement referred to follows:

COMMENTS ON STATEMENT OF CONGRESSMAN CANNON, APRIL 16, 1957, CONGRESSIONAL RECORD, PAGES 5790–5802

I. INTRODUCTORY

These comments are addressed only to the assertions, in Mr. CANNON's statement, that the Atomic Energy Commission and, in some instances the Joint Committee on Atomic Energy, have acted in contravention of law. Those assertions are twofold. Mr. CANNON states (1) that "the Commission's atomic electric power program is in some respects in contravention of the law," and (2) that the program "must be specifically authorized in its entirety." Before considering the specific legal issues raised by Mr. CANNON, it is appropriate to set forth the statutory basis for the Commission's program for the development and demonstration of atomic electric power and the extent to which it has been reviewed in the Congress.

A. Statutory basis

Section 31 of the Atomic Energy Act directs the Commission "to exercise its powers in such manner as to insure the continuing conduct of the research and development activities in the fields specified below, by private or public institutions or persons," and authorizes and directs the Commission "to make arrangements (including contracts,

agreements, and loans) for the conduct of research and development activities" relating to those fields. One of the specified fields is "the utilization of special nuclear material, [and] atomic energy, * * * for all other purposes, including industrial uses, the generation of usable energy, and the demonstration of the practical value of utilization or production facilities for industrial or commercial purposes." Thus, the Commission is authorized and directed by the Congress to "make arrangements" for the conduct of research and development activities relating to the generation of electric energy and the demonstration of the practical value of nuclear means for such generation. The contemplated arrangements are such as will insure the continued conduct of research and development activities in this area by private or public institutions.

This grant of authority is designed to implement the purposes stated in section 3 of the Atomic Energy Act of providing—

"(a) a program of conducting, assisting, and fostering research and development in order to encourage maximum scientific and industrial progress; and * * *.

* * * * *

"(d) a program to encourage widespread participation in the development and utilization of atomic energy for peaceful purposes to the maximum extent consistent with the common defense and security and with the health and safety of the public."

The policies underlying these provisions are clearly expressed in the following passages in the reports of the Joint Committee on Atomic Energy on the bill which became the Atomic Energy Act of 1954:

"Many technological problems remain to be solved before widespread atomic power, at competitive prices, is a reality. It is clear to us that continued Government research and development, using Government funds, will be indispensable to a speedy and resolute attack on these problems. It is equally clear to us, however, that the goal of atomic power at competitive prices will be reached more quickly if private enterprise, using private funds, is now encouraged to play a far larger role in the development of atomic power than is permitted under existing legislation. In particular, we do not believe that any developmental program carried out solely under governmental auspices, no matter how efficient it may be, can substitute for the cost cutting and other incentives of free and competitive enterprise."

* * * * * *

"We do not believe that the efforts of free enterprise, using its own resources and moneys, are by themselves adequate to achieve the speediest possible attack on the goal of peacetime power. Neither do we believe that maximum progress toward this objective will be afforded by an effort relying exclusively on governmental research and development, using the public's moneys. We believe, rather, that teamwork between Government and industry—teamwork of the type encouraged by these amendments—is the key to optimum progress, efficiency, and economy in this area of atomic endeavor. In other words, our legislative proposals aim at encouraging flourishing research and development programs under both Government and private auspices." (H. Rept. No. 2181, S. Rept. No. 1699, 83d Cong., 2d sess., pp. 3, 9.)

Consistently with this authority and these objectives, the Commission has sought to make arrangements both for the conduct of Government research and development activities and for the encouragement and assistance of private research and development activities, all looking toward the demonstration of the practical usefulness of nuclear means of generating electric energy. In doing so it has sought so far as practicable to bring to bear on the difficult developmental problems "the cost cutting and other incentives of free and competitive enterprise." It has aimed at relieving the burden on the Federal Treasury by encouraging the maximum contribution of non-Government funds toward the achievement of a common goal in a spirit of teamwork between Government and industry.

All of the activities which Mr. Cannon has characterized as the Commission's electric power program constitute research and development activities within the scope of section 31. They attempt by various means to make arrangements for the construction and operation of developmental plants which will serve to demonstrate the practical usefulness of nuclear means of generation of electric energy. While in many cases the technical feasibility of the plants is established, the economic feasibility remains to be established. Indeed, in general, it is expected that the plants now being built will not prove economically competitive with conventional means of generation, but that the experience in constructing and operating them will lead to further improvements which will make possible in 5 or 10 years the accomplishment of the goal of peacetime power.

B. Congressional review of the program

As Mr. CANNON points out, the Nation's program for development of electric power may be divided into three parts:

1. The Commission's experimental program: This program was instituted prior to the enactment of the Atomic Energy Act and has been continued and expanded ever since. It presently involves the construction and operation, with Government funds, of one full-sized power demonstration reactor (the Shippingport PWR), and numerous reactor experiments, critical assemblies, test reactors, and other facilities important to the development of atomic electric power. With the exception of the Shippingport reactor, which was authorized prior to the enactment of the Atomic Energy Act of 1954, this program does not presently include full-scale demonstration reactors, although the Commission has announced its intention of seeking authorization for such reactors if it determines that a particular type of reactor is at a technological stage warranting construction of a demonstration reactor and no acceptable nongovernmental proposal to build such a reactor has been obtained.

2. The power demonstration reactor program: This program is based on cooperation between the Commission and publicly, cooperatively, or privately owned sponsors, with each bearing a portion of the cost of a demonstration reactor. Three public invitations for proposals have been issued, dated January 10, 1955, September 21, 1955, and January 7, 1957, offering varying degrees of Government assistance. Two contracts have been executed with private utility organizations, calling for Government assistance by waiving fuel-use charges and bearing the cost of certain specifically identified research and development; the entire cost of construction and operation of the reactor and turbine generator will be borne by the proposer. Contracts with five publicly or cooperatively owned proposers are in negotiation; these proposals contemplate that the Commission will waive fuel-use charges, bear the cost of identified research and development, bear a major part or all of the cost of construction of the reactor, and in some instances make contributions toward operating costs. In each of these cases the reactor will be owned by the Commission and will not be a licensed facility. Additional proposals are anticipated. In each case under this program the Commission will receive, and may disseminate publicly, full technical and economic reports on the project, and will retain appropriate patent rights.

3. The private industrial program: Under this program no part of the cost of the project will be borne by the Federal Government, and the proposers will retain full rights to patents and information except such as may be required for regulatory purposes under the licensing provisions of the Atomic Energy Act. Three construction permits have been issued for power reactors under this program.

As required by the Atomic Energy Act, the Commission has reported to the Congress, both currently and periodically, its actions and policies in respect to these three programs. They were the subject of detailed presentations and discussion at the annual hearings before the Joint Committee on Atomic Energy on the Growth, State, and Development of the Atomic Energy Industry in 1955 (pp. 90–106, 152–192), 1956 (pp. 15–32, 78–80), and 1957 (transcript, pp. 28–33, 45–171, 452–651 passim, 1189–1225); in hearings before the joint committee on authorizing legislation in 1955 (pp. 48–59); and in hearings before the Appropriations Committees of both Houses. Hearings on Public Works appropriations, 1956 (operating expenses), House, pages 361–362, 388–391, 394–402, 403, 406, 407; Senate, pages 19–22. Hearings on the supplemental appropriation bill, 1956 (plant and equipment), House, pages 960, 964, 985, 990, 992; Senate, pages 679, 684. Hearings on second supplemental appropriation bill 1957, House, pages 9–11, 114, 145–149, 299, 307; Senate, pages 62–68.

The following funds have been appropriated, since enactment of the Atomic Energy Act of 1954, for purposes of the Commission's atomic electric power programs:

	Fiscal year 1956	Fiscal year 1957
Plant and equipment	$39,850,000	$15,000,000
Operating	55,430,000	63,156,000
Total	95,280,000	78,156,000

The foregoing programs were again extensively reviewed in hearings at the 84th Congress on proposed legislation, introduced by Senator GORE and Congressman HOLIFIELD, to accelerate the civilian atom-power program. Hearings before the Joint Committee on Atomic Energy on Proposed Legislation for Accelerating Civilian Reactor Program, S. 2725 and H. R. 10805. In its reports on these bills (S. Rept. 2390, H. Rept. 2622, 84th Cong., 2d sess.), the Joint Committee on Atomic Energy summarized (pp. 4, 7–11) the projects for the construction of prototype reactors which were currently under way or in contemplation under all these programs. Its report emphasized (p. 11) that the program contemplated by the proposed legislation "is entirely supplementary to, and is in no way intended to curtail, the existing programs and projects of the Commission."

Each of the two contracts which have been executed pursuant to the power demonstration program has been the subject of review by the Comptroller General. On February 19, 1957, the Comptroller General transmitted to the chairman of the Joint Committee on Atomic Energy, the President of the Senate, and the Speaker of the House of Representatives, a Report on Review of Atomic Energy Commission Contract No. AT (30–3)–222 with Yankee Atomic Electric Co. The report reviews the AEC power-demonstration reactor program generally (pp. 10–13) and comments in detail on certain provisions of the Yankee contract. The report nowhere contains any suggestion that either the power-demonstration reactor program or any of the provisions of the Yankee contract are in contravention of law. It makes certain recommendations, with respect to the Yankee arrangements and future negotiations of similar contracts, adoption of which in the view of the Comptroller

General would be desirable (pp. 1, 8–9). This report was extensively discussed before the joint committee at the hearings on the Growth, State, and Development of the Atomic Energy Industry on March 5, 1957 (transcript pp. 1189–1224). Subsequently on March 22, 1957, the Comptroller General addressed to the Chairman of the Commission a letter, based on review of the proposed PRDC contract, advising that inclusion of a provision for audit by the Comptroller General was not necessary and making certain other recommendations all of which were carried out in the executed contract.

II. THE COMMISSION'S ATOMIC-ELECTRIC-POWER PROGRAM IS SPECIFICALLY AUTHORIZED BY THE ATOMIC ENERGY ACT OF 1954 AND IS NOT IN CONTRAVENTION OF LAW

Mr. CANNON'S assertion that the Commission's atomic-electric-power program is in contravention of law is said to be based on "11 separate provisions of the act"—section 261 of the act, which will be discussed later, and sections 169, 104b, 11q, 31, 32, 33, 53, 105, 152, and 159 (CONGRESSIONAL RECORD, April 16, 1957, p. 5792). We shall discuss those sections in turn in this part.

Section 169: The principal issue is raised by the assertion that the Commission has misinterpreted the limitations of section 169, the so-called "no subsidy" section (CONGRESSIONAL RECORD, pp. 5792, 5793, 5797). Section 169 states:

"No funds of the Commission shall be employed in the construction or operation of facilities licensed under section 103 or 104 except under contract or other arrangement entered into pursuant to section 31."

On its face, this language appears to mean that by contract or other arrangement under section 31 for the conduct of research and development, and in return for an appropriate consideration to the Government, the Commission can lawfully contribute funds to the construction and operation of a licensed facility. Nothing in the text of section 169 or of sections 31 or 104 purports to limit the Commission's authority to enter into research and development arrangements in connection with licensed facilities to cases in which an operating license had been issued. On the contrary, section 31 confers general authority on the Commission to enter into such arrangements with private or public institutions or persons, and section 169, if it can be read as a limitation on this authority at all, does not purport to restrict the point in time at which the contract or arrangement can be entered into, but merely to limit the extent to which funds paid by the Commission can be used to pay construction and operation expenses. Indeed, the lumping of construction and operating expenses in the same phrase appears to preclude any distinction based on the time of completion of construction and receipt of an operating license.

Nothing in the committee hearings, reports, and debates on the 1954 act appears to require a more restrictive interpretation of section 169 than that above stated. Accordingly, the Commission in its first invitation for power-demonstration proposals offered to enter into contracts under section 31 under which the amounts paid by the Commission for the information derived from the project could be used for development, fabrication, and experimental operation.

At the hearings before the Joint Committee on Atomic Energy on the growth, state, and development of the atomic energy industry (1955), conflicting interpretations of this section were expressed by members of the committee.

Congressman COLE and Senator ANDERSON both expressed, in the passages quoted by Mr. CANNON and elsewhere, the view that the Commission had misinterpreted section 169 and that the only thing intended to be authorized by the "except" clause of section 169 was a contract for specific research and development entered into subsequent to the completion of construction of a licensed reactor. On the other hand, Congressman HOLIFIELD, to whom Mr. COLE referred as having suggested the inclusion of section 169 in the act (p. 173), disagreed with the interpretation stated by Mr. COLE and Senator ANDERSON and stated:

"Mr. Chairman, I want to interrupt here to say that I think the Commission was wisely and completely in accord with the law in this line of reasoning. I cannot see how they can be condemned for proceeding as they have proceeded in this particular instance" (p. 169; see also pp. 173–4, 175).

Senator HICKENLOOPER stated that he was "in agreement with Mr. HOLIFIELD on his legal pronouncements here" and "sorry to disagree with our esteemed chairman and our esteemed former chairman" (p. 175). He added:

"As I read section 169, it plainly says that the funds of the Commission can be used—putting it in a different order—in the construction or operation of facilities licensed under section 103 or 104 if they are used in pursuance of section 31 but not any other section" (p. 176).

No other members of the joint committee expressed themselves on the point.

It may also be noted that during this discussion Mr. COLE observed that "I am sure the Commission had no intention to deliberately circumvent the provision of section 169 * * * I can see that there is a misunderstanding and it is not clear" (pp. 160–161). Senator ANDERSON added, "I agree with Mr. COLE that we are not trying to accuse people of deliberately flouting the law" (p. 161).

Faced with this direct disagreement among members of the joint committee as to their understanding of the meaning and intent of section 169, the Commission, as a matter of policy, adopted an intermediate position. The 1955 authorization bill included an item of $25 million for power reactor acceleration. At hearings in May 1955 before the joint committee on authorizing legislation, the Commission stated its intention to use this money for "work in joint ventures with industry," as well as projects financed wholly by the Commission (p. 48). Its general counsel emphasized, however, that the Commission would not "grant money to the contractor to be expended by him for something to which he would retain title" (p. 50), and agreed that, under the Commission's interpretation, "if any such research assistance involves capital items that the title to those items must be in the Government" (p. 57).

The report of the joint committee on the authorizing legislation, Senate Report No. 438, House Report No. 787, 84th Congress, 1st session, stated:

"It is the intention of the joint committee that no funds authorized to be appropriated under this act shall be used to provide subsidy to private companies or in any way contrary to the force or intent of section 169 of the Atomic Energy Act of 1954" (p. 7).

It further characterized in general terms the intent of section 169 to prevent subsidy of the "construction or operation" of "reactors owned by licensees." It did not refer to or comment on the policy, which the Commission had stated at the hearings, of contracting for the support of separately identified research and development in connection with licensed reactors or of providing construction funds for and taking title to demonstration reactors.

In its application of the policy expressed at the 1955 authorization hearings, the Commission has followed, as appropriate, either of two courses of action:

(a) In cases where the facility will be a licensed facility and section 169 is applicable, it will, in addition to waiving fuel use charges, support specifically described research and development programs. It has also offered, in its third invitation, to consider requests for research and development assistance in recognition of exigencies relating to the experimental nature of the projects, such as examining causes of fuel element failure and other experimental operations. No part of the funds paid by the Commission may be used to defray the costs of construction or of normal operation.

Examples of this course of action are afforded by the Yankee and PRDC contracts. The only Commission payments called for by these contracts are for research and development which, whether performed in Commission or private facilities, is specifically identified in appendices to the contracts and is to be performed under contractual arrangements which give the Commission full administrative and financial controls over the funds expended, thereby enabling it to insure that they are in fact expended for specific research and development within the approved programs and for no other purpose. In neither case will Commission funds be employed in the construction or operation of the reactor.

(b) The Commission will also finance part or all of the construction of the reactor and take title to the entire reactor. In this case the reactor is a Commission facility and not a licensed facility; section 169 has no application; and the energy produced in the facility is required to be distributed in accordance with the preference provisions of section 44 of the act. Arrangements of this type are being negotiated with Consumers Public Power District and with four proposers under the second invitation. No such assistance is offered by the third invitation.

It may be noted that under neither of these courses of action does the Commission propose to make "cash grants." Its assistance is in the form of waivers of charges and of an undertaking to pay the actual costs of certain work. In each case it reserves sufficient administrative and financial controls—as it has in the Yankee and PRDC contracts—to ensure that its payments are used only to defray those costs which it has undertaken to defray and are not diverted to other purposes.

This distinction was clearly expressed by Congressman COLE during the 1957 hearings before the Joint Committee on the Growth, State, and Development of the Atomic Energy Industry. In discussing the scope of Commission assistance to licensed projects and the possible effect of section 169 as a deterrent to progress with such projects, he there stated:

"As it stands now, the commission may participat in any of these developmental projects by way of research contract under another authority of the law, but the commission is prohibited from making an outright subsidy of so much money and having it publicized as an outright gift given by the commission to the project for the sole purpose of proving out the concept of furthering development." (Transcript, p. 497).

The Commission's policies relating to the power demonstration reactor program have been fully explained to the Joint Committee on Atomic Energy and to the appropriation committees. In the light of its understanding of them, the joint committee, in its report on the Gore bill, referred with apparent approval to the actions currently being taken by the Commission under the power demonstration reactor program, and emphasized that the legislation which it was proposing was "in no way intended to curtail the existing programs and projects of the Commission."

Thus, it appears that the text of section 169 on its face authorized direct Commission contributions to the construction and operation of licensed reactors provided such contributions were made and supportable under a contract for research and development pursuant to section 31 of the act. Nothing

in the legislative history of the Atomic Energy Act of 1954, as disclosed in the public hearings, reports and debates, indicated that any different interpretation was intended. Nevertheless, in deference to the expressed views of the chairman and former chairman of the joint committee, and notwithstanding the public disagreement of other committee members with those views, the Commission has, as a matter of policy, adopted a more limited position. Its position and actions have been fully reported and explained to cognizant committees of the Congress in connection both with general hearings and with requests for appropriations, which the Congress granted, to enable the Commission to carry out its power demonstration reactor program. In the light of these circumstances, the assertion that the Commission has disregarded the requirements of section 169 is not supportable.

Section 104b: Mr. CANNON's only references to this section are in connection with the argument which centers on section 169 and which has been discussed at length under that section.

Section 11q: This section defines research and development as including "the extension of investigative findings and theories of a scientific or technical nature into practical application for experimental and demonstration purposes * * *." It thus makes clear that all of the reactor projects comprised in the Commission's electric power program, including both the experimental reactors which the Commission is constructing and the demonstration reactors being or to be constructed by both the Commission and nongovernment groups, constitute research and development within the meaning of section 31.

Section 31a (4) and b: Mr. CANNON's references to section 31a (a) are in connection with the argument centered on, and which we have discussed under section 169. Mr. CANNON also asserts (CONGRESSIONAL RECORD, p. 5793), without stating his reasons, that the Commission has misinterpreted the authority of section 31b (now renumbered 31c)—to make arrangements without regard to the provisions of Revised Statutes, section 3709—the competitive bidding statute. Section 31c permits arrangements to be made without formal advertising by competitive bid upon certification by the Commission that advertising is not reasonably practicable. Since the Commission's objective was to assist any project which offered a promising approach toward the achievement of competitive nuclear power, and since it was not feasible or desirable to write rigid specifications for projects of such a nature, it was obviously not practicable to proceed on a basis of formal advertising and fixed price competitive bids. However, each of the power demonstration projects was approved after a comparative evaluation of proposals received in response to public invitation.

Section 32: Section 32 (referred to by Mr. CANNON at CONGRESSIONAL RECORD, p. 5793) authorizes and directs the Commission to perform in its own facilities certain research and development activities. It nowhere detracts, however, from the force of sections 31 and 33 which authorize the Commission to arrange for the performance of research and development by private organizations either in their own or in Commission facilities. Hence, the question is whether sections 31 and 33 authorize the arrangements which the Commission has made and contemplates making.

Section 33: Mr. CANNON asserts (CONGRESSIONAL RECORD, pp. 5793, 5797) that the provisions in power demonstration arrangements for performance of research and development in Commission facilities without charge violate the intent of section 33 of the act. That section authorizes the Commission to conduct for others through its own facilities certain research and development activities and provides, "The Commission is authorized to determine and make such charges as in its discretion may be desirable for the conduct of such activities and studies." This authority to make such charges as in its discretion may be desirable cannot be read as a direction to impose charges. The Commission's offer to waive charges for research and development thus performed in Commission facilities was consistent with its offer to pay the cost of research and development performed in private facilities. That is, since the Commission was prepared to reimburse the cost of research and development which it agreed to be necessary, it could appropriately waive the charge for work performed in its own facilities, rather than collect it with one hand and reimburse the company with the other. It should be noted, also, that under the executed and contemplated power demonstration contracts the Commission will receive full rights to all information concerning the research and development work, the cost of which it is defraying through reimbursement or waiver, and to all patent rights in the atomic energy field resulting from such work. Thus, this information and these patent rights will be available for the public benefit.

Section 52: While section 52 is not referred to in Mr. CANNON's enumeration, Mr. CANNON asserts (CONGRESSIONAL RECORD, p. 5798) that the PRDC contract is in contravention of this section. This assertion is based on the last sentence of section 52, which requires the Commission to pay a fair price to any person who produces special nuclear material except pursuant to a contract with the Commission under sections 31 or 41. Nothing in this sentence precludes paying a fair price for special nuclear material produced by a contractor. Moreover, it is doubtful whether the special nuclear material will be produced pursuant to a contract under section 31. The contract merely obligates the contractor to furnish information; it does not require delivery to the Commission of special nuclear material produced. Finally, since the Yankee and PRDC reactors are licensed reactors, the provision of section 56 that the fair price, as may be determined by the Commission, shall apply to all licensed producers of the same material would appear to require that a fair price be paid.

Mr. CANNON also states that "the Commission is proposing to pay the [PRDC] group 3 to 4 times its own established fuel value." There are several inaccuracies in this statement. The PRDC contract nowhere contains any commitment on the part of the Government to pay any price for plutonium; the Government's commitments in this regard are established by the guaranteed fair prices which it has established pursuant to section 56 of the act and which are applicable uniformly to all licensees. In fact, the Commission has made no commitment of any kind with respect to a price to be paid beyond June 30, 1963. It has established:

(a) A guaranteed price schedule for plutonium delivered on or prior to June 30, 1962. This schedule is classified.

(b) A guaranteed price of $12 per gram for plutonium delivered between June 30, 1962, and June 30, 1963. This price is declared to be based on the fuel value of plutonium.

The figure of $48.6 million for plutonium referred to by Mr. CANNON has been used by the company as its estimate of the revenues to be received from plutonium based on the assumption that the present classified price schedule will be extended by the Commission to cover deliveries from June 30, 1962, through 1970. While the company has prepared its financial estimates for the operating period for use in the pending licensing proceeding (*Matter of Power Reactor Development Company*, Docket No. F-16) on the assumption that these prices will continue, it has made no contention that the Commission is committed to continue these prices, and the Commission has made no such commitment. The Commission's position is that whatever price is established pursuant to section 52 for payment to all licensees on a nondiscriminatory basis will be the price paid to PRDC. Moreover, since that price is what PRDC would be entitled to by law, if it had no contract with the Commission, it is obviously not part of the cost to the Commission of the power demonstration contract. That cost consists of the undertaking to pay the actual cost of identified research and development, not to exceed $4,500,000, and the waiver of fuel use charges, estimated at $5 million, or a total of $9,500,000, as compared with research, development, and construction costs to the company estimated at $43,216,000 (exclusive of the turbine generator).

Section 53: Mr. CANNON also contests (CONGRESSIONAL RECORD, pp. 5793, 5796) the authority of the Commission under section 53 to waive charges for special nuclear material. Section 53c specifically provides that the Commission shall charge for special nuclear material distributed for use under a section 103 license, and may charge for use of special material distributed for the conduct of research and development activities or for use under a section 104 license. In view of this clear distinction between the permissible "may" and the mandatory "shall," it is difficult to perceive on what basis it could be contended that the Commission is required to make a charge in both instances. Moreover, any contention that a charge is mandatory would be inconsistent with the second sentence of section 53c which provides that the Commission "shall establish criteria in writing for the determination of whether a charge will be made"—a provision which clearly recognizes that a charge need not be made. The Commission's written criteria applicable to power demonstration projects are embodied in the three public invitations for proposals under the power demonstration reactor program, each of which declares that the Commission will consider waiving fuel use charges in the case of proposals which are found to meet the criteria of the invitation, including the requirement that information concerning the project be made available to the Commission for dissemination to the public.

Section 105: While Mr. CANNON lists section 105 as a provision which the Commission has misconstrued or ignored, his discussion of this section (CONGRESSIONAL RECORD, pp. 5798–5799) concludes merely that section 105c, by its terms, is not applicable to the PRDC case, and that the Commission was therefore under no obligation formally to notify the Attorney General of its proposed issuance of a construction permit. The facts concerning the PRDC application are all of public record and the Commission will, of course, report to the Attorney General, pursuant to section 105b, any information which it may acquire indicating that this or any other atomic energy project appears to violate or tends to violate the antitrust acts, or to restrict free competition in private enterprise.

Sections 152 and 159: Section 152 provides that any invention or discovery, useful in the production or utilization of special nuclear material or atomic energy made or conceived under any contract, subcontract, or other arrangement with the Commission shall be deemed to have been made and conceived by the Commission except that the Commission may waive its claim to such invention or discovery in cases under section 33 and "under such other circumstances as the Commission may deem appropriate." Section 159 provides that nothing in the act shall affect the right of the Commission to require that patents granted or inventions made or conceived during the course of federally-financed research or operations be assigned to the United States. Mr. CANNON apparently contends that both have been dis-

regarded in the Yankee and PRDC contracts. (CONGRESSIONAL RECORD, pp. 5797, 5798.)

In applying these provisions to the power demonstration contracts with Yankee and PRDC, the commission has retained full rights to all inventions resulting from work which is either financed by the Federal Government or performed at a commission facility or utilizes the services of commission or commission contractor personnel. The only exception to these rights is the reservation to the contractor of a nonexclusive license, which by its nature does not derogate from the commission's right to grant licenses to others. Such a nonexclusive license serves merely to assure the contractor of the rights to which he would be entitled in any event under the commission's policy of licensing inventions in the atomic energy field to which the Government has title. Thus the commission has exercised the right conferred by section 159.

In addition, the commission has obtained a license for governmental purposes under inventions not financed with Federal funds or resulting from work performed at commission facilities or by commission personnel. Since the power demonstration contracts are arrangements within the meaning of section 152, the commission could have insisted on full rights to such inventions. It chose, rather, to exercise its discretionary authority to make a partial waiver of such rights. It considered that since the lion's share of the cost and risk of those developmental projects was being borne by the private sponsors, it was not equitable to give to possible competitors rights in inventions developed with private funds. However, in recognition of the Government's minority contribution to the project as a whole, the commission reserved the full right to use such inventions for governmental purposes.

Mr. CANNON'S assertion that the contracts fail to require Yankee and PRDC to make available for the benefit of the public the "technology, know-how, technical, and economic data acquired in the construction" of the project is not supported by the terms of the contracts. Both contracts require the contractor to submit reports containing such technical, economic, progress and operating data as the commission may request and authorize the commission to disseminate such data and reports for use by others. These reporting provisions cover not only construction but also operation during the contract period. In addition, the commission is given rights to inspect the work and activities of the entire project. Thus, the full technical and economic information to be obtained from the project will be made available not only to the Government but to the public at large.

The industrial program: In addition to his charges of contravention of law with respect to the power demonstration reactor program, Mr. CANNON also asserts that "the atomic giveaway under the independent industrial program is not authorized by law." He bases this assertion on the following statement:

"Under this program, industry applicants are to be given all of the technology acquired by the Government at a cost of about $230 million, and industry is not required to return to the Government the technical and economic information which it needs to acquire and apply for the benefit of all." (CONGRESSIONAL RECORD, p. 5797.)

To this there are two answers.

First, the Commission's action in making technical information available is in accordance with the purpose of section 3b of the 1954 act which establishes a "program for the dissemination of unclassified scientific and technical information and for the control, dissemination, and declassification of restricted data, subject to appropriate safeguards so as to encourage scientific and industrial progress." See also section 141b. Nothing in the act authorizes the Commission to deny such information to any person having a legitimate interest in it (apart from limitations required to achieve necessary security safeguards), or to collect from users a charge which will compensate the Government for its research and development costs incurred for the public benefit. Indeed, it has generally been contrary to Federal policy to impose such a charge for the use of patents and technical information owned or controlled by the Government.

Second, section 31c, to which Mr. CANNON refers in this connection, does not require that the Commission receive full technical and economic information from licensed projects. That section (renumbered 31d) relates only to arrangements under section 31. In the case of the industrial program, the research and development is being performed by industry independently and not as part of an arrangement with the Commission under section 31. The Commission's authority to obtain information from straight licensed projects is derived primarily from sections 103, 104, and 182a, which refer to information affecting the common defense and security and the health and safety of the public. Notwithstanding this, the participants in the industrial program have in fact voluntarily met with Commission representatives from time to time to advise the Commission of the status of their projects.

III. THE APPROPRIATIONS MADE TO THE COMMISSION TO CARRY OUT ITS ATOMIC ELECTRIC POWER PROGRAMS HAVE ALL BEEN AUTHORIZED BY LAW

Mr. CANNON asserts that the Commission has "effectively evaded the clear language, purpose, and intent of [section 261 of the Atomic Energy Act of 1954] insofar as atomic electric power is concerned." (CONGRESSIONAL RECORD, p. 5791.)

AEC's practice has been to divide its appropriations request into two parts, plant and equipment, and operating, and to seek specific authorization only for "plant" expense. The distinction between operating expense and plant and equipment expense had been consistently employed by the Atomic Energy Commission in requesting appropriations prior to the enactment of section 261 of the Atomic Energy Act of 1954. We believe that it is consistent with the practice of other Government agencies which are required by their particular statute to receive authorization for construction. With the passage of the 1954 act, the AEC continued to use the same principles in submitting requests for authorizing legislation under the provisions of section 261 as had been consistently used in seeking appropriations in the past, except that, in deference to the view of the joint committee, it has excluded from the authorization request those portions of the plant and equipment budget which did not constitute plant or facility within the meaning of section 261.

In the determination of what constituted plant and equipment expense and what constituted operating expense, the AEC has preceded in accordance with its understanding of normal Government appropriation practice.

The foregoing practice of the Commission in seeking, and the Joint Committee on Atomic Energy in granting, authorization for appropriations is, we submit, wholly consistent with section 261.

The first sentence of section 261 provides:

"There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this act except such as may be necessary for acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion."

It thus authorizes the appropriation of all sums necessary and appropriate to carry out the purposes and provisions of the act—including, necessarily, the purposes and provisions of section 31 of the act. The only exception from this authorization is for such appropriations as may be necessary for acquisition or condemnation of real property or any facility or for plant or facility acquisition, construction, or expansion. Specific annual authorization is required for those appropriations, but for no others.

There can be no possible dispute that section 261, by its terms, fully authorizes appropriations which do not involve either acquisition or condemnation of real property or acquisition, construction or expansion of a plant and facility—as for example, appropriations for the performance of research and development in existing Commission-owned facilities or in nongovernment facilities. The only serious question of interpretation presented by section 261 is as to the meaning of the words "plant or facility."

This question was raised and discussed at the hearings before the Joint Committee in May 1955 on the authorizing legislation. The Commission, in preparing its request for authorization, adopted the view that section 261 required specific annual authorization for substantial additions or alterations or improvements to real estate or plants which are intended to be permanent and which by their nature are permanent." (Hearings before the Subcommittee on Authorizing Legislation of the Joint Committee on Atomic Energy, 84th Cong., 1st sess., May 1955, p. 16.) In addition, for convenience, it included in its authorization request, although not legally required to do so, other items normally budgeted for as plant and equipment even though they were not considered to constitute plants or facilities within the meaning of section 261 (ibid).

The discussion at the hearings revolved principally about the appropriate treatment for reactor experiments which involved construction of Commission-owned facilities of a temporary nature and which the Commission, in accordance with its expressed position, had not included in the authorization request.

In its reports on the authorizing act, the Joint Committee pointed out that the word "facility" was used in section 103 and 104 of the act in a sense different from that in which the Commission was using it in its interpretation of section 261 and that "the Commission's operating budget, however, includes some reactor facilities." It added, "Since the Commission reported that it did have authority to have appropriated funds for such temporary or experimental facilities, and did not request authorization for them, the Joint Committee has not included them in this bill. The Joint Committee does not intend by the action of not including these items in the bill to indicate concurrence with the interpretation given section 261 by the Commission, and indeed has strongly indicated the contrary." (H. Rept. No. 787, S. Rept. No. 538, 84th Cong., 1st sess., p. 2.)

In addition, the Joint Committee indicated that it had "excluded from this bill those items which the Commission had inserted in the bill but which did not properly come within the permissible scope of authorizing legislation of section 261." (p. 3)

Thus, the committee's action clearly indicates that its only difference with the Commission lay in the treatment of certain Commission reactor experiments which the Commission regarded as temporary in nature but which the Joint Committee considered to constitute "facilities" within the meaning of sections 103 and 104 and for that reason to require authorization under section 261. The Joint Committee's action in excluding from the authorization bill appropriation requests for equipment which did not constitute "facilities" clearly expressed its recognition of the fact that, except as to real

estate, plant, and facilities, section 261 did not require annual authorization.

Notwithstanding the expressed disagreement of the Joint Committee with the Commission's position on the narrow question of whether the Commission's temporary reactor experiments should be considered "facilities" within the meaning of section 261 so that annual authorization was required, the Congress approved appropriations for the Commission which carried these items in the operating budget without specific authorization in the authorization legislation.

On November 4, 1955, in response to a request of the Commission, the Comptroller General in opinion B–123918 addressed himself to this question. He characterized the position of the Commission in the following terms:

"The letter states that it is the view of the Commission that 'real estate' or 'plant' and 'facility' are substantial additions or alterations or improvements to real estate or plants which are intended to be permanent and which by their very nature are permanent and that 'facility' is a part of a plant comparable to what in common law would be classified a fixture which becomes part of the real estate. Thus, only an object having a permanent and lasting value and a production or end-use purpose is to be considered a 'facility' within section 261, while an item constructed for use in conducting weapons tests, a pilot plant constructed to prove out methods of operation, and a project constituting an experiment in itself, being expendable and without permanent or lasting value, are not to be considered covered by section 261."

After discussion of the relevant legislative matters, he concluded:

"Thus, there are obviously divergent views as to what was intended to be embraced by the word 'facility.' While the Joint Committee on Atomic Energy or at least some members thereof indicated nonconcurrence with the interpretation given section 261 by your Commission no affirmative action has been taken by the Congress in the matter. In the circumstances, we do not feel we are in a position to dispute the interpretation of section 261 as set out in your submission. Accordingly, in the absence of any Congressional action to the contrary, we would not be required to take exception to otherwise proper expenditures made on the basis of your interpretation of section 261."

Accordingly, the Commission's authorization and appropriation requests for fiscal years 1957 and 1958 were presented on the same basis as for fiscal year 1956. In connection with the fiscal year 1957 request, the joint committee did not raise further question concerning the Commission's interpretation and the authorization and appropriation acts reflecting that interpretation were enacted.

IV. CONCLUSION

For the reasons stated, it is submitted that the Commission's atomic electric power programs have been carried out in full compliance with law. Indeed, it is apparent that much of Mr. Cannon's comment, while cast in the form of assertion that the Commission, and in some instances the Joint Committee on Atomic Energy, have acted in contravention of existing law, is really an argument that existing law should be changed. For example, his broad charges of "atomic giveaway" in connection with the private industrial program re-echo similar arguments advanced in 1954 in opposition to the legislation which became the Atomic Energy Act of 1954. Much of his objection to the power-demonstration reactor program appears to be an objection to the philosophy expressed in those provisions of the Atomic Energy Act and those passages of the committee reports on that act which were quoted at the outset of this memorandum. Similarly, his arguments with respect to the need for authorization legislation constitute in essence an argument in opposition to the authorization for appropriations, other than for real estate, plant, and facilities, made by section 261 of the Atomic Energy Act. Insofar as Mr. Cannon's remarks are addressed to the wisdom of the Atomic Energy Act of 1954, rather than the question whether the Commission and Joint Committee on Atomic Energy have acted in conformity with law, they are outside the scope of this memorandum.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. COLE. I yield to the gentleman from California.

Mr. HOLIFIELD. May I say that I have no objection to putting the statement of the counsel for the Atomic Energy Commission in the RECORD at this point, but I want to say also that it is not to be taken as Congressional intent insofar as this legislation is concerned, but merely his opinion.

Mr. COLE. To be sure. I agree with the gentleman, and at this point I want to compliment him on the admirable manner in which he has dealt with the difficult problem. A dispute has arisen. The gentleman from Missouri, chairman of the Committee on Appropriations, has given an explanation of the basis of his agreement. It seems only fair that representatives of the Commission should have an opportunity to have their views presented also.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. COLE. I yield to the gentleman from Iowa.

Mr. GROSS. I want to commend the gentleman from new York [Mr. COLE] for his support of this bill. I wish, however, that it had gone far enough to take care of providing that this committee have some scrutiny over the funds which will apparently have to be appropriated and spent under this international agency.

Mr. COLE. The gentleman can be very sure that the Joint Committee will have some responsibility in that regard.

Mr. GROSS. And I think the House of Representatives should have some responsibility in approving the creation of the international agency validating that treaty.

Mr. COLE. I would delight to engage in a discussion in defense of the international agency, because I am wholeheartedly in support of it, and I am reasonably confident after ample discussion that I would be able to convince the gentleman from Iowa that it is a justifiable proposal. However, time is so limited, we better not go into that matter.

Mr. GROSS. It will take a good deal more time than the gentleman will have available to him this afternoon or tomorrow to convince me.

Mr. HOLMES. Mr. Speaker, will the gentleman yield?

Mr. COLE. I yield to the gentleman from Washington.

Mr. HOLMES. At the beginning of the consideration of this legislation, the gentleman from North Carolina [Mr. DURHAM] moved to suspend the rules, and then I missed on a matter in relation to a Senate bill. Will either of you gentlemen explain that?

Mr. COLE. An identical Senate bill to H. R. 7992, which the gentleman from North Carolina initially called up for suspension, has already passed the Senate, so that in order to expedite the parliamentary process he asked to have the Senate bill substituted for the House bill.

Mr. HOLMES. And the Senate bill, when passed this afternoon, will technically be the same as House bill H. R. 7992?

Mr. COLE. Exactly.

Mr. HOLMES. I thank the gentleman.

Mr. DURHAM. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A similar bill, H. R. 7992, was laid on the table.

SCHOOL BOARD OF KLAMATH COUNTY, OREG.

Mr. ENGLE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 7050) to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes:

The Clerk read as follows:

Be it enacted, etc., That section 24 of the act of August 13, 1954 (68 State. 718, 723), is amended by deleting "Effective on the first day of the fiscal year beginning after the date of the proclamation provided for in section 18 of this act" and by inserting in lieu thereof "Effective on July 1, 1957".

The SPEAKER pro tempore. Is a second demanded?

Mr. ENGLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

Mr. ULLMAN. Mr. Speaker, passage of H. R. 7050 is of great importance to Klamath County, Oreg., as it remedies an inequitable situation existing under present law.

Under previously enacted Federal legislation, school districts which contain Indian lands have been relieved from the repayment of Federal funds previously expended for the education of Indian children. Klamath County, because of a technicality, was not covered. Thus, the county would have been required to make payment for the fiscal year beginning July 1, 1958.

The bill which has just been passed relieves Klamath County of this recoupment obligation which amounts to approximately $95,400. The repayment of any or all of this sum would be an extreme hardship on the county as well as an inequity in view of the relief which

was previously given to other school districts in a similar position.

I am very pleased that this bill has been passed and know that the Klamath School District and the Oregon State Department of Education, who have supported this legislation, share my enthusiasm.

AMENDING THE ACT OF AUGUST 11, 1955

Mr. ROGERS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 4748) to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims subject to that act may be made.

The Clerk read as follows:

Be it enacted, etc., That the act of June 29, 1956 (Public Law 636, 84th Cong.; 705 Stat. 438), is amended by inserting "(a)" after "That", by striking out "July 1, 1957" and inserting in lieu thereof "July 1, 1958", and by adding at the end thereof the following new subsection:

"(b) The time during which labor must be performed, or improvements made pursuant to the provisions of section 2324 of the Revised Statutes of the United States (30 U. S. C. 28), on any other unpatented mining claim subject to the act of August 11, 1955 (Public Law 357, 84th Cong.; 69 Stat. 679; 30 U. S. C. 541–541l), for the period commencing July 1, 1956, is hereby extended to 12 o'clock meridian, July 1, 1958."

The SPEAKER pro tempore. Is a second demanded?

Mr. METCALF. Mr. Speaker, I demand a second.

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROGERS of Texas. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, this is a bill having to do with the deferment or suspension of assessment work on mining claims in uranium lignite deposits. It is a bill that was introduced by the gentleman from South Dakota [Mr. BERRY], and the reason the suspension or deferment is requested on this assessment work is because there has not been an economically feasible process as yet developed to extract the uranium from the lignite deposits. Now, as I understand, the bill will defer this assessment work for 1 year, and if at the end of that time there has not been a process developed that will make it economically feasible to extract this uranium from the lignite, no further extensions will be asked.

Mr. Speaker, at this time I yield 3 minutes to the gentleman from South Dakota [Mr. BERRY]. This is his bill and I want to give him an opportunity to explain it.

Mr. BERRY. Mr. Speaker, I thank the gentleman from Texas. Perhaps I should say that out in this area, northwestern South Dakota, northeastern Wyoming, southeastern Montana and southwestern North Dakota, there is a low-grade lignite coalfield in which has been found a uranium deposit. There is yet no known process that is economically feasible for the removal of this uranium from the lignite.

In 1955 this Congress passed a multiple-purpose mining law authorizing the filing on the mineral deposit in this fuel mineral. Because of the fact that there was no process for the removal of it, last year, in 1956, we passed a law deferring the time for 1 year when the annual assessment work, $100 per year, had to be done. Jesse Johnson of the Atomic Energy Commission came before our committee and told us that they have at Grand Junction, Colo., about 2,000 tons of this uranifarous lignite and that they are running it through their pilot plant at the rate of about 20 tons a day and hope to have it all processed within the next 2 or 3 months. When complete they will know whether the ore can be economically removed from the lignite or not. If not, these people have nothing but a low-grade lignite which is practically worthless. If a process is discovered then they can go ahead and do their 2 or 3 years of assessment work.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield to me?

Mr. BERRY. I yield to the gentleman from Colorado.

Mr. ASPINALL. May it be said that because of some of the inducements held out by the Atomic Energy Commission, this legislation is made necessary at this time and is really an exception to the general mining assessment work that is concerned.

Mr. BERRY. That is correct, and I thank the gentleman for his contribution. I do want to say for the record that there will be no request for another extension beyond this, because of the fact that is is a one-shot proposition. Within the next 6 months we should know whether they have anything. Actually the only people affected are the little people who have gone out there and made these fillings. The large operators already have done their assessment work. They can charge the cost of assessment work off as company expense, but the small operator, who holds a few claims is unable to do this. He must either do the work himself or dig up the cash to hire it done, or he must exchange an interest in his claim to hire some big outfit with the equipment to do the work for him.

Mr. ASPINALL. Mr. Speaker, if the gentleman will yield for one further question, I think it is correct, is it not, to state that the assessment work must be done by June 30, 1957?

Mr. BERRY. That is correct. That is the reason there is the need for speed in the passage of this bill. I thank the gentleman very much.

By way of summary let me say that AEC had given these people to understand that they would know before this whether or not an economically feasible process for the removal of the uranium from the lignite can be effected. They now state it will be another 4 or 5 months before they can be sure. The small operators cannot afford to sink another two or three hundred dollars into each of these claims on the chance that AEC will find a process. AEC will know definitely before another year and these individuals may then either go ahead with their claims or drop them, depending upon the success of the studies of AEC. It would not be fair to squeeze them out now however.

This is a special situation. It was necessary to pass Public Law 357 of the 84th Congress to legalize filing in this area. Because of the peculiar situation in 1956 Congress passed Public Law 636, 84th Congress, deferring compliance with the assessment law for 1 year. This bill simply extends such deferment another year until June 30, 1958, because of a further continuance of the same situation.

Mr. METCALF. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, this bill is a suspension of the necessity to do assessment work for the current fiscal year. The reason advanced is that unless there is an economical process for the recovery of uranium from the lignite formation in the affected area these claims will be valueless. The delay in determining whether such a process is going to be perfected is attributable in part at least to the Atomic Energy Commission. However there are thousands of miners all over the West who would like to avoid their assessment work because there is not a means for them to recover the ore and sell it at a profit. Gold miners continue to do assessment work on their claims even though the federally controlled price of gold is so low that under present conditions they cannot mine at a profit. Uranium miners in other areas find that their costs of recovery are such that they cannot profitably develop their claims, yet they continue to perform their annual assessments.

From its inception this project has been irregular. Special legislation was required to permit the filing of these uranium claims on land classified as coal lands and containing minerals that must be leased from the Government. Twice Congress has suspended the necessity of doing the annual assessments pending development of an economical process for the recovery of this uranium. I welcome the assurances from the gentleman from South Dakota [Mr. BERRY] that if this bill passes it will be the last time that he will seek special treatment for this area. Otherwise we would have rights continued from one year to another without the locators of these claims doing anything to perfect those rights except to stake a claim and initially pay a nominal filing fee. Special treatment to one class of miners, in one particular area, is unjustified and unwarranted in spite of the fact that an agency of the Federal Government, the Atomic Energy Commission, is partly responsible for the uncertainty as to whether these claims will ever be of any value.

The SPEAKER pro tempore. The question is, Will the House suspend the rules and pass the bill H. R. 4748?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FEDERAL CONSTRUCTION CONTRACT PROCEDURES ACT

Mr. LANE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7168) to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes, and further ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) this act may be cited as the "Federal Construction Contract Procedures Act."

(b) It appears desirable, and in the best interests of the Federal Government, for the Federal Government in contracting for the construction of buildings to use the single contract system of procurement under which the general contractor is solely responsible to the Government for completion and has undivided responsibility therefor and full control and authority to coordinate and complete, but that such system should include procedures under which the subcontracts for the mechanical specialty work involved should be finalized as far as practicable prior to the submission of the prime bids or proposals to give the Government the full benefit of competitive subcontract prices, as well as maximum efficiency in performance, and that such procedures should be so established as to eliminate the unfair trade practices of bid shopping by general contractors and bid peddling by subcontractors and other unfair trade practices in connection with bidding on Federal works.

SEC. 2. (a) Each executive agency shall list in the bidding or contract documents, relating to each lump-sum construction contract before accepting bids or proposals with respect thereto, each major category of mechanical specialty work involved in the performance thereof.

(b) No executive agency shall award to or enter into a lump-sum construction contract with any general contractor unless the name of the contractor, with whom the general contractor will contract for the performance of each major category of mechanical specialty work involved which may have been listed by the contracting executive agency in the bidding or contract documents, has been specified by the general contractor in the bid or proposal upon which the contract is awarded or made: *Provided*, That with respect to any such category the general contractor may, in lieu of listing the name of such contractor, give the executive agency as part of his bid or proposal a written statement: (1) Stating that he has made an effort to secure subbids for such category; (2) setting forth that at least 5 days (Saturdays, Sundays, and Federal holidays excepted) prior to the date for opening of bids or proposals he requested subcontract bids from not less than three responsible subcontractors; (3) listing the names of all subcontractors from whom he has requested or received subcontract bids or proposals; and (4) stating that he received no definite, complete, or responsive bid from any contractor for such category: *Provided further*, That in the event a general contractor shall submit such a statement in lieu of listing the name of a contractor, he shall, if he is an apparent low bidder, within 5 days (Saturday, Sundays, and Federal holidays excepted) after the date of the opening of the bids, notify the exective agency in writing of the name of the contractor with whom he will contract for the performance of such category or that he will himself perform such category: *And provided further*, That if a general contractor shall fail or refuse to comply fully with the requirements of the immediately preceding proviso, the general contractor shall not be relieved thereby of any responsibility for his bid or proposal and the executive agency, where in its discretion it believes the failure inadvertent or otherwise excusable, may award the contract to such general contractor or the executive agency may hold such general contractor liable for any loss occasioned by such failure or refusal. Any other bidder shall, within 5 days (Saturdays, Sundays, and Federal holidays excepted) after receipt of a request from the executive agency, notify such agency in writing of the name of the contractor with whom he will contract for the performance of such category of mechanical specialty work or that he will himself perform such work.

(c) This section shall not prevent any general contractor from himself performing any major category of mechanical specialty work, or any part thereof, under a lump-sum construction contract awarded to or undertaken by him if the bid or proposal referred to in subsection (b) of this section states that the general contractor is able to and intends to perform such mechanical specialty work himself.

(d) This section shall not be construed to forbid or prevent any executive agency from awarding several prime or direct lump-sum construction contracts for any one construction project, where because of special circumstances or because of the nature of the project this would be desirable.

(e) No general contractor under a lump-sum construction contract shall contract to have any major category of mechanical specialty work, involved in the performance of such construction contract as listed by the contracting executive agency in the bidding or contract documents, performed by any person other than the person named for the performance of such work in accordance with subsection (b) or (c) of this section, except in accordance with the provisions of subsection (f), (g), or (h) of this section.

(f) A general contractor who submits a bid or proposal with respect to a lump-sum construction contract to be awarded on a competitive basis, whether or not after public advertising, may, at any time within 5 days (Saturdays, Sundays, and Federal holidays excepted) after the date of the opening of the bids or proposals therefor, engage a substitute or different contractor from the one named in accordance with subsection (b) to perform any major category of mechanical specialty work or any part thereof or the general contractor may perform the work himself: *Provided*, That within such period he notifies the contracting executive agency in writing of the name of the substitute contractor or notifies such agency that he will perform such work himself.

(g) If a contractor named by the general contractor under a lump-sum construction contract in accordance with subsection (b) of this section shall refuse to enter into a contract in accordance with his subbid therefor or shall fail or refuse to post any performance bond or to make any statement that there was no collusion in the preparation of the subbid, which bond or statement was expressly called for in a written invitation from the general contractor to the contractor for a subbid or shall fail or refuse to perform or complete the work to be performed by him in accordance with the terms of his subcontract therefor, the general contractor at any time may engage a substitute or different contractor to perform such work or he may himself perform such work or if such contractor shall be disqualified or be determined to be unqualified to perform such work by or under any applicable Federal statute or any Federal governmental order, ruling or determination, the general contractor shall, if so requested by the contracting executive agency, engage a substitute or different contractor to perform such work or he may perform such work himself: *Provided*, That he first notifies the contracting executive agency in writing of the name of the substitute contractor or notifies such agency in writing that he will himself perform such work, ascribing one of the reasons set forth in this subsection, which notice and receipt thereof shall constitute a final determination of compliance with this subsection: *Provided further*, That if, in the opinion of the contracting agency, the substitution may have resulted in a money savings which under subsection 2 (h) would inure to the benefit of the Government, the contracting executive agency may determine whether the substitution was properly made under this subsection or should have been made under subsection 2 (h). In the event the contracting executive agency determines that the substitution should have been made under subsection 2 (h), the total contract price shall be adjusted by the net difference in cost if such substitution results in a lower cost to the general contractor.

(h) If for any reason not specified in subsection (g) and after the expiration of the period referred to in subsection (f) and after the award of the contract to him, a general contractor under a lump-sum construction contract prefers to have any major category of mechanical specialty work on the project covered by such construction contract, as to which he has named a contractor under subsection (b) hereof, performed by a contractor other than the one named in accordance with said subsection (b) the general contractor may engage such substitute contractor if prior to such change (1) the general contractor submits to the contracting executive agency in writing the name of the substitute contractor and such information as the contracting executive agency may request as to any change in cost to the general contractor involved in the proposed change in contractors; and (2) the total contract price to the satisfaction of the contracting executive agency is adjusted by the net difference in cost in the event such substitution results in a lower cost to the general contractor.

(i) This act shall not apply to the following proposed construction contracts:

(1) Proposed contracts to be performed outside the continental limits of the United States which limits shall be deemed to include Alaska.

(2) Proposed contracts which are estimated by the contracting executive agency to involve less than $100,000.

(3) Any proposed contract with specific reference to which a chief officer responsible for procurement of the executive agency which is to award the contract determines that the procedure prescribed herein would result in undue delay and that the public exigency or military necessity will not admit of such delay.

SEC. 3. For the purposes of this act—

(1) The term "executive agency" means any executive department or independent establishment in the executive branch of the Government, including any wholly owned Government corporation, and any chief officer responsible for procurement of such executive department or independent establishment.

(2) The term "construction contract" means any contract entered into by any executive agency for the erection, repair, moving, remodeling, modification, or alteration of any building or structure upon real estate intended for shelter or comfort, or for production, processing, or travel, including, without being limited to, buildings, bridges, and tunnels but not including highways, aqueducts, reservoirs, dams, irrigation

and regional water-supply projects, flood-control projects, water-power development projects, jetties, and breakwaters or the buildings, bridges, tunnels, or structures incident to and included in the contract for such excluded projects.

(3) The term "mechanical specialty work" in connection with a construction contract means all plumbing, heating, piping, air conditioning, refrigerating, ventilating, and electrical work, including but not being limited to the furnishing and installation of plumbing, heating, piping, air conditioning, refrigerating, ventilating, and electrical materials, equipment, and fixtures to a point 5 feet outside the building line.

(4) The term "major category of mechanical specialty work involved" means, with respect to a particular construction contract project, those general categories of mechanical specialty work for which a general contractor normally would let a direct subcontract in view of the type of project and the geographical area involved.

(5) The term "general contractor" means a person having a direct contractual relationship with an executive agency for the performance of a construction contract.

(6) The term "person" means an individual, corporation, partnership, association, or other organized group of persons. All references to contractor or general contractor shall include individuals, corporations, partnerships, associations, or other organized groups of persons who are contractors or general contractors.

(7) The term "lump-sum construction contract" means a construction contract, whether awarded after bid or negotiated, under which the price is fixed or is to be fixed by any method other than the cost-plus-a-fixed-fee method.

SEC. 4. (a) Neither this act nor compliance with the provisions thereof shall be construed to create any privity of contract between the United States Government, or any agency thereof, and any contractor submitting a bid to or contracting with the general contractor under any construction contract or give any such contractor any cause of action against the United States or any of its agencies.

(b) Nothing contained in this act shall be construed to limit or diminish any rights or remedies which the United States or any agency thereof may have against the general contractor arising out of the construction contract, or to relieve the general contractor of any responsibility for performance of the construction contract because of any action taken by the United States or any agency thereof under any provisions of this act.

(c) Nothing in this act contained shall be construed to prevent any executive agency from requiring, in its discretion, approval or acceptance by it of contractors engaged or to be engaged by any general contractor on a construction contract or from making any other requirements it deems advisable, in its discretion, with respect to contractors engaged or to be engaged by general contractors on any construction contract or from requiring any information it deems advisable, in its discretion, as to the cost of performance of any construction contract, nor shall the imposition of such requirements give rise to any cause of action against the United States or its agencies by the general contractor or by any contractors engaged or to be engaged by the general contractor or by any other person.

(d) Nothing contained in this act shall in itself be construed to create any contract or property rights in any person.

SEC. 5. This act shall become effective 6 months after the date of its enactment.

Mr. LANE. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I am pleased to have this opportunity to address you in behalf of H. R. 7168, the Federal construction contract procedures bill.

As some of you know, I have sponsored substantially similar bills, providing for subcontractor listening on Federal lump-sum construction, in the last several Congresses.

In the past two Congresses I have been chairman of the subcommittee to which this legislation was referred. Extensive and comprehensive hearings were held in each Congress.

I would like to discuss briefly the background history of the bill and some of its technical aspects.

1. HISTORY OF THE LEGISLATION

In the 82d, 83d and 84th Congresses a number of bills similar in purpose but more complicated and with more extensive provisions were introduced and considered by the committees of both the House and the Senate.

In the 84th Congress, S. 1644 passed the Senate and received a 100 majority vote in the House but failed by 15 votes to obtain the two-thirds necessary for passage under suspension of rules.

After the adjournment of the 84th Congress, representatives of the various segments of the construction industry met on several occasions in an effort to resolve the then disagreement within the industry on the question of subcontractor listing legislation on Federal construction. In particular, in the past general contractors had strongly opposed S. 1644 of the 84th Congress and earlier measures.

As a result of these discussions between the representatives of the general contractors and the mechanical specialty contracting industries, substantial agreement was reached with respect to the general principles which should be embodied in a subcontractor listing bill. The representatives of the general contractors and officials of the Council of Mechanical Specialty Contracting Industries, representing all segments of the mechanical specialty contracting industry, were satisfied that if these general principles were incorporated in the legislation it would benefit the entire construction industry and the Federal Government alike.

With the convening of the 85th Congress, 5 bills generally similar in form and purpose and embodying the general principles recommended by the industry itself were introduced by Representatives MILLER, New York, MADDEN, Indiana, BRAY, Indiana, WRIGHT, Texas, and myself.

The Associated General Contractors of America met in annual convention in Washington after the introduction of these bills. A resolution was passed by the convention stating that there was no objection to the principles set forth in the redrafted bills.

While the subject matter of the proposed legislation had been studied extensively in past Congresses with hearings held in the 83d and 84th Congresses, our committee nevertheless held extended hearings on March 20, 27, and 28, 1957 in order further to receive the benefit of the views of all interested parties, particularly with respect to whether administrative burdens and problems of the earlier bills had been eliminated.

During the hearings a number of amendments, sponsored by the general contractors and the Federal agencies, most of which were of a technical and qualifying nature, were considered by the committee. Virtually every specific amendment so recommended was either adopted verbatim and incorporated in the present bill or the substance thereof was adopted and incorporated therein.

As a consequence, I think it is a fair statement that the clean bill, H. R. 7168, has the support of virtually all the entire construction industry, including general contractors, and has eliminated the administrative burdens and minimized the administrative problems of previous bills.

2. PURPOSES OF THE BILL

The purposes of the bill are twofold, namely:

(a) To prescribe policy and procedure to improve existing practices in connection with the letting of lump-sum construction contracts thereby placing the awarding of such contracts on a more efficient basis; and

(b) To eliminate indiscriminate shopping or peddling of subbids after the award of the prime contract in connection with Federal construction contracts.

The bill establishes procedures for Federal agencies to follow in awarding construction contracts which are in line with the practices followed by prudent private purchasers of construction. Major private purchasers of construction, such as Ford, General Electric, Dow Chemicals, Republic Aviation, and the like, require their prime contractors to submit the names of the mechanical specialty contractors they intend to use to perform the mechanical specialty work as part of the prime bid. They do this first in order that they may be assured that there is active competition for the mechanical subcontracts, and second, that they may be assured that the price to them reflects the final, low price for the mechanical specialty work which makes up almost half of the total cost. Several of our States, including the States of California, Massachusetts, Idaho, Arkansas, and South Carolina also require the general contractor to list the mechanical specialty contractors in the general bids. This contracting system is operating effectively to the economic benefit of these public bodies and to the satisfaction of substantially all of the construction industry in the respective localities.

With the incentive for bid shopping eliminated by taking the profit out of such activity, the mechanical specialty contractor has assurance that his bid will not be misused and that if he is the low responsible bidder whose bid is used in preparing the prime bid he will get to perform the work. This fact alone will encourage mechanical specialty contractors who do not now bid on Government work to submit bids on Federal construction. Hence, it will give the Government the benefit of a full range of mechanical specialty bids and of greater competition

in this field which in modern construction amounts to 40 percent and upward of the total cost. Moreover, since the subcontractors may assume they will be used if they submit the lowest subbid prior to the award, it will induce them to submit their final bid prior to the award. Thus, the prime bids will be based upon and will give the Government the price advantage of the lowest subcontract costs.

3. PROVISIONS OF THE BILL

The Federal Construction Contract Procedures Act prescribes fair bidding procedures to govern the award of Federal lump-sum construction contracts which are in excess of $100,000 and will be performed in the United States.

It requires a general contractor to list in his prime bid the names of the subcontractors which he will engage to perform each major category of mechanical specialty work. These include plumbing, heating, piping, air conditioning, ventilating, electrical, and the like.

In the event a general contractor does not receive a definite and complete bid after requesting such at least 5 business days prior to bid opening from at least 3 responsible subcontractors, he may so state in his bid and is thereby relieved of listing the names at the time of submission of the prime bid. But within 5 business days thereafter the names of those to be engaged to perform each major category of mechanical specialty work must be submitted to the Government.

Also, within 5 business days after the opening of the prime bids, a general contractor may change a listed subcontractor without any permission or assigning any reasons therefor simply by notifying the Government of the name of the substitute subcontractor in writing. This provision is to enable a general contractor to evaluate all subbids received and to make whatever checks are needed with respect to the competency, ability, and responsibility of each mechanical specialty subcontractor. It was incorporated in the bill because of the earnest representation of the general contractors that a reasonable period of time was essential after the bid opening to make certain necessary checks because frequently the subcontract bids were not received until a few hours prior to the deadline for submitting the prime bid. It was incorporated in the bill for the bona fide use of general contractors. It was not incorporated in the bill to permit bid shopping or bid peddling of any kind, limited or otherwise.

It is recognized that this 5-day period could be abused or misused. It was the general view of the committee, however, that the added flexibility which the provision provided was desirable and the committee was of the opinion that the very fact that listing was required would serve as an effective deterrent to bid shopping and bid peddling during such period. A contractor, be he general or mechanical speciality, who habitually shops or peddles a bid during the 5-day period will, as a result of the listing provision, stand out prominently in the industry, to the awarding authority and to the Members of the Congress as one engaging in an unfair trade practice which subverts the purpose and the intent of the legislation. Congressional committees and individual Members of the Congress have access to the factual data which will establish whether the legislation is working effectively or whether the intent of the Congress is being thwarted. Should experience indicate that the 5-day clause is being abused or misused then the construction industry would have only itself to blame for any rigidity which would result from further amendment of the act.

Thereafter, except for default or disqualifiaction, a change may not be made unless the money savings resulting therefrom, if any, accrues to the benefit of the Government.

4. MAJOR DIFFERENCES BETWEEN H. R. 7168, THIS BILL, AND S. 1644 OF THE 84TH CONGRESS

The revised bill still remains a simple subcontractor listing measure but significant new provisions have been added and certain old provisions have been expanded and spelled out with more particularity.

As a result, the provisions of the new bill are more flexible and the administrative burdens of the old bill have been eliminated.

The major differences follow:

First. A new subsection has been added at the beginning of the bill which recites that the single contract system in procuring building construction appears desirable and in the best interest of the Federal Government, providing procedures are adopted to finalize mechanical specialty work as far as practicable prior to the submission of the prime bids.

Second. If no definite and complete subbid for a particular category of mechanical specialty work has been received and the general contractor so certifies in his bid, he is relieved of the requirement of listing a subcontractor for the particular category until 5 business days after the submission of the prime bid.

Third. If a general contractor intends to perform any particular part of the mechanical specialty work himself, he may do so if he lists himself and providing he certifies that he is able to perform such work.

Fourth. The right is reserved to executive agencies to award several prime contracts for any one project where special circumstances or the nature of the project make this desirable.

Fifth. A general contractor may change mechanical specialty subcontractors without obtaining any permission from the Government or assigning any reasons therefor providing the change is accomplished within a period of 5 business days after submission of the prime bid and the Government is notified in writing.

Sixth. In addition to permitting a change of mechanical specialty contractor in the event of default, a change may be made if he fails to post a performance bond or to issue a noncollusion statement if that is required, or if he is, by Government regulations, unqualified or disqualified.

Seventh. After the expiration of 5 business days from the bid opening and other than for default or disqualification, a change of subcontractors may be made only if the total contract price is adjusted to the satisfaction of the Government by the net difference in cost, if a lower cost results.

Eighth. Provisions of the act may be waived by a chief officer responsible for procurement, instead of by the agency head, and for military necessity, as well as when the public exigency requires.

Ninth. Highways are excluded from the provisions of the act.

Tenth. The act is effective 6 months after enactment.

CONCLUSION

The legislation is needed by the construction industry and is in the best interest of the Government, and hence should be passed by this body.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. LANE. I yield.

Mr. MADDEN. I wish to commend the gentleman from Massachusetts as chairman of the subcommittee of the Committee on the Judiciary for bringing this legislation to the floor, also the other members of the subcommittee.

In the last session of Congress this bill was before the House and came within 15 votes of passing under a suspension of the rules. The subcommittee is to be commended for being able to get the General Contractors' Association, also the Defense Department and the General Services Administration to agree on a compromise so that there is no opposition to the bill from any department of Government, and I know that the bill will serve a great purpose and save the Government money on contractors and be sufficient incentive to bring the small contractors into it. Today we are losing a lot of subcontractors who would bid if they had an opportunity to get something out of it.

Mr. Speaker, I wish to commend the gentleman from Massachusetts, Mr. THOMAS J. LANE, and the subcommittee for bringing this bill out of the Judiciary Committee.

I am cosponsor of H. R. 7168, known as the Federal construction contract procedures bill, because I am convinced that the time has come when the Federal Government can no longer ignore the existence of the uneconomic, unfair, and unethical trade practices of bid shopping and bid peddling which are so prevalent today on Federal construction.

Under present bidding procedures mechanical specialty contractors, one of the few remaining independent small-business groups, are becoming more and more reluctant to submit subbids on Government work. The reasons they are not interested in submitting subbids is that they cannot afford to spend the money necessary to estimate a mechanical job and still have no reasonable assurance that they will get the job if they are the lowest responsible bidder and their bid is used in preparing the prime bid.

Passage of H. R. 7168, which applies only to Government contracts over $100,000, will eliminate these unfair trade practices with the result that active

competition will increase to the benefit of both the construction industry and the Federal Government.

The Federal Construction Contract Procedures Act prescribes fair bidding procedures to govern the award of Federal lump-sum construction contracts which are in excess of $100,000 and will be performed in the United States.

It requires a general contractor to list in his prime bid the names of the subcontractors which he will engage to perform each major category of mechanical specialty work. These include plumbing, heating, piping, air conditioning, ventilating, electrical, and the like.

In the event a general contractor does not receive a definite and complete bid after requesting such at least 5 business days prior to the date for opening of the bids from at least 3 responsible subcontractors, he may so state in his bid and is thereby relieved of listing the names at the time of submission of the prime bid. But within 5 business days thereafter the names of those to be engaged to perform each major category of mechanical specialty work must be submitted to the Government.

Also, within 5 business days after the opening of the prime bids, a general contractor may change a listed subcontractor without any permission or assigning any reasons therefor simply by notifying the Government of the name of the substitute subcontractor in writing. This provision is to enable a general contractor to evaluate all subbids received and to make whatever checks are needed with respect to the competency, ability, and responsibility of each mechanical specialty subcontractor.

Thereafter, except for default or disqualification, a change may not be made unless the money savings resulting therefrom, if any, accrues to the benefit of the Government.

Mr. LANE. I thank the gentleman from Indiana for his contribution. I know that in previous Congresses he has filed similar bills and is 1 of 5 who filed a similar bill in this session and appeared before the subcommittee of the Committee on the Judiciary. Also the gentleman was most helpful in the Rules Committee in obtaining a rule on this bill.

Mr. MUMMA. Mr. Speaker, will the gentleman yield?

Mr. LANE. I yield to the gentleman from Pennsylvania.

Mr. MUMMA. I would like to inquire whether during the hearings any other trades had asked to be heard or were considered in addition to the group included in the bill?

Mr. LANE. No; there were not any others.

Mr. MUMMA. In other words, you heard everybody who was entitled to be heard or wanted to be heard?

Mr. LANE. Not only that, but we had 3 days of hearings, with all parties who were interested in this bill given a chance to meet together in our hearing rooms when we had to come over here to the sessions of the House. We gave them an opportunity to sit down and to prepare and offer any amendments or suggestions which they might decide on. Your committee wrote a new bill taking into consideration any advice we might have received either from the general contractors, prime contractors, or from those who came before us representing various agencies of our Government.

Mr. MUMMA. I thank the gentleman.

Mr. KEATING. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, this is a bill designed to modernize policy and procedures to be followed by the Federal Government in awarding lump sum construction contracts. It would bring the Government's practices into line with long-established practices of many large corporations in awarding similar contracts. I am persuaded that its enactment would benefit all parties involved in the awarding of these contracts. The Federal Government, as the purchaser, would receive firmer bids and the benefit of increased competition among contractors. And both general contractors and subcontractors would be protected from the unfair practices of bid-shopping and bid-peddling.

Bills similar to H. R. 7168 were introduced in the last three Congresses. Just last year the House favored, by a vote of 245 to 145, a similar measure, S. 1644, which had been passed by the Senate unanimously. Unfortunately, since the bill was brought up under suspension of the rules, it failed by 15 votes to obtain the two-thirds necessary for passage.

The bill as originally introduced this year was substantially similar to last year's bill. After careful study by the Committee on the Judiciary, certain major changes were made. These changes make this bill more acceptable to all parties concerned. In fact, the only remaining opposition to the bill comes from the Government agencies themselves. They apparently feel that its passage would result in additional administrative work on the part of the agencies. That may be true although not to the extent contended by them. I cannot escape the feeling that their basic objection stems from a natural bureaucratic reluctance to change established procurement policies.

Let me illustrate what we are dealing with here. Suppose the Government advertises for bids on construction of a Federal building. A number of general contractors invite bids from subcontractors. An electrical contractor prepares extensive plans and submits a bid to a general contractor, stating that he can do the electrical work involved for $200,000. To arrive at this estimate he is forced to spend several thousand dollars in preparation of his bid. The general contractor submits his bid, based upon the electrical contractor's bid to him, and is awarded the contract. With the contract in his pocket, the general contractor is now in a position to go to other electrical subcontractors to see whether he can get the work done for less than $200,000. He finds that another subcontractor will do it for $180,000. Now he can either substitute him for the original subcontractor, or make the latter come down on his price.

The original subcontractor is bound to lose either way, and the general contractor can make additional profit at the expense of the Government. This so-called bid-shopping is one of the unfair practices that this bill is designed to eliminate.

Another unfair practice sought to be eliminated by this bill is what is called bid-peddling. That occurs where a subcontractor, who either did not submit a bid in the first place, or whose original bid was too high to be accepted, goes to the general contractor who has been awarded the contract and offers to do the work at a price less than that previously bid to the general contractor. This practice goes hand-in-hand with bid shopping, and can lead subcontractors to pad their bids to allow for any reduction in price which may be forced upon them after the contract has been awarded. This means that the Government in many cases will be accepting an inflated bid.

Many large firms in private industry have curtailed bid shopping by requiring prime contractors to list their subcontractors. As a matter of fact, because of the expense involved in making accurate estimates, many mechanical specialty subcontractors are now reluctant to bid on Federal projects at all. Because of these unfair practices, they have no assurance that, even if their bid is the lowest bid submitted, they will get the job. For this reason, competition among subcontractors for work on Federal projects is not as keen as it should be.

This bill, by eliminating these unfair practices, would increase competition among subcontractors, protect the small-business man, and cut down the cost of construction to the Government.

The basic provision of this bill, like the bill before the House last year, is the requirement that a general contractor list, in his prime bid, the names of the mechanical specialty subcontractors who are to perform each major category of mechanical specialty work.

General contractors complained of the bill last year that it left no leeway for last-minute adjustments so often necessitated when subcontractors' bids were submitted just before general bids were closed. The wording of the bill last year gave the general contractor, who may not have received a responsive bid or who may have been forced to accept bids only a short time before submitting his prime bid, no time, after the contract had been awarded him, to obtain bids or to determine the financial responsibility and other qualifications of subcontractors. For this reason a compromise has been reached in the present bill which will make the procedure a great deal more flexible.

This bill provides that, if the general contractor has not received a definite or a responsive bid for a particular category of work after requesting bids from at least three responsible subcontractors, he may submit a statement to that effect in his prime bid and need not name the subcontractor in that category when he submits the bid. If his bid is accepted he must advise the Government within 5 days, that he has obtained a subcontractor for that work or that he will perform the work himself.

Where the general contractor determines, after the contract has been

awarded, that a subcontractor is unsatisfactory, he can, within 5 days, substitute a different subcontractor from the one listed in the prime bid. He need give no reason for this substitution to the Government. It is felt that this will give the general contractor a reasonable time in which to investigate any subcontractor's credit rating, his reliability, and his general qualifications and also to evaluate his bid.

While I realize that this 5-day period could be used by an unethical general contractor to practice bid shopping, I consider it a fair and reasonable concession to the needs of general contractors. I do not believe that they will abuse it. Furthermore, the listing provisions of this act would certainly bring to the attention of the industry and the Government any attempts at bid shopping or bid peddling. If, after this 5-day provision has been put into practice, it can be shown that serious and repeated abuses have occurred, I will certainly support an amendment to eliminate it from the act.

Provision is also made in the bill this year for the situation where the general contractor finds that the subcontractor cannot perform his contract. In that case, the general contractor simply notifies the Government agency of the name of the subcontractor to be substituted. If the agency, upon inquiry, finds that the substitution is not based upon any of the causes set forth in the act, and that a saving in cost will result to the contractor, it may adjust the overall contract price to the benefit of the Government.

Further flexibility is effected by allowing the general contractor to substitute subcontractors at any time and for any reason by submitting pertinent data to the contracting agency. Such a substitution cannot be made, however, unless the Government benefits from any saving which may result.

The procedure established by the bill now before us is acceptable to both subcontractors and general contractors. The only opposition comes from Government agencies. They seem to feel that the construction industry should clean its own house. They have also expressed concern that increased administrative details will result.

In answer to these objections, it is interesting to note that members of the industry have expressed the opinion that the publicity which will be given all bidding under this act will do more toward cleaning the industry's house than anything else. As for administrative details, the improvements made in this year's bill should serve to keep them at a minimum. Only where the agency has reason to suspect foul play need it make extensive inquiry.

I strongly urge passage of this bill as a means of promoting competition in the construction industry, eliminating unfair practices and, as a possible means of effecting economy in Government through increased competition and resultant lower prices.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield to the gentleman.

Mr. GROSS. Does the gentleman agree that the real abuses could come in giving the general contractor too much elbow room?

Mr. KEATING. I think there is a possibility there.

Mr. GROSS. The gentleman does not feel the general contractor has been given too much room in which to maneuver under the terms of this bill?

Mr. KEATING. No, I do not think so. We have had such a struggle in trying to work out the terms of this bill that I am satisfied with the terms as they stand. But I do recognize the possibility of abuse during this 5-day period, which was not presented in the bill we had last year. And if abuses do develop it is something which Congress should learn about, because it has to do only with Federal Government contracts. I would be the first to try to correct those abuses if they do develop.

Mr. GROSS. I thank the gentleman.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Indiana.

Mr. MADDEN. The gentleman mentioned Government agencies. Is it not true that the General Services Administration and the Department of Defense submitted recommendations?

Mr. KEATING. They did submit recommendations for changes in the bill, many of which were adopted, so I think their opposition has been considerably blunted by the action taken by the committee.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, I am glad to speak today in favor of H. R. 7168, the Federal Construction Contract Procedures Act.

This bill is the product of extensive hearings by the Judiciary Committees of both the House and Senate and comprehensive studies by these committees and by the entire construction industry itself.

It represents a composite of the best thinking on the subject of policy and procedure which should be used in connection with the award of Federal lump-sum construction contracts. It has the support of all segments of the construction industry, including general contractors, and thus no longer is a controversial matter.

The bill itself is a refined and simplified version of similar subcontractor listing bills which were considered by the committee in the past. It remains, however, basically a simple subcontractor listing measure which requires a general contractor on Federal lump-sum construction in excess of $100,000 to list in the prime bid the names of the mechanical specialty contractors who will perform each major category of mechanical specialty work.

The prime purposes of the legislation are to effect a procedure, first, under which Federal works will be erected at the lowest possible cost; and, second, under which general contractors and mechanical specialty subcontractors alike will be protected against the unfair trade practices of bid shopping and bid peddling which under present procedures plague Federal construction.

The record of the hearings clearly establishes that this measure is needed and that enactment should benefit the construction industry and the Federal Government alike.

Mr. BRAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, as an author of one of several companion House bills, I am glad to speak in behalf of the Federal Construction Contract Procedures Act, H. R. 7168.

Enactment of this legislation will establish fair bidding procedures to govern the award of Federal construction contracts. This not only will benefit the thousands of independent small businessmen in the construction industries but also will be of benefit to the Government in the form of substantial savings on Federal construction.

Too frequently our laws do not enable the small-business man to get a fair share of Government business. As a rugged individualist he wants no special favor but he does expect a fair chance to compete.

This legislation establishes the climate in which he has a fair opportunity to compete.

I, therefore, recommend its passage because I believe it will provide full opportunity for the independent small-business man in the mechanical specialty fields, as well as the entire construction industry, to prosper in a free economy.

Mr. MILLER of New York. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I am pleased to join with Chairman CELLER, of the full House Judiciary Committee, and Representative LANE, chairman of the subcommittee which conducted extensive hearings again this year on the Federal Construction Contract Procedures Act, H. R. 7168, in support of this legislation, the purpose of which is to establish fair bidding procedures to govern the award of Federal lump-sum construction contracts.

WHY I FAVOR THIS LEGISLATION

I am wholeheartedly in favor of this legislation which requires a general contractor to list his principal mechanical specialty subcontractors at the time of submitting his bid to the Government, because I believe it will improve the contracting procedures of the Federal Government, encourage additional general contractors and subcontractors to bid on Federal work, give the benefit of final low subcontract prices to the Government, and eliminate the unfair trade practices of bid shopping and bid peddling.

SUPPORTED LEGISLATION IN PREVIOUS CONGRESSES

Because of my belief that this legislation is needed and is in the public in-

terest I have sponsored substantially identical bills in the past four Congresses, including the 85th. Other sponsors in this and other Congresses are Representatives LANE, MADDEN, BRAY, and WRIGHT.

You will recall that in the last Congress I spoke in support of S. 1644. That bill finally received House consideration in the closing days of the session under suspension of rules. It received a majority of 100 votes but failed to gain the requisite two-thirds majority by the scant margin of 15 votes.

NEW BILL HAS SUPPORT OF ENTIRE CONSTRUCTION INDUSTRY

A study of the record convinced me that major objections registered against the bill by opponents could be eliminated without affecting the primary objectives of the legislation, namely, to protect both the Federal Government and the entire construction industry from the unfair bidding practices which have crept into Federal construction and are so prevalent on these projects today.

Members of the construction industry must have had similar thoughts. During the adjournment period representatives of the various segments of that industry met on several occasions in an effort to isolate the principal areas of disagreement and then to resolve such disagreement. Spearheading these efforts was the Council of Mechanical Specialty Contracting Industries, a nonprofit membership organization representing companies in all branches of the mechanical specialty contracting industry such as electrical, plumbing, heating, piping, air conditioning, ventilating, and sheet metal.

As a result of the diligent efforts of the trustees of the council and the officers and staff members of the Associated General Contractors of America substantial accord was achieved. Previous legislation was revised to reflect the accord achieved and five companion bills reflecting this accord were introduced in the House in the early days of this session by Representatives LANE, MADDEN, BRAY, WRIGHT, and myself.

The Associated General Contractors of America, which had strongly opposed earlier bills, decided at its 38th annual convention in Washington on March 11, 1957, that there was no objection to the principles stated in the Federal construction contract procedures bills, already introduced, and passed a resolution so stating. This position was reaffirmed by representatives of that association who testified before Subcommittee No. 2 of the Judiciary Committee during the extensive and comprehensive hearings on March 20, 27, and 28, 1957.

While complete unanimity cannot be expected in a great industry such as the construction industry with its many thousands of separate companies, I believe it is a fair statement that the entire construction industry generally, including general contractors, is united in the belief that the proposed legislation will provide an efficient and beneficial system for both industry and the Federal Government.

ATTITUDE OF EXECUTIVE AGENCIES

Federal agencies, while not recommending the legislation are satisfied that the administrative burdens of previous bills have been eliminated and that administrative problems have been reduced to a minimum.

In general, the executive agencies stated in their written comments and by the oral testimony of their representatives that the revised bill is a vast improvement over previous bills. The Comptroller General, for example, stated that "the bills did not contain the burdensome administrative features which we previously had objected to in similar proposed legislation"—letter of February 27, 1957, to Chairman CELLER of the House Judiciary Committee.

Several of the agencies suggested additional amendments which would further ease, if not altogether eliminate the administrative problems. The Department of the Army, chief spokesman for the agencies, stated that when the changes it suggested had been made "there would be a substantial lessening, if not actual elimination of most of the administrative problems involved"—letter of March 19, 1957, to Chairman CELLER of the House Judiciary Committee.

Virtually every amendment suggested by the agencies was adopted either verbatim or in substance in the clean bill, H. R. 7168. Hence, it is a fair statement that almost every specific objection of the executive agencies has been met.

NEW BILL REMAINS SIMPLE SUBCONTRACTOR LISTING MEASURE

Basically, the legislation remains a simple subcontractor listing measure, requiring a general contractor at the time he submits his bid to the Federal Government on a lump-sum construction project in excess of $100,000 to list the names of the subcontractors he will engage to perform the major categories of mechanical specialty work.

It does, however, contain significant modifications and expansions of certain provisions in earlier bills. The most important and vital changes I would like to discuss briefly with you. However, before I comment on them I think some background information dealing with the reason the legislation is needed and is in the public interest will be helpful.

HOW THIS LEGISLATION WILL BENEFIT THE FEDERAL GOVERNMENT

(A) LEGISLATION WILL ENCOURAGE COMPETITION

On modern construction 40 percent and upward of the total cost of a Federal construction project is reflected in the price of the mechanical specialty work and this percentage is steadily increasing almost every year.

Under present statutes a prime contractor is not required to list the names of the mechanical specialty contractors that he will engage to perform the major categories of mechanical specialty work.

These same statutes do, however, require competitive bidding on the nonmechanical part of the construction. Thus the Government obtains competitive prices on only 60 percent or less of the cost of construction.

The proposed legislation will provide similar price wise protection for the mechanical specialty work which represents more than 40 percent of the total cost.

To estimate accurately the cost of the mechanical specialty work on a major Federal project is a highly complex, tedious, and technical process. This is because mechanical specialty work is tailored to fit the needs of each project. Out-of-pocket expenses frequently are very substantial. And since the mechanical specialty contractor submitting the lowest responsible bid, and the one used in preparing the prime bid to the Government, has no assurances that he will get the job, he is reluctant to spend the money required to prepare a bid. As a consequence, for example, 75 percent of the best qualified electrical contractors state that they customarily do not bid on Federal construction in their areas of operation. Thus the price which the Government gets is too high because of the thinness of competition.

(B) LEGISLATION WILL GIVE GOVERNMENT BENEFIT OF FINAL, LOW COMPETITIVE SUBCONTRACT PRICES

Moreover, this price is too high because is does not represent the finalized price for the mechanical specialty work. This is due to the unfair trade practices of bid shopping and bid peddling which are engaged in after the award of the prime contract.

Bid shopping is the continuation of negotiations between the successful prime contractor and the mechanical specialty contractors in an attempt by the prime contractor to obtain a lower price than the price he used in figuring his prime bid. Bid peddling is the solicitation by the subcontractor of a last "look" at the price quoted by the mechanical specialty contractor whose subbid was used in preparing the successful prime bid to undercut that price a bit in order to get the job.

Regardless of which party initiates this unfair trade practice the results are unhealthy for the construction industry. And it is not difficult to understand the economic consequences to the Government.

At present the prime bid merely reflects inflated estimates or rough guesses as to the cost of construction. And unless and until the low subcontract prices are negotiated prior to the award of the prime contract and fully reflected therein, these subcontracts will not produce the right price to the Government.

As the Tax Court of the United States stated in the case of *Ring Construction Corporation* (8 T. C. 1074), present bidding procedures cause the subcontractor who does submit a bid "to bid so high that he, the subcontractor can still come down and get the job."

HOW THE LEGISLATION WILL BENEFIT MECHANICAL SPECIALTY CONTRACTORS

By prohibiting bid shopping after the award of the prime contract, the bill will lead prime contractors to take competitive subbids and arrive at final prices prior to the award. It will encourage competition, give all subcontractors, the vast majority of whom are independent small-business men, an equal opportunity to bid on and get their fair share of Government work and it will create a system

under which a subcontractor may bid his final, low price prior to the award with reasonable assurances that if he is the low bidder he probably will get the job.

HOW THE BILL WILL BENEFIT GENERAL CONTRACTORS

The bill will enable general contractors to obtain a wider circle of competitive bids in which the final low price for the mechanical specialty work is reflected. This will enable the general contractor to fix his cost definitely and thus enable him to bid more competitively.

IN ACTUAL PRACTICE A SYSTEM OF SUBCONTRACTORS LISTING SIMILIAR TO THAT PROPOSED BY THE BILL HAS OPERATED TO THE ADVANTAGE OF THE ENTIRE CONSTRUCTION INDUSTRY AND HAS RESULTED IN LOWER CONSTRUCTION COSTS

"Subcontractor listing" is not something new and untried.

(A) THE STATE OF CALIFORNIA HAS FOUND THAT ITS SUBCONTRACTOR LISTING LAW ON STATE PUBLIC WORKS SAVES MONEY

Mr. Frank B. Durkee, director of public works of that State, certified for the record in the Senate hearings on S. 1644, at page 14, that—

The division of architecture has found that substantial savings have resulted from the flexible system now in use.

(B) THE STATE OF MASSACHUSETTS KNOWS FROM EXPERIENCE THAT ITS SUBCONTRACTOR LISTING LAW IN EFFECT FOR MANY YEARS NOW HAS OPERATED TO THE BENEFIT OF THE STATE AND THE CONSTRUCTION INDUSTRY

Commissioner Ernest A. Johnson, of the Department of Labor and Industries, certified for the record during the hearings on S. 1644 before the House Judiciary Committee, at page 201:

I can say without reservation that our Massachusetts law has worked to the advantage of the state and its political subdivisions, of contractors and subcontractors, and labor in stabilizing costs, creating a higher quality of workmanship, and greatly improved contractual relationships during the construction of the building projects.

(C) MANY OTHER STATES (SUCH AS WISCONSIN, IDAHO, ILLINOIS, AND SOUTH CAROLINA) USE THIS SYSTEM AND FIND IT EQUALLY SUCCESSFUL

For example, Governor Timmerman of South Carolina, stated in a letter to the chairman of the Senate Judiciary Committee during the hearings on S. 1644 and recorded at page 218 of those hearings:

For the last 4 years South Carolina has been engaged in an extensive school building program. * * *

In 1951, when this program was begun, the commission (State educational finance commission) adopted the policy of requiring prime contractors to specify in their bids the names of the principal subcontractors.

(D) MANY LARGE INDUSTRIAL CONCERNS, ESPECIALLY THOSE WITH VAST CONSTRUCTION PROGRAMS, USE SIMILAR CONTRACTING PROCEDURES TO THOSE PROVIDED BY THIS LEGISLATION IN THEIR OWN SELF-INTEREST TO SAVE MONEY

Ford Motor Co.:

All of our lump-sum contracts are bid by general contractors who must specify the subcontractors they intend to use.—Henry Ford II, president (p. 7, Senate hearings, 84th Cong.).

Colgate-Palmolive Co.:

Our current normal practice in letting lump-sum contracts for major buildings and facilities includes requiring prime contractors to specify in their bids the names of the principal subcontractors they intend to use.—Hugh Jewett, vice president (p. 26, Senate hearings, 84th Cong.).

Du Pont:

We wish to advise that we operate closely in accordance with alternate method No. 4 (subcontractor listing).—C. M. Read, chief engineer (p. 34, Senate hearings, 84th Cong.).

General Electric:

In the award of such contracts (for new buildings) it generally is our practice with respect to major lump-sum or similar competitive-bid projects to use the method described under item 4 (subcontractor listing) of your letter.—R. L. Yowell, manager, real estate and construction service department (p. 23, Senate hearings, 84th Cong.).

The Budd Co.:

The prime contractor is asked to specify his principal subcontractors.—Frederick E. Laig, assistant to vice president (manufacturing) (p. 219, Senate hearings, 84th Cong.).

VITAL CHANGES IN NEW BILL

Now, to mention the most important and vital changes in the new bill and to discuss them very briefly.

First. A new section has been added at the beginning of the bill which is in the nature of a preamble. It states that the use of the single-contract system of procurement of construction appears desirable and in the best interest of the Government, providing procedures are adopted to finalize the prices of the mechanical specialty work as far as practicable prior to the submission of the prime bid. Such a system will enable the Government to receive the full benefit of competitive subcontract prices and maximum efficiency in performance by eliminating unfair trade practices in connection with bidding on Federal works, including the unfair trade practices of bid shopping and bid peddling.

Second. If, after a bona fide effort, a general contractor is unable to obtain a definite, complete or responsive bid from a subconstractor for a major category of mechanical specialty work, he may, in lieu of listing the name of such contractor, so state in his prime bid. But within 5 days after the bid opening he must list the name of such contractor or advise the Government that he will himself perform such work. Should he fail to do this and the Government determines that such is inadvertent or otherwise excusable, the award may nevertheless be given to him. This is to assure that the Government will receive the full advantage of the low bid and will serve to prevent a general contractor from "ducking out" of his bid. However, if such failure is not inadvertent or excusable the low bidder is responsible to the Government for any loss occasioned by such failure or refusal.

Third. At any time within 5 business days after the opening of the bids a general contractor may substitute a mechanical specialty contractor different from the one listed in his bid simply by notifying the Government in writing within such period of the name of the substitute or that he will himself perform such work. This provision is inserted for the bona fide use of a general contractor to enable him to make the necessary checks concerning a subcontractor's credit standing, his financial responsibility, his reliability, his technical qualifications, his current workload, his relationship with labor, and to evaluate the completeness and accuracy of the subbid and like matters. It is not for the purpose of permitting bid shopping, limited or otherwise, during such period. And should the provision be abused or misused—and I do not believe it will be because of the deterrent effect of the listing itself which will focus the spotlight of public opinion on those engaging in this unfair trade practice—I will be the first to recommend amendment to eliminate it entirely.

There are other changes in the new bill, most of which are of a technical and clarifying nature, but the above appear to me to be by far the most important and significant.

CONCLUSION

I submit, Mr. Speaker, that H. R. 7168 is needed, and is in the public interest; that it will operate not only to the advantage of the entire construction industry but will also result in lower construction costs. It should, therefore, be enacted into law.

Mr. CRAMER. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I, too, should like to join my distinguished colleagues on the Judiciary Committee and others who have discussed this bill, stating that it is in my opinion excellent legislation. I had the privilege of being on the subcommittee that considered this legislation. It was considered exhaustively not only in the last session but in this. There was no controversy on it. I think it is a clear indication of what can be done by taking legislation and giving the parties involved an opportunity to consider it and make suggestions to the Congress as to the manner in which it can be clarified, differences worked out and opposition eliminated. It is a sound piece of legislation, I am confident it will do a good job, and I am wholeheartedly in favor of it.

I had been concerned as to whether the bill would have overburdened the Government in having to police these contracts in order to make sure the intent of Congress was carried out. In order to keep this from happening and to prevent an undue cost and administrative load from falling on the contracting agencies I offered in the subcommittee the first proviso appearing in subsection g of section 2 which reads as follows:

Provided, that he first notifies the contracting executive agency in writing of the name of the substitute contractor or notifies such agency in writing that he will himself perform such work, ascribing one of the reasons set forth in this subsection, which notice and receipt thereof shall constitute a final determination of compliance with this subsection;

It was intended by this proviso that when the contractor certified the full compliance with subsection (g) of the Government would not be required to investigate the matter further providing there was no evidence that subsection g had not been complied with in good faith. Of course if the latter appeared then subsection h would come into play

if the reasons set out in compliance with g were not complied with in good faith. In any event the Government would not have to review each case under (g) with my amendment.

Subsequently in committee consideration an additional subsection was added which seems to me to again burden the Government with having to make a factual determination if a savings results from the substitution which was no fault of the contractor and in each event that a savings is found to result then the Government is duty bound to determine further "whether the substitution was properly made under this section" (g) "or should have been made under subsection 2 (h)." I trust that this additional subsection which, in my opinion thwarts the purpose of the first proviso will be fully considered by the Senate and the conferees in an effort to simplify the contracting agencies responsibilities under this section—which was my objective. Otherwise, the cost of administering the act will be too high and the burden of reviewing each substitution too great.

Mr. BOYLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BOYLE. Mr. Speaker, I am pleased to join with the distinguished chairman of the Judiciary Committee, the ranking minority member, other committee members, both Democrats and Republicans, and the House sponsors, in support of the Federal Construction Contract Procedures Act, H. R. 7168.

I am a member of the subcommittee of the Judiciary Committee which conducted 3 full days of extensive hearings on the legislation on March 20, 27, and 28, 1957, and as such attended each committee session and listened attentively to all arguments.

It is my considered opinion that this legislation is fair to everyone in the construction industry and is in the best interest of the Federal Government and hence should be enacted into law.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

House Resolution No. 271 was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. LANE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ACREAGE RESERVE PROGRAM UNDER THE SOIL BANK PLAN

Mr. UDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Speaker, in a few days the House will be called upon to consider again its refusal to appropriate funds to continue the acreage-reserve part of the soil-bank program beyond the present crop year.

Last week, our colleague from Minnesota [Mr. MARSHALL], one of the House conferees, stated that this program has "failed to serve the purpose for which Congress authorized it." He requested that Members give him their views on the situation in the various farming areas of the country. I am responding to his request this morning.

I have been doing some digging into the facts in my own congressional district, and I have some startling conclusions to report.

Mr. Speaker, considerable surprise and amazement was provoked in the Congress last winter by the disclosure that a Kansas corporation, the Garvey Farms Co., of Colby, Kans., received a $61,000 soil-bank payment for not cultivating land located in the State of Colorado. I am prepared to report today that now that the soil-bank program is in full operation in all parts of the country it is plain to see that the Garvey Farms Co. is a "piker."

In one of the cotton-growing counties in my district one farmer will receive this year a payment of $209,701, for not cultivating his land. In another county the top payment contracted for to a single farmer is $204,000. In addition, other farmers have already signed up for individual payments of $96,706, $82,500, $78,650, $71,500, $69,300, $64,000, $60,885, $59,925, and $56,700.

As near as I can ascertain, Mr. Speaker, all of these contracts are quite legal and within the letter of the soil-bank law. Here is boondoggling on a grand scale—indeed the old-fashioned term "boondoggling" is utterly inadequate to describe this program. After the facts which I shall relate in a moment maybe you will agree with me that we should coin a new term, "boonswoggling," to cover the manipulations of some of these farmers who are attempting to hornswoggle the taxpayers of the United States.

The sole overriding purpose of the Soil Bank Act, we were told, was to reduce the output of our farms by taking a substantial portion of our land out of cultivation. The program must stand or fall by its failure or success in achieving this objective. We must, this week perhaps, pass judgment again on this program, and I believe it is our duty to attempt to ascertain, if we can, whether farm production is actually being reduced as a result of the enormous expenditures entailed for the soil bank.

So let us look at specific cases, and the actual operation of this law. If I could report to you that my constituent who is receiving the $209,701 payment—and who did not plant one-thousand-five-hundred-odd acres into cotton—was sitting quietly on his back porch, or on a pleasure trip abroad, it might be possible to conclude that after all a substantial reduction in cotton planting has been effected by the soil bank.

However, I cannot report such facts to you today. I am reliably informed that the recipient of this record payment—perhaps the largest outright gratuity ever bestowed by this or any other Government—has apparently decided to parlay his soil bank payment into further cotton production. This farmer, I am told, is the owner of a cotton gin which he has moved some 150 miles to a new location in Arizona where he is is now—perhaps with other associates in a corporate arrangement—planting nearly 4,500 acres of penalty cotton.

It is his plan, so I am informed, to pay the penalty on this cotton and recoup his loss either on the operation of his cotton gin, or by a direct sale on the foreign market.

All this, mind you, is being done within the law. I doubt that this shrewd speculator will be found to be in violation of any provision of the Soil Bank Act.

In short, in this particular case, this expenditure of tax money has not taken 1,500 acres of cotton land out of production, but has resulted in a situation where a net increase of nearly 3,000 acres of cotton land has been brought into production.

REGULATION OF FOREIGN COMMERCE AND TARIFF RATES

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANHAM. Mr. Speaker, almost daily more evidence accumulates supporting the view that I have often expressed in this Chamber during the past 2 years, namely, that the Department of State behaves as if the Congress had delivered its constitutional authority to regulate our foreign commerce and to determine tariff rates to the Department bag and baggage and had renounced its responsibility to the American people in this field.

Of course, Congress could not, even if it so desired, divest itself of its constitutional responsibilities. However, that fact has not prevented the State Department from creating a situation in which it exercises the substance of power while leaving to Congress the mere shell.

This fact has again been demonstrated by the public hearings that were held by the Committee for Reciprocity Information on June 18 on the question of extending for a further period of 3 years the binding character of the tariff concessions made in the General Agreement on Tariffs and Trade, that is, GATT.

I am quite sure that it will come as a revelation to many Members as it did

to me that the general agreement contains an article that recognizes the right of any member of GATT for any reason whatsoever to withdraw a concession previously extended to another member, provided only that the withdrawal be negotiated with the country to which the concession was granted in the first instance, and an appropriate quid pro quo arranged.

This means that without going through the escape clause proceedings the United States, should it so desire, could restore any duty that had been reduced in a trade agreement.

However, there is a hitch. The article in question, namely, No. XXVIII, has never been put into effect. Originally it was to become effective January 1, 1951. As that date approached the effective date was postponed to January 1, 1954; and before that time arrived another postponement was agreed to, and then another. As matters stand now, article XXVIII will become effective January 1, 1958.

The purpose of the hearings before the Committee for Reciprocity Information was to consider a yet further postponement of the effective date of the article in question. The United States as represented by the State Department has been solidly behind these postponements and has indeed sought to make the postponement automatic and permanent.

Here we have a clear case of the State Department taking the place of Congress and committing the United States to a future course of action in an international executive agreement that has not even been submitted to Congress for approval.

Regardless of the previous silence of Congress when postponements were made, the proposed new postponements should not be allowed to go unchallenged by Congress.

While it is true that if article XXVIII did become effective and the United States were free under GATT to withdraw concessions, no one could induce the State Department to do so, this is nonetheless not merely an academic question. The point is that the State Department has no shadow of a right to bind the United States to a course of action that may not be in accord with the will of Congress. The Department may argue, as it has on a number of occasions, that Congress authorized the President to bind the United States, and that the Department merely acts for the President, but I say to you that Congress has no power to authorize the State Department, the President, or anyone else to bind a future Congress or even a current Congress in an international executive agreement in a field that is exclusively in the jurisdiction of Congress, as are the regulation of foreign commerce and the shaping of the tariff.

The State Department itself acknowledges the freedom of Congress to legislate as it sees fit, but this is nothing more than lip service. The fact is that the Department proceeds almost at will to make agreements that commit the United States to a course of action thereby leaving to Congress the freedom to dishonor this country by legislating in contravention of such international commitments.

It is an intolerable and even an impudent interpretation of constitutional authority to hold that Congress is free to violate an international agreement signed on behalf of the United States by the State Department. I say this is no freedom at all and that it is disgraceful that the State Department should stoop to such an interpretation.

The obvious and honorable course for the State Department to pursue would be to avoid agreements that trench upon or abridge the powers of Congress. That would admittedly narrow the Department's field of operation in tariff and trade matters and that is what the Department so frantically seeks to avoid. It is also the obsession with tariff and trade matters and the realization that in the control of these matters lies the seed of possibly reshaping the world economy, that have driven the State Department into the unenviable position in which it finds itself.

It was the thirst for power to launch an internationally planned economy that impelled the State Department toward the stillborn ITO or International Trade Organization after the war, and then when that failed, into GATT. GATT fell short of the sweeping and all-embracing powers that would have been exercised by the ITO but the State Department was not slow in its efforts to shore up GATT where it seemed weak. Article XXVIII was an obvious weakness because it opened the door to nullification of concessions. It was, therefore, a foregone conclusion that the State Department would do all in it power to set aside the article. So far the Department has succeeded.

Having for some years operated under the trade agreements program with Congressional indulgence and under what now is revealed as an unjustified degree of trust, the State Department became bold enough to challenge Congress to its face. The Department refused point blank within the past 2 years to send the general agreement to Congress for approval although it did send the OTC—Organization for Trade Cooperation—in lieu of GATT. This again was sending the shell while withholding the substance.

And now the Department relies on what seems to me to be an unworthy and shabby design that is noted principally for its inevitability of double-dealing. The lines of this gambit are brought to light in the appended statement of Mr. O. R. Strackbein, who testified before the Committee for Reciprocity Information during the June 18 hearings.

It is a source of deep regret to me to see the State Department taking refuge in deceitful tactics as a means of maintaining its grip on a power that has never belonged to it and that by many accounts it has used unwisely in delegated form. When the Department has been forced by events into a position of being dishonest either with Congress or with the foreign countries with which it deals in trade agreements, as revealed in Mr. Strackbein's statement, it is time that we in Congress who bear the constitutional responsibility of regulating foreign commerce, shed our trust in the State Department's trade-agreements stewardship.

Let me point out that the United States is probably the only country that is actually bound by GATT under GATT's own terms. The other countries almost without exception can find a way out, as they have done on a truly grand scale, by resorting to one or more of the loopholes available to them. These loopholes, mind you, were provided specifically to accommodate these other countries. The State Department was so anxious to get GATT signed that it was ready to make almost any exception for other countries in order to obtain their approval and adherence.

They may and do restrict imports—that is, they may and do impair or even nullify a concession such as a duty reduction, by imposing one or more restriction on imports in the form of import quotas, exchange controls, import licenses, or the like. This they are free to do if they are in "balance of payment difficulties." Many countries have been and are still in that circumstance. I do not say that they should not have the right to stop a drain on their monetary reserves. I merely point out that this loophole has been used freely and extensively and without the need of going through escape clause procedures. Most of the leading trading nations among the members of GATT restrict imports through quotas, exchange controls or import licenses.

For them article XXVIII is meaningless. They already enjoy the freedom that the article would give them. The postponement of its effective date therefore succeeds only in continuing the binding of the United States.

The underdeveloped countries have the same privilege of restricting imports if they find protection necessary for their industrial development.

The upshot is that the United States has been freely offered up by the State Department as the sacrificial goat as a means of gaining and holding GATT together. Other countries had little appetite for GATT and could be interested in it only if their positions were accommodated while the United States market was opened to them. Through invocation of the exceptions written into GATT they could protect themselves almost at will. One notable exception was the British imperial preference system which was narrowed considerably. This was upon our insistence and today stands out as an inconsistent action by us in view of our support of the proposed common market and free trade area in Europe.

Even article XXVIII itself has been used by other countries to modify concessions. How this could be done when it had never taken effect is not thoroughly clear. Nevertheless, in 1954 when the first 3-year postponement of its effective date was about to expire and a new postponement was negotiated under GATT, 16 member countries as a condition of agreeing to another extension withdrew or modified numerous concessions that they had previously granted under GATT. Not so the United States.

In this country even unanimous decisions under the escape clause by the Tariff Commission have failed to bring action to withdraw or modify concessions.

In 1951 Cuba before signing the first postponement of article XXVIII withdrew a number of important concessions that she had given on rayon and cotton textiles and raised the tariff on these items very sharply.

I have gone into these details to show how one-sided the State Department has been in her stewardship of the delegated power entrusted to the Department through the President under the Trade Agreements Act.

My own conclusion is that the Department is willing to do almost anything that may be necessary, first, to keep the GATT system alive and, second, to retain in the Department's grip the power over our foreign commerce that she has amassed in the past 20 years. Of the two objectives, in my opinion, the second one, that is, the maintenance of the Department's grip on its usurped power, is primary. Even GATT is only a means to an end. GATT has been the Department's principal reliance as a means of holding on to its ill-gained and expanded powers and that is why GATT is so precious to the Department. That is why the Department, seeing the sham of GATT being progressively exposed, is now trying to save it by setting up the OTC—Organization for Trade Cooperation—under the approval of Congress.

The OTC maneuver is but one of a succession of efforts of the Department to prolong and perpetuate its power to use American industry and agriculture and their workers as pawns in international diplomacy. Heretofore the Department succeeded largely because it was able to serve the export interests and therefore attracted their support. Even this support shows signs of falling away as other countries begin hitting competitively in the very areas, both at home and abroad, where our exports so long had their own way.

Under leave to extend my remarks I insert the statement of O. R. Strackbein before the Committee for Reciprocity Information. I commend it to your attention.

THE PROBLEMS OF THE AGED

Mr. RODINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, an observant American journalist once said, "As you become older, you gradually accustom to neglect." Too many of our older citizens would agree on the wisdom of this advice. Their children have married and moved away. The letters, though they came often at first, have gradually fallen off. Their jobs have disappeared as retirement age is reached, and they no longer feel that they are contributing members of the community. Their income has dropped appreciably, and they cannot afford many of the conveniences they once enjoyed. Their health may be poor, but no one seems to pay much attention. Is it any wonder that they feel neglected? Is it fair that the community should reject them after they had given so much of their lives to it?

Since my first election to Congress I have been particularly concerned with the problems of the aged. Many times I have called the attention of my colleagues to these problems. I have introduced several bills to set up a commission similar to the Hoover Commission to study the situation and problems of the aged and to make recommendations. I shall continue to press for such legislation.

I have been very gratified by State activities in the field. Many States have set up commissions to study the problems of the aging, many have promoted conferences dealing with the aged, and many have taken important steps toward solving the problems.

One of the most significant State studies had its genesis right here in New Jersey. In 1954 our State legislature passed a joint resolution introduced by Senator Walter H. Jones. This resolution established the New Jersey Old Age Study Commission. Four legislators and three private citizens were to be appointed to the commission. Their assignment was to study the problems of the aging group in our population in reference to employment, housing, health, recreation, and general social and economic needs, and to report the results of their study, together with their recommendations, including proposed legislation, to the governor and the legislature. The commission held many hearings, and the members worked long and diligently. The report appeared at the beginning of this year, and it is already recognized as one of the foremost documents in the field. The people of our State can be proud of this commission and its work. If its recommendations are studied and followed, we will have done much to give needed help to our senior citizens. I am convinced, as I have been for some time, that a similar study is needed at the Federal level.

Many of you might well wonder why all of this current interest in the aged. You may be thinking that "when I was a boy" I heard little talk of older people and their problems. Perhaps you can still remember your grandmother and grandfather sitting before the fire, happy and content. I might here say, after asking your indulgence for the use of such a well-worn phrase, "Times have changed." Great medical strides have added years to the lives of most of us. At present two-thirds of the newborn babies can be expected to live to be 65 whereas at the turn of the century only two-fifths had such a life expectancy. This increase in longevity has meant a constantly increasing proportion of aged in our total population. Consequently, the demand for attention to their problems has become more insistent.

Another reason for our present concern is the great change in population distribution. Whereas in 1890 about 65 percent of our people lived in rural areas, in 1950 only 41 percent were on the farms or in the small towns. Older people are more easily integrated into the community and the family in the rural areas than they are in the cities. This aspect of the problem is particularly acute in our own State of New Jersey. With the exception of Rhode Island, we find a larger proportion of our aged in urban areas than any other State in the Union. Both the increasing proportion of the aged in our population and the movement of people from the farm to the city have brought on those problems about which we hear so much.

We speak of the problems of the aged but we have not always defined them. I would like to discuss some of them with you. The problems arise in several areas, and I am sure you are aware of many of them. Of the people in our State who are over 65, nearly one-half have some chronic disease of physical impairment. Many of these people need constant care. They require medical attention for their ailments, but they need more. They need the hope to carry on. They ned companionship to while away lonely hours. They need to feel that living is worthwhile. We have nursing homes, hospitals, and other institutions, but is institutional life truly satisfactory? Of course such institutions are necessary in many cases. But the New Jersey Study Commission urges further development of local counseling services and diagnostic centers in order to leave as many persons in their home surroundings as possible. Home care services should be expanded along with community services. By following these recommendations we will have accomplished a great deal.

Another big problem lies in the field of employment. Many people over 65 are vigorous and active. They need and want a job, one in which they feel they can contribute their bit to the community. Many employers, public and private alike, set arbitrary and inflexible retirement ages, usually 65, at which time the employee is compelled to quit his job. Many of you are probably asking yourselves, what is the problem? You look forward to retirement and its expected blessings as you did toward Christmas or your birthday when you were a child. Unfortunately retirement for many is not the heaven on earth it is usually advertised to be. Many retired men and women sorely miss the regular paycheck. They need the money a job provides to live comfortably. Many have not developed the outside interests necessary to entertain themselves during the long, leisure hours. Many obtain satisfaction from a job that they gain in no other way, a sense of being needed, of contributing to the community. The New Jersey Commission has made numerous recommendations whereby State agencies and community resources can be used to find new jobs. Certainly the able people over 65 represent a resource we can ill afford to neglect. If they want to work we should provide them with the opportunity.

Housing for our aged presents still another problem. Some older people are fortunate enough to have made satisfactory living arrangements with their children or with relatives. Many are happy

in their own homes and can get along very well. But many others are in institutions in which they do not belong. Thousands of our older citizens live alone or with their spouses in inadequate houses, often old and lacking modern conveniences. Some of their apartments are dilapidated and neglected, but social security or public assistance checks are too small to enable them to move. The New Jersey Commission makes wise recommendations in the field of housing. It suggests that State and local housing legislation be reexamined in terms of its adequacy for encouraging housing for the aged. It asks that more recognition be given to providing housing, both public and private, for our older people.

I want to mention one last field in which there are major problems. This field includes education and recreation. Education for the aged is really a much broader concept than at first appears. All of us are getting older much as we may dislike admitting the fact. Would it not be wise to prepare ourselves now for those years after retirement? The chances are much greater than they ever have been that we will live well into those years. The process of education for the last years of life must continue from childhood on through the middle years. The New Jersey Commission recommends that educational budgets, budgets for schools, libraries, adult educational services, and the like, be reviewed with attention directed toward the needs of an aging population.

Recreational problems are closely tied in with those of education. A man with an adequate educational background is more able to amuse himself and to enjoy the companionship of others than is a man without such a background.

These are some of the problems. Now what do we propose to do about them? The citizens of New Jersey are already doing much. The State department of health is promoting the development of community resources for the control of chronic diseases. General hospitals, welfare homes, and community centers are developing rehabilitation services for the aged. We find an increase in homemaker services. These services are provided by trained persons who visit the homes of those older people who live alone and help with some of the chores of daily living. The State department of education is promoting adult education services, and some 6,300 people over 60 years of age take part in classes. Other State departments are also active, providing inspection services for nursing homes, giving advice on nutrition needs, and setting up training centers for those who work with the aged.

Governor Meyner, himself, has shown an active interest in the problem and has made several speeches expressing his concern. In fact, he spoke before the Federal-State Conference on Aging held in Washington in June of 1956. In that speech the Governor pointed out clearly the obligations we owe our older citizens today, obligations I have tried to set forth here.

We can be proud of what we are doing, but it is not enough. This is clearly revealed by the report of the Old Age Study Commission. In the fields of health, housing, recreation, and employment the problems have overwhelmed our efforts to cope with them. The report of the New Jersey Study Commission points the way, and it is up to us to follow the lead. And with the help of all of us and of our fellow citizens we will succeed.

WHO IS THE FRIEND OF BUSINESS?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. CHRISTOPHER] is recognized for 40 minutes.

Mr. CHRISTOPHER. Mr. Speaker, I would begin by asking my colleagues on either side of the aisle, please not to ask me to yield until I have used at least half of my time. Then I will be glad to yield to colleagues on either side of the aisle.

Mr. Speaker, I sought this time because of two articles I read in the Washington Evening Star. According to the Washington Evening Star, Secretary Weeks made this assertion in speaking of President Eisenhower. He said:

"Business has not had as good a friend in Washington since Herbert Hoover was President."

I rubbed my glasses and read that statement again. Sure enough, there it was. Then I began to ask myself just what business Herbert Hoover was a friend to when he was in Washington. It certainly could not have been the manufacturing industry in the United States because during the regime of that distinguished Republican, ex-President, their chimneys ceased to smoke. So I marked them off the list.

I concluded it could not be the banking fraternity because almost 10,000 bankers went broke during the Hoover administration, and the administration of the two Republicans who preceded him. So I concluded he was not a friend to the bankers.

Certainly, he was not a friend of the big life-insurance companies because before his term had expired, most of them were operating under a moratorium and you could not even borrow your cash-or-loan value on your life insurance policy that was specified in the policy. So I marked off the life-insurance companies.

Then I wondered if he could have possibly been a friend of labor. I concluded that that was not possible because 15 million of them were unemployed at the close of his administration and they were walking on the highways and riding in empty boxcars and looking for jobs that had ceased to exist. So I marked off labor.

Then I thought of the farmers and I wondered if Herbert Hoover could have been a friend to them, and I soon realized from my own experience that he could not possibly have been a friend of the farmers.

Now President Eisenhower may be a friend of American business, but just to exceed the record of friendship evidenced by Herbert Hoover, he would not have to be much of a friend. So enough for Secretary Weeks.

Now we come down to a quote from President Eisenhower according to the Washington Evening Star. President Eisenhower told a group of Republicans from different places in the United States that a Democratic victory or a Republican defeat in 1960 would mean a return to the loose spending and fiscal irresponsibility of the New Deal and the Fair Deal. I cleaned my glasses and read that again and sure enough it was there, right in that paper. "Loose spending and fiscal irresponsibility of the New Deal and the Fair Deal." In order to understand that quotation, we first have to understand what the New Deal was and what it did. You can go out into any city or town between New York and Los Angeles and ask the first 10 men you meet what the New Deal was and at least 8 of them would not know. We have a Republican propaganda machine that has held up the New Deal as some vile, hydraheaded monster that Franklin Delano Roosevelt and the Democratic Party drew up out of the bottomless pit and foisted on the American people.

That has been told over, and over, so often that thousands and thousands of people in the United States believe it to be true.

Who benefited by the New Deal? If you are a banker you ought to remember that the New Deal when they started the FDIC guaranteed your depositors' money that is in your bank.

If you are a businessman, a manufacturer, in these United States, you should remember that it was the New Deal that started your factory chimneys to smoking again, put you back in business.

If you are a life insurance executive you should remember that the New Deal lifted the moratorium off of you so you could do business as you did before the early 1930's, and as you are doing it today.

If you are an investor you should remember that the New Deal created the Securities and Exchange Commission that keeps slick-tongued salesmen from coming along and selling you the blue sky in return for your good money.

If you are a working man you should remember the New Deal gave you your first minimum wage and gave you back your job.

If you are a farmer or a farmer's wife you will remember every time you flip on an electric switch in your farm home that the New Deal made it possible for you to have an REA, for you to have electric lights, and electric refrigeration, and electricity to pump your water, electricity to milk your cows. Farmers will also remember that the New Deal gave them their first price supports.

That is the New Deal.

People have got the wrong idea. The Republican Party does not have a record of service to the rank and file of the people of the United States. They served just a select few of the people of the United States, and they are still serving that select few.

I want to say to the Democrats in the United States that we have lost two national elections; we have lost them not because we do not have the facts, not because we do not have the record of service, but because we have not gotten over to the American voter the facts

in the case. We have slept on our right and permitted the Republican propaganda machine to win two national elections.

We have lost campaigns, and we deserved to lose them; and if we do as poor a job of selling our record to the public in 1960 as we did in the past two campaigns we will lose again and will deserve to lose.

We have the record of accomplishments and can prove it.

President Eisenhower speaks of the loose spending and fiscal irresponsibility of the New Deal and the Fair Deal. I want to quote from a very good colleague of mine and yours, MARTIN DIES, of Texas. He said on May 29, and I quote:

> The Eisenhower administration has increased the national debt $9 billion. Furthermore, the total of the last 5 Eisenhower budgets is $73,600 million higher than Harry Truman's last 5 budgets. I repeat, the 5 Eisenhower budgets are $73,600 million more than the last 5 Truman budgets.

Then Mr. DIES goes further. I have here the figures of the Roosevelt administration from 1934 to 1941, one of the most dangerous periods in the history of this country. Those of us who served immediately preceding World War II realize and will agree that we were confronted with the greatest economic and defense problem that ever faced this country. During that entire 8-year period the total expenditures were $67,041 million, all 8 of these Roosevelt budgets added together; yet the budget of this administration for 1958 exceeds all of the budgets of President Roosevelt's administration during that difficult period.

What did we get for that $67,041 million under Roosevelt? Labor was put back to work, our factory chimneys were put to smoking again, our production credit associations were organized, REA was instituted. We were well on the way with the social security program. We had bank deposits guaranteed. We got a minimum wage, collective bargaining, and old-age assistance. All the things that the New Deal accomplished in the first 8 years were paid for with less money than Eisenhower is asking for 1 year.

What happened to the farmer during that period? In 1934 the per capita income of farm people was a measly $94 a year from farming. In 8 years that per capita average income was raised to more than $500. Farmers had 100 percent of parity and kept it for 11 years until another Republican President was elected. The farmers kept that 100 percent of parity for all those 11 years—1941 to 1952.

What did that cost? Well, we will ask Clifford Hope to see what Clifford says it cost. Clifford Hope says:

> For 20 years the price-support program cost the taxpayer in the United States a total of $1,194,800,000.

I called the Department of Agriculture this morning and asked them what the price-support programs had cost in CCC losses alone from the time Eisenhower was elected up to the present time and they told me $3,522,400,000, or almost exactly three times as much in four and a half years as a better service cost under the Democrats for 20 years. Those are the figures.

What have we got in the last 4½ years? What has the farmer got for that $3,522,400,000 that this Republican administration has spent in its abortive effort to support farm prices. The farmers lost $12 billion in net income during that period. They have suffered a loss of $8.7 billion in the inventory value of livestock on American farms. The farmer is receiving today 80 percent of parity instead of the 100 percent of parity that he was receiving when Harry Truman went out of office. The Republicans have spent three times as much money ruining the American farmer in 4½ years as the Democratic Party spent making him prosperous and keeping him prosperous for 20 years. Then they say that we spent our money loosely, we Democrats, and that we are fiscally irresponsible.

Mr. SEELY-BROWN. Mr. Speaker, will be gentleman yield?

Mr. CHRISTOPHER. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. I am very much interested in the statement the gentleman has made because I think all of us share his concern over the problems that agriculture faces. Of the 20 years the gentleman spoke of, and I do not want to get involved in any partisan program, would the gentleman indicate how many of those 20 years were war years where our agricultural surpluses were being used to feed the world?

Mr. CHRISTOPHER. During the first 8 years of the Roosevelt administration, when the Democratic Party was raising the farmer's level from less than $100 a year up to more than $500 and getting 100 percent of parity, none of those years were war years. The war years began in 1941. Really the war began in 1942. But, from 1942 for several years we did have a war economy. However, this tremendous spending has been done in what the Republicans tell us is peace times. The last campaign was made by President Eisenhower on a peace and prosperity platform.

Mr. SEELY-BROWN. Mr. Speaker, will the gentleman yield further?

Mr. CHRISTOPHER. Certainly.

Mr. SEELY-BROWN. Again I am not trying to get into a political argument, but what I am saying is that with all the money we have spent in the last 25 years, to make sure we include two administrations, do you feel we are any closer to solving the basic agricultural problem that is involved?

Mr. CHRISTOPHER. Well, it seems to me that if the Democratic Party was able to pull the farmer out of the depression, stop the storm of foreclosures that was sweeping the land, raising his price up to 100 percent of parity in 8 or 9 years and keeping it there for 11 years, with the cost to the taxpayer of about $1.2 billion, they must have had a rather successful program.

Now, these figures are by Clifford Hope. During that 20-year period he says cotton showed a profit of $237.9 million, cottonseed products $10.2 million, soybeans $3.9 million, tobacco $1.7 million, and all other supports less than $100,000 brings the total up to $253.7 million in profits. Now, the loss was $1,448,500,000. You subtract the profits from that, and it leaves a total cost over the 20 years of $1,194,800,000, and this administration has spent three times that much in 4½ years and we have lost 20 percent of parity and we have lost over $20 billion in income and livestock loss to the American farmer to show for all of that expenditure of money, and I contend that our farm program died the day President Eisenhower vetoed H. R. 12, because that was a program that had proven itself in both peacetime and wartime over a 20-year period. The cost was reasonable. But now we have no program.

Now, during the years of the 1920's we just had Republicans in control of the Government. Now we have modern Republicans in control; in fact, we have a modern Republican President. Now, I have wondered what a modern Republican President was, but I have concluded that a modern Republican President is a President who can out-promise Franklin D. Roosevelt, out-spend Harry Truman, still pose as a Republican, still have outwardly, at least, the wholehearted support of our minority leader, the gentleman from Massachusetts, as well as the distinguished gentleman from Indiana and the gentleman from Illinois. I submit that a man that can do that and win two campaigns the way Eisenhower has won them is a man of many accomplishments. He does not win these campaigns on the record of his party. He wins them on personal popularity and pure propaganda, and we Democrats stand by and allow him to do it.

Now, that is why I am taking issue with the members of my own party today. If the Republican Party had the record of service to the American people that the Democratic Party has got, we would not elect a Democratic President in 50 years. The Republicans are making something out of nothing, and we Democrats are making nothing out of everything. We have got the record of service. We have the record of rescuing business, labor, transportation, and agriculture from the depths of a Republican depression. And now the President still leaves the New Deal out there as a whipping boy, and yet President Eisenhower and the Republican Party have stolen the New Deal at home, stolen the Fair Deal abroad, and call it modern Republicanism. They have given it a new name. What is the Fair Deal? An extension of the New Deal plus the Marshall plan, plus foreign aid, plus economic foreign aid that the President wants about $4 billion for each year as far into the future as you can see.

They have surely stolen our thunder and made good use of it.

Mr. McCARTHY. Mr. Speaker, will the gentleman yield?

Mr. CHRISTOPHER. I yield.

Mr. McCARTHY. Under Secretary of Agriculture, Mr. McMillen, was out our way a week or so ago and he indicated what I thought was a lack of coordination. He said he did his best work in the evening, 10 or 11 o'clock, while the

Secretary did his best work in the morning, between 5 and 6 a. m. Does the gentleman suppose that this lack of common time for good work might have some effect in the mistakes of the Department of Agriculture?

Mr. CHRISTOPHER. Well, that could be. Of one thing I am reasonably certain. As long as the American farmer has Ezra Taft Benson as Secretary of Agriculture, they will have less and less of everything, even money in the bank.

There is another thing that does not look fiscally responsible to me. I called the Bureau of the Budget this morning and asked them what the interest was on the national debt in the fiscal year 1952. They told me it was $5,859,000,000. Then I asked them what it was in 1956 and they said that it was $6,786,000,000. So it takes $927 million plus more money to pay 1 year's interest on the national debt now than it did when President Eisenhower was elected. Is that fiscal responsibility? Or, what is it?

This year it is freely conceded even by the Bureau of the Budget that it will cost a cool $1 billion more to pay the interest on the national debt than it did to pay it in 1952. And still they say that the Democrats are fiscally irresponsible and that we are loose spenders. These things ought to be taken to the American people.

American farmers, 600,000 of them, have quit in the last 4 years, some of them because they had to and some of them because they could do better some place else. Most of them quit because they simply could not make a go of farming under Benson. My own State has lost 28,431. My home county has lost 278. I shall not list the others in my district, because that has been put in the RECORD previously.

But I just could not let those two statements go by, that Herbert Hoover was a friend of American business and that if the Democrats won the national election in 1960 we would go back to loose spending and fiscal irresponsibility. My God, if we could spend any more loosely than this administration and have less fiscal responsibility than this administration, we would wreck the country, sure enough.

I can remember when men came down to this very "mike" that I am talking over right now and you would have thought, to listen to those gentlemen, that Harry Truman was the most profligate spender in the world. Now, by comparison, he looks like an ultraconservative.

Mr. Speaker, it is the duty of the Democratic Party to take these truths to the people, because we can prove them. The figures I have quoted are not my figures. They come from the Bureau of the Budget, the Department of Agriculture and the Congressional Library. I did not make up these figures. They will appear in the CONGRESSIONAL RECORD. If anybody can prove these figures are wrong, I wish they would do it, because it would confer a service on me if they did do it as well as confer a service on the Amercan people.

INCREASED INDUSTRIAL USE OF AGRICULTURAL PRODUCTS

The SPEAKER pro tempore (Mr. MADDEN). Under previous order of the House, the gentleman from Mississippi [Mr. ABERNETHY] is recognized for 60 minutes.

Mr. ABERNETHY. Mr. Speaker, today I am introducing a bill designed to provide what American farmers need most—markets for what they grow. Companion bills are being introduced by the gentleman from Indiana [Mr. HARVEY], and the gentleman from Virginia [Mr. JENNINGS].

We have tried a good many other ideas. Some of them has been helpful, some have been necessary for emergency situations, but none has created the substantial new markets which are essential.

We have tried acreage reductions, price supports, export subsidies, plowing under, and we are now even handing out Federal checks as compensation for doing nothing—all of these things and more in earnest effort to solve the farm problem. Results have been no more than partly satisfying.

But there is one method, the most promising of all, that we have not tried, and that is to make agriculture an equal participant in the scientific revolution. Up to now, agriculture has not been able to go modern, except to a limited extent, in production.

We now stand face to face with the possibility, if not the likelihood, of socialized farming. The farmer does not want it. The people do not want it. But I am afraid that is what we are heading for, and it is not the farmer's fault. It is the fault of Government mainly, and of industry, both of which have failed to give the farmer a fair shake in the great scientific revolution that is now performing such wonders in our economy and way of living.

The farmer has participated substantially in one-half of this revolution—the half that has to do with production; but he has been denied the rich fruits of the other half that has to do with utilization. He knows how to produce more than we know how to use. The burdensome crop surpluses now in warehouses are ample evidence in support of that statement. Giving commodities away at home and abroad will not solve the surplus problem; neither will cutrate sales. But scientific research might in time empty the storage places and prevent further oversupplies of serious size.

Meanwhile, industry has been invading the markets which naturally belong to agriculture. Synthetic fibers have displaced cotton and wool, synthetic detergents have replaced fats and oils in soaps, and synthetic resins are now pushing natural oils out of the paint market.

How has industry done this? By research. Industry has studied the needs of the market and has set its scientists to figuring out means to produce things the people will buy.

Manufacturing industry invests about 2 percent of its gross sales in research. Some fast-growing lines, such as chemical and petroleum, invest up to 7 percent in research. But in agriculture the investment is only about one-half of 1 percent of total sales. No other important segment of the national economy is compelled to risk its present and its future on such limited efforts to expand and improve.

Agriculture has made tremendous gains in its ability to produce. How? Through research.

What, then, could be more logical than for agriculture to find markets by the same means it has improved its ability to produce? If research expanded farm production and enlarged industrial markets, should it not also be put to work to solve the overwhelming problem of agriculture, the development of adequate markets?

Farmers, themselves, cannot solve the problem of using for the common good the abundance they can produce. There are 5 million of them scattered from coast to coast, from Canada to Mexico, growing some 150 different crops. It is impossible for them to operate as a compact unit, building their own laboratories, carrying on their own research, studying the growing needs of industry for new raw materials, for improved qualities, for lower costs. Industries can perform these functions for themselves and are doing so at great profit. It is sensible and right that they should progress and prosper as they are. I'll never protest that. But I do protest the fact that agriculture, our most essential activity, is not given the chance to participate as an equal in all around scientific research, which now is a necessity for economic survival.

Congress last year provided for the appointment by the President of a bipartisan Commission on Increased Industrial Use of Agricultural Products. That Commission has explored the entire field with great seriousness.

This Commission called to its assistance more than 180 leading men in American science and industry, specialists in agricultural materials and their uses. These experts, working in task groups appropriate to their specialties, suggested to the Commission more than 400 important proposals by which, through research, the markets for farm products can be expanded for industrial uses, as contrasted to the present limited food and feed markets.

The Commission has presented Congress with a report which may well be a document historic in American agriculture. The report lists as illustrative examples only a few of the more than 400 proposals advanced by the task groups. Among them are ways by which research can substantially expand the markets for cotton, for soybeans, for corn and rice, and for almost every other important product of American soil.

Moreover, it has suggested definite approaches to the development of wholly new crops for which markets await or can be created. Most present crops, it points out, were in agriculture centuries ago, long before man had laboratories to examine plants for their chemical uses. Sufficiently profitable new crops can prevent surpluses, because they will

naturally take over acres on which now we may be growing too much cotton or grain.

The Commission also points out that American farmers are now producing 4 or 5 percent more total output than the markets are consuming. It indicates that the momentum of technology is such that for several years ahead surpluses may be expected to increase rather than to grow less.

The present markets, domestic and export, are not expected to expand that fast. Therefore, the necessity to create new markets, especially new industrial markets, is highly urgent.

The little research done in this field—and it is only a little—has been immensely profitable. I need to point not further than to the profits the citrus industry has gained from the process for concentrating and freezing citrus juices. That is, of course, a food use, but it came from research.

Congress is now providing only about $16 million for research in new uses and new crops—a little more than the cost for storing surpluses 2 weeks. The Commission urges that this outlay should at least be trebled.

The report points sharply to the great lag in basic research. It is filled with constructive suggestions and should be studied by everyone interested in sound solutions for agriculture.

There is one simple fact about industrial uses for farm products that I wish everyone understood. When a consumer buys enough for three good meals a day, that is all the food he wants. You can't sell him any more. But hardly anyone ever acquires all the industrial products he wants. He can use radios in every room, 1 in his car, and 1 to carry around. He can use 2 or 3 TV sets. He can use 2 or 3 cars. He may even have two homes. The potential consumption of industrial products has no limit except buying power. I want to see farmers get a bigger chance at this great market for industrial goods.

Research appeals to me for many reasons. It is the modern way to improve existing products, to discover new products and new uses, and to lower costs. It is the dynamic, the affirmative way to tackle a difficult situation. Restrictions are negative. They are contrary to the experience of our American free-enterprise system. They do not give the individual full use of his abilities and ambitions. In approaching the continuing problem of farm surpluses, let us think affirmatively, expansively, not restrictively. The American farmer shows an ever-increasing capacity to produce. It is up to us, through our Government, educational institutions, and our industries to find ways to use what he can grow.

What has happened to cotton and other natural fibers illustrates the need for scientific agricultural research. A few years ago the only fibers used were from natural sources, such as cotton, wool, hemp, and silk, but today about 45 percent of the fabrics market is taken over by synthetics. While this great change was taking place, all of it the result of scientific research, there was no comparable research going on in the interest of cotton. Vegetable oils suffered similar inroads in the manufacture of paints, leather was pushed out of more than half the shoe-sole market, animal fats and oils lost heavily in the soap market to detergents made from petroleum, and so on. The chemical and petroleum people were busy in their laboratories, while farm products were left largely to get along without the kind of modern help that is essential.

No one knows exactly what the economic status of farmers would be today if, from the outset of the scientific revolution, they had been able to drive forward on equal terms with industry. We do know it would have been far better than it is now. The scientist rarely knows what he will find when he begins his work, but generally he finds something. He is the pioneer of today, exploring the unknown, and his frontier is an infinite distance ahead. The Commission, whose report I have mentioned, suggests seven new uses for cotton, everyone of them a distinct possibility if adequately researched. This Commission also finds that new crops are needed, but here again the development of these crops must be preceded by research.

The time is here for action if we are to save the American farmer and the American economy from greater surpluses than we ever have known or from permanently restricted, controlled farming, under which the farmer cannot be a free American.

The bipartisan Commission, after studying the whole farm problem, aided by numerous task groups composed of the ablest and best qualified business and scientific men, comes to the conclusion I have stated: The best hope for agriculture lies in utilization research.

The bill I am introducing is designed to carry out the recommendations of this Commission. That the report is perfect, or that this bill is perfect, I shall not assert. But I do say that the approach is right.

The amount of money required is relatively small. Results could be fantastically good. Actually, the cost is only about as much as we are now requiring the taxpayers to spend to store the Government-accumulated surpluses for 3 months.

Considering that research has always proved itself to be a highly productive investment, rather than an irrecoverable expenditure, I believe the enactment of this bill would actually be an economy measure.

Farmers need this job done and need it now. Let us get it underway.

Mr. HARVEY. Mr. Speaker, will the gentleman yield?

Mr. ABERNETHY. I yield to the gentleman from Indiana.

Mr. HARVEY. Mr. Speaker, I want to compliment the gentleman from Mississippi [Mr. ABERNETHY], chairman of the Subcommittee on Research of the House Committee on Agriculture, and express my very great pleasure in joining with him in introducing a bill of a nature similar to his.

It is in our national interest to increase the level of farm income in order that the farmer may share more equally with his industrial counterpart in the general prosperity which now prevails throughout our Nation.

Current productivity of farms in the United States is substantially in excess of current market demand at price levels which will provide a fair and substantial income to the farmer. No program has been developed, nor is one foreseeable that will successfully shrink farm production for an extended period of time. However, research programs offer the most potential to substantially increase the industrial uses of agricultural products and thereby achieve a farm prosperity based on full, rather than curtailed, production.

Of course, there is no one immediate answer to this vexing problem of agriculture. But it is my view that one long-range solution to our agricultural problem is research for broader utilization.

Employment of scientific research as an aid to agriculture is not new in our history. Legislation creating our land-grant agricultural colleges was enacted 95 years ago and after nearly a century of research activities under Government direction, we have witnessed amazing advancements in the productivity of our farms. This progress released millions of people from cultivating the soil to boost our living standards and general well-being by working in the factories and mills of industry.

American farms have tremendous productive potential and we have great know-how for utilization, but we have not proceeded as fast with our utilization program as we have with our production. It would seem, in terms of national well-being, we need not produce more, but to realize more from what we currently produce. Even so, this year finds us spending about eight times as much for still greater production than we are spending to find new and extended uses for the surpluses. In the face of mountainous surpluses, is it not apparent that the time is past due when we should shift the emphasis of our agricultural research?

This bill, presented by Mr. ABERNETHY, Mr. JENNINGS, and myself, follows the objectives of the President's Commission To Increase Industrial Uses of Agricultural Products, to establish a board whose duties shall be to coordinate and expedite efforts to develop, through research, new industrial uses, and increased use under existing processes of agricultural products; to develop new replacement crops; and to reduce the stocks of commodities owned by the Commodity Credit Corporation. Incidentally all of the three above named members of the House Committee on Agriculture are also members of the Subcommittee on Research and Industry and have devoted much time and study to the problems of agricultural research.

The proposed bill creates a board with adequate power and authority, within the limits of the funds available, to coordinate and expedite activities directed

toward research, pilot-plant development, trial commercialization and industrial uses with Federal and State governments, educational institutions, private research organizations, trade associations, individuals, and industrial corporations in expanding the industrial utilization of the products of farm and forest and the development of new crops.

In the discharge of these duties the Board is empowered to draw on existing facilities and experts of the Department of Agriculture and Commerce and other Federal departments and agencies, land-grant institutions, and experiment stations.

Provision has been made in the proposed bill for Board approval of research grants, student fellowships, scholarships, and similar aids to strengthen graduate training in each of the four major agricultural regions.

Further, the Board is empowered to enter into appropriate contracts for putting into practice the developments of research, by establishing trial commercial scale operations as well as to extend suitable incentives to farmers and to industry to accelerate the development and establishment of new crops or of new industrial uses which are likely to broaden existing markets and open durable additional ones.

Under this proposed legislation all contracts provide for the disposition of inventions produced thereunder in a manner calculated to protect the public interest and the equities of the individual or organization with which the contract or other arrangement is executed.

Meantime, as a protection to private enterprise, the Board is not permitted to directly conduct research, operate plants or processes, or otherwise engage in business.

In considering legislation for agricultural research we must not lose sight of the fact that the individual farm unit is too small an enterprise to afford the research that is necessary to compete in the market with our large commercial enterprises. Today we find it suddenly has become imperative for some means to be made available for handling the research problem of the farmer.

It is important to determine what level of research is essential to keep farm producers, and producers of farm commodities, in the maximum competitive position so that they can get the things they need out of the economy, on the equivalent basis with other people working in other lines of endeavor.

Another implication is that the extent to which the farmer finds his competitive position in the total economy lessened, he is then compelled by economic circumstances, to mine some of his capital in the form of his land resources. That has an effect upon the conservation of land resources. Most of our lands are in private ownership—farm ownership, generally speaking—and I think it is highly important that whatever we do, our foremost consideration is to perpetuate our free enterprise system and this can only be done by keeping the farmers of this country in an economically competitive position.

Confining this observation to research alone, I think the facts are obvious, agriculture today has not achieved a competitive position in research comparable to that found in other segments of the American industry.

Development of new and improved uses of existing farm products and new farm products, and the creation and extension of markets and outlets for farm products and byproducts will insure increased income opportunities for the farmer. Such agricultural progress will make great strides in reducing Government participation and costs in the acquisition, storage, and ultimate disposition of commodities now in surplus.

The present cost estimate for storing our surplus farm commodities is $1 million a day. This expense touches all taxpayers, those of the city as well as the country. I venture that these same taxpayers would join me in seeing the wisdom to devoting at least a percentage of such a sum to an elightened approach of trying to remedy the problem rather than further aggravating it by continuing to pile up surpluses with little hope for their eventual use.

The net result of such enlightened approach will inevitably lead to a higher standard of living, not for our American people alone, but for all the world, because everyone profits from the benefits of new knowledge and this is essentially what we are attempting to attain.

The cost of such a research program may be expected to be more than offset by increased tax revenues resulting from increased earnings of both farmers and those who sell goods, wares, and merchandise to farmers, as well as savings to the United States in costs of current agricultural assistance programs.

In the long run, research is not a cost, it is an investment; we get returns manifold over the cost.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. ABERNETHY. I yield to the gentleman from Virginia.

Mr. JENNINGS. Mr. Speaker, I wish to associate myself with the remarks of my distinguished colleague, the gentleman from Mississippi [Mr. ABERNETHY], who has ably and thoroughly presented the objectives of the bill introduced today. Mr. ABERNETHY is chairman of the Subcommittee on Research and Extension of the House Committee on Agriculture. It is a privilege to serve with him on this subcommittee, which is concerned over the need to find greater industrial uses for agricultural commodities.

I am in agreement with the objectives of the program that has been outlined. Therefore, I am introducing a similiar bill as an indication of my strong support and interest in the beginning of such a program. This proposal merits the attention and support of every Member of this body concerned with the disposing of our surpluses and the future farm income of the Nation. Authorization and funds for this research should be provided immediately.

Our agricultural surpluses have resulted from a variety of reasons. Among them is the reduction in grain used on the farm for feeding work animals as more and more farmers turned to gasoline-powered equipment; our harvests have continued to grow as farming methods improved; and synthetic materials have replaced many basic materials formerly obtained from the farm. Intensive efforts have been made to dispose of this farm production through domestic and overseas programs. However, we have been unable to keep pace with production and new efforts are long past due. To curb production is not the simple solution because the question of farm income must be given primary consideration.

Areas for research and development in the industrial uses of farm products are indeed broad. Take grain as an example. We have barely scratched the surface in the uses of grain alcohol in industry. It is estimated that 200 to 300 such uses are possible, an excellent example being in the production of synthetic rubber. What about using more of this versatile product to power the equipment that replaced the work animals on the farm, the previous consumers of much grain? There are few figures available on the amount of grain that could be used in numerous other ways, if the basic research were provided to find and perfect them.

The Commission on Increased Industrial Uses of Agricultural Products has recently published an interim report. I recommend it highly to any Member interested in learning more about the need for and the possibilities of such a research program as contemplated in these bills being discussed today.

In addition to finding new uses for existing farm products, we might consider the possibility of developing a new product to replace or supplement the existing production to some extent. A new crop for the American farmer is not beyond the realm of possibility.

We must attain and maintain an increased share of the industrial market for our agricultural products to insure the future of our farmers. Intensive and immediate effort in the field of research is the answer. We can begin such efforts by approving of the bills introduced today.

Mr. DIXON. Mr. Speaker, will the gentleman yield?

Mr. ABERNETHY. I yield to the gentleman from Utah.

Mr. DIXON. Mr. Speaker, I wish to associate myself with the gentleman from Mississippi [Mr. ABERNETHY], the chairman of our Subcommittee on Research, and compliment him on his leadership in this fine movement to increase the consumption of surplus agricultural commodities through research, also upon his inviting the President's Commission on the Increased Industrial Use of Agricultural Products to meet with the Committee on Agriculture so that the committee may understand the fine work the President's Commission is doing. I am happy to associate myself with this fine leadership.

The marvelous success of scientific research in increasing the supply of agricultural commodities has now culminated in an explosive situation which calls for similar and equal success in increasing the demand for farm products. The supply has far outdistanced the demand.

Production research and improved methods of farming have helped to create huge price depressing surpluses and consequent loss of farmer income. Best available estimates place the loss to farm income due to these surpluses at $2 billion a year. In other words the competition of this surplus of $8 billion in farm crops has reduced the farm prices an estimated $2 billion a year.

THE SUCCESS OF PRODUCTION RESEARCH AND RESULTANT IMPROVED FARMING METHODS HAS BEEN PHENOMINAL

Let us cite a few evidences of the success of production research.

In 1830, 1 farmer produced enough for 4 people. In 1930, 1 farmer produced enough for 10 people, while today 1 farmer produces enough for 20 people. There was a time when 80 percent of our people were engaged in farming. Today farmers number less than 13 percent of the total population.

There was a time when smut in wheat and barley took 90 percent of the crop in certain areas in Utah. Today, as a result of our research at the Utah State University of Agriculture and Applied Sciences, smut takes practically nothing.

One seed man in Box Elder County, Utah, told me that they raise more alfalfa seed on one farm in his county than was raised in the entire State before research at Utah State University conquered the lygus bug.

Fifteen years ago 100 pounds of feed produced on the average 24 pounds of broiler chickens, while today the average is 36 pounds of broiler chickens per 100 pounds of feed grain.

The average yield of corn in the Corn Belt States was 35.3 bushels per acre during the 10-year period 1935–44. It was 42.8 bushels per acre, 1945–56. It was 50.3 bushels per acre in 1956. Last fall a boy received a prize for producing 300 bushels per acre.

The price-support program has forced cotton and wheat farmers to take about one-third of their land out of the production of these two crops; yet last year the country produced almost as much cotton and wheat as before.

Striking examples of the success of production research are almost limitless and need not be further expanded here. Suffice it to say that scientific methods of farming threaten to expand production almost as fast as the soil bank and acreage restrictions under the price-support program succeed in reducing production. This is borne out by the statement of Dr. Earl Butz, Assistant Secretary of Agriculture, who says:

Surpluses have continued at high levels even after years of production controls, acreage allotments, and marketing quotas.

PRESENT PROGRAMS TO CONTROL PRODUCTION ARE TEMPORARY, ONLY PARTIALLY SUCCESSFUL AND INCREASINGLY PROHIBITIVE IN COST

Chief among these programs to control production are high rigid price supports, the soil bank, marketing quotas, and flexible price supports. Yet in spite of these programs we have been jumping from one emergency into another. At best they are only stopgap measures. Secretary Benson says:

We must not for a moment allow ourselves to lose sight of the fact that these programs are emergency and temporary. * * * In a terrific rainstorm it may be necessary to use buckets to catch the water from a leaky roof. But the permanent and sound solution is to fix the roof.

Like aspirin these palliatives have temporarily deadened the pain (which is sometimes necessary), but they have done little to cure the patient.

Now let us appraise briefly the permanent benefits of some of these stopgap provisions of the law.

During the war it was necessary to offer incentives to farmers to produce—and produce they did—patriotically and often at a financial sacrifice. The war stopped suddenly while farmers were at the peak of production, so it would have been disastrous and thankless to take off 90-percent price supports until an orderly transition could be made. The high supports were left on too long—until the 1955 crop. As a result over $8 billion in surpluses piled up.

Because of these unwieldy surpluses the Government lost $1.9 billion last year and the farmers lost approximately a like amount in depressed prices. And that is not all—such programs have so much vote appeal that a corn and feed grains bill costing around $996 million above the present budget came close to winning in the House. It could have doubled the acreage under Government control, added 9,122 more employees to the United States Department of Agriculture staff, impaired the soil bank in many areas, and reduced production but very little.

The total number of USDA employees jumped 11,000 in the last 2 years and the budget is $5.3 billion, or 44 percent of net farm income of the entire United States. If we hadn't killed the corn bill, the USDA budget would have exceeded the astonishing ratio of 50 percent of the entire United States net farm income. In other words, the Federal Government would have been spending 50 cents for every dollar that farmers earned in net income. The support-price structure is growing so top heavy it is about to fall of its own weight. Some think that the defeat of the corn bill might spell the beginning of the end of the entire support system.

They think the public will no longer accept huge expenditures for agriculture unless it can be shown that these expenditures help to solve the farm problem. The budget which Congress is considering for 1958 would represent an average cost of $1,730 for every family in the United States. The American public has seldom been as tax conscious as it is now and will go very little further in this futile attempt to "repeal the law of supply and demand." We simply haven't enough money to do it.

SINCE THE LIMITATION ON THE SUPPLY HAS PROVED ONLY PARTIALLY SUCCESSFUL, HOPE LIES IN INCREASING THE DEMAND

The farm problem must be attacked with equal vigor on all fronts. Unfortunately for the farmer, this has not been the case in recent years. It is also unfortunate that temporary stopgap measures resembling palliatives have tended to steal the center of the stage almost to the exclusion of other less spectacular and more basic solutions.

One of these basic solutions is to increase the demand for farm products. Whether or not this demand can be stepped up to meet the entire supply, in normal times, is a much mooted question. My thesis is that an all-out effort must be made to increase the demand for agricultural commodities and that this effort represents a basic and fruitful line of attack.

One popular idea about increasing demand is to dispose of more farm commodities abroad.

Many people ask: "Why not sell and give away our surpluses to foreign countries where people are starving?" That is exactly what the Secretary is doing. He disposed of more commodities last year than any year in history. Were it not for the success of his disposal program, the Government investment would be $15 billion instead of $8.2 billion. There are limitations, however, upon such a disposal program overseas. Among these limitations are, first, it cannot develop into "dumping," a process contrary to international commitments; second, it is impracticable, beyond a certain point, due to lack of storage and markets overseas; third, in some cases foreign disposal involves a heavy subsidy; fourth, if carried too far it might result in the loss of more friends internationally than we would gain.

Since the present export market is nearing saturation, there is only one place to turn and that is to the domestic market. We must increase consumption at home. How can this be done, when our domestic food market is close to being saturated?

Those who have the best grasp of the farm problem are now coming rapidly to the conclusion that the most important and effective long-term program for agriculture has been, and remains, a program of research and education in more efficient production, marketing and utilization.

UTILIZATION AND MARKETING RESEARCH WILL INCREASE CONSUMPTION OF FARM CROPS

While I was president of Utah State University, I was impressed by the miracles of production research coming out of that great school. May I point out that the research developed there creates more wealth every year than its experimentation station has cost since its inception.

If we are smart enough to bring about miracles in production, we are also smart enough through research to bring about miracles in consumption. Yet, this is not the case to the same extent either in Utah or in the United States.

Perhaps as a result of our historic emphasis on production research, many of our scientists do not agree with my appraisal of the value and the possibilities of utilization and marketing research. Our current practice proves this partiality. For every $100 of farm income we spent 50 cents for research. Only 4½ cents, or 9 percent, of agricultural research expenditures goes to marketing and utilization research. The same bias was evidenced in opposition to the House Committee on Agriculture's position that 25 percent of the research funds should

be spent on marketing and utilization research. I even have letters from splendid scientists at Utah State University which hold out that marketing and utilization research is largely a waste of money.

In view of our present imbalanced position of overproduction and underconsumption I still think I am right, and as the old verse says:

> In moments of controversy my perception is quite fine. I always see two points of view—the wrong one and mine.

In support of my position I call to your attention the fact that Congress proposed last year that President Eisenhower appoint a commission to study increased industrial use of farm products. June 15 is the date of the final report to the Congress of this commision.

The establishment of the commission was definitely in line with Secretary Benson's program.

How valuable has utilization research been and how productive of results might it become if given the support which it merits? I shall supply only a few examples to help answer these questions.

Frozen foods: In 1930 the USDA established a special laboratory in Seattle and staffed it with vigorous, farseeing scientists who found the answers to the key problems related to frozen foods. With those barriers removed a billion-dollar-a-year frozen foods industry has resulted. The money spent on this research was infinitesimal when compared with the wealth produced.

Frozen fruit juices: Research saved the Florida citrus industry. In 1943 the Winter Haven Laboratory—USDA—in cooperation with the Florida Citrus Commission, developed the basic process for producing concentrated orange juice. Today no less than 50 percent of all Florida oranges are converted into frozen concentrated juice, showing that research has created a new market for one-half the entire crop. Exports to foreign countries are up 18 percent. It should be noted here, however, that there is danger of overestimating the net benefits because in this instance the increased consumption of citrus fruit juices might have resulted in diminished consumption of other fruit products and other beverages.

In his March speech in Florida Secretary Benson said:

> Such bountiful harvests as you have had in recent years would have been a gloomy prospect in times past. But now you dispose of nearly every orange. * * * If you had attempted to build your industry on price supports, you would not be in your present favorable position today.

Research on frozen orange juice stimulated the production of other frozen concentrated fruit juices, including lemon, lime, tangerine, grapefruit, grape, and apple juices. At the Eastern Regional Research Laboratory, Philadelphia, I recently saw how these splendid research people evaporated the water out of fruit juices, caught the volatile flavors through condensation, reduced the juices to a very concentrated form and then reintroduced the original flavor. The same process will retain the original fruit flavors in jams and jellies.

When we consider the thousands of tons of peaches, apples, apricots, and cherries that go to waste in Utah, we are warmed at the thought that research might transform our fruit industry as it has that of Florida. We especially need such research in view of our high transportation costs and the distance from major markets. I am pleased to see that our own Utah State University is attacking this problem.

I have tasted tomato juice, made from tomato powder, that retained practically all of the palatability of the fresh juice. One plant in California is being built to manufacture tomato powder.

In the case of frozen juices we are again tempted to ask the question: "How many thousand times over have the benefits more than liquidated the cost of the research?"

Potato granules: The Department has also been instrumental in increasing the storage life of potato granules, or instant potato, and in developing equipment for its production. The instant potato can be converted into a mash which is virtually indistinguishable from the product made from fresh potatoes. Five companies are now producing this form of dehydrated potato. I should like to quote from G. E. Hilbert, Assistant Administrator for Utilization Research, Agricultural Research Service, United States Department of Agriculture: "The domestic demand is so great that the industry has been having difficulty in supplying the market. This industry will continue to expand. We believe this development will do for the potato industry what frozen concentrated orange juice has done for the citrus industry."

The one limitation with potato granules is that they may be produced from only Maine and Idaho potatoes of high specific gravity. At the eastern Philadelphia laboratory I ate fluffy whipped potatoes made from their new potato flake discovery. These potato flakes were manufactured from lower specific gravity potatoes and are even superior to the granules. They have not been produced commercially as yet.

Whole-milk powder: Think of the saving in cost, refrigeration, bottling, and marketing of whole milk that would result from a whole-milk powder producing milk just as palatable and nutritious as milk itself. We are almost assured of such a product within the next few years.

Expanded use of animal fats: Dr. Waldo Ault at the Philadelphia laboratory said to me:

> The use of detergents instead of soap, plastics instead of leather, and vegetable oils instead of lard (all the results of research) has almost put the livestock man out of the byproducts business. I am confident that research will put him back in. We cannot afford not to do research.

In 1947 the soap industry alone used 1,500,000,000 pounds, or 71 percent, of our animal fats. Today it uses only 812,720,000, or 27 percent of total inedible fats. This is all due to the development of competitive detergents by industry. Synthetic detergents put animal fats on the skids. Most detergents have a petroleum base of 20 to 30 percent. Dr. Ault told me there are some disadvantages to petroleum-based detergents. Soap is better in soft waters but poor in hard waters. Soap can be produced in bar form. Petroleum-based detergents cannot. Detergents are less effective in keeping soil suspended in the water.

The USDA has research underway designed to make an animal-fat-based detergent that will compete successfully with petroleum-based detergents. The USDA has also developed oils from animal fats which oils will compete successfully with petroleum oils as additives. Their product is fully as good as the commercial oils and better for some purposes. To illustrate—as the parts of machinery get smaller and smaller and the pressure greater and greater, oil plays an important role. Commercial oils break down under 1,700 pounds pressure, while the oils being developed from animal fats in the Philadelphia laboratories stand up under 2,000 pounds pressure. This development has significant possibilities and could have a positive influence on livestock prices and markets. Its potential could reach 300 million pounds or 10 percent of the production of animal fats.

In addition to uses in detergents and oils, fats have an increasing outlet in plastics. Plastics are tending to put leather out of business and research on animal and plant fat-based plastics could replace the losses to farmers from low-priced hides. A number of the larger plastic manufacturers are using more and more fats in the manufacture of plastics. You will be interested to note that the new soft pliable plastic lawn hose is a rather recent result of research in the use of fats to give the softness and pliability to plastics. The same is true of plastic seat covers and Armstrong's vinyl floor tile.

The discovery and use of antioxidents to prevent melted fats from becoming rancid has opened up the fertile field of fats in mixed livestock and poultry feeds. Such fats can sell for 7 cents a pound and are worth 8 cents a pound in feeds in competition with corn at its present price. If the 3 billion pounds of fats produced each year could be sold at 7 cents per pound in feed grains, instead of the zero to 4 cents, the cash income to livestock people would be increased by $90 million per year. The outlet of fats for animal feeds has jumped from nothing in 1952 to 223.3 million pounds in 1956—already equal to 7.5 percent of the total national production. Furthermore, the amount used for this purpose almost doubles each year.

Penicillin: To the Northern Regional Research Laboratory—USDA—Peoria, Ill., must go the credit for making possible commercial production of penicillin through developing strains of molds and perfecting the medium in which molds grow. Alexander Flemming, an Englishman, discovered penicillin in 1929, but it was not used to any considerable extent until Dr. H. W. Florey, of Oxford, England, came to the United States in 1941 to ask the help of the USDA to make possible large-scale production. By June of 1943 the total output was 400 million units, enough to treat 300 serious cases

and by 1945 a monthly average of 677 billion units was produced. The wholesale price dropped in these 2 years from $20 to 60 cents per 100,000 units and the length of time it lasts in storage was increased from 3 to 18 months. The money value of the product in 1945 alone was $100 million. This is more money saved each year than the Government has spent on all 4 of its great utilization laboratories in the last 16 years, let alone any consideration of the hundreds of thousands of lives that have been saved by our research.

Synthetic rubber: Discovery of the outstanding success of hydrogenated inedible fats for production of synthetic rubber cost the Government $40,000. The estimated value to the public has been $10 million a year based on increased production. There has been a return to agriculture of approximately $3,400,000 a year through the market for inedible fats.

Turpentine and rosin: Improved methods of collecting and processing turpentine and rosin cost the Government $182,000. Just through 1946, this research already had a value of $18 million through increased yields, improved grades of rosin and better quality of turpentine.

Dehydration: Research on dehydration cost the Government $1,350,000. During the war alone, $500 million worth of the dehydrated vegetables, fruits, and eggs purchased for the Armed Forces and lend-lease must be credited to the the application of research findings of USDA.

Cleaning and sorting peas: The development by the USDA of a new froth flotation process which efficiently cleans vined peas cost about $21,000, including the time and expenses of consulting with processors about application of the process. This is estimated to save about $2 million annually. The savings resulted from elimination of three-fourths of the labor involved in hand sorting small sieve peas, improving the quality of the peas by more complete removal of the splits and skins and by saving large quantities of peas that would otherwise have been discarded as a result of their infestation with weeds.

Strawboard: Strawboard mills began to have difficulty getting enough straw when the combine harvester came into use scattering the straw over the field, rather than blowing it into stacks as did the stationary thresher. A cooperative effort was made for the development and promotion of efficient methods of collecting and baling of straw and preserving it against rotting. The cost to the USDA was $69,000. Yet the farmers and straw mills profited from this research in 1948 alone by $2,200,000.

Cottonseed: Research by the Southern Regional Utilization Laboratory costing $20,000 advanced the technology of solvent extraction from cottonseed. The estimated value of the increased cottonseed oil produced is from $6 million to $9 million annually.

Coloring of citrus: The discovery was made that ethylene gas added in small amounts to storage atmospheres causes the fruit to lose its green color and develop a mature natural color within a few days. This cost the USDA $11,000. This process allowed the marketing of otherwise unsalable mature fruit. The estimated profit to the industry from this process was estimated at more than $40 million for the years up to 1952.

Cotton conforming bandage: The USDA spent $75,000 developing a semi-elastic cotton bandage which readily conforms to the contours of the body but still allows freedom of movement and circulation of blood. In 1952 the Armed Forces Medical Procurement Agency ordered 13,400,000 of these particular bandages. The saving over the nearest competitor was about $5 million for that year alone.

UTILIZATION RESEARCH LIQUIDATES ITS COST

The above are just a few examples from a list which I have compiled of 115 developments from utilization research. They are sufficient to prove: First, that such research more than liquidates its cost; second, that it is not an expenditure but a most profitable investment for the Federal Government, because 1 or 2 discoveries alone produce more wealth each year than the annual $3 to $14 million which the Government has invested in utilization research over the entire past 16 years since the 4 laboratories were established; third, that there are scores of equally promising undeveloped or partially developed research projects awaiting the touch of the scientist's hand to spring into full fruition; and fourth, that it has the power to reduce price-depressing agricultural surpluses by increasing the demand and, therefore, by bringing supply and demand more into balance. These results will not spring forth overnight, but they will come, nevertheless, if only given more encouragement.

THE FARMER CANNOT "GO IT ALONE"

Now you ask: "Inasmuch as marketing and utilization research holds out such promise as one of the basic solutions to the farm problem, why is it not sponsored by the farmers themselves?"

This is a good question in the light of the fact that industry spends an average of $3 for research and development—with a range of 0 to $10—out of every $100 received. Industry has found this a mighty profitable investment. The comparable figures for farm research is only 50 cents per $100 and 72 percent of that is spent on production—not utilization research.

The fact of the matter is that the farmer and most farm cooperatives are too small and too poor to go it alone, while many of our huge industrial concerns have the money, they cash in on their expenditure, and they are motivated by the reward of handsome profits.

RENEWED FEDERAL IMPETUS IS NECESSARY

We have already shown that President Eisenhower and Secretary Benson are in agreement on the urgent need for a stepped-up utilization research program. Furthermore, I am pleased to report that there appeared to be considerable agreement on both the Republican and the Democratic sides of the aisle to the general proposals of the President's Commission on Utilization Research as briefly set forth in a joint meeting which I helped arrange between the House Committee on Agriculture and the President's Commission. I am also pleased to report that Representative ABERNETHY, Democrat, of Mississippi, chairman of the House Committee on Research, has introduced the same bill as I introduced last year and the one supported by the administration.

I have introduced a similar bill again this year. In this bill—

The Secretary of Agriculture is authorized and directed to conduct research into the findings of new, increased, extended and perfected uses for farm products and to the finding of new farm products.

The bill gives the Secretary broad authority to use the most efficient methods of conducting the research. It allows him to expand pilot plants, utilize commercial plants, use various types of laboratory and field studies, make grants to agricultural experiment stations, colleges, universities and private nonprofit research institutions, to hire full-time employees as well as to use part-time consultants and establish appropriate advisory committees. The Secretary is authorized to establish salaries outside and above civil-service classifications for not to exceed 100 positions requiring specially qualified scientific or professional personnel.

The Secretary is directed to report annually to the Congress on progress on research programs undertaken pursuant to the act. The bill also authorizes for appropriation a sum of $50 million for the fiscal year beginning July 1, 1957. It is hoped that this money can come from funds appropriated but not used for the soil-bank program.

THE USDA SHOULD BE THE AGENCY

The bill I introduced last year is identical in purpose with other bills on utilization research but differs in the organizational arrangements proposed for carrying on the work. Some of these bills called for a new agency to be created in the executive branch of the Government, while I favor placing the work under the Secretary of Agriculture to be administered separately in the Agricultural Research Service by the new Deputy Administrator for Utilization Research. Named to the new post is George W. Irving, Jr., working under Dr. Byron T. Shaw, administrator of all agricultural research.

My reasons for favoring the USDA as the agency are as follows:

First. The Commission bill would add another agency which would be more costly than administration under our existing agency—the USDA. The trend should be in the direction of eliminating, not expanding, Federal agencies, especially since use of the present organization would save money.

Second. There would be unity of command under the USDA. Any agency outside the Department and under the executive branch would of necessity use the organization of the USDA to accomplish its assignment. This double-headed organization would lack unity of command, and, as a result, cause continuous confusion, delay, and friction.

Third. Utilization researchers must have the help of production researchers. We need to develop strains of wheat containing a greater percentage of properties from which rubber and alcohol can be manufactured; yucca plants containing more cortisone; corn with 80 percent instead of 50 percent corn wax or amylose. Many other examples can be cited to show that the plant breeder and the utilization researcher must work as a team.

Fourth. There is no group with the needed background and established relationships except the United States Department of Agriculture.

Fifth. United States Department of Agriculture has a vast organization upon which it can draw.

Sixth. Its tie-up with the extension service and experiment stations would make research better adapted to the needs of various areas.

Seventh. United States Department of Agriculture in the light of its experience would be assured close cooperation and financial support from the States and would include experiment stations as an integral part of the program.

Eighth. As a result of the scholarships offered, more graduate students in land grant colleges could be added to the staff of researchers, help relieve the shortage of research people and develop into potential staff members.

Ninth. In the light of past experience the United States Department of Agriculture would make maximum use of the personnel and facilities of the land grant colleges through research contracts. This would benefit both the research program and the colleges.

Tenth. Dispersion of industry is becoming more necessary every day. Research assigned to the land grant college would encourage such dispersion.

In conclusion, some of the most productive dollars we can spend on our surplus problems will be in a stepped-up program of finding new industrial uses for farm products and new commercial crops. Research in production has contributed to overproduction. Research in utilization can likewise contribute to the answer to overproduction—increased consumption.

ATOMIC POWER DEVELOPMENT SLOWED BY CHEAPER SOURCES OF ELECTRICITY

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, occasionally a newspaper headline, such as the recent report on a United Nations study, will charge the public imagination with ideas about a magic process for the generation of electricity. So much has been done in the past decade toward harnessing the power of the atom and applying this energy to the job of creating electric current that occasionally the public might generally assume that scientists and engineers have perfected a reactor that will provide electricity at practically no cost, and therefore oil and gas and coal will no longer be needed for this purpose.

It is true that we are making great strides in the use of the atom for purposes of construction as well as destruction. The Atomic Energy Commission and those private research organizations and companies working in cooperation with it have made sensational progress in their work, including developments in the reactor field. Unless anyone gets the idea, however, that within a few years a compact atomic energy power kit will be available for every home, I believe that from time to time we should stop and explain what scientists feel are the limitations—at least so far as is foreseeable—in the field of nuclear fission and electricity.

The reactors now under construction and on the planning boards are designed to produce the same type of electricity that we are getting today through the use of conventional fuels. Using the atom instead of coal, oil, or gas, water will be heated to become steam. The steam will turn turbine blades and in turn the generator will spin and electricity will be sent out along the wires—in the same way it is being transmitted today. We will still have transmission lines to substations and eventually to the home. We will still have the maintenance crews who so efficiently see to it that service is maintained even under the most adverse conditions. We will still have our fine electric utility buildings which provide employment for so many technicians, clerks, and other office people.

These are the conditions which will continue to exist even if the dreams of the most optimistic enthusiasts of atomic nuclear power are fulfilled.

What we must not lose sight of now is that, regardless of the pace at which our reactor development program proceeds, we will still be using conventional fuel for the production of electricity for long in the future. Our great utility industry is planning outlays of billions of dollars for the enlargement of present steam generation facilities and the construction of new ones, particularly in areas where there is an abundance of coal. An electric company has already joined with a leading coal producer to construct a pipeline that will carry more than a million tons of coal a year into a generating plant near one of our metropolitan areas. Our railroads look to the transport of coal into electric utility plants as a primary source of revenue for as far into the future as a long-range business program can be planned. Waterways are busy with barge traffic between coal mines and powerplants. Given a fair chance with competitive fuels, the coal industry will more than hold its own against whatever scientific developments are enjoyed in the years ahead.

One of the factors overlooked is the record of the coal and utility industries in increasing coal's efficiency as a boiler fuel. An average of less than 1 pound of coal is now required for the generation of 1 kilowatt-hour of electricity, whereas just 10 years ago an average of 1.31 pounds per kilowatt-hour was required. This figure is constantly being reduced. In addition, important advances in the preparation of coal are making possible the utilization of grades which were previously not considered usable. What this continuous progress in coal preparation and utilization amounts to is that, regardless of how fast we can bring down the cost of producing electricity via the atom, coal's advantage will be continually more difficult to overcome so far as cost is concerned. In emphasis of this situation, I should like to insert in the RECORD an article which appeared in the financial and business section of the New York Herald Tribune on May 12, 1957. I believe that it will help to bring down to earth some of the atomic fantasies that have been painted in the sky by overenthusiastic reporters and the more credulous nontechnical observers. True, we must hope for achievement of the maximum potential in the peacetime use of nuclear fission, yet to permit imagination to run rampant can be detrimental to the position of other fuels on which we and our succeeding generations must depend.

For anyone who questions that coal will continue to be the most inexpensive source of electric energy, even though the cost of atomic power is reduced to the extent anticipated by the Atomic Energy Commission, the Herald Tribune article will be of particular interest.

ATOMIC POWER DEVELOPMENT SLOWED BY CHEAPER SOURCES OF ELECTRICITY—UNITED STATES UTILITIES PROBE USE OF H-BOMB

(By Charles Carroll)

Continuing success in producing cheaper electricity by conventional methods is tending to delay atomic power in most sections of the Nation.

Against the backdrop of private industry's newly announced program to attempt to harness the hyrogen bomb for production of electric power, American Gas & Electric Co. last week displayed what it billed as the world's most efficient power plant.

A group of 11 utilities has joined with General Dynamics Corp. to sponsor a $10 million program to probe the peaceful uses of the H-bomb. But results for the consumer of that undertaking are thought to be a long way off.

NEW APPROACH

The American Gas plant at Philo, Ohio, is a reality. That station, nestled in the rolling hills of central Ohio, represents a new approach in conventional power output, according to Philip Sporn, American Gas president.

The plant turns out power at a supercritical pressure of 4,500 pounds a square inch, almost double the previous high point. It also uses a double reheat of steam, another milestone.

The effect of such developments as Philo is that the day of atomic power, on an economical basis, is many years away, according to best industry guesses.

Experience gained from design and building the Philo plant has led American Gas to start 2 new units—the world's largest power producers, at 450,000 kilowatts each. These giant units will be built in Indiana and West Virginia.

Some critics have contended that the United States is dragging its feet on exploitation of the atom. Industry spokesmen reply: "We need knowledge, not kilowatts."

EUROPE'S SITUATION DIFFERENT

They point to America's plentiful supply of coal, gas, and water power. Europe, with its dwindling supply of conventional fuels, faces quite a different situation.

Nations abroad have been forced to rush into atomic-power generation with the technology now available.

United States utilities feel they can turn their attention to developing efficient atomic plants for the future.

By 1965, coal-hungry Britain will have 6 million kilowatts of nuclear capacity. Its utility industry grows at an annual rate of about 2 million kilowatts.

United States industry traditionally doubles capacity every 10 years, which means that by 1965, between 135 million and 140 million kilowatts will have been added to capacity.

Supporting the go-slow school of thought in the United States circles, Mr. Sporn had this to say about the Philo project:

"There has been some indication of an effort to interpret this challenging development in the economics of power generation as an answer on the part of some members of the power industry to the challenge of atomic power.

"This, obviously, is not only wholly without foundation but, as a matter of fact, does not make very much sense. The electric-power industry not long ago indicated its awareness of the potentialities and its determination to explore and develop atomic energy whenever or just as soon as it can be done with benefit to its consumers.

"But while waiting and helping to bring this about, it would be an act of folly to neglect opportunities for further development of technologies that have done so much to bring the industry to its present flourishing state," Mr. Sporn said.

No one disputes the advantages of atomic power. The availability of uranium promises to make the atom a greater potential source of power for the world than hydraulic and fossil fuels. The United States has coal reserves for many decades, but these reserves obviously will run out some day.

Another big gain offered by atomic power is the lower cost of transportation. A big item in any power bill is the expense of shipping fossil fuels from the source to the place where energy is needed.

Atomic power will be of particular advantage in areas remote from fossil-fuel sources and lacking in potential hydraulic power sites.

No plant on the drawing boards today, industry experts contend, can compete with the cost of producing power in the Ohio Valley, which is about 4 mills a kilowatt-hour. However, they add, there is some promise of nuclear plants competing in the 8-mill areas of the Nation.

Based on the 1957 price levels, the industry looks for atomic plants from 1960 to 1964 that will turn out power in the range of 10 to 13 mills a kilowatt-hour. Present costs of electricity in the most modern coal-fired plants are as low as 4 mills and range up to 9 mills in other areas.

Nuclear plants going into operation between 1965 and 1967 are projected to achieve costs in the range of 9 to 11 mills. Further cuts, from 6 to 7 mills, are seen by 1980.

UTILIZATION RESEARCH—ONE ANSWER TO FARM SURPLUSES—A SIGNIFICANT STEP TOWARD INCREASED USES FOR FARM PRODUCTS

Mr. DIXON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. DIXON. Mr. Speaker, Public Law 540 of the 84th Congress created the President's Bipartisan Commission on Increased Industrial Use of Agricultural Products. The Commission, through its Chairman J. LeRoy Welsh, submitted its interim report to Congress on April 19, 1957, and its final report to the Congress on June 15.

The Commission's report is such a significant one that it merits much favorable comment, widespread publicity and careful study by the Members of Congress. Its recommendations can bring far-reaching and permanent benefits to our farmers if these recommendations are carried out. Inasmuch as Congress initiated this study, Congress should now capitalize upon its findings.

Mr. Speaker, I appreciate this privilege of reviewing briefly a few outstanding features of the report.

The Commission offers a wealth of proposals which if pursued can narrow the gap between what our farms can produce and the capacity of our economy to consume. By doing that, agriculture will approach its goal of "a full, free, and profitable production." It warns, however, that utilization research is not a panacea which can be expected to produce magical transformations overnight.

INCREASE CONSUMPTION THROUGH RESEARCH

The products of our 475 million acres of land are consumed 12 percent as food, 7 percent as animal and poultry feed, 10 percent for export, and 7 percent for industrial purposes—nonfood and nonfeed. Total production is now running some 4 or 5 percent in excess of domestic and foreign demand. For the next 8 years production could outpace population increase. Other things being equal, exports are not likely to increase because the foreign market seems to be nearing saturation and foreign countries are becoming increasingly more self-sufficient. Therefore, our best hope is to increase the domestic and foreign market for agricultural products by research on new crops and additional industrial uses of present crops.

As a result of this program, new markets may result in such unusual developments as farmers growing corn for plastics, grain to build roads, acres and acres of bamboo, and plants that absorb rare high-priced metals from the soil—which sell for $12 to $250 a pound.

FARMERS BEING RESEARCHED OUT OF THE MARKET

Research has made great inroads on agricultural fields that only a few years ago were regarded as monopolies of certain crops. Research can put us back into these markets for cotton, wool, flax, hemp, and silk. As cases in point we note that, livestock people suffer because 10 years ago 80 percent of inedible tallow was used in making soap while now, as a result of research on detergents, the figure is only 30 percent. Five years ago we could not supply enough hide leathers for our own use, while in 1955, as a result of the competition of new products, hides were in surplus and 62 percent of all shoe soles are made from materials other than leather.

The Commission says:

In the past 25 years agriculture has often been researched right out of its own natural domain. Agriculture must compete (with industry) as an equal in the contest for consumer acceptance. It is now losing by default.

All manufacturing industry invests about 3 percent—and some industries as much as 10 percent—of its gross sales income in research. In contrast total expenditures for agricultural research are only slightly more than one-half of 1 percent of total farm sales.

TASK FORCES STUDY POSSIBILITIES OF EXPANDED RESEARCH IN 17 FIELDS

The Commission found it necessary to set task forces and committees to work in 17 fields. The assignment of each was to report for its field: First, the current state of industrial utilization research; second, an appraisal of the possibilities; and, third, the obstacles to further development.

One hundred and seventy-nine eminently qualified specialists, drawn from industry, the United States Department of Agriculture, the four Government utilization-research laboratories, the various State agricultural experiment stations, unsversities, research centers, and organizations, manned these committees and filed their reports. The Commission has included in its report to Congress a summary of the significant findings of task groups. The subjects of these subcommittee reports are Cereal Grains, Cotton, Oilseeds, Meat, and Animal By-products, Tobacco, Wool and Mohair, Dairy Products, Sugar, Fruits and Vegetables, White Potatoes, Forest Products, New Crops, and Food and Feed Research.

Those subcommittee reports confirm by an analysis of possible projects the worthwhileness of greatly expanded utilization research as a means of increasing consumption of farm products and gave rise to the adoption by the Commission of the following general principles and recommendations.

BASIC VIEWS CONCERNING PROGRAM DEVELOPMENT

For its own guidance the Commission determined upon 13 points of principle and practice which are enumerated below:

First. The current industrial outlets for the products of the total farm acreage, estimated to be less than 7 percent, are undesirably small.

Second. To attain and maintain an increased share of industrial markets will require intensive efforts on two fronts—research and action.

Third. The machinery and its functions must be such that the people in charge of the program will succeed or fail in relation to specific attainments in increased industrial uses. Adequate authority, direct responsibility, timely action, are essential.

Fourth. The program must attract industrial and private-enterprise laboratories to increase their attention to farm products as raw materials.

Fifth. The program must be oriented to stimulate more effective roles for

land-grant colleges and endowed institutions in research and personnel training that will lead to increased industrial uses.

Sixth. The administrative arrangement must be such as to enlist the capacities of personnel and facilities from the various arms of Government—Departments of Agriculture and Commerce, Small Business Administration, National Science Foundation, and others.

Seventh. Production and economics research designed to reduce costs of production and upgrade quality are recognized as essential parts in an integrated industrial-uses program.

Eighth. The program must be carefully planned to avoid potential areas of conflict.

Ninth. The framework must be one within which joint financing arrangements with State and private-enterprise groups could be evolved and encouraged.

Tenth. A board or a commission of high-caliber industrial, agricultural, and scientific people would be an integral part of the framework to be concerned with policymaking, budget development, and a closer interdependence of industry and agriculture.

Eleventh. It should be possible to utilize foreign scientific establishments where basic or other pertinent research may be conducted advantageously, especially in countries where funds from Public Law 480 may be available.

Twelfth. Further development of profitable production opportunities through broadened industrial outlets is essential to the conservation of both renewal and irrenewable natural resources.

Thirteenth. The dynamic forces which created American industrial development must be motivated in the farm economy.

MAJOR RECOMMENDATIONS OF COMMISSION

First recommendation: The Commission proposes as its first and most necessary recommendation that funds for industrial-uses research be increased to not less than 3 times the amounts currently—$16,145,000—available; and that additional sums be provided as herein suggested for new crops research, trial commercialization, development, and incentives.

Second recommendation: The Commission recommends that Congress declare as a matter of policy the obligation to foster basic research in agricultural products and their uses, and that the administrators, in the allotment of funds at their disposal, be directed to place appropriate emphasis upon research projects having as their objective the discovery of new basic knowledge of farm products.

Third recommendation: The Commission recommends that administrators be authorized, in addition to using the facilities of the Department of Agriculture, land-grant institutions, and experiment stations, to contract also with other universities and colleges, nonprofit or profitmaking research organizations, private corporations, and foreign institutions especially in countries where Public Law 480 funds may be available.

Fourth recommendation: The Commission recommends that the administrators be given authority to share research costs on specific projects with private industries or with other public research agencies where in their judgment such sharing will bring desirable results economically and efficiently.

Fifth recommendation: The Commission recommends that the administrators be directed where appropriate to provide research grants, student fellowships, scholarships, and similar aids which, while accomplishing research projects, will also increase the supply of trained scientists. These funds should be allocated so that graduate training may be strengthened in each of the four major agricultural regions.

Sixth recommendation: The Commission strongly recommends that an adequate annual investment in research and development for new crops be favorably considered, along with suitable authority to the administrators of the program to provide incentives where essential to bridge over the "awkward" stage of establishment.

Seventh recommendation: The Commission recommends that the administrators of the industrial utilization and new crops program be empowered to enter into appropriate contracts for development of research results into trial commercial scale operations, and that an adequate proportion of funds be authorized to be used for this purpose.

Eighth recommendation: The Commission recommends that the administrators of the industrial utilization and new crops program be provided with authority and funds to extend suitable incentives to farmers or to industry where appropriate to hasten the establishment of a new crop or of a new industrial use, where such appear likely to lead to durable additional markets, and for rapid disposal through industrial channels of accumulated surpluses.

Ninth recommendation: The Commission recommends the creation of a nonpartisan board with 5 members to be appointed by the President by and with the advice and consent of the Senate, 1 of whom shall be an Assistant Secretary of Agriculture; the Board shall be known as the Agricultural Research and Industrial Board.

Tenth recommendation: The Commission recommends that 15 percent of the annual gross receipts from customs revenues be allotted to the administrators of the industrial utilization and new crops program for carrying out the proposals herein described. Authorization should be provided whereby such funds could be carried forward in amounts not to exceed $150 million. Continuity of funds will greatly improve the ability to plan and execute both research and followup actions.

The Commission gives considerable space to splendid material in support of each of the above 10 recommendations.

The Administrative Agency: Recommendation nine includes an administrative plan for the operation of the program. Two plans were considered. The one that finally received the most support was a nonpartisan board with 5 members to be appointed by the President by and with the advice and consent of the Senate, 1 of whom shall be an Assistant Secretary of Agriculture, to be known as the Agricultural Research and Industrial Board. This Board would appoint a director and employ a staff, but develop cooperative and contract relationships with the USDA and other Federal and private agencies and research institutions.

The alternate administrative plan reported out by the Commission would be to integrate these activities within the Department under a single administrative office such as a director with the rank of Assistant Secretary of Agriculture.

The Commission report says:

> While this administrative arrangement might not provide the vigorous initial impact that an independent agency might provide, it would have the advantage of diminishing confusing competition for funds, and reduce the difficulties of integrating the overall research program.

The report says that if Congress chooses the alternate plan, consideration should be given to providing for an Agricultural and Research and Industrial Board within the USDA itself appointed by the Secretary of Agriculture to function similar to a board of directors in private industry.

Financing: The Government is now spending $16,145,000 per year on its 4 utilization research laboratories. The President's Commission on Utilization Research recommends that this amount be trebled—to total about $50 million—but that additional funds never to exceed $150 million will be needed after the program gets underway for a time. As a source of this revenue the Commission suggests 15 percent of the annual gross customs revenues. Under section 32, Public Law 320, 74th Congress, 30 percent of annual customs revenues was set apart to be used by Secretary of Agriculture for certain designated purposes. In the last fiscal year the amount available to the Secretary was $195,476,003. The Commission believes that the additional 15 percent suggested will provide sufficient and continuous funds for the research and other programs proposed. Congress will have to decide whether it is preferable to earmark customs revenues or to employ normal appropriations procedures to supply funds for the programs.

The Commission provides from dozens of sources ample proof to show that utilization research is an investment—not an expenditure. In speaking of the returns from the four USDA regional utilization research laboratories, the report says:

> Had they done nothing more than to perfect the practical method of producing penicillin quickly on a large scale, no more than to have played an essential part in establishing the frozen concentrated fruit juice industry, their cost to date would have been justified.

The Research Subcommittee of the House Committee on Agriculture now has before it 2 bills, 1 by the subcommittee chairman, THOMAS ABERNETHY, and an identical bill by myself designed to carry the recommendations of the Commission on Utilization Research into effect. Our measures, however, would make the USDA not an outside agency—the administrative agency. The gentleman from Mississippi, Representative ABERNETHY, has today submitted a bill

which he indicates he is not prejudging. The bill would enact the findings of the President's Commission into law. The Commission's bill differs from the bills the gentleman from Mississippi, Representative ABERNETHY, and I previously submitted in two major respects. First, it provides for an agency outside the USDA to administer the program and, second, it offers incentive payments to farmers to grow experimental crops in incentives to industries to use more agricultural commodities in manufacturing.

My reasons for favoring the USDA as the agency are as follows:

First. The Commission bill would add another agency which would be more costly than administration under our existing agency—the USDA. The trend should be in the direction of eliminating, not expanding, Federal agencies, especially since use of the present organization would save money.

Second. There would be unity of command under the USDA. Any agency outside the Department and under the executive branch would of necessity use the organization of the USDA to accomplish its assignment. This double-headed organization would lack unity of command, and, as a result, cause continuous confusion, delay, and friction.

Third. Utilization researchers must have the help of production researchers. We need to develop strains of wheat containing a greater percentage of properties from which rubber and alcohol can be manufactured; yucca plants containing more cortisone; corn with 80 percent instead of 50 percent corn wax or amylose. Many other examples can be cited to show that the plant breeder and the utilization researcher must work as a team.

Fourth. There is no group with the needed background and established relationships except the USDA.

Fifth. USDA has a vast organization upon which it can draw.

Sixth. Its tie-up with the extension service and experiment stations would make research better adapted to the needs of various areas.

Seventh. USDA in the light of its experience would be assured close cooperation and financial support from the States and would include experiment stations as an integral part of the program.

Eighth. As a result of the scholarships offered, more graduate students in land-grant colleges could be added to the staff of researchers, help relieve the shortage of research people, and develop into potential staff members.

Ninth. In the light of past experience the USDA would make maximum use of the personnel and facilities of the land-grant colleges through research contracts. This would benefit both the research program and the colleges.

Tenth. Disperson of industry is becoming more necessary every day. Research assigned to the land-grant college would encourage such dispersion.

INCENTIVES

At the present time I am not certain of my position with regard to all of the incentive payments provided in the Commission's report.

The report calls for salary incentives. The demands for chemists, physicists, engineers, and technologists is so great and industry is so competitive that the administration should be given authority to employ 100 such people for salaries ranging from $10,000 to $19,000, outside of regular civil-service regulations.

The report recommends patent incentives. Present policy dedicates patents to the public through the Secretary. The Commission recommends a review of this policy to increase incentive for private research.

The report provides incentives to farmers for new crops. The Commission offers some incentives to farmers to grow new crops needed for experimentation or commercialization in industry. "Farmers will not plant without a market, and processors will not build a plant without assurance of a supply," says the Commission.

The report provides incentives to increase industrial uses in order to meet competition.

"We admit at the outset that incentives are dangerous, costly, and open to abuse; but, still, are incentives not more desirable than our costly agricultural surpluses?" asks the Commission. It is not exactly a question of which is best, but one of which is the "most worst"—a question of taking the lesser of two evils. "Is it not better to lose our money on incentives that will cause our agricultural surpluses to flow into industry than to lose it in the exchange of our products for unusable foreign currencies?" they ask.

For example, the 60 percent of our grain which we sell for cash at 76 percent of our cost could not be economically converted into industrial alcohol. But the market value of 93 million bushels of wheat shipped to foreign countries under title I was $1.65 per bushel, as compared with a CCC cost of $3.38 per bushel. Also, the market value for 11 million bushels of export corn was $1.44 per bushel, and our cost was $2.42. This is a loss of $1.73 per bushel for wheat and $0.98 per bushel for corn.

The Commission says:

> A comparison of the costs of the disposal of surplus grains for foreign currency and the cost of diverting grain for conversion to alcohol indicates that the latter might be less costly.

Many of us, and I for one, will accept this latter conclusion only with serious reservations. Incentives to farmers and to industry, proposed by the Commission report, are in reality only subsidies. Many of us are fed up on subsidies which appear to us now to be injuring the very people they are designed to help most. We ask, "Why jump from one subsidy to another?" We are aiming to move toward the law of supply and demand rather than toward more subsidy. Other reasons against these subsidies are:

First. If the results of utilization research and research for new crops and new uses are really sufficiently good to endure, industry without any subsidy will jump in to reap the profits.

Second. It will be more difficult to secure the approval of Congress with this subsidy to farmers and industry included because Congress appears to be a bit allergic to both subsidies and to adding new commissions and bureaus just at the present time.

Third. In special cases where a great deal of surplus could be disposed of for a relatively small subsidy, it might be better to have Congress pass a law rather than leave it to administrative discretion.

Fourth. If subsidies are allowed, they might get out of hand.

Fifth. In cases where the costs of initiating the innovation are high, existing authority may be sufficient since it allows contracts both to growers or to manufacturers for trial experiments and operations.

Mr. Speaker, the report of the President's Commission on Agriculture Research is a splendid one. I compliment the Congress on its vision in passing legislation initiating this study of utilization research; the President and the Secretary of Agriculture upon recommending the program to Congress; and the members of the Commission and its staff for carrying out so well the will of the Congress. I am so enthusiastic over the possibilities of the program recommended that I intend to give it my wholehearted support. While, as indicated above, I might differ with the Commission on a few details, I am for the program as a whole, first, last, and all the time.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. KEE.

Mr. BURNS of Hawaii and to include extraneous matter.

Mr. MORANO and include a telegram from a distinguished attorney in his district and a letter he wrote to the Defense Department in his behalf.

Mr. BROOKS of Louisiana and to include extraneous matter.

Mr. HUDDLESTON and to include extraneous matter.

Mr. MULTER and to include extraneous matter.

Mr. PORTER.

Mr. ALGER.

Mr. ULLMAN (at the request of Mr. JENNINGS) and to include extraneous matter.

Mr. CRAMER and to include extraneous matter.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. NORRELL, for Tuesday, June 25, 1957, on account of official business.

Mr. FOUNTAIN (at the request of Mr. KITCHIN), for today, June 24, 1957, on account of official business.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table, and under the rule, referred as follows:

S. 555. An act to authorize the construction, operation, and maintenance of the Hells Canyon Dam on the Snake River between Idaho and Oregon, and for related purposes. To the Committee on Interior and Insular Affairs.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore:

H. R. 6500. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER pro tempore announced his signature to an enrolled bill of the Senate of the following title:

S. 768. An act to designate the east 14th Street Highway Bridge over the Potomac River at 14th Street in the District Columbia as the Rochambeau Memorial Bridge.

ADJOURNMENT

Mr. JENNINGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 25, 1957, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

973. A letter from the Executive Secretary, National Advisory Committee for Aeronautics, transmitting a draft of proposed legislation entitled "A bill to promote the national defense by including two representatives of the Department of the Army as members of the National Advisory Committee for Aeronautics and by authorizing specifically certain functions necessary to the effective prosecution of aeronautical research"; to the Committee on Armed Services.

974. A letter from the Assistant Secretary of the Navy transmitting a draft of proposed legislation entitled "A bill to amend the act of August 3, 1956, to authorize certain personnel of the Armed Forces to accept and wear decorations conferred by the Philippine Government"; to the Committee on Armed Services.

975. A letter from the Assistant Secretary of the Navy (Material), relative to the Department of the Navy proposing to transfer a 63-foot aircraft rescue boat, with engine, hull No. C–16490, to the State of Maryland, pursuant to title 10, United States Code, section 7308 (c); to the Committee on Armed Services.

976. A letter from the Chairman, Commission on Government Security, transmitting the report of the Commission on Government Security, pursuant to Public Law 786, 84th Congress; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PASCELL: Committee on Government Operations. Supplemental report. H. R. 7390. A bill to amend the Administrative Expenses Act of 1946, and for other purposes; without amendment (Rept. No. 576 pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. Report pursuant to House Resolution 107, pertaining to television broadcasting industry; without amendment (Rept. No. 607). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG: Committee on Post Office and Civil Service. S. 1412. An act to amend section 2 (b) of the Performance Rating Act of 1950, as amended; without amendment (Rept. No. 608). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASPINALL: Committee on Interior and Insular Affairs. Senate Joint Resolution 39. Joint resolution to authorize the construction of certain water-conservation projects to provide for a more adequate supply of water for irrigation purposes in the Pecos River Basin, N. Mex. and Tex.; with amendment (Rept. No. 609). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H. R. 4520. A bill to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating between the United States and Alaska; with amendment (Rept. No. 610). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRAZIER: Committee on the Judiciary. H. R. 3373. A bill to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes; with amendment (Rept. No. 619). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRAZIER: Committee on the Judiciary. H. R. 6523. A bill to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person; with amendment (Rept. No. 620). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 7520. A bill to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.; without amendment (Rept. No. 621). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANE: Committee on the Judiciary. H. R. 1473. A bill for the relief of Richardson Corp.; without amendment (Rept. No. 611). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. H. R. 1695. A bill for the relief of Harry N. Duff; without amendment (Rept. No. 612). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 3720. A bill for the relief of Carl J. Warneke; without amendment (Rept. No. 613). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. H. R. 4768. A bill to quiet title and possession with respect to certain real property in the county of San Jacinto, Tex., and authorizing named parties to bring suit for title and possession of same; with amendment (Rept. No. 614). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H. R. 4174. A bill for the relief of Filoriena and Emil Ferrara; with amendment (Rept. No. 615). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 6492. A bill for the relief of Maj. Harold J. O'Connell; without amendment (Rept. No. 616). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H. R. 4986. A bill for the relief of the widow and children of John E. Donahue; without amendment (Rept. No. 617). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. H. R. 6528. A bill for the relief of Mrs. Lyman C. Murphey; without amendment (Rept. No. 618). Referred to the Committee of the Whole House.

Mr. COOLEY: Committee on Agriculture. H. R. 2259. A bill to provide for the conveyance of all right, title, and interest of the United States to certain real property in Prairie County, Ark.; with amendment (Rept. No. 622). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. House Concurrent Resolution 194. Concurrent resolution granting permanent residence to certain aliens; with amendment (Rept. No. 623). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MURRAY:

H. R. 8322. A bill to establish a Central Security Office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedure for the hearing and review of cases arising under such programs, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. REES of Kansas:

H. R. 8323. A bill to establish a Central Security Office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedure for the hearing and review of cases arising under such programs, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ABERNETHY:

H. R. 8324. A bill to create an Agricultural Research and Industrial Board, to define its powers and duties, and for other purposes; to the Committee on Agriculture.

By Mr. HARVEY:

H. R. 8325. A bill to create an Agricultural Research and Industrial Board, to define its powers and duties, and for other purposes; to the Committee on Agriculture.

By Mr. JENNINGS:

H. R. 8326. A bill to create an Agricultural Research and Industrial Board, to define its powers and duties, and for other purposes; to the Committee on Agriculture.

By Mr. ANDREWS:

H. R. 8327. A bill to amend sections 204a and 216 of the Interstate Commerce Act, so as to provide that shippers may designate the routing of property transported by motor carriers in cases where two or more through routes have been established, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BARING:

H. R. 8328. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc; to the Committee on Ways and Means.

By Mr. BYRNE of Illinois:

H. R. 8329. A bill to amend the Labor Management Relations Act, 1947, as amended; to the Committee on Education and Labor.

By Mr. CUNNINGHAM of Nebraska:

H. R. 8330. A bill to amend the Federal Airport Act to provide that unused State allotments shall not be reallotted, but instead shall revert to the Treasury; to the Committee on Interstate and Foreign Commerce.

H. R. 8331. A bill to amend the Federal Civil Defense Act of 1950 to provide that unused State allotments shall not be reallotted; but instead shall revert to the Treasury; to the Committee on Armed Services.

By Mr. DAWSON of Illinois (by request):

H. R. 8332. A bill to amend the Government Corporation Control Act, as amended; to the Committee on Government Operations.

By Mr. HARRIS:

H. R. 8333. A bill to provide for the recordation of certain instruments evidencing the mortgage, lease, conditional sale, or bailment of certain motor vehicles; to the Committee on Interstate and Foreign Commerce.

By Mr. HIESTAND:

H. R. 8334. A bill to establish a Central Security Office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedure for the hearing and review of cases arising under such programs, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HILLINGS:

H. R. 8335. A bill to amend chapter 223 of title 18, United States Code, by adding a new section 3500; to the Committee on the Judiciary.

By Mr. BARING:

H. R. 8336. A bill to impose a tax on the importation of lead; to the Committee on Ways and Means.

H. R. 8337. A bill to impose a tax on the importation of zinc; to the Committee on Ways and Means.

By Mr. HIESTAND:

H. R. 8338. A bill to prescribe a standard of loyalty to the United States Government for military personnel, to prescribe procedure for the determination of the loyalty of such personnel, and for other purposes; to the Committee on Armed Services.

H. R. 8339. A bill to amend the Immigration and Nationality Act to provide more effectively for immigration and passport security, and for other purposes; to the Committee on the Judiciary.

H. R. 8340. A bill to authorize certain investigative officers of the United States, with the approval of the Attorney General, to intercept and disclose under stated conditions wire and radio communications in the detection and prosecution of offenses against the security of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. KEATING:

H. R. 8341. A bill to amend chapter 223 of title 18 relating to demands for production of statements and reports of witnesses; to the Committee on the Judiciary.

By Mr. MILLER of Maryland:

H. R. 8342. A bill to authorize the sale of one Victory-type vessel for conversion to an ore and coal carrier for use on Great Lakes operations; to the Committee on Merchant Marine and Fisheries.

H. R. 8343. A bill to authorize the sale of a troopship of the C-4 type for conversion to a passenger and cargo carrier; to the Committee on Merchant Marine and Fisheries.

By Mr. NORBLAD:

H. R. 8344. A bill to authorize the restoration of times taken from patents covering inventions whose practice was prevented or curtailed during certain emergency periods by service of the patent owner in the Armed Forces or by governmental controls; to the Committee on the Judiciary.

By Mr. SAUND:

H. R. 8345. A bill to amend the act of July 3, 1926, so as to restrict, under regulations of the Secretary of State, the travel from the United States of certain unaccompanied minors not possessing valid passports; to the Committee on Foreign Affairs.

By Mr. HYDE:

H. R. 8346. A bill to amend title III of the Legislative Reorganization Act of 1946, as amended, and for other purposes; to the Committee on the Judiciary.

By Mr. COUDERT:

H. J. Res. 386. Joint resolution proposing an amendment to the Constitution of the United States with respect to the election of President and Vice President; to the Committee on the Judiciary.

By Mr. VORYS:

H. Con. Res. 202. Concurrent resolution to express the sense of the Congress that the United States urge reconvening of the General Assembly of the United Nations to consider the report of its Special Committee on Hungary; to the Committee on Foreign Affairs.

By Mr. KEATING:

H. Res. 291. Resolution to amend rule XI of the Rules of the House of Representatives to authorize each committee to provide for the dissemination of news of its proceedings by radio, television, and otherwise; to the Committee on Rules.

By Mr. ZABLOCKI:

H. Res. 292. Resolution to express the sense of the House of Representatives with respect to the return of, or a satisfactory accounting for, the 450 American prisoners of war who were taken prisoners by the Communists; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Illinois, memorializing the President and the Congress of the United States relative to proposing an amendment to the Constitution of the United States relating to the budget; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Nebraska memorializing the President and the Congress of the United States relative to favoring adequate compensation for postal employees, and requesting legislation that will increase the wage scale commensurate with existing costs of living; to the Committee on Post Office and Civil Service.

Also, memorial of the Legislature of the State of New Hampshire, memorializing the President and the Congress of the United States to provide that the so-called Portsmouth Air Base, located in Newington, N. H., be named and hereafter be known as the Pease Air Force Base, in honor of Harl Pease, Jr.; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CUNNINGHAM of Nebraska:

H. R. 8347. A bill for the relief of Julia Ann Ayars (Kim Jan Tark); to the Committee on the Judiciary.

By Mr. JACKSON:

H. R. 8348. A bill for the relief of Michael Romanoff; to the Committee on the Judiciary.

By Mr. MATTHEWS:

H. R. 8349. A bill to provide for a posthumous cash award in recognition of the scientific contributions in the field of electronic ordnance made by the late Paul M. Tedder; to the Committee on the Judiciary.

By Mr. PELLY:

H. R. 8350. A bill for the relief of Maurice L. Hoffman; to the Committee on the Judiciary.

By Mr. ROONEY:

H. R. 8351. A bill for the relief of Francesco Lo Piccolo; to the Committee on the Judiciary.

By Mr. SAUND (by request):

H. R. 8352. A bill for the relief of Mrs. Emma Obermayer Branham; to the Committee on the Judiciary.

H. R. 8353. A bill for the relief of William Poulos (Vasilios A. Petropoulos); to the Committee on the Judiciary.

By Mr. SCHERER:

H. R. 8354. A bill for the relief of Peter Tabakov; to the Committee on the Judiciary.

By Mr. UTT:

H. R. 8355. A bill for the relief of Mondello Francesca Colleraffi; to the Committee on the Judiciary.

By Mr. WILSON of California:

H. R. 8356. A bill for the relief of Mrs. Juana Gaytan de Gomez; to the Committee on the Judiciary.

By Mr. WALTER:

H. J. Res. 387. Joint resolution for the relief of certain spouses and minor children of citizens of the United States; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Statehood for Hawaii

EXTENSION OF REMARKS

OF

HON. JOHN A. BURNS

DELEGATE FROM HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 1957

Mr. BURNS of Hawaii. Mr. Speaker, Hawaiian statehood is a most important matter. The number of hearings and investigations conducted by the Congress on the subject clearly shows this importance. Hawaiian statehood has been the subject of as many, if not more, hearings and investigations than any other subject ever considered by the Congress.

Because it is important and because a great many Members of Congress are understandably concerned with the subject and wish to be better informed, I am including herein an index of Congressional hearings on statehood for Hawaii and an index of the printed volumes on House and Senate hearings and reports on Hawaiian statehood. Within the printed volumes is the complete story of Hawaii:

INDEX OF CONGRESSIONAL HEARINGS ON STATEHOOD FOR HAWAII

Twenty Congressional investigations on the question of admitting Hawaii to statehood have been made since 1935. The date,

authorization, and locale of these hearings are as follows:

1. May 31, 1935, H. R. 3034, Washington.
2. October 7–18, 1935, H. R. 3034, Hawaii.
3. October 6–22, 1937, Senate Concurrent Resolution 18, Hawaii.
4. January 7–18, 1946, House Resolution 236, Hawaii.
5. June 4, 1946, H. R. 3643, Washington.
6. March 7–19, 1947, H. R. 49 and 10 other identical bills, Washington.
7. January 5–20, 1948, H. R. 49 and S. 114, Hawaii.
8. April 15, 1948, H. R. 49 and S. 114, Washington.
9. November 1–12, 1948, H. R. 49 and S. 114, Hawaii.
10. March 3 and 8, 1949, H. R. 49 and related bills, Washington.
11. May 1–5, 1950, H. R. 49, Washington.
12. February 23–27, 1953, H. R. 49, Washington.
13. March 6, 1953, S. 49, Washington.
14. June 29, 30, July 1, 2, 3, 6, 7, 9, 11, 1953, and January 7 and 8, 1954, Senate committee on S. 49; S. 51; and H. R. 3575, Washington.
15. January 13, 14, 15, and 19, 1954, Senate committee on S. 49; S. 51; and H. R. 3575, Washington.
16. December 16 and 17, 1954, House subcommittee (public hearings), Hawaii.
17. January 25, 27, 28, February 2, 4, 7, 8, 14, 15, 16, 1955, House on H. R. 2535 (Hawaii-Alaska), Washington.
18. February 21, 22, 28, 1955, Senate on S. 49 (Hawaii-Alaska), Washington.
19. April 1 and 2, 1957, Senate subcommittee on S. 50, Washington.
20. April 8, 9, and 16, 1957, House subcommittee on H. R. 49, Washington.

PRINTED VOLUMES ON HOUSE AND SENATE HEARINGS AND REPORTS ON HAWAII STATEHOOD

	Pages
1. Administration in Hawaii, Senate Interior Committee hearing, Jan. 16, 1933	149
2. Hearings before House Territories Committee, May 31, 1935	20
3. Statehood for Hawaii, hearings before House Subcommittee on Territories, Oct. 7 to Oct. 18, 1935	343
4. Statehood for Hawaii, hearings before joint committee, Oct. 6 to 22, 1937	735
5. Statehood for Hawaii, report from chairman joint committee, Jan. 5, 1938	100
6. Statehood for Hawaii, House Subcommittee, Jan. 7 to 18, 1946	909
7. Statehood for Hawaii, hearing, House Territories Committee, June 4, 1946	75
8. Statehood for Hawaii, hearing of Committee on Lands, Mar. 7 to 19, 1947	310
9. House Report 194, Public Lands Committee, Mar. 27, 1947	40
10. Cordon Report on H. R. 49 and S. 114, Jan. 5 to 20, 1948, Hawaii	18
11. Statehood for Hawaii, Senate Interior Subcommittee, Apr. 15, 1948	497
12. Statehood for Hawaii, report by Mr. Butler, June 21, 1949	15
13. Statehood for Hawaii, House subcommittee, Mar. 3 to 8, 1949	77
14. Report 254, Committee on Public Lands, Mar. 10, 1949	27
15. Statehood for Hawaii, Senate Interior, Insular Committee, May 1 to 5, 1950	550
16. Statehood for Hawaii, Senate Interior, Insular Report, June 29, 1950	59
17. Supplemental report, Senate Interior Committee, Aug. 28, 1950	29
18. Statehood for Hawaii, Senate Report 314, May 8, 1951	69
19. Statehood for Hawaii, House Insular hearings, Feb. 23 to 27, 1953	209
20. Statehood for Hawaii, House Interior Report 109, Mar. 3, 1953	73
21. Statehood for Hawaii, Senate hearings, Insular Affairs, Mar. 6, 1953	58
22. Statehood for Hawaii, Senate hearings, Insular Affairs, June 29, 30, July 1, 2, 3, 6, 7, 9, 11, 1953, and Jan. 7 and 8, 1954	652
23. Statehood for Hawaii, Senate hearings, Insular Affairs, Jan. 13, 14, 15, and 19, 1954	86
24. Statehood for Hawaii, Report 886 (to accompany S. 49), Jan. 27 (legislative day Jan. 22, 1954)	94
25. Hawaii-Alaska hearings, House Interior Committee, Jan. 25–Feb. 16, 1955	188
26. Hawaii-Alaska hearings, Senate Interior Committee, Feb. 21, 22, and 28, 1955	188
27. Report No. 88 on H. R. 2535, House Interior Committee, Mar. 3, 1955	126
28. Statehood for Hawaii, Senate Interior Committee, Apr. 1, 2, 1957	111
29. Statehood for Hawaii, House Interior Committee, Apr. 8, 9, and 16, 1957	157
Total pages printed testimony, exhibits	6,279

Managing the Nation's Monetary Affairs

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 1957

Mrs. KEE. Mr. Speaker, under leave to extend my remarks, I include in the RECORD quotes from a letter to the Washington Post from Prof. Seymour E. Harris and other references to the administration's management of the Nation's money matters:

MANAGING THE NATION'S MONETARY AFFAIRS

Prof. Seymour E. Harris, chairman of the department of economics at Harvard University, is one of the country's leading economists whose opinions command the respectful attention of financiers, bankers, investors, and Members of Congress. In a recent letter to the Washington Post, Professor Harris has made a critical appraisal of the management of our monetary and debt problems over the past 5 years. In these 5 years, he states, "Federal expenditures are way above those of any peacetime year. The rate of interest has gone sharply upward."

"In the last year," he points out, "inflation has exceeded that of any peacetime year in the last 25 years and average several times that of nonwar years (exclusive of immediate postwar years) under the Democrats."

Most damaging is his statement: "In no area are the failures (of the Secretary of the Treasury) more evident than in the management of the national debt. The redistribution and the lengthening of maturities were 'musts' for the Treasury. Yet despite the meteoric rise of rates, not since the latter part of the 19th century has the Government security market been in such bad shape as at present. It requires some genius to accomplish this, not when debt is rising as in World War II or in the 1930's, but when debt is falling."

Protest letters reaching my desk from the Fifth District of West Virginia give full support to Professor Harris' views. In one such letter, the writer, who is personally known to me and whose opinions I respect, declares: "The present administration is certainly doing everything that will tend to promote inflation. Prior to 1953, the interest payments on the Federal debt amounted to roughly $3.5 billion and I know that today the interest on practically the same amount of Federal debt is roughly $8 billion. Why? So that the big corporations holding bonds can make the money, while the taxpayers have to pay the bill."

Then this writer goes on to point out: "Ninety-day Treasury bills that used to be bought on the open market, and there was always a good market for them, carried an interest rate of less than 1 percent. Today these same bills are carrying an interest rate of over 3 percent. The high point, I believe, was 3.35 percent. Is there any sound reason why the Government should pay such a rate of interest for short time maturities?"

Knowing only too well how dearly all this is costing the average businessman, the average consumer and the average taxpayer, I most earnestly hope that the present investigation of the Nation's monetary management which has just got under way in the Senate will provide the means to correct a situation which, in the Secretary of the Treasury's own words, if unchecked "could lead to a hair-curling depression."

Washington Report by Congressman Bruce Alger

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 1957

Mr. ALGER. Mr. Speaker, each week I report to my constituents as space allows, a 1-page presentation of the legislative week. The report of June 15 follows:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas)

The civil-rights bill and 10 days' debate will be remembered as a classic struggle between North and South; the latter were outnumbered. With rare exceptions, it was a sectional matter to the Members, regardless of political party. The southerners were dead serious, presenting articulate and carefully documented arguments. Generally, rancor and bitterness were missing, though neither side pulled any punches. Every parliamentary trick was used. Sincerity of belief was evident on both sides. Yet, all were conscious of the heavy political implication. Each party desired credit for championing civil rights, thus appealing to the Negro and racial votes. For a while, southerners felt they could secure the right of jury trial, which traditionally accompanies Federal criminal contempt (except when the Federal Government is a party to the case) but this vote was lost 199 to 167.

The bill provides for a Civil Rights Commission to investigate allegations of loss of voting rights by reason of color, race, religion or national origin; a new Assistant Attorney General and staff; and new court procedure, permitting the bypassing of the State courts and going directly to the Federal courts. Opponents of the bill felt the

securing of the jury trial would be a necessary protection while proponents of the bill felt that such an amendment would defeat the intent of the bill since the southern juries might be too lenient.

As my contribution, I addressed the House, analyzing the bill, section by section. Later, I offered an amendment to protect the individual's right to work without union membership, which is our Texas "right to work" law. The chairman ruled the amendment "out of order, not germane to the bill" because the bill dealt with "political rights and not labor rights." As I pondered this, after contesting the ruling, I recalled the amendment to eliminate "religion" from the bill was voted down. Yet, it is a "civil rights" bill. Are not freedom of worship, speech, press, assembly—the amendments to the Constitution—all civil rights? Is not a laboring man's freedom to work, to join a union or not, a civil right to be protected? Are not the laborer and all of us to be privileged to have the right of trial by jury if accused of criminal contempt, which labor already has in Federal contempt cases? Otherwise, the Federal judge, in the name of the Government, is plaintiff, prosecutor and judge who decides guilt and penalty. Any man can go to jail without jury trial. Is this civil liberty? The bill reads "Civil rights, including the right to vote." What are these civil rights, exclusive of the right to vote? We haven't been told. Shouldn't we know, and limit the law's jurisdiction, if we don't define it clearly, what freedom have we left from big Federal Government? All our civil rights are violated until and unless the bill's jurisdiction is clearly defined.

Other criticisms which trouble me, and I so explained to the Members, include these: (1) Help from voluntary and uncompensated personnel may be accepted by the Commission (NAACP or Communist volunteers?). (2) State jurisdiction over voting rights is destroyed, leaving State at mercy of Federal Government. (3) Citizens can be subpenaed to appear at Commission's pleasure, largely at individual's expense, then citizens, taxpayers can be sued by the Federal Government with their own money, and no repayment of cost and inconvenience if innocent—civil rights? Guilty until proven innocent? (4) Religion should not be in bill, thus becoming subject to Federal Government. I am disheartened more than I can say by this prejudiced, emotional, political bill violating States' rights and our civil liberties with both parties at fault.

The Public Works Committee granted a full-dress hearing of Dallas' interest in Garza–Little Elm (Lake Dallas) and Grapevine Lakes, Thursday. City Attorney Henry Kucera, Jim Cotten of Forrest & Cotten, Dallas' consulting engineers, and Hugh Steger of Lakefront Property Owners, each testified and helped to write the language which the committee will include in the final bill. Dallas' concern is that acreage just above the present shoreline not be reconveyed to former owners of the property since it may yet be needed, and Dallas has a financial and contractual interest in this land. The lakefront property owners do not want to be cut off from the water, so they'll have a chance to buy land between them and the water if it is to be sold. The Dallas witnesses did a fine job. The committee chairman (DAVIS, Tennessee) graciously permitted me to lead the proceedings. The rain and floods have shown again the need for conservation (drinking water) and flood protection, so we tried to tell the Dallas and Texas story to the committee.

A healthy exchange of viewpoints occurred during a White House breakfast this week, which I enjoyed. The President is looking the picture of health.

Address by Hon. J. Glenn Beall, of Maryland, at Dedication of Ner Israel Rabbinical College New Dormitory Building

EXTENSION OF REMARKS
OF
HON. J. GLENN BEALL
OF MARYLAND
IN THE SENATE OF THE UNITED STATES
Monday, June 24, 1957

Mr. BEALL. Mr. President, yesterday I had the great honor of participating in dedicating ceremonies for the new dormitory of the Ner Israel Rabbinical College, in Baltimore. It was a privilege and a pleasure for me to deliver a brief address at this important occasion. I should like to mention that the ceremonies, which were arranged by Rabbi Herman N. Neuberger, executive director of the Rabbinical College, and others, were as impressive as any I have ever attended. I ask unanimous consent that the address delivered by me be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF UNITED STATES SENATOR J. GLENN BEALL, DELIVERED AT DEDICATION CEREMONIES FOR THE NEW DORMITORY BUILDING OF THE NER ISRAEL RABBINICAL COLLEGE, BALTIMORE, JUNE 23, 1957

I esteem the high honor you pay me by your invitation to participate in these dedication ceremonies and to be the spokesman of the community sentiments.

You are dedicating this new dormitory building on the campus of your Yeshiva. The structure will provide an added facility to this college which emphasizes the study of the Talmud, that great repository of Jewish learning.

This occasion suggests some interesting thoughts. The very location of this structure is suggestive. It is in Maryland, which prides itself on its tradition of religious freedom; and it is in a nation which makes it a cardinal principle that belief or disbelief is personal, and is not to be commanded or forbidden or punished by Government. This is a religious Nation. It cherishes the ethics of religion and the spirit of reverence, but it leaves to each individual's determination for himself questions of doctrine and the notions of man's relation to his God.

It is a satisfaction to know that your college is located in close proximity to houses of worship and other religious and educational institutions of other denominations in this city. Protestant, Catholic, and Jewish institutions exist side by side, and none is molested, but all are treated with respect. It is a happy circumstance that in this land of freedom, religion is unfettered by Government, and Government is not dominated by sectarian influence. We are likely to take this for granted, because we are so accustomed to it in America; but it is well to remember that there are not many lands that enjoy such freedom. While I would be the last to claim for this country that it has always lived up to its lofty traditions, nevertheless, unlike the totalitarian lands, which abandoned freedom, we have never repudiated our ideals. When we have strayed, we have acknowledged our faults and always returned to fundamental principles. America loves freedom as the totalitarians hate and fear it.

It has often been pointed out that there is a harmony between our religious ideals and those of democracy, for the foundation of democracy is moral, even as its structure is political. When Jefferson wrote into the Declaration of Independence the phrase about the unalienable rights of man, he meant exactly what the religionist means when he speaks of the dignity of human personality.

Democracy accepts as fundamental the religious doctrine that righteousness exalteth a nation.

While rabbinic and talmudic studies have been the guides to Jewish living, they have also contributed greatly to the spiritual well-being of mankind. Throughout the ages, there have been notable Jewish contributions to the arts and sciences, to medicine, to law, and in other fields; but the great glory of the Jewish people is that they have provided the ethical foundation upon which western civilization rests. We Christians recognize and acknowledge that debt.

Would it not be a great pity, and a tragedy for the whole human family, if this noble creativity of the Jewish people which has so enriched mankind should be discontinued in our day? The spiritual values that Judaism has taught, and which we Christians hold in common with you, need to be nurtured.

This Ner Israel Rabbinical College is dedicated to the great task of advancing the study of the Talmud. Not only the Jewish people, but the whole community, treasures this institution as a valuable spiritual and cultural asset. May it prosper in its work of spreading higher Jewish education, and may it help to bring about on these shores a new flowering of the religious spirit and learning.

What distinguishes American nationalism from that of the totalitarians is that while we all willingly meet the demands of political loyalty, we do not stifle diversities in religion, ancestral traditions, group living, culture, or education. Those who understand and love America truly know that it is a thing of many components, and there are many elements that enrich it in distinctive ways.

May your institution continue to play a noble role.

Let's Have the Facts

EXTENSION OF REMARKS
OF
HON. ALBERT P. MORANO
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 1957

Mr. MORANO. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include a letter which I have written to the Secretary of Defense, Mr. Wilson, after receiving a request for aid from Attorney Raymond C. Lyddy, who seeks information on possible harmful effects of a light ray on a group of servicemen engaged in a secret Army experiment during World War II.

Following are the original telegram from Mr. Lyddy and my letter to Defense Secretary Wilson:

On behalf of all veterans of the 538th Ordnance Company of the 9th Armored Division during World War II and specifically on behalf of Harold Saunders and John J. Zawessa, residents of your Congressional district, I am herewith enlisting your aid in securing all available information from the United States Army concerning a secret experiment conducted by the Army during World War II having to do with the construction, installation, servicing, and operation of a form of light ray mounted on tanks. We suspect that a possible connection may exist between my clients' exposure

to these rays and their mechanism and an unusually high percentage of deformed births, stillbirths, miscarriages, mentally retarded children, and sterility reflected in the marital relations and families of these veterans. I should like to meet with you at your earliest convenience to discuss this matter in detail but any aid you may be able to give us in obtaining this formerly classified information would be sincerely appreciated.

RAYMOND C. LYDDY,
Attorney.

JUNE 24, 1957.

HON. CHARLES E. WILSON,
Secretary of Defense, Department of Defense, the Pentagon, Washington, D. C.

DEAR MR. SECRETARY: Today I have received a formal request for aid from Raymond C. Lyddy, an attorney from Bridgeport, Conn., who is representing two residents of my district who were engaged in a secret Army experiment during World War II.

Mr. Lyddy believes that a possible connection may exist between the servicemen's exposure to a light ray mounted on tanks, and an unusually high percentage of deformed births, stillbirths, miscarriages, mentally retarded children, and sterility reflected in the marital relations and families of these veterans.

The veterans of the 538th Ordnance Company of the 9th Armored Division who participated in the experiment should be advised whether the exposure to the powerful rays and their mechanism is the cause of their unfortunate marital relations.

I believe that this classified material should be made known insofar as it does not impair our national security. I suggest that an authorized representative of the Army or Defense Departments meet with the attorney for the veterans involved, possibly in my Congressional office as soon as possible.

First reports of the possible harmful effects of the experiment have given rise to all kinds of newspaper and radio speculation.

Perhaps if all the facts were made known many wild rumors and irresponsible estimates could be curbed.

Although the attorney and two of the veterans, Harold Saunders and John J. Zawesza, are residents of my district, other members of the company are residing in other parts of Connecticut. Therefore, Congressman EDWIN H. MAY, of Hartford, and Congressman ALBERT W. CRETELLA, of New Haven, join with me in asking for disclosure of information which may help to clear up this situation.

Sincerely,

ALBERT P. MORANO,
Member of Congress.

Light on Hells Canyon

EXTENSION OF REMARKS
OF
HON. AL ULLMAN
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 1957

Mr. ULLMAN. Mr. Speaker, the June 22 edition of the Washington Post and Times Herald carried the text of an excellent letter written to the editor by Senator ESTES KEFAUVER.

Senator KEFAUVER has been doing an excellent job in exposing the true nature of the fast tax writeoffs granted by this administration. I want to take this opportunity to commend him for the fine job he has been doing in bringing to light some of the shady dealings surrounding the issuance of tax certificates to the Idaho Power Co. Senator KEFAUVER's letter to the editor of the Washington Post is characteristic of his calm and sensible approach to a matter of national importance. I am certain it will be of interest to all Members of this Chamber and I ask that it be included in the RECORD.

The letter follows:

LIGHT ON HELLS CANYON

I want to congratulate you on your fine June 9 editorial, "Light on Hells Canyon," to which Senator WATKINS took exception in his letter which you printed on June 18.

Like Senator WATKINS, I represent a State which has no great direct interest in the Columbia River Basin, and which will feel no immediate impact from the development of Hells Canyon. But I do feel qualified to recognize a scheme to waste a great natural resource when I see it, and I don't need a set of distorted figures to understand that the effect of such a scheme can only be to weaken the entire Nation.

What I find shocking is the attempt of the opponents of Hells Canyon to justify their position by the use of incredibly confused statistics.

For example, in his letter which you published Tuesday, June 18, Senator WATKINS came up with $398 million as his figure for the cost to the Government of the high dam at the end of 50 years. He then performed the truly remarkable accounting gyration of carrying his own ultimate figure back through history from the end to the start of the 50-year period, and proceeded to compound it annually throughout that period to arrive at his utterly ridicuous $2.2 billion figure.

Either Senator WATKINS' accountant is extremely confused, or he has a very low opinion of the intelligence of your readership. In any event this sort of figure-juggling hardly lends credence to his conclusions.

Lest I appear to be in complete disagreement with Senator WATKINS' letter, I hasten to praise two separate points in it. The first is his candid admission, so rare among opponents of Hells Canyon, that a large part of the cost of the high dam will be repaid with interest. In fact, the total of the nonreimbursable costs is only $48.8 million; all the rest of the project's costs will be repaid with interest.

I should like to emphasize also that after this repayment has been completed the high dam would belong to the people of the United States, while the low dams, complete with subsidy, would be the property of the private company.

In addition Senator WATKINS referred to the business and industrial expansion made possible by the new power and the additional millions of dollars this would mean to the Treasury in increased personal and corporation taxes. Here, of course, is the heart of the entire issue, and I am glad it is at long last being conceded by the opponents of Hells Canyon.

According to the most expert estimates available, based upon years of experience in the Northwest, the amount of power the high dam would produce in excess of the low-dam plan would result in the creation of about 35,000 new jobs in industry and $45 million annually in Federal taxes.

I do not intend to indulge my imagination in the calculation of what this latter figure might amount to with compound interest over 50 years, but I can hardly resist pointing out that in less than 9 years all of Senator WATKINS' claimed 50-year losses resulting to the Government from the construction of the high dam would be completely paid off, using only the excess power benefits of the high dam over the low-dam scheme.

I think it is most doubtful that there would even be much broadening of the economic base of the Northwest based on power from the private company dams. In order to locate in the Northwest industry needs low-cost power to compensate for the high cost of shipping its products to the market centers of the East, and even the FPC examiner referred to power from the Idaho Power Co. dams as being fancy-priced power.

Senator WATKINS referred to the cost of compensating the Idaho Power Co. for its expenditures to date, using a figure of $48 million. Actually the Senator is confusing expenditures with cancelable commitments, and the correct figure would be under $30 million, which would of course be a reimbursable cost of power production, contrary to the assumptions of his letter which included it in the nonreimbursable total.

But this raises another intriguing question. By letter of May 6 to Congressman ULLMAN, Chairman Kuykendall, of the Federal Power Commission, admitted that the power company in its construction to date had not complied with its own design plans as approved by the FPC.

If this is true it may be that the company cannot claim to have been proceeding under the FPC license in claiming damages if Hells Canyon Dam is authorized by Congress. Is it possible that here, as in the infamous Dixon-Yates deal, we shall see the Attorney General in court opposing the company's claims for reimbursement?

Senator WATKINS' letter cited the FPC as deciding that the three-dam plan (the FPC admitted the third dam may never be built) was the best plan for comprehensive development of the river. It neglected to point out that the FPC's own technical hearing examiner found the high dam would produce almost twice as much power at less than half the cost as the low dams, and provide almost four times as much active storage usable for flood control.

It offered no allusion to what the examiner called "the inescapable conclusion that * * * the high dam would be the better investment and the more nearly ideal development of the Middle Snake."

It omitted mention of the fact that it was the FPC's own chief accountant who estimated the cost of the low dams to the taxpayer at $83.5 million some $34 million more than the net nonreimbursable costs of the high dam. It ignored the recent brief of the FPC's own staff in the Mountain Sheep-Pleasant Valley proceeding urging that 4 million acre-feet of storage are needed in the Snake Basin for flood control, almost the exact capacity of Hells Canyon Dam.

ESTES KEFAUVER,
Senator from Tennessee.

WASHINGTON.

Canadian Family Allowances Act: A System Which Merits Study in the United States

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 1957

Mr. PORTER. Mr. Speaker, last week I took great pride in introducing for the first time in this House a resolution which asks that a select committee be created to study the feasibility of our Nation's adopting the Family Allowances Act which has proven so success-

ful in Canada for nearly 12 years. I am happy that my distinguished colleague, the Honorable JOHN BURNS, of Hawaii, introduced identical legislation.

These resolutions are like one which last week was introduced by Senator RICHARD NEUBERGER and several cosponsors. Senator NEUBERGER introduced it originally in the Senate during the 84th Congress. Since that time, this proposal has drawn support from many individuals and organizations. There is an ever-growing feeling on the part of many that this Nation should look further into this program.

The select committee we propose would have five members appointed by the Speaker. They would be authorized to investigate the Canadian plan with a view to determining if a similar system here would promote the health, development, and well-being of our children. The committee would be allowed as much as $26,000 for the study, and could meet outside the borders of the United States .

I am told by Canadians, familiar with the allowances act, that the system has improved the health and standard of living for their children. More boys and girls have the vegetables, meats, fruits, and milk needed in their diets. More youngsters have shoes. Many will have higher education because their parents are putting the money aside for that purpose. The allowance is paid to the mother or guardian and goes to all children, regardless of family income, race, color, or creed.

Happily I can tell you that misuse of allowances or fraud is negligible.

Canadians who were skeptical of the plan 12 years ago now proudly claim the program as a sample of their country's forward thinking. The major political parties there would each like to claim the idea as their own.

I respectfully call to your attention comments by Mr. Lawrence Burg, a Chicago businessman who is research director for a private company. He is one of 10 children, he votes independently, he is a World War II veteran. He and his wife have four children.

Mr. Burg is concerned with the cause of juvenile delinquency. He and his wife feel that the monetary cost of children may be a missing clue to the major cause of juvenile delinquency. I neither confirm nor deny their supposition, but tell you that the Burgs feel that lowered living standards "might have an adverse effect on some parents and older children." They say it costs them $729 per year to raise each child, despite frugalities.

As a sample of what the cost of child-rearing means, Burg points out that the couple with no children and earning $100 weekly takes home a spendable income of $4,504. The family with four children, on the other hand, has a spendable income of $2,484, after the cost of the children has been deducted. His solution is amending the tax laws to enable all adults to pay identically, and then giving a social security or child-support payment of $50 per month for each child. This would be given to the parents to aid them in rearing their children. Mr. Burg says payment for such a program could come from funds transferred from foreign aid and topheavy national defense. He terms his plan one of tax relief.

In introducing the resolution initially on June 14, 1955, the distinguished junior Senator from Oregon called the plan the next great step forward in social legislation. He said the program seeks a healthier, happier, and more secure life for the children of America.

He and his wife, Maurine, have had many occasions to discuss this program with Canadians and can say in all truthfulness that they found our neighbors to the north strongly in favor of the family allowances system. He, like Mr. BURNS and me, is convinced that the system is good, not only because of its help today to the children, but also because it is building a stronger nation for tomorrow.

This Canadian program has received caustic comments from persons unfamiliar with its worth and operation. These doubters call it a baby bonus. I must point out that this has not been the case in Canada. The birthrate there continues at a normal pace.

The Family Allowances Act was introduced in Canada in 1944. The first payments were made in July of 1945. The act was a basic social-security measure designed to assist in providing equal opportunity for all Canadian children.

Payments come out of the Federal consolidated revenue fund and are no part of taxable income, although persons with children eligible for family allowances obtain a smaller income-tax exemption for such children than for children not so eligible. Family allowances are administered by the Canadian Department of National Health and Welfare through regional offices. The annual cost is currently around $380 million. I am told the administrative cost has never exceeded 1.6 percent of the allowances amount. The allowances are paid at the monthly rate of $6 for each child under age of 10 and $8 for each child 10 to 16.

I know this brief summary of the program and the digest of the resolution my colleague and I have introduced does not tell this body all it may wish to know about family allowances. The full text of the Senate resolution, which is like the House version, appears with Senator NEUBERGER'S comments in the RECORD of June 21, 1957.

Address by Hon. Ralph W. Yarborough, of Texas, Before Democracy Club of Galveston County, Tex.

EXTENSION OF REMARKS

OF

HON. RALPH W. YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Monday, June 24, 1957

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of an address I delivered in my home State at the annual banquet of the Democracy Club of Galveston County, Texas City, Tex., on Saturday, June 15, 1957.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SPEECH BY SENATOR RALPH W. YARBOROUGH AT DINNER MEETING OF DEMOCRACY CLUB OF GALVESTON COUNTY AT TEXAS CITY, TEX., JUNE 15, 1957

Mr. President, friends, fellow Democrats, fellow Americans, we are overwhelmed by the generosity of your greeting; your advance reservations were beyond anything we ever experienced in Galveston County before.

Mrs. Yarborough and I are very grateful for this privilege of visiting with you, because it is both encouragement and an inspiration to see such a strong Democratic organization as yours—one with a continuing existence, not dependent upon whether the party is in power or out of power. Your Democracy Club, organized in 1951, was not organized for any one candidate or for any one year or any one campaign. It was organized to serve the cause of democracy and it has done a noble job of it.

We are personally grateful to you, because you have supported us in several hard campaigns; you gave us a 4,000-vote majority in Galveston County in the close governor's race in 1956, the largest lead we had in any single Texas county, and you gave us a long lead in the Senate race. God bless you all for it.

It is good to be back in Texas, and to celebrate with you the growing resurgence of the Democratic Party as the party of the people. We in Texas have a right to be proud of that resurgence, because it largely originated here, and, from the plains and valleys of Texas, this resurgence is spreading over the Nation. This resurgence should be sparked by an all-out war of righteous indignation against the studied financial injustices and inequities at home, and the fumbling foreign policy abroad, of this administration.

You here in Galveston County have had and are having a major role in this Democratic resurgence. For a quarter of a century Walter Hall has been demanding a more vigorous democracy for all the people; he has been an outspoken champion of the people's rights in precinct, county, State, and National conventions and in primary and general elections. You know I made my services available to the people for governor several times, in a quiet sort of a way, not loud enough for people to hear the offer, but here in Walter Hall, a business statesman of the first rank, you have a man who ought to be governor of Texas.

You will note from your program that I am right between Walter Hall and Rev. Harry Burch. That's where I came in, 5 years ago. When I announced for governor the first time May 1, 1952, they both came to my aid, the first two people in Galveston County to aid and encourage me in that race and they have aided me ever since, not just in Galveston County, but statewide.

Here I want to pay tribute to one of the outstanding Democratic Congressmen of the Nation, CLARK THOMPSON of Galveston. He and his gracious wife, Libby, gave a dinner in Washington in our honor; and showed us innumerable other courtesies. We shall never forget their kindnesses. And CLARK THOMPSON is a stanch oak in the Congress, a credit not only to this district, but to Texas and the Nation.

It is good to be in a Congress with Democratic majorities, with the Democratic leadership in both Houses in the hands of capable Texans. Speaker SAM RAYBURN is my friend; he has supported me in 4 campaigns in 5 years. His counsel is sought by all Democrats in Washington and is respected by all Republicans.

The distinguished Senate majority leader, LYNDON JOHNSON, and Mrs. Johnson gave a

lunch in our honor in Washington and Senator Johnson led the Democratic Steering Committee in placing me on three important senatorial committees. Our relationship was never more cordial.

Turning from these pleasant thoughts to the tasks before us, we realize that we need a speeded-up Democratic drive over the Nation, for the benefit of the people of Texas, of America, and of the world.

With the dollar worshipers at present at an alltime high point of power in our Government, similar to the days of Harding and Coolidge, it is going to take resolute men and women to turn this Nation back to the idealism of Woodrow Wilson and Franklin D. Roosevelt. We need a modern Jeremiah in every State and in every city in the Nation. More than that, we need at least another hundred Democracy Clubs in Texas, like this Galveston County Democracy Club. You have the leadership and the dedication here.

What has this cult of the dollar worshipers who furnish all the high priests of this Republican administration done to the American people in the last 4 years?

This Republican administration has given public utility power companies a large share of the 778 millions of dollars in tax write-offs awarded—which is more than $10 a person from every wage earner in America, taken out of the pockets of American wage earners by the United States Government, and given as an unearned increment to big public utility power companies.

The administration's high-interest rate and hard-money policy is lifting between 10 billion and 15 billion more dollars each year out of the pockets of Americans in increased interest rates on public and private debts, than were charged as interest on the same debts in 1952, the last year of Democratic rule. It takes that extra sum out of consumer pockets and lays it on the altar of the big money in increased interest. Such a policy long continued, eats up purchasing power and will inevitably slow down consumption of consumer goods.

There may be a few here tonight old enough to remember 1929. If you will travel away from the big cities and this golden Gulf Coast area, you will find that stagnation of trade is already here in the little cities and the county seat towns of Texas.

The most vicious dollar cult practice of this administration is found in the so-called discount practice in the home-building industry. The discount rate varies in home-building from 5 percent to 10 percent out over the country. Last spring in Texas, it ran about 7 percent. Here is the way it works: A homebuilder goes to a mortgage company to borrow $10,000 to build a home. He signs notes for $10,000. With a discount date of 7 percent, he only gets in cash $9,300. The notes are paid off, all $10,000, usually over a period of 25 years at a rate of 5 percent interest on $10,000. When the interest rate is computed, it will be found that it averages out over 15 percent per year on the money actually advanced by the money lenders, and those loans are guaranteed by the United States Government. Just this week we are advised that the discount rate in San Antonio is running as high as 13 percent. I read here a telegram dated June 12, 1957, from Mr. Bennett, president of the Bennett Lumber Co. of San Antonio, saying the discount rate in San Antonio is now 13 percent on VA and FHA loans and that this ruinous discount rate has stagnated trade and ended homebuilding in San Antonio.

That usurious interest collected does not usually go to the local mortgage company that lend the money; the local company gets only about 1 percent brokerage fee; the excess take, the discount, goes into the prime money markets of the country as a part of the unearned increment the big financial interests are collecting. It's part of their reward for being clever enough to let the American people have the kind of government the Madison Avenue hucksters sell for the Republican Party and its allies.

Last week we voted in the Senate to reduce the down payment requirement on FHA-insured loans to 3 percent on the first $9,000, and 10 percent on the next $7,000. I advocated that reduction in my campaign, and voted for it in the Senate. If the House of Representatives agrees with the Senate, this will end the depression in home building if, and only if, we end the ruinous discount rate. I voted for the Gore amendment to the housing bill which would have outlawed these ruinous discounts. Unfortunately, the Gore amendment lost.

The Republicans tried to increase the interest rates on loans for student dormitories at colleges, thus raising room rent and making it more expensive for students to go to college. We Democrats beat it down. That too, was in the housing bill. With Russia training two engineers and scientists to every one in an American school, it is short-sighted to increase the burden on college students as the Republicans tried to do in Washington by increased rentals for college students, and as the present State administration unfortunately did in Austin. The path to America's future is not paved with impediments to the education of our youth. Any government imposed burden on the education of our youth is a ball and chain on America's destiny.

In addition to the education of the youth, we are working for soil and water conservation projects for the benefit of this and future generations. I have testified for seven such projects before congressional committees since I have been in Washington. I have testified for the extension of the Galveston seawall before the Senate committee. And, under date of May 31, 1957, we have a favorable report from the Army engineers for a $7 million Texas City seawall with about 16 percent of the cost to be borne by local interests.

On Texas river projects, we have been working actively for McGee Bend Dam on the Angelina River, and many other projects.

On other projects not yet to far advanced as McGee Bend Dam, my policy will be as follows:

Texas must push ahead vigorously in the development of its rivers. Where this can best be done by local and State means, it should follow that course. Where Federal aid is needed in order to develop our water resources we should obtain it. If the best solution is at odds with Federal policy then we should sit down together and work out a solution to fit the needs of each particular watershed. Federal aid for dams, in any event, should be sought only when desired by the people who need it.

Texas cannot reach its full destiny without the proper development of our water resources. Our towns and cities have had to ration water even for purely domestic use, our irrigated farms have suffered from lack of water, and our industries have suffered both from short supply and poor quality of available water. Industries are passing up Texas and locating elsewhere. This is particularly true with respect to location in the Baton Rouge, La., area.

Our State has vast water resources awaiting development. These resources, harnessed and utilized, will give us needed water and prevent floods which create great damage to lives and property. Texas has suffered over a hundred million dollars in property damage in recent floods and tornadoes. We need both flood dams and supply dams, small retaining ponds on the farms and ranches, small dams on the tributary streams, and big dams on the main streams. Not only is this essential for flood control and water supply, but without it our land will continue to wash into the sea. We should proceed with these developments on a basis consistent with the uses of water with priority for domestic and municipal use for human consumption; then for use in industrial, irrigation, mining, hydroelectric, navigation, recreational, and other uses.

This development must protect the rights of municipalities, and other owners whose water projects entailing vast investments have played vital roles in the great irrigation and industrial development of Texas, especially in the gulf coast and valley. This development should also produce the best possible quality of water, otherwise little use can be made of it.

All people living within a river valley, indeed all the people of Texas, must have full and fair consideration in this vital program. These problems vary from watershed to watershed and the solution should be worked in each watershed which best serves the people in that watershed. I shall support with all my energy such an undertaking until the rivers of Texas are harnessed and producing vast benefits for all the people of Texas, both now and in the future.

The farm decline is a story in itself, with a million farm families leaving the land never to return—their places taken by a corporate-type farm, more like a Soviet collectivist farm than anything else. Brooks Adams has pointed out, in "The Law of Civilization and Decay," how the yeomenry of England became extinct in 80 years.

This must not happen in America. The Democratic Party is the only party really trying to prevent it. The Democratic Party is the only party trying to save the family-type farm. We have lost 300,000 farm families, gone from the land forever, under this Republican administration, and 40,000 of those families were in Texas alone. When questioned about it by a Senate committee, Benson answered: "It's cheaper to keep them on relief in a city than to keep them on the farm." I'd prescribe for the Secretary of Agriculture a little reading in Roman history.

In the field of taxation, the people are neglected by this administration, while things are in the saddle and ride mankind. The vaunted $7 billion tax cut by Republicans was a corporation tax cut. Seventy-three percent of the cut went to corporations; 13 percent to individuals in the large income groups and only 9 percent to the 80 percent of the people in the lower and middle income groups. I propose a tax cut now for the people.

An equitable cut could be had by increasing all personal exemptions from $600 to $800 per person per year. Let's let the Madison Avenue boys and their friends share these windfalls with us regular folks by giving the big rich that $200 a head deduction also. It will mean more dollars to them than it does to us, for they are in the high tax brackets and that will save them about $150 each, while it will only save most of us $25 or a little more for each dependent.

These are some of the reasons why I've said modern Jeremiahs are needed. The facts need to be driven home to the American people every day in every possible form and forum. Of course, when we continue to press for reforms, the Republican press will probably call it obstinate pig-headedness, while the determined effort by Republicans for higher and higher interest would be cited as an example of firm determination. We must not be intimidated by semantics, nor cowed by contumacious words.

I'm here tonight partly to make a report to you of my first 45 days on Capitol Hill. In my race this spring, I promised to work for a pay raise for our postal employees and Federal employees. The Democratic leadership placed me on a subcommittee to hear testimony on the pay-raise bills and we have already reported on a pay-raise bill to the full committees; too small, but a beginning step.

I promised to try to help cut the fat out of the Eisenhower budget and out of foreign aid. We are making progress. I've voted for some reductions in the budget that carried, and some that lost. Yesterday we lost by a vote of 49 to 40 in an effort to cut some more fat out of foreign aid, on the Long amendment. It is my hope that we can cut enough fat out of excesses in the budget to raise postal pay and have a tax cut, too. And if I could persuade enough of my colleagues to go along with me, we would get the job done. I'm encouraged at the progress made.

But we are not cutting everything. The Democratic Party is the party with a heart. In our campaign last March, I promised to support larger appropriations for cancer research, heart-disease research, mental-hygiene research, arthritis research, and allergy research. And this week we voted them in the Senate. In the Senate we voted to raise those appropriations, as follows:

[Dollars in millions]

	Appropriation		Percent increase 1958 over last year
	1957	1958	
Cancer research	$48	$58	20
Heart disease research	33	38	15
Mental health	35	39	11½
Arthritis research	15	23	50
Allergy, and all allied research	13	17	30
Neurology and blindness studies	18	24	33⅓

And in the fields of dental research, public health, research in tuberculosis and other communicable diseases, we have voted substantial higher appropriations than for last year. In the enforcement of the pure food and drug law, we voted this week an increase of 37 percent in funds for enforcement, over the 1957 funds; this will allow the employment of 162 additional personnel, 115 of them as field inspectors to stop the adulteration and pollution of the food that flows from the far-away factory to your table. This is a realistic step of the utmost practicality.

These health appropriations are to ease the pains of today and bring mankind into a new era of health and happiness. This promotes the general welfare in the most beneficial of all governmental fields; the health of the human race.

In the field of foreign affairs, the Democratic opportunity for service is similarly unlimited. The dreadful deepening concern over the perils of the hydrogen age have struck deeper into the Democratic conscience than in the Republican understanding. When Adlai Stevenson and Estes Kefauver braved the storms of Republican big money wrath to call for reason last October and a stop to dangerous nuclear explosions, they were derided and even their patriotism questioned.

Today, every newspaper, every TV and radio-broadcasting station, are replete with details of the horrors of the fallout effects. Whether the effect be bone cancer, infertility, malformed babies, stunted children, or any of the other equally dreadful effects on the human race described by the scientists, the answer is the same. The human race is waiting for leadership intelligent enough to put a stop to the nuclear explosions before our children and our children's children are doomed by a polluted earth and air.

And now, I want to close on a more cheerful note:

It is the Democratic Party that best realizes its responsibility to the people of our own land and to the world. Let us all hope and expect, as I do, that the Democratic Party will show us the way out of the night that now shrouds us. Through the years, the people of America have turned to the Democratic Pary in time of crises. They will do so again.

The time of crises is at hand, both on the domestic front and in foreign affairs. And the Democratic Party has led the way in pointing out the dangers to the human race from nuclear fallouts. First, Adlai Stevenson and Estes Kefauver last fall, and now Senator Clinton Anderson's committee is giving the facts to all the world.

Last Saturday night in New York, the Democratic majority leader, Senator LYNDON JOHNSON, called for reason and action before the human race is annihilated. Senator JOHNSON called for an "open curtain" to let the truth of democracy lighten up the darkness behind the Iron Curtain. Senator JOHNSON'S forthright leadership for an open curtain has been praised from the Atlantic to the Pacific.

When the Democratic Party quits tiptoeing down timidity street and, boldly as Roosevelt, proclaims its faith and belief in men over money and machines, then will America again place her faith in the party of Jefferson and Jackson and of Wilson, of Roosevelt and of Truman. I fervently pray for that day.

That day is nearer at hand now than for some years. The Anderson committee investigation and the Johnson declaration show it.

I want my children and their children to live in the same pure air that was on this earth in the days of man's first creation.

The Future of Our Supreme Court

EXTENSION OF REMARKS

OF

HON. OVERTON BROOKS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 1957

Mr. BROOKS of Louisiana. Mr. Speaker, the Constitution says that the United States Supreme Court Justices shall be appointed during good behavior by the President of the United States. They are removable only by impeachment and they serve for life, unless they retire earlier. This gives these judges a tenure during their active lives.

As a matter of practice, these judges are formally nominated by the President of the United States. In actual practice, however, the President is a very busy man and he leaves, and I suppose must leave, the details of selection of a justice up to the operation of the Justice Department, headed by the Attorney General. Very often, the Attorney General has some political friend, or some especial favorite—and this seems to be the case more frequently in recent years—whom he maneuvers into the position of being nominated. These appointments, in other words, are largely made on the recommendation of and with the advice of the Attorney General. This is the way it works out in actual practice.

Increasingly, in recent years, cases involving one of the sovereign States—I hesitate to use this word "sovereign" because of the tremendous loss of power by the States in recent years—is handled by this tribunal; and the sovereign State must suppliantly present its petition for redress before this High Court. It places the attorneys general of the various States at a distinct disadvantage, I am sure, to be compelled to come up against this sort of arrangement. They are required to present their cases before judges who are nominated on the recommendation of the same official who may be presenting the case of the United States before the tribunal.

Judges are human, whether they be members of the United States Supreme Court, appointed for life, or whether they be members of lesser courts. It is human to think kindly of your friends, and to be influenced by their judgment and their recommendations. Now, then, can the attorneys general from the various so-called sovereign States throughout the Union hope to get a fair break in the presentation of the cases of their States before this august tribunal which holds the unchecked power of decision in its hands and from which there is no appeal?

More important than this: In the light of this appointing process, how can we, who believe in States rights and who steadfastly oppose the constant encroachment of power on the part of the United States Government over the several States, under this arrangement expect or hope to check the growing tendency of the United States to take away from the States their very sovereignty itself?

My own State has before the United States Supreme Court at this time litigation of vast importance to the people of our State and, I think, also to the Union. I do not wish to comment upon this litigation at this time. Other States will in the future have more and more litigation before this Court. Can judges, even after years of experience on the bench, throw aside their own petty likes and dislikes and throw aside their feeling of gratitude for the office and to the man—the Attorney General—who nominated and recommended them and render decisions which will give the States a fair break? The more so, we ask, can judges without prior judicial experience, accustomed to the point of view of the advocate and accustomed to rewarding others for favors and for help, forget all of these things and, in the cloistered sanctum of the judicial study, render a judgment with the wisdom of a Solomon and the vision of a prophet?

I rather think that some other method should be created for the recommendation to the President of names of suitable persons for Federal judges. Perhaps this should be done by recommendation from the Congress, or by recommendations from a judicial council, or from the States, or in some other manner. This matter should be given careful study, and out of the thought and care given to a grave problem—for it is the problem of preserving the States—should come a plan created under which judges can be recommended by some other authority than the one—the Attorney General of the United States—who argues and presents the case for the Federal Government.

I read more and more of decisions of the Supreme Court which upset settled law and jurisprudence and which do not seem to be tempered with the spirit of the Constitution. There is criticism of

the Court as being arbitrary and capricious. The national commander of the American Legion, an organization which personifies patriotism and loyalty to country, suggests that these judges—perhaps all Federal judges—be elected, and that the appointive method be abandoned. Is he right? This is something to think about in these present times, and his suggestion is worthy of careful consideration.

The Supreme Court Should Use the Light of Reason

EXTENSION OF REMARKS
OF
HON. WILLIAM C. CRAMER
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 1957

Mr. CRAMER. Mr. Speaker, as a member of the Judiciary Committee of the House, I was, like many of my colleagues, I am sure, quite disturbed by the Supreme Court decision in the Watkins case where the Court decided that a man who admits to having a long period of Communist affiliations can refuse to state to the Congressional Committee on Un-American Activities whether he knows that certain named persons with whom he is familiar were members of the Communist Party.

The scope of the decision is so far reaching that it cannot be permitted to stand unchallenged on principle. The majority of the Court in the decision acknowledged broad investigatory powers in Congress as being inherent in the legislative process, but then goes on to strike down and encompass these admitted powers with wholly unwieldy and impractical restrictions, under the guise of protecting an individual under the first amendment against abridgement by law of freedom of speech or press or assembly.

The decision is so vague and indefinite that it gives no real guideposts to Congress or Congressional committees that can be applied in an effort to comply with the decision.

The decision seems to make a distinction in the powers of Congress to investigate between the admitted power to "expose corruption, inefficiency waste" in the public interest and as a public affair and the lack of power or authority to expose private affairs or beliefs of individuals—and as applied to this case, apparently, even when these private beliefs constitute adherence to the communistic philosophy of overthrow of our Government by force and violence. Could not this lead to the wholly unrealistic conclusion that the belief in communism is really a private belief protected within the first amendment and thus not subject to Congressional investigation and public scrutiny through this method? Such a possibly conclusion certainly is to be condemned in the interest of preserving our constitutional form of government in America.

If this decision stands, future investigations by Congress will be in constant jeopardy, and the first amendment could possibly be pleaded as often as the fifth amendment is pleaded today. The Court, which in my opinion failed to recognize the practical problems and workings of Congress, and would unduly restrict the legislative arm of government in carrying out its admitted function of investigating matters charged with the public welfare, looking to future legislation, the effects of legislation, activities of the executive branch and so forth.

I would like to cite a few examples of what could possibly result in the field of Congressional investigations, as I interpret the decision.

First. It could possibly place on Congress the burden of proving that the terms of the charter of the committee or the statements of the chairman preceding the questioning would reasonably establish to the satisfaction of any witness the pertinency of each and every question on which the witness might claim the first amendment which would be an almost impossible burden;

Second. It could possibly strike down the broad authorizing or chartering provisions of committees and thus limit measurably the scope of their investigations on the technical grounds that although the investigation would be within the power of Congress to conduct unless every phase of the investigation is spelled out, the witness would not be put on adequate notice of the pertinency of any question asked by the committee and on which he claimed the right to refuse to answer because of the first amendment;

Third. It could possibly be construed to require "preliminary control" by Congress of its committee activities to the extent of requiring specific enumeration of every facet of any problem to be investigated or that might arise during an investigation even though the history of the investigative process has shown that Congress cannot foresee the new fields often uncovered as the result of hearings and that must be exhausted if the public welfare is to be served;

Fourth. The practical effect could possibly be that most future witnesses before Congressional committees could only be voluntary because the compulsory subpena procedure would be completely outmoded and the witness could refuse to appear on the basis that he believed his first amendment constitutional rights were being prejudiced because he wasn't advised adequately of the questions to be asked and the pertinency thereof; or upon appearance could raise the same question and refuse to answer.

Fifth. It could conceivably require that any committee lay a foundation of a more specific nature than the "charter" granted by Congress in order to establish the pertinency of every question asked in order to prevent a witness from claiming the "right of silence" which is surely an impractical burden.

Sixth. It could possibly require these committee restrictions as suggested in 1, 2, 3, and 5 above even when the rights of the person testifying are not involved but rather the rights of third persons whom the witness has been asked to identify as in this case and even though it is well settled that one cannot invoke the constitutional rights of another;

Seventh. It raises doubt about the fact that a Congressional committee is acting within the scope of its authority with reference to any given question upon which the first amendment is claimed on the basis that an insufficient foundation of relevency of the question involved has been laid unless it appears clear on the record or in the "charter" powers of the committee that the specific facet of the investigation being challenged is spelled out in the record and that it doesn't violate anyone's "private affairs."

Thus, a mere statement of some of the possible implications of the decision, I am sure, points up its dangers.

Also the court overlooked completely in its reasoning the fact that every contempt action by a committee must be ratified by the body of Congress under whose authority the committee operates, the facts fully debated, the relevancy of the question upon which the refusal to answer gives rise to the contempt, the pertinency of the question to the investigation involved and of the question asked as well as the validity of the grounds for refusing to answer the question—and only after the passage of a resolution by the respective House or Senate after full debate and determination if the committee was acting within its "charter" and preliminary (broad) authority can the committee acquire needed authority to bring a court action through the Attorney General for contempt of Congress. I fail to understand how the Court, under the separation-of-powers doctrine, can inject itself into this matter in this instance on the facts and overturn the findings and policy determinations as they relate to the previously determined relevancy and pertinency as made by the Congress. Although broad investigatory powers are often granted, many protections against the abuse of the contempt power of Congress are provided. It is interesting to me that this phase of practical legislative process apparently escaped the Court—and indicates further the impracticality—due to lack of understanding of some of the problems of Congress and its workings—of the proposals made by the Court in this case.

I trust the Court will reexamine its decision in the light of reason and more clearly define its decision in order that Congressional activity in the field of investigations might go forward within constitutional limitations.

The Small Farmer's Battle for Survival

EXTENSION OF REMARKS
OF
HON. GEORGE HUDDLESTON, JR.
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 1957

Mr. HUDDLESTON. Mr. Speaker, last Saturday morning it was my privilege to address the ninth annual meeting of the Alabama Association of County Agricultural Agents at the

Thomas Jefferson Hotel in Birmingham, Ala. The meeting was well attended by the county agents in our State and by the members of their respective staffs. I selected for my subject "The Small Farmer's Battle for Survival."

I am pleased to insert my speech in the CONGRESSIONAL RECORD, under leave heretofore granted.

THE SMALL FARMER'S BATTLE FOR SURVIVAL—AN ADDRESS BY CONGRESSMAN GEORGE HUDDLESTON, JR., OF ALABAMA, AT THE NINTH ANNUAL MEETING OF THE ALABAMA ASSOCIATION OF COUNTY AGRICULTURAL AGENTS, THOMAS JEFFERSON HOTEL, BIRMINGHAM, ALA., JUNE 22, 1957

I am glad to have the opportunity to participate in the program here today for at least two reasons. First of all, it gives me an opportunity to discuss with you what I consider Alabama's most important farm problem, "The Small Farmer's Battle for Survival." Another reason equally as important is that I have a chance to be back in my home State and my home town, Birmingham. It is especially pleasant and refreshing to be here today, particularly in view of the multiplicity of problems before the Congress this session, which constantly keep Members embroiled in some form of turmoil.

This meeting of the Alabama State Association of County Agricultural Agents represents to me about as important a meeting as can take place in our State or anywhere in the Nation.

Basically, what I am going to be concerned with this morning is the question of the survival of our family farms. I should like to consider with you at least three problems farmers face today, problems of real significance to farmers and city people as well.

The first of these is the status of the family farm; second, the problem of falling farm income and the cost-price squeeze; and third, how we may attack these problems.

With respect to the status of the family farm, there are disturbing reports from the broad agricultural domain of the Nation, telling that increasing numbers of farm families are leaving the soil because of the deterioration of their competitive position. Examination of the reports reveals that the acreages previously in family farms are becoming consolidated by purchase into larger holdings where hired labor supplants the family-unit enterprise.

This has been a concern of farm people, agricultural leaders, and Members of Congress for some time. Studies have been conducted to determine ways and means to protect, foster, and promote the family farm as the continuing dominant unit in American agriculture. Special attention has been given to the problem of adjusting our farm programs to accommodate the convenience, productivity, and prosperity of the family-farm unit.

We need only to observe the trend during the past 4 or 5 years to be convinced that there is a deterioration of the economic structure of the family farm. The disappearance of thousands of small family-operated farm units proves beyond a doubt that such a trend exists.

Let us examine the record for a moment to see what is happening. Since 1930 we have observed a continuous trend toward fewer and larger farms in the State of Alabama and in the United States as a whole. In 1954 there were 80,439 fewer farms in Alabama than in 1930. This represents a decrease of about 31 percent in the total number of farms in the State. In 1954 nearly 35,000 fewer farms were in the State than in 1950, representing a decrease of over 16 percent in 4 years.

While we have fewer farms, there has been an increase in the number of farms in the larger size groups. For example, since 1950 the number of farms in the size group under 10 acres has slightly increased. There was a decrease in the number of farms in all size groups from 10 acres to 219 acres. All size groups from 220 acres to 1,000 acres and over, showed an increase in the number of farms from 1950 to 1954.

The trend for the Nation is similar to that in Alabama. Over a million and a half fewer farms were in the country in 1954 than in 1930, and about 600,000 fewer farms in 1954 than in 1950, a decrease of about 23 percent from 1930, and a decrease of over 11 percent since 1950. As is true for Alabama, the trend is in the direction of fewer family farms and an increasing number of large farms. There was a decrease in the number of farms in all size groups from 10 to 260 acres. The number of farms from 260 acres to 1,000 acres and over, showed an increase.

In the numerous discussions of changing world conditions and changing technological developments in the agricultural industry, we hear a great deal about the factors responsible for the increases in production on our farms, and the increasing productivity per man employed on the farm. But what is the trend with respect to our total farm population? This trend is in the same direction as the number of our farms. Today, only about 13 percent of the people in the United States live on farms. The other 87 percent live in urban or suburban areas and are available for many other pursuits. Twenty-five years ago the farm population in the United States was about 25 percent of the total population.

For Alabama the decrease in farm population has been even greater than for the Nation as a whole. In 1930 almost 51 percent of Alabama's population was classed as "farm." In 1950, the latest year for which official State population data are available, it was about 32 percent. This represents a decrease of about 28 percent. Meanwhile, from 1930 to 1950, as Alabama's farm population decreased 28 percent, her total population increased by 16 percent, or by a total of about 415,495 persons. If we consider the decade from 1940 to 1950, the picture is somewhat different. Total population for Alabama increased by 228,782 persons, or about 8 percent. Farm population decreased 378,171 persons, or about 23 percent. Rural nonfarm population increased almost 37 percent during this same decade.

A significant observation to be made from these population figures is the trend of our farm population to migrate to the urban areas within the State and to other urban areas in the Nation.

This growing migration from the farm to the city today is a matter of real concern to the small family-size farmer. It is becoming more and more difficult for a young man to get started in farming and to own his farm. Because of technological developments which have greatly increased the productivity per man employed in agriculture, the decreasing number of people on farms has had no adverse affect on our production. We have been able to produce more than is required for market demand for a number of years.

In view of the prospect that our population 20 years from now will exceed 200 million people, will American farmers still be able to produce an abundant supply of agricultural products, if the present trend of migration from farms continues? When we consider the rate at which productivity per man employed in agriculture increased during the past decade, there seems sufficient reason to believe that it can be done. The advance of technology, mechanization of farms, and the application of new sciences has rendered the land more productive. These advances assure an abundance of food and fiber for the larger population, at less and less cost, in relation to individual income. One farm worker today produces food for 20 persons. As late as 1930 a worker in agriculture provided food for only 10 persons. The output per farm worker has doubled during the past 25 years. Fewer persons are required in agriculture as efficiency advances, and the threat is ever present that the increase in mechanization will bring greater industrialization into agricultural production. A natural result will be the concentration of economic resources in fewer and fewer hands.

Do we want our agricultural industry to move so far in the direction of the "factory in the field," as to entirely supplant family-farm operations? Do we desire our agricultural industry to approach the point where opportunities are few for sons to follow in their fathers' footsteps and venture into individual and family enterprises upon the land? It seems to me that if we permit such a trend to continue without modification, it will endanger our free-enterprise system. It should be our aim to keep opportunities open for individual venture, with the hope of due reward and the perpetuation of the rural family and the community order, indispensable to the Nation as a source of spiritual, social and political vitality.

Agricultural authorities have pointed out time after time that our future need for food and fiber can be supplied from our present farmland through the application of scientific methods and technological developments. But scientific farming costs money and except for a few of the largest commercial farms, few can afford to enlarge their land holdings and purchase the latest equipment.

This brings me to my second point, the problem of falling farm income, and the cost-price squeeze.

We have heard a great deal about farm income, farm prices, farm price supports and the cost-price squeeze during the past 5 years. Probably the most disturbing aspect of the immediate farm situation is that farm income has been dropping sharply, particularly since 1951. Farm markets have been breaking under the impact of heavy production and reduced export demand. Many of the younger generation of farmers who started farming after the war under a heavy debt load are in danger of being forced out of farming entirely if the reduced incomes continue.

Falling farm prices have directly affected net farm income in recent years. The realized net farm income for the United States has sunk from $14.8 billion in 1951, to $11.8 billion in 1956.

For the State of Alabama, the realized net farm income dropped from $300.7 million in 1951 to $262 million in 1955.

During this period of falling prices, the prices paid by farmers for the commodities required for production and for living, have either risen or have not fallen as rapidly as have prices received by farmers for their products.

This cost-price squeeze and farm income situation can be seen more clearly if we compare the current index of prices received and prices paid by farmers with the index of prices received and prices paid in the base period 1910–14.

In 1951 the index of prices received was 302, or over 3 times that established in the base period. The index of prices paid for commodities which farmers used in production was 282, or 2.82 times as much as in the base period. The ratio of prices received to prices paid was 107. In other words, the relationship of prices received by farmers to prices paid by them was 7 percent more favorable than in the base period. Another way of saying the same thing is that prices received in 1951, on the average, were 7 percent above parity.

As of May 15, 1957, the latest date for which these price relations are available, the prices-received index had dropped about 20 percent, to 243. The index of prices paid had risen to 296, an increase of 5 percent.

The ratio of prices received had dropped to 82, a decrease of over 23 percent. In other words, farm prices today average about 18 percent below parity.

These figures demonstrate beyond a doubt, what we mean by a cost-price squeeze and falling farm prices.

Is there any hope of finding a solution to the problems of the declining number of family farms, the falling farm prices, and the reduced incomes? How can this trend be stopped? Answers to these questions have been attempted in a number of ways, by those interested in farm problems. However, I don't need to remind you that these problems have not been solved. It appears obvious that a floor must be maintained below which farm prices cannot drop, if further declines in prices and income are to be prevented. Our farm program has attempted this for a number of years. In view of a relatively rigid price structure for industrial goods and the numerous price maintenance schemes used by industry, there can be no doubt that farmers are entitled to similar price protection.

This fight for economic justice for the farmer has been going on for a long time. Some progress has been made through the numerous farm programs, for farmers to share in our relatively high degree of prosperity. But the battle has not been won. There are forces that curb and impair the operation of programs intended to give the farmer such price and income protection such as other industries have been able to provide for themselves. We must all continue this fight together, farmers, farm leaders, Congressmen, Senators, and farm organizations to provide a program that is just both to farmers and to society as a whole.

Through our farm program many attempts have been made to find new markets and new uses for agricultural products. The solution to our temporary oversupply of agricultural products probably lies within these two areas. While a great deal of effort has gone into expanding our markets at home and abroad, this is one area in which all possibilities have not been exhausted. We must make a more determined effort to sell our farm products in foreign markets.

Another area in which there is room for advancement is in the use of more scientific methods and more extensive mechanization. In recent years, we have seen examples of what technology can do for agriculture. Fewer farmers are producing about 69 percent more food than they did 40 years ago. Steel, chemicals, and power now substitute for additional land and labor to increase food production. For instance, about 2½ times more tractors are now on the Nation's farms than in 1940. Since 1910, tractors in use on farms have increased from 4,500 to nearly 5 million in 1954.

These advancements have been taking place in Alabama as well as in the Nation as a whole. In 1954, over 11,000 more farms had telephones than in 1950; nearly 11,000 more farms reported electricity in use; and over 2,000 more farms reported milking machines in use. There were more than 500 additional grain combines on farms, some 2,260 more cornpickers, and 572 more pickup hay balers. Farmers also had nearly 13,000 more motor trucks, 20,000 more tractors, and 12,000 more automobiles.

Don't be misled, however, all the Alabama farms are not mechanized. In 1954, nearly 58,000 Alabama farms were without tractors. This is nearly 39 percent of all farms in the State.

A higher degree of mechanization on more farms will assist Alabama farmers to raise the level of their income. But before this can happen, farmers must have access to credit on reasonable terms, in order to purchase the required equipment. In many instances they must have credit to be able to enlarge their farming operation, and thus to justify the use of modern machinery.

Much emphasis has been placed on diversion of agriculture as a means of stabilizing individual farm incomes. Diversification certainly is important. A farmer who carries on a diversified operation is less vulnerable to complete loss of income due to crop failures than is one who operates on a single crop basis. But here again, in this era of mechanization, we reach limits. One small farmer cannot afford to buy mechanical equipment suited to a large number of crops. This is especially true of harvesting equipment, whose specialized use is limited to a few weeks of each year.

It must be recognized that any discussion of the family-type farm is easily associated with affection and sentiment, and perhaps emotion. This is true because of the long identity of this rural order with the fundamental values. As pointed out earlier, these family-size farms are threatened by the technical evolution and the growing competition within agriculture. However, there is every reason to believe that the family system in farming, in adequate production units, can continue to be the most efficient, the most economic, and the most satisfying operation in a prosperous agriculture.

Our farm program must be more adequately adapted to the family farm. These programs should not promote the "factory in the field" type of farming operation. Except in a few specialized operations, there probably are no values for the Nation in substituting a hired labor agriculture for the independent family farm. Greater emphasis must be placed upon the development of our smaller farms into adequate units with resources sufficient for economic production. We must do more to protect the rights of tenants as well as those of landowning farmers.

Steps ought to be taken to protect the income of family farms by giving them a fair return on their production. Government efforts should be directed toward this objective, and the major benefits should be limited to the output level of the family-type farm.

Much could be done to improve the status of small farms by the enactment of legislation that would assure each family-size farm its fair share in the Nation's agricultural production, and in the prosperity which the American system has provided for the Nation's general economy.

The needs of small farmers and their families for a decent standard of living must be protected. This is only fair. Its accomplishment depends upon the inclusion of adequate production adjustments in the farm program.

Operations under the Farmers' Home Administration ought to be intensified. This is especially true of those operations that provide the small farmers with credit to acquire adequate farms and equipment. Lending through the Farmers' Home Administration should be on a constructive basis, within the capability of the farm, under the management of its owner, to repay in a reasonable term of years.

The small farmer can no doubt be assisted by placing greater emphasis on marketing. This requires expansion of the Research and Marketing Act of 1946 with special reference to the section which authorizes Federal matching of State funds for action and service programs in the field of farm marketings. A substantial part of the answer to the family-farm problem lies in cooperative marketing where farm families assemble their products at one location for grading and cleaning, and for sale in quantities sufficient to attract buyers for extensive distribution. It has been suggested that the Secretary of Agriculture should examine the feasibility of expanding the Farmer Cooperative Service of the Department of Agriculture to include a section devoted to the small farmer service phase of cooperative activity.

There are real opportunities for community programs to cut production costs and improve the competitive position of the family farm. Cooperative arrangements can make available equipment and services of high quality to increase the productivity of the family farm. Much could probably be done through the organization of cooperative breeding associations, cooperative use of tractors, combines, ditching, and other equipment. Modern equipment requires heavy capital investment and its efficient and full use can in many instances be more fully realized by cooperative effort of individual farmers who find a common need.

We must do more in the field of vocational instruction in the junior and senior high schools to help our young people discover the occupation for which they appear to have the greatest aptitude and in which they have a real interest. Our national welfare demands that this be done, regardless of whether the young people select careers in farming or some industrial activity.

Last, but not least, we must continue to encourage more trained leaders to take part in community organization. Programs for economic improvement can be put into effect far more quickly and beneficially in organized rural communities. Local initiative and cooperation are essential in programs directed as improving the economic position of the family farm. The county agricultural agent has long been providing leadership in our rural communities, but with increasing demands he needs help to carry on the numerous community programs.

When we reflect more fully upon the problems I have just discussed with you it must be clear to all of us that we are living in a changing world, and that the farmer's position is also constantly changing. The extent to which the farm problems are solved so that the farmer can share in the Nation's growing prosperity, measures the extent to which all sectors of our economy will benefit. The problems which farmers face today are not insoluble, but their solution will require the determined efforts of leaders in Government, farm organizations, farm leaders, farmers, and numerous research institutions. Such efforts will be rewarded by a solution that will be in the interests of all sectors of the economy. To this end, let us all strive to make American agriculture strong and secure. What we do to render farmers better able to play their role in this changing world will help the entire Nation to achieve final victory in its struggle for world peace, security, and economic opportunity for all.

Practices in the Automotive Field

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 1957

Mr. MULTER. Mr. Speaker, since the House Interstate and Foreign Commerce Committee is again considering legislation on this subject, I wish to call to the attention of our colleagues my statement made to that committee on May 2, 1956, as follows:

STATEMENT OF HON. ABRAHAM J. MULTER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. MULTER. Mr. Chairman, gentlemen, it is always a privilege for me to appear before your committee. I want to take a moment

to thank you for the opportunity you have allowed me of coming here.

Mr. KLEIN. Do you propose to read this entire statement?

Mr. MULTER. I suggest that we put the statement in the record, Mr. Chairman, if it is agreeable to the committee, and then I can in much less time summarize it, and in that way avoid much repetition of evidence that you have already received.

Mr. KLEIN. Very good.

(The information referred to follows:)

"STATEMENT OF HON. ABRAHAM J. MULTER, REPRESENTATIVE IN CONGRESS FROM THE 13TH DISTRICT OF NEW YORK

"Mr. Chairman and distinguished members of the committee, I appreciate the opportunity of appearing before your committee to present my views concerning proposed legislation to eliminate certain unfair practices in the automotive industry. I am aware of the long, untiring efforts of the committee to protect the public interest and to stave off the serious consequences threatening our economy because of certain unfair marketing practices in the industry.

"The public interest

"In commenting on some of the existing unfair practices in the automobile industry, I should like to specificate one underlying fact, namely, that in the automobile market both the consumer and the dealer have little choice in the selection of the manufacturer. As you well know, the year 1955 saw the disappearance of one more private automobile manufacturer—Kaiser-Willys. Today only 5 sources remain—General Motors, Ford, Chrysler, American Motors, and Studebaker-Packard. It is an anomalism that as the market has grown, the number of companies in the market has lessened. The public was only amused upon reading in the press that the General Motors Corp., the biggest manufacturer in this country, which at the same time is the country's largest automobile manufacturer, in testifying before the Senate Antitrust and Monopoly Subcommittee in December 1955, said that it 'is the servant of the dealer.' It is public knowledge that dealers have been forced into serflike submission to the manufacturer. The dealer's plight is manifest from the figures, such as those submitted by the General Motors Corp. last December, showing that the 1953 return on net worth for dealers averaged 14.40 percent, and was reduced in 1954 to 9.4 percent. Comparable figures show that the corporation earned 20 percent in 1953 after taxes and bonuses, and almost 24 percent in 1954.

"Manufacturer-dealer relations

"Although the committee in the current hearings has directed its study to the subjects of territorial security for automobile dealers, bootlegging, and so-called phantom-freight, there are also other unfair marketing practices in the industry that must be appraised in evaluating the position of the industry in our economy. With the committee's permission, I should like to comment on some of these practices.

"A substantial part of the problems which beset the industry stem from the dealer agreement which is so drawn that manufacturers may grant or withdraw the franchise at will. I am in favor of the principle in the Steed bill, H. R. 6544, which would validate manufacturer-dealer contracts establishing exclusive representation by dealers for fixed periods of time. Heretofore, such contracts have been at the will of the manufacturer. In my opinion, manufacturers have wielded their whip of economic power too long, and if we are to avoid repetition of the picture of the thirties, and if we are to meet our obligation to the public, legislation must be enacted now to protect our economic structure.

"As long as manufacturers want to have dealers under contract to handle only particular makes of cars, the manufacturers should be required to sell only to such dealers and to prohibit bootlegging. Manufacturers should be required to cancel the franchise of bootleggers. I wholeheartedly agree in this proposal which is covered in the Williams bill, H. R. 2688. I have incorporated similar views in H. R. 10314, which I introduced on March 29, 1956.

"As a result of the recent Congressional investigations, we have observed newspaper reports that the manufacturer's cancellation privilege will be superseded by a provision requiring the cancellation to be for cause. But will the manufacturer be compelled to define the term "cause"? There is no uniformity among the court decisions construing automobile franchise agreements.

"Incidentally, some State legislatures are making strides in revoking the manufacturer's arbitrary cancellation privilege. Just a few days ago in my own State of New York, Governor Harriman on April 20, 1956, signed a bill amending the New York general business law, for the purpose of prohibiting automobile manufacturers from arbitrarily revoking the franchises of dealers in New York State. Under the law effective October 1, 1956, auto manufacturers are required to register with the secretary of state and are prohibited from terminating a dealer contract except for cause. A maximum penalty of $1,000 fine is imposed for each violation. We should not be surprised to learn that automobile manufacturers opposed the legislation, claiming that 'the public interest is not sufficiently affected.' In his statement upon signing the bill, Governor Harriman announced it was his firm conviction that 'it is very much in the interest of the people that small- and medium-sized business should be protected against unfair exercise of economic power.'

"In view of the peculiar nature of the automotive industry, coupled with the clear proof that previous Congressional admonishments have been flouted, it is the duty of the Congress to enunciate a public policy that will protect the consumer interests in their relations with the several economic giants who not only produce this article of necessity, but also control its distribution, as well as the price thereof.

"Advertising abuses

"The dealers must pay for advertising literature they do not want and would not order. It is sent in to the dealer in such quantities as the manufacturer thinks he should distribute, and the dealer is billed and must pay for that literature even though he throws most of it into the wastebasket. The dealers must pay a fixed sum per car to the manufacturers toward the cost of advertising. The dealer's name and address is never part of that advertising, only the product is mentioned. This policy would cease if the responsibility for exaggerated and fraudulent advertising were laid at the door of the manufacturer and if the manufacturer were prohibited from requiring dealer contributions toward the cost of such advertising.

"Only recently, as a result of testimony adduced at Congressional hearings, the Federal Trade Commission filed charges against the General Motors Corp. for false and deceptive advertising. Independent manufacturers have reported that General Motors use of the words 'genuine Chevrolet' to describe parts used in making repairs is diverting business from the independent manufacturers and small repair shops. The parts manufacturers contend that the items, distributed and warranted by General Motors, actually are bought by General Motors from the independent manufacturers. The implication is that the 'genuine Chevrolet' parts are superior to the same parts sold by competitors without such label.

"Deliveries without orders

"Manufacturers require dealers to file each month several reports showing sales and inventory volumes. The manufacturer bases his deliveries to the dealer upon these figures. Whether or not the dealer considers this quota salable is immaterial.

"Moreover, the dealer has no control over the various built-in accessories that are billed as extras. For instance, the automobile is listed as equipped with vacuum windshield wipers, but is later shipped in with an electric wiper billed as an 'extra.' Every car comes with a hole in the dashboard for a cigarette lighter, but the lighter is an extra.

"It is the manufacturer, also, who determines the stock of parts and accessories that the dealer must purchase from the automobile manufacturer. The dealer could purchase these same parts and accessories directly from the parts manufacturer and much cheaper, too.

"The only way to abolish this practice is to prohibit lump-sum bills and to require of the manufacturer and of the dealer a complete itemization of all charges. No amount should be collectible by either for extras unless ordered in writing by the buyer.

"Old cars sold as new

"The need to eliminate the unfair practice on the part of some dealers in selling as new automobiles those which have been towed or driven from the factory or used as demonstrators has long been recognized but completely ignored. Under legislation I have introduced, it would be a violation for any manufacturer or dealer to replace or disconnect the speedometer on an automobile or to change its reading in a manner to mislead the public as to the mileage, condition, or usage of the automobile.

"The foregoing, as well as the other unfair automobile marketing practices commented upon throughout this statement, are dealt with in the omnibus bill, H. R. 10310, which I introduced on March 29, 1956, to provide for the enactment of a general motor vehicle law.

"Automobile financing

"Not to be overlooked in any compilation of unfair automobile marketing practices are the reports of substantial overcharges under the 'package' finance deals. Dealers complain, too, they are forced to grant 'wild credit' to consumers in order to satisfy quotas in the manufacturer's race for sales.

"Insofar as General Motors installment sales are concerned, it should be noted that if the purchaser defaults, the manufacturer has recourse against the dealer. Contemplate, if you will, the situation of the small-business man—the average dealer with an investment of his life savings in showroom, service station, autos, and parts. Should the market fall, upon whom would the loss rest? Upon the dealers themselves, because the manufacturers have so directed. If my memory serves me, the total amount of installment paper on all consumer items last year was $26 billion—of which $14 billion represented the automobile business. Thus far in 1956 auto installment loans extended in January and February totaled $2.5 billion—an increase of 14 percent from last year. Yet, on the other hand, production and sales are running about 26 percent below a year ago.

"Within the past several days three large finance companies have announced increases in auto-loan costs which will be passed on to the dealers. Dealers, in turn, must either absorb the costs or pass the increase on to their consumers. The consequences is that the squeeze is continually put on the dealers. General Motors defies the country to compel it to accept any shrinkage in its predetermined profits. Incidentally, GMAC has not yet made any statement on its installment costs. It, of course, is the largest auto finance company. As a group, the finance companies account for 55 percent of the auto installment credit volume. The other

36 percent is handled by the banks which have also recently raised rates. Is it not fair to assume that General Motors will also make such an additional charge?

"Cheating our soldiers

"At this point I should like to touch on a matter that involves the now well-known adage: 'What is good for General Motors is good for the country.' You will see in a moment that we can now change that to 'What is wrong for the insurance companies is not wrong for the automobile companies.'

"On September 8, 1955, I wrote to Secretary of Defense Wilson, calling his attention to a scheme by which armed service personnel returning to this country are being duped and mulcted of thousands of dollars in connection with the sale to them of new automobiles. I indicated that the matter had been called to the attention of the automobile manufacturers who have failed to do anything to prevent these practices. I further stated that the Secretary of Defense need not make any determination of whether these practices are fraudulent or merely unethical, but urged him to direct all commanding officers to alert their men to these practices to afford them an opportunity to protect themselves accordingly. My letter of September 8, 1955, is exhibit A, annexed. I received an answer, dated September 23, 1955, a copy of which is annexed as exhibit B, in which the Department of Defense refused to take any action. I replied by letter of September 28, 1955, a copy of which is annexed as exhibit C, again indicating the need for departmental action. No answer has been received to my last letter.

"Now let us see what happened when the Department's attention was called to similar fraudulent practices by insurance salesmen. No General Motors was involved. An investigation was instituted which confirmed the charges. A complete set of regulations was promulgated by the Defense Department, including a directive to commanders of all bases, making them responsible for protection of the men against such frauds. Another reason for different treatment of the phony automobile salesmen is that the fraudulent business is so profitable that the automobile manufacturers have sent their own 'direct' representatives overseas to grab this business.

"Manufacturing warranties

"What is the situation today? The consumer may need a new automobile, but he dreads the purchase. Breaking in the car means running back and forth to the dealer to correct inherent mechanical failures that are uncovered long after the guaranty period has expired. The attitude of the consumer is aptly defined in two unsolicited letters I received, which were printed in the daily CONGRESSIONAL RECORD—one appearing in the January 31, 1956, issue (pp. A993–A995); the other in the February 9, 1956, issue (p. A1331). The dealer, on the other hand, is called upon as a regular procedure to comply with, not his warranty, but a warranty the company requires him to make. What has been the dealer's redress? The answer the dealer receives from the manufacturer is to step up or maintain his sales volume—even if that means come-on advertising, bootlegging, price packing, and any other unfair trade practice. Even outright fraud is countenanced by the manufacturer.

"Many an inexplicable accident is caused by defective vehicles. The manufacturer upon whom the blame should rest passes the responsibility on to the dealers who cannot assume nor begin to fulfill the obligation. The automobile manufacturer today makes only a spot check of 1 out of every 10 or 20 automobiles that leave the assembly line. The company's warranties are plainly worthless, and the dealer upon whom the responsibility falls gives a minimum of service until the guaranty period expires; after which, he charges the consumer for 'repairs.'

"In testifying last December before a Senate committee a spokesman on behalf of one of the six manufacturers in the country stated: 'The manufacturer assumes the greater risks and bears the ultimate responsibility to the customer.' Should we not make certain, then, that this responsibility is firmly fixed? My bill, H. R. 10309, prohibits the interstate sale, transportation, or use of a new automobile unless accompanied by a certificate of fitness from the manufacturer or assembler, showing that the automobile has been inspected and found in good working order and, further, that it has been road-tested and found in good operating condition.

"Manufacturer reaction to these hearings

"On the heels of the disclosure of so many unfair practices in the industry, we now see by the papers that the manufacturer pretends he is reforming. General Motors Corp. has predicted 'the beginning of a new era—an era of good will in relations with its dealers. The Ford Motor Co. announced dealer-management talks to show dealers how they will gain by joining the fight against bootlegging. In so doing Ford said this was the first time dealers have been called to discuss the bootlegging problem with top management. I say to you, gentlemen of the committee, that such overtures are too late.

"The public confidence can only be restored by the affirmative action of this committee. Let us recall that a similar false contrition permeated the atmosphere in 1938 after the Congress enacted House Joint Resolution 594, which directed the Federal Trade Commission to investigate the policies of motor-vehicle manufacturers and dealers in their relation to the public interest. The Commission, 1 year later, made public its findings, which were not at all unlike the unfair practices that are now paraded before Congressional committees. Unfortunately, the Congress took no action at that time, for the reason, among others, that the industry itself rejected any type of Federal legislation.

"The manufacturers' way of eliminating an unfair trade practice

"The elimination of acknowledged unfair practices in the automobile industry cannot be left to the discretion of the industry itself. Let me illustrate. The 'phantom' freight charge has long been prevalent in the automobile industry. A similar practice among steep producers, 'Pittsburgh plus,' was eliminated in the thirties. Under this practice the manufacturers ships the automobiles to dealers from nearby assembly plants and requires the dealer to pay for the transportation in an amount equivalent to, or even greater than, the rail freight rates from the factory to the dealer's delivery points.

"Let us examine the 1954 shipment record for motor vehicles as reported in the 35th edition of Automobile Facts and Figures, 1955. Of the 6,601,071 motor vehicles shipped, 80.5 percent or 5,314,842, left the factory by highway—on a big truck that hauls several other cars, or towed behind another new car. Shipment by boat accounted for 5.6 percent, or 370,044; while rail shipments accounted for only 13.9 percent. In other words, only 916,185 out of a total of 6,601,071 motor vehicles shipped went by rail. You have seen reports stating that the 'phantom' freight charges have annually amounted to over $250 million. And what has the manufacturer to say? Ford has admitted that in 1954 it gained $50 to $60 million on its total distribution charges. General Motors testified before a Senate committee that its excess of actual freight for last year would be about $152 million. We may rest assured those were conservative estimates and do not forget that the excess profit per unit in previous years was much greater, because it would not be based on the lower rates announced at various times by the industry.

"I urge that the public announcements now being flaunted in our faces by the manufacturers as to their 'amended ways' is merely an attempt to becloud the issue.

"As of February 29, 1956, Chrysler Corp., General Motors Corp., and the Ford Motor Co. eliminated 'phantom' freight charges. Those three manufacturers at the same time increased the wholesale price of their cars to their dealers. This in the face of the Chrysler testimony that they paid out more for freight charges than they collected. The manufacturers contend they should be permitted to deal with the so-called phantom freight on an industrywide basis. Their testimony and their actions, in my opinion, indicate they cannot be trusted to solve these problems.

"As long as the industry practice is to collect a separate charge from the public, which is represented as the cost in making delivery of the automobile from the factory to the consumer, then the industry should not be permitted to collect any more than such actual cost. For this purpose I have introduced H. R. 7935, which would amend the Internal Revenue Code of 1954 to require every seller of property, who collects from the purchaser any amount as a charge for the transportation of such property, to furnish such purchaser a statement showing the amount of transportation charges, if any, taxable under section 4271 (a) of such code, and the amount of tax imposed.

"I have heretofore referred to the report filed by the Federal Trade Commission in 1939, pursuant to its study of the automotive industry. It should be noted that irrespective of whether or not legislative action was necessary, the Government controls of World War II, limiting production, obviated the need for positive action by the Congress at that time. Nevertheless, we find the same unfair practices prevalent in the industry today, and what is worse, on a larger scale. In these circumstances, our duty to the public is not discharged by a formal disclosure of their nature.

"In conclusion I should like to make this observation. The manufacturers representing the automotive industry can best be described as giant octopuses whose tentacles of economic power extend over every phase of the industry, as well as over many unrelated products. On the other side of the picture are the 42,340 dealers—90 percent of whom are small-business men, the very backbone of our free-enterprise system. In most cases they are the civic and philanthropic leaders in their communities. In the past their position has been one of dignity among their fellow citizens. They are fast becoming the most despised members of their communities. There were 219 dealer bankruptcies in 1953, the highest number since 1938. Two hundred and forty-one dealer mortalities occurred in 1954. The April 30, 1956, issue of Automotive News gives some interesting figures on General Motors dealer terminations. The figures are based on the first 10 months of 1955 as against 1954. In 1955 there were 178 nonrenewals against 150 for 1954; 214 involuntary terminations in 1955 against 192 for 1954; 1,585 voluntary terminations in 1955 as against 1,908 for 1954.

"It is high time to put this house in order.

"Again, Mr. Chairman and members of the committee, permit me to thank you for the opportunity to attend here and express my views on these very important matters."

EXHIBIT A

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., September 8, 1955.

Hon. CHARLES E. WILSON,
Secretary of Defense,
Department of Defense,
Washington, D. C.

MY DEAR MR. SECRETARY: For some time Members of Congress have been receiving complaints about the tactics being used by various dealers in selling new automobiles to members of the Armed Forces returning from posts outside of the country.

It seems that some of these retailers have sent representatives abroad who, through fraud and deceit, induce these men who are about to return to the United States to sign contracts, and to pay deposits for the delivery of new automobiles to them at the port of their arrival in this country. As part of this scheme these retailers have made exclusive rental agreements for offices in the hotels in this country at which these men and their families are temporarily lodged upon their arrival here. The deceptive practices are continued at those places until the delivery of a new automobile is made and payment obtained.

No purpose can be served by setting forth in this letter the nature of the fraudulent representations that are made, nor is it necessary for the purpose of this letter to determine whether or not these practices are actually fraudulent or merely unethical business practices. The result of all of these practices is that these men are being duped and taken advantage of. They are paying more for these automobiles than if they bought them in their hometowns or, for that matter, if they bought them at the port of arrival. They are paying higher finance charges than they would pay if they took the opportunity of financing their automobiles in their hometowns or in the city in which they are discharged from the service, and they are being deprived of the inspection and service that ordinarily goes with a new-car purchase when made in their hometowns.

The automobile manufacturers, when apprised of these practices, have taken the position that these retailing practices are no concern of theirs.

I believe you will agree with me that in the absence of the manufacturers undertaking to prevent these practices, something must be done to help these men.

My suggestion is that you immediately issue a directive requiring commanding officers in all stations outside of this country to alert the men under their command to this situation, and to advise those men that it is inadvisable for them to make such purchases while abroad, or, for that matter, even at the place of arrival in this country, or the place of discharge from the service in this country, and that their best interests will be served by their making such purchases from dealers in their home communities. The hometown dealers, in almost every instance, can arrange for the delivery of a new automobile to them at their point of arrival or discharge in this country, which would then be available for them for transportation to their hometowns.

I hope you will agree with me that such a directive will serve a very useful purpose. As a matter of fact, the directive and the notice from the local commanding officer can be appropriately worded so that neither manufacturers nor retailers need be accused of any wrongdoing or impropriety, and yet provide some measure of protection to the members of our Armed Forces.

With kindest personal regards, I am,

Sincerely yours,

ABRAHAM J. MULTER.

EXHIBIT B

MANPOWER AND PERSONNEL
ASSISTANT SECRETARY OF DEFENSE,
Washington, D. C., September 23, 1955.

Hon. ABRAHAM J. MULTER,
House of Representatives.

DEAR MR. MULTER: This is in reply to your letter of September 8 concerning certain practices of automobile dealers in selling to members of the Armed Forces returning from overseas posts.

You appreciate, I am sure, that no agency of the Department of Defense sponsors any plan of automobile sales such as you describe, and the Department is, therefore, without jurisdiction to discontinue it. The selection of an automobile salesman or sales contract is a matter of individual choice.

Overseas representatives of United States automobile dealers are not amenable to military control. So long as they comply with the laws of the locality in which they do business they can offer their merchandise for sale to both civilian and military. Control of this group like their contemporaries at the port would appear to rest with the automobile dealers, their trade associations, and perhaps the manufacturers.

I believe that the directive you suggest would be more restrictive than is appropriate for issuance by this Department and that it might affect the legitimate activities of firms and dealers who render real service to our personnel. I believe that the objective we seek, the use of caution and judgment by servicemen in their purchases from unknown vendors, can best be accomplished by a continuation of the present normal counseling given by commanders to their troops. I am taking the liberty of sending a copy of your letter to the military departments.

Your interest in the welfare of our Armed Forces personnel is appreciated.

Sincerely yours,

CARTER L. BURGESS.

EXHIBIT C

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., September 28, 1955.

CARTER L. BURGESS,
Assistant Secretary of Defense,
Department of Defense,
Washington, D. C.

DEAR MR. BURGESS: Receipt is acknowledged with thanks of yours of September 23.

I fail to understand how the directive as suggested by me is in any manner restrictive. It does not require the Department or any commanding officer to take a position on the matter, nor in any manner to interfere with automobile dealers in this country or abroad. It has always been proper for the Defense Department to alert the members of the Armed Forces against dangers that they may encounter, whether physical, moral, or financial.

Alerting these men to these practices is in direct line with such procedure.

Sincerely yours,

ABRAHAM J. MULTER.

H. R. 10310

[84th Cong., 2d sess.]

A bill to provide for the regulation of motor vehicles on the highways of the United States, and for other purposes

Be it enacted, etc., That this act may be cited as the "General Motor Vehicle Act of 1956."

DECLARATION OF POLICY

SEC. 2. It is hereby declared to be the policy of Congress through the exercise of this act of its power to regulate commerce, in accordance with which policy all of the provisions of this act shall be interpreted, to promote safety in the operation of motor vehicles by the general public on the highways of the United States, and to regulate the trade practices between manufacturers of motor vehicles and their franchised dealers and the general public.

DEFINITIONS

SEC. 3. As used in this chapter—

(a) "Manufacturer" means any individual, partnership, corporation, association, business trust, or any other form of business enterprise, or any branch or agent thereof engaged in the business of manufacturing or assembling motor vehicles or of selling motor vehicles for resale, or servicing, or financing motor vehicles intended for resale.

(b) "Dealer" means any individual, partnership, corporation, association, or any other form of business enterprise, or any branch or agent thereof, engaged in the business of purchasing motor vehicles for resale and of exchanging or servicing motor vehicles.

(c) "Motor vehicle" means any motor driven or propelled vehicle, except airplanes, road rollers, traction engines, power shovels, and other equipment used in construction work and not designed for or employed in general highway transportation, as well as farm and agricultural machinery, and vehicles designed for running on tracks or rails.

(d) "New motor vehicle" means a motor vehicle which has never been the subject of a sale with intent to pass an interest therein and has never been driven, pushed, towed, or propelled over a public highway.

(e) "Used motor vehicle" means a motor vehicle which has been sold, bargained, or exchanged, given away, of whose title has been transferred from the person who first acquired it from the manufacturer or dealer, and so used as to have become what is commonly known as secondhand, within the ordinary meaning thereof, or which has been driven, pushed, towed, or propelled over a public highway.

(f) "Franchise" means the right, privilege, or authorization accorded the dealer by the manufacturer, whether by contract, agreement, or otherwise, to purchase, sell, and service motor vehicles.

(g) "Commerce" means commerce among the several States or with foreign nations, or in any Territory of the United States or in the District of Columbia, or between any such Territory and another, or between any such Territory and any State or foreign nation, or between the District of Columbia and any State or Territory or foreign nation.

UNLAWFUL PRACTICES

SEC. 4. It shall be unlawful for anyone to sell, ship, transport, drive, push, tow, or propel any motor vehicle in commerce unless accompanied by a manufacturer's certificate of fitness which must state (i) that the motor vehicle and all the parts and accessories thereon have been inspected and found in good working order, safe and ready for operation on the public highways, and in complete accord with all specifications as set forth in all descriptive and advertising matter, and (ii) that the vehicle has been road-tested for 500 miles and found in good operating condition after have been road-tested for at least 100 miles at each of the speeds of 15, 30, 45, 60, and 75 miles per hour.

SEC. 5. It shall be unlawful for any manufacturer or dealer to sell, ship, transport, drive, push, tow, or propel in commerce a motor vehicle with equipment, parts, or assessories different from or in addition to those specified in the current literature and advertisements of motor vehicles of the same make and model for which an additional or extra price or charge is made or sought to be collected for such equipment, parts, or

accessories: *Provided*, That nothing herein shall prohibit the order or shipment of any motor vehicle equipped in accordance with the specifications set forth in a writen order or written agreement of the parties, which separately itemizes each additional or extra item by full description and price.

SEC. 6. (a) It shall be unlawful for any manufacturer to sell, ship, transport, drive, push, tow, or propel in commerce any motor vehicle without first having sealed the speedometer thereof so as to prevent tampering therewith or to prevent its operation.

(b) It shall be unlawful for anyone to replace, disconnect, or prevent the normal and proper operation of the speedometer on any motor vehicle or change its reading in such a manner as to mislead or deceive a person as to the usage, mileage, condition, or other character of the motor vehicle.

SEC. 7. It shall be unlawful to deliver a motor vehicle to a retail purchaser unless such delivery shall be accompanied by an itemized invoice of the cash sale price which shall separately set forth the amount attributable to each part, piece of equipment, and each accessory; Federal excise tax; State or local taxes; transportation; advertising; handling charges; service; motor-vehicle license; motor-vehicle title registration; and any other charge included in the price of the vehicle delivered: *And provided further*, That when sale of a motor vehicle is made other than on a cash-delivery basis the invoice shall also include the components of the charges added to the sale price by reason of the fact that the vehicle is delivered under a time sale or other agreement, separately stating the amount of each item charged in connection with the financing and the insurance, if any; and also indicating whether or not, and if so, how much of such charges are refundable if the balance is paid before maturity.

SEC. 8. It shall be unlawful for any manufacturer or dealer to charge or collect as a charge for transportation of a motor vehicle or taxes thereon any amount in excess of the actual cost to such manufacturer or dealer of the freight or other transportation charges incurred or taxes payable by the manufacturer or dealer in making delivery of such motor vehicle.

SEC. 9. It shall be unlawful for any manufacturer or dealer to advertise, or cause the advertisement of a motor vehicle in a manner so as to confuse or mislead, or to tend to confuse or mislead, a prospective purchaser as to the price or description of such motor vehicle that is intended to be or has been delivered at the dealer's place of business.

SEC. 10. No manufacturer shall directly or indirectly require any dealer or group of dealers to advertise or pay for the advertisement of the manufacturer's product except by the usual signs at a dealer's place of business indicating he deals in the manufacturer's products.

SEC. 11. It shall be unlawful for any manufacturer to threaten to terminate, to terminate or cancel, or to fail to refuse to renew the contract, agreement or franchise of any dealer because of the dealer's unwillingness or refusal to purchase parts, accessories, equipment, or tools of any particular type, kind, or description from said manufacturer.

PRICE DISCRIMINATION

SEC. 12. It shall be unlawful for any manufacturer in any manner whatsoever, or by any device or method whatsoever, to discriminate pricewise between dealers by way of discounts, rebates, or other allowances to any dealer over and above, or any different from, any discounts, rebates, or other allowances available at the time of such trcansaction on equal terms to all other dealers. Volume discounts, allowances, or rebates are hereby expressly prohibited.

MANUFACTURER-DEALER RELATIONS

SEC. 13. (a) Every contract or agreement between a dealer and a manufacturer by which such dealer in motor vehicles operates as such under a franchise granted by such manufacturer may include provisions to provide for the termination or cancellation of the contract by mutual consent or upon breach of provisions specifically contained therein, and such contract shall be canceled only for one or more of the reasons stated therein.

(b) Nothing contained in this act or in any other law shall render unlawful any contract or agreement between a manufacturer and a franchised dealer, in which such manufacturer agrees that such franchised dealer shall have the sole and exclusive right to sell in a specified geographical area and/or for a specific period of time a new or used motor vehicle produced or distributed by said manufacturer.

(c) Nothing contained in this act or in any other law shall render unlawful any contract or agreement between a manufacturer and a franchised dealer in which such dealer agrees to sell only within a designated geographical area and to refrain from selling oustide said area any new or used motor vehicle produced, assembled, or distributed by said manufacturer.

(d) Nothing contained in this act or in any other law shall render unlawful any contract or agreement between a manufacturer and a franchised dealer in which such dealer agrees not to resell, either directly or indirectly, any current model motor vehicle made by such manufacturer, to any person, partnership, corporation, or other entity engaged in the business of selling new or used motor vehicles other than a person or entity operating under a franchise or authorized dealer agreement with such manufacturer.

(e) Nothing contained in this act or in any other law shall make it unlawful for a manufacturer of motor vehicles to enforce any agreement authorized by subsection (d) by refusing to sell to, or canceling the franchise of, any dealer who knowingly engages in the sale of a motor vehicle of current model made by such manufacturer to any person, partnership, corporation, or other entity engaged in the business of selling new or used motor vehicles other than a person or entity operating under a franchise or authorized dealer agreement with such manufacturer.

ENFORCEMENT

SEC. 14. Any manufacturer or dealer shall be entitled to sue for and have injunctive relief, in any district court of the United States having jurisdiction over the parties, to enforce the terms of valid agreements or to enjoin violation thereof, or against threatened loss or damage by a violation of this act, when and under the same conditions and principles injunctive relief against threatened conduct that will cause loss or damage is granted by the courts, and upon the execution of proper bond against damages for an injunction improvidently granted: *Provided, however*, That the parties may agree to accept the decision of an arbitration body to be composed of three members—one of whom shall be selected by the manufacturer; one of whom shall be selected by the dealer; the third of whom shall be selected by the two appointees, provided the third person so named shall not be a manufacturer or dealer, or a stockholder, officer, or employee of, or person affiliated with, either a manufacturer or a dealer.

SEC. 15. Anyone who shall be injured in his business or property by reason of anything prohibited or made unlawful by this act may sue therefor in any district court of the United States in the district in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover twofold the damages by him sustained, and the cost of suit, plus a reasonable attorney's fee.

PENALTIES

SEC. 16. Any person violating any of the provisions of this act shall, upon conviction for each violation, be fined not more than $10,000, or imprisoned for not more than 1 year or both.

SEC. 17. Whenever a corporation shall violate any of the provisions of this act, such violation shall be deemed to be also that of the individual directors, officers, or agents of such corporation who shall have authorized, ordered, or participated in doing any of the acts constituting in whole or in part, such violation, and such violation shall be deemed a misdemeanor, and upon conviction therefor of any such director, officer, or agent, he shall be punished by a fine of not exceeding $5,000 or by imprisonment for not exceeding 1 year, or by both.

SUITS BY UNITED STATES

SEC. 18. The several district courts of the United States are invested with jurisdiction to prevent and restrain violations of this act; and it shall be the duty of the several district attorneys of the United States, in their respective districts, under the direction of the Attorney General, to institute appropriate proceedings to prevent and restrain such violations and for damages and penalties. Pending final determination of the matter, the court may issue such temporary restraining order or prohibition as shall be deemed just in the premises.

SEC. 19. A final judgment or decree rendered in any criminal prosecution or in any suit or proceeding brought by or on behalf of the United States under this act to the effect that a defendant has violated said laws shall be prima facie evidence against such defendant in any suit or proceeding brought by any other party against such defendant under this act as to all matters respecting which said judgment or decree would be an estoppel as between the parties thereto.

SEC. 20. Whenever any suit, proceeding, or criminal prosecution is instituted by the United States to prevent, restrain, or punish violations of this act, the running of the statute of limitations in respect of each and every private right of action arising under said act and based in whole or in part on any matter complained of in said suit or proceeding shall be suspended during the pendency thereof, and the time within which to bring such suit or proceeding shall be extended by the length of time elapsed between the institution and final determination, by appeal or otherwise, of such suit, proceeding, or criminal prosecution.

TECHNICAL AMENDMENTS

SEC. 21. (a) Part II of subchapter C of chapter 33 of the Internal Revenue Code of 1954 (relating to tax on amount paid for transportation of property) is hereby amended by adding at the end thereof the following section:

"SEC. 4274. Statement of transportation charges.

"(a) Requirement: Any person who, in connection with any sale of property, collects form the purchaser any amount as a charge for the transportation of such property shall, in any case in which any part of the amount attributable to such transportation is taxable under section 4271 (a), furnish such purchaser a statement showing—

"(1) the amount attributable to such transportation upon which a tax is imposed by section 4271 (a), and

"(2) the amount of such tax.

"(b) Treble damages:

"(1) Recovery by purchaser: Any person who, by reason of any misrepresentation in the statement required under subsection (a) of this section, is required to pay any amount as a charge for the transportation of property, including the tax imposed thereon, which exceeds the amount actually paid by the seller for such transportation, including such tax, may, within 2 years after the date of such payment, bring a civil action against the seller to recover three times the amount paid as such transportation charge, including such tax, in excess of that actually charged the seller. Whenever any person successfully maintains an action under the provisions of this paragraph, such person shall be entitled to recover, in addition to the amount provided in the first sentence of this paragraph, a reasonable attorney's fee, to be fixed by the court, which fee shall be taxed and collected as part of the costs in the case.

"(2) Recovery by United States: In any case in which a person entitled to bring a civil action against a seller under the provisions of paragraph (1) of this subsection, shall fail to bring such action within the period of time prescribed therein, the Attorney General is authorized to bring a civil action against the seller in the name of the United States, within 2 years after the expiration of such prescribed period of time, to recover three times the amount paid as a charge for the transportation of the property purchased, including the tax thereon, which exceeds the amount actually paid by the seller for such transportation, including such tax, plus the sum of $500 as additional costs of the suit, the amount recovered to be paid into the Treasury of the United States.

"(c) Cross-references:

"(1) For penalty for false statement to purchasers relating to tax included in purchase price, see section 7211.

"(2) For penalty for failure to furnish statement required by this section or for furnishing false statement, see section 7276."

(b) The table of sections for such part II is hereby amended by adding at the end thereof the following:

"SEC. 4274. Statement of transportation charges."

SEC. 22. (a) Subchapter B of chapter 75 of the Internal Revenue Code of 1954 (relating to offenses in connection with certain taxes) is hereby amended by adding at the end thereof the following section:

'SEC. 7276. Misrepresentations in connection with tax on amount paid for transportation of property

"Any person required under the provisions of section 4274 to furnish a statement who willfully furnishes a false or fraudulent statement or who willfully fails to furnish a statement showing the information required under section 4274, shall, for each such offense, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than 1 year, or both."

(b) The table of sections to such subchapter B is amended by adding at the end thereof the following:

"SEC. 7276. Misrepresentations in connection with tax on amount paid for transportation of property."

SEPARABILITY OF PROVISIONS

SEC. 23. If any provision of this act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of the act, and the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

EFFECTIVE DATE

SEC. 24. This act shall take effect 90 days after its enactment.

NOW LET US HEAR FROM THE AUTOMOBILE OWNER

(Extension of remarks of Hon. ABRAHAM J. MULTER, of New York, in the House of Representatives, Thursday, January 19, 1956)

Mr. MULTER. Mr. Speaker, for some weeks now Congressional committees have been hearing from automobile manufacturers and dealers. Each group has been telling how good they were and the faults of the other.

There is a third side to this story: That of the consuming public.

Following is an item I received unsolicited, which is the consumer's story. I am afraid it is all too typical. Incidentally, it confirms one phase of my testimony before the committee of the other body. The item follows:

"YOU ARE HELPING TO SEND TENS OF THOUSANDS OF AMERICANS TO THEIR DEATHS EVERY YEAR BY FAILING TO PUT A STOP TO THE FLAGRANT ABUSE OF THE CONSUMER BY THE AUTOMOBILE INDUSTRY

"Abuse through—

"1. Cars with engines designed for constantly increasing power 'to meet competition'—in spite of the fact that the cars' chassis, the cars' safety elements, our public highways, and the maturity of our drivers are not necessarily able to handle this power safely.

"2. Cars assembled so rapidly as to breed possible carelessness. (Buick was producing 67 an hour, when I went through the plant in August.)

"3. Frequent dishonesty in servicing, with the average consumer unable to know what has to be done or, after he gets the bill, what was done.

"4. Making excuses for defects to customers, often as if they were imagined by the new car owner, instead of admitting them an either correcting them properly or seeing to it that the customer gets a corrected car either this year or adequate adjustment when such corrections had been made.

"5. Refusal to accept responsibility for a defective product, forcing customer either to accept it or to buy a new one.

"6. Lack of any definite pattern in costs to the automobile owner in servicing, parts or gasoline products, with many of these products overpriced, especially by dealers and in tourist areas.

"7. Constantly increasing prices for cars with constantly decreasing quality in workmanship, while the companies boast constantly increasing net profits.

"8. Dealer policies that result in the cheapest kind of bargaining tactics to sell cars, with the customer never knowing exactly what he is paying, and for what.

"The following is a record of servicing required by my 1955 Buick super convertible (cost, $4,086.29):

"The first 6 months of servicing is one small evidence of the foregoing.

"Please note that many of the 'subsequent servicings' reported below were necessitated by careless, inefficient dealer servicing originally. * * * And almost all of the original dealer servicing would not have been necessary if the factory had produced the proper, efficient engineering and workmanship for which the customer pays so highly when purchasing a car.

"Picked up car March 11, 1955. Back plastic window had flaw in it. Was replaced.

"Trunk flooring torn and sloppy. Replaced, but in process floor greased up and stained.

"Left door hanging 1 inch off frame—both doors rattling and banging against locks; when car 10 days old, left door jammed and could not be opened. Serviced March 22, March 24, April 11, April 28, May 2, June 1, June 21, July 5, September 27. Apparently, because of body shake and poor engineering originally, these doors always will rattle and bang—and periodically the left door will shimmy out of position so badly that it will jam. It wasn't until fifth servicing that left door was hung flush with dash. Then I was advised that lock had been welded into wrong place. Rattling continued. When Buick servicemen unjammed left door on March 22, they sprung it. When they righted this on March 24 they broke the inside trim. There also is a dent under lock outside. Car had two different locks on doors when new. This was corrected and new striker plates were installed April 28 and again June 21, but chucking noise did not disappear. Body shake of car, caused by only slight bumpy roads, jiggled doors out of position during summer months until noise became unbearable and left door became more and more difficult to open. I advised Buick that left door was on its way to jamming again. Their eastern service manager insisted nothing was wrong. On September 20 it jammed shut again. They opened it, but door continues to bang around in its frame causing irritating noise that interferes with driver's control of car. Right door also rattles and bangs, but eastern service manager refused to do anything about it when he had the car in New York for going over, because 'we might damage something else in trying to reposition this door.' In spite of above servicing, I am left with a noisy, unsafe car in spite of original investment of over $4,000 for what should have been a well-engineered, carefully and accurately assembled car.

"Carburetor needed adjustment March 22. Constant thudding noise; low gas mileage. Serviced April 2, 11, 28, June 1. After first adjustment car stalled. Buick man readjusted and cut off all air so had to stop on road for another readjustment same day (April 2). Gas mileage still poor—do well when we average 13 miles per gallon.

"Speedometer cable needed readjustment March 22. Serviced April 11. Buick admitted this defect in 1955 Supers. Failed to repair first time. Now O. K.

"Top leaked at left side. Serviced March 22 and September 20. Still leaks. Also air pours through the top.

"Air coming through vents March 22. Air still is objectionable unless heat is on.

"Discovered through skidding noise under car when it stopped or slowed that motor that runs the top was loose. Serviced March 22. Now O. K.

"Reverse gear caused car to hop, March 22. Repaired.

"Left front tire fell apart at seam. Had reported 'feel steady thump as if tire was bad' on March 22. They could find nothing.

"On June 3, after 3 days in Buick shop when the factory representative was supposed to see what he could do to improve ride, a customer, watching as they started to drive out the car for delivery to me, discovered a 5-inch gash in front left tire; it had fallen apart at seams after only 3,000 miles of driving. (Not one of the many men who worked on the car spotted it, although front end was supposed to have been checked.) U. S. Royal (a subsidiary of General Motors) agent insisted that I pay $5 for mileage used, although they admitted it was defective, and although tire was still on warranty, according to Buick. Buick paid when I refused to. Bouncing noise continued in right rear tire which Buick replaced July 9–16. Bad front end of the car wore down these brandnew tires which I had put in front in less than 3,000 miles.

"Right rear window failed to close; wires were so badly taped, according to Buick dealer who serviced that they short-circuited. Serviced April 4, 11, and 28. Wires were repaired by District of Columbia dealer, but upholstery was not properly restored.

It took two followup servicings by my own dealer to get it right. Now O. K.

"Boot that covers top was improperly designed so that it took three men to snap it on. Serviced April 3 and July 9. Buick sent new boot from factory, same size, but they sent snaps separately for dealer to install on outer rim. Boot still too tight; seams are ripping open.

"Left visor was sprung. Rattled and fell into line of vision. Serviced April 11, April 28, and July 9. It's now sprung again.

"Front floor carpeting not laid properly; ended below front seat, underlining exposed. Serviced April 11 and July 9. Was relaid first time, but it blew up when the top was down. Reinstated. Now O. K.

"Reported oil leak—either from engine or Dynaflow, or both. Serviced April 28, August 22, and September 8. On August 22, when oil was changed at service station, was advised that there was no gasket in engine oil equipment—then they found it. Also on August 22 a Buick serviceman informed me, when I needed a quart of Dynaflow oil after only 6,000 miles that they "all leak." In Flint, Mich., the Buick plant, when I complained that I had needed 2 quarts of engine oil in the last 1,000 miles, they said they were instructed to tell customers that "that's normal for a Buick." When I returned to my own independent serviceman at end of a trip on September 8, he discovered that the gasket in engine oil drain was faulty (Buick dealer admitted "we have had some of those") and the Dynaflow still was leaking. Buick repaired Dynaflow.

"Talked to factory representative on May 20 after returning from trip on New York State Thruway in wind when car was impossible to handle, and rattles were unbearable. He asked to go over car himself the next week or so. We made date for June 1 after my frequent calls to pin him down.

"On June 1 factory representative supervised checking of car. He said front end needed correction, and wheels were alined. He also tightened power-steering wheel to degree where it was hard to handle. I later was advised that this could damage steering gear over period of time. Front end continues to be weak and car still is difficult to handle. Car has had front-end correction and wheel alinement and balancing 4 times in 13,000 miles.

"As result of my advising the president of GM that my unanswered letters to him would be left with my insurance papers and that my family were being instructed to sue GM to the hilt if I should lose my life in this unsafe car, the eastern service manager for Buick flew up to see me on June 21. He drove car and insisted it was normal. He did admit a strange noise from rear left tire * * * admitted to chucking of left door against lock * * * and he did suggest that either I bring the car to New York for the Fisher Body man to go over under his supervision, or he would send the man up here to go over it. I chose New York in order for the manager to supervise, hoping this would result in more positive results than in the past. Later was advised that it was against GM policy to reimburse me for the train fare involved in so doing. It was at his instruction that two new striker plates were installed on the doors."

Following is his list of repairs (on a car still new and already serviced as this record indicates so far): Left rear tire was replaced. Front floor carpeting reinstalled. Right quarter drain hole was opened (this had been neglected at factory). Left vent window spring was repositioned. Top boot cover was restitched. Left visor again was realined. Both door garnish mouldings were reset but the manager telephoned me to say that he would not reposition the right door (which I complained was chucking, rattling, and obviously out of position) because they might damage something else. He also told me during this call that my complaint of overheating was unjustified—these motors run hot. Dealer later found that thermostat was defective. Fan belt and power steering belt were replaced.

"Brought car to dealer on July 25 to be put in completely safe condition for cross-country trip. Pointed out that motor was running hot, and car pulled to right, especially when brakes were applied. (Note that this was less than 10 days after car was gone over in New York City eastern service division shop.) I also had them put two new tires on front.

"Dealer discovered that thermostat was defective.

"When I got car on road, found pulling had not been eliminated. Car was almost impossible to handle on road from here to California, and in San Diego (August 15) brought it into an oldtime wheel alinement specialist who reported the front end to be extremely loose. He corrected this, balanced wheels, and changed the cam and caster.

"When I returned to tell him car handled better, but still pulled when I applied the brake, he advised that there must be grease on the brake lining. (See story on this after I got home.)

"A serviceman who lubricated car (August 8) discovered inner tread of each front tire was worn from defective front end (less than 3,000 miles after brandnew tires were put on front), with compensating wear on rear. He also showed me a drawer full of Buick transmission differential plugs he had to keep on hand because they regularly broke off when he opened them.

"Stopped at Buick plant at Flint August 31, where we saw cars coming down assembly line with sprung doors, just as I had complained of in March.

"Visited consumer service office, Flint, August, to complain of following:

"Excessive consumption of engine oil.

"Excessive consumption of Dynaflow oil.

"Excessive body shake, resulting in loose doors and general noise and discomfort.

"Advised that left door was on way to jamming again.

"Car scraping bottom on inclines.

"Poor handling of the car on the highway.

"Young man's comment on use of oil was, 'Two quarts per 1,000 miles is normal. We must tell you that, but I wouldn't want it on my car.'

"Regarding other complaints, he said they would be forwarded to New York City service office (where car already had been serviced).

"Tired of Buick's constant motions without action in correcting faults reported herein, and concerned about continual risk of life entailed by car's poor performance; on September 8 I took car to my own serviceman upon return from the coast. He discovered:

"Defective rear axle oil seals had leaked so much grease on my brake linings that although right lining could be cleaned, left brake lining had to be replaced.

"Defective drain plug gasket had caused leakage of engine oil.

"Dynaflow still was leaking.

"Tailpipe was hitting against differential as result of body shake.

"Because of design of this car, repair of brake linings and rear axle oil seals was an expensive job. This repair bill, including complete servicing was $60, greater than I ever had in the 6 years and 90,000-mile history of my 1949 car (including replacements).

"In talk on September 9 with spring man who had corrected the front end of the car, which again was in bad shape as result of 3,000 miles driving over good highways, he advised that in 1 week he had had 3 new Buicks in for change of shock absorbers because of poor performance of those on the Buick.

"Brought car to Buick dealer September 12 for repair of Dynaflow leak—also brought along left brake lining to show them. Also to ask for repair of left door which was banging around and about to jam.

"Eastern service manager happened to be in that day. He insisted that there was no trace of grease on the lining. When I picked it up I got grease all over my suit. He also drove the car and assured me that 'nothing was wrong with the door.'

"September 27 left door jammed and could not be opened. Buick dealer opened door. Said car must have been jacked up causing chassis to spread, thus admitting poor structure of car. Car had only been raised on standard lubrication rack.

"Other defects: Body shake caused hood spring to loosen, causing hood to vibrate as you drive. Knobs of heater controls fall off periodically. Car continues to handle badly, and to be uncomfortably noisy as doors shake in their frames.

"This car is not an isolated case (the term used by General Motors to pass off dealers' reports on customer complaints, and continually used until, according to my own dealer, defective cars reported amount to 3 to 4 percent of the sales, a sizable percentage of over a million cars) but is typical of careless engineering in an effort to turn out cars for rapid sales, is indicated by:

"The record showing that, while denying the defects verbally and failing to correct them through servicing, General Motors (Buick) picked up the dealers' bills for servicing this car and did some servicing themselves.

"Reports from Buick owners and both Buick and independent servicemen whom I met all over the country, plus the consumer report on 1955 cars revealing the same problems.

"The promotion sent by Buick's main office to all Buick owners, urging wheel switching every 2,000 to 4,000 miles to prevent tire wear.

"Advertisements for the 1956 Buick, claiming new front-end geometry, newly balanced chassis, new shock absorbers (although the 1956 cars generally have not been changed basically).

"The public is helpless against the literally deadly competition between automobile companies: The reckless pricing and poor quality of auto products and auto servicing; the constantly increasing power of cars; the slowness with which safety factors are being added and then only as extras; the pack and other price policies that make it impossible for a customer to know what he is buying and for what price.

"Isn't it time for Government regulation of the automobile industry?

"Miss JANE BARTON,
"Albany, N. Y.

"(Who has never owned anything but a Buick and had never expected to own anything else.)"

PURCHASE OF NEW AUTOMOBILE—LETTER FROM L. J. SALTER, OF NORTH ROSE, N. Y.

(Extension of remarks of Hon. ABRAHAM J. MULTER, of New York, in the House of Representatives, Tuesday, February 7, 1956)

Mr. MULTER. Mr. Speaker, I desire to call to the attention of our colleagues the following letter which was forwarded to me on February 6, 1956, by Mr. L. J. Salter, president of the Salter Canning Co., of North Rose, N. Y.

The letter concerns Mr. Salter's experiences in purchasing a new automobile:

SALTER CANNING CO., INC.,
North Rose, N. Y., February 6, 1956.

Representative ABRAHAM J. MULTER,
Washington, D. C.

DEAR MR. MULTER: I have followed with interest the discussions in Congress on the plight of auto dealers, including your insertion in the RECORD of January 24. There is

one aspect, however, that has not been presented: namely, to what extent has the public turned against buying new cars because of bad experiences with the ones they presently own? Here is an angle that the dealers in no way were responsible for but which is injuring them unmercifully. Here's how:

I now own my third Lincoln, bought in the spring of 1953. The first two were excellent but this third one (cash paid on delivery) occasioned so much trouble that I often wished I had the old one back. On the day it was delivered I had difficulty in starting the motor and when it did start it galloped, rocking the body of the car. The following day I decided to take my wife for a ride in the new "buggy." We were not 10 miles from home before the motor began to halt, wheeze, and stumble, and I had to turn back for fear of being stranded. I complained to the dealer (45 miles away) and he sent down a mechanic who put in all new spark plugs. This did not help and over the next 2- or 3-month period I drove my car to the dealer (in Rochester), several times, to try to cure the evil. On one occasion I had to stay overnight in Rochester, to complete the overhaul. Later I learned that many other Lincoln owners had similar troubles with this model.

I had also discovered that the car's rear-vision mirror was unusually low, blending with the front glass, and 2 or 3 times on approaching a curve or crossroad I narrowly missed collision with approaching cars hidden behind the mirror. I complained to the dealer; he replied that other owners had the same complaints but he could not provide mirrors with shorter stems. I thereupon wrote the Ford Motor Co., pointing out that my attorney informed me that if an accident could be proven due to faulty design, it—Ford—could be sued. I had a shorter-stemmed mirror in trigger time.

Now I wish to emphasize that I believe the dealer was doing his best under the circumstances. But I could not see how he could stand all these repairs, and I assumed that he charged them back to Ford. Apparently not, from information now available. At one point in the attempts to "cure," a salesman told me that Ford put together a Mercury in 28 minutes. I replied that Ford put together this Lincoln in 10.

Lincoln was not the only "bad egg" that year. I heard of a man who bought a new Cadillac and started for Texas; he spent more time in garages than on the road with it. Back ends went out of Chryslers, and a friend owning a new Nash had two new rears put into it. I assume all these expenses were absorbed by the dealers, not the manufacturers.

For the past year and a half my Lincoln has operated excellently. I would like to buy a new car, but I simply balk at going through such grief again. I have lost confidence in the new cars, like, no doubt, thousands of others have. In fact, today, with dealers in the plight they find themselves, there is a greater risk of no service whatsoever. I just wonder if the makers, in futile attempt to overcome this negation, are not hoping the new crop of gaudy colors will re-bait the hook. Not for me, and I doubt for the man on the street. Too many of the latter have, in my presence, commented upon the gruesome mess of design and colors. The interesting thing is that the body design of the cars is fundamentally good, but that the gingerbread on the sides, the chopping up of otherwise flowing lines, made more hideous by colors that do not complement, suggests a managerail floundering around with a double-barreled shotgun. The aim may be rotten, but scattered shot must hit something.

So the dealers, poor devils, are caught between the makers piling unwanted cars upon them and the public resistance to being mulcted again. The seriousness of the latter is that, while the makers are guilty of asking higher prices for poorer and poorer products, the public blames the dealer for the makers' sins.

It might be a very good thing if auto dealers in certain zones alternately agreed to shut up shop and boycott the makers over a period of time. This would have to be all dealers of all makes of cars within a designated area. I have found that in dealing with big business the club or knobbed battle ax is much more efficient than legislation or the bended knee.

Most sincerely,

L. J. SALTER.

Mr. MULTER. I know that your committee has labored long and hard with this problem and so have your predecessor committees, that is, the standing committees of prior Congresses. This is not a new problem.

Let me give you the titles of the various subdivisions of the topic as I think they have been presented to your committee and which will highlight the problems to which you are directing yourself.

You have as one title concentration of the motor vehicle industry. Another is competition in production and prices; competition among motor vehicle dealers; padding, new and used car prices, more recently referred to as packing; dealer price-fixing activities; the legal aspects of used car valuation or appraisal bureaus; unfair methods of motor vehicle manufacturers in their relations with their dealers; manufacturer's treatment of dealers, abuses of installment financing; itemized invoices needed for consumer protection; deception in charges for transportation of motor vehicles; sale of driven cars as new cars.

I have covered possibly not under the same titles or headings almost all of these subjects, both in my statement and in an attempt to remove most of those abuses by my bill, a copy of which I have submitted to the committee with my statement, which bears the number H. R. 10310.

Now, the title I read to you a moment ago, strange as it may seem, come from House document volume No. 27, Report on Motor Vehicle Industry No. 468 of the 76th Congress, 1st session, 1939, and the headings come from the headings of the conclusions made by that committee in 1939.

You will find that, just as all of these abuses that resulted in those conclusions under those headings were documented at that time, almost word for word, item for item, they have been duplicated in the testimony before the Senate committees this year and before your committee up to the present time, and I am sure that before you close your hearings they will be documented completely.

After 1939 the automobile manufacturers indicated that they were going to clean house, they would clean up these abuses without any legislative intervention, and that it should be left to them.

Well, the fact that you are hearing this identical testimony from new witnesses as to new occurrences since 1939 demonstrates that the industry cannot be relied on to clean up these abuses, and unless you are going to enact legislation you will never stop these abuses. You have had documented, as I say, all of them. I am not going to touch on too many of them.

Mr. KLEIN. May I interrupt the gentleman?

Mr. MULTER. Yes.

Mr. KLEIN. I notice, Mr. MULTER that your bill was just introduced on the 29th of March?

Mr. MULTER. Yes.

Mr. KLEIN. I must say that neither I nor the staff have had an opportunity to examine it, nor have we gotten a report yet from the executive departments. So might I suggest that you just explain your bill?

Mr. MULTER. Yes. My bill does not contain any novel or new thoughts, and I do not pretend to claim any originality in the ideas contained in the bill.

You will find that most of them have been presented to your committee in other bills, in individual bills. What I sought to do was to take them all and put them all into one bill so that you can eliminate all of these abuses, and bring them before the House for action so as to do the full job at one time.

I cover the question of franchise dealers that you discussed with Judge Barnes. You know the strange thing about it is, as you probably recall, that inclusive franchises were the order of the day many years ago. A man who got a franchise from an automobile manufacturer got an exclusive right just as he bound himself to sell only that particular automobile, whether it was Buick or Ford or Chrysler, whatever it was, and he also got with his franchise a territorial restriction and a time restriction.

His contract ran for a period of years, and no one else could sell in his territory. Now, a few years ago the automobile manufacturers, in order to get out from under that kind of contract, in order to be able to push their cars as fast as they could, wherever they could, went to the Attorney General and asked him, "What about this? Can we continue to do this, or are we in violation of the antitrust laws?"

The opinion came down shortly thereafter from the Attorney General that you cannot give these restrictive contracts in your franchise-dealer agreements because they are in violation of the antitrust law, and the Big Three then used that as their excuse not to give their dealers these exclusive franchise contracts.

I know there is a division of opinion between the dealers. Half the dealers want the exclusive territorial rights, and the other half are against it. The fellow in the little town wants his exclusive territorial right. He does not want anybody coming in there. The fellow in the big city says, "I am going to sell my car wherever I can."

Now, whether or not you should take sides in the question I think is beside the point. I think that is a matter which the dealers can work out with the manufacturers, provided they will be in a position to negotiate with the manufacturers. In some places it may be the thing to do and in other places it may be the thing not to do, but I do not believe the manufacturers should be in a position to sit back and say, "Our hands are tied because of the antitrust laws and the opinion of the Attorney General."

Mr. KLEIN. Does your bill, Mr. MULTER, contain anything on territorial security?

Mr. MULTER. Yes. My bill, sir, has a provision permitting, not directing, permitting the manufacturer and dealer to negotiate freely on the subject of franchises.

Mr. KLEIN. Do they not have that right at the present time without any legislation?

Mr. MULTER. The manufacturer contends that he does not have and his position is bolstered by the Attorney General's opinion that to give the exclusive franchise with exclusive territorial rights is a violation of the antitrust laws.

Now, I do not agree with the opinion, but I think the manufacturers have a right to rely on the opinion of the Attorney General rather than mine, and they have a right to say to the dealers that as long as that opinion is outstanding, unless it is reversed by legislation or by another opinion to the contrary from the Attorney General, we are not going to give you exclusive franchises.

Under my bill they are permitted to do it, not directed to do it. It is left to free negotiation and I say in my bill that if they make that kind of contract it will not be in violation of the antitrust laws.

Mr. KLEIN. Looking at it realistically, if the Department of Justice has held that this would violate the antitrust laws if there was such a clause in the agreement, you would

have to override the opinion of the Attorney General?

Mr. MULTER. Yes; I do.

In other words, if this bill were enacted, it overrides the Attorney General's opinion.

Mr. KLEIN. It is similar to the Steed bill, then, on that point?

Mr. MULTER. Yes. On that point it is quite like the principle in the Steed bill.

I also cover in my bill the question of putting the responsibility directly on the manufacturer for anything that is wrong with the car, and then, of course, if he wants to let the car be sold anywhere at all and continue to advertise that it can be serviced in any service department of a franchise dealer, let us put the responsibility where it belongs, on the manufacturer.

Require him to inspect and road test and certify that every car that leaves his plant, before it arrives at the dealer's shop, is in good condition and safe for use.

Now, you will probably recall the words of the late Judge Holmes of the United States Supreme Court in that famous McPherson versus Buick case where there were inherent defects in the automobile and Judge Holmes, writing for a unanimous Court, said that an automobile is potentially a lethal weapon and that is what it is as it leaves these manufacturers' plants today. They do not test them, they do not do anything except pass it on to the automobile dealer, who is required to give not the automobile dealer's warranty but the manufacturer's warranty, and then the automobile dealer, because of the economics involved, is forced to kid that purchaser along for 4 months or 3 months or 4,000 miles, or whatever the terms of the warranty may be, and then at the end of the warranty when the warranty has expired, either because of mileage or the period of time, then the owner of the car begins to get a bill for repairs, so-called repairs, and 90 percent of those repairs are not repairs. They are correcting inherent defects, defects that were in the car when it left the manufacturer's plant.

I will take you into any automobile dealer's shop in Washington or anywhere in the country and pick out at random any new car that is on that man's floor ready for delivery, ready for delivery to the purchaser, and I tell you we will run it around the block and there will be a dozen different defects that will turn up in that time. If you happen to pick one that does not have them, it is the exception, not the rule.

My bill will prevent that.

Mr. KLEIN. Would you advocate similar legislation in other industries?

Mr. MULTER. Wherever you are putting an object such as an automobile in the hands of a user which may be a potentially lethal weapon, I say yes, it should apply to every industry; if there is any other industry that does this.

I do not know any other industry that would take an item that sells for anywhere from $1,500 to $5,000 or more and, except in the case of the custom-built car, you get an object that is delivered to the person which he has a right to believe is safe for use and which is not safe for use.

Now, there are any number of accidents, unexplained accidents, on the road every day in the week which are caused by inherent defects in the automobile, and as a practicing lawyer, you know there are many cases where you just cannot explain why the accident happened. The road was good, visibility was good, the person was sober who was behind the wheel, he was apparently an experienced driver, and there is an accident.

Mr. KLEIN. The gentleman is absolutely correct and, as he knows, I usually agree with him, but I know he also agrees with me in our opposition to the relaxation of the antitrust laws. This is what we would be doing in your bill and this would call for similar action in other industries, as Judge Barnes pointed out.

So we should be very careful about passing legislation such as this for a particular industry. I would be opposed to it even if it applied generally to most industries.

Mr. MULTER. What you say applies to that part of my bill which is directed to the automobile dealer's franchise contracts and their terms. I respect your views on that subject. I, nevertheless, urge the contrary views so far as that is concerned.

But, so far as road testing is concerned, so far as inspection is concerned, so far as phony advertising is concerned, you are not in any way interfering with the antitrust laws when you tell these manufacturers, "You are going to be responsible for all of you advertising. You are going to be responsible for a good car being delivered in safe condition. You are not going to be permitted to continue to charge phantom freight when your freight is actually $50 a car and you charge your customer freight of $235 a car, because that is the rail freight."

Mr. KLEIN. Well, the gentleman agrees that if they do not label it as freight, if they do not falsely advertise, then the companies could charge any amount they would choose?

Mr. MULTER. Yes; but then you and I have the right to go to the dealer and say, "Your price for this car is $2,500. It is not worth that to me. And you will bargain with them. But when you get through bargaining and you have the price fixed and he says, "That is what I paid for freight and this is what I paid for freight to them and that is what you have to pay," then there is no argument.

You and I, who do not know the facts, might argue.

Mr. KLEIN. But that is at the present time illegal. The Federal Trade Commission would step in there because it would be misrepresentation.

Mr. MULTER. They have not done it. How long do you think it will be before they file their first complaint to cease and desist against the manufacturer?

It will take them 5 years. After they have gotten the cease-and-desist order, it will take them another 5 years to go into court and punish for contempt.

Let us write into the law that this is a violation and if you violate this law you can be taken into court either by the person harmed or by the United States attorney and pay the penalty for violating the law; that is the way to handle this situation.

Mr. KLEIN. It is my opinion that the gentleman does have that right.

Mr. FRIEDEL?

Mr. FRIEDEL. On page 5 you say:

"Only recently, as a result of testimony adduced in the congressional hearings, the Federal Trade Commission filed charges against the General Motors Corp. for false and deceptive advertising."

Mr. MULTER. Yes.

Mr. FRIEDEL. You said, "How long did they do it?"

Mr. MULTER. Look how long General Motors has been carrying on this false advertising, as long as I can remember. This is just the filing of the complaint. What about against the other companies?

Mr. FRIEDEL. I am in accord with you all the way through.

Mr. MULTER. I think if you are going to rely on the Federal Trade Commission to enforce these laws, we are not going to get anywhere, that is just the history of their operation.

Now, in addition to that, you have the question of bootlegging that you are very familiar with, and that can be covered only if you permit the manufacturers to make these agreements, exclusive agreements, with their dealers. If you do not, you will never stop the so-called bootlegging.

Another part of my bill which is also aimed against preventing deception and fraud and misrepresentation of dealers, and that is to require them to itemize their invoices.

The recommendation was made in 1939, as I told you before. The companies said they were going to follow it. They do not follow it.

My bill provides that not only will they be required to itemize it but that they cannot collect for any so-called extra unless it has been ordered in writing and itemized on the bill.

Now, I think every member of this committee has an automobile. I wonder if you ever checked on whether or not you have an electrically operated windshield wiper or a vacuum one. The joke about it is this:

The standard equipment on all these automobiles is a vacuum-operated windshield wiper, but when your car is delivered to you it is delivered with an electrically operated one for which you are billed extra and you do not know it, and you pay for it as an extra.

Your cigar lighter on your car—there is not an automobile manufacturer that does not have a hole, a receptacle, built into the dashboard for the cigar lighter. But the electric lighter itself is extra and is charged to you as such and billed to you as such, and there are any number of other items all the way down the line.

Then there comes the question of buying parts. The franchise dealer will lose his franchise if he goes to the company that makes the spark plugs for the manufacturer and buys them directly from him. That is a violation of his franchise. He must buy directly from the manufacturer.

Why? The manufacturer adds on a profit. A spark plug is not one bit better because it carries the name Ford or Chrysler or General Motors. They all have been manufactured for them by other companies. You can buy that spark plug, if you buy it from an independent accessory shop, under the name of the manufacturer, and you will buy it for almost half the price that you will pay to your serviceman to get it marked Ford or Chrysler or General Motors.

You can be sure that your spark plugs will operate just as well and just as efficiently whether you buy it from the independent accessory dealer and have a serviceman put it in as if you buy it from your dealer.

Mr. KLEIN. Could you buy that car without the cigar lighter and buy the cigar lighter some place else and put it in?

Mr. MULTER. Yes; you could.

What happens to your cigar lighter when it is lost out of the dashboard or swiped? Every time you park it in a public parking lot where you must leave your keys in the car, when you come back your cigar lighter is usually gone. You do not want the hole there, you want the cigar lighter. If you are smart, you buy it from the independent shop, not from the serviceman, and you buy it for half the price.

Now, there is one other thing I would like to call your attention to, Mr. Chairman and gentlemen of the committee.

Mr. FRIEDEL. Before you get into that, I want to get this into the record.

Mr. MULTER. Yes.

Mr. FRIEDEL. The Senate committee sent out a questionnaire to the different dealers with reference to phantom freight charges. They sent 203 questionnaires to the Maryland dealers; 150 of the dealers said they would like to stop that abuse, and 12 said they would like to continue their present arrangements.

Look at the proportion; 150 to 12 in favor of eliminating phantom freight charges. I think that is one of the things that should be corrected immediately.

Mr. MULTER. There is is not any doubt that you are right, Mr. FRIEDEL. Ninety-five percent or more of the automobile dealers are decent, honorable men. They have occupied places of dignity and respect in their communities. They want to do a decent job. Most of them are the leaders in the civic and philanthropic endeavors in their communities and they have been respected.

In recent years they have become the most despised men because of the pressures of the manufacturers of these automobiles. Their very livelihood is at stake. Their tremendous investment of capital in their place of business is at stake unless they meet the pressures o the manufacturers and something must be done by this Congress to lift those pressures from their backs.

There is one other important thing I would like to call your attention to. It is covered in my statement under the heading of "Cheating Our Soldiers."

A practice has grown up, started by some of the dealers, of sending representatives into the camps abroad where men are about to be discharged and sent home, and they sell these soldiers on the idea that they will sell them a car at list price for delivery at their port of debarkation in the United States, either in New York or San Francisco or wherever they may happen to be coming into the States, and that they will use their travel allowance from that point to their home as the downpayment on the car and the car will be financed for them there.

They are not told about the fact that they will get no service when they get their car back home except that they will pay for it. They are not told that they will have to pay list price and that the car back home is selling under list.

There is not a dealer anywhere in the country who gets list price for his car. They are not told about the high-pressure deals being made now, about buying a car without a downpayment and getting 3 to 5 years to pay.

There are many other very serious abuses coming close to actionable fraud that are perpetrated on these men in order to get them to sign these contracts of purchase of a new automobile before they get back to the States.

Mr. KLEIN. Can the gentleman tell me what he proposes to do on that subject and where it is in the bill?

Mr. MULTER. I think that might be covered by that section of my bill against fraudulent advertising and making the company responsible for the advertising.

Mr. KLEIN. You mean the manufacturer?

Mr. MULTER. Yes.

Mr. KLEIN. Even though these people that make these representations are not the manufacturer?

Mr. MULTER. Let me follow one step further.

The dealers complain to the manufacturers about these fraudulent practices. You know what the manufacturers did? They did nothing to try to stop them. They set up their own selling offices in Europe and have their own representatives now selling these cars, with the additional representation, "You are not buying from a dealer, you are buying from a manufacturer."

It was called to my attention and I wrote a letter to our distinguished Secretary of Defense, Mr. Wilson, and I thought that I would get a better answer than I did from a man who would try to protect the General Motors industry.

He did not answer the letter, but Mr. Burgess, his Under Secretary, answered it and said that they cannot do anything about it.

Mind you, I did not ask them to make a charge of fraud. I submitted these letters to you.

My first letter is dated September 8, 1955. I call the attention of the Secretary of Defense to the entire problem and I then conclude with this paragraph:

"I hope you will agree with me that such a directive" meaning a directive to the commanding officers to alert the men to these practices "will serve a very useful purpose."

As a matter of fact, the directive in the notice from the local commanding officer can be appropriately worded so that neither manufacturers nor retailers need be accused of any wrongdoing or impropriety and yet provide some measure of protection to the members of our armed services.

The answer from Mr. Burgess, September 23: "Sorry, can do nothing about it."

The letter in full is in my statement. That is, in effect, his answer.

On September 28, I wrote again to him and said: "I fail to understand how the directive as suggested by me is in any way restrictive."

Then I concluded: "Alerting these men to these practices is in direct line with such procedure" which is the procedure of the Department to alert their men to any dangers that may affect them wherever they are stationed, not only healthwise but also financialwise.

Now, do we have any precedent for this?

Of course we have. The insurance companies were perpetrating frauds on our soldiers and selling them life insurance under false pretenses and fraudulent representation. The same Defense Secretary, the same Under Secretary, when the matter was called to his attention, what does he do?

Immediately he investigated. What does he find? That the charges are correct. What does he do?

The same Secretary, the same Under Secretary, issues a directive dated December 21, 1955, No. SCCNAV1741.5. What does he do? Not only directs his commanding officers to alert the men as to these dangers and as to the perpetration of these frauds, but in the directive makes every commanding officer responsible for seeing to it that no such salesman comes upon the base or operates in the vicinity of the base except that he is licensed, and except further that he will submit to restrictions and make no false representations.

Now, as I say in my statement, the adage, "What is good for General Motors is good for the rest of the country," can be slightly changed. Apparently what is wrong for the insurance companies is not wrong for General Motors.

Now, whether my bill is strong enough to cover this kind of situation, Mr. Chairman, I do not know. It may not be. If it is not, it should be strengthened, but something should be done to protect those men and our Secretary of Defense should be told in no uncertain language that he is not doing his full duty. He is violating his duty and his obligation when, in the one instance, when fraud is called to his attention he investigates, and in the other he refuses to investigate.

In the one instance, when he finds the facts justify the charge, he issues a proper directive and, in the other cases, he closes his eyes to it because it involves an industry with which he has been so closely allied.

Mr. KLEIN. Well, it is not only he. I do not think it is any surprise to the gentlemen who know that General Motors gets special consideration from this administration in other branches besides the Army. I think that is a situation that should be called to the attention of the Armed Services Committee. I agree with the gentleman that something ought to be done about it.

I do not know, frankly, whether this committee would have any jurisdiction over that phase of it. It certainly is an alarming thing. It is a surprise to me. I had never heard of it before.

Mr. MULTER. That is the situation, sir. It is substantiated by the facts. An investigation of the manufacturers will disclose it very quickly. There are half a dozen dealers in any of the big ports of the countries that you can call upon and they will substantiate the facts.

The facts were given to me in the first instance by dealers. I did not take their word for it, I asked the Secretary of Defense to investigate and determine what is the fact, and he refuses even to investigate.

Thank you very much, Mr. Chairman, for the opportunity to come here.

Mr. KLEIN. Any other questions?

Mr. MULTER. If there are any other questions, I will be glad to try to answer them.

Mr. KLEIN. I may say that my colleague from New York always contributes matters of value. I am sorry that we did not have the information which you disclosed when we interviewed the representatives of the manufacturers because it is a bad situation.

I believe the Department of Defense ought to be able to deal with it.

Mr. MULTER. You are absolutely right. They can deal with it if only they will.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 25, 1957

The House met at 11 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, whom we worship and adore as the supreme ruler of the universe and the beloved companion of our souls, fill our minds and hearts this day with a larger measure of Thy kind and gracious spirit.

We humbly confess that we greatly need Thee for we are so frequently baffled and bewildered by the mysteries and dilemmas of life, its struggles and strifes, its tragedies and tribulations.

Grant that, in fidelity to our high calling, we may champion and proclaim proudly and courageously those lofty ideals and principles of democracy which are the secret of our national greatness.

Inspire us to pray and labor for that blessed day when there shall be a new birth of Thy spirit in the heart of all mankind, transforming hatred into love, selfishness into service, and evil into goodness.

In Christ's name we offer our prayer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McBride, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 606. An act to amend the wheat marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; and

S. 959. An act to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5189. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. CHAVEZ, Mr. MAGNUSON, Mr. MUNDT, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 469) entitled "An act to authorize the United States to defray the cost of assisting the Klamath Tribe of Indians to prepare for termination of Federal supervision, to defer sales of tribal property, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. NEUBERGER, Mr. ANDERSON, Mr. CHURCH, Mr. WATKINS, and Mr. GOLDWATER to be the conferees on the part of the Senate.

ADMISSION OF ALASKA INTO THE UNION

Mr. O'BRIEN of New York from the Committee on Interior and Insular Affairs submitted a privileged report (Rept. No. 624) on the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union, which was referred to the Union Calendar and ordered to be printed.

THE LATE HONORABLE R. GREGG CHERRY

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, it is with profound regret that I bring to the attention of the House the death of the distinguished North Carolinian, Hon. Robert Gregg Cherry, former Governor of North Carolina.

His death came at 7:40 a. m. this morning at the Gaston Memorial Hospital in Gastonia, N. C.

Governor Cherry was born on October 17, 1891, in York County, S. C. In his early childhood he moved to Gastonia, where he was educated in the public schools. On completion of his public-school education, he entered Trinity College, now Duke University, where he received his bachelor of arts degree and his legal education. In 1914 he was admitted to practice law in the State of North Carolina and immediately entered upon the practice of his profession in Gastonia, where he has continued through the years to be one of the outstanding lawyers of our State.

At the outbreak of World War I Governor Cherry volunteered his services and served with distinction and valor with the 30th Division. He was discharged as a major and thereafter maintained his interest as an officer in the North Carolina National Guard.

Governor Cherry was always dedicated to public service. He served as mayor of Gastonia from 1919 to 1923. In 1931 he was elected to the North Carolina General Assembly, in which body he served until 1940. His colleagues in the house of representatives elected him as speaker for the session in the year 1937.

In 1941 Governor Cherry was elected to the State senate from Gaston County, where he continued his distinguished service to the people of North Carolina. This record of service in the legislative halls resulted in the election of our departed friend to the high office of Governor of North Carolina in 1945.

His record as Governor was one of conservatism and a businesslike administration, resulting in the accumulation of a great surplus in the treasury of the State.

Since retiring as Governor of North Carolina, Mr. Cherry has practiced law in his home town of Gastonia.

Governor Cherry was always interested in the things which make his community, State, and Nation a better place in which to live. This is evidenced by his membership on the board of trustees at Duke University, his service as State chancellor of the Knights of Pythias; North Carolina State commander of the American Legion, 1923; his active membership in the Gaston County, N. C., and American Bar Associations; the various Masonic bodies; Improved Order of Red Men; Independent Order of Odd Fellows; Elks; Kiwanis; and many other civic and fraternal groups.

Governor Cherry was a longtime member of the First Methodist Church in Gastonia, and served for many years as teacher of the Men's Bible Class of our church.

The passing of my distinguished fellow townsman and fellow North Carolinian is a great personal loss to me, particularly. As a young lawyer I had the benefit of his continuing interest and advice as I sought to enter upon and continue in the practice of the law. As one interested in public affairs, I was the beneficiary of the advice, interest, and helpfulness of this great man as decisions had to be made. He never failed to give freely and honestly the kind of advice that only a man of his ability and character could give to one of younger age.

But even more, his passing brings to me a deep sense of loss because of the love and affection which I know existed between the two of us. At a time such as this it is futile to undertake to express one's inner feelings. The Heavenly Father into whose arms he has passed today is the only one who can know my sentiments and feelings in this hour.

A great oak has fallen. May his passing and the memory of his good works aid those of us who are numbered among his thousands of friends as we meet the challenges and responsibilities of private and public life.

May God rest his courageous soul.

Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks on the life, character, and public service of the late Governor Cherry at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. SCOTT of North Carolina. Mr. Speaker, it is with deep and profound sorrow that I learn of the passing of my personal and political friend, Hon. Robert Gregg Cherry, gentleman, statesman, and lawyer, who rose from the ranks of the humble to become one of North Carolina's greatest and most beloved governors. It is given to only a few men to attain the position of chief executive of his State, a position of power, honor, and prestige likely to turn the heads of little men. But Gregg Cherry received and carried this honor gracefully, in humble gratitude, never losing the common touch. He received many honors during his distinguished career and all were well deserved because they were only incidental to the constructive services he so capably rendered to his county, State, and Nation. He was not a man who sought positions of distinction merely for the honors they might bring. He was a plain man who loved the battle of life and whose greatest satisfaction rested in his endeavors to serve his party and his people well. Graduating from Duke University in 1914, and being admitted to the bar in the same year, he entered the practice of law in Gastonia, N. C. He served his country with distinction in World War I, achieving the rank of major. Soon after his discharge, he was elected as mayor of the city of Gastonia, and later was elected as representative in the North Carolina General Assembly, where he served five consecutive terms. He was elected as speaker of the house of representatives in 1937. Of the many honors conferred upon him, he was probably proudest of his selection and service as State chairman of the Democratic executive committee. He was a great Democrat, but first a great citizen in whom interest and concern for the welfare of his country remained alive to the last. I would join his host of admiring friends in extending to his family and loved ones my sincere and heartfelt sympathy.

Mr. SHUFORD. Mr. Speaker, North Carolina has suffered a great loss in the death of one of its former Governors, the Honorable R. Gregg Cherry. I have lost a very close and dear friend. He was a remarkable man of outstanding character, dedicated in his love of God and of his fellow man.

Governor Cherry's life was one of service. An outstanding veteran of World War I, he returned to his home in North Carolina and unstintingly gave of his time and energy to the advancement of the area in which he lived. He was sent to the State legislature by the people of his county, and became speaker of the house. He was thereafter elected Governor of the State of North Carolina, which office he held from 1945 to 1949. During his term of office he continuously fought for the causes in which he deeply believed and vigorously espoused. His tenure of office was marked, amongst other things, for the strong fiscal policy he adopted and maintained. Truly a great man has fallen. North Carolina is richer because of his life.

I extend my deepest sympathy to Mrs. Cherry.

Mr. HEMPHILL. Mr. Speaker, ladies and gentlemen of the House, I join in

and share the expressions of my distinguished and able colleague from North Carolina [Mr. WHITENER], and his acknowledgment in the passing of that great American, Robert Gregg Cherry, former Governor of North Carolina. Like many others of his admirers, I always addressed him as Governor Cherry, as his good works followed him long after his term, and will benefit the people of North Carolina and the Nation for many years to come.

It is with considerable pride that I point out that this distinguished patriot was born in York County, S. C., in my district. He later moved to Gaston County, N. C., as an orphan boy, and became one of the most beloved, useful, and distinguished citizens of this Nation. Throughout his public life he gave freely of his time, his talents, and the needs of his countrymen. Every phase of his lovable personality and every facet of his brilliant mind was used by him to improve his State and his Nation. He was an able and outstanding lawyer, and honored his chosen profession by his dedication to the highest ethical practices.

North Carolina and the Nation have lost a true friend. South Carolina has lost one of her most illustrious sons. In behalf of the many who knew and loved him in my State, I salute his exemplary life.

Mr. ALEXANDER. Mr. Speaker, it is with great sorrow and profound regret I learned of the sudden death of the Honorable Gregg Cherry who passed to the Great Beyond this morning.

I had known him intimately for many years and had worked with him on veterans' matters since World War II. He was an able lawyer, good businessman, devoted legislator, and an outstanding Governor of the State of North Carolina. I had the privilege of serving in the General Assembly of North Carolina while Gregg Cherry was governor and came to know and love him.

He was an humble man and a great leader. He loved people and possessed an understanding of human nature few men have matched. He was a courageous man. He possessed the intellectual honesty to hue the mark regardless of where the chips fell. His intellectual integrity, his unblemished honesty in public service, and his ability to chart a direct course on public matters gave him the qualities of true statesmanship.

He was a kind and considerate leader who had time for rich and poor alike.

Governor Cherry was known throughout his State and the Nation as an able administrator who conducted his stewardship as Governor of North Carolina in a businesslike manner and above reproach.

Gregg Cherry was truly a great American and a great North Carolinian. I shall miss his warm friendship and I extend to his wife and family my heartfelt sympathy.

Mr. TUCK. Mr. Speaker, I cannot permit this occasion to pass without joining with the other friends of former Gov. R. Gregg Cherry, of North Carolina, in paying tribute to his memory.

He served as Governor of the State of North Carolina from January 1945 until January 1949. I had known him for a number of years prior to that time, but it was during his term as Governor that I became so closely associated with him in respect to matters of mutual public concern. He was a faithful and efficient public official with a natural aptitude for the rendition of public service of the highest sort and character. He served the State of North Carolina in a manner which was commendable indeed, and I am sure it brought satisfaction to him and to his family, as well as to the people of that great State.

The Nation needs more men of his ability and character and it is only natural that we should mourn at the passing of such a useful public servant and citizen and such a warm and dependable friend.

Mr. KITCHIN. Mr. Speaker, I wish to join with my colleagues in paying tribute to the Honorable R. Gregg Cherry, a great American and former governor of North Carolina, whose death occurred yesterday. North Carolina has lost an outstanding leader who contributed so largely to the growth and prosperity of our great State.

His death has brought sorrow to thousands of North Carolinians who had known him and who had labored with him, and it has brought particular sadness to those who were so closely associated with him in his public service in the State. He was a man of deep loyalty and devotion to friends, party, State, and Nation.

Early in life Gregg Cherry entered the practice of law in Gastonia, N. C., and likewise began his public-service career, first as mayor of Gastonia, representative in the North Carolina General Assembly, speaker of the North Carolina General Assembly, and later as State senator.

When he became a candidate for governor his public service and other positions of trust caused the people of the State of North Carolina to conclude he would make a good executive and he was elected governor in the fall or 1944.

He was proud that he was a son of a democratic State and represented democratic people who had placed him in a position of prestige and power. He liked people. He was at home among people in all walks of life.

As soldier and governor he fought that all men might have a fairer and better opportunity and that those who inherited the land might enjoy its fruits, their rightful heritage.

During his lifetime he accomplished much as an administrator and as chief executive of the State of North Carolina.

With the death of this North Carolina statesman, there has passed from the scene a great American.

PERSONAL EXPLANATION

Mrs. KNUTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Minnesota?

There was no objection.

Mrs. KNUTSON. Mr. Speaker, knowing I would have to be absent for the rollcall on H. R. 6974 to extend the Agricultural Trade Development and Assistance Act of 1954, I arranged to be paired thereon. Had I been present I would have voted "aye." My name appears in the RECORD for June 21, 1957, page 10020, rollcall No. 119, merely as "not voting," although I had made my wishes known that I desired to be paired "for."

SMALL BUSINESS ACT

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 283.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7963) to amend the Small Business Act of 1953, as amended. After general debate, which shall be confined to the bill and continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL. Mr. Speaker, I yield myself at this time 30 minutes, and at the conclusion of my remarks I yield 30 minutes to the gentleman from Massachusetts [Mr. MARTIN].

Mr. Speaker, I call up House Resolution 283 providing for the consideration of H. R. 7963, to amend the Small Business Act of 1953, as amended. The resolution provides for an open rule and 3 hours of general debate on the bill.

H. R. 7963 makes the Small Business Administration a permanent agency. It is the feeling of the Committee on Banking and Currency that if SBA is a permanent agency, it will strengthen all of the agency's small business programs.

The bill clarifies the provisions on procurement to make it clear that it is the intent of Congress that small business concerns shall obtain a fair proportion of all types of Government contracts. The bill also requires the Administrator to establish a new definition of small business for procurement purposes by providing that when the number of employees is used as a standard for defining small business, the number shall vary from industry to industry to the extent necessary to reflect differing characteristics of such industries rather than applying the present 500-employee rule to all industries.

The business loan authority is increased $500 million; the prime-contract authority, which has never been used, is reduced from $100 million to $25 million, and the authority for disaster loans remains the same—$125 million.

The bill would reduce the maximum permissible interest rate in SBA's share of loans to small business from 6 percent to 5 percent. However, if a local bank is willing to make a loan at 6 percent interest the SBA will not entertain the loan application.

The present Loan Policy Board is replaced with a National Small Business Advisory Board made up of the Administrator of SBA, the Secretary of the Treasury, the Secretary of Commerce, and not less than 2 or more than 6 representatives of small business.

These are the principal provisions of the bill. There are several other provisions including provisions dealing with credit standards for business loans, broadened SBA programs, pool loans, and studies by SBA of matters affecting small business. These provisions, I am sure, will be fully discussed by members of the committee.

I urge prompt action on House Resolution 283 so the House may proceed to the consideration of H. R. 7963.

Mr. MARTIN. Mr. Speaker, I am in favor of the rule because it establishes an agency that can be of great value to the country.

The United States has become a great industrial country because it is a Nation of small businesses. The country does well to encourage them because they are the real foundation of our prosperity. This bill will be of material assistance and as one who has always been a supporter of small business I am glad to aid in the passage.

Mr. O'NEILL. Mr. Speaker, I yield 15 minutes to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SMALL BUSINESS

Mr. PATMAN. Mr. Speaker, the Small Business Administration Act is up for renewal, and it is proposed that it be made a permanent agency. Normally I would be in favor of a permanent agency to help small business, but at this time I am not in favor of a permanent agency, and I shall offer an amendment to make it expire in 2 years so that we can review what they have done 2 years from now and see whether or not it should be made a permanent agency or continued at all.

EQUALITY OF OPPORTUNITY

It is my sincere hope that small business concerns will be given equality of opportunity to the extent that they will not need special laws in their favor. I have never pleaded for special considerations and special privileges for small business. All I have ever asked for was the opportunity of the small man to compete with the big man under the same facts and circumstances without being discriminated against. That is all I have ever asked for the small concerns, is protection against being discriminated against.

To make a permanent agency of the Small Business Administration will be in effect saying that we except this problem to be with us always; that we do not see any hope for the solving of the problems relating to small business—that they have a chronic situation—and we are reconciled to the fact that we cannot help them; that we are just going to give them an agency that will be available to consider applications for loans and certain other things from here on out; that we have thrown up our hands; that we are not willing to say that their problems can be solved without an agency that is permanent.

SBA BETTER LAST YEAR

Now, I am not satisfied that this agency has made such an outstanding record that we should reward them by making the agency permanent. I will admit, and I commend the organization, the Small Business Administration, for doing a much better job the past year. For 3½ years preceding the last year I think the record was terrible, it was disgraceful, but last year it was heartening, and we are encouraged to believe that much more is being done and will be done for the small-business man, and I am perfectly willing and glad to state that a better job has been done the past year. But, still, a sufficiently good job has not been done to cause me to believe that we should reward them by making the agency permanent; in other words, I want something to offer the small-business people of this country that we will be more proud of in appreciation of their efforts and what they are trying to do.

SMALL BUSINESS BACKBONE OF COUNTRY

The small-business people of this country, as we know, are the backbone of the country. Even the Communists recognize that small business is our greatest bulwark against communism in the United States of America. I had the Library of Congress look up that quotation for me a few days ago and I want to read you what Lenin said. In a recent national broadcast, Lenin's name was mentioned as one of the so-called great Communist leaders by the present leaders of communism in Russia. I happened to remember what Lenin had said about the strength of small business in America and why it would always be impossible to have communism in America as long as small business is strong. This is the actual quotation:

LENIN QUOTATIONS ON THE STRENGTH OF SMALL PRODUCTION

The strength of capitalism lies in the strength of small production for, unfortunately, small production still survives in a very, very large degree, and small production gives birth to capitalism and to bourgeoisie, constantly, daily, hourly, spontaneously, and on a mass scale—Lenin, Left-Wing Communism, an Infantile Disorder (1920), Selected Works (International Publishers, New York, 1943, volume X, page 60. (A discussion of one of the basic problems facing the Bolsheviks, the solution of this being a necessary prerequisite to their success.)

Source: Soviet World Outlook, A Handbook of Communist Statements, prepared by the Division of Research for U. S. S. R. and Eastern Europe, Office of Intelligence Research, Department of State, for the Coordinator of Psychological Intelligence, United States Information Agency.

I shall put this in the RECORD. In other words, communism will never have a chance in America as long as small business is strong. That is admitted by the Communist leaders.

SMALL BUSINESS WEAK

Small business today is weaker, relatively, than ever before. And the outlook for the future for the small-business man is not good; we know that. So we are opposed to communism. We are in favor of the capitalistic system. We want the capitalistic system to continue as we have had it in the past. But the capitalistic system depends upon the survival of the small-business man. There are 4 million small-business people in the United States. They are very important to our economy. When they are submerged or when they are destroyed, it jeopardizes the security of our entire Nation and particularly our economy. So we must give them some concern.

LOAN LIMITATION SMALL

I am not willing to say that the bill proposed is my appreciation of small business in the United States of America, wherein we offer them so little. We place a limitation of $250,000 on loans. That will allow the little people to fight amongst themselves. They can fight all they want to amongst themselves, $250,000 each. But it is not enough to allow them at any time to become competitors of a big-business man. In other words, we are saying, "We will let you fight amongst yourselves, we will let you have a little money, but we will not let you ever have enough to step on the toes of one single big-business man in the United States of America. We are going to keep you out of any field of the big-business man."

In national defense we have millions of gadgets that are manufactured, mostly by big-business concerns, because they are better able to manufacture these gadgets.

I am not criticizing or condemning business because it is big. I do not do that. I am not asking to destroy big business; no. I am only asking that the little man be given a fair opportunity together with the big-business man.

We have these public demonstrations by the Small Business Administration. They will have big charts and they will have samples of gadgets that can be made. The little-business man will pick out something and say, "I can make that in my shop." All right. He investigates, and he finds out he has to have half a million dollars to equip his shop. If he were to get that half million dollars, he could make something that now General Motors or General Electric is making but would save the Government maybe 50 percent in the price. There would be enormous savings. But the SBA would have to say, "No, we can't let you have that much." Some of them would have to have a million dollars to equip their shops and plants. "No, we can't let you have that much. That is stepping on the toes of the big man. We can't go that far. Congress told us to stop, that we can let you have only $250,000."

BROADER EXPERIENCE NEEDED

That is not my appreciation of the efforts of the little-business man in this country. We should never make an agency permanent when we are so restricting them as we are restricting them

here. We should wait and have a greater and broader experience than we have had in the past before we make the agency permanent. We should know more about the good they are going to do. I think the test in passing legislation for the little man is, we can say, "Yes, I voted for the little man, I voted for this bill, I voted for that bill and that bill," but that is not the test. The test is, when did I vote for the little man when the legislation was opposed by the big man. That is the test.

It seems to me that a lot of people do not like the little man to have equality of opportunity, but this Congress has expressed itself a number of times in that direction. I do not know of a single Member of this body who is not in sympathy with the small-business man, but sometimes when these bills come up and there is a conflict of interest between the big man and the little man, as to whom we are going to vote for, that is the test.

The United States Chamber of Commerce is a great organization. I know they do lots of good. But, like all big national organizations, the big people who are qualified become leaders, they become the managers, and they direct the policy of the organization. It is no different from any other national organization like that that is old. It is working hard. The people who have the time to devote to meetings and go to conventions are the ones who become the lasting leaders. And who are they in these national organizations? They are the big-business men.

I do not condemn them for it. I recognize their importance. Big business has made a great contribution to the success of this country both in time of peace and particularly in time of war. I am not condemning them. I only want equality of opportunity for the little man.

A United States Chamber of Commerce man came to see me about something. I said, "Now, that enables me to bring up a point that I want to ask you about. I have never found the United States Chamber of Commerce on the side of the small-business man when there was a conflict of interest between the small-business man and the big-business man. The United States Chamber of Commerce has always taken the side of the big-business man. I do not know of a single instance where it has ever taken the side of the little-business man in a case like that, where there was a conflict of interest."

He was a very sincere, conscientious person working at the United States Chamber of Commerce. He said, "I am going to take that up with our board and I am going to give you an answer, because there is bound to be an answer."

I met him 2 weeks later. I said, "Whatever happened to that request I made?" He said, "Well, I am certainly glad you mentioned it because just yesterday we had a board meeting and we discussed it nearly all day. We discussed the question that you brought up that the United States Chamber of Commerce always finds itself on the side of big business whenever there is a conflict of interest. We finally decided that that question could not be answered because it was just a trick political question." So there is no attempt made to answer it, but it is the truth. So whenever they begin to talk about little business and how sympathetic they are for little business, it would be well for them sometime in their career or in their history to be able to point to at least one time when there was a conflict of interest between the big ones and the little ones where they took the side of the little-business man when the little-business man was fought by big business. That is the test. Of course, you can always vote for a bill saying that you were for little business—this is for little business—this is for the benefit of little business. That is fine, but that is not the test. The test is whether you are doing enough for little-business men where they are opposed by the larger ones. I think we have done all right for the big people. I am not trying to take it away from them. I am not trying to do them any harm. All I want is to give the little man equality of opportunity. Not so long ago there was a banquet here in Washington. I think all Members were invited except one—I was not invited because I was supposed to be the victim, I assume. They were talking about me. It was about a bill that I have to amend the Robinson-Patman Act. They pictured that bill as a terrible thing. But, it is so simple—so simple. That bill would help the little-business man more than almost anything that this Congress could do. That bill is H. R. 11—or S. 11 in the other body.

S. 11

A bill to amend the Robinson-Patman Act with reference to equality of opportunity

DECLARATION AND PURPOSE OF POLICY

To reaffirm the national public policy and the purpose of Congress in the laws against unlawful restraints and monopolies, commonly designated "antitrust" laws, which among other things prohibit price discrimination; to aid in intelligent, fair, and effective administration and enforcement thereof; and to strengthen the Robinson-Patman Anti-Price Discrimination Act and the protection which it affords to independent business, the Congress hereby reaffirms that the purpose of the antitrust laws in prohibiting price discriminations is to secure equality of opportunity of all persons to complete in trade or business and to preserve competition where it exists, to restore it where it is destroyed, and to permit it to spring up in new fields.

Be it enacted, etc., That subsection (b) of section 2 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1944, as amended (15 U. S. C. 13 (b)), is hereby amended to read as follows:

"SEC. 2. (b) Upon proof being made, at any hearing on a complaint under this section, that there has been discrimination in price or services or facilities furnished, the burden of rebutting the prima facie case thus made by showing justification shall be upon the person charged with a violation of this section, and unless justification shall be affirmatively shown, the Commission is authorized to issue an order terminating the discrimination: *Provided, however,* That unless the effect of the discrimination may be substantially to lessen competition or tend to creat a monopoly in any line of commerce, in any section of the country, it shall be a complete defense for a seller to show that his lower price or the furnishing of services or facilities to any purchaser or purchasers was made in good faith to meet an equally low price of a competitor, or the services or facilities furnished by a competitor: *Provided further,* That nothing contained herein shall be construed to alter the law applicable to the absorption of freight or of shipping charges."

Please notice the last provision. It represents my views. The only time freight absorption is interfered with is when it is used for the purpose of price discrimination; that is by giving one merchant an advantage by paying his freight but refusing to pay the freight of his competitor across the street. As long as all competing customers are treated alike the law is not violated.

What does it do? It will really help the little man. It passed the House of Representatives by a vote of 393 to 3 a year ago. But, now it is being opposed by the big man. So the test will come. Here is a bill that will help little business which is now opposed by big business. Which side are we going to take? It is not often that we have a bill where there is a conflict of interest, but there is a bill here now. So this bill merely provides just exactly the same as we have provided with reference to railroad freight rates. Suppose a railroad were giving special discounts to certain shippers. You would not like it. The people of this Nation did not like it more than 70 years ago and they passed the Interstate Commerce Act. The Interstate Commerce Act says that whenever you ship over a railroad, you pay the same price per car and the same price per 100 pounds as anybody else pays. There is no discrimination. It provides that the carload rate will be the maximum discount on freight rates. Everybody is treated exactly alike. That is what the Robinson-Patman law is. It says to the big manufacturer who is selling to the retail stores in your hometown that they shall treat everybody alike. That is all in the world that it does. It says, "Mr. Manufacturer, when you come to my hometown and you have two representatives or outlets there in stores across the street from each other, and one of them is a big interstate chain which has stores all over the Nation and the other one is owned by local people we want them treated in exactly the same way on prices they pay for their merchandise that you treat the interstate chain on the basis of the same facts and circumstances. We are willing for you to make a difference in the price where there is a difference in the quantity or there is a difference in the cost of manufacture or a difference in the cost of delivery—that is perfectly all right. But do not discriminate against our hometown man and give the other person an advantage over him, which is not justified by any difference in cost of manufacture, sale, or delivery." That is the Golden Rule. That is nothing but the Golden Rule. How can you fight the Golden Rule? Suppose the Post Office Department was discriminating against people in the delivery of the mail? You would not like that. That bill is just a bill to prohibit discrimination against the little man. It is not a bill to give

him an advantage or an unfair advantage or an unequal opportunity.

It is a bill guaranteeing equality of opportunity, and that is exactly all there is to it. The big man says they do not want it. Why? All of them are not that way; most of them want the law. Most people want it because it protects them against the chiseler.

A lot of the big people complain that the chiselers make them, compel them, to give discounts they do not want to give. This law protects them from it, and they thank Congress for passing the law. It helps them.

CHISELERS, CHEATERS, AND RACKETEERS

But there are certain people who like to be chiselers—there are not many; there are just a few—chiselers, cheaters, racketeers. They do not like the Golden Rule bill. They want the privilege of making discounts and unearned allowances, under-the-table settlements, and dishonest money passing. There are not many of them, but remember this, Mr. Speaker, that laws are made for the exceptions; they are not made for the general rule.

The general rule of people are law-abiding people. You do not need laws for most of them; you pass laws only for the exceptions, and the exceptions among the big-business people who are manufacturers and sellers to the hometown merchants, the exceptions are some cheaters, some chiselers, and a few racketeers—not many, just a few, but enough to destroy many small-business people, and that bill will help them more than anything else.

HIGH INTEREST CAUSES INFLATION

Another thing that small-business people need is a relief in taxes, and I could mention other things, but the worst thing that is hitting all America today is high interest. High interest causes high cost; high cost causes high prices; high prices cause high inflation.

I wish we had here a committee that would take it upon itself to investigate this problem and not say that the lender is so sacrosanct that we cannot even call his name, that interest is such a sacred word that we cannot mention interest. I wish we had an investigation made by people who are not timid here in this House, who are not shy, and who are willing to call a spade a spade, and who are willing to point their fingers at the people who are actually causing the inflation by causing higher and higher interest rates.

Mr. MARTIN. Mr. Speaker, I yield such time as he may desire to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, in view of the speech just made by my very eminent and highly respected friend, I think some answer should be made in the way of a review of the history of this thing. It is familiar to some of the Members, but it might possibly be new to others, especially the newer Members.

Seventeen or eighteen years ago, after the outbreak of hostilities in Europe it became apparent that the impact of an increasing defense effort was jeopardizing the small business of this country.

At the time, and I think it was 1939, our minority leader, Mr. MARTIN, of Massachusetts, who was then minority leader, created a Small Business Committee. It was a Republican Small Business Committee. He made me chairman of that committee. We undertook to hold some hearings around the country. They were very illuminating, and, I think, very helpful. They attracted a lot of interest. After that time the gentleman from Texas introduced a resolution for the creation of an official Small Business Committee of the House of Representatives. That resolution was adopted and the committee was created.

He became the chairman of that committee and I became the ranking Republican member of the committee. I served in that position until I became majority leader of the 80th Congress, at which time I relinquished my membership on that committee.

May I say that throughout the years we did things that were useful for small business. Sometimes I disagreed with my chairman [Mr. PATMAN]. On many thing we did agree. He has mentioned one thing here that I would like to discuss briefly. He has mentioned the bill, S. 11. He speaks of it in connection with the Robinson-Patman Act. You are undoubtedly getting a lot of communications with reference to S. 11 and this bill. I supported the Robinson-Patman Act. I was here when it was written into law. I think that these unfair discriminations in respect to prices among distributors should be prohibited. But the gentleman from Texas has had something else he consistently adds to that, sometimes out in the open and sometimes where you cannot see it so clearly.

If I understood him correctly, through the years he has been very much of an advocate of the abolition of so-called freight absorption. To explain, many manufacturers in this country have a policy of quoting a delivered price and they adjust that out of the freight. That is, they absorb the freight charges. Let me show you how it works. You talk about what favors the big man and you talk about what favors the small man. Here is a big soap company with manufacturing plants all over the United States. They are producing in the consuming area, their freight charges are not high. But here is one little soap company that is located in your hometown or my hometown. It advertises nationally, it sells all over the country. Why, they cannot sell a bar of soap in one place for 15 cents and in another place for a dime. In order to compete with the big company they have to be permitted to absorb freight. The whole economy of this country has been built on that sort of program. I say when we begin to tinker with that we tinker with something that is a very delicate matter.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Texas.

Mr. PATMAN. May I urge the gentleman to consider the bill that is pending. S. 11 does have a specific provision against anything that interferes with the basing point system. The gentleman is clearly wrong about that, I will say to him. This does not affect it, and I am opposed to that, like the gentleman.

Mr. HALLECK. I well recall when we were having those recurring fights over the so-called basing point system that the gentleman was an open advocate of the elimination of freight absorptions; is that not correct?

Mr. PATMAN. Only where it involved price discrimination, where they were using it as a means to discriminate against a local merchant. I am against that when it is used as a means for discriminating in price.

Mr. HALLECK. The gentleman has said the chamber of commerce is always on the side of the big fellows. There are chambers of commerce in Lafayette, in Valparaiso, in Warsaw, Ind., all in my district. There are a few big concerns with plants in 1 or 2 of those towns, but the 800 or 900 members of the Chamber of Commerce of Lafayette, Ind., are not big-business people. They have their choice. So let us keep this thing where it ought to be. I did not get permission to speak out of order, and the gentleman from Texas did not get permission to speak out of order, but S. 11 has nothing to do with the measure that is before us.

Mr. PATMAN. I will state it does have something to do with it because it involves small business.

Mr. HALLECK. We are setting up here a Government agency. The gentleman objects to it because it is a permanent agency.

I would like to recount a little more history with the gentleman on that very point. He will recall with me that when we established the Small Business Committee we saw that shortages of material were handicapping small business. These firms were not getting the part of the defense effort they should have had. So we decided something ought to be done. I have heard the gentleman say a hundred times, and I have said it myself, that the big fellows have their people in Washington to plead their case. The small-business man generally cannot do that.

What did we do, I ask the gentleman from Texas? We set up a separate small-business operation, the Small Defense Plants Corp. Then we had a Smaller War Plants Corp.

Mr. PATMAN. The Smaller War Plants was the first one.

Mr. HALLECK. Let me remind the gentleman from Texas I stood with him at that time and I have not changed my mind since. I might also say to him that there have been some vigorous arguments about it in some places.

But I thought that we needed a separate organization to avoid what otherwise might be the domination of the very interests that you seem to fear.

Now, there have been contentions lately that the present small business organizations should be merged in the Department of Commerce. There are many responsible people who urge that there should be no duplication; that everybody should be treated alike in the one Department. Personally, I have opposed that because I believe there is a place for this kind of small business organization.

Now, you can see from that, and the fact that the gentleman from Texas through the years stood with me on that proposition, or I stood with him—let us put it the other way around—I am nothing less than astounded that he would now come in here, when it was sought to set this organization up on a permanent basis, recognizing, of course, that at any time the Congress wants to terminate it, it could terminate it—but to find some sort of a question why he cannot go along with this legislation.

Now, I say in all frankness that it would seem to me that he was seeking to read a very definite implication that somehow or other since President Eisenhower has been in office and for 2 years the Republicans had control of the Congress—that somehow or other that bodes ill for small business. I just do not happen to feel that it does. So, feeling that way about it, I do not see why there should be any reason why this should not be made permanent because, again, let me remind the Members of the House that through the years back there long before this administration ever came into power, when I am sure we had administrations that the gentleman from Texas would argue were all for small business, we found it necessary not only to enact specific legislation but to continue the establishment of a special small business corporation to look after the interests of small business. So, why now confuse the issue Why not go along with this program that I say is a sound one. Here is a chance to prove whether or not you are on the side of small business. Here is a chance to say to small business, "We think you ought to have special consideration. We are going to see to it that you have it so far as it is within our power to see that you get it." And I might say if the $250,000 is not enough for the loan maximum, why it is perfectly simple to offer an amendment to increase it, and I am not so sure that I would not go along with it. But somewhere there comes a line that we have to draw.

Mr. PATMAN. Mr. Speaker, if the gentleman will yield, I expect to offer an amendment to take the limit off, just like it is on all other concerns.

Mr. HALLECK. Well, I do not think I would buy that one. I do not think I would go sled length on that. Frankly, I will say to the gentleman, in my State there is a great automobile corporation, Studebaker, which has been in existence for a long time, now teamed up with Packard. I want them to get along; I want them to do well, and I hope they will survive in the competition with others. I do not know whether you would have this corporation loan them enough money to insure their staying in the picture or not, I do not know. But I say that somewhere you have to draw the line, and I say it is high time we make it clear that we are in favor of small business, and I think this legislation is one place where, by staying with it, you can establish that very fact.

Mr. O'NEILL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

CALL OF THE HOUSE

Mr. VAN PELT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 121]

Bailey	Colmer	Krueger
Barden	Cooley	McConnell
Beamer	Dawson, Ill.	May
Blitch	Grant	Norrell
Bonner	Gray	Powell
Bowler	Griffiths	Roosevelt
Boykin	Holifield	Shelley
Brownson	Holtzman	Taylor
Buckley	Kearney	Vursell
Christopher	Kirwan	Wilson, Ind.

The SPEAKER pro tempore. On this rollcall, 399 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill, H. R. 6287, making appropriations for the Departments of Labor and Health, Education, and Welfare.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

SMALL BUSINESS ACT

Mr. SPENCE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7963) to amend the Small Business Act of 1953, as amended.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 7963, with Mr. Boggs in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. SPENCE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H. R. 7963 is a bill to extend the Small Business Act and to make permanent the Small Business Administration. If we are to preserve our way of life, if we are to encourage competitive independent business interests, it is essential to give some help to the small-business man. He is the backbone of our economy. He is the preserver of our liberties. Competitive small business is an attribute of free governments.

Small business, in the broad competitive field, is at a disadvantage. There is no such permanent group in our country as small business. The small-business man of today in this land of opportunity may be the big-business man of tomorrow. I do not want to create any animosity between the small-business man and the big-business man. Every small-business man, who is a normal American, wants to become a big-business man some day; and a great many of them attain that goal. But in the process he meets many obstacles. It is the purpose of this bill to see that small business is preserved in America. I do not know any finer achievement that could be had, or anything that would inure more to the happiness of our people and the stability of our institutions than that. To paraphrase the well-known poem:

Ill fares the land, to hastening ills a prey,
Where wealth accumulates, and men decay;
Princes and lords may flourish or may fade;
A breath can make them, as a breath has made;
But a bold middle-income class, the country's pride,
When once destroyed, can never be supplied.

We must preserve the small-business man. We must give him some advantages in order that he may maintain his position and continue to exert his influence and strength for the benefit of his community and the welfare of all our people.

This bill gives to the small-business man help and accommodation that he otherwise could not obtain. The greatest need for the small-business man is the assurance that he can obtain sufficient finance to carry on. He is often at a disadvantage because entrenched big business is always able to obtain sufficient finances for its operation. Often the small-business man meets obstacles which he might not surmount unless there were some Government help that would tide him over his difficulty.

This bill provides for direct loans by the Small Business Administration to the small-business man. But before he can get a loan, he must prove to the Administration that he cannot obtain it from private lenders.

The bill fixes the interest rate that the Government obtains on these loans. It reduces the present maximum interest rate from 6 percent to 5 percent.

The present law also places a ceiling on the interest rate obtained by the participants. This bill places no ceiling on the interest charged by the private lenders who participate in the loans. The accepted applicant is assured of getting a loan at not more than 5 percent from the Government. If the private lender wishes to participate, the Government does not attempt to control his interest rate. This provision protects private enterprise from Government competition.

Under the present law there is established in the Small Business Administration a Policy Committee. It consists of the Administrator of the Small Business Administration, the Secretary of the Treasury, and the Secretary of Commerce. This has been changed in the present bill. The committee feels that the responsibility for administration should be centered in the Administrator and that he should be also responsible for the policies adopted.

The Policy Committee has been abolished in the bill and in lieu thereof

an Advisory Committee has been substituted. The Advisory Committee under the bill consists of the Administrator, the Secretary of the Treasury, the Secretary of Commerce, and not less than 2 nor more than 6 members representing small business. I think this is a desirable amendment because I have always believed that public officials charged with a duty should have no excuse for evading responsibility.

I believe the interest rate should be as low as the Government would fix it without loss. Some of these loans are for long periods and the interest rate will be an important factor. A low interest rate will save the borrower a substantial amount. I do not anticipate the Government's sustaining any loss with this provision for a lower interest rate.

I wish to recall to you the Reconstruction Finance Corporation's fine record and the great accomplishment it achieved without loss to the Government. You remember the Home Owners Loan Corporation, that was set up as a rescue measure in times of deepest depression. At that time banks, railroads, and insurance companies were failing and men were being dispossessed of their homes and farms. That Corporation was created to help the people. It loaned over $3 billion to the people in distress. It made over a million loans and saved the homes of approximately 5 million people. When it was finally liquidated there was paid into the Treasury $14 million.

I think we can have somewhat the same beneficial result with the Small Business Administration. The American businessman wants to pay his debts, and I think he will pay them. I think we can furnish this help to these people who are greatly in need of it without any loss to the Government.

I think it is desirable to establish this agency as a permanent one. The objective is of sufficient importance to justify a permanent agency.

If you value our way of life, if you want to see our Government continue in the future as it has in the past there is a powerful motive to have the small-business man survive that we shall not come to a situation "where wealth accumulates and men decay." For that reason, I think this Administration should be a permanent Administration. I believe as time goes on, as it gathers experience, as it becomes wiser in the administration of its affairs, it will do a better and a better job.

These are some of the salient features of this bill. I know of nobody who is against its objective. Some may have objections to technical provisions, but I am confident that you are going to pass it by an overwhelming vote. I do not think it is necessary for me to take any further time of the House. Others may discuss definite features of the bill. I have spoken of its definite purpose. It is a truly American bill. It will aid in perpetuating our institutions and our financial structure in the same way that has heretofore given us the strength, confidence, and prestige that we have today. May that always continue. The importance of small business should persuade us to ungrudgingly provide for this assistance. I do not say that with any prejudice against big business. I know men who have started without anything who have become millionaires. The small-business man of today may be the big-business man of tomorrow. As long as the profit motive remains and opportunity presents itself there is no fixed category of small business. But we must see that small business will still remain as numerous as it has existed in the past and that it shall continue to exercise the same influence and be of undiminished importance. I hope the House will pass this bill.

Mr. TALLE. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I agree fully with the gentleman from Kentucky [Mr. SPENCE], chairman of the Committee on Banking and Currency that everyone is in favor of small business. I agree with him too in his statement that every small business should have the opportunity to grow. If we did not agree to those principles, we would be out of harmony with what we say when we take great pride in the fact that ours is the land of opportunity. Anyone who reads the history of the origin, development, and growth of Douglas Aircraft knows that large business can grow from a small undertaking. There is ample evidence in the business world that giant oaks from little acorns grow. I can cite more than one industry in my own district which proves that to be true, but I also say that most businesses in my State are small and most businesses in the United States are small. There is good reason why everybody should be in favor of small business.

Now, Mr. Chairman, perhaps, it may be helpful, especially to Members who have not served in this Chamber a long time, that I review some history relating to the Small Business Administration. SBA was enacted into law on the 30th of July, 1953. So you see it is not quite 4 years old. In my opinion it has done a very good job during its short tenure and has won for itself a useful place in our economy and in my opinion the right to continue.

This agency was amended in 1955 and its functions have been enlarged. It is the first independent Government agency created to serve and represent all small business both in time of peace and in time of national emergency. Looking at the general purposes of this agency we find that they are:

First. To assist in supplying adequate credit for small business;

Second. To see that small business gets a fair share of Government procurement; and, of course, that has been a large part of total business these past years; and

Third. To develop competent management, and to offer technical and production counsel to small business.

In addition to these broad general purposes, the Small Business Administration has inherited a number of functions. I always felt that the service which was performed by the Reconstruction Finance Corporation for small business was good. As you recall, those of us who believed that to be true were eager in mid-1953 to see to it that, inasmuch as the RFC would expire in September of 1953, another agency should take over the functions that had been performed for small business by the Reconstruction Finance Corporation.

In addition to the functions that were inherited from the Small Defense Plants Corporation and from the Reconstruction Finance Corporation some added functions have been assigned to the Small Business Administration. I believe I should read a paragraph or two from a statement of the Small Business Administration itself in which it sets out its functions. I read from the statement the following:

> In addition to the activities specifically authorized in the Small Business Act of 1953, as amended, the Small Business Administration as a part of its financial assistance operations is cooperating with the Fish and Wildlife Service of the Department of the Interior in the administration of this Department's fisheries loan program. The Small Business Administration develops the necessary credit information for such loans which are closed and administered through its regional offices.

The statement continues:

> Its regional offices are also servicing the liquidating of disaster loans made by the Reconstruction Finance Corporation which were transferred to the Small Business Administration by Reorganization Plan No. 2 of 1954. The agency has been working closely with the Housing and Home Finance Agency in connection with its community facilities disposal program to determine whether Small Business Administration loans may be made to purchasers of Government-owned business properties held for disposal by that agency, and with the medical facilities branch of the Department of Health, Education, and Welfare in developing a program of loans to proprietary hospitals, nursing homes, and medical and dental laboratories.

Indeed, the functions of the Small Business Administration are numerous and broad in scope; and I repeat that I believe a good job has been done, and a good job is being done.

How much money could SBA lend under the law in 1953? The limit was $150,000 to a single borrower. Under an amendment of 1955 the amount was raised to $250,000. A subsequent amendment permitted a corporation pool to be formed and the sum that might be lent in that case would be $250,000 times the number of firms participating in the loan.

You will note on the front page of the report that accompanies this bill that there are five changes proposed in the pending bill. I will not take time to review those changes, but you will note, Mr. Chairman, that one of the changes has to do with the Loan Policy Board. May I ask this question: How many members know what the Loan Policy Board, as now constituted, does not do? That Board, you know, is made up of the Administrator, the Secretary of the Treasury, and the Secretary of Commerce. The Policy Board does not supervise the SBA. It does not manage the SBA. It does not review the loans. It does not make any determination as to what loans shall be made.

Then, what does it do? It does two things. It formulates general policies for the SBA to follow. Secondly, it coordinates the policies of the SBA with the policies and activities of other agencies of Government. It seems reasonable, keeping in mind that the money lent by SBA is taxpayers' money, money from the Treasury, that lending policies should be adopted with care and coordinated with policies of other Government agencies.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. TALLE. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, I repeat that the SBA deals with taxpayers' money. In the second place, it is the business of that agency to see to it that it does not lend taxpayers' money unless it is in the public interest that it do so. The agency, in my opinion, has followed that policy scrupulously. Would it not seem reasonable, too, that a board of that character should be made up of people who know what the other activities and policies of the Administration and of our Government may be? However, in the opinion of the majority of the Committee on Banking and Currency, a revision is proposed and the chairman of that committee has pointed out what that revision is.

Let us now look at the criteria that are kept in mind when SBA lends money, for those are the criteria that are used in all good financial management. In textbooks on money and banking they are usually referred to as the three C's. Those three C's are character, capacity, and capital. Obviously, the most important criterion is the character of the borrower. It matters not what other considerations might enter into the picture, if the borrower is not of good character the loan would not be safe. Then there is the ability to carry on the business successfully which is the capacity part of the three criteria and, finally, the borrower should have enough capital himself so that with what he has and with what he can borrow he will have a favorable chance for successful operation of his business.

There are some other functions that SBA performs. Let me mention those briefly. For instance, it assists small business by giving good financial counsel. That is not unimportant. It explores means for the borrower to get money from other lenders so that SBA is not competing with private business. It steps in when small business cannot get money on reasonable terms from other sources. The Small Business Administration looks into the accounting of these firms with a view to helping them, in the event that their accounting is bad, or that their auditing procedures are defective. In addition, it assists small business in getting defense contracts.

Now, inasmuch as time is rather short, some other matters that might well be discussed will be passed over. I will not enter into the difference between what is called deferred participation loans and immediate participation loans or say anything about direct Government loans. But, may I point out, that the SBA has been very successful in getting banks and private lenders to participate, because 70 percent of the loans made by SBA have been participation loans and banks in every State of our Union have joined with SBA in that form of lending, as well as in Alaska, Hawaii, Puerto Rico and the District of Columbia. So, you see participation loans are popular, and SBA is proceeding to carry on that aspect of its business very well.

Time being so important, may I turn now to one change in the bill which I would like to propose, and that is the matter of definition. I wonder how many of us in the Congress of the United States, 531 in both Chambers, would like to carry out the assignment that this bill proposes. There may be a good many people who know how to do it, but I think most of us would confess that we do not know how to define small business. There are so many things in life, you know, that we understand, but if we are asked to define them we may have considerable trouble. Accordingly, may I devote some time now to the definition of small business.

It reminds me of what a friend once said when he was trying to describe something that was very small. He said, "It ain't so big as nothing hardly." A business may start, you know, as a rented peanut wagon on the street. Then the man becomes an owner. Then later he occupies a little cubicle in a store. In good time he owns the building, and later on, like Mr. Penney, he may have chain stores in every State of the Union. It is normal for a thing to be small at the start and grow to be big.

Now, about the definition of small business:

There is one provision in the bill which is bound to cause a great deal of trouble. This provision would require a change in the definition of small business for procurement purposes and require that the changed definition be put into effect within 30 days after the enactment of the bill. Basically the existing definition of small business for procurement purposes is determined by a test as to whether or not a concern has more or less than 500 employees. Such a definition has been in effect for procurement purposes for the past 15 years. Over the years there has been some refinement in it, such as the requirement that the concern be nondominant in the field of operation and that an exception be made if the Small Business Administration determines that despite the fact that the firm may have over 500 employees it still, in effect, is a small business when consideration is given to the specific product which it produces and wishes to sell to the Government. Basically, however, the procurement test is 500 employees.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. TALLE. I yield to the gentleman.

Mr. MORANO. I have a little firm in Stamford, Conn., which started just the way the gentleman illustrated, as a small business, and has worked up to a point where it now hires over 500 people. The name of the firm is Consolidated Diesel. I have been unable to get a determination from the Small Business Administrator as to whether or not this firm is dominant in the field. I do not think it is. I do not know whether the amendment that the gentleman is talking about would cover a firm such as this.

Mr. TALLE. I will say to the gentleman that what I am attempting to point out is the difficulty that arises when a certain definition is applied to two situations that are unlike. It may serve well for one situation but not for the other. I should like to proceed with my statement, if I may, at this time.

Mr. MORANO. I would like the Administrator to decide this question sometime.

Mr. TALLE. I shall be very glad to cooperate with the gentleman in solving that matter, if I can.

Mr. MORANO. I may need the gentleman's cooperation.

Mr. TALLE. Insofar as I can be helpful, I shall be glad to cooperate with the gentleman.

Over the years SBA has developed a definition of small business for purposes of loan assistance. Under the financial definition a business may be small or large with the number of employees varying all the way from 250 to 1,000 employees. There is where you get into trouble. The procurement definition says 500 employees or less. The financial definition is 250 to 1,000. If you use the financial definition for both, you are in trouble.

The bill provides that unless the SBA comes up with a new definition of small business for procurement purposes within 30 days, then the existing financial definition would also be made applicable for procurement purposes. Should the financial definition be put into effect for procurement purposes, it is sure to cause a lot of trouble and complaints from small-business firms. A small-business concern with 450 employees is now eligible for Government procurement. Under the financial definition there will be cases in which such a firm would no longer remain eligible because under the financial definition a concern making that particular product would be considered big business if it had more than 250 employees. Such firms, made ineligible for procurement purposes by the change in definition, will I am sure be writing to their Congressmen to find out why they have been cut off from procurement under the set-aside program.

Use of the financial definition for procurement purposes will have another effect. Under the financial definition some firms are small-business firms even though they have more than 500 employees but do not exceed 1,000. In other words, use of the financial definition for procurement purposes will make eligible for procurement certain concerns which are now not eligible. This, of course, will intensify competition for the smaller business concerns. Whereas now a small-business concern with 300 employees has to compete only with other concerns with 500 or less employees in connection with procurement awards, in many instances, the small-business concern is going to find that, after the change in the definition, it has to compete with firms with up to 1,000 employees. I

think Members will be receiving letters of complaint from smaller firms so affected.

An attempt to apply the financial definition for procurement purposes overlooks certain basic facts. A definition for financial assistance readily lends itself to industry classifications. The SBA uses 452 such industry classifications. Furthermore, in the process of determination, if financial assistance should be extended to a small-business concern, considerable information is developed on a specific company basis, which enables the SBA, the only Agency involved, to determine if the company is a small-business concern. Currently, the SBA is making about 3,500 business loans a year.

Let us look at the problem of procurement. Approximately 50,000 manufacturers are competing for Government procurement, and there are 14 Government agencies involved with procurement. Procurement, of course, is done on an individual product and commodity basis. While I do not have figures on the number of items involved in Government procurement, yet I do recall that during the war the statement was made that the Department of Defense alone purchased over a million separate products and items. In many cases one small-business firm alone may produce hundreds of different items involved in Government procurement, and it may in fact be selling to the 14 separate procuring agencies.

The point I am making is that the problems involved in financial assistance and in procurement are vastly different. I suspect that the definition problem would be analogous to the differences and difficulties encountered by deciding that a 2-inch wire-mesh container was a satisfactory container for oranges and then attempting to use the same container for dried shell beans. It is obvious the container would be satisfactory for oranges but just would not work for the beans.

Even granted that improvement can be made in the definition of small-business concerns for procurement, I think the provision in the bill requiring that this be established and placed in effect within 30 days is most unreasonable. It just is not possible to place a new definition in effect within that period of time. Any new definition must be promulgated by the SBA. The Department of Defense and other procuring agencies must issue appropriate regulations relating to the definition, and then the Department of Defense and other procuring agencies must implement them through the chain of command down to the contracting officer. For the life of me, I cannot understand why, after 15 years, it is now proposed that a change must be made within 30 day's time.

When the bill is being read for amendment, I propose to offer an amendment changing this 30-day period to 90 days, so that the SBA and the Government procuring agencies may have a reasonable time to develop and put into effect a new procurement definition without completely disrupting the entire Government procurement program.

Mr. Chairman, finally, I should like to say a word about the anomalous situation we are in. We are in favor of small business, all of us. The smallest business I first knew was the farm, the homestead, which my grandfather got from Uncle Sam. The next in order was a crossroads general store that my uncle ran. He sold there everything from baby shoes, calico, tobacco, and candy, to neck yokes, whiffletrees, clevises, binder twine, and buggy whips. That was in addition to the groceries that were sold over the counter in return for eggs that were brought in by farmers. That enterprise has never gotten to be big but it has always been a successful one. Not all small businesses have a desire to be big, but they can be successful anyhow. The reason why businesses have grown from a small size to a large size is that they have been alert to their opportunities. They have managed well. They have made profits. They have accumulated earnings and those earnings have been plowed back into the business. That is the normal, historical development for business in the United States. But what happens now? Within latter years, the tax rate has been so high on business and it has been felt so keenly, especially by small business, that instead of building on its own earnings and growing in the normal American way, small business has to pay a large share of its earnings into the Treasury of the United States. Then the money travels from the Treasury to the Small Business Administration. Thereupon, the businessman who paid his taxes makes an appeal to the SBA for a loan. The normal thing would be that this small-business man would build on his own earnings. But, he cannot do that with the tax rate as it is. So, I submit to my colleagues that the really effective and long-time remedy that we can give to small businesses is to see to it that the earnings they make are in large degree kept by the people who make them. Then they will be able to build and flourish on their own earnings, and there will no longer be need for them to go to Washington, D. C., to borrow money on which freight is paid from out yonder to Washington and from Washington back yonder.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from Iowa [Mr. TALLE] has consumed 30 minutes.

Mr. SPENCE. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. BROWN].

Mr. BROWN of Georgia. Mr. Chairman, the aim of H. R. 7963 is to provide an opportunity for small business to develop and make its maximum contribution to the national economy.

It rewrites the Small Business Act, making various changes in the interest of promoting a more vigorous and efficient program of assistance to small business. The principal changes are, first, to make the Small Business Administration a permanent agency; second, to increase the authorization for loans to small business; third, to provide for a more equitable share of Government procurement for small business; fourth, to reduce the interest rate on direct SBA business loans and on SBA's share of such loans made in participation with private lenders and to eliminate the ceiling on the interest rate on the private lender's share; and fifth, to replace the Loan Policy Board with a National Small Business Advisory Board. In the committee I did not favor changing the Loan Policy Board.

Small business is a symbol of opportunity, enterprise, innovation, and achievement. It is an independent way of life, standing for something quite essential to our freedom. In terms of dollars and people it occupies such a large portion of our economy that this country could not exist as it is today without this healthy, pulsating, and profitable small-business segment. Just how important these 4 million small businesses are to the economy of this country is pointed up by the fact that they are owned by approximately 7 million business men and women. They employ an estimated 30 million persons, including owners, managers, and executives.

The strength and vitality of our economy is based on the fact that new small firms have been started each year and that established small concerns have grown into large business. Such a climate for business enterprise can only be sustained when there is equality of opportunity among firms of different sizes, where it is the hope of every person entering business that they can grow and prosper. We in Congress are trying to keep these incentives alive and to assure that there is equal opportunity for those who are willing to risk their time and money in a business venture. Every Member here knows the importance to the communities in his district of small firms manufacturing in, and servicing these areas. Every Member also knows the invaluable contribution made by small firms to our national economy.

On at least three occasions, the Congress has deemed it necessary, however, to assist small firms by specific legislation. During World War II the Smaller War Plants Corporation was set up to assure small business of more equitable procedures and greater opportunities in Government procurement. Again in 1952 the Small Defense Plants Administration was established to provide assistance to small firms engaged in production for the Korean war. In 1953 Congress established the Small Business Administration as the first peacetime agency devoted exclusively to providing assistance to small business. The procurement, technical, and lending programs of former agencies were continued under this new agency.

The reasons for the establishment of SBA were obvious. Small firms were unable to obtain necessary credit from private sources, or to secure a fair proportion of Government contracts. Small firms had no representation on policy level in the Federal Government nor could they afford to have representatives either in Washington or throughout the country. Finally, these same firms were in need of technical and

management assistance with which to maintain or improve their competitive position. In every sense the Small Business Administration is the advocate and spokesman for small business in the executive branch of our Government.

After getting off to a disappointing start, SBA's business loan program has sharply increased in recent months. Of the total loan approvals, roughly 45 percent—both by number of loans and dollar volume—occurred in the current fiscal year.

Through April 30, 1957, SBA had approved 6,443 business loans, in a total amount of $295 million. SBA's share of these loans—including direct loans and immediate and deferred participations—amounts to $245 million; the balance of the loans are made by private lenders. Of this amount, $191 million had actually been disbursed through April 30, of which SBA's share amounted to $158 million. SBA's disaster loan approvals through April 30, 1957, total $63 million, of which SBA's share amounted to $60 million.

SBA's losses on its lending program through May 13, 1957, amount to $102,377.27. This is the total amount charged off, and involved six loans.

SBA's assistance to small business in obtaining a fair share of Government contracts is perhaps best illustrated by figures on procurements set aside for small business. The joint setaside program is carried out by SBA with the cooperation of Government agencies charged with procurement. SBA's representatives assigned to major Government purchasing offices review proposed purchases, determine the type of facilities needed to produce the items, evaluate the prospects for small-business competition, and advise procurement officials of those which they believe should be earmarked for competition exclusively among small firms. With the agreement of the contracting officer, all or part of the order is then set aside for small business. Through March 25, 1957, a total of 19,123 procurements had thus been set aside, in a total amount of $1,619,593,650.

It is generally agreed, I believe, that nearly everyone who has made any study of the problems of small businesses has found that adequate, sound financing is one of their most pressing problems.

I have known of many instances of small firms in my district—and I am sure all of you know of similar cases—where the management and ownership of a small firm is capable and enterprising, but where the firm is seriously handicapped by this lack of adequate financing. It is therefore unable to take full advantage of the opportunities opening up before it—to create more jobs and to play a more vital role in our expanding economy.

To help meet this financing need, the Congress authorized the Small Business Administration to make business loans under certain conditions. It is important, I think, to understand these conditions.

The law provided that business loans could be made only in those cases where financing was not available on reasonable terms from private sources. It was clearly the intent of Congress that every effort first be made by the concern itself, or the individual as the case may be, to secure private financial assistance. In this effort the SBA could offer its facilities if requested to do so. If the continued efforts of the applicant and the Small Business Administration were unsuccessful the next step is to arrange a bank-participation loan on a deferred basis, if that be possible. Finally, if these efforts failed, the Small Business Administration then had the authority to consider and to arrange an immediate participation or a direct Government loan.

The Small Business Act now authorizes SBA to make business loans in amounts up to $230 million outstanding and disaster loans up to $125 million outstanding. SBA may also take Government contracts, in amounts up to $100 million outstanding, for subcontracting to small-business concerns, but this authority has never been used. H. R. 7963 increases the business-loan authority to $500 million and reduces the prime contract authority to $25 million.

The Small Business Administrator recommended to the committee that the business-loan authority be increased to $450 million. SBA estimates that its loans and commitments outstanding will gradually increase over the next few years until repayments become large enough to stabilize the balance outstanding.

H. R. 7963 raises SBA's business loan authority to $500 million instead of the $450 million recommended by SBA. I believe that this additional authority will provide a reasonable reserve needed to cover contingencies which were not taken into account in the above estimates. For example, the $450 million ceiling proposed by SBA would not accommodate even a 10 percent increase in loan volume over the estimated $151.2 million a year.

The administration has consistently underestimated the needs for SBA loans both business loans and disaster loans. In July 1955 the Banking and Currency Committee reported out a bill to increase both authorizations, but the administration opposed the increases and they failed of enactment. Six months later, SBA had reached the limit of its disaster loan authority and was forced to make loans to flood victims as business loans. These were later converted to disaster loans after Congress acted early in 1956 to raise the limit. Early this year, SBA was approaching the limit of its business loan authority and urgently requested an increase, which the Congress enacted. We have accepted the assurances given by the Small Business Administrator this year that an increase in the disaster loan authority is not needed. I believe, however, that a modest increase in the business loan authority over SBA's recommendation is needed to provide a reasonable reserve, and to avoid another urgent request from SBA for a later increase.

I wish to point out that the $500 million figure does not constitute either an appropriation or obligational authority. It is an overall limit on the amount of business loans which SBA may have outstanding at any one time. In order to obtain funds to make loans within this overall limit, SBA must still obtain appropriations from the Congress, and the loan themselves constitute an income-producing investment for the Government.

H. R. 7963 would also eliminate the expiration provision from the present Small Business Act, thereby making SBA a permanent agency. The Small Business Act, which authorized the establishment of the Small Business Administration, was passed by the Congress in 1953. This original legislation provided that all authority under the act would terminate June 30, 1955. In the latter year, Congress amended and extended the act to July 31, 1957.

Operation and experience under such temporary legislation have revealed a number of limitations which hamper the efficient operation of the Small Business Administration.

• There is a tendency to regard SBA programs as temporary expedients. As the expiration date of the Small Business Act approaches some institutions have hesitated to join with the agency in participation loans. This hesitation may be founded in the uncertainty that a bank committed to participation in a long-range program may incur unanticipated expenses arising out of the shift of responsibilities from SBA to a successor.

Government agencies may be reluctant to embark on long-range programs with SBA because they may find themselves burdened with additional responsibilities which they are not prepared to assume if SBA should be terminated.

A short-range temporary agency encounters personnel problems which can be alleviated by longer tenure. The demand for SBA loans has practically doubled within the past year and it is anticipated that this higher level of activity will continue into the future. It has been difficult to obtain a sufficient number of qualified financial specialists to carry forward the agency's financial-assistance program. If one trained employee is lost today, he may be replaced only with extreme difficulty because such employees are not attracted to a Government agency operating under a termination date effective in the near future. For the same reason there is a lack of incentive for longer range training programs to increase the efficiency of the agency.

Experience has indicated that better relations with the business world can be established if it is clear that SBA's small-business program is a continuing one.

It thus appears that establishing the Small Business Administration as a permanent agency will strengthen all of the agency's small-business programs.

H. R. 7963 would require SBA to change its definition of a small-business concern for purposes of Government procurement. SBA now uses two definitions: one for financial assistance and the other for procurement. The procurement definition uses a single standard for all industries; that is, with certain exceptions the classification of a concern as small

or large depends on whether it has fewer than 500 employees. Section 3 of the Small Business Act as rewritten by H. R. 7963 provides that if SBA uses a number of employees as a basis for determining whether or not a concern is a small-business concern, the number of employees which SBA fixes as a limit for small-business concerns shall vary from industry to industry. SBA would thus be required to prescribe a new definition without delay. If the new definition is not put into effect within 30 days, then SBA's present definition for financial-assistance purposes would be put into effect for procurement purposes also.

As a member of the Banking and Currency Committee, I have followed closely the work of the Small Business Administration. I believe that the work of the past 4 years has resulted in a financial-assistance program which is of benefit and most essential to the small-business concerns in our economy. From my own observations, and from the many favorable comments about SBA which I have received from small-business organizations, I know that the agency is also rendering effective service through its other programs of procurement, technical, and managerial assistance.

Actually, I believe that much of the criticism which has been voiced concerning the agency's operations is due fundamentally to a difference in opinion as to what the legislative authority should be. With the limitations which have been placed on personnel and funds and within the authority given the agency by Congress, I am convinced that the Small Business Administration has done a good job its first 4 years and has rendered effective assistance to small business. More can and should be done within each program. I believe that it is a continuous fight to maintain sound and competitive small business in our economy. The most effective step this body can take toward the achievement of that goal is to pass H. R. 7963.

Mr. TALLE. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. McVEY].

Mr. McVEY. Mr. Chairman, H. R. 7963 has been introduced to promote the welfare of small business in this country. There are certain purposes in this bill which should be mentioned. The principal ones are:

First. To make the Small Business Administration a permanent agency.

Second. To increase the authorization for loans to small business.

Third. To assist in the matter of Government procurement.

Fourth. To place a ceiling upon the interest rate that may be charged to borrowers.

Fifth. To replace the Loan Policy Board with a National Small Business Advisory Board.

Everyone recognizes the part that small business has played in the economy of our country. The number of small-business organizations far exceeds the number of large-business concerns. They represent an independent way of life. The freedoms allowed us under the Bill of Rights provide many privileges of importance to the individual, and one of these freedoms permits the individual to initiate and organize his own business.

There are about 4 million small-business concerns in our country today. They are owned by approximately 7 million businessmen and women. They employ approximately 30 million persons. With this in mind, the Committee on Banking and Currency has tried to provide a favorable atmosphere in which small business may function.

Through April 30, 1957, SBA had approved 6,443 business loans, at a total amount of $295 million. The SBA share of these loans amounted to $245 million. The remainder represents participation on the part of the local lending institutions.

It has been a definite aim on the part of SBA to permit small business to obtain a fair share of Government contracts. This is illustrated by figures on procurement set aside for small business. Through March 25, 1957, a total of 19,123 procurements had been set aside for small business, in a total amount of $1,619,593,650.

There are some features of H. R. 7963 which are controversial. This bill sets a ceiling of 5 percent on all Government loans to small business concerns. There are those who feel that the participation of local lenders will be stifled in sections of the country where banks would have to charge more than 5 percent for their participation in these loans. It is a principle of the small business program that borrowers will first attempt to secure funds from local banks before any help can be expected from the Federal Government. The Federal Government steps in only where responsible borrowers are unable to get money from local concerns. There are those who hold the opinion that because of this feature of H. R. 7963, borrowers will not strive as diligently for local loans, since they would rather secure money from the Federal Government at a ceiling interest rate of 5 percent. Our Committee, after a thorough discussion of this matter, decided to place the ceiling at 5 percent. In my own mind, I am doubtful if that is a proper provision in this bill. However, the measure does contain a number of good features, and I shall support the bill.

As stated above, the Small Business Administration, by this bill, is established as a permanent agency. In the past there has been a tendency to regard SBA programs as temporary expedients. Because of approaching expiration dates some institutions have hesitated to join with the agency in participation of loans. Then, too, Government agencies may be reluctant to embark on long-range programs, not knowing when the SBA will be terminated. Because of this and other difficulties, H. R. 7963 establishes the Small Business Administration as a permanent agency.

H. R. 7963 is not entirely satisfactory to me, but I plan to vote for its passage by the House of Representatives, because I feel that the merits of the bill outweigh any weaknesses which may exist.

Mr. TALLE. Mr. Chairman, I yield such time as he may desire to the gentleman from Connecticut [Mr. SEELY-BROWN].

Mr. SEELY-BROWN. Mr. Chairman, I rise in support of H. R. 7963—the Small Business Act of 1957. The main purpose of this legislation is to make sure that the small business community is given the continuing opportunity to grow and to make its needed contribution to the overall national economy. All of us, I am sure, believe that small and independent business is an essential element to the American system of competitive enterprise. By providing a healthy economic climate for small business we are in fact also providing ourselves with the best kinds of safeguards against monopolistic control of our entire economy.

The proposed bill before us makes certain important changes in existing law. I will list them briefly:

First. The Small Business Administration is made a permanent agency.

Second. The authorizations for loans to small business are increased.

Third. A new definition of small business for procurement purposes is established.

Fourth. The interest rate on direct SBA business loans and on SBA's share of such loans made in participation with private lenders is reduced.

Fifth. The Loan Policy Board is replaced by a National Small Business Advisory Board.

Now let me discuss briefly why these important changes are needed.

I am one of those who believes that the establishment of the SBA as a permanent agency will strengthen all of the programs presently being undertaken by the administration. As one who participated in two sets of hearings on this legislation—both as a member of Subcommittee No. 2 of the Small Business Committee and also as a member of the Committee on Banking and Currency—I am well aware of the limitations which have hampered the efficient operation of SBA because it was always operating under temporary legislation. This very naturally has resulted in a tendency to regard SBA programs as temporary expedients; it has made difficult the setting up of participation loans; it has resulted in a reluctance on the part of other Government agencies to embark on long-range programs with SBA because these agencies were fearful that the termination of SBA might add new burdens and responsibilities which they were not prepared to accept. In addition, a short-range temporary agency encounters personal problems of major importance. In the important field of financial specialists it has been particularly difficult to obtain qualified personnel because those whose service is sought hesitate to accept employment with a Government agency whose termination date may become effective in the near future.

I most sincerely believe that much better relations with the business world can be established if it is clear to all concerned that the SBA is permanent and its small-business program is a continuing one.

The question of giving an exact definition to the term "small business" has been a recurring one over the years. No

single definition may be reasonably expected to meet all possible requirements. In recognition of the varying situations, I believe that the responsibility of drafting a definition should be placed wholly within the SBA. I am sure that a workable definition has been established by the SBA in its financial assistance program. I believe that the same flexibility and adaptability must now be attained in the consideration of contract awards to small business by the Government.

As indicated earlier in my remarks, the authority for loans to small business is increased. Under present law the SBA is authorized to make business loans in amounts up to $230 million outstanding and disaster loans up to $125 million outstanding. Under the terms of the proposed legislation the business-loan authority is increased to $500 million.

This proposed legislation replaces the Loan Policy Board with a National Small Business Advisory Board. The Loan Policy Board, as presently constituted, consists of the Administrator of SBA as Chairman, the Secretary of the Treasury, and the Secretary of Commerce. It is charged with the establishment of general loan policies with particular reference to the question of public interest involved. Under the new proposal, this Board would be replaced by a National Small Business Advisory Board, consisting of the Administrator as Chairman, the Secretary of the Treasury, the Secretary of Commerce, and not less than 2 nor more than 6 representatives of small business. This new and larger group might be more responsive to some of the very real problems faced by those who make up the small-business community.

The act now provides that SBA's business loans shall bear interest at the rate prevailing locally but not more than 6 percent per annum. In cases where a loan is made in participation with a private bank, the 6-percent ceiling now applies to both SBA's share and the bank's share of the loan. The legislation now before us would reduce the maximum permissible interest rate from 6 to 5 percent and would specify that the area to be considered in determining the prevailing rate shall be the Federal Reserve district where the money loaned is to be used. The 6-percent ceiling would be removed from the bank's share of a participation loan. The present spread between a 5-percent rate and 2⅞-percent cost of borrowed funds is adequate. During the next fiscal year the cost of borrowed funds will go up to 3⅛ and 3¼ percent under the recomputation of the interest-rate formula each year which is provided for in the act.

In conclusion, may I say, Mr. Chairman, I am well aware of the significant role that small business has played in the growing and expanding economy of our country. The members of the small-business community in my district and in every Congressional district stand as a symbol of independence, opportunity, innovation, and achievement.

Mr. TALLE. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. HENDERSON].

Mr. HENDERSON. Mr. Chairman, as a member of the Banking and Currency Committee, I want to congratulate our able chairman, Mr. SPENCE, for the fine leadership which he has demonstrated again in guiding the efforts of our committee during the consideration of this bill to amend the Small Business Act. The committee's consideration has been motivated by one single objective—the realization that legislation should offer genuine assistance to the needs of the several million small-business enterprises of this Nation. The committee has worked objectively and in basic harmony to prepare a bill which draws upon many years of study of the small-business question. In this, we are indebted to many of the members of the Select Committee on Small Business who have appeared before our committee to furnish us with recommendations and guidance based upon their detailed knowledge of the position of small business in our economy and its present needs.

I also want to congratulate the staff of the Banking and Currency Committee, which has produced an excellent report on this bill for the guidance of all of the Members of this body.

I shall not dwell at length upon the need for a vigorous small-business base in our economy. There does not seem to be any general disagreement with the conclusion that the free enterprise system in this Nation requires the preservation of opportunity for small companies to grow and prosper. All of our giant corporations today have been small in their beginnings. Through wise management and fortuitous decisions, these firms have grown into the industrial empires to which Americans may point with pride today. They are the monuments to the basic soundness of the free-enterprise philosophy. They are also great bulwarks in the defensive might of this Nation. Similarly, their efforts provide the basis for the standard of living which the American people enjoy today—a standard never before achieved in the history of mankind.

We are not, therefore, discussing legislation today which is intended to be beneficial to small business by being punitive to the rest of the economic community. What we are saying in this bill is that the Federal Government, using the basic philosophy of free enterprise, should work to create an economic climate in which small firms may thrive. This legislation does not attempt to lessen competition. It does not contain any factors which regiment small business. It does not remove the competitive element which is so necessary in the system of free enterprise. It does not substitute bureaucratic decisions for the decisions of management. It does not subsidize small business.

This legislation extends the Small Business Act of 1953, making certain refinements and changes in that act which we believe will help create a more vigorous small-business community. We are seeking here to strengthen the Federal machinery which has already been provided to serve small business. Here, I want to emphasize that our efforts have been directed toward service and not toward dictation.

The Small Business Act of 1953, enacted on July 30 of that year, created the first independent Government agency to serve and represent small business at the Federal level. It had three major objectives. The first was to provide credit through sound loans only when such loans could not be made through normal commercial channels. The second objective was to obtain for small business a fair share of Government contracts, both in periods of peace and war. The third mission which Congress assigned this agency was the providing of voluntary and competent managerial and technical assistance where and when such assistance was desired by small firms.

The Small Business Act wisely provided that, if credit was available from private sources, loans could not be made by the Small Business Administration. The agency has been administered in a manner which respected the letter of this provision. I believe that this is apparent in the fact that, through April of 1957, 4,483 of its approved loans, amounting to $212,171,000, have been made in participation with private lenders. The agency found direct financial assistance necessary only in the case of 1,954 loans.

The requirements of the Small Business Administration have followed sound business practices in requiring collateral for the loans which it has approved. This is most apparent when we look at the record. Through April of this year, the agency's losses in the lending program have amounted to only $102,377.27, involving six of its loans. This is an excellent average, attesting to the care which has been exercised in the handling of the agency's funds by its Administrator.

The bill before us today reduces the maximum permissible interest rate from 6 percent to 5 percent, depending upon the prevailing rate of the Federal Reserve district in which the money is loaned or used. Insofar as participation loans are concerned, the 6-percent ceiling would be removed from the bank's share. Since one of the chief problems which small businesses encounter today is the matter of raising capital on reasonable terms, these provisions seemed sound to our committee. With respect to efforts made by the present administration to control inflationary pressures, we believe that small firms have borne an unequal share of the present monetary controls. Therefore, we have concluded that this reduction in maximum interest rates would not be detrimental to the necessary efforts to control inflationary pressures.

The present bill also changes the complexion of the Loan Policy Board, which governs the policies of the Small Business Administration under which financial assistance may be rendered. This Board has been composed of the Administrator of the Small Business Administration, the Secretary of the Treasury, and the Secretary of Commerce. It has been subjected to much criticism, which I believe is entirely undeserved. It has been pointed out that

the Small Business Administration cannot be a truly independent agency unless the complexion of this Board is changed. I believe it is perfectly proper that the Small Business Administration function within the limits provided both by this legislation and by the President, who bears ultimate responsibility for its performance. In the sense that the agency's functions involve considerations of primary interest to the Department of Commerce and the Department of the Treasury, it is proper that general policies of any administration as developed by these Cabinet level departments of Government should be represented in the activities of the Small Business Administration. I believe, therefore, that the changes recommended in this bill—that the Loan Policy Board should be extended to include not only the Secretary of Commerce and the Secretary of the Treasury, but also the several representatives of the small-business community—will answer the criticism unfairly leveled at the previous Policy Board and still maintain the necessary coordination which must direct the general policies of the Small Business Administration.

In a time when the Federal Government is purchasing billions of dollars of goods and services for the military services, it is most important that every effort be made to see to it that small business is given a fair opportunity to participate. It is human nature among contracting officers that well-known companies should be given preference in the awarding of Government contracts. This usually means that the performance ability of small producers, particularly in the area of negotiated contracts, is not given the full consideration to which it is entitled. This has been a long-standing problem and was clearly recognized in World War II and the Korean hostilities. The working out of a more precise definition of small business will be helpful. I believe that the reiteration and strengthening of the procurement assistance provisions in this bill will once again impress Federal purchasing officers in all agencies that it is the intent of Congress that small business must be given a full voice in the awarding of Government contracts. Thus, since our tax dollars are composed so largely of revenues from small businesses, these small companies will have a fair opportunity to sell to the Federal Government those items being purchased with the tax dollars generated from the small-business community.

In conclusion, I want to say that I believe the Small Business Administration has performed a genuine service to the Nation's small businesses since its creation in 1953. There have been partisan attacks upon its operation which, in my way of thinking, have been either completely unjustified or unconstructive. I know of no Member of this Chamber who does not support the purposes for which this agency was created. And I see no reason why the facts of the agency's operation should be subjected to politically partisan judgments which would, in their effect, harm the services which the Small Business Administration is rendering the small businesses of our Nation. I am pleased to say that there would appear to be a majority recognition that the small-business question has no place in partisan politics. It should not be a political football.

In view of the record which the Small Business Administration has achieved, I want to urge support of this bill today by all Members of the Congress, and I feel confident that it will be supported enthusiastically by Members on both sides of the aisle. If this is the case, I am confident that the small businesses of this Nation will be the beneficiaries and then we will achieve what our committee has attempted to create—a strong, independent, permanent agency with a specific mission of service to the Nation's small businesses.

Mr. SPENCE. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, I want to take this opportunity to urge support for H. R. 7963, the Small Business Act, as reported out by the House Banking and Currency Committee, of which I am a member.

Although this legislation will do very little to assist in the disastrous plight of small business, it unfortunately seems to represent the full distance that this Congress will go.

At some early date, it is my hope that a full and complete review can be made of the problems of small business while small businesses still remain a part of the American scene. The overpowering capacity of big business to fix suitable pricing arrangements, to borrow money, and to gain preference on the public and private markets, pose a most serious threat to the future existence of small business.

My community has perhaps as many small business enterprises as any district in the country. These small businesses have a very difficult time of it, particularly when it comes to borrowing the necessary funds for expansion and doing business. The current high cost in the use of money is forcing many small-business men to either close their doors or operate on a day-to-day basis. They are not able to participate in long-range planning programs or expansions which require long-term loans. Their only other alternative is to sell out to large businesses and leave the competitive arena. This trend cannot go on without seriously affecting the existence and competitive capacity of small business. Other means of stimulating and protecting small business enterprises must be devised.

The legislation which we are passing today will not provide much fortification to existing small businesses. The cost of using money must be brought down to realistic terms which small business can meet if it is to continue in its proper place in the American plan.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT of Florida. Mr. Chairman, I rise in support of H. R. 7963, which would not only greatly improve the operation of the Small Business Administration, but would make that agency permanent. I have introduced legislation which would make the Small Business Administration permanent and, therefore, have a particularly keen interest in that aspect of this bill. This bill also accomplishes other excellent objectives, such as increasing the authorizations for loans to small business, providing for a more equitable share of Government procurement for small business and reducing the interest rate on direct Small Business Administration loans.

The fact that this legislation brings about great improvements in the field of Small Business Administration activities does not minimize the urgency of doing other things for small business which are not in any way covered by this legislation. I have already mentioned a bill which I have introduced which would make the Small Business Administration permanent. This is H. R. 559, and this bill which I have introduced also provides for many needed improvements for small business which are not included in the bill before us today.

Last year the President's Cabinet Committee on Small Business made 14 specific recommendations for assisting small business. On the first day of this session I introduced H. R. 559 to change present statutes to carry out the recommendations of that Cabinet Committee. In addition to carrying out the provision of making the Small Business Administration permanent, other proposals of the Cabinet Committee were embodied in my bill, as follows: Reduce income taxes on business corporations from 30 to 20 percent on incomes up to $25,000; give businesses the right to utilize accelerated depreciation formulas for purchases of used property; give a dividends paid credit up to $25,000 income of corporations with 10 or fewer stockholders; give an option of paying estate taxes over a period of 10 years in cases where the estate consists largely of investments in closely held businesses; simplify wage reporting for social security and withholding tax purposes; enable closer Federal scrutiny of mergers and make procedural changes to facilitate enforcement of antitrust statutes; extend Federal regulation of corporate mergers to banking institutions; increase the maximum amount of an issue of corporate securities which the Securities and Exchange Commission may exempt from registration from $300,000 to $500,000; authorize and direct a Budget Bureau study to eliminate useless and overlapping requests for information from businesses.

It is certainly deeply regretted by me that it is possible that the governmental procedures are so slow that an officially appointed Cabinet committee can make recommendations in 1956 and legislation can be introduced on the first day of this session embodying those recommendations and restricted to those recommendations, and yet here toward the end of this session of Congress we find ourselves without any departmental reports or other constructive progress on such legislation, except for the one item already mentioned—the making permanent of the Small Business Administra-

tion. I sincerely hope that the legislative procedure can be speeded and that action can be taken in the Treasury Department and the Bureau of the Budget on H. R. 559 and that if reports from those agencies are not soon received, the House Ways and Means Committee may take affirmative action on this legislation without waiting further for any such administrative reports.

Mr. SPENCE. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, may I first congratulate the distinguished chairman [Mr. SPENCE] and the members of the committee for having brought this legislation before us today. It is a distinct step forward in meeting the needs of small business. There cannot, however, be any question but that small business needs more help than it is receiving from this legislation. In going over the bill and the report, I believe there are a few things which deserve specific emphasis in order that attention may be called to them in the minds of the small-business community. On page 12 of the report of the committee, it is particularly important that we note the change in the language which has been made in the law so that now the Administrator of the Small Business Administration is specifically instructed that a loan may be granted by the Small Business Administration either of sound value or so secured as to reasonably assure repayment. The word "or" is, of course, the important one. One of the great difficulties of small business has been to secure capital loans and this new instruction to the Administrator will assure that the capital loan will be given more favorable consideration.

Another important factor, of course, to small business has been the cost of money, and it is encouraging to see the maximum amount reduced as far as the Government is concerned from 6 percent to 5 percent. There is one point in the interest-rate discussion in the report and in the language of the bill which I feel sure should be clarified again, perhaps, for the guidance of the Administrator. It has been noted that the 6-percent ceiling would be removed from the bank's share of a participation loan. This would seem justified, inasmuch as the Government may, in my opinion, and evidently in the opinion of the committee, not dictate to private industry how much money it should charge. But in the deferred loans which are made it does seem to me that this deferred loan is in actuality a guaranty by the Government of the financial institution making the loan. I would like to ask a member of the committee if I am correct that it is the policy of the committee that that deferred part of the loan shall be included under the 5-percent limitation on Government loans.

Mr. SPENCE. Yes; the 5-percent ceiling applies to the deferred part of the loan.

Mr. ROOSEVELT. I thank the chairman.

Mr. MULTER. Mr. Chairman, will the gentleman yield to me on that very point?

Mr. ROOSEVELT. I am very happy to yield to the gentleman.

Mr. MULTER. It might be well to point out here with reference to the deferred participation that that is even a better guaranty than you get when the bank participates or a lending institution participates in the FHA program. In that program they cannot call for payment except on default; and when they call for payment on default, they get Government bonds. But in this program, upon the agreement being executed for the deferred participation, in accordance with the terms of that agreement, the bank then calls upon the SBA, not for bonds but for cash. They get the exact amount unpaid at that time in accordance with the deferred participating agreement. When SBA pays the bank at that time, the SBA to that extent becomes the lender.

Mr. ROOSEVELT. I thank my distinguished colleague. I think it is now very clear and I am sure the administrator will so follow the instruction. It is important to point out to small business that the bill again refers to what are known as pool loans. Small business should take advantage of this provision of the act, and there is no question that many of the difficulties in financing necessary credit will be amply alleviated. The committee is to be congratulated in their changing of the language in order to establish beyond any question that this pool arrangement may be made to obtain raw materials, equipment, inventories, or supplies for the use of the concerns in the pool as well as for establishing facilities for such purposes.

Mr. Chairman, there are, I think, a number of other things which we should emphasize. On page 12 of the bill in section 7 (a) we point out and make very clear to the Administrator that these loans are not only short-term loans but specifically spells out that these loans are, and I quote:

To supply such concerns with working capital to be used in the manufacture of articles, equipment, supplies or materials for war, defense—

And I emphasize again—

or civilian production.

I think that if the Small Business Administration will construe this section properly many of the long-term working capital difficulties of small business will be overcome.

Again I say I think it is important to know that this can be accomplished over a 10-year period. Ten years is the maximum; but, again, it is my understanding that because it is the maximum it does not mean that the Administrator has to shy away from the maximum. A working capital loan should most certainly receive the maximum period whenever possible.

Mr. Chairman, I would like to discuss for just a moment one other portion of the bill which is found on page 24 in section 9 (c) where the Attorney General "is directed to make, or request the Federal Trade Commission to make for him, surveys for the purpose of determining any factors which may tend to eliminate competition, create or strengthen monopolies, injure small business, or otherwise promote undue concentration of economic power in the course of the administration of this act."

In the subcommittee on which I have the privilege to serve of the House Committee on Small Business we have found over and over again the tremendous difficulty of small business concerns in trying to secure the equal application of the law. Whenever a small business files a complaint either with the Federal Trade Commission or with the Justice Department the problem and the difficulty of getting action in time to be of any use to that small concern is one that practically never gets solved.

Mr. BASS of New Hampshire. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from New Hampshire.

Mr. BASS of New Hampshire. Going back to deferred loans, it is my understanding, and I would like to ask the gentleman from California if it is not his understanding also, that the initial funds are the banks' funds, are they not?

Mr. ROOSEVELT. Yes.

Mr. BASS of New Hampshire. If that is true and if the bank is limited to 5 percent, does not the gentleman think that the deferred loan program will be dried up, because no bank would be willing to lend at 5 percent less the premium to the SBA?

Mr. ROOSEVELT. All I can say in answer to that is that under the 6 percent program it worked very well, and I am sure that if the 5 percent program turned out to be onerous the committee would do something about it. I think we must look at the total overall proposition, as the gentleman from New York so well stated it. In actuality the Government guarantees the bank and I think the terms at 5 percent should be pretty attractive to any lending institution.

Mr. BASS of New Hampshire. Following that through, if the bank has to pay, say a 1 or 1½ percent fee to the SBA, its return would be less than 4 percent. I doubt if any bank would be willing to lend money on that basis.

Mr. ROOSEVELT. I will yield to the gentleman from New York [Mr. MULTER] to answer that specific question.

Mr. MULTER. There is no fee charged to the bank in this program, and that is why this is a much more attractive program than the FHA. Under the FHA program on a 5½ or 6 percent mortgage there is a one-half percent paid. Here there is no premium paid.

Mr. BASS of New Hampshire. I am talking about deferred loans where I understand there is a premium charge by the SBA. I agree with the gentleman that this is otherwise a good bill. But what small businesses in my area are interested in is not so much whether the rate is 5, 5½, or 6 percent, as where and how to get the money. I am fearful that if we limit the interest rate to 5 percent, small concerns will not get the money they need.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. SPENCE. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. MULTER. My attention has been directed to the fact I was in error when I said there was no fee charged. There is a graduated fee charged in the deferred participation program. Again let me point out, however, that it is a better program so far as the bank is concerned than is FHA. They get the actual cash, as was pointed out a moment ago. When they call on SBA to take up its part of the deferred participation loans they do not get bonds; they get cash immediately in accordance with the agreement. In other words, if the bank is lending $100,000 and the deferred participation is $25,000, when the bank says, we want our money, the SBA gives them $25,000 in cash. It is an unconditional guaranty.

Mr. ROOSEVELT. I would say to the gentleman from New Hampshire that, in my opinion, he has raised a good point. If the Small Business Administration finds it is not getting the great cooperation which it is getting now on a 6 percent basis, it would be quite proper for the Administrator to report that immediately to the Committee on Banking and Currency and to come in and have us change it as rapidly as possible.

Mr. BASS of New Hampshire. I thank the gentleman.

Mr. ROOSEVELT. Mr. Chairman, I sincerely trust this section 9 (c) will be given very careful consideration by the Department of Justice, the Attorney General and the Federal Trade Commission, in order to try to work out a system of providing quick adjustment for small business concerns in having their complaints properly attended to.

Lastly, Mr. Chairman, may I point out there is not in this bill one of the most important things which I think we need to do for small business because it does not come under the jurisdiction of this committee. That matter is the question of taxes for small business. A way must be found for small business to be able to retain sufficient funds from profit to enable it to expand and to enable it to raise its own working capital. I sincerely hope that the Committee on Ways and Means will move forward so that at the earliest possible moment we may have tax legislation to favor and to help small business.

Mr. Chairman, this is a good bill. I hope it will pass and become law. Particularly is it to be hoped that the Small Business Administration will then move fully to carry out its improved provisions for the assistance of small business.

Mr. TALLE. Mr. Chairman, I yield such time as she may require to the gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Chairman, I am happy to give my support to H. R. 7963—the Small Business Act bill. I am sure we all realize there are certain fields in which opportunities for small business in America must be widened.

My only regret is that this legislation does not include other important provisions recommended by the Cabinet Committee on Small Business last year. I realize, of course, that a tax-relief provision could not be included in a Banking and Currency Committee bill; that field is under the jurisdiction of the Ways and Means Committee. But it is my hope that additional action by the Congress will be forthcoming on this and other recommendations.

In fact, it is my intention to introduce legislation covering these remaining recommendations within the next few days. I realize other bills presently are pending in these fields, but I want to reemphasize through the introduction of such legislation the need for Congress to carry out the entire small-business program.

Meanwhile, I believe we Members of the House should commend the Banking and Currency Committee for its outstanding service to small business in writing this legislation which we now are considering.

The committee's work indicates deserved recognition of the vital role small business has played in our economy throughout our Nation's history.

As the committee noted in its report:

> Small business is a symbol of opportunity, enterprise, innovation, and achievement. It is an independent way of life, standing for something quite essential to our freedom.

Certainly, we should do all that is possible to encourage small-business concerns, to help them grow and expand.

This bill is a forward step in realizing that objective. In this legislation, we make the Small Business Administration a permanent agency; we authorize more loans to small business; we give small business greater assistance in obtaining a greater and fairer share of Government procurement, and we reduce the interest rate on Small Business Administration loans.

Such actions, I am certain, will help small business in important areas. They will help establish and preserve a healthy economic climate for small business. I wholeheartedly urge favorable action on this important bill.

Mr. TALLE. Mr. Chairman, I yield 10 minutes to the gentleman from Colorado [Mr. HILL].

THE SMALL BUSINESS ADMINISTRATION A PERMANENT INDEPENDENT SPOKESMAN IN GOVERNMENT FOR SMALL BUSINESS

Mr. HILL. Mr. Chairman, it gives me a great deal of satisfaction to speak in behalf of H. R. 7963 which among other things will give a permanent status to the Small Business Administration. This legislation is the culmination of many years of hard work by many of my distinguished colleagues. It is the result of years of study and continuing efforts to assure the small business concerns of our country a truly independent spokesman in our Government. H. R. 7963, in my opinion, should be adopted unanimously by the membership of this House and without amendment.

At this point I desire to compliment the distinguished chairman of the Committee on Banking and Currency, the gentleman from Kentucky [Mr. SPENCE]; the distinguished ranking minority member of that committee, the gentleman from Iowa [Mr. TALLE]; as well as all other members of the Committee on Banking and Currency who, I know from firsthand knowledge, have labored diligently to bring before the House a bill which we all can support.

I also want to congratulate the membership of Subcommittee No. 2 of the House Small Business Committee which has a continuing responsibility in examining the progress and operations of the Small Business Administration. I will have more to say about that subcommittee later, but certainly some of the credit for this bill is due to the distinguished chairman of Subcommittee No. 2, the gentleman from New York [Mr. MULTER], and his colleagues on the subcommittee, the gentleman from Illinois [Mr. YATES], the gentleman from Oklahoma [Mr. STEED], the gentleman from New York [Mr. RIEHLMAN], and the gentleman from Connecticut [Mr. SEELY-BROWN]. It is, I think, fortunate that two members of this subcommittee, the gentleman from New York [Mr. MULTER] and the gentleman from Connecticut [Mr. SEELY-BROWN] are members of the Committee on Banking and Currency. I might also mention that the distinguished chairman of the House Small Business Committee, the gentleman from Texas [Mr. PATMAN] is also a member of the great Committee on Banking and Currency.

It is a major accomplishment to bring before the House a bill about which there is so little controversy. Differences of opinion as to how best to accomplish the most good for our economy and our country are always to be expected. The happy omen here for the small-business sector of our economy is that most, if not all, of the differences of opinion as to methods and procedures have been resolved. This, I think is a testimonial to all those Members of Congress and to those officials of the administration who have worked diligently and sincerely to achieve the best possible results through small-business legislation.

A SMALL-BUSINESS AGENCY IS ESSENTIAL

In the past, when we were engaged in great productive efforts for the defense of our country, small business, while contributing much, encountered serious handicaps. They found it difficult to obtain prime contracts; they were unable to obtain sufficient quantities of scarce materials; they suffered from competition among producers for skilled labor; and they frequently were unable to obtain adequate credit. In each of the last two military conflicts, agencies were established by Congress to help small firms resolve these and other pressing problems. As a matter of fact, the Smaller War Plants Corporation and the Small Defense Plants Administration were established not only to assist small business to produce for the defense effort but actually to prevent the complete abandonment of this important segment of our economy. Small firms were, of course, the hardest hit in the cutback of production for a civilian market; and in the earliest years of both World War II and the Korean war, Government procurement offices took the line of least resistance by awarding prime contracts, providing financial assistance and di-

recting materials orders to the larger companies. These two agencies played a most important role in protecting and assisting the small firm.

In 1953 we found that two wars had seriously affected the competitive structure of our economy. We also found that with a large part of the Federal budget being expended on defense production small firms needed continuing assistance in securing Government contracts. They are still unable to obtain adequate financing, particularly in the form of long-term credit. And because of increased competition in the civilian market, small business also needed assistance in obtaining the latest information on technical and managerial subjects.

In the 83d Congress we recognized the need for an independent Federal agency to help resolve these problems of small business by establishing the Small Business Administration. I am proud of the fact that I was the author of the bill which became the Small Business Act of 1953, establishing the Small Business Administration. Programs were authorized by the Small Business Act so that small firms might receive help in each of the foreign areas.

In the 84th Congress the Small Business Administration was continued for another 2 years but with certain revisions in the basic legislation. The limit on individual loans which could be made to small firms was raised from $150,000 to $250,000; pool loans were authorized whereby groups of small firms could join together to obtain or produce raw materials or supplies. In this instance the $250,000 limit could be multiplied by the number of small concerns which have combined to form the new corporation. The interest rate to be charged on Small Business Administration loans was set at a maximum of 6 percent, while a drought disaster program was authorized whereby small firms whose business had suffered because of the effects of a drought could obtain 3-percent loans. There were also other perfecting amendments.

Many of the changes in the 1955 Small Business Act, recommended by the House Small Business Committee, were accepted by the Committee on Banking and Currency and were unanimously adopted by the Congress as a means of improving the efficiency and the effectiveness of the Small Business Administration.

Again in this 85th Congress certain changes in the Small Business Act of 1953, as amended, have been recommended. Subcommittee No. 2 of the House Small Business Committee has again held detailed and exhausted hearings on the operations of the Small Business Administration. As a result of these studies, 12 of the 13 members of the Select Committee on Small Business joined together to introduce bills identical to H. R. 7474, as introduced by the chairman of the subcommittee, the gentleman from New York [Mr. MULTER]. As you know, the Banking and Currency Committee also held extensive hearings on H. R. 7638, H. R. 6645, H. R. 7474, and many other bills dealing with the Small Business Administration.

Mr. Chairman, I have reviewed in some detail the past history of Small Business Administration legislation for one reason, to point out and emphasize as strongly as I can that H. R. 7963 as reported by the Committee on Banking and Currency is the result of many years of study by these two committees of the House. We who have been so interested in and concerned about the problems of small business believe that this is good legislation. It is also very necessary legislation. Small firms in our economy still face many of the same problems they faced in the early 1940's and in the early 1950's; their difficulties vary only as to degree.

Mr. Chairman, we believe the Small Business Administration has done a good job. We also feel that more needs to be done. The legislative changes recommended in H. R. 7963 should do much to assure that small business receives the greatest possible assistance.

I wish to state most emphatically that those who say that there should be no distinction made between small and large business enterprises or that the problems are the same regardless of size do not know the economic facts of life. This is not class legislation but legislation which is beneficial to our entire economy. If the small, independent businesses are ever permitted to disappear from our competitive society, we will have also lost the foundation of our free and democratic political society. I cannot emphasize this point too strongly.

THE SMALL BUSINESS ADMINISTRATION—A PERMANENT AGENCY

The most important provision in this bill, H. R. 7963, and the most important change in the original act, is that a permanent agency is called for—a permanent, small business agency which will be independent of all other agencies of the executive branch of the Government and responsible only to the President and the Congress.

Mr. Chairman, I have felt most strongly over the past years that only a permanent agency can do the effective work Congress has felt to be so essential to the welfare of our small business concerns. I am most happy that the Banking and Currency Committee is now recommending that this be done, and I am sure that my colleagues will all agree that a permanent agency is necessary. It is important to note that the administration also has asked for a permanent agency, and in our Small Business Committee hearings this recommendation was emphasized by officials of the Small Business Administration, the Departments of Commerce, Treasury, Defense, and Justice and the General Services Administration. Several small business associations, representing small firms locally and across the country, entered a strong plea for a permanent Small Business Administration. There are many good and valid reasons why such an extension is necessary. In my testimony before the House Banking and Currency Committee—if I may repeat it here—I stated that:

I, personally, do not know of any opposition to the proposal for a permanent agency either within the House of Representatives or within the Senate. Even though the reasons for permanency are all too obvious, I should like to enumerate a few of them for this committee.

First, since World War II, the small firms in our country have found increasing competitive pressures because of rapid growth in all phases of our economy, because of technological change generated by this growth and because of the great benefits derived by the largest business concerns in producing for the defense effort. Of course, the greatest handicap to small business has been our burdensome Federal tax structure. However, as we all are too well aware, small firms have for a great many years encountered difficulty in securing adequate long-term credit, in securing a fair proportion of Government contracts, and in maintaining a strong competitive position through the utilization of the latest information on management and technical matters. While I believe there has been progress made in the solution of many of these problems, there still remains much to be done. The programs authorized by the present Small Business Act are designed to provide assistance in these very areas. Only through a permanent, independent agency, however, can the importance of small business to our economy be given the recognition and attention it deserves.

An independent agency, acting as a spokesman for small business among the various Government departments and agencies, cannot achieve the necessary cooperation when the latter feel that perhaps the entire program might terminate at the end of 2 years. I believe that better long-range cooperative programs will be established if the other agencies of the Federal Government know that the Small Business Administration is on an equal footing and is not in the category of the casual visitor—here today, gone tomorrow.

Similarly, the banks of this country will be more willing to participate with the Small Business Administration on loans to small-business concerns when they know that the lending program is on a permanent basis. It is difficult to retain the necessary interest and cooperation when a program is on a temporary basis.

While the Small Business Administration's financial and procurement personnel are among the best obtainable, morale and personnel recruitment can be greatly improved if the agency is made permanent. As we all know, even the old-line agencies have difficulty competing with private industry for specialists of the caliber needed and desired by the Government.

Finally, I might mention that all the small-business men and small-business organizations with whom I have talked believe that a concerted effort is needed to assure small firms a place in our economy. Not only do they contribute immeasurably to a diversified peacetime economy, but they constitute an integral part of any defense program. If we do not attempt to resolve their difficulties now, these small firms will be lost for any future all-out defense effort.

Mr. Chairman, I should like to comment on various other aspects of this bill where changes have been made to permit more effective assistance to small business. I strongly support such changes. By way of explanation, I might say that earlier in this session I introduced H. R. 6645, the administration's bill, with regard to extension of the Small Business Administration. I was happy to do this. As a result of further and very detailed examination of the legislation and operations of the Small Business Administration, however, I have concluded that

even further improvements may be made through the adoption of H. R. 7963.

NATIONAL SMALL BUSINESS ADVISORY BOARD

First, I should like to refer to the change in the Loan Policy Board. Until now this Board, as provided by law, consisted of the Secretary of the Treasury, the Secretary of Commerce, and the Administrator of the Small Business Administration as Chairman. This Board has done a commendable job, primarily because of the individuals delegated by the two Secretaries, who participated in the Board's deliberations. No one can deny that the loan policy has been flexible. I do believe, however, that this must be strictly an independent agency. In the past, when this has not been the case, small business never received the necessary consideration or assistance. Even now I do not feel that the Small Business Administration is sufficiently removed from Commerce or Treasury, or the Department of Defense, to do the best possible job. Individuals come and go in the Federal Government, but Department policies, particularly with respect to small business, are a long time in changing to met new situations. The Small Business Administration is designed as a spokesman for the small-business concerns of this Nation; it must render services and provide counsel on an independent basis. I think, too, that this agency must remain in close touch with small-business men throughout the country. It seems wise, therefore, to have small-business men and small bankers represented on the Advisory Board. No coordination between agencies in the executive branch of the Government will be lost, since both the Department of the Treasury and the Department of Commerce will also be on this Advisory Board. The Administrator will himself be able to determine what is in the best interest of the Nation and small business, and will, in making this determination, utilize the thinking of this Advisory Board.

INTEREST RATES

H. R. 7963 proposes that the interest rate on the Small Business Administration's share of a loan shall be at 5 percent or the rate prevailing in the appropriate Federal Reserve District, whichever is lower. The change is recommended for several reasons among which are the cost of money to the Small Business Administration; the lending rate of other Federal Government lending institutions; and the fact that small firms not only need such financial assistance but need it at a rate of interest which will assist them in becoming financially sound. I do not feel that this will materially affect the participation aspects of the Small Business Administration program since banks will be allowed to charge their own rate on their portion of the loan. This type of loan on which a bank pays the Small Business Administration a fee for the agency's participation agreement accounts for only 30 percent of the number of business loans made and only 24 percent of the amount of the Small Business Administration share of approved business loans. Finally, I might mention that business concerns must still apply to their bank for a loan, and be turned down, before the Small Business Administration can consider the extension of credit. How, therefore, can it be said that a lower rate of interest would place the Small Business Administration in competition with banks?

DEFINITION OF SMALL BUSINESS

As I mentioned previously, in the 1955 amendments to the Small Business Act of 1953, Congress stated most emphatically that it did not want small business to be defined for procurement purposes as any concern which had 500 or fewer employees. It was the thinking of our committee that what can be considered as small business varies from industry to industry. This is the way it has been defined by the Small Business Administration in its financial assistance program. It was the Small Business Committee's desire that this same philosophy be applied to Government procurement. I believe that if a sincere desire to accomplish this is evidenced by the Government procurement agencies and by the Small Business Administration, a more appropriate definition than that presently used can be developed. H. R. 7963 will help to accomplish this.

THE SMALL BUSINESS ADMINISTRATION SHOULD STUDY THE COMPETITIVE PROBLEMS OF SMALL BUSINESS

I would like to comment on one of the provisions of this bill, namely, section 9 (a), which directs the Small Business Administration to make studies of matters materially affecting the competitive strength of small business and of the effect on small business of Federal laws, programs and regulations. As a result of such studies, the administration is directed to make recommendations to the appropriate Federal agencies or agency for the adjustment of such programs and regulations to the needs of small business. I believe this is one of the most important provisions of H. R. 7963 since, as the spokesman for small business, the Small Business Administration must be responsible for a thorough knowledge of the problems of small business and for advising other Federal agencies of these problems and their possible solution. It is quite evident that up until now the Small Business Administration has not studied sufficiently the tax problems of small business, the credit situation as it affects small concerns throughout the country, the current status of small firms under the various antitrust statutes, the availability of scarce materials and numerous other areas in which small firms are currently experiencing difficulty. A study program of the Small Business Administration under this legislation could contribute immeasurably to the understanding of Congress of such small business problems and to administrative and legislative remedies which are necessary to resolve these problem areas. I sincerely hope that the Small Business Administration will with this authority institute a vigorous and intensive search into the competitive status of small business concerns.

H. R. 7963, as I have emphasized, is a bill which represents many years of experience with small business legislation. This bill is as completely nonpartisan as it is possible to write a bill. It represents the best all-around solution of the many difficult problems which are present in any legislative enactment of the Congress.

Mr. Chairman, I repeat my earlier statement that H. R. 7963 should pass, and I hope all Members of the House will join in making its passage unanimous.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Kansas [Mr. BREEDING].

Mr. BREEDING. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman and distinguished colleagues, I would like to make a few remarks concerning the bill now under discussion here on the floor amending the Small Business Act.

It is my feeling that this measure will promote a more vigorous and efficient program of assistance to small business.

There are various business organizations in my district who will be interested in the provision increasing the authorization for loans to small business. As you know, there are many depressed areas in my own district brought on through the drought situation. It is my feeling that this legislation would assist them materially. The interest rates on direct SBA business loans under this particular legislation are most attractive, and would encourage more people to participate in this program.

Also, under the measure now under discussion, more people will be encouraged to participate in the disaster-assistance program. Due to the drought conditions, and the storms which we have been experiencing of late, it has been necessary to extend this type of assistance to several organizations within my district. Should this measure be enacted into law, wider coverage would be extended to such areas, and the benefits offered under this program would be much broader in scope.

Mr. SPENCE. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, the Small Business Act of 1953 which was amended in 1955 is due to expire shortly. In view of the imminence of the expiration date of the Small Business Act, Subcommittee No. 2 of the House Small Business Committee, of which I have the honor to be the chairman, conducted extensive hearings on the operations of the Small Business Administration. The members of that subcommittee other than myself are the Honorable SIDNEY R. YATES, of Illinois, the Honorable TOM STEED, of Oklahoma, the Honorable R. WALTER RIEHLMAN, of New York, and the Honorable HORACE SEELY-BROWN, JR., of Connecticut. Their help in writing this bill was invaluable. A vote of thanks is also due the staff members, majority and minority, of that committee and of the Banking and Currency Committee.

At this point, Mr. Chairman, I desire to take a moment to say how happy I

am and how proud this Congress should be with the fine spirit of nonpartisan cooperation that has moved all of our colleagues on both the Small Business Committee and the Committee on Banking and Currency in formulating this bill.

H. R. 7474, amending the Small Business Act, was introduced with the unanimous approval of all the members of the subcommittee. The bill was cosponsored by 12 of the 13 members of the House Select Committee on Small Business by their introduction of H. R. 7474 to H. R. 7483, inclusive, H. R. 7543, and H. R. 7563. Subsequent to the introduction of these bills, approved by the members of the House Small Business Committee, hearings were held by the Banking and Currency Committee on H. R. 7474.

Based on the hearings held by the Banking and Currency Committee and additional executive sessions of the Small Business Subcommittee No. 2, a new bill, H. R. 7878, was introduced by me with the unanimous approval of the members of the subcommittee.

The Banking and Currency Committee bill, H. R. 7963, now before the House, was introduced as a clean bill by its distinguished chairman, Mr. SPENCE. It was reported by a vote of 20 to 3. H. R. 7878, introduced by me and endorsed unanimously by the subcommittee of the House Committee on Small Business, although varying slightly from the bill before us now, is for all intents and purposes the same bill.

I would like at this time, Mr. Chairman, to indicate to the House some of the changes in the Small Business Act which this bill provides and also to indicate why these changes were made. Many of them have already been referred to.

First, permanency of the agency: The Small Business Administration was created in 1953 with an expiration date of 2 years. It was then extended in 1955 for an additional 2 years. This bill now makes SBA a permanent agency. The reasons for the overwhelming support of that provision are:

First. The needs and conditions requiring the attention of this agency are not temporary.

Second. Experience has demonstrated that temporary agencies cannot hold experienced personnel. With permanent status the agency will be able to recruit, train and keep better personnel; permanency will increase and improve the efficiency and morale of the personnel of the agency.

Third. Its relationship with the banks will be much better and on a firmer basis. Its position and relationship with other Government agencies with which it must conduct business will be better.

Fourth. In the interest of longtime needs of small business, the Agency should have permanent status. Experience has indicated that there is no other agency or department of the Government that can possibly supply the needed aid, assistance and service which Congressional policy demands for small business.

Not only do most of the members of the committees that consider the bill on the House side urge that the agency be made permanent but now even the Department of Commerce urges that it be a permanent agency, as does the Treasury Department. I think it is safe to say that the Bureau of the Budget has approved that portion of the bill. We have, I think, unanimous approval from the administrative side of the Government for the permanency of this agency.

It was not so long ago, you will remember, that the Department of Commerce urged that this Small Business Administration should be a part of the Department of Commerce.

I have dared to suggest that big business has its Commerce Department, labor has its Labor Department, and small business needs and deserves a Small Business Department. I hope that some day this Small Business Administration will attain Cabinet status.

Second, elimination of the Loan Policy Board: It has always been the Congressional intent, so stated in the law, that the Small Business Administration should be an independent agency in Government free from control of any other agency of the Government. Here, too, the overwhelming sentiment favors accomplishment of this long-time desire.

In view of the continued controversy over the Loan Policy Board, which consists of the Small Business Administrator, as Chairman, and the Secretary of the Treasury and the Secretary of Commerce, or their designees, it should be eliminated.

A National Advisory Board is created by this bill to be composed of the Administrator, as Chairman, and the Secretary of the Treasury and the Secretary of Commerce and not less than 2 nor more than 6 truly representative members of small business.

Policy should be the responsibility of the Administrator. Neither Treasury nor Commerce, singly or jointly, should have the right to make policy for SBA.

I would like to see the size of the Advisory Board left to the discretion of the Administrator. But that is a matter which can be easily corrected as future experience may dictate.

With the Loan Policy Board, as presently set up, controlled by two Cabinet officers, obviously the Administrator is subservient to them. The best proof that the Loan Policy Board does not serve a good purpose, in my opinion, is demonstrated by the fact that at every meeting of the Loan Policy Board the resolution as to policy has always been presented, and those are the only resolutions they consider, by the Administrator, and in every instance it has been unanimously adopted.

If there is such unanimity of thinking on the Board, and if the Administrator's view always prevails, then he does not need the Secretary of the Treasury or the Secretary of Commerce to do more than advise with him. If the opposite is true and their view always prevails, because he submits to their will, then our will, the Congressional will, is being thwarted and the Administrator has given up the independence the law vests in him.

It is extremely important at a time like this when the Treasury Department is advocating a tight-money policy that SBA be divorced from Treasury. Right or wrong, that tight-money policy is diametrically opposed to what we expect the Small Business Administration to do for the small-business man in need of a loan. So if for no other reason than the controversy that occurs because of the tight-money policy we ought to separate the powers and let the Administrator look to those other departments of government for advice but let the responsibility be his as to what should ultimately be done in implementing the Congressional intent.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. I think before the gentleman concludes his statement about the abolition of the Loan Policy Board it would be wise to point out that the new advisory board still will have two members, the Secretary of Commerce and the Secretary of the Treasury, who were on the Loan Policy Board, so that the new advisory board will still have the benefit of their wisdom and counsel in addition to the additional members who will be added.

Mr. MULTER. I thank the gentleman for that contribution. He is absolutely correct. The advisory board as continued in the proposed bill before us consists of the Administrator, the Secretary of the Treasury, the Secretary of Commerce, and not less than 2 nor more than 6 other members of the board who will represent small business. I would like to see the size of the board left to the discretion of the Administrator. The committee feels differently and I am going along with that view. The important thing is that we do continue as members of the advisory board, the Secretary of the Treasury and the Secretary of Commerce.

Third, definition of small business: The definition of small business required rewriting in order to direct the Small Business Administration to properly implement the Congressional intent.

In 1953, in the Small Business Act, Congress laid down the general criteria for defining small business. The language was clear, concise, and without ambiguity. It stated that a small-business concern shall be deemed one which is independently owned and operated and which is not dominant in its field of operation. Congress further stated that the Administrator may use additional criteria in making his determinations such as number of employees and dollar volume of business. We certainly made clear that the old 500 employee definition should be discarded.

In 1955 the act was amended which enabled the Small Business Administration to issue individual certificates to small-business firms and required that such certificates be accepted by all other Government agencies as conclusive on the subject.

It was the desire of Congress to permit the Administrator to correct any inequities which might occur due to the general provisions of any definition promulgated by regulation.

In 1955, based upon hearings held by the various committees of Congress, we indicated to the Administrator that a definition for procurement purposes based upon these criteria was long overdue. The Administrator established an interagency task force, and after approximately 15 months finally recommended a double standard definition, one a so-called definition for procurement purposes and the other a definition for financial assistance.

The Administration's definition for its financial-assistance program set forth size standards establishing a numerical limit as a first guide for small business, industry by industry. It is our information that this definition has been working fairly well.

In the procurement field the old arbitrary 500 employee rule was continued without any change, without any consideration of the criteria established by Congress, subject only to the right of review by SBA in individual cases.

The Small Business Committee also recommended that the agency utilize the financial assistance size standards definition until it established a proper definition for procurement which more nearly effectuated the Congressional intent.

Despite this clear indication of Congressional intent, the Administrator put into effect his proposed definition as a definition of small business for procurement retaining the arbitrary 500 employee rule.

It therefore became obvious that Congress would have to rewrite the definition section in the act in order that the Administrator would follow Congressional intent and establish a definition for procurement purposes as required by the act.

H. R. 7963 grants the Administrator an additional 30 days from the date of enactment of the new act to establish a proper definition, and if by that time a proper definition for procurement purposes is not established by the Administrator then the size standard definition for financial assistance is to be the definition for procurement purposes until a new one is promulgated.

The Administrator has failed to follow Congressional intent. No action has been taken by him to date to discard the 500 employee rule. A proper definition for procurement purposes for small business is long overdue.

When we enacted the Small Business Act of 1953 we thought we were requiring uniform criteria for defining small business for all purposes. Certainly no one in or out of Government has ever suggested any good reason for having different criteria for financial assistance than for procurement.

Nevertheless, we soon found that the Defense Department was adhering to the old 500 employee definition. Because of the ease of operation with such an arbitrary though unfair rule, they resisted making any change.

They even told us that they would cooperate in accomplishing a change except that the law prohibited it. Inquiry soon established that the Defense Department was legally correct in its position.

Accordingly, when we amended the Small Business Act in 1955 we changed the law and repealed the arbitrary and obsolete 500 employee definition. We had a right to believe that that would bring about a change. It did not.

Since 1953, the Defense Department has been telling our committee that it was studying the matter of a new definition. We received the same assurance from the Small Business Administrator.

After the promulgation of the regulation setting up two different definitions, one for procurement purposes, which was the old 500 employee definition, and another for financial assistance, the House Small Business Committee asked every procurement agency to advise why they could not satisfactorily operate under the financial-assistance definition instead of the old one. Not a single Department could state any logical reason.

I am inserting in the RECORD at the end of my remarks the double-standard definition of small business as promulgated by the Administrator of the Small Business Administration on January 1, 1957.

I direct attention specifically to these statistics as disclosed by the financial-assistance definition in that regulation.

There are a total of 451 categories. Sixty-seven of them encompass as small-business firms those employing up to 1,000 persons; 91 up to 500 persons and 293 are categories of industry employing up to 250 persons.

The distinguished gentleman from Iowa [Mr. TALLE], has said the definition for procurement purposes has been in effect now for 15 years, that is the 500 employee definition. It has been in effect for 15 years and for 10 of those 15 years we have been trying to get the procurement agencies of the Government to change that rule. It is arbitrary, capricious, unfair, and unworkable. The best proof of that is found by examination of the definition as promulgated by the Small Business Administration referred to by me a moment ago.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I am happy to yield to the gentleman.

Mr. MORANO. What precisely is the definition as it is contained in the bill; if there is any?

Mr. MULTER. The definition as written in the proposed bill we have before us now continues the language that the business shall be independently owned; it shall not be dominant in the industry; and that in addition in making the definition, the Administrator shall take into account such other relevant criteria as apply including the number of employees and the volume of business—but not limited to that——

Mr. MORANO. Let me cite a specific example. I have in my own district in the city of Stamford, a company known as the Consolidated Diesel Co. It has grown from a small company to one that now employs over 500 people. For the purposes of procurement, it is not considered to be small busine as far as I can determine. Despite the fact that they have several categories of production in their plant—some categories employing 100 to 150 men and other categories employing from 100 to 200 men and so on, so that the aggregate is over 500 employees. He has not been able to get a contract under the small-business-program provision, because he is considered to be, despite the fact that he is not dominant in his field, he is considered to be big business. How will this provision the gentleman is talking about affect him?

Mr. MULTER. I think I understood the gentleman from Connecticut to say that this company manufactured engines; am I right?

Mr. MORANO. Yes; I think they do.

Mr. MULTER. I am glad the gentleman raised the question because it emphasizes the point I am trying to make. In the financial assistance definition as promulgated by the agency for lending purposes, the gentleman's constituent is small business, because in this very financial assistance definition manufacturers of engines can have up to a thousand employees and still be small business; and it is not strictly limited to 1,000, it may be more than a thousand and in some instances 1,100, 1,200, or even more, and still be small business.

Mr. MORANO. How would it apply if they were manufacturing motors, let us say generators? I think the dominant manufacturers in this field are General Electric and Westinghouse. I think it is generators.

Mr. MULTER. For financial assistance purposes I believe that category also permits up to 1,000 employees, so he qualifies as small business for the purposes of getting a loan. But because of the arbitrary 500-employee rule for procurement he cannot get a Government contract. In my opinion, that is the height of absurdity.

The point is we have been trying to get this old 500 rule changed, that stops the gentleman's constituent from participating in small-business procurement set-asides.

The Defense Department refuses to go along with us. Other procurement agencies have said they are ready to do it, if SBA comes up with their definition. In this bill we direct SBA to take this financial assistance definition and use it for procurement purposes until it can come up with a better definition. We give them 30 days in which to do it.

Mr. MORANO. That is another point. This bill requires that determination be made by the Administrator within 30 days after it has been presented to him. Is that right?

Mr. MULTER. No. In specific cases the determination must be made within 10 days. On the question of an overall definition, this bill in effect tells SBA to come up with a new definition for procurement within 30 days or use the

financial-assistance definition until such time as the new definition is promulgated.

Another point that must be borne in mind is that we have written into the law and continued in this bill the provision that anyone who feels aggrieved has the right to apply for certification. He comes to SBA and says "I am small business." The Administrator will then have to weigh the facts and circumstances of the case and determine whether he is or is not small business regardless of the number of employees, and the procurement agencies are bound by law to follow the SBA findings.

Mr. MORANO. That is just the kind of determination I have not been able to get from the Small Business Administrator in the case of this constituent of mine.

Mr. MULTER. I will be glad to inquire about that and take it up with the agency with the gentleman.

Mr. MORANO. We have already been there.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SPENCE. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. WRIGHT. I, too, have a constituent in a situation similar to that mentioned by the gentleman from Connecticut, a small oil refinery employing fewer than 500 people. However, by reason of the fact that only last year the stock of this small oil refinery, which certainly is not dominant in its field, was purchased by a company in another line of endeavor entirely. The aggregate total of all employees being greater than the stipulated number seemed to have been the grounds for ruling this particular little refinery out of consideration under procurement.

Under the terms of this bill where any company is engaged in a line of business in which it is not dominant, as in the case of this oil refinery, but where its stock is owned by a company that is engaged in selling milk, and selling ice, altogether unrelated endeavors, inasmuch as its oil activities are not dominant in their field and inasmuch as it does not employ 500 people would it be eligible?

Mr. MULTER. Lack of dominance alone is insufficient. The point we are emphasizing is that the agency should not consider the number of employees alone nor any other criterion alone. If the company and all of its affiliates have more than 500 employees, it may be big business, or, may still be small business. I think the determining factor is not the number of employees but the overall picture, whether the company and its affiliates are independently owned and are they dominant in the industry, plus all the other pertinent and relevant facts and factors in the industry and in the particular firm. This is a situation about which we must be very careful. If General Motors, and I do not name it, in any invidious sense, started to manufacture some item and its production constituted only one-tenth of 1 percent of the production of the particular item in the whole field, and a procurement is set aside for small business in that field, General Motors cannot come in and compete for that item. General Motors is big business whether they are making this little item in competion with small business or not. SBA must take into account the overall picture. SBA should consider the number of employees, but only as one of the many criteria. It is only one of the criteria to be taken into account. It must not be the overriding or controlling one. It should not be the one that will conclude the whole problem. They must look at all the facts and circumstances in the industry and in the particular company and its affiliates, then make a determination.

Mr. WRIGHT. The determination would be made by the Small Business Administration?

Mr. MULTER. Yes, sir.

Mr. WRIGHT. The gentleman is saying then it is the intent of the committee, and it would be the intent of the Congress in the enactment of this legislation, that all matters should be considered, that the number of employees alone should not govern a determination and that the essential question is whether or not this particular concern under consideration is dominant in the industry?

Mr. MULTER. That is right. The gentleman points up the problem exactly. If you adhere to the old numerical definition of 500, and tomorrow I put one more employee on my payroll and I have 501 employees, then I am big business. That is ridiculous. Now, whether it is 501 or 1,001, you must look at the overall picture. That is why we have written the bill in such a way as to give sufficient flexibility so as to eliminate capriciousness or the possibility thereof entering into the final determination.

Mr. WRIGHT. I thank the gentleman.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. Just because a firm or industry is a small business does not necessarily mean they are entitled to a loan, does it?

Mr. MULTER. No.

Mr. BROWN of Georgia. I think the gentleman should explain that. Some people think if you are little business you are entitled to a loan in any event. There are a lot of other things to be considered before you are entitled to a loan.

Mr. MULTER. The language of the bill is such that not only must they be small business but, in addition to that, the loan must be of sound value or there must be reasonable assurance of repayment. That "or" in the statute, which has been there since we first enacted it, has been interpreted by the agency to mean "and". The Small Business Committee brought forth a bill which said you could not do that. The Committee on Banking and Currency has recommended that we should not change the language which is clear and unambiguous. In order to make our intent clear, we do so in the report by saying that the language means what it says and if there is either sound value for the loan or reasonable assurance of repayment, the loan should be made if it is not available from private sources. I will refer to this problem again in a few moments.

To resume my principal statement with reference to the changes in the bill, I will take up the fourth major change.

Fourth, authorization of funds: The present authorization of the Small Business Administration totals $455 million and is divided in the following manner: $230 million for business loans, $125 million for disaster loans, $100 million for prime contracts.

H. R. 7963 increases the authorization to $650 million: $500 million for business loans, $125 million for disaster loans, $25 million for prime contracts.

The original authorization for the Small Business Administration was insufficient and the administration had to return to Congress twice for increases. It should be borne in mind that the authorization merely sets the maximum which the agency may utilize in any of its programs. The agency is still required to justify any amount it requests and obtain the money from the Congress through the usual appropriation channels.

It is the opinion of the full House Small Business Committee that the present request by the administration is too low and much too conservative. The testimony given by the agency itself and the experience in the present tight-money market has indicated that the number of applications filed and the number of applications approved have increased and probably will keep on increasing. Even though appropriated, the loan authorization when allocated and disbursed is not an expenditure of Government funds.

The loan cannot be made unless it is of sound value or so secured as reasonably to assure repayment. That includes repayment of interest, thus almost guaranteeing the Government against any ultimate loss on the overall program.

Fifth, interest rates: This bill provides for a 5 percent maximum interest rate on business loans and also provides for a split interest rate in participation loans. Experience indicates and our investigations confirm that a split interest rate is required in order to provide for a greater and a more active participation in this program by the banks of the country. The bill provides that the maximum of 5 percent applies only to the Small Business Administration's share of any loan.

The bill also provides for the prevailing rate of interest in the Federal Reserve district where the money loaned is to be used. There is no reason why the Small Business Administration should charge 6 percent interest in areas where private lenders charge a lesser rate.

We urge a maximum interest rate of 5 percent because in the opinion of all of the members of the House Select Committee on Small Business and almost all of the members of the Banking and Currency Committee, the 5 percent interest rate allows for a sufficient differential over the cost to the Government for borrowing its money. That differential is high enough to provide an income which will cover the expenses to the Government for the making of business loans to needy small business concerns and establish a sufficient reserve to cover all possible losses.

The suggestion has been made that a 5-percent interest rate on the Government's share of participating loans and on the Government's direct loans would create competition with private lenders. This is utter nonsense.

The law requires that before SBA can make any direct loan or participate in a bank loan, the borrower must establish that the funds are not available on reasonable terms from private sources. To satisfy this provision of the law, the Administrator very properly requires that the applicant be turned down by at least two private lenders before entertaining the application.

Under those circumstances, there can never be competition between the Government and private lenders, no matter what the interest rate.

Sixth, joint determination program: The bill has added additional language to the section of the bill which provides for the joint determination and joint set-aside programs as follows:

> Whenever the administration and the contracting procurement agency fail to agree the matter shall be submitted for determination to the Secretary or the head of the appropriate department or agency by the Administrator.

The purpose of this additional language is to provide for appellate procedure by the heads of the procurement agencies and the Administrator of the Small Business Administration. In those cases where there is disagreement as to any procurement action between the Small Business Administration and the procurement agencies, the matter shall be determined by the heads of the agencies.

Seventh, advisory committees: The Administrator has recommended that he be permitted to appoint to advisory committees persons other than the representatives of small business.

This is directly contrary to the intent of Congress. Instead of approving the Administrator's conduct which is contrary thereto, we disapprove it. We reiterate in the law, in no uncertain terms, that we expect him to appoint persons who are truly representative of small business.

Eighth, other changes: The bill also contains many changes other than those mentioned above which in our opinion will strengthen the law and enable the agency to administer the law in a better fashion. It will also enable the agency to follow more closely the intent of Congress to aid and assist small business and to obtain a fair share of Government procurement for small business.

The existing law provides that small business shall obtain a fair share of purchases and contracts for supplies and services in the Government. The word "supplies" may be interpreted to exclude certain types of property and inasmuch as some question has been raised whether this language is broad enough to cover all types of Government procurement, the language of Section 2 of the act has been rewritten to make absolutely clear that it is the intent of Congress that small business concerns shall obtain a fair proportion of all types of Government contracts. Therefore, the word "property" has been substituted for the word "supplies." It is intended that the word "property" as used in this section is to be interpreted in its broadest sense to include supplies, contracts, maintenance, repair, and construction contracts as well as any other kind of contract let by Government agencies.

The present act authorizes the Administrator to establish branch and regional offices in such places in the United States as he may determine, including the Territory of Alaska, Hawaii, and the Commonwealth of Puerto Rico.

Subcommittee No. 2 of the House Select Committee on Small Business unanimously recommended that the branch offices located in Hawaii, Alaska, and Puerto Rico, should be made regional rather than branch offices.

Since these offices are far removed from the central agency, it was deemed necessary that the offices have similar delegation of authority as regional offices in order that they properly serve small business concerns in those communities.

The present act contains discretionary authority rather than mandatory language. However, the Administrator of the Small Business Administration has assured the House Committee on Small Business and the Banking and Currency Committee that he will fulfill this function through administrative action.

The Administrator has assured the committee that he will increase the authority of the offices located in Hawaii, Alaska, and Puerto Rico with respect to the handling of loans and other matters so that they can adequately and promptly serve legitimate small-business concerns that come to these offices and keep abreast of the expanding workload in those areas.

Experience has shown that in the disaster assistance program of the Small Business Administration, the assistance must come quickly and the victims of the disaster must be given relief and aid as soon as possible.

Therefore, the bill as now before this House has been changed in several respects, to assist the Administrator to provide this emergency help as expeditiously as possible. In the case of drought disaster loans the law now provides that small-business concerns must be located in an area where a drought is occurring. This language is changed by this bill so that a disaster loan may be made to a small-business concern located in an area affected by the drought thereby continuing the eligibility even though the drought area has been officially terminated.

Another provision of the bill which has been added would make it easier to recruit temporary personnel to serve in the disaster area and finally a provision has been included, which would make clear that the Small Business Administration could accept gratuitous services and facilities from public and private agencies and groups.

Experience and testimony before the House Committee on Small Business has established that from time to time in connection with the disaster loan program, local agencies and private business concerns offer to the Small Business Administration on a gratuitous basis, space for temporary offices or other assistance in establishing and carrying out disaster loan programs. It is presently illegal for the agency to utilize such voluntary help.

The bill directs the Small Business Administration to make studies of matters affecting the competitive strength of small business, the effect on small business of Federal laws, programs and regulations and shall make recommendations to the appropriate Federal agency or agencies for the adjustment of such programs and regulations to the needs of small business.

The existing Small Business Act provides for consultation and cooperation by the SBA and other Federal agencies in matters affecting small business in cases where such consultation is directed by the President. This bill provides that the Administrator shall consult and cooperate with other Federal agencies where he determines it to be necessary to protect and preserve small-business interests. An exception to this general rule is provided where such consultation and cooperation would unduly delay action which must be taken to protect the national interests in an emergency.

The existing Small Business Act was designed to help small-business concerns in peacetime as well as for war or defense production. Certain provisions of the act are too restrictive and contain references limiting the authority granted.

The present act, authorized the Small Business Administration to assist business concerns engaged in war, defense, and essential civilian production. Wherever the words "war" or "defense production" appeared in the present act, this bill deleted this language and wherever the word "essential" appeared before the words "civilian production," the word "essential" was deleted.

This in effect will eliminate unnecessary limitations. The provisions of the new bill will be applicable to all small-business concerns without regard to whether they are producing for war, defense or essential civilian purposes. This will broaden the Small Business Administration assistance to small business.

Under the existing act small-business concerns may form a group to establish facilities or to produce or secure raw

material and obtain a loan from the Small Business Administration for that purpose. The loan limit under the act is $250,000. However, in cases of pooled loans the limit is equal to a maximum of $250,000 multiplied by the number of concerns in the pool.

The language of this bill has been clarified to state that pool loans may be used where the pool is formed to obtain raw materials, equipment, inventories, or supplies. The new language will aid the agency in making such worthwhile and important loans.

The bill also grants express authority for the Administrator of the Small Business Administration to consult with representatives of small-business concerns to encourage the formation of corporations which would be eligible for pool loans and conforming language is included to make it clear that the antitrust exemptions will apply only to activities requested by the Administrator as a result of such consultation.

The new bill also provides an amendment to section 24 of the Federal Reserve Act. The present Federal Reserve Act places certain limitations on real-estate loans by national banks. Business loans made in participation with the Small Business Administration are now exempt from these limitations but disaster loans are not. Accordingly, this new amendment of section 3 of the bill would amend section 24 of the Federal Reserve Act in order to exempt disaster loans from the requirements of the section.

Loan criteria: The statute has always required that business loans made pursuant thereto "shall be of such sound value or so secured as reasonably to assure repayment."

The House Small Business Committee was surprised, to say the least, to find that the Administrator was interpreting that language by changing the word "or" to the word "and."

The language of the statute is precisely the same language as had been used in the Reconstruction Finance Corporation Act and in the Smaller Defense Plants Corporation Act.

In neither instance had the language ever been interpreted except in accordance with its plain meaning with the word "or" being plainly interpreted as in the disjunctive, and never as the word "and" in the conjunctive.

There always have been and always will be many instances where an applicant cannot demonstrate that the loan is of such sound value as reasonably to assure repayment, but where he supplies the assurance of repayment by ample guaranties from persons not connected with his business or by supplying collateral furnished independently of his business or by persons who are not in the business, the loan which is not of sound value thereby becomes so secured as reasonably to assure repayment.

The Congress has always intended that such applications should be approved.

In order to be sure that the Congressional intent would be followed and that the Administrator would discontinue his misinterpretation of the plain language of the statute, the Small Business Committee in H. R. 7474, and in the other bills introduced on the subject, changed the language of the act.

The Banking and Currency Committee, however, in reporting its version of the bill, has left the language of the act unchanged in that respect. At the same time, that committee has made it very clear on pages 12 and 13 of its report—No. 555 of June 13, 1957—that the language of the statute means what it says and that the Congress expects the Administrator to interpret it in accordance with the plain intent of Congress. We hope that the Administrator will follow the committee's admonition and discontinue his improper construction of that language.

Mr. Chairman, the bill before the House to amend the Small Business Act if adopted by the House will aid and assist small business. It will continue our cherished system of free competition in our economic system of private enterprise. The provisions and expansion of such free competition is basic not only to our economic well-being, but to the security of this Nation. It is the declared policy of the Congress that the Government should aid, counsel, assist, and protect the interest of small business concerns in order to preserve free competitive enterprise. The passage of this bill will help to implement that policy and help to accomplish that desirable goal. The double standard definition heretofore referred to by me is as follows:

DEFINITION OF "SMALL BUSINESS"

PART 103—SMALL BUSINESS SIZE STANDARDS

SEC. 103.1. Purpose: This regulation establishes criteria and procedures to define and determine which concerns are "small-business concerns" within the meaning of the Small Business Act of 1953, as amended (hereinafter referred to as the "act").

SEC. 103.2. Definition of terms:

(a) "SBA" means the Small Business Administration.

(b) "Annual dollar volume, annual sales, and annual receipts" means the annual dollar volume, annual sales, and annual receipts of a concern and its affiliates during the most recently completed fiscal year.

(c) "Number of employees," except as SBA otherwise determines in a particular industry or part thereof, means the average quarterly employment of the concern in question and its affiliates based on the number of employees reported for the preceding four quarters to the United States Treasury Department under the old-age and survivors insurance program. If a concern has not been in existence for four full quarters, "number of employees" means the average monthly employment of such concern and its affiliates during the period such concern has been in existence.

(d) A concern is "not dominant in its field of operation" when it does not exercise a controlling or major influence in a specific kind of business activity. In determining whether dominance exists, consideration shall be given to all appropriate factors including volume of business, number of employees, financial resources, competitive status or position, ownership or control of materials, processes, patents, and license agreements, sales territory, and business activity.

(e) "Affiliates": Business concerns are affiliates of each other when either directly or indirectly (1) one concern controls or has the power to control the other, or (2) a third party controls or has the power to control both. In determining whether concerns are independently owned and operated or whether affiliation exists, consideration shall be given to all appropriate factors including common ownership, common management, and contractual relationships.

(f) Small-business certificate means a certificate issued by SBA pursuant to the authority contained in sections 203 and 212 of the act certifying that the holder of the certificate is a small-business concern for the purpose of Government procurement and in accordance with the terms of the certificate.

(g) Certificate of competency means a certificate issued by SBA pursuant to the authority contained in section 212 (d) of the act stating that the holder of the certificate is competent as to capacity and credit, to perform a specific Government procurement contract.

SEC. 103.3. Definition of small business for Government procurement:

(a) A small-business concern for the purpose of Government procurement is a concern that (1) is not dominant in its field of operation and, with its affiliates, employs fewer than 500 employees, or (2) is certified as a small-business concern by SBA.

(b) A dealer, distributor, wholesaler, jobber, agent, or other nonmanufacturer, who submits bids or offers in his own name, is deemed to be a small-business concern when (1) he is a small-business concern within the meaning of section 103.3 (a), above, and (2) he is a regular dealer as defined in the Walsh-Healey Public Contracts Act, and (3) in the case of a Government procurement reserved for or involving preferential treatment of small businesses or one involving equal bids, such nonmanufacturer shall, in order to qualify as small business, furnish the product of a small-business manufacturer or producer in the performance of the contract.

(c) Any business concern may apply to the regional or branch office of SBA nearest to such concern's principal place of business for a small-business certificate. If the applicant, together with all its affiliates, is not dominant and is otherwise determined to be a small business in its field of operation, even though it has in excess of 500 employees, a certificate will be issued certifying that the applicant is a small-business concern within the meaning of the act. The holder of such a certificate will then qualify, subject to the terms of the certificate, as a small-business concern for Government procurement purposes. If the applicant is dominant, even though together with all its affiliates it employs fewer than 500 persons the application for a certificate shall be denied.

(d) In the submission of a bid or proposal on a Government procurement, a concern which meets the criteria of section 103.3 (a) or (b) may represent that it is a small business. In the absence of a written protest or previous denial by SBA of small-business status, such concern shall be deemed to be a small business for the purpose of the specific Government procurement involved.

SEC. 103.4. Definition of small business for financial and other assistance: A small-business concern for the purpose of financial and other assistance (except procurement assistance) is a business concern, including its affiliates, which is not dominant in its field of operation and can further qualify under the following criteria:

(a) Manufacturing: Any manufacturing concern is classified:

(1) As small if it employs 250 or fewer employees;

(2) As large if it employs more than 1,000 employees;

(3) Either as small or large, depending on its industry and in accordance with the

employment size standards set forth in schedule A hereof, if it employs more than 250 but not more than 1,000 employees.

(b) Wholesale: Any wholesale concern is small if its annual dollar volume of sales is $5 million or less. Any wholesale concern also engaged in manufacturing is not a "small-business concern" unless it so qualifies under both the manufacturing and wholesaling standards.

(c) Retail: Any retail concern is classified:

(1) As small if its annual sales are $1 million or less;

(2) As small if it is primarily engaged in making retail sales of general merchandise (including department stores and variety stores) or new and used motor vehicles or groceries with fresh meats and its annual sales are $2 million, or less.

(d) Service trades: Any service trades concern is small if its annual receipts are $1 million or less except that any hotel or power laundry is small if its annual receipts are $2 million or less.

(e) Construction: Any concern primarily engaged in construction is small if its average annual receipts are $5 million or less for the preceding 3 years.

(f) Trucking and warehousing: Any trucking and warehousing (local and long distance) concern is small if its annual receipts are $2 million or less.

(g) Taxicab: Any taxicab concern is small if its annual receipts are $1 million or less.

(h) Certificate of competency: A concern which has been issued a certificate of competency is a small-business concern for the purpose of SBA financial assistance.

(i) Other standards: If a concern is engaged in the production of a number of products or the providing of a variety of services which are classified into different industries, the appropriate standard to be used is that which has been established for the industry or activity in which it is primarily engaged. If no standard for an industry or activity has been set out in this regulation, a concern seeking a size determination should apply for a small-business certificate.

SEC. 103.5. Protest of small business status.

(a) A bidder or offerer may, prior to award, question the small business status of the apparently successful bidder or offerer by sending a written protest to the contracting officer and to the SBA regional office for the region in which the apparently successful bidder or offerer has its principal place of business. Such protest shall contain a statement of the basis for the protest and available supporting facts. SBA will promptly notify the contracting officer of the date such protest was received.

(b) The contracting officer in a specific Government procurement may, prior to award, question the small-business status of the apparently successful bidder or offerer by sending a written notice to the SBA regional office for the region in which the bidder or offerer has its principal place of business. Such notice shall contain a statement of the basis for such notice and available supporting facts. SBA will promptly notify the contracting officer of the date such notice was received and will advise the bidder in question that its size status is under review.

(c) The SBA will, within 10 working days after receipt of a protest or notice, investigate and determine the small-business status of the concern and notify the contracting officer and the concern of its decision.

SEC. 103.6. Appeals. Any concern which has been denied small business status by SBA may file an appeal with the regional office which issued the denial. The appeal must be in writing, signed by the applicant, and shall contain the basis therefor together with any new supporting facts. The regional director shall forward the appeal, together with his comments and appropriate files, to the Chairman, Size Standards Committee, Small Business Administration, Washington 25, D. C.

The filing of an appeal shall not extend or in any other way modify the time limit for determinations as set forth in section 103.5 (c) herein.

WENDELL B. BARNES,
Administrator.

Employment size standards pursuant to sec. 103.4 (a) (3)

Census classification code	Industry	Employment size standard [1] (number of employees)		
		250	500	1,000
	APPAREL AND RELATED PRODUCTS			
2389	Apparel, n. e. c.[2]	250		
2393	Bags, textile	250		
2387	Belts	250		
2331	Blouses and waists	250		
2394	Canvas products	250		
2386	Clothing, sheep-lined and leather	250		
2329	Clothing, men's and boy's, n. e. c.	250		
2363	Coats, children's	250		
2342	Corsets and allied garments	250		
2391	Curtains and draperies	250		
2361	Dresses, children's	250		
2334	Dresses, dozen price	250		
2333	Dresses, unit price	250		
2398	Embroideries, except schiffli-machine	250		
2397	Embroideries, schiffli-machine	250		
2371	Fur goods	250		
2385	Garments, outer, waterproof	250		
2381	Gloves, dress, fabric and combination	250		
2382	Gloves, work, fabric and combination	250		
2388	Handkerchiefs	250		
2326	Hat and cap materials	250		
2325	Hats and caps, cloth, men's and boys'	250		
2392	Housefurnishings, n. e. c.	250		
2351	Millinery	250		
2323	Neckwear, men's and boys'	250		
2338	Neckwear and scarfs, women's	250		
2369	Outerwear, children's, n. e. c.	250		
2339	Outerwear, women's, n. e. c.	250		
2384	Robes and dressing gowns	250		
2321	Shirts, dress, and nightwear, men's	250		
2328	Shirts, work		500	
2336	Skirts, women's	250		
2312	Suit and coat findings	250		
2311	Suits and coats, men's and boys'	250		
2335	Suits and coats, women's	250		
2383	Suspenders and garters	250		
2399	Textile products, fabricated, n. e. c.	250		
2396	Trimmings and art goods	250		
2327	Trousers, separate	250		
2395	Tucking, pleating and hemstitching	250		
2322	Underwear, men's and boys'	250		
2341	Underwear, women's and children's	250		
	CHEMICALS AND ALLIED PRODUCTS			
2887	Acids, fatty		500	
2812	Alkalies and chlorines			1,000
2889	Animal oils, n. e. c.	250		
2831	Biological products	250		
2832	Botanical products	250		
2895	Carbon black		500	
2899	Chemical products, n. e. c.	250		
2842	Cleaning and polishing preparations	250		
2852	Color pigements, inorganic		500	
2821	Cyclic (coal-tar) crudes		500	
2826	Explosives		500	
2871	Fertilizers		500	
2872	Fertilizers (mixing only)	250		
2825	Fibers, synthetic			1,000
2896	Gases, compressed and liquefied		500	
2894	Glue and gelatin	250		
2886	Grease and tallow	250		
2863	Gum naval stores (steam distilled)	250		
2861	Hardwood distillation		500	
2891	Ink, printing	250		
2819	Inorganic chemicals, n. e. c.		500	
2897	Insecticides and fungicides	250		
2833	Medicinal chemicals			1,000
2881	Oil mills, cottonseed	250		
2882	Oil mills, linseed		500	
2883	Oil mills, soybean		500	
2884	Oil mills, vegetable, n. e. c.	250		
2843	Oils and assistants, sulfonated	250		
2892	Oils, essential	250		
2885	Oils marine animal	250		
2829	Organic chemicals, n. e. c.			1,000
2851	Paints and varnishes	250		
2834	Pharmaceutical preparations		500	
2823	Plastics materials			1,000
2824	Rubber, synthetic			1,000
2898	Salt		500	
2841	Soap and glycerin			1,000
2862	Softwood distillation			1,000
2865	Tanning and dyeing materials, natural	250		
2893	Toilet preparations	250		
2853	Whiting and fillers	250		
	ELECTRICAL MACHINERY			
3621	Appliances, electrical		500	
3692	Batteries, primary (dry and wet)			1,000
3691	Batteries, storage		500	
3612	Carbon and graphite products			1,000
3669	Communication equipment, n. e. c.		500	
3616	Electrical control apparatus		500	
3619	Electrical industrial apparatus, n. e. c.	250		
3699	Electrical products, n. e. c.		500	
3617	Electrical welding apparatus	250		
3641	Engine electrical equipment			1,000
3651	Lamps, electric			1,000
3613	Measuring instruments, electrical		500	
3614	Motors and generators			1,000
3663	Phonograph records			1,000
3661	Radios and related products			1,000
3664	Telephone and telegraph equipment			1,000
3615	Transformers			1,000
3662	Tubes, electronic			1,000

[1] The total number of employees listed for each industry includes all employees of affiliates.

[2] The abbreviation n. e. c. means not elsewhere classified.

Employment size standards pursuant to sec. 103.4 (a) (5)—Continued

Census classification code	Industry	Employment size standard [1] (number of employees)		
		250	500	1,000
	PRIMARY METAL INDUSTRIES—continued			
3631	Wire and cable, insulated		500	
3611	Wiring devices and supplies		500	
3693	X-ray and therapeutic apparatus		500	
	FABRICATED METAL PRODUCTS			
3491	Barrels, drums and pails, metal		500	
3443	Boiler shop products	250		
3494	Bolts, nuts, washers and rivets		500	
3421	Cutlery		500	
3442	Doors, sash and trim, metal	250		
3465	Enameling and lacquering	250		
3467	Engraving on metal	250		
3424	Files			1,000
3471	Fixtures, lighting	250		
3431	Fixtures and fittings, metal plumbing		500	
3497	Foil, metal	250		
3466	Galvanizing	250		
3429	Hardware, n. e. c	250		
3439	Heating and cooking apparatus, n. e. c		500	
3499	Metal products, fabricated, n. e. c	250		
3481	Nails and spikes	250		
3432	Oil burners	250		
3468	Plating and polishing	250		
3492	Safes and vaults		500	
3425	Saws and saw blades, hand	250		
3495	Screw-machine products	250		
3444	Sheet-metal work	250		
3463	Stampings, metal	250		
3493	Steel springs		500	
3441	Structural and ornamental products	250		
3411	Tin cans and other tinware			1,000
3422	Tools, edge	250		
3423	Tools, hand, n. e. c	250		
3496	Tubes, collapsible	250		
3461	Vitreous-enameled products	250		
3489	Wirework, n. e. c	250		
	FOOD AND KINDRED PRODUCTS			
2042	Animal feeds, prepared	250		
2052	Biscuit, crackers and pretzels		500	
2051	Bread and other bakery products	250		
2021	Butter, creamery	250		
2033	Canning and preserving, except fish	250		
2043	Cereal preparations			1,000
2022	Cheese, natural	250		
2073	Chewing gum		500	
2072	Chocolate and cocoa products		500	
2071	Confectionery products	250		
2084	Corn products			1,000
2025	Dairy products, special	250		
2090	Eggs, liquid, frozen and dried	250		
2032	Fish, cured	250		
2095	Flavorings	250		
2041	Flour and meal	250		
2045	Flours, blended and prepared	250		
2099	Food preparations, n. e. c	250		
2037	Frozen foods	250		
2034	Fruits and vegetables, dehydrated	250		
2097	Ice, manufactured	250		
2024	Ice cream and ices	250		
2091	Leavening compounds		500	
2085	Liquors, distilled, except brandy			1,000
2082	Liquors, malt		500	
2098	Macaroni and spaghetti	250		
2083	Malt	250		
2011	Meat packing, wholesale		500	
2013	Meats, prepared	250		
2023	Milk, concentrated	250		
2093	Oleomargarine		500	
2035	Pickles and sauces	250		
2015	Poultry dressing, wholesale	250		
2044	Rice cleaning and polishing	250		
2031	Seafood, canned	250		
2092	Shortening and cooking oils		500	
2081	Soft drinks, bottled	250		
2063	Sugar, beet			1,000
2061	Sugar, raw cane	250		
2062	Sugar refining, cane			1,000
2096	Vinegar and cider	250		
2084	Wines and brandy	250		
	FURNITURE AND FIXTURES			
2599	Furniture and fixtures, n. e. c	250		
2514	House furniture, metal except upholstered	250		
2511	House furniture, wood, except upholstered	250		
2519	Household furniture, n. e. c	250		
2512	Household furniture, upholstered	250		
2515	Mattresses and bedsprings	250		
2522	Office furniture, metal		500	
2521	Office furniture, wood	250		
2541	Partitions and fixtures	250		
2532	Professional furniture	250		
2531	Public building furniture	250		
2513	Reed and rattan furniture	250		
2591	Restaurant furniture	250		
2561	Screens, window and door	250		
2562	Shades, window		500	
2563	Venetian blinds	250		
	INSTRUMENTS AND RELATED PRODUCTS			
3843	Dental equipment and supplies	250		
3821	Measuring instruments, mechanical		500	
3851	Ophthalmic goods	250		
3831	Optical instruments and lenses	250		
3861	Photographic equipment			1,000
3811	Scientific instruments	250		
3841	Surgical and medical instruments	250		
3842	Surgical appliances and supplies	250		
3872	Watchcases	250		
3871	Watches and clocks		500	
	LEATHER AND LEATHER PRODUCTS			
3121	Belting, industrial leather	250		
3131	Footwear cut stock	250		
3141	Footwear, except rubber		500	
3151	Gloves, leather dress	250		
3152	Gloves, leather work	250		
3171	Handbags and purses	250		
3199	Leather goods, n. e. c	250		
3172	Leather goods, small	250		
3111	Leather tanning and finishing	250		
3161	Luggage	250		
3192	Saddlery, harness, and whips	250		
3142	Slippers, house	250		
	LUMBER AND PRODUCTS, EXCEPT FURNITURE			
2441	Baskets, fruit and vegetable	250		
2443	Boxes, cigar	250		
2444	Boxes, wooden (except cigar boxes)	250		
2445	Cooperage	250		
2424	Cooperage stock mills		500	
2425	Excelsior mills	250		
2493	Frames, mirror and picture	250		
2492	Lasts and related products	250		
2431	Millwork plants	250		
2432	Plywood plants	250		
2442	Rattan and willow ware, n. e. c	250		
2421	Sawmills and planning mills, general	250		
2422	Veneer mills	250		
2491	Wood preserving	250		
2499	Wood products, n. e. c	250		
2433	Wood products, prefabricated	250		
	MACHINERY (EXCEPT ELECTRICAL)			
3593	Bearings, ball and roller			1,000
3564	Blowers and fans	250		
3571	Computing and related machines			1,000
3531	Construction and mining machinery		500	
3563	Conveyors	250		
3562	Elevators and escalators	250		
3519	Engines, internal-combustion			1,000
3511	Engines and turbines, steam			1,000
3522	Farm machinery (except tractors)	250		
3551	Food-products machinery	250		
3567	Furnaces and ovens, industrial	250		
3569	General industrial machinery, n. e. c	250		
3582	Laundry and dry-cleaning machinery	250		
3581	Laundry equipment, domestic			1,000
3599	Machine shops	250		
3542	Metalworking machinery, n. e. c		500	
3579	Office and store machines, n. e. c	250		
3532	Oilfield machinery and tools	250		
3554	Paper-industries machinery	250		
3592	Pipe and fittings, fabricated	250		
3566	Power-transmission equipment		500	
3555	Printing-trades machinery		500	
3561	Pumps and compressors		500	
3586	Pumps, measuring and dispensing			1,000
3585	Refrigeration machinery			1,000
3576	Scales and balances	250		
3589	Service and household machines, n. e. c	250		
3583	Sewing machines			1,000
3559	Special industry machinery, n. e. c	250		
3568	Stokers, mechanical		500	
3552	Textile machinery	250		
3543	Tools, cutting, jigs, fixtures, etc	250		
3541	Tools, machine		500	
3521	Tractors			1,000
3565	Trucks and tractors, industrial	250		
3572	Typewriters			1,000
3584	Vacuum cleaners			1,000
3591	Valves and fittings, except plumbers'		500	
3553	Woodworking machinery	250		
	MISCELLANEOUS MANUFACTURES			
3954	Artists' materials	250		
3991	Beauty and barber shop equipment	250		
3981	Brooms and brushes	250		
3963	Buttons	250		
3984	Candles	250		
3955	Carbon paper and inked ribbons	250		
3982	Cork products	250		
3942	Dolls	250		
3985	Fireworks and pyrotechnics	250		
3962	Flowers, artificial	250		

Employment size standards pursuant to sec. 103.4 (a) (3)—Continued

Census classification code	Industry	Employment size standard [1] (number of employees)		
		250	500	1,000
	MISCELLANEOUS MANUFACTURES—con.			
3992	Furs, dressed and dyed	250		
3941	Games and toys, n. e. c.	250		
3994	Hair work	250		
3939	Instruments, musical, n. e. c.	250		
3912	Jewelers' findings	250		
3986	Jewelry and instrument cases	250		
3961	Jewelry, costume	250		
3911	Jewelry (precious metal)	250		
3913	Lapidary work	250		
3952	Lead pencils and crayons	250		
3983	Matches			1,000
3999	Miscellaneous products, n. e. c.	250		
3998	Models and patterns (except paper)	250		
3988	Morticians' goods	250		
3964	Needles, pins, and fasteners	250		
3932	Organs	250		
3951	Pens and mechanical pencils		500	
3933	Piano and organ parts	250		
3931	Pianos		500	
3996	Pipes, tobacco	250		
3971	Plastics, products, n. e. c.	250		
3987	Shades, lamp	250		
3993	Signs and advertising displays	250		
3914	Silverware and plated ware		500	
3989	Small arms		500	
3990	Small arms ammunition			1,000
3997	Soda-fountain and bar equipment	250		
3949	Sporting and atheletic goods	250		
3953	Stamps, hand and stencils	250		
3995	Umbrellas, parasols and canes	250		
3943	Vehicles, children's	250		
	PAPER AND ALLIED PRODUCTS			
2661	Bags, paper		500	
2671	Boxes, paperboard	250		
2651	Envelopes	250		
2674	Fiber cans, tubes, drums, etc.	250		
2691	Paper and board, die-cut	250		
2612	Paper and board mills		500	
2641	Paper coating and glazing	250		
2699	Paper products, converted, n. e. c.	250		
2694	Pulp goods, pressed and molded		500	
2611	Pulp mills			1,000
2693	Wall paper	250		
	PETROLEUM AND COAL PRODUCTS			
2951	Coke ovens, beehive	250		
2952	Coke ovens, byproduct			1,000
2991	Fuels, briquets and packaged	250		
2992	Lubricants, n. e. c.	250		
2951	Paving mixtures and blocks	250		
2999	Petroleum and coal products, n. e. c.	250		
2911	Petroleum refining			1,000
2952	Roofing felts and coatings		500	
	PRIMARY METAL INDUSTRIES			
3334	Aluminum, primary			1,000
3352	Aluminum rolling and drawing			1,000
3331	Copper, primary			1,000
3351	Copper rolling and drawing			1,000
3313	Electrometallurgical products			1,000
3321	Foundries, gray-iron	250		
3322	Foundries, malleable-iron		500	
3361	Foundries, nonferrous	250		
3323	Foundries, steel		500	
3391	Iron and steel forgings		500	
3332	Lead, primary			1,000
3399	Metal industries, primary, n. e. c.	250		
3359	Nonferrous metals rolling, n. e. c.		500	
3339	Nonferrous, metals, primary n. e. c.		500	
3341	Nonferrous metals, secondary	250		
3393	Pipe, welded and heavy-riveted		500	
3312	Steel works and rolling mills (includes 3311, blast furnaces)			1,000
3392	Wire drawing			1,000
3333	Zinc, primary			1,000
	PRINTING AND PUBLISHING INDUSTRIES			
2782	Blankbook making and paper ruling	250		
2781	Bookbinding	250		
2789	Bookbinding work, miscellaneous	250		
2732	Book printing	250		
2731	Books, publishing and printing	250		
2771	Cards, greeting	250		
2794	Electrotyping and stereotyping	250		
2792	Engraving and plate printing	250		
2761	Lithographing	250		
2783	Loose-leaf binders and devices	250		
2711	Newspapers	250		
2721	Periodicals	250		
2793	Photoengraving	250		
2751	Printing, commercial	250		
2741	Publishing, miscellaneous	250		
2791	Typesetting	250		

Census classification code	Industry	Employment size standard [1] (number of employees)		
		250	500	1,000
	RUBBER PRODUCTS			
3021	Footwear, rubber			1,000
3099	Rubber industries, n. e. c.		500	
3031	Rubber, reclaimed		500	
3011	Tires and inner tubes			1,000
	STONE, CLAY, AND GLASS PRODUCTS			
3291	Abrasive products	250		
3292	Asbestos products		500	
3251	Brick and hollow tile	250		
3241	Cement, hydraulic		500	
3265	China decorating for the trade	250		
3259	Clay products, structural, n. e. c.	250		
3255	Clay refractories	250		
3271	Concrete products	250		
3221	Containers, glass			1,000
3281	Cut-stone and stone products	250		
3293	Gaskets and asbestos insulations		500	
3211	Glass, flat			1,000
3231	Glass, products of purchased	250		
3229	Glassware, pressed and blown, n. e. c.		500	
3294	Graphite, ground or blended	250		
3272	Gypsum products			1,000
3274	Lime	250		
3299	Mineral products, nonmetallic, n. e. c.	250		
3275	Mineral wool		500	
3295	Minerals, ground or treated	250		
3297	Nonclay refractories		500	
3254	Pipe, sewer	250		
3261	Plumbing fixtures, vitreous		500	
3264	Porcelain electrical supplies		500	
3269	Pottery products, n. e. c.	250		
3296	Sand-lime products	250		
3298	Statuary and art goods	250		
3253	Tile, floor and wall		500	
3263	Utensils, earthenware, food		500	
3262	Utensils, vitreous-china, food		500	
	TEXTILE MILL PRODUCTS			
2773	Carpets and rugs, n. e. c.	250		
2271	Carpets, rugs and carpet yarns, wool			1,000
2298	Cordage and twine	250		
2256	Fabric, knit, mills	250		
2241	Fabric, narrow, mills	250		
2295	Fabrics, coated, except rubberized	250		
2233	Fabrics, cotton broad woven			1,000
2234	Fabrics, rayon and related, broad woven		500	
2213	Fabrics, woolen and worsted		500	
2291	Felt goods, n. e. c.	250		
2274	Floor coverings, hard surface			1,000
2255	Glove, knit, mills	250		
2281	Hats and hat bodies, fur felt	250		
2282	Hats and hat bodies, wool felt	250		
2283	Hats, straw	250		
2284	Hatters' fur	250		
2251	Hosiery, full-fashioned, mills	250		
2252	Hosiery, seamless, mills	250		
2297	Jute (except felt) and linen goods		500	
2259	Knitting mills, n. e. c.	250		
2292	Lace goods	250		
2253	Outerwear, knit, mills	250		
2293	Paddings and upholstery filling	250		
2211	Scouring and combing plants	250		
2299	Textile goods, n. e. c.		500	
2261	Textile finishing, except wool	250		
2216	Textile finishing, wool	250		
2294	Textile waste, processed	250		
2223	Thread mills		500	
2254	Underwear, knot, mills		500	
2224	Yarn mills, cotton system		500	
2225	Yarn mills, silk system	250		
2212	Yarn mills, wool, except carpet		500	
2222	Yarn throwing mills	250		
	TOBACCO MANUFACTURES			
2111	Cigarettes			1,000
2121	Cigars		500	
2131	Tobacco, chewing and smoking		500	
2141	Tobacco, stemming and redrying		500	
	TRANSPORTATION EQUIPMENT			
3721	Aircraft			1,000
3722	Aircraft engines			1,000
3729	Aircraft equipment, n. e. c.	250		
3723	Aircraft propellers			1,000
3732	Boat building and repairing	250		
3741	Locomotives and parts			1,000
3751	Motorcycles and bicycles		500	
3717	Motor vehicles and parts			1,000
3742	Railroad and street cars			1,000
3731	Shipbuilding and repairing			1,000
3716	Trailers, automobile	250		
3715	Trailers, truck	250		
3799	Transportation equipment, n. e. c.	250		
3713	Truck and bus bodies	250		

Mr. THOMPSON of New Jersey. Mr. Chairman, I would like to record my support for H. R. 7963 and to say that I hope this House passes it without delay.

On January 10, 1957, I introduced in the House of Representatives a bill, H. R. 2513, having many of the purposes written into the bill we are considering today.

My own bill proposed to make the Small Business Administration a permanent agency, and to change or replace the Loan Policy Board.

I am glad that, after many months of indecisiveness, the President decided that the Small Business Administration should be made a permanent agency also.

The reasons for making the Small Business Administration permanent are many, and these reasons are indisputably valid.

This Federal Agency has proved its effectiveness in many ways during the past 4 years.

If it is made permanent it will be able to attract more competent personnel, banks will more willingly participate in loans to small business, and the procurement activities of the Small Business Administration in behalf of small business can be expanded.

These objectives are worthy objectives, and we can all support them with a clear conscience.

The subcommittee of the Select Committee on Small Business of the House of Representatives recommended elimination of the Loan Policy Board, and also declared the continuation of the Small Business Administration was a necessity.

These recommendations were contained in House Report No. 1045, 84th Congress, 1st session.

As has been explained, the Committee on Banking and Currency held hearings on the Small Business Subcommittee's bill, the administration's bill, and other bills including my own bill on small business, from May 14 to May 22, 1957.

After various witnesses were heard, the gentleman from Kentucky [Mr. SPENCE], introduced on behalf of the Banking and Currency Committee a clean bill which embodies features from many of the bills before the committee, with modifications developed in the course of the hearings.

I am convinced that if H. R. 7963 is enacted into law the Congress will give clear indication thereby to the more than four million small-business men of our country that we are aware of the plight they face when they are confronted with the need for substantial financial assistance, in those cases particularly when such assistance is not available through private banking institutions.

House Report No. 1045 of the Select Committee on Small Business pointed out that section 204 (a) of the act creating the Small Business Administration declares that—"In order to carry out the policies of this title there is hereby created an agency under the name of Small Business Administration * * * and it shall not be affiliated with or be within any other agency or department of the Federal Government."

I am convinced that the bill we are considering today will vastly improve the work of the Small Business Administration, and that many of the so-called bugs that have developed in it from time to time will be eliminated if the present bill is enacted into law.

I would like to say this, the fine bill recommended by the Banking and Currency Committee certainly gives the kind of evidence needed to disprove the arguments advanced by the big-business-dominated United States Chamber of Commerce and some of the present Federal Government officials in the Department of Commerce that bad management is the real reason for most failures of small business.

Mr. Frederick H. Mueller, Assistant Secretary of the United States Department of Commerce, a Federal official who certainly ought to know better, declared some time ago in a press interview that bad management was the real reason for most small-business failures.

In a letter to me under date of April 29, this year, Mr. Mueller pointed out that he represents Secretary Weeks on the Cabinet Committee for Small Business and he reiterated his belief that small-business failures are due to management failure: "I also firmly believe," wrote Mr. Mueller, "that most of those who quit business, voluntarily or involuntarily, do so because of lack of managerial ability in all of its manifestations."

George J. Burger, vice president of the National Federation of Independent Business with a membership of approximately 100,000 small-business men, indignantly wrote to President Eisenhower that "the mounting opinion in the ranks of small business is that the Department of Commerce as a whole does not speak and act in the best interest of small business" and he recommended to the President that officials be appointed to the Federal Department of Commerce who have an understanding of the problems of small business. A poll of its nationwide membership by the National Federation of Independent Business found 83 percent favoring my own H. R. 2513, I am proud to say.

According to a recent report issued by the Office of the Assistant Secretary of Defense for Supply and Logistics 95 percent of all business firms in the Nation received only 16.7 percent of more than $12 billions of defense contracts awarded during the first 8 months of fiscal 1957. This was down from 25.3 percent of defense contracts received by 95 percent of all business in 1954.

In its final report to the 84th Congress the House Small Business Committee made these highly significant findings:

The Government currently pays for almost two-thirds of all research and development going on in our country today.

The Department of Defense contracts about $1.5 billion of research work with private companies, 95 percent of which goes to companies employing more than 500 workers.

During the past 3 years, we were told, research contracts adding up to the staggering sum of $4.7 billion were let and of this vast sum $4.6 billion, or 98.1 percent, has gone to the 500 largest contractors.

These private companies have the privilege, under our national patent policy, to patent and control inventions developed through these vast Federal research and development contracts. During the past 5 years nearly 7,000 inventions have been claimed by private companies, inventions which resulted from these Federal research and development contracts.

This, then, is the reality of the situation which leading Department of Commerce officials are perfectly well aware of when they talk about management failures.

I am very pleased to see that the report of the Banking and Currency Committee, House Report No. 555, on H. R. 7963, has this to say:

> The Small Business Act now provides that small business shall obtain a fair share of purchases and contracts for supplies and services for the Government. Some question has been raised whether this language is broad enough to cover all types of Government procurement. Accordingly, this language is revised in section 2 of the act as rewritten by H. R. 7963 to make absolutely clear that it is the intent of Congress that small-business concerns shall obtain a fair proportion of all types of Government contracts.

Let us hope that the language in H. R. 7963 really takes care of the matter so that a fair proportion of all types of Government contracts will not continue to be, insofar as small business is concerned, just a pious hope and expression.

It has, I think, become commonplace to say that we are living in an age of transition and in a period of mortal peril.

As a matter of fact, such sentiments have been expressed throughout history.

Nevertheless, in two aspects our civilization and our time are unique.

In the first place, we are living in a period of unprecedented technological advancement. We have barely crossed the threshold of the age of atomic energy.

The significance of automation is still unfamiliar to most of us, even when we are aware that it foreshadows tremendous changes in production throughout our economy.

Everywhere the frontiers of knowledge are being pushed back and new discoveries are being made not only by individual inventors and scientists, but even more by organized industrial, governmental, and educational research laboratories, and institutions.

Our age is unique in another way.

This is an era in which the two most powerful nations in the world are in fundamental opposition in their political and economic philosophy, and as a result are engaged in a competitive struggle in many fields, not the least of which is in technology.

This competitive struggle is all the more awesome and crucial in view of the tremendous nuclear forces which each has in its power to unleash.

In this situation, it seems to me, the Nation has two profound responsibilities.

First, it must advance its scientific and industrial research as rapidly as possible.

Second, we must demonstrate to the world that our economic and political system, with its emphasis on individual liberty and responsibility, can advance not only the prosperity of our people but the security of our Nation to such an extent that we will have nothing to fear from whatever schemes and plans a Communist dictatorship in Russia and the satellite countries may devise.

Given these conditions, it seems clear we must make every effort to strengthen our economic and political system in order to defeat these outspoken enemies of our way of life with their cant about the inevitable triumph of their way of life.

Theirs is the wave of the future, they would have us believe, as those other Caesars of our time—Hitler and Mussolini—would have had us believe, a few year ago, about their own then-powerful states.

Russia places her entire emphasis on centralized control of her economy, and this is productive of certain strengths, but it is also productive of many weaknesses.

Our own system has been built up by small-business men, by small farmers, and the working men and women of our country, whether in the factory or in the professions.

Indeed, this has been the basic strength of our country, which has made it the greatest and most productive nation in the world, with a concern for individual liberties and values which has been the inspiration of the entire world for three and a half centuries.

I have been concerned with the trend toward bigness in business and industry which, if it continues, will surely replace our democracy as we have known it with plutocracy.

Yet the concentration of business and power that is taking place and has been accelerated in this decade is not inevitable.

However, unless it is stopped or reversed, we are headed for real trouble with our affairs in the hands of a managerial class.

What will distinguish America from Russia when the control of power is in the hands of a few people?

Indeed, there are some signs that Russia may be moving toward some decentralization of control of power with regionalization being stressed, as the President told the governors at Williamsburg, Va.

There is no such trend observable here.

In fact, President Eisenhower, in his address to the 1957 Governors' Conference, warned that "those who would be and would stay free must stand eternal watch against excessive concentration of power in government." He said:

> Being long accustomed to decentralized authority, we are all too inclined to accept it as a convenient, even ordinary, fact of life, to expect it as our right, and to presume that it will always endure. But in other lands over the centuries, millions, helpless before concentrated power, have been born, have lived and have died in slavery, or have lost their lives and their liberty to despots.
>
> Today, against the dark background of Eastern Europe, we see spotlighted once again the results of extreme and dictatorial concentration of power.

I see no recognition in the President's speech to the governors of the dangers of economic oligarchy which is equally as despotic and tyrannical as government.

As a matter of fact, history shows that there is an inevitable progression from economic oligarchy to government by the wealthy—plutocracy.

Here in our country we have seen the President's Cabinet filled with millionaires drawn from industry, from General Motors, from the M. A. Hanna Co., and so on.

How many of our top Federal officers have been drawn from the ranks of small business?

As a matter of fact, perhaps the distinguished mark of this administration has been the notable absence of bona fide small-business men from it.

The basic assumption, apparently, which is made by this administration is, insofar as I have been able to observe it, that the only good businessman is a big-business man.

As a matter of fact, a lot of the steam behind the demand for a weak Federal Government these days comes from the business oligarchy which wants to be left alone in its pursuit of the dollar and its public-be-damned philosophy.

Mr. TALLE. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Chairman, if I may have the attention of the gentleman from New York [Mr. MULTER] I would like to ask him a question about a situation which has occurred in my State and in my area. I have had any number of businessmen who have applied for loans from the Small Business Administration complain that they could get a loan if they had security and they could get a loan if it was a loan which was certain to be repaid.

I note in this bill on page 13, subsection (1) says:

> No financial assistance shall be extended pursuant to this subsection unless the financial assistance applied for is not otherwise available on reasonable terms.

I note also on page 16, subsection 7 states:

> All loans made under this subsection shall be of such sound value or so secured as reasonably to assure repayment.

Now I ask the gentleman from New York if these two sections are not, for all practical purposes, contradictory in terms. In other words, if you have a loan which is of such a sound value as to be reasonably sure of repayment, or one which is secure, can you not in almost all cases get a loan from some other source and therefore be ineligible to receive a Small Business Administration loan?

Mr. MULTER. No, they are not inconsistent, for this reason. There are many instances where a bank, particularly in a small community, cannot loan as much as $50,000 to any one borrower. In those instances the borrower would be precluded from getting a loan in his own area. There are other instances in many other States where the banking authorities frown on long-term loans. They will not permit a loan to go beyond 2 or 3 years as a maximum on these business loans. You will find many small businesses that will need a loan and cannot possibly repay it in 1, 2, or 3 years. It is in the nature of a capital loan. It is for machinery that will never be able to be paid for within 1 or 2 or 3 years, but can be amortized only out of earnings in a period of 5, 6, or 10 years. They could not qualify as far as the local bank is concerned, to get the loan, but they can qualify under this program.

I will say to the gentleman that we, the committee, believe that the agency has been a little too stringent, too strict, in the way it has revised some of these loans. We tried not to put ourselves in the position of the lending officer. That is a judgment that will have to be exercised by the agency. But within the criteria that we have laid down, the standards set down in the statute, we think the agency has been a little too strict in making some of these loans. That was one of the points I was making as my time ran out. They are going way beyond what we intended. That language in the statute comes out of the old RFC Act.

Mr. RHODES of Arizona. I thank the gentleman from New York.

Mr. Chairman, I am in hopes that the Small Business Administration will be a little less stringent because of the remarks of the gentleman, and the other expressions of the intent of the House made on the floor today. There is a great need for risk capital and for money which can be borrowed for expansion of business.

I want to congratulate the committee on bringing this bill out. I certainly intend to vote for it.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Missouri [Mr. BROWN].

Mr. BROWN of Missouri. Mr. Chairman, surely there can be little genuine opposition to this Small Business Act. Everybody realizes—certainly the members of the Small Business Committee realize—that this legislation offers no sweeping cures for all the problems that plague the 4 million small-business firms in America. In times of inflation, mergers, automation, and heavy emergency defense outlays, small-business problems are much too complicated and too varied to be solved in one fell swoop by one agency or one act of Congress.

But this act continues two very essential steps in the right direction; and it should be viewed only in that light.

Proud as I am to cosponsor this bill, I regret most sincerely that it is not coupled with companion bills providing more sorely needed assistance to our small businesses.

Many times in committee, I have stressed the fact that loans—even longer term loans—are not the major needs of small business. Small businesses need sources for risk capital even more than they need loans. Money that can be left in the business, not loans to be repaid.

The big companies have ample sources for risk capital. Even in times of tight money, they can and do float new stock issues or long-term debentures as their needs require.

Investors quite naturally want to invest their savings in the biggest, the most highly advertised corporations. The small business, even one with brilliant management and great possibilities, is too small to qualify its stock on the Stock Exchange or to interest the major investment banks. In many cases, the small firm is a family firm, a proprietorship, or a partnership.

Where can they go for risk capital for expansion? Often, the only course for the young, aggressive, hard-working businessman today is to create his own capital by plowing back into the business every possible nickel's worth of profit. More often than not, the young businessman draws less out of his business for living expenses than he could get in salary by working for someone else, because he is constantly pressed for capital in the business. There is always a payment due on equipment, a note at the bank to cover accounts receivable, a mortgage on the delivery truck.

You say, "Hasn't that always been true? Isn't that just a part of being in business?" I say to you it is worse today than ever before in our history, because each new invoice is higher than the one before. Inventory costs keep rising. And, even more important, there is always the big hand of the Federal tax collector.

How much money can a man plow back into his business when Uncle Sam is taking 30, 40, or 52 percent of the firm's net earnings?

This Small Business Act would be a much, much better act if it were coupled with a tax-reform bill to correct the inequities of the tax structure that now make it so difficult for a young businessman to build up a business by plowing back a certain portion of the profits. Tax exemption on a certain portion of earnings would be a real helping hand to small business. This would benefit all 4 million small concerns, whereas this act will provide loans for an estimated 4,000 firms per year.

But, no, the administration opposes tax relief for small business this year. They tell us every day that the Government cannot afford the loss of revenue. But how much revenue would be lost?

Would it surprise you to hear that less than 2 percent of the Federal revenues comes from small businesses?

Four million firms, and the total tax take from them is less than 2 percent.

Why, complete elimination of all taxes on small businesses would cut revenue only $1½ billion. If the tax laws permitted a small business to plow back 30 percent of its earnings without penalty, the loss in revenue to the Government could not be in excess of $500 million; and Congress has certainly cut that much fat from wasteful, negligent agency spending, many times over.

This Small Business Act should have been coupled with a Small Business Tax Relief Act of 1957; and if this Congress and the President are interested in small business, that tax relief must be forthcoming.

Meanwhile, let us take at least the two essential steps provided in this Small Business Act. Let us continue the Small Business Administration so that firms denied loans by regular lending institutions will have some source of working capital. One hundred fifty million dollars a year in new loans is precious little, it is true. But it has often meant, and will continue to mean, salvation for many a beleaguered small-business man.

Let us continue and expand Government assistance to the small-business man in securing Government contracts. It is just good business for the Defense Department and other Government agencies to have a wide choice of competing suppliers. It is good for the Government; and it is good for all business.

This procurement assistance must be even more practical than it has been in the past. I hope to see the day when all businesses of all sizes will feel that they have an even break in competing for Government contracts, where new firms will spring up like mushrooms in agricultural areas, dispersed for security and economy.

This act is the means by which this goal can be acomplished. I honestly feel that the Small Business Administration has learned a lot in the last 2 years. I think it will be a better agency in the future. It must be.

For small business is basically American.

There is no feeling quite like the one of knowing that you can own your own business and do anything you are big enough to do. We must keep open the door of opportunity and this act helps to keep that door ajar. Surely the least we can do is pass it without delay.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Maine [Mr. COFFIN].

Mr. COFFIN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. COFFIN. Mr. Chairman, I would like to convey, if that is possible, my awareness and appreciation of the painstaking, patient, and constructive effort that has been applied to this bill to amend the Small Business Act as reported by the Banking and Currency Committee.

I have followed the long course of public and executive hearings before Mr. MULTER's Subcommittee on Small Business and before the Banking and Currency Committee which is guided by our wise and experienced colleague, Mr. SPENCE. I know of the thought and effort that veteran fighter for the independent businessman, Mr. PATMAN, has invested in this legislation. I have testified before Mr. MULTER's subcommittee and before the Banking and Currency Committee. I have even had the temerity to venture forth and try my wings for the first time in confronting a subcommittee of the Senate. I testified there in favor of two specific changes in the Small Business Act, one of which I am deeply happy to say is incorporated in this bill that is before us.

I am from a State where well over 90 percent of business can be legitimately described as small business. It is essential to us in Maine as it is to thousands of other communities, to our bankers and our businessmen that we in Congress demonstrate the need for the Small Business Administration by giving it a longer lifeline than it has previously been granted. I firmly believe that the SBA should be made a permanent agency. I believe this because I am convinced after long and careful study that its functions are essential to the survival of individual initiative, the encouragement of new enterprise, and the strengthening of existing small businesses. I do not contend that even this amended legislation is perfect. I do not defend the manner in which the Small Business Administration has interpreted and administered all provisions of the existing act. But the agency has proven its usefulness and it must perform functions which no other agency of the Federal Government is now authorized to perform. I hope that the House, whatever imperfections it sees in this legislation and in the Small Business Administration, will nevertheless see fit to make SBA a permanent agency.

I note that the committee in its report shows that it seriously considered establishing regional offices of SBA in Hawaii, Alaska, and Puerto Rico. This was dropped in the interest of economy and on the assurance of the Administrator that the existing branch offices would have increased authority with respect to loans and other matters. I would like to say at this point, Mr. Chairman, that I learned during my campaign for election to this House of the very real need for some kind of SBA office in my area, east of Boston. The cost and difficulties of travel to Boston is a very serious handicap to our businessmen in Maine. I promised that I would urge SBA to branch out into our Northeastern section of New England, and I am more convinced than ever that this expanded service is necessary. I most certainly hope that SBA will provide better field service on a more continuing basis.

As I have said, Mr. Chairman, I am gratified that the substance of my bill, H. R. 5651, has been incorporated in this legislation. The SBA, in an amendment to the present Small Business Act, is directed to make studies of matters affecting the competitive strength of small

business and the effect of Federal laws, programs, and regulations on small business. The results of these studies and of future plans will be reported to Congress. I am sure that this will be invaluable to the SBA and to Congress which will then have the data on which to make decisions on the weaknesses of the program and to determine whether legislation is needed on specific points.

As I have stated previously here in the House and in testimony before committees, I feel that it is both desirable and necessary to clarify SBA's authority to make loans to nonprofit groups which are attempting to attract and establish new industries in their communities. Although there does not appear to be any clear authority in the existing act for such loans, I believe we should all join in commending SBA for making some effort in this direction. These loans have been limited, restricted, and have so far involved less than $800,000. My bill, H. R. 5693, which I had hoped to see incorporated in this legislation, would clarify SBA's authority and remove some of the self-imposed restrictions the agency has placed on the type, size, and conditions of loans to these nonprofit groups. I hope that in the future Congress will give serious consideration to some proposal such as mine.

I am very glad to see that among the committee amendments to the Small Business Act is one which somewhat broadens the disaster-assistance program. The test of eligibility has been changed to include areas affected by drought instead of restricted to those where a drought is occurring. This is a step in the right direction. But I would also advocate, as set forth in my bill H. R. 5650, that SBA be empowered to make loans in cases of economic disaster as well as disaster from flood or fire. Such expanded authority would go a long way toward preventing economic disaster. Under my bill, the President could designate a community as subject to economic dislocation and SBA could immediately make loans to businessmen in that community willing to start a new enterprise to help take up the slack. I hope that the Congress will also consider this proposal in the very near future.

The legislation which we are considering today would reduce the maximum permissible interest rate from 6 to 5 percent. I am in agreement with the committee's conclusion that small-business men who badly need credit should not be compelled to pay more than 5 percent interest to their Government, and I hope that the House will go along with this important amendment.

Although I have suggested that some further amendments are necessary in the Small Business Act, I take great pride in supporting this bill as it stands. It is a carefully considered and carefully written piece of legislation, and I am confident it will win the support it deserves.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Hawaii [Mr. BURNS].

Mr. BURNS of Hawaii. Mr. Chairman, the Banking and Currency Committee fully deserves the wholehearted expressions of sincere appreciation accorded to them by Members of this House from both sides of the aisle. The Small Business Act is of great importance to the future of our country. Its importance cannot be overestimated.

The Committee on Banking and Currency, whose chairman is the renowned and distinguished gentleman from Kentucky [Mr. SPENCE], whose many outstanding contributions to the greatness of America are a matter of record, has reported in H. R. 7963 a bill the need for which is evident. It is a bill which shall be of increasing value in the preservation of the American way of life in the future.

As our Nation has developed its economy and expanded its population, the opportunities for the entrepreneur—like a Henry Ford—decrease almost in ratio to the growth of larger industries. The demands of these larger industries for capital and credit foreclose this source to small business. The need for Government to keep open the avenue from which we obtain those who bring initiative, vision, and courage and develop new ideas, new ways, and new industries, is clearly apparent and vital. The small-business man is the source from which we draw our strength.

I take advantage of this opportunity to express the deep appreciation of the people of Hawaii to the very able and dedicated gentleman from New York, [Mr. MULTER]. Due to his vision and broad interest in the economy of the United States and in every part of the United States, Hawaii has today a Small Business Administration. That Small Business Administration is today giving hope in a most needed area in Hawaii.

Due to the continuing interest and most capable attention of the outstanding chairman of Subcommittee No. 2, Mr. MULTER, who visited Hawaii during the Easter recess with the able and distinguished gentleman from Oklahoma [Mr. STEED], the people of Hawaii have great expectations that in the Small Business Administration, whose branch office in Hawaii has recently been given additional authority, they will find the assistance needed to develop the small business so needed in the Hawaiian economy.

It is my understanding from members of the Committee on Banking and Currency that the Administrator of the Small Business Administration has given the branch manager of the Hawaiian office substantial authority with respect to the handling of loans and other matters so that to all intents and purposes it will operate as a regional office. The designation of a regional office was not insisted on in view of this commitment from the Administrator since administrative expenses would be unduly increased if it were a regional office. I commend the Committee on Banking and Currency and extend our sincere thanks and appreciation for their gracious consideration.

Mr. SPENCE. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. PATMAN].

FOR THE BILL

Mr. PATMAN. Mr. Chairman, regardless of the outcome of any amendment I introduce, I expect to support this bill. I am not in opposition to the bill as such. I do oppose certain provisions of the bill, and I am going to offer amendments which I believe will be helpful in correcting what I believe to be things that should be corrected. No. 1, about it being a permanent agency. That is a long step to take. The Smaller War Plants Corporation was the first agency of this kind. Why was it created in the beginning? It was created because some difficult problems arose with small-business men by reason of the emergency. Big-business people had their representatives in Washington. They could look after their interests before the different agencies, but the small-business man did not have anybody to look after his interests. And on that theory we created the Smaller War Plants Corporation. That was because of procurement problems. That was because of allocations. That was because of price controls and how they affect small business. There were good reasons for the creation of the Smaller War Plants Corporation.

There were good reasons for the succeeding agency, the Small Defense Plant Administration. There is a good reason, on a temporary basis, for the Small Business Administration; there is no question about that. The point is, are we going to say that the problems of small business are chronic problems, that they will always be with us? If we say that, then we are saying that we will always be in an emergency.

It has been the hope of all of us who have supported legislation of this type that the time would arrive when there would be no need for it.

There is a committee in this Congress that is comparable to the Small Business Administration, the Small Business Committee of the House of Representatives. It is not a permanent agency. It is not a permanent committee of this House. No one has ever asked that it be made a permanent committee of this House. Why? Because we consider the problems affecting small business as emergency problems for this period only, or the period of the war, or the period after the war, periods when it is necessary to have more national defense than is normal, which affects our entire economy. Then is when we must look after the problems of small business. But we have never asked that the Committee on Small Business be made a permanent committee. I have hopes one of these days, and it should not be long, when there will be no further need for the Small Business Committee of the House. I have hopes that there will be no further need for the Small Business Administration, and the point that I want to make here is that when I get back home and one of my constituents asked me, "Did you try to increase the Government payroll when you were up there?" I would say, "No, I did not try to increase it."

"Did you not vote to make the Small Business Administration a permanent

agency and increase by thousands of employees the number of people on the Federal payroll, creating lifetime jobs?" I do not want to have to say that I did, because from my standpoint, that would look as though I were just grasping for something, an excuse, to put more people on the payroll and to make an agency permanent when it was not necessary. I do not want to be put in that position.

Let us continue this agency for 2 years. Let them come back 2 years from now and if there is still need for it, we can continue it for 2 years more or 4 years more, whatever is necessary. But let us not automatically and arbitrarily blanket in as permanent employees of the United States Government thousands of employees. It is not necessary to do it. One of these days we might not even need them. We hope we will not. We did not need them before we had these emergencies. We did not have them then and the time will come when we will not need them. This question about blanketing in additional employees is a serious question.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. SEELY-BROWN. Two questions. Does the gentleman feel that the problems of small business are not continuing problems? We may not like that, but they are just as much continuing problems as are the problems, if you will, of agriculture; as are the problems of the defense of our country. Do you not think that the problem the small-business man faces is tied in with the problems of all our economy?

Mr. PATMAN. Yes, but we have committees to look after that. You take the Judiciary Committee. It looks after problems that have to do with the antitrust laws, the Clayton Act, the Sherman Act, the Robinson-Patman Act, and all the other laws. The Committee on Interstate and Foreign Commerce is a standing committee that looks after many of the normal problems of small business. The Small Business Committee is only looking after the abnormal problems, problems that arise in an emergency only, something that is temporary and not supposed to be lasting. They are not chronic. If they were chronic, we should always need a Small Business Committee in the House, but they are not chronic.

Mr. SEELY-BROWN. When you tell your constituents that you voted against making the SBA a permanent agency because you did not want to add to the Government payroll, how do you answer them when they ask you, "How does it happen that the Small Business Committee has a staff of over 23 members right now, probably the largest paid staff of any committee in the Congress?"

Mr. PATMAN. That is looking after their problems in an emergency, for only 2 years. It is not a continuing committee There is a limitation, there is a termination. This has no termination. This is from now on out. This is forever. This is putting them on the payroll forever and forever.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Does not the gentleman admit that the function of the Small Business Administration has been more than that of a lending agency, that they contribute from year to year in helping small business to understand their problems, advising them how to run their businesses, and giving them an opportunity to progress from the advice that comes through the governmental agency?

Mr. PATMAN. I do not want to admit I am sending people out from Washington to show these fellows how to run their businesses. I doubt that their rating would be very high in that respect. I just doubt that it would. The Small Business Administration has done a much better job the last year, I know it has. If you will take this bill and look it over, you will find that over 50 percent of it is on procurement. Procurement? What is it related to? It is related to national defense, high Government spending for national defense. Are we always going to have that high spending for national defense and, therefore, are we saying that we will, and that we have to have a Small Business agency to look after procurement? We hope the time will come when we will not have these special problems of procurement.

Mr. WIDNALL. Has not the Small Business Administration done a splendid job in getting the participation of banks in making loans, where they would not previously grant loans?

Mr. PATMAN. Yes; they have procured a lot of business for the banks, and it is possible they could be criticized for it in some instances. The banks could sit down and do nothing, and the SBA could get out and spend Government money on good loans that they would make money on. In some cases, being normal human beings, as we are, they will wait for something like that. They have got a lot of profit from loans made that way, but the taxpayers are paying it. Are you willing to see this a lasting thing? a chronic thing?—that it will always be with us; and that we will never cure it.

Mr. WIDNALL. May I answer the gentleman by saying I like a Government agency that tries to encourage private enterprise and tries to find them a niche in the lending field, where they should properly be.

Mr. PATMAN. Does the gentleman not believe there should be some incentive to do a good job? If you make them a permanent agency, there is no incentive to be looking for something that will be for the benefit of small business. But you make them come back every 2 or 3 years and get a renewal and they will have some incentive. They will bring in some incentives like risk capital. One of the most serious problems affecting small business is its failure to get risk capital. There is no place in the United States where he can get adequate risk capital. Why has not the Small Business Administration recommended something for this Congress to pass? They have not made one recommendation. If you make them permanent, they will not try to bring up a formula or a plan that will be helpful for small business to get risk capital. But, if you just make them come back every 2 years and charge them with the duty of bringing in a plan to afford risk capital to small business, they will be working on it and they will be bringing in something in a year or 2 years from now.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. MULTER. The gentleman said something about blanketing into this agency these employees, if you make it a permanent agency. The fact of the matter is according to the record made before our Committee on Banking and Currency, and I refer to page 270, the Small Business Administration presently has approximately 94 percent of its employees on civil-service status. These are civil-service employees with status, and whether you abandon this agency or make it a permanent agency, you cannot take that civil-service status away from them. The law guarantees their civil-service status to them

Mr. PATMAN. But you can keep them from becoming permanent employees of this agency. They can go to another agency, if they have permanent status. But here you are blanketing them in and you make these employees have a permanent status with this agency, if you make the agency permanent.

Mr. MULTER. How long do you think these employees are going to stay with this agency if it is not made a permanent agency? They are going to go to another agency that is permanent before this agency folds up.

Mr. PATMAN. They do not have any trouble keeping their employees. They have never had any problem on that score, I will say to my friend. That is one problem that they do not have.

Mr. MULTER. Would the gentleman suggest that the Department of Commerce be put on a temporary basis?

Mr. PATMAN. It is not comparable at all.

Mr. MULTER. Will the gentleman concede that the Department of Commerce is helping big business?

Mr. PATMAN. You might just as well say the Committee on the Judiciary should be abolished because the Small Business Committee is not a permanent committee of the House. The two things are not comparable at all.

Mr. MULTER. Will the gentleman concede that the Department of Commerce is taking care of big business?

Mr. PATMAN. They help all business, I guess. That is what they are supposed to do. But, there is some duplication here. There is a lot of duplication here between the Small Business Administration and the Department of Commerce.

Mr. MULTER. But they assure us that there is no duplication.

Mr. PATMAN. Of course, they would say that. You did not expect them to say anything else; did you?

Mr. MULTER. They say that there is no duplication. As a matter of fact, the SBA is the only agency that I know of in the Government that is doing anything for small business.

Mr. PATMAN. I would like for the gentleman to make it a matter of record and take an opposite view on this for the benefit of the legislative history of this matter. I think it is important. In this particular bill the Small Business Administrator would be permanent. He has a permanent job from here on out.

Mr. MULTER. But he is subject to removal by the President.

Mr. PATMAN. Where does it say that he can be removed by the President?

Mr. MULTER. That is what the law says now.

Mr. PATMAN. Where does it say it in the bill?

Mr. MULTER. It does not have to be in this bill. If you, by law, create an office and you do not give tenure, the person holding the office is subject to removal at the will of the President unless there is a contrary statement in the law.

Mr. PATMAN. I am glad the gentleman makes that statement. I hope it will be considered for the legislative history because I certainly do not want any administrator to be made permanent. I am afraid this bill makes him permanent.

Mr. MULTER. This matter has been decided any number of times all the way up to the United States Supreme Court. It has been decided any number of times that if there is no tenure of office, a man is removable at the will of the President.

Mr. PATMAN. I will take the gentleman's word for it. But, I want this agency to come back here 2 years from now and let us look it over. Let us see what they have done and what kind of emergency there is going to be, and to see whether we still have a procurement problem, and to see whether we still have problems regarding allocations of materials, scarce materials and so on. If so, why then we might continue it. But, if we do not, then perhaps it is not necessary to continue it. We are just seeking an opportunity to make an agency a permanent agency here according to what it looks like to me when there is no real need or any genuine demand or necessity for it. This is a temporary agency. I want to help small business as much as anybody, but I do not want to have some agency created here which will say to 4 million small-business men of America, "This is your agency. This is for you. Here is where you get your relief and that is all." That is a very poor excuse. The limit of what may be loaned is $250,000. Is that going to be our appreciation for the small-business man? Is that what we tell him? Do we say to the small-business man, "We will let you have $250,000 for the little men to fight among yourselves, but if you want to borrow a million dollars to go into competition with General Motors or General Electric or some other big concern, in the making of some item we will say no because that is stepping on the toes of the big man and we will not let you do that"? We should not let that be our appreciation of little business and small business. We must go into these problems and go into them frequently and do what is necessary to attempt to help small business. The big people of this country have plenty of ways to get credit. The small-business man does not have a satisfactory way and no way to get risk capital, not one way.

The big concerns in America can go to the banks; they are directors of banks, they have interlocking directorates.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. PATMAN. Mr. Chairman, will the gentleman yield me 5 additional minutes?

Mr. SPENCE. I yield the gentleman 3 additional minutes.

Mr. PATMAN. Why three?

Mr. SPENCE. The concluding speech ought to be for the bill.

Mr. PATMAN. How much time have we remaining, Mr. Chairman?

The CHAIRMAN. The gentleman from Kentucky has 11 minutes remaining.

Mr. SPENCE. I yield the gentleman five additional minutes, but I would state that the concluding speech ought to be for the bill.

Mr. PATMAN. I am for the bill, I am going to vote for the bill, but there are some amendments I intend to offer that I have not had a chance to speak about yet.

I am for the bill; we must pass it, but I do not want it passed as a permanent agency. I want to make it 2 years so that they will have to come back and make a report showing some reason why it should be continued. Then they will do something of real value for the little-business man. Then they can come back and show some good work accomplished for small business.

Mr. SANTANGELO. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. SANTANGELO. The objection the gentleman has to the permanency of this agency is that they would not be required to make a report.

Mr. PATMAN. They would make reports from time to time, certainly.

Mr. SANTANGELO. As I read section 9 (a), they are compelled to make reports.

Mr. PATMAN. That is different entirely, I may say to my friend. Such reports would be pointless.

Mr. SANTANGELO. As I understood, the gentleman objected because he thought that if this agency were not made permanent they would have to submit a report.

Mr. PATMAN. They would make reports to the legislative committee that held their life or death in its hands.

Mr. SANTANGELO. What is the objection to permanancy?

Mr. PATMAN. I thought I had explained it thoroughly. I tried to make it very clear that it is not necessary that it be permanent; that we should have them come back here to find out what they were doing for small business, if they were getting risk capital for small business. They have never done that. They need some incentive to get out and work for the small-business man. If we make it permanent and do not give them an incentive, they will not be nearly so effective. They can always make a report. But if they have to prove the work they have done they would have an incentive to really help the little fellow.

The large concerns have plenty of ways to get money. Their top men are directors in large insurance companies; they are directors in banks. The World Bank, if the concern has any part in world trade, can lend them money; big business can get a billion dollars. The Export-Import Bank has millions of dollars available for big business anywhere in the world—Canada, Mexico, anywhere—but not a dollar is available for risk capital here in the United States of America.

International Finance Corporation has lots of money to make loans, risk loans, anywhere in the world, Canada, Mexico, anywhere except the United States of America, but not here; we do not have any agency.

Are we going to be complacent about the situation and say we are not going to seek opportunities to give little concerns risk capital? We should not do that. We should not be complacent. We should be on the alert, we should be looking forward as to how we can be helpful to the little man.

We do not want the agency made permanent. It should be restricted to 2 years or 4 years.

Mr. Chairman, I yield back the balance of my time.

Mr. TALLE. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. RIEHLMAN].

Mr. RIEHLMAN. Mr. Chairman, I rise in support of this legislation. I would like to commend the Banking and Currency for the splendid work they have done in respect to bringing this bill before the House today.

My one hope is that the House will not be inclined to vote to extend the life of SBA for only 2 years; I hope they will follow the committee recommendation and that we will make it a permanent agency, because I feel it is vital and necessary to the welfare of both business and industry in this Nation of ours.

Many constructive steps have been taken to institute programs designed to place small business on an equal footing with other segments of our economy. Perhaps one of the most important accomplishments in this direction came in passage of the 1953 act which established the Small Business Administration. This agency was required to devote its activities solely to the needs of small business. The Congress, in establishing this peacetime agency for small business decided its authority should be limited to a 2-year period. Again in 1955 after a searching investigation by Subcommittee No. 2 of the House Small Business Committee and an equally objective consideration by the Committee on Banking and Currency of the House, recommendations were adopted to continue the Small Business Administration for an additional 2 years.

As a result of the record of service to small business by the Small Business Administration in the last 4 years and in recognition of the fundamental requirement for the health and welfare of our free competitive system, there has been

a spontaneous and almost unanimous desire to establish a permanent small-business agency. The small-business community wants the Small Business Administration to become a permanent agency. The administration has recommended it. The most interested agencies in the executive department of our Government, including the Department of the Treasury, the Department of Defense, the Department of Commerce, the General Services Administration, and the Atomic Energy Commission, have recommended that the Small Business Administration be placed on a permanent basis.

In making this agency permanent the Congress will materially strengthen the two most important programs of the agency, namely, the business loan and the Government procurement programs.

It is my hope that H. R. 7963, as introduced by the distinguished chairman of the Banking and Currency Committee of the House of Representatives, the gentleman from Kentucky [Mr. SPENCE], will be passed without amendment. The Banking and Currency Committee has given careful and thorough consideration to the many bills which were presented for its consideration. H. R. 7963, as reported by the Banking and Currency Committee, is a clean bill which embodies the constructive thinking of many Members of the House and of the administration.

Originally an administration bill was introduced by the author of the Small Business Act of 1953, my distinguished colleague and the ranking minority member of the House Small Business Committee, the gentleman from Colorado [Mr. HILL]. The administration's bill was also introduced by the distinguished ranking minority member of the Committee on Banking and Currency, the gentleman from Iowa [Mr. TALLE].

In connection with this legislation and as a part of its continuing program, Subcommittee No. 2 of the Select Committee on Small Business conducted an exhaustive study and held hearings on the operations and progress of the Small Business Administration during the months of March and April 1957. The subcommittee under the able leadership of its distinguished chairman, the gentleman from New York [Mr. MULTER], agreed unanimously that certain changes should be made in the present act as well as in the administration's proposal in order to further strengthen the activities and the services of the Small Business Administration.

Members of the subcommittee drafted and introduced its own bill in which they were joined by other Members of the House who serve on the Small Business Committee. Twelve members of our Small Business Committee introduced the bill as proposed by Subcommittee No. 2. The Committee on Banking and Currency has accepted several of our recommendations and made other constructive changes which resulted in the bill H. R. 7963.

Personally, I believe the House has before it a fine piece of legislation which has been accomplished through reconciliation of divergent views in the highest tradition of our legislative processes.

May I say at this point a word of commendation for the members of Subcommittee No. 2 of the House Small Business Committee. They are, as I have noted, the gentleman from New York [Mr. MULTER], our capable and diligent chairman; the gentleman from Illinois [Mr. YATES]; the gentleman from Oklahoma [Mr. STEED]; and the gentleman from Connecticut [Mr. SEELY-BROWN]. It affords me a great deal of satisfaction to be associated with and to be a part of the membership of this subcommittee. In all of its deliberations I can say without reservation that the members of Subcommittee No. 2 have worked harmoniously and in a spirit of nonpartisanship and with one common purpose. That is to achieve the fullest opportunity for small business to prosper and to grow in our economy.

I know that the chairman and members of the Committee on Banking and Currency have explained H. R. 7963 in detail. However, I desire to devote a short time to some of the more important proposals and to recount a few of the accomplishments of the Small Business Administration.

H. R. 7963

The report filed by the Committee on Banking and Currency and the testimony received in hearings clearly indicate that Small Business Administration activities have sharply increased. SBA activities are expected to increase in coming years as the small-business community of our Nation becomes more cognizant of the role of the SBA in our Government. The legislation is designed to place the Small Business Administration in the best position possible to meet not only the continuing needs of small business but also the increased demands which most surely will be placed on this agency.

Among the principal changes as outlined in the report of the Committee on Banking and Currency are: to make SBA a permanent agency; to require a new definition of small business for procurement purposes; to reduce the interest rate on SBA's direct business loans and on SBA's share of loans made in participation with private lenders and to allow banks or other participants additional latitude by removing the ceiling on their share of such loans; and to establish a National Small Business Advisory Board in place of the Loan Policy Board.

A PERMANENT SMALL BUSINESS ADMINISTRATION

Probably the most important aspect of the pending legislation is that of permanency. The policy of the Congress with regard to small business cannot be fully carried out unless the Small Business Administration is made a permanent agency. The Small Business Administration cannot perform its greatest usefulness unless the agency is placed on a continuing basis.

Banks have been hesitant to participate in the financial program to the fullest extent because of the temporary nature of the SBA's authority. As the expiration date of the Small Business Act has approached, increasing difficulties have arisen in obtaining agreements for participation loans. Throughout the business world better relations will be established by placing the Small Business Administration on a permanent basis.

Problems within Government are also created because of SBA's temporary status. The effectiveness of the Small Business Administration is lessened in its relations with other departments and agencies. Some agencies are reluctant to embark on long-range programs with the SBA.

In the personnel field, the Small Business Administration continues to encounter difficulties. A lack of incentive exists for longer-range training programs—which would increase efficiency—and qualified specialists are not attracted to the agency under the present law. A vital responsibility of the SBA concerns the Nation's defense program, but complete participation of the Small Business Administration into national defense planning is difficult to attain until permanency is established.

THE "500" RULE FOR CONTRACT AWARDS

The definition of small business for purposes of Government procurement has been for many years a matter of considerable concern to small business. The Small Business Administration presently uses two definitions, one for financial assistance and the other, the so-called "500" rule, for procurement. The procurement definition has been far from satisfactory. The Committee on Banking and Currency, although modifying the Small Business Committee proposal, has brought forth constructive changes which will be valuable in clarifying congressional policy and will enable the Small Business Administration to promptly put this policy into effect.

At present the law provides that a small business concern shall be one which is independently owned and operated and which is not dominant in its field of operation. The Administrator, in making a detailed definition, may use as criteria, among others, number of employees and dollar volume of business.

Amendment to the present law would provide that if Small Business Administration uses number of employees as a basis of determination, the maximum number of employees shall vary from industry to industry to the extent necessary to reflect differing characteristics of such industries. This provision safeguards small business interests to a much greater extent than the interpretation existing under the present act. H. R. 7963 requires the Administrator of Small Business Administration to establish a new definition for procurement and if the new definition is not put into effect within 30 days, Small Business Administration's present definition for financial assistance shall apply for procurement purposes until the promulgation of a new definition.

THE RATE OF INTEREST ON BUSINESS LOANS

Another significant and important revision which would result from adoption of H. R. 7963 is reduction of the maximum interest rate from 6 to 5 percent on direct business loans and on Small Business Administration's share of a business loan made in participation with banks.

In addition, the 6-percent ceiling would be removed from the bank's share of a participation loan.

A point raised in respect to reduction of the interest rate is the possibility that competition between the Small Business Administration and banks would arise. It should be made clear that there can be no competition between the banks and the Small Business Administration because the bank has first opportunity to grant a loan. Application to the Small Business Administration for loans can only be made when financial assistance is not available from other credit sources at reasonable terms.

The Congress did not intend that Small Business Administration activities supplant the normal lending functions of our private financial institutions. The proposed legislation does not alter this in any degree. The Small Business Administration is designed to supplement these functions in those areas where the private institution cannot meet the demand of small firms.

Neither has it been congressional intent that the Small Business Administration was established for the purpose of making a profit for the Government. Providing a necessary service to the small business community is the only justifiable reason for its existence. Reduction of the interest rate to 5 percent will not result in a loss to the Small Business Administration, but by such reduction, small business enterprises in urgent need of credit will be given further beneficial assistance in achieving sound economic status.

In reducing the interest rate, the Congress will bring this program closer in line with other lending programs now carried on by the Federal Government.

NATIONAL SMALL BUSINESS ADVISORY BOARD

The abolishment of the present Loan Policy Board, and replacement by a special advisory board, is another constructive step which will bring the SBA closer to small business in determining loan policy and further assure its status as an independent agency.

The National Small Business Advisory Board will be composed of the SBA Administrator, the Secretary of the Treasury, the Secretary of Commerce, and not less than 2 nor more than 6 other individuals appointed by the Administrator who are familiar with small-business needs and problems and are truly representative of small-business interests.

The Board shall serve only in an advisory capacity and would consult with the SBA in carrying out the purposes of the act. Changes in this section will result in the Small Business Administration determining policy, whereas under present law the Loan Policy Board establishes general policies governing granting and denial of applications for financial assistance.

Revision of this section of the law does not deprive SBA of the services of any agency or department of Government, but clearly places the burden of responsibility in determining policy upon the Small Business Administration as it should be. Services of the Secretaries of Treasury and Commerce are utilized in an advisory capacity, and in addition, individuals who are close to the small-business scene are also invited to aid in this program. I think a distinct weakness is overcome by placing members of the small-business community on such an advisory board. This will be a vital factor in bringing the Small Business Administration closer to the people which it serves.

ACCOMPLISHMENTS OF THE SMALL BUSINESS ADMINISTRATION

Throughout the years small firms have been unable to secure equity capital in the organized security markets. While private financial institutions have apparently supplied most of their demand for short-term credit to fill working capital requirements, these same institutions are unable to advance credit of relatively long maturities. Frequently it has been found that the type of long-term credit desired by small business could not be handled by commercial lending institutions.

Establishment of the Small Business Administration has alleviated some of the difficulties, as I shall indicate in reporting on a few of the activities of the Small Business Administration. However, in discussing legislation which will be more beneficial to small business and more accurately carry out the intent of the Congress, we should not overlook the accomplishments that already have been made by the Small Business Administration.

The Small Business Administration has been diligent in its efforts to provide assistance to small business. Each 6-month period since its establishment the Small Business Administration has shown an increase in the assistance rendered to small business. The latest figures—May 31, 1957—show that there have been 6,820 business loan approvals for a total of $311,494,000.

Moreover, there has been continued effort to expand the financial-assitance program. The loan policy has been changed many times to broaden the base of the business-loan program, and a limited loan participation program has been developed which is meeting with considerable success. This type of loan was designed to assist the small retailer, wholesale distributor, and service establishments. Some 1,737 of these loans have been made, as of May 31, 1957, with the Small Business Administration participating up to $15,000, or 75 percent, of the loan, whichever is the lesser.

Greater authority has been delegated to field personnel in an effort to expedite processing of loans. Regional officers can now approve direct and participation loans up to $20,000; participation loans up to $100,000, where there is a 25-percent participation and where one-half of the bank's share is new money; and, finally, they may approve disaster loans up to $50,000.

Procurement as well as the technical-assistance programs have been increasingly effective each year since the beginning of the Small Business Administration. Much reliance is placed by the Small Business Administration on its set-aside program whereby all or certain portions of particular procurements are set aside for exclusive bidding by small business concerns. There has been an increase in set-asides, from $386,610,589 for fiscal 1955 to $645,376,188 for the first 11 months of fiscal 1957. In all, some $1,707,538,810 in set-asides have been agreed to by the military procurement agencies since August 1953. The Small Business Administration has broadened its set-aside program to include civilian procurement agencies and already some $50.6 million in set-asides have been agreed to by these civilian procurement agencies. I would like to emphasize that this has been accomplished by only 37 procurement specialists, of whom only 16 are full time, covering some 159 procurement offices throughout the country.

I think as we look over the record of accomplishments of the Small Business Administration, we can take justifiable pride in the splendid development and consistent advancement of a program that has been in existence only 4 years. Adoption of the Small Business Act in 1953 was a farsighted step and one of the most important actions taken by the Congress in furthering the progress of this Nation.

I believe it has been clearly indicated that this program is of vital necessity to the welfare of thousands of small businesses which are so essential to our local communities and to our economy as a whole.

Small business is an integral part of our productive capacity—both in peace and in war. Adverse economic pressures of today may only effect small business, but if small business does not achieve stability and is not able to keep pace, tomorrow may find these same adverse economic pressures threatening the well-being of all segments of our free-enterprise system.

H. R. 7963 is sound legislation designed to meet these problems through methods consistent with the principles that have served as guideposts in the growth and progress of our Republic.

Mr. TALLE. Mr. Chairman, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. CURTIS of Missouri. Mr. Chairman, for several years I have been much concerned over the position of small business in an economy geared for defense production. The importance of small business participation in defense procurement is obvious when we realize that our Government spent some $43.5 billion on defense items in fiscal 1952 and over $19 billion in fiscal 1956. During this same period the amount of defense contracts to small business fluctuated without apparent pattern but generally between 21 percent and 16 percent.

I had the honor to serve on the House Select Committee on Small Business dur-

ing the 82d Congress and have since followed closely the efforts, or lack of effort, on the part of the Federal Government to assure small business a fair share of its purchases of goods and services. During the Korean war our committee found procurement offices awarding the lion's share of their contracts to the largest concerns in the country. The prevailing philosophy was that there was little or no time to be concerned about prime contracts for small business and that they should look to subcontracting as a means of contributing to our national defense. No effort was made to assure financial assistance or a supply of materials and components so that even with a contract the smaller business might produce effectively. In addition, administrative procedures on defense contracts virtually precluded a small manufacturer from handling a Government contract, if the incentive to produce for the Government had not already been killed.

Because of the lack of consideration for small concerns evidenced by procurement officials Congress established the Small Defense Plants Administration in 1951 with authority to assist small firms to secure Government contracts, to obtain adequate financing, and to find a solution to their administrative difficulties, I believe that as a result of this legislaiton small business was able to make a significant contribution to the Korean war.

In reviewing the role of small firms of Government procurement in 1953 Congress found that while defense spending had decreased greatly because of the cessation of hostilities, continued assistance was necessary to assure fair and equitable opportunities to the small firms in our economy. Many of the procurement and technical assistance programs of the Small Defense Plants Administration were carried over into the new agency and have proved to be, since the fall of 1953, effective tools to combat the obstacles encountered by small business in its dealings with Government procurement agencies.

The Small Business Administration program in which the most effort has been expended to provide procurement assistance is the so-called joint set-aside program. Under this program, representatives of the Small Business Administration are assigned to the principal purchasing centers of the Government to review or screen with representatives of the purchasing agency, proposed procurements, and to determine which of them can be set aside either in whole or in part for exclusive award to small business. I should emphasize, however, that the law makes this program strictly a cooperative effort. SBA may only suggest which procurements should be set aside. The final decision rests with the contracting officer.

Originally SBA was precluded from screening classified procurements, sole source procurement purchases under $10,000, emergency and research and development procurement. A revision of the original agreement does now, however, permit SBA to screen procurement in all of these areas, to give greater consideration to Government purchases which are suitable to their type of production or supplies.

I might state parenthetically that considerable opposition was encountered in the early days of the agency to its full-fledged effort to assist small business to secure more Government contracts. Through constant pressure and negotiations SBA has been able to extend the scope of this program. Each year finds more and more Government contracts being set aside for small firms. During the past year, the program has been extended beyond the Military Establishments to include civilian procurement agencies such as the General Services Administration, the Veterans' Administration, the Post Office Department and the Departments of Agriculture, Commerce, and Interior.

I should like to discuss very briefly at this point the procedures for set-asides for small business promulgated by the SBA in conjunction with other Government agencies. In the case of total small business set-asides, invitations for bids issued by the purchasing agency contain a notice to the effect that the procurement will be awarded to one or more small-business concerns; bids or proposals under the procurement will be restricted to small-business firms and awards will be made to a small-business firm or firms; and bids or proposals received from firms not classified as small business will be considered as nonresponsive. The advertising and awards are conducted in the same way as prescribed for formal advertising except that the bids and awards are restricted to small-business concerns.

In the case of partial small-business set-asides, the invitations for bid covering the procurement of the unreserved portion shall state that an additional quantity of a stated amount has been set aside for negotiation for small-business firms exclusively, and invitations for bid and requests for proposals for the unreserved portion shall be for not less than an economic production run as shall also be the proportion set aside for small business. After the award of the unreserved portion, procurement of the portion set aside is affected by negotiation. The right to participate in the negotiation for the quantity set aside is conditioned upon the submission of a bid upon the items in the procurement at a unit price within 120 percent of the highest award made on the unreserved portion. Such negotiation proceeds among small-business concerns beginning with the bidder which submitted the lowest responsive bid in connection with the unreserved procurement. When the procurement of the unreserved quantity has resulted in one contract only, or in multiple awards all at the same price, awards for quantities set aside shall be made at the unit price of the unreserved quantities. When the procurement of the unreserved quantities resulting in multiple awards at different unit prices, awards for quantities set aside shall be made at the highest unit price of the unreserved quantities.

Mr. Chairman, this is a good time and a good place to clear up any misconceptions with respect to the joint determination program as provided by the Small Business Act.

Section 214 of existing law provides "to effectuate the purpose of this title, small-business concerns within the meaning of this title shall receive any award or contract or any part thereof as to which it is determined by the administration and the contracting procurement agency (A) to be in the interest of maintaining or mobilizing the Nation's full productive capacity, or (B) to be in the interest of war or national defense programs."

Section 14 of H. R. 7963 utilizes the same language with the exception that "Whenever the administration and the contracting procurement agency fail to agree, the matter shall be submitted for determination to the Secretary of the head of the appropriate department or agency by the Administrator."

One of the misconceptions is that a small-business concern participating in the joint determination program gets some sort of a price advantage. That is not so. All the advantage that a small concern gets is an opportunity to participate in a given procurement. In order to have an opportunity to participate, a small concern must be within 20 percent of the lowest qualified bid for that portion of the total procurement which is open to all bidders, both large and small. For example, if the lowest qualified bid on an item is $100 each, then all of those small-business bidders whose prices range up to and including $120 have an opportunity to negotiate for the set-aside portion of the procurement. In these negotiations any bidder who is within the $120 range must compete with other bidders in that range, but in no event will a contract be awarded at more than the $100 price.

Let us say once again and emphatically that in the procurement program carried on by the Small Business Administration small business does not get one cent more than anybody else for a given procurement. This is the way it should be, and I hope we will never feel it necessary to get into a program of premium payments for one contractor as against another. This type of policy may be justified in moments of extreme peril where price is of no consideration, but certainly in the situation in which we now find ourselves, premium prices are not needed, and certainly are not wanted by the small business sector of our economy which seeks Government procurement awards. What they want is a fair and equal treatment with all of their competitors and nothing else.

Mr. Chairman, the following table illustrates the increase in activity in the SBA joint set-aside program. A great effort has been made by the Agency to obtain set-asides in those areas where small firms have had difficulty in obtaining contracts. Only through a very broad approach can the full potential of small business be realized.

SBA SET-ASIDE PROGRAM

Set-aside agreed to Aug. 1, 1953, through May 25, 1957

Fiscal year	Military		Civilian		Total	
	Number	Amount	Number	Amount	Number	Amount
1957	8,176	$602,848,950	1,925	$42,527,238	10,101	$645,376,188
1956	5,706	489,574,912	277	8,103,520	6,075	497,678,432
1955	3,924	386,610,589			3,924	386,610,589
1954	1,621	228,504,359			1,621	228,504,359
Total	19,519	1,707,538,810	2,202	50,630,758	21,721	1,758,169,568

The Small Business Administration also renders a service to small firms through the issuance of the certificates of competency in those cases in which a contracting officer of the Government has withheld the award of a contract to a small firm by reason of the opinion that the firm lacks the necessary financial and productive capacity to successfully perform the contract. In such an event, the firm may request the Small Business Administration to make a separate and independent survey of the firm's resources as related to the procurement involved. Such technical and financial information concerning the firm as may be available from the purchasing agency is furnished to the Small Business Administration for its consideration. If the Small Business Administration, after making such a survey, is of the opinion that the firm possesses adequate capacity and credit to successfully perform the contract, it will issue its certificate of competency. When this certificate of competency is issued, the contracting officer of the Government is, by law, directed to accept such certification as conclusive and is authorized to award the contract to the holder of such certificate without requiring it to meet any other requirements as to capacity or credit. Normally a period of 10 working days is allowed in which the Small Business Administration may exercise its authority to issue a certificate of competency. Certificates of competency have been issued by SBA in about 50 percent of cases in which requested. Very few holders of certificates of competency have failed to perform their contracts in accordance with the contract terms.

For many small firms, particularly those with limited facilities subcontracting affords the best opportunity to participate in Government procurement. SBA regional offices, which service small firms in their respective areas, are responsible for maintaining an inventory of small-business facilities in their area. The small firms register their industrial facilities with these regional offices where their facilities are classified, and the small firms are notified of subcontracting leads suitable to their type of plant and equipment.

An important service to the small firm is that of bringing to its attention various items for which adequate small-business competition is lacking. To accomplish this, SBA representatives at purchasing offices of the Government notify the SBA regional offices of items for which small-business competition is needed. The regional offices in turn bring these items to the attention of firms which they believe can supply them.

In many types of its contracts the Government inserts a clause requiring the contractor to subcontract to small firms the maximum amount that the contractor finds to be consistent to the efficient performance of the contract. Each contractor receiving a prime contract in excess of $1 million, which offers substantial subcontract possibilities, is urged by the procuring agency of the Government to establish and conduct a defense subcontracting small-business program. This program provides for the designation of the executive of the contractor as its small-business liaison officer who will be the contact man with the procuring agency of the Government and officials of the SBA on matters relating to small-business participation. This program includes the adoption by the contractor of procurement policies designed to assure that small firms will have equitable competitive opportunity to secure defense subcontracts and the placing in its subcontracts of the small-business subcontracting clause appearing in its own prime contract.

Procurement assistance counseling is another function which is performed by Small Business Administration, principally in the regional and branch offices. The staffs of these regional and branch offices are available to small firms for discussion of their problems and for assistance and guidance in solving them. In its counseling program, the Small Business Administration helps small firms to determine which items or services they can supply to the Government and assists them in being placed on appropriate bidders' lists, so that invitations for bids will be sent to them. Assistance is also rendered in obtaining bid sets for any procurement which is suitable for supply by small business. These bid sets are available to small-business firms in the regional and branch offices. Small firms are also counseled on how to sell their services to prime contractors as well as to firms needing components which they can produce.

Mr. Chairman, through legislation, committee hearings, and personal representation to Government procurement agencies, the Congress has attempted over the years to assure small firms an equitable opportunity in their attempts to secure more Government business. The full potential of small business has never been realized. While the procurement agencies themselves have rendered lip service to small-business problems and while various programs have been established within those agencies to assist small business, little has been accomplished. That is why we need an independent small-business agency to act as a watchdog and as an advocate for greater and more effective assistance.

The Small Business Administration is doing everything it can, through its own programs and through advice to other Government agencies to assist small firms in securing more Government contracts. Much more can be done and will have to be done if we wish to maintain the productive capacity of this segment of an economy. With military items becoming increasingly complex an effective subcontracting program must be developed. This program must have some teeth in it. I will not accept the statement that the Federal Government must leave the decisions of subcontracting entirely up to the prime contractor. I believe that the Small Business Administration must continue an all-out attack on the problems encountered by small firms in their dealings with the Government procurement agencies. This attack must encompass the areas of research and development, the availability of advance and progress payments, the use of sole source procurement, the availability of bid sets and specification data, the use of emergency procurement, the preponderance of negotiated procurement and numerous other fields.

Finally, I would like to state that such a program can best be accomplished by making the Small Business Administration a permanent, independent agency. Only in this way will the procurement agencies be made to cooperate to the fullest extent and to realize that Congress insists that solutions be found to the very serious problems confronting the small businesses in our country.

I will agree that when the time comes when we can greatly reduce the Federal Government's participation in the field of procurement of goods and services from our economy the need for a small-business administration may no longer exist. However, in this age of cold warfare where our defense budgets must remain high there does not seem to be any likelihood of a great reduction in the Federal Government's procurement program in the foreseeable future. During this period of great Federal Government activity we must preserve our basic system of private enterprise part of which rests on a proper balance between large and small business. Big business comes from healthy small businesses growing. Destroy the new growth or stunt it and we badly damage the future economy of our society. The SBA protects against this danger.

Those who could prolong the life of the SBA for a 1-year period or even a 5-year period instead of providing for permanent status are being completely unrealistic in their estimates of why the SBA should exist. Indeed, do they think this cold war will end next year or 5 years from now? By limiting the period of existence of the SBA they badly damage the effectiveness of SBA because they eliminate the long-range planning

it must do to perform its job in this era of cold warfare.

Mr. TALLE. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. SHEEHAN].

Mr. SHEEHAN. Mr. Chairman, I rise in support of the pending bill, H. R. 7963. As one of the members of the House Select Committee on Small Business, it is my earnest hope that this bill will be considered and accepted by the House in its present form unless there are some especially good perfecting amendments offered.

I should like to mention the fact that I agree fully with the ranking minority member of the committee, the gentleman from Iowa [Mr. TALLE], when he said that one of the great deterrents to small business is our present tax structure.

Since 1932, in my opinion, the tax laws have at best been a great hindrance to small business generally, and have served to liquidate the small-business man and also to liquidate the middle-class people, for the reason that when salary or earnings through business operations become just enough so that you may be able to grow a little bit, the Government steps in and becomes a partner for more than 50 percent of the profits.

Mr. Chairman, I would like to call the attention of the Members to one of the phases in the bill that I think might be looked into more closely. I refer to the idea of reducing or maintaining the percentage of interest at 5 percent. It should be remembered that the Small Business Administration program, as designed and implemented by the Congress, supplies one of the main sources of funds, and it is the only source in many cases, for certain small businesses looking for term funds or risk capital; that is, capital which the average bank cannot supply to him because it is long-term capital. I would not like to see the small-business man get into the same position that the veterans are in where the Government has fixed the interest at 4½ percent with the result that the banks, the savings and loan associations, and the many lending institutions are not lending money to veterans for housing mortgages because of an unrealistic interest rate. The same may be true if we limit the maximum interest rate to 5 percent for business loans on the Government's share of the loan.

I realize that the Government is making money because it is borrowing this money at about 3 percent and lending it to small business at 5 percent. I do not like to see the Government make money out of small-business firms. On the other hand, I do not like to see our small-business firms hamstrung, with an unworkable program. I also fully realize that many other Government programs, like the Rural Electrification program and many other programs, are able to borrow money at 2, 2½, or 3 percent. That is a different proposition in my mind because the banks have to participate. Here we will have a bank participate in a loan and they charge the customer say 6 percent on 10 percent of the loan and the Government charges 5 percent of the remaining 90 percent of the loan.

Then other problems will arise in this connection. Suppose, for instance, the bank together with the Government made a loan and after 6 months or a year the loan is paid down to 50 percent, the bank would be in position to take over the whole loan because it is seasoned and the company is going ahead satisfactorily. What would happen? Why would the businessman want to get the Government out of the loan? He is able to get it at 5 percent from the Government. If he gave the whole loan to the bank he would have to pay 6 percent. The bank would be very reluctant to take it at 5 percent because they would be able to get 6, 7, or 8 percent on their money from other borrowers. We do not want to put small business in a position where the funds may be shut off because of a nonrealistic Government approach.

I do know that in our Chicago area only approximately 1 out of every 15 loans is a Government direct loan. The other 14 are bank participation loans. That is a far cry from the old days of the RFC when approximately two-thirds of all loans were direct loans and only one-third with the banks. I am not spelling out any brief for the banks, but I firmly believe that on the local level the banker can watch the individuals closer, the bank can watch the company closer, because in a majority of the cases it is handling the checking and savings accounts of the individuals involved and knows from day to day what is happening with the company, whereas the Government here in Washington frequently does not know new developments until it is too late.

The limited loan participation program introduced about 18 months ago has proven a constructive avenue of assistance to such types of business which require a minimum of fixed assets yet deserve term credit. Small retail, wholesale, service establishments fall in this category. But such loans require bank participation of not less than 25 percent of the loan. With two different interest rates, the banks could become very reluctant to participate in this type of loan.

So, I earnestly solicit the attention of the House in taking a second look at this 5 percent Government interest maximum so that we can be realistic and enable the small-business man to continue to work with the local facilities. As I view the needs of small business the rate of interest is secondary to the primary need of capital. I would prefer to pay a little extra interest and get long-term capital needs than to have the Government offer a low rate of interest and find it most difficult to obtain the loan from a local bank.

Mr. TALLE. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, I intend to support this bill when it comes to final passage. I believe a lot of very wholesome changes have been made in the act on the recommendation of the committee, particularly in view of the fact that a permanent agency status was created for the Small Business Administration. This is a recommendation of the administration and of the committee. I believe the facts elicited during the committee hearings showed the necessity for recognizing that status, because it will do a better job for the small-business people of this country.

The Small Business Administration has been operated since July 30, 1953. As stated in the committee report:

> It is the first independent Government agency created to serve and represent all small businesses both in peacetime and in periods of national emergency. Its activities are designed to help small business (1) gain access to adequate capital and credit, (2) obtain a fair share of Government procurement; and (3) obtain competent managerial and technical assistance.

Under Wendell Barnes, the Small Business Administrator, the SBA has performed in an eminently successful manner. The record shows that through April 30, 1957, 6,443 business loans totaling $295 million had been approved. In addition, in an outstandingly successful program, $63 million in disaster loans have been approved through the same date.

This has all been accomplished with a loss of only $102,377.27 involving 6 loans.

To me one of the most effective areas in which SBA has operated has been in its assistance to small business in obtaining a fair share of Government contracts. The Small Business Administration has obtained the cooperation of other Government agencies so successfully that through March 25, 1957, a total of 19,123 procurements were set aside in a total amount of $1,619,593,650.

The bill now submitted to the House makes several salutary changes in the existing law. I believe that the creation of a National Small Business Advisory Board replacing the Loan Policy Board is a wholesome revision. The policy responsibility would be in the hands of the Small Business Administrator where it should be and the Secretary of the Treasury, the Secretary of Commerce, and not less than 2 nor more than 6 representatives of small business acting with the Administrator in an advisory capacity. This on top level brings the thoughts and recommendations of representatives of small business into active consideration toward program and policy.

An increase in loan authority means the ability to furnish substantial new financial assistance and will provide sufficient funds to finance the existing program.

Finally, the recommended change reducing the interest rate on the Government's share of a small-business loan to 5 percent is a further encouragement to small-business operation. It is not competitive with the lending institutions because a full opportunity is afforded for a normal loan at prevailing interest rates and there must be two refusals before the Government participation can be obtained.

Mr. TALLE. Mr. Chairman, I yield such time as he may desire to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Chairman, I rise for the purpose of indicating my support of the pending bill, H. R. 7963. The Committee on Banking and Currency is to be commended for bringing such a constructive measure to the floor. The fact that the bill comes from that committee with a unanimous vote is indicative of its importance and soundness. The announced purpose of the bill is to promote a more vigorous and efficient program of assistance to small business. That is such a worthy objective that I am glad to associate myself with it.

There has been quite a bit said here this afternoon about risk capital. Some implied criticism has been levied at the Small Business Administration, because that organization has not come forth with a satisfactory solution of the problem of stimulating risk capital. My own view is that we should not await recommendations from the Small Business Administration on this important subject. We have a responsibility ourselves, and I personally believe a downward revision of our tax structure would bring risk capital out of hiding. Such a result would, in my jdgment, go a long way toward solving the problems of small business.

Recently the Chamber of Commerce of the United States issued a pamphlet which contains a number of examples of authentic occurrences which demonstrate the harmful effect of our high income-tax rates are having on business expansion. It cited the case of a small manufacturer who declined to invest risk capital in the expansion of his business because he was already in a 75 percent personal income-tax bracket and any additional income would have been taxed at about 85 percent. The very small net increase in income which he might have expected from the expansion of his business would have been more than offset by the hazards involved in expansion. The result was that about 50 people in the small city have been denied employment opportunities and the Government has been denied the opportunity of potential revenue.

Another case cited was that of an investor who was approached with the proposal that he finance a young man who had a new idea for a brandnew business. A careful investigation disclosed that the new business, on an investment of $500,000, might reasonably expect substantial earnings. The potential investor was satisfied with the proposition, was sold on the business capacity of the young man with the new idea, and had money to invest. However, he turned the opportunity down because he had his money invested in tax-exempt bonds. He pointed out to the young man that, since he was already in the highest income bracket, he could only keep 9 cents out of each dollar of income he received from the new business. The prospect of netting 9 cents only out of every dollar earned was not a sufficient return to justify even the small risk of failure and loss of the $500,000 of capital which it had been proposed that he should invest. Thus a new business, which would have offered employment to a substantial number of people, and from which the Government might have collected revenue from the business and its employees indefinitely, was not begun because the risk capital was not available under existing conditions.

A number of similar instances are cited in this pamphlet. They all go to show how we are going about killing the goose that lays the golden eggs. Risk capital has always come from individuals, not from banks. Banks cannot risk depositors' funds in hazardous ventures. Nor can any Government agency do so.

Many words have been written and spoken about helping small business but I for one believe that the greatest help that could possibly be given to existing small-business concerns, and in the organization of new businesses, would be to encourage risk capital to come back into the market for private investment. This can only be done by reducing taxes.

I do not advocate deficit financing and recognize that certain steps must be taken before there can be any general revision of tax rates; among them being the necessity of keeping the budget balanced, making periodic payments on the public debt and substantial reductions in Government spending.

Mr. TALLE. Mr. Chairman, I have no further requests for time.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, I ask unanimous consent that our colleague, the gentleman from New Jersey [Mr. THOMPSON], may extend his remarks in the RECORD immediately after mine.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. SANTANGELO].

Mr. SANTANGELO. Mr. Chairman, I rise to support this bill. I want to commend the committee for the fine work that it did in connection with small business. In my opinion, the changes contained in the bill are good improvements and steps in the right direction, and I believe that this bill should be passed.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Tennessee [Mr. EVINS].

RE-CREATING THE SMALL BUSINESS ADMINISTRATION

Mr. EVINS. Mr. Chairman, the distinguished gentleman from Kentucky, the chairman of the Banking and Currency Committee, the distinguished gentleman from Texas [Mr. PATMAN], and other members of the committee have very ably covered the major features of this important legislation which is needed and necessary for the economic welfare of the small businesses of this Nation.

I would like to point out that this bill before the Committee today is a direct result of the recommendations of Subcommittee No. 2 of the House Small Business Committee, the chairman of which subcommittee is the distinguished gentleman from New York [Mr. MULTER]. Extensive hearings on this measure have been conducted by the two committees, the Banking and Currency Committee and the House Small Business Committee, and these recommendations represent the combined efforts of both of these committees.

Mr. Chairman, this great Nation of ours is presently in a period of economic expansion and we are going through and experiencing an era of good times—of prosperous times. Our gross national product has topped $415 billion and is still increasing—our per capita income is at an extremely high level—there is a record number of businesses—and profits are the highest in our Nation's history. Business expenditures for new plant and equipment continue to reach new heights, year after year, with the estimated expenditures for this purpose during 1957 nearing $40 billion.

But during this period of economic progress and good times, we find one disturbing factor—while profits and investments continue to grow and increase, the number of businesses is failing to keep pace with this growth and are diminishing year by year. From this, we must obviously conclude that our economy is gradually being concentrated in the hands of fewer and larger businesses—and that small business, or the little man, is not able to keep pace with our tremendous business growth.

Studies and investigations by the Small Business Committee and other agencies indicate that this country is again moving toward concentration of power in big business and that as a result, the small business concerns of this country are suffering.

This trend toward concentration of big business interest has been promoted and sponsored by a Government sympathetic to big business and with only a passing concern for the plight of the little man.

While big business profits and prospers, as indicated by big business stock prices—failures by small businesses have been increasing. About 11,000 such businesses failed in 1956 and during the first part of this year, this figure has increased by about 7 percent.

As the big business profits continue to increase, greater working capital is gathered—this allows, of course, for greater freedom of expansion and continued progress. This situation does not apply to small business, however. Percentage profits of small business has not kept pace with that of big business and consequently the amount of working capital retained by small business is, in many instances, not adequate.

The Federal Government through the present administration, in an attempt to combat rising prices, has restricted the credit supply of this Nation. I shall not attempt to argue the pros or cons of this issue at this time. However, one obvious result of this so-called tight money policy has been to further squeeze small business and has added seriously and chronically to the perennial problems faced by the small-business man—that of obtaining adequate financing.

When commercial bank credit is tightened, as is the present situation, then the squeeze is placed on about the only source of capital available to small business. As

a practical matter, small firms cannot sell bonds or stocks, issue commercial paper, or even borrow from insurance companies—all sources of capital for the big corporations.

In other words, the equality of opportunity of small business in our present economy is unreal and not a true situation—the restrictions cut too deeply. We will have to conclude in an appraisal of the tight money policy that what is good for General Motors is not good for small business.

When the Small Business Administration was organized in 1953 during the 83d Congress, its purpose was threefold: First, to gain access to adequate capital and credit for small business; second, to obtain a fair share of Government procurement, and third, to obtain competent managerial and technical assistance.

These functions were not new to Government and many of the Small Business Administration's functions had been inherited from other agencies—but this was the first time in this Nation's history that an independent agency was created to serve and represent all small businesses, both in peacetime and in periods of national emergency.

Unfortunately, SBA got off to a relatively poor start, however, as time went on, the agency gradually began to fulfill its purpose and assistance to small business can now be seen in concrete form. For example, through April 30, of this year, SBA approved 6,443 business loans in a total amount of $295 million. In addition, SBA approved disaster loans totaling $63 million and has been instrumental in helping small business participate and obtain a fair share of Government contracts.

So, we can now see that this agency is fulfilling and attempting to fulfill its purpose.

In recommending passage of this legislation, I sincerely concur with the committee that the continued operation of this agency is needed and necessary for the continued progress of the small businesses of this Nation. The economic status of small business has not improved since 1953 when this agency was created—actually, it has worsened. So, the need for this agency today is greater than it was in 1953.

This bill would establish the SBA as a permanent agency dedicated to serve small business. Such enactment would allow SBA considerably more freedom in allocating credit, retaining competent personnel, and integration of small business needs in national defense procurement.

Other sections of the bill would redefine small business, therefore allowing SBA greater and needed latitude in establishing criteria for loans; set up a new loan policy board; reduce the maximum permissible interest rate from 6 to 5 percent—but, these features have already been thoroughly explained in an outstanding manner by members of the committee and I will not try to add to these able presentations.

Taken as a whole, these amendments could perhaps be referred to as bolstering items which will allow the SBA to serve its purpose to a fuller degree and provide greater services to small businesses.

Mr. Chairman, this Nation of ours was built on a foundation of small-business concerns and equality of opportunity. Big business is needed and necessary—it is the goal of every small business. But to continue our present economic progress, it is necessary to have both big business and small business—working together toward greater economic goals. Big business or Government should not create situations or allow situations to exist which work to the detriment of small business, nor, on the other hand, small business and Government should not create situations or allow situations to exist which work to the detriment of big businesses which are operating within the rules of our economy.

Consequently, in this period of our economic progress, the Small Business Administration is needed to serve the needs of small business. Big business is flourishing and needs no further aid—small business is not.

The essence of the American economic system of private enterprise is free competition. Only through full and free competition can free markets, free entry into business, and opportunities for the expression and growth of personal initiative and individual judgment be assured. The preservation and expansion of such competition is basic not only to the economic well-being but to the security of this Nation. Such security and well-being cannot be realized unless the actual and potential capacity of small business is encouraged and developed.

It is the declared policy of the Congress that our Government should aid, counsel, assist and protect, as far as possible, the interests of small-business concerns in order to preserve free competitive enterprise, to insure that a fair proportion of the total purchases and contracts for supplies and services for the Government be placed with small-business enterprises, and to maintain and strengthen the overall economy of the Nation.

This policy, Mr. Chairman, can best be carried out by the passage of this legislation before us as a cosponsor of this bill. I join with my colleagues in urging that this bill be passed, it will promote and foster our small-business concerns and in turn strengthen our national economy and security.

Mr. SPENCE. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That title II of the act of July 30, 1953 (Public Law 163, 83d Cong.), as amended, is hereby withdrawn as a part of that act and is made a separate act to be known as the Small Business Act.

SEC. 2. The Small Business Act is amended to read as follows:

"SEC. 1. This act may be cited as the 'Small Business Act.'

"SEC. 2. (a) The essence of the American economic system of private enterprise is free competition. Only through full and free competition can free markets, free entry into business, and opportunities for the expression and growth of personal initiative and individual judgment be assured. The preservation and expansion of such competition is basic not only to the economic well-being but to the security of this Nation. Such security and well-being cannot be realized unless the actual and potential capacity of small business is encouraged and developed. It is the declared policy of the Congress that the Government should aid, counsel, assist, and protect, insofar as is possible, the interests of small-business concerns in order to preserve free competitive enterprise, to insure that a fair proportion of the total purchases and contracts for property and services for the Government (including but not limited to contracts for maintenance, repair, and construction) be placed with small-business enterprises, and to maintain and strengthen the overall economy of the Nation.

"(b) Further, it is the declared policy of the Congress that the Government should aid and assist victims of floods and other catastrophes.

"SEC. 3. (a) For the purposes of this act, a small-business concern shall be deemed to be one which is independently owned and operated and which is not dominant in its field of operation. In addition to the foregoing criteria the Administrator, in making a detailed definition, may use these criteria, among others: Number of employees and dollar volume of business. Where the number of employees is used as one of the criteria in making such definition for any of the purposes of this act, the maximum number of employees which a small-business concern may have under the definition shall vary from industry to industry to the extent necessary to reflect differing characteristics of such industries and to take proper account of other relevant factors.

"(b) The Administrator shall without delay establish a new definition, in compliance with subsection (a); and if such new definition has not been established and placed in effect for all the purposes of this act within 30 days after the date of the enactment of this subsection, the definition which was in use by the Administrator for financial assistance purposes immediately prior to the date of the enactment of this subsection shall be in effect for all the purposes of this act from the end of such 30-day period until such time as the Administrator establishes and places in effect such new definition. Nothing in this subsection shall affect any small-business certificate issued under this act before the enactment of this subsection, or restrict the authority of the Administrator to issue such certificates under section 8 (b) (6).

"SEC. 4. (a) In order to carry out the policies of this act there is hereby created an agency under the name 'Small Business Administration' (herein referred to as the Administration), which Administration shall be under the general direction and supervision of the President and shall not be affiliated with or be within any other agency or department of the Federal Government. The principal office of the Administration shall be located in the District of Columbia. The Administration may establish such branch and regional offices in other places in the United States as may be determined by the Administrator of the Administration. As used in this act, the term 'United States' includes the several States, the Territories and possessions of the United States, the Commonwealth of Puerto Rico, and the District of Columbia.

"(b) The management of the Administration shall be vested in an Administrator who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and who shall be a person of outstanding qualifications known to be familiar and sympathetic with small-business needs and problems. The Administrator shall not engage in any other business, vocation, or employment than that of serving as Administrator. The Administrator is authorized to appoint three Deputy Administrators to assist in the execution of the functions vested in the Administration.

"(c) The Administration is authorized to obtain money from the Treasury of the United States for use in the performance of the powers and duties granted to or imposed upon it by law, not to exceed a total of $650,000,000 outstanding at any one time. For this purpose appropriations not to exceed $650,000,000 are hereby authorized to be made to a revolving fund in the Treasury. Advances shall be made to the Administration from the revolving fund when requested by the Administration. This revolving fund shall be used for the purposes enumerated subsequently in sections 7 (a), 7 (b), and 8 (a). Not to exceed an aggregate of $500,000,000 shall be outstanding at any one time for the purposes enumerated in section 7 (a). Not to exceed an aggregate of $125,000,000 shall be outstanding at any one time for the purposes enumerated in section 7 (b). Not to exceed an aggregate of $25,000,000 shall be outstanding at any one time for the purposes enumerated in section 8 (a). The Administration shall pay into miscellaneous receipts of the Treasury, at the close of each fiscal year, interest on the net amount of the cash disbursements from such advances at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding interest-bearing marketable public debt obligations of the United States of comparable maturities.

"(d) There is hereby established a National Small Business Advisory Board, which shall advise and consult with the Administration in carrying out the purposes of this act. The Board shall consist of the Administrator, as chairman, the Secretary of the Treasury, the Secretary of Commerce, and not less than 2 nor more than 6 other individuals appointed by the Administrator who are familiar with small-business needs and problems and are truly representative of small-business interests. The Secretary of the Treasury and the Secretary of Commerce may each designate an officer from his Department, who has been appointed by the President by and with the advice and consent of the Senate, to act in his stead as a member of the Board.

"SEC. 5. (a) The Administration shall have power to adopt, alter, and use a seal, which shall be judicially noticed. The Administrator is authorized, subject to the civil-service and classification laws, to select, employ, appoint, and fix the compensation of such officers, employees, attorneys, and agents as shall be necessary to carry out the provisions of this act; to define their authority and duties; to provide bonds for them in such amounts as the Administrator shall determine; and to pay the costs of qualification of certain of them as notaries public. The Administration, with the consent of any board, commission, independent establishment, or executive department of the Government, may avail itself on a reimbursable or nonreimbursable basis of the use of information, services, facilities (including any field service thereof), officers, and employees thereof, in carrying out the provisions of this act. Subject to the standards and procedures under section 505 of the Classification Act of 1949, as amended, not to exceed 15 positions in the Administration may be placed in grades 16, 17, and 18 of the General Schedule established by that act, and any such positions shall be additional to the number authorized by such section.

"(b) In the performance of, and with respect to, the functions, powers, and duties vested in him by this act the Administrator may—

"(1) Sue and be sued in any court of record of a State having general jurisdiction, or in any United States district court, and jurisdiction is conferred upon such district court to determine such controversies without regard to the amount in controversy; but no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Administrator or his property;

"(2) Under regulations prescribed by him, assign or sell at public or private sale, or otherwise dispose of for cash or credit, in his discretion and upon such terms and conditions and for such consideration as the Administrator shall determine to be reasonable, any evidence of debt, contract, claim, personal property, or security assigned to or held by him in connection with the payment of loans granted under this act, and to collect or compromise all obligations assigned to or held by him and all legal or equitable rights accruing to him in connection with the payment of such loans until such time as such obligations may be referred to the Attorney General for suit or collection;

"(3) Deal with, complete, renovate, improve, modernize, insure, or rent, or sell for cash or credit upon such terms and conditions and for such consideration as the Administrator shall determine to be reasonable, any real property conveyed to or otherwise acquired by him in connection with the payment of loans granted under this act;

"(4) Pursue to final collection, by way of compromise or otherwise, all claims against third parties assigned to the Administrator in connection with loans made by him. This shall include authority to obtain deficiency judgments or otherwise in the case of mortgages assigned to the Administrator. Section 3709 of the Revised Statutes, as amended (41 U. S. C., sec. 5), shall not be construed to apply to any contract of hazard insurance or to any purchase or contract for services or supplies on account of property obtained by the Administrator as a result of loans made under this act if the premium therefor or the amount thereof does not exceed $1,000. The power to convey and to execute in the name of the Administrator deeds of conveyance, deeds of release, assignments and satisfactions of mortgages, and any other written instrument relating to real property or any interest therein acquired by the Administrator pursuant to the povisions of this act may be exercised by the Administrator or by any officer or agent appointed by him without the execution of any express delegation of power or power of attorney. Nothing in this section shall be construed to prevent the Administrator from delegating such power by order or by power of attorney, in his discretion, to any officer or agent he may appoint;

"(5) Acquire, in any lawful manner, any property (real, personal, or mixed, tangible or intangible), whenever deemed necessary or appropriate to the conduct of the activities authorized in sections 7 (a) and 7 (b);

"(6) Make such rules and regulations as he deems necessary to carry out the authority vested in him by or pursuant to this act;

"(7) In addition to any powers, functions, privileges, and immunities otherwise vested in him, take any and all actions, including the procurement of the services of attorneys by contract, determined by him to be necessary or desirable in making, servicing, compromising, modifying, liquidating, or otherwise dealing with or realizing on loans made under the provisions of this Act; but no attorneys' services shall be procured by contract in any office where an attorney or attorneys are or can be economically employed full time to render such services;

"(8) Pay the transportation expenses and per diem in lieu of subsistence expenses, in accordance with the Travel Expense Act of 1949, for travel of any person employed by the Administration to render temporary services not in excess of 6 months in connection with any disaster referred to in section 7 (b) from place of appointment to, and while at, the disaster area and any other temporary posts of duty and return upon completion of the assignment; and

"(9) To accept the services and facilities of Federal, State, and local agencies and groups, both public and private, and utilize such gratuitous services and facilites as may, from time to time, be necesasry, to further the objectives of section 7 (b).

"(c) To such extent as he finds necessary to carry out the provisions of this act, the Administrator is authorized to procure the temporary (not in excess of 6 months) services of experts or consultants or organizations thereof, including stenographic reporting services, by contract or appointment, and in such cases such services shall be without regard to the civil-service and classification laws and, except in the case of stenographic reporting services by organizations, without regard to section 3709 of the Revised Statutes, as amended (41 U. S. C., sec. 5). Any individual so employed may be compensated at a rate not in excess of $50 per diem, and, while such individual is away from his home or regular place of business, he may be allowed transportation and not to exceed $15 per diem in lieu of subsistence and other expenses.

"SEC. 6. (a) All moneys of the Administration not otherwise employed may be deposited with the Treasury of the United States subject to check by authority of the Administration. The Federal Reserve banks are authorized and directed to act as depositaries, custodians, and fiscal agents for the Administration in the general performance of its powers conferred by this act. Any banks insured by the Federal Deposit Insurance Corporation, when designated by the Secretary of the Treasury, shall act as custodians and financial agents for the Administration. Each Federal Reserve bank, when designated by the Administrator as fiscal agent for the Administration, shall be entitled to be reimbursed for all expenses incurred as such fiscal agent.

"(b) The Administrator shall contribute to the employees' compensation fund, on the basis of annual billings as determined by the Secretary of Labor, for the benefit payments made from such fund on account of employees engaged in carrying out functions financed by the revolving fund established by section 4 (c) of this act. The annual billings shall also include a statement of the fair portion of the cost of the administration of such fund, which shall be paid by the Administrator into the Treasury as miscellaneous receipts.

"SEC. 7. (a) The Administration is empowered to make loans to enable small-business concerns to finance plant construction, conversion, or expansion, including the acquisition of land; or to finance the acquisition of equipment, facilities, machinery, supplies, or materials; or to supply such concerns with working capital to be used in the manufacture of articles, equipment, supplies. or materials for war, defense, or civilian production or as may be necessary to insure a well-balanced national economy; and such loans may be made or effected either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis. The foregoing powers shall be subject, however, to the following restrictions and limitations:

"(1) No financial assistance shall be extended pursuant to this subsection unless the financial assistance applied for is not otherwise available on reasonable terms.

"(2) No immediate participation may be purchased unless it is shown that a deferred participation is not available; and no loan may be made unless it is shown that a participation is not available.

"(3) In agreements to participate in loans on a deferred basis under this subsection, such participation by the Administration shall not be in excess of 90 percent of the

balance of the loan outstanding at the time of disbursement.

"(4) Except as provided in paragraph (5), (A) no loan under this subsection shall be made if the total amount outstanding and committed (by participation or otherwise) to the borrower from the revolving fund established by this act would exceed $250,000; (B) the rate of interest for the Administration's share of any such loan shall be no more than 5 percent per annum, and shall not be more than the rate prevailing within the Federal Reserve district where the money loaned is to be used if such prevailing rate is lower than 5 percent per annum; and (C) no such loan, including renewals or extensions thereof, may be made for a period or periods exceeding 10 years except that a loan made for the purpose of constructing facilities may have a maturity of 10 years plus such additional period as is estimated may be required to complete such construction.

"(5) In the case of any loan made under this subsection to a corporation formed and capitalized by a group of small-business concerns with resources provided by them for the purpose of obtaining for the use of such concerns raw materials, equipment, inventories, or supplies, or for establishing facilities for such purpose, (A) the limitation of $250,000 prescribed in paragraph (4) shall not apply, but the limit of such loan shall be $250,000 multiplied by the number of separate small businesses which formed and capitalized such corporation; (B) the rate of interest for the administration's share of such loan shall be no less than 3 nor more than 5 percent per annum; and (C) such loan, including renewals and extensions thereof, may not be made for a period or periods exceeding 10 years except that if such loan is made for the purpose of constructing facilities it may have a maturity of 20 years plus such additional time as is required to complete such construction.

"(6) The Administrator is authorized to consult with representatives of small-business concerns with a view to encouraging the formation by such concerns of the corporation referred to in paragraph (5). No act or omission to act, if requested by the Administrator pursuant to this paragraph, and if found and approved by the Administration as contributing to the needs of small business, shall be construed to be within the prohibitions of the antitrust laws or the Federal Trade Commission Act of the United States. A copy of the statement of any such finding and approval intended to be within the coverage of this section, and any modification or withdrawal thereof, shall be furnished to the Attorney General and the Chairman of the Federal Trade Commission when made, and it shall be published in the Federal Register. The authority granted in this paragraph shall be exercised only (A) by the Administrator, (B) upon the condition that the Administrator consult with the Attorney General and with the Chairman of the Federal Trade Commission, and (C) upon the condition that the Administrator obtain the approval of the Attorney General before exercising such authority. Upon withdrawal of any request or finding hereunder or upon withdrawal by the Attorney General of his approval granted under the preceding sentence, the provisions of this paragraph shall not apply to any subsequent act or omission to act by reason of such finding or request.

"(7) All loans made under this subsection shall be of such sound value or so secured as reasonably to assure repayment.

"(b) The Administration also is empowered—

"(1) To make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate because of floods or other catastrophes; and

"(2) To make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to any small-business concern located in an area affected by a drought, if the Administration determines that the small-business concern has suffered a substantial economic injury as a result of such drought and the President has determined under the act entitled 'An act to authorize Federal assistance to States and local governments in major disasters, and for other purposes,' approved September 30, 1950, as amended (42 U. S. C., secs. 1855–1855g), that such drought is a major disaster, or the Secretary of Agriculture has found under the act entitled 'An act to abolish the Regional Agricultural Credit Corporation of Washington, D. C., and transfer its functions to the Secretary of Agriculture, to authorize the Secretary of Agriculture to make disaster loans, and for other purposes,' approved April 6, 1949, as amended (12 U. S. C., secs. 1148a–1—1148a–3), that such drought constitutes a production or economic disaster in such area.

No loan under this subsection, including renewal and extensions thereof, may be made for a period or periods exceeding 20 years. The interest rate on the Administration's share of any loan made under this subsection shall not exceed 3 percent per annum. In agreements to participate in loans on a deferred basis under this subsection, such participation by the Administration shall not be in excess of 90 percent of the balance of the loan outstanding at the time of disbursement.

"(c) The Administration may further extend the maturity of or renew any loan made pursuant to this section, or any loan transferred to the Administration pursuant to Reorganization Plan No. 2 of 1954, for additional periods not to exceed 10 years beyond the period stated therein, if such extension or renewal will aid in the orderly liquidation of such loan.

"SEC. 8. (a) It shall be the duty of the Administration and it is hereby empowered, whenever it determines such action is necessary—

"(1) To enter into contracts with the United States Government and any department, agency, or officer thereof having procurement powers obligating the Administration to furnish articles, equipment, supplies, or materials to the Government. In any case in which the Administration certifies to any officer of the Government having procurement powers that the Administration is competent to perform any specific Government procurement contract to be let by any such officer, such officer shall be authorized in his discretion to let such procurement contract to the Administration upon such terms and conditions as may be agreed upon between the Administration and the procurement officer; and

"(2) To arrange for the performance of such contracts by negotiating or otherwise letting subcontracts to small-business concerns or others for the manufacture, supply, or assembly of such articles, equipment, supplies, or materials, or parts thereof, or servicing or processing in connection therewith, or such management services as may be necessary to enable the Administration to perform such contracts.

"(b) It shall also be the duty of the Administration and it is hereby empowered, whenever it determines such action is necessary—

"(1) To provide technical and managerial aids to small-business concerns, by advising and counseling on matters in connection with Government procurement and on policies, principles, and practices of good management, including but not limited to cost accounting methods of financing, business insurance, accident control, wage incentives, and methods engineering, by cooperating and advising with voluntary business, professional, educational, and other nonprofit organizations, associations, and institutions and with other Federal and State agencies, by maintaining a clearinghouse for information concerning the managing, financing, and operation of small-business enterprises, by disseminating such information, and by such other activities as are deemed appropriate by the Administration;

"(2) To make a complete inventory of all productive facilities of small-business concerns or to arrange for such inventory to be made by any other governmental agency which has the facilities. In making any such inventory, the appropriate agencies in the several States may be requested to furnish an inventory of the productive facilities of small-business concerns in each respective State if such an inventory is available or in prospect;

"(3) To coordinate and to ascertain the means by which the productive capacity of small-business concerns can be most effectively utilized;

"(4) To consult and cooperate with officers of the Government having procurement powers, in order to utilize the potential productive capacity of plants operated by small-business concerns;

"(5) To obtain information as to methods and practices which Government prime contractors utilize in letting subcontracts and to take action to encourage the letting of subcontracts by prime contractors to small-business concerns at prices and on conditions and terms which are fair and equitable;

"(6) To determine within any industry the concerns, firms, persons, corporations, partnerships, cooperatives, or other business enterprises which are to be designated 'small-business concerns' for the purpose of effectuating the provisions of this act. To carry out this purpose the Administrator, when requested to do so, shall issue in response to each such request an appropriate certificate certifying an individual concern as a 'small-business concern' in accordance with the criteria expressed in this act. Any such certificate shall be subject to revocation when the concern covered thereby ceases to be a 'small-business concern'. Offices of the Government having procurement or lending powers, or engaging in the disposal of Federal property or allocating materials or supplies, or promulgating regulations affecting the distribution of materials or supplies, shall accept as conclusive the Administration's determination as to which enterprises are to be designated 'small-business concerns', as authorized and directed under this paragraph;

"(7) To certify to Government procurement officers with respect to the competency, as to capacity and credit, of any small-business concern or group of such concerns to perform a specific Government procurement contract. In any case in which a small-business concern or group of such concerns has been certified by or under the authority of the Administration to be a competent Government contractor with respect to capacity and credit as to a specific Government procurement contract, the officers of the Government having procurement powers are directed to accept such certification as conclusive, and are authorized to let such Government procurement contract to such concern or group of concerns without requiring it to meet any other requirement with respect to capacity and credit;

"(8) To obtain from any Federal department, establishment, or agency engaged in

procurement or in the financing of procurement or production such reports concerning the letting of contracts and subcontracts and the making of loans to business concerns as it may deem pertinent in carrying out its functions under this act;

"(9) To obtain from suppliers of materials information pertaining to the method of filling orders and the bases for allocating their supply, whenever it appears that any small business is unable to obtain materials from its normal sources;

"(10) To make studies and recommendations to the appropriate Federal agencies to insure that a fair proportion of the total purchases and contracts for property and services for the Government be placed with small-business enterprises, to insure that a fair proportion of Government contracts for research and development be placed with small-business concerns, and to insure a fair and equitable share of materials, supplies, and equipment to small-business concerns;

"(11) To consult and cooperate with all Government agencies for the purpose of insuring that small-business concerns shall receive fair and reasonable treatment from such agencies; and

"(12) To establish such small-business advisory boards and committees truly representative of small business as may be necessary to achieve the purposes of this act, in addition to the National Small Business Advisory Board established by section 4 (d).

"(c) The Administration shall from time to time make studies of matters materially affecting the competitive strength of small business and of the effect on small business of Federal laws, programs, and regulations, and shall make recommendations to the appropriate Federal agency or agencies for the adjustment of such programs and regulations to the needs of small business.

"SEC. 9. (a) The Administration shall make a report every 6 months of operations under this act to the President, the President of the Senate, and the Speaker of the House of Representatives. Such report shall include the names of the business concerns to whom contracts are let and for whom financing is arranged by the Administration, together with the amounts involved, and such report shall include such other information and such comments and recommendations as the Administration may deem appropriate.

"(b) The Administration shall make a report to the President, the President of the Senate, and the Speaker of the House of Representatives, to the Senate Select Committee on Small Business, and to the House Select Committee To Conduct a Study and Investigation of the Problems of Small Business, on June 30 and December 31 of each year, showing as accurately as possible for each such period the amount of funds appropriated to it that it has expended in the conduct of each of its principal activities such as lending, procurement, contracting, and providing technical and managerial aids.

"(c) The Attorney General is directed to make, or request the Federal Trade Commission to make for him, surveys for the purpose of determining any factors which may tend to eliminate competition, create or strengthen monopolies, injure small business, or otherwise promote undue concentration of economic power in the course of the administration of this act. The Attorney General shall submit to the Congress and the President, at such times as he deems desirable, reports setting forth the results of such surveys and including such recommendations as he may deem desirable.

"(d) For the purpose of aiding in carrying out the national policy to insure that a fair proportion of the total purchases and contracts for property and services for the Government be placed with small-business enterprises, and to maintain and strengthen the overall economy of the Nation, the Department of Defense shall make a monthly report to the President, the President of the Senate, and the Speaker of the House of Representatives not less than 45 days after the close of the month, showing the amount of funds appropriated to the Department of Defense which have been expended, obligated, or contracted to be spent with small-business concerns and the amount of such funds expended, obligated, or contracted to be spent with firms other than small business in the same fields of operation; and such monthly reports shall show separately the funds expended, obligated, or contracted to be spent for basic and applied scientific research and development.

"(e) The Administration shall retain all correspondence, records of inquiries, memorandums, reports, books, and records, including memorandums as to all investigations conducted by or for the Administration, for a period of at least 1 year from the date of each thereof, and shall at all times keep the same available for inspection and examination by the Senate Select Committee on Small Business and the House Select Committee To Conduct a Study and Investigation of the Problems of Small Business, or their duly authorized representatives.

"(f) To the extent deemed necessary by the Administrator to protect and preserve small-business interests, the Administration shall consult and cooperate with other departments and agencies of the Federal Government in the formulation by the Administration of policies affecting small-business concerns. When requested by the Administrator, each department and agency of the Federal Government shall consult and cooperate with the Administration in the formulation by such department or agency of policies affecting small-business concerns, in order to insure that small-business interests will be recognized, protected, and preserved. This subsection shall not require any department or agency to consult or cooperate with the Administration in any case where the head of such department or agency determines that such consultation or cooperation would unduly delay action which must be taken by such department or agency to protect the national interest in an emergency.

"SEC. 10. (a) The President is authorized to consult with representatives of small-business concerns with a view to encouraging the making by such persons with the approval of the President of voluntary agreements and programs to further the objectives of this act.

"(b) No act or omission to act pursuant to this act which occurs while this act is in effect, if requested by the President pursuant to a voluntary agreement or program approved under subsection (a) of this section and found by the President to be in the public interest as contributing to the national defense, shall be construed to be within the prohibitions of the antitrust laws or the Federal Trade Commission Act of the United States. A copy of each such request intended to be within the coverage of this section, and any modification or withdrawal thereof, shall be furnished to the Attorney General and the Chairman of the Federal Trade Commission when made, and it shall be published in the Federal Register unless publication thereof would, in the opinion of the President, endanger the national security.

"(c) The authority granted in subsection (b) of this section shall be delegated only (1) to an official who shall for the purpose of such delegation be required to be appointed by the President by and with the advice and consent of the Senate, (2) upon the condition that such official consult with the Attorney General and the Chairman of the Federal Trade Commission not less than 10 days before making any request or finding thereunder, and (3) upon the condition that such official obtain the approval of the Attorney General to any request thereunder before making the request.

"(d) Upon withdrawal of any request or finding hereunder, or upon withdrawal by the Attorney General of his approval of the voluntary agreement or program on which the request or finding is based, the provisions of this section shall not apply to any subsequent act, or omission to act, by reason of such finding or request.

"SEC. 11. The President may transfer to the Administration any functions, powers, and duties of any department or agency which relate primarily to small-business problems. In connection with any such transfer, the President may provide for appropriate transfers of records, property, necessary personnel, and unexpended balances of appropriations and other funds available to the department or agency from which the transfer is made.

"SEC. 12. No loan shall be made on equipment, facilities, or services furnished by the Administration under this act to any business enterprise unless the owners, partners, or officers of such business enterprise (1) certify to the Administration the names of any attorneys, agents, or other persons engaged by or on behalf of such business enterprise for the purpose of expediting applications made to the Administration for assistance of any sort, and the fees paid or to be paid to any such persons; (2) execute an agreement binding any such business enterprise for a period of 2 years after any assistance is rendered by the Administration to such business enterprise, to refrain from employing, tendering any office or employment to, or retaining for professional services, any person who, on the date such assistance or any part thereof was rendered, or within 1 year prior thereto, shall have served as an officer, attorney, agent, or employee of the Administration occupying a position or engaging in activities which the Administration shall have determined involve discretion with respect to the granting of assistance under this act; and (3) furnish the names of lending institutions to which such business enterprise has applied for loans together with dates, amounts, terms, and proof of refusal.

"SEC. 13. To the fullest extent the Administration deems practicable, it shall make a fair charge for the use of Government-owned property and make and let contracts on a basis that will result in a recovery of the direct costs incurred by the Administration.

"SEC. 14. To effectuate the purposes of this act, small-business concerns within the meaning of this act shall receive any award or contract or any part thereof as to which it is determined by the Administration and the contracting procurement agency (1) to be in the interest of maintaining or mobilizing the Nation's full productive capacity, or (2) to be in the interest of war or national defense program. Whenever the Administration and the contracting procurement agency fail to agree, the matter shall be submitted for determination to the Secretary or the head of the appropriate department or agency by the Administrator.

"SEC. 15. (a) Whoever makes any statement knowing it to be false, or whoever willfully overvalues any security, for the purpose of obtaining for himself or for any applicant any loan, or extension thereof by renewal, deferment of action, or otherwise, or the acceptance, release, or substitution of security therefor, or for the purpose of influencing in any way the action of the Administration, or for the purpose of obtaining money, property, or anything of value, under this act, shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 2 years, or both.

"(b) Whoever, being connected in any capacity with the Administration, (1) em-

bezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to it or pledged or otherwise entrusted to it, or (2) with intent to defraud the Administration or any other body politic or corporate, or any individual, or to deceive any officer, auditor, or examiner of the Administration, makes any false entry in any book, report, or statement of or to the Administration, or, without being duly authorized, draws any order or issues, puts forth, or assigns any note, debenture, bond, or other obligation, or draft, bill of exchange, mortgage, judgment, or decree thereof, or (3) with intent to defraud participates or shares in or receives directly or indirectly any money, profit, property, or benefit through any transaction, loan, commission, contract, or any other act of the Administration, or (4) gives any unauthorized information concerning any future action or plan of the Administration which might affect the value of securities, or, having such knowledge, invests or speculates, directly or indirectly, in the securities or property of any company or corporation receiving loans or other assistance from the Administration, shall be punished by a fine of not more than $10,000 or by imprisonment for not more than 5 years, or both.

"SEC. 16. The Administration shall not duplicate the work or activity of any other department or agency of the Federal Government and nothing contained in this act shall be construed to authorize any such duplication unless such work or activity is expressly provided for in this act.

"SEC. 17. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of this act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

"SEC. 18. There are hereby authorized to be appropriated such sums as may be necessary and appropriate for the carrying out of the provisions and purposes of this act.

"SEC. 19. All laws and parts of laws inconsistent with this act are hereby repealed to the extent of such inconsistency."

SEC. 3. The fourth paragraph of section 24 of the Federal Reserve Act is amended (1) by striking out "or the Small Business Administration" and "or of the Small Business Act of 1953,", and (2) by adding at the end thereof the following new sentence: "Loans in which the Small Business Administration cooperates through agreements to participate on an immediate or deferred basis under the Small Business Act shall not be subject to the restrictions or limitations of this section imposed upon loans secured by real estate."

Mr. SPENCE (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. PATMAN. Mr. Chairman, reserving the right to object, I assume there will be no effort made unduly to shorten the time of the discussion, that there will be a reasonable length of time for the discussion. I do not object, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PATMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PATMAN: On page 13, line 20, strike out "$250,000" and insert "$1,000,000."

SMALL BUSINESS A RELATIVE TERM

Mr. PATMAN. Mr. Chairman, I did not offer the amendment I really had in mind, to take the limit off entirely because, as the gentleman from Indiana [Mr. HALLECK] suggested in his statement, he did not believe he would want to go that far and I am sure many others feel the same way. I do believe that Members are willing to go up to $1 million for one concern, because the restriction, that it must be a small-business concern, will prevent many applicants from trying to get a loan.

In other words, the definition of small business keeps the number down; and $1 million, I think, is the minimum in some instances that small-business concerns need to operate. We can talk about the definition of small business all we want to, but the term small business is a relative term. It is different in different lines of business. It is different in different lines of manufacturing and production. What is a small business in some big industries is a huge business in many other industries. So, it being a relative term, $1 million is not too much for the maximum, the limit, the ceiling.

I know that a great many small manufacturing concerns visit exhibits where the Department of Defense will have on display on a board different gadgets that can be made by small-business concerns. A small-business man will pick out one, and he will say, "I can make this in my shop." But he discovers that in order to do it he needs a loan of about $1 million to properly equip him for doing the job. If he is able to get the $1 million he may save the Government millions of dollars, because there will be another competitor, another person who is in a position to negotiate a contract with the Department of Defense. The Government and the taxpayers will save a lot of money just because this small-business man can get $1 million. Whereas if he cannot get it, then only the large concerns can compete among themselves; they have plenty of business anyway, and the competition is not as keen, so the Government is not so likely to save money on the bids.

Mr. SPENCE. Is this amendment also subject to the pooling provision?

Mr. PATMAN. Yes; the $250,000.

Mr. SPENCE. I mean the million dollars.

Mr. PATMAN. But the pooling provision has not proven effective. We have had it in effect 2 years, and they found only 2 instances where they were willing to use it.

Mr. SPENCE. Now it is a million dollars?

Mr. PATMAN. Yes.

Mr. SPENCE. Suppose 5 people want to pool it, would they each get $1 million?

Mr. PATMAN. I would be willing for it, although the law does not provide it.

Mr. SPENCE. What does the amendment do?

Mr. PATMAN. It makes it $1 million for the individual or 1 small concern.

Mr. SPENCE. Then they can pool it?

Mr. PATMAN. If they could I would love to do it, but of course it would be up to the Administrator to do it. I will give the chairman an instance where that could be used. You take, in steel scrap, most of our scrap comes from automobiles. They are uniformly and universally dispersed all over America. There is a scrap pile in every county in the United States. In many sections of the United States we should have small semi-integrated electric steel mills. They can be built for two or three million dollars. One at Birmingham has recently been built for $1.5 million. They make the finest and best steel in the world, but they cannot do it for $250,000.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. BROWN of Georgia. If you increase this to $1 million, and the authorization in this bill is only $500 million, that means you can accommodate only 500 people.

Mr. PATMAN. I am not stating this will accommodate the maximum number. This will be up to the Administrator on the question of who is small business and the adequacy of the security. Certainly they will not all get the maximum. There are many instances where small people, if they could get a loan of $1 million, would actually be in competition with some of the biggest concerns in America. I know that is the feeling of every Member of this House, that they want competition in America. That is what built America. But if we deny adequate loans we are denying them an opportunity to compete, and we are denying them an opportunity to save the taxpayers and the Government enormous sums of money. This is not unreasonable, and I hope it is adopted.

Mr. TALLE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Texas.

Mr. Chairman, the bill we are discussing is intended to deal with small business. Certainly if we agree to the amendment proposed by the gentleman from Texas we will be guilty of failing to exercise restraint.

If you will refer to page 9 of the committee report accompanying this bill you will find stated there the average size SBA loan. What is it? $40,000. That is definitely small business. But obviously, if we are to make loans that run into millions, we are not dealing with small business, we are dealing with something else. I hope the amendment is voted down.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. TALLE. I yield to the gentleman from North Carolina.

Mr. JONAS. The gentleman from Texas said the matter would be within the discretion of the Administrator. Does not the gentleman think that would be giving the Administrator too much discretion? If he can turn down a loan simply because the amount requested is $1 million, would he not be subject to criticism for being arbitrary?

Mr. TALLE. He would be placed in a position that I am confident a great many people would not want. I see no merit in the amendment. It should be voted down.

Mr. MULTER. Mr. Chairman, I move to strike out the last word, and do so in

order to express my opposition to the amendment offered by the gentleman from Texas [Mr. PATMAN]. I dislike very much disagreeing with the distinguished chairman of the Small Business Committee, with whom I served on that committee and on the House Banking and Currency Committee for these many years.

I have in my hand 297 pages of testimony taken before the House Banking and Currency Committee, and another volume of 429 pages of testimony taken before Subcommittee No. 2 of the House Small Business Committee. There is not a word of testimony in either of these hearings in support of the need for a loan in excess of $250,000 for small business.

As a matter of fact, the representatives of two national small-business groups came before our committee and each one was asked whether or not he knew of a single instance of need for a small-business loan of more than $250,000. In each instance the answer was in the negative.

Incidentally, in connection with the scrap-metal hearings which the Small Business Committee conducted—after the close of those 2 hearings, for the first time 1 person indicated that there might be need of a loan of as much as $350,000 to small-business men in that particular industry.

With that exception, I do not know of a single instance of need for a small-business loan in excess of $250,000. Until competent testimony is adduced before appropriate committees of the House showing such need, I think we ought not to raise the limit on these loans.

Mr. Chairman, I urge that the amendment offered by the distinguished gentleman from Texas [Mr. PATMAN] be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. PATMAN].

The amendment was rejected.

Mr. PATMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PATMAN: Page 17, after line 22, insert the following new subsection:

"(c) The Administration is also empowered to make loans to local organizations to finance the planning of works of improvement under the Watershed Protection and Flood Prevention Act, as amended. Such loans shall bear interest at the average rate, as determined by the Secretary of the Treasury, payable by the Treasury upon its marketable public obligations which are outstanding at the beginning of the fiscal year in which the loan is made and which are neither due nor callable for redemption for 15 years from the date of issue. With respect to any single plan for works of improvement, the amount of any such loan shall not exceed $50,000."

Page 17, line 23, strike out "(c)" and insert "(d)."

Page 5, lines 4 and 6, strike out $650,000,000" and insert "$700,000,000."

Page 5, line 11, insert "7 (c)" after "7 (b)."

Page 5, after the period in line 15, insert the following new sentence: "Not to exceed an aggregate of $50,000,000 shall be outstanding at any one time for the purposes enumerated in section 7 (c)."

Mr. PATMAN (during the reading of the amendment). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and be printed in the RECORD at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. PATMAN. Mr. Chairman, I shall not insist on this amendment, but I would like to make a brief explanation of it. I did not urge it in the Committee on Banking and Currency because I had other committees which were meeting at the same time which conflicted with the meeting of the Committee on Banking and Currency and I did not have the privilege and opportunity of attending the session as I wanted to. Therefore, I shall not insist on the amendment.

Briefly, the explanation is this. Under Public Law 566 farmers can get together for the purpose of having water and flood protection and for soil conservation. In order to do that they must have money to make the surveys that are necessary. They have no place now where they can go and get a loan like that. This is for the purpose of enabling the Small Business Administration to make that type of loan.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PATMAN: Page 18, after line 5, insert the following:

"(d) In order to aid in financing projects authorized under Federal, State, or municipal law, the Administration also is empowered to purchase the securities and obligations of, or make loans to, (1) States, municipalities, and other political subdivisions of States, (2) public agencies and instrumentalities of one or more States, municipalities, and political subdivisions of States, and (3) public corporations, boards, and commissions; but such purchases and loans shall be made only to aid in financing specific public projects (including school construction, road construction, and water projects), and shall not be made for the payment of ordinary governmental or nonproject operating expenses. Loans under this subsection which are secured by the securities or obligations of a State or local government shall bear interest at a rate not less than the rate provided for in such securities or obligations; but in no case shall any loan under this subsection bear interest at a rate exceeding 5 percent per annum. No loan under this subsection, including renewals and extensions thereof, may be made for a period or periods exceeding 20 years."

Page 5, lines 4 and 6, strike out "$650,000,000" and insert $1,150,000,000."

Page 5, line 11, insert "7 (d)," after "7 (b),".

Page 5, after the period in line 15, insert the following new sentence: "Not to exceed an aggregate of $500,000,000 shall be outstanding at any one time for the purposes enumerated in section 7 (d)."

Mr. PATMAN (during the reading of the amendment). Mr. Chairman, I ask unanimous consent that the further reading of the amendment be dispensed with and that it be printed in its entirety at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. PATMAN. Mr. Chairman, I shall not urge this amendment on the Committee for the reason that I did not have the opportunity to urge it before the committee. However, Mr. Chairman, I do want to point out there is a real need for this kind of amendment. There is no place now where representatives of school districts and road districts and water districts can go to sell their bonds. There should be some revolving fund and some Government agency somewhere set up for the purpose of buying these bonds and for the purpose of protecting the people. The interest rates are getting to be terribly high. They are 4 percent and 5 percent and sometimes 6 percent, and they are tax-exempt bonds. It is terrible. Although I am not going to insist on the amendment at this time, I hope it excites the attention of someone in connection with some bill whereby we will give further consideration to the setting up of a revolving fund that will do that very thing.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. PATMAN]?

There was no objection.

Mr. PATMAN. Mr. Chairman, I have one more amendment and this is one I shall insist upon. It deals with the termination date which I am suggesting be 4 years instead of 2.

Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PATMAN: On page 31, after line 12, insert the following:

"SEC. 17. (a) This act and all authority conferred by this act shall terminate at the close of June 30, 1961, but the President may continue the Administration for purposes of liquidation for not to exceed 6 months after such termination.

"(b) The termination of this act shall not affect the disbursement of funds under, or the carrying out of, any contract, commitment, or other obligation entered into pursuant to this act prior to the date of such termination, or the taking of any action necessary to preserve or protect the interests of the United States."

And renumber the succeeding sections accordingly.

Mr. PATMAN. Mr. Chairman, I would like to invite the attention of the Members to the fact that this amendment would extend the Small Business Administration for 4 years; that would be 1961, and regardless of who is President at that time—that would be just after the next administration will have taken office—it will leave it up to the next administration to determine whether or not this organization has done a sufficiently good job to justify its continued existence, also whether or not it should be extended for a certain number of years or be made permanent. It would have 4 years.

I urge you to consider voting for this amendment to have the termination date

4 years instead of the agency being made permanent.

Since we have discussed this question a lot I have no desire to detain the Members of the House for further discussion, but I urge you to vote for the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was rejected.

Mr. TALLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TALLE: Page 3, line 13, strike out "30" and insert "90"; and in line 18, strike out "30-day" and insert "90-day."

Mr. TALLE. Mr. Chairman, in my previous statement on the bill I pointed out that it is exceedingly difficult to define "small business." I may say that since 1950, when the Joint Committee on Defense Production was established, I have served on that committee, and in connection with our hearings when the Administrator of Small Business, Dr. Flemming of ODM, and the Secretaries of the various departments of the armed services appeared before us, the discussion frequently turned to the question, "What is small business?" We never did find a simple answer.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. TALLE. Mr. Chairman, I yield to the chairman of the committee.

Mr. SPENCE. Mr. Chairman, it seems to me that 30 days is a sufficient time within which to formulate the definition. I noticed that originally an amendment was suggested that would give them until the first of the year. I am wondering if it would take that much time to formulate one definition, how long it would take the lexicographers to make a dictionary; it might take several centuries.

But in the spirit of compromise and as the gentleman is so anxious that the Administration have a little more time I would agree to 30 days additional, making it 60 days. That will be acceptable as far as I am concerned.

Will the gentleman accept that modification?

Mr. KILBURN. Mr. Chairman, will the gentleman yield?

Mr. TALLE. I yield.

Mr. KILBURN. I gather that the Congress and its committees have taken 10 years trying to get a definition. The amendment offered by the gentleman from Iowa calls for merely 90 days. I think it is not at all too long a time and that the amendment is a good one.

Mr. TALLE. Mr. Chairman, 90 days sounds like a jail sentence; and, believe me, if I were the Administrator of the Small Business Administration I would feel that I was being sentenced to jail for 90 days, if I were assigned the task of defining "small business" within that period of time. Sixty days, of course, is one-third less than I asked for but, at least, it is better than 30, so I will not be adamant about the matter.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. TALLE. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I do not desire to inject myself unnecessarily into this, but may I say that it is one-third less than the gentleman asked and it is 100 percent more than what is in the bill?

Mr. TALLE. I thank the majority leader for his contribution.

Mr. Chairman, I ask unanimous consent that my amendment be revised to read 60 days instead of 90 days.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. TALLE: On page 3, line 13, strike out "30" and insert "60," and in line 18 strike out "30-day" and insert "60-day."

Mr. MULTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am not going to oppose the pending amendment but I do want to take a moment to point out that we have not been so harsh on the agency as it is made to appear from the colloquy that has just taken place on the floor. We say in the bill that SBA shall have 30 days in which to bring forth a new definition. Under the amendment it is 60 days in which to bring forth a new definition. After that 60 days, if they do not bring forth a new definition, we say they shall use the financial assistance definition for procurement until they devise a new one. Nobody has said that that definition for financial assistance will not work for procurement. There is every reason why we should use the same definition for procurement as they are now using for financial assistance. If SBA finds it is not workable, the Administrator can develop a new definition. That is all we ask in this bill.

The question is on the amendment offered by the gentleman from Iowa [Mr. TALLE].

The amendment was agreed to.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I commend the Small Business Administration, especially its office at Boston, which has been very helpful in my district and I commend this committee for presenting this bill.

Mr. Chairman, I ask unanimous consent to speak out of order for 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Chairman, a day or so ago I received a beautiful and most inspiring letter from Mrs. Joe McCarthy. More than anyone, she knew the depth and intensity of purpose possessed by her husband, the late Senator Joseph McCarthy, impelling him to physically exhaust himself fighting to win a victory that must be won if freedom in America, yes, if freedom throughout the world, is to survive.

In placing this in the CONGRESSIONAL RECORD here with my remarks, I do so with the hope that every Member of the Congress will take a few moments to read it and study it through. Particularly, I hope so much the distinguished Chief Justice and Associate Justices of the United States Supreme Court read it and give serious thought to its meaning.

Surely, men of such great intellect and learning in the law as those who constitute the Supreme Court could find within the boundaries of the Constitution of the United States the authority to protect our form of government from treacheries and subversive forces determined to destroy it from within. The Bill of Rights, constituting as it does a part of this noble document, must be preserved, but unless this Nation and its form of government is protected and preserved, the Bill of Rights will cease to have meaning. The rights of the individual are dependent upon the form of government. Individual liberty without freedom is meaningless.

Communism is the enemy of the free way of life. Communism has announced its intention to destroy freedom everywhere. Recognizing no God, communism is determined to destroy the United States of America, the very citadel of freedom. Communism, like cancer, is formed of small cells within the body of national society. As soon as these cells are strong enough they begin to destroy. The very act of forming a Communist cell is a positive step toward destroying our form of government and our freedom. The very act of joining a Communist cell within our national boundaries is an act against the security of liberty of the United States of America specifically stated as one of the purposes for the establishment of the Constitution.

THE RECENT SUPREME COURT DECISION

In all seriousness, with overwhelming concern, we are now facing some very grave steps in view of the recent decision of the Supreme Court of the United States. In all seriousness, I say to you, my colleagues, that if in its wisdom, the Supreme Court cannot find within the Constitution the authority for the protection of American freedom, then it is the duty of the Congress of the United States, representing the people whose Government this is, to write a new amendment to the Constitution in which this authority is plainly spelled out regarding which there can be no disagreement. Subversive planning to overthrow the Government of the United States must be ended by law.

If an American is required to lay down his life for the protection of his country, so must it be required of the law of the land to protect without equivocation or disagreement through the exercise of semantics. If the Supreme Court of the United States cannot find the power to protect this great United States of America, then let us provide that power in clear, precise, and unmistakable language.

Following is the letter of Mrs. Joe McCarthy:

JUNE 12, 1957.

DEAR MRS. ROGERS: I want you to know how much I appreciate your kindness in sending flowers in memory of Joe. Please accept my deep appreciation for your thoughtfulness.

Joe gave his life, as Father Grill said at St. Mary's, "principally because he exhausted himself physically for love of his fellow beings." This is so very true that I, as his wife—having known this for a long, long time—never thought before that anyone else would understand.

When Joe came home to Appleton, the heart and soul of this country was standing along the roadside on the 30-mile drive from Green Bay. It was all of that that made Joe and all of that to which he dedicated his life. It was the reason for his sacrifice of personal comfort, the reason for his courage to withstand being alone at times.

I cannot help but feel, however, that his sacrifice of personal comfort, his aloneness at times—along with that of many unknown and unheralded men—will have been for naught unless we see the purpose of the immense drive that was his. Knowing Joe as I do, I know he would be impatient with the thought that we simply mourn his passing or praise his life. God had purpose in both of these. The battle Joe fought so fearlessly and with such insight is not over. It will only end, as Joe so often said, with victory or death for our civilization.

Joe once said in answer to the question: "What can I do to help?"—Look to your schools, search behind the printed word, give purpose to and demand a contract from the men you send to man the watchtowers in Washington. If every one of Joe's friends took that suggestion to heart, I would then know God's purpose had been done.

May I add an afterthought I know Joe would share. That is, never underestimate your power as a citizen. When Joe walked into his first open clash with the wrecking crew of our Nation, he had in his mind—and this he has written—the "thought of those real people who are the heart and soul and soil of America; thoughts of the young people in my office, toiling night and day * * * thoughts of the many young men, friends of mine, who went to their death in the Pacific for what they thought was a better world—those thoughts convinced me that this fight I had to win."

Perhaps now a few more will stop to think that a man with the intellect and the courage, the drive and the honesty, a man such as Joe—with this love for life—could not have spent all that without reason. Perhaps a few more will search their minds and step with decision to the side of right.

With sincere personal regards.

JEAN.

P. S.—I was deeply touched by your lovely tribute to Joe on the floor of the House.

Mr. Chairman, I hope that the Congress of the United States will act. I fear for the safety of our country if it does not act.

Mr. McGOVERN. Mr. Chairman, no thinking person can brush aside the need for legislation such as we have before us today in H. R. 7963. It exemplifies keen foresight and broad understanding of the problems of small business on the part of the gentleman from Kentucky [Mr. SPENCE] and the members of the House Banking and Currency Committee.

The economic plight of small business, especially in the rural areas is alarming. Failures are rising at an alarming rate. Even considering the Nation as a whole, they increased substantially in 1956 over 1955. Furthermore, statistical surveys of the first quarter of 1957 show that this upward trend is continuing at an alarming rate.

One of the most acute problems the small-business man faces today is a lack of credit. The so-called tight money policy of the administration has greatly aggravated this critical situation by drying up many normal sources of credit.

Where can a merchant turn to when he urgently needs capital for inventory or expansion. Is it not the duty of a responsible Government to assist the businessman in securing operating capital when the community depends upon his services, and when his local banker has given a final "no," to his request for financial aid? I believe it is. And consequently I want to say that I strongly support H. R. 7963 and earnestly hope that it shall receive overwhelming support from this great legislative body, as a demonstration of good faith in the 7 million men and women who own the Nation's small-business establishments and the 30 million whom they employ.

It is difficult to differentiate in importance between the five major points of this measure. But I particularly like the proposal to make the Small Business Administration a permanent agency of Government as well as those provisions to expand the loaning authority of SBA and to decrease the maximum rate of interest on small-business loans to 5 percent.

Small-business men need adequate credit. And they need it at a rate that they can afford to pay.

Mr. CHAMBERLAIN. Mr. Chairman, I wish to express my support of the pending bill. Although H. R. 7963 has several important provisions, I wish to speak principally on the need and desirability of making the Small Business Administration a permanent Government agency.

I attended the committee hearings on this bill with great interest, not only because I had for some time been aware of the work of the Small Business Administration, but also because I believe that we are here dealing with matters that are vital to an important segment of our national economy.

We are told that there are more than 4 million small businesses in the United States, representing more than 90 percent of all business organizations, and employing more than 30 million people.

These figures are, of course, impressive, but they neglect one further consideration. I dare say that every Member could rise and cite a long list of small businesses in his district which play a vital part in the life of the community. Small-business establishments, and the people who own them, give to all of our communities a distinctive character and represent a social as well as economic asset.

Government action specifically in behalf of small business was long overdue when the SBA was created in 1953. Today, 4 years later, the need is still great and promises to continue into the foreseeable future. I believe the most eloquent testimony of this need is contained in the report of the SBA activities which have been gathering momentum at an astonishing rate.

We naturally think first of the lending activities of the Small Business Administration. During the last 6 months of 1956, the SBA received 3,337 loan applications requesting $192,922,357. As the report indicates, through April of this year it has approved 6,443 business loans totaling $295 million. The current rate of applications is approximately double the anticipated rate of 350 per month. Currently 58.5 percent of these loan applications are approved. I believe it is significant that 72 percent of the loans are participation loans which indicate that the SBA financial activities supplement and support private lending rather than replace it.

Perhaps the most dramatic work of the Small Business Administration is carried on under the disaster-loan program. During the last half of 1956, disaster loans were made in 24 States and Puerto Rico, covering such things as floods, flash floods, hurricane, forest fire, wind and hail storms, and cloudburst. No one can measure the benefit in community confidence and morale that resulted from the $63 million in disaster loans made by the SBA.

The fact that out of more than a quarter of a billion dollars the SBA has suffered a loss on exactly 6 loans, totaling $102,377.27, is to my mind highly significant. It signifies, for one thing, that care and good judgment is being exercised in the processing of loans. It indicates further that the SBA financial program is supporting worthwhile expenditures, expenditures that are in fact sound investments. Even if the loss rate were higher we might still endorse the SBA program for the encouragement it provides a handicapped segment of the economy. But this is clear evidence, I believe, that our small-business economy is not only sound but is capable of making good and effective use of SBA facilities.

The extent to which small business can take advantage of its opportunities is illustrated in the procurement program. Up to the present time approximately 1 dollar in 5 spent by the Federal Government for military and nonmilitary procurement has gone to small business. We can hope that this percentage will increase, since it represents no more than 60 percent of the estimated small business potential participation. The $345 million currently set aside for small business, a 79-percent increase over the previous year, is a sign of progress in this year.

The management and production assistance program, like other SBA activities, has been increasing steadily. The importance of this work is perhaps best illustrated when one realizes that a small business faces almost all of the problems of a big business: Taxes, real estate, personnel, inventory management, equipment, accounting procedures, advertising, public relations—every business establishment, no matter how small, has to cope with these problems in some degree. Yet the typical small business does not have a budget to hire specialists to solve these problems on which the success or failure of the undertaking may rest. Therefore, whatever the Small Business Administration can do to educate and assist people in small business will fill a great need. During the last half of 1956 the SBA cosponsored 40 administrative management courses throughout the country. This service should, and I believe will, reach more and more sections of the country.

Mr. Chairman, in discussing measures such as this, we are prone to put major

emphasis on the effects on the people we represent. This is natural, but at the same time we ought not to neglect entirely the commendable work of the officials and employees of the Small Business Administration who have been doing a tremendous job of meeting a mounting demand for their services under far from ideal circumstances.

If we approve of what the SBA has been doing, and if we want it to continue, we should indicate our endorsement by making the SBA a permanent agency. The people who work for the SBA will then know where they stand. Personnel turnover will be reduced. Both the people who work for the SBA and people who work with the SBA—such as officials of private lending institutions—will have confidence in the continuity of the agency.

In conclusion, Mr. Chairman, I believe Mr. Barnes is to be commended on what the Small Business Administration has accomplished during the past year. It is essential that this work be encouraged and continued. The best way we can do this is to vote our approval of the pending bill.

The CHAIRMAN. If there are no further amendments, under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore having assumed the chair, Mr. BOGGS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 7963) to amend the Small Business Act of 1953, as amended, pursuant to House Resolution 283, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. TALLE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 393, nays 2, not voting 38, as follows:

[Roll No. 122]

YEAS—393

Abbitt	Baring	Boyle
Abernethy	Barrett	Bray
Addonizio	Bass, N. H.	Breeding
Albert	Bass, Tenn.	Brooks, La.
Alexander	Bates	Brooks, Tex.
Allen, Calif.	Baumhart	Broomfield
Allen, Ill.	Becker	Brown, Ga.
Andersen, H. Carl	Beckworth	Brown, Mo.
	Belcher	Brown, Ohio
Andresen, August H.	Bennett, Fla.	Brownson
	Bennett, Mich.	Broyhill
Andrews	Bentley	Budge
Anfuso	Berry	Burdick
Arends	Betts	Burleson
Ashley	Blatnik	Bush
Ashmore	Boggs	Byrd
Aspinall	Bolling	Byrne, Ill.
Auchincloss	Bolton	Byrne, Pa.
Avery	Bosch	Byrnes, Wis.
Ayres	Bow	Canfield
Baldwin	Boykin	Cannon
Carnahan	Herlong	Osmers
Carrigg	Heselton	Ostertag
Cederberg	Hess	Passman
Celler	Hill	Patman
Chamberlain	Hillings	Patterson
Chelf	Hoeven	Pelly
Chenoweth	Hoffman	Perkins
Chiperfield	Holifield	Pfost
Christopher	Holland	Philbin
Chudoff	Holmes	Pilcher
Church	Holt	Pillion
Clark	Horan	Poff
Clevenger	Hosmer	Polk
Coad	Huddleston	Porter
Coffin	Hull	Powell
Cole	Ikard	Preston
Collier	Jackson	Price
Cooper	James	Prouty
Corbett	Jarman	Rabaut
Coudert	Jenkins	Radwan
Cramer	Jennings	Rains
Cretella	Jensen	Ray
Cunningham, Iowa	Johansen	Reed
	Johnson	Rees, Kans.
Cunningham, Nebr.	Jonas	Reuss
	Jones, Ala.	Rhodes, Ariz.
Curtin	Jones, Mo.	Rhodes, Pa.
Curtis, Mass.	Judd	Richlman
Curtis, Mo.	Karsten	Riley
Dague	Kean	Rivers
Davis, Ga.	Kearns	Roberts
Davis, Tenn.	Keating	Robeson, Va.
Dawson, Utah	Kee	Robsion, Ky.
Delaney	Keeney	Rodino
Dellay	Kelley, Pa.	Rogers, Colo.
Dempsey	Kelly, N. Y.	Rogers, Fla.
Dennison	Keogh	Rogers, Mass.
Denton	Kilburn	Rogers, Tex.
Derounian	Kilday	Rooney
Devereux	Kilgore	Roosevelt
Dies	King	Rutherford
Diggs	Kitchin	Sadlak
Dingell	Kluczynski	Santangelo
Dixon	Knox	St. George
Dollinger	Knutson	Saylor
Donohue	Laird	Saund
Dooley	Landrum	Schenck
Dorn, N. Y.	Lane	Scherer
Dorn, S. C.	Lanham	Schwengel
Dowdy	Latham	Scott, N. C.
Doyle	LeCompte	Scott, Pa.
Durham	Lesinski	Scrivner
Dwyer	Lipscomb	Scudder
Edmondson	Long	Seely-Brown
Elliott	Loser	Selden
Engle	McCormack	Sheehan
Evins	McCulloch	Shelley
Fallon	McDonough	Shuford
Farbstein	McFall	Sieminski
Fascell	McGovern	Sikes
Feighan	McGregor	Siler
Fenton	McIntire	Simpson, Ill.
Fino	McIntosh	Simpson, Pa.
Fisher	McMillan	Smith, Calif.
Flood	McVey	Smith, Kans.
Flynt	Macdonald	Smith, Miss.
Fogarty	Mack, Ill.	Smith, Va.
Forand	Mack, Wash.	Smith, Wis.
Ford	Madden	Spence
Forrester	Mahon	Springer
Fountain	Mailliard	Staggers
Frazier	Marshall	Stauffer
Frelinghuysen	Martin	Steed
Friedel	Mason	Sullivan
Fulton	Matthews	Taber
Garmatz	Meader	Talle
Gary	Merrow	Teague, Calif.
Gathings	Metcalf	Teague, Tex.
Gavin	Michel	Teller
George	Miller, Calif.	Tewes
Gordon	Miller, Md.	Thomas
Granahan	Miller, Nebr.	Thompson, La.
Green, Oreg.	Miller, N. Y.	Thompson, N. J.
Green, Pa.	Mills	Thompson, Tex.
Gregory	Minshall	Thomson, Wyo.
Griffin	Montoya	Thornberry
Griffiths	Moore	Tollefson
Gross	Morano	Trimble
Gubser	Morgan	Tuck
Gwinn	Morris	Udall
Hagen	Moss	Ullman
Hale	Moulder	Utt
Haley	Multer	Vanik
Halleck	Mumma	Van Pelt
Harden	Murray	Van Zandt
Hardy	Natcher	Vinson
Harris	Neal	Vorys
Harrison, Nebr.	Nicholson	Vursell
Harrison, Va.	Nimtz	Wainwright
Harvey	Norblad	Walter
Haskell	O'Brien, Ill.	Watts
Hays, Ark.	O'Brien, N. Y.	Weaver
Hays, Ohio	O'Hara, Ill.	Westland
Healey	O'Hara, Minn.	Wharton
Hemphill	O'Konski	Whitener
Henderson	O'Neill	Whitten
Widnall	Wilson, Ind.	Young
Wier	Winstead	Younger
Wigglesworth	Withrow	Zablocki
Williams, Miss.	Wolverton	Zelenko
Williams, N. Y.	Wright	
Wilson, Calif.	Yates	

NAYS—2

Alger Poage

NOT VOTING—38

Adair	Cooley	Lankford
Anderson, Mont.	McCarthy	Lennon
	Dawson, Ill.	McConnell
Bailey	Eberharter	Machrowicz
Baker	Grant	Magnuson
Barden	Gray	May
Beamer	Hébert	Morrison
Blitch	Hiestand	Norrell
Boland	Holtzman	Reece, Tenn.
Bonner	Hyde	Sheppard
Bowler	Kearney	Sisk
Buckley	Kirwan	Taylor
Colmer	Krueger	Willis

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. May.
Mr. Buckley with Mr. Taylor.
Mr. Dawson of Illinois with Mr. Kearney.
Mr. Bowler with Mr. Krueger.
Mr. Sisk with Mr. Beamer.
Mr. Morrison with Mr. Baker.
Mr. McCarthy with Mr. Adair.
Mr. Boland with Mr. Reece of Tennessee.
Mr. Anderson of Montana with Mr. McConnell.
Mr. Sheppard with Mr. Hyde.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. ALGER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, I do not consider this a vote for or against small business or small-business men—I, too, want to help the small-business man, if the Federal Government can do so appropriately. By this vote, I wish to stress that the way to help a small-business man is to return to him some of his tax money which can be done by cutting the size and cost of Government, not by making businessmen dependent on Government, and by such reliance on Government, increasing his taxes to pay for the service. As a Congressman, my views can be expressed in only one way, by the votes I cast.

There are other ways to help the small-business man: for example, by faster tax writeoffs which will aid him in getting bank financing, if a good risk. Also, this bill is wrong in stipulating a fixed interest rate which is completely antithetical to a free economy, where interest rates must fluctuate as demand and supply of money fluctuates. A natural followup of the fixed-interest-rate policy is direct Government loans.

Again, my vote is not a protest against the effort and efficiency of officials of the Small Business Administration, but is against the increasing encroachment of Federal Government in our lives, jeopardizing our very freedom and this includes economic freedom.

This bill is a further part of the web to ensnare the people in the bureaucracy of big government. Therefore, I voted against the bill.

PROGRAM FOR THE REMAINDER OF THE WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to announce changes in the program for the remainder of the week.

H. R. 72 will be put over to a later date.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. Can we have assurance that that bill will not be called up until a certain date? In other words, there will be many of us absent from here this following week who are in opposition to that particular bill. I personally would appreciate it very much if the leadership would assure us that it would not be called up this following week.

Mr. ALBERT. If the gentleman will bear with me, I think it had been planned to program that bill for Wednesday of next week.

Mr. H. CARL ANDERSEN. The gentleman knows, of course, that Fourth of July comes on Thursday of next week, and many of us, for the first time this session, will be absent, at home.

Mr. ALBERT. The gentleman is aware of that, but I would say also to the gentleman that the leadership will be happy to confer with the chairman of the Committee on Veterans' Affairs on this matter. This bill has been put over at his request, and I would not like to make any further commitment with respect to programing this bill at this time.

Mr. H. CARL ANDERSEN. The gentleman realizes that it is a highly controversial bill, a bill upon which the entire membership should be present because it does, in my opinion, a grave injustice to 110,000 veterans and their families. I wish we could have the gentleman's assurance that there will be no calling up of that bill on the 3d of July, the day before the 4th.

Mr. ALBERT. The gentleman is unable to give that assurance at this time. However, the program for next week has not been announced yet, and the gentleman will take into consideration, advising with the chairman of the committee and with the Speaker, the problem of programing that particular piece of legislation.

Mr. H. CARL ANDERSEN. I thank the gentleman.

The SPEAKER pro tempore. The Chair might state to the gentleman from Minnesota, having profound respect for him, as the Chair has, that a matter of that kind might well be taken up without inquiry being made on the floor. Of course, at a later date if the gentleman is dissatisfied, he can make his expression known, but the leadership has certainly been cooperative in connection with H. R. 72 as fully as possible, particularly those who are in opposition to the bill.

Mr. ALBERT. Mr. Speaker, we have been advised by the gentleman from Rhode Island [Mr FOGARTY], that the conference report on the Labor, Health, Education, and Welfare appropriation bill has been agreed to unanimously, and that conference report will be the first order of business on tomorrow.

We have also three rules which have been reported on bills pertaining to the Senate Office Building. These bills will be put on the program for Thursday. Otherwise the program remains as previously announced. And, of course, additional conference reports may be brought up at any time.

Mr. MARTIN. If the gentleman will yield for a question, Does the gentleman know what is coming up next week?

Mr. ALBERT. The gentleman is not prepared yet to announce the program for next week. The program will be announced in due time.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield further?

Mr. ALBERT. I yield.

Mr. H. CARL ANDERSEN. The gentleman perhaps is not aware that it is our intention on the Subcommittee on Appropriations for the Department of Agriculture to have our conference on Thursday. We hope to agree with the Senate on that day. I think our subcommittee would like to see the conference report brought up on the floor this coming Friday and dispose of it, if we can.

Mr. ALBERT. Mr. Speaker, may I advise the gentleman that both the gentleman who is now addressing him and the Speaker pro tempore, who is the majority leader, are always anxious to program conference reports at the earliest possible moment.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield further, for the information of the House?

Mr. ALBERT. I yield.

Mr. H. CARL ANDERSEN. There is no question but that there is a good chance that we will have some argument on the subject of the soil bank. If that is the case, I believe that we should have the opportunity for full debate on the question. That is why I am hoping that we will not be precluded from meeting on Friday. I understand that some Members believe that we are to adjourn over from Thursday until Monday. I must state that if such a request is made I will have to object to it personally. After all, Sunday is June 30 and in my opinion we should complete the agricultural bill if we can on Friday.

Mr. ALBERT. The gentleman is aware of the rules of the House, that the House may not adjourn except by unanimous consent.

The SPEAKER pro tempore. The present occupant of the chair might say that the first he heard of such a rumor as that referred to by the gentleman from Minnesota [Mr. H. CARL ANDERSEN] is when the gentleman from Minnesota made the observation himself.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman.

Mr. BECKER. In view of the questions of the gentleman from Minnesota [Mr. H. CARL ANDERSEN] about meeting on Friday, may I say that a committee from the Committee on Public Works is making an inspection trip Friday, Saturday, and Sunday, so it will not be convenient for us to be here.

Mr. ALBERT. I would advise the gentleman to take that matter up with the gentleman from Minnesota.

Mr. BECKER. I shall take it up with the leadership on this side.

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

LEGISLATION TO CARRY OUT RECOMMENDATIONS OF THE WRIGHT COMMISSION ON GOVERNMENT SECURITY

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I have introduced H. R. 8323, being legislation to carry out a portion of the recommendations of the Commission on Government Security. These recommendations are contained in a document recently released to the public.

The bill I have introduced, first, establishes a Central Security Office to coordinate the administration of Federal personnel, loyalty, and security programs, and, second, prescribes administrative procedures for the hearing and review of cases arising under such programs. The chairman of our committee the gentleman from Tennessee [Mr. MURRAY] has introduced similar legislation.

I call attention to the long and extensive studies which my committee has conducted for more than 10 years, and cite House Report No. 1844, 84th Congress, issued by the Post Office and Civil Service Committee of the House, which states:

> The history of the administration of present laws and regulations relating to loyalty, security, and suitability as concerns the appointment or employment of Federal personnel demonstrates the necessity of a clarification of policy in this respect. Existing practices have resulted in inequities and unfairness to employees or prospective employees.
>
> In practice, a great deal of confusion and misconception has arisen from certain statements and statistical information on the number of employees separated under this procedure and the reasons for separation. No clear distinction has been made as between those separated for disloyalty, those separated for security reasons, and those otherwise found unsuitable for Federal employment. Misunderstanding has been created, in both the public mind and official circles, as to the situation with respect to security-risk separations. In fact, there undoubtedly exists a widespread public misconception that security risks and disloyalty are one and the same thing.
>
> The committee intends to study carefully the report of the recently appointed Commission on Government Security when it is made. The decision as to whether or to what extent further legislative or administrative action is required should, it is believed, be made after the committee has had the bene-

fit of the findings and conclusions of this Commission.

In introducing this legislation, it is my intention to carry out the long-standing recommendations of my committee which generally agree with the majority of the recommendations of the Wright Commission.

The Wright Commission is to be commended for its diligent and searching analysis of a complicated and difficult problem. While there doubtless will be changes desirable in the language of the bill following full and complete hearings, nevertheless, the introduction of the legislation is the first necessary step to a clarification of the present highly unsatisfactory situation.

The bill sets up a Central Security Office to coordinate the Government employees' loyalty program. A three-member board is established under the Security Office to hear appeals on loyalty cases. Statutory authority is provided the Attorney General authorizing him to compile, maintain, and publish a list of subversive organizations and if any question is raised the Attorney General shall call upon the Review Board for its recommendations. A statutory standard is established for loyalty and security determinations. The rights now enjoyed by veterans in the Federal service to have their separations from employment reviewed by the Civil Service Commission under section 14 of the Veterans' Preference Act is extended to nonveterans.

It is my desire to have early hearings before the House Post Office and Civil Service Committee, and to take appropriate action with respect to this legislation in view of the recent Supreme Court decision which invalidates part of the present Government employees' security program.

SMALL BUSINESS ACT

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I compliment the able chairman and committee for their fine work on this bill. This bill will be a real contribution to our strong, generally felt desire to assist and strengthen small business.

There is not necessarily a conflict between small business and big business and I would be the last to want to see one generated by any action, which Congress might take.

Looking at the situation objectively, however, it is my feeling that small business, as we have known it in this country, is not at the present time sharing in its rightful proportion of current prosperity. There is no question but that we are living in a period of unprecedented prosperity, and also in a period of marked inflation, and no official disavowals could successfully refute that fact. In the past few years, we have seen wages and price levels chasing each other up the steep ladder toward dangerous inflation, and we have witnessed the purchasing power of the dollar steadily and surely falling.

This condition is creating difficult problems for the ordinary man and woman and the ordinary American family. It is certainly inciting demands for further wage increases, which are surely justified by current price levels. It is posing problems also for small business, which, in a great many instances and districts in the country, cannot keep pace with rapidly increasing costs of operation.

The tight money policy, so called, is another unstabilizing factor, which without doubt is affecting many small businesses. This is a very complex question, which is currently being studied by Congress and which must be settled if we are to prevent serious effects upon small business, and I appreciate that the solutions to this particular problem are not easy to find. But we are certainly under a great obligation to try to find and apply them. It is not a pleasant prospect for businessmen to face since it entails inability to secure ordinary financing and also very high interest rates, which are an additional burden. While the purpose of these high rates is to check inflation, that end has hardly been accomplished since prices of basic commodities and ordinary necessaries are edging up day by day. The stock and commodity markets reflect this condition.

Taken together these puzzling developments affecting small business are narrowing the area of expansion and checking to a marked and dangerous degree the incentives which are so vital to free enterprise. To these must be added the problems arising out of increased, bureaucratic intrustion into the affairs of the ordinary businessman, and above all the very high tax rates in local communities, in the States and the Federal Government.

I think that this bill strives for a legislative orientation that may well in time prove to eliminate some of these problems. If we can fully reestablish faith and confidence among small business, we will be doing a great service, not only to the individual businessman, but to our economic system as well, because the result will be to reinvigorate and strengthen that system by encouraging and heartening those presently engaged in small business, and by stimulating and expanding the inducements, which cause ambitious persons to establish or extend their own business.

This measure does not involve dangerous Government interference, but merely provides guidance, encouragement, and assistance in those fields in which small business may have a real need for governmental services and help. In view of the importance of small business to our economy, indeed considering its vital and irreplaceable role in our profit system, I think that this measure is not only desirable, but will be of material benefit in promoting the health and vigor of our entire business system. Small business is the key to our economy; it must be preserved and improved.

For these reasons, I propose to favor this bill.

THE SCHOOL-CONSTRUCTION BILL

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, President Eisenhower has made a new appeal for action to help end the long-standing classroom shortage. I recently received a letter from him on this subject which I think should be brought to the attention of the Members of the House.

I am gratified that the President finds that the specific bill, H. R. 1, as amended, approved by the House Education and Labor Committee, adheres to the basic principles which he has stressed as essential to a sound Federal school-construction program.

This bill makes it amply clear that there shall be no Federal control of education. It provides for a temporary, emergency program of Federal aid—and that aid is only to assist in the construction of classrooms. The bill includes provisions—such as State matching requirements and recognition of State and local effort—to encourage still greater State and local contributions to school construction. It provides that Federal funds will go to those communities which are found by the States to have the most acute classroom shortages and the least local resources to meet their needs.

The President's letter also reminds us that school-construction assistance was pledged in the 1956 Republican Party platform. I hope that members of the President's party will respond to his leadership and support H. R. 1 as amended. I also hope that Members of the House from both parties will unite behind this bill and oppose any crippling amendments which may be offered.

The education of millions of children continues to suffer because of half-day school sessions, jam-packed classrooms, and dilapidated facilities. Further delay in meeting this classroom shortage will not only penalize the children concerned but also complicate this and other national education problems.

A copy of the President's letter to me is attached, along with my letter to the President.

THE WHITE HOUSE,
Washington, D. C., June 20, 1957.

The Honorable PETER FRELINGHUYSEN, Jr.,
House of Representatives,
Washington, D. C.

DEAR PETER: Thank for your June 7 letter in which you ask my views on H. R. 1, as amended, the school-construction bill recently approved by the House Committee on Education and Labor.

I would not, of course, pass judgment on all the details of this bill while it is still before Congress. As I understand it, however, the bill adheres to principles which I consider basic to sound Federal legislation on this subject. In that connection, I hope that in its further consideration of the matter the Congress will give close attention to that portion of the bill which allocates funds on the basis of need.

As you know, our Republican Party in its 1956 platform pledged its efforts to secure school-construction legislation. Providing

adequate classroom facilities for the young people of our Nation is a tremendous challenge which should be met at once. I earnestly hope, therefore, that legislation will be enacted at this session to provide Federal help in this emergency.

With warm regard,

DWIGHT EISENHOWER.

JUNE 7, 1957.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: As a consistent supporter of the views which you have repeatedly expressed regarding the importance of Federal assistance in the construction of needed classrooms, I should appreciate having your views on the specific bill on this subject—H. R. 1, as amended—which the House is scheduled to consider within a few weeks.

As a member of the House Education and Labor Committee, I am of course well aware of your continued and active interest in enactment of suitable legislation. On many occasions you have emphasized the importance of incorporating certain principles into proposed legislation, to insure that the Federal Government plays an appropriate role in the solution of a serious national problem.

What I should very much like to know now, therefore, is your feeling with respect to the specific recommendations arrived at by the committee. It is my own feeling that the basic principles which you have consistently stressed have been incorporated in this bill, along with certain understandable adjustments in your recommendations.

Trusting that it may be convenient for you to let me have your opinion on this bill, I am,

Very respectfully,

PETER FRELINGHUYSEN, Jr.,
Member of Congress.

NATIONAL CHARTER FOR WORLD WAR I VETS

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, it was never intended that we should group all Americans who have experienced honorable military service into one veterans' organization.

As the Civil War differed from the Spanish-American War, and that in turn from World War I, the veterans of those wars have special viewpoints, and interests, and identities that separate one from the other.

Even as the veterans of World War I are distinguished from the veterans of World War II and the veterans of Korea.

Each group speaks for its generation.

Each has the unique memories, and the loyal comradeship, that cannot be shared fully and freely with veterans of other wars.

We cannot conceive of the Korean veterans taking over the United Spanish War Veterans, as the old soldiers of the latter conflict disappear into the mists of history.

No; because neither would feel comfortable about such a strange absorption. It would violate the personality of both groups.

We see this factor at work in those large veterans organizations whose membership is not limited to those who served in one conflict. The trend is for the younger veterans to take charge. This is inevitable, of course, but it means that the veterans of one war do not feel at home with the veterans of another war. They are also separated by the lack of uniformity in veterans' benefits. The new and the old do not mix. They do not speak the same language.

At the present time we do not have an organization to represent, exclusively, the veterans of World War I. Even 39 years after that conflict ended, such an organization would have a larger potential membership than any previous veterans' organization in our history.

There is a void here.

A vacancy that must be tenanted.

This need is providing its own solution.

Spontaneously, across the Nation, veterans of World War I, have organized local barracks, as social centers for their special comradeship; as a means to focus and express their viewpoint in the community; and as the living symbol of their service and their sacrifice to defend and protect American values in a time of worldwide crisis.

These aging veterans, large in number, did not enjoy the honors and the benefits that we accorded to veterans of subsequent wars.

There is nothing new or strange in their determination that this oversight be remedied. We have only to recall the Grand Army of the Republic, and its program to win pensions for the bearded men in blue, who were marked by the scarred memories of Shiloh, Gettysburg, and the Wilderness.

As time goes on, the veterans of World War I will serve a greater purpose in the perpetuation of those courageous traditions that inspire succeeding generations.

On the impressive annual rituals of Memorial Day and Veterans' Day, we need an organization that shall remind us of St. Mihiel, Belleau Wood, the Argonne, and the Battle of the Atlantic; joining with other veterans' organizations to keep alive in us those courageous ideals that have conquered every challenge to freedom, and are needed now, more than ever, to win peace, justice, and liberty; in an age of revolutionary developments.

I come before you to ask official recognition for the Veterans of World War I of the U. S. A., Inc.

To request Congressional approval of a national charter for an organization that is nationwide in scope; whose broad objectives are patriotic, and whose growing membership has given much to make our United States strong, and prosperous, and free.

This honor they have earned.

REGULATION OF UNION WELFARE FUNDS

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, the administration's position on labor welfare and pension funds, as presented to the Congress for legislative action by Secretary of Labor Mitchell, has drawn highly favorable editorial support from newspapers in every section of the Nation. It is now before us as House Resolution 7802 which I introduced on May 28. I believe that the substantial and almost unanimous acclaim given Mr. Mitchell's proposals indicate the course Congress should take to help correct a serious condition in a major facet of our economy. Secretary Mitchell incidentally is scheduled to testify before the House Committee on Education and Labor today.

The approach adopted by Secretary Mitchell in his testimony before the Senate committee has generally been supported by the Nation's press. Swift passage of legislation is being urged by most of the outstanding newspapers in the country.

These editorials are perhaps, a fair indication of current public opinion. Few would deny that corrective legislation is needed to protect these welfare funds. It is estimated that such funds affect 75 million Americans and take in $7 billion annually. Something must be done to protect the rank and file union worker. The administration's bill seems to be the right answer, according to the overwhelming majority of newspapers.

The amendments proposed by Secretary Mitchell would eliminate the Secretary of Labor's discretionary power as to exemptions provided in original bill (S. 1145), introduced by Senator IVES, and would make public disclosure mandatory. They would also give the Secretary authority to investigate and to impose penalties. He would be required to draw up a schedule of the information to be furnished by the funds, certified by audits of public accountants.

This proposed legislation is now in the hands of the House Committee on Education and Labor. I hope it can soon be reported out favorably so that Congress can act without delay to correct a serious situation.

The New York Times says that—

> The Ives bill, so amended, should be promptly passed. It would then include the strong features of the Douglas bill and exclude the weaker ones, especially the exemption of smaller funds and SEC administration. Also it would follow sound principles of Federal-State jurisdiction—leaving to the States the power to set up and enforce operating standards and giving to them essential, and nationwide, information of great help in performing that task.

The Minneapolis Tribune, referring to Secretary Mitchell's position as sensible, said it thinks "most Americans will support the Secretary's reasoned position with respect to labor."

Backing the Secretary's request for the inclusion of management-operated funds, the Denver Post states:

> If employer-operated welfare plans are to win exemption, a better case for exemption

will have to be made than has appeared so far.

The Salt Lake City Tribune says:

There is a crying need for reform. Union welfare funds have become big business in recent years. And it will be to the benefit of all rank-and-file union members and all honest union leaders to have a law protecting them against the depredations of the dishonest and ruthless.

Other comments:

Houston Post:

The shocking charges of wanton dissipation of union funds by labor bosses, heard by the McClellan committee, indicated strongly the need of a law that would permit publicizing such funds and their disposition.

St. Louis Post-Dispatch:

The administration is asking for stiff penalties—fines, prison terms, or both * * *. This is as it should be.

Chicago News:

The only people who could benefit from the proposed supervision (of employee pension funds) are the future beneficiaries of the funds, and the only ones who could be hurt are the thieves and wasters, present and potential.

Asheville, N. C., Times:

There is timeliness and importance in the labor-reform program outlined by Secretary of Labor Mitchell.

Roanoke, Va., Times:

What has been brought to light by the McClellan committee demonstrates a serious weakness of the laws and need of stricter accountability for the protection of union members.

New York Herald Tribune:

Revelations * * * clearly indicate the need for a much closer check on what happens to the contributions which individual union members hope will eventually provide them with * * * pensions.

Sioux City Journal:

With such statutes on the books it would be virtually impossible for a labor-union official to play fast and loose with his members' money.

Sheridan, Wyo., Press:

Such legislation should not be delayed any longer than necessary. It is encouraging to note that it may be passed at the present session.

Des Moines Register:

We think Secretary of Labor James P. Mitchell summed up the need for such legislation very aptly, recently, when he declared that these private union-employee, employer programs are "so important to the economic security of the American people that their operations are a matter of public concern."

Pittsburgh Press:

Secretary of Labor Mitchell has proposed to Congress a stiff law, requiring all such funds, whether the custodians are union officials or management, to file financial reports. The aim of Mr. Mitchell's proposal is simple—to enforce honesty on welfare fund officials to whom honesty, by all measurements of decency, should be second nature.

Philadelphia Inquirer:

The administration through Secretary of Labor Mitchell * * * is to be commended for accepting and acting upon criticisms of weak spots in the original bill * * * to establish Federal control and supervision over labor welfare funds.

Christian Science Monitor: Secretary Mitchell's "revised and toughened bill is designed to safeguard the funds of employee welfare funds."

Anderson, S. C., Independent: Secretary Mitchell's bill gives the law "the teeth needed to plug looting and leaks." Block that metaphor. Nevertheless, the point is clear.

Grand Rapids Press:

Secretary Mitchell is not proposing compulsory revision of union constitutions. He would only require detailed reporting of such funds to the Labor Department and to the public.

Wichita Eagle:

These proposals appear to make sense. Particularly the one making embezzlers subject to Federal fine and jail term.

Mr. Speaker, I include a list of newspapers which carried favorable comment on the passage of such legislation in the RECORD.

The following newspapers were among those throughout the country which printed favorable editorials in support of Mr. Mitchell's recommendations:

Akron Beacon Journal, May 26.
Albany Times-Union, June 4.
Albuquerque Journal, May 20.
Albuquerque Tribune, May 30.
Anderson, S. C., Independent, June 4.
Annapolis Capital, June 8.
Asheville, N. C., Times, May 22.
Ashland, Ky., Independent, May 25, June 3.
Austin American, June 5.
Bay City, Mich., Times, May 23.
Beaver Falls, Pa., News-Tribune, June 6.
Bethlehem, Pa., Globe-Times, June 3.
Biloxi Herald, June 10.
Bloomington, Ill., Pantagraph, June 8.
Boise Statesman, May 17.
Brattleboro Reformer, June 6.
Canton, Ohio, Repository, May 30.
Charlotte News, May 29.
Chicago News, June 6.
Christian Science Monitor, May 31.
Cincinnati Post, May 30.
Clarksville, Tenn., Leaf-Chronicle, June 11.
Cleveland News, May 28.
Colorado Springs Free Press, June 5.
Columbia, S. C., Record, June 7.
Columbus, Ohio, Citizen, May 29.
Decatur, Ill., Herald, June 1.
Denver Post, May 29.
Denver Rocky Mountain News, May 31.
Des Moines Register, June 7.
East Liverpool, Ohio, Review, June 3.
Eau Claire, Wis., Leader, June 7.
El Paso Herald-Post, May 30.
Evansville, Ind., Press, May 29.
Fall River Herald News, June 4.
Fort Worth Press, June 2.
Grand Rapids Press, May 18.
Harrisonburg, Va., News-Record, June 8.
Hartford Courant, June 1 and 5.
Hartford Times, May 28.
Houston Post, May 28.
Houston Press, June 6.
Huntington Herald Dispatch, June 3.
Indianapolis Times, May 30.
Jackson, Miss., Clarion-Ledger, June 2.
Knoxville News-Sentinel, May 29.
Lakeland, Fla., Ledger, June 5.
Latrobe, Pa., Bulletin, June 8.
Lexington, Ky., Herald, June 7.
Louisville Times, May 25 and May 29.
Macon, Ga., Telegraph, June 9.
Marion, Ohio, Star, June 7.
Memphis Press-Scimitar, May 29.
Middletown, Ohio, Journal, June 8.
Minneapolis Tribune, May 21.
Missoula, Mont., Missoulian, May 28.
Monroe, La., World, June 4.
Nashville Banner June 10.
New Castle, Pa., News, June 7.
New London, Conn., Day, May 31.
New York Herald Tribune, June 1.
New York Times, June 5.
Newark News, June 4.
Ogden, Utah, Standard-Examiner, May 31.
Owensboro, Ky., Messenger, May 27.
Parsons, Kans., Sun, May 29.
Paterson N. J., News, June 6.
Petersburg, Va., Progress-Index, June 3.
Philadelphia Bulletin, May 20.
Philadelphia Inquirer, May 28.
Pittsburgh Post-Gazette, May 29.
Pittsburgh Press, May 30.
Portsmouth, Ohio, Times, May 31.
Providence Journal, May 28.
Roanoke, Va., Times, May 21.
Rocky Mount, N. C., Telegram, June 4.
Rome Ga., Tribune, June 5.
St. Cloud, Minn., Times, June 6.
St. Joseph Mo., News-Press, June 5.
St. Louis Post-Dispatch, May 31.
Salt Lake City Deseret News, May 21.
Salt Lake City Tribune, June 3.
San Antonio Light, June 3.
San Bernardino Telegram, June 8.
San Bernardino Sun, June 8.
San Francisco Call-Bulletin, May 31.
Sandusky Register-Star-News, May 28.
Savannah Press, June 3.
Seattle Times, May 21.
Scranton Times, May 27.
Scranton Tribune, June 3.
Sheridan, Wyo., Press, June 10.
Sherman, Tex., Democrat, May 27.
Shreveport Journal June 1.
Sioux City, Iowa, Journal, June 9.
Tacoma, Wash., News Tribune, June 7.
Tallahassee Democrat, May 31.
Terre Haute Star, June 5.
Texarkana, Tex., Gazette, June 11.
Trenton Times, June 6.
Troy, N. Y. Record, June 3.
Tuscaloosa News, June 5.
Twin Falls Times-News, May 20.
Tyler, Tex., Telegraph, June 5.
Washington Post.
Washington, Pa., Observer, May 25, June 8.
Washington Evening Star, May 28.
Waterbury Republican, June 6.
Waterbury American, June 8.
Wichita Eagle, May 29.
Wilkes-Barre Record, June 3.
Williston, N. Dak., Herald, May 31.
Wilmington, N. C., Star, June 4.

RETURN OF CERTAIN FEDERAL FUNCTIONS TO THE STATES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Washington [Mr. PELLY] is recognized for 30 minutes.

Mr. PELLY. Mr. Speaker, it was gratifying to pick up the morning paper

and read that President Eisenhower last night asked the Governors' Conference to join with his administration in a program to return certain Federal functions to the respective States. The President in calling for a reappraisal and reallocation of the Federal-State relationship is seeking to prevent what, in my opinion, may well be a most dangerous trend toward centralized power and the weakening of State and local governments so that they represent little more than a group of field offices for the direction of Federal programs.

It is particularly interesting to me that the President should reemphasize at this time the need for the States to regain their traditional responsibilities, and that he suggests the overhauling of the taxing and fiscal systems to remove barriers to effective government. I note that the President referred to the saving which could be made for the American taxpayer by eliminating "freight charges on money being hauled from the State of Washington and back."

Now Mr. Speaker, the President referred to something every Member of this House knows: we know that approximately 25 percent of the amount of aid to the States goes toward Federal administration and costs on the national level. In other words, if the States collected and spent their own money without their funds passing through the Federal Treasury and having to be appropriated by Congress back to the States, the recipients of the aid as well as the taxpayers would be better off.

I strongly support the proposal of the President, which I shall comment on briefly; but first, let me remind my colleagues that in the various appropriation bills this year we have been asked to expend for State and local aid for various projects and programs an amount in excess of $5.5 billion, or $1 billion over fiscal 1957 which, in turn, was almost three-quarters of a billion dollars over the year before. Most of these funds finance good programs—but the question is not one of merit but rather of the most effective means of carrying out needed programs under our constitutional form of government.

Because of my concern for growing bureaucracy at the national level I introduced House Joint Resolution 326, which called for a joint Senate-House study looking to the possibility of the Federal Government relinquishing to each of the several States the power to levy and collect taxes now levied and collected by the United States to the extent such relinquishment is necessary to permit each such State to assume complete responsibility for the financing and management of certain programs the responsibility for which is now jointly shared by Federal and local government.

Mr. Speaker, I have taken up the subject matter of House Joint Resolution 326 with the governors of the States quite recently and invited their comments. In view of the fact that President Eisenhower is now suggesting a joint committee or task force to explore the return of certain functions to the States, it might be of interest to know what the governors themselves think about this. Accordingly, I will cite from excerpts of letters to me certain of their views in order to shed some further light on this entire subject.

The Governor of Wyoming, Milward L. Simpson, for example, sent me a copy of his message to the 1957 legislature in Wyoming, with one passage marked from which I quote as follows:

> Federal aid actually means that we raise our taxes to send our money to Washington; then raise some more taxes to match the amount we have already sent to Washington in order to get back the amount we originally sent less, of course, an additional 40 percent cost of administering Federal controls.

On the other hand, the chief executive of West Virginia, Gov. Cecil H. Underwood, simply expressed his opinion that a study such as called for in my resolution would be "very worthwhile and helpful to all concerned."

A former Member of Congress, Price Daniel, Governor of Texas, wrote back:

> While a Member of the Senate, I favored such a proposal, and I am glad to know that efforts continue to be made in its behalf.

The replies I received of course expressed different opinions. For example, Gov. Lane Dwinell, of New Hampshire, raised the question as to whether, in practice, the States themselves would raise sufficient taxes on their own initiative to meet public demand. An excerpt from his letter reads as follows:

> In principle, I agree with you that it would be highly desirable through such a policy to restore to the individual States ability to manage and pay for their own projects in such fields as education, welfare, public housing and other major social needs.
>
> In practice, however, I question the ability and willingness of many individual States to raise through taxes on their own initiative the funds which public demand at present indicates we should spend in these fields.
>
> In any case, I strongly approve of the idea of making such a study as your resolution proposes, and I would follow with the greatest interest whatever findings such a study might reveal.

Gov. J. Hugo Aronson, of Montana, says:

> Upon first examination I am in sympathy with your objective of returning tax money to the individual States and allowing them to do certain jobs themselves.

I will quote the entire letter of Gov. Albert B. Chandler, of Kentucky, because he has covered the subject rather broadly.

> COMMONWEALTH OF KENTUCKY,
> EXECUTIVE CHAMBER,
> *Frankfort, June 14, 1957.*
>
> Hon. THOMAS M. PELLY,
> *Congress of the United States,*
> *House of Representatives,*
> *Washington, D. C.*
>
> DEAR CONGRESSMAN PELLY: I appreciate your contacting me relative to your stand on Federal grants-in-aid. I feel that major modifications in our Federal grants-in-aid program require serious consideration prior to legislative changes, and that precipitous action should be avoided.
>
> The end results of the studies of the so-called Manion Commission, 1954–55, suggest the possible futility of attempting to abandon too quickly the Federal grants-in-aid system. A more objective approach is desirable than the preconceptions with which the Manion study group started out to reverse erroneously past trends. Many problems are inherently national problems or have national impacts. In certain areas the Federal grants-in-aid appear to come under the best available devices for providing money and still maintaining a role for State Government. The new interstate highway program falls in this category.
>
> The other aspect of your suggestion, namely that of taxes, has concerned us in Kentucky. Two of our principal products are tobacco and whisky. Excessive Federal excises have left Kentucky State government relatively little room to operate in this area. We hope the present reevaluation of the Federal tax system will prove beneficial to this Commonwealth in that it will allow us a good deal more discretion in the levying of our State taxes.
>
> Perhaps something should be done also about Federal income and death taxes, to provide a broader base for State taxation, but it is difficult to generalize because of technical questions. To say the least, more State income and death taxation goes well with the idea of exploring the return of greater financial viability to the States.
>
> It is important State financial resources be adequate, but the long-range curtailment of Federal grants-in-aid may not be too realistic.
>
> At the same time, extreme care must be exercised not to strike down the States' fiscal resources. There are not only great political and social values in strong State governments, but it is sound economics to preserve the dual system of government in this country so neither absorbs the other. Federal management and control must be held within bounds.
>
> I hope my views may aid the joint House and Senate study, and if I may be of further assistance to you please let me hear from you again.
>
> Be assured of my good wishes.
>
> Sincerely,
>
> ALBERT B. CHANDLER.

The comment of Gov. Edmund S. Muskie, of Maine, has to do with the difficulty of raising money on the local level. He said:

> I think it might be well to point out that States like Maine are not and would not be in a position to tap many revenue sources available to the Federal Government even though the Federal Government should withdraw from them. I suspect that a wholesale withdrawal by the Federal Government from all grants-in-aid programs might, as a consequence, result in a lower level of service if not complete abandonment of many programs in many States. This general observation is, of course, subject to possible qualification with respect to individual programs.

The Governor of California, Goodwin J. Knight, like most of the governors indicated his willingness to cooperate in any study. A portion of Governor Knight's letter reads as follows:

> I believe that grants-in-aid serve a useful purpose by which the Federal Government can carry out certain Federal responsibilities and participate in Federal-State joint responsibilities by using the States and their political subdivisions as a medium therefor, rather than establishing Federal agencies for this purpose.
>
> In the case of Federal aid to the States for highway construction, for example, it appears to be practicable to use the existing machinery of State highway departments to carry out this nationwide program of interstate highway development.
>
> On the other hand, I am mindful of the dangers of possible Federal domination of the States and their political subdivisions as a result of controlling purse strings. I believe that the States would be wise to view

critically those proposals which involve possible encroachment on the part of the Federal Government.

I am confident that a study of this subject, to be conducted jointly by the two Houses of Congress, would serve to bring to light much important information which would be of value, not only to the Federal Government, but to the States. I shall be glad to cooperate with such committee on behalf of the State of California, should such a move be undertaken.

LeRoy Collins, Governor of Florida, did not register much enthusiasm. I quote from his letter:

My own feeling is that there have been very few invasions of States' rights by the Federal Government except where the States have failed to meet their full responsibilities to their people.

While I am concerned about States' rights, I am also concerned about States' responsibilities, and this is the approach we in Florida are taking toward the solution of our problems.

On the other hand, James E. Folsom, the chief executive of the State of Alabama, says:

There certainly is no sense in the States having to send their money to Washington and turn around and get a small percentage back in way of grants-in-aid.

This is to let you know I fully back your efforts 100 percent and hope you will be successful.

Strong support for this proposal came from Gov. Vernon W. Thomson, of Wisconsin, who said:

Wisconsin has long subscribed to, and practiced, the principle that government functions are carried out most effectively and efficiently when controlled and financed by units of government closest to the people. Restoration to the States of the means of financing and managing their own programs would eliminate not only the large collection and administrative costs involved in Federal aid, but also the waste resulting from the separation of managerial and financial responsibility.

I strongly support your request for a hearing on this resolution before the House Rules Committee, favorable action on the proposed study, and the development of an effective program to restore both tax bases and operational responsibility to State governments.

Likewise, Gov. Thomas B. Stanley, of Virginia, expressed support of the objective of my proposal. He wrote:

I am in full accord with the objective of encouraging the Federal Government to relinquish our tax sources which could be more properly and effectively utilized by the State governments in providing needed services. I hope the current demand for reduction in Federal expenditures will be accompanied by other action in the direction you have recommended.

The problem of the States in carrying their share of joint programs was emphasized by Gov. Joseph B. Johnson, of Vermont. Listen to what he said:

Our State legislature is now in session, and I do not need to inform you that we have similar problems in State government in taking care of State aid to various programs that you do for Federal aid programs. With the changing scene some of these situations are inevitable, but others should not be undertaken.

With regard to highways, certainly State aid to municipalities is necessary and, in like manner, Federal aid for a system of modern interstate highways can be justified. I certainly would agree that, wherever possible, municipalities and States take care of their own problems, but it is difficult to generalize, and every situation should be decided on its merits.

Our old tax structure—local, State, and Federal—has become so complicated that probably something more is needed than just elimination of certain Federal taxes.

The aspect of States where most of the land is federally owned was brought out by Gov. George D. Clyde, of Utah. He said:

I am thinking particularly of those as public-land States where the Federal Government still owns the majority of the land within the boundaries of the State. In my State, it is 73 percent. Therefore, we have to look with care on relinquishment of grants-in-aid because we are not permitted to benefit from the resources within our boundaries to the fullest degree.

I feel that the study is essential and will no doubt come up with some practical answers. I do not think we should send to Washington any more money than necessary. It is certainly not wise to send it there and get only a portion of it back. In States like mine, we must consider the land ownership before we cut off all participation of the Federal Government in providing for the needed governmental services.

Now, Mr. Speaker, let me just include several letters which I received on this same subject from other governors.

These governors are: Gov. Frank G. Clement, of Tennessee; Gov. Joe Foss, of South Dakota; Gov. William G. Stratton, of Illinois; Gov. Harold W. Handley, of Indiana; Gov. Marvin Griffin, of Georgia; and Gov. James T. Blair, of Missouri.

TENNESSEE EXECUTIVE OFFICE,
Nashville, May 29, 1957.

Hon. THOMAS M. PELLY,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN PELLY: I am appreciative of your letter regarding grants-in-aid. This is certainly one area where not only the Federal Government has gone to considerable length to return money to the States, but also the States are now duplicating this by returning money to local governments—counties and cities. This practice has grown over a number of years and has reached the proportion where to make any substantial change would also require drastic changes in our financial patterns.

Last year this office cooperated with Representative L. H. FOUNTAIN and the Committee on Intergovernmental Relations in a limited study of this matter. We attempted to analyze various of the Federal grants-in-aid programs and to make recommendations based on our experience in Tennessee. We did not attempt to say that Federal grants-in-aid were either good or bad as such, but rather confined our comments to ways and means whereby programs could be made more effective.

I shall be only too happy to cooperate in any way possible, but I believe you will agree that any further comments on my part should await action on the study now in process.

Sincerely yours,
FRANK G. CLEMENT.

SOUTH DAKOTA EXECUTIVE DEPARTMENT,
Pierre, May 20, 1957.

Hon. THOMAS M. PELLY,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN PELLY: Many thanks for your recent letter relative to House Joint Resolution 326, which provides for a study of the possibilities of relinquishing certain tax revenues now collected by the Federal Government to the various States.

As you pointed out in your remarks, it costs approximately one quarter of the amount returned to the States to Federally collect and administer in the grants-in-aid programs. I am convinced the States could administer these programs much more efficiently as well as economically. Your proposed study certainly is worthwhile, and I sincerely hope it is given favorable consideration.

Thanks for writing, and best regards.

Sincerely,
JOE FOSS,
Governor.

OFFICE OF THE GOVERNOR,
Springfield, Ill., May 24, 1957.

Hon. THOMAS M. PELLY,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN PELLY: Thank you for your letter of May 14 enclosing the tearsheet from the CONGRESSIONAL RECORD. I appreciate your writing me on this subject and it is one of vital concern to all of the States. I agree that an improvement along these lines is in order.

Kind regards.

Sincerely,
WILLIAM G. STRATTON,
Governor.

STATE OF INDIANA,
EXECUTIVE DEPARTMENT,
Indianapolis, May 20, 1957.

Hon. THOMAS M. PELLY,
Member of Congress,
United States House of
Representatives Office Building,
Washington, D. C.

DEAR MR. CONGRESSMAN: I am obliged to you indeed for your thoughtfulness in sending me the information regarding House Joint Resolution 326. It has long been our contention here in Indiana that many functions now exercised by the Federal Government could be performed far more economically at State and local levels. Moreover, the taxpayer is more satisfied with justifiable taxation when he can see the administration of his money before his very eyes.

We have found more and more potential sources of revenue preempted and completely absorbed by the Federal Government. Yet we have been able here in Indiana to continue to meet our education needs without any genuine need for Federal grants or loans, and the biennial sessions of the Indiana Legislature have repeatedly pronounced Indiana's views on the necessity of maintaining home rule.

Enclosed are copies of resolutions adopted by both houses of the 1957 Indiana Legislature by overwhelming votes. They are proof of the dominant feeling of Hoosiers, for they received support from legislators of both political parties.

Sincerely,
HAROLD W. HANDLEY,
Governor.

STATE OF GEORGIA,
EXECUTIVE DEPARTMENT,
Atlanta, May 21, 1957.

Hon. THOMAS M. PELLY,
Member of Congress,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN PELLY: Thank you for your letter of May 14, 1957, and the enclosed copy of the CONGRESSIONAL RECORD.

I am of the opinion that any measures enacted which will reverse the current trend of concentration of bureaucratic control by the Federal Government will indeed be welcomed in every State in the Union.

I agree with your contention that such measures, if enacted, would bring about

greater economy at a time when our Government is considering the largest budget in our history.

With best wishes, I am,

Sincerely,

MARVIN GRIFFIN,
Governor.

EXECUTIVE OFFICE,
STATE OF MISSOURI,
Jefferson City, May 18, 1957.

The Honorable THOMAS M. PELLY,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN PELLY: Thank you very much for your letter of May 14 and the enclosed tearsheet from the CONGRESSIONAL RECORD.

I agree with your general plan of returning to the States the right to collect taxes. I think one of the gravest mistakes ever made was allowing the Federal Government the right to collect income taxes.

Kindest regards.

Sincerely,

J. T. BLAIR, Jr.,
Governor.

The proposal of the President is to set up a joint committee, according to the newspaper, with three responsibilities:

First. To designate functions which States are ready and willing to assume and finance which now are carried by the Federal Government wholly or in part;

Second. To recommend Federal-State revenue adjustments to enable the States to carry these functions; and

Third. To chart the field of respective Federal-State responsibilities and recommend levels of effort needed to assure effective action.

At the moment, Mr. Speaker, I do not know, if such a committee be appointed by the President, if it will complement a study on the part of the Congress or not, but I am inclined to think so, and I intend to ascertain, if possible, the views of President Eisenhower. In the meantime, I have discussed the matter of House action to implement a study of Federal-State relationships with the distinguished chairman of the Rules Committee, the gentleman from Virginia [Mr. SMITH], and he tells me that other Members have indicated to him that they would like to have the Rules Committee schedule a hearing on this subject. I have told him that I have no pride of authorship, nor am I convinced that the provisions of House Joint Resolution 326 are necessarily the proper ones to get effective action. However, I do hope that other Members of the House will give this subject thought and convey their views to the Rules Committee.

This is not a partisan matter. There is a strong feeling on both sides of the aisle that the future way to smaller Federal budgets and Federal fiscal responsibility is by returning to the State level many programs which were taken over at the national level due to emergency situations. I feel strongly that the President's proposal is the road to our future economy and the preservation of democracy; and it is certainly to be hoped that the legislative branch of the Government will cooperate fully with the President's committee, for it has been truly said that the best government is that which is closest to the people.

The President's message to the conference delivered last night at Williamsburg, Va., as I said earlier, should encourage all of us who have been perturbed at the growth of Federal agencies, and Mr. Speaker, I believe that it will take great determination and the fullest cooperation by both political parties in the legislative branch of the Government, as well as assistance and help by the governors of the States with the President's new committee, if this great effort to return key functions to the States is to succeed. I for one believe that such an effort by all concerned is vital to the welfare of our Republic.

Mr. SCRIVNER. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield.

Mr. SCRIVNER. I want to compliment the gentleman for making a very timely statement. I want to point out that today to my desk there came a report from the committee of the other body on the subject of grants-in-aid and it shows that from 1934 to 1956 these grants have totaled over $80 billion—that is, $80,000 million. If the gentleman will yield further, in connection with the comments about the President's speech last night, for which he is to be commended, he said this:

OTHER FUNCTIONS

In designating the functions to be reassured by the States, the committee should also specify when those functions should be assumed—the amounts by which Federal taxes should be reduced—and increases in State revenues needed to support the transferred functions. As the first step, the committee might well concentrate on a single function or program and pair it with a specific Federal tax or tax amount. This effort presupposes that Federal taxes would be cut more than State taxes would be raised to support the transferred functions. The elimination of the Federal overhead—stopping, in other words, the "freight charges" on money being hauled from the States to Washington and back (a bill, I remind you, that is always collected in full) would save the American taxpayer a tidy sum.

Obviously, such an effort requires your own thoughtful consideration.

The President did not mention it by name, but it seems to me he must have been referring at least indirectly to what has been referred to as the Scrivner plan for aid to education where I simply proposed that inasmuch as the Federal Government had been siphoning off the cream of the taxes that the States were not now able to find any more tax resources and that in order to let the States help themselves solve their own problems we could well return to each State and Territory one-quarter of 1 percent of the income tax collected in that State or Territory.

I think that is a simple program designating how much the Federal taxes would be reduced. That would provide around $600 million to be left in the States to take care of their own educational programs.

If the gentleman will yield further, the State of California, as I have worked it out in this H. R. 1, the Pelly bill, California's prorated normal share of the $300 million to be raised by the Federal Government is $22,860,000.

In order to get Uncle Sam's contribution California will have to match Uncle Sam's dollars, and the Pelly bill would propose to give California a little over $15 million. That means that the taxpayers in California with the Federal tax and the State tax they must raise to match the Federal funds would have to raise $38 million to get back $15 million from the Federal Government.

Mr. PELLY. I may say to the gentleman from Kansas that the taxpayers of California, while they might not clearly realize what they are doing will pay $1.06 for every dollar they get back in the way of Federal aid.

Mr. SCRIVNER. If the gentleman will yield, I might point out further that under the plan that I propose $52 million would stay in California. As I understand, California is rapidly dealing with their school problems themselves. I am quite sure the $52 million to be left in the State would be more acceptable than for the State to have to pay $38 million to get $15 million back.

Mr. PELLY. I know as a neighbor of California that the great State of California has recognized its school needs and has bonded itself heavily on the local level and done a very fine job in meeting California's problems under the impact of the additional children that have come from increased population.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield.

Mr. HOSMER. I appreciate the gentleman's active interest in the problems of my State. The gentleman himself deserves a great deal of credit for the large amount of work he must have had to do to collect the statistics and facts he has presented to us. I think it is very valuable, and I sincerely hope it is one of those measures that will help solve this problem.

Perhaps a lot of the difficulty comes about because of disorganization within the States themselves and what their different localities want of the Federal Government. For instance, I have received from 30 to 35 individual requests from heads of bureaus and departments of the State and county government in California asking for various types of Federal aid, even wanting an extension of the school milk program in junior colleges. Then in the matter of the soil bank when they heard that there were three new soil-bank laboratories to be established, they wanted to get one for California. Perhaps it would be a good idea for the governors to get these problems straightened out in their own administrations, see that their administrations are coordinated and correlated in their requests for things that are necessary.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield.

Mr. HALLECK. First of all I want to commend the gentleman from Washington for the splendid work he has done and is doing in this very important field of aid. I think it will be helpful to have before us the communications he has received from the executives, the governors, of the various States.

I think I have been as disturbed as anyone could possibly be at this constant trend toward centralization of government in Washington and all the taxing and spending from Washington as against State and local operations.

Mr. PELLY. I think the gentleman will agree this was due to some extent to emergencies and war conditions, is that not so?

Mr. HALLECK. Much of it has been. I might also make this observation apropos of the letters that the gentleman has received from the various governors. Some of that overcentralization, may I say, has resulted, undoubtedly, because of activities and efforts by people in Washington who want to bring that power here. I think it is also fair to say at the same time that some of it has come on to Washington because in the States and local communities the people there in charge have failed to grasp or to grapple with the problems that were confronting them and too often were content to let the matter go on to Washington.

I would like to make this further observation in respect to our great President and his attitude on this whole problem and on which some comment after his speech of last night was made questioning whether or not he meant it. About 10 years ago it was my great privilege to go to the State of California with the late Senator Robert Taft of Ohio to debate there this whole matter of centralization of authority, taxing, and spending in Washington, as against State and local operation. We were taking the position against our adversaries that we should have decentralization or, certainly at least, a slowing down of this trend constantly before us of things moving to Washington.

Subsequently I went to New York City to the Pennsylvania Society to make a speech and there I found as the guest of honor Gen. Dwight D. Eisenhower, who received a medal from that organization on that night. At that time I made substantially the same speech against this rush of authority in taxing and spending to Washington. I know from my conversation there, as I have found out during the years since that time, that the President meant exactly what he said last night. He feels as I am sure a lot of us feel, that this trend of centralization in Washington has gone too far and that it should be checked.

We must all recognize as times change certain other conditions change. Some things that 25 or 50 years ago might be considered completely local, in the turn of events and conditions they get to the point where some Federal intervention may be necessary. At the same time, I think it is highly important, and I commend the President for the speech he made and the gentleman's reference to it and his work in collecting these letters, for the gentleman is helping point up what is really a very serious situation in the United States.

Mr. PELLY. I thank the gentleman.

Mr. HIESTAND. Mr. Chairman, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from California.

Mr. HIESTAND. Mr. Chairman, I very much appreciate the remarks of the gentleman from Washington, his thoughts and his expression of them. I was greatly interested, of course, and highly delighted at the President's discussion of this very important subject. It so happens that within the hour I have had occasion to address another group on this whole matter of centralization of Federal aid particularly. I am wondering if the very dangerous aspect of it has been adequately stressed, namely, that of its effect and its impact upon inflation. It is my judgment that the greatest problem this Nation faces today, greater than Russian aggression, greater than atomic warfare, is inflation. Federal aid is highly inflationary. It is doubly inflationary in that much of it involves the matching of funds. I have a list which I will not go into of the tremendous increase in State and local budgets in the past few years. I have said we have suddenly become a Federal-aid nation, because from three-fourths of a billion Federal aid in 1946 we have jumped now to 3¼ billion and are asked now to spend 5½ billion while the local governments have increased proportionately, but largely since 1950 they have had to match these funds and the State governments have jumped from a 5 billion total budget in 1942 suddenly to 21 billion in 1946, and local governments accordingly.

The effect on inflation is double.

Mr. PELLY. I would like to say, in connection with the gentleman's interest in curbing inflation that the solution lies in part in getting spending back to the State level.

I have known for a long time the gentleman from Ohio [Mr. Bow], who is present here, has been interested in this matter. We have discussed the problem and I know that he has talked to Members on the other side of the aisle. I would like to yield to him, because I think he has given a lot of thought to this matter.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. PELLY. Gladly.

Mr. BOW. Does the gentleman agree that perhaps a study is necessary because of the possible change in economic conditions within some of the States that were given consideration at the time the grants-in-aid were awarded? Does the gentleman agree to that?

Mr. PELLY. I believe that is correct.

Mr. BOW. This is not so much a direct complaint, but it is a time for resurveying some of these problems to see if they cannot best be handled in the States at this time.

Mr. PELLY. I think that is a very correct statement. I do know that one of the reasons of grants in aid was to try to allocate assistance and relief on the basis of need.

Mr. BOW. And perhaps that that condition now has changed. But I would like to make this one observation to the gentleman for his consideration. The gentleman has made a very fine presentation here and I commend him for it. I note that he says his resolution would create a joint committee to make this study. May I suggest that the gentleman give consideration to a resolution that would create a study within the House, for the House has the fiscal responsibility, the money bills start here, appropriations start here, and it seems to me that we, as Members of the House, could make this study and not become involved in the two bodies considering it.

Mr. PELLY. I thank the gentleman. I will indeed consider this point.

I see the gentleman from Texas [Mr. PATMAN] on his feet, and I would like to yield to him because I have a letter from the Governor of Texas and for that reason I would particularly like his views.

Mr. PATMAN. I thank the gentleman.

During a discussion of this subject the fact should not be overlooked that the local taxes that are imposed are oftentimes the most burdensome taxes for people to pay. I refer to the fact that we have more homeowners now than ever before, and those homeowners do not own their homes; they owe for them. They have paid a small amount down. For local taxes they are required to assess their property as though they owned it. They do not own it. They owe for them, and they have to pay taxes, not necessarily on what they own but on what they owe. And I am sure the gentleman is not overlooking that fact.

Mr PELLY. I would like to say to the gentleman from Texas that I do not propose to have all the answers as to how these functions should be distributed, but I do know that in my own State there is no equal distribution of taxation. I can cite where there are certain assessments on which taxes are based in farming areas where the taxes are very low in comparison to what the city dweller pays on a comparable value, and we have problems in our school districts largely because of the unequal assessments made by localities.

Mr. PATMAN. Mr. Speaker, will the gentleman yield further?

Mr. PELLY. Gladly.

Mr. PATMAN. I do not believe that we should expect exact justice on taxation.

Mr. PELLY. I once referred to haircuts, and I felt that I never got justice when I went to the barbershop with some other gentleman who had more hair than I have.

Mr. PATMAN. The man who weighs 400 pounds pays the same price for transportation as the 100-pound man, and the person who buys a No. 6 shoe pays the same price as the person who wears No. 12's.

Mr. PELLY. I will say to the gentleman I wear No. 12's, so I feel it balances out somewhat when I get a shoeshine.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from New York.

Mr. BECKER. I want to compliment the gentleman for bringing this analysis and suggestion for a commission to study this problem before us. I would like to say that the State of New York has to raise some $74 million to receive a share of $18 million under this $300 million

program for education. So, it is certain we would not do very good in the State of New York under this program, or in any program of Federal grants-in-aid, although we realize we have to pay a share of the Government's expense. The gentleman has brought this subject up at a timely moment. I had this in mind. We will have before us the conference report on the appropriation bill for the Department of Health, Education, and Welfare into which was injected a $50 million appropriation for grants-in-aid for sewer plants. We know that the original presentation for that kind of a program was $500 million, not $50 million. We know that if we get into that program as it is intended with this $50 million start, it is going to jump to $1 billion and $5 billion, if the Federal Government is going to give grants-in-aid for sewer plants all over the country.

Mr. PELLY. Mr. Speaker, I would say to the gentleman from New York [Mr. BECKER] that the history of grants-in-aid is that they are generally rather modest in the beginning, but then they grow.

Mr. BECKER. The gentleman has brought that out in his statement, and the subject is so vital at this time, because we are getting so many of these programs. They may have started out in a small way, but now the Government is giving grants-in-aid by the billions. These programs are a responsibility of the States, and I think the States would be glad to take the responsibility if the Federal Government got out of the tax field somewhat.

Mr. PELLY. The gentleman will agree that the programs themselves are meritorious and it is very difficult sometimes to be in a position of opposing legislation of one kind or another that is worthy legislation. We are talking about getting these programs down to the local level where they would have better administration and where the programs would be more flexible.

Mr. BECKER. I think under the gentleman's suggestion of the appointment of the Commission they would find that many of these programs could be handled by the States. I have always been of the position that if there is any particular State in the country or any particular area that cannot help itself, then, of course, it is time for the Federal Government to come in. But that is not the case in connection with many of these programs.

I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Iowa.

Mr. GROSS. I am intrigued by some of the disclaimers of support for centralization of power in Washington, that I heard this afternoon. I seem to recall that only last week there was a considerable amount of support for the civil-rights bill, which was one of the most drastic invasions of States rights that I have seen in a long, long time.

Mr. PELLY. I did remark a little earlier that these programs were meritorious, but, nevertheless, they should be enforced on the State level. Unfortunately, that has not been the case in some instances.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, I want to congratulate the gentleman for his very fine statement and point out that under the Federal aid to education bill, so far as the State of Florida is concerned, as I have said on many occasions, under the bill Florida would pay in $8,845,000 and would get in return $5,944,000. It is clear, therefore, that Florida would receive much less than they would put in and that, of course, is usually the case in these Federal-aid programs.

But, along with the gentleman, I was very encouraged by the statement of the President yesterday before the Governors Conference. Having been a State representative myself and acknowledging and recognizing the approach that is made on many occasions, it appears to me that in most instances or at least in many instances the States themselves are at fault in creating the very vacuum that the President discussed by not acting themselves in these fields on the local level, theirs being, at least, the initial responsibility. So that a vacuum is created into which some agency must step and obviously the only alternative is the Federal Government.

I trust that the Governors Conference will accept the President's recommendation, although there is some question in my mind that it will accept the President's recommendation, and will appoint a committee to consider these areas; not only new areas where the Federal Government might step in in the future, but the question of the return to the States in some of those areas where the Federal Government has injected itself and in which the States could better do the job. I say that the responsibility lies largely with the States for creating these vacuums and for failing to accept the responsibility that justly belongs to the States and which should be discharged by them.

I place the blame in many instances on the State legislatures which are unwilling to accept responsibility of levying additional taxes and the responsibility of raising additional funds to accomplish these objectives, which responsibility belongs to the States. I want to be one to commend the President of the United States for his very courageous stand, particularly before the audience he was addressing, the governors of the States. I trust they will accept his recommendation and do something about this problem.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Ohio.

Mr. BOW. May I point out this one thing: The gentleman from Florida refers to the hesitancy on the part of the State legislatures at times to tax the people to raise taxes in the States. It occurs to me that if we face up to our responsibilities, we will reduce the size of the Federal budget, and reduce some of the Federal spending, so that some of these dollars will stay at home, which will give the State legislators an opportunity to raise money in their States and let the money stay there. I think the large Federal spending is somewhat responsible for their hesitancy to take care of themselves.

Mr. PELLY. I think the gentleman is correct.

May I say in conclusion that I am very hopeful that those Members who are interested in the subject of a Congressional hearing express themselves to the members of the Committee on Rules and study the proper means of getting a hearing through the introduction of a resolution.

I can say to the gentleman from Ohio that I realize he has raised a very important point in suggesting that it be a House rather than a joint Senate-House study. I simply introduced my resolution with the idea of pointing up this whole subject through a hearing before the Committee on Rules. I hope the result will be that we can bring in a proper resolution along the line of the thinking of several Members. I for one will be glad to back a resolution that meets with the favor of those who are interested in this subject, and I know others who have spoken here today are of the same feeling.

Mr. Speaker, I ask unanimous consent that all Members who have spoken on this subject today be permitted to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

SCRIVNER PLAN FOR AID TO EDUCATION

Mr. SCRIVNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SCRIVNER. Mr. Speaker, during the foregoing discussion with the gentleman from Washington [Mr. PELLY] reference was made to the Scrivner plan for aid to education.

The reasoning giving rise to the plan and the detailed plan is found in House Joint Resolution 159, which follows:

Joint resolution to provide direct aid to States and Territories for educational purposes only

Whereas the Government of the United States, through taxes, is siphoning a great part of the wealth of our Nation out of the several States and Territories into the Federal Treasury; and

Whereas the Government of the United States is collecting taxes from nearly all sources of revenue, including taxes on individual and corporate incomes, admissions, beverages, communications, gifts, luxuries, transportation, and from excises and other taxes, leaving to the States little but real and personal property and consumer sales as sources of tax revenue; and

Whereas at rates approaching confiscation of property, States are still not able to raise revenue sufficient to carry the rising costs of State and local governments, and especially not to meet the demands for needed improve-

ments and higher salaries for the training of our youth; and

Whereas it has been proposed that the Federal Government grant aid to the States for educational purposes; and

Whereas it is neither economical nor efficient to withdraw huge sums out of the States and Territories and redistribute funds under bureaucratic regulation from the Federal Treasury; and

Whereas it is desirable that such aid be accomplished by a simple, easy, direct, and efficient method not hampered with bureaucratic restrictions, directions, or dictation: Therefore be it

Resolved, etc., That 1 percent of all income taxes collected on individual and corporate incomes under Federal statutes shall be deemed to be revenue for the State or Territory within which it is collected, for use, for educational purposes only, without any Federal direction, control, or interference.

SEC. 2. District directors of internal revenue are hereby authorized and directed to transfer to the treasurer, or corresponding official, of the State or Territory within which their respective internal revenue districts are situated, at the end of each quarter, an amount equal to 1 percent of the taxes from individual and corporate incomes collected within such State or Terirtory during said quarter.

SEC. 3. For purposes of information only, district directors of internal revenue shall report the amounts transferred to State treasurers, or corresponding officials, as authorized in section 2, to the Department of the Treasury, accompanying such report with receipts from the proper State officials verifying the amounts received by said State official.

In that discussion mention was made of the required contributions by a few States under the Kelley bill, H. R. 1.

So that Members of the House may see what their own State must do, the table below is presented.

In the first column as explained, is shown the respective Federal tax share to finance the $300 million annual cost. The second column shows how much must be raised locally to match Federal funds—and, of course, is also the amount to be sent each State.

The third column shows the total tax burden imposed by H. R. 1.

For example, New York's proportionate share of the $300 million is $56,247,000. The Federal contribution to be matched by local taxes is $18,198,000. As a result, in order to get $18 million of Uncle Sam's money, New York taxpayers must raise $74,445,000.

Under the Scrivner plan, $126,126,000 would be retained in New York for educational purposes, school construction, increased pay, or whatever educational need was paramount in New York.

Aid to education, H. R. 1 as reported, compared with H. R. 2889

State	State's Federal income tax contribution on $300,000,000 (cost of H. R. 1 as reported) (1)	State's tax required to match Federal contribution (2)	Total tax take per State (col. No. 1 plus col. No. 2) (3)	Scrivner plan, 1 percent of Federal income and corporate taxes retained in State (4)
Alabama	$1,629,000	$8,710,000	$10,339,000	$4,281,000
Arizona	695,000	2,121,000	2,817,000	1,745,000
Arkansas	678,000	5,292,000	5,970,000	1,683,000
California	22,860,000	15,798,000	38,658,000	52,558,000
Colorado	2,691,000	2,699,000	5,390,000	7,115,000
Connecticut	5,523,000	2,496,000	8,019,000	11,411,000
Delaware	3,864,000	452,000	4,316,000	7,908,000
Florida	2,901,000	5,944,000	8,845,000	7,992,000
Georgia	3,006,000	9,506,000	12,512,000	6,433,000
Idaho	459,000	1,478,000	1,937,000	1,146,000
Illinois	24,684,000	11,908,000	36,592,000	52,029,000
Indiana	6,861,000	7,371,000	14,232,000	13,496,000
Iowa	2,265,000	5,053,000	7,318,000	5,386,000
Kansas	2,157,000	3,575,000	5,732,000	4,500,000
Kentucky	5,700,000	7,726,000	13,426,000	4,822,000
Louisiana	2,322,000	7,392,000	9,714,000	5,131,000
Maine	732,000	1,869,000	2,601,000	1,663,000
Maryland [1]	[1] 8,178,000	[1] 13,946,000	[1] 22,124,000	[1] 15,410,000
Massachusetts	8,157,000	6,797,000	14,954,000	17,703,000
Michigan	26,133,000	11,598,000	37,731,000	53,784,000
Minnesota	4,548,000	6,100,000	10,648,000	9,974,000
Mississippi	600,000	6,663,000	7,263,000	1,538,000
Missouri	7,596,000	6,661,000	14,257,000	15,545,000
Montana	501,000	1,234,000	1,735,000	1,202,000
Nebraska	1,755,000	2,502,000	4,257,000	3,432,000
Nevada	363,000	248,000	611,000	840,000
New Hampshire	534,000	996,000	$1,530,000	$1,292,000
New Jersey	8,832,000	6,315,000	15,147,000	18,841,000
New Mexico	456,000	2,122,000	2,578,000	1,157,000
New York	56,247,000	18,198,000	74,445,000	126,126,000
North Carolina	6,613,000	11,541,000	18,154,000	7,558,000
North Dakota	273,000	1,604,000	2,377,000	662,000
Ohio	25,202,000	13,428,000	38,630,000	41,547,000
Oklahoma	2,682,000	4,946,000	7,628,000	5,578,000
Oregon	1,833,000	2,831,000	4,664,000	4,494,000
Pennsylvania	22,336,000	17,611,000	39,947,000	46,278,000
Rhode Island	1,272,000	1,169,000	2,441,000	2,771,000
South Carolina	1,083,000	6,859,000	7,942,000	2,522,000
South Dakota	306,000	1,532,000	1,838,000	751,000
Tennessee	2,187,000	8,527,000	10,714,000	5,181,000
Texas	9,360,000	18,172,000	27,532,000	21,578,000
Utah	1,272,000	1,899,000	3,171,000	1,593,000
Vermont	324,000	832,000	1,156,000	656,000
Virginia	4,617,000	7,758,000	12,375,000	7,367,000
Washington	3,552,000	4,102,000	7,654,000	7,807,000
West Virginia	1,257,000	5,339,000	6,596,000	2,919,000
Wisconsin	5,571,000	6,578,000	12,149,000	11,831,000
Wyoming	243,000	597,000	840,000	527,000
Hawaii	582,000	1,110,000	1,692,000	1,314,000
Total (approximate)	300,000,000	300,000,000	600,000,000	629,000,000

[1] Figures for Maryland include those for the District of Columbia and Puerto Rico.

NOTE.—Income tax includes collections for old-age insurance. Actual benefits would be somewhat less than shown in the Scrivner plan after adjustment for that factor, an average of 7.2 percent.

Col. No. 1: State's proportionate share of tax to finance the Federal program of $300,000,000 based on historical Treasury figures.

Col. No. 2: Amount State must raise to match the grant.

Col. No. 3: Total of Federal and State taxes which must be raised by the taxpayers of each State.

Col. No. 4: Amount each State would retain based on 1 percent of the 1956 personal and corporate income taxes as reported by the Treasury Department.

FEDERAL-STATE RESPONSIBILITIES

Mr. SIEMINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SIEMINSKI. Mr. Speaker, I call to the attention of the Members that on page 9026 of the CONGRESSIONAL RECORD there is a very good exposition of the inconsistencies in our tax policies, local, State, and Federal.

Unless we go after the tax structure to cut out the unfair and the antiquated in it, we are going to get immersed in words.

I commend the article to the gentleman from Washington [Mr. PELLY], who has just spoken, and do now give him a copy of it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LANKFORD (at the request of Mr. FALLON), for June 25 and 26, 1957, on account of official business.

Mr. ADAIR (at the request of Mr. HARVEY), due to the illness of his mother.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PELLY for 30 minutes today.

Mrs. ROGERS of Massachusetts for 5 minutes today.

Mr. SHEEHAN for 15 minutes on Thursday next.

Mr. BYRD for 1 hour on Thursday and Friday next.

Mr. ROOSEVELT for 1 hour on Tuesday next.

Mrs. ROGERS of Massachusetts, for 5 minutes, on tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DORN of South Carolina and to include articles.

Mr. BALDWIN and to include extraneous matter.

Mr. MULTER the remarks he will make in the Committee of the Whole today and to include extraneous matter and tabulations.

Mr. PATMAN the remarks he will make in the Committee of the Whole today and to include extraneous matter and tabulations.

Mr. PHILBIN in two instances.

Mr. MCGREGOR the remarks he will make in the Committee of the Whole today and to include certain charts and other material.

Mr. VAN ZANDT in two instances and to include extraneous matter.

Mr. FULTON and to include extraneous matter.

Mr. HALE and to include an editorial.

Mrs. ROGERS of Massachusetts and to include a letter as part of the remarks she made today.

Mr. JONAS, his remarks in Committee of the Whole today and to include a mazagine article.

Mr. PATTERSON in two instances and to include extraneous matter.

Mr. ROGERS of Texas.

Mr. FARBSTEIN (at the request of Mr. ALBERT) and to include extraneous matter.

Mr. GARMATZ (at the request of Mr. ALBERT).

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 606. An act to amend the wheat marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

S. 959. An act to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes; to the Committee on Agriculture.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 29 minutes p. m.) the House adjourned until tomorrow, Wednesday, June 26, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

977. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation entitled "A bill to authorize Commodity Credit Corporation to acquire title to unredeemed loan collateral without obligation to make equity payments"; to the Committee on Agriculture.

978. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting the Report of the President's Committee on Civilian National Honors, and a draft of proposed legislation entitled "A bill to provide for the conferring of an award to be known as the Presidential Medal for Civilian Achievements, and for other purposes"; to the Committee on Education and Labor.

979. A letter from the Comptroller General of the United States, transmitting a report on the examination of the United States assistance program for Korea as administered by the International Cooperation Administration of the Department of State, and its predecessor, Foreign Operations Administration, for the fiscal years 1954 through 1956; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. O'BRIEN of New York: Committee on Interior and Insular Affairs. H. R. 7999. A bill to provide for the admission of the State of Alaska into the Union; without amendment (Rept. No. 624). Referred to the Committee of the Whole House on the State of the Union.

Mrs. GREEN of Oregon: Joint Committee on the Disposition of Executive Papers. House Report No. 625. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mrs. GREEN of Oregon: Joint Committee on the Disposition of Executive Papers. House Report No. 626. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 3358. A bill to supplement the land grant provisions of the Alaska Mental Health Enabling Act; without amendment (Rept. No. 633). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 7864. A bill to amend the act of May 4, 1956 (70 Stat. 130), relating to the establishment of public recreational facilities in Alaska; without amendment (Rept. No. 634). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 2170. A bill to authorize the Secretary of the Interior to consummate desirable land exchanges; without amendment (Rept. No. 635). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOGARTY: Committee of conference. H. R. 6287. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 636). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HYDE: Committee on the Judiciary. H. R. 1424. A bill for the relief of Sylvia Ottila Tenyi; with amendment (Rept. No. 627). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H. R. 1677. A bill for the relief of Gilbert B. Mar; with amendment (Rept. No. 628). Referred to the Committee of the Whole House.

Mr. HILLINGS: Committee on the Judiciary. House Joint Resolution 373. Joint resolution to facilitate the admission into the United States of certain aliens; without amendment (Rept. No. 629). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 368. Joint resolution for the relief of certain aliens; without amendment (Rept. No. 630). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. House Joint Resolution 367. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; with amendment (Rept. No. 631). Referred to the Committee of the Whole House.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 1352. An act to provide for the conveyance of certain real property of the United States to the Fairview Cemetery Association, Inc., Wahpeton, N. Dak.; without amendment (Rept. No. 632). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BYRD:

H. R. 8357. A bill to revise the basic compensation schedules of the Classification Act of 1949, as amended, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DELLAY:

H. R. 8358. A bill to facilitate the entry into the United States or certain adopted children, and other relatives of United States citizens, and for other purposes; to the Committee on the Judiciary.

By Mr. JONES of Missouri (by request):

H. R. 8359. A bill to amend the Reserve Officer Personnel Act of 1954, as amended, to permit promotions to unit and mobilization position vacancies in the Air National Guard and the Air Force Reserve; to the Committee on Armed Services.

By Mr. McMILLAN:

H. R. 8360. A bill to increase farm income and to expand markets for cotton by enabling cotton to be sold competitively in domestic and foreign markets; to the Committee on Agriculture.

By Mr. SMITH of Virginia:

H. R. 8361. A bill to amend section 2254 of title 28 of the United States Code in reference to applications for writs of habeas corpus by persons in custody pursuant to the judgment of a State court; to the Committee on the Judiciary.

By Mr. TRIMBLE:

H. R. 8362. A bill to make available to farmers, in disaster areas who have been granted loans under any of the loan programs administered by the Secretary of Agriculture, a 1-year suspension of payments of principal and interest on such loans, and for other purposes; to the Committee on Agriculture.

By Mr. WAINWRIGHT:

H. R. 8363. A bill to provide for the conferring of an award to be known as the Presidential Medal for Civilian Achievement, and for other purposes; to the Committee on Education and Labor.

By Mr. DAWSON of Illinois (by request):

H. R. 8364. A bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959; to the Committee on Government Operations.

By Mr. FRELINGHUYSEN:

H. R. 8365. A bill to provide for the conferring of an award to be known as the Presidential Medal for Civilian Achievement, and for other purposes; to the Committee on Education and Labor.

By Mr. METCALF:

H. R. 8366. A bill to establish beneficial development of the forest resources of Indian lands as a policy of Congress, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SISK:

H. R. 8367. A bill to provide flexibility in the operation of marketing agreement programs; to the Committee on Agriculture.

By Mr. BARING:

H. R. 8368. A bill setting up machinery to lessen the Nation's dependence on foreign sources of lead and zinc in times of emergency and to promote the general economy of the Nation; to the Committee on Interior and Insular Affairs.

By Mr. BURNS of Hawaii:

H. R. 8369. A bill to amend the Internal Revenue Code of 1954 to provide tax treat-

ment with respect to real property held for more than 20 years; to the Committee on Ways and Means.

By Mr. SMITH of Wisconsin:

H. J. Res. 388. Joint resolution proposing an amendment to the Constitution relating to the terms of office of Judges of the Supreme Court of the United States and inferior courts; to the Committee on the Judiciary.

By Mr. FULTON:

H. Con. Res. 203. Concurrent resolution to express the sense of the Congress that the United States urge reconvening of the General Assembly of the United Nations to consider the report of its Special Committee on Hungary; to the Committee on Foreign Affairs.

By Mr. BENTLEY:

H. Res. 293. Resolution creating a select committee to conduct an investigation and study of the employment problems of older workers in the United States; to the Committee on Rules.

By Mr. BURLESON:

H. Res. 294. Resolution expressing the sense of the House of Representatives that action be taken to prevent the exercise of criminal jurisdiction by foreign nations over personnel of the United States Armed Forces stationed within their boundaries; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CUNNINGHAM of Nebraska:

H. R. 8370. A bill for the relief of Peony Park, Inc., and others; to the Committee on the Judiciary.

By Mr. DELLAY:

H. R. 8371. A bill for the relief of Stjepan Krsinich; to the Committee on the Judiciary.

H. R. 8372. A bill for the relief of Sime Bozicevic and Sime Fatovic; to the Committee on the Judiciary.

By Mr. DOLLINGER:

H. R. 8373. A bill for the relief of Aurelio Mitjans Amor (also known as Aurelio Amor Mitjans); to the Committee on the Judiciary.

By Mr. SADLAK:

H. R. 8374. A bill for the relief of Virginia Ray Potts; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H. R. 8375. A bill for the relief of Aron Cotrus; to the Committee on the Judiciary.

By Mr. WAINWRIGHT (by request):

H. R. 8376. A bill for the relief of Michael J. Collins; to the Committee on the Judiciary.

By Mr. WALTER (by request):

H. R. 8377. A bill for the relief of Lee Bik Lan Won; to the Committee on the Judiciary.

By Mr. WRIGHT:

H. R. 8378. A bill for the relief of Benjamin Leach, Diogracias Leach, Rogelio Leach, Maximo Leach, and Jimmy Leach (all the adopted sons of Grady R. Leach, now residing in Okinawa); to the Committee on the Judiciary.

H. R. 8379. A bill for the relief of John Yewon Paik and Chang Jung Chue Paik (husband and wife), and their two minor children; to the Committee on the Judiciary.

By Mr. YATES (by request):

H. R. 8380. A bill for the relief of Hugo Anderson; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

293. Mr. SMITH of Wisconsin presented a resolution adopted by the Blue Star Mothers of America, Inc., at Milwaukee, Wis., on June 18, 1957, strongly opposing and objecting to the decision of our United States Government to allow American GI William S. Girard to be tried in the Japanese civilian courts rather than by an Army court-martial, which was referred to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Pastepot Paradise

EXTENSION OF REMARKS

OF

HON. ROBERT HALE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 1957

Mr. HALE. Mr. Speaker, we seem to have a waiting game now in progress in Congress on legislation to control billboards on our Interstate Highway System.

The House Public Works Committee is awaiting action in the other body. I frankly do not know the cause of the delay there. However, I do know that the billboards will not wait on anyone, including the Congress of the United States.

As soon as the concrete for our interstate highways goes down, the billboards will go up. Once up, they will never come down. Therefore, unless legislation is passed this session, the public will have to reconcile itself to the prospect of 41,000 miles of highways fenced in by unsightly outdoor advertising.

I should like to point out that the Public Roads Subcommittee in the other body approved an antibillboard measure on May 24, exactly 1 month ago today. But the Public Works Committee has neither taken nor scheduled any action thereon.

And yet, the bill has been so watered down it certainly would not be 100 percent effective. It merely provides that States agreeing to control outdoor advertising would get an additional three-quarters of 1 percent in Federal highway funds.

Personally, I favor the provisions of my bill, introduced last January, which would withhold funds from those States which failed to ban billboards on the interstate roads. I feel that this would be the only effective method of controlling this menace. However, I would be quite willing to accept a weak measure, rather than none at all.

As it looks now, the outdoor advertising interests will emerge victorious in their battle to prevent passage of any legislation whatsoever. Although these interests are small in number, they can exert a powerful influence. I learned this from experience while working for billboard control 30 years ago in the Maine Legislature.

Congress should be allowed to express its will on this legislation, which I believe has the support of an overwhelming majority of the people. I sincerely hope it will be given that opportunity before it is too late.

I call attention to an editorial appearing in the Washington Post of June 23, which I append to these remarks:

PASTEPOT PARADISE

It is becoming painfully obvious that the billboard lobby may win its battle by default. A moderate bill to limit roadside eyesores on the new 41,000-mile Federal highway system is currently bottled up in the Senate Public Works Committee and may never emerge for a vote. The bill provides that States agreeing to place some controls on billboards would get an additional three-quarters of 1 percent in Federal highway funds; participation would be optional. Clearly the voters have a right to know which Senators approve this sensible bill, and which Senators are indifferent to opening the highways to an endless ribbon of honkey-tonk and hucksterism. If the committee fails to report out a billboard bill, it will be interpreted, rightly or wrongly, as a shameful surrender to a lobby with a vested interest in glutting the roadway with toothpaste and hair oil signs.

Humane Slaughter

EXTENSION OF REMARKS

OF

HON. W. J. BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 1957

Mr. DORN of South Carolina. Mr. Speaker, it seems to me that there is a good deal of misinformation being bandied about on the subject of humane slaughter. If you will permit me, I should like to convey a few facts on the issue.

As you may know, on March 11 I introduced a bill, H. R. 5820, dealing with slaughter. The bill is designed to promote the development and use of improved methods for the humane handling, transporting, and slaughtering of livestock and poultry in interstate and foreign commerce. It authorizes the Secretary of Agriculture to conduct, assist, and foster research, investigation, and experimentation to develop and encourage the adoption of improved techniques for the humane handling of food animals. The bill authorizes the Secretary to appoint an advisory committee composed of nine members who would make recommendations to him. The Secretary, in turn, would report to the Congress annually commencing January 1, 1959, concerning his activities in connection with the legislation.

The final framing of H. R. 5820 was the result of the experience and work of many experts in the field. In the opinion of growers of livestock, processors of meat, and many people in allied businesses, my bill is considered a practical approach to the solution, if there is one.

I have heard many idealistic, and unworkable, proposals advanced to deal with more humane slaughter.

I can assure you, being a small producer myself, that I am searching eagerly to find the most humane and practical way in which to slaughter animals for the market. My discussions with people in the meat industry indicate they are equally eager, not only for humane reasons, but for economical reasons.

I have personal knowledge that the meatpacking business has been striving for many, many years to develop their slaughtering processes along the lines of more efficiency, because the most efficient method naturally will be the most humane method. I am told that processors are perfectly willing to change their already improved methods if they are shown a good reason why they should be changed. One must keep in mind the fact that wholesale changes in techniques of slaughter would necessitate substantial employment readjustments, new construction, and new machinery. It is possible that hasty, mandatory legislation might even result in more inhumane treatment of animals. I say advisedly that, up to date, all of the methods, no matter how promising, have fallen short of the answer and require more test by trial and error.

I believe that my bill, if passed, most certainly will establish a public policy on more humane slaughter. In addition, it will make it possible for competent experts in the Government, the meat industry, and in the humane societies, to develop their ideas to the fullest. I am confident the result will be a vast improvement in the transportation, handling, and slaughtering of food animals.

Spiritual Power Needed in United States

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1957

Mr. PHILBIN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include therein a recent article from the Clinton Daily Item outlining a speech I made at the closing exercises of a 3-day celebration of the 10th anniversary of the Clinton Polish American veterans post.

The members of this post are to be congratulated for the outstanding success of their celebration, which included the dedication of a beautiful monument and plaque to the memory of their fallen comrade, Joseph J. Matiszewski, a huge, colorful parade that attracted an attendance of more than 10,000 people, and a well-attended impressive banquet and other events:

PAV BANQUET: PHILBIN SAYS SPIRITUAL POWER NEEDED IN UNITED STATES

United States Representative PHILIP J. PHILBIN urged Americans to build their spiritual strength along with their growing military and economic power, Sunday afternoon.

Speaking before 300 persons at the banquet in Polish Hall, which climaxed the 3-day celebration of the 10th anniversary of Clinton's Polish American veterans post, he praised the organization for their unexcelled civic spirit.

The speaker paid tribute to Joseph J. Matiszewski, Clinton's first World War II casualty, for whom the post is named. The square at the intersection of Chestnut, Green, and Nashua Streets was dedicated to his memory Saturday.

Representative PHILBIN said:

PHILBIN'S SPEECH

"The people of Clinton who highly value and appreciate the valor and unselfishness of your loyal war service, as well as your many contributions in peacetime, heartily approve and congratulate you upon your great patriotic service in dedicating a portion of our beloved town to the lasting memory of your gallant comrade and friend who in the very prime of his youth answered the call of his country, and laid down his precious young life in defense of our great free Nation.

"The stirring, patriotic example of this young man's heroic sacrifice exemplifies the real spirit and the true strength of America, because it demonstrates, abundantly and eloquently beyond the power of words, the fierce determination of the American people to preserve our blessed heritage. So long as that spirit animates and gives vitality to the national purpose without regard to race, color, class, or national origin we need have no fears concerning our future security. This young man's noble sacrifice proves that there is a spirit here that rises far above material values, far above life itself, and it is that spirit that will keep our Nation strong, vital, and unconquerable in a dangerous world.

"It is that spirit which generates independence of the mind, strength of character, and fellowship with our loyal countrymen and with humanity that will inspire us to face courageously and dauntlessly the great problems of protecting our freedom in a world torn with strife and insurrection and revolutionary movements.

PEACEFUL WORLD

"It is that spirit which will fortify us all in the imperative task of combating the forces of evil and disruption, and building a greater, more prosperous Nation and a peaceful world.

"And it is that spirit which in the end—pray God it may be soon—will spur us in these critical days to continue our fight for what is right, and what is just, among men and nations, and speed the day of liberation from cruel bondage of the noble Polish Nation and other peoples suffering under the yoke of Communist tyranny. We must assist them in every practicable way.

"Let us not falter in our chosen course. Let us not fear what lies ahead because in every way—militarily, economically, industrially, and financially—the Nation is getting stronger and more powerful day by day. If we will but endeavor to build our spiritual strength, our faith, and our loyalty to basic values alongside of our material progress, we can, in fact, in the atomic age, enter upon the greatest period of human history. The rest is up to us. We cannot—we must not—fail in this great endeavor so meaningful and crucial, not only for ourselves but for all mankind."

Edward L. Lepkowski of Gardner, State commander of the Polish Veterans, was the other guest speaker.

Stanley E. Nosek was toastmaster.

HEAD TABLE

Head table guests included State Representative Stanislaus G. Wondolowski, of Worcester; Selectmen Joseph M. Duffy and Raymond P. Naughton; the Reverend Joseph L. Niedzwiecki, of St. Mary's Church; Police Chief Michael E. Kelly, Deputy State Auditor T. Frank McDonald, Post Commander Stanley Starr, Frank Drinzyk of the post's anniversary celebration committee, Charles J. Wilson, a paraplegic veteran and member of the post.

Lepkowski congratulated the post on being one of the most outstanding in the State.

Our Opportunity To Strengthen Polish Independence

EXTENSION OF REMARKS
OF
HON. EDWARD A. GARMATZ
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1957

Mr. GARMATZ. Mr. Speaker, each year on May 3, we are given an opportunity to speak on the floor on the anniversary of the enactment of the Polish constitution, a constitution patterned after our own, and the first of its kind to be adopted by a European country. In commemorating this anniversary, we cannot do much more than sympathize with the Polish people at the loss of their freedom, and to let them know that they have our strong moral support.

Now, however, we have an opportunity to prove that we are willing and eager to help them. Approval by Congress of the Agricultural Trade Development and Assistance Act will enable our Government to fulfill the agreement recently made to provide $95 million worth of economic assistance. This would include wheat, cotton, soy beans, fats and oils, and mining machinery, some of the greatest needs of Poland at the present time.

But this help does not come to them in the form of a gift. It includes a pledge to lend $30 million at 4½ percent through the Export-Import Bank for purchases in the United States, and $65 million worth of surplus cotton, fats, oils, and wheat through the Commodity Credit Corporation, for Polish zlotys.

There has been some objection to this assistance on the grounds that we are helping a Communist government and thus relieving Russia of her responsibility to her satellites. That is true as far as it goes, but it does not cover the entire situation by any means.

In the hearts of the Polish people the desire and struggle for freedom burns fiercely, and we have seen from the uprisings in Poland since their enslavement by the Russians, and more recently by the Poznan uprising last June and the events last October, that this thirst for freedom has not been quenched.

The uprisings are remarkable because it was the workers who were responsible for the rebellions, thus giving the lie to the Communist statements that the Communist-governed countries are the workers' paradise. Their demands for food, freedom and the withdrawal of the Soviet Army from Poland, show that their subjection to Communist rule is not a voluntary one, and is not being borne meekly and with indifference. Her demands for freedom prove that she does not desire to be a part of the Soviet bloc, but a free and independent nation.

We need have no fear that the people will believe that the economic assistance mentioned above is coming from or through the generosity of Russia. They know only too well that it has been the Communist mismanagement that has made Poland, at one time one of Europe's graneries, unable to feed her own people. They know that representatives of Gomulka's government have been in the United States negotiating for assistance, and they are hoping for cooperation by the United States Government in the form of generous assistance.

In turning to the West for help, instead of to Russia, the Polish people are taking a far greater risk than we are in granting them this assistance. They know they are facing possible Russian reprisals, but they are willing to take this calculated risk. In doing so, they prove that they want to return to the Western family of nations, where they rightfully belong.

I consider it a privilege to vote for this bill and was gratified when it was approved by the House. I sincerely hope that the Senate also will approve it, as I consider this the first opportunity we have had to prove our friendship for the Polish people since their Russian enslavement; and to back up our many expressions of sympathy and moral support with real economic assistance.

Statement of Representative Leonard Farbstein, of New York, Before the House Post Office and Civil Service Committee Relative to H. R. 2474

EXTENSION OF REMARKS
OF
HON. LEONARD FARBSTEIN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 1957

Mr. FARBSTEIN. Mr. Speaker, following is the statement which I submitted on June 18, 1957, to the Committee on Post Office and Civil Service in connection with the hearings on salary increases to postal employees.

STATEMENT OF REPRESENTATIVE LEONARD FARBSTEIN, OF NEW YORK, BEFORE THE HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE RELATIVE TO H. R. 2474

On behalf of the postal clerks, I desire to advise the members of this honorable committee that I feel very strongly about the situation of the postal employees in my district, the 19th Congressional District of New York. I further believe that the postal employees have been underpaid for a number of years and that it is high time that their request for sufficient earnings to decently support their families be recognized.

In New York City the low wages of the postal employees has compelled more than 60 percent of that number to seek outside employment in order to maintain a decent living standard.

Because of the low pay the morale of postal employees is so poor it has become difficult for the postal service to attract qualified employees and retain the skill necessary for the efficient functioning of the service. I know that it has become necessary to hire hundreds of temporary employees in the postal service in New York City. This action has become imperative because of the inability of the service to secure men who are willing to take the examination in order to obtain civil service status. This is undoubtedly due to the low rate of earnings of the regular postal employees.

I therefore submit to this honorable committee that in the interest of the employees and in the interest of better service that the enactment of H. R. 2474 would be very salutary.

Flag Day Celebration Sponsored by Williamsport (Pa.) Lodge, No. 173, Benevolent and Protective Order of Elks, Friday, June 14, 1957

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 1957

Mr. VAN ZANDT. Mr. Speaker, over a period of years, Williamsport (Pa.) Lodge, No. 173, BPOE, has been one of the leading Elks lodges in the United States in the observance of Flag Day. Last year Lodge No. 173 was accorded second place in the nationwide contest sponsored by the exalted ruler of the Elks.

This year, in bidding for continued recognition, the observance of Flag Day was outstanding, and it was a high honor for me to be selected to deliver the principal speech on a varied and interesting Flag Day program. The address delivered on the occasion follows:

ADDRESS DELIVERED BY HON. JAMES E. VAN ZANDT, MEMBER OF CONGRESS, 20TH DISTRICT OF PENNSYLVANIA, AT THE FLAG DAY CELEBRATION SPONSORED BY WILLIAMSPORT LODGE, NO. 173, BENEVOLENT AND PROTECTIVE ORDER OF ELKS, WILLIAMSPORT, PA., FRIDAY, JUNE 14, 1957

It is an honor to join with my brother Elks of Williamsport Lodge, No. 173, on this memorable occasion in celebrating the 180th anniversary of the birth of Old Glory.

It is appropriate for the Benevolent and Protective Order of Elks to observe the celebration of Flag Day, and thus urge an awakening of the spirit of good old-fashioned Americanism.

It is likewise fitting and proper for the Elks to take leadership in such patriotic exercises, since the Elks is a typical American society, whose members believe in almighty God and loyalty to the Stars and Stripes.

It is of no little significance that you will find on the altar of every Elks lodge the Holy Bible, the antlers of elkdom, and the American flag.

Collectively the Elks signify patriotism, love of country, brotherhood, devotion to God, tolerance, and good will.

Thus we may be proud of our membership in the Benevolent and Protective Order of Elks.

It was June 14, 1777, that the Continental Congress of the United States proclaimed the Stars and Stripes the official flag of the new Nation.

On that day the Congress of the United States gave to the world a banner of liberty, a promise of justice and tolerance for all men who would yield it allegiance.

It has been truly said that the Declaration of Independence is the heart of America, the Constitution its backbone, and the flag the soul of America.

That banner of liberty—the American flag—has waved in greater glory with each succeeding year.

It has been a symbol of hope and promise not only to those who dwell under its protection, but to the downtrodden and oppressed in many lands.

Its meaning has grown dearer, its significance deeper to those who believe in freedom for all men.

What is this freedom about which we speak?

As youngsters in school we saw the word in history textbooks and heard it from our teachers.

The word became familiar to us but the meaning seemed vague.

Later on we read it in Fourth of July editorials and listened to orators talking about it.

Those of our younger generation, however, do not need to seek a definition for freedom.

The anguished cries of millions of enslaved people behind the Iron Curtain are publicized the world over and convey the real meaning of loss of freedom.

Freedom means a lot of things.

It means you can live the way you want to live and believe the things you want to believe as long as you do not interfere with the rights of your neighbor.

It means you can be a Democrat or a Republican or belong to no party at all.

It means you can go to church on Sunday morning or stay in bed.

And if you go to church you can attend any one you choose.

It means you can write a letter to the editor of your newspaper about what you think is wrong with the country, and he can print it without fear of being thrown into jail.

If you want to belong to an organization you are free to join.

You can stand up before people and express your opinions.

Freedom means the opportunity to create your own future, to be president of a multimillion-dollar corporation, or to occupy a humble position in life with equal dignity.

And in either job you can have pride in your work and the dignity of honest labor.

You can go to the college of your choice and study any subjects you like.

You can be a doctor, lawyer, merchant, or farmer.

Or, if you have discovered the secret which eludes the rest of us, you can spend most of your time just doing nothing.

Freedom means that you live in a country that is governed by laws, that you say you are the equal of your fellow man regardless of your religion, political creed, or the color of your skin.

It means you cannot be seized and thrown into jail without trial by jury.

It means that you have a voice in the Government and that you and your fellow citizens control both the laws of the land and the men who administer them.

As freemen we have all these rights and privileges and many more.

Because we have enjoyed them all our lives they seem ordinary; yes, just commonplace things.

But the rights and privileges we take for granted have been denied to the people in many other countries.

Some of them have enjoyed freedom only to have it snatched from their grasp.

Others have never had it.

Our flag symbolizes freedom purchased with blood and sacrifice and envied by oppressed peoples everywhere.

Old Glory is also a symbol of strength, the strength of brave men and self-sacrificing women.

It has been held high with courage on battlefields all over the world.

Many men have died for it.

Many others have lived for it, their whole existence devoted to the preservation of the ideals for which it stands.

What a remarkable thing it is that a piece of brightly colored cloth can mean so much to so many people.

Is there some magic in the pattern or color combination of our flag that has made it so glorious and so enduring?

Frankly it is not the pattern or the color that gives Old Glory its grandeur, for many of us have seen our flag on the battlefields torn by bullets and faded by the sun.

The pattern was distorted and the color was almost gone, but the glory was undimmed.

Our flag is glorious because generations of Americans have endeavored to glorify the principles for which it stands.

When the Continental Congress officially adopted the Stars and Stripes for the United States, our Nation was small and weak.

It could not match the European nations in wealth and power.

Its future appeared uncertain.

The Stars and Stripes was a mere upstart flag among the standards of the mighty.

Behind the American flag, however, was a new ideal; yes, new, but yet as old as the Ten Commandments.

The men who had the courage to raise it, by the side of flags of powerful nations, were inspired by a vision.

They looked into the future and beheld a land where liberty was triumphant and all men walked as equals.

They saw that the newborn America was destined to become the greatest and most powerful in the world, pointing the way toward a better and finer mode of life.

These heroic men, with their inspired vision, gave the American flag its first touch of glory.

That glory was increased in 1787 when the Constitutional Convention gave to the new Nation a Constitution guaranteeing every citizen the right to life, liberty, and the pursuit of happiness.

Our flag thus became more than the symbol of an ideal, a dream, and a vision.

It told the world that here was a people with the courage to live by their ideals. A people who had secured for themselves and their descendants the blessings of freedom.

Before many years had passed, however, the struggling young Nation with its new way of life was put to the acid test.

A civil war threatened its very existence.

How our Nation met that test and came forth triumphant we all know.

Out of the strife and chaos of civil war there emerged a Union even stronger than before, because its strength had been tried and proved.

Old Glory became even more glorious and inspiring.

The years that followed brought still more trials and tribulations to the growing Nation, but from each crisis the United States came forth with its flag flying higher.

And all this time men were working, sacrificing, fighting, and dying to make the Nation great.

Our flag was challenged again in the Spanish-American War.

The call to defend it was answered by thousands of Americans willing to shed their blood to prevent desecration of the emblem they loved.

The gallant dead of the Spanish-American War, and the living veterans of that conflict, gave their touch of glory to our flag.

Thrice more in a generation—in World War I, World War II, and the Korean war—the finest young men of the Nation offered their lives for our flag.

Added to the sacrifice of the men who fought for Old Glory on the world's battlefields was the sacrifice and devotion of those who did what they could on the homefront.

Each of these groups contributed to the glory of the Stars and Stripes.

And so it has been down through the years.

Countless people have had a share in making the American flag what it is today.

Soldiers, statesmen, and plain everyday citizens, even as you and I, have fashioned our flag.

The great and the humble, rich and poor, men and women have had a hand in it.

Therefore, as we observe Flag Day we are paying tribute to the most honored and respected national symbol in the entire world.

It represents to us, and freedom-loving people everywhere, an ideal way of life made possible by the heroic efforts of millions of men to make that ideal a living reality.

Thus on this Flag Day of 1957 we are honoring not a bit of cloth of red, white, and blue, but the spirit of America.

As we salute our national emblem on the 180th anniversary of its birth, it behooves us to ponder and recall that throughout the history of the world mighty nations have risen and fallen.

Many nations at the peak of their power and prestige became careless, indifferent, and corrupt which led to their eventual downfall.

While America occupies an enviable position in the family of nations, to maintain it we should never forget the lessons of history and the fate of once mighty nations.

Therefore, to preserve our country and the American way of life, we must be eternally vigilant.

In short, we owe to our Nation and our flag the same ceaseless devotion and patriotic fervor that our forefathers regarded as their solemn obligations.

Yes; a devotion and patriotic fervor which enabled them to bequeath to us a nation described by Abraham Lincoln as "conceived in liberty and dedicated to the proposition that all men are created equal."

Ladies and gentlemen, it is easy to relax as a nation and be lulled to sleep by the idea that our freedom and peace are always secure.

If we adopt such a listless attitude and frame of mind we may awaken one day to find that while we were sleeping our enemies have been busy.

Yes; busy in carrying out their sinister plans to destroy our form of government.

We may find, to our dismay, that tyranny will have supplanted liberty and that injustice will reign in its place.

Make no mistake about it, our beloved Nation is facing the most critical period in its history during this hydrogen-atomic age.

While we as a nation sincerely pursue the elusive phantom of world peace, we find that the burning desire for tranquillity among the family of nations has, because of the activities of Soviet Russia, become an almost hopeless goal.

Three years ago Adm. Robert B. Carney, then Chief of Naval Operations, confirmed that fact when he frankly stated that America is rapidly approaching the crossroad of a fight to the finish with Russia.

Admiral Carney, without any resort to high-sounding phrases, pointed the finger at Russia and identified her as our relentless foe.

In recalling his stern admonition we must realize that we, as a nation, would be playing into the hands of Soviet Russia if we accept her plans of world disarmament in the mistaken notion that we would be on the road to achieving universal peace.

The truth is that such Kremlin-inspired disarmament plans are a boobytrap designed to destroy our present military advantages by hoping to halt our progress in developing military power capable of defending our national security in this nuclear age.

The Soviet strategy is to have the Russian bear stand on the sidelines and gleefully watch as we as a nation weaken ourselves militarily while the Free World yields mile by mile and nation by nation to Communist plans of world conquest.

Let us never forget that Moscow is calling the signals and piping the tune in freedom's dance of death.

The cold fact is that Russia is a clever enemy and her conquests are fought by her stooges in furtherance of the Soviet conspiracy for world conquest.

Frankly, we as a nation must face the truth.

We must realize that Russia is the real enemy at our gates.

There is no doubt that the average American and the citizens of the Free World are sick and tired of Russia's traditional role as an enemy of world peace.

We are fed up with her intrigue, her lying, and her insults.

Surely we do not have to be convinced, after present and past experiences, that Russia is still our potent enemy.

We know this to be an undeniable fact and with such knowledge it is inviting national suicide to adopt a lukewarm attitude with respect to our duties and obligations as liberty-loving Americans.

The issue before us as a nation is clear cut.

We must at all times maintain a firm attitude in dealing with Russia.

At the same time we must acknowledge the reality of the cold war by continuing to develop nuclear power so massive that the Kremlin will find it impossible to keep pace with its cost.

These weapons of the nuclear age are costly, and while we are paying billions of dollars annually to maintain our Armed Forces, in my opinion it is well worth the price in defending against Soviet treachery our cherished principles of liberty and freedom.

Yes; the price of these nuclear weapons is costly, but the price is insignificant when it preserves the precious legacy of liberty and freedom bequeathed to us by those who died in defense of our flag.

One glance at the red, white, and blue of our national emblem should be enough to stir the blood of every loyal American citizen into a tight-fisted resolve that we are determined to remain freemen forever.

Yes; it is well for us to repeat in 1957 the toast given by the American patriot, Stephen Decatur, 141 years ago when he declared "Our country! In her intercourse with foreign nations may she always be in the right; but our country, right or wrong."

What Stephen Decatur said should be the attitude of all redblooded Americans, and especially those of us who enjoy membership in the Benevolent and Protective Order of Elks.

On this Flag Day of 1957, I can think of no better means of rededicating ourselves to an awakening of the spirit of good old-fashioned Americanism than for us to say in unison:

"May our country always be right, but right or wrong, we shall defend forever this Nation and its glorious emblem, the Stars and Stripes of America."

James Edward King

EXTENSION OF REMARKS

OF

HON. WALTER ROGERS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 1957

Mr. ROGERS of Texas. Mr. Speaker, it is my sad duty to advise this body of the passing of a great man and my dear friend. It is my firm conviction that the greatness of our country lies in the devotion to service of the community leaders throughout the land. I have always con-

tended there are no finer examples of unselfish public service than can be found in the small communities all over our country, when men develop their fullest capacities in discharge of duty to their neighbors with no thought of reward except their own satisfaction.

Such a man was James Edward (Jim) King, of Memphis, Tex., an eternal servant to everyone with whom he came in contact. His list of accomplishments would fill the page. Suffice it to say that he gave fully of himself in Hall County for 65 years as teacher, sheriff, businessman, and friend. There are countless monuments to his life in almost every facet of the community and area where he lived and served. His presence will be sorely missed, but his influence will be felt and realized in the Texas Panhandle for generations to come.

New Federal Communications Commission Permit for Operation of Television Channel 2 in San Francisco Bay Area

EXTENSION OF REMARKS
OF
HON. JOHN F. BALDWIN, JR.
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1957

Mr. BALDWIN. Mr. Speaker, a decision is now pending before the Federal Communications Commission for the granting of a license for the operation of television channel 2 in the San Francisco Bay area of northern California. It is my strong hope that no applicant will be granted this license or permit unless the applicant proposes to establish its transmission tower in the hills east of Berkeley and Oakland in California. I am summarizing below a letter I have dispatched to the Federal Communications Commission upon this subject. Proper television reception for at least 250,000 people in my Congressional District is involved in this pending decision:

JUNE 21, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D. C.

GENTLEMEN: It is my understanding that a decision is now pending before your Commission for the granting of a license for the operation of television channel 2 in the San Francisco Bay area of northern California. It is my further understanding that this decision pertains to your docket Nos. 11049 and 11050.

I most strongly urge that no applicant be granted this license or permit unless the applicant proposes to establish its transmission tower in the hills east of Berkeley and Oakland. At the present time the four existing stations in the San Francisco Bay area are all located in San Francisco. Approximately 250,000 people in the central portion of Contra Costa County and Solano County in my Congressional district are barred from receiving adequate or proper reception from these stations because of this intervening row of hills immediately east of Berkeley and Oakland.

If the pending license were granted to an applicant who proposed to put his transmission tower in San Francisco or in San Mateo County, this would mean that these 250,000 people would continue to be barred from proper television reception. Since it is my understanding this is the last channel to be authorized in the San Francisco Bay area, they would then be permanently barred from such reception.

I can speak from personal experience because I live in the city of Martinez in central Contra Costa County. This city has such poor reception from the existing four San Francisco television stations that a television cable company has had to come into the area and put a large reception tower on a nearby hill and practically everyone in the community of Martinez has had to pay rather extensive additional cost in order to have their television sets connected by cable to this tower for purposes of adequate reception.

This is a most urgent matter and a matter of great importance to these 250,000 people. I feel that the Federal Communications Commission should give great weight to this problem, and that the license granted for this last channel should be made available only to an applicant which will establish a tower on the hills east of Berkeley and Oakland. Will you please let me know what steps can be taken to give recognition to this problem in the granting of this license?

Sincerely yours,

JOHN F. BALDWIN,
Member of Congress.

A Tribute to Juan Terry Trippe

EXTENSION OF REMARKS
OF
HON. JAMES T. PATTERSON
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1957

Mr. PATTERSON. Mr. Speaker and other distinguished colleagues, I wish to pay tribute to a great pioneer in the field of American aviation.

A pioneer is a man with a dream and a determination to realize that dream. Such a man is Juan Terry Trippe, president of Pan American Airways. Pan American has grown until it now holds rights for its "clipper ships of the air" to encircle the globe in flight. Now the founder and mentor of the company is again pioneering, this time in the realm of jet transport, which seems to offer unlimited horizons for future development of air commerce.

At the age of 26 Juan Trippe founded and managed one of the first going airlines in the United States, a line which is now a division of the American Airlines trunk system. He received the first contract for transporting mail by air issued under the Kelly Act and flew mail from New York to Boston.

With a single plane and a contract to carry mail between Key West and Havana, Juan Trippe launched Pan American Airways, Inc., nearly 30 years ago. The first trip over the 90-mile route on October 10, 1927, was made with a rented plane and later the new 3-motor "giant" Fokker transports were put into service on the run. With this airline, a mail pilot's certificate No. 58, and a firm conviction that air transport was destined to be the mode of the future, he set about the business of creating a worldwide, intercontinental system of air transportation. Today, Pan American serves 80 countries on 6 continents over 65,000 miles of route.

The past 10 years or so have seen improvements in aviation which have resulted in bringing the farthest corners of the earth within 39 hours from any United States port and Pan American has been in the forefront in utilizing the improvements. Impressive as are the accomplishments of the past decades, Pan American is now embarked on a program which will dwarf what has gone before. Juan Trippe has been and continues to be one of the most successful of leaders in civil aviation in translating new scientific advances into practical application. Under his leadership Pan American is entering the jet transport field. The first jetplanes will be put into service next year and will be the forerunners of other jets which, in a few years' time, will be capable of carrying double the loads at double the speed of the present transports. Larger and faster planes to carry more passengers and greater cargo loads is in line with the belief of Mr. Trippe that air transport has the choice of becoming a luxury service for the well-to-do at high prices or a service for the average man. He and his company, Pan American, have chosen the latter course for future development. Better and less expensive air transport brings many advantages in addition to tangible gains from commerce and tourist expenditures. Mr. Trippe's expressed opinion is that the intangible benefits may be the more precious and of lasting benefit to the United States. He has said that "Travel, like education, is no longer a luxury—a cultural, political, and economic necessity if our country is to fulfill its new responsibility of world leadership," and believes that traffic produces international understanding.

Pan American's executive staff is versatile, exceptionally gifted, and strong in depth and so the company is brilliantly managed. But the organization bears the unmistakable stamp of its founder. We salute this modern pioneer and outstanding genius of intercontinental air transport, Juan Terry Trippe.

Speech of the Vice President of the United States, Richard Nixon, Before the United States Junior Chamber of Commerce Convention, Milwaukee, Wis., June 25, 1957

EXTENSION OF REMARKS
OF
HON. JAMES G. FULTON
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1957

Mr. FULTON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address:

SPEECH OF THE VICE PRESIDENT OF THE UNITED STATES, RICHARD NIXON, BEFORE THE UNITED STATES JUNIOR CHAMBER OF COMMERCE CONVENTION, MILWAUKEE, WIS., JUNE 25, 1957

There is no subject in which young Americans are more interested today than the maintenance of peace in the world. In my

opinion there has been too much pessimistic, defeatist talk in recent months about America's leadership in this field.

We have heard that our diplomacy has been stupid and inept, our foreign-aid program is a wasteful giveaway, our economy is too weak to support the defenses we need, and that the President has failed in his leadership in both international and domestic affairs.

I say that as we consider our failures, we should not lose sight of our successes. Although I admit that I am not an unbiased observer, I think it is time we should remind ourselves that under President Eisenhower's leadership we have had 4 years of peace, 4 years of unprecedented prosperity, and 4 years of honest government.

And I think it is time for us to discuss our responsibilities in the world, not in terms of what we can't do, but in terms of what America should do as a great Nation welcoming the opportunity which is presented to us to make a mighty contribution to the cause of peace and freedom.

We can all agree that American and the free world must maintain military strength sufficient to meet and defeat any aggressor. We do this not because we want war but because we want peace and because history tells us that where a potential aggressor is on the loose, weakness invites attack and strength discourages it.

We can disagree as to what the level of our strength should be. But where the decisions as to the character and quantity of our defense were made after months of study of facts available from all over the world, by a man with the experience and background of the President of the United States, I say that anyone who would make substantial cuts in the defense budget below the amounts recommended is taking a risk with America's security which the American people will not and should not support.

I know there are those who suggest that we can make reductions in our Defense Establishment because of the prospects for disarmament. But while negotiations for disarmament are taking place is the very time when we should not reduce our defenses.

Our primary objective and motivation in such negotiations must not be to reduce a burden of armaments we are unable or unwilling to maintain but to reduce the danger of war which our armed strength is designed to prevent.

The road to war is paved with agreements based solely on mutual trust. That is why we serve the cause of peace when we insist that any disarmament agreement must be accompanied by an inspection system which will enable all the parties concerned to know whether the agreement is being carried out.

We have heard a great deal of criticism in recent weeks of our foreign-aid programs. There are some who would have us believe that these programs amount to nothing more than a great philanthropic giveaway to undeserving and unappreciative foreigners. If this were the case the Congress would not be justified in appropriating a dollar for their continuance.

Let us examine our aid programs solely in terms of one question, Are the interests of the United States being served by them?

Approximately three-fourths of the foreign-aid appropriation is for military assistance. Among the countries which are receiving military assistance are: Korea, Formosa, South Vietnam, Pakistan, and Turkey. All of these countries have common borders with Communist nations. We know from what happened in Korea that if these countries are not strong enough to defend themselves they run the risk of attack. If they are attacked we would inevitably become involved.

The question then is not whether they should have adequate defense forces, but how it can be done most economically and effectively.

On the average it costs five times as much to maintain an American soldier abroad as it does for the fighting men of the Allies we are aiding. By conservative estimates, our expenditure of $2.8 billion in foreign military-aid results directly in at least $15 billion worth of defense for ourselves and the free world. Spending less for military aid abroad would simply mean spending more for defense at homes and more American boys in uniform.

I submit that on the basis of these facts those who would substantially cut or eliminate our military foreign-aid programs are in fact the spendthrifts and not the economizers.

The President has asked for a billion dollars for the purpose of providing economic assistance to nations abroad. This money does not for the most part go to nations allied with the United States militarily. Most of it goes to countries in Africa, the Near East and Asia which are uncommitted or neutral in the struggle.

How then does this help us?

The Communists know that if they can win a substantial part of the 700 million people who live in the uncommitted areas of Asia and Africa they will not have to fight a war in order to achieve world domination. If we allow the Communists to win the uncommitted areas of the world, the balance of power and resources and men will be such that the free world will be strangled into submission by the Communist world.

The billion dollars we are spending for economic assistance to these uncommitted countries, therefore, is an investment in our freedom and independence.

I have visited most of the countries involved. I have seen our economic assistance programs in operation. There has been some waste and inefficiency in their administration. But when we consider the tremendous stakes involved, we can only conclude that the remedy for these difficulties and errors is to try to do a more effective job, and not to give up and let the Soviet Union start taking over the world.

We should never make the mistake, however, of assuming that economic assistance alone is the answer to the problem involved in winning the friendship and allegiance of the peoples of the uncommitted nations.

The people of these countries above all else want and deserve recognition of their dignity as individuals and as nations. In my opinion, the major reason for the opposition to colonialism in Asia and Africa was not economic exploitation or even the denial of independence but the age-old resentments engendered by the notion of white superiority.

We must avoid any American action that seems to imply that we feel we are a superior breed. If we cannot treat the newly independent nations of Asia and Africa, or for that matter any sovereign people, as our moral equals we had better abandon our struggle against communism and be prepared for ultimate conquest. The greatest sin we can be guilty of in the international field is that of arrogance, of false pride, and failure to recognize and respect human dignity.

It has been my privilege during the past few weeks to attend ceremonies commemorating the first landing at Jamestown 350 years ago and the landing of the *Mayflower* at Plymouth 13 years later. It is well today we be reminded of the risks and sacrifices of those who founded this Nation. We need the courage, the vision, and the idealism which characterized the first settlers of this land.

The unprecedented prosperity we enjoy today brings with it a moral challenge that we cannot overlook. It is the challenge to sustain in prosperity the high qualities of character that we perfected in adversity. We know from history that great nations became corrupt, soft, and decadent under the influence of prosperity. We know that the Roman Empire fell, not primarily because of the barbarian attacks from without, but rather because of the apathy and indifference of a prosperous citizenry. Rome fell when its own people lost the will to fight for their native land.

I raise this point because there are some in our Nation today who say that we cannot afford the sacrifices needed to maintain our national security. They oppose foreign-aid programs or even some of our direct costs of defense solely because the budget is too high. They say that we cannot continue to carry the burden imposed by the common effort of free nations to keep alive in the world the spirit of freedom and the recognition of the dignity of man.

Let me make my position clear. We should vigorously oppose any waste or any unnecessary expenditure of Government funds. I respect the integrity of any man who may disagree with any specific program and hold that it does not really contribute to world peace.

But I cannot understand the attitude of those who refuse to examine the arguments, but simply say we cannot afford it. No price is too great to pay for freedom. If we were a poor nation, instead of the most prosperous in the history of the world, I would still say that we can afford every dollar that is truly necessary to protect our liberty and to help bring peace to the world.

We today face a challenge to show the same courage and devotion in fighting for peace as we have always shown in fighting to win a war. We need today the qualities of greatness that were given to us by our forefathers.

I believe that the young Americans so well represented by this great convention can provide that kind of leadership. I ask you to go back to your communities and to help develop the enlightened public opinion which will support—not grudgingly but enthusiastically—American policies which are designed not just to avoid war in our time but to win and keep the peace for all time to come.

I would hope that you could give your support to policies which will keep our defenses strong enough to deter a hot war, to provide for an economic and information program designed not just to maintain the status quo but to win the cold war, and to help build in America the kind of society which will be the full realization of the dream our fathers had when they came to these shores 350 years ago.

The Rifle and Our Defense Program

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 1957

Mr. PHILBIN. Mr. Speaker, there are some theorists who hold to the erroneous views, in my opinion, that the rifle as such has been perhaps outmoded by atomic bombs, guided missiles, rockets and other modern innovations in war weapons. I think that no one would question the fact that because of these new weapons any future war would be

decidedly different and would be fought in a different way than previous wars. As I have pointed out many times, modern warfare definitely requires drastically revised, new concepts pertaining, not only to weapons, but to organization, techniques, logistics, and practically every other phase of the military.

We can no longer fight a modern war with personnel trained in close order formation operating under the Maginot line principle. There must be an entirely new approach to military manpower problems, and, as I have stressed so many times, it must, of necessity, be based upon professionalized career forces.

In a word, we must have specialists in many military fields who are mostly career men, well paid, highly trained, and who understand and can master the complexities of new scientific methods, immediately available in key places for instantaneous service in the event of an emergency. We must also have behind them adequate replacements, and civil defense and home guard units.

However, the foot soldier with his rifle will always be needed and, in my judgment, he will be very urgently needed in readily conceivable circumstances, to mop up and occupy whole territories. The foot soldier with his rifle and small weapons, and the great mobility which modern transportation gives him, is truly indispensable, and that is why the Army, the Marine Corps, and to an extent, the Navy and the Air Force must have men trained in the use of rifles and small arms ready to perform the vital work that will be necessary after major attacks have been successfully made to reduce the enemy and occupy territory. Riflemen will also be required for defense, military and civil, and to reestablish and maintain public order.

For this reason the rifle is most essential. It must be up to date, the very latest and most modern in weapons of its kind, that can operate like a machine-gun in an automatic manner, and fire many more rounds of ammunition than older rifles.

In the light of information I have about the present status of our standard rifle, I am prompted to ask whether the Defense Department in its scientific research and development program, and in its rifle procurement program, is doing everything necessary to provide our Armed Forces with the latest, up-to-date types of rifle in sufficient quantities to meet all requirements of this Nation and our allies in the event of war or emergency.

While the Army last month announced adoption of the new T-44 rifle as the future standard rifle for its troops, volume production and issue of the rifle will not begin until 1960, so I have been informed.

It is balance and poise, comprehensiveness and ready effectiveness that I urge for our Armed Forces—ultra-modern weapons, powerful, supersonic aircraft, long- and short-range rockets and missiles—all ready to be put into action at an instant's notice, and, in my opinion, any program that leaves out of consideration full utilization and early implementation of the M-14 rifle is inadequate to a very dangerous degree.

If we do not soon awaken to the fact that we need the modernized rifle in early production in order to have well-rounded military striking force and defense, and arrange to procure and distribute it in sufficient quantities, we may well be soon confronted with the serious, unwelcome conditions already developing of the dispersal of the essential personnel skills for making this weapon.

As a member of the House Armed Services Committee, I am genuinely alarmed about our failure to bring forth, procure and put in the hands of our related armed forces, a really modernized rifle. To me, the delay in the Defense Department in rifle research development and procurement is one of the disturbing features of our present defense setup.

It is, to my mind, a glaring deficiency and could be very costly to us in the event of sudden war.

Since I have pressed the Department on several occasions as vigorously as I could and pointed out the genuine urgency of an adequate modern rifle procurement program, I am very much disappointed that more progress has not been made up to this time.

I am particularly upset by what appears to be the halfhearted efforts and certainly the slow progress of development and test product runs for the new Army rifle. I have urged adequate budgetary provision for research development and production of up-to-date Army rifles. But the fiscal year budget made no provision for this purpose.

The Army used carryover funds from the 1955-56 budget to purchase some 50,000 M-1 rifles that were contracted for last year. If we could get immediate test production runs of the M-14 where the M-1 guns are manufactured, skilled workers would be retained. As it is, the Army does not contemplate production of the new rifle until the fiscal year 1959 budget is approved.

I am informed there is a large number of M-1's in stock but, of course, they are now outmoded by newer models of the M-14 and the Belgian rifle accepted for NATO use. Since the M-14 is generally regarded by practically all military experts to be basic to the national defense and basic to military operations, I simply do not believe we can afford to be so slow and so casual about the conduct of the procurement program for new model Army rifles, and I must again most vigorously urge the Department of Defense and the Army to get together and integrate their plans and viewpoints, eliminate the differences in their consultative proceedings and authorize production test runs on the new rifle at an early date.

I urge with all the sincerity and earnestness that I can possibly command, that the Department move in a forthright, expeditious way to bring this vital program to reality, and get real substantial procurement underway at the earliest possible moment, before what is left of the American rifle manufacturing industry become further demoralized and stripped of most important essential personnel and managerial skills.

In this connection, I desire to compliment and thank Hon. F. H. Higgins, Assistant Secretary of the Army, and his staff for the attention which they are giving to this vital matter.

I hope that the new rifle program will be accelerated and pressed to early implemention.

The 17th Annual Convention Banquet of the Department of Pennsylvania, Catholic War Veterans of the United States, Scranton, Pa., June 22, 1957

EXTENSION OF REMARKS

OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 1957

Mr. VAN ZANDT. Mr. Speaker, the city of Scranton, Pa., played host last week to the Catholic War Veterans of Pennsylvania and the ladies' auxiliary when they observed the 17th annual convention, June 19 to June 22.

The highlight of the convention was the annual banquet, Saturday, June 22, which was attended by church dignitaries as well as representatives of the city of Scranton and various veterans' organizations of the State of Pennsylvania. It was my privilege to address the convention banquet on the subject, Our National Defense in the Nuclear Age.

My address follows:

OUR NATIONAL DEFENSE IN THE ATOMIC AGE

(An address delivered by the Honorable JAMES E. VAN ZANDT, of Pennsylvania, at the 17th annual convention of the Catholic War Veterans, Department of Pennsylvania, on Saturday, June 22, 1957, in the crystal ballroom of the Hotel Casey, Scranton, Pa.)

Right reverend and very reverend monsignori, reverend chaplains, department commander of the Catholic war veterans, madam president of the ladies' auxiliary, Mr. Toastmaster, ladies and gentlemen, it is an honor to be accorded the privilege of participating in the program of the 17th annual convention banquet of the Catholic war veterans and the ladies' auxiliary.

As you know, I have a long record of activity in organized veterandom.

With such a background I feel perfectly at home here tonight because as former comrades in arms we speak the same language.

It is a happy coincidence that, like the Knights of Columbus founded 75 years ago by the Reverend Father Michael J. McGivney of Hartford, Conn.—your organization owes its origin to the wisdom and foresight of a World War I chaplain in the person of the Reverend Father Edward J. Higgins, of Astoria, Long Island, N. Y., who guided its destiny through its infant years.

Father Higgins conceived the two-fold idea of enlisting Catholic war veterans in an organization to promote the best interests of our veteran population and at the same time to bring into being a militant Catholic action group, in opposition to godless communism, whose prime objective is to destroy mankind's faith in Almighty God.

With the personal blessing of His Holiness Pope Pius XI, with whom he conferred in Rome, Father Higgins upon his return found no difficulty in obtaining the united support of bishops and priests in the United States.

With the election and installation of Pope Pius XII in 1939, as successor to Pope Pius XI, the Catholic war veterans have functioned with the approval and blessing of two Roman pontiffs distinguished for their efforts to achieve universal peace, and for their courageous and relentless opposition to the scourge of communism.

It is significant to observe that the password of the Catholic war veterans is "peace," because the name "Pius" stands for peace.

It is recorded that on his deathbed the last words of His Holiness Pope Pius XI echoed the purpose which dominated his reign, "Peace, peace of Jesus."

It is said of his successor, the present supreme pontiff that he, too, selected the name of Pius in honor of the late Pope Pius XI.

Pope Pius XII is so deeply conscious of the need of achieving world peace that in proclaiming the year 1950 as holy year which was observed worldwide by the Catholic church, the supreme pontiff included universal peace as one of the four main intentions of the observance of holy year.

During 1956 I had an opportunity to visit Rome while in Europe as a delegate to the United Nations Conference on Atomic Energy at Geneva.

As members of the Congressional Joint Committee on Atomic Energy, we were accorded the privilege of an audience with His Holiness Pope Pius XII at which time we discussed the development of atomic energy.

During the discussion we were particularly impressed by the 80-year-old spiritual leader of the Roman Catholic population of the world.

His engaging personality, his brilliant mind, his fluency of speech, his analysis of world conditions in this nuclear age, and deep spiritual fervor made an indelible impression on all of us.

I was personally impressed by his intimate knowledge of the United States, disclosed by his ready reference to cities and States, and above all, his humility and simplicity.

At the conclusion of the audience we were unanimous in our opinion that Pope Pius XII is an active and ardent advocate of peace.

Thus you Catholic war veterans in your crusade for peace through prayer have a stanch ally in the Supreme Pontiff of the Catholic Church who, as a worthy representative of the Prince of Peace, is constantly striving to achieve a just and lasting peace among all nations.

The efforts of our Nation to achieve world peace are well known and, as Americans, we can point with pride to our various programs designed to restore tranquillity to a troubled world.

To support our Nation's efforts to fashion a durable peace there exists the necessity of our country's maintaining at all times an adequate national defense.

For that reason I deemed it appropriate on this occasion to select as my subject "Our National Defense In the Atomic Age."

When speaking of natonal defense I share the conviction of the Catholic war veterans that an adequate national defense is vital if we as a nation are to maintain our position and strength in order to preserve the cherished principles of liberty and freedom.

In discussing the subject, our national defense in the atomic age, it is of interest that Congress is currently considering the administration's request for a $38.5 billion defense budget, the largest in 2 years.

These funds are required for the maintenance of our Armed Forces at their present strength and for the development of a wide range of new, powerful weapons.

In examining this request many of us ask ourselves whether or not such enormous expenditures are really necessary for our national security.

We wonder if this huge and expensive defense establishment is becoming an unbearable drain on our national economy.

Some critics contend that it is a waste to continue our national-defense program at its present level now that Stalin is dead.

They further state the present Soviet leadership has no intention of attacking the United States.

In addition, they argue that the Russians have altered their doctrine and strategy and hence are no longer determined to communize the world.

Fellow Americans, let me assure you that this is not true.

Today the Soviet Union and Communist China maintain the largest military force in history.

Excluding the armies of North Korea and Viet Minh, the Russian and Chinese Communist forces number well over 11 million men.

The Russians alone have an army of 2½ million ground troops.

The security of Western Europe is continually threatened by 31 Soviet divisions stationed on satellite territory.

Since World War II the Soviets have reequipped their armed forces with a complete new family of powerful small arms, artillery, armor, and transportation equipment.

They have constructed a fleet of over 450 submarines and are aiding Red China in modernizing the huge Chinese army.

The Communist bloc is also pushing ahead rapidly in the development of guided missiles and in the buildup of their atomic and hydrogen stockpiles.

For example, since the first of this year we have knowledge of a series of atomic-bomb tests by Russia.

The Soviets are training scientific and technical personnel at a rate which will seriously threaten the lead of the West in scientific skill within a few years.

If the Soviets have changed their nature since Stalin's death there are few signs of it.

Witness their sly maneuvering in the Middle East where they are fanning fanatical nationalism through antiwestern propaganda.

Certainly the Communist ideology has not changed since Stalin's death.

The Soviet leaders still preach the incompatibility of the Communist system and Western society.

As a matter of fact, only 2 weeks ago Mr. Khrushchev, in a television program viewed by millions of Americans, predicted in a boastful manner that our grandchildren were certain to become Socialists.

This is the same Mr. Khrushchev who, after having labeled Stalin a murderer and tyrant, recently stated that he was, nonetheless, a great Marxist and fighter of imperialism in the class war.

Khrushchev said quite openly that in this respect the present Kremlin leadership is Stalinist in its attitude.

With this attitude on the part of Soviet leaders, the quest for peace remains increasingly difficult.

No one realizes more than I do the folly of an arms race.

Certainly every effort should be made to reach a sound agreement with the Soviet Union on the reduction of armaments.

But sound agreement involves international control and inspection.

It, therefore, follows that until such an effective system can be established for the entire world we must remain constantly alert in our defense and push ahead with our weapons development.

We cannot afford to take a chance on any weak disarmament plan based solely on the good faith of the Soviets.

A mistake in judgment on this crucial issue could mean our destruction.

Confronted as we are with Soviet hostility and with their refusal to cooperate on a sound disarmament system, it is horrifying to imagine what might happen to us if we do not maintain and develop our defense.

We must remain vigilant.

We must be prepared at all costs to oppose Communist aggression in any form.

Therefore, let us now consider what we need to defend the United States adequately.

We cannot forget the impact of atomic-hydrogen weapons on our defense system.

Surely we have all been made aware of the new scientific age in which we are living.

In this connection the President's plan for the peaceful uses of the atom has provided some indication of the revolution in living which we will experience when the effects of nuclear power are fully felt.

Until now, however, primary emphasis on nuclear research has stressed the destructive aspect of the atom in the weapons field.

The effect of the atom on military strategy has completely altered former concepts of defense and war.

Today we cannot think of an adequate defense system without first taking into full consideration the destructive force of atomic-hydrogen weapons.

I believe that there are two major requirements for a sound defense policy in this atomic age.

First. We must maintain and develop our capacity to retaliate massively against any power that launches a thermonuclear attack on the continental United States.

Second. We must maintain and develop our capacity to fight small or limited wars with the use of either tactical atomic weapons or of conventional arms, as the circumstances may require.

Let me further develop these points.

We are living today under the shadow of atomic and hydrogen bombs.

In testimony before the Senate during its inquiry into air power last year, the Nation's top military experts pointed out that the Soviet Union now has the capability of striking a devastating blow at the United States.

Gen. Nathan Twining, Chief of the Air Force, said in part:

"In looking to the future our plans and programs must be oriented toward countering the Soviet capability.

"As the Soviet war potential increases, particularly in intercontinental striking capability, this becomes even more valid.

"Such a potential will give the Soviet a continuing ability to attempt to deliver at any time of his chosing with or without warning a crucial blow against us.

"Thus, for the foreseeable future we must maintain in constant protected readiness a retaliatory force of sufficient strength to deter an attack or to insure ultimate victory if general war occurs."

Therefore, it is evident the maintenance of atomic-hydrogen power as a deterrent force requires the stockpiling of sufficient quantities of fissionable material and the development of airpower as a means of delivery.

From information released to the public it appears that both the United States and the Soviet Union have reached the position of being able to wage atomic warfare.

Our Strategic Air Command today is the means of delivering our thermonuclear power.

From bases encircling the Soviet Union our Strategic Air Command can strike the

Soviet Union within hours after an attack on the West.

To maintain and develop our Strategic Air Command as our first line of defense, we must steadily push research and experimentation in weapons, piloted aircraft, and guided missiles.

Above all, we must keep pace with Soviet advances.

Bases circling the Communist bloc must be maintained.

Because it is upon this first line of defense that our national survival may depend.

The second requirement of a sound national-defense policy is the ability to cope with local aggression in small wars.

We must take into account the possibility that small tactical atomic weapons may be used in a local conflict rather than conventional arms.

This means that our Armed Forces must develop offensive and defensive tactics geared to the use of a variety of small atomic weapons.

At the same time we must also be prepared for local attacks that are confined to nonatomic weapons.

According to the estimates of military experts the Soviet Union will soon possess a capability for atomic destruction equal to that of the United States.

This will establish a nuclear stalemate.

In such a stalemate the United States may find that it will be difficult to initiate the use of tactical atomic weapons if the Communists use only conventional-type weapons.

When the Soviet Union is able to bomb the United States with nuclear weapons, the risk that a local atomic war might spiral into an all-out conflict would be too great.

This means that our Armed Forces must possess a dual capability, namely, (a) the capability to fight with conventional arms, using conventional tactics for some types of conflict; and (b) with atomic weapons, using atomic tactics for other types of combat.

Therefore, it is necessary to maintain our Armed Forces at their present strength and to continue to supply them with conventional equipment.

We must also train them in the use of tactical atomic weapons and supply them with the latest models in our small atomic weapons system.

Now let us turn our attention to our existing Defense Establishment and the problem of its continued development.

Testimony by leading Defense Department authorities has given convincing evidence that we do have a balanced defense system and at a cost which our national economy can support.

During the recent hearings in the House of Representatives on the Department of Defense appropriation bill for 1958, Adm. Arthur W. Radford said in his testimony:

"I feel that we have a Military Establishment today which is responsive to almost any situation that can be foreseen and within a reasonable period of time we can take care of anything and we are respected. Our power is respected."

Fellow Americans, as a member of the House Armed Services Committee and the Joint Congressional Committee on Atomic Energy I agree with Admiral Radford, because it is a matter of record that our present retaliatory deterrent force is much more powerful than it was a year ago.

Under plans outlined in the President's 1958 budget this force will be strengthened in both power and effectiveness.

The present number of bomber wings in our Strategic Air Command—11 wings of B-52's with 45 bombers per wing—will be maintained.

Plans have been made to accelerate the fighter program.

Increased stockpiles of more powerful and more diversified nuclear weapons are being made available to the Strategic Air Command at bases all over the world.

Research in the ballistic-missile program now highly accelerated and on atomic-powered aircraft holds great promise for the future capabilities of the Strategic Air Command.

It is our hope to be first in developing the intercontinental ballistic missile, which will enable us to strike the enemy with pilotless craft armed with atomic or hydrogen warheads.

The development of ground-to-air and air-to-air missiles for our continental defense system is also being accelerated.

The Air Force has developed the Falcon and the Navy the deadly Sidewinder, both of which are now in quantity production.

The Air Force is currently concentrating on the Bomarc, a long-range missile of supersonic speed, while the Army will further develop both the Nike and the Talos.

The Armed Forces of the United States have a total strength of over 2,800,000 men and women.

The Army, according to Secretary Wilbur Brucker, represents the most "thoroughly equipped and superbly trained Army," that this Nation has ever put into the field.

These forces together with our strategic reserve are ready to fight at any moment should the need arise.

This readiness on our part constitutes an impressive deterrent against aggression.

In support of our mutual defense alliances and other arrangements, 40 percent of our Army is stationed overseas in 73 countries.

Army missions in 44 nations in Europe, Asia, and Latin America are directly engaged in helping to train more than 200 allied foreign divisions a large part of the free world's military strength.

Considerable progress is being made in matters of organization, research, and development in the Army.

Under plans now being implemented the major combat units of our ground force are being reorganized into the so-called pentomic divisions, which improve the ability of the Army to fight effectively under conditions of atomic warfare without losing the ability to conduct conventional war.

We are also organizing atomic support units which are particularly suitable in providing atomic support for the forces of our allies in combat.

Research and experimentation are progressing in the development of new weapons systems.

As a result we are stockpiling our arsenal with an adequate variety of atomic weapons precisely tailored to our needs which can be used accurately against close or distant targets.

At the same time emphasis is being placed on the continued improvement of conventional weapons needed to accomplish many tasks for which atomic weapons would be wholly unsuitable.

The element of flexibility is similarly being stressed by the Navy.

The most important offensive weapon developed by the Navy is "the mobile airbase" the new carrier *Forrestal*.

In the event of global war this type of ship will serve to defend the continental United States and at the same time project our air striking power into the enemy's territory.

In case of local war it will supplement our land-based airpower where land bases are limited or nonexistent.

The Navy is also pushing its aircraft and missile development program.

Several types of advanced aircraft operating from mobile carrier bases have already been added to the fleet.

Of particular importance is the new Skyhawk, a light attack plane with high-speed and high-altitude performance, capable of carrying atomic weapons.

The development of seabased ballistic missiles will prove to be immeasurably important by adding variety and dispersibility to our deterrent capabilities.

The Navy is making the transition from guns to missiles very rapidly.

The cruisers *Boston* and *Canberra* have been converted and a third, *Galveston*, is being readied.

Under the present program the Navy plans a total of 21 missile ships before the end of 1958.

The Navy is also making the transition to nuclear power as rapidly as possible.

The submarine *Nautilus*, the pioneer ship in this development, has now steamed more than 55,000 miles without a single disabling casualty.

Its reactor has now been refueled after 2 years of service.

The nuclear-powered submarine introduces a new weapon into naval warfare.

It can sink ships; it can serve as a radar picket ship; it can seek out and destroy enemy submarines; and, most important of all, it can serve potentially as a base for the launching of ballistic missiles.

The present program of the Navy and Marine Corps serves to maintain a high state of immediate readiness while instituting some very basic and revolutionary changes in naval weapons systems and strategy.

The readiness of the Navy was strikingly demonstrated during the recent Suez crisis by the rapid deployment of a large part of our fleet and by the evacuation of our nationals from Egypt.

While we review the progress made in building an adequate national defense it is reassuring to learn from further testimony by Adm. Arthur W. Radford, Chairman of the Joint Chiefs of Staff that:

"Up to now Communist nations have not been able to match the superiority of our airplanes, our pilots, our designers, or our industry, nor have they been able to match the extent to which we employ them privately, commercially, or militarily.

"But because of the developments which I have described, I cannot guarantee that this will always be the case."

Despite this deterrent to war we have no alternative but to acknowledge the reality of the cold war we have been waging.

We must recognize that a trigger-happy enemy to the American way of life could in the twinkling of an eye plunge us into a nuclear world conflict.

A conflict that would leave even the victorious nation slightly short of complete destruction.

These weapons of the nuclear age are costly, and while we are paying billions of dollars annually to maintain our Armed Forces, in my opinion, it is well worth the price of defending the American form of government.

While we are reluctant to continue the cold war, preferring to live in peace with all mankind, nevertheless, we have no choice, because we recognize Russia's fixed goal is world domination by means short of an all-out war.

We have no alternative but to acknowledge the reality of the cold war, and to continue to develop nuclear power so massive that the Kremlin will find it impossible to keep pace with its cost.

As I have previously mentioned, these nuclear weapons are costly, yet the price is insignificant in preserving the priceless legacy of liberty and freedom bequeathed to us by those who died in defense of our flag.

They made the supreme sacrifice in the belief that no contribution was too great if it

meant the perpetuation of American institutions and ideals.

If we fail in our mission we defile the memory of every hero who wore the uniform of his country.

We likewise forfeit our right to the precious legacy of patriotism and devotion that we have received from generations of courageous Americans.

Aid to American Small Business and Labor

EXTENSION OF REMARKS

OF

HON. JAMES T. PATTERSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 1957

Mr. PATTERSON. Mr. Speaker and my other distinguished colleagues, today I introduced a bill to amend the Mutual Security Act which I wish to call to the attention of every Member of this important body. We all know that certain aspects of the mutual-security program are vital in preventing the further spread of international communism, and toward such an end our foreign-aid program serves an entirely worthy purpose.

However, Mr. Speaker, many of our domestic small-business concerns are becoming increasingly alarmed over the fact that millions upon millions of foreign-aid dollars are being spent annually on foreign products that could be purchased from domestic producers. Now during the past decade, Mr. Speaker, we have used foreign-aid dollars to rehabilitate old and even construct new industrial enterprises in foreign countries that today can undersell our domestic industries.

My proposal is that in the interests of labor and industry in this country, overseas procurement for the foreign-aid program will not be allowed until such time as it can be proved conclusively that a demand for a certain type of manufactured commodity cannot be filled in this country. Too often our local suppliers have been bypassed in the interest of foreign producers.

The International Cooperation Administration should be strictly enjoined from placing procurement orders overseas for commodities that can be supplied by our own producers.

My bill provides that the International Cooperation Administration will not be allowed to seek worldwide procurement for commodities in instances where it is established that available plant capacity exists in the United States to produce such commodities. However, my bill does not establish an inflexible rule to "buy American" without regard to other vital factors. If my amendment is adopted, the President will still retain his broad discretionary powers in administering the mutual-security program. Unrestricted Presidential authority is absolutely essential if the foreign-aid program is to achieve its comprehensive purpose in bolstering the economic life of the nations of the free world. We must continue to assist the intended victims of Soviet aggression.

My bill simply prohibits the internationalist clique in the State Department from forgetting American labor and industry when they are doling out billions of dollars of American taxpayers' money in the foreign-aid program. Before the ICA worldwide procurement policy was adopted, the brass mills of the Naugatuck Valley received a fair share of the brass cartridge business. Now it is not even worthwhile to offer a bid in competition against the low-labor cost modern brass mills of West Germany which were built with our foreign-aid dollars. We subsidize our late enemies in order to create unemployment in our home industries. At the very moment that our rubber footwear plants are suffering with a surplus, ICA officials are placing their orders for rubber goods with British manufacturers.

The time has come to call a halt to offshore procurement and reestablish the patriotic and commonsense policy of the buy American program if America is to remain the citadel of economic strength against Soviet penetration.

Since the end of World War II the United States has disbursed approximately $64 billion in gross grants and utilized loans as assistance to foreign countries. This foreign aid is classified broadly as military assistance, defense-support assistance, development assistance, technical cooperation, and other aid funds such as the President's contingency fund.

A very substantial share of the defense expenditures has been given as direct money grants to foreign governments to build up their military potential as well as building factories to produce war material. The results have been very tangible in the building of potential force to resist possible aggression.

Under economic aid, a very large variety of products was shipped overseas from the United States or procured outside the continental United States—in fact, 30 percent of all economic aid was disbursed as a result of offshore procurement. Canada supplied the products for 11 percent of our economic aid, Latin America, 9 percent, and Europe, over 3 percent.

The impact of foreign-aid expenditures in the United States has been felt largely in the high-wage, high-employment manufacturing industries producing machinery, ordnance, motor vehicles, aircraft, and the like. Its effect on employment has been largely in those industries which were fully employed and in many cases were even facing labor-shortage situations, especially in the aircraft industrial centers like Hartford, Conn.

Foreign aid has not, however, provided an important employment prop for those industries undergoing slack employment conditions like the brass mills, metal fabricating, and rubber-footwear plants of the Naugatuck Valley.

In fact, in many areas large-scale foreign-aid expenditures have had very deleterious effect on certain types of industries unable to compete for military or foreign-aid contracts. The effect has been seen mainly in the siphoning off of skilled workers, such as machinists, toolmakers, die sinkers and setters, patternmakers, tinsmiths, coppersmiths, sheet-metal workers, electronics technicians, welders, and flame cutters into other areas with large-scale demands for their services. Once small business has lost these skilled workers to the larger concerns at Hartford and elsewhere, it is practically impossible to get them back.

One effect of foreign aid overseas has been the reconstruction and modernization of industries abroad which compete with similar industries in the United States, especially in the copper and brass products field, electronics, rubber fabricating, watch-clock manufacturing, plumbing and electrical hardware. Mostly the competition falls in the sphere of small business.

It has been estimated that approximately 600,000 workers are employed each year directly and indirectly as a result of the mutual security spending program in the United States. However, the impact on small business has been very slight indeed, except as it acts as subcontractor to some larger concerns.

The point I wish to make is that small business gets such a minute share of foreign-aid business as to be negligible. One has but to study the daily procurement information bulletins issued by the International Cooperation Administration to note that source of supply is mostly worldwide. A small business circular is also issued, but it is very evident that small business does not get an appreciable share of the contracts.

The effect of foreign-aid expenditures may be slight for large concerns, but it has a multiplier effect on small business. The International Cooperation Administration should be strictly enjoined from placing procurement orders with foreign manufacturers for fabricated products that can be supplied here by our smaller concerns.

I have made an intensive study of foreign-aid expenditures beginning with the lend-lease program in 1940 and extending through World War II. The lend-lease program cost the American taxpayers $50 billion. In the postwar era the Marshall plan, aid to Greece and Turkey, and the global mutual security programs amounted to $56.1 billion, plus $3.4 billion United States investment in the World Bank, plus $775 million in surplus farm products, plus a carryover of $9.3 billion last June 30, plus $4.5 billion in new appropriations. This total is more than $74 billion spent or authorized in the postwar era. Calculated on a per capita basis of $864.98, the total foreign-aid expenditures of the United States from 1940 to 1957 have cost the taxpayers of Connecticut's Fifth Congressional District $237,264,014. Foreign aid has cost Litchfield County $85,522,303, Torrington, $4,063,744; Winsted, $7,595,389. In New Haven County, $151,741,711; Ansonia, $16,180,316; Derby, $8,873,830; Naugatuck, $15,098,226; and Waterbury, $90,370,515.

SENATE

WEDNESDAY, JUNE 26, 1957

(Legislative day of Friday, June 21, 1957

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God and father of mankind, whose earthly children cannot drift beyond the circle of Thy love, and with whom there is no distinction of race or habitation, for all are one in Thy sight: Break down, we beseech Thee, the barriers which divide mankind; use us to bridge the unhappy divisions of Thy contending children, that they may work together, with one accord, with each other and with Thee; that all the kingdoms of the world may become the one and radiant kingdom of Thy redeeming love.

As we spend our years as a tale that is told, may it be, to the last page, a record of service well done, of duty faced without flinching, of honor unsullied, and of horizons of sympathy and understanding constantly stretched out, as daily we fare toward journey's end. Then, of Thy great mercy, grant us a safe lodging and a holy rest, and peace at the last; through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Monday, June 24, 1957, was approved, and its reading was dispensed with.

REPORTS OF COMMITTEES SUBMITTED DURING RECESS

Under authority of the order of the Senate of June 24, 1957, the following reports of committees were submitted on June 25, 1957:

By Mr. GREEN, from the Committee on Foreign Relations, without amendment:

S. 603. A bill to require that international agreements other than treaties hereafter entered into by the United States be transmitted to the Senate within 60 days after the execution thereof (Rept. No. 521);

S. 1361. A bill to revive and reenact the act entitled "An act authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River" (Rept. No. 522); and

S. Con. Res. 35. Concurrent resolution favoring further consideration by the General Assembly of the United Nations of the problem of Hungary (Rept. No. 523).

By Mr. GREEN, from the Committee on Foreign Relations, with an amendment:

S. 1174. A bill to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Development Corporation (Rept. No. 525); and

S. J. Res. 73. Joint resolution to amend Public Law 843, 80th Congress, as amended, providing for membership and participation by the United States in the International Labor Organization and authorizing appropriations therefor (Rept. No. 526).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 807. A bill for the relief of Jackson School Township, Ind. (Rept. No. 520).

CONTINUANCE OF SUBCOMMITTEE ON DISARMAMENT

Mr. GREEN, from the Committee on Foreign Relations, reported the following original resolution (S. Res. 151) to continue the Subcommittee on Disarmament created by Senate Resolution 93, 84th Congress, and submitted a report (No. 524) thereon, which resolution was placed on the calendar:

Resolved, That the subcommittee (as authorized and directed by S. Res. 93 of the 84th Cong., 1st sess., agreed to July 25, 1955; as amended by S. Res. 185, 84th Cong., 2d sess., agreed to February 8, 1956; as amended by S. Res. 286, 84th Cong., 2d sess., agreed to July 13, 1956; and S. Res. 61, 85th Cong., 1st sess., agreed to January 30, 1957) of the Committee on Foreign Relations is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with the jurisdiction of the Committee on Foreign Relations specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the international control and reduction of armaments, as further described in Senate Resolution 93, 84th Congress.

SEC. 2. For the purposes of this resolution the committee, from July 1, 1957, to August 31, 1957, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than August 31, 1957.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

EXECUTIVE REPORTS OF A COMMITTEE SUBMITTED DURING RECESS

Under authority of the order of the Senate of June 24, 1957,

Mr. GREEN, from the Committee on Foreign Relations, on June 25, 1957, submitted the following favorable reports:

Val Peterson, of Nebraska, to be Ambassador Extraordinary and Plenipotentiary to Denmark;

Jacob D. Beam, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary to Poland; and

Executive H, 85th Congress, 1st session. Agreement between the United States and the Republic of Austria regarding certain bonds of Austrian issue denominated in dollars, together with a related protocol, both signed at Washington on November 21, 1956; without reservation (Exec. Rept. No. 4).

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 4748. An act to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims subject to that act may be made;

H. R. 6259. An act to amend the act known as the "District of Columbia Revenue Act of 1937," approved August 17, 1937;

H. R. 6517. An act to provide for the retirement of officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, and of certain officers and members of the United States Secret Service, and for other purposes;

H. R. 7050. An act to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes;

H. R. 7168. An act to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes;

H. R. 7249. An act to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia;

H. R. 7409. An act to provide for the conveyance of certain real property in the District of Columbia to the Association of the Oldest Inhabitants of the District of Columbia;

H. R. 7785. An act to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia;

H. R. 7835. An act to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and for other purposes;

H. R. 7963. An act to amend the Small Business Act of 1953, as amended;

H. R. 8256. An act to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social-security benefits and to provide additional exemptions for age and blindness, and to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes; and for other purposes; and

H. J. Res. 379. Joint resolution making supplementary appropriations for the Post Office Department for the fiscal year 1958, and for other purposes.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated:

H. R. 4748. An act to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims subject to that act may

be made; to the Committee on Interior and Insular Affairs.

H. R. 6259. An act to amend the act known as the District of Columbia Revenue Act of 1937, approved August 17, 1937;

H. R. 6517. An act to provide for the retirement of officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, and of certain officers and members of the United States Secret Service, and for other purposes;

H. R. 7409. An act to provide for the conveyance of certain real property in the District of Columbia to the Association of the Oldest Inhabitants of the District of Columbia;

H. R. 7785. An act to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia; and

H. R. 8256. An act to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social security benefits and to provide additional exemptions for age and blindness, and to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes, and for other purposes; to the Committee on the District of Columbia.

H. R. 7168. An act to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes; to the Committee on the Judiciary.

H. R. 7963. An act to amend the Small Business Act of 1953, as amended; to the Committee on Banking and Currency.

H. J. Res. 379. Joint resolution making supplementary appropriations for the Post Office Department for the fiscal year 1958, and for other purposes; to the Committee on Appropriations.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. TALMADGE, and by unanimous consent, the Committee on Rules and Administration was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to take action on the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on Foreign Relations.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

Howard William Habermeyer, of Illinois, to be a member of the Railroad Retirement Board.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the calendar will be stated.

UNITED STATES CIRCUIT JUDGES

The legislative clerk read the nomination of John Minor Wisdom, of Louisiana, to be United States circuit judge for the fifth circuit.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Jean Sala Breitenstein, of Colorado, to be United States circuit judge for the 10th circuit.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES ATTORNEYS

The legislative clerk proceeded to read sundry nominations of United States attorneys.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations of United States attorneys will be considered en bloc; and, without objection, they are confirmed.

UNITED STATES MARSHALS

The legislative clerk proceeded to read sundry nominations of United States marshals.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations of United States marshals will be considered en bloc; and, without objection, they are confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Val Peterson, of Nebraska, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Denmark.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Jacob D. Beam, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Poland.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there may be the usual morning hour, during which Senators may introduce bills and transact other routine business, subject to a 3-minute limitation on statements.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED AMENDMENTS TO 1958 BUDGET, LEGISLATIVE BRANCH (S. Doc. No. 49)

A communication from the President of the United States, transmitting amendments to the budget for the fiscal year 1958, involving an increase in the amount of $3,109,500, for the legislative branch (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

AMENDMENT OF AGRICULTURAL ACT OF 1949, RELATING TO UNREDEEMED LOAN COLLATERAL

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to authorize Commodity Credit Corporation to acquire title to unredeemed loan collateral without obligation to make equity payments (with an accompanying paper); to the Committee on Agriculture and Forestry.

REPORT OF NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL PROBLEMS

A letter from the Chairman, National Advisory Council on International Monetary and Financial Problems, transmitting, pursuant to law, a report on its activities during the period July 1–December 31, 1956 (with an accompanying report); to the Committee on Banking and Currency.

PARTICIPATION BY UNITED STATES IN INTERPARLIAMENTARY UNION

A letter from the Secretary of State, transmitting a draft of proposed legislation to amend the act of June 28, 1935, entitled "An act to authorize participation by the United States in the Interparliamentary Union (with an accompanying paper); to the Committee on Foreign Relations.

AUDIT REPORT ON UNITED STATES ASSISTANCE PROGRAM FOR KOREA

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on United States assistance program for Korea, International Cooperation Administration, Department of State, for the fiscal years 1954–56 (with an accompanying report); to the Committee on Government Operations.

REPORT ON THE "MARYLAND 400" AT THE CORTELYOU HOUSE, BROOKLYN: THE ACTION AND THE BURIAL SITE

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report entitled "The Maryland 400 at the Cortelyou House, Brooklyn: The Action and the Burial Site," dated May 20, 1957 (with an accompanying report); to the Committee on Interior and Insular Affairs.

REPORT OF COMMITTEE ON CIVILIAN NATIONAL HONORS—DRAFT OF PROPOSED LEGISLATION

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, a report of the President's Special Committee on Civilian National Honors, together with a draft of proposed legislation to provide for the conferring of an award to be known as the Presidential Medal for Civilian Achievement, and

for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

ESTABLISHMENT OF POSITIONS FOR CERTAIN PERSONNEL IN DEPARTMENT OF COMMERCE

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize the establishment of 88 positions for specially qualified scientific and professional personnel in the Department of Commerce at rates of compensation not to exceed the maximum rate payable under Public Law 313, 80th Congress, as amended, and Public Law 854, 84th Congress (with accompanying papers); to the Committee on Post Office and Civil Service.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Acting Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of New Hampshire; to the Committee on Armed Services:

"Resolved by the house of representatives (the senate concurring):

"Resolved, That the General Court of New Hampshire urges the Congress of the United States to provide that the so-called Portsmouth Airbase, located in Newington, N. H., be named and hereafter be known as the Pease Air Force Base, in honor of Hart Pease, Jr., holder of the Congressional Medal of Honor and the Distinguished Flying Cross; be it further

"Resolved, That the secretary of state transmit certified copies of this resolution to the Senators and Representatives of New Hampshire in the Congress, and to the Speaker of the House of Representatives and the President of the Senate of the United States.

"Passed June 19, 1957.

"Attest:

"HARRY E. JACKSON,
"Secretary of State.

"W. DOUGLAS SCAMMON,
"Speaker of the House of Representatives.

"ERALSEY C. FURGUSON,
"President of the Senate."

A resolution of the Legislation of the Virgin Islands; to the Committee on Interior and Insular Affairs:

"Bill 485

"Resolution petitioning the Congress of the United States to grant a recharter to the Virgin Islands Corporation

"Whereas the Virgin Islands Corporation was chartered by the Congress of the United States as an instrumentality by means of which to sustain the basic economy of the capital-starved Virgin Islands; and

"Whereas the establishment of the Virgin Islands Corporation as an industrial venture to provide employment has been the most notable permanent economic foundation of the Virgin Islands over the past two decades; and,

"Whereas the Corporation is the only outlet for approximately 350 small farmers, who supply approximately 45 percent of the sugar cane production of the Island of St. Croix; and,

"Whereas the Corporation presently operates efficiently the electric power systems of the Virgin Islands affording great benefits to the people of the Territory; and,

"Whereas through efficient management and sound policies it is anticipated that the Virgin Islands Corporation will, during this and future years, operate profitably as a self-sustaining financial and commercial venture; and

"Whereas there are pending before both the Senate and the House of Representatives of the Congress of the United States identical bills providing for the grant of a Recharter to the Virgin Islands Corporation: Now, therefore, be it

"Resolved and it is hereby resolved by the Legislature of the Virgin Islands, That said body records its unqualified and full support for the bills which are pending before the Senate and the House of Representatives of the United States of America and hereby petitions that they be passed at the earliest practicable date; and be it further

"Resolved and it is hereby further resolved, That copies of this resolution be sent to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, the Chairman and Members of the Senate and House Committees on Interior and Insular Affairs, the Secretary of the Interior, the Governor of the Virgin Islands, and the President of the Virgin Islands Corporation.

"Thus passed by the Legislature of the Virgin Islands on June 4, 1957.

"Witness our hands and the seal of the Legislature of the Virgin Islands this 4th day of June, A. D., 1957.

"AUBREY A. ANDUZE (DDS),
"President.

"JOHN D. MERWIN (LLB),
"Legislative Secretary."

A resolution adopted by the Intermountain Veterinary Medical Association, at Salt Lake City, Utah, favoring the enactment of legislation to provide for the construction, rebuilding, and maintenance of the international boundary fence between the United States and Mexico; to the Committee on Foreign Relations.

JOINT RESOLUTIONS OF COLORADO LEGISLATURE

Mr. ALLOTT. Mr. President, I present, for appropriate reference, and ask unanimous consent to have printed in the RECORD Senate Joint Memorial 8 and Senate Joint Memorial 12 of the State of Colorado, which, for administrative reasons, were not sent to the Vice President of the United States and, therefore, were not printed in the RECORD.

There being no objection, the joint resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Banking and Currency:

"Senate Joint Memorial 12

"Joint resolution memorializing the Congress of the United States to enact legislation providing that military and governmental installations and plants be located in or near small cities and towns rather than in or close to metropolitan areas

"Whereas the Department of Defense, the Atomic Energy Commission, and other Federal agencies, have on many occasions in the past approved, located, or arranged for the location of military and governmental installations and plants in or near the city and county of Denver, and the cities of Pueblo and Colorado Springs, the three largest cities in Colorado, thereby centralizing such installations and plants in the most populous areas of this State; and

"Whereas such an amassment and concentration of military forces and industry in populous areas is contrary to strategic decentralization principles and could result in unnecessary loss of life and wastage of industrial and military resources in the event of atomic attack and adds to existing congestion in these metropolitan areas, taxing their housing, sanitation, and water facilities; and

"Whereas if such military and industrial installations were evenly dispersed throughout the less-populated areas of Colorado and the United States, in or near the small cities and towns, such communities would benefit greatly economically, by way of increased employment and otherwise: Now, therefore, be it

"Resolved by the senate of the 41st general assembly (the house of representatives concurring herein), That the Congress of the United States is hereby memorialized to enact legislation directing the Department of Defense, the Atomic Energy Commission, and all other Federal agencies involved to require that governmental and military installations and plants be located in or near the smaller cities and towns of Colorado and the United States in accordance with strategic decentralization and dispersion principles; and be it further

"Resolved, That copies of this memorial be transmitted to the Members of the Congress of the United States from the State of Colorado, with the request that action be taken in compliance herewith.

"FRANK L. HAYS,
"President of the Senate.

"MILDRED H. CRESSWELL,
"Secretary of the Senate.

"CHARLES R. CONKLIN,
"Speaker of the House of Representatives.

"LEE MATTIES,
"Chief Clerk of the House of Representatives."

To the Committee on Interior and Insular Affairs:

"Senate Joint Memorial 8

"Joint resolution memorializing the Congress of the United States to grant statehood to the Territories of Hawaii and Alaska

"Whereas the people of the Territories of Hawaii and Alaska have shown through the processes of democracy that they wish to join the Union, sharing both the responsibilities and the privileges of being one of the United States of America; and

"Whereas Hawaii and Alaska have served the United States as an extended frontier for the development of peaceful pursuits, as well as wartime bulwarks; and

"Whereas it is in the best interest of our national defense to bring the people and resources of these two outlying Territories under the American flag in full partnership; and

"Whereas the people of Hawaii and Alaska, many of whom migrated there from one of the 48 States, have demonstrated their fundamental belief in peace, democracy, and good citizenship under God: Now, therefore, be it

"Resolved by the Senate of the 41st General Assembly of the State of Colorado (the House of Representatives concurring herein), That we, the members of the General Assembly of the State of Colorado, which was the 38th State to be admitted to the Union after serving her country ably as a Territory for many years, do hereby memorialize the Congress of the United States to enact legislation necessary to admit Hawaii and

Alaska into the Union as sister States; and be it further

"Resolved, That copies of this memorial be transmitted to the President of the United States, to each Member in the Congress from Colorado, and to the Governors of the Territories of Hawaii and Alaska.

"FRANK L. HAYS,
"President of the Senate.
"MILDRED H. CRESSWELL,
"Secretary of the Senate.
"CHARLES R. CONKLIN,
"Speaker of the House of Representatives.
"LEE MATTIES,
"Chief Clerk of the House of Representatives."

RESOLUTION COMMEMORATING THE 16TH ANNIVERSARY OF MASS DEPORTATION OF PEOPLE OF BALTIC NATIONS BY RUSSIAN POLICE TO SIBERIA

Mr. HOLLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a resolution adopted June 16, 1957, at a meeting of Americans of Lithuanian, Latvian, and Estonian descent of the city of Miami, Fla., commemorating the 16th anniversary of the mass deportation of the people of the Baltic States by the Russian police to Siberia and other parts of the Soviet Empire, and calling upon the President and the Government of the United States for certain helpful and sympathetic actions.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

LITHUANIAN COUNCIL OF MIAMI,
Miami, Fla., June 16, 1957.

RESOLUTION UNANIMOUSLY ADOPTED AT THE MEETING OF AMERICANS OF LITHUANIAN, LATVIAN, AND ESTONIAN DESCENT OF THE CITY OF MIAMI, CONVOKED TO COMMEMORATE THE SAD ANNIVERSARY OF THE MASS DEPORTATIONS OF THE PEOPLE OF THE BALTIC NATIONS, LITHUANIA, LATVIA, AND ESTONIA, BY THE RUSSIAN POLICE

Whereas Soviet Russia has enslaved Lithuania, Latvia, and Estonia, subjecting their people to brutal terror, oppression and mass deportations to Siberia and other parts of the Soviet empire; and

Whereas the people of Lithuania, Latvia, and Estonia have no freedom and are mercilessly exploited by their Communist rulers; and

Whereas the Government of the United States officially denounced the illegal incorporation of Lithuania, Latvia, and Estonia into the Soviet Union; Now, therefore, be it

Resolved, That this meeting of Americans of Baltic descent of the city of Miami calls upon the President of the United States to do all in his power to help the people of Lithuania, Latvia, and Estonia to regain their freedom and political independence; and toward this end be it

Resolved, That this meeting requests the Government of the United States to support Senate Joint Resolution 87 which provides for a Freedom Authority to keep alive the spirit and hope of freedom from Russian Communist domination in the hearts of the liberty-loving people enslaved behind the Iron Curtain; and finally be it

Resolved, That this meeting requests the Government of the United States to introduce in the United Nations a resolution condemning the Soviet Union for the illegal occupation of Lithuania, Latvia and Estonia and the genocide policy toward these Baltic Nations.

A. D. KAULAKIS,
President.
OSKAR LINDER,
President, Estonian Club.
TEKLA PETERSONE,
Representative, Miami Latvians.

THE INTERNATIONAL ATOMIC ENERGY AGENCY—RESOLUTION OF KANSAS CONFERENCE OF THE METHODIST CHURCH

Mr. CARLSON. Mr. President, I have received a copy of a resolution adopted at the Kansas Annual Conference of the Methodist Church on Thursday, June 6, urging approval of International Atomic Energy Agency.

I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the International Atomic Energy Agency is an international organization for the sharing of information, technical skills, and nuclear materials for peaceful atomic-energy projects; and

Whereas this is the plan first proposed by President Eisenhower in December of 1953; and

Whereas this statute or plan was unanimously approved at an 81-nation conference in 1956; and

Whereas the House of Representatives of the United States has approved it with an overwhelming majority: Therefore be it

Resolved, That the Kansas Annual Conference of the Methodist Church go on record as favoring the adoption and ratification of the statute and that this action be communicated to the Senate immediately.

Adopted by the Kansas Annual Conference in regular business session Thursday, June 6, 1957, Coffeyville, Kans. Presented by Leonard J. Smoot, chairman, Kansas Conference Commission on Christian Social Relations.

DANA DAWSON,
President.
RONALD E. TERRY,
Secretary.

RESOLUTION OF NORTHERN ELECTRIC COOPERATIVE ASSOCIATION, VIRGINIA, MINN.

Mr. HUMPHREY. Mr. President, I have just received a resolution from the Northern Electric Cooperative Association of Virginia, Minn., protesting any increase in interest rates on REA loans.

I ask unanimous consent that the resolution be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Whereas the 2 percent REA interest rate is under attack as being below the average cost of money to the Treasury; and

Whereas the average cost of money to the Treasury has increased and is continuing to increase as a result of the hard money policy of the present administration; and

Whereas an increase in the interest rate for future loans would cause a hardship for this electric cooperative and many other rural electric power generation, transmission and distribution borrowers of the Rural Electric Administration: Now, therefore, be it

Resolved, That we oppose any increase in interest rates on rural electric loans, and request our Government officials to lower the interest rates on money the Government borrows rather than to increase them on loans it makes; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States as well as Senators and Representatives from this State.

RESERVE FOR BAD DEBTS—LETTER AND RESOLUTION

Mr. NEUBERGER. Mr. President, on June 6 and 7, 1957, the directors and secretary-treasurers of Oregon's eight production credit associations met in annual conference at Portland, Oreg. A subject of great concern at the conference was the reserve for bad debts accounts which are set up by each association. These directors believe there should be changes in the law under which they operate to permit the establishment of bad debt reserves related to the volume of loans outstanding. The situation of the average farmer, who is caught by the cost-price squeeze, has placed many existing loans on a marginal basis. Many apparently worthy farm enterprises have been marked off by the Production Credit Association as unwise for financing.

I ask unanimous consent, Mr. President, to have this letter and resolution printed in the RECORD, where it may be given thoughtful study and examination.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

NORTHWEST LIVESTOCK
PRODUCTION CREDIT ASSOCIATION,
Portland, Oreg., June 13, 1957.

The Honorable RICHARD L. NEUBERGER,
United States Senate, Washington, D. C.

SIR: The directors and secretary-treasurers of the eight production credit associations located in the State of Oregon met June 6 and 7 at their annual summer conference. During this conference which was held in Portland, considerable discussion centered around the reserve for bad debts accounts which are set up by each production credit association to protect it against losses.

The enclosed copy of a resolution was unanimously adopted at this conference and the same resolution was adopted by a conference of both the Idaho and Washington production credit associations. The resolution has been forwarded to the District Farm Credit Board of the 12th farm credit district and the district board has been asked to seek the support of the National Farm Credit Board in obtaining changes in the law to permit the establishment of bad debt reserves related to the volume of loans outstanding as indicated in the resolution.

We were authorized by the group meeting here in Portland to contact you and seek your support on such legislation when it is introduced.

Since production credit associations are restricted to making agricultural loans, they are in a hazardous position due to problems created by the decline in livestock and agricultural prices as mentioned in the resolution and the continuing cost-price squeeze on farmers. Many loans have shown unfavorable trends in the last 3 or 4 years and if our associations are to continue to serve agriculture as they are supposed to, they must be protected by the reserve for which they are asking.

The eight production credit associations in Oregon serve a large part of the farmers and ranchers in the State and they sincerely

ask your support on any legislation that may be introduced.

Very truly yours,

J. E. HERBURGER,
Secretary-Treasurer.

(Representing Baker PCA, Baker, Oreg.; Central Oregon PCA, Redmond, Oreg.; Klamath PCA, Klamath Falls, Oreg.; Mid-Columbia PCA, The Dalles, Oreg.; Pendleton PCA, Pendleton, Oreg.; Southern Oregon PCA, Medford, Oreg.; Willamette PCA, Salem, Oreg.)

Whereas the directors of production credit associations in the State of Oregon assembled in conference have discussed at length the matter of setting up adequate bad-debt reserves in the present circumstances of agricultural financing, particularly in the Pacific Northwest, and the problems created by the decline in agricultural prices and the continuing cost-price squeeze on farmers, placing many existing loans in a marginal or partial loss position, and making it appear unwise for PCA's to undertake the financing of many apparently worthy farm enterprises; and

Whereas recent audits of PCA income-tax returns by Federal and State tax agents have indicated an unwillingness on the part of tax administrative officials to make proper provision for bad-debt reserves, and reveal fundamentally inadequate understanding of the status of taxpayer making only agricultural loans and only in limited areas, and tax agents have indicated that bad-debt reserves are really only chargeoffs estimated in advance, and are not to be allowed in amounts adequate to protect the taxpayer lenders, as has been shown already in several cases in this farm credit district, and thus are defeating the basic purpose of the reserve: Now, therefore, be it

Resolved, That the undersigned PCA directors do hereby petition the district farm credit board and the Federal intermediate credit bank of Spokane to lend their support in getting this matter on the agenda of the national meeting of district directors to be held in September, and obtaining changes in the law to permit the establishment of bad-debt reserves related to the volume of loans outstanding, rather than an estimate of imminent losses, up to a minimum of 6 percent of the uninsured outstanding loans at year's end; and be it further

Resolved, That the bad-debt reserves shall be created by setting aside out of the earnings at the end of each tax period an amount not to exceed three-fourths percent of the outstanding loans at the end of that year, or an amount approximating the current year's earnings, whichever is less; and *Provided further,* That bad debts actually charged off by the associations shall be charged against this reserve, and all recoveries or collections made on such chargeoffs shall be credited to the reserve, in accordance with usual accounting procedures.

PERMANENT U. N. FORCE—RESOLUTION

Mr. WILEY. Mr. President, I was pleased today to receive an important communication from Pastor R. H. Conner of the People's Methodist Church of Oregon, in my State. Pastor Conner, as chairman of the Board of Christian Social Relations, conveyed a resolution which was adopted by the West Wisconsin Conference of the Methodist Church, Bishop H. C. Northcott, presiding.

This resolution kindly endorsed legislation which has been cosponsored by my colleagues and myself toward the establishment of a permanent United Nations police force.

The conference likewise addressed itself to the extremely significant problem of the disarmament negotiations which are continuing in London.

It particularly pinpointed the matter of avoiding radioactive fallout.

I present Pastor Conner's letter, and ask unanimous consent that it be printed in the RECORD, as a helpful and informative indication of the thinking of a great many spiritual leaders and laymen in my State, not only of the Methodists but of other faiths as well.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PEOPLE'S METHODIST CHURCH,
Oregon, Wis., June 22, 1957.

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SIR: I have been instructed to inform you that the following resolution was adopted by the West Wisconsin Conference of the Methodist Churches, Bishop H. C. Northcott presiding, which met at Riverfalls, Wis., from June 5 to 9.

"That Senator ALEXANDER WILEY and Congressman HENRY REUSS be commended for being sponsors of a congressional resolution asking that (a) a force similar in character to the United Nations emergency force should be made a continuing agency of the United Nations."

The conference also passed the following resolution which I urge you to consider.

"As Christian churchmen we call upon our Government to work for the ending of all atomic bomb tests in all countries. We propose that this be done through the United Nations where such a move could be easily checked by their appropriate scientific group. Also we urge that the United States take the initiative in working toward this end. We take such a stand because of our Christian belief in reverence for life. Certain leading scientists tell us that the continued testing of atomic bombs may result in many persons becoming diseased, deformed, or even dead. Therefore we call for an end of such bomb testing and ask that this resolution be sent to our Wisconsin Congressmen plus the congressional committee now holding hearings on the subject."

Sincerely,

R. H. CONNER,
Chairman of the Board of Christian Social Relations.

RESOLUTION OF COMMENDATION OF LATE SENATOR McCARTHY, OF WISCONSIN

Mr. GOLDWATER. Mr. President, at a recent meeting of the Arizona Federation of Republican Women a resolution was adopted which concerns our late colleague, Senator Joe McCarthy, of Wisconsin. I ask unanimous consent that the resolution be printed in the RECORD at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

ARIZONA FEDERATION OF
REPUBLICAN WOMEN.

Mrs. JEAN MCCARTHY,
Appleton, Wis.

DEAR MRS. MCCARTHY:

Whereas the work of the United States Senator from Wisconsin, unselfishly dedicated to the protection of our Republic from subversive elements and to the preservation of our hard-won freedom and liberty, served ourselves and generations to follow: Therefore be it

Resolved, That the Arizona Federation of Republican Women, in annual convention at Phoenix, May 3–5, 1957, commend and endorse the work of United States Senator Joseph R. McCarthy; and be it further

Resolved, That heartfelt sympathy in her bereavement be extended to Mrs. Jean McCarthy and their young daughter, Tierny Elizabeth.

RESOLUTIONS COMMITTEE,
Mrs. ROBERT L. WADE,
Chairman.
Mrs. FRANK HABERL,
Mrs. C. O. BOYER.

PRESIDENT ACKNOWLEDGES JEWISH WAR VETERANS' SUPPORT OF FOREIGN AID

Mr. JAVITS. Mr. President, I should like to call the attention of my colleagues to the response of the President to the letter and resolution of the Jewish War Veterans of the United States of America endorsing his foreign-aid program. While my colleague, the Senator from Minnesota [Mr. HUMPHREY], has had printed in the RECORD the resolution of the Jewish War Veterans, the President's response has not yet been made a part of the RECORD, and I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, May 24, 1957.

Mr. BERNARD WEITZER,
National Legislative Director, Jewish War Veterans of the United States of America, Washington, D. C.

DEAR MR. WEITZER: I deeply appreciate the support you have expressed for the mutual security program. In this recognition of the importance of strengthening the saving shield of freedom, you and your associates in the Jewish War Veterans of the United States of America give voice to America's determination to stand firmly against the menace of international communism.

Enactment of the proposed economic and military programs will contribute effectively both to our immediate security and to the promotion of peace in the world. Thank you for your clear expression of what you regard as being in the national interest.

Sincerely,

DWIGHT D. EISENHOWER.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 1489. A bill to amend title 14, United States Code, entitled "Coast Guard," with respect to warrant officers' rank on retirement, and for other purposes (Rept. No. 528); and

S. 2250. A bill to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes (Rept. No. 529).

By Mr. SMATHERS, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 1461. A bill to amend section 212 (a) of the Interstate Commerce Act, as amended (Rept. No. 531).

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. 1520. A bill to amend an act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways and for other purposes (Rept. No. 530).

By Mr. BYRD, from the Committee on Finance, without amendment:

H. R. 7954. An act relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons; (Rept. No. 532).

By Mr. STENNIS, from the Committee on Appropriations, with amendments:

H. R. 7599. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1958, and for other purposes; (Rept. No. 533).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 4748. An act to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims subject to that act may be made; (Rept. No. 534).

By Mr. HILL, from the Committee on Labor and Public Welfare, without amendment:

S. 1971. A bill to amend sections 4 (a) and 7 (a) of the Vocational Rehabilitation Act; (Rept. No. 537).

By Mr. HILL, from the Committee on Labor and Public Welfare, with an amendment:

S. 518. A bill to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person; (Rept. No. 535); and

S. 519. A bill to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes; (Rept. No. 536).

By Mr. HAYDEN, from the Committee on Appropriations, without amendment:

H. J. Res. 379. Joint resolution making supplemental appropriations for the Post Office Department for the fiscal year 1958, and for other purposes; (Rept. No. 538).

INTERIM EXTENSION FOR THE VOLUNTARY HOME MORTGAGE CREDIT PROGRAM

Mr. SPARKMAN. Mr. President, from the Committee on Banking and Currency, I report an original joint resolution to provide an interim extension of the Voluntary Home Mortgage Credit Program, and I submit a report (No. 527) thereon.

The VICE PRESIDENT. The report will be received and the joint resolution will be placed on the calendar.

The joint resolution (S. J. Res. 115) to provide an interim extension of the voluntary home mortgage credit program, reported by Mr. SPARKMAN, from the Committee on Banking and Currency, was received, read twice by its title, and placed on the calendar.

REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation two lists of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted reports thereon, pursuant to law.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRICKER:

S. 2379. A bill to amend title 18 of the United States Code to prescribe the extent to which Government records may be used in criminal trials for the impeachment of Government witnesses; and

S. 2380. A bill for the relief of Yol K. Jansen (Yol Kwang Kong); to the Committee on the Judiciary.

(See the remarks of Mr. BRICKER when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. NEUBERGER:

S. 2381. A bill to establish reciprocity between members of the Umatilla Indian tribes and other Indian tribes in the matter of succession by will or inheritance to certain types of restricted or trust properties, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2382. A bill for the relief of John Tompkins (K. M. Soo Man); to the Committee on the Judiciary.

By Mr. COTTON (for Mr. BRIDGES) (by request):

S. 2383. A bill to amend section 314 of the Social Security Amendments of 1956 so as to extend from July 1, 1957, to July 1, 1959, the effective date of the provisions of such amendments which require that State public assistance plans under titles I, IV, X, and XIV of the Social Security Act provide certain descriptions of services provided in connection with the programs carried on under such plans; to the Committee on Finance.

(See the remarks of Mr. COTTON when he introduced the above bill, which appear under a separate heading.)

By Mr. SMITH of New Jersey:

S. 2384. A bill to provide for the conferring of an award to be known as the Presidential Medal for Civilian Achievement, and for other purposes; and

By Mr. SMITH of New Jersey (for himself and Mr. PURTELL):

S. 2385. A bill to establish a temporary Presidential Commission to study and report on the problems relating to blindness and the needs of blind persons, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. SMITH of New Jersey when he introduced the above bills, which appear under separate headings.)

By Mr. McNAMARA:

S. 2386. A bill for the relief of Michael Lebedeff;

S. 2387. A bill for the relief of Francesco Caputo; and

S. 2388. A bill for the relief of Buick Navidzadeh; to the Committee on the Judiciary.

By Mr. TALMADGE:

S. 2389. A bill for the relief of Cherly Kim Thrift (Chung Ja Kim); and

S. 2390. A bill for the relief of Mrs. Eleanor M. Zaubzer Horton; to the Committee on the Judiciary.

By Mr. CLARK:

S. 2391. A bill to authorize the Secretary of the Army to lease to the city of Philadelphia, Pa., certain piers and other facilities of the United States located in such city; to the Committee on Armed Services.

By Mr. KEFAUVER:

S. 2392. A bill for the relief of Toni De Ann Hendrix;

S. 2393. A bill for the relief of Caron Camille Carney and Julia Diane Carney; and

S. 2394. A bill for the relief of R. M. Clark, an individual doing business as Lenoir City-Alcoa Bus Lines; to the Committee on the Judiciary.

By Mr. MURRAY (for himself and Mr. MANSFIELD):

S. 2395. A bill establishing methods of lessening the Nation's dependence on foreign sources of lead and zinc in times of emergency and to promote the general economy of the Nation; to the Committee on Interior and Insular Affairs.

By Mr. KUCHEL (for himself and Mr. KNOWLAND):

S. 2396. A bill to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON (for himself and Mr. WATKINS):

S. 2397. A bill to authorize the partition or sale of inherited interests in allotted Indian lands, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. ANDERSON when he introduced the above bill, which appear under a separate heading.)

By Mr. AIKEN:

S. 2398. A bill for the relief of Antonia Massorotto Telara; to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina:

S. 2399. A bill to establish a Central Security Office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedure for the hearing and review of cases arising under such programs, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. JOHNSTON of South Carolina when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S. 2400. A bill to amend the Longshoremen's and Harbor Workers' Compensation Act, so as to provide that an injured employee shall have the right to select his own physician, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. THURMOND:

S. 2401. A bill to authorize the enforcement of State statutes prohibiting subversive activities, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. THURMOND when he introduced the above bill, which appear under a separate heading.)

By Mr. BUTLER:

S. 2402. A bill to amend the Tariff Act of 1930, as amended, so as to prevent undue relaxation of customs supervision as a safeguard against smuggling and for the protection of the revenue, and for other purposes; to the Committee on Finance.

S. 2403. A bill to authorize the Secretary of Commerce to transfer war-built merchant vessels to American citizens, to encourage construction of new dry-cargo vessels in American shipyards for American-flag operation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. BUTLER when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. POTTER:

S. 2404. A bill for the relief of Yvonne Maryre Williams; and

S. 2405. A bill for the relief of Yaeko Asahata; to the Committee on the Judiciary.

By Mr. KERR (for himself, Mr. CHAVEZ, Mr. KUCHEL, Mr. CASE of South Dakota, Mr. JAVITS, and Mr. IVES):

S. 2406. A bill to authorize the construction of certain works of improvement in the Niagara River for power and other purposes; to the Committee on Public Works.

(See the remarks of Mr. KERR when he introduced the above bill, which appear under a separate heading.)

By Mr. NEUBERGER:

S. 2407. A bill to authorize an appropriation to each State of an amount equal to 5 percent of the individual income taxes collected in such State during each fiscal year; to the Committee on Finance.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. J. Res. 115. Joint resolution to provide an interim extension for the Voluntary Home Mortgage Credit Program; placed on the calendar.

(See the remarks of Mr. SPARKMAN when he reported the above joint resolution, which appear under the heading "Reports of Committees.")

USE OF GOVERNMENT RECORDS IN CERTAIN CRIMINAL TRIALS

Mr. BRICKER. Mr. President, I introduce, for appropriate reference, a bill to prescribe the extent to which Government records may be used in criminal trials for the impeachment of Government witnesses.

The bill is introduced as a proposed solution for the confusion and havoc created by the Supreme Court decision of June 3 in the Jencks case. In my judgment, Mr. Justice Clark did not exaggerate when he said in his vigorous dissent that under the rule announced by the Court "intelligence agencies of our Government engaged in law enforcement may as well close up shop."

My bill is modeled on the concurring opinion of Mr. Justice Burton, in which Mr. Justice Harlan joined. It is designed to give defendants the fullest opportunity to impeach the credibility of Government witnesses which is consistent with the public interest in maintaining the confidentiality of files of the FBI and other Government intelligence agencies.

Under the provisions of the bill I have introduced, the defendant will have an absolute right, whenever a Government witness gives material testimony as to his guilt, to the production of any document, record, or report previously made by that witness touching upon the substance of his testimony. If the Government asserts that the document contains matter privileged from disclosure, the bill provides that the trial judge shall: (1) Examine the document; (2) determine whether the document contains relevant matter of value to the defendant for impeaching the Government witness; (3) determine to what extent, if any, the contents of the document should be disclosed to the defendant, having in mind the defendant's need for evidence and the public interest in safeguarding executive files; and (4) make the entire document a part of the record, but sealed for disclosure only to appellate court judges or justices, so that they can remedy any abuse of the trial judge's discretion.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2379) to amend title 18 of the United States Code to prescribe the extent to which Government records may be used in criminal trials for the impeachment of Government witnesses, introduced by Mr. BRICKER, was received, read twice by its title, and referred to the Committee on the Judiciary.

RECIPROCITY BETWEEN MEMBERS OF UMATILLA TRIBES AND OTHER INDIAN TRIBES, RELATING TO SUCCESSION TO CERTAIN TYPES OF PROPERTIES

Mr. NEUBERGER. Mr. President, I introduce, for appropriate reference a bill to correct an injustice in the laws of inheritance governing certain types of Indian trust property on the Umatilla Indian Reservation in the State of Oregon. I shall state briefly the purposes of the bill and why I am introducing it.

Inheritance on the Umatilla Reservation is governed generally by the laws of Oregon, although probate proceedings are handled by the Interior Department—title 25, United States Code, sections 348 and 371–379. Therefore, any heir of a deceased Umatilla Indian or any person named in his will may take his property. Thus, if a deceased Umatilla Indian has children who have been enrolled as members of the Yakima Tribe or of any other tribe, they may, nevertheless, inherit from them, or he may name them as beneficiaries in his will. The situation is not the same, however, on the Yakima Reservation where only members of the Yakima Tribe may inherit or take by will the trust property of deceased members of the Yakima Tribe. If a Yakima Indian dies owning trust property, and it happens that his children have been enrolled on the Umatilla Reservation because his wife is a Umatilla, his children cannot inherit his property, nor can he will it to them.

This inequality arises because of an act of Congress passed in 1946 that can be found in title 25 of the United States Code, section 607. It reads as follows:

> After August 9, 1946, only enrolled members of the Yakima Tribes of one-fourth or more blood of such tribes shall take by inheritance or by will any interest in that part of the restricted or trust estate of a deceased member of such tribes which came to the decedent through his membership in such tribes or which consists of any interest in or the rents, issues, or profits from an allotment of land within the Yakima Reservation or within the area ceded by the treaty of June 9, 1855 (12 Stat. 951), except that a surviving spouse of less than one-fourth of the blood of the Yakima Tribes may receive by inheritance or devise the use for life of one-half of the restricted or trust lands of the decedent located within the Yakima Reservation or within the area ceded by the said treaty of June 9, 1855. (August 9, 1946, ch. 933, sec. 7, 60 Stat. 969.)

It is the belief of the Umatillas and it is my own belief that the statute quoted is unfair to members of the Umatilla Tribe. There is considerable intermarriage between the Umatillas and Yakimas, and the result of the quoted statute is to deprive a number of the Umatillas, including children, of what would otherwise have been their inheritance of property located on the Yakima Reservation.

Congress could remove this inequality by repealing title 25, United States Code, section 607, and permitting all Indians, not just Yakimas, to inherit trust property on the Yakima Reservation. It is my understanding that there have been several proposals to this effect by members of the Yakima Tribes. The governing body of the Umatilla Tribes have advised me that they are not asking for a repeal of title 25, United States Code, section 607 because they do not wish to become involved in a dispute before Congress with the Yakimas concerning inheritance laws on the Yakima Reservation. The board of trustees of the Umatillas has unanimously requested that I sponsor the more limited type of bill that I am introducing today which regulates only inheritance on the Umatilla Reservation and which goes no further than to say that so long as any tribe such as the Yakimas will not permit members of the Umatilla Tribe to inherit or take property by will, the members of such a tribe may not inherit or take by will property on the Umatilla Reservation.

I should add that if, in the future, Congress amends title 25, United States Code, section 607, which is the Yakima inheritance law, to permit Umatilla to take property of deceased members of the Yakima Tribe, then, in that event, Yakimas would automatically again be entitled to take property of deceased members of the Umatilla Tribe.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2381) to establish reciprocity between members of the Umatilla Indian Tribes and other Indian tribes in the matter of succession by will or inheritance to certain types of restricted or trust properties, and for other purposes, introduced by Mr. NEUBERGER, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF SOCIAL SECURITY AMENDMENTS OF 1956

Mr. COTTON. Mr. President, on behalf of my college, the senior Senator from New Hampshire [Mr. BRIDGES], who, because of illness, is detained from the Senate, I introduce, for appropriate reference, a bill to amend section 314 of the Social Security Amendments of 1956 so as to extend from July 1, 1957, to July 1, 1959, the effective date of the provisions of such amendments which require that State public assistance plans under titles I, IV, X, and XIV of the Social Security Act provides certain descriptions of services provided in connection with the programs carried on under such plans.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2383) to amend section 314 of the Social Security Amendments of 1956 so as to extend from July 1, 1957 to July 1, 1959 the effective date of the provisions of such amendments which require that State public assistance plans under titles I, IV, X, and XIV of the

Social Security Act provide certain descriptions of services provided in connection with the programs carried on under such plans, introduced by Mr. COTTON (for Mr. BRIDGES), by request, was received, read twice by its title, and referred to the Committee on Finance.

PRESIDENTIAL MEDAL FOR CIVILIAN ACHIEVEMENT

Mr. SMITH of New Jersey. Mr. President, I introduce, for appropriate reference, a bill to implement the recommendations of the President's Special Committee on Civilian National Honors. This special committee, which was under the chairmanship of the retiring president of Princeton University, Dr. Harold Dodds, has recommended the establishment of a Presidential Medal for Civilian Achievement.

Various bills for the establishment of some system of civilian awards were before the 84th Congress, including S. 1735, which I introduced for myself and several of my colleagues. When the Congress failed to enact any measure for such awards, President Eisenhower appointed a special committee to review the various proposals and make recommendations as to whether such awards should be established, and if so, what form they should take and how the recipients should be selected.

The committee has recently reported to the President, and it has recommended that a single award be established with the recipients chosen by the President upon the advice of a special nine-man Medal for Civilian Achievement Board.

Mr. President, as there were several bills introduced on this subject during the 84th Congress, and as several Senators joined in cosponsoring S. 1735, which I introduced during that Congress, I ask unanimous consent that the bill be left open for cosponsors until the end of business on Friday.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. SMITH of New Jersey. Mr. President, I also ask unanimous consent that the bill be printed in the RECORD, together with a press release from the White House, which summarizes the recommendations of the President's Special Committee on National Honors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and press release will be printed in the RECORD.

The bill (S. 2384) to provide for the conferring of an award to be known as the Presidential Medal for Civilian Achievement, and for other purposes, introduced by Mr. SMITH of New Jersey, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That it is the purpose of the Congress, by providing public recognition for especially meritorious contributions to the public interest in such fields as public affairs, social and spiritual betterment, science, health and medicine, education, letters, arts, law, engineering, agriculture, labor, industry, and related fields, to foster those cultural qualities essential to the development of a high and ethical civilization and conducive to the maintenance of peace and the national well-being of the United States, which are of paramount importance to humanity at all times.

PRESIDENTIAL MEDAL FOR CIVILIAN ACHIEVEMENT

SEC. 2. There is hereby established the Presidential Medal for Civilian Achievement, with accompanying appurtenances and devices, which the President may award to persons recommended to him as provided herein as having distinguished themselves by especially meritorious contributions in fields of civilian activity such as those listed in section 1.

MEDAL FOR CIVILIAN ACHIEVEMENT BOARD

SEC. 3. (a) There is hereby established a Medal for Civilian Achievement Board (hereinafter referred to as the Board) to be composed of nine members to be appointed by the President from among persons of recognized competence in fields such as those listed in section 1. Each member shall hold office for a term of 9 years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of the members first taking office shall expire as follows: 1 shall expire with the close of the first calendar year which begins after the enactment of this act, 1 with the close of the second such calendar year, and 1 with the close of each succeeding calendar year up to and including the close of the ninth such calendar year, as designated by the President at the time of appointment. The President shall from time to time designate a member of the Board to serve as its Chairman.

(b) The members of the Board shall serve without compensation, but shall, when away from their homes or regular places of business in connection with the work of the Board, be paid travel expenses pursuant to the Travel Expense Act of 1949, and per diem in lieu of subsistence as authorized by law (5 U. S. C. 73b–2) for persons in the Government service employed intermittently.

DUTIES OF THE BOARD

SEC. 4. (a) The Board is authorized and directed to recommend to the President as recipients of the Presidential Medal for Civilian Achievement citizens of the United States who shall in the judgment of the Board have made notable contributions (not necessarily in the year any such recommendation is made) in any or all of various fields, including but not limited to, public affairs, social and spiritual betterment, science, health and medicine, education, letters, arts, law, engineering, agriculture, labor, industry, and related fields. In considering its recommendations for awards, the Board shall weigh carefully the relative merit of contributions in the public interest of great potential effect, but not yet widely acclaimed, as well as contributions already well known and appreciated.

(b) The Board is also authorized to make recommendations to the President for the conferring of the Presidential Medal for Civilian Achievement posthumously upon citizens of the United States in belated recognition of outstanding contributions during their lives. Persons so honored posthumously shall include only those deceased during the 3-year period immediately preceding the date of the Board's recommendation.

(c) The Board is also authorized to make recommendations to the President for the conferring of the Presidential Medal for Civilian Achievement upon noncitizens who in the estimation of the Board have conspicuously forwarded the public welfare through contributions of international value or which enhance the welfare of the United States.

(d) All transactions of the Board with respect to the recommendation of recipients for awards shall be confidential.

(e) The Board shall select the design of the Presidential Medal for Civilian Achievement and of accompanying appurtenances and devices, and the design of a parchment testimonial to accompany the medal, and may contract for the designing and making of the medal and the testimonial in such manner as it deems advisable.

ORGANIZATION OF THE BOARD

SEC. 5. (a) The chief administrative officer of the Board shall be a secretary, who shall be appointed by the Chairman with the approval of the Board. The secretary shall perform such duties as may be directed by the Board. The Board is authorized to appoint such technical, clerical, and other employees and to make such expenditures, within the limits of appropriations available therefor, as may be necessary for conducting its business: *Provided*, That the President may make provision for the processing of personnel actions, budgeting, accounting, procurement, and related management functions through the facilities of such other departments or agencies of the executive branch as he may direct.

(b) The principal office of the Board shall be in the District of Columbia. Whenever the Board deems that the convenience of the public or of the parties may be promoted, or delay or expense may be minimized, it may conduct its proceedings at any other place within the United States.

(c) There are authorized to be appropriated such sums as may be necessary to carry out this act.

CONFERRING OF HONORS

SEC. 6. (a) The President personally, or through a representative designated by him, shall confer the Presidential Medal for Civilian Achievement in a suitable ceremony, and shall present to each recipient of the medal an engrossed parchment testimonial recording the conferring of the medal and the accomplishment or contributions for which the award is made. In the case of a posthumous award, the medal and testimonial shall be presented to a representative, to be designated by the Board, of the deceased person so honored.

(b) A recipient of the medal, or a representative designated to receive a posthumous award, shall be paid travel expenses and per diem in lieu of subsistence for travel performed for the purpose of attending the presentation ceremony, in the same manner as provided in section 3 (b) for members of the Board. The Board may also provide, in its discretion, for payment of travel expenses in the same manner for members of the immediate family of any such recipient or of any person to whom a posthumous award is made.

The press release presented by Mr. SMITH of New Jersey is as follows:

THE WHITE HOUSE, June 25, 1957.—The White House today made public a report recommending a Presidential Medal for Civilian Achievement to be awarded in recognition of especially meritorious contributions to the public interest. The report was submitted to the President May 13, 1957, by a Committee on Civilian National Honors, headed by Dr. Harold W. Dodds, retiring president of Princeton University. The Committee, consisting of 14 prominent persons chiefly from private life, was appointed by the President in August 1956 and was asked to study the need for a system of civilian awards and to develop recommendations which could be acted upon during the 85th Congress.

The Director of the Budget, at the request of the President, is transmitting today to the Congress the Committee's report and a draft of proposed legislation.

The Committee made nine major recommendations, as follows:

"1. Legislation should be enacted establishing a medal to be known as the Presidential Medal for Civilian Achievement to be awarded in recognition of especially meritorious contributions to the public interest.

"2. There should be only one degree or level of award, and awards should be confined to a relatively small number of persons who fully meet the criteria to be prescribed in the legislation.

"3. The legislation establishing the medal should make no provision for a society, academy, college or other association of recipients of the award. However, the recipients should be free to form any organization which they might desire.

"4. The function of recommending recipients and the administration of all aspects of the award program should be lodged in a nonpartisan board of nine members appointed by the President for 9-year overlapping terms.

"5. The President should have the discretion to refuse to approve a recommendation made by the Board, but approval by the Board should be prerequisite to the conferring of the medal on any proposed recipient.

"6. Noncitizens who have conspicuously forwarded the public welfare through contributions of international value should be eligible for the medal.

"7. Provisions should be made for posthumous awards within 3 years of the death of the person recommended.

"8. The President should, whenever possible, personally confer the medal at suitable ceremonies.

"9. The travel expenses incurred by a recipient in attending the ceremony at which the medal is conferred should be defrayed by the Government."

The Committee explained its recommendation that a Presidential Medal for Civilian Achievement be authorized in these words:

"The foremost and most fundamental question considered by the Committee was whether or not a Presidential Medal for Distinguished Civilian Achievement was desirable and was consistent with the traditions of the United States.

"Since the founding of the Republic, Congress has from time to time authorized awards to individuals for accomplishments of a nonmilitary character. Since 1905, for example, the President has been authorized to bestow a medal upon any person who heroically saves or attempts to save lives in connection with railroad disasters. Also, under provision of law, the President has been authorized to award the Medal for Merit to civilians distinguishing themselves by especially meritorious conduct in connection with the prosecution of World War II. The heads of certain Federal departments and agencies are also authorized to confer medals for particular types of heroism or outstanding accomplishment.

"Thus there can be no question as to the acceptance by the Congress and the people of the United States of the idea that outstanding achievement should result in public recognition in the form of a suitable medal together with its appurtenances.

"However, no general authority has been provided to date whereby the President, on behalf of the people of the United States, can give suitable recognition to civilians who have made recent contributions toward the advancement of our civilization or the welfare of our country. This deficiency came to the fore in connection with public demands that Dr. Jonas Salk receive recognition for the discovery and development of the polio vaccine. In this case, as in the case of earlier medals conferred on Charles A. Lindberg, Thomas A. Edison, and Francis X. Quinn, special legislation was required to authorize an award.

"It is, therefore, evident that general legislation is needed under which contributions to the public welfare can be systematically recognized under consistent standards. Such recognition would provide a grateful public with the means for showing its appreciation to those persons whose civilian achievements serve to advance our civilization. It would also provide an incentive which would give encouragement to persons making contributions to the public welfare in fields in which direct monetary rewards may be modest and in which there may be little opportunity for popular acclaim.

"Virtually every other country in the world has one or more systems of honors for deserving citizens. It should also be stressed that the Medal for Civilian Achievement recommended by the Committee confers no title of nobility or hereditary status. No conflict, therefore, exists with either the letter or the spirit of the prohibition in our Constitution against the granting of titles of nobility."

In his state of the Union message delivered to the Congress on January 6, 1955, President Eisenhower announced that he would "propose that awards of merit be established whereby we can honor our fellow citizens who make great contributions to the advancement of our civilization and of this country." In 1956, a bill providing a Medal for Distinguished Civilian Achievement passed the House of Representatives, but no action was taken by the Senate.

In addition to Dr. Dodds, the following persons served on the Committee:

Homer L. Brinkley, executive vice president of the National Council of Farmer Cooperatives, Washington, D. C.

Detlov Bronk, president of the Rockefeller Institute.

John Nicholas Brown, president of the Counting House Corp., Providence, R. I.

Arthur H. Compton, distinguished service professor of natural philosophy, Washington University, St. Louis, Mo.

Walter S. Gifford, honorary chairman of the American Telephone & Telegraph Co.

Mrs. Oveta Culp Hobby, president and editor of the Houston Post Publishing Co.

Dr. Ernest M. Hopkins, former president of Dartmouth College.

George Meany, president of the AFL–CIO.

Dr. James L. Morrill, president of the University of Minnesota.

Ralph E. McGill, editor, the Atlanta Constitution.

Whitelaw Reid, chairman of the board, New York Herald Tribune.

Robert G. Sproul, president of the University of California.

Dr. Charles A. Thomas, president of the Monsanto Chemical Co., St. Louis, Mo.

Dr. Leonard Carmichael, Secretary of the Smithsonian Institution, acted as the secretary to the Committee.

PRESIDENTIAL STUDY COMMISSION ON PROBLEMS OF THE BLIND

Mr. SMITH of New Jersey. Mr. President, on behalf of myself, and the Senator from Connecticut [Mr. PURTELL], I introduce, for appropriate reference, a bill to establish a Presidential Study Commission on Problems of the Blind. The Department of Health, Education, and Welfare has recommended the establishment of such a commission in order to further progress in affording our blind citizens the opportunity to achieve full independence and "to participate actively in the economic, social, cultural, and educational life of the Nation."

There are more than 320,000 blind persons in this country at the present time, and as life expectancy increases, the number of blind persons is expected to rise. The proposed Commission would undertake to determine the degree to which these persons are being assisted to lead normal lives through the efforts of various public and voluntary agencies, as well as to study and assess the existing medical knowledge and adequacy of treatment for the prevention of blindness, restoration of sight, and utilization of residual sight.

Mr. President, I ask unanimous consent that the letter of transmittal from Secretary Folsom to the President of the Senate be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, June 13, 1957.

RICHARD M. NIXON,
President of the Senate,
Washington, D. C.

DEAR MR. PRESIDENT: I am transmitting for your consideration a legislative proposal to establish a temporary Presidential commission to study and report on the problems relating to blindness and the needs of blind persons.

There are upward of 320,000 blind persons in the United States. Moreover, the number of blind persons has increased during the past decade and is expected to increase as the life span of our people is extended. Many of our blind people do not have an opportunity to achieve full independence or to participate actively in the economic, social, cultural, and educational life of the Nation. Consequently, there is need for further study and evaluation of programs and activities relating to the blind to determine what contributions are being made, and, in the light of modern social, technological, and scientific developments, what contributions can be made to the general advancement of blind persons, and thus to the general welfare and economy of the Nation.

The proposed legislation would establish a Presidential Study Commission on Problems of the Blind. The Commission would consist of 21 members appointed from among persons who are widely recognizd for their knowledge of, or experience or interest in, problems relating to blindness and the needs of blind persons. The Commission would be selected with a view to securing a broad representation of leaders in medicine, education, social work, psychology, rehabilitation, and related professions, and representatives of public and voluntary organizations or agencies providing service to blind persons, and of industry, labor, and the general public. Not less than three of the members of the Commission would be persons who are themselves blind.

The Commission would make a broad and comprehensive study, analysis, and assessment of existing knowledge, programs, and activities relating to blindness and the needs of blind persons, including such matters as medical advances in the prevention of blindness, restoration of sight, and utilization of residual sight; employment opportunities for blind persons; and current contributions to the economic, social, educational, recreational, cultural, and vocational advancement of the blind made by public and voluntary agencies.

Not later than January 31, 1959, the Commission would submit to the President an interim report and, not later than January 31, 1960, its final report would be made on the results of its studies, together with its recommendation for appropriate action by

public and private agencies at Federal, regional, State, and local levels. The Commission would cease to exist 30 days after submission of its final report.

The enclosed draft includes provision for compensation of members, while on business of the Commission, at not to exceed $50 per day, plus travel expenses and per diem. Appointment, without regard to the civil service or classification laws, of an executive director (at not to exceed $14,000 a year) and other necessary staff would also be authorized. The Commission would be authorized to secure necessary information from other Federal departments and agencies. It is planned that the housekeeping services for the Commission will be provided on a reimbursable basis by the Department of Health, Education, and Welfare.

It is hoped that the study authorized would provide needed stimulation, guidance, and direction in the development of improved methods and increasingly effective programs of services for the blind, and would stimulate greater interest and action among our medical, educational, industrial, and social science research talent in the prevention and reduction of the handicapping effects of blindness. We believe that this study would do much toward creating a national atmosphere for developing positive and realistic attitudes toward the role and acceptance of blind persons in modern society.

The legislation would authorize to be appropriated for the fiscal year ending June 30, 1958, and the 2 succeeding fiscal years such sums, not to exceed an aggregate of $200,000, as the Congress may determine.

We shall appreciate it if you will be good enough to refer the enclosed draft bill to the proper committee for consideration.

The Bureau of the Budget advises that it perceives no objection to the submission of the proposed legislation to the Congress for its consideration.

Sincerely yours,

M. B. FOLSOM,
Secretary.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2385) to establish a temporary Presidential commission to study and report on the problems relating to blindness and the needs of blind persons, and for other purposes, introduced by Mr. SMITH of New Jersey (for himself and Mr. PURTELL), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

PARTITION OR SALE OF INHERITED INTERESTS IN ALLOTTED INDIAN LANDS

Mr. ANDERSON. Mr. President, I introduce for appropriate reference, on behalf of the senior Senator from Utah [Mr. WATKINS] and myself, a bill to authorize the partition or sale of inherited interests in allotted Indian lands, and for other purposes.

I ask unanimous consent, that the bill, together with a memorandum explaining the bill, be printed in the RECORD, because the General Accounting Office has asked for a clarification of the matter. We are presenting the bill and the statement so that Congress may consider the proposal and subsequently take action.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and memorandum will be printed in the RECORD.

The bill (S. 2397) to authorize the partition or sale of inherited interests in allotted Indian lands, and for other purposes, introduced by Mr. ANDERSON (for himself and Mr. WATKINS), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That (a) any owner of an interest in any tract of land in which any undivided interest is now or hereafter held in trust by the United States for an Indian, or is now or hereafter owned by an Indian subject to restrictions against alienation or taxation imposed by the United States, may commence in a State court of competent jurisdiction an action for partition in kind or for the sale of such land in accordance with the laws of the State where such land is situated. For the purpose of any such action the Indian owners shall be regarded as vested with an unrestricted fee simple title to the land, the United States shall not be a necessary party to the proceedings, and any partition or conveyance of the land pursuant to the proceedings shall divest the United States of title to the land, terminate the Federal trust, and terminate all restrictions against alienation or taxation of the land imposed by the United States.

(b) The court costs of any proceedings under subsection (a) of this section shall be borne by the United States, including reasonable attorney fees, under such regulations as may be prescribed by the Secretary of the Interior.

SEC. 2. (a) The Secretary of the Interior is authorized and directed to issue, without application, to any Indian having an interest in trust or restricted lands, an order removing restrictions against alienation, lease, mortgage, or other encumbrance of the Indian's interest in such land if in the judgment of the Secretary such Indian has sufficient ability, knowledge, experience, and judgment to enable him, or her, to manage his, or her, business affairs, including the administration, use, investment, and disposition of any property turned over to such person and the income or proceeds therefrom, with such reasonable degree of prudence and wisdom as will be apt to prevent him, or her, from losing such property or the benefits therefrom. Such order shall be effective 6 months after notice thereof is given to such Indian, unless it is set aside by a State court in accordance with proceedings initiated prior to such time pursuant to subsection (b) of this section. The timely initiation of such proceedings shall stay the effective date of the order until the proceedings are terminated. When the Secretary issues an order pursuant to this subsection, he shall notify the board of county commissioners, or similar county officials, for the county in which the Indian resides.

(b) Upon the issuance of an order by the Secretary of the Interior in accordance with subsection (a) of this section, and before its effective date, the Indian affected or the board of county commissioners, or similar county officials, may apply to a State court of general jurisdiction in the county where the trust or restricted land is located for an order setting aside such order of the Secretary. The court shall set a hearing date not less than 30 days from the date it receives such application, and, under rules adopted by the court, notify the board of county commissioners, or similar county officials, the welfare departments of the State and county governments, the local representative of the Commissioner of Indian Affairs, and any other person the court considers appropriate. At the hearing the court shall examine the Indian and may require the persons who appear before the court to give testimony in the matter of the ability of the Indian to manage his, or her, own affairs. The Secretary of the Interior, and the attorney for the State court, shall be given an opportunity to appear at such hearings and to participate in the examination of the Indian and other witnesses. The evidence taken at the hearing shall be transcribed and filed of record in the case. In determining capability the court shall apply the standard specified in subsection (a) of this section with respect to determinations by the Secretary of the Interior. If the court finds the Indian is capable of managing his, or her, own affairs, it shall deny the application for an order to set aside the order of the Secretary of the Interior. If the court does not find that the Indian is able to manage his, or her, own affairs, it shall set aside the order of the Secretary of the Interior. The court shall furnish to the Secretary and to the applicant one certified copy of any final order issued by it. Any final order of the court shall be subject to appeal by the Indian, by the Secretary of the Interior, or by proper county officials in accordance with the laws of the State involved, except that no appeal bond shall be required in an appeal by the Secretary.

(c) When the order removing restrictions becomes effective. The Secretary of the Interior shall cause to be turned over to the Indian full ownership and control of any money and property that is held in trust for him, or her, or that is held subject to a restriction against alienation imposed by the United States, issuing, in the case of land such title document as may be appropriate: *Provided*, That the Secretary may make such provisions as he deems necessary to insure payment of money loaned to any such Indian by the Federal Government or by an Indian tribe.

SEC. 3. (a) Nothing in this act shall abrogate the interest of any lessee or permittee under any lease, contract, or permit that is outstanding when an order removing restrictions becomes effective.

(b) Nothing in this act shall be regarded as repealing or superseding the act of August 11, 1955 (69 Stat. 666), or the act of June 18, 1956 (70 Stat. 290).

SEC. 4. Any existing exception from taxation that constitutes a vested property interest shall continue in force and effect until it terminates by virtue of its own limitations.

SEC. 5. (a) The provisions of the act of January 24, 1923 (42 Stat. 1174, 1185), and all prior statutes with respect to the collection of fees by the Secretary of the Interior for the determination of heirs and the probate of wills of deceased Indians, and section 2 of the act of December 24, 1942 (56 Stat. 1080, 1081, 25 U. S. C. 375b), are repealed, but the schedules of fees specified therein shall continue in force until modified pursuant to the authority granted by subsection (b) of this section.

(b) The Secretary of the Interior shall collect, in accordance with rules and regulations which he shall prescribe, fees for probating wills, determining heirs, and administering decedents' estates involving trust or restricted Indian property. Such fees shall be designed to cover, in the aggregate, not more than the cost of the work performed, and they shall be deposited in the miscellaneous receipts of the Treasury of the United States.

The memorandum presented by Mr. ANDERSON is as follows:

MEMORANDUM PRESENTED BY SENATOR ANDERSON

On November 26, 1956, the Comptroller General submitted to the Congress an audit report on the subject of the administration of Indian lands by the Bureau of Indian Affairs, Department of the Interior. In his report, the Comptroller makes several recommendations to the Congress with respect to the introduction of legislation to solve prob-

lems disclosed by the General Accounting Office investigation.

Specifically, the GAO report alludes to (1) the heirship land problem; (2) the reluctance of competent Indians to voluntarily terminate the trust status of their lands; (3) the enactment of authority which will permit the Secretary to prescribe fees designed to cover the actual cost of work performed in probating estates of deceased Indians.

I am informed that neither the Bureau of Indian Affairs nor the Department of the Interior intends to submit legislation and, therefore, I have had a bill prepared, which is designed to carry out the Comptroller's suggestions.

I recognize that the subject matter dealt with in the bill is controversial; however, the problems which it attempts to solve must be settled in the near future. In my opinion, it would be helpful if legislation could be introduced during this session of the Congress, so that the views of the Interior Department might be obtained at an early date.

The language in sections 1 and 2 of the bill has been taken from bills enacted in the 84th Congress affecting the Tulalip Tribe of Washington and the Five Civilized Tribes of Oklahoma, respectively. I understand these provisions were acceptable to the Indians affected, and that they have worked reasonably well.

If enacted, this legislation will permit any owner of individual interests in trust or restricted allotted land on any reservation, on their own volition, to commence an action in the State courts to partition the land in kind or to sell the land in accordance with the laws of the State. This bill will give to Indian owners of undivided (fractionated heirship) interests in allotted land the same right that other citizens of the State have; that is, the right to ask a court of competent jurisdiction for a segregation of their undivided interests by partition, if practicable, and otherwise by sale. Under the laws of most States, a sale is made by public auction or competitive bid and any owner of an undivided interest will have the opportunity to purchase the interests of the other owners if he wishes to do so.

Section 2 of the bill provides that—

1. The Secretary of the Interior may issue an order removing restrictions, either on application of the Indian or on his own initiative, if in his judgment the Indian is capable of handling his own affairs without assistance from the Federal Government.

2. A review of the Secretary's action in issuing or refusing to issue an order removing restrictions may be obtained in the county court in which the Indian resides. The review may be initiated by the Indian affected or, in the case of an order issued without application therefor, by the board of county commissioners. The county court may affirm the action of the Secretary, or set aside an order issued by the Secretary, or issue an order removing restrictions, as the facts may warrant. Any final order of the county court is subject to appeal in accordance with the probate laws of the State.

3. When an order removing restrictions is issued, the Secretary shall give the Indian full control over his real and personal property that is subject to restriction against alienation imposed by the United States.

Section 3 of the bill provides that—

1. The interest of any lessee or permittee under any lease, contract, or permit that is outstanding when an order removing restrictions becomes effective shall not be abrogated by this act.

Section 4 of the bill provides that—

1. Any existing exception from taxation that constitutes a vested property interest shall continue in force until it terminates by its own limitations.

Section 5 of the bill provides for:

1. The repeal of existing statutes with respect to the collection of fees by the Secretary of the Interior for determining heirs and probating Indian estates, and provides new authority for the Secretary to charge fees in keeping with the actual cost of performing such work.

CENTRAL SECURITY OFFICE TO COORDINATE ADMINISTRATION OF FEDERAL PERSONNEL LOYALTY AND SECURITY PROGRAMS

Mr. JOHNSTON of South Carolina. Mr. President, I introduce, for appropriate reference, a bill to establish a central security office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedure for the hearing and review of cases arising under such programs, and for other purposes, and ask unanimous consent that it be referred to the Committee on Post Office and Civil Service.

During the 84th Congress, the Senate Committee on Post Office and Civil Service submitted to this body a series of reports on its study of the administration of the Federal employees' security program. This study was made by the committee during 1955 and 1956.

Many of the recommendations embodied in those reports have been repeated in the report of the Commission on Government Security recently released by Lloyd Wright, Chairman of the Commission.

It is my earnest hope that these reports will furnish the basis for legislation that will enable the Post Office and Civil Service Committee to complete the job it started some years ago.

The bill I have introduced carries out a portion of the recommendations on Government security made by the Commission on Government Security. The bill, first, establishes a central security office to coordinate the administration of Federal personnel, loyalty, and security programs; and second, prescribes administrative procedures for the hearing and review of cases arising under such programs.

I believe the recommendation establishing a central security office would be the major recommendation of the Wright Commission. I do not feel that this recommendation vests quite enough authority in the central security office.

The bill just introduced would also extend to nonveterans the rights now enjoyed by veterans in the Federal service to have their separations from employment reviewed by the Civil Service Commission.

It is my intention to hold early hearings and to request the committee to take appropriate action with respect to this legislation in view of the recent Supreme Court decision which invalidates part of the present Federal employees' security program.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2399) to establish a Central Security Office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedure for the hearing and review of cases arising under such programs, and for other purposes, introduced by Mr. JOHNSTON of South Carolina, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

CONSTRUCTION OF NEW DRY CARGO VESSELS IN AMERICAN SHIPYARDS

Mr. BUTLER. Mr. President, I introduce, for appropriate reference, a bill to authorize the Secretary of Commerce to transfer war-built merchant vessels to American citizens, to encourage construction of new dry cargo vessels in American shipyards for American flag operation, and for other purposes. I ask unanimous consent that a memorandum prepared by me relating to the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the memorandum will be printed in the RECORD.

The bill (S. 2403) to authorize the Secretary of Commerce to transfer war-built merchant vessels to American citizens, to encourage construction of new dry cargo vessels in American shipyards for American flag operation, and for other purposes, introduced by Mr. BUTLER, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The memorandum presented by Mr. BUTLER is as follows:

MEMORANDUM BY SENATOR BUTLER

The purpose of this memorandum is to outline a program for new ship construction which encompasses the following objectives:

1. The construction for account of United States citizens of new type vessels in American shipyards for operation under the American flag pursuant to the Merchant Marine Act of 1936, but without direct Government subsidy for either construction or operation.

2. The purchase by American owners of Government owned war-built vessels in the reserve fleet for operation under American flag in accordance with terms set forth in the Merchant Marine Act of 1946 (expired January 15, 1951). Profits earned from operation of such vessels to be earmarked to recover excess of domestic over foreign construction costs and applied to finance the new ship construction.

The objectives of the plan fall within the scope of our national maritime policy, viz, to foster the development and encourage the maintenance of an American Merchant Marine. New American flag vessels of a highly desirable type would be built. Inactive vessels deteriorating in lay-up would come into operation, or vessels about to be returned to lay-up would remain in operation.

To build vessels in American shipyards substantially more capital must be invested in the shipowning corporations than that needed to build the same ships in foreign shipyards. To compensate for such construction cost differentials, three methods have been employed to encourage new shipbuilding in American yards: (1) direct construction differential subsidies; (2) trade-in to the Government of old tonnage, and (3) approval of transfer to foreign registry of United States flag tonnage.

The plan herein proposed incorporates none of the above forms of either direct or indirect subsidy. The additional capital investment required for domestic construction would be recovered from profits expected to

be earned from operating, under American flag, vessels to be purchased from the reserve fleet.

Last year approximately 100 vessels were broken out of the reserve fleet on a "bareboat" charter arrangement. Many of these vessels will be returned to the Government this summer and early fall, presumably for mothballing in the reserve fleet. It is proposed that the Maritime Administration be authorized to sell a prescribed number of these vessels to American citizens for United States flag operation pursuant to contract commitments assuring construction in American yards of new vessels.

If sufficient profits cannot be made to account for the differential of construction costs in American shipyards, that is a business risk which proponents of this plan are willing to assume.

CONSTRUCTION OF CERTAIN WORKS OF IMPROVEMENT IN NIAGARA RIVER

Mr. KERR. Mr. President, I introduce for appropriate reference a bill. I ask unanimous consent that any Senator who wishes to become a joint sponsor may be permitted to do so prior to the reporting of the bill by the committee

The VICE PRESIDENT. The bill will be received and appropriately referred and, without objection, the request of the Senator from Oklahoma is granted.

The bill (S. 2406) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes, introduced by Mr. KERR (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

CONSTRUCTION OF FRYINGPAN-ARKANSAS PROJECT, COLORADO—AMENDMENTS

Mr. KUCHEL. Mr. President, some time this week, perhaps tomorrow, I am told that Senate bill 60, the so-called Fryingpan-Arkansas project, will be brought up by motion for debate in the Senate. I submit two amendments, intended to be proposed by me to that bill, and to which I desire the Senate to give consideration and ask that they be printed.

The VICE PRESIDENT. The amendments will be received, printed, and lie on the table.

Mr. KUCHEL. Mr. President, I ask unanimous consent that there may be printed at this point in my remarks the text of each of the two amendments.

There being no objection, the texts of the amendments were ordered to be printed in the RECORD, as follows:

On page 2, line 16, before the period insert a colon and the following proviso:

"*Provided, however,* That such modifications or additions as may be found necessary and such investigations as may be required in connection therewith shall not extend to or contemplate the so-called Gunnison-Arkansas project, nor shall any of the works together with any modifications or additions provide for the diversion transmountain of more than 69,000 acre-feet of water per annum from the natural basin of the Colorado River, and nothing in this act shall constitute a commitment, real or implied, to the further exportation of water from the Colorado River system."

On page 10, after line 5, insert the following new section 8:

"SEC. 8. In the construction, operation and maintenance of all facilities authorized by Federal law and under the jurisdiction and supervision of the Secretary of the Interior for the utilization of waters of the Colorado River System, including but not limited to all works authorized by this Act, the Secretary of the Interior is directed to comply with the applicable provisions of the Colorado River Compact, the Upper Colorado River Basin Compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, the Colorado River Storage Project Act, the Treaty with the United Mexican States, and any contract lawfully entered into by the United States under any of said acts, in the storage and release of waters from reservoirs. In the event of the failure of the Secretary of the Interior to so comply, any State of the Colorado River Basin may maintain an action in the Supreme Court of the United States to enforce the provisions of this section and consent is given to the joinder of the United States as a party in such suit or suits, as a defendant or otherwise."

Renumber the present section 8 to section 9.

Mr. KUCHEL. Mr. President, printing them in today's RECORD will give the Members of the Senate an opportunity to see exactly what my amendments propose.

RESIDENTIAL CONSTRUCTION FOR VETERANS' HOUSING — AMENDMENTS

Mr. THURMOND (for himself, Mr. HILL, Mr. MURRAY, Mr. NEELY, Mr. KENNEDY, Mr. MCNAMARA, Mr. MORSE, Mr. IVES, Mr. GOLDWATER, Mr. ALLOTT, Mr. COOPER, Mr. PURTELL, and Mr. SMITH of New Jersey) submitted amendments, intended to be proposed by them, jointly, to the bill (H. R. 4602) to encourage new residential construction for veterans' housing in rural areas and small cities and towns by raising the maximum amount in which direct loans may be made from $10,000 to $12,500, to authorize advance financing commitments, to extend the direct loan program for veterans, and for other purposes, which were ordered to lie on the table, and to be printed.

TECHNICAL CHANGES IN FEDERAL EXCISE TAX LAWS—AMENDMENTS

Mr. MARTIN of Iowa submitted amendments, intended to be proposed by him, to the bill (H. R. 7125) to make technical changes in the Federal excise tax laws, and for other purposes, which were referred to the Committee on Finance and ordered to be printed.

DISCLOSURE OF GOVERNMENT FILES—ADDITIONAL COSPONSORS OF BILL

Mr. O'MAHONEY. Mr. President, at the request of the distinguished Senator from West Virginia [Mr. NEELY], and the distinguished Senator from Michigan [Mr. POTTER], I ask unanimous consent that their names may be added as cosponsors of the measure which I introduced on Monday, namely, Senate bill 2377, with respect to the disclosure of Government files.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. JAVITS:

Address delivered by Senator CASE of New Jersey before New York Young Republican Club, Mayflower Hotel, Washington, D. C., June 22, 1957.

By Mr. MUNDT:

Georgetown University Forum on How To Elect the President, held on June 9, 1957.

Letter from William R. Ming, Jr., enclosing a table on ratings of the States and Army educational tests; and excerpts from article entitled "Oregon's Schools Near the Very Top," written by Senator and Mrs. NEUBERGER.

NOTICE OF CONSIDERATION OF TWO NOMINATIONS BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate received today the nominations of W. Randolph Burgess, of Maryland, to be the United States Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary, vice George W. Perkins, resigning.

Maxwell H. Gluck, of Kentucky, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ceylon, vice Philip K. Crowe, resigned.

Notice is given that these nominations will be eligible for consideration by the Committee on Foreign Relations at the expiration of 6 days, in accordance with the committee rule.

NOTICE OF POSTPONEMENT OF HEARINGS BY SUBCOMMITTEE ON AGREEMENTS FOR COOPERATION

Mr. PASTORE. Mr. President, on June 19, I announced that the Subcommittee on Agreements for Cooperation of the Joint Committee on Atomic Energy would hold hearings tomorrow, June 27, on the Participation Act for the International Atomic Energy Agency. Because some of the agencies will not be ready, that meeting is being postponed to Tuesday, July 2, at 10 o'clock a. m. My previous invitation to Senators to make any statement they desire before the subcommittee is extended for the July 2 meeting.

STOP, LOOK, AND LISTEN, BEFORE CRITICIZING SUPREME COURT OF THE UNITED STATES

Mr. WILEY. Mr. President, the Nation's press, radio, and television have been filled with comments with regard to the recent series of Supreme Court de-

cisions. Rarely have cases so excited strong comment from so many quarters.

Members of the press have asked me my own reactions to these cases, particularly in my capacity as senior Republican on the Senate Judiciary Committee.

I have responded in this manner:

Before issuing curbstone opinions, let us study the decisions themselves. Let us study the facts and the reasoning in each of the cases, to see how far the decisions actually go.

Two kinds of basic comments have been made, so far.

One type of comment has angrily denounced the Supreme Court, has questioned the motives of individual Court members, and has demanded immediate legislation to reverse the Court decisions, to the extent that is possible.

Mr. President, I say that any such abuse of the Supreme Court, any such premature haste to undo its decisions, is unwarranted. Let us remember that the judicial branch of our Government is a separate, equal, and coordinate branch. Let us remember that the Constitution of the United States envisioned a check-and-balance system. This system, to my way of thinking, is the greatest essential feature of our Republic. It is the feature which prevents us from swinging too far to any extreme, for then the delicate system of checks and balances comes into operation.

I have referred thus far to one type of comment on the Court decisions.

There has been another type of comment—that hailing the Court decisions as great landmarks in the never-ending fight for the protection of civil liberties of all American citizens, even if they be accused of the worst crimes. In these comments, the Court has been commended for reversing a process of erosion of individual rights.

So far as I am concerned, Mr. President, I, too, deeply prize individual liberties. At the same time, I want to study these cases, to determine their effect on the ability of the investigative agencies of the executive branch of the United States Government and the ability of investigative committees of the Congress to do their necessary job.

I am sure the Department of Justice is now studying most carefully the problems raised by this series of the cases. This process of studying the decisions, analyzing their implications, and analyzing the precedents which will come up in future cases, will take a good deal of time.

On Monday last, I agreed with other Senators that the question of the right of witnesses to obtain disclosure of FBI papers relevant to cross-examination of Government witnesses should be clarified; and we introduced a bill to accomplish that purpose. In my judgment, the essential word in the context is the word "relevant" or "pertinent." I do not believe a witness should have, in effect, a Roman holiday in examining all files, based upon confidential information gathered by FBI investigators, regardless of whether such information is relevant.

So I was pleased to join in introducing a bill which will amend chapter 223 of title 18, of the United States Code, and will very carefully set forth this standard of relevance. The bill will provide that the Court, in executive session, or, to use the legal term, in camera, shall decide what statements do actually relate to the subject matter to which the witness has testified. This bill, like any other bills relating to the recent Supreme Court decision, will have to be studied with extreme care; and I am sure that this will be the case before the Senate and House Judiciary Committees.

So I urge what I have urged time and again, namely, that we try to be judicious in our approach; that we not rush to one extreme or the other; that we stop, look, and listen.

Let there be no abuse of the highest tribunal of our land. Let us respect the men who wear the honored robes of the highest judicial office which can be attained in the American system of government. The majority in each of these decisions rendered its verdict, I am sure, in good faith. The fact that any of us may differ with any of the decisions, should not lessen our respect for the sincerity with which the decisions were rendered.

Mr. President——

The VICE PRESIDENT. The Senator from Wisconsin.

THE BRICKER AMENDMENT

Mr. WILEY. Mr. President, the Subcommittee on Constitutional Amendments, of the Judiciary Committee, is always willing to give a day in court to any Senator desiring to be heard on a proposed constitutional amendment. It was in this spirit, I am sure, that the subcommittee yesterday morning heard testimony from the Senator from Ohio [Mr. BRICKER] in support of Senate Joint Resolution 3, the latest version of his constitutional amendment, which I have invariably opposed.

Since I was occupied in an important meeting of the Senate Committee on Foreign Relations yesterday morning, I limited myself to my recent statement, printed in the CONGRESSIONAL RECORD of June 14, in opposition to Senate Joint Resolution 3; and this statement of mine was introduced into the record of the committee hearing on yesterday at the request of the Senator from Missouri [Mr. HENNINGS].

The Senator from Missouri, a member of the Subcommittee on Constitutional Amendments, himself testified in opposition to Senate Joint Resolution 3. His statement is so fine that I think every Member of this body and all interested members of the public should have an opportunity to read it. Therefore, Mr. President, I ask unanimous consent that there be printed at this point immediately following my remarks in the CONGRESSIONAL RECORD the statement on the 1957 version of the Bricker amendment made to the Constitutional Amendments Subcommittee on June 25, 1957, by the Senator from Missouri.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON THE 1957 VERSION OF THE BRICKER AMENDMENT, MADE TO THE CONSTITUTIONAL AMENDMENTS SUBCOMMITTEE, JUNE 25, 1957

I appear this morning as a witness before the Constitutional Amendments Subcommittee rather than as a member of this subcommittee, at the request of the Chairman and as a courtesy to my distinguished colleague, Senator BRICKER, of Ohio.

I want to make abundantly clear at the outset that I do not question in the slightest the patriotism or good inentions of my friend JOHN BRICKER. He is, in my opinion, one of the most high-minded Members of the Senate.

Everyone is entiled to his day in court, although in this case we have, over the years, devoted a multitude of days in court to the multitude of different versions of the Bricker amendment. Today we have before us yet another version of this proposed amendment. This year, Senator BRICKER was a bit tardy in rushing in with his proposal and it is labeled Senate Joint Resolution 3, rather than Senate Joint Resolution 1, as it was for so long in the past.

As I understand it, this is Senate Joint Resolution 3's day in court. In order that both sides of the question might be presented—not only to this subcommittee but also to the public—I agreed to assume my oft repeated role in opposition to amending the constitutional powers of the Federal Government and its President in the conduct of foreign affairs and defense of the Nation.

It is my considered judgment that what we are engaged in here this morning is an exercise in futility; but it is not a new exercise; we have been engaged in it for years.

Yet, lest there be any misunderstanding, let me assure the dwindling number of proponents of this measure that as long as they come back, year after year, with their proposal, there will be those of us who—in subcommittee, in committee, and on the floor of the Senate—will, just as persistently, point out the dangers and the pitfalls inherent in this radical, though innocent sounding, amendment. Let me assure the proponents that they shall not win by default.

My remarks shall be as brief and concise as possible. However, I have prepared a supplementary written statement which covers in more detail two of the major points I am about to make, i. e., the effect of the recent Supreme Court decision in *Reid* v. *Covert*, and a section-by-section analysis of Senate Joint Resolution 3. I ask the chairman to have this statement printed in the RECORD at the conclusion of my remarks.

THE PROPOSED AMENDMENT IS UNNECESSARY

No case has been made for the need for an amendment of the Constitution. The burden of showing the need or the desirability of any amendment rests squarely upon the proponents. But they have failed to reveal either any need or any useful purpose that would be served.

The grave importance of any amendment to the Constitution and the pitfalls involved in changes were summarized by the Attorney General of the United States, Mr. Herbert Brownell, Jr., when he stated before this subcommittee in May 1955 that "changing the Constitution is a serious undertaking. The checks and balances which it provides are delicate. They are intended to prevent tyranny and dictatorship, but, at the same time, to enable the Federal Government to deal effectively with other nations. Even a slight redistribution of powers could leave us without adequate powers so to function. The success with which our country has dealt with both foreign and domestic problems under the Constitution for more than 160

years should not be disregarded. It should not lightly be traded for an experiment" (hearings, 1955, p. 277).

As I understand the proponents of the constitutional amendment contained in Senate Joint Resolution 3, one of their principal arguments is that under the Constitution as it stands treaty provisions may annul constitutional guaranties such as those contained in the Bill of Rights. The falsity of this contention is amply demonstrated by an unbroken line of Supreme Court cases. More than 100 years ago the Court said in *Doe* v. *Braden:*

"The treaty is therefore a law made by the proper authority, and the courts of justice have no right to annul or disregard any of its provisions, unless they violate the Constitution of the United States."

The proposition that a treaty cannot violate the Constitution was reiterated in *Hauenstein* v. *Lynham* (1880) and *Geofroy* v. *Riggs* (1890).

Many times the proponents of constitutional amendments to curtail the treaty power of the United States and the authority of the President have misrepresented the purport of another Supreme Court case, *Missouri* v. *Holland*. They have cited Justice Holmes' opinion there for the proposition that there are no limits on what a treaty can do in relation to the Constitution. Apparently they have overlooked or preferred not to see the following statements in that opinion:

"We do not mean to imply that there are no qualifications to the treatymaking power. * * *"

"* * * The treaty in question does not contravene any prohibitory words to be found in the Constitution."

Four years later the Court again stated that the treatymaking power of the United States "does not extend 'so far as to authorize what the Constitution forbids.'" *Asakura* v. *Seattle* (265 U. S. 332, 341 (1924)).

SUPREME COURT COULDN'T BE CLEARER

When the Supreme Court handed down its recent decision in *Reid* v. *Covert*, I said to myself, "Now even Senator BRICKER will be convinced that his amendment isn't needed." Apparently, I could not have been more mistaken, because here we are today.

No one has shown how this decision can be construed—even by the wildest stretch of the imagination—as not completely cutting the ground out from under the proposed amendment. I do not see how any constitutional lawyer can read this decision and still be convinced that any amendment is necessary.

Let us look at the words of the Court:

"* * * no agreement with a foreign nation can confer power on the Congress, or on any other branch of government which is free from the restraints of the Constitution.

"Article VI, the supremacy clause of the Constitution declares: 'This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land * * *'

"There is nothing in this language which intimates that treaties and laws enacted pursuant to them do not have to comply with the provisions of the Constitution. Nor is there anything in the debates which accompanied the drafting and ratification of the Constitution which even suggests such a result * * * it would be manifestly contrary to the objectives of those who created the Constitution, as well as those who were responsible for the Bill of Rights—let alone alien to our entire constitutional history and tradition—to construe article VI as permitting the United States to exercise power under an international agreement without observing constitutional prohibitions. In effect, such construction would permit amendment of that document in a manner not sanctioned by article V. The prohibitions of the Constitution were designed to apply to all branches of the National Government and they cannot be nullified by the Executive or by the Executive and the Senate combined.

"There is nothing new or unique about what we say here. This Court has regularly and uniformly recognized the supremacy of the Constitution over a treaty."

The Court then goes on to cite a whole string of previous cases in which it reached the same result—cases going back over a hundred years.

Could the Court be any clearer than it has in this most recent recitation of an old and hallowed proposition? Is there anything, in fact, that the Court could have said to convince those who favor a constitutional amendment just for the sake of a constitutional amendment? It could theoretically be argued that any and every proposition of law enunciated by the Court, no matter how clearly and how often, should be enshrined in the Constitution, since at some future time, some future court, under some unexplained aberration might perhaps conceivably change its mind—maybe. It seems to me that that is what the proponents of amendment of the treaty power are proposing today.

The argument has been made that there is some slight ambiguity in the fact that only four Justices signed the opinion containing the Court's words on the supremacy of the Constitution over treaties. As lawyers, we know this is entirely irrelevant. Two other Justices (Frankfurter and Harlan), in separate opinions, concurred in the result reached by the Court. Two other Justices (Clark and Burton) dissented, but on grounds having nothing to do with the supremacy clause. I wish to stress that there is nothing—not a single word—in either the concurring or dissenting opinions to indicate that these four Justices do not agree entirely with the Court's clear-cut restatement of the supremacy of the Constitution.

I challenge the proponents of the amendment—those few who remain after this devastatingly clear opinion—to point to a single phrase in any of the four opinions that gives the slightest credence to their contention that a constitutional amendment is necessary. In short, in my opinion, they are bluffing. The decision is clearly the other way. If there was ever any need for an amendment based on doubt as to the Court's holdings—and I don't think there ever was—that need has now completely vanished in the light of this opinion.

SENATE JOINT RESOLUTION 3 IS A NEW AND DANGEROUS PROPOSAL

Not only is Senate Joint Resolution 3 unnecessary, it is also a new and very dangerous proposal. Although superficially it may sound similar to previous proposals, it is an entirely new version, the practical results of which are unknown. As we have discovered in past hearings on various versions, the mere addition or subtraction of a single word or phrase might completely change the effect of a whole section. To put it mildly, this is a tricky business, and we must proceed with utmost caution. The Constitution of the United States is not to be tinkered with lightly. We must carefully weigh the meaning and effect of each word.

DANGEROUS LIMITATIONS ON THE TREATY POWER

The effect of the language of the proposed amendment is open to serious question. If, for example, the provisions of section 1 were merely intended to confirm and declare existing law, they would have no legal significance. However, the legislative history of similar provisions in earlier proposals would not support the view that such provisions were intended to be or should be construed by the courts as merely declaratory and confirmatory of existing law. The whole impact of fears expressed and proposals made by proponents of earlier versions of an amendment all point to one conclusion: An intent to limit the power of the United States to make treaties and other international agreements.

In the light of this intent of the proponents, the words "in pursuance of this Constitution" in section 1 might be interpreted by the courts as invalidating all treaty provisions on matters not within the expressly delegated powers of the Congress.

The provisions of section 2 might also be interpreted as placing the same limitation on the power of Congress to implement a treaty, with the result that many important treaty provisions could not be enforced unless implemented by each and every one of the 48 States. Section 2 would encourage the Senate to leave the implementation of treaties partly to the Congress and partly to the States. The crippling effect of dependence upon the States for the enforcement of treaty provisions was a grievous experience under the Articles of Confederation.

Section 2 would apply not only to subsequent treaties but also all international commitments entered into by the United States since the adoption of the Constitution. The inclusion in section 1 of the provision that "this section shall not apply to treaties made prior to the effective date of this Constitution" shows clearly an intent that the section shall be retroactive. Both sections might, accordingly, be construed as preventing enforcement within the United States of many existing treaties and agreements unless and until necessary legislation were enacted by the Congress or by the States or by both.

The provisions of both sections 2 and 3 clearly infringe upon the traditional constitutional powers of the President. Both sections would make the effectiveness of any executive agreement as a law in the United States dependent upon legislation, and section 3 would limit such legislation to the expressly delegated powers of the Congress. Those two sections could prevent the enforcement within the United States of an executive agreement made by the President under his constitutional authority as Commander in Chief. President Eisenhower has clearly stated his position in this connection. He has consistently stated that he will not accept any amendment which would hamper the President in his constitutional authority to conduct the foreign affairs and defense of the Nation.

Some of the proponents have asserted that the treatymaking power is a gap in the protection afforded by the Constitution.

It is submitted that an examination of our entire history, including all that has been presented for and against each of the proposed amendments, fails to show any such gap. On the contrary, any such amendment would certainly create a great gap: It would shoot a hole in the Constitution; a big hole in the very part where authority is now and has been provided for over 160 years to deal effectively with other nations through peaceful negotiations.

Shall this Nation continue to speak with one voice in the conduct of its foreign affairs, as it has done for 160 years under the Constitution, or shall it revert to the impotent and crippling condition it found itself in under the Articles of Confederation? I submit that handing back to the States the authority to decide what treaties can be enforced and otherwise hamstringing our power to negotiate with other nations would be of no benefit to the States as a whole or individually or to the people of the United States who established the Constitution.

These inherent dangers in the proposal are discussed more thoroughly in the written statement which I have submitted for the record.

SUPPLEMENTARY WRITTEN STATEMENT ON THE 1957 VERSION OF THE BRICKER AMENDMENT, TO THE CONSTITUTIONAL AMENDMENTS SUBCOMMITTEE, JUNE 25, 1957

THE RECENT SUPREME COURT DECISION IN "REID V. COVERT" AND "KINSELLA V. KRUEGER"

A contention has been advanced by Senator BRICKER that the Supreme Court cases of *Reid* v. *Covert* and *Kinsella* v. *Krueger* have undermined the fundamental proposition that the Constitution is supreme over treaties, which has been stated and restated so often by the Court. The argument appears to run as follows: (1) Only 4 out of 9 Justices on the Supreme Court stated in these cases that treaties, and laws enacted pursuant to them, must comply with the provisions of the Constitution; (2) the other 5 Justices may hold the opposite view; (3) the insecurity of this situation must be remedied by a constitutional amendment binding on the Supreme Court.

Let us examine in some detail the validity of this chain of reasoning. Mr. Justice Black and three of his colleagues joined in an opinion which contained the following expressions:

"Even though a court-martial does not give an accused trial by jury and other Bill of Rights protections, the Government contends that section (11) of the Uniform Code of Military Justice, insofar as it authorizes the military trial of dependents accompanying the Armed Forces in Great Britain and Japan, can be sustained as legislation which is necessary and proper to carry out the United States obligations under the international agreements made with those countries. The obvious and decisive answer to this, of course, is that no agreement with a foreign nation can confer power on the Congress, or on any other branch of government, which is free from the restraints of the Constitution.

"Article VI, the supremacy clause of the Constitution declares: 'This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land.'

"There is nothing in this language which intimates that treaties and laws enacted pursuant to them do not have to comply with the provisions of the Constitution. Nor is there anything in the debates which accompanied the drafting and ratification of the Constitution which even suggests such a result. These debates as well as the history that surrounds the adoption of the treaty provision in article VI make it clear that the reason treaties were not limited to those made in 'pursuance' of the Constitution was so that agreements made by the United States under the Articles of Confederation, including the important peace treaties which concluded the Revolutionary War, would remain in effect. It would be manifestly contrary to the objectives of those who created the Constitution, as well as those who were responsible for the Bill of Rights—let alone alien to our entire constitutional history and tradition—to construe article VI as permitting the United States to exercise power under an international agreement without observing constitutional prohibitions. In effect, such construction would permit amendment of that document in a manner not sanctioned by article V. The prohibitions of the Constitution were designed to apply to all branches of the National Government and they cannot be nullified by the Executive or by the Executive and the Senate combined.

"There is nothing new or unique about what we say here. This Court has regularly and uniformly recognized the supremacy of the Constitution over a treaty. For example, in *Geofroy* v. *Riggs* (133 U. S. 258, 267), it declared:

"'The treaty power, as expressed in the Constitution is in terms unlimited except by those restraints which are found in that instrument against the action of the Government or of its departments, and those arising from the nature of the Government itself and of that of the States. It would not be contended that it extends so far as to authorize what the Constitution forbids, or a change in the character of the Government or in that of one of the States, or a cession of any portion of the territory of the latter, without its consent.'"

That accounts for four members of the Court and shows them firmly adhering to the view uniformly expressed in Supreme Court cases for over 100 years.

Two additional members of the Court, Mr. Justice Frankfurter and Mr. Justice Harlan, wrote concurring opinions. They agreed with the result reached by the first four justices, and concluded that in capital cases the Constitution requires trial of American citizens to be by a civil court established under article III of the Constitution, with all the guaranties of the Bill of Rights. The existence of an agreement with Great Britain providing for court-martial trial of American service dependents did not lead these two justices to any other view. Indeed their conclusion rested on the paramountcy of the Constitution. Neither justice had a difference of opinion with the first four on this proposition. Mr. Justice Frankfurter explained his stand by saying:

"In making this adjudication, I must emphasize that it is only the trial of civilian dependents in a capital case in time of peace that is in question. The Court has not before it, and therefore I need not intimate any opinion on, situations involving civilians, in the sense of persons not having a military status, other than dependents. Nor do we have before us a case involving a noncapital crime. This narrow delineation of the issue is merely to respect the important restrictions binding on the Court when passing on the constitutionality of an act of Congress. 'In the exercise of that jurisdiction, it is bound by two rules, to which it has rigidly adhered, one, never to anticipate a question of constitutional law in advance of the necessity of deciding it; the other never to formulate a rule of constitutional law broader than is required by the precise facts to which it is to be applied. These rules are safe guides to sound judgment. It is the dictate of wisdom to follow them closely and carefully.' *Steamship Co.* v. *Emigration Commissioners* (113 U. S. 33, 39)."

Mr. Justice Harlan said: "We are confronted here with capital offenses alone; and it seems to me particularly unwise now to decide more than we have to."

We have now accounted for six members of the Court. Mr. Justice Whittaker did not take part in the consideration or decision of the cases. That leaves two dissenting justices. From a reading of their dissenting opinion, it is perfectly evident that Mr. Justice Burton and Mr. Justice Clark did not maintain that a treaty or international agreement overrides the Constitution. It was simply their opinion that the Constitution permits trial by court-martial of American service dependents for offenses alleged to have been committed overseas. This conclusion was independent of reliance on any treaty or agreement. The dissenting opinion stated:

"Before discussing the power of the Congress under article I, section 8, clause 14 of the Constitution it is well to take our bearings. This case does not involve the jurisdiction of a military court-martial sitting within the territorial limits of the United States. Nor is it concerned with the power of the Government to make treaties or the legal relationship between treaties and the Constitution. Nor is it concerned with the power of Congress to provide for the trial of Americans sojourning, touring, or temporarily residing in foreign nations. Essentially, we are to determine only whether the civilian dependent of an American serviceman may constitutionally be tried by an American military court-martial in a foreign country for an offense committed in that country."

What is left of the argument that the Supreme Court 2 weeks ago undermined the familiar proposition that treaties cannot violate the Constitution? Clearly nothing. The argument was without substance, as a reading of the opinions shows.

Section-by-section analysis of Senate Joint Resolution 3

I continue to oppose the Bricker amendment in its 1957 version with the same vigor with which I opposed it in other years. Senate Joint Resolution 3 of this Congress has the same undesirable and dangerous possibilities that existed in the numerous Bricker versions of previous years. Like them it is designed to limit the President's treaty-making power and curtail his constitutional authority in the fields of national defense and foreign affairs. Its meaning is shrouded in uncertainties resulting from ambiguous language, apparent retroactivity, and puzzling shifts in language from previous versions. Even greater uncertainties are raised by Senator BRICKER's own explanation of his proposed amendment which he offered to the Senate on January 7 of this year.

Section 1: "A provision of a treaty or other international agreement not made in pursuance of this Constitution shall have no force or effect. This section shall not apply to treaties made prior to the effective date of this Constitution."

In his statement of January 7, Senator BRICKER tries to explain away this provision as being merely declaratory of what the Supreme Court has said on a number of occasions. He states that the phrase "not made in pursuance of this Constitution" means that "an international agreement must conform to, and not conflict with, the Constitution." He adds that it "would give effect to what the Supreme Court has said by way of dicta, and therefore not authoritatively, in a number of decisions that a provision of a treaty or other international agreement which violates the Constitution, or which undertakes to do what the Constitution forbids, or which is inconsistent with the nature of our Government or the relation between the States and the United States would be invalid." It is a curious thing, however, that Senator BRICKER does not adopt the language of any Supreme Court decision nor the declaratory language that appeared in some previous versions such as the Knowland substitute of 1953. He deliberately picks the phrase "not made in pursuance of this Constitution"—a phrase which has been repeatedly rejected in the past because of its possible meaning when applied to treaties. Secretary Dulles clearly pointed out to the Senate Judiciary Committee in 1955 that "* * * the result of applying the 'pursuant to' clause to treaties might be to invalidate that large part of our existing treaty structure which is applicable to States and to create, for the future, the very situation of importance which the Constitution was designed to end."

Senator BRICKER claims, however, that the wording is employed because it is the language of the present Constitution and has a well-defined and settled meaning. If by this he means that it is to be interpreted in the same way it has been interpreted with regard to statutes, it would clearly contain the which clause of previous versions. It would invoke the same tests as in its application to statutes; namely, that treaties would have to be within the legislative powers expressly delegated to the Federal Government. It would rule out the very important part of the present treaty power which is applicable to the States.

Thus the Senator's own explanation belies his assertion that the provision is merely declaratory of existing Supreme Court dicta. If the proponents of the Bricker amendment had wanted only to declare existing law to the effect that a treaty or agreement cannot violate the Constitution or do what the Constitution forbids, they could long ago have come up with a simple statement to that effect. Instead they have come up with one new text after another, but always with a which clause either stated directly or half-hidden within the ever-changing language.

Moreover, even if the provision were reworded so as to make it merely declaratory of existing law, I would still oppose it. The proponents of the Bricker amendment concede that under a whole series of early Supreme Court opinions it has been firmly established that the treaty power does not authorize what the Constitution forbids. Had there remained any doubt in anyone's mind on that score, it should have been dispelled by the recent decision of the Supreme Court in the Covert and Smith cases where the opinion joined in by four Justices emphatically stated that "no agreement with a foreign nation can confer power on the Congress, or on any other branch of the Government, which is free from the restraints of the Constitution." Certainly no committee hearings or constitutional amendments are needed to establish the proposition that treaties and executive agreements in conflict with the Constitution would be invalid. Mere declaratory words to affirm that proposition are useless and unnecessary. Moreover, in the light of the jumbled legislative record on the proposed amendment there would be no assurance that the section would be given purely declaratory effect. As Attorney General Brownell stated to this subcommittee in the 1955 hearings:

"* * * We cannot disregard the history of the other Bricker amendments. They will always be an integral part of the material before the courts in the construction of this or any other similar amendment, if adopted. Each person who seeks to limit the action of this country in foreign affairs could find in that history something to urge upon the courts in support of a desired limitation. Regardless of any other questions concerning this proposal, one thing is certain. Adoption would induce litigation. Every treaty and executive agreement not only of the future but of the past would be threatened with possible attack in the courts" (hearings, 1955, p. 277).

Section 2: "A treaty or other international agreement shall have legislative effect within the United States as a law thereof only through legislation, except to the extent that the Senate shall provide affirmatively, in its resolution advising and consenting to a treaty, that the treaty shall have legislative effect."

Senator BRICKER has failed to point out any useful purpose that this provision would serve. The Senate already has sweeping power to approve or reject a treaty, to make it subject to reservation or understanding, or subject to the enactment of legislation should it desire that the treaty be non-self-executing.

On its face, the provision seems useless. But when it is coupled with Senator BRICKER's explanation regarding it, it takes on new and dangerous implications. Says Senator BRICKER:

"Under section 2 most treaties would be implemented by Congress, while others might require implementation by State legislation."

Clearly, then, the Senator intends that the term "legislation" as used in section 2 should be interpreted as legislation within the delegated powers of the Congress. Otherwise, how can he arrive at the conclusion that some treaties would require implementation by State legislation? Unless the Senate in each case made use of the exception provided in section 2, the power of Congress to implement the treaty might be limited to its expressly delegated powers in the absence of treaty. Important provisions of our traditional treaties of friendship, commerce, and navigation, our consular conventions, our narcotics treaties, our extradition treaties, our automotive and road traffic treaties, and our wildlife preservation treaties would be left for implementation by the 48 States. That this would have a crippling effect in our dealings with other countries was made tragically clear under the Articles of Confederation. Then the Federal Government was powerless to enforce treaty provisions within the areas of State jurisdiction and soon found itself unable to negotiate effectively with other governments. The whole history of the Bricker amendment, plus Senator BRICKER's own explanation of the current proposal, makes only too clear that the amendment is intended to have just such a devastating effect.

The possible retroactive character of section 2 creates a problem of even graver proportions. Section 2 does not address itself to the future alone. Despite Senator BRICKER's assertion that it is not intended to be retroactive, it refers broadly to treaties and other international agreements of the United States and seems on its face to apply to any treaty or other agreement which may have been made by this Government from the beginning of its history. Since no treaty ever made has been approved by the Senate with an affirmation that it shall have legislative effect, presumably no treaty now in force would have such effect if section 2 were to become part of the Constitution. The chaos that would result is not hard to visualize. The United States would be unable to give effect to its whole network of treaty obligations until it could obtain specific legislation by the Congress and the States. As a Nation we would be forced to violate our solemn treaty pledges.

The term "legislative effect within the United States as a law thereof," as used in section 2, has uncertain meaning when applied to executive agreements. But here again Senator BRICKER's explanation points up the very limiting effect that is intended. He says:

"Section 2 * * * deals with the need for legislation to make treaties or other international agreements effective as domestic law within the United States."

By "effective as domestic law" can be meant "recognizable by courts or administrative bodies" in the United States. In other words, the section is apparently stating that an executive agreement does not have legal effect in the United States unless it is based on legislation. This is a clear curtailment of the President's constitutional authority to give effect within the United States to agreements made with other nations in carrying out his constitutional responsibilities in foreign affairs and national defense. It would shift from the President to the Congress the real responsibility in foreign affairs, and would place upon Congress the burden of considering and acting upon the hundreds of routine agreements that are made each year.

Section 3: "An international agreement other than a treaty shall have legislative effect within the United States as a law thereof only through legislation valid in the absence of such an international agreement."

Having attempted to destroy the self-executing executive agreement by section 2, Senator BRICKER here openly reintroduces the which clause as applied to such agreements. By doing so, he emphasizes the full extent to which he would cut down on the powers of the President. The phrase "valid in the absence of such an international agreement" would clearly prevent enforcement within the various States of executive agreements made by the President in the exercise of his constitutional powers to conduct the foreign affairs and defense of the Nation. No court in the United States could recognize for judicial purposes the effectiveness of an armistice agreement, an agreement for the movement of foreign troops within the United States, or an agreement concerned with recognition of a foreign government, unless and until it has been implemented by Federal legislation or State legislation or both.

I believe that there is no necessity for any such restrictive and crippling amendment with regard to executive agreements. The President's power to enter into executive agreements is itself derived from the Constitution and is already subject to that instrument. The Supreme Court, in *United States* v. *Curtiss-Wright Export Corporation* (299, U. S. 304 (1936)), referred to "the very delicate, plenary, and exclusive power of the President as the sole organ of the Federal Government in the field of international relations" as "a power which does not require as a basis for its exercise an act of Congress, but which, of course, like every other governmental power, must be exercised in subordination to the applicable provisions of the Constitution."

There are, moreover, existing safeguards against possible abuse of the power to make executive agreements. Not the least of these is the power of Congress to overcome, through legislation, the internal operation of an executive agreement.

Section 4: "On the question of advising and consenting to a treaty, the vote shall be determined by yeas and nays, and the names of the Senators voting for and against shall be entered on the Journal of the Senate."

The Senate has already demonstrated that it can accomplish the effect of this provision by a simple change in Senate rules of procedure. Obviously, a procedural matter of this type has no place in the Constitution.

Conclusions

No Need for an Amendment

Nothing in the history of the treaty power nor of Supreme Court opinions regarding it has revealed the need for a constitutional amendment to affirm the supremacy of the Constitution. On the contrary, the Supreme Court has repeatedly affirmed that the Constitution is paramount to treaties as well as to laws. I attach to this statement a compilation of quotations from opinions of the Supreme Court which makes abundantly clear that a treaty cannot do what the Constitution forbids. Constant assertion by Senator BRICKER of the need for an amendment cannot create that need. The Court's record speaks for itself.

Interpretation in Doubt

Both the particular wording of the present proposal and the existing legislative history of the amendment reveal a clear intention to cut down on the treaty power of the United States and to curtail the authority of the President in the conduct of foreign affairs. It would be foolhardy to expect the Supreme Court in the future to ignore that history and intention. As the Court stated in *Maxwell* v. *Dow* (176 U. S. 581):

"What individual Senators or Representatives may have urged in debate, in regard to the meaning to be given to a proposed constitutional amendment, or bill, or resolution, does not furnish a firm ground for its proper construction, nor is it important as explanatory of the grounds upon which the members voted in adopting it. (Citing *United States* v. *Trans-Missouri Freight Associations* (166 U. S. 290); *Dunlap* v. *United States* (173 U. S. 65.)) In the case of a constitutional amendment it is of less materiality than in that of an ordinary bill or resolution. A constitutional amendment must be agreed to, not only by Senators and Representatives, but it must be ratified by

the legislature or by conventions, in three-fourths of the States before such an amendment can take effect. The safe way is to read its language in connection with the known condition of affairs out of which the occasion for its adoption may have arisen, and then to construe it, if there be therein any doubtful expressions, in a way so far as is reasonably possible, to forward the known purpose or object for which the amendment was adopted."

If the proposed amendment were adopted, the Supreme Court could look to the language of the instrument and to the known object for which it was adopted and reasonably conclude that the amendment did in fact alter the treaty power and deprive the President of existing constitutional powers in foreign affairs.

Dangerous Consequences

I continue to believe that any form of the Bricker amendment yet devised would be a harmful and dangerous alteration in the fundamental law of this Nation. The language presently under consideration has possibilities and pitfalls which could bring irreparable harm to our international prestige and could wrest from the President his historic role as the Nation's leader in its dealings with other countries. I urge that this subcommittee reject this or any other proposal which would throw a constitutional cloud over our treaty relations with other nations and weaken the existing constitutional powers of the President to preserve and defend the Nation.

COMPILATION OF QUOTATIONS FROM OPINIONS OF THE UNITED STATES SUPREME COURT

The treaty power under the Constitution

Doe et al. v. *Braden* (16 How. 635 (1853)): "The treaty is therefore a law made by the proper authority, and the courts of justice have no right to annul or disregard any of its provisions, unless they violate the Constitution of the United States."

The Cherokee Tobacco (11 Wall. 616 (1870)): "It need hardly be said that a treaty cannot change the Constitution or be held valid if it be in violation of that instrument."

Hauenstein v. *Lynham* (10 Otto 483 (1880)): "We have no doubt that this treaty is within the treatymaking power conferred by the Constitution. * * * There are doubtless limitations of this power as there are of all others arising under such instruments."

Geofroy v. *Riggs* (133 U. S. 258 (1890)): "That the treaty power of the United States extends to all proper subjects of negotiation between our Government and the governments of other nations, is clear. * * * The treaty power, as expressed in the Constitution, is in terms unlimited except by those restraints which are found in that instrument against the action of the Government or of its departments, and those arising from the nature of the Government itself and of that of the States. It would not be contended that it extends so far as to authorize what the Constitution forbids, or a change in the character of the Government or in that of one of the States, or a cession of any portion of the territory of the latter, without its consent."

Missouri v. *Holland* (252 U. S. 416 (1920)): "We do not mean to imply that there are no qualifications to the treatymaking power. * * * The treaty in question does not contravene any prohibitory words to be found in the Constitution."

Asakura v. *City of Seattle* (265 U. S. 332 (1924)): "The treatymaking power of the United States is not limited by any express provision of the Constitution, and, though it does not extend 'so far as to authorize what the Constitution forbids' it does extend to all proper subjects of negotiation between our Government and other nations."

Parity of treaties and laws

Head Money Cases (112 U. S. 580 (1884)): "So far as a treaty made by the United States with any foreign nation can become the subject of judicial cognizance in the courts of this country, it is subject to such acts as Congress may pass for its enforcement, modification, or repeal."

Whitney v. *Robertson* (124 U. S. 190 (1888)): "By the Constitution a treaty is placed on the same footing, and made of like obligation, with an act of legislation. Both are declared by that instrument to be the supreme law of the land, and no superior efficacy is given to either over the other * * * if the two are inconsistent, the one last in date will control the other, provided always the stipulation of the treaty on the subject is self-executing."

Chae Chan Ping v. *United States* (130 U. S. 581 (1889)). "The treaties were of no greater legal obligation than the act of Congress. By the Constitution, laws made in pursuance thereof and treaties made under the authority of the United States are both declared to be the supreme law of the land, and no paramount authority is given to one over the other. A treaty, it is true, is in its nature a contract between nations and is often merely promissory in its character, requiring legislation to carry its stipulations into effect. Such legislation will be open to future repeal or amendment. If the treaty operates by its own force, and relates to a subject within the power of Congress, it can be deemed in that particular only the equivalent of a legislative act, to be repealed or modified at the pleasure of Congress. In either case the last expression of the sovereign will must control."

United States v. *Minnesota* (270 U. S. 181 (1926)): "Of course, all treaties and statutes of the United States are based on the Constitution. * * * The decisions of this Court generally have regarded treaties as on much the same plane as acts of Congress, and as usually subject to the general limitations in the Constitution."

Supremacy of the Constitution

Marbury v. *Madison* (1 Cranch 137 (1803)): "The Constitution is either a superior paramount law, unchangeable by ordinary means, or it is on a level with ordinary legislative acts, and, like other acts, is alterable when the legislature shall please to alter it.

"If the former part of the alternative be true, then a legislative act contrary to the Constitution is not law; if the latter part be true, then written constitutions are absurd attempts, on the part of people, to limit a power in its own nature illimitable."

"Certainly all those who have framed written constitutions contemplate them as forming the fundamental and paramount law of the Nation."

"Those, then, who controvert the principle that the Constitution is to be considered, in court, as a paramount law, are reduced to the necessity of maintaining that courts must close their eyes on the Constitution, and see only the law."

"The judicial power of the United States is extended to all cases arising under the Constitution.

"Could it be the intention of those who gave this power, to say that in using it the Constitution should not be looked into? That a case arising under the Constitution should be decided without examining the instrument under which it arises?

"This is too extravagant to be maintained."

"* * * in declaring what shall be the supreme law of the land, the Constitution itself is first mentioned; and not the laws of the United States generally, but those only which shall be made in pursuance of the Constitution, have that rank.

"Thus the particular phraseology of the Constitution of the United States confirms and strengthens the principle, supposed to be essential to all written constitutions, that a law repugnant to the Constitution is void."

United States v. *Curtiss-Wright Export Corporation, et al* (299 U. S. 304 (1936)): "* * * we are dealing not alone with an authority vested in the President by an exertion of legislative power, but with such an authority plus the very delicate, plenary, and exclusive power of the President as the sole organ of the Federal Government in the field of international relations—a power which does not require as a basis for its exercise an act of Congress, but which, of course, like every other governmental power, must be exercised in subordination to the applicable provisions of the Constitution."

Mr. BRICKER. Mr. President, following the statement of the Senator from Wisconsin, I ask unanimous consent to have printed in the body of the RECORD the statement which I presented on yesterday to the subcommittee.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR JOHN W. BRICKER ON SENATE JOINT RESOLUTION 3, BEFORE A SUBCOMMITTEE OF THE SENATE JUDICIARY COMMITTEE ON JUNE 25, 1957

Mr. Chairman, I deeply appreciate this opportunity to explain the purpose and effect of my proposed constitutional amendment to safeguard the power to make treaties and other international agreements.

Senate Joint Resolution 3 was introduced in the Senate on January 7, 1957. Arguments for and against the adoption of a treaty-control amendment were exhaustively considered by this committee during hearings in the 82d, 83d, and 84th Congress. Therefore, I shall limit my statement today to the changes in language incorporated in the present text and to several recent cases dealing with the legal effect of treaties and other international agreements.

Section 1 of Senate Joint Resolution 3 provides: "A provision of a treaty or other international agreement not made in pursuance of this Constitution shall have no force or effect. This section shall not apply to treaties made prior to the effective date of this Constitution."

Section 1 of every resolution I have introduced on this subject has contained language to resolve permanently the supremacy of the Constitution over the conflicting provisions of any treaty or executive agreement. At various times, the first section of the amendment has declared that treaties and other international agreements shall not be effective to abridge constitutional rights; or that they shall be of no force or effect if they conflict with the Constitution; or that they shall not become the supreme law of the land unless made in pursuance of the Constitution.

Regardless of the language employed, however, the purpose of the first section has remained the same. It has been designed to give effect to what the Supreme Court has said by way of dicta, and therefore not authoritatively, in a number of decisions that a provision of a treaty or other international agreement which violates the Constitution, or which deals with matters of purely domestic concern, would be invalid. (See *The Cherokee Tobacco*, (11 Wall. 616, 621 (1871)); *Holden* v. *Joy*, (17 Wall. 211, 243 (1872)); *Geofroy* v. *Riggs*, (133 U. S. 258, 266 (1890).)

More recent decisions of the Supreme Court point in the direction of an unlimited treaty-making power. (*United States* v. *Pink* (315 U. S. 203 (1942).) See *Missouri* v. *Holland* (252 U. S. 416 (1920)); *United States* v. *Curtiss-Wright Corp.* (299 U. S. 304, 318 (1936).)

However, the most recent pronouncement of the Supreme Court is that "no agreement with a foreign nation can confer power on

the Congress, or on any branch of Government, which is free from the restraints of the Constitution." (*Reid* v. *Covert* (U. S. Sup. Ct., June 10, 1957).) The Court's opinion in the Covert case was that of only four Justices. What this minority of the Court said about the scope of the treatymaking power was pure dicta.

Section 1 of Senate Joint Resolution 3 would in no way impair the traditional power of the President and the Senate to make treaties on all proper subjects of negotiation between the United States and other nations that is, on all subjects having some proximate relation to matters of legitimate international concern. Section 1 would not tie the President's hands in conducting the foreign affairs of the United States.

At this point, I should like to make it clear that neither section 1 nor section 2 contains a so-called "which clause." Senate Joint Resolution 3 does not alter the firmly established principle that the power to make treaties is vested solely in the National Government to the exclusion of the States. The power of Congress to implement a valid treaty by legislation under the "necessary and proper clause" would remain unimpaired. Of course, an invalid treaty could not bring into being legislative power under the "necessary and proper clause."

In other words, my amendment would not change the result reached in *Missouri* v. *Holland*, supra. The first section would negate the following dictum in that case: "Acts of Congress are the supreme law of the land only when made in pursuance of the Constitution, while treaties are declared to be so when made under the authority of the United States. It is open to question whether the authority of the United States means more than the formal acts prescribed to make the convention" (p. 433).

It is necessary to negate that dictum to prevent a judicial construction that, although a treaty conflicts with the Constitution, such conflict is neutralized by the supreme law provision of article VI with respect to treaties. The recent Supreme Court decision in *Reid* v. *Covert* does not, as I shall point out, lessen the need for constitutional protection.

In my judgment, the phrase "not made in pursuance of this Constitution," is preferable to the phrase "which conflicts with this Constitution," which appeared in previous texts. The phrases probably have the same meaning. However, the "in pursuance" language is part of the present Constitution. It has, unlike the word "conflicts," a well-defined constitutional meaning. Had it not been for certain treaties made under the Articles of Confederation, article VI of the Constitution would no doubt have defined as the supreme law of the land: "This Constitution and the laws and treaties of the United States which shall be made in pursuance thereof."

The second sentence of section 1 overcomes the captious objection advanced by the Secretary of State in the 1955 hearings that in pursuance language might invalidate certain treaties made prior to the adoption of the Constitution, notably the Treaty of Peace with Great Britain. That silly argument should not be dignified by constitutional language. However, the second sentence does remove doubts concerning the retroactivity of section 1.

I shall now discuss briefly *Reid* v. *Covert*, decided by the Supreme Court on June 10, 1957. This case will no doubt be cited by some opponents of Senate Joint Resolution 3 as proof that no treaty-control amendment is necessary.

The facts in the Covert case and the companion case, *Kinsella* v. *Krueger*, are quite simple. Dorothy Krueger Smith killed her husand in Japan on October 4, 1952. Clarice Covert killed hers at Upper Heyforth, England, on March 10, 1953. Both women were convicted of murder in courts-martial in accordance with the procedure prescribed by Congress in the Uniform Code of Military Justice. Both women were accorded every element of due process practicable under the circumstances and, indeed, every specific safeguard enumerated in the Constitution except trial by jury. The Court set aside the convictions.

In the Covert case, the Court said with reference to the treatymaking power:

"It would be manifestly contrary to the objectives of those who created the Constitution, as well as those who were responsible for the Bills of Rights—let alone alien to our entire constitutional history and tradition—to construe article VI as permitting the United States to exercise power under an international agreement without observing constitutional prohibitions. In effect, such construction would permit amendment of that document in a manner not sanctioned by article V. The prohibitions of the Constitution were designed to apply to all branches of the National Government and they cannot be nullified by the Executive or by the Executive and the Senate combined."

The primary purpose of my amendment has never been better expressed than in the statement of Mr. Justice Black just quoted. What Mr. Justice Black and three of his colleagues have done is to repeat in the most unequivocal language the dicta of 19th century decisions declaring that no treaty can be effective to override the Constitution. They have repudiated suggestions in more recent decisions that the treatymaking power is virtually unlimited. Their remarks cannot be reconciled with the result reached in *United States* v. *Pink* (315 U. S. 203 (1942)). The Court's observations on treaty law repudiate the argument of some opponents of my amendment that constitutional restraints on the treatymaking power are incompatible with the effective conduct of foreign policy in an atomic age.

However, the Covert case did not concern in any way, shape, or form the power of the Government to make treaties or the legal relationship between treaties and the Constitution. Gratuitous proclamations by the Supreme Court on important issues of constitutional law are usually cited, properly, I think, as evidence of judicial irresponsibility. Nevertheless, I am glad to know that four Justices of the Supreme Court were apparently ready on June 10 to strike down any provision of a treaty or executive agreement which conflicts with any provision of the Constitution.

Now I expected that Mr. Justice Black's politically motivated and wholly gratuitous remarks on treaty law would produce the desired effect on uninformed laymen and prejudiced editorial writers. But I will be amazed if many able lawyers swallow this kind of legal gymnastics.

If Mr. Justice Black and the three Justices who concurred in his opinion manufactured a completely phony issue, if they were simply flaying a legal straw man, I am sure that few good lawyers would contend that the case for the opposition to my amendment has in any way been helped. On the contrary, the need has been clearly demonstrated. Let us, therefore, put Mr. Justice Black's opinion under a legal microscope. Let us examine it with the care normally expected of a member of the legal profession. What do we find?

First, we find Mr. Justice Black citing the executive agreement of July 27, 1942, between the United States and Great Britain as one which permitted the United States military courts to exercise exclusive jurisdiction over offenses committed in Great Britain by American servicemen or their dependents. That is not true. Dependents of American servicemen are not even mentioned in the 1942 agreement with Great Britain for a reason that is immediately obvious to everyone, except apparently Justices of the United States Supreme Court. Wives were not permitted to accompany their soldier-husbands overseas during World War II.

Moreover, in order to manufacture an issue of treaty law, it is necessary for Mr. Justice Black to assume that international agreements conferred jurisdiction on the United States, through its military authorities, to try Mrs. Covert and Mrs. Smith. However, article 2 (11) of the Uniform Code of Military Justice, under which the courts-martial asserted jurisdiction, says that the following persons are subject to the code:

"(11) Subject to the provisions of any treaty or agreement to which the United States is or may be a party or to any accepted rule of international law, all persons serving with, employed by, or accompanying the Armed Forces without the continental limits of the United States."

In other words, if the provisions of a treaty or other international agreement are applicable to the case, article 2 (11) does not come into play.

It would be manifestly foolish to rely on the politically motivated dicta of four Justices of the Supreme Court as adequate protection against the loss of fundamental human rights. When our forefathers insisted that basic freedoms be spelled out in a Bill of Rights, they rejected the counsel of so great a constitutionalist as Alexander Hamilton. Hamilton had warned, as opponents of my amendment do now, that the Constitution should not be amended to ward off contingent dangers.

Section 2 of Senate Joint Resolution 3 reads as follows:

"A treaty or other international agreement shall have legislative effect within the United States as a law thereof only through legislation, except to the extent that the Senate shall provide affirmatively, in its resolution advising and consenting to a treaty, that the treaty shall have legislative effect."

The words, "or other international agreement," are superfluous in view of the language of section 3.

All previous texts of my amendment have required that treaties be implemented by legislation to be effective as domestic law. However, the requirement that all treaties be non-self-executing (as is the case in most other countries) resulted in two objections by opponents of the amendment. The first objection was that it might prove internationally embarrassing if the United States could not give immediate legislative effect to certain treaties to which the United States might become a party. The second objection was that for treaties having a noncontroversial domestic legislative effect separate action by both the Senate and House of Representatives would be waste motion.

Believing that these objections have some merit, I have provided in section 2 that the Senate, if a sufficient case is made, can take positive action to give a treaty immediate legislative effect. Moreover, the "except clause" makes it clear that section 2 is prospective, and not retroactive, in operation.

Opponents of my amendment have argued also that it is not necessary to amend the Constitution to make all treaties non-self-executing. They have said that the Senate can condition its consent to ratification on the enactment of legislation by both Houses of Congress. However, the decision of the United States Court of Appeals for the District of Columbia on June 20, 1957, in *New York State Power Authority* v. *Federal Power Commission* cripples the power of the Senate to approve a treaty with safeguarding reservations. That case held that the Senate was unable to provide in its resolution consenting to ratification of the Niagara River Treaty of 1950 between the United States and Canada that the treaty should have no domestic effect except in accord-

ance with the provisions of legislation to be enacted by the Congress.

That is, of course, a decision with very ominous implications. It means that the potentially dangerous domestic effects of a treaty cannot be held in abeyance by the Senate pending the adoption of suitable implementing legislation in which the House of Representatives, the Senate, and the President concur, unless the treaty is renegotiated. I ask that this startling decision be printed in the subcommittee's record of hearings.

At one time or another every Senator will feel that he cannot vote for a treaty unless the domestic effects of the treaty are governed by the terms of subsequent legislation approved by both Houses of Congress and by the President. Less than 2 weeks ago I proposed a reservation to the statute of the International Atomic Energy Agency. Thirty-one Senators voted for that reservation. My reservation was identical in substance with the reservation declared invalid in *New York Power Authority* v. *Federal Power Commission*.

The theory of the United States Court of Appeals for the District of Columbia is that a reservation, to be valid, must in some way alter the rights or obligations of other parties to the treaty; that it must deal with a subject in which other parties to the treaty have some legal interest. Some reservations, of course, fit that description. However, no foreign country has any legitimate interest in how the United States executes its treaty obligations. The United States may perform its treaty obligations under existing legislation, by subsequent legislation, by Executive order, or by judicial decision. Other contracting parties are entitled to insist on performance of treaty obligations by the United States. They have no right to inquire about the method of treaty performance, and they obviously have no interest in the purely domestic effects of ratification. To hold that no reservation is valid unless it is one in which other parties to the treaty have an interest is tantamount to holding that the Senate is unable by reservation to make treaties non-self-executing in their domestic aspects.

Of course, I would not advocate adoption of a constitutional amendment merely to reverse a decision of the Court of Appeals for the District of Columbia. The need to make all treaties, with certain exceptions, non-self-executing is fully supported by testimony before this committee in previous Congresses. However, if the court of appeals holding should be affirmed by the Supreme Court, it will be more imperative than ever before to adopt, with some rephrasing, the language of section 2 of the pending resolution.

Section 3 of Senate Joint Resolution 3 reads as follows:

"An international agreement other than a treaty shall have legislative effect within the United States as a law thereof only through legislation valid in the absence of such an international agreement."

Section 3 incorporates the "which" clause with respect to international agreements other than treaties. Section 2, on the other hand, recognizes that a treaty could bring into being legislative power under the "necessary and proper" clause which the Congress would not possess in the absence of a treaty. However, I do not believe that the President, by entering into an executive agreement, should have authority to bring into being legislative power which would not otherwise exist.

In appearances before this committee Government witnesses have maintained that executive agreements cannot supersede an act of Congress; cannot impinge on powers reserved to the States; cannot be employed as an instrument of domestic legislation; and that their legality is subject to full judicial review. Government lawyers have advanced diametrically opposed arguments before the courts. This would indicate that the executive branch has misled this committee; that it has misled the courts; or that it has inadequately supervised the brief writing of Government attorneys.

Section 3 is based on the simple, but vitally important, proposition that the President should not have power to make one-man law for the people of the United States.

For obvious reasons, section 3 is prospective in operation only.

Section 4 is designed to prevent treaties from being approved by only a handful of Senators present and voting. This provision was approved by the Senate on February 16, 1954, by the overwhelming vote of 72 to 16. Section 4 is prospective only.

FACTS RELATING TO ESTABLISHMENT OF ZIRCONIUM INDUSTRY AT ALBANY, OREG.

Mr. NEUBERGER. Mr. President, I ask unanimous consent to include in the body of the CONGRESSIONAL RECORD an editorial, from The Greater Oregonian of Albany, of June 14, 1957, entitled, "It Just Died."

This liberal publication is issued each week in Albany, Oreg., and has a splendid reputation for adhering to truth and to facts about controversial issues. The editorial answers a distorted and misleading attack which was directed against me by the daily newspaper of Albany, Oreg. I ask unanimous consent that the full editorial from The Greater Oregonian appear in the body of the CONGRESSIONAL RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Albany (Oreg.) Greater Oregonian of June 14, 1957]

IT JUST DIED

The Republican Herald reverts back to the olden days when local editors called each other liars and worse. In an editorial a few days ago it accused this newspaper of telling our readers not just a single lie but a double lie.

We didn't tell a lie, we told the truth and we tell the truth every time while the local daily insults the intelligence of the public by calling itself the Democrat Herald which is a lie every day for 365 days a year and for an extra day on leap year. It now is and always has been the Republican Herald.

The Republican Herald rears up on its hind legs and cries "Another lie resurrected" because we said Doug McKay closed the zirconium plant at the local Bureau of Mines plant.

The local daily claims that Douglas McKay did not close the plant, that it "just died." Now for a period of several years the zirconium plant was a very healthy infant and was growing faster than any child in the State of Oregon.

Its growth stopped and died a sudden death when the Department of the Interior, under Secretary Douglas McKay, gave a contract to a firm in New York to make the zirconium that had been made in Albany by Albany and Corvallis workers. The other local publication which insinuates it has a reputation for being truthful says, "Doug didn't close the local plant, it just died aborning." Well, we all know that after it was hit in the head it did die and it was closed like many other plants during these prosperous Republican times because of a lack of business.

We do commend the Albany Republican Herald for admitting that the zirconium plant was started under a Democratic administration. That is a rare case of their telling the truth.

At the dedication of the new zirconium plant here recently Senator NEUBERGER told the audience of his calling the attention of Admiral Strauss to the local Bureau of Mines zirconium plant and of his urging to have the local plant reactivated because of a shortage of zirconium. Now Doug McKay, our former governor, never took that trouble while he was Secretary of Interior. We wonder why. Oregon had been good to McKay, why shouldn't he be good to Oregon? At the election by a landslide vote the people of Oregon decided to keep him in Oregon where they could keep an eye on the do-gooder.

Now the writer of the Albany Republican Herald editorial didn't hear the Neuberger statements at the Wah Chang dedication because he wasn't there.

Senator NEUBERGER is the man who got the zirconium plant opened up again by bringing the availability and the need for it to the attention of Admiral Strauss, head of the Atomic Energy Commission.

The Wah Chang Co. was given a contract to operate the local plant and since then has built two new plants here and is now building a third plant. Albany has gained several hundred families because of the fact that Senator RICHARD NEUBERGER "carried the mail" and in personal conferences showed Admiral Strauss the need to have the Albany plant started up again instead of building a new plant in some other State. NEUBERGER is a Democrat and because of that the Republican Herald says he deserves no thanks and that he first circulated the falsehood that McKay had closed the Albany zirconium plant.

The local daily with the untruthful name has now called both Senator WAYNE MORSE and Senator NEUBERGER liars as well as this paper. It would have you believe, however, that all Republicans like the local daily are always truthful.

Greatest insult to the intelligence of its readers is the statement by the truthful Republican Herald that Senator NEUBERGER "had nothing to do with the reopening of the plant."

Our newspapers from three towns go to our Representatives and Senators in Washington, D. C., each week and one of our editorials has been published in full in the CONGRESSIONAL RECORD. We have been commended many times for our publication's efforts to present a correct report and for adhering to our motto, "Not Afraid To Tell the Truth."

At first we didn't think it was necessary to reply to the Lie Resurrected editorial in the other Albany paper because we thought everyone knew how truthful and unbiased it was and is. When so many of our readers phoned us and wrote how disappointed they were that we didn't, the editor felt a reply was needed.

To sum up, some of the daily paper's statements editorially should be considered as having the same reliability as its name.

We again say that we owe Senator NEUBERGER a big vote of thanks for helping to get the zirconium plant started in Albany again and for helping to get the Wah Chang Co. to come to Oregon and Albany.

Statements made by the Albany daily paper like its name are unreliable at face value.

ADDRESS BY THE PRESIDENT BEFORE CONFERENCE OF STATE GOVERNORS AT WILLIAMSBURG, VA.

Mr. SMITH of New Jersey. Mr. President, last Monday, President Eisenhower delivered an outstanding address before

the conference of State governors at Williamsburg, Va. Devoting himself to the relationship between the National and State governments and the people, the President called for the establishment of a task force charged with three responsibilities:

To designate functions which the States are ready and willing to assume and finance that are now performed or financed wholly or in part by the Federal Government;

To recommend the Federal and State revenue adjustments required to enable the States to assume such functions; and

To identify functions and responsibilities likely to require State or Federal attention in the future and to recommend the level of State effort, or Federal effort, or both, that will be needed to assure effective action.

In his lucid statement, the President clearly pointed out that "like nature, people and their governments are intolerant of vacuums. Every State failure to meet a pressing public need has created the opportunity, developed the excuse, and fed the temptation for the National Government to poach on the States' preserves."

The problem is clearly one which has been fostered by the failure, in many instances, of the State governments to live up to their responsibilities to the people, and by the actions of the people in coming directly to Washington for the solution of their ills. I believe that it is an extremely important suggestion the President has made. I believe that a cooperative study by a task force representing the State governments and the Federal Government could produce significant findings for the readjustment of the Federal-State relationship, for the resurrection of the States' responsibilities, and the fulfillment of these responsibilities for the people.

Mr. President, I ask unanimous consent that the full text of the President's address be printed in the body of the RECORD at this point in my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 25, 1957]

WILLIAMSBURG, VA., June 24.—Governor [Thomas B.] Stanley [of Virginia], members of the governors' conference, my fellow citizens, first, my sincere thanks to each member of this distinguished body for your cordial invitation to join you in this spot so significant to every American.

No person devoted to our country who treasures human liberty, who values industry and courage and indomitable will, can but welcome a pilgrimage to this region, the birthplace of our Nation.

Here, in Williamsburg, 3 centuries ago—in nearby Jamestown a half-century earlier—lived men and women who cradled this mighty Republic. Devout in faith, their spirit strong, their deeds heroic, they permanently shaped our destiny. As long as this Republic endures, their wisdom and example will mold and inspire our people.

So in this historic place, as you and I contemplate our respective responsibilities of leadership, it is but fitting that we should soberly re-examine the changing governmental structure of this Nation, here definitely conceived and partially designed so long ago.

Such an examination is timely—even urgent. For I have felt—as surely as you have—that too often we have seen tendencies develop that transgress our most cherished principles of Government, and tend to undermine the structure so painstakingly built by those who preceded us.

Of those principles I refer especially to one drawn form the colonists' bitter struggle against tyranny and from man's tragic experiences throughout the ages.

That principle is this: Those who would be and would stay free must stand eternal watch against excessive concentration of power in Government.

ANCHOR OF FREEDOM

In faithful application of that principle, governmental power in our newborn nation was diffused—counterbalanced, checked, hedged about and restrained—to preclude even the possibility of its abuse. Ever since, that principle and those precautions have been, in our system, the anchor of freedom.

Over the years, due in part to our decentralized system, we have come to recognize that most problems can be approached in many reasonable ways. Our constitutional checks and balances, our 48 State governments, our multiplicity of county and municipal governing bodies, our emphasis upon individual initiative and community responsibility, encourage unlimited experimentation in the solving of America's problems. Through this diversified approach, the effect of errors is restrained, calamitous mistakes are avoided, the general good is more surely determined, and the self-governing genius of our people is perpetually renewed.

Being long accustomed to decentralized authority, we are all too inclined to accept it as a convenient, even ordinary, fact of life, to expect it as our right, and to presume that it will always endure. But in other lands over the centuries, millions, helpless before concentrated power, have been born, have lived and have died in slavery, or have lost their lives and their liberty to despots.

Today, against the dark background of Eastern Europe, we see spotlighted once again the results of extreme and dictatorial concentration of power.

There man's rightful aspirations are cruelly repressed by a despotism more far-reaching than the world has ever before known. There power is free, the people in chains. By no means do I imply that the tragic plight of those once free people bears even faint relationship to the future of this Nation.

But by viewing that uneasy scene briefly, we are forcibly reminded of two great truths. The first of these truths is that a nation cannot be enslaved by diffused power, but only by strong centralized government. The second truth is that in spite of repression and ceaseless indoctrination, the determination of men and women to resist tyrannical control will not die; they will never accept supinely the lot of the enslaved.

In the Soviet machine, political power is exercised through unbridled force. All peoples of all areas where the Kremlin holds sway must instantly obey a Moscow decree, no matter how it violates their traditions, no matter how inapplicable it may be to local concerns.

Yet the Kremlin itself, coming to recognize some of the deficiencies of extreme centralization, has just embarked upon a drastic reorganization of its massive bureaucracy. Soviet rulers have felt compelled to allow some small part of government to gravitate closer to the people.

On the Soviet periphery as well, centralization has revealed its inherent weaknesses. There even the Soviets are learning the age-old truth that those who have known freedom will never willingly live in slavery.

The assertion and maintenance of its independence by Yugoslavia, the unceasing unrest in East Germany, the upsurge of freedom in ruthlessly suppressed Hungary, the increasing liberation of controls in Poland, all bear witness to man's eternal refusal to live enslaved by his fellow creatures or as the pawn of the state.

I am profoundly convinced that one day—inevitably—those nations and those people will again be free. Evolutionary change, generated by pressures from within and without, hopes and yearnings of the oppressed, kept alive by the friendships of the free peoples of the earth, will eventually destroy or disintegrate despotic power, and those downtrodden populations will again walk upright upon the earth. But in the meantime, the cost will be great and sad—measured in privation, in degradation, in human suffering and despair.

Thinking on these things, we, in America, gain renewed determination to hew to the principle of diffusion of power, knowing that only thus will we ourselves forever avoid drifting irretrievably into the grasp of some form of centralized government.

Our governmental system, so carefully checked, so delicately balanced, with power fettered and the people free, has survived longer than any other attempt to conduct group affairs by the authority of the group itself. Yet a distinguished scholar has only recently counseled us that in the measurable future, if present trends continue, the States are sure to degenerate into powerless satellites of the National Government in Washington.

That this forecast does not suffer from lack of supporting evidence all of us know full well. The irony of it is accentuated as we recall that the National Government was itself not the parent, but the creature of the States acting together. Yet today it is often made to appear that the creature, like Frankenstein's monster, is determined to destroy the creators.

INTOLERANT OF VACUUMS

Deliberately, I have said "made to appear." The tendency of bureaucracy to grow in size and power does not bear the whole of the blame. Never, under our constitutional system, could the National Government have siphoned away State authority without the neglect, acquiescence, or unthinking cooperation of the States themselves.

But, like nature, people and their governments are intolerant of vacuums. Every State failure to meet a pressing public need has created the opportunity, developed the excuse and fed the temptation for the National Government to poach on the States' preserves. Year by year, responding to transient popular demands, the Congress has increased Federal functions. Slowly at first, but in recent times more and more rapidly, the pendulum of power has swung from our States to the Central Government.

Four years ago at your Seattle conference I expressed the conviction that unless we preserve the traditional power and responsibilities of State government, with revenues necessary to exercise that power and discharge those responsibilities, then we will not preserve the kind of America we have known; eventually, we will, instead, have another form of government and, therefore, quite another kind of America.

That conviction I hold just as strongly today.

Because of that long-held belief—because many of you, also, believed that the historic Federal-State relationship and its modern deviations needed careful reexamination—in that same year I obtained Congressional authority to establish a Commission on Intergovernmental Relations. With the cooperation of State governors, Members of Congress, and other leading citizens, the Commission completed the first official survey of our Federal system since the adoption of our Constitution 170 years ago. This study brought long-needed perspective and pointed the way to improvements in areas of mutual concern to the States and the Federal Government.

Opposed though I am to needless Federal expansion, since 1953 I have found it necessary to urge Federal action in some areas traditionally reserved to the States. In each instance State inaction, or inadequate action, coupled with undeniable national need, has forced emergency Federal intervention.

ON CLASSROOM SHORTAGES

The education of our youth is a prime example.

Classroom shortages, in some places no less than critical, are largely the product of depression and wars, which, of course, were national and international, not State or local, both in their origins and effects.

These classroom shortages have become potentially so dangerous to the entire Nation and have yielded so slowly to local effort as to compel emergency action. Thus was forced a Federal plan of temporary assistance adjusted to the specific needs of States and communities and designed not to supplant but to supplement their own efforts.

I at once concede that, in Government as with individuals, there is an instinctive inclination to persist in any activity once begun. But if it be the people's will, and I believe it is, I have no doubt at all that we can defeat that inclination in respect to Federal help in school construction, once the emergency need has been satisfied.

Three other basic problems provide simple examples of how filling the vacuum tends to construct State and local responsibility.

They are such problems as slum clearance and urban renewal—problems caused by natural disasters—problems of traffic safety.

As for the first, the lack of energetic State attention to urban needs over the past decade has spawned a host of Federal activities that are more than difficult to curtail. Today, for help on urban problems, committees of mayors are far more likely to journey to Washington than to State capitals.

It always has seemed to me that, in such meetings, Federal and municipal authorities have united in a two-pronged assault upon the State echelon of government, attacking simultaneously both from above and from below.

Yet the needs of our cities are glaringly evident. Unless action is prompt and effective, urban problems will soon almost defy solution. Metropolitan areas have ranged far beyond city boundaries, but in every instance the centers and the peripheries are interdependent for survival and growth.

As citizens in outer areas clamor for adequate services, too often the cities and the counties avoid responsibility or are powerless to act as a result of State-imposed restrictions. Those needs must be—and they will be—met.

The question I raise before you is this: Which level of Government will meet those needs—the city, the county, the State or the Federal Government? Or, if all must merge their efforts for reasons of mutual interest, how shall we confine each—and especially the powerful Federal Government—to its proper role?

Because I am so earnestly hopeful that this task will be assumed by government nearest the people and not by the far-off, reputedly "rich uncle" in Washington, D. C., I enthusiastically commend your council's initiative in facing up to the needs of metropolitan areas.

Next, consider for a moment floods, droughts, hurricanes and tornadoes. Year by year, more and more Federal funds are being requested to meet such disasters which heretofore States, communities, and philanthropic agencies have met themselves.

In recent years I have gained some little appreciation of legislative bodies, so I can understand why a governor is tempted to wire Washington for help instead of asking the legislature to act. Easy it is to send such a wire. But does it not tend to encourage the still greater growth of the distant and impersonal centralized bureaucracy that Jefferson held in such dread.

In varying degrees, in varying circumstances, Federal Government cooperation with States and communities has been, is now, and will continue to be indispensable. But I would urge that the States insistently contend for the fullest possible responsibility for essentially State problems, well knowing that with responsibility there goes, in the long run, authority.

TRAFFIC PROBLEM GROWING

As for traffic safety, this, happily, is still a State and local responsibility. But day by day the American people are paying an increasingly fearful price for the failure of the States to agree on such safety essentials as standards for licensing of drivers and vehicles and basic rules of the road.

The need could scarcely be more acute. Last year's toll of traffic dead soared beyond 40,000 persons. One and a half million citizens were injured. Many were disabled for life. The estimated cost to the country was $4,750,000,000.

We simply cannot let this go on. The cost of inaction is prohibitive. Who is going to fill the vacuum? Someone must, and someone will. Are we willing that, once again, it be Washington, D. C.?

I believe deeply in States rights. I believe that the preservation of our States as vigorous, powerful governmental units is essential to permanent individual freedom and the growth of our national strength. But it is idle to champion States rights without upholding States responsibilities as well.

I believe that an objective reappraisal and reallocation of those responsibilities can lighten the hand of central authority, reinforce our State and local governments, and in the process strengthen all America. I believe we owe it to America to undertake that effort.

The alternatives are simple and clear:

Either—by removing barriers to effective and responsive government, by overhauling taxing and fiscal systems, by better cooperation between all echelons of government, the States can regain and preserve their traditional responsibilities and rights.

Or—by inadequate action, or by failure to act, the States can create new vacuums into which Federal Government will plunge ever more deeply, impelled by popular pressures and transient political expediencies.

A COMMON COURSE

I propose that we choose the first alternative, and I propose that here in this historic spot we dedicate ourselves to making it work.

Not in a speech—nor by a collective resolution, no matter how powerfully worded—can we turn back long-established trends. But we can start searching examinations and together lay out, promptly and clearly, a common course toward the ends we seek. I suggest, therefore, that this conference join with the Federal administration in creating a task force for action—a joint committee charged with these three responsibilities:

1. To designate functions which the States are ready and willing to assume and finance that are now performed or financed wholly or in part by the Federal Government;

2. To recommend the Federal and State revenue adjustments required to enable the States to assume such functions; and

3. To identify functions and responsibilities likely to require State or Federal attention in the future and to recommend the level of State effort, or Federal effort, or both, that will be needed to assure effective action.

In designating the functions to be reassumed by the States, the committee should also specify when those functions should be assumed—the amounts by which Federal taxes should be reduced—and increases in State revenues needed to support the transferred functions.

As the first step, the committee might well concentrate on a single function or program and pair it with a specific Federal tax or tax amount. This effort presupposes that Federal taxes would be cut more than State taxes would be raised to support the transferred functions.

The elimination of the Federal overhead—stopping, in other words, the "freight charges" on money being hauled from the States to Washington and back (a bill, I remind you, that is always collected in full)—would save the American taxpayer a tidy sum.

Obviously, such an effort requires your own thoughtful study as well as Federal analysis. It means re-examining every one of your local and State fiscal policies, including taxation, bonded indebtedness, operating costs and cash reserves to meet natural disasters and other emergencies. It means realistically relating tax rates and assessed valuations to expanded incomes and real property values.

A CHALLENGING TASK

Once the committee acts, I have it in mind that all of us would cooperate in securing the necessary action by the Congress and the various State legislative bodies for the health of our republic and the good of us all.

Regaining lost ground, whether in war or in public affairs, is the most challenging task of all. But because I have seen it done, I know it can be done by men of dedication. This place where we are met today abounds with historic examples of the same kind of dedication.

Not one of us questions the governmental concepts so wisely applied by the framers of our Constitution. I have not the slightest doubt that, by mobilizng our collective leadership, we can revitalize the principle of sharing of responsibility, of separation of authority, of diffusion of powers, in our free Government.

Our objectives are two:

First, we must see that Government remains responsive to the pressing needs of the American people.

Second, we must see that, in meeting those needs, each level of Government performs its proper function—no more, no less.

Thus we will pass on to those who come after us an America free, strong and durable.

And so, America will continue to be a symbol of courage and of hope for the oppressed millions over the world who, victimized by powerful centralized government, aspire with all their heart and soul to join us in freedom.

CENTRALIZED GOVERNMENT

Mr. GOLDWATER. Mr. President, at the governors' conference in Williamsburg this week, President Eisenhower told the assembled governors of our States that the trend toward centralized government is not only continuing, but is accelerating. He said:

Every State failure to meet a pressing public need has created the opportunity, developed the excuse, and fed the temptation for the National Government to poach on the States' preserves.

He said further:

Year by year, responding to transient popular demands, the Congress has increased Federal functions.

President Eisenhower suggested the creation of a Federal-State task force which would develop adjustments in our tax structure, to the end that the States

would keep a greater share of tax revenues. It would determine what functions now being performed by the Federal Government can be taken over by the States, and it would establish responsibility for problems which might arise in the future. I wholeheartedly and enthusiastically support the President in these suggestions, and I should like to have the Senate indulge me for a minute or two so that I may explore one facet of the problem with which we are most acquainted.

Federal grants-in-aid have grown from $1,678,000,000, in 1947, to an estimated $5,272,000,000, in fiscal 1958. The grant-in-aid theory is undoubtedly one of the greatest contributors to our swollen bureaucracy, and we need only to examine how these bureaus grow through such grants to see that there will be no stopping the trend to a Washington-controlled government if many of the programs are not handed to the States. For instance, a program to control water pollution which will cost the taxpayers $2 million this year will cost $3 million next year. A program to assist local library services which will cost $2 million this year will require $3 million next year. Another program, to provide for the drainage of anthracite coal mines, will cost the taxpayers $1 million this year, but next year the cost will rise to $2½ million.

To administer these programs requires additional thousands of employees; and, as these employees pour into the bureaus, the bureaus become little kingdoms of their own, beholden not to the American people, but to the perpetuation of their existence.

The most serious aspect of this growing bigness of the Central Government is the impact on the division of power in the Federal system, which was designed to give us, first, strong States and, through strong States, a strong Central Government, with the States remaining firmly in control. We must consider the statement of the Kestnbaum Commission in 1953, with respect to grants-in-aid, that "The National Government has used the grant-in-aid primarily to achieve more national objectives, not to help States and local governments to finance their activities." If this be true—and there is every reason to suspect that in many cases it is—is it not perfectly obvious that these grants have been used as a political tool to carry out political, social, and economic philosophies which the States might not have developed if left to their own resources?

Have these grants not been, in effect, a political lever, with powerful political forces pushing on one end to elevate a theory or philosophy of government or sociology or economics, for which there was no need and no call from the people who, as always, act as a fulcrum for this lever?

Another question which arises is the increasing cost to the taxpayer. So that my colleagues may better understand this soaring cost, I ask unanimous consent that two tables appearing in the May issue of Nation's Business be printed in the RECORD at this point in my remarks.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Two hundred seventeen million dollars in new grants proposed for 1958

PURPOSE AND ESTIMATED EXPENDITURES

Under proposed legislation:	
(a) Construction of training facilities for medical dental schools	$1,080,000
(b) Construction of mental health facilities in Alaska	325,000
(c) General school construction	185,000,000
(d) Planning education beyond high schools	2,500,000
(e) Other health, education, and welfare programs (juvenile delinquency, teacher training, etc.)	3,250,000
(f) Assistance to areas of substantial and persistent unemployment, Labor Department	622,000
(g) Assistance for State industrial safety programs	2,180,000
(h) Participating projects under the partnership concept conducted by the Corps of Engineers	5,000,000
(i) Area assistance activities, Commerce Department	1,500,000
(j) Civil defense assistance to the States	10,000,000
Total	211,457,000
New appropriations for previously authorized programs:	
(a) Training public welfare personnel	2,500,000
(b) Cooperative research or demonstration projects in social security	1,000,000
(c) Assistance to States for tree planting	2,500,000
Total	6,000,000
Grand total	217,457,000

In addition, there will be new legislation proposing to give the Department of Interior $3.5 million for loans for small reclamation projects.

How grants have grown in 10 years

[Expenditures in millions of dollars]

15 major programs	1948	1958 (proposed)	Percent growth
Agricultural research	7.2	34.2	379
Agricultural extension	26.2	54.5	108
Highways	318.5	[1] 1,654.0	419
Vocational education	26.4	40.9	55
Vocational rehabilitation	21.7	49.3	127
Maternal and child welfare services	21.4	41.5	94
Employment Security Administration	133.6	257.0	92
School lunch	65.1	98.6	51
Donations of surplus agricultural commodities	35.0	323.7	825
Public assistance	718.4	1,679.4	134
Low-rent public housing	3.3	99.0	2,868
School construction, maintenance and operation in federally affected areas	4.1	213.6	5,086
Hospital construction	1.0	99.8	10,320
Slum clearance and urban renewal	[2] 11.6	50.5	336

[1] Trust fund expenditures.
[2] Expenditures for fiscal 1954.

Mr. GOLDWATER. Mr. President, the major questions which must be answered if America is to retain her concept of a government of States are how our Government is being changed, whether or not the American people want such change, and whether these programs are needed from the Federal level. President Eisenhower has courageously pointed out to the governors of our States their responsibilities in retaining the strengths of our Government, and it is to be hoped that these State leaders, with the assistance of the Congress and the President, will proceed quickly and intelligently to outline to the American people just what the Federal Government should be doing for them and, more important, what it should not be doing; and to decide which of these programs are needed and which of the needed ones can best be done by the States.

Secretary Humphrey has earlier pointed out a fact known to all, if we would only stop and remember it, that all the money which is spent by the Federal Government at Washington comes from the people, and that the freight on bringing that money here and the cost of administering its spending means that the American taxpayer never receives a full dollar's worth from Washington, and that, consequently, the greatest return from the tax dollar can be realized through expenditures at the local level.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point in my remarks a telegram from Ernest G. Swigert, president of the National Association of Manufacturers, sent to President Eisenhower congratulating him on his statement.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

Congratulations on your statesmanlike and farseeing proposal for a Federal-State task force to study and recommend the return of suitable governmental functions and revenue resources to the States. Our system of Government, as you so aptly point out, has as its main objective a free people and fettered power and to preserve this we must prevent the States from becoming mere satellites of the National Government.

We pray and hope that the steady drift of responsibility and power to Washington will be reversed as a result of your proposal. This could well become your monument in history more significant to the future of the American people than any of your other great accomplishments. You can count on all the support and help this association can give you in pursuing this objective.

Respectfully,

ERNEST G. SWIGERT,
President, National Association of Manufacturers.

NORTH PACIFIC SALMON

Mr. JACKSON. Mr. President, the acute and growing problem of protecting, restoring, and expanding our valuable North Pacific salmon resource has been pinpointed in an article my senior colleague, the Senator from Washington [Mr. MAGNUSON], has written for the current issue of Sports Afield magazine.

I have the privilege of working closely with my colleague, and have witnessed the efforts made by, and the accomplishments of, the Senate Interstate and Foreign Commerce Committee, of which my colleague from Washington is the chairman. I ask unanimous consent that the article be printed at this point in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW HOPE FOR SALMON FISHERMEN

(By Senator WARREN G. MAGNUSON, of Washington)

(EDITOR'S NOTE.—In his 20 years of public service in both Houses of Congress, Senator MAGNUSON has been a stanch defender of basic conservation principles. Personally an enthusiastic salmon fisherman and duck hunter, he has worked closely with sporting groups to insure the continuation of fish and game in this country. Close observation of work done bringing back salmon in his native State of Washington has been a strong influence in his approach to the restoration of Alaskan salmon runs. The Senator's program should be of immediate concern to sportsmen, since his plans cannot help but benefit both commercial and sporting interests.)

Next to Alaska's statehood, restoration of declining salmon runs in the Territory's 2,000 rivers will be, in my opinion, one of the gravest problems the north country entrusts to the 85th Congress.

Reasons for the decline are well known. They range from man's overfishing, to predators and deficiencies in nature. Extent of the decline is obvious when the Alaskan salmon pack plummets from 5,709,227 cases (the 5-year average 1931–35) to 3,132,213 cases (average) in 1951–55. Since the territorial salmon pack is now only half of that of 20 years ago, the real loss amounts to nearly $50 million annually.

Neither I nor others aware of the situation minimize the reconstruction task needed. If those having practical knowledge of the fisheries are entrusted with the task, there is general agreement that only $1 million to $2 million a year will be all that is necessary to get the long-range reconstruction program underway.

This amount of appropriation from Congress is considered ample to institute a four-point program of stream improvement; lake fertilization; hatchery construction; and the initiation of a realistic enemy-control program.

Actually, no part of this approach is entirely new. Even lake fertilization and stream improvement have been carried out successfully in Germany, Holland, China, Czechoslovakia, Greece, Italy, Indonesia, Thailand, and other countries. But it has not been put to work in Alaska—yet.

As chairman of the Senate Interstate and Foreign Commerce Committee, it will be up to me and my committee to carry the Alaskan fisheries rehabilitation ball in Congress, just as we did in the 84th Congress when the groundwork for the program was prepared through adoption of the National Fisheries Act of 1956. This measure has been termed the first constructive step in our generation to obtain a sound national policy in regard to our fishery resource.

Admittedly, the amount of funds sought to institute the program is an estimate. The actual benefits cannot be evaluated fully until an attempt is made to carry out the work. Alaska is a big territory. Its many lakes are large, its 2,000 rivers and streams more inaccessible than those poisoned to rid them of predators. The streams were restocked with fish nurtured in Washington State when the State game department's fish know-how was put to work rebuilding the once-great steelhead runs and restoring and improving the sportsmen's trout fishing by 1,000 percent.

Perhaps planes will be needed to spray chemical fertilizer components on Alaska's lakes. This is vitally needed to insure the survival of an increased egg hatch and to supplement the food of the red salmon fry. The waters must also be freed of major enemy inroads.

Actually, scientists note that approximately the same commercial fertilizer in common use on the Nation's farms will be ample to furnish the chemicals to rebuild the planktonic food supply in Alaska's lakes.

Experts tell me there is every likelihood that the Washington State story of early-maturing salmon attaining greater size can be developed in the Alaskan rehabilitation program. Such a program must be on a large scale before the actual results can be determined.

The greatest believers in action now, rather than merely further study, are itching to institute the rehabilitation program on Alaska's streams and lakes. Of special importance is Karluk Lake, whose runs accounted for a catch of 3,412,000 red salmon in 1889, 3,985,000 in 1901 and only 91,000 in 1956. Even passage of the White Act by Congress in 1924 seemingly had only temporary benefit for Karluk and other Alaskan streams. The White Act decreed that at least 50 percent salmon escapement be permitted for preservation of stocks. Karluk runs, which had provided a salmon pack of 891,000 red salmon in 1924, produced 1,323,000 salmon in 1925 and 2,386,000 in 1926. The runs have fought a losing battle since that time to produce anything like those figures. Karluk is located on the northwestern corner of Kodiak Island, in the protection of the Alaskan peninsula which juts out toward the Aleutian chain of islands.

Recognizing the importance of Karluk's contribution to Alaska's total fishery resource, experts for 67 years have spasmodically studied the 14½-square-mile lake and the 20-mile-long Karluk River which empties it. One of the most interesting studies of Karluk production—and its potential—was made by Dr. Livingston Stone of the biological staff of the then United States Fish Commission, forerunner of today's United States Fish and Wildlife Service. His report dates from 1889 and says:

"The eggs and young of the red salmon have many enemies, and the percentage of fish naturally developed from eggs must be exceedingly small.

"Every salmon nest has its greedy horde of little fresh-water sculpins, blobs, and bullheads, always in readiness to consume the fresh eggs in quantities out of all proportion to their size * * * also the Dolly Varden trout, only too common on the salmon spawning grounds, which consume large quantities of salmon eggs."

Eggs that survived and hatched faced other predators, according to Dr. Stone.

"I shot some terns and gulls near the south end of Karluk Lake, and upon holding them up by the legs, small salmon dropped out of their mouths. * * * Bears consume large quantities of breeding fish. * * * They may be seen standing at the edge of the stream, where the water is shallow, and occasionally striking salmon with their claws and throwing them on the shore, where they are eaten alive."

Dr. Stone also scored the salmon shark, porpoises, and sea lions which attacked the fish in their ocean feeding grounds in 1889—then as now.

Still puzzling to scientists is the lack of reasonable correlation between the escapement of Karluk red salmon and the return cycles. Even though 50 percent or more escapement of the total runs continues (as provided in the White Act), the returns appear less in proportion to an estimated 20 to 30 percent escapement required to maintain red salmon stocks returning to the Fraser River in British Columbia, Canada, where runs have actually increased in recent years.

Perhaps scientific tests provide the answer. Testing Karluk waters, scientists have found them deficient in the minerals and organic content necessary to produce plankton, the food of young fish. Unless the necessary balance is obtained, increasing the number of fry would only complicate the feeding problem and undoubtedly further delay the departure of the young salmon to the open sea.

Dr. Lauren Donaldson, head of the University of Washington's applied fisheries laboratory, believes his research and results in cooperating with the Washington State Department of Game in rebuilding steelhead runs and providing an adequate trout rehabilitation program indicate that balanced lake fertilization and predator control will increase survival and speed the life cycle of Alaskan red salmon to the extent that they will leave the lakes earlier for the ocean feeding grounds. Dr. Donaldson and members of the United States Fish and Wildlife Service theorize that size, not actual age, determines the time the fish leave the lake for the salt water. If this is true, then Alaska might well expect a return of larger salmon, as well as greater returning numbers.

Ordinarily, nature assists in the fertility of the watersheds in many ways. For example, decaying carcasses of adult salmon, after they have spawned, will provide the minerals and organic supply needed. Other organic substances deposited in the streams help implement the supply. Minerals washed into the waters by land erosion help rebuild deficient waters.

While it is not necessary to build a large number of hatcheries to artificially stock Alaska's lakes and streams, experts say they can play an important part in transplanting salmon from one area to another. They maintain that by freeing lakes of the enemies of salmon, and by the use of the latest incubator equipment, many small lakes can be utilized as hatchery rearing ponds. Supplemental feeding and fertilization of small lakes make possible the production of salmon fry on a scale comparable to that of the large red salmon lakes under natural conditions.

These experts add that the cost of such operations, if properly managed, will be only a fraction of the value of the possible returns to the industry.

Milo Moore, former International Fisheries consultant to the Economic Cooperation Administration with United States Department of State and the United Nations, and now fisheries consultant to my committee, inspected programs of fish culture in Europe and the Far East. He feels that most of the basic research needed in Alaska has been done. Now the big push is to put into effect the knowledge gained from the 67 years of study of Karluk Lake, using the facts made available to us from other nations which have put their fishery resource upon its feet through lake fertilization and predator control.

I can certainly agree with Mr. Moore. The success of a program like this is beyond the comprehension of the average man, and even some of the fisheries management people. Yet, in the poor countries of the world, people have learned to raise great quantities of food fish in ponds by direct feeding, fertilization and predator control.

Selection of personnel will be an important factor. After viewing Dr. Donaldson's results at the University of Washingtons' applied fisheries laboratory, Mr. Moore has recommended him to play a leading role in the rehabilitation program. I personally believe Dr. Donaldson could coordinate the work with the United States Fish and Wildlife Service and Alaska Territorial Department of Fisheries and also industry. I further feel no one agency alone should be assigned the program. All concerned—Territorial, Federal, and industrial—must participate to make the plan successful.

Unless something is done beyond our present and past efforts to conserve the Alaskan salmon industry and arrest the downward trend, only tens of Alaskan red and other

salmon will return to streams now traveled by thousands, where millions swam only a few generations ago.

AGREEMENT FOR COOPERATION WITH GOVERNMENT OF NICARAGUA

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD an agreement for cooperation with the Government of Nicaragua, together with accompanying correspondence. This agreement was signed on June 11 and was received at the Joint Committee on Atomic Energy on June 12. It is a standard research agreement which provides for the lease of up to 6 kilograms of contained U–235 in uranium, enriched up to a maximum of 20 percent U–235.

There being no objection, the agreement, together with accompanying correspondence, was ordered to be printed in the RECORD, as follows:

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., June 11, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. DURHAM: Pursuant to section 123c of the Atomic Energy Act of 1954, there is submitted with this letter:

1. An executed Agreement for Cooperation Between the Government of the United States of America and the Government of Nicaragua Concerning Civil Uses of Atomic Energy;

2. A letter dated April 18, 1957, from the Commission to the President recommending approval of the agreement;

3. A letter dated April 23, 1957 from the President to the Commission containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security, approving the agreement, and authorizing its execution.

This agreement, as executed, makes cooperation possible between the United States and Nicaragua on the design, construction, and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, agriculture, and industry. Nicaragua, if it desired to do so, would be able to engage United States companies to construct research reactors, and private industries in the United States will be permitted, within the limits of the agreement, to render other assistance to Nicaragua. No restricted data would be communicated under this agreement. The Atomic Energy Commission, however, would lease to Nicaragua up to 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in Nicaragua or while fuel elements are in transit. This expressed limitation will restrict Nicaragua in determining the choice of reactor to be constructed to a research reactor.

You will note that the agreement includes in article V provisions for the sale or transfer of research quantities of materials of interest in connection with defined research projects. The amount of special nuclear material which would be made available to Nicaragua under this agreement would not be important from the military point of view.

Article VIII of the proposed agreement records the obligations undertaken by Nicaragua to safeguard the special nuclear material to be leased by the Commission and article IX contains the guaranties prescribed by section 123 of the Atomic Energy Act.

This agreement expresses the hope and expectation of the two governments that this first stage of cooperation will lead to further development of the peaceful uses of atomic energy in Nicaragua.

The agreement will enter into force when the two governments have exchanged notifications that their respective statutory and constitutional requirements have been fulfilled (article XI).

Sincerely,

LEWIS L. STRAUSS,
Chairman.

(Enclosures: 1. Agreement for Cooperation with the Government of Nicaragua (3 certified copies); 2. Ltr. from Commission to President (3 certified copies); 3. Ltr. from President to Commission (3 certified copies).)

THE WHITE HOUSE,
Augusta, Ga., April 23, 1957.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission,
Washington, D. C.

DEAR MR. STRAUSS: Under date of April 18, 1957, you informed me that the Atomic Energy Commission had recommended that I approve the proposed "Agreement for Cooperation Between the Government of the United States of America and the Government of Nicaragua Concerning Civil Uses of Atomic Energy," and authorize its execution. The agreement recites that the Government of Nicaragua desires to pursue a research and development program looking toward the realization of the peaceful and humanitarian uses of atomic energy and desires to obtain assistance from the Government of the United States and United States industry with respect to this program.

The recommended agreement has been reviewed. It calls for cooperation between the two governments with respect to the design, construction, and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, agriculture, and industry. The agreement contains all of the guaranties prescribed by the Atomic Energy Act of 1954. No restricted data would be communicated under the agreement, but the Commission is authorized to lease to the Government of Nicaragua up to 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235 for use as reactor fuel. In addition, article V of the agreement would permit the Commission to transfer limited quantities of special nuclear materials, including U–235, U–233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954 and upon the recommendation of the Atomic Energy Commission, I hereby (1) determine that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States, and (2) approve the proposed agreement for cooperation between the Government of the United States and the Government of Nicaragua enclosed with your letter of April 18, 1957, and (3) authorize the execution of the proposed agreement for the Government of the United States by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

It is my hope that this agreement represents but the first stage of cooperation in the field of atomic energy between the United States and the Government of Nicaragua, and that it will lead to further discussions and agreements relating to other peaceful uses of atomic energy in Nicaragua.

Sincerely,

DWIGHT D. EISENHOWER.

I certify that this is a true and correct copy.

JOHN K. ROULEAU,
Chief, Western Hemisphere Branch,
Division of International Affairs.

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., April 18, 1957

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed agreement entitled "Agreement for Cooperation Between the Government of the United States of America and the Government of Nicaragua Concerning Civil Uses of Atomic Energy," and authorize its execution.

The agreement has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, and is, in the opinion of the Commission, an important and desirable step in advancing the development of the peaceful uses of atomic energy in Nicaragua in accordance with the policy which you have established. The agreement would permit cooperation between the two Governments with respect to the design, construction and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, agriculture and industry. The agreement contains all of the guaranties prescribed by the Atomic Energy Act of 1954. No restricted data would be communicated under this agreement, but the Commission is authorized to lease to the Government of Nicaragua up to 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235 for use as reactor fuel. You will note that article V of the agreement would permit the Commission to transfer limited quantities of special nuclear materials, including U–235, U–233 and plutonium, for defined research projects related to the peaceful uses of atomic energy.

The Government of Nicaragua, if it desires to do so, may engage United States companies to construct research reactors, and private industry in the United States will be able, under the agreement, to render other assistance to the Government of Nicaragua. The agreement expresses the hope and expectation of the two Governments that this first stage of cooperation will lead to further discussions and agreements relating to other peaceful uses of atomic energy in Nicaragua.

Following your approval and subject to the authorization requested, the agreement will be formally executed by the appropriate authorities of the Government of Nicaragua and the United States and then placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954.

Respectfully,

LEWIS L. STRAUSS,
Chairman.

(Enclosures: Agreement for Cooperation with the Government of Nicaragua.)

I certify this is a true and correct copy.

JOHN K. ROULEAU,
Chief, Western Hemisphere Branch,
Division of International Affairs.

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF NICARAGUA CONCERNING CIVIL USES OF ATOMIC ENERGY

Whereas the peaceful uses of atomic energy hold great promise for all mankind; and

Whereas the Government of the United States of America and the Government of Nicaragua desire to cooperate with each other in the development of such peaceful uses of atomic energy; and

Whereas the design and development of several types of research reactors are well advanced; and

Whereas research reactors are useful in the production of research quantities of radioisotopes, in medical therapy and in numerous other research activities and at the same time are a means of affording valuable training and experience in nuclear science and engineering useful in the development of other peaceful uses of atomic energy including civilian nuclear power; and

Whereas the Government of Nicaragua desires to pursue a research and development program looking toward the realization of the peaceful and humanitarian uses of atomic energy and desires to obtain assistance from the Government of the United States of America and United States industry with respect to this program; and

Whereas the Government of the United States of America, acting through the United States Atomic Energy Commission, desires to assist the Government of Nicaragua in such a program;

The parties agree as follows:

ARTICLE I

For the purposes of this agreement:

(a) "Commission" means the United States Atomic Energy Commission or its duly authorized representatives.

(b) "Equipment and devices" means any instrument or apparatus and includes research reactors, as defined herein, and their component parts.

(c) "Research reactor" means a reactor which is designed for the production of neutrons and other radiations for general research and development purposes, medical therapy, or training in nuclear science and engineering. The term does not cover power reactors, power demonstration reactors, or reactors designed primarily for the production of special nuclear materials.

(d) The terms "restricted data," "atomic weapon," and "special nuclear material" are used in this agreement as defined in the United States Atomic Energy Act of 1954.

ARTICLE II

Restricted data shall not be communicated under this agreement, and no materials or equipment and devices shall be transferred and no services shall be furnished under this agreement to the Government of Nicaragua or authorized persons under its jurisdiction if the transfer of any such materials or equipment and devices or the furnishing of any such services involves the communication of restricted data.

ARTICLE III

1. Subject to the provisions of article II, the parties hereto will exchange information in the following fields:

(a) Design, construction, and operation of research reactors and their use as research, development, and engineering tools and in medical therapy.

(b) Health and safety problems related to the operation and use of research reactors.

(c) The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

2. The application or use of any information or data of any kind whatsoever, including design drawings and specifications, exchanged under this agreement shall be the responsibility of the party which receives and uses such information or data, and it is understood that the other cooperating party does not warrant the accuracy, completeness, or suitability of such information or data for any particular use or application.

ARTICLE IV

1. The Commission will lease to the Government of Nicaragua uranium enriched in the isotope U–235, subject to the terms and conditions provided herein, as may be required as initial and replacement fuel in the operation of research reactors which the Government of Nicaragua, in consultation with the Commission, decides to construct and as required in the agreed experiments related thereto. Also, the Commission will lease to the Government of Nicaragua uranium enriched in the isotope U–235, subject to the terms and conditions provided herein, as may be required as initial and replacement fuel in the operation of such research reactors as the Government of Nicaragua may, in consultation with the Commission, decide to authorize private individuals or private organizations under its jurisdiction to construct and operate, provided the Government of Nicaragua shall at all times maintain sufficient control of the material and the operation of the reactor to enable the Government of Nicaragua to comply with the provisions of this agreement and the applicable provisions of the lease arrangement.

2. The quantity of uranium enriched in the isotope U–235 transferred by the Commission under this article and in the custody of the Government of Nicaragua shall not at any time be in excess of 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in Nicaragua or while fuel elements are in transit, it being the intent of the Commission to make possible the maximum usefulness of the 6 kilograms of said material.

3. When any fuel elements containing U–235 leased by the Commission require replacement, they shall be returned to the Commission and, except as may be agreed, the form and content of the irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the Commission.

4. The lease of uranium enriched in the isotope U–235 under this article shall be at such charges and on such terms and conditions with respect to shipment and delivery as may be mutually agreed and under the conditions stated in articles VIII and IX.

ARTICLE V

Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy undertaken by the Government of Nicaragua, including source materials, special nuclear materials, byproduct material, other radioisotopes, and stable isotopes, will be sold or otherwise transferred to the Government of Nicaragua by the Commission for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of the Government of Nicaragua, by reason of transfer under this article, be, at any one time, in excess of 100 grams of contained U–235, 10 grams of plutonium, and 10 grams of U–233.

ARTICLE VI

Subject to the availability of supply and as may be mutually agreed, the Commission will sell or lease, through such means as it deems appropriate, to the Government of Nicaragua or authorized persons under its jurisdiction such reactor materials, other than special nuclear materials, as are not obtainable on the commercial market and which are required in the construction and operation of research reactors in Nicaragua. The sale or lease of these materials shall be on such terms as may be agreed.

ARTICLE VII

It is contemplated that, as provided in this article, private individuals and private organizations in either the United States or Nicaragua may deal directly with private individuals and private organizations in the other country. Accordingly, with respect to the subjects of agreed exchange of information as provided in article III, the Government of the United States will permit persons under its jurisdiction to transfer and export materials, including equipment and devices, to and perform services for the Government of Nicaragua and such persons under its jurisdiction as are authorized by the Government of Nicaragua to receive and possess such materials and utilize such services, subject to: (a) The provisions of article II; (b) Applicable laws, regulations, and license requirements of the Government of the United States and the Government of Nicaragua.

ARTICLE VIII

1. The Government of Nicaragua agrees to maintain such safeguards as are necessary to assure that the special nuclear materials received from the Commission shall be used solely for the purposes agreed in accordance with this agreement and to assure the safekeeping of this material.

2. The Government of Nicaragua agrees to maintain such safeguards as are necessary to assure that all other reactor materials, including equipment and devices, purchased in the United States under this agreement by the Government of Nicaragua or authorized persons under its jurisdiction shall be used solely for the design, construction, and operation of research reactors which the Government of Nicaragua decides to construct and operate and for research in connection therewith, except as may otherwise be agreed.

3. In regard to research reactors constructed pursuant to this agreement, the Government of Nicaragua agrees to maintain records relating to power levels of operation and burnup of reactor fuels and to make annual reports to the Commission on these subjects. If the Commission requests, the Government of Nicaragua will permit Commission representatives to observe from time to time the condition and use of any leased material and to observe the performance of the reactor in which the material is used.

4. Some atomic-energy materials which the Government of Nicaragua may request the Commission to provide in accordance with this arrangement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of Nicaragua, the Government of Nicaragua shall bear all responsibility, insofar as the Government of the United States is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Government of Nicaragua or to any private individual or private organization under its jurisdiction, the Government of Nicaragua shall indemnify and save harmless the Government of the United States against any and all liability (including third-party liability) from any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Government of Nicaragua or to any authorized private individual or private organization under its jurisdiction.

ARTICLE IX

The Government of Nicaragua guarantees that (a) safeguards provided in article VIII shall be maintained; (b) no material, including equipment and devices, transferred to the Government of Nicaragua or authorized persons under its jurisdiction, pursuant to this agreement, by lease, sale, or otherwise will be used for atomic weapons or for research on or development of atomic weapons or for any other military purposes, and that no such material, including equipment and

devices, will be transferred to unauthorized persons or beyond the jurisdiction of the Government of Nicaragua except as the Commission may agree to such transfer to another nation and then only if in the opinion of the Commission such transfer falls within the scope of an agreement for cooperation between the United States and the other nation.

ARTICLE X

It is the hope and expectation of the parties that this initial agreement for cooperation will lead to consideration of further cooperation extending to the design, construction, and operation of power producing reactors. Accordingly, the parties will consult with each other from time to time concerning the feasibility of an additional agreement for cooperation with respect to the production of power from atomic energy in Nicaragua.

ARTICLE XI

1. This agreement shall enter into force on the day on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such agreement and shall remain in force for a period of 5 years.

2. At the expiration of this agreement or of any extension thereof the Government of Nicaragua shall deliver to the United States all fuel elements containing reactor fuels leased by the Commission and any other fuel materials leased by the Commission. Such fuel elements and such fuel materials shall be delivered to the Commission at a site in the United States designated by the Commission at the expense of the Government of Nicaragua and such delivery shall be made under appropriate safeguards against radiation hazards while in transit.

In witness whereof, the parties hereto have caused this agreement to be executed pursuant to duly constituted authority.

Done at Washington, in duplicate, in the English and Spanish languages, this 11th day of June 1957.

En testimonio de lo cual, las parties contratantes, debidamente autorizadas a tal fin, han convenido en la ejecución de este convenio.

Hecho en Washington, en duplicado, en los idiomas Inglés y Español, el día once de Junio de 1957.

For the Government of the United States of America:

Por el Gobierno de los Estados Unidos de America:

R. R. RUBOTTOM, Jr.,
LEWIS L. STRAUSS,
Chairman, United States Atomic Energy Commission.

For the Government of Nicaragua:
Por el Gobierno de Nicaragua:

GUILLERMO SEVILLA-SACASA.

AGREEMENT FOR COOPERATION WITH GOVERNMENT OF FORTUGAL

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD an agreement for cooperation with the Government of Portugal, together with accompanying correspondence. This agreement was signed on June 7 and was received at the Joint Committee on Atomic Energy on June 11. It is a standard research agreement which provides for the lease of up to 6 kilograms of contained U–235 in uranium, enriched up to a maximum of 20 percent U–235.

There being no objection, the agreement, together with accompanying correspondence, was ordered to be printed in the RECORD, as follows:

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., June 11, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. DURHAM: Pursuant to section 123c of the Atomic Energy Act of 1954, there are submitted with this letter:

1. An amendment, signed in Washington June 7, 1957, to the Agreement for Cooperation between the Government of the United States of America and the Government of Portugal Concerning the Civil Uses of Atomic Energy dated July 21, 1955;

2. A letter dated May 14, 1957 from the chairman of the Atomic Energy Commission to the President recommending approval of the amendment; and

3. A letter dated May 22, 1957 from the President to the chairman of the Atomic Energy Commission approving the amendment, authorizing its execution, and containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security.

Articles I and III of the amendment include new provisions designed to clarify the responsibilities assumed by the parties to the agreement with respect to liability for any information or data, special nuclear material or fuel elements transferred pursuant to the agreement.

Article II of the amendment would permit the transfer of limited amounts of special nuclear materials, including U–235, U–233 and plutonium for defined research projects related to the peaceful uses of atomic energy.

The amendment will enter into force when the two Governments have exchanged written notifications that their respective statutory and constitutional requirements have been fulfilled (art. IV).

Sincerely yours,

———,
Chairman.

(Enclosures: 1. Amendment to the Agreement for Cooperation with Portugal (3 certified copies); 2. Letter from Commission to President (3 certified copies); 3. Letter from President to Commission (3 certified copies).)

MAY 14, 1957.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed amendment to the "Agreement for Cooperation Between the Government of the United States of America and the Government of Portugal Concerning Civil Uses of Atomic Energy," dated July 21, 1955, and authorize its execution.

Articles I and III of the amendment include new provisions designed to clarify responsibilities assumed by the parties to the agreement with respect to liability for any causes arising out of the handling or use of information or data, special nuclear material or fuel elements transferred pursuant to the agreement.

Article II of the amendment would permit the transfer of limited amounts of special nuclear materials, including U–235, U–233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Following your approval and subject to the authorization requested, the proposed amendment will be executed by the appropriate authorities of the Government of Portugal and the United States. In compliance with section 123c of the Atomic Energy Act of 1954, the amendment will then be placed before the Joint Committee on Atomic Energy.

Respectfully yours,

LEWIS L. STRAUSS,
Chairman.

(Enclosure: Amendment to agreement for cooperation with Portugal.)

I certify this to be a true and correct copy.

LEONARD B. PHILLIPS,
Division of International Affairs, AEC.

THE WHITE HOUSE,
Washington, May 22, 1957.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission, Washington, D. C.

DEAR MR. CHAIRMAN: Under date of May 14, 1957, you informed me that the Atomic Energy Commission recommended that I approve a proposed amendment to the "Agreement for Cooperation Between the Government of the United States of America and the Government of Portugal Concerning Civil Uses of Atomic Energy," dated July 21, 1955, and authorize its execution.

Articles I and III of the amendment include new provisions designed to clarify responsibilities assumed by the parties to the agreement with respect to liability for any causes arising out of the handling or use of information or data, special nuclear material or fuel elements transferred pursuant to the agreement.

Article II of the amendment would permit the transfer of limited amounts of special nuclear materials, including U–235, U–233 and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954 and upon the recommendation of the Atomic Energy Commission, I hereby (1) Determine that the performance of the proposed amendment to the agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and (2) approve the proposed amendment to the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Portugal enclosed with your letter of May 14, 1957; and (3) authorize the execution of the proposed amendment for the Government of the United States by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

I certify this to be a true and correct copy.

LEONARD B. PHILLIPS,
Division of International Affairs, AEC.

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF PORTUGAL CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of Portugal;

Desiring to amend the Agreement for Cooperation between the Government of the United States of America and the Government of Portugal Concerning Civil Uses of Atomic Energy, signed on July 21, 1955, hereinafter referred to as the "Agreement for Cooperation";

Have agreed as follows:

ARTICLE I

Article I of the Agreement for Cooperation is amended to read as follows:

"A. Subject to the limitations of article V, the parties hereto will exchange information in the following fields:

"1. Design, construction and operation of research reactors and their use as research,

development, and engineering tools and in medical therapy.

"2. Health and safety problems related to the operation and use of research reactors.

"3. The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

"B. The application or use of any information or data of any kind whatsoever, including design drawings and specifications, exchanged under this agreement shall be the responsibility of the party which receives and uses such information or data, and it is understood that the other cooperating party does not warrant the accuracy, completeness, or suitability of such information or data for any particular use or application."

ARTICLE II

The following new article is added directly after article III of the Agreement for Cooperation:

ARTICLE III (A)

"Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy undertaken by the Government of Portugal, including source materials, special nuclear materials, by-product materials, other radioisotopes, and stable isotopes, will be sold or otherwise transferred to the Government of Portugal by the Commission for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of the Government of Portugal by reason of transfer under this article, be, at any one time, in excess of 100 grams of contained U-235, 10 grams of plutonium, and 10 grams of U-233."

ARTICLE III

1. Article VI, paragraph A, of the Agreement for Cooperation is amended by deleting the phrase "uranium enriched in the isotope U-235 leased from the Commission" and substituting in lieu thereof the phrase "special nuclear materials received from the Commission."

2. The following new paragraph is added to article VI of the Agreement for Cooperation:

"D. Some atomic-energy materials which the Government of Portugal may request the Commission to provide in accordance with this arrangement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of Portugal, the Government of Portugal shall bear all responsibility, in so far as the Government of the United States is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Government of Portugal or to any private individual or private organization under its jurisdiction, the Government of Portugal shall indemnify and save harmless the Government of the United States against any and all liability (including third-party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Government of Portugal or to any authorized private individual or private organization under its jurisdiction."

ARTICLE IV

This amendment shall enter into force on the date on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such amendment and shall remain in force for the period of the Agreement for Cooperation.

EMENDA AO ACORDO DE COOPERAÇÃO ENTRE O GOVERNO DOS ESTADOS UNIDOS DA AMÉRICA E O GOVERNO DE PORTUGAL SOBRE OS USOS CIVIS DA ENERGIA NUCLEAR

O Governo dos Estados Unidos da América e o Governo de Portugal,

Desejando alterar o Acordo de Cooperação entre o Governo dos Estados Unidos da América e o Governo de Portugal sobre os Usos Civis da Energia Nuclear, assinado em 21 de Julho de 1955, referido neste documento como "Acordo de Cooperação",

Acordaram no seguinte:

ARTIGO I

O Artigo I do Acordo de Cooperação é alterado para se ler como segue:

"A. Tendo em conta as restrições mencionadas no artigo V, deverão as partes contratantes trocar informações sobre as seguintes matérias:

"1. Desenho, construção e operação de reactores experimentais e seu uso como instrumentos de investigação científica de engenharia e de terapêutica.

"2. Problemas de saúde e de segurança relacionados com o funcionamento e uso de reactores experimentais.

"3. Use de isótopos radioactivos em estudos de física e de biologia, terapêutica, agricultura e indústria.

"B. A aplicação ou o uso de dados ou informações, qualquer que seja a sua natureza, inclusive os planos de desenhos e especificações trocados em virtude deste acordo, far-se-á sob a responsabilidade da Parte que os receber e usar, ficando entendido que a outra Parte não garante que tais dados sejam exactos, completos ou adequados para determinado uso ou aplicação."

ARTIGO II

Após o artigo III do Acordo de Cooperação acrescentar-se-á o novo artigo seguinte:

"ARTIGO III (A)

"Materiais de interesse relacionados com projectos definidos de investigação científica que digam respeito a usos civis de energia nuclear, empreendidos pelo Governo Português, inclusive materiais primários, materiais nucleares especiais, produtos secundários, outros radioisótopos e os isótopos estáveis, serão vendidos ou, em outras circunstâncias, serão cedidos para fins de estudo ao Governo de Portugal pela Comissão, nas quantidades e segundo os termos e condições que se acordarem, quando não seja possível obter os referidos materiais pelas vias comerciais ordinárias. Em caso nenhum, porém, a quantidade de materiais nucleares especiais sob a jurisdição do Governo de Portugal, por motivo de transferência que se efectue de acordo com este artigo, poderá ser em qualquer momento superior a 100 gramas de conteúdo U-235, 10 gramas de plutónio e 10 gramas de U-233."

ARTIGO III

1. É alterado o artigo VI, parágrafo A, do Acordo de Cooperação eliminando a frase "urânio enriquecido no isótopo U-235 cedido pela Comissão" e substituindo em seu lugar a frase "materiais nucleares especiais recebidos da Comissão."

2. Ao artigo VI do Acordo de Cooperação acrescentar-se-á o novo parágrafo seguinte:

"D. Alguns materiais geradores de energia nuclear, que o Governo de Portugal possa solicitar que lhe sejam fornecidos pela Comissão, de acordo com este Convénio são prejudiciais às pessoas e à propriedade se não forem manejados e usados cuidadosamente. Depois da enterga desses materiais ao Governo de Portugal, este Governo assumirá toda a responsabilidade, em relação ao Governo dos Estados Unidos, para manejar e usar com segurança esses materiais. Com respeito a quaisquer materiais nucleares especiais ou elementos combustíveis que a Comissão, em virtude deste acordo, possa ceder ao Governo Português ou a qualquer indivíduo ou organização particular sob a sua jurisdição, o Governo de Portugal indemnizará e eximirá o Governo dos Estados Unidos de toda a obrigação e de toda a responsabilidade (inclusive reclamações de terceiros), qualquer que seja o motivo que possa surgir da produção ou fabricação, propriedade, cessão e da retenção e uso de tais materiais nucleares especiais ou elementos combustíveis depois da entrega feita pela Comissão ao Governo de Portugal ou a qualquer pessoa ou organização particular autorizada sob a sua jurisdição."

ARTIGO IV

Esta Emenda entrará em vigor na data em que cada Governo receber do outro Governo notificação por escrito de que cumpriu com todos os requisitos legais e constitucionais para a entrada em vigor da aludida Emenda e permanecerá em vigor pelo período de duração do Acordo de Cooperação.

In witness whereof, the undersigned, duly authorized, have signed this amendment.

Done at Washington, in duplicate, in the English and Portuguese languages, this seventh day of June 1957.

Em testemunho do que, as partes contratantes, devidamente autorizadas, assinaram esta Emenda.

Feito em Washington, em duplicado, e nas línguas inglesa e portuguesa, aos sete dias do mês de Junho de 1957.

For the Government of the United States of America:

Pelo Governor dos Estados Unidos da America:

C. BURKE ELBRICK,
Department of State.
LEWIS L. STRAUSS,
Chairman, United States Atomic Energy Commission.

For the Government of Portugal:
Pelo Governo de Portugal:

L. ESTEVES FERNANDES,
Ambassador of Portugal.

I certify that this is a true and correct copy.

LEONARD B. PHILLIPS,
Division of International Affairs, AEC.

INTEREST RATES AND THEIR EFFECT UPON SAVINGS

Mr. BUSH. Mr. President, I have in my hand an editorial from the Wall Street Journal of June 25, entitled, "The Forgotten People." This editorial points out that the forgotten people appear to be those who are the savers and the thrifty ones.

From across the aisle we have heard, in the occasional debate regarding the question of interest rates, quotations from the Wall Street Journal, particularly by the distinguished Senator from Minnesota [Mr. HUMPHREY], as though to indicate that the Wall Street Journal is on his side of the argument. I think this editorial will completely disprove that contention, because it so clearly supports the position taken by Secretary Humphrey before the Committee on Finance and throughout the administration of the past 4 years.

I ask unanimous consent that the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal of June 25, 1957]

THE FORGOTTEN PEOPLE

Almost everybody is now familiar with the fact that when the monetary authorities take to the printing press the victims of this generosity are the citizens of modest means who depend on their insurance, their pension funds and their personal savings to safeguard their future.

Almost everyone, that is, except some politicians. If, in President Roosevelt's solicitous phrase, there are any forgotten men, they are the ones who during his administration were beguiled by the dream of "How to retire on $100 a month" and, let us say, entrusted their savings to the bonds his Treasury was then selling in large number. Those people, at any rate, have learned the difference between money and a paper dollar.

Curiously, these are still the forgotten people. Today the villain of many a politician is something called hard money, meaning simply that of late the supply of it has been kept fairly stable while the demand for it has been growing. Result: Those who would borrow must pay a higher price.

To a great many politicians this is just a nefarious plot to enrich somebody called the bankers. It is supposed to be all the fault of the Government's monetary policy—why is it so stingy about printing dollar bills?—and it is supposed to be a terribly wicked thing to do to the little people.

That is one reason why we hope some attention will be paid to the remarks of Secretary Humphrey to the Senate Finance Committee. Among other things, Mr. Humphrey reminds the Senators that not all of their constituents find hard money a hardship.

Most people are savers as well as borrowers; unlike their Government, the generality of Americans still attach some virtue to thrift. Many people have savings in bonds of the Government of the United States. Many have their money in banks, in savings and loan associations, and in insurance annuities. Many are taking a part of today's pay in contributions to pension funds for the future.

As far as these citizens are concerned, the bankers, the insurance companies, and the managers of the pension funds are trustees. But the real trustees are the Government's managers of money, including the Secretary of the Treasury. The bankers, the insurance companies, and the pension managers will pay out dollar bills tomorrow, as scheduled. The value of those future dollars depends on the money managers.

Mr. Humphrey points out, as is true, that these citizens may profit directly from higher interest rates; the brokers of money will pay the citizen more to save his money. But that is only a small part of the point. The real gain is not in the higher interest rate itself, but in the reason for the higher interest rate; namely, the fact that so far the money managers have resisted the temptation to make money cheap by cheapening it.

Governments being what they are, we cannot say how long that resolution will be held. But at least the Senators have learned there is one Government official who remembers their forgotten constituents.

COLIN STAM

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a very excellent article entitled "Meet Mr. Stam: Hill's Tax Expert Is Retiring Kind," written by Robert K. Walsh and published in the Washington Star.

I have been closely associated with Colin Stam for 25 years. He is a man of the finest character and great ability. He has the confidence and respect of all Members of Congress who have come in contact with him, and especially the members of the House Ways and Means Committee and the Senate Finance Committee, who have had an opportunity to observe at close hand his remarkable ability and integrity.

He is working for Congress for a moderate salary, and his capacity is such that he could command a very high salary in the field of tax experts.

I have seen him tested and tried in many difficult situations, but I have never known him to yield one iota in his recommendations to the Senate Finance Committee as to complex questions.

He has always endeavored to protect the interests of the United States Government, but, at the same time, do justice to the taxpayers.

I regard Colin Stam as an invaluable public servant, and, as chairman of the Senate Finance Committee, I want to pay this tribute to him.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MEET MR. STAM—HILL'S TAX EXPERT IS RETIRING KIND

(By Robert K. Walsh)

Colin F. Stam—a name to conjure with at the Capitol and to treat with respect at the Treasury—probably holds official Washington's record for avoiding the public prints.

Mr. Stam, as chief of staff of the Joint Congressional Committee on Internal Revenue Taxation, supplies the factual basis for how much income taxes you will pay. His name is a natural for headline writers, and his bulky form could hardly be overlooked as he sits in deep concentration in a Capitol hearing room or ambles along a corridor. But he successfully practices self-effacement to a degree almost unknown on the Hill.

As Congress' No. 1 technician on tax matters, Mr. Stam has built a solid reputation for exceptional influence in that field. When he speaks, which is seldom and softly, congressional tax writers are inclined to listen.

For example, just a few weeks ago Mr. Stam and his staff issued estimates showing lower expected budget surpluses for the 1957 and 1958 fiscal years than had been predicted earlier. The report had an immediate and pronounced dampening effect on a Democratic drive for enactment of a tax reduction bill at this time. In fact, there are some who say it dealt the death blow to that project.

A 30-YEAR VETERAN

Mr. Stam has been with the joint committee 30 years—just 1 year less than its age. He has been its chief of staff since 1938, and there are many who regard him as the Government's leading tax expert.

If he ever consented to talk about himself (an event Capitol correspondents never expect to report), he undoubtedly could tell of declining far higher paying outside business offers because he prefers the job he has. House members who have worked closely with him through the years say the often abused title "dedicated public servant" seldom is used more accurately and justly than when applied to him.

Certainly he is one of the most silent public servants—at least on personal matters. Mr. Stam is articulate, clear, friendly and patient in explaining intricacies of tax legislation or fiscal reports.

But he pleaded with a reporter not to reprint even the sketchy Who's Who account of his career. "Please," he said, "nothing personal about me. This is a staff operation."

This is not a pose, any more than is his refusal to accept gifts of any kind in the course of his public service. His staff follows suit by declining gifts, even though they may be only cigars or candy.

Years ago an organization sent Mr. Stam an expensive briefcase elaborately initialed C. F. S. It reportedly still reposes in his office, as good as new because it has never been used. Similarly, he seldom if ever attends cocktail parties or social functions which by the furthest stretch of the imagination might seem to put him under professional obligation.

HE LOVES THE WORK

This native of Chestertown, Md., has spent over 35 of his 60 years in the Government. His work is literally his life and he once summed it up simply and directly: "I love it."

He is so bound up in his job that many people closely associated with him for 10 or 20 years confess they know little or nothing else about him.

"I can assure you he knows taxes backward and forward and is the best tax authority in the Government, if not in the whole country," said another congressional authority on taxes, "but he is the only one who can talk about himself. And he won't."

It thus may come as a surprise to many of his associates that this powerfully built man, whose main exertion seems to center on tax tables, once covered a lot of ground on the tennis courts. He still belongs to a yacht club here. He owns a Maryland farm where he usually stays when not at his home in Chevy Chase or at his office.

Notwithstanding his devotion to work, and long hours of labor, he is no desk slave, much less a slave driver. As soon as Congress adjourns every year he heads for his farm. He told a friend tha' he no longer remains at his office after adjournment to clean up odds and ends. He found that the odds and ends never ended.

A QUIET INFLUENCE

Mr. Stam often sits in the Senate or House Chamber to assist managers of tax bills. Members say he never attempts to suggest tax policy or impose his views on specific types of revenue raising. But they credit him with profound influence because of his vast background and his grasp of hard facts that sometimes deflate great expectations or rosy political hopes of legislators.

Whether Mr. Stam is a Republican or Democrat is officially unknown at the Capitol, and nobody cares. He entered Government service in 1922 as an attorney in the Internal Revenue Service. He has obtained a bachelor of arts degree from Washington College and a law degree from Georgetown University. In 1927 he became assistant counsel of the joint committee and its staff director in 1938.

Other little known facts about this comparatively little known expert are that he is a bachelor, has written several books and articles on taxation, was an ensign in the United States Naval Reserve, and sees no reason why he should attempt to be the best dressed man in Washington.

The joint committee of 10 members selected from the House Ways and Means Committee and the Senate Finance Committee is essentially a fact-finding and advisory group on taxation. The 1926 statute which created it listed its principal functions as investigating the operation and effects of the Federal system of internal revenue taxes and the administration of those taxes.

The committee has considerable legal latitude for conducting other investigations and studies in respect to such taxes. It also advises appropriate Senate and House committees on possible methods of making taxes,

especially income taxes, simplier and more equitable.

Mr. Stam and the staff, numbering about 25 lawyers, analysts, specialists, researchers, and clerical employees, work frequently not only with the House and Senate committees concerned with taxes, but also with Treasury and Internal Revenue Service officials.

The committee staff's most notable projects in recent years included a special study of postwar taxation, refund provisions on income, estate, and gift taxes, and assistance in the massive 1954 revision of the Internal Revenue Code.

CHAIN REACTION

Its most recent publication—a seemingly routine 3-page pamphlet with the prosaic title "Estimates of Federal Receipts for Fiscal Years 1957 and 1958"—set off a chain reaction in fiscal quarters of Congress and the rest of the Government.

Characteristic of Mr. Stam, this staff statement attempted no policy pronouncements and avoided any appearance of trying to suggest what ought or ought not to be done about cutting taxes.

To what extent Mr. Stam, the staff report, or the joint committee itself persuaded some Democrats to soft-pedal any tax-reduction-bill move can only be surmised. Naturally, Mr. Stam would not talk about that even if he were asked.

Nevertheless, prospects of enactment of an income-tax-relief bill at the 1957 congressional session to take effect next January 1 seem to be growing dimmer. Such a bill has a somewhat better chance of passing at the 1958 session and being made retroactive to January 1 of that year.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, I should like to announce the plans for the leadership as to certain appropriation bills.

The Committee on Appropriations has today reported a supplemental appropriation bill for the Post Office Department, and the legislative appropriation bill.

If there is no objection, we should like to consider the Post Office Department appropriation bill today and the legislative appropriation bill tomorrow.

CHIEF JUSTICE EARL WARREN AND RECENT SUPREME COURT DECISIONS

Mr. NEUBERGER. Mr. President, the United States Supreme Court has been demonstrating a courageous sense of responsibility for the great civil liberties and human rights entrusted to its care by our immortal Constitution.

I believe much of the credit for this enlightened series of Court opinions and rulings belongs to the Chief Justice of the United States, Earl Warren. Coming, as I do, from the State of Oregon, I have a keen awareness of the record of abiding humanitarian accomplishments of this illustrious American, because he was for so many years the Governor of the State which borders Oregon on the south. As chief executive of California, Earl Warren was a source of inspiration to all of us in the Far West who, regardless of political party, believe in good and progressive government. It is for that reason that I disregard partisan differences on the Senate floor today to commend the President of the United States for his appointment of Earl Warren as Chief Justice of our country—a position in which he is leading the Court in reasserting its role as the ultimate protector of the rights of American citizens.

Mr. President, on its editorial page of June 19, 1957, the New York Times declared that the opinion of the Chief Justice in the Watkins case "as a whole stands as another monument to the return of reason on the matter of civil liberties and rights in the United States."

On the same date, the Portland Oregonian commented editorially that "Chief Justice Earl Warren, as leader of the liberals on the Supreme Court, will bear the brunt of the criticism and President Eisenhower, who appointed him, will share it"—referring to criticism of the Court's liberalism in the areas of racial discrimination and political freedom.

Mr. President, I ask unanimous consent that these editorials be printed in the CONGRESSIONAL RECORD, followed by an article in the Christian Science Monitor, also on June 19, by Mr. Joseph C. Harsch, discussing the recent decisions of the Supreme Court. Mr. Harsch adds an ironic footnote to the recent political history of our country when he points out "that the dissenting Justice was once an Attorney General for Harry S. Truman and that the one public figure now accused by name by the Court of having erred on the side of excessive 'security' was Dean Acheson." Finally, I ask unanimous consent to include a column, from today's Washington Post and Times Herald, by Mr. Marquis Childs, entitled "Warren Unaltered by Pomp of Office," which begins with the prophecy that "In the long perspective of history, the most distinguished act of President Eisenhower's administration—or, at any rate, of his first term—may well be the appointment of Earl Warren as Chief Justice of the United States."

There being no objection, the editorials and articles were ordered to be printed in the RECORD, as follows:

[From the New York Times of June 19, 1957]

THE WATKINS DECISION

The opinion of Chief Justice Warren in the Watkins case is a major pronouncement of the Supreme Court on the rights of the individual citizen before investigating committees of the Congress.

What the Court has done in this long-awaited decision is to limit the scope of congressional inquiry by requiring Congress to be more precise in defining the authority of its investigative committees than it has always been in the past, and by restricting the power of Congress to subject witnesses to vaguely defined fishing expeditions. Watkins, a labor organizer who fully admitted past cooperation with the Communist Party, was cited for contempt by the House Committee on Un-American Activities for refusing to testify concerning some former associates. The Court has now reversed his conviction on the ground that, in layman's language, the committee was engaged in unwarranted freewheeling, and its questions were not related with nearly sufficient precision and clarity to a specific legislative purpose.

Granting that "the power of Congress to conduct investigations is inherent in the legislative process," the Chief Justice pointed out that every investigation "must be related to and in furtherance of a legitimate task of the Congress" and that "there is no congressional power to expose for the sake of exposure."

Mr. Warren added that it is "unquestionably the duty of a citizen to cooperate with the Congress in its efforts to obtain the facts needed for intelligent legislative action"—an important point that the general tenor of the Watkins decision must not be allowed to obscure. The Court did not state that Watkins should under no circumstances reveal the names of his former associates. It did say that the committee's questioning was done in such a manner and in such a context that Watkins was "not accorded a fair opportunity to determine whether he was within his rights in refusing to answer, and his conviction is necessarily invalid" as a violation of due process.

The Court warned Congress to take "a measure of added care" in authorizing the use of the compulsory process—"a small price to pay if it serves to uphold the principles of limited, constitutional government without obstructing the power of the Congress to inform itself." The Chief Justice's thoughtful and sensitive comments on the far-reaching effects and implications of some of the more notorious congressional investigations deserve wide reading. His opinion as a whole stands as another monument to the return of reason on the matter of civil rights and liberties in the United States.

[From the Portland (Oreg.) Oregonian of June 19, 1957]

FAR-REACHING DECISIONS

The United States Supreme Court in this week's three rulings in cases involving alleged subversion has added to its growing reputation for liberalism, or idealism as opposed to realism.

However one may regard these and other decisions of the present court as wholly justified in upholding civil rights and civil liberties or as showing a softness toward communism, they are bound to embroil the court in controversy. They may make desegregation of schools in the Deep South even more difficult than it promised to be from the beginning.

For leaders of anti-integration movements in the South, in their bitter and often demagogic attacks on the Court's most far-reaching decision, have linked the school desegragation opinion to communism. They have stirred resistance to the decision by charging it is part of a Communist plot. Few fair-minded persons believe that, of course, but this week's and some earlier rulings will be pointed out and many persons may be swayed.

Already some Members of Congress have reacted adversely to the latest rulings, which freed 5 of 14 convicted California Communists and ordered new trials for the others, reversed a contempt of Congress conviction of a labor leader who refused to name former Communist associates, and limited a State's powers to investigate subversion.

Representative HOWARD W. SMITH, Democrat, of Virginia, author of the 1940 act under which the California Communists were originally convicted, expressed a view which almost certainly will be repeated frequently by southerners. "I do not recall any case decided by the present Court that the Communists have lost," he said.

Virginia is not of the Deep South, nor is Arkansas, whose respected Senator JOHN L. MCCLELLAN, chairman of the Senate Investigations Subcommittee, said the country needs "a Supreme Court of lawyers with a reasonable amount of commonsense."

These men and others who commented on the most recent decisions, including some conservative Republicans, were speaking about the subversion cases and not about

school desegregation, but their views will pour water on wheels in those States where the two issues are pictured as one.

Chief Justice Earl Warren, as leader of the liberals on the Supreme Court, will bear the brunt of the criticism and President Eisenhower, who appointed him and three other Justices, will share in it. The clash between conservative and liberal groups within the Republican Party, already exposed in the battle of the budget, undoubtedly will be heightened by the Supreme Court's swing to the left.

[From the Christian Science Monitor of June 19, 1957]

DAY OF DECISION

(By Joseph C. Harsch)

WASHINGTON.—There can be no doubt that the decisions taken by the Supreme Court of the United States on June 17 restrict, restrain, and make more difficult any future attempt by the executive and legislative branches of the Government to bend individuals to the will of the state.

The power of the Congressional committee to coerce the individual by a citation for contempt, the use by the FBI of paid informers, the validity of such testimony, the practice of keeping it secret, the arbitrary dismissal of an employee by a department of Government, the attempt to make a man an unwilling witness against his neighbor—all of these practices have been challenged and curbed.

All of these practices have been long employed by the state and in the presumed interests of the state. The war and the subsequent cold war challenged the state. In the process of defending itself against enemies, it asserted rights and evolved practices at the expense of individuals which it considered necessary at the time and which were widely accepted by public opinion as justified in the interests of the welfare of the community and the security of the state.

But they were practices which did encroach on the traditional Western concept of the rights of the individual.

It is not entirely a coincidence that the Supreme Court turned against these practices at the very moment that representatives of the United States and the Soviet Union were getting into very serious negotiations in London looking toward a possible end to the arms race.

The practices which were struck down in part or in whole by the June 17 decisions grew out of the war against Nazi Germany. They were strengthened and their use broadened during the cold war against Stalin's Soviet Union. They grew out of dangers to the state, and they were evolved as answers to those dangers.

The Court almost certainly would not have turned against these practices if the sense of danger to the state were in fact as great today as it was over most of the past two decades.

Consciously or not, deliberately or accidentally, the Court was passing judgment on the degree of continuing danger. Its actions on its great day of decision flow from and can be justified only by an assumption that the danger to the state is less today than it has been for many years.

There is implicit in these decisions a judgment, for example, that communism has lost momentum, that it is no longer winning converts in free societies, that whatever the world-dominating doctrines of communism may be it is no longer capable of achieving such objectives out of its own inner dynamism; in short, that communism has ceased to be such an active menace to the state in the United States that measures at the expense of the individual are necessary to the survival of the state.

The arguments against the decisions arise out of the reverse of the above assumption. In the investigating committees of Congress and in the prosecuting divisions of the Department of Justice there is a general feeling that the Court has taken away weapons which are necessary to the frustration of the Communist conspiracy.

Those who question the decisions do so on the ground that the state is still in danger from internal as well as external communism and that the time has not come yet when it is safe to deprive the state of the weapons it has been using against individuals for the sake of the security of the state.

But there is no doubt in the mind of the Court about this matter. It has set at liberty 5 Communists and ordered a retrial for 9 more. By so doing it has taken the implicit position that such men and the beliefs they hold are not the serious danger to the state which they were presumed to be. The majority of the Court, Associate Justice Tom Clark dissenting, has reached the point of believing that the United States is sufficiently safe from communism to be able to afford the luxury of extending the rights of individuals even to believers in communism.

It is a minor irony that the dissenting justice was once an Attorney General for Harry S. Truman and that the one public figure now accused by name by the Court of having erred on the side of excessive security was Dean Acheson.

Here once more we see evidence of the broad and deep imprint which the Supreme Court is making on these times. It was this Court which said that segregation must cease, and that Du Pont should not control General Motors, and now in great detail rebuilds protective barriers around the individual against what are in many respects the interests of the state.

More than ever here we see the exercise of positive leadership in the shaping of the future form of American society coming from the court rather than from the legislative or executive branches of Government.

[From the Washington Post of June 25, 1957]

WARREN UNALTERED BY POMP OF OFFICE

(By Marquis Childs)

In the long perspective of history, the most distinguishing act of President Eisenhower's administration, or, at any rate, of his first term, may well be the appointment of Earl Warren as Chief Justice of the United States. The influence Warren has wielded on the Supreme Court, on the body of law and on the Nation in less than 4 years merits that conjecture.

The sweep of the opinions which went so far toward restoring the balance of civil rights, together with the school desegregation opinion of 3 years ago, would in itself make the tenure of any Chief Justice memorable, however long that tenure.

But since he was sworn in as the 14th Chief Justice on October 5, 1953, Warren also has been able to bring a large measure of harmony to a court torn by bitter factionalism and unhappy personal discord.

The root of his achievement is in a genius for politics, using the word in its best and truest meaning. This is joined in the Chief Justice with a deep dedication to the fundamental American freedoms embodied in the Bill of Rights.

As the Chief and the eight Associate Justices prepare for the long summer recess, when they have finally decided the Girard case, one thing about Warren is abundantly clear. Three and a half years of Washington and his high office have altered him outwardly little, if at all. He is the same plain, unassuming man who left the governorship of California in the midst of an unprecedented third term when, to his astonishment, Attorney General Brownell flew out to Sacramento to tell him the President wanted him to be Chief Justice.

While he has been generous in attending official occasions, he has stood aside from the fuss and feathers of official Washington. A large, unassuming figure, speaking in a somewhat high-pitched voice, he has a modest, commonsense bearing characteristic of his approach to the problems of the Court as he saw them when he took over.

Shortly Warren and his family will go to California for a rest. But then on July 17 the Chief Justice and Mrs. Warren will go to London for the meeting of the American Bar Association. For Warren, this will be both a pleasure and a duty. Afterward, the Warrens will be leisurely tourists in Europe until the end of August.

His conscience is an important part of Warren's makeup. It explains why he went last summer on a good-will tour of India in the season of extreme heat and monsoon rains.

That same conscience has had a great deal to do with the conviction, slowly developed in the stresses and strains of the postwar era, that Warren has brought to one decision after another. Those decisions should have surprised no one, since he spoke out even after he took his place on the Court about the peril to basic freedoms in the obsessive fear of communism in America.

In November of 1955 he said that the "temptation to imitate totalitarian security methods is a subtle temptation that must be resisted day by day, for it will be with us as long as totalitarianism itself." That is the deep conviction behind Warren's opinion in the Watkins case, in which the right of conscience under the free speech amendment was at issue.

When Warren became Chief, Justices Black and Douglas, appointees out of the New Deal, were usually in dissent. They often castigated the other Justices for their conservatism.

In the years that followed, the Chief Justice has sometimes joined Douglas and Black in dissent. But on the far-reaching civil liberties opinions, the Court was unanimous except for a new dissenter, Justice Clark, a Truman appointee.

When Warren was named to the Court, there were those who deplored the appointment because, they said, he was not a scholar of the law and had no judicial experience. Warren is not a scholar in the sense that Oliver Wendell Holmes and Louis D. Brandeis were scholars. But he has brought commonsense and conviction to a troubled Court and a troubled time.

Mr. MORSE. Mr. President, I have two items which I should like to discuss.

First, I wish to associate myself with my colleague the junior Senator from Oregon [Mr. NEUBERGER] in commending President Eisenhower for the appointment of Chief Justice Earl Warren to the Supreme Court. In fact, I wish to extend my commendations for all the appointments to the Supreme Court by this administration. I think they have been excellent appointments and in the best tradition of appointing exceptionally able men to this great Court.

In my judgment, the opinion of the Chief Justice and his associates in the Watkins case will go down in American history as one of the great landmarks in the protection of the rights of the individual citizen. In my opinion, it was a great decision in regard to human rights and liberty.

I think the Chief Justice is making a record which will cause his decisions to be compared, on the same footing, with those of the great Brandeis, Cardozo, and

Holmes, and the decisions of that great Virginian, Chief Justice John Marshall.

In commenting on my colleague's commendation of the Chief Justice, let me add that we should never forget that it was a great Virginian Chief Justice, John Marshall, in the famous case of Marbury versus Madison, who laid down a great principle which I think protects our system of government perhaps more than any other, if we can place one principle above another. I refer to the principle that under our Constitution the real fortress for the protection of the rights of individuals is to be found in the constitutional power of the Supreme Court to interpret and apply the Constitution.

I was opposed to the Court-packing bill of some years ago. I stand today in the same position of stanchly defending the powers and the constitutional rights of the Supreme Court of the United States. As an American, I am proud to have such a great American as Earl Warren serving as Chief Justice of the United States.

Mr. O'MAHONEY. Mr. President, I have been very much interested in what the Senator from Oregon has said, particularly his reference to the so-called Court-packing bill, which was submitted to the Congress in 1937, as I recall. I was a member of the Judiciary Committee at that time, and I had a part in submitting to the Senate the unfavorable report on the Judiciary Committee in its rejection of the bill.

One of the points which I emphasized at that time was that we should not, by legislation, expand the Court to overcome what might have been and were regarded by some as ultraconservative decisions. I feel that the same principle applies now. We should not condemn the Court hastily and emotionally if the Court hands down what some may regard as too liberal opinions. The Supreme Court must be maintained as a free and independent branch of the Government of the United States, or we shall lose the form of government which the framers handed down to us.

I heartily join with my colleagues in their commendation of the ability, integrity, and impartiality of Chief Justice Warren. He has had long experience in California as a public prosecutor and I am sure he could not easily be misled as to the rights of a defendant in a criminal case.

Mr. MORSE. Mr. President, I am aware of the record of the great Senator from Wyoming in the field of constitutionalism. I believe the position he took with respect to the so-called Court-packing bill was one of the tests of constitutional liberalism. I have always admired his record in this field, as well as in many other fields.

Mr. NEUBERGER. Mr. President, I thank my colleague for his observations on my comments concerning the record of the Chief Justice.

Those of us who live along the Pacific seaboard were prepared for the outstanding record made on the highest bench in the land by Earl Warren, because of his illustrious career as Governor of California, and his activities in such fields as resource development, conservation, and the protection of human liberties and civil rights. The outstanding record he has made as Chief Justice is a complete refutation of the character assassination and the shabby tactics used against him by certain groups in our country when his nomination was before the Senate for confirmation.

Mr. MORSE. Mr. President, I share the sentiments expressed by my colleague. At the time of the appointment I issued a statement highly praising him. I had worked with Earl Warren when he was attorney general of the State of California. I was engaged in some criminal law enforcement commission work. I came to know Earl Warren at that time. I knew him to be a man of great legal brilliance, and also a man of unquestionably fine character. He is a wonderful human being.

Mr. NEUBERGER. And a man of complete integrity.

Mr. MORSE. Indeed.

Mr. CLARK. Mr. President, I wish to associate myself with the remarks of the two distinguished Senators from Oregon with respect to the Chief Justice of the United States, who, with his colleagues, in my judgment have made as great a contribution to American liberty and freedom in the past month as has been made from any source within our Republic since World War II.

Personally, I shall resist to the limit of my ability any effort to change by legislation any of the decisions which have recently been handed down, or to create a situation in which Justices of the Supreme Court would serve for anything less than life terms.

Mr. MORSE. I shall associate myself with the Senator from Pennsylvania in that endeavor.

Mr. JAVITS. Mr. President, I believe that the Supreme Court needs our help at this time. Therefore, I, too, wish to associate myself with the remarks of my colleagues. I feel that the Court has acted upon the basis of deep wisdom and conviction as to what justice and the long-range interests of our country require.

I am planning, before a large veterans' group tomorrow, to analyze how we can very well live with these decisions, and how they contribute to the onward march of American freedom.

Mr. MORSE. I thank the Senator from New York for associating himself with those of us who have spoken today on the subject.

Mr. President——

The VICE PRESIDENT. The Senator from Oregon.

STATEMENT BY SENATOR MORSE IN REPLY TO CHARGES OF VOTE TRADING

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a press release which I have issued in reply to Mr. Alcorn, chairman of the Republican National Committee, and other critics who falsely accuse a group in the Senate of having traded their votes on civil rights for votes on Hells Canyon.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MORSE POINTS TO FLOOR STATEMENTS TO REFUTE ALCORN CHARGES

Senator WAYNE MORSE, Democrat, Oregon, today branded as "vicious and unwarranted falsehood" the charge of Republican National Chairman Meade Alcorn and several Republican Senators that a group of six self-styled liberal Democrats sold out civil rights in the Senate last week to win Southern Democratic support for the Hells Canyon Dam bill.

The Oregon Senator issued the following statement:

"Alcorn and his reactionary senatorial private utility mouthpieces are trying to divert attention from the Eisenhower administration's political immorality, demonstrated by its many betrayals of the public's right to have their heritage in natural resources protected.

"The people of the Nation won a great victory with the Senate vote on Hells Canyon Dam, and the Eisenhower administration doesn't like it. The victory symbolizes the fact that the people are catching up with the giveaway program of this administration.

"Alcorn, along with some other administration spokesmen, have suffered a stinging defeat in a fair fight and they are crying 'foul.' The people hit them squarely on their political nose last Friday and they are whimpering over their political nosebleed.

"They are hoping that the voters will not take the time to read the CONGRESSIONAL RECORD, which belies their falsehoods. The debate over procedure on civil rights last Thursday completely disproves the vote-trading charge. For instance, on page 9803 of the RECORD for Thursday, June 20, 1957, I stated:

" 'The other day I said—and I repeat it now—that if the House bill is referred to the Senate Judiciary Committee, and if thereafter it can be shown that the Senate Judiciary Committee has followed dilatory practices or procedures in connection with the handling of the House bill, I myself will move that the committee be discharged from further consideration of the bill. I think that is the course of action the Senate should follow. It is the course of action which I thought most of my liberal colleagues contemplated, and I was quite surprised when that course of action was not followed. * * * It is going to put the liberals in a position where, in my judgment, they will be rightly charged with parliamentary expediency, and I do not think we as liberals ought to resort to parliamentary expediency. As I said the other day, parliamentary expediency is no synonym for liberalism. To the contrary, we liberals, who so frequently are the spokesmen for and representatives of minority groups in America, ought to always lean over backward to see to it that we give our opposition the benefit of fair procedure.'

"My answer to Alcorn and his senatorial spokesmen is that no one has fought harder nor will fight harder for civil rights legislation than I. However, I will not adopt an 'end justifies the means' procedure. My insistence upon fair procedure to guarantee our opposition in the civil rights fight fair play had nothing whatsoever to do with the Hells Canyon Dam issue. Everyone who knows anything about my long record of refusing to compromise procedural rights knows that to be true.

"I am satisfied that this vicious attack by the administration, based upon the false charge of vote trading, will help assure victory for the Hells Canyon Dam bill in the House of Representatives."

WASTERS ON THE RUN—THE HELLS CANYON PROJECT

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial entitled "Wasters on the Run," published in the St. Louis Post-Dispatch of June 24, 1957.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WASTERS ON THE RUN

One smashing blow after another has been suffered by the opponents of full development of the great natural resource at Hells Canyon in the Pacific Northwest.

First the Idaho Power Co. surrendered the dubiously granted tax concessions for which it had been under fire, in a grandstand play all too obviously meant to influence next day's vote in the Senate.

The Senate was not impressed. It reversed last year's narrow vote in a surprising victory for maximum development. The net effect of Idaho Power's big renunciation scene was to cast doubt on the validity of the whole project along with the tax concession, as Senate Majority Leader LYNDON JOHNSON of Texas said.

The repudiated concession and the Senate vote may well prove the turning point in the Hells Canyon case, as the disclosure of Adolph H. Wenzell's dual role and the decision of the city of Memphis to build its own steam plant, proved the turning point in Dixon-Yates.

Up to then, the Dixon-Yates project had appeared an impregnable barrier to the will of the overwhelming majority of the people of the Tennessee Valley.

In the same way, up to now the Idaho Power Co. and its wasteful projects on the magnificent Columbia River system have thwarted the will of the overwhelming majority of the people of the booming Pacific Northwest.

But when Dixon-Yates started crumbling, it crumbled fast and it crumbled completely, it could not stand up under public knowledge of so many of the facts, though not all the facts have even yet been pried out.

The gift of the Nation's richest remaining waterpower site to a private company for a botched development is an indefensible piece of waste.

It is waste being committed for the sake of an empty doctrinaire contention that development of electric power by a private company even when it is inferior, is preferable to development by the enterprise of all the people acting through their Government, even when it is superior.

The signs are hopeful that the wasters of Hells Canyon are on the run.

A favorable vote on the bill in the House should serve to spur that run into a rout.

Meanwhile, the disclosures of the pertinent facts should go on, for the facts are the wasters worst enemies. Senator KEFAUVER quite rightly intends to find out why the Idaho Power president, T. E. Roach, surrendered the tax concession, apparently of his own accord, and with evidence of extreme haste, only a week after he had told the Kefauver subcommittee indignantly that he would not entertain any idea of the sort.

As elsewhere in this absorbing mystery, there must be more here than meets the eye.

VISIT TO THE SENATE BY INDONESIAN PARLIAMENTARY DELEGATION

The VICE PRESIDENT. The Chair has the privilege of announcing the presence in the Senate Chamber of some very distinguished guests from the Republic of Indonesia.

A group of 12 Indonesian members of Parliament, led by Mr. Sartono, the chairman of Parliament, is currently visiting the United States at the invitation of the United States Government. The group represents a cross section of the political parties, ethnic and religious groups of the Indoneasian archipelago. In addition to meeting our Government leaders the group plans to tour the United States to meet informally with average Americans in everyday walks of life, and to study American institutions at close hand.

I recall the warm welcome which I received on all sides upon the occasion of my visit to Indonesia in 1953, and also my visit to the Indonesian Parliament.

It is a high privilege indeed to introduce Mr. Sartono and his Indonesian colleagues.

[The distinguished visitors rose and were greeted by prolonged applause, Senators rising.]

The VICE PRESIDENT. Without objection, the list of distinguished visitors will be printed in the RECORD at this point.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Mr. Sartono: age, 57; party, Indonesian National Party (PNI), chairman of the Indonesian Parliament.

Mr. Sunito: age, 45; secretary to the Indonesian Parliament.

Dr. H. Ali Akbar: age, 42; party, Masjumi, one of the two major Moslem parties.

Mr. K. H. Mohammed Dachlan: age, 49; party, Islamic Nahdatul Ulama (NU), one of the two major Moslem parties.

Mr. Harsono Tjokroaminoto: age 45; party Indonesian Islamic League Party (PSII).

Mr. Lembert Kape: Party, Catholic Party.

Mr. Lucas Kustario: age, 37; party, Supporters of Indonesian Freedom Association (IPKI).

Mr. Memet Tanumidjaja: age, 42; party, Association of Police Officials of the Republic of Indonesia.

Mr. Christoffel Joseph Mooy: age, 36; party, Indonesian Christian (Protestant) Party.

Mr. Siauw Giok Tjhan: age, 43; party, Consultative Board for Indonesian Citizenship.

Mr. I. Made Sugitha: age, 34; party, Indonesian Socialist Party (PSI).

Dr. Natiar Hulman Lumban Tobing: age, 44; party, Indonesian National Party (PNI).

Mr. GREEN. Mr. President, on this auspicious occasion I feel that I cannot do better than repeat a brief address which I delivered on December 27, 1949, a few days before the Indonesian Republic was established. This is what I said then; and it has a good deal of significance in relation to what is happening now:

We Americans are expecting that on next Tuesday, December 27, a new sister republic will be born. We should be ready to welcome not a tiny little sister but a large, full-grown one—like Minerva. The new nation of Indonesia will stretch east and west, a distance greater than across this United States. It will comprise a population of over 75 million people. Unlike our fortunate country, however, it will comprise a large number of distinct islands large and small—some separated by wide stretches of water and with people speaking different languages and with different local traditions and habits. So the task of maintaining the new Government will be a difficult one. However, on the other hand the natural resources are very great, and the people will have accomplished their long-cherished ambition to be free and are ready to make political sacrifices to make good. In my opinion the outlook for success is favorable.

On my visit there a month ago—

That was in 1949—

as a member of a small subcommittee of the Senate Appropriations Committee, we met the officials of the French Dutch Government there which has ruled these islands for the past 300 years, and met also the native leaders of the revolution to attain independence. The friendly attitude of the Dutch is well expressed by Queen Juliana in her message to the world last evening. A similar attitude was expressed to us by the native leaders. One day a month ago, we flew from Batavia to Djocjakerta to call on Dr. Soekarno, the most prominent leader of the revolution and had a conference with him there, which was to me inspiring and reassuring. A few days ago he was chosen unanimously as the first president of the new nation to take office next Tuesday.

The night before this visit, his Excellency Mr. Lovinck, High Representative of the Crown, had given a dinner in our honor in the Governor General's Palace. It has a dramatic impact to realize that in a couple of days my host and his family and staff will move out of the palace and President Soekarno will move in, to take the place of those who had put him in prison only a year ago. Is not this characteristic of the times in which we live? A country is fortunate when a revolution is accomplished with little or no bloodshed. Both the Indonesians and the Dutch are to be congratulated on the outcome in Indonesia. Public officials elsewhere should take notice—for almost everywhere the masses of the people are restive, and in many places active.

May our country render appropriate help to her new sister republic in her difficult task.

I congratulate the people of Indonesia for the splendid record they have made under the most difficult circumstances.

Mr. WILEY. Senators and members of the Indonesian delegation, as a representative of the Republican Party in the Senate of the United States, I am very happy to greet you and to welcome you to our country. I want you to realize that that is not a mere formal expression of esteem for you. We are engaged in a joint enterprise to keep the peace of the world. Your country, which some 2 or 3 years ago, was far off in the distance, is now only a matter of hours away from us. We are neighbors, so to speak. We are engaged in the greatest joint enterprise the world has ever known, that of keeping and promoting peace.

In order to do that, we must have understanding. I hope before you leave this country everyone of you will feel that here the people are friendly to you, that they want to be helpful and want to understand your ways, as we want you to understand our ways.

It is a great undertaking in which we are jointly engaged. The world would go to pieces if we failed.

I notice from the list of the distinguished membership of your delegation that, as in our country, you have people of different religious beliefs and different political complexions. I may not be able to pronounce the names correctly, but I notice that there are representatives of the Indonesian National Party, the two major Moslem parties, the Indonesian Islamic League Party, the Catholic Party,

the Protestant Party, the Indonesian Freedom Association, the Consultative Board for Indonesian Citizenship, and the Socialist Party.

It is wonderful that you should have learned to work together. That is what all of us must do. There is an old saying in America—it may be a part of your philosophy too—which may be paraphrased in this way: "I may disagree with you in your beliefs, but I will fight to the death for your right to hold your convictions."

So, on behalf of the minority party in the Senate, again I say again, "Welcome."

Mr. SMITH of New Jersey. Mr. President, I came into the Chamber only a minute ago, and heard the distinguished chairman of our Committee on Foreign Relations [Mr. GREEN] express some words of welcome to our distinguished visitors. I also heard my colleague, the Senator from Wisconsin [Mr. WILEY] make a few inspiring remarks.

I had the pleasure, the day before yesterday, of attending a reception at Blair House, at which these gentlemen were present. I had the great privilege and honor of shaking hands with each one of them and of saying a few words to them. I am pleased to be able to say, as a member of the Committee on Foreign Relations and as a Member of the Senate, that I believe that if we are ever to have understanding between nations in these perilous times, it is vitally important that we get to know each other personally.

I found, in my travels in the Far East and in other places of the world that personal acquaintance, personal understanding, and the carrying on of correspondence are most helpful in enabling peoples to get together and to try to solve common problems.

I am proud to say in this respect that I have in my files letters from distinguished leaders in the Far East, in Burma, Indochina, Japan, the Philippines, Korea, and almost every other country.

It has been my privilege to be a member of the Far East Subcommittee of the Committee on Foreign Relations for a number of years. During that time I have visited the Far East on several occasions. I am sorry to say that I have not yet traveled to Indonesia, but I have promised myself the privilege of visiting that country, I hope in the very near future.

I join with my colleagues in extending to you a warm welcome and in expressing the hope that you will enjoy your stay in America, and get to understand and love our people, as we love your people.

The VICE PRESIDENT. In view of the comments of the Senator from Wisconsin, the Chair is glad that he had printed in the proceedings of the Senate today the names and political affiliations of our distinguished guests.

Mr. McNAMARA. Mr. President, I wish to concur in the remarks of my colleagues and to join in the greetings and best wishes which have been extended to our distinguished guests this morning.

COMMUNIST ACTIVITIES IN LATIN AMERICA

Mr. JOHNSTON of South Carolina. Mr. President——

The PRESIDING OFFICER (Mr. COTTON in the chair). The Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, over the last weekend I had an opportunity to read the remarks which the Senator from Wisconsin [Mr. WILEY], delivered in the Senate on June 21 concerning the importance of strengthening Latin-American ties. In large measure he has spoken my mind, and I am in complete agreement with much that he had to say. I commend the Senator from Wisconsin for his forthright thoughts and statements, and I wish to add my acquiescence and my additional views.

My fellow Senators know that as an American and also as a member of the Internal Security Subcommittee, I have long been interested in the far-reaching ramifications of the Communist movement not only in this country but throughout the world. We have all learned to our sorrow that we can no longer close our eyes to communistic activity merely because it does not take place exclusively within our own territorial jurisdiction. This whole system is intricate, cunning, involved, and deadly; and those who would do something constructive to prevent its spread within our own country must do a great deal more than to study and know about the superficial elements of communism which appear on the front pages of the newspapers and are virtually known to everyone.

The problem is much deeper and much more involved than it appears to be on the surface. This well planned, well financed, and well executed movement frequently takes the form of a wolf appearing in sheep's clothing. It is this aspect of the problem which causes most serious concern to us, because it is the innocent sounding organization which is truly the Communist front organization, just as it is the innocent sounding individual who is actually the Communist dupe.

Far and away the most difficult task of the various agencies and committees of this Government in dealing with communistic activities is the task of dealing with its more subtle forms. We in America have recognized this problem and have dealt with it accordingly. For this reason we have, in large measure, eliminated the activity and its consequences from within our own shores.

The same has not been true of world communism, nor has it been true of Americans in their recognition of what is actually communistic activity in the rest of the world. Only a short time ago, when the United States took a firm stand against any further assistance to the Nasser government in Egypt, many Americans approved and virtually cheered this firm stand in world affairs, this show of strength in international relations. But the cheers were short lived, for little did many Americans realize that the Suez crisis, the virtual loss of Egypt in the community of nations, and the invasion of that territory by Britain and France, together with the overhanging specter of world war III, were just around the corner. In a matter of weeks the minds of many of our own citizens changed from one of approval and cheers to one of fear and wondering whether our own action had resulted in an invitation to Communist Russia to occupy and control Egypt, the Suez Canal, and all that section of the world whose whole structure was dependent upon close and stabilized relations with Egypt.

Mr. President, it appears today that we are on the brink of creating new disaster for ourselves in a portion of the world which is more important to us than Egypt and the Suez Canal. Our relationships with the several countries of Latin America have been materially weakened within the past year.

Those who care to know of the forces which are responsible for the deterioration of our relationships need only to study available information to discover that a substantial Communist-dominated force operates from within Costa Rica. They are well financed and well guided, and the result of their operations is felt throughout the Caribbean area.

The strife-torn country of Haiti has virtually gone to its grave as a result of one bloody battle upon another, all created by the same forces.

Our important interests in Panama have been subjected to problems, troubles, and turmoils.

The Panamanian Government has done excellent work in handling the situation so far, and I hope to have more to say concerning the situation there at a later date.

Nicaragua, its President assassinated, is now desperately trying to beat down further insidious attacks from within and without, and up to this moment I see no evidence of assistance from us.

Governmental instability is rampant within Cuba. The forces of the existing government show signs of inability to cope with the communistic forces which threaten it. Cuba, which is an important country of the Caribbean area, only 35 minutes by air from Miami, is practically in the throes of a civil war.

Venezuela where American business has millions and millions of dollars invested, has recently been publicly threatened by a known Communist who not only vows to take over this fine country but also to expropriate all American interests there. I am not talking fantasy. This plan is published in a book which has been circulated throughout the Caribbean area. I fervently hope our State Department has a text of this literary poison.

Some of our own people have encouraged and abetted attacks upon the Dominican Republic and its leader, Generalissimo Trujillo, in the same manner as they lead the movement against Egypt. The Dominican Republic is important to us for many reasons. It is our stanch friend; it is an important base in our guided missile program; it is a stanch foe of communism in the Caribbean. It represents stability and

good government in a area torn with turmoil. It is confronted daily with new and false charges from within our midst which it could not possibly answer and refute without having as its disposal all of the media of press and communication within this country.

In the field of foreign affairs in the recent past we have heard much about the need for reappraisal. I suggest and I urge my colleagues to stop and reappraise our policy and our conduct with respect to the friends of America in the Caribbean area. I believe that when you take the time and devote the necessary attention to a proper reappraisal you will become shocked and frightened to learn, and possibly realize for the first time, how close we are to the loss of the Caribbean. It is a chilling thought to think that overnight we could discover that we ourselves have created an Egyptian situation within the Caribbean.

It is my urgent recommendation to my fellow Senators that they urge that our State Department and the other interested agencies of our Government do all within their power to stop this inspired campaign of hatred, distrust, and fear within the Caribbean, and, instead, use the forces at their command for better understanding, better cooperation, and better friends, in order that both they and we shall enjoy all the benefits that come from true friendship.

The security of the United States demands stability in Government in the Caribbean, our closest point of defense. It is alarming that we have not paid more attention to what is taking place in the Caribbean. I have called this matter to the attention of the chairman of the Internal Security Subcommittee, and have suggested that it might be wise for us to look into the activities in the Caribbean that are directly affecting our internal security. Some of the troublemakers in this area are entering the United States directly, and some are even living in our territories and possessions. Until this matter can be thoroughly analyzed, our governmental agencies should do everything possible to keep a friendly relationship existing between our Government and those countries in the Caribbean.

THE NATURE OF COMMUNISM AND THE RECENT DECISIONS OF THE SUPREME COURT

Mr. MUNDT. Mr. President, on yesterday there appeared in the Washington Daily News a most remarkable and significant editorial. It concluded with a pregnant sentence of which O'Henry might well have been proud or of which Ralph Waldo Emerson might well have been envious.

Because of the uusual significance of the editorial and because it deals with a subject which should occupy the attention of the Congress in the near future, in my opinion, I shall read the editorial during the 3 minutes allowed to me at this time.

The title of the editorial is "Whose Rights?"

I now read from the text of the editorial:

It is not the existing law of the land so much as the nature of communism which is brought into question by recent decisions of the Supreme Court.

Mr. President, I read the editorial into the RECORD, in part, because of my hope that it will be read by my colleagues and by the people of the country, and also because of my hope that it will be read by the Justices of the Supreme Court, since in their decisions they are dealing with a conspiracy which threatens the life blood of our country; and not only is it important that they know the law, but it is also important that they know the lawlessness of this conspiracy.

I read further from the editorial:

Orderly society is impossible without some government interference with the activities of citizens. These interferences should be kept at a minimum. But the right of the citizens as a whole to be protected in their enjoyment of "life, liberty, and the pursuit of happiness" is paramount.

Recent decisions have, in effect: Thrown open the confidential files of the FBI; held that the mere promotion of communism is not a crime unless there is overt incitation to force and violence; and restricted the right of Congress to ask about political beliefs and associations, even Communist beliefs and associations.

Mr. President, it worries me that there is such an unawareness on the part of the Court of the realities of the threat of communism.

I continue to read the editorial:

These decisions greatly encumber the intricate task of protecting our common rights by rooting out Communist subversion. They open prison gates for a large number of Communist leaders.

Mr. President, that is a sad fact to have to record in American history; but it is true. There are free today a large number of Communists, hating God, hating freedom, and hating America, who today walk the streets free because the United States Supreme Court has said they should be free.

I read further from the editorial:

Interference with the liberties of individuals habitually has varied with the imminence and extent of danger. The draft—certainly near the ultimate in interference with individual freedom—is a good example.

Fundamental to the point of view which produced these Supreme Court decisions is the refusal—or legal inability—of the Court to consider communism a criminal conspiracy to advance the interests of an unfriendly foreign power—a "clear and present" threat to national security. The decisions dramatize the need for law which plainly defines and outlaws this conspiracy.

Mr. President, I invite the attention of those who believe there is no such law to the first 17 sections of the Communist-control legislation, the so-called Mundt-Nixon bill, which specifically and meticulously defines communism, not only as a clear and present danger, but also as a conspiratorial apparatus, and points out guide lines by which one can determine whether an agency falls within the purview of that definition.

I continue to read the editorial:

It was communism which murdered more than 30,000 of our men in Korea and butchered the Hungarian freedom fighters.

Mr. President, I say to the Justices of the Supreme Court that is the communism to which allegiance is paid and for which work is done by the racketeers recently freed from jail by the decisions of the Supreme Court.

I read further from the editorial:

It is communism which imminently threatens world-destroying atomic war and requires our expenditure of the vast sum of $40 billion a year to prevent it.

Mr. President, one would think that if $40 billion of the taxpayers' money is spent in a year to prevent a war with communism, it would be proper to pass a law preventing Communists in this country from destroying us within, before they bomb or destroy the Capitol or the Supreme Court.

I read further from the editorial:

Anyone who participates in such a crime, if only in a small, stupid way, directly menaces the rights and lives of everyone. An individual has no more right to organize and serve this plot than he has to organize a cell of Murder, Inc.

Mr. President, one wonders what the Supreme Court would have held in a case in which criminals of Murder, Inc., had been convicted of conspiracy. Would the Court have held that those men should be turned free until they had committed a murder—so that after the murder was committed, there would be an overt act? As a layman, I see little difference between holding in that direction and holding that a Communist should be turned free until he is caught in the overt act of destroying the Government. How do we know that the overt act will be so small, so insignificant, or so inconsequential that we shall have time, after the overt act, to apprehend and arrest them and put them into jail, without having the lock to the jail opened by the United States Supreme Court?

I read further from the editorial:

At the very least, anyone who cooperates in the Communist movement lends aid and comfort to our sworn enemy in this cold war. And that is what makes communism different in kind from other unpopular, minority causes which the Bill of Rights is designed to protect from majority or State interference.

It is vital that the policies enforced by these decisions be modified or reversed either through rehearing before the Court itself, by tightening of the laws by Congress, or by constitutional amendment—if that extreme measure is necessary.

Mr. President, in connection with the reference, in the sentence I have just read, to "tightening of the laws by Congress," let me point out to my colleagues that, therefore, we have a responsibility, if the Court fails to act and fails to review. In that case Congress, as a coordinate branch of the Government, has some responsibility.

I read further from the editorial:

First efforts are properly concerned with protection of the FBI files through legislation to be introduced this week.

Mr. President, I salute our colleagues who already have introduced that proposed legislation.

Then the editorial states:

This legislation should get prompt attention.

Mr. President, by "prompt attention," I hope the editorial means the proposed legislation should receive that attention before the adjournment of Congress, this summer. I hope it will have such attention before the Senate becomes involved in a long, cantankerous debate about civil rights in some areas of the country. What I have been discussing involves the civil rights and liberty of every man and woman in America. If the Senate proposes to put first things first, it will consider the civil rights and the protection of all our citizens before we undertake the consideration of the civil rights of a few minority groups, important though they may be.

Then I come to this clincher paragraph, this remarkably significant paragraph with which the editorial is concluded:

It certainly is no defense of civil rights to permit the subversion of the Government which protects them.

I almost think that would be a wonderful legend to have carved over the doorway of the great marble building housing the United States Supreme Court.

Mr. President, I ask unanimous consent that the editorial be printed in full at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHOSE RIGHTS?

It is not the existing law of the land so much as the nature of communism which is brought into question by recent decisions of the Supreme Court.

Orderly society is impossible without some government interference with the activities of citizens. These interferences should be kept at a minimum. But the right of the citizens as a whole to be protected in their enjoyment of "life, liberty, and the pursuit of happiness" is paramount.

Recent decisions have, in effect: thrown open the confidential files of the FBI; held that the mere promotion of communism is not a crime unless there is overt incitation to force and violence; and restricted the right of Congress to ask about political beliefs and associations, even Communist beliefs and associations.

These decisions greatly encumber the intricate task of protecting our common rights by rooting out Communist subversion. They open prison gates for a large number of Communist leaders.

Interference with the liberties of individuals habitually has varied with the imminence and extent of danger. The draft—certainly near the ultimate in interference with individual freedom—is a good example.

Fundamental to the point of view which produced these Supreme Court decisions is the refusal—or legal inability—of the Court to consider communism a criminal conspiracy to advance the interests of an unfriendly foreign power—a clear and present threat to national security. The decisions dramatize the need for law which plainly defines and outlaws this conspiracy.

It was communism which murdered more than 30,000 of our men in Korea and butchered the Hungarian freedom fighters. It is communism which imminently threatens world-destroying atomic war and requires our expenditure of the vast sum of $40 billion a year to prevent it.

Anyone who participates in such a crime, if only in a small, stupid way, directly menaces the rights and lives of everyone. An individual has no more right to organize and serve this plot than he has to organize a cell of Murder, Inc.

At the very least, anyone who cooperates in the Communist movement lends aid and comfort to our sworn enemy in this cold war. And that is what makes communism different in kind from other unpopular, minority causes which the Bill of Rights is designed to protect from majority or state interference.

It is vital that the policies enforced by these decisions be modified or reversed, either through rehearing before the court itself, by tightening of the laws by Congress, or by constitutional amendment—if that extreme measure is necessary.

First efforts are properly concerned with protection of the FBI files through legislation to be introduced this week. This legislation should get prompt attention.

It certainly is no defense of civil rights to permit the subversion of the Government which protects them.

RELATIONSHIPS WITH COMMUNIST CHINA

Mr. JAVITS. Mr. President, the question of our relationship with Communist China is raised periodically, and of late we have evidence that some of our allies are going to be less severe, in their trade restrictions, on the Peiping regime.

Six years ago there were 55 American civilians held captive there. On June 14 the Communist Chinese released 2 Catholic missionaries, but today there are still 6 Americans being held under similar circumstances. Two of these are from my home State of New York. One is the Reverend Joseph P. McCormack, of Ossining, and the other is Hugh Francis Redmond, Jr., of Yonkers. Apparently they are under house arrest in Shanghai.

I have been in touch with the State Department and have been assured that the United States is continuing, through all feasible means, to obtain the release of Reverend McCormack, Mr. Redmond, and the other Americans still held. It is my determination that our Government must continue to work with all its power to secure the release of the 6 Americans.

I have opposed the recognition of Communist China or its admittance to the U. N. One of the great evidences of our good faith to captive peoples under the Communist yoke is our resolute determination to stand firm against ruthlessness and lawlessness in international conduct. The United States cannot allow itself to be other than the moral leader of the free world in this situation. The experiences of American citizens who continue to be held by Communist China confirm my view that Communist China is not yet ready for acceptance in the community of nations.

Mr. President, I ask unanimous consent to place in the RECORD two articles from the New York Times, dated June 14 and June 23, indicating the treatment accorded Reverend McCormack and Mr. Redmond.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

RED CHINESE FREE TWO UNITED STATES PRIESTS—PRISON SENTENCES COMPLETED—SIX OTHER AMERICANS ARE STILL BEING HELD

HONG KONG, June 14.—Communist China released two California Roman Catholic missionaries today upon expiration of their prison sentences. Both Jesuits, they had been held 4 years in jail and under house detention.

The priests are the Reverend Charles J. McCarthy, 45 years old, of San Francisco; and the Reverend John Alexander Houle, 42, of Glendale. Six other Americans still are being held. Three are under house arrest in Shanghai and the others are believed to be imprisoned in the Peiping-Tientsin area.

Six years ago the number of Americans held totaled 55.

Father McCarthy said by telephone from Shanghai that both he and Father Houle were in fair health. He said Father Houle had a back ailment, but was "in much better health than before." Father McCarthy declined to talk about how the Reds had treated them, saying, "We are still in Shanghai and would rather not say too much."

Father McCarthy, speaking in a faltering voice, said: "We are very happy to be free again." He said he wanted to tell friends and relatives "how much we appreciate all their thoughts, all their prayers, and their sacrifices."

TWO OTHER PRIESTS STILL HELD

The priests plan to come to Hong Kong in about 10 days.

The Reverend John P. Wagner, of Pittsburgh; the Reverend Joseph P. McCormack, of Ossining, N. Y.; and Hugh F. Redmond, of Yonkers, N. Y., a businessman, are still under house arrest in Shanghai, father McCarthy said.

The two priests still detained are expected to be the next Americans released, since they have served 4 years of 5-year terms. Redmond is under a life sentence. The charge against all three was the usual one of "counterrevolutionary activities and spying."

The other Americans held are Robert E. McCann, of Altadena, Calif., under a 15-year sentence; John T. Downey, of New Britain, Conn.; and Richard G. Fectau, of Lynn, Mass. The last two are United States Army civilian employees under sentences of life and 20 years, respectively.

Father McCarthy said Father Wagner had been hospitalized with asthma since last September.

TWO FREED PRIESTS RELATE HARDSHIP—MALTREATMENT IN COMMUNISTS JAILS CHARGED BY JESUITS ARRIVING IN HONG KONG

HONG KONG, June 22.—Looking pale and tired, two 42-year-old Roman Catholic priests stepped ashore here tonight after 4 years imprisonment in Chinese Communist jails.

The Reverends John Alexander Houle, of Glendale, Calif., and Charles J. McCarthy, of San Francisco, said they had been imprisoned on false charges.

They asserted that their treatment could not be described as brutality nor torture in the accepted sense of the terms but that they had suffered extreme hardships at the hands of their Communist jailers. Both men were arrested June 15, 1953.

"I was accused of spreading rumors and helping a spy," Father Houle said. He added that he had been half carried and half dragged from a sick bed to a mock trial.

Father Houle explained that his disability, a back ailment resulted from "many months of sitting on a prison floor under difficult circumstances."

Father McCarthy later explained that these circumstances had included being forced to sit on the bare floor for hours without moving in a room with no natural light. An electric light burned night and day. It was extremely cold in winter and hot in summer.

"On the day of my trial I had to have two guards partially carry me," Father Houle said. "I couldn't walk. At one period, I more or less collapsed."

He said the prosecutor had made two speeches to an empty courtroom, and a few hours later he had been sentenced.

The two missionaries arrived from Shanghai on board the British freighter Rednorshire tonight, wearing black clerical garb.

Both men said they had been questioned incessantly before their trials, for periods as long as 5 hours. Father Houle said he did not remember signing any sort of confession, but Father McCarthy said he had. He declined to state its contents.

Both men said their prison life had been miserable but that beatings and other forms of direct physical maltreatment had not been administered.

"They didn't have to," Father McCarthy added.

Daily prison life was a regular form of mistreatment, they said. Both were confined in bare rooms with wooden floors. A slop bucket and sometimes a quilt was the only furniture. Father Houle said he had never been in solitary confinement, usually sharing a room with one or more persons.

"They made use of every possible occurrence of daily jail life to add immeasurable pressure to you to make you receive suggestions," Father Houle said.

The food at the start was plain but palatable, he added. It was "in the garbage category later." He said he had to eat swill from February 19, 1954, until September 19, 1955.

Father McCarthy said he had been tried for ideological sabotage. Asked if he denied charge, he said firmly, "Certainly." He said that while he and Father Houle were in prison they had no outside communications, and mail from friends was denied them.

The two priests said that of the remaining priests held prisoners in Shanghai, the Reverend Joseph P. McCormick, of Ossining, N. Y., was under strain but in good physical condition, and the Reverend John P. Wagner of Pittsburgh was suffering from asthma but was hopeful of his release next year. They said that Hugh F. Redmond, of Yonkers, N. Y., a businessman, was in comparatively good health.

HUNGARIAN REFUGEES

Mr. KEFAUVER. Mr. President, I am certain all Members of the Senate have studied the report of the United Nations committee in connection with what happened in Hungary last fall. It is unfortunate some mechanism was not provided, either by the NATO countries or by the United Nations, which would effectively deal with the problem brought about by the revolt of the freedom-loving Hungarians against their repression by the Soviet Communists; but we can be grateful that at least a report of what happened has now been submitted.

The report, and the general Hungarian problem, are discussed in an outstanding editorial in the New York Times of today, which I ask unanimous consent to have printed in the RECORD, but first I should like to read the first paragraph of the editorial:

Instead of congratulating ourselves, as the administration persists in doing, on the admission of a mere 32,000 Hungarian refugees during the past 6 months, we ought to be searching out new ways to give help and give it generously. One way would be to relieve the increasingly desperate condition of a few thousand Hungarian teen-agers who fled their country last fall and are now stuck in Austrian camps where they are fast losing their future. A few hundred of these "unaccompanied minors" have relatives in the United States who would like to take them in—but who are stopped (just as are relatives of Jewish refugees from Egypt) either by our immigration laws or by the administration's interpretation of them, or both. Fourteen hundred of these Hungarian children are already reported to have gone back or to have disappeared. Will official indifference—on the part not of some remote European bureaucrat but of our own American Government—kill all hope for those who remain?

At least in a small way, that would be doing something to show our appreciation of the spirit of those people. I hope the appropriate committees of Congress may take the problem into consideration and act, instead of talk about it so much.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CONSCIENCE ON HUNGARY

Immediate reconvening of the General Assembly of the United Nations is now in order to consider the scathing report that has just been issued by its special committee of inquiry into Soviet Russia's savage suppression of the Hungarian revolt.

The unanimous finding of the committee, composed of representatives of five independent powers from as many continents, could leave no trace of doubt in anyone's mind that the spontaneous national uprising in Hungary, caused by long-standing grievances, was crushed by a massive armed intervention by one power on the territory of another with the avowed intention of interfering in its internal affairs. The brutality of Communist imperialism, as thus once again revealed, is matched only by the cynicism of official Russian and Hungarian attempts to laugh off this measured judgment of the free world. The question now is, as it always has been: what to do about it.

Certainly the least that can be done is for the Assembly to resume its suspended session for the express purpose of taking up this report. The revulsion of the civilized world against Russia's aggression in Hungary must be emphasized and reemphasized; the contempt of every free state for the Kadar regime must be underlined; whatever moral weight the opinion of free peoples may have—and we believe it has, cumulatively, a great deal of weight—must be brought to bear against the degradation of the human spirit that the Russian masters have forced on Hungary.

We hope that Ambassador Lodge, chief of the United States delegation, will urge these points at the meeting today of the 24 countries that originally sponsored the Hungarian investigation. The Senate Foreign Relations Committee yesterday unanimously urged the reconvening of the General Assembly at this time to consider the problem of Hungary; and we trust that the Senate itself will quickly endorse that action. The United States can and should take the leadership, but in this matter the decision does not depend on us alone. There are, however, certain things we could and should do on our own initiative to show our practical sympathy for the Hungarian people.

Instead of congratulating ourselves, as the administration persists in doing, on the admission of a mere 32,000 Hungarian refugees during the past 6 months, we ought to be searching out new ways to give help and give it generously. One way would be to relieve the increasingly desperate condition of a few thousand Hungarian teen-agers who fled their country last fall and are now stuck in Austrian camps where they are fast losing their future. A few hundred of these "unaccompanied minors" have relatives in the United States who would like to take them in—but who are stopped (just as are relatives of Jewish refugees from Egypt) either by our immigration laws or by the administration's interpretation of them, or both. Fourteen hundred of these Hungarian children are already reported to have gone back or to have disappeared. Will official indifference—on the part not of some remote European bureaucrat but of our own American Government—kill all hope for those who remain?

INSTITUTE OF LOGOPEDICS IN WICHITA, KANS.

Mr. CARLSON. Mr. President, located at Wichita, in the State of Kansas, is the Institute of Logopedics, which is recognized as the world's most complete center for the rehabilitation of the speech handicapped.

This institution is under the direction of Dr. Martin F. Palmer, who in 1934 began this work in a very small way, and at the present time is operating in a plant which includes an administration building and 40 cottages, each containing four 2-bedroom apartments, together with an outstanding staff of specialists in the field of speech and language rehabilitation work.

Persons with communicative problems make up the largest single group of handicapped persons in the world. One out of every 20 children born develops a speech handicap.

We are all familiar, through excellent publicizing by all media, with the handicapping conditions caused by polio, cancer, tuberculosis, heart disease, mental illness, and cerebral palsy. Yet, in number, the speech handicapped group ranks equally with, or far above, the victims from these causes. As a matter of fact, there are three times as many persons with a communicative disability than the combined total of victims of polio, tuberculosis, cancer, cerebral palsy, and muscular distrophy.

One might well ask: "Are those with speech difficulties really handicapped?"

Statistics show that a speech handicapped child is an average of one grade behind other students of the same age. In adult life, he will average one-fourth less earning power than his fellow workers with no communication problem. This means that the speech handicapped person takes his place in the commercial world either a year late or with less education, and must be satisfied with a 25-percent reduction in his earning power.

The Institute of Logopedics at Wichita, under the direction of Dr. Martin F. Palmer, is treating large numbers of individual cases at the institute itself, and in addition, has established in the State of Kansas and other areas field-center programs which bring the training facilities out into the various sections of the State under qualified speech therapists.

Dr. Palmer was recently awarded a citation in the form of a plaque by the

President's Committee on Employment of the Physically Handicapped. The award reads:

Citation for meritorious service conferred upon the Institute of Logopedics in appreciation for exceptional contributions in advancing the employment of the physically handicapped. The President's Committee on Employment of the Physically Handicapped.

The important work that is being done by Dr. Palmer and his staff for the benefit of a handicapped group is worthy of note by the United States Senate.

THE FLOOD DISASTER IN MINNESOTA

Mr. HUMPHREY. Mr. President, during the past 10 days Minnesota has been subjected to some of the most severe rainstorms in its history. Only yesterday, I returned from the State after a survey of the flooding, which has wiped out crops of thousands upon thousands of Minnesota farm families—particularly in southwestern Minnesota, but also in scattered areas throughout the State.

What at first, the weekend before last, appeared to be a somewhat localized disaster, embracing Lyon County and parts of neighboring counties, has now mushroomed to the extent that there is now general crop damage within an area of more than 8,500 square miles.

Estimates which are still being revised, made nearly a week ago and before flooding and crop damage were reported elsewhere in the State, ran at $5 million damage to crops in the original area of flooding.

Following Gov. Orville L. Freeman's request to the President for Federal assistance, much of southwestern Minnesota has been designated as a major disaster area. Civil defense has now moved into the area, as has the Small Business Administration with its emergency-loan program, and other agencies.

However, despite the widespread damage, the Department of Agriculture has been slow to move effectively. The Farmers Home Administration at this stage has agreed to recommend only four counties of the State for its low-cost 3-percent emergency loan program.

Mr. President, I do not wish to be unkind to the Department of Agriculture, but if representatives of that Department will come to Minnesota, they will find more than four counties at the present time covered by water. I suggest that they get off their high pinnacle and give us some assistance.

I am still awaiting a reply from the Secretary of Agriculture to a letter I sent to him Friday proposing that he use his existing authority to set up a more comprehensive emergency flood relief and rehabilitation program within his own Department patterned on the successful Department of Agriculture task force set up after the 1951 Missouri floods.

Mr. President, in this letter I pointed out that a coordinated program involving the Soil Conservation Service, the Commodity Stabilization Service, the Agricultural Extension Service, and the Farmers Home Administration, could bring the most effective and prompt relief to hard-hit farmers in Oklahoma and Texas and South Dakota, as well as in Minnesota.

I pointed out that for many farmers the limit of debt has just about been reached, and that it is vitally necessary to move into a program of direct Federal grants and technical assistance, as well as low-interest loans.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks my letter addressed to the Secretary of Agriculture dated June 21, 1957.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 21, 1957.

The Honorable EZRA TAFT BENSON,
Secretary of Agriculture, United States Department of Agriculture, Washington, D. C.

DEAR MR. SECRETARY: As you are no doubt aware from our earlier contacts with officials of your Department requesting emergency aid, Minnesota has been hit heavily with devastating floods wiping out crops and causing extensive property damage over a wide area.

It is imperative that all possible assistance be expedited to save hundreds of farm families from complete financial ruin.

From preliminary surveys we have made of the area and from information gathered by the Governor's office in Minnesota, it appears that disaster loans—as urgently as they are needed by some—will not be sufficient as an answer to avert acute hardship and personal tragedy. Many farms of the area are already heavily encumbered with debt as a result of the serious economic depression in our farm regions. With no real improvement in sight for farm prices or income, it is going to be impossible for most of them to assume new debt with any real chance of paying it off. In fact, unless ways can be provided to keep many of these farmers in business the Government faces greater loss on loans it has already extended under the Farmers Home Administration.

For that reason, I want to urgently request your immediate cooperation in calling together a Department of Agriculture task force representing the Commodity Stabilization Service, the Soil Conservation Service, the Farmers Home Administration, and the Agricultural Extension Service for the purpose of working out a coordinated emergency flood relief and rehabilitation program embracing loans, grants, and technical assistance.

Precedent for such action was provided in the effective land rehabilitation program conducted by the Department of Agriculture after the Missouri basin floods of 1951. I suggest you review action taken at that time as the basis for a comprehensive program of emergency assistance utilizing to the utmost your existing agencies, personnel, and appropriations, supplemented by requests for whatever additional funds you may need either from the President's emergency fund or directly from the Congress.

Similar flood problems have caused heavy loss to farmers in Oklahoma, Texas, South Dakota, and other States. Any such program could be helpful in providing emergency action wherever needed and justified.

Unless the Department takes some such immediate emergency action, it is likely that Congress may compel you to divert the soil-bank program to similar purposes. I know it has been your hope that the soil-bank program could be confined to its originally intended purpose of reducing production, rather than for disaster relief such as the drought aid extended last year. In my opinion, the best way to immediately provide a special, separate emergency relief program is one financed either out of the President's emergency fund or by special supplemental appropriation.

Each of the agencies I mentioned can make a valuable contribution to emergency assistance if coordinated direction for an organized program is provided from the Secretary's office, rather than each trying to operate independently. Farmers in stricken counties should only have to turn to one central source for information on whatever assistance is available. They are now confused and uncertain; some are appealing to FHA, some to the county agent, some to soil conservation district personnel. It is time to invoke some emergency instructions designating disaster coordinators linking all these agencies together similar to the wartime mobilization committees in each of our rural counties.

Unless some effective method is provided for making at least partial grants to stricken farmers for the purposes of rehabilitating their land and buildings, similar to the ACP program, I am afraid you have doomed the future of the soil-bank idea. Farmers will not take very kindly to the idea of seeing some farmers forced out of business by forces beyond their control and yet denied cash assistance, while other farmers untouched by the floods get checks for leaving some of their land idle.

As you know, I have shared your desire to keep the soil bank from being just a relief program. I am now convinced, however, that the only way to do that is to provide a specific relief program that accomplishes the same purpose in a more direct way.

I would appreciate this suggestion and request being given your personal consideration at the earliest possible moment. Our Governor has wired the President requesting help under the authority Congress has given the President for just such emergencies. It is now up to the Department of Agriculture to assert some initiative in developing effective ways to provide such help.

Sincerely,

HUBERT H. HUMPHREY.

Mr. HUMPHREY. Mr. President, I am still hopeful that the Secretary of Agriculture will act on this suggestion, and that an immediate program will be put into effect.

Since I wrote this letter, Mr. President, a further effect of these disastrous floods has been revealed—the worst soil erosion of recent times in Minnesota and the upper Midwest. Mr. Alfred D. Stedman, the knowledgeable and incisive farm editor of the St. Paul Pioneer Press, wrote an article this past Sunday in which he clearly demonstrates the need for an immediate and intensive emergency soil conservation program.

Mr. Stedman writes that Minnesota's top soil conservationists agree that "at least 100 million tons of Minnesota's finest remaining earth cover are estimated to have been moved, much of it down the drain."

These are losses almost irrecoverable, Mr. President. They are losses which cannot completely be recouped. But we can still move in to help the farmers on the damaged land to build their fields back into productive use, and to protect the top soil from further erosion. That is what I urge the Secretary of Agriculture to do.

Mr. President, I ask unanimous consent at this point in my remarks to have printed in the RECORD the article by Mr. Alfred D. Stedman which appeared in the June 23, 1957, St. Paul Pioneer

Press, entitled "Midwest Soil Erosion Exceeds Storm Damage."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MIDWEST SOIL EROSION EXCEEDS STORM DAMAGE

(By Alfred D. Stedman)

The worst soil erosion destruction of recent times in Minnesota and the Nation's midlands was reported by conservationists Saturday as a result of widespread cloudbursts, tornadoes, and floods.

Swollen rivers loaded with silt from a vast network of washouts are sweeping the midland's topsoil to the sea. At least 100 million tons of Minnesota's finest remaining earth cover are estimated to have been moved, much of it down the drain.

The destruction is appalling and irreparable, conservationists declared. The damage extends afar from the Minnesota flood area beyond Fargo on the north and beyond the twin cities on the east. The trail of soil loss reaches into Wisconsin, Iowa, South Dakota, Illinois, Missouri, Nebraska, and Kansas. The rivers of Oklahoma and Texas are running red with the soil fertility of that land.

SOIL LOSS GREATEST

In total lasting loss, the destruction of soil far exceeds many times over all other forms of flood and tornado damage combined conservationists say. Pending real analysis, they only whisper their efforts to measure totals in money. Some say any estimate up to a billion dollars might be subject to challenge as being too low.

But salvaged from this disaster are these two things:

1. The Nation has a shocking lesson as to the urgency of stepping up erosion control and small watershed flood-control programs, and of strengthening the Federal soil bank so as effectively to serve soil conservation; and

2. The starting point for protection is shown to be the farm itself, and the enormous protective value of the soil conservation district's work is proved. There's no way to avert a flood when 8 or 10 inches of rain falls in a day; but the minority of farms that have in operation complete soil district plans of terracing, contour stripping, and grassing of danger spots are coming through with little damage.

SHORT SEASON CROPS

Though ruinous to many individual farmers and creating an acute problem of getting seed of short-season soybeans, sorghums, or other crops suitable for replanting so late, the losses to crops are offset by good growing conditions elsewhere and are dwarfed by the widespread permanent destruction of soil, conservationists said.

This damage is described as worse outside the rather flat country of the main flooded areas on more rolling lands such as those in the Dassel, Darwin, Willmar areas, for instance, and east and south of St. Paul.

This year's soil losses are the worst in any year since he came here in 1934, Herbert A. Flueck, of St. Paul, State conservationist of the United States Soil Conservation Service, said Saturday. Even in the great St. Paul flood of 1952, when rains lashed a thawed-out topsoil, the destruction wasn't as bad. Mr. Flueck based his estimate on personal surveys by himself and associated soil scientists, including Roy E. Bennett, St. Paul, of his staff.

Between rows of freshly cultivated soybeans or corn, many fields are riddled to subsoil. "Some of the slopes," commented Minnesota's top crop reporter, Roy A. Bodin, of St. Paul, "look as if only about one more such a beating would complete their destruction."

LAND DAMAGE HEAVY

Said William A. Benitt, of Hastings, chairman of the Minnesota Soil Conservation Committee: "The news stories rarely make any mention of the damage to the land. But it is this loss that's irreparable. And it is so much greater than the damage to buildings, roads, and bridges. The damage done to farmlands near Lake Elmo in Washington County recently can never be repaired. Fields planted in rows running up and down on slopes were gutted, from plow-furrow depth to several feet."

But from Washington County clear to the southwestern border of Minnesota and beyond, the farms in soil-conservation districts that have complete soil-conservation plans in operation are saving their soil. The terraces and contour strips lead the waters gently around the slopes, averting erosion. The grassed knolls and water runways held well. The alfalfa-bromegrass cover for strips are showing close to zero erosion. The detention dams are doing their job. The new farm-stock water ponds are described as an outstanding success, especially in the Lake Benton area.

NO QUICK PROGRAM

But a deep trouble is that there's no cheap, easy, quick way to get a conservation plan worked out and in operation on each of 150,000 farms in Minnesota or on 4 million or so in the Nation. It takes soil scientists, and, although the SCS now has 45 on-farm trainees in Minnesota alone, there are never enough of these soil technicians to keep anywhere near farmers' demands for plans. It takes public money, and never enough is provided. It takes time for many farmers to convince themselves they must go ahead. Then it takes more time for them, one by one, to get his own farm plan into complete operation.

Now almost 80 percent of Minnesota farmers are within soil-conservation districts. Probably 30,000, or 1 in 5, of our 150,000 farms are enrolled as cooperators. But not one in each dozen farmers has a complete soil-conservation plan in operation on his own farm in this State and many others.

The 1957 soil-erosion disaster bristles with lessons, conservationists say, including several "don'ts": Don't delay getting conservation plans in operation a bit longer than necessary. Southeastern Minnesota, which started setting up soil districts far ahead of the rest of the State, is fighting off erosion damage better. Don't plant soybeans especially, or corn or other row crops, up and down slopes. Farmers of southeastern Minnesota, where soybeans entered the State, learned that long ago about this crop whose roots fluff up the soil and expose the land to water erosion.

CULTIVATE LESS OFTEN

Don't believe any longer that the more cultivating of the soil the better—the methods that rely on chemical weed killing or on tractor-track planting which minimize cultivation look better now. And besides the great lesson of speeding up soil-conservation districts farm plans, farming people have mentioned at least three others:

First, the new Federal soil bank isn't working as it should to conserve soil. Sure, it is fine farm-income insurance for those farmers who now are signed up to get $20 to $40 an acre rental for soil-bank lands that are suddenly cropless or deep under water. But if instead of just annual surplus cutting the long-time (conservation reserve) side of the soil bank were more widely used to keep knolls and potholes in permanent conservation uses, the soil bank would be doing a far better soil-saving job than now. Next, the Government's conservation practice (ASC) payments could put greatly increased money incentives behind the effective types of soil district and soil-bank work. Finally, the small watersheds program of upstream flood control under Public Law 566 (Representative H. CARL ANDERSEN was one of the sponsors) which is just in the blueprint stage for the Hawk Creek-Shakopee Creek-Mud Creek-Chippewa River area that is now hit so hard, should be speeded up. This helps communities that, after the farm itself, are the focal points for attacking soil erosion at its source.

As it is now, in this year of high-frequency tornadoes and floods, the soil is going down the streams to silt up the big dams that will need costly dredging, or else is being swept to the sea.

Mr. HUMPHREY. Mr. President, last evening I received a petition from a large group of farmers in the Swift, Chippewa, and Kandiyohi Counties area of Minnesota, together with a group of businessmen from Benson, Minn., and neighboring towns, who had gathered together to consider what action might alleviate the severe economic conditions following the floods of the past 2 weeks.

These farmers and businessmen, Mr. President, recognizing that their plight is being shared by other farmers and businessmen in other parts of the Nation who have also been hit hard by the severe and unusual 1957 weather, have called and petitioned for direct Federal help in the form of grants, and not loans.

Mr. President, this petition is a document which is well worth study. It states the problem clearly, and it pleads eloquently. I hope that my colleagues and the Secretary of Agriculture will read it, give it the necessary thought, and take action.

Mr. President, I ask unanimous consent that this petition, signed by a number of Minnesota farmers and businessmen, be printed at this point in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

We, the undersigned farmers of the Swift, Chippewa, and Kandiyohi Counties area, in the State of Minnesota, assembled this 22d day of June 1957, in an open and public meeting in the courthouse in the city of Benson, Minn., together with Benson businessmen and businessmen of neighboring towns, for the purpose of discussing the disastrous floods in our area and proposing such action as will alleviate the highly detrimental and long-term results of the economic losses caused by such floods, do propose, resolve, and petition as follows:

"Whereas the above-mentioned area suffered a flood from storms in the year 1952 which was determined by the United States Soil Conservation Service to be one of a 50-year frequency; that is, one of such severity that it will only occur once in every 50 years; and

"Whereas the above-mentioned area suffered another flood in the year 1953 which was also determined to be of a storm of a 50-year frequency by the United States Soil Conservation; and

"Whereas the above-mentioned area has just suffered flooding and inundation in this year of 1957, at the present time, which is more severe and more damaging, than either of the other 2 years mentioned; and

"Whereas thousands of acres have been flooded due to his very abnormal rainfall; and

"Whereas the flooding is due to an act of God, the flooding occurred through no fault of our own and in spite of the preventive action we have taken, in that for the last

5 years, through the small pilot watershed program, we have been constantly preparing ourselves to go into such program in cooperation with the United States Soil Conservation Service and in doing so, have obligated ourselves to many thousands of dollars to pay for such program; and

"Whereas we presently have an unstable farm economy due to tremendous transitions that have been and are now taking place in the field of agriculture: Now, therefore, be it

"*Resolved,* And we respectfully herewith petition for direct help under present existing authority of the United States Government for all farmers who have flooded acres or for participation in an emergency soil-bank program for 1957 for all farmers; that a program of additional credit was extensively and thoroughly discussed with a unanimous decision against such credit as an adequate means of action for the reasons above mentioned, reasons such as 3 years of disastrous flooding and inundations which have forced farmers in this area to use credit beyond the point of safety, the fact that our area has been hard hit by the transitional period in agriculture causing extensive use of credit beyond reasonable limits and the fact that our younger farmers have had little or no opportunity to acquire any kind of financial reserve; that an emergency soil-bank program would be in keeping with the theory and desired results of the soil-bank program in that the catastrophic flooding will prevent tremendous crop production by reason of having taken thousands of acres of land out of production; and

"Lastly we pledge our united support to all flood disaster areas throughout the country inasmuch as this is the type of emergency which should clearly be above politics and is rather on the basis of mankind's help to mankind, as one would aid another member of his family in the face of dire and severe difficulties."

We, the undersigned Benson businessmen and businessmen of neighboring towns, wholeheartedly support this resolution and petition setting forth the disastrous emergency that has come about in our area of western Minnesota due to devastating floods of recent weeks. We are thoroughly familiar with the fringe economy of our farmers which has largely resulted from the transition period in agriculture together with the loss of crops in 1952 and in 1953 due to floods. Knowing full well that the crop loss of 1957 without any direct help to tide them over will result in large numbers of our farm people losing their life savings and liquidating their farming operations and we therefore sincerely solicit your support as our representatives in the Congress of the United States to meet this dire need for help for our farmers and business people in this very critical emergency.

COPY OF SIGNATURES

Alfred I. Johnson, State representative, Swift County, Minn.

George P. Grussing, State representative, Chippewa County.

Richard A. Bodger, executive secretary, Benson Chamber of Commerce.

Russell Hanson, vice president, Swift County Bank; president, Swift County Agriculture Credit Association.

C. R. Logan, president, Benson Chamber of Commerce.

W. D. Shores, chairman, Hayes Township, Swift County; president of Farmers Cooperative Elevator.

Wesley Benham, chairman, Farmers Union Local, Danvers, Minn.

Bruce Anderson, Chippewa Farmers Union Local, Benson, Minn.

Derald Brock, Kerkhoven, Minn., operates 300 acres, 80 acres flooded.

Elgin Johns, Swift County.

John E. Fahl, Swift County, 580 acres, 100 drowned.

Ludvig Pedersen.

C. E. Hughes, 100 acres under water.

Wilton H. Christensen, chairman, Torning Township, Swift County.

Raymond Larson.

Edwin Berens, Swift County, operates 1,400 acres, 300 acres flooded.

Orin Ahrndt, Swift County, operates 320 acres, 75 acres flooded.

Vern Sanders, Swift County, operates 280 acres, 70 acres flooded.

Ralph Moline, Swift County, operates 200 acres, 40 acres flooded.

K. R. Anderson, Swift County, operates 360 acres, 40 acres flooded.

Leslie Larson, Swift County, operates 200 acres, 120 acres flooded.

Orie E. Mills, Swift County, operates 160 acres, 90 acres flooded.

E. W. Nelson, Benson, Minn.

John Wagner, Danvers, Minn.

Maynard Sather, Montevideo, Minn.

Tom McCann, Benson, Minn.

Ervin Janson, Benson, Minn.

Walter Vergin, Benson, Minn.

W. F. McQuaid, DeGraff, Minn.

Orin J. Ellingson, Montevideo, Minn.

Jennie S. Erickson, Benson, Minn.

Henry E. Holstad, Benson, Minn.

Adolph Lundberg, Benson, Minn.

Wilbur Hawkinson, Benson, Minn.

Roy Kerker, Benson, Minn.

Edwin Haugen, Benson, Minn.

Robert Muehlbauer, Danvers, Minn.

Leo Hennessy, Danvers, Minn.

Howard Kelly, DeGraff, Minn.

Roger Norby, Benson, Minn.

Albin Haugen, Benson, Minn.

Arthur Svea, Benson, Minn.

Ray Cameron, Clontarf, Minn.

Marvin Haugen, Benson, Minn.

Clarence W. Johnson, Benson, Minn.

Joseph S. Pothen, Murdock, Minn.

Fred Stiel, Danvers, Minn., 80 acres operated, 20 acres flooded.

W. E. Banister, Danvers, Minn., 240 acres with 45 acres flooded.

Virgil L. Evenson, 200 acres with 40 acres flooded.

LeRoy Kennedy, 200 acres operated with 30 acres flooded.

Edward Stiel, Danvers, Minn., 260 acres operated with 40 acres flooded.

Chas. McMahon, Murdock, Minn.

W. R. Frederickson, Murdock, Minn.

Lloyd Vetter, Montevideo, Minn.

O. J. Hilleren, Benson, Minn.

Joseph B. Lee, DeGraff, Minn.

Roy Nelson, member, board of directors, Benson Chamber of Commerce, owns Benson Livestock Market.

Donnel Frederickson, Murdock, Minn., president, Swift County Farmers Union.

Gerald H. Fahl, Benson, Minn., Route No. 3.

K. D. Anderson, Kerkhoven, Minn.

Ardell E. Nelson, Kerkhoven, Minn., farms 240 acres, 100 acres flooded.

Henry Fenstra, Kerkhoven, Minn.

H. I. Kennedy, Kerkhoven, Minn.

Glen Flynn, DeGraff, Minn., operates 240 acres, flooded 30 acres.

John Fath, DeGraff.

Rudolph C. Anderson, Benson, 500-acre farm, 150 acres lost.

Aldor Anderson, Benson, 500-acre farm, 150 acres under water.

Bert Gravernish, Murdock, farm 320 acres, lost 40 acres.

Fred Vergin, Benson, 300-acre farm, 60 acres under water.

Elmer Dieken, Montevideo, 147-acre farm, 45 acres lost.

Chet Lang, Murdock, grocery store owner.

Gerald Osterbauer, DeGraff, 260-acre farm, 90 acres under water.

Rudy Osterbauer, DeGraff.

Herb Guse, Montevideo, 60 acres under water.

Carl J. Menking, 140 acres under water on 230-acre farm.

D. F. Mitchell, Benson, 95 acres flooded on 320-acre farm.

Joseph B. Ellingson, Benson, 70 acres flooded on 240-acre farm.

Lawrence Hilleren, 75 acres flooded on 111-acre farm.

Henry Vergin, Benson, 70 acres flooded on 240-acre farm.

Wm. Ahrndt, Benson, 30 acres flooded on 120-acre farm.

Ernest Ahrndt, Benson, 80 acres flooded on 280 acres.

William A. Karrigan & Son, 190 acres in 400 acres.

Elmer Cramlet, Benson.

Harvey Harlow.

Alfred P. Olson.

Roy R. Anderson.

Ernest B. Johnson, Montevideo, Minn., route 2.

Floyd Johnson, Benson, Minn., route 3, ASC committeeman.

Arthur Heimdahl, Danvers, Minn.

Lawrence Rois, Benson, Swift County commissioner.

John W. Tatge, Benson, Minn., 240-acre farm, 80 acres lost.

O. G. Cannon, Benson, Minn., 320-acre farm, 70 acres out.

Christ Haugen, Benson, Minn.

Ed. V. Quinn, DeGraff, Minn.

Norman Rittenour, Benson, Minn.

Herbert Norby, Benson, Minn.

Howard Payne, DeGraff, Minn.

Paul Gustafson, Benson.

Wm. P. Kavanagh, DeGraff, Minn., chairman, Swift County DFL.

Russell Hutchins, DeGraff.

Thorvin Johnson, DeGraff.

J. C. Christenson, DeGraff.

Darrel L. Graven, Benson, 280-acre farm, 120 acres lost.

Philip Foley, Murdock, Minn.

Howard W. Peterson, vice chairman, Chippewa River Tributaries and Hawk Creek Watershed Association.

Lloyd Clatanoff, Benson, Minn.

Lawrence E. Anderson, Benson, Minn.

Orville Welling, Montevideo, Minn., route 1.

Lloyd Menking, Montevideo.

R. A. Ranney, Benson.

George R. Arends, Montevideo.

Otto Bishop, Murdock.

Harold Osterbauer, DeGraff.

Lester E. Smith, Benson.

Les Smith, Benson.

Michael Madden, DeGraff.

Geo. Antolick, DeGraff.

L. C. Tatge, Benson.

Ray McConville, DeGraff.

Frank Fernholz, DeGraff.

John Fernholz, DeGraff.

Ray Baune, DeGraff.

John Suter, DeGraff.

Lloyd Elliott, Benson.

C. V. Forsberg, Benson, city assessor.

James O'Leary, Danvers.

Ralph Fragodt, Danvers.

Donald Fragodt, Danvers.

Bertice L. Jacobson, Benson.

Lawrence Curley, DeGraff.

Fred Lietz, Benson.

Otto Rods, Benson.

Harold Jensen, DeGraff, Minn.

Dan Quinn, chairman, welfare board, DeGraff.

Francis Krattenmaker, DeGraff, Minn.

Curtis Thompson, Montevideo.

Harry Wollschlager, Benson.

Luther J. Lee.

Martin G. Thompson.

Mr. Jacobsen.

Mr. HUMPHREY. Mr. President, it has been suggested that soil-bank payments be permitted to those farmers who have suffered losses of their croplands in these recent disasters. I would frankly

rather see commenced an immediate new program—for which the Secretary of Agriculture has full authority, I repeat, and for which funds are available from the President's emergency fund, of the character I have suggested.

Such a program would not have to wait on congressional action, and it would have the advantage of not stirring up the question of the appropriateness of the use of soil-bank funds for flood relief.

But, Mr. President, if an adequate program of relief and rehabilitation is not promptly undertaken, I shall support any feasible program—which Congress can devise—including the diversion of soil-bank funds to bring the help our farmers and rural communities so badly need.

Mr. President——

The PRESIDING OFFICER. The Senator from Minnesota.

THE JUNE 20 WHEAT REFERENDUM

Mr. HUMPHREY. Mr. President, last week on the Senate floor I had occasion to comment on the June 20 wheat referendum. I wish to bring to the attention of the Senate a telegram which I received in this connection from M. W. Thatcher, chairman, National Farmers Union Wheat Referendum Committee, as well as a letter which I wrote to Mr. Thatcher prior to receiving his message. I therefore ask unanimous consent that they may be printed in the RECORD at this point.

There being no objection, the telegram and letter were ordered to be printed in the RECORD, as follows:

JUNE 20, 1957.

Mr. M. W. THATCHER,
Farmers Union Grain Terminal Association, St. Paul, Minn.

DEAR BILL: Congratulations once more on the impressive evidence of GTA's effective leadership as reflected in the overwhelming victory in the wheat referendum. It is a victory for the farmers, and that is the only kind of victory you and GTA have ever fought for. It is a deserved defeat for Secretary Benson, a repudiation of his latest appeal for even lower levels of price supports in the future.

In the face of the fact Secretary Benson carried his appeal directly into Minnesota, the tremendous vote for continuing the highest possible level of supports in Minnesota was unquestionably a vote of repudiation and censure for the Secretary of Agriculture.

Bill, I thought you would like to see the enclosed brief comments from the CONGRESSIONAL RECORD regarding the vote. I know how much you had to do with this victory. Believe me, you can be proud of the continuing fight you have made.

Sincerely,

HUBERT H. HUMPHREY.

ST. PAUL, MINN., *June 21, 1957.*

Hon. HUBERT H. HUMPHREY,
Washington, D. C.:

Thanks to you for joining in the great effort to keep our farm program intact. The big yes vote on June 20 wipes out any doubt that farmers want price protection. Farmers have every right to believe that their vote is a mandate to Congress to enact, and to the administration to carry out, a fair program that permits farmers to share in the national prosperity, and 75 percent of parity does not give the farmers a reasonable share of that national prosperity. We are determined to continue our fight at Washington, where farm prices are made, and in the country, until we get parity of income for farmers.

M. W. THATCHER,
Chairman, National Farmers Union Wheat Referendum Committee, and General Manager Farmers Union Grain Terminal Association.

PRESIDENTIAL SUCCESSION IN EVENT OF DISABILITY OF INCUMBENT

Mr. FULBRIGHT. Mr. President, on June 10 I introduced Senate Joint Resolution 100, a proposed constitutional amendment providing a solution to the problem which would be presented if a President of the United States should ever become unable to discharge the powers and duties of his office.

I was pleased to note that on June 24, former President Truman, in a copyrighted article in the New York Times, also turned his attention to that grave problem.

Former President Truman proposes that when a President is stricken with an illness which raises the question of his ability to carry out the duties of his office, there should be created a committee of seven—composed of the Vice President, the Chief Justice of the United States, the Speaker of the House of Representatives, and the majority and minority leaders of both the House of Representatives and the Senate. This committee would select a medical board which would make findings of fact regarding the President's inability, and present such findings to the committee. The committee would then inform the Congress of the findings of the board if the findings were that the President was truly incapacitated, whereupon the Congress could, by two-thirds vote of its full membership, declare the Vice President to be President. He would then serve the balance of the Presidential term, regardless of whether or not the incapacitated President experienced a full recovery in the meantime.

President Truman's suggestion would require the formation of a committee, which in turn would appoint a board, which would in turn report to the committee, which would in turn report to the Congress, which would in turn take final action. I invite the attention of my colleagues to Senate Joint Resolution 100, which I introduced, and which proposes a constitutional amendment to deal with the problem presented by Presidential disability, by setting forth a constitutional procedure for resolving the problem.

In presenting Senate Joint Resolution 100, I pointed out in a statement I made at the time of introduction that among the many advantages inherent in the proposal was the fact that it did not necessitate creation of a new body of officials, commission, or agency to cope with the problem.

Senate Joint Resolution 100 has the further advantage of simplicity, yet it allows for deliberate reflection upon a grave constitutional change.

However, the action proposed by the resolution which I submitted can be effected in as relatively short a time as circumstance might require. It provides against unilateral action by any single branch of the Government, with final responsibility resting on those of judicial temperament, appointed for life, and insofar as constitutional government can provide, beyond the temptations of political advantage.

I am convinced that it is absolutely vital that the system of checks and balances—America's unique contribution to government—be maintained, and Senate Joint Resolution 100 does not violate this time-honored system. Unfortunately, President Truman's proposal does not conform to any system of checks and balances. It leaves the ultimate decision within the entire province of a single branch of the Government. In addition, it places the primary decision in the hands of nongovernmental officials, since the committee which is proposed is nothing more than a mere conduit from a factfinding body to the legislative branch, which in turn could only rubberstamp the findings, since it is highly unlikely that the legislature would refuse to accept a finding of disability when the factfinders themselves are selected by the representatives of that very legislature.

Senate Joint Resolution 100 provides for the resumption of his office by the President if he recovers from a disability. President Truman's proposal would bar him from the office to which he was elected, even should he again become qualified to hold that office by reason of removal of the disability.

Both Senate Joint Resolution 100 and the proposal advanced by President Truman provide for calling the Congress into special session if it is in recess, or in adjournment, during occurrence of Presidential incapacity.

I am pleased to know that President Truman agrees with my contention that the problem is an urgent one which should be resolved at the earliest opportunity. He agrees that we should not trust to luck to see us through a crisis which might be caused by Presidential disability. As I said on June 10, when I introduced Senate Joint Resolution 100:

> The mere fact that we as a nation have been fortunate thus far, is no reason to tempt providence in so important a matter as the Presidency.

President Truman suggests that appropriate legislation is sufficient. He is of the opinion that an amendment to the Constitution is not necessary to provide a solution to this vexing problem. He did not elaborate on the basis for his belief that legislation, in and by itself, would be constitutional. Many constitutional experts are of the opinion that only by means of a constitutional amendment can a President be declared incapable of performing the duties of his office by reason of physical or mental disability. The Constitution provides for the election, removal by impeachment, and succession in case of death. To allow any doubt as to the constitutionality of legislation in this area is much too hazardous to leave to chance.

The only absolutely safe procedure is by means of constitutional amendment, the constitutionality of which would, of course, be unquestioned.

I again, therefore, recommend for the thoughtful consideration of my colleagues in the Congress the merits of Senate Joint Resolution 100, which meets the problem squarely, with simple directness, and without the slightest trace of partisan politics.

Mr. President, I ask unanimous consent that the article written by Mr. Harry S Truman be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRUMAN URGES A PANEL OF SEVEN ON A PRESIDENT'S DISABILITY

(By Harry S Truman)

There has been an understanding reluctance to deal with the delicate and sensitive problem of what we are to do when any President becomes incapacitated and is unable to perform his duties. Our Founding Fathers did not provide for such an eventuality. During the 168 years of our history under the Constitution there have been only two occasions when the question arose of a President's ability to serve. I refer to James A. Garfield and Woodrow Wilson. We have been fortunate, indeed, that we have not had to face such crises more often.

But the job of the President is getting to be an almost unendurable mental and physical burden, and we ought not to go on trusting to luck to see us through.

We may find that we have waited too long to provide a way of meeting the situation in the event a President becomes incapacitated. There have been suggestions to deal with the matter through legislation. Others have proposed amending the Constitution.

WIDEST STUDY URGED

However we deal with it eventually, this is too vital a matter to be acted on hastily without the widest discussion and study. I have felt that there is always great danger in writing too much into the Constitution. We must have certain flexibility to meet changing conditions. We have already experienced the consequences of hastily amending the Constitution without adequate public discussion, as in the cases of the 18th and 22d amendments (prohibition and limiting any President to two terms).

In response to the many letters I have received on the subject from all parts of the country and the world, I am taking the liberty of suggesting a way to meet this problem.

I would like to make it perfectly clear that it is not my intention to cast reflections on anyone, or to raise any doubts about the health or condition of the President. Along with all of our citizens, I wish him good health and a long life.

But there is a growing concern about our needs to provide against the danger of a lapse in the functioning of the Presidency and the crises that might ensue.

The power of the President of the United States and his influence on the world today have grown so great that his well-being is of paramount interest to people everywhere. It is no longer a matter to be decided by political leaders and constitutional authorities.

FEARS EASILY AROUSED

Even a minor indisposition of the President will set into motion unexpected and often unreasoning fears, such as we have recently witnessed.

The framers of our Constitution drafted a brilliant and inspired document in which they anticipated and provided for nearly all of the basic developments of our democracy. But who could fully foresee the role of the American Presidency in the kind of a world in which we now live—a role which also requires the President to be available in person at any hour to make decisions which he alone can make and which cannot be put off?

As Vice President, I found myself acutely conscious of this problem in a personal way when I met President Roosevelt upon his return from Yalta. Up to that time I regarded the circumstances of an incapacitated President as an academic problem in history, such as was posed by Presidents Garfield and Wilson.

After the first shock of seeing President Roosevelt, I tried to dismiss from my mind the ominous thoughts of a possible breakdown, counting on his ability to bounce back from the strains and stress of office. After Yalta, President Roosevelt continued to carry on with sustained energy and alertness—until suddenly called by death.

From the day I succeeded to the Presidency, I have been thinking about the needs of an act of legislation to provide machinery to meet the emergency of a President's disability.

SURVEY PUT OFF

Shortly after taking office, I considered setting up a commission to study the problem and make recommendations. But in the midst of war and during the period of postwar reconstruction we were preoccupied with more immediate and urgent matters.

I therefore chose instead to recommend to the Congress a change by statute of succession to the Presidency from the Cabinet to the Congress in the event the Nation was without a Vice President. Up to that time the Secretary of State was next in order of succession.

I did not think that a Cabinet officer—who is not elected by the people—should succeed to the Presidency, which is an elective office. The Speaker of the House who is, in fact, the top ranking elected public official, after the President and Vice President, is now, under the new law, next in succession.

This, however, does not meet the problem when a President is unable to perform the duties of his office.

SOLUTION SUGGESTED

I suggest, therefore, that the following proposal may provide us with a workable solution:

1. When a President is stricken with an illness, raising the question of his ability to carry out the duties of his office, there should come into being a committee of 7 composed of representatives of the 3 branches of the Government. This committee should consist of the Vice President, the Chief Justice of the United States, the Speaker of the House, and the majority and minority leaders of both the House of Representatives and the Senate.

This committee would select a board of leading medical authorities drawn from top medical schools of the Nation. This medical board, thus chosen, would then make the necessary examinations, presenting its finding to the committee of seven. Should the findng of the medical board indicate that the President is unable to perform his duties, and that he is, in fact, truly incapacitated and not merely stricken with a transitory illness, then the committee of seven would so inform the Congress.

Congress then would have the right to act, and by a two-thirds vote of the full membership declare the Vice President as President.

The Vice President, designated as President, would thereupon serve out the full term of his predecessor. Should the stricken President, thus relieved, experience during this term a complete recovery, he would not be entitled to repossess the office.

CALL TO CONGRESS URGED

Should the Congress be in adjournment or recess when a President is incapacitated, the Vice President, the Speaker and Chief Justice should call a meeting of the committee of seven. This committee, after receiving the medical findings, would have authority to call Congress into special session for the purpose of declaring the Vice President as President.

THE STUDENT EXCHANGE PROGRAM

Mr. FULBRIGHT. Mr. President, some of my colleagues, but more especially some Members of the other body, about appropriation time ask what evidence we have that the exchange program is accomplishing anything.

I believe it is a fine program, and I have received many items of news and information which confirm this view. However, recently I received a series of three articles from Colombo, Ceylon, which I think are of particular interest.

Mr. President, I ask unanimous consent that these articles be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Colombo (Ceylon) Times of April 11, 1957]

FULBRIGHT MAN SAYS, "PROVE SPY CHARGES OR DON'T MAKE THEM"

Persons in high positions who have made accusations that Fulbright professors and students are acting as spies, saboteurs, and FBI agents should either prove these charges or stop making them.

This was stated to the Times of Ceylon yesterday by Mr. Marshall R. Singer, a 24-year-old Fulbright scholar, who leaves Ceylon next Monday.

He adds that if this irresponsible practice is to be interpreted as the new concept of "eastern hospitality" as practiced by a "peoples' government" then it strikes him that both are sadly lacking by any standards of decent behavior.

Mr. Singer writes:

"During the course of the past year there have appeared in the press over a score of news items and articles accusing American Fulbright professors and students of being spies, saboteurs, FBI agents, and so forth. Aside from these newspaper items there have been similar remarks made in and out of Parliament by supposedly responsible MP's. When one adds to all this the biweekly rumors to similar effect that circulate around the campuses at Peradeniya and Colombo, the picture of the atmosphere under which Fulbrighters have to live, work, and study, begins to be completed.

"SLANDER

"Being a Fulbright student myself, I have tolerated all of this nonsense over the past year without writing one word of protest, basically because I have not considered the charges or the sources of the charges worthy of reply. Now, however, the cumulative effect of all this irresponsible slander has passed beyond the tolerance point. Not one of these charges has ever been substantiated. If the people who made these absurd allegations knew how very ridiculous they make Ceylon look, they might give at least a modicum of thought to the subject before they spoke.

"The University of Ceylon, in cooperation with the Fulbright selection committee (one half of which is composed of some of Ceylon's leading citizens) invites us to Ceylon on the

basis of applications submitted by us individually. Our expenses are paid entirely by the Ceylon Government in lieu of a debt owed to the American Government by Ceylon. Neither the American Government, the State Department, the FBI, nor any other American agency, official or unofficial, has any say whatever in who will be selected by the committee. Thus Ceylon puts itself into the ridiculous position of inviting Americans to Ceylon to teach and study, and then when they get here, accusing them of being spies.

"There's an old American expression that says, 'Either put up, or shut up,' and I think it is applicable here. Either prove these charges made against us and then stop inviting us, or stop accusing us. If anyone could prove just one charge made against just one of us—past or present—out of all the charges and all the Fulbrighters that have ever come here, it would be sufficient. As it is, however, the charges continue, but nothing has ever been substantiated against any one of us.

"If this irresponsible practice is to be interpreted as the new concept of eastern hospitality as practiced by a peoples' government, then it strikes me that both are rather sadly lacking by any standards of decent behavior.

"On an average between 15 and 20 Ceylonese go to the United States each year under these scholarship programs, to teach and study, yet there has never been one allegation made against them by us. Surely, I should think the opportunity for spying in the States, where we really have secrets of a military nature, is somewhat greater than it is in Ceylon. Perhaps it is just that our concept of hospitality in the States differs from the concept prevalent here.

"A halt to this nonsense must be called somewhere. We came to Ceylon in good faith to work and to study—not to be abused and insulted. If irresponsible and sometimes highly placed individuals have forgotten the fundamentals of hospitality and decency it is incumbent upon more responsible Ceylonese to put them in their places. I repeat: Either prove these allegations or stop making them."

[From the Colombo (Ceylon) Times of April 13, 1957]

SPIES IN OUR MIDST?—TELL ME ANOTHER

Of course, it is necessary that we should always be on our guard against espionage on a large scale. Military circles in other countries must be keenly interested in, and even alarmed at, the formidable and secret preparations we are making in Ceylon.

Particularly in consequence of the announcement that following a master mind's discovery that in the context of modern defense strategy an air force is more important than ground and sea forces, the Government has decided to spend Rs. 5 million on the expansion of the RCyAF; also its decision to convert Katunayake into a military airport—so convenient for the conquest of the Maldives.

In fact, for quite some time, some people have been busy conjuring up a spy scare and I believe the possibility of some professor and Fulbright scholars at the university spying on our military secrets, camouflaging their activities has even been gravely discussed in the editorial columns of a daily newspaper.

They've succeeded so well that questions were asked in Parliament and the Minister of Education has even called for a report from the vice chancellor of the university.

Myself, I have been inclined to take these thrilling stories with a large pinch of salt, and I raised a silent cheer when I read on Thursday the interview given to the Times of Ceylon by a Fulbright scholar, Mr. Marshall R. Singer.

The cumulative effect of these stories proved too much for him and he hit out straight from the shoulder winding up with a choice American expression: Either put up or shut up. Which in English apparently means, prove the allegations or don't make them.

Fair enough, don't you agree?

[From the Colombo (Ceylon) Times of April 13, 1957]

THROUGH THE LOOKING GLASS: WHY DO THEY SUSPECT AMERICANS?

Pity the poor American who comes out East. Sooner or later, somebody accuses him of spying for the Federal Bureau of Investigation or the Pentagon.

Professor McFadden, for instance. An expert geographer, he was asked by the university to specialize in map and aerial photography interpretation. The university gave him the money to hire his plane, the finance minister refused to extract import duty on photographic material brought here for the purpose.

And one fine day a politician gets up in public, says he doesn't want to cast aspersions, but whispers he has heard that a Fulbright man has spent a considerable time taking aerial pictures of Ceylon, pictures which were sent to the Defense Department in Washington.

Fortunately the vice chancellor of the university has been able to clear up the mystery about Professor McFadden, but meanwhile another Fulbright man, Mr. Marshal R. Singer, has waxed extremely wroth about these regular allegations about American professors here being spies, saboteurs, FBI agents, and so forth.

"We come to Ceylon in good faith," he declares, "to work and to study—not to be abused and insulted. If irresponsible and sometimes highly placed individuals have forgotten the fundamentals of hospitality and decency, it is incumbent upon more responsible Ceylonese to put them in their place. I repeat: either prove these allegations or stop making them."

Fortunately, I repeat, Sir Nicholas Attygalle has cleared the matter up. He has also put the irresponsible and highly placed accuser in his place.

But why are people, here in Ceylon, so suspicious of Americans? Why do they so readily believe stories about American wolves in academic clothing?

I have a suspicion that it all springs from a general suspicion of American foreign policy in the East and American friendship for peculiar people in Korea, Formosa, South Vietnam, Thailand and, closer home, grave suspicion of American doings in Pakistan. So even American professors come to be associated in the public mind with nuclear war.

A good subject, this suspicion for research by a Fulbright professor of contemporary history.

FULBRIGHT, incidentally, is an American Senator who conceived the excellent and useful scheme which resulted in American war material abroad being sold and the money devoted to the furtherance of education. American material lying here after the war pays for the exchange of students and teachers between Ceylon and America.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House has disagreed to the amendments of the Senate to the bill (H. R. 5189), making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. KIRWAN, Mr. NORRELL, Mr. SIEMINSKI, Mr. MAGNUSON, Mr. CANNON, Mr. JENSEN, Mr. FENTON, Mr. BUDGE, and Mr. TABER were appointed as managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6287) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 2, 8, 17, 18, 22, 27, 30, 37, 39, 44, and 47 to the bill, and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 6, 23, 29, and 46 to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 204) expressing the sense of the Congress on the problem of Hungary, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker pro tempore had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1264. An act to exempt from taxation certain property of the National Trust for Historic Preservation in the United States in the District of Columbia;

S. 1576. An act to exempt the sale of materials for certain war memorials in the District of Columbia from the District of Columbia Sales Tax Act;

S. 1586. An act to eliminate the financial limitation on real and personal estate holdings of the American Historical Association and to exempt from taxation certain property of such association in the District of Columbia; and

S. 2243. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

THE CALENDAR

Mr. TALMADGE. Mr. President, if there be no further morning business, before the Senate proceeds with the call of the calendar, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the order previously entered, the Senate will now proceed to the consideration of bills on the calendar to which there is no objection, commencing with Calendar No. 389.

Mr. PURTELL. Mr. President, I ask unanimous consent that the following bills on the calendar be not considered on this call of the calendar, because the calendar committee has not had an opportunity to study the reports:

Calendar No. 529, S. 807, a bill for the relief of Jackson School Township, Ind.

Calendar No. 530, S. 603, a bill to require that international agreement other than treaties hereafter entered into by the United States, be transmitted to the Senate within 60 days after the execution thereof.

Calendar No. 531, S. 1361, a bill to revive and reenact the act entitled "An act authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River."

Calendar No. 532, Senate Concurrent Resolution 35, a concurrent resolution favoring further consideration by the General Assembly of the United Nations of the problem of Hungary.

Calendar No. 533, Senate Resolution 151, a resolution to continue the Subcommittee on Disarmament created by Senate Resolution 93, 84th Congress.

Calendar No. 534, S. 1174, a bill to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Corporation.

The PRESIDING OFFICER. Is there objection?

Mr. CLARK. Mr. President, reserving the right to object—and, for the moment, I am not objecting—I ask the distinguished Senator from Connecticut whether or not Calendar No. 532, Senate Concurrent Resolution 35, favoring further consideration by the General Assembly of the United Nation of the problem of Hungary, and Calendar No. 533, Senate Resolution 15, to continue the Subcommittee on Disarmament created by Senate Resolution 93, 84th Congress, might not be considered today.

Mr. PURTELL. I agree with the Senator that Senate action is desirable. However, I feel that these measures ought not to be acted upon on the call of the calendar, inasmuch as the calendar committee has not had an opportunity to study the reports. I shall offer no objection if these measures are brought up upon motion immediately following the call of the calendar.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut? The Chair hears none, and it is so ordered.

The clerk will state the first measure for consideration.

EFFECTIVE DATES OF INCREASES IN COMPENSATION GRANTED TO WAGE BOARD EMPLOYEES—BILL PASSED OVER

The bill (S. 25) relating to effective dates of increases in compensation granted to wage board employees was announced as first in order.

Mr. PURTELL. Over, by request.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator withhold his objection in order that I may make a statement?

Mr. PURTELL. I withhold my objection until the Senator from South Carolina has had an opportunity to make a statement.

Mr. JOHNSTON of South Carolina. I should like to have the privilege of explaining the bill at this time for the RECORD, so that we may know what the bill proposes to accomplish.

The pay of Federal employees in recognized trades or crafts or in unskilled, semiskilled, or skilled manual-labor occupations is fixed and adjusted from time to time in accordance with prevailing rates in private industry.

There are some 850,000 such employees.

Congress in granting agencies the authority to fix the pay of these employees assumed there would be a close relationship between the pay of employees in industry and those in Government. However, that is not always the case.

Here is why.

Pay increases are granted by industry. At some later date, employees of Government whose pay is supposed to be related to that of employees in industry petition their agency for a wage survey. The agency considers the petition, makes a preliminary examination to determine that increases have been granted by industry, and finally an official survey is ordered.

The data collected in the survey is then analyzed and eventually a new pay scale developed.

This process has on occasion taken up to 6 to 8 months.

The net result is that, although the Government is presumed to be paying its blue collar workers in accordance with prevailing rates in private industry, they are not doing so during this long intervening period.

Public hearings were held by the Senate Post Office and Civil Service Committee on similar legislation last year.

Following the hearings, the committee unanimously reported S. 3465, which was approved unanimously in the Senate July 16, 1956. That bill was identical to S. 25.

S. 25 provides that the effective date of increases shall be not later than the beginning of the first pay period which begins on or after 30 days following the start of the survey. This allows agencies reasonable time in which to conduct adequate surveys.

The committee believes that if agencies plan their work well there will be little, if any, occasion for the payment of retroactive wage increases.

The committee believes that the bill is amply liberal from the standpoint of the time allowed agencies to conduct wage surveys and develop new pay schedules.

It believes further there is no justification for the long delay in making the adjustments which occur under existing law.

I thank the Senator from Connecticut for permitting me to place this statement in the RECORD so that Senators can see the necessity for such proposed legislation.

Mr. PURTELL. I must ask that the bill go over, by request.

Mr. CLARK. Mr. President, will the Senator withhold his objection for the purpose of allowing me to make a brief statement?

Mr. PURTELL. I am very happy to do so.

Mr. CLARK. As chairman of the subcommittee of the Post Office and Civil Service Committee which heard the arguments with respect to Senate bill 25, I wish to associate myself with the very able remarks made by the distinguished Senator from South Carolina [Mr. JOHNSTON] and to say that, in my judgment, this bill, which is a compromise bill, is only an act of simple justice to employees of the Federal Government who are now being unfairly deprived of the opportunity of having their wages promptly adjusted in accordance with prevailing wages. I hope my friend from Connecticut will make it possible for us to bring the bill up on motion and have it passed promptly, as was done last year.

Mr. PURTELL. I wish to repeat that I am asking that the bill go over by request. It is by request that I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED OVER

The bill (S. 931) to provide for the reorganization of the safety functions of the Federal Government, and for other purposes, was announced as next in order.

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

CONSTRUCTION OF OFFICE BUILDING FOR ATOMIC ENERGY COMMISSION—BILL PASSED OVER

The bill (S. 1918) to amend Public Law 31, 84th Congress, to increase the authorization for appropriations to the Atomic Energy Commission for the construction of a modern office building in or near the District of Columbia to serve as its principal office was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. TALMADGE. Over, by request.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

Mr. ANDERSON subsequently said: Mr. President, with reference to the bill for the construction of a modern office building for the Atomic Energy Commission, I do not question the wisdom of the action which was taken with reference to it today. I believe that a bill running into the millions of dollars should properly be brought before the Senate for action by motion.

The Senator from Georgia [Mr. RUSSELL] and I had made reservations with reference to the bill, because it appeared that the contract was to be let without first securing bids, and therefore the

Senator from Georgia and I raised certain objections.

Since the objections were made, the Atomic Energy Commission has sent to the chairman of the Joint Committee on Atomic Energy a statement dated June 18, 1957, stating, in view of the objections which were made, the Commission had decided to obtain competitive bids and take various other steps which I think are important.

I should like to ask unanimous consent, therefore, that at the point where consideration of the bill on the call of the calendar was objected to, and the bill was passed over, the letter from the Atomic Energy Commission appear in the RECORD, so that when the bill is taken up on motion the newest facts with reference to this subject may be apparent.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., June 18, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. DURHAM: We have noted with interest House Report No. 539, to accompany H. R. 6978, and Senate Report No. 413, to accompany S. 1918, both bills having to do with increasing the authorization for construction of the Commission's new headquarters building near Germantown, Md. In connection primarily with the separate views of Senator ANDERSON and Senator RUSSELL as contained in Senate Report No. 413, we feel that the information set forth below is of some importance.

After further consideration of the question, and taking into account views expressed by members of the Joint Committee at the authorization hearings, we have decided definitely to obtain competitive bids for the additional construction work for enlargement of the building.

With respect to comments by Senators ANDERSON and RUSSELL on the per-foot unit cost for the additional construction as shown in the AEC analysis of the proposed legislation, we should like to point out that this unit cost was an estimate for budgeting purposes. It was not based upon any negotiation or discussions with the construction contractor presently on the job. The per-foot estimate is higher than the actual low bid on which we awarded the original headquarters construction contract in May 1956, because: (1) increases in labor and material costs amounting to about 6 percent per year have occurred since opening of the previous bids, and (2) apart from such increases, there is no assurance that we would obtain as favorable a bid relative to existing price structures as we did on the original invitation. I am sure that you will appreciate that it would not be sound budgeting to assume that we would obtain as broad competition and as favorable a bid on the new construction as we did on the original invitation, particularly since the new construction would be for an addition to a building now under construction by a contractor on the job. Since we now intend to take competitive bids for the building addition, the point as to inclusion in the cost estimate of contractor's temporary facilities is relevant only to the extent that it would be a bid factor for the contractor now on the job.

Senator ANDERSON also compared the requested increase in the AEC headquarters construction authorization to the case of the Smithsonian Building which, upon completion of design, is estimated to cost $13 million more than the $36 million authorized. Since our request for an increase in authorization is based upon an increase in personnel requirements that have developed since the building was authorized, we believe the cases may not be comparable. The $3.3 million for the additional wing increases the size of the building by approximately 25 percent to house the additional personnel authorized since the time of the initial authorization of the building.

It is hoped that the within information will help to clarify this matter.

Sincerely yours,

K. E. FIELDS,
General Manager.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 290) for the relief of certain aliens, which had been reported from the Committee on the Judiciary with amendments on page 1, line 7, after the name "Loucacos", to insert "and", and in the same line, after the name "Herzog", to strike out the comma and "Evangelos Demetre Kargiotis, and Hsun Tiao Yang."

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time and passed.

HOSPITAL CENTER OF THE DISTRICT OF COLUMBIA

The bill (S. 2194) to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. The Chair will state that an identical House bill, H. R. 7835, has just been received from the House.

Without objection, the Chair will lay the House bill before the Senate.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 7835) to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and for other purposes, which was read twice by title.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the House bill.

The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill (H. R. 7835) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill S. 2194 is indefinitely postponed.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD an explanation of S. 2194, for which the House bill, just passed by the Senate, was substituted.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of this bill is to amend the act of August 7, 1946, providing for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, by authorizing an increase in the appropriations from $35 million to $36,710,000, and by extending the period of authorization for appropriations to carry out the purposes of the act from the present expiration date of June 30, 1957, to June 30, 1958.

The Washington Hospital Center, located on the grounds of the United States Soldiers' Home in the District of Columbia, is now about completed at a cost of $21,700,000, and will shortly be ready to open, except for lack of sufficient funds to purchase equipment, furniture, and supplies.

In view of the urgency of this situation, the Appropriations Committee recommended the insertion of an item appropriating $1,710,000 in the independent offices appropriation bill, 1958, contingent upon the passage of S. 2194 (or H. R. 7835, the companion bill), and this amount is included in the independent offices appropriation bill which passed the Senate on June 12.

The additional amount of $1,710,000, together with the balance of funds previously authorized but unappropriated in the amount of $290,000 will provide the sum of $2 million. The sum of $1,240,000 is presently on hand and allocated for the purchase of equipment, furniture, and supplies, and this amount, together with the sum of $2 million, will permit a total expenditure for this purpose in the amount of $3,240,000. The unanimous medical testimony developed in the committee hearings was to the effect that it would take this amount properly to equip and furnish the Hospital Center and related facilities. The additional authorization requested will not be more than 10 percent over the estimates fixed under existing law.

BILL AND CONCURRENT RESOLUTION PASSED OVER

The bill (S. 1873) providing permanent certificates for States-Alaska air carriers was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The concurrent resolution (S. Con. Res. 28) to print a compilation of materials relating to the development of the water resources of the Columbia River and its tributaries was announced as next in order.

The PRESIDING OFFICER. Is there objecton to the present consideration of the concurrent resolution?

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The concurrent resolution will be passed over.

Mr. MAGNUSON subsequently said: Mr. President, do I understand that Calendar No. 441, S. Con. Res. 28 was passed over?

The PRESIDING OFFICER. It was objected to.

Mr. PURTELL. It was objected to, by request.

ADDITIONAL COSPONSOR OF S. 846

Mr. ANDERSON. Mr. President, when Calendar No. 478, S. 846, for the establishment of a National Outdoor Recreation Resources Review Commission, is called up, there may be objection to its consideration. I therefore ask that when the bill is printed again, the name of the junior Senator from Arizona [Mr. GOLDWATER] be added as a cosponsor of S. 846. The Senator from Arizona made the request previously, but for some rea-

son it was not fulfilled. I therefore ask that his name be added as a cosponsor of S. 846.

The PRESIDING OFFICER. Without objection, it is so ordered.

PUBLICATIONS OF CERTAIN DOCUMENTS

The concurrent resolution (S. Con. Res. 31) favoring the fulfillment of the program recommended by the National Historical Publication Commission for the publications of certain documents was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress of the United States that the fulfillment of the program recommended by the National Historical Publications Commission in its report entitled "A National Program for the Publication of Historical Documents" would be of lasting benefit to the Government and citizens of the United States; and be it further

Resolved, That the Congress of the United States respectfully urges the governors and legislatures of the several States and the State historical commissions and archival agencies, as well as appropriate libraries, historical societies, colleges and universities, business corporations, foundations, civic and other nonprofit organizations, and individuals to cooperate with the National Historical Publications Commission in the fulfillment of the said program.

The PRESIDING OFFICER. Without objection, the preamble is agreed to.

RESOLUTION PASSED TO FOOT OF THE CALENDAR

The resolution (S. Res. 141) extending to January 31, 1958, the authority of the Special Committee To Study the Foreign Aid Program was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. MANSFIELD. Mr. President, I should like to suggest that consideration of the resolution be held up for the time being, because the Senator from Louisiana [Mr. ELLENDER] wishes to make a few comments on it and to ask some questions.

Mr. PURTELL. Does the Senator suggest that the resolution be placed at the foot of the calendar?

Mr. MANSFIELD. I make that request.

The PRESIDING OFFICER. Without objection, the resolution will be placed at the foot of the calendar.

CONVEYANCE OF CERTAIN REAL PROPERTY IN WEST PALM BEACH, FLA.

The bill (H. R. 4945) to provide for the conveyance of certain real property in West Palm Beach, Fla., to the Port of Palm Beach District was announced as next in order.

The PRESIDING OFFICER. Is there objection to present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

APPLICATION OF RESEARCH TO SOLUTION OF FARM PROBLEM

Mr. CAPEHART. Mr. President, today's edition of the Washington Post and Times Herald—and I assume other newspapers throughout the country—contained an advertisement by the McGraw-Hill Publishing Co. revealing information on present and projected expenditures for research by American industry which I consider to be highly significant and of great value to the Congress and to the American people.

The headline on the advertisement reads:

Multibillion Dollar Research Spending Key to United States Industrial Growth.

A subheading reads:

This Year Industry Plans To Spend $7 Billion on Research and Development—Up 20 Percent From 1956. By 1960 It Will Spend $9 Billion—Enough To Create a Major New Industry.

At another point in the advertisement there appears this sentence:

Planned: A $150 billion capital development program during the next 4 years.

Other information in the advertisements includes:

New plants and equipment: American industry plans to invest more in new plants and equipment during the next 4 years than during the 5 years 1952–56.

Modernization: Manufacturing companies report that over half their capital expenditures in the next 4 years will be for updating present production facilities.

New products: Expanded industrial and development research programs will produce more new products in the 1957–60 period than in any other 4-year period in United States economic history.

Sales: By 1960, industry expects sales to be up an average of 26 percent, with half the increase in products that were not on the market in 1956.

For the purposes of my remarks it seems to me that the most important paragraph in the advertisement is this one:

Growth of research and development expenditures: This latest McGraw-Hill survey features the one new factor which, more than any other, is changing the nature of capital investments. In 1955, industry spent $4.8 billion on research and development; in 1956, it totaled $6.1 billion. For 1957, business plans to spend $7.3 billion on research, and estimates expenditures in excess of $9 billion by 1960.

It seems to me, Mr. President, that this advertisement is highly significant for two reasons:

One, it reflects plans for vast industrial expansion in this country—which obviously means more and more jobs—based upon industry's confidence in this administration and our Government. It simply cannot be based on anything else.

Two, it adds further weight to the arguments of those of us who have been saying in the Congress that the time is long overdue when the Government, under Congressional authorization, should get busy and apply the research principle to the solution of the farm problem.

The Senators will recall that I introduced in the 84th Congress a bill to accomplish this purpose and that in this session I introduced an identical bill, S. 724. Many Senators are cosponsors of that bill.

Our position is fortified by the recent report of the Commission on Increased Industrial Use of Agricultural Products which formed the basis of another bill, S. 2306, the principal author of which is the junior Senator from Nebraska [Mr. CURTIS].

Mr. President, our advocacy of a crash program, I am happy to say, has attracted nationwide attention. Such a program has been the subject of a great many articles and editorials—almost all of them enthusiastically supporting the plan—in the leading newspapers and magazines of the Nation.

The latest of these to come to my attention have appeared in the American Legion magazine and in Scripps-Howard newspapers throughout the country. I ask unanimous consent, Mr. President, that these two articles be printed in the RECORD at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

FARMERS CONTEND TOO MANY DOLLARS GOING TOWARD PRODUCTION AIDS

(By Dickson J. Preston)

With markets already glutted, the Government plans to spend $1 billion next year to increase farm output.

At the same time, it will spend only about $16 million—less than four-tenths of 1 percent of its agricultural outlay—to find new uses for farm products.

This topsy-turvy approach is one of many reasons our farm program costs too much.

MAIN JOB

No one denies that a principal job of the Agriculture Department is to help farmers grow more food and fiber at lower cost and to improve its quality. But many farm experts believe we are pouring too much money into production aids when our immediate problem is oversupply.

For 1958, the Agriculture Department budget includes $53 million for research to increase farm productivity and $45 million for disease and pest control. It lists $265 million for the Farmers Home Administration—most of it for loans to help farmers modernize.

Agriculture, Interior, and other Federal agencies plan to spend $636 million on agricultural conservation and development of additional farm resources. Millions of this will go into irrigation projects.

CRASH PROGRAM

And at least six Government bureaus—Farmers Home Administration, Federal Housing Administration, Small Business Administration, banks for cooperatives, the Federal land banks, and the Federal intermediate credit banks—make loans for various phases of farm production.

(By James N. Sites)

If farmers were to shift toward growing chemicals instead of food, Uncle Sam could probably wash his hands of one of the Nation's most perplexing public problems—those huge, costly farm surpluses.

Crop overproduction has become an uncontrollable monster. Born of a technological revolution and the inevitable mismanagement of politics, it has brought towering carryover stocks, wasteful disposal programs, rigid controls over farmers, and gaping holes in taxpayers' pockets.

Attempted cures appear as bad as the disease. But one far less painful, more promising way out is now being pried open in

Washington. It lies in chemurgy, the wedding of chemical and agricultural sciences. Here is why the field is getting new top-level attention:

Washington has dealt with our problem of superabundance—which, ironically, is the envy of the world—largely by restraining the farmers' capacity to produce, on one hand, while supporting market prices on the other. But the farmer, with storied resourcefulness, hurdles acreage restrictions and marketing quotas and continues to pile up huge harvests. Despite net Federal outlays of $5 billion annually for farm programs, the imbalance between supply and demand clings like a burr. Official optimism to the contrary, it appears due to get even worse over the coming decade.

This troubled outlook has finally brought a serious search for alternatives, for ways of taking the curse out of surpluses. Instead of trying to clamp a lid on output, a growing number of officials now ask: Why not concentrate on expanding markets and developing new uses for farm products? Why not try uses for farm products? Why not try to solve the farm problem by releasing rather than curtailing the farmer's capacity to produce? By being positive, not negative?

Chemurgy just might hold the answer. The science aims at converting farm goods into all sorts of industrial and common-use items, from paint, rubber, and motor fuel to soaps and medicines. Crops would go to work as raw materials for industry.

The area's promise can even be stated statistically. For example, the farm economy is geared up to turn out about 5 percent more than present markets will take at acceptable prices. Yet domestic food consumption is virtually at a peak, and foreign outlets are strictly limited. This leaves major hope for expending markets up to industry, which now consumes roughly 5 percent of agricultural output.

Double that take, chemurgists contend, and you've licked overproduction, increased farmer income, and lifted a heavy burden from the public. Small wonder advocates of this approach are enthusiastic about its possibilities. Senator HOMER CAPEHART, of Indiana, who now has a bill before Congress calling for greatly expanded research, calls it the one nonpolitical, free-enterprise solution to the farm problem.

Some of this enthusiasm rubbed off onto others in Congress last year and resulted in a section being written into the 1956 farm bill calling for a Commission on Increased Industrial Use of Agricultural Products. Its mission: To study the entire field and to recommend legislation this year to expand this unique outlet. President Eisenhower followed through, appointed five members representing farming, education, and business, and set the commission in motion last summer. Named executive director was an editor noted as the "evangelist" of chemurgic processes—Wheeler McMillen, of Philadelphia, vice president of Farm Journal, Inc.

Over the months the Commission sounded out experts throughout the country and compiled a basic inventory of present conversion processes and of research that could lead to others. It filed a preliminary report with Congress in March, will make its final views known this month. Though almost finished, the Commission has thus left an enduring trail into a fabulous technological wonderland.

"We uncovered no magic formula for sweeping away our present surpluses," explains McMillen, "but we think a number of determined attacks over a broad front can make big gains. We also think we can now point the way toward preventing future accumulations."

Actually, the changes modern science can make in crops would make a medieval alchemist writhe with envy. You can start with a basic crop and come up with hundreds of different products, most with only a remote chemical resemblance to the parent. Corn has some 500 different uses; soybeans perhaps 250.

The secret is to think in terms of whether the plant yields starch, proteins, fats, cellulose—and what types. Agricultural products would get the same scientific approach that has paid off so handsomely in the chemical industry. In making the most of utilization research, farming is simply coming of age, fighting back against competitive inroads of synthetics derived from air, water, coal, oil, and other minerals.

Basic research is the great essential, and is the foremost goal of experimenters in the United States Department of Agriculture working under Research Director Byron T. Shaw. Dr. Shaw points out that the starch or carbohydrate molecule has still to be broken down to its basic elements. Once that is done, it can probably be built up anew into almost any desired form—the same miracles performed with it as the oil industry has achieved with its "benzene ring."

A connecting link might even be found between the carbohydrate and hydrocarbon molecules, making these interchangeable. After all, both coal and oil stem from vegetation. The huge petrochemical industry could thereby have a major counterpart in agrochemicals.

Here are some of the grain-conversion processes scientists cite as most promising:

Paper: Out of 2.2 billion pounds of cornstarch consumed a year, 40 percent goes into paper coatings and adhesives. Researchers figure stronger, stickier starches can be developed to supplant some of the wood pulp in paper mixtures. If just 5 percent more cereal starch (from wheat, corn, sorghum grains) were so used, it would eat up 100 million bushels of grain annually.

Plastics: Only 10 percent of materials going into this fast-expanding product come from farm sources. But new types of starch might turn the tide. Also, acids, alcohols, and glucose derivatives could be used as plasticizers—substances which give plastics flexibility and resistance to the elements. Vegetable and animal oils are already a large source of raw materials.

Fabrics and film: Booming markets for nylon, rayon, and other synthetic textiles and for packaging films like cellophane give cereal grains an opening to emulate the competition. A new field corn with high amylose content yields a starch peculiarly adaptable to conversion into such synthetics. Amylose might also be separated out of ordinary starches.

Building: Insulating board and pressed sections for houses and shipping containers offer a large outlet for grain-based adhesives and bonding agents. Puffed wheat, straw, and stalks could even be used as core stock for furniture and doors—pressed together, of course, with starch derivatives.

Alcohol-rubber: Grain can readily be fermented to produce alcohol for use in many industrial processes, as a motor fuel, or as a base for synthetic rubber. But an even more radical rubbermaking method has been uncovered. Fungus is introduced into a grain batch to form a latexlike substance just like natural rubber. This could open up huge new outlets for surpluses.

Highways. Chemurgy might even cash in on the big highway program by providing suitable additives and modifiers for construction materials. These might include rubber for asphalt, detergents to entrain air in concrete, moistureproof coatings for structures, soil stabilizers, and light-reflective surfaces for black-top roads.

Such a list of practical projects, running across a broad spread of American products, could go on all the way through this magazine. For instance, grains could also be used more as:

Detergents for the huge soap market so far largely cornered by petroleum derivatives.

Binders for coal briquets and taconite ore pellets.

Coagulants for settling wastes out of water, sewage, and industrial wastes.

Special starches for oil-well drilling muds and to flush oil out of underground formations.

Dialdehydes for conversion into tanning agents, plastics, alcohols.

Antioxidants for preventing rust and corrosion in metals, formation of sludge in gasoline, discoloring of fruits.

Acids—such as citric, lactic, and gluconic—and enzymes, antibiotics, herbicides, insecticides.

Other farm products are coming in for transformation, too, though most urgent attention is given grains because of their priority rank as surpluses. Vegetable oils from soybeans, linseed, tung, cottonseed, and peanuts have big present and potential uses in paints and paper, as waterproofing materials, lubricants, and detergents, and as polymers for many different uses. Animal fats are adaptable to many of these same uses and are targeted for particular research since they are now a mounting surplus. Fat-based soaps have been hit hard by oil-based detergents, just as leathers have been hurt by plastics.

Farm spokesmen do not blame other industries for their setback as a raw materials source so much as themselves, however. Agriculture has been outresearched by industry. Moreover, utilization research has been a stepchild even in farm circles. The idea itself is as old as civilization and dates from the discoveries that grapes or grain could be fermented into alcohol or that the addition of straw to mud makes better bricks.

Yet research in using crops has lagged far behind that in producing them. The United States Department of Agriculture, which accounts for roughly a third of all farm research, is putting only $12 million into conversion research this year. And for each dollar so spent on using farm goods, eight go toward improving products and production methods. This helps explain why output is far outpacing consumption.

The extent of the farm revolution wrought by mechanization, fertilizers, new plant strains, high-quality feeds, and the like shows up in these figures: In just the past 25 years crop production per acre has jumped a third. Meat obtained per animal is up a fourth. Output per farmer has exactly doubled. Thus can farmers thwart the best laid plans to curtail their output.

The testament to this fact lies in those painful surplus holdings. The United States Government at the start of this year had $12.4 billion tied up in its price-support operations, only part of which is recoverable. Stocks of corn, wheat, cotton, rice, dairy products, and other favorites were valued at $5.9 billion, while loans on other crops that could ultimately be taken over totaled another $2.3 billion. Enough wheat and cotton were on hand to take care of a full year's domestic needs.

Chemurgic strategists can really mount two attacks on the overproduction problem. Besides the direct assault of converting surpluses into industrial products, a flanking maneuver lies in the equally unusual scheme of searching out new plants with characteristics demanded by industry, and in diverting land now growing basic commodities to these other crops.

Potential benefits from finding and farming new crops are large. Some chemurgists even consider this a more promising avenue than attempts to convert basics. For instance, there are some 300,000 different kinds of plants on earth. Yet only 52 are considered principal crops in the United States, while a mere dozen are cultivated on a really big scale.

The experts feel that in this vast vegetable kingdom can be found chemical compounds for almost any conceivable purpose. One

of the projects the United States Department of Agriculture hopes to undertake, Congress willing, is the study and classification of various species and their breakdown into assorted values. Then, when a demand arises, possibilities can be picked out and put into production.

The soybean, after all, was not long ago only a lowly Chinese food, probably brought to the United States by curious ship captains. Finally, its potentials were discovered for margarine, plastics, paints, glue, fire-fighting foam. Farm officials, citing the widespread cultivation of the plant, shudder to think what even greater surpluses of cereal grains we would have today if farmers had not dropped grain in favor of soybeans.

Cotton surpluses present a tough problem of their own. Synthetics have thrown the southern "king" for a loss not only in clothing but also in tires and other products. Basically cellulose, the natural fiber might find some use in papermaking but specialists feel the best solution lies in making cotton more competitive, in lowering its costs, and giving its textiles more desirable properties. Processes are therefore being developed to make fabrics waterproof, weatherproof, wrinkleproof.

New machinery is also lowering production costs, while nonwoven and pressed textiles bypass yarnmaking and weaving expense completely. If the price of either raw cotton or its processing can be chopped sharply enough, it is felt, cotton could regain its share of markets and surpluses would vanish.

This is the point where production and utilization research meet. Industry obviously uses those materials it can get at the least cost. Farm products, in general, have involved more expense than other resources, have thus been slighted. But if the farmer's operating costs can be held down at the same time chemurgy paves the way toward economical conversion processes, a different story may be told in the future. Materials from other sources also appear to be in for stiff price hikes over the long run as supplies decrease.

Farm resources may, in fact, hold the ultimate answer to the grave problem of our dwindling mineral reserves. The world is chewing up its metals and minerals at an alarming, accelerating pace. This has led to deadly political conflict over coveted supplies, expensive exploitation of low-grade deposits, and frantic search for new sources.

Yet there is paradox in this approach. McMillen states this bluntly in these terms:

"It is one of the great mysteries of life that men will wear their feet off up to the angles searching the world for new minerals and new deposits—which, once consumed, are gone forever. At the same time, they ignore the vegetable world where there are possibly unlimited sources of new wealth which can be reproduced abundantly each year. This fabulous world, sustained by sound soil and water management, could provide the raw materials for our millions for all the years to come."

So even if farmers fail to carry their products to industry, businessmen sooner or later will of necessity come to the farmer. We have been scouring the world for the basic elements of production. And all the time the supplies we seek have been lying in our own backyard.

Mr. CAPEHART. Mr. President, the information which I gave to the Senate in the 84th session and which I have placed in the RECORD in this session of the Congress plus the excellent report of the Commission proves conclusively that this program of research and development to discover new industrial uses for farm products is the answer to the farm problem.

It simply has to be the answer.

As I have said before, we should be spending as much Government funds to discover new industrial uses—new markets, if you please—as we have been spending for many years to find ways to increase our agricultural production. If we do that, the time will not be far off when a farmer, instead of accepting Government payments to till less of his land—and instead of the accumulation of billions of dollars in surpluses costing the Government a million dollars a day for storage—we will come into an era in which a farmer can till every acre of his land, produce everything of which he and his land are capable and be assured of a ready market demand for it at profitable prices.

Mr. President, in my opinion, the solution of the farm problem by this means is entirely up to the Congress. We should not wait another minute. We should get busy on it now.

We are at the moment as a Nation enjoying the greatest national income, the greatest national product and the greatest employment in our history. Industry, based upon the McGraw-Hill report, obviously foresees and is planning for an even further expansion. Industry sees research and development as the key factor to such an expansion.

Industry can finance its vast research program. The 6 million farms of America, as I have said before, do not have the facilities to conduct the research and development program required to solve their problems.

It is up to the Congress to do so and the time to do the job is now.

Mr. President, I hope the chairman of the Committee on Agriculture and Forestry will hold hearings on the bill I have introduced, and also on another bill, introduced by the Senator from Nebraska [Mr. CURTIS].

The headline of the advertisement I hold in my hand is: "Multibillion Dollar Research Spending Key to United States Industrial Growth."

The only reason why business continues to go up, up, and up is that it conducts research. It finds new markets and new uses for products; it finds new things to manufacture; it develops new materials.

But the poor farmers—6 million of them—have no one to do research for them. They have nobody to find new uses for their products; they have no one to develop new products; they have no one to find new markets for their products.

But Congress and the administration, with some $8 billion or $9 billion invested in surplus commodities, sit around and do hardly anything. We spend a million dollars a day to store the surpluses. We passed a bill the other day providing $4 billion for agriculture.

The PRESIDING OFFICER. The Chair is compelled to remind the Senator from Indiana that his time has expired.

Mr. CAPEHART. May I have half a minute more?

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Indiana may proceed for 30 seconds.

Mr. CAPEHART. We in Congress have done practically nothing to assist the farmers in the field of research. In the bill for agricultural appropriations, we provided $4 billion for the farm program, but only something like $14 million for so-called research.

I say, let us get busy on the matter. Let us solve the farm problem, and solve it on a permanent basis.

CONVEYANCE OF CERTAIN REAL PROPERTY IN WEST PALM BEACH, FLA.

The Senate resumed the consideration of the bill (H. R. 4945) to provide for the conveyance of certain real property in West Palm Beach, Fla., to the Port of Palm Beach District

Mr. MORSE. Mr. President, reserving the right to object—and I shall not object, because the pending bill does not, in fact, violate the Morse program—I think there should be in the RECORD a statement showing how this bill which does not violate the Morse formula is distinguished from bills which do violate it.

H. R. 4945, if enacted, would authorize the Administrator of General Services to convey to the board of the West Palm Beach District certain real property, including a customhouse and immigration station, together with certain easement rights.

According to the committee report, the Corps of Engineers acquired title to fifty-two one-hundredths acre of land by donation from the Port of West Palm Beach District. In 1950 the Corps of Engineers considered the property to be in excess of its needs.

The Immigration Service was interested in acquiring property in the area for an immigration station and customhouse, however, it was not found suitable. The Immigration Service entered an arrangement whereby the original fifty-two one-hundredths acre was returned to the port of West Palm Beach in exchange for eighty-six one hundredths acre of unimproved property which was more suitable. This exchange took place in 1950 without any cash consideration. The plans of the Immigration Service did not materialize, and in 1956 the property was declared in excess of its needs, as well as the needs of other Federal agencies.

The appraised fair market value is $18,750.

Because the property was given to the Federal Government without consideration by the Palm Beach District for the purpose of a customhouse and immigration station, and plans did not materialize, this bill would not violate the so-called Morse formula, and, therefore, I think it should be passed.

Mr. HOLLAND. Mr. President, I appreciate the fact that the distinguished Senator from Oregon has stated fully and clearly the purpose of the bill and its justification. The facts are exactly as have been stated by him. I hope the bill will be passed.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question

is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

INCREASE OF PERMISSIVE LIMIT FOR ISSUING SECURITIES

The bill (S. 2299) to amend section 3 (b) of the Securities Act of 1933 was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsection (b) of section 3 of the Securities Act of 1933, as amended, is hereby amended by striking out "$300,000" and inserting in lieu thereof "$500,000."

AMENDMENT OF NORTH PACIFIC FISHERIES ACT OF 1954

The bill (S. 2212) to amend the North Pacific Fisheries Act of 1954 was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the North Pacific Fisheries Act of 1954 (68 Stat. 698) is amended as follows:

In section 12 strike out the words "contiguous to the territorial waters of Alaska" and substitute therefor the words "north of the parallel of north latitude of 48 degrees and 30 minutes: *And provided further*, That no such regulations shall apply in the convention area south of the 49th parallel of north latitude with respect to sockeye salmon (Oncorhynchus nerka) or pink salmon (Oncorhynchus gorbuscha)."

DEVELOPMENT AND MODERNIZATION OF THE NATIONAL SYSTEM OF NAVIGATION AND TRAFFIC CONTROL—BILL PASSED OVER

The bill (S. 1856) to provide for the development and modernization of the national sytem of navigation and traffic-control facilities, to serve present and future needs of civil and military aviation, and for other purposes, was announced as next in order.

Mr. TALMADGE. Over.

Mr. MAGNUSON. Mr. President, may I ask whether there was a request that Calendar No. 448, S. 1856, be passed over?

Mr. TALMADGE. The calendar committee did not consider the bill to be calendar business. We thought it would be in order to have the bill taken up on motion immediately after the conclusion of the call of the calendar.

Mr. MAGNUSON. I thank the Senator from Georgia.

The PRESIDING OFFICER. The bill will be passed over.

TERMS OF OFFICE OF MEMBERS OF THE CIVIL AERONAUTICS BOARD

The Senate proceeded to consider the bill (S. 1718) to amend section 201 (a) of the Civil Aeronautics Act of 1938, as amended, relative to the terms of office of members of the Civil Aeronautics Board which had been reported from the Committee on Interstate and Foreign Commerce with amendments on page 1, line 8, after the word "after", to strike out "May 1, 1957," and insert "the effective date of the enactment of this sentence,", and in line 9, after the numerals "31", to strike out "instead of" and insert "following", so as to make the bill read:

Be it enacted, etc., That section 201 (a) of the Civil Aeronautics Act of 1938, as amended (52 Stat. 980; 49 U. S. C. 421), is amended by inserting after the third sentence thereof the following new sentences: "Notwithstanding the foregoing provisions of this section, the term of office of each member of the Board appointed after the effective date of the enactment of this sentence, shall expire on March 31 following December 31 of the year in which his appointment would otherwise expire. Hereafter each member of the Board shall hold office until his successor is appointed and qualified, but in no event for a period of more than 120 days after the expiration of his term of office."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SISTER CLEMENTINE (ILONA MOLNAR)

The bill (S. 651) for the relief of Sister Clementine (Ilona Molnar) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Sister Clementine (Ilona Molnar) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

STAVROS MANOUSOS

The Senate proceeded to consider the bill (S. 850) for the relief of Stavros Manousos, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee", to strike out "Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Stavros Manousos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FOTINA (THERESA) WARDINI

The bill (S. 960) for the relief of Fotina (Theresa) Wardini was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Fotina (Theresa) Wardini, shall be held and considered to be the natural-born alien child of Joseph and Mary Antoun Tabit, citizens of the United States.

ADOLFO CAMILLO SCOPONE

The bill (S. 1102) for the relief of Adolfo Camillo Scopone was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Adolfo Camillo Scopone shall be held and considered to be the minor natural-born alien child of Mr. and Mrs. Luigi Scoponi, citizens of the United States.

JAN SZPYTMAN

The Senate proceeded to consider the bill (S. 140) for the relief of Jan Szpytman, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 3, after the word "act", to insert a colon and "*And provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Jan Szpytman may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of said act: *And provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CALOGERO MANISCALCO

The Senate proceeded to consider the bill (S. 957) for the relief of Calogero Maniscalco, which had been reported from the Committee on the Judiciary with amendments on page 1, line 7, after the word "act", to insert a colon and "*Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act."; after line 10, to strike out:

SEC. 2. The exemption provided for in this act shall apply only to the grounds of exclusion of which the Department of State and/or the Department of Justice had knowledge prior to the enactment of this act.

So as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Calogero

Maniscalco may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MATILDA HAJOS

The Senate proceeded to consider the bill (S. 1048) for the relief of Matilda Hajos, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 3, after the word "Act", to insert a colon and "*And provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Matilda Hajos may be granted a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *And provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KATINA APOSTOLOU

The Senate proceeded to consider the bill (S. 1082) for the relief of Katina Apostolou, which had been reported from the Committee on the Judiciary with an amendment in line 7, after the word "United", to strike out "State" and insert "States", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Katina Apostolou, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Lionel C. Saint, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FLORINDA MELLONE GARCIA

The Senate proceeded to consider the bill (S. 1251) for the relief of Florinda Mellone Garcia, which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That notwithstanding the provisions of paragraph (12) of section 212 (a) of the Immigration and Nationality Act, Florinda Mellone Garcia may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MYUNG OK SHIN

The Senate proceeded to consider the bill (S. 1253) for the relief of Myung Ok Shin, which had been reported from the Committee on the Judiciary with an amendment in line 6, after the word "natural-born", to insert "alien", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Myung Ok Shin, shall be held and considered to be the natural-born alien child of William and June Boyland, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

VUOKKO A. BINGHAM

The Senate proceeded to consider the bill (S. 875) for the relief of Vuokko A. Bingham, which had been reported from the Committee on the Judiciary with amendments on page 1, line 5, after the word "be", to insert "issued a visa and be", and in line 10, after the word "Justice", to strike out "have" and insert "has", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Vuokko A. Bingham may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The bill (S. 1310) for the relief of certain aliens was announced as next in order.

Mr. PURTELL. Mr. President, reserving the right to object, the calendar committee finds that administrative relief is available. While the committee is in complete sympathy with the objectives of the bill, we feel they can be met through administrative relief. I wish to read into the RECORD at this time a letter from the State Department to the Senator from New Mexico [Mr. CHAVEZ] dated June 25, 1957, as follows:

DEPARTMENT OF STATE,
Washington, June 25, 1957.

The Honorable DENNIS CHAVEZ,
United States Senate,
Washington, D. C.

DEAR SENATOR CHAVEZ: I refer to your personal interest in the desire of 10 nuns to emigrate from Spain to Puerto Rico.

An airmail communication has been sent to our Embassy at Madrid today advising the consular officer handling these cases that Spanish first preference quota numbers will be made available during the first quarter of the new fiscal year (July-September) to qualified applicants with petition filing dates prior to January 1, 1957. The cases of the nuns in whom you are interested come within this date. The Embassy was requested to proceed to have the relevant petitions revalidated in order that there would be no delay in the issuance of visas to these nuns when first preference Spanish quota numbers are made available.

The Embassy has been requested to keep the Department informed of all developments in these cases. Upon the receipt of any information from the Embassy regarding these cases, I shall let you know.

Sincerely yours,

ROLLAND WELCH,
Director, Visa Office.

Mr. President, in the light of that letter, and in the light of the knowledge that administrative relief is available, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED OVER

The bill (H. R. 6191) to amend title II of the Social Security Act, as amended, to extend the period during which an application for a disability determination is granted full retroactivity, and for other purposes, was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

COLLECTION AND PUBLICATION OF PEANUT STATISTICS

The bill (S. 609) to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes, was announced as next in order.

Mr. TALMADGE. Mr. President, I should like to explain the bill.

It would amend the law relating to the collection of peanut statistics, by repealing a requirement for reports from owners or operators of peanut picking or threshing machines. At the time when this requirement was adopted, picking and threshing machines were widely used in all peanut-producing areas, and were generally owned by individual operators or firms who picked and threshed for a large number of farmers. Today, however, the custom use of these machines is being rapidly displaced by individually owned combines with picker attachments. The reports from pickers and

threshers are, consequently, now practically useless as a basis for estimating total quantities of peanuts picked and threshed; and collection of data from this source would require expenditures out of all proportion to their real value. Estimates of production of all peanuts picked and threshed, published by the Crop Reporting Board, are based on other survey data, and far exceed the total quantities reported by operators of picking and threshing machines.

The enactment of this measure would not affect the present cost of carrying out the purposes of this act, whereas the full and effective enforcement of the picker and thresher provisions would require additional funds.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 609) to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the last sentence of section 1 of the act of June 24, 1936 (chap. 745, 49 Stat. 1898; 7 U. S. C. 951), is amended to read as follows: "All reports shall be submitted monthly in each year except as otherwise prescribed by the Secretary."

SEC. 2. Section 2 of said act, as amended (49 Stat. 1899; 52 Stat. 349; 7 U. S. C. 952), is repealed.

SEC. 3. Section 3 of said act as amended (49 Stat. 1899; 52 Stat. 349; 7 U. S. C. 953), is renumbered section 2 and is amended to read as follows:

"It shall be the duty of each warehouseman, broker, cleaner, sheller, dealer, growers' cooperative association, crusher, salter, manufacturer of peanut products, and owner other than the original producer of peanuts to furnish reports, complete and correct to the best of his knowledge, on the quantity of peanuts and peanut oil received, processed, shipped, and owned by him or in his possession. Such reports, when and as requested by the Secretary, shall be furnished within the time prescribed and in accordance with forms provided by him for the purpose. Any person required by this act, or the regulations promulgated thereunder, to furnish reports or information, and any officer, agent, or employee thereof who shall refuse to give such reports or information or shall willfully give answers that are false and misleading, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than $300 nor more than $1,000, or imprisoned not more than one year, or be subject to both such fine and imprisonment."

SEC. 4. Sections 4, 5, 6, and 7 of said act (49 Stat. 1899; 7 U. S. C. 954–7) are renumbered sections 3, 4, 5, and 6, respectively.

MARKETING QUOTAS AND PRICE SUPPORTS FOR CERTAIN TOBACCOS

The bill (H. R. 7259) relating to marketing quotas and price supports for fire-cured, dark air-cured, and Virginia sun-cured tobacco was announced as next in order.

Mr. PURTELL. Mr. President, reserving the right to object—although I shall not object—may we have an explanation?

Mr. TALMADGE. Mr. President, this bill would make two changes in the marketing quota and price-support law for tobacco.

First, it would make Virginia fire-cured tobacco, type 21, a separate kind of tobacco for marketing quota purposes, but would continue to include it in the same marketing quota referendum with types 22 and 23. The law at present makes types 21, 22, 23, and 24 a single kind of tobacco; but type 24 is no longer produced. Marketing quotas for the 1958 and subsequent crops of Virginia fire-cured tobacco, type 21, would, under the bill, be determined and proclaimed on the basis of its own supply and demand situation; but growers would approve or disapprove the marketing quotas for all fire-cured tobacco as a "kind" of tobacco in a combined referendum. Two-thirds of all growers of fire-cured tobacco voting in a referendum must favor marketing quotas before acreage allotments and price supports on any fire-cured tobacco would be effective.

Second, the bill would limit price support as prescribed for fire-cured, dark air-cured, and Virginia sun-cured tobacco by the act of July 28, 1945, to an amount not in excess of the higher of first, the 1957 level; or, second, 90 percent of parity. Price support for these tobaccos are now fixed at a percentage of the burley loan rate; and the bill would eliminate any further increase in their support levels arising out of increases in the 10-year moving average price of burley tobacco, until such time as 90 percent of the parity price for the particular tobacco exceeds its 1957 support level.

Enactment of this bill would require no additional expenditure; and could, by reason of holding down support prices, result in some saving to the Government.

In addition to explaining what the bill does, I should like to make clear the purpose of the bill. In providing a separate quota for Virginia fire-cured tobacco, its purpose is to prevent the Virginia allotments from being cut excessively because of rising yields and rising supplies of other fire-cured types of tobacco. In placing a ceiling on the price-support level for the types of tobaccos covered by section 2 of the bill, the purpose is to prevent these types of tobaccos from being priced out of the market. When the price of burley tobacco was fixed on the basis of the old parity formula, the relationships prescribed by the act of July 28, 1945, between the support price for burley and the support price for these other types of tobacco were appropriate. However, since tobacco parity prices are now computed on the modernized parity formula, the moving 10-year average price for burley has resulted in increasing the support price for burley tobacco, and this is resulting in increased support prices for the other types of tobacco which do not truly reflect their demand situations.

Mr. PURTELL. I thank the Senator from Georgia.

Mr. COOPER. Mr. President, I join the Senator from Georgia in supporting the bill. It has been carefully drawn to help maintain a sound program for the dark leaf tobaccos, which are grown in Kentucky, Tennessee, and Virginia. It provides for a modification of the existing marketing quota and price support provisions for these tobaccos, which would take into account changing conditions and present needs. H. R. 7259 would change existing law in two respects: First, it would treat Virginia fire-cured tobacco, type 21, as a separate kind of tobacco for marketing-quota purposes, while maintaining as at present a joint referendum for the Virginia and the Kentucky-Tennessee fire-cured tobaccos, types 21, 22, and 23. Second, it would limit price-support levels for fire-cured, dark air-cured, and Virginia sun-cured tobacco to an amount not in excess of the 1957 level or 90 percent of parity, whichever is higher.

Again, as the Senator from Georgia has said, the bill presents an alternative in the case of the price of these tobaccos, which is tied primarily to the support price of burley tobacco.

This bill represents agreement reached by all the parties who are interested in these types of tobacco. It has the approval of the Department of Agriculture, was passed unanimously by the House, and was reported unanimously from the Senate Committee on Agriculture.

I have kept in close touch with Kentucky dark leaf tobacco growers and their associations, with the Kentucky Farm Bureau Federation, with dark tobacco dealers and manufacturers, and with other interested Members of Congress concerning this proposed legislation. I know of no objection raised from any source to this bill. On the contrary, there is general agreement that it is appropriate and timely proposed legislation in the interest of the growers of dark tobacco and the future of the tobacco program.

This is a good bill, and I hope the Senate will pass it.

Mr. President, a few minutes ago the Senator from North Carolina [Mr. SCOTT] came to me and said he was called away because of the death of former Governor Cherry, of North Carolina; and the Senator from North Carolina said he wished it to be noted that this bill has his firm support.

Mr. PURTELL. Mr. President, I desire to thank the distinguished Senator from Kentucky and also the distinguished Senator from Georgia for the explanations they have given.

We have no objection to the passage of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 7259) relating to marketing quotas and price supports for fire-cured, dark air-cured, and Virginia sun-cured tobacco was considered, ordered to a third reading, read the third time, and passed.

WEIGHT OF EVIDENCE TO BE GIVEN OF TESTS OF ALCOHOL IN THE BLOOD

The Senate proceeded to consider the bill (S. 969) to prescribe the weight to be given to evidence of tests of alcohol

in the blood or urine of persons tried in the District of Columbia for operating vehicles while under the influence of intoxicating liquor, which had been reported from the Committee on the District of Columbia, with amendments, on page 1, line 3, after the word "That", to strike out "if", and insert "(a) if"; on page 2, line 1, after the word "in", to strike out "evidence" and insert "evidence, based upon a chemical test"; at the beginning of line 3, to strike out "(a)" and insert "(1)"; at the beginning of line 10, to strike out "(b)" and insert "(2)"; in line 19, after the word "liquor", to strike out "and" and insert "or"; at the beginning of line 20, to strike out "(c)" and insert "(3)", and on page 3, after line 2, to strike out:

SEC. 2. (a) Chemical tests: Any person who operates a motor vehicle in the District of Columbia shall be deemed to have given his consent to a chemical test of his blood or urine for the purpose of determining the alcoholic content of his blood or urine: *Provided*, That such test is administered at the direction of a police officer, having reasonable grounds to believe such person to have been driving in an intoxicated condition and in accordance with the rules and regulations established by the Commissioners of the District of Columbia or their designated agent. If such person having been placed under arrest and having thereafter been requested to submit to such chemical test refuses to submit to such chemical test the test shall not be given but the Commissioners or their designated agent shall revoke his license or permit to drive and any nonresident operating privilege: *Provided, however*, That the Commissioners or their designated agent shall grant such person an opportunity to be heard but a license, permit, or nonresident operating privilege may, upon the basis of a sworn report of the police officer that he had reasonable grounds to believe such arrested person to have been driving in an intoxicated condition and that said person had refused to submit to such test, be temporarily suspended without notice pending the determination upon any such hearing, which shall be held within 10 days from date of suspension unless an extension of time be requested by such person. If, as a result of such hearing, it be determined such person did not refuse to submit to such a test, his license or permit and any nonresident operating privilege shall forthwith be restored. The provisions of section 13 of the District of Columbia Traffic Act, 1925, as amended (sec. 40–302, D. C. Code), shall be applicable to revocations under this section.

So as to make the bill read:

Be it enacted, etc., That (a) if as a result of the operation of a vehicle, any person is tried in any court of competent jurisdiction within the District of Columbia for operating such vehicle while under the influence of any intoxicating liquor in violation of section 10 (b) of the District of Columbia Traffic Act, 1925, approved March 3, 1925, as amended (D. C. Code, title 40, sec. 609), and in the course of such trial there is received in evidence, based upon a chemical test, competent proof to the effect that at the time of such operation—

(1) defendant's blood contained five one-hundredths of 1 percent or less, by weight, of alcohol, or that defendant's urine contained eight one-hundredths of 1 percent or less, by weight, of alcohol, such proof shall be deemed prima facie proof that defendant at such time was not under the influence of any intoxicating liquor;

(2) defendant's blood contained more than five one-hundredths of 1 percent, but less than fifteen one-hundredths of 1 percent, by weight, of alcohol, or defendant's urine contained more than eight one-hundredths of 1 percent, but less than twenty one-hundredths of 1 percent, by weight, of alcohol, such proof shall constitute relevant evidence, but shall not constitute prima facie proof that defendant was or was not at such time under the influence of any intoxicating liquor; or

(3) defendant's blood contained fifteen one-hundredths of 1 percent or more, by weight of alcohol, or defendant's urine contained twenty one-hundredths of 1 percent or more, by weight, of alcohol, such proof shall constitute prima facie proof that defendant at such time was under the influence of intoxicating liquor.

(b) Upon the request of the person who was tested, the results of such test shall be made available to him.

(c) Only a physician acting at the request of a police officer can withdraw blood for the purpose of determining the alcoholic content therein. This limitation shall not apply to the taking of a urine specimen.

(d) The person tested shall be permitted to have a physician of his own choosing administer a chemical test in addition to the one administered at the direction of the police officer.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DISCLOSURE OF CHARACTER OF CHARITABLE SOLICITATIONS IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H. R. 3400) to provide full and fair disclosure of the character of charitable, benevolent, patriotic, or other solicitations in the District of Columbia, and for other purposes, which had been reported from the Committee on the District of Columbia, with amendments, on page 4, line 1, after the word "the", to insert "financial"; after line 15, to strike out:

(7) to require by regulation that any individual who, as a registrant or as agent or employee of a registrant, desires to solicit shall obtain a solicitor information card, which card shall contain such information and be produced and authenticated in such manner as may be prescribed by regulation; and.

And, in lieu thereof, to insert:

(7) to prescribe by regulation the form of and the information to be contained in the solicitor information cards required by this act, and to prescribe the manner of reproduction and authentication of such cards; and.

On page 5, line 5, after the word "act", to insert "The Commissioners shall, in publishing the results of any such investigation, have power to publish information concerning the officers and members of the governing board of any organization coming within the purview of this act: *Provided*, That such information shall not include membership and contribution lists of any such organization."; on page 6, after line 3, to strike out:

(b) The provisions of subsection (a) of this section and of sections 6 and 7 shall not apply to any person making solicitations (1) solely for religious purposes or (2) exclusively among the membership of the soliciting agency.

After line 7, to strike out:

(c) Whenever any solicitation has been made or is being made or is to be made for religious purposes, but in such manner as, in the opinion of the Commissioners, is intended to give or may give the impression to persons solicited or to the public that the purpose of such solicitation is, in whole or in part, charitable, then the Commissioners, if in their opinion the public interest will be served thereby, shall investigate such solicitation and give publicity to the findings resulting from such investigation in such manner as they may deem to be in the public interest.

After line 17, to insert:

(b) The provisions of this act shall not apply to any person making solicitations, including solicitations for educational purposes, solely for a church or a religious corporation or a corporation or an unincorporated association under the supervision and control of any such church or religious corporation: *Provided*, That such church, religious corporation, corporation or unincorporated association is an organization which has been granted exemption from taxation under the provisions of section 501 of the Internal Revenue Code of 1954: *Provided further*, That such exemption from the provisions of this act shall be in effect only so long as such church, religious corporation, corporation or unincorporated association shall be exempt from taxation under the provisions of section 501 of the Internal Revenue Code of 1954.

On page 7, after line 7, to insert:

(c) The provisions of subsection (a) of this section and sections 5, 6, 7, and 9 shall not apply to any person making solicitations (1) solely for the American National Red Cross or (2) exclusively among the membership of the soliciting agency.

After line 12, to insert:

(d) The Commissioners may by regulation prescribe the terms and conditions under which solicitations in addition to those enumerated in subsection (b) of this section may be exempted from the provisions of subsection (a) of this section and sections 6 and 7: *Provided*, That no exemption granted under authority of this subsection (d) shall exceed for any calendar year $1,500 in money or property.

On page 8, line 2, after the word "the", to strike out "Commission" and insert "Commissioners"; on page 11, after line 2, to insert:

SEC. 12. (a) No person who is required to obtain a certificate of registration under this act shall, for the purpose of soliciting contributions, use the name of any other person, except that of an officer, director, or trustee of the organization for which contributions are solicited, without the written consent of such other person.

After line 8, to insert:

(b) A person shall be deemed to have used the name of another person for the purpose of soliciting contributions if such latter person's name is listed on any stationery, advertisement, brochure, or correspondence in or by which a contribution is solicited by or on behalf of a charitable organization or his name is listed or referred to in connection with a request for a contribution as one who has contributed to, sponsored, or endorsed the charitable organization or its activities.

After line 17, to insert:

(c) Nothing contained in this section shall prevent the publication of names of contributors without their written consents, in an annual or other periodic report issued

by a charitable organization for the purpose of reporting on its operations and affairs to its membership or for the purpose of reporting contributions to contributors.

In line 24, after "Sec.", to strike out "12" and insert "13. (a)"; on page 12, after line 5, to insert:

(b) Prosecutions for violations of this act, or the regulations made pursuant thereto, shall be conducted in the name of the District of Columbia by the Corporation Counsel or any of his assistants.

After line 9, to insert:

(c) The Corporation Counsel of the District of Columbia or any of his assistants is hereby empowered to maintain an action or actions in the United States District Court for the District of Columbia in the name of the District of Columbia to enjoin any person from soliciting in violation of this act or in violation of any regulation made pursuant to this act.

After line 16, to insert:

SEC. 14. Where any provision of this act refers to an office or agency abolished by Reorganization Plan No. 5 of 1952 (66 Stat. 924), such reference shall be deemed to be the office, agency, or officer now or hereafter exercising the functions of the office or agency so abolished. Nothing contained in this act shall be construed as a limitation on the authority vested in the Commissioners by Reorganization Plan No. 5 of 1952.

At the beginning of line 25, to change the section number from "13" to "15"; on page 13, at the beginning of line 5, to change the section number from "14" to "16"; at the beginning of line 7, to change the section number from "15" to "17", and in the same line, after the word "and", to strike out "14" and insert "16."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ENFORCEMENT OF DUTIES OF SUPPORT IN THE DISTRICT OF COLUMBIA

The bill (S. 2032) to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia was announced as next in order.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 7249) to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia, which was read twice by its title.

The PRESIDING OFFICER. House bill 7249 is identical with Senate bill 2032. Is there objection to the present consideration of the House bill?

There being no objection, the Senate proceeded to the consideration of the bill (H. R. 7249) to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 7249) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2032 is indefinitely postponed.

STOCKPILE OF EXTRA LONG STAPLE COTTON—BILL PASSED OVER

The joint resolution (H. J. Res. 172) relating to the stockpile of extra long staple cotton under the Strategic and Critical Materials Stockpiling Act, was announced as next in order.

Mr. PURTELL. Mr. President, in the opinion of the calendar committee, this is not proper consent calendar business, and I ask that the bill go over.

Mr. MANSFIELD. Mr. President, will the Senator withhold his objection?

Mr. PURTELL. I withhold my objection.

Mr. MANSFIELD. Is it the contention of the Senator from Connecticut that the joint resolution ought to be called up later, and not discussed on a call of the calendar?

Mr. PURTELL. I have no objection to its being called up, and will not object to doing so, but there is about $10 million involved, and I do not feel it is proper calendar business.

The PRESIDING OFFICER. The bill will be passed over.

BILLS PASSED OVER

The bill (H. R. 4602) to encourage new residential construction for veterans' housing in rural areas by raising the maximum amount in which direct loans may be made, and for other purposes, was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1459) to amend section 208 (c) of the Interstate Commerce Act, as amended, was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

LEASE OF UNASSIGNED LANDS ON THE COLORADO RIVER INDIAN RESERVATION

The bill (S. 2161) to amend the act of August 14, 1955 (69 Stat. 725), was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of August 14, 1955 (69 Stat. 725), is amended by deleting the words "2 years" wherever they appear and by inserting in lieu thereof "4 years."

Mr. GOLDWATER. Mr. President, I ask unanimous consent that a statement I have prepared in connection with the passage of S. 2161 be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GOLDWATER CONCERNING PRESENT AND PROPOSED CONSTRUCTION ON THE COLORADO RIVER INDIAN IRRIGATION PROJECT

The Colorado River Indian irrigation project is located about 100 miles north of Yuma on the Arizona side of the Colorado River. The average project elevation is 325 mean sea level. The climate is arid, averaging only 5 inches of precipitation a year. Temperatures range from 122° maximum to 16° minimum. The ultimate project area consists of approximately 100,000 acres of fertile river bottom lands which are extremely productive when provided with an adequate water supply.

The project was authorized by the act of March 2, 1867 (14 Stat. 514), by an appropriation of $50,000, a portion of which was for the purpose of constructing a canal to irrigate the reservation. Work was started in 1867 on the construction of a canal and a headgate near the present Indian agency. In 1871 the canal was extended some 2 miles up the river to a heading at the site of the present diversion dam. Floods in the Colorado River made it difficult to maintain the canal although it was used from time to time until 1898 when a steam-driven centrifugal pump was installed near the head of the irrigable area and the upper portion of the canal and headworks were abandoned. The original pumping plant was renewed and enlarged in 1929 to provide capacity to irrigate some 6,000 acres.

The pumping plant was considered as a temporary measure pending development of additional land on the reservation. The construction of Headgate Rock diversion dam across the Colorado River was authorized by section 2 of the River and Harbor Act of August 30, 1935 (49 Stat. 1039). The dam, a reinforced concrete structure, appurtenant works and a section of the main canal were completed under contract in 1942 at an estimated cost of approximately $4,580,000. The main canal and distribution system was designed and is being constructed with sufficient capacity to irrigate 100,000 acres each year with a diversion duty of 6 acre-feet per acre.

With the completion of Headgate Rock diversion dam and the first section of main canal, it was possible to discontinue operation of the pumping plant in favor of a gravity system. The main canal and several of the laterals were immediately extended to the south to provide service to the Poston war relocation camps located some 15 miles south of the Indian agency.

In 1946 a large scale program of land preparation was initiated on the project in connection with the program to relocate other Indians of the Colorado River Basin on irrigated reservation farms. Since that time approximately 24,000 acres of new lands have been cleared and subjugated and irrigation facilities have been extended to serve the area. The present project works include the Diversion Dam; 19½ miles of main canal with 13 reinforced concrete structures; 287 miles of laterals including 2,770 concrete control structures; 124 miles of drains; 7 miles of levees; and 5 wells and electric-pumping plants used for both drainage and irrigation. An area of 37,000 acres is now provided with irrigation facilities.

The purchase and sale of power was authorized by the act of June 18, 1940 (54 Stat. 422), the Indian reservation having been given a preferential right to the purchase of power from the generating plant of the Bureau of Reclamation at Parker Dam. All power is purchased from the Parker Dam plant and none is generated on the Colorado River project. The system consists of 70 miles of 34.5 kilovolt transmission line and distribution systems to serve some 425 customers on both the Arizona and California sides of the river on and in the vicinity of the Indian reservation.

Total construction costs as of May 31, 1957, for the irrigation and power facilities are $18,114,000.

In order to subjugate the lands and complete the balance of 65,000 acres of the project, a large amount of construction work remains to be done. This work is estimated

to cost a total of $26,489,460 at 1956 price levels.

The details are as follows:

Diversion dam alteration	$4,960
Main canal lining	660,000
Lateral system—230 miles	5,525,000
Drainage	1,619,000
Bridges, farm access	404,000
Flood control	180,500
Road grading and bridges	2,506,000
Land subjugation	12,890,000
Farm ditches	2,700,000
Total	26,489,460

The project area, when fully developed, will provide farms for some 1,250 Indian families. The development of such an area for irrigated farming will accelerate the growth of Parker, Valley Center, and other towns in the area which should provide employment opportunities for both Indians and non-Indians.

REPEAL OF SECTION 1157 OF TITLE 18 OF THE UNITED STATES CODE, AS AMENDED

The bill (H. R. 3836) to repeal section 1157 of title 18 of the United States Code, as amended, was considered, ordered to a third reading, read the third time, and passed.

EDUCATIONAL LEAVE OF EMPLOYEES OF THE BUREAU OF INDIAN AFFAIRS

The bill (H. R. 3837) to amend the act of August 24, 1912, as amended, with reference to educational leave of employees of the Bureau of Indian Affairs was considered, ordered to a third reading, read the third time, and passed.

RECOUPMENT OF FUNDS EXPENDED IN COOPERATION WITH THE SCHOOL BOARD OF KLAMATH COUNTY, OREG.

The bill (S. 1894) to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives, which is an identical bill.

The bill (H. R. 7050) to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes; was read twice by its title.

Mr. NEUBERGER. Mr. President, S. 1894 and H. R. 7050, which has been passed by the House, are identical bills. The purpose of the proposed legislation is to amend the Klamath Termination Act of the 83d Congress with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian schoolchildren.

Under section 24 of the Klamath Termination Act, the obligation of Klamath County would have been repealed following the final termination date. However, the Governor of Oregon has elected for the State to come under section 10 of Public Law 874, 81st Congress, beginning July 1, 1957. Therefore, unless the recoupment obligation is repealed, the county will continue to be subject to the recoupment provisions, but will not be eligible for Johnson-O'Malley contract funds with which to make payments.

The enactment of this legislation will place Klamath County in the same position as other school district whose obligations have been canceled under statutes enacted in the 84th and prior Congresses. The bill is fair and justified, and I ask that the bill be considered.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H. R. 7050) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1894 is indefinitely postponed.

TRANSFER OF COYOTE VALLEY INDIAN RANCHERIA

The bill (H. R. 6692) to authorize the transfer of the Coyote Valley Indian Rancheria to the Secretary of the Army, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

ESTABLISHMENT OF NATIONAL OUTDOOR RECREATION RESOURCES REVIEW COMMISSION

The bill (S. 846) for the establishment of a National Outdoor Recreation Resources Review Commission to study the public lands and other land and water areas of the United States, and for other purposes, was announced as next in order.

Mr. PURTELL. Over, by request.

Mr. ANDERSON. Mr. President, I wonder if my friend from Connecticut will withhold his objection.

Mr. PURTELL. I am very happy to do so.

Mr. ANDERSON. I recognize that it is entirely proper to object to a bill of this nature on the call of the calendar, but I wish to make a brief statement.

Nearly all the wildlife and conservation organizations with which I am acquainted have been working steadily on this matter for some years. The chairman of the Interior and Insular Affairs Committee, the Senator from Montana [Mr. MURRAY], the Senator from Colorado [Mr. CARROLL], the Senator from Oregon [Mr. NEUBERGER], and I, from the Democratic side, have joined in sponsoring the bill, along with the Senator from Utah [Mr. WATKINS], the Senator from Wyoming [Mr. BARRETT], the Senator from California [Mr. KUCHEL], the Senator from Colorado [Mr. ALLOTT], and the Senator from Arizona [Mr. GOLDWATER], from the Republican side. There is nothing political about this measure.

As the number of people who visit our national parks increases, there is involved a very definite problem of properly accommodating them, for example, Yellowstone Park, which belong to all the people of the country, and not merely to rich people. Priorities are needed in order to get inside the park. The number of people visiting the western lands and parks of America is increasing tremendously. It would be the sheerest kind of folly to fail to pass the bill which provides only for a survey to determine what is needed in order to accommodate persons who will visit our parks in increasing numbers.

Mr. PURTELL. Mr. President, I had objected by request. The Senator who objected now tells me that he is withdrawing his objection. I therefore have no objection to the bill.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 846) for the establishment of a National Outdoor Recreation Resources Review Commission to study the public lands and other land and water areas of the United States, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 3, after the word "to", to strike out "preserve and develop for the" and insert "preserve, develop, and assure accessibility to all"; on page 4, line 22, after the word "request", to strike out "each Federal agency" and insert "the Secretary of each Federal Department or head of any independent agency which includes an agency or agencies"; on page 5, line 2, after the word "and", to insert "he shall appoint for"; in line 3, after the word "agency", to strike out "shall appoint,"; in line 21, after the word "all", to insert "agencies and groups whose assistance in accomplishing the purposes of this act will be required in arriving at sound methods and"; on page 7, line 14, after the word "Congress", to insert "and shall cease to exist not later than one year thereafter"; in line 19, after the word "Commission", to insert "on its own initiative or"; on page 8, line 1, after the word "States", to insert "and to transfer necessary funds to Federal agencies"; in line 4, after the word "States", to insert "or Federal agencies", and on page 9, line 2, after the word "expended", to strike out "but not later than June 30, 1960"; so as to make the bill read:

Be it enacted, etc., That in order to preserve, develop, and assure accessibility to all American people of present and future generations such quality and quantity of outdoor recreation resources as will be necessary and desirable for individual enjoyment, and to assure the spiritual, cultural, and physical benefits that such outdoor recreation provides; in order to inventory and evaluate the outdoor recreation resources and opportunities of the Nation, to determine the types and location of such resources and opportunities which will be required by present and future generations; and in order to make comprehensive information and recommendations leading to these goals available to the President, the Congress, and the individual States and Territories, there

is hereby authorized and created a bipartisan Outdoor Recreation Resources Review Commission.

SEC. 2. For the purposes of this act—

(1) "Commission" shall mean the Outdoor Recreation Resources Review Commission;

(2) "Outdoor recreation resources" shall mean the land and water areas and the products of such areas of the United States, its Territories and possessions which provide opportunities for outdoor recreation, including but not limited to such pursuits as hunting, fishing, camping, hiking, skiing, mountain climbing, pack tripping, nature photography, scenic appreciation, boating, canoeing and other water activities, wherever carried out or potentially carried out, including but not limited to such areas as the national forests, the public domain, Indian reservations, wild, wilderness and primitive areas; national parks and monuments; wildlife refuge, habitat, and management areas both Federal and States; scenic areas, the marsh and wetlands, coastal beaches, reservoir and such other land and water areas, irrespective of ownership, which presently provide or may in the future provide outdoor recreation opportunities.

(3) "Outdoor recreation resources" shall not mean nor include recreation facilities, programs, and opportunities usually associated with urban development such as playgrounds, stadiums, gold courses, city parks, and zoos.

SEC. (3) (a) The Commission hereby authorized and created shall consist of 15 members appointed as follows:

(1) Two majority and two minority members of the Senate Committee on Interior and Insular Affairs, to be appointed by the President of the Senate;

(2) Two majority and two minority members of the House Committee on Interior and Insular Affairs to be appointed by the Speaker of the House; and

(3) Seven citizens, known to be informed about and concerned with the preservation and development of outdoor recreation resources and opportunities, and experienced in resource conservation planning for multiple resources uses, who shall be appointed by the President, and one of whom shall be designated as Chairman by the President.

Vacancies occurring on the Commission shall not affect the authority of the remaining members of the Commission to carry out the functions of the Commission, and shall be filled in the same manner as the original positions.

(b) The Commission members shall serve without compensation, except that each member shall be entitled to reimbursement for actual travel and subsistence expense incurred in the services of the Commission and each member appointed by the President shall be entitled to a per diem allowance not to exceed $50 per day when actually engaged in Commission business.

(c) The Commission shall convene as soon as practicable following appointment of its members, to implement the purposes and objectives of this act.

SEC. 4. (a) The Commission is authorized, without regard to the civil-service laws and regulations, to appoint and fix the compensation of an executive secretary and such additional personnel as may be necessary to enable it to carry out its functions, except that any Federal employees subject to the civil-service laws and regulations who may be assigned to the Commission shall retain civil-service status without interruption or loss of status or privilege.

(b) The Commission shall establish headquarters in the District of Columbia and shall make such other arrangements as are necessary to carry out the purposes of this act.

(c) The Commission shall request the secretary of each Federal department or head of any independent agency which includes an agency or agencies with a direct interest and responsibility in any phase of outdoor recreation to appoint, and he shall appoint for each such agency a liaison officer who shall work closely with the Commission and its staff.

SEC. 5. (a) There is hereby established an advisory council which shall consist of the liaison officers appointed under section 4 (c), together with 25 additional members appointed by the Commission who shall be representative of the various major geographical areas and citizen interest groups including the following: State game and fish departments, State park departments, State forestry departments, private organizations working in the field of outdoor recreation resources and opportunities, landowners, State water pollution control agencies, State water development agencies, private forestry interests, commercial fishing interests, commercial outdoor recreation interests, industry, education, labor, public utilities, and municipal governments.

(b) The functions of the advisory council shall be to advise and counsel the Commission in the development of ways, means, and procedures whereby maximum cooperation may be obtained from all agencies and groups whose assistance in accomplishing the purposes of this act will be required in arriving at sound methods and criteria for evaluating outdoor recreation resources data assembled and otherwise to advise and assist the Commission in carrying out the purposes of the act.

(c) Members of the advisory council, except those employed by the Federal Government and assigned to the Commission as liaison officers, shall serve without compensation except that each shall be entitled to reimbursement for actual travel and subsistence expenses incurred in attending meetings of the advisory council called by the Chairman of the Commission, or incurred in carrying out duties assigned by the Chairman of the Commission.

(d) The Chairman of the Commission shall call an initial organization meeting of the advisory council, a meeting of such council each 6 months thereafter, and a final meeting of such council prior to transmitting the final report to the President and the Congress.

SEC. 6. (a) The Commission shall proceed as soon as practicable to set in motion a nationwide inventory and evaluation of outdoor recreation resources and opportunities, directly and through the Federal agencies, the States, and private organizations and groups, utilizing to the fullest extent possible such studies, data, and reports previously prepared or concurrently in process by Federal agencies, States, private organizations, groups, and others.

(b) The Commission shall compile such data and, in the light of the data so compiled and of information available concerning trends in population, leisure, transportation, and other factors, shall determine the amount, kind, quality, and location of such outdoor recreation resources and opportunities as will be required by the year 1976 and the year 2000, and shall recommend what policies should best be adopted and what programs be initiated, at each level of government and by private organizations and other citizen groups and interests, to meet such future requirements.

(c) The Commission shall present not later than December 31, 1959, a report of its review, a compilation of its data, and its recommendations on a State-by-State, region-by-region, and national basis to the President and to the Congress, and shall cease to exist not later than 1 year thereafter. Such report, compilation, and recommendations shall be presented in such form as to make them of maximum value to the States and shall include recommendations as to means whereby the review may effectively be kept current in the future. The Commission, on its own initiative or on request of the President or the Congress, shall prepare interim or progress reports on particular phases of its review.

(d) The Commission is authorized to conduct public hearings and otherwise to secure data and expressions of opinion.

(e) The Commission is authorized to make direct grants to the States, and to transfer necessary funds to Federal agencies, from sums appropriated pursuant to section 8, to carry out such aspects of the review as the Commission may determine can best be carried out by the States, or Federal agencies, under such arrangements and agreements as are determined by the Commission; and may enter into contracts or agreements for studies and surveys with public or private agencies and organizations.

SEC. 7. The Commission, in its inquiries, findings, and recommendations, shall recognize that present and future solutions to problems of outdoor recreation resources and opportunities are responsibilities at all levels of government from local to Federal, and of individuals and private organizations as well. The Commission shall recognize that lands, waters, forest, rangelands, wetlands, wildlife, and such other natural resources that serve economic purposes also serve to varying degrees and for varying uses outdoor recreation purposes, and that sound planning of resource utilization for the full future welfare of the Nation must include coordination and integration of all such multiple uses.

SEC. 8. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this act, which sums shall be available to the Commission until expended.

SEC. 9. This act may be cited as "the Outdoor Recreation Resources Review Act."

Mr. ANDERSON. I may say to the Senator from Connecticut the withdrawal of the objections to the consideration of the bill is as fine a thing as has happened in a long time. I appreciate it, not only for myself, but for other Senators, and the wildlife and conservation organizations who are in favor of the bill.

Mr. KUCHEL. Mr. President, I am delighted that the objecting Senator on this side of the aisle saw fit to withdraw his objection, because I subscribe 100 percent to the analysis of the proposed legislation as made by my friend, the Senator from New Mexico. This is a bill in the interest of the people of the United States, and I shall be delighted to see it pass the Senate unanimously.

Mr. GOLDWATER. Mr. President, I should like to join my colleague from California in thanking the Senator on this side of the aisle who so graciously withdrew his objection to the consideration of this bill. I might say, in support of what the Senator from New Mexico reminded the Senate, that about one-third of the American people will visit the national parks during the present summer. The State of Arizona, by the way, has more parks and monuments than has any other State. More than 1 million people visited the Grand Canyon last year. At night only 400 people can be taken care of. For the others the nearest accommodations are 60 miles to the east and 60 miles to the south. Such a bill is long overdue, and I am indebted to the Senator from New Mexico for allowing me to cosponsor the bill.

Mr. ANDERSON. Mr. President, when the bill was under consideration by the

committee, the Senator from Arizona explained how the number of visitors to the Grand Canyon of the Colorado had increased. The Grand Canyon is one of the great treasures of this country, indeed one of the wonders of the world. It would be too bad if any American could not get to it because too many were standing in line.

Mr. GOLDWATER. I thank the Senator, but I remind him it is the Grand Canyon of Arizona and not Colorado.

Mr. ANDERSON. I said "of the Colorado."

Mr. GOLDWATER. But many times many people mistake the location of the beautiful gorge and like to place it in Colorado. Inadvertently, my good friend from California sometimes locates it in his State.

Mr. ANDERSON. I think the name of it is still the Grand Canyon of the Colorado.

Mr. GOLDWATER. Of Arizona.

Mr. KUCHEL. Mr. President, I regret that my friend beside whom I am now standing sees fit to animadvert on the 14 million people whom I am privileged in part to represent and who are delighted to travel in the State of Arizona and to see the Grand Canyon whether it be of the Colorado, or of Arizona or, just possibly, California. The point is that the people of the Nation are delighted that the Senate is now adding its stamp of approval to a piece of proposed legislation which will insure the right of the people of the United States to visit that type of public resource and to enjoy its scenery and beauty, and not have to stand in line for the privilege.

Mr. NEUBERGER. Mr. President, I should like to subscribe to the very able explanation of the bill which was given by the junior Senator from New Mexico [Mr. ANDERSON]. As a cosponsor of this measure I concur in everything the Senator said. It seems to me the great pressure which is going to be on our recreational resources in the years ahead cannot be estimated by us now. As the population increases and technological improvements lead to greater leisure time, we will need more and more national forests, national parks and national monuments where our people can gain inspiration through recreation in the outdoors.

I should like to add that, in addition to the Senators who have sponsored this bill, I believe the Izaak Walton League of America deserves a great deal of credit for being the organization which originally proposed this measure. Members of the Izaak Walton League in my home State, regardless of which political party they belong to, have urged me to support the measure, and have constantly presented documentary facts and statistics to justify such support.

In conclusion, Mr. President, I do wish to emphasize on the floor of the Senate that, as I see it, this very excellent bill in no way conflicts with the measure sponsored by the distinguished Senator from Minnesota [Mr. HUMPHREY] and some others of us to add the protection of the wilderness to the assessment and inventory this bill authorizes of our great outdoor resources.

In passing this bill today, so outstandingly sponsored by the Senator from New Mexico [Mr. ANDERSON], I know some of us look forward to future legislation which will set aside and add protection to our great wilderness realms which are perhaps part of some of the national parks and forests this particular bill will encompass.

Mr. HUMPHREY. Mr. President, I should like to make one brief observation, to commend the authors of this bill, particularly the Senator from New Mexico, for the leadership which has been demonstrated not only in its introduction but also in its passage. I think this bill represents a milestone for the people of America and generations yet unborn. It is a tremendous development that goes along with the tradition of the great conservationist movement of Gifford Pinchot and others of the past.

Mr. NEUBERGER. I am pleased that the Senator mentioned the work of the Senator from New Mexico. There is living in my State one of the great ex-chief foresters of our country, Lyle F. Watts, who is presently in retirement. I cannot tell the Senate on how many occasions he has reported to me that, when CLINTON P. ANDERSON was Secretary of Agriculture, conservation of the resources of this country had one of its finest friends and stalwart champions in the person of CLINTON P. ANDERSON, of New Mexico. Mr. Watts is a devoted admirer of ex-Secretary ANDERSON.

Mr. ANDERSON. Mr. President, I ask unanimous consent that the names of the Senator from Arizona [Mr. GOLDWATER] and the Senator from Oregon [Mr. MORSE] be added as cosponsors to S. 846.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER (Mr. COTTON in the chair). The present occupant of the chair requests unanimous consent that he be allowed to make a brief statement.

The objection to passage of this bill on the calendar call was interposed at the request of the junior Senator from New Hampshire, who finds himself in the chair as the consideration of the bill takes place. My objection was made because of a concern that the bill might be an entering wedge for including so-called recreational benefits in the evaluation of public works projects, as provided in a bill introduced by the distinguished Senator from Oklahoma, which has been reported from the Committee on Public Works. In view of the explanation that has been made on the floor, the junior Senator from New Hampshire is happy to withdraw his objection, and he appreciates the opportunity of being allowed to make this statement, even though in the chair.

Mr. ANDERSON. Those of us who sponsor the bill appreciate the attitude of the Presiding Officer.

CONGRESSIONAL RECOGNITION OF NATIONAL COWBOY HALL OF FAME AND MUSEUM, OKLAHOMA

The concurrent resolution (S. Con. Res. 32) favoring Congressional recognition of the National Cowboy Hall of Fame and Museum to be located at Oklahoma City, Okla., was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby recognizes the National Cowboy Hall of Fame and Museum as a memorial to individuals who have made outstanding contributions in the opening and development of the West and as a fitting and valuable institution for the collection and preservation of artifacts and other evidences and data relating to the role the West has played in enriching our American historical heritage.

The preamble was agreed to.

OSAGE TRIBE OF INDIANS, OKLAHOMA

The bill (S. 1417) relating to the affairs of the Osage Tribe of Indians in Oklahoma was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 9 of the act of Congress approved June 28, 1906 (34 Stat. 539), as amended by section 7 of the act of March 2, 1929 (45 Stat. 1478), is hereby amended by striking therefrom the words "January 1, 1959" and substituting therefor the words "January 1, 1984."

BILL PASSED OVER

The bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care, was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

ESTABLISHMENT OF MINING AND METALLURGICAL RESEARCH STATION IN MINNESOTA—BILL PASSED OVER

The bill (S. 98) to provide for the establishment and operation of a mining and metallurgical research establishment in the State of Minnesota, was announced as next in order.

Mr. PURTELL. Over, Mr. President.

Mr. HUMPHREY. Mr. President, will the Senator withhold his objection?

Mr. PURTELL. I shall be pleased to withhold my objection.

Mr. HUMPHREY. I had hoped there would be no objection to this bill today, since similar bills have passed the Senate five times.

Mr. PURTELL. I believe so.

Mr. HUMPHREY. Each time the proposed legislation runs into a little difficulty in the other House. If the Senator will permit the bill to go to the end of the calendar, so that I may discover who the objector is, perhaps we can reconcile whatever differences there may be.

Mr. PURTELL. I am happy to tell the Senator from Minnesota that the calendar committee on this side of the aisle is objecting to the bill. First, the Department at the present time, we feel, has authority to do what the bill provides, if they wish to. Second, there is involved an expenditure in excess of $1 million. For those reasons the committee objects.

The PRESIDING OFFICER. The bill will be passed over.

MONEYS RECEIVED FROM MINERAL LANDS IN ALASKA

The bill (H. R. 3477) relating to moneys received from mineral lands in Alaska, was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes," was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will go over.

CONSTRUCTION OF BRIDGES ACROSS THE POTOMAC RIVER

The Senate proceeded to consider the bill (H. R. 6306) to amend the act entitled "An act authorizing the District of Columbia to construct two 4-lane bridges to replace the existing 14th St. Bridge across the Potomac River, and for other purposes," which had been reported from the Committee on the District of Columbia with an amendment on page 1, line 8, after the word "amended," to strike out "(a) by inserting 'bascule span' immediately after 'four lane'; and (b) by striking '$7,000,000' and inserting in lieu thereof '$17,500,000,' " and insert "by striking '$7,000,000' and inserting in lieu thereof '$16,000,000'."

Mr. WATKINS. Mr. President, may we have an explanation of this bill, and what it proposes to do?

Mr. BIBLE. Mr. President, I am happy to try to explain this bill to the distinguished Senator from Utah.

The purpose of the bill, which was reported unanimously from the Committee on the District of Columbia, is to amend the Act of July 16, 1946, to authorize construction of two 4-lane bridges across the Potomac River to replace the older structure known as the 14th Street bridge, at a cost of not to exceed $7 million. The extremely rapid increase in the cost of heavy construction from the time the estimate was made in 1946 up until the construction of 1 of the 2 bridges resulted in a final cost of the first part of the work amounting to approximately $6.8 million, which substantially was the amount authorized by Congress for both bridges.

Present plans call for the construction of the second of the authorized spans at a cost, together with the cost of constructing the approaches of the new bridge, estimated at $9.2 million.

Mr. WATKINS. Perhaps we can clear the matter up if I ask one or two questions.

Does this bill provide for the abandoning of one of the 14th Street bridges?

Mr. BIBLE. It will provide for the replacement of the southbound 14th Street bridge.

Mr. WATKINS. But the bridge will be located nearby?

Mr. BIBLE. The bridge will be a little upstream from the present location of the southbound bridge.

Mr. WATKINS. It is intended to take the place of that bridge?

Mr. BIBLE. It is intended as a replacement of the present bridge.

Mr. WATKINS. And the location of the bridge will not be moved more than 200 or 300 yards upstream?

Mr. BIBLE. Only a very short distance, because it comes into practically the entrance-way, north and south. It is intended as a replacement because of the obvious condition of disrepair and wear on the present southbound bridge.

Mr. WATKINS. I have no objection, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

IMPLEMENTATION OF TREATY WITH PANAMA—BILL PASSED OVER

The bill (S. 1730) to implement a treaty and agreement with the Republic of Panama, and for other purposes, was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

JOINT COMMITTEE TO REPRESENT CONGRESS AT 350TH ANNIVERSARY OF FOUNDING OF JAMESTOWN, VA.

The Senate proceeded to consider the concurrent resolution (S. Con. Res. 27) to create a joint committee to represent Congress at the 350th anniversary of the founding of Jamestown, Va., which had been reported from the Committee on the Judiciary with an amendment on page 2, at the beginning of line 1, to strike out "committee, which shall not exceed $, shall be paid from the contingent fund of the Senate on vouchers approved by the chairman" and insert "joint committee shall not exceed the sum of $1,000, one-half of such sum to be paid from the contingent fund of the Senate and one-half of such sum to be paid from the contingent fund of the House of Representatives, on vouchers approved by the chairman.", so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That a joint committee consisting of 4 Senators and 5 Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, is authorized to represent the Congress of the United States at the ceremonies to be held at Jamestown, Va., on July 30, 1957, in commemoration of the 350th anniversary of the founding of Jamestown, the first permanent English settlement in America. The committee shall select a chairman from among its members.

Resolved further, That the necessary expenses of such joint committee shall not exceed the sum of $1,000, one-half of such sum to be paid from the contingent fund of the Senate and one-half of such sum to be paid from the contingent fund of the House of Representatives, on vouchers approved by the chairman.

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

MRS. ANTONIETTA GIORGIO AND OTHERS

The bill (S. 669) for the relief of Mrs. Antonietta Giorgio and her children, Antonio Giorgio and Menotti Giorgio was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Mrs. Antonietta Giorgio, Antonio Giorgio, and Menotti Giorgio shall be considered first preference quota immigrants under the provisions of section 203 (a) (1) (B) of the Immigration and Nationality Act if they are issued immigrant visas and admitted into the United States within 12 months from the date of the enactment of this act.

HERBERT T. KING AND OTHERS

The bill (S. 739) for the relief of Herbert T. King; his wife, Chang Si-Ling King; and his daughter, Chen Hsiao-Ling King, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purposes of the Immigration and Nationality Act, Herbert T. King; his wife, Chang Si-Ling King; and his daughter, Chen Hsiao-Ling King, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

FANNIE ALEXANDER GAST

The bill (S. 811) for the relief of Fannie Alexander Gast was considered, ordered to be engrossed for a third reading,

read the third time, and passed, as follows:

Be it enacted, etc., That Fannie Alexander Gast, who lost United States citizenship under the provisions of section 401 (e) of the Nationality Act of 1940, may be naturalized by taking, prior to 1 year after the date of the enactment of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, an oath as prescribed by section 337 of such act: *Provided*, That from and after naturalization under this act, the said Fannie Alexander Gast shall have the same citizenship status as that which existed immediately prior to its loss.

MATILDA STRAH

The bill (S. 832) for the relief of Matilda Strah was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Matilda Strah shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

BARBARA L. WEISS

The bill (S. 862) for the relief of Barbara L. Weiss was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Barbara L. Weiss shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

POPPY CATHERINE HAYAKAWA MERRITT

The bill (S. 1053) for the relief of Poppy Catherine Hayakawa Merritt was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, paragraph (5) of subsection (a) and subsection (b) of section 202 of such act shall not apply in the case of Poppy Catherine Hayakawa Merritt.

FRANCOISE BEYRONNEAU

The bill (S. 1097) for the relief of Francoise Beyronneau was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (b) (2) and 203 (a) (2) of the Immigration and Nationality Act, Francoise Beyronneau shall be held and considered to be the parent of Robert Beyronneau, a citizen of the United States.

SUSANNE BURKA

The bill (S. 1309) for the relief of Susanne Burka was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Susanne Burka, the fiance of Roy Weisenfeld, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Susanne Burka is coming to the United States with a bona fide intention of being married to the said Roy Weisenfeld and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Susanne Burka, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above persons shall occur within 3 months after the entry of the said Susanne Burka, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Susanne Burka as of the date of the payment by her of the required visa fee.

VASSILIOS KOSTIKOS

The bill (S. 1363) for the relief of Vassilios Kostikos was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Vassilios Kostikos, shall be held and considered to be the natural-born alien child of Victor Kostikos and Thelma Kostikos, citizens of the United States.

ANGELINE MASTRO MONE (ANGELINA MASTROIANNI)

The bill (S. 1397) for the relief of Angeline Mastro Mone (Angelina Mastroianni) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Angeline Mastro Mone (Angelina Mastroianni), who lost United States citizenship under the provisions of section 401 (e) of the Nationality Act of 1940, may be naturalized by taking, prior to 1 year after the date of the enactment of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, an oath as prescribed by section 337 of such act. From and after naturalization under this act, the said Angeline Mastro Mone (Angelina Mastroianni) shall have the same citizenship status as that which existed immediately prior to its loss.

SALVATORE LA TERRA

The bill (S. 1508) for the relief of Salvatore LaTerra was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Salvatore LaTerra, shall be held and considered to be the natural-born alien child of Mr. and Mrs. John LaTerra, citizens of the United States.

ISAAC LIDJI AND OTHERS

The bill (S. 1519) for the relief of Isaac Lidji, Henry Isaac Lidji, and Sylvio Isaac Gattegno was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Isaac Lidji, Henry Isaac Lidji, and Sylvio Isaac Gattegno shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

YEE SUEY NONG

The bill (S. 1774) for the relief of Yee Suey Nong was considered, ordered to be engrossed for third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of section 101 (a) (27) (B) of the Immigration and Nationality Act, Yee Suey Nong shall be held and considered to be a returning resident alien.

CHARLES DOUGLAS

The bill (S. 1838) for the relief of Charles Douglas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Charles Douglas, shall be held and considered to be the natural-born alien child of Comdr. Lloyd Benson, a citizen of the United States.

MICHELLE PATRICIA HILL

The bill (S. 1848) for the relief of Michelle Patricia Hill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of section 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Michelle Patricia Hill (Patricia Adachi), shall be held and considered to be the natural-born alien child of Sgt. Carl Leroy Hill and Loretta Hill, citizens of the United States.

VENDELIN KALENDA

The bill (S. 2027) for the relief of Vendelin Kalenda was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of section 316 (a) of the Immigration and Nationality Act, Vendelin Kalenda shall be held and considered to have been resident and physically present in the United States during all periods of service performed by

him, after his lawful admission for permanent residence, as an employee of the Department of State outside the United States.

WIDOW OF COL. CLAUD C. SMITH

The Senate proceeded to consider the bill (S. 20) for the relief of the widow of Col. Claud C. Smith ($6,675), which had been reported from the Committee on the Judiciary with an amendment on page 2, line 3, after the word "heirs", to insert a colon and "*Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the widow of Col. Claud C. Smith, 7015041, the sum of $6,675. Such sum shall be in full satisfaction of all claims for compensation for a dwelling house which was erected by the said Col. Claud C. Smith in 1934 and 1935 on the Fort Jackson Military Reservation, S. C., and which has been used by the Army since the said Col. Claud C. Smith was forced to vacate the same on March 9, 1942, no compensation having been received for such house by the said Col. Claud C. Smith or his heirs: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. EDWARD J. SMITH AND DAUGHTER

The Senate proceeded to consider the bill (S. 178) for the relief of Mrs. Edward J. Smith and her daughter, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 8, after the word "fees", to strike out "Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota for the first year that such quota is available.", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Mrs. Edward J. Smith (nee Concetta Chiodo) and her daughter, Roberta Smith, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GIORGIO GIORDANELLA

The Senate proceeded to consider the bill (S. 554) for the relief of Giorgio Giordanella, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Giorgio Giordanella may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MAUD ABRAHAM

The Senate proceeded to consider the bill (S. 823) for the relief of Maud Abraham, which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted etc., That, notwithstanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act, Maud Abraham may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KATHARINA THERESIA BEUVING KEYZER

The Senate proceeded to consider the bill (S. 876) for the relief of Katharina Theresia Beuving Keyzer, which had been reported from the Committee on the Judiciary, with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Katharina Theresia Beuving Keyzer may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice have knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SGT. DONALD D. COLEMAN—BILL PASSED OVER

The bill (S. 1007) for the relief of Sgt. Donald D. Coleman was announced as next in order.

Mr. PURTELL. Over, Mr. President.

Mr. KEFAUVER. Mr. President, will the Senator from Connecticut withhold his objection in order to permit me to make a brief statement?

Mr. PURTELL. I am happy to do so.

Mr. KEFAUVER. I should like to have the bill brought up on motion at the conclusion of the call of the calendar. The distinguished Senator from Connecticut has indicated that he would have no objection to such a course. I wonder if it is agreeable to the minority leader.

Mr. KNOWLAND. Mr. President, I have no objection to bringing up the bill on motion following the call of the calendar. I believe it is planned to bring up a number of other measures by motion at that time.

Mr. PURTELL. Mr. President, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

The clerk will state the next measure on the calendar.

TEIKO WATANABE HOLDERFIELD

The Senate proceeded to consider the bill (S. 1244) for the relief of Teiko Watanabe Holderfield, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Teiko Watanabe Holderfield may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act and upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That if the said Teiko Watanabe Holderfield is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *And provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GARTH CECIL BRIDEN

The Senate proceeded to consider the bill (S. 1283) for the relief of Garth Cecil Briden, which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Garth

Cecil Briden may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARIA GRADI

The Senate proceeded to consider the bill (S. 1311) for the relief of Maria Gradi, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Maria Gradi shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REGINALD S. LEVY

The Senate proceeded to consider the bill (S. 1510) for the relief of Reginald S. Levy, which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (19) of section 212 (a) of the Immigration and Nationality Act, Reginald S. Levy may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SUSAN TSIANG HO

The Senate proceeded to consider the bill (S. 439) for the relief of Susan Tsiang Ho, which had been reported from the Committee on the Judiciary with amendments on page 1, line 6, after the word "be", to insert "issued a visa and be," and in line 10, after the word "States", to insert "Public Health Service, Department of Health, Education, and Welfare,", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Susan Tsiang Ho may, if she is found to be otherwise admissible under the provisions of such act, be issued a visa and be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, deems necessary to impose: *Provided*, That a suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Susan Tsiang Ho in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act: *Provided further*, That this act shall apply only to grounds for exclusion under paragraph (6) of section 212 (a) of such act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendments were agreed to.

The bill was orderd to be engrossed for a third reading, read the third time, and passed.

PANAGIOTIS TULIOS

The Senate proceeded to consider the bill (S. 1240) for the relief of Panagiotis Tulios, which had been reported from the Committee on the Judiciary with amendments on page 1, line 7, after the word "Act", to strike out the comma and "under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose", and on page 2, line 2, after the word "Act", to insert a colon and "*Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of States or the Department of Justice has knowledge prior to the enactment of this Act.", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (1) of the Immigration and Nationality Act, Panagiotis Tulios, may be issued a visa and admitted to the United States if he is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of said act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALEXANDER JOHN PANAGIOTOU

The Senate proceeded to consider the bill (S. 1817) for the relief of Alexander John Panagiotou which had been reported from the Committee on the Judiciary with an amendment, in line 5, after the name "John", to strike out "Panagiotov" and insert "Panagiotou", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Alexander John Panagiotou shall be held and considered to be the natural-born alien child of Nick J. Dennery, a citizen of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of John Panagiotou."

RELIEF OF CERTAIN ALIENS

The joint resolution (H. J. Res. 273) to waive the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act in behalf of certain aliens was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 288) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 17, after the name "Francisco", to strike out "Carapia Gaytin" and insert "Carapia-Gaytan."

The amendment was agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 307) for the relief of certain aliens, which had been reported from the Committee on the Judiciary with amendments on page 4, after line 17, to insert:

SEC. 7. For the purposes of the Immigration and Nationality Act, Kerttu Poutiainen Mayblom shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

After line 22, to insert:

SEC. 8. For the purposes of the Immigration and Nationality Act, Paolina Toscano shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 18, 1925, upon payment of the required visa fee.

And, on page 5, after line 2, to insert:

SEC. 9. The Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bonds, which may have issued in the case of John William Forbes Petch and Mrs. Tsuma Ueda. From and after the date of the enactment of this act, the said persons shall not again be subject to deportation by reason of the same facts upon which said deportation proceedings were commenced or any such warrants and orders have issued.

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time and passed.

FRANK J. AND MAE T. W. BURGER

The bill (H. R. 1752) for the relief of Frank J. and Mae T. W. Burger was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 1754) for the relief of Eleanor French Caldwell was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

CLAIMS OF GEORGE W. EDWARDS, JR., AGAINST THE UNITED STATES

The bill (H. R. 2964) to confer jurisdiction on the United States District Court for the Eastern District of Texas, Jefferson Division, to hear, determine, and render judgment on certain claims of George W. Edwards, Jr., against the United States was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 4342) for the relief of Mrs. Thomas L. Davidson was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

ERNEST HAGLER

The Senate proceeded to consider the bill (H. R. 3558) for the relief of Ernest Hagler, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 3, after the figures "$1,079.72", to strike out "for" and insert "or so much thereof as may be necessary for the."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Z. A. HARDEE

The Senate proceeded to consider the bill (H. R. 4159) for the relief of Z. A. Hardee, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding any period of limitations or lapse of time, claims for credit or refund of overpayments of income taxes for the taxable years 1945 through 1948 made by Z. A. Hardee, of Enfield, N. C., may be filed at any time within 1 year after the date of the enactment of this Act. The provisions of sections 322 (b), 3774, and 3775 of the Internal Revenue Code of 1939 shall not apply to the refund or credit of any overpayment of tax for which a claim for credit or refund is filed under the authority of this Act within such 1-year period.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CONVEYANCE OF BUNKER HILL ISLAND TO THE COMMONWEALTH OF KENTUCKY

The Senate proceeded to consider the bill (S. 1823) to authorize the conveyance of Bunker Hill Island in Lake Cumberland near Burnside, Ky., to the Commonwealth of Kentucky for public park purposes.

Mr. MORSE. Mr. President, reserving the right to object—and I shall not object—I wish to discuss the bill for a few moments in connection with the so-called Morse formula.

The bill, S. 1823, proposes a transfer of a tract of land containing approximately 390 acres located in the reservoir area of the Wolf Creek Dam on the Cumberland River in Kentucky.

The conveyance, if authorized, would be from the Secretary of the Army to the Commonwealth of Kentucky.

The land in question is worth from $20,000 to $25,000—page 2 of report No. 519—and is desired by the Commonwealth of Kentucky for development of a daytime recreation center on what is known as Bunker Hill Island.

The Federal Government acquired this acreage in connection with the construction of Wolf Creek Dam.

The report indicates that Kentucky has been offered a lease or license for the use of the 390 acres, but because of extensive developments proposed, the State desires to acquire title.

This is truly a close case; and yet I think there is a clear distinction between a case such as this and a case coming within the scope of the so-called Morse formula.

We are dealing here with a Federal dam. When we consider river basin development programs we take into account the recreational value of the projects.

If this particular area were not to be developed by the State for park purposes, for sightseers in connection with the Federal project, then it seems to me it should be developed by the Federal Government. I think this is the kind of cooperation between the State and the Federal Government, in connection with Federal projects, which should be encouraged.

It is to be noted that the Federal Government retains a reversionary interest in the property. If the Commonwealth of Kentucky should not use the property for recreational facilities, it would revert to the Federal Government.

Earlier this afternoon we heard the distinguished Senator from New Mexico [Mr. ANDERSON] discuss a subject which I think is very closely related to this problem. My colleague, [Mr. NEUBERGER] discussed the same subject, namely, the importance of developing the recreational facilities of our country in connection with Federal projects.

As I stated to the Senator from Kentucky [Mr. COOPER], because I feel that this area is intimately connected with the Federal dam which is located in that vicinity, when this particular piece of land is set aside for recreational purposes no violation of the Morse formula is involved, because there is a Federal interest in the area, namely, the interest of all the people who visit the site of the dam in having recreational facilities available to them for camping and other purposes.

The report shows that housing facilities will be made available on the island for those who come to visit the dam. I think this project involves a direct Federal interest, and I am happy to approve the bill.

Mr. COOPER. Mr. President, I hope Senate bill 1823 will pass.

As is stated in the report of the Committee on Public Works, the bill would authorize conveyance to the Commonwealth of Kentucky a portion of Bunker Hill Island in Lake Cumberland, at Burnside, Ky., containing about 390 acres, for public park and recreational purposes.

As the report further points out, the island lies at the junction of the South Fork with the Cumberland River near Burnside, in Pulaski County, Ky. Lake Cumberland was formed by construction of the Wolf Creek Dam 101 miles up the main stream of the Cumberland River, and 48 miles up the South Fork of the Cumberland River. It is one of the largest reservoirs in the Nation and, certainly, east of the Mississippi River. It covers an area of approximately 63,500 acres.

The State of Kentucky, speaking through the director of conservation, the Honorable Lorban Jackson, has reported to the committee that it will commence the development of the island for park and recreational purposes within 3 years and to progressively continue its development.

I may say that I live in Pulaski County near Bunker Hill Island, and I know the area well. I am very glad that the State of Kentucky will undertake its development, and it will receive the support of the people of the area and the State of Kentucky.

My colleague in the Senate [Mr. MORTON] is also interested in the passage of the bill, as is Mr. SILER, the Representative from the 8th Congressional District of Kentucky, in which I live. I want also to thank the able Senator from Oregon [Mr. MORSE] for the speech he has made, supporting this bill.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, subject to section 2, the Secretary of the Army is authorized and directed to convey to the Commonwealth of Kentucky all the right, title, and interest of the United States in and to the following portion of Bunker Hill Island in Lake Cumberland, near Burnside, Ky.:

A tract of land situate in the eighth magisterial district of Pulaski County, Ky., at Burnside, Ky., and more particularly described as follows:

Being all of that part of an island lying entirely above the 765-foot contour line (m. s. l.), said island being known as Bunker Hill Island in the south fork of the Cumberland River embayment of Lake Cumberland, the downstream end of said island being located approximately 2,000 feet, more or less, upstream from the mouth of said river and extends upstream approximately 5,800 feet, more or less, said island contains 390 acres, more or less, and being a part of the same lands, the fee title to which was vested in the United States by reason of the

following deeds of record in the office of the county court clerk for Pulaski County, Kentucky, and/or the filing of declaration of takings in civil actions pending in the United States District Court for the Eastern District of Kentucky at London, viz:

Tract No.	Vendor	Date of deed and/or D/T	Deed book	Page	D/T No.	Civil action No.
M-1327	Ella G. Sloan	Jan. 18, 1949	163	459		
M-1344	Elmer R. Walden et ux	Jan. 5, 1949	163	192		
M-1355	Ethel E. Rossler et vir	June 1, 1949	167	203		
M-1368	Mitt Boland et ux	May 2, 1949	166	295		
M-1369	Lillie Hollars et vir	Feb. 10, 1949	164	156		
M-1372	W. T. Turpin et ux	Mar. 17, 1949	165	147		
M-1373	Charles R. Cox et ux	Mar. 21, 1949			1	471
M-1374	John Hollars et ux	Mar. 1, 1949	164	499		
M-1375	Cleveland Davis et ux	Mar. 29, 1949	165	227		
M-1376	Zelmer Fitzgerald et ux	Jan. 18, 1949	163	374		
M-1377	Luther Hutchinson et ux	Dec. 1, 1948	162	261		
M-1379	Earl Love et ux	Jan. 12, 1949	163	267		
M-1380	Oscar L. Dyer et ux	Jan. 4, 1949	163	141		
M-1385	Nancy Massey et vir	Feb. 16, 1949	164	388		
M-1387	Mary Truxell et vir	Jan. 24, 1949			1	464
M-1388	Cora Thompson et al	Apr. 8, 1949			1	477
M-1391	Marguerite Sloan	Aug. 3, 1949			2	462

SEC. 2. Title to the property authorized to be conveyed by this act shall revert to the United States, which shall have the right of immediate entry thereon, if the commonwealth of Kentucky—

(1) has not commenced the development of such property for public park purposes within the 3-year period beginning on the date of enactment of this act; or

(2) shall ever cease to use such property for public park purposes.

SEC. 3. The Secretary of the Army is authorized to grant to the commonwealth of Kentucky such rights-of-way for public access and utility lines across any property of the United States as may be necessary to facilitate the development and use of the property conveyed under authority of this act for public park purposes.

EXTENSION OF TIME FOR STUDY OF FOREIGN AID PROGRAM

The PRESIDING OFFICER. The clerk will state by title the resolution which has been previously placed at the foot of the Calendar.

The LEGISLATIVE CLERK. A resolution (S. Res. 141) extending to January 31, 1958 the authority of the special committee to study the foreign-aid program.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to, as follows:

Resolved, That Senate resolution 35, agreed to January 30, 1957, is hereby amended by striking out June 30, 1957, wherever it appears therein, and inserting in lieu thereof, January 31, 1958.

FURTHER CONSIDERATION BY THE UNITED NATIONS OF THE PROBLEM OF HUNGARY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Concurrent Resolution 35.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The legislative clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the United States Congress that the United States Government instruct the United States delegation to the General Assembly of the United Nations to take urgent steps to recommend the reconvening of the General Assembly at this time to consider further the problem of Hungary in the light of the report of the United Nations Special Committee on the Problem of Hungary.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. KNOWLAND. Mr. President, the concurrent resolution, which was reported unanimously by the Committee on Foreign Relations yesterday—and a copy of the report of the committee is available on each Senator's desk—deals with the situation in Hungary. It grows out of the appointment of a special committee which was established by 1 of 10 resolutions on the Hungarian situation which the United Nations adopted.

It is very significant that in the consideration of the subject all the nations which were represented on the special committee of the United Nations unanimously joined in its findings.

A meeting is being held today in New York by the original nations which sponsored the U. N. resolution, and at that meeting consideration will be given to the calling of the United Nations General Assembly into special session to consider the report of the committee.

I hope the Senate will adopt the resolution by a unanimous yea-and-nay vote.

I am very pleased to be joined in the submission of the concurrent resolution by the distinguished Senator from Illinois [Mr. DOUGLAS]. In the Committee on Foreign Relations the concurrent resolution had the unanimous support of all Members on both sides of the aisle.

The report which was submitted by the United Nations special committee concludes by stating:

That what took place in Hungary in the latter part of 1956 was a spontaneous national uprising caused by long-standing grievances engendered by the oppressive way of life under Communist rule and by the state of captivity of Hungary under the control of the Union of the Soviet Socialist Republics.

Mr. President, I ask unanimous consent that, as a part of my remarks, excerpts from the report of the Senate Committee on Foreign Relations be printed in the RECORD at this point.

There being no objection, the excerpts from the report (No. 523) were ordered to be printed in the RECORD, as follows:

1. PURPOSE OF THE RESOLUTION

The purpose of the resolution is to express the sense of the Congress that the United States Government should take urgent steps to recommend the reconvening of the United Nations General Assembly now to consider further the problem of Hungary in the light of the report of the United Nations Special Committee on the Problem in Hungary.

2. COMMITTEE ACTION

Senate Concurrent Resolution 35 was submitted on June 21, 1957, by Mr. KNOWLAND (for himself and Mr. DOUGLAS) and was referred to the Committee on Foreign Relations. The committee considered the resolution on June 25, 1957, in executive session. The committee had before it a letter to the chairman from the Department of State, dated June 25, 1957, describing steps which the executive branch is taking with respect to the report of the Special Committee on the Problem of Hungary and stating that "The Department of State perceives no objection to the adoption of the concurrent resolution." This letter appears at the end of this report as annex E. The Committee on Foreign Relations voted unanimously to report the resolution to the Senate favorably.

3. UNITED NATIONS ACTION WITH RESPECT TO INTERVENTION BY THE SOVIET UNION IN HUNGARY

The peaceful student demonstration in Budapest on October 23, 1956, started a series of events which shocked the entire world and which have occupied the attention of the organs of the United Nations ever since.

The uprising of the Hungarian people was put down only through massive armed intervention by the Soviet Union. By October 26, 1956, fighting was general throughout Hungary, between the people on the one side and units of the Hungarian secret police and the Soviet forces on the other side.

(a) Security Council consideration

In these circumstances the United States, France, and the United Kingdom, on October 27 submitted "The situation in Hungary" for the agenda of the Security Council and requested an urgent meeting. On October 28 the Security Council put the Hungarian item on its agenda over the vote of the U. S. S. R. and the abstention of Yugoslavia.

On October 29 Israel invaded Egypt and on October 31 France and the United Kingdom intervened in the Egyptian fighting. These events also required United Nations action and of course drew attention away from the crisis in Hungary.

On October 28 a Soviet-Hungarian agreement for the immediate withdrawal of Soviet forces from Budapest was announced and on October 30 Moscow stated Russian readiness to negotiate with Hungary about the stationing of Soviet troops there. By October 31 Soviet units began to leave Budapest.

Although early on November 1 the situation appeared peaceful, the Hungarian Government, then headed by Premier Nagy, learned of the entry of new Soviet units in Hungary and Premier Nagy cabled to the United Nations Secretary General that Hungary was withdrawing from the Warsaw Pact and requesting that the forthcoming General Assembly consider "the question of Hungary's neutrality and the defense of this neutrality by the four great powers.

The Security Council met on November 2 without the Hungarian representative because it was questioned whether the permanent Hungarian delegation in New York still represented Hungary. On November 3, Ambassador Lodge submitted a resolution calling upon the U. S. S. R. to stop intervening in Hungary and to withdraw Soviet forces without delay. On the plea of the Soviet representative that negotiations were in progress in Budapest regarding the presence of Soviet troops in Hungary, the Security Council did not then vote on the United States resolution. During the evening, however, reports of large-scale Soviet military intervention were received and an emergency Security Council meeting convened at 3 a. m. on November 4. At this meeting the United States resolution was vetoed by the Soviet Union.

Ambassador Lodge then presented in the Security Council a resolution calling for an emergency session of the United Nations General Assembly under the "Uniting for peace" procedure "in order to make appropriate recommendations concerning the situation in Hungary." This resolution was approved by a vote of 10 to 1 (U. S. S. R.).

(b) General Assembly action at its special session

The General Assembly met at 4 p. m., Sunday, November 4, and the Hungarian item was immediately put on the agenda. The United States submitted a resolution calling for the U. S. S. R. to stop armed attack on the people of Hungary; the Secretary General was requested to investigate and report to the Assembly on the situation, and the resolution called upon Hungary and the U. S. S. R. to admit United Nations observers to Hungary. This resolution was adopted the same day, 50 to 8 (Albania, Byelorussia, Bulgaria, Czechoslovakia, Poland, Rumania, Ukraine, U. S. S. R.), with 15 abstentions (Afghanistan, Burma, Ceylon, Egypt, Finland, India, Indonesia, Iraq, Jordan, Libya, Nepal Saudi Arabia, Syria, Yemen, Yugoslavia). Hungary did not participate, having received no official information or instructions from Budapest.

Due to the occupation of the General Assembly with the Middle East situation, that body was unable to resume consideration of the Hungarian problem until November 8, at which time Italy, Cuba, Ireland, Pakistan, and Peru submitted the so-called five-power resolution, again calling on the U. S. S. R. to withdraw its forces and proposing free elections in Hungary under United Nations auspices. On November 9 the United States introduced a resolution calling upon the U. S. S. R. to cease its actions in violation of United Nations principles and requesting the Secretary General, through the United Nations High Commissioner for Refugees, to set up machinery for helping refugees fleeing Hungary. Austria also introduced a resolution dealing with relief activities. On November 9 these 3 resolutions were adopted over the objection or abstention of the Communist bloc.

On November 10 the emergency session of the General Assembly adopted a United States proposal to place the Hungarian problem on the agenda of the imminent 11th regular session of the United Nations General Assembly.

(c) U. N. Secretary General's efforts

Acting under the November 4 resolution, the Secretary General on November 8 addressed an aide memoire to the Hungarian Foreign Minister asking whether Hungary was willing to admit his observers. On November 12 a negative Hungarian reply was received which argued that the situation in Hungary was an internal matter and that any General Assembly resolution was illegal. On November 16 the Secretary General appointed the following individuals to investigate the situation in Hungary: Judge Oscar Gunderson, Norway; Mr. Arthur Lall, India; and Mr. Alberto Lleras, Colombia.

(d) Action at the 11th session of the General Assembly

With the publication of reports of repressive Communist measures in Hungary, including mass deportations to the Soviet Union, the Cuban Government introduced a resolution in the General Assembly on November 15 calling upon the Soviet Government to cease forced deportations and asking prompt compliance with previous General Assembly resolutions. The United States supported the Cuban resolution. On November 19 a resolution was submitted by Ceylon, India, and Indonesia which noted statements about deportations and urged Hungary to accede "without prejudice to its sovereignty" to the Secretary General's request to admit observers. The Cuban resolution was adopted on November 21 by 55 votes to 10 (Albania, Bulgaria, Byelorussia, Czechoslovakia, Hungary, Poland, Rumania, Ukraine, U. S. S. R., Yugoslavia) with 14 abstentions (Afghanistan, Egypt, Finland, India, Indonesia, Jordan, Lebanon, Libya, Morocco, Saudi Arabia, Sudan, Syria, Tunisia, Yemen). The Indian resolution was also adopted by 57 votes to 8 (Albania, Bulgaria, Byelorussia, Czechoslovakia, Hungary, Rumania, Ukraine, U. S. S. R.), with 14 abstentions (Chile, China, Cuba, Dominican Republic, Egypt, Ethiopia, Jordan, Panama, Paraguay, Poland, Saudi Arabia, Syria, Yemen, Yugoslavia).

(e) Assistance to refugees from Hungary

Also on November 21 the General Assembly took up the refugee problem on the basis of a joint resolution submitted by Argentina, Belgium, Denmark, and the United States. This resolution urged governments to contribute to the program of the U. N. High Commissioner for Refugees and to coordinate their aid programs in consultation with him. This resolution was agreed to by 69 votes to 2 (Hungary, Rumania), with 8 abstentions (Albania, Bulgaria, Byelorussia, Czechoslovakia, Poland, Sudan, Ukraine, U. S. S. R.), and Hungarian amendments aimed at causing the return of refugees were rejected.

(f) Report of the U. N. Secretary General on Hungary

On November 30 the Secretary General reported to the General Assembly that no information was available concerning compliance with General Assembly resolutions on troop withdrawal and related political matters; that his efforts to send observers into Hungary had been rejected, that the individuals whom he had appointed to investigate the situation had been unable to report for lack of opportunity to observe; and that humanitarian assistance to Hungarians within and outside of Hungary was underway.

(g) Further General Assembly consideration

In December 1956 there was general agreement in the General Assembly that one final effort should be made to achieve compliance with earlier Assembly resolutions before moving on to more drastic measures. A 14-power resolution which had been introduced on December 2 set a deadline for compliance. This resolution was adopted on December 3 by 54 votes to 10 (Albania, Bulgaria, Byelorussia, Czechoslovakia, Hungary, Poland, Rumania, Ukraine, U. S. S. R., Yugoslavia), with 14 absentions (Afghanistan, Burma, Ceylon, Egypt, Finland, India, Indonesia, Jordan, Morocco, Saudi Arabia, Sudan, Syria, Tunisia, Yemen).

When the December 3 resolution failed to bring any response from the Soviet Union or Hungary, a 20-power resolution was tabled in the General Assembly which condemned the violation of the charter by the Government of the U. S. S. R. in depriving Hungary of its liberty and independence and the Hungarian people of the exercise of their fundamental rights. On December 10 Ceylon, India, and Indonesia submitted amendments designed to soften somewhat the condemnation of the Soviet Union, but in the final voting on December 12 these amendments were rejected and the resolution was adopted, 55 to 8 (Albania, Bulgaria, Byelorussia, Czechoslovakia, Poland, Rumania, Ukraine, U. S. S. R.), with 13 abstentions (Afghanistan, Cambodia, Egypt, Finland, India, Indonesia, Jordan, Morocco, Saudi Arabia, Sudan, Syria, Yemen, Yugoslavia).

(h) Special committee of investigation

On January 5, the Secretary General reported again on his action pursuant to the various Assembly resolutions. He also raised the question whether the General Assembly should not establish a special committee to take over the activities of the three individuals earlier appointed by the Secretary General to investigate the Hungarian situation. A resolution embodying this suggestion was adopted on January 10.

4. REPORT OF THE UNITED NATIONS SPECIAL COMMITTEE ON THE PROBLEM OF HUNGARY

The Special Committee on the Problem of Hungary, composed of the representatives of Australia, Ceylon, Denmark, Tunisia, and Uruguay, was established by resolution 1132 (XI) of the General Assembly of the United Nations on January 10, 1957. This resolution is set out as annex A of the report. The following representatives were appointed by their Governments: Australia: Mr. K. C. O. Shann; Ceylon: Mr. R. S. S. Gunawardene; Denmark: Mr. Alsing Andersen; Tunisia: Mr. Mongi Slim; Uruguay: Prof. Enrique Rodriguez Fabregat. The committee held its first meeting at the United Nations Headquarters in New York on January 17, 1957, and elected Mr. Alsing Andersen as chairman, and Mr. K. C. O. Shann as rapporteur.

The committee heard 111 witnesses: Thirty-five were heard in New York, 21 in Geneva, 16 in Rome, 30 in Vienna, and 9 in London. The first three prominent witnesses were heard in public, but the committee found it more practical to hold closed meetings to hear the other witnesses since most of the refugees feared retaliation against their families and friends in Hungary. The witnesses heard in public were Miss Anna Kethly, Minister of State in the Hungarian Government of Imre Nagy; Maj. Gen. Bela Kiraly, military commander of the city of Budapest and commander in chief of the National Guard during the Hungarian uprising; and Jozsef Kovago, major of Budapest during the years 1945-47 and again during the days from October 31, to November 4, 1956.

The witness were selected by the chairman and the rapporteur of the committee from a larger number who asked to be heard. Most witnesses were skilled and unskilled workers, both Communist and non-Communist, and all religious faiths were represented. None of the witnesses had left Hungary prior to the October 1956 revolution. Most witnesses testified that they had fled Hungary because they feared arrest and deportation. After giving their own statements the witnesses were cross examined by members of the committee. The committee also received and made use of voluminous documentary material from United Nations members, including verbatim reports in English and Hungarian of official Hungarian broadcasts and unofficial broadcasts made during the revolution.

Attempts by the special committee to observe and question witnesses in Hungary and to meet former Premier Nagy were rejected by the Hungarian Government which had been installed by action of the Soviet Union. The United Nations committee regrets not having available to it information which could have been obtained by direct observation in Hungary but the com-

mittee believes that its conclusions would not have been modified if the Hungarian Government had been more cooperative. The main conclusion of the report of the Special Committee on the Problem of Hungary, is summarized in the preamble of Senate Concurrent Resolution 35 is:

That what took place in Hungary in the latter part of 1956 was a spontaneous national uprising caused by long-standing grievances engendered by the oppressive way of life under Communist rule and by the state of captivity of Hungary under control of the Union of Soviet Socialist Republics.

The detailed conclusions of the special committee are set forth as annex C of this report. The conclusions of the special committee have added significance because they are concurred in by representatives of Ceylon and Tunisia, nations which have pursued an independent course in foreign affairs and who could not be said to be partial to the views of the United States or of other sponsors of resolutions in the General Assembly condemning the action of the Soviet Union in Hungary.

5. CONSIDERATION OF THE REPORT OF THE SPECIAL COMMITTEE BY THE UNITED NATIONS ASSEMBLY

The Report of the United Nations Special Committee on the Problem of Hungary constitutes an indictment of a creed and system so tyrannical and so clearly imposed by the Soviet Union that the workers of Hungary were constrained to revolt, and also an indictment of the brutal actions of the Soviet Union in crushing that revolt.

The next regular meeting of the General Assembly will not take place until September. That meeting will in due course take up the report on Hungary, but other items are pressing for attention and there may be some delay. The Committee on Foreign Relations, therefore, urges the reconvening of the General Assembly now to consider the report on Hungary.

It is important that world attention be focused again on Hungary. The world needs to be reminded forcefully of the momentous events which took place there in October and November of 1956. Unfortunately the occurrence of the conflict in Egypt at the same time tended to obscure, for most of the world, the facts and lessons to be drawn from the events in Hungary.

The Committee on Foreign Relations does not wish to prejudge any action which the General Assembly may decide to take as a result of its consideration of the report on Hungary but in the opinion of the Committee on Foreign Relations this report represents an unequivocal demand for a prompt and effective response on the part of the General Assembly. This response should be consistent with the determination expressed by the peoples of the United Nations in the charter, "to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained."

6. CONCLUSION

The Committee on Foreign Relations urges the Senate to give prompt approval to Senate Concurrent Resolution 35.

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ANNEX E

DEPARTMENT OF STATE,
Washington, June 25, 1957.

Hon. THEODORE FRANCIS GREEN,
Chairman, Foreign Relations Committee, United States Senate.

DEAR SENATOR GREEN: Reference is made to Senate Concurrent Resolution 35 introduced by Senators KNOWLAND and DOUGLAS on June 21, 1957, and to the oral request of the staff of the Committee on Foreign Relations for the comments of the Department of State on the resolution. The concurrent resolution, after preambular paragraphs referring to previous action by the General Assembly of the United Nations on the situation in Hungary and certain findings of the Special Committee on the Problem of Hungary, would express as the sense of the Congress "that the United States Government instruct the United States delegation to the General Assembly of the United Nations to take urgent steps to recommend the reconvening of the General Assembly at this time to consider further the problem of Hungary in the light of the report of the United Nations Special Committee on the Problem of Hungary."

The report of the special committee was made public on June 20. The United States Representative to the United Nations, Ambassador Henry Cabot Lodge, immediately announced his intention to call a meeting of representatives of the 24 nations which cosponsored the resolution of January 10 establishing the special committee, and expressed the hope that the meeting would reach decisions "as to the most effective future steps." The Department of State also issued a statement emphasizing that thorough consideration was being given to the committee's report and observing that "obviously the cosponsors of the resolution establishing the committee will wish to consult as soon as possible to determine the most effective way of dealing wtih the committee's report, and of seeking all practical redress of the wrong that has been committed, in violation of the principles of the United Nations and of the elemental requirements of humanity."

The meeting of the 24 cosponsors has now been set for Wednesday afternoon, June 26.

Meantime consultations are underway with interested governments here and in New York to determine how best to deal with the committee's report. At the Wednesday meeting one of the first subjects considered will be the question whether the best way of advancing the objectives of the United Nations in regard to the situation in Hungary will be to reconvene the General Assembly to consider the committee's report. At this meeting the United States Government, through Ambassador Lodge, will make clear it favors reconvening the General Assembly at an early date to consider the committee's report subject to the development of sufficient support for such action. Of course it is not now possible to predict the outcome of our present consultations or of the meeting on June 26. In any event, however, the report of the special committee will be discussed, either at a reconvened session of the General Assembly, or at its 12th regular session, scheduled to meet in New York, September 17.

In these circumstances, the Department of State perceives no objection to the adoption of the concurrent resolution.

Sincerely yours,

ROBERT C. HILL,
Assistant Secretary of States.
(For the Secretary of State).

Mr. KNOWLAND. The excerpts include a letter from the Assistant Secretary of State indicating that the Department approved of the concurrent resolution.

In order to facilitate matters, I suggest that the House concurrent resolution be laid before the Senate and that all after the resolving clause be stricken, and the text of the Senate concurrent resolution be substituted therefor.

The PRESIDING OFFICER. The Chair lays before the Senate a concurrent resolution coming over from the House of Representatives, which will be read for the information of the Senate.

The legislative clerk read the concurrent resolution (H. Con. Res. 204), as follows:

Whereas the Hungarian freedom revolution broke out October 23, 1956, was catastrophic in nature and subsequent events shocked the conscience of the free peoples of the world; and

Whereas the barbaric action of the Soviet Union in Hungary demonstrates that the Soviet Union is determined to go to any and all lengths to maintain its empire of enslaved peoples by the most brutal forms of armed subjugation and repression; and

Whereas the crisis and foment created by developments in the satellite nations require a continued reevaluation by the United States and the United Nations of strategic policy to meet changing conditions: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the United States should implement a policy toward the satellites that will fully and effectively utilize the position of leadership of the United States through all proper means.

SEC. 2. It is further the sense of the Congress that the President, through the United States representatives to the United Nations, should request the immediate reconvening of the General Assembly of the United Nations to consider the report of the United Nations Special Committee on the Problem of Hungary and other available information on the brutal action of the Soviet Union in Hungary.

The PRESIDING OFFICER. Is there objection to the present consideration of the House concurrent resolution?

There being no objection the Senate proceeded to consider the concurrent resolution (H. Con. Res. 204).

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California [Mr. KNOWLAND] to strike out all after the resolving clause and insert the text of the Senate concurrent resolution.

Mr. KNOWLAND. Mr. President, on the adoption of the resolution I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California.

Mr. DOUGLAS. Mr. President, I am glad the Committee on Foreign Relations reported the Senate resolution so speedily and unanimously. The House having already adopted a similar resolution, if the Senate will now join in that action, it will partially make amends for the relative inaction of the United Nations and of our Government at the time of the Hungarian revolution, last fall.

All of us, I am sure, have a feeling of dissatisfaction with the United Nations and with the policy of this Government in that the Russians were permitted to put down the revolt in Hungary against the pro-Russian, Communist-dominated government of Hungary without any effective action being taken either by the United Nations or the United States Government.

Of course, almost simultaneously with the revolution in Hungary came the troubles in the Middle East, and the United Nations and this Government

moved speedily there. After some negotiations it was possible to effect the withdrawal of the British and the French troops from the Suez Canal area. After a further period of negotiations the withdrawal of the Israeli troops from the Sinai Peninsula was also effected.

However, nothing was done in the case of Hungary except the appointment of a study committee.

It is my feeling that the United Nations should have sent observers to Hungary at the time of the revolution, and even though access has been denied, the U. N. should have attempted to land some of its personnel in Budapest to observe what was going on.

All of that, however, is now water over the dam.

The Committee appointed by the United Nations conducted a very careful study. The Hungarian Government, controlled as it is by the Russians, refused to permit the United Nations Committtee to enter Hungary, so that the inquiry had to be made outside Hungary, and testimony was taken from refugees.

Nevertheless, the final report is, I believe, accurate and thorough. Now that it has been made I think it should be definitely acted on by the United Nations, and the Assembly of the United Nations should be called into meeting to consider it.

I hope very much that the Senate will adopt the concurrent resolution by an overwhelming vote, so that it may be made clear that the Congress of the United States is opposed to the tyrannical overthrow of the free and non-Communist dominated government of Hungary and that we take every possible step to see that the responsibility is firmly fixed upon Russia for its action of tyranny and suppression and that such sanctions as may be possible may be imposed.

Mr. JAVITS. Mr. President, I congratulate my colleagues on both sides of the aisle who sponsored the concurrent resolution. It expresses not only the conscience of every Member of the Senate, but I think of almost everyone in the United States. I am certain that the vote on the resolution will be unanimous.

I may say to my colleagues that what gives the resolution peculiar significance and gives it the greatest urgency, with respect to the backing of our Government to have a special session of the General Assembly of the United Nations called, is the fact that the report is the report of the small nations, not of the great powers; it is the report of nations some of whom have been identified with the neutralist aspect of world political affairs.

I think that when the representatives of Australia, Ceylon, Uruguay, Tunisia, and Denmark take the position of unquestioned condemnation of what occurred in Hungary, as it is stated in their report, the report is entitled to our wholehearted approval.

I am pleased with the expeditious action with which the resolution has been reported. I thank my colleagues for their outstanding public service in bringing it before the Senate so rapidly. I congratulate also the members and the staff of the Committee on Foreign Relations for having acted so promptly.

Mr. KEFAUVER. I hope that in the public interest, the passage of the concurrent resolution by yea-and-nay vote will be unanimous.

I, too, congratulate the Committee on Foreign Relations for its prompt action upon the resolution.

I have had the opportunity to read most of the report prepared by the five men appointed by the United Nations to investigate what happened during the revolt of the Hungarian people last fall. In reading the description of the event, one is struck by the thought, time and time again, that if only there had been some plan in the United Nations to handle the matter adequately and to know what to do when such a revolt by the people of a country takes place, things might have been different.

Moreover, if the NATO nations had had some unity or some program whereby they could have acted immediately and in concert with the other Free Nations of the world, the cause of freedom in Hungary might have been given a better chance of survival during that precarious time.

I hope the resolution will contribute toward having a full discussion at the special session of the General Assembly. I hope the United States representatives in NATO will likewise consider adopting a new policy, program, and purpose in dealing with a matter of this kind, if and when it should occur in another satellite nation. It is well to develop a program for action before the event, rather than to wait until after it occurs.

Mr. KNOWLAND. Mr. President, I desire to thank the Senators who have expressed themselves on the concurrent resolution. I think it is important not to have a double standard of international morality in the field of foreign affairs, whether in the United Nations or elsewhere. Certainly the crime against Hungary is one which should arouse the conscience of the world.

I commend to all Senators the very able report of the United Nations committee. I suggest that each Senator procure a copy of that report and keep it as a document to which reference can be made time and time again concerning what can happen to a small country under the condition which prevailed last October and November in Hungary, when the freedom of the people of that nation was struck down by outside aggressor forces from the Soviet Union.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. COOPER. I do not believe the Senate could do anything else except to express its condemnation of Russia's action in Hungary. I am certain, also, that we will consider the report of the special committee of the United Nations with the feeling that justice has been done. Those of us who have had an opportunity to serve in the United Nations, know that the smaller countries, who are members of the United Nations, are placed in a difficult position from time to time when questions involving larger and stronger powers are before them, and particularly when it appears that they might be involving themselves in what is called the "cold war." It is worthy of notice in this case that countries forming the committee, representing differnt parts of the world and somewhat different viewpoints of the world situation, have rendered an objective judgment based upon facts. Great appreciation and great credit must be accorded the sense of justice, the objectivity, and courage displayed by these nations. I favor and I shall vote for the resolution, but I desire to make a suggestion. The consequences, and the effectiveness of the report of the committee, including any action which may be taken by the United Nations, may depend upon the belief of other countries, and particularly less powerful countries, that they can take the same kind of independent, objective action in the United Nations, that they have taken in the report, free from the implication of being involved in the cold war between Russia and the United States.

I believe the chances for action in the United Nations will be greater if less powerful nations are not placed in the position where it may appear that they are being used or involved in the cold war. Their report is an example of courage and of dedication to justice. We should approve it, we should ask United States representatives in the U. N. to recommend that the General Assembly consider and act on the report but let us make it clear that we have confidence that the members will consider it on the facts, which are sufficient, and not as some move in the cold war.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. HICKENLOOPER. I congratulate the authors of the concurrent resolution for submitting it. As a member of the Committee on Foreign Relations, I was happy to participate in recommending to the Senate that the resolution be speedily adopted.

I have had the opportunity to read the report of the Special Committee of the United Nations. I think anyone who reads it will find that it is one of the most astounding documents of its kind which has been printed, at least in modern times. The United Nations Committee, as has been pointed out, was composed of representatives of smaller nations, 1 or 2 of which perhaps have followed the neutralist line for some time.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. HICKENLOOPER. I yield.

Mr. KNOWLAND. I believe it would be useful to have the names of the Committee members to appear in the RECORD, because they are entitled to commendation for their courage, patience, and outstanding work. The following representatives were appointed by their governments:

Australia: Mr. K. C. O. Shann; Ceylon: Mr. R. S. S. Gunawardene; Denmark: Mr. Alsing Andersen; Tunisia: Mr. Mongi Slim;

Uruguay: Prof. Enrique Rodriguez Fabregat. The Committee held its first meeting at the United Nations Headquarters in New York on January 17, 1957, and elected Mr. Alsing Anderson as Chairman and Mr. K. C. O. Shann as rapporteur.

Mr. HICKENLOOPER. I thank the Senator from California for making this worthwhile addition to the RECORD.

As I have said, the report is one of the most outstanding documents of its kind that has been released, at least in modern times. It is astounding from several standpoints.

First, as has been pointed out, it was not the large countries which were attempting to investigate something, concerning which they might have been accused of being special pleaders. Second, the Committee, as evidenced by the report itself, took tremendous pains to gather all the evidence which was available on both sides of the question.

Having done a meticulous job, as appears from the report, and having tried to be, and being, in fact, meticulously fair, even to the point of surprising restraint in the language which was used, when one reads between the lines, the Committee unanimously refuted, rejected, and denounced every single argument advanced by the Iron Curtain countries in their defense of the Hungarian catastrophe.

The refutation begins with the argument of Russia and, as the report shows, the present alleged Government of Hungary, which has no legitimacy, to the effect that the action on the part of the people of Hungary was inspired by the West or from other outside sources. The report refutes that contention completely. It refutes completely the fact that no government or pretended government of Hungary officially, or even under the color of official action, ever asked the Russians to send into Hungary the hordes of Mongolians who were sent in to crush and put down the uprising of the Hungarian people.

I shall not detail it, Mr. President; but the Committee refuted every argument made by the Russian Government and by the pseudo-government of Hungary, and the Committee sustained every argument that those speaking for the Hungarian people themselves had made as to the cause of the uprising and as to the grievances they had against the brutal atrocity of the international organization controlled in the Kremlin.

I think the concurrent resolution is most timely and appropriate.

Mr. KNOWLAND. I thank the Senator from Iowa.

Mr. GREEN. Mr. President——

Mr. KNOWLAND. I yield to the Senator from Rhode Island.

Mr. GREEN. Mr. President, I rise to explain and support Senate Concurrent Resolution 35. This concurrent resolution was submitted on June 21 by the senior Senator from California [Mr. KNOWLAND] for himself and the senior Senator from Illinois [Mr. DOUGLAS].

The purpose of the concurrent resolution is to express the sense of the Congress that the United States Government should take urgent steps to recommend the reconvening of the United Nations General Assembly now, to consider further the problem of Hungary in the light of the report of the United Nations Special Committee on the Problem of Hungary.

The Committee on Foreign Relations considered the concurrent resolution on June 25, and it unanimously voted to report the concurrent resolution favorably.

On January 10, 1957, the United Nations General Assembly established the Special Committee to investigate the Hungarian situation. Representatives from Australia, Ceylon, Denmark, Tunisia, and Uruguay constituted the Committee. The main conclusion of the report of this Special Committee is summarized in the preamble of Senate Concurrent Resolution 35, as follows:

> What took place in Hungary in the latter part of 1956 was a spontaneous national uprising caused by longstanding grievances engendered by the oppressive way of life under Communist rule and by the state of captivity of Hungary under control of the Union of Soviet Socialist Republics.

Mr. President, the conclusion of the United Nations Special Committee is particularly significant because it is concurred in by representatives of Ceylon and Tunisia, nations which have pursued an independent course in foreign affairs and who cannot be said to be partial to the views of the United States or of other sponsors in the General Assembly of resolutions condemning the action of the Soviet Union in Hungary.

Mr. President, if the General Assembly can be reconvened now, without waiting until the regular session in the fall, this action will again focus world attention on Hungary. This additional emphasis on the facts of Soviet brutality in Hungary is necessary because the conflict in Egypt, which occurred at the same time as the Hungarian crisis, tended to obscure the situation in Hungary for a great part of the world.

The Committee on Foreign Relations strongly urges the Senate to adopt Senate Concurrent Resolution 35.

Mr. O'MAHONEY. Mr. President——

Mr. KNOWLAND. I yield to the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, from what has been said, I think it apparent that the concurrent resolution will be speedily and overwhelmingly adopted by the Senate, when it comes to a vote.

I wish to have the RECORD show that I associate myself unreservedly with the position taken by the sponsors of the concurrent resolution and with the position taken by the Foreign Relations Committee in recommending its adoption. It may well be that this will be one of the most historic events of this era.

If, in response to the concurrent resolution, the United Nations calls the General Assembly to act upon the report of the United Nations Special Committee on the Problem of Hungary, it will be a very vigorous forward step in the winning of freedom for all mankind.

Last October, when the uprising of the free people of Hungary had aparently succeeded in bringing about the withdrawal of Soviet troops from that nation, I was encouraged to believe that the redemption of the satellites was at hand. That hope was disappointed because the evacuation of Budapest and the request of the free government of Hungary for United Nations help was not immediately answered. When during a few momentous days in October and November 1956, no action was taken by the United Nations, Soviet Russia launched its vengeful attack to destroy the newly born free nation.

Fortunately the United Nations created this Special Committee to investigate the entire tragic story. The conclusions reached by that Committee are so moving, so revealing of the character of Communist repression and so conclusive of Soviet intentions that I feel we can do no less than by the adoption of this resolution to urge the General Assembly of the United Nations to convene immediately and act upon the unanimous report of its Special Committee. This is the opportunity that is needed to mobilize the hopes and aspirations of free men everywhere. It is the opportunity to prove that the United Nations is an organization that will remain true to the purposes of those who created it, namely to be the instrument of arousing and concentrating the public opinion of free peoples of the world against aggression.

I think the time now has come to remedy the mistakes that were made last fall.

Therefore, Mr. President, I am in complete support of the concurrent resolution.

Mr. KNOWLAND. Mr. President, I wish to say to the distinguished Senator from Wyoming that I am delighted at his excellent statement in this regard, and also at the very firm position he has taken over the years in regard to the treatment of oppressed people in the world.

I desire to call his attention to the fact—although I am sure he is familiar with it—that in the report is to be found a clear documentation of the duplicity of the Soviet Union, both in the United Nations and in Hungary. When first there was introduced in the United Nations a resolution calling for the Soviet forces to get out of Hungary, the Soviet representative in New York asked the United Nations to postpone action on the resolution because, he said, at that very time negotiations to withdraw their forces were going on. That is the documentation of duplicity No. 1.

At the very time, in Budapest, Hungary, the Soviet Army authorities had asked the Minister of Defense of Hungary, through the Government of Hungary—then Premier Nagy—to send a representative to negotiate with them on the details of the withdrawal of the Soviet forces; and while General Maléter, the Defense Minister, was there, negotiating with the Russian commander, in Budapest, with several assistants on each side present, and apparently with progress being made, for they had even agreed on how the forces would be withdrawn, namely, that they would be withdrawn with full military honors, and so forth, at that time the head of the Soviet secret

police arrived from Moscow and entered the room; he did not have his uniform on; he whispered in the ear of the Soviet commanding general, and placed the Hungarian negotiators under arrest—apparently to the astonishment and even to the shock of the Russian Army representatives who were there.

After having asked them to negotiate in good faith, and after having gotten them into a meeting place which was under the control of the Soviet forces, the second great act of duplicity occurred when the Hungarian leaders were arrested.

I thought the Senator from Wyoming would be interested in that documentation, which is fully set forth in the report of the United Nations Committee.

Mr. O'MAHONEY. Mr. President, I am glad the Senator from California has pointed out that particular charge of duplicity on the part of the Soviets. It seems to me this is an opportunity to rally the mind of all humanity in favor of and support of the principles of freedom. It must be done. We cannot fail.

(At this point Mr. KNOWLAND yielded to Mr. THURMOND, who introduced a bill (S. 2401) to authorize the enforcement of State statutes prohibiting subversive activities, and for other purposes. By unanimous consent, Mr. THURMOND's remarks were ordered to be printed in the RECORD following the adoption of H. Con. Res. 204.)

Mr. NEUBERGER. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield to the Senator from Oregon.

Mr. NEUBERGER. I thank the Senator from California for yielding to me.

I wish to express my support of his resolution, and commend him for sponsoring it. We should express the indignation of free men and women over Soviet barbarism and outrages in Hungary.

However, I fear that sometimes we forget the substance of what we are doing while thinking exclusively of the form of what we are doing. The proposal before us is merely a resolution. I am interested in action.

I am disturbed over the fact—and I should like to ask the distinguished Senator from California if he does not share my alarm—that we have not done enough to take into our own country Hungarian refugees who actually have fought on the frontiers against tyranny.

The distinguished Vice President of the United States made a trip to the boundaries of Hungary last December. I recently reviewed the newspaper clippings resulting from that trip. There was a great deal of fanfare and heraldry over all that was to be done by the United States for the victims of oppression and tyranny—for the people who actually fought against Soviet tanks.

The Vice President returned, and I believe there was a great rally at Madison Square Garden. Everything was to be done for the Hungarian refugees.

I have been interested and concerned to note, however, that our vast country has done infinitely less for those refugees, considering our wealth and size, than have many smaller lands.

Let me cite one set of statistics which I think is very germane to this question. The Netherlands, a small country of limited resources, has taken 42 Hungarian refugees for each 100,000 of the population of the Netherlands and has taken 72 refugees for each $100 million of national income of the Netherlands.

By contrast, the United States has taken only 18 refugees from Hungary for each 100,000 population, and only 9 for each $100 million of national income.

My question to the distinguished minority leader is this: Does he not think—and I know that he sincerely opposes this dreadful Soviet tyranny with all his heart and soul—that in addition to adopting this resolution we might well buttress our genuine intentions in this respect with a more ample and successful program of admitting across the borders of the wealthiest country in the world some of these unfortunate refugees who have actually risked their lives and who have been maimed—certainly psychologically, if not physically—fighting against Soviet tyranny within Hungary?

Mr. KNOWLAND. I will say to the distinguished Senator from Oregon that I personally believe that all the nations, including the United States, could do more to help the people who were compelled to leave their country because of the Soviet invasion, and who are now in temporary camps in Austria, Yugoslavia, Germany, and elsewhere. I do not believe the United States can or should solve the problem alone, but I think we should do our full share, and also encourage other nations that are capable of helping to meet the problem to do their share.

Mr. NEUBERGER. The Senator from California is aware of the fact, however, that, considering our wealth and size, we have done substantially less than many other nations have done.

Mr. KNOWLAND. I think that argument could be made. Personally, I would like to see the United States do more, but I have also seen figures which indicate that our country has done a substantial amount, and considerably more than has been done by a number of other nations, which might also do more. I do not wish to quibble on that point. I think the United States should do more. I think other nations should do more.

Mr. NEUBERGER. I thank the Senator. I ask these questions because I think it is pertinent, as we adopt this resolution, which seeks to bring before all the people of the world the shocking Soviet record in Hungary, to reaffirm our intention to do all that is possible for those brave defenders of freedom who have managed to escape from the Soviets.

Mr. KNOWLAND. I thank the Senator.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. As a member of the Committee on Foreign Relations, I am very grateful to have the opportunity to vote for the pending resolution, upon which the Senate will act in a few minutes.

I congratulate the Senator from California and the Senator from Illinois for submitting the resolution so promptly after the amazing report of the Special Committee of the United Nations. I speak feelingly on this subject, because I come from a State in which is located Camp Kilmer, where the first of the Hungarian refugees to come to this country were sent. The influx of refugees had hardly begun before I had the privilege of going to Camp Kilmer and seeing a number of them come in.

I have never seen a greater demonstration of real joy on the faces of any people than I observed on the faces of those who had been able to get away from the persecution to which they had been subjected, and to come to this country of ours, the land of the free.

It has been a source of great gratification to me to be able to participate in the efforts which have been made by the Special Committee and others who have been trying to solve the Hungarian problem. I identify myself unconditionally with my colleagues on the Foreign Relations Committee, and especially with the minority leader [Mr. KNOWLAND] and with the Senator from Illinois [Mr. DOUGLAS], who have joined in presenting the resolution now so that the United Nations may know today that our body is behind it 100 percent.

Mr. KNOWLAND. I thank the Senator from New Jersey.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. As I understand, the yeas and nays have been ordered on the concurrent resolution.

The PRESIDING OFFICER. The Senator is correct. The question is on agreeing to the amendment offered by the Senator from California, striking out the resolving clause of House Concurrent Resolution 204, and substituting therefor the text of Senate Concurrent Resolution 35.

Mr. KNOWLAND. As I understand the parliamentary situation, the Senate had already agreed to the amendment.

The PRESIDING OFFICER. The yeas and nays have been ordered on the House concurrent resolution; however, the question before the Senate is still on the amendment offered by the Senator from California.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to House Concurrent Resolution 204, as amended. On that question the yeas and nays have been ordered.

Mr. KNOWLAND. As I understand, the question is on agreeing to the House concurrent resolution, as amended by

the language of the Senate concurrent resolution.

The PRESIDING OFFICER. The Senator is correct. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Texas [Mr. JOHNSON], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from North Carolina [Mr. ERVIN] is absent on official business attending the funeral of the late Governor Cherry of North Carolina.

The Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

I further announce that if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from North Carolina [Mr. ERVIN], the Senator from Texas [Mr. JOHNSON], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from West Virginia [Mr. NEELY] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maine [Mr. PAYNE], and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Vermont [Mr. FLANDERS] is detained on official business.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] would each vote "yea."

The result was announced—yeas 86, nays 0, as follows:

YEAS—86

Aiken	Gore	Morton
Allott	Green	Mundt
Anderson	Hayden	Murray
Barrett	Hennings	Neuberger
Beall	Hickenlooper	O'Mahoney
Bennett	Hill	Pastore
Bible	Holland	Potter
Bricker	Hruska	Purtell
Bush	Humphrey	Revercomb
Butler	Ives	Robertson
Byrd	Jackson	Russell
Capehart	Javits	Saltonstall
Carlson	Jenner	Schoeppel
Carroll	Johnston, S. C.	Scott
Case, N. J.	Kefauver	Smathers
Case, S. Dak.	Kennedy	Smith, Maine
Chavez	Kerr	Smith, N. J.
Clark	Knowland	Sparkman
Cooper	Kuchel	Stennis
Cotton	Lausche	Symington
Curtis	Long	Talmadge
Dirksen	Magnuson	Thurmond
Douglas	Malone	Thye
Dworshak	Mansfield	Watkins
Eastland	Martin, Iowa	Wiley
Ellender	Martin, Pa.	Williams
Frear	McClellan	Yarborough
Fulbright	McNamara	Young
Goldwater	Morse	

NOT VOTING—9

Bridges	Flanders	Monroney
Church	Johnson, Tex.	Neely
Ervin	Langer	Payne

So the concurrent resolution (H. Con. Res. 204), as amended, was agreed to, as follows:

Whereas the Special Committee on the Problem of Hungary, established by the General Assembly of the United Nations under its resolution 1132 (XI) adopted at its 636th plenary meeting on January 10, 1957, has now submitted a report (A/3592) of its findings to the General Assembly under terms of the said resolution; and

Whereas it has been established by the said Special Committee: That what took place in Hungary in the latter part of 1956 was a spontaneous national uprising caused by long-standing grievances engendered by the oppressive way of life under Communist rule and by the state of captivity of Hungary under control of the Union of Soviet Socialist Republics; and

Whereas the said Special Committee concludes that a massive armed intervention by one power on the territory of another with the avowed intention of interfering in its internal affairs, must be a matter of international concern; and

Whereas the General Assembly of the United Nations, by its resolution 1119 (XI) adopted at its 668th plenary meeting on March 8, 1957, authorized "the President of the General Assembly, in consultation with the Secretary General and with the member states the representatives of which are serving as the general committee during the session to reconvene the General Assembly as necessary in order to consider further item 66 or 67", item 67 being the problem of Hungary: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the United States Congress that the United States Government instruct the United States delegation to the General Assembly of the United Nations to take urgent steps to recommend the reconvening of the General Assembly at this time to consider further the problem of Hungary in the light of the report of the United Nations Special Committee on the Problem of Hungary.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Without objection, the preamble of House Concurrent Resolution 204 will be amended by substituting therefor the preamble of Senate Concurrent Resolution 35.

Without objection, Senate Concurrent Resolution 35 is indefinitely postponed.

THE TYRANNY OF THE JUDICIARY

During the consideration of House Concurrent Resolution 204,

Mr. THURMOND. Mr. President, the tyranny exercised in Hungary is deplorable. I wish to commend the Senator from California for having submitted the concurrent resolution.

While we are thinking of the tyranny in Hungary, I wish to take a few minutes to discuss tyranny in the United States; and when I say that, I mean the tyranny of the judiciary in the United States.

Some time ago a friend wrote to me suggesting that I should introduce a bill making "all legislation by the United States Supreme Court subject to review by the Congress." Perhaps my friend was being facetious at the time he wrote. Since that time the Supreme Court has rendered several additional decisions usurping the legislative power of the Congress and of the States. Each succeeding decision has made my friend's suggestion almost a matter for practical consideration.

Not only has the Court dealt deadly blows to the constitutional principle of States rights and to the lawmaking power of the legislative branch of the Federal Government; the Court has also struck at fundamental authority vested in the executive branch.

The time is long past due for action by the Congress to call a halt to this unconstitutional seizure of power by the third branch of Government.

COURT CONCEIVED AS BEING WEAK

This third branch of the Government, the Supreme Court, was conceived by the framers of the Constitution to be a weaker branch than the legislative and executive branches.

Hamilton, writing in the 78th Federalist paper, said:

The judiciary * * * has no influence over either the sword or the purse; no direction either of the strength or of the wealth of the society; and can take no active resolution whatever. It may truly be said to have neither force nor will, but merely judgment; and must ultimately depend upon the aid of the executive arm even for the efficacy of its judgments.

This simple view of the matter * * * proves incontestably, that the judiciary is beyond comparison the weakest of the three departments of power; that it can never attack with success either of the other two * * * It equally proves * * * the general liberty of the people can never be endangered from that quarter; I mean so long as the judiciary remains truly distinct from both the legislative and the executive.

Those words were by Alexander Hamilton.

This argument by Hamilton was on half of the permanent tenure of members of the judiciary. I doubt very seriously that he would express the same views today if he were here and had read the decisions of the Supreme Court during recent years.

FRAMERS OF CONSTITUTION PROTECTED COURT

In surrounding the Federal judiciary with safeguards to protect it against feared usurpation of authority by the executive and the Congress, the framers of the Constitution intended to provide the people with greater insurance against dangers to their freedom. They did not visualize a Court which, by disregard for the Constitution, would itself exercise power vested by the Constitution in the States, the Congress and the Executive.

Events have proved that this branch of the Government, not subject to the direct will of the people as are the members of the legislative and the executive branches, has violated the very principle sought to be protected by creation of the judiciary.

Hamilton argued for adoption of the Constitution with the provision for permanent tenure of members of the Federal Judiciary because it would be necessary for the judges to acquire knowledge, through "long and laborious study," of the "strict rules and precedents, which serve to define and point out their duty in every particular case which comes before them."

Clearly he, as one of the framers and as an advocate for the Constitution, understood the document to establish principles of law upon which precedents would be established, and that, once established, succeeding judges would be expected to follow the precedents.

Indeed, such a concept of the Constitution as fundamental law in this country is basic to our way of life.

PRECEDENTS REVERSED IN 20 YEARS

Nevertheless, since 1937 the Supreme Court has reversed 34 established precedents by decisions in new cases. During 150 years under the Constitution prior to 1937, only 29 precedents of the Court had been reversed.

All of us have heard many times the comment in 1944 of the late Justice Roberts, dissenting in Smith against Allwright, that Supreme Court decisions appeared to have taken on the attributes of restricted railroad tickets, valid only for the date of their issuance. Recent decisions of the Court fully substantiate the opinion expressed by Justice Roberts.

When President Truman, by what was called inherent power, in 1952 directed the seizure of the steel industry, the Supreme Court was quick to declare that the power sought to be exercised was the lawmaking power, vested in Congress alone. I cannot understand how the Court could so easily recognize the unconstitutional action of the President, who was attempting to usurp the legislative authority, and yet fail to recognize its own acts of usurpation.

In 1921 the Supreme Court decided that certain laws enacted by the Congress could not be applied to the conduct of primary elections in the States, but only 20 years later the Court reversed itself by approving the action of the Justice Department in going into Louisiana to investigate an election.

In my own State, the Federal courts in 1944 opened the Democratic primary to all persons, regardless of political affiliation, by declaring the primary to be in effect the real election in the State. Events of the past few years have proved this entirely wrong, the last several general elections having been necessary to decide a number of political races.

ALL SECTIONS HAVE FELT HAND OF COURT

States in all sections of the country have felt the hand of the Supreme Court in affairs which were clearly matters for State control.

In recent years our great Western States have protested in vain against Federal appropriation of water rights within their boundaries. The decision in the Federal Power Commission against Oregon, on June 6, 1955, aroused the able senior Senator from Wyoming to assert that "the time has come for the Congress to reaffirm, restate, and reinforce that long list of Federal laws enacted for the purpose of preserving the integrity of State water law."

On May 17, 1954, the Supreme Court handed down a decision which declared the laws of 17 States and the District of Columbia unconstitutional in permitting segregation of the races in the public schools. Thus, the Court struck down the 1896 decision in the Plessy against Ferguson case and the judicial precedents stemming from that decision. It disregarded specific evidence it had requested and which was presented to it.

We have seen the strife resulting from this decision and subsequent decisions based on this new precedent. The misuse of injunctive power employed by the judge at Clinton, Tenn., is an illustration of what happens when judicial authority is abused. The county attorney, who read and explained the injunction to the students in Clinton, told them "this injunction had no limits; it applies to everyone, everywhere in this county."

Such injunctions greatly widen the field of judicial legislation which has been exercised by the Supreme Court. Every Federal judge thus becomes a legislature unto himself, able to impose injunctions of varying scope and severity and self-endowed with the authority to enforce such edicts.

In addition to the usurpation of power in the school cases, the Supreme Court also has held in recent decisions that States and local communities cannot legally maintain racially segregated public parks or transportation systems.

STATES DENIED JURISDICTION OVER REDS

In Pennsylvania against Nelson, involving an acknowledged Communist, the Supreme Court handed down a decision which denies States the right to enforce laws enacted by their legislatures to deal with subversion or espionage, holding that this field of enforcement has been reserved to the Federal Government. But the author of the Federal law on this subject, Congressman SMITH of Virginia, has declared that no such intent was included in the act which bears his name. The Supreme Court decision in this case invalidated the laws of 42 States.

In the Slochower case in New York, the Court denied States and local agencies the right to discharge persons who invoke the fifth amendment in an authorized inquiry and refuse to answer questions about their connection with communism.

NEW DECISIONS OF FAR-REACHING EFFECT

On June 17—only a week ago—the Supreme Court handed down several new decisions which are bound to have far-reaching effects. I shall mention only two of the cases.

In the Watkins case, the issue was whether a witness before the House Un-American Activities Committee could refuse to answer questions asked during an authorized investigation when the questions did not involve self-incrimination.

The decision—which will greatly hamper investigations to ferret out Communists—stated:

> An essential premise in this situation is that the House or Senate shall have instructed the committee members on what they are to do with the power delegated to them. It is the responsibility of the Congress, in the first instance, to insure that compulsory process is used only in furtherance of a legislative purpose. That requires that the instructions to an investigating committee spell out that group's jurisdiction and purpose with sufficient particularity.

Although the Court admitted that it is—

> not the function of this Court to prescribe rigid rules for the Congress to follow in drafting resolutions establishing investigating committees.

It went on to declare that:

> A person compelled to make this choice (of whether to answer a question or not) is entitled to have knowledge of the subject to which the interrogation is deemed pertinent. That knowledge must be available with the same degree of explicitness and clarity that the due process clause requires in the expression of any element of a criminal offense.

The heart of the matter in the Watkins case is that the Court has provided reluctant, unfriendly, and recalcitrant witnesses with an extra constitutional protection. Should this decision be permitted to stand unchallenged, it will protect criminals and Communists against the investigations necessary to secure information needed to draft legislation for the protection of the public.

What the Court did was to concede it had no authority to establish rules for Congressional investigating committees and then proceed to issue such rules.

COMMUNIST LEADERS FREED

In the Yates case, also decided June 17, the Court freed or ordered a retrial of 14 Communist leaders who had been convicted by a California jury of advocating the violent overthrow of the Government.

Five of the Communists were freed and nine given a retrial on the basis of extremely flimsy reasoning.

First, the Court said the Smith Act, under which the Communists were convicted, does not define what is meant by organize when it uses it with reference to organizing a group which advocates violent overthrow of the Government.

In prosecuting the case, the Government contended that organize means the formation of new cells or new units and that the Communists were engaged in such efforts. But the Court held to a much more narrow view that organize means original creation, such as the creation of the Communist Party in this country which had already taken place before the time of the Communists in this case.

A second question was whether the trial judge properly charged the jury in that he failed to make a clear distinction between advocating violent overthrow of the Government as an abstract principle and the urging or inciting to such action, even at some future time.

On this second question, the Court also agreed with the contentions of the Communists that, in spite of their activities as leaders of the Communist Party, they were not inciting to forcible action at present or in the future for the violent overthrow of the Government.

So again the Supreme Court has expanded its power without benefit of constitutional amendment and without legslation by the Congress authorizing an expansion. In fact these latest decisions of the Court have flouted the constitutional authority of the Congress by trying to set rules for its operation and by failing to accept the clear intent of an act approved by the Congress, about which there was no contention of lack of constitutionality.

MANY OTHER CASES COULD BE CITED

I have made no attempt here to review all of the instances of usurpation of power by the Supreme Court. I have tried to make clear the real and present need for action by the Congress to halt the invasion of the Court into fields reserved by the Constitution to the States, to the Congress, and to the Executive.

History has proved the judicial branch of the Government to be aggressive, instead of weak as visualized by the framers of the Constitution. Perhaps because of not being directly subject to the will of a constituency, as are the President and the Members of the Congress, the judiciary has broken the bounds of its constitutional limitations. The Court has gone power wild. Its decisions are wrecking the confidence of the people in the Federal judiciary.

We cannot continue to ignore this matter of so great importance to the people of this Nation. I would not consider myself true to the oath I took to support and defend the Constitution, if I failed to seek the help of Senators in restoring constitutional limitations over the Federal judiciary.

CONSTITUTION EMPOWERS CONGRESS TO LIMIT COURTS

Authority to limit the power of the Court is vested in the Congress in section 2 of article III of the Constitution After listing specific exceptions, the Constitution provides that—

> The Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

Congress must exercise this constitutional authority to curb the Court or soon the Court will dominate and direct the activities of all branches of the Federal and State governments.

I urge that we approve legislation to put the Court under the constitutional limitation which I have cited.

I am sending to the desk for appropriate reference a bill which would reestablish the constitutional authority of the States in two of the fields which the Supreme Court has invaded without constitutional power.

One provision of the bill would restore State authority to enforce their own subversion and sedition laws, not in conflict with Federal statutes. The other provision of the bill would limit the appellate jurisdiction of the Federal courts in cases relating to the public schools.

I have not attempted to provide for all the fields in which the Supreme Court and the other appellate courts should be regulated in their exercise of power granted under the Constitution. The courts need to be further regulated in other fields. I shall welcome amendments from my colleagues to include those fields, too.

DECISIONS DISRUPT VITAL ACTIVITIES

Mr. President, recent decisions of the Supreme Court have disrupted vital governmental activities in all sections of the Nation. These disruptions have seriously affected the Congress, the executive branch, and the States.

The choice we face in this country today is judicial limitation or judicial tyranny.

Judicial limitation will strengthen the ramparts over which patriots have watched through the generations since 1776.

Judicial tyranny will destroy constitutional government just as surely as any other type of tyranny.

Our Federal Government was established as a government of limited powers. Only by constitutional processes can the limitations be removed legally. Any other method of acquiring power is illegal and unconstitutional.

If the Supreme Court can assume power without rebuff, the complete tyranny of the judiciary is close at hand. Then the Federal Government will cease to be Federal and become national in nature, imposing its will upon the States and local governments of this great country.

The Supreme Court must be curbed. If it continues in the direction it is headed, we shall all become the victims of judicial tyranny.

Mr. President, I hope that my bill will be quickly considered by the appropriate committee and approved by the Senate.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2401) to authorize the enforcement of State statutes prohibiting subversive activities, and for other purposes, introduced by Mr. THURMOND, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. THURMOND. Mr. President, I ask unanimous consent to have a group of newspaper editorials and articles printed at the conclusion of my remarks.

Three of these editorials are from the Charleston News and Courier. They are entitled: "Policy-Makers," "Limits on Rights," and "Legal Confusion Is Certain To Follow When Courts Abandon Precedents."

Another editorial is from the Nashville (Tenn.) Banner and is entitled, "President Awakens to Supreme Court's Threat."

A fifth editorial is from the weekly magazine, the Saturday Evening Post, and is entitled, "The Courts Have No Authority To Amend the Constitution."

Also included are: An article by Ray Tucker entitled "Complaints Against Court Stream Into Washington," which was published in the State, a Columbia, S. C., newspaper, on June 24, 1957, and an article by Constantine Brown entitled "Supreme Court and the Reds," which was published in the Evening Star in Washington on June 24, 1957.

Mr. President, these articles all take up various phases of the subject on which I have just spoken. I wish it were possible for every American to read these articles which penetrate so deeply into the problems which have been created in this country by the decisions of the Supreme Court.

Again I say that while we are taking steps to stop tyranny abroad, I think it is time to begin to take steps to stop tyranny in the United States by the United States Supreme Court.

There being no objection, the editorials and articles were ordered to be printed in the RECORD, as follows:

[From the Charleston News and Courier of June 22, 1957]

POLICYMAKERS

The President and the Congress of the United States are policymakers under the Constitution. They must stand before the electorate at intervals. They are accountable to the people.

The Justices of the Supreme Court have designated themselves policymakers. They are appointed for life. They are accountable only to themselves.

The Founding Fathers did not intend the court to make policy. They did not envision a judicial autocracy with life tenure.

Constitutional amendment could give the people a way to push policymakers off the bench.

[From the Charleston News and Courier of June 22, 1957]

LIMITS ON RIGHTS

Supreme Court rulings lately have invaded the rights of both the executive and legislative branches of the United States Government.

The Court said that John Stewart Service, former Foreign Service officer, was wrongfully dismissed as a security risk in 1951. Who is Mr. Service? He is the Far Eastern "expert" who passed confidential documents to Phillip Jaffe, editor of Amerasia magazine in 1945.

The Supreme Court decision gives Mr. Service the green light in his move to be reinstated as an official of the State Department. Apparently, it makes no difference whether the Secretary of State deems a man a security risk. The Supreme Court has decided that it can run the State Department in addition to telling the States how to operate their public schools.

The same day that the High Court undertook to set the State Department's employment policies, it ruled that Congress had no right to ask a witness the names of persons he had known as Communists.

John Thomas Watkins, an organizer for Walter Reuther's United Auto Workers, is the man who the Court said needn't talk.

Watkins has admitted association with the Communist movement in the 1940s. He contends, however, that he broke with the Reds in 1947. When a congressional committee asked him the names of persons he had known as Communists, he refused to tell.

The Court has sought to curb the activities of the executive branch and the Congress. Who will curb the Supreme Court?

[From the Charleston News and Courier of June 23, 1957]

LEGAL CONFUSION IS CERTAIN TO FOLLOW WHEN COURTS ABANDON PRECEDENTS

Respect for the law evaporates when it is made to read one thing today and another the next.

The Supreme Court of the United States has been moving in unexpected and seemingly illogical ways. It has upset social, business, and legal patterns based on prior court decisions handed down over many years.

The eventual effects on the Nation as a whole cannot yet be accurately forecast. The effects on the lives of southerners, both black and white, already have been profound.

A lucid discussion of the Supreme Court's trend toward ignoring precedent and tradition appeared recently in the Wall Street Journal.

It was written by William H. Fitzpatrick, a New Orleans editor and Pulitzer prize winner before he became associate editor of the Journal.

"The Supreme Court," wrote Mr. Fitzpatrick, "whatever else it may have done, has created great legal problems by upsetting the established order—order in some cases established by a Supreme Court which had previously ruled on the same issue in a different way.

"Among the legal principles that traditionally guided the courts in the interest of continuity and the established order are two of the first importance.

"One principle is that the courts give great weight to the way a statute is interpreted by the men who administer it.

"The other principle is one lawyers and judges know as 'stare decisis.' That Latin phrase is the short form of 'stare decisis et non quieta novere.' Its meaning is 'to stand by decisions and not disturb settled matters,' and its application to orderly government is obvious.

"It represents, broadly speaking, the great difference between the order that follows precedent and the chaos that follows whim.

"Most lawyers will agree that the most controversial decision of the 20th century was the 1954 school segregation case. They also agree that to reach the decision that nullified the guide of 'separate but equal' facilities established by an earlier Supreme Court, the present Supreme Court filed stare decisis in the bottom drawer.

"The record shows that the Supreme Court based its decision more on sociological tracts than on references to prior law and looked right through stare decisis as though it weren't even there."

Mr. Fitzpatrick is repeating what white southerners have been saying ever since black Monday.

A few months ago, many publications (not the Wall Street Journal) that mold big city public opinion would have answered "so what?"

Nonsoutherners, even Time magazine, are beginning to find out that abandonment of stare decisis means something to them as well as to the South. The Supreme Court has applied sociological reasoning to a whole string of decisions with ramifications far outside the South.

In dealing with professional football, the Du Pont Corp., convicted Communists, and civilians accompanying the Armed Forces abroad, the court has shaped the law to suit the case.

It has not measured the facts of the case against the law.

"Liberal" newspapers which did not mourn stare decisis when only the South was hurt by its abandonment are complaining now that the Supreme Court is doing them wrong.

The Philadelphia Evening Bulletin, an integrationist liberal paper, made this sour comment when the Court reversed a year-old ruling and freed two women accused of murdering their military husbands:

"Respect for the Court will not be increased by evidence that the highest law of the land is not necessarily valid for a full 12 months."

Other representatives of the liberal press are losing patience with the Court, too. Their change of tune may have come too late to halt revolutionary rulings that will continue to spread confusion in courtrooms, legislative halls and counting rooms.

It looks suspiciously as though the Court has been encouraged by the applause it won for its school decision. The justices seem inclined to go on ignoring the lawbooks and doing what seems to them to be the popular thing at the moment.

[From the Nashville (Tenn.) Banner of June 23, 1957]

PRESIDENT AWAKENS TO SUPREME COURT'S THREAT

According to a consistently reliable and highly respected reporter, President Eisenhower has waked up to the fact that the Supreme Court is playing hob with the morale of the American people and their respect for the Federal Courts.

Ruth Montgomery of the International News Service, one of the Nation's top Washington correspondents, reports the President has told close friends that he has "never been as mad in my life" as he is at the recent Supreme Court decision opening secret FBI files to accused subversives and other defendants.

It is the conviction of this newspaper that the Presidential anger should have exploded a long time ago.

Friends said they had "never seen Ike so worked up over anything."

This newspaper regrets that the President didn't "get worked up" before he appointed 3 of the 7 Justices, including Chief Justice Earl Warren, who concurred in the shattering decision of last Monday.

Apparently the Chief Executive of the United States is now aware that the Supreme Court, for whose membership he is so far responsible in part, is—

Invading the legislative domain of the Congress, beyond the intent of that independent branch of the Government.

Wrecking the confidence of the people in the Federal Courts.

Destroying recognized constitutional processes.

Undermining the national security by killing the effectiveness of the investigative powers of the world's greatest police agency, the Federal Bureau of Investigation.

And frustrating that greater segment of the American Bar whose integrity is unquestioned and whose leaders repeatedly have sounded the warning which Mr. Eisenhower seems at long last to have heard.

What is he going to do about it? He is quoted as saying that the recent decision opening secret files of the FBI made a "shambles" of law enforcement and gave Moscow the greatest break it has had in years.

If that be so, then let him proceed immediately with his reported plan to have the Justice Department seek new legislation to nullify the Court's ruling and ask the Justices themselves to reargue the question when they reconvene this fall.

The Banner entertains little or no hope for the latter, but the Members of Congress should not allow that ruling to stand. They have the legislative power at hand. It should be exercised immediately to correct not only this abominable decision, but to make certain that the Supreme Court is removed from the legislative field which it has so arrogantly usurped.

Thank God, it is from the South that the ever-growing chorus of warnings has come against the creeping tyranny of the high tribunal.

Southerners may be grateful too that it was a southerner, Justice Tom Clark, of Texas, who spoke out firmly and bravely in a dissenting opinion on the majority's disastrous rule. The Banner has never been an extravagant admirer of Mr. Justice Tom Clark, but it commends his forthright position as eminently sound.

The Congress of the United States should stop its fruitless bickering and jockeying today and redefine the function of the Supreme Court gone wild with powers it was never meant to have under the United States Constitution.

Every Representative, every Senator should pledge his utmost energies and talent to welding a legislative ring of steel about the sacred areas of State and individual liberties subject to ruthless invasion by a headstrong band of zealous men.

[From the Saturday Evening Post of June 8, 1957]

THE COURTS HAVE NO AUTHORITY TO AMEND THE CONSTITUTION

(By Hamilton Long)

Few subjects are surrounded by more confusion than the function of the United States Supreme Court in interpreting the Constitution. There can be no doubt, however, that the Court has no right to change this basic law or to violate the intent of those who initially adopted it or of those who later amended it. Only the people can change the Constitution, by amendment.

For the Supreme Court to try to bypass this process, by interpreting the Constitution contrary to that original intent, is to usurp power never given it.

The Court's first duty is to protect the people's liberties. This includes restricting the Federal Government to the limited powers granted it by the people in the Constitution. As the then Gov. Franklin D. Roosevelt, of New York, truly stated in his States rights speech on March 2, 1930, these powers do not include authority over many "vital problems of government, such as the conduct of public utilities, of banks, of insurance, of business, of agriculture, of education, of social welfare, and of a dozen other important features. In these, Washington must not be encouraged to interfere." However, in his 1936 annual message, as President, Roosevelt boasted of newly expanded Federal powers which he said, in the wrong hands, "would provide shackles for the liberties of the people."

Although the Constitution has not been amended to increase Federal powers since 1920, the Supreme Court in 1937 abandoned its policy of respecting the original intent of the Constitution—as amended—in defining them. It began to change its earlier definitions of that intent, in order to sanction the Federal Government's exercise of vastly increased powers without amendment of the Constitution. The Federal Government now exercises power in all the fields which F. D. R. in 1930 said it should not invade. Many of these increases might have been made eventually, but the proper method to make them is provided in the Constitution and should have been followed. For the Court to attempt to make them by interpretation is government by usurpation, the opposite of constitutionally limited government.

How to restore constitutionally limited government is a major question, especially at a time when concern for the proper limitation of Federal power seems all but nonexistent. This generation, like those which preceded it, is the custodian of the liberties of the people and the restraints on Government power which alone can protect them. When we permit judges to interpret these guaranties so as to make them ineffective, we help sabotage our own and posterity's liberties.

(EDITOR'S NOTE.—Mr. Long is a member of the New York Bar and a student of constitutional history.)

[From the Columbia (S. C.) State of June 24, 1957]

NATIONAL WHIRLIGIG—COMPLAINTS AGAINST COURT STREAM INTO WASHINGTON

(By Ray Tucker)

WASHINGTON, June 23.—The Supreme Court's recent disregard of established precedents and constitutional standards has created confusion and turmoil throughout the Nation's legal, judicial and law enforcement systems, according to complaints reaching the Department of Justice and Capitol Hill in tremendous volume.

The high tribunal has upset corporation lawyers, jurists, police chiefs, Congressmen and big-league baseball stars with seemingly inconsistent rulings on many major issues. No New Deal body has caused such social and economic disturbances as the group presided over by Chief Justice Earl Warren, the California liberal appointed by President Eisenhower.

Veteran Congressional leaders charge that it has struck down the only weapon which Congress possesses for exercising restraint over the executive and judiciary. In ruling that Congressional investigations must be confined to ascertaining the need for new legislation, it has left the legislators helpless to check arbitrary and inefficient bureaucrats, and to spotlight dishonesty within the Government.

Worthwhile Congressional inquiries: Although begun as fishing expeditions, many Congressional inquiries have had an extremely beneficial effect, without leading to new laws. This observation applies to the famous Teapot Dome and Harry Daugherty exposés, which disclosed widespread corruption in the Harding Cabinet. It took months of senatorial digging into nonlegislative fields before the trail led to the Secretary of the Interior and the Attorney General.

The senatorial House study of America's aviation backwardness, where Billy Mitchell was the star witness, was not inspired by any need or demand for legislation. It was undertaken to show that earthbound generals and battleship admirals were deliberately stunting and neglecting the airplane as a weapon in war.

Congress' watchdog authority: Under the Supreme Court ruling in favor of fifth amendment Communists and fellow-travelers, it is extremely doubtful whether these two healthy and necessary exposés of executive crime and negligence could have been conducted.

Unless remedied, the Supreme Court ruling has stripped Congress of its authority to act as a watchdog for the public interest when it is in danger of being betrayed by other branches of the Government.

"Flippancy" in high tribunal rulings: Numerous lawyers also contend that the high tribunal has shown a spirit of what they call "flippancy" in several important rulings.

In freeing convicted Communists on technicalities, it may have endangered national security. In applying the Antitrust Act to "vertical" corporations for the first time, as in the Du Pont-General Motors case, it has caused grave concern and misgiving throughout the Nation's corporate structure.

In forcing the FBI and every other police agency to open their files to defendants in criminal actions, the Supreme Court has helped to cripple enforcement and delay prosecution.

Football versus baseball: But the charge of "flippancy" is leveled most seriously against its seemingly contradictory handling of the school segregation and the baseball antitrust questions.

When the Court held that professional football was a business and not a sport, and subject to Federal regulations, it noted that an earlier decision had given organized baseball immunity from antitrust jurisdiction. But it added that, if there was any "error of discrimination" in these inconsistent findings, it could and should be corrected by Congress. It invited Congress to express its intent and viewpoint.

Upset of Nation's educational system: However, in the far more vital matter of school segregation, it did not show a similar consideration for judicial precedent or the attitude of Congress. In a 2-hour session, it wiped out an historic ruling and upset the Nation's social and educational system. It carried this revolutionary philosophy even further in the Girard college decision.

Naturally, many constitutional experts ask: Why should the Supreme Court be more solicitous of 400 baseball players and team owners than of the Nation's millions of school children and parents and educators?

[From the Washington Evening Star of June 24, 1957]

SUPREME COURT AND THE REDS—RECENT DECISIONS IN CONSPIRACY CASES DRAW STRONG CRITICISM AGAINST JUSTICES

(By Constantine Brown)

A drive has been started in Congress for new legislation to offset the damage done by the recent decisions of the Supreme Court in connection with the Communist conspiracy which works underground in this country.

In the opinion of a number of members of the Senate and House committees responsible for unearthing these Communist activities, the Red conspiracy continues as effectively as it did after 1933 when the United States became the last great power to recognize the USSR.

The Senators and Representatives who became irked at the Supreme Court decisions maintain the Judges must live in an ivory tower not to recognize that the American Communists' and fellow travelers' aim is the destruction of the Constitution.

Since the integrity of the high Court must remain above suspicion, the legislators are determined to introduce new laws to close existent legalistic loopholes which permit attorneys for subversives to exculpate their clients.

Laying aside all the technicalities about which lawyers quibble, our legislators say it would be difficult to maintain that a free society should not be allowed to protect itself from a conspiracy which seeks its destruction.

Our social order has a right to provide for its perpetuation. Yet, in recent days, the Supreme Court has issued decisions which have the force and effect of tying the hands of the FBI and of Congress in their attempts to expose Communist infiltration and subversion in our Government.

In the last year, it is pointed out, the Court has issued 10 rulings which have given aid and comfort to the Communist cause; have seriously curtailed the effectiveness of the FBI and Justice Department; and have caused exultation at the headquarters of the Communist Party where it was announced that henceforth the thinned ranks will be swollen again.

Led by Chief Justice Warren and Associate Justices Douglas and Black, the Court has dragged in every technical rationalism to reverse decisions of lower courts in Communist or contempt cases.

In one of the most recent decisions—the Jencks case—the conviction of the labor leader for falsehood in signing a non-Communist affidavit was set aside because he had not been given access to FBI reports.

Communists and fellow travelers have been trying for years to destroy the effectiveness of the FBI. They have tried every trick and subterfuge to deal a fatal blow to our top investigating agency by forcing it to reveal its secret information sources. Now they appear to have succeeded.

In an article in the American Legion Magazine of March 1954, J. Edgar Hoover, director of the FBI, highlighted the confidential nature of the FBI files, saying that a citizen who reports information "* * * can be certain that his assistance is appreciated and that his identity will be kept confidential if he so desires."

It seems strange to many Americans that our Supreme Court desires to violate that confidence.

The latest mental effluvium from the Supreme Court reversed the conviction of another labor leader, John T. Watkins, for contempt of Congress on the ground that the inquiries of the House Un-American Activities Committee infringed on Watkins' constitutional rights.

This decision, if allowed to stand, will destroy the ability of Congressional committees to expose the tangled web of Communist subversion in our Nation. It will prevent Congressional committees from exercising the power of subpena and contempt citations as a means of focusing public attention on specific situations.

Naturally all American citizens desire to preserve the constitutional guaranties of our people. These are not matters to be taken lightly. Nevertheless, it is preposterous to ignore the social responsibilities that accompany citizenship and to maintain that we should be so free that each citizen shall have the right to conspire to destroy our Government with impunity.

In the words of Justice Tom C. Clark, former Attorney General of the United States, who has dissented from most of these opinions, this type of reasoning is "picayunish," "immaterial," and "mischievous."

There is a growing body of public opinion advocating that it is high time for the Supreme Court to cease curbing Congress and the Justice Department and to return to the principles of law and abandon the philosophy of "social action" which seems to be the primary motivating factor.

DEVELOPMENT AND MODERNIZATION OF THE NATIONAL SYSTEM OF NAVIGATION AND TRAFFIC CONTROL

The Senate resumed the consideration of the bill (S. 1856) to provide for the development and modernization of the national system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, and for other purposes.

CONTINUATION OF SUBCOMMITTEE ON DISARMAMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar 533, Senate Resolution 151.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 151) to continue the Subcommittee on Disarmament created by Senate Resolution 93, 84th Congress.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, the resolution calls for a 2-month extension and the continuation of the $8,000 or $9,000 which is left in the fund already appropriated to the subcommittee. Unless the resolution is adopted, the subcommittee will go out of existence on June 30, which is the coming Sunday. The 2-month extension has been approved by the unanimous report of the Committee on Foreign Relations.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 151) was agreed to, as follows:

Resolved, That the subcommittee (as authorized and directed by S. Res. 93, of the

84th Cong., 1st sess., agreed to July 25, 1955; as amended by S. Res. 185, 84th Cong., 2d sess., agreed to February 8, 1956; as amended by S. Res. 286, 84th Cong., 2d sess., agreed to July 13, 1956, and S. Res. 61, 85th Cong., 1st sess., agreed to January 30, 1957) of the Committee on Foreign Relations is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with the jurisdiction of the Committee on Foreign Relations specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the international control and reduction of armaments, as further described in Senate Resolution 93, 84th Congress.

SEC. 2. For the purposes of this resolution the committee, from July 1, 1957, to August 31, 1957, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than August 31, 1957.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ST. LAWRENCE SEAWAY CORPORATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 534, S. 1174.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1174) to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Corporation.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Foreign Relations with an amendment to strike out all after the enacting clause and insert:

That the act of May 13, 1954 (chapter 201, 68 Stat. 92, 33 U. S. C. 981, and the following), is amended as follows:

(1) Section 4 (a) (8) is amended by striking out the word "and" at the end thereof.

(2) Section 4 (a) (9) is amended by striking out the period at the end thereof and inserting a semicolon.

(3) Section 4 is amended by adding the following after clause (9):

"(10) may provide services and facilities necessary in the maintenance and operation of the seaway, including but not limited to providing, at reasonable prices, services to vessels using the seaway and to visitors to the seaway, but not to include overnight housing accommodations for visitors;

"(11) may participate with the St. Lawrence Seaway Authority of Canada, or its designee, in the ownership and operation of a toll bridge company: *Provided*, That the United States portion of the revenue from the tolls charged to the users of any toll bridge operated under this section shall be applied solely to the cost of the bridge and approaches, including maintenance and operation, amortization of principal and interest, as established by the Secretary of the Treasury; and

"(12) shall be credited with amounts received from any of the activities authorized by clauses (10) and (11).

"(b) Amounts credited under subsection (a) (12) are available to pay any obligation or expense of the Corporation under this act, except as specifically provided in subsection (a) (11)."

(4) Section 5 is amended by striking out the first sentence and inserting the following sentences in place thereof: "To finance its activities, the Corporation may issue revenue bonds payable from corporate revenue to the Secretary of the Treasury. The total face value of all bonds so issued shall not be greater than $140 million. Not more than 50 percent of the bonds may be issued during any one year. The interest payments on such bonds may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest after June 30, 1960. Deferred interest may not be charged against the debt limitation of $140 million."

(5) Section 10 is amended by designating the section as subsection (a) and adding a new subsection as follows:

"(b) The Corporation, after the effective date of this amendment, shall submit special reports to the Committee on Public Works of the House of Representatives and the Committee on Foreign Relations of the Senate whenever there is proposed a new feature, design, or phase of the seaway project, not heretofore included in estimates, or whenever there is proposed an abandonment of any feature, design, or phase, heretofore included in estimates, involving an estimated value exceeding $1 million, and such special reports shall include justification for the modifications."

Mr. MANSFIELD. Mr. President, I yield to the Senator from Wisconsin, the father of the St. Lawrence seaway.

Mr. WILEY. Mr. President, I thank the Senator from Montana for his kind statement.

It is a pleasure for me to rise once more to urge the Senate to pass legislation for the St. Lawrence seaway project. In the 3 years since Congress passed the Wiley-Dondero Act, authorizing this great undertaking, significant progress has been made, not only in the construction of the physical works involved, but also in the spread of public understanding of the benefits which will accrue to the entire country from the seaway.

In those 3 years, Mr. President, the construction has been pushed ahead in a very satisfactory manner and is now about 40 percent complete. During the course of the work, however, three things have happened which make it necessary for Congress to give its attention to the seaway.

The first of these things is a gradual increase in the price of everything that goes into the seaway. We are all familiar with the increase in the general price level in the United States, and this means that the seaway will cost $19,255,000 more than it would have cost if prices had remained stable.

Second, more detailed engineering studies have resulted in a number of basic planning and design changes which will mean that the seaway which is finally built will be a better seaway than was originally planned. These changes also, however, mean a net increase in cost of $10,234,000.

Finally, it has been necessary to add certain construction items which were not originally contemplated, and it has been found possible to delete certain construction items which were in the original plans. The construction items added result in increased costs of $36,696,000, and the items deleted result in decreased costs of $21,259,000.

The net result of higher prices and changed plans is that Congress is now called upon to increase the authority of the St. Lawrence Seaway Development Corporation to borrow from the Treasury from a total of $105 million, which was authorized in the Wiley-Dondero Act, to a new total of $140 million. At the same time, we are called upon to approve the deferral of interest charges during construction. Let me emphasize that interest is not to be forgiven, so-called; it is only to be deferred during construction and perhaps during the first few years of operation—in other words, during the period when the Seaway Corporation has little or no revenue with which to meet its obligations. The interest which is deferred during this time will accumulate, and after June 30, 1960, the Corporation is required to pay interest on the deferred interest.

It is urgent that this bill be approved promptly. We are now in the height of the construction season. The Seaway Corporation has committed $101 million of the $105 million which it is now authorized to borrow. Unless its borrowing authority is increased, the construction work will be forced to a halt, valuable time will be lost on it, and the investment which has already been made will be jeopardized.

The seaway is now scheduled to be opened for navigation for the season of 1959, beginning in April. I urge the Senate to pass S. 1174 so that this target date can be met.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. HUMPHREY subsequently said: Mr. President, the Senate earlier today passed Calendar No. 534, Senate bill 1174, a bill to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Corporation.

I am very much pleased also to know that both Houses of Congress have now acted today on this important measure and have increased the authorization to provide whatever is needed to build the St. Lawrence Seaway. The passage of bills by both the Senate and the House will provide the necessary funds to continue with this very valuable construction program. It is fair to say, however, that we will have to face some

economic problems in the future, but we will face them as they arise.

As an enthusiastic and consistent supporter of the construction of the St. Lawrence Seaway over a period of many years, I must admit that I have been both dismayed and disconcerted by the increased cost of this project over the estimates of 4 years ago, and by the unfavorable impact this may well have on the level of tolls which will undoubtedly have to be charged for the use of this new waterway.

The estimated construction cost of the United States share of this project, as approved by the Congress 3 years ago was, in round numbers, $88 million. Adding some $7 million for interest during construction, the total cost came to approximately $95 million. A provision of $10 million was made in the bill to provide the St. Lawrence Seaway Development Corporation with working capital so that the total amount authorized in the act was $105 million.

At that time the total cost of the project, to both the United States and Canada, at December 1952 prices, was estimated to be $288 million. To operate, maintain, pay interest and amortize the investment over a period of 50 years was estimated to require $14.6 million annually.

On August 18, 1954, through an exchange of notes between the two Governments, the United States agency, the St. Lawrence Seaway Development Corporation, agreed to defer the building of the lock and 3 miles of canal at Point Rockaway, the western terminus of the International Rapids section of the project, and agreed to the building of this lock and canal by Canada, on the opposite side of the St. Lawrence River, at Iroquois, Ontario. The effect of this was to decrease the estimated cost of the United States share by approximately $21 million, thus reducing our estimated construction cost to $67 million. This automatically increased Canada's cost by $21 million but the annual carrying charges of $14.6 million remained the same.

Mr. President, according to the annual report of the St. Lawrence Seaway Development Corporation, as of December 31, 1956, however, we find the construction cost of the United States share has increased to $133 million. Some $19 million of this increase is attributed to increases in construction costs between 1952 and 1957; another $10 million is for planning and design changes; and the remaining $36 million is for additional construction items.

I can readily comprehend the increase of $19 million due to increases in construction costs as all of us know our country is going through a period of spiraling cost inflation. As I am not an engineer, I am not in a position to pass judgment on the necessity for the additional $10 million for planning and design changes nor the extra $36 million for additional construction items. What I do know and understand is that these additions have increased the cost of the United States share 99.3 percent, without taking into consideration interest during construction of another $10 million which will make the total cost to the United States $143 million.

At the same time we find that the estimated construction cost to Canada had increased from $196 million to $284.6 million, or 45 percent, without taking into consideration interest during construction. With interest at 4½ percent this will amount to some $32 million and make the cost of the Canadian share $316 million.

From the foregoing it will be seen that the total cost of this project, to both countries, is estimated to be, as of December 31, 1956, approximately $460 million, an increase of 60 percent. This must be compared with $288 million, at December 1952 prices, which was the estimate at the time it was approved by the Congress.

On the basis of this present estimate of total cost the annual charge to operate, maintain, pay interest, and amortize the investment over a 50-year period will be some $28 million, an increase of 90 percent in annual carrying charges.

It would seem apparent that this increased carrying charge is bound to have an unfavorable effect on the tolls which are to be charged for the use of this waterway. They may very well constitute a threat to the much needed low cost water transportation rates to the Middle West. The increased tolls, necessary to amortize this greatly increased investment in the 50 years provided by the law, may increase transportation rates via this route to such an extent as to make alternate rail, or rail and water routes, more attractive, thus attracting the traffic and reducing the potential traffic volume for the seaway.

Despite this unfavorable turn of events I want to make it clear that I am still an ardent believer in the seaway and its long term favorable effect upon, and benefits to, the Middle West. On the other hand, I feel I have the moral obligation to alert my constituents, and the Congress, to the radical change this increase in costs has made in the economics of this project as against those which prevailed at the time Congress approved it 3 years ago, so that they may be forewarned that, undoubtedly, in the not too distant future, it will be necessary to amend Public Law 358, 83d Congress, to make provision to adjust the law to the new conditions confronting the project due to the increased cost.

I am pleased that both the House and the Senate have acted today on the increased money authorization. This should provide the necessary funds to complete the United States part of the project. We shall confront the economic problems in the future as they arise.

SGT. DONALD D. COLEMAN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 511, S. 1007.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1007) for the relief of Sgt. Donald D. Coleman.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sgt. Donald D. Coleman (SN-NG 25259543) and Martha S. Coleman, his wife, the sum of $15,000, in full satisfaction of their claim against the United States for compensation for the loss of their 6-month-old daughter, DeLayne Duke Coleman, who died in Munich, Germany, on March 31, 1955, after failure by military medical personnel, because of inadequate medical treatment facilities and/or error in judgment, to admit the said child to a hospital, to provide her with ambulance service, or to otherwise provide her with proper medical services or attention, although the said child's mother made every effort to secure medical attention for her, the father of the said child, the said Sgt. Donald D. Coleman, being away on field maneuvers at the time of the said child's death: *Provided*, That no part of the amount appropriated in this act in excess of $500 shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. KEFAUVER. Mr. President, the bill would pay the amount of $15,000 to the parents of a 6-month-old baby who died in Munich, Germany, where the father, an Army private, had been assigned—and where the mother and 2 children were assigned dependents' housing quarters—after the failure to admit the child to the Army hospital, to provide ambulance service, or otherwise to provide proper medical service or admission to the hospital, although the child's mother made continued efforts over 4 days, until the death of the child, to secure such help.

The Department of the Army has supplied a very thorough report on the matter, which is printed in full in the committee report, and has informed the committee that it would have no objection to the proposed legislation if the award does not exceed $17,000. The committee has recommended $15,000.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONSTRUCTION OF OFFICE BUILDING FOR ATOMIC ENERGY COMMISSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 420, S. 1918.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1918) to amend Public Law 31, 84th Congress, to increase the authorization for appropriations to the Atomic Energy Commission for the construction of a modern office building in or near the District of Columbia to serve as its principal office.

The PRESIDING OFFICER. The question is on agreeing to the request of the Senator from Montana.

There being no objection, the Senate proceeded to consider the bill.

Mr. ANDERSON. Mr. President, I support S. 1918. This bill would increase the authorization of the Atomic Energy Commission for its new office building at Germantown from $10 million to $13.3 million. The building is nearing completion and is expected to be ready for occupancy in November.

The original authorization was made in 1955. In the 2-year period since then the new responsibilities of the Commission have required an increase in the number of employees of the Commission from a then planned 1,400 to a now expected 1,758. The new employees are primarily in the international and civilian reactor branches of the Commission.

In order to accommodate the new employees, and to provide adequate room for all, the Commission seeks to add a new wing to its office building, adding 116,000 square feet to the present building of 400,000 square feet.

At first the gentleman from Georgia [Mr. RUSSELL] and I opposed this bill because it did not provide for competitive bids for the additional construction. By the letter of June 18, which I have already put into the RECORD, the Commission has said it will put the new contract out on a competitive bid. I am now completely satisfied.

I believe that the passage of the bill now may save the Commission considerable sums. It will be cheaper to add the new wing now, while the building is still under construction, than later on.

Mr. RUSSELL. Mr. President, will the Senator from New Mexico yield to me?

Mr. ANDERSON. I yield.

Mr. RUSSELL. The distinguished Senator from New Mexico called this matter to my attention, and I was very happy to join him in protesting a negotiated contract on a matter which was so easily susceptible of the time-honored and well-tried practice of competitive bids. I wish to congratulate the Senator from New Mexico on the service he has rendered, in the light of the eventual outcome.

Mr. ANDERSON. I thank the Senator from Georgia.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1918) was ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That Public Law 31, 84th Congress, 1st session, is hereby amended by striking the figure "$10,000,000" and inserting in lieu thereof the figure "$13,300,000."

DISTRIBUTION OF FEDERAL FUNDS FOR MEDICAL AND OTHER REMEDIAL CARE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 481, House bill 7238.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 7238) to amend the public-assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment to strike out all after the enacting clause and insert:

That section 305 of the Social Security Amendments of 1956 (P. L. 880, 84th Cong.) is amended to read as follows:

"EFFECTIVE DATE

"SEC. 305. (a) Except as provided in subsection (b), the amendments made by this part shall become effective July 1, 1957.

"(b) The amendments made by any section of this part shall not apply to any State (as defined in section 1101 of the Social Security Act for purposes of title I thereof) for any fiscal year for which there is in effect an election by it not to have the amendments made by such section apply to it. Any such election shall be in effect for a fiscal year only if notice of the election has been filed with the Secretary of Health, Education, and Welfare at some time prior to May 16 of the preceding fiscal year, except that any such election shall be in effect for the fiscal year beginning July 1, 1957, if notice of the election is filed with the Secretary prior to August 1, 1957. An election by a State under this subsection shall continue in effect until the close of any fiscal year designated in a notice of termination of such election which is filed with the Secretary of Health, Education, and Welfare prior to May 16 of such year. Elections hereunder shall be made, and notices thereof and notices of termination shall be filed, on such form or forms and in such manner as the Secretary of Health, Education, and Welfare may prescribe."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Oklahoma.

Mr. KERR. Mr. President, to the committee amendment, I send to the desk an amendment, which is submitted on behalf of the senior Senator from Alabama [Mr. SPARKMAN]. I ask that the amendment to the amendment be stated.

The PRESIDING OFFICER. The amendment to the committee amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add the following new section:

SEC. 7. The first sentence of subsection (p) of section 218 of the Social Security Act is amended by inserting "Alabama" immediately before "Florida."

Mr. KERR. Mr. President, this amendment to the committee amendment is for the purpose of making available to the State of Alabama a privilege which has been made available to any State which has requested it, namely, that certain groups of local employees of subdivisions of government shall have the right of referendum to elect to come under the social-security program.

Mr. CARLSON. Mr. President, the senior Senator from Illinois [Mr. DOUGLAS] and I have submitted minority views on this bill.

Mr. KERR. Do they go to this amendment to the committee amendment?

Mr. CARLSON. No.

Mr. KERR. Does the Senator from Kansas object to this amendment to the committee amendment?

Mr. CARLSON. I do not, but I think there should be a quorum call. I notice that the Senator from Illinois is not present. Certainly I would not wish to have the bill passed without being discussed, and I know the Senator from Illinois wishes to discuss it.

Mr. KERR. I wish to speak for 10 or 15 minutes in giving an explanation of the bill, as soon as the amendment to the committee amendment is acted on.

Mr. CARLSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CARLSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment submitted by the Senator from Oklahoma, on behalf of the Senator from Alabama, to the committee amendment.

The amendment to the amendment was agreed to.

Mr. KERR. Mr. President, the Committee on Finance has given a great deal of consideration to H. R. 7238, the pending business, a bill concerned with Federal participation in costs of medical care for public-assistance recipients. The problem which the bill seeks to remedy is a complicated one, and a number of possible solutions have been advanced.

Since 1950, the Federal Government has permitted States to make public-assistance payments in two ways and to receive Federal matching. The first of these ways is by making an unrestricted money payment to an individual, to meet his needs. The second has been to pay doctors, hospitals, or other suppliers of medical or remedial care for services rendered to the recipient. Up to this time the Federal participation has been based on a formula under which the total amounts of assistance, whether in the form of a payment to the individual or in the form of a payment for medical

care for him, have been considered together. There has been no Federal participation in the amount by which either of these payments or their total exceeded a maximum—presently $60, for most recipients—in any month.

Last year the Congress provided, effective July 1, 1957, a different basis for Federal participation in medical-care payments. Recognizing that medical care, unlike food or shelter, frequently came in large nonrecurring amounts, the matching of medical care was placed on an average basis, and was separated from the matching of money payments to public-assistance recipients. The new formula for matching medical-care payments was that Federal funds should be one-half, up to an average of $6 per adult recipient and $3 per child recipient. Under this plan, most States may expect to receive more in Federal funds in their medical-care payments after July 1, 1957, when the new provisions are effective, than they have received up to this time. This is not true for all States, however. Information presented to the committee indicates that 3 States may expect to receive less than the total of Federal funds for these medical-care payments than they have been receiving; and 3 additional States, while getting more in total, will receive less for 1 or more of their individual public-assistance programs. This problem was recognized when House Resolution No. 7725 was considered by the Senate last year, and an amendment to correct it was adopted by the Senate. However, the amendment was not adopted in conference, and did not become law.

Last year, the Congress also increased the maximums on money payments for public-assistance recipients in which the United States will share. For the aged, disabled, and blind the maximum was increased from $55 to $60, and maximum Federal payment was increased from $35 to $39. Similar changes were made in the program for aid to dependent children. Under these changes, all the States are receiving more Federal funds than they formerly did. Under the medical-care payments, most States can expect to receive additional Federal funds.

H. R. 7238, as passed by the House of Representatives, would in effect, permit States to receive Federal funds on the same basis on which they have received them in the past, and, in addition, to receive Federal funds under the separate matching provisions for medical-care payments that were established last year. The estimated cost of this proposal is over $26 million. It would be of immediate benefit to 12 or 14 States, most of which will receive some additional funds anyway, for their medical care payments and would be of no benefit to the rest of the States in the country at this time. H. R. 7238, as amended by the Finance Committee, would assure that no State would need to lose money under any one of its public assistance programs since it might elect, annually or less frequently, to receive matching funds either under the existing provision or under the provision scheduled to become effective on July 1. The total of estimated losses under the individual programs is $8.6 million annually, which is, in turn, the estimated cost of this proposal. Since each of the States that expects to lose money under one or more programs would be protected against that loss, and since each of these States expects to receive additional funds under at least one program, each State should in total get not only as much but somewhat more under this bill than it has been receiving up to this time.

The cost of the bill as reported by the Finance Committee is approximately $18 million a year less than the cost of the House-passed bill. The Congress has provided additional Federal funds to all States within the past 12 months under the money payment formula, and with the bill as passed by the committee all States that make direct payments for medical care of public assistance recipients can expect to receive some additional funds under at least one of their programs, without the loss of funds under any program. The additional expenditure of $18 million in behalf of a minority of the States is over and above any actual financial losses they might expect to incur, and does not therefore appear to be warranted.

As I have indicated to Senators, the committee has considered this proposed legislation and its effect on States carefully. I believe that the solution that has been reached is an equitable one which avoids any unintended results of last year's legislation, and at the same time safeguards against unwarranted and unintended additional funds to some States.

I would urge support of the bill as reported by the Finance Committee, and in doing so I repeat that while the law which was enacted last year provided additional Federal funds, and while its administration will make more additional Federal funds available to most States, it is possible that a few States would suffer somewhat in what they would receive if they left the basis under which they now receive funds for these programs and adopted or accepted the formula or program as provided in the bill passed last year.

The bill now before the Senate, H. R. 7238, provides the optional privilege to any State either to continue to receive payments on the basis of which it has been receiving payments under existing law or, upon its election, to receive payments on the basis of the law which was passed last year, and which will become effective on July 1 of this year. So if the bill as reported by the committee is passed, no State will lose a penny, as compared with what it now receives. At any time the State cared to do so, it could elect to go under the provisions of the bill which Congress passed last year, and which will become effective next July 1, which is only a few days away.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. CARLSON. The Senator from Oklahoma has stated that no State would lose money based on the present law, which, of course, means the law in force at the present time. Let me use my State as an example. The Department of Health, Education, and Welfare report dated June 12, 1957, shows the State of Kansas as receiving $418,000. Under Public Law 880, which goes into effect July 1, Kansas will receive $1,625,000. Under the administration proposal, which is what we are considering now, the State of Kansas would receive $1,625,000. But under H. R. 7238, Kansas would certainly suffer a loss, in my opinion.

Mr. KERR. According to the statement of the Senator from Kansas, his State is now receiving a little over $400,000. Is that correct?

Mr. CARLSON. Yes.

Mr. KERR. Under the law passed last year, the State of Kansas will receive $1,800,000. Is that correct?

Mr. CARLSON. $1,625,000.

Mr. KERR. Is that not an increase?

Mr. CARLSON. Certainly it is an increase, but——

Mr. KERR. Under the bill as reported to the Senate by the Finance Committee, the State of Kansas has the option either to continue receiving money on the basis of existing law or on the basis of the provisions of the law passed by Congress last year, which the Senator has now acknowledged will give his State four times as much as it now receives.

Mr. CARLSON. That is correct.

Mr. KERR. Is that a loss?

Mr. CARLSON. No; but there is a loss as compared to the bill as passed by the House, H. R. 7238—in fact, a loss of $500,000.

Mr. KERR. I made it quite clear that the bill as passed by the House will benefit a few States over and above what they receive as payments under existing law or would receive under the law passed by Congress last year; but I want to say to the distinguished Senator that I know of no basis for his finding fault with an option which would either leave his State as it was, with $400,000 a year, or, under the law passed last year, that would give it four times that much; and certainly I can find no justification for any Senator taking the position that he wants his State to receive both the added benefit made available last year and the additional benefit as provided by the House, which will benefit only a half dozen States.

Mr. CARLSON. The Senator is in error with respect to the number of States that will benefit. It will benefit 15 States immediately. I notice the Senator said in his statement that it will not do so at this time. In the future, it will benefit most of the States, and Kansas, under the proposal, if the House bill is not adopted, will lose $500,000.

Mr. KERR. The Senator is entirely mistaken. The State of Kansas will fail to get an additional amount——

Mr. CARLSON. Of $500,000.

Mr. KERR. Of $500,000, which is not a loss on the basis of anything the State of Kansas has yet received or which the existing law will allow to it.

Mr. CARLSON. No; it is on the basis that the Kansas Legislature, in January of this year, in biennial session, assuming that Kansas was going to get a certain amount, voted to match that amount.

Mr. KERR. The State legislature made quite an assumption if it assumed the State of Kansas was going to get a benefit under a bill which had not been introduced.

Mr. CARLSON. The bill which became Public Law 880 was passed, and there were amendments.

Mr. KERR. Is the Senator suggesting that the State legislature could not interpret the law?

Mr. CARLSON. I am not so sure the members could, in view of what I understand to be orders which have come from the Department of Health, Education, and Welfare within the last 10 days. The facts are the legislature and the State board of social welfare analyzed the present law and voted sums to care for the program to be effective July 1, 1957.

Mr. KERR. The law was enacted last year. Is the Senator now telling the Senate he wants the Senate to pass a bill which would give to a State the amount the legislature had voted on the mistaken conception of the law which it imagined would be enacted? Is that the position the Senator takes?

Mr. CARLSON. No. The Senator from Kansas states that we have a very responsible legislature in the State of Kansas.

Mr. KERR. The Senator has stated that the State legislature passed a law on that assumption.

Mr. CARLSON. Yes, it did. Payments under social-security provisions have to be anticipated in advance. The legislature had to anticipate it was going to get the money before it did so.

Mr. KERR. The legislature had the law before it.

Mr. CARLSON. Yes. Based on recommendations of the Department of Health, it was expected that the amount of money the State of Kansas would receive would be $2,250,000. That was based on the House bill.

Mr. KERR. The House bill had not been introduced when the State legislature assumed it would get benefits under that bill.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. MANSFIELD. If this measure is passed, is it not true that the measure will go to conference and the differences will be reconciled there?

Mr. KERR. The Senator is entirely right.

Mr. DOUGLAS. Mr. President, as the Senator from Kansas [Mr. CARLSON] implied, the report of the majority was not agreed to by three members of the committee, the Senator from Kansas [Mr. CARLSON], the Senator from Louisiana [Mr. LONG], and the Senator from Illinois [Mr. DOUGLAS]. We believed that the House bill should be passed by the Senate.

It is interesting to note that it was language almost identical with the House bill which was passed by the Senate as an amendment to the social-security bill last year. At that time the House apparently did not fully understand the Senate bill, so the Congress passed what became Public Law 880 without the Senate amendment. This year, after the House understood the principle which the Senate advanced last year, the House adopted it, but when the bill came over to the Senate, the Senate had forgotten the principle which it had so eloquently advocated last year.

All that we in the minority are urging is that we stand on the principle of the Senate, which the Senate adopted last year and which the House has adopted this year.

This subject can be made very confusing, and of course it is complicated. It arises from the fact that payments for medical services are made in two ways; by cash to the recipient, who then is expected to pay the doctor, the hospital, the nursing home, and so on; or paid to what is termed the vendor, namely, to the doctor directly, to the hospital, to the druggist, or to the nursing home.

The confusion arises from the difficulty of combining these two separate systems, with payments of cash to the recipient, namely, the aged person, the dependent children, those acting for the dependent children, the blind and the disabled, in addition to payments to the vendor directly.

The situation is this: Under the present law, as it applies up to the first of July, the States may use their discretion and pay out the sums for medical care either in cash or to the so-called vendors, under the traditional $60 program of aid to the blind, the old age and survivors program, aid to the disabled, and aid to dependent children. They can do one or the other or both.

Last year we passed Public Law 880, which is to go into effect on the 1st of July, 1957, and we added to the old system, which permitted payments under the traditional programs of up to $60 per month for the aged, the blind, the disabled, and dependent children a new system, which is called the $6 and $3 provision. Under this new system the Federal Government matches one-half of the $6 paid in vendor payments for the adults and one-half of the $3 paid in vendor payments for children.

In other words, a new system—the $6 and $3 system—was added to the traditional $60 program. Under the new $6 and $3 program payments were to be made to the vendor, not in cash to the recipient, but it was also provided that medical payments under the traditional $60 program, which hitherto could have been either in vendor payments or in cash, was to continue, but payments could be made only in cash. So unless the law is amended we will have a dual system. The $6 and $3 system will be on the vendor basis, and the $60 conventional grant will be on a cash basis. Many medical services for the same dependent will be paid under both systems, with great difficulty in coordinating them.

In order to meet this situation the House passed a bill which differed from Public Law 880, which will go into effect on July 1, in only one respect. It allowed States the freedom choice to make either cash or vendor payments under the traditional $60 program. In other words, the vendor payments will continue to be paid under the $6 and $3 program; and under the so-called conventional $60 program, under the House bill, payments for medical services can be made either in cash or vendor payments. The payments do not have to be in cash, as would be required if there were no amendment.

It is this program which we think is the best of all three. Under the Senate amendment the States have the choice of making either cash or vendor payments under the traditional $60 program only if they give up any Federal aid under the $6 and $3 program. Therefore, in practice they will be forced to make a choice of either staying under the present law, which provides for vendor or cash payments under the $60 program but meanwhile foregoing the $6 and $3 program, or coming under the new law, with cash payments only for the $60 program and vendor payments only for the so-called $6 and $3 program.

Under the Senate bill the States will be compelled to make the choice of one or the other alternatives which I have just explained whereas under the House bill, which we favor, they can use either the cash or the vendor system for the $60 payments and the vendor system for the so-called $6 and $3 payments.

We favor the House proposal for several reasons. In the first place, it gives freedom of choice to the States. It gives them the freedom of choice to either use the cash or the vendor system under the traditional $60 program, whereas this would not be possible under the Senate bill if they were to receive the $6 and $3 payments.

Mr. KERR. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. KERR. What was the statement the Senator made?

Mr. DOUGLAS. I said that under the House bill, which we favor, the States can use either the cash or the vendor system under the traditional $60 a month payment, and simply use the vendor system for the new $6 and $3 payments.

Mr. KERR. Did I understand the Senator to say under the bill as it is now before the Senate that a State does not have the option of the vendor-payment system?

Mr. DOUGLAS. No. I said if they undertook the vendor system of payments under the $60 program——

Mr. KERR. The Senator is now referring to the existing law?

Mr. DOUGLAS. Yes. What I am trying to say is this: The States under the Senate bill will be given the choice of two alternatives. First, if they stay under the present law they can pay the traditional $60 grants either in vendor payments or in cash, but they will not receive the $6 and $3 payments.

Mr. KERR. I believe the Senator is mistaken about that. I think they have the option to carry it out.

Mr. DOUGLAS. I think they will give up the $6 and $3 program under the first alternative.

Mr. KERR. I submit to the Senator they could give it up, but I am sure he is not serious in saying they could not continue to operate on either the vendor-payment system or the cash-payment system, or both, under Public Law 880.

Mr. DOUGLAS. But if they do that they will have to give up the $6 and $3 program, which gives Federal aid.

Mr. KERR. I am talking about the $6 and $3 payments.

Mr. DOUGLAS. If they accept the $6 and $3, under the traditional $60 program they can pay cash only.

They cannot use the vendor system under the traditional $60 payment.

Mr. KERR. I submit the Senator is mistaken.

Mr. DOUGLAS. I think I am correct.

Mr. KERR. They have the option to get the money either under existing law, or under Public Law 880; and when they get the money they can give it to the recipient in cash, or they can operate under the vendor-payment system; or, to the extent they get the money, they can do both, or operate under either alternative.

Mr. DOUGLAS. I think the Senator is mistaken.

Mr. KERR. That was the evidence before the committee.

Mr. DOUGLAS. It is a complicated question; but I say very respectfully that I think the Senator has misunderstood the issue, for under the Senate amendment, if they make vendor payments under the $60 program they must forego the new $6 and $3 program to which they are otherwise entitled. In order to qualify for the $6 and $3 program they must make payments in cash under the traditional $60 program and thereby lose their freedom of choice.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. COTTON. I am informed by the commissioner of public welfare of my own State that under the Senate bill we would be deprived of certain privileges which we would have under the House bill. We find it to be convenient and effective to operate under the so-called vendor system, which gives maximum medical service and care to the recipient. Under the Senate committee amendment, retaining the vendor system would cause us to sacrifice certain benefits. I commend the Senator for his amendment, and I wish to have the RECORD show that I associate myself with him, and will support his amendment.

Mr. DOUGLAS. I thank the Senator from New Hampshire. It is our belief that some 15 States would distinctly suffer under the Senate committee proposal.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CARLSON. I believe that the way to judge how a program will work is to get it out into the counties and States in which it is to operate.

This is the way the program would work in a county in Kansas: If we have a choice of two programs, and there is a maximum payment of $60, under the present law the county board of social welfare pays a doctor to take care of 10, 15, or 20 people in a nursing home. Under the new proposal, if it is adopted, and if there is to be a choice, a few extra payments will be made to the individual, and the doctor will have to collect $3, $5, or $7 for medical care. The result will be great confusion, and I do not believe such a program would be practical in its operation.

Mr. DOUGLAS. I agree with the Senator from Kansas. I have been trying to point out the same thing in general principle, but I think he has given a very good illustration. If the States choose to operate under the new law, and receive the $6 and $3 payments for vendor payments, they then can make medical payments only in cash under the $60 system. In that event, there will be a dual system, as the Senator from Kansas has pointed out. The doctors and the nursing homes will be paid in part directly. For the remainder, they will be compelled to go to the recipients and dependents and collect from them. So there would be a dual system, which would be extremely complicated.

If the States remain under the present law, they will be penalized by not receiving Federal aid for the $6 and $3 vendor payments, which they have every right to get, and which, as the Senator from Kansas pointed out, a great many legislatures believed would be going into effect.

Our records show that some 15 States would suffer, either under Public Law 880, unless it is amended, or under the Senate proposal. To the best of our knowledge, those States are Connecticut, Illinois, Indiana, Kansas, Massachusetts, Minnesota, New Hampshire, New York, North Dakota, New Mexico, Ohio, Oregon, Rhode Island, Washington, and Wisconsin.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield to the distinguished Senator from Kansas.

Mr. SCHOEPPEL. Let me say to the distinguished Senator from Illinois that I am very much impressed by what he has had to say, and by what has been said by my distinguished colleague from Kansas [Mr. CARLSON]. It seems to me, as was pointed out by my colleague from Kansas, and as the Senator from Illinois has said, that the proposed program would not only lend itself to a loss in dollars and cents, but would add considerable confusion. I think the point made by my colleague from Kansas, and concurred in by the Senator from Illinois, is very well taken, namely, that added confusion would develop.

I commend the Senator from Illinois and my colleague from Kansas for pointing out these features. Let me say to the Senator from Illinois that I hope his amendment will prevail. I shall support it.

Mr. DOUGLAS. I believe that the result, if we should adopt the Senate committee proposal, has been well summarized by the junior Senator from Louisiana [Mr. LONG]. Under the Senate proposal, much more money would be spent on administrative costs, half of which would be borne by the Federal Government, and less money would be spent on medical payments, so that the old, the disabled, the children, and the blind would receive less medical attention, but there would be more administrative overhead. The Federal Government is obligated to pay one-half of this administrative overhead.

In my State of Illinois, the public welfare authorities say that the added administrative costs under the Senate proposal would amount to $870,000 a year, and that the State would be required to employ 180 additional staff personnel. That is what would happen in the State of Illinois alone.

Undoubtedly the administrative costs would go up by many millions, and medical expenditures would go down.

I believe that House bill 7238 is superior, and I hope we may defeat the Senate committee amendment and substitute the text of the House bill.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HUMPHREY. I regret that I was compelled to be absent from the Chamber for a few moments during the early part of the Senator's discussion. I wish to associate myself with the views which the Senator from Illinois has expressed. I joined with him as cosponsor of a bill which was very similar to the one passed by the House. I cannot help but feel that that measure is desirable, and would be a much more suitable piece of legislation to reach the objectives which are sought.

Is it the Senator's hope that in conference some of the differences between the two bills may be ironed out, in the direction of the House version?

Mr. DOUGLAS. I hope so very much. I think the simplest thing for us to do would be to adopt the language of the House bill, so that the bill would not need to go to conference. However, if we adopt the Senate committee amendment, I hope the Senate conferees will not be unyielding.

Mr. HUMPHREY. It was the hope of the Senator from Illinois, as expressed in his minority views, as well as in the bill which we cosponsored, that we could give the States freedom of choice as to how medical payments should be made.

Mr. DOUGLAS. That is correct. Also it was our intention that that be done within the traditional $60 system, and also allow the States to retain the Federal grants of half of $6 and $3 for vendor payments as they are entitled to do under the law going into effect on July 1, 1957.

Mr. HUMPHREY. That is what the House bill provides for.

Mr. DOUGLAS. That is correct.

Mr. HUMPHREY. Therefore the program outlined in the House bill would meet every requirement which the Senator from Illinois has set out in his minority views.

Mr. DOUGLAS. That is correct. The humorous part of the situation is that

last year the House apparently did not understand us, and it rejected our proposal. When it finally understood what we were doing last year, we had forgotten what we were doing last year, and had thrown it overboard.

Mr. HUMPHREY. I was about to ask the Senator if it is not true that, had the House bill of this year been passed last year, there would have been little or no difficulty between the Senate and House?

Mr. DOUGLAS. That is correct.

Mr. HUMPHREY. Now the tables are turned. The Senate has marched up the hill and marched down again. The House has finally reached the top of the hill and is standing on high ground, while we are still at the bottom.

Mr. DOUGLAS. The Senator is correct.

Mr. HUMPHREY. I thank the Senator for his fine work in committee on this subject. I sincerely regret that the provisions of the Douglas-Humphrey bill were not accepted. The people of the State of Minnesota, from the social welfare department on down, both in governmental agencies and in private activities, support the views expressed by the Senator from Illinois. I placed certain comments on this subject in the RECORD some time ago, and I shall not burden the RECORD by repeating them here.

I feel that our people know what they want. I think the State should have the option, so long as it is within the basic provisions of Federal law, to operate under either system, and not be required to follow the inflexible rule laid down in the Senate committee amendment.

Mr. DOUGLAS. I thank the Senator from Minnesota.

A further point is that a number of States have been planning expanded programs, beginning on the first of July, on the assumption that they could take advantage of the new $6 and $3 program, as well as the traditional $60 program.

Some of the legislatures have already adjourned. The total number of States, to the best of our knowledge, includes Pennsylvania, New Jersey, Louisiana, Iowa, Nevada, Vermont, Oklahoma, and Michigan. I believe that in most of those States the legislatures have adjourned, and they have proceeded on the assumption that they would get not only the $6 and the $3 payments for vendors, but also use either cash or the vendor payments.

Mr. HUMPHREY obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MANSFIELD. Mr. President, I feel that I am in somewhat of a quandary, because these bills are being brought up on the assumption that not too much time will be consumed in disposing of them. There are other Senators who have been waiting all afternoon to urge the passage of bills in which they are interested, and the Senator from Oregon has been waiting all afternoon to make a 10-minute speech. If there is no possibility of an agreement being reached on the pending measure, I suggest that it go over until tomorrow or some other day, so as to give other Senators an opportunity to present their matters.

Mr. HUMPHREY. The only reason I decided to address myself for a few minutes to this measure, with which I am very much concerned because of my interest in the bill which was introduced in the Senate, was to give the Senator from Oklahoma and the Senator from Illinois a little time to confer. It may be possible to work out a solution.

Mr. THYE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. THYE. I have just returned to the floor. I understand that the discussion now relates to H. R. 7238.

Mr. MANSFIELD. The Senator is correct.

Mr. THYE. When the calendar call was concluded, I made inquiry of the acting majority leader, the Senator from Montana [Mr. MANSFIELD] if he had any intention of taking up H. R. 7238 this afternoon. The Senator informed me that he did not intend to take up the bill until tomorrow. I returned to the committee hearing, where I shortly thereafter received word that the bill was being discussed on the floor.

It was my intention to support the position taken by the Senator from Illinois [Mr. DOUGLAS], who had filed explanatory minority views, and I was in support of H. R. 7238 as passed by the House. The Committee on Finance of the Senate proceeded to amend the bill, however. That is the reason the Senator from Illinois [Mr. DOUGLAS] filed his minority views.

I wish to have my convictions stated in the RECORD, because the bill as recommended by the Committee on Finance would do great injustice to the program as it would affect Minnesota. Minnesota is not alone in that respect. It would adversely affect a number of other States, among them Illinois, Indiana, Kansas, Massachusetts, Michigan, Minnesota, New Hampshire, New York, North Dakota, Oregon, Rhode Island, and Washington. These States have been participating in the program. If the bill as reported by the Senate Committee on Finance should be enacted, the work these States are doing would be retarded and the recipients would suffer great loss.

Mr. MANSFIELD. Mr. President, I wish to say that what the Senator has stated about the agreement he had with the acting majority leader is correct. The acting majority leader did believe that the bill would not be brought up until tomorrow. I did not realize, when it was passed over on the call of the calendar, that an agreement had been made to bring it up later in the day.

I want the distinguished Senator from Minnesota to know that since it was decided to call it up I asked that word be immediately conveyed to the Senator in committee that the bill would be considered. I wish the RECORD to show that what the Senator from Minnesota has stated is absolutely correct.

Mr. THYE. I thank the Senator for sending word to me in committee. Such did come to me in committee that the bill was under discussion. For that reason I immediately returned to the floor, because there is a great deal of interest in the proposed legislation in my State. I have received not only telegrams and letters, but also telephone calls from my State. In fact, I had a call this afternoon from St. Paul, urging me to support the House bill rather than the bill reported by the committee. I again thank the Senator from Montana.

Mr. HUMPHREY. I wish to say to my colleague that I was joining with the Senator from Illinois [Mr. DOUGLAS] in very much the same sentiments expressed by my colleague. I have received a number of telegrams also. My legislative assistant advises me that more than 60 telegrams and almost a similar number of letters from the State of Minnesota have come to my office, protesting the action of the Senate committee and urging approval of the bill sponsored by the Senator from Illinois and myself and other Senators, and supporting the House version.

Mr. President, this is a very complicated piece of legislation. It is very difficult for those who have not concentrated their attention upon it to understand it from a brief discussion. Therefore I hope that in the discussion which the Senator from Illinois has contributed to this debate, he has referred to most of the material he has submitted in his minority views.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. I should like to take this opportunity to ask unanimous consent that the minority views of the Senator from Kansas and myself and the supplemental views of the Senator from Louisiana be printed at this point in the RECORD.

There being no objection, the minority and supplemental views were ordered to be printed in the RECORD, as follows:

MINORITY VIEWS

We, the undersigned, dissent from the action of the Senate Finance Committee and support, instead, the language of H. R. 7238 as passed by the House. The central issue is whether States will be allowed to continue the freedom of choice they now have as to how they shall make medical payments.

I. EXPLANATION

1. The present law

Under the present law States may claim up to the maximum Federal ceiling per person for the four traditional public assistance programs, i. e., aid to the blind, the old-age and survivors program, aid to the disabled, and aid to dependent children. This is known as the $60 program.

At the present time, medical payments under these programs may be paid directly to the recipient of the service in cash or directly to the vendor of the service, i. e., doctors, hospitals, druggists, nursing homes, etc. States have a choice and may make either "cash" or "vendor" payments.

2. The new law

On July 1 the full provisions of Public Law 880, passed by the Congress last year, go into effect. Under the new law, the traditional or $60 program is continued. In addi-

tion, a new program of "vendor" medical payments begins. This new program is called the "$6 and $3" program. The Federal Government will match one-half of $6 paid in "vendor" payments for adults and one-half of $3 paid in "vendor" payments for children.

Under the traditional $60 program, medical payments can continue, but they must be made in "cash." This means that any State with present vendor medical payments in excess of $6 must have 2 programs (1) "cash" payments under the $60 program and "vendor" payments under the $6 and $3 program. There are some 15 such States and they include Connecticut, Illinois, Indiana, Kansas, Massachusetts, Minnesota, New Hampshire, New York, North Dakota, New Mexico, Ohio, Oregon, Rhode Island, Washington, and Wisconsin. A number of other States, such as Colorado and California, because their average cash payments exceed $60, will be forced to go to the vendor method.

A number of other States are planning expanded programs beginning July 1 on the assumption that they could take advantage of the new $6–$3 program as well as the traditional $60 program. These States, some of whose legislatures have already adjourned, include Pennsylvania, New Jersey, Louisiana, Iowa, Nevada, Vermont, Oklahoma, and Michigan.

3. The House-passed bill

The House-passed bill differs from Public Law 880 in only one major respect. It allows States the freedom of choice to make either "cash" or "vendor" payments under the traditional $60 program—which is presently the law—and, in addition, to qualify for the new $6–$3 program. Under Public Law 880, States may qualify for the new $6–$3 program only if they make "cash" payments under the traditional $60 program.

4. The Senate amendments

Under the Senate amendments States may have the choice of either "cash" or "vendor" payments under the traditional $60 program only if they forego the new $6–$3 program.

As a practical matter, all but 1 to 3 States—because of the Federal matching funds involved—will make cash payments under the $60 program and thereby qualify for the new $6–$3 program, even though they might prefer to make vendor payments under the $60 program as they are now doing or as they might like to do in order to avoid two systems of payments.

II. ARGUMENT

There are three principal arguments in favor of the language of the bill as passed by the House. These are (1) the right of States to freedom of choice and the avoidance of dual systems, (2) the superiority of the vendor payments system, and (3) the little or no additional cost to the Federal Government of the House-passed bill as opposed to the Senate amendment.

1. Freedom of choice

For many years, prior to 1950, States were allowed to make only "cash" payments under the traditional programs. In 1950, they succeeded in gaining the right to select their own system of payment, either "cash" or "vendor" as they saw fit. In 1956 this choice was taken away. Some States prefer one method and some the other. They should be allowed to keep this choice. If this choice is not retained, and in order for States to qualify for full Federal matching under the 1956 law, they will have to set up two separate systems—cash and vendor—with the additional administrative costs involved. In Illinois, for example, it is estimated that the administrative cost of a cash system would amount to an additional $870,000 on an annual basis, for which the Federal Government would pay 50 percent or $435,000 per year. Further, it would require 180 additional staff personnel in that State alone.

Those States with a "cash" system will have to set up a new "vendor" system to qualify for the $6–$3 program. Those States with a "vendor" system under which average payments exceed $6, must shift to a "cash" system if they are to qualify for Federal matching funds in excess of $6.

It would appear, then, that two separate issues are involved; i. e., freedom of choice and the avoidance of a dual system.

2. The superiority of the "vendor" system

The States with the most comprehensive medical programs have, in almost every case, selected the "vendor" payment method under the traditional $60 program. These are the States which must shift to "cash" payments under the new law or will shift to "cash" under the Senate amendment in order to retain the funds for which they can now qualify. The "vendor" payment system has proven the better system for several reasons. Among them are:

(a) Administrative costs are lower and administrative procedures are simpler.

(b) It insures that the vendor receives payment.

(c) It avoids confusion among recipients of medical care and insures that they receive that care. This would not always be the case if the recipient were given cash to purchase the service for himself. This is particularly true of the very aged, the senile, or those who lack knowledge of the detailed purposes for which their total monthly public-assistance funds are given.

(d) Services tend to be less expensive where the vendor is insured of payment. Doctors, for example, tend to charge less for office calls for those they know are on public assistance and for whom payment is assured through the State public-aid commission than for those whom they do not know are on public assistance and from whom payment is not assured.

(e) If States shift to the cash system, they will have few records of the particular diseases and ailments for which payments are made. At the present time States with vendor payments know these facts from the bills which are presented directly to them. This allows proper coordination with rehabilitation agencies for the physically handicapped and contributes specific knowledge of the diseases of those on public assistance which is helpful in medical research in geriatrics, in the field of the physically handicapped, and in preventive medicine.

The Department of Health, Education, and Welfare, in commenting on S. 1209, a bill substantially the same as the House language of H. R. 7238, made this point very well in their letter to the chairman of the Finance Committee:

"The type of changes described (shifting to the cash system), however, are in many instances not desirable. Suppliers of medical care and services would much prefer to receive payment directly rather than to rely on receiving payment from the recipient out of the money given to him for his unrestricted use. Also the fact that medical costs are frequently large, nonrecurring costs make direct payment appropriate. Undue emphasis on attempting to provide certain medical needs through giving money directly to the recipient would undoubtedly lead to both confusion and dissatisfaction in the affected States where medical expenditures are already substantial."

We concur in that statement and for that reason, primarily, support the House language as opposed to the Senate amendments.

3. Cost

The Department of Health, Education, and Welfare assigned a "maximum" cost of $26 million to the House-passed bill as opposed to $8.6 million to the Senate amendment. In other words, the cost of the House bill is placed at $18 million above the Senate amendment. We believe that these "maximum" cost figures are excessive.

In the first place, we have been informed by the Department that the additional administrative expenses for which the Federal Government would be obligated if the Senate amendment goes into effect on July 1 have not been taken into account. This is a cost attributable to the Senate amendment and which is not attributable to the House language and, by itself, reduces the differential between the estimated costs of the two bills.

In the second place, the States, by going on the "cash" system on July 1, if they are forced to do so, may actually qualify for the amounts they may qualify for under the House language of H. R. 7238. This is made clear from the Department of Health, Education, and Welfare's letter to the chairman of the Senate Finance Committee commenting on S. 1209. After giving maximum cost figures for the various proposals, that letter stated:

"It should be noted, however, that States are free to meet more of the medical needs of the recipients through money payments made directly to the recipients and to correspondingly reduce the payments for medical care made directly to doctors, hospitals, nursing homes, druggists, etc. Insofar as this occurs, and the States affected have indicated that such modifications will be utilized to the greatest possible degree, both the net additional cost attributable to S. 1209 and the cost of the suggested option (the Senate amendment) will be reduced."

In the Senate hearings, it was admitted by representatives of the Department that the costs of H. R. 7238 as passed by the House and the Senate amendment were theoretically the same. As State public-aid commissioners are obligated to secure the maximum Federal funds, the practical as well as the theoretical costs would be substantially the same.

In other words, the only substantive issue between the bill as passed by the House and the bill as reported by the Senate Finance Committee is whether the States may have a choice of the method of medical payments under the traditional $60 program or whether they shall be required by Federal statute to make those payments in cash.

III. CONCLUSION

We believe that the House language is much to be preferred over the Senate amendment. We believe this because:

(1) States should continue to have freedom of choice as to how medical payments shall be made under the traditional $60 program.

(2) As a matter of public policy the promotion of vendor payments is much to be preferred over cash payments. The Senate amendment makes cash payments mandatory if States are to qualify for the new $6 and $3 program which they have every right to qualify for under the 1956 social-security amendments.

(3) By making a transition to the cash system, States can, in fact, qualify for Federal grants substantially equal to those for which they could qualify under the Senate amendment. Therefore, the cost of the House bill as opposed to the Senate amendment is insignificant. In fact, when it is understood that the Federal Government is obligated to match, on a 50–50 basis, the additional administrative costs occasioned by shifting to the cash system, it is entirely possible that the Senate substitute is actually more costly than the House language.

Finally, we should like to make an additional point. This is a very complex matter.

In 1956, the Senate bill which eventually became Public Law 880 included an amendment substantially the same as the House language of H. R. 7238. Because of the complexity of this problem, the amendment was not fully understood by the House conferees and was therefore lost in conference.

This year, the House Ways and Means Committee passed H. R. 7238 substantially like the Senate amendment of last year which was lost in conference. Now it is the Senate committee which has failed to accept that bill and which has substituted a language which is far less acceptable than the language in its own bill of last year. Of course, the Senate committee has every right to change its mind, but the circumstances remain as they were 1 year ago and, in our opinion, the Senate amendment of last year and the language of the House passed bill this year, are preferable to the action which the committee has now taken.

PAUL H. DOUGLAS.
FRANK CARLSON.

SUPPLEMENTAL VIEWS

Substantially I agree with the position in the minority report. In my judgment, however, the cost to the Federal Government of the House bill would be somewhat higher than shown in the estimates in the minority report. However, the House version will make it possible for States to plan a more adequate program of medical services to be made available to the needy aged, the disabled, the blind, and dependent children. As the number of aged persons increases and the average age of persons of old-age-assistance rolls increases, the health aspect of the problem will become increasingly important.

Because of the admittedly superior administration of funds to be made possible, and the improved medical care which States will be able to plan for and to provide for their needy, the slight monetary saving involved in the Senate Finance Committee bill is too costly when compared with what it would deny to the needy in terms of better care and to the program itself in better administration.

The issue is very simple. The small amount of additional Federal funds under the House bill would help to pay for additional medical services and save money on administrative costs. Under the Senate Finance Committee version, less money would be spent on medical assistance and relatively more money spent on the administration of the smaller program.

RUSSELL B. LONG.

Mr. HUMPHREY. I am very happy that the Senator from Illinois made that request, because I wanted to make sure that the material involved in the minority views and the supplemental views was made available in the RECORD.

If we pursue the course recommended by the committee, it will throw into a complete tailspin a number of State programs, and it will cause disorderliness, instead of uniformity in many States with respect to their social welfare programs.

I hope that as we proceed with the consideration of the bill an option will be given to States, so that the programs which have been worked out and have been tried out and tested and the patterns which have been established by these programs in the respective States may be continued, instead of putting them into a sort of legislative straitjacket.

Those are my views on the bill. The purpose and the objective are good, but I do not approve of the methodology.

YOUNG REPUBLICANS NATIONAL FEDERATION CONVENTION PLATFORM—FOREIGN TRADE—JUNE 20–22, 1957

Mr. MALONE. Mr. President, the National Convention of the Young Republicans National Federation, representing the 48 States of the Union, was held in Washington on June 20–22, 1957.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a resolution relating to foreign aid, which is a part of the platform of the Young Republicans National Federation for 1957 and 1958.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

IMMEDIATE REVIEW OF TARIFF LEGISLATION

We know that behind the shield of our collective defense arrangement, there must be growth and development or that shield will be a paper one. We support the administration in its advocacy of trade policies which promote the interchange of goods to mutual advantage. Under no condition, however, should such an interchange of goods be to the detriment of our American industrial, mining, processing and developing segments of the economy, ending with a resultant loss in operation and income to both employer and employee. Furthermore, we call for an immediate review of tariff legislation to bring relief to hard-hit American industries.

CONGRESS TO RETAIN CONTROL

We believe effective control over foreign trade and the trade agreements program should be retained in the Congress.

YOUNG PEOPLE HOPE OF THE NATION

Mr. President, it is the personal opinion of the senior Senator of Nevada that the young people working through their respective political parties are the hope of the Nation in returning to constitutional government. Government by law and not by man or a bureaucracy.

Mr. MALONE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the names and titles of the new officials elected at the Young Republican National Federation meeting, together with the 11 regions by State and Territories.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

YOUNG REPUBLICAN OFFICERS FOR 1957–58

John Ashbrook, chairman, Johnstown, Ohio.

Jerrie Kent, cochairman, Johnson, Tenn.

Fred L. Dixon, treasurer, Washington, D. C.

Roseann Biwer, secretary, Waukesha, Wis.

Sally Liston, assistant secretary, Phoenix, Ariz.

Homer Jackson, auditor, Birmingham, Ala.

YOUNG REPUBLICAN NATIONAL FEDERATION REGIONS BY STATE AND TERRITORIES

Region I: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut.

Region II: New York, New Jersey, Pennsylvania, Delaware.

Region III: Virginia, Kentucky, District of Columbia, Maryland, West Virginia.

Region IV: South Carolina, Georgia, Florida, Tennessee, Puerto Rico.

Region V: Ohio, Indiana, Illinois, Michigan.

Region VI: Alabama, Louisiana, Mississippi, Arkansas, Texas, Canal Zone.

Region VII: Missouri, Nebraska, Kansas, Iowa, Oklahoma.

Region VIII: North Dakota, South Dakota, Minnesota, Wisconsin.

Region IX: Alaska, Oregon, Washington, Idaho, Montana.

Region X: California, Nevada, Arizona, Hawaii.

Region XI: Utah, New Mexico, Wyoming.

GEORGE WASHINGTON AND THE CONSTITUTION, FROM HIS FAREWELL ADDRESS

If in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation: for through this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed.

THE 10 WESTERN STATE REPUBLICAN REGIONAL CONFERENCE—FOREIGN TRADE

Mr. MALONE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a resolution relating to foreign trade, passed on May 4, 1957, by the 10 Western State Republican Regional Conference at Salt Lake City, Utah. The conference includes the States of Arizona, California, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

FOREIGN TRADE AND THE NATIONAL ECONOMY

Whereas 34 foreign, competitive nations are sitting in Geneva, Switzerland, regulating our foreign trade through multilateral trade agreements under the auspices of the General Agreements on Tariffs and Trade; and

Whereas, this distribution of our foreign trade between such foreign competitive nations is being carried on under the 1934 Trade Agreements Act, as extended (so-called reciprocal trade); and

Whereas, under this act more than $30 billion of American capital has been invested in such foreign low-wage standard of living nations to compete in American markets with American labor and investors in the textile, livestock, mining, crockery, glass, precision instrument machine tool, chemical and electrochemical, and several hundred other fields: Therefore be it

Resolved, That the 10 State Republican Regional Conference, including the States of Arizona, California, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming urge the Congress to resume its constitutional responsibility of regulating foreign trade and the national economy through the adjustment of the duties, imposts and excises (art. I, sec. 8) through its agent, the Tariff Commission, and allow the 1934 Trade Agreements Act to expire in June 1958.

Mr. MALONE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of my remarks as made in the Senate on May 15, 1957, concerning foreign trade.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

Mr. President, the 73d Congress passed the Trade Agrements Act in 1934 for 3 years as an emergency measure—it has continually been extended always as an emergency—and now expires in June of 1958.

Under the virtually free trade regulated at Geneva authorized by the 1934 Trade

Agreements Act, the cheap labor of the world is directly competing with American workingmen and investors.

THE SALT LAKE CITY CONFERENCE, 10 WESTERN STATES

Mr. President, at that conference there were several committees. One committee was the Republican Goals' Objectives Committee, of the National Republican Party. This is one of the several regional conferences held or to be held in the United States by the chairman of the National Republican Party Committee to determine the feeling of the people of the respective regions.

The chairman of this particular committee was the former Senator E. D. Crippa, of Wyoming. The vice chairman was Mrs. Bertha Welloff, of Montana. The members were Albert K. Mitchell, New Mexico; James P. Gossett, Idaho; Emery Graunke, Nevada; William C. Sanford, Nevada; Kenneth B. Bentson, Arizona; Mrs. George B. Jex, Washington State; Mrs. Collis P. Moore, Oregon; Mrs. Emery C. Johnson, Arizona; Mrs. Kathryn K. Meloney, Wyoming; Mrs. Jane Zimmerman, California; Mrs. Ora J. Lewis, Utah; Mrs. Helen Sullivan, Montana; Thomas Brewer, California; E. Stanley Goodell, Oregon; Hersh Gay, Jr., New Mexico; Mrs. Gertrude Chamberlain, Wyoming.

Mr. TALMADGE. Mr. President, will the Senator from Nevada yield?

Mr. MALONE. I am happy to yield to my distinguished colleague from Georgia.

Mr. TALMADGE. I wish to compliment my friend, the distinguished Senator from Nevada, for his comments on the subject he is discussing. If I may, I should like to ask one or two pertinent questions?

First, is there any difference between the so-called trade agreement and the so-called GATT agreement?

Mr. MALONE. The Trade Agreements Act of 1934 not only transferred to the President the constitutional responsibility of the Congress, under article I, section 8, of the Constitution, to regulate foreign trade and the national economy but gave the President in that act full authority to transfer that constitutional responsibility of Congress to any area on earth, under the auspices of any organization which he might cause to be organized.

That was so testified by the Secretary of State, Mr. Dulles, before the Senate Committee on Finance, when the 3-year extension of that act was granted in 1955.

Therefore, the so-called GATT, the General Agreement on Tariffs and Trade, was organized directly under the authority granted by the 1934 Trade Agreements Act passed by Congress.

The 1934 Trade Agreements Act authorized the President to spearhead the General Agreements on Tariffs and Trade—GATT.

THIRTY-FOUR FOREIGN COMPETITORS REGULATE OUR FOREIGN TRADE

Mr. TALMADGE. Is that the international trade agreement in which some 30 countries participate?

Mr. MALONE. That is the result of the transfer of the constitutional responsibility of Congress to regulate foreign trade to Geneva in 1947.

The 1934 Trade Agreements Act authorized the transfer to any area that the President might choose. In 1947 he did cause to be organized the General Agreement on Tariffs and Trade—GATT—and located it in Geneva. From that time on the foreign nations—and at this time the 34 foreign nations involved, since we are the 35th member, and each nation has 1 vote—are in complete control of our foreign trade and national economy.

Mr. TALMADGE. Am I correctly informed that that organization gives the United States of America one thirty-fourth of the power to regulate our tariffs?

Mr. MALONE. One thirty-fifth. We have 1 vote out of 35.

Mr. TALMADGE. One thirty-fifth.

I should like to read to the distinguished Senator a provision of the Constitution of the United States and ask him if his interpretation of it is the same as mine. I read from article I, section 8 of the Constitution of the United States:

"The Congress shall have power * * * to regulate commerce with foreign nations, and among the several States, and with the Indian tribes."

Does the Senator from Nevada understand that to mean what it says and to say what it means?

Mr. MALONE. The Senator from Nevada understands it to mean—and has argued on the floor of the Senate for 11 years—that the Constitution of the United States, article I, section 8, which has just been read, in part, by the distinguished Senator from Georgia explicity and completely places the responsibility for the regulation of foreign trade and the national economy in the Congress of the United States, when it says that Congress shall regulate foreign commerce and shall have the power to lay and collect duties, imposts, and excises, which we refer to as tariffs.

WORKINGMEN'S JOBS—INVESTORS' MONEY

Mr. TALMADGE. The Senator from Nevada is extremely well informed on trade matters. The largest industry in my State is the textile industry. The average hourly wage in the textile industry there is from $1.35 to $1.50. In Japan the average hourly wage is from 13 cents to 15 cents, or only one-tenth of what it is in my State.

Does the Senator from Nevada think that our textile mills can continue to operate without some tariff protection from such cheap imports?

Mr. MALONE. I would say to the distinguished Senator from Georgia that it is absolutely impossible; and it was so intended, in the opinion of the Senator from Nevada, by the people behind the framing of the act. In other words, the people who were behind the 1934 Trade Agrements Act in the first place were of the Harry Dexter White and Alger Hiss group, who first formulated the legislation.

Not only are the wages in Japan much lower, but American investments have moved in and installed the best possible textile machinery. Part of the $30 billion of foreign investment of American capital has gone into Japan, for the installation of the latest textile-making machinery. Therefore, since no one would say that a Japanese could not perform as much labor as an American, they are on an equal basis except for wages. That is the only difference except the low water transportation cost from Japan to here.

As a matter of fact, the present Secretary of State was working under Mr. Acheson, who was then Secretary of State, and made the treaty with Japan; that is to say, he set it up. It was adopted by this body, over my protest.

The senior Senator from Nevada made a speech on the floor against it at the time, and pointed out just exactly what the distinguished Senator from Georgia is saying now; that there is no possible way to compete on an even basis with a nation paying such wages.

JAPANESE FREE TRADE

Mr. President, I ask unanimous consent to have included in the RECORD as a part of my remarks an excerpt from my September 11, 1951, debate on the Japanese Treaty.

There being no objection, it is so ordered.

We now have free trade with Japan. They are sending their sewing machines, Christmas cards, precision instruments, and 101 other things, which under normal conditions would disarrange our American economy through eliminating American workingmen's jobs and wiping out American investments. However, by continued emergencies, bringing in constantly increasing taxes and new money from the sale of bonds to the American people, we are able to keep our economy going. Eventually we must protect our own higher standard of living from that of the 7 to 15 cents per hour Japanese labor.

And, I might add, Mr. President, textiles constitute one of their greatest exports.

Mr. TALMADGE. I thank the distinguished Senator. His answers to my inquiries have been very helpful.

I understand that by the Constitution of the United States power over foreign trade is vested in the Congress. I, for one, do not propose to abdicate it.

Mr. MALONE. All Congress has to do is to sit still in 1958—not extend the 1934 Trade Agreements Act beyond June 30, 1958, and the constitutional responsibility of regulating foreign trade and the national economy automatically reverts to the Tariff Commission, an agent of Congress. I would say to the Senator from Georgia that George Washington, our first President, had a few pertinent remarks to make on that subject—in his farewell address he said:

"If in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed."

I thank the distinguished Senator from Georgia for his pertinent questions.

NEVADA REPUBLICAN STATE CENTRAL COMMITTEE SOUND MONEY PROTECTING AMERICAN JOBS AND INVESTMENTS, STATES RIGHTS

Mr. MALONE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of a resolution passed by the Republican State Central Committee for the State of Nevada at Fallon, Nev., on December 15, 1956.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

The Republican Party of the State of Nevada strongly advocates the return to constitutional government by adopting the following principles which have been the basic tenets of the Republican Party since its inception more than 100 years ago.

We believe the Republican Party must advocate a free market for gold, with removal of all restrictions upon its purchase, sale, and ownership, and a return to the traditional hard-money standard using gold and silver certificates redeemable in the respective metals.

We believe the Republican Party must urge the Congress of the United States to resume its constitutional responsibility of regulating foreign commerce through the adjustment of duties, imports, and excises, through its agent, the Tariff Commission, and allow the so-called Reciprocal Trade Act, which transferred such responsibility to the President, to expire in 1958.

We believe the Republican Party should urge Congress to respect the rights of the individual States in all those matters which have been historically matters of State concern.

Mr. MALONE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of my remarks in the Senate on February 27, 1957, on the subject of foreign trade.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

FIRST STATE TO TAKE A STAND IN 24 LONG YEARS

Mr. President, my State of Nevada is the first sovereign State of the 48 to reaffirm the principles of Washington, Jefferson, and Lincoln in 24 long years.

Since 1933, inflation has been encouraged, so that Congress can appropriate any amount of money for any purpose at any time, including billions of dollars to European and Asiatic countries, and can have the money printed without regard to its ultimate value.

Under free trade and the policy of sending billions of dollars to Europe and Asia, more than $30 billion of American capital has gone abroad to operate plants with cheap labor and to ship the products to the United States to compete with our own labor and investments.

IT IS INTERNATIONAL SOCIALISM AT ITS WORST

It is time that we again reverted to sound principles of government that we won through the Revolutionary War and preserved for nearly a century and a half.

In 1934 Congress passed the 1934 Trade Agreements Act (so-called reciprocal trade) transferring to the President the constitutional responsibility of Congress as provided in article I, section 8, to regulate our foreign trade and national economy. That act included full authority for the President to transfer that responsibility to Geneva, Switzerland, under the auspices of any organization that he might spearhead.

That act, as extended, will expire in June 1958.

In the meantime the State Department is pounding at the door with the Office of Trade Cooperation, which is before us now; and if approved by Congress, the 1934 Trade Agreements Act may no longer be needed.

FOREIGN TRADE AND NATIONAL ECONOMY

Mr. MALONE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD remarks which I made in the Senate on May 15, 1957, concerning the subject of foreign trade and the action taken by my State of Nevada and the 10 Western States.

There being no objection the remarks were ordered to be printed in the RECORD, as follows:

MUST WORK THROUGH MAJOR POLITICAL PARTIES

Mr. MALONE. I will say at this point to my distinguished colleague from Georgia [Mr. TALMADGE] that it is my opinion, after 11 years in the Senate, and a good many years watching the 1934 free-trade theory progressively tearing down and destroying the small-business man and the wage earners of America, and moving us over on a war economy, that I believe each of us must work through his own major political party.

That is the reason we are working through the Republican Party, as Republicans who believe in constitutional government, and who believe that 34 competitive foreign nations sitting in Geneva should not control and regulate our foreign trade and our national economy.

Mr. President, I believe that members of the Democratic Party who believe, as we do, that we should return to constitutional government, must work through their own party, and help to reestablish the constitutional principle as enunciated at Salt Lake City by the representatives of the 10 Western States.

That firm stand for the principles of Washington, Jefferson, and Lincoln, by the Republican State Central Committee of my State of Nevada was immediately supported by most of the State newspapers, including Republican and Democrat alike.

When the Congress does not extend the 1934 Trade Agreements Act (so-called Reciprocal Trade Act) expiring in June of 1958—the regulation of our foreign trade and national economy reverts to the Congress under Article I, Section 8, of the Constitution. The Tariff Commission, an agent of Congress, under existing law through adjusting the flexible duty or tariff to continually represent the difference in the effective wages and cost of doing business here and in the chief competing nation on each product.

NEVADA STATE LEGISLATURE

Mr. President, the Legislature of my State of Nevada also passed strong resolutions against the extension of the 1934 Trade Agreements Act—so-called Reciprocal Trade Act—when it expires in June 1958. I ask unanimous consent to have the Senate joint resolution of that body printed in the RECORD at this point as a part of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

"Senate Joint Resolution 14

"Joint resolution memorializing the Congress of the United States to resume its responsibility of regulating foreign commerce, and to allow the 1934 Trade Agreements Act to expire in June 1958

"Whereas the promotion of world trade should be on the basis of fair and reasonable competition and must be done within the principle long maintained that foreign products of underpaid foreign labor shall not be admitted to the country on terms which endanger the American workingmen's jobs or American investments; and

"Whereas article I, section 6, of the Constitution of the United States, provides that the Congress shall have the power to lay and collect taxes, duties, imposts, and excises, and shall regulate foreign commerce; and

"Whereas the Congress transferred the constitutional responsibility to regulate foreign trade to the executive branch through the 1934 Trade Agreements Act, as extended to June 1958, with authority to transfer such responsibility to Geneva under the general agreements on tariffs and trade; Now, therefore, be it

"*Resolved by the Senate and Assembly of the State of Nevada (jointly)*, That the United States Congress is hereby urged to resume its constitutional responsibility of regulating foreign commerce and the national economy, through the adjustment of duties, imports, and excises, through its agents, the Tariff Commission, and allow the 1934 Trade Agreements Act, which transferred such responsibility to the President, to expire in June 1958; and be it further

"*Resolved*, That the secretary of state of the State of Nevada shall transmit copies of this resolution to each member of the Nevada Congressional delegation."

CALIFORNIA STATE LEGISLATURE—RESOLUTION

Mr. MALONE. The State of California passed a similar resolution asking that the 1934 Trade Agreements Act be not renewed when it expires.

I ask unanimous consent that the resolution be printed at this point in the RECORD as an extension of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

"Following is a joint resolution of the Legislature of the State of California, 1958 session:

"'Joint resolution concerning the restoration to Congress of the fixing of tariffs

"'Whereas it is essential to the protection of the American standard of living and the American way of life that products of foreign countries be admitted to this country only on a basis which will not endanger the living standards of the American working man and the American farmer and will not threatenserious economic injury to any domestic industry; and

"'Whereas promotion of world trade by the Government of the United States should adhere to this principle so that the economic status of the American people may be maintained and not reduced to that in the depressed areas of the world where work is performed behind the sweatshops curtain; and

"'Whereas while recent imports of live cattle and frozen and canned beef from Mexico, Canada, New Zealand, and other areas have dramatically highlighted the problem with respect to one industry, yet it is a problem affecting all of the branches of agriculture, industry, and commercial production; and

"'Whereas the Congress of the United States abandoned its traditional function of fixing tariffs on foreign commerce entering the United States under the Trade Agreements Act of 1934 to the executive department of the Government, which has carried out policies inconsistent with the welfare of American agriculture, industry, and commerce: Now, therefore, be it

"'*Resolved by the Senate and Assembly of the State of California (jointly)*, That the Legislature of the State of California most respectfully memorializes the Congress of the United States to return to its traditional method of fixing tariffs based on principles of protection of American agriculture, industry, and commerce, and the standard of living for all American citizens created thereby; and be it further

"'*Resolved*, That until Congress so acts, the executive department of the Government exercises its powers of fixing tariffs only in accordance with the traditional principles of American policy as set forth in this resolution; and be it further

"'*Resolved*, That the secretary of the senate send copies of this resolution to the President of the United States, the Secretary of State, the Secretary of Commerce, the Secretary of Agriculture, the Chairman of the United States Tariff Commission, the President of the United States Senate, the Speaker of the House of Representatives, and each Senator and Representative from California in the Congress of the United States'."

MR. ACHESON AND MR. THORPE—THE THREE-PART LONG-RANGE PLAN

Mr. MALONE. Mr. President, as a further warning to the Members of Congress who still may have faith that each offering of legislation along the line of free trade—billions to Europe and Asia—and a continual disintegration of the money system through 24 years of inflation, the pronounced long-range three-part foreign policy by the Assistant Secretary of State, William H. Thorpe, outlined before the House Ways and Means Committee in 1950 should be interesting:

"1. The European recovery program (Marshall plan or ECA) extends immediate assistance on a short-term basis to put the European countries back on their feet.

"2. The trade agreements (act) program is an integral part of our overall program for world economic recovery.

"3. The International Trade Organization, upon which Congress will soon be asked to take favorable action, provides a long-term mechanism—each part of this program is important. Each contributes to an effective and consistent whole."

It will be remembered that the Congress turned down the International Trade Organization in 1951.

Now we have been offered the Office of Trade Cooperation, which is exactly the same as the International Trade Organization.

That proposal is now before congressional committees. It is before the Senate Finance Committee, of which I am a member.

DOLLAR DIPLOMACY WITH A VENGEANCE

The former Secretary of State, Dean Acheson, said:

"It is hardly possible any longer to draw a sharp dividing line between the economic affairs and political affairs.

"Each complements and supplements the other. They must be combined in a single unified and rounded policy."

DOLLAR DIPLOMACY

That was and is the reasoning of the State Department—to tie the regulation of our foreign trade to the regulation of our foreign policy, which the Constitution of the United States so pointedly separated.

The senior Senator from Nevada would call it "dollar diplomacy" with a vengeance.

We are buying treaties through the division of our markets with the nations of the world and with billions of dollars of our taxpayers' money through gifts to such foreign nations.

The pressure to combine the regulation of our foreign trade and national economy with the fixing of foreign policy all under the executive branch of our Government, contrary to the specific provisions of the Constitution in article 1, section 8, is so flagrant that it is beyond belief that a Congress of the United States should continue to extend the life of such an act.

FEW MEMBERS OF CONGRESS UNDERSTOOD THE PLAN

Certainly few Members of Congress understood, in 1934—when they voted for the Trade Agreements Act—that they were not only transferring their constitutional responsibility to regulate foreign trade and the national economy to the executive branch of the Government, but included in that act was complete authority to transfer that responsibility to 34 competitive nations at Geneva, Switzerland.

TRANSFERRED TO GENEVA IN 1947

Following the 1934 Trade Agreements Act in 1947, the President of the United States did make the transfer and the Secretary of State, Mr. Dulles, has testified that such authority was and is included in the 1934 Trade Agreements Act, as extended to June 30, 1958. The transfer was made under the General Agreements on Tariffs and Trade—GATT.

The Secretary of State has testified that the 1934 Trade Agreements Act included all the authority necessary to transfer the regulation of the foreign trade and the national economy of the United States to the 34 foreign nations whose representatives are sitting at Geneva as a part of the General Agreement on Tariffs and Trade.

THE 34 FOREIGN COMPETITIVE NATIONS REGULATING OUR FOREIGN TRADE

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield?

Mr. MALONE. I am happy to yield to the distinguished Senator from Pennsylvania.

Mr. MARTIN of Pennsylvania. Does the distinguished Senator have a list of the 34 countries which he can insert in the RECORD?

Mr. MALONE. The following foreign competitive nations sit in judgment on our foreign trade in Geneva—dividing our markets among themselves through multilateral trade treaties—under the General Agreement on Tariffs and Trade—GATT—through the authority granted them under the 1934 Trade Agreements Act.

THIRTY-FOUR FOREIGN COMPETITIVE NATIONS

Australia, Austria, Belgium, Brazil, Burma, Canada, Ceylon, Chile, Cuba, Czechoslovakia, Denmark, Dominican Republic, Finland, France, Federal Republic of Germany, Greece, Haiti, India, Indonesia, Italy, Japan, Luxembourg, The Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Peru, Rhodesia and Nysaland, Sweden, Turkey, Union of South Africa, United Kingdom, and Uruguay.

Mr. MARTIN of Pennsylvania. These items are all educational, and I think the American people should know the names of those countries.

Mr. MALONE. I think the people should know them; and I think Members of Congress should know them, and I further believe that the Members of Congress should understand that they have transferred their constitutional responsibility to regulate our foreign trade and national economy to the 34 competitive foreign nations at Geneva. I have worked over the problem for 11 years in the Senate.

UTTERLY UNBELIEVABLE—TRANSFER REGULATION TO GENEVA

It is utterly unbelievable, however, that the Members of Congress understood the full implications of their action when they voted on May 4, 1955, to extend that act for 3 years to June 1958.

They most certainly did not know that through the creation of another innocuous looking piece of international machinery now before Congress under the "come on" title of Office of Trade Cooperation—OTC—that once created, through its own manipulation the administration of the general agreements on tariffs and trade could be transferred to the United Nations, and operated on the principle of equal distribution of the production and consumption throughout all of the nations of the world.

ONE AT A TIME—EACH INNOCUOUS BY ITSELF

Mr. President, those things come along one at a time, each of them looking innocuous by itself.

There was a great President who had something to say on this subject. I shall quote him directly. He gave us the key to how we could recognize an overall plan coming along one part at a time.

It was Abraham Lincoln who said:

"We cannot absolutely know that all these exact adaptations are the result of preconcert. But when we see a lot of framed timbers, different portions of which we know have been gotten out at different times and places and by different workmen, and when we see these timbers joined together, and see they exactly make the frame of a house or a mill, all the tenons and mortises exactly adapted to their respective places, and not a piece too many or too few, not omitting even scaffolding—or, if a single piece be lacking, we see the place in the frame exactly fitted and prepared yet to bring such piece in—in such a case, we find it impossible not to believe that all worked upon a common plan or draft drawn up before the first blow was struck."

THE FIRST LEGISLATIVE MOVE—THE 1934 TRADE AGREEMENTS ACT

When the 1934 Trade Agreements Act was passed, in an economic frenzy by a subservient Congress, it looked innocuous enough. It was said, "Let the President try to do this job for a while in the interest of economic recovery." Nobody seemed to know or care what might happen, and nobody seemed to know that hidden in that act was the authority for the President to transfer the constitutional responsibility of Congress to regulate the foreign trade and national economy to 34 competitive foreign countries. He could transfer the whole thing to Peking or Moscow tomorrow if he so desired. There may be 50 nations eventually that will be involved if they are accepted into that group. It will be remembered that Japan was only recently accepted into that restricted group. That laid the foundation for the destruction of the textile, crockery, and precision instruments businesses in this Nation. These nations sit around a table at Geneva, Switzerland, a city that most people who are not in the trade must check to determine exactly where it is located in the world, and they regulate our foreign trade and national economy. Through a continual lowering of duties or tariffs by the authority granted them by Congress through the 1934 Trade Agreements Act, those nations can make or break any production business anywhere in the United States of America for their own benefit.

They do break them, Mr. President. There is no comparison between the living standards, as the distinguished Senator from Georgia outlined between Georgia and Japan, for example, when there is practically free trade in textiles, which is destroying the textile industry in the United States.

UNITED NATIONS RESOLUTION

I have in my hand a resolution passed by the United Nations on February 20, 1957. That resolution should be warning enough to Members of Congress to read the whole script this time, beginning with 1934, instead of just passing the immediately proposed legislation which provides just another step in stifling the economic development of this Nation.

The proposed legislation of OTC merely follows the pattern already laid down, and is in line with the pattern referred to by Abraham Lincoln when he spoke about timbers, all exactly fitting, and not one too few or one too many. There must be a plan, Mr. President.

The United Nations is headed toward the regulation of our foreign trade and national economy through progressive legislation—on the basis of equal production and consumption in every nation in the world based on population. When they reach that control then that is what will happen.

Mr. President, I ask unanimous consent to have the entire United Nations resolution printed in the RECORD at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD as follows:

"1. Urges the governments of member states to continue their efforts to reduce existing barriers to international trade in a mutually satisfactory manner for the purpose of expanding such trade at the fastest feasible rate and, in particular:

"(a) To continue to work toward this objective through the international organizations which are working successfully for the expansion of world trade, and to continue to avail themselves of services offered in the field of trade by these organizations;

"(b) To reduce or remove restrictions and/or discrimination with regard to trade and payments as soon as their balance-of-payments and reserve positions permit, having due regard to the special problems arising from the economic development needs of the less developed countries;

"(c) To conduct their trade policies with due regard to their possible harmful effects on the economies of other countries, especially countries which are dependent on exports of relatively few commodities;

"(d) To follow internal economic, monetary, and fiscal policies which promote high levels of production, employment, and investment, keeping in mind the relationship between such internal policies and the possibilities of expanding world trade;

"2. Endorses Economic and Social Council Resolution 614 (XXII) of August 9, 1956, and requests the Council to continue to give particular attention to developments in the field of international trade;

"3. Looks forward with interest to the establishment of the Organization for Trade Cooperation and urges states members of the United Nations and members of the specialized agencies to act with a view to approving the agreement establishing the Organization for Trade Cooperation.

Source: United Nations press release, GA 1450, February 20, 1957."

Mr. MALONE. Mr. President, the resolution, in part, provides as follows:

"1. Urges the governments of member states to continue their efforts to reduce existing barriers to international trade in a mutually satisfactory manner for the purpose of expanding such trade at the fastest feasible rate and, in particular"—

I digress to say that no other nation needs a tariff or a duty to equalize wages. Our wage standard of living is the highest in the world.

"(a) To continue to work toward this objective through the international organizations which are working successfully for the expansion of world trade"—

They make these agreements without the people of the United States knowing anything about them. They are secretive. Congress is not allowed to know anything about it, until they are signed, sealed, and delivered. Then it is too late to object, since the agreement is already in effect for a definite period under the 1934 Trade Agreements Act—so-called Reciprocal Trade Act—as extended by Congress for 24 long years; and through that act they have transferred their authority to 34 foreign competitive nations.

The resolution continues:

"and to continue to avail themselves of services offered in the field of trade by these organizations.

"(b) To reduce or remove restrictions and/or discrimination with regard to trade and payments as soon as their balance of payments and reserve positions permit, having due regard to the special problems arising from the economic development needs of the less developed countries"—

As long as these nations can say they are still not as well off as we are, they do not have to meet these restrictions. They can sign a trade agreement which lowers duties and tariffs, and then install import permits and exchange permits, and every kind of restriction, including the manipulation of the valuation of their money in terms of the dollar.

THE DOLLAR-SHORTAGE CATCH PHRASE

That is where the dollar-shortage catchword was coined. They fix a price on their money in terms of the American dollar higher than the market price, and nobody will buy it at the fictitious price except a misguided American Congress who makes up the difference.

When they speak about barriers, what do they mean? They mean barriers to their trade. In the case of textiles, the difference in the wage standard of living between the people in the United States and the people in Japan, represented by a duty or tariff is the barrier about which they are complaining.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. MALONE. I am glad to yield to the Senator from Wyoming.

Mr. BARRETT. At the outset let me commend my distinguished friend from Nevada for his splendid statement this afternoon. I should like to make an observation. My State of Wyoming is the second largest producer of wool in the country. As a result of that situation we are intensely interested in the matter of tariffs. I have been concerned for some time because of the competition from offshore wool, particularly from Australia and from many other countries, including South Africa, as well as from woolen fabrics coming in from nearly every country on earth.

I may say to the Senator from Nevada that there was a time when our textile plants in this country were far superior to the plants anywhere else in the world, but since World War II we have furnished funds to foreign countries, with the result that practically every country on earth now has just as efficient plants with which to process wool and to make up fabrics as we have in this country.

I may say to my colleague that we in Wyoming are very much appreciative of the Wool Act. At the same time, we find that the competition from the imports of woolen fabrics is devastating, so far as the producers of wool in the United States are concerned. My information is that 184 wool-textile plants in the United States were closed in the period from 1947 to 1954. As a result, the employment in the textile mills of America has dropped 51 percent. There have been losses incidental thereto, such as in the manufacturing of machinery for those plants, and in other ways, as well. It is very difficult to determine the exact effect of the closing of these woolen mills.

As the distinguished Senator from Nevada has pointed out, it is extremely difficult for American manufacturers of wool products to compete with wool-manufacturing plants in Japan, when the Japanese manufacturers have machinery which is just as up to date as that which is used in this country. Also, the Japanese manufacturers employ skilled mechanics, but their payrolls are approximate 10 or 11 percent of what they are in this country. Because of that competition, it is impossible for American wool manufacturers to meet the prices of products coming from Japan, and also from a good many European countries, such as England, France, Italy, and some of the countries behind the Iron Curtain.

I have been considerably disturbed recently because of actions which are being taken by two different agencies of our Government. First, the Secretary of Commerce has sent a mission to Japan. That mission, as I have been told, has been urging the manufacturers in Japan to produce quality goods to compete with the products of the textile mills in the United States. The fact of the matter is that the competition from the low-paid, high-class labor in Japan will hurt America the most. We may end by having all the quality woolen mills in this country closing down if the Japanese manufacturers are permitted to export to the United States quality fabrics in unlimited quantities.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield so that I may make an observation?

Mr. BARRETT. With the consent of the Senator from Nevada, I shall be delighted to yield for that purpose.

Mr. MARTIN of Pennsylvania. We have heard much during this session of Congress about aiding small business in the United States. Many persons say that small business is the strength of our economy. The manufacturers of the textile goods mentioned by the distinguished Senator from Wyoming are generally small-business men, who employ a small number of very skilled workers. The foreign competition in woolen fabrics is damaging to concerns of that kind.

In my own State of Pennsylvania, an enormous amount of woolen goods used to be manufactured. Most of these factories are now closed, and there is no other kind of work suitable for workmen skilled in that field. They cannot go to work in a steel mill or a wire mill, and they cannot work in the mines.

So a great many of what we call small-business concerns in the United States are being destroyed because the Government is not taking into consideration the protection those industries need in order to enable them to compete with the importations now entering the United States.

Mr. BARRETT. I thank the distinguished Senator from Pennsylvania for that observation. The quantity of Japanese woolen fabrics imported into the United States has increased from 178,000 yards in 1951 to more than 6 million yards in 1956. I do not know the proportion of the increase, but I should suppose it is away up in the thousands.

We in the West are vitally interested in this matter, because the only market we have for the wool shorn from the sheep of Wyoming and the other Western States is the domestic mills of America. If the mills continue to close at the rate at which they have been closing in the past 10 years, we will not have any market for our wool after it has been produced.

Another item to which I wish to call the attention of my colleague from Nevada and my colleague from Pennsylvania is the proposal which is being made at present to make a change in the so-called Geneva wool fabric reservation. Under that reservation, it is provided that when the annual volume of imports exceeds by 5 percent the annual average of United States production of wool fabrics, the ad valorem duty may be increased from 25 to 45 percent. A hearing was held on that matter last fall, at which that provision was reaffirmed, and the administration took the position that it should stand on that basis.

I now understand that the State Department officials and other persons are proposing that the percentage be increased from 5 to 7 percent, so that additional imports may come into the United States before there will be any obligation to consider, at least, if not to impose, a higher ad valorem rate on the imported fabrics. That is very disturbing to me. I am very hopeful that the administration will see fit to maintain the agreements which were entered into under the Geneva fabric reservation, and will hold the figure to 5 percent. That is, if the importations exceed by 5 percent the annual average imports of previous years, then it will be necessary to give us some protection by increasing the duty, on the ad valorem basis, from 25 to 45 percent.

I appreciate the opportunity to make these observations and to tell the distinguished Senator from Nevada that I think he is rendering a very useful service in bringing these matters to the attention of the Senate. I hope the Committee on Finance will take a good, long look at proposals with respect to OTC and GATT before they bring them out on the floor.

HOPE OTC-GATT OR 1934 TRADE AGREEMENTS ACT NEVER REACHES FLOOR

Mr. MALONE. I join with the distinguished Senator from Wyoming, but I further hope that OTC and GATT will never get to the floor this year—and that the proposal to extend the 1934 Trade Agreements Act will never reach the floor next year. Would the distinguished Senator from Wyoming join with me in that hope?

Mr. BARRETT. I certainly would join with my colleague in that hope.

Mr. MALONE. I may say to the distinguished Senator from Wyoming that one of the things that has been done in the 24 years by our State Department, is to build an intricate mechanism for the regulation of foreign trade through the General Agreement on Tariffs and Trade and through the multilateral agreements, in various ways, so that it is almost impossible for anyone to understand what is happening.

All of this under the 1934 Trade Agreements Act which is the parent legislation for the international Socialist idea of division of wealth through division of our markets.

I point out to my distinguished friend from Wyoming that a sheep unit—a ewe and a lamb—can be produced in Australia for about 20 percent of what it can be produced for in the United States. Therefore, the only solution to the problem—and the same is true of 5,000 other products—is to return to the Constitution of the United

States in the regulation of our foreign trade and national economy, which provides that Congress shall regulate foreign trade and the national economy, and shall through the Tariff Commission, an agent of Congress, set duties, imposts, and excises for that purpose—methods to determine the difference in cost between an article produced in the United States and a like article produced in a foreign country, and to recommend that that amount shall be the duty. That will make up the difference in the wage standard of living; it will make up the difference in the cost of doing business in the United States and in the chief competing country, such as Australia.

I point out that we pay more in the United States for industrial insurance and social security than the competitive nations pay in wages.

Mr. President, I wish to call attention to paragraph 3 of the resolution adopted by the United Nations:

"The United Nations look forward with interest to the establishment of the Organization for Trade Cooperation, and urge the state-members of the United Nations and members of specialized agencies to act with a view to approving the agreement establishing the Organization for Trade Cooperation."

Mr. President, that is a tipoff that they expect to supervise, through the action of the same organization, if it is created, an organization, under the United Nations, which will control the trade of all the nations of the world.

CONGRESS SURRENDERED ECONOMIC INDEPENDENCE

Mr. President, in 1934—23 years ago, and 158 years following the Declaration of Independence—a subservient Congress surrendered the social and economic independence that Washington's Continental Army had left bloody tracks in the snow to gain. That surrender took place through passage of the 1934 Trade Agreements Act, named "Reciprocal Trade" by the economic one-worlders of the day. This act marked the betrayal and complete abandonment of the American workingmen and investors into direct competition with the sweatshop labor of old Europe and Asia. The Constitution pointedly separated the regulation of our foreign trade and national economy from the fixing of our foreign policy. The first was delegated to the legislative branch, and the second to the executive branch of our Government.

The 1934 Trade Agreements Act tied together the two jobs. As a result, both came under the executive branch for the first time since the adoption of our Constitution in 1789. Our economic independence of old Europe—declared in 1776, and guaranteed by the Constitution in 1789, under which we developed the highest standard of living in the whole world—lasted just a little more than a century and a half.

Twelve years ago, in 1947—171 years following the Declaration of Independence—the President of the United States transferred that constitutional responsibility of Congress to regulate our foreign trade and national economy, under article 1, section 8, of the Constitution, to Geneva, Switzerland, under the organization known as GATT, the General Agreement on Tariffs and Trade, which he caused to be organized under his claimed authority of the same 1934 Trade Agreements Act.

BETRAYED INTO THE POWER OF OLD EUROPE

Since that betrayal into the power of old Europe and Asia, 35 nations, of which we are one—each with 1 vote—have quietly proceeded to divide the American markets among themselves, through multilateral trade agreements, under the pretext of preserving the peace. It is utterly unbelievable that the Congress could have been coerced into transferring its constitutional responsibility to maintain the economic integrity of this Nation into the grasping hands of old Europe, but it is even more amazing that the 84th Congress in 1955 extended the act for 3 years. It now expires in June of 1958.

This Nation is now being blackmailed through continued threats of retaliation if we even attempt to regain our economic independence, guaranteed by the Constitution of the United States.

THE PROPOSED ITO, 1950—OTC 1956

The Congress refused to approve the International Trade Organization (ITO) in 1950, and it refused to approve the Organization for Trade Cooperation (OTC) in 1956; but the original authorization in the 1934 Trade Agreements Act was extended to 1958.

RETURN TO CONSTITUTION AND BILL OF RIGHTS

Mr. President, let us return to the Constitution and the Bill of Rights, the greatest man-made document in 5,000 years of recorded history, just as the 10 Western States, assembled at Salt Lake City on May 4, asked the Congress to do; and just as my own State, through its legislature and in editorials published in both Democratic and Republican newspapers, has requested.

Let us return to article 1, section 8 of the Constitution, which places directly upon the Congress, the legislative branch of our Government, the responsibility of regulating our foreign commerce and our national economy. If the Congress shall not extend the 1934 Trade Agreements Act in 1958, thereby reverting to the Constitution, as the resolution sets out, then the Tariff Commission, an agent of Congress, would be guided by the section 336 of the 1930 Tariff Act on principle which says:

"If the Commission finds it shown by the investigation that the duties expressly fixed by statute do not equalize the difference in the cost of production of the domestic article and the like or similar foreign article when produced in the principal competing country, the Commission shall specify in its report such increases or decreases in rates of duty expressly fixed by statute (including any necessary change in classification) as it finds shown by the investigation to be necessary to equalize."

NOT HIGH OR LOW DUTY—BUT FLEXIBLE

Mr. President, it will be noted that the principle of fair and reasonable competition is laid down in existing law—not a high or low duty or tariff but the flexible duty continually adjusted by the Tariff Commission to represent the difference in the effective wages here and in the chief competing country on each product—the duty would be lowered as their living standard improved—and when they approached our standard then free trade would be almost automatic and immediate.

It is time for the Congress—not the President of the United States, not 34 foreign competitive nations assembled at Geneva—to adjust the duties and tariffs, in the regulation of the foreign trade and the national economy of the United States just as the 10 Western States have requested—and just as the distinguished Senators, Mr. TALMADGE of Georgia and Mr. BARRETT of Wyoming have requested.

Mr. President, I yield the floor.

PEOPLE OF THE NATION STARTING TO THINK

Mr. MALONE. Mr. President, the people of the Nation are starting to think and to analyze the actions of Congress.

The Senator from Nevada has just inserted resolutions by the Young Republican National Federation—the ten Western States Republican Regional Conference—and by the Nevada Republican executive committee, on foreign trade and the national economy.

All have demanded that Congress regain its constitutional responsibility in the regulation of our foreign trade and national economy.

Mr. President, it is high time that Congress woke up and again asserted its responsibility in the three-branch Government created by the Constitution of the United States.

DISTRIBUTION OF FEDERAL FUNDS FOR MEDICAL AND OTHER REMEDIAL CARE

The Senate resumed the consideration of the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care.

Mr. THYE. Mr. President, if I may have the attention of the acting majority leader and the acting minority leader, may I ask if it is the intention to have further discussion of H. R. 7238 during this legislative day? The companion Senate bill is S. 1209. The minority views were filed in opposition to S. 1209. Is it the intention of the leadership to have further discussion of the bill today, if time permits?

Mr. MANSFIELD. It was the intention of the leadership to complete action on the bill this evening. I think there may be a better understanding now between the proponents and the opponents of the bill as a result of the debate which has taken place. We all recognize, of course, that there are differences between the House bill and the Senate bill. Very likely those differences could be ironed out or settled in some manner in conference.

Mr. THYE. In conference? In other words, does the Senator hope to have the Senate bill passed, and then to go to conference, and to have the differences between the House bill and the Senate bill resolved in conference?

Mr. MANSFIELD. That is what I am assuming. But it would be up to the Members of the Senate to decide whether or not the bill reported by the Committee on Finance was acceptable. If it was, I am quite sure that if there were discrepancies between the House bill and the Senate bill, a reasonable compromise could be reached which would be fairly satisfactory.

Mr. THYE. It is my hope, and certainly it will be my endeavor, to amend the Senate bill on the floor, if possible, in order to improve the bill, because at present it discriminates against Minnesota. As the bill reads at present, there would be a considerable loss to Minnesota, and to 14 other States, as well. That was my reason for making the inquiry.

I shall remain on the floor, if it is intended to resume consideration of the bill after the Senator from Oregon has completed his statement.

Mr. MANSFIELD. In view of the extended debate which has taken place on the measure, which is all to the good, and the fact that other Senators who have been waiting all afternoon have said they are willing to let their bills go over until tomorrow, if there is to be further debate on this particular measure at this time of day, I am prepared to make a unanimous consent request at the proper time that the bill be returned to the Calendar. I have withheld such a request in the hope that an agreement could be reached.

Mr. NEUBERGER obtained the floor.

Mr. DOUGLAS. Mr. President, the Senator from Oregon [Mr. NEUBERGER], who has the floor, has kindly consented to yield to me.

I think some fundamental points could be settled by having a voice vote on the committee amendment. I do not think that would take long. I shall not make any further statement. I shall vote against the committee amendment, in the hope that it will be rejected and that the House bill can be substituted for the Senate bill.

Mr. CARLSON. Mr. President, will the Senator from Oregon yield?

Mr. NEUBERGER. I yield.

Mr. CARLSON. As one Senator who signed the minority views, I had hoped that we could dispose of the bill this evening. I should like to have 5 or 7 minutes to make a record so far as the proposal affects Kansas particularly, and the Nation as a whole. Then I shall be prepared to vote. I shall certainly not ask for a yea-and-nay vote this evening. I hope there can be a voice vote.

Mr. KERR. Mr. President, how long does the Senator from Oregon believe his remarks will take?

Mr. NEUBERGER. Ten or fifteen minutes. Fifteen minutes at the outside.

Mr. KERR. Mr. President, I hope we may vote on the pending business, if there is no objection.

Mr. MANSFIELD. That will be perfectly acceptable, if that can be done.

Mr. JAVITS. Mr. President, I should like to state that the people of New York who have communicated with me regarding this matter—and there have been many—take the same position that the Senator from Illinois [Mr. DOUGLAS] and the Senator from Kansas [Mr. CARLSON] take. I wish to state that for the RECORD.

Mr. CARLSON. Mr. President, this is the first time during my service on the Senate Finance Committee that I have found it necessary to oppose the views of the majority of the committee.

I have associated myself with the Senator from Illinois [Mr. DOUGLAS] in the minority views on H. R. 7238. It is my firm conviction that unless H. R. 7238 is passed by the Congress, a number of States will be forced to curtail some of their medical-care programs, and the failure of its approval would further impose upon those States the need for adopting cumbersome and costly procedures with respect to program administration. Kansas is one of those States.

H. R. 7238 was designed to cure and eliminate some of the defects apparent in the medical-care program amendments to the Social Security Act included in Public Law 880 of the 84th Congress.

These 1956 amendments were presented to the States, and I believe to the Congress, as making available additional funds for the purchase of necessary medical care in public assistance programs.

It seems to me that the principal faults of the medical care amendments in Public Law 880 lie, first, in the fact that included with them is a return to the unrestricted money provision contained in the original Social Security Act; and, second, what I believe to be a narrow and restrictive implementation that the Department of Health, Education, and Welfare is giving to the new law.

Should Congress approve H. R. 7238, it would remedy both of these faults. I believe this is what the Secretary of the Department of Health, Education, and Welfare implied in his report to the chairman of the House Ways and Means Committee in May 1957. The Secretary stated:

> It should be noted, however, that States are free to meet more of the medical needs of recipients through money payments made directly to the recipients and to correspondingly reduce the payments for medical care made directly to doctors, hospitals, nursing homes, druggists, etc.

This same flexibility is assumed in the report of the chairman of the House Ways and Means Committee on H. R. 7238, and is further confirmed in the debate on the floor of the House when the bill was passed.

I think it should be mentioned, Mr. President, that the bill passed the House of Representatives on June 3, 1957, under a suspension of the rules, which requires two-thirds vote of the House.

Even if the broadest possible implementation of the 1956 amendments is made and the States are permitted to provide for medical needs either through the cash grants, through the new medical care program, or through a combination of the two, a most undesirable and uneconomical situation remains.

Operations under a program so implemented would necessarily include many examples of payment to the same vendor for the same service from two different sources, a part of the cost being provided to the public assistance recipient in his cash grant, and in turn paid by him to the vendor, and the balance paid directly to the vendor by the State agency from medical care funds.

This type of split payment would inevitably be unacceptable to many suppliers of medical services and would definitely serve to weaken program relationships with them.

Another very real consideration is the fact that the useless split payment device would materially increase State programs' clerical and accounting expenditures. Inasmuch as the State programs' administrative expenditures are shared equally by the States and the Federal Agency, and inasmuch as program administrative expenditures are currently a concern of the Congress, it is clearly to the advantage of all concerned to avoid increasing them at this time.

On the basis of present caseloads and present costs of program medical care, Kansas public assistance programs could expect to receive approximately $1,750,000 per year in Federal participation in the new medical care program. The Kansas programs have been, since October 1, 1956, receiving approximately $500,000 a year of Federal fund participation in the costs of medical care. As the new amendments are being interpreted by Department of Health, Education, and Welfare regional offices, Kansas could qualify for the $1,750,000 annual figure, but would lose the $500,000 now being received.

Under the broadest possible implementation and interpretation of Public Law 880, Kansas would receive the $1,750,000, and an undetermined portion, perhaps almost all of the $500,000, could, however, earn and qualify this last portion only at a very considerable increase in administrative expense and by means of constant imposition on the suppliers of medical service.

At the hearing before the Senate Finance Committee, it was stated by representatives of the Department of Health, Education, and Welfare that under the present law Kansas was receiving $500,000, that under the provisions of Public Law 880 Kansas would receive $1,750,000, and that under the proposal as approved by the Department of Health, Education, and Welfare and contained in the committee bill, Kansas would receive $1,750,000.

Under H. R. 7238, the Department estimated that Kansas could receive $2,250,000, or $500,000 more than either Public Law 880 or the alternate proposal by the Senate Finance Committee provided.

This means that States, including Kansas, now earning substantial sums of Federal participation, and potentially eligible for larger sums under the new program, would be forced to elect the new program.

It is my opinion that under neither Public Law 880 nor the alternate proposal would Kansas and other States receive the funds that were implied by the $6 and $3 formula in the 1956 amendments.

The Kansas Budget Division and the Kansas Legislature, in appropriating Kansas public assistance funds for the 1957–58 fiscal year, accepted the 1956 amendments at their face value. Both assumed that there would be additional Federal funds available to the extent of $3 per case per month for old-age assistance, aid to the blind, and aid to the disabled, and a correspondingly smaller amount per eligible individual in the aid to dependent children category.

State of Kansas funds were appropriated on this assumption. If the funds available under the new program are not in addition to the $500,000 per annum currently being earned, substantial reductions in Kansas public-assistance payments will be indicated in the fiscal year. Similar situations exist in other States. The passage of H. R. 7238 would eliminate these problems.

H. R. 7238 would guarantee to the States the right to take advantage of the funds which the Congress intended to make available to all the States in such

a way as not to impose upon the States administratively costly and undesirable changes in their medical programs or accounting procedures, and would also insure that no States would incur any financial loss with respect to their public-assistance medical-care program.

It is my contention that the House bill would give Kansas an additional $500,000. I base that statement on the studies I have made. The Kansas Legislature, which met recently, enacted legislation to provide funds to take care of this additional sum of money. It occurs to me that Kansas is one State that will suffer enormously unless the House bill is passed.

I consider H. R. 7238 a sound approach to the problem that arose under the 1956 formula, and I hope the Senate will pass it.

Mr. KERR. Mr. President, I can understand the concern of some of the Senators from a few of the States that stand to be in a little less favorable position if the committee amendment before the Senate is sustained. In that regard, however, I wish to say that the bill came to the floor by a vote of 12 to 3 on the part of the members of the committee.

The bill as it comes to the floor was recommended by the Department of Health, Education, and Welfare in its testimony before the committee. Therefore, we ask that the position of the committee be sustained.

Mr. MANSFIELD. Mr. President, I dislike doing this, but I feel I should suggest the absence of a quorum, because the Senator from Minnesota is on his way to the Chamber. With that understanding, I will suggest the absence of a quorum, and will withdraw it as soon as the Senator from Minnesota arrives.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THYE. Mr. President, H. R. 7238, as passed by the House would allow the State of Minnesota to receive a traditional Federal matching-fund payment under the $60 program even though a part of the $60 payment were to be paid directly to the medical vendors instead of the recipient. That is most important, Mr. President, to the State of Minnesota and to the many other States which are in a similar situation. It is for that reason I hope the provision of the House bill will be retained.

I support the bill introduced by the Senator from Illinois [Mr. DOUGLAS], and agree with the minority views filed by him and other Senators.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. Do I correctly understand that the question now before the Senate is the amendment of the Committee on Finance to the House bill?

The PRESIDING OFFICER. As amended.

Mr. DOUGLAS. As amended. And do I correctly understand that if a Senator favors the House bill he should vote "no," while if he favors the Senate amendment he should vote "aye."

The PRESIDING OFFICER. The Senator is correct.

Mr. MALONE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MALONE. If the amendment of the committee is adopted, inasmuch as it is different from the provisions of the House bill, then the bill will go to a conference between the two Houses, will it not, to determine whether the amendment shall stay in the bill?

The PRESIDING OFFICER. The bill will go back to the House, for action by the House, because the Senate is amending the measure completely.

Mr. MALONE. If the House accepts the amendment, there will be no conference, but if the House does not accept the amendment, then it will be necessary to go to conference?

The PRESIDING OFFICER. Either way, the bill will go back to the House.

Mr. MALONE. It will go back to the House, but if the House accepts the amendment, then the bill will go to the President.

The PRESIDING OFFICER. The Senator is correct.

Mr. MALONE. If the House does not accept the amendment, it will be necessary to send the bill to a conference committee of the two Houses, will it not?

The PRESIDING OFFICER. The Senator is correct.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "An act to give the States an option with respect to the basis for claiming Federal participation in vendor medical care payments for recipients of public assistance."

TAX REBATES IN ORDER TO MAKE STATE GOVERNMENT MORE EFFECTIVE AND EFFICIENT

Mr. NEUBERGER. Mr. President, once again, President Eisenhower has delivered to a governors' conference a speech proposing that many functions now performed by the Federal Government be left to the States.

This is only the latest expression of the desire to abandon Federal responsibilities, which has always been an unquestioned article of political faith with President Eisenhower, as with other leaders of the Republican Party. It is the kind of declaration which the President apparently feels he must repeat every so often as a matter of doctrine, and never subject to critical reexamination, regardless of the record of his own administration and his experience with the studies of the two previous commissions he charged with the task of reducing Federal functions.

It is characteristic of President Eisenhower to utter collections of high-sounding generalities which have little precise meaning or content, when analyzed. In his speech to the governors' conference, the President did not specify a single existing Federal program which should be turned over to State responsibility, although he did refer critically to Federal assistance in natural disasters and urban renewal. He merely asks for yet another commission to study what existing Federal responsibilities might be abandoned to the States.

The President's speech was specific in only one very telling respect. He said:

> This effort presupposes that Federal taxes would be cut more than State taxes would be raised to support the transferred functions.

Tax reduction, not concern for the structure of our Federal system, is the driving impetus behind these repeated attacks on Federal responsibilities. True, they are always accompanied by exhortations to the States themselves to assume the functions to be abandoned by the Federal Government. But let us have no illusions about which is the major premise and which is the minor: Reduction of Federal functions, not increases in State power and State budgets, is the controlling objective. When they get down to cases, it is always Federal programs in the fields of human welfare and social needs—such as old-age assistance, aid to dependent children, health programs, school lunches, funds for hospital construction and for schools in federally affected areas, public housing—which would be slated to be abandoned to State action, and rarely those which hold great financial importance for business, industry, and agriculture. It was the Eisenhower administration which sent to the Congress the greatest Federal highway-financing program in history; and I have not heard anything about turning, say, airport construction over entirely to the States.

Mr. President, having come to the Senate from the Oregon State legislature, I, myself, have long and often spoken of the necessity for our States to organize their tools of government and their fiscal resources more effectively to accomplish their essential functions. I quite agree that, if the States are to assume major programs of social responsibility which are badly needed, they must have revenues with which to do so. I therefore introduce today a proposal which will test whether the President really wants the States to be able to develop individually new programs to meet important governmental responsibilities, or whether he

merely wants these responsibilities abandoned by the Federal Government.

My proposal is to turn over to the government of each State, with no strings attached, a flat percentage of the Federal income taxes collected within that State. My bill calls for a return of 5 percent of Federal income-tax collections within each State to the State treasury; but another percentage could be chosen. Let me explain this proposal.

INDIVIDUAL STATES FEAR TAX COMPETITION

Mr. President, in speaking to the assembled governors, President Eisenhower drew the customary distinction between action by the Federal Government, on the one hand, and by the States, on the other. In this easy oversimplification lurks the fatal flaw of all pleas for turning over to State action essential and costly functions.

The States are not an entity to be placed in juxtaposition to the Federal Government. They are 48 different entities. They are in no way responsible for one another's acts. The States, looked at collectively, in distinction to the United States Government, cannot assume responsibilities for social programs, to relieve the Federal Government of that responsibility. Each individual State may or may not do so. And even should all of them agree on identical goals, the fiscal resources and capacity of the several States often make it impossible for them to carry out uniformly and successfully, functions which may be important to the whole Nation.

These are the two reasons why the Federal Government has increasingly taken the lead in initiating such programs of national importance, in establishing national standards for them, and in financing them either directly or through matching fund grants to the States. This has been necessary in order to provide some uniformity of social services to all Americans, and to equalize the burden among the different States with their very unequal wealth. President Eisenhower has himself recognized this principle in his version of the Federal School Construction bill, which would be weighted heavily in favor of the poorer States. If it was not for Federal programs and for Federal matching funds for State-administered programs, the many Western and Southern States which lack significant concentrations of industrial wealth would merely be cut loose from the national revenue-collecting system. The Federal Government alone has the power to tax for the national benefit the great manufacturing empires which are located in only about 10 or 12 wealthy States, and to which the people in the remaining States pay tribute in every manufactured article we buy or use.

Mr. CLARK. Mr. President, will the Senator from Oregon yield to me?

Mr. NEUBERGER. I am glad to yield for a question.

Mr. CLARK. Does the Senator from Oregon agree that, as between those 10 or 12 industrial States, there is such competition for the large manufacturing concerns that not one of them dares impose the taxes necessary to put through these programs, for fear of losing those manufacturing concerns to its neighboring States?

Mr. NEUBERGER. The Senator from Pennsylvania must be occult, because I was about to discuss that very point.

Mr. CLARK. I wonder whether, in reading the President's speech, the Senator from Oregon was struck by the suggestion that there be a task force to investigate three of these matters of Federal and State jurisdiction, in connection with which the hope is to return to the States, functions now carried out by the Federal Government; and I wonder whether the Senator from Oregon felt a little nostalgic and reminiscent, in that connection, as regards the directive given a few years ago to the Kestnbaum committee?

Mr. NEUBERGER. It seems to me that the President could save the effort and the money required for the task force, if he would only open the drawer at the White House and read the very able and thorough report made by the committee under Mr. Kestnbaum, which I believe Mr. Eisenhower originated.

Mr. CLARK. From the President's speech, I think one can only reach the conclusion that the President had not read that report.

Mr. NEUBERGER. I would hesitate to think that the President had not read it; but I believe it can be said—to judge by his speech—that he was not thoroughly familiar with it.

Mr. CLARK. I thank the Senator from Oregon for yielding to me.

Mr. NEUBERGER. I thank the Senator from Pennsylvania for his statement.

But, Mr. President, if equalization of burdens among the States justifies many Federal expenditures and matching-fund programs, it is not the whole story. Assumption of new programs and enlarged responsibilities is inhibited within our State governments, not only by the familiar opposition against new expenditures generally, but also by the argument that such expenditures, and the corresponding tax burdens, place a State at a competitive disadvantage, as compared with its neighbors or other States, so far as attracting industry, business, and venture capital is concerned.

In other words, when President Eisenhower proposes an abandonment of Federal responsibilities to the States, he closes his eyes to two facts: First, that the alternative to putting through the Congress a program of national significance is, not to put it through some mythical substitute called "the States," but to put it through 48 separate State legislatures, each of which is far more vulnerable to the pressures of the special economic interests within that State than is the national Congress; second, that within any one State, each proposed increase in the budget for new or improved programs of social progress is certain to be met with the scare cry that business and industry are being driven to other States which subordinate such programs to fiscal conservatism and economy.

Rightly or wrongly, this fear among the States of the competitive impact of State tax policies is being used throughout our country to impede and defeat the assumption by State governments of responsibility which the President urges upon them. In the legislative sessions held this spring, State taxes and finances were topic A. Massachusetts, Michigan, Minnesota, Pennsylvania were among the States in which State sales taxes and other sources of steeply increasing revenue needs were hotly debated. The impact of State tax policies on interstate economic competition is widely used as an argument for regressive taxation, and against matching taxes to the ability to pay.

GOP FIGHTS PROGRESSIVE TAXATION IN OREGON

In my own State of Oregon, the President's own Republican Party has consistently employed this argument in an effort to substitute a sales tax for the State's heavy reliance on a progressive income tax, patterned after the Federal income tax.

Oregon's State tax structure is among the most progressive in the Nation. Oregon families still pay no sales tax on the food they eat, the clothes they wear, the books they read, or their children's toys. But because Oregon has no sales tax, the progressive State income tax which raises half our revenue has become a noticeable and irksome burden. We are constantly reminded by Oregon business interests and their Republican spokesmen that Washington State has no individual or corporation income tax, collecting over 80 cents of every revenue dollar in the form of sales tax; that California raises less than one-fifth of its State revenue from income taxes and two-thirds by sales tax, and of similar comparisons with other States.

It is this roadblock to effective State action to which my proposal is addressed. That roadblock will not be removed by President Eisenhower's suggestion that Federal taxes be reduced so that States may pick up the major part of the revenue. One would have to be naive indeed about the ways of Government to believe that this would be a way to induce 48 State governments uniformly to carry out social programs which are to be abandoned by the Federal Government along with its tax revenues. The same groups who always applaud loudest any move to give up or reduce a Federal program, also fight hardest against State appropriations and taxes for carrying out the same program by State action. For example, the President must be aware of the vigorous fight the United States Chamber of Commerce has waged against his school-construction bill. Yet, has he ever heard of a similar fight by the chamber of commerce to have our State legislatures increase State taxes for school construction?

Mr. President, to place in true perspective the burden of State and local taxes on the people of the several States, I ask unanimous consent to place in the RECORD at this point a chart prepared for me by the Library of Congress. The chart illustrates by 5 columns the relationship between the relative wealth of the

people of the individual States and the tax burden collected for the maintenance of their State and local governments: (1) per-capita income by States, (2) per-capita State taxes, however, collected, (3) per-capita local taxes, (4) total State and local taxes, per capita, and (5) percentage of personal income taken to support State and local government. Unfortunately, the latest figures available for local taxation were those for 1953, so the chart is based on that year; but the conclusions to be drawn from it no doubt remain applicable today.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

Percentage of per capita personal income devoted to payment of State and local taxes in 1953, by State

State	Per capita personal income	Per capita State tax revenue	Per capita local tax revenue	Per capita State and local tax revenue	State and local tax revenue as a percent of personal income
Alabama	$1,081	$52.10	$23.17	$75.27	7.0
Arizona	1,610	86.78	53.64	140.42	8.7
Arkansas	988	54.63	21.50	76.13	7.7
California	2,196	100.22	90.83	191.05	8.7
Colorado	1,735	77.87	76.90	154.77	8.9
Connecticut	2,418	65.77	76.52	142.29	5.9
Delaware	2,482	75.06	29.42	105.08	4.2
Florida	1,556	81.45	60.82	142.27	9.1
Georgia	1,246	62.04	33.99	96.03	7.7
Idaho	1,487	63.76	69.44	133.20	9.0
Illinois	2,185	57.69	78.98	136.67	6.3
Indiana	1,920	69.23	62.78	132.01	6.9
Iowa	1,546	64.03	82.13	146.16	9.5
Kansas	1,641	68.55	75.69	144.24	8.8
Kentucky	1,224	47.29	32.25	79.54	6.5
Louisiana	1,296	101.98	32.46	134.44	10.4
Maine	1,455	64.14	67.18	131.32	9.0
Maryland	1,986	65.51	56.50	122.01	6.1
Massachusetts	1,963	67.10	99.14	166.24	8.5
Michigan	2,120	86.83	62.69	149.52	7.1
Minnesota	1,646	75.34	77.42	152.76	9.3
Mississippi	874	51.74	29.15	80.89	9.3
Missouri	1,721	51.09	52.26	103.35	6.0
Montana	1,786	63.29	75.99	139.28	7.8
Nebraska	1,578	44.22	75.94	120.16	7.6
Nevada	$2,357	$93.36	$102.92	$196.28	8.3
New Hampshire	1,576	50.12	103.91	154.03	9.8
New Jersey	2,224	37.04	105.82	142.86	6.4
New Mexico	1,394	97.06	25.98	123.04	8.8
New York	2,150	73.78	114.29	188.07	8.7
North Carolina	1,165	68.86	26.36	95.22	8.2
North Dakota	1,228	74.12	69.14	143.26	11.7
Ohio	2,032	60.14	59.16	119.30	5.9
Oklahoma	1,459	86.61	37.98	124.59	8.5
Oregon	1,811	81.42	69.72	151.14	8.3
Pennsylvania	1,892	55.76	57.19	112.95	6.0
Rhode Island	1,893	68.75	37.88	106.93	5.6
South Carolina	1,132	74.87	26.42	101.29	8.9
South Dakota	1,331	54.31	83.49	137.80	10.4
Tennessee	1,219	56.94	31.25	88.19	7.2
Texas	1,550	54.64	50.31	104.95	6.8
Utah	1,528	67.58	60.83	128.41	8.4
Vermont	1,441	74.24	63.39	137.63	9.6
Virginia	1,481	53.93	36.21	90.14	6.1
Washington	1,971	107.67	49.02	156.69	7.9
West Virginia	1,278	63.53	25.31	88.84	7.0
Wisconsin	1,770	71.46	83.83	155.29	8.8
Wyoming	1,861	89.13	65.48	154.61	8.3
Total or average	1,788	68.11	66.12	134.23	7.5

Sources: U. S. Department of Commerce, Bureau of the Census. State and Local Government Revenue in 1953, Series G-SS, No. 37, Oct. 27, 1954; State Government Finances in 1953, p. 9. U. S. Department of Commerce, Office of Business Economics. Personal Income by States Since 1929, pp. 142-143.

Mr. NEUBERGER. Mr. President, there are many different needs, peculiar to each of the 48 States, and many possible programs of State action in the public interest, which the individual State governments would undertake if they had the revenue.

As a former State senator in Oregon, I am thoroughly familiar with the urgent and growing needs for effective State programs; and I believe in State action to meet these needs, if State government can get the revenues. But State governments are under tremendous pressures not to go after those necessary revenues, or to seek them only by the most regressive and indirect forms of taxation, lest the State suffer adverse economic effects from a "flight of capital." I believe this spectre of interstate competition is largely illusory, but the illusion will persist.

The solution is not to abandon Federal revenues along with Federal responsibilities—as the President proposes—although that prospect is probably the chief attraction for those who will enthusiastically back his plan in the name of saving our Federal system of government. Rather, I submit, the solution is to give State government a new source of revenue which will be uniform among all the States, and which each may use for any governmental responsibility of its own choice, free from any Federal standards or supervision whatsoever. Such a source of revenue would be a given percentage, such as 5 percent, of the Federal income tax collected within the State itself—probably as progressive and as fairly and effectively collected a tax as we have in America. Each State could thus enjoy the benefit of progressive taxation to the extent of this percentage of the Federal income tax collected from its citizens—without any apprehension, at least to the extent of that sum, that some other, economically competitive neighbor State might attract wealth by means of regressive taxation and skimpy social-service budgets.

Mr. President, if President Eisenhower will endorse this proposal for additional revenues for State governments, then we may believe that his speech to the Governors' Conference was not concerned with Federal budget cutting first, and with effective State programs last.

CANADA USES NATIONAL TAX REBATES TO HELP PROVINCIAL GOVERNMENTS

There is in existence today good precedent which the President, and the Congress, can study in considering my bill. Other countries with federal forms of government confront the same conditions which we do, such as the absorption of revenue by growing national needs and the wide disparity among the fiscal resources left to local government. Thus, Canada since World War II has had a system of tax rebates from the National Government to the governments of the several provinces. Known as tax-rental agreements, the Canadian system offers these tax rebates to individual Provinces, in return for their giving up to the National Government certain sources of taxation. Australia, another federal state, has met the problem similarly.

These systems are different from my proposal, which is simpler. It involves no shift of wealth among the States. I propose no limitation whatever on the freedom of action of the individual States. Each may maintain whatever tax structures it desires. It may use the additional revenue for any public purpose its legislature may wish. My purpose is exclusively to strengthen, not to impair, the role of the States in meeting the needs of modern governments. But the Canadian tax-rebate system might well be studied as a precedent for what can be done with tax transfers to solve the fiscal problems of modern governments of divided sovereignty.

I wish to stress that my proposal does not imply the abandonment or reduction of any functions now carried out or supported by Federal funds. My plan would serve no useful purpose if it were misunderstood as a substitute for, rather than as an addition to, our present programs. Those programs should be maintained. What my proposed tax rebates would accomplish would not be to turn the clock back on Federal assistance, but to make it possible to slow down the rush toward further Federal aid for particular State and municipal functions beyond the capacity of present State revenue sources. Providing the States with this revenue will not solve all the shortcomings of our several State governments; but I believe, as President Eisenhower does, that it is the sine qua non of their revived effectiveness in our modern age.

Mr. President, I have spoken at length on this subject because the revival of vitality and responsibility in our State governments has long been of great interest to me. President Eisenhower's address to the governors' conference, I am convinced, approached the problem from the wrong end when it stressed the abandonment of Federal functions and of Federal taxes. This approach always marks those whose interest lies in less social responsibility rather than more—be it at the Federal level or in the States.

The alternative approach of helping the States financially to take responsible action of their own choice, free from the inhibiting fear of fiscal competition, is one which I first discussed at a conference on State government held at the University of California in Berkeley on October 27, 1955. I have given it much thought and study since, as my own State—which believes in good social services—has been squeezed between an economic slowdown and increasing costs of government, both largely caused by this administration's tight-money fiscal policies. In concluding my remarks, therefore, I ask unanimous consent that the following materials be included in the RECORD: Excerpts from my remarks at the University of California on October 27, 1955; the text of my bill; a memorandum by Mr. Raymond E. Menning, senior specialist in taxation of the Library of Congress, concerning the constitutionality of my proposal; and an article in the May 17, 1957, issue of U. S. News & World Report entitled "How Much Do Taxes Count in Locating Plants?"

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and other material will be printed in the RECORD.

The bill (S. 2407) to authorize an appropriation to each State of an amount equal to five percent of the individual income taxes collected in such State during each fiscal year, introduced by Mr. NEUBERGER, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, for the fiscal year beginning July 1, 1958, and for each fiscal year thereafter, to each State an amount equal to five percent of the individual income taxes (computed as provided in this act) collected within such State during the preceding fiscal year.

SEC. 2. (a) The Secretary of the Treasury shall, on or before October 1, 1958, and on or before October 1 of each succeeding year, pay to each State the amount authorized to be appropriated to such State pursuant to the first section of this act.

(b) Payments to the States under subsection (a) shall be made on the basis of amounts of individual income taxes collected in the various internal revenue districts. The principal revenue officer for each internal revenue district shall report to the Secretary, in such manner and at such times as the Secretary shall prescribe, such information as the Secretary finds necessary to enable him to make payments under subsection (a).

SEC. 3. For purposes of this act, the amount of individual income taxes collected within a State during any fiscal year is an amount equal to—

(a) the total amount of individual income taxes collected in the internal revenue district or districts in such State during such fiscal year, less

(b) the total amount of credits, refunds, and abatements allowed or paid in such internal revenue district or districts with respect to overpayments of individual income taxes during such fiscal year.

SEC. 4. For purposes of this act—

(a) The term "individual income taxes" means—

(1) the tax on the income of individuals imposed by chapter 1 of the Internal Revenue Code of 1954;

(2) the tax on the income of nonresident alien individuals and certain partnerships imposed by chapter 3 of such Code; and

(3) the tax on the wages of individuals imposed by chapter 24 of such Code.

(b) The term "State" means the various States, the Territories of the United States, and the District of Columbia.

The material presented by Mr. NEUBERGER is as follows:

SUMMARY OF REMARKS OF SENATOR RICHARD L. NEUBERGER, OF OREGON, ON "20TH CENTURY LEGISLATURES FOR 12TH CENTURY PROBLEMS" AT THE CONFERENCE ON STREAMLINING STATE LEGISLATURES, UNIVERSITY OF CALIFORNIA CAMPUS, BERKELEY, CALIF., OCTOBER 27, 1955

STRENGTHENING STATE SOURCES OF REVENUE

In a way, money is the proverbial root of all evil in State government. I have already mentioned that not enough money is spent on executive and legislative salaries and on the research and clerical machinery of the legislature. But in a far more substantive way, the lack of financial resources as compared with those of the Federal Government is at the bottom of the present low standing of State government. The fact has become widely recognized that the dangerous debility of the States in our modern Federal system reflects the fiscal strains created by the heavy revenue demands of necessary national expenditures.

In part, this condition merely reinforces the ever-present resistance to increased State taxes. In addition, in using their powers to reach their still substantial remaining sources of revenues, the individual States often are inhibited by the necessity—real or not—of competing with their neighbors in offering attractive conditions to the investment of capital and the expansion of business within their borders.

Thus, for example, Oregon, nestled among States which rely upon substantial sales taxes for a major portion of their annual revenue, is one of the tiny fraction of States which has so far eschewed this regressive form of taxation. Oregon, instead, has one of the heaviest progressive State income taxes in the Nation. Standing by itself, Oregon's tax structure is unquestionably more desirable than that of the great majority of States. In the actual geographical context, however, our relatively progressive tax system gives rise to continual apprehension about the effect it is having on the economic expansion of the State and, thus, indirectly on the burden of the average taxpayer himself.

There is no doubt that it can lead to some unusual results. Wealthy men who play our important role in Oregon business or industry can avoid paying our State income tax on their earnings and profits by maintaining their offices in downtown Portland but living and voting across the Columbia River in the State of Washington. Needless to say, they can avoid almost all of Washington's sales tax by buying their groceries, their clothes, their jewelry, even their refrigerators and washing machines, tax free in Portland. I might add that this comfortable arrangement does not prevent some of these financial leaders from playing very important roles in shaping the government and politics of our State.

Diversity in tax laws, as in other laws, is of course, of the essence of federalism, and I know no easy solution to the interstate competition in tax laws that so restricts the effective functioning of State government. One possible approach is suggested by the experience of Canada with the Dominion-provincial tax agreements.

In 1942, as a war-time measure, the Federal Government of Canada took over for itself certain sources of taxation previously shared by the provinces in return for entering into agreements with the individual provinces to recompense them at least equally for the sums they might have themselves collected. Because of the greater efficiency of Federal tax administration, it was possible for the Federal Government to offer the provinces a little more than they might have obtained by their own collections.

Since the war, this system has been extended for two 5-year terms, the second of which will run out in 1956. At the present time, all provinces except Quebec are parties to "tax rental agreements," and conferences are now being held to consider their future.

Experience has shown that about 8 percent of total Dominion tax collections are turned over to the provinces under the tax rental agreements, which furnish the provinces with fractions ranging from one-fifth (Alberta) to one-half (Prince Edward Island, Manitoba) of their total revenues. The average is 25 percent.

I do not suggest the adoption of the specific Canadian system of tax rental agreements in the United States. For one thing, I think it is both unnecessary and contrary to the desired objective of strengthening State governments to require the States to give up any of their own taxing powers. A simpler, more direct proposal might be to have the Federal Government turn over to each State, without any strings attached, a flat percentage—say 10 percent—of the Federal income taxes collected within that State. Such a plan would give each State a basic source of income reflecting its own economic strength, free from any apprehension of competitive disadvantage vis-a-vis neighboring States. It would not be subject, as the Canadian system is, to criticism as a hidden form of redistributing national wealth among the States. Unlike grants in aid, it would leave State government, whether progressive or reactionary, absolutely free to experiment in the performance of State functions.

I do not know whether this particular approach is the right one, or whether it might be politically feasible. I am told that the Canadian tax rental agreements have won widespread approval and are likely to be renewed for the future. And I do believe that no study of State government is complete that does not come to grips with this central problem of permitting State government to raise the revenues that are the indispensable tool of providing community services without fearing the loss of the State's business and industrial future to less progressive neighbors.

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D. C. January 2, 1957.

To: Hon. RICHARD L. NEUBERGER.

From: Raymond E. Manning, senior specialist in taxation.

Subject: Sharing of Federal income tax with States.

This is in response to questions 1 and 5 of your memorandum of November 20, re sharing of Federal income-tax collections with the States.

1. Constitutionality of sharing arrangement: Question 1 asked for a statement on the constitutionality of a statute turning over Federal tax revenues to State governments without any limitation on the purposes for which the money may be used and without any Federal control over its spending. The quick answer is that no basis is believed to exist for a successful challenge of any such statute. This position would seem to be doubly sure if: (1) All collections from the income tax continues to be paid into the general fund; and (2) a separate statute makes provision for a periodic payment to each State, the payment to be measured by Federal income-tax collections therein.

PERTINENT CONSTITUTIONAL PROVISIONS

There is no pertinent provision in the Constitution which precisely lays down the scope of, or limitations on, the power of Congress to appropriate funds. However, any examination of the appropriating power requires consideration of article 1, section 8, clause 1, and article 1, section 9, clause 7.

The first of these empowers Congress "* * * to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States * * *." The second provides that "No money shall be drawn from the Treasury, but in consequence of appropriations made by law * * *."

The possible application of the first is developed later; the application of the second can have no pertinency here so long as the money paid to the States is made pursuant to an appropriation enacted by Congress.

STATUTORY PRECEDENTS

Over the years, Congress has by numerous statutes appropriated sums of money to be distributed among the States to be used by them for purposes specified in the enacting statute. None of these statutes has ever been successfully challenged. In fact, the Supreme Court has held that neither an individual nor a State had a sufficient interest to challenge the constitutionality of such a statute, *Forthingham* v. *Mellon*, and *Massachusetts* v. *Mellon* (262 U. S. 447 (1923)).

In addition to this type of statute Congress has for several years directed that funds equal to revenues from certain taxes shall be made available to the States for designated purposes; e. g., proceeds of excise tax on firearms, shells, and cartridges to be used for wildlife restoration (U. S. C., title 16, sec. 669–669j), and excise tax on fishing rods, creels, etc., for fish restoration and management projects (U. S. C., title 16, sec. 777–777k). And during 1956, the Congress directed the creation of a trust fund of amounts equivalent to collections of gasoline and certain other taxes on motor vehicles, the proceeds to be used for Federal highway aid (act of June 29, 1956, Public 627, sec. 209).

A limited search, however, has developed, no instance of a Federal appropriation for distribution among the States for any purpose the States may determine. Perhaps the most analogous instance was the distribution in 1836 and 1837 of the surplus in the United States Treasury. The authorizing statute, act of June 23, 1836, did not in so many words actually appropriate the money to the States, but in effect this was the result. The act in its own words provided for the deposit of the surplus with the States in proportion to representation in Congress, and contained a provision for its repayment to the Treasury on demand, but the result was the same as an outright gift. Apparently no court case was instituted to challenge the statute.

Note may also be taken of certain Federal taxes collected in United States possessions and paid into the treasuries of those possessions. For example, receipts from the processing tax on coconut oil produced in American Samoa and Guam (and also in the Philippines prior to 1946) are paid into the respective treasuries (I. R. C., sec. 7654). After operating revenues are deducted, the revenues from United States custom duties, taxes, and fees collected in Puerto Rico and the Virgin Islands are transferred to the treasuries of those possessions (e. g., I. R. C., sec. 7651–7652); U. S. C., title 48, sec. 734, 740, 1401c). Additional provisions relate to taxes on certain drugs (I. R. C., sec. 4735, 4762).

PERTINENT COURT DECISIONS

It may be said at the outset that no act of Congress appropriating funds to the States has ever been held unconstitutional. However, the Supreme Court in the Butler case passing upon the Agricultural Adjustment Act of 1933, made several pertinent observations. The act, it will be remembered, authorized the Secretary of Agriculture to enter into adjustment agreements with farmers for the reduction of acreage of certain basic agricultural commodities, and imposed so-called processing taxes the proceeds of which were made available for the payment to farmers of benefits under the agreements.

The Court held the act unconstitutional on the ground (among others) that it was not a valid exercise of the Federal spending power under the general welfare clause since the act, although providing for agreements voluntary in form, was an attempt to coerce through economic pressure, and, even if not coercive, was at best a scheme for purchasing with Federal funds submission to Federal regulation of a subject reserved to the States. *U. S.* v. *Butler* (297 U. S. 1). The decision then pointed out—and it is this that is particularly relevant—the power of Congress to authorize expenditures impliedly conferred by the general welfare clause, is not limited by the direct grants of legislative power found in other clauses of the Constitution, but is limited in that Congress is required to act merely in furtherance of general or national purpose as distinguished from particular or local purpose.

The limiting words of the Supreme Court in the *Butler* case are about as strict as may reasonably be expected from the present or a future Supreme Court. In fact, there are those who consider that that decision has in effect been largely overruled, or at least reduced to narrow proportions, e. g. *Steward Machine Co.* v. *Davis* (301 U. S. 538 (1937)) sustaining the tax on employers to provide unemployment benefits.

One also finds such broad language as that rendered in a Federal district court decision declaring that the purpose of Congressional appropriations, and the terms and conditions under which they are made, is a matter solely in the hands of Congress, and it is the explicit duty of the executive branch to comply therewith, and any attempt by the judicial branch to interfere therewith would be a plain invasion of the constitutional power of Congress. *Spaulding* v. *Douglas Aircraft Co.* (60 F. Supp. 935, affirmed 154 F. 2d 419).

As applied to the tax on coconut oil coming from the Philippines, question was raised concerning the validity of the tax. The Supreme Court in upholding the tax, *Cincinnati Soap Co.* v. *United States* (301 U. S. 308 (1937)), said:

"It [the tax] is said to be bad because it is earmarked and devoted from its inception to a specific purpose. But if the tax, qua tax, be good, as we hold it is, and the purpose specified be one which would sustain a subsequent and separate appropriation made out of the general funds of the Treasury, neither is made invalid by being bound to the other in the same act of legislation. The only concern which we have in that aspect of the matter is to determine whether the purpose specified is one for which Congress can make an appropriation without violating the fundamental law. If Congress, for reasons deemed by it to be satisfactory, chose to adopt the quantum of receipts from this particular tax as the measure of the appropriation, we perceive no valid basis for challenging its power to do so."

CONCLUSION

In the light of the various decisions and long established Federal practice, the only way that a statute such as that contemplated is likely to be held unconstitutional would be to find that such an appropriation did not provide for the "general welfare." To requote the language of the *Cincinnati Soap* case, "The only concern which we have * * * is to determine whether the purpose specified is one for which Congress can make an appropriation without violating the fundamental law." Further, implicit in continuance of our Federal form of Government is continuance of strong and financially sound States. It can be argued with considerable force that the Federal Government—because of its "usurpation" of available revenue sources—has virtually closed the door to any successful major levy on these same sources by the States. It seems logical therefore to suppose that the Federal Government could so adjust its own rates that the States could share in the collections of the income or any other Federal tax. It would be extremely difficult to show that any such sharing violated our "fundamental law" or was contrary to the "general welfare" when its very purpose is the preservation of the Union which the Constitution established.

Finally, it may be noted that although numerous persons and organizations have proposed the sharing of revenues from certain taxes with the States, none of the proposals examined has considered the existence of any constitutional problem. Similarly, opponents of such sharing have based their opposition on other than constitutional grounds.

5. Payments by Federal Governments to States similar to payments under Canadian tax-rental agreements: There are numerous instances of Federal grants to States, but the most significant comparison with the Canadian system is to be found in Australia. There the Commonwealth, since 1942, has been the sole income-tax levying authority. Prior to that time, each State and the Commonwealth imposed its own income tax. It had been suggested in 1940 that the States, as a war emergency measure, should vacate the income-tax field in favor of the Commonwealth, but no action resulted. In 1942, the Commonwealth offered to make annual reimbursements to the States if they would cease to levy their own income tax, but the offer was rejected. The Commonwealth, notwithstanding State objection, enacted the necessary legislation effectively eliminating the States from the income tax and providing substitute reimbursements. The High Court of Australia upheld the act as constitutional. The original legislation was due to expire on June 30, 1946, but the Commonwealth announced its intention to continue it. However, as a result of conferences between Commonwealth and State representatives, a new formula of reimbursements—based largely on population factors—was written into the legislation. In addition, each year since 1949–50, special financial assistance grants have been made by the Commonwealth to supplement the tax reimbursements. The total budget estimates for tax reimbursements for fiscal 1957 amount to £153.6 million ($342.5 million), while other payments amount to £88.2 million ($196.7 million); the total is thus £241.8 million ($539.2 million).

The Australian system has been described as "less successful" than that in Canada, and has given rise to "most unfortunate" political consequences. In 1952, the Commonwealth actually indicated that it favored the restoration of the taxing powers to the States, but a conference to work out plans resulted in a deadlock.

[From the U. S. News & World Report of May 17, 1957]

HOW MUCH DO TAXES COUNT IN LOCATING PLANTS?

Do low State and local taxes really attract new industrial plants? Do high taxes repel industry?

Many business executives insist that taxes play a big part in their decisions to locate plants in one place or another.

Now a new study—by a group of businessmen and college faculty members—throws some light on this issue.

The tough problem of raising State and local tax revenues without scaring off new industries that can help pay the tax bills is getting attention these days in cities, counties, and State capitals all across the country.

Most States and their local governments are hard up for the money to meet insistent demands for more and better schools and roads, improved sewer and water facilities, better mental hospitals, and the like.

American industry, at the same time, is branching out, expanding, building more new plants than ever before in history. There's plenty of new taxpaying industry for almost any State or locality to acquire if the right combination of lures is offered.

Lighter taxes are being seized upon as one device for creating a more attractive climate for business. Officials—and economists—are not at all sure how big a part taxes play in the selection of industrial sites. Yet governors, mayors, and county boards have been naming tax-study commissions by the dozens and instructing them to come up with surefire formulas for tax programs that will raise revenue without repelling new businesses.

In North Carolina, a State tax commission recommended sweeping changes in the State's tax structure to make corporation levies "competitive" with those of other States seeking new industries.

Minnesota's Governor, accepting a similar commission's recommendations for 60 tax changes, endorsed the group's statement that "it is our unanimous conviction that the program as a whole will give Minnesota a vastly improved tax system," and provide "a better tax environment for business in Minnesota."

In Massachusetts, the Governor calls attention to that State's financial crisis, while the Federal Reserve Bank of Boston suggests that taxes on industry are too high in that State and nominates the sales tax for any new revenue-raising program there.

In Michigan, new proposals for stiffer taxes on corporations have involved Gov. G. Mennen Williams in public controversy with the auto industry—a key industry in Michigan's economy. A General Motors official reminds the Governor that many of GM's new plants already have been built in other States.

While all this goes on, the country's expanding suburban communities are deep in study of ways to attract the industry needed to balance their local economies. Some, particularly in the South, are offering industry special inducements in the form of specific tax exemptions.

One of the fastest-growing suburbs—Fairfax County, Va., just outside Washington, D. C.—has reversed a decision to adopt a business-license tax. The telling argument was that the tax might handicap small firms getting a start in the county.

The big issue involves the question of how important high or low taxes really are in influencing the selection of new industrial sites. The question has been raised in all, or most, of the campaigns to attract industry with tax favors.

The president of General Motors, Harlow H. Curtice, indicates that taxes play a major role in decisions as to where that particular corporation builds its new plants.

"The present level of business taxation in Michigan," Mr. Curtice is quoted in the Detroit "Free Press" as saying, "has already led us to locate plants in other States, where the taxes per General Motors job are less than one half of the present taxes per job in Michigan . . . This also will be taken into consideration in the placement of additional plants."

Governor Williams takes the other view. Big business, he says, has been threatening to move out ever since a corporation tax first was proposed in Michigan in 1949. "There is no indication of grass in our streets," he notes, "and there won't be."

A new survey of this issue, "Taxes and Plant Location in Michigan," has just been completed by the Michigan Executive Study Group, made up of business executives and faculty members of the University of Michigan.

What this group concludes is that "taxation as a factor in industrial location is rarely of primary importance." Taxes, in other words, need to be taken into account and usually are, "but rarely will this factor alone be the deciding issue in a location decision."

The Michigan group bases its findings on its own survey of industrial development in Michigan, and on a study of dozens of other surveys of the tax issue made in other States and communities around the country.

State taxes, in particular, the group finds, are relatively unimportant in plant location decisions. In fact, the report states, "it is particularly clear that at the State level no clear relationship between tax burdens and industrial growth can be shown."

Michigan, it's admitted, "must be classed as a high-tax State by most standards." Also, it is agreed, "Michigan today is growing industrially at a rate less than that for the Nation as a whole and less than the rate for some of its competitors in the east-north-central region."

However, the main reasons for the slower growth in Michigan, the group finds, are not in the field of taxation.

Local taxes, the group finds, may be more significant than tax burdens at the State level in influencing the location of industry. While the major nontax factors are more likely to determine the State or region in which a plant will be built, the local tax situation may play a fairly important role in a company's decision on where to locate within a State.

"Nearby communities more or less equal in other cost respects," notes the report, "may differ enough in tax rates and assessment practices to make one appear more favorable than the other would be."

Even in this case, the group finds, industry may be inclined to pay too much attention to apparent differences in tax burdens.

Tax differences themselves may be illusory. It's difficult, the group finds, to measure tax burdens precisely, particularly for property taxes. Assessment practices, for example, vary from community to community and can confuse comparisons.

Even where local taxes really are relatively low, the Michigan group warns, this does not always mean low costs for business. The company that selects low-tax community A may find that it must, at its own expense, provide itself with community services that are offered publicly in higher tax community B.

Future taxes, rather than present burdens, are found to be more important to industry than some business executives realize.

"The likelihood that taxes will remain stationary is slight," says the Michigan study group, but "the task of forecasting what future taxes will be depends on so many variables that it is at best an uncertain undertaking."

This factor is given importance in the movement of industry out of big-city confines into surrounding suburban areas. Shifts from Detroit into its suburbs, the group finds, are being blamed on high taxes in the city, as well as on the need of industry for more space.

Vanishing differentials: Trouble with these efforts to escape high taxes, says the Michigan report, is "that tax differentials available to industry by locating outside the boundaries of high-tax communities tend to disappear rather quickly." It seems that industrial expansion in an outlying community may be followed by population growth that results in demands for all kinds of improved and costly community services.

The report cites the case of "suburban communities near Detroit, where the recent influx of population and the high birth rate will impose tremendous burdens on the school system and on other public services."

Taken in perspective, the group says in summary, "the consideration of tax burdens appears to be most fruitful for the manufacturing corporation after the choice of locations has been narrowed to a few communities, in order to determine 1 or 2 sites at which costs of operation can be kept at a minimum."

Mr. NEUBERGER. Mr. President, in conclusion, I should like to say that I appreciate the privilege of having addressed the Senate on this important subject at the time the Senate was presided over by the former distinguished Governor of the State of Ohio [Mr. LAUSCHE], one of the great States of the Union, because his presence here, as well as the presence of other governors who now serve in the Senate, is a symbol of the interlocking relationship between the States and the Federal Government, and this relationship must be solved financially and with respect to the particular sovereignty of the realm of government involved.

Mr. President, I yield the floor.

PROPOSED AMERICAN MEAT INSTITUTE AMENDMENTS TO S. 1356

Mr. WATKINS. Mr. President, last Friday the Subcommittee on Antitrust and Monopoly ordered S. 1356 reported to the full Judiciary Committee. This bill would amend the Packers and Stockyards Act of 1921 and the Federal Trade Commission Act so as to return to the FTC, where it was before 1921, jurisdiction over unfair trade practices in the meatpacking industry. Violations complained of are under title II of that act.

Among the reasons which caused the Senator from Wyoming [Mr. O'MAHONEY] and me to introduce this bill to return such authority to the FTC, is a need to prevent food chains and other firms from: First, buying an interest in a meatpacking plant; and/or, second, acquiring facilities to merely process carcass animals for retail sale, and thereby escape the jurisdiction of the FTC as to its trade practices.

On April 4, 1957, I invited the Senate's attention to the fact that Food Fair Stores, Inc., had petitioned the FTC to dismiss a complaint filed against it for an alleged unfair trade practice under section 5 of the FTC Act on the grounds that it was a packer within the meaning of that term as defined by the Packers and Stockyards Act of 1921. On April 18, 1957, I invited the Senate's attention to the fact that on that same day a FTC hearing examiner had ruled in favor of upholding this Food Fair petition, since, in his opinion, this firm was a packer and thus subject to the Packers and Stockyards Act.

That act defines a packer as—

Any person engaged in the business (a) of buying livestock in commerce for purposes of slaughter, or (b) of manufacturing or preparing meats or meat food products for sale or shipment in commerce, or (c) of manufacturing or preparing livestock products for sale or shipment in commerce, or (d) of marketing meats, meat food products, livestock products, dairy products, poultry, poultry products, or eggs, in commerce; but no person engaged in such business of manufacturing or preparing livestock products or in such marketing business shall be considered a packer unless—

(1) Such person is also engaged in any business referred to in clause (a) or (b) of this section, or unless;

(2) Such person owns or controls, directly or indirectly, through stock ownership or control or otherwise, by himself or through his agents, servants, or employees, any interest in any business referred to in clause (a) or (b) of this section, or unless;

(3) Any interest in such business of manufacturing or preparing livestock products, or in such marketing business is owned or controlled directly or indirectly, through stock ownership or control or otherwise, by himself or through his agents, servants, or employees, by any person engaged in any business referred to in clause (a) or (b) of this section, or unless

(4) Any person or persons jointly or severally, directly, or indirectly through stock ownership or control or otherwise, by themselves or through their agents, servants, or employees, own or control in the aggregate 20 percent or more of the voting power or control in such business of manufacturing or preparing livestock products, or in such marketing business and also 20 percent or more of such power or control in any business referred to in clause (a) or (b) of this section. (August 15, 1921, ch. 64, sec. 201, 42 Stat., p. 160.)

Section 406 (b) excludes a firm so defined from FTC jurisdiction by providing that—

On or after the enactment of this act, and so long as it remains in effect, the Federal Trade Commission shall have no power or jurisdiction so far as relating to any matter which by this act is made subject to the jurisdiction of the Secretary, except in cases in which, before the enactment of this act, complaint has been served under section 5 of the act entitled "An act to create a Federal Trade Commission, to define its powers and duties, * * *" (Aug. 15, 1921, ch. 64, sec. 406, 42 Stat. 169; 7 U. S. C. 227).

The basis of Food Fair's petition was that since it owned a meat-packing plant, its entire operations—retail grocery business, which amounted to $475 million in 1956, and its packing plant which, by comparison, did $25 million worth of business—were exempt from FTC supervision. This was urged in spite of the fact that its alleged violation of section 5 of the FTC Act was in connection with the grocery-store operations rather than its meatpacking operations. If the FTC upholds this ruling of the hearing examiner, as I said on that and other occasions, we can expect to see further reliance upon this broad legal definition of a packer by firms who seek to escape prevention of unfair trade practices by the FTC.

In support of this contention, I should like to point out that on June 18, 1957, the Giant Food Shopping Center, Inc., a corporation which operates a chain of 36 supermarkets here in the District of Columbia, Virginia, and Maryland, petitioned the FTC to dismiss a complaint issued under section 5 of the FTC Act against it by the FTC on November 21, 1955. A supplemental complaint was filed May 14, 1957, alleging that it had engaged in additional unfair trade practices prohibited also by section 5 of the FTC Act.

Mr. President, Giant Food Shopping Center does not even own a packing plant, as does Food Fair Stores, or even have a 20-percent interest in one. All it owns are facilities to prepare retail cuts of meat from carcasses of steers, calves, lambs, and so forth, purchased from bona fide packers for sale in its 36 stores. This is pointed out by its petition, which states in part:

At the time of delivery, these carcasses are not in the form in which they are merchantable to the public at retail in respondent's stores. Hence, the respondent, to make them marketable, must prepare them by trimming, fabricating, cutting, slicing, grinding, mixing, and otherwise manufacturing and/or preparing meat and/or meat food products from these carcasses or portions thereof. Having done this, respondent, in its stores, prices the meat and meat food products thus manufactured and/or prepared, packages them, places them on sale, and sells them to the consuming public (p. 3).

The background of this action by Giant Food Shopping Center clearly indicates, Mr. President, that in taking this action this food chain was motivated by the hearing examiner's ruling in the Food Fair case. A letter to Mr. Robert R. Rolnick, attorney for the Giant Food Shopping Center, from Mr. Edward L. Thompson, Acting District Supervisor, Packers and Stockyards Branch, Livestock Division, USDA, makes these facts plain: On June 17, 1957, the day before this corporation filed its motion with the FTC, Giant Food Shopping Center delivered to the Packers and Stockyards Branch an executed copy of the report form the USDA requires of all packers. That very day the District Packers and Stockyards Branch office reviewed that report and under that date informed the Giant Food Shopping Center by letter that, because it was "engaged in the business of manufacturing and/or preparing meat or meat food products for sale or shipment in the District of Columbia," it was a packer subject to the jurisdiction of the Packers and Stockyards Act.

On the next day, June 18, 1957, the motion to dismiss the complaint was filed with the FTC. Referring to the Food Fair case the petition states:

In the most recent of these matters, Food Fair Stores, Inc., supra, the hearing examiner in his initial decision, relying on *Armour & Company*, supra, and *United Corporation* v. *FTC* (110 F. 2d 473 (C. A. 4, 1940)), dismissed the complaint against Food Fair in which the Commission had alleged violations which were virtually identical to those alleged against this respondent. Especially interesting is the hearing commissioner's specific finding with respect to the latter:

"Express findings on this motion then are:

"1. Respondent comes within the definition of 'packer' as set out in title 7, United States Code, section 191, not only as to its Elizabeth, N. J., plant but as an entity."

The stampede seems to be on. It is not too far fetched to expect that every restaurant chain in America could escape FTC jurisdiction over its trade practices by this route. Likewise, it appears that any corporation which buys carcass animals and retails the meat through cafeterias or restaurants to its employees, or the public, could qualify as a "packer" under the present law.

Why have Food Fair Stores, Inc., and now the Giant Food Shopping Center sought to cloak themselves with immunity from FTC jurisdiction by such legal maneuvers? The only answer can be that since S. 1356 was introduced on February 25, 1957, as a bipartisan attempt by Senator O'MAHONEY and myself to correct this situation, these firms have learned that the virtual nonenforcement of the packer provision of the Packers and Stockyards Act of 1921 by the USDA is preferable to the effective regulation of the FTC. What facts are available to support this statement? Namely, these:

First. The USDA has never issued a cease and desist order involving preferences, restraints, price fixing, and discriminations against a packer, as defined by the Packers and Stockyards Act, which related to the wholesaling or retailing of nonmeat food products or nonfood products. Is it any wonder then that food chains which sell hundreds of food and nonfood products in their supermarkets prefer USDA to FTC jurisdiction?

Second. The USDA has not issued a cease and desist order involving similar unfair trade practices against a packer which relates to the wholesaling or retailing of a meat product in the last 18 years.

Passage of S. 1356 will remedy this situation by giving to the FTC authority to prevent unfair trade practices in the wholesaling and retailing of meat, nonmeat food and nonfood products. This was the situation before passage of the Packers and Stockyards Act of 1921.

However, proposals made to the subcommittee by the American Meat Institute, lobbyist for the big national packers who oppose S. 1356, and the USDA, would give to the FTC jurisdiction only over the wholesaling and retailing activities of a firm not principally engaged in meatpacking or processing.

On the other hand, the great majority of the groups which testified before the Antitrust and Monopoly Subcommittee or filed statements with the subcommittee urged the Senate to give the FTC such authority over the wholesaling and retailing activities of all firms. Why? Because the firms these spokesmen represent must compete with the packers in the wholesaling and retailing of meat, of nonmeat food products, and of nonfood products. Yet, as they pointed out to the subcommittee, while they are subject to the effective enforcement of the Federal Trade Commission Act, as were the Big Five packers before 1921, these packers and others as well as are subject to the Packers and Stockyards Act under title II of which the USDA has not issued a cease-and-desist order involving the wholesaling and retailing of meat in the last 18 years. Under this same authority also, the USDA has never issued a cease

and desist order against a packer in the wholesaling or retailing of a nonmeat food or nonfood product. The AMI and the USDA proposals thus would continue the present system of two sets of trade practice rules: one for the big packers which is not effectively enforced by the USDA, and one set for their competitors which is effectively enforced by the FTC.

These witnesses and the firms they represent are concerned in light of this situation, because 3 of the biggest packers, represented by the AMI, were 1920 consent-decree signers who recently have petitioned the courts to set aside those portions of that order which would permit these packers to process and sell 140 food and nonfood products, own and operate retail meat markets, sell fresh milk and cream, and operate distribution facilities for handling these products in direct competition with wholesale and retail foodstores.

Should this petition be granted, these firms fear, and rightly so, the ramifications continued USDA noninterest in the enforcement of the unfair trade practices of title II would have upon their businesses, since to all intent and purpose these 3 of the biggest 10 packers would be free, as other packers now are, to expand into every segment of the food industry, and nonfood industries as well.

But whether the consent decree modification is granted or not, the activities of these packers outside the area prohibited by the consent decree are so extensive that their competitors—food firms, nonfood firms, and small packers—are likely to be hurt unless the big national packers are required to operate under the same set of trade practice rules under which they must operate. In this respect, it should be noted that in 1950, 1 or more of the 4 largest packers shipped 21 classes of food products in interstate commerce and 58 classes of nonfood products. Non-meat food products comprised 6.6 percent of their total shipments. Nonfood products, exclusive of byproducts of their meat operations, constituted 6.7 percent of their total shipments in interstate commerce, and nonfood byproducts shipped accounted for an additional 4.9 percent. Thus, 18.2 percent of their total shipments comprised nonmeat food and nonfood products.

Yet, these packer-owned operations now are not subject to the FTC, but their competitors are subject to the jurisdiction of that effective agency. Nor under the AMI and USDA proposals would these big packers be subject to the FTC. The present situation without doubt gives, and these proposals would continue to give in the future, an unfair competitive advantage to packer-owned enterprises. Under these circumstances who, as a competitor of Swift & Co., would not be concerned about this situation when in 1955 that firm, for example, produced 4 percent of the Nation's butter; 8 percent of the cheese; 9 percent of the margarine; 19 percent of the salad and cooking oil; and 15 percent of the shortening?

Why, these witnesses ask, and rightly so in my opinion, should the trade practices of a firm like Wilson Sporting Goods, selling nonfood products, be under USDA while its competitors like Spaulding, as it would under the USDA and AMI proposal, continue to be subject to the FTC? Why they ask, should Swift and Armour in the wholesaling of non-meat food products such as cheese, canned milk, eggs, soups, and so forth, be under the USDA and their competitors like Campbell Soup Co. and Safeway Stores continue to be under the FTC, as the USDA and the AMI propose?

In closing, Mr. President, let me say that I agree with Mr. E. M. Norton, the spokesman for the National Milk Products before the Senate Subcommittee, who on that occasion said:

> The only conclusion we are able to draw—is that the Packers and Stockyards Act has effectively shielded the packers from regulation under the Federal Trade Commission Act and that * * * the unfair trade practices of the packers have not been subject to adequate control under title II of the Packers and Stockyards Act.

Enactment of S. 1356 as reported by the Subcommittee on Antitrust and Monopoly to the Judiciary Committee in a large measure will remedy this situation.

SUPPLEMENTAL APPROPRIATIONS FOR THE POST OFFICE DEPARTMENT FOR THE FISCAL YEAR 1958

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of House Joint Resolution 379.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 379) making supplemental appropriations for the Post Office Department for the fiscal year 1958, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 379).

Mr. HAYDEN. Mr. President, the joint resolution provides for an appropriation of $133 million, which is $16 million under the budget estimate. The Senate Committee on Appropriations reported the joint resolution to the Senate without amendment. So if the joint resolution is passed this evening, it can go to the President and be signed.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. KUCHEL. First of all, I wish to invite the attention of Senators to a statement in the Senate committee report which reads as follows:

> The committee feels that one of the major contributions to rural life in this country was the establishment of free delivery mail service to our farmers. Therefore, in providing supplemental funds for the operation of the Department, the committee desires to see a continuation of the present daily rural route service.

The Senator from California agrees, and I am sure the Senate agrees. I congratulate the chairman of the committee for the inclusion of that language in the report. However, I wish to read something which was somewhat distressing to some of us. I read a few sentences from the report of the House committee on the same subject.

> The committee—

That is, the House committee—

> cannot too strongly emphasize that with the modern trend to a 5-day workweek the Department should re-examine city delivery service and effect such reductions in Saturday service as are in keeping with the pattern of business, industry, and suburbia generally. With a stated maximum savings of $70 million possible were it necessary to order complete cessation of Saturday service, proper exercise of administrative discretion should result in savings of lesser, but still consequential amounts.

I should like to ask the very able chairman of the Senate Appropriations Committee, the distinguished senior Senator from Arizona, if in his opinion the moneys made available to the Post Office Department by the joint resolution are sufficient to permit Saturday mail service during the next fiscal year.

Mr. HAYDEN. I think there is no doubt about it. I believe that if we accept the figure allowed by the House, the Department can get along with it.

Mr. KUCHEL. I thank the Senator very much. Some people in the country, and some Members of the Senate, have been somewhat apprehensive that action by Congress would indicate the necessity or advisability of curtailing the service of the Post Office Department on Saturdays. The American people do not want service discontinued on Saturdays.

I completely disagree with the wording in the House committee report, because in my judgment that is not a proper place to attempt to economize in the Department.

I merely wished to make a very brief record with respect to the important problem of Saturday mail deliveries. I thank the able Senator from Arizona for his statement that the Post Office Department can conduct its business on Saturdays next year as it has done in the past, with the money made available by the joint resolution.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to associate myself with what the Senator from California has said. I commend the Committee on Appropriations of the Senate for its report, eliminating certain items in the House bill.

In particular, I note that the subcommittee makes no recommendation regarding the zoning of second- and third-class bulk mail. The House report suggested that $5 million annually would be saved if such zoning were required. During the House debate on Monday certain Members recommended that the Postmaster General issue such a zoning regulation.

From the very limited information at present available to the Senate Post Office and Civil Service Committee, I do not believe it is possible to determine whether such a zoning regulation is desirable.

It has been contended that such a regulation is not workable; that the Department will be forced to establish a special division to enforce the regulation.

Senators should remember that postal zones are constantly changing. Our committee learned about a year ago that the postmaster at San Francisco had abandoned the zoning system as impractical. Mailers would find it impossible to keep abreast of shifting zone numbers. Postmasters themselves would be unable to determine whether the mailing material submitted to them complied with the zoning regulation.

While the Postmaster General undoubtedly has discussed this suggestion with both the Senate and House Appropriations Committees, he has not submitted the zoning proposal to the Senate Post Office and Civil Service Committee is best equipped to judge the merits or failings of mandatory zoning.

I wish to assure my colleagues that the Senate Post Office and Civil Service Committee will move promptly to ascertain the advantages or disadvantages of a zoning requirement for second- and third-class mail. I am sure the Department will cooperate fully with our group to the end that savings can be achieved without causing hardship to individual mailers and the Department itself.

Again I wish to commend the committee and also the Senator from Arizona for his reply to the Senator from California in regard to the Saturday mail delivery.

Mr. DOUGLAS. Mr. President, I should like the privilege of asking a series of questions of the distinguished chairman of the Committee on Appropriations, in order to develop what is actually happening in connection with the appropriations for the Post Office Department.

First, am I correct in understanding that the House reduced the requested budget of the Post Office Department by $58 million?

Mr. HAYDEN. Originally; yes.

Mr. DOUGLAS. And that the report of the Committee on Appropriations of the Senate, Report No. 297 of this year, continued that reduction?

Mr. HAYDEN. It did.

Mr. DOUGLAS. Was any of that cut restored on the floor of the Senate?

Mr. HAYDEN. No.

Mr. DOUGLAS. So that when the original bill was passed by the Senate, a cut of $58 million was in effect.

Mr. HAYDEN. That is correct.

Mr. DOUGLAS. Am I correct in understanding that almost immediately the Postmaster General came forward with a request for a supplemental appropriation for $149½ million?

Mr. HAYDEN. That is correct.

Mr. DOUGLAS. So that he wanted to get back his $58 million that had been cut, plus $91½ million, in addition?

Mr. HAYDEN. That is correct.

Mr. DOUGLAS. Is it true that the Postmaster General threatened that if the money was not given to him, Saturday deliveries would cease and various vital services would be eliminated?

Mr. HAYDEN. No; I do not believe he put it in the nature of a threat. He said he might be compelled to take such action.

Mr. DOUGLAS. That is using polite language, is it not? That was what would happen if he were not granted the increase. Is that not correct?

Mr. HAYDEN. Anyway, that statement was made.

Mr. DOUGLAS. So that now we are about to give him $133 million more; therefore, instead of giving him $58 million less, he winds up with $75 million more than he originally asked for. Is that correct?

Mr. HAYDEN. Last year the Senate Committee on Appropriations went over the budget estimate very carefully and decided that a certain amount of money was necessary in order to carry on the functions of the Post Office Department. The House would not agree. We had 3 or 4 conferences, and finally arrived at a place where we split the difference. However, we told the House of Representatives at that time that Congress was not appropriating enough money properly to carry on the functions of the Post Office Department for a year. It turned out that what we said was true. In addition to that, there has been a 4-percent increase in the volume of mail.

Mr. DOUGLAS. Is it not also true that the Postmaster General overspent his sums for the first quarter of the fiscal year, namely, for July, August, and September, and also for the very crucial month of October, and then did not have much money left, and had to ask for a supplemental appropriation?

Mr. HAYDEN. I believe the Senator will find that there was no quarter overspending. The money was divided as required by law over the stated periods of time. However, the volume of business increased very heavily, and increased the deficit in the second and third quarters.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. DIRKSEN. If there is any feeling that there was any threat on the part of the Postmaster General, I may say that it was at the specific instance of the Appropriations Committee of the House of Representatives that the Postmaster General should indicate to the committee what he would have to do if he did not get supplemental funds. It was no threat on his part. It was simply a matter of providing the facts and the data which had been requested of him, and which he promptly supplied. He then presented the same data to the Senate subcommittee of the Committee on Appropriations. That is the matter that is before us.

The chairman of the committee is eminently right, because the figures indicate a tremendous increase in the mail volume; and it is either a case of curtailing the mail service or having sufficient money with which to administer the growing volume of mail.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. DOUGLAS. It is inconceivable to me that a Government bureau which spends over $3 billion a year cannot effect economies. For example, the Postmaster General has not modernized the delivery of mail, particularly in the sorting of the mail at the great central post offices or great central junctions, where the railway mail is distributed to the different sections of the country. He has not mechanized the delivery of mail, although the machinery for that purpose is available.

For years now the senior Senator from Illinois has been urging that the city letter carriers be put on wheels, on motor bicycles, so that the load may be taken off the carriers' backs. That would at once speed up the delivery and would make it possible for the carriers to serve more households.

There are a whole series of economies which a businesslike Postmaster General could put into effect, but which the present Postmaster refuses to have anything to do with.

The Senator from Arizona may not call it a threat, because he is a very polite man. However, when the Postmaster General is urged to effect some economies, his answer is not an improvement in the service, but a reduction in the service, feeling that the heat will be turned on by the patrons of the Post Office and that Senators and Representatives will be forced to make a restoration of the appropriations. Is that correct?

Mr. HAYDEN. I may say that in the regular appropriation bill we provided a considerable additional amount of money for modernizing post offices and putting in carrier systems in some of the larger cities. The suggestion made by the distinguished Senator from Illinois with respect to putting letter carriers on wheels is being adopted.

Mr. DOUGLAS. Very slowly and very imperfectly.

Mr. HAYDEN. It turns out that they have a very convenient little three-wheeled vehicle which enables the letter carriers to carry twice the load they carried before, and also, in addition to making city mail delivery, to make parcel post deliveries.

Mr. DOUGLAS. The Senator from Illinois has been urging it for 7 years.

Mr. HAYDEN. That is what is happening.

Mr. DOUGLAS. I always thought the Postmaster General was an expert on transportation, inasmuch as he had a large General Motors automobile dealership. It is extraordinary to me that it has taken all these years to get him to adopt the three-wheeled motor bike idea. He is approaching it only in a very diluted form, I may say.

Mr. HAYDEN. It is a very convenient little vehicle. It is manufactured in Omaha, Nebr. It is not a General Motors product.

Mr. DOUGLAS. I am glad to hear that. What I am trying to point out is this. I believe the Postmaster General is trying to bludgeon Congress and the country into giving him the money, and has refused to adopt operating efficiencies and economies, which could reduce expenses. Furthermore, he has refused to deal with the railroads, to whom larger sums are being paid for carrying

the mail than would be justified on any competitive basis, with the figures loaded on car capacity for the peak days of the week instead of the actual amount for the week, and then the 2 peak weeks are used to determine the mandatory amount of space ordered and paid for for the next month. In addition, the Government is charged more by the railroads for parcel post than the railroads charge the American Express, for example, which is contrary to law. Therefore the Postmaster General deserves to be held in the light of close public scrutiny. His tactics have not been befitting a good public servant.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. CARLSON. I wish to commend the chairman of the committee for seeking action on this supplemental bill. The Senator from Illinois has made a good point, that we do not spend enough money for research and for improving the facilitites of the Post Office Department and modernizing its equipment. Congress determines how the money shall be spent. I frankly believe that several million dollars could be spent to advantage not only in improving service in the Department, but also in bringing about great savings.

I noted that the bill provides for an expenditure of $2 million for research. Several million dollars more might be spent for research, as is done by private industry, and I believe the Government would receive outstanding returns.

Mr. HAYDEN. Last year $2,900,000 was provided for research. We have provided in the annual appropriation bill $4,871,000. So the amount of money provided for this purpose has been doubled, and we should get results.

Mr. DOUGLAS. The term "research" has, of course, great compelling power these days. Everybody is for research. We are asked to make appropriations for research. But I say the slogan of this administration seems to be, "Millions for research, but not one cent for action."

Mr. CARLSON. There is much manual work in the Post Office Department. Research must be done to provide the machinery necessary to modernize the post offices in order to expedite the handling of the mail. I am confident that the $4 million will pay big dividends.

The PRESIDING OFFICER. If there be no amendment to be proposed the question is on the third reading of the joint resolution.

The joint resolution (H. J. Res. 379) was ordered to a third reading, read the third time, and passed.

Mr. DOUGLAS. Mr. President, I ask that, for the purpose of the RECORD, I be shown as voting against the joint resolution.

CONSTRUCTION OF BRIDGE ACROSS PIGEON RIVER, MINN.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 531, S. 1361.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1361) to revive and reenact the act entitled "An act authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River."

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. CARLSON. Mr. President, the minority leader is absent at this time, but I notice, according to his calendar, that the bill has his approval. Therefore, I shall not object to its present consideration.

Mr. MANSFIELD. No funds are involved in the bill. The bill is merely an extension or a reenactment of an act and provides more time for the completion of the project.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act approved May 29, 1945, authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a free highway bridge and approaches thereto across the Pigeon River so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation below High Falls on said Pigeon River, is hereby revived and reenacted. This act shall be null and void unless the actual construction of the bridge herein referred to is commenced within 4 years and completed within 6 years from the date of enactment of this act.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1958

Mr. SPARKMAN. Mr. President, within a few days, the Senate will take up the appropriation bill to provide funds for the Department of Defense during the 1958 fiscal year. The tremendous sum of money involved in this departmental request—some $36 billion—and the vitally important uses to which these funds will be put in terms of our national security, make this measure one which will demand our most careful consideration.

There are divergent opinions with respect to the amount of money requested by the Department of Defense to conduct its operations during fiscal year 1958. Many Members of the Congress feel that the Department has overstated its requirements and that substantial reductions can be made without limiting the objectives of the Department of Defense or impairing the efficiency of its operations. These views are consistent with the laudable desire to promote economy in the various Federal establishments and to achieve savings in the largest peacetime budget which any administration has presented to the Congress in the history of our country.

Another point of view about the Department of Defense appropriation request has been expressed by Secretary of Defense Charles E. Wilson. "I don't see why we should cut the defense budget at all," Mr. Wilson has stated. To do so, in his opinion, would, in his words, "amount to gambling unwisely with the security of the Nation."

It is not my intention today, Mr. President, to discuss the appropriation bill for the Department of Defense in terms of whether the Department's request for funds should be approved as submitted or reduced.

It is my desire, however, to bring to the notice of the Senate certain administrative practices of the Department of Defense in the field of procurement which, in my opinion, do not reflect with credit on the Department's management of the public money which is entrusted to it for the purchase of goods and services essential to our national security.

When we consider the high concentration of business management talent which is possessed by many key officials now serving in top positions in the Department of Defense, we have every reason to expect that these officials, these shrewd and successful businessmen, will bring to bear upon the expenditure of public funds that same careful and economical handling of money used for purchasing supplies which they exercise with their corporate funds in the world of private business.

I reget to say, Mr. President, that in many areas of military procurement these reasonable expectations are not fulfilled.

I shall offer evidence to demonstrate that the Department of Defense conducts a large portion of its purchasing activities with a reckless disregard for the very rudiments of sound purchasing methods. These purchasing practices, which I shall explain in some detail, result in a wanton waste of the taxpayers' dollars. These practices would be intolerable in the world of business for the simple reason that no business could be conducted at a profit which consistently and as a matter of method paid outrageously inflated prices for its raw materials, its supplies, and its equipment. Yet the payment of premium prices, over and above a reasonable market price, is a common custom of the Department of Defense.

To be specific, Mr. President, I am referring to the stubborn refusal of the Department of Defense, in many important areas of procurement, to get a dollar's worth of product for every dollar spent by taking advantage of the lower prices it would have to pay if small-business concerns were encouraged to bid competitively on products which they are unquestionably qualified to produce.

When I mention products which small companies are capable of producing, it stands to reason that I do not have in mind jet bombers, tanks, submarines, aircraft carriers, or any of the thousands

of items which are known as heavy military hardware.

What I have in mind is a long list of common-use items, counterparts of which either are currently being produced by small companies or for which small companies have the facilities and technical knowledge to make but which, for obscure reasons, the Department of Defense insists on buying from single sources of supply. These so-called sole sources of supply in the great majority of instances are large companies, among the largest of our industrial system.

On June 11, I wrote to the Honorable E. Perkins McGuire, Assistant Secretary of Defense for Supply and Logistics, on this baffling subject. I enclosed with my letter a list of 567 procurement actions in the current fiscal year which had a value of approximately $115 million. Mr. President, I ask unanimous consent to have this list inserted in the RECORD at this point in my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Department of the Army

Purchase order	Installation	Item	Estimated value
G57-3321 and 3322	OTAC	Carrier assembly rear axle	$27,840
G57-317	OTAC	Cap assembly	19,246
G57-2275	OTAC	Pump, hydraulic hoist	42,016
G57-2858	OTAC	Rod torque with pins, rear axle trunion lower assembly.	35,605
G57-3829	OTAC	Kit, repair fuel pump	24,696
G57-2565 and 2566	OTAC	Kit, repair	24,043
G57-895	OTAC	Carburetor float assembly with governor.	37,314
G57-3249 and 3250	OTAC	Differential assembly	14,029
G57-2652 and 2653	OTAC	Cap, distributor	62,032
G57-3109 and 2119	OTAC	Winch assembly	18,190
G57-1568 and 1569	OTAC	Transmitter, indicator assembly (electric).	15,376
G57-3169	OTAC	Unit, sending, high temperature, warning.	11,556
G57-3065	OTAC	Kit repair, master carburetor	85,412
G57-056	OTAC	Muffler assembly	62,539
G57-3148	OTAC	Muffler, engine exhaust lift, assembly.	22,680
G57-652	OTAC	Radiator, engine assembly	36,084
G57-506 and 507	OTAC	Cylinder, wheel lift and right assembly.	24,496
G57-1890, 2609, 736	OTAC	Cylinder assembly, hydraulic brake master.	43,858
G57-2763	OTAC	Flywheel engine assembly	18,817
G57-2047	OTAC	Ring, set, engine piston oversize.	48,204
G57-732, 1213, 3084, 519, 948.	OTAC	Body and fender parts	36,649
G57-1201	OTAC	Transfer, assembly, complete	38,896
G57-1405	OTAC	Cushion, seat cushion (driver's seat).	24,043
G57-3345	OTAC	Motor assembly windshield wiper.	12,607
G57-321	OTAC	Panel, hood assembly	17,108
RI-57-4	OTAC	Solenoid	10,752
G57-987	OTAC	Windshield assembly	18,387
G57-2988	OTAC	Generator assembly	11,583
G57-2677	OTAC	Transfer assembly	18,904
G57-1392 and 9708	OTAC	Carburetor assembly	91,960
G57-2668	OTAC	Rod, connecting assembly	10,735
G57-2394	OTAC	Igniter assembly	34,629
G57-2404 and 4567	OTAC	Light assembly, head, service	17,184
G57-3343	OTAC	Thermal flasher, assembly	16,350
G57-1292	OTAC	Cover, transmission top, assembly.	14,219
G57-5092	OTAC	Filter, element	13,049
G57-5245	OTAC	Motor, direct current, 24-volt, hot-water heater.	33,811
G57-3391	OTAC	Kit, heater, powerplant	11,180
G57-2627	OTAC	Thermostat, heater-control assembly.	15,496
G57-3659 and 3660	OTAC	Kit, repair	15,983
G57-3816 and 3817	OTAC	Cable, assembly, generator to regulator.	74,188
G57-3823	OTAC	Plug, steering drag, link	10,090
G57-5782	OTAC	Kit, heater, gun crew	56,700
G57-452	OTAC	Shaft, propeller	41,425
G57-4635	OTAC	Gage assembly, oil pressure	27,454
G57-802	OTAC	Power pack, high voltage	14,705
G57-2917	OTAC	Horn assembly, air with plugs	20,347
G57-4210 and 4211	OTAC	Pulley, generator	12,008
G57-4795	OTAC	Sleeve, oil delivery, transmission front clutch drum.	11,859
G57-2987	OTAC	Tank fuel, assembly	14,592
G57-5321 and 5322	OTAC	Shaft, propeller transfer case to forward rear axle assembly.	91,113
G57-4255 and 1685	OTAC	Gasket set, engine overhaul	24,602
G57-5314 and 5315	OTAC	Case assembly, transfer with flange.	138,950
G57-1287	OTAC	Axle assembly, trunion	20,532
G57-1219	OTAC	Rack assembly	34,633
G57-3755 and 3756	OTAC	Motor assembly, windshield wiper.	55,603
G57-5184	OTAC	Shaft, propeller, rear with universal joints assembly.	17,121
G57-1239	OTAC	Harness wiring	11,000
G57-6206	OTAC	Governor assembly	15,264
G57-5471 and 5243	OTAC	Winch assembly rear right hand.	52,662
G57-5489	OTAC	Governor, engine overspeed, with pulley assembly.	22,712
G57-4415	OTAC	Disk, clutch driven	19,641
G57-064	OTAC	Connector, receptacle	18,000
G57-5747	OTAC	Shaft assembly propeller transfer case to front axle assembly.	18,485
G57-4855	OTAC	Joint assembly	29,880
G57-2234	OTAC	Shaft assembly	21,377
G57-3314	OTAC	Ring set (piston .020 undersize).	$23,588
G57-5665	OTAC	Gage, air pressure assembly	28,373
G57-3308	OTAC	Manifold assembly, exhaust with heat control valve.	10,283
G57-1302	OTAC	Pipe, flexible engine exhaust assembly.	22,174
G57-3658	OTAC	Carburetor, float assembly, with governor.	268,411
G57-5791	OTAC	Tank, fuel	23,140
G57-6056	OTAC	Cap	21,882
G57-4893	OTAC	Absorber, shock, rear assembly.	16,083
G57-1211	OTAC	Head, cylinder	32,615
G57-5357 and 5358	OTAC	Pump, oil transmission, front assembly.	59,243
G57-4671	OTAC	Radiator assembly	42,560
G57-965	OTAC	do	20,090
G57-4844	OTAC	Tank, fuel assembly	11,088
G57-1540	OTAC	Cushion assembly, drivers and passengers seat.	25,545
G57-6309	OTAC	Filter, oil, differential	10,247
G57-2703	OTAC	Harness, assembly	21,582
G57-6345	OTAC	Distributor, with coil assembly.	58,529
G57-6184	OTAC	Shackle front and rear towing assembly.	14,411
G57-4907	OTAC	Distributor assembly	72,457
G57-6116	OTAC	Kit, repair, fuel pump	14,696
G57-4239 and 4240	OTAC	Gasket set	40,559
G57-5586 and 5724	OTAC	Muffler assembly, oval type	28,028
G57-6307	OTAC	Rod, torque with standard assembly.	30,783
G57-6231	OTAC	Radiator assembly	14,029
G57-6270	OTAC	Fender assembly	10,290
G57-5813	OTAC	Valve bypass, exhaust	18,079
G57-6041	OTAC	Carburetor with float assembly.	58,495
G57-4182 and 4183	OTAC	Radiator assembly	56,762
G57-6136	OTAC	Shaft assembly, propeller, transfer case to pillow block assembly.	48,293
G57-5119 and 5120	OTAC	Band assembly, 2d speed Servo assembly.	37,599
G57-5790	OTAC	Shaft assembly	12,447
G57-6067	OTAC	Starter assembly	122,538
G57-4202	OTAC	Plate assembly	32,536
G57-5543	OTAC	Generator, with pulley assembly.	11,089
G57-2655	OTAC	Kit	58,500
G57-5676	OTAC	Voltmeter, gage with clamps assembly.	70,804
G57-6706	OTAC	Kit, modification, winch clutch.	16,815
G57-6019	OTAC	Rheostat, trailer current	16,200
G57-6703	OTAC	Lurk assembly, drag steering	45,304
G57-6594 and 056	OTAC	Muffler assembly	128,950
G57-6751	OTAC	Transfer assembly, with flange	826,324
G57-6539	OTAC	Pump, with flange oil transmission.	71,760
G57-6089 and 6383	OTAC	Ring set, piston, oversize	22,281
G57-6441	OTAC	Bow, body cover	32,605
G57-6575	OTAC	Starter, engine assembly	11,612
G57-6306	OTAC	Motor assembly, windshield wiper assembly.	88,563
G57-4554	OTAC	Kit, repair fuel pump	35,295
G57-6429	OTAC	Cap, fuel filler assembly	53,500
G57-5482	OTAC	Regulator assembly, engine generator.	76,854
G57-3700	OTAC	Tank assembly	11,625
G57-803 and 3163	OTAC	Lining set brake shoe	58,824
G57-7018	OTAC	Pump assembly	11,960
G57-7049	OTAC	Seal assembly, oil hub bearing	15,828
057-7008	OTAC	Magneto, auxiliary, engine assembly.	64,106
G57-7282	OTAC	Absorber, shock front, assembly (Monroe).	24,768
G57-6821	OTAC	Carburetor, float assembly with governor.	48,439
G57-2396	OTAC	Coupler, quick disconnect	18,844
G57-6914	OTAC	Kit, repair water pump	23,112
G57-6097	OTAC	Rotocap assembly	44,089
G57-6910	OTAC	Control, hand throttle assembly.	17,734
G57-6738 and 7177	OTAC	Radiator assembly	43,426
G57-6542	OTAC	Kit, modification	20,405
G57-443	OTAC	Head assembly, fixed fire extinguisher cylinder.	13,384
G57-1993 and 1992	OTAC	Distributor ignition assembly (includes coil governor spinner).	104,634

Department of the Army—Continued

Purchase order	Installation	Item	Estimated value
G57-238	OTAC	Cover assembly, transmission Torus assembly.	$20,231
G57-2104	OTAC	Regulator, engine generator	29,125
G57-6026 and 7408	OTAC	Shock absorber assembly	15,256
G57-7227	OTAC	Filter, fuel assembly (in tank)	11,640
G57-7615	OTAC	Cushion, passenger seat assembly.	26,094
G57-7473	OTAC	Muffler, exhaust assembly	20,473
G57-7099	OTAC	Pump assembly, water with pulley assembly.	16,751
G57-7531	OTAC	Glass assembly	11,696
G57-8071	OTAC	Box assembly, override control	15,543
G57-8404	OTAC	Pump, bilge assembly, rear	104,801
G57-7882	OTAC	Top, canvas assembly	12,470
G57-7203	OTAC	Distributor assembly	84,568
G57-7533	OTAC	Harness assembly, chassis wiring.	24,921
G57-8053	OTAC	Pump, water assembly	10,725
G57-5285	OTAC	Chamber, air-brake cylinder	14,861
G57-8224	OTAC	Switch, dimmer headlight	14,046
G57-8072	OTAC	Rod assembly, torque rear axle.	17,956
G57-8221	OTAC	Cable U fitting assembly	11,574
G57-7452	OTAC	Windshield assembly	100,433
G57-7852	OTAC	Windshield assembly, with glass.	62,188
G57-7259	OTAC	Kit, modification	30,160
G57-6848	OTAC	Armature, generator assembly	31,301
G57-7355	OTAC	Tank, fuel	32,436
G57-7552	OTAC	Capacitor	11,664
G57-8005	OTAC	Shaft propeller, assembly	131,067
G57-7751	OTAC	Pump assembly	74,844
G57-7202	OTAC	Kit, repair fuel pump	37,996
G57-7742 and 7884	OTAC	Carrier assembly, spare wheel	12,665
G57-7157	OTAC	Windshield	214,526
G57-7543	OTAC	Control	23,514
G57-7062	OTAC	Muffler assembly	82,605
G57-7523	OTAC	Kit, repair fuel pump	23,795
G57-8692	OTAC	Cover top assembly, with rear window.	$49,024
G57-8503	OTAC	Cable, choke control assembly	15,828
G57-8137	OTAC	Cap assembly, left fuel tank vent.	20,236
G57-8322	OTAC	Voltmeter, gage with clamp	156,221
G57-8138	OTAC	Tank fuel assembly	13,293
G57-8362	OTAC	Breaker, circuit, current, assembly, reverse.	42,042
G57-7199 and 8033	OTAC	Carburetor assembly	190,571
G57-8482	OTAC	Shackle, front and rear	32,468
G57-8134	OTAC	Kit, repair fuel pump	14,470
G57-7927	OTAC	Panel, hood	24,177
G57-8124	OTAC	Divider assembly	60,490
G57-8309	OTAC	Cable No. 1 spark plug assembly.	13,106
G57-8086	OTAC	Kit, repair carburetor	14,080
G57-7965 and 7964	OTAC	Control, remote, L. H. and R. H.	15,645
G57-7924	OTAC	Seat	19,286
G57-5718	OTAC	Housing, front axle propeller, shaft.	19,120
G57-8463	OTAC	Valve assembly, hydraulic control.	23,657
G57-8181	OTAC	Manifold assembly	10,155
G57-8505	OTAC	Control, hand throttle	20,109
G57-7975	OTAC	Seal set	53,199
G57-8501	OTAC	Starter, engine assembly	13,288
G57-8728	OTAC	Panel assembly, seat back	26,908
G58-3023	OTAC	Power takeoff, assembly	20,691
G58-027	OTAC	Support, seat back lift foot	11,242
G57-8762	OTAC	Harness, assembly, wiring front cab.	20,344
G57-7804	OTAC	Windshield assembly, w/glass	102,314
SA-448-57	OTAC	Winch	58,410
G57-2040	OTAC	Shoe, brake w/mining assembly.	21,055

Department of the Navy

Purchase order	Installation	Item	Estimated value
155/10301/57	G8SO	Elbows	$11,512.00
155/101048/57	GSSO	Fastener, grommet, curtain, stainless steel.	19,398.00
155/145019/57	G8SO	Bowl: water closet	14,301.00
155/148081/57	G8SO	Valve, angle steel	27,268.20
155/103186/57	GSSO	Trap, steam; trap, moisture	9,847.00
155/134592/57	GSSO	Welding equipment: torch outfit, oxhydrogen, cutting.	10,153.00
P. H. 103-57 (Sked 70023-57).	Y&D	Pump, rotary gear type, 25 gallons per minute at 85 pounds per square inch Worthington model 6GAM or equal.	13,400.00
P. H. 102-57 (Sked 70021-57).	Y&D	Pump, rotary, gear type, 435 gallons per minute at 215 pounds per square inch Worthington model 6GRM or equal.	13,400.00
383-29081-5782 G4/3/57	ASO	Packing	13,940.00
383/23259-14-E6/1/57	ASO	Lens	12,079.35
383/23263/25953/6/7	ASO	Tester: cable	23,359.00
383/2150-514 X 4/1/55	ASO	Maintenance parts	$23,083.40
9501-38/57	ASO	1. Resistor; 2. transformer	14,400.00
383/2150-431 X 7/1/55	ASO	Maintenance parts and assemblies, used on seat assembly.	38,822.85
383/29069-132E2/1/57	ASO	Attenuator	11,934.00
383/29043-10 X 4/1/57	ASO	Resistor: Hydraulic	10,914.00
383/2130-37 E 1/1/55	ASO	Collar; transformer; resistor	29,350.00
383/29067-1653/3/57	ASO	Stand assembly, electronic test system.	421,805.31
383/29081-3457G4/1/57	ASO	Grit; capsule emulsior	17,676.00
383/2130-285-E3/1/53	ASO	Detector	12,345.00
383/29081-1669-G2/1/57	ASO	Cable, sleeve, terminal	11,500.00
383/2140-1088 E 6/1/55	ASO	Voltmeter	23,338.00
383/23263-14953/1/57	ASO	Stand: Tool, steel, portable	13,831.55
383/2155-66 A6/3/53	ASO	Armament parts	64,318.51
383/2150-112744/1/57	ASO	Fitting and valve, for various aircraft.	16,542.95
383/2140-1858E6/1/53	ASO	Splice—butt connector	55,116.40
383/2140-E4/1/53	ASO	Motor 36CT	11,423.00
383/2120-418-X6/1/53	ASO	Amplifier: Slaving compass	111,650.00
383/29081-1207G1/1/57	ASO	Plug	11,575.00
383/29081-3459G5/1/57	ASO	Rod: Welding	10,268.00

Department of the Air Force

Purchase order	Installation	Item	Estimated value
620007	Dayton AFD	Variable resistor	$18,000.00
621120	do	Reactor-saturable filter choke, etc.	16,875.00
628979	do	Item 1, plate set; item 2, relay assy; item 3, gear assy; item 4, spring-helliphl; item 5, maint. parts kit; item 6, maint. parts kit; item 7, maint. parts kit; item 8, dyna motor.	20,002.00
654081	do	Various type thermal relays—8 items.	18,087.00
613002 (17C)	do	Simulator microphone	11,088.17
714475 (16R)	do	Switch inertia SPST220, 10 amperes direct current, etc.	123,000.00
628977	do	Item 1, spacer-alum-Bendix; item 2, spring retainer-Bendix; item 3, housing flex Bendix; item 4, spline clutch Bendix; item 5, prive band switch Bendix; item 6, armature; item 7, Spring and lead assembly; item 8, board terminal Bendix.	12,302.50
613552	Dayton AFD	Item 1, transformer-RCA; item 2, transformer-RCA; item 3, transformer-RCA; item 4, transformer-RCA; item 5, transformer-RCA.	$20,424.00
612742	do	Circuit breaker, air arc quenching, SPST-28V-30 amperes, direct current 2.189 meters long ¾ inch, diameters 3 3/16 inches HO/A Spencer Thermostat Division (L. B.)-D-6753-1-30.	11,440.00
618082	do	Switch-push-all to Veinite Co. part No.	17,376.30
62118	do	Transformer, United Transformer Co. part No. D-4724.	20,587.50
618084	do	Switch, radio, Thomas Products part No. 18B22CA.	15,190.00
621085	do	Transformers-power filament type, Western Electric, part No. 176264 and KS9864.	20,084.80

Department of the Air Force—Continued

Purchase order	Installation	Item	Estimated value
654083	Dayton AFD	No. 1 Relay, thermal, Cook Electric; No. 2 Relay, thermal, Cook Electric.	$11,475.00
613422	do	Ammeter, portable, direct current serial No. 7CAC-016200.	17,858.10
688996	do	Wattmeter, serial No. 7CAC-979564-5.	95,989.50
613425	do	Attenuator, bridged T type	13,400.00
613591	do	Transformers, various types	16,697.98
613081 17-C	do	Ammeter, portable, direct current serial No. 7CAC-020615.	19,892.00
713631 17-C	do	Detector leak	11,103.48
613304	do	Modification kit, T. O., No. 33D5-12-20-501.	13,260.30
628257	do	Calibrator, microsyn precision	15,000.00
613509 16P	do	Coils	14,530.00
628252 17C	do	Calibrator, range radar time	71,197.00
628980 16-A	do	Dynamotor, serial No. 1600-3377 06938.	33,250.00
613044 17-C	do	Tester-intergrated, electric control, J-47-17, jet engine	30,000.00
648559 16-R	do	Switch-box-knife, serial No. 3360-072-150-330, Square D pin, 46352.	25,746.30
685904 16-R	do	Switch-press, serial No. 3360-072835700.	13,439.25
713993 16-O	do	Radio interference filters and suppressers.	14,332.25
609092 17-C	do	Spectrum analyzer, serial No. 7CAC-041075.	18,784.90
685886 16-R	do	Switch, pressure, serial No. 3360-072835640.	37,403.12
685883 16-R	do	Switch, pressure, serial No. 3360-072836460.	15,930.50
702795 16-T	do	Relay; relay armature pileup; armature.	19,563.50
612677 16-R	do	Switches, various types	79,543.50
685071 16-T	do	Relays, Solenoid, time delay, and thermal.	18,952.50
685872 16-T	do	Relay, serial No. 3380-552120-9735.	38,085.00
648584 16-T	do	Relay, serial No. 3380-555680-6375; radio receptor, part No. 3120-2.	25,270.00
620081 16-Q	do	Resistor, serial No. 3350-855900-5521; Technology institute part No. 5-8-8147.	34,350.00
613164 17-C	do	Spectrometer, 7CAD-NL 113, model C-29, Bausch-Lomb.	12,000.00
685939 16-R	do	Switch, thermostatic, serial No. 3360-073943656.	33,400.00
648560 16-R	do	Switch, inertia, serial No. 3360-072400000.	16,245.00
654490 68-E	do	Connector plug, serial No. 8850-287940.	12,862.00
609083 17-C	do	Tester, 7CAC-807225	39,222.00
612678 16-R	do	Switch, pressure, 4 sizes	35,159.50
618945 16-R	do	Switch, pressure	15,507.00
685267 16-K	do	Tuning units, P/O RT 11A/APH-12.	19,500.00
713981 16-Q	do	Capacitor, serial No. 3330-316958722.	11,160.00
654480 08-E	do	Connector plugs, 2 items	23,971.00
628944 16-A	do	Tuner, ARC/27, serial No. 1600-014615000.	16,500.00
620547 16-P	do	Transformer, RT-101/APS-31	46,608.00
685870 16-T	do	Relay, armature contact, serial No. 3380-552120-8935.	17,355.00
621136 (16-P)	do	Transformer, power, Transformer Engineering Co., part No. TE-5081.	17,850.00
620536 16-P	do	Transformer, pulse interstage type, part No. 2Z9627-M.	46,410.00
628087 16-A	do	Miscellaneous electrical parts: Brushes, caps.	11,529.00
627804 16-A	do	Cover, serial No. 1600-203277-850.	21,038.00
685938 16-R	do	Switch, thermostatic, serial No. 3360-073943862.	18,730.00
612881 17-C	do	Machine, dynetric balancing	61,682.25
726805 16-R	do	Switch rotary pam	24,378.00
685566 16-O	do	Capacitor, serial No. 3330-057253214.	11,050.00
620132 16-Q	do	Resistor, serial No. 3350-805000-2411.	15,500.00
648547 16-T	do	Relay, armature, 2 types	18,215.00
726879 16-T	do	Relay, armature, 2 types	22,352.00
685733 16-O	do	Suppressor, electric noise capacitor.	18,060.00
689652 16-A	do	Brush, electrical	21,375.00
726910 16-T	do	Relay, armature, 5-ampere, 28-volt, direct current.	11,925.00
726844 16-T	do	Relay, 2 sizes	10,650.00
566857 16-A	do	Motor, alternating current, wound rotor induction.	15,000.00
628482 17-C	do	Tester-Autosyn Servod test and calibration.	20,651.85
613220 17-C	do	Tester, cabin pressure	13,584.00
726588 16-R	do	Switches, 8 sizes	13,205.00
648548 16-T	do	Relay armature, 3 types	10,234.00
790904 16-A	do	U/O-C-626/ARC-27 miscellaneous parts.	45,840.00
726889 16-T	do	Relay, S/N-3380-511125-1995, 3380-511180-6775.	10,202.50
689446 16-A	Dayton AFD	Inverter vibrator, serial No. 1600-347525820.	$24,750.00
628715 16-A	do	Cover, glass insulator	25,200.00
796954 16-A	do	Cable, assembly	29,130.00
685984 16-T	do	Relay, armature	17,759.50
648508 16-T	do	do	10,000.00
628999 16-A	do	Rt. 173/ARC-33 parts	10,160.00
741239 16-A	do	Cable, assembly	17,447.50
689445 16-A	do	Rt-178/ARC-27 parts	23,980.00
689450 16-A	do	Armature, dynamotor	24,700.00
685135 16-T	do	Relay, serial No. 3380-541125-9215.	14,850.00
796902 16-A	do	Motor DC series, 27-volt, 500 milliampere.	36,000.00
741236 16-A	do	Gear, spur	29,090.00
726757 08-G	do	Fuse, cartridge, serial No. 8870-148000-375.	13,352.00
750565 08-G	do	Fuse, cartridge, serial No. 8870-148000-525.	14,800.00
628804 16-H	do	C-626/ARC-27 miscellaneous parts.	13,665.50
649723 16-S	do	Rectifier, serial Nos. 3370-659000-8215, 3370-684000-3423.	18,413.00
612672 16-R	do	Cover, electrical switch, rubber.	13,070.50
726742 16-R	do	Circuit breaker, part No. 3H900-3-7.	16,975.00
613081 17-C	do	Ammeter, portable DC	19,892.00
612832 17-C	do	Inspection unit, penetrant fluorescent, stationery	32,370.00
726601 16-R	do	Switch, pressure, serial No. 3360-072837336.	20,400.00
685039 16K1	do	Coupling, unit, serial No. 1660-287715101.	15,513.60
796277 16-R	do	Switch, Thermos, 3360-073 943656.	35,400.00
619778 16-K-1	do	Analytical overhaul of semi-automatic equipment.	105,000.00
648834 16-T	do	C 1153 MRN, 8 spare parts	10,117.50
609054 17-C	do	Generator, signal, 7 CAC-363903-28.	306,900.00
565429 17-C	do	7 CAD-NL portable hardness tester.	35,092.22
726800 16-T	do	Relay, S/N-5945-234-6370	46,000.00
628454 17-C	do	Kits, retrofit modification for the addition of physical and electrical separation of the type MC-1 test bench.	188,500.00
628355 17-C	do	Voltmeter, portable, Weston model 455.	16,503.00
628354 17-C	do	Voltmeter, portable, General Electric P/N 881726 model CF-1.	10,360.00
628324 17-C	do	Ammeter, portable, Weston model No. 622.	21,352.80
621003 16-P	do	Coil, tube, Western Electric D 176839.	45,822.00
628051 16-S	do	Crystal unit rectifying	46,200.00
613142 17-C	do	Ammeter, portable, MKO-MA.	28,687.50
726749 16-R	do	Switch, thermostatic	13,600.00
752515 16-R	do	Key switch-board	15,150.00
726873 16-T	do	Relay armature, S/N-5945-249-5845.	35,000.00
714068 16-S	do	Rectifier, S/N-3370-650000-1935.	12,440.00
55464 16-A	do	Control directional fenders and spares.	456,450.00
649045 17-C	do	Oscelliascope, Dumont type 304 A.	16,704.44
648690 17-C	do	Resistors, 2 sizes	13,722.40
726743 16-R	do	Switch, electromatic, Western Electric and Eclipse Pioneer P/N's.	15,907.50
702742 16-Q	do	Resistor, S/N 3350-849100-5321.	22,137.50
75679 16-T	do	Relay, armature, GE-P/N CR 2791B109C-2.	16,896.08
670984 16-K-1	do	Radio receiver transmitter, BC-788F.	571,577.51
752578 16-R	do	Switch pressure SPDT, Lear P/N-RB 8212-2, Lockheed P/N-644528.	11,900.00
752682 16-T	do	Relay, armature, Leach relay P/N-9031-55H.	15,300.00
796329 16-R	do	Switch-pressure	48,450.00
565479	do	Optical proving rings	89,625.00
628431 17-C	do	Bridge, capacitance general radio P/N-type No. 716 CM.	11,480.00
752653 16-T	do	Relay, solenoid leach relay P/N-1227-2011.	10,375.00
726988 16-R	do	Circuit breaker, spenser thermostat P/N D6753-1.	16,000.00
752559 16-R	do	Switch-thermos Fenwal P/N	78,000.00
613171 17-C	do	Box decade capacitance general radio type 219.	11,020.00
796334 16-R	do	Switch-pressure-3 sizes meletron P/N's given.	58,525.00
796333 16-R	do	Switch, pressure lear P/N-M/g/C.	12,500.00
751073 16-A	do	Dynamotor-voltage convertor bendix type No. DA-85B.	63,480.00
628426 17-C	do	Calibrator-microsyn Sperry-1000114.	36,000.00

Department of the Air Force—Continued

Purchase order	Installation	Item	Estimated value
726598 16-R	Dayton AFB	Switch pressure-meletron P/N-4101-21BL1.	$17,000.00
752562 16-R	do	Switch, thermostatic, Aeresearch Manufacturing Co. P/N-12280-4.	66,800.00
476419 17-C	do	Meter, sound level, General Radio P/N-1551A.	22,542.00
628635 16-A	do	Receiver transmitter 6188-1A.	1,022,434.00
MD-7-16K-60007	do	Switch-Radio frequency transmission.	65,751.60
613383 17-C	do	Radio test set with antenna, Federal Radio and Television model NUS-3156. Hoffman Radio, model HLI-110.	72,000.00
613382 16-C	do	Radio test set, Federal Radio and Television model NUS-3292. Hoffman Radio-Model HLI-105.	36,000.00
MD-7-16R-20013	do	Switch, pressure, both items to Hgdra Electronics (LB) P/N.	37,440.00
MD-7-17C-96003	do	Stroboscope, S/N-7CAD-774950 General Radio type 631-HL.	18,000.00
MD-7-160-40154	do	Capacitor, both items are to large manufacturing P/N.	10,197.50
MD-7-16-R-21111	do	Switch-thermostatic Fenwal P/N-17302-17-490.	72,000.00
MD-7-16P-40411	do	Coil-tube deflection Western Electric P/N-D176699.	15,070.00
648586 16-T	do	Relay-armature nonpelc-up, for Sperry bombing navigational computer type A-1 C. P. Clare No. J-RP3048-G6-Sperry-744325.	13,600.00
676084 17-C	do	Voltmeter, portable direct current Westinghouse, style 1732886.	28,393.75
689447 16-A	do	Gear, spur steel, Fairchild Cam B-424-AA/7ARN-6.	24,920.00
741089 16-K	do	Modification kit, and relays all to Collins Radio P/N's.	286,221.00
MD-7-5935-30334 08E	do	Connector, receptacle, 5935-549-8270.	37,200.00
MD-7-16A-70033	do	Brush, electrical; brush holder Bendix divg. numbers.	12,875.00
MD-7-16-T-22613	do	Relay armature nonpelc up type Leach relay, Cutler-Hammer, P/N Nos.	19,873.24
MD-7-5945-23514 16-T	do	Relay-Solenoid Nonpelc-up type Westinghouse Electric, Philco Radio P/N's.	33,330.00
796335 16-R	do	Switch, pressure 3360-072834573.	21,819.50
MD-7-17C-90056	do	Miscellaneous parts for range calibrator, all items to Sperry P/N's.	24,977.50
MD-7-17C-80761	do	Voltmeter-portable Westinghouse style No. 1732386, type PX-44.	36,875.00
MD-7-16T-23862	do	Relay assembly 5945-258-3263, Price Electric, P/N.	13,485.00
628261 17-C	do	Generator, signal 7 CAC-363916-16.	74,146.00
649045	do	Oscilloscope, 7 CAC-611138, Dumont type 304A.	16,704.44
MD-7-16A-70107	do	Brushes, caps, electrical products, John Oster, P/N's.	13,605.00
MD-7-16T-23685	do	Relay armature 5945-321-0773.	10,380.00
648550	do	Miscellaneous parts for AS428A/APS42A, all items to manufacturer's P/N's.	14,317.00
MD-7-17C-80874	do	Radio test set with antenna, Federal Radio & Television Co., model NUS-3156, antenna 3157, Hoffman Radio, model HYL-110.	462,000.00
MD-7-17C-80873	do	Radio test set, Federal Radio & Television, model NUS-3292, Hoffman radio HYX-105.	42,000.00
MD-7-17C-80555	do	Test panel flight controller; Lear Part No.-LT-3088.	16,754.10
MD-7-17C-80013	do	Adapter-V/G-953 U 1AW-exhibit-2433A.	18,500.00
MD-7-5925-2202016-R	do	Circuit breaker-5925-307-4459.	14,154.00
MD-7-16A-70205	do	Miscellaneous parts for-18S-4 radio set; all parts to Collins Radio Part No.	11,350.00
MD-16P-50509	do	Retrofit modification kit	47,960.00
628811 16-A	do	Antenna, vertical receiving, model VRA-1.	13,292.00
648671 17-C	do	Tester-capacitor type; fuel quantity gage tank unit.	41,040.00
613812 17-C	do	Modification kit-ECP-No. MDC-1000 DE.	32,805.00
MD-7-16A-70220	do	Miscellaneous parts for An/ARn-6, radio set; all parts to manufacturer's part Nos.	33,126.00
MD-7-16A-70192	do	Miscellaneous parts for AM/ARC-33, radio set, allied control part Nos.-large business.	14,850.00
MD-7-17C-80565	do	Test set, radar-AN/UPM-42 Sperry part No. 601481.	79,200.00
MD-7-16P-40834	Dayton AFB	Transformer, 3340-063100340 manufacturer's part number, only.	$15,137.50
MD-7-17P-40849	do	Transformer, 3340-296940079	15,042.00
MD-7-16A-70139	do	Miscellaneous parts for AN/ARC-27, Collins Radio, part numbers.	40,356.00
MD-7-16K1-60019	do	Type AN/APX-6-radar parts, bezel assembly; calibration charts; control receiver; covers.	13,998.00
MD-7-16P-40089	do	Transformer, power filament input.	12,920.00
685323 16-K	do	Modification kit, AN/APS-42 1AW RCA-ECP VD-LA10-4.	18,920.00
619789 16-A	do	"Analytical overhaul," AN/ARR-39A systems.	75,000.00
619257 16-A	do	"Analytical overhaul" AN/ARW-55, AN/ARW-56, AN/ARW-65 and KY-139/ARW systems.	50,000.00
613115 17-C	do	Test set, AN/USM-14	18,768.00
621141 16-P	do	Transformer, power	19,920.20
688186	do	Amplifier, video, AM/924/APS-54.	220,100.00
685295 16-K-1	do	AN/APS-42, miscellaneous parts.	70,678.13
685260 16-K-1	do	Clutch, magnetic, AN/APS-42.	26,201.84
613129 17-C	do	Test set AN/GPM-19	40,000.00
558338 16-K-1	do	AN/APR-9; AN/APA-74 modification; video and audio mixer; time signal generator.	1,152,471.00
MD-7-16A-70109	do	Miscellaneous parts for AN/ARC-34 radio set.	55,054.36
13851 16-N	do	Knobs-APPI-AN/APS 42 radar set; all to RCA part No.	12,300.00
606735 19A	Shelby AFD	Compressor-MA-1A	595,053.06
654936 19A	do	Heater, engine and shelter, gasoline burning, 400,000 British thermal units per hour output.	536,865.54
MH-7-19A-765	do	Jack, band Hgd. 5-ton type B-5.	16,087.50
MH-7-21A-364	do	Cloth, coated nylon-buna A coated.	10,000.00
654545 13-A	do	Helmet, flying, type MA-1	57,450.00
MH-7-19A-166	do	Gas turbine compressor-GTC-85-20.	1,273,000.00
MH-7-04B-638-711-717-726-808.	do	Gaskets-vibration mounts-hose assembly.	26,699.00
MH-7-04B-679/715/716/728/857-9 items.	do	Hose assemblies; all to manufacturer's part Nos.	15,379.75
MH-7-04B-689-718-727-753-820-819.	do	Hose assemblies; all items to manufacturer's part Nos.	61,651.75
MH-7-04B-54-105-126-612-647-661-687.	do	Miscellaneous extrusion, rubber-packing "O" Rmp; all to Boeing part Nos.	11,425.40
MH-7-04B-47	do	Rubber boat-coupling flexible; Goodyear part Nos.	16,599.96
MH-04B-709-918-932	do	Hose airduct, sleeve silicone, hose, all to Arrowhead P/N's.	13,407.60
718128 19-A	do	Dock, aircraft servicing-type MB-3A.	182,737.50
MH-7-04B-679	do	Hose assemblies, 5 sizes, Aeroquip P/N's.	13,374.15
MH-7-04B-100-124	do	Bellows, special shaped sections Glenn L. Martin P/N's.	12,572.00
MH-7-04B-818	do	Hose assembly, all to Aeroquip P/N.	23,025.00
MH-7-19G-244	do	Adapter kits, for jet engines, all to Air Logistics P/N's.	1,447,691.00
MH-7-04B-690	do	Hose assembly, Stratoflex P/N's.	19,824.00
607242 04B	do	Rubber, special shaped sections, Consolidated Vultee-P/N's.	
661996 19A	do	Tow-bar, aircraft, Boeing Aircraft P/N-F52111-500.	247,750.16
661774 04B	do	Hose assembly, 3 sizes, Aeroquip P/N on each.	11,989.25
607243 04B	do	Rubber, special shaped sections.	13,489.60
607171 04B	do	Packing O ring, Hamilton Standard P/N 79411.	12,337.50
661518 04B	do	Hose, aircraft, U. S. Rubber P/N-K-7760 and K-7161.	58,530.00
661510 04B	do	Hose assembly, Aeroquip P/N-601000-4870 and A950259-10-60.	187,492.00
661548	do	Hose assembly, Aeroquip P/N-304007-12-0344.	131,323.00
661788 04B	do	Hose assembly, 2 sizes	21,750.80
548970	do	Services for repair, overhaul, and/or modification of approximately 315 MA-1 compressors.	850,000.00
704480 19-E	do	Miscellaneous parts for heater.	30,588.52
704483 19-E	do	Air filter parts	88,175.25
661969 19-A	do	Adapters, aircraft	122,906.84

Department of the Air Force—Continued

Purchase order	Installation	Item	Estimated value
10006	Rome AFD	½-horsepower motors	$15,300.00
682472	do	Radar indicator	45,000.00
785012	do	Neod CPN-18 radar	12,646.40
682128	do	Radar parts	38,607.12
682361	do	Model MW transmitter	68,580.00
785973	do	Blower for FGC-5	21,917.70
785032	do	CPS-6B radar parts	70,540.34
785015	do	CPN-18 radar parts	13,842.77
785018	do	CPS-6B radar parts	33,319.95
682385	do	MRN-10 radio components	31,270.31
744104	do	MSQ1 radar parts	12,074.00
785085	do	MSQ1 radar parts and components.	27,092.33
LP2316	do	Radio models	21,390.00
744003	do	MCR-4 terminal station	415,000.00
785073	do	CPS-5 radar parts	23,237.88
612020	do	CAA type W-1 traffic light Opec. CAA508D.	117,380.00
744154	do	MSQ-1 radar parts	12,074.43
786309	do	Model GPA-23 radar	541,996.00
786371	do	Model radar amplifier	13,170.00
682041	do	CPS-1 radar components	47,506.15
15004	do	UHF antenna multicoupler, Collins model 156B4.	83,160.00
744009	do	1737/GR control monitor	33,150.00
50009	do	Install Bendix radio	24,490.00
681739	do	Model FPN-16 radar	22,925.00
744229	do	Amplifier modulator group GRA-24.	432,000.00
681735	do	Model CPN 18 radar	20,736.04
744195	do	CPS-6B radar components	40,935.35
616775	do	Amplifier modulator group GRA-24.	48,000.00
681720	do	CPN-2A radar components	12,640.25
5013	do	Model, Philco manufactured radar equipment.	10,063.60
618299	do	Cavd assemblies, W. E. Co. P and Nos.	127,721.39
682188	do	PST-1 transmitting set	160,574.00
682191	do	Signal generators	164,324.00
682191	do	Signal generators	164,324.00
LP2049	do	Magnetrons	56,000.00
16027	do	Provisioning parts for FPS-3 radar.	64,478.94
R57-882E-73301	do	Remote line amplifier	65,480.00
LP-153	do	Mark I disca radar set	22,500.00
16009	do	Model FPN-16 radar (remote line).	69,020.00
682039	do	Model CPN-4 radar	14,066,00
16008	do	Landing control set, MPN-HD.	2,928,000.00
20020	do	Antenna AS-870, rubber coated.	120,000.00
15006 and 15007	do	Model T-217/GK radio	70,035.00
786425	do	Monitor R-282/FRN-12; power supply PP-470/FRN-12.	41,414.00
20032	do	MCR-4 microwave system	32,000.00
16085	do	Model MPS-7 radar	17,179.00
16048	do	CPN-4 radar model	591,850.61
16044 and 16086	do	Model to MPS-7 radar ECP	103,361.20
16101	do	2 GPX radar model	214,241.06
LP447	do	Connector and receptacle	60,504.11
786475 items 1, 2, 3	do	Cord assembly, Western Electric part No.	64,210.00
618300	do	Cord assembly, Western Electric part No. 3P14A.	182,533.00
670606 03-J	WPAFB	Starters, pneumatic, aircraft engine, type MB-8.	480,000.00
604389 05-F	WPAFB	AN/ASW-10 automatic flight control systems plus spares.	3,066,500.00
604312 03-J	WPAFB	Type MB-6 pneumatic aircraft engine starters.	2,060,205.00
604310 03-J	WPAFB	Starters, combustion, aircraft engine, type MA-2.	809,872.00
604307 03-J	WPAFB	Starters, combustion, aircraft engine, type MA-9 plus component spare parts.	4,255,040.00
604309 03-J	WPAFB	Starters, combustion, aircraft engine, type MA-11.	892,880.00
627768 (16-A)	WPAFB	Kit consisting of various parts. 8 items.	13,233.50
717850 (10)	WPAFB	Charger assembly type C1. electric auto 20 millimeter; charger assembly type C2. electric auto 20 millimeter.	233,454.14
736049 10-D	WPAFB	Projector-16-millimeter motion picture sound, combination optical and magnetic with recording.	26,123.00
563081 05-G	WPAFB	Transmitter: amplifier, power units, indicator for F-86-H aircraft.	157,081.00
663581 05-D	WPAFB	Transmitter, pressure, oil type MH-4.	31,503.00
669B21	WPAFB	Transparency kits	32,748.00
670926,-1,-2 (16-A)	WPAFB	Recorder, sound: control, recorder; magazine, recorder; mounting.	11,378.00
715432 (03C)	WPAFB	Actuator assembly	13,468.34
694465 (03-C)	WPAFB	Motor generator, rotary 8-volt direct current type MD-3.	60,174.45
R57-1-50G6/R,F/12/57NSEASO.	WPAFB	Camera: motion picture, 35-millimeter type A-7.	44,454.80
729051	WPAFB	Motor-generator	23,058.24
639703 -3C3	WPAFB	Actuator, electric Mich. Lineas 1,610 pounds rated.	37,223.34
715487 02C1	WPAFB	Motor generator	$50,474.45
715453 03C	WPAFB	Motors; actuators	46,015.68
7-16K1-3050 16K	WPAFB	Antenna At-720/A; Anno 81-670.	69,900.00
PE 631807 03C	WPAFB	Generators 30 kilovolt ampere, 3 phase 120/208 volts Aerno-42-315; panels, control, alternating current generator; Aerno-42-746; regulators voltage, alternating current generator, MAG-AMP type Aerno-42-301.	126,555.00
SA-639684 and 729494-03C	WPAFB	1 generator, alternating current, permanent magnet type, 400-cycle, 80-watt, 162-volt line to 115-volt line to neutral 3 PN.85 PF3430 RPM, 2 generator engine driven, 300 amperes.	153,696.0
694470, 729469 03C	WPAFB	Motor-generators, 400 cycle, 1/3-phase.	1,232,974.00
694418 03C	WPAFB	Generators, aircraft, direct current type MA-1.	50,376.00
715460 03C	WPAFB	Actuators, various	101,753.02
715493 03C1	WPAFB	Starter	18,850.00
PE 631814 03C	WPAFB	Generator, alternating current engine driven type MB-2, controls, generator automatic, regulator, voltage alternating current magnetic amplifier.	885,773.26
729492 03C	WPAFB	Generators, alternating current, 115-volt, 8 kilovolt amperes, type C-3 for support of B45 aircraft.	723,126.00
631819 03C	WPAFB	Starter, generator, type MC-1 plus spare parts and data.	857,800.00
685325, 685369, 708902 16K-1	WPAFB	Components of AN/APN-66 radar system.	31,187,431.00
OC-706584 and 730928	WPAFB	Installation kits	855,976.00
MO-10B-705 and 709	WPAFB	Viewers AR-10 (2)	32,724.00
PE 694406 SA 729491 and 729497 03.	WPAFB	Generator, alternating current 60 kilovolt-amperes; generator, alternating current, 40 kilovolt-amperes type MB3, panel-control protective alternating current electrical system.	468,340.00
PE-7-4271 16K-1	WPAFB	Components of radar set AN/APN-69.	516,537.00
PE 672090 03A	WPAFB	Timer de-icer (AERNO 39-102 ATRC installation F855).	21,737.00
SA-7-03C1-1202 03C	WPAFB	Generator, alternating current, 60 kilovolt-amperes, 3-phase type MB-4.	397,704.00
MIPR-R57-2286-133 10	WPAFB	Navy radar recording cameras with spare parts and revision data.	76,336.00
R57-2271-106-NO 10	WPAFB	Camera, aircraft reconnaissance, 70-millimeter Navy type CAX-3.	45,000.00
PE-7-16A-4305	WPAFB	Radio receivers AN/ARR-47	70,000.00
MIPR-R55-776-3 670880 16K-1.	WPAFB	AN/ADN-70 radio receiver and components.	915,324.00
R57-565-732NOBS 10-D.	WPAFB	Bell & Howell model 302-C combination optical 7 magnetic 16-millimeter projectors.	13,575.00
PE-7-16P-4520 16P	WPAFB	Transformer	53,046.00
SA-639679 03C	WPAFB	Generator, direct current, 30 volts, type MA-3.	114,427.00
PE-7-03C-4468 03C	WPAFB	Generators, alternating current direct current, type MA1.	55,000.00
704621 11A	WPAFB	Yaw Roll gyro cageoble	80,389.00
PE-7-16A-4159 and 670944.	WPAFB	Components of AN/ARN-31 equipment.	542,910.00
PE-7-10A-4199 10A	WPAFB	AN/AJW(XH-2) photographic control overlap computer sets.	93,730.00
735829 (OB)	WPAFB	Shotter A1 phax No. 3	13,020.30
565086 10-A	WPAFB	Type KA-4 reconnaissance camera.	140,510.00
670796 16K-1	WPAFB	Variable attenuators for use with AN/APN-69 radio-receiver.	50,000.00
736047 10-D	WPAFB	Camera-motion picture 16 millimeter Bell and Howell model No. 700.	12,551.00
M1PR-R56-8709-TSMV.	WPAFB	Indicator electrical tachometer.	47,336.00
635722 03I	WPAFB	Transmission and governor assemblies.	85,200.00
694425 03-I	WPAFB	do	266,200.00
694423 03-C	WPAFB	Frequency and loan controller	10,400.00
736045 (10D)	WPAFB	Printer-continuous type floor model.	95,915.40
508489,508490 50-J	WPAFB	Type A-1A liquid oxygen and nitrogen generating plant, semitrailer mounted, plus spares.	6,971,383.00
730234,708067 05-C	WPAFB	Components of the MA-1 flight director system.	2,207,270.00
735905 10-B	WPAFB	Light, photographic copying type B-6 plus spares.	33,062.00
735842 10-B	WPAFB	1. Apron canvas appl B-13 dryer; 2. Drums assembly.	18,321.00

Department of the Air Force—Continued

Purchase order	Installation	Item	Estimated value	Purchase order	Installation	Item	Estimated value
732842 03–C	WPAFB	Amplifier-signal part No. 9478–D78.	$18,530.00	623119 50–A	WPAFB	Truck flat bed multipurpose, 8-ton, 8 and 8, type MM–1.	7,601,250.00
628748 16–A	WPAFB	Components of the AM–774A/Arc–21 amplifier-radio frequency set.	6,695,223.00	709992 11A	WPAFB	Light and time recording set, type AN/ASH–4.	1,612,070.00
715411,715419 03C1	WPAFB	Actuator, electro-mechanical, rotary.	65,793.00	708089 05–G	WPAFB	Transmitter, position, 28 volt, direct current, type AN3787.1.	34,611.00
635723 03–C	WPAFB	Frequency and load controllers.	16,900.00	670948 16K–1	WPAFB	Components of radar set AN/APN–66.	4,816,185.00
639653 03–C	WPAFB	Actuator, electro-mechanical liner.	141,621.00	694424 03–C	WPAFB	Generator, AC, 40 kilovolt amperes.	31,640.00
694359 03C	WPAFB	Direct current generator systems including control panels.	725,548.00				

Mr. SPARKMAN. Mr. President, although these 567 current procurement actions call for the purchase of a wide variety of items, they have 2 elements in common. First, contracts for these noncommercial items either have been, or shall be, awarded by negotiation, and with a complete absence of competition, to single source suppliers.

Secondly, there are no specifications, drawings, or engineering data available on these items by which any prospective bidder, whether small or large, might figure costs and submit a bid. In other words, approximately $115 million will be spent by the Department of Defense to buy these products in a series of private deals with favored big-business suppliers.

If any purchaser should deliberately set out to eliminate competition and the lower prices which competition insures, the best device which a purchaser could use for this dubious purpose would be the failure to provide specifications and drawings for the product being bought. This is a foolproof system for killing off unwanted competitive bids.

In this connection, I call attention to section 3 (c) of the Armed Services Procurement Act of 1947, as amended, which clearly states:

> All bids or invitations for bids shall contain in their specifications all the necessary language and material required and shall be so descriptive both in its language and attachments thereto in order to permit full and free competition. Any bid or invitation to bid which shall not carry the necessary descriptive language and attachments thereto, or if such attachments are not available or accessible to all competent, reliable bidders, such bid or invitation to bid shall be invalid and any award or awards made to any bidder in such case should be invalidated and rejected.

In view of that clear statutory language, I have grave doubts about the legality of the purchases of the Army, Navy, and Air Force of the 567 products under discussion. Typical of these items are engine flywheel assemblies, brake shoe linings, exhaust muffler assemblies, winches, welding equipment, water closet bowls, resistors and transformers, switches of various types, and generators.

I am also informed that the General Accounting Office shares my doubts on the legality of single-source procurements for items such as these and awaits with interest Mr. McGuire's explanation of why the contracts for these items have, in some cases, and shall in other cases, be handed without benefit of competition and on the proverbial silver platter to companies hand-picked by the Department of Defense.

It is also difficult for me to understand, Mr. President, how anyone can fail to be aware of the tremendous savings which accrue from the price competition small business is capable of offering. Time and again it has been demonstrated to me, as chairman of the Small Business Committee, that the Army, Navy, and the Air Force could save millions of dollars a year by the simple expedient of throwing their procurements open to bids from small- and medium-sized companies.

As the examples I am about to cite amply illustrate, almost every time the monopoly of a large company on military purchases is broken by the advent of small firms on the bidders list, the price the Government has to pay goes down.

Motor analyzers, for example, are common equipment in automobile repair shops. By means of these analyzers, the repairman can quickly determine what is wrong with an internal combusion engine. In October of 1950, the Air Force initially purchased 60 motor analyzers from the Sun Electric Co. at a price of $905.90 per unit. The Sun model was thereupon standardized and listed in the Air Force stock catalog.

I am informed, Mr. President, that there are about eight companies which manufacture motor analyzers. I am also informed that there are at least 100 companies which could produce analyzers to the satisfaction of the Air Force if specifications and drawings were available to them.

It appears, however, that the Air Force wanted only the Sun Electric Co.'s equipment and took steps to see to it that it was not practicable for other manufacturers of analyzers to submit bids on this equipment. Again, this was accomplished by not providing specifications and drawings upon which other concerns could calculate their costs and submit quotations.

The result of this artificial monopoly achieved at the insistence of the Air Force was that in May of 1951, when the Air Force wanted 74 more of Sun's analyzers, the free-from-competition price went up from $905.90 to $922.63.

In 1952, the Small Business Committee held hearings on the purchase of motor analyzers by the Air Force and attempted to persuade the procurement officials of the Air Force that a little competition would be a good thing for the taxpayers. I must admit that the committee failed. However, in 1953, the Heyer Products Co., of Belleville, N. J., a small producer of specialized electrical equipment, apparently got tired of being denied an opportunity to bid on this item and, without benefit of specifications, shooting in the dark, so to speak, submitted a bid on an Air Force requirement calling for 315 analyzers. The small company was not the low bidder, but faced with its first competition, Sun Electric dropped its price per unit from the previous $922.63 to $767 per unit, an overnight decrease of almost 17 percent.

But that is not all, Mr. President. The final chapter of this unwholesome story has recently been written. Six years after the initial noncompetitive purchase of motor analyzers, the Air Force still refused to develop specifications and on April 20, 1956, had, with brazen contempt both for the will of Congress and the pocketbooks of our Nation's taxpayers, advertised for bids on 432 analyzers—still on the same old Sun Electric or equal basis.

Again, the Small Business Committee felt compelled to step into this unsavory situation. Consequently, the procurement was canceled and finally, on May 10, 1957, specifications describing the analyzers were at last made available. This time four companies submitted quotations. Over the aggressive opposition of the Air Force the element of competition had entered the motor analyzer field. Although the bid of Sun Electric was the lowest received by the Air Force, it is interesting to note the price quoted by this company once small-business competition became a factor. The price offered by Sun Electric on the 432 analyzers was $680 per unit.

Let us pause a moment to see just what had taken place. Industry sources in this field estimate that the various costs of doing business climbed from 20 to 25 percent between 1950 and the spring of 1957. Yet we find that in 1957 the Air Force had to pay 25 percent less for the equipment than in 1950. What more eloquent testimony could we possibly find for the power of small-business competition.

It will be edifying to carry our arithmetic one step further. Assuming, as we have every reason to, that if competition had remained absent from the procurement of these analyzers, and the former sole source had kept its price, even in the face of greatly mounting

costs, to its original 1950 figure of $905.90 per unit, the total cost of the 881 analyzers bought by the Air Force from 1950 to 1957 would have cost the Government $200,373 more than has been paid. Without any question whatever, small-business competition on this one relatively insignificant item has saved the taxpayers of this Nation more than $200,000.

This is not a new problem to the members of the Small Business Committee, Mr. President. The committee has long been gravely disturbed over the widespread practice of the Army, Navy, and Air Force of buying huge quantities of supplies from sole sources on a brand name or equal basis. In Senate Report No. 2070, 82d Congress, 2d session, the committee stated:

> This procedure works a definite hardship on competent small concerns desiring to participate in such procurements. The manufacturer of the item named has a distinct advantage in that for all practical purposes his product is the specification and he need not be concerned with the rigid requirements regarding specifications. In addition, he knows his costs in most instances, while the computation of these costs in many cases represents a sizable expense to a competing bidder. The device becomes unduly harsh on small concerns when they are not afforded easy access to specifications or models of the specified item.

There is no end to the amount of money which small companies could save the Department of Defense if the purchasing personnel of the military services would ever wake up to this obvious fact. From 1950 until the spring of 1957, the Navy has used only 1 source of supply for 30-foot, 8-inch lifeboats. This sole source was the Welin Davit and Boat Division of the Continental Copper & Steel Industries, Inc., a company which in 1956 had 2,500 employees and net sales of more than $73 million.

Small-boat builders had been precluded, for all practical purposes, from bidding on these lifeboats because of a requirement that instead of merely submitting drawings with their bids, they had to go to the expense of constructing a sample boat and then of putting it through costly testing procedures. No small-boat builders felt they could incur this out-of-pocket expense without some assurance that they would obtain a contract.

At the suggestion of the Small Business Committee, the Navy finally decided that it would accept drawings in lieu of sample boats. Thereupon, as the result of an invitation to bid on 50 lifeboats issued by the Navy on March 29, 1957, a small-boat building company located at Point Pleasant, N. J., underbid the Welin Davit and Boat Division of Continental Copper and Steel Industries by $369 per boat. This represented a total savings to the Government on this procurement of $18,450.

It may be said that $18,450 is a small sum. Multiply this figure, however, by hundreds and indeed by thousands, Mr. President, and it may quickly be seen how many millions of dollars a year small companies might save the Department of Defense if the many artificial impediments that prevent them from bidding on military contracts were removed.

I should like to cite one final and dramatically clear example of the ability of small concerns to save the Government large sums of money. The Navy Aviation Supply Office in Philadelphia is charged with buying certain batteries for naval aircraft which I shall identify simply as Type A and Type B. Until 1948, there were but three sources of supply bidding on these batteries, the Gould-National Battery Co. with 1956 net sales of $67 million, the Electric Storage Batteries Co. with 1956 net sales of $94 million, and the Electric Auto-Lite Co. with 1956 sales of $231 million.

According to an abstract of bids supplied me by the Navy Department, in December of 1948 the Navy Aviation Supply Office in Philadelphia advertised for 590 of type A batteries at f. o. b. plant prices. The bid of Gould-National was $79 per unit. Electric Storage Batteries Co. offered their Exide battery at $77.45 per unit, and Auto-Lite submitted no bid.

What made this particular procurement different from the purchases of these batteries in former years was the introduction of a new small-business source of supply for these batteries. This was the Gill Manufacturing Co., of Redlands, Calif., a small concern employing about 100 workers. When the bids were opened it was found that Gill Manufacturing Co. had bid $51.37 per unit.

It is important to note exactly what happened then as the direct consequence of a very small-business concern competing with the giants of the battery industry. Overnight the price of this type A battery dropped 33.6 percent, from the $77.45 per unit which was the second low-bid price offered by Exide to the $51.37 quoted by Gill Manufacturing. Gill, of course, was awarded this contract with a savings to the Government of $15,595 on just this one purchase. It is also enlightening to notice what effect this small supplier had on the subsequent prices quoted by Gould-National, the Electric Auto-Lite Co., and the Electric Storage Batteries Co. when these giant concerns next submitted bids on this battery 2 years later, in 1950. Gould's price had dropped from the previous $79 to $56.65, Exide dropped from $77.45 to $61, and Electric Auto-Lite came in at $49.70. Again Gill Manufacturing Co. was the low bidder at $48.74, and again the Government was saved money by a small business.

When Gill bid in 1950 on 17,700 units of type B battery, its price was 15 percent below that of the next lowest bidders, Gould and Exide, with a savings to the Navy on this single procurement of $114,342.

To bring up to date this example of the effectiveness of small business in reducing the cost of Government purchasing, it is only necessary to observe the price paid by the Navy for type A battery the last time bids were requested for this equipment. On April 2, 1956, Exide was low bidder with an f. o. b. plant price of $44.86. Despite the increase in most of the costs of doing business between 1948 and 1956, Exide's quoted price between these two periods had been reduced by $32.59 per unit or by 42 percent.

When we contemplate the savings of such staggering proportions which are brought about merely by competition from very small-business concerns, Mr. President, it leads to the conclusion that the contracting officers of the Department of Defense have been grossly negligent and remiss in their duty when they have accepted and paid for, without challenge, the gouging prices which many of our largest corporations have extorted in the past and undoubtedly are extorting today for products on which small companies are denied an opportunity to bid.

What the Department of Defense needs is more competition, not less competition, from small business. Yet we find that the small-business share of military procurement is constantly shrinking. During the first 8 months of the current fiscal year, small firms received only 16.7 percent of the $12,775,000,000 spent for goods and services by the military establishments. This is a substantial decrease from the 19.6 percent small business obtained in fiscal year 1956, the 21.5 percent it secured in fiscal year 1955, and the 25.3 percent of the defense contracts it received in fiscal year 1954. At the present rate of decrease, we may expect that small firms will be frozen out of the Defense Department's procurement program within a few years.

I do not know why such a condition should exist. The Department of Defense maintains an elaborate small-business procurement program and has an ample small-business staff to make these programs function. Yet, the facts strongly suggest that the Department's small-business program is a failure. The figures show it to be a failure. Perhaps it may be necessary for the department to revise and modernize its whole approach to the small-business problem and bring in some new blood, topside as well as in the ranks, to breathe some life into its small-business programs.

I, for one, Mr. President, am unwilling to accept as final the showing thus far made by the Army, Navy, and Air Force in their efforts to help small firms obtain a fair and just share of defense procurements. I indicated this in May when, with the support of 26 Senators as cosponsors, I introduced Senate Resolution 138, which stated:

> Resolved, that it is the sense of the Senate * * * that if reasonable progress is to be achieved toward the ultimate goal of obtaining for * * * small business * * * a fair share of the purchases and prime contracts made or entered into by the military services, small-business concerns should receive not less than 25 percentum of the procurement dollars expended each year by the Department of Defense.

This 25 percent was not suggested as a mandatory minimum, but rather as a reasonable goal well within the Department's capabilities to achieve.

The Secretary of Defense has spoken recently about the necessity for a stretchout of procurement and a "gradual reduction" in military personnel if spending is to be held down. It is possible that recourse to such expedients may become necessary. I am certain, however, that Mr. Wilson will

not have to stretch nearly as far nor reduce nearly as low as he now fears if he will but heed the often-expressed intent of the Congress that small business receive a fair share of military prime contracts.

True economy, like charity, should begin at home.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, I wish to announce for the information of the Senate the program for tomorrow.

As I announced previously, the Committee on Appropriations today reported the legislative appropriation bill. I ask unanimous consent that it be in order to consider that bill tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Also to come before the Senate tomorrow will be the conference report on the Labor, Health, Education, and Welfare appropriation bill, upon which the House acted today.

It is also the intention of the leadership to schedule for consideration Calendar 331, S. 60, the Fryingpan-Arkansas bill, and Calendar 470, House Joint Resolution 172, relating to the stockpiling of extra-long-staple cotton.

Calendar 448, S. 1856, is the unfinished business.

I should like to make Calendar 470, House Joint Resolution 172, the long-staple-cotton bill, the pending business.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SPARKMAN. The committee of conference which is considering the housing bill spent the entire afternoon working on that measure. We are hopeful that our work will be completed tomorrow morning. In the event it should be completed, might it be possible to have that conference report called up tomorrow afternoon?

Mr. MANSFIELD. Yes, indeed.

Mr. SPARKMAN. In that connection, a Senate joint resolution has been introduced to continue the voluntary home mortgage program for 30 days. That program will expire on June 30. However, if it is possible to have the housing conference report agreed to, it will not be necessary to act on the Senate joint resolution. If it should not be possible to act on the housing bill conference report, I should think it would be necessary to pass the joint resolution, in order that the voluntary agency, which operates through various insurance companies, but also under the authorization of Federal machinery, may continue to operate.

Mr. MANSFIELD. The joint resolution will be listed, in case it is necessary to take emergency action. The leadership will do everything to cooperate with the Senator from Alabama in case the conference report comes to the Senate.

The Senate may also consider Calendar 488, S. 1730, to implement a treaty with the Republic of Panama.

H. R. 4748, a bill reported today from the Committee on Interior and Insular Affairs, which also has some time urgency; and

Senate Joint Resolution 115, which was reported today from the Committee on Banking and Currency, and which was just discussed by the Senator from Alabama, providing for the interim extension of the voluntary home mortgage credit program.

Calendar No. 448, S. 1856, to provide for the development and modernization of the national system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, is the unfinished business.

Calendar No. 472, S. 1459, to amend section 208 (c) of the Interstate Commerce Act, as amended, may also be considered.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 26, 1957, he presented to the President of the United States the following enrolled bills:

S. 1264. An act to exempt from taxation certain property of the National Trust for Historic Preservation in the United States in the District of Columbia;

S. 1576. An act to exempt the sale of materials for certain war memorials in the District of Columbia from the District of Columbia Sales Tax Act;

S. 1586. An act to eliminate the financial limitation on real and personal estate holdings of the American Historical Association and to exempt from taxation certain property of such association in the District of Columbia; and

S. 2243. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

ORDER FOR ADJOURNMENT UNTIL TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, under the order just entered, I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 59 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Thursday, June 27, 1957, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 26 (legislative day, June 21), 1957:

DIPLOMATIC AND FOREIGN SERVICE

Maxwell H. Gluck, of Kentucky, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ceylon.

NORTH ATLANTIC TREATY ORGANIZATION

W. Randolph Burgess, of Maryland, to be the United States permanent representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary, vice George W. Perkins.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 26 (legislative day, June 24) 1957:

DIPLOMATIC AND FOREIGN SERVICE

Val Peterson, of Nebraska, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Denmark.

Jacob D. Beam, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Poland.

UNITED STATES CIRCUIT JUDGES

John Minor Wisdom, of Louisiana, to be United States circuit judge, for the fifth circuit.

Jean Sala Breitenstein, of Colorado, to be United States circuit judge, for the 10th circuit.

UNITED STATES ATTORNEYS

Leonard G. Hagner, of Delaware, to be United States attorney for the district of Delaware for a term of 4 years.

Wendell A. Miles, of Michigan, to be United States attorney for the western district of Michigan for a term of 4 years.

George E. MacKinnon, of Minnesota, to be United States attorney for the district of Minnesota for a term of 4 years.

Edward L. Scheufler, of Missouri, to be United States attorney for the western district of Missouri for a term of 4 years.

UNITED STATES MARSHALS

Richard Beal Kidd, of Arkansas, to be United States marshal for the eastern district of Arkansas for a term of 4 years.

William W. Kipp, Sr., of Illinois, to be United States marshal for the northern district of Illinois for a term of 4 years.

C. Enard Erickson, of Minnesota, to be United States marshal for the district of Minnesota for a term of 4 years.

Omar L. Schnatmeier, of Missouri, to be United States marshal for the eastern district of Missouri for a term of 4 years.

Howard Call, of Utah, to be United States marshal for the district of Utah for a term of 4 years.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 26, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Most merciful and gracious God, Thou alone art able to supply our many direful needs and to satisfy our deepest longings.

There is no one else who understands us so perfectly and none to whom we may unburden ourselves so freely and completely.

Inspire us with a clear and commanding vision of Thy kingdom of blessedness as we labor for the peace and happiness of all mankind.

May we daily speak a word of kindness and sympathy, of encouragement and good cheer and extend a hand of helpfulness to Thy needy children.

Help us to bring in that glorious time when every need shall be supplied and all shall know Thee from the least to the greatest.

In Christ's name we offer our petition. Amen.

The Journal of the proceedings of yesterday was read and approved.

APPROPRIATIONS FOR INDEPENDENT EXECUTIVE BUREAUS, BOARDS, COMMISSIONS, ETC., 1958

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill (H. R. 6070) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

APPROPRIATIONS FOR DEPARTMENT OF INTERIOR AND RELATED AGENCIES, 1958

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. KIRWAN, NORRELL, SIEMINSKI, MAGNUSON, CANNON, JENSEN, FENTON, BUDGE, and TABER.

SPECIAL AND SELECT COMMITTEES

Mr. BURLESON. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 295) authorizing salaries and expenses of special and select committees, fiscal year 1957, to be paid from the item "Miscellaneous items," contingent fund of the House, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That to the extent necessary authorized salaries and expenses of special and select committees, fiscal year 1957, may be paid from the item "Miscellaneous items," contingent fund of the House.

The resolution was agreed to.

A motion to reconsider was laid on the table.

OUR LATIN AMERICAN POLICY

Mr. PORTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, 2 of my colleagues and 1 Member of the other body have expressed themselves publicly in criticism of the change I have been proposing in our Latin American policy.

My thesis is simple: The American people love democracy and hate dictatorships; therefore our State Department should so proclaim, and frame its policies accordingly.

Specifically, all economic and military aid to Latin American dictatorships should cease; our official relationships with dictatorships should be courteous but cool; our official relationships with democracies should be friendly, hospitable, and helpful. These ideas are not new.

My constituent, Gerry Murphy, never would have been murdered in the Dominican Republic by Generalissimo Trujillo's order had not Trujillo, with some reason, assumed he could count on our Government's accepting his transparently false explanation of Gerry's death, an explanation which, however, the United States has strongly rejected. Now Trujillo refuses to reply to notes from our Government asking that his lieutenant, Arturo Espaillat, recently Dominican Consul General in New York City, divest himself of diplomatic immunity and return to the United States for questioning and possible trial in connection with the Murphy-Galindez case.

Hemispheric solidarity, based on alleged friendship with dictators like Trujillo is illusory and, in the eyes of Latin America, hypocritical and cynical. Lincoln, who is their hero, too, would not have pretended to believe such "allies" respectable or useful.

Judging by my mail, both from this country and Latin America, by my visitors and by the enthusiasm of my reception on recent visits to Puerto Rico and Costa Rica, the people of Latin America are eager to recognize the United States as their moral leader and warm friend in their quest for government which recognizes the dignity of a human being.

HUNGARY AND THE UNITED NATIONS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York [Mrs. KELLY].

Mrs. KELLY of New York. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Concurrent Resolution 204, which is at the Speaker's desk.

The Clerk read the resolution, as follows:

Whereas the Hungarian freedom revolution broke out October 23, 1956, was catastrophic in nature and subsequent events shocked the conscience of the free peoples of the world; and

Whereas the barbaric action of the Soviet Union in Hungary demonstrates that the Soviet Union is determined to go to any and all lengths to maintain its empire of enslaved peoples by the most brutal forms of armed subjugation and repression; and

Whereas the crisis and foment created by developments in the satellite nations require a continued reevaluation by the United States and the United Nations of strategic policy to meet changing conditions; Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the United States should implement a policy toward the satellites that will fully and effectively utilize the position of leadership of the United States through all proper means.

SEC. 2. It is further the sense of the Congress that the President, through the United States representatives to the United Nations, should request the immediate reconvening of the General Assembly of the United Nations to consider the report of the United Nations Special Committee on the Problems of Hungary and other available information on the brutal action of the Soviet Union in Hungary.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. JUDD. Mr. Speaker, reserving the right to object, and of course I shall not object, for I am heartily in favor of this resolution. But I think perhaps we ought to have a little discussion of it, because one of the real values of this resolution is to declare to the whole world and to the members of the United Nations General Committee meeting in New York today, the continued revulsion of American public opinion against the barbarous acts of the Soviet Union in Hungary, and the urgent desire of the American Congress and people that the United Nations take prompt steps to deal with the situation.

The United Nations Special Committee set up by the General Assembly to study the problem of Hungary now comes in with a unanimous report which is a scathing indictement of Communist duplicity, hypocrisy and aggression.

First, it knocks down every one of the Soviet claims such as the charge that the revolution in Hungary was not a spontaneous national uprising of the Hungarian people against Communist tyranny, but something engineered by American counterrevolutionaries, warmongering Wall Street, and so forth.

Second, it demonstrates that the action of the Soviet Union was naked aggression depriving the Hungarian people of their independence and freedom, in flagrant violation of the U. N. Charter.

Third, the committee report also makes clear that the present regime set up by the Soviets in Hungary under Kadar is completely without the support of the people of that country.

Now, with the United Nations steering committee meeting today in New York to decide what to do about this report of its own investigating committee, it was felt by leaders of both the Senate and the House——

Mrs. KELLY of New York. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. If the gentleman from Minnesota will yield to the gentlewoman from New York I think probably a harmonious solution will be suggested.

Mr. JUDD. Yes, in a moment. Mr. Speaker, the real value of the resolution will come from making clear to the world the convictions of the Congress and the people we represent. They want the United Nations now to reconvene the General Assembly to consider and act upon the report of its investigating committee, not just file it away.

As the New York Herald Tribune said today:

The report of the special investigation committee stands as a monument to the heroism of Hungary. It must not be turned

into an monument to the futility of the United Nations.

And now I am glad to yield.

Mrs. KELLY of New York. This resolution was adopted unanimously by the Committee on Foreign Affairs. The urgency of the matter is very great.

Permission to call up the resolution was granted on the understanding there would be no debate. So I am going to ask my colleague from Minnesota if he will agree to a consent request that all Members may extend their remarks in the RECORD on this subject.

The SPEAKER pro tempore. May the Chair suggest to the gentlewoman that she withdraw her request and submit another request that it may be in order for the Chair to recognize her or some member of her committee to call up this concurrent resolution.

The Chair thinks probably some discussion would be very helpful. The Chair suggests that the gentlewoman withdraw her request and ask unanimous consent that it be in order during the day for the Chair to recognize the gentlewoman from New York to call up this resolution.

Mr. JUDD. Mr. Speaker, I hope we may pass it right now.

Mrs. KELLY of New York. Mr. Speaker, would it be possible to pass it at this time without discussion, if the gentleman from Minnesota will withdraw his reservation of objection?

Mr. JUDD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the House concurrent resolution?

There was no objection.

The SPEAKER pro tempore. The question is on the concurrent resolution.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mrs. KELLY of New York. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have permission to extend their remarks on the concurrent resolution just agreed to at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY of New York. Mr. Speaker, the measure which is before us, House Concurrent Resolution 204, certainly deserves the unanimous approval of this House. As chairman of the Subcommittee on Europe of the House Foreign Affairs Committee and as chairman of the Special Study Mission to Europe on Policy Toward the Satellite Nations, I want to state that the action we are about to take today the study mission urged as far back as May 15 when we filed our written report with the Foreign Affairs Committee. My purpose in pointing this out is to indicate that the legislative branch of our Government and its committees are acutely aware of the major problems which face our Nation. The importance of thorough committee study and report of recommended courses of action is highlighted by the sequence of events which have transpired.

In implementation of our report submitted to the House on June 4—House Report 531—three of my colleagues on the study mission, the gentleman from Alabama [Mr. SELDEN], the gentleman from Maine [Mr. COFFIN], the gentleman from Michigan [Mr. BENTLEY] and I filed identical concurrent resolutions—House Concurrent Resolution 189, House Concurrent Resolution 190, House Concurrent Resolution 191, and House Concurrent Resolution 192—on June 17 expressing the sense of the Congress on the need for an affirmative policy toward the Soviet satellites. Because of the pressure of time and the urgency for voicing today the sense of the Congress with respect to the necessity for reconvening immediately the General Assembly to consider the report of the United Nations on Hungary, as well as our study mission report, one of the matters dealt with in the identical concurrent resolutions I have referred to, my colleagues on the study mission and I have agreed to this measure which is now before us. I want to point out that it is a compromise of those resolutions. I commend my colleague, the gentleman from Alabama [Mr. SELDEN], for the initiative he took in drafting this compromise resolution which is the measure now under consideration, House Concurrent Resolution 204. I feel that House Concurrent Resolution 204 is at least a beginning. More action, however, is called for, along the lines suggested in our report. The United States, the great and powerful leader of the Free World, if it wishes to continue as the Free World leader, will have to use its ingenuity a moral force and power to be prepared in the future through the use of all proper means not only within the United Nations, but outside as well.

Mr. Speaker, one of my colleagues on the study mission, the gentleman from Michigan, [Mr. BENTLEY], is not here today because of a death in his family. He has for a long time worked tirelessly and devotedly for the cause of freedom in Hungary. I know personally the many long hours he has spent on this subject which is so close to his heart. Having served in Hungary as a United States Foreign Service Officer before coming to Congress, he is intimately aware of the situation in that area. I know that if he were here today he would join fully and wholeheartedly in expressing with us our feeling for the people of Hungary and the need for positive action.

Mr. Speaker, I urge the unanimous adoption of this resolution as the first step on behalf of freedom for the millions of enslaved peoples behind the Iron Curtain.

Mr. SELDEN. Mr. Speaker, I rise in support of House Concurrent Resolution 204.

During the Easter recess a special study mission of the House Committee on Foreign Affairs, composed of members of the European subcommittee, visited four European countries. I had the privilege of serving as a member of that mission which was under the able chairmanship of the distinguished gentlewoman from New York, Representative EDNA KELLY. Other members of the study mission included the gentleman from Maine, Representative COFFIN, the gentleman from Pennsylvania, Representative FULTON, and the gentleman from Michigan, Representative BENTLEY.

Upon its return to the United States, the study mission issued a report which the majority of our group believed contained not only constructive criticism of our foreign policy but recommendations of merit as well. A substantial portion of this report, published on June 4, 1957, as House Report 531, dealt with the so-called satellite nations of Eastern Europe.

In an editorial dated May 17, 1957, the New York Daily News said:

IF OTHER SLAVES REVOLT

A House Foreign Affairs subcommittee headed by Representative EDNA KELLY, Democrat, of New York, came out yesterday with what seems to us a highly constructive report on how the United States should prepare for future explosions in the Red slave empire.

When the Hungarians rebelled last October, the group says, we lost a golden opportunity, so let's get ready now to do better next time or times.

Suppose East Germany blows, or Czechoslovakia, or Poland, or any other Russian satellite, and the Kremlin shows signs of planning another Hungary-style slaughter. The Kelly subcommittee urges that we make plans now to break off diplomatic relations with Russia at once, and subject it to other kinds of social isolation.

The group also urges that we put the arm on the United Nations to set up, right away, permanent observer teams which can move immediately to or near the scene of any satellite rebellion and report what takes place.

By these and kindred means, we can hope to head off Soviet supersavagery to some extent, and to speed the eventual crackup of the Red empire. A do-nothing policy will get us nowhere.

The proposed change in our cold-war strategy looks good. How about serious study of the Kelly report, in both Congress and the White House?

The May 31, 1957, issue of the Cincinnati Enquirer stated in an editorial:

THE NEXT TIME

A House Foreign Affairs subcommittee, headed by Representative EDNA KELLY (Democrat, New York), came forth the other day with some sensible advice to the administration and especially the Department of State, the Central Intelligence Agency and the United States Information Agency. Proceeding from the undeniable fact that the October revolution in Hungary caught our Government flatfooted, the committee suggested that plans be drawn now against the day when another satellite or the peoples of Soviet Russia itself shall blow up in the Kremlin's face.

The committee proposes that we examine all our diplomatic, economic and propagandistic weapons with a view to their prompt use if, as and when Moscow again launches its MVD tank corps against a scarcely armed population demanding freedom.

There is much that can be done by the United States and the United Nations short of war. For one thing we could isolate Moscow by pointedly recalling our ambassador. We can invoke treaties violated by the Reds. The committee is right: We should not give the impression next time of sitting on our hands out of timidity and lack of forethought.

In an effort to implement at least in part the recommendations made by the majority of the members of the European study mission, the gentleman from Maine [Mr. COFFIN], the gentleman from Michigan [Mr. BENTLEY], and I joined on June 17, 1957, with our distinguished colleague from New York [Mrs. KELLY], in introducing identical concurrent resolutions. These resolutions called for an affirmative policy toward the satellite nations as well as the full and effective utilization by our Nation of its position of leadership, both within and without the United Nations. The resolutions also urged the immediate reconvening of the General Assembly of the United Nations to consider the report of the United Nations Special Committee on Hungary and other available information relative to the satellite nations.

Since the introduction of these resolutions, the United Nations Committee on Hungary has published its report condemning the actions of the Soviet Union. Realizing the importance of urging immediate consideration of this report by the United Nations, the members of the European study mission who introduced identical resolutions have agreed to the resolution now under consideration. Although the full force and vigor of our original resolutions has been watered down in some respects, House Concurrent Resolution 204 retains the substance of these measures.

The report of the United Nations Committee, along with other available information on Hungary, such as our special study mission report, should prove useful in exposing before the bar of world public opinion the ruthlessness and the fanatic imperialistic designs of the Soviet Union.

This resolution, Mr. Speaker, merits the unanimous support of this body, and I urge its immediate adoption.

Mr. ZABLOCKI. Mr. Speaker, I am very happy that the Committee on Foreign Affairs has unanimously voted to report House Concurrent Resolution 204, to express the sense of the Congress that our Government, through our delegate to the United Nations, should press for the reconvening of the General Assembly to promptly consider the report of its special committee on Hungary.

Further, I want to commend the leadership for making it possible for this resolution to be so promptly considered by this House. This gives each and every Member an opportunity to express himself on this vital subject. I am confident that these expressions will be unanimous in supporting the sense of the resolution.

The heroic uprising staged by the people of Hungary, and their tremendous sacrifice for the cause of freedom, demand that the report on the Soviet atrocities be considered immediately by the United Nations.

As part of my remarks, I want to include a statement issued on this subject on June 24 by AFL–CIO President George Meany. Mr. Meany should be commended for his prompt and forthright statement.

STATEMENT OF MR. GEORGE MEANY, PRESIDENT, AFL–CIO

American labor commends the United Nations Special Committee for its comprehensive and courageous report on the Soviet Government's brutal crushing of the revolt of the Hungarian people for national independence and human freedom. This report will serve the cause of human decency and enhance the prestige of the U. N. among the peoples striving for peaceful and honorable relations among the nations of the world.

The authority and effectiveness of the United Nations as an instrument of world peace demand that the U. N. should not limit itself to the mere issuance of findings. Timely and appropriate action must follow promptly.

The gravity of the Special Committee's indictment of Soviet aggression and Communist terror against the Hungarian people necessitate the immediate reconvening of the 11th Session of the United Nations General Assembly to act on this report.

There is no reason to oppose the reconvening of the General Assembly on the ground that this might cause the Soviet rulers to break up the present disarmament negotiations. If the Kremlin is negotiating in good faith, it will not engage in such disruption merely because the U. N. meets its responsibility as the world organization for peace and human rights.

On the other hand, if the Kremlin insists that the U. N. must shun its responsibility and the world must pay such a price for even a very limited disarmament accord, then any agreement reached, under such circumstances, would not be worth the paper on which it is written.

Any international agreement reached under threats or political duress would be worthless.

Sincere efforts toward genuine disarmament will be encouraged and aided by the United Nations demonstrating its readiness to promote just and harmonious international relations. The cause of world peace urgently demands timely and effective action by the United Nations on the findings of its Special Committee on Hungary.

ANNOUNCEMENT

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to dress the House for 1 minute.

The SPEAKER. It there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WILLIS. Mr. Speaker, when rollcall No. 122 occurred yesterday, I was downtown in conference with officials of the Department of Agriculture on matters affecting my district. This was the rollcall vote on the so-called Small Business Act which I have always favored, and if I had been present I would have voted in favor of that act.

ARMED FORCES MANAGEMENT ASSOCIATION

Mr. JOHANSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the getnleman from Michigan?

There was no objection.

Mr. JOHANSEN. Mr. Speaker, recently I was privileged to attend a meeting of the Armed Forces Management Association held here in Washington as a part of the association's annual national conference.

This organization, with which I had not previously been acquainted, is made up of men and women from the management and personnel fields of the armed services who have associated themselves on a completely voluntary basis for the purpose of discussing and promoting improved management policies and procedures in both the uniformed and civilian components of the Armed Forces.

I take this opportunity to commend the thousands of members of the Armed Forces Management Association for the interest in and dedication to the national welfare reflected in this volunteer activity, above and beyond the call of routine duty.

At the same time, I earnestly urge the top leadership of our Armed Forces, both civilian and military, to give substantially larger encouragement, cooperation, and support to the activities of this organization and its membership throughout the Nation.

Certainly, the activities of the association, as reflected by its recent conference agenda indicates that it has a great deal to contribute toward more economical and efficient utilization of our defense billions, and of our civilian and uniformed personnel in the Defense Establishment, and to the solution of problems created by shortages of engineers and scientists.

I bespeak the interest and support for this association and its activities of the Members of Congress and particularly those on the Committee on Armed Services and the Defense Appropriations Subcommittee.

SUBCOMMITTEE ON IRRIGATION AND RECLAMATION

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Subcommittee on Irrigation and Reclamation of the House Committee on Interior and Insular Affairs may be permitted to sit during general debate Monday afternoon July 1.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

CALL OF THE HOUSE

Mr. BOGGS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently, a quorum is not present.

Mr. COOPER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 123]

Adair	Colmer	Holifield
Bailey	Cooley	Holtzman
Beamer	Dawson, Ill.	Horan
Bentley	Dies	Kearney
Bowler	Diggs	McConnell
Buckley	Engle	McGregor
Celler	Grant	Montoya
Coffin	Gray	Powell

Saylor	Springer	Zelenko
Scott, Pa.	Taylor	
Shelley	Wilson, Calif.	

The SPEAKER pro tempore. On this rollcall, 403 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE LATE BELLE S. MICHENER

Mr. MEADER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MEADER. Mr. Speaker, I take this time to announce to the House the death of Belle S. Michener, wife of Earl C. Michener, who served the Second Congressional District of Michigan with distinction for three decades. He was my predecessor in this body.

Mrs. Michener was taken on Monday of this week and the funeral will be held in Adrian, Mich., this afternoon.

I am sure that all of my colleagues who served with Earl Michener join me in extending to him and his family our very deepest sympathy in this hour of their bereavement.

Mr. REED. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from New York .

Mr. REED. Mr. Speaker, I had the pleasure of serving with Earl Michener during all of the time he was a Member of this body. We were very close friends of Representative and Mrs. Michener.

Mrs. Michener was a wonderful woman and very popular here in Washington. She was very helpful to Earl Michener.

I extend the deepest sympathies of Mrs. Reed and me to Mr. Michener and their daughters in this time of their bereavement.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from New York.

Mr. KEATING. Mr. Speaker, I served with Earl Michener while he was a Member of this body. Mr. Michener was extremely helpful to me when I first came to Congress, he being chairman of the Committee on the Judiciary in the 80th Congress.

I regret deeply to hear of the death of his beloved wife and join my colleagues in extending sympathy to him and his family.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from California.

Mr. McDONOUGH. Mr. Speaker, I, too, join with the gentleman from Michigan in expressing our sincere sympathy and condolence to Earl Michener at the loss of his beloved wife. I served in the Congress with Earl Michener when I first came here and I found him to be very helpful and very capable. The Congress lost one of its outstanding Members when Mr. Michener left.

I extend my sympathies to Mr. Michener and his daughters.

ANNOUNCEMENT

Mr. SISK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request from the gentleman from California?

There was no objection.

Mr. SISK. Mr. Speaker, I take this time to state that I was very much in favor of the bill considered yesterday concerning small business. I was on the floor during the major part of the debate but was called away for a short time and did not return in time to answer to my name when the rollcall was had. Had I been present my vote would have been cast in support of the Small Business Act because I certainly am interested and concerned with that matter.

THE NEED FOR GREATER TRAFFIC SAFETY

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

Mr. SPEAKER. Is there objection to the request of the getnleman from Alabama?

There was no objection.

Mr. ROBERTS. Mr. Speaker, Monday night the President, in addressing the Conference of Governors in Williamsburg, Va., turned the spotlight on a problem of constantly increasing magnitude—that of highway safety.

As chairman of the Special Subcommittee on Traffic Safety, created out of the concern of every Member of this House for the national health and welfare of all our citizens, I have been gratified to read in the news the interest shown by many of the Governors, as well as the President, regarding the tragic toll of lives and destruction of property now being wasted upon the Nation's highways. My deepest hope is that concerted action will follow up the thoughts and concern over highway safety, now being expressed in Williamsburg.

Mr. Speaker, in his speech, the President stated:

> The American people are paying an increasingly fearful price for the failure of the States to agree on such safety essentials as standards for licensing of drivers and vehicles and basic rules of the road.

I would like to point out that the Special Subcommittee on Traffic Safety in the interim report which it filed on January 3, 1957, just 6 months after it had been established, urged the States to adopt uniform traffic laws; the subcommittee further urged that driver examining and licensing procedures be strengthened; and that vehicles be properly inspected. The Subcommittee on Traffic Safety recommended that more aggressive action be taken by local communities and counties as well as States. The subcommittee urged that there be organized citizen support for balanced and well-organized safety programs of responsible public officials. Certainly, it is not possible to have safety on our highways if we do not have citizens who want safety.

Mr. Speaker, I am pleased that the President has seconded those recommendations which have been made by the Special Subcommittee on Traffic Safety. I sincerely hope that every public official will continue the effort to alert the public to the horrendous national waste being strewn upon our highways. The public must arm against this vicious enemy which is now taking over 40,000 lives, and leaving 100,000 permanently and totally disabled, and over 2 million casualties in its wake each year. We must all work for victory in order to conquer this tremendous national health problem, already of epidemic proportions.

TAX CO-OPS

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, in the Baldwin Citizen under date of June 20, 1957, there appeared an editorial entitled "Tax Co-ops," which I recommend to the attention of my colleagues.

> TAX CO-OPS
>
> Across the Nation awhile ago, 794 weekly editors took pen in hand to answer a series of 22 questions on vital issues propounded by the American Press which published the results in a recent issue of the magazine together with a letter commending the survey to the attention of Mr. Congressman for an overall picture of grassroots sentiment.
>
> "There is no doubt among most Congressmen," said the letter, "that the country editor does reflect grassroots sentiment. Without his help, it is often difficult to know what the rural half of America is thinking."
>
> The returns showed the editors pretty evenly divided on whether the post office should pay its way, whether military service under the draft should be shortened from 2 years to 18 months. They strongly favored increasing incom.e-tax exemptions and reducing foreign aid, opposed Federal aid to schools.
>
> But the one question of the 22 on which the editors were most solidly in agreement asked whether cooperative corporations and savings and loan associations (should) be subject to Federal income taxation in the same manner as other business corporations.
>
> Of the 794 editors from every section of the country, Northeast, South, South Central, West, 86 percent replied "Yes," 12 percent answered "No" and only 2 percent ducked the question.
>
> This resounding verdict from the opinion leaders in all parts of rural America should be reassuring to those Congressmen who have shied away from this issue with the mistaken idea that country people are solidly behind the co-ops. They may now be assured that unfairness and discrimination are repugnant to Americans whether they happen to live in the city or the country. And these lawmakers may now, without fear of disfavor or reprisal, allow their con-

sciences to guide them in taking legislative steps to end the iniquitous and socialistic tax evasion that is permitting the co-ops and savings and loan associations to grow fat and sassy at the expense of their taxpaying competitors.

AWARD OF THE ECCLESIASTICAL ORDER OF ST. GREGORY THE GREAT, WITH THE RANK OF KNIGHT COMMANDER WITH STAR

Mr. PRICE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8383) to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOHN J. ROONEY, Members of the House of Representatives, to accept and wear the award of the Ecclesiastical Order of St. Gregory the Great, with the rank of Knight Commander with Star.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. KEOGH). Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Honorable JOHN W. MCCORMACK, Representative from the State of Massachusetts, and the Honorable JOHN J. ROONEY, Representative from the State of New York, are authorized to accept the award of the Ecclesiastical Order of St. Gregory the Great, with the rank of Knight Commander with Star, together with any decorations and documents evidencing such award. The Department of State is authorized to deliver to the Honorable JOHN W. MCCORMACK and the Honorable JOHN J. ROONEY any such decorations and documents evidencing such award.

SEC. 2. Notwithstanding section 2 of the act of January 31, 1881 (ch. 32, 21 Stat. 604; 5 U. S. C. 114), or any other provision of law to the contrary, the named recipients may wear and display the aforementioned decoration after acceptance thereof.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AWARD OF THE PHILIPPINE LEGION OF HONOR IN THE DEGREE OF COMMANDER

Mr. PRICE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8384) to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOSEPH W. MARTIN, JR., Members of the House of Representatives, to accept and wear the award of the Philippine Legion of Honor in the degree of Commander, tendered by the Republic of the Philippines.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. KEOGH). Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the Honorable JOHN W. MCCORMACK, Representative from the State of Massachusetts, and the Honorable JOSEPH W. MARTIN, JR., Representative from the State of Massachusetts, are authorized to accept the award of the Philippine Legion of Honor in the degree of Commander, together with any decorations and documents evidencing such award. The Department of State is authorized to deliver to the Honorable JOHN W. MCCORMACK and the Honorable JOSEPH W. MARTIN, JR., any such decorations and documents evidencing such award.

SEC. 2. Notwithstanding section 2 of the act of January 31, 1881 (ch. 32, 21 Stat. 604; 5 U. S. C. 114), or other provision of law to the contrary, the named recipients may wear and display the aforementioned decoration after acceptance thereof.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL FOR THE FISCAL YEAR 1958

Mr. FOGARTY. Mr. Speaker, I call up the conference report on the bill (H. R. 6287) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. MCCORMACK). Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 636)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6287) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 33, 42, 43, and 45.

That the House recede from its disagreement to the amendments of the Senate numbered 11, 12, 13, 14, 15, 16, 20, 21, 24, 28, 33, 40 and 41, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: ", of which not more than $180,000 shall be for international labor affairs"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,121,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: ", together with not to exceed $200,000 to be derived from the highway trust fund created by section 209 of the Highway Revenue Act of 1956"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,958,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$259,814,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,250,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$7,200,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$50,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "purchase of not to exceed fifty passenger motor vehicles for replacement only;"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$40,100,000"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$56,402,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$39,217,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$35,936,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$20,385,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$21,387,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 6, 8, 17, 18, 22, 23, 27, 29, 30, 37, 39, 44, 46, and 47.

JOHN E. FOGARTY,
HENDERSON LANHAM,
WINFIELD K. DENTON,
CLARENCE CANNON,
JOHN TABER,
MELVIN R. LAIRD,
Managers on the Part of the House.

LISTER HILL,
DENNIS CHAVEZ,
RICHARD B. RUSSELL,
WARREN G. MAGNUSON,
JOHN STENNIS,
JOHN O. PASTORE,
EDWARD J. THYE,
MARGARET CHASE SMITH,
HENRY C. DWORSHAK,
CHARLES POTTER,
IRVING M. IVES,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6287) making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF LABOR

Office of the Secretary

Amendment No. 1—Salaries and expenses: Inserts limitation of $180,000 on the amount which may be used for international labor affairs, instead of the limitation of $170,000 proposed by the House and stricken by the Senate.

Amendment No. 2—Salaries and expenses: Reported in disagreement.

Office of the Solicitor

Amendment No. 3—Salaries and expenses: Appropriates $2,121,000 instead of $2,021,000 as proposed by the House and $2,191,000 as proposed by the Senate.

Amendment No. 4—Salaries and expenses: Appropriates $200,000 to be derived from the Highway Trust Fund created by section 209 of the Highway Revenue Act of 1956, instead of $365,000 as proposed by the House and stricken by the Senate.

Bureau of Employment Security

Amendment No. 5—Salaries and expenses: Appropriates $5,958,000 instead $5,558,000 as proposed by the House and $6,000,000 as proposed by the Senate.

Amendment No. 6—Salaries and expenses: Reported in disagreement.

Amendment No. 7—Grants to States for Unemployment Compensation and Employment Service Administration: Appropriates $259,814,000 instead of $249,814,000 as proposed by the House and $260,000,000 as proposed by the Senate.

Amendment No. 8—Grants to States for Unemployment Compensation and Employment Service Administration: Reported in disagreement.

Amendment No. 9—Salaries and expenses, Mexican farm labor program: Appropriates $2,250,000 instead of $2,236,200 as proposed by the House and $2,500,000 as proposed by the Senate.

Bureau of Labor Statistics

Amendment No. 10—Salaries and expenses: Appropriates $7,200,000 instead of $7,124,000 as proposed by the House and $7,225,000 as proposed by the Senate.

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

Amendment No. 11—Salaries and expenses: Authorizes the purchase of not to exceed 89 passenger motor vehicles of which 51 shall be for replacement only as proposed by the Senate.

Amendment No. 12—Salaries and expenses, certification, inspection, and other services: Authorizes not to exceed 4 passenger motor vehicles for replacement only, as proposed by the Senate.

Office of Education

Amendments Nos. 13, 14, 15, and 16—Promotion and further development of vocational education: Appropriate $33,750,081 as proposed by the Senate instead of $33,442,081 as proposed by the House and insert language proposed by the Senate to provide that $80,000 of the increase of the Senate shall apply to vocational education in Guam and $228,000 of the increase shall be applied to vocational education in the fishery trades.

Amendment No. 17—Promotion and further development of vocational education: Reported in disagreement.

Amendment No. 18—Grants for library services: Reported in disagreement.

Amendment No. 19—President's Committee on Education Beyond the High School: Appropriates $50,000 instead of $200,000 as proposed by the Senate.

Public Health Service

Amendment No. 20—Assistance to States, General: Appropriates $22,592,000 as proposed by the Senate instead of $19,592,000 as proposed by the House.

Amendment No. 21—Communicable diseases: Appropriates $6,250,000 as proposed by the Senate instead of $6,200,000 as proposed by the House.

Amendment No. 22—Grants for waste treatment works construction: Reported in disagreement.

Amendment No. 23—Surveys and planning for hospital construction: Reported in disagreement.

Amendment No. 24—Hospitals and medical care: Inserts language proposed by the Senate to provide that $1,186,000 of the funds appropriated may be used only for payments for medical care of dependents and retired personnel under the Dependents' Medical Care Act.

Amendment No. 25—Indian health activities: Authorizes the purchase of not to exceed 50 passenger motor vehicles for replacement only instead of 75 passenger motor vehicles of which 50 would be for replacement only as proposed by the Senate.

Amendment No. 26—Indian health activities: Appropriates $40,100,000 instead of $40 million as proposed by the House and $42,500,000 as proposed by the Senate. The increase of $100,000 over the amount proposed by the House is for an increased enrollment of 50 Indian students in practical nursing.

Amendment No. 27—National Institutes of Health, general research and services: Reported in disagreement.

Amendment No. 28—National Institutes of Health, general research and services: Authorizes the purchase of not to exceed 8 passenger motor vehicles for replacement only as proposed by the Senate.

Amendment No. 29—National Institutes of Health management fund: Reported in disagreement.

Amendment No. 30—National Cancer Institute: Reported in disagreement.

Amendment No. 31—National Cancer Institute: Appropriates $56,402,200 instead of $46,902,000 as proposed by the House and $58,543,000 as proposed by the Senate.

Amendment No. 32—Mental health activities; appropriates $39,217,000 instead of $35,217,000 as proposed by the House and $39,421,000 as proposed by the Senate.

Amendment No. 33—Mental health activities: Strikes language proposed by the Senate to make available in 1958 not to exceed $4,573,000 of the unobligated balance of the fiscal year 1957 appropriation granted under this head.

Amendment No. 34—National Heart Institute: Appropriates $35,936,000 instead of $33,436,000 as proposed by the House and $38,784,000 as proposed by the Senate.

Amendment No. 35—Arthritis and metabolic disease activities: Appropriates $20,385,000 instead of $17,885,000 as proposed by the House and $23,548,000 as proposed by the Senate.

Amendment No. 36—Neurology and blindness activities: Appropriates $21,387,000 instead of $18,887,000 as proposed by the House and $24,058,000 as proposed by the Senate.

Amendment No. 37—Retired pay of commissioned officers: Reported in disagreement.

St. Elizabeths Hospital

Amendment No. 38—Salaries and expenses: Appropriates $3,085,800 as proposed by the Senate instead of $3,000,000 as proposed by the House.

Social Security Administration

Amendment No. 39—Construction, Bureau of Old-Age and Survivors Insurance: Reported in disagreement.

Amendment No. 40—Grants to States for public assistance: Strikes language of the House limiting the use of funds for administrative expenses of State and local agencies as proposed by the Senate. The majority of the managers on the part of the House are still convinced that some action should be taken to curb the ever-increasing costs of administering this program. The House Committee on Appropriations in its report No. 24 of the 85th Congress, 1st session, stated as follows: "The committee has been disturbed at the large increases that occur every year in the cost of administration. In 1950, these costs were $57,281,000 and they have increased substantially every year since. They are estimated to be $101,000,000 during the current fiscal year (1957) if no special restrictions are imposed. This would be an increase of 75 percent since 1950, while the caseload under the public assistance programs has increased less than 3 percent." The managers on the part of the House receded from disagreement to the amendment of the Senate only after being assured by the Commissioner of Social Security that a very thorough study will be made of this problem and appropriate action will be taken to assure that no more funds will be expended than are necessary for the efficient administration of the public assistance programs. The House Committee on Appropriations will expect a full report on this matter in time for hearings on the 1959 budget request.

Office of the Secretary

Amendment No. 41.—Salaries and expenses, Office of the General Counsel: Appropriates $449,000 as proposed by the Senate instead of $425,000 as proposed by the House. Inasmuch as these funds are to be derived by transfer from the Federal Old-Age and Survivors Insurance Trust Fund, it will be expected that they be applied solely for legal work in connection with operations under that fund.

General provisions

Amendment No. 42.—Inserts language proposed by the House to limit payments for indirect expenses in connection with research projects to 15 percent of the direct costs which was stricken by the Senate.

Amendment No. 43.—Reinstates section number revised by the Senate.

Amendment No. 44.—Reported in disagreement.

Amendment No. 45.—Reinstates section number revised by the Senate.

Amendment No. 46.—Reported in disagreement.

TITLE VI—FEDERAL MEDIATION AND CONCILIATION SERVICE

Amendment No. 47.—Salaries and expenses: Reported in disagreement.

JOHN E. FOGARTY,
HENDERSON LANHAM,
WINFIELD K. DENTON,
CLARENCE CANNON,
JOHN TABER,
MELVIN R. LAIRD,
Managers on the Part of the House.

Mr. FOGARTY. Mr. Speaker, it has been brought to my attention that the gentleman from Louisiana [Mr. BOGGS] is opposed to the conference report. Therefore, I yield 5 minutes at this time to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I regret exceedingly to have to oppose the distinguished chairman of this subcommittee and to oppose this conference report. But at the proper time I shall offer a motion to recommit with instructions to the managers on the part of the House to agree to Senate Amendment No. 4. I do this, Mr. Speaker, in order to preserve the sanctity of the highway trust fund created by the Highway Act of 1956.

Those of us who were present during the debate when this measure was first before the House will recall that this provision was passed over without any debate thereon. Later when it was brought to my attention that $365,000 was appropriated out of the highway trust fund for certain functions of administration of the Department of Labor, I asked unanimous consent to go back to the item, but the gentleman from Rhode Island objected. Thereupon the measure went to the other body and the other body eliminated the item.

Mr. Speaker, I should like to take just a moment to read the language of the committee report on this appropriation as reported by the other body:

> The committee recommends an increase of $170,000, the amount necessary to finance the mandatory increases.

That is for the Solicitor's Office of the Department of Labor.

> The committee recommends the deletion of the proviso to make available $365,000 by transfer from the highway trust fund for the administrative expenses of the Solicitor in making wage determinations in accordance with the Davis-Bacon Act as provided in the Federal Aid Highway Act of 1956.
>
> It is the sense of the committee that the legislative history and intent in the enactment of the Highway Revenue Act of 1956 did not contemplate the use of the highway trust fund for this purpose.

I think anyone who will take the trouble to read the legislative history of this act both before the Committee on Public Works and the Committee on Ways and Means will agree totally and completely with this statement.

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield.

Mr. JONES of Alabama. I should like to concur in what the gentleman from Louisiana is stating as far as the Committee on Public Works is concerned, because that committee never entertained the notion that there would be a severance of the activities of the Department of Labor, the payment for that activity to be accounted for through the trust fund.

Mr. BOGGS. I thank the gentleman.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I certainly yield to my distinguished chairman.

Mr. COOPER. Mr. Speaker, I concur fully with the statement made by the distinguished gentleman from Louisiana. The gentleman from Louisiana served as chairman of the subcommittee of the Committee on Ways and Means on the Highway Revenue Act and was the author of that act. The Committee on Ways and Means reported that act and the House passed it. The gentleman is entirely correct that the intent and purpose of the Congress was to preserve the highway trust fund for the building of highways and not deplete that fund by provisions of this type. The fact is, when the time comes to build the highways sufficient funds will not be there for that purpose and we will be called upon again to provide more revenue for the building of the highways. The gentleman from Louisiana is exactly correct in the position he is taking and I fully support him.

Mr. BOGGS. I thank the gentleman.

Mr. REED. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from New York, the distinguished ranking minority member of the Committee on Ways and Means.

Mr. REED. I have been very much interested in the Highway Revenue Act. As the gentleman knows, I offered the amendment to put the tax on the trucks in order to build up the highways of this country. The gentleman is absolutely right that we want the integrity of this trust fund preserved for the building of the roads. If we begin to use these funds for other purposes, we will destroy the fund and will not have the highways the country needs. I congratulate the gentleman on the position he has taken.

Mr. BOGGS. I thank the gentleman.

Mr. KEAN. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from New Jersey.

Mr. KEAN. As one who is in favor of the Davis-Bacon Act, I am in full accord with what the gentleman says, that this should not be taken out of the highway fund.

Mr. BOGGS. I thank the gentleman, and I want to make that point very clear. This is not an attack on the Davis-Bacon Act. I supported the Davis-Bacon Act, too. Actually, it weakens the act to ask for funds in this manner. That act has been on the books since 1931, over 25 years. The idea that all of a sudden we must turn to the highway trust fund to finance those provisions of the law is utterly ridiculous, as we pointed out in the debate initially on this proposal. If the Labor Department can come in and demand these funds, the Defense Department can come in, the Treasury Department can come in, and innumerable other agencies of the Government can come in who would have more claim to this money than the Labor Department.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the distinguished minority leader.

Mr. HALLECK. If the gentleman's motion, if he makes the motion, prevails, then is there any money at all anywhere in the bill for the performance of this function?

Mr. BOGGS. Yes; there is. I am glad the gentleman asked that question.

Mr. HALLECK. My information is to the contrary.

Mr. BOGGS. No. If I may explain, the Senate provided $170,000. The Senate further said the current rate of expenditure is such, though, as to raise serious doubt as to the amount necessary, and the Department is directed to submit a supplemental estimate for consideration by Congress prior to July 1, 1957. That is the language of the conference report. I trust the Members will support the highway trust fund. There is no question that funds are available and further funds will be made available for the Davis-Bacon provisions.

Mr. Speaker, I made it most clear that I support Davis-Bacon. That is not the issue here. The issue is the necessity of keeping these funds for highway construction and not diverting them contrary to law.

Mr. FOGARTY. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I do not know whether you want to support the Davis-Bacon Act or not. But, for my part, regardless of how I might have felt when it was adopted, it was adopted and it is the law of the land. That is the issue here: Are we going to provide the money to support the Bacon-Davis Act? This is the situation. I have the highway statute in my hand and I am going to read some of it to you. It is as follows:

> Expenditures from the trust fund, Federal-aid highway program: Amounts in the trust fund shall be available as provided by appropriation acts for making expenditures after June 30, 1956, and before July 1, 1972, to meet those obligations of the United States heretofore or hereafter incurred under the Federal Aid Road Act approved July 11, 1916, as amended and supplemented, which are attributable to Federal-aid highways including those portions of general administrative expenses of the Bureau of Public Roads payable from such appropriations.

Section 102 of that law shows that it is an amendment and supplement of the act of July 11, 1916. Section 115 of the law provides that the Davis-Bacon Act shall be applicable to the roads that are constructed. Frankly, I am going to meet my responsibility and I am going to vote for the money to operate it. There is no question but that under section 209 of the act which I have read to you that any provision of the act of July

11, 1916, or act supplemental or amendatory thereof, shall be paid or can be paid out of the trust fund. The House committee followed the rule that was set up in section 209 of the act. They have provided $365,000 to be derived from the act because that was the information which was presented to us. When it went to the other body, it was demonstrated that their requirements would be $239,000. We agreed in the conference to put that thing back and meet our responsibilities and draw $200,000 out of the highway trust fund. There is absolutely no question but what the way the act reads that we have the authority to do it and we are right in carrying it out. If we are not going to meet our responsibilities and if we want to run out on what the Congress has decided that is another question, but I am not going to be a party to that way of doing business.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. BOGGS. If the gentleman will refer to the report of the other body——

Mr. TABER. Oh, I heard the gentleman read from the Senate report, but the law says something entirely different. If the gentleman would read the law, he would realize that. Shall I read it again to him?

Mr. BOGGS. Will the gentleman yield further?

Mr. TABER. Shall I read it again to him?

Mr. BOGGS. Will the gentleman yield further?

Mr. TABER. Let me read it once more.

Mr. BOGGS. Read it as many times as you want. The law, in my opinion, is quite clear in that these funds are only available for highway purposes——

Mr. TABER. This is the picture. The law says one thing and the gentleman wants us to do something different. I believe in going along with the law. The law says, and I will read it once more:

> Amounts in the trust fund shall be available as provided by appropriation acts for making expenditures after June 30, 1956, and before July 1, 1972, to meet those obligations of the United States heretofore or hereafter incurred under the Federal Aid Road Act approved July 11, 1916, as amended and supplemented, which are attributable to Federal-aid highways.

Those things are attributable to Federal aid to highways. We would not have to do this activity on the part of the Labor Department otherwise.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FOGARTY. Mr. Speaker, the gentleman from New York has given an excellent analysis of the pertinent portions of the Federal-Aid Highway Act, so I do not intend to spend any time on the technical phases of that legislation.

A year ago, the Bureau of the Budget sent a request to the Senate, and they approved it, for a supplemental appropration out of the highway trust fund to carry on this work that was written specifically into the act. That supplemental appropriation was voted by the Senate and was approved by the House and signed by the President of the United States.

Last year they used $160,000 out of the highway trust fund for this purpose. This year the Bureau of the Budget and the President again sent to Congress a request for $365,000 out of the highway trust fund to carry on this work that the Solicitor's Office in the Department of Labor is required by the Highway Act to carry out. That amount was recommended by the House committee. It was approved by the House.

The question was raised by the gentleman from Louisiana after that part of the bill had been read and it was too late to offer any amendment. It then went over to the other body. The other body did strike out that amount from the highway trust fund on the basis of a decision that was rendered to them by their legal counsel.

We went to conference yesterday on the basis of a ruling by the Comptroller General of the United States, on the basis of a ruling by the Solicitor of the Department of Labor and on the basis of a ruling by the Bureau of the Budget——

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. The gentleman has had half the time on this question, so I am sorry but I decline to yield.

On two occasions they have sent to the Congress requests that they considered to be a part of the administration of the Highway Act and should be taken from the highway funds. We do not come from yesterday's conference asking you to appropriate the full $365,000. We compromised with the Senate to the extent that the conference report carries only $200,000 to carry on this work for the next fiscal year. Use of these funds for this purpose has been approved by the Bureau of the Budget, by the President of the United States, the Solicitor of the Department of Labor, and by the Comptroller General.

As to the question that was asked by the gentleman from Indiana, are there any funds in the appropriation bill, if this were not allowed, to enforce the provisions of the Bacon-Davis Act as it applies to Federal-aid highways? The answer is "No." If this is turned down and you do not allow this $200,000 there is not one dime that can be used for the enforcement of the Bacon-Davis provisions of the Highway Act, because this $200,000 can be expended for that purpose only and for no other purposes and there were no other funds requested or included in the bill for that purpose. So there is no way that the Department of Labor or any other department of the Government can enforce them if this $200,000 is disallowed.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Rhode Island yield to the gentleman from Louisiana?

Mr. FOGARTY. I do not yield, Mr. Speaker. I think we were very generous in giving the gentleman practically all the time he wanted when he made his own statement.

Mr. BOGGS. I thank the gentleman for his generosity.

Mr. FOGARTY. Mr. Speaker, this is something to which we have given serious consideration. It has been agreed to by the Senate conferees, and the House conferees are in unanimous agreement on this conference report. We ask your support in its adoption. We have before us now a bill that calls for practically $3 billion for the health, welfare, and education of the people of this country. I hope that the House will not adopt the motion that will be offered by the gentleman from Louisiana sending this conference report back to the conference committee.

Mr. SPRINGER. Mr. Speaker, I support this conference report.

The Davis-Bacon Act last year was made applicable to the Federal Highway Act of 1956. The Davis-Bacon Act has been in effect for more than 30 years. It was authored by a Republican in the House, Mr. Bacon of New York, and by a Republican in the Senate, Senator Davis of Pennsylvania. The law was signed by a Republican President.

The Davis-Bacon Act makes the prevailing wage in a particular area applicable to the entire area. It has greatly stabilized wages on Federal projects and has made it impossible for chiselers to undercut legitimate contractors by undercutting and downgrading wages alone.

The Davis-Bacon Act has worked exceptionally well since its inception and for that reason was included in the Federal Highway Act of 1956.

For that reason the conference report between the House and the Senate on H. R. 6287 has included sufficient money for the enforcement of the Davis-Bacon Act in the Federal Highway Act of 1956. I am supporting the conference act, and I shall vote against the motion to recommit the bill to the conference between the House and the Senate.

Mr. FOGARTY. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

Mr. HIESTAND. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. HIESTAND. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. HIESTAND moves to recommit the conference report on the bill, H. R. 6287, to the committee of conference.

Mr. FOGARTY. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to recommit.

Mr. BOGGS. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

Mr. BOGGS. Mr. Speaker, I demand a division.

The question was taken; and on a division (demanded by Mr. BOGGS) there were—ayes 36, noes 116.

Mr. BOGGS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 73, nays, 321, not voting 39, as follows:

[Roll No. 124]

YEAS—73

Abbitt	Haley	Robeson, Va.
Abernethy	Hardy	Rogers, Fla.
Alexander	Harris	Rogers, Tex.
Ashmore	Harrison, Va.	Rutherford
Barden	Hébert	Scott, N. C.
Beckworth	Hemphill	Shuford
Boggs	Hiestand	Simpson, Pa.
Bonner	Jennings	Smith, Kans.
Boykin	Johansen	Smith, Miss.
Burleson	Jonas	Smith, Va.
Cooley	Jones, Ala.	Smith, Wis.
Cooper	Kilgore	Steed
Davis, Ga.	Kitchin	Teague, Tex.
Dorn, S. C.	Landrum	Thompson, La.
Dowdy	Lennon	Thompson, Tex.
Durham	Long	Thomson, Wyo.
Fallon	Loser	Trimble
Fisher	McMillan	Tuck
Flynt	Mills	Whitener
Forand	Murray	Whitten
Fountain	Passman	Williams, Miss.
Frazier	Poage	Willis
Gary	Reed	Winstead
Gathings	Riley	
Gregory	Rivers	

NAYS—321

Addonizio	Carrigg	George
Albert	Cederberg	Gordon
Alger	Chamberlain	Granahan
Allen, Calif.	Chelf	Gray
Allen, Ill.	Chenoweth	Green, Oreg.
Andersen, H. Carl	Chiperfield	Green, Pa.
	Christopher	Griffin
Anderson, Mont.	Chudoff	Griffiths
	Church	Gross
Andresen, August H.	Clark	Gubser
	Clevenger	Gwinn
Andrews	Coad	Hagen
Anfuso	Cole	Halleck
Arends	Collier	Harden
Ashley	Corbett	Harrison, Nebr.
Aspinall	Coudert	Harvey
Auchincloss	Cramer	Haskell
Avery	Cretella	Hays, Ohio
Ayres	Cunningham, Iowa	Healey
Baker		Henderson
Baldwin	Cunningham, Nebr.	Herlong
Baring		Heselton
Barrett	Curtin	Hess
Bass, N. H.	Curtis, Mass.	Hill
Bass, Tenn.	Curtis, Mo.	Hillings
Bates	Dague	Hoeven
Baumhart	Davis, Tenn.	Hoffman
Becker	Dawson, Utah	Holifield
Belcher	Delaney	Holland
Bennett, Fla.	Dellay	Holmes
Bennett, Mich.	Dempsey	Holt
Berry	Dennison	Hosmer
Betts	Denton	Huddleston
Blatnik	Derounian	Hull
Blitch	Devereux	Hyde
Boland	Dies	Ikard
Bolling	Dingell	Jackson
Bolton	Dixon	James
Bosch	Dollinger	Jarman
Bow	Donohue	Jenkins
Boyle	Dooley	Johnson
Bray	Dorn, N. Y.	Jones, Mo.
Breeding	Doyle	Judd
Brooks, La.	Dwyer	Karsten
Brooks, Tex.	Eberharter	Kean
Broomfield	Edmondson	Kearns
Brown, Ga.	Elliott	Keating
Brown, Mo.	Farbstein	Kee
Brown, Ohio	Fascell	Keeney
Brownson	Feighan	Kelley, Pa.
Broyhill	Fenton	Kelly, N. Y.
Budge	Fino	Kilburn
Burdick	Flood	Kilday
Bush	Fogarty	King
Byrd	Ford	Kirwan
Byrne, Ill.	Forrester	Kluczynski
Byrne, Pa.	Frelinghuysen	Knox
Canfield	Friedel	Knutson
Cannon	Garmatz	Kreuger
Carnahan	Gavin	Laird
Lane	O'Brien, Ill.	Selden
Lanham	O'Hara, Ill.	Sheehan
LeCompte	O'Hara, Minn.	Sieminski
Lesinski	O'Konski	Sikes
Lipscomb	O'Neill	Siler
McCarthy	Osmers	Simpson, Ill.
McCormack	Ostertag	Sisk
McCulloch	Patman	Smith, Calif.
McDonough	Patterson	Spence
McFall	Pelly	Springer
McGovern	Perkins	Staggers
McGregor	Pfost	Stauffer
McIntosh	Philbin	Sullivan
McVey	Pilcher	Taber
Macdonald	Pillion	Talle
Machrowicz	Poff	Teague, Calif.
Mack, Ill.	Polk	Teller
Mack, Wash.	Porter	Tewes
Madden	Powell	Thomas
Magnuson	Preston	Thompson, N. J.
Mahon	Price	Thornberry
Mailliard	Prouty	Tollefson
Marshall	Rabaut	Udall
Martin	Radwan	Ullman
Mason	Rains	Vanik
Matthews	Ray	Van Pelt
May	Reece, Tenn.	Van Zandt
Meader	Rees, Kans.	Vinson
Merrow	Reuss	Vorys
Metcalf	Rhodes, Ariz.	Vursell
Michel	Rhodes, Pa.	Wainwright
Miller, Calif.	Riehlman	Walter
Miller, Md.	Roberts	Watts
Miller, Nebr.	Robsion, Ky.	Weaver
Miller, N. Y.	Rodino	Westland
Minshall	Rogers, Colo.	Wharton
Moore	Rogers, Mass.	Widnall
Morano	Rooney	Wier
Morgan	Roosevelt	Wigglesworth
Morris	Sadlak	Williams, N. Y.
Moss	Santangelo	Wilson, Ind.
Moulder	St. George	Withrow
Mumma	Saund	Wolverton
Natcher	Schenck	Wright
Neal	Scherer	Yates
Nicholson	Schwengel	Young
Nimtz	Scrivner	Younger
Norblad	Scudder	Zablocki
Norrell	Seely-Brown	

NOT VOTING—39

Adair	Evins	McIntire
Bailey	Fulton	Montoya
Beamer	Grant	Morrison
Bentley	Hale	Multer
Bowler	Hays, Ark.	O'Brien, N. Y.
Buckley	Holtzman	Saylor
Byrnes, Wis.	Horan	Scott, Pa.
Celler	Jensen	Shelley
Coffin	Kearney	Sheppard
Colmer	Keogh	Taylor
Dawson, Ill.	Lankford	Utt
Diggs	Latham	Wilson, Calif.
Engle	McConnell	Zelenko

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Holtzman with Mr. Beamer.
Mr. Keogh with Mr. Adair.
Mr. Buckley with Mr. Horan.
Mr. Sheppard with Mr. Taylor.
Mr. Lankford with Mr. Saylor.
Mr. Multer with Mr. Scott of Pennsylvania.
Mr. Morrison with Mr. Byrnes of Wisconsin.
Mr. Engle with Mr. Bentley.
Mr. Dawson of Illinois with Mr. Kearney.
Mr. Colmer with Mr. Jensen.
Mr. Zelenko with Mr. Wilson of California.
Mr. O'Brien of New York with Mr. Utt.
Mr. Celler with Mr. McIntire.
Mr. Hays of Arkansas with Mr. Latham.
Mr. Bailey with Mr. McConnell.
Mr. Shelley with Mr. Fulton.
Mr. Coffin with Mr. Hale.

Messrs. ANDERSON of Montana, JONES of Missouri, and BAKER changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to consider en bloc those amendments which are in technical disagreement and on which the House managers will offer a motion to recede and concur as follows: Nos. 2, 8, 17, 18, 22, 27, 30, 37, 39, 44, and 47.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the Senate amendments.

The Clerk read as follows:

Senate amendment No. 2: On page 2, line 13, insert "*Provided*, That the limitation of $154,490 for international labor affairs appearing in the Department of Labor Appropriation Act, 1957 (70 Stat. 423) is increased to $159,490."

Senate amendment No. 8: On page 6, line 7, insert "of which $10,000,000 shall be available only to the extent necessary to meet increased costs of administration resulting from changes in a State law or increases in the numbers of claims filed and claims paid or increased salary costs resulting from changes in State salary compensation plans embracing employees of the State generally over those upon which the State's basic grant (or the allocation for the District of Columbia) was based, which increased costs of administration cannot be provided for by normal budgetary adjustments."

Senate amendment No. 17: On page 17, line 9, after the words "fiscal year" insert a colon and the following: "*Provided further*, That the amount of allotment which States and Territories are not prepared to use may be reapportioned among other States and Territories applying therefor for use in the programs for which the funds were originally apportioned."

Senate amendment No. 18: On page 17, line 20, after "$5,000,000" insert a colon and the following: "*Provided*, That the amount of any State's allotment from this appropriation which such State certifies will remain unpaid to it on June 30, 1959, may be reallotted by the Commissioner among other States applying therefor in proportion to their rural population, and deemed part of such allotments, except that no State's allotment shall be so increased as to exceed the allotment which would be made to it were this appropriation equal to the maximum authorized under such act."

Senate amendment No. 22: Page 24, line 20, strike out lines 20 to 23, inclusive, and insert in lieu thereof the following: "Grants for waste treatment works construction: For payments under section 6 of the Water Pollution Control Act, as amended (70 Stat. 502), $45,000,000 which together with the amount appropriated under this head in the Second Supplemental Appropriation Act, 1957 (70 Stat. 769), shall be applied to payment on account of allotments made for the current and preceding fiscal years pursuant to said act, such sums to remain available only until June 30, 1959: *Provided*, That allotments under such section 6 for the current fiscal year shall be made on the basis of $50,000,000."

Senate amendment No. 27: On page 28, line 12, after the word "projects" insert "and training grants."

Senate amendment No. 30: On page 30, line 2, after the semicolon strike out the balance of the line and lines 3 and 4 ending with the word "program" and insert the following: "and to contract on a cost or other basis for supplies and services by negotiation, without regard to

section 3709 of the Revised Statutes, in connection with the chemotherapy program, including indemnification of contractors to the extent and subject to the limitations provided in title 10, United States Code, section 2354, except that approval and certification required thereby shall be by the Surgeon General."

Senate amendment No. 37: On page 32, line 22, insert "Retired pay of commissioned officers: For retired pay of commissioned officers, as authorized by law, and payments under the Uniformed Services Contingency Option Act of 1953, such amount as may be required during the current fiscal year."

Senate amendment No. 39: On page 33, line 22, insert "Construction, Bureau of Old-Age and Survivors Insurance: For an additional amount for 'Construction, Bureau of Old-Age and Survivors Insurance' for construction of an office building and appurtenant facilities, including acquisition of land, $5,710,000, to be derived from the Federal Old-Age and Survivors Insurance Trust Fund which, together with sums heretofore appropriated for these purposes, shall establish a limitation of cost of $31,080,000: *Provided*, That the established limit of cost may be exceeded or shall be reduced by an amount equal to the percentage increase or decrease, if any, in construction costs generally dating from October 1, 1956, as determined by the Administrator, General Services Administration, and the amount to be derived from the aforesaid trust fund shall be increased or decreased accordingly: *Provided further*, That the immediately preceding proviso shall be effective only if a contract for construction is executed on or before December 1, 1957."

Senate amendment No. 44: On page 40, line 9, after "1959" insert a colon and the following: "*Provided*, That existing obligational authority to the Department of Health, Education, and Welfare for preparation of plans and specifications for the construction of the general office and the dental research buildings of the National Institutes of Health, and the National Library of Medicine building of the Public Health Service, shall remain available until June 30, 1958."

Senate amendment No. 47: On page 44, line 11, after the word "diem;" insert "Government listed telephones in private residences and private apartments for official use in cities where mediators are officially stationed, but no Federal mediation and conciliation service office is maintained."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendments.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendments of the Senate numbered 2, 8, 17, 18, 22, 27, 30, 37, 39, 44 and 47, and concur therein.

The SPEAKER pro tempore. The question is on the motion.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 6: Page 5, line 9, insert: "of which $5,874,400 shall be derived by transfer from the Federal unemployment account in the unemployment trust fund, and."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 6, and concur therein with an amendment, as follows: In lieu of the sum of "$5,874,400", named in said amendment, insert "$5,832,400."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 23: Page 26, line 1, insert: "Surveys and planning for hospital construction: The funds appropriated under this head in the Supplemental Appropriation Act, 1955 (68 Stat. 810) shall remain available for expenditure until June 30, 1959."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 23, and concur therein with an amendment, as follows: In lieu of "June 30, 1959", named in said amendment, insert: "June 30, 1958."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 29: Page 28, line 21, insert "National Institutes of Health Management Fund: For the purpose of facilitating the economical and efficient conduct of operations in the National Institutes of Health which are financed by two or more appropriations where the costs of operation are not readily susceptible of distribution as charges to such appropriations, there is hereby established the National Institutes of Health Management Fund. Such amounts as the Director of the National Institutes of Health may determine to represent a reasonable distribution of estimated costs among the various appropriations involved may be advanced each year to this fund and shall be available for expenditure for such costs under such regulations as may be prescribed by said Director, including not to exceed $2,500 each fiscal year for entertainment of visiting scientists when specifically approved by said Director, and for the operation of facilities for the sale of meals to employees and others at rates to be determined by said Director to be sufficient to cover the cost of such operation and the proceeds thereof shall be deposited to the credit of this fund: *Provided*, That funds advanced to this fund shall be available only in the fiscal year in which they are advanced: *Provided further*, That final adjustments of advances in accordance with actual costs shall be effected wherever practicable with the appropriations from which such funds are advanced."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 29, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"National Institutes of Health Management Fund: For the purpose of facilitating the economical and efficient conduct of operations in the National Institutes of Health which are financed by two or more appropriations where the costs of operation are not readily susceptible of distribution as charges to such appropriations, there is hereby established the National Institutes of Health Management Fund. Such amounts as the Director of the National Institutes of Health may determine to represent a reasonable distribution of estimated costs among the various appropriations involved may be advanced each year to this fund and shall be available for expenditure for such costs under such regulations as may be prescribed by said Director, including the operation of facilities for the sale of meals to employees and others at rates to be determined by said Director to be sufficient to cover the cost of such operation and the proceeds thereof shall be deposited to the credit of this fund: *Provided*, That funds advanced to this fund shall be available only in the fiscal year in which they are advanced: *Provided further*, That final adjustments of advances in accordance with actual costs shall be effected wherever practicable with the appropriations from which such funds are advanced."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 46: Page 40, line 25, insert:

"SEC. 210. To the extent and under the conditions provided by regulations of the Secretary, officers (including commissioned officers of the Public Health Service) and employees of the Department of Health, Education, and Welfare may hereafter, in connection with their attendance at meetings or in performing advisory services concerned with the functions or activities of the Department, be permitted to accept payment, in cash or in kind, from non-Federal agencies, organizations, and individuals, for travel and subsistence expenses, to be retained by them to cover the cost thereof or deposited to the credit of the appropriation from which the cost thereof is paid, as may be provided in such regulations."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 46, and concur therein with an amendment, as follows: In lieu of "SEC. 210", named in said amendment, insert "SEC. 211."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in today's debate; and also ask unanimous consent that all Members may have permission to extend their remarks at this point in the RECORD or during debate on the motion to recommit.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. CUNNINGHAM of Nebraska. Mr. Speaker, I am opposed to amendment 17 because I believe this reapportionment provision is a vicious tool for the forces who would spend and spend and perpetuate themselves on the Federal payroll. Furthermore, I do not believe it is right to use the taxes paid by one State for the personal benefit of another State and that certainly is the case involved here. Under this amendment, if my State does not use all of its Federal handout, this Federal money would then

be reapportioned and given to some other State which already had received its share and wants more. This practice penalizes those States who are already doing a good job and do not want or need Federal help.

If we are to ever halt this practice of more and more Federal handout from Washington we should start by striking this reapportionment provision, and that is why I strongly oppose amendment 17.

Amendment 17 puts this reapportionment provision back into the bill after it was stricken out on a point of order when the bill first came up.

Mr. FOGARTY. Mr. Speaker, since the time for general debate on the conference report was taken up with discussion of the motion to recommit, I take this opportunity to set forth the high points of the action taken by the conferees on the Senate amendments to the Labor-Health, Education, and Welfare appropriation bill for 1958. The original budget estimates totaled $2,981,277,581. As the bill passed the House, it carried a total of $2,846,831,581, a reduction of $134,446,000 from the amount requested. The Senate increased the bill to $2,885,290,781, or an increase of $38,459,200 over the amount approved by the House. The amounts agreed upon in conference total $2,871,182,781, or $24,351,200 over the amount approved by the House, $14,108,000 less than the amount approved by the Senate, and $110,094,800 less than the amount requested in the President's budget, I think it is important to an understanding of the conferees' action to note that of the increase of $24,351,200 by which the conference agreement is over the House bill, $21 million is for increased activities of the National Institutes of Health. The total net increase other than that for the National Institutes of Health is $4,351,200 over the House bill, or an increase of just about one-tenths of 1 percent.

When this bill was considered by the House, 13 amendments involving reductions in funds were adopted. Following are the 13 items to which amendments were adopted in the House, with figures setting forth the amounts reported to the House by the Committee on Appropriations, the reduced amounts passed by the House, the amounts passed by the Senate, and the conference agreement:

Item	House committee	House	Senate	Conference
DEPARTMENT OF LABOR				
Office of the Secretary	$1,510,000	$1,480,000	$1,480,000	$1,480,000
Office of the Solicitor	2,225,000	2,021,000	2,191,000	2,121,000
Salaries and expenses, Bureau of Labor Standards	1,031,300	985,000	985,000	985,000
Salaries and expenses, Bureau of Employment Security	6,000,000	5,558,000	6,000,000	5,958,000
Unemployment compensation for Federal employees	26,500,000	25,000,000	25,000,000	25,000,000
Mexican farm-labor program	2,500,000	2,236,200	2,500,000	2,250,000
Grants to States:				
Base appropriation	250,000,000	240,814,000	250,000,000	249,814,000
Contingency fund	12,000,000		10,000,000	10,000,000
Bureau of Labor Statistics	7,470,000	7,124,000	7,225,000	7,200,000
Wage and Hour Division	10,888,000	10,600,000	10,600,000	10,600,000
HEW				
President's Committee on education beyond the high school	200,000		200,000	50,000
Bureau of Public Assistance	2,000,000	1,900,000	2,900,000	1,900,000
NLRB				
Salaries and expenses	9,450,000	9,384,800	9,384,800	9,384,800

It will be remembered, in connection with the appropriation for grants to States under the Department of Labor, that the contingency fund language was stricken from the bill on a point of order. Subsequently, the amount of funds which the stricken language had referred to was taken from the bill by amendment.

The Senate restored the contingency fund language with a slight revision and included $10 million in lieu of the $12 million that had originally been carried in the bill as reported by the House Committee on Appropriations. The conferees agreed to the language and thus it was almost automatic that they also agreed to the additional funds. With this one exception, no Senate increase to an item which was amended by the House was agreed to completely, and it will be noted from the figures in this table that the major part of the reductions voted by the House have been held in the final bill as brought back by the Managers on the part of the House.

As I pointed out earlier in my remarks, most of the difference between the Senate bill and the House bill was in the appropriations for medical research and related activities at the National Institutes of Health. The House had allowed the full budget estimate for each of the Institutes. The Senate increased the appropriations for 5 of the Institutes by a total of $36,600,000. After very careful consideration and full discussion of these increases by the conferees of the House and the Senate, a compromise of $21 million was agreed to. While there were widely divergent opinions expressed as to the proper amount, I think it is significant that ever member of the conference signed the report without reservation and I also think it is significant that we arrived at unanimous agreement as to the guidemarks which should be established in the use of the $21 million increase. I will set forth the breakdown of the $21 million which we will expect to be used as guidemarks by the Institutes in the expenditure of these additional funds.

For the National Cancer Institute, the Senate had increased the House bill by $11,641,000. The conferees agreed on an increase of $9,500,000, of which $6,400,000 would be for contract work in the chemotherapy program, $2,500,000 would be for research grants, $250,000 would be for fellowships and training, and $350,000 for direct research with germ-free animals.

For the National Institute of Mental Health, the Senate increase amounted to $8,777,000, and the conferees agreed to an increase of $4 million which is broken down as follows: $1,500,000 for research grants; $2 million for fellowships and training; and $500,000 for direct operations with primary emphasis on the research planned to be done at St. Elizabeths Hospital.

For the National Heart Institute, the Senate increased the House bill by $5,348,000. The conferees agreed upon an increase of $2,500,000 of which $1 million would be for their center on aging, most of which is to be used in connection with the Baltimore study, $1 million for fellowships and training, and $500,000 for direct operations.

The Senate increased the appropriations for the National Institute of Arthritis and Metapolic Diseases by $5,663,000 and the conferees agreed upon an increase of $2,500,000. This increase is aimed to give the Institute an additional $1,500,000 for research grants including $500,000 to start a research program in gastroenterology, $650,000 for fellowships and training, and $350,000 for direct operations.

The appropriation for the National Institute of Neurology and Blindness was increased by the Senate by $5,171,000. The conferees agreed upon an increase of $2,500,000, of which $1 million would be for research grants, including $500,000 for additional work in connection with the collaborative program in diseases and disorders that arise in the perinatal period, and $500,000 additional for research on hearing; $1,250,000 for fellowships and training; and $250,000 for direct operations.

While there were other Senate amendments, I believe that I have covered the most important items which were subject to action by the conferees, however, I would like to mention one more just for the purpose of emphasis. The House conferees in agreeing to concur in the amendment of the Senate Numbered 39 did so without reservation. The Senate report makes quite clear what is intended by this amendment, if it is not clear by itself. I trust that the officials of the executive branch concerned with this matter will give full consideration to both the House and Senate reports on this bill and to the unanimous action of the conferees on this amendment and be guided thereby in making their decision on whether or not to proceed expeditiously with the construction of the OASI building in Baltimore.

Mr. Speaker, I believe that, in view of all the circumstances, the Managers on the part of the House have brought back a very good bill.

MINORITY VIEWS ON H. R. 4520

Mr. HARRIS. Mr. Speaker, on Monday I filed a report on the bill H. R. 4520 and at that time asked unanimous consent that any Member of the minority have until midnight Wednesday, tonight, to file a report to accompany this

bill. I now ask unanimous consent that the authority for the minority to file a report on the bill may be extended until midnight tomorrow night.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

ADMINISTRATIVE EXPENSES ACT OF 1946

Mr. BOLLING, from the Committee on Rules (on behalf of Mr. THORNBERRY), reported the following privileged resolution (H. Res. 296, Rept. No. 640), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7390) to amend the Administrative Expenses Act of 1946, and for other purposes. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

ATOMIC ENERGY ACT OF 1954

Mr. BOLLING, from the Committee on Rules (on behalf of Mr. MADDEN), reported the following privileged resolution (H. Res. 297, Rept. No. 641), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7383) to amend the Atomic Energy Act of 1954, as amended, and for other purposes. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking House minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

FURNITURE AND FURNISHINGS FOR ADDITIONAL SENATE OFFICE BUILDING

Mr. BOLLING, from the Committee on Rules, reported the following privileged resolution (H. Res. 298, Rept. No. 642), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1428) to authorize furniture and furnishings for the additional office building for the United States Senate. After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

ENLARGEMENT AND REMODELING, UNITED STATES SENATE OFFICE BUILDING

Mr. BOLLING, from the Committee on Rules, reported the following privileged resolution (H. Res. 299, Rept. No. 643), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1429) authorizing the enlargement and remodeling of Senators' suites and structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate. After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

INCREASING LIMIT OF COST, CONSTRUCTION AND EQUIPMENT, ADDITIONAL UNITED STATES SENATE OFFICE BUILDING

Mr. BOLLING, from the Committee on Rules, reported the following privileged resolution (H. Res. 300, Rept. No. 644), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1430) increasing the limit of cost fixed for construction and equipment of an additional office building for the United States Senate. After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CLARIFYING THE GENERAL POWERS, INCREASING THE BORROWING AUTHORITY, AND AUTHORIZING THE DEFERMENT OF INTEREST PAYMENTS ON BORROWINGS OF THE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 284 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5728) to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowing, of the St. Lawrence Seaway Development Corporation. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield one-half hour to the gentleman from Ohio [Mr. BROWN], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 284 provides for an open rule and 2 hours of general debate on H. R. 5728. This bill amends the act of May 13, 1954, which created the St. Lawrence Seaway Development Corporation.

The bill clarifies and amends the corporate powers provided in the original act to provide for services and facilities necessary for the seaway, and services at reasonable prices to users and visitors. It also provides for the participation in a toll-bridge corporation and further provides that the payments received for facilities and services will be credited to the Corporation and these amounts are made available to the Corporation to pay any obligation or expense.

H. R. 5728 also amends section 5 of the original act by increasing the borrowing power of the Corporation from $105 million to $140 million. The amount of bonds which may be issued during any one year is raised from 40 percent of the total borrowing power to 50 percent. Upon the approval of the Secretary of the Treasury the interest on the bonds may be deferred during construction and paid from revenues and not charged to the borrowing authority of the Corporation.

In order to obtain closer coordination between preliminary estimates and ultimate construction costs the Corporation is required to submit special reports to the House and Senate whenever changes

are made involving new or discarded features of the seaway amounting to more than $1 million in cost.

As the Members of the House know, the Corporation is a self-liquidating corporation and none of the construction and operating costs are chargeable to appropriation funds; thus it is intended that all cost will be recovered from users of the seaway and the borrowed money will be repaid, with interest, to the Treasury from toll revenues.

The proposals contained in the bill are part of the Department of Defense legislative program for 1957, and have the approval of the Secretary of the Treasury and the Bureau of the Budget.

I urge the adoption of House Resolution 284 so the House may proceed to the consideration of this legislation.

Mr. BROWN of Ohio. Mr. Speaker, the gentleman from Missouri [Mr. BOLLING] has explained in detail the purposes of this resolution, which makes in order the consideration of bill H. R. 5728, with two hours of general debate, a bill which would permit the St. Lawrence Seaway Development Corporation to increase by some $35 million its borrowing capacity, and make other changes in the present law. The measure has the support of the Bureau of the Budget, the Department of Defense, and the administration generally.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. BYRNES of Wisconsin. I want to compliment the Committee on Public Works for reporting out this bill, and also the Committee on Rules and the leadership for scheduling it for early action. This bill certainly has my wholehearted support.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. Can the gentleman tell me if Canada is getting a like amount that is authorized in this bill?

Mr. BROWN of Ohio. My understanding, from the testimony given before the Committee on Rules, is that Canada is increasing, by a larger percentage, the amount it is putting in, than the United States.

The resolution was reported unanimously by the Committee on Rules.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5728) to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowing, of the St. Lawrence Seaway Development Corporation.

The resolution was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 5728, with Mr. RABAUT in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. BLATNIK. Mr. Chairman, I yield myself such time as I may desire, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

PURPOSE OF THE BILL

Mr. BLATNIK. Mr. Chairman, the purpose of H. R. 5728 as amended by the Public Works Committee is to amend the act of May 13, 1954, creating the St. Lawrence Seaway Development Corporation—Public Law 358, 83d Congress. H. R. 5729, introduced by the gentleman from Michigan [Mr. BROOMFIELD], is an identical bill. H. R. 5728, as amended, would—

First. Clarify and modify the general corporate powers of the St. Lawrence Seaway Development Corporation to include the provision of services and facilities necessary for the operation and maintenance of the seaway; authorize the Corporation to participate with the St. Lawrence Seaway Authority of Canada in the ownership and operation of a toll-bridge company; and use funds received from facilities and services to meet expenses of the Corporation.

Second. Increase the borrowing authority of the Corporation from $105 million to $140 million, with the latter figure being the maximum value of bonds issued to the Secretary of the Treasury.

Third. Specify that deferred interest is not chargeable to the debt limitation of $140 million.

SUMMARY OF EXISTING LAW

The St. Lawrence Seaway Development Corporation was created by the act of May 13, 1954 (68 Stat. 92), to provide for construction jointly by the United States and Canada of a 27-foot seaway between Lake Erie and Montreal. It is a wholly owned Government corporation and is subject to the direction and supervision of the President, or the head of such agency as he may designate. This responsibility was assigned to the Secretary of Defense on June 9, 1954, who delegated supervisory responsibility to the Secretary of the Army.

The Corporation operates under the management of an Administrator, a Deputy Administrator, and an Advisory Board, consisting of five members, all of whom are appointed by the President by and with the advice and consent of the Senate.

Specifically, the Corporation is authorized, first, to consummate certain arrangements with the St. Lawrence Seaway Authority of Canada relative to construction of the seaway between Lake Erie and Montreal; second, to construct, maintain, and operate the United States seaway facilities; third, to finance the United States share of the seaway costs on a self-liquidating basis by the issuance of revenue bonds to the United States Treasury; fourth, to establish with the Canadian Authority mutually satisfactory arrangements for the coordinated control and operation of the seaway; fifth, to establish tolls and to negotiate agreements on tolls and ship measurements with the Canadian Authority; and, sixth, to coordinate its activities with those connected with the related power development.

SUMMARY OF H. R. 5728

As reported, H. R. 5728 would amend the corporate powers by adding to section 4 three clauses, 10 through 12, inclusive, and another subsection "(b)." These additional clauses provide for services and facilities necessary for the seaway, services at reasonable prices to users and visitors, participation in a toll-bridge company, and crediting to the Corporation the payment received for facilities and services. The new subsection (b) makes the amounts credited for facilities and services available to the Corporation to pay any obligation or expense.

In addition to the amendments to section 4, H. R. 5728, as reported, would also amend section 5 by increasing the borrowing power of the Corporation from $105 million to $140 million, by raising the amount of bonds which may be issued during any one year from 40 percent of the total borrowing power to 50 percent, and by deferring interest upon approval of the Secretary of the Treasury.

Section 10 of the bill as it was introduced is amended by requiring special reports to be submitted to the House and Senate whenever changes are made involving new or discarded features amounting to more than $1 million in cost.

BACKGROUND

Mr. Chairman, before proceeding with a further explanation and justification for the bill, may I sketch briefly some of the physical and legislative background?

Construction is proceeding around the clock on the St. Lawrence Seaway, Lake Erie to Montreal. Physically it is now 40 percent completed. The seaway is scheduled to be ready for shipping in April 1959. Our phase of the project at Massena, N. Y., is due to go into initial operation July 1 of next year.

This joint United States-Canadian activity is a notable example of two neighborly nations developing their boundary waters for their mutual benefit from both an economic and national security standpoint.

This seaway construction, together with the great power development in the Massena-Cornwall area, by the New York State Power Authority and the Ontario Hydroelectric Power Commission, ranks as one of the greatest public works projects of history. Some $70 million of construction equipment is on the job. Aside from the project's fascination to engineers, it is of basic importance in its broad economic implications to our midwest area and in its value to our national defense posture.

By a vote of 241 to 158 on May 6, 1954, this body passed S. 2150, the so-called Wiley-Dondero bill, which authorized our participation in the seaway project with Canada. The measure was signed by the President on May 13, 1954, and became Public Law 358, 83d Congress.

This legislation was unique particularly in that it stipulated that our share of the seaway enterprise is to be made self-liquidating within 50 years by tolls on shipping rather than being supported by general taxation. In contrast, use of our numerous coastal harbors and entrance channels, together with our great inland waterway system, has traditionally been toll free.

Canada, in its corresponding legislation of December 1951, incorporated provision for imposing tolls on an optional but not mandatory basis. However, there is every indication that Canada will impose tolls to the same degree that we contemplate, namely, to recover the investment with interest within 50 years, together with recovering charges for operation and maintenance for all of the new locks and navigation facilities below Lake Ontario.

The seaway is a modernization project as distinguished from a purely new waterway development. In the St. Lawrence above Montreal the limiting channel depth will be increased from 14 to 27 feet; 7 locks are being built to supplant 18 existing outmoded ones; in the Welland Canal the channel is being deepened from 25 to 27 feet; and a number of ancillary features are involved including bridge construction and utility changes.

Below Montreal a 35-foot channel prevails to the sea. Within each of the Great Lakes natural deep water abounds. The Great Lakes connecting channels above Lake Erie are now being deepened by the United States from the present general depth of 25 feet to 27 feet under separate legislation, at an estimated cost of $136 million. When this connecting channels work is completed in 1962, a 1,300-mile waterway with a minimum channel depth of 27 feet will be available from Chicago and Duluth to Montreal, which is some 1,000 miles from the open sea.

Our seaway work is being pursued through the St. Lawrence Seaway Development Corporation which is utilizing the engineering services of the Corps of Engineers, United States Army, as its design and construction agent. Essentially all construction is by contract after open, competitive bidding. Canada's share is being performed by the St. Lawrence Seaway Authority of Canada.

Our phase of this activity is located in the international section of the St. Lawrence River, namely in the 114 miles immediately below Lake Ontario, which are boundary waters. Below this reach for over a thousand miles the St. Lawrence lies entirely in Canada.

Our share of the current seaway program includes construction of a 10-mile lateral canal at Massena, N. Y., with two locks, together with channel improvements above and below. Canada is building 5 new locks; 4 below Massena, and 1 above, together with extensive channel and other related facilities.

I should point out here, Mr. Chairman, that this 2 to 5 division of locks is in contrast to the 3 United States locks and 4 Canadian locks contemplated when Public Law 358 was adopted. This change came about through negotiations between the two Governments subsequent to the passage of the original act.

INCREASE IN BORROWING AUTHORITY

The major provision of H. R. 5728 is the increase in borrowing authority from $105 million to $140 million. The committee dwelt at some length on this matter during the hearings and questioned the witnesses in detail.

While the increase in borrowing authority is only 33 percent, the actual increase in construction cost, using comparable estimates covering the same items, is practically 100 percent. This is shown by the following figures presented by the Seaway Corporation and found on page 4 of the committee report:

Estimates as presented to the Committee on Public Works in June 1953 (based on December 1952 price levels), exclusive of interest charges and the provision for working capital	$88,074,000
Less: Point Rockway cost on which construction has been deferred	21,259,000
Total	66,815,000
Additions to costs: Price escalation to July 1, 1957	19,255,000
Basic planning and design changes	10,234,000
Construction items added	36,696,000
Total	66,185,000
New construction cost estimate	133,000,000

It may be seen, therefore, that the basic construction cost has risen from $66,815,000 in 1953 to $133 million in 1957, an increase of $66,185,000 or almost 100 percent. This increase is made up of 3 items: price escalation, $19,255,000—28.8 percent of total increase; planning and design changes, $10,234,000—15.3 percent; and added construction items $36,696,000—54.9 percent.

The committee was concerned by this high-cost increase since December 1952, the date of preparation of the preauthorization estimate.

It was recognized that all types of construction, both public and private, are subject to the inflationary spiral. In this case, in common with other heavy construction, the impact has been an increase of about 22.8 percent when related to the current project without "Additional items" added.

The planning and design changes, totaling $10,234,000 are itemized in table 1 of this statement, following, and account for a 15.3-percent increase over the applicable preauthorization estimate. This table will be found on page 5 of the committee report. In large measure they include up-to-date design treatment of the project as authorized.

TABLE 1.—*Planning and design changes*

Removal of additional rock shoals in the Thousand Islands section due to recent detailed hydrographic surveys and modified design criteria, together with additional quantities of excavation at originally contemplated shoal areas	$6,663,000
Substitution of vertical lift gate for Long Sault guard gate	−5,250,000
Elimination of double set of lock miter gates	−4,952,000
Improved design of lock sills	606,000
Lengthening lock concrete guide walls for better ship accommodation and safety	1,337,000
Change in design of guide walls to meet foundation conditions revealed by actual excavation and detailed borings	$1,470,000
Additional Long Sault canal excavation to provide project channel depth at controlling water surface profile determined by detailed engineering analysis	2,041,000
Protection of concrete lock walls with wall armor, to prevent damage and abrasion from passing ships, together with timber fenders on guide walls	793,000
Substitution of highway tunnel under upper end of Eisenhower lock for swing bridge crossing, for better accommodation of highway traffic	1,003,000
Redesign of lock walls	1,123,000
Deletion of originally planned administrative facilities	−204,000
Changes in lands and damage costs including purchase of abandoned New York Central RR. trackage, bridge and adjoining property interests	2,725,000
High level bridge resulting from New York Central RR. abandonment and need for increased bridge headroom for seaway traffic including temporary access roads and ferry crossing	5,115,000
Elimination of previously contemplated plan for New York Central RR. and highway relocation (1952 plan, before necessary planning and design changes to original plan)	−4,747,000
Design changes covering such features as changes in utility lines to locks, widening of channel at Croil Island, and minor changes in project service roads	1,157,000
Miscellaneous other design changes to original plan	1,354,000
Total planning and design changes	10,234,000

TABLE 1.—*Planning and design changes*—Continued

Of most concern is the category of construction items added, totaling $36,696,000 as itemized in table 2, following. This table will be found on page 6 of the committee report:

TABLE 2.—*Added construction items*

Lands and damages: Lands and easements required for channel enlargement below south channel bridge. No work was originally contemplated here	$98,000
Long Sault canal and locks:	
Permanent project roads	664,000
Mooring dolphins	913,000
Public-use facilities	188,000
Maintenance buildings at each lock	116,000
Land rehabilitation	1,012,000
Gate lifter, spare gate and storage barge, including radio and intercommunication facilities	3,259,000
Mooring basin for gate lifter and related plant	1,074,000
Total, Long Sault canal and locks	7,226,000

The foregoing added items provide for betterments for improved accommodation and safety of navigation, highway traffic, and visiting public. Land rehabilitation measures are now contemplated to dress spoil banks, etc., in order to be more compatible with practice on adjacent power project (State park) lands. Isolation of area requires emergency repair facilities to assure uninterrupted seaway traffic and adequate project maintenance; elimination of double lock miter gates also adds to need for these facilities.

Cornwall Island section:	
Dredging in the south channel at Cornwall Island	$11,970,000
Training dikes	3,859,000
Total Cornwall Island section	15,829,000

Dredging in south channel at Cornwall Island arises from ambiguity in basic authorizing instruments concerning "power" and "seaway" responsibility. Training dikes were found necessary by hydraulic model studies to reduce adverse velocities and cross currents opposite Plooeys Gut.

General purpose facilities:	
Navigational aids	3,228,000
Administration building	840,000
Maintenance shops	511,000
Marine base adjacent to such shops	1,977,000
Toll collection facilities	215,000
Customs facilities	54,000
Floating plant, including tug, barges, derrick boat, channel survey and sweeping craft	3,363,000
Maintenance equipment	360,000
Total general-purpose facilities	10,548,000

TABLE 2.—*Added construction items*—Con.

Navigation aids included now because of Bureau of the Budget request and General Accounting Office decision for recovering of all such costs by navigation tolls; administration building now provided to house a separate Seaway Corporation staff; toll collection facilities; repair shops, marine base, floating plant, and related equipment necessary for self-contained operation and maintenance of this project which is in an isolated area.	
Seaway Corporation: Administration, field supervision and inspection, and mobilization operation and maintenance during construction	3,000,000
Total added items (December 1956 prices)	36,606,000

I would like to point out that these added or new construction items represent an increase of 54.9 percent or one-half of the overall increase. Admittedly there were omissions in the original estimate. However, a calm look at the features involved here will demonstrate the reason for what might hastily be called "omissions." A quick rundown shows this:

First. In preparing the original estimate the Corps of Engineers presumed that the Coast Guard would in accord with normal practice finance the United States navigation aids. Now it turns out that the Coast Guard will have charge over these aids but that their costs will be borne by the Seaway Corporation pursuant to a ruling by the Budget Bureau.

Second. Various equipment items including a floating derrick (gate lifter) were not included originally on the concept that such services could be arranged locally when needed from private sources. More detailed study recently has indicated that the importance and remoteness of these lock installations calls for such equipment to be immediately available at the site.

Third. In its original estimate the Corps of Engineers did not include funds that the Seaway Corporation created by Public Law 358 would need for supervision, administration and operation mobilization.

Fourth. Most significantly, the Seaway Corporation is having to assume major dredging costs at Cornwall Island that were originally considered to be a power project responsibility. This accounts for about one-half of the $36,960,000 increase. Because of an ambiguity in the instruments authorizing the power development this cost division was arrived at after long discussions between the 2 Governments, the 2 seaway and the 2 power agencies, which has the net effect of shifting considerable dredging cost from the power to the seaway project.

I am convinced that there was absolutely no intention by the engineers in preparing the original estimate to mislead the Congress by filing a low estimate just to get the "camel's head under the tent." Rather, I am convinced that the cost over-run in this case involves some oversights by the engineers, some inadequate basic data, price rises, and some changed circumstances over which they had no control. In fact if we would take the combined estimates for both the seaway and power projects presented to the House in 1954 and increase them now by 23 percent, the price level change, we would come up with a billion dollar figure, and the overall development is being built for that sum.

Furthermore, since the Seaway is a self-liquidating enterprise we should consider both United States and Canadian costs. Here are the pertinent figures showing a less severe overall increase.

Direct construction costs

	Preauthorization estimate	Present estimate
United States	$88,074,000	$133,000,000
Canada	174,950,000	284,000,000
Total	263,025,000	[1] 417,000,000

[1] 58.7 percent increase.

Annual costs for financing operation and maintenance

Preauthorization estimate	$14,600,000
Present estimate (by SLSDC)	$26,000,000
Increase (percent)	78

Before commenting on the pay-out prospects of the seaway I shall discuss the other items involved in this bill.

DEFERMENT OF INTEREST

The original and current overall estimates for our seaway program are:

Item	Original	Current
Direct construction	$88,074,000	$133,000,000
Interest during construction	7,927,000	(1)
Corporation working capital	8,999,000	7,000,000
Total	105,000,000	140,000,000

[1] Deferred.

There has been some difference of opinion as to the intention of Public Law 358, 83d Congress, with respect to the deferment of interest. The law does not specifically cover this point. The Treasury Department has interpreted the law and the legislative history leading up to the law to permit the deferment of interest during construction. The Office of the Comptroller General has interpreted that interest should be paid during construction or charged to the Corporation's borrowing authority.

This bill makes it clear that interest during construction may be deferred and paid from subsequent revenues, and not charged to the borrowing authority of the Corporation. This clarification will place the financing of this portion of the interest charges to the seaway on the same basis as other Federal self-liquidating projects. Interest during construction will be accrued as a cost, but payment will be deferred but compounded until construction is completed.

CLARIFICATION OF CORPORATE POWERS

Section 4 of Public Law 358 enumerates the functions and powers of the Corporation, but it is not specific as to what ancillary or auxiliary activities the Corporation may perform.

Certain services may have to be rendered to vessels by the Corporation, such as wharfage, tug and salvage service, for which the Corporation should be permitted to make a reasonable and equitable charge. The Corporation may have occasion to enter into agreements for the operation of concessions to serve the public or rent space or property in connection with the operation of the seaway. Since the costs of acquiring all of the facilities and equipment for the Corporation are financed from the Corporation's funds, it appears appropriate that any revenue from the use of such facilities should accrue to the benefit of the Corporation for payment of its expenses and obligations.

The existing highway-railroad bridge between Rooseveltown, N. Y., and Cornwall, Ontario, must be removed and the bridge relocated in order to permit passage over the seaway. The abandonment of the railroad system between the United States and Canada has relieved the seaway entities of the obligation to relocate the railroad system. The seaway entities, however, are obligated to continue the highway across the St. Lawrence River. Since a part of the payment to the railroad company was for the rights and obligations to operate a highway toll bridge system, it appears appropriate that the revenues from the highway tolls should be used by the seaway entities for their operating expenses or as payment of their debt services in connection with the toll bridge. The committee has amended H. R. 5728 to insure that the United States portion of highway bridge tolls shall be used for highway bridge costs and not diverted to seaway costs.

The Canadian law creating the St. Lawrence Seaway Authority of Canada has been amended to provide that the Seaway Authority of Canada may participate with the St. Lawrence Seaway Development Corporation in the operation of the relocated highway toll bridge. The proposed amendment to the Corporation's law will place the Seaway Corporation on an equal basis with its counterpart, the St. Lawrence Seaway Authority of Canada. Under this arrangement the Seaway Corporation will be able to participate with the Seaway Authority of Canada in the management of the international highway toll bridge.

CONCLUSION

After due consideration of the matter, Mr. Chairman, the committee by a wide margin favorably reported out H. R. 5728 now before the Chamber to:

First. Increase the borrowing authority of the Seaway Corporation from $105 million to $140 million. The United States must complete its seaway job and its commitment to Canada. Failure to do so would be unthinkable.

Second. Grant the Corporation the additional powers contained in the bill subject to the restrictions spelled out therein and to the requirements that special reports be filed hereafter with the Congress whenever there are any project feature additions or deletions involving a cost change of $1 million or more individually.

Third. To defer interest on the Corporation's borrowings from the Treasury until the project is completed and revenue is received from tolls.

In closing I wish to refer to the pay-out prospects of the seaway.

It is indicated that the annual costs that will have to be met will aggregate $26 million as estimated by the Seaway Corporation, or $28 million as estimated

by a committee representing the potential users. These users have expressed the concern that the total United States-Canadian charges will necessitate toll rates too high to allow maximum use of the project and yet pay off the cost in 50 years. It also appears that the eastern railroads consider that the seaway will not be competitive with them if these toll demands are met.

On the other hand, the Administrator of the Seaway Corporation has expressed the conviction that the seaway will generate heavy commerce in a relatively short time and that this commerce will move with toll rates that will pay out the project in 50 years. He based his testimony on traffic and toll studies currently under way by the Seaway Corporation but not yet finalized or published, and on corresponding studies by the Canadian counterpart entity.

Mr. Chairman, only time will tell the future seaway traffic pattern and toll revenue. Early years may be deficit years. A study, however, of the Panama Canal, Suez Canal, and other great waterways points to the seaway becoming a heavy traffic artery; firstly, in bulk mineral movements between Canada and the United States; secondly, in export grain; and thirdly, in overseas general cargo traffic. Shipping circles are buzzing now in their plans to get into this Great Lakes trade. Sailings between Great Lakes and overseas points even under the present bottleneck conditions in the upper St. Lawrence River are increasing by leaps and bounds.

At Milwaukee, for example, 16 regular lines even now are serving the port with 225 ocean sailings chalked up for 1956. Cargoes have moved directly from Milwaukee to 98 overseas ports on 4 continents since 1946. In 1956 Cleveland was visited by 319 foreign-flag vessels and this year over 400 are expected. Chicago had over 300 sailings last year. Other major ports are having similar experience.

Foreign lines now active include Fjell-Orange Line; Swedish Chicago Line; Swedish American Line; French Line; Hapag-Lloyd Line; Cunard Line; Canadian Pacific Line; Niagara Line; Ellerman-Fabre Line; and Manchester Lines.

These firms have definite expansion plans under way. The Fjell-Orange Line has announced plans to build at Amsterdam 2 de luxe passenger-cargo type ships of 9,000 deadweight tons for service between the Great Lakes, Rotterdam, and English Channel ports, commencing in 1959. These ships will carry about 7,000 cargo tons at 25-foot draft, and 100 passengers. With their speed of 18 knots, these 453-foot ships will cross the Atlantic to Montreal in 7 days and reach Chicago in 11 days.

The French Line is ordering two new vessels, the *Chicago* and *Cleveland*. Each will be 450 feet long and of 7,500 deadweight tons. Swedish Chicago Line is asking for bids on 5 large cargo ships for 1959. Belgian Line has ordered several 8,000-ton vessels.

Our own Maritime Commission has announced as an essential trade route for the United States merchant marine, route 32, between the Great Lakes and northern European ports via the St. Lawrence, and just recently, route 33, to the Gulf of Mexico and Caribbean points.

The possibilities of the seaway have not been lost to American companies. Applications for customary subsidies have been submitted by the Grace Line, Isbrandtsen Co., United States Lines, T. J. McCarthy Steamship Co., and Einar H. Crown. All are seeking to charter small Government vessels to establish operations before the new seaway permits employment of larger vessels.

Grace Line and Moore-McCormack have each just announced opening of offices in the principal Great Lakes ports to solicit traffic. An official of the United States Lines recently stated:

> From the many conversations I have had with freight shippers, transportation executives and forwarding agents in Europe, I can say that the majority of them are looking forward with enthusiasm to the eventual opening of the seaway and more active utilization of the Great Lakes ports.

Isbrandtsen's executive vice president is quoted in a recent Wall Street Journal article as saying:

> There is an enormous traffic potential.

The president of Grace Line explains:

> Our intention is to serve the trade with the small ships until 1959. Then, we will transfer C-2's (larger vessels) into the trade. By 1962 or 1963 we expect to have tailor-made ships.

These vessels will cost about five or six million dollars each.

The June 22, 1957, issue of Traffic World carries an article:

> Great Lakes and St. Lawrence River port officials are planning improved terminal facilities to enable them to participate in the 50-million ton annual traffic flow anticipated for the St. Lawrence Seaway.

Port circles from Montreal to Chicago and Duluth are pushing forward on terminal expansion in varying degrees.

Iron ore from the Labrador-Quebec field to Great Lakes ports constitutes the main block of prospective seaway traffic. Virtually all of our steel-producing companies are actively pursuing plans now for tapping this new mining source to continue the funneling of this basic mineral into our ever-increasing steel furnaces. These iron ore movements will probably be handled largely by Great Lakes type ships. They can handle over 20,000 tons, in ships some 700 feet long and 74 feet in beam.

Industrial plant expansion is widespread. At Massena, N. Y., alone General Motors and Reynolds are spending over $100 million.

One can go on at great length in tracing facets of this great unfolding economic drama.

History alone will record its yearly verdict. Let us pass the bill, complete the seaway, and face the future with righteous optimism and a willingness to meet and overcome whatever problems arise.

Mr. McGREGOR. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, I concur in the statement made by my colleague, the gentleman from Minnesota [Mr. BLATNIK], relative to H. R. 5728. It is one of those problems where we find ourselves in a somewhat embarrassing position. This Congress a little over a year ago authorized an expenditure of approximately $100 million for the construction of the St. Lawrence Seaway, a subject which has been before the Congress for many, many years.

Back about 5 years ago we were told it was going to cost about a billion dollars as far as the United States was concerned, and then bills were introduced by our former colleague, the distinguished gentleman from Michigan, that brought the project somewhat in line with costs that some figured it should be. I might say in all sincerity there are a great number of Members in this Congress who might sit back and say "I told you so," because in reading the RECORD and refreshing our memory we find that many Members said that it could not be constructed at the price set forth in the authorization; that it was somewhat like buying a Victrola of old; that the first cost of the Victrola did not mean much but what was going to cost and continue to cost was the records which were to be played on that Victrola.

So, shortly over a year after original authorization we find ourselves faced with the Corporation coming before this Congress and asking for $35 or $40 million more money. I disagree somewhat with the previous speaker that it was only a 35 percent increase. I think you will find it is a little in excess of 100 percent increase, because when you go to checking, you will find certain figures were set forth in the plans and certain items of construction.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Minnesota.

Mr. BLATNIK. I thought I emphasized that point—that while the overall increase indicated about 33⅓ percent, the actual increase in construction was approximately 100 percent. I tried to make that clear, and the gentleman is correct in pointing out that difference.

Mr. McGREGOR. I certainly appreciate that statement, because the gentleman's record will show that he has always tried to be fair and honest.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Kansas.

Mr. AVERY. It was not my privilege to be a Member of the House when this project was authorized, and I am not quite sure I understand what the gentleman is saying. Is the gentleman saying that in the authorization there were a certain number of alternates on a selective basis and apparently the operating authority has selected the minimum requirement? Is that essentially what the gentleman is saying?

Mr. McGREGOR. I might say that the selecting authorities did not follow what they told us they were going to follow, because there was no alternative, as a road contractor would say, for instance, as between A and B or whether you could use concrete instead of vitrified pipe. There was no alternates in the previous authorization. But we do note when we are examining what they are going to do from now on that they had a cost constructon deferred, which means that they are not going to con-

struct that item to the extent of $21,259,000, which would bring the total down to $66,815,000. Now they are asking for $133,500,000, which is approximately, as my friend from Minnesota says a 100-percent increase.

Mr. AVERY. Mr. Chairman, does the gentleman recall when this project was authorized whether it was set up on a cost-benefit ratio basis, as the conventional public-works projects are?

Mr. McGREGOR. In an approximate way, yes. We tried to figure out whether or not the tolls collected would be sufficient to liquidate the cost over a period of 50 years.

Mr. AVERY. Does the gentleman recall about what that cost-benefit ratio was?

Mr. McGREGOR. I am sorry; I do not. I do not know whether the gentleman from Minnesota [Mr. BLATNIK] does or not, and I should like to yield to him to answer the question, if he will.

Mr. BLATNIK. As I recall, the cost-benefit ratio was most favorable. I think it was approximately 4 to 1.

Mr. McGREGOR. Does that answer the gentleman's question?

Mr. AVERY. It might lead to my next question. If it was a favorable cost-benefit ratio, does the gentleman feel, with this 100 percent increase, if that increase could have been foreseen at the time originally, would the project have had such a favorable cost-benefit ratio?

Mr. McGREGOR. The gentleman from Ohio wants to be perfectly honest. I would say in all sincerity that there would be a question in my mind, if all of the costs of this project were added up and we knew what was going to happen and what the costs would be about 3 years from now—if we knew the total cost when we started this project it would be questionable in my mind whether the benefits would equal the cost. And that is one of the things I am worried about.

Mr. AVERY. Then I suppose it would follow logically that the membership of the House could conclude that this whole endeavor might become a continuing obligation on the Public Treasury, that the tolls may never be enough, really, to carry the interest and to repay the principal?

Mr. McGREGOR. I think the gentleman is correct in his assumption. I think our committee took that into consideration. I might call the gentleman's attention to the bill, page 3, lines 12 and 13, which says:

> The total fact value of all bonds so issued shall not be greater than $140 million.

I might say that the bill as written after being amended by our committee says, and I repeat, "The total face value of all bonds so issued shall not be greater than $140 million." We changed from original draft because, as the gentleman can readily see when the bill read "such bonds that are outstanding at any one time may not be greater than $140 million" they might pay off a few bonds, and then issue some more bonds. So we have set the total up to $140 million, which we hope answers the question of the gentleman from Kansas.

Mr. AVERY. I thank the gentleman from Ohio for yielding to me.

Mr. McGREGOR. That is a point that we have discussed. I want to say that in my humble judgment this Congress will be asked more than once to increase this authorization. And it will be done in a number of ways. We find in our appropriation bills on rivers and harbors that Harbor A in State B is given $10 million or $15 million. For what purpose? To take care of the additional traffic they think the St. Lawrence Seaway will bring. I have often wondered whether or not the St. Lawrence Seaway is going to be the competition that some felt it would be in the first place. I do not think it will be very competitive as long as we hold to 50-year bond issues, because under the existing law, the bonds are paid off by the tolls collected, and the bonds must be paid off within 50 years. I think when we finish this project the costs are going to be so high that the tolls will be so exorbitant, the question will be whether or not anyone will be able to afford to ship on the St. Lawrence Seaway. My friend from Maryland has ably said a number of times—and I refer to the chairman of one of our subcommittees [Mr. FALLON]—that he has taken the position that we may be called upon to subsidize this project because of high tolls to pay high costs of construction. I think we should consider this when we are discussing this bill.

It is to be regretted that a committee of Congress seemingly cannot get authentic information relative to construction costs. I might call to your attention one item that was seemingly left out of this entire program when it was presented to us for the first authorization. That was for basic planning and design, an item of $10,234,000.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Ohio.

Mr. McCULLOCH. Does the gentleman think that item was intentionally left out of the estimates, or was it left out by the ineptness of those who were preparing it?

Mr. McGREGOR. That is a little difficult to answer, but it was left out, and there were other items left out. Some of us wonder, if these items had been put in, whether or not the benefits to costs would be in the proper ratio that this Congress would accept. Either advertently or inadvertently the items were left out and costs were down. Now the items are in—costs are up—and we are asked to increase the authorization.

I am going to be perfectly honest and say that those individuals who left those items out and so submitted really a false report to the Congress should be fired regardless of whether they are corporals or generals. We do not have the time to check these various items, and we must take the word of someone—and it is to be regretted that someone is not giving the Congress the true facts.

Mr. McCULLOCH. I am very glad to hear my able colleague from Ohio make those comments. A moment ago, just after my inquiry of the gentleman from Ohio, the remark was made to me that whether it was for one reason or the other, it was wholly inexcusable. I think in this major and important project we should have estimates in accordance with the best accepted business practices in America. We should not excuse such negligence or intentional default in the future.

Mr. McGREGOR. I thank my friend from Ohio. I think he has spoken the word of every member of our Committee on Public Works and I expect of nearly every Member of Congress. We want to be honest with the people who pay the taxes. There is no such thing as free money. Every one of these projects has to be paid for. If we authorize them and then find out that certain items have been left out, the taxpayers have to make up the difference.

I believe we have some protection in this bill, thanks to the capable chairman and the members of the Committee on Public Works, because we have put in a ceiling of $140 million. Before they exceed that amount of bonds they must come back and ask for authority again. I repeat, just as sure as I am standing here, they are going to come back and ask for more, because in my opinion this will not complete the project and I think they are going to ask for an extension of time on the bonds in order that those bonds may be retired.

We are in a position I hate to see this Congress in. We have some obligations with our good friends to the north. We have started these projects. You may criticize the Committee on Public Works if you so desire because we did not know all these things when we first asked for authorization, but I think you will recognize that we do not have the time or the experience to go into every detail of a construction proposal.

I hope every Member of the Congress, whatever committee you may be on, will assist us in trying to arrive at some kind of formula where we can demand of those who are submitting figures to us to be sure that those figures are accurate so that we can be honest when we present the project to Congress for consideration.

Mr. GEORGE. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Kansas, a fine member of the committee.

Mr. GEORGE. It it not true that this project was sold to the Members of Congress on the basis that it was a self-liquidating program?

Mr. McGREGOR. I think that is the only reason in the world the project was ever accepted.

Mr. GEORGE. The way the bill was drawn up, is not the Secretary of the Treasury forced to buy the obligations of the Authority?

Mr. McGREGOR. That is correct.

Mr. GEORGE. They do not have to sell them on the open market, where they would have to justify their earning capacity in order to sell their bonds.

Mr. McGREGOR. They do not.

Mr. GEORGE. I thank the gentleman.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Ohio.

Mr. VORYS. As I remember it, part of the proposal was that if the United States did not go ahead with this that

Canada might go it alone. Am I correct line of this legislation?

Mr. McGREGOR. The gentleman is correct.

Mr. VORYS. Does Canada bear an equal cost in contribution along the line of this legislation?

Mr. McGREGOR. We are told that they not only bear an increase, but a greater increase than we are bearing although I only have the authority of the witness to make that statement.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from California.

Mr. BALDWIN. The testimony of Mr. Castle, the seaway administrator, says the cost to the Canadian Government has gone up 62½ percent. The testimony of Mr. Danielian, another witness, said that the cost to the Canadian Government originally was, when estimated, $174,950,000 but then they had the addition of the Iroquis lock canal which cost them an additional $21,259,000 and now their estimates have gone up to a total of $284,675,000 which in accordance with his estimate is a 46 percent increase. So this has been shared on both sides.

Mr. VORYS. Then I wonder if the gentleman could tell us, if some member of the committee could tell us whether there had been representations that were far too low made to the Canadian Government as well as to the Congress.

Mr. McGREGOR. I would not care to commit myself relative to that, but some of us have questioned a lot of the evidence submitted as to just how anxious the Canadian Government was to start this program. If I may go on for just a moment, I think the committee did a very fine job on page 3, in which the Corporation after the effective date of this amendment shall submit a special report to the Congress, whenever there is proposed a new feature, design, or phase of the seaway project not included heretofore in the estimates and reaching a cost as set forth in the bill.

Mr. Chairman, I think that is a protective amendment. We find ourselves here today being forced to authorize an expenditure that seemingly already has been agreed to and seemingly a change of specifications which already has been agreed to. So I think that particular clause will help to protect the situation. Again I say, although we may not like this procedure, it has been authorized by the Congress of the United States, and in my humble opinion the only thing we can do and the only thing I think we should do is to authorize this request for additional funds.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to my colleague from Ohio, a member of the committee.

Mr. SCHERER. Is it not a fact that the criticisms of the committee were not directed so much to the increase in the construction costs or unforeseen difficulties in the construction, but were directed to the fact that there were many items in the construction program which were left out and which should have been foreseen by competent engineers?

Mr. McGREGOR. The gentleman is entirely correct. The committee recognizes, of course, that the costs of construction have increased since the estimates were made or since it was authorized by this Congress, and that such increases have been between 15 percent and 20 percent. We recognize that, but the thing that we criticize, as the gentleman from Ohio [Mr. SCHERER], member of the committee, has said is that those who are in authority intentionally or unintentionally left out some items which were not considered in first authorization and which they did not submit to the committee, one of them being an item of $10 million for engineering. Of course, all of us recognize that we have engineering costs. There were some items left out. We do not like it. But now we know those costs are there and we have to pay for them.

Mr. VORYS. Mr. Chairman, will the gentleman yield.

Mr. McGREGOR. I yield.

Mr. VORYS. I find in the calculations in the committee report that the additions are stated and then deductions, deferred and revised items $31,185,000. Does that mean that there are deferred items that are going to be built later on and which must be financed at some later time by the Congress?

Mr. McGREGOR. No; that does not mean deferred items; rather, it means items on which plans and specifications have been changed to such extent that they no longer want those items placed in the category of deferred items.

Mr. VORYS. Ordinarily "deferred" means merely postponed, rather than canceled, and I wondered if that was the case in this instance.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield.

Mr. SCHERER. Deferred items refers to a lock, or two locks that are being built by Canada which originally were to be built by the United States and which were included in the original estimates.

Mr. McGREGOR. But they will never be paid for by the United States, so instead of using the phrase "transferred" they should be treated as canceled items.

Mr. VORYS. I thoroughly agree with the gentleman on that.

Mr. McGREGOR. I yield to the chairman of one of our subcommittees, the gentleman from Alabama [Mr. JONES].

Mr. JONES of Alabama. I would call the gentleman's attention to section 5 and invite his comments as to how that section will be managed by the Corporation in making its report to the Public Works Committee of the House and to the Foreign Relations Committee of the Senate.

First I would like to have the gentleman's thought with regard to reports on increased costs being made to the respective committee in multiples of $1 million expended by the Corporation.

Mr. McGREGOR. Only unless they go into a foreign field, something that is not prescribed in the bill; in other words if they get into a contract with the Canadian Government similar to the new bridge and the new highway which never were intended in the original legislation, if they attempt to go as far afield as that then I think they should report to this Congress and get further authorization.

Mr. JONES of Alabama. What if the implementation is of a modern nature? Would the gentleman expect the Corporation to make a report under this section?

Mr. McGREGOR. You know, my Scotch ancestry makes me feel that a million dollars is not something of a minor nature. These reports are required when the amount involved is a million dollars or more.

Mr. JONES of Alabama. I am not talking about the amount involved, I will say to my friend from Ohio; I am talking about the matter of the change in design proposal. I wonder how far this would hold the Corporation liable to make a report to the Congress.

Mr. McGREGOR. May I say that the language reads:

> Whenever there is proposed an abandonment of any feature, design, or phase, heretofore included in estimates, involving an estimated value exceeding $1 million—

They report to the Congress.

Mr. JONES of Alabama. Yes; I understand. Now, of course, if the Corporation makes a change in its plans and specifications in the prosecution of the project how would the Committee on Public Works or the Foreign Relations Committee of the Senate know of that change and the differences in the proposal they submit to these committees?

Mr. McGREGOR. Then they should submit that proposal to the committee and explain that they are going far afield from what is incorporated in our hearings and what was included in the authorization.

Mr. JONES of Alabama. Is the gentleman from Ohio satisfied after having heard all the testimony before the committee that he has any reasonable assurances that this plan will be prosecuted by the Corporation in keeping with the proposal for these reports?

Mr. McGREGOR. The only thing I can go on is the record, and the record so far has been very, very bad, because no one seemingly kept to the figures or anywhere near the figures authorized. But the Seaway Corporation is now under a very capable Chairman, Mr. Castle, and I think we will be able to keep in close touch with the actions of the Corporation.

Mr. JONES of Alabama. I realize the administrative difficulties that would be imposed upon the Chairman of the Corporation in trying to keep Congress apprised and informed of what it intends to do in the prosecution of this tremendous undertaking, the like of which we have never seen before, and, as far as this language is concerned I don't know that we have any counterpart or any precendent for this sort of procedure.

Mr. McGREGOR. I am sure I agree with the distinguished gentleman, a member of the committee, that this is really in the stratosphere as far as operation is concerned, but I think the gentleman will agree with me in this assertion that our taxes and our debt are

also in the stratosphere. I think it is our obligation, and I am sure the gentleman will agree with me, to put every governing power that we can on the expenditure of this money. When we do that we can go back home and say to our people we have sincerely and honestly endeavored to look after your affairs.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Florida.

Mr. CRAMER. I may say to my distinguished colleague from Alabama with regard to this particular provision that I believe it is rather obvious the objective of the committee in including it is to make certain that the next time, if it should ever occur, that additional costs are needed and an additional authorization is needed as a result of those additional costs, the Congress will have an opportunity to be advised in advance of what their planning is and that negotiations cannot be held with the State of New York, as was the case in this matter, when millions and millions of additional dollar costs result to the Corporation without the Congress being advised. That is all this does. It requires that when a new design or phase of the project would result in an excess of a million dollars involving those new phases not included in this bill and the estimate in this bill, they should advise the Congress as to what the plan is, why it is necessary, and give the Public Works Committee an opportunity to be forewarned to learn whether or not an additional authorization is going to have to be requested in the future and whether they are going to live within it.

Mr. McGREGOR. I agree with the gentleman from Florida and I am sure his explanation is clear. I repeat, the only reason we have that provision in there is that it might help us keep away from the situation in which we now find ourselves. Someone decided to build a bridge and some highway, which was not in the original authorization. Now we find ourselves with an agreement that was made, so we are paying for it. All this clause does is to say if it exceeds a million dollars, they come back and ask for an authorization.

Mr. CRAMER. The responsibility of Congress is to see that this is a self-liquidating project. You make certain that the taxpayers do not have to pay for it. That is the reason the Congress should have some policing authority and that is why this provision is in it, is that correct?

Mr. McGREGOR. That is correct.

Mr. SCUDDER. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from California.

Mr. SCUDDER. On page 38 there is a provision that entered into the project. When the St. Lawrence Seaway was authorized by our committee we felt that the power proposals of the Power Authority of the State of New York and Ontario, Canada, were to take care of all of the power facilities and the appurtenances thereto. However, the St. Lawrence Seaway Development Corporation did enter into an agreement, and I think entirely unforeseen, in which they paid $11,970,000, for the south channel at Cornwall Island. That is something that certainly our committee was not informed of as an extra because we felt when the two projects were separated, one the power project and the other the seaway, that the power project would pay for this cost and any interference there would be to the development of the seaway. The $11 million, almost $12 million, was an agreement they reached in which the seaway paid for that extra dredging at that point.

Mr. McGREGOR. May I ask the gentleman from California, who really is an expert in that field whether in his opinion there would have been a lot of discussion before our committee would have agreed to that proposition?

Mr. SCUDDER. Yes, and I do not think the House was cognizant of it when it passed this bill. I am sure our committee was not.

Mr. McGREGOR. I thank the gentleman. I want to take this opportunity of saying that the minority side appreciates the courtesies and fairness shown by the majority chairman, who has given us every opportunity to be heard.

Mr. BLATNIK. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. FALLON].

Mr. FALLON. Mr. Chairman, I am not going to oppose this legislation as I did the last time it was on the floor. But, it seems to me, if you will read the debates at the time this legislation was brought before the House, you will find that the opponents of this legislation were more accurate than the proponents as to the cost.

At the time that seaway was authorized, the cost estimates for constructing the 27-foot navigation channels, for which tolls were to be collected to put it on a self-supporting basis, were stated to be approximately $300 million; that the full cost would be $300 million, $100 million paid for by the United States and $200 million paid for by Canada. And, in order to give a leeway on the interest and other items during the construction, the United States established a Seaway Development Corporation with authorization to borrow $105 million from the Treasury Department.

Now Congress is being asked, long before the seaway is actually completed, to raise this authorization to $140 million. After examining the papers submitted in support of this increase, it appears that the cost for which the United States is responsible was very badly underestimated.

Three items of the original $105 million have been deferred or revised. One was a payment of nearly $8 million for interest during construction, which has been indefinitely postponed with the concurrence of the Treasury Department. Another was the Point Rockaway Canal and lock, which has been deferred or canceled in favor of a parallel canal on the Canadian side. Subtracting these items from the basic estimates of 1952, it comes to less than $70 million. Now, $140 million is needed, which is an increase of 100 percent. Of the approximately $66 million extra funds now requested, $19 million represents price increases, while $37 million are for items not included in the original plan. Adding them together with the $8 million of deferred interest gives you the exact amount, which is something over a 100-percent increase.

While there are no official costs above the estimates on the Canadian side, they are probably much higher. It seems certain that the seaway project from Montreal to the Lakes is going to cost at least twice its original estimate.

It should be remembered that the deepening of the seaway to 27 feet has brought demands on the public Treasury for corresponding deepening of the Great Lakes connecting channels, and shortly Congress will be faced with further proposals to deepen Great Lakes harbors at Federal expense. There is no telling what the ultimate cost will be for this aspect of the seaway from which there is no toll recovery on this particular item. Some $115 million has already been authorized for lake channels, and there will be no toll recovery on those items. However, if all the proposals made at public hearings which the Army engineers have been holding on Great Lakes harbors are brought into the Public Works Committee of the United States, we will be urged to lay out approximately the same amount of money that it cost to build the seaway, and on that $140 million there is no recovery from tolls.

The portion of the seaway from Montreal to the Great Lakes was authorized under a specific condition that it be made self-liquidating by tolls. Mr. Castle, the administrator of the Seaway Development Corporation, summed it up in a speech before the Toledo Chamber of Commerce on March 9, 1955, as follows:

> We are granted the authority to borrow as much as $105 million from the Treasury Department for construction purposes, and repay that sum from toll revenues to be collected after completion of the St. Lawrence project. Consequently, this program is not deficit spending or public aid. Our estimates are such as to assure fairly conservatively that we can retire the moneys which we will spend in this work within a 50-year period and possibly much less time, including interest accruing during the construction period.

Now it is being suggested by some of the proponents of the seaway, who confidently affirmed its self-liquidating features a few years ago, that something must be done to change the enabling act to furnish the money at less than the cost paid by the Treasury Department, postpone the amortization beyond the 50-year period, or otherwise subsidize the project. There is now some talk of making it a hundred years. Anything that has to be amortized in a hundred years by the Federal Government is certainly a subsidy.

Dr. N. R. Danielian, who was one of the sponsors of this project, appeared before our committee a number of times. As a matter of fact, I think he was engaged by some interests to further the success of this project. He is now president of the Great Lakes-St. Lawrence Association, and chairman of the Users Committee on St. Lawrence Tolls. This is what Mr. Danielian had to say about tolls:

> The annual costs of operation and interest will run about $28,330,000 against the original figure of $14,600,000.

And he requests Congressional help in keeping down tolls so that the shippers will not use transportation that is competitive with the seaway.

It was pointed out at our last hearings on this legislation that nobody testified before our committee opposing this increased cost of the seaway. I take it from what Dr. Danielian said that he is afraid that if you charge tolls at a rate that would amortize this project in 50 years, it would not be competitive with already-established carriers and the harbors along the Atlantic Ocean and the Gulf of Mexico. That might be the reason why these people were not in. The people who own and operate these private carriers, financed by private capital, were not in, perhaps, because they realized that the seaway had ceased to be a competitor under the cost of construction.

Mr. Chairman, as I said before, I do not see that there is anything we can do in this case today except to extend or authorize the extension of this amount of money. Although I am opposed to it I think the House should extend it because it is an economic problem. Unless the seaway is constructed there will be no return for the $66 million we have already in it and the sooner it is constructed the sooner we will start to get some return at least to our taxpayers who have built it.

Mr. McGREGOR. Mr. Chairman, I yield 5 minutes to the gentleman from Florida, a member of the committee [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, this bill is before us for the very obvious reason that there is a need of an additional $35 million authorization for the St. Lawrence Seaway project.

I am for the project and for this increased authorization because it would be foolish indeed and very poor economy to stop the project which would be the result of not authorizing the additional amount needed after many millions have already been spent. As a matter of fact I firmly believe this to be one of the greatest public works navigation projects in America and I believe its beneficial effects will be felt throughout America for decades to come.

The matters that concerned the committee when the facts were presented to us were, first, the fact that it seems there were many items contained in their requested new authorization that had not been initially presented to the committee when it was first authorized that should have been presented and should have been foreseen at the time of the initial authorization.

The second problem was that there were changes that possibly could not have been foreseen initally that have been made subsequently. Our committee has at no time nor has the United States Congress had an opportunity to review these changes as time passed since the initial authorization in order to determine whether they were reasonable, whether they were feasible, or whether they were within the intent and purpose of the initial authorization on the part of Congress. Those were the matters that principally concerned, I believe, the members of our committee.

Of course it is the responsibility of Congress to make certain at all times that this project is self-liquidating. Otherwise obviously it is going to be a burden on the American taxpayers, which it was never intended to be. I am sure those who voted for the initial bill would agree to that. It has been my objective to fully explore this and to make certain it remains self-liquidating.

There are just a few words of caution I should like to leave with regard to these aspects. I should like to say at the outset that it appears to me the committee has done a very substantial and creditable job in attempting to make certain that should it at any time in the future be necessary to come in for additional authorizations, and of course we were assured that it would not, this Congress would have been put on notice during the period following the passage of this bill and hopefully to forestall the need for any subsequent request for increased authorization as to what these changes were, what these feature design or phase changes in this project might be, so that we would have an opportunity to review them and have them discussed with us by the Seaway Commission. That is the reason for the provision which was discussed by our distinguished ranking minority member of the committee, the gentleman from Ohio, as appears on page 3 of the bill, line 21, which is section 5, which I had the privilege of offering as an amendment to this bill. I quote the section:

(5) Section 10 is amended by designating the section as subsection (a) and adding a new subsection as follows:

"(b) The Corporation, after the effective date of this amendment, shall submit special reports to the Committee on Public Works of the House of Representatives and the Committee on Foreign Relations of the Senate whenever there is proposed a new feature, design, or phase of the seaway project, not heretofore included in estimates, or whenever there is proposed an abandonment of any feature, design, or phase, heretofore included in estimates, involving an estimated value exceeding $1 million, and such special reports shall include justification for the modifications."

I do not believe it is in any way too restrictive on the part of the Commission because all it does is to require them to come in and indicate to the Congress or the Public Works Committee as to what those changes are and the justification for them, and give us an opportunity to question them about them in those instances where they are new and where they exceed a million dollars.

I should like to leave a word of caution with you as to the overall project and the accomplishment of the purposes of the initial bill.

The Wiley-Dondero bill, which is now Public Law 358, providing for United States participation in the St. Lawrence Seaway, had three primary purposes when it was enacted:

One, through the cooperative construction of the project to achieve partial control over the St. Lawrence River traffic through the construction of three locks and 11 miles of canal on United States territory. This was a national defense consideration urged by the Joint Chiefs of Staff at the time.

The second objective was to create the St. Lawrence Seaway Development Corporation as a means of controlling costs and finances.

The third was to act for the United States interest in the determination of tolls to the end that they would be reasonable to the American users and to the end that the project would be self-liquidating.

Those are the three objectives to be served.

Aside from these three objectives, it would seem there would have been little point in enacting Public Law 358, since it was understood that Canada was all ready to build the whole project itself. Therefore, the effectiveness of the present administration of the Seaway Corporation must be evaluated on the basis of its achievement within the realm of these three primary objectives which gave rise to this bill in the first place.

Let us review that. As I say, the only reason I am doing this is possibly as a word of caution in the future to this Commission as it operates and to the Government of the United States as it continues negotiations. On the first point, if Canada should complete the all-Canadian seaway at an early time, the whole investment of $150 million now being considered would, to some extent, be in jeopardy. As a caution, I would suggest that Canada has been allowed to make considerable progress in the construction of an all-Canadian seaway by repeated concessions. Some of the concessions were, first, they took over one of the locks authorized by Public Law 358, at Point Rockaway, which is now being built on the Canadian side at Iroquois Point. Second, Canada was allowed to dredge the North Cornwall Island Channel to 27 feet as another link in the all-Canadian seaway. Third, Canada has provided for a bypass canal and the opening of a seaway lock on the north of the power dam which may easily be converted to a lock in the future. All that Canada needs to complete the all-Canadian seaway is to do some more dredging at the bypass canal and the completion of two locks, a job which may cost some $50 million. These concessions have been made.

Thus, unless we can forestall by hard bargaining the completion of the all-Canadian seaway, the full investment on our side will be in jeopardy.

The first objective unless we negotiate shrewdly in the future, would not be achieved. I just point that out as a cautionary matter.

On the matter of the Corporation finances, that has been discussed here at length. I will not go into it in detail. The original estimates for the 3 locks covering 11 miles were $88,074,000, deducting for Point Rockaway lock $21,259,000, leaves the original estimate at $66,815,000. Adding the 22 percent cost escalation, which we cannot deny, to July 1957, the initial cost would have been $81,286,375. Now they are asking for $133 million, or an additional $51,781,625 as increased costs for changes and additions to this project.

I am glad to see the provision in section 8 in the bill as to the future changes. If this is done in the future by the commission, they will have to come to the Congress and advise the Congress concerning it.

Now under the third objective, the establishment of reasonable tolls, it should be observed that the Corporation has made little progress with Canada in almost 3 years on any controverted phase of the toll issue. That is the third objective—to get reasonable tolls for American users which should make it a self-liquidating project.

With regard to the accounting systems and the establishment of general tolls and the measurement of ships and the methods of division of toll revenues, no agreement has been reached with Canada. With the increased cost of 100 percent on the United States side for the remaining two locks that the United States is building, it seems there is even less motivation on the part of Canada to agree to any of these projects. With the insistence of the United States officials that the users will pay for all of these increased costs, the effort to establish reasonable tolls either unilaterally or in joint agreement with Canada becomes a more difficult problem. Thus, the third purpose of this bill is becoming more troublesome to accomplish.

I call these three factors which, in my opinion, were the motivating force behind this legislation in the first instance, to the attention of the commission as well as the United States Government and hope they will take cognizance of it in the future in attempting to carry out the objectives of this legislation with this additional authorization. And it is essential that the United States should shore up its position in negotiations with Canada in order to accomplish these objectives, as I see it. My purpose in taking the time of the committee at this time is to point out what I believe are some of the shortcomings in the operation of this Commission in carrying out the truly intended purpose of the Congress so far as the United States is concerned. I trust in the future that these objectives will be recognized and that they will be accomplished.

The CHAIRMAN. The time of the gentleman from Florida [Mr. CRAMER] has expired.

Mr. BLATNIK. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I am delighted to yield to the chairman of our subcommittee. I would like to say that we are all appreciative of the very fine job he does as chairman.

Mr. BLATNIK. I appreciate that coming from a very active and keen member of the committee. I am not trying to depreciate any of the statements made by the gentleman, but if I may say so quite candidly, I think it was somewhat overstressed when the gentleman states that little progress was made on the matter of tolls. There have been several conferences on this extremely difficult problem which requires a great deal of study and great deal of concentration. The administrator of the St. Lawrence Seaway Corporation has announced that he will hold hearings with the users on our side and the Canadians will do likewise. In the letter from Mr. Brucker, Secretary of the Army, which is on page 10 and 11 of our own committee report, he says:

> Careful studies by the St. Lawrence Seaway Development Corporation and the St. Lawrence Seaway Authority of Canada have established that the additional capital expenditures which the proposed legislation will authorize can be entirely recouped from seaway tolls and charges for ancillary services.

I would like the RECORD to show that we have very responsible men, very able men, men of great competence working on this tremendously difficult problem. I will be candid and say that there are some of these charges heaped on the Corporation which we do not like. On many of them they had no choice. I mentioned the $3 million item of navigation which no rivers and harbors or inland waterway project is compelled to include in the construction costs of the project and many of these other facilities.

Mr. CRAMER. Let me say that I, at no time, wanted to give the impression that no negotiations were underway or that the people involved are not competent. But, it was my opinion that that there has been insufficient progress in coming to conclusions with regard to some of the basic items to be included in the tolls. That seems to be the problem in these negotiations. They are not progressing as rapidly as they should. I agree with the chairman, and I would be the last to say they are not being diligent in carrying on the negotiations, but they have not been diligent in getting the results I think they should have gotten. They have not been sufficiently effective and the results are not what they should have been.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield.

Mr. AVERY. I wonder if the gentleman from Florida could tell the Committee what the cost of money is to the St. Lawrence Seaway Development Corporation?

Mr. CRAMER. The total cost of the project——

Mr. AVERY. No, I am sorry, I mean how much interest are they paying on the money?

Mr. BALDWIN. If the gentleman will yield, the cost will be the going rate at which the Treasury borrows money adjusted from month to month.

Mr. AVERY. Would the gentleman from Florida or the gentleman from Ohio have any idea what that current rate would be as charged up to the Government?

Mr. BALDWIN. I do not have any evidence in the record showing specifically the interest rate as of now, but there is testimony in the record that shows the interest rate will be determined by the Treasury from month to month.

Mr. McGREGOR. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield.

Mr. McGREGOR. I agree with the statement of the gentleman from California. I think it is the consensus of the members of the committee that the interest rate is approximately 3⅓ or 3¼ percent.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the chairman of the subcommittee.

Mr. BLATNIK. Interest on its bonds has ranged from 2⅜ to 3⅜. The larger portion of the bonds have been issued at about 3¼ percent, or more, and the interest rate during the month of March, 1957, just passed, has been established at 3¼ percent.

Mr. AVERY. Mr. Chairman, will the gentleman yield further?

Mr. CRAMER. I yield.

Mr. AVERY. To make my point a little more clear, let us take the case of the railroads. I have before me a recent issue of the Wall Street Journal, and I notice where the Chicago & Eastern Railroad Co. has just finished negotiating the sale of a new line of securities costing 5.108 percent interest. The St. Lawrence Seaway Corporation is getting money for slightly in excess of 3 percent; in other words, it is getting a Government subsidy. It is the case of giving a Government subsidy to a common carrier that the railroads do not get. That would be a fair analogy.

Mr. CRAMER. The Government is lending them money at the going rate that the Government has to pay when it gets funds on these new issues.

Mr. AVERY. But does not the gentleman agree with me that what it costs private companies to sell bonds on the open market is a good measure of the cost of money?

Mr. CRAMER. The analogy does not hold in this case for this is an operation in which the Federal Government stands behind the operation. I think the gentleman knows that in this instance the cost will be substantially lower than it would be on private issues.

Mr. AVERY. I recognize that, but I think the gentleman will agree with me that this amounts to a subsidy to a competitive common carrier.

Mr. CRAMER. It has been the recognized responsibility of Congress to appropriate funds for navigation projects but here we have a project in aid of navigation that will repay the costs to the Government and that is self-liquidating. As a matter of fact I think we are fortunate to have such a project instead of the Government having to pay 100 percent. This is a reimbursable project and for that reason I do not think the analogy is a good one. The Government has consistently followed the policy of initially financing such reimbursable projects, and we know this project is on a pay-as-you-go basis.

I now yield to the gentleman from Alabama.

Mr. JONES of Alabama. I was just going to make the same observation as did the gentleman from Florida. If the interest rate is to be considered a subsidy, surely the subsidy would not be

any greater to the St. Lawrence Seaway than the great grants of land that were made to the western railroads. We have been quite generous with the railroads as well as the waterways of this country.

Mr. CRAMER. As I see it, I may say to the gentleman, this is a method whereby Congress could facilitate the accomplishment of this needed project at little cost to the taxpayer as compared to other navigation projects where the Government pays 100 percent of the costs attributable to navigation. The only cost here is the possible increased interest rates on money borrowed by the United States which is insignificant in terms of the overall benefit of the project that results.

Mr. McGREGOR. Mr. Chairman, I yield 3 minutes to the gentleman from Kansas [Mr. GEORGE].

Mr. GEORGE. Mr. Chairman, I think we in the House are more or less missing the point in debating this bill today, because, as I remember, over the years we were sold on this program on the basis that it was self-liquidating. We should resolve in our own mind whether these changes are going to force us into a program where we will have a Government subsidy involved.

I call your attention to page 41 of the committee hearings where a very able gentleman testified before our committee, Dr. N. R. Danielian, who is president of the Great Lakes St. Lawrence Association and chairman of the Users Committee on St. Lawrence Seaway Tolls. Dr. Danielian introduced a statement before our committee in which he was advocating, of course, that we complete this project because his people wanted to use this great seaway. In his association about 80 percent of the users of the seaway are members.

In his statement he said:

> We support such additional authorization of financing as is necessary to carry out the authorized purposes of the Wiley-Dondero bill, with the reservation, however, that there is now grounds for considerable doubt in the minds of the committee members that all of the additional costs already incurred, and proposed, by the United States Corporation, as well as the Canadian Authority, can be recaptured in tolls.
>
> This conclusion was arrived at after months of intensive study and thorough deliberations. It is motivated by two considerations; one, ethical and moral, in our relations with the Congress, and the other economic.
>
> We are in favor of seeing this job through and we favor the authorization of such additional money as may be necessary to complete the authorized project, but we want to make it clear to the Congress, and the public, that in our opinion it is not going to be easy to achieve the complete repayment of principal, interest, operating and maintenance expenses within the 50-year period, in the light of these rising costs. We would like the authorization to be approved by Congress with realistic appreciation of all the problems involved. The economic issue is that due to the existence of the many competing routes available into and out of the Middle West, it may not be possible to charge toll rates high enough and, at the same time, retain a volume of traffic, which will bring in revenues annually, beginning in 1959, in an amount variously estimated at from $23 million to $28 million a year.
>
> We fear that any attempt to set rates which are high enough, as a theoretical matter, to secure the needed revenues, will curtail the traffic and thus defeat its purpose.

Mr. Chairman, I think the statement of the president of the Users Committee on St. Lawrence Seaway Tolls pretty well answers the problem as to whether this is going to be a self-liquidating project. The bonds issued by this authority are held by the Treasury of the United States.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. KLUCZYNSKI].

Mr. KLUCZYNSKI. Mr. Chairman, I sit around here day after day and I have listened to a great many figures quoted by various gentlemen. The figures are always used to help the gentleman who is proffering them.

A couple of months ago a fellow came to my place of business and he said: "You are down there in Congress?" I said, "Yes." He said, "You must be a pretty smart follow. What is the population of Buffalo, N. Y.?" I said, "The population of Buffalo is about 626,000." One of my men looked in the book and said, "That is right."

Then this fellow said, "How many Poles live in Buffalo?" I said, "The Polish people in Buffalo number about 346,218." My good man Friday looked in the book and said, "The Congressman is right."

The fellow then said, "By golly, that is our fellow. That is the man we sent to Washington. He knows figures."

He said, "Now, you are so smart, what was Babe Ruth's batting average on June 29, 1928?" I reflected a minute and I said, "That was a doubleheader. 322."

"That is right" he said. "How many home runs did he hit?" I said, "32 up to that date." "By golly," he said, "that fellow is really smart." So, when we sit around here talking about these figures, somebody will say, "By golly, that fellow really knows what he is talking about."

Mr. BYRNE of Illinois. Mr. Chairman, will the gentleman yield?

Mr. KLUCZYNSKI. I yield to the gentleman from Illinois.

Mr. BYRNE of Illinois. Who is first in the American League?

Mr. KLUCZYNSKI. The White Sox. I thank the gentleman. I am glad he asked me that question.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. KLUCZYNSKI. I yield to the gentleman from Maryland.

Mr. FALLON. How did the White Sox make out in their last stay in Baltimore?

Mr. KLUCZYNSKI. I do not remember very well.

But, Mr. Chairman, I am very happy and proud to be a member of this great committee, the House Committee on Public Works. We are neither a Democratic committee nor a Republican committee. We are just a good American committee trying to do some good for the people of America.

Now, this afternoon we have this very important legislation known as the St. Lawrence Seaway before us. As the gentleman from Ohio [Mr. McGREGOR], the ranking Republican member, stated, a lot of the opponents will say, "I told you so; I told you so." Yes, and I can say the same thing. I can say, "I told you so," because when this legislation was before us in committee I knew that the request for $105 million was far, far too low. However, I knew that the St. Lawrence Seaway would be a great thing for this country, and I did not care whether the request was for $105 million or $200 million; I was for the St. Lawrence Seaway. And, I knew it would not only help the Mid-West, but I knew that it would help the economy of our country. And, I hope that with this additional request for $35 million this afternoon, they will be able to complete the job, and I further hope that the St. Lawrence Seaway Development Corporation will not come before us in the next session and ask for more funds to complete the job.

Mr. Chairman, as a businessman, I am against any further misrepresentations or requests that come to us in the way of low figures on new projects and then come in before future Congresses and ask for more money. We, as committee members, should check more closely, whether it is the Corps of Army Engineers, whether it is the General Services Administration, the Post Office Department, or any other agency that makes the request and see to it that they come in with the right figures.

Mr. Chairman, the chairman of the subcommittee, my very good friend, the gentleman from Minnesota [Mr. BLATNIK], and my very good friend, the gentleman from Ohio [Mr. McGREGOR], have worked hard on this committee. They have been very patient. We have had a lot of testimony at our hearings, and these gentlemen were fair with everybody. As I said before, this is one great committee, and it reminds me of a happy family.

Mr. Chairman, there is only one thing for us to do, and that is to pass this legislation. You know, we cannot stop work on the St. Lawrence Seaway, and I urge the passage of H. R. 5728.

Mr. BYRNE of Illinois. Mr. Chairman, will the gentleman yield?

Mr. KLUCZYNSKI. I will be happy to yield to my friend from Illinois.

Mr. BYRNE of Illinois. My colleague from Chicago has in mind, I am sure, that after this Seaway Act was passed, a healthy activity was generated on the Great Lakes at the various ports; is that not correct?

Mr. KLUCZYNSKI. Right.

Mr. BYRNE of Illinois. And if the gentleman will bear with me further, in anticipation of what this project was going to be when completed, the city of Chicago has spent some $24 million on the Chicago-Cal-Sag; is that not true?

Mr. KLUCZYNSKI. Yes.

Mr. BYRNE of Illinois. And there is healthy activity going on in the way of competition at such ports as Milwaukee, Detroit, and Toledo and they, realizing the soundness of this project, have already spent vast sums of money, millions of dollars, and they are advocating and are preparing to spend additional sums of money because they realize it will be a great thing for the Midwest and a

great thing for the United States of America.

Mr. KLUCZYNSKI. That is right.

Mr. BYRNE of Illinois. Does not my colleague agree?

Mr. KLUCZYNSKI. I surely do, and I expect that we will have an influx of about 500,000 people in and around Chicago, because when the Cal-Sag Canal is completed in the next year or 18 months—they are widening it from 60 feet to 225 feet—you and I will be able to hear the ocean liners whistles coming down that great canal into the Great Lakes.

Mr. BYRNE of Illinois. And then when Chicago wins that pennant we will all go down to the Syrena and eat.

Mr. KLUCZYNSKI. You are all invited to come to the restaurant and eat all you want, and pay the cashier.

Mr. CRAMER. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I think it has been made clear, and I should like to stress it again, that this is a project that is well underway and, from a practical standpoint, we have no alternative except to take the steps necessary to make possible its completion. It should be made clear that the problem of additional cost is not a problem exclusive to the United States. The Canadian Government has had the same, the identical experience. I should like to read 2 paragraphs from the testimony of Dr. Danielian at page 45 of the hearings on the matter of the Canadian cost of the project:

> The project that Canada assumed originally was estimated to cost $174,950,000, but, with the addition of the Iroquois lock and canal, another $21,259,000 was added by Canada, making a total of $196,209,000 as the original estimated cost of the project they are now constructing.
>
> The Canadian Seaway Authority now estimates the cost of completing its part of the project, including Iroquois lock, at $284,675,000, or an increase of 46 percent. I think the record should stand corrected on that. I think yesterday a 26 percent figure was used. The actual increase of the work they are doing is 46 percent.

I think that point should be made clear, that the problem of increased cost is a problem that has been run into by both countries and is not solely a problem of the United States.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman.

Mr. BLATNIK. The gentleman is absolutely correct. If I may point out, the total cost, including the power phase and navigation were taken as one, if they were combined—and the project originally was proposed as a comprehensive navigation and power project, the increase would be only 23 percent, which reflects quite accurately the price level change in the past 3 or 4 years.

Mr. BALDWIN. I thank the gentleman. Now, a second thing. This committee which has brought this bill to the floor has stressed very clearly throughout the hearings to the members of the St. Lawrence Seaway Development Corporation that as far as we are concerned we expect the St. Lawrence Seaway Development Corporation to take the necessary steps to make this project self-supporting. In that connection I would like to read from page 76 of the hearings as follows: I asked a question of Mr. Castle, the Administrator:

> I would like to ask one question in that connection, Mr. Castle.
>
> Has the Seaway Corporation, in the light of these increases, made any further studies to verify whether in your opinion you are going to have any problem in collecting the additional tolls required in order to be able to be solvent in the light of these additional costs?
>
> Mr. CASTLE. We have progressed in our studies, which have not been announced, between the Canadian committee and our own committee, to the point where we feel today that by a system of deferment of principal payments until we can develop adequate total tonnage volume, we can continue to make this a self-liquidating project.
>
> Mr. JONES. Will the gentleman yield for a question, Mr. Baldwin?
>
> Mr. BALDWIN. Yes; I yield.
>
> Mr. JONES. Mr. Castle, did not the Secretary of the Army this year transmit a letter to the Congress informing the Congress that there had been a recapitulation of the toll estimates, and there would be sufficient income from tolls to retire the increased obligations brought about by the increased cost of construction?
>
> Mr. CASTLE. That is right. It will still be a self-liquidating and self-sustaining corporation, and we think that the toll rate will be satisfactory to the users.

I should like to stress at this point that the committee has made it very clear throughout the hearings to the St. Lawrence Seaway Development Corporation that as far as we are concerned we expect the corporation to take the action necessary to set tolls that will make this a self-liquidating project.

In conclusion, Mr. Chairman, I should like to express my appreciation to the chairman of the subcommittee [Mr. BLATNIK] for the very fine manner in which he conducted the hearings and the fairness with which he has handled this problem all the way through.

I should also like to pay tribute to the gentleman from Michigan [Mr. BROOMFIELD] who was a new member on our committee this year, his first term in Congress, and introduced a bill comparable to the one introduced by Mr. BLATNIK for this project. Mr. BROOMFIELD took the place of Mr. Dondero, an original coauthor of the St. Lawrence Seaway bill. He has handled this project admirably, represented his constituents and their interests very effectively, and is a great credit to his district for a first-term Member of Congress. He has demonstrated great interest and diligence in helping to get this project approved, and in bringing this bill to the floor today.

Mr. McGREGOR. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. BROOMFIELD], a member of the committee, but may I take this opportunity to say that I concur in the statement just made by the gentleman from California [Mr. BALDWIN]. Mr. BROOMFIELD has had a difficult task in filling the shoes of Mr. Dondero, but he has done an excellent job and we appreciate very much his work with our committee.

Mr. BROOMFIELD. Mr. Chairman, on a 68-mile front, an army of 16,000 men has pitted its energies against a common foe. Its artillery is some 3,000 pieces of heavy equipment valued at more than $75 million. Its barracks are 53 trailer camps ringing the field of conflict.

Its common enemy is the workings of a law which Congress hasn't been able to repeal. That is the law of gravity.

Essentially, the St. Lawrence Seaway project is man's attempt to refute this natural law. Its purpose is to lift giant ships some 550 feet from the level of the Atlantic Ocean to the more stratospheric heights of the Great Lakes.

When it is completed, it will create an eighth sea—a broad avenue for commerce from the heartlands of the Midwest to the ports of the world. Although completion is still 2 years away, its effects are already being felt on distant shores.

An example is in the Netherlands, where 2 cargo-passenger ships are already being constructed to take advantage of the new route to America's midsection. Each of these 2 ships, displacing 9,000 tons, will be capable of carrying 100 passengers plus large amounts of cargo. They will operate from Rotterdam and English Channel ports to Montreal and Chicago.

By 1960, the present 16 lines operating between Europe and Great Lakes are expected to swell to 30, including many of the world's leading shipping organizations, according to a New York Times article on May 11 of this year.

Wherever suitable port facilities are available, cities along the St. Lawrence and Great Lakes route are expecting great increases in commerce. New industries and businesses are expected to take advantage of the new, cheap means of transportation to create new jobs and to raise the standard of living.

The struggle to build the seaway is not an easy one. Mother Nature has introduced some extremely imposing weapons into the fray. They include rock almost as hard as diamonds which defies blasting and which chews up the blades of heavy equipment at a fantastic rate. There are the more than ordinary rigors of northern winters, with the attendant punishment on both men and equipment.

In addition to nature's unceasing fight, man himself has used his own doubts and lack of vision to thwart a victory.

If it had not been for our neighbor to the north, Canada, which threatened to build the seaway by itself, we in the House probably would still be arguing its merits.

I am sure that most of you gentlemen are well acquainted with these arguments. There have been the wails of the "what's the use" group who oppose anything new just because it is new. There have been charges that the St. Lawrence Seaway would wreck our eastern seaports, spreading havoc and financial chaos. There have been the cries of anguish from the railroads, who claim that their stockholders would have to stop their coupon-clipping because of the threat of some competition for a change.

There have been parliamentary attempts of all shapes and sizes to bottle up the seaway project. These arguments ended once and for all in the spring and summer of 1954, when Congress finally approved United States participation in this project. That battle was won.

The conflict of man against nature is not in doubt in this venture. The St. Lawrence Seaway Development Corporation is confident that the job will be completed on schedule. This schedule calls for the first generation of hydroelectric power in September 1958; 14-foot navigation in 1958 and the opening of a 27-foot navigation channel in time for the 1959 navigation season.

But the conflict of man versus the dollar bill is a question which has to be settled, and by this Congress. The three factors of rising costs, new design features and necessary additions to the project are going to mean that the United States share of the seaway will total $140 million—a $35 million increase over estimates made in 1954. Cost rises in the marine construction field account for $19,300,000 of the price increase alone.

The United States is not the only partner to feel the effects of the battle against the dollar. Canada's costs have risen from an estimated $200 million in 1954 to $285 million at present.

President Eisenhower, in his budget message, asked that the borrowing power of the Seaway Corporation be increased by the necessary $35 million to meet these increased costs. The extra money is not going to mean any more money out of the pocket of the average taxpayer.

The amortization of the seaway project will be paid out of tolls charged to ships using the new route, and will be self-liquidating.

Hearings on the question have been held by both the House Committee on Public Works and the Senate Committee on Foreign Relations. Both groups have asked for the increased borrowing power.

I would like to take this opportunity to say a word about one of the members of the general staff in this battle to build the seaway. He is your former colleague and my true friend, the Honorable George A. Dondero. His untiring efforts on the floor of this House for some 20 years were largely responsible for our being so close to victory. His ceaseless probing and quizzing of every possible aspect of this great undertaking surely played a large part in the eventual start of construction.

It is my great pleasure and honor to serve as his successor, and to do what I can to see that this battle is fought to a triumphant conclusion in the Public Works Committee and on the floor of the House.

On behalf of Mr. Dondero and myself, I urge my distinguished colleagues to support the legislation for extra borrowing power for the seaway so all of us may reap its benefits at the earliest possible hour.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may desire to the gentleman from Oklahoma [Mr. ALBERT], the majority whip.

Mr. ALBERT. Mr. Chairman, I take this time to concur in the tribute paid to the chairman of this subcommittee, the distinguished gentleman from Minnesota [Mr. BLATNIK]. Those of us who came here in the 80th Congress with our able colleague are all proud of the great record he has made. Some of the most important bills that have passed this House in recent years, including the bill now under consideration, bear his name. He has earned a nationwide reputation for the leadership he has shown in the field of pollution control. He is, all Members know, one of the finest Members of this House. I commend him for the outstanding work he has done and for the leadership he has shown on the great Committee on Public Works.

Mr. BLATNIK. I thank the gentleman from Oklahoma.

Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, I concur in what has been said regarding the outstanding work of the gentleman from Minnesota [Mr. BLATNIK] not only this year but in the last session, toward successfully bringing the St. Lawrence Seaway legislation to the floor of the House.

Of course, we cannot forget the great work our former colleague, who retired from Congress last session, Mr. George Dondero, of Michigan, did to pioneer this highly essential legislation for the development of the St. Lawrence River.

I represent the great industrial Calumet region of Indiana, the First Congressional District. Probably there is more heavy industry concentrated in my district than in any Congressional district in the United States. Three major steel mills and the major oil companies are represented there either by their home offices or by refining and distribution plants. We also have three or four hundred large and small industries. Of course, everybody in our area is very much in favor of the development of the St. Lawrence Seaway project. This development along with the Calumet-Sag Canal connecting Lake Michigan with the Mississippi River will give us water transportation to the Atlantic Ocean and Gulf of Mexico. When this bill, H. R. 5728, was before the Committee on Rules last week, it passed out of the committee unanimously. I do hope that this legislation, expanding the financial aspect of this project, is passed by the House today. It is progressive and farseeing legislation which will contribute much to the development of this great country of ours.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may desire to the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Chairman, I certainly concur in what has been said about the distinguished chairman of this subcommittee, Hon. JOHN A. BLATNIK, of Minnesota. I supported the St. Lawrence Seaway project when it was before the House in 1954, and certainly I shall support the St. Lawrence proposal today. I think it is a very worthy project and a great investment for the American taxpayers. Although the proposal was not very popular originally among many of my fellow Louisianians, I am very happy to know that my position has been fully justified in this matter.

Mr. DOOLEY. Mr. Chairman, I rise to associate myself with the commendatory remarks addressed to our fine subcommittee chairman, JOHN BLATNIK.

The St. Lawrence Seaway project under discussion is a vast enterprise which will prove of invaluable benefit to the economic well-being of the entire country. It will link the central area of our great country with the Atlantic Ocean by means of a ship canal that will be able to accommodate vessels of tremendous tonnage and large depth. Looking forward over a span of 20 or 30 years, one can visualize the extraordinary value of such an artery to the economy and well-being of the United States. In the light of its promise of benefits, all opposition takes on the semblance of provincialism. What the seaway will take in commerce from a number of harbors will more than be compensated for by what it does for the entire country.

There is another consideration as to why this bill, H. R. 5728, should be passed by this House. The Army has recommended it on the basis of its strategic value. Should there be occasion when other routes of heavy transport were made impractical or temporarily disrupted, the seaway would prove of inestimable aid to the commerce and traffic of our States.

I strongly recommend passage of H. R. 5728.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may desire to the gentleman from Tennessee [Mr. EVINS].

Mr. EVINS. Mr. Chairman, I should like to join with the others in commending not only the chairman of the subcommittee, the gentleman from Minnesota [Mr. BLATNIK], but all members of the Committee on Public Works. We have witnessed here this afternoon a fine spirit of cooperation on both sides of the aisle on this very significant and important measure. Since we have heard from a member of the Committee on Rules and members of the Committee on Public Works, I think it appropriate to add a word from a member of the Committee on Appropriations that heard the request for the initial funds for the operation and maintenance of the Great Lakes-St. Lawrence Seaway project. At that time I recall it was pointed out that 32 power units were to be built on the great St. Lawrence Seaway in connection with this project—16 on the American side and 16 on the Canadian side. In response to a question as to how many power units were presently installed on the St. Lawrence River we were told that there were 5—5 hydroelectric power units—2 on the American side owned by private industry and 3 on the Canadian side owned by the Canadian Government. So there are 5 power units there at the present time and 32 more to be built. I recall also that there was submitted an editorial to the committee from that great midwestern newspaper, the Chicago Tribune, which opposes many public-power projects. This editorial pointed out that this is a great project. They said that in 10 years this development would make Chicago the greatest city in the world.

The Chicago Tribune applauded this project. That editorial was placed in the CONGRESSIONAL RECORD by your humble servant. I supported the St. Lawrence Seaway at that time, and certainly I shall support this measure which is needed to further this great project today because I think it is a project which benefits the entire Nation. I, for one, believe that one should not take too provincial an attitude on measures of this sort. Again I want to commend the committee for their action in this regard.

Mr. BLATNIK. Mr. Chairman, I thank the gentleman from Tennessee.

Mr. Chairman, I ask unanimous consent that all Members may have 5 legislative days in which to insert their remarks in the RECORD on the pending bill.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BAUMHART. Mr. Chairman, I am grateful for this opportunity to express my support for H. R. 5728, increasing the borrowing authority of the St. Lawrence Seaway Corporation and deferring the Corporation's interest payments.

We all have misgivings over the wide difference between preliminary cost estimates and actual contracting experience, but, as the committee report indicates:

> The Congress has little choice but to authorize an increase in the borrowing limit * * * since the United States has proceeded so far with the construction of the seaway project.

It is to be hoped that closer coordination between the Corporation and the Congress will be achieved through the special reports required, under the terms of the committee amendment, when additions to or certain other modifications of the seaway project plan are under consideration.

Prudence also demands that Congress follow further seaway development closely to see if the Administrator of the Corporation is fully justified in his confidence—according to the committee report—"that the increase in costs necessary to liquidate the project would not affect the toll rates to such an extent as to prevent the maximum use of the seaway."

The members of the House Committee on Public Works deserve commendation for the way in which they have faced up to this seaway costs problem and have come forward with remedial legislation.

I fervently hope that the House Committee on Merchant Marine and Fisheries—of which I am a member—will soon take a parallel, realistic course by authorizing certain investigations of the impact the seaway is likely to have on the Great Lakes shipping and shipbuilding industries.

In this connection, I would like to include at this point in my remarks the text of a letter which I addressed on March 7, 1957, to our esteemed chairman, the Honorable HERBERT C. BONNER, urging such investigations and suggesting a few of the subject "areas" which appear to deserve priority attention:

> DEAR CHAIRMAN BONNER: In 2 years or less, America's "fourth seacoast" will be open, as the St. Lawrence Seaway project is completed.
>
> I believe it would be both prudent and constructive for our House Committee on Merchant Marine and Fisheries to begin very soon certain investigations of the impact the seaway is likely to have on the Great Lakes shipping and shipbuilding industries.
>
> The ramifications of seaway development are many, and for that reason I believe that we cannot begin too soon to prepare for the challenges we will surely encounter in 2 years or less. I am sure you will agree with me that it would be a disservice to the Nation if we were to wait for specific problems to descend upon us, and then to legislate hastily in an emergency atmosphere.
>
> I am pleased to see that you have already evidenced concern over St. Lawrence Seaway problems. I refer specifically to paragraph 7 of your memorandum of February 28 to the Committee on House Administration, listing a number of prospective inquiries which our committee feels should be conducted during the 85th Congress.
>
> I would like to suggest that consideration be given to committee investigations in the following subject areas:
>
> 1. Increase in proportion of lake tonnage carried in foreign bottoms between 1936 and present.
>
> 2. Utilization of Great Lakes shipyards by Government agencies, i. e., Maritime and Navy, pursuant to Public Law 85, 84th Congress.
>
> 3. Construction of a prototype vessel (Clipper class) developed by Maritime and authorized by Public Law 942, 84th Congress; and the desirability of construction of such a vessel in a Great Lakes yard.
>
> 4. Utilization of the lakes for storage of laid-up fleets in the future.
>
> 5. The opening of the St. Lawrence Seaway and the expected effect of foreign competition both for the intralake trade and the overseas foreign trade; and the legal steps that should be taken to protect American-flag interests.
>
> This list is by no means complete, I am sure, but serves at least as a point from which we can start. Perhaps your own long and wide experience in merchant marine and shipbuilding matters, suggests a number of additional problems and challenges which we might expect to encounter with the opening of the seaway. Many of our committee colleagues, too, may also be able to add to this list of suggested studies. Therefore, I hope that this broad subject can soon be taken up at one of our subcommittee or full committee sessions.
>
> In the meantime, I am taking the liberty of sending a copy of this letter to our committee colleagues and to other persons and organizations known to have special knowledge of, or interest in, the Great Lakes shipping and shipbuilding industries.
>
> I believe that the comments and suggestions of these individuals and groups will serve to focus our committee thinking on the subject and thereby enable us to conduct an overall study leading to legislation that is in the best interests of our Great Lakes shipping and shipbuilding industries.
>
> But even more, it will lead to legislation that will permit the United States to realize the full potential of the St. Lawrence seaway and the Great Lakes. Surely we could serve no greater purpose than to study ways of aiding our national economy and bulwarking our own defenses, as well as those of the Free World.
>
> Sincerely yours,
>
> A. D. BAUMHART, Jr.,
> *Member of Congress.*

I have received many enthusiastic endorsements of such a study from colleagues, as well as from individuals and groups vitally interested in the seaway and its likely bearing on the health and growth of our American shipping and shipbuilding industries.

Congress has had little choice but to enact H. R. 5728 to meet unforeseen contingencies which have seen actual seaway construction figures skyrocket to nearly double original cost estimates. Surely we cannot afford to delay much longer in our preparation for other seaway challenges apart from construction factors.

The stakes are too high for us—in both economic and defense terms—to allow ourselves to be complacent about problems which will inescapably descend on us in the near future, with the opening of America's fourth seacoast.

Mr. McGREGOR. Mr. Chairman, I yield such time as he may desire to the gentleman from California, a member of the committee [Mr. SCUDDER].

Mr. SCUDDER. I, too, want to congratulate the chairman of the subcommittee, the gentleman from Minnesota [Mr. BLATNIK], for the fine work that he did in the hearings on this bill. I wish also to compliment the members of the subcommittee for their diligence in attending the hearings and their ability to report this bill to you.

We had a difficult problem to resolve, but I believe it was done with the most sympathetic attitude to a realistic situation that had to be resolved.

The hearings before the Public Works Committee of the House have taken place over the past 8 years. At first the recommendations of the Truman administration in presenting bills to our committee were based on the Federal Government constructing the power facilities and the St. Lawrence Seaway as a combined project. The committee nor Congress could get together on this principle of big Government in the power industry.

The policy of the Eisenhower administration was to assist areas on projects in which they themselves were not financially able to accomplish. This philosophy separated the power project from the seaway navigation program. Shortly after President Eisenhower took office the New York Power Authority was granted the right to construct the power facilities on the St. Lawrence River. In the same Congress a bill was introduced to construct the St. Lawrence Seaway. This program met with little objection, and the seaway is under construction.

However, many of us were disappointed when we were called upon to hold hearings this year and found that the amount of money which we were led to believe would construct the seaway was entirely insufficient and that the construction costs of the proposed seaway would have to be increased by approximately 100 percent. Another matter in which I was personally disappointed was that I felt that there would be no responsibility of the general taxpayers of the United States to participate in any way in the cost of the power project or any expense resulting from such construction. However, the testimony which we heard was to the effect that the St. Lawrence Seaway Development Corporation had negotiated with the power authority

for certain work caused by such power construction at a figure of some $12 million. This, I feel, is one expense that should have been negotiated at a far less amount. However, under the law creating the Corporation it was within their province to make such negotiations.

The results of these hearings caused me to feel that before the seaway can economically operate under competitive tolls that the Federal Government may yet have to subsidize to a certain extent the St. Lawrence Seaway Development Corporation. However, a project of this magnitude could not be stopped and, even though many of us were disillusioned in our hopes of the feasibility of the project as originally authorized, there is nothing that we can do except to support their request and appropriate the money to complete this project. Therefore, I supported in committee and shall support the enactment of this legislation.

Mr. McGREGOR. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. DENNISON].

Mr. DENNISON. Mr. Chairman, I rise in support of H. R. 5728. This legislation is necessary to carry out the purposes of the St. Lawrence Seaway Development Corporation and to complete the seaway at an early date.

While I don't like to spend more money than was originally contemplated and while I regret the need for this legislation it is imperative that we meet these unforeseen obstacles with dispatch and with the determination to see an early completion of the seaway so that this Nation of ours, which is now providing the capital outlay, can soon derive the full economic benefit from this new monument to the skill, ingenuity and progress of mankind.

The debate on this bill has centered and will center on the reasons for the need for more money. We must however, bear in mind that the bill also clarifies the powers of the corporation, and provides for deferment of interest payments so that the cost of the seaway might be paid from revenue when it is completed. We can thus carry out the intent of Congress that the project finally will be self-liquidating.

I am hopeful that the passage of this bill will be the end of requests for additional funds to complete the seaway. Fiscal responsibility belongs not only to Congress but to those agencies and departments of the Government who are charged with spending the taxpayers' money. Congress has an obligation to enforce such fiscal responsibility and I propose to do everything in my power to see that spending in all departments of the Government and in Government corporations is kept within reasonable bounds and is not abused.

The seaway will be a great boon to the economy of this country provided it does not become so expensive as to become a Government subsidy. From the debate today it appears that we may be on the threshold of creating a Government subsidy. I do not want to see that happen for I am perhaps as aware as anyone in this House of the tremendous benefit the seaway will bring to millions of Americans if it can be self-sustaining.

As an example of what is already happening in anticipation of its completion, I call the Members' attention to my own 11th Congressional District in Ohio.

This district is bounded on the north by over 40 miles of frontage on Lake Erie with three busy ports, Conneaut, Ashtabula, and Fairport. It is perhaps the most dynamic area in the entire country from the standpoint of industrial and economic development. Not only have large sums of money been spent by private enterprise to locate industries and business in this area, but we have every reasonable assurance that this trend will continue at an accelerated rate. The commercial activities in the harbors of Fairport, Conneaut and Ashtabula contribute greatly to the economic health of the area and greatly facilitate the distribution of raw materials to and products from the heavy steel industries to the south of the Lakes.

A recent survey which I have just received illustrates the tremendous growth of the 11th Ohio District. Lake County in which is located Fairport Harbor, shows a 62.3 percent increase in population over the past 7 years. Ashtabula County, wherein Ashtabula and Conneaut Harbors are situated, had a population increase of 22.3 percent in the 7-year period covered by the survey. In the 10 years previous to the period covered by the survey Ashtabula's population increased by only 14.5 percent. A third county, Geauga County, adjacent to Lake County, has had a population increase of 38.3 percent.

This increase is the direct result of industrial expansion and development along the lake ports. Predictions of growth in the immediate future coinciding with the completion of the seaway indicate continued growth of the area at an even greater rate than over the past 7 years.

There is no doubt that Ohio's remarkable growth, as well as that of the 11th District, is closely identified with the development of the seaway. Ohio is a leading producer of steel, construction equipment, and all kinds of electrical and nonelectrical machinery. In the last several years Ohio has ranked second among the States in the dollar amount of capital expenditures for new plants and equipment. Expansion in Ohio's steel industry alone has increased capacity one-sixth, over the past 4 years. Ohio ranks second only to Pennsylvania in steel capacity and it is predicted we will soon rank first in steel consumption. In the next 3 years the steel industry plans a 15-million ton expansion.

We now know, as a matter of fact, that at least three large automotive plants are either in the process of construction in northeastern Ohio, or shall be soon, and that most of their employees will live in that area which now comprises the 11th Congressional District of Ohio. Better methods of distribution and communication engendered by the promise of the seaway's completion have contributed to the location of these great factories in Ohio.

I submit, Mr. Chairman, that this dynamic growth in my district is testimony to the great value and benefit which the seaway will have for America. I urge the immediate passage of this bill.

Mr. McGREGOR. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Chairman, as the representative of 11 western Michigan counties, 7 of which border on Lake Michigan, I wish to express my wholehearted support of H. R. 5728, a bill to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings, of the St. Lawrence Seaway Development Corporation. The bill is similar to H. R. 5729, introduced by my colleague from Michigan, the Honorable WILLIAM S. BROOMFIELD.

That it is to the advantage of the United States to participate with Canada in the development of the St. Lawrence Seaway, was decided by the Congress in 1954. Since that time, problems in financing and construction have necessitated changes in original planning. Legislation to implement these needed changes is embodied in H. R. 5728. The bill has the support of the Bureau of the Budget, the Treasury Department, and the Department of the Army.

I believe it is important to bear in mind, in studying this bill, that the St. Lawrence Seaway, as planned, is a self-liquidating project; none of its construction and operating costs are chargeable to appropriated funds. As planned, all costs are to be ultimately recovered from users of the seaway, and all borrowings are to be repaid, with interest, to the Department of the Treasury from toll revenues.

The St. Lawrence Seaway Development Corporation was created to provide for joint construction by the United States and Canada of a 27-foot seaway between Lake Erie and Montreal. It is a wholly owned Government corporation, and, as such, is subject to direction and supervision of the President, or to the head of such agency as he may designate. This responsibility has been assigned to the Secretary of the Army.

The corporation's general powers, outlined in the act of May 13, 1954, need amendment. H. R. 5728 would provide such necessary amendment through addition of clauses providing for services and facilities necessary to the seaway, services at reasonable prices to users and visitors, participation in a toll bridge company and crediting to the corporation payment received for facilities and services.

Cost of construction of the St. Lawrence Seaway on both the Canadian and American sides of the boundary has increased considerably in the 4-year period since estimates were submitted to the Congress. Revision of the cost estimate has been necessary because of price escalation, necessary changes in planning and design, and some added construction items.

To compensate for this increase, H. R. 5728 would raise borrowing power of the St. Lawrence Seaway Corporation from $105 million to $140 million, and by deferring interest—upon approval of the Secretary of the Treasury.

Since Public Law 358, passed by the 83d Congress, does not cover specifically

the plan for deferment of interest, difference of opinion on this point has developed. The Treasury Department interprets the law to mean that deferment of interest shall be permitted during construction. The office of Comptroller General has interpreted the law to mean that interest should be paid during construction or charged to the corporation's borrowing authority.

H. R. 5728 would make it clear that interest during construction may be deferred and paid from revenues, and not charged to the borrowing authority of the corporation.

Since the United States is committed to development of the St. Lawrence Seaway, and since original estimates of costs are insufficient by present-day standards, the Congress has no logical alternative today other than to authorize an increase in the borrowing limit for the St. Lawrence Seaway Development Corporation and to adopt the other corrective and clarifying provisions outlined in H. R. 5728.

Mr. BLATNIK. Mr. Chairman, I have no further requests for time.

Mr. McGREGOR. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the act of May 13, 1954 (ch. 201, 68 Stat. 92, 33 U. S. C. 981, and the following), is amended as follows:

(1) Section 4 (a) (8) is amended by striking out the word "and" at the end thereof.

(2) Section 4 (a) (9) is amended by striking out the period at the end thereof and inserting a semicolon.

(3) Section 4 is amended by adding the following after clause (9):

"(10) may establish (by construction or acquisition), maintain, and operate (by contract, concession, or otherwise) facilities and appurtenances desirable in the operation and maintenance of the seaway;

"(11) may provide services desirable in the maintenance and operation of the seaway, including but not limited to providing, at reasonable prices, services to vessels using the seaway and to visitors to the seaway;

"(12) may participate with the St. Lawrence Seaway Authority of Canada, or its designee, in the ownership and operation of a toll bridge company; and

"(13) shall credit to the Corporation amounts received from any of the activities authorized by clauses (10), (11), and (12).

"(b) Amounts credited under subsection (a) (13) are available to pay any obligation or expense of the Corporation under this act."

(4) Section 5 is amended by striking out the first two sentences and inserting the following sentences in place thereof: "To finance its activities, the Corporation may issue revenue bonds payable from corporate revenue to the Secretary of the Treasury. The total face value of such bonds that are outstanding at any one time may not be greater than $140 million. Not more than 10 percent of the bonds may be issued during the first year after the effective date of this act, and not more than 50 percent may be issued during any year thereafter. If the Secretary of the Treasury approves, the interest on such bonds may be deferred. Deferred interest may not be charged against the debt limitation of $140 million."

Mr. BLATNIK (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill may be considered as read, be printed in the RECORD, and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments:

Page 2, strike lines 3 through 6, inclusive.

Page 2, line 7, strike "(11)" and insert "(10)"; strike the word "desirable" and insert in lieu the words "and facilities necessary".

Page 2, line 10, strike the semicolon and insert in lieu a comma and add immediately thereafter the words "but not to include overnight housing accommodations for visitors."

Page 2, line 11, strike "(12)" and insert "(11)."

Page 2, line 13, strike the semicolon and insert in lieu a colon and the following words: *"Provided*, That the United States' portion of the revenue from the tolls charged to the users of any toll bridge operated under this section shall be applied solely to the cost of the bridge and approaches, including maintenance and operation, amortization of principal and interest, as established by the Secretary of the Treasury."

Page 2, line 14, strike "(13)" and insert "(12)"; strike the words "credit to the Corporation" and insert in lieu the words "be credited with".

Page 2, strike line 16 and insert in lieu "(10) and (11)."

Page 2, line 17, strike "(13)" and insert "(12)".

Page 2, line 19, strike the period and the quotation mark and insert in lieu a comma and the following words: "except as specifically provided in subsection (a) (11)."

Page 2, line 24, strike the word "such" and insert in lieu "all."

Page 2, line 25, strike the words "that are outstanding at any one time may" and insert in lieu "so issued shall."

Page 3, line 1, strike the word "ten" and insert in lieu "fifty."

Page 3, line 2, strike the words "the first" and insert in lieu "any one"; strike the words "after the" and insert a period after the word "year."

Page 3, lines 3 and 4, strike all of line 3 and the remainder of the sentence in line 4 ending with the word "thereafter."

The committee amendments were agreed to.

The Clerk read as follows:

Committee amendment.

Page 3, after line 7, add the following paragraph:

"(5) Section 10 is amended by designating the section as subsection (a) and adding a new subsection as follows:

"'(b) The Corporation, after the effective date of this amendment, shall submit special reports to the Committee on Public Works of the House of Representatives and the Committee on Foreign Relations of the Senate whenever there is proposed a new feature, design, or phase of the seaway project, not heretofore included in estimates, or whenever there is proposed an abandonment of any feature, design, or phase, heretofore included in estimates, involving an estimated value exceeding $1 million, and such special reports shall include justification for the modifications.'"

Mr. BLATNIK. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. BLATNIK: Page 3, line 24, after "reports", strike out "to the Committee on Public Works of the House of Representatives and the Committee on Foreign Relations of the Senate" and insert "to the Congress."

Mr. BLATNIK. Mr. Chairman, it was suggested when we appeared before the Rules Committee that to keep in conformity with previous legislation rather than to have the language which we have in the bill before us providing that these reports be referred to a committee of the House and a specific committee of the Senate we should strike the reference to the specific committees and say that these reports shall be made to the Congress.

Mr. McGREGOR. Mr. Chairman, may I say on behalf of the minority side that we are in complete accord with the amendment suggested by the chairman of the subcommittee to the committee amendment.

The CHAIRMAN. The question is on the amendment to the committee amendment.

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. McCORMACK] having resumed the chair, Mr. RABAUT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 5728) to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings, of the St. Lawrence Seaway Development Corp., pursuant to House Resolution 284, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON THE DISTRICT OF COLUMBIA TO CONDUCT INVESTIGATIONS AND STUDIES

Mr. TRIMBLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 251 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Committee on the District of Columbia, acting as a whole or by subcommittee, is authorized and directed to conduct a full and complete investigation and study of the following:

(1) the operation, administration, and enforcement of the District of Columbia Public Works Act of 1954;

(2) the operation, administration, and enforcement of the District of Columbia Revenue Act of 1956; and

(3) the organization, management, operation, and administration of the Department of Public Health of the District of Columbia (including but not limited to the District of Columbia General Hospital).

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, exclusive of any Territory, commonwealth, or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

With the following committee amendments:

Page 1, line 3, strike out "and directed."

Page 2, line 5, strike out "is in session."

Page 2, line 10, change the semicolon to a period and strike out the remainder of line 10, lines 11 and 12, down to and including the word "House" on line 13.

The committee amendments were agreed to.

Mr. TRIMBLE. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and yield myself such time as I may require.

Mr. Speaker, this is the usual investigatory resolution. It comes from the Committee on the District of Columbia. I know of no opposition to the resolution. The reading of it by the Clerk specifically explains the scope and purpose of the resolution.

Mr. ALLEN of Illinois. Mr. Speaker, it is my understanding that there is no objection to this resolution by any member of the Committee on the District of Columbia. It came to the Committee on Rules unanimously, and we heard everyone who desired to speak on the resolution. And, after giving it thorough consideration, I do not know, under those circumstances, why anyone should oppose the resolution. They discussed it in the Committee for the District of Columbia for a considerable length of time, for months.

Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I should like to ask someone whether this resolution provides for the creation of another commission?

Mr. McMILLAN. If the gentleman will yield to me, no, sir. This investigation will be handled by the regular Committee on the District of Columbia. We are not contemplating asking for any money.

Mr. GROSS. The resolution says:

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States.

Where do you propose to go outside of the District of Columbia?

Mr. McMILLAN. We have no intention of sitting anywhere except in the District of Columbia. This is the regular form of an investigative resolution.

Mr. GROSS. Is this going to cost any money? What is the story with respect to financing the investigation?

Mr. McMILLAN. No, sir. I just stated to the gentleman that we expect the regular District Committee to make the investigation under this resolution.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. MILLER of Nebraska. I might say to the gentleman that this is the regular form for investigating committees and has been for many, many years. I have been on the Committee on the Distirct of Columbia for 14 years. We have not had any investigation and I think there was some question whether we should have any of the Public Works Act, the Hospital Administration, and other problems in the District of Columbia. We have had 1 or 2 on school problems, but I think it is the responsibility of Congress to look into how the District of Columbia is being run under the laws for the District that Congress has passed. I think the chairman of our committee is quite right in asking that an investigative committee be set up composed of members of the committee to look into not only the problems of the taxicab industry, but Public Health problems, and problems arising under some of the regulations of the District which perhaps are not being carried out as they should be. I think a careful look into these problems would be a healthy thing.

Mr. GROSS. I am not opposed to the Committee on the District of Columbia investigating conditions and problems in the District, not at all, I just want to be sure that we are not setting up a new commission or approving the spending of general tax funds in behalf of the District of Columbia, without knowing something about it.

Mr. MILLER of Nebraska. This investigation will be conducted by a subcommittee on which perhaps nobody cares to serve. It does not help anyone at home to serve on the District of Columbia Committee.

Mr. RABAUT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. RABAUT. It is very true that this is a very difficult committee on which to serve. But it is just as difficult to serve on the Subcommittee on Appropriations for the District of Columbia because, no matter what one says or does for the District, he is criticized for it. I wanted to bring up this point, whether there is going to be any duplication of what we have already done. We just finished in the Appropriations Committee an elaborate investigation of the District of Columbia General Hospital. Now it seems we are going to have another investigation of the hospital. That seems to me like a duplication involving expenditures.

I have the greatest respect for the chairman of the District Committee, the gentleman from South Carolina [Mr. McMILLAN] and his committee and the committee of which I am chairman have always gotten along very well. I am not offering any interference. But I want to be certain that no money is going to be spent on a new investigation of the same type of the one that has just been completed at tremendous expense. I refer now to paragraph (3) of the resolution.

Mr. McMILLAN. Mr. Speaker, I will say to the gentleman that he may rest assured that nothing will be done unless it is needed.

Mr. RABAUT. Unless it is needed?

Mr. McMILLAN. Unless we find that there is some trouble that should be looked into.

Mr. RABAUT. Here is the point I am trying to make. Whenever an investigation takes place, especially in regard to these big public health centers, recreation centers, or welfare centers, some heads fall, and everybody has friends. We cannot expect to have investigations of people, and I do not think that is attempted here, and I do not mean that, but it can easily happen that certain people in certain places want these things reinvestigated because to their minds something wrong has been done. After all, somebody has to head up all these things; who is to run the hospital, and all that. I think we ought to be very cautious about a lot of expenditure of money a second time. That is the one point I am trying to make.

Mr. McMILLAN. We have no intention of trying to spend a lot of money anywhere.

Mr. RABAUT. I was going to ask that this section be stricken from the bill, but on the assurance of my friend the gentleman from South Carolina [Mr. McMILLAN], I am not going to ask it.

Mr. DAVIS of Georgia. Mr. Speaker, if the gentleman will yield, I should like to ask the gentleman from South Carolina, the chairman of the Committee on the District of Columbia, if these three items that are mentioned here in this resolution are not items that are very important in the operation of the governmental affairs of the District of Columbia.

Mr. McMILLAN. The gentleman is correct. These relate to bills our committee has enacted recently. We should like to know if they are working successfully or being carried out as our committe directed.

Mr. DAVIS of Georgia. Is not the Committee on the District of Columbia the only committee in the House that has general jurisdiction over these matters, and is it not the proper committee to have supervision over and the general overseeing of these matters?

Mr. McMILLAN. That is the opinion I have been laboring under in the past 20 years I have been in Congress.

Mr. DAVIS of Georgia. As I understand it from the wording of this resolu-

tion, it does not involve any appropriation.

Mr. McMILLAN. I am not contemplating asking for any appropriation.

Mr. TRIMBLE. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. WIER].

Mr. WIER. Mr. Speaker, my time on the Committee of the District of Columbia has taught me there is nothing that can take place in the District of Columbia that the District Committee now has not authority to oversee. The District has about 10 subcommittees covering various phases of the District operation. I happen to sit on the subcommittee headed by my good friend, the gentleman from Texas [Mr. TEAGUE]. Apparently we did not have any authority to make an investigation of the operation of the taxicab industry here, which we are now doing, trying to clear up some of the charges that are made against the operation of the taxicab industry. So I do not think there is any operation of the District that the District Committee does not have the right to go into. Nobody gave us any authority to go into the streetcar problem here a couple of years ago. I think that as to any problem that arises in the District we have a subcommittee that has the authority to call in any of the officials of the District or others; is that not true?

Mr. TRIMBLE. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SLICK CAMPAIGNING A LA GOP

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, some of us were fascinated to read newspaper accounts of a recent meeting of the Young Republicans to receive what were called "victory tips" from their senior colleagues. We were particularly fascinated to discover that the little matter of political issues was barely mentioned—or mentioned not at all—when the Young Republicans were getting advice on techniques from their elders. The emphasis was wholly on techniques.

I have no doubt that the proper art of handshaking plays an enormous part in an onward-and-upward political career.

It was recommended to the Young Republicans, I observe, that they should learn how to "out-publicize" us Democrats. The gentleman from Arizona [Mr. RHODES], we are informed by the press, feels that the gift of a toy balloon to a child is probably the "most effective gimmick" an aspiring candidate can use.

One gentleman from Illinois found it useful to take along on handshaking tours his "good-looking daughter"—at least this is what the press reported that the gentleman from Indiana [Mr. NIMTZ] stated.

And the gentleman from Delaware [Mr. HASKELL] advised that the really important thing was a "fast" handshake, and then to "move along" so that the opportunity for political "arguments" was avoided. Never let it be said that a Republican officeholder would welcome an "argument" on the issues.

Mr. Speaker, I noticed in the papers the next day that the Young Republicans—the bearers of youth and the hope of the future from the GOP viewpoint—went on record as overwhelmingly opposed to everything involved in what our revered President Eisenhower describes as "modern republicanism."

They were against the proposal for Federal aid to the schools. They had no enthusiasm for Mr. Eisenhower's foreign aid program. If they "like Ike," they nevertheless seemed to be saying in their resolutions that they really "like Edgar."

Let us face it, Mr. Speaker. When a political party cannot give honest and fullhearted support to its own President, it has no choice when discussing election problems but to concentrate on techniques rather than issues.

Thus we read of the "fast handshake" skill—a skill which, one supposes, must be acquired by experience.

We read of the concentration of effort on "outpublicizing" one's opponents.

Never is a word uttered about what the leaders of the party believe the Young Republicans should stand for. The emphasis is on gimmicks, and the "best" gimmicks, at that.

The Vice President graced the occasion with some counsel on gimmicks, and he is undoubtedly an expert. But one wonders, from the outside, whether the President himself would have been booed if he had dared appear himself and tell the Young Republicans that on the issue of Federal aid to education their heads were unscrewed.

SCRIVNER PLAN TO AID EDUCATION

Mr. SCRIVNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a news article.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SCRIVNER. Mr. Speaker, although not mentioned by name, President Eisenhower, in his remarks to the governors' conference, adopted the principles of the Scrivner plan for aid to education.

More than 10 years ago, and to each Congress since, I have proposed a simple, direct education aid program. Because Uncle Sam has been siphoning off the wealth from the States, leaving them very few sources of increased tax income, it was only natural for the States and communities to come to Washington with hands outstretched for so-called Federal aid, which is really a myth. It is just one group of taxpayers paying the bill for others.

The Scrivner plan, in substance, provides that Uncle Sam return to, or leave in, each State 1 percent of the income taxes collected therein to be used for educational purposes only, remittances to be made each quarter. Just that simple. No new Federal employees; no Federal bureaucracy dictating to States or communities; no Federal control.

President Eisenhower said:

> I suggest, therefore, that this conference join with the Federal administration in creating a task force for action—a joint committee charged with these three responsibilities:
>
> 1. To designate functions which the States are ready and willing to assume and finance that are now performed or financed wholly or in part by the Federal Government.
>
> 2. To recommend the Federal and State revenue adjustments required to enable the States to assume such functions.
>
> 3. To identify functions and responsibilities likely to require State or Federal attention in the future and to recommend the level of State effort, or Federal effort, or both, that will be needed to assure effective action.
>
> A FIRST STEP
>
> In designating the functions to be reassumed by the States, the committee should also specify when those functions should be assumed—the amounts by which Federal taxes should be reduced—and increases in State revenues needed to support the transferred functions. As the first step, the committee might concentrate on a single function or program and pair it with a specific Federal tax or tax amount. This effort presupposes that Federal taxes would be cut more than State taxes would be raised to support the transferred functions. The elimination of the Federal overhead—stopping, in other words the "freight charges" on money being hauled from the States to Washington and back (a bill, I remind you, that is always collected in full)—would save the American taxpayer a tidy sum.

This is substantially what my plan proposes—except my plan does it now, and does not call for any commission or study. It singles out one specific function and pairs it with a specific Federal tax reduction. I am quite sure, having available funds, every State will accept its responsibilities in the field of education.

The reasons for the approach taken by the Scrivner plan and the language suggested are set out fully in House Joint Resolution 159, which was printed in the RECORD yesterday on pages 10254–10255.

However, simple as the Scrivner plan is, perhaps it can be made simpler yet.

Therefore, as two alternative proposals, I have today introduced two additional bills: One reads:

> A bill to reduce personal and corporate income taxes by 1 percent
>
> *Be it enacted, etc.*, That in lieu of all legislative proposals providing for Federal aid to education, including school construction, the tax rate on personal and corporate incomes is hereby reduced 1 percent.

The other provides:

> A bill to provide direct aid to States and Territories for educational purposes only
>
> *Be it enacted, etc.*, That in lieu of all legislative proposals providing for Federal aid to education, including school construction, 1 percent of all Federal income tax, collected in each State and Territory, shall be covered quarterly into the treasury of each State and Territory, to be expended only for aid to education, including school construction,

in accordance with the budget of each State or Territory.

This latter is almost a paraphrase of the provisions of the Guam Organic Act, which leaves in, or returns to, Guam 100 percent of the Federal income tax for any purpose the Guamanian government desires.

Once again, if 100 percent of the tax money can be given to Guam, why cannot 1 percent be returned to, or retained in, each State or Territory?

AGREEMENT ON TARIFFS AND TRADE

Mr. EVINS. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. LANHAM] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the getntleman from Tennessee?

There was no objection.

Mr. LANHAM. Mr. Speaker, on June 24, in a 1-minute speech which I made on the floor of the House, I stated that I was including a statement by Mr. O. R. Strackbein made before the Committee for Reciprocity Information but in some manner the statement was not included with my remarks. I am including it today.

STATEMENT OF O. R. STRACKBEIN, CHAIRMAN, THE NATIONWIDE COMMITTEE OF INDUSTRY, AGRICULTURE, AND LABOR ON IMPORT-EXPORT POLICY BEFORE THE COMMITTEE FOR RECIPROCITY INFORMATION, RELATING TO ARTICLE XXVIII OF THE GENERAL AGREEMENT ON TARIFFS AND TRADE, JUNE 18, 1957

Under article XXVIII of the General Agreement on Tariffs and Trade as originally adopted any member of GATT was authorized after January 1, 1951 to modify or withdraw any duty reduction or similar concessions that it had negotiated in a trade agreement, subject only to the condition that such withdrawal be negotiated with and agreed to by the country with which the agreement was originally made.

By later agreement the 1951 date was postponed successively until the present expiration date of December 31, 1957 was adopted. The present hearings are for the purpose, among other things of determining whether a further postponement of the effective date of article XXVIII is to be agreed to.

Under the present arrangement, whereby the effectiveness of article XXVIII is held in abeyance, concessions may be withdrawn, with some exceptions, only through the escape-clause procedure. Should article XXVIII be allowed to go into effect, concessions could be withdrawn for any reason. It would be necessary only to try to reach an agreement with the country with which the concession was negotiated in the first instance. In other words, article XXVIII is much broader than the escape clause. No showing of injury has to be made. No hearings need be held. It would be enough that any member country wished to withdraw certain specified concessions.

Thus article XXVIII at least recognizes the principle of autonomy in tariff adjustments. The position of the United States, however, has steadfastly called for postponement of the effective date. In fact, unless I am mistaken, the official position is one of advocating an indefinite postponement of the effective date. Such a provision was indeed adopted in 1955 by the ninth session of GATT. To date, however, the necessary two-thirds of the GATT members have not ratified the automatic postponement agreed to in the ninth session. That explains the need for the present hearings.

The State Department here has the opportunity of restoring tariff autonomy to the United States to a much greater degree than is open to us under the moratorium or abeyance supported by the Department.

It seems rather odd that the United States, a country that is probably the foremost proponent and supporter of self-determination and autonomy in the world, a country that has shaken what is probably the most powerful alliance in history by its insistence on autonomy—it is strange, to say the least, that this same country should seek so feverishly and busily to throw away the right of self-determination and the rights of autonomy as centered in our own Congress in the field of tariffs and trade.

If self-determination and autonomy are precious to the peoples who have not enjoyed them why should they not be equally precious to those who earned them many generations ago? Why should we surrender unnecessarily and for dubious philosophical reasons that which we so ardently recommend to those who do not have it? If autonomy and self-determination mean so little to us why press these conditions upon other peoples? If they do mean something, if indeed they are highly treasured, why should our State Department be so anxious to throw them overboard?

I ask these questions in the full knowledge that the State Department has already reached such a position of irresponsiveness that it is useless to expect a reply. The Department is so insulated against the expressions of opposition in matters of tariffs and trade that even an appearance such as I am right now making before the committee for reciprocity information is an exercise in utter futility.

Without in any way reflecting upon any member of this committee I will say that there is not the remotest shadow of a doubt that the State Department's position will not in any way be affected by these hearings. They are as useless as hearings in any totalitarian country on the map. I challenge the State Department to contradict this statement.

The facts are clear enough.

The State Department has no authority to bind the United States in any agreement against changes in tariff rates. The making of such changes or not making them is a function of Congress, and the State Department cannot properly barter away this Congressional authority, nor impair it or abridge it. Congress itself cannot validly authorize the State Department to do so.

If the State Department held the powers of self-determination and autonomy of the people of the United States in proper regard it would know instinctively that the Department should not undertake to blockade the Congress with the forces of international commitments. Yet that is exactly what has been done through the postponement of the effective date of article XXVIII. It has indeed gone further than that, but article XXVIII is the subject of these hearings and that is enough.

What is the present state of affairs so far as the binding of Congress is concerned? With some minor exceptions, under the provisions of the General Agreement on Tariffs and Trade, Congress is not free unilaterally on behalf of the United States:

1. To put a tariff on an item bound on the free list under GATT.

2. To increase a tariff on any dutiable item the rate on which has been bound at the existing level.

3. To raise a rate that was reduced in a trade agreement negotiated under the GATT system (i. e., in any of the Geneva, Annecy, or Torquay multilateral conferences).

4. To impose an import quota on any industrial product (as distinguished from agricultural items) unless this country should fall into balance of payment difficulties or be classified as an underdeveloped country or should seek to conserve an exhaustible natural resource by also reducing domestic production or consumption of the article.

5. To impose an import quota on any agricultural or fisheries product that is not subject to a governmental program designed to restrict domestic production or marketing of the same product or to remove a temporary surplus.

6. To impose an excise tax on an imported product unless there is an equal or higher tax on the like domestic product.

Should article XXVIII go into effect these bindings, or most of them, would be subject to unbinding at the pleasure of the United States.

It is true that we would have to give back to the country with which we negotiated a particular tariff reduction whatever such country gave us in return, if anything, or its equivalent.

Now the State Department denies that Congress is no longer free to do as it will with respect to the listing made above. The Department says that Congress is free to legislate as it sees fit. Presumably this means that even though the State Department agrees on behalf of the United States to postpone the effective date of article XXVIII the Congress could raise duties or impose import quotas on any products whatsoever.

Let us see where this reasoning leaves us. Possibly the other members of GATT would be considerably interested in the State Department's political philosophy; for it appears that either the State Department is winking at Congress when it makes an international agreement or at the foreign countries, or possibly both, and playing both ends against the middle.

In the first case the Department would be dealing unfairly with the foreign countries. It would offer them commitments that it knew not to be real commitments since Congress could upset them item by item at will. In the second case it would be executing an end run around Congress. It would be saying to Congress that the commitments are only make-believe, to be set aside at the pleasure of Congress, never mind the signature of the delegate of the United States to a piece of paper; but while thus reassuring Congress the Department would in fact regard the commitments as firm and in taking that position would be dealing in good faith with other countries but falsely with Congress.

In answer to this charge of State Department duplicity it is sometimes said that other countries are aware that the State Department cannot bind Congress by means of an executive agreement. If that is the case, why does the Department then bother with the postponement of the effective date of article XXVIII? That article merely provides for something that is already in being; namely, freedom to withdraw concessions unilaterally, if it is true that an executive agreement is not binding upon Congress.

Also, it must be clear then that article XXVIII itself was superfluous and could be justified only as an affirmation of a right already in existence.

On what grounds then has the State Department agreed to the successive postpone-

ment of the effective date of the article? What is to be gained by postponing an article of agreement if such article merely affirms an existing right? There is then nothing to be postponed. The affirmation neither adds to or detracts from what already exists.

The very fact that the State Department, acting on behalf of the President, agreed to article XXVIII in the first place and has repeatedly supported the moratorium on its effectiveness, indicates that it does indeed regard article XXVIII as having real substance; in other words, as actually abridging or binding the signatory countries, including, of course, the United States, and therefore also Congress.

Only in that light could the present hearings in any way be justified. They would otherwise be worse than trivial and below the dignity of a devil dance.

We can hardly avoid the conclusion that the State Department does regard article XXVIII as substantive in nature and its postponement as necessary if the tariff-autonomy of this country is to be held in abeyance. This leads to the further conclusion that the Department does not take Congress as seriously as it does the side-tracking of article XXVIII; and also that in its position of duplicity the Department is more faithful to the other countries of GATT than to Congress. It means in effect that the Department looks upon Congress as a body to be humored and cajoled while pulling the wool over its eyes.

What these hearings come down to then is a mere staging of proceedings for effect, as might be done in a totalitarian country, pursuant to which the State Department will carry forward undeviatingly its conscious objective and firm policy of maneuvering Congress out of the exercise of its authority to regulate our foreign commerce. In this way it will persist in destroying the autonomy of the American people in a field of great importance while preaching autonomy and self-determination to all other peoples of the world.

TAX REDUCTION NOW

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, the House has already effected huge reductions in the various money bills, which have been considered and passed up to this time. It is estimated that more than $4 billion has been cut by the House from the total national budget as submitted by the President. The so-called foreign-aid money bill is still to be considered, and the reasonable prospect is that this bill will be materially reduced from original budget estimates.

Under these circumstances, it would appear that unless unexpected restoration is made by the other body, the overall reduction made by the Congress as finally totaled will prove to be over $4½ billion. If this eventuates as we have some reason to believe at the present time that it will, I am of the opinion that the Congress should initiate and pass a tax-relief bill before the close of the session. Assuming that the above total reductions will be made in the budget, there would be sufficient savings shown on the record to warrant a payment on the national debt and a fairly sizable tax reduction for the American people.

I appreciate that there are those, who for political reasons, or because they feel tax reduction will be inflationary, or believe that all savings should be applied to debt reduction, would not favor this proposal. However, I believe that none of these arguments are tenable considering the heavy burden of taxation, which the American people are carrying and the need for relief of breadwinners, wage earners, workers, farmers, professional groups, individual businessmen, and corporations, in fact, practically every segment of the economy and body politic.

I do not believe in playing politics with this crucial issue, nor do I think that money in the hands of our taxpayers would be any more inflationary than money in the hands of the Government which would be spent or used to expand existing credit. While I favor debt reduction and, of course, a balanced budget, I think that on all the facts we have before us concerning the budget, we would be well warranted in passing a sound, solid, substantial tax reduction bill now as speedily as such a measure could go through the parliamentary process.

I hope that the leadership and the House Ways and Means Committee will move along these lines as soon as possible.

THE WATKINS CASE: WHAT ARE WE GOING TO DO ABOUT IT?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. REUSS] is recognized for 20 minutes.

Mr. REUSS. Mr. Speaker, like most of us, I have read and reread the Supreme Court's recent decision in Watkins against United States. I will not pretend that I fully understand the decision, much less its every complication. But what is clear is that a majority of the Supreme Court feels that Congress, in order to avoid conflict with the first and fifth amendments, must use added care in authorizing and exercising its power to investigate and to punish for contempt. As the Court said—page 34:

> A measure of added care on the part of the House and the Senate in authorizing the use of compulsory process and by their committees in exercising that power would suffice to make Congressional action constitutionally valid.

The Supreme Court from the beginning has told Congress what are its constitutional powers, and how far it can carry these powers without running afoul of the Bill of Rights. There is only one thing to do with the mandate of the Supreme Court, and that is to obey it. I was not in sympathy with those who, confronted 20 years ago with Court decisions in the field of social legislation which they thought unwise, sought to pack the Court. Neither am I in sympathy with those who, disliking the Court's action today, seek to get around it.

Accordingly, I have asked the American Law Division of the Legislative Reference Service of the Library of Congress to prepare for me a study of what steps need to be taken by Congress to comply with the Watkins case. The study, which I find most valuable, follows:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
June 24, 1957.

To: Hon. HENRY S. REUSS.
From: American Law Division.
Subject: How can the legal obstacles to the conduct of investigations by Congressional committee imposed by the Watkins case (*Watkins* v. *U. S.* (1957) 353 U. S.) be surmounted?

To avoid, on ground of its irrelevance to any constitutionally tenable legislative purpose, the nullification of a Congressional committee's endeavor to conduct an investigation of any line of activity, it is submitted that adoption of one or more of the following reforms would suffice to meet the requirements of constitutional exactitude set forth by the Supreme Court in the above entitled case.

1. The authorizing resolution setting forth the jurisdiction of each committee to conduct inquiries should be reexamined with a view of deleting therefrom, insofar as amendments can achieve this result, those elements of vagueness and abtrusiveness which presently detract from the value of such resolutions as standards of guidance and as delineations of the outer limits of a committee's power.

To advance such a recommendation is far easier than to effectuate it, however; and, for reasons hereinafter expressed, it is not believed that a more precise restatement of authorizing resolutions is an indispensable precaution against invalidation for irrelevance of the pursuit by a committee of any given inquiry. To achieve greater specificity in drafting authorizing resolutions may prove costly in that these resolutions, to the extent that they are made more precise, may effect a substantial curtailment of the jurisdiction now available for exercise by the several committees. In short, in a cumulative sense, a substantial measure of the authority now possessed by the committees may be dispelled in the course of this endeavor to restate the resolutions with greater precision. Another potential hazard is the possible jeopardizing of the relations of the committees, conceivably through overlapping of jurisdiction rather than retention of the clearer differentiation as to jurisdiction such as presently seems to be attained under the resolutions in their existing form.

Inasmuch as limitations of time and space preclude an examination, much less a redrafting of the resolutions which constitute the "charter" of each committee endowed with investigation powers, only one sample of the type of amendment which might prove fruitful is offered. The following is a presentation of the authorizing resolution of the Committee on Un-American Activities of the House of Representatives, with possible insertions set off in black brackets and italic:

"The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States [*with a view to determining the need for constitutionally valid legislation, as well as the extent to which such legislation should and can be enacted to combat the same*], (ii) the diffusion within the United States of subversive and un-American propaganda [*With a view to determining whether it*] * * * is instigated from foreign countries or [*from*] * * * a domestic origin and [*also whether it*] attacks * * * the form of government as guaranteed by our Constitution, [*subject to the further restraint that investigations of the topics set forth in* (i) *and* (ii) *shall not be conducted*

in such manner as is calculated to elicit information not relevant to any matters on which the Congress is not constitutionally competent to legislate]; and (iii) [*omit as superfluous*] all other questions in relation thereto that would aid Congress in any necessary remedial legislation" (60 Stat. 828, sec. 12 (b, q); *Manual and Rules of the House of Representatives*, H. Doc. No. 474; 84th Cong., 2d sess., pp. 353–354).

Even if added to the authorizing resolution, these or kindred expressions will perform no miracles. Stating little more than truisms, these restrictive phrases will not offer to the Member who is unacquainted with constitutional law anything in the way of a precise direction in which to proceed or an accurate caution against errors of procedure. Nevertheless, without diminishing the legitimate scope of the committee's jurisdiction or producing any of the other disadvantages heretofore enumerated, the injection of such phrases into the authorizing resolution should produce one beneficial result; namely, to impress upon the Members serving on committees the existence of constitutional restraints observance of which cannot be safely evaded.

2. Add a concluding section to each authorizing resolution empowering and directing the committee as a whole or by subcommittee to adopt as a temporary amendment to said resolution a proviso setting forth explicitly in detail the exact nature and objective of the investigation about to be undertaken, its relation to the general jurisdiction vested in said committee by its authorizing resolution, and the outer limits of the inquiry as imposed by applicable restraints in the Constitution.

Of all the methods which have come to mind, it is believed that the instant one is superior. Whereas the abstruseness and vagueness of a general authorizing resolution can be remedied only with difficulty, and not without risk of a substantial loss, the suggested procedure would not necessitate any alteration of the authorizing resolution, and yet would provide all the protection against unlawful proceedings that any verbal admonition can accomplish. If it can be contended that severe condemnation in the Watkins case (pp. 21–25) of the authorizing resolution of the House Committee on Un-American Activities leaves no alternative but to embark upon a wholesale revision of such resolutions, it may be argued, contra, that the import of the Court's ruling in the Watkins case does not support such a conclusion (pp. 28–33). Had corrective action at any stage of the proceeding of that committee prior to, and during, interrogation been attempted, it is believed that the Court would have been disposed to rule that the overall procedure, loyally observed, would have satisfied all the constitutional requirements. The principal reason for the condemnation of the Committee's authorizing resolution was that its patent deficiencies had not been cured at any stage of the investigation undertaken pursuant thereto.

3. In lieu of either of the above proposals, election might be made to precede each investigation undertaken by a committee by adoption of a concurrent resolution of the parent body, the House or the Senate, specifically tailored to the purposes of eacn investigation and therefore best calculated to attain maximum specificity. Such a procedure, which is essentially similar to that observed in establishing select committees charged with the investigatory function, is not without its disadvantages, however. It could unduly delay investigations contemplated by a standing committee. Should the parent body, either the House or the Senate, then be engaged in protracted debate or in the processing through to adoption of urgently needed legislation, grave danger would arise that passage of such enabling resolution might not be secured prior to adjournment; and in that event lengthy postponement of meritorious investigations might result.

In conclusion it should be noted that mere clarification of the standards under which a committee conducts its investigation, will not of itself, avoid exposure of the committee to adverse judicial decisions. To be effective, rules must not only be formulated with clarity; they must also be observed.

The first two suggestions of the Library of Congress study—that the authorizing resolution for the Committee on Un-American Activities be tied more closely to a legislative purpose, and that committee or subcommittee action delimit the scope of each particular investigation—offer what seems to me a sensible approach toward the problem of getting right with the Supreme Court, and at the same time maintaining Congress historic power to investigate. I commend the suggestions to the members of the House Committees on Un-American Activities, on Rules, on the Judiciary, and to all other members.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

Mr. HOFFMAN (at the request of Mr. ARENDS), for 10 days beginning June 28, on account of official business.

Mr. SAYLOR (at the request of Mr. MARTIN), for June 26 and 27, on account of official business.

Mr. WHITENER, for June 27, 1957, in order that he may attend the funeral of the late R. Gregg Cherry, former governor of North Carolina.

Mr. BENTLEY (at the request of Mr. LAIRD), for today, on account of a death in the family.

Mr. LENNON, for June 27, 1957, on account of the funeral of R. Gregg Cherry, former governor of North Carolina.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders hertofore entered, was granted to:

Mr. REUSS for 20 minutes today, to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. REECE of Tennessee and to include extraneous matter.

Mr. BUDGE and to include extraneous matter.

Mr. DOLLINGER and to include extraneous matter.

Mr. MCGREGOR to revise and extend his remarks made in Committee and to include charts.

Mr. ALGER in two instances and to include extraneous matter.

Mr. DINGELL (at the request of Mr. CHUDOFF) and to include extraneous matter.

Mr. POWELL (at the request of Mr. CHUDOFF) in two instances and to include extraneous matter.

SENATE ENROLLED BILLS SIGNED

The SPEAKER pro tempore announced his signature to enrolled bills of the Senate of the following titles:

S. 1264. An act to exempt from taxation certain property of the National Trust for Historic Preservation in the United States in the District of Columbia;

S. 1576. An act to exempt the sale of materials for certain war memorials in the District of Columbia from the District of Columbia Sales Tax Act;

S. 1586. An act to eliminate the financial limitation on real and personal estate holdings of the American Historical Association and to exempt from taxation certain property of such association in the District of Columbia; and

S. 2243. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on June 25, 1957, present to the President, for his approval, a bill of the House of the following title:

H. R. 6500. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes.

ADJOURNMENT

Mr. CHUDOFF. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 3 minutes p. m.), the House adjourned until tomorrow, Thursday, June 27, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

980. A letter from the Acting Secretary of Agriculture, transmitting a report on the State agricultural experiment stations for the fiscal year ended June 30, 1956, pursuant to the Department of Agriculture Appropriation Act, 1956, approved May 23, 1955, and the Hatch Act approved August 11, 1955 (69 Stat. 671); to the Committee on Agriculture.

981. A letter from the Chairman, National Advisory Council on International Monetary and Financial Problems, transmitting a report of the activities of the National Advisory Council on International Monetary and Financial Problems for the period July 1 to December 31, 1956, pursuant to section 4 (b) (5) of the Bretton Woods Agreements Act (H. Doc. No. 200); to the Committee on Foreign Affairs and ordered to be printed.

982. A letter from the Secretary of State, transmitting a draft of proposed legislation entiled "A bill to amend the act of June 28, 1935, entitled, 'An act to authorize participation by the United States in the Interparliamentary Union' "; to the Committee on Foreign Affairs.

983. A letter from the Acting Archivist of the United States, transmitting a report on lists or schedules covering records proposed for disposal by certain Government agencies, pursuant to the act approved July 6, 1945 (59 Stat. 434); to the Committee on House Administration.

984. A letter from the Assistant Secretary of the Interior, transmitting a report to the Congress entitled "The Maryland 400 at the Cortelyou House, Brooklyn: The Action and the Burial Site," pursuant to the act of August 3, 1955 (69 Stat. 445); to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURLESON: Committee on House Administration. House Resolution 295. Resolution authorizing salaries and expenses of special and select committees, fiscal year 1957, to be paid from the item "Miscellaneous items" contingent fund of the House; without amendment (Rept. No. 637). Ordered to be printed.

Mr. VINSON: Committee on Armed Services. H. R. 8240. A bill to authorize certain construction at military installations, and for other purposes; with amendment (Rept. No. 638). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 4115. A bill to authorize the conveyance of certain lands in Shiloh National Military Park to the State of Tennessee for the relocation of highways, and for other purposes; without amendment (Rept. No. 639). Referred to the Committee of the Whole House on the State of the Union.

Mr. THORNBERRY: Committee on Rules. House Resolution 296. Resolution for consideration of H. R. 7390, a bill to amend the Administrative Expenses Act of 1946, and for other purposes; without amendment (Rept. No. 640). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 297. Resolution for consideration of H. R. 7383, a bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; without amendment (Rept. No. 641). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 298. Resolution for the consideration of S. 1428, an act to authorize furniture and furnishings for the additional office building for the United States Senate; without amendment (Rept. No. 642). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 299. Resolution for consideration of S. 1429, an act authorizing the enlargement and remodeling of Senators' suites and structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate; without amendment (Rept. No. 643). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 300. Resolution for the consideration of S. 1430, an act increasing the limit of cost fixed for construction and equipment of an additional office building for the United States Senate; without amendment (Rept. No. 644). Referred to the House Calendar.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 3071. A bill to authorize the Secretary of the Interior to enter into and to execute amendatory contract with the Northport Irrigation District, Nebraska; with amendment (Rept. No. 645). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 6764. A bill to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes; with amendment (Rept. No. 646). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Joint Economic Committee. Report on fiscal policy implications of the economic outlook and budget developments, pursuant to section 5 (a) of Public Law 304 (79th Cong.); without amendment (Rept. No. 647). Ordered to be printed.

Mr. THOMAS: Committee of conference. H. R. 6070. A bill making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 648). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 8381. A bill to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes; to the Committee on Ways and Means.

By Mr. BOYKIN:

H. R. 8382. A bill to amend the Shipping Act, 1916, to provide for licensing independent foreign freight forwarders, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. AUGUST H. ANDRESEN:

H. R. 8385. A bill to provide that the Secretary of Agriculture shall convey certain land to the village of New Richland, Minn.; to the Committee of Agriculture.

By Mr. BARING:

H. R. 8386. A bill to lessen the Nation's dependence on foreign sources of supply for tungsten in times of emergency; to the Committee on Interior and Insular Affairs.

By Mr. CELLER:

H. R. 8387. A bill to amend the Administrative Procedure Act, and for other purposes; to the Committee on the Judiciary.

By Mr. CRAMER:

H. R. 8388. A bill to amend chapter 223 of title 18, United States Code, by adding a new section 3500; to the Committee on the Judiciary.

By Mr. DEVEREUX:

H. R. 8389. A bill to amend title II of the Social Security Act to include Maryland among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

By Mr. HARRIS:

H. R. 8390. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety; to the Committee on Interstate and Foreign Commerce.

By Mr. HASKELL:

H. R. 8391. A bill to amend the Internal Revenue Code of 1954 to allow a dependency exemption deduction for foster children and certain other persons supported by a taxpayer even though they do not live with such taxpayer for the entire taxable year; to the Committee on Ways and Means.

By Mr. HESS:

H. R. 8392. A bill to promote the national defense by including two representatives of the Department of the Army as members of the National Advisory Committee for Aeronautics and by authorizing specifically certain functions necessary to the effective prosecution of aeronautical research; to the Committee on Armed Services.

By Mr. JACKSON:

H. R. 8393. A bill to amend chapter 223 of title 18, United States Code, by adding a new section 3500; to the Committee on the Judiciary.

By Mr. JUDD:

H. R. 8394. A bill to authorize the sale of certain vessels to Pakistan for use in the coastwise trade of Pakistan; to the Committee on Merchant Marine and Fisheries.

By Mr. McGOVERN:

H. R. 8395. A bill to provide for national scholarships for college and university undergraduate study; to the Committee on Education and Labor.

By Mr. SCRIVNER:

H. R. 8396. A bill to provide Federal aid to education by reduction of income taxes; to the Committee on Ways and Means.

H. R. 8397. A bill to provide direct aid to States and Territories for educational purposes only; to the Committee on Ways and Means.

By Mrs. KELLY of New York:

H. Con. Res. 204. Concurrent resolution expressing the sense of the Congress on the problem of Hungary; to the Committee on Foreign Affairs.

By Mr. FLOOD:

H. Con. Res. 205. Concurrent resolution that it is the sense of the Congress that the United States will not surrender its jurisdiction or control over the Canal Zone or the Panama Canal; to the Committee on Merchant Marine and Fisheries.

By Mrs. KELLY of New York:

H. Con. Res. 206. Concurrent resolution expressing the sense of the Congress concerning the admission of not to exceed 5,000 Hungarian student refugees; to the Committee on the Judiciary.

By Mr. COFFIN:

H. Con. Res. 207. Concurrent resolution expressing the sense of the Congress concerning the admission of not to exceed 5,000 Hungarian student refugees; to the Committee on the Judiciary.

By Mr. BENTLEY:

H. Con. Res. 208. Concurrent resolution expressing the sense of the Congress concerning the admission of not to exceed 5,000 Hungarian student refugees; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H. Con. Res. 209. Concurrent resolution expressing the sense of the Congress with respect to the revision of the administrative agreement under the Security Treaty between the United States and Japan regarding the status of their forces; to the Committee on Foreign Affairs.

H. Con. Res. 210. Concurrent resolution expressing the sense of the Congress with respect to the revision of the agreement between the parties of the North Atlantic Treaty regarding the status of their forces to the Committee on Foreign Affairs.

By Mr. BENTLEY:

H. Res. 301. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 293; to the Committee on House Administration.

By Mr. BOW:

H. Res. 302. Resolution creating a select committee to conduct investigation and study of all Federal grants-in-aid; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: A memorial of the Legislature of the State of Texas memorializing the President and the Congress of the United States to repeal the excise taxes now levied unjustly on the transportation of goods and passengers by common carriers; to the Committee on Ways and Means.

Also, memorial of the Legislature of the Virgin Islands memorializing the President and the Congress of the United States to grant a recharter to the Virgin Islands Corporation; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. PRICE:

H. R. 8383. A bill to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOHN J. ROONEY, Members of the House of Representatives, to accept and wear the award of the Ecclesiastical Order of St. Gregory the Great, with the rank of Knight Commander with Star.

H. R. 8384. A bill to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOSEPH W. MARTIN, JR., Members of the House of Representatives, to accept and wear the award of the Philippine Legion of Honor in the degree of Commander, tendered by the Republic of the Philippines.

By Mr. ANFUSO:

H. R. 8398. A bill for the relief of Mrs. Rachel Mordos and her minor daughter, Toula Mordos; to the Committee on the Judiciary.

H. R. 8399. A bill for the relief of Adolf Salamon and his wife, Sara Weinberger Salamon; to the Committee on the Judiciary.

By Mr. BUSH:

H. R. 8400. A bill for the relief of Eiko Y. Croman; to the Committee on the Judiciary.

By Mr. DINGELL:

H. R. 8401. A bill for the relief of Mrs. Vartouhi Yemenijian; to the Committee on the Judiciary.

By Mr. JUDD:

H. R. 8402. A bill for the relief of Evangelos G. Vrachorites; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H. R. 8403. A bill for the relief of Mrs. Carolyn J. Conroy; to the Committee on the Judiciary.

By Mr. SANTANGELO:

H. R. 8404. A bill for the relief of Alessandro Sasso; to the Committee on the Judiciary.

By Mr. SCHERER:

H. R. 8405. A bill for the relief of Dr. Clemente Gusi Austria, to the Committee on the Judiciary.

By Mr. SCRIVNER:

H. R. 8406. A bill for the relief of Orval L. Landis; to the Committee on the Judiciary.

By Mr. STAUFFER:

H. R. 8407. A bill for the relief of Mrs. Margaret N. Meister; to the Committee on the Judiciary.

By Mr. STEED:

H. R. 8408. A bill for the relief of Stephan H. and Hermine M. Pechdimaldji; to the Committee on the Judiciary.

By Mr. UTT:

H. R. 8409. A bill for the relief of Carlos Vasquez Perez; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

294. By Mr. BEAMER: Petition of Mrs. David Stakelbeck, of Kokomo, Ind., and 123 citizens of Indiana protesting the advertising of alcoholic beverages in interstate commerce and its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

295. By Mr. CANFIELD: Resolution adopted by the governing body of the city of Clifton, N. J., requesting that the Jenkins-Keogh bills, H. R. 9 and H. R. 10, be reported favorably from the House Committee on Ways and Means; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Washington Report by Congressman Bruce Alger, of Texas

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1957

Mr. ALGER. Mr. Speaker, it is obvious to me that our form of government is successful to the degree that citizens participate and are well informed concerning the issues of the day. My weekly newsletter of June 22 is here included for those who are interested in reading one Congressman's report to his constituents:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas)

JUNE 22, 1957.—The House civil-rights bill conclusion was tense, dramatic, and disappointing. The bill passed 286 to 126 (almost same vote as last year, few changed their views despite long debate—see last two newsletters). The jury-trial amendment was beaten 251 to 158, a bitter disappointment and cause for alarm to many Members. In my last of three floor speeches, I summarized it this way—"After long debate no one has yet defined 'civil rights.' Are we jeopardizing, through new Federal jurisdiction, the rights outlined in the first 10 constitutional amendments? Unless and until we define just what the civil rights are that we seek to protect, other than the right to vote, which is perfectly clear to us, there should at least be the right of trial by jury." These brief final remarks I've sent to each Senator (and already have received 22 replies) in the hope that the bill can be improved in Senate debate, or better still, defeated. In cart-before-horse fashion we have seriously threatened the very freedom of all citizens, including those the bill seeks to protect, it seems to me. This fact will be learned to the consternation and surprise of many, I predict, if it becomes law.

The third supplemental appropriation bill, 1957 (title self-explanatory as to how budget cuts later can be reinstated) brought back to us two very controversial issues, flood insurance and tungsten stockpiling. Flood insurance (May 11 newsletter) was defeated again 218 to 186, too close a margin. Once again it was considered the "political" thing to do by many to prove they were against floods by voting on this fantastically expensive new Government program. Apparently 186 are still unmoved by nationwide pleas for economy and "cut the budget", as well as by the specific facts showing the impracticality of such a program. Again we see the camel trying to poke his nose under the tent. Tungsten purchase for defense stockpiling debate produced these startling facts: (1) tungsten purchase authorized by Congress has resulted in Government paying $63 per ton while market price was $43 (ultimate loss of $138 million); (2) a 7-year wartime supply on hand, or 26 years at normal rate; (3) surplus tungsten beyond long-term strategic need equals 192-year supply for jet engines manufacture. Shouldn't Congressmen protest? We did, so no more money in this bill for tungsten.

Agricultural Trade Development and Assistance Act of 1954 extension of Public Law 480 was the week's real shocker to me. And I ended up as one of only seven who voted against it. The bill purports to dispose of our agricultural surpluses through sales and gifts. The obvious need to get rid of our surpluses is the underlying logic. As to sales (now up $4 billion), 87 agreements with 30 countries has resulted in disposal of $3 billion of food for foreign currency, which money United States spends in these countries for military bases, strategic materials, economic assistance, gifts and loans, military housing, residences for agricultural attaché, school aid, libraries, community centers, books and periodicals, formation and promotion of 4-H agricultural clubs for better rural living. Then the gift food goes for refugee relief, for flood relief and needy persons, etc., etc. "Uncle Sugar"? In sales, we don't get dollars; we give food and when we get the foreign currency, we spend it within each country. Isn't this foreign aid? Of course, but we don't call it that. It's called an emergency program (going into its fourth year) to develop new markets. Does it? Even the Agriculture Committee states only 1.6 percent of the products and funds went to this purpose, the reason for the law in the first place.

In the outright gift phase ($300 million more, total $800 million) 1,287 million pounds of food were given away overseas and 789 million pounds in the United States. At this point, I took the floor to protest the entire bill, to point out that many others than the needy in 39 States get food now from Uncle Sam, that local agencies solicit people to get theirs. Is it Uncle Sam's responsibility to feed, clothe, and house us? How does this differ from socialism? It doesn't. Unions on strike are distribution centers—must taxpayers support strikers? Sure, we must dispose of our surpluses, and we must and can help the needy. An attempt to add cotton to the giveaways was narrowly defeated, with most southern conservatives for it. Are we helpless to solve our problems or are we just spineless and political? If we feed people, will they vote for us? Only seven of us voted against this monstrosity. Where now are the States righters? (The anti-civil-rights orators). Again, who's for economy?

The Prime Minister of Japan spoke to us in the House Chamber Thursday. His moving and friendly speech (through a translator), sprinkled with beliefs in democracy, made me remember that only 12 years ago this month we bombed Osaka, Kobe and Tokyo. I could never then have anticipated my future work, nor that Germany and Japan, our enemies, would be prospering beyond other nations.

Increase Pay of Postal Employees

EXTENSION OF REMARKS
OF
HON. ISIDORE DOLLINGER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1957

Mr. DOLLINGER. Mr. Speaker, the following is my statement to the House

Post Office and Civil Service Committee on June 18, 1957, urging that increases in salaries of postal employees be granted:

STATEMENT OF REPRESENTATIVE ISIDORE DOLLINGER, OF NEW YORK, TO THE HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE, JUNE 18, 1957

Mr. Chairman and members of the Committee on Post Office and Civil Service, it is a disgrace that we have allowed the present situation regarding postal workers' pay to continue as long as it has. Our grossly underpaid postal workers have endured real hardships; they cannot meet ever-increasing living costs. Postal salaries are far below those being paid in private industry; present salary grades in the postal field schedule do not provide an adequate level of living.

I am told that in the New York City post office, low wages have compelled more than 60 percent of the postal employees to seek outside employment in order to meet the high cost of living. What kind of career service is this which requires a man to work 12 or 14 hours a day—8 hours in his post office job and 4 or more hours in the other job? What kind of life can such an employee have? His existence is actually all work; he has no time or energy or inclination for recreation, family life, or hobbies or any of the things that makes life pleasant and worth living and which should be everyone's reward at the end of a normal working day.

The turnover rate in our post offices is increasing rapidly and it has already reached alarming proportions in the New York post office. The post office is finding it increasingly difficult to retain their experienced workers and eligibility rosters are becoming smaller and smaller, because of the low wage scale, and the resultant lack of interest in the postal service as a career.

The administration's attitude in opposing postal pay increases is unrealistic and unwise. Inasmuch as the Federal Government has been unable to control substantial wage and price increases which affected prices which Government employees must pay for living necessities it is now the duty of Congress to adjust the pay of postal employees so they can have at least a decent existence.

The morale of our faithful postal employees has reached a low point; what to them appeared to be a good career has become a most unrewarding job. Unless our postal workers are paid adequate salaries, enabling them to enjoy a reasonably good standard of living, the efficiency of our postal system will be seriously undermined. We owe it to this fine and important group of workers to give them adequate pay for the duties they perform.

I urge the Committee on Post Office and Civil Service to take favorable action providing for adequate pay increases for our postal workers without further delay.

Address by Hon. Clifford P. Case, of New Jersey, Before New York Young Republican Club

EXTENSION OF REMARKS
OF
HON. JACOB K. JAVITS
OF NEW YORK
IN THE SENATE OF THE UNITED STATES
Wednesday, June 26, 1957

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the address delivered by my colleague, the Senator from New Jersey [Mr. CASE], before the New York Young Republican Club, at the Mayflower Hotel, Washington, D. C., on June 22, 1957.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR CASE OF NEW JERSEY PREPARED FOR DELIVERY AT BREAKFAST MEETING, NEW YORK YOUNG REPUBLICAN CLUB, MAYFLOWER HOTEL, WASHINGTON, D. C.

I am glad to report that things have been going well on Capitol Hill. The President's legislative program is really starting to roll. So much so that I am confident this Congress will enact a meaningful civil-rights bill—the first since the Civil War era. We can see the end of the road, even though the struggle for the right-to-vote bill will be long. Although the Senate heard the threat of two filibusters from the southern side, the parliamentary success of this week is encouraging. I now believe we can get the 64 votes necessary to shut off the filibusters.

This was not the only achievement on the President's legislative list. The victories disprove the wishful thinking of some political theorists that the President's leadership has declined to the point where his legislative program is doomed. Let me cite the President's box score for the past week.

On Tuesday the House beat off all attempts to water down the administration's civil-rights bill, and by a vote of 286 to 126 finally passed the bill virtually intact. Of these 286 affirmative votes, 168 were Republican, while only 19 Republicans voted in the negative. By contrast, the Democratic split was 118 in favor to 107 against the bill.

Thursday night, as you all know, we won the important first round in our effort to get consideration of a right-to-vote measure. By a vote of 45 to 39, the Senate voted, in effect, to place the House bill on the Senate Calendar, bypassing the Judiciary Committee, which has bottled up the Senate's own version of this important bill for more than 5 months. Thirty-four Republican Senators, joined by 11 Democrats, voted to overrule a point of order against sending the bill to the calendar. Only five Republican Senators voted to send the bill to the Judiciary Committee.

Within the past week the Senate also approved the mutual security authorization bill, with 31 Republicans and 26 Democrats voting for the measure. On Tuesday the Senate ratified United States participation in the International Atomic Energy Agency—the realization of a bold and courageous proposal to harness the atom for peace made by President Eisenhower in his appearance before the United Nations in 1953. Thirty-two Republicans and 35 Democrats supported the President on this issue.

These votes speak for themselves. Support for President Eisenhower's program has been growing steadily since he made his two nationwide radio and television addresses to the American people, the first explaining his budget recommendations in general, and the second, his mutual-security program specifically. The effect of these talks was substantial. The strong bipartisan support for the mutual security authorization bill demonstrated that the erosion of the President's program had been stopped.

The fight is far from over. The mutual security and defense appropriation bills must be passed without crippling cuts. And as I indicated earlier, referral of the civil-rights bill to the calendar is only the beginning of the struggle on that issue. Only the virtually solid support of Republicans in the Senate can assure passage of this vital legislation. The votes in the House and Senate this week show that the Democrats are hopelessly split on civil rights. Incidentally, I think we will hear less and less about a Republican split from our friends across the aisle as the civil-rights bill is debated in the Senate. They will have enough fences of their own to mend.

I think there is a conclusion to be drawn from these recent legislative events. It is that we must put aside all talk about splits in the Republican Party. There is too much of the President's program still at stake to engage in any further divisiveness. The splendid showing of Congressional Republicans in the past week was highly encouraging. But we still have a big job before us, if we are to enact the legislative program that President Eisenhower has recommended—a program that the American people have clearly demonstrated they will support.

Jordan Celebrates 29th Anniversary of Independence

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL, JR.
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 26, 1957

Mr. POWELL. Mr. Speaker, when I returned from the Asian-African conference at Bandung, I announced that I would address from the floor of the House of Representatives each one of the participating nations on friendly terms with the United States on the occasion of a national holiday. May 25, 1957, marks the 29th anniversary of the independence of Jordan. In observance of that event, I wish to send greetings to the people of Jordan, His Majesty, King Hussein and the Honorable Mahmoud A. Rousan, Chargé d'Affairs ad interim, of Jordan.

Our keen concern for the preservation of the independence of other nations arises naturally from our own traditions of freedom and independence and from a deep awareness of the consequences to other nations, to the Free World, and to ourselves of the loss of true sovereignty by any nation. King Hussein is to be commended for his forthright stand against antidemocratic elements in his country. The influence of the mob has been successfully challenged in Jordan. King Hussein's vigor has set an example to other Arab governments which prefer to settle policy by means other than submission to subversively agitated mobs.

In his plea for national unity, King Hussein aimed his words at those dreaming of dismemberment of his country:

I am hostile to those who portray things wrongly to you and those inspired from outside their own country and those disloyal to their country. I am also hostile to those who try to drive a wedge between me and you. * * * We meant it when we said we would resist anyone trying to belittle our sovereignty and our security.

Jordan is more independent today than in a very long time past. King Hussein is methodically cleaning up those people who would have returned the country to the status of a dependency.

To read the decrees King Hussein has promulgated as part of his fight in Jordan does not warm the heart of a believer in democracy except as they

may be the necessary and we hope temporary means of averting a worse dictatorship. A stable state must be built essentially on public consent.

Democracy, since it must rest on literacy, education, and tolerant political traditions, is a plant of slow growth. The stability which King Hussein has preserved in Jordan must justify itself by works. The example of a victory over economic difficulties there would have great effect elsewhere in the Middle East. Such a victory will require substantial aid and wise friendship from the United States.

Let us hope that these problems plus the Israeli problem can be solved for the good of all men of good will.

Ratings of the 48 States in Army Educational Tests

EXTENSION OF REMARKS
OF

HON. RICHARD L. NEUBERGER

OF OREGON

IN THE SENATE OF THE UNITED STATES

Wednesday, June 26, 1957

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a letter dated June 24, 1957, from Mr. William R. Ming, Jr., national chairman of the American Veterans' Committee, which was addressed to all Members of the Senate and the House. Mr. Ming's letter includes the statistics released by the Surgeon General of the Army concerning the educational test given to all inductees for military service during the Korean emergency.

In addition to the national interest afforded by this table, which includes the period from 1950 through 1953, I am particularly proud of the rating made by my own State of Oregon. Members of the Senate will note that Oregon rates second among all the States of the Nation in the percentage of its inductees passing the Army educational test.

Ninety-seven percent of all Oregon inductees passed the test. Only Minnesota was higher, with 97.4 percent. All other 46 States were lower.

This achievement by the sons of Oregon parents, who were educated in Oregon schools, provides some measure of the generous and unselfish degree to which the taxpayers of our State have made sacrifices in supporting and maintaining an outstanding school system. It also is a tribute to the caliber of Oregon teachers and school administrators.

This achievement is made particularly notable because Oregon, in recent years, has been suffering an economic slump which has made it even more difficult and trying for its people to pay high State and local taxes which contribute to the maintenance of education.

Mr. President, I ask unanimous consent to include in the CONGRESSIONAL RECORD the letter and statistics presented by the American Veterans Committee, along with an excerpt from the July 1 weekly news column, prepared by Mrs. Neuberger and myself, which discusses this particular question. As a former schoolteacher in the Oregon school system, Mrs. Neuberger especially shares by pride in the record of our State.

There being no objection, the letter, table, and excerpts from the article were ordered to be printed in the RECORD, as follows:

AMERICAN VETERANS COMMITTEE,
Washington, D. C., June 24, 1957.

To the Members of the 85th Congress:

In the last emergency this Nation faced, at the time of Korea, figures compiled by the Office of the Surgeon General, Department of the Army, revealed that the percentage of rejection of inductees and enlistees for failure to pass the education test was highest in the Southern States of the Nation.

The attached table, based on the figures released by the Surgeon General, illustrate this fact. Parity on the attached chart is based on the national average wihch was 84.6.

The inductees and enlistees from Northern and Western States established a much better record as shown in the attached table.

In a special study done by the Selective Service System, Special Monograph No. 10, volume 1, "Special Groups," 1953, page 166, it was stated:

"The high rate of rejection of selectees, both white and Negro, for educational deficiency and failure to meet minimum intelligence standards calls attention to a problem which affects the Nation in time of peace as well as war. In peacetime, it prevents the effective participation of large numbers of citizens at a productive level. In war, it is even more impossible for these same individuals to make their full contribution to both production and security.

"This leads to the conclusion that the inability of large numbers of citizens to meet minimum standards of education or intelligence has broad significance. The failure of one State to be able to make its proportionate share of manpower available for national defense causes other States to assume a disproportionate share of the responsibility.

"The question as to whether or not one community, county, or State provides adequate educational opportunities is a matter of concern for all of the citizens in all of the States. Communities, counties, and States with high educational standards are compelled to absorb the manpower procurement deficiencies of States with poor educational programs. In the final analysis, the former actually pay in lives for the education deficiencies of the latter. The safety of the Nation depends in a large measure upon citizens in every State and section having a reasonable minimum of education."

It is obvious from these facts that the problem of the educational deficiency in Southern States is a national rather than a local problem since in this particular instance it affects the people of all of the States.

The States that the chart shows lagging behind the rest of the Nation are in nearly every instance the very States in which segregated schools exist. Certainly, this would justify the conclusion that "segregated State educational systems do not produce results equal to the nonsegregated public educational systems."

The American Veterans Committee urges that Congress give consideration to these facts as it continues its consideration of the Federal aid to school-construction program and the proposals that this Federal aid should not be provided to those schools which continue to practice segregation.

Our Nation should not be in the position of facing in any future emergency a condition in which patriotic young men and women of the South cannot share equally with their fellow Americans from other sections the burdens of our defense because of an inadequate educational system in their section of the country.

Sincerely yours,

WILLIAM R. MING, Jr.,
National Chairman.

States ranked in order of rejection for failure of education test July 1950–December 1953

State	Percent rejected [1]	Percent passed	Percent passed on parity basis
Minnesota	2.6	97.4	113
Oregon	3.0	97.0	115
Iowa	3.1	96.9	115
Nebraska	3.6	96.4	114
Idaho	3.8	96.2	114
Utah	3.9	96.1	114
Washington	3.9	96.1	114
South Dakota	4.3	95.7	113
Montana	4.5	95.5	113
Wisconsin	4.9	95.1	112
Rhode Island	5.1	94.9	112
Kansas	5.3	94.7	112
Massachusetts	5.5	94.5	112
Wyoming	5.5	94.5	112
New Hampshire	6.2	93.8	111
North Dakota	6.2	93.8	111
Indiana	6.4	93.6	111
Colorado	7.2	92.8	110
Illinois	7.7	92.3	109
Michigan	7.8	92.2	109
Pennsylvania	7.8	92.2	109
Vermont	8.2	91.8	109
California	8.7	92.3	108
Connecticut	8.7	91.3	108
Nevada	8.9	91.1	108
New Jersey	9.9	90.9	107
Ohio	9.2	90.8	107
Missouri	10.9	89.1	105
New York	10.9	89.1	105
Maine	11.3	88.7	105
District of Columbia	12.4	87.6	104
Maryland	12.7	87.3	103
Oklahoma	14.0	86.0	102
Delaware	16.2	83.8	99
West Virginia	16.5	83.5	99
Arizona	16.6	83.4	99
Texas	19.1	80.9	96
New Mexico	19.9	80.1	95
Kentucky	24.4	75.6	89
Florida	25.4	74.6	88
Tennessee	29.9	70.1	83
North Carolina	30.1	69.9	83
Virginia	31.9	68.1	80
Georgia	37.0	63.0	74
Arkansas	38.2	61.8	73
Alabama	39.7	60.3	71
Louisiana	40.4	59.6	70
Mississippi	41.7	58.3	69
South Carolina	46.8	53.2	63
National average	15.4	84.6	100

[1] Medical Statistics of the U. S. Army. Annual report of the Surgeon General for calendar year 1953. Office of the Surgeon General, Department of the Army, Washington, D. C., 1955, p. 329.

[From Washington Calling for July 1, 1957]

OREGON'S SCHOOLS NEAR THE VERY TOP

(By Richard and Maurine Neuberger)

Everyone associated with education in Oregon—teachers, administrators, students, parents—have a right to be gloriously proud over a report which has just reached my desk.

Oregon ranks second among all the States of the Nation in the percentage of its inductees passing the Army educational test, according to an announcement just released by the Surgeon-General. This was for the period from 1950 through 1953.

Ninety-seven percent of Oregon lads passed the test. Only Minnesota was higher with 97.4 percent. All other 46 States were lower. Iowa, Nebraska, Idaho, Utah, and Washington ranked next in order. (Hurrah for our western teachers and pupils.)

At the very bottom, incidentally, were three Southern States: South Carolina, Mississippi, and Louisiana. Only 53 percent of South Carolina inductees made the educational grade.

Oregon's achievement affords some measure of the generous sacrifice made by our taxpayers—at a time of great economic adversity for the State—to give adequate support to a sound and adequate school system.

Everybody Can Help Lick Inflation

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 26, 1957

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the remarks of Hon. CRAIG HOSMER, Everybody Can Help Lick Inflation. We are becoming more aware not only of the danger but the need for understanding inflation, what causes it, and how it can be corrected. In this the Government figures prominently and Congressmen should responsibly shoulder the job of studying and combating this terrible menace to our form of society. In this spirit I commend this article to my colleagues:

[From National Republic of July 1957]

EVERYBODY CAN HELP LICK INFLATION

(By Hon. CRAIG HOSMER, United States Representative from California)

Perhaps the most important fact that Americans of our time have need to understand is that the causes of inflation must be removed or the burdens will become heavier and heavier until the breaking point is reached. To remove the present causes of inflation involves sacrifices which our people cannot be expected to make unless they realize fully the consequences of not making them.

Who is responsible for inflation? Who is hurt by it? Who must work to stop it? The answer to each of these questions is: Everybody.

We will get out of our inflation difficulty only as each of us comprehends the nature of the problem and the means of attacking it. We must get out of it if we are to avoid disaster.

The aged living in retirement, teachers, Government workers and others on relatively fixed incomes, have long felt the squeeze of prices spiraling beyond incomes. But that is only one of countless tragic burdens of inflation. Others are just now appearing to millions of Americans who formerly regarded "creeping inflation" as no more than an election year catch phrase, without real meaning in their own lives.

Let us start by tracing inflation developments from the years of World War II, when most of the Nation's productive capacity was devoted to making the weapons of victory. Civilian goods were scarce; rigid controls stopped people from bidding up prices. A high proportion of earnings went into savings simply because they had no place else to go.

Postwar removal of controls freed our economic system to return to its historic function of supplying civilian demands, and people began using their savings as well as current income to satisfy pent up desires for consumer goods.

New homes, new cars, new furniture became the rule rather in the American way of life. Power brakes, the second bathroom, hi-fi, and innumerable other refinements were added to old products. Television sets, television dinners, automatic dishwashers and a host of other completely new products were developed. For all these things the American people had a tremendous appetite. This vast new production has meant a constantly rising standard of living for the Nation.

At the same time the people's tastes became richer in the things they wanted from all levels of government. Welfare programs were expanded, thousands of miles of highways turned into freeways, and other new programs undertaken by the score because the people wanted them. Government expansion has been based on quantity as well as quality, for our rapidly growing population has multiplied the needs for schools, police protection, and all other services of government, old and new.

Taken all together, these evergrowing private and public demands for goods and services have aggregated more than could be produced. Since World War II the remarkable growth in our productive capacity each year, except for agriculture has been fairly consistently outpaced by an even more remarkable growth in demand.

With goods and services thus constantly in short supply, buyers and employers were willing to pay higher prices and wages until enough of each were priced out of the market to restore the balance between supply and demand. Had the process stopped there competition among purchasers, which drives prices up, would have shifted to competition among sellers which, if it does not drive prices down, at least keeps them stable. We would have had a little inflation, but not the tremendous amount we have experienced.

The price spiral did not stop because individuals and business alike used not only accumulated savings and current earnings to bid up prices, but another seemingly limitless resource—their future earnings, available by borrowing and repayable in easy installments. Government's vast powers to borrow against future revenues further swelled this inflationary force.

The result today is that not only has the bidding-up process operated to cheapen the value of money, but the very free availability of future dollars (credit) has had a further depressing effect on the value of current dollars.

Another complicating factor has been the steady pressure by workers and business to increase prices they receive as producers, to compensate for the steady increases they face as consumers. This is part of the endless circle known to economists as spiraling inflation.

Spiraling or not, that part of the increased money wages of a bricklayer, for example, resulting from this process and not from increased productivity is inflation. The same is true for that part of the increased price of the home he helped build which does not represent an actual increase in its intrinsic value. Dollars which buy less work or less goods are worth less.

It takes $4.65 today to buy what $4 did 10 years ago. During 1956 wages in California rose by an average of 6.7 percent; but two-thirds of the increase was canceled by rising prices. Only one-third went into increased purchasing power; two-thirds was "taxed away" by inflation. To the person whose wages did not rise, or who lives on a fixed income, the year meant a net loss in purchasing power.

For every family budget, an income of $116 a month is required for every $100 in the 1947 budget, to maintain the same living standard.

It is obvious that inflation will continue to impose this tremendous tax as long as our productive capacity for goods and services cannot fully meet our unrestricted demands. After all, 100 percent of supply is all there is and when the grand total of all the demands add up to 110 percent, prices are bound to rise until supply and demand are brought into equilibrium. This balance must be brought about speedily before inflationary pressures wreck our economy and bring disaster to all. It means doing something to expand our productive capacity faster and also doing something to put the brakes on demand while accomplishing it.

That sounds simple, but doing it in our complex economy is not so simple.

Expanding productivity depends largely on new and improved plants, machinery, and other instruments of production. The price tag on these for corporations alone is estimated at $60 billion a year. Probably an almost equal amount is needed by unincorporated businesses. The money can come only from reinvested earnings and new investments by individuals of their savings. At the present time neither source is proving adequate to finance as rapid an expansion of productive capacity as needed to remove inflationary pressures. Business has attempted to meet the deficiency by overborrowing, but capacity in that regard is coming to an end. An unpleasant side effect of such borrowing has been to help to drive interest rates up because so many additional borrowers were in the market clamoring for money.

The basic reason our economy has not been getting the amount of investment money it needs for expansion is taxes. High corporate income taxes have siphoned away large amounts of earnings that otherwise would be reinvested. High individual income taxes, which have caused many a TV quiz contestant to stop short of the top prize, because the tax bite makes the risk foolish, also discourage investors from risking their money for a disproportionately small return after taxes.

Although circumstances vary from industry to industry, the overall result is that only about $3.5 billion annually is being invested in new corporate stock issues, whereas capital from this source totaling $6 billion a year is required to finance the necessary anti-inflationary expansion of corporate productive capacity. The investment picture for unincorporated businesses is no less gloomy.

A reshaping of our tax policies is needed to provide both the means and the incentives for an accelerated investment in building up the Nation's productive capacity. Only in this way can we boost supply up near the demands we make, and only in this way can we create the vast number of new jobs needed to employ our rapidly expanding population.

Such tax changes are not a matter of lowering taxes on "big business and the rich" while "the poor" get no relief. Saying so is good demagoguery, but poor economics. Tax revision is a commonsense matter of doing what is needed in a free enterprise economy to eliminate the burdens of inflation and the threat of unemployment, both of which are far more disastrous to "the poor" than to any other economic category.

On the side of putting brakes on demand while supply is catching up, there are also serious complications.

It is not enough to say that government should cut its spending. Government in American democracy is but an instrumentality by which the collective will of the people is expressed. Government can cut spending only in response to a common decision of the citizenry that its highest welfare lies in foregoing desirable but not essential expenses of government until the inflation problem is licked.

Present dim prospects for this Spartan decision exemplify the vital need for a more realistic public understanding of the consequences of not making it. A wholesale constriction of Government spending is involved and even the most ardent advocates of public economy usually want it accomplished by sacrificing somebody else's pet programs. Probably little short of a reasoned fear of inflation—to almost a point of terror—can generate an effective public demand for even temporary Government frugality.

A similar public awareness of the economics of our situation is needed if Americans as individuals are voluntarily to forgo satisfaction of personal demands for desirable but not essential consumer items during the period needed for productive capacity to be brought up into balance. The prospects for developments in this regard before it is too late also are somewhat on the dim side.

For that reason other inducements to individuals to forgo some of their demands for a while have either been brought, or allowed to come, into play.

Recent increases in interest rates by savings banks is an example. By making savings more attractive, bankers induce more people to put their money in the bank instead of spending for current wants. In this way some existing wealth is being taken out of the market place. The pressure on prices is lessened.

The rise in interest rates to borrowers is having a similar effect by taking some future dollars out of today's market places. As money becomes more expensive, some potential borrowers are priced out and others decide to forgo satisfaction of their wants until borrowing becomes less costly.

Unfortunately high interest rates are a shotgun approach to the problem of reducing demands on the economy. They often eliminate those for whom loans will accomplish the highest social purposes. The GI homeownership loan (a loan for an unquestionably desirable purpose) serves as an example.

The Government does not lend the money. It merely guarantees a private lender that his loan at not more than 4½ percent interest to a veteran home buyer will be repaid. In prior years that was about the going interest rate, so the guaranty feature made lending to home-buying veterans very attractive. As a result, nearly $40 billion of credit was channeled to GI housing.

However, today's going interest rates are up to at least 5½ percent. That rate is much more attractive than 4½ percent, even with a Government guaranty, so mortgage money for GI home loans has all but dried up. At the same time, others whose reason for borrowing is perhaps much less worthy get loans because they can afford to pay the added interest cost.

The result may help curb inflation, but it creates hardships by failing to direct the flow of available credit toward homeownership, financing schools, and attaining many other highly desirable objectives. Some say the answer lies in simply granting direct Government loans for socially desirable purposes. They ignore or fail to understand that creation of new and additional credit in this manner would seriously augment inflationary forces and soon drive prices of everything, including money, upward.

In any but the most extraordinary and limited cases Congress should forthwith reject proposals which involve pumping new sums of credit into the economy. If hardships are to be relieved and social objectives attained, the answer primarily lies in directing the flow of existing credit toward them, not in creating new amounts of credit to swell the inflationary stream.

But even this requires extreme caution. Legislation directing the interplay of economic forces toward accomplishment of social objectives, regardless of desirability, is always risky.

Our vital objective is permanently to remove inflationary forces from our economy. To do it we must increase productivity to the level of demand and, until that is done, artificially lower the level of demand. Any actions we take to alleviate hardship occasioned during the process must neither feed inflationary forces, impede rapid expansion of productive capacity, nor interfere excessively with the workings of our capitalistic, free-enterprise economic system.

The end product of that system is enjoyment by today's Americans of the highest standard of living, the most abundant general welfare, the most jobs and the highest wages of any people of any nation in any period of history. Our experience has shown that a certain amount of governmental regulation of the system—antitrust laws, minimum wages and the like—is needed to prevent abuses of the freedom inherent in it.

The experience of other countries, notably France and Great Britain, has shown that excessive governmental interference aimed at social objectives ends in economic chaos. These countries even experience difficulty in agreeing on the social objectives toward which to direct their impaired economies.

Victory in the battle against inflation, just as in battles against hostile nations, requires a willingness to sacrifice.

The people's understanding of these things is needed to guide their own individual courses. And, since political courage is sometimes as much a matter of public understanding as it is strength of personal character, the people's understanding is also needed to spur their public officials to take politically unpopular actions prerequisite to defeating inflationary forces and to resist alluring ones with an opposite effect.

Thailand Celebrates 25th Anniversary of National Day, June 24th

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1957

Mr. POWELL. Mr. Speaker, when I returned from the Bandung Conference at Indonesia, I announced that I would address the House of Representatives on the occasion of the national holiday of each one of the participating nations on friendly terms with the United States. I wish to send greetings to the people of Thailand, His Majesty King Phumiphon Adundet, and His Excellency Pote Sarasin, Ambassador of Thailand, on the occasion of the celebration of the 25th anniversary of National Day, June 24, 1957.

Thailand enjoys the proud distinction of being the only nation in Southeast Asia, and one of the few on the continent of Asia, which has been independent throughout its history. Although from the beginning of her history Thailand had been governed by a progressive monarchy, the people threw off the yoke of absolutism on June 24, 1932, and proclaimed a constitutional monarchy with the hopes that the new government might better meet the needs of the times. Thailand enjoys all the principal features of democratic government including elections, a constitution, and a legislative body. In general, democracy is the established practice in Thailand's political institutions.

In this world so often beset by turmoils, Thailand has had the good fortune of being governed by farsighted, wise, and firm statesmen. She has thus known an era of unprecedented development, without disregard to her internal and external security. The leaders of the nation have as their primary aim the development of the resources of the country in order to attain a better standard of living for the benefit of all its people.

About 85 percent of the gainfully employed Thais are engaged in agriculture. Agricultural products carn over 60 percent of the national revenue. Farsighted governmental policies are providing research stations and the facilities to experiment with mechanization of rice production, Thailand's chief crop and mainstay, as well as the development of large irrigation projects to increase the yield per acre and the overall harvest. Although much remains to be done, notable progress has been made in industry and transportation. The Government's medical and health officials many of whom have been trained in American medical schools, recognize the great need for health improvement and the shortage of adequately trained medical personnel. United Nations antimalaria teams are cooperating with the Thai health officials. Success has also been achieved in the antiyaw campaign, launched through joint UNICEF and WHO action. Hospitals and clinics are being established and health education is being carried on throughout the land. Mobile health units travel both on land and water for the welfare of rural communities. The importance of education has been greatly stressed in the country. Keenly aware of the fact that a great number of the people are illiterate, the Thai Government has arranged for assistance by educational specialists through UNESCO and the United States Government.

The Thai people along with the rest of the free world know that a free and prosperous people is communism's most formidable foe. Every well-founded and happy home is a fortress against tyranny, while poverty and wretchedness are its breeding ground.

It is Thai policy to maintain friendly relations with other nations. In amplification of this policy she has taken her place with the free nations in United Nations sessions, and has benefited greatly from membership. Thailand was the first nation which responded to the appeal of the United Nations and sent troops, naval and air forces to fight side by side with other free nations in Korea, and actively participates in the councils of the United Nations.

The United States enjoys a historical friendship with Thailand. The United States is well represented in Thailand, where Americans are held in high regard. The Thais have welcomed American assistance in improving its economic well-being and keeping its political freedom. As examples of the projects which had added much to United States prestige are the highway construction, education and health programs.

Southeast Asia is undergoing a period of phenomenally rapid change. Much has been achieved. The free world can count itself fortunate that that incident and upheavals in the area, serious though some have been, have been markedly fewer and less widespread than the Communist agitators had hoped to achieve. Thailand in particular has given us an impressive demon-

stration that when people are contented and happy, communism makes but little progress.

Thailand's strategic position, its tradition as a free nation in southeast Asia, and its opposition to communism, give the country an important place in international affairs. It is an example and inspiration to other countries in the region who are engaged in the conflict with totalitarian aggression. As a bulwark against communism, the influence of the Thai may be beyond measure.

Again I salute Thailand and pray for continued mutual loyalty and respect between our countries and a continued strong purpose toward our peaceful aims.

Statement of Congressman Torbert H. Macdonald, a Representative of the Eighth Congressional District of Massachusetts

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EXTENSION OF REMARKS
OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1957

Mr. DINGELL. Mr. Speaker, on Wednesday, June 19, the Honorable TORBERT H. MACDONALD, Representative from the Eighth Congressional District of Massachusetts, appeared and testified against the confirmation of Chairman Jerome K. Kuykendall, of the Federal Power Commission, to a new 5-year term.

Mr. MACDONALD has been one of the most vigorous and outstanding opponents of the natural-gas bill in the House Interstate and Foreign Commerce Committee of which we are both members. I believe that his remarks in connection with the confirmation of Chairman Kuykendall are of the utmost importance to the American people, and for that reason, I have asked permission to insert them in the CONGRESSIONAL RECORD at this time.

I hope all will read the remarks of Mr. MACDONALD and that others will come to realize as I have that the Honorable TORBERT H. MACDONALD has been serving well his constituents and the consuming public of his country by his vigorous and forceful opposition to a bill which would cost the consuming public of this country some $950 million a year:

STATEMENT OF CONGRESSMAN TORBERT H. MACDONALD, A REPRESENTATIVE OF THE EIGHTH CONGRESSIONAL DISTRICT OF MASSACHUSETTS

Mr. MACDONALD. Mr. Chairman, I am TORBERT H. MACDONALD, Representative from the Eighth Congressional District of Massachusetts. I am very grateful to you and the other members of this committee for the opportunity to appear and present my views on the important matter that is now pending before this honorable committee.

I am appearing here this morning on the matter of the reappointment of Chairman Jerome K. Kuykendall to a new 5-year term on the Federal Power Commission. I would like at this pont to preface my remarks by stating that as far as I know Chairman Kuykendall is a fine gentleman personally. I certainly have no personal objections to him. However, I feel strongly that Mr. Kuykendall has not always carried out the main duty of his high office, namely to protect the public interest. The basis for my opinion is predicated solely on testimony given before the House Interstate and Foreign Commerce Committee, of which I am a member, on the natural gas legislation now pending before that committee.

The members of this committee are well aware that the House Commerce Committee has recently concluded the public hearings on H. R. 6790, the natural gas bill, which seeks to free producers from effective Federal regulation. Yesterday, in fact, we began executive consideration of legislation and will be continuing same during this week, at least.

Mr. Chairman, I am not here to argue or expound on the merits or demerits of the gas legislation that is now pending before the House Commerce Committee. Rather I think that this committee should have brought before it the part Chairman Kuykendall played in formulating this gas legislation.

I am sure that every member of this committee will agree with me that when Chairman Kuykendall took office as a member of the Federal Power Commission he took oath to enforce and follow the laws of the United States, especially those governing his own agency which was set up to protect the American consumer from the unfair practices of large gas producers. As we all know, abuses by certain large companies led to the passage of the Natural Gas Act in 1938.

I soon discovered, after questioning Chairman Kuykendall during the gas hearings on May 9, 1957, that he had not carried out the principles of that oath, but that he had called secret meetings with the three segments of the natural-gas industry, namely, Randall LeBeouf, Jr., of LeBeouf, Lamb & Leiby of New York City, representing the gas distributing segment; William Tarver, of Southern Natural Gas, Birmingham, Ala., representing the transmission segment; and David Searls, counsel for Texas Natural Gas Producers, representing the gas producing segment of the industry. The admitted purpose of the secret meeting was to draft a bill acceptable to all segments of the Natural Gas Industry. This meeting, as you may know, was held on the instruction of the White House. There is no question that the vetoed corpse of the first Harris gas bill was still warm when Mr. Kuykendall instituted this gas legislation. That he did so at the request of the White House is not a mitigating circumstance in my opinion. He was appointed to serve the public, not the White House. I feel that the actual testimony taken before the House Interstate and Foreign Commerce Committee should be included in these hearings lest I be accused of prejudice. I now insert the actual questions and answers as appear in the reporters' transcript of the hearings.

The following is taken verbatim from the official record of our committee hearings:

"TESTIMONY OF JEROME K. KUYKENDALL, CHAIRMAN, FEDERAL POWER COMMISSION, BEFORE THE HOUSE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE ON MAY 9, 1957, TO AMEND THE NATURAL GAS ACT

"Page 184 and 185 of the transcript:

"Mr. MACDONALD. Would the gentleman yield for one clarifying short question?

"Mr. O'HARA. All right; I will yield.

"Mr. MACDONALD. Do I understand that you say you were not consulted at all about this bill, or merely about the drafting of the bill?

"Commissioner KUYKENDALL. I was not consulted at all about this by anyone that I can recall.

"Mr. MACDONALD. Thank you, Mr. O'HARA.

"Mr. O'HARA. Does that clarify it?

"Mr. MACDONALD. Yes, sir.

"Page 245 to 255 of the transcript:

"Mr. MACDONALD. Sir, this morning there was some conversation about what part you had played in the formulation of H. R. 6790, which was introduced by Mr. O'HARA and Mr. HARRIS. Would you care to comment on your part, your role, in the formulation of this bill?

"Commissioner KUYKENDALL. Well, I commented this morning, and I will repeat it: I had no part in the formulation of this bill or any other bill.

"Mr. MACDONALD. If I were to say to you, sir, that it is common knowledge—or strike 'knowledge'—it is commonly reported, shall we say, that prior to the election, prior to the past Congressional and presidential elections, that you made it known to various segments of the industry that you wished they would get together to present to you a bill of this type so that you could make a report to the Director of the Bureau of the Budget, would I be saying something that was not correct?

"Commissioner KUYKENDALL. Yes; you would.

"Mr. MACDONALD. Then you categorically deny that you ever let any segment of the industry know that you were interested in their plans for the formulation of a new so-called gas bill?

"Commissioner KUYKENDALL. What happened was this, Mr. MACDONALD: That while Congress was still in session last year, and after the Harris-Fulbright bill had been vetoed, Jerry Morgan at the White House contacted me and asked me if I, without saying anything to anybody, could prepare a draft of a bill which I thought would fulfill the requirements that the President had stated in his veto message. So I told him I would try to do that. I went to work on it all by myself, and I soon ran into many problems. So I talked to Mr. Morgan, explaining that I could not do it myself, and the only way I could think to get it done quickly would be to confer with some of the people who had opposed the bill. I said I would like to talk with Mr. Randall LeBoeuf, who had been the spokesman of the distributing companies that opposed the bill.

"Mr. MACDONALD. What is his official title?

"Commissioner KUYKENDALL. He is a lawyer in New York City. I think he is in the room here right now.

"I talked with Mr. LeBoeuf, and he was willing to lend any assistance he could. He, however, agreed that we probably should get some representative of the producers and some representative of the pipelines.

"So I selected two other lawyers. I asked Mr. Searles, who has been a spokesman here for the producing industry on the previous bill, and I selected a Mr. Tarver, who used to be an attorney some years ago, long before I was with the Federal Power Commission, on the Federal Power Commission staff, but who is very knowledgeable about the Natural Gas Act and is now employed by one of the pipeline companies.

"Those gentlemen agreed that they would try to put together what they thought would be a good bill, and they did some work on it.

"In the meantime——

"Mr. MACDONALD. Did you see this bill while they were working on it?

Commissioner KUYKENDALL. I don't think this bill was in existence.

"Mr. MACDONALD. You said they were working on a bill, not H. R. 6790, but a bill, and I am asking you if you saw that bill?

"Commissioner KUYKENDALL. I saw several drafts of things they had drawn. None of them, so far as I know, ever saw the light of day.

"Then, as you will recall, last year, the President vetoed the farm bill, and other things clogged up the Congressional calendar, and it became quite clear to me that

there would be no possibility of the administration sponsoring a gas bill, and I inquired of Mr. Morgan, and he later checked with me, and said that it was definitely out of the realm of possibility for this year.

"So I told these other three men I have mentioned that there was no chance of any bill coming up that year.

"In the meantime, I learned, and I have forgotten now from just whom, that Mr. Heyke——

"Mr. MACDONALD. Who is he?

"Commissioner KUYKENDALL. Mr. Heyke is president of the Brooklyn Union Gas Co., had instigated some conferences, not among lawyers, but among executives of the industry.

"Mr. MACDONALD. Each segment of the industry?

"Commissioner KUYKENDALL. Yes.

"And then later, Mr. Heyke came to me and said he had heard rumors about some lawyers drawing a gas bill, and he had started these conferences, he hoped they would be fruitful, and he requested that I defer to him and not have sort of a competing group going. And so I acquiesced to that.

"Mr. MACDONALD. What time of the year was this conversation had?

"Commissioner KUYKENDALL. Oh, I don't know, perhaps around the time Congress adjourned, I am not sure.

"Mr. MACDONALD. August?

"Commissioner KUYKENDALL. And so I stepped out of the picture at that time, never called these three lawyers together again that I had talked with; but was aware of the fact, and was advised from time to time by Mr. Heyke, or some of the other parties, that he had gotten together, and generally of what they were trying to do.

"And Mr. Harris mentioned that he had gotten ahold of a statement of principles. Well, I believe I received a copy of that.

"Mr. MACDONALD. A statement of principles from whom?

"Commissioner KUYKENDALL. I don't remember whether I got it from Mr. Heyke or one of the others, from other segments of the industry, with whom he was conferring. But I took no part in that at all, but let them go their way with it.

"Mr. MACDONALD. And you say that is the last you had to do with those segments of the industry concerning a gas bill?

"Commissioner KUYKENDALL. Yes, except, as I said before, they reported to me now and then as a matter of courtesy. I remember one time they reported that they were just about at the end of their rope. They didn't think they could ever agree on anything.

Mr. MACDONALD. What time of year was this?

"Commissioner KUYKENDALL. I don't recall. I didn't keep any record of it.

"Mr. MACDONALD. Was it during October and November preceding the election?

"Commissioner KUYKENDALL. I don't recall whether it was preceding or after that election.

"Mr. MACDONALD. And that is all the connection you have had with this bill?

"Commissioner KUYKENDALL. That is all; yes.

"Mr. MACDONALD. Well, sir, as I understand it, the bill under which you administer the act, the act which you administer, was put in for the protection of the consuming public of the United States, was it not?

"Commissioner KUYKENDALL. Yes.

"Mr. MACDONALD. And that, as such, your primary if not sole duty is to the consumers of the United States; is that not correct?

"Commisisoner KUYKENDALL. Well, to the public interest, which embraces all segments of the country.

"Mr. MACDONALD. Well, after elections are over, the public interest reverts to the people, the public interest is the consumers, because there are roughly 29 million consumers, and the number is going up all the time, as I understand it.

"Would you not say that your primary duty is to protect the people who use this gas, rather than those who produce it?

"Commissioner KUYKENDALL. Yes; and that is what I am endeavoring to do.

"Mr. MACDONALD. I would like to ask you this question: If, during the formulation of this bill which is now H. R. 6790, you did not call on any consumer group to find out how they felt about this matter, and relied solely on only the three segments of the industry that had to gain from any such bill?

"Commissioner KUYKENDALL. Well, that is a loaded question.

"Mr. MACDONALD. It is not a loaded question.

"Commissioner KUYKENDALL. I don't know what the distributors had to gain.

"Mr. O'HARA. Let him answer that.

"Mr. HESELTON. I think he has a right to ask it.

"The CHAIRMAN. The gentleman may proceed in order.

"Mr. MACDONALD. I would like to say this, sir: Any question that may seem adverse to you is not necessarily loaded, and I, as an impartial member of this committee, somewhat resent being told I am asking loaded questions when actually I am merely asking you why you did not consult with the people from whom the job that you occupy was created to protect the very people that you did not—at least as you yet have said—ever consult. And I am just asking you why.

"Now, that is not a loaded question.

"Commissioner KUYKENDALL. In the first place, I know of no sufficient consumer groups to go to; and I wasn't going to groups. I went to three individuals, and I admonished those individuals that there should be no publicity about this, and there should be absolute secrecy, because I did not want any rumors started that there might be another gas bill during the last session of Congress.

"Furthermore, the pipeline group, and particularly the distributing group, were antagonistic to the producers, and were in, and had the same position on the matter as did the consumer, alleged consumer groups, that opposed the bill last time.

"That is why I went to Mr. LeBoeuf, who had been the spokesman, the chief spokesman, for the opposition to the previous bill.

"Mr. MACDONALD. I would just like to say that I think, under the circumstances, you acted wisely by acting in secret for the purposes you had in mind. But I repeat my question, for I have not had an answer to it yet. You have gone on about what you did, but you have said that you did not consult with any groups of consumers, and I know that you do know of groups of consumers, because they appeared here 2 years ago when you were in the room and you listened to their testimony in opposition to the House bill.

"Commissioner KUYKENDALL. No; I did not consult with any consumer groups. I was consulting with lawyers.

"Mr. MACDONALD. Did you consult with any lawyers from a consumer group, of the mayors' association, for one, the mayors of 200 cities of the United States?

"Commissioner KUYKENDALL. No; I did not. I only consulted with these people I have mentioned.

"Mr. MACDONALD. Since the mayors of 200 large cities of the United States comprise, at least in theory, representation for millions of people, and millions of people who would be affected by this bill, I cannot quite understand why you did not, and I am asking for an explanation why you did not.

"Commissioner KUYKENDALL. This bill poses a question where the producers are one interest, and not only the consumers but the distributing companies and the pipeline companies were another interest.

"Many pipeline companies were not friendly to the bill last time.

"I got 3 extremely able men from those 3 segments of the industry, and I believe that among those the consumer interests were adequately represented.

"Mr. MACDONALD. Now, sir, I want to yield to my colleague, but I want to ask because I think this comes to the nub of it: You consulted with those three groups because you wanted a gas bill, that is not correct?

"Commissioner KUYKENDALL. Not groups; three individuals.

"Mr. MACDONALD. With 3 representatives of 3 segments of this industry. You, by virtue of consulting with them, were consulting with the industry, is that not correct, for the viewpoint of the segments which they represented?

"Commissioner KUYKENDALL. Yes; I chose one from each segment.

"Page 269 and 270 of the transcript:

"Mr. MACDONALD. Sir, to go back to what we were originally talking about, your connection with the formulation of this bill, I do not know whether you are aware of this or not, but on April 15, 1957, there appeared in the Oil and Gas Journal an article which included the following paragraph, referring to the gas bill:

" 'Early hearing planned. The bill is based upon policies worked out by FPC Chairman Jerome K. Kuykendall in meetings with industry groups which he was asked to hold after the gas bill was vetoed by Eisenhower last year.'

"Do you say that that statement is not an accurate statement?

"Commissioner KUYKENDALL. Yes, I say it is not accurate. And I say that what I told you a little while ago is the truth.

"Mr. MACDONALD. All right, sir."

You will note that Mr. Kuykendall made several denials before he finally admitted that he had indeed originated a gas bill. The role, and sole role of the Federal Power Commission is to protect the public against the proven depredations of the gas industry.

The shocking thing in my mind is that Chairman Kuykendall never consulted a single consumer group the entire time this legislation was under consideration. If he was vitally interested in the consumers, he certainly was in a position to consult with any one of the 200 mayors of our large cities of the United States, who as you know, represent millions of people and whose association had so vigorously opposed the first Harris bill. I could never get a satisfactory explanation from him as to why the consumers were left out when his sworn job is to protect the public consumers against the manipulation of the natural gas industry. It is apparent to me, from the evidence, that Chairman Kuykendall has not been protecting the interest of the consumer. In fact, from his testimony, I am convinced that he collaborated with the natural gas interests, to the exclusion of consumers, in drafting a gas bill to ease Federal price controls on gas producers.

In order that the members of this committee may have a complete picture I would like to have made a part of the hearing record as well for the consideration of this committee, a number of questions I asked Mr. Randall J. LeBoeuf, Jr., who testified on behalf of Consolidated Edison Company of New York on May 20, 1957, and his answers to these questions. Likewise, I would like to have the questions I asked Mr. John E. Heyke, Jr., president, Brooklyn Union Gas

Co. on June 4, 1957, and his answers, made a part of the hearing record. Their testimony reaffirms my position.

I am sure that if the members of this committee will study the questions I asked Chairman Kuykendall and the answers that he gave, together with the testimony of Mr. Heyke and Mr. LeBoeuf you will agree with me that Chairman Kuykendall failed in his primary duty to protect the people who use natural gas and favored those who produce it. The fact that distributors were involved is of very little consequence, for as we all know, the distributors merely pass along any increased cost to the consumer. Even more importantly the fact that all segments of this industry are closely intertwined is a fact beyond dispute. For example, Mr. Heyke, of Brooklyn Union Gas Co. and president of the Council of Local Gas Companies, in testimony before our committee stated: "Gas distributing companies are little more than sales agents for producers and pipelines."

Another illustration of the closeness of the three segments of the industry is shown by the fact that one of the principal witnesses for the pipelines in this natural gas bill hearing is leaving his position this month as head of a pipeline transmission company to become president of the large distributing company that services Chicago, Ill.

The record of the testimony before our committee is replete with testimony that Mr. Kuykendall consulted not only with his secret group representing the three segments of the industry, but also a second group in which everybody but the public was represented. Mr. Randall LeBoeuf, of LeBoeuf, Lamb, and Lieby of New York, who have clients in all phases of the gas and oil industry, worked hard and long as a member of both secret and nonsecret industry groups in drafting the bill now known as the Harris-O'Hara bill. The main point in both groups' bill and which is presently contained in the Harris-O'Hara bill, is the prohibition against the Federal Power Commission looking at the producers cost of production. This prohibition against looking at costs will cost the consumers of natural gas literally billions of dollars. It is the quid pro quo for which the producers are willing to file reports to the Federal Power Commission, whereas under the first Harris bill they would not even have to report. This prohibition is contained in the draft of legislation put forth by the secret group of industry representatives called together by Commissioner Kuykendall in principal No. 11, subparagraph (5). I am making this draft, which was furnished me by Mr. LeBoeuf at my request, a part of the record.

What this cost prohibition will mean to the consumer I think is clearly illustrated by a concrete example in the Denver, Colo., area. In this factual case if the Colorado Interstate Gas Co. was given a rate increase, based on the regular cost method now in effect, the increase would amount to $1,698,198, or a 26-percent increase, which of course is paid by the consumer. The same case based on a cost-prohibition basis which would be followed under the Harris-O'Hara bill would amount to $7,543,335, or an increase of 114 percent to the Public Service Co. of Denver, which in turn passes it on the consumer. This difference of 88 percent would be an annual increase of over $6 million.

With this illustration I think it unnecessary to go forward with other similarities in the two groups' bills which are to be found, but I have put them in the record for your perusal.

Both Mr. Heyke and Mr. LeBoeuf frankly admitted consulting with each other in April of 1956 about the drafting of a gas bill. (See p. 1614 of House hearings) while Mr. Heyke and Mr. Kuykendall consulted on the gas bill in May of 1956. The final draft of the bill was not finished until October of 1956. There is no dispute between anyone that this final draft is completely encompassed in the bill which is now H. R. 6790, and known as the Harris-O'Hara bill.

It is shocking to me, and I feel it will be to the committee to observe the role played in the originating of this gas bill by a chairman of a commission which has the duty to regulate the segments of the gas industry, to sit down in secret with the industry to draft a bill that would be satisfactory to that industry.

His duty is to protect the consuming public, not to draft legislation that will be satisfactory to the industry he is regulating. I think that the lack of judgment alone, shown by such an action would act as a disqualifying yardstick for reappointment to his high position. If, on the other hand, he was only being a messenger boy for an administration who was then engaged in a presidential and Congressional election, I feel that this too is a disqualifying yardstick, for the public has a right to look to protection far beyond that afforded by a messenger boy.

If there are other and perhaps more complicated reasons to be deduced from the factual evidence submitted here today, I can only point out that in no place in the record can I find any evidence that the present Chairman has fought for the protection of the consuming public in this matter.

Georgetown University Forum on How To Elect the President

EXTENSION OF REMARKS

OF

HON. KARL E. MUNDT

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, June 26, 1957

Mr. MUNDT. Mr. President, proposed legislation on the subject of the election of the President of the United States is before the Congress again. In that connection, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of a radio forum on that subject. The Georgetown University forum on "How To Elect the President" was held on June 9, 1957, and I was privileged to participate in it.

There being no objection, the forum was ordered to be printed in the RECORD, as follows:

THE GEORGETOWN UNIVERSITY FORUM—HOW TO ELECT THE PRESIDENT?

(Participants: Hon. Karl E. Mundt, Republican Senator from South Dakota; Mr. J. Harvie Williams, trustee, American Good Government Society and Director, Alexander Hamilton Bicentennial Commission; Dr. Howard Penniman, Department of Government, Georgetown University. Moderator: Mr. Matthew Warren.)

Mr. WARREN. "How to Elect the President?" is the topic for the 551st consecutive broadcast of the Georgetown University Radio Forum, another in a series of educational and informative programs from Washington. The Georgetown Forum was founded in 1946.

This is Matthew Warren speaking by transcription from the Raymond Reiss Studio, on the campus of Georgetown University, historic Jesuit seat of learning in the Nation's Capital.

Today's discussion will be, "How to Elect the President?". The participants are Hon. Karl E. Mundt, Republican, Senator from South Dakota; Mr. J. Harvie Williams, trustee, American Good Government Society and Director, Alexander Hamilton Bicentennial Commission; Dr. Howard Penniman, Department of Government, Georgetown University.

Transcripts of today's broadcast are available. Send ten cents to cover the cost of printing and mailing, with your name and address to Georgetown University Forum, Washington 7, D. C. Please mention also the subject matter of the transcript desired.

Both major political parties have come out for a reshaping of the present method of electing the President. Legislation has been proposed in Congress. What are the pros and cons? Today, we of the Georgetown University Forum bring you a discussion by a panel composed of an interested and most competent Senator, a Professor of Government, a keen student of practical politics.

Now to our discussion. Mr. Williams, would you explain our present system of electing a President; how it got started?

Mr. WILLIAMS. The President is elected by 531 Presidential electors, who correspond numerically to a Joint Session of the Congress. They are in turn elected by the people in the several States. The electoral college, or the so-called electoral college system is necessary in a constitution of separated powers. Otherwise, without the cardinal principle of separation, the legislative branch would elect the chief executive as is the case under all parliamentary systems. But the separation of powers is cardinal in our system, so the founding fathers established an electoral system whereby each state was represented in electing the President the same way it was represented in the Congress of the United States.

Mr. WARREN. As I understand it, this evolved rather than having taken shape from the Constitution itself?

Mr. WILLIAMS. It evolved in this way. Of course, in the Senate each State is equally represented as a coequal society of two Senators. That is the Federal principle of representation. In the House, the Representatives are according to the population of the State and vary all the way from Delaware's 1 to New York's 43. So if Delaware has 2 Senators, 3 electoral votes, New York with 2 Senators, has 45 electoral votes. The majority party in each State, as the party system began developing in the early 19th century, the majority party through the action of the State legislature allocated itself the full electoral weight in electing the President. So that by 1836, the presidential electors were elected by slates, 1 vote, for example, in each State was cast for the whole slate of electors, whether it be 3 or 25, whatever it was. At the same time, the voters still elected their representatives in districts. That was the beginning of the imbalance in the form of constituency of the executive branch and the legislative branch of Government.

Mr. WARREN. Senator MUNDT, I believe in January you introduced a resolution to amend the electoral system. First, would you tell me, is it necessary for Congress to make this change or to change the Constitution in any way?

Senator MUNDT. Yes, this requires a constitutional amendment. My resolution, Senate Joint Resolution 4 provides for that kind of constitutional amendment, which in turn, has to be referred back to the State legislatures.

Mr. WARREN. Would you tell me about the amendment itself?

Senator MUNDT. Yes. The amendment proposes to restore the original concept of the electoral college, whereby they were originally elected by Congressional districts.

As Mr. Williams has pointed out, practical politics being what it is, as we evolved from a young country, one State found out it could have more influence in the electoral college if it cast its electoral vote as a unit, in a bloc. And because it decided to do that, other States through their legislative action to keep their position of authority and power in electing a college, went to the same system. This constitutional amendment simply says this, in layman's language: That since each State has a number of electors to which it is entitled by its number of Senators and number of Congressmen, that instead of electing them in a bloc so that they vote in a unit, that we will elect them precisely in the same manner that we elect in each State the Senators and the Congressmen. In other words, take any typical State. Take Kansas or South Dakota. There in a presidential election under our reform amendment, the members would vote, the people would vote for 2 electors-at-large, representing the 2 Senators. Then within each Congressional district they would vote for 1 Congressional presidential elector. So that they would have electors to the electoral college chosen precisely by the same constituency in the same election and in the same manner as they vote for their Senators and Congressmen. Thus, you would give both the minority point of view and the majority point of view in each State the representation. I know that in certain States like the States of the deep South, where they are trying to develop a two-party system, in the States of New England, where they are trying to strengthen the minority parties to have a workable two-party system, this gives vitality and validity to the two-party system of America and to actually having representative votes cast for the President of the United States.

Mr. WARREN. Senator, I am not certain I understand why this would give better representation to the two-party system.

Senator MUNDT. I can point it out this way: Almost all States of the Union, with very few exceptions, in certain Southern States at the moment and certain States in New England at the moment, you could say certainly as far as 40 or 42 States of the Union are concerned right now, there are Congressional districts which are contestable, which are marginal, which sometimes go one way and sometimes go another in every State of the Union. Every State has districts of that kind. Those districts frequently occur in a State where you can predict in advance that the State vote is going to be either Republican or Democratic. If you select your electors by Congressional districts, then you would have a split vote at the electoral college. Perhaps Kansas, for example, might have X number of votes cast for a Republican President in the electoral college and X number of votes for a Democratic candidate. I think New York State is the best illustration of that because of its size and magnitude and its importance. It has 45 electoral votes in the electoral college. As elections are now based, all 45 of the votes must go either Republican or Democratic. So that the winner-take-all theory gives the winner not only the votes that he gets but he adds to his votes the votes of the loser. So that 45 electoral votes, a tremendous bloc go for the winner under the present system.

Let's look at it under the so-called Mundt-Coudert amendment. Under that system you would have as many of the votes of New York as are chosen by Republicans in Republican districts go for the Republican candidate for President and as many of the votes of New York as selected by Democrats and votes that go Democratic by Democratic districts. And historically you would find that the spread would never be over about 8 or 10. That there might be, let us say, instead of 45 votes all going one way, you might have 18 votes going one way and the other 27 votes going for another candidate. So you would get direct representation and each district gets to have its vote counted in the electoral college in conformity with the way that the people wanted them to be counted when they voted.

Mr. WARREN. Would this tend, Dr. Penniman, to eliminate the possibility of a President being elected by an electoral vote and yet lose the popular vote?

Dr. PENNIMAN. This has seldom happened, Mr. Warren, at any time in our history. It is true that a President twice in the last 40 years has—50 years—had less than the popular majority. But as a matter of actual fact, it has only been 1 time in the last 70 years that you have had a President who had less than a plurality at least of the popular vote who was elected President under our existing system. It would still be conceivable, though somewhat less likely, that the same thing could happen under the proposed amendment which Senator MUNDT has put up, that is to say, since it isn't exclusively by districts, and you do have the senatorial votes in there, it would be conceivable if there were three parties, say, contesting an election that you could get a man with more popular vote getting the nomination in the electoral college. I think this is unlikely but it is at least conceivable. As I understand the amendment, there would even be a situation where you could not get a majority of the electoral vote, in which case it, and here again I believe there is a change in your proposal, Senator, that instead of going into the House of Representatives where it now goes under the present arrangement, if no candidate has a majority of the electoral college vote, it would go into a joint House-Senate arrangement.

Senator MUNDT. That is correct, with each member of the joint session casting one vote. In other words, this is all built on the idea that instead of having what we now have, which is a presidential constituency and a Congressional constituency voting in America, sometimes in conflict with each other, and frankly having a President of one party and a Congress of another, you would have the same constituency voting for both the Presidency and the Congress in the same election at the same time. And thereby tend to eliminate these incongruous situations which frequently results in stalemated government or a failure of the popular vote to prevail.

Mr. WARREN. Campaign tactics could change conceivably?

Senator MUNDT. They would change entirely, because now a candidate for President desiring to be elected has to figure out what kind of appeals to make, what kind of a platform to present, what kind of campaigning to undertake to appeal actually in 8 great States of the Union which have 12 tremendous large cities. A candidate, either a Democrat or a Republican, who can direct his appeals successfully to win the votes of those people in those crowded cities, the 12 big cities in the 8 tremendous States is almost certain to win. As a consequence, you find that whenever the Democrats have a national convention or the Republicans have a national political convention, they ask themselves at convention: Who can carry the votes of the 12 big cities in the 8 large States? They don't really consider seriously candidates for President in any of the other areas. So, going back almost until the memory of man runneth not to the contrary, you will find that in recent American history, since the urban development has taken place, that both political parties select as candidates for President people from the large populous areas. You go back and ask yourself, the home town or the home State of our recent Presidents, with the sole exception of Harry Truman, who ascended to the Presidency through the Vice-Presidency, these have been people coming from California, or from Massachusetts, or from New York, or from Illinois, or from the big States, because they know those are the States they have to win. This would change all that. We would have 435 electoral districts, each equally important, each casting the same strength in the electoral college. Each voter would, in turn, have what he should have in America, in my opinion, equal voting strength. We now have a situation wherein in New York, for example, every man who votes exerts 45 pounds of presidential pressure in the electoral college, because his vote puts in motion 45 voices in the electoral college, and an equally intelligent and able and patriotic and competent voter in the State of Delaware, when he votes for President, puts into motion only 3 voices. He exerts only 3 pounds of presidential pressure because he has 2 Senators and 1 Congressman, whereas in New York State they have 2 Senators and 43 Congressmen. There is something basically wrong in a constitution dedicated to the concept that men are created equal, that States like New York and Delaware should have such a disparity that a voter in New York State has 15 times as much importance as an individual as a voter has in Delaware. You can relate that to every State in the Union. Unless you live in New York State today, you are a second-class American when it comes to voting for President. We would make all voters first-class Americans by giving them 435 elector districts, each with equal power, equal authority, and as to the campaign tactics, that would mean both parties, both candidates for President would have to appeal nationwide issues to people across the country because each would vote with equal strength.

Mr. WARREN. Evaluating Senator MUNDT's proposed amendment, Dr. Penniman, what questions come to your mind?

Dr. PENNIMAN. There are a number of questions that have been raised by various Members of Congress in debating it a year or so ago. The present proposal which the Senator has is a modification of that, and I think to some extent has taken care of it. One of the problems raised, Senator, was that problem of gerrymandering, that is, the suggestion was made that since the rural areas have a greater voice in State legislatures sometimes than their numbers might suggest, at least in one house of it, that your proposal would make it possible for greater imbalance and greater representation of the rural areas, smaller towns, smaller cities, than at present exists.

Senator MUNDT. You are exactly right, Doctor. That was one of the criticisms raised when we had this bill up for a vote in the Senate a year ago. Where, incidentally, it received a majority of the Senate vote but not the two-thirds' majority required for a constitutional amendment. So we have reintroduced it, modified, changed it to eliminate some of those criticisms with regard to gerrymandering, for example.

The new amendment provides that the elector district for president shall be of compact, contiguous territory, and have approximately equal population. So that you have a constitutional mandate to the legislatures to conform to that provision. But talking about gerrymandering, may I suggest that no system of gerrymandering could conceivably be devised which could be as unjust and as unfair and as unequal as the present one where, for example, you have gerrymandered a situation so that a single citizen voting in the State of New York has 15 times as much power, as much influence, as much importance, as a voter in the State

of Delaware, or in the State of New Mexico, or Arizona, or South Dakota. There it is about 10 or 12 times. It is overly powerful from the standpoint of New York's influence against any other State in the Union. Even the next 2 larger States, Pennsylvania and California, have only 31 electoral votes. So they, in turn, have been gerrymandered out by the present system as against New York State.

Mr. WARREN. Mr. Williams, would you tell us about this gerrymandering and what it is, how it came about?

Mr. WILLIAMS. The word "gerrymandering" is a manufactured word that describes the situation where the elective majority in a State caused representative districts in favor of the majority party by torturing geography and picking areas so that the majority party in the legislature can elect and reelect a representative from that district. It began in Massachusetts under a governor named Gerry; during his administration, Congressional districts were drawn long and snakelike, and described as a salamander because they resembled the salamander, which is a reptile. So the term "gerrymander" began then, and it comes on down to date.

Dr. PENNIMAN. Senator, there are a couple of other proposals that have been made, one of which has little chance of any serious consideration, which would be a popular election of the President on a national basis. The second one would divide the State votes on the same basis as the electoral college, but at the same time, abolish the electoral college. It is argued, I believe, that if you had a statewide vote, divided proportionately, that you would force in the South, for example, or in any of the one-party States, North or South, you would force both of the parties to work a lot harder at their own business of getting out voters than you do under the present system where Mississippi is sure Democrat and Vermont is sure Republican.

Senator MUNDT. That is, of course, correct. The present amendment that we are discussing aims in that direction. Now the reason we prefer that to these other suggestions which you have mentioned, the popular vote, would, of course, erase all State lines, would sound the death knell to States rights and would tend to vitiate the concept we have in the United States Senate that each State is entitled to equal representation in the Congress. That could never be adopted by the State legislatures of States, most of which are smaller States than a State as large as New York. The proportionate representation theory has something to recommend it, except for this: It injects into the American electoral system the concept of proportionate representation which has practically destroyed free democracy and representative government in Europe. Because it tends to fragmentize the parties, fragmentize your electorate up into ten or a dozen different parties when you start counting fractional measures. We wouldn't want to bring that system which has failed in Europe, in my opinion, over to the Western Hemisphere.

May I point out there are at least 6 specific advantages, I think, of the so-called Mundt-Coudert amendment, this Senate Joint Resolution No. 4. In the first place, our system more nearly reflects the will of the people, because the vote of the people in 435 electoral districts would have equal authority and equal power. In the second place, it would be an added incentive to individuals to vote in the presidential election. There is something wrong with the system when it attracts only about 55 percent of the electors to the polls. The reason they don't go in many areas is they recognize that either their vote won't be counted or it counts so small that if you live in a State of less than 2 million people population as against New York State, you think it is a rather futile thing in order to vote. The third advantage is that it would broaden interest nationally in obtaining the best people possible as candidates for President and Vice President on both the Democratic and Republican tickets. At the present time it is still true that any American boy or any American girl can hope to be President. You have to modify it. They can hope to be President if they live in New York, Massachusetts, Pennsylvania, California, Illinois, Ohio, Michigan, or New Jersey. Otherwise, it is a futile hope because you have to select candidates from big States to even have a chance. Of course, under the present system no good Democrat from the South would even get the Democratic nomination for President because they have been ruled out by the mass of influence of voters in the large States.

The fourth advantage is it would give the President and the Congress the same constituency, voting at the same time and the same place and the same district. The fifth is that it would restore the electoral concept of the Founding Fathers in writing into our Constitution the district system that they used and which was used successfully until practical politicians seeking for political advantage swung over into using the bloc system or the unit system. The sixth is it would equalize the individual voting power of each citizen, regardless of his home State. It would give us first-class American voters in every State of the Union. There are many other advantages, but those, it seems to me, are overwhelming and prevailing and justify the attention of intelligent Americans all over this country to taking this needed step to reform the process by which we elect the President and the Vice President of the United States.

Mr. WILLIAMS. It seems to me your proposal would appeal to the States where you do not have a large city of the sort like New York, or Chicago, or Los Angeles, and so on. But I wonder what are the chances of its actually being passed by the Senate and the House and later ratified, since you do quite frankly seek to reduce the power of some 12 major cities.

Senator MUNDT. I am glad you asked that question because what you actually reduce is not the power of those States. They keep the same electoral vote they have. They count them up differently and divide them differently. All you do is reduce the power of the pressure groups in the big cities. Actually, we had some votes in the Senate when we voted before from these eight States because the rural votes, the votes outside of the great metropolitan areas, are interested in having their influence enhanced. In this way they, in turn, from their Congressional districts can be heard and their votes can be counted. When you get to the House of Representatives or the State legislature, I am sure the people representing the outlying districts from the large metropolitan areas will be as enthusiastic for this kind of corrective as are the people even in the smaller States.

Dr. PENNIMAN. There is one other point, I think, that ought to be pointed out here, and that is that the Federal system of government, our Federal Union of States is altogether different from anything that had happened before or since. Personally, I regard it as the greatest development in statecraft, that our great contribution to statecraft is our Federal system. And our political house, the presidential house and the congressional house, are altogether different. They should certainly be based upon the same plan of architecture, although they live in separate houses.

Senator MUNDT. I agree our Federal system is tremendously important. I have often said that in my opinion the 10th amendment is the most important single amendment to the Constitution. It protects our Federal system by giving the rights of States the importance that they have. It is the crowning arc. The one big differentiation between our system of democracy and the way it operates in any other area of the world is because we do have that 10th amendment, because we do have this Federal Union of Commonwealths or separate States, and it destroys the tendency to have overly powerful centralized government that we see looming up in every other country of the world and which even in our own country is a constant peril, but we do have the protection of the 10th amendment.

Dr. PENNIMAN. Senator, it would seem to me from what you have just said, and I haven't checked votes—are the votes supporting this coming from all the other States except the big ones, and even in the big States, are they coming from the non-city votes, so to speak?

Senator MUNDT. In the House of Representatives, that is true. But, I am happy to report, even in the Senate, where your Senator represents the rural areas and the big areas, we have votes from Pennsylvania, from Illinois, from Ohio, from Michigan, from New Jersey, people who recognize in those States, too, the people who do not live in the big flesh pots of humanity, are also Americans, also have a right to be heard, their votes should also be counted, and we should not yield only to pressure groups operating in certain selected 12 big, gigantic American cities.

Mr. WARREN. Thank you very much, gentlemen. I am sorry, but our time is up for further discussion of "How To Elect the President." Our thanks to the Hon. Karl E. Mundt, Republican, Senator from South Dakota; Mr. J. Harvie Williams, trustee, American Good Government Society and director, Alexander Hamilton Bicentennial Commission; Dr. Howard Penniman, Department of Government, Georgetown University.

You have attended the weekly discussion program, the Georgetown Radio Forum, broadcast of which was transcribed in the Raymond Reiss Studio on the campus of historic Georgetown University in Washington, D. C.

Next week you will hear discussed "Foreign Aid, the People Speak." Our panel at that time will consist of the Honorable EDITH GREEN, Democrat, Oregon; the Honorable PETER FRELINGHUYSEN, Jr., Republican, New Jersey; the Honorable RAY J. MADDEN, Democrat, Indiana.

We welcome your comments and suggestions. Address the station to which you are listening.

Comparison of Proposed Hells Canyon Dam With Three-Dam Project Licensed by Federal Power Commission

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EXTENSION OF REMARKS

OF

HON. HAMER H. BUDGE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1957

Mr. BUDGE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following comparison of proposed Hells Canyon Dam with the three-dam project licensed by the Federal Power Commission.

Comparison of proposed Hells Canyon Dam with 3-dam project licensed by FPC

[All figures in this tabulation are from Government sources and records]

	FPC 3-dam licensed project	Proposed Government dam at Hells Canyon
1. Power output, dependable capacity (see note on item 1).	767,000 kilowatts (FPC finding No. 32; staff exhibit 375).	785,000 kilowatts (FPC staff exhibit 367).
2. Average annual energy production (see note on item 2).	5,720,000,000 kilowatt-hours (BPA power study, June 15, 1956).	5,185,000,000 kilowatt-hours (BPA memorandum, Aug. 11, 1955, Committee Print 1–A, S. 1333, p. 16).
3. Cost of project (see note on item 3)	FPC estimate $175,766,000 Company and contractor's estimate 133,000,000 Transmission lines 21,000,000 Total cost 154,000,000	USBR, estimated; letter of Secretary of Interior, July 1, 1957 (House hearings on S. 555, p. 215) $343,000,000 Transmission lines 129,500,000 Total cost 472,500,000
4. Power cost, at market (see note on item 4)	3.15 mills, before taxes (FPC staff exhibit 372); 4.5 to 5 mills, including taxes paid.	3.79 to 4.4 mills (no taxes paid); testimony of USBR witness, S. 555 hearings, p. 89; Army and USBR reports on Hells Canyon estimate power costs at 4 to 4.4 mills.
5. Benefit-to-cost ratios (see note on item 5)	2.5-to-1 (examiner's finding 151)	1.83-to-1 (examiner's finding 150).
6. Availability of power to entire region	Yes; required by FPC license	Yes.
7. Active storage space	1,000,000 acre-feet	3,880,000 acre-feet.
8. Effective storage for flood control	do	2,300,000 acre-feet.
9. Annual flood-control benefits (see note on items 9–11)	$1,000,000	$2,300,000.
10. Navigation benefits	$108,000	$189,000.
11. Recreation benefits	Larger dam might attract more tourists, but "insofar as hunting and fishing are concerned, the 3-dam plan would probably be superior" (FPC decision, p. 11).	
12. Taxes payable (per year)	Federal (per year) $5,790,000 State (per year) 3,960,000 Total (per year) 9,750,000 (House hearings on S. 555, p. 276.)	Federal: None. State: None.
13. Power revenues to aid reclamation	Yes; if Congress so provides	Yes; if Congress so provides.
14. Development of phosphate fertilizer	No difference. Transmission cost alone for Federal power, 400 miles to phosphate beds, would be 2 mills per kilowatt-hour (testimony of BPA chief engineer, House hearings on Interior Department appropriations for 1955, p. 1211).	
15. Development of electro-process industry	No difference, with cost and losses for transmission to areas where labor and transportation are available for industry location.	
16. Best plan of comprehensive river development	Yes. FPC found (decision, p. 19) that the 3-dam plan is "best adapted to a comprehensive plan of development."	No. FPC recommended (decision, p. 19) that the United States should not undertake the development of Hells Canyon.

NOTES

Item 1. Power output: Government dam proponents compare power output figures of 924,000 kilowatts for the Hells Canyon Dam, as against 505,000 kilowatts for the 3 dams licensed by FPC, derived from the report of the FPC hearing examiner. The report itself shows, however, that these figures are not comparable: The 505,000 figure for the 3 dams is "at site" power production only (the comparable output from the high dam is 513,000 kilowatts); the 924,000 figure for the high dam is at site power, plus power assumed to be produced at 8 plants farther downstream, 5 of which are not in existence. To build these 5 additional plants would cost the Government another $873,000,000 (Public Works Appropriation for 1958, hearings, pp. 129, 144). Even this added cost would not change the dependable capacity comparison as, if these 5 plants were constructed, FPC staff exhibit 367 shows that the dependable capacity would be: High dam, 800,000 kilowatts; 3-dam licensed project, 783,000 kilowatts.

Item 2. Average annual energy production: When the high dam reservoir is low, the turbines could not operate efficiently, and Hells Canyon would produce less power than the 3 dams. At the 1952 hearings on H. R. 5743, p. 360, the Power Manager of BPA testified that in low water years, generation at the high dam would have to be cut down to only 66,000 kilowatts for 3 months of the year. (See also note to items 7–9, below.)

Item 3. Cost of project: The above estimates do not include other costs included in the pending bills to authorize Hells Canyon. Total costs authorized by these bills would amount to over half a billion dollars. The Secretary of the Interior reports (letter of July 1, 1957, House hearings on S. 555, transcript, p. 215) that the construction authorized by the Hells Canyon bills would require appropriations averaging more than $87,000,000 per year for the next 6 years.

Item 4. Power cost: A power-cost comparison, appearing in a tabulation prepared by high-dam proponents, of 2.7 mills for the high dam, as against 6.69 mills for the 3 dams, is based not only upon the incomparable "power output" figures in note 1, but also upon an assumed construction cost for the 3 dams of $191,000,000 (see item 3 in above tabulation), and upon assumed operating costs "370 percent higher" than the actual costs of the Idaho Power Co. The examiner made this clear in his report (pp. 17, 19).

Item 5. Benefit-to-cost ratio: The FPC findings (Nos. 33–35) show a benefit-to-cost ratio for the 3 dams of 1.3 to 1 on power output alone, without giving credit for the flood control and navigation benefits (over $1,100,000 annually) resulting from the licensed project. The ratios shown for the high dam include these benefits. Thus the actual benefit-to-cost ratios are even more in favor of the 3-dam project than indicated in item 5, in the tabulation, above. FPC Staff Exhibit 372 showed that the additional power from the high dam would cost (annually) $8,189,000, and would have a market value of only $5,221,000—i. e., a benefit-to-cost ratio of only 0.64 to 1—and would therefore be economically unfeasible.

Items 7–9. Comparative storage capacity: The 3,880,000 acre-feet of storage space behind the big dam cannot be filled except in about 4 years out of 20; the 1,000,000 acre-feet of storage in the FPC licensed project can be filled every year (hearings on H. R. 5, chart, transcript, p. 237). The FPC found (decision, p. 9) that the 1,000,000 acre-feet of storage in the 3-dam licensed project is consistent with the Army's flood-control plans.

Items 9–11. Flood control, navigation, and recreation: The FPC found (decision, p. 11) that "the public purposes such as flood control, navigation, and recreation could be effectuated to about the same extent under either plan of development."

Address by Secretary of Agriculture Ezra Taft Benson

EXTENSION OF REMARKS

OF

HON. B. CARROLL REECE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1957

Mr. REECE of Tennessee. Mr. Speaker, in all my experience in public life, I have seen no one more honestly, fearlessly, or effectively meet his responsibilities as a public official than Ezra Taft Benson, the Secretary of Agriculture, and I think everyone who has opportunity of meeting him and hearing him explain his deep interest in agricultural problems and his proposals for resolving them in the interest of the farmers and the country cannot help but be deeply and favorably impressed.

On June 19, 1957, he addressed the Tennessee Farmers Convention at the University of Tennessee, Knoxville, Tenn., at which he was introduced by President Brehm, who himself has shown a great interest in agriculture as well as all other phases of education.

Mr. Benson's speech is one that I feel should be made more widely available, not only to the Members of Congress but to others, and for this reason I am taking opportunity to place it in the RECORD.

Mr. Benson has met challenging problems in a challenging way, representative of his training and religious background.

The address follows:

ADDRESS BY SECRETARY OF AGRICULTURE EZRA TAFT BENSON BEFORE THE TENNESSEE FARMERS' CONVENTION, UNIVERSITY OF TENNESSEE, KNOXVILLE, TENN., JUNE 19, 1957

This is a distinct honor, a high privilege, and a challenging responsibility. One of the real pleasures of my office is to meet first hand with farm groups like this one.

There is something about a farm audience, whether in Tennessee or Illinois or Idaho, that makes me feel at home. Farm people have a special way of looking at things. They know better than any other group that "as a man sows, so shall he also reap." They know the meaning of hard work. They feel the satisfaction that comes from producing our most important single commodity—food. Working as they do with growing things, they understand life and they feel close to God.

These things come to me through my own rural and religious background. I treasure them as a part of my heritage and I am lifted up when I recognize them in other people.

It is refreshing to get away from Washington and meet face to face the people I serve. A public official must do this if he is going to keep his perspective.

I have been told that this is the 84th annual session of the Tennessee Farmers' Convention and that yours is the oldest meeting of its kind serving farm people in the South. That would trace your beginning back to 1873.

What tremendous changes have occurred during the lifetime of this organization.

When this organization was founded, the farm people of Tennessee were bravely reconstructing an agriculture which had been shattered by a long period of war and upheaval. They were reaching out to learn more about scientific farming, then just beginning to be born.

The census shows that there were 64,000 work oxen on Tennessee farms in 1870. Muscle, human and animal, was the farm powerplant. Plant and animal diseases ran their course uncontrolled. "Blight" was the

common epitaph for crop failure, as were "colic" and "pip" for the loss of farm animals.

When this Convention was founded, 84 years ago, soil conservation was little practiced. Farmers plowed up and down hills and the topsoil washed down into the valleys after every rain. There were no county agents, no 4-H clubs, no home economics clubs, no vocational training.

Farm life was hard. Many lives were shortened by typhoid, diphtheria, and other diseases which ran their courses unchecked. There was no electricity and there were almost no paved roads. When the Tennessee Farmers' Convention began, the average farm boy or girl in this State received only a few years of schooling.

Those were what we sometimes call "the good old days." They may have been good in some respects. But they were not good enough.

Since 1873 agriculture in this State and Nation has been literally transformed. There have been more changes in agriculture during these 84 years than in all the previous years since Bible times. And you helped bring these changes about.

Tractors and trucks are rapidly replacing horses and mules as a source of power. In 1920 Tennessee had 2,000 tractors; by 1955 there were 90,000.

Farms are more diversified today than they were in years past. Livestock farming has come forward rapidly in recent years. In 1924, the dairy enterprise brought in only 4 percent of your farm income; now it brings in 14 percent, which is more than the income from tobacco. Thirty years ago cattle brought in only 6 percent of your income; now they bring 15. Cotton, which has long been the top income producer among your farm enterprises, continues to lead but by a slender margin.

Farms have grown larger and fewer as mechanization has made it possible for a man to take care of more acres. Since 1935 the number of farms in Tennessee has declined 26 percent. By 1950 only one-third of Tennessee's population lived on farms, compared with about three-fourths when your organization was founded.

As Tennessee has become more industrialized, part-time farming has become an increasingly important part of the rural economy. Nearly half the Tennessee farmers supplement their incomes with off-farm employment. Taken together, part-time and residential farms constitute about 40 percent of all Tennessee farms.

Today's farmers are doing a better job than their fathers or grandfathers ever dreamed of doing. They are conserving their soil, rotating their crops, applying fertilizer, controlling plant and animal diseases. They are growing twice as much cotton and tobacco per acre as they grew 25 years ago. They are keeping better livestock, and more of it.

The whole level of rural living has been lifted. Ninety-three percent of Tennessee's farm homes are electrified. Rural boys and girls in Tennessee now average more years of better schooling. Life expectancy in the State has increased from about 40 to 70 years.

All this has been accomplished because men and women like yourselves caught a vision of what could be done. For thousands of years farm people had borne with resignation the problems laid upon them by the vagaries of nature. Then came the revolutionary idea that science and technology could help solve these problems. Science was put to work and the progress has been astounding.

Yet we must not be complacent.

Agricultural progress has been tremendous, yes. Many of our farm people have done well. But there are whole areas that have been by-passed in the march of progress. There are areas where the people farm and live much as they did 84 years ago.

There are a million and a quarter farm families in the United States, about one-fourth of the total, with cash incomes from all sources of less than $1,000 a year. Though farm people total only 13 percent of the population, they make up 30 percent of the group with seriously low incomes.

There are concentrated areas of generally low rural income in the Southeast, in the Southern Appalachians, in the Cutover Area of the Great Lake States, in the Northwest and in scattered Intermountain areas of the West. In fact, rural people with low incomes are found in almost every agricultural county and in almost every community.

This is a human problem, not just an agricultural problem. When incomes are low and opportunity is restricted, inertia sets in. Participation diminishes in community, religious and civic affairs. People with seriously low incomes do not share fully in our economic or social progress. Nor do they contribute fully to the Nation's production of goods and services.

Farm legislation since the 1930's has been much concerned with programs of price-support and acreage allotments. Such programs lack meaning to farm people who have little to sell. Price support means little to a farmer with only a fraction of an acre of tobacco or only a few acres of cotton. If he got 200 percent of parity he would not have enough for the kind of living we should have in America.

If we had spent half as much money and effort during the past 25 years to develop agriculture's human resources as we have spent supporting the prices of farm products, both the farmers and the non-farmers would be better off.

Research and education have been used effectively by those who have already greatly improved their economic position. I recognize the merit of what has been done for our farmers on the larger, mechanized units. But we must not overlook the needs of those rural people on the bottom rungs of the economic ladder.

In the race we must all run, each man should have a fair place at the starting line. We should not all expect to breast the tape at the same instant. I believe in equality of opportunity. This is economic democracy. I do not believe in equal rewards for unequal contributions. This is pure socialism.

Why has the technological revolution by-passed so many rural people?

Many of them lack the opportunities which others of us have enjoyed.

Many of them are on small unproductive farms.

Many of them have not had adequate education.

Many of them have lived so long with restricted opportunity that they have become resigned and apathetic. One's natural desire to improve his lot can become dulled by repeated disappointment.

There is one explanation which I reject: That people in the low-income areas are chronic ne'er-do-wells and that efforts to help them will be unavailing. Everything I have learned about human nature as a county agent, as a church worker, and as a public official, tells me that these people will respond to enlightened programs based largely on self-help.

You people in Tennessee know that they will respond. President C. E. Brehm and Dean J. H. McLeod, whom you have just honored, have given constructive leadership in helping rural people in low-income areas. Tennessee experience, particularly with community development, was an important guidepost in planning the rural-development program. This is a new undertaking, especially designed to meet the needs of rural people in areas of low income.

This program is now 2 years old, and I want to tell you about it.

The purpose of the program is to open wider the doors of opportunity to those rural people with the lowest incomes. The intent is to help them meet the objectives to which they themselves aspire. It is a voluntary, grassroots program. A major concern is for the young people who are in the best position to take advantage of new opportunities.

For those rural people who have the desire and the ability to develop an efficient farm unit, there are supervised credit, adapted research, adult education, and technical assistance aimed at their special needs.

For those who choose nonfarm employment there are vocational training in the trades and industry, job information, and programs of industrial development.

For all people in the area there are programs to improve education and health, programs of community development and better living.

The program is decentralized. For every dollar and every decision supplied at the Federal level, many dollars and many decisions are made at the State and local levels. On the committees which guide the program in the counties there are many more private citizens than government workers.

The program has been launched on a pilot or demonstration basis. That is, pilot counties are named and experience gained thereby is used in other counties. This is the experiment-demonstration approach which has long been used successfully in the cause of agricultural betterment.

The program is a cooperative one. Not only the Department of Agriculture but other departments of government—both State and Federal—are participating. The farm organizations, the service clubs, the churches, and business groups, all work together with government. The program is headed by the Under Secretary of Agriculture, True D. Morse. Just 2 weeks ago Mr. Morse was here at Knoxville to speak at a rural development workshop.

Tennessee was one of the first States to name pilot counties—one of the leaders in this work. For more than a year the program has been going forward in Hardin, Grainger, and Macon Counties. More recently two more counties that wanted to get started were added—Houston and Marion.

All five of the Tennessee pilot counties have broadly representative rural development committees composed of leaders from both farm and nonfarm segments of the county's economic and social life.

Nationwide, there are 49 counties and 8 areas participating in the rural development program with the Federal Government on a demonstration basis. These counties and areas are in 24 States.

Already we have accumulated enough experience to point up several significant facts.

1. We have found that good research and extension programs, coupled with supervised credit and technical assistance, can help an enterprising farmer get ahead. If a man has the desire and the management potential, he can be helped to lift himself to a higher income bracket and a better level of living. He can do this even though his capital resources are limited. It is being done every day. There are many people in this audience who have done it.

2. We have found that nonfarm employment offers a good opportunity to increase income in many areas. Income from nonfarm sources is today the largest single source of earnings for farm people. Last year it totaled more than $6 billion, equal to one-third of our total net income of the farm population from all sources. The next largest source of income was from the sale of cattle, which brought in a little over $5 billion.

We have worked hard to develop the income opportunities presented by producing and selling cotton, tobacco, wheat, and cattle. But here is an income earner, larger than any of these, which we have taken for granted, or to a degree, even resisted.

Here, in eastern Tennessee, you have beautiful lakes, hills, and mountains—a wonder-

ful setting for recreation and residential development. Here are good income opportunities for local people.

A dollar will buy just as much health, just as much education, just as much good living if it is earned in off-farm employment as if it is earned growing crops or livestock.

3. We have found that rural people often do not have to leave the farms in order to take off-farm jobs. With better roads and with the growing industrialization of rural areas, many farm people can take part-time or full-time jobs and continue to live where they want to live, which is in the country.

I share the concern expressed by so many, that too great a shift to industrial centers and urban life could cause us to lose some of the stability, strength, and character that we had as a nation of farmers. But this need not occur. We can add to the incomes of rural people by dispersing industry and bringing more jobs within their reach. It often is easier to develop industry where the people are than it is to move the people 1,000 miles to where industry happens to be located.

A heavy investment is required to bring a young man or a young woman to a productive age. According to research at the University of Tennessee an average of from $5,000 to $8,000 is spent to bring rural young people to 21 years of age. This is in addition to the cost of public programs such as education.

If your young people leave the country or leave the State in order to find the opportunities they feel entitled to, they take this investment with them. This is a huge subsidy to industrial areas of the North. If you can develop local opportunities for your young people, you can keep your investment, and your young men and women, near home. That's where they would like to be. But they will not stay near home unless there are good opportunities.

4. We have found that the betterment of low-income areas must be a long-range job. At best it is a slow process. We must not expect quick success. Problems which have been 100 years or more in the making cannot be solved overnight. There will be setbacks and disappointments. But economic development of rural areas is already underway.

President Eisenhower said: "We must open wider the doors of opportunity to our * * * farm families with extremely low incomes."

When I recommended the launching of the rural-development program, I said: "The problem is more basic than low incomes expressed in dollars * * * it embodies human values—the lives and welfare of people and of families. * * *"

We are much concerned, and rightly so, with foreign economic aid, technical assistance, and point 4. Point 4, let us remind ourselves, can be effective at home as well as abroad.

I have emphasized the need for a program to lift the level of living for those rural people on the lowest rungs of the economic ladder. But I wish to say also that we need changes in legislation which primarily affects the farmers who produce the bulk of our farm products.

The old basic farm legislation enacted in 1933 sought to control production with acreage allotments in order to achieve a high level of price support.

In the light of 25 years' experience, we must conclude that acreage allotments and marketing quotas have not controlled production as intended. Farmers have selected their best land, fertilized heavily, and adopted all the improved practices they could. I do not blame farmers for doing this; it is perfectly natural. But it does not result in controlling production.

The acreage-control price-support program has cut acreage, taken decisions out of farmers' hands, priced our crops out of the market, reduced income from the basic crops, piled up farm surplus stockpiles, and increased costs.

In a letter to Senator ELLENDER, chairman of the Senate Committee on Agriculture, I made three points:

1. Controls are not effective in reducing overall agricultural production, despite the severe restrictions they impose on farmers' freedom to produce and market.

2. Agricultural products are likely to continue to be abundant. Under such conditions they cannot be successfully priced as if they were scarce.

3. The present legal formulas governing acreage allotments and price supports are proving obsolete.

Farmers are being subjected to the forces generated by the technological revolution. They are adjusting from wartime to peacetime demands. Their markets are burdened by surpluses which result at least in part from past wartime programs. Obviously, farmers must be protected from the harsh price effects which would result from their exposed economic position, their weak bargaining power and their abundant production. This is a proper function of government. But our efforts should help our farmers rather than hinder them.

We are in the midst of great scientific changes. Agriculture is able to produce abundantly, and appears amply capable of meeting our needs for food, feed and fiber as far into the future as we can see with confidence. No production controls acceptable to American farmers appear capable of choking off this abundant flow.

Since we cannot legislate scarcity, nor would we want to do so. We must learn how to live with abundance.

If any product is abundant, it cannot long be priced as if it were scarce.

If farm products are abundant, the need and the challenge is to build markets so that this abundance can be used. We cannot build markets by pricing ourselves out of them.

It is possible to show that in any given year, with a given volume of production, a higher price means more farm income. But if, over a period of years, the high price drives the commodity into Government hands and drives the trade to other sources of supply, then the high price means reduced farm income. This is what has happened: A quarter century ago, before the program of restricted production, the basic commodities brought in 26 percent of our farm income. Last year this share was reduced to 23 percent.

The agricultural budget submitted for the coming fiscal year totals in the neighborhood of $5 billion. During the recent debate on the corn bill it was pointed out on the floor of the House that this is the equivalent of nearly half the net income of our farm people. This is equivalent to more than $1,000 for every farm in the United States. Part of this $5 billion, of course, is in the form of loans which will be repaid, permanent improvements in the agricultural plant, and other activities which should not be considered as expended for the primary purpose of supporting farm prices and farm income.

Commodity loans to a few individual farming units under the price-support program have exceeded a million dollars, highlighting the fact that most of the dollars are going to those at the upper end of the income scale.

Few would object seriously to heavy costs if these costs were temporary and if the program were moving toward a solution. Instead, however, with formulas in governing legislation, costs seem likely to continue high with little progress toward a permanent solution.

I have recommended to the Senate and House Committees on Agriculture that farmers be given more freedom to make their own decisions with respect to the acreage they wish to plant. I have recommended that the old formula in the basic law be eliminated, that is, the formula which would boost price support levels and pile up another surplus as soon as our present surplus is moved. I have recommended that there be wider latitude in the establishing of price-support levels.

I commend this whole matter for your most serious consideration. See that you get the facts. In a representative government, the ultimate decisions lie in your hands. I trust those decisions if they are based on the facts.

I have been talking about changes that have occurred and other changes that should take place. But in this changing world there are some things that do not change.

Truth does not change.

The principles of freedom, on which this country was founded, do not change.

You cannot help a man permanently by doing for him something that he could and should do himself. This basic fact does not change.

The old virtues—honesty, thrift, reverence, and responsibility—these do not change.

The things that make a people great, that make a Nation great, these are the same today as when this organization was founded. And they will be the same in the years to come, when a new generation picks up the task where we leave it.

There is a firm foundation of principle which governs the affairs of men. We must be careful what things we endeavor to change. We must change what we cannot accept. We must accept what we cannot change. May God give us the judgment to distinguish wisely between these two.

SENATE

THURSDAY, JUNE 27, 1957

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou God of our salvation, without the light of Thy presence our feet would slip as we face the terror and tragedy of these tumultuous days. Amid all the fear-haunted uncertainties of testing times, we come bowing our heads and our hearts at this altar of Thy grace, where we would be still and know that Thou art God.

We pray that this day our tongues may be kept from evil and our lips from speaking guile. Between now and the eventide may no careless word of ours smite or shadow the sensitive spirit of another by our side. Endue us with wisdom to rightly discern the signs of the times.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Wednesday, June 26, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills in which it requested the concurrence of the Senate:

H. R. 5728. An act to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings, of the St. Lawrence Seaway Development Corporation;

H. R. 8383. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOHN J. ROONEY, Members of the House of Representatives, to accept and wear the award of the Ecclesiastical Order of St. Gregory the Great, with rank of Knight Commander with Star; and

H. R. 8384. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOSEPH W. MARTIN, JR., Members of the House of Representatives, to accept and wear the award of the Philippine Legion of Honor in the degree of Commander, tendered by the Republic of the Philippines.

ABSENCE OF SENATOR ERVIN AND SENATOR SCOTT TO ATTEND THE FUNERAL OF FORMER GOVERNOR CHERRY, OF NORTH CAROLINA

Mr. TALMADGE. Mr. President, I should like to announce to the Senate that North Carolina's two Senators, Mr. ERVIN and Mr. SCOTT, are absent from the proceedings of today because of the fact they are attending the funeral of the Honorable R. Gregg Cherry, of Gastonia, N. C.

Former Governor Cherry died on Tuesday, after a long illness.

I had the pleasure of knowing Governor Cherry, and of serving my State as Governor at the same time when he was Governor of North Carolina. I knew him to be not only a fine gentleman but also the highest type public servant and statesman.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following subcommittees were authorized to meet today during the session of the Senate:

The Internal Security Subcommittee of the Committee on the Judiciary.

The Public Lands Subcommittee of the Committee on Interior and Insular Affairs.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour, for the introduction of bills and transaction of other routine business. In that connection, I ask unanimous consent that statements be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to take action on the nomination on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

The following favorable reports of nominations were submitted:

By Mr. SALTONSTALL, from the Committee on Armed Services:

Richard E. Horner, of California, to be an Assistant Secretary of the Air Force.

By Mr. CASE of South Dakota, from the Committee on Armed Services:

Leo Arthur Hoegh, of Iowa, to be Federal Civil Defense Administrator, vice Val Peterson, resigned.

Mr. SYMINGTON. Mr. President, from the Committee on Armed Services I report favorably the nominations of Maj. Gen. Robert Milchrist Cannon to be a lieutenant general in connection with his assignment as deputy commander in chief, United States Army, Pacific; of Rear Adm. Robert B. Pirie to be a vice admiral in connection with his assignment as commander of the 2d Fleet; of Vice Adm. Cato D. Glover and of Rear Adm. James H. Thach to be placed on the retired list with the rank of vice admiral; of Prof. Gerald Alford Counts for appointment as dean of the Academic Board of the United States Military Academy; and of Lt. Gen. Blackshear Morrison Bryan for appointment as senior Army member of the Military Staff Committee of the United Nations. I also report for permanent appointment in the Army the nominations of 12 brigadier generals as well as the nominations of 6 brigadier generals and 1 major general for temporary appointment and the nomination of 1 lieutenant general to be placed on the retired list. I ask that these nominations be placed on the Executive Calendar.

The PRESIDENT pro tempore. The nominations will be placed on the Executive Calendar.

The nominations placed on the Executive Calendar are as follows:

Maj. Gen. Robert Milchrist Cannon, United States Army, to be assigned to a position of importance and responsibility designated by the President, in the rank of lieutenant general;

Rear Adm. Robert B. Pirie, United States Navy, for commands and other duties determined by the President, in the rank of vice admiral;

Vice Adm. Cato D. Glover, Jr., and Rear Adm. James H. Thach, Jr., United States Navy, to be placed on the retired list with the rank of vice admiral;

Prof. Gerald Alford Counts, United States Military Academy, for appointment as dean of the Academic Board of the United States Military Academy;

Lt. Gen. Blackshear Morrison Bryan, Army of the United States, for appointment as senior United States Army member of the Military Staff Committee of the United Nations; and

Maj. Gen. Louis Theilmann Heath, Army of the United States, and sundry other officers, for temporary appointment in the Regular Army of the United States.

Mr. SYMINGTON. Mr. President, in addition to the above, I report favorably a group of 5,064 promotions in the Regular Air Force not above the grade of lieutenant colonel and 723 nominations in the Marine Corps not above the rank of colonel.

In order to save the expense of printing on the Executive Calendar I ask unanimous consent that they be ordered to lie on the Vice President's desk for the information of any Senator.

The PRESIDENT pro tempore. The nominations will lie on the desk, as requested by the Senator from Missouri.

If there be no further reports of committees, the nomination on the calendar will be stated.

RAILROAD RETIREMENT BOARD

The Chief Clerk read the nomination of Howard William Habermeyer, of Illinois, to be a member of the Railroad Retirement Board for the term of 5 years from August 29, 1957.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

The PRESIDENT pro tempore. Routine morning business is now in order.

THE T'AI-PEI RIOTS

The PRESIDENT pro tempore. The Chair, without objection, lays before the Senate a letter from the Counselor of the Chinese Embassy, transmitting an English translation of a communication from 58 overseas Chinese organizations in Macao on the recent riots in T'ai-pei, which, with the accompanying translation, was referred to the Committee on Foreign Relations.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON STATE AGRICULTURAL EXPERIMENT STATIONS

A letter from the Acting Secretary of Agriculture, transmitting, pursuant to law, a report on the State agricultural experiment stations, for the fiscal year ended June 30, 1956 (with an accompanying report); to the Committee on Agriculture and Forestry.

INTERCHANGE OF JURISDICTION OF MILITARY AND NATIONAL FOREST LANDS

A letter from the Secretary of the Army and Assistant Secretary of Agriculture, reporting, pursuant to law, the intention of the Department of the Army and the Department of Agriculture to interchange jurisdiction of military and national forest lands (with an accompanying paper); to the Committee on Agriculture and Forestry.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAME

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Nathan Snider, also known as Nathan Gelb or Kuschneider, from a report relating to aliens whose deportation has been suspended, transmitted to the Senate on January 16, 1956 (with accompanying papers); to the Committee on the Judiciary.

COST ASCERTAINMENT REPORT OF POST OFFICE DEPARTMENT

A letter from the Postmaster General, transmitting, pursuant to law, the Cost Ascertainment Report of the Post Office Department, for the fiscal year 1956 (with an accompanying report); to the Committee on Post Office and Civil Service.

RESOLUTION OF 49TH ANNUAL GOVERNORS' CONFERENCE

Mr. SYMINGTON. Mr. President, at the governors' conference at Williamsburg, Va., a resolution was adopted recommending the Cordiner Committee report. I ask unanimous consent that the resolution may be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION RELATIVE TO CHANGING THE METHOD OF COMPUTING THE BASIC PAY FOR MEMBERS OF THE ARMED FORCES

Whereas there is now pending before the Congress of the United States legislation, including S. 2014 and H. R. 7574, which would change the method of computing the basic pay for members of the Armed Forces in accordance with the recommendations of a special Committee headed by Ralph J. Cordiner, president of General Electric Co.; and

Whereas the Military Establishment is desperately in need of a means for attracting and retaining persons with scientific, professional, combat leadership, and management skills necessary to maintain a deterrent power for peace during these times of advancing technology and threat of aggression; and

Whereas the Armed Forces do not presently have the means to compete for trained personnel urgently needed for the defense of this country, and a significant factor in their inability to do so is the inadequacy of the present compensation practices now in use; and

Whereas the proposed changes in the military pay structure are based on merit rather than longevity, will bring military pay more in line with the pay standards of industry and will offer greater reenlistment incentive for highly trained personnel; and

Whereas the program of the Cordiner Committee, while making possible at least a 15-percent improvement in the combat capability of the United States Armed Forces, would result in savings and gains up to $5 billion a year by 1962 or sooner in the cost of national defense: Now, therefore, be it

Resolved, That this 49th annual governors' conference respectfully memorialize the Congress of the United States to take favorable action to revise the existing pay structure now in use in the Armed Forces along the lines proposed in S. 2014 and H. R. 7574; and be it further

Resolved, That the secretary of the governors' conference is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, and the Speaker of the House of Representatives.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. 2261. A bill to amend and extend the Public Buildings Purchase Contract Act of 1954, as amended, the Post Office Department Property Act of 1954, as amended, and to require certain distribution and approval of new public buildings projects, and for other purposes (Rept. No. 540).

By Mr. SMATHERS, from the Committee on Interstate and Foreign Commerce, with amendments:

S. 1383. A bill to amend section 410 of the Interstate Commerce Act, as amended, to require freight forwarders to obtain certificates of public convenience and necessity (Rept. No. 542).

CONSTRUCTION OF CERTAIN WORKS OF IMPROVEMENT IN NIAGARA RIVER

Mr. CHAVEZ. Mr. President, from the Committee on Public Works, I report favorably, without amendment, the bill (S. 2406) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes, together with minority views, and I submit a report (No. 539) thereon. I ask unanimous consent that the views of the minority may be printed as a part of the report.

The PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed as requested by the Senator from New Mexico.

EXTENSION OF AUTHORITY FOR ENLISTMENT OF ALIENS IN REGULAR ARMY

Mr. SALTONSTALL. Mr. President, from the Committee on Armed Services, I report an original bill to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes, and I submit a report (No. 541) thereon. I ask unanimous consent that the bill be placed on the calendar.

The PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar.

The bill (S. 2420) to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes, reported by Mr. SALTONSTALL, from the Committee on Armed Services, was received, read twice by its title, and placed on the calendar.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THYE (for himself and Mr. WILEY):

S. 2408. A bill to authorize a special milk program, a veterans and Armed Forces dairy-products program, and an accelerated brucellosis eradication program; to the Committee on Agriculture and Forestry.

By Mr. NEUBERGER:

S. 2409. A bill to establish a Federal Recreation Service in the Department of Health, Education and Welfare, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY:

S. 2410. A bill to facilitate the entry into the United States of certain immigrants; to authorize the adjustment of status of certain aliens in the United States; to provide for the issuance of special nonquota immigrant visas to certain refugees; and for other purposes; to the Committee on the Judiciary.

S. 2411. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. KENNEDY when he introduced the above bills, which appear under separate headings.)

By Mr. JOHNSTON of South Carolina:

S. 2412. A bill to authorize the making of interest-bearing loans from the Civil Service Retirement and Disability Fund for the purpose of financing the construction, acquisition, and modernization of post office facilities; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. JOHNSTON of South Carolina when he introduced the above bill, which appears under a separate heading.)

By Mr. MUNDT (for himself and Mr. CASE of South Dakota):

S. 2413. A bill to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district; to the Committee on the Judiciary.

By Mr. COTTON (for himself and Mr. STENNIS):

S. 2414. A bill to establish a Central Security Office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedure for the hearing and review of cases arising under such programs, and for other purposes; to the Committee on Post Office and Civil Service.

S. 2415. A bill to prescribe a standard of loyalty to the United States Government for military personnel, to prescribe procedure for the determination of the loyalty of such personnel, and for other purposes; to the Committee on Armed Services.

S. 2416. A bill to amend the Immigration and Nationality Act to provide more effectively for immigration and passport security, and for other purposes; and

S. 2417. A bill to amend title 18, United States Code, to prohibit the unauthorized disclosure of certain information critically affecting national defense; to the Committee on the Judiciary.

By Mr. COTTON:

S. 2418. A bill to authorize certain investigative officers of the United States, with the approval of the Attorney General, to intercept and disclose under stated conditions wire and radio communications in the detection and prosecution of offenses against the security of the United States, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. COTTON when he introduced the above bills, which appear under a separate heading.)

By Mr. BIBLE (for himself and Mr. BEALL):

S. 2419. A bill to amend the District of Columbia Unemployment Compensation Act, and for other purposes; to the Committee on the District of Columbia.

By Mr. SALTONSTALL:

S. 2420. A bill to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes; placed on the calendar.

(See the remarks of Mr. SALTONSTALL when he reported the above bill, which appear under the heading "Reports of Committees.")

By Mr. CURTIS:

S. 2421. A bill to provide for the conveyance of the interest of the United States in and to fissionable materials in a tract of land in the county of Buffalo, city of Kearney, Nebr.; to the Committee on Government Operations.

By Mr. HUMPHREY:

S. J. Res. 116. Joint resolution to authorize the sale of a certain number of merchant type vessels to the Government of the Republic of the Philippines or to citizens of the Philippines; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. HUMPHREY when he introduced the above joint resolution, which appear under a separate heading.)

FEDERAL RECREATION SERVICE IN DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mr. NEUBERGER. Mr. President, I introduce, for appropriate reference, a bill to establish a Federal Recreation Service in the Department of Health, Education, and Welfare, and request that the text of the bill be printed in the RECORD at the conclusion of my remarks.

The purpose behind the bill is not new. A similar bill was introduced in 1946 and reported favorably by the Senate Committee on Education and Labor, and comparable bills have been submitted in succeeding Congresses. Last year I introduced S. 4065. Because of the many communications I received in support of S. 4065, I have decided to place this proposal before the Senate again. A companion bill is being introduced in the House of Representatives today by Representative FRANK THOMPSON, of New Jersey.

No thoughtful person can be indifferent toward the need for adequate community recreation. The American people have more leisure time today than ever before. In 1900, the average American worker spent 60 hours a week at his job; today this figure has dropped to 40 hours, and further reductions in "time on the job" will be achieved as technological advances occur.

Because of increased leisure, and a resulting demand for recreational activities, over 3,000 cities and towns throughout the United States have instituted recreation programs for their citizens, ranging from summertime sessions for children directed on a part-time basis by a schoolteacher, to programs in larger municipalities employing several hundred trained recreation leaders and providing indoor and outdoor facilities for games and sports, arts and crafts, and cultural projects.

Mr. President, recreation contributes to the general well-being of society, not only because it promotes physical and mental health but also because it can materially help curb crime and delinquency, encourage good citizenship, and enhance family and community relationships.

For these reasons many communities are willing and anxious to initiate effective recreation planning. The service for which my bill provides would enable these communities to obtain readily from a centralized agency information concerning utilization of community resources, statutory and legislative requirements and limitations, financing, organization procedures, employment standards, and the host of other details which are involved in creating a recreation program. In addition, this bill would assist communities with established programs by providing further technical data for improvement of existing activities in this field.

The cost of the program would be small, for the purposes of this bill can easily be carried out within the existing framework of the HEW organization; yet the benefits which would be derived from creation of a Federal Recreation Service are enormous, both to other Federal agencies concerned with the welfare of American citizens, and to the many public and private agencies striving to improve recreation activities.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2409) to establish a Federal Recreation Service in the Department of Health, Education, and Welfare, and for other purposes, introduced by Mr. NEUBERGER, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That there is hereby created in the Department of Health, Education, and Welfare, a service to be called the Federal Recreation Service (hereinafter referred to as the "Service"), the Director of which shall be appointed by the Secretary of the Department: (1) The Service shall provide upon request technical and advisory service concerning all community recreation problems; (2) shall provide information to public agencies and nonprofit private agencies which will assist such agencies in determining and in meeting the expanding needs of the public for wholesome public recreational services; (3) shall cooperate with other Federal agencies and with the States in planning for recreational services for the people of the United States; (4) shall conduct research with respect to public recreational services; (5) and shall enter into agreements and contracts with Federal and State agencies and educational and research institutions for such services as, in the judgment of the Secretary, will promote the purposes of this act.

SEC. 2. The Secretary of the Department of Health, Education, and Welfare shall establish a National Advisory Board on Recreation Services which shall consist of the Secretary of the Department, or his representative, who shall be Chairman of the Board, and such other members as the Secretary finds necessary, to be appointed by him without regard to the civil-service laws. The appointed members shall be selected from leaders of national standing in the fields of public recreation and in related fields and shall be broadly representative of the recreation interests of the Nation. Those members of the Board who are not officers or employees of the United States, while attending conferences or meetings of the Board, or while otherwise serving at the request of the Secretary of the Department in carrying out the purposes of this act, shall be entitled, while serving away from their places of residence, to actual and necessary traveling expenses and not more than $50 per day for subsistence expenses. The Board shall advise, consult with, and make recommendations to the Secretary of the Department of Health, Education, and Welfare on matters relating to the administration of this act.

SEC. 3. The Service shall not duplicate any functions performed by any other agency administering recreational facilities and services; and nothing contained in this act shall limit or impair the authority or responsibility of any other department or agency of the Federal Government under any other act. In carrying out the purposes of this act, the Secretary of the Department of Health, Education, and Welfare shall cooperate with and receive the cooperation of other Federal departments and agencies which perform functions in the field of recreation services.

SEC. 4. As used in this act, the term "State" includes the several States, the District of Columbia, Alaska, Hawaii, Puerto Rico, the Virgin Islands, Guam, and the Trust Territory of the Pacific Islands.

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this act.

PROTECTION OF RIGHTS OF THE BLIND TO SELF-EXPRESSION THROUGH CERTAIN ORGANIZATIONS

Mr. KENNEDY. Mr. President, I introduce, for reference to the appropriate committee, a bill to protect the right of blind persons to self-expression through organizations of the blind. I wish to make a statement in connection with the introduction of this bill and ask unanimous consent that the bill be printed in the body of the RECORD as a part of my remarks.

Organizations of blind persons exist today in many cities and communities throughout the country. Some of these organizations are community groups, some are alumni groups, some are trade and professional groups, some are associations of vending-stand operators, some are organizations of workshop employees. In most of our States today, organizations of the blind within the State have formed one or more statewide organizations. Forty-three of these statewide organizations of the blind are now federated into a single nationwide organization, the National Federation of the Blind.

Organizations of this kind have been formed by the blind to advance their own welfare and common interests. These organizations provide to our blind citizens the opportunity for collective self-expression. Through these organizations, these citizens are able to formulate democratically and voice effectively their views on the programs that our National Government and our State governments are financing for their aid and rehabilitation. It is important that these views be expressed freely and without interference. It is important

that these views be heard and considered by persons charged with responsibility for determining and carrying out our programs for the blind.

In some communities this freedom that each of our blind citizens should have to join, or not to join, organizations of the blind has been prejudiced by a few professional workers in programs for the blind who have allowed their personal views to be expressed in official action for or against particular organizations of the blind. Administrators and workers in welfare programs for the blind possess unusual power to control the lives and influence the conduct of their clients. It is important that our blind citizens be protected against any exercise of this kind of influence or authority to interfere with their freedom of self-expression through organizations of the blind.

The bill I am introducing would do two things. First, it would direct that, to the fullest extent practicable, the Secretary of the Department of Health, Education, and Welfare shall consult and advise with representatives of organizations of the blind in his formulation and administration of programs for the blind and shall take such steps as may be appropriate to encourage State agencies to do likewise in their formulation and administration of the programs for the blind to which Federal funds are contributed.

Second, the bill would require that no Federal officer or employee concerned with the administration of programs for the blind shall exert the influence of his office against the right of blind persons to join organizations of the blind; and would require that the Secretary of the Department of Health, Education, and Welfare shall adopt regulations, and condition grants to State and other programs for the blind on terms, so that officers and employees in those programs to which Federal funds are contributed will refrain from exerting the influence of their office against organizations of the blind.

The bill would leave the enforcement of these policies to the Secretary of the Department of Health, Education, and Welfare and to the States.

It is my hope that the problems dealt with in this bill will be made the subject of hearings before the appropriate committee as early as possible and that effective legislation may be enacted without delay.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2411) to protect the right of the blind to self-expression through organizations of the blind, introduced by Mr. KENNEDY, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That in the formulation, administration, and execution of programs for the aid and rehabilitation of the blind, the Secretary of Health, Education, and Welfare shall to the fullest extent practicable consult and advise with authorized representatives of organizations of the blind; and shall in developing and recommending policies and procedures to State agencies take such steps as may be appropriate to encourage such agencies to consult with authorized representatives of organizations of the blind in the formulation, administration, and execution of any State program for the aid and rehabilitation of the blind to which Federal funds are contributed.

SEC. 2. No officer or employee of any Federal, State, or other agency concerned with the administration of any program for the aid or rehabilitation of the blind to which Federal funds have been contributed shall exert the influence of his office or position against the right of the blind to join organizations of the blind. The Secretary of Health, Education, and Welfare shall adopt such regulations and shall condition Federal grants to State or other programs for the blind on such terms as will prevent the exertion of any such influence against self-expression of the blind through organizations of the blind.

AUTHORIZATION FOR MAKING INTEREST-BEARING LOANS FROM CIVIL SERVICE RETIREMENT AND DISABILITY FUND

Mr. JOHNSTON of South Carolina. Mr. President, I introduce a bill to authorize the making of interest-bearing loans from the civil service retirement and disability fund, for the purpose of financing the construction, acquisition, and modernization of post office facilities. I ask unanimous consent that the bill be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2412) to authorize the making of interest-bearing loans from the civil service retirement and disability fund for the purpose of financing the construction, acquisition, and modernization of post office facilities, introduced by Mr. JOHNSTON of South Carolina, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

Mr. JOHNSTON of South Carolina. Mr. President, the bill if enacted will improve the financial position of the Federal employees' retirement and disability fund by more than $20 million each year. At the same time it will enable the Post Office Department to accomplish its construction and improvement program with an additional saving of at least $20 million each year.

I predict that, on the completion of the program proposed by this measure, the expense of operating our postal establishment will be cut by at least one-half a billion dollars.

Mr. President, there seems to be unanimity on one important phase of the postal problem: The physical facilities of the postal service are "archaic and antediluvian," to use the phrase of Deputy Postmaster General Stans.

Aside from the substandard conditions, our loyal postal workers must endure, such as poor lighting, insufficient space, poorly designed buildings, inferior ventilation, and so on, our outmoded postal plant slows down mail deliveries to a snail's pace while adding millions to the costs.

If we are to provide the best postal service in the world for the American people, we must come to grips with the overriding need for modern postal facilities. While industry is constantly moving ahead in the 20th century to provide the most efficient buildings and equipment to accommodate the needs of the modern world, the Post Office has virtually stood still.

The plan I offer in this proposed legislation will increase the interest payments to the Federal employee retirement and disability fund while, at the same time, decreasing the cost to the Post Office Department of amortization under the Lease-Purchase Act.

Retirement funds presently earn interest at the rate of 2⅞ percent. The Post Office Department now has authority to enter into 4 percent contracts under the Lease-Purchase Act.

The legislation proposed by me would permit retirement funds to be used at an interest rate of 3½ percent, thus effecting a saving of one-half percent to the Post Office Department and increasing the interest rate to the retirement fund by five-eighths percent.

I am informed that one of the major reasons why the Lease-Purchase Act has not proved effective is that private builders are not interested in entering into 4-percent contracts.

The proposed legislation offers the first real opportunity to modernize and streamline our postal establishment. I am confident that when such a program has been completed, over one-half a billion dollar saving can be effected in postal operations.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. PASTORE. As I understand the bill, it would do away with the lease-purchase program, which is compelling the Government now to pay 4 percent over the period of amortization, namely, 25 years, and which does not seem to be sufficiently attractive to accomplish its objective. On the other hand, under the bill introduced by the Senator from South Carolina, the Government itself would finance the post office by borrowing from the retirement fund, which, by the buying of bonds, would collect more interest than it is now getting.

Mr. JOHNSTON of South Carolina. The statement of the Senator from Rhode Island is entirely correct. Hearings have not been held on the bill, but I have investigated the matter and ascertained that several of the States are now doing something along this line with respect to retirement funds.

Mr. PASTORE. Was it not the Senator's understanding at the time the Lease-Purchase Act was enacted that the Government would be in a position, rather than having to put money up all at one time, of having a private contractor do so, and leasing the building back?

Mr. JOHNSTON of South Carolina. That is true.

Mr. PASTORE. The Government now has to pay 4 percent, whereas under the bill the interest rate would be 3½ percent, and the Government would profit to that extent. Is that correct?

Mr. JOHNSTON of South Carolina. That is correct.

SALE OF MERCHANT-TYPE VESSELS TO GOVERNMENT OF THE PHILIPPINES

Mr. HUMPHREY. Mr. President, I introduce for appropriate reference a joint resolution to authorize the sale of a certain number of merchant-type vessels to the Government of the Republic of the Philippines or to citizens of the Philippines. There are measures similar to this joint resolution pending now before the Committee on Interstate and Foreign Commerce. I myself introduced, on February 25, 1957, a similar joint resolution relating to the Government of India.

I call the attention of the Senate in particular to the measure I am now introducing, because the Republic of the Philippines is one of our dearest friends, and, of course, the success of the Government of the Philippines is of very vital interest to the Free World.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 116) to authorize the sale of a certain number of merchant-type vessels to the Government of the Republic of the Philippines or to citizens of the Philippines, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

AMENDMENT OF PUBLIC BUILDINGS PURCHASE CONTRACT ACT OF 1954—AMENDMENT

Mr. CAPEHART submitted an amendment, intended to be proposed by him, to the bill (S. 2261) to amend and extend the Public Buildings Purchase Contract Act of 1954, as amended, the Post Office Department Property Act of 1954, as amended, and to require certain distribution and approval of new building projects, and for other purposes, which was referred to the Committee on Public Works and ordered to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. KENNEDY:

Statement prepared by him regarding seventh annual National Catholic Youth Week.

NOTICE OF HEARING ON PROPOSED LEGISLATION RELATING TO STANDARD OF LIVING OF AMERICAN INDIANS

Mr. NEUBERGER. Mr. President, I wish to announce that on Monday, July 1, at 10 a. m., in room 224, Senate Office Building, the Subcommittee on Indian Affairs will hold a hearing on Senate Concurrent Resolution 3, introduced by Senator MURRAY, and S. 809, introduced by Senator LANGER, for himself and a number of other Senators.

During the month of May hearings were held on both of these measures, at which time representatives of Indian organizations, as well as a large number of Indians representing tribes throughout the United States, appeared and testified. At the hearing that will take place next Monday, the Under Secretary of the Interior, Mr. Hatfield Chilson, and representatives of the Bureau of Indian Affairs will appear and give the committee the views of the Department on these proposals.

In view of the great interest which has been demonstrated by Indians as well as non-Indians in these proposals to provide a point 4 program for Indians, I want to give as much notice as possible so that those who may wish to attend the hearings will be apprised of our schedule.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. McCLELLAN. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Dallas A. Gardner, Jr., of South Carolina, to be United States marshal for the eastern district of South Carolina for a term of 4 years, vice Alfred L. Plowden, Jr., term expired.

Charles P. Moriarty, of Washington, to be United States attorney for the western district of Washington for a term of 4 years—reappointment.

Thomas J. Lunney, of New York, to be United States marshal for the southern district of New York for a term of 4 years—reappointment.

George Harrold Carswell, of Florida, to be United States attorney for the northern district of Florida for a term of 4 years—reappointment.

On behalf of the Committee on the Judiciary notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Friday, July 5, 1957, any representations or objections they may wish to present concerning the above nominations with a further statement whether it is their intention to appear at any hearings which may be scheduled.

ADDRESS BY THE VICE PRESIDENT AT THE "MAYFLOWER II" CELEBRATION

Mr. SMITH of New Jersey. Mr. President, on Saturday, June 22, Vice President NIXON delivered a stirring address at Plymouth, Mass., as a part of the observance of the *Mayflower II* celebration. His remarks are very pertinent now, when we are about to consider the Defense Department and mutual security appropriations bills.

The Vice President emphatically warned against a letdown in our defense and mutual-security efforts at this time, as a result of beguiling Communist talk. Our criteria in this regard, he stated, should be "the simple, yet profound test offered by President Eisenhower: deeds, not words."

He also cautioned against slipping into a foreign policy "based on the negative attitudes produced by weariness, frustration, and the unwillingness to sacrifice when the national welfare demands sacrifice." I thoroughly endorse his statement that "defeatism, fear, timidity and discouragement are not the qualities of a great people."

I wish to reiterate a phrase from his address to which I hope the Senate will give its thoughtful consideration, and which I trust will remain in the forefront of our thoughts when we consider these bills: "No price is too great to pay for freedom."

Mr. President, let us not delude or deceive ourselves. We are engaged in a battle for peace and freedom. To win, there will be demanded of us the same faith and determination which our ancestors displayed so splendidly.

Mr. President, I ask unanimous consent that the Vice President's speech be printed in the RECORD at the conclusion of my remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF THE VICE PRESIDENT OF THE UNITED STATES AT THE "MAYFLOWER II" CELEBRATION, PLYMOUTH, MASS., SATURDAY, JUNE 22, 1957

The landing of the *Mayflower* at Plymouth on December 21, 1620, was much more than an historical event. It was a symbol that expresses the courage and greatness of those who founded on this continent a nation dedicated to the cause of freedom.

I suppose that many of us, at one time or other, have reflected upon the feelings of these early settlers. They left the land of their fathers. They embarked upon a long and dangerous voyage. They came to a land that offered opportunity, but also a land of unknown risk, of fear, of uncertainty. It took faith and courage to a heroic degree to embark upon this adventure. From these great qualities combined with the equal heroism of other settlers and immigrants, the spirit of American was born.

The courage of the first settlers was duplicated in the courage of the Armies of the Revolution. Against incredible obstacles, under the unflagging leadership of George Washington, we won our freedom and independence. A new republic was born. A great experiment in democracy began its electrifying course.

The courage of the settlers and the fighters for independence persisted in their children and in the new immigrants who came to our shores. Slowly our Nation pushed on its westward march, across rugged mountains and fertile valleys and plains, across the Mississippi and up the Missouri, through deserts and mountain divides, to the serene waters of the Pacific—one nation, one people, resourceful and free.

We are united under a constitution that even today is considered a model and an example throughout the world. We pioneered in religious freedom at a time when religious wars were devastating older nations. We moved further and further in the direction of universal suffrage, while others kept the concept of an aristocracy and a ruling class. We not only had full freedom and equality under law as our ideal, but we produced a nation of men and women who claimed this equality as a personal right.

Our ideals were not achieved without a struggle. We had to face a civil war to free the slaves. It is still a struggle today to remove from our land the stigma of racial prejudice and discrimination.

We faced a difficult task in making economic opportunity real and meaningful for all Americans. But today, with few exceptions, the American worker and farmer has security, comfort, and even luxury as the reward of his labors.

This is the America that we know and love. This is the America which attracted millions from older lands, seeking and finding a land of opportunity. Out of hardship and adversity were born our strongest and most noble qualities. We have known suffering, and pain, and sacrifice, but we emerged from our years of trial a stronger and better people.

Today it is well to recall the qualities that the Pilgrim Fathers bequeathed to their descendants. They gave us courage, faith, idealism, generosity, and strength. We are going to need these qualities in the years ahead.

In the world today we are confronted with a massive challenge to all that Americans hold dear. We have fought tyranny. But today one-third of the world's population is in the grip of the worst tyranny ever known to man. Despots of the past were generally content to enslave the bodies of men and plunder their wealth. But the despotism of today enslaves soul as well as body. Communism, so long as it remains communism, is the implacable enemy of every ideal cherished throughout our history.

We can hope that the Communist world will change. We would be foolish not to use every opportunity to bring about this change in a peaceful manner. If they will accept sound proposals on disarmament, we will be glad to make firm and binding agreements that will lead toward peace. If they will remove the Iron Curtain, we will be happy indeed to engage in a peaceful competition of ideas. We have no hesitation in offering our way of life, imperfect as it may be at times, in comparison with theirs.

But we would be foolish to substitute the hope for the deed, the word for the act. We should approach the Soviet Union, and related Communist states, with two points of view controlling our actions.

On the one hand, we must always be willing to seek any real and worthwhile improvement in our relations with the Communist world. The cold war is not our creation. We do not wish to continue it any longer than national security demands.

On the other hand, we cannot ignore the lessons of the last 18 years. The mood of the Kremlin has changed often during that period. We have seen smiles before and we have seen frowns before. In the light of this experience, we would be foolish to scrap our defenses and foreign policy simply because Khrushchev, or Mao Tse-tung, or Chou En-lai have been making speeches. We can still use the simple, yet profound, test offered by President Eisenhower: deeds, not words.

In carrying out our program of waging peace, we cannot expect complete certainty and agreement at every step. In the Congress and in the administration, there will be some who will place their emphasis upon bold experimentation. Others may be more cautious and concerned with the past record of Communist actions. These views will be discussed and debated. Out of this we believe will come a policy that will best promote world peace and safeguard the security of our Nation.

I am sure that our people will unite behind a policy made in this fashion, even though some might prefer a different emphasis on matters of detail. But there is one way of making foreign policy which is thoroughly wrong and which could weaken our Nation to the peril point. I refer to a policy, or lack of policy, based on the negative attitudes produced by weariness, frustration, and the unwillingness to sacrifice when the national welfare demands sacrifice.

Defeatism, fear, timidity, and discouragement are not the qualities of a great people. They certainly were not the qualities of the Pilgrim Fathers.

We Americans assert, and rightly assert, that our living standards are the highest in the world. They are high in comparison with those of the most advanced industrial nations anywhere. They are high in comparison with our own levels of 10, 20, or 30 years ago.

This prosperity can mean so much in the way of human welfare. It can mean opportunities for better education, the highest quality of medical care, the bringing of cultural gains even to the remotest parts of our land, and finally the leisure to enjoy not only material benefits, but also the blessings of family life and companionship.

But our prosperity also brings with it a moral challenge that we cannot overlook. It is the challenge to sustain in prosperity the high qualities of character that we perfected in adversity. We know from history that great nations became corrupt, soft, and decadent under the influence of prosperity. We know that the ancient empire of Rome fell, not primarily because of the barbarian attacks from without, but rather because of the apathy and indifference of a prosperous citizenry. Rome fell when its own people lost the will to fight for their native land.

I raise this point because there are some in our Nation today who say that we cannot afford the sacrifices needed to maintain our national security. They oppose foreign aid programs or even some of our direct costs of defense because the budget is too high. They say that we cannot continue to carry the burden imposed by the common effort of free nations to keep alive in the world the spirit of freedom and the recognition of the dignity of man.

Let me make my position clear. We should vigorously oppose any waste or any unnecessary expenditure of Government funds. I respect the integrity of any man who may disagree with any specific program and hold that it does not really contribute to world peace. It is our democratic right and duty to debate the details of our foreign policy and programs.

But I cannot understand the attitude of those who refuse to examine the arguments, but simply say we cannot afford it. No price is too great to pay for freedom. If we were a poor nation, instead of the most prosperous in the history of the world, I would still say that we can afford every dollar that is truly necessary to protect our liberty and to help bring peace to the world.

We are making sacrifices today. Our tax burden is far heavier than any of us would like it to be. But how do our sacrifices compare with those of the Pilgrim Fathers? Are we giving as much as the cold and hungry soldiers at Valley Forge gave? Is the sacrifice of a portion of our income comparable to the sacrifice asked of our soldiers in World War II or in Korea?

The American people have always met the test of heroism when their freedom was at stake. We have been brave in battle and resolute in maintaining our ideals against the enemy who would destroy us.

Today we face a different type of battle, but one that is no less crucial. We do not have the excitement of war to challenge us. We do not have problems at home to quicken our energies. We are not fighting a depression or mounting a crusade against dishonesty in Government. Rather we face a cold, prolonged, and difficult struggle against a resourceful foe.

Today the emphasis may be in the diplomatic sphere. Tomorrow the emphasis may be a war of ideas or an effort to prevent the use of economic weapons to wean uncommitted nations to the Communist cause. A struggle of this nature is rhrely dramatic. It is often frustrating. Results cannot always be measured. There may be failures as well as successes. Often it will demand great effort just to keep the situation unchanged.

It takes a special type of heroism to mount sustained effort when there are no dramatic results. Often it takes courage to be patient. It is sometimes easier to ask for impulsive action, when the wiser course is one of moderation and patient negotiation. It is easy to criticize, but it is a fearful responsibility to decide a course of conduct when a mistake might unleash an atomic war.

We today face a challenge to show the same courage and devotion in fighting for peace as we have always shown in fighting to win a war. We need today the qualities of greatness that were given to us by our forefathers. Here in this historic site, we can all renew our dedication to the cause of freedom and to the democratic ideals that the Pilgrims brought to these shores. Their faith and idealism has inspired us in the past. Let us keep faith with them by living up to their standards of greatness. Let us be Americans in the true historic sense of the term—a people of courage, determined to be free, and willing to place upon the altar of freedom our fortunes, our lives, and our sacred honor.

THE PRESIDENT'S SPEECH TO THE CONFERENCE OF GOVERNORS

Mr. SMITH of New Jersey. Mr. President, President Eisenhower's speech to the conference of governors which proposed the establishment of a Federal-State task force to appraise the allocation of functions between the National and the State Governments has received considerable support from the Nation's press.

I am also happy to note that prior to adjourning, the conference of governors appointed a committee, under Governor Stratton, of Illinois, to work with a task force on this question.

As I stated yesterday, I believe such a task force could prove to be of significant value to the country. I ask unanimous consent that an editorial entitled "Less Government From Washington," from yesterday's New York Herald Tribune, and an editorial entitled "Relying on Washington," from yesterday's New York Times, be printed at this point in the body of the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune of June 26, 1957]

LESS GOVERNMENT FROM WASHINGTON

What President Eisenhower told the governors' conference in Williamsburg is simple and indisputable. He thinks a lot of money could be saved if the Federal Government returned some of its functions and taxing powers to the States and thus encouraged less dependence on the supposedly "rich uncle" in Washington, D. C. Even more important, this would be a reinforcement of States rights and individual liberties at a time when more and more power is being centered in one place.

Now it is plain that any broad-beamed change is going to pose practical difficulties. The established order is always hard to change. Once Congress and the Federal taxers have seized upon any particular area, they are not likely to let go with alacrity. Furthermore, when people have become accustomed to look to Washington for solutions, they get the idea that services performed from afar are somehow less costly.

But, as Mr. Eisenhower points out, there are " 'freight charges' on money being hauled from the States to Washington and back." And if this "Federal overhead" could be eliminated by acceptance of greater responsibilities in the 48 capitals, it "woud save the American taxpayer a tidy sum." This, how-

ever, would call for searching fiscal reexamination on every local scene, and certainly no State would be willing to paddle its own boat without compensatory relinquishments in Washington. Even so, those States which receive more than they pay out might not be so keen about more States rights if it meant increased costs at home.

Yet the President has stated the alternatives clearly. Either the States must be made more effective and responsible or there will be "new vacuums into which the Federal Government will plunge ever more deeply, impelled by popular pressures and transient political expediencies."

To resolve this dilemma, Mr. Eisenhower urges that the governors join with the administration in organizing a task-force committee which would search out specific areas for action. He recommends, for instance, that the committee buckle down "on a single function or program and pair it with a specific Federal tax or tax amount." Then the people can see the savings in cutting out Washington "freight charges."

This seems to us a good beginning, one which recognizes that a big overall plan will have a hard time gaining acceptance. But once a start is made, with action as well as words, the case for less centralized authority and lower taxes is bound to prove itself. It is a big job, yet one that is necessary to keep the United States strong.

[From the New York Times of June 26, 1957]

RELYING ON WASHINGTON

President Eisenhower in his address to the State governors at Williamsburg dealt thoughtfully and forcefully with one of the major political trends of our time, the temptation to transfer the problems of States and cities to Washington for solution.

"Every State failure to meet a pressing public need has created the opportunity, developed the excuse and fed the temptation for the National Government to poach on States' preserves," the President said. "Year by year, responding to transient popular demands, the Congress has increased Federal functions. So, slowly at first, but in recent times more and more rapidly, the pendulum of power has swung from our States toward central government." A siphoning away of State authority has occurred, and only by the neglect, acquiescence and unthinking cooperation of the States themselves.

Yet how difficult it is, as the President said, to "turn back long-established trends," that is, the temptation to rely on the "rich uncle" in Washington. None of us is guiltless of inconsistency in this matter, of calling for Federal aid for this good cause or that, while paying lip service to the principle that the President now espouses so warmly and so sincerely, of dealing with local problems through the level of government that is closest to the people.

The issue is not a recent one. More than 8 years ago the then General Eisenhower was telling the United States conference of mayors in Washington that there was a temptation to "pass things unnecessarily to the Federal Government because thereby they (local officials) escape the necessity of levying locally unpopular taxes which may be hard to explain to the voters." President Truman brought the news that State and city officials would meet soon with the Secretary of the Treasury to "bring some order out of the tangle" in taxation and financial relations.

But the problem has to this point resisted solution and, indeed, grown worse. Cities try to pass their financial difficulties up to the State capitol. States and cities try to make Washington their tax collection agency. Everybody wants to let George do it, wishfully assuming that government at a distance has a printing press to make money, that there is pockbook magic far away, ignoring the fact that tax money comes only from the people, that some of it is always lost in paying the freight for the round trip to get blessed Federal aid.

This is human nature, and only by the sternest self-discipline exerted from the bottom right up to Washington can the tide be turned. The President himself is an example of how we are all caught up in our inconsistencies. In early April he was saying "I am very heartily in favor of the urban renewal program." But in his speech at Williamsburg he mentioned urban renewal and slum clearance as one of several fields that were proper subjects for examination by the Federal-State task force he wisely proposed to study reallocation of functions and revenues.

We will not begin unless we begin. The strength of democracy lies in the people's participation in government. The people who know local problems, State problems best are those who live closest to them. The tax dollar sent to city hall is watched by the taxpayer with a vigilance never possible for the dollar forwarded to Washington.

So the question is not whether the programs are desirable for which Federal aid or State aid is invited. A case can be made for most of them, and we have shared in the making of some of it. The real question is whether we shall try now to recapture the spirit of local self-reliance, of home rule that avoids centralization of power. Let no one underestimate the difficulty of this task, to be achieved only by the States and the cities doing for themselves what they somewhat indolently yearn to have somebody else do for them.

FISCAL POLICY IMPLICATIONS OF THE ECONOMIC OUTLOOK AND BUDGET DEVELOPMENTS

Mr. GOLDWATER. Mr. President, on June 26, 1957, the Subcommittee on Fiscal Policy of the Joint Economic Committee released a committee print of their Report on Fiscal Policy Implications of the Economic Outlook and Budget Developments.

As a member of the Joint Economic Committee, as well as a member of the Subcommittee on Fiscal Policy, I have a deep interest in the substance of the report. I am in full agreement with much of the material contained in the report, but I feel that the report does not face completely some of the fiscal problems confronting the economy. For that reason, I have prepared comments on the report of the Subcommittee on Fiscal Policy, and I ask unanimous consent that these comments be printed in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GOLDWATER

The report of the Subcommittee on Fiscal Policy does not come to specific grips with the pressing need for major change in existing tax policy. Rather, it is concerned primarily with the short-range outlook, principally in the coming fiscal year, which is treated without regard to fundamental causes and effects. In its preoccupation with short-run economic and budget considerations, it does not attempt to meet the problem of reshaping the tax structure as a prime means to steadier economic growth without constant inflation.

I believe, and so recommended to the subcommittee, that its findings should have met this fundamental problem head on. It would be a severe blow to the Nation's prospects for stable and sustained economic growth if the subcommittee's report serves to postpone the day when the tax-initiating committee, the House Committee on Ways and Means, will conduct a full airing of the impact of present tax rates on the accumulation of savings, the beginning and growth of business, and the improvement of job opportunities and living standards. Taxpayers should have ample opportunity to present evidence of the harmful effect of high taxes as well as their recommendations for needed rate changes.

These tax problems come into focus with a reading of the transcript of the hearings, or even the summary of the panel discussions prepared by the subcommittee staff.

Many of the panelists called for an early start on overall reform of the income-tax rate structure. The subcommittee was told that there is a shortage of savings, and especially of venture capital, caused by excessive rates of income tax.

I am convinced that the high tax rates are actually a major source of inflation. They are a limiting factor on personal and business savings, and thus result in excessive pressure on the banking system for capital which should have come from current income.

The report of the subcommittee clearly indicates the basic problem. It states: "The basic problem is an inadequate level of savings out of current income." However, the report does not relate the high tax rates to the savings problem. Hence, use of the subcommittee's report as a policy guide might well serve to perpetuate this inflationary condition.

The point is that we should get started on reducing the high tax rates so as to relieve this source of inflation, rather than use inflationary pressures as an argument against meeting this problem.

I agree with the view, expressed in the report, that increased Federal spending also has contributed to current inflationary pressures and that more must be done to bring Federal spending under better control.

I disagree, however, that a start on tax-rate reductions must await reductions in Federal spending, or a budget surplus, of between three to five billion dollars. Unless encumbered for tax reduction, we may expect the Federal Government to continue its propensity to cover increased revenue with increased spending. In the 2 years ending this June 30, Federal budget revenues (adjusted to eliminate highway user taxes from the base) have increased in the order of $11 billion.

It is time to give serious consideration to use of the taxing power to control excessive spending. This does not suggest that I am in favor of reducing taxes at the expense of a balanced budget. However, I am convinced that the earlier tax rates are reduced the greater will be the restraint exercised on Federal spending by those in charge of planning subsequent budgets.

Having pressed in on the Government's propensity to use available revenue for spending, such tax reductions would do much to assure accomplishment of further reductions in both spending and taxes in the future.

To put off a beginning step toward overhaul of the rate structure until a large surplus is available would be an exercise in futility, simply postponing the time when a moderate tax-rate structure could make its contribution to minimizing inflationary pressures, and thus promoting a stable, healthy, and expanding economy.

The subcommittee's report recognizes the significance of revenue growth, if made available for tax reduction. It recognizes the need for reducing and controlling expenditures. It recognizes the basic inflationary problem of inadequate savings.

However, it fails to recognize the tax source of inadequate savings, and to recommend an early start on planned rate reduction. It is difficult for me to reconcile this failing with the purposes of the inquiry conducted by the subcommittee.

The final finding in the report seems to imply that a start on rate reduction must await overhaul of the already massive body of tax law. This is both unrealistic and unfair. It is unrealistic because there are no developments in the tax-writing committees which indicate any intention to repeal or substantially modify the so-called special provisions, which have been openly arrived at and which have any substantial revenue significance. It is unfair because to the extent that the special provisions provide relief for some segments of the taxpaying public, and not others, there is the greater reason for the earliest possible action to bring the high rates of tax down to more moderate levels.

Mr. BUSH. Mr. President, the distinguished junior Senator from Arizona [Mr. GOLDWATER] has made some remarks concerning a report, just published, of the Subcommittee on Fiscal Policy of the Joint Economic Committee, Congress of the United States. I have a copy of that report in my hand. It is an excellent report and—in many respects, a very thorough justification of the monetary and credit policies which have been pursued by the Federal Reserve Board in recent years, and supported by the Secretary of the Treasury.

I have spoken to the distinguished Senator from Arizona and have asked him if he would approve my request that excerpts from the report be printed in the RECORD following the remarks which he made pertaining to the report.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). Is there objection to the unanimous-consent request?

There being no objection, excerpts from the report were ordered to be printed in the RECORD, as follows:

ECONOMIC OUTLOOK AND BUDGET DEVELOPMENTS

Discussion with 33 non-Government experts and with the Director of the Bureau of the Budget, the Secretary of the Treasury, and the Chairman of the Board of Governors of the Federal Reserve System focused on: (1) the current economic situation and prospects for the remainder of 1957 and for 1958; (2) the effect of current Congressional and administrative efforts to reduce spending on the prospective budget surplus in fiscal 1958 and on levels of economic activity in 1957–58; (3) types of fiscal action consistent with economic stability and growth if spending reductions are achieved; and (4) the timing of fiscal action in relation to budgetary and economic developments. These discussions were directed toward the broad outlines of fiscal action which would best contribute to the setting within which our enterprise economy can proceed on a steady and noninflationary course of economic growth. Responsible fiscal policy calls for revenues adequate to finance Government activities, including debt management, in a manner which will contribute to economic stability and growth.

FINDINGS OF THE SUBCOMMITTEE ON FISCAL POLICY

Inflation is a grave economic problem facing the American economy today. Failure to deal with it forthrightly will result in increasing hardships for millions of Americans. It will impose the cost of economic instability on future generations by making achievement of steady economic progress increasingly difficult.

The rapid expansion of Federal Government spending in recent years, coming on top of sharp increases in consumption and investment in the private sectors of the economy, has contributed significantly to current inflationary pressures. Present fiscal and monetary restraints, such as the extension of tax rates otherwise scheduled for reduction, the application of modest surpluses to debt retirement, and general controls for restricting increases in the supply of credit, have not been fully effective in curbing pressures for widespread price increases.

Public policies must face up squarely to the problem of inflation. Restraining inflation never has been and never will be an easy job. It requires making hard decisions in public policies to contend with problems which may become increasingly complex. The current difficulties in management of the Federal debt offer an impressive example. Demands for immediate and substantial tax reduction and for more freely available credit are others. Steady economic growth and stable prices, however, will not be achieved unless we are guided by appraisal of the findings of objective and dispassionate inquiries.

The subcommittee's findings are:

1. The economic outlook for the remainder of 1957 and early 1958 suggests continued increases in output and income. Although somewhat less buoyant than in 1956, total demand shows sufficient strength in widespread sectors of economic activity to point to continuing upward pressures on prices. Modest, e. g., $1 billion to $2 billion, reductions in Federal spending, with corresponding increases in the budget surplus in fiscal 1958, would not significantly affect these prospects.

At the same time, a number of soft spots in the economy emphasize the need for continuing alertness to possible changes in overall levels of the economic activity which may require revisions in current public policies.[1] A downturn in economic activity would call for easing restraints. If relaxation of present general credit controls should prove inadequate to prevent a continuing decline in employment and output, general tax reduction should be provided.

2. Barring an economic downturn, which seems unlikely at this time, tax reductions or easing monetary restraints in fiscal year 1958 should be based on realization of substantial, e. g., $3 billion to $5 billion, reductions in Federal expenditures during the year, if renewed acceleration of widespread price increases is to be avoided. The achievement in fiscal 1958 of such reductions in actual Federal spending below the January 1957 estimates would call for tax reductions effective with respect to a part of fiscal 1958, certainly not later than the beginning of fiscal 1959. Present prospects indicate a somewhat smaller surplus in fiscal 1958 than the $1.8 billion estimated in the President's January 1957 budget message. Rising prices, particularly for defense goods and services, appear to be largely responsible for the downward adjustment in the estimated surplus.

Under present conditions of high levels of employment and output, any modest surplus in the Federal budget should be applied to debt reduction. In addition to facilitating public debt management, this use of a budget surplus will reduce the demands imposed on monetary policy as a means of restraining inflationary pressures.

3. In order to justify tax reduction under conditions of steady economic growth, more remains to be done by the Congress and the administration with respect to actual Federal spending in fiscal 1958 than has been accomplished to date. Actions so far undertaken by the Congress and the administration with respect to the President's 1958 budget proposals hold little promise for reduction in actual Federal spending in fiscal 1958. In several cases, these actions represent revisions of the estimated costs of specific programs presented in the President's January 1957 budget message. In other cases, appropriations have been cut without changing existing program obligations of the Federal Government, so that supplemental or deficiency appropriations will subsequently be necessary. Moreover, reductions in appropriations for fiscal 1958 may, in a number of cases, have little effect on actual expenditures during the year because of the carryover from fiscal 1957 of existing but unused obligational authority. In their efforts to reduce Federal spending, the Congress and the administration should recognize that decreases in budget estimates do not necessarily result in decreases in actual Government outlays.

4. Several Federal spending programs appear to contain built-in expansion features. Federal Government commitments for old-age assistance, social-security benefits, and highway expenditures are but a few examples of Federal programs which will increase under present law provisions. Refunding maturing issues of the public debt may be expected to result in increases in interest costs, so long as the present tight-money conditions persist. In addition, cost and price increases tend to result in increasing levels of Federal spending, even when no change in real terms is made in existing programs. Merely continuing present programs, therefore, may well result in rising levels of Federal spending over the next several years.

5. Substantial reductions in Federal spending in fiscal 1958 and subsequent years will require downward revision of existing programs as well as foregoing new expenditures. Rising prices and costs, particularly in defense spending, suggest that such revisions may well be necessary even to hold fiscal 1958 expenditures to the level estimated in the President's budget message of January 1957.

6. Many important considerations, other than those of maintaining stability in the general price level and a high rate of economic growth, enter into decisions about the kind and magnitude of Federal spending programs. It should be recognized, however, that under present economic conditions, widespread demands for tax reductions cannot be met without inflationary consequences unless Government spending is prevented from rising as rapidly as revenues. The Congress and the administration, therefore, should increase their efforts to find means for reducing the scope of present Federal spending programs. These efforts will have to go beyond elimination of waste and inefficiency. Close review of the substance of present programs, prospects for their future expansion or contraction, and their contributions to the Nation's economic progress compared with private uses of the resources they demand will be necessary to effect major reductions in Federal expenditures.

More than 60 percent of estimated budget expenditures for fiscal 1958, as proposed in the President's January 1957 budget message, is for major national security programs,

[1] Senator O'MAHONEY wishes to add:

"Notable soft spots are present in the areas of agriculture and small business. Huge Government appropriations to take agricultural surpluses out of the market, instead of a constructive legislative solution that would make agriculture a self-supporting segment of the economy, and the rising rate of bankruptcy in the field of small business, are warning signals that cannot safely be ignored. In these two areas taxpayers who ought to be contributing to the tax receipts of the Government are not earning incomes upon which taxes can be paid."

including expenditures abroad. The Joint Economic Committee repeatedly has pointed out that our economy can support such heavy defense programs while increasing productive capacity and living standards in the private sectors of the economy. Nevertheless, national security expenditures require the use of large amounts of resources which might add significantly to the rate of economic growth. A prime objective of the Congress and the administration, therefore should be to achieve the highest possible level of military competence at the least possible cost in terms of resources used.

Reductions in Federal spending should be carefully determined to avoid weakening our national security preparations and those Federal Government activities which contribute most to developing the material and human resources essential for economic growth. On the other hand, there need be little concern about possible adverse effects on the level of total economic activity resulting from imposing effective restraints on expansion of Federal expenditures. Appropriate tax and credit policy changes can provide adequate increases in private demand to afford employment for additions to the labor force and to plant and equipment, and also for any resources released through decreased Federal spending. Indeed, since continuation of the postwar average rate of growth in gross national product may be expected to produce about $3 billion annually in additional revenue, preventing further growth in Federal spending will permit substantial tax reductions contributing to a growing level of private demand.

7. Present inflationary pressures frequently are attributed to the so-called cost-price push, as distinct from the traditional inflation resulting from excessive demand. Whether or not this distinction is valid, it is evident that general price increases can occur without increasing unemployment only if demand is adequate to support the higher price level. The basic problem is an inadequate level of savings out of current income. An ever-increasing volume of real savings is needed to meet the economy's requirements for replacement of plant and equipment under inflated prices and for growth based upon full exploitation of rapid technological advances. Fiscal and monetary policies should be directed toward encouraging a higher level of voluntary real savings under the present conditions of inflationary pressure.

Since these objectives have not been fully accomplished, public policies to cope with increases in the price level must take the form of general fiscal and monetary restraints on the expansion of total spending. It is recognized that the burden of such restraints may not be evenly distributed throughout the economy. The burden of inflation, however, is far more inequitably distributed. The alternative to general fiscal and credit controls is some form of direct Government control over wage and price determination. The use of this type of control would produce results as bad, if not worse, than the inflation against which it would be directed, and should be avoided.

8. The long-run growth conditions of our dynamic economy call for constant attention to revision of the Federal revenue structure. Structural changes which broaden the tax base and improve the fairness of our tax laws would permit substantial reductions in tax rates while maintaining necessary revenues and would contribute to steady economic growth. Such revision is a continuing responsibility of the administration and of the tax committees of the Congress. The timing of such revisions must give due consideration to the Government's revenue requirements and to economic conditions. Ill-timed structural changes may defeat their long-run objectives by promoting economic instability.

THE CORDINER COMMITTEE REPORT

Mr. GOLDWATER. Mr. President, earlier this year there was submitted to the Department of Defense a comprehensive survey since known as the Cordiner report. The Cordiner report is receiving more and more attention across this Nation as people come to realize that the shocking rate of turnover in our armed services, and particularly in the Air Force, can be detrimental to our defense efforts. Let me quote directly from the Cordiner report a paragraph that recognizes, as the people of America recognize, that a defensive effort or an offensive effort both depend upon personnel:

This Committee is firmly convinced that human beings are the most important component of all modern weapon systems. The maximum possible capability in the personnel associated with operating these weapon systems is essential; otherwise, regardless of how expensive or advanced, the systems are not effective. If the Armed Forces are manned with personnel of minimum or marginal capability, they cannot achieve operational effectiveness in proportion to the technical capacity built into materiel. Realization of the full potential of the billions of dollars' worth of ships, planes, tanks, and guns provided by the taxpayer is dependent upon fully qualified personnel to operate them.

In connection with this subject the governors conference, just concluded at Williamsburg, passed a resolution suggesting the adoption of the Cordiner report as embodied in Senate bill 2014. I ask unanimous consent that the language of the resolution and a report of its adoption in an article from the New York Herald Tribune this morning be printed at this point in my remarks.

There being no objection, the resolution and article were ordered to be printed in the RECORD, as follows:

RESOLUTION RELATIVE TO CHANGING THE METHOD OF COMPUTING THE BASIC PAY FOR MEMBERS OF THE ARMED FORCES

Whereas there is now pending before the Congress of the United States legislation, including S. 2014 and H. R. 7574, which would change the method of computing the basic pay for members of the Armed Forces in accordance with the recommendations of a special Committee headed by Ralph J. Cordiner, president of General Electric Co.; and

Whereas the Military Establishment is desperately in need of a means for attracting and retaining persons with scientific, professional, combat leadership, and management skills necessary to maintain a deterrent power for peace during these times of advancing technology and threat of aggression; and

Whereas the Armed Forces do not presently have the means to compete for trained personnel urgently needed for the defense of this country, and a significant factor in their inability to do so is the inadequacy of the present compensation practices now in use; and

Whereas the proposed changes in the military pay structure are based on merit rather than longevity, will bring military pay more in line with the pay standards of industry and will offer greater reenlistment incentive for highly trained personnel; and

Whereas the program of the Cordiner Committee, while making possible at least a 15-percent improvement in the combat capability of the United States Armed Forces, would result in savings and gains up to $5 billion a year by 1962 or sooner in the cost of national defense: Now, therefore, be it

Resolved, That this 49th annual governors conference respectfully memorialize the Congress of the United States to take favorable action to revise the existing pay structure now in use in the Armed Forces along the lines proposed in S. 2014 and H. R. 7574; and be it further

Resolved, That the secretary of the governors conference is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, and the Speaker of the House of Representatives.

[From the New York Herald Tribune of June 27, 1957]

GOVERNORS FOR SERVICE WAGE RISES—ASK CONGRESS TO UPHOLD CORDINER

(By Earl Mazo)

WILLIAMSBURG, VA., June 26.—The Nation's governors unanimously urged Congress today to revise Armed Forces pay scales in accordance with the recommendations of the Cordiner report.

The governors thus added their voices to those pressing for adoption of the revised pay plan in the face of an apparent coolness on the part of the administration.

The Cordiner report urged pay increases for "valuable" young officers and highly skilled service personnel who might otherwise be lost to private industry—thus lowering combat capability and increasing training costs.

GOVERNORS' STATEMENT

In urging Congressional action on service pay at the close of their 49th annual conference here, the governors stated:

"Whereas the Military Establishment is desperately in need of a means for attracting and retaining persons with scientific, professional, combat leadership and management skills necessary to maintain a deterrent power; and

"Whereas, the Armed Forces do not presently have the means to compete for trained personnel urgently needed for the defense of this country, and a significant factor in their inability to do so is the inadequacy of the present compensation practices now in use; and

"Whereas, the proposed changes in the military pay structures are based on merit rather than longevity, will bring military pay more in line with the pay standards of industry and will offer greater reenlistment incentive for highly trained personnel: Now, therefore, be it

"*Resolved*, That the 49th annual meetings of the governors conference urge the Congress of the United States to take favorable action to revise the existing pay structure now in use in the Armed Forces, along the lines proposed by the Cordiner Committee."

FOSS PUTS IN RESOLUTION

The Defense Advisory Committee on Professional and Technical Compensation, headed by Ralph J. Cordiner, president of the General Electric Co., submitted its report in May. Since then, advocates of the report have felt the administration was attempting to sidetrack it, at least for the coming fiscal year.

These advocates were not encouraged by President Eisenhower's comment last week that, while he warmly indorsed the idea of pay increases for skilled young officers and technicians, he opposed using the Cordiner report "as an excuse for a general overall pay raise to include all the generals and everybody else in the Army, Navy, and Air Force." They pointed out that the report did not call for across-the-board pay increases.

The Cordiner resolution was introduced at the conference by Gov. Joe J. Foss, Republican, of South Dakota, World War II Marine ace and winner of the Medal of Honor. Governor Foss offered the resolution on Monday, without notice to any other governor, and then went before the conference resolutions committee, headed by Gov. Luther Hodges, Democrat, of North Carolina, to push it through.

SECOND PHASE NOT CITED

It was noted that the governors' resolution took note only of the pay-increase phase of the Cordiner report. The report also recommended a manpower management plan to administer the pay program and give greater flexibility to the distribution of skills among the services.

It has been estimated that adoption of the Cordiner recommendations would mean a 15-percent improvement in combat capability of the Armed Forces; savings and gains in the cost of national defense up to $5 billion by 1962 or sooner, and a reduction in training accidents and in the number of military personnel needed to produce a given level of national security.

THE SUPREME IMPORTANCE OF INTERNATIONAL LAW

PRAISE OF AMERICAN BAR ASSOCIATION

Mr. WILEY. Mr. President, I compliment the American Bar Association on the enlightened program for this year's convention. The American Bar Association is to meet, not only in New York City, but also abroad, in London, England.

Since the time required to cross the Atlantic Ocean has shrunk to 9 hours, when traveling by airplane, it is well for lawyers from the western and eastern shores of that former sea barrier to visit together as much as possible.

The New York session of the convention will begin July 14, with many committee meetings being held there in the preceding week. Then the convention will recess, to reconvene in London, England.

UNITED NATIONS

The first session of the New York convention of the American Bar Association will meet in special convocation in the United Nations Building on Sunday, July 14, 1957. It is most appropriate that this recognition be given to the international organization which inspires the most hope for a peaceful future.

Essential to the strength of the United Nations is the sanctity of treaty obligations. We must not allow our power to live up to our international word to be undermined by technical and untried amendments to the Constitution.

In order that none may overlook this important gathering, I ask unanimous consent that the calendar of the American Bar Association New York meeting be printed in the RECORD at this point in my remarks.

There being no objection, the calendar was ordered to be printed in the RECORD, as follows:

AMERICAN BAR ASSOCIATION MEETING, NEW YORK CITY, JULY 15–16, 1957

SPECIAL CONVOCATION

Sunday, July 14

United Nations Building: 2:30 to 5 p. m., guided tour of the Assembly building.

General Assembly Hall, United Nations Building: 3:30 to 4:30 p. m.

Welcome: Andrew W. Cordier, Executive Assistant to the Secretary General.

Response: David F. Maxwell, president of the American Bar Association, who will then preside over the rest of the meeting.

Remarks: Constantin A. Stavropoulos, Director, Legal Department of the United Nations; His Excellency the Honorable Leslie K. Munro, K. C. M. G., Ambassador from New Zealand; the Honorable James J. Wadsworth, Deputy Representative to the United Nations.

The Delegates Lounge, United Nations Building: 4:30 to 5:30 p. m., reception tendered by the American delegation to the United Nations to President and Mrs. Maxwell and members of the American Bar Association.

THE ASSEMBLY

First session, Monday, July 15, 10 a. m., grand ballroom, the Waldorf-Astoria

The president presiding.

Call to order.

Invocation: His Eminence Francis Cardinal Spellman, archbishop of New York.

Addresses of welcome: Hon. JACOB K. JAVITS, United States Senator from New York, Hon. Robert F. Wagner, Jr., mayor of the city of New York.

Response: John D. Randall, Cedar Rapids, Iowa.

Introduction of distinguished guests.

Nomination and election of Assembly delegates to fill vacancies.

Nomination of 5 Assembly delegates for 3-year terms.

Presentation of award to American Bar Association by the American Heritage Foundation.

Annual address of the president: The Legal Profession in the Public Eye.

Presentation of awards of merit to bar associations.

Presentation of awards of merit to cities showing greatest improvement in traffic courts.

Presentation of resolutions.

Sixteenth annual meeting of the American Bar Association Endowment, Carl B. Rix, president, Milwaukee, Wis.

Second session annual dinner honoring the judiciary

The annual dinner of the American Bar Association jointly with the section of judicial administration, Monday, July 15, 7:30 p. m., grand ballroom, the Waldorf-Astoria, Hon. David F. Maxwell, president of the American Bar Association and Hon. Elwyn Thomas, justice, Supreme Court of Florida, jointly presiding.

Invocation: The Right Reverend James P. De Wolfe, presiding bishop of the Episcopal diocese of Long Island.

Presentation of American Bar Association medal.

Addresses by His Excellency Sir Harold Caccia, K. C. M. G., British Ambassador to the United States; Hon. Christian A. Herter, Under Secretary of State, formerly Governor of Massachusetts.

Third session, Tuesday, July 16, 10 a. m., grand ballroom, the Waldorf-Astoria, the president presiding

Invocation: The Reverend Dr. Julius Mark, senior rabbi, Temple Emanu-El.

Presentation of Ross bequest award for 1957.

Address by Hon. E. C. Leslie, Q. C., president of the Canadian Bar Association, "Happy Pilgrimage."

Report of committee on resolutions: LeDoux R. Provosty, chairman, Alexandria, La.

CALENDAR, HOUSE OF DELEGATES, SERT ROOM, THE WALDORF-ASTORIA

Sessions convene promptly at 2 p. m. Monday, July 15, upon the adjournment of the assembly on Tuesday morning, July 16, and at 2 p. m. that afternoon, and will recess at 5 p. m. The house will reconvene in London, holding morning sessions beginning at 10 a. m. on Thursday, July 25, Friday, July 26, and Tuesday, July 30, in the Lancaster room, the Savoy.

The chairman of the house of delegates, presiding.

Rollcall.

Report by the committee on credentials and admissions, Glenn M. Coulter, chairman, Detroit, Mich.

Approval of the record.

Approval of the calendar as orders of the day.

Statement by the chairman of the house of delegates, Charles S. Rhyne, Washington, D. C.

Offering of resolutions for reference to the committee on draft.

Report by the president of the American Bar Association, David F. Maxwell, Philadelphia, Pa.

Election of officers of the association and members of the board of governors, as prescribed by the constitution, article VIII, section 1, and article IX, section 3.

Report of the board of elections, Walter V. Schaefer, chairman, Chicago, Ill.

Nomination of member of committee on scope and correlation of work, as prescribed by article X, section 7 (y), of the bylaws.

Report of the treasurer, Harold H. Bredell, Indianapolis, Ind.

Report of the budget committee, Thomas M. Burgess, chairman, Colorado Springs, Colo.

Report of the editor-in-chief of the Journal, Tappan Gregory, Chicago, Ill.

Presentation of any matters which any State or local bar association or any affiliated organization of the legal profession wishes to bring before the house.

Reports of committees and sections.

OPPORTUNITY FOR INTERNATIONAL UNDERSTANDING

Mr. WILEY. Mr. President, thousands of outstanding leaders of the American bar will reconvene in their convention in London on Thursday, July 25. They will meet in historic Westminster Hall. They will be welcomed there by the leaders of the British bar. They will be the guests of the General Council of the Bar of England and of the Law Society of England.

During the meetings scheduled for London there will be many excellent opportunities for some good, old-fashioned talk. In order that all may be aware of these important meetings, I ask unanimous consent that there be printed at this point in the RECORD the calendar of the London meeting of the American Bar Association assembly, house of delegates, and of the joint committee of English and United States lawyers.

There being no objection, the calendar was ordered to be printed in the RECORD, as follows:

AMERICAN BAR ASSOCIATION CONVENTION, LONDON, ENGLAND, JULY 24–30, 1957

THE ASSEMBLY

Fourth session[1] *Wednesday, July 24, 11 a. m., Westminster Hall*

Introduction: The Right Honorable Sir Reginald Manningham-Buller, Q. C., M. P.,

[1] Mass will be celebrated in Westminster Cathedral at 9:45 a. m., and special Choral Matins sung in Westminster Abbey at 10 a. m., on Wednesday, July 24, preceding the Assembly session.

H. M. Attorney General; the Honorable Ian David Yeaman, the president of the Law Society.

Address of welcome: The Right Honorable Viscount Kilmuir, G. C. V. O., Q. C., M. P., the Lord High Chancellor of Great Britain.

Responses: The Honorable Earl Warren, Chief Justice of the United States; the Honorable Herbert Brownell, Jr., Attorney General of the United States; the Honorable David F. Maxwell, president of the American Bar Association.

Fifth session, Friday, July 26, 2:30 p. m., Royal Festival Hall

The Honorable David F. Maxwell, the president of the American Bar Assocation, presiding.

Introduction of the Prime Minister by the Honorable John Hay Whitney, the United States Ambassador to Great Britain.

Address: The Prime Minister, the right Honorable Harold Macmillan, M. P.

Sixth session, Sunday, July 28, 4 p. m., ceremony at Runnymede, Egham, in the county of Surrey, commemorating Magna Carta

The Honorable David F. Maxwell, the president of the American Bar Association, presiding.

Invocation.

Addresses: E. Smythe Gambrell, immediate past president of the American Bar Association; the master of the rolls, the Right Honorable Lord Evershed; Charles S. Rhyne, chairman of the house of delegates of the American Bar Association; the Right Honorable Sir Hartley Shawcross, Q. C., M. P., chairman, the General Council of the Bar of England and Wales.

Unveiling of Monument by the president of the American Bar Association.

Seventh session, Tuesday, July 30, 10 a. m., Lancaster Room, Savoy Hotel, (Victoria embankment entrance) (immediately following adjournment of the final session of the house of delegates)

The president presiding.

THE HOUSE OF DELEGATES OF THE AMERICAN BAR ASSOCIATION, LANCASTER ROOM, SAVOY HOTEL

Sessions convene promptly at 10 a, m. Thursday, July 25, Friday, July 26, and Tuesday, July 30.

The House will consider those reports which have been scheduled for submission in London and any other matters of unfinished business. Items on the calendar will be considered in the order in which they appear unless otherwise ordered by the House. The full calendar of the house of delegates is printed at pages 5–10.

The attention of committee and section chairmen is called to paragraph 5 of rule VII of the rules of procedure, which provide that "Reports * * * that are printed in the advance program * * * or otherwise * * * shal not be read orally * * * but shall be stated to the House in substance only."

The cooperation of all persons presenting reports in adhering to the order of business stated in the calendar is earnestly solicited, in order that those persons and the members of the House may rely upon the schedule as announced.

JOINT COMMITTEE SESSIONS

Thursday, July 25; Niblett Hall, Inner Temple, King's Bench Walk

10 a. m.: Joint committee session, English and United States lawyers.

(Chairman to be announced.)

"Probate Law—Estate Planning and Taxes."

English speakers: A. G. N. Cross, Q. C., member of the bar, London; Sir Dingwall Bateson, C. B. E., M. C., solicitor, formerly president of the Law Society, London.

American speakers: A. James Casner, professor of law, Harvard University Law School, Cambridge, Mass.; Harry B. Sutter, formerly special attorney, Office of Solicitor of Internal Revenue, Chicago, Ill.

Thursday, July 25, Old Hall, Lincoln's Inn

10 a. m.: Joint committee session, English and United States lawyers.

(Chairman to be announced.)

"Publicity Attendant Upon Trials."

English speakers: B. J. M. MacKenna, Q. C., member of the bar, London; John Eliott, solicitor, member of the council and chairman of the public relations committee of the Law Society, London.

American speakers: Elisha Hanson, member of the American Bar Association's committee on public relations and general counsel for the American Newspaper Publishers Association, Washington, D. C.; Richard P. Tinkham, chairman, American Bar Association's committee on public relations, and formerly a member of the board of governors, Hammond, Ind.

Friday, July 26, Niblett Hall, Inner Temple, King's Bench Walk

10 a. m.: Joint committee session, English and United States lawyers, Philip Mechem, president, Association of American Law Schools, Philadelphia, Pa., moderator.

"Negligence: A Compartive Review of the Effect of Contributory Negligence in England and the United States."

English speakers: Montague L. Berryman, Q. C., member of the bar, London; Sir William Charles Crocker, M. C., solicitor, formerly president of the Law Society, London.

American speakers: Lewis F. Powell, Jr., Richmond, Va.; William L. Prosser, dean of the School of Law, University of California, Berkeley, Calif.

Friday, July 26, Old Hall, Lincoln's Inn

10 a. m.: Joint committee session, English and United States lawyers, Hon. Laurance M. Hyde, judge, Supreme Court of Missouri, Jefferson City, Mo., moderator.

"Use of the Jury in England and the United States."

English speakers: The Honorable Mr. Justice (Sir Patrick Arthur) Devlin, the Queen's Bench Division, the High Court of Justice.

American speakers: Joseph A. Ball, president of the State bar of California, Los Angeles, Calif.; Hon. David W. Peck, presiding justice, Supreme Court Appellate Division, First Department, New York, N. Y.

INTERCHANGE OF VIEWS

Mr. WILEY. Mr. President, during these London sessions and the related committee meetings, there will be unique opportunities for interchange of ideas between the distinguished American lawyers and their outstanding British brethren.

The common law governing both England and the United States creates a close tie between all these lawyers, who have learned the value of individual freedom and private enterprise. They treasure the principles won with difficulty over the centuries. The British lawyers and the American lawyers will both gain from free exchange of ideas, whether critical or complimentary.

INTERNATIONAL LAW

The American Bar Association's section on international and comparative law will also have special meetings in London, as well as in New York. Because of their importance, I ask unanimous consent that the schedule of these section meetings be printed at this point in my remarks.

There being no objection, the schedule of meetings was ordered to be printed in the RECORD, as follows:

INTERNATIONAL AND COMPARATIVE LAW—VICTOR C. FOLSOM, CHAIRMAN, NEW YORK, N. Y.

Friday, July 12, Jansen suite (salon), the Waldorf-Astoria

8 a. m.: Joint breakfast with American Foreign Law Association; John N. Hazard, New York, N. Y., second vice chairman, section of international and comparative law, presiding; Albert M. Herrmann, New York, N. Y., secretary, American Foreign Law Association, cochairman.

Speakers: Martin Domke, New York, N. Y., formerly case editor of the American Journal of Comparative Law, Foreign Law in American Courts: A Case Discussion; Harry LeRoy Jones, Washington, D. C., Office of Alien Property, Department of Justice, Pitfalls in Opening of the New York Interpleader Compact to Foreign Adherents.

Friday, July 12, assembly suite (4J and 4K), the Waldorf-Astoria

10 a. m.: Meeting of council and committee chairmen.

Friday, July 12, west foyer, the Waldorf-Astoria

2 p. m.: General session.

INTERNATIONAL AND COMPARATIVE LAW, VICTOR C. FOLSOM, CHAIRMAN, NEW YORK, N. Y.

Thursday, July 25, Senate House, University of London, Malet Street, Russell Square

9:30 a. m.: Joint meeting with Institute of Advanced Legal Studies, University of London, Victor C. Folsom and Sir David Hughes Parry, University of London, jointly presiding.

"Extraterritorial Application of Antitrust Laws," Arthur H. Dean, New York, N. Y.; Otto Kahn-Freund, LL. M., doctor of jurisprudence, professor of law, University of London.

"Criminal Jurisdiction in the NATO Status of Forces Agreements," G. I. A. D. Draper, LL. M., lecturer, faculty of laws, Kings College, University of London, lately assistant director of Army legal staff, War Office; Richard R. Baxter, LL. M., assistant professor of law, Harvard University Law School, formerly attorney in the office of the Secretary of Defense of the United States.

(A buffet luncheon for members attending the morning session will be tendered by the Institute of Advanced Legal Studies.)

Thursday, July 25, River Room, Savoy Hotel

5:30 to 7:30 p. m.: Reception by the section of international and comparative law, jointly with the Inter-American Bar Association and the International Bar Association.

TREATIES AND INTERNATIONAL AGREEMENTS

Mr. WILEY. Mr. President, the international law section of the American Bar Association has consistently opposed every form of the so-called Bricker amendment which would, if adopted, so amend the Constitution as unreasonably to restrict the traditional authority of the President of the United States to conduct our foreign affairs.

The recent decision of the United States Supreme Court in the case of Reid against Covert, in the opinion of most, finally disposed of the issue of the Bricker amendment, by proving again that it is unnecessary. The opinion was handed down on June 10, 1957, only several weeks ago.

However, we find that the Senate Subcommittee on Constitutional Amendments was again urged to spend additional time in considering the 1957 version of the Bricker amendment; and

a hearing on that amendment was held last Monday, June 24.

But the issue, if ever there was a real one, was laid at rest by the words of the United States Supreme Court in that case, that "no agreement with a foreign nation can confer power on the Congress, or on any other branch of Government which is free from the restraints of the Constitution."

BENEFIT FROM EXPERIENCE IN INTERNATIONAL LEGAL BUSINESS

It is my hope that all members of the American Bar Association, while they are in London, or while traveling afterwards throughout the European continent, will take advantage of the great opportunity to ask their brother lawyers abroad, whose law practice frequently crosses national boundaries, for the benefit of their experience concerning the power of the several nations to negotiate treaties.

I am sure that from this interchange of free and frank opinion there will come light. And I believe it will convince many of our legal practitioners, including those who never have had occasion to work in the field of international law, of the value of the constitutional treaty power which the President of the United States now possesses.

REPORT ON THE 1957 BRICKER AMENDMENT

One of the great bar associations in the United States which often cooperates with the American Bar Association and its section on international law is the Association of the Bar of the city of New York.

In my studies of the treaty power, I have found its reports careful and lawyerlike. So I have noted with interest that association's recent report entitled, "Report on the 1957 Bricker Amendment." I ask unanimous consent that the report be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK REPORT ON THE 1957 BRICKER AMENDMENT

I. INTRODUCTION

The major emphasis in President Eisenhower's second inaugural address was on the impossibility of isolation. As stated by the President, this country, especially, cannot "live to itself alone":

"The economic need of all nations—in mutual dependence—makes isolation an impossibility, not even America's prosperity could long survive if other nations did not prosper. No nation can longer be a fortress, lone and strong and safe. And any people, seeking such shelter for themselves, can now build only their own prison."[1]

Nonetheless, a "Bricker" amendment to the Constitution has been proposed for the sixth successive year. Each of the proposals submitted to the Senate by Senator BRICKER has had as its primary purpose the restriction, in one way or another, of the power of the Federal Government and of the power of the President in the conduct of foreign affairs.[2] The newest Bricker version[3] reads as follows:

"SECTION 1. A provision of a treaty or other international agreement not made in pursuance of this Constitution shall have no force or effect. This section shall not apply to treaties made prior to the effective date of this Constitution.

"SEC. 2. A treaty or other international agreement shall have legislative effect within the United States as a law thereof only through legislation, except to the extent that the Senate shall provide affirmatively, in its resolution advising and consenting to a treaty, that the treaty shall have legislative effect.

"SEC. 3. An international agreement other than a treaty shall have legislative effect within the United States as a law thereof only through legislation valid in the absence of such an international agreement.

"SEC. 4. On the question of advising and consenting to a treaty, the vote shall be determined by yeas and nays, and the names of the Senators voting for and against shall be entered on the Journal of the Senate."[4]

The Bricker proposals, predicated as they are on the concept of an America which can afford to treat with other nations or not, at its pleasure, are as unrealistic as the Articles of Confederation to which they bear such strong resemblance. Authority in matters of foreign affairs must be centralized in the Federal Government; and the President's existing power to act firmly, decisively, and without delay in times of international crisis must not be restricted.

We recognize and reaffirm the vital importance of the supremacy of our Constitution over treaties and other international agreements. This is, and always has been, the law.

We maintain that the constitutional supremacy of the Federal Government, under Presidential leadership, on matters of foreign affairs is also vital; and that the constitutional delineation of powers and jurisdiction in such matters has served so well that there should be no amendment to the Constitution, in this regard, in the absence of a proven need. Although the burden has been on the proponents of the Bricker amendments to establish the need for the changes which they have advocated during the past 5 years, no such need has been shown.

We shall analyze the latest Bricker proposal and show that, after all these years, its proponents have not abandoned their basic objective. The time has come to write finis on the Bricker amendment.

II. THE VARIOUS BRICKER AMENDMENT PROPOSALS

Attached as appendix A to this report is a tabular comparison of the six principal Bricker proposals which have been submitted to the Senate. The history of the various proposals designed to limit the making of treaties and executive agreements which have been introduced since Senator BRICKER offered his original version in 1952 is set forth chronologically in appendix B to this report.

On January 25, 1954, President Eisenhower in connection with a debate in the Senate which began on January 20, 1954, wrote a letter[5] to Senator KNOWLAND in which he said:

"I am unalterably opposed to the Bricker amendment as reported by the Senate Judiciary Committee. It would so restrict the conduct of foreign affairs that our country could not negotiate the agreements necessary for the handling of our business with the rest of the world. Such an amendment would make it impossible for us to deal effectively with friendly nations for our mutual defense and common interests.

"These matters are fundamental. We cannot hope to achieve and maintain peace if we shackle the Federal Government so that it is no longer sovereign in foreign affairs. The President must not be deprived of his historic position as the spokesman for the Nation in its relations with other countries

* * * * *

"I fully subscribe to the proposition that no treaty or international agreement can contravene the Constitution. I am aware of the feeling of many of our citizens that a treaty may override the Constitution. So that there can be no question on this point, I will gladly support an appropriate amendment that will make this clear for all times.

"Sincerely,

"DWIGHT D. EISENHOWER."

For 5 years these various Bricker proposals and their substitutes have been the subject of 3 rounds of extended Senate subcommittee hearings and, in 1954, of debate on the floor of the Senate, and of nationwide discussion. After each version of the Bricker proposals has been analyzed and criticized, the proponents have come up with a different set of words. Even if they were to abandon all effort to do more than restate the existing law of constitutional supremacy over treaties and other international agreements, there would still be opposition on the sound basis that the Constitution should not be amended lightly and without real purpose. It is clear by now, however, that those who have for so long sought to limit the power of the Federal Government and the President in the field of foreign affairs would not be satisfied with any such restatement of existing law.

The issue is clear—shall the Constitution be amended to curtail the existing power to make treaties and executive agreements? Especially in this precarious atomic age, we believe the answer must be "No."

Before analyzing Senator BRICKER's sixth and latest proposal (S. J. Res. 3), we shall again review briefly the applicable law.

III. PROVISIONS OF THE CONSTITUTION IN THE TREATY FIELD

The Constitution provides that the President shall have power by and with the advice and consent of the Senate to make treaties, provided two-thirds of the Senators

[1] New York Times, Jan. 22, 1957, p. 17.

[2] We have made five previous reports opposing the Bricker proposals. Our first report set forth the reasons for opposition to the proposals made in this field (as well as to the particular language of S. J. Res. 130, 82d Cong.) and was approved at the annual meeting of the association on May 13, 1952. Our second report, concerned primarily with S. J. Res. 1 as originally introduced on January 7, 1953, by Senator BRICKER, was printed in the record of the association for April 1953. Our third report dealt with the amended version of S. J. Res. 1 as reported out June 15, 1953, by a majority of the Senate Judiciary Committee and also discussed the substitute introduced for declaratory purposes by Senator KNOWLAND on July 22, 1953; it was printed in the record of the association for December 1953. Our fourth report was addressed to S. J. Res. 1 as introduced on January 6, 1955, by Senator BRICKER; it was printed in the record of the association for March 1955. Our fifth report analyzed the substitute for Senator BRICKER's S. J. Res. 1 which was reported out March 5, 1956, by a majority of the Senate Judiciary Committee.

[3] S. J. Res. 3, introduced by Senator BRICKER on January 7, 1957.

[4] It is to be noted that unlike the earlier versions there is no section in S. J. Res. 3 specifically limiting the time within which the amendment must be ratified by the States to become operative.

[5] New York Times, January 26, 1954, p. 13

present concur.[6] Since, under our Constitution, treaties operate as laws, it was considered desirable to have the making of treaties participated in by at least part of the legislative branch.[7]

The Constitution thus vests the entire power to make treaties in the Federal Government and expressly forbids it to the States by providing that no State shall enter into any treaty, alliance, or confederation;[8] and that no State shall, without the consent of Congress, enter into any agreement or compact with a foreign power.[9] However, this power extends only to those fields which are properly the subject of negotiation with a foreign country.[10] While treaties may include provisions that deal with matters not generally considered within the scope of powers delegated to Congress (such as mutual rights of inheritance, reciprocal privileges of doing business and engaging in professions, wildlife protection, rights of consular officers in the settlement of decedents' estates, and recognition of debts),[11] they may do so only to the extent that they are properly within the realm of international relations.[12]

The Constitution further provides that the Constitution, and the laws made in pursuance thereof, and all treaties made under the authority of the United States, shall be the supreme law of the land, and that the judges in every State shall be bound thereby notwithstanding anything to the contrary in any State constitution or law.[13] It is this provision which makes the Constitution and the laws and treaties of the Federal Government supreme over the constitutions and laws of the States. Those wise men who drafted the Constitution knew, from their experience under the Articles of Confederation, that it was essential to a nation's success, if not indeed to its existence, to confer upon the Federal Government exclusive treaty power, which would be plenary in scope and binding on the States.[14]

The Constitution further provides that the judicial power of the United States shall extend to all cases arising under the Constitution, the laws of the United States, and treaties made under the authority of the United States.[15] Power in the Federal courts to enforce treaties was deemed advisable to insure their uniform observance throughout the States.

The Constitution enumerates specific powers delegated to Congress and then provides that Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and also all other powers, such as the treaty power, vested by the Constitution in the Government of the United States or in any department or officer thereof.[16] This provision empowers Congress to make laws to carry out the treaty power delegated by the Constitution to the President and the Senate.[17]

[6] U. S. Constitution, art. II, sec. 2, par. 2, clause 1.

[7] Hamilton, the Federalist, No. 75.

[8] U. S. Constitution, art. I, sec. 10, par. 1.

[9] U. S. Constitution, art. I, sec. 10, par. 3.

[10] See IV A (ii) (a), infra, p. 7.

[11] See *Ware* v. *Hylton* 3, Dall. 199 (1796)); *Asakura* v. *Seattle* (265 U. S. 332 (1924)); *Missouri* v. *Holland* (252 U. S. 416 (1920)); *Hauenstein* v. *Lynham* (100 U. S. 483 (1880)).

[12] See discussion IV A (ii), infra, p. 7.

[13] U. S. Constitution, art. VI, par. 2.

[14] 1 Farrand, The Records of the Federal Convention, pp. 47, 54, 61.

[15] U. S. Constitution, art. III, sec. 2, par. 1, clause 1.

[16] U. S. Constitution, art. I, sec. 8, par. 18.

[17] It was under this authorization that Congress passed the law which the Supreme Court upheld in *Missouri* v. *Holland* (252 U. S. 416 (1920)).

IV. PRESENT LIMITATIONS ON THE TREATY POWER AND THE POWER TO MAKE OTHER INTERNATIONAL AGREEMENTS

The power of the President to enter into treaties and other international agreements is subject to efficient and adequate restraints. These include the following:

A. Limitations on treaties

(i) The requirement of two-thirds senatorial consent: This restraint is effective and well known. About 11 percent of the treaties submitted since 1789 failed to secure Senate approval and an additional 18 percent were approved subject to reservations.[18]

(ii) The Constitution itself: (a) Treaties may deal only with international matters.

In the long years of the Bricker debate, it has too often been overlooked that basic to the whole subject is the requirement that a treaty must deal with matters "properly the subject of negotiation with a foreign country." *Geofroy* v. *Riggs* (1890),[19] *Asakura* v. *City of Seattle* (1924).[20] This point is involved in the curent litigation with respect to the validity of the reservation to the treaty concerning the Niagara River.[21] The validity of that reservation, or possibly of the entire treaty, will depend upon whether the reservation dealt with a matter which is properly the subject of negotiation with a foreign county.

(b) A treaty provision may not violate the Constitution.

In *Doe* v. *Braden*,[22] the Court said:

"The treaty is therefore a law made by the proper authority, and the courts of justice have no right to annul or disregard any of its provisions, unless they violate the Constitution of the United States."

Such other notable cases as *New Orleans* v. *United States* (1836),[23] *The Cherokee Tobacco* case (1871),[24] *Hauenstein* v. *Lynham* (1880),[25] and *Geofroy* v. *Riggs* (1890),[26] have indicated, throughout our history, that a treaty may not enlarge or amend the Constitution.

In writing for the Supreme Court in *Missouri* v. *Holland*,[27] Mr. Justice Holmes was careful to avoid any implication that there were no provisions of the Constitution which could affect treaties, stating: "We do not mean to imply that there are no qualifications to the treatymaking power * * *.

"* * * The treaty in question does not contravene any prohibitory words to be found in the Constitution," and in 1924 the Supreme Court said again that the treatymaking power does not extend "so far as to authorize what the Constitution forbids." *Asakura* v. *City of Seattle*.[28]

(iii) A Subsequent Statute: A subsequent act of Congress will prevail over a treaty in its operation as internal law.[29] Moreover, it is lawful, and often the practice, to provide in a treaty that it is not self-executing and will require an act of Congress.

(iv) Practical Restraints: As additional checks on the treaty power, Congress has the power of the purse, of investigation, and of confirmation of presidential appointments.[30]

B. Limitations on executive agreements

(i) Congressional participation: International agreements other than treaties (executive agreements in this report), not clearly pertaining to the President's discharge of his exclusive constitutional powers, are generally entered into and given effect pursuant to legislative direction or authority or require legislation for implementation in their operation. We shall call these statutory executive agreements.

Executive agreements made or operating in the absence of Congressional participation generally involve exclusive Presidential authority, such as command of the Armed Forces or diplomatic powers.[31]

(ii) The Constitution itself. Constitutional limitations applicable to treaties also apply to executive agreements;[32] they may deal only with international matters and they may not violate the Constitution. Additionally, since, unlike the treaty power, there is no express executive agreement power in the Constitution, an executive agreement must necessarily rest on some other Federal power, Congressional or executive.

(iii) Prior or subsequent statute: An act of Congress will override a conflicting executive agreement provided it does not represent an invasion of exclusive executive powers (military or diplomatic). This is so whether the statute is passed before or after the date of the agreement.[33]

(iv) Practical restraints: The Congressional powers of appropriation, investigation and confirmation of Presidential appointments are at least as effective checks on executive agreements as on treaties.

As to both treaties and executive agreements, there is the further very real restraint of the ballot box.

V. ANALYSIS OF SENATE JOINT RESOLUTION 3 (85: 1)

Section 1

Section 1 reads as follows:

"A provision of a treaty or other international agreement not made in pursuance of

[18] Hearings before a subcommittee of the Committee on the Judiciary on S. J. Res. 1 and S. J. Res. 43, 83d Cong., 1st sess. (1953), hereinafter referred to as 1953 hearings, p. 836.

[19] 133 U. S. 258, 267.

[20] 265 U. S. 332, 341.

[21] The reservation reads as follows: "The United States on its part expressly reserves the right to provide by act of Congress for redevelopment, for the public use and benefit, of the United States share of the Niagara River made available by the provisions of the treaty, and no project for redevelopment of the United States share of such waters shall be undertaken until it is specifically authorized by act of Congress." (1 United States Treaties and Other International Agreements 694, 699 (1950)).

[22] 16 How. 635, 657 (1853).

[23] 10 Pet. 662, 735.

[24] 11 Wall. 616, 620–621.

[25] 100 U. S. 483, 490.

[26] 133 U. S. 258, 267.

[27] 252 U. S. 416, 433 (1920).

[28] 265 U. S. 332, 341 (1924).

[29] *Chae Chan Ping* v. *United States* (130 U. S. 581 (1889)); *Whitney* v. *Robertson* (124 U. S. 190 (1888)); *Head Money Cases* (112 U. S. 580 (1884)); *The Cherokee Tobacco* (11 Wall. 616 (1871)). The international obligation, of course, continues, and the other contracting nation may press a claim for damages through diplomatic or international judicial channels.

[30] See *United States* v. *Lovett* (328 U. S. 303 (1946)).

[31] 1953 Hearings, pp. 853–861.

[32] *Seery* v. *United States* (127 F. Supp. 601, 606 (Ct. Cls. 1955)), "* * * we think that there can be no doubt that an executive agreement, not being a transaction which is even mentioned in the Constitution, cannot impair constitutional rights." In *United States* v. *Pink* (315 U. S. 203, 228 (1942)), the Court carefully considered whether favoring United States citizens by giving effect to the Litvinov assignment to the disadvantage of foreign creditors violated the fifth amendment and decided that it did not.

[33] In *United States* v. *Guy W. Capps, Inc.* (204 F. 2d 655 (4th Cir. 1953)), the fourth circuit held that an act of Congress limited the permissible scope of an executive agreement; the Supreme Court affirmed on certiorari, but decided the case on a question of fact without comment upon the constitutional question (348 U. S. 296 (1955)).

this Constitution shall have no force or effect. This section shall not apply to treaties made prior to the effective date of this Constitution."

1. Until 1956 a restatement of the proposition that no treaty or international agreement can contravene the Constitution was objectionable principally because it represented an unnecessary restatement of existing law and a possible cause of ambiguity. On March 27, 1956, the Senate Judiciary Committee proposed a substitute to Senate Joint Resolution 1 (84:1) which appeared on its face to consist solely of such a restatement of existing law. However, accompanying this proposal was the 10,000 word report [34] which made it evident that the amendment was designed to write into the Constitution new limitations on the treatymaking power Based on this experience, it becomes even more evident that it is unwise to add unnecessary language to the Constitution, and that, especially in the case of the Bricker amendment, any proposal, however, harmless it may appear on the surface, must be studied with extreme care.

2. Clear as the proposed section 1 may appear on the surface, it is full of areas of ambiguity, such as:

(a) It requires that a treaty, to be valid, must be made "in pursuance of this Constitution." Senator BRICKER, in his statement accompanying Senate Joint Resolution 3, states that this language is employed because "it is the language of the present Constitution and has a well-defined and settled meaning." [35] It should be noted that, in the present Constitution, the words "in pursuance thereof" (of the Constitution) are the modifying words used with reference to laws of the United States, that is, to Congressional legislation, and impose a limitation on Congress to legislate only with respect to matters delegated to it. If, as Senator BRICKER states, the meaning of the words "in pursuance of the Constitution," as they appear in Senate Joint Resolution 3, is intended to be the same as in the present Constitution, it might follow that the same limitations would apply to treaties as apply to the power of Congress to legislate. Section 1, under Senator BRICKER'S interpretation, might thus embody the so-called which clause [36] which has many times been rejected. The statement accompanying Senate Joint Resolution 3 declares that a treaty would be invalid if it "is inconsistent with the nature of our Government or the relations between the States and the United States." Such a criterion is at least ambiguous and may be in effect a back-door effort at reintroduction of the "which" clause.

(b) Although, as seen above, the Constitution clearly prescribes the treatymaking procedure, it does not prescribe how other international agreements are to be made. Under the proposed section 1, is an executive agreement made "in pursuance of this Constitution" if it does not follow the treaty procedure? The language might be construed to require an executive agreement to follow the treaty procedure. Such a requirement would impose on the Senate the necessity of passing on such a vast number of relatively unimportant international agreements now handled by the executive branch as to interfere drastically with the performance of more substantial duties by the Senate and preclude proper consideration of the agreements themselves. Furthermore, certain executive agreements are not only in the power of the Executive, but they are the sole responsibility of that branch. That responsibility, in the area of nonstatutory executive agreements, should not, in the nature of our division of power, be diluted by a procedure which places some of it on the legislative branch.

(c) On the other hand, the fact that section 1 applies alike to treaties and "other international agreements" might suggest that, so long as an executive agreement did not violate any substantive provision of the Constitution, it must be given domestic "force and effect" regardless of a prior statute. This interpretation, of course, would give greater authority to such agreements than at present—a result certainly not intended.

3. Section 1 is retroactive to 1789 "the effective date of this Constitution." This could place in doubt the validity of many treaties and executive agreements entered into since 1789. If it is intended to outlaw specific treaties or other international agreements, they should be specified. If there are none such, the sentence is not only unnecessary, but would probably be the cause of extensive litigation which would impair our international relations and cast doubt upon the internal effects of prior treaties and executive agreements.

4. In Senator BRICKER'S statement accompanying Senate Joint Resolution 3, he said that the effect of section 1 would be to render invalid a treaty if it undertook to impair freedom of speech, press or religion or if it undertook to take private property without due process of law and just compensation. He said that similarly a treaty would be open to challenge if it dealt with a subject having no legitimate relation to matters of international concern or foreign affairs and dealt with matters of purely domestic concern. As shown above,[37] it is clear under the present Constitution, and the Supreme Court has so stated on numerous occasions, that any such treaty would be invalid at the present time without the proposed amendment.

5. Senator BRICKER said that section 1 is necessary in order to negate a dictum of Mr. Justice Holmes in *Missouri* v. *Holland* (252 U. S. 416 (1920)) which has been construed for the past 5 years by the proponents of the Bricker amendment as casting doubt on whether the Constitution is supreme over treaties. As noted in section IV of this report,[38] Mr. Justice Holmes himself, in the same opinion, made it perfectly clear that it was the Court's view that the Constitution is supreme and that the treaty power is not unqualified by constitutional limitations.

6. This section 1, like all its predecessors, has been used broadly throughout the country to raise a false issue. When a person not thoroughly familiar with the Constitution hears that an amendment is proposed stating that treaties and other international agreements must be made pursuant to the Constitution, he naturally infers that at the present time such treaties and agreements can and do override the Constitution. Furthermore, he assumes that the opponents of the Bricker amendment are in favor of the supremacy of treaties and executive agreements over the Constitution—a completely false assumption. It has been an effective way of making a constitutional issue an emotional one. One of the functions of section 1, in all its many forms, seems to be to run interference for the more specific changes in our constitutional system prescribed in the other sections of the Bricker amendment.

Section 2

Section 2 reads as follows:

"A treaty or other international agreement shall have legislative effect within the United States as a law thereof only through legislation, except to the extent that the Senate shall provide affirmatively in its resolution advising and consenting to a treaty, that the treaty shall have legislative effect."

This latest proposed amendment to the treatymaking powers in the Constitution bears a strong resemblance to a previous amendment offered by Senator BRICKER on February 4, 1954, which reads as follows:

"A treaty or other international agreement shall become effective as internal law in the United States only through legislation by the Congress unless in advising and consenting to a treaty the Senate, by a vote of two-thirds of the Senators present and voting, shall provide that such treaty may become effective as internal law without legislation by the Congress."

After much debate this proposal received only 42 votes with 50 opposed.

The substance of the current section 2 is subject to all the basic objections which have made such an amendment unsound from the beginning.

This most recent proposal substitutes the phrase "legislative effect within the United States as a law thereof" for the earlier language "effective as internal law in the United States." Each of the proposals requires in substance that the Senate must vote on the question of whether or not the treaty involved is to have any effect as internal law.

The latest proposal also omits the words "by the Congress" in describing what legislation would be required to create domestic law, leaving open the confusing possibility that either Congress or State legislatures or both might have to act, as indeed it has been suggested by Senator BRICKER in his explanation of the provisions to the Senate:

"Under section 2 most treaties would be implemented by Congress while others might require implementation by State legislation." [39]

The effect of this amendment is thus to create the possibility that, by interpretation of what is at best ambiguous language, the same results will be achieved as the proponents earlier sought through the devices of the "which" clause and the non-self-executing clause. This amendment expressly retains the non-self-executing clause with respect to treaties and executive agreements. That it may also contain the "which" clause is suggested by the omission of the words "by the Congress" appearing in the 1954 version quoted above and by the fact that Senator BRICKER in the above-quoted explanation to the Senate in effect so indicated.

Aside from the oft-discussed fundamental objections to any amendment that incorporates a "which" clause or a non-self-executing clause,[40] the proposed section 2 would be wholly impracticable in operation. For one thing, where implementing legislation is required, State legislatures might take so long to act as to prove internationally embarrassing, particularly since over three-

[34] This report was analyzed at pp. 19–26 of our 1956 report, described in footnote 2.

[35] CONGRESSIONAL RECORD, January 7, 1957, p. 275.

[36] The so-called which clause provided that a treaty should become effective as internal law only through legislation "which would be valid in absence of treaty." This "which" clause would restrict the power of Congress to make a treaty effective as internal law to the areas in which Congress could legislate in the absence of a treaty. As to matters falling outside those areas, treaties would be effective as internal law only to the extent that the States passed the necessary State laws.

[37] See IV A (ii) (a), supra, p. 7.

[38] See supra, p. 8.

[39] CONGRESSIONAL RECORD, January 7, 1957, p. 275.

[40] See our report printed in the record of the association for March 1955, at pp. 122 and 131.

quarters of the State legislatures meet only once every 2 years. But beyond that, it might well result that the internal effectiveness of a treaty would vary from State to State. Thus the States' legislation under the treaty might not be uniform, or some State legislatures might refuse to act at all and thus outlaw the treaty in their States and possibly even cast doubt on its international effectiveness.

Senator BRICKER has suggested that this type of objection is overcome by his provision that the Senate, in consenting to a treaty, can provide that it shall have immediate legislative effect; but this provision is only a change in procedure since the Senate already has the power to declare affirmatively that a treaty shall not be self-executing. If this proposed change of procedure is the only reason for section 2, it is clearly not sufficient reason to amend the Constitution. On the other hand if more than a change in procedure is affected, this section might be interpreted as giving the Senate broad powers to validate any treaty whether or not it dealt with matters of international concern.

Senate Joint Resolution 3 creates further complications in that both sections 2 and 3 include provisions as to the domestic legislative effect of executive agreements. Such overlapping provisions in any legislation, particularly in an amendment to the Constitution, are basically objectionable and raise serious questions as to the meaning and effect of each of the sections and their relation to each other in respect of executive agreements. Our comments on the provisions for executive agreements in the proposed amendment are set forth below in our discussion of section 3.

Section 3

Section 3 reads as follows:

"An international agreement other than a treaty shall have legislative effect within the United States as a law thereof only through legislation valid in the absence of such an international agreement."

Section 3 purports to be a new departure in Senator BRICKER'S approach to limiting the President's power to enter into international agreements. His earlier versions of the amendment, in requiring implementation of international agreements by domestic legislation which would be valid in the absence of such agreements, have drawn no distinction between treaties and other international agreements. That is, the "which" clause would heretofore have prevented any international agreement, whether treaty or otherwise, from having internal effect without the enactment of a statute falling within the ordinary legislative jurisdiction of either Congress or the several State legislatures. Now for the first time Senator BRICKER seems to disclaim any intention of so restricting the Federal legislative power when exercised pursuant to a treaty, and in section 3 avowedly limits the application of the "which" clause to international agreements other than treaties—i. e., so-called executive agreements.

As noted above in the discussion of section 2,[41] there is room for serious doubt as to whether even the treaty power would be freed from the "which" clause limitation (as Senator BRICKER asserts). Even assuming however, that the Senator's latest version would have no more than the effect he claims, it would distinguish between treaties and executive agreements, so as to confine the internal effectiveness of the latter by express constitutional limitation.

While there is no definite means of predetermining what subject matters of international agreement are appropriate for executive agreements as distinguished from treaties,[42] certain types of international agreements are customarily (although not always) embodied in executive agreements—e. g., the status of diplomatic personnel, passport visa fees, the admission of civil aircraft, customs matters, international claims, postal matters, and, more recently, military and technical assistance. From this historical record it may generally be concluded that, in practice, executive agreements rather than treaties have been utilized in four typical cases: (1) Where the executive branch is merely carrying out in detail the will of Congress previously expressed; [43] (2) where the subject matter is of relatively minor importance; [44] (3) where an emergency requires immediate action; [45] or (4) where the President is exercising his exclusive military or diplomatic power.[46]

It is undisputed, of course, that an executive agreement with a foreign power, entered into pursuant to the President's express constitutional powers, establishes without prior or further action by Congress rights and duties as between the United States and such foreign power, for breach of which the United States is fully answerable under the rules of international law. The thrust of section 3 is aimed at the effect within the United States of an executive agreement, binding on its face between the United States and the other party to such agreement.

It is well settled that a subsequent act of Congress can nullify the domestic force of a previous treaty; [47] and a fortiori, an executive agreement, is also subject to the same method of congressional control, provided it does not represent an invasion of exclusive executive powers.[48] Hence, the President could not in effect enact domestic legislation contrary to the will of Congress in any area within the Federal legislative jurisdiction.

Executive agreements may also deal with subjects either exclusively within the Federal executive power or within the State legislative power. As to the first type, examples are agreements clearly within the power of the President as Commander in Chief or as the diplomatic head of our Nation. The effectiveness of even these agreements, however, frequently requires a congressional appropriation, and that fact gives Congress a measure of control. As to the second type of agreement mentioned above, the extent to which an executive agreement not authorized or implemented by Congress can now override State law has not been conclusively determined.[49] There is, however, no support for the proposition that all executive agreements would have such effect. We believe that a Presidential executive agreement relating to a subject matter which is not properly the subject of agreement with another nation would be held ineffective, and that, to the extent any Presidential executive agreement had an essentially legislative purpose in respect of the internal affairs of the United States, it would be invalid even though ostensibly dealing with such a subject.

We believe section 3 to be ambiguous and also, where its effects may be discerned, unnecessary and unwise. For these reasons we oppose it.

Like sections 1 and 2 of Senate Joint Resolution 3, the language of section 3 raises more questions than it purports to settle. As noted above, the incorporation of the which clause contemplates that some executive agreements would require action by State legislatures in order to have legislative effect within the United States as a law thereof. Does this give State legislatures the power to enact Federal laws? Would such law be effective only in States whose legislatures had acted, or would it not be effective anywhere until all 48 State legislatures had acted? In areas of concurrent Federal and State jurisdiction, how will it be determined whether Congress or the State legislatures must enact the requisite implementing legislation, and in such areas may the States act if Congress fails or refuses to do so? Furthermore, the meaning of "legislative effect within the United States" is far from clear. Does the phrase mean that an executive agreement without prior legislation cannot be made effective within the United States even with respect to its international aspect except by subsequent legislation?

Even more serious than the foregoing ambiguities are the crippling effects section 3 would have upon the conduct of America's foreign relations, both on a day-to-day basis and during periods of crisis calling for swift action. By denying self-executing effect to executive agreements and also restricting the fields in which such agreements could be enacted, section 3 would at the very least place the United States in the untenable position of offering to enter into executive agreements without the assurance that such agreements would be enforceable within the United States. This would weaken the value of our commitments to other nations, and would fundamentally undermine our bargaining position in international negotiations. Such a result could be avoided, if at all, by the President's obtaining prior legislative authorization for every executive agreement. Congress, when in session, would be requested to consider each year approximately 200 technical, detailed agreements in addition to the burden of its present legislative duties, with which it is hardly able to keep pace even now. Were section 3 to be adopted, Congress might not unreasonably be expected to remain in continuous session lest there develop a paralysis in the conduct of our day-to-day foreign relations. Where implementing power is confined to the States and Congress thus cannot act, it seems clear, especially in view of the shortness and infrequency of State legislative sessions referred to above, that prior legislative authorization could seldom be obtained.

In the case of statutory executive agreements,[50] constituting the great majority of executive agreements, section 3 would seem to require that such an agreement, even though made pursuant to an act of Congress, must nevertheless be submitted again to Congress after its execution in order to give it internal effect.

Although the long history of executive agreements has clearly demonstrated their absolute necessity in handling the details of foreign affairs and in emergencies, section 3 would extinguish the historical advantages of the executive agreement over the treaty by requiring, in effect, approval of both Houses of Congress, rather than merely the Senate, whenever the executive agreement method is used and there is the

[41] Supra, p. 13.

[42] Sutherland, Restricting the Treaty Power, 65 Harv. L. Rev. (1305, 1324 (1952)).

[43] Cf. Loan to United Kingdom for Development of Certain Port Facilities in Kenya and Tanganyika (1953) (5 UST 143 (1954)), under Mutual Security Act of 1951.

[44] Cf. Exchange of Official Publications With Burma (1948) (62 Stat. 1892) (1948)).

[45] Cf. Surrender by Japan (1945) (59 Stat. 1734 (1945)).

[46] Cf. Agreement with Canada with respect to flights of military aircraft (1945) (62 Stat. 3943 (1948)).

[47] See note 29, supra, p. 8.

[48] See IV B (iii), supra, p. 9.

[49] Cf. *U. S.* v. *Pink* (315 U. S. 203 (1942)).

[50] See IV B (1), supra, p. 8.

slightest question of its having internal effect. Since what constitutes internal effect is uncertain, the executive agreement would almost inevitably fall into disuse by the United States, thereby limiting our agreements with foreign powers to those embodied in formal treaties.

The "which" clause, already discredited when sought to be applied to treaties, is no less to be rejected in its application to executive agreements. It is settled that a treaty, after ratification by the Senate, has internal effect if its subject matter is "properly the subject of negotiation with a foreign country."[51] Under proposed section 3, however, an executive agreement approved and implemented by legislation adopted by both Houses of Congress would, under the whichless "which" clause, have internal effect, unless given State approval, only to the extent that its subject matter is within the legislative jurisdiction that Congress would have in the absence of international agreement. Hence the disabling effect of requiring bicameral approval would be aggravated by restricting the area in which such approval could be given.

In a country such as ours, emergency military and diplomatic powers that may be exercised firmly and quickly vis-a-vis other nations must rest somewhere. To the rest of the world we must, especially at such times, speak with one voice. The appropriate repository is the Executive. Public opinion, a vigilant press, Congress, and the judiciary are all strong safeguards against the possibility of a President abusing his power to make nonstatutory executive agreements.

Section 4

Section 4 reads as follows:

"On the question of advising and consenting to a treaty, the vote shall be determined by yeas and nays, and the names of the Senators voting for and against shall be entered on the Journal of the Senate."

This section is designed to prevent voting on a treaty by only a handful of Senators where no challenge has been made to the quorum before a vote is taken. Even though a treaty cannot now reach the Senate floor without at least first being published and reported out by the Committee on Foreign Relations and it is thus unlikely that any important or controversial treaty could be slipped through the Senate, the provision would seem to be an improvement in the Senate rules. The Senate in practice now operates under just such a procedure.

We would favor the adoption of section 4 as a Senate rule only. Standing rule XII states that on a vote by yeas and nays, "No motion to suspend this rule shall be in order, nor shall the presiding officer entertain any request to suspend it by unanimous consent."[52]

We do not believe that a change in Senate procedure, which can be easily and quickly effected by Senate rule, is the proper subject for a constitutional amendment.

VI. CONCLUSION

The proposed amendment would afford no advantage to justify its adoption. On the contrary, the ambiguities it would create would occupy constitutional lawyers for years to come, with the possibility that those ambiguities would be resolved to curtail our Nation's position in international negotiations. The serious possibility exists that a result would be achieved by the amendment that even its proponents are now unwilling to acknowledge as their purpose. The period of uncertainty during which the questions raised by the amendment were being resolved would be one in which our statesmen and diplomats would be hampered by doubts as to their own authority to speak and act, and other nations would question the effectiveness of our national commitments. The supremacy of the Federal Government in foreign affairs must not be clouded by ambiguous clauses which raise more questions than they resolve.

The careful distribution and balance of powers in the conduct of our foreign affairs under the present Constitution have served successfully for 168 years. The proposals embodied in the 1957 Bricker amendment would radically alter the constitutional scheme by increasing the power of Congress at the expense of the President and by increasing the power of the States at the expense of the Federal Government.

In these days of repeated international tensions we think that it would be unwise to alter and curtail the power of either the President or the Federal Government in the conduct of our foreign affairs. We therefore oppose the amendment.

Respectfully submitted.

Committee on Federal Legislation: Arthur L. Newman, Chairman; Alan J. B. Aronsohn, Stuart K. Barnes, Henry Cohen, Paul J. Chase, Richard E. Erway, Alan R. Finberg, Fred N. Fishman, Daniel H. Greenberg, Richard W. Hogue, Jr., Mark F. Hughes, Joseph S. Iseman, Norton I. Katz, David M. Levitan, Charles E. McGuinness, Eugene H. Nickerson, Richard W. Palmer, Arthur E. Pettit, Jacob J. Rosenblum, Leon Silverman.

Committee on International Law: John V. Duncan, Chairman; Amory H. Bradford, Edmund Burke, Jr., Thorold J. Deyrup, Francis X. Downey, Richard N. Gardner, Ernest A. Gross, Ethan Allen Hitchcock, Cyril C. Means, Jr., Seymour B. Quel, Stephen M. Schwebel, Hayden N. Smith, John R. Stevenson, Lyman M. Tondel, Jr., Edward Everett Watts, Jr.

MAY 1, 1957.

[51] See notes 19 and 20, supra, p. 7.

[52] U. S. Senate Manual, S. Doc. No. 19, 85th Cong., 1st sess. 18 (1957).

APPENDIX A

Texts of the 6 principal Bricker proposals which have been submitted to the U. S. Senate (1953–57)

BRICKER (1953) S. J. Res. 1 (83d Cong.) (as reported by Senate Judiciary Committee, June 15, 1953)	George (Jan. 27, 1954)	FERGUSON-KNOWLAND (Jan. 27, Feb. 2, 1954)	BRICKER (1955) S. J. Res. 1 (84th Cong.) (introduced Jan. 6, 1955)	BRICKER (1956) S. J. Res. 1 (84th Cong.) (as reported by Senate Judiciary Committee, Mar. 27, 1956)	BRICKER (1957) S. J. Res. 3 (85th Cong.) (introduced, Jan. 7, 1957)
1. A provision of a treaty which conflicts with this Constitution shall not be of any force or effect.	1. A provision of a treaty or other international agreement which conflicts with this Constitution shall not be of any force or effect.	1. (Same as George.)	1. A provision of a treaty or other international agreement which conflicts with this Constitution, or which is not made in pursuance thereof, shall not be the supreme law of the land nor be of any force or effect.	1. A provision of a treaty or other international agreement which conflicts with any provision of this Constitution shall not be of any force or effect.	1. A provision of a treaty or other international agreement not made in pursuance of this Constitution shall have no force or effect. This section shall not apply to treaties made prior to the effective date of this Constitution.
2. A treaty shall become effective as internal law in the United States only through legislation which would be valid in absence of treaty.	2. An international agreement other than a treaty shall become effective as internal law in the United States only by an act of the Congress.	2. Clause 2 of article VI of the Constitution of the United States is hereby amended by adding at the end thereof the following: "Notwithstanding the foregoing provisions of this clause, no treaty made after the establishment of this Constitution shall be the supreme law of the land unless made in pursuance of this Constitution."	2. A treaty or other international agreement shall become effective as internal law in the United States only through legislation valid in the absence of international agreement.	2. (Same as sec. 3 of FERGUSON-KNOWLAND.)	2. A treaty or other international agreement shall have legislative effect within the United States as a law thereof only through legislation, except to the extent that the Senate shall provide affirmatively, in its resolution advising and consenting to a treaty, that the treaty shall have legislative effect.
3. Congress shall have power to regulate all executive and other agreements with any foreign power or international organization. All such agreements shall be subject to the limitations imposed on treaties by this article.	----------	3. On the question of advising and consenting to the ratification of a treaty the vote shall be determined by yeas and nays, and the names of the persons voting for and against shall be entered on the Journal of the Senate.	3. (Same as sec. 3 of FERGUSON-KNOWLAND.)	----------	3. An international agreement other than a treaty shall have legislative effect within the United States as a law thereof only through legislation valid in the absence of such an international agreement. 4. On the question of advising and consenting to a treaty, the vote shall be determined by yeas and nays, and the names of the Senators voting for and against shall be entered on the Journal of the Senate.

APPENDIX B

THE HISTORY OF THE VARIOUS TREATYMAKING-LIMITATION PROPOSALS WHICH HAVE BEEN INTRODUCED SINCE SENATOR BRICKER INTRODUCED HIS ORIGINAL VERSION IN 1952

1. February 7, 1952. Senate Joint Resolution 130 (82:2), introduced by Senator BRICKER. Hearings on Senate Joint Resolution 130 were held on 5 separate days in May and June of 1952, before a subcommittee of the Senate Judiciary Committee. The printed transcript comprises 540 pages.

2. January 7, 1953. Senate Joint Resolution 1 (83:1), introduced by Senator BRICKER.

3. February 16, 1953. Senate Joint Resolution 43 (83:1), introduced by Senator WATKINS.

On 14 days in February, March, and April of 1953, hearings were held before a subcommittee of the Senate Judiciary Committee (83:1) on Senate Joint Resolution 1 and Senate Joint Resolution 43. The printed record of these hearings comprises 1,267 pages.

4. June 15, 1953. Revised version of Senate Joint Resolution 1 was favorably reported by a 9 to 5 vote of the Committee on the Judiciary.

5. July 22, 1953. Substitute amendment to Senate Joint Resolution 1 introduced by Senator KNOWLAND.

Early in the 2d session of the 83d Congress several votes were taken. The debate began on January 20, 1954. On January 25, President Eisenhower wrote a letter to Senator KNOWLAND, an extract from which appears on page 3 of this report.

6. January 27, 1954. Amendment in the nature of a substitute offered by Senator George during debate.

7. January 29, 1954. Proposal made by Senator MCCARRAN during debate.

8. February 2, 1954. Perfecting amendment offered by Senator Ferguson during debate.

9. February 2, 1954. Proposal by Senator CASE, South Dakota, made during debate, to substitute a new section 3 for section 3 of the Ferguson amendment.

10. February 4, 1954. Additional amendment to the Judiciary Committee text offered by Senator BRICKER, which was the same as the Ferguson proposal except for an added section which read as follows:

"A treaty or other international agreement shall become effective as internal law in the United States only through legislation by the Congress unless in advising and consenting to a treaty the Senate, by a vote of two-thirds of the Senators present and voting, shall provide that such treaty may become effective as internal law without legislation by the Congress."

On February 15, 1954, the first section of the Ferguson proposal was adopted by a vote of 62 to 20. This read:

"A provision of a treaty or other international agreement which conflicts with this Constitution shall not be of any force or effect."

On February 16, the third section of the Senator Ferguson's proposal was approved by a vote of 72 to 16. This provided:

"On the question of advising and consenting to the ratification of a treaty, the vote shall be determined by yeas and nays, and the names of the persons voting for or against shall be entered in the Journal of the Senate."

The next day, February 17, by a vote of 44 to 43, the second section of Senator Ferguson's proposal was voted and section 2 of the Senate Judiciary Committee text, containing the which clause, as well as sections 3 and 4 thereof, were eliminated, thus completing the substitution of the Ferguson proposal for the Judiciary Committee's language and eliminating not only the which clause, but also the non-self-executing clause. The second section of Senator Ferguson's proposal provided that clause 2 of article VI of the Constitution (the supremacy clause) be amended by the addition of the following: "Notwithstanding the foregoing provisions of this clause, no treaty made after the establishment of this Constitution shall be the supreme law of the land unless made in pursuance of this Constitution."

On February 25, 1954, the Senate rejected Senator BRICKER'S additional amendment quoted above by vote of 50 to 42.

On February 26, 1954, the Senate voted 61 to 30 to substitute Senator George's substitute amendment for the Senate Judiciary Commitee text. The which clause was thereby eliminated for all purposes. Thereupon on final passage, the George substitute failed, by a vote of 60 to 31, to obtain the necessary two-thirds vote.

11. August 5, 1954, Senate Joint Resolution 181 (83:2), introduced by Senator BRICKER.

12. January 6, 1955. Senate Joint Resolution 1 (84:1), introduced by Senator BRICKER. Hearings were held during 8 days in April and May on Senate Joint Resolution 1 before a subcommittee of the Senate Judiciary Committe. These are bound in a volume of 1,016 printed pages.

13. March 27, 1956. Wholly new revised version of Senate Joint Resolution 1 (84:1) was proposed by the Committee on the Judiciary.

14. January 7, 1957. Senate Joint Resolution 3 (85:1), introduced by Senator BRICKER. This is the joint resolution now up for consideration, the text of which is set forth on page 2 of this report.

Mr. WILEY. Mr. President, there have been various and sundry so-called Bricker amendment proposals. They have varied in language. However, their purpose is always the same.

OUR CONSTITUTION NEEDS NO AMENDMENT OF THIS NATURE

Over the years, our Constitution has served us well in international affairs. We should not change it, particularly at this difficult time in our international relations, when the President needs all the support possible.

So many general statements about the treaty power are made here and there, that I commend to all of my colleagues a close examination of the arguments, which I have found very useful, as set forth in the report of the Association of the Bar of the City of New York.

NEW YORK BAR ASSOCIATION VIEWS

As is well known, this association is composed of many outstanding lawyers whose daily practice involves the solution of complicated business problems spanning the oceans.

American private initiative, in expanding from our own shores, to help make available to the Western world the undeveloped resources of important countries, finds many legal complexities. It turns to American lawyers for help. Many of these lawyers are in the great metropolis of New York City, and are members of this particular bar association. It is, therefore, of particular interest that the Association of the Bar of the City of New York gives its opinion in opposition to the 1957 Bricker amendment.

INABILITY OF NAVY TO RETAIN TRAINED OFFICERS

Mr. SYMINGTON. Mr. President, an extraordinarily interesting article, Retirements in Navy—An Analysis of the Service's Inability To Retain Some of Its Trained Officers, written by Mr. Hanson W. Baldwin, experienced and well-known military writer and analyst, appeared recently in the New York Times.

Mr. Baldwin, himself a graduate of the United States Naval Academy, dwells on reasons for the retirement from the Navy of Capt. Chester W. Nimitz, Jr., son of the famous fleet admiral, and Capt. Richard H. O'Kane, one of the most highly decorated officers in World War II and a holder of the Congressional Medal of Honor.

Captain Nimitz was not available for comment as to his retirement, but the article states the following with respect to the reasons Captain O'Kane has decided to give up his brilliant military career:

Captain O'Kane conceded he was going into deficit financing to send his two children through college, but other reasons for retirement appeared to be paramount. Now on duty in the Office of the Chief of Naval Operations in the Navy Department in Washington, he said he had had 10 changes of station since the war and too little time in each job to do more than give him a feeling of uselessness and futility.

DISAGREED WITH POLICIES

He said, too, he remembered his oath of loyalty to the United States and he put that above loyalty to a single service. He obeyed orders, he said, but he had been called on frequently to support naval policies with which he did not agree.

He had to take the Navy's position, he said, when he believed there should be just 1 fighting service instead of 4.

"What I have accomplished in 1 year," he declared, "could be done in 1 month."

All citizens interested in maximum return for their tax dollar should read this article with care, because as our defenses become ever more technical, in the interest of our security it is vital that we do whatever necessary to hold skilled people, especially men of the character and battle experience of these two officers.

The record of each man proves both would have been eventual candidates for highest office in our military organization.

More and more the American people realize that the new nuclear weapons have made obsolete the present structure and current functioning of the Department of Defense. But this administration has not, and apparently does not, intend to do anything about this costly and dangerous situation, which is not only costing the taxpayers tens of billions of dollars, but is also endangering our national security.

Mr. President, I ask unanimous consent that the entire article of Mr. Baldwin be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 20, 1957]

RETIREMENTS IN NAVY—AN ANALYSIS OF THE SERVICE'S INABILITY TO RETAIN SOME OF ITS TRAINED OFFICERS

(By Hanson W. Baldwin)

A Medal of Honor winner, Capt. Richard H. O'Kane, and Capt. Chester W. Nimitz, Jr.,

son of the fleet admiral, are among 89 junior captains of the Navy who applied for retirement in the fiscal year 1957, which ends June 30.

The Bureau of Naval Personnel said recently that it was not concerned about these figures and that the figure of eighty-nine represented only a slight increase over the 73 captains who voluntarily retired in the 1956 fiscal year. But many other naval officers and some of the senior officials of the Navy have expressed considerable perturbation. Twenty-three of the 89 officers are specially trained in engineering and these represent a high proportion of officers of this category. Thirty-four are staff officers, thirty-two from the unrestricted line. These latter are the officers qualified for command or any regular line duties.

Many have exceptional records and much professional schooling. A few of them failed for selection to admiral.

The Bureau said that three preponderant reasons were given for requesting retirement—a privilege to which a naval officer is entitled after 20 years' service in accordance with certain conditions laid down by Congress and the Secretary of the Navy. Five years in the grade of captain is one of the requirements, but Captain O'Kane and perhaps others who have requested retirement have served less than 5 years as captains.

NAVAL PAY CRITICIZED

The first reason given in official retirement applications was inadequacy of naval pay to support a family—particularly when children are of college age. This reason is underscored by the recent Cordiner report, which urged a revision of service pay and considerably higher pay scales for merit and for those promoted to senior ranks. The report has been largely tabled—at least for this session of Congress—by the administration, and this action has aroused some bitterness in the service.

Pay also figured in the second reason given for requesting retirement. Some of the captains simply felt the pay was inadequate—as compared to private industry—to compensate for their responsibilities.

The third reason offered was hardship of a physical nature—a reason that meets one of the requirements for retirement. An officer's wife, for instance, might have asthma and be required to live permanently in a particular area, and thus would be unable to accompany her husband when he changed stations.

The official reasons given for requesting voluntary retirement were not, however, in all cases the major reasons—as was evidenced by a talk with Captain O'Kane, a noted submarine commander.

Captain O'Kane, 46 years old, graduated from the Naval Academy in 1934, won the Medal of Honor and 3 Navy Crosses in the war, and has attended the Naval War College and the Armed Forces Staff College. He and many others among the 89 are, among Navy's most promising young captains, who in time could look forward confidently to promotion to admiral. They are the kind of men the Navy would most like to keep.

Captain O'Kane conceded he was going into deficit financing to send his two children through college, but other reasons for retirement appeared to be paramount. Now on duty in the Office of Chief of Naval Operations in the Navy Department in Washington, he said he had had 10 changes of station since the war and too little time in each job to do more than give him a feeling of uselessness and futility.

DISAGREED WITH POLICIES

He said, too, he remembered his oath of loyalty to the United States and he put that above loyalty to a single service. He obeyed orders, he said, but he had been called on frequently to support naval policies with which he did not agree.

He had to take the Navy's position, he said, when he believed there should be just 1 fighting service instead of 4.

"What I have accomplished in 1 year," he declared, "could be done in 1 month."

Captain Nimitz, son of the famous commander of the Pacific fleet during World War II, graduated from the Naval Academy in the class of 1936. He holds the Navy Cross and has an outstanding record. He now is in command of the *Orion*, a submarine tender, which is at Guantanamo Bay, Cuba, at the present time. Captain Nimitz could not be reached for comment about his retirement.

These applications for retirement, which have shaken some of the officers in the Navy who know about them, illustrate the compound nature of the problem of naval—and service—morale. Pay is a factor, an important factor, but it is by no means the major factor. Unnecessarily frequent changes of duty, too narrow an interpretation of service loyalty, and, above all, the absence of a sense of a job worth doing and well done have too often stultified the most energetic and the most ambitious. The Navy's personnel policies require very thorough study.

EXPENDITURES AND CAMPAIGN CONTRIBUTIONS

Mr. SCHOEPPEL. Mr. President, when I addressed the Senate on March 29 with reference to the report by the Subcommittee on Privileges and Elections of the Committee on Rules and Administration, on expenditures and campaign contributions in the 1956 general elections, I believed that it might be necessary for Congress to revise the Labor-Management Relations Act of 1947.

I have prepared a statement relating to the statement I made on March 29 with reference to the recent decision of the Supreme Court of Georgia. I ask unanimous consent that the statement I have prepared be printed in the body of the RECORD as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SCHOEPPEL

When I addressed the Senate on March 29 with reference to the report on expenditures and campaign contributions in the 1956 general elections by the Subcommittee on Privileges and Elections of the Committee on Rules and Administration, I believed that it might be necessary for us to revise the Labor-Management Relations Act of 1947. I was concerned that under some union-shop agreements union members were forced to contribute to political funds for the support of candidates and positions contrary to their own political beliefs.

I said:

"The Labor Management Relations Act of 1947 provides that a union which is certified as a bargaining agent for a majority of the employees in any establishment shall represent all the employees in collective bargaining negotiations and in handling of all grievances with the employer. The Congress provided that union-shop agreements not prohibited by State or Territoral law could be executed by unions and employers. This seems reasonable as the unions claim they want all members of the bargaining unit to contribute toward the benefits all the employees receive from the activities of the union working as their agent.

"The Congress certainly did not propose authorizing compulsory membership in a political party. Under many of our present agreements, such as those which prevail in the steel and automobile industries, this is exactly what we have done.

"I believe that any group has the right of free political expression under the first amendment if it only includes members who are free to leave the group at any time without loss of their livelihood. I would never curb that right. However, unions who have executed union shop agreements, and hence have captive members, are not in this position."

I further said:

"Mr. President, I believe we must amend the Labor Management Relations Act so that every union will have the choice of whether it wishes to operate as a political party or as a trade union. If it chooses to act as a political party it will enjoy the immunities of the first amendment, but lose the right to negotiate union shop agreements. If it wishes to confine itself to acting as a bargaining agent for its members and not as a political party, it should be permitted to ask for union shop agreements similar to those now in effect. I know we cannot continue our present course of fostering compulsory membership in political parties. This was the technique used by Mussolini and Hitler. It is fascism and not Americanism."

If the United States Supreme Court sustains a decision by the Supreme Court of Georgia that was rendered on June 10, 1957, in the case of *Looper, et al.* v. *Georgia Southern & Florida Railway Co., et al.*, it will probably not be necessary for the Congress to take any further action. A unanimous decision of the Supreme Court of Georgia completely supports the views I expressed earlier this year. While the Supreme Court of Georgia upheld the right of railroad unions to negotiate union shop agreements in accordance with decisions by the United States Supreme Court, it said that where a union engaged in political activity, employees could not be forced to join the union in order to hold their jobs.

I have a few excerpts from the decision in this case which are fundamental and of great importance. I shall read them:

"While we must follow the holding of the Supreme Court that closed shop employment contracts under section 2, eleventh, of the Railway Labor Act, are valid, yet since that court has not held that an employee can by such contract be required as an alternative to losing his job to join a union which will use contributions he makes to it to promote ideological and political issues and candidates he opposes, we hold that the petition of these employees seeking to enjoin the enforcement of the employment contract and decree it void because of such uses of their contributions alleges a cause of action and it was error to dismiss the same."

"By amendment petitioners further allege that the initiation fees, periodic dues, and assessments which they would be required to pay under the closed shop agreement will be used in substantial part for purposes not germane to collective bargaining but to support ideological and political doctrines and candidates which they are not willing to support and can not lawfully be forced to support, thus violating their constitutionally guaranteed rights of freedom of association, thought, liberty, and property; and the contract and section 2, eleventh, of the Railway Labor Act (45 U. S. C. A. section 152, eleventh), to the extent that it authorizes such union shop agreement, are violative of the first, fifth, and ninth amendments of the Constitution of the United States.

"After consideration of a written motion to dismiss brought by counsel for the labor union defendants which states that petitioners fail to state a claim against any defendants upon which relief can be granted, citing decisions of the Federal Supreme Court in support thereof; the lower court sustained the motion, dissolved a temporary injunction previously granted, and dismissed the action as to all defendants. The exception here is to this final judgment.

"We go now to the single point raised which the Supreme Court has, we believe, clearly indicated is still open for decision. The petition of these nonunion employees alleges that they have been notified in accordance with the law and the contract of employment that unless they become members of a union within 60 days their employment will be terminated. It is alleged that the union dues and other payments they will be required to make to the union will be used to support ideological and political doctrines and candidates which they are unwilling to support and in which they do not believe, and that this will violate the first, fifth, and ninth amendments of the Constitution. While *Railway Emp. Dept.* v. *Hanson* (351 U. S. 225), supra, upheld the validity of a closed shop contract executed under paragraph 2, 11th, that opinion clearly indicates that that Court would not approve a requirement that one join the union if his contributions thereto were used as this petition alleges. It is there said, 'Judgment is reserved as to the validity or enforceability of a union or closed shop agreement if other conditions of union membership be imposed or if the exaction of dues, initiation fees, or assessments is used as a cover for enforcing ideological conformity or other action in contravention of the first or the fifth amendments.' We must render judgment now upon this precise question. We do not believe one can constitutionally be compelled to contribute money to support ideas, politics, and candidates which he opposes. We believe his right to immunity from such exactions is superior to any claim the union can make upon him.

"Accordingly, the trial court erred in dismissing the amended petition which alleges that such uses will be made of dues and other money which as a member of the union petitioners would be required to contribute to the union."

This unanimous decision by the Georgia Supreme Court supports the position which I advanced last March. It should contribute to our efforts to provide more realistic election laws.

THE GOVERNMENT OF THE DISTRICT OF COLUMBIA

Mr. BEALL. Mr. President, during my entire service in the House of Representatives, and in the Senate, I have continued, voluntarily to serve as a member of the District of Columbia Committee. I regard such service as a most important duty, both because of the proximity of the District to my home State of Maryland, and because it is the seat of the National Government.

Mr. President, on July 24 Mr. Walter L. Fowler, of the District of Columbia government, delivered an address at the University of Maryland entitled "The Government of the District of Columbia." It has been interesting reading to me as the ranking minority member of the District of Columbia Committee. I commend it to other Senators as a historical analysis of the District government, and, considering its importance, I ask unanimous consent that it be printed in the body of the RECORD at this point in my remarks.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

THE GOVERNMENT OF THE DISTRICT OF COLUMBIA

(By Walter L. Fowler)

The District of Columbia was established solely for the purpose of becoming the "temporary and permanent seat of the Government of the United States" (act of July 16, 1790).

This act and other acts to further the purpose were passed pursuant to the provisions contained in the eighth section of the first article of the Constitution of the United States, reading as follows:

"To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding 10 miles square) as may by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States."

The right to exercise exclusive authority at the seat of government was conferred upon Congress to enable it to provide for the convenience and the protection of the agencies of government in a manner compatible with the needs and dignity of the Nation.

Among the considerations which led to the investiture of Congress with such absolute jurisdiction were the facts that in June 1783, the Continental Congress removed from Philadelphia in consequence of a hostile demonstration which was made toward it by a body of soldiers of the Revolutionary Army, impatient at the long neglect to pay them for their services, and the admission of the authorities of that city and of the State of Pennsylvania that they were unable to protect it from the threatened intimidation.

The Congress of the Revolution first met at Philadelphia, Monday, September 5, 1774, and continued to hold its sessions there until Wednesday, December 12, 1776, when in consequence of the approach of the British Army, it adjourned to Baltimore where it met on Friday the 20th and continued until Tuesday, February 27, 1777, when it adjourned to meet at Philadelphia on the 4th of March.

On Sunday, September 14, 1777, it was—

"Resolved, That if Congress shall be obliged to remove from Philadelphia, Lancaster be the place where they shall meet."

It continued to meet in Philadelphia until the 18th of September and then because of news received from Colonel Hamilton, one of General Washington's aides, departed to meet in Lancaster, Pa., where on the same day they adjourned to meet in Yorktown, Pa., where it assembled on the 30th day of September and continued to meet until the 27th day of June 1778. Having received a letter from General Washington that the enemy had evacuated Philadelphia they adjourned to meet in that city once again.

A few years later on the 21st of June 1783, it was resolved by Congress "That the President and Supreme Executive Council of Pennsylvania be informed that the authority of the United States having been this day grossly insulted by the disorderly and menacing appearance of a body of armed soldiers about the place within which Congress was assembled and the peace of this city being endangered by the mutinous disposition of the said troops now in the barracks, it is, in the opinion of Congress, necessary that effectual measures be immediately taken for supporting the public authority, etc."

On the 30th of June they assembled at Princeton, N. J.

Now follows months of debate on motions relating to a site for the temporary or permanent seat of Government.

On November 1, 1784, they met in Trenton.

Here the debate continued and they adjourned to meet at New York on the 11th of January.

Proceedings under the Constitution commenced at New York on Wednesday the 4th of March 1789. The issue was thereafter resolved in July of 1790.

A location for the seat of the Federal Government was decided upon as a result of: The determination of both the Continental Congress and the Congress of the United States not to be harassed by the failure of State governments to afford facilities and protection.

The original District of Columbia was 10 miles square, lying on both sides of the Potomac River at the head of navigation.

The date of the transfer of the seat of Government to the District of Columbia was fixed by the act of July 16, 1790, as follows:

"And be it enacted, That on the said first Monday in December, in the year 1800, the seat of Government of the United States shall, by virtue of this act, be transferred to the District and place aforesaid;" the place referred to being the District selected for the Federal City.

The date of the first meeting of the Congress in the District was fixed by an act passed May 13, 1800, for the third Monday in November 1800. The meeting was in the north wing of the Capitol, then the only completed part of the building.

President John Adams arrived in Georgetown June 3, 1800, and lived in Union Tavern until November when he moved into the White House.

The Supreme Court held its first session here on February 2, 1802.

The first organic act for the District of Columbia government was passed in 1801.

In 1800 when Congress met here for the first time the Members found two important municipalities operating.

Georgetown had been laid out in 1752. Its population was 2,993.

Alexandria was founded in 1749. Its population was 4,971.

The remainder of the land was forest and meadows with a few scattered clearings.

Under the first organic act of 1801—the city of Washington was established with a mayor appointed by the President and a 12 member city council elected by the people. The charter was amended in 1812 to provide for a board of aldermen and for the election of mayor by joint vote of the board of aldermen and common council.

In 1820 a Reorganization Act provided that the mayor be elected by the people serving for 2 years.

This form of government continued until 1871.

By an act of Congress of February 21, 1871, the entire District of Columbia was created a municipal corporation and the charters of Washington and Georgetown and the laws relating to the government of the county of Washington were repealed. This act provided a territorial form of government for the District, which government consisted of a governor, a board of public works, a board of health, and a legislative assembly. The legislative assembly consisted of an 11 member council and a 22 member house of delegates. The board of public works consisted of the governor as president of the board, and four persons, one of whom had to be a civil engineer. The governor, members of the council, and the members of the board of public works were appointed by the President of the United States. The members of the house of delegates were elected by the people. The voters of the District were also permitted to elect a delegate to the House of Representatives of the United States, who, like delegates from the territories, had a right to speak but not to vote. The District sent a delegate to the House of Representatives from 1871 to 1875. This form of government lasted 3 years.

The act of Congress of June 20, 1874, provided that the District should be governed by three commissioners, appointed by the President. This was known as the temporary form of government and lasted until July 1, 1878, when the present form of government became effective.

Congress, by an act approved June 11, 1878, created the present form of government of the District of Columbia. The District was created a municipal corporation with the right to sue and be sued. This act provides for the appointment of 3 Commissioners who must be citizens of the United

States. Two commissioners are selected by the President from persons residing in the District of Columbia for a period of 3 years preceding their appointment and who, during that period, claimed residence nowhere else. The third Commissioner is required to be an officer of the Engineer Corps of the United States Army who is detailed by the President and known as the Engineer Commissioner. The appointments of the civilian Commissioners are for a period of 3 years, or until their successors are appointed and confirmed by the Senate. However, there is no legal obstacle to reappointment at the end of 3 years. The detail of the Engineer Commissioner is at the pleasure of the President, and is usually for 4 years. One of the 3 Commissioners is chosen president of the Board of Commissioners at their first meeting, and annually, and whenever a vacancy occurs. A vice president is also chosen.

The right to vote in the District of Columbia for President of the United States and other national offices, which was extant at the time the territory embraced in the District was ceded to the Congress, was exercised by the qualified voters in the District in the presidential election of November 1800. It remained in force until the first Monday in December 1800, when as announced in an opinion by Justice William Cranch of the Supreme Court of the District of Columbia, the exclusive jurisdiction of the Congress over the District took effect.

Although the citizens of the District of Columbia ceased to vote for national officers after the first Monday in December 1800, they were substantially vested with the right of suffrage in municipal matters. Local suffrage continued until June 20, 1874, when it was abolished, and since that date there has been no suffrage in the District of Columbia.

The District of Columbia is unique in that it is the only political subdivision in the United States in which all of the powers of government are vested in the United States. In this one unit are combined all the powers and functions of government which elsewhere are divided among the States, the State, the county, and municipality. It is also unique in that it is the only community in the continental United States in which its citizens do not enjoy the right of national representation.

Consider the people of the town of Alexandria. Their condition eventually became sufficiently intolerable so as to incite action and 105 years ago they voted on the question of retrocession. By virtue of their vote, President Polk by proclamation, dated September 7, 1846, gave notice that the portion of the land derived from the State of Virginia was receded to that State.

The action of the Congress and the President was based upon petition of the people of the town of Alexandria set forth in House of Representatives Report No. 325 of the first session of the 29th Congress, dated February 25, 1846.

The committee of the town of Alexandria in their memorial in part said:

"Beg leave to submit some of the considerations which impel them greatly to desire to return to the State of Virginia, from which, in an evil hour, they were separated. We maintain that all government (politically considered) but self-government is bad and that without some radical change, time, instead of making a bad government better, will make it worse; that whatever power is exercised independently of the will of the people, expressed individually or through their representatives, is a despotism.

"When we remind the committee that we are a disfranchised people, deprived of all those political rights and privileges so dear to an American citizen, and the possession of which is so well calculated to elevate and dignify the human character; that the exclusive jurisdiction which Congress possesses over us, however wisely and moderately exercised, is a despotism, we are almost inclined to say nothing more, as we cannot doubt but that our feelings, under such circumstances, will meet with the ready sympathy of every Member of Congress.

"Regardless of the evils we should be willing to continue in this state of vassalage, and sacrifice ourselves for the good of our country, could we perceive any substantial benefit resulting therefrom to the rest of the Union. * * * How is it with the citizens of Alexandria? When they go abroad, or their sons are sent to the various literary institutions in the States, from a sense of their degraded political condition they are induced to pass themselves as citizens of Virginia. * * * The laws of Virginia, as they existed on the 27th of February 1801, are still in force with us. We are yet governed by antiquated English statutes, repealed even there half a century ago. * * * We are deprived of the elective franchise, a privilege so dear and sacred that we would present its deprivation in the strongest light before your honorable body. Side by side with the trial by jury and the writ of habeas corpus may be placed the rights of the ballot box."

In 1846 Congress had but little interest in the county of Alexandria. Congressman Hunter in his report to the District Committee stated that the experience of 40 years or more demonstrated that the cession of the county of Alexandria and the town of Alexandria was unnecessary. He also reported, "Within the portion of the district on the north side of the Potomac River is much more than space enough for all the public buildings and grounds ever likely to be necessary for the seat of government. Beyond this quantity every addition of territory to be embraced within the exclusive legislation of Congress is not only unnecessary, but makes a useless diversion of its time and attention from the great objects of general legislation to the discharge of the duties of petty local legislation, for which it is unfitted. In the district itself this union of the counties of Washington and Alexandria has been the source of much mischief."

The north portion of the Potomac was growing and its future well assured. The new residents retained their voting privileges in the States from which they came. The system so disappointing to the people of Alexandria continued to operate until 1874 when all rights of suffrage were abolished. The people were whipped down because they never had anything but the shell of political freedom from the time that Congress assumed its power granted by the Constitution of exclusive legislation in the district occupied as a seat of government. Different systems of government had failed; charges of financial irregularities, investigation upon investigation, the great debt piled up by the Territorial government and a fleeing governor made the setting right for the complete bondage imposed in 1874 and continued to date.

When political darkness settled upon the District of Columbia, the total population did not exceed 150,000—approximately two-thirds white and one-third colored.

Twelve years before 1874 African slavery was abolished in the District of Columbia by an act of Congress approved April 16, 1862, which provided among other things "that all persons held to service or labor within the District of Columbia by reason of African descent are hereby discharged and freed of and from all claim to such service or labor; and from and after the passage of this act neither slavery nor involuntary servitude, except for crime, whereof the party shall be duly convicted, shall hereafter exist in said District."

The citizens of the District of Columbia ceased to vote for the President of the United States and other national officers after the first Monday in December 1800 and in municipal matters after June 20, 1874. A complete state of vassalage has, therefore, existed for 82 years and involuntary servitude exists at the seat of government.

I cannot conceive that we of this generation are less patriotic than the former residents of the District on the Virginia side of the Potomac and we could well adopt their language in the year of 1956, "Regardless of the evils we should be willing to continue in this state of vassalage, and sacrifice ourselves for the good of our country, could we perceive any substantial benefit resulting therefrom to the rest of the Union."

Some of us are more interested in the welfare of the Union than we are in ourselves. We know that on the first Monday of December 1800 the District of Columbia became vested in the Congress and Government of the United States according to the impressive words of the act of cession in full and absolute right and exclusive jurisdiction as well of soil as of persons residing or to reside therein.

We agreed with Madison's comments on section 8 of article 1 of the Constitution: "The indispensable necessity of complete authority at the seat of government carries its own evidence with it. It is a power exercised by every legislature of the Union, I might say of the world, by virtue of its general supremacy. Without it not only the public authority might be insulted and its proceedings be interrupted with impunity, but a dependence of the members of the General Government on the State comprehending the seat of government, for protection in the exercise of their duty, might bring on the national councils an imputation of awe or influence, equally dishonorable to the Government and dissatisfactory to the other members of the confederacy."

We agree with Justice Taft who said in (75 Fed. 742):

"It was meet that so powerful a sovereignty should have a local habitation of a character of which it might absolutely control and the Government of which it should not share with the States in whose territory it exercised but a limited sovereignty, supreme, it is true, in cases where it could be exercised at all, but much restricted in its field of operation. The object of the grant of exclusive legislation over the district was, therefore, national in the highest sense, and the city organized under the grant became the city, not of a State, not of a district, but of a nation."

We agree with Justice Sutherland when in 1933, in the case of *William Hitt* v. *The United States*, he said:

"The District is not an 'ephemeral' subdivision of the 'outlying dominion of the United States' but the Capital—the very heart of the Union itself, to be maintained as the permanent-abiding place of all its supreme departments and within which the immense powers of the General Government were to be exercised for the great and expanding population of 48 States, and for a future immeasurable beyond the prophetic vision of those who designed and created it."

Yes. We agree with these broad concepts—Washington the Heart of the Nation, Washington the Capital of the Nation, Washington the city of the Nation. If we have to suffer political bondage for this broad concept, then let us suffer.

Let others speak of our growth, our power, our influence, our wealth, our great contributions to general welfare, our war sacrifices and our great financial contributions. I speak for the dignity of man, for rights of American citizenship so well calculated to elevate and dignify the human character. All about me are men and women, residents of the District of Columbia, who maintain their political rights and privileges in the States from which they came. My office and all the offices of Government are filled with men and women who are free to cast

their ballots, but I, a native, and many like me are in a degraded political condition—we must remain in bondage or move from the place of our birth. There just isn't any sense to it.

When will this blot on American democracy be removed? When will Congress pass the resolution to submit to the States a constitutional amendment giving the people of the District of Columbia representative seats in the Senate and the House and a right to vote in the election of the President and Vice President, thereby releasing us from bondage too long suffered?

Let those who say they sincerely believe in the principles of a democracy look with satisfaction, if they can, upon our unfortunate political status.

While they speak of money and our obedience to national laws, let them refer to the fact that we have no part in making the laws and no voice in the councils which determine war or peace. Our function is merely to obey.

I express the hope that they might also touch upon the fact that from March 1, 1940, to July 31, 1946, 66,000 men and 2,361 women served in the Army; 29,376 men and 837 women served in the Navy; and 4,146 men and 328 women served in the Marine Corps. They might also refer to the fact that during this same period of time, 3,740 gave their lives for their country. They might also picture the heads bowed in shame when the absentee ballots were passed around on foreign fields to buddies who enjoyed full rights of American citizenship. Let other speak of these things—I merely refer to the dignity of man.

I know of no man more profoundly interested in District affairs than the distinguished gentleman from Maryland, Senator J. GLENN BEALL. He has introduced a joint resolution proposing an amendment to the Constitution to provide that the people of the District of Columbia shall be entitled to vote in presidential elections. Similar action has been taken on the House side by the very capable and distinguished Representative from Maryland, Congressman DEWITT S. HYDE. Here then is a project for you—political freedom for District natives.

OPENING OF FEDERALLY CONTROLLED LAND TO MINING CLAIMS

Mr. NEUBERGER. Mr. President, during the 84th Congress, legislation was enacted for the ostensible purpose of fostering mineral exploration and mining in some 7 million acres of public land, previously closed because of power site withdrawals. A bill (S. 1004) has been introduced in the present session to extend the 1955 act to include reclamation reservoir site withdrawals. This would add some 8 million acres more to the federally controlled land which would be opened to mining claims.

The original purpose of the act, Public Law 359, evidently had considerable merit. But, on the basis of information gathered by Mr. Sam B. Armstrong, national correspondent of the St. Louis Post-Dispatch, and printed in that newspaper recently, considerable doubt exists as to whether the administration of the act has been entirely in the public interest.

According to the articles, it has been possible for one individual to accumulate mining claims covering more than 28,000 acres of the public domain. Such concentration of control of mineral resources of public lands in the hands of a single person does not contribute to mineral development, in my opinion. This situation indicates a need for limiting the size and number of claims held by a single individual, or groups of individuals and companies. The act was aimed at stimulating mining activity, but there is nothing to indicate that acquisition of claims covering vast areas of the public domain, through the filing of multiple claim notices, has done anything more than foster speculation. I do not think that public land should become a pawn for the exclusive financial benefit of speculators.

The lands which have been opened to mining through the 1955 act include vast timbered areas and watersheds administered by the Forest Service and the Bureau of Land Management. Much of this land was withdrawn originally from public entry so as to protect it from possible commercial encroachment. This was done in recognition of the fact that the forested slopes have unique values, aside from whatever minerals might lie below the surface, and required special protection. Forests on much of the withdrawn land, and the streams and rivers which drain it, serve important functions as wildlife habitat and as spawning areas for migratory fish. Indeed, Mr. President, officials of the Fish and Wildlife Service have expressed some concern over the effects of some of the mining claims which recently have been filed under the 1955 act. Some of the claims filed in the State of Idaho are in the vicinity of Bear Valley Creek, one of the main tributaries of the middle fork of the Salmon River. It is feared that dredging operations in this area will prove detrimental to the salmon and steelhead which spawn in the area. As Mr. Armstrong points out in his thorough-going investigation of the subject, one group of Idaho claimants has gained control of 6,597 acres in this district. The Salmon is our country's greatest watershed for propagation of spring Chinook salmon.

Mr. President, the articles written by Mr. Armstrong raise serious questions as to the wisdom of the policy which has opened vast stretches of the public domain to mining. I hope that it will be possible for an appropriate subcommittee of the Senate Interior and Insular Affairs Committee to further study the implications of the 1955 act and its effects on important natural resource values. I ask unanimous consent to have printed in the RECORD Mr. Armstrong's well-documented articles which appeared in the St. Louis Post-Dispatch on June 16, 1957, and June 18, 1957.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch of June 16, 1957]

PROMOTERS, POLITICIANS GRAB UTAH URANIUM SITES ON PUBLIC LAND—EXTENSION OF LAW QUIETLY PASSED IN 1955 NOW IS SOUGHT—BILL BEFORE SENATE COMMITTEE WOULD OPEN MILLIONS OF ACRES TO EXPLOITATION—GETS LITTLE NOTICE

(By Sam B. Armstrong)

WASHINGTON, June 15.—A bill opening millions of acres of the public domain to mining exploration and promotion by speculators, awaiting action by the Senate Interior and Insular Affairs Committee, would extend provisions of Public Law 359, quietly enacted in 1955, under which promoters and lawyer politicians were able to grab choice claims in the Utah uranium area.

Few besides the swivelchair prospectors knew about Public Law 359 when it was approved August 11, 1955, and it appears that Senate bill 1004, now in committee, has attracted equally slight attention.

Public Law 359 opened to mining 7,200,000 acres of public land, most of which had been withdrawn more than 45 years ago during the Theodore Roosevelt administration and reserved for possible future use as power sites.

EIGHT MILLION FOUR HUNDRED AND SEVENTY-SIX THOUSAND ONE HUNDRED AND EIGHT MORE ACRES

Senate bill 1004 would add to this total 8,476,108 acres of public land that, as of last December 31, had been withdrawn or reserved for reclamation reservoir sites.

Inquiry by the Post-Dispatch disclosed that one young lawyer-politician had pounced on 28,240 acres or 20 percent of the total of 139,851 acres in claims filed in Utah up to last December 1.

Another young Salt Lake City lawyer, a distant relative of Gov. George Dewey Clyde who recently appointed him to the Utah State Land Board, with his law partner and other associates filed claims on about 10,000 acres in Utah and 200 acres in Arizona.

In Idaho, claims covering 6,597 acres had been filed and one group, with some slight variations in its membership as to some claims, held 5,797 acres or 87 percent. This group, which included a locally active politician and former office holder, is active in its support of Senate bill 1004.

In contrast to the Idaho claim filers, who long have been active in the mining field, most of the Utah acreage covered by claims is tied up by speculators. The result has been that bona fide prospectors, hailed by the Atomic Energy Commission as the mainstay of its uranium-procurement program, have been excluded from these first-choice sites.

HANDSOME AEC BONUSES

In urging the enactment of Public Law 359, the Atomic Energy Commission, which is still offering handsome discovery bonuses and guaranteeing the price of ore, had said:

"The domestic uranium-procurement program of the Atomic Energy Commission depends to a great extent on the discovery and development of private individuals operating under the mining laws. As the proposed act would open up new areas for private development of uranium deposits, we believe it would be in aid of our program of acquiring valuable uranium."

No lode claim may exceed 1,500 by 600 feet, or about 20 acres. No placer claim may exceed 20 acres, but an association of as many as eight persons may act jointly to locate a placer claim as large as 160 acres.

There is, however, under present archaic mining laws, no limit on the number of claims that an individual may locate.

Bills similar to Public Law 359 had passed the House at three previous sessions of Congress only to fail of passage in the Senate.

In the 84th Congress, Chairman CLAIR ENGLE (Democrat, of California), of the House Interior and Insular Affairs Committee, again introduced the measure, explaining that "large deposits of uranium are believed to exist in several areas set aside for power sites," and referred to the AEC approval. He pointed out that, under the bill, the Government retained its right to use the land for power sites and that the miner developed any claim at his own financial hazard, having no recourse if the land later were taken for power use.

BACKED BY FPC CHAIRMAN

Enactment was recommended in a letter to the committee from Chairman Jerome K.

Kuykendall, of the Federal Power Commission. True D. Morse, Under Secretary of Agriculture, wrote the committee that about 3,500,000 acres of national forests were in power withdrawal areas but that his department had no objection to the bill.

The Interior Department, which includes the Bureau of Land Management, had opposed the bill in the previous administration, but it wrote the Senate committee in 1955 that encouragement of mineral development in public-land areas was needed since the discovery of new sources of mineral wealth on the public domain is urgent to the national economy. It recommended enactment of the bill if amended to tighten up regulation of placer-claim operations.

The bill was accordingly amended over the objection of Chairman ENGLE who took the position that it was inappropriate to attempt to regulate placer mining in that bill. He accepted the amendments which authorized the Interior Department to call hearings to determine whether hydraulic mining would interfere with other uses of the land, including possible future use as a power site, and to require the operator of a placer mine to put up a bond to insure restoration of the surface if this were found desirable.

Public Law 359 provided that the locator of a placer claim must wait 60 days after filing before beginning operation of the claim. This was to give the Interior Department time to determine whether a hearing should be held or a bond for surface restoration should be required. No notice of such hearings has been served on the holders of the Idaho claims. Likewise, no such action has been taken under Public Law 359 with reference to placer claims in Utah, where lode claims predominate.

BENSON FOR AMENDMENTS

As to Senate bill 1004, Secretary of Agriculture Ezra Taft Benson wrote the Interior Committee late last month that his department has no objection to the enactment of S. 1004, but suggested minor clarifying amendments.

He pointed out that about 1,500,000 acres of national forest land had been withdrawn for reclamation reservoir sites by the Secretary of the Interior and expressed the opinion that "it would appear to be primarily the responsibility of that department to determine whether the provisions of S. 1004 would be consistent with the development and administration of reclamation reservoir sites."

Continuing his analysis of the pending bill, Benson observed that, since one section would affect prospective licensees of the Federal Power Commission, "it would appear to be primarily the responsibility of the Federal Power Commission to express an opinion on the merits of this provision."

Chairman Kuykendall of the Federal Power Commission likewise passed the buck to the Interior Department.

"Since this bill relates primarily to water resources activities for which this agency is not directly responsible" he wrote the Senate Interior Committee, "the Commission believes it would be inappropriate to express an opinion with respect to the merits of the proposed legislation."

AMUSING FOOTNOTE

Kuykendall did include a footnote which is amusing in the light of the results of the Post-Dispatch investigation of the operation of Public Law 359 in Utah.

"The experience of the Commission in the administration of the 1955 act, insofar as lands withdrawn or reserved for power purposes are concerned," the footnote said, "indicates that all public interests are being adequately protected under the provisions of that act consistent with more efficient administration of those lands."

The Interior Department has not filed a report on S. 1004 with the Senate Interior Committee.

The bill was introduced last February 1 by Senator HENRY C. DWORSHAK (Republican, Idaho). Senator FRANK A. BARRETT (Republican, Wyoming), joined as a sponsor.

William H. Langroise of Boise, Idaho, a former assistant district attorney for Idaho, whose law office was given as the address for members of the group which filed most of the Idaho claims under Public Law 359, said that he had not taken part in drafting S. 1004, but that his clients actively supported it.

OTHER STRATEGIC MINERALS

Passage of the bill would enable them to greatly expand the 5,797 acres in claims they now hold and some of the land withdrawn for reclamation reservoir use is nearby. While it may be possible to recover some small amounts of uranium from their operations, the principal mineral value lies in monazite, columbium, and titanium which are of strategic importance.

Bear Valley, in Valley County, Idaho, where most of the claims in that State are filed, is said to have what possibly may be the largest deposits of columbium and tantalum in the United States.

Langroise's clients which he represented in the filing of their claims included Robert L. Wilson, chairman of the Democratic County Committee of Valley County, who has served at various times as sheriff, treasurer and assessor. Langroise is a Republican.

This group also is opposing efforts of the Interior Department's Fish and Wild Life Service to take over reclamation withdrawals along the upper Salmon River which are regarded by conservationists as important spawning grounds. A hearing has been set for September 19 and 20 at Boise. Cancellation of these reclamation withdrawals by administrative order has been proposed.

[From the St. Louis Post-Dispatch of June 18, 1957]

YOUNG ATTORNEY MOST ACTIVE IN GRABBING UTAH URANIUM SITES—ROD P. DIXON FILED FOR 28,240 ACRES IN 2 MONTHS—BONA FIDE PROSPECTORS FOUND CHOICE AREAS TAKEN

(By Sam B. Armstrong)

SALT LAKE CITY, June 17.—When Congress opened to mining exploration and development 7,200,000 acres of the public domain that had been reserved for power sites, the most active among the lawyer-politicians and promoters who moved into the bustling Utah uranium area was a 33-year-old attorney.

Five years out of law school, Rod P. Dixon lost no time in filing claims under Public Law 359 which was approved August 11, 1955. Within 2 months he had filed in the office of the Bureau of Land Management here notice of location on 1,424 lode claims of 20 acres each, or a total of 28,240 acres. This represented 20 percent of the 169,276 acres on which claims had been filed in Utah under the new law up to last December 1.

And when bona fide prospectors moved into southeastern Utah with their Geiger counters after belatedly hearing of the law which had been quietly passed, they found that the swivel-chair prospectors had staked claims to much of the most likely parts of the 816,472 newly opened acres in the State.

AEC PLEAS HEEDED

Public Law 359 had been passed by the Eighty-fourth Congress after defeat in three previous sessions, largely on the plea of the Atomic Energy Commission that national safety and public welfare demanded increased uranium production and discovery of reserves. It said this depended upon the work of individual prospectors.

But the early birds acted in the hope that someone else would make a discovery on or near their claims or that a mining company would buy their interests or accept them for stock in the corporation which would carry on exploration and development.

Dixon, recalling the days when any claim—just any claim—would sell for $200, freely discussed his ventures. He said he did no lobbying and took no part in promoting passage of Public Law 359.

After Army service as a quartermaster corps second lieutenant, Dixon was graduated in 1947 with a business degree from the University of Utah where he was a member of honor societies in his junior and senior years. He then attended George Washington University in Washington where his wife taught school and he obtained his law degree in 1950.

SET UP OWN OFFICE

Returning to Salt Lake City, he entered the office of Senior & Senior, public land specialists, but after 2 years established his own office and became increasingly active in politics.

He said he was not related to Congressman HENRY ALDOUS DIXON of the First District, which includes the Utah uranium area, but that he was campaign manager for Utah's other Congressman, WILLIAM A. DAWSON of the Second District in 1952. He served as county organization chairman for the Young Republicans and was secretary of the Second Congressional District Republican Committee.

When Charles Steen struck it rich in 1952, Mitchell Melich, the only lawyer in Moab, Utah, which became the center of the uranium boom, found full-time employment with the new millionaire. This left Moab, which had reported a population of 1,274 in 1950, without a lawyer at a time when newly arrived prospectors were clamoring for an attorney to draft location notices for their claims and other documents. Dixon moved to Moab.

CROWD WAITING

"When we drove into town behind a truck carrying our office furniture," Dixon recalled, "there was a crowd waiting in the streets. They had heard a lawyer was coming and each wanted to be the first to have his legal work done. They pitched right in and carried the furniture off the truck and into the office. The first fee for drafting some papers was $50 and in the first year the office handled 600 cases."

Dixon did well in Moab. He was elected county attorney. And he began to develop his ideas about making money from the uranium boom without packing a Geiger counter over the barren desolate wastes.

In 1955 Dixon moved back to Salt Lake City and reopened his office there.

A friend in Blanding, Utah, Dixon related, agreed to stake out 400 claims in released power-site withdrawal areas for him for $4,000. The land, he explained, was in Utah near the Colorado River north of the Glen Canyon Dam site in northern Arizona. It is known as the Nokai Dome area.

NO LIMIT TO NUMBER

Lode claims such as these are restricted to a dimension of 1,500 by 600 feet, or a little more than 20 acres each, but there is no limit to the number of claims one person can file. Each claim must be marked by corner posts or monuments of stone, with another in the center, where a record of the name of the locator, the date of the claim, and its name and a description of its location must be deposited. This record usually is left in a tobacco can or a bottle. Within 60 days a notice of location must be filed in the office of the Federal Bureau of Land Management for the State in which the claim is situated.

Dixon's claims rapidly increased in number. He said he spent about $35,000 drilling, but that "formations were thicker than they should be" and uranium was not found in concentrations which would make it profitable after construction of necessary roads for transportation to a mill. He described his locations as being "farther from a paved road than any other point in the country."

STILL EXPECTS PROFITS

"I could have made $100,000 by selling outright at one time," Dixon recalled, "and once I had my claims optioned to some California people for $250,000."

The uranium boom slackened somewhat last year, but Dixon still expects his holdings to pay off.

The Glen Canyon Dam, he pointed out, would back water of the Colorado River up to the confluence of the Green River more than 100 miles, thus providing a means of cheap transportation.

"All of my claims are high," he said. "We didn't get any low stuff; it's all above the high-water level of the lake that will be formed. With conveyors carrying the ore to boats, it would be a cheap haul to mill. Uranium deposits that are not commercially profitable now will become so when the dam is completed, about 1964."

Although mining regulations require that no lode claim shall be located until after the discovery of a vein or lode, Dixon contends that court decisions have held that a claim may be filed before discovery, but that the man who made a discovery on a given claim would have a better right to it.

"A discovery on one claim in a thousand would make the other 999 more valuable," he said.

As a practical matter, if a prospector saw he was on a claim that had been staked he probably would prefer to invest his time and energies elsewhere rather than to risk loss of part of any find by lawsuit or settlement.

CAN'T MEET REQUIREMENT

Reminded that the mining laws also required $100 worth of labor or improvements on each claim during each assessment year, the first of which begins on the July 1 following location of the claim, Dixon, remarking that he had filed a total of 4,500 claims, including those under Public Law 359, explained somewhat scornfully:

"Of course I can't do $450,000 worth of assessment work each year. That's what's due next July 1. But that doesn't mean that I lose the claims. Someone else has to come in and refile on a claim and then it's a matter for the courts to decide.

"I'm not worried about that a bit. In the first place, those claims are located by metes and bounds in a country that hasn't been surveyed and no one else could find them. It's the long range picture I'm interested in."

Records at the Bureau of Land Management here show that only one claimant among those who filed under Public Law 359 has recorded statements that assessment work for the first year has been done. Last February 11, the Ohio Uranium & Mining Co., which did not locate its claim until November 30, 1955, filed its proof of labor on 6 tracts which was not due until next July 1.

Others who went after claims on formerly reserved powersite lands included Edward W. Clyde, Salt Lake City lawyer and a relative of Gov. George D. Clyde. Governor Clyde recently appointed the attorney to membership on the Utah State Land Board which is responsible for selection, disposition and administration of State lands and also invests and manages funds received from disposition of State lands.

Edward Clyde and associates, including his law partner, Elliot L. Pratt, filed 499 claims for a total of 9,974 acres in Kane County which adjoins San Juan County. They also have 220 acres in adjacent Coconino County, Ariz.

Another group of early birds was George Patee, C. L. Anderson, and Vito Minagliatta of Moab, who filed on 2,249 acres of placer mining claims. Their claims are being contested under the general mining laws by the Bureau of Land Management at Salt Lake City.

It is contended that while claimed as a mineral source, the property does not contain gold or other minerals in paying quantities and that the real purpose is to profit from byproduct gravel which has a ready market for construction work near Moab. Dixon is counsel for the group.

The address of Dixon's law office is given as that of Ralph Wilderson who filed on 700 acres and Payne Uranium Corp., which has claims on 5,180 acres.

COLORADO PROMOTER'S ACTION

Within 10 days after Public Law 359 became effective, William Hurley, Grand Junction, Colo., promoter, had located 302 lode claims covering 6,040 acres in San Juan County, Utah.

The identity of many who have filed claims is guarded by their use of a post office box for an address.

R. W. Werner filed on 292 claims for 5,840 acres in Kane County, Utah. The Bureau of Land Management at Salt Lake City, noting it had no address of any kind for Werner, wrote Walter Wood of Cortez, Colo., whose name and address appeared as notary when Werner signed the notices of location. Wood replied that Werner's address was post office Box 1005, St. Louis, Mo.

Although no important discoveries have been reported yet on the land opened by Public Law 350, critics say that is another argument against permitting unlimited filing of claims and the indifferent enforcement of mining laws, permitting speculators to profit at the expense of bona fide prospectors and the national safety and welfare.

SENATE BILL PENDING

As has been told, Senate bill 1004, which would open to mining an additional 8,476,108 acres of public land now withdrawn for reclamation reservoir sites, now is pending in the Senate Interior and Insular Affairs Committee at Washington.

Uranium prospecting is not like searching for oil where producing sands can be pretty well mapped out. It differs from gold, where the direction and thickness of a vein can be figured with some degree of accuracy. Uranium requires painstaking exploration for it and usually is found in pockets or pods, like raisins in a loaf of bread. Atlas Corp., which paid Vernon Pick $9 million for his claims in 1954, expecting to take out $50 million worth of ore, found that it had petered out after it had recovered something more than $2 million.

A foot of earth can insulate uranium ore from the magic of the Geiger counter and a hole may go to 900 feet before uranium in paying concentrations is found. Drilling costs $3 to $4 a foot depending upon terrain, formations, and depth required. Some surface ore has been found and good commercial deposits have been located within 50 feet of the surface.

ORDER OF BUSINESS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may have the privilege to speak for not more than 7 minutes on a matter I have before me.

The PRESIDING OFFICER. Is there objection? Hearing none——

Mr. SPARKMAN. Mr. President, reserving the right to object, and, of course, I do not intend to object, I wish to inform the Senator that I have an appointment I must keep. I wonder if the Senator would be willing to allow me to make an insertion in the RECORD first?

Mr. HUMPHREY. I saw some rather excited activity on the other side of the aisle. There may be an objection from my good friend, the minority leader, but I hope not for long.

Mr. KNOWLAND. Mr. President, I certainly would not want to object, because it is a reasonable request, but I see a number of other Senators who desire to make insertions in the RECORD.

Mr. HUMPHREY. I shall wait for a few minutes.

THE SENATE DISARMAMENT SUBCOMMITTEE

Mr. SPARKMAN. Mr. President, the current June issue of the Bulletin of Atomic Scientists contains an article by Mr. Jerome H. Spingarn on the work of the Senate Disarmament Subcommittee. The article is entitled "The Humphrey Subcommittee: Was It Worth While?"

Mr. Spingarn has provided his readers with an excellent survey of the subcommittee's work. I ask unanimous consent that the text of his article be printed at this point in the RECORD and appropriately referred.

There being no objection, the article was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

THE HUMPHREY SUBCOMMITTEE: WAS IT WORTH WHILE?

(By Jerome H. Spingarn)[1]

The Subcommittee on Disarmament of the Senate Foreign Relations Committee, chaired by Senator HUBERT HUMPHREY, Democrat, of Minnesota, has had an important impact upon Government decisions for two reasons: It has performed a "watchdog" function which resulted in a considerably more serious approach to arms control within the executive branch than might otherwise have been the case, and it has implanted an understanding and knowledge of the subject among a small group of Senators who serve on the three Senate committees concerned with the problem.

I

Disarmament has been a lofty and abstract sentiment which produced some extremely popular oratory for Chief Executives. But Presidential addresses on the subject were subjected to very little critical analysis in the press and to none at all in the Congress, and were never taken seriously by foreign-policy experts and informed commentators. Peace groups and church organizations applauded them warmly, and there the matter stood.

What the Humphrey subcommittee accomplished, in the 2 years since it was created, was to snatch the subject down from the clouds, and to bring the Congress, the press, and the public, face to face with the technological environment that surrounds the problem of arms reduction and arms control in the year 1957.

In addition, the very existence of Congressional surveillance frequently serves to produce more energetic executive action. It has a potential power to expose, to embarrass, to goad, and sometimes to reward, to assist, and to run interference. It is hard to speculate on how great an effect of this sort was exercised by the Humphrey subcommittee. While Senator HUMPHREY is often hard-hitting and frequently partisan, the record indicates that he approached this subject with humility, nonpartisanship, and a determination not to break the "crockery." He was determined from the outset to issue all committee reports unanimously, and opined that disarmament had not begun to reach the

[1] Jerome H. Springarn is visiting professor at Fairleigh Dickinson University, Washington lawyer, and a frequent contributor to national magazines.

point where it could form the subject of partisan senatorial debate.

But, according to close observers, the very acquisition of this new jurisdiction by Senator HUMPHREY was always a source of considerable irritation to Presidential Assistant Harold Stassen. This was a tragedy, because in the opinion of those closest to him, Stassen approached his job with zeal and intelligence, and could undoubtedly have accomplished more if he had better working relationships in the Congress, or if he had availed himself of HUMPHREY'S willingness to assist him. Nevertheless, the committee did serve to generate new executive approaches and to inspire action on the part of the Stassen office.

While it is hard to ascribe a cause-and-effect relationship, it is generally understood that the sentiment recurrently expressed at hearings by subcommittee members, in favor of a limited testing zone for aerial inspection, had a great deal to do with Governor Stassen's interest in the creation of such a zone, an idea which is far from dead even though it has received rebuffs from other departments of Government.

Recently, in an article in the New Republic, Senator HUMPHREY called attention to the fact that the U. N. Disarmament Subcommittee had, since its inception several years ago, conducted its discussions on a catch-as-catch-can basis, without a formal agenda, and suggested that an agenda might serve to aid negotiations in the future. Shortly thereafter, when the meetings opened in March 1957, a seven-point agenda was adopted by the subcommittee at the instance of Governor Stassen. Observers agreed that this was a valuable improvement in procedures.

The interest of Adlai Stevenson in a ban on nuclear tests has been traced to the testimony before the subcommittee by Atomic Energy Commissioner Thomas E. Murray. Stevenson's first speech on the subject was made very shortly after Murray's testimony, and followed Murray's reasoning closely.

In spite of the rather blank response which Stevenson's ideas drew from the electorate, his position has made a considerable impression on several Democrats in Congress. HUMPHREY asked about radiation hazards at several hearings, and provided a forum for a good deal of discussion of the problem. Indeed, the Joint Committee on Atomic Energy is now exploring the problem in considerable detail, largely as a result of HUMPHREY'S initiative, which included a public letter suggesting the urgency of a thorough investigation.

Senator HUMPHREY also repeatedly asked why it would not be just as effective to set up an inspection system simultaneously with arms cuts, and helped the administration to realize that the insistence upon setting up a full-blown inspection mechanism in working order before the beginning of any type of arms cuts, was becoming a King Charles' head.

HUMPHREY'S persistence in asking about political settlements strengthened Stassen's hand in demanding authority to discuss certain political matters in Disarmament Commission meetings. Unfortunately, this was never granted, but the necessity for it is becoming increasingly recognized. The testimony of George Kennan made it clear that any broad-scale disarmament program was in itself a political settlement and, also, that some of the most feasible immediate approaches were very much involved with political matters.

* * * * *

II

In many ways, the outstanding testimony before the subcommittee was given by Secretary of State Dulles. Dulles obviously came to the hearing without briefing himself too closely on the current position of his Department. He had, however, in the years before becoming Secretary of State, given considerable thought to the problem of long-range peace plans and disarmament, and permitted himself to relax and think out loud. The young men from the State Department who accompanied him listened with open mouths, and a large number of transcripts were ordered immediately afterward by the Department for internal circulation, because he composed policy as he went along. The hearing was a very cordial one, and it was interesting to note that the Senators of the opposition party respected his honesty and did not attempt to take advantage of his candor.

In effect, Secretary Dulles made clear that any arms agreement would sooner or later have to include Communist China. Mr. Dulles also made it clear that political settlements must go hand in hand with arms reductions. With reference to Germany, for example, he said that a settlement "would not be practical without at least a partial settlement of the armament problem, notably in relation to Europe."

Mr. Dulles also, in response to questions from Senator HICKENLOOPER, indicated that the sound approach to disarmament should eventually involve the building up of a United Nations force which would be superior to any possible aggressor force. An ideal arrangement, he said, would be to have in some such body as the United Nations, a dependable force which would be greater than the force of any single member state; in other words, to extend to the society of nations the principle which is, broadly speaking, applied to maintain peace and order within a national society. However, he pointed out that involved certain supernational aspects and also the question of renouncing the veto power and, therefore, regarded it as not a goal which can be practically attainable within any foreseeable period. For the immediate future, therefore, he pointed out that it is necessary to have collective forces which, when brought together, would be superior to the forces of an aggressor. The candor and imagination which the Secretary displayed at that hearing has not, in the intervening 16 months, however, produced appreciable change in the Department's positions.

In selecting highlights from the testimony of other witnesses for this necessarily brief report, emphasis will be placed upon those who made the strongest impression upon the committee members, as revealed by their public or private remarks on subsequent occasions.

Some of the impact of Commissioner Thomas E. Murray's testimony has already been alluded to. A tally of newspaper reports of committee hearings indicated that Murray's testimony received wider press attention than that of any other witness. In subsequent hearings, a large number of witnesses associated themselves with his suggestions that policies be adapted to set our nuclear weapons program "on a basis more in conformity with the realities of present-day international life."

Murray's argument can be summarized as follows: Wars in the future will be nuclear wars. This does not mean that they need be all-out nuclear wars. All-out nuclear war is no more acceptable than murder or suicide. It would be fatal to permit ourselves to drift into the habit of thinking about nuclear war only in all-out terms. A limited nuclear war is a possibility that our consciences can face and accept. In the different kinds of limited war that might confront us, certain types of nuclear weapons have a genuine military usefulness. It would therefore be wrong on our part to deprive ourselves of these weapons. Our stockpile should include only weapons that are useful in war. Moreover, it should include only weapons that we can legitimately use. It is time we stopped to take a hard look at this concept of "deterrence" and at the complementary concept, more recently added, the "balance of terror," which is too easily upset. It is at the mercy of miscalculation. Such a balance may even put a premium on moral cynicism. Rational armament therefore should include the making and stockpiling only of such weapons as are demonstrably useful for the purpose of actual warfare.

Murray suggested that an upper limit be set on the size of thermonuclear bombs to be placed in our stockpile, on the basis of moral principles and military usefulness. Tests of multimegaton thermonuclear weapons should be stopped, since the weapons we now have in hand are large enough. But tens of thousands of very small weapons are needed. Flexible strength requires the fuller development of the capability for limited military use of nuclear weapons for limited military objectives, according to the Commissioner.

The deeply religious tone of Commissioner Murray's testimony, and his emphasis on moral points won for it considerable attention among citizens' groups concerned with world peace.

Another witness whose testimony had considerable influence on the committee was Warren Weaver, vice president of the Rockefeller Foundation and chairman of the Committee on the Genetic Effects of Atomic Radiation of the National Academy of Sciences. Weaver's testimony challenged the complacency with which the report of the academy has been interpreted by the administration. While he carefully eschewed sensationalism or alarmism, and did not quarrel with the precise language of the report, he made it abundantly clear that the net effect of continued explosions would necessarily be disadvantageous to the genetic structure of the human race. Probably the serious interest of subcommittee members in proposals to end tests was greatly heightened by the Weaver testimony.

John C. Eliot, a former Director of the Office of Munitions Control of the Department of State, discussed techniques of munitions control developed under the Neutrality Act as possible guideposts in general armaments control. Although he conceded that the development of guided missiles and thermonuclear weapons has made the problem of control and reduction of armaments more difficult, he said that the Government need not content itself with atomic stalemate. On the basis of his experience, he suggested that it would be fruitful to continue the search on political, military, and scientific fronts for some formula for eliminating or controlling weapons. He felt that our proposals for disarmament, while sound and sincere, were insufficiently broad to excite the imaginations of peoples and thereby to pressure the Soviets into a workable disarmament agreement with adequate inspection. He urged a U. N. study on the effect of arms traffic to disturbed areas of the world. His testimony elicited sympathetic comment from Senator Humphrey and helped bring the inspection problem into focus.

The testimony of Dr. Albert G. Hill, vice president of the Institute for Defense Analysis and director of Research Weapons Systems Evaluation Group, was important because of his close association with the development of an early warning system for the United States Government. Dr. Hill pointed out that aerial inspection alone would be insufficient as a warning against surprise attack. He felt that any effective inspection must consist of both aerial and ground components. However, he commented that any inspection arrangement with the Soviet Union would probably be to our advantage today. Further, he stated that the mere agreement upon such a system would improve possibilities for the beginning of phased disarmament.

The committee members gave considerable thought to the testimony by one of their colleagues, Senator RALPH FLANDERS of Vermont. Senator FLANDERS has long been a passionate advocate of disarmament. In

1953, he was coauthor of a disarmament resolution which was unanimously passed by the Senate. He appeared before the subcommittee accompanied by a Reserve Air Force officer with considerable credentials in both arms and arms control, Col. Richard S. Leghorn, now of the Eastman Kodak Co. Flanders and Leghorn pointed out that we have already passed the point of no return on many types of arms inspection and control. They warned that we were approaching one of the most serious of these points with the forthcoming development of the intercontinental ballistic missile. They urged that the United States immediately propose an agreement with the Soviet Union which would effectively prevent the perfection of these missiles. This could be done, they said, by agreeing not to test the missiles. They stated that the missiles developed in the laboratory and on the drawing board would not be useful in warfare without the developmental improvements which would result from actual test firings. While there would be no way to detect laboratory work, it would be possible to detect test firings through properly emplaced radar posts.

The Flanders-Leghorn proposal was discussed by the subcommittee in the course of appearances of many other witnesses. Many of them, including Dr. Albert Hill, agreed that radar could be effective in detecting these tests. However, one important political question, raised by Senator SYMINGTON, remained unanswered: The question of how the nations of western Europe, already threatened by lesser range missiles, would take to the urgent insistence of the United States that work be stopped on the one weapon which might effectively reach the United States.

Benjamin V. Cohen, who served for many years as United States representative on the United Nations Disarmament Commission, pointed out that: "Drastic and general disarmament presents less difficulty in respect to policing and inspection than limited and partial disarmament * * * drastic and general disarmament coupled with the transfer of a reserve of armaments to U. N. authorities would further impair the decisive importance of any secreted armaments which might escape detection. * * * Law enforcement in the international field, like law enforcement in the domestic field, depends not on a vast accumulation of arms in the possession of the peace officers, but on a rigid limitation of arms in the possession of organized groups not responsible or responsive to the peace officer."

Cohen supported the State Department position that one of the chief sanctions in any disarmament treaty should be the right to withdraw from a disarmament agreement. Such a right, Cohen thought, might encourage progress which would otherwise be impossible.

While advocating a complete and comprehensive plan, Cohen also supported immediate proposals for partial disarmament. He said there are two areas in which proposals could be made which would contribute significantly toward progress in disarmament. The first area covers measures which would tend to arrest or slow down the armaments race without materially affecting the present balance of power, and the breach of which measures would be self-detectable. The second area is the combining of political settlement and disarmament for reasons about which international conflict and tension center.

Specifically, Cohen urged certain immediate steps: (1) The reporting of all or defined nuclear tests and of all or defined ballistic missile tests to the extent necessary to insure minimum safety and health; (2) the banning of nuclear tests with defined widespread radioactive effects and of tests of long-range ballistic missiles; (3) the control of future production of fissionable materials; (4) aerial inspection and exchange of blueprints of military installations; (5) ground inspection control posts at designated points; (6) the establishment of a world network of radar and other monitoring devices.

Many other witnesses made notable impressions. At Cambridge, Mass., a group of university scholars presented fascinating discussions of major problems. This tour de force, which was arranged by Associate Dean David Cavers, of the Harvard Law School, was, in some respects, the outstanding Congressional hearing of the year, and the chairman alluded to it frequently in later months. An idea presented in the hearing by Duncan MacDonald, dean of the graduate school of Boston University, received particularly close attention: that the effectiveness of inspection measures be tested by aerial inspection conducted between friendly powers.

David Inglis, of the Argonne National Laboratory, made a particularly strong impression on some members of the committee when he stressed the need for a vastly increased budget for a Government agency working on peace problems. Considerable emphasis was also placed by several witnesses upon the need for preparation for the economic reconversion which would be necessitated by serious efforts in the direction of arms cuts.

III

As this is written, the Humphrey subcommittee has not finished its work. Two major questions remain unanswered:

What will it say in its final report? One speculates that it will not be controversial in character because of a generally understood determination on the part of the chairman that the report be unanimously adopted. This means, in effect, that the report will be the least common denominator of the opinions of the committee members. This is not necessarily to be regretted—it would be difficult for the committee to take original and creative positions on matters which involve so many complex and technical factors. But one also suspects that if the committee members fail to agree on some basic assumptions, such as the urgency of disarmament and the inadequacy of mutual deterrents as a permanent safeguard to security, there will be majority and minority reports.

Will there be a permanent unit working in this field? Scholars and commentators who take the disarmament problem seriously feel that the subcommittee has accomplished a great deal, and hope to see its life extended. If this is impossible, they would like to see a special committee established to continue its work.

The major contribution of the subcommittee is that it has taken disarmament down from the pie-in-the-sky category and made it a matter of current legislative business. It has made newspapers, magazines, radio, and TV commentators, legislators and bureaucrats, take seriously the problem of control and reduction of armaments. It has forced some consideration of long-range policy upon a capital which is enormously preoccupied with this morning's crisis and tonight's deadline. Such interest and concern in arms control is vital if intelligent and successful policies are to be evolved.

It would be tragic if this effort is not permitted to continue, either through an extension of the life of the subcommittee or through the creation of a new special committee which could take up where the Humphrey subcommittee leaves off.

EXTENSION OF AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, which was to strike out all after the enacting clause and insert:

That the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended as follows:

(1) Sections 109 and 204 of such act are amended by striking out "1957" and substituting in lieu thereof "1958."

(2) Section 103 (b) of such act is amended by striking out "$3,000,000,000" and inserting in lieu thereof "$4,000,000,000."

(3) In the first proviso contained in section 104, after the words "subsection (f)" and before the word "and" insert: "and for financing international educational exchange activities under subsection (h) and for financing the translation, publication, and distribution of books and periodicals under subsection (i)."

(4) Section 203 of such act is amended by striking out "$500,000,000" and inserting in lieu thereof "$800,000,000."

(5) Section 104 (e) of such act is amended by striking out the semicolon at the end thereof and adding a comma and the following: "for which purposes not more than 25 percent of the currencies received pursuant to each such agreement shall be available through and under the procedures established by the Export-Import Bank for loans mutually agreeable to said bank and the country with which the agreement is made to United States business firms and branches, subsidiaries, or affiliates of such firms for business development and trade expansion in such countries and for the establishment of facilities for aiding in the utilization, distribution, or otherwise increasing the consumption of, and markets for, United States agricultural products: *Provided, however,* That no such loans shall be made for the manufacture of any products to be exported to the United States in competition with products produced in the United States. Foreign currencies may be accepted in repayment of such loans."

(6) Within 60 days after any agreement is entered into for the use of any foreign currencies, a full report thereon shall be made to the Senate and the House of Representatives of the United States and to the Committees on Agriculture and Appropriations thereof.

(7) Section 210 of the Agricultural Act of 1956, Public Law 540, 84th Congress (70 Stat. 202), is amended (1) by inserting after the word "State" the words "and local penal and," and (2) by striking out "for minors."

Mr. ELLENDER. Mr. President, I move that the Senate disagree to the amendment of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. HOLLAND, Mr. EASTLAND, Mr. HUMPHREY, Mr. AIKEN, Mr. YOUNG, Mr. THYE, and Mr. HICKENLOOPER conferees on the part of the Senate.

Mr. ELLENDER. Mr. President, I now move that H. R. 6974 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, H. R. 6974 is indefinitely postponed.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS — CONFERENCE REPORT

Mr. HILL. Mr. President, I submit a report of the committee of conference

on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6287) making appropriations for the Departments of Labor and Health, Education, and Welfare, for the fiscal year ending June 30, 1958, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of June 25, 1957, pp. 10375–10377, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HILL. Mr. President, this bill, H. R. 6287, making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, as it passed the Senate was for a total of $2,885,290,781, an increase of $38,459,200 over the House allowance, but $96,636,800 under the budget estimates.

The conference agreement as it has been agreed to in the House signed by all Senate Conferees provides for the appropriation of $2,871,182,781, a reduction of $14,108,800 from the Senate allowance, an increase of $24,350,400 over the House allowance, but $110,745,600 under the budget estimates and $13,676,200 under the 1957 appropriations.

I will make brief comment with respect to several of the amendments of particular interest to Senators.

The Senate position with respect to the availability of funds for the Federal portion of State and local administrative expenses of the public assistance programs was accepted and the funds will be available without limitation for this purpose.

The Senate approved $15 million for grants to States for public health activities of our local public health units, an increase of $3 million, in the item "Assistance to States, general" and the conferees accepted the Senate proposal.

The Senate had approved increases of $32,027,000 for the National Institutes of Health for medical research in the killing and crippling diseases. The committee of conference finally agreed upon a figure $21 million over the House. It should be stated that the conferees on the part of the Senate sought approval of a higher sum but our colleagues from the other body were adamant in opposition to anything additional.

The conferees were in general agreement with the allocation of the increases in the several accounts as follows:

For the National Cancer Institute, $9,500,000 over the House allowance, of which $6,400,000 is for contracts in the cancer chemotherapy program; $2,500,000 is for research grants; $250,000 is for training and fellowships, and $350,000 is for direct operations with particular emphasis on the work with germ-free animals. This provides a total appropriation of $56,402,000 for the National Cancer Institute.

For mental health activities, $4 million over the House allowance, of which $1,500,000 shall be used for research grants; $2 million for research training and fellowships; and $500,000 for direct operations particularly in the direct research at St. Elizabeths Hospital. This provides a total appropriation for "mental health activities" of $39,217,000.

For the National Heart Institute, $2,500,000 over the House allowance of which $1 million is for the extension of the program in aging, including a project underway in Baltimore; $1 million for research training and fellowships; and $500,000 for direct operations. This provides a total appropriation of $35,936,000 for the National Heart Institute.

For arthritis and metabolic disease activities, $2,500,000 over the House allowance, of which $1,500,000 is for research grants, including $500,000 for expanded work in gastroenterology with particular emphasis on peptic ulcer, ulcerative colitis, hepatitis, and ileitis; $650,000 for research training and fellowships; and $350,000 for direct operations. This provides a total appropriation of $20,385,000 for "Arthritis and metabolic disease activities."

For neurology and blindness activities, $2,500,000 over the House allowance, of which $1 million is for research grants including $500,000 for research in hearing disorders and $500,000 for expansion of the collaborative studies in perinatal diseases; $1,250,000 is for training and fellowships; and $250,000 is for direct operations. This provides a total appropriation of $21,387,000 for "Neurology and blindness activities."

The bill carries altogether a total of $211,183,000 in appropriations for medical research.

There is one item in the Department of Labor with respect to which the Senate conferees were unable to maintain the Senate's position—that of the transfer of funds from the highway trust fund for the administrative expenses of the Solicitor in making wage determinations on road construction projects in the Interstate System in accordance with the Davis-Bacon Act as provided in section 115 of the Federal-Aid Highway Act of 1956.

The House had provided $365,000 for this purpose to be derived by transfer from the trust fund—as is presently provided for the current year in the amount of $300,000—and the Senate had stricken out the transfer provision and had directed the Department to submit a supplemental estimate for appropriated funds not later than July 1, 1957.

The managers on the part of the House were insistent that these expenses were attributable to the Federal-aid highways and chargeable to the trust fund notwithstanding the position of the Senate that the Highway Revenue Act of 1956 did not authorize the use of the fund for such expenses. The Senate conferees were finally forced to yield and to agree to the provision of $200,000, rather than $365,000 as provided by the House, to be derived by transfer from the highway trust fund.

There was opposition to this amendment in the House yesterday when the conference report was being considered. A motion was made to recommit the bill to conference because of opposition to the amendment, but the motion was rejected by a vote of 73 to 321.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a table showing the results of the conference between the two Houses.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

	Appropriation 1957	Budget estimate 1958	House allowance	Senate allowance	Conference agreement
DEPARTMENT OF LABOR					
Office of the Secretary:					
Salaries and expenses	$1,775,000	$1,619,000	$1,480,000	$1,480,000	$1,480,000
Revolving fund		150,000			
Office of the Solicitor	2,021,000	2,263,000	2,021,000	2,191,000	2,121,000
Transfer from highway trust fund	[300,000]	[365,000]	[365,000]	None	[200,000]
Bureau of Labor Standards	911,500	1,167,000	985,000	985,000	985,000
Bureau of Veterans' Reemployment Rights	383,000	542,000	542,000	542,000	542,000
Bureau of Apprenticeship	3,399,000	3,946,000	3,600,000	3,600,000	3,600,000
Bureau of Employment Security:					
Salaries and expenses	5,558,000	6,358,000	5,558,000	725,000	125,000
Transfer from unemployment trust fund				[5,874,400]	[5,832,400]
Grants to States	250,000,000	270,000,000	249,814,000	260,000,000	259,814,000
Unemployment compensation for veterans	70,000,000	42,000,000	36,800,000	36,800,000	36,800,000
Unemployment compensation for Federal employees	25,000,000	32,000,000	25,000,000	25,000,000	25,000,000
Mexican farm labor program	2,125,000	2,683,000	2,236,200	2,500,000	2,250,000
Bureau of Employees' Compensation:					
Salaries and expenses	2,347,000	2,838,000	2,838,000	2,838,000	2,838,000
Employees' compensation fund	[50,000,000]	Indefinite	Indefinite	Indefinite	Indefinite
Bureau of Labor Statistics:					
Salaries and expenses	6,875,000	7,768,000	7,124,000	7,225,000	7,200,000
Women's Bureau	403,000	462,000	462,000	462,000	462,000
Wage and Hour Division	9,988,000	10,888,000	10,600,000	10,600,000	10,600,000
Total, Department of Labor	380,785,500	384,678,000	349,000,200	354,348,400	353,817,400

	Appropriation 1957	Budget estimate 1958	House allowance	Senate allowance	Conference agreement
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE					
American Printing House for the Blind	$230,000	$328,000	$328,000	$328,000	$328,000
Food and Drug Administration:					
Salaries and expenses	6,779,000	9,300,000	9,300,000	9,300,000	9,300,000
Certification and inspection services	[1,200,000]	[1,254,500]	[1,254,500]	[1,254,500]	[1,254,500]
Freedmen's Hospital	2,801,400	3,032,000	3,000,000	3,000,000	3,000,000
Gallaudet College:					
Salaries and expenses	615,000	730,000	730,000	730,000	730,000
Construction	2,547,000	1,690,000	1,690,000	1,690,000	1,690,000
Howard University:					
Salaries and expenses	3,300,000	4,000,000	3,800,000	3,800,000	3,800,000
Plans and specifications		150,000	150,000	150,000	150,000
Construction of buildings	100,000	262,000	262,000	262,000	262,000
Construction of buildings, liquidation of contract authority	286,200				
Office of Education:					
Promotion and further development of vocational education	31,442,081	33,750,081	33,442,081	33,750,081	33,750,081
Further endowment of colleges of agriculture and mechanic arts	2,501,500	2,501,500	2,501,500	2,501,500	2,501,500
Grants for library services	2,050,000	3,000,000	5,000,000	5,000,000	5,000,000
Payments to school districts	113,050,000	127,000,000	127,000,000	127,000,000	127,000,000
School construction	108,500,000	41,800,000	41,700,000	41,700,000	41,700,000
Salaries and expenses	5,270,000	7,500,000	7,000,000	7,000,000	7,000,000
President's Committee on Education Beyond the High School	150,000	300,000		200,000	50,000
Grants for State committees on education beyond the high school		650,000	N. C.	None	
Office of Vocational Rehabilitation:					
Grants to States and other agencies	39,500,000	45,100,000	45,100,000	45,100,000	45,100,000
Training and traineeships	2,950,000	4,400,000	4,400,000	4,400,000	4,400,000
Salaries and expenses	1,160,000	1,445,000	1,330,000	1,330,000	1,330,000
Public Health Service:					
Assistance to States, general	17,591,000	24,609,000	19,592,000	22,592,000	22,592,000
Grants and special studies, Alaska	1,170,000	2,165,000	2,165,000	2,165,000	2,165,000
Venereal diseases	4,195,000	4,415,000	4,415,000	4,415,000	4,415,000
Tuberculosis	6,660,000	7,000,000	7,000,000	7,000,000	7,000,000
Communicable diseases	5,750,000	6,260,000	6,200,000	6,250,000	6,250,000
Sanitary engineering activities	9,000,000	13,063,000	12,640,000	12,640,000	12,640,000
Grants for waste treatment works construction	50,000,000	50,000,000	50,000,000	45,000,000	45,000,000
Grants for hospital construction	125,000,000	121,200,000	121,200,000	121,200,000	121,200,000
Salaries and expenses, hospital construction services	1,381,000	1,450,000	1,450,000	1,450,000	1,450,000
Hospitals and medical care	40,195,000	44,399,000	44,399,000	44,399,000	44,399,000
Foreign quarantine service	3,315,000	4,026,000	3,876,000	3,876,000	3,876,000
Indian health activities	38,775,000	43,990,000	40,000,000	42,500,000	40,100,000
Construction of Indian health facilities	8,762,000	5,800,000	3,096,000	3,096,000	3,096,000
National Institutes of Health:					
General research and services	12,122,000	14,026,000	14,026,000	14,026,000	14,026,000
National Cancer Institute	48,432,000	46,902,000	46,902,000	58,543,000	56,402,000
Mental health activities	35,197,000	35,217,000	35,217,000	39,421,000	39,217,000
National Heart Institute	33,396,000	33,436,000	33,436,000	38,784,000	35,936,000
Dental health activities	6,026,000	6,430,000	6,430,000	6,430,000	6,430,000
Arthritis and metabolic disease activities	15,885,000	17,885,000	17,885,000	23,548,000	20,385,000
Allergy and infectious disease activities	13,299,000	17,400,000	17,400,000	17,400,000	17,400,000
Neurology and blindness activities	18,650,000	18,887,000	18,887,000	24,058,000	21,387,000
Grants for construction of research facilities	30,000,000	30,000,000	30,000,000	30,000,000	30,000,000
Construction of animal quarters	1,371,000				
Construction of general office building	300,000				
Gorgas Memorial Laboratory	147,000				
Retired pay of commissioned officers	1,450,000	1,570,000	None	Indefinite	Indefinite
Construction of surgical facilities	1,630,000				
Construction of dental research building	200,000				
National Library of Medicine (operating expenses)	[1,314,767]	1,450,000	1,450,000	1,450,000	1,450,000
Construction of Library facilities	350,000				
Salaries and expenses	3,892,000	5,150,000	5,100,000	5,100,000	5,100,000
Totals, Public Health Service	534,141,000	556,730,000	542,766,000	575,343,000	561,916,000
St. Elizabeths Hospital:					
Salaries and expenses	2,870,000	3,265,000	3,000,000	3,085,800	3,085,800
Major repairs and preservation of buildings and grounds	270,000	55,000	55,000	55,000	55,000
Construction	7,494,000	180,000	180,000	180,000	180,000
Social Security Administration:					
Bureau of Old-Age and Survivors Insurance:					
Salaries and expenses	[121,500,000]	[131,000,000]	[130,000,000]	[130,000,000]	[130,000,000]
Construction				[5,710,000]	[5,710,000]
Grants to States for training of public welfare personnel		2,500,000	None	None	None
Bureau of Public Assistance:					
Grants to States	1,575,000,000	1,679,400,000	1,600,000,000	1,600,000,000	1,600,000,000
Salaries and expenses	1,748,000	2,216,000	1,900,000	1,900,000	1,900,000
Children's Bureau:					
Salaries and expenses	1,822,000	2,154,000	2,000,000	2,000,000	2,000,000
Grants to States for maternal and child welfare	39,361,000	41,500,000	41,500,000	41,500,000	41,500,000
Cooperative research or demonstration projects in social security		2,080,000	None	None	None
Office of the Commissioner	212,000	315,000	300,000	300,000	300,000
Transfer from OASI trust fund	[160,000]	[244,000]	[240,000]	[240,000]	[240,000]
Office of the Secretary	1,588,000	2,015,000	1,800,000	1,800,000	1,800,000
Transfer from OASI trust fund	[225,000]	[282,000]	[260,000]	[260,000]	[260,000]
Office of Field Administration	1,985,000	2,355,000	2,300,000	2,300,000	2,300,000
Transfer from OASI trust fund	[158,000]	[708,000]	[700,000]	[700,000]	[700,000]
Office of the General Counsel	426,000	559,000	500,000	500,000	500,000
Transfer from OASI and Food and Drug	[419,100]	[477,000]	[450,000]	[474,000]	[474,000]
Surplus property utilization	450,000	502,000	502,000	502,000	502,000
Total, Department of Health, Education, and Welfare	2,490,599,181	2,582,764,581	2,483,536,581	2,518,707,381	2,503,130,381
RELATED AGENCIES					
National Labor Relations Board	8,951,500	9,575,000	9,384,800	9,384,800	9,384,800
National Mediation Board:					
Salaries and expenses	475,500	520,000	520,000	520,000	520,000
Arbitration and emergency boards	250,000	250,000	250,000	250,000	250,000
National Railroad Adjustment Board	486,500	525,000	525,000	525,000	525,000
Railroad Retirement Board: Salaries and expenses	[7,600,000]	[8,150,000]	[8,150,000]	[8,150,000]	[8,150,000]
Federal Mediation and Conciliation Service:					
Salaries and expenses	3,295,000	3,610,000	3,550,000	3,550,000	3,550,000
Boards of inquiry	10,000				
Interstate Commission on the Potomac River Basin	5,000	5,000	5,000	5,000	5,000
Soldiers' Home	[6,643,000]	[4,750,000]	[4,750,000]	[4,750,000]	[4,750,000]
Grand total	2,884,858,181	2,981,927,581	2,846,831,581	2,885,290,781	2,871,182,781

Mr. HILL. Mr. President, I move that the Senate agree to the conference report.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 6287, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES,
UNITED STATES,
June 26, 1957.

Resolved, that the House recede from its disagreement to the amendments of the Senate numbered 2, 8, 17, 18, 22, 27, 30, 37, 39, 44, and 47 to the bill (H. R. 6287) entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes," and concur therein,

That the House recede from its disagreement to the amendment of the Senate numbered 6, and concur therein with an amendment, as follows: In lieu of the sum "$5,874,400" named in said amendment, insert "$5,832,400."

That the House recede from its disagreement to the amendment of the Senate numbered 23, and concur therein with an amendment, as follows: In lieu of "June 30, 1959" named in said amendment, insert "June 30, 1958."

That the House recede from its disagreement to the amendment of the Senate numbered 29, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"National Institutes of Health Management Fund: For the purpose of facilitating the economical and efficient conduct of operations in the National Institutes of Health which are financed by two or more appropriations where the costs of operation are not readily susceptible of distribution as charges to such appropriations, there is hereby established the National Institutes of Health Management Fund. Such amounts as the Director of the National Institutes of Health may determine to represent a reasonable distribution of estimated costs among the various appropriations involved may be advanced each year to this fund and shall be available for expenditure for such costs under such regulations as may be prescribed by said Director, including the operation of facilities for the sale of meals to employees and others at rates to be determined by said Director to be sufficient to cover the cost of such operation, and the proceeds thereof shall be deposited to the credit of this fund: *Provided*, That funds advanced to this fund shall be available only in the fiscal year in which they are advanced: *Provided further*, That final adjustments of advances in accordance with actual costs shall be effected wherever practicable with the appropriations from which such funds are advanced."

That the House recede from its disagreement to the amendment of the Senate numbered 46, and concur therein with an amendment, as follows: In lieu of "SEC. 210." named in said amendment insert "SEC. 211."

Mr. HILL. Mr. President, I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 6, 23, 29, and 46.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to.

Mr. POTTER subsequently said: Mr. President, I regret that when the conference report on the Department of Health, Education, and Welfare appropriation bill was before the Senate I was engaged in another meeting and was not present to discuss one item in the conference report.

When the appropriation bill was before the Senate, the Senate Appropriations Subcommittee struck from the House bill a proviso which allowed the Solicitor's Office of the Labor Department to use funds from the highway trust fund, amounting to $365,000, to carry out the Davis-Bacon provisions of the Highway Construction Act.

Mr. President, the Senate subcommittee of the Appropriations Committee which handled this bill on the part of the Senate received an opinion from the Senate legislative council stating that the use of funds from the highway trust fund for that purpose was not authorized by the basic act. Therefore, the Senate deleted that provision from the bill and requested the Department of Labor to come before the Congress with a supplemental request for funds to carry out the provisions of the Davis-Bacon Act as applied to the Highway Construction Act. We found, however, in conference, that the House managers were adamant, and therefore the Senate had to yield its position.

There is no way in a conference report to raise a point of order, either in the House or in the Senate, against using funds from the Highway Trust Fund to carry out the provisions of the Bacon-Davis Act. However, I think it well for every Member of the Senate to realize that this action of using funds from the Highway Trust Fund is not authorized by the basic act. It would be setting a precedent for having any Government agency that has anything to do with the interstate highway program dip its fingers into the trust fund. We would have a fund with no funds and little trust, if that should happen. It makes no more sense to have the Labor Department take $365,000 out of the trust fund, because it is charged with the responsibility of carrying out the provisions of the Davis-Bacon Act, than it does for the Treasury Department to say, "We need funds from the Highway Trust Fund because we collect the taxes."

To me it is an important question for the Congress. I know it was the intention, when the basic act was adopted, to make sure the trust fund remained intact and would be used for only one purpose—building our Interstate Highway System.

As I stated before, we have had an opinion from the legislative counsel that the action which has been taken is not authorized by the basic law.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. POTTER. I yield.

Mr. CARLSON. I wish to commend the Senator from Michigan for the statement he just made on the use of the trust fund for highway building purposes outside the construction of highways. In the State of Kansas we have a constitutional prohibition against using any funds collected for highway purposes by gasoline or other taxes for any work except highway construction, and I think it ought to be the attitude of Congress, and it certainly is my personal attitude, that the use of the funds be only for highway construction.

I hope the time will never come when this Congress or any future Congress will permit a violation of the use of the trust fund and to divert it, when I believe it was the intention that it be used only for highway construction.

Mr. POTTER. I am sure the Senator will agree with me it was the intention of the committee and the Congress, when the basic highway legislation was enacted last year for the construction of the Interstate Highway System, that the funds would be used for the building of highways. If we allow agencies of government to dip their fingers into the trust fund, we destroy not only the fund but the trust we should have in it.

Mr. CARLSON. Mr. President, will the Senator yield further?

Mr. POTTER. Yes.

Mr. CARLSON. I wish to state, additionally, that the Senate Finance Committee, under the direction of the Senator from Virginia [Mr. BYRD] and the members of the committee handling questions relating to the fund, wrote into the bill a provision that highways should not be constructed at a more rapid speed than the funds warranted. That was done to protect the people of the United States from being obligated for indebtedness of any other type. If it should develop that highway funds were to be used by various agencies of the Federal Government for their purposes, we soon might find funds being used only for other agencies and not for highways.

Mr. POTTER. And not for highways; the Senator is correct.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. POTTER. I should like to conclude my remarks. It will take only a few minutes.

Mr. KUCHEL. Very well. I should like to make a comment relative to what the Senator is saying.

Mr. POTTER. We are in the position, Mr. President, that we have a conference report, and a point of order cannot be raised in the Senate or the House about this action taken in conference, because the House managers were adamant. Therefore, in amendment 4 of the conference report it is stated that $200,000 will be taken from the highway trust fund to enforce the provisions of the Bacon-Davis Act.

Mr. President, I wish to make it clear that I was one of those in the Senate who supported the Bacon-Davis provision to the act. I think it represents good legislation.

The committee specifically asked the Department of Labor to come forward with a supplemental request relative to the cost which would be involved in carrying out the provisions of the Bacon-Davis Act relating to the interstate highway construction program.

But, in considering the conference report and what is happening now in relation to the $200,000, which people are being taxed to obtain, so that it can be put into a trust fund to build highways, this sum of money is going to the De-

partment of Labor for admistrative costs.

Another thing I fear is that the Department of Labor has other responsibilities in carrying out the Bacon-Davis provisions of other acts, and a trust fund always looks like a nice green apple for them to grab hold of as a means of securing funds, I am afraid, not only to carry out the Bacon-Davis provisions in the highway legislation but to carry out the Bacon-Davis provisions in other legislation which carries such an amendment.

Mr. CARLSON. Mr. President, will the Senator yield further?

Mr. POTTER. I am delighted to yield again to the Senator from Kansas.

Mr. CARLSON. I share the views of the Senator from Michigan in regard to securing from other regularly authorized funds the funds for the administration of the Bacon-Davis provisions of the act dealing with the Interstate Highway System. I will be glad to support that. However, I am violently opposed to any movement to take them from the interstate highway trust fund.

Mr. POTTER. The Senator is correct. People fail to realize how this trust fund is obtained. It is obtained by taxing people, causing them to pay increases in gas and other taxes, to build up a fund for the purpose of building our Interstate Highway System. I am fearful that once this practice has been adopted, of dipping into the trust fund, we may find the Department of the Treasury will have just as much right to come forward and say, "We need a half million dollars of the trust fund because we collect the taxes." Some other agency may say, "We have something to do with the highway program, and we need a half million dollars." The next thing we will find is that we will end up with no funds.

I think it is unnecessary, but in order to make clear the position for the future, particularly with reference to appropriations for next year—that we will not be tampering with the trust fund—I am introducing proposed legislation which will make it amply clear that it is the intent of the Congress, which I am sure is contained in the basic act now on the books, that none of these funds shall be used for other agencies to carry out responsibilities which they may have in connection with the Interstate Highway System.

Mr. KUCHEL subsequently said: Mr. President, a few years ago I was engaged in a lawsuit which involved the interpretation of a statute passed by the Legislature of California. I remember that opposing counsel in endeavoring to construe the legislation, addressed the court and said, most respectfully, that he did not know the intention with which the legislature passed the bill; that he did not believe opposing counsel knew the intention with which the legislature passed the bill; and that he did not believe the court knew the intention of the legislation.

I suppose that the legislative purposes of Congress in enacting legislation are not always entirely free from that type of indirect criticism.

I listened to the senior Senator from Michigan [Mr. POTTER] object to the manner in which Congress this year—and the Senate acted only an hour ago—gave its stamp of approval to granting $200,000 to be utilized by the Labor Department in enforcing the provisions of the so-called Davis-Bacon Act.

I recognize there is a great deal of merit in the position the senior Senator from Michigan takes, and perhaps Congress ought to give consideration to sequestering trust funds for one single purpose, such as the building of highways. So far, it has not been done. I want to make a certain opinion a part of the RECORD, so that Senators may see the interpretation given by the Comptroller General of the United States to that particular problem in the Federal highway legislation.

When some of us were interested in having the Senate recognize the need for the prevailing wage theory in connection with the multi-billion-dollar highway projects, the senior Senator from Michigan and his colleague, the junior Senator from Michigan, along with those who joined them on the floor of the Senate, were finally successful in having the prevailing wage legislation adopted.

I merely wish to make the point that the Comptroller General unequivocally determined that Congress had the right to do what the Senate finally did an hour ago.

I ask unanimous consent that the opinion of the Comptroller General be printed in the RECORD at this point.

There being no objection, the opinion was ordered to be printed in the RECORD, as follows:

AVAILABILITY OF HIGHWAY TRUST FUND FOR USE IN DETERMINING PREVAILING WAGE RATES UNDER SECTION 115 OF THE FEDERAL-AID HIGHWAY ACT

The following question has been raised in connection with the Department of Labor appropriation bill for the fiscal year 1958:

"Does section 209 (f) (1) of the Highway Revenue Act authorize the use of funds from the highway trust fund for administrative expenses of the Department under section 115 of the Federal-Aid Highway Act?" [1]

This question was answered in the affirmative by the 84th Congress—the same Congress that enacted the Federal-Aid Highway Act of 1956 and the Highway Revenue Act of 1956.[2] It was also answered in the affirmative by the Comptroller General in an opinion issued on April 16, 1957 (decision B–131367).

In the light of contemporaneous approval by Congress and subsequent approval by the Comptroller General, the question would now appear settled both by precedent and by authoritative opinion. However, the purpose of this memorandum is to set forth information in addition to that referred to by the Comptroller General which will give further insight into the distinctive legislative history attendant upon the passage of these acts.[3]

1. LEGISLATIVE HISTORY

A. General: While this memorandum does not purport to trace the full legislative history of the acts, it should be noted that there were no hearings or committee reports in the Senate regarding the inclusion of the Labor Department's functions in section 115 of the Federal-Aid Highway Act. As a result, the Senate Appropriations Committee was the only forum in the Senate where those groups that opposed the Department of Labor's participation in the highway-construction program could voice their opposition.

During the Congressional debate on the Federal-Aid Highway Act and the Highway Revenue Act in 1956, various proposals were offered to take from the Secretary of Labor the wage predetermination function and divert this activity to the States and to Federal agencies other than the Department of Labor. These efforts to curtail the responsibilities of the Labor Department and place the major part of the wage predetermination functions elsewhere were continued throughout the hearings on the supplemental appropriation bills.[4]

B. Appropriation Committee hearings: As Senator KUCHEL stated at the hearings on the second supplemental appropriation bill: [5]

"Here is a situation, Mr. Chairman, where, in the closing weeks of the Congress, the highway legislation was adopted, and suddenly we find the need for some assistance to the Secretary of Labor in carrying out this highly important part of the new statute." [6]

The question of the availability of the trust fund for the purpose in question was expressly before the Appropriation Committee.[7]

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[1] Sec. 209 (f) (1) of the Highway Revenue Act provides that amounts in the fund shall be available, as provided by appropriations acts, for making expenditures to meet those obligations incurred under the Federal-Aid Road Act "which are attributable to Federal-aid highways (including those portions of general administrative expenses of the Bureau of Public Roads payable from such appropriations)."

[2] After the passage of the Federal-Aid Highway Act and the Highway Revenue Act, in the same session of Congress, the Second Supplemental Appropriation Act, 1957, was enacted. This act appropriated for salaries and expenses of the Office of the Solicitor, Department of Labor, "$300,000, to be derived from the highway trust fund created by sec. 209 of the Highway Revenue Act of 1956." The committee report on the bill stated that this amount was "for necessary salaries and expenses in carrying out the additional duties placed on the Secretary of Labor as a result of the application of the Davis-Bacon Act to highway projects on the Interstate System as provided in sec. 115 of the Federal-Aid Highway Act of 1956" (S. Rept. 2770).

[3] A copy of the Comptroller General's Opinion is attached.

[4] One proposal offered to the Senate Appropriations Committee would have required the Secretary of Labor to "accept and approve" the minimum wage recommendations of State highway departments "unless he finds evidence of fraud, willful misrepresentation, or lack of good faith on the part of a State in carrying out the intent of said act" (hearings, pp. 282–283).

The committee summarily rejected this proposal and inserted a statement in its report on the second supplemental appropriation bill, 1957, making it clear that the function of predetermining wage rates under sec. 115 was to be performed exclusively by the Secretary of Labor and no part of his function was to be delegated to other agencies (S. Rept. 2770, p. 11).

[5] During the hearings on the first supplemental appropriation bill, the committee considered, but made no appropriation to the Labor Department for Davis-Bacon functions, under the Highway Act.

[6] Hearings on second supplemental appropriation bill, 1957, p. 275.

[7] In his letter of July 16, 1956, to the chairman of the committee, Secretary Mitchell pointed out that the Department's supplemental request "contemplates funds to be made available from the highway trust fund created by the Highway Revenue Act of

Senator KUCHEL, after his statement quoted above, went on to say:

"I noticed that apparently this committee could act in either of two ways. It could either make a general fund appropriation available to the Secretary, or it could provide for utilization by the Secretary of Labor of moneys in the highway-trust fund."

During these same hearings, Senator HOLLAND, a member of the Appropriations Committee, agreed that the funds for the Secretary of Labor could come from the highway trust fund. He stated:

"I regret that it comes out of the highway-trust fund, but that is what the law provides. That means it cuts down the mileage that is available out of the road-trust fund. * * * Since the act so provides, that is where it will have to come, I suppose."

The hearing before the full Appropriations Committee of the Senate where these statements were made was a hearing at which the Bureau of Public Roads of the Department of Commerce was requesting necessary appropriations from the highway-trust fund (hearings, second supplemental appropriabill, 1957, pp. 263 et seq.). The estimates submitted included $13,300,000 for administrative expenses of that Bureau (hearings, p. 266). It was in the course of this hearing on expenditures from the highway trust fund that Senator KUCHEL and Senator GORE appeared on behalf of an appropriation to the Department of Labor for the wage determination functions under the Highway Act, and Chairman HAYDEN and Senator CHAVEZ requested the testimony of Department of Labor representatives who were present. In this context, it appears significant that none of the Senators who were present (some of whom were also members of the Committee on Public Works which had considered the Highway Act) raised any question as to the availability of moneys in the trust fund for the appropriation to the Department of Labor for Highway Act functions. The only statements referring to the use of trust-fund moneys were those quoted above, in which the Senators indicated their understanding that the law made the fund available for this purpose.

The suggestion, therefore, that there is no legislative history dealing with the question of whether appropriations could be made to the Department of Labor from the Highway Trust Fund conveniently ignores the hearings before the Senate Appropriations Committee. The committee, which was the proper forum in which the question could be raised, carefully considered it and then approved an appropriation to the Department of Labor from the Trust Fund. Subsequently, the committee's action was approved by the entire Congress.

2. OPERATING COST OF THE WAGE PREDETERMINATION PROGRAM AS A LEGITIMATE CHARGE TO THE TRUST FUND

It was contemplated that the operating cost of the wage predetermination program would be paid from revenues derived from the Highway Revenue Act. This was so obvious from the language of the act and from the legislative history that there was no need to spell it out in so many words. At page 37 of the Senate report[8] and page 70 of the House report[9] on the Highway Revenue bill it is stated that expenditures "as appropriated by Congress" may be made from the Trust Fund "to meet those obligations of the United States" incurred under the Federal-Aid Highway Act "which are attributable to Federal-aid highways." The reports further noted that "the expenditures referred to are those which normally have been paid out of the appropriation entitled 'Federal Aid Highways, Bureau of Public Road, Department of Commerce'."

The operating cost of the wage predetermination functions under the Davis-Bacon Act had not previously been considered a normal expenditure of federally assisted highway construction programs because the Davis-Bacon Act did not apply to these earlier programs. However, it is important to observe that, by its own terms, the Highway Act requires a consultative relationship between the Secretary of Labor and the State highway departments in the determination of the prevailing wage rates and insertion of the rates in the State's bid and contract documents. These requirements, together with the requirement that the wage rates determined shall be those prevailing in the immediate locality of the highway project, are specified in the Highway Act, as distinguished from Davis-Bacon Act.

These functions prescribed in the Highway Act are interwoven with the other functions involved in the preparation of bid and contract documents and specifications for each project on the Interstate System. They are an integral part of, and directly related to, the awarding of particular highway contracts under the act's provisions. It is clear, therefore, that the cost of predetermining wage rates under section 115 of the act is an expenditure attributable to Federal-aid highways within the meaning of the express language in section 209 (f) (1) of the act and in the committee reports. As Senator GORE stated during the Senate Appropriations Committee hearings: "I do not see how the Department of Commerce could approve an interstate highway project under the law" unless the wage determination provisions in section 115 become operative.

It should also be noted that under the Federal-Aid Highway Act prior to the 1956 act, regulations of the Bureau of Public Roads provided for certain minimum wages to be determined by the States on Federal-aid projects. The preparation and enforcement of these regulations were part of the administrative expenses of the Bureau of Public Roads, and presumably the expenses of the States in determining the wages and placing them in the contracts were chargeable to the costs of the projects for purposes of reimbursement under the act. If the proponents of State, as opposed to Federal, determination of prevailing wages under the 1956 act had prevailed, the cost of this work attributable to each project would, it is assumed, have been payable out of the highway trust fund in the same proportion as other costs of the projects. Similarly, if the former functions of the Bureau of Public Roads with respect to prescribing minimum wages had been expanded along the lines of the functions presently assigned by section 115 of the act to the Secretary of Labor, the expense of performing the same functions would have been part of the administrative expenses of the Bureau and, therefore, clearly payable out of the highway trust fund. The nature of the functions and the closeness of their relationship to the actual awarding of contracts by the States for projects on the Interstate System is not different because the Highway Act prescribes that they shall be performed by the Secretary of Labor. The fact that this function under the Highway Act is performed by the Secretary of Labor, rather than by the States or the Bureau of Public Roads in no way alters or lessens the propriety of charging the cost of its operation to the highway trust fund as an expenditure attributable to Federal-aid highways.

There is no rule of statutory construction which supports the interpretation of the word "including" (in section 209 (f) (1) of the Highway Revenue Act)[10] as meaning exclusive or all-embracing. On the contrary, as the Comptroller General pointed out in his opinion of April 16, 1957, "The parenthetical statement 'including those portions of general administrative expenses of the Bureau of Public Roads payable from such appropriations' merely emphasizes the Congressional intent that the funds shall be used to defray the administrative expenses incurred by the Bureau of Public Roads in carrying out the Federal-aid highway program." There is nothing in the act which can be construed "as precluding the Congress from utilizing the fund for other or more extended purposes if it chooses to do so."[11]

3. CONCLUSION

A conclusion that Congress did not intend to, or cannot now, use the trust fund for the purpose in question might be justified if the legislative history had been contrary to the history discussed in this memorandum, and if Congress had, in 1956, denied the use of the trust fund for this purpose. However, the actual situation is exactly the opposite and it can only be concluded, therefore, that Congress, in enacting the Highway Revenue Act of 1956, intended that the trust fund could be used in 1956 and in subsequent years for the purpose of making wage predeterminations under section 115 of the Federal-Aid Highway Act.

Belated efforts to prove that what Congress did in 1956 was improper, after the same Congress that enacted the highway legislation considered the matter and determined otherwise,[12] impute to Congress, at the least, a striking inconsistency, if not a willful and incredible disregard of the very provisions it had placed in the law to govern its action. Of equally serious import, these efforts to impugn the propriety of the prior Congressional action raise questions with respect to the validity of existing programs and existing expenditures under the Highway Act.

There has been no contention by a Member of Congress or, to our knowledge, by any person outside of Congress that these existing programs and expenditures are invalid.

COMPTROLLER GENERAL OF
THE UNITED STATES,
Washington, April 15, 1957.

The honorable the SECRETARY OF LABOR.

DEAR MR. SECRETARY: By letter dated April 3, 1957, with enclosures, the Acting Secre-

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1956." The letter further stated that "if the Congress should consider it more appropriate we would have no objection to an appropriation from general revenues." (Senate hearings on second supplemental appropriation bill, 1957, p. 284.)

[8] Report of the Senate Committee on Finance (S. Rept. 2054).

[9] Report of the House Committee on Public Works (H. Rept. 2022).

[10] As previously noted, section 209 (f) (1) authorizes expenditures from the trust fund, as provided by appropriations acts, "which are attributable to Federal-aid highways (including those portions of general administrative expenses of the Bureau of Public Roads payable from such appropriations)."

[11] To the same effect, see *Federal Land Bank of St. Paul* v. *Bismarck Lumber Co.* (314 U. S. 95, 100), where the Supreme Court noted that "We recently had occasion, under other circumstances, to point out that the term 'including' is not one of all-embracing definition, but connotes simply an illustrative application of the general principle. *Phelps Dodge Corp.* v. *Labor Board* (313 U. S. 177, 189); see also *Helvering* v. *Morgan's, Inc.* (293 U. S. 121, 125)."

[12] In construing a statute, the courts have recognized, on numerous occasions, that great weight should be accorded to the interpretation given to the statute by the enacting Congress. "The words of a statute must be taken in the sense in which they were understood at the time when the statute was enacted and the statute must be construed as it was intended to be understood when it was passed." (50 Am. Jur., Statutes, sec. 236, citing *United States* v. *Stewart* (311 U. S. 60); *Platt* v. *Union P. R. Co.* (99 U. S. 48)).

tary of Labor requested our advice whether section 209 (f) (1) of the Highway Revenue Act of 1956 (70 Stat. 399) authorizes the use of funds from the highway trust fund for administrative expenses of the Department of Labor in making wage determinations provided for in section 115 of the Federal-Aid Highway Act of 1956 (70 Stat. 385).

In section 115 of the Federal-Aid Highway Act of 1956, the Congress extended the requirements of the Davis-Bacon Act of August 30, 1935, as amended (40 U. S. C. 276a) to highway projects of the National System of Interstate Highways. The Congress further provided therein that the Secretary of Labor shall make predeterminations of prevailing wage rates, which "shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project."

Section 209 of the Highway Revenue Act of 1956 established a highway trust fund on the books of the Government, and in subsection (f) (1) thereof defined the scope of its expenditure availability as follows:

"(1) Federal-aid highway program: Amounts in the trust fund shall be available, as provided by appropriation acts, for making expenditures after June 30, 1956, and before July 1, 1972, to meet those obligations of the United States heretofore or hereafter incurred under the Federal-Aid Road Act approved July 11, 1916, as amended and supplemented, which are attributable to Federal-aid highways (including those portions of general administrative expenses of the Bureau of Public Roads payable from such appropriations)."

In his letter the Acting Secretary of Labor expresses the view to the effect that expenses in connection with making the wage determinations constitute obligations that are "attributable to Federal-aid highways" and, therefore, properly payable from the highway trust fund. The same conclusion was stated in an accompanying memorandum of law of the Solicitor of your Department.

The quoted section 209 (f) (1)—by its plain terms—makes amounts established in the highway trust fund available, as provided by appropriation acts, for expenditure after June 30, 1956, and before July 1, 1972, to cover those obligations which are attributable to Federal-aid highways. The parenthetical statement "including those portions of general administrative expenses of the Bureau of Public Roads payable from such appropriations" merely emphasizes the Congressional intent that the fund is to be used to defray the administrative expenses incurred by the Bureau of Public Roads in carrying out the Federal-aid highway program.

In reporting out H. R. 10660 which became the Highway Revenue Act of 1956, it was stated in House Report No. 2022 (p. 70), and in Senate Report No. 2054 (p. 37) with reference to said section 209 (f) (1) that "The expenditures referred to are those which normally have been paid out of the appropriation entitled 'Federal-Aid Highways, Bureau of Public Roads, Department of Commerce.'" While this explanation of the character of expenditures properly chargeable to the fund may have been intended to operate as a restriction on its authorized uses, such explanation may not be construed as precluding the Congress from utilizing the fund for other or more extended purposes if it chooses to do so. And it must be recognized that the latest expression of the Congress is controlling. (See 19 Comp. Gen. 961.)

If your inquiry is directed to the question of whether a proposed appropriation from the highway trust fund to the Department of Labor to carry out its Davis-Bacon Act functions is so authorized by the enabling legislation as not to be subject to a point of order under the rules of the respective Houses of the Congress, this, of course, is a matter not within our province to decide, but rather for determination by those Houses in conducting their proceedings.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

ASSUMPTION OF LEGISLATIVE AUTHORITY BY SUPREME COURT

Mr. JOHNSTON of South Carolina. Mr. President, I note with extreme interest the wave of criticism of the Supreme Court by Senators and Representatives from the North, the Midwest, and the Far West, who have complained in recent days of the high tribunal's assumption of legislative authority.

I congratulate them on their alertness to this danger and I wish to assure these Senators and Representatives that the South welcomes them in their newly found position in this matter. But for the record, I should like to point out that the South has been conscious of this assumption of legislative powers by the Supreme Court ever since May 1954, when the High Court's attacks broke through the bounds of the Constitution and made a major invasion into the powers of Congress.

Mr. President, I am most thankful that these Senators and Members of the House of Representatives have joined the South in an awakening to this invasion by the Supreme Court, and urge that we stick together in this common fight to protect representative government.

IMPLEMENTATION OF RECOMMENDATIONS OF COMMISSION ON GOVERNMENT SECURITY

Mr. COTTON. Mr. President, I am sure that Members of the Senate are aware the Commission on Government Security, which was created by act of Congress, has concluded its year and a half of deliberation, and made a report which has been the subject of some interest and some comment in the last few days.

The members of the Commission from the Senate of the United States are the distinguished junior Senator from Mississippi [Mr. STENNIS] and the junior Senator from New Hampshire.

At this time I desire to introduce, for appropriate reference, five bills, which embody the legislative recommendations of the Commission on Government Security.

Mr. President, the first bill I introduce is entitled, "To establish a central security office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedures for the hearing and review of cases arising under such programs, and for other purposes."

I desire, Mr. President, to introduce that bill for appropriate reference for myself and on behalf of my colleague on the Commission, the distinguished Senator from Mississippi [Mr. STENNIS].

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2414) to establish a central security office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedures for the hearing and review of cases arising under such programs, and for other purposes, introduced by Mr. COTTON (for himself and Mr. STENNIS), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

Mr. COTTON. Mr. President, the second bill I desire to introduce is a bill to prescribe a standard of loyalty to the United States Government for military personnel, to prescribe procedures for the determination of the loyalty of such personnel, and for other purposes.

I desire to introduce this bill for appropriate reference, for myself and for the distinguished Senator from Mississippi [Mr. STENNIS].

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2415) to prescribe a standard of loyalty to the United States Government for military personnel, to prescribe procedures for the determination of the loyalty of such personnel, and for other purposes, introduced by Mr. COTTON, for himself and Mr. STENNIS, was received, read twice by its title, and referred to the Committee on Armed Services.

Mr. COTTON. Mr. President, the third bill I desire to introduce is a bill to amend the Immigration and Nationality Act to provide more effectively for immigration and passport security, and for other purposes. I desire to introduce this bill for appropriate reference, for myself and for the Senator from Mississippi [Mr. STENNIS].

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2416) to amend the Immigration and Nationality Act to provide more effectively for immigration and passport security, and for other purposes, introduced by Mr. COTTON, for himself and Mr. STENNIS, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. COTTON. Mr. President, the fourth bill I desire to introduce is a bill to amend title 18, United States Code, to prohibit unauthorized disclosure of certain information critically affecting national defense. I desire to introduce this bill, for appropriate reference, for myself and the Senator from Mississippi [Mr. STENNIS].

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2417) to amend title 18, United States Code, to prohibit unauthorized disclosure of certain information critically affecting national defense, introduced by Mr. COTTON, for himself and Mr. STENNIS, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. COTTON. Mr. President, the fifth bill I desire to introduce apparently is a highly controversial measure, which

is commonly referred to as the "wiretapping recommendation" of the Commission. My distinguished colleague, the Senator from Mississippi [Mr. STENNIS], does not desire, as I understand, to be associated with the introduction of this bill. It is my desire, however, to have bills before the Senate which encompass all the legislative recommendations of the Commission, and I personally favor this bill. Therefore, for myself only, I introduce, for appropriate reference, a bill to authorize certain investigative officers of the United States, with the approval of the Attorney General, to intercept and disclose, under stated conditions, wire and radio communications in the detection and prosecution of offenses against the security of the United States, and for other purposes.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2413) to authorize certain investigative officers of the United States, with the approval of the Attorney General, to intercept and disclose under stated conditions wire and radio communications in the detection and prosecution of offenses against the security of the United States, and for other purposes, introduced by Mr. COTTON, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. STENNIS. Mr. President——

Mr. COTTON. Mr. President, let me add one word, and then I shall gladly yield to my colleague from Mississippi.

The recommendations of the Commission have been the subject of a good deal of comment and controversy. Much of the comment and controversy, I think, have been rather premature, and not based on a complete and full consideration of the Commission report. But whether that be so or not, I believe that much of the concern that has been expressed deals only with a few of the comparatively minor recommendations of the Commission. I am sure that we are not all in accord with respect to every item in the detailed 800-page report, but I should like to take this opportunity, as these bills are introduced, to invite the attention of the Senate and of the country to the fact that the central recommendation of this program is the creation of a Central Security Office, with trained personnel, for the purpose of coordinating and making more uniform the practices and procedures of our Government in respect to security, and also to assure appropriate and effective rights to all individuals affected by the program.

The second very important point to be remembered is that the report of the Commission separates the loyalty cases from the suitability cases. It puts an end to the business of security risks which has led to so much confusion and so much question in relation to Federal employees.

Later I hope to discuss the other recommendations in greater detail. Other Senators will also wish to discuss them.

I now gladly yield to my colleague on the Commission, the Senator from Mississippi [Mr. STENNIS].

Mr. STENNIS. Mr. President, I appreciate the courtesy of the Senator from New Hampshire in yielding to me for a very brief statement.

The report of the Commission on Government Security, on which I had the honor to serve as a member, has recently been completed and made available. This report contains recommendations distilled from the 18 months' study conducted by the Commission of our security program in all its aspects.

Included in this report is draft legislation prepared to express in legislative language the recommendations resulting from the Commission's study and deliberations. This work was approached in a bipartisan manner, and I feel that the complete security program offered by the Commission as a substitute for the existing program will result in many improvements which are fair, just, and humane.

I would recommend the reading of this report and a careful study of the overall plan, set forth in detail in the Commission's recommendations. I think that comments on the proposed changes in the security program are to be encouraged, as is constructive criticism, after the work of the Commission is judged as a whole.

The Commission in submitting this report has concluded its task, but legislative implementation of the result of the Commission's work has just begun. I hope that by reference to the appropriate legislative committees, study of these individual bills in the proper background of the whole program can be undertaken at an early date.

It is with pride and deep satisfaction that I join in sponsoring these measures which, I believe, considered as a program, and perfected by the legislative process, will greatly strengthen our national security and will restore fundamental and traditional rights to the 8 million Americans directly affected by our security program.

Let me add, in confirmation of what the Senator from New Hampshire has said, that one of the major and outstanding provisions of the plan is the separation of the loyalty cases from the suitability cases. Following that course of consideration all the way through, we think the entire program will be strengthened.

One of the bills, which I did not join in sponsoring, contains a provision with reference to wire tapping which I had not concluded to support. The use of evidence obtained by wire tapping is certainly not an essential part of the plan, but is incidental to its enforcement.

Mr. COTTON. Mr. President, because of the importance of this subject, I ask unanimous consent to continue for another 5 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. MANSFIELD. Mr. President, I feel constrained to object. Objection was made by the minority leader to a similar request by the Senator from Minnesota [Mr. HUMPHREY].

Mr. HUMPHREY. Mr. President, I think the Senator from New Hampshire wishes to have me participate in this discussion.

Mr. MANSFIELD. I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire? The Chair hears none, and the Senator from New Hampshire may proceed.

Mr. HUMPHREY addressed the Chair.

Mr. COTTON. Mr. President, before yielding to the Senator from Minnesota I wish to invite the attention of Senators to the fact that the distinguished Senator from Mississippi [Mr. STENNIS] was the Vice Chairman of the Commission. I appreciate his courtesy to me in connection with the introduction of the subject today. It might more logically have been his privilege to do so. It was a pleasure and a privilege to serve with him on the Commission, which had very able representatives upon it.

The distinguished Senator from Minnesota [Mr. HUMPHREY] and the Senator from Mississippi [Mr. STENNIS] are the Senators who originally introduced the joint resolution proposing the creation of a commission for the purpose of unifying and codifying our loyalty-security program. The Senator from Minnesota was the chairman of the subcommittee of the Committee on Government Operations which held hearings and laid the foundation for the Commission. The Senator from Minnesota did not have the time himself to serve upon the Commission, but he deserves much of the credit for the inauguration of the whole plan. I therefore take great pleasure, as I am sure the Senator from Mississippi does also, in yielding to him at this time. When he concludes his statement, I shall relinquish the floor. I again thank the Senator for his contribution.

Mr. HUMPHREY. I thank the Senator from New Hampshire for his kind and generous remarks. At this point, I wish to express my personal congratulations to the Senator from Mississippi [Mr. STENNIS] and the Senator from New Hampshire [Mr. COTTON] for their diligence and their fine work on the Government Security Commission.

I shall have more to say about it in my brief statement, but I feel that every Member of Congress owes a deep debt of gratitude, as does every American, to these two distinguished Senators.

Mr. President, in January 1955 in the 84th Congress the distinguished junior Senator from Mississippi [Mr. STENNIS] and I introduced Senate Joint Resolution 21 to establish a Commission on Government Security. I was convinced then that we needed a strong and effective security system to protect us against the perils of Communist conspiracy, but I was dismayed by the many indications that our then existing security structure was irrationally founded, ineffective in protecting the national security, and abusive of fundamental freedoms.

It was my feeling then that we all had much to learn about the security mechanism before we could improve it. It had been thrown together in precipitous haste, on a piecemeal basis, to meet imminent perils, so rapidly and at random, that it defied human comprehension, let alone analysis.

I was convinced that the security problem should be lifted out of the arena

of politics, laid bare to public scrutiny, and dissected by men and women of stature and objectivity. Perhaps they could separate fact from fancy, reality from myth, and reason from shibboleth. In this manner the problem might be brought under rational and constructive control.

Subsequently, in the 84th Congress I had the honor of presiding at hearings on the joint resolution before the Subcommittee on Reorganization of the Senate Committee on Government Operations. One purpose was to bring out into the open as much information as possible about all facets of the security program, and to ascertain whether a Commission on Government Security should be created. The need for a major study of security was demonstrated beyond any possible doubt in these hearings. A pattern of conflicting, anomalous, and confused testimony by Government officials indicated a pattern of equally great irrationality and confusion within the overall security mechanism. As a consequence, Senate Joint Resolution 21 was unanimously passed by both Houses and was approved by the President, despite some initial opposition on the part of the Eisenhower administration.

Mr. President, the Commission was finally organized late in 1955, and has studied the security mechanism for more than a year. Its report has now been published, and I am deeply gratified that it fulfills my expectations.

Mr. President, I again say that we owe a debt of gratitude to the two Senators, the Senator from Mississippi [Mr. STENNIS], and the Senator from New Hampshire [Mr. COTTON], for their very fine contributions.

Although I have not had an opportunity to study the text of the report fully, it is clear that the Commission has made a tremendous contribution to democracy and liberty in the United States in its analysis of the methods for balancing our traditional libertarian principles against our requirements for maintaining national security. The analysis and spirit of the report are admirable and of great importance.

The Commission's report demolishes once and for all the sloganeering which has precluded a rational approach to the security problem. It points the way to achieving our security goals without the callous abuse of human rights which has characterized the security programs of the past several years. Quite apart from its specific recommendations, the Commission's discussion of the principles of effective security constitutes an invaluable contribution to the science and knowledge of the subject.

Undoubtedly there will be considerable debate in the Senate over the specific recommendations made by the Commission. That is the privilege and right which Senators have. However, I think it should be noted that for the first time the security problems of the United States have been studied without fanfare and without politics and without any partisanship whatever; instead, they were studied by men and women who sought to do the best job they could possibly do within the confines of the time which was available to them.

I have an initially mixed reaction to the recommendations of the Commission. Some seem to me to be good, some bad, some questionable. I am not sure that we should institutionalize the personnel-security programs to the extent of establishing the proposed Central Security Office. The proposed new criminal penalties against disclosure of secret information by newsmen seem to be superfluous in view of current statutory provisions.

I might add at this point that that provision adds fuel to an already very hot flame of criticism which centers around the so-called security regulations relating to public information.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. COTTON. I note that the Senator refers to disclosure of information by newsmen.

Mr. HUMPHREY. Yes.

Mr. COTTON. Which would imply that the report and the recommendation concerned itself only with newsmen. To the contrary, it was not confined to newsmen. The recommendation extended to all those outside the Government. I am not defending that recommendation at this time, and I am not at all sure that it is entirely correct. We shall go into it fully, of course, but it should be made crystal clear that at the present time penalties for the disclosure of secret information can only be applied against those employed by the Government. The recommendation extended such control over those outside the Government.

I would not want the impression to be left that it was directed at newsmen. That is not correct.

Mr. HUMPHREY. I accept the thoughts of the Senator from New Hampshire; but I must confess that there was obviously some emphasis placed in the public mind on the news media in connection with the matter of restraint of information, particularly if the information had been classified as either confidential or secret or top secret. I believe a reevaluation is required of what we mean by confidential information or classified information.

Mr. COTTON. I agree with the Senator. I should like to add a further thought, if the Senator will be kind enough to yield for that purpose. In the first place I believe the impression about this recommendation, which caused great concern among journalists and other newspaper people—and justifiably so, I may say—came fully as much from the comments of some of the members of the commission and other sources as it did from the report itself.

In the second place, as I understood, it was the purpose of the Commission to restrict and to narrow down the categories of secret material, to get rid of the practice of classifying every document anyone wants to classify, and to avoid that kind of ridiculous situation, under which there is placed under classification a great deal of information which is known to the public. The Commission actually recommended abolishing the present "confidential" classification and, as a corollary, proposed additional protections for secret or top secret information, disclosure of which could cause grave or serious damage to the Nation.

The recommended action by the Commission could affect, for instance, a Member of the Senate or a Member of the House who disclosed secret information off the floor and outside his committee as much as it would any other individual who came into possession of secret information and then disclosed it, rather than just someone connected with the press. I think in fairness to the press and the Commission that fact should be made clear.

Mr. HUMPHREY. Mr. President, I have almost finished my statement.

The proposal that the present security programs should be split into separate loyalty and suitability programs has considerable merit. It was a matter which was discussed at length in the hearings at the time we passed the resolution setting up the Commission.

It seems to me, however, that the serious difficulties we have had in the present security program under Executive Order 10450 are not completely attributable to merger of the loyalty and suitability tests. Instead they are to a large extent a consequence of the administration's calculated use of the security mechanism as an instrument of partisan politics rather than as a means for maintaining national security. A security program similar to that under Executive Order 10450 has been conducted by the Atomic Energy Commission since 1947, and from all available information, it appears to be a model program from the standpoint of both security and fairness.

I regret that the report chose to deal with the various elements of the overall security mechanism as isolated phenomena rather than as integral parts of an integrated mechanism. Even if all of the Commission's recommendations were adopted we would still have many separate clearance programs instead of a single program; we would still have at least two classification systems; we would still have three separate espionage laws with varying coverages.

These are simply my personal observations and are, obviously, subject to more detailed analysis.

On the other hand, Mr. President, there is no question that the Commission's recommendations include three important changes in the Federal employees' security program—changes which I have long recommended, and which have been long overdue. These changes include the granting of hearings in all cases where loyalty is a factor in deciding upon applications, the granting of confrontation and cross-examination rights in many new instances, and assuring the right to subpena witnesses for testimony at loyalty hearings. All friends of civil liberties will welcome these proposals for greater fairness and individual protection.

Mr. President, I shall wish to discuss the Commission's report in greater detail after I have had an opportunity to study it more carefully, which I surely shall do. These are my initial reactions. I commend the Commission for the work

it has done in the overall study, and I particularly commend my colleagues for the part they have played in this work.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. STENNIS. The Senator from Minnesota mentioned several matters directed more toward the press making disclosures of defense information. I wish to assure him, the Senate, and the press, too, that those provisions in the report were not directed primarily at the press, but represent an attempt to eliminate a great many of the documents and papers which are classified in one way or another, and to reduce the categories to two—secret and top secret. By reclassifying overclassified material, this would open a great new field of public information to the press or to anyone else who wished to be informed. But connected with that limitation, with the recommendation restricting the arbitrary power to classify, there was a recommendation that the penalty be extended to those who knowingly disclosed material of a secret or top secret nature, information of a vital character, which affected the national defense.

Mr. HUMPHREY. That is a fine forward accomplishment. It is one of the objectives we had in mind earlier, namely, to reclassify the so-called classified information. When there is something which is secret or top secret, then there will be the undoubted right to impose penalties for divulging the material.

Mr. STENNIS. That was the basis of the recommendation.

I commend the Senator from Minnesota for his primary authorship—and he was the primary author of the original bill—and for his presentation of it to the Senate committee and to the Senate. The measure passed finally by a unanimous vote, which represented the bipartisan approach that was taken then under his leadership.

As to members of the Commission, I have never served with or been associated with a finer group of persons, some of whom were appointed by the Vice President, some by the President, and some by the Speaker of the House.

I am certain that, as the Commission gathered around the table month after month, if they originally knew who appointed whom, they forgot all about it because they are all Americans from all areas of the Nation.

I especially commend the Senator from New Hampshire [Mr. COTTON] for his excellent work in connection with the original bill, and for his work upon the Commission, where he served as a very valuable member.

The chairmanship of the Commission was in the hands of that able lawyer, Mr. Lloyd Wright, of California, who gave to his position a great deal of time and effort. He is a dedicated man of outstanding ability and high conviction, as are the other members of the fine Commission on which we had the honor to serve. The staff, also, consisted of many outstanding leaders of the highest caliber and they discharged their duties with devotion and competence. They well deserved the trust and confidence placed in them by the Commission.

Mr. HUMPHREY. Mr. President, will the Senator permit me to associate myself with his timely and appropriate remarks concerning the chairman of the committee? Mr. Wright was kind enough, during the deliberations of the Commission, to call upon me on several occasions, because he knew of my interest in the matters under consideration.

Whether one agrees with each observation of the Chairman or any other member of the Commission is incidental. The important consideration is the dedication to the work and the sense of public service which is so manifest in the report and in the activities of the Chairman, the Vice Chairman, and the members of the staff. The Commission had the assistance of an excellent staff, which worked very diligently and loyally.

ORDER OF BUSINESS

Mr. DOUGLAS obtained the floor.

Mr. CAPEHART. Mr. President, will the Senator from Illinois yield? Will the Senator permit me to make an insertion in the RECORD?

Mr. DOUGLAS. Mr. President, as I understand, I was recognized.

Mr. CAPEHART. Is the Senator going to make a speech?

Mr. DOUGLAS. No; I was about to make an insertion in the RECORD. But I shall defer to the Senator from Indiana.

Mr. CAPEHART. No, no.

Mr. DOUGLAS. I shall wait.

Mr. KENNEDY. Mr. President, has the Senator from Illinois yielded the floor?

Mr. DOUGLAS. I have temporarily retired in favor of the Senator from Indiana.

Mr. CAPEHART subsequently said: Mr. President, I regret that the able Senator from Illinois seemed to take exception to my request that he yield. I have been waiting since quarter past 12. As is well known, the Republican conference is meeting at luncheon today at 12:30, and I have been waiting to go there.

Mr. DOUGLAS. Mr. President, I note the comments of the Senator from Indiana, and I think the following statement should be made:

I have been in the Chamber since 12 o'clock today, I believe, waiting to be recognized. I was very glad to allow my colleagues to precede me. I have always felt that the rules of politeness mean that we should not attempt to precede our colleagues; and we should not ask them to yield, in order that we may have insertions made in the RECORD.

It so happened that the insertion I wished to make in the CONGRESSIONAL RECORD was very brief. I had thought that since I was recognized by the Presiding Officer, unless there was some vital business that another Senator wished to bring to the attention of the Senate, on the whole it would be the course of politeness for other Senators to wait until the Senator who had the floor had finished. But since the Senator from Indiana was quite insistent that he be recognized, although my insertion was brief, I certainly did not wish to contest the matter with him, and I wished to submit myself to his desires.

Mr. CAPEHART. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. No, Mr. President; I will not yield again.

Mr. CAPEHART. I think the Senator from Illinois owes it to me——

Mr. DOUGLAS. Mr. President, let me ask who has the floor.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The Senator from Illinois has the floor.

Mr. DOUGLAS. Mr. President, if Senators are to get along with each other in this Chamber—and all of us wish to do so—certainly it is much better for us to permit our colleagues to finish their statements, before we ask them to yield, in order to place statements of our own in the RECORD. If we attempt to proceed, we are simply saying, "My business is far more important than yours, and you should defer to me."

I am perfectly willing to put myself at the bottom of the totem pole in connection with this matter, and to wait until the end of the morning hour, which is what I try to do. But I still do not believe that the business the Senator from Indiana wished to introduce into the RECORD was so crushingly important that his insertion had to have priority over mine, which would have taken approximately 30 seconds. However, all that has passed.

Mr. CAPEHART. Mr. President, I wish to say that I was sincere in believing that the able Senator from Illinois was going to make a speech, because he had papers before him. Otherwise, I would not have asked him to yield to me. As I have said, I had been in the Chamber since quarter past 12, and I had to attend the weekly Republican conference and luncheon, beginning at 12:30.

I assure the able Senator from Illinois that if I had known he was not going to make a speech, I would not have asked him to yield to me, because I only wished to make an insertion in the RECORD.

If I offended the able Senator from Illinois, I wish to apologize to him, because the farthest thing from my mind was to do anything except request that he accommodate me regarding a brief insertion, just as I would be glad to accommodate him under like circumstances.

So I apologize to the able Senator from Illinois. I would not have asked him to yield to me if I had not thought he was going to make a speech.

Mr. DOUGLAS. Of course I accept the apology of the Senator from Indiana, Mr. President. I am sure his intention was as he has stated. Perhaps this somewhat unhappy incident may serve a good purpose if it establishes a ground rule that Senators should not interrupt each other unless they obtain the consent of the Senator who has the floor.

PRESIDENT EISENHOWER'S PRESS CONFERENCE OF JUNE 26, 1957

Mr. CAPEHART. Mr. President, last night I listened to excerpts from President Eisenhower's press conference of yesterday. I was very much impressed with his comments on price control and

on the recent decisions of the Supreme Court. Therefore, I ask unanimous consent that excerpts from the President's press conference of yesterday, as published in today's issue of the New York Times, be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the excerpts from the press conference were ordered to be printed in the RECORD, as follows:

TRANSCRIPT OF THE PRESIDENT'S NEWS CONFERENCE ON FOREIGN AND DOMESTIC AFFAIRS

President EISENHOWER. Good morning, please sit down. I have no announcements.

ROBERT E. CLARK, of International News Service. Mr. President, there have been reports that withdrawal of our combat troops from Japan is the first step in a program to reduce our manpower commitments in other parts of the world.

Are we planning to reduce our military strength in any other countries?

Answer. Well, only in this way: There are no—first of all, there are no definite plans for reductions anywhere else but, as you know, for many months the military services have been working on redesigning of military organization to take advantage of the increased power of weapons and to streamline, so far as individuals are concerned.

Now, as that takes place, there should be, I would think, some saving in numbers, but when it comes to taking out of units, specifically NATO [North Atlantic Treaty Organizations] there is no plans whatsoever of that nature.

CHALMERS M. ROBERTS, of the Washington Post and Times Herald. It has been printed in London, sir, that in order to get the British to agree to your proposal for cessation of tests and an end to production of nuclear material for weapons, that you have promised Prime Minister [Harold D.] Macmillan that you would ask the Congress to change the law so that this country could turn over nuclear weapons themselves to the British. Is that correct?

Answer. Well, of course, there is a great deal of speculation everywhere about these things.

PLANS DO NOT EXIST

Now, as far as any definite plans of the kind you were describing, those don't exist. In other words, I haven't drawn up any recommendations to make to the Congress at this moment.

This whole business of disarmament has to proceed along in steps, and sometimes very tiny steps, until you can see what the next one must be; I don't know exactly what the next one will be.

WILLIAM H. LAWRENCE, of the New York Times. Mr. President, quite naturally, there does seem to be a hesitancy on the part of the Government to an unequivocal yes or no on this business of immediate suspension of nuclear testing. The issue, of course, is not wholly black or white, but would you give us your thinking as to the conditions and reservations which you regard as indispensable to such an agreement.

Answer. Mr. Lawrence, this is one of the most complicated subjects that the Government has to deal with.

Now, first of all, let me make this clear: We have proposed—I mean, have made an offer of a cessation of tests as an integral part of what we call a general first step toward disarmament.

This would include, among other things, the agreement to cease building arms out of a new production; it would be coupled with limited sky inspectional plans, and possibly some beginning in general reduction of armaments, and, of course, the necessary inspectional system to make certain that the whole scheme was being carried out faithfully on both sides—and by that offer we stand.

GIVES OTHER SIDE

But, I should like to give you just a little bit of the other side of the picture. I have been visited by people that certainly, by reputation and common knowledge, are among the most eminent scientists in this field, among them Dr. (Ernest O.) Lawrence and Dr. (Edward) Teller.

Now, they—what they are working on is this: the production of clean bombs. They tell me that already they are producing bombs that have 96 percent less fallout than was the case in our original ones, or what we call dirty bombs; but, they go beyond this. They say, "give us 4 or 5 years to test each step of our development and we will produce an absolutely clean bomb." So that the weapon becomes completely military in its application.

If you use it on the battlefield, you will have an effect only so far as its blast and heat waves' reach, and there will be no fallout to injure any civilian or anyone, any innocent bystanders that are off X miles, the necessary distance to get out of the area of heat and blast.

Moreover, they go on to say this: if you are going to get the full value out of the atomic science in peaceful development, that is, let us assume that there are no more bombs made or used, and you want to make certain that you are getting the best out of this new science for the peaceful uses of mankind, these tests must go on so you realize that when you are making these agreements to stop, that you are not doing something that may not have an adverse effect, finally, on what we hope to get out of this; but for the moment, it would appear that the psychological factors and the fears of the world are such that we should go right ahead with the plan, with the offers that we have made and we have no intention of pulling back for them for a minute.

NOT BLACK AND WHITE

But, it does show, as you so aptly say, the question is not black and white, it is one where judgment must be exercised.

PETER J. JUMPA, of the Baltimore Sun. Sir, your Security Commission, after a very long and exhaustive study, made some rather far-reaching recommendations to overhaul, in some parts our security system.

We have been told, sir, that you in general approve of these recommendations.

Are there any specific proposals that were made that you disapprove?

Answer. "Well, now there I can't say it that specifically. What happened was: as those studies have been going on from time to time I have heard parts of the conclusions that they were reaching. The book was given to me and I had a chance to glance through it very hastily.

I could see what the careful approach was, and I knew that there would be many parts in it that should result in some revisions of our security system to its betterment, not only in increasing the security of the United States but in insuring complete justice to the individuals that were affected.

The only point that I happened to run into that made me raise my eyebrows, and question its wisdom, was the transferal of the visa privilege from the State Department to [the] Justice [Department]. I don't think I would agree with that."

Mrs. MAY CRAIG, of the Portland Press Herald. Mr. President, our first atomic bomb was dropped on a city. When you speak of battlefields in a nuclear age, what do you mean?

CONFINED TO TARGET

Answer. Well, I think you have a question that I can't answer, and no one else can, Mrs. Craig; but I do say this, at least with the talking about a clean bomb—you are not setting up force that can roam over the countryside and hit something outside of the target at which you are definitely aiming.

For example, we bombed Germany terribly in the war. We would send 1,500, 1,600, even 2,000 bombers on a raid and we bombed cities. Why? Because there's where their manufactures were, and of course many people were killed who not only had no part in starting the war, were perfectly innocent, some of them, of course, tragically, children.

But all I am saying is that you can attack and confine the effects to the target you decide you must hit. That's all I was saying.

FRANCIS M. STEPHENSON of the New York Daily News.—Mr. President, is there any possibility that Russia may learn how to make these clean bombs, and do we have any assurance they would use them on us? [Laughter.] Answer.—You know, I don't know of any better question, because I asked it myself. This is, I would say this: I would hope that they would learn how to use clean bombs and would use them for the simple reason that then at least we make them specific weapons instead of weapons of general and uncontrolled destruction.

Later, James C. Hagerty, White House press secretary asked that this portion of the transcript be revised as follows:

("I would hope that they [the Russians] would learn how to use clean bombs, and if they ever used atomic bombs, would use clean ones—for the simple reason that then at least the bombs used would be specific weapons instead of weapons of general and uncontrolled destruction.")

LLOYD M. SCHWARTZ of Fairchild Publications.—The Bureau of Labor Statistics reported yesterday that prices had risen for the ninth consecutive month to an all-time high, and for 14 of the last 15 months, and there are warnings in Congress about inflation threatening the economy.

Are you still confident that appeals to labor and industry for moderation on prices and wages will succeed, or are we approaching the point where some more drastic restraints might be necessary?

WOULD SHUN CONTROLS

Answer. Well, of course I believe that if you have to resort in time of peace, to strict governmental control of prices, of wages, services and things, then we are abandoning the system that has made us great and by which we have lived and in which we believe.

So that, your suggestion, when you say "something more drastic," I assume you mean by governmental authority taking over all of these functions that are now entrusted to the interactions of economic forces in our country.

Now, we watch all of the developments in the economy very closely. As you know, first of all, I have this Council of Economic Advisers, but on top of that, the Federal Reserve Board watches every movement, they cooperate closely with the Treasury, which does the same; and there are others, including the Secretary of Commerce and his group—and labor.

The only point I make is this: Government, no matter what its policies, cannot, of itself, make certain of the soundness of the dollar, that is, the stability of the purchasing power of the dollar in this country. There must be statesmanlike action, both by business and by labor. Frankly, I believe that boards of directors of business, of business organizations, should take under the most serious consideration any thought of a price rise and should approve it only when they can see that it is absolutely necessary in order to continue to get the kind of money they need for the expansion demanded in this country.

FRANK VAN DER LINDEN of the Richmond Times Dispatch. Mr. President——

Answer (continuing). and at the same time labor should demand wages, wage increases that conform roughly to the increase in productivity of the individual, and the only exception I think they ought to make to that, when there are demonstrable injustices existing in particular areas.

If we don't do this, I tell you, if you go to specific governmental controls, rigidly applied in time of peace, then you are beginning to help make come true a prediction we heard a few weeks ago from a man who certainly is no friend of ours, and I am not going to be a party to it.

ATTACKS ON COURT CITED

EDWARD P. MORGAN, of the American Broadcasting Co. Mr. President, under our system, as is well known, the judiciary cannot defend itself as the legislative and executive branches can and do. Right now the Supreme Court, prominently including some justices appointed by you, are under heavy attack for a series of decisions they have made defending the rights of individual citizens under the Constitution.

In view of the fact that the Court is unable to answer back, so to speak, do you think there is a danger of these attacks being intemperate and, in your own philosophy of government, what is the position of importance occupied by an independent judiciary?

Answer. Well, of course, our system of government, in my opinion, could not exist without an independent judiciary; I answer that question first.

Next, you say they are completely without means of defending themselves. They write their decisions, as I understand it, in such a way that they hope at least that even a layman like myself can understand them.

They lay out their reasoning, the processes of logic that they followed, and the conclusions they reached, and if some of their number disagree with the majority then they, in turn, write out their opinions in full, and in some of our law that I have heard lawyers talk about, some of these dissenting opinions have, in the long run, had greater effect than the majority opinion at the moment.

So, I don't agree with you that they don't have any means of defending themselves, because they lay out the whole works.

SEES JUSTICES RESPECTED

Now, you say they are under heavy attack. I still believe that the United States respects the Supreme Court and looks to it as one of the great stabilizing influences in this country to keep us from going from one extreme to the other; and possibly in their latest series of decisions there are some that each of us has very great trouble understanding.

But, even so, I think we should not forget this: The Supreme Court is just as essential to our system of government as is the President or as is the Congress, and we should respect its duties and its responsibilities.

JOHN R. GIBSON, of the Wall Street Journal. Mr. President, on the inflation question, sir, could you give us your appraisal of just how serious the threat of inflation is now?

Answer. Well, you have had the beginnings of a type of inflation because, after having been successful over a period of almost 4 years in keeping the cost of living from rising more than 1 percent or 2, I've forgotten exactly, within the past year, we now have it going up more rapidly and that becomes alarming because the curve bends upward.

Now, part of that, of course, is due to the deliberate policy to bring to the farmer his own proper share of national income. We say proper share, and I am not exactly sure what that means but, as you know, they have taken certain years to be representative of justice in this matter, and have tried to approach that through all sorts of laws.

We are still, the whole country is still, experimenting with laws in that question.

But, that has accounted for a very considerable amount of this increase in cost.

UNITED STATES SPENDING A FACTOR

The other comes about through increase, increases in governmental spending, some of it absolutely vitally necessary, the defense, and things we do abroad, to keep the peace, to develop better situations, some of it is that, and some of it is undoubtedly what we call the wage-price spiral.

Now, it is very difficult to find what is absolutely the just thing in those cases. I have had in to see me representatives of both sides, not together, at different times. One side gives you a list of statistics and shows you what this means. For example, the manufacturer who is putting $500 million into a factory to make new jobs and greater prosperity in this country will show you that his writeoff of taxes, extending over 25 years, will finally be in dollars that are much cheaper than he had to put in to build the thing, because the dollar tends to inch up on him all the time.

Therefore, he thinks he should have a faster writeoff, or he should have his writeoff on the basis of what it is going to cost him to replace these facilities rather than what the original cost is.

The other side comes in and shows you all the privileges exercised by the boards of directors and how much wages, what stipends they get, and so on, and it is very difficult, at least for me to find out where justice lays on this point.

I do say that unless there is statesmanship exercised both by business and by labor, as well as sound, sane policies pursued by Government according to the advice of the best economists we can get in this country, then there is real danger of inflation.

I think—the fellow right here with the gray coat.

JOHN M. HIGHTOWER of the Associated Press. Mr. President, when you talk about the development of a clean bomb, or the possible use of a dirty one, what assumptions do you make with respect to the possibilities of avoiding war in the future?

SEES NO VICTOR IN WAR

Answer. Well, I have told you this time and time again—I repeat it almost in my sleep: There will be no such thing as a victorious side in any global war of the future. I believe that any time we begin to think of war as an inescapable event of some future time, that we have become completely pessimistic on the future of humanity, at least in the Northern Hemisphere, as we have known it, and it is really a tragedy that the human imagination and mind won't encompass.

So what we have to do is keep that force and that power that keeps the war from happening, and when I say "making clean bombs," and all these things, I'm interested in what this science is going to be someday for the building of a civilization instead of tearing it down.

ROD MACLEISH of Westinghouse Broadcasting Co. Sir, are there any indications coming out of the London conference that you can see that the Russians are relaxing their stand against inspection, the kind of stand that has made it impossible for any real agreement on disarmament—anything within the last week, sir?

Answer. Well, there have been some indications, they have talked, and as you well know, that the acceptability of certain kinds of inspection, and the only think we can do is patiently, with our allies, to explore and to see whether this inspectional system in any direction is sufficiently sound and good that we can, in that area at least, make some agreement.

CIVIL RIGHTS ISSUE

Mr. VAN DER LINDEN. Mr. President, several of the southern Governors who heard your speech at Williamsburg Monday night agreed with you in your States rights appeal, but they said they sought to see some contradiction between that and your civil rights bill which gives new powers to the Attorney General and sets up another Federal commission; and they wondered if there was any chance of the States taking over that, or whether there would be any modification of the civil rights program.

Answer. Well, as I have expressed myself time and again, I think the civil rights program is eminently reasonable and moderate. You people well know I believe in moderate government. I don't believe you can change the hearts of men with laws or decisions, or anything else, or put them in jail or any other of these terrible things.

I think there is here a great educational problem that involves a moral value and human values. At the same time, when the Supreme Court finds, 9 to 0, that such-and-such is the law of the land, and they issue an order—now, they are the Supreme Court, not of Massachusetts or Mississippi, but of the United States, and the Executive automatically acquires certain responsibilities.

EXPLAINS COMMISSION

Now, to find out what those responsibilities are for—I mean, exactly what they are and what might be done about them, was the reason I advocated the Commission, to have somebody in Federal Government who had nothing else to do, I advocated the Assistant Secretary in the Office of the Attorney General. To make sure that we could proceed on civil rather than criminal channels I put that into the recommendation; and finally, the one that has caused so much struggle is merely that the Federal judge, as his custom, could commit a man for—for contempt of court if his orders were not obeyed.

Now, to my mind, this is a very moderate decent thing, and is designed to bring about better understanding and not to persecute anybody.

SPENCER DAVIS, of the Associated Press. The North Korean Communists, Mr. President, have been calling now for a meeting with the allied powers to discuss the unification, to discuss the withdrawal of foreign troops and the unification of Korea.

Would you say, sir, how we feel about that, and whether you consider the conditions exist which would make this a fruitful conference?

Answer. Well, you would have to find out exactly what the proposals are. To talk in the generalities in which they were speaking is—is not, in itself, a proposal.

Now, they can call a meeting of the council, that is provided in the armistice order, and we will find out more as to exactly what they mean; and then, of course, we will have to find out what our allies think about it.

MARVIN L. ARROWSMITH, of the Associated Press, Mr. President, you spoke of one recommendation in the security report as having raised your eyebrows. I just wondered how you feel about the recommendation that Congress make it a crime for private citizens, including newsmen, to disclose secret Government information?

HAD NOT READ SECTION

Answer. I saw that only in the papers, Mr. Arrowsmith. I haven't read that part of the report, or the argument leading up to it.

I do regard this exposure, deliberate exposure of a governmental secret that is not an administrative secret, but involves the security of our country most seriously; and there was I think during the war an act, I think they called it the Official Secrets Act

or something of that kind, I don't want to be quoted on this because I served so much of my time in Britain it might have been there I heard of it, but in one of these places, this act was very severe during the war. But, I do think that any man who knowingly reveals a secret that affects the security of our country is doing something for which he ought to be ashamed, even if there are no laws to that effect.

The PRESIDENT. That gentleman.

ROWLAND EVANS, JR., of the New York Herald Tribune. Sir, recent voting indicates that your program has made substantial gains among the Republicans. I think the civil-rights skirmish, the foreign-aid bill, the atomic treaty. I wondered, Sir, if you attribute these gains to your own personal campaign with Congressmen? You have had meetings in the White House, Sir, you have written a number of letters and made a number of phone calls. Do you think that that is a major factor in these apparent gains, and do you plan to continue that kind of a personal intimate campaign with your party on the hill?

SEES RISE IN INTEREST

Answer. Well, of course, there has been more public interest in them lately, but I have always done this, I assure you. I have always tried to keep in close contact with the Members of Congress. It happens that now I am repeating a thing that I did in the first year, to have everybody in. I just want to say this: so far as I am concerned, and I am sure this applies to every associate I have, we try to devise programs we believe will work best for the benefit of the United States, so our programs are not, I mean our programs of information, are not propaganda programs, we are not trying to get something to reelect me, you know that can't be done.

So, what we are trying to do is to educate people and my only hope is that they are learning that these programs are pretty good and are sticking with them, and that is very comforting.

DAYTON MOORE of the United Press. Mr. President, first may I apologize for interrupting your remark last week on your vacation plan.

Answer. I was delighted. [Laughter.]

Question. When you paused, I thought you had finished, would you finish it now, sir?

Answer. I forgot where I was. [Laughter.]

Question. You were at "as a matter of fact." [Laughter.]

Answer. You will have to admit I hadn't committed myself.

Actually, the facts are these: I have no definite plans at this time, although quite naturally if I found the place that had the necessary facilities, I would like to go away somewhere to the northward, or at least a little higher than this for whatever time I could get away.

Now, you must remember, I have to have an airfield so the staff and I can communicate easily. We have to have signal communications set up. There have to be places to house the secret service and the staff, and a few newspaper people.

It is not an easy thing to find all of these, and since, for a number of reasons, I don't want to go back to Denver this year, it has been quite hard to find one. So, I haven't any plans at all.

Mr. MOORE. Thank, you Mr. President.

Mr. CAPEHART. Mr. President, again I wish to say that one of the largest problems facing the Nation is inflation. Of course, the President stated that he hopes private industry and labor and all others will use restraint in connection with raising prices. I hope so, too. But, Mr. President, I think the time may well come—unless restraint is used and unless prices are kept down—when the Government may have to take some action. I hope the time will never come when that is required; but the Congress will have to take action, rather than permit runaway inflation.

EMERGENCY IMMIGRATION PROBLEMS

Mr. PASTORE. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I yield to the Senator from Massachusetts [Mr. KENNEDY].

Mr. CAPEHART. Mr. President, will the Senator from Massachusetts yield, that I may place an article in the RECORD?

Mr. PASTORE. I have the floor.

Mr. KENNEDY. Mr. President, on behalf of myself, the Senator from Rhode Island [Mr. PASTORE], and the Senator from Ohio [Mr. LAUSCHE], I introduce, for appropriate reference, a bill relating to certain immigration matters. I ask unanimous consent that the bill, together with a section-by-section analysis, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the RECORD.

The bill (S. 2410) to facilitate the entry into the United States of certain immigrants; to authorize the adjustment of status of certain aliens in the United States; to provide for the issuance of special nonquota immigrant visas to certain refugees, and for other purposes, introduced by Mr. KENNEDY—for himself and other Senators—was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That (a) for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the eligible child as defined in subsection (b) of this section, shall be held and considered to be the natural-born alien child of a citizen of the United States if the Attorney General finds that such child (1) has been lawfully adopted abroad by such United States citizen and spouse; or (2) assurances, satisfactory to the Attorney General, have been given by such United States citizen and spouse that if such child is admitted into the United States they will adopt him in the United States and will care for him properly and that the preadoption requirements, if any, of the State of such child's proposed residence have been met.

(b) When used in this section the term "eligible child" shall mean an alien (1) who is an orphan because of the death or disappearance of both parents, or because of abandonment or desertion by, or separation or loss from, both parents, or who has only one parent due to the death or disappearance of, abandonment or desertion by, or separation or loss from the other parent and the remaining parent is incapable of providing care for such orphan and has in writing irrevocably released him for emigration and adoption; (2) who is ineligible for admission into the United States solely because that portion of the quota to which he would otherwise be chargeable is oversubscribed by applicants registered on the conuslar waiting list at the time his visa application is made; and (3) who is under 14 years of age at the time the visa is issued: *Provided*, That no natural parent of any minor eligible child who shall be admitted into the United States pursuant to this section shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act: *Provided further*, That not more than two nonquota immigrant visas may be issued to minor eligible children adopted or to be adopted by any one United States citizen and spouse, unless necessary to prevent the separation of brothers or sisters.

(a) Any visa which has been or shall be issued to an eligible child under this section or under any other immigration law to a child lawfully adopted by a United States citizen and spouse while such citizen is serving abroad in the United States Armed Forces, or is employed abroad by the United States Government, or is temporarily abroad on business, shall be valid until such time, for a period not to exceed 3 years, as the adoptive citizen parent returns to the United States in due course of his service, employment, or business.

(d) No visa shall be issued under this section after June 30, 1959.

(e) Any adopted child described in section 323 of the Immigration and Nationality Act (1) one of whose adoptive parents is (A) a citizen of the United States, (B) in the service of the Armed Forces of the United States, or in the employment of the Government of the United States, or of an American institution of research recognized as such by the Attorney General, or of an American firm or corporation engaged in whole or in part in the development of foreign trade and commerce of the United States, or a subsidiary thereof, or of a public international organization in which the United States participates by treaty or statute, and (C) regularly stationed abroad in such service or employment, and (2) who is in the United States at the time of naturalization, and (3) whose citizen adoptive parent declares before the naturalization court in good faith an intention to have such child take up residence within the United States immediately upon the termination of such service or employment abroad of such citizen adoptive parent, may be naturalized upon compliance with all the requirements of the naturalization laws except that no prior residence or specified period of physical presence within the United States or within the jurisdiction of the naturalization court or proof thereof shall be required, and paragraph (3) of section 323 (a) of the Immigration and Nationality Act shall not be applicable.

(f) The Attorney General may, pursuant to such terms and conditions as he may by regulations prescribe, adjust the status to that of an alien lawfully admitted for permanent residence, as of the date of his arrival in the United States, in the case of an alien who was paroled into the United States under section 212 (d) (5) of the Immigration and Nationality Act if such alien at the time of his arrival in the United States was an eligible orphan as defined in section 5 of the Refugee Relief Act of 1953, as amended, and was, or thereafter has been, adopted by a United States citizen and spouse in a court of proper jurisdiction.

(g) The Attorney General is authorized and directed to establish such regulations and to prescribe such forms of bond, and other papers, issue such instruction, and perform such other acts as he deems necessary for carrying out his authority under the provisions of this section.

SEC. 2. In the administration of titles I and II of the Immigration and Nationality Act, the Attorney General is authorized and directed, pursuant to such terms and conditions as he may by regulations prescribe, to provide that, for all purposes under such titles, (a) the term "stepchild" shall include

a stepchild whether or not born out of wedlock, and (b) the term "child" shall include an illegitimate child, by, through whom, or on whose behalf a status, privilege, or benefit is sought by virtue of the relationship of the child to its natural mother.

SEC. 3. In the administration of the Immigration and Nationality Act, the Attorney General is authorized, pursuant to such terms and conditions as he may by regulations prescribe, to adjust the status to that of an alien lawfully admitted for permanent residence in the case of (a) an alien, physically present within the United States on May 1, 1957, who is the beneficiary of an approved visa petition for immigrant status under section 203 (a) (1) (A) of the Immigration and Nationality Act filed on his behalf prior to the date of the enactment of this act, and (b) his spouse and children physically present within the United States on May 1, 1957. Upon the payment of the required visa fee and the adjustment of status under this section, the Attorney General shall record the alien's lawful admission for permanent residence as of the date of the order adjusting status. Nothing contained in this section shall be held to repeal, amend, or modify any of the provisions of the act of June 4, 1956 (70 Stat. 241), nor shall any person acquiring exchange visitor's status subsequent to the enactment of that act, and who has not received a waiver pursuant thereto, be eligible for adjustment of status under this section. Pursuant to such terms and conditions, and in accordance with such procedure as he may by regulations prescribe, the Attorney General is authorized to grant nonquota status, and if otherwise admissible under the provisions of the Immigration and Nationality Act, a nonquota immigrant visa shall be issued to the spouse and child of any alien specified in clause (a) whose status has been adjusted under this section: *Provided*, That the marriage by virtue of which such relationship exists occurred prior to May 1, 1957: *Provided further*, That this section shall be applicable only to aliens admissible to the United States except for the fact that an immigrant visa is not promptly available for issuance to them because the quota of the quota area to which they are chargeable is oversubscribed.

SEC. 4. (a) The provisions of the Immigration and Nationality Act relating to the deportation of aliens within the United States on the ground that they were excludable at the time of entry as (1) aliens who have sought to procure, or have procured visas or other documentation, or entry into the United States by fraud or misrepresentation or (2) as aliens who were not of the nationality specified in their visas, shall not apply to an alien otherwise admissible at the time of entry who (A) is the spouse, parent, or child of a United States citizen or of an alien lawfully admitted for permanent residence, or (B) was admitted to the United States between December 22, 1945, and November 1, 1954, both dates inclusive, and misrepresented his nationality, place of birth, identity, or residence in applying for a visa: *Provided*, That such alien described in clause (B) shall establish to the satisfaction of the Attorney General that the misrepresentation was predicated upon the alien's fear of persecution because of race, religion, or political opinion if repatriated to his former home or residence, and was not committed for the purpose of evading the quota restrictions of the immigration laws or an investigation of the alien at the place of his former home or residence or elsewhere.

(b) After the effective date of this act, any alien who is the spouse, parent, or child of a United States citizen or of an alien lawfully admitted for permanent residence and who is excludable because (1) he seeks, has sought to procure, or has procured, a visa or other documentation, or entry into the United States, by fraud or misrepresentation, or (2) he admits the commission of perjury in connection therewith, shall hereafter be granted a visa and admitted to the United States, if otherwise admissible, if the Attorney General in his discretion has consented to the alien's applying or reapplying for a visa and for admission to the United States.

SEC. 5. (a) Nothwithstanding the provisions of section 212 (a) (6) of the Immigration and Nationality Act as far as they relate to aliens afflicted with tuberculosis, an alien who is the spouse, parent, child, or minor unmarried adopted child, of a United States citizen or of an alien lawfully admitted for permanent residence who is accompanying or following to join such United States citizen or such alien, may be issued a visa and admitted to the United States for permanent residence if otherwise admissible under the provisions of that act, under such conditions and controls, including the giving of a bond, as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, may deem necessary to impose.

(b) The Attorney General shall promptly make a detailed report to the Congress in any case in which the provisions of this section are applied.

(c) This section shall expire on June 30, 1959.

SEC. 6. Any alien eligible for a quota immigrant status under the provisions of section 203 (a) or (3) of the Immigration and Nationality Act on the basis of a petition approved by the Attorney General prior to March 1, 1957, shall be held to be a nonquota immigrant and, if otherwise admissible under the provisions of that act shall be issued a nonquota immigrant visa: *Provided*, That, upon his application for an immigrant visa, and for admission to the United States, the alien is found to have retained his relationship to the petitioner as established in the approved petition.

SEC. 7. (a) Notwithstanding the provisions of section 20 of the Refugee Relief Act of 1953, as amended (67 Stat. 400; 68 Stat. 1044), special nonquota immigrant visas allotted for issuance to aliens specified in paragraphs (1), (9), (10), and (11) of section 4 (a) of such act, which remained unissued on January 1, 1957, may be issued by consular officers as defined in section 101 (a) (9) of the Immigration and Nationality Act to aliens who are refugee escapees (as defined in subsection (b)): *Provided*, That such alien is found to be eligible to be issued an immigrant visa and to be admitted to the United States under the provisions of the Immigration and Nationality Act: *Provided further*, That all special nonquota immigrant visas authorized to be issued under this section shall be issued in accordance with the provisions of section 221 of the Immigration and Nationality Act: *Provided further*, That a quota number is not available to such alien at the time of his application for a visa.

(b) (1) For purposes of subsection (a), the term "refugee escapee" means any alien who, because of persecution or fear of persecution on account of race, religion, or political opinion has fled or shall flee (A) from any Communist, Communist-dominated, or Communist-occupied area, or (B) from any country within the general area of the Middle East, and who cannot return to such area, or to such country, on account of race, religion, or political opinion.

(2) For purposes of paragraph (1), the term "general area of the Middle East" means the area between and including Libya on the west, Turkey on the north, Pakistan on the east, and Saudi Arabia and Ethiopia on the south.

(c) Nothing in this section shall be held to extend the Refugee Relief Act of 1953, as amended (66 Stat. 174; 68 Stat. 1044), and nothing in this section shall be held to authorize the issuance of special nonquota immigrant visas in excess of the number provided in section 3 of that act.

SEC. 8. On and after July 1, 1957, the quotas proclaimed under the Immigration and Nationality Act shall not be subject to the quota deduction provisions of the act of June 25, 1948, as amended (62 Stat. 1009; 64 Stat. 219; 65 Stat. 96) or section 201 (e) (2) of the Immigration and Nationality Act (66 Stat. 176), the act of June 30, 1950 (64 Stat. 306), the act of April 9, 1952 (66 Stat. 50), or any other act of Congress enacted prior to the date of the enactment of this act.

SEC. 9. (a) In the administration of section 212 (a) (9) of the Immigration and Nationality Act an alien shall not be ineligible to receive a visa and excludable from admission into the United States (1) solely by reason of a single conviction of an offense or offenses which, if committed in the United States would be a misdemeanor or misdemeanors, each punishable by imprisonment not to exceed 1 year, and for which the fine or aggregate fines actually imposed did not exceed $500, or for which the sentence or aggregate sentences to confinement actually imposed did not exceed 6 months, or both; or (2) solely by reason of the admission of the commission of an offense or offenses or the commission of acts constituting the essential elements of an offense or offenses which, if committed in the United States, would be a misdemeanor or misdemeanors punishable by imprisonment not to exceed 1 year: *Provided further*, That the determination whether an offense committed outside the United States would, if committed in the United States, be classified as a misdemeanor punishable by imprisonment not to exceed 1 year shall be based not on the applicable foreign law but on the provisions of the United States Code, and whenever such code fails to define a crime comparable to the one committed, on the provisions of the Criminal Code of the District of Columbia.

(b) After the effective date of this act, any alien who is the spouse, parent, or child of a United States citizen or of an alien lawfully admitted for permanent residence and who is excludable from the United States under paragraph (9) of section 212 (a) of the Immigration and Nationality Act, shall be issued a visa and admitted to the United States, if otherwise admissible under the provisions of that act, (1) if it shall be established to the satisfaction of the Attorney General that (A) the alien's exclusion would result in extreme hardship to the United States citizen or lawfully resident spouse, parent, or child of such alien, and (B) the admission to the United States of such alien would not be contrary to the national welfare, safety, or security of the United States; and (2) if the Attorney General in his discretion, and pursuant to such terms, conditions, and procedures as he may by regulations prescribe, has consented to the alien's applying or reapplying for a visa and for admission to the United States.

SEC. 10. Section 4 of the act of September 3, 1954 (68 Stat. 1145), is hereby repealed.

SEC. 11. (a) In the administration of the Immigration and Nationality Act, any alien who is or has been paroled into the United States by the Attorney General under the authority of paragraph (5) of subsection (d) of section 212 of the Immigration and Nationality Act and has not otherwise acquired permanent residence status in the United States may apply to the Attorney General for adjustment of his status to that of an alien lawfully admitted for permanent residence.

(b) If it shall appear to the satisfaction of the Attorney General that the alien has remained in the United States for at least 2 years, is a person of good moral character,

and that such action would not be contrary to the national welfare, safety, or security, the Attorney General, in his discretion, may record the alien's lawful admission for permanent residence as of the date of the alien's last arrival in the United States. A complete and detailed statement of the facts and pertinent provisions of law in the case shall be reported to the Congress with the reasons for such adjustment of status. Such reports shall be submitted on the 1st and 15th day of each calendar month in which Congress is in session. If during the session of the Congress at which a case is reported, or prior to the close of the session of Congress next following the session at which a case is reported, either the Senate or the House of Representatives passes a resolution stating in substance that it does not favor the adjustment of status of such alien, the Attorney General shall thereupon require the departure of such alien in the manner provided by law. If neither the Senate nor the House of Representatives passes such a resolution within the time above specified, the alien shall be regarded as lawfully admitted to the United States for permanent residence as of the date of the alien's last arrival in the United States.

SEC. 12. The Secretary of State and the Attorney General are hereby authorized, in their discretion and on a basis of reciprocity, pursuant to such regulations as they may severally prescribe, to waive the requirement of fingerprinting specified in sections 221 (b) and 262 of the Immigration and Nationality Act, respectively, in the case of my nonimmigrant alien.

SEC. 13. In the administration of the Immigration and Nationality Act, quota immigrant visas shall be made available for issuance under section 203 (a) (1) (B) of such act to any qualified quota immigrant who—

(a) is the spouse or child of an immigrant who has been issued a quota immigrant visa under section 203 (a) (1) (A) of such act and has been lawfully admitted to the United States for permanent residence, and

(b) is following to join his spouse or parent.

SEC. 14. (a) Any alien admitted to the United States as a nonimmigrant under the provisions of either section 101 (a) (15) (A) or 101 (a) (15) (G) of the Immigration and Nationality Act, who has failed to maintain a status under either of those provisions, and who has not been required to depart from the United States under the authority of section 241 (e) of such act, may apply to the Attorney General for adjustment of his status to that of an alien lawfully admitted for permanent residence.

(b) If it shall appear to the satisfaction of the Attorney General that the alien is a person of good moral character, and that such action would not be contrary to the national welfare, safety, or security, the Attorney General, in his discretion, may record the alien's lawful admission for permanent residence as of the date of the order of the Attorney General approving the application for adjustment of status is made.

(c) A complete and detailed statement of the facts and pertinent provisions of law in the case shall be reported to the Congress with the reasons for such adjustment of status. Such reports shall be submitted on the first and 15th day of each calendar month in which Congress is in session. If, during the session of the Congress at which a case is reported, or prior to the close of the session of Congress next following the session at which a case is reported, either the Senate or the House of Representatives passes a resolution stating in substance that it does not favor the adjustment of status of such alien, the Attorney General shall thereupon require the departure of such alien in the manner provided by law. If neither the Senate nor the House of Representatives passes such a resolution within the time above specified, the Secretary of State shall, if the alien was classifiable as a quota immigrant at the time of his entry, reduce by one the quota of the quota area to which the alien is chargeable under section 202 of the Immigration and Nationality Act for the fiscal year then current or the next following year in which a quota is available. No quota shall be so reduced by more than 50 percent in any fiscal year.

SEC. 15. (a) Notwithstanding any provisions of the Immigration and Nationality Act, the total of all quota numbers established under section 201 of that act which remain unused at the end of each fiscal year shall be available for use in the manner prescribed by this section.

(b) Except as provided in subsection (d), the quota numbers made available for use under subsection (a) shall be distributed among the several quota areas in the same proportion which the quota for each quota area bears to the annual quota of all quota areas combined. No quota numbers made available under subsection (a) shall be distributed to quota areas which, under the proclamation of the President of the United States issued on July 1, 1952, have been allocated an annual quota in excess of 7,000 quota numbers.

(c) The Secretary of State shall, at the end of each fiscal year, determine the amount of quota numbers available under subsection (a) for distribution under subsection (b) of this section for each quota area. The Secretary of State shall proclaim the number thereof on or before October 1 following the end of each fiscal year. The quota numbers so determined and proclaimed by the Secretary of State shall be available for use in accordance with all the provisions of the Immigration and Nationality Act relative to the eligibility for and the issuance of immigrant visas during the ensuing 12-month period, beginning October 1, and ending September 30, of the year immediately following.

(d) The quota numbers made available under subsection (a) shall be available for issuance, during the period beginning October 1, 1957, and ending September 30, 1958, and the period beginning October 1, 1958, and ending September 30, 1959, to—

(1) any alien who applied for, and was qualified for, admission to the United States under the Refugee Relief Act of 1953, as amended, and with respect to whom the assurances required under section 7 (a) of such act were submitted to, and verified by, the Administrator of the Bureau of Security and Consular Affairs, Department of State, and whose application had begun to be processed prior to December 31, 1956;

(2) the spouse of any alien referred to in paragraph (1) of this subsection; and

(3) any unmarried child (including a stepchild and a child adopted before the date of the enactment of this act) of an alien referred to in paragraph (1) of this subsection, if such child is under 21 years of age on the date of the enactment of this act, or was under 21 years of age at the time the assurances referred to in such paragraph (1) were submitted to, and verified by, the Administrator. The total number of quota numbers available for issuance under this subsection for the period ending September 30, 1958, and for the period ending September 30, 1959, shall not exceed the total number of quota numbers which would otherwise be distributed under subsection (b) to all quota areas for each such period. October 1, 1957, and on or before October 1, 1958, estimate the amount of quota numbers which will be issued under this subsection during the periods ending September 30, 1958, and September 30, 1959, respectively, and shall reduce the amount of quota numbers which would otherwise be distributed to each quota area under subsection (b) for use during such periods in the same proportion as the amount of quota numbers which he estimates will be issued under this subsection during such periods bears to the combined quota numbers which would otherwise be distributed under subsection (b) to all quota areas for use during such periods. Quota numbers made available for use under this subsection shall, except as otherwise provided in this subsection, be available for use in accordance with all the provisions of the Immigration and Nationality Act relative to the eligibility for and the issuance of immigrant visas.

SEC. 16. Except as otherwise specifically provided in this act, the definitions contained in sections 101 (a) and (b) of the Immigration and Nationality Act shall be applicable in the administration of this act.

The section-by-section analysis presented by Mr. KENNEDY is as follows:

MEMORANDUM TO ACCOMPANY PROPOSED BILL RELATING TO IMMIGRATION

SECTION 1. ADOPTED CHILDREN

Subsections (a) and (b) of the first section (which is the same as the first section of H. R. 8123, introduced by Congressman WALTER) confer a nonquota immigrant status on certain orphans adopted abroad, or brought to this country for adoption, by United States citizens. Such orphans must be under 14 years of age and must be eligible for admission under the immigration laws, except for lack of a quota number.

Subsection (c) provides that, if the adoptive parents are in the service or employment of the Government abroad, or are abroad on business, visas issued under this section shall be valid until the adoptive parents return to the United States (but not more than 3 years).

Subsection (d) provides that no visa shall be issued under this section after June 30, 1959.

Subsection (e) waives the requirements of residence and physical presence in the United States for naturalization in the case of an adopted child, one of whose adoptive citizen parents is stationed abroad in the service or employment of the Government, of certain American institutions or firms, or of certain international organizations.

Subsection (f) authorizes the Attorney General to adjust the status to that of an alien lawfully admitted for permanent residence of certain children who qualified as eligible orphans under the Refugee Relief Act of 1953, were paroled into the United States under section 212 (d) (5) of the Immigration and Nationality Act, and have been adopted by United States citizens.

SECTION 2. ILLEGITIMATE CHILDREN

Section 2 (which is the same as sec. 2 of H. R. 8123) provides that, for purposes of titles I and II of the Immigration and Nationality Act, the term "stepchild" includes a stepchild born out of wedlock, and the term "child" includes, with respect to the child's mother, an illegitimate child.

SECTION 3. CERTAIN SKILLED ALIENS

Section 3 (which is the same as sec. 3 of H. R. 8123) authorizes the Attorney General to adjust the status to that of an alien lawfully admitted for permanent residence of any alien who was present in the United States on May 1, 1957, and for whom a petition for quota immigrant status under section 203 (a) (1) (A) of the Immigration and Nationality Act (aliens whose services are urgently needed in the United States) had been approved. Similar authority is granted with respect to the spouse and children of any such alien who were in the United States on May 1, 1957, and a nonquota immigrant status is authorized for the spouse and children of any such alien who were not in the United States on such date.

SECTION 4. ALIENS DEPORTABLE OR EXCLUDABLE BECAUSE OF MISREPRESENTATION

Section 4 (which is the same as sec. 4 of H. R. 8123) waives, as a ground of deportation, the procurement of a visa by fraud or misrepresentation (including misrepresentation of nationality), in the case of any alien who is the spouse, parent, or child of a citizen or of an alien lawfully admitted for permanent residence. A similar waiver is provided in the case of any other alien who entered the United States between December 22, 1945, and November 1, 1954, but only if he misrepresented his nationality, birthplace, identity, or residence because of fear of persecution if he were repatriated to his former home or residence, and not to evade the quota restrictions or a personal investigation.

Subsection (b) of such section provides that an alien who is the spouse, parent, or child of a citizen or of an alien lawfully admitted for permanent residence shall not, after the date of enactment of the section, be subject to exclusion on the grounds of procurement of a visa by fraud or misrepresentation, or on the grounds of perjury in connection therewith, if the Attorney General has consented to the alien's applying or reapplying for a visa and for admission to the United States.

SECTION 5. ALIENS EXCLUDABLE BECAUSE OF TUBERCULOSIS

Subsection (a) of section 5 (which is the same as sec. 5 of H. R. 8123) waives the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, as far as they relate to aliens afflicted with tuberculosis, in the case of an alien who is the spouse, parent, child, or minor unmarried adopted child of a United States citizen, or of an alien lawfully admitted for permanent residence, and who is accompanying or following to join such United States citizen or alien.

Subsection (b) of such section provides that the Attorney General shall report to the Congress in any case in which paragraph (6) of section 212 (a) is waived pursuant to such section.

Subsection (c) of such section provides for the expiration of such section on June 30, 1959.

SECTION 6. GRANTING NONQUOTA STATUS TO CERTAIN ALIENS

Section 6 (which is the same as section 6 of H. R. 8123) provides that any alien eligible for a quota immigrant status under paragraphs (2) or (3) of section 203 (a) of the Immigration and Nationality Act (parents of citizens and the spouses and children of aliens lawfully admitted for permanent residence) on the basis of a petition approved by the Attorney General prior to March 1, 1957 shall be issued a nonquota immigrant visa if he is otherwise admissible under such act, and is found to have retained his relationship to the petitioner, as established in the approved petition, at the time he makes application for an immigrant visa and admission to the United States.

SECTION 7. ISSUANCE OF CERTAIN SPECIAL NONQUOTA IMMIGRANT VISAS AUTHORIZED UNDER THE REFUGEE RELIEF ACT OF 1953

Subsection (a) of section 7 provides for issuance to certain refugee-escapees of the special nonquota immigrant visas authorized to be issued under paragraphs (1), (9), (10), and (11) of section 4 (a) of the Refugee Relief Act of 1953, but which remained unissued on January 1, 1957.

Subsection (b) of such section defines refugee-escapee, for purposes of subsection (a), as any alien who, because of persecution or fear of persecution on account of race, religion, or political opinion has fled or shall flee from any Communist, Communist-dominated or Communist-occupied area, or from any country within the general area of the Middle East, and who cannot return to such area, or to such country, on account of race, religion, or political opinion.

Subsection (c) of such section provides that such section shall not be held to extend the Refugee Relief Act of 1953, or to authorize the issuance of special nonquota immigrant visas in excess of the number provided in section 3 of such act.

SECTION 8. TERMINATION OF CERTAIN QUOTA-MORTGAGING REQUIREMENTS

Section 8 (which is similar to section 8 of H. R. 8123) provides that the quota deductions required under the provisions of the Displaced Persons Act of 1948, the act of June 30, 1950 (64 Stat. 306), the act of April 9, 1952 (66 Stat. 50), section 201 (e) (2) of the Immigration and Nationality Act, or any other act of Congress enacted prior to the date of the enactment of this act are terminated effective July 1, 1957.

SECTION 9. ALIENS EXCLUDABLE BECAUSE OF CONVICTION OF CRIMINAL OFFENSES

Subsection (a) of section 9 (which is the same as section 9 of H. R. 8123) waives the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act in the case of an alien (1) who has a single conviction of an offense or offenses which, if committed in the United States would be classified as a misdemeanor or misdemeanors, each punishable by imprisonment not to exceed 1 year, if the fine or aggregate fines actually imposed for such conviction did not exceed $500, or for which the sentence or aggregate sentences to confinement actually imposed for such conviction did not exceed 6 months, or both, or (2) who has admitted to the commission of an offense or offenses, or the commission of acts constituting the essential elements of an offense or offenses which, if committed in the United States, would be a misdemeanor or misdemeanors punishable by imprisonment not to exceed 1 year.

Subsection (b) of such section waives the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act in the case of any alien who is the spouse, parent, or child of a United States citizen, or of an alien lawfully admitted for permanent residence, if the Attorney General believes that such alien's exclusion would result in etxreme hardship to the United States citizen, or lawfully resident spouse, parent, or child of such alien and that such alien's admission would not be contrary to the national welfare, safety, or security of the United States.

SECTION 10. REPEAL OF SECTION 4 OF THE ACT OF SEPTEMBER 3, 1954

Section 10 (which is the same as section 10 of H. R. 8123) repeals section 4 of the act of September 3, 1954, which authorized the admission to the United States of an alien otherwise admissible but for the fact that such alien had been convicted of a misdemeanor, or had admitted to the commission of a misdemeanor. This provision would be superseded by section 9 of the proposed amendment.

SECTION 11. ALIENS PAROLED INTO UNITED STATES

Section 11 (which is substantially the same as section 12 of S. 2222, introduced by Senator KENNEDY) authorizes aliens who are, or have been, paroled into the United States under section 212 (d) (5) of the Immigration and Nationality Act to apply for adjustment of status to that of an alien lawfully admitted for permanent residence.

If the Attorney General approves the application of an alien, he is required to submit a report thereon to the Congress. If either House then passes a resolution disapproving the adjustment of status of such alien, he will be required to depart from the United States in the manner provided by law. If neither House passes a resolution of disapproval, the alien will be regarded as having been lawfully admitted for permanent residence as of the date of his last entry into the United States.

SECTION 12. FINGERPRINTING

Section 12 (which is the same as section 6 of S. 129, introduced by Senator DIRKSEN) authorizes the Secretary of State and the Attorney General to waive, in the case of a nonimmigrant, the fingerprinting requirements contained in sections 221 (b) and 262 of the Immigration and Nationality Act.

SECTION 13. SPOUSE AND CHILDREN OF SPECIALLY SKILLED ALIENS

Section 13 (which is substantially the same as section 11 of S. 129) extends a quota immigrant status under section 203 (a) (1) (B) of the Immigration and Nationality Act to any alien who is following to join his spouse or parent who has been accorded a quota immigrant status under section 203 (a) (1) (A) (aliens whose services are urgently needed in the United States) and has been lawfully admitted to the United States for permanent residence.

SECTION 14. REPRESENTATIVES OF FOREIGN GOVERNMENTS—POLITICAL ASYLUM

Section 14 (which is substantially the same as section 13 of S. 129) authorizes an alien who (1) entered the United States as a representative, officer, or employee of a foreign government (including a representative to an international organization), or as a member of the household of such a representative, officer, or employee; (2) failed to maintain his status; and (3) has not been required to depart from the United States, to apply for adjustment of his status to that of an alien lawfully admitted for permanent residence.

If the Attorney General approves an application for adjustment of status, he is required to submit a report thereon to the Congress. If either House then passes a resolution disapproving the adjustment of status of such alien, he will be required to depart from the United States in the manner provided by law. If neither House passes a resolution of disapproval, the alien will be regarded as having been lawfully admitted for permanent residence as of the date of his last entry into the United States.

SECTION 15. UNUSED QUOTA NUMBERS

Section 15 (which is similar to section 5 of S. 129) authorizes the use of a portion of the unused quota numbers which remain unused at the end of each fiscal year. In general, each quota area (excluding quota areas having an annual quota in excess of 7,000) will receive that portion of the unused quota numbers which bears the same ratio to the total number of unused quota numbers as such quota area's annual quota bears to the total number of annual quota numbers. The Secretary of State is required to determine and announce, on or before October 1 following the close of each fiscal year, the number of unused quota numbers distributed to each quota area. Such quota numbers will be available for use for a period of 1 year (until the succeeding September 30), subject to the provisions of the Immigration and Nationality Act relating to eligibility for and issuance of immigrant visas.

During the first 2 years in which this section is in operation, quota numbers made available by such section will be available for issuance, on a preferential basis, to aliens who applied for, and were qualified for, admission under the Refugee Relief Act of 1953, with respect to whom the necessary assurances required by that act had been made, and whose applications were being processed when the time for issuing visas under that act expired. The quota numbers which would otherwise be distributed to each quota area as explained in the preceding paragraph will be proportionately reduced during these 2 years.

SECTION 16. DEFINITIONS

Section 16 (which is the same as section 11 of H. R. 8123) provides that the definitions contained in sections 101 (a) and (b) of the Immigration and Nationality Act shall apply to terms used in the proposed amendment.

Mr. KENNEDY. Mr. President, on June 5, 1957, I introduced a bill, S. 2222, which addressed itself to what I feel are emergency immigration problems which require the attention of the Congress during the present session. One of the prime purposes of S. 2222 was to bring about the reunion of families and enable the United States to assume a fair share of the responsibility to resettle refugees and escapees from Communist-dominated countries. There have been other bills introduced before and since which approach certain other aspects of our current immigration policy. Most notable among these was H. R. 8123, introduced by the distinguished Representative from Pennsylvania, Mr. WALTER. H. R. 8123 contained many provisions similar to those in S. 2222, but it went further in making technical and other improvements to alleviate hardship under the act.

After carefully examining Mr. WALTER's bill and conferring with many of our colleagues, especially the distinguished majority leader [Mr. JOHNSON], we concluded that a combination of bills embracing the best features of all of them was the best solution. The bill which we are introducing represents that combination.

I wish to reiterate to my colleagues in the Senate that this bill has been carefully drafted after thoughtful consideration and discussion by many Members in both Houses of Congress. The distinguished Representative from Pennsylvania, Mr. WALTER, has assured me that the major provisions of the bill are in accord with his thinking on the subject and that it has his strong support.

This bill is a strong bill, and one which no Member of this body need feel any hesitancy in supporting. It is a carefully worked out, yet simple, measure which would afford immediate relief to pressing problems and provides a better utilization of now unused quotas in the future.

Since a full analysis will be available, I shall just briefly state that this bill would reunite families, provide for better utilization of currently available quotas which go unused each year, remove the mortgages on existing quotas which have been imposed by past acts of Congress. Further, the bill would admit orphans adopted by United States citizens, forgive certain misrepresentations which are grounds for deportation of aliens already here, admit members of families who suffer from tuberculosis under careful safeguards so as to protect the health of our own citizens, provide a limited number of visas for refugees who constitute serious moral, economic, and political problems.

This is not an exhaustive list of the provisions of the bill and I trust that every Senator will study the bill carefully. I am confident that, with the strong support this bill already has and because of the intrinsic merit of the bill, it can and should receive favorable consideration during the present session.

Mr. PASTORE. Mr. President, I am happy to add my sponsorship to the bill introduced by the Senator from Massachusetts [Mr. KENNEDY]. The bill does not represent the maximum of our desires, but it is an important step forward in the interests of mercy and justice in a disturbed world.

We will continue to press forward, but having in mind at all times the best interests of America.

No one can ever say he has done the last final act in an immigration policy because no one knows the events of tomorrow or the crisis of the day after.

What this measure seeks to do is to alleviate some of the family tragedies that arise through the very earnestness of these United States in meeting emergencies. It would unite separated families and give consideration to orphans who have the promise of loving homes in America. It would help a small number who find themselves homeless and stateless in the cataclysm of their former world. It would apply American standards to cases that call for equity and justice. It would not open the gates to a greater number of immigrants than these United States have calculated they can absorb.

The measure is not omniscient, but it is important in these difficult times. It is a gesture of friendship when the United States emphasizes its desire to be friends with a peace-seeking world.

It is my fervent hope that the Senate Judiciary Committee will give this measure immediate attention, and will take favorable action on it.

Mr. HUMPHREY. Mr. President, I wish to commend the Senator from Massachusetts [Mr. KENNEDY], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Ohio [Mr. LAUSCHE] on the introduction of this very important measure. I have just asked the distinguished Senator from Massachusetts whether he will permit me to join him in the sponsorship of the bill, in view of my interest in immigration measures. He has kindly acceded to that request. I am delighted to be able to associate myself with the sponsorship of the bill. Its provisions are much needed. It is our hope that action on the bill will be expedited. Enactment of the bill will mean a forward step in the field of immigration legislation.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, has morning business been concluded?

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Is there further morning business?

Mr. HUMPHREY. Mr. President, I understand the Senator from Arizona had a measure which he wanted to have considered. I do not want to interfere with that procedure but I should like to have the floor following the statement of the Senator from Arizona and action on the measure he wishes to have considered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that that privilege may be accorded the Senator from Minnesota.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I take it morning business is concluded.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Chair is informed that the pending business will not come automatically before the Senate until 2 o'clock, although it can be taken up by motion or by unanimous consent before that hour.

STOCKPILE OF EXTRA LONG STAPLE COTTON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 470, House Joint Resolution 172, which would automatically become the pending business at 2 o'clock, be made the pending business at this time, 1:17 o'clock p. m.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? If not, the Chair lays before the Senate the pending business.

The Senate resumed the consideration of the joint resolution (H. J. Res. 172) relating to the stockpile of extra long staple cotton under the Strategic and Critical Materials Stockpiling Act.

Mr. GOLDWATER. Mr. President, this joint resolution which has come from the House is similar to one my senior colleague from Arizona [Mr. HAYDEN] and I introduced in the Senate this year. We have yielded to the House version. All the bill does is allow 50,000 bales of surplus cotton held in stockpile by the Office of Defense Mobilization to be released to the market. At the present time there is a scarcity of long staple cotton. The mills are crying for it. We should like this done so the price of cotton will not go so high as to injure planters of long staple cotton in the West.

There was a question as to whether such cotton would be counted as a part of the carryover immediately after the enactment of House Joint Resolution 172 while still owned by the Federal Government, or whether it would count only after being sold into the private trade by the disposal agency of the Government.

Mr. President, I ask unanimous consent that a letter I addressed to the Honorable Ezra T. Benson, Secretary of Agriculture, and his reply on the question be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JUNE 19, 1957.

The Honorable EZRA T. BENSON,
Secretary of Agriculture,
Department of Agriculture,
Washington, D. C.

MY DEAR MR. SECRETARY: The Senate Committee on Agriculture and Forestry reported favorably without amendment, House Joint Resolution 172, which provides for the release of 50,000 bales of United States-grown extra-long-staple cotton from the strategic

and critical materials stockpile. I introduced for myself and on behalf of Senator HAYDEN, a companion measure, Senate Joint Resolution 63. Accordingly, I am very much interested in this matter.

The question has arisen as to whether such cotton would be counted as a part of the carryover immediately after the enactment of House Joint Resolution 172, while still owned by the Federal Government, or whether it would count only after being sold into the private trade by the disposing agency of the Government. The committee report contains the following paragraph with respect to this question:

"Section 301 (d) of the Agricultural Adjustment Act of 1938 provides as follows:

"'(d) In making any determination under this act or under the Agricultural Act of 1949 with respect to the carryover of any agricultural commodity, the Secretary shall exclude from such determination the stocks of any commodity acquired pursuant to, or under the authority of, the Strategic and Critical Materials Stock Piling Act (60 Stat. 596) (7 U. S. C. 1301 (d))'."

So long as this cotton remains in the stockpile it is clear that it would not be counted as a part of the carryover, even though it were available for sale under section 3 of the Stock Piling Act. However, some question has arisen as to whether the provision of the joint resolution that the cotton be withdrawn and transferred to the Commodity Credit Corporation would remove this cotton from the provision of section 301 (d). There is no such intention. The cotton would remain subject to section 301 (d), whether held by one agency of the Government or another and will not be counted as part of the carryover so long as it is held by the Commodity Credit Corporation.

I would appreciate your advising me whether the Department will classify the 50,000 bales of long-staple cotton in accordance with the above-quoted paragraph of the committee report assuming that there is no legislative history developed to the contrary during consideration of House Joint Resolution 172 by the Senate.

This is a matter of great importance to the producers of extra-long-staple cotton in Arizona as well as the other producing States. I would appreciate an immediate answer, as I would like to have your reply when the measure is considered by the Senate.

Sincerely,

BARRY GOLDWATER.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., June 24, 1957.

Hon. BARRY GOLDWATER,
United States Senate.

DEAR SENATOR GOLDWATER: This is in reply to your letter of June 19, 1957, informing us that the Senate Committee on Agriculture and Forestry reported favorably without amendment House Joint Resolution 172 which provides for the release of 50,000 bales of United States grown extra-long-staple cotton from the strategic and critical materials stockpile.

We note in consideration of this resolution the question arose as to whether such cotton would be counted as a part of the carryover immediately after the enactment of House Joint Resolution 172 while still owned by the Federal Government or whether it will count only after being sold into private trade by the disposing agency of the Government. We further note a paragraph was inserted in the committee report in order to make clear that the cotton should not be counted in the carryover until it was disposed of by the Government. With the wording quoted in your letter in the committee report and if there is no legislative history developed to the contrary in consideration of the resolution, it would be clear that it was the intention of the Congress that the cotton in question should only be considered in the carryover after it has been sold by the disposing agency of the Government and the statute would be so construed by this Department.

Sincerely yours,

MARVIN L. MCLAIN,
Assistant Secretary.

Mr. HAYDEN. Mr. President, the Senator from Mississippi [Mr. EASTLAND], who reported the bill to the Senate, requested me to make a statement for him in his absence. I am glad to do so.

House Joint Resolution 172 provides for the transfer to, and sale by, Commodity Credit Corporation of 50,000 bales of extra-long-staple cotton now in the stockpile established pursuant to the Strategic and Critical Materials Stockpiling act. The Office of Defense Mobilization recently concluded that present inventories of long-staple cotton should be sold; but the Stockpiling Act requires 6 months' notice prior to sale. The effect of the resolution will therefore be to waive the 6 months' notice with regard to 50,000 bales. There is a current shortage of this type of cotton, and in order to protect producers, processors, and consumers, and minimize the United States' loss, the cotton should be made available now, while the shortage exists, rather than after the new crop becomes available in October.

The Department of Agriculture advised on April 9 that the cotton in the stockpile was acquired at prices averaging about $1.05 a pound, and could then be sold at about 63 cents a pound, for a loss of about $10,500,000. Since then the price has weakened somewhat, so that prompt passage of the resolution is needed to avert further loss. Passage of the resolution will therefore result in no increase in expenditures, but will reduce expenditures for storage charges and avert further loss.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution (H. J. Res. 172) was ordered to a third reading, read the third time, and passed.

RISING INTEREST RATES

Mr. HUMPHREY. Mr. President, although I know how painful it is to my Republican colleagues to have anyone bring up the subject of rising interest rates and the fiscal dilemma of the Treasury, I feel bound in good conscience to keep the record up to date.

Each Monday the Wall Street Journal reports the Dow-Jones municipal yield index. This past Monday it reported that quotations on municipal bonds dropped again—for the fifth straight week, I might add—to 3.46 percent. This is a 22-year low. I ask unanimous consent, Mr. President, that this report of June 17 in the Wall Street Journal appear in the RECORD at this point of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TAX-EXEMPTS: PRICE DROP LAST WEEK CARRIED MUNICIPALS TO NEW 22-YEAR LOWS

Quotations on tax-exempt municipal bonds slipped to their lowest levels in nearly 22 years last week, as dealers marked down older items in their inventory to bring them in line with new issues coming into the market.

The Dow-Jones municipal yield index, which moves inversely to prices, now reads 3.46 percent, up from 3.42 percent last Monday. It was the fifth consecutive week marked by price deterioration for tax-exempt securities. The last time municipal bond yields were as high as at present was in October 1935, when the index of 20-year issues read 3.50 percent.

As has been the case previously, last week's markdowns in municipal bond quotations were accompanied by declining prices for United States Government securities. The two longest United States Treasury issues reached their lowest prices on record.

But the municipal bond scene was not devoid of its encouraging aspects, traders said. New issues went well at retail and dealers were able to point to other factors indicating the tax-exempts market is working toward an improved technical position. Notable among these is the further reduction in the shelf supply and the continued limited volume of new issues scheduled for early sale.

As reported by the Blue List, the advertised supply of tax-exempt securities undistributed with dealers stands at $208,368,000. That is down from $227,921,500 last Monday, and from $275,820,000 3 weeks ago. New municipal offerings in sight for the next 30 days amount to a moderate $175,088,887, according to the Daily Bond Buyer.

Retail successes chalked up in the more active market included Ohio's $32 million of road bonds, and Cowlitz County, Wash., $20.3 million of electric system revenue obligations—the week's two largest issues. Both offerings sold out quickly, a fact cited by some dealers as evidence there is "money around to buy tax-exempt bonds at prevailing price levels."

This week's limited $69,607,308 tax-exempt bond offering schedule is topped by State of Vermont's $9,300,000 various purpose issue on Thursday.

Mr. HUMPHREY. Mr. President, on Tuesday of this week the Treasury announced that 91-day bills which were offered June 13 jumped to a rate of 3.404 percent, the highest level since the "bank holiday" in 1933. I ask unanimous consent that this story from the Wall Street Journal of June 18 appear at this point in my remarks in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TREASURY BILL RATE RISES TO 3.404 PERCENT, HIGHEST SINCE 1933 BANK HOLIDAY

WASHINGTON.—The Treasury's short-term borrowing costs jumped to 3.404 percent—the highest level since the "bank holiday" period of 1933.

At the time of the bank moratorium, the Treasury paid more than 4 percent to borrow short-term money. The highest rate since then had been the 3.374 percent paid 2 weeks ago.

Last week the 91-day Treasury bill rate dipped to 3.256 percent. But this week the rate turned up again to a new 24-year high. Last year in mid-June the Treasury sold short-term bills at 2.430 percent.

The Treasury's interest cost on 91-day bills is considered a key indicator of short-term

money market conditions. A rising rate indicates the cost of short-term money is becoming more expensive. The Senate Finance Committee, headed by Senator BYRD, Democrat, of Virginia, today begins an investigation into the administration's so-called tight money policies that some Democrats claim have caused high interest rates.

At its current level, the Treasury bill rate now tops the 3-percent discount rate charged by the Federal Reserve System on loans to member banks by a substantial margin.

The Reserve Board is known to be considering another boost in the system's discount rate. Chairman Martin recently described inflationary forces in the economy as still "formidable." Also, the Board's latest report on business conditions in May noted interest rates had risen "substantially."

However, the Treasury is expected to be in the market soon to borrow funds to meet its cash needs for July, when tax receipts are seasonally low. This would tend to dissuade the Reserve Board from raising its discount rate since the Board prefers not to upset the market while the Treasury is financing.

On the issue, accepted bids ranged from a high of 99.160 (3.323 percent), to a low of 99.138 (3.418 percent), and an average price of 99.139 (3.404 percent). Of the amount bid for at the low price, 65 percent was accepted, the Treasury said.

Applications for the issue aggregated $2,444,049,000. The Treasury accepted $1,600,299,000, including $373,999,000 offered on a noncompetitive basis and accepted in full at the average price.

These bills are dated June 20, and mature September 19, 1957.

Mr. HUMPHREY. Each day seems to bring new reports of soaring interest rates. This past Wednesday, it was announced that Southern Bell Telephone & Telegraph Co. had to pay 4.91 percent for the $70 million it raised on 29-year debentures. This is the costliest rate this company has had to pay since October 18, 1929, when it sold $32 million of 5-percent bonds at 5.32 percent. I ask unanimous consent that an article spelling out the details on this transaction from the June 19 issue of the Wall Street Journal be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOUTHERN BELL $70 MILLION ISSUE SOLD AT 4.91-PERCENT RATE—BORROWING COST ON 29-YEAR DEBENTURES IS HIGHEST FOR THE UTILITY SINCE 1929—BIG RETAIL DEMAND REPORTED

NEW YORK.—Southern Bell Telephone & Telegraph Co. will pay 4.91 percent annually for the $70 million it raised on 29-year debentures.

That marks the borrowing as the costliest for Southern Bell since October 18, 1929, when it sold $32 million of 5-percent bonds at 5.32 percent.

It also ranks as the most expensive debt financing by any Bell System unit since January 13, 1930, when parent A. T. & T. itself floated $150 million of 5-percent debentures at a cost of 5.22 percent.

Yesterday's lofty rate came about notwithstanding the fact that Southern Bell agreed to make the 29-year securities noncallable for the first 5 years.

Halsey, Stuart & Co., Inc., and associates won the big issue with a bid of 101.33 for a 5-percent coupon.

Following compliance with Securities and Exchange Commission requirements, the group is putting the debentures out for general distribution at 102.32, to yield 4.85 percent to maturity on June 1, 1986.

An unmistably big retail demand for the securities at this price was building up, ahead of today's formal public offering.

A closely competing bid of 101.20 for the debentures as 5's came from a Morgan Stanley & Co. group.

Yesterday's 4.91 percent net interest cost compares with 3.95 percent Southern Bell is paying for the $60 million it raised last October 8 on 27-year debenture 4's.

Southern Bell will use the proceeds from the new issue, President Ben S. Gilmer said, "to provide telephone facilities to meet the continuing strong demand for telephone service in the South."

Mr. HUMPHREY. Mr. President, in a recent issue of the Washington Post and Times Herald there appeared two very interesting items concerning the present but soon departing Secretary of the Treasury George Humphrey. One story reports on the stock holdings of Secretary Humphrey as of January, 1953; according to the computation that has been made these stock holdings were then worth more than $7 million. Based on yesterday's closing prices, these same stocks are now worth approximately $12 million. That is not a bad record for only four years. Imagine that, Mr. President. An increase of almost $5 million in the value of the Secretary's 1953 stock holdings. After paying the capital gains tax his profits would amount to roughly $3.75 million. The Secretary's stock has increased in value by 71 percent and after taxes he would have a gain of around 50 percent.

However, as the Secretary pointed out to the Finance Committee on Tuesday, this glorious Republican prosperity has benefited us all. For example, the Secretary noted that workers' take home pay has risen about $10 a week, a little more than 15 percent. The workers get $10 a week and the Secretary realizes a net gain of almost $20,000 a week. I repeat, Mr. President, $20,000 a week.

I ask unanimous consent that this story on the Secretary's stock earnings in the June 20 issue of the Washington Post and Times Herald be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LIST OF STOCKHOLDINGS SUBMITTED BY HUMPHREY

Secretary of the Treasury George M. Humphrey yesterday submitted to the Senate Finance Committee a list of his stock holdings at the time he entered the Cabinet. A computation showed the holdings were worth more than $7 million in January 1953.

Based on yesterday's closing prices, the quoted value of the holdings would be approximately $12 million.

Chairman HARRY F. BYRD, Democrat, of Virginia, made the list public at once. He said Humphrey offered the information "gladly and cheerfully." It was placed in the hearing record of the Committee's inquiry into the Nation's financial condition.

VALUE NOT GIVEN

Humphrey gave the number of shares of various corporations he owned as of Jan. 12, 1953, but not the value of the stocks. Based on the closing prices of all but one of the issues at the time, the total amounted to $7,093,906. Humphrey said he had sold his holdings in the National City Bank of Cleveland. There was no announcement as to whether he still holds the remaining securities.

Senator ALBERT GORE, Democrat, of Tennessee, had raised the point that the list of holdings, first given to the Committee in 1953 but not made public then, was missing from the files.

BYRD yesterday conceded this was correct but said Humphrey had offered to supply the list anew.

GORE had said previously he would question Humphrey about his holdings now to show how his financial status has changed during his stay in Washington. However, the Tennessee Senator's turn for questions is not expected to come for several days.

HOLDINGS ON JANUARY 12, 1953

Following is a list of Humphrey's holdings on January 12, 1953, and the values at that time as closely as could be computed:

Pittsburgh Consolidation Coal Co., 20,000 shares of common, at $56.75 a share—$1,135,000.

National Steel Corp., 13,200 shares of capital stock, at $50 a share—$760,000.

Republic Steel Corp., 120 shares of common, at $45.75 a share—$5,490.

The above totals are based on closing prices of the issues on the New York Stock Exchange on Monday, January 12, 1953.

The following are based on the bid and asked prices of over-the-counter stocks on Friday, January 2, 1953:

Canada & Dominion Sugar Co., Ltd., 100 shares of capital stock, $16.62 bid, $17.12 asked—$1,662.

The M. A. Hanna Co., 44,550 shares of Class A common, $76 bid $78 asked—$3,385,800.

The M. A. Hanna Co., 23,000 shares of Class B common stock, $78 bid, $80 asked—$1,794,000.

The National City Bank of Cleveland, 278 shares of common, $43 bid, $44 asked—$11,954.

The list also included Hanna Coal & Ore Corp., 12,471.2 shares of common stock. It was not immediately possible to determine the value of these holdings, as the stock is not traded on the exchanges.

Mr. HUMPHREY. Mr. President, another item I wish to mention today is a letter to the editor in the Washington Post and Times Herald. It is titled "Mr. Humphrey's Legacy: A Critical Appraisal" and is written by Seymour Harris, chairman of the department of economics of Harvard University. Perhaps I should state that the "Mr. Humphrey" referred to is Secretary George Humphrey and not the junior Senator from Minnesota. I ask unanimous consent that this letter to the editor be printed in the RECORD at this point in my remarks.

There being no objection, the letter to the editor was ordered to be printed in the RECORD, as follows:

MR. HUMPHREY'S LEGACY: A CRITICAL APPRAISAL

The press almost universally has greeted Secretary Humphrey's announced departure from public life with encomium. Indeed, the Secretary has many virtues: he is smart, shrewd, persuasive, aggressive, hard working, and determined. (Even when in disagreement, one senses a powerful intellect in presenting the wrong position.) Above all, one knows where he stands. I wish I could join the chorus of praise that is traditionally showered upon a departing official.

But the above virtues are not enough to make a great Secretary of the Treasury. Future historians will not be misled by the paeans of praise. The originality and skill of Alexander Hamilton in dealing with our monetary and debt problems, the theoretical

insight and genius for finance and administration revealed by Albert Gallatin, the unusual capacity shown by John Sherman in the resumption of payments after the Civil War, and the flexibility, and ability to use staff, of Morgenthau—these are missing in Mr. Humphrey.

In 1954, when he was called before the joint committee to assess once more the foolish and clumsy dear-money policy of 1953, he would only say and say again and again that if he had to do it over again, he would do it in every detail as in 1953. He would not change a single move, he told the Joint Committee on the Economic Report. In contrast, Chairman Martin of the Federal Reserve Board freely admitted mistakes had been made. This is an example of the Secretary's rigidity.

His inflexibility and unwillingness to learn is suggested by his asserting time and again that taxes should be cut at the top of the boom just when virtually every economist would hold taxes should be increased. He, like ex-President Hoover, had failed to learn that fiscal policy should be tailored to fluctuations in the private economy. (One can be a conservative and yet absorb the A B C's of modern economics, as Congressman MILLS so eloquently showed recently.)

When, in 1954, a tax cut was the appropriate action, Secretary Humphrey supported such a policy, but it is clear now, not because he had absorbed or shown the slightest interest in the advances of modern economics but rather because tax cutting was part of the administration's platform. Throughout his 5 years in office, he has adhered to economics of a bygone age which takes little account of the relation of spending to economic prosperity.

His ignorance of the elements of modern economics is also attested by the furor he raised over the 1958 budget. Had he not concentrated on the dollars involved but on the budget in relation to the size of the economy, or the rising national income even as public expenditures rose, he would have known that there was no danger in the current budget. In fact, the weight of the budget had been greatly reduced in the last 5 or even 10 years.

The danger, in fact, lay elsewhere. It lay in the attempts of a powerful personality to impose his outmoded views on the Government. In the giant budgetary cut of 1954, which weakened our military and international position, the Secretary was not satisfied to be merely a Secretary of the Treasury.

He had to take over defense, even as today his interference in the spending on health, education, and social security has endangered the programs of the Department of Health, Education, and Welfare and numerous other programs, such as foreign aid, depressed areas, slum clearance, flood insurance, and, of course, defense. At least Secretary Folsom, the able head of HEW and former Under Secretary of the Treasury, has lost the Treasury touch, a good thing for the country.

Perhaps Secretary Humphrey's greatest blunders result from his determination to take over the budgetary prerogatives which are not traditionally his. This country has a budgetary system under which the Director of the Budget, reporting to the President, squeezes the water out of the budget. But not content to assume the responsibility for proposing tax measures, Secretary Humphrey tried (and to some extent succeeded) to take over the Budget Bureau as well. It is common knowledge in Washington that acting over the head of the Director of the Budget he pressured departments to cut their budgets.

His final outcry which has so embarrassed the President, despite the President's announcement of identity of views; reflected his intense frustration, his determination to impose his views on economic policy, and his violation of the principles of the American system. Never before had the Secretary of the Treasury repudiated the budget of his President and asked Congress to make it over.

In 5 years, despite his persuasiveness and determination, the Secretary has failed to achieve any of his fundamental objectives.

Federal expenditures are way above those of any peacetime year.

The rate of interest has gone sharply upward.

In the last year inflation has exceeded that of any peacetime year in the last 25 years and averaged several times that of the nonwar years (exclusive of immediate postwar years) under the Democrats.

In no area are the failures more evident than in the management of the national debt. The redistribution and the lengthening of maturities were "musts" for the Treasury. Yet, despite the meteoric rise of rates, not since the latter part of the 19th century has the Government security market been in such bad shape as at present. It requires some genius to accomplish this, not when debt is rising as in World War II or in the 1930's, but when debt is falling.

We have every hope that the able new Secretary will not follow in the footsteps of the departing Secretary. Not the $72 billion budget, but the lack of comprehension of modern economics such as shown by Secretary Humphrey might conceivably bring a hair-curling depression.

SEYMOUR E. HARRIS.

CAMBRIDGE, MASS.

(NOTE.—Professor Harris is chairman of the department of economics at Harvard University.)

Mr. HUMPHREY. Mr. President, Monday morning's Wall Street Journal reports that interest rates continue to soar. The Dow-Jones municipal index today stands at 3.48 percent. This compares with 3.46 percent last week. It is the sixth straight week in which municipal bonds have dropped in price and it represents the highest interest yield since October 11, 1935.

Last week long-term Treasury bonds hit new lows. At Friday's closing prices, the victory loans yield 3.69 percent, the 3¼s pay 3.70 percent and the 3s give up 3.66 percent. The 1½s of April 1, 1962, closed Friday priced to yield about 4 percent which is reported to be probably the highest return on any Government bond since the 1933 bank holiday.

I also invite the Senate's attention to a very interesting article in Monday's Wall Street Journal on the difficulties of businessmen due to tight money. This article reports that bankers expect interest rates to go even higher in months to come. Permit me to read the concluding two paragraphs:

Whatever the impact of high interest rates on business, one thing is sure: Tight money feeds on itself. As businessmen begin to fret about the availability and cost of credit, they rush to line up loans—sometimes months in advance of actual need.

"Even on the same interest rate, credit tends to get tighter on its own * * * tends to accumulate more pressure," says David M. Kennedy, president of Continental Illinois National Bank & Trust Co., of Chicago. "We're seeing no letup in the demand for borrowings."

I ask unanimous consent, Mr. President, that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TIGHTER MONEY—MORE FIRMS POSTPONE, KILL EXPANSION PLANS AS INTEREST COSTS SOAR—ONE DELAYS BOND SALE, CALLS MARKET "DISORGANIZED"; NEW RATE HIKES FORECAST—UNCLE SAM IS SQUEEZED, TOO

Tight money is twisting the plans of a growing number of American businessmen.

Some are postponing or canceling carefully laid expansion plans. Many are keeping a closer eye on inventories so as to limit costly borrowing. Others are reshaping financing plans in the hope of minimizing higher interest costs.

Those are the major facts turned up by a Wall Street Journal survey of businessmen and bankers in 13 major cities around the United States, as both bank-borrowing and bond-financing costs continue to mount. Other findings:

Bankers generally look for interest rates to go higher still.

High interest rates—and the scarcity of loanable funds—chiefly deter "marginal" projects; many companies are pushing ahead with expansion plans, convinced that the resulting profits will more than offset the higher cost of money.

WIDE RANGE OF BUSINESSES

Reports of stymied expansion plans come from a wide range of businesses, however.

"The recent rise in interest rates killed a $1 million expansion program we had planned," says Gilbert Schnitzer, president of Industrial Air Products Co., Portland, Oreg., supplier of oxygen for industrial and medical uses. "We had intended to open plants in other Northwest cities, but we simply can't afford to pay current bank rates."

"We're not bidding on some jobs we'd like to bid on, because if we got them we would have to have new facilities," says an official of a southern California aircraft company. "We think we'd have to pay too much for the money to finance the new facilities."

And the senior credit officer of a major Chicago bank reports, "Several of our customers have reduced or postponed expansion plans because of high interest rates. They hope to borrow later when rates are more favorable." A number of these companies, he says, were utilities; one was a railroad.

There's no question that interest rates are high by any recent standards, no matter where a businessman may turn. The banks' rate for their biggest borrowers with the best credit ratings—the "prime" rate—is 4 percent, the highest it has been since 1933. And that's only part of the story. As money has tightened, more and more borrowers have found that, in the banks' eyes, they no longer qualify for the minimum rate. Banks also have become more insistent that borrowers keep close to 20 percent of any money they borrow on deposit with the banks—a step that increases the actual cost of the loans.

A PRIME RATE BOOST?

More bad news for businessmen: Many bankers maintain that an increase in the prime rate itself is overdue. Any such increase sooner or later would affect all borrowers, since all bank rates are scaled upward from the prime rate.

When a businessman turns to the bond market for long-term loans to finance expansion programs the picture, if anything, is even more bleak. The yields on top-grade corporate bonds outstanding, as measured by Moody's Investors Service, have averaged 3.7 percent so far this year. As shown by the chart, that's higher than the annual average for any year since 1934. And the average is sure to go higher, since the yields

on new bond issues for several weeks have been running well above 3.7 percent.

Only last week, Southern Bell Telephone Co. had to pay 4.91 percent when it sold $70 million of 29-year debentures. That's the highest rate paid by any Bell System unit since 1930.

Michigan Consolidated Gas Co. last week paid 6.145 percent to borrow $30 million on 25-year first mortgage bonds. That's in sharp contrast to the 3.39 percent rate the Michigan utility paid on a $30 million 25-year bond issue less than 2 years ago—in November 1955.

Kerr-McGee Oil Industries, Inc., this week will offer $20 million of debentures. To make its securities more attractive in the current bond market, Kerr-McGee has coupled to each $1,000 debenture a warrant entitling the purchaser to buy 5 shares of the company's common stock at $80 a share during the period from April 1, 1958, to June 1, 1964.

The rise of bond market interest costs has been so swift that some companies have simply thrown up their hands. Associates Investment Co. last Tuesday postponed a $20 million debenture issue. The reason, according to E. Douglas Campbell, treasurer: "The disorganized condition of the market."

Higher income rates, of course, are pinching governments as well as businesses. The Treasury last week had to pay 3.404 percent to raise $1.6 billion on its regular offering of 91-day bills—the highest rate it had paid on such securities in 24 years. State and local governments, also, are being forced to pay higher and higher interest rates to raise funds for schools, highways, and other facilities. The Dow-Jones municipal bond yield index last week rose to 3.48 percent, the highest level since October 1935.

Tighter money is helping to defeat one of the prime aims of the Eisenhower administration—to stretch out the average maturity of the Federal debt. One purpose of the proposed stretchout was to cut down the size of the Government's future debt refunding chore. In addition, by offering longer-term securities, the administration hoped to place more of the debt in the hands of nonbank investors. Banks prefer short-term securities; such purchases set the stage for further inflation.

At the end of 1952, just before Ike took office, the average maturity of the Federal debt was 46 months. By mid-1955, the average had reached 55 months. But as money tightened, the Treasury decided it could not sell additional longer-term securities at any interest rate that it cared to pay. So it has relied more and more on short-term issues. Result: The average maturity, as shown by the chart, had dropped 43 months by the end of last month.

The current interest rate upsurge, with only minor interruptions, dates from early 1955. As business began to pull out of the inventory recession of late 1953 and 1954, demand for credit grew—for rebuilding depleted inventories and building new facilities. The Federal Reserve System, which during the recession period had supplied the banks with all the funds they needed and more, began to limit the funds the banks had available to lend. Interest rates rose steadily.

In late 1956, the Federal Reserve hesitated, somewhat uncertain as to the business future. But as business plowed ahead with record expansion programs (spending on new plant and equipment this year is forecast at $37.4 billion, an increase of 6 percent over the 1956 high), the Reserve System took heart and again grabbed the credit reins tightly.

BORROWED RESERVES

Just how strapped the banks are for funds showed up last week in the weekly statement issued by the Reserve System. The banks are required to keep on deposit with the Reserve System funds equal to a specified percentage of the deposits on their own books; for the major New York City banks, for example, this percentage is 20 percent. To meet these requirements, the banks this past week had to borrow from the Reserve System a daily average of $1.1 billion.

When money began to tighten early in 1955, many businessmen decided to finance expansion programs "temporarily"—sometimes for several years—with bank loans. When money became more plentiful and interest rates eased, they expected to raise long-term funds in the bond market.

Despite the fact that more than 2 years has passed with no drop in interest rates, some companies persist on that course.

"There has been considerably more borrowing from banks lately by companies that do not want to commit themselves on long-term loans," reports E. E. Adams, president of San Francisco's Bank of California.

Under its normal financing pattern, Pittsburgh's Equitable Gas Co. this year would have sold debentures to provide the funds needed for a new $8.7 million petrochemical plant in Kentucky. But because of high interest rates, says C. J. Mulholland, vice president and treasurer, the company early last month arranged instead for an 11-month bank loan.

SHUN LONG COMMITMENTS

But a growing number of banks are turning away borrowers who want to arrange new loans for expansion purposes or to renew old ones. Several factors underlie this trend. For one thing, with the prospect of still higher interest rates, banks aren't eager to commit their funds for long periods at current interest rates.

"The money market still is uncertain," says John Hay, president of the Michigan Bank in Detroit. "Rates might go even higher, and we don't want to get locked in."

Another factor is that the Reserve System for some time has been gently pressuring the banks to avoid even temporary loans for capital purposes. The System argues, with considerable conviction, that such loans feed inflation. And with the demand for bank credit still outrunning the supply, more and more banks are finding it desirable to go along with the Reserve System.

Bankers, trying tactfully to shove customers into the bond market, emphasize that businessmen may have to wait a long time for rates to come down. Wentworth P. Johnson, a senior vice president of Fidelity-Philadelphia Trust Co., goes farther than most in that direction.

DROP IN 1961?

"Once interest rates begin rising," says Mr. Johnson, "they rise for a period of about 15 years before falling off again." He figures the most recent low point was 1946 (the downturn of 1953–54, he figures, was not sharp enough to interrupt the overall uptrend). He concludes: It seems likely that rates should begin to drop by 1961, according to all historical data available.

Borrowers pushed out of banks have been largely responsible for the bond market squeeze. The squeeze has done more than send interest rates soaring. Many bond dealers have found it impossible to sell their securities without marking down prices—an action that in some cases has meant losses for the dealers.

To protect themselves to some extent, dealers are insisting that new bond issues be made more attractive—both with higher interest rates and in other ways. An example of the latter: When interest rates are high, some companies sell bonds, fully expecting to refinance later when interest rates decline. Dealers now, however, are stipulating in some cases that new bonds cannot be called in and refunded for at least 5 years.

Unlike expansion loans, bankers find there's no strong upward pressure under inventory loans. Businessmen generally have been trying to hold their stocks in check. The high cost of money is only one reason for this. Most products and materials now are plentiful, so businessmen find it unnecessary to stockpile. But interest rates still are influencing a number of inventory planners.

FOWLER PLANS CUT

We plan to cut inventories 15 percent in the next 6 months to reduce operating costs, says Paul Fowler, president of Fowler Manufacturing Co., Portland, Oreg., manufacturer of water heaters. We use a great deal of steel, and if we can cut down the size of our orders and order at more frequent intervals, we won't have to obtain so many of these expensive loans.

Aluminum Company of America, while it says it is not directly affected by tight money, believes many of its customers are cutting inventories because of high interest rates.

Many companies concede they're concerned by tight money—but not enough to alter any plans or programs.

"High money rates won't affect our major expansion plans," says Laurence F. Whittemore, president of Brown Co., Berlin, N. H., paper and pulp maker. "Marginal projects wouldn't be started, but we have none in that category now."

Other companies unworried by tight money include those who finance operations largely by retaining earnings. "We generate enough cash within the company to take care of all our needs," says an official of a big Chicago-based manufacturing concern.

RATE INCREASES ASKED

A number of public utilities, while worried by higher interest costs, expect to offset them through higher charges for their services; a number of rate-increase requests already are pending before State regulatory agencies.

Many businessmen are philosophical about tight money. With the present top corporate tax rate of 52 percent, Uncle Sam pays about half of the higher interest costs, figures W. A. Parish, president of Houston Lighting & Power Co. Interest costs are deductible from income when a corporation figures its taxes.

Whatever the impact of high interest rates on business, one thing is sure: Tight money feeds on itself. As businessmen begin to fret about the availability and cost of credit, they rush to line up loans—sometimes months in advance of actual need.

"Even on the same interest rate, credit tends to get tighter on its own * * * tends to accumulate more pressure," says David M. Kennedy, president of Continental Illinois National Bank & Trust Company of Chicago. "We're seeing no letup in the demand for borrowings."

Mr. HUMPHREY. Mr. President, I invite the attention of Senators to an article which appeared in one of the newspapers in Minnesota, the Minneapolis Star of Friday, June 21, 1957, entitled "FHA and GI Loan Rates Not Realistic, Says Builder."

John C. Austin, the national president of MBA, speaking to the Twin City Mortgage Bankers Association, said that increasingly tight money and frozen interest rates on Government mortgages are "making GI loans a thing of the past, and FHA loans much less attractive."

Mr. President, I ask unanimous consent that the article may be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FHA AND GI LOAN RATES NOT REALISTIC, SAYS BUILDER

The homebuilding industry is paying economic penance for a series of boom years, according to John C. Austin.

Speaking to the Twin City Mortgage Bankers Association (MBA, Austin, who is national president of MBA, said increasingly tight money and frozen interest rates on Government mortgages are "making GI loans a thing of the past and FHA loans much less attractive."

He pointed out that the cost of money had reached new heights in the past few weeks, with some corporate issues reaching almost 6 percent.

"Under these circumstances, frozen FHA and GI rates are just not realistic," Austin said.

"Currently, FHA loans draw interest at 5 percent, GI loans at 4½ percent. The rates should be made flexible to fluctuate with the economy," Austin said.

In 1955, he pointed out, Government financing accounted for over half of home mortgages. Today the figure is close to 25 percent.

Austin, president of T. J. Bettis Co., Houston, Tex., remained cautiously optimistic about the future of the homebuilding industry.

"Conventional, non-Government financing has stayed near peak levels," he said.

"I still think we'll have over 900,000 new housing starts this year," despite tight money, predicted Austin. Earlier in the year, economists were estimating new starts in excess of 1 million.

Housing may rebound in 1958, he added.

"There are some signs that new corporate financing will level off," he said. As capital spending declines, more funds will become available for mortgages.

Mr. HUMPHREY. Finally, I may say, Mr. President, there can be no denial that we are seeing the highest interest rates in a quarter of a century, and most disturbing of all is the fact that interest rates continue to soar, with no evidence that this increase is going to come to a halt.

I might add, Mr. President, that the voluntary type of action President Eisenhower asked for the other day in his press conference is nothing more than a reiteration of what he previously mentioned in the state of the Union address at the beginning of the year. I think my colleagues will recall that the President then suggested that the leaders of industry and labor should try to hold down inflation and should try to hold down prices and wages.

Mr. President, these pleas, which are made about once every 6 months, are not going to do the job. It is nothing short of incredible that, on the one hand, the leading officers of the Federal Government, and the President himself, can say again and again to the American people that inflation is a great danger to the Nation's economy, and then, on the other hand, proceed forthwith to do nothing about it except to utter unctuous, pious statements which indicate something ought to be done but no willingness to make a decision to get something done.

On June 26, for example, it was announced that the Pudget Sound Power & Light Co. sold $20 million of first mortgage bonds at an annual interest cost of 6.13 percent. According to the report in the Wall Street Journal, this is probably the most expensive financing of any electric utility in more than a quarter of a century.

I ask unanimous consent, Mr. President, that this article in the June 26 issue of the Wall Street Journal be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PUGET POWER LIEN BRINGS 6.13 PERCENT NET INTEREST COST—BANKERS SAY FINANCING IS PROBABLY MOST EXPENSIVE BY UTILITY IN 25 YEARS—MORTGAGE ISSUE CALLABLE

NEW YORK.—Puget Sound Power & Light Co. accepted a bid of 101.559 for its $20 million of first mortgage bonds at 6¼s.

The resulting 6.13 percent annual cost, investment bankers said, marked the borrowing as probably the most expensive by any electric utility in more than a quarter of a century.

Two other utilities have sold bonds with 6¼ percent coupons in recent weeks, but these were obligations of gas concerns—Michigan Wisconsin Pipe Line Co. and Michigan Consolidated Gas Co.

Underwriters led by Halsey, Stuart & Co., Inc., and Lehman Brothers placed the successful bid for yesterday's offering by Puget Sound Power & Light. Following compliance with Securities and Exchange Commission requirements, the group is putting the bonds out for general distribution at 103.459, to yield 6 percent to maturity in 1987.

The issue was said to be attracting preliminary interest from an unusually wide variety of buyers, presumably because of its exceptionally high yield.

The bonds, which are rated Baa and BBB ("Good Grade"), respectively, by two investment rating services and single A ("Upper Medium Grade") by a third, drew two other bids.

Merrill Lynch, Pierce, Fenner & Beane bid 101.319 for a 6¼ percent coupon and Stone & Webster Securities Corp., First Boston Corp. and Smith, Barney & Co., jointly bid 101.519 for 6½s.

Puget Sound sought to reduce the issue's cost by making the bonds noncallable for a period of years. The Federal Power Commission turned down its request to include this "fringe benefit" for investors.

The new 6¼s will be callable at 110½ for the first three years and thereafter at prices ranging down to par.

Mr. HUMPHREY. I wish to point out, Mr. President, that prosperity is generally not equated with or identified by high interest rates. High interest rates generally mean that there is something wrong. High interest rates generally mean that there is a risk involved which is over and beyond what is a normal business venture or investment. Mr. President, on the one hand we continue to hear about the dangers of inflation, and, on the other hand, the Government does nothing about it except to discuss it—to discuss it politely and quietly.

Secondly, we hear about prosperity at the very time, Mr. President, that the Government's refinancing of debt is becoming more difficult and burdensome than at any time in recent years.

I invite attention to the announcement that New York City's major banks expect their earnings to jump an average of 12 percent for the first 6 months of 1957 over the 1956 first half figures. Indeed, the large commercial and investment banks are having a field day at the expense of the American people and the American economy.

This is reported in the June 27 issue of the Wall Street Journal. Commenting on increasing earnings one bank stock expert is reported as saying:

With the huge volume of loans outstanding and firm and rising interest rates, a material increase is a mathematical certainty.

In other words, the situation is going to get worse. Interest rates are going to go up.

By the way, one of the major factors in inflation today is the increased cost of money. This administration talks about curbing inflation, yet permits policies to be designed, developed, and forwarded which add fuel to the inflationary fires. I submit that of all the items in recent months which have gone up, the increase in the cost of the use of money has been the greatest. The rent of money or the cost of the use of money is as much a part of business cost and the consumer's price cost as any other factor in the entire economic system.

Mr. President, I ask unanimous consent that the article to which I have referred be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BIG NEW YORK BANKS' FIRST HALF EARNINGS EXPECTED TO RISE 12 PERCENT—RISE IN LOANS OUTSTANDING, HIGHEST RATES SINCE EARLY THIRTIES, CITED BY ANALYSTS

NEW YORK.—Earnings of New York City's major banks are expected to jump an average 12 percent for the first 6 months of 1957 over the 1958 first half figures, according to bank analysts.

"With the huge volume of loans outstanding and firm and rising interest rates, a material increase is a mathematical certainty," said one bank stock expert.

Commercial, industrial, and agricultural loans to business by New York banks amounted to $12,081,000,000 in the week ended June 19. That was more than $1.9 billion over the like figure a year ago.

Though loan volume has been increasing at a slower rate this year—up $610 million since the beginning of the year, compared with a rise of $1,003 million in the like period a year ago—average loans outstanding all this year have been well above those of a year ago.

Couple this with the fact that new loans have been granted at the highest interest rates since the early 1930's, say the bank analysts, and you have a definitely higher return expected to be reflected in earnings. The prime rate—the rate banks charge to their biggest and best borrowers—has been at 4 percent all year, compared to an average 3½ percent last year. The rate was raised to 4 percent from 3¾ percent by banks across the Nation last August, following an earlier one-fourth of 1 percent percentage point rise in April 1956.

This overall analysis of the New York City bank picture was given by First National City Bank of New York Chairman Howard C. Sheperd.

Also expected to do better than last year, though not as well as New York City banks, are banks outside the financial capital. Much of the major business borrowing from banks is done in New York by businesses all across the country, and the return on the New York banks' money is more closely tied to the prime rate than that of banks outside the financial capital.

Mr. HUMPHREY. Finally, I am hopeful that the Senate Committee on Finance, in probing into the monetary and fiscal policies of this administration, will tabulate the tremendous drain upon the resources of this country which the fiscal policies which have recently been pursued have worked. Today the Nation is suffering from a heavy load of increased "rent of money" over and beyond what is necessary for a prosperous economy such as the one we are now supposed to be enjoying.

INTERIM EXTENSION FOR THE VOLUNTARY HOME MORTGAGE CREDIT PROGRAM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 536, Senate Joint Resolution 115.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A joint resolution (S. J. Res. 115) to provide an interim extension for the Voluntary Home Mortgage Credit Program.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. SPARKMAN. Mr. President, I should like to make a brief explanation of the joint resolution. It provides only for the simple continuance of an existing program. It is made necessary by reason of the fact that the program expires on June 30. It had been hoped that we would complete the housing conference and agree to the conference report today, which report includes provision for the continuance of the program for a year or more. However, it has become apparent that we shall not be able to complete action on the housing conference in the Senate and House today, even if we should be able to get it back to the Senate in time to take action today.

Therefore, the joint resolution is necessary in order that this program may be kept alive. It is a voluntary program, participated in by the insurance companies, mortgage companies, and investment companies throughout the United States, for the purpose of assisting in financing home mortgages. However, Federal legislation is necessary in order that the operation may continue to be conducted as it has been conducted. The purpose is to extend the life of the program for 45 days, during which time we can perfect legislation covering a longer period.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That section 610 (a) of the Housing Act of 1954 is amended by striking out "June 30, 1957" and inserting in lieu thereof "August 15, 1957."

LEGISLATIVE APPROPRIATIONS, 1958

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 542, House bill 7599, the legislative appropriation bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 7599) making appropriations for the legislative branch for the fiscal year ending June 30, 1958, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. STENNIS. Mr. President, for the information of the Senate I have a brief statement which I shall read, and then I shall be glad to try to answer questions.

Mr. President, the legislative branch appropriation bill which is now before the Senate provides appropriations for the Senate, the House of Representatives, the Architect of the Capitol, Botanic Garden, Library of Congress, and the Government Printing Office.

In accord with custom, the committee has made no changes in the part of the bill dealing with the House of Representatives. The House bill, following a practice adopted many years ago, contained no items relating purely to the Senate. The Senate Committee has recommended a total appropriation for the Senate for the fiscal year 1958 of $22,271,890 which amount is $90,725 under the appropriations for the current fiscal year and a reduction of $1,104,125 in the amount of the budget estimates. The principal reduction under the budget estimate is an item of $970,000 for "Agency Contributions." This item was designed to cover the Government's share of the contributions to the Civil Service Retirement Fund, and to the Insurance Fund. Formerly, the Government's share of the contributions to the Civil Service Retirement Fund were appropriated directly to the Civil Service Commission. Under a law passed last year, it was required that each individual appropriation include the amount for the employees paid from that appropriation. In denying this request entirely, the Committee has included language in the bill which will authorize these amounts to be absorbed from the appropriations of "Salaries of Officers and Employees of the Senate."

In other words, the obligation under the law enacted last year is met. The requirement of the law is really mandatory. In this particular case the figure involved is $970,000. The obligation is met, not by an additional appropriation, but by provision for the use of what has proved, on the average each year, to be a balance remaining from the sums appropriated for salaries of officers and employees of the Senate. That fund accumulates largely by reason of the fact that not all Senators find it necessary to use all the funds allotted to their office for staff employment. We feel that we are on the side of safety and very conservative estimates in allowing the $970,000 to be absorbed in that manner.

Another reduction made by the committee is in the amount for inquiries and investigations, of the Senate. The budget estimate is in the amount of $2,800,000 and the committee has reduced this sum to $2,650,000 or a reduction of $150,000 under the estimates and a reduction of $170,000 under the comparable appropriation for the current fiscal year. The committee is hopeful that this sum will be sufficient and that all of the committees will cooperate and effect economies in their operations.

There is a reduction in the appropriation of slightly more than 5 percent. We did not attempt to reduce the appropriation for any particular committee or subcommittee. However, with this special plea for reducing expenses wherever possible, it is hoped that the sum appropriated in this bill will prove to be sufficient to take care of all the obligations of the committees and subcommittees which are conducting investigations.

Under the item "Architect of the Capitol," it was necessary to provide employees, supplies and materials, and maintenance equipment for the new Senate Office Building for the period from January 1, 1958, until June 30, 1958. An increase of $258,800 was requested for the new building and the committee has reduced this amount to $217,600, a reduction of $41,200 which the committee has directed be effected in the sum requested for additional employees.

Some of the items were for the supplies which I have mentioned, and for that purpose $17,600 was allowed, and $200,000 for employees.

For the new Senate Office Building, the committee has recommended an appropriation of $2,846,000 to provide for the construction of a subway and subway transportation system between the Senate Office Buildings and the Capitol Building and for pedestrian tunnels between the new building and the existing Senate Office Building.

For the Botanic Garden, for the Library of Congress, and for the Government Printing Office the committee made no changes in the House bill.

A number of requests were submitted to the committee for increases and adjustments of salaries of employees in the Senate. By and large, most of these requests were denied. The committee, insofar as possible, is making reductions in all appropriations for the Government this year, and it did not feel it should recommend increases for the Senate.

A very few requests, which seemed to the committee to be exceptionally meritorious, have been recommended. For the information of the Senate I shall quote those now from the report, so that they will be in the RECORD.

With reference to the reporting of the Senate proceedings, after the fullest consideration it was thought proper and necessary that the salaries of some of our Official Reporters be changed. The increase of $18,575 allowed will enable

the Official Reporters to pay agency contributions and to fix the salaries of the Official Reporters of Debates at $14,800 per annum each.

The committee recommended an appropriation of $187,385 for the Legislative Counsel of the Senate, and has written language in the bill fixing the salary of the Legislative Counsel of the Senate at $17,500 gross, and the salaries of 3 employees to be designated as senior counsel at $15,500 gross per annum each.

That was done only after the most complete investigation and consideration of the exceptionally fine work these men have been doing and their very fine capacity.

Certain minor increases were allowed to the cabinetmakers. The office of the cabinetmaker was allowed 3 small increases with reference to 3 of the cabinetmakers; and there was also a slight increase allowed in the service department, with reference to the typewriter repair section. The latter increase was allowed with reference to the manager of the service department, whose duties have been greatly increasing in the past few years. The increase was considered, along with some other increases made last year, but the question of the increase was deferred, not with the promise that it would be made this year, but with the feeling that it should be made. The committee this year made provision for it.

Let me say one additional word with reference to the 5-percent reduction for the committees. The sum for the Appropriations Committee itself is carried in separate funds, but we applied that 5-percent reduction to that fund and that committee expense account, the same as the others.

Neither the chairman of the subcommittee nor the chairman of the full committee request a conference with the House on the bill, because the only changes recommended by the committee relate to the Senate.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, that the bill as thus amended be considered as original text for the purpose of amendments, and that no points of order be waived.

Mr. DOUGLAS. Mr. President, before I object to the suggested proceedings—and I am not certain that I shall object—I hope the Senator from Mississippi will permit me to ask him some questions, primarily about the equipment for the Senate Office Building.

Mr. STENNIS. Certainly.

Mr. DOUGLAS. I wish to preface my questions by saying that I believe every Member of the Senate has the highest feeling of esteem and confidence for the distinguished Senator from Mississippi. I have never met a fairer man in my life. I have never met a man who has greater devotion to the public interest. The Senator from Mississippi and I happen to differ on some matters which will shortly be before the Senate, but I wish to assure him, before I begin my questioning, that I express not only my own opinion, but what I think is the opinion of every other Senator when I say that we have not only the utmost confidence in him but great affection for him as well.

Mr. STENNIS. I thank the Senator very much.

Mr. DOUGLAS. That is said very sincerely, and is not a matter of senatorial courtesy.

I wish to raise these questions about the equipment for the new Senate Office Building. I am referring to the hearings at pages 6 and 7.

There has been appropriated to date for the building $20,600,000.

Mr. STENNIS. The Senator's figures are correct.

Mr. DOUGLAS. Of this amount $20,161,446 have been obligated.

Mr. STENNIS. The Senator's figures are correct.

Mr. DOUGLAS. Leaving approximately $439,000 appropriated but not obligated.

Mr. STENNIS. That is correct.

Mr. DOUGLAS. The committee, as I understand, is recommending an added appropriation of $2,846,000, making available a grand total for the second Senate Office Building of $23,446,000.

Mr. STENNIS. Yes; the Senator's figures are correct. The item which is added in the pending bill for construction cost is really for a transportation facility which must go with the building, and which had been considered all the time, as the Senator from Illinois understands, as more or less a separate item, even though it was necessary.

Mr. DOUGLAS. I notice on page 6 of the hearings, in the next to the last paragraph from the bottom, the statement that of the $20,161,000 which have been obligated, the sum of $17,929,160 has been for the construction and equipment of the superstructure.

Mr. STENNIS. Yes; that does not include office equipment.

Mr. DOUGLAS. That is the question I wanted to ask. Does the equipment include office furniture?

Mr. STENNIS. No; it does not. It does not touch that item at all.

Mr. DOUGLAS. What does it include? What does the term "equipment" include?

Mr. STENNIS. Let me call the Senator's attention to the fact that he mentioned this subject this morning, and I have dug into the record on that point. So I have before me a copy of the bill S. 1428, which was passed by the Senate on March 27, 1957. It provides for a special authorization for the actual furniture; namely, desks, chairs, typewriters, and so forth.

Mr. DOUGLAS. Can the Senator inform the Senate how much that additional authorization seeks to provide?

Mr. STENNIS. That bill has not reached the Committee on Appropriations. It is what we would call an open-end bill. It went to the House, and it is expected to be passed by that body with certain authorizations for the House included, and then later the budget estimates and the actual figures will be submitted to the Committee on Appropriations.

Mr. DOUGLAS. So that no figure has been filled in for furniture?

Mr. STENNIS. That is correct. No budget estimates have been submitted, and no consideration has been given to that item in the hearings on the pending bill or on any bill in any way.

Mr. DOUGLAS. Have any contracts for desks and chairs and typewriters and wastepaper baskets and carpets, and so forth, been let?

Mr. STENNIS. So far as the Committee on Appropriations has been advised, no; not any. No authorization bill having been passed as yet, I assume that really nothing could have been done in any way, legally, along that line.

Mr. DOUGLAS. The Senator from New Mexico [Mr. CHAVEZ] and the Senator from Illinois called attention to the importance of this subject a few days ago in the debate on another appropriation bill. I am sure the Senator from Mississippi agrees with me that we should exercise the closest scrutiny on the contracts which may be and will be let for the item of furniture.

Mr. STENNIS. I certainly agree with the Senator from Illinois. I think it is very timely of him to bring this matter before the Senate so that there may be understanding about it.

Mr. DOUGLAS. We had a very unhappy experience in my State of Illinois, when the taxpayers awakened to the fact that desks had been ordered at a cost of $1,000, wastepaper baskets at a cost of $99, draperies running into many thousands of dollars, and carpets into the thousands of dollars.

I am certain we do not want anything like that to happen in connection with the new office building. I feel greatly reassured that the Senator from Mississippi has this subject in mind. I take it that what he has said is a statement that he intends to scrutinize these items very closely.

Mr. STENNIS. Oh, yes. There can be no money spent until the appropriation request is received and the money appropriated. The request will be considered. After hearings have been held and a scrutiny has been made by the committee, as the Senator has suggested, a recommendation will be made to the Senate.

Mr. DOUGLAS. The Senator is conscious of the fact that not only must we as a body be above reproach; we must also seem to be above reproach.

Mr. STENNIS. That is a time worn and well tested formula, upon which I am certain we all agree.

The Senator referred to page 6 of the hearings, under the title "Construction and Equipment, Additional Senate Office Building." That certainly does not include the kind of equipment to which the Senator has referred.

I suppose the word "equipment" in that instance refers to the lighting fixtures, the rest room facilities, and items of that kind, which go into the building itself.

Mr. DOUGLAS. Would the Senator from Mississippi be so kind as to yield to me for two other questions?

Mr. STENNIS. Certainly.

Mr. DOUGLAS. If the Senator will turn to page 5 of the hearings, he will find there that in making the salary estimates for the personnel for the new

Senate Office Building the term "Base salary rate" is used.

Mr. STENNIS. Yes.

Mr. DOUGLAS. Of course, the base salary rate differs from, and in the lower grades is appreciably less than, the actual salary rate.

Mr. STENNIS. That is correct. I am advised by the clerk of the committee on that point that the employees to whom the Senator refers are not under the same classification as are the employees of the Senate staff.

Mr. DOUGLAS. Oh, are these employees paid the actual salary rates?

Mr. STENNIS. They get paid for overtime. Beginning with the items on page 5 which are designated as "GS–9" and "GS–7," fixed salaries are paid.

Mr. DOUGLAS. The figures represent the actual amounts of money received by the employees?

Mr. STENNIS. "WB–04" and "WB–03" are salaries fixed by the wage board, as it is called, which resets the salaries from time to time.

Mr. DOUGLAS. Are these the actual amounts received, or are they the base rates, which are then translated into actual rates by the conversion table which is used for Senate employees? That is what I am trying to ascertain.

Mr. STENNIS. The item at the top of the page is an illustration. A GS–9 employee is different from a Senate employee. The $5,440 represents the total pay which that employee will receive.

Mr. DOUGLAS. The total pay?

Mr. STENNIS. That is correct.

Mr. DOUGLAS. Is that true of all the employees whose positions are shown in the table on page 5? Does that mean that the base salary rate is the actual salary rate?

Mr. STENNIS. The positions listed "WB" are those controlled by the wage board. If overtime is involved, those employees receive pay for the overtime. The wage board makes changes in the amounts from time to time.

Mr. DOUGLAS. I understand. But as of the present ruling of the wage board, these are the actual salary payments to the employees, excluding overtime?

Mr. STENNIS. Yes; that is the way I understand it. I think that is correct. It is the same as for the employees in the present Senate Office Building.

Mr. DOUGLAS. But is it not also true that the senatorial staff—I am not quite certain about the employees of the committees—are carried at base salary rates, which do not represent the actual salary rates?

Mr. STENNIS. That is correct. An additional amount is figured in. The Senator from Mississippi does not understand exactly how that is done, but there is a certain formula, under which when the base pay is set, it is definitely known what the gross amount will be.

Mr. DOUGLAS. Each one of us has in his office one or more conversion sheets which we use to translate the base rate into the actual rate.

Mr. STENNIS. Yes.

Mr. DOUGLAS. This is the point I want to make. In the figures on salaries which are given out, what is given out is the base rates, not the actual rates. Therefore, we have a type of double bookkeeping in which the actual payments are minimized.

Mr. STENNIS. When the appropriations are made, the appropriation bill must carry the full amount.

Mr. DOUGLAS. I understand. But when the public inquires, they are given the base rate, and they do not have the conversion sheet. Therefore, the public does not know what the base rate amounts to in actual pay. Is not that true?

Mr. STENNIS. The Senator from Mississippi has no knowledge of any instance where less than the full information has been given out; but there are scales which contain the base pay column and the actual gross receipts column.

Mr. DOUGLAS. I should have brought my conversion table to the Senate floor. It is well known that the differences are appreciable, particularly in the lower salary groups. What the Senator from Illinois suggests is this: Should we not get away from the double system of bookeeping and publish what the real salaries are? I am frank to say I do not think the employees in our offices or on the committees are overpaid. I do not think they are. I believe that, on the whole, they work very much harder than do the employees in the Government departments downtown. Certainly they put in much more overtime.

We have a fine staff of employees, but we are put in the embarrassing position of publishing figures which do not represent the actual amounts paid. I am perfectly willing to defend the amounts which are paid, but I do not think we should have to go through a kind of hocus-pocus which, in effect, conceals from the public what we are doing, because when we do that, we lay ourselves open to suspicion that things are not on the up and up.

I wonder if my good friend from Mississippi, in the preparation of the budget next year, would not give some attention to that point, so that next year we may perhaps have the actual salary scale.

Mr. STENNIS. I certainly agree with the Senator from Illinois that no information except the correct information should be given out, and that any list of salaries should show the gross amount paid. But really, in the Appropriations Committee, we ask, How much money will be required to do so and so? Then we decide whether or not we want a certain number of things done, and we figure how much it will cost.

Mr. DOUGLAS. I wish to make it clear that no lies are told. The base rates are stated. But the average person believes the base rate is the actual rate, and simple books are not kept at present which will disclose to the public the complete truth. No lies are told, but the complete truth is not told.

Mr. STENNIS. I think the hearings before the committee make a complete disclosure of what was done and what was proposed. The figures show what was appropriated. I am not too familiar with the civil-service schedule. I thank the Senator from Illinois very much, however, for his very fine comments.

Mr. DOUGLAS. Does not the civil-service schedule differ from the senatorial schedule?

Mr. STENNIS. Perhaps it does.

Mr. DOUGLAS. There is one further question I should like to ask. I hope the Senator from Mississippi will not think I am a crank on this subject.

Mr. STENNIS. Certainly not. The Senator may ask any questions he wishes.

Mr. DOUGLAS. I notice $85,000 is to be appropriated for the Senate restaurant for the coming year. Is that correct?

Mr. STENNIS. Yes, that is correct.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. MANSFIELD. I wish to report that at least in part as a result of the remarks heretofore made by the Senator from Illinois and other Senators, the subcommittee which considered the restaurant met several weeks ago and inaugurated some increases in the price schedule, in the amount of about $30,000, concerning which the Senator from Georgia [Mr. TALMADGE], the chairman of the subcommittee, made a report to the Senate.

Mr. DOUGLAS. I appreciate that. I am happy to pay more than a token for my bean soup and the other articles of my diet so that the subsidy which is being paid by the American taxpayer can be diminished.

I do not want to strain at this point excessively and be regarded as a bluestocking or a purist. I had hoped that the increase would have removed the necessity for the taxpayers' subsidy. But apparently the subsidy is to be $85,000 in the coming year, even though the prices have been increased.

Mr. STENNIS. We carried that item forward in the appropriation bill, based on the estimates under the system which has been in vogue. Of course, if that amount is not required under the contract formula, it will not be paid out.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1856) to provide for the development and modernization of the national system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, and for other purposes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate resume the consideration of the legislative branch appropriation bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate resumed the consideration of the bill (H. R. 7599) making appropriations for the legislative branch for the fiscal year ending June 30, 1958, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

Mr. STENNIS. Mr. President, as I was saying, we allowed the estimated amount which probably would fall due

under the existing contract. Any improvements of the contract will certainly be welcomed by the Appropriations Committee and by each individual member of the committee, and I hope something can be done about this matter.

As for the argument about how much it means to the Senate, rather than to individual Senators, to have the Senate restaurant available, that is a broad subject. If the Senator from Illinois will excuse me, I prefer not to go into that so much now, although I appreciate the sincerity of the interest of the Senator from Illinois in it.

Mr. DOUGLAS. It is not my desire to labor the point. From the reply of the Senator from Mississippi, I take it that he joins me in hoping that the increase in prices will decrease the subsidy which the taxpayers have to pay.

Mr. STENNIS. I certainly do; and I was surprised at these figures when I first came to the Senate. But, frankly, after having been here a while, and after I came to realize the service the restaurant renders to the Senate as an institution and the great time that is saved by having an open restaurant available whenever the Senate needs it, especially for the evening meal, and when, after having served on the Committee on Rules and Administration, I came to realize more fully the problems in that connection and to understand that the restaurant is worth a great deal to the Senate as a legislative body, and should be continued as a timesaver, so that it is not necessary for the Senate to take a recess in order that Senators may obtain meals. Of course, the point as to where the line should be drawn can be debated ad infinitum.

Mr. DOUGLAS. I know that from now on this matter will be primarily in charge of the Committee on Rules and Administration and its subcommittee which deals with the Senate restaurant. But I hope this debate will be read by the members of the subcommittee and that they will realize that merely because $85,000 has been appropriated they do not have a mandate to spend it.

Mr. STENNIS. Certainly that was the intent of the Appropriations Committee—not to recommend that it be spent, but merely to have it available should the contract require it.

Mr. DOUGLAS. I should like to comment that I hope we can greatly reduce this subsidy; and following this statement I should like to be excused so that I may go share the benefits of the Senate restaurant. [Laughter.]

Mr. STENNIS. I thank the Senator from Illinois for his inquiry.

Mr. SALTONSTALL. Mr. President, will the Senator from Mississippi yield to me?

Mr. STENNIS. I yield.

Mr. SALTONSTALL. I have just entered the Chamber. I wish to add that I sat with the distinguished Senator from Mississippi [Mr. STENNIS] through most of the hearings and through all the executive meetings. I think the bill he has reported is one with which we can be satisfied, and one which fulfills our needs. I merely wish to commend him for his thoughtful consideration of these matters and for the time he has spent on them.

As regards the Senate restaurant, it was discussed quite at length in the committee. We realized that in the time available to us, there was very little we could do; but all of us felt there was something which perhaps should be done when there was an opportunity for the appropriate committee to look into the matter further.

Again, I wish to commend the Senator from Mississippi for his work in connection with the subcommittee's study and the reporting of the bill.

Mr. STENNIS. I thank the Senator from Massachusetts for his very valuable aid, especially for his representation of his side of the aisle in connection with the great multitude of matters involved in connection with the bill. He devoted a great deal of time to the consideration of the bill, even though he has other very pressing duties, and rendered very fine service, as did the other members of the subcommittee who found it possible to attend the hearings.

Mr. LAUSCHE. Mr. President, will the Senator from Mississippi yield to me?

The PRESIDING OFFICER (Mr. MORTON in the chair). Does the Senator from Mississippi yield to the Senator from Ohio?

Mr. STENNIS. I yield.

Mr. LAUSCHE. Is the able Senator from Mississippi able to state what amounts of money remain unexpended, in the aggregate, from the appropriation for the management of Senators' offices?

Mr. STENNIS. Yes.

Mr. LAUSCHE. I ask the question because I have been told that the appropriations are liberal, and that it is anticipated that each Senator will practice economy, if he does not use the full appropriation, and that in that event an unexpended balance will remain in the Treasury.

Mr. STENNIS. The Senator from Ohio is correct. This year, of the sums which could have been spent, and for which appropriations were available for employees in Senators' offices, there was, or will be, close to $2 million, as of June 30, 1957, remaining in the Treasury, unexpended.

Mr. LAUSCHE. Two million dollars?

Mr. STENNIS. Yes; in round numbers, $2 million.

Mr. LAUSCHE. I asked the question especially because my office received an allowance of approximately $7,000 for long-distance telephone calls. I state, frankly, that I could not spend that much money for long-distance telephone calls if I deliberately undertook to do it without regard for commonsense. I have not been a Member of the Senate long enough to know exactly what the net result is. But if appropriations of the same type are made with reference to other expenditures, it is my judgment that a program of that type contributes to extravagance, rather than to prudence.

Two million dollars for 96 Senators would be more than $20,000 for each Senator. Are those figures available for examination?

Mr. STENNIS. Yes.

Mr. LAUSCHE. I do not care to see them today.

Mr. STENNIS. Yes: they are available to the Senator from Ohio; and they can be supplied. I do not know whether they are in the RECORD, but they can be supplied.

In response to the Senator's comment about the telephone bills, let me say that I do not know when those schedules were established. Although I dislike to make a personal reference, yet it is natural for me to know more about my own experience than that of other Senators. I know that when I first came to the Senate, I had to pay out of my personal funds for some of the long-distance telephone calls which were strictly official. The allowance simply was not sufficient. That condition continued for 2, 3, or 4 years, at least. I think the longer a Senator serves, and the more committees he is on, the more telephone calls he receives at his office and the more telephone calls he has to make, or the more telephone calls the members of his staff have to make.

In the case of the Senator's State of Ohio, the allowance is partly based on the population of the State. But as time passes, the number of telephone calls a Senator is required to make usually increases. Doubtless the estimates took all those matters into consideration.

Mr. LAUSCHE. I should like to ask a further question. I do not know whether the Senator from Mississippi is a member of the committee which ultimately will determine what shall be done about furniture, equipment, draperies, and wastepaper baskets. Has a decision yet been reached about what will be done with the furniture now used in the offices of Senators? I ask that question because of the discussion which was had the other day with the Senator from New Mexico [Mr. CHAVEZ].

Mr. STENNIS. We have had absolutely nothing on that subject matter before the Appropriations Committee. As the Senator from Ohio knows, there is pending an authorization to remodel the present Senate Office Building; and it is the assumption that the size of the suites will be increased, but that the same furniture will continue to be used. That is my assumption, and that is all I have heard.

Mr. LAUSCHE. The new furniture, to be purchased, will be for the new Office Building; is that correct?

Mr. STENNIS. Yes; so far as I know.

Mr. LAUSCHE. The Senator from New Mexico [Mr. CHAVEZ], who is obviously in charge of the subcommittee, made some statement indicating that he is concerned about it, and that Senators ought to now give consideration to what they believe should be done.

Mr. STENNIS. Yes.

Mr. LAUSCHE. I think, in this period of inflation, which is generally admitted by everyone, we ought to abstain from buying things which are not indispensably necessary. There will come a more propitious time to buy, and we ought to wait until that time arrives,

rather than feed fat into the fire of inflation.

Mr. STENNIS. I think the Senator has made a very fine suggestion. I hope his suggestion will be followed. So far as the Senator from Mississippi is concerned, he has not as yet made up his mind to move from his old suite.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi that the committee amendments be agreed to en bloc? The Chair hears none, and it is so ordered.

The committee amendments agreed to en bloc are as follows:

At the top of page 2, to insert "Senate."

On page 2, after line 1, to insert "Salaries of Senators, mileage of the President of the Senate and of Senators, expense allowance of the majority and minority leaders of the Senate, and salary and expense allowance of the Vice President."

On page 2, after line 6, to insert:

"For compensation of Senators, $2,328,245."

On page 2, after line 7, to insert:

"For mileage of the President of the Senate and of Senators, $51,000."

On page 2, after line 9, to insert:

"For expense allowance of the majority leader and the minority leader of the Senate, $2,000 each, in all $4,000."

On page 2, after line 11, to insert:

"For the compensation of the Vice President of the United States, $37,695."

On page 2, after line 13, to insert:

"For expense allowance of the Vice President, $10,000."

On page 2, after line 14, to insert:

"SALARIES, OFFICERS AND EMPLOYEES

"For compensation of officers, employees, clerks to Senators, and others as authorized by law, including agency contributions as authorized, which shall be paid from this appropriation without regard to the below limitations, as follows:

"OFFICE OF THE VICE PRESIDENT

"For clerical assistance to the Vice President, at rates of compensation to be fixed by him in basic multiples of $5 per month, $101,925."

At the top of page 3, to insert:

"CHAPLAIN

"Chaplain of the Senate, $5,000."

On page 3, after line 2, to insert:

"OFFICE OF THE SECRETARY

"For office of the Secretary, $572,915."

On page 3, after line 4, to insert:

"COMMITTEE EMPLOYEES

"For professional and clerical assistance to standing committees, and the Select Committee on Small Business, $2,030,650."

On page 3, after line 8, to insert:

"CONFERENCE COMMITTEE

"For clerical assistance to the conference of the majority, at rates of compensation to be fixed by the chairman of said committee, $40,000."

On page 3, after line 12, to insert:

"For clerical assistance to the conference of the minority, at rates of compensation to be fixed by the chairman of said committee, $40,000."

On page 3, after line 15, to insert:

"ADMINISTRATIVE AND CLERICAL ASSISTANTS TO SENATORS

"For administrative and clerical assistants and messenger service for Senators, $9,640,000."

On page 3, after line 19, to insert:

"OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

"For office of Sergeant at Arms and Doorkeeper, $1,760,940: *Provided*, That effective July 1, 1957, the basic annual compensation of the following positions shall be: Editor and printer, $4,020 in lieu of $3,000; three cabinetmakers at $2,700 each in lieu of $2,640 each; finisher, $2,700 in lieu of $2,640; upholsterer, $2,700 in lieu of $2,640; superintendent, service department, $6,060 in lieu of $4,800; foreman, repairman, $2,820 in lieu of $2,760; repairman, $2,640 in lieu of $2,580; repairman, $2,520 in lieu of $2,460."

On page 4, after line 6, to insert:

"OFFICES OF THE SECRETARIES FOR THE MAJORITY AND THE MINORITY

"For the offices of the secretary for the majority and the secretary for the minority, $94,950."

On page 4, after line 10, to insert:

"OFFICES OF THE MAJORITY AND MINORITY WHIPS

"For two clerical assistants, one for the majority whip and one for the minority whip, at not to exceed $5,580 basic per annum each, $20,045."

On page 4, after line 14, to insert:

"CONTINGENT EXPENSES OF THE SENATE

"Legislative reorganization: For salaries and expenses, legislative reorganization, $106,500."

On page 4, after line 17, to insert:

"Senate policy committees: For salaries and expenses of the majority policy committee and the minority policy committee, $111,825 for each such committee; in all, $223,650."

On page 4, after line 21, to insert:

"Joint Economic Committee: For salaries and expenses of the Joint Economic Committee, $143,360."

On page 4, after line 23, to insert:

"Joint Committee on Atomic Energy: For salaries and expenses of the Joint Committee on Atomic Energy, $233,520; and for expenses of compiling and preparing year end joint committee reports, $865, said sum, or any part thereof, may be paid as additional compensation to any employee of the United States; in all, $234,385."

On page 5, after line 4, to insert:

"Joint Committee on Printing: For salaries and expenses of the Joint Committee on Printing, $62,635; for expenses of compiling, preparing, and indexing the Congressional Directory, $1,600; and for compiling, preparing, and indexing material for the biographical directory, $2,605, said sum, or any part thereof, in the discretion of the chairman or vice chairman of the Joint Committee on Printing, may be paid as additional compensation to any employee of the United States; in all, $66,840."

On page 5, after line 13, to insert:

"Committee on Rules and Administration: For reimbursement to General Services Administration for space furnished the United States Senate, $30,810; and for expenses of compiling, preparing, and indexing material for the Senate Manual, $2,180, said sum, or any part thereof, in the discretion of the chairman of the Committee on Rules and Administration, may be paid as additional compensation to any employee of the United States; in all, $32,990."

On page 5, after line 21, to insert:

"Vice President's automobile: For purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President, $7,600."

On page 5, after line 24, to insert:

"Automobile for the President pro tempore: For purchase, exchange, driving, maintenance, and operation of an automobile for the President pro tempore of the Senate, $7,100."

On page 6, after line 2, to insert:

"Automobiles for majority and minority leaders: For purchase, exchange, driving, maintenance, and operation of 2 automobiles, 1 for the majority leader of the Senate, and 1 for the minority leader of the Senate, $14,200."

On page 6, after line 6, to insert:

"Reporting Senate proceedings: For reporting the debates and proceedings of the Senate, payable in equal monthly installments, $188,825."

On page 6, after line 9, to insert:

"Furniture: For services and materials in cleaning and repairing furniture, and for the purchase of furniture, $31,190: *Provided*, That the furniture purchased is not available from other agencies of the Government."

On page 6, after line 13, to insert:

"Inquiries and investigations: For expenses of inquiries and investigations ordered by the Senate or conducted pursuant to section 134 (a) of Public Law 601, 79th Congress, including $380,000 for the Committee on Appropriations, to be available also for the purposes mentioned in Senate Resolution No. 193, agreed to October 14, 1943, $2,650,000."

On page 6, after line 20, to insert:

"Folding documents: For the employment of personnel for folding speeches and pamphlets at a gross rate of not exceeding $1.61 per hour per person, $29,000."

On page 6, after line 23, to insert:

"Senate restaurants: For repairs, improvements, equipment and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended under the supervision of the Committee on Rules and Administration, United States Senate, $85,000."

On page 7, after line 4, to insert:

"Motor vehicles: For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $16,560."

On page 7, after line 8, to insert:

"Miscellaneous items: For miscellaneous items, exclusive of labor, $1,455,000."

On page 7, after line 10, to insert:

"Postage stamps: For Office of the Secretary, $650; Office of the Sergeant at Arms, $725; Offices of the secretaries of the majority and the minority, $100; and for airmail and special-delivery stamps for Senators and the President of the Senate, as authorized by law, $38,800, in all, $40,275."

On page 7, after line 16, to insert:

"Stationery (revolving fund): For stationery for Senators and the President of the Senate, $174,600; and for stationery for committees and officers of the Senate, $12,900; in all, $187,500, to remain available until expended."

On page 7, after line 20, to insert:

"Communications: For an amount of communications which may be expended interchangeably for payment, in accordance with such limitations and restrictions as may be prescribed by the Committee on Rules and Administration, of charges on official telegrams and long-distance telephone calls made by or on behalf of Senators or the President of the Senate, such telephone calls to be in addition to those authorized by the provisions of the Legislative Branch Appropriation Act, 1947 (60 Stat. 392; 2 U. S. C. 46c, 46d, 46e), as amended, and the First Deficiency Appropriation Act, 1949 (63 Stat. 77; 2 U. S. C. 46d–1), $14,550."

On page 8, after line 6, to insert:

"ADMINISTRATIVE PROVISIONS

"Salaries or wages paid out of the items under 'Contingent Expenses of the Senate' shall hereafter be computed at basic rates, plus increased and additional compensation, as authorized and provided by law."

Under the heading "Office of the Legislative Counsel", on page 17, at the beginning of line 19, to strike out "$357,000" and insert "$361,385"; in the same line, after the word "which", to strike out "$183,000" and insert "$187,385", and in line 21, after the word "House", to insert a colon and "*Provided*, That effective July 1, 1957, the

gross compensation of the Legislative Counsel of the Senate shall be $17,500; and no more than three employees in the Office of the Legislative Counsel of the Senate may be designated as senior counsel, whose compensation shall be $15,500 gross per annum each."

On page 18, after line 2, to insert:

"JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES

"For an amount to enable the Joint Committee on Reduction of Nonessential Federal expenditures to carry out the duties imposed upon it by section 601 of the Revenue Act of 1941 (55 Stat. 726), to remain available during the existence of the committee, $22,500, to be disbursed by the Secretary of the Senate."

Under the heading "Architect of the Capitol—Office of the Architect of the Capitol", on page 20, after line 2, to insert:

"Hereafter the purchase of supplies and equipment and the procurement of services for all branches under the Architect of the Capitol may be made in the open market without compliance with section 3709 of the Revised Statutes of the United States, as amended, in the manner common among businessmen, when the aggregate amount of the purchase or the service does not exceed $1,000 in any instance."

Under the subhead "Capitol Buildings and Grounds", on page 21, line 7, after the word "Capitol", to strike out "$897,100" and insert "$901,800."

On page 21, line 15, after the figures "$307,600", to insert a colon and *"Provided,* That not to exceed $56,000 of the amount made available under this head for the fiscal year 1957 for construction of a combined sanitary-storm water sewer extending from the additional Senate Office Building to the existing sewer crossing Constitution Avenue just west of New Jersey Avenue NW. is hereby continued available until June 30, 1958."

On page 21, after line 22, to insert: "Subway transportation, Capitol and Senate Office Buildings: For maintenance, repairs, and rebuilding of the subway transportation system connecting the Senate Office Building with the Capitol, including personal and other services, $4,500."

On page 22, after line 2, to insert: "Senate Office Buildings: For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel and for personal and other services; including 8 female attendants in charge of ladies' retiring rooms at $1,800 each, for the care and operation of the Senate Office Buildings; uniforms or allowances therefor as authorized by the act of September 1, 1954, as amended (5 U. S. C. 2131); to be expended under the control and supervision of the Architect of the Capitol; in all, $1,320,400: *Provided,* That not to exceed $87,000 of the amount made available under the head 'Senate Office Building' in the Legislative Branch Appropriation Act, 1957, shall continue available until expended."

On page 22, after line 17, to insert:

"ADDITIONAL OFFICE BUILDING FOR THE UNITED STATES SENATE

"Construction and equipment of additional Senate Office Building: To enable the Architect of the Capitol, under the direction of the Senate Office Building Commission, to continue to provide for the construction and equipment of a fireproof office building for the use of the United States Senate, in accordance with the provisions of the Second Deficiency Appropriation Act, 1948 (62 Stat. 1029), $2,846,000: *Provided,* That no part of the funds herein appropriated shall be obligated or expended for construction of the rear center wing of said building, from the ground floor up, provided for under the building plans heretofore approved by such Commission: *Provided further,* That the amount of $20,600,000 fixed by the Second Deficiency Appropriation Act, 1948 (62 Stat. 1029) as the limit of cost for construction and equipment of an additional office building for the United States Senate is hereby increased by $2,846,000."

Under the heading "General Provisions", on page 31, after line 10, to insert a new section, as follows:

"SEC. 105. The appropriations, authorizations, and authority with respect thereto in this act shall be available from July 1, 1957, unless otherwise provided, for the purposes provided in such appropriations, authorizations, and authority. All obligations incurred during the period between June 30, 1957, and the date of enactment of this act in anticipation of such appropriations, authorizations, and authority are hereby ratified and confirmed if in accordance with the terms hereof."

On page 31, line 20, to change the section number from "105" to "106."

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is on the passage of the bill.

The bill (H. R. 7599) was passed.

Mr. STENNIS. Mr. President, I should especially like to thank the staff of the Appropriations Committee, and especially Mr. Everard Smith, for his very timely, effective, and helpful work on the bill.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6070) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 1, 12, 21, and 22 to the bill, and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 14, 27, and 41, to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendment of the Senate to the concurrent resolution (H. Con. Res. 204) entitled "Concurrent resolution expressing the sense of the Congress on the problem of Hungary"; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mrs. KELLY, Mr. HAYS of Ohio, Mr. SELDEN, Mr. FULTON, and Mr. BENTLEY were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 3373. An act to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes; and

H. R. 6523. An act to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

H. R. 1752. An act for the relief of Frank J. and Mae T. W. Burger;

H. R. 2964. An act to confer jurisdiction on the United States District Court for the Eastern District of Texas, Jefferson division, to hear, determine, and render judgment on certain claims of George W. Edwards, Jr., against the United States;

H. R. 3477. An act relating to moneys received from mineral lands in Alaska;

H. R. 3836. An act to repeal section 1157 of title 18 of the United States Code, as amended;

H. R. 3837. An act to amend the act of August 24, 1912, as amended, with reference to educational leave to employees of the Bureau of Indian Affairs;

H. R. 4945. An act to provide for the conveyance of certain real property in West Palm Beach, Fla., to the Port of Palm Beach District;

H. R. 6692. An act to authorize the transfer of the Coyote Valley Indian Rancheria to the Secretary of the Army, and for other purposes;

H. R. 7050. An act to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes;

H. R. 7249. An act to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia;

H. R. 7835. An act to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and for other purposes; and

H. J. Res. 379. Joint resolution making supplemental appropriations for the Post Office Department for the fiscal year 1958, and for other purposes.

DEVELOPMENT AND MODERNIZATION OF THE NATIONAL SYSTEM OF AVIATION NAVIGATION AND TRAFFIC CONTROL

Mr. POTTER obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. POTTER. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 448, S. 1856, be made the pending business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair lays the bill before the Senate.

The Senate resumed the consideration of the bill (S. 1856) to provide for the development and modernization of the national system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, and for other purposes.

AWARD OF PHILIPPINE LEGION OF HONOR TO HON. JOHN W. McCORMACK AND HON. JOSEPH W. MARTIN, JR.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of H. R. 8384.

The PRESIDING OFFICER (Mr. HOLLAND in the chair) laid before the Senate the bill (H. R. 8384) to authorize the Honorable JOHN W. McCORMACK and the Honorable JOSEPH W. MARTIN, JR., Members of the House of Representatives, to accept and wear the award of the Philippine Legion of Honor in the degree of commander, tendered by the Republic of the Philippines, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (H. R. 8384) to authorize the Honorable JOHN W. McCORMACK and the Honorable JOSEPH W. MARTIN, JR., Members of the House of Representatives, to accept and wear the award of the Philippine Legion of Honor in the degree of commander, tendered by the Republic of the Philippines.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H. R. 8384) was ordered to a third reading, read the third time, and passed.

AWARD OF THE ECCLESIASTICAL ORDER OF SAINT GREGORY THE GREAT TO HON. JOHN W. McCORMACK AND HON. JOHN J. ROONEY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. R. 8383.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 8383) to authorize the Honorable JOHN W. McCORMACK and the Honorable JOHN J. ROONEY, Members of the House of Representatives, to accept and wear the award of the Ecclesiastical Order of Saint Gregory the Great, with the rank of knight commander with star, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (H. R. 8383) to authorize the Honorable JOHN W. McCORMACK and the Honorable JOHN J. ROONEY, Members of the House of Representatives, to accept and wear the award of the Ecclesiastical Order of Saint Gregory the Great, with the rank of knight commander with star.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H. R. 8383) was ordered to a third reading, read the third time, and passed.

PARTICIPATION BY UNITED STATES IN INTERNATIONAL LABOR ORGANIZATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of calendar 535, Senate Joint Resolution 73.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the joint resolution (S. J. Res. 73) to amend Public Law 843, 80th Congress, as amended, providing for membership and participation by the United States in the International Labor Organization and authorizing appropriations therefor, which had been reported from the Committee on Foreign Relations with an amendment in line 9, after the word "figure", to strike out "$3,000,000" and insert "$2,000,000", so as to make the joint resolution read:

Resolved, etc., That the following law of the United States is hereby amended in the following particulars:

Public Law, 843, 80th Congress, as amended by section 1 (e) of Public Law 806, 81st Congress, is hereby further amended by striking out the figure "$1,750,000" in subsection (a) of section 2 thereof and inserting in lieu thereof the figure "$2,000,000."

Mr. MANSFIELD. Mr. President, I desire to make an explanation to the Senate.

I have discussed this joint resolution with the minority leader and also with the Senator from Louisiana [Mr. ELLENDER]. I informed him that while the original request on the part of the administration was for $3 million, the Committee on Foreign Relations unanimously reduced the amount to $2 million, which will make up the deficit in this year's contribution on the part of our Government to the ILO and the anticipated deficit for next year. We have squeezed it just about as closely as we can.

The Senator from Louisiana wished to have me inform the Senate that it was a satisfactory resolution, so far as he was concerned, and I am taking this occasion to do so.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution (S. J. Res. 73) was ordered to be engrossed for a third reading, read the third time, and passed.

EXEMPTION OF FURLOUGH TRAVEL BY SERVICE PERSONNEL FROM TAX ON TRANSPORTATION OF PERSONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 541, H. R. 7954 relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (H. R. 7954) relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. MANSFIELD. Mr. President, I am informed that this bill is very important because it applies to servicemen, and that it should be passed immediately in order to give them the benefit of relief from the tax on transportation of persons which may well accrue on the 4th of July holiday for the men in uniform. I urge that the bill be passed.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Kansas.

Mr. CARLSON. This bill was reported by the Senate Committee on Finance yesterday, and because of its urgency a petition was circulated that it be reported. I sincerely hope that the Senate will give it immediate consideration, because it is necessary that the bill be approved before July 1, in order to make present benefits available.

The PRESIDING OFFICER. If there be no amendments to be proposed, the question is on the third reading of the bill.

The bill (H. R. 7954) was ordered to a third reading, read the third time, and passed.

THE FRYINGPAN-ARKANSAS PROJECT, COLORADO

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 331, S. 60, the Fryingpan-Arkansas project bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (S. 60) to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado, which had been reported from the Committee on Interior and Insular Affairs, with amendments.

EFFECT ON DOMESTIC ECONOMY AND NATIONAL DEFENSE OF OIL IMPORTATIONS

Mr. CARLSON. Mr. President, I wish to commend President Eisenhower for appointing a six-member Cabinet Committee to study the oil import situation and its effect on our domestic economy and threatened effect on our national defense.

The situation is critical and is worsening day by day. I cannot urge too strongly an early report by the Cabinet Committee.

I note by press reports that the governors of 32 States attending the Governors' Conference at Williamsburg, Va., signed a telegram urging the President to take action and curtail imports under the provisions of the Reciprocal Trade Agreements Act. These governors, who are so familiar with the problems of their respective States, acted, I am certain, on the basis of knowledge they had received from the regulatory bodies and agencies of their own States.

Based on information which I am receiving from Kansas and other States, I firmly believe that the situation has reached the crisis stage. Last week Texas, the largest oil-producing State in the Nation, was forced to curtail production to an unprecedented 13 producing days a month.

The Corporation Commission of Kansas will meet tomrorow, and I have no doubt it will be forced to further reduce production in our own State. A total new daily production of 10,000 barrels is available in Kansas wells, for which no market whatsoever is provided.

It is imperative that we obtain early executive action in the curtailment of oil imports. I firmly believe that this problem can and will be handled under existing law and authority given the President. The situation is so critical that should executive action not be effective, I feel that legislative action will have to be taken.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. O'MAHONEY. I am happy, I will say to the Senator from Kansas, that I entered the Chamber just as he was making his statement with respect to the gravity of the problem of oil importations.

I think it should be pointed out, in addition to what he has said, that the Office of Defense Mobilization has twice announced that the national security is threatened by the continued increase in the flood of imports of crude oil and residual fuels.

Moreover, it should be pointed out that the Government of the United States and all the public land States, as well as those States which are contiguous to the offshore Continental Shelf, are concerned over this problem and its early and proper solution.

At the present time the Department of the Interior has under its jurisdiction about 85 million acres of land, some of it on the public domain, some of it consisting of Indian lands, and some of it acquired lands, upon which there are oil and gas wells. The latest report I saw indicated that the number of oil and gas wells on these areas was more than 120,000.

Under the Oil Leasing Act of 1920 the Government collects royalties upon the oil and gas developed from these lands. Such royalties are divided into three parts. Ten percent of the total goes to the United States Treasury Department for the administration of the act. Fifty-two and a half percent goes to the Reclamation Bureau to help pay the cost of reclamation projects of one kind or another that are approved by the Congress. The remaining 37½ percent goes to the States in which the oil is produced.

These royalties are used in the States for the support of schools and for the maintenance of roads. Every schoolteacher in the public land States, every school pupil, and every taxpayer who pays taxes to support the schools is concerned with protecting the domestic oil industry from being flooded by the imports of oil.

Much more important, even, than that is the fact that during World War II, 115 United States-flag tankers endeavoring to bring crude oil from South America to the refineries on our Atlantic coast were sunk by Hitler's submarines. The submarines of the Soviet Union today are more numerous and more effective, by far, than Hitler's fleet ever was. Indeed, there is reason to believe that the Soviet submarine fleet is greater than the submarine fleet of the United States.

I think it should be clear that if it was almost impossible, or very difficult, to import oil into the United States during World War II, it would be 10 times more difficult to import oil across the Mediterranean Sea and the broad expanse of the Atlantic Ocean if we should become involved in a third world war.

All of the Military Establishment of the United States, including the missile program, the rocket program, the aid program, the naval program, and the operation of the Army, depend upon oil. Admiral Lattu, purchasing agent for the Defense Department, testified recently before a Congressional committee that the cost to the United States Government during the fiscal year 1958 will be more than $84 million for the purchase of oil products. So it is clear that we are dealing with a massive problem, one of substantial importance to the national defense, as well as to the domestic economy of the oil-producing States. We must not be made dependent upon imported oil for the defense of the United States.

The President, in his letter to Mr. Gray, head of the Office of Defense Mobilization, has recognized that the national security is threatened by these imports of oil; and I trust there will be no delay in finding and applying a solution.

I do not believe it is at all possible to settle this question by a voluntary agreement among the important oil companies. If those companies are to make an agreement, they will have to have some sort of immunity from the antitrust laws. So I hope and pray that the President's Cabinet Committee will speedily report a definite program for the Government which will lay down the law in this field. Otherwise, I agree with the Senator from Kansas that there will be legislation by the Congress.

Mr. CARLSON. Mr. President, I commend the Senator from Wyoming for the statement he has just made. He has been most diligent in this field. It was my good fortune, in company with the Senator from Wyoming and the Senator from Illinois [Mr. DIRKSEN], to visit the President personally and discuss this situation. I think the Senator will agree with me that the President seemed to have a very good grasp of the situation. He realizes the urgency of the problem. That is one reason why today I stress the fact that the situation represents a real crisis. We have reached the point where it not only affects the domestic economy, but, as the Senator from Wyoming has so well stated, it is threatening to impair the national defense, so early action must be forthcoming.

I appreciate the statement of the Senator from Wyoming.

Mr. YARBOROUGH. Mr. President, I should like to express my approval of the remarks of the Senator from Kansas and the Senator from Wyoming with reference to the flood of imported oil.

I join with the Senator from Kansas in stating that unless we have executive action in the immediate future, legislative action will be the only solution to this problem, which involves impairment of the prosperity of a great section of the United States. As the two distinguished Senators have so ably pointed out, our national defense is also being imperiled.

The word we have received from Texas is that the flood of foreign oil has engulfed our section of the country, with the result that the independent drillers, the entrepreneurs, the men who really make the oil business competitive, are being liquidated so rapidly that, unless something is done immediately, the independents will be out of business. Then there will be no longer any necessity of referring to the independent oil men. Their production has been cut down to the point where a well may not run for more than 3 days of of 30 days, with a production of only 20 barrels a day, whereas, if the well were permitted to run open, it could produce 1,000 barrels a day.

The pipelines are full, the tanks are full, and all the storage facilities are full of Arabian oil, which has come into the United States tax-free.

I should like to ask the distinguished Senator from Kansas whether the conditions which are prevalent in Texas are also prevalent in Kansas; whether the independent operators in the State of Kansas are being placed in the same condition in which the independent operators in Texas find themselves, and whether the flood of foreign oil is being used as an instrument for wiping out the production of the independent oil producer, and is, in effect, doing away with the small man in the oil business?

That is what is happening in Texas. That is what is happening in areas with which we are conversant. It is an evil force that is operating in our national economy. We have a great deal of say about the small-business man; that he should be encouraged and aided as a vital factor in our body politic and in the economy of our country. It is certainly necessary that that be so, in order to keep ours a truly competitive economy under our free-enterprise system.

Therefore, I should like to ask the Senator from Kansas whether these bad results that come from this great flood of foreign oil apply equally to Kansas as to Texas.

Mr. CARLSON. I wish to state to the Senator from Texas that the same results are being felt in Kansas, although

in lesser degree. The problem is the same, even though Texas has a much greater oil production than Kansas. Kansas, of course, is fifth among the States from the standpoint of oil production. Our tanks are full and our pipelines are full. As I said earlier, a man who brings in a new well has a very hard time getting permission from the corporation commission to pump even one barrel of oil. That is the situation that results from the oil imports. I thank the Senator from Texas for emphasizing to the Senate the importance of this matter.

THE SUPREME COURT DECISION IN THE MALLORY CASE

Mr. THURMOND. Mr. President, the Supreme Court—which has recently handed down decisions to give greater protection to Communists and criminals—has now issued an edict which will give greater protection to such heinous criminals as rapists and murderers.

I refer to the decision in the Mallory case.

Although the Court was so concerned about the undefined rights of a confessed rapist that it overturned his conviction, the Court was so little concerned about the suffering of an innocent victim that it was willing for the rapist to go free.

I say the "undefined rights" of the rapist because neither the Federal Rules of Criminal Procedure nor the Court has provided a definition of whether "unnecessary delay" in the arraignment of a prisoner involves any specific length of time.

However, the important point as to the rights of the rapist is that no evidence was presented to show that he had been deprived of any constitutional right. On the contrary, the sequence of events as recited by the district attorney, clearly shows that the rights of the prisoner were adequately protected after his arrest. The questioning to which he was subjected by the police was reasonable, and the fact that he was given food during the period he was under questioning demonstrates the consideration extended to him by the police.

As I stated yesterday, "the choice we face in this country today is judicial limitation or judicial tyranny." Congress must take action to limit the power of the Court.

I regret that the Supreme Court shows more concern for the rights of Communists and criminals, including rapists and murderers, than it does for the protection of innocent American citizens.

I regret, also, that Congress has wasted so much time over a so-called civil rights bill when the very lives of innocent women in our Capital City are being endangered by decisions such as that in the Mallory case.

Some persons have hailed the decision as one which will prevent police abuses. Any police abuse this decision prevents will be replaced many times over by criminals abusing the laws of the States and Nation under the umbrella of the Supreme Court decision.

Assistant United States Attorney General Warren Olney, Chief of the Justice Department's Criminal Division, issued a statement declaring that the Court's decision "clearly demonstrates that a great many very serious crimes will go unpunished."

Had there been a specific abuse involved here which would have changed the facts of the case, the Court might have had reason to hand down the opinion it did. The facts showed no abuse of the rights of the prisoner.

I am greatly concerned about the effect of this decision on the policemen of Washington and the policemen of the entire Nation. Daily they risk their lives to protect the lives and property of our citizens. They deserve the support and encouragement of every public official, including the Supreme Court, in the performance of their duties.

Mr. President, I hope the special subcommittee of the Senate Judiciary Committee which is studying improvements in the Federal Code will, at the earliest possible moment, introduce legislation to curb the Supreme Court in its reckless exercise of power in such cases.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks two articles which were published in the Washington Evening Star of yesterday, June 26, 1957. One is the text of a statement issued by the United States Attorney for the District of Columbia. The other is entitled "Freeing of Mallory Called Big Loophole for Criminals—Olney Predicts Gangsters Will Dodge Punishment."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star of June 26, 1957]

UNITED STATES ATTORNEY REVIEWS MALLORY CASE EVIDENCE

Following is the text of a statement on the Mallory case presented to district court today by United States Attorney Oliver Gasch:

"After a review of the Government's evidence in the Mallory case and after having studied the impact of the Supreme Court's decision on that evidence, I have concluded to dismiss the rape charge pending against the defendant. A brief review of the evidence may be of assistance in understanding my reasons for this decision.

"On April 7, 1954, having completed her day's work at a department store and having returned home for dinner with her husband, the victim, about 20 minutes to 6 o'clock in the evening, went to the basement of her apartment house to utilize the washing machine provided there for tenants. Being unable to attach the hose, she sought assistance from the janitor. The defendant appeared from the janitor's quarters and gave the assistance requested. Thereafter he left and she busied herself with her tasks. After a brief interval, a colored man appeared from the basement level with his face partly hidden by a handkerchief, choked her, and dragged her into the furnace room where he raped her.

DRAGS SELF UPSTAIRS

"In a disheveled and hysterical state she dragged herself upstairs where she told her husband and some of the neighbors. The matter was reported to the police who immediately started their investigation. Since the victim had reported that her assailant could not have come down a rickety flight of wooden stairs without attracting her attention, the police concentrated their efforts on determining who in addition to the defendant could have been in and about the janitor's quarters.

"The police spoke to the janitor and his two sons, not having any information at that time as to the identity of the defendant. During the course of the investigation admissions from the janitor's sons indicated that the defendant was the one who had helped the victim with the washing machine. He had left the premises. Intensive search located him about 2:30 the following afternoon, April 8, 1954. At first he denied any connection with the crime. He and the two nephews who were also in custody agreed to take a polygraph test. Some delay was encountered locating the operator of the polygraph machine. The test started about 8 o'clock, at the conclusion of which defendant confessed. About 10 p. m., after this had been done, police sought to get in touch with the United States Commissioner. Being unable to do so, they continued the detention of the defendant until the following morning when he was arraigned.

"CONFERS WITH OFFICIALS

"Today, I have reviewed the Government's evidence with Assistant United States Attorney Arthur J. McLaughlin, who tried the case for the Government. I have conferred with the Chief of Police, Robert V. Murray, with the Acting Chief of Detectives—Inspector Aubrey M. Tolson, Chief of the Sex Squad—Lt. John L. Sullivan, and the arresting officer—Detective Sylvan Yuter. I have made an inspection of the premises.

"I have also conferred with the victim and her husband. I am impressed by the injury, both physical and psychological, to which the unfortunate victim of this heinous offense has been subjected. To subject this innocent victim to the ordeal of testifying again about these distressing circumstances would be unfair to her and her husband unless there is a reasonable prospect of obtaining a conviction under the Government's evidence. In the state which we now find it as a result of the Supreme Court's decision, there is serious doubt in my mind as to whether the Government has a case.

"Accordingly, and with considerable reluctance, I have come to the conclusion that I should move this court to dismiss the indictment against the defendant Mallory."

[From the Washington Evening Star of June 26, 1957]

FREEING OF MALLORY CALLED BIG LOOPHOLE FOR CRIMINALS—OLNEY PREDICTS GANGSTERS WILL DODGE PUNISHMENT

Assistant Attorney General Warren Olney said today that the dismissal of the rape case against Andrew J. Mallory because of a Supreme Court decision "clearly demonstrates that a great many very serious crimes will go unpunished."

The chief of the Justice Department's criminal division said these cases would go unpunished "not because the truth cannot be ascertained but because of the procedures that have to be followed to develop the facts."

Mr. Olney was talking about the police practice of questioning suspects between their arrest and their arraignment. Under the Supreme Court decision, confessions growing out of headquarters questioning for that purpose is barred from the trial of a case.

"WON'T LISTEN TO TRUTH"

Mr. Olney said the court is supposed to have its judgments rest on the best truth it can get "but the court will not listen to the truth for reasons that have nothing to do with the guilt or innocence of the defendant."

Mr. Olney said it is hard to guess the impact of the decision as its meaning reaches

all the Federal courts but he predicted it will be extreme.

"This opinion," he said, "says in so many words that police can't question a suspect after his arrest. The place where the impact of this decision will be greatest is in the gangster crimes. It is the real hardened professional criminals who will take advantage of this. The housewife who shoots her husband usually confesses to the first person who comes along. This decision won't affect her.

"But when dealing with criminal groups, police will be unable to question the hirelings who are caught first about the higher-ups they want to reach."

FORESEES NEW LAW

Mr. Olney said he could see no alternative but to seek a law spelling out exactly what law enforcement officers can and cannot do in arrest and arraignment proceedings.

The way for such a law is already being paved on Capitol Hill. The Senate Judiciary Subcommittee charged with improving criminal justice in the Federal courts is known to have been studying arrest and arraignment procedures for months. Under the chairmanship of Senator O'MAHONEY, Democrat, of Wyoming, the subcommittee is expected to hold hearings this fall on preliminary drafts of a number of proposed changes in Federal rules and laws.

The Star called United States attorney Paul Williams in New York to find out how the decision affected him.

"We have not followed the practice that seems to be outlined here by the Supreme Court," he replied. "In many instances, in New York, a person is arrested in the evening and not arraigned until the next day and in the course of the night, he has given a confession. So far, these confessions have been admitted."

THORNY ISSUE HERE

Actually, because of decisions of the Court of Appeals here, the question of how long a person can be detained before he is arraigned has been more of a bugaboo here than elsewhere. Several confessions have been thrown out and a new trial ordered because the court felt there had been "unnecessary delay" between arrest and arraignment.

Even before the Mallory decision, the District's Council on Law Enforcement had launched a study to determine whether a new law should be sought. Now, the chairman of the council, George L. Hart, Jr., says this is no longer a local problem as it was in the past when the Court of Appeals here had gone further than any other circuit.

He said he was writing today to the criminal law section of the American Bar Association requesting that group to study the impact of the decision.

HIT UNNECESSARY DELAY

The Supreme Court based its decision on its interpretation of Rule 5 (a) of the Federal Rules of Criminal Procedure. This rule requires that the arrested person must be brought "without unnecessary delay" before the nearest available committing magistrate.

Twice in its decision, the Court referred to the will of Congress, which approved the rules. At one point, referring to an earlier opinion, the decision said:

"In order adequately to enforce the Congressional requirement of prompt arraignment, it was deemed necessary to render inadmissible incriminating statements elicited from defendants during a period of unlawful detention."

At another point, the decision said:

"The requirement of rule 5 (a) is part of the procedure devised by Congress for safeguarding individual rights without hampering effective and intelligent law enforcement."

On the basis of these two statements in the decision, United States Attorney Oliver Gasch said he believed the Supreme Court had given the Government an opportunity of submitting the problem to Congress.

"The Supreme Court," he said, "has clearly recognized the responsibility of Congress to lay down the rule. Therefore, Congress should make an examination to determine if effective and intelligent law enforcement is being hampered.

"Congress should write a law to safeguard the rights of the individual and make possible effective law enforcement in the public interest."

In questioning proponents of the Supreme Court decision as well as prosecutors and police, the Star found general agreement that the Mallory decision forbids police questioning much beyond booking procedures.

The decision did note that "circumstances may justify a brief delay between arrest and arraignment, as for instance, where the story volunteered by the accused is susceptible of quick verification through third parties."

The next sentence of the decision, however, warned that "the delay must not be of a nature to give opportunity for the extraction of a confession."

FREE QUESTIONING PERMITTED

A proponent of the decision analyzed it this way:

"Police can question people if they want to be questioned as long as they are free agents. A suspect can be brought to headquarters and questioned as long as he is free to walk out at any time. But as soon as he is under arrest, it is 'unreasonable delay' in arraigning him if police use any time to make a case against him.

"It is now illegal to grill an arrested person for 2 or 3 hours. That is questioning during illegal detention and the confession would be thrown out.

"If a prisoner confesses immediately after his arrest, it wouldn't kill the confession if he were not immediately arraigned. If he immediately confesses to one crime and then goes out to reenact other crimes, the first confession would be allowed but the others would not.

"Police can still make cases but they will simply have to use different procedures."

NEXT STEP IS PUZZLE

Both Mr. Gasch and Police Chief Robert V. Murray acknowledged that different procedures will have to be used but they were at a loss as to what procedures can be followed that will succeed in clearing the innocent and convicting the guilty.

Chief Murray said that 90 percent of the success or failure of a case rests on questioning at police headquarters. He predicted if this decision is not changed by law, "our record of closed cases will be only 10 percent of what it is now."

Mr. Gasch said that at least 25 percent of the sex cases depend on confessions because there are seldom eye witnesses or fingerprints. In yoke robberies particularly, he said, confessions are needed because the victim is usually attacked from behind and can't make an identification.

Chief Murray cited the rape-murder of an 8-year-old northeast girl where 30 detectives have been at work rounding up possible suspects. Over 1,000 people have been questioned in the crime.

"What good will it do to bring in a good suspect, question him and get a confession if this decision stands?" he asked. "This decision says he must be arraigned immediately and not questioned after we arrest him."

PROCEDURE EXPLAINED

Chief Murray explained past procedure in way:

"If we have a suspect, we bring him to headquarters. If we have any evidence pointing to his guilt, he is booked for investigation. Then he is questioned about the case. Any alibi he may offer is run out and very often that alone clears him of any guilt.

"If he was on the scene or had been seen with the victim, we ask him about that. We may have him take a lie detector test, if he consents. The lie detector has exonerated more men than it ever implicated.

"Very often, we can't complete the case before the man is brought in. In many heinous crimes, it would be a physical impossibility to complete the case under 6 to 8 hours.

"Alibis must be checked. The prisoner must be confronted with his victim. There are blood and chemical tests, fingerprint checks, lineups, ballistics tests. All this takes time which we now will not have.

"No one confronted with a serious crime is going to admit it unless he feels there is some evidence or circumstances pointing to his guilt. Very few come right in and admit the crime. They have to be shown the evidence linking them to the crime either through witnesses who must be brought in or through such physical evidence as matching fingerprints or chemical analysis."

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

H. R. 6287. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes;

H. R. 7259. An act relating to marketing quotas and price supports for fire-cured, dark air-cured, and Virginia sun-cured tobacco; and

H. J. Res. 273. Joint resolution to waive the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, in behalf of certain aliens.

COMPENSATION FOR EMPLOYEES OF THE UNITED STATES SUFFERING INJURIES FROM WAR-RISK HAZARDS

Mr. HILL. Mr. President, I ask unanimous consent that the Chair lay before the Senate H. R. 6523, to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person. I ask for the immediate consideration of the bill, which has just been passed by the House.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 6523) to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. HILL. Mr. President, the House bill is identical with Senate bill 518, which was unanimously reported yesterday by the Senate Committee on Labor and Public Welfare.

The bill simply extends for 1 year from next Monday, July 1, to July 1, 1958, the provisions of the present act providing compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H. R. 6523) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 518 is indefinitely postponed.

INJURY, DISABILITY, AND DEATH RESULTING FROM WAR-RISK HAZARDS

Mr. HILL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. R. 3373, which has just been passed by the House and has come over to the Senate.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 3373) to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes, which was read twice by title.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill.

There being no objection, the Senate proceeded to consider the bill.

Mr. HILL. Mr. President, for the information of the Senate, let me say that the bill is identical with Senate bill 519, which was unanimously reported yesterday by the Senate Committee on Labor and Public Welfare.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H. R. 3373) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 519 is indefinitely postponed.

Mr. HILL. Mr. President, I ask unanimous consent that a statement I have prepared explaining the two bills just passed be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR HILL

H. R. 6523 and H. R. 3373 are companion bills to S. 518 and S. 519, which have been reported unanimously by the Committee on Labor and Public Welfare.

H. R. 6523 is a bill to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person.

H. R. 3373 is a bill to amend the Act of December 2, 1942, and the Act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes.

These bills as introduced would have made significant changes in existing temporary legislation. The Committee on Labor and Public Welfare felt that the significant changes should receive further study and therefore substituted an amendment which merely results in extending the legislation for 1 year. Public Law 784 of the 77th Congress, as amended, which would be extended by H. R. 3373, provides compensation for injury, death or capture of certain persons employed outside the country by the United States, directly or by contractors of the United States, when the injury is caused by a war-risk hazard. The types of military and enemy action constituting war-risk hazards are specified in detail in section 201 (42 U. S. Code 1711) of the act. The significance of this legislation is that such employees who are victimized by a war-risk hazard are eligible for compensation even though at the time of their injury they were not actually engaged in the course of their employment. Also, if such employees are captured by enemy forces, these laws provide compensation payments to dependents during enemy detention.

Section 5 (b) of Public Law 161 of the 79th Congress, as amended, which would be extended for 1 year by H. R. 6523, applies to employees of the United States whose employment requires that they work and temporarily live great distances from their permanent residences. It extends the benefits of the Federal Employees' Compensation Act to such employees if they are captured by the enemy and are injured or killed while under enemy detention, whether or not at the time of capture they were engaged in the course of employment.

Both bills are supported by the Department of Defense and by the administration.

It is necessary to pass H. R. 3373 and H. R. 6523 today because the statutes will lapse on July 1, 1957, and will create a situation in which these employees will not have the protection of the laws to which I have just referred.

THE OHIO VALLEY—THE RUHR OF THE UNITED STATES OF AMERICA

Mr. MORTON. Mr. President, the omnibus flood-control appropriation bill has passed the House of Representatives and will soon be before the Senate.

The great Ohio Valley, often described as the Ruhr of America, is considered, and rightly so, a part of Kentucky along most of its extent. However, its navigational development is of the utmost significance to the entire surrounding area, as well as to our Nation as a whole.

I should like to bring to the attention of my colleagues some pertinent facts about the Ohio Valley which I am sure will be of help in the consideration of S. 497.

"The beautiful Ohio" was said to have been discovered by La Salle in 1669. For many years after the visit of the French explorers, only a few French and English traders and fur trappers lived in the Ohio Valley. However, during and immediately after the Revolutionary War, people started to settle in this fertile area, many carried there by the Ohio River.

The river became the best friend to these early settlers, bringing them goods from the larger towns along the river. The keelboat was the first boat on the inland waters of America designed to be used for commerce, and it played an important role in the economic development of the region.

A great deal of romance and color, as well as important historical decisions, are connected with the Ohio River. Steamboat races, "floating palaces", showboats filled the river with glitter and excitement. The age of the steamboat brought forth such decisions as that pronounced by Chief Justice John Marshall that navigable rivers, lakes, and streams should not be controlled by any of the States, but by the United States as a whole.

In the 1800's the river was lively with trade. Many fortunes were made from trade that extended down the Ohio River and on to New Orleans. Others made a good living by operating floating grocery stores, or "bumboats," which peddled to the villagers and farmers along the Ohio and smaller rivers. These traveling storekeepers eased the life of the river settlements, supplying them with necessities and bringing them news from the outside world.

The ports along the Ohio grew with the river trade. They grew from log cabin villages to brisk little towns. Kentucky and Ohio farmers came into town from the outlying farmlands with great wagons creaking with the heavy corn, wheat, beef, flax, wool, hides, furs, ginseng, and tobacco. Hogs by the hundreds were slaughtered. Cincinnati was called Porkopolis by the easterners—some of the produce being used there, but most of it shipped south to New Orleans. There, a great part of it was put on oceangoing vessels bound for American cities along the Atlantic and to countries on the other side of the ocean.

As steamboats became more numerous, goods could be transported more quickly and cheaply up and down the rivers. More and more families came to live in the valley. Demands for the farm products increased, and canals were dug to permit the inland farmer to bring his hogs and farm products to market.

THE NAVIGATIONAL DEVELOPMENT OF THE RIVER

With the coming of the railroads, commerce dwindled on the Ohio River. Because of the long delays and hazards on the river, the train was found to be faster and safer. The steamboat could not compete with the railroad train unless the river was improved.

Around 1827 the Federal Government had begun to clear the river of stumps, sunken trees, and debris that snagged ships and clogged the channel. But sand bars, ice, and low water could still tie up shipping. In 1896 Congress authorized a survey of the Ohio down to Marietta, to learn if locks and dams could be built to advantage, but it was not until 1908 that the survey was reported favorably.

In the meantime, around 1907, towboats began a revival of freight traffic on the river. During the year the towboat *Sprague* moved 60 barges, filled with 70,000 tons of coal, from Louisville to

New Orleans. This new phase of river commerce promised a return to the good old days of shipping. In 1910, Congress passed a Rivers and Harbors Act authorizing the construction of dams from Pittsburgh to Cairo to maintain a water level of at least 9 feet. The project was finally completed in 1929, with facilities consisting of 46 movable, wicket dams and 4 fixed dams, each with a lock 600 feet by 110 feet. Cost of the project was approximately $150 million.

Resulting from this work by the Corps of Engineers was a channel about 300 feet in width with a minimum 9-foot depth maintained throughout the 981-mile length of the river. This system of locks and dams was justified on a traffic expectancy of 13 million tons a year. However, today there is five times that amount of traffic, and because of this tremendous tonnage a great number of problems crop up every day.

Many of the existing structures have outlived their useful life, are of obsolete design, and are grossly unsuited to the needs of the equipment operating on the river. Of the 46 locks and dams on the main stream of the Ohio, only 2 are less than 25 years of age; 21 range from 25 to 35 years; and 23 are from 35 to 50 years old. Because these structures are inadequate, and in some cases deteriorating, the maintenance costs are high, and there is always the danger of a breakdown. Lock No. 7, age 43, is currently imperiled by a landslide, and if blockage should result, the upper valley would suffer a serious setback. When lock No. 15 on the upper Monongahela River, an important tributary of the Ohio River, collapsed after 50 years of service, the river was closed to navigation at that point for more than a month, which imposed serious losses and scheduling delays on the industrial shippers dependent on river movement of coal, steel, and other commodities.

The long delays at the locks is another deterrent to shipping on the Ohio. Tows often arrive at the locks in batches, and the wait is prolonged by the necessity of splitting some tows in half, since about 40 percent of them are 1,200 feet and the locks only 600 feet. Delay of 6 to 8 hours at Louisville's lock No. 41, busiest on the river, are not uncommon.

A 20-year plan for the orderly redevelopment of the Ohio River navigational facilities has been advanced by the Corps of Engineers. This plan would replace or enlarge the current locks and dams, and would reduce their number from 46 to 21. Construction was initiated during fiscal year 1955 on the New Cumberland locks and dam to replace locks and dams 7, 8, and 9; and Greenup locks and dam to replace locks and dams 27, 28, 29, and 30. Construction was initiated in fiscal year 1956 on Markland locks and dam to replace locks and dams 35, 36, 37, 38, and 39. Funds were made available for fiscal year 1957 for initiation of planning work on New Richmond locks and dam to replace locks and dams 31, 32, 33, and 34 and for initiation of reconstruction of lock and dam 41.

In the fiscal year 1958 program, funds are proposed to continue construction on the New Cumberland locks and dam, the Greenup locks and dam, the Markland locks and dam, and lock and dam 41; to continue planning work on the New Richmond locks and dam; and to initiate planning on Pike Island locks and dam, which will replace locks 10 and 11. It is my hope that this Congress will provide funds to actually start construction on the New Richmond locks during fiscal 1958. Work on three other projects, Maxwell locks and dam, dam No. 8, and the Hildebrand lock and dam on the Monongahela River are equally important. These projects are of utmost necessity to prevent a serious traffic congestion problem in the industrial Ohio River Basin.

DOLLAR INVESTMENT IN THE AREA

The urgency of modernizing the navigational facilities on the Ohio River is due to the great industrial boom that the Ohio Valley is now experiencing. Since 1950, estimates have run from $7.5 to $10 billion as an investment figure in new and expanded industrial and atomic plants along the main stream of the Ohio River and its navigable tributaries. To call it America's Ruhr is almost an understatement.

A large proportion of this amount has been due to expenditures of the Atomic Energy Commission. A direct investment of $1.7 billion was made in 3 plants—the uranium-processing plant at Fernald, Ohio; and the gaseous-diffusion plants at Paducah, Ky., and Portsmouth, Ohio. Four new powerplants supply the diffusion facilities at Joppa, Ill.; Paducah, Ky.; Madison, Ind.; and Cheshire, Ohio. Almost 70 percent of this investment of over three-quarters of a billion dollars was borne by private companies. Shippingport, the first nuclear powerplant, is a joint AEC-private investment. The region is called by some Atom Valley.

Of the private development, $1.4 billion has been spent by expansion of existing powerplants and the building of new ones. These are not connected with AEC facilities. Twenty-five power stations, now delivering 9,250,000 kilowatts, line the river; and since all burn coal, their existence has helped revitalize the coal industry.

Steel is the next largest category, accounting for nearly $900 million. This includes the upriver expansion of National, at Weirton; of Wheeling Steel from Steubenville south; Jones & Laughlin, at Aliquippa; the downriver $75 million Armco plant, at Ashland, Ky.; and the $90 million expansion of Detroit Steel, at Portsmouth, Ohio. This is nearly three times as much steel as is produced in the celebrated Ruhr Valley.

Next in line are the chemicals, which come to one-third of a billion. The Ohio now surpasses the Rhine, Europe's "chemical river," in chemical-plant investment. More than 70 such plants have been built or major additions have been added since 1950. These plants use a great variety of raw materials, including petroleum, natural gas, brines, sulfur, and coal. They produce innumerable products, including fertilizers, synthetic fibers, silicones, aniline, intermediates, and plastics of all kinds.

Other important investments include the $216 million Appliance Park of General Electric, which consolidated all of its appliance manufacturing operations at Louisville; the $200 million aluminum plant of Kaiser, at Ravenswood, W. Va.; and Union Carbide's new $125 million electrometallurgical plant, at Marietta.

Small- and medium-sized plants make up the rest of the industrial expansion figures, with about $1.8 billion invested in them. These include distilleries, barge terminals, classification yards, even a factory for making diapers out of paper, vinyl plastic, and others.

THE DEVELOPMENT OF TONNAGE ON THE RIVER

There are many factors which account for the tremendous rebirth of industry in the Ohio Valley; but most of them, either directly or indirectly, come back to the waterway itself. The almost unlimited coal supplies, which can be barged on the river, contribute the strongest reason for industry's moving into the valley. Other important factors are the vast and growing concentration of electrical energy; an adequate supply of process and condenser water; chemical brines; efficient rail service; a sufficient supply of labor, much of which comes from rural communities; and a central market location.

The tonnage on the Ohio River has more than doubled every 10-year period. For example, in 1925 there were 826 million ton-miles, which by 1935 had increased to 2,254 million. The 1945 figure of 6,065 million again more than doubled in 1955, with a figure of 14,901 million ton-miles. The 1955 figure was an increase of about 30 percent over that of 1954; so the trend is rising at a higher rate over the recent years, and the 1965 figure is expected to come close to doubling that of 1955.

Coal and coke have always accounted for a large proportion of the traffic, rising from 504 million ton-miles in 1925 to 4,543 million ton-miles in 1955. Petroleum increased from 306 million ton-miles in 1935 to 5,248 million in 1955, most of it being bound upriver from the gulf. Iron and steel accounted for 3,270 million ton-miles in 1955, jumping from 626 million in 1935. Chemicals, newcomers in the freight hauled on the Ohio, traveled 813 million ton-miles; and sulfur, 278 million, in 1955.

The rates for river barge traffic are less than those for rail or truckhaul. Many of the big valley powerplants would prefer to barge their coal, both because their enormous fuel demands create an ideal cargo for tow-load deliveries—20,000 or more tons per tow—and because of a savings of roughly $1 per ton over rail charges. And though their traffic is highly intermittent, even automobile companies have taken to the river, sometimes trucking their cars to Ohio River ports for transshipment. Forty thousand new Fords were shipped out of Louisville by barge in 1955, and nearly 160,000 cars left Evansville and Cincinnati. However, because of the delays mentioned before, and the necessity of combining barge-truck or barge-train,

the financial benefits are not always so much greater by barge.

FULL DEVELOPMENT OF WATER RESOURCES

Aside from the problems connected with navigation, the Ohio Valley has had other difficulties to solve in connection with the Ohio River and its tributaries. The Ohio River has a history of destructive floods, the most damaging occurring in 1884, 1913, and 1937. In 1937, the river rose so high that thousands of people were driven from their homes all along the Ohio. Cincinnati, Louisville, and Paducah were especially hard hit, with several hundred lives lost, and more than 800,000 homeless.

That year, and in subsequent years, Congress enacted flood-control legislation for the Ohio River Basin. The comprehensive plan now consists of some 81 reservoirs, supplemented by levees, flood walls, and drainage structures. The yearly construction program under this authorized basin plan is based on the overall priority and need for individual projects. However, despite substantial progress under the plan in providing flood-control works, extensive flood damages still occur.

With the tremendous development in the Ohio Valley, we cannot afford to allow any part of this investment in atomic and industrial plants to be damaged by floods. This source of danger should be converted into an asset, which will be possible through the reservoir system in the main stem, as well as in the tributaries, to conserve and store the flood waters for productive use. Reservoir storage can reduce flood damage, and at the same time can provide low flow regulation, produce navigational benefits, assist in pollution abatement, provide recreational opportunities, increase domestic and industrial water supply, and, in many instances, produce hydroelectric power.

It is pertinent to refer in passing to the great achievements made in pollution abatement due to the initiative and hard work of the people in the Ohio Valley. With the increase of population and the industrial wastes, there is still a big job ahead; and the cleanup campaign of the Ohio Valley Water Sanitation Commission is one of staggering size and complexity. However, they may be proud of the progress they have made thus far; and the reservoirs under construction and proposed by the Corps of Engineers should help in the abatement of pollution.

PROPOSED PROGRAM FOR FISCAL YEAR 1958

The 1958 program for flood control—rivers and harbors, approved by President Eisenhower, contains 25 projects for the Ohio River Basin, on which major work is under way or to be initiated. Nine of these projects relate to navigation improvement. For the fiscal year 1958, the sum of $39,075,000 is requested for these projects, which are estimated to cost $413,170,000. After 1958, some $330,711,000 will be needed to complete these 9 projects.

Thirteen projects, having a total estimated cost of $278,236,000 are for flood control. Only $23,818,000 are requested for fiscal year 1958. Approximately $227,098,000 will be needed in subsequent years to complete this group.

There are three multiple-purpose projects estimated to cost $244,900,000. For fiscal year 1958, $7,079,000 are requested, leaving about $161,683,000 for completion.

The need for these 25 projects, for which planning and construction funds are requested, has been clearly stated and justified by the Corps of Engineers. The costs are believed accurate. I have not, however, endeavored to relate the current program to the total estimated or ultimate cost of water resources development for the basin. Such a figure for the Ohio Basin, as for the Nation as a whole, is continually modified as the country expands. However, in my opinion, the funds proposed in the 1958 program represent the minimum amount needed to provide the most economical rate of expenditure for projects that we can now be assured are both individually and collectively essential to the continued growth of the Ohio Basin and the Nation.

In looking over this great concentration of essential industry in the Ohio Valley, the necessity for protecting and developing it comes clearly to mind. America's Ruhr cannot further expand without the full development of the water resources; without safe and speedy navigational facilities. The valley cannot safely spread out its cities, towns, and manufacturing plants if the fear of damaging floods is present. Since industry and atomic-energy development has chosen the Ohio Valley as its site to expand and to build new factories, the future of the entire Nation will be affected by the success of this investment. The best way of assuring success is to continue to develop this great natural resource—the Ohio River.

Mr. President, I yield the floor.

CONSTRUCTION OF FRYINGPAN-ARKANSAS PROJECT

The Senate resumed the consideration of the bill (S. 60) to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado.

Mr. MURRAY. Mr. President, it is an honor for me to make an opening statement in support of S. 60, to authorize the Fryingpan-Arkansas project in the State of Colorado.

This is a highly worthwhile project, which has been reported favorably three times from the Committee on Interior and Insular Affairs. Twice the Senate passed the bill to authorize this project.

The first time was on July 10, 1954, under the leadership of two of our former colleagues, to whom I desire to pay tribute as being among the Senate's "greats." They are Edwin C. Johnson and Eugene D. Millikin, both of whom retired voluntarily after years of able service in the Senate. Gene Millikin was a tower of strength in the Interior and Insular Affairs Committee, where his sound judgment was recognized on both sides of the committee table. Senator Johnson likewise was recognized by all Members of this body as a man of sound judgment in all matters pertaining to western development programs.

Again, in the 84th Congress, on July 12, 1956, the Senate passed a bill, S. 300, to authorize the Fryingpan-Arkansas project, under the leadership of former Senator Millikin.

Now, for the third time, our committee presents the Fryingpan-Arkansas project to the Senate for authorization. The bill was guided through the committee by our present able colleagues from Colorado, JOHN CARROLL, and GORDON ALLOTT.

Mr. President, this is a multiple-purpose conservation project in the fullest sense of the word. It will provide supplemental water for irrigated lands that are confronted by shortages of irrigation water supplies. It will also produce power to assist irrigators in paying the costs. In addition, municipalities in the area will receive greatly needed supplemental water supplies. Flood control and protection for fish and wildlife are also provided.

In the Committee on Interior and Insular Affairs, the Fryingpan-Arkansas project is regarded as a development that reflects careful planning, cooperation of local and State interests, and a means of providing the highest use of water and land resources.

I shall leave to other Senators a discussion of the details of the project as proposed in S. 60.

Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER (Mr. THURMOND in the chair). Is there objection to the unanimous-consent request?

Mr. KUCHEL. Mr. President, reserving the right to object, and I shall not object, I should like to be advised by the Chair if I am correct in believing that I may have the opportunity to offer amendments to the bill subsequent to the agreement en bloc of the amendments which were reported by the committee.

The PRESIDING OFFICER (Mr. KEFAUVER in the chair). The answer to the inquiry of the Senator from California is that he is correct, except that where any amendment might touch a portion of a committee amendment, then the amendment would not be in order.

Mr. KUCHEL. I am not persuaded that there would be any such touching, but I wonder if we might obviate the possibility by unanimous consent that my amendments might be offered even if they would touch any of the committee amendments.

Mr. MURRAY. I make that request, Mr. President.

The PRESIDING OFFICER. As the Chair understands, it is requested that in the event the committee amendments be agreed to en bloc, they be considered as original text for the purpose of further amendment. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 2, line 11, after the word "in" to strike out "Senate Document No. 106, 82d" and insert "House Document No. 187,

83d"; on page 3, line 9, after the word "blocks", to insert a colon and *"Provided,* That contracts for construction costs allocated to commercial power and municipal, domestic, and industrial water shall provide for repayment within 50 years after completion of construction"; on page 4, line 6, after the word "in", to strike out "Senate Document No. 106, 82d" and insert "House Document No. 187, 83d"; on page 5, at the beginning of line 14, to strike out "20–23 of Senate Document No. 106, 82d" and insert "36–39 of House Document No. 187, 83d"; and, on page 7, line 7, after the word "interest", to insert a colon and *"Provided,* That all lands within the exterior boundaries of a national forest acquired for recreational or other project purposes which are not determined by the Secretary of the Interior to be needed for actual use in connection with the reclamation works shall become national-forest lands: *Provided further,* That the Secretary of the Interior shall make his determination hereunder within 5 years after approval of this act or, in the case of individual tracts of land, within 5 years after their acquisition by the United States: *And provided further,* That the authority contained in this section shall not be exercised by the Secretary of the Interior with respect to national-forest lands without the concurrence of the Secretary of Agriculture"; so as to make the bill read:

"Be it enacted, etc., That, for the purpose of supplying water for irrigation, municipal, domestic, and industrial uses, generating and transmitting hydroelectric power and energy, controlling floods, providing for the preservation and propagation of fish and wildlife and preserving and improving recreational opportunities, and for other useful and beneficial purposes, the Secretary of the Interior, acting pursuant to the Federal reclamation laws, act of June 17, 1902 (32 Stat. 388), and acts amendatory thereof or supplementary thereto, as far as those laws are not inconsistent with the provisions of this act, and subject to the apportionments of the use of water fixed in the Colorado River compact and the upper Colorado River Basin compact and to the terms of the Boulder Canyon Project Act, and to the terms of the United States-Mexico Water Treaty of 1944 (treaty series 994), is hereby authorized to construct, operate, and maintain the Fryingpan-Arkansas project, Colorado, in substantial accordance with the engineering plans therefor set forth in House Document No. 187, 83d Congress, 2d session, but with such modifications of, omissions from, or additions to the works therein described as the Secretary may, from time to time, find necessary or proper for accomplishing the objectives of the project.

"SEC. 2. (a) Contracts to repay that portion of the cost of the Fryingpan-Arkansas project which is allocated to irrigation and assigned to be repaid by irrigation water users (exclusive of such portion of said cost as may be derived from temporary water-supply contracts or from other sources) shall be entered into pursuant to subsection (d), section 9, of the Reclamation Project Act of 1939 (53 Stat. 1187) and may provide that the general repayment obligation shall be spread in annual installments, which may be varied as to any required annual payment in the light of economic factors affecting the ability of the contracting organization to pay and of water supply and water requirement conditions, but in number and amounts satisfactory to the Secretary, over a period of not more than 60 years, which period shall be inclusive of any permissible development period, for any project contract unit or for any irrigation block, if the project contract unit be divided into 2 or more irrigation blocks: *Provided,* That contracts for construction costs allocated to commercial power and municipal, domestic, and industrial water shall provide for repayment within 50 years after completion of construction.

"(b) Notwithstanding any provision of law to the contrary, net revenues derived from the sale of commercial power and from the furnishing of water for municipal, domestic, and industrial use shall first be applied to the amortization, with interest, of those portions of the actual cost of construction of the project which are allocated, respectively, to commercial power and to municipal, domestic, and industrial water supply and shall thereafter be applied to amortization of that portion of said actual cost which is allocated to irrigation but which is beyond the ability of the irrigation water users to return during the period hereinbefore specified. The interest rate on the unamortized balance of the commercial power and the municipal, domestic, and industrial water-supply allocations shall be equal to the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its long-term loans outstanding on the date of this act.

"(c) No part of the specific municipal water-supply systems described in House Document No. 187, 83d Congress, shall be construed by the Secretary in the absence of evidence satisfactory to him that it would be infeasible for the communities involved to construct such works themselves, singly or jointly. In the event it is determined that such facilities are to be constructed by the Secretary, a contract providing, among other things, for payment of the actual cost thereof with interest and repayment period as hereinbefore provided, and as rapidly as is consistent with the contracting parties' ability to pay, and for assumption by the contracting party or parties of the care, operation, maintenance, and replacement of the works shall be a condition precedent thereto.

"(d) In conformity with the provisions of subsections (a), (b), and (c) of this section, the Secretary, prior to the delivery of project water supplies, shall have entered into a contract, or contracts, with 'organizations' as defined in paragraph 2 (g) of the Reclamation Project Act of 1939 (53 Stat. 1187) which have the capacity to levy assessments upon all taxable real property located within their boundaries to assist in making repayments.

"(e) No contract for a supplemental water supply for irrigation under this act shall contain any restrictions respecting the right to receive such supply based upon ownership of irrigable lands, nor shall the excess land provisions of the Federal reclamation laws be applicable to lands served by the Fryingpan-Arkansas project which now have an irrigation supply from sources other than a Federal reclamation project.

"SEC. 3. The Fryingpan-Arkansas project shall be operated under the direction of the Secretary of the Interior in accordance with the operating principles set forth on pages 36–39 of House Document No. 187, 83d Congress. The Secretary may appoint the two representatives of the United States to the Commission referred to in paragraph 17 of said principles and may adopt modification thereof upon the recommendation of the Commission: *Provided,* That such recommendations are made and adopted by said Commission in conformity to the provisions of paragraph 17 of said operating principles.

"SEC. 4. Any and all benefits and rights of western Colorado water users in and to water stored in the Green Mountain Reservoir, Colorado-Big Thompson project, as described, set forth and defined in Senate Document No. 80, 75th Congress, 1st session, shall not be impaired, prejudiced, abrogated, nullified, or diminished in any manner whatever by reason of the authorization, construction, operation, and maintenance of the Fryingpan-Arkansas project authorized by this act.

"SEC. 5. Any provision of law to the contrary notwithstanding, the project herein authorized shall be operated in such a manner that those in eastern Colorado using project water imported from the Colorado River Basin for domestic purposes shall have preference over those claiming or using the water for any other purpose.

"SEC. 6. The Secretary is authorized to plan, construct, operate, and maintain public recreational facilities on lands withdrawn or acquired for the development of the Fryingpan-Arkansas project, to conserve the scenery, the natural, historic, and archeologic objects, and the wildlife on said lands, and to provide for public use and enjoyment of the same and of the water areas created by these projects by such means as are consistent with the primary purposes of said project and to mitigate losses of and improve conditions for the propagation of fish and wildlife in connection with the development of the Fryingpan-Arkansas project. The Secretary is authorized to acquire lands and to withdraw public lands from entry or other disposition under the public land laws for the construction, operation, and maintenance of recreational facilities in connection with the said project, and to dispose of them to Federal, State, and local governmental agencies by lease, transfer, exchange, or conveyance, upon such terms and conditions as will best promote their development and operation in the public interest: *Provided,* That all lands within the exterior boundaries of a national forest acquired for recreational or other project purposes which are not determined by the Secretary of the Interior to be needed for actual use in connection with the reclamation works shall become national forest lands: *Provided further,* That the Secretary of the Interior shall make his determination hereunder within 5 years after approval of this act or, in the case of individual tracts of land, within 5 years after their acquisition by the United States: *And provided further,* That the authority contained in this section shall not be exercised by the Secretary of the Interior with respect to national forest lands without the concurrence of the Secretary of Agriculture. The costs, including the operation and maintenance costs of all said undertakings shall be nonreimbursable and nonreturnable under the reclamation laws, and funds appropriated for carrying out the authorization contained in section 1 of this act shall, without prejudice to the availability of other appropriated moneys for the same purpose, also be available for carrying out the investigations and programs authorized in this section.

"SEC. 7. (a) The use of water diverted from the Colorado River to the Arkansas River Basin through works constructed under authority of this act shall be subject to and controlled by the Colorado River Compact, the Upper Colorado River Basin Compact, the Boulder Canyon Project Act, and the Mexican Water Treaty (Treaty Series 994), as hereinbefore provided, and shall be included within and shall in no way increase the total quantity of water to the use of which the State of Colorado is entitled and limited under said compacts, statute, and treaty, and every contract entered into under this act for the storage, use, and delivery of such water shall so recite.

"(b) All works constructed under authority of this act, and all officers, employees, permittees, licensees, and contractees of the United States and of the State of Colorado acting pursuant thereto, and all users and appropriators of water of the Colorado River system diverted or delivered through the works constructed under authority of this act and any enlargements or additions thereto shall observe and be subject to said com-

pacts, statute, and treaty, as hereinbefore provided, in the diversion, delivery, and use of water of the Colorado system, and such condition and covenant shall attach as a matter of law whether or not set out or referred to in the instrument evidencing such permit, license, or contract and shall be deemed to be for the benefit of and be available to the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming and the users of water therein or thereunder by way of suit, defense, or otherwise in any litigation respecting the waters of the Colorado River system.

"(c) None of the waters of the Colorado River system shall be exported from the natural basin of that system by means of works constructed under authority of this act, or extensions and enlargement of such works, to the Arkansas River Basin for consumptive use outside of the State of Colorado, and no such waters shall be made available for consumptive use in any State not a party to the Colorado River Compact by exchange or substitution or, as far as the same is controllable through the operation of works herein or hereafter authorized, by use of return flow; nor shall the obligations of the State of Colorado under the provisions of the Arkansas River Compact (63 Stat. 145) be altered by any operations of the Fryingpan-Arkansas project.

"(d) No right or claim of right to the use of the waters of the Colorado River system shall be aided or prejudiced by this act, and the Congress does not, by its enactment, construe or interpret any provision of the Colorado River Compact, the Upper Colorado River Basin Compact, the Boulder Canyon Project Act, or the Mexican Water treaty or subject the United States to, or approve or disapprove any interpretation of, said compacts, statute, or treaty, anything in this act to the contrary notwithstanding.

"SEC. 8. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act."

Mr. MURRAY. Mr. President, I yield to my distinguished colleague from Colorado.

The PRESIDING OFFICER. Does the Senator from Montana wish to submit a unanimous-consent request?

Mr. MURRAY. I yield the floor.

Mr. ALLOTT. Mr. President, this is the same Fryingpan-Arkansas project which has been twice previously approved by a unanimous vote of the Senate. S. 60 differs only in a few minor technical respects from S. 300, a bill introduced in the 84th Congress by our great former colleague Eugene Millikin and myself and passed by this body last year. This same project was approved during the 83d Congress by passage of a bill introduced by Senator Millikin and another of Colorado's great Senators, Edwin C. Johnson. I shall, therefore, not take a great deal of the time of the Senate today explaining a project the merits of which have already been so clearly recognized by this Senate. The economic necessity of the Fryingpan to this area remains unaltered.

In order that this matter be thoroughly documented, I desire to refer to previous items in the RECORD covering this project:

Speech by Senator Millikin, CONGRESSIONAL RECORD, volume 102, part 9, page 12473.

Speech by Senator ANDERSON, CONGRESSIONAL RECORD, volume 102, part 9, page 12478.

Speech by Senator WATKINS, CONGRESSIONAL RECORD, volume 102, part 9, page 12479.

Speech by Senator ALLOTT, CONGRESSIONAL RECORD, volume 102, part 9, page 12479.

Speech by Senator KUCHEL, CONGRESSIONAL RECORD, volume 102, part 9, page 12483.

Speech by Senator SMITH of New Jersey, CONGRESSIONAL RECORD, volume 102, part 9, page 12483.

Speech by Senator KNOWLAND, CONGRESSIONAL RECORD, volume 102, part 9, page 12483.

Speech by Senator BARRETT, CONGRESSIONAL RECORD, volume 102, part 9, page 12484.

Speech by Senator WILEY, CONGRESSIONAL RECORD, volume 102, part 9, page 12484.

Speech by Senator NEUBERGER, CONGRESSIONAL RECORD, volume 102, part 9, page 12484.

The Fryingpan continues to have the unanimous support of all of Colorado's Representatives to Congress and officials of the State of Colorado, including the present Governor, the Honorable Stephen L. R. McNichols, and his two predecessors, the Colorado Water Conservation Board, which is the official agency of the State of Colorado formulating policy on water and water conservation, and all other State officials, insofar as they have made public their views.

The Fryingpan-Arkansas project has been open to public scrutiny for a long time, and has received very extensive consideration by the executive branch of the Government under two administrations, by the States which are concerned with it, and by the committees of the Congress. On record in support of the project are the Department of Interior, the Corps of Engineers, the Bureau of the Budget, and most of the States of the Colorado River Basin.

The President of the United States has for the past several years strongly recommended the enactment of such legislation.

This much needed project has also been endorsed by the National Rural Electric Cooperative Association and the National Reclamation Association. The people of the Arkansas Basin in Colorado, several hundred thousand strong, have worked long, hard, and diligently for the fulfillment of this great advance.

The Fryingpan-Arkansas is a truly multipurpose reclamation project. Its plans have been under preparation for several years, and have been considered by the people of Colorado for over 40 years. It is described in detail in Report No. 325 of this Congress, and is shown by maps which are on the desks of all Senators, but I shall describe it briefly.

The project is designed to secure a supplemental water supply through a joint venture of industries, municipalities, canal companies, irrigation districts, and other legitimate water users in the Arkansas River Valley of Colorado. Existing water rights are pooled, without loss of priority or identity, to permit greater diversions from the headwater tributaries of the Colorado River system and to hold these flows in storage high in the mountains where evaporation losses are small. Thus, years of large runoff will balance with dry years, and a uniform supply will result.

Diversions to the Arkansas Valley from the western slope of the Rockies have been in operation for many years by irrigation districts and canal companies. We propose to increase the importation of the Colorado River Basin waters to the Arkansas, and in that operation put the whole import of public and private water holdings to work by means of hydraulic installations en route.

Powerplant revenues will involve nearly $2 million annually.

By means of a large reservoir on the Arkansas River above Pueblo, the power discharges, together with natural flows during the months when there is no irrigation from the Arkansas River, will be regulated again for the use of industry, cities, and towns, and, of greater importance, for the supplemental irrigation of lands in established farms which will receive this supplemental supply for 323,000 acres.

No new lands are placed in irrigation. I stress that point, as there has been some misunderstanding from time to time that new land might be brought under cultivation. The irrigation water of the Fryingpan is for supplemental purposes exclusively.

In the Arkansas Valley there are about a score of major irrigation diversions which have been operating for many years. Some of them have old priorities and have fairly consistent water supplies. Others do not. Some have storage facilities. Some do not. All have agreed to pool their rights permitting storage in Pueblo Reservoir so that the whole valley may benefit.

The diversion water, which is essential to the feasibility of the project, will be collected on the western side of the Continental Divide from the snow-melt runoff by a system of conduits totaling 50 miles in length.

These will deliver water to the western portal of the tunnel which will pass beneath the Continental Divide, discharging into the Arkansas River. The tunnel will be about 6 miles in length. A short distance below the outlet of the tunnel, these waters, as well as the Arkansas River, will be regulated by an enlargement of the existing Sugarloaf Reservoir owned by the Colorado Fuel and Iron Co. The Sugarloaf Reservoir has a capacity of 17,000 feet, which will be enlarged to 117,000 feet. This will enable the waters passing through it to be regulated into a canal going in a southerly direction to the proposed Elbert powerplant, which will operate under a head of 500 feet.

The discharge from the Elbert powerplant will be directed into the enlarged Twin Lakes Reservoir which will be increased from its present capacity of 56,000 acre feet to 260,000 acre-feet. This will serve to regulate further the flow of the river. The regulated flow

available from the Twin Lakes Reservoir will be conveyed by a closed conduit to a power plant immediately above the Otero Reservoir, operating under a head of 300 feet.

This water would then be discharged from the Otero Reservoir, situated on Clear Creek, above its junction with the Arkansas River, into a canal which would carry the water about 6 miles to the proposed Wapaco powerplant, operating under a head of 500 feet. After passing through the powerplant, the water will be conveyed about 20 miles to the proposed Princeton powerplant, to operate under a head of 300 feet.

From the tailrace of the Princeton powerplant the water will be conveyed 4 miles to the Pancho powerplant, under a head of 270 feet, and from there 3 miles to the terminal powerplant of the mountain system near Salida, to operate under a head of 400 feet.

The total length of the power conduit canal is about 60 miles, and the total fall is 2,250 feet. The generating capacity proposed for these plants is about 93 million kilowatts.

The discharge at the tailrace of the Salida powerplant is at an elevation of 7,300 feet. Below Salida the imported waterflows from the Colorado River drainage, commonly called the western slope, will move downstream to be further regulated and controlled at the Pueblo Reservoir 7 miles west of that city. The capacity of this reservoir will be 400,000 acre-feet, located 4,902 feet above sea level. This reservoir is designed to regulate for irrigation and municipal users the combined waters of the Arkansas River plus the importations.

It will provide 94,000 acre-feet to be used jointly for conservation purposes, for sediment retention, and 93,000 acre-feet for flood control. An 11,000 kilowatt powerplant is planned at Pueblo Dam.

All of these units will provide extensive recreation benefits.

A supplemental reservoir is provided by S. 60, near Aspen, Colo., on the Roaring Fork, a tributary of the Colorado River. This structure, financed entirely by the beneficiaries on the eastern slope of the Rocky Mountain Divide, would regulate and protect the flows of the Roaring Fork for the benefit of the downstream users on the western slope.

S. 60 incorporates by reference a number of operating principles with respect to Aspen Reservoir, as well as the balance of the project. These relate to the preservation and propagation of fish and other phases of the project's operation for the benefit of the western slope and have been agreed to by all interested parties.

Mr. President, I cannot stress too strongly the necessity of the Fryingpan. The flood control aspects alone are vitally important.

Following a severe and very damaging flood in 1921, the people of the Arkansas Valley, in the vicinity of Pueblo, invested many millions of dollars in flood protection works. The bonds issued to finance this project will be paid off this year.

The Fryingpan-Arkansas project will greatly supplement this present protection which was built by the people of the Arkansas Valley.

If the southeastern part of Colorado is to grow economically, the improved water supply is essential. The cost of this project has been carefully studied by both Federal and private engineers and clearly allows repayment within 54 years. Since the earlier studies on this project, construction costs have increased by some $2,700,000, but this does not impair the attractive economic analysis and repayment plan as outlined in Senate Document 106, 82d Congress, and House Document 187, 83d Congress. In the hearings before the Interior Committee this year, it was made clear that the further study has produced an even better planned project with more accurate cost figures.

The following tabulation presents a comparison of the economic feasibility of the repayment plan set out in those documents:

Comparison of feasibility and repayment outlines

	H. Doc. 187 (83d Cong.)	Current estimates
Estimated construction costs	$172,898,000	$159,287,000
Tentative allocation of costs:		
Irrigation (reimbursable)	75,128,000	67,069,000
Municipal water:		
Basic project costs (reimbursable)	11,154,000	9,692,000
Delivery system (reimbursable)	21,500,000	13,291,000
Power (reimbursable)	41,945,000	49,853,000
Flood control (nonreimbursable)	20,341,000	17,227,000
Fish and wildlife (nonreimbursable)	2,830,000	2,155,000
Total reimbursable	149,727,000	139,905,000
Total nonreimbursable	23,171,000	19,382,000
Estimated annual net revenues:		
Irrigation	622,000	[1] 869,700
Power	[2] 1,504,400	[2] 1,875,200
Municipal water:		
Water sales	433,000	328,700
Delivery system	631,200	484,410
Estimated repayment periods:	*Years*	*Years*
Irrigation investment	69	[3] 54
Municipal water investment	63	[3] 48
Power investment	52	[3] 44

[1] Average-year revenues.
[2] The mill rate per firm kilowatt-hour is 5.5 in H. Doc. 187 and 6.5 in the current estimates.
[3] After construction is completed and revenues have been brought up to normal. Power net revenues after the power allocation is repaid with interest, will be applied to assist in retiring the irrigation investment.

Details of annual net revenues—function and source of revenues

Irrigation and district:	
Project water (51,200 acre-feet, at $5.40)	$276,500
Twin Lakes service (12,500 acre-feet, at $3)	37,500
Regulation of winter water (74,000 acre-feet at $2.25)	166,500
District tax (average over repayment period)[1]	477,200
Subtotal	957,700
Less operation, maintenance, and replacement	—88,000
Net irrigation revenues (rounded)	869,700

Details of annual net revenues—function and source of revenues—Continued

Power:	
370,000,000 kilowatt-hours, at 6.5 mills	$2,405,000
97,200,000 kilowatt-hours, at 3.5 mills	340,200
Subtotal	2,745,200
Less operation, maintenance, and replacement	—870,000
Net power revenues (rounded)	1,875,200
Municipal and industrial water supply:	
Municipal supplies (20,500 acre-feet, at $5.40)	110,700
Storage of C. F. and I. water (4,000 acre-feet, at $2)	8,000
Portion of district tax[1] (applied to repayment of municipal water supply)	223,000
Subtotal	341,700
Less operation, maintenance, and replacement	—13,000
Net municipal water revenues (for supply)	328,700
Municipal and industrial water delivery system:	
Delivery of water to Colorado Springs (10,000 acre-feet, at $29.40)	293,900
Delivery of water to valley towns (7,500 acre-feet, at $53.20)	391,500
Subtotal	685,400
Less operation, maintenance, and replacement	—201,000
Net municipal water revenue (for delivery system)	484,400
Total average annual net project revenue	3,558,000

[1] The district tax would be realized from ad valorem tax of 1 mill levied by the conservancy district on taxable property within the district boundaries. The 1956 assessed value of property within the contemplated project was $395 million. It has been estimated that the average annual increase in assessed valuation would equal 2 percent of the 1956 valuation. An average of $40,000 per year has been allowed for district expense.

The benefit-cost ratio, previously determined by the Bureau of Reclamation to be 1.48 to 1, is now estimated to be 1.47 to 1.

The bill gives full protection to the Federal investment. Power and municipal water costs are to be returned with interest at the rate at which the Federal Government borrows. Money collected for interest will go into the Treasury. When the interest-bearing costs are repaid, net revenues from power and profits from the delivery of municipal water supplies will be applied to repayment of irrigation costs not paid by farmers. The project's irrigation repayment by water users is highly favorable. Water users and conservancy district revenues can return about 50 million of the total of 68 million, this being 74 percent of the irrigation cost allocation.

Total repayment is 87.8 percent of costs.

It should be noted that 1½ percent of the cost is allocated to fish and wildlife

benefits. This is necessary for the preservation of these resources in the western slope streams.

The area affected is largely federally owned. The States, of course, own the waters of the stream, but have provided legal means for appropriating them for beneficial uses. Under State laws, water users may dry up streams, and that is the specific reason for making provisions for a nonreimbursable allocation, that is, not to be borne by the water users, for this recreational feature that is available to all.

The State of Colorado and the others of the upper Colorado River Basin have approved this project, as I have noted previously. I am sure that Members of the Senate are familiar with the Colorado River interstate compacts. I can assure Senators that S. 60 in no way violates any of the interstate agreements. It is plainly stated in the bill that the project must be operated in compliance with these compacts.

In closing, Mr. President, I want to reiterate that this is a practical multipurpose reclamation project which is needed to help develop our part of the country. People of this area find it quite beyond their resources at this time to construct this. There is no private company which will undertake this project nor private money available for its construction. The cost is commensurate with the size of the project.

The amount of water proposed to be diverted, 69,000 feet, cannot conceivably affect the rights of other States in the Colorado River Basin. It is only 2 percent of the amount allocated to Colorado under the upper Colorado River compact.

This is a self-contained project that does not commit this Congress nor anyone to an enlargement of this project. It is, and is intended to be, a completely self-contained unit, and self-liquidating under the provisions of S. 60. The doctrine of prior appropriation, which is the basis of the water rights laws of Colorado and of all Western States, recognizes transbasin diversions and gives no preference to inbasin use. There is no question that the water to be diverted is completely within the amount of water allocated to the State of Colorado by the various compacts with the other States. For these reasons, Mr. President, I respectfully urge passage of S. 60.

Before I yield, I want to again compliment my distinguished predecessors, Senator Johnson and Senator Millikin, for their great work in the development of this project and the measures authorizing it. I want also to note that the diligence and cooperation of my distinguished colleague, the junior Senator from Colorado [Mr. CARROLL] has been invaluable. Enough cannot be said for the work of the people in the Arkansas Valley themselves, without whose efforts this project could never have been developed. A list of those who have given the most of their time and talents would have to include Charles J. Beise, counsel for the Water Development Association of Southeastern Colorado; Charles Boustead, president of the association; Harold Christy, director of the association; Damian Ducy, past president of the association; Frank Hoag, Jr., publisher of the Pueblo Star Journal and Chieftain; Ivan Crawford, director of the Colorado Water Conservation Board; Wayne Bennett, of the Twin Lakes Water Users Association; and Ted Ryan, manager of the Rocky Ford Chamber of Commerce.

I am pleased to have had the privilege of working with these dedicated people, and earnestly urge all of my friends in the Senate to assist us in bringing to fruition the dreams of the people of the Arkansas Valley in Colorado. Without the Fryingpan, the otherwise assured progress of southeastern Colorado is stymied. With it, the economic future of this part of our country is unbounded.

Mr. CARROLL. Mr. President, I rise in support of the pending bill, Senate bill 60, and I desire to express my appreciation at the outset for the very excellent statement of the chairman of the committee, the distinguished Senator from Montana [Mr. MURRAY] and for the help of all the members of the Committee on Interior and Insular Affairs, who have given so much time and attention to this important piece of legislation. They are to be commended for the splendid work they have done.

I also desire to associate myself with the very clear and concise presentation by the distinguished senior Senator from Colorado [Mr. ALLOTT]. He has covered this matter very thoroughly from every standpoint—the importance of this project to the State of Colorado, the importance of the project to the Nation, and, above all, the fact that there is not adequate private capital in Colorado to finance what I conceive to be a project which, by its very nature, was one of the reasons, in 1902, why the then President, Theodore Roosevelt, helped father the Reclamation Act, to help the people of the West on projects such as this.

Mr. President, this is a joint venture on the part of farmers, municipalities and industry in an area that needs a great water and power development, an area that has been planning this project for more than 10 years. As a matter of fact, the people of the Arkansas Valley have been planning projects of this nature for more than 40 years. There is a long history back of this project, and it has been well set forth by the distinguished senior Senator from Colorado. Furthermore there is a long and fruitful history of reclamation projects of this type in the West.

I call to the attention of my colleagues the benefits, the accomplishments, the profits to the people of the United States of water and power reclamation projects in my part of the country.

Reclamation has constructed or rebuilt facilities to furnish a full or supplemental irrigation water supply for 7.1 millions acres of irrigable land. This translates into 125,000 family-size farms and an additional 125,000 suburban units.

Crop production in 1953 from 69 reclamation projects or major divisions was valued at $785.9 million and the cumulative value of crops produced from 1906 to 1953 totals almost $10 billion.

Net power revenues in fiscal year 1954 from 29 powerplants now in operation, after deductions for annual operation, maintenance, and replacements, totaled $33.9 million, and the total of all net power revenues returned to the Federal Treasury through June 30, 1953, amounted to about $225.9 million. Net power revenues during the next 50 years from 1953 at the level of fiscal year 1954 could return an additional $1,692.5 million to the Treasury.

Irrigation and municipal water repayment contracts will return $691 million, of which $108.9 million had been paid to June 30, 1953. While making construction account payments, the water users have paid operation and maintenance charges as they have become due. This will continue. Additional returns will accrue through water sales-type contracts.

Potential returns to the United States Treasury from irrigation and municipal water users during the contract repayment period, plus the net power revenues from the presently operating facilities at the fiscal year 1954 level for the next 50 years will aggregate $2.6 billion, of which $334.8 million had been paid in on June 30, 1953. Powerplants under construction will, when completed, add materially to these potential returns.

Federal tax revenues since 1916 from reclamation areas which may be attributed to Federal reclamation developments now stand at more than $3 billion. This sum alone exceeds by 25 percent the total cost of all Bureau-constructed projects to date.

Income to nonfarm urban areas in the environs of reclamation projects in 1953 amounted to about $786 million, and aggregates almost $10 billion.

Western population has increased at a much greater rate during the last decade than has the population of the Eastern States. For example, the population of the 17 Western States increased 25.8 percent between 1940 and 1950, while the 31 Eastern States gained only 11.5 percent.

Per capita retail trade in the Western States exceeds that of the Eastern States.

With reclamation-project development, business activity as reflected by railway freight shipments increases from east to west and from west to east.

This resource development expenditure over a period of more than 50 years is less than 4 percent of a single year's budget.

One of the great reclamation projects of the West is the Colorado-Big Thompson project. It is a transmountain water diversion project not unlike the project before us for consideration today.

The Colorado-Big Thompson project is located in the northeast quarter of the State of Colorado and transfers water from the Colorado River to the hungry farmlands of South Platte River Valley.

It is a dramatic project and one worth studying here for a moment as an example of what can be done by people with a bold vision.

Here is how the Colorado-Big Thompson was described by Mr. Don F. Martin in the February 1955 issue of Reclamation Era. He was writing about the

severe drought of 1954 in the Great Plains States:

Hundreds of thousands of acres of one of Colorado's most important agricultural areas lay sweltering under the constant sun. The towering Rockies loomed dry and snowless over the sunbaked prairies below. Streams normally fed by the mountains' melting snowpack dwindled to trickles.

The Colorado-Big Thompson project, dramatic transmountain water diversion project, 60 years a hope and a dream, and more than 16 years in the building, was ready to deliver water to the bone-dry farms in the huge Northern Colorado Water Conservancy District extending from the foothills of the Rockies eastward through the South Platte River Basin to the Colorado-Nebraska State line.

In this drought-wracked area, the Colorado-Big Thompson project poured 300,352 acre-feet of water—water which had been stored in project reservoirs, transplanted beneath the Continental Divide through a 13-mile-long tunnel three-quarters of a mile below the crest of the Rockies, and finally distributed to the lands through a system of canals interconnected with the privately developed and privately operated irrigation systems spider-webbing northern Colorado.

The Northern Colorado Water Conservancy District, served under the Colorado-Big Thompson project, comprises an area half as large as the entire State of Delaware—615,000 acres of cultivated land.

The natural water supply was overappropriated. Shortages of irrigation water supplies frequently limited crop production to a serious degree. The more farsighted residents of the area looked westward toward the mountains and believed they saw in that direction the answer to their water problems: Just across the Continental Divide on Colorado's western slope water was plentiful, actually in surplus.

The Alva B. Adams Tunnel was driven under the Divide to bring the water from west to east. And then a series of hydroelectric generating plants were constructed to use the more than 3,000 feet of natural head between the east portal of the tunnel and the farmlands below.

These plants pour out the energy needed by farms, cities, industries, and other users in a wide section of Colorado. (Also in neighboring Kansas, Nebraska, and Wyoming.) Revenues from sale of this energy are paying a major portion of the $159.8 million the project will cost when finally completed a year or two hence.

Today the income taxes to the Federal Government arising out of the area served by the Colorado-Big Thompson project are over $40 million annually.

Projects of this type are profitable not only to the West but to the entire Nation. They are sound investments. Colorado-Big Thompson has been a sound investment.

The favorable economic effects of the high-stable level of farming activity in northern Colorado are felt by the eastern, midwestern and far western manufacturers of the farm machinery and equipment, fertilizers, foods, automobiles, clothing, furniture, appliances, and other commodities purchased and used by the farmers throughout the northern Colorado conservancy district and by their urban neighbors.

The drought of 1954 in northern Colorado not only might have spelled disaster for the immediate area and its people, but it also could have touched adversely upon the well-being of persons in many walks of life throughout the entire State of Colorado and in far-distant sections of the Nation.

The Colorado-Big Thompson is now a proven success, nearing completion. Was its 1955 dollar cost thrice what was estimated in 1935? So were costs of the eastern writer's shoes. So, also, were rivers and harbors Federal internal improvement costs in the East increased in 20 years.

The Fryingpan-Arkansas will be no less beneficial than Colorado-Big Thompson. It will not only restore and bolster the economic health of the Arkansas Valley; it will be of economic benefit to the whole region, the whole Nation.

The Fryingpan-Arkansas is, in short, a sound business investment for this country and will reap the American taxpayers a handsome and substantial return.

I would like to take a moment to talk about what the Fryingpan-Arkansas project consists of.

The project contemplates, first, diversion through the project works from the Roaring Fork River Basin in western Colorado to the Arkansas River Basin in eastern Colorado of approximately 69,000 acre-feet of water per annum; second, diversion through the existing works of the Twin Lakes Co. of about 15,000 acre-feet per annum over and above what that company now diverts; third, storage on the eastern slope for the waters thus imported and, in addition, for eastern slope floodwaters and winter flows averaging 50,000 and 93,000 acre-feet per annum, respectively.

This water will make possible the furnishing of supplemental irrigation water for 322,000 acres of irrigated land not having an adequate water supply and will supply expanding needs for municipal, domestic, and industrial water in the upper Arkansas Basin.

The project will prevent a large part of the flood damages which, under present conditions, occur between Pueblo and John Martin Reservoir.

In accomplishing these primary purposes of the project, works will be provided for the generation of an average of 505 million kilowatt-hours of hydroelectric power annually.

An important feature of the project is the 28,000 acre-foot Aspen Reservoir on the western slope. This reservoir, the cost of which is included in the cost of the project, will serve to assure present and potential western slope water users that the proposed diversion of water to the eastern slope will not deprive them of water, rights to the use of which for domestic, irrigation, and manufacturing purposes—including power generation in the case of existing rights—now exist or are hereafter acquired pursuant to the laws of the State of Colorado.

The area affected by the proposed project is an area containing outstanding fish and wildlife resources. The principles of operation approved by the Colorado Water Conservation Board, mentioned previously in this letter, will safeguard the highly important sports fishery on the western slope by providing for certain specified minimum flows in the Roaring Fork and Fryingpan Rivers.

In calling for the passage of this Fryingpan-Arkansas bill we are pursuing a tradition as old as the West.

Eighty-five years ago, in 1872, Judge Moses Hallett, declared the doctrine we are following here today.

In phrasing his decision Judge Hallett cited the ancient writings of the psalmist in the Holy Bible who said:

My soul thirsteth for thee, in a dry and thirsty land, where no water is.

And Judge Hallett went on to render this momentous decision which became the basic doctrine of western reclamation:

In a dry and thirsty land it is necessary to divert the waters of streams from their natural channels in order to obtain the fruits of the soil, and this necessity is so universal and imperious that it claims recognition of the law.

This fundamental water decision gave effect to the physical necessities of this new land, arising from its arid climate. It was a forerunner to fine cities and prosperous farm communities in a land where an early explorer, Zebulon Pike, declared could never be made fit for habitation.

There is also a legislative history back of this Fryingpan-Arkansas bill. This proposed legislation has passed the Senate twice. Twice it has failed in the House of Representatives, not because it ever came to a vote on its merits, but because of difficulty encountered in the Rules Committee. We think that in this Congress there is ample time to pass this bill, and perhaps this time there is greater understanding. I am confident that this time there will be better understanding, when this bill goes before the other body for consideration on its merits. I am confident that they will recognize the benefits which will accrue from it to the Nation and to our State. I am confident that the bill will eventually become law.

As I pay my respects to my colleagues on the floor today, I have been asked by the Senator from New Mexico [Mr. ANDERSON] to express his opinion about this bill. The Senator from New Mexico was the chairman of the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs, and he asked me to repeat to Members present and to the Presiding Officer, what he said a year ago:

If this was a good bill in the previous Congress, it is a better bill now, because since the passage of the Fryingpan-Arkansas project there has been located at Colorado Springs a great military installation involving the training of aviators—

The future air officers of our Nation.

This bill if enacted into law, will provide water for the great Air Academy of the Nation, and it will provide water for Colorado Springs, for Pueblo, and for cities all along the Arkansas Valley.

Moreover, Mr. President, this project will be a real joint venture, because the Federal loan will be repaid from revenues from power, municipal water, and irrigation. Eventually every nickel of

this loan made to the people of Colorado will be repaid into the United States Treasury.

I am reminded, Mr. President, of the fact that 20 years ago this body approved the Colorado-Big Thompson project, about which I spoke a few moments ago. There was some dispute in our own State about that project, and some dispute in the Congress. But today there is no dispute about the financial value of Colorado-Big Thompson. The Colorado-Big Thompson project last year made payments into the United States Treasury of $3.7 million from power alone. Since its completion Colorado-Big Thompson has paid the Treasury $17,735,731. The same principles of repayment apply to the Fryingpan-Arkansas project.

I say to my colleagues, they need have no qualms about this proposed legislation. This project will be good for the Nation. It will increase in years to come the tax revenue from expanding industry, from farmlands enriched by the supplemental water, from the REA's, from farmers, and from cities because of the increased use of power. All will receive great benefits and will in turn bring benefits to the United States Treasury and the people of the United States.

Mr. President, before I yield the floor, I believe the Senator from Texas desired to have me yield to him.

INDEPENDENT OFFICES APPROPRIATIONS—CONFERENCE REPORT

Mr. MAGNUSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6070) making appropriations for sundry independent executive bureaus, boards, commisions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of June 27, 1957, pp. 10499–10501, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MAGNUSON. Mr. President, I shall not take up the time of the Senate to explain in detail the various items, but I shall place in the RECORD a statement dealing with the items separately.

The PRESIDING OFFICER. The question is on agreeing to the conference

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 6070, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
June 27, 1957.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 1, 12, 21, 22 to the bill (H R. 6070) entitled "An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes," and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered 14, and concur therein with an amendment, as follows: In lieu of the sum of "$1,710,000" named in said amendment, insert "$1,500,000"; and in lieu of the sum of "$23,410,000" named in said amendment, insert "$23,200,000."

That the House recede from its disagreement to the amendment of the Senate numbered 27, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert:

"Not to exceed 2 percent of any appropriation made available to the General Services Administration for the current fiscal year by this Act may be transferred to any other such appropriation, but no such appropriation shall be thereby increased more than 2 percent: *Provided*, That such transfers shall apply only to operating expenses, and shall not exceed in the aggregate the amount of $2,000,000."

That the House recede from its disagreement to the amendment of the Senate numbered 41, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: "for the making of special investigations and reports (not to exceed $500,000)"; and

That the House insist upon its disagreement to the amendments of the Senate numbered 3 and 13.

Mr. MAGNUSON. Mr. President, I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 14, 27, and 41.

The motion was agreed to.

Mr. MAGNUSON. I move that the Senate recede from its amendments Nos. 3 and 13.

The motion was agreed to.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed in the RECORD a comparative statement on the independent offices appropriation bill for fiscal year 1958.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

COMPARATIVE STATEMENT ON INDEPENDENT OFFICES APPROPRIATION BILL, 1958 (H. R. 6070)

Title I—Independent offices

Item	Appropriations, 1957	Budget estimates, 1958	House bill	Senate bill	Conference action
CIVIL SERVICE COMMISSION					
Salaries and expenses	$17,407,500	$20,000,000	$18,300,000	$18,300,000	$18,300,000
Investigations of United States citizens for employment by international organizations	487,500	507,000	491,800	491,800	491,800
Annuities, Panama Canal construction employees and Lighthouse Service widows	2,024,000	2,417,000	2,300,000	2,417,000	2,360,000
Payment to the civil-service retirement and disability fund	525,000,000				
Administrative expenses, Federal employees life insurance fund	*(117,500)*	*(233,000)*	*(123,800)*	*(309,500)*	*(123,800)*
Total, Civil Service Commission	544,919,000	22,924,000	21,091,800	21,208,800	21,151,800
FEDERAL CIVIL DEFENSE ADMINISTRATION					
Operations	15,560,000	25,000,000	17,000,000	17,000,000	17,000,000
Federal contributions	17,000,000	17,000,000	17,000,000	17,000,000	17,000,000
Emergency supplies and equipment	47,000,000	75,000,000	3,300,000	3,300,000	3,300,000
Surveys, plans, and research	10,000,000	6,700,000	2,000,000	2,000,000	2,000,000
Salaries and expenses, civil defense functions of Federal agencies	4,000,000	6,300,000	0	0	0
Total, Federal Civil Defense Administration	93,560,000	130,000,000	39,300,000	39,300,000	39,300,000
FUNDS APPROPRIATED TO THE PRESIDENT					
Disaster relief	6,000,000	10,000,000	10,000,000	10,000,000	10,000,000
FEDERAL COMMUNICATIONS COMMISSION					
Salaries and expenses	7,828,000	8,950,000	8,300,000	8,300,000	8,300,000
FEDERAL POWER COMMISSION					
Salaries and expenses	5,225,000	5,900,000	5,530,000	5,530,000	5,530,000
FEDERAL TRADE COMMISSION					
Salaries and expenses	5,550,000	6,250,000	5,950,000	5,950,000	5,950,000
GENERAL ACCOUNTING OFFICE					
Salaries and expenses	34,000,000	37,800,000	36,050,000	36,050,000	36,050,000

Title I—Independent offices—Continued

Item	Appropriations, 1957	Budget estimates, 1958	House bill	Senate bill	Conference action
GENERAL SERVICES ADMINISTRATION					
Operating expenses, Public Building Service	$131,050,000	$142,000,000	$127,464,000	$133,214,000	$130,339,000
Repair and improvement, federally owned buildings	42,600,550	85,500,000	65,000,000	65,000,000	65,000,000
Sites and expenses, purchase contract and public buildings projects	5,000,000	20,000,000	20,000,000	20,000,000	20,000,000
Payments, public buildings purchase contracts	237,000	2,000,000	1,331,100	1,331,100	1,331,100
Construction, public buildings		2,500,000	2,125,000	2,145,000	2,125,000
Acquisition of land, District of Columbia	250,000	1,675,000	0	0	0
Hospital facilities in the District of Columbia	5,300,000			1,710,000	1,500,000
Operating expenses, Federal Supply Service	[1] 2,884,400	[3] 4,390,000	[3] 3,360,000	[3] 3,360,000	[3] 3,360,000
Expenses, supply distribution	15,070,000	20,000,000	17,765,000	17,765,000	17,765,000
General supply fund	18,000,000	25,000,000	12,500,000	12,500,000	12,500,000
Operating expenses, National Archives and Records Service	6,893,650	7,600,000	7,254,500	7,263,000	7,263,000
Operating expenses, Transportation and Public Utilities Service	1,251,100	1,700,000	1,330,000	1,700,000	1,515,000
Strategic and critical materials		130,000,000	0		
Abaca fiber program (administrative expenses)	(100,000)	(94,560)	(47,000)	(47,000)	(47,000)
Salaries and expenses, Office of Administrator	395,000	264,000	260,000	260,000	260,000
Administrative operations fund (limitation)	(9,640,576)	(11,690,000)	(10,230,000)	(10,850,000)	(10,539,000)
U. S. Post Office and Courthouse, Nome, Alaska	200,000				
Acquisition of tin	8,000,000				
Total, General Services Administration	237,131,700	442,629,000	256,389,600	266,248,100	262,958,100
HOUSING AND HOME FINANCE AGENCY					
Office of the Administrator:					
Salaries and expenses	6,225,000	7,925,000	6,930,000	6,930,000	6,930,000
Housing studies		[7] 170,000	0	120,000	0
Housing studies (liquidation of contract authorization)		[7] 800,000		0	0
Defense mobilization functions		175,000	0	0	0
Urban planning grants	1,500,000	1,500,000	1,275,000	1,275,000	1,275,000
Reserve of planned public works (payment to revolving fund)	7,500,000	6,000,000	5,000,000	5,000,000	5,000,000
Capital grants for slum clearance and urban renewal	40,000,000				
Administrative expenses, Federal Flood Indemnity Administration	500,000				
Total, Office of the Administrator	55,725,000	16,570,000	13,205,000	13,325,000	13,205,000
Public Housing Administration:					
Administrative expenses	10,700,000	13,300,000	11,440,000	11,440,000	11,440,000
Annual contributions	93,000,000	99,000,000	95,000,000	95,000,000	95,000,000
Total, Public Housing Administration	103,700,000	112,300,000	106,440,000	106,440,000	106,440,000
Total, Housing and Home Finance Agency	159,425,000	128,870,000	119,645,000	119,765,000	119,645,000
INTERSTATE COMMERCE COMMISSION					
Salaries and expenses	14,879,696	17,500,000	16,500,000	17,000,000	16,750,000
NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS					
Salaries and expenses	[4] 62,676,500	76,800,000	70,000,000	71,000,000	71,000,000
Construction and equipment	14,000,000	41,484,000	35,000,000	35,000,000	35,000,000
Total, National Advisory Committee for Aeronautics	76,676,500	118,284,000	105,000,000	106,000,000	106,000,000
NATIONAL CAPITAL HOUSING AUTHORITY					
Maintenance and operation of properties	38,000	42,000	40,000	38,000	38,000
NATIONAL SCIENCE FOUNDATION					
Salaries and expenses	40,000,000	65,000,000	40,000,000	40,000,000	40,000,000
NATIONAL SECURITY TRAINING COMMISSION					
Salaries and expenses	50,000	75,000	0	0	0
RENEGOTIATION BOARD					
Salaries and expenses	3,675,000	3,400,000	3,000,000	3,000,000	3,000,000
SECURITIES AND EXCHANGE COMMISSION					
Salaries and expenses	5,749,000	7,178,000	6,700,000	6,700,000	6,700,000
SELECTIVE SERVICE SYSTEM					
Salaries and expenses	29,050,000	30,000,000	27,000,000	27,000,000	27,000,000
VETERANS' ADMINISTRATION					
General operating expenses	163,027,130	165,442,000	161,374,000	161,374,000	161,374,000
Medical administration and miscellaneous operating expenses	20,773,800	22,067,000	20,773,800	22,763,400	21,763,400
Inpatient care	[5] 662,900,000	[6] 702,000,000	[6] 702,000,000	[6] 702,000,000	[6] 702,000,000
Outpatient care	82,638,000	79,000,000	79,000,000	79,000,000	79,000,000
Maintenance and operation of supply depots	1,628,000	1,940,000	1,790,000	1,790,000	1,790,000
Compensation and pensions	2,907,000,000	2,990,000,000	2,840,500,000	2,826,250,000	2,826,250,000
Readjustment benefits	775,000,000	829,460,000	787,987,000	784,047,000	784,047,000
Military and naval insurance	5,000,000	4,500,000	4,275,000	4,275,000	4,275,000
National service life insurance	23,200,000	8,000,000	7,600,000	7,600,000	7,600,000
Servicemen's indemnities	26,750,000	31,450,000	29,877,500	29,877,500	29,877,500
Grants to the Republic of the Philippines	2,000,000	1,750,000	1,500,000	1,500,000	1,500,000
Hospital and domiciliary facilities	51,635,000	50,000,000	42,500,000	42,500,000	42,500,000
Major alterations, improvements, and repairs	4,533,000	2,254,000	2,028,000	2,028,000	2,028,000
Service-disabled veterans insurance fund	1,000,000	1,500,000	1,500,000	1,500,000	1,500,000
Total, Veterans' Administration	4,727,084,930	4,889,363,000	4,682,705,300	4,666,504,900	4,666,504,900
Total, title I	5,990,841,826	5,924,165,000	5,385,201,700	5,378,594,800	5,373,877,800

[1] And $1,935,600 from proceeds of surplus property disposal.
[2] And $1,960,000 from proceeds of surplus property disposal.
[3] And $1,600,000 from proceeds of surplus property disposal.
[4] And not to exceed $1,500,000 of unobligated funds continued available.
[5] And in addition $7,216,900 from reimbursements.
[6] And in addition $6,656,000 from reimbursements.
[7] Supplemental estimate in H. Doc. 115 disallowed by House on third supplemental, 1957, and deferred by Senate committee to regular 1958 bill.

Title II—Corporations, administrative expenses

[Limitations on amounts of corporate funds to be expended]

Corporation or agency	Authorizations, 1957	Budget estimates, 1958	House bill	Senate bill	Conference action
Federal Home Loan Bank Board	$1,036,700	$1,300,000	$1,200,000	$1,300,000	$1,250,000
Federal Savings and Loan Insurance Corporation	596,000	700,000	650,000	700,000	675,000
Housing and Home Finance Agency:					
College housing loans	1,100,000	1,700,000	1,327,000	1,427,000	1,377,000
Public facility loans	368,000	400,000	400,000	400,000	400,000
Revolving fund (liquidating programs)	2,165,000	1,940,000	970,000	1,940,000	1,100,000
Federal National Mortgage Association	4,025,000	5,250,000	4,750,000	4,750,000	4,750,000
Federal Housing Administration	6,900,000	7,400,000	7,260,000	7,200,000	7,260,000
Public Housing Administration	[1] 12,675,000	[1] 15,030,000	[1] 12,305,000	[1] 13,170,000	[1] 12,420,000
Total, administrative expenses	16,190,700	18,780,000	16,557,000	17,777,000	16,812,000

[1] Includes funds available by appropriation in title I, and by transfer from the revolving fund (liquidating programs) and is not included in totals to avoid duplication.

Mr. MAGNUSON. I wish to make just a brief statement. The bill as it comes out of conference is $550,288,000 under the budget estimate for all the independent offices involved. With reference to the amendments from which the Senate receded, one was an amendment which was placed in the bill on the floor of the Senate. It provides money to take over nine additional civil-service employees' insurance companies. The House would not agree to the amendment. A vote was had on the floor of the House, and the amendment was defeated by a yea-and-nay vote of 115 to 88.

The other amendment involved a small amount of planning money for a customhouse in North Dakota. It amounted to approximately $20,000. The House also voted on that amendment and rejected it. There is no other position for the Senate to take but to recede.

CONSERVATION OF TOPSOIL AND WATER

Mr. YARBOROUGH. Mr. President, I recently received from the Soil Conservation Service a report of high importance to all regions of this Nation which are plagued, as my home State of Texas is, by alternate periods of drought and floods.

This report of a study of moisture penetration of the soil during the heavy spring rains in Texas, showed that crop and pastureland where good soil-conservation practices were being carried out readily absorbed and retained the precious water.

The report pointed out also that the reverse of this fact was true and that poorly cared for land shed rain into creeks and rivers, adding to their runoff load and to flood damage.

The Soil Conservation Service examinations indicated that on protected land, regardless of soil slope or type and where sufficient rain fell, moisture generally penetrated to the root zone.

On the other hand, bare or unprotected land was seldom wet, the examinations showed, to a depth of more than 24 inches on rangeland or 48 inches on crop land except where flooding or impoundment of water had taken place.

Rangeland which received more than 12 inches of rain showed average moisture penetration of 46 inches where good conservation practices had been in operation, but only an average 19 inches where the land was poorly taken care of.

Cropland with a good cover crop showed an average penetration of 70 inches, but only an average 44 inches where there was no cover crop.

The major conclusion to be reached from the soil-conservation study was this: That at the end of the wettest spring in Texas in 15 years, surface condition of the soil, soil-conservation practices or the lack of them, made the difference between retention and loss of precious moisture.

One of the largest and most influential newspapers in my State, the Dallas (Tex.) Morning News, took editorial notice of this study on June 25. I ask unanimous consent that this editorial be printed in the RECORD at the conclusion of these remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HUSBANDING OUR SOIL

No one likely will take exception to Senator RALPH YARBOROUGH'S recent statement on the importance of conserving topsoil and water. He rightly pointed out that recent heavy rains do not lessen the need for conservation measures to lessen the devastating effects of future droughts.

The Senator noted that only 10 percent of the rain falling on Texas land last spring was captured and used. The rest flowed down into the Gulf of Mexico. But the water penetrated 46 inches on well-cared-for rangeland, compared with only 19 inches on neglected land. The recent rains should cause no one to let up in efforts to hold back more of the water where it is needed for crops and grass.

CONSTRUCTION OF FRYINGPAN-ARKANSAS PROJECT

The Senate resumed the consideration of the bill (S. 60) to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado.

Mr. WATKINS. Mr. President, I wish to express myself as firmly in support of the legislation proposed by my colleagues from Utah's neighboring State of Colorado.

Inasmuch as this measure has been before the Congress for many years, I shall not take time to go into detail on a supplemental review of its technical aspects provided by the bill's sponsors. The members of the Committee on Interior and Insular Affairs have thoroughly reviewed this proposal and have approved it several times. It is a sound project and one that is vitally needed by the people of a semiarid section of the great State of Colorado.

This is one reclamation project that should not meet with any substantial objection from our good friends in the Midwest and the East. Its water supply will not bring in any new agricultural acreage. Instead it will provide supplemental water for farms which now have an insufficient supply to meet their needs in dry years. This additional water supply will convert such farms into stable, agricultural units, instead of leaving them subject to further economic loss and potential ruin when their present inadequate water supplies do not stretch out far enough.

In addition, as Senators have been told, the water produced will supplement a number of expanding municipalities in the Arkansas River Valley, including that vital defense community of Colorado Springs, and the important interior steel-producing community of Pueblo, Colo. These communities cannot tap a nearby river source, as do the communities of the humid East. They are forced to work cooperatively and bring water from great distances, at heavy expense. However, they pay for the costs of this municipal water, with interest.

A century ago, President Abraham Lincoln gave a very sound estimate of the type of activities worthy of Federal sponsorship. He stated:

The legitimate object of Government is to do for a community whatever they need to have done but cannot do at all, or cannot so well do, for themselves in their separate and individual capacities. But in all that people can individually do as well for themselves, Government ought not to interfere.

This was good Government policy 100 years ago. It is bedrock sound today. The Fryingpan-Arkansas project adequately meets the terms of this basic requirement for Federal participation.

There is no private business in Colorado or elsewhere that could undertake such a complex project as this, involving a long-term future water supply for hundreds of farmers and several municipalities. Furthermore, the project is of such size that it is beyond the financial capacity of the local and State government.

Moreover, it is a sound project economically. Roughly 84 percent of the

capital costs of this project will be reimbursed by the water and power users in the area. In addition, the project beneficiaries will assume all costs of project operation and maintenance. Few water resource projects approved by Congress today can meet such high standards of cost-sharing and local participation.

The nonreimbursable portion of the capital costs will return to the area and to the Nation specific benefits in flood control, fish and wildlife preservation, and public recreation that will extend far beyond the 50-year repayment period.

This project was proposed back in 1948. I urge my colleagues to act favorably on this project and save the area involved any further economic and social losses from unjustified delay.

Mr. SMITH of New Jersey. Mr. President, I rise in support of the Fryingpan-Arkansas project. This project is particularly close to me, because for some time I was a resident of Colorado, and I am familiar with the water problems there. I am particularly familiar with the Colorado Springs area, where the project will be of special benefit, because I made my home there for several years. The population in that area within the past few years has expanded enormously. I visited there last summer, and I realize what this project will mean to that whole area.

I have another very special and personal reason for supporting the bill. This project has been near and dear to our beloved former colleague, Senator Eugene Millikin, who fought year after year for its adoption. Because of his illness, he is no longer with us. However, I know that every Member of the Senate bears a warm feeling toward Gene Millikin, and appreciates the wonderful fight he made for the people of his area while he was a Member of the Senate.

Mr. President, I feel that I am in a sense an honorary citizen of Colorado because of the years I spent there and my close relations with the Senators from Colorado, especially with my good friend, Senator ALLOTT. Therefore, I am more than happy to urge that the Senate pass the bill this year by the same vote that the Senate accorded to it last year after many discussions and many hearings and a full examination of every aspect of the project. Last year the vote was unanimous, and I hope this year it will be unanimous also.

The project will be of immense benefit to the people of Colorado. It will be virtually self-liquidating, as is shown by the RECORD. In tribute to our esteemed and loved former colleague, Gene Millikin, and also because of the merits of the bill itself, I urge that all Senators support this obviously worthwhile and meritorious project.

Mr. NEUBERGER. Mr. President, I hope to ask a few questions of the senior Senator from Colorado, if he will yield.

Mr. ALLOTT. I shall be happy to yield.

Mr. NEUBERGER. By way of prefacing my questions, I should like to say that I supported the Fryingpan project in the Committee on Interior and Insular Affairs and on the floor of the Senate last year. I supported it again in committee this year. Unless something intervenes in the immediate future to change my mind, it is my intention to support it on the floor again this year.

However, I should like to ask a number of questions of the senior Senator from Colorado, because these are questions which loom very large in the minds and hearts of the people whom I have the honor to represent in part in the Senate.

The Fryingpan - Arkansas project would have an installed capacity of 123,900 kilowatts and would generate about 470 million kilowatt-hours of salable energy. This Hells Canyon Dam would have an installed capacity at site of 800,000 kilowatts and would generate 5,852,000,000 kilowatt-hours of electricity.

The Fryingpan project would cost approximately $160 million. The Hells Canyon Dam project would cost approximately $358 million. The Hells Canyon project would produce over 10 times as much power as Fryingpan, yet would cost only a little more than twice as much.

The senior Senator from Colorado and most of his colleagues from the Rocky Mountain States on the other side of the aisle have opposed the Hells Canyon project, but ask us to support the Fryingpan project.

Before I put my question I should like to make it clear that the junior Senator from Colorado, by contrast, has not taken such an inconsistent position. The junior Senator from Colorado supports the Hells Canyon project. Of course, he also cosponsors the Fryingpan project.

Does the senior Senator from Colorado think it is in the interest of economy for the Federal Government to invest funds in a project that has less than one-tenth the output of Hells Canyon but costs about half as much? That is my question.

Mr. ALLOTT. I am very happy to answer the question of the junior Senator from Oregon. In answering the question I should like to say that his question is a compounded one, in a way, and to be asked to answer it is like being asked to answer the question, "Are you still beating your wife?"

However, I do not think these projects are on a comparable basis at all. The reason is that Hells Canyon is located on the border line between Oregon and Idaho, and the Fryingpan project is located in Colorado.

To go a step further, it is conceivable that electricity could be generated at any of the Hells Canyon points, either at the high or low dams, at a cost which would be considerably less than that at which it could be generated in Colorado.

However, again, there is a distance of approximately 1,500 miles between the 2 points, and it is a fact that there is a strong demand for all the electricity which Fryingpan can produce at the price which will be charged in Colorado.

I do not know whether it would be salable in the Senator's area, but in my State, where the Fryingpan would be located, there is a market for every bit of electricity which can be produced.

Mr. NEUBERGER. Does the senior Senator from Colorado think that there is not a market for the power that could be produced at the high Hells Canyon Dam, particularly in the Pacific Northwest area?

Mr. ALLOTT. I am not qualified to answer that question, but let me say, in all fairness and honesty, that I have said privately to the junior Senator from Oregon, and I now say it publicly, that as long ago as 2 years it was my intention to try to judge these 2 projects upon the basis of their individual merits. I submit, in all fairness, that nothing can be accomplished by trying to compare the merits of the Hells Canyon high dam, which has been espoused so very capably and effectively by the Senator from Oregon, with the merits of the Fryingpan project. I am sure the Senator will agree with me that the only purpose that would be served by such a discussion would be to review all the arguments for and against Hells Canyon.

Whether the Senator from Oregon and I agree on the merits of one project, each project should be appraised upon the basis of its own merits. Any attempt to reconcile them or to rehash the arguments of one against the other cannot possibly serve any useful purpose at this time.

Mr. NEUBERGER. I am willing to agree that nothing is served by comparing one project with the other. However, I want the RECORD to show, as the RECORD already demonstrates, that the senior Senator from Colorado has, in effect, measured one against the other. He opposed our project, and he supports his own project. So he himself has made that qualitative judgment in the halls of Congress, here in the Senate Chamber.

Mr. ALLOTT. There is no question about what I did. In the vote I cast a year ago, I opposed the high Hells Canyon Dam. I did so again this year. There is no question about that. The only thing to which I am trying to call the Senator's attention is that no useful purpose will be accomplished here by reviewing all the various arguments for or against the high Hells Canyon Dam which has recently been approved by the Senate. I did vote as the Senator says I did; yes.

Mr. NEUBERGER. There is only one point I wish to make to the senior Senator from Colorado, and to me it is one of the real ironies of the 2½ years I have served in this Chamber, a period which I believe is paralleled by the 2½ years which the senior Senator from Colorado has served so ably in the Senate. I help to represent a region which has one of the great river systems of the entire world, the Columbia River system. That river carries to the sea 180 million acre-feet of water, which cries out for development.

The senior Senator from Colorado comes from an area which has not been so favored. His area is drained by the Colorado River system, that carries to the sea 17 million acre-feet of water.

We on this side of the aisle who represent the States of the Pacific Northwest believe, together with the Senator from Colorado, that the limited water supply in his region needs to be stored, needs to be developed, needs to be conserved. We have gone along with the Senator from Colorado on all the projects he and his colleagues have proposed, including the upper Colorado project and the Fryingpan-Arkansas project.

I do not think we Senators from the Pacific Northwest have opposed any great project which affects the region from which the Senator from Colorado comes, with the sole exception that the junior Senator from Oregon happened to be against the Echo Park undertaking, which was one isolated phase of the upper Colorado project. I was opposed to the Echo Park project because of the national park controvery which arose there and with which the Senator from Colorado is familiar.

However, by way of contrast, the Senators from the Pacific Northwest have not had one single new project authorized in the past 5 years in the vast Columbia River basin, which has 180 million acre-feet of water flowing largely unchecked to the sea. The members of the minority party in the Senate, the Republican Party, the Senators on the other side of the aisle, have been against our projects. That is the point on which I think the RECORD should be made clear.

The people of my region, in my State, whom I help to represent, are fully aware of the fact that the senior Senator from Oregon [Mr. MORSE], the senior Senator from Washington [Mr. MAGNUSON], the junior Senator from Washington [Mr. JACKSON], the senior Senator from Montana [Mr. MURRAY], who is the able chairman of the Committee on Public Works, and the junior Senator from Montana [Mr. MANSFIELD]—and a part of the Columbia River system is in Montana—give our support to the projects affecting the Colorado region, having 17 million acre-feet of water.

Across the aisle, though, the Senators from the Rocky Mountain region oppose projects for the Columbia River Basin, which has 180 million acre-feet of water. As a result, after the 5 years in which this administration has been in power, there has not been a single new project authorized in the Columbia River Basin. That is a fact which I think certainly should be placed in the RECORD, because we feel very keenly about it.

Mr. ALLOTT. Am I to understand that the Senator from Oregon is propounding a question?

Mr. NEUBERGER. No. The Senator from Colorado said he did not think there was any point in rehashing the relative merits of the two projects.

Mr. ALLOTT. I should be happy to do so sometime, either privately or on the floor, if the Senator from Oregon wishes to do so.

I accord to the junior Senator from Oregon the same respect which I expect to be accorded to me. When I vote, I consider a particular piece of legislation. I have to look at, among other things, certain principles in which I believe. A long discussion of those principles would not avail anything here at this time.

In like manner, the Senator from Oregon has to consider certain facts. He must reconcile those facts with the principles. The situation amounts simply to that.

I think the Senator from Oregon has stated the situation as he sees it. I voted as I saw the situation.

The Senator from Oregon can believe that when I so voted, I looked at my own conscience, and I looked at the facts. I think we heard enough about the facts over the years to have a pretty good idea of what they were.

I should like to say one more thing to the Senator from Oregon about this matter. The Fryingpan project is in a peculiar situation in many respects. One is that while there may be supplemental water which might go to Colorado Springs, and that might be said to be due to the military development in that area, nevertheless, the great bulk of the water is needed for a strictly normal growth in the population of the valley.

I have lived in that area all my life. I have known, from the practice of law, the water problems of that area for some 27 or 28 years. So the region is different in that respect.

It is also different in this respect: No one I have ever heard of, no private source of capital, no private company is capable, or willing to develop this particular project. I point that out simply because we have no way in which to develop this project, even in part, except to go to the Federal Government and to ask for assistance in financing it.

Mr. NEUBERGER. I recognize the truth of what the Senator says. That is the reason why I have supported the Fryingpan-Arkansas project, and why I am continuing to support it.

The only point I seek to make is that when the Senator from Colorado says there is no private organization or no private company which will undertake to construct the Fryingpan project, he likewise is speaking the truth. That is the meat of the coconut.

What I dislike to see take place in the Western States is to have the various projects put in a box, like apples, and to allow the private utilities to pick over them and to grab the choice sites, which happen to be in the Pacific Northwest, because of all the water which the Creator put there, and then to have the private utilities say, "We will take these select apples, but leave, for Uncle Sam to develop, the apples which are not so good." We in the Pacific Northwest do not understand that kind of situation.

I know the Senator from Colorado spoke the truth when he said he voted sincerely on both projects. Of course he voted sincerely; I never questioned that.

I hope the Senator from Colorado understands our situation, which is that after 5 years of this administration's having been in office, we have not had one new project recommended—considering the great need we have for flood control, reclamation, navigation, and power development.

I hope the Senator from Colorado thinks we have been fair, because on this side of the aisle we have consistently supported the upper Colorado project and the Fryingpan-Arkansas project, despite all the brickbats and denunciations which have been hurled from across the aisle at our projects. I think we have done as much as any people could do. We are trying to be reasonable, tolerant, and fair.

Mr. ALLOTT. The answers to some of these points could only be made by debating and redebating some of the questions, which I think could serve no useful purpose now. I am very happy to have the views of the Senator from Oregon. I shall be happy to discuss them further with him, either privately or on the floor.

Mr. NEUBERGER. I thank the Senator from Colorado.

Mr. President, I believe the junior Senator from Colorado wishes me to yield to him. I shall be happy to do so, if that is his continued wish.

Mr. CARROLL. I thank the distinguished Senator from Oregon.

Mr. President, I have been very much interested in the colloquy. I think it has been very helful. I believe the Senator from Oregon has placed his finger on the water problems of the west.

Those who live in the Northwest have more water than they know what to do with, and of course they are trying to develop that great area. Personally, I wish to help. I am familiar with Grand Coulee, Bonneville, McNary, and the great report on the Columbia River basin by the Corps of Army Engineers. That is a program to develop the economic life of the Northwest. Ours is a program to preserve our physical life.

The program of the Northwest is for power development. Our program is for water conservation, upon which depends our economic growth and—more important—the very livelihood of our people.

I understand the comparisons the distinguished Senator from Oregon has in mind. I think the colloquy has been of value, and I hope we can perhaps resolve these matters in the future. But I sincerely trust—and I crave the indulgence of the Senator from Oregon—that nothing will happen to delay the Fryingpan project again. I would not want such a thing to occur. The bill has passed the Senate twice, but it has never been presented upon it merits in the House of Representatives.

Mr. NEUBERGER. I thank the Senator from Colorado.

Let me say that the projects in the Northwest are also for the purpose of flood control and irrigation and navigation, in addition to power.

Mr. CARROLL. Yes, of course.

Mr. NEUBERGER. I wish to state to the Senator from Colorado that we appreciate the backing and the wholehearted support he has given to our projects in the Northwest, where there is an abundance of water. We likewise give to him our support of his projects in Colorado, where there is a shortage of water and where the limited supply of water must be distributed as wisely and as prudently as possible.

I wish to assure the distinguished junior Senator from Colorado that the junior Senator from Oregon intends to support the Fryingpan-Arkansas project this year, as he did on a previous occasion in the Senate; and we thank the junior Senator from Colorado for his fairness to our projects in the Northwest.

Mr. CARROLL. I thank the Senator from Oregon.

Mr. KUCHEL. Mr. President, I call up my amendment identified as "6-26-57-D," and ask that it be stated.

The PRESIDING OFFICER (Mr. MORTON in the chair). The amendment will be stated.

The LEGISLATIVE CLERK. On page 10, after line 5, it is proposed to insert the following new section 8:

SEC. 8. In the construction, operation, and maintenance of all facilities authorized by Federal law and under the jurisdiction and supervision of the Secretary of the Interior for the utilization of waters of the Colorado River system, including but not limited to all works authorized by this act, the Secretary of the Interior is directed to comply with the applicable provisions of the Colorado River Compact, the Upper Colorado River Basin Compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, the Colorado River Storage Project Act, the Treaty with the United Mexican States, and any contract lawfully entered into by the United States under any of said acts, in the storage and release of waters from reservoirs. In the event of the failure of the Secretary of the Interior to so comply, any State of the Colorado River Basin may maintain an action in the Supreme Court of the United States to enforce the provisions of this section and consent is given to the joinder of the United States as a party in such suit or suits, as a defendant or otherwise.

And it is proposed to renumber the present section 8 to section 9.

Mr. KUCHEL. Mr. President, during the debate it has been stated repeatedly that on prior occasions the Senate has passed substantially similar proposed legislation, only to see the House of Representatives on each occasion refuse to give its approval to the Fryingpan-Arkansas bill.

I submit the amendment as a means of obviating one of the objections which I am sure will arise again in the House of Representatives; and, to that extent, such an objection would stultify and eliminate any chances this measure may have of being passed by the Congress and going to the President, to receive his approval.

There is ample precedent for this proposed legislation. I wish to recall that when the great upper Colorado River storage project bill was under consideration in the Senate, the bill contained a provision almost verbatim the same as the amendment I now have before the Senate.

The pending bill provides that the law of the river shall apply, including the compacts which have been entered into between the various States through which the great Colorado River passes. That is all well and good, so far as it goes. But, Mr. President, suppose there is a dispute about what the law of the river is. Who will determine who is right and who is wrong in any such dispute?

In the case of the Colorado River storage legislation which is now the law, the answer is the Supreme Court, across the street. If any State is aggrieved, if any State believes the law of the river is being violated, the Colorado River legislation gives such State a right to file a lawsuit in the United States Supreme Court, and to make the Government of the United States a party to the suit; and then, in the fashion in which this Government has conducted its business for more than 170 years, the Court will decide that dispute.

What will happen under the pending bill, if an honest dispute arises, Mr. President? There will be no way to resolve such a controversy. So, Mr. President, when the bill says the law of the river shall apply, I submit that does not mean anything. I submit that in order to make the law of the river apply, a right to sue and to obtain a judgment should be granted. That is all my amendment does. It merely provides that in the event the Secretary of the Interior fails to comply with all the involved law and compacts which have been laid down, any State in the basin may take the Government of the United States into court.

I do not see either of my colleagues from the State of Texas in the Chamber at this time. A moment ago I saw the distinguished junior Senator from Texas [Mr. YARBOROUGH] in the Chamber. I wish to say that Texas felt aggrieved over a compact it had with the State of New Mexico; it was in the field of water. Texas filed a lawsuit, in the United States Supreme Court, against New Mexico. The Government of the United States came before the Supreme Court and said, "Texas cannot sue." The Supreme Court agreed. So, much as the people of Texas believed their rights under an interstate compact were being violated, there was no forum before which they could offer their contentions.

Thus, Mr. President, I submit in complete good faith a simple provision, in almost the precise language of the amendment the Senate adopted when the upper Colorado River bill was before the Senate. To that extent, I ask in simple justice that the Senate provide in the pending bill the same right to enforce the law of the river which the Senate previously gave to the States in the bill affecting the upper Colorado River.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California [Mr. KUCHEL].

Mr. ALLOTT. Mr. President, I believe a few words should be said in connection with the pending amendment.

First of all, Mr. President, the water to be transported by this project, is less than 2 percent of the water allotted to Colorado under the upper Colorado River compact.

Second, the amendment would mean that even if a minor disturbance occurred with the allotment of that 2 percent, all the States in the Colorado River Basin could be thrown into a lawsuit in the Federal court.

Third, the committee considered the amendment in toto at the time of the hearing, and rejected it, with only one vote in favor of it, that being the vote of the Senator from California.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California.

Mr. CARROLL. Mr. President, I think one comment ought to be added to what has been said by the senior Senator from Colorado. In the argument of the distinguished Senator from California he draws a comparison with the upper Colorado storage project. That was an interstate water project. We are talking here about Colorado water. True, it arises under the Colorado River compact, but this is Colorado water, and, in the words of former Senator Millikin, who discussed this matter on July 12, 1956:

The States own the waters of their streams and they have provided legal means for appropriating them for beneficial uses.

That is the problem, and we discussed it in committee. I do not for one moment impugn the motives of the Senator from California, but I say this is the sort of amendment that could cause great confusion. We do not know, but there might be litigation in other States, and we in Colorado might be drawn into it. Having been drawn into it in Colorado, we could lose the forward progress made under this program. That is one of the reasons why the committee voted, with the exception of the Senator from California, to reject the amendment.

I submit there is merit to the arguments of the distinguished Senator from California, but we in the committee felt that, rather than create any confusion at this time, the amendment should not be adopted. Colorado has no desire to be drawn into any litigation, and there is much litigation between California, Arizona, and other Colorado River States. We in Colorado recognize that there are other States—we call them down-river States—which may attempt to interfere with Colorado's water rights. But this is a Colorado project. The people of Colorado are going to commit themselves, their wealth, and their collateral security to the repayment of the project. All Colorado wants is to use the water to which it is rightfully entitled.

I hope the amendment will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado.

Mr. McNAMARA. Mr. President, I should like to ask a few questions of the proponents of the bill. I do not care which one cares to answer the questions.

Mr. ALLOTT. We will both stand, so either one may be available.

Mr. McNAMARA. Is it true that this project is what is commonly referred to as a high-cost power project, meaning 6 or 7 cents a kilowatt-hour?

Mr. ALLOTT. The Senator probably means 6 to 7 mills a kilowatt-hour.

Mr. McNAMARA. Yes.

Mr. ALLOTT. The sale price would be a little more than 6 mills, which is,

of course, more than the price at some of the lower cost dams on the large rivers.

Mr. McNAMARA. Does the Senator have the estimated cost of a kilowatt-hour at Hells Canyon?

Mr. ALLOTT. I understand that is 5½ mills.

Mr. McNAMARA. Do the private power companies object to the passage of the bill?

Mr. ALLOTT. The private power companies do not object. Perhaps I should elaborate on that statement. As a matter of fact, included in the bill is an authorization for the construction of lines so that the preferential customers will be protected, and so that preference cannot be destroyed because they are not in a position to compete. There is also in the record, I may say for the benefit of the Senator from Michigan, a statement by the Southern Colorado Power Co., as well as the Public Service Company of Colorado, both of which are private companies, that they will take any excess loads not taken by preferential customers.

Mr. CARROLL. Mr. President, will the Senator yield at this point?

Mr. McNAMARA. I shall be glad to yield, but I have only two more questions. I should like to preface the questions with a statement. Incidentally, I have information that during the debate on the Hells Canyon bill the Senate was told the cost per kilowatt-hour would be 2.5 mills. That is quite at variance with the answer I received in answer to my question. Perhaps the correct answer is somewhere between the two figures.

Mr. MANSFIELD. Mr. President, if the Senator will yield, the 2½- to 3-mill price is the wholesale Bonneville power rate.

Mr. CARROLL. I may say, if the Senator will yield, this is not a low-cost power program. And it is also true that the private utilities in Colorado support the program. But industry, farmers, and the REA's in Colorado also all support the program. However, it is not what is called a low-cost power program.

As the distinguished senior Senator from Colorado said, the cost of power from the project will be about 6½ mills.

The real point I should like to make to the distinguished Senator from Michigan is that this is primarily a water diversion and water conservation project. Under the preference clause, the REA's will be treated in accordance with existing law. This project is different from Hells Canyon. There is no public power involved in the extent it is at Hells Canyon. As the distinguished senior Senator from Colorado has said, there is, under the operating principles of this bill, about $4 million provided for the building of transmission lines. We need that provision in the bill so the Bureau of Reclamation, when it proceeds to obtain repayment contracts, will be in the position of being able to bargain with the private utilities who will wheel the power. If we are not in that position, the private utilities will have an advantage. As they always do, not only in Colorado, but everywhere, the private utilities might take advantage of a hard bargaining opportunity. However, we have protected ourselves. We have provided $4 million so we can say to the Bureau of Reclamation, "We want you to tie the Fryingpan-Arkansas powerplants into the Colorado-Big Thompson grid, and tie into the REA's for the protection of farmers and municipalities."

Mr. McNAMARA. I am concerned with the so-called yardstick principle of public power development, which has been helpful in keeping down the price to the consumer, even in the private power monopoly areas, as the Senator well knows. My chief concern with public power projects is that they provide a yardstick which is helpful to the ultimate consumer. Would this project not be a public power project to which private power companies could point as an example of why we should not have the United States Government develop waterpower, because of the comparatively higher cost, when the cost of generating power by a steam plant is considered? Is it not in the long run going to injure the principle of the Government's developing public power projects, and will it not defeat the yardstick principle?

Mr. CARROLL. Mr. President, if the Senator will yield, that, in my opinion, is not true with reference to the Fryingpan-Arkansas project. There is another project, which the Senate passed upon 20 years ago, called the Colorado-Big Thompson——

Mr. McNAMARA. The Senator has stated that is not true. Will he explain why it is not true, because the explanation is what I need, not merely the statement.

Mr. CARROLL. I was trying to illustrate what happened to the Colorado-Big Thompson project, which was a giant western reclamation project. After diversion of water under a 13-mile tunnel from the west to the east slope, Colorado-Big Thompson power is being sold at about 6 mills.

Colorado really is not a public-power State in the sense that the States of the Northwest are. Only about 20 percent of our power is public power; that is, power which goes to or is generated by municipalities and REA's.

Mr. McNAMARA. I recognize that fact.

Mr. CARROLL. Even some of the power which goes to the REA's is wheeled by the private utilities. So neither the Colorado-Big Thompson project nor the Fryingpan-Arkansas project would meet the standards the Senator indicates for what he calls a "yardstick." All we can do is operate within the framework of our own economy. It would not be helpful in this case to establish a yardstick.

Mr. McNAMARA. I believe that explains it very well from the viewpoint of the Senator from Colorado, but from my viewpoint that is not a good answer for the State of Michigan.

Mr. ALLOTT. Mr. President, will the Senator yield? Perhaps I can clear up the matter.

Mr. McNAMARA. I should like to get back to a yardstick.

Mr. CARROLL. Because of my political conviction and philosophy I have always supported the TVA, which is in another area and provides low-cost power. I have always supported and I shall continue to support the great projects in the Northwest, because that is a great surplus-water area where there is an abundant natural waterfall capable of producing low-cost power, that is, a "yardstick," such as the Senator suggests.

There will be another bill on the floor of the Senate soon concerning development of Niagara power. That project will not meet the yardstick concept either. Each of these power projects, in my opinion, have to be considered with regard to the area in which they are located. That is why I was trying to be very frank with my friend, the Senator from Michigan, by stating this Fryingpan project will not provide low-cost power. In Colorado we must think in terms of how we can sell the power and what revenue we will receive, in order to pay back the project loan to the Government of the United States. In terms of our own needs and our repayment capacity this project is a good investment.

Mr. McNAMARA. I wish to assure my distinguished colleague, the junior Senator from Colorado, that I would like to agree with him. The fact that the Senator from Colorado tells me now there is going to be another bill for high-cost power presented does not help me in my thinking and my desire to agree with the Senator. I am seeking reasons for supporting the project.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. McNAMARA. I am glad to yield to the senior Senator from Colorado.

Mr. ALLOTT. I am not sure the Senator from Michigan meant to say exactly what he did, when he said that the cost of this power would be above the cost of steam power.

Mr. McNAMARA. The average cost of steam power.

Mr. ALLOTT. That statement would not be true as applied to the area we are considering.

Mr. McNAMARA. Perhaps not, in this particular area.

Mr. ALLOTT. Electricity produced from the Fryingpan-Arkansas project would be about 2 mills cheaper than electricity produced by private sources.

Mr. McNAMARA. I am sure the senior Senator from Colorado misunderstood my statement. I was talking about the average cost of steam power. I realize that the cost varies greatly.

Mr. ALLOTT. The Senator is correct.

Mr. McNAMARA. With respect to location.

Mr. ALLOTT. This is a different area, and I thought the matter should be brought into focus. I thank the Senator very much.

Mr. McNAMARA. The Senator has almost convinced me that I should vote for the project.

Mr. KUCHEL. Mr. President, I merely wish to refute a statement that has been made by way of opposition to my amendment.

Mr. President, to the extent that waters of the Colorado River were utilized in the Fryingpan-Arkansas project, to

that extent the law of the river—that is to say, the compact of the Colorado River Basin States—would apply. To that extent I urge the necessity for adopting the amendment which I have offered, to protect the rights of any State in case there is a dispute as to the enforcement of the compact.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from California [Mr. KUCHEL].

The amendment was rejected.

Mr. KUCHEL. Mr. President, I call up my amendment numbered "6–26–57–C."

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 16, before the period it is proposed to insert a colon and the following: "*Provided, however,* That such modifications or additions as may be found necessary and such investigations as may be required in connection therewith shall not extend to or contemplate the so-called Gunnison-Arkansas project, nor shall any of the works together with any modifications or additions provide for the diversion transmountain of more than 69,000 acre-feet of water per annum from the natural basin of the Colorado River, and nothing in this act shall constitute a commitment, real or implied, to the further exportation of water from the Colorado River system."

Mr. KUCHEL. Mr. President, I confess to a slight feeling of loneliness. I shall not detain the Senate overlong.

I wish to repeat that I offer these amendments because I believe they would obviate the fate which similar legislation has suffered on two previous occasions.

The proposed amendment can be described as a disclaimer. For those who might be touched by the fact, I should like to have the RECORD indicate that this administration favors this type of amendment, if that means anything.

The Bureau of Reclamation has recommended that—

> Suitable language be included in the authorizing document clearly stating that authorization or appropriation of funds for the project or for the continued investigations stated above shall not in any way constitute a commitment, real or implied, to further importations. (See S. Doc. No. 106, p. 27; H. Doc. No. 187, p. 42.)

This is not the Senator from California making a recommendation. This is not an interested party to the debate in the United States Senate making a recommendation. This is the Government of the United States, through the executive branch, and particularly through the Bureau of Reclamation of the Department of the Interior, which is making the recommendation. So I say it is not made in jest. It is made because on the two previous occasions when similar proposed legislation was being debated in the Congress of the United States, some persons were fearful that the proposed legislation would provide the opening wedge for a great transmountain diversion which might catapult into chaos the otherwise orderly procedure which all the States of the Colorado River Basin hope may be obtained, and may continue to be obtained, under the law of the river.

I wish to read one further paragraph from the report of the Bureau of Reclamation:

> The potential Gunnison-Arkansas project is a major unit in the comprehensive plan of development of the water resources of the upper Arkansas River Basin which is being investigated by the Bureau of Reclamation. The project is adaptable to construction by successive cumulative stages. The initial development is planned as a completely independent multiple-purpose unit that could be the first stage of a much larger project. The comprehensive project would require exportation of a relatively large amount of Colorado River water eastward through the Continental Divide to the Arkansas Valley of Colorado. The full potential uses of water in western Colorado have not been completely determined; therefore, only the amount of water assuredly beyond the requirements for development on the western slope is proposed for diversions at this time. (S. Doc. 106, pp. 3, 4; H. Doc. 187, pp. 19, 20.)

I point again to the fact that the Bureau of Reclamation has recommended a disclaimer in this statute. Years ago a historic debate took place on the floor of the Senate, in which California was interested. One of the late great Senators from my State, Hiram Johnson, stood on this floor, and finally was able to have the Boulder Canyon Dam project adopted by the Senate. It was approved by the House, and that bill became the law of the land.

That project has done wonders for the people of California. We are grateful to the Congress of the United States and the Government of the United States for their generosity in helping us to solve our problems.

But before the Boulder Canyon Dam project became a reality the people of California were required, through appropriate State legislation, to disclaim any rights to waters above a certain level, in connection with the compact which the State was required to enter into. So I say that what is sauce for the goose should be sauce for the gander.

If, as has been iterated and reiterated in the debate and in the hearings before the committee, all that is asked by the two distinguished Senators from Colorado is the authority to have the Government build the Fryingpan-Arkansas project, the Senate ought to do what the Bureau of Reclamation has recommended be done, namely, to disclaim, in the proposed legislation, any other intent.

Mr. President, I ask unanimous consent that the minority views which I prepared in connection with the committee report be printed in the RECORD at this point as a part of my remarks.

There being no objection, the minority views were ordered to be printed in the RECORD, as follows:

MINORITY VIEWS OF SENATOR THOMAS H. KUCHEL, OF CALIFORNIA, ON S. 60, THE FRYINGPAN-ARKANSAS PROJECT

I am prompted to file this minority report because of the refusal of the committee to accept two amendments of mine, which would, far from scuttling it, I believe, aid its enactment into law.

Twice before the Senate has approved similar legislation. Twice before it has died in the House of Representatives. In my view, the principal reason for this fate has been the exclusion of amendments of similar purport. The stated objective of S. 60 is not repugnant to the right of the lower basin. Used, however, in the future, as a start for large additional transmountain diversions of Colorado River water, it would be. One amendment merely disclaims any such future intention. What is wrong with that? There is ample precedent for it, as I shall indicate. The other amendment simply affords the judicial process against the Secretary of the Interior if an affected State feels aggrieved at his hands in the operation of the proposed project. What is wrong with that? There is ample precedent for that, as I shall also indicate.

1. The first amendment reads as follows:

"*Provided, however,* That such modifications or additions as may be found necessary and such investigations as may be required in connection therewith shall not extend to or contemplate the so-called Gunnison-Arkansas project, nor shall any of the works together with any modifications or additions provide for the diversion transmountain of more than 69,000 acre-feet of water per annum from the natural basin of the Colorado River, and nothing in this act shall constitute a commitment, real or implied, to the further exportation of water from the Colorado River system."

The reasons for the proposed amendment are several:

(a) The Bureau of Reclamation itself and the Secretary of the Interior, in adopting the Bureau report, recommended it:

"N. Suitable language be included in the authorizing document clearly stating that authorization or appropriation of funds for the project or for the continued investigations stated above shall not in any way constitute a commitment, real or implied, to further importations. (See S. Doc. No. 106, p. 27; H. Doc. No 187, p. 42.)"

(b) This project is the "initial development," Roaring Fork diversion of the Gunnison-Arkansas project, described by the Bureau of Reclamation as follows:

"4. The potential Gunnison-Arkansas project is a major unit in the comprehensive plan of development of the water resources of the upper Arkansas River Basin which is being investigated by the Bureau of Reclamation. The project is adaptable to construction by successive cumulative stages. The initial development is planned as a completely independent multiple-purpose unit that could be the first stage of a much larger project. The comprehensive project would require exportation of a relatively large amount of Colorado River water eastward through the Continental Divide to the Arkansas Valley of Colorado. The full potential uses of water in western Colorado have not been completely determined; therefore, only the amount of water assuredly beyond the requirements for development on the western slope is proposed for diversions at this time." (S. Doc. 106, pp. 3, 4; H. Doc. 187, pp. 19, 20.)

The "relatively large amount" of Colorado River water to be taken out of the natural basin of that river under the full Gunnison project would be on the order of 900,000 acre-feet per annum. (See H. Doc. No.

419, 80th Cong., 1st sess. (1947), at 132–133.) The language of S. 60 should be unmistakable, so that there will be no doubt whatsoever, that this project will not back us into diversions of such magnitude.

(c) Although the name of this proposal has been changed to the Fryingpan-Arkansas project, the project itself is identical with the "initial development," Gunnison-Arkansas project. The change of name required no change whatsoever in the project planning report of the Bureau of Reclamation. The Bureau changed the name upon a request of Colorado, based on the following language:

"It is recommended that this project shall hereafter be referred to as the Fryingpan-Arkansas project. Approval of this provision by eastern Colorado representatives shall not be implied as an abandonment of their expressed intention to obtain approval of a project from the Gunnison River nor shall approval of this provision by western Colorado representatives be construed as any consent on their part to the authorization of a project for the exportation of water from the Gunnison River to eastern Colorado." (See H. Doc. 187, p. 160.)

Thus the full Gunnison project remains very much alive, at least in some people's minds. Many statements have been made that the works called for under S. 60 will not and physically cannot become the Gunnison project. If so, there should be no objection to disclaiming such an intention in S. 60 itself.

(d) Section 1 of S. 60 as reported authorizes the project in substantial accordance with Bureau plans as set forth in Congressional documents "but with such modifications of, omissions from, or additions to the works therein described as the Secretary may, from time to time, find necessary or proper for accomplishing the objectives of the project." Too frequently have "modest" proposals become something else under such elastic language. The disclaimer I propose would eliminate this type of argument against it.

(e) The argument has been made that my amendment would stifle the project as the project will not be operated on a 69,000 acre-foot diversion annually but may divert as little as 35,000 acre-feet in 1 year and as much as 124,000 acre-feet in another, averaging, however, 69,000 acre-feet each year. The proponents of the project have been invited to change my amendment as they wish, so as to state an average, or to express the low and high range anticipated, averaging 69,000 acre-feet, or any formula they choose which will reflect the Bureau's considered opinion that the project is dependent upon an average annual diversion of 69,000 acre-feet, and no more. They have refused.

(f) There is precedent for this disclaimer in the Colorado River Basin. The best known precedent is the California Limitation Act, required of California under section 4 (a) of the Boulder Canyon Project Act of 1928. Although this dealt with the overall entitlement of the State rather than water for one specific project, the principle is the same. California is limited to 4,400,000 acre-feet per annum of the waters the use of which is apportioned by article III (a) of the Colorado River compact, plus not to exceed one-half of the excess or surplus waters unapportioned by the compact. This limitation was required of California, in addition to the Colorado River compact, before the upper States would give approval to the Boulder Canyon Project Act.

Further legislative precedent may be found in the act of July 30, 1947, "to relocate the boundaries and reduce the area of the Gila Federal reclamation project." This act authorizes the Yuma Mesa and Wellton-Mohawk divisions of the Gila project in Arizona, the former to consist of approximately 40,000 acres, the latter 75,000 acres, each such area however qualified as follows: "or such number of acres as can be adequately irrigated by the beneficial consumptive use of no more than 300,000 acre-feet of water per annum diverted from the Colorado River." Neither the original authorization of this project in 1933 nor the bills introduced in the 79th Congress, and which, as amended, became the act of July 30, 1947 (S. 483, H. R. 5434), put any ceiling on the quantity of water which might be utilized. The 300,000 acre-foot ceilings for both divisions of the project were written into the law when it became obvious, as it may well be argued here, that substantially more water could be used by the project but that there was equally substantial question as to availability of water to satisfy the potential project area together with other uses now contemplated.

There is ample precedent for a disclaimer of any commitment to further transmountain diversions and for a ceiling on the water to be used for a particular project in statutes affecting the Colorado River.

2. The second amendment reads as follows:

"(e) In the construction, operation, and maintenance of all facilities authorized by Federal law and under the jurisdiction and supervision of the Secretary of the Interior for the utilization of waters of the Colorado River system, including but not limited to all works authorized by this act, the Secretary of the Interior is directed to comply with the applicable provisions of the Colorado River compact, the upper Colorado River Basin compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, the Colorado River Storage Project Act, the treaty with the United Mexican States, and any contract lawfully entered into by the United States under any of said acts, in the storage and release of waters from reservoirs, and to comply with the laws of the States in which such waters are used relating to the control, appropriation, use, and distribution of water in those States, respectively. In the event of the failure of the Secretary of the Interior to so comply, any State of the Colorado River Basin may maintain an action in the Supreme Court of the United States to enforce the provisions of this section and consent is given to the joinder of the United States as a party in such suit or suits, as a defendant or otherwise."

Some objections were voiced in committee to the language of this proposed amendment. The single sole purpose of the amendment and my sponsorship of it was to provide a Federal means by which an aggrieved State might compel the Secretary of the Interior to follow the "law of the river" in the administration of this project.

This amendment derives mainly from sections 7 and 14 of the Colorado River Storage Project Act. Section 7 of that act provides that in operating hydroelectric powerplants authorized under the act the Secretary "shall not affect or interfere with the operation of the provisions of the Colorado River compact, the upper Colorado River Basin compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, and any contract lawfully entered into under said compacts and acts. Subject to the provisions of the Colorado River compact, neither the impounding nor the use of water for the generation of power and energy at the plants of the Colorado River storage project shall preclude or impair the appropriation of water for domestic or agricultural purposes pursuant to applicable State law." And section 14 provides:

"In the operation and maintenance of all facilities, authorized by Federal law and under the jurisdiction and supervision of the Secretary of the Interior in the basin of the Colorado River, the Secretary of the Interior is directed to comply with the applicable provisions of the Colorado River compact, the upper Colorado River Basin compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, and the treaty with the United Mexican States, in the storage and release of water from reservoirs in the Colorado River Basin. In the event of the failure of the Secretary of the Interior to so comply, any State of the Colorado River Basin may maintain an action in the Supreme Court of the United States to enforce the provisions of this section, and consent is given to the joinder of the United States as a party in such suit or suits, as a defendant or otherwise."

The proposed amendment would require compliance by the Interior Department with the laws of the respective States in which the waters are used relating to control, appropriation, use, and distribution of water released from reservoirs, failing which the Government could be taken to the Supreme Court. Many separate Federal statutes, from the act of July 26, 1866, to the act of July 2, 1956, have recognized State law as governing water rights. But, as I say, my basic desire is the enforcibility of "the law of the river."

The thrust of this amendment is that if the Secretary of the Interior does not abide by the "law of the river," the Government may be joined in the Supreme Court. Without the presence of the Government there can be no litigation on the Colorado River. The Supreme Court decided that 20 years ago. Protestations already in S. 60, that the project shall be subject to the "law of the river," without subjecting the United States to suit, are meaningless. Just a few months ago the Supreme Court dismissed a complaint by Texas against New Mexico to enforce the Rio Grande compact. The United States told the Court that it was indispensable by reason of Federal interests in the stream, and declined to join. The Court had no alternative but to dismiss Texas, leaving the State with no remedy. About a week ago the Senate received a resolution from the Texas Legislature asking Congress to enact legislation consenting to the joinder of the Government in any suit or controversy involving the Rio Grande compact. (See CONGRESSIONAL RECORD, p. 6064, April 29, 1957.) Sovereign States compacting with one another should not be remitted to such a procedure in order to be enabled to test in court an alleged violation of their own solemn agreement.

Under this amendment the Secretary would be required to abide by the laws of the State in which water was to be used—that is, those laws relating to control and use of water. As far as the Fryingpan project is concerned, the proponents say only users in Colorado are involved. Accordingly only Colorado law would have to be honored. Numerous Federal statutes over the years have stipulated that the water laws of the States should be adhered to. This would confirm this principle as to the Fryingpan project, as well as to other projects within the Colorado River Basin.

CONCLUSION

It is my judgment that two amendments related to disclaimer and litigation would strengthen the chances of the bill becoming law, without damaging it in any fashion. The disclaimer amendment is justified; the Bureau of Reclamation itself has recommended it. The proponents insist the project will not extend beyond average diversions of 69,000 acre-feet per annum. The language of section 1 now permits additions to the works proposed, without qualification. There is ample precedent in several statutes affecting the Colorado River.

As to the litigation amendment, it is idle to subject a project to the "law of the river," as the present language of section 7 of S. 60 does, without giving consent to join the

United States in a lawsuit which might become necessary to test whether there was compliance with that body of law. The bill gives a right without a remedy. My amendment would cure this deficiency.

THOMAS H. KUCHEL.

Mr. ALLOTT. Mr. President, I do not propose to reply at length to the very able arguments of the distinguished Senator from California.

On page 2 of the bill reference is made to House Document No. 187, of the 83d Congress, which strictly limits this project to the Fryingpan-Arkansas project.

As has been brought out in all the hearings, it would be physically impossible to extend this project, under this authorization, to any of the tributaries of the Gunnison River.

The second argument against the proposal of the Senator from California is that the limitation contained in the amendment would not permit the proper operation of the project, because in some years more than 69,000 acre-feet of water will be diverted, and in other years fewer will be diverted. This proposal would limit the diversion to an annual amount of 69,000 acre-feet. It was never contemplated that the project would be operated in that manner.

Third, I should like to refer to the report of the Senate committee in the 83d Congress, in which is recited the history of the proposal. I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the statement in the report under the heading of "History of Present Proposal." It shows, in several different ways that no such project is contemplated, and that it could not be constructed or accomplished under the legislation which is proposed. Therefore we ask that the amendment be defeated.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

HISTORY OF PRESENT PROPOSAL

A preliminary draft of a planning report which covered the presently proposed works of the Fryingpan-Arkansas project was made public on September 1, 1948, by the Bureau of Reclamaton's regional director at Denver, Colo. The project there proposed was referred to as the initial development or first phase of a Gunnison-Arkansas project, but its physical plan was substantially the same as that for the present Fryingpan-Arkansas project. The development was understood to be completely self-contained.

After thorough review, the Colorado State Water Conservation Board recommended in February 1951 that the proposed undertaking be renamed the Fryingpan-Arkansas project. This recommendation was made in order to avoid even a semblance of an endorsement on the part of certain interests in Colorado of an ultimately larger development which other interests contemplated. The understanding is clearly expressed in the following paragraphs from Senate Document 106, 82d Congress:

Page 33:

"It is recommended that this project shall hereafter be referred to as the Fryingpan-Arkansas project. Approval of this provision by eastern Colorado representatives shall not be implied as an abandonment of their expressed intention to obtain approval of a project from the Gunnison River, nor shall approval of this provision by western Colorado representatives be construed as any consent on their part to the authorization of a project for the exportation of water from the Gunnison River to eastern Colorado."

Page 34:

"Colorado's approval of the plans set out in the report and of the authorization of the project is conditioned upon compliance with the operating principles set forth in the report (see par. 74, pp. 27 to 33, both inclusive) and also full recognition and compliance with those portions of the policy and review committee's report, as revised and approved by the Colorado Water Conservation Board, which are omitted from the report and which are hereinabove set out; except that, as to the name of the project, it is recommended and urged that in an appropriate manner the project should hereafter be known and referred to as the 'Fryingpan-Arkansas project.' It is noted from the letter of the Commissioner of Reclamation to the Secretary of the Interior, contained in the report, that it is stated:

"'* * * This development is designed as a self-contained unit, and its construction would not imply a commitment for developing future water supplies in the Gunnison River Basin for diversion to the Arkansas River Basin.'

"Colorado approves this statement, but such a statement lends weight to the reason for changing the name of the project as herein recommended. Diversion from the Fryingpan River to the Arkansas River has no relation to the Gunnison River. It is not proposed under this 'self-contained' project to divert water to the Arkansas Basin from the Gunnison River. The identification of the project on the cover of the report and used throughout the report—'Initial development, Gunnison-Arkansas project, Roaring Fork diversion, Colorado'—is a misnomer and misleading, and in the future may, in some manner, lead to unwarranted implications. In addition to the recommended change in the project identification, Colorado requests that the project be authorized as the 'Fryingpan-Arkansas project.'"

Mr. CARROLL. Mr. President, this is another amendment which was presented in committee and given full consideration, as the distinguished senior Senator from Colorado has said. For all the reasons assigned by him, I hope the amendment will be rejected.

The Gunnison River is in a different drainage area, and could not possibly be included within the Fryingpan-Arkansas project. This is one of the principal reasons why the amendment should not be agreed to. Furthermore, it is my information from the Bureau of Reclamation that if the limitations in this amendment were to be adopted by this body and the other body and incorporated into law, it would render the project infeasible. I hope the amendment will be rejected.

Mr. KUCHEL. Mr. President, let me say, in a single sentence, that if the Gunnison-Arkansas project is not at all complicated in the passage of this bill, the simplest way to say so is to agree to the amendment which I have offered, so that it will be there for all to see.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California [Mr. KUCHEL].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 60) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purpose of supplying water for irrigation, municipal, domestic, and industrial uses, generating and transmitting hydroelectric power and energy, controlling floods, providing for the preservation and propagation of fish and wildlife and preserving and improving recreational opportunities, and for other useful and beneficial purposes, the Secretary of the Interior, acting pursuant to the Federal reclamation laws, Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto, as far as those laws are not inconsistent with the provisions of this Act, and subject to the apportionments of the use of water fixed in the Colorado River Compact and the Upper Colorado River Basin Compact and to the terms of the Boulder Canyon Project Act, and to the terms of the United States-Mexico Water Treaty of 1944 (Treaty Series 994), is hereby authorized to construct, operate, and maintain the Fryingpan-Arkansas project, Colorado, in substantial accordance with the engineering plans therefor set forth in House Document No. 187, 83d Congress, 2d session, but with such modifications of, omissions from, or additions to the works therein described as the Secretary may, from time to time, find necessary or proper for accomplishing the objectives of the project.

SEC. 2. (a) Contracts to repay that portion of the cost of the Fryingpan-Arkansas project which is allocated to irrigation and assigned to be repaid by irrigation water users (exclusive of such portion of said cost as may be derived from temporary water supply contracts or from other sources) shall be entered into pursuant to subsection (d), section 9, of the Reclamation Project Act of 1939 (53 Stat. 1187) and may provide that the general repayment obligation shall be spread in annual installments, which may be varied as to any required annual payment in the light of economic factors affecting the ability of the contracting organization to pay and of water supply and water requirement conditions, but in number and amounts satisfactory to the Secretary, over a period of not more than 60 years, which period shall be inclusive of any permissible development period, for any project contract unit or for any irrigation block, if the project contract unit be divided into 2 or more irrigation blocks: *Provided*, That contracts for construction costs allocated to commercial power and municipal, domestic, and industrial water shall provide for repayment within 50 years after completion of construction.

(b) Notwithstanding any provision of law to the contrary, net revenues derived from the sale of commercial power and from the furnishing of water for municipal, domestic, and industrial use shall first be applied to the amortization, with interest, of those portions of the actual cost of construction of the project which are allocated, respectively, to commercial power and to municipal, domestic, and industrial water supply and shall thereafter be applied to amortization of that portion of said actual cost which is allocated to irrigation but which is beyond the ability of the irrigation water users to return during the period hereinbefore specified. The interest rate on the unamortized balance of the commercial power and the municipal, domestic, and industrial water-supply allocations shall be equal to the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its long-term loans outstanding on the date of this act.

(c) No part of the specific municipal water-supply systems described in House Document Numbered 187, 83d Congress, shall be construed by the Secretary in the absence of evidence satisfactory to him that it would be infeasible for the communities involved

to construct such works themselves, singly or jointly. In the event it is determined that such facilities are to be constructed by the Secretary, a contract providing, among other things, for payment of the actual cost thereof with interest and repayment period as hereinbefore provided, and as rapidly as is consistent with the contracting parties' ability to pay, and for assumption by the contracting party or parties of the care, operation, maintenance, and replacement of the works shall be a condition precedent thereto.

(d) In conformity with the provisions of subsections (a), (b), and (c) of this section, the Secretary, prior to the delivery of project water supplies, shall have entered into a contract, or contracts, with "organizations" as defined in paragraph 2 (g) of the Reclamation Project Act of 1939 (53 Stat. 1187) which have the capacity to levy assessments upon all taxable real property located within their boundaries to assist in making repayments.

(e) No contract for a supplemental water supply for irrigation under this act shall contain any restrictions respecting the right to receive such supply based upon ownership of irrigable lands, nor shall the excess land provisions of the Federal reclamation laws be applicable to lands served by the Fryingpan-Arkansas project which now have an irrigation supply from sources other than a Federal reclamation project.

SEC. 3. The Fryingpan-Arkansas project shall be operated under the direction of the Secretary of the Interior in accordance with the operating principles set forth on pages 36-39 of House Document Numbered 187, 83d Congress. The Secretary may appoint the two representatives of the United States to the Commission referred to in paragraph 17 of said principles and may adopt modification thereof upon the recommendation of the Commission: *Provided,* That such recommendations are made and adopted by said Commission in conformity to the provisions of paragraph 17 of said operating principles.

SEC. 4. Any and all benefits and rights of western Colorado water users in and to water stored in the Green Mountain Reservoir, Colorado-Big Thompson project, as described, set forth and defined in Senate Document Numbered 80, 75th Congress, first session shall not be impaired, prejudiced, abrogated, nullified, or diminished in any manner whatever by reason of the authorization, construction, operation, and maintenance of the Fryingpan-Arkansas project authorized by this act.

SEC. 5. Any provision of law to the contrary notwithstanding, the project herein authorized shall be operated in such a manner that those in eastern Colorado using project water imported from the Colorado River Basin for domestic purposes shall have preference over those claiming or using the water for any other purpose.

SEC. 6. The Secretary is authorized to plan, construct, operate, and maintain public recreational facilities on lands withdrawn or acquired for the development of the Fryingpan-Arkansas project, to conserve the scenery, the natural, historic, and archeologic objects, and the wildlife on said lands, and to provide for public use and enjoyment of the same and of the water areas created by these projects by such means as are consistent with the primary purposes of said project and to mitigate losses of and improve conditions for the propagation of fish and wildlife in connection with the development of the Fryingpan-Arkansas project. The Secretary is authorized to acquire lands and to withdraw public lands from entry or other disposition under the public land laws for the construction, operation, and maintenance of recreational facilities in connection with the said project, and to dispose of them to Federal, State, and local governmental agencies by lease, transfer, exchange, or conveyance, upon such terms and conditions as will best promote their development and operation in the public interest: *Provided,* That all lands within the exterior boundaries of a national forest acquired for recreational or other project purposes which are not determined by the Secretary of the Interior to be needed for actual use in connection with the reclamation works shall become national forest lands: *Provided further,* That the Secretary of the Interior shall make his determination hereunder within 5 years after approval of this act or, in the case of individual tracts of land, within 5 years after their acquisition by the United States: *And provided further,* That the authority contained in this section shall not be exercised by the Secretary of the Interior with respect to national forest lands without the concurrence of the Secretary of Agriculture. The costs, including the operation and maintenance costs of all said undertakings shall be nonreimbursable and nonreturnable under the reclamation laws, and funds appropriated for carrying out the authorization contained in section 1 of this act shall, without prejudice to the availability of other appropriated moneys for the same purpose, also be available for carrying out the investigations and programs authorized in this section.

SEC. 7. (a) The use of water diverted from the Colorado River to the Arkansas River Basin through works constructed under authority of this act shall be subject to and controlled by the Colorado River compact, the upper Colorado River Basin compact, the Boulder Canyon Project Act, and the Mexican Water Treaty (Treaty Series 994), as hereinbefore provided, and shall be included within and shall in no way increase the total quantity of water to the use of which the State of Colorado is entitled and limited under said compacts, statute, and treaty, and every contract entered into under this act for the storage, use, and delivery of such water shall so recite.

(b) All works constructed under authority of this Act, and all officers, employees, permittees, licensees, and contractees of the United States and of the State of Colorado acting pursuant thereto, and all users and appropriators of water of the Colorado River system diverted or delivered through the works constructed under authority of this Act and any enlargements or additions thereto shall observe and be subject to said compacts, statute, and treaty, as hereinbefore provided, in the diversion, delivery, and use of water of the Colorado system, and such condition and covenant shall attach as a matter of law whether or not set out or referred to in the instrument evidencing such permit, license, or contract and shall be deemed to be for the benefit of and be available to the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming and the users of water therein or thereunder by way of suit, defense, or otherwise in any litigation respecting the waters of the Colorado River system.

(c) None of the waters of the Colorado River system shall be exported from the natural basin of that system by means of works constructed under authority of this Act, or extensions and enlargement of such works, to the Arkansas River Basin for consumptive use outside of the State of Colorado, and no such waters shall be made available for consumptive use in any State not a party to the Colorado River Compact by exchange or substitution or, as far as the same is controllable through the operation of works herein or hereafter authorized, by use of return flow; nor shall the obligations of the State of Colorado under the provisions of the Arkansas River Compact (63 Stat. 145) be altered by any operations of the Fryingpan-Arkansas project.

(d) No right or claim of right to the use of the waters of the Colorado River system shall be aided or prejudiced by this Act, and the Congress does not, by its enactment, construe or interpret any provision of the Colorado River Compact, the Upper Colorado River Basin Compact, the Boulder Canyon Project Act, or the Mexican Water Treaty or subject the United States to, or approve or disapprove any interpretation of, said compacts, statute, or treaty, anything in this act to the contrary notwithstanding.

SEC. 8. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act.

ASSESSMENT WORK ON UNPATENTED MINING CLAIMS

Mr. MANSFIELD. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 543, House bill 4748.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 4748) to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims, subject to that act may be made.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. CASE of South Dakota. Mr. President, the pending bill passed the House, and it must be passed today by the Senate because the present act expires on June 30. It is recommended by the Atomic Energy Commission and by the Secretary of the Interior, and I know of no objection to it.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent to have a brief statement on the purposes of the bill printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CASE OF SOUTH DAKOTA

The pending bill extends to July 1, 1958, the time for completing assessment work on certain mining claims in uraniferous lignite located under the act of August 11, 1955. It is a companion bill to S. 1345, which I introduced February 25, 1957.

At hearings on the bill conducted by the House Committee on Interior and Insular Affairs, representatives of the Department of the Interior and the Atomic Energy Commission testified in behalf of the bill. A formal report by the Atomic Energy Commission submitted May 31, 1957, says:

"The Atomic Energy Commission is presently performing studies and is engaged in pilot-plant work at Grand Junction, Colo., to develop an economic process for the recovery of uranium from the lignites. Extensive investigations are also being conducted by private organizations for the same purpose. Significant results of the AEC work and of the private investigations are not expected until after July 1, 1957.

"Consequently, many of the miners and prospectors holding uraniferous lignite claims validated or staked pursuant to the act of August 11, 1955, are uncertain as to whether there is, or will be, a market for their ore. They have no assurance that additional expenditures in development of their mining properties are warranted.

"In view of the foregoing situation, the proposed legislation appears to be desirable and equitable.

"In the absence of such relief, mining claims located as a result of considerable effort might be lost through failure to make expenditures for assessment work prior to July 1, 1957. Apparently the holders of these claims are in many cases not in a position to make such expenditures on the gamble that a market may develop for the uraniferous lignites. The claims held by these parties might have substantial value within a few months after July 1, 1957, as a result of the construction of a private processing mill.

"Unless H. R. 4748 becomes law, if an economic process for recovering uranium from lignite is developed, third parties, including the companies making the decision to build a mill or mills would be in a good position to relocate the abandoned claims and thus with little or no expense benefit from the original locator's efforts."

It should be noted that the bill does not waive assessment work; it merely extends the time in which it may be performed so as to permit claim holders to learn the results of the research now underway at Grand Junction.

DEVELOPMENT AND MODERNIZATION OF THE NATIONAL SYSTEM OF AVIATION NAVIGATION AND TRAFFIC CONTROL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which is S. 1856.

The Senate resumed the consideration of the bill (S. 1856) to provide for the development and modernization of the national system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, and for other purposes.

Mr. SMATHERS. Mr. President, the bill before the Senate results from a recommendation made by Gen. Edward P. Curtis, who had been appointed by the President of the United States to make recommendations as to what could be done to improve the air traffic control system in the United States.

I shall not take the time of the Senate to establish the fact that some improvement is needed, and needed immediately, if we are not shortly to see a tragic accident occur as our airplanes, under great difficulty, try to avoid each other under present high speed conditions over our major airports.

The recommendation made by General Curtis was that there be established an airways modernization board, whose chairman would be appointed by the President, with the Secretary of Defense and Secretary of Commerce also serving as members.

The only changes which were made by the Committee on Interstate and Foreign Commerce were, first, that the chairman be appointed by the President of the United States with the advice and consent of the Senate; second, that the board, once it is functioning, shall cooperate with the CAB as well as with the Federal Communications Commission, and make no recommendation as to anything that should be done unless it has first received the approval of these other two governmental agencies. The board is also required to make recommendations concerning the creation of a new Federal airways agency.

The bill has the approval of all the departments of Government and it was unanimously recommended by the committee. I know that the able senior Senator from Ohio has some comments to make on the bill at this time, and I shall yield so that he may do so.

Mr. BRICKER. I thank the distinguished Senator from Florida for yielding to me at this time. I am engaged in conference on the housing bill, and I appreciate the opportunity of speaking on the pending bill at this time.

Mr. President, the Senate Committee on Interstate and Foreign Commerce has favorably reported S. 1856, legislation to establish an Airways Modernization Board to develop and modernize the national system of navigation and traffic control to be utilized by and to serve our military and civilian aviation needs.

The legislation was reported with a few minor clarifying amendments. Basically, it is in the form in which it was presented to the committee by Gen. Edward P. Curtis, who has made an exhaustive study of the aviation needs of our Nation while serving as Special Assistant to the President for aviation facilities planning. General Curtis has made a great contribution to our country and to aviation planning by his keen analysis and his forward approach to the complex problems aviation faces in this area. Without an adequate program to meet these needs, we would soon find that full use of our facilities and our airways would be almost impossible. The seriousness of the problem is accented by the realization that the "jet age" of commercial transport will soon be upon us.

In my opinion enactment of this legislation is urgently needed. Creation of the Airways Modernization Board is but the first step of a comprehensive plan conceived and recommended by the President's Special Assistant, General Curtis. This legislation will be a keystone in our approach to a solution of the complex problems which we find confront us in our attempts to promote safe flying for all our pilots—private, commercial, and military.

We must have the most reliable and best system of air navigation which can be developed. Almost all of the Members of the Senate are aware of the TACAN controversy and its attendant high cost to the taxpayers of the country. That situation arose partly because of the failure to properly coordinate activities in the research area concerned with devices for safe air navigation. I believe such a problem would not have confronted us if our governmental organizations had a central agency charged with responsibility for planning in this field. Previously we have had many committees within the executive branch which have been charged with responsibility for a certain part or segment of aviation facility planning. There has existed overlapping of functions, petty jealousy and individual agency interest and almost utter confusion. Creation of the Airways Modernization Board will establish a single agency which will overcome the many difficulties which have confronted us in this important field. The report of our committee and the Curtis report have presented the facts, which in my opinion, make it abundantly clear that a new approach must be made to solving our air navigation and traffic control needs if we are to make progress to achieve a greater, safer use of our aviation facilities and our airways. I urge my colleagues to vote in favor of S. 1856.

I do not believe there is anything more important to the safety of the individual citizen than enactment of the pending bill, so that there may be prepared immediately a well formulated and constructive program whereby all branches of aviation will be coordinated.

I again thank the Senator from Florida for permitting me to speak at this time.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. SMATHERS. I shall be happy to yield to the Senator from Kansas; but first I should like to thank the able Senator from Ohio for his statement on the importance of the proposal we have under consideration this afternoon, and to thank him also for his always vigorous interest in the subject of aviation. His endorsement of the bill before the Senate gives it great weight and authority. I thank him for the statement he has made.

Mr. BRICKER. I thank the Senator from Florida.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. SMATHERS. I now yield to the Senator from Kansas, who is a member of the committee.

Mr. SCHOEPPEL. Mr. President, I wish to associate myself with the statements which have been made by the distinguished Senator from Florida [Mr. SMATHERS] and the distinguished Senator from Ohio [Mr. BRICKER] with reference to the importance of the bill which is being considered today. It will do much and contribute much, in a worthwhile manner, to the future of aviation in our country. The Committee on Interstate and Foreign Commerce, in handling the bill and in expediting its consideration has rendered great service not only to the Nation but to the future safety of aviation itself.

As I said before, I wish to associate myself with the statements which have been made, and to commend the Senators for vigorously pursuing the subject and bringing it to the attention of the Senate. I hope the Senate will pass the bill in the form in which it has been reported.

Mr. BRICKER. Mr. President, will the Senator yield once more?

Mr. SMATHERS. I am glad to yield.

Mr. BRICKER. I would be remiss if I did not join the distinguished Senator

from Kansas [Mr. SCHOEPPEL] in commending the chairman of the subcommittee and the membership of the committee for the diligence which they have shown in dealing with the measure before us and for the careful attention they have given to the preparation of the bill.

Mr. SMATHERS. I am very grateful to the senior Senator from Ohio and the senior Senator from Kansas for their remarks. I may say that the able junior Senator from Oklahoma [Mr. MONRONEY] was chairman of the subcommittee which heard the original testimony with reference to the bill.

It is unfortunate that at the moment he is unable to be on the floor, urging the passage of the bill; but, in absentia, he urges its passage. He favors the bill with the amendments which the committee adopted.

I think the importance of the bill can be understood when we remember that in 1946 only 6 billion passenger-miles were flown. Today, 11 years later, some 20 billion passenger-miles are being flown.

The testimony before the committee was that around the major airports today, at any given time, the radar is able to pick up some 220 planes, both military and civilian craft, flying in various directions and going at various speeds. The near misses which are now being encountered by some of the planes are enough to startle and frighten us all.

The bill is an important one. I am certain the Senate will give it its full endorsement.

The PRESIDING OFFICER. Does the Senator from Florida request that the committee amendments be considered en bloc?

Mr. SMATHERS. Mr. President, I ask that the amendments of the committee be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments will be considered and agreed to en bloc.

The committee amendments agreed to en bloc are as follows:

On page 2, line 3, after the word "the", to strike out "President" and insert "President, by and with the advice and consent of the Senate,"; in line 14, after the word "devices", to insert "as well as define the performance characteristics thereof"; in line 23, after the word "whether", to strike out "any need is properly"; in the same line, after the word "matter", to insert "is"; and in the same line, after the word "primary", to insert "concern to the"; in line 24, after the word "military", to strike out "concern"; on page 3, line 4, after the word "of", to insert "or possible conflict with"; in line 15, after the word "extent", to strike out "appropriate" and insert "necessary"; in line 7, after the word "properly", to strike out "considered" and insert "considered and future potential conflicts with the common system are eliminated"; after line 8, to insert:

"(c) The Board, before selecting any system, procedure, facility, or device, is directed to effect coordination with the Civil Aeronautics Board and the Federal Communications Commission in order to assure that full consideration is given to all of the statutory responsibilities of the Civil Aeronautics Board and the Federal Communications Commission."

At the beginning of line 16, to strike out "(c)" and insert "(d)"; on page 5, line 22, after the word "With", to insert "the"; and in the same line, after the word "President", to strike out "uniformed personnel of the Department of" and insert "members of"; in line 23, after the word "Army", to strike out "the Department of"; in line 24, after the word "Navy", to strike out "and the Department of"; on page 6, line 1, after the word "Force", to insert "or the Marine Corps", and on page 8, after line 8, to insert:

"INDEPENDENT AVIATION AUTHORITY

"SEC. 7. It is the sense of the Congress that on or before January 15, 1959, a program of reorganization establishing an independent aviation authority, following the objectives and conclusions of the Curtis report of May 14, 1957, entitled "Aviation Facilities Planning", be submitted to the Congress."

So as to make the bill read:

"Be it enacted, etc., That this act may be cited as the Airways Modernization Act of 1957.

"AIRWAYS MODERNIZATION BOARD

"SEC. 2. (a) There is hereby established the Airways Modernization Board, hereinafter referred to as the 'Board'. The Board shall consist of three members: A Chairman of the Board, hereinafter referred to as the 'Chairman,' who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate of $20,500 per annum, the Secretary of Defense, and the Secretary of Commerce. Either of the said Secretaries may designate an officer of his Department to act in his stead as a member of the Board with respect to any matter or matters. All actions of the Board except those relating to transfers of functions as provided in section 4 of this act shall be by affirmative vote of a majority of its members.

"(b) The Board shall develop, modify, test, and evaluate systems, procedures, facilities, and devices, as well as define the performance characteristics thereof, to meet the needs for safe and efficient navigation and traffic control of all civil and military aviation except for those needs of military agencies which are peculiar to air warfare and primarily of military concern, and select such systems, procedures, facilities, and devices as will best serve such needs and will promote maximum coordination of air traffic control and air defense systems. When there is any substantial question as to whether a matter is of primary concern to the military, the Board is authorized and directed to determine whether it or the appropriate military agency shall have responsibility. Technical information concerning any research and development projects of the military agencies which have potential application to the needs of, or possible conflict with, the common sysem shall be furnished to the Board to the maximum extent necessary to insure that common system application potential is properly considered and future potential conflicts with the common system are eliminated.

"(c) The Board, before selecting any system, procedure, facility, or device, is directed to effect coordination with the Civil Aeronautics Board and the Federal Communications Commission in order to assure that full consideration is given to all of the statutory responsibilities of the Civil Aeronautics Board and the Federal Communications Commission.

"(d) The Board is also authorized—

"(1) subject to the civil-service and classification laws, to select, employ, appoint, and fix the compensation of such officers, employees, attorneys, and agents as shall be necessary to carry out the provisions of this act, and to define their authority and duties;

"(2) to appoint such advisory commitees as shall be appropriate for the purposes of consultation and advice to the Board in performance of its functions hereunder and to obtain services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55 (a)), at rates not to exceed $100 per diem for individuals. Members of such committees shall be entitled to travel expenses and per diem authorized by the act of August 2, 1946 (5 U. S. C. 73 b–2), for all persons employed intermittently as consultants or experts receiving compensation on a per diem basis;

"(3) to enter into contracts without regard to section 3648 of the Revised Statutes, as amended (31 U. S. C. 529);

"(4) to use with their consent the available services, equipment, personnel, and facilities of other agencies and instrumentalities of the Federal Government on a reimbursable basis when appropriate, and on a similar basis to cooperate with other agencies and instrumentalities in the use of services, equipment, and facilities of the Board;

"(5) to place in grades 16, 17, and 18 of the General Schedule established by the Classification Act of 1949, as amended, not to exceed 20 positions. Any such position shall be additional to the number authorized by section 505 of that act and shall be subject to the standards and procedures of such section;

"(6) to establish and fix the compensation for not to exceed five positions of officers and employees of the Board of a scientific or professional nature without regard to the Classification Act of 1949, as amended, each such position being established to effectuate those research, development, and related activities of the Board which require the services of specially qualified scientific or professional personnel. The rates of basic compensation for positions established pursuant to this subsection shall not exceed the maximum rate payable under Public Law 313, 80th Congress, as amended, and Public Law 854, 84th Congress, and shall be subject to the approval of the Civil Service Commission. Positions created pursuant to this subsection shall be included in the classified civil service of the United States, but appointment to such positions shall be made without competitive examination upon approval of the proposed appointee's qualifications by the Civil Service Commission or such officers or agents as it may designate for this purpose; and

"(7) to construct, improve, or renovate laboratories and other test facilities and to purchase or otherwise acquire real property required therefor.

"(d) With the approval of the President, members of the Army, the Navy, the Air Force, or the Marine Corps, may be detailed by the appropriate Secretary, pursuant to cooperative agreements with the Board, for services in performance of functions under this act to the same extent to which they might lawfully have been assigned to such service in the Department of Defense.

"DUTIES OF THE CHAIRMAN

"SEC. 3. (a) Except as provided in subsection (b) hereof, and in the selection of systems, procedures, facilities, and devices, the Board shall assign to the Chairman responsibility for carrying out activities of the Board. Included among the responsibilities of the Chairman shall be (1) the appointment and supervision of personnel employed under the Board, (2) the distribution of business among such personnel and among administrative units of the Board, and (3) the use and expenditure of funds.

"(b) (1) In carrying out any of his functions under the provisions of this section, the Chairman shall be governed by general policies of the Board.

"(2) The appointment by the Chairman of the heads of major administrative units under the Board shall be subject to the approval of the Board.

"(c) The Chairman may from time to time make such provisions as he shall deem appropriate authorizing the performance by

any officer, employee, or administrative unit under his jurisdiction of any function of the Chairman assigned to him by this section.

"TRANSFER OF RELATED FUNCTIONS

"SEC. 4. The Board, upon unanimous decision and with approval of the President, may transfer to itself any functions (including powers, duties, activities, facilities, and parts of functions) of the Departments of Defense or Commerce or of any officer or organizaitonal entity thereof which relate primarily to selecting, developing, testing, or evaluating systems, procedures, facilities, or devices for safe and efficient air navigation and air traffic control. In connection with any such transfer, the President may provide for appropriate transfers of records, property, necessary civilian personnel, and unexpended balances of appropriations, allocations, and other funds available or to be made available of the officers, department, or other agency from which the transfer is made.

"TERMINATION

"SEC. 5. This act and all authority conferred thereunder shall terminate at the close of June 30, 1960, but the President may continue the Board for purposes of liquidation for not to exceed 6 months after such termination. Concurrentiy with the said terminaination all functions transferred under section all functions transferred under secwise hereafter provided by or pursuant to law, revert to their status as it existed prior to such transfer. The President shall provide for the disposition to be made of the records, property, employees, and funds of the Board, consonant with law, at or after the time of termination of the Board.

"APPROPRIATION

"SEC. 6. There are hereby authorized to be appropriated, without fiscal year limitation, such sums as may be necessary and appropriate for the carrying out of the provisions and purposes of this act.

"INDEPENDENT AVIATION AUTHORITY

"SEC. 7. It is the sense of the Congress that on or before January 15, 1959, a program of reorganization establishing an independent aviation authority, following the objectives and conclusions of the Curtis report of May 14, 1957, entitled 'Aviation Facilities Planning', be submitted to the Congress."

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE C. McCONNAUGHEY, CHAIRMAN OF THE FEDERAL COMMUNICATIONS COMMISSION

Mr. BRICKER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point two letters, one from the President of the United States to the Chairman of the Federal Communications Commission, and the other, a letter from the Chairman to the President.

Mr. George C. McConnaughey, the Chairman of the Federal Communications Commission, comes from my State. He served as Chairman of the Ohio Public Utility Commission while I was Governor. He did an excellent job there, and in my judgment he has done a most excellent job as Chairman of the Federal Communications Commission, during a very trying period in the history of the Commission. The problems are intense, and the values of the stations are very great; and the import to the public is of great importance, and will grow more important as the years go by.

I wish to add my word of commendation for the fine service he has rendered and to extend to him my best wishes as he resumes the private practice of law in my home city of Columbus, Ohio.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

The White House today made public the following exchange of correspondence between the President and the Honorable George C. McConnaughey, Chairman of the Federal Communications Commission:

"DEAR MR. CHAIRMAN: I have your letter advising me of your plan to retire from Government service upon the completion of your present term as a member of the Federal Communications Commission.

"While I fully understand and appreciate the reasons for your decision, it is, of course, with regret that I learn of it. Both as Chairman of the Renegotiation Board and as Chairman of the Federal Communications Commission, you have rendered able and distinguished service to the Nation and to this administration. I trust that it has given you a great deal of personal satisfaction to carry on in these important posts of duty and that the knowledge of your contribution in each of these fields will continue to be a source of pride for you.

"In thanking you for all that you have done, I want also to convey to you my very best wishes for your success and happiness in the years ahead.

"Sincerely,

"DWIGHT D. EISENHOWER."

"DEAR MR. PRESIDENT: My term as a member of the Federal Communications Commission ends June 30, 1957. Due to personal considerations I feel I must retire from Government service upon that date.

"It has indeed been a privilege to serve in your administration as Chairman of the Renegotiation Board and the Federal Communications Commission. To have been permitted to serve in these positions under the leadership of the most able President of the United States during my lifetime has been a most delightful experience and I shall always cherish the memories of this service.

"If Mr. President, I can ever be of any service to you, I hope you will command me.

"Respectfully yours,

"GEORGE C. MCCONNAUGHEY."

AMENDMENT OF INTERSTATE COMMERCE ACT, AS AMENDED

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of calendar 472, S. 1459.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1459) to amend section 208 (c) of the Interstate Commerce Act, as amended.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. SMATHERS. Mr. President, I do not believe any amendments will be offered to the bill. The bill was unanimously reported by the Committee on Interstate and Foreign Commerce.

In essence, it provides that in the future any applicant for a charter to operate a truck or bus service must apply to the Interstate Commerce Commission for such a charter. The present law provides that anyone who is authorized to operate a bus or truck service in and around a municipality has the right to lease or charter his vehicles.

It has been found that many such operators today are not genuinely engaged in the transportation business; that is, they are not seeking to provide transportation within a municipality or an urban area. All they are seeking to do is to get a permit which, in its origin, would permit them to run a bus or truck service, when in truth they do not want to run such a service, but only want to conduct a charter service.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. McNAMARA. The Senator said the bill applies only to motor vehicle transportation operators who will go into business in the future.

Mr. SMATHERS. That is correct.

Mr. McNAMARA. Is there any showing of a need for this type of legislation at present?

Mr. SMATHERS. Yes; the committee heard from a large number of owners of small buslines who operate, in most cases, in municipalities. They testified in favor of the bill on the ground that their buslines were being operated on a very slim margin of profit, and that the only way in which they could actually get into or stay in the black was by chartering their buses, a privilege which is automatically granted to them now.

But they found that other people, in order to skim the cream off the business of the bus operators, so to speak, would make application to operate buses, when in actuality they had no intent of conducting bus operations, but merely wanted certification so that subsequently they could lease their vehicles for charter, thereby taking away the business of the regularly established operators of bus service.

Mr. McNAMARA. I read from the report as follows:

It should be emphasized that the intent of the proposed amendment is to require in the future that applicants for common carrier authority to transport passengers by motor vehicle in interstate commerce be required to show a need for the service of transporting special or charter parties, instead of obtaining such right upon showing only a need for transportation over a specified route as a common carrier.

Mr. SMATHERS. That is correct.

Mr. McNAMARA. I do not get the distinction.

Mr. SMATHERS. That distinction is this: As the law is at present, a motor vehicle transport operator can file an application to provide bus service in a rapidly growing area. Perhaps a bus line is already in existence. When the applicant gets a certificate from the Interstate Commerce Commission today, the certificate carries with it automatically the right also to engage in a charter service.

The purpose of the bill is to provide that in the future such applicants will have to return to the Interstate Commerce Commission if they wish to engage in a charter service, and to get additional certificate for such service.

Mr. McNAMARA. What is not clear to me is what will be accomplished by the proposed legislation. The bill will not cure the ills which now exist, because obviously it will not affect any of the companies now in business. They could still continue the malpractice which the Senator from Florida points out exists at present.

Mr. SMATHERS. Yes.

Mr. McNAMARA. Nothing will be cured by the bill. All the bill does is to restrict those who might in the future wish to enter the business.

Mr. SMATHERS. That is exactly correct. I would not want to use the word "malpractice"; but, so far as the bill is concerned, it does not affect any conditions which now exist. It merely provides for additional licensing in the future.

In the future, any person or group of persons who seek to provide transportation by bus, for example, must not only get a certificate from the ICC, but also, if they seek to use their buses for charter purposes, must prove to the Interstate Commerce Commission that there is a necessity for such service, in order to get the additional permit.

Mr. McNAMARA. I can understand the Senator's objection to the word "malpractice," but that was my interpretation of the condition which the Senator said existed, namely, that, through subterfuge, permits were obtained from the ICC, and then the operators engaged in a business which was far afield from that for which the permit was issued. If the Senator objects to that word, I can understand his position; but to me, such an activity is malpractice.

Mr. SMATHERS. It is evident that the Senator from Michigan understands the problem completely.

Mr. McNAMARA. I still think there is no great showing of the need for the proposed legislation. I raised the point because I question whether the Federal Government should enter an area of regulating business unless there is a clear need for correction by the Federal Government in interstate commerce. I understand that the bill applies only to interstate commerce.

Mr. SMATHERS. That is correct. The bill is an Interstate Commerce Commission bill. It was introduced by the Senator from Washington [Mr. MAGNUSON] at the request of the Commission.

I may say to the able Senator from Michigan, however, that a very thorough showing was made on the part of bus operators, especially the municipally owned bus lines, that it was necessary for them to have some protection if they were to continue to survive.

As the able Senator from Michigan fully appreciates, most of the transportation companies today are operating with only a slight margin of profit. Many of them are dropping out of the field completely because of the unwarranted competition which is skimming off the cream of their business. We do not think that such a condition is desirable, and the Interstate Commerce Commission does not think it is desirable, because transportation service must be provided to enable people to go back and forth between their homes and their work.

Mr. McNAMARA. My own city of Detroit has a municipally operated transportation system. I can understand the problem of the people engaged in the transportation business. The same is true of the privately operated transportation system in the District of Columbia. But generally they will not be affected by this measure, because it applies only to interstate travel.

Mr. SMATHERS. In this particular instance, if we consider, for example, the situation in the vicinity of the city of Washington, I think the Senator from Michigan will agree that travel from Virginia or Maryland to the District of Columbia of itself places a bus company under the jurisdiction of this particular measure, because interstate travel is involved. It is true that the bill will not cure the evil with respect to municipally owned buslines in cities, when the buslines do not cross State lines. But, on the other hand, there are cases where service is provided by bus companies which travel 200 or 300 miles—for instance, perhaps from Michigan to the upper peninsula and into Minnesota, thus constituting interstate commerce; and therefore the companies come to the Interstate Commerce Commission and seeking its direction.

We provide for the existing companies what are called "grandfather" rights; but by this measure we require that all those who seek to operate in that way in the future must demonstrate that there is a need not only for the service they seek to supply, but also for the charter service which goes with it.

Mr. McNAMARA. I understand the Senator's point; but I repeat that it is quite a minor one, so far as municipally operated systems are concerned.

In the case of a Michigan company whose operations cross into the upper peninsula, the problem is a very minor one; and I do not think legislation is needed in that connection.

The operations between the District of Columbia and Maryland and Virginia are exceptional, and of course the problem arises to a much greater degree in that case.

I should like to ask a further question: Did representatives of the railroad companies testify regarding the bill? Were the railroad companies concerned in any way?

Mr. SMATHERS. They did not come forward, nor did they make any representation whatsoever with respect to the bill.

Mr. McNAMARA. I thank the Senator from Florida for the information.

Mr. SMATHERS. I thank the Senator from Michigan.

Mr. President, I must disagree with the Senator from Michigan to this extent: Of course all legislative matters, particularly in this technical field, apply in many instances to only a few concerns. But to the particular concerns involved, this matter is of enormous concern.

In this case, those who operate across a State line cannot obtain a remedy except by means of action by the Congress. Therefore, although this matter may not be of concern to a great many persons, as compared with the total population of the Nation, nevertheless, a large number of persons or companies are concerned; and in the case of the individual companies which are concerned, the Congress is the only place where they can obtain relief.

Mr. McNAMARA. I respond only by saying that if the proposed legislation applied to the existing companies, I think the argument would be sound. However, the purpose of the bill is only to prevent the evils in the future.

Mr. SMATHERS. The Senator from Michigan is absolutely correct. However, we cannot take away the rights which previously have been given these companies. The Senator from Michigan is absolutely correct in saying that the bill does not cure the particular evil complained of; it merely provides that in the future it will not be aggravated.

Mr. McNAMARA. I thank the Senator from Florida.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1459) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsection (c) of section 208 of the Interstate Commerce Act, as amended (49 U. S. C. 308 (c)), is amended to read as follows:

"(c) Any common carrier by motor vehicle transporting passengers under a certificate issued under this part on or before June 1, 1957, may transport in interstate or foreign commerce to any place special or chartered parties under such rules and regulations as the Commission shall have prescribed."

TRANSMISSION OF INTERNATIONAL AGREEMENTS TO THE UNITED STATES SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 530, Senate bill 603.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (S. 603) to require that international agreements other than treaties hereafter entered into by the United States, be transmitted to the Senate within 60 days after the execution thereof.

The PRESIDING OFFICER. Is there objection to the request for the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. KNOWLAND. Mr. President, this is a bill which I introduced in the Senate on January 14. The bill was unanimously reported from the Committee on Foreign Relations. In the committee report, which is available to all Senators, it is pointed out that the bill has received the support of the Department of State. Several years ago, when the bill was first introduced, a period of 30 days

was provided for. The State Department thought that too short a time. In the pending bill, the provision is for 60 days. The bill requires that the Secretary of State shall transmit to the Senate or to the Committee on Foreign Relations all such international agreements.

After the bill was reported by the committee, the members of the Joint Committee on Atomic Energy called my attention to the fact that the bill might need an additional section in order to make clear that the act was not meant to apply to the agreements for cooperation, entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended, which are now required to be filed with the Joint Committee on Atomic Energy. Obviously, the bill was not meant to cover them, because they are already being filed with the Senate, under that law.

So the Senator from Iowa [Mr. HICKENLOOPER] and other Senators suggested the adoption of an amendment which is entirely acceptable to me. I submit the amendment, send it to the desk, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

SEC. 3. This act shall not apply to any agreement for cooperation entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California.

The amendment was agreed to.

Mr. KNOWLAND. Mr. President, the bill itself is short, and I should like to read it into the RECORD at this time. As now amended, the bill reads as follows:

Be it enacted, etc., That title 1, United States Code, is amended by inserting therein, immediately after section 112a, a new section as follows:

"SEC. 112b. United States international agreements; transmission to Senate

"The Secretary of State shall transmit to the Senate the text of any international agreement other than a treaty to which the United States is a party as soon as practicable after such agreement has entered into force with respect to the United States but in no event later than 60 days thereafter: *Provided*, That any such agreement the immediate public disclosure of which would, in the opinion of the President of the United States, be prejudicial to the national security of the United States shall not be transmitted to the Senate as in this section provided; but shall be transmitted to the Committee on Foreign Relations under an appropriate injunction of secrecy to be removed only upon due notice from the President."

SEC. 2. The analysis of chapter 2 of title 1, United States Code, is amended by inserting, immediately after item 112a, the following:

"112b. United States international agreements; transmission to Senate."

SEC. 3. This act shall not apply to any agreement for cooperation entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 603) was ordered to be engrossed for a third reading, read the third time, and passed.

EXPRESSING THE SENSE OF THE CONGRESS ON THE PROBLEM OF HUNGARY

The PRESIDING OFFICER (Mr. MORTON in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the concurrent resolution (H. Con. Res. 204) expressing the sense of the Congress on the problem of Hungary.

Mr. KNOWLAND. Mr. President, I move that the Senate insist upon its amendment, agree to the conference requested by the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. GREEN, Mr. FULBRIGHT, and Mr. KNOWLAND the conferees on the part of the Senate.

CONSTRUCTION OF BRIDGES OVER THE POTOMAC RIVER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 486, Senate bill 944. My purpose is to have the bill made the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the District of Columbia with an amendment.

AUTHORIZATION FOR SIGNING OF ENROLLED BILLS DURING THE ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Vice President or the President pro tempore be authorized, during the adjournment following today's session, to sign enrolled bills and joint resolutions duly passed by the two Houses.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO MONDAY AT 11 A. M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until 11 a. m. on Monday, July 1.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER DISPENSING WITH CALL OF THE CALENDAR ON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on Monday, the call of the calendar, under the rule, be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, I should like to announce the schedule for Monday.

It is expected that the Defense Department appropriation bill will be reported tomorrow, and that Senate consideration will commence on Monday. In addition, the Senate should have conference reports on the Interior and Agriculture appropriation bills, as well as a continuing resolution, which I am informed the House will send the Senate on Monday.

The Senate will also take action on: First, Calendar No. 486, S. 944, amending the act of August 30, 1954, which authorized the construction of bridges over the Potomac River. This is the unfinished business of the Senate.

Second. Calendar No. 488, S. 1730, a bill to implement a treaty with the Republic of Panama.

It is hoped that on Monday, announcement can be made concerning the plans for other important measures now on the Senate Calendar or which will be on the Senate Calendar at an early date.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 1428. An act to authorize furniture and furnishings for the additional office building for the United States Senate;

S. 1429. An act authorizing the enlargement and remodeling of Senators' suites and structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate;

S. 1430. An act increasing the limit of cost fixed for construction and equipment of an additional office building for the United States Senate; and

S. J. Res. 115. Joint resolution to provide an interim extension for the Voluntary Home Mortgage Credit Program.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 3400) to provide full and fair disclosure of the character of charitable, benevolent, patriotic, or other solicitations in the District of Columbia; and for other purposes.

ADJOURNMENT TO 11 A. M. MONDAY NEXT

Mr. MANSFIELD. Under the order entered a few moments ago, I move that the Senate stand in adjournment until 11 o'clock a. m. on Monday, July 1.

The motion was agreed to; and (at 5 o'clock and 11 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, to Monday, July 1, 1957, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate June 27, 1957:

IN THE ARMY

The following-named persons for reappointment to the active list of the Regular Army of the United States, in the grade specified, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be colonel

Dwinell, John S., O41467.

To be lieutenant colonel

Farnum, Charles W., O42743.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, section 3294, as amended by Public Law 497, 84th Congress; title 10, United States Code, section 3291, as amended by Public Law 294, 84th Congress; title 10, United States Code, section 3311; title 10, United States Code, section 3292, and Public Law 737, 84th Congress:

To be major

Gardner, Henry S., MC, AO3041946.
Hogan, Henry W., MC, O4022367.
Stealey, Robert L., MC, O977278.
Tucker, Francis de S. Jr., DC, O1725839.

To be captain

Anderson, Martin F., DC.
Boyer, Carl W., Jr., MC, O4046944.
Burson, Paul E., MC, O4056364.
Butler, Donald E., MC, O1321150.
Creveling, Robert L., MC, O4051112.
Fehl, Merle I., DC, O4069952.
Floyd, Charles H., MC, O4056187.
Gillespie, Harold R., MC, O4043777.
Goldblatt, Harry, MC, O4067893.
Griggs, Kendrick L., MC, O4068001.
Hattori, Takashi, MC.
Hudson, Thomas L., MC, O4025059.
Khouri, Eli, Jr., MC.
Loe, Hardy D., Jr., MC, O4056200.
Luekens, Claude A., Jr., MC, O2273728.
Ostrander, Clinton F., Jr., DC, O1892484.
Singer, Lawrence R., MC, O4069897.
Slezak, Roy M., MC, O4050978.
Stebler, Michael E., MC.
Usrey, David C., MC, O1941879.
Vitner, Saul, MC, O4043430.
Watts, William H., JAGC, O2272010.

To be first lieutenant

Barr, Virginia M., AMSC, J100145.
Bradley, William B., MC, O4056217.
Burlack, Marion F., ANC, N900455.
Corso, William A., DC.
Costello, Barbara R., ANC, N804158.
Dorison, Ezra E., MC.
Foy, Robert E., Jr., MC.
Galaszewski, Stanley M., MC.
Green, Philip S., MC.
Hemenway, Mary, AMSC, M2903.
Johnson, Merrill C., MC.
Jones, Lee Roy G., MC, O2105036.
List, Virginia E., AMSC, M2929.
Llorens, Alfred S., MC.
Lofton, Juliet P., ANC, N805152.
Magruder, Levin F., Jr., MC.
Morgan, Richard A., Jr., MC, O2282852.
Olien, Carl J., Jr., JAGC, O4057868.
Penner, Robert, MC.
Pifer, Charles L., MC.
Robacker, Janet A., ANC, N804750.
Sallomi, Samuel J., MC, O4077961.
Schreiber, Otto J., MC, O2284100.
Shaffer, Ronald P., DC.
Shinaberger, James H., MC, O2283099.
Thomas, Romulus B., MC.
Walker, Jack B., DC.
White, John J., MSC, O4017048.
Wilkes, John D., MC.
Williams, Homer E., MC.

To be second lieutenant

Carpenter, Lois E., WAC, L1010880.
Dee, Jean P., WAC, L1010899.
Geissinger, Amy D., ANC, N805698.
Martin, Julia M., ANC, N901522.
Steelman, Lois M., WAC, L1020655.

The following-named officer for appointment, by transfer from the Department of the Air Force to the Army Medical Specialist Corps, Regular Army of the United States, in the grade specified:

To be captain

Rader, Marjorie A., 21199W.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of Public Law 737, 84th Congress:

To be first lieutenant

Hornback, Richard G., O994816.

To be second lieutenant

Behrens, Helmer H., W2206103.
Chaney, Bobby J., O4063768.
Harrell, Wilford R., Jr., O4010892.
Kurgvel, Jaan.
Miller, Clemith J., Jr., O4031494.

The following-named distinguished military students for appointment in the Medical Service Corps, Regular Army of the United States, in the grade of second lieutenant, under the provisions of Public Law 737, 84th Congress:

Bastron, Frederick C.
Gannon, Richard B.
Moore, James O.
Stone, Winifred O.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of Public Law 737, 84th Congress:

Ackerman, William J.
Adams, Eural E. E., Jr.
Aimi, Alfred C.
Amaral, David J.
Arnold, Bruce D.
Bailey, Dwayne S.
Baker, George T.
Barron, Bennie G.
Bizzell, Word G.
Boley, Clyde J.
Boyd, Eugene T., Sr.
Briley, Sidney E., Jr.
Brockway, Frank N., Jr.
Brown, Fred M.
Butler, Robert W., O4070814.
Calvert, George H.
Chapman, Thomas R.
Clark, Donald R.
Clarke, Edward F.
Clem, John M., IV
Cole, Jerry N.
Conley, James A.
Contos, Spiro J.
Coop, Harold L., Jr.
Cordell, Terry D.
Corey, Robert J.
Currie, Joe L.
Damrill, Ronald E.
DeGraw, Andrew E., Jr.
Dennison, Gary V.
Dillon, Oliver W.
Doherty, Theodore L., Jr.
Erickson, DeWayne D., O4062437.
Eskra, Michael J., Jr.
Fassl, Laverne F., O4085639.
Fick, Rudolph M., Jr.
Fiske, John R.
Fitzgerald, Donald G.
Flick, William R.
Fogle, William L.
Fry, James R.
Furlong, William J., III
Gallahorn, James T., III
Gardner, Eli
Garrison, Numan H.
Gasper, John M., Jr.
Gill, Howard J.
Gill, Joseph T., Jr.
Gray, Ernest D.
Griffin, George F.
Hill, James L. E.
Hogrefe, Jay S.
Holloway, Jack E.
Holman, Willard W., Jr.
Horrigan, George R.
Hoyt, Philip M.
Jefferies, Ansell, Jr., O4070926.
Johnson, Clifton R.
Jones, Carl W., Jr.
Kensler, Jesse W.
Kibitz, George D.
Kilpatrick, Thomas M.
King, Edwin C.
Kleinhofs, John
Landess, Robert C.
Larsen, Roger G.
Laurson, Toivo
Lawson, Sylvan L.
Lee, Larry E.
Ligon, Claude M.
Locklar, Jimmy L.
Lowe, Nicholas C.
Ludlum, Henry B., Jr.
Mangrum, Oren D.
Martenet, Ronald D., Jr.
Massey, John P.
McManus, James T.
McNerney, Charles D., II
Meeks, Norman L.
Mermagen, William H.
Mernaugh, Paul F.
Miler, Edward H.
Miller, Thomas W.
Miner, William R.
Moore, James W.
Murphy, Malcolm J.
Najera, Pete M.
Nale, Billy E.
Nash, Tom P., Jr.
Neuroth, John B.
Nielsen, Norman C.
Nix, Crispus C.
Oaks, Clarence B., Jr.
Oden, Lesley E.
O'Neil, Joseph P.
Panneton, Alfred G.
Penick, Billy R.
Plonk, Donald C.
Poteat, James D.
Proffit, Ray B.
Rahn, William E.
Reese, Cleland P.
Reuter, Edwin F.
Revels, James W.
Riddle, Walker M., Jr.
Ross, Paul M.
Rutherford, Frank E.
Ryan, Gerald E. P.
Sarver, Richard E.
Schwendinger, Charles J.
Sherwood, Dan L.
Stiff, Frederick F.
Strubi, Jacob F.
Sugg, Phillip S.
Summers, Frank B.
Swann, Roscoe A., Jr.
Sweitzer, William J.
Tear, Harry R., Jr.
Temple, William F.
Terrana, Vincent
Thomas, Edward J. F.
Tynes, Theodore R., Jr.
Upham, Laurence B.
Veselka, Herman J.
Ward, William A.
Waters, Carroll M.
Whelan, Donald J.
Williams, Jerry R.
Williamson, Kenneth C.
Wood, Nelson V.
Zirkle, Michael N.

NATIONAL GUARD BUREAU

Maj. Gen. Edgar Carl Erickson, O171317, a Reserve commissioned officer of the Army, member of the National Guard of the United States, to be Chief of the National Guard Bureau, for a period of 4 years to date from June 23, 1957, under the provisions of title 10, United States Code, section 3015.

CONFIRMATION

Executive nomination confirmed by the Senate June 27, 1957:

RAILROAD RETIREMENT BOARD

Howard William Habermeyer, of Illinois, to be a member of the Railroad Retirement Board, for the term of 5 years from August 29, 1957.

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 27, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou who art our refuge and strength and our help in times of trouble, we are again coming unto Thee in the sacred attitude of prayer, compelled by our necessities and constrained by Thy love.

Thou knowest that we are greatly concerned and disturbed about the present condition and future welfare of our Republic and the problem of its defense and security.

Grant that all our citizens may be inspired with an indomitable courage and determination to save our beloved country from those corrupting influences and evil forces which are seeking to undermine and destroy our national life.

May our chosen representatives daily give testimony that they have a lofty sense of duty and responsibility and are earnestly striving to achieve blessedness for all mankind.

To Thy name we ascribe all the praise. Amen.

The Journal of the proceedings of yesterday was read and approved.

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MESSAGE FROM THE SENATE

A message from the Senate by Mr. Burleson, one of its clerks, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 1752. An act for the relief of Frank J. and Mae T. W. Burger;

H. R. 2964. An act to confer jurisdiction on the United States District Court for the Eastern District of Texas, Jefferson Division, to hear, determine, and render judgment on certain claims of George W. Edwards, Jr., against the United States;

H. R. 3477. An act relating to moneys received from mineral lands in Alaska;

H. R. 3836. An act to repeal section 1157 of title 18 of the United States Code, as amended;

H. R. 3837. An act to amend the act of August 24, 1912, as amended, with reference to educational leave to employees of the Bureau of Indian Affairs;

H. R. 4945. An act to provide for the conveyance of certain real property in West Palm Beach, Fla., to the Port of Palm Beach District;

H. R. 6692. An act to authorize the transfer of the Coyote Valley Indian Rancheria to the Secretary of the Army, and for other purposes;

H. R. 7050. An act to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes;

H. R. 7249. An act to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia;

H. R. 7259. An act relating to marketing quotas and price support for fire-cured, dark air-cured, and Virginia sun-cured tobacco;

H. R. 7835. An act to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and for other purposes;

H. J. Res. 273. Joint resolution to waive the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, in behalf of certain aliens; and

H. J. Res. 379. Joint resolution making supplemental appropriations for the Post Office Department for the fiscal year 1958, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills, joint resolutions, and a concurrent resolution of the House of the following titles:

H. R. 3400. An act to provide full and fair disclosure of the character of charitable, benevolent, patriotic, or other solicitations in the District of Columbia; and for other purposes;

H. R. 3558. An act for the relief of Ernest Hagler;

H. R. 4159. An act for the relief of Z. A. Hardee;

H. R. 6306. An act to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two four-lane bridges to replace the existing Fourteenth Street or Highway Bridge across the Potomac River, and for other purposes";

H. R. 7238. An act to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care;

H. J. Res. 288. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 290. Joint resolution for the relief of certain aliens;

H. J. Res. 307. Joint resolution for the relief of certain aliens; and

H. Con. Res. 204. Concurrent resolution expressing the sense of the Congress on the problem of Hungary.

The message also announced that the Senate had passed bills and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 20. An act for the relief of the widow of Col. Claud C. Smith;

S. 140. An act for the relief of Jan Szpytman;

S. 178. An act for the relief of Mrs. Edgar J. Smith (nee Concetta Chiodo) and her daughter, Roberta Smith;

S. 439. An act for the relief of Susan Tsiang Ho;

S. 554. An act for the relief of Giorgio Giordanella;

S. 609. An act to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes;

S. 651. An act for the relief of Sister Clementine (Ilona Molnar);

S. 669. An act for the relief of Mrs. Antonietta Giorgio and her children, Antonio Giorgio and Menotti Giorgio;

S. 739. An act for the relief of Herbert T. King; his wife, Chang Si-Ling King; and his daughter, Chen Hsiao-Ling King;

S. 811. An act for the relief of Fannie Alexander Gast;

S. 823. An act for the relief of Maud Abraham;

S. 832. An act for the relief of Matilda Strah;

S. 846. An act for the establishment of a National Outdoor Recreation Resources Review Commission to study the outdoor recreation resources of the public lands and other land and water areas of the United States, and for other purposes;

S. 850. An act for the relief of Stavros Manousos;

S. 862. An act for the relief of Barbara L. Weiss;

S. 875. An act for the relief of Vuokko A. Bingham;

S. 876. An act for the relief of Katharina Theresia Beuving Keyzer;

S. 957. An act for the relief of Calogero Maniscalco;

S. 960. An act for the relief of Fotina (Theresa) Wardini;

S. 969. An act to prescribe the weight to be given to evidence of tests of alcohol in the blood or urine of persons tried in the District of Columbia for operating vehicles while under the influence of intoxicating liquor;

S. 1007. An act for the relief of Sgt. Donald D. Coleman;

S. 1048. An act for the relief of Matilda Hajos;

S. 1053. An act for the relief of Poppy Catherine Hayakawa Merritt;

S. 1082. An act for the relief of Katina Apostolou;

S. 1097. An act for the relief of Francoise Beyronneau;

S. 1102. An act for the relief of Adolfo Camillo Scopone;

S. 1174. An act to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Development Corporation;

S. 1240. An act for the relief of Panagiotis Tulios;

S. 1244. An act for the relief of Teiko Watanabe Holderfield;

S. 1251. An act for the relief of Florinda Mellone Garcia;

S. 1253. An act for the relief of Myung Ok Shin;

S. 1283. An act for the relief of Garth Cecil Briden;

S. 1309. An act for the relief of Susanne Burka;

S. 1311. An act for the relief of Maria Gradi;

S. 1361. An act to revive and reenact the act entitled "An act authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River";

S. 1363. An act for the relief of Vassilios Kostikos;

S. 1397. An act for the relief of Angeline Mastro Mone (Angeline Mastroinni);

S. 1417. An act relating to the affairs of the Osage tribe of Indians in Oklahoma;

S. 1508. An act for the relief of Salvatore LaTerra;

S. 1510. An act for the relief of Reginald S. Levy;

S. 1519. An act for the relief of Isaac Lidji, Henry Isaac Lidji, and Sylvio Isaac Gattegno;

S. 1718. An act to amend section 201 (a) of the Civil Aeronautics Act of 1938, as amended, relative to the terms of office of members of the Civil Aeronautics Board;

S. 1774. An act for the relief of Yee Suey Nong;

S. 1817. An act for the relief of John Panagiotou;

S. 1823. An act to authorize the conveyance of Bunker Hill Island in Lake Cumberland near Burnside, Ky., to the Commonwealth of Kentucky for public park purposes;

S. 1838. An act for the relief of Charles Douglas;

S. 1848. An act for the relief of Michelle Patricia Hill (Patricia Adachi);

S. 1918. An act to amend Public Law 31, 84th Congress, 1st session, to increase the authorization for appropriation to the Atomic Energy Commission for the construction of a modern office building in or near the District of Columbia to serve as its principal office;

S. 2027. An act for the relief of Vendelin Kalenda;

S. 2161. An act to amend the act of August 14, 1955 (69 Stat. 725);

S. 2212. An act to amend the North Pacific Fisheries Act of 1954;

S. 2299. An act to amend section 3 (b) of the Securities Act of 1933;

S. Con. Res. 27. Concurrent resolution to create a joint committee to represent Congress at the 350th anniversary of the founding of Jamestown, Va.;

S. Con. Res. 31. Concurrent resolution favoring the fulfillment of the program recommended by the National Historical Publications Commission for the publication of certain documents; and

S. Con. Res. 32. Concurrent resolution favoring Congressional recognition of the National Cowboy Hall of Fame and Museum to be located at Oklahoma City, Okla.

The message also announced that the Vice President had appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON as members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 57–14.

HUNGARY AND THE UNITED NATIONS

Mrs. KELLY of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the resolution (H.

Con. Res. 204) expressing the sense of Congress on the problem of Hungary, with a Senate amendment, disagree to the Senate amendment and ask for a conference.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York? [After a pause.] The Chair hears none and appoints the following conferees: Mrs. KELLY of New York, and Messrs. HAYS of Ohio, SELDEN, FULTON, and BENTLEY.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1958

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a report on the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

DEPARTMENT OF AGRICULTURE AND FARM CREDIT ADMINISTRATION APPROPRIATION BILL, 1958

Mr. KIRWAN. Mr. Speaker, on behalf of the gentleman from Mississippi [Mr. WHITTEN], I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes.

Mr. HARRISON of Virginia. Mr. Speaker, reserving the right to object, is that the Agriculture appropriation bill?

Mr. KIRWAN. Yes.

Mr. HARRISON of Virginia. Will the gentleman withdraw that request?

Mr. KIRWAN. Mr. Speaker, I withdraw the request.

COMMITTEE SESSION DURING GENERAL DEBATE

Mr. CARNAHAN. Mr. Speaker, I ask unanimous consent that the Foreign Affairs Committee may be permitted to sit during general debate this afternoon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

LEAVE OF ABSENCE

Mr. DEROUNIAN. Mr. Speaker, I ask unanimous consent that I may have leave of absence for tomorrow on account of official business in my district.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CALL OF THE HOUSE

Mr. CANFIELD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 125]

Adair	Diggs	Powell
Allen, Ill.	Fogarty	Reece, Tenn.
Bailey	Grant	Reed
Barrett	Green, Pa.	Saylor
Beamer	Gwinn	Taylor
Bentley	Holtzman	Teague, Tex.
Bowler	Landrum	Thomson, Wyo.
Buckley	Lennon	Vursell
Cannon	McConnell	Whitener
Celler	Machrowicz	Whitten
Christopher	Miller, N. Y.	Wilson, Calif.
Colmer	O'Konski	Zelenko
Coudert	Pelly	
Dawson, Ill.	Porter	

The SPEAKER pro tempore. On this rollcall 388 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

HOUSING ACT OF 1957

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL, 1958

Mr. THOMAS. Mr. Speaker, I call up the conference report on the bill (H. R. 6070) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 648)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6070) making appropriations for the sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1958, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 23, 28, 29, 31, 32, 43, 48, 51, 52 and 61.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 7, 11, 18, 19, 24, 36, 37, 38, 39, 40, 44, 45, 54, 59, and 60, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,360,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$750,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$222,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$130,339,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$260,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$170,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$117,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$48,400"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,515,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$10,530,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$153,300"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree

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to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,750,000"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert "purchase of not to exceed sixty-two passenger motor vehicles for replacement only"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,135,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$16,750,000"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$402,500"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$175,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$350"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$219,250"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert "purchase of one passenger motor vehicle for replacement only at not to exceed $4,000"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert "purchase of one passenger motor vehicle for replacement only at not to exceed $5,000"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,046,000"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$21,763,400"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$10,344,000"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert "purchase of fifty passenger motor vehicles for replacement only"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,250,000"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$675,000"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,377,000"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,100,000"; and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment, as follows: Restore the matter stricken by said amendment and in lieu of the sum named therein insert "$600,000"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$12,420,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 3, 12, 13, 14, 21, 22, 27, and 41.

ALBERT THOMAS,
SIDNEY R. YATES,
JOE L. EVINS,
EDWARD P. BOLAND,
CLARENCE CANNON,
C. W. VURSELL,
HAROLD C. OSTERTAG,
CHARLES R. JONAS,
JOHN TABER,
Managers on the Part of the House.

WARREN G. MAGNUSON,
LISTER HILL,
ALLEN J. ELLENDER,
A. WILLIS ROBERTSON,
EVERETT MCKINLEY DIRKSEN,
LEVERETT H. SALTONSTALL,
KARL MUNDT,
CHARLES POTTER,
MILTON R. YOUNG,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6070) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—INDEPENDENT OFFICES

Civil Service Commission

Amendment No. 1—Investigations of United States citizens for employment by international organizations: Reported in disagreement.

Amendment No. 2—Annuities, Panama Canal construction employees and Lighthouse Service widows: Appropriates $2,360,000 instead of $2,300,000 as proposed by the House and $2,417,000 as proposed by the Senate.

Amendment No. 3—Administrative expenses, employees' life insurance fund: Reported in disagreement.

Federal Civil Defense Administration

Amendment No. 4—Operations: Authorizes $750,000 for expenses of travel instead of $598,000 as proposed by the House and $800,000 as proposed by the Senate.

Federal Power Commission

Amendment No. 5—Salaries and expenses: Provides that not to exceed $335,000 shall be available for investigations relating to Federal river development projects as proposed by the Senate instead of $325,000 as proposed by the House.

Federal Trade Commission

Amendment No. 6—Salaries and expenses: Authorizes $251,250 for expenses of travel as proposed by the Senate instead of $237,000 as proposed by the House.

General Accounting Office

Amendment No. 7—Salaries and expenses: Authorizes $1,600,000 for expenses of travel as proposed by the Senate instead of $1,500,000 as proposed by the House.

General Services Administration

Amendments Nos. 8 and 9—Operating expenses, Public Buildings Service: Authorize $222,000 for expenses of travel instead of $205,300 as proposed by the House and $238,650 as proposed by the Senate; and appropriate $130,339,000 instead of $127,464,000 as proposed by the House and $133,214,000 as proposed by the Senate. The conferees are in agreement that of the increase provided above the House allowance $1,000,000 is for the rental, operation, and protection of leased space.

Amendment No. 10—Repair and improvement, federally owned buildings: Authorizes $260,000 for expenses of travel instead of $250,000 as proposed by the House and $270,000 as proposed by the Senate.

Amendment No. 11—Sites and expenses, purchase contract and public buildings projects: Inserts language as proposed by the Senate prohibiting use of funds during fiscal year 1958 in connection with Federal office building Numbered 7 on square 167 in the District of Columbia.

Amendment No. 12—Payments, public buildings purchase contracts: Reported in disagreement.

Amendment No. 13—Construction, public buildings: Reported in disagreement.

Amendment No. 14—Hospital facilities in the District of Columbia: Reported in disagreement.

Amendment No. 15—Operating expenses, Federal Supply Service; Authorizes $170,000 for expenses of travel instead of $120,000 as proposed by the House and $192,500 as proposed by the Senate.

Amendment No. 16—Expenses, supply distribution: Authorizes $117,000 for expenses of travel instead of $110,000 as proposed by the House and $123,900 as proposed by the Senate.

Amendments Nos. 17 and 18—Operating expenses, National Archives and Records Service: Authorize $48,400 for expenses of travel instead of $44,750 as proposed by the House and $52,000 as proposed by the Senate; and appropriate $7,263,000 as proposed

by the Senate instead of $7,254,500 as proposed by the House.

Amendments Nos. 19 and 20—Operating expenses, Transportation and Public Utilities Service: Authorize $27,500 for expenses of travel as proposed by the Senate instead of $25,000 as proposed by the House; and appropriate $1,515,000 instead of $1,330,000 as proposed by the House and $1,700,000 as proposed by the Senate.

Amendments Nos. 21 and 22—Strategic and critical materials: Reported in disagreement.

Amendments Nos. 23 and 24—Strategic and critical materials: Delete language proposed by the Senate to establish a mica buying station at Santa Fe, New Mexico; and delete language as proposed by the Senate relating to the availability of funds.

Amendments Nos. 25 and 26—Administrative operations fund: Authorize $10,530,000 instead of $10,230,000 as proposed by the House and $10,830,000 as proposed by the Senate; and authorize $153,300 for expenses of travel instead of $137,700 as proposed by the House and $168,900 as proposed by the Senate.

Amendment No. 27: Reported in disagreement.

Amendment No. 28: Deletes language proposed by the Senate creating 10 additional grade GS–16 positions at the field level. The conferees are in agreement that such positions are necessary and urges the Post Office and Civil Service Committees to accomplish the objectives of the Senate language as soon as possible.

Housing and Home Finance Agency

Office of the Administrator

Amendments Nos. 29 and 30—Salaries and expenses: Delete language proposed by the Senate providing that the salary of a general counsel shall hereafter be at grade GS–18 and the agreement of the conferees on Amendment No. 28 is equally applicable to this situation; and authorize $1,750,000 for nonadministrative expenses in connection with site inspection and audit of slum clearance and urban renewal, college housing, and public facility loan projects instead of $1,500,000 as proposed by the House and $2,000,000 as proposed by the Senate.

Amendment No. 31—Administrative expenses, housing studies: Deletes item inserted by the Senate for administrative expenses in connection with housing studies.

Interstate Commerce Commission

Amendments Nos. 32 through 40—Salaries and expenses: Authorize $200 for purchase of newspapers as proposed by the House instead of $500 as proposed by the Senate; authorize the purchase of 62 passenger motor vehicles for replacement only instead of 80 including 62 for replacement as proposed by the Senate, and delete language proposed by the Senate authorizing purchase of uniforms or allowances therefor; authorize $1,135,000 for expenses of travel instead of $1,085,000 as proposed by the House and $1,185,000 as proposed by the Senate; appropriate $16,750,000 instead of $16,500,000 as proposed by the House and $17,000,000 as proposed by the Senate; authorize $1,363,500 for railroad safety activities as proposed by the Senate instead of $1,350,000 as proposed by the House; authorize $956,600 for locomotive inspection activities as proposed by the Senate instead of $950,000 as proposed by the House; authorize $225,000 for defense mobilization functions as proposed by the Senate.

National Advisory Committee for Aeronautics

Amendment No. 41: Reported in disagreement.

Amendment No. 42: Authorizes $402,500 for expenses of travel instead of $380,000 as proposed by the House and $425,000 as proposed by the Senate.

Amendment No. 43: Deletes language proposed by the Senate authorizing the purchase of motor vehicles.

Amendment No. 44: Appropriates $71 million for salaries and expenses, as proposed by the Senate instead of $70 million as proposed by the House.

National Capital Housing Authority

Amendment No. 45: Appropriates $38,000 for maintenance and operation of properties, as proposed by the Senate, instead of $40,000 as proposed by the House.

National Science Foundation

Amendment No. 46: Authorizes $175,000 for expenses of travel instead of $150,000 as proposed by the House and $200,000 as proposed by the Senate.

Amendment No. 47: Authorizes $350 for the purchase of newspapers and periodicals instead of $300 as proposed by the House and $400 as proposed by the Senate.

Amendment No. 48: Restores House language relating to high school science and mathematics teachers.

Securities and Exchange Commission

Amendment No. 49: Authorizes $219,250 for expenses of travel instead of $197,500 as proposed by the House and $241,000 as proposed by the Senate.

Selective Service System

Amendment No. 50: Provides for the purchase of one passenger motor vehicle instead of forty-four as proposed by the Senate.

Amendment No. 51: Deletes Senate proposal to reappropriate $35,000.

Amendment No. 52: Restores House language relating to registration, classification, and induction activities of local boards.

Veterans' Administration

Amendment No. 53: Provides for the purchase of one passenger motor vehicle instead of six as proposed by the Senate.

Amendment No. 54; Authorizes $17,500,000 for the loan guaranty program as proposed by the Senate instead of $18,500,000 as proposed by the House.

Amendment No. 55: Authorizes not to exceed $1,046,000 for expenses of travel instead of $992,200 as proposed by the House and $1,100,000 as proposed by the Senate.

Amendment No. 56: Appropriates $21,763,400 for medical administration and miscellaneous operating expenses instead of $20,773,800 as proposed by the House and $22,763,400 as proposed by the Senate.

Amendment No. 57: Authorizes $10,344,000 for medical research instead of $10,000,000 as proposed by the House and $11,344,000 as proposed by the Senate.

Amendment No. 58: Authorizes the purchase of fifty passenger motor vehicles instead of one hundred as proposed by the Senate.

Amendment No. 59: Appropriates $2,826,250,000 for compensation and pensions as proposed by the Senate instead of $2,840,500,000 as proposed by the House.

Amendment No. 60: Appropriates $784,047,000 for readjustment benefits as proposed by the Senate instead of $787,987,000 as proposed by the House.

Independent offices—General provisions

Amendment No. 61: Deletes Senate proposal relative to annual inventory reports on real property.

TITLE II—CORPORATIONS

Federal Home Loan Bank Board

Amendment No. 62: Authorizes $1,250,000 for administrative expenses of the Board instead of $1,200,000 as proposed by the House and $1,300,000 as proposed by the Senate.

Amendment No. 63: Authorizes $675,000 for administrative expenses of the Federal Savings and Loan Insurance Corporation instead of $650,000 as proposed by the House and $700,000 as proposed by the Senate.

Housing and Home Finance Agency

Amendment No. 64: Authorizes $1,377,000 for administrative expenses, Office of the Administrator, college housing loans, instead of $1,327,000 as proposed by the House and $1,427,000 as proposed by the Senate.

Amendments Nos. 65 and 66: Authorizes $1,100,000 for administrative expenses, Office of the Administrator, revolving fund (liquidating programs), instead of $970,000 as proposed by the House and $1,940,000 as proposed by the Senate; and restore House language amended to provide $600,000 for nonadministrative expenses instead of $500,000 as proposed by the House.

Amendment No. 67: Authorizes $12,420,000 for administrative expenses, Public Housing Administration, instead of $12,305,000 as proposed by the House and $13,170,000 as proposed by the Senate.

ALBERT THOMAS,
SIDNEY R. YATES,
JOE L. EVINS,
EDWARD P. BOLAND,
CLARENCE CANNON,
C. W. VURSELL,
HAROLD C. OSTERTAG,
CHARLES R. JONAS,
JOHN TABER,
Managers on the Part of the House.

The conference report was agreed to.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1: Page 3, line 22, insert "*Provided further*, That nothing in sections 281 or 283 of title 18, United States Code, or in section 190 of the Revised Statutes (5 U. S. C. 99) shall be deemed to apply to any person because of appointment for part-time or intermittent service as a member of the International Organizations Employees Loyalty Board in the Civil Service Commission as established by Executive Order 10422, dated January 9, 1953, as amended."

Mr. THOMAS. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 1, and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 3. On page 4, line 1, strike out "$123,800" and insert "$309,500,"

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. THOMAS moves that the House insist upon its disagreement to the amendment of the Senate numbered 3.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Massachusetts.

Mr. MARTIN. As I understand it, this amendment deals with certain employees' life insurance companies or associations. The Government has taken over 15 and this amendment would permit the Government to take over the other 9. Why is there any distinction between the 15 that the Government did take over and the 9 we refused to take over?

Mr. THOMAS. Mr. Speaker, may I say to the gentleman from Massachusetts that there have been a lot of misstatements made about this and there has been much pressure placed upon the

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membership about it and, therefore, I think a statement is in order at this time.

In the first place there are about 149,000 members involved. The House some 18 months ago refused to put up money for taking over these companies. We figured that the Government was giving about 2,156,000 Federal employees the best life insurance deal on the market. The Government was paying one-third of the cost. Everybody was satisfied and happy. They thought it was right and fair.

We went to the other side and as usual, in those days at least, they put additional funds in the bill, and in conference the amount was compromised. The Civil Service Commission knew that the House had refused to approve their request to put the Government in this losing insurance business, and that is what it is, the taking over of private concerns. The Civil Service Commission did what was in violation of the House instructions. That is the truth of the matter.

Mr. MARTIN. That is not the question I asked. You did it for 15, why do you not do it for the other 9? Should not there be equal justice?

Mr. THOMAS. If the Civil Service Commission made a mistake, let us not turn around and compound it and lose another $60 million. If you turn this down the legislative committee will right that matter. This is a rank discrimination if you favor the Senate amendment.

Mr. MARTIN. It is discrimination as I see it if we deny the legislation for the nine remaining associations.

Mr. THOMAS. I respectfully disagree with the gentleman. You will be giving 150,000 Federal employees 2 subsidized Government policies when the other 2 million Government employees only get 1.

Mr. MARTIN. Why did you discriminate in the first place and bail out 15 associations?

Mr. THOMAS. The Civil Service Commission did that and I think it ought to be corrected. The first step toward correcting it is to deny them these funds.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Virginia.

Mr. GARY. Is it not true that these 150,000 Government employees paid for this insurance just exactly as did those in the other 15 companies. You had, as I understand it, 24 of these companies that provided group insurance for Government employees before the Government established its group-insurance plan for its employees. The Government has taken over all 15 of them. All 24 are on exactly the same basis. Having taken over 15 of the companies, it will be rank discrimination not to take over the other 9, whose members will lose everything they put into these companies.

Mr. THOMAS. Oh, now, wait a minute. That is some more propaganda that the life insurance delegates have been putting out. I think my friend from Virginia has been buttonholed by them and it has taken effect on him. The Government is not hurting anybody here. The Government did not ever tell any of these associations to go into business or to get out of business.

Mr. MARTIN. Does not the law passed by Congress direct the taking over of all the 24 associations?

Mr. THOMAS. No. These associations are just like any other insurance companies. If they get out and hustle business, they are going to make money. To be perfectly frank about it if you will excuse a personal reference, I am a member in one of these associations, and the one I belong to, without any virtue on my part, refused to sell to the Government. Why? Because they are making money. In the last 3 or 4 years they have increased my benefits 50 percent without increasing the premium one dime. It is just the weak ones that want to unload on the Government. The Civil Service Commission knows that these weak ones have been looking for an out to unload on the Government for 5 years, and this is their opportunity. If you want to give away $65 million or $70 million, this is a good opportunity to do it.

Mr. GARY. Mr. Speaker, will the gentleman yield further?

Mr. THOMAS. I yield.

Mr. GARY. If the Government had no obligation, then why did the Government take over the 15?

Mr. THOMAS. For the simple reason the Civil Service Commission did it against the advice of the House. Now, if you want to compound it and give away another $60 million, that is a different matter.

Mr. GARY. Against the advice of the House in what respect?

Mr. THOMAS. They did not have the funds.

Mr. MARTIN. Your own report in the supplemental appropriation table says that the cost would be $22 million.

Mr. GARY. On all of them.

Mr. THOMAS. The Civil Service Commission says that the cost to take over the associations will be $33 million. My guess is that before you get through it will be nearer $60 million, and on top of that you are going to spend $150,000 every year sending out policies, having stenographers credit the premium payments and so on. So, I am surprised at my distinguished friend from Massachusetts. He is a free enterprise man, and I admire him for it. Here he wants to put the Government into a losing life insurance business.

Mr. MARTIN. I repeat I believe in treating all fairly and on the same basis. That is all I am contending for.

Mr. THOMAS. How are you going to treat the 2 million Government employees who have only one policy? Are you going to give them 2 policies? If you treat them alike, you will have to do that, you know.

Mr. BROYHILL. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Virginia.

Mr. BROYHILL. Well, the gentleman knows that the current Federal Employees Life Insurance Company does not take care of the Federal employees when they retire except on a small percentage on their original amount.

Mr. THOMAS. We do not write the policies, and nobody is going to vary the terms of the policies. That is a matter that is set by the policy itself.

Mr. BROYHILL. The Federal Life Insurance Company is driving these small companies out of business.

Mr. THOMAS. Just a moment. The gentleman is making a speech that he cannot back up. If these people want to get out and hustle up business, they would be doing more business than they could say grace over. The gentleman from Virginia does not give up because money is tight. He is still doing business, and these people will be doing business, too, but these weak ones want to unload on the Government, and certainly the gentleman is bound to know that.

CALL OF THE HOUSE

Mr. H. CARL ANDERSEN. Mr. Speaker, this is a very interesting discussion. I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] A quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 126]

Alexander	Coudert	Montoya
Allen, Ill.	Dawson, Ill.	O'Hara, Minn.
Aspinall	Diggs	O'Konski
Bailey	Durham	Porter
Baker	Fogarty	Powell
Barrett	Grant	Reece, Tenn.
Beamer	Green, Pa.	Reed
Bowler	Gubser	Robsion, Ky.
Breeding	Gwinn	Saylor
Buckley	Holtzman	Taylor
Celler	Landrum	Whitener
Chiperfield	Lennon	Wigglesworth
Christopher	McConnell	Wilson, Calif.
Colmer	Machrowicz	Zelenko
Cooley	Miller, N. Y.	

The SPEAKER. On this rollcall 380 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

INDEPENDENT OFFICES APPROPRIATION BILL, 1958

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. THOMAS. I yield to the gentleman from New York.

Mr. TABER. Mr. Speaker, I am wondering what the gentleman from Texas would say if a group of Government employees got together and organized a grocery store and it went sour, would the gentleman feel we ought to come in and bail them out?

Mr. THOMAS. I certainly would not and I think that is on all fours with the situation here.

Mr. TABER. That is what I thought. For that reason I am inclined to feel that we should go along with the gentleman. I wonder how it would be if they went in the gasoline business, should we bail them out?

Mr. THOMAS. No. And you will not have to bail them out now. I may say to the gentleman from New York, if the managers of these companies will go out and work and sell insurance like everybody else does, they may continue. The policy of the average Government employee is less than six or seven thousand and they are buying insurance on the outside.

Mr. Speaker, this question has been well debated and I therefore move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

Mr. H. CARL ANDERSEN. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. H. CARL ANDERSEN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and nineteen Members are present, a quorum.

The question is on the motion offered by the gentleman from Texas [Mr. THOMAS].

The question was taken, and the Chair being in doubt, the House divided and there were—ayes 115, noes 88.

So the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12: Page 10, line 22, after the figure insert: *"Provided*, That the Administrator of General Services may enter into contracts during the fiscal year 1958 for which the aggregate of annual payments for amortization of principal and interest thereon shall not exceed the unused portion of the $12,000,000 limitation applicable prior to July 1, 1957, under the Independent Offices Appropriation Act, 1957 (70 Stat. 343)."

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. Mr. Speaker, we, on the agricultural appropriation subcommittee, are faced with a serious problem before us here this afternoon, and I am endeavoring to secure a solution of that problem. In all probability, if permission is granted, we will be able to file a conference report tonight. Now, it seems to me that any move designed to prevent us from filing such a report can do nothing but harm, because Sunday is the final day in this present fiscal year. I am making this statement, Mr. Speaker, to request that the gentleman from Mississippi [Mr. WHITTEN], or the gentleman from Missouri [Mr. CANNON], ask for permission to file a conference report on this particular bill by midnight tonight. I see no present evidence on their part to do so, and I shall have to from time to time make observations here this afternoon, Mr. Speaker, until we do get that right. I feel it is very important.

The SPEAKER. The request was made this morning, but it was withdrawn at somebody's request.

Mr. H. CARL ANDERSEN. Mr. Speaker, might I say in response to that that we were in conference at the time and I understand the gentleman from Virginia [Mr. HARRISON], asked to have it set aside. He did not officially object, but all I want done is that the proper person in connection with my committee or the full committee ask for this permission to file a report, and if the gentleman from Virginia or any other Member decides in his own conscience that he wants to take on the responsibility to object, why, that, of course, is his business.

The SPEAKER. The Chair does not see either of the gentlemen suggested by the gentleman from Minnesota on the floor.

Mr. H. CARL ANDERSEN. The gentleman from Mississippi is present, Mr. Speaker.

The SPEAKER. If the gentleman from Mississippi desires to make the request, the Chair will certainly entertain it.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Mississippi.

Mr. WHITTEN. I am sorry. I did not hear the comments of the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. It was simply to the effect as to the need for filing a conference report tonight, and I hope you will make that request.

Mr. WHITTEN. The request was made earlier by the gentleman from Ohio [Mr. KIRWAN] while we were attending a conference, and I now renew the request. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a report on H. R. 7441, which request was made earlier today.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. HARRISON of Virginia. Mr. Speaker, reserving the right to object, have the conferees agreed?

Mr. WHITTEN. We have not.

Mr. HARRISON of Virginia. Do I understand, then, if the report is filed tonight, the bill will be brought to the House tomorrow? Would that be the program?

Mr. WHITTEN. Personally, I would confer with the chairman of the Committee on Appropriations and the House leadership prior to asking for that.

Mr. HARRISON of Virginia. Mr. Speaker, does not the gentleman think that the membership of the House should have some opportunity to examine the report, in the event it is filed, or in the event there is an agreement, before they are called upon to vote on it?

Mr. WHITTEN. I merely asked permission to file the report by tonight.

Mr. HARRISON of Virginia. If the gentleman insists on his request, I am constrained to object.

The SPEAKER. Objection is heard.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

The SPEAKER. The gentleman from Virginia has objected.

Mr. H. CARL ANDERSEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. H. CARL ANDERSEN. Is it within my right at this time to offer a motion?

The SPEAKER. The Chair cannot recognize the gentleman for that purpose.

The question is on the motion of the gentleman from Texas [Mr. THOMAS].

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 13, page 11, line 5, strike out "$2,125,000" and insert "$2,145,000."

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 13, and concur therein with an amendment, as follows: In lieu of the sums stricken and inserted by said amendment, insert the following: "$2,145,000, of which not to exceed $20,000 shall be available for the planning of a border station at Dunseith, N. Dak., at a total cost of not to exceed $300,000."

Mr. ROONEY. Mr. Speaker, will the distinguished gentleman from Texas yield?

Mr. THOMAS. I yield to the gentleman from New York.

Mr. ROONEY. I thank the gentleman from Texas, my distinguished friend and highly capable chairman of this subcommittee.

Mr. Speaker, I shall first ask a division of the question. I am then going to ask the House to defeat the pending motion to recede with regard to amendment in disagreement No. 13, and later to accept a motion which I shall make to insist on disagreement with the other body.

The SPEAKER. There may not be two motions pending at the same time. The gentleman will have to divide that question, too.

Mr. ROONEY. I do not offer the motion to insist at this time. I said I intended to offer it if the motion of the gentleman from Texas to recede is not agreed to.

Earlier this year 2 subcommittees of the House and Senate Committees on Appropriations were presented with a program for the construction of 16 border stations along the Canadian border for the customs service of the Department of the Treasury and the Immigration and Naturalization Service of the Department of Justice. At that time there was included in the list of 16 proposed stations 1 for Dunseith, N. Dak., at a cost of $30,000, to be appropriated via the Treasury Department-Post Office appropriation bill, and $30,000 to be appropriated via the Department of Justice appropriation bill, a total cost of $60,000.

The unanimous action of both subcommittees, the subcommittee on the Treasury-Post Office bill, headed by

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Messrs. GARY and CANFIELD, and the subcommittee on the State-Justice bill, headed by Mr. COUDERT and myself, postponed the program for a year. This action was concurred in by the House and concurred in by the other body. As a matter of fact, neither Department appealed to the other body. We now find the Dunseith station in the instant bill, the independent offices appropriation bill, at a cost, not of $60,000, but up to $300,000.

The following is the information which was submitted to the State-Justice Subcommittee on Appropriations earlier this year:

The overall estimate has been developed on the basis of average conditions, as follows:

Station building: 1,400 square feet at $15	$21,000
Canopy: 960 square feet at $5	4,800
Utility lines	2,500
Approaches and driveways	2,700
Total for station without living quarters	31,000
Cottage and garage, each unit	14,500

The entire program recommended for the fiscal year 1958 is summarized hereunder:

Location	Annual admissions	Cost of station	Cottages		Total cost	I. and N. cost
			No.	Amount		
1. Dunseith, N. Dak.	79,000	$31,000	2	$29,000	$60,000	$30,000
2. Connecticut Lakes, N. H.	18,000	31,000	2	29,000	60,000	30,000
3. Roseau, Minn.	31,000	31,000	2	29,000	60,000	30,000
4. Pinecreek, Minn.	38,000	31,000	2	29,000	60,000	30,000
5. Sarles, N. Dak.	12,000	31,000	2	29,000	60,000	30,000
6. Hannah, N. Dak.	20,000	31,000	2	29,000	60,000	30,000
7. Turner, Mont.	13,000	31,000	2	29,000	60,000	30,000
8. Del Bonita, Mont.	7,000	31,000	1	14,500	45,500	22,750
9. Andrade, Calif.	170,000	31,000	2	29,000	60,000	30,000
10. Lukeville, Ariz.	146,000	[1] 2,000	4	58,000	60,000	30,000
11. Lancaster, Minn.	20,000	31,000	2	29,000	60,000	30,000
12. Opheim, Mont.	12,000	$31,000	2	$29,000	$60,000	$30,000
13. Antler, N. Dak.	15,000	31,000	2	29,000	60,000	30,000
14. Maida, N. Dak.	17,000	31,000	2	29,000	60,000	30,000
15. Morgan, Mont.	19,000	31,000	------	[3] 4,500	35,500	17,750
16. Porthill, Idaho	95,000	[2] 10,000	2	29,000	39,000	19,500
Total	----------	446,000	------	454,000	900,000	450,000

[1] Additional power installation required.
[2] Renovation of existing cottages.
[3] Alteration and improvement of existing station.

DUNSEITH, N. DAK.

There are no available Government-owned quarters for housing the inspection facilities of this Service or the Customs Service at Dunseith, N. Dak. No adequate privately owned building is available for rental. The present inspection office is located at a rented tourist cabin, a distance of 14 miles from the border. There are a number of roads leading from the main highway going east and west which can be used by the public without requiring them to pass the inspection point. The building where the inspectional office is located is in a very poor state of repair and is not the type of structure that a person would expect for a Government office. Within the last 5 years the number of persons admitted annually has increased from 26,000 to 79,000. The port is open 24 hours daily in summer and from 8 a. m. to midnight in winter. Two immigration officers and one customs officer are regularly assigned. A tract of land 800 feet by 150 feet is owned by the Government at the border. It is proposed to construct a station for the joint use of the Immigration and Customs Services and two cottages for personnel in residence at the border.

Mr. THOMAS. Mr. Speaker, in order to same time, if my distinguished friend from New York will allow me to interrupt briefly, perhaps I can bring this matter to a head very quickly. This subcommittee is in the position of being an innocent bystander. We have put a provision in here for building five border stations that were presented to this subcommittee in the regular order. The cost of these ranged from $300,000 to $400,000 each: 2 in Texas, 1 in California, 1 in New York, and 1 in Maine. This item was approved by the House, and went over to the Senate, and lo and behold, we found they put in one similar in character and kind in North Dakota. Canada has built one right across the border to cost $400,000, and the committee report as prepared by the Senate stated that the United States should build one on the North Dakota side for $300,000. Since the committee did not have any evidence on it, we took the word of the other body. We did put a limitation in there, however, that they could not spend more than $300,000. Since there were five already in the bill, not objected to by the House, I repeat, we are again in the position of being an innocent bystander, and as far as I am concerned the House has the facts and the House can vote its sentiments in the matter.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from North Carolina.

Mr. JONAS. May I ask our chairman if it is not true that the facts disclose that our own station is 13 miles away from the border, and there is some apparent need for a station?

Mr. THOMAS. There was nothing too much out of line about it.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Tennessee.

Mr. EVINS. It is also true that the General Services Administration comes under the Independent Offices Appropriation Committee, and all of these stations are to be built by the General Services Administration?

Mr. THOMAS. That is correct.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from New York.

Mr. TABER. Mr. Speaker, this thing came up before the Treasury-Post Office Subcommittee and the estimate was submitted by the representatives of the Customs Service. This is what it says: "Dunseith, N. Dak., customhouse, $30,000, total cost, $60,000." This item is in the bill for $300,000, or five times as much as the cost estimated by the Department.

Frankly, if I had known that yesterday when I was over at the conference, or if the gentleman from Texas had known that, I am sure there would not have been anything in here for more than what the departmental estimates were. There have been other projects that are not involved. Therefore, it would seem to me that the situation ought to be corrected and the limit of cost that the Department set up be approved rather than some figure of $300,000, or five times that amount. If that were to be done, we would have to have an amendment offered that would provide for that limitation.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Illinois.

Mr. YATES. Is the $20,000 figure to which the gentleman referred for planning or for construction?

Mr. TABER. No; there is $20,000 for planning. How they get $20,000 for planning a $60,000 building is a little beyond me.

Mr. ROONEY. Mr. Speaker, will the distinguished gentleman yield?

Mr. THOMAS. I yield to the gentleman from New York.

Mr. ROONEY. The distinguished gentleman from New York [Mr. TABER] has explained the situation a good deal better than I can. I have here the sheets of justifications with regard to this station, presented to the State-Justice Subcommittee on Appropriations. This sheet clearly says that the total cost for Dunseith, N. Dak., shall be $60,000, of which $30,000 would be appropriated to the Treasury Department and $30,000 to the Department of Justice, Immigration and Naturalization Service.

Mr. Speaker, I suggest that the House should vote down the pending motion.

Mr. THOMAS. May I say that perhaps this matter can be cured right quick by voting down the previous question.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield.

Mr. HALLECK. I am not familiar with the technical arrangement here and I am not qualified to speak about that. However, it just so happens on numerous occasions on going up to Canada I have had occasion to go through this Dunseith place. The Canadians have a magnificent building there.

Mr. THOMAS. It cost $400,000.

Mr. HALLECK. Of course that is no reason perhaps for us to have anything comparable to that, but I must say that the gentleman from North Dakota and I have discussed this many times. That little ramshackle place on our side is really not good enough for the carrying on of the duties of the people who are there. So I do not know whether it ought to be $60,000 or $30,000. It does seem to me, of course, that $20,000 for planning of a $60,000 building is some-

what out of joint. But certainly from my own personal observation something should be done with our station there at Dunseith. If that could be worked out in a reasonable fashion it would seem to me that it would only be doing justice in this situation.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield.

Mr. GARY. Mr. Speaker, the situation is that there are 16 stations along the American borders where new buildings are needed. The Bureau of Customs requested an appropriation for those 16 stations for this next year. The stations are used for two purposes. They are used for customs and they are also used for immigration purposes. Therefore, they asked that the cost of the buildings be divided between the Treasury Department and the Department of Justice. Consequently, the same list was submitted both to the Subcommittee on Treasury and Post Office Appropriations of the Committee on Appropriations and to the Subcommittee on Appropriations for the Department of Justice. Neither subcommittee is against this building program. All of these stations ought to be built as rapidly as we can build them. But in view of the demand for economy at this time and in an effort to cut down the budget as much as possible and not to do any building at this time which is not absolutely necessary, both subcommittees cut all 16 of these stations out of the report. If this action is adopted by the House now, you would be putting 1 of these 16 stations back in. I submit to the Members of the House that the program ought to be considered as a whole and not with respect to just one station.

Mr. THOMAS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is will the House recede from its disagreement to the Senate amendment No. 13?

The motion was rejected.

Mr. ROONEY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY moves that the House insist on its disagreement to the amendment of the Senate numbered 13.

Mr. THOMAS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. THOMAS. Mr. Speaker, does not the motion come too late?

The SPEAKER. The motion is in order at this time.

The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 14 on page 11, line 7, insert "Hospital facilities in the District of Columbia: For an additional amount for expenses necessary in carrying out the provisions of the act of August 7, 1946 (60 Stat. 896), as amended, authorizing the establishment of a hospital center in the District of Columbia, including grants to private agencies for hospital facilities in said District, $1,710,000, to remain available until expended: *Provided*, That the limitation on the total amount for completion of the hospital center is increased from $21,700,000 to $23,410,000: *Provided further*, That this paragraph shall become effective only upon approval of the increased authorization proposed in S. 2194 and/or H. R. 7835, 85th Congress."

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 14, and concur therein with an amendment, as follows: In lieu of the sum of "$1,710,000" named in said amendment, insert "$1,500,000"; and in lieu of the sum of "$23,410,000" named in said amendment, insert "$23,200,000".

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 21: Page 13, line 5, insert "Funds available for."

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 22: Page 13, line 8, strike out "including" and insert "during the current fiscal year shall be available for".

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 27: Page 17, line 3, insert "Not to exceed 5 percent of any appropriation made available to the General Services Administration for the current fiscal year by this act may be transferred to any other such appropriation, but no such appropriation shall be thereby increased more than 5 percent: *Provided*, That such transfers shall apply only to operating expenses, and shall not exceed in the aggregate the amount of $5 million."

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 27, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following: "Not to exceed 2 percent of any appropriation made available to the General Services Administration for the current fiscal year by this act may be transferred to any other such appropriation, but no such appropriation shall be thereby increased more than 2 percent: *Provided*, That such transfers shall apply only to operating expenses, and shall not exceed in the aggregate the amount of $2 million."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 41: Page 20, line 19, insert "for the making of special investigations and reports and".

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 41, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert "for the making of special investigations and reports (not to exceed $500,000) and".

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

WAR HAZARDS COMPENSATION ACT

Mr. FRAZIER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 3373) to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc.—

TITLE I—AMENDMENTS TO THE WAR HAZARDS COMPENSATION ACT

SEC. 101. (a) Clause (2) of section 101 (a) of the act of December 2, 1942 (ch. 668, 56 Stat. 1028), as amended, is amended to read as follows:

"(2) to any person engaged by the United States under a contract for his personal services outside the continental United States or in Alaska or the Canal Zone; or".

(b) Clause (3) of section 101 (a) of that act is amended to read as follows:

"(3) to any person employed outside the continental United States or in Alaska or the Canal Zone as a civilian employee paid from nonappropriated funds administered by the Army and Air Force Exchange Service, Army and Air Force Motion Picture Service, Navy Ship's Store Ashore, Navy exchanges, Marine Corps exchanges, officers' and noncommissioned officers' open messes, enlisted men's clubs, service clubs, special service activities, or any other instrumentality of the United States under the jurisdiction of the Department of Defense and conducted for the mental, physical, and moral improvement of personnel of the Department of Defense and their dependents; or".

(c) Section 101 (a) of that act is amended by adding the following new clause:

"(4) to any person employed outside the continental United States or in Alaska or the Canal Zone by the American National Red Cross;".

SEC. 102. Section 102 (a) of the act of December 2, 1942 (ch. 668, 56 Stat. 1031), as amended, is amended by striking the last proviso. This amendment shall not affect benefits adjudicated thereunder prior to the enactment of this act.

SEC. 103. (a) Section 201 (b) of the act of December 2, 1942 (ch. 668, 56 Stat. 1033),

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as amended, is amended by changing that part of the section which precedes the numbered clauses to read as follows:

"(b) The term 'war-risk hazard' means any hazard arising during a war in which the United States is engaged; during an armed conflict in which the United States is engaged, whether or not war has been declared; or during a war or armed conflict between military forces of any origin, occurring within any country in which a person covered by this act is serving; from—".

(b) Clause (3) of 201 (b) of that act is amended to read as follows:

"(3) the discharge or explosion of munitions intended for use in connection with a war or armed conflict with a hostile force or person as defined herein (except with respect to employees of a manufacturer, processor, or transporter of munitions during the manufacture, processing, or transporting thereof, or while stored on the premises of the manufacturer, processor, or transporter); or".

(c) Section 201 (c) of that act is amended to read as follows:

"(c) The term 'hostile force or person' means any nation, any subject of a foreign nation, or any other person serving a foreign nation (1) engaged in a war against the United States or any of its allies, (2) engaged in armed conflict, whether or not war has been declared, against the United States or any of its allies, or (3) engaged in a war or armed conflict between military forces of any origin in any country in which a person covered by this act is serving."

(d) Section 201 (d) of that act is amended to read as follows:

"(d) The term 'allies' means any nation with which the United States is engaged in a common military effort or with which the United States has entered into a common defensive military alliance."

(e) Section 201 (e) of that act is amended to read as follows:

"(e) The term 'war activities' includes activities directly relating to military operations."

(f) Section 201 (f) of that act is repealed.

SEC. 104. Sections 101 (b), 104 (a), 201 (b), and 206 of the act of December 2, 1942 (ch. 668, 56 Stat. 1028), as amended, are amended by striking out the words "enemy" and "the enemy" wherever they appear and inserting the words "a hostile force or person" in place thereof.

SEC. 105. Title II of the act of December 2, 1942 (ch. 668, 56 Stat. 1033), as amended, is further amended by adding the following new section at the end thereof:

"SEC. 208. Titles I and II of this act may be cited as the 'War Hazards Compensation Act'."

TITLE II—AMENDMENTS TO THE DEFENSE BASE ACT

SEC. 201. (a) Section 1 (a) of the act of August 16, 1941 (ch. 357, 55 Stat. 622), as amended, is amended by inserting the following new clause between clause (4) and the last 5 lines:

"(5) by the American National Red Cross outside the continental United States or in Alaska or the Canal Zone;".

(b) Section 1 (b) of that act is amended to read as follows:

"(b) As used in this section—

"(1) the term 'public work' means any fixed improvement or any project, whether or not fixed, involving construction, alteration, removal, or repair for the public use of the United States or its allies, including but not limited to projects or operations under service contracts and projects in connection with the national defense or with war activities, dredging, harbor improvements, dams, roadways, and housing, as well as preparatory and ancillary work in connection therewith at the site or on the project;

"(2) the term 'allies' means any nation with which the United States is engaged in a common military effort or with which the United States has entered into a common defensive military alliance;

"(3) the term 'war activities' includes activities directly relating to military operations."

(c) Section (1) (e) of that act is amended by striking the last sentence and by substituting the following two sentences: "Upon the recommendation of the head of any department or other agency of the United Staates, the Secretary of Labor, in the exercise of his discretion, may waive the application of this section with respect to any contract, subcontract, or subordinate contract, work location under such contracts, or classification of employees. Upon recommendation of the head of the American National Red Cross, the Secretary of Labor may waive the application of this section to any employee or class of employees of the American National Red Cross, or to any place of employment of such an employee or class of employees."

SEC. 202. The act of August 16, 1941 (ch. 357, 55 Stat. 622), as amended, is amended by adding the following new section:

"SEC. 5. This act may be cited as the 'Defense Base Act'."

TITLE III—MISCELLANEOUS

SEC. 301. Sections 2, 3, and 4 of the act of June 30, 1953 (67 Stat. 134), are repealed and section 101 (c) of the act of December 2, 1942 (ch. 668, 56 Stat. 1030), is reenacted.

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Strike out all after the enacting clause and insert in lieu thereof the following: "That section 201 of the act of December 2, 1942 (ch. 668, 56 Stat. 1033), as amended, is further amended by deleting the words 'July 1, 1957' and inserting in lieu thereof 'July 1, 1958'."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FEDERAL EMPLOYEES' COMPENSATION ACT

Mr. FRAZIER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6523) to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the Federal Employees' Compensation Act (39 Stat. 742), as amended, is amended to read as follows:

"That (a) the United States shall pay compensation as hereinafter specified for the disability or death of an employee resulting from personal injury sustained while in the performance of his duty, but no compensation shall be paid if the injury or death is caused by willful misconduct of the employee or by the employee's intention to bring about the injury or death of himself or of another, or if intoxication of the injured employee is the proximate cause of the injury or death.

"(b) In any case where an employee within the coverage of this act or any extension thereof, who is employed outside the continental United States or in Alaska or in the Canal Zone, suffers disability or death from a war-risk hazard, or suffers disability or death during or as a result of capture, detention or other restraint by a hostile force or person, his disability or death shall in the administration of this act be deemed to have resulted from personal injury sustained while in the performance of his duty, whether or not the employee was engaged in the course of employment when the disability, or disability resulting in death, occurred or when he was taken by the hostile force or person. This subsection shall not apply to any person (1) whose residence is at or in the vicinity of the place of his employment, and (2) who was not living there solely by virtue of the exigencies of his employment, unless the person was injured or was taken while he was engaged in the course of his employment. Nothing contained in this subsection shall affect the payment of compensation under entitlement of this act derived otherwise than by reason of this subsection."

SEC. 2. Section 40 of the Employee's Compensation Act, as amended, is further amended by adding, after subsection (i) the following five new subsections:

"(j) The term 'war-risk hazard' means any hazard arising during a war in which the United States is engaged; during an armed conflict in which the United States is engaged, whether or not war has been declared; or during a war or armed conflict between military forces of any origin, occurring within any county in which a person covered by this act is serving; from—

"(1) the discharge of any missile (including liquids and gas) or the use of any weapon, explosive, or other noxious thing by a hostile force or person or in combating an attack or an imagined attack by a hostile force or person; or

"(2) action of a hostile force or person, including rebellion or insurrection against the United States or any of its allies; or

"(3) the discharge or explosion of munitions intended for use in connection with a war or armed conflict with a hostile force the United States or any of its allies; or

"(4) the collision of vessels in convoy or the operation of vessels or aircraft without running lights or without other customary peacetime aids to navigation; or

"(5) the operation of vessels or aircraft in a zone of hostilities or engaged in war activities.

"(k) the term 'hostile force or person' means any nation, any subject of a foreign nation, or any other person serving a foreign nation (1) engaged in a war against the United States or any of its allies, (2) engaged in armed conflict, whether or not war has been declared, against the United States or any of its allies, or (3) engaged in a war or armed conflict between military forces of any origin in any country in which a person covered by this act is serving.

"(l) the term 'allies' means any nation with which the United States is engaged in a common military effort or with which the United States has entered into a common defensive military alliance.

"(m) the term 'war activities' includes activities directly relating to military operations."

SEC. 3. Section 5 (b) of the act of July 28, 1945 (ch. 328, 59 Stat. 505), as amended (5 U. S. C. 801), is repealed.

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Strike out all after the enacting clause and insert in lieu thereof the following: "That section 5 (b) of the act of July 28, 1945 (ch. 328, 59 Stat.

505), as amended, is further amended by deleting the words 'July 1, 1957' and inserting in lieu thereof 'July 1, 1958'."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

ADDITIONAL SENATE OFFICE BUILDING

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 300 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1430) increasing the limit of cost fixed for construction and equipment of an additional office building for the United States Senate. After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I desire at this time to call the attention of the Members of the House to the fact that the Honorable George C. McConnaughey, of Ohio, who has been serving the Government of the United States for the past several years as Chairman of the Federal Communications Commission, has sent to the President a letter in which he is advising the President that he does not seek reappointment to that position and expects to retire on June 30, 1957, at the end of his present term.

Mr. McConnaughey is one of the outstanding citizens of Ohio and served our State for many years as a member of and later as chairman of the Public Utilities Commission of Ohio. He has had a distinguished career in both State and Federal service. At one time he was in charge of renegotiation of contracts for the Federal Government as well as occupying the position he now holds as Chairman of the Federal Communications Commission.

It is to be regretted that he has seen fit to leave the public service and those of us from Ohio who know him well want to commend him for what he has done as a representative in the Federal Government.

Mr. Speaker, I include as a part of my remarks the following correspondence between Mr. McConnaughey and the President of the United States:

DEAR MR. CHAIRMAN: I have your letter advising me of your plan to retire from Government service upon the completion of your present term as a member of the Federal Communications Commission.

While I fully understand and appreciate the reasons for your decision, it is, of course, with regret that I learn of it. Both as Chairman of the Renegotiation Board and as Chairman of the Federal Communications Commission, you have rendered able and distinguished service to the Nation and to this administration. I trust that it has given you a great deal of personal satisfaction to carry on in these important posts of duty and that the knowledge of your contribution in each of these fields will continue to be a source of pride for you.

In thanking you for all that you have done, I want also to convey to you my very best wishes for your success and happiness in the years ahead.

Sincerely,

DWIGHT D. EISENHOWER.

DEAR MR. PRESIDENT: My term as a member of the Federal Communications Commission ends June 30, 1957. Due to personal considerations I feel I must retire from Government service upon that date.

It has indeed been a privilege to serve in your administration as Chairman of the Renegotiation Board and the Federal Communications Commission. To have been permitted to serve in these positions under the leadership of the most able President of the United States during my lifetime has been a most delightful experience and I shall always cherish the memories of this service.

If, Mr. President, I can ever be of any service to you, I hope you will command me.

Respectfully yours,

GEORGE C. MCCONNAUGHEY.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that my colleagues from Ohio may have permission to extend their remarks at this point in the RECORD on Mr. McConnaughey's leaving the Federal Government.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include two letters.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VORYS. Mr. Speaker, I want to join my colleague from Ohio [Mr. BROWN] in paying tribute to the distinguished public service of my constituent, Hon. George C. McConnaughey, of Ohio, upon his retirement as Chairman of the Federal Communications Commission.

A level-headed, able, thoughtful lawyer, a man of unswerving integrity, he has served as a member and as chairman of the Public Utilities Commission of Ohio, and was in charge of renegotiation of contracts for the Federal Government before coming to the Federal Communications Commission. He has served his State and Nation with distinction, and deserves the gratitude of our country.

He, his wife, and his five sons are my longtime personal friends. My congratulations and best wishes go to him and to them, on his long service and his honored retirement.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

GENERAL LEAVE TO EXTEND REMARKS

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have permission to revise and extend their remarks in the RECORD on the conference report just adopted.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

AUTHORIZING FURNITURE AND FURNISHINGS FOR ADDITIONAL SENATE OFFICE BUILDING

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 298 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1428) to authorize furniture and furnishings for the additional office building for the United States Senate. After general debate, which shall be confined to the bill and continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I have no requests for time.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

AUTHORIZING ENLARGEMENT AND REMODELING SENATORS' SUITES

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 299 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1429) authorizing the enlargement and remodeling of Senators' suites and structural,

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mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate. After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I have no requests for time.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

ADDITIONAL SENATE OFFICE BUILDING

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1430) increasing the limit of cost fixed for construction and equipment of an additional office building for the United States Senate.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, S. 1430, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. JONES of Alabama. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, this bill makes an increase in the authorization for the construction of the Senate Office Building which was originally passed in the Second Deficiency Appropriation Act of 1948. The original authorization was for $20,600,000. This bill increases the authorization by $2,846,000, making a total authorization of $23,446,000.

Now, there has been expended or placed under contract all of the authorized amounts, and in order to complete the building for occupancy in January 1953, it will be necessary for this authorization to be made. The committee has gone into the matter thoroughly, and the bill simply provides for the building requirements in order to complete the project that was commenced in 1949.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Iowa.

Mr. GROSS. This bill provides for an increase of 2 million plus.

Mr. JONES of Alabama. $2,846,000.

Mr. GROSS. Nearly $3 million. And, it provides for construction and equipment; is that correct?

Mr. JONES of Alabama. Well, the equipment that it refers to is the electrical equipment and appurtenances, such as elevators and the other necessary incidentals that go with a structure such as this. Historically the building commissions of the Senate and the House have always treated the normal equipment such as furniture and other articles necessary to properly house the Members as being separate items.

Mr. GROSS. Well, that is the question I wanted to ask the gentleman, since the word "equipment" is used. And, there is a bill following, I understand to provide furniture, rugs, and other things.

Mr. JONES of Alabama. I will say to the gentleman that the reports on the two bills make that distinction, that the word "equipment" is not to be used synonymously with the word "furniture."

Mr. GROSS. May we assume that this is the last construction appropriation to be asked for completion of the new Senate Office Building?

Mr. JONES of Alabama. As far as I know, I will say to the gentleman, this amount will be sufficient to complete the project. It is almost completed now, and this increased item is necessary to take care of the subway system from the Capitol Building to connect the new and the old Senate Office Building. It was occasioned by the authorization of the House of its new building. The main reason for the change in the plans was that brought about by the authorization of the new House Office Building and also the need for some increased costs that were not foreseen back in 1948.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. JONES of Alabama. Yes.

Mr. GROSS. Does the gentleman know whether or not any of this money will be used to complete the roof, or is it completed?

Mr. JONES of Alabama. I do not know.

Mr. GROSS. I just want to say to the gentleman if the roof was not completed, I would be glad to vote against this, because then we might save quite a bit of money in fixing the building up, and so forth. I want the gentleman to understand that I opposed this appropriation when it originally came before the House and I am still opposed to more buildings of this type on Capitol Hill at this time.

Mr. McGREGOR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to concur in the statement of our subcommittee chairman, the gentleman from Alabama [Mr. JONES]. I fear that my good friend, Mr. JONES, is somewhat in an embarrassing position. I feel certain that he does not like this legislation any more than the gentleman from Ohio.

We are discussing S. 1430, which authorizes a new Senate Building. I would respectfully refer Members to the minority report which is found on pages 6 and 7 and signed by the minority members of the Committee on Public Works, with one exception:

MINORITY VIEWS

We, the undersigned, opposed committee approval of S. 1430 because no authorization had been previously approved for the appropriation of funds for construction of a new Senate Office Building by the legislative committees having jurisdiction under the provisions of the Legislative Reorganization Act.

The Rules of the House provide that the Committee on Public Works shall have jurisdiction of "measures relating to the Capitol Building and the Senate and House Office Buildings." On April 10, 1947, S. 723, to authorize the Senate Office Building Commission to prepare preliminary plans and estimates of cost for an additional office building for the use of the United States Senate, was referred to the Committee on Public Works of the House of Representatives pursuant to the Rules of the House. The committee subsequently reported S. 723 and it ultimately became Public Law 169, 80th Congress, and this constitutes the only authorization for the new Senate Office Building considered by the Committee on Public Works of the House of Representatives. Public Law 169, 80th Congress, authorized $25,000 for preliminary plans and estimates of cost for a new Senate Office Building; it will be noted that it carried no authorization for the appropriation of funds for construction. To date, $20,600,000 has been appropriated for the building, and S. 1430 properly seeks the authorization necessary to support an additional appropriation of $2,846,000 in order to complete the building. The undersigned wish to point out that a bill similar to S. 1430 for authorization of appropriation should have preceded the item in the Second Deficiency Appropriation Act of 1948.

Since the Committee on Public Works of the House, in considering the basic authorization for the new Senate Office Building, saw fit to limit its authorization to preliminary plans and estimates of cost, it is clear that the Committee on Public Works of the House desired detailed information regarding plans and estimates of cost before entering upon legislative authorization for the construction of the building.

This statement does not presume to relate to procedure in the Senate of the United States; it is confined to procedure in the House of Representatives. The procedure followed in the House with respect to authorizing legislation for the new Senate and House Office Buildings is not in conformity with House rules.

J. HARRY MCGREGOR.
RUSSELL V. MACK.
HUBERT B. SCUDDER.
MYRON V. GEORGE.
FRANK J. BECKER.
GORDON H. SCHERER.
GARDNER R. WITHROW.
WILLIAM C. CRAMER.
JOHN F. BALDWIN, JR.
FRED SCHWENGEL.
EMMET F. BYRNE.
EDWIN B. DOOLEY.
WILLIAM S. BROOMFIELD.
S. WALTER STAUFFER.

Mr. Chairman, in this minority report we call attention to the fact that this legislation, authorizing the construction of this building, did not follow the usual procedure and what we contend are the Rules of the House in order to get authority for this construction.

Some years ago, about 1948, the Committee on Public Works authorized an expenditure of $25,000 in order to make plans and surveys for this project. I might add that in the Committee on Public Works for some time there has been legislation asking for authorizations for new construction, for buildings to house the legislative Members.

Lo and behold, a few weeks ago, the Committee on Public Works had presented to it a bill asking an increase in the authorization of $20,600,000 by an

addition thereto of $2,846,000. The minority side raised the question with the Architect of the Capitol, "Why are you coming to the authorizing committee today and asking for an increase when you did not come to the proper committee for authorization of the original amount?" It was brought out that about 61 percent of the project is completed. May I quote from the testimony:

Mr. McGREGOR. Now you are asking for an additional authorization?

Mr. STEWART. That is correct.

Mr. McGREGOR. Did you get the original authorization for that particular building from a legislative committee of the Congress?

Mr. STEWART. It came from the Appropriations Committee, sir.

Mr. McGREGOR. That is right. If you got it from the Appropriations Committee, why are you coming to the legislative committee for additional money? Why do you not go back to the same fellows who started this project?

Mr. STEWART. I must plead with you. I can tell you how and what happened. I cannot tell you why, in my position.

That is the position we of the Public Works Committee found ourselves in.

We recognize that this building is 61 percent complete. As to the authorization, I think under any interpretation of the rules it would be very questionable whether it was properly authorized, but I respectfully say to you the building is 61 percent completed. They are asking for an increase of $2 million. I am not sure that this will be enough to complete it. So I think the Appropriations Committee and those who did authorize this in the first place find it getting a little bit too warm for them, so they come to the proper legislative committee to get an authorization. I am leaving it to you to decide whether or not you want to vote for it. I respectfully refer you again to the minority views that set forth that this authorization was never properly made by a legislative committee.

Mr. MUMMA. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Pennsylvania.

Mr. MUMMA. In the first line of the title of the bill are the words "Increasing the limit of cost fixed for construction equipment." Should that not be "construction and equipment"?

Mr. McGREGOR. I think that is a technicality. In the hearings it was brought out that that particular equipment was a part of the construction because they referred to electrical appliances and elevators. I might say you notice it did not say "furniture," and we will bring that up later and I think will discuss it a little more in detail for the furnishings of that building.

Mr. MUMMA. In the report they say "construction and equipment." The gentleman is in the construction business. They could buy a steam shovel under that authorization, could they not?

Mr. McGREGOR. I think that is true. They could buy whatever they want. But one thing about it, they will have to come back and get some more money from us. If the gentleman will read the hearings, he will find that we are trying to hold it down. However, the gentleman's interpretation is correct, it is "construction and equipment." That "equipment" covers a host of sins.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield.

Mr. JONES of Alabama. May I assure the gentleman from Pennsylvania that if the Senate committee does acquire that steam shovel he is talking about, we will have an opportunity to vote on it in the appropriation bill.

Mr. McGREGOR. I pay my respects to the gentleman from Alabama. He has certainly been fair in this legislation. Again I say it has been a very difficult task.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the amount of $20,600,000 fixed by the Second Deficiency Appropriation Act, 1948 (62 Stat. 1029), as the limit of cost for construction and equipment of an additional office building for the United States Senate is hereby increased by $2,846,000.

The CHAIRMAN. If there are no amendments, under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 1430) increasing the limit of cost fixed for construction equipment of an additional office building for the United States Senate, pursuant to House Resolution 300, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

FURNISHINGS FOR ADDITIONAL SENATE OFFICE BUILDING

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1428) to authorize furniture and furnishings for the additional office building for the United States Senate.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 1428, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. JONES of Alabama. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is the second bill of a series to complete the Senate Office Building and to provide that the Architect of the Capitol under the direction of the Senate Office Building Commission can proceed to acquire the furniture necessary to furnish the new office building which is expected to be completed in January of 1958. This amends the act of April 28, 1904, which originally established the Office Building Commission.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield.

Mr. GROSS. I thought the gentleman just said that the appropriation we provided in the last bill which we just passed would complete the building.

Mr. JONES of Alabama. That is right.

Mr. GROSS. Then this bill is strictly for furniture and furnishings?

Mr. JONES of Alabama. That is right.

Mr. GROSS. How much do they want for that?

Mr. JONES of Alabama. There is no way to predetermine that because the articles have not been selected. This gives the authorization to the Senate Office Building Commission to direct the Architect of the Capitol to make such selections as will be necessary to supply the furniture and other articles needed to complete the building.

Mr. GROSS. Do we do that ordinarily with other agencies and departments of government?

Mr. JONES of Alabama. So far as I know, since the original act of 1904 was passed, that has been the procedure.

I would like to call the attention of the Committee to the fact that the resolution was passed in 1947 authorizing the expenditure of $15,000 for the Senate Office Building Commission to make a study of its housing needs. As a result of the report of that Commission, authorization was included in the second deficiency appropriation bill of 1948. So the House and the Senate have had plenty of opportunity to review this problem. There has not been any disagreement as to the conduct of the Commission or as to its authority or its purpose. So far as I know, Mr. Chairman, there has always existed a comity between the two bodies. Therefore, we have always agreed to the activities carried on by the Senate Building Commission and they have likewise reciprocated in carrying out the wishes of the House with respect to its own housing needs.

Mr. GROSS. There can always come a day when good things come to an end.

Mr. JONES of Alabama. Yes.

Mr. GROSS. Despite all the comity that we hear about, I should like to know and I am going to continue to ask the question as to what this is going to cost the taxpayers of the country. It seems to me we ought to have some estimate and some idea of how much this furnishing of the Senate Office Building is going to cost the people of this country. The Members of the other body are not going to pay for it; the taxpayers are going to pay for it, and I want to know.

Mr. JONES of Alabama. I wish I had the facts and information that I could tell the gentleman from Iowa. However, the resolution is not drafted in such way that I think they would be readily ascertainable to indicate how

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much the cost would be. I think there is a general agreement that the Senate Office Building is rather unique and it is going to require some considerable study by this Commission to make a selection of the various furnishings that go into the building.

I will say to my good friend from Iowa that he will have ample time in which to lodge his complaint for the selection of any article he finds objectionable when the appropriation items come before us in pursuance of this authorization.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield to me?

Mr. JONES of Alabama. I yield to the gentleman.

Mr. SMITH of Virginia. These three bills came before the Rules Committee and the same question was raised there that has just been raised by the gentleman from Iowa.

It is embarrassing to say anything about a bill that comes over here for the accommodation of the other body, but it seems to me that some things ought to be said at some time at whatever cost.

I objected there, and I object here to this provision:

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act, and the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services—

And so forth. That strikes me as a very, very bad way for the Congress to legislate, because it is an open-end proposition; there is no estimate as to anything. The Architect of the Capitol appeared before the Rules Committee but could give us no estimate of what this would cost.

The same thing is true of the other bill which will follow this which deals with the remodeling of the old Senate Office Building. Nobody has the faintest idea what that is going to cost.

The gentleman from Alabama said this matter has been under consideration for 7 or 8 years. It seems to me that in that time somebody, somewhere, somehow, ought to have been able to make some estimates and at least take Congress into their confidence as to how much money they expect to spend for these purposes.

I think it is bad legislation, but I do not know what you can do about it.

Mr. McGREGOR. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, this is another one of a series of bills, and this one, in my opinion, is especially bad.

I concur in the statement made by the gentleman from Alabama and in the statement made by the chairman of the Committee on Rules, Congressman SMITH of Virginia, that this is a blank check authorization.

I will agree that the record shows that we have in years gone by established somewhat of a precedent that each House should take care of its own needs, but I join with the gentleman from Virginia in stating that possibly the time has come when we should call a halt to some of the things being done.

I would again like to call your attention to the minority report on this particular bill. It is found on page 4. It is signed by all the members of the minority side of the Committee on Public Works with one exception. I read the following:

We opposed this blank check authorization because we have no idea how much is to be spent. The only witness, the Architect of the Capitol, advised the committee he was not in a position to provide this information at this time. The Committee on Public Works of the House is without adequate information as to the coverage of this legislation and certainly we have no information upon which to base a reasonably accurate estimate of cost. We firmly believe that certainly the time has arrived when the policy of blank check authorizations should be stopped so that we may give the taxpayers some relief. How can we expect to balance our budget and bring relief to the taxpayers when we continue a policy of unlimited authorization?

Mr. Chairman, this is the bill that you have read a lot about in the papers. One of the items that was carried in the newspaper was in reference to a door costing $8,000. I raised a question relative to this and asked the Architect of the Capitol, who was a witness before the committee: "Is $8,000 correct for the price of the door, Mr. Stewart?"

Mr. Stewart said, "It is correct, that is right."

Then the question was raised, "Was competitive bidding asked for?"

He said, "We had no competitive bids. We just awarded the contract."

Then a question was brought up relative to some of the furnishings. Certain newspapers said that the price of the chairs was from $400 to $800 each. Then the report also was that some had vibrating appliances attached. The question was asked of the Architect and he said it had been the policy to allow each Member of the other body to choose the furniture for his office.

I take no exception to that, although to me it seems a rather ridiculous idea. I am sure that the Members of the other body are expendable the same as are the Members of this body. Maybe when a new Member of the other body comes in he might not like the vibrating chair his predecessor had and, such being the case, we might again have to pay another $800 in order that the new Member of the other body may have the right vibration in the right spot.

Mr. BROWNSON. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Indiana.

Mr. BROWNSON. I want to congratulate the gentleman on his statement in opposition to this blank-check authorization. We in the Congress have, this year, adopted an economy position. It is encouraging to see the frankness of the minority views expressed here because unless we in the Congress take an economy position on our own activities here on the Hill, the executive departments will have every reason to neither justify nor curtail their activities.

I would like to ask the gentleman, Is it proposed to ask for a recorded vote on this subject or on a motion to recommit so that the membership will have an opportunity to let their constituents know where they stand on this matter?

Mr. McGREGOR. The distinguished gentleman from Indiana has been here for a number of terms, he is always alert, he knows the rules of the House. If the question is raised and the proper number of Members stand, it would be mandatory on the part of the Speaker to have the roll called. That will be dependent entirely on the membership.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. I am sorry to note the feelings that have developed over consideration of this bill. I want to call the attention of the membership to the fact that this is not originally a Democratic piece of legislation. It came out of the 80th Congress and was under the leadership of Mr. Taft at the time this resolution was included in the second deficiency appropriation bill. There has not been any disagreement either in a Democratic Congress or a Republican Congress since that time as to whether or not we were going to complete this building. Now, it is going to be ready for occupancy in January, and we are going to have to buy some furniture. You certainly do not want a $23 million building standing idle so that the Senate of the United States cannot occupy it. So, it seems to me that these exaggerated propositions of somebody being in a rocking chair or something like that should not betray our ability to look at those things on their merits. I hope we will not be led astray into thinking that we will just have a few rocking chairs for a few Senators.

Mr. McGREGOR. May I reply to my distinguished chairman? I assure him that this is not a partisan measure. There will probably be just as many Senators of one party using those chairs as Senators of another party, and I am not debating that. And, maybe it did originate back years ago, but we did not have the national debt years ago that we have had in the last few years. I am not going to insist on a roll call and insist on certain things being done, but I think the time has arrived where this Congress and the membership thereof should know exactly what is going on relative to some of these authorizations. My dear friend said something about some radical views or something. I will refer him to the hearings in which the Architect himself said that there were no specifications for any of this furniture; there was to be no competitive bidding; it would be at the pleasure of each of the Members of the other body. I say that this is not a partisan measure, but I think it is an issue between the membership of the House and possibly the other body so that we can let all the people know whether or not we favor one hundred and some million dollars additional for new offices and furniture when we seemingly cannot get enough money to take care of some of the other

needs of the people. That is the only reason I am trying to give the facts to the people.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Ohio.

Mr. SCHERER. Was not the chief objection of the minority not so much as to the furnishings and the type of equipment but the fact that this authorization bill contains no limitation whatsoever on expenditures?

Mr. McGREGOR. That is correct, and that was ably pointed out by the chairman of the Committee on Rules, a member of the other party, Congressman SMITH of Virginia and I believe he feels just as bad about it, and I feel in my own heart that the distinguished gentleman from Alabama does, too.

Let me read one section of this bill:

> There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act, and the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this act.

That is a broad statement; a blank check. We must all recognize, of course, that the other body has a building under construction, and certainly they need equipment.

Mr. GEORGE. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Kansas.

Mr. GEORGE. Was not the main objection by our committee due to the fact that we have been bypassed more or less in the past on some of these authorizations, and we have not been able to make a progress study so that we can justify our stand, and are we not now in that position today when we are asked to make an open-end authorization for the Senate?

Mr. McGREGOR. I think that is correct; and if I may continue on that subject, I think we are in a situation here with this furniture and these furnishings where we may have to go along with them, because someone I think was just a little negligent and did not take care of this before the project was started. But there is another bill coming up shortly along this same line, to remodel the existing Senate Office Building. There are no plans and specifications or any amounts stated in that bill. Certainly we have no reason for saying that we cannot insist in that bill on having plans and specifications drawn and contracts let under competitive bidding.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman.

Mr. GROSS. I thank the gentleman. I simply want to make the record clear that I am not opposed to furnishing this building. What I am opposed to, as the gentleman from Ohio [Mr. McGREGOR] has so well stated, is writing a blank check for perhaps colored television sets, and the Lord knows what. That is what I am opposed to, the writing of a blank check to spend as much as you want to.

Mr. McGREGOR. I thank the gentleman for his contribution.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield.

Mr. REES of Kansas. Was there any suggestion given as to what amount would be involved in this proposal; was there any estimate?

Mr. McGREGOR. No; I tried to include in my remarks the testimony of the Architect. He did not know what it might cost. He did not know the unit price, because the membership of the other body had not made a selection of the type of desk they wanted, or the type of chair they wanted, and so forth.

Mr. REES of Kansas. So the Architect himself does not know how much it is going to cost and cannot even furnish an estimate?

Mr. McGREGOR. That is correct. So he told our committee and told, I am sure, the Committee on Rules.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield for a question?

Mr. McGREGOR. I yield to the gentleman.

Mr. JONES of Alabama. Is not the bill we are presently considering in the same form, under the same procedure that is used in every authorization for furniture for the House and Senate Office Buildings and has been continuously since 1904?

Mr. McGREGOR. I do not know, because I have not looked it up. But if my good friend from Alabama says it is I take his word. But I will say that if such is the case, it is time to change the procedure.

Mr. JONES of Alabama. The point is we are using the same procedure and the same method we always have used.

Mr. McGREGOR. If the gentleman wishes to make that statement, that is acceptable to me. But I repeat, that started years ago when taking care of one's own house meant perhaps only $1,000 or so but, if I remember correctly the Architect's statement before the Committee on Rules, he said the cost would possibly be over $100 million.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman.

Mr. PELLY. If I were to go buy the furniture that is in my office in the Old House Office Building, that must have been purchased under that same appropriation of 1904; that is, the couch and the overstuffed chair; but I must say that I like it very much and I think in that day they did a good job.

Mr. McGREGOR. I think this discussion is going to do some good. I think we are in a position where we have to recognize that we are operating under peculiar circumstances. But I am definitely of the opinion that the colloquy that has taken place in our committee and on the floor will make somebody think a couple of times before he starts such a procedure again.

Mr. BROWNSON. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Indiana.

Mr. BROWNSON. The distinguished gentleman will admit that in all of the prerogatives exercised by Members of the House, for example, the purchase of electrical equipment for our offices, our operating stationery allowances, and so forth, there is always a ceiling on the amount that may be spent by each Member. This furniture is to be purchased by the Senate under this authorization, with no ceiling on the amount, as this bill provides. I, too, want to agree that the new Senate building must be furnished, furnished quickly and furnished adequately—but if this expenditure is made, is it not natural to assume, under the somewhat secret system followed in the other body, that the taxpayers will never have any knowledge of which Senator spent $5,000 to furnish his office and which Senator spent $10,000?

Mr. McGREGOR. That probably is true, but this is a part of the program of furnishing the building.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman.

Mr. SCHERER. May I ask the question as to whether there was any evidence whatsoever before our committee as to the total cost of furnishing the Senate Building?

Mr. McGREGOR. No.

Mr. SCHERER. Is it not a fact that the Architect said he could not give us such a figure?

Mr. McGREGOR. That is right.

Mr. SCHERER. Is not that the reason the minority oppose this legislation?

Mr. McGREGOR. That is right, because the man who is in charge of making the purchase advised our committee that he could not give any figures as to costs.

Mr. SCHERER. That was the reason he said they recommended open-end legislation without any limitation whatsoever on the total expenditure.

Mr. McGREGOR. That is correct.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield.

Mr. BYRNES of Wisconsin. It seems to me that most if not all of the criticisms that have been directed against the bill and some of the procedures here are justified, but may I ask the gentleman, what would he suggest the House do at this time under these circumstances? Do we pass it, recommit it to the committee, or what should we do under these circumstances?

Mr. McGREGOR. I am of the opinion this bill should be sent to the committee for estimates; but, if we cannot, certainly this colloquy will be of assistance in future programs and will help hold expenses down, because it is started and it will be finished. Possibly it can be amended to put a ceiling on the cost. I think by this procedure we are bringing out today we will serve warning we will not go along always in blank check procedures. As I mentioned a minute ago, when we come up with the other bill that is asking for another blank check for the remodeling of the present Senate Office Building, I think then we can insist that

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we have plenty of time to develop the plans and specifications, and costs can be determined before we give a blank check.

Mr. SCHERER. Does not the gentleman think the proper action of the House should be, considering what has been said here, that this bill should be recommitted to the committee, and then after the committee obtains evidence from the Architect as to the approximate total cost it put that figure in this bill limiting it to that amount?

Mr. KLUCZYNSKI. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Illinois.

Mr. KLUCZYNSKI. What committee would the gentleman like to have that sent to?

Mr. McGREGOR. Our committee or the committee designated by the Speaker.

Mr. KLUCZYNSKI. We, the Committee on Public Works, did not start this legislation. It originated in the Appropriations Committee.

Mr. McGREGOR. That is right.

Mr. KLUCZYNSKI. This is not a House measure. These are Senate bills.

The gentleman from Ohio quoted some figures of $8,000 for a door. What kind of door is it? Is it a revolving door of stainless steel, worth $12,000 or $14,000?

Mr. McGREGOR. I am sure the gentleman was at the committee hearing when the Architect testified, and he said it was to cost $8,000.

Mr. KLUCZYNSKI. But what kind of door is it, a revolving door, of stainless steel? There was a meeting of an association in my district last week that agreed to pay $12,000 for a door. We are going to pay $8,000. The gentleman knows the Architect will take bids on that. If it is a bad bill, I think we should have a rollcall on this and see where we all stand. I am not for this bill. I am sure the chairman of the committee is not anxious to handle the legislation. I am vice chairman of the Subcommittee on Public Buildings and Grounds. I am not for this bill. I think it is a bad bill, and we should not pass it.

Mr. McGREGOR. The gentleman is questioning the figure of $8,000. I will refer him to page 13 of the hearings, in which we bring up the subject of chairs costing $900. The Architect said, "I am afraid that that is a little too high." Then he was asked if it was $200 or $300. "Possibly a little more; I don't know the exact price, but I can find out for you, and I can put it in the record." He has not put it in the record.

Mr. KLUCZYNSKI. Yes; but it is not in the record. The bids are not out on those chairs yet. I do not think they will spend $400 or $500 for chairs.

Mr. McGREGOR. I might say to my friend all we have to go by is in these hearings and no definite prices are established.

Mr. KLUCZYNSKI. What the Architect has said.

Mr. McGREGOR. No, not at all. The gentleman from Illinois was at the hearing.

Mr. KLUCZYNSKI. I was at the hearing.

Mr. McGREGOR. I will give the gentleman the report and he can read it for himself.

Mr. KLUCZYNSKI. But the Architect told us the bids are not out yet.

Mr. McGREGOR. He said he was not going to take competitive bids. I can read it to the gentleman. He can pay a thousand dollars for a chair if he wants to.

Mr. KLUCZYNSKI. Well, I will ask for a roll call on it.

Mr. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Wisconsin.

Mr. JOHNSON. I wonder if the gentleman intends to offer an amendment limiting the authorization.

Mr. McGREGOR. I certainly am in accord with offering a limited authorization. We honestly feel that it is unfair to ask this body to sign a blank check and let the other body spend whatever amount they want and certainly there is nothing wrong in asking a limit be placed. We have limits placed on the equipment in our offices. I am not the Architect of the Capitol. I do not write to the various furniture companies and ask them about these chairs. If the gentleman is in that business, I wish he would offer an amendment. Would the gentleman offer an amendment?

Mr. JOHNSON. I notice that the minority group are opposed to the bill, and I wonder if you intended to amend it in the Committee?

Mr. McGREGOR. Please read the minority report. We are opposing it on one principle and that is because it is a blank-check authorization. Would the gentleman favor a blank-check authorization?

Mr. JOHNSON. No, I would not.

Mr. McGREGOR. I am very happy to hear that, and I am sure he is honest and sincere in his desires to do that which is right.

Mr. JOHNSON. I wish the gentleman would offer an amendment limiting the authorization.

Mr. McGREGOR. I have no idea what the limit might be. If it were within a certain range, we might be able to do that. But until I get that information I would not want to offer a limiting amendment because frankly we have no information whatsoever on what the costs might be. The Architect of the Capitol, the only witness, could not give us the information.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield.

Mr. RABAUT. The gentleman has been in this body a long time and he knows there is a great respect between the Houses for each other. This is a piece of business that concerns only the other body. It is a new building and must be furnished. That brings this matter before our body. We never interfere with the Senate because of the very reason that we must have amity between the two Houses. This would be a poor place for success in legislation if we were at odds with the body that we do business with all the time. I recall very well when we did this Chamber over. We were in the old Chamber of course at that time and talking about the changes that were to take place here. There were such expressions as, "Would it not be glorious, all lit up with neon lights?" Well, we found out that we had more architects in the Congress of the United States at that time than we realized—and those who were not architects were engineers. We cannot be suspecting everybody who works here on the Hill and who has a certain position assigned to him. That is the situation that we have before us. Somebody, whoever he is, is to look after the purchase of this furniture, or a committee is going to be assigned to that task. Are we to be suspicious of everything that they are going to do? They could probably have brought this bill in here with a ceiling on it that it would not be more than a certain amount. I do not know why they did not do that. But I am not going to be suspicious of them. This is an outstanding building. It will be the top building on the Hill that people will come to visit next to the Capitol. We know that our own buildings are being estimated as to cost. Some people think that we should not have them. But people who have been studying this problem realize that we must have them. I am willing to go along with the suggestions that are made for the furnishing of the Senate building. I think there is much talk here—we are saying, "I am against this but I am going to vote for the bill." This bill will not be defeated here today, and everybody knows it will not be defeated. It is one of those things where somebody thinks, "I am going to stir this matter up." I do not think this is the right thing to do, to stir it up.

Mr. McGREGOR. May I answer my distinguished colleague?

Mr. RABAUT. The gentleman is going to ask me an embarrassing question, so I am going to sit down.

Mr. McGREGOR. No, I was not going to do that.

Now you can see why we all love our distinguished friend, the gentleman from Michigan, so much. I am not suspicious of anyone, but the people who pay the taxes have a right to know how their money is being spent. Just in order to clear the record up, the gentleman raised the question about this Chamber and the furnishings here. The gentleman from Ohio was a member of that Commission that remodeled this Chamber. Plans were drawn—with the consent of this body—then estimates were received and an authorization including dollars and cents was submitted to the Congress and they were accepted and we had a limitation on cost of planning and construction from the very start. When we ran out of money we came back to the Congress and asked for another authorization and an additional appropriation. We did not come to the Congress or send the bill to the other body with a blank-check provision. We told them how much it was going to cost. We found ourselves in the position that we could not complete the project at the stated authorization, so we came back and asked for more money. We at no time asked for blank-check authorization as set forth in this bill. Why can't

the same procedure be followed in this legislation?

The CHAIRMAN. The gentleman from Ohio has consumed 25 minutes.

Mr. JONES of Alabama. Mr. Chairman, I have no further requests for time.

Mr. McGREGOR. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Architect of the Capitol, under the direction of the Senate Office Building Commission, created by the Sundry Civil Appropriation Act of April 28, 1904 (33 Stat. 481), as amended, is hereby authorized and directed to provide furniture and furnishings for the additional office building for the United States Senate, authorized to be constructed and equipped by the Second Deficiency Appropriation Act, 1948 (62 Stat. 1029).

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act, and the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this act. Any appropriations made available under authority of this act may be expended without regard to section 3709 of the Revised Statutes of the United States, as amended, and section 1316 of the Supplemental Appropriation Act, 1954 (67 Stat. 439).

Mr. JONES of Alabama (interrupting the reading). Mr. Chairman, I ask unanimous consent that the bill may be considered as read, that it be printed in the RECORD, and be open to amendment at any point.

The CHAIRMAN. Are there amendments? [After a pause.] There being no amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore having resumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 1428) to authorize furniture and furnishings for the additional office building for the United States Senate, pursuant to House Resolution 298, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule the previous question is ordered.

The question is on the third reading of the bill.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. SCHERER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SCHERER. I am.

The SPEAKER pro tempore. The gentleman qualifies. The Clerk will report the motion.

The Clerk read as follows:

Mr. SCHERER moves to recommit the bill S. 1428 to the House Committee on Public Works with instructions to the committee to report the bill back to the House with specific cost figures having been inserted covering the authorizations as provided in the title of the bill.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken and on a division (demanded by Mr. GROSS) there were—ayes 36, noes 87.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present. The Sergeant at Arms will notify absent Members, the Doorkeeper will close the doors, and the Clerk will call the roll.

The question was taken; and there were—yeas 135, nays 232, not voting 66, as follows:

[Roll No. 127]

YEAS—135

Abbitt	George	Nimtz
Alger	Griffin	Norblad
Andersen, H. Carl	Gross	O'Hara, Minn.
	Haley	Ostertag
Ashmore	Harden	Pelly
Avery	Harrison, Nebr.	Pillion
Ayres	Harrison, Va.	Poff
Baldwin	Harvey	Ray
Bass, N. H.	Henderson	Rees, Kans.
Baumhart	Heselton	Rhodes, Ariz.
Bennett, Mich.	Hiestand	Riehlman
Bentley	Hill	St. George
Berry	Hoeven	Schenck
Betts	Hoffman	Scherer
Bolton	Holt	Schwengel
Bosch	Horan	Scott, Pa.
Bray	Hosmer	Scrivner
Broomfield	Hyde	Scudder
Brownson	Jennings	Seely-Brown
Budge	Jensen	Siler
Byrne, Ill.	Johansen	Simpson, Ill.
Carrigg	Johnson	Smith, Calif.
Cederberg	Jonas	Smith, Va.
Chamberlain	Kean	Smith, Wis.
Chiperfield	Keating	Springer
Church	Keeney	Stauffer
Collier	Kilburn	Taber
Corbett	Knox	Talle
Cramer	Laird	Teague, Calif
Cretella	LeCompte	Tewes
Cunningham, Nebr.	Lipscomb	Thomson, Wyo.
	McCulloch	Tollefson
Curtin	McDonough	Tuck
Curtis, Mo.	McGregor	Utt
Dague	McIntosh	Vorys
Davis, Ga.	McVey	Vursell
Dawson, Utah	Macdonald	Weaver
Dennison	Mack, Wash.	Wharton
Devereux	Mason	Widnall
Dies	Matthews	Williams, Miss.
Dooley	Michel	Wilson, Ind.
Dorn, S. C.	Miller, Nebr.	Winstead
Dowdy	Minshall	Withrow
Dwyer	Moore	Wolverton
Flynt	Mumma	Younger
Frelinghuysen	Neal	

NAYS—232

Abernethy	Brown, Ga.	Doyle
Addonizio	Brown, Mo.	Eberharter
Albert	Brown, Ohio	Edmondson
Alexander	Broyhill	Elliott
Allen, Calif.	Burdick	Engle
Anderson, Mont.	Burleson	Evins
	Bush	Fallon
Andrews	Byrd	Farbstein
Ashley	Byrne, Pa.	Fascell
Aspinall	Byrnes, Wis.	Feighan
Auchincloss	Cannon	Fenton
Baker	Carnahan	Fisher
Barden	Chelf	Flood
Baring	Chenoweth	Forand
Barrett	Chudoff	Ford
Bass, Tenn.	Clark	Forrester
Bates	Clevenger	Fountain
Beckworth	Coad	Frazier
Belcher	Coffin	Friedel
Bennett, Fla.	Cooley	Fulton
Blatnik	Cooper	Garmatz
Blitch	Cunningham, Iowa	Gary
Boggs		Gathings
Boland	Curtis, Mass.	Gavin
Bolling	Davis, Tenn.	Gordon
Bonner	Delaney	Granahan
Bow	Dempsey	Gray
Boykin	Denton	Green, Oreg.
Boyle	Dingell	Gregory
Breeding	Dixon	Griffiths
Brooks, La.	Dollinger	Gubser
Brooks, Tex.	Dorn, N. Y.	Hagen
Hale	Magnuson	Rogers, Colo.
Hardy	Mahon	Rogers, Fla.
Harris	Mailliard	Rogers, Mass.
Haskell	Marshall	Rogers, Tex.
Hays, Ark.	Martin	Rooney
Hays, Ohio	May	Roosevelt
Healey	Merrow	Rutherford
Hemphill	Metcalf	Sadlak
Hess	Miller, Calif.	Santangelo
Hillings	Miller, Md.	Saund
Holland	Mills	Scott, N. C.
Holmes	Morgan	Selden
Huddleston	Morris	Sheehan
Hull	Morrison	Sheppard
Ikard	Moss	Shuford
Jackson	Moulder	Sieminski
Jarman	Multer	Sikes
Jenkins	Murray	Sisk
Jones, Ala.	Natcher	Smith, Kans.
Jones, Mo.	Nicholson	Smith, Miss.
Judd	Norrell	Spence
Karsten	O'Brien, Ill.	Staggers
Kearney	O'Hara, Ill.	Steed
Kearns	O'Neill	Sullivan
Kee	Osmers	Teller
Kelley, Pa.	Passman	Thomas
Kelly, N. Y.	Patman	Thompson, Tex.
Keogh	Patterson	Thornberry
Kilday	Perkins	Trimble
Kilgore	Pilcher	Udall
King	Poage	Ullman
Kitchin	Polk	Vanik
Kluczynski	Preston	Van Pelt
Lane	Price	Van Zandt
Lanham	Prouty	Vinson
Lankford	Rabaut	Walter
Lesinski	Radwan	Watts
Long	Rains	Whitten
McCarthy	Reuss	Wier
McCormack	Rhodes, Pa.	Wigglesworth
McFall	Riley	Williams, N. Y.
McGovern	Rivers	Willis
McIntire	Roberts	Wright
McMillan	Robeson, Va.	Yates
Mack, Ill.	Robsion, Ky.	Young
Madden	Rodino	Zablocki

NOT VOTING—66

Adair	Fino	Morano
Allen, Ill.	Fogarty	O'Brien, N. Y.
Andresen, August H.	Grant	O'Konski
	Green, Pa.	Pfost
Anfuso	Gwinn	Philbin
Arends	Halleck	Porter
Bailey	Hébert	Powell
Beamer	Herlong	Reece, Tenn.
Becker	Holifield	Reed
Bowler	Holtzman	Saylor
Buckley	James	Shelley
Canfield	Kirwan	Simpson, Pa.
Celler	Knutson	Taylor
Christopher	Krueger	Teague, Tex.
Cole	Landrum	Thompson, La.
Colmer	Latham	Thompson, N. J.
Coudert	Lennon	Wainwright
Dawson, Ill.	Loser	Westland
Dellay	McConnell	Whitener
Derounian	Machrowicz	Wilson, Calif.
Diggs	Meader	Zelenko
Donohue	Miller, N. Y.	
Durham	Montoya	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Arends.
Mr. Holtzman with Mr. Halleck.
Mr. Shelley with Mr. Allen of Illinois.
Mr. Porter with Mr. Simpson of Pennsylvania.
Mr. Landrum with Mr. Taylor.
Mr. Zelenko with Mr. Gwinn.
Mr. Dawson of Illinois with Mr. Fino.
Mr. Buckley with Mr. Coudert.
Mr. Thompson of New Jersey with Mr. Canfield.
Mr. Herlong with Mr. Latham.
Mr. Bailey with Mr. Reece of Tennessee.
Mr. Kirwan with Mr. Saylor.
Mr. Thompson of Louisiana with Mr. James.
Mrs. Knutson with Mr. Westland.
Mr. Machrowicz with Mr. Adair.
Mr. O'Brien of New York with Mr. August H. Andresen.
Mr. Fogarty with Mr. Beamer.
Mr. Colmer with Mr. Krueger.
Mr. Celler with Mr. Wainwright.
Mr. Philbin with Mr. Reed of New York.
Mr. Donohue with Mr. Miller of New York.

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Mr. Green of Pennsylvania with Mr. Cole.
Mr. Powell with Mr. Dellay.
Mr. Holifield with Mr. Derounian.
Mr. Montoya with Mr. O'Konski.
Mr. Teague of Texas with Mr. McConnell.
Mrs. Pfost with Mr. Meader.
Mr. Bowler with Mr. Morano.
Mr. Durham with Mr. Becker.
Mr. Grant with Mr. Wilson of California.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 172. Joint resolution relating to the stockpile of extra long staple cotton under the Strategic and Critical Materials Stockpiling Act.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7599. An act making appropriations for the Legislative Branch for the fiscal year ending June 30, 1958, and for other purposes.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 115. Joint resolution to provide an interim extension for the Voluntary Home Mortgage Credit Program.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1314) entitled "An act to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, request a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. HOLLAND, Mr. EASTLAND, Mr. HUMPHREY, Mr. AIKEN, Mr. YOUNG, Mr. THYE, and Mr. HICKENLOOPER to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6287) entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes."

The message further announced that the Senate agrees to the amendments of the House to Senate amendments Nos. 6, 23, 29, and 46 to the above-entitled bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6070) entitled "An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to Senate amendments No. 14, 27, and 41.

The message further announced that the Senate recedes from its amendments Nos. 3 and 13 to the above-entitled bill.

SENATE OFFICE BUILDING IMPROVEMENTS

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1429), authorizing the enlargement and remodeling of Senators' suites and structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, S. 1429, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The Chair recognizes the gentleman from Alabama, Mr. JONES.

Mr. JONES of Alabama. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, this is the third in the series of bills relating to the housing situation of the Senate. The first bill we passed authorized an increase in appropriations for the completion of the Senate Office Building that is now under construction; the second authorized the Senate to acquire furniture and articles necessary to equip the building; the pending bill, the third, authorizes the same Commission, the Senate Office Building Commission, to enlarge and remodel the Senate suites and make other structural and mechanical changes and improvements in the present Senate Office Building.

The plans have not been drawn and there have not been any plans made as to how this is to be carried out. This bill simply places the Commission in authority whereby they can carry out the objectives set forth in the bill.

Mr. McGREGOR. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. MACK], a member of the committee.

Mr. MACK of Washington. Mr. Chairman, 15 Republican members of the House Committee on Public Works have signed a report that opposes the 3 Senate Office Building bills which are before the House of Representatives today.

One of these bills would authorize spending $2,800,000 in additional funds to complete the Senate Office Building that is now under construction and on which more than $20 million already has been expended. We oppose these additional funds for the new buildings because the $20 million already spent was not voted in accordance with the usual practices of the House of Representatives. It never was referred to the House Committee on Public Works. Our committee was bypassed when the first $20 million to start this building was voted.

The second of the bills proposes to grant the Senate authority to furnish the new multimillion-dollar office building it is now building. The thing about this proposal to which we Republicans, who have signed the report against this bill, object is that it places no limit on what may be spent by the Senate to furnish this building. This bill is a blank check, an open-end authorization that permits the Senate to spend any sum it pleases on furniture. When other agencies of the Government—even the President—want money for any purpose limits are placed on what can be spent. There is no limitation in this bill as to what the Senate may spend for furniture. The Senate and House should abide by the same rules it imposes, and rightfully so, on all other agencies of Government.

The third bill, the one I now am discussing, authorizes the Senate to remodel its present office building. We object to this proposal because no limit is placed on what the Senate may spend on this remodeling job. We should not issue blank checks to anyone to spend taxpayers' money.

In 1947 the House passed a resolution through its Public Works Committee, while authorizing the expenditure of $25,000 to look into the feasibility and the desirability of securing additional quarters and remodeling the office facilities. That $25,000 has been increased by Congress without further consideration by the Public Works Committee of a building that will cost $72 million.

In short, the committee authorized a $25,000 survey to ascertain if enlarged quarters were needed and we wind up with $72 million being spent for a new House Office Building.

In the bill that is now before us we are proposing to give the Senate Office Building Commission the authority to go ahead and expend unlimited sums of money for the remodeling of its present building. We are giving them a blank check. In no case should the Senate give a blank check. In the case of the White House at the present time the President desires additional quarters. It will be necessary for him to send his representatives to both the House and the Senate Public Works Committee to prove the building is needed. Limits will be placed on how much will be spent. No department is given a blank check by Congress. This being so Congress should not vote itself blank checks for its projects.

The bill before us now is particularly objectionable because it gives to the Senate a blank check to spend money without any limit in the remodeling of its present structure. That kind of a blank check should not, in my opinion, be given to any executive official or to any legislative branch of the Government.

There is no emergency for having the Senate Office Building remodeled at this time. This bill ought to be sent back

to the Senate and the Senate ought to provide some limitation upon the amount of money they propose or want to spend in the remodeling of this building.

If the President wanted to remodel the White House, if the Secretary of Commerce wanted to make repairs to a building, if the Secretary of Defense wanted to buy a new ship or a new plane, the appropriate committees of Congress would ask, How much money do you expect to expend? If we pass this bill we say to the Senate, you can spend all the money you wish without limitation. This issuing of blank checks to anybody, it seems to me, is an unsound and unwise policy for the Congress of the United States. That is the reason that 15 of the minority members of the House Public Works Committee signed the report in opposition to the pending bill.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. MACK of Washington. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. The gentleman described this bill as being a blank check operation. I would like to point out to the gentleman that none of the plans have been drawn. This merely authorizes them to obtain architects and to have designs made in order that they can determine the price. Of course, they will have to make proper accounting to the Appropriations Committee and every member of this committee will have an opportunity to scrutinize each item in it.

Let me say to the gentleman that this is the normal procedure that we have historically followed. The gentleman says we are issuing a blank check. A blank-check operation is not going to occur as the gentleman fears and as he has expressed his apprehensions, due to the fact that the Architect of the Capitol will make a proper accounting of the cost.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. McGREGOR. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. MACK of Washington. Mr. Chairman, I may say to the chairman of our committee that if the President of the United States asked for remodeling of the White House, there certainly would be questions asked of his representatives as to how much money was going to be spent on that repair job.

Mr. JONES of Alabama. Does the gentleman recall how we authorized renovation of the White House? Let me say to the gentleman it is difficult to ascertain in connection with these very unique buildings, including the Capitol, what the cost will be. When we authorized the renovation of this structure back in the 81st Congress, we did not set a dollar limitation there because we said it was a unique undertaking. The gentleman from Ohio who served on that Commission well remembers the authorization contained in Public Law 71 of the 81st Congress. When we authorized the building of the House Office Building, when we authorized the Senate Office Building commencing in 1904 and the old House Office Building in 1906, every one of these authorizations followed the same procedure. I would like to remind my good friend from Washington of the fact that the Architect of the Capitol is an appointee of the House and Senate, therefore he is answerable to this body and must make a thorough and complete accounting for all the activities carried on by the Senate Office Building Commission and the House Office Building Commission, which is composed of the gentleman from New Jersey [Mr. AUCHINCLOSS], our Speaker, and the gentleman from Georgia [Mr. VINSON].

Mr. MACK of Washington. Let me reply. The 80th Republican Congress provided $25,000 for looking into the feasibility and the desirability of a new House Office Building. On the floor of the House that was amended to provide for $2 million to start construction of such a building. Plans for this new House Office Building were never discussed on the House floor. Those plans were never reviewed. I doubt whether any Members of the House outside of the members of the Commission knew that it was intended to spend $72 million on the construction of a new House Office Building. I think if the Members of the House had known that the intention of the Architect was to spend $72 million in constructing a new House Office Building, that the House would have disapproved that proposal.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. MACK of Washington. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. It does seem that this is an open-end appropriation bill, because section 2 says:

> There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act, and the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this act.

It is an unlimited right to spend the taxpayers' money.

Mr. MACK of Washington. I agree with the gentleman from Nebraska.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. MACK of Washington. I yield to the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. The gentleman is a member of the committee, I understand, that considered this legislation.

Mr. MACK of Washington. That is correct.

Mr. WILLIAMS of Mississippi. Can the gentleman tell me whether or not the committee received information which would inform the committee as to whether the contracts for the work under these bills will be on a negotiated basis or whether they will be on the basis of competitive bidding, or just how will they be let?

Mr. MACK of Washington. I do not know about the proposed repairs to the building. I do know as to the furniture. The furniture will not be purchased by competitive bidding. It will be bought by selection of the Senate committee, I think that is a proper procedure. It will be a very fine structure, and when they furnish it, they ought to furnish it in keeping with the building.

Mr. WILLIAMS of Mississippi. I was referring to the method of bidding.

Mr. McGREGOR. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, the gentleman from Alabama mentioned the renovation of this Chamber. A proper resolution was presented for the drawing of plans for this Chamber. The plans were drawn, and then estimates were submitted to this House for confirmation, and then we were authorized an exact amount of dollars that could be used for construction. The same applied to the White House. A commission was appointed to study and submit plans, and they came back to the House and asked for money for construction. The same way with the Supreme Court Building; the same way with the Federal court building. We have always followed the process of allowing money for plans and specifications and then coming back to the Congress and getting an authorization for construction—we never have used the procedure of blank checks—why do it now?

I agree with the gentleman from Nebraska when he read section 2 on page 2 and called it a blank check:

> There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act, and the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this act.

This Mr. Chairman is an outright blank check, unlimited amount, and may I call to your attention, and I quote from the bill—"including expenditures for personal and other services as may be necessary"—that clause allows them to spend what they want and the sky is the limit, if they so desire, is that the proper way to operate this construction program—I say it is not. We have no objection to the other body having a new building. This bill is for remodeling the old Senate Office Building. Why can we not know how much it will cost—there should be no secret. But certainly in this case, this is not an emergency. They have plenty of time to draw their plans and to submit to this body an estimate of cost, and then your people and my people will know what we are doing for ourselves. It is their money we are spending.

Mr. Chairman, I yield such time as he may desire to the gentleman from Idaho [Mr. BUDGE].

Mr. BUDGE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. BUDGE. Mr. Chairman, the people who are doing everything within

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their power to stop the private development at Hells Canyon should fully realize the responsibility which they will bear if they are successful. The Pacific Northwest States of Oregon, Washington and Idaho are facing an immediate and critical shortage of electric power. All of them, but particularly eastern Oregon and southern Idaho, will need substantial amounts of additional power in 1958 and increasingly greater amounts each year thereafter.

If the private development is brought to a halt, then it will be the responsibility of those who have stopped it to secure immediate appropriations from the Federal Government to the tune of $100 millions per year for each of the next 5 years in order to build the Federal dam at Hells Canyon and its transmission lines in order that the area can receive electric power by 1964.

Congress has never before appropriated as much as $100 million for one project in any one year. This year, for example, it is appropriating only $25 million to start the entire upper Colorado River project. Only once since 1940—17 years ago—has Congress appropriated over $50 million for a single project at any one session. That was $63.5 million for construction of The Dalles. And only twice in the same period of time has it provided as much as $60 million for area projects—as distinguished from single projects. This was for the Central Valley and Columbia Basin projects.

If the sponsors of the Federal dam at Hells Canyon are not successful in getting appropriations of $100 million per year and should they receive appropriations of only $25 million per year, no power would be produced from the project until 1978—more than 20 years hence. It should be remembered that the private development will be producing power in 1958.

I hope that these people who insist upon Federal development or nothing fully realize the responsibility which will be theirs in attempting to come up with this $500 million. Also, they should make it patently clear to the people in the area that the Hells Canyon bill now before the Congress does not appropriate 5 cents, and that the passage of this bill does not mean that construction can start. There is no chance of receiving the first installment of $100 million until at least 1958, and construction can commence only after sufficient money is appropriated.

Even if the Federal-Government-or-nothing advocates do produce to the tune of $100 million per year, the area will suffer far more than mere inconvenience until the Federal power is brought on the line, which cannot possibly be before 1964 at the most optimistic earliest.

Delay in private development, which is the only means available for providing power to meet the immediate and expanding shortage, would not only mean a halt in progress for the area but economic chaos and retrogression from which it might not recover for decades.

The proponents of the Federal project must not leave the area in the position of forcing abandonment of one development unless they can be absolutely certain that they can get the money to build their own project.

Mr. McGREGOR. Mr. Chairman, I yield 5 minutes to the gentleman from California, a member of our committee [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I felt constrained to vote against this measure in committee and feel constrained to do so here on the floor. As I said with respect to the 2 bills that preceded this 1 today, S. 1430 and S. 1428, it seems to me that although we recognize the fact that there is a historic background of traditional relationship to the other body, we also have certain obligations to our constituents. I do not believe that we can simply go back to our constituents and say that because of certain historic traditional relationships between the two bodies we never took the time to look into the cost of certain bills authorizing expenditures.

This bill is a bill to authorize a large expenditure or a small expenditure. We have no evidence from the hearings how much will be authorized. It seems to me, in order to be fair to our constituents, that we should say to the other body, "Would you please give us a maximum estimate of cost so that we may have something to go by before we pass this bill?" For that reason, Mr. Chairman, I cannot and will not vote for this bill in its present form.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from California.

Mr. TEAGUE of California. Mr. Chairman, I would like to say to the gentleman from California that I concur emphatically and completely in the statement he has just made.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman.

Mr. PELLY. There was some talk of remodeling our Old House Office Building during the period when we were constructing the new one. Were any estimates submitted of the cost of that, or was any authorization applied for to the gentleman's committee?

Mr. BALDWIN. As far as the House Office Building is concerned, we have had no bill before the Committee on Public Works with regard to it. We had a bill many years ago authorizing a survey, but there has been no bill since that came to the House Committee on Public Works.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from Florida.

Mr. CRAMER. I assume there was some justification for passing the two bills that preceded this. But does the gentleman not think that there is far less justification for approving this bill because there is plenty of time, plenty of opportunity for the other body to determine what the cost of this remodeling will be and to give the House an estimate without prejudicing the work of that body in remodeling the old building? There is no unusual exigency involved in this instance, is there?

Mr. BALDWIN. The gentleman has made a very accurate statement.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from Georgia.

Mr. FORRESTER. Mr. Chairman, I will say that I voted for the bill that preceded this on the theory that the two Senate Office Buildings were an actuality, whether they were desired or not. But as I understand this is a matter of first impression; is that correct?

Mr. BALDWIN. Would the gentleman please restate that question?

Mr. FORRESTER. This is a matter of first impression with us. In other words, we are starting from scratch on the question whether or not we are going to authorize this work at this time?

Mr. BALDWIN. The gentleman is correct.

Mr. FORRESTER. That being true, I want to say to the gentleman that I expect to vote against this bill because I think at the present time we can operate as we have been operating, particularly with the new building. I do not think this is the time to undertake this extra expense.

Mr. CRAMER. Mr. Chairman, would the gentleman yield to me again?

Mr. BALDWIN. I yield to the gentleman.

Mr. CRAMER. Does the gentleman not think that the proper procedure would be to recommit the bill to the committee with instructions that a cost estimate should be provided the committee, and then the committee may report out a bill, so that we will know what we are voting for?

Mr. BALDWIN. I think that would be true.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, I made a brief statement on the last bill and I merely want to put myself on record in the same way on this one.

All of these bills were up before the Rules Committee for a rule, all three of them. The first bill we passed this afternoon was an authorization for an increased amount to complete the Senate Office Building. That was all right. It had the dollar amount in there that was needed. This bill is an open-end authorization with no limitation whatsoever, no guidepost, no instructions, but just saying that the Architect of the Capitol can spend such money as he finds necessary to remodel the Senate Office Building, without saying how it is to be remodeled and whether there are any plans.

In my humble judgment and with all due deference to everybody concerned, I do not think there is any sense in that kind of procedure. We have plenty of time to have plans made. They have to make plans, they have to get estimates, and they have plenty of time to have the plans and the estimates made and come back here with a dollar figure on what this thing is going to cost.

I just think it is an abdication of our duty to appropriate money, and that we just ought not to do it. I feel impelled to say this, although I regret very much

to differ with what the other body wants to do. I know it is not considered just exactly the polite thing to do. Nevertheless, there is a principle involved here of simply abdicating completely and leaving it to somebody else without any limitations whatsoever, and that is the breadth of this language here. I just do not think we ought to do it. We have been going along with the Senate's saying it is all right for us to do whatever we want to do for our housekeeping, and the House's saying it is all right for the Senate to do whatever they want to do. But do you know what that policy has gotten us into? We tried in the hearing before the Rules Committee to find out what all these new buildings up here were going to cost, and the best that the Architect of the Capitol could say was that we were being obligated on all these new buildings we are building up here and the land and buildings we are buying and all the furniture we are putting into them to somewhere between $300 and $400 million, at a time when we are telling our constituents how strong we are for economy.

I do not think we ought to do this thing. I do not think we are discommoding anybody, I do not think we are being discourteous to anybody, I do not think we are insulting anybody if we simply say, "Will you please tell us what these things are going to cost," and let us put it in the bill so we will know what we are doing.

Mr. JONES of Alabama. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, in reply to the statement made by the distinguished gentleman from Ohio [Mr. McGREGOR] about the authorizations heretofore made, I call his attention to the fact that Public Law 71, Eighty-first Congress, First Deficiency Appropriation Act, 1949, approved May 24, 1949, provided the requested supplemental appropriation of $2,274,500 for the House roof and Chamber improvements and the authority to enter into cost-plus-a-fixed-fee contract for the House improvements, and vested the special House Roof and Chamber Committee with the authority to fix the limit of cost for the House project; also ratified any obligations incurred prior to May 24, 1949, under authority of Public Law 62, 81st Congress.

Mr. McGREGOR. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Ohio.

Mr. McGREGOR. I am very happy the gentleman has brought out that point. That concurs exactly with what we have been saying. There is a limit. Therefore, it is in the law. In what you are asking us to do this afternoon there is no limit.

Mr. JONES of Alabama. There is no limit in the authorization because the Commission was given a task the same as is contained in this bill, and the same as contained in the White House renovation bill and similar acts. At no time since this Senate Office Building construction has been authorized has there been any question about the general authority for the Senate Commission to go about their task of furnishing the new building and to take into account the reequipment and the rehabilitation of the old building. We have passed two bills here, so now let us go ahead and complete the job while we are at it.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield.

Mr. BYRNES of Wisconsin. I think there is a little difference between this bill and the other two bills. The other two projects are underway and are practically completed. We know that they have to be furnished right away, and everything else has to be done. There you have a time element which is pretty significant. That is the reason I supported the gentleman as far as approving those bills is concerned. But here I think you have an entirely different situation.

I would like to ask the gentleman this: Is there present authority for the Architect of the Capitol to prepare plans and get estimates and do the preliminary detail work as for as the renovation and remodeling of the present building is concerned?

Mr. JONES of Alabama. That is the very purpose of this bill, to authorize the Commission and the Architect to go about the business of drawing up plans and specifications for the proper renovation of the building.

Mr. BYRNES of Wisconsin. Then would the gentleman have any objection, for instance, to striking out lines 6, 7, and 8 on page 1, which authorizes them and directs them to enlarge and remodel the office suits and to make structural, mechanical, and other changes and improvements. That is a matter of actual construction. That is not a matter of authorizing them to prepare plans.

Mr. JONES of Alabama. I would object to that because I think we would ultimately face the problem anyway, and I think the present members of the Senate Office Building Commission, who are Senator CHAVEZ, Chairman; Senator GREEN, Senator SPARKMAN, Senator LYNDON JOHNSON, Senator KERR, Senator BRIDGES, Senator MALONE, Senator PURTELL, and Senator MUNDT are going to do their job well. They are the members of the Senate Office Building Commission. They will do this job and do it just as frugally and just as economically as they possibly can, and at the same time uphold the dignity that the Senate Office Building should have. I cannot understand why this gets to be such a serious problem at this time when this job has been going on for years. The President in his budget has always included the item requested by the other body every year. The Senate Office Building, as the gentleman knows, was discontinued during the Korean War; that is, the construction of it was discontinued. Then we started back on it again in 1955 when we expended $6 million, and then we spent $8½ million in 1956 and $5¼ million in 1957. So if we are in the situation that we can afford to build the Senate Office Building and equip it, then we certainly should go about the job of completing it and renovating the old building, and I hope the committee will be sustained in its action.

Mr. McGREGOR. Mr. Chairman, I yield such time as he may require to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, I rise to say that while I mean no disrespect for the Senate, I am not in support of S. 1429 to authorize the enlargement and remodeling of the existing Senate Office Building.

Earlier this afternon I voted against S. 1428, an act to authorize the purchase of furniture for the new Senate Office Building.

Now, Mr. Chairman, it has been a historic custom I realize for the House of Representatives to accept measures authorizing and appropriating funds for the other legislative body, just as its Members by practice have not questioned our spending. But my objective here is based on the point that the procedure in the past has been to show costs and set a limit on the amount which could be expended. But that is not the case here. Therefore, in order to register disapproval of a procedure of not specifying the figure which could be spent, I voted for recommittal of S. 1428. Senators must have furniture, but I have listened to talk here today of chairs costing from $400 to $600; and testimony from the committee hearing shows there is no limit on an amount any one Senator can spend, nor is there a purchasing agent to call for competitive bids.

As to the bill before us to enlarge and remodel the existing Senate Office Building, likewise, there are no plans or specifications. Section 2 of the bill includes expenditures for personal and other services. This is a blank check and I do not know what for.

I voted against the New House Office Building; so opposition from me is not inconsistent. However, let me say my vote against the House Office Building was an economy vote—I felt we could get by perfectly well without a new building to cost nearly $100 million. My vote, when the time comes today, will be on a different principle. I do not wish to tell Senators not to spend. Rather I object here to an open-end authority with no stated limit to the amount.

Perhaps the debate and action on this measure will serve toward establishing a new policy or relationship between the House and Senate. I hope so. I would not generate a feeling of rancor or lack of cooperation. Instead, an agreement could be made that in future there will be no open-end authorizations.

Frankly, extravagance, at this time, by the legislative branch of the Federal Government to me is poor taste and poor politics, too. I want my people at home to know that I do not favor a double standard—economy for the taxpayers; extravagance for their elected representatives.

I stand for economy for both and that is the way I have been voting and I expect to continue on that course until a tax reduction is in order.

So, as I say, I do not support this legislation and shall vote accordingly.

Mr. McGREGOR. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. WILSON].

Mr. WILSON of Indiana. Mr. Chairman, 2 years ago—May 13, 1955, to be exact—the District of Columbia, with

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financial aid of the taxpayers all over the United States, completed construction of a $677,400 elementary school building at East Capitol and 55th Streets NE. The property, including a well equipped playground, covers an entire block.

Known as the Marion P. Shadd school, it has 26 classrooms, auditoriums, cafeterias and all modern facilities. There are 32 teachers in addition to clerical and maintenance workers. Students total about 1,300, ranging from kindergarten through the 6th grade. It is an all-colored school in an all-colored community of modern, spacious apartments and homes.

This is one of the finest school plants in Washington or anywhere else. It is architectural and cultural landmark, an institution of which the residents of that Negro community should be very proud.

However, this beautiful edifice is being destroyed—literally ripped to bits by vandals and hoodlums—while people of the neighborhood stand by in apparent disinterest. The Marion P. Shadd school is rapidly becoming a landmark of shame to the very people it is intended to serve.

I inspected this school a few days ago, Mr. Chairman. I found hundreds of window panes broken. Mud and filth have been hurled against the building. Empty beer cans are scattered about the premises, piles of filth lie in the doorways, outdoor electrical equipment and entrance lights broken and destroyed. Three or four windows at the cafeteria end of the building have been boarded up by the school authorities because vandals break window glass as fast as it is replaced. Obscene words and crude drawings cover portions of the neat little frame annex used for kindergarten pupils.

This has been going on since the school was opened, I was informed by the distressed principal, Mrs. Lillian S. Glascoe, who has been a teacher in the District of Columbia school for 34 years. The cost of replacing broken windows and repairing other damage to the building already has run into thousands of dollars, she told me. She says she has vainly sought cooperation of adults in the area.

I am bringing this matter to the attention of this Chamber, Mr. Chairman, because Washington, as the seat of government, is a congressional responsibility. Perhaps some of my colleagues may have suggestions as to how this shameful situation might be corrected.

My own background as a teacher and a school administrator convinces me that this is a shocking example of the lack of adult interest in the schools established for their children. The Negro people who live in this area are allowing their magnificent institution to be turned into a landmark of shame to them.

If we look more penetratingly into the problems of juvenile delinquency, we can see that parental delinquency and disinterest are prime factors.

Mr. JONES of Alabama. Mr. Chairman, I have no further requests for time.

Mr. McGREGOR. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further request for time the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Architect of the Capitol, under the direction of the Senate Office Building Commission, created by the Sundry Civil Appropriation Act of April 28, 1904 (33 Stat. 481), as amended, is authorized and directed to enlarge and remodel Senators' suites and to make structural, mechanical, and other changes and improvements in the existing Senate Office Building to provide improved accommodations for the United States Senate, in accordance with plans to be prepared by or under direction of the Architect of the Capitol and to be submitted to and approved by the Senate Office Building Commission.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act, and the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this act.

Mr. JONES of Alabama (interrupting the reading). Mr. Chairman, I ask unanimous consent that the bill may be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to ask the distinguished Chairman of the Committee, the gentleman from Alabama [Mr. JONES], what is meant by this language on page 2, line 10:

Expenditures for personal and other services.

What are "expenditures for personal services"?

Mr. JONES of Alabama. I will say to the gentleman that it is going to be necessary to employ architects to submit plans to the Commission. This would authorize the Commission to make expenditures to acquire expert advice with respect to the structural design of the building.

I will say further to the gentleman that this follows the same language generally employed in such authorizations.

Mr. GROSS. If I remember correctly most of the bills that provide for the employment of architects specify architects, they do not say "personal services."

Mr. JONES of Alabama. Let me call the gentleman's attention to page 3 of the report, the second paragraph. That will inform the gentleman what is meant by that language.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Ohio.

Mr. SCHERER. May I ask the gentleman from Alabama a question? Would he agree to a substitute to be offered by the gentleman from Florida [Mr. CRAMER] which would provide for the very basic thing he says he wants done, namely to authorize the preparation of plans and specifications, and eliminate from this bill the authorization to proceed with the actual remodeling?

Mr. JONES of Alabama. I think I answered that question which was propounded by the gentleman from Wisconsin [Mr. BYRNES]. In my answer to him I said I thought it was necessary for us to go ahead and to pass this bill because the architect plans to have the Senate start moving into the new building in January of next year. It is going to take some time to set up the plans and the proposals to renovate the existing Senate Office Building. For that reason I cannot agree to the delay and I do not think we should employ those dilatory tactics.

Mr. SCHERER. It is not a matter of being dilatory. This is giving us an opportunity to determine the cost.

Mr. GROSS. Mr. Chairman, I have read the language on page 3 of the report. I wonder if the gentleman from Alabama, chairman of the committee, would agree to an amendment to strike out the language providing expenditures for personal services and substitute "Architectural services"? Will the gentleman agree to that?

Mr. JONES of Alabama. I may say to the gentleman that he should not indulge in any fears on that point. I do not think the personal service part of it is going to develop into anything that will mean they are paying for something they will not get.

Mr. GROSS. I submit to the House that not only in the matter of expenditures for remodeling the present Senate Office Building but also in the matter of personal services and other provisions in the bill, this is a blank check, a complete blank check.

Mr. JONES of Alabama. It is more rigid than language we have written into previous bills which provided that the Commission shall have authority to make any and all expenditures in carrying out the act. I think this language on a comparative basis with the existing legislation on the subject is rather restrictive.

Mr. GROSS. I will say to the gentleman, as I said before, and I want to reemphasize it, this is a complete and outrageous blank check spending bill. I am opposed to it and I want the RECORD to show that I am unqualifiedly opposed.

Mr. Chairman, I have opposed and continue to oppose the spending of some $9½ million to remodel each of the House Office Buildings to provide each House Member with a three-room suite. It is my understanding that this bill would provide each Senator with at least a 5-room suite of offices. I have no need for a 3-room office and I can think of no good reason why a Member of the other body should need a minimum of 5 rooms.

This is no time to saddle upon the taxpayers such a bill of expense, and if wanting some facts and figures regarding costs is disturbing to the Members of the other body then it is time that there be a disturbance.

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Substitute amendment offered by Mr. CRAMER: On page 1, line 3, insert "That the

Architect of the Capitol, under the direction of the Senate Office Building Commission, created by the Sundry Civil Appropriation Act of April 28, 1904 (33 Stat. 481), as amended, is authorized and directed to prepare plans to enlarge and remodel Senators' suites and to make structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate.

"SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act, and the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this act."

Mr. CRAMER. Mr. Chairman, I recognize that there has been considerable controversy that has arisen concerning this particular project. Personally I feel that unless some compromise is reached there is the possibility that this bill may be recommitted to the Committee on Public Works.

The purpose of offering this substitute is to provide a method whereby the Senate can go ahead with the preparation through its Architect and engineers of the plans and specifications for renovation of the existing building, thereby not hampering in anyway the work they can do during the present and near future period of time. It will also facilitate the presentation to the Public Works Committee in the future of facts and figures upon which an authorization for the actual construction at a maximum cost figure can take place for the remodeling. Of course, the objective of the committee, so far as the minority members are concerned, who signed the minority report, is that there should be some limit on the amount of money authorized to be spent for this purpose. This amendment will not hamper, as I see it, the other body from going ahead with the work that needs to be done in the way of architectural planning, and it will also provide facts and circumstances that will be presented upon which a reasonable limitation can be placed sometime in the future through an authorization bill coming out of the Public Works Committee. Now, that is what it does. The amendment is rather simple, and I feel that it is a fair compromise in this admittedly difficult problem.

I am fully cognizant of the comity that of necessity exists between the House and the other body, and this amendment is offered in a constructive sense in order to guarantee that the project will not be in any way stalled or hampered.

Mr. RAYBURN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, for many, many years the Senate of the United States, or the other body, as some people call it, and this body have been working in perfect harmony as far as their specific business functions were concerned. It has worked fine. There has never been a time in my experience in this House when the House of Representatives voted something for itself that the Senate has ever changed one word in it. Now, the other day we made a large appropriation. We did not specify exactly what it was all going to be used for in the legislative appropriation bill. The Senate accepted every word of our language; accepted the amount that we put in the bill, and I just want to call your attention to the fact that if we are going to have a real working legislature in the Congress of the United States, these two bodies must cooperate with each other; that they must know that the Senate of the United States knows more about what they need and what they want than we do, and that we know more about what we need and must have than they do. They have never changed any of the laws that we have passed with reference to buidings on this side of the Capitol, and I do not think we should change any of theirs if we want this comity to keep existing, and it must exist, if we are to have an effective legislature in Washington.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Florida [Mr. CRAMER].

The question was taken; and on a division (demanded by Mr. CRAMER) there were—ayes 47, noes 83.

So the substitute was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 1429) authorizing the enlargement and remodeling of Senators' suites and structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate, had directed him to report the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on third reading.

The bill was ordered to be read a third time and was read the third time.

Mr. CRAMER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CRAMER. I am.

The SPEAKER. The gentleman qualifies.

The Clerk read as follows:

Mr. CRAMER moves to recommit the bill, S. 1429, to the House Committee on Public Works, with instructions that the committee report the bill back to the House with specific figures as to the cost of the projects set forth in the title of said bill.

The SPEAKER. The question is on the motion to recommit.

Mr. CRAMER. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 148, nays 216, not voing 69, as follows:

[Roll No. 128]

YEAS—148

Abbitt	Baumhart	Blitch
Andrews	Bennett, Fla.	Bolton
Ashmore	Bennett, Mich.	Bosch
Avery	Bentley	Bray
Baldwin	Berry	Broomfield
Bass, N. H.	Betts	Brownson
Budge	Henderson	Ostertag
Burdick	Heselton	Pelly
Byrne, Ill.	Hiestand	Pillion
Byrnes, Wis.	Hoeven	Poff
Cederberg	Hoffman	Ray
Chamberlain	Holmes	Rees, Kans.
Chiperfield	Holt	Rhodes, Ariz.
Church	Horan	Riehlman
Cole	Jennings	Sadlak
Collier	Jensen	St. George
Corbett	Johansen	Schenck
Cramer	Johnson	Scherer
Cretella	Jonas	Schwengel
Cunningham, Iowa	Judd	Scott, Pa.
	Kean	Scrivner
Cunningham, Nebr.	Keating	Scudder
	Keeney	Seely-Brown
Curtis, Mass.	Kilburn	Siler
Curtis, Mo.	Kitchin	Simpson, Ill.
Dague	Knox	Smith, Calif.
Davis, Ga.	Krueger	Smith, Va.
Dawson, Utah	Laird	Smith, Wis.
Dennison	LeCompte	Springer
Devereux	Lispcomb	Stauffer
Dies	McCulloch	Taber
Dixon	McDonough	Talle
Dooley	McGregor	Teague, Calif.
Dorn, S. C.	McIntire	Tewes
Dowdy	McIntosh	Thomson, Wyo.
Dwyer	McMillan	Tollefson
Flynt	McVey	Tuck
Ford	Mack, Wash.	Utt
Forrester	Mason	Vorys
Fountain	Matthews	Vursell
Gary	May	Weaver
George	Michel	Whitten
Griffin	Miller, Nebr.	Widnall
Gross	Minshall	Wigglesworth
Haley	Moore	Williams, Miss.
Harden	Mumma	Williams, N. Y.
Harrison, Nebr.	Murray	Wilson, Ind.
Harrison, Va.	Nimtz	Winstead
Harvey	Norblad	Withrow
Hemphill	O'Hara, Minn.	Younger

NAYS—216

Abernathy	Engle	Lankford
Addonizio	Evins	Lesinski
Albert	Fallon	Long
Alexander	Farbstein	McCormack
Allen, Calif.	Fascell	McFall
Andersen, H. Carl	Feighan	McGovern
	Fenton	Macdonald
Anderson, Mont.	Fisher	Mack, Ill.
	Flood	Madden
Ashley	Forand	Magnuson
Aspinall	Frazier	Mahon
Auchincloss	Frelinghuysen	Mailliard
Ayres	Friedel	Marshall
Baker	Fulton	Martin
Baring	Garmatz	Meader
Bass, Tenn.	Gathings	Merrow
Beckworth	Gavin	Metcalf
Belcher	Gordon	Miller, Calif.
Blatnik	Granahan	Miller, Md.
Boggs	Gray	Mills
Boland	Green, Oreg.	Montoya
Bolling	Gregory	Morgan
Bonner	Griffiths	Morris
Bow	Gubser	Morrison
Boykin	Hagen	Moss
Boyle	Hale	Moulder
Brooks, La.	Hardy	Multer
Brooks, Tex.	Harris	Natcher
Brown, Ga.	Haskell	Neal
Brown, Mo.	Hays, Ark.	Nicholson
Brown, Ohio	Hays, Ohio	Norrell
Broyhill	Healey	O'Brien, Ill.
Burleson	Hébert	O'Hara, Ill.
Bush	Hess	O'Neill
Byrd	Hill	Osmers
Byrne, Pa.	Hillings	Passman
Cannon	Holifield	Patman
Carnahan	Holland	Patterson
Carrigg	Hosmer	Perkins
Chelf	Huddleston	Pfost
Chenoweth	Hull	Pilcher
Chudoff	Hyde	Poage
Clark	Ikard	Polk
Clevenger	Jackson	Preston
Coad	Jarman	Price
Coffin	Jenkins	Prouty
Cooley	Jones, Ala.	Rabaut
Cooper	Karsten	Radwan
Curtin	Kearns	Rains
Davis, Tenn.	Kee	Reuss
Delaney	Kelley, Pa.	Rhodes, Pa.
Dempsey	Kelly, N. Y.	Riley
Denton	Keogh	Roberts
Dingell	Kilday	Robeson, Va.
Dollinger	Kilgore	Robsion, Ky.
Dorn, N. Y.	King	Rodino
Doyle	Kirwan	Rogers, Colo.
Durham	Kluczynski	Rogers, Fla.
Edmondson	Lane	Rogers, Mass.
Elliott	Lanham	Rogers, Tex.

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Rooney	Smith, Kans.	Vanik
Roosevelt	Smith, Miss.	Van Pelt
Rutherford	Spence	Van Zandt
Santangelo	Staggers	Vinson
Saund	Steed	Watts
Scott, N. C.	Sullivan	Wier
Selden	Teller	Willis
Sheehan	Thomas	Wolverton
Shuford	Thompson, La.	Wright
Sieminski	Thompson, Tex.	Yates
Sikes	Thornberry	Young
Simpson, Pa.	Trimble	Zablocki
Sisk	Udall	

NOT VOTING—69

Adair	Diggs	O'Brien, N.Y.
Alger	Donohue	O'Konski
Allen, Ill.	Eberharter	Philbin
Andresen, August H.	Fino	Porter
Anfuso	Fogarty	Powell
Arends	Grant	Reece, Tenn.
Bailey	Green, Pa.	Reed
Barden	Gwinn	Rivers
Barrett	Halleck	Saylor
Bates	Herlong	Shelley
Beamer	Holtzman	Sheppard
Becker	James	Taylor
Bowler	Jones, Mo.	Teague, Tex.
Breeding	Kearney	Thompson, N. J.
Buckley	Knutson	Ullman
Canfield	Landrum	Wainwright
Celler	Latham	Walter
Christopher	Lennon	Westland
Colmer	Loser	Wharton
Coudert	McCarthy	Whitener
Dawson, Ill.	McConnell	Wilson, Calif.
Dellay	Machrowicz	Zelenko
Derounian	Miller, N. Y.	
	Morano	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Walter with Mr. Halleck.
Mr. Holtzman with Mr. Arends.
Mr. Porter with Mr. Gwinn.
Mr. Landrum with Mr. Taylor.
Mr. Zelenko with Mr. Saylor.
Mr. Dawson of Illinois with Mr. Dellay.
Mr. Buckley with Mr. Canfield.
Mr. Sheppard with Mr. Fino.
Mr. Herlong with Mr. Adair.
Mr. Bailey with Mr. Kearney.
Mr. Machrowicz with Mr. Bates.
Mr. O'Brien of New York with Mr. Wainwright.
Mr. Colmer with Mr. Becker.
Mr. Celler with Mr. Beamer.
Mr. Philbin with Mr. Westland.
Mr. Donohue with Mr. Coudert.
Mr. Green of Pennsylvania with Mr. Latham.
Mr. Powell with Mr. Miller of New York.
Mr. Grant with Mr. Allen of Illinois.
Mr. McCarthy with Mr. Wilson of California.
Mr. Eberharter with Mr. Derounian.
Mr. Fogarty with Mr. Morano.
Mr. Thompson of New Jersey with Mr. James.
Mr. Shelley with Mr. Wharton.
Mr. Rivers with Mr. August H. Andresen.
Mr. Barrett with Mr. Alger.
Mr. Bowler with Mr. McConnell.
Mrs. Knutson with Mr. Reed of New York.
Mr. Loser with Mr. Reece of Tennessee.
Mr. Breeding with Mr. O'Konski.

Messrs. BOYKIN, HASKELL, BONNER, and ASHLEY changed their vote from "yea" to "nay."

Mr. CURTIS of Massachusetts changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

The bill was passed, and a motion to reconsider was laid on the table.

ADMITTING HUNGARIAN ESCAPEES INTO THE UNITED STATES

Mr. CRETELLA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. CRETELLA. Mr. Speaker, within our shores we have 33,000 people without a country. It is true they reside in our United States. They work on our farms and in our factories and live just about like the average American citizen.

These 33,000 persons are those young and old who have escaped Communist Hungary after the revolts there last fall. Over 130,000 escaped over the border into Austria. Most of them now live in other free countries.

We have partially lived up to the expectations of our humane conscience by the admission of these Hungarian escapees into the United States on a parole basis. The emergency Hungarian refugee operation, as initiated by our Immigration and Naturalization Service, with able assistance from the Department of State and the consular services, was marvelously successful, as far as it went.

The program probably would not have been a reality if it were not for the countless religious and charitable nonprofit organizations which set up machinery in Austria and the center at Camp Kilmer, N. J., to assist in sponsorship, transportation and countless other problems.

We have acted with deliberate haste in rescuing these brave persons who fled their beloved nation at risk of life and limb rather than live in their once free country now under the yoke of Communist tyranny and cruelty.

Section 212 (a) (5) of the Immigration and Nationality Act provides that the Attorney General may, in his discretion, parole into the United States temporarily under such conditions as he prescribes for emergency reasons, or reasons in the public interest, any alien making application for admission. This is the provision by which the 33,000 Hungarians were admitted.

However, the section goes on further to state that when the purposes of such parole have been met, the alien shall forthwith be returned to the custody from which he was paroled, Hungary, in this case, and dealt with in the same manner as any ordinary applicant for admission to the United States.

Now, Mr. Speaker, in view of the circumstances facing those Hungarians admitted, this provision of law is unrealistic, impractical and, in fact, has no meaning. It is also unfair and inconsistent with our initial endeavors to provide asylum for these escapees from the Iron Curtain.

No one can say with any degree of certainty what is in store for the Hungarian Nation. Whether there will be more revolts leading to Communist evacuation, whether such revolts will only tend to strengthen Moscow's hold on the area, or whether the Communists will suddenly decide to bequeath independence, we do not really know.

Our Government certainly will not revoke parole privileges to any Hungarian citizen wishing to remain here. The point is, under the existing law, the status of permanent residence cannot be conferred upon these people. They remain here indefinitely in an atmosphere of uncertainty, confusion, and lukewarm acceptance into our society.

Early this session of Congress, President Eisenhower urged special legislation to grant these persons and others, who flee from totalitarian governments, the status of permanent residence. This would enable them to apply for United States citizenship, which no doubt many would do. Some may elect to return to Hungary when it is once again free, but regardless, each alien should be given the freedom of choice.

Since February 6, 1957, my bill H. R. 4505, has been pending in the Immigration subcommittee of the House Judiciary Committee. There are probably many other similar bills. Mine would simply admit for permanent residence aliens who flee, or who have fled the persecution and tyranny of any totalitarian government.

It also includes relief for Korean orphans, adopted children and others here on parole basis, and there is a reasonable limitation of the number who can be admitted under the bill, namely, no more than the average number of aliens who, in the past 8 years, have entered by special acts of Congress.

It is intolerable that Congress has to this date ignored the plea of the President on the need for this legislation, and equally as appalling is our failure to see that this, or similar legislation, would give a semblance of permanency, order, and happiness to the lives of the 33,000 Hungarians involved.

In the minds of many persons throughout the world, it might very well appear that the United States felt it had to uphold her position as the leader of the free world by admitting a portion of the 130,000 Hungarians, who escaped over into Austria, but that our actions were more automatic, in attempts to protect our position, rather than genuine and heartwarming.

This is the kind of poison from which the Communist propaganda creature feeds, and the result could be a lessening of our prestige as the forerunner of anticommunism.

An editorial appeared on June 26 in the Washington Post and Times Herald on the subject I discuss and I should like to include it at this point.

REFUGEES IN LIMBO

Refugees from last autumn's revolt in Hungary continue to enter the United States under the parole provision of the immigration laws. There are now some 33,000 of them here, settled in jobs or in university work and seeking to put together a new life. But because Congress has refused to move on the package of immigration law changes recommended by President Eisenhower, the Hungarian parolees live in a sort of political limbo, uncertain whether they really have a future here or anywhere.

They may not apply for citizenship and thus are foreclosed from some job opportu-

nities. They are uncertain whether to sink their roots too deeply in anything, such as homeownership, careers, and educational programs. Thus their potential contributions to American life are limited, and their personal lives are blighted. No doubt many greatly prefer this situation to life under communism, but it is not the best that America can offer, and it is a poor reward for their valiant defiance of the Russian suppression.

If it is too late in this session for action on the many revisions that are needed in the basic immigration statutes, it is not too late to authorize paroled refugees to seek citizenship. This is a step that cannot be indefinitely postponed by Congress without great harm to America's reputation and to many deserving would-be Americans.

Up to now our efforts in behalf of Hungary and her refugees have been well directed but pitifully insufficient. Why, for example, did we close down the emergency program when, as pointed out in the New York Times on Wednesday, there are still thousands of Hungarian teen-agers still stuck in Austrian camps?

Hundreds of these persons have seen no hope and returned to Hungary. Will official indifference—not on the part of some remote European bureaucrat but of our own American Goverment—kill all hopes for those who remain, asks the Times?

To my understanding, there was never a numerical limitation imposed on the Hungarians admitted under this program, and I will be very curious indeed about the explanation I intend to get from the Immigration and Naturalization Service as to why the program has, for all intents and purposes, been terminated.

I do not think the United States is in a position to pat itself on the back for maximum effort in relieving the plight of escaped Hungarians, because, in plain words, we have not done as much as we should or could.

It is encouraging to note, however, that Congress has expressed its official sentiment on the Communist treachery in Hungary by passing a resolution affirming the United Nations 24 Free World nations report on the revolt and urging a special session. According to the latest information, it was agreed the report will be brought up in a special session early in September, much to the dismay of Russia and her satellite servants.

This represents a tremendous victory by the Free World over suppression and murder by the Communists. It should be followed up by a forceful and imaginative program of our own by which our genuine concern is expressed and positive action taken for the people remaining in Hungary, those in Austria wishing desperately to seek a home in the United States, and those who are already here but as yet are unable to exercise the privilege of gaining permanent residence and future citizenship.

PERSONAL EXPLANATION

Mr. JONES of Missouri. Mr. Speaker, I was not in the Chamber when my name was reached on the rollcall which has just been completed, although I was here during a part of the debate and also before the rollcall was completed. However, I cannot qualify to be recorded. If I had the opportunity to vote I would have voted "no." During practically all of this day I have been in attendance at a meeting of the Committee on Agriculture, hearing witnesses testifying on various bills affecting cotton. On one quorum call, and on the other rollcall today I left the committee in time to be present when my name was called. When the bells rang on this last rollcall, I misjudged the time necessary to get to the Chamber before the Clerk reached my name. The only reason I make this explanation is to indicate that I was not absent and have been engaged in official work in the interest of my constituents during the entire day.

POINT OF ORDER

Mr. CANNON. Mr. Speaker, if the Speaker will permit a parliamentary inquiry, there have been an increasing number of announcements in the last few weeks by Members on how they would have voted if present when the roll was called. May I ask the Speaker, as to the practice?

The SPEAKER. The gentleman from Missouri raised that question with the Chair the other day and stated that it was unparliamentary for a Member who could not qualify to announce later on that had he been here he would have voted yea or nay. Now, the Chair does not know of any way that we could keep a Member from asking unanimous consent to proceed for a minute or an hour and announce before a bill was brought up how he was going to vote if he was present or how he would have voted when the matter came up. So the Chair cannot see any reason for not allowing Members to express themselves how they would have voted or how they are going to vote. If there is any rule of the House that that violates, the Chair does not know anything about it.

Mr. CANNON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. In response to the Speaker's inquiry, may I quote from section 3151 of the Precedents of the House.

3151. It is not in order after a record vote on which he failed to vote for a Member to announce how he would have voted if present.

On February 6, 1915, Mr. John E. Raker, of California, rising in his place, said:

Mr. Speaker, I want to ask unanimous consent to make a statement for a minute. I was here yesterday afternoon, but on account of sickness in my family I was called out and could not get back in time to vote on the motion to recommit the naval appropriation bill. I returned, but too late to have my vote recorded. If I had been here, I would have voted against the motion to recommit.

Mr. James R. Mann of Illinois made the point of order that the statement was wholly improper.

The Speaker sustained the point of order and said:

The statement is out of order.

As a matter of fact, Speaker RAYBURN, in the first session of the 73d Congress, in passing on a similar point of order, read the first section of rule XV, including:

After the roll has been once called, the Clerk shall call in their alphabetical order the names of those not voting; and thereafter the Speaker shall not entertain a request to record a vote.

The rule is founded on sound policy. Such announcements may be cited in contrast with others who failed to vote, as an inference of less interest in the proceedings and less attention to the question at issue.

If one Member makes the announcement, critics may make it the occasion of inquiry as to why other absent Members did not announce a position on the vote.

The pair clerks pair all members who do not vote. Subsequent announcement of how a Member would have voted if present automatically places the Member, with whom he is paired, on the other side of the question.

Such practice renders Members less responsive to inconvenient rollcalls, when their position can later be announced at a more convenient time.

No Speaker has ever held such announcements in order.

PERSONAL EXPLANATION

Mr. ALGER. Mr. Speaker, I was detained when the vote was taken. Had I been here, I would have voted "yea."

Mr. FULTON. Mr. Speaker, I was called from the floor yesterday afternoon to a meeting. Had I been here on rollcall No. 124, I would have voted "nay."

VOLUNTARY HOME MORTGAGE CREDIT PROGRAM

Mr. MULTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (S. J. Res. 115) to provide an interim extension for the voluntary home mortgage credit program.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, etc., That section 610 (a) of the Housing Act of 1954 is amended by striking out "June 30, 1957" and inserting in lieu thereof "August 15, 1957."

The joint resolution was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

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DISCLOSURE OF CHARITABLE, BENEVOLENT, PATRIOTIC, OR OTHER SOLICITATIONS IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3400) to provide full and fair disclosure of the character of charitable, benevolent, patriotic, or other solicitations in the District of Columbia, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 4, line 1, after "the" insert "financial."

Page 4, strike out lines 16 to 21, inclusive, and insert:

(7) to prescribe by regulation the form of and the information to be contained in the solicitor information cards required by this act, and to prescribe the manner of reproduction and authentication of such cards; and

Page 4, line 24, after "act", insert "The Commissioners shall, in publishing the results of any such investigation, have power to publish information concerning the officers and members of the governing board of any organization coming within the purview of this act: *Provided*, That such information shall not include membership and contribution lists of any such organization."

Page 5, strike out all after line 15 over to and including line 5 on page 6 and insert:

"(b) The provisions of this act shall not apply to any person making solicitations, including solicitations for educational purposes, solely for a church or a religious corporation or a corporation or an unincorporated association under the supervision and control of any such church or religious corporation: *Provided*, That such church, religious corporation, corporation or unincorporated association is an organization which has been granted exemption from taxation under the provisions of section 501 of the Internal Revenue Code of 1954: *Provided further*, That such exemption from the provisions of this act shall be in effect only so long as such church, religious corporation, corporation or unincorporated association shall be exempt from taxation under the provisions of section 501 of the Internal Revenue Code of 1954.

"(c) The provisions of subsection (a) of this section and sections 5, 6, 7, and 9 shall not apply to any person making solicitations (1) solely for the American National Red Cross or (2) exclusively among the membership of the soliciting agency.

"(d) The Commissioners may by regulation prescribe the terms and conditions under which solicitations in addition to those enumerated in subsection (b) of this section may be exempted from the provisions of subsection (a) of this section and sections 6 and 7: *Provided*, That no exemption granted under authority of this subsection (d) shall exceed for any calendar year $1,500 in money or property."

Page 6, line 12, strike out "Commission" and insert "Commissioners."

Page 9, after line 12, insert:

"SEC. 12. (a) No person who is required to obtain a certificate of registration under this act shall, for the purpose of soliciting contributions, use the name of any other person, except that of an officer, director, or trustee of the organization for which contributions are solicited, without the written consent of such other person.

"(b) A person shall be deemed to have used the name of another person for the purpose of soliciting contributions if such latter person's name is listed on any stationery, advertisement, brochure, or correspondence in or by which a contribution is solicited by or on behalf of a charitable organization or his name is listed or referred to in connection with a request for a contribution as one who has contributed to, sponsored, or endorsed the charitable organization or its activities.

"(c) Nothing contained in this section shall prevent the publication of names of contributors without their written consents, in an annual or other periodic report issued by a charitable organization for the purpose of reporting on its operations and affairs to its membership or for the purpose of reporting contributions to contributors."

Page 9, line 13, strike out "12" and insert "13 (a)."

Page 9, after line 19, insert:

"(b) Prosecutions for violations of this act, or the regulations made pursuant thereto, shall be conducted in the name of the District of Columbia by the Corporation Counsel or any of his assistants.

"(c) The Corporation Counsel of the District of Columbia or any of his assistants is hereby empowered to maintain an action or actions in the United States District Court for the District of Columbia in the name of the District of Columbia to enjoin any person from soliciting in violation of this act or in violation of any regulation made pursuant to this act."

Page 9, after line 19, insert:

"SEC. 14. Where any provision of this act refers to an office or agency abolished by Reorganization Plan No. 5 of 1952 (66 Stat. 824), such reference shall be deemed to be the office, agency, or officer now or hereafter exercising the functions of the office or agency so abolished. Nothing contained in this act shall be construed as a limitation on the authority vested in the Commissioners by Reorganization Plan No. 5 of 1952."

Page 9, line 20, strike out "13" and insert "15."

Page 9, line 25, strike out "14" and insert "16."

Page 10, line 2, strike out "15" and insert "17."

Page 10, line 2, strike out "14" and insert "16."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

JURISDICTION OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. ANDERSON of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. ANDERSON of Montana. Mr. Speaker, there is little doubt that the charter of the House Un-American Activities Committee will have to be modernized in order to operate efficiently within the limits imposed by the recent Supreme Court decisions. I regard this as a purely legal procedures problem which can be simply and clearly resolved so I am today introducing a House resolution to amend the rules of the House. The changes which I propose will enable the committee to perform its functions within the framework established by the Court decisions and keep its charter up to date by submitting an authorizing resolution to each new Congress. If my resolution is accepted by the House, I expect that the committee would submit a resolution that it feels will enable it to carry its work forward effectively.

The Supreme Court ruling requires vagueness in the committee authorization to investigate be cleared up. The difficulty is that if the resolution is made definite and specific it will not be sufficiently broad and general to cover the changing situations which develop over the years. It seems to me that the only practicable solution is to come in with a resolution at each new Congress which will meet the requirements that may exist at that particular time. That is what the proposed change in the rules provides.

The decision in the current Watkins Supreme Court case does not in any way strip Congress of its power to investigate. It does require the House, when it delegates investigative power to a committee, to define quite accurately the area of investigation. It also requires the committee to act within the boundary of that area. It seems to me that the delegation of authority can best be made timely and appropriate if it is brought up to date by each new Congress.

I am a westerner, and in the early days in Montana the big cattle spreads staked out their claims to ranges. If an outfit staked out, let us say, Willow Creek and the rangeland within grazing distance of it, he was in business, and his claim was generally respected. If on the other hand he laid claim to 20,000 square miles or to all the grass between the Rockies and the Little Snowies, and from Cascade to Canada then his claim was so big, so broad, so general that he would end up with a firm claim on nothing. The Un-American Activitites Committee, by staking out the whole countryside has much less in hand than if they staked out a clear claim to a legitimate area of investigation related to its legislative responsibility, and appropriate to the time and circumstances of the investigation. Under my resolution every 2 years the committee would stake out whatever claim it felt was necessary to do the job then facing it.

Congresssional investigations have proven themselves capable of fine accomplishments. The investigation of Teapot Dome by a senatorial committee headed by the late Senator Thomas J. Walsh of my State of Montana, President Truman's investigation of wartime profiteering, Senator McClellan's exposure of Dave Beck's activities and the need for corrective legislation, Senator Kefauver's investigations of crime and of Dixon-Yates, and accelerated depreciation in nondefense industries all served a valuable legislative purpose. Each was set up by resolution tailored and designed to accomplish its particular job.

The Supreme Court has repeatedly held that the power to investigate is a limited power, subject to the same limitations which the Constitution imposes on the power to legislate, of which it is

an adjunct. To quote from the majority opinion in the Watkins case:

An essential premise in this situation is that the House or Senate shall have instructed the committee members on what they are to do with the power delegated to them. It is the responsibility of the Congress, in the first instance, to insure that compulsory process is used only in furtherance of a legislative purpose. That requires that the instructions to an investigating committee spell out that group's jurisdiction and purpose with sufficient particularity. Those instructions are embodied in the authorizing resolution. That document is the committee's charter.

And further in the decision:

Combining the language of the resolution with the construction it has been given, it is evident that the preliminary control of the committee exercised by the House of Representatives is slight or nonexistent. No one could reasonably deduce from the charter the kind of investigation that the committee was directed to make.

In the opinion of the Court:

Protected freedoms should not be placed in danger in the absence of a clear determination by the House or the Senate that a particular inquiry is justified by a specific legislative need.

But, says the Court:

An excessively broad charter, like that of the House Un-American Activities Committee, places the courts in an untenable position if they are to strike a balance between the public need for a particular interrogation and the right of citizens to carry on their affairs free from unnecessary governmental interference. It is impossible in such a situation to ascertain whether any legislative purpose justifies the disclosures sought and, if so, the importance of that information to the Congress in furtherance of its legislative function. The reason no court can make this critical judgment is that the House of Representatives itself has never made it.

And the opinion summarizes:

Plainly these committees are restricted to the missions delegated to them, i. e., to acquire certain data to be used by the House or the Senate in coping with a problem that falls within its legislative sphere. No witness can be compelled to make disclosures on matters outside that area. This is a jurisdictional concept of pertinency drawn from the nature of a Congressional committee's source of authority.

The Court recognizes the importance of Congressional investigations, saying:

We are mindful of the complexities of modern government and the ample scope that must be left to the Congress as the sole constitutional depository of legislative power. Equally mindful are we of the indispensable function, in the exercise of that power, of Congressional investigations. The conclusions we have reached in this case will not prevent the Congress, through its committees, from obtaining any information it needs for the proper fulfillment of its role in our scheme of Government. The legislature is free to determine the kinds of data that should be collected.

Essentially, then, the Court reversed the Watkins conviction because the present rule under which the committee operates is so vague that witnesses called before it have no means of determining whether the questions put to them have any relevancy to a legitimate legislative purpose. In order to carry out adequately the indispensable function of Congressional investigations the resolution under which the Un-American Activities Committee would operate must be more explicit than its present rule. The only satisfactory way to have an adequate and up-to-date charter for this committee through the changing years is to bring in a resolution of authorization at each new Congress, as contemplated under my proposed resolution.

SECOND ANNUAL UNITED STATES WORLD TRADE FAIR—GREATEST MARKET PLACE IN WESTERN HEMISPHERE

Mr. TELLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TELLER. Mr. Speaker, I have today with pride introduced a joint resolution authorizing the President of the United States to invite the States of the Union and foreign nations to participate in the Second Annual United States World Trade Fair, to be held at the New York City Coliseum from May 7 to 17, 1958.

It is with great satisfaction and pleasure that I offer this resolution. I am honored to play whatever part I can to further the aims and objectives of the United States World Trade Fair because of its immeasurable value in creating better international understanding, economic advancement, and good will.

Last spring 43 nations participated officially in the First Annual United States World Trade Fair. Its 3,000 displays included products and raw materials from 60 countries.

The Fair attracted over 700,000 visitors, including approximately 125,000 buyers from all parts of the world. It is estimated that over $1 billion in business, as well as invaluable contacts will result directly from the Fair.

These, indeed, are the statistics of success. They proved that the United States World Trade Fair is the only established, large-scale international exposition in the Americas. They demonstrate that the Fair is, in fact, the greatest market place in the Western Hemisphere for the efficient and effective exhibition, promotion, and volume sale of foreign products and services to buyers and the public.

Perhaps the most important reason why the United States World Trade Fair will be even more successful in May of 1958 is that it is a completely recognized, tested, and proven economic tool—a truly potent machine—for paving the highway to world peace and prosperity through world trade.

We have long since come to recognize the fact that world trade is not an economic condition which can exist in a partial vacuum; not something that is only good for the other nations as a premise for their purchasing exports from the United States. World trade is an economic common denominator among all nations. The sale of foreign goods and commodities to this country provides the purchasing power necessary for building good customers for American-made products.

The people of the United States, as well as citizens of other nations throughout the world, realize that the well-being of all of us depends upon the ability of each to produce products, goods, and services which others need, want and will buy.

The United States World Trade Fair is a practical demonstration of this economic interrelationship of nations, through the facility it provides for the exchange of goods and services. It is a truly American answer to the need for improving political and economic conditions throughout the world, a means whereby the people of other nations can stabilize their domestic economies and raise their living standards with the pride, self-respect, and personal satisfaction of achievements derived from their own productivity and ingenuity.

The inherent values of world trade are woven into the fabric of our American tradition. As a colony, whose rights to free trade were throttled by the mother-country, we fought for and won our independence.

We created a new nation based on the economic idea of free enterprise, a man's right to take a chance, his right to sell his goods and services openly in the open market place without any interference and undue restrictions. As our Nation grew and expanded, new laws were added to the statute books to prevent monopolistic practices, to prohibit restrictions of trade in our own country.

In the course of our own growth and prosperity, through the devastating paths of two world wars to the new era of jet propulsion and atomic energy, we have seen the nations of the world drawn closer together. Today we find ourselves giving more thought, and more time, to the practicalities of an integrated international economy. We know that we must.

Just as once we accepted the fact that no man is an island to himself, we now accept the fact that no nation, however mighty or meek, can endure as an isolated entity.

A faltering economy in any nation is a sociological and political virus. It is a threat to the health and well-being of other nations. It has proven itself, time and time again, to be the germ of wars.

The United States, today, stands out as the leading nation in the struggle for world peace and prosperity. We have placed great premiums on accomplishing these aims over the last decade. We have directed our economic resources to restoring devastated lands. We have sought to strengthen nations by continuing investment, by providing materiel for protection, by military alliances. But economic and military aid are, at best, the pump-primers for world peace and prosperity. To generate lasting international harmony we must continue to foster and build a healthy world trade condition, in the best interests of all nations as well as ourselves.

That is why I urge that we join together, here and with our neighbors throughout the world, in a mutual determination, through such efforts as the

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United States World Trade Fair, to accelerate a continuing, morally forceful, and responsible program of international trade.

As partners, neighbors, and freemen, we can achieve our common goals—peace, prosperity, and freedom on earth.

PROGRAM TO DECREASE THE SHORTAGE OF SCIENTISTS, ENGINEERS, AND TECHNICIANS

Mr. LANE. Mr. Speaker, I ask unanimouse consnt to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, June, the traditional graduation month, turns our attention toward education and the shortage of scientists, engineers, and top-level technicians.

National security and national progress require an ever-increasing number of people trained in the scientific disciplines.

It is idle to compare the enrollment in high-school science courses in 1900 with the enrollment today. The courses in 1900 were rudimentary; even science itself was elemental compared with the body of knowledge that has been discovered and verified since then.

The disturbing fact is the present and acute shortage of scientifically trained manpower; a shortage that fails to meet the needs of our expanding, industrialized society.

I propose a two-point program to alleviate this shortage:

One. To amend the immigration law by establishing a special annual quota to permit 25,000 qualified scientists and engineers from Communist or satellite countries to enter the United States each year. They would be refugees or escapees who would be carefully screened, both as to their competence, and their opposition to communism. In this manner, we would attract a number of "ready-made" scientists to meet our own needs, and at the same time we would be draining skilled personnel from the Communist countries, thereby weakening their capacity for aggression.

Two. Beyond our immediate needs, and to promote our own self-sufficiency in this respect, I offer a separate bill to provide tuition loans for needy and qualified high-school graduates who want to continue their education in the scientific fields. A revolving fund to finance such loans, would accomplish our purpose, and on a self-sustaining basis. The actual cost would be a small appropriation for administrative expenses. While it is true that many businesses, and institutions of higher learning, as well as many social and fraternal organizations, and private individuals, are providing scholarships; and a modest start has been made in financing tuition loans by traditional banking methods; these forms of assistance are unable to cope with the demand.

By the two approaches I suggest, we will be able to reduce the shortage of scientifically trained manpower today and eliminate that shortage tomorrow.

The Science Teacher of April 1957 relays the following information. We are told that, in the United States today, we need 50,000 more scientists, 100,000 more engineers, X thousand more technicians, and X thousand more qualified science teachers.

The National Science Teachers Association, in covering all the problems involved in high school science teaching, brings out many facts. And among certain questions that need to be answered I mention these two:

First. Why do 50 percent of the high-school graduates of superior ability fail to go to college?

Second. Why do many high-school graduates with special scientific interests reveal little or no interest in college science courses?

The answer may be found in one of the association's proposals, namely:

> The offering of more scholarships, awards, and recognition for students who show special capacity or outstanding achievement in scientific and other intellectual efforts.

It is clear however, that voluntary benevolence, is not sufficient to meet the need.

How many thousands of bright, young, scientific minds, never realize their own potentialities, and are lost to the Nation that needs them, because help was not available to them in time? How many of this June's graduating class will be unable to further their education, because the means are not present to give their minds the opportunity they deserve?

In a sense, we have established a precedent for this bill. After World War II, and the Korean war, the Federal Government helped millions of veterans to secure an education they could not otherwise afford.

The education allowance for each qualifying veteran not only included tuition, but expenses for subsistence, fees, supplies, books, and equipment. These allowances were outright payments, and not loans.

This was a subsidized educational program by outright grants.

The plan I propose would apply to all needy and qualified students, who take up scientific studies beyond the high-school level. And it would be confined to loans for tuition exclusively. In this manner, we would also be helping to build up our educational plant.

Under my bill, high-school graduates and students in the colleges and universities who meet the qualifications as established by the United States Office of Education in consultation with scientists, engineers, and the officials of our technical schools, would be eligible for tuition loans. These loans would be advanced by private lenders, and would be guaranteed by the Government.

Repayment would be scheduled over a reasonable period after graduation and/or subsequent employment.

The purpose of this bill is to insure maximum scientific educational opportunities for needy, qualified students, who are being priced out of a higher education. I want to emphasize that this is a tuition loan program that would more than pay for itself in solving the problem of the scientific-manpower shortage. It would help to develop the brainpower that is needed even more than horsepower to insure our security and our progress in a changing world.

EXPLANATION OF FAILURE TO ANSWER ROLLCALL NO. 124 ON THE ADOPTION OF THE CONFERENCE REPORT, H. R. 6287, APPROPRIATION BILL FOR THE DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, during the course of the debate on the conference report on H. R. 6287, making appropriations for fiscal year 1958 for the Departments of Labor, Health, Education, and Welfare, I was called to the Senate side of the Capitol on important legislative business. While there, rollcall No. 124 was directed on a motion made to recommit that conference report to the Committee of Conference. The adoption of the motion would have had the effect of delaying beyond the commencement of the new fiscal year, the appropriations for those departments and might have been interpreted as a vote to eliminate from the appropriations bill funds for the Department of Labor to enforce the provisions of the Davis-Bacon Act as it applies to Federal aid to highways.

I returned to the House floor from the Senate side too late to answer my name and therefore could not qualify to be recorded on that rollcall.

If present during the rollcall I would have voted "no."

PROGRAM FOR THE BALANCE OF THE WEEK AND FOR NEXT WEEK

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN. Mr. Speaker, I ask for this time in order to inquire of the majority leader what the program is for tomorrow.

Mr. McCORMACK. I am very happy to respond to the question. The only thing that might be called up tomorrow is the conference report on the Department of Interior appropriation bill. They have until midnight to file a report and that may be brought up. I understand that the conference report on the Department of Agriculture appropriation bill will not be brought up. I shall announce on tomorrow the program for next week. Of course, I like to take Members into my confidence as much as I can and in order to give them a bird's-eye view of the program for next

week I will say that there will be no business from Wednesday on. On Monday we take up the Consent Calendar and certain insurance features in connection with an atomic energy bill. There will be several suspensions which I shall announce tomorrow. Suspensions are screened by the leadership on both sides.

I do not know of any controversial legislation that might be up on Tuesday or Wednesday if we dispose of the atomic energy bill on Monday.

Mr. MARTIN. Mr. Speaker, I might say to the gentleman that the conference report on the legislative appropriation bill may well come in tomorrow. I understand there is no controversy over that.

Mr. McCORMACK. I mentioned the Interior Department appropriation bill. The gentleman refreshes my memory on the legislative appropriation bill, but usually that is adjusted so quickly, I overlooked it for the moment.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentlewoman.

Mrs. ROGERS of Massachusetts. My understanding is that the bill H. R. 72 will not be brought up next week; is that correct?

Mr. McCORMACK. It will not be brought up next week.

Mrs. ROGERS of Massachusetts. I am very deeply troubled about it.

Mr. McCORMACK. The lady need not be troubled about it next week.

Mrs. ROGERS of Massachusetts. I mean for the future.

ASSUMPTION OF LEGISLATIVE FUNCTIONS BY SUPREME COURT

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. JACKSON] is recognized for 60 minutes.

Mr. JACKSON. Mr. Speaker, the Supreme Court of the United States is slowly putting the Congress of the United States out of business.

In restricting the investigative committees of the House and Senate in the exercise of the obligations laid upon them by their respective bodies, the Court is assuming functions which are clearly legislative. From a position coequal with the executive and the judicial, the legislative branch is losing ground and will, unless remedial steps are taken by the Congress, find itself completely subordinated to the other two branches of Government.

There are two reasons why I am reluctant to criticize the Court or its decisions. The first and the most important of these goes to the respect which should be accorded the high tribunal by every citizen familiar with the Constitution and with the glorious tradition of the Supreme Court in our national history. In the second place, I am not a lawyer and cannot, with authority, go to the legal points involved in recent decisions. Therefore, I shall confine myself to the apparent effects of the Court's actions.

Any citizen of the United States is privileged, by virtue of his citizenship, to criticize constructively whomsoever he will, always provided that his criticisms are contained within the framework of common decency and restraint. This course I presume to follow in what I shall have to say during my remarks today. I shall not engage in personalities, but confine myself to a discussion of general philosophical trends evidenced by the majority of the members of the Supreme Court during recent months, weeks, and days. As the members of the Court have the duty laid upon them to study and to pass upon matters of legal concern to the Nation and its people, so I consider it to be a solemn duty for me to speak my mind as a representative of the people whenever I sense that a threat to the Nation stems from the actions of either the executive or the judicial branches. While those learned in the law may attack the logic of my position, none can gainsay the sincerity with which my remarks are put on the RECORD.

While there have been decisions of the Court over the years with which I found myself in disagreement, I think that few of them lent aid, comfort, and assistance to our national enemies, nor enhanced a threat to the security of our people. In my opinion, several recent ones do, and it is with these that I propose today to deal. First, however, it is necessary to place the controversy in its proper context, historically, and to refresh the memories of some by a brief recital of circumstances which have led us into the present area of controversy and bitter dissension.

There have been different definitions of international communism, but, in essence, all have agreed, including those of the Supreme Court, upon several fundamental facts and premises. Today only the Communists themselves deny the substantial and proved arguments that:

First. Communism is an international conspiracy designed to insure the conquest, by force and violence if necessary, of governments and of men who oppose its tenets, precepts, and philosophy.

Second. The most effective instruments of Soviet conquest are deceit, intransigence, and political infiltration of governments and national institutions marked as targets for destruction.

Third. The proletariat revolution is best furthered in any country by the recruitment into the international Communist movement of nationals of countries which are targets of Soviet design.

Fourth. The agents of the international Communist movement forswear allegiance to their own governments on affiliation with the Communist apparatus, and become dedicated advocates of Communist aggression.

Fifth. Espionage, sabotage, and violence are standard operating procedures for Communist agents in all countries, and must be guarded against at all times where such agents are engaged in activities on behalf of the Soviet Union.

Sixth. The Communist apparatus at all levels operates in secrecy; that it bears no relationship to a political organization; that its adherents in all lands recognize and obey instructions and directives originating abroad and transmitted through a rigid and monolithic chain of command, the top echelon of which is located in the Soviet Union.

Since 1848, communism has been on the march worldwide. The progenitors of the faith, for such it is, laid down the guidelines for world conquest in the Communist manifesto, and the doctrines enunciated in the manifesto have served as a rallying point for millions during the past century. In the hands of Lenin, Stalin, and more recently, Khrushchev, Communist philosophy has remained ever constant to the original precepts of the founders of the movement, although the exigencies of time and changing circumstances have required a reevaluation of tactics and techniques on many occasions. In our own time we have witnessed detours and the tangential deviations of Communist policy, the most recent of which saw the downgrading of Stalin and his subsequent recanonization. But for all of what might appear aimless meanderings of Communist parties throughout the world, the thread of the manifesto has remained the taut guideline to which the Marxists have always returned when the immediate roadblock was cleared, or the need for diplomatic delay dissipated. The manifesto remains today the Koran, the Talmud, and the Bible of the Communists, refined and extended as its provisions and injunctions have been by the prophets who followed Marx and Engels.

The greatest single problem created in free lands by world communism has been the threat posed in any country by the recruitment into the Communist apparatus of nationals of those countries selected by the Reds for political, economic, or social attack. Historically, language difficulties, color, distinguishing racial characteristics, and other unmistakable traits, have rendered security against espionage, sabotage, and propaganda relatively simple. But, the Communist success in recruiting its agents from the streets, the universities, the laboratories, and the government services of the country selected as a victim, superimposed upon the old problems of counterespionage new and vexatious considerations. The theft of military and diplomatic secrets under the Communist plan of conquest, is preceded by the theft of minds, and a voluntary renunciation of previous allegiances, a process later to become known as "brainwashing." Having conquered a man's love of God, country, and his own national institutions, it was no task at all for Communist functionaries to convince a new recruit that his greater duty to mankind lay in treason to, and renunciation of, all of his previous moral, ethical, and patriotic values. Thus, every Communist, having pledged a new and terrible allegiance, became a willing agent dedicated to the destruction of his own homeland, so long as it remained free and outside the orbit of Communist domination. Even the death of thousands of free men on the battlefields of Korea and in the streets of Budapest was as nothing compared to the new crusade upon which the Communist found himself embarked. Law became a mockery, and justice, unless it be the fearful and immediate "justice" meted out to nonconformists by the Soviet secret police and "people's courts," became a thing to

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be rebuked and scorned by every comrade. How ironic that American justice has spread its cloak around the chortling advocates of world disorder, insurrection, brutality, and conspiracy. How many supreme court justices of how many conquered lands, today lie in the earth with bullet holes in their skulls because they proffered justice to those who know neither justice nor mercy.

Differentiate, if you can, Mr. Speaker, between the Communists in their tanks on the streets of Budapest, and the Communists in the United States of America. The only significant difference is represented by the armor plate and the machine guns possessed by those who slaughtered unarmed men and women who dared rise up in revolt against their oppressors. If there is any difference between the brutal Communists in the Poznan and East German riots and those in Los Angeles who hailed the Supreme Court decision of June 17 as "our greatest victory," it is purely a geographic difference. There is certainly no philosophical distinction. The decisions of the High Court foreclosing Congressional inquiry and opening security case files of the Federal Bureau of Investigation, whatever their legal merits, represent a victory greater than any achieved by the Soviet on any battlefield since the conclusion of World War II. What bitter mirth and what stunned unbelief the decisions must have occasioned in the concentration camps, cellars, sewers, the attics and the secret places where victims and the intended victims of Soviet "justice" plot their very survival under the guns of Red occupying forces.

I have a deep and lasting regard for the provisions of the American Constitution. It has been said, and I agree, that it must have been in some measure divinely inspired. I would protect every one of its amendments, including the battered provisions of the fifth, but I deplore what appears to be a continuing tendency to permit its living phrases to be distorted and twisted to meet the immediate needs of those whose dedicated and avowed purpose it is to destroy it and replace it with the constitution of the Soviet Union. For example, it is not the proper use of the fifth amendment to which millions of Americans object, but the premeditated and obscene distortion of its provisions. This misuse has served to bring the amendment into national disrepute and drape it with the regard and affection generally accorded a municipal ordinance regulating the keeping of goats within the city limits.

As of this moment the decisions of the Supreme Court have nullified and vitiated the attempts of the Congress to inquire into matters related to the national security of the United States and the safety of our people against the greatest aggression since that of Adolph Hitler. While tying the hands of the Congress, the Court has made it impossible for the Federal Bureau of Investigation to do the job expected of this Government agency by the Congress and the people. The Court has preempted the police powers of the sovereign States in the area of subversive activities and labor disputes, although the Congress has never implied that this power should be exercised solely by the Federal Government. I do not know what fine points of law are involved, but I do contend that the present course of action is lending aid, comfort, and assistance to an enemy—an enemy with whom we are presently engaged in a struggle to the death. The Communists freed by the Supreme Court in the Los Angeles case and others, are now back in their secret meetings, plotting the destruction of the American system—gloating over their new-found liberty, and waving with unrestrained glee, their renewed licenses to drive through other men's liberty while drunk.

I recognize, Mr. Speaker, that two wrongs do not make a right, and that we should not, as a nation, emulate the conscionable injustices perpetrated by the Soviet on its own citizens in the name of national concern or national emotion. However, in the Los Angeles case, five defendants were acquitted by the Supreme Court, an act without precedent in the history of the Court, according to Justice Clark. These defendants, in the best American tradition, had been tried by a jury of their peers and had been adjudged guilty of conspiring to teach and advocate the violent overthrow of the Government of the United States. Justice Clark said, and for what a layman's opinion is worth, I agree, "This Court should not acquit anyone here. In its long history I find no case in which an acquittal has been ordered by the Court solely on the facts. It is somewhat late to start in now usurping the functions of the jury, especially where new trials are to be held covering the same charges." These words may not make sense to the distinguished jurists who comprised the majority in the case in question, but they make considerable sense to many Americans, including, I might add, many eminent jurists with considerable trial experience.

The House Committee on Un-American Activities was not only hamstrung, and its capacity to act effectively in the future destroyed, but it was chastised by the Court for some of its past activities. It might be well at this point to discuss with the House some of the problems confronting any committee of the House and Senate engaged in investigations which enter the area of subversive activities. Several days ago I pointed out here on the floor that service on the House committee is no sinecure and that the only reward is the personal sense of an unpleasant duty accomplished to the best of one's ability. Perhaps it is that we who serve on such a committee come to realize better than others the true nature of communism. At times it is our grim privilege to peer behind the mask of gentle persuasion adopted by American Communists, to witness the fury and the hatred which is the true expression of Communist philosophy. For behind the papier-mache facade of the Communist structure, here and abroad, is violence, terrorism and the lash, and no protestations of judicial injury by those summoned by the committees can blot out the true picture of communism in action, nor stifle the moans of its victims.

It is unfortunate that the Congress has not moved to outlaw the Communist conspiracy and place the same penalty upon membership in it as that provided for other and less well-organized treason. The myth of genteel political activity by the Communists has been so completely demolished in court trials and hearings before Government agencies that no thoughtful person of any political persuasion today believes it. Conspiracy to burn down a house for the insurance is a criminal offense, but conspiracy to destroy a constitutional government by force and violence remains in the same legal category as running through a red light. So long as the Communist is privileged to thumb his nose at the Congress and the courts, and so long as his precocity is to be sanctioned by the Supreme Court, there is nothing to be done until such time as he is caught with a torch in hand. At that time he can probably get off with a suspended sentence on the plea that it was dark and he did not want to run into the powder magazine on his way home. Farfetched? Yes; I suppose that it is to Americans, apathetic and bewildered as they are by controversy and turmoil. For bewildered they are, and they have company here in the Congress, including myself, and the recent decisions of the Supreme Court have done nothing to dissipate the fog.

Who were the five Communist functionaries acquitted by the Supreme Court in the Los Angeles case? To most readers of the newspapers they are only names. To some Americans they may have been well-meaning humanitarians who drifted innocently into the Communist conspiracy. But to those who have followed the course of Communist Party activities on the west coast, these individuals are of the hard core of the conspiracy—the men and women who make it go—not simple folk who didn't know what they were doing at all, and who simply made a mistake. I hesitate to take the space necessary in the CONGRESSIONAL RECORD to detail their activities on behalf of the conspiracy and its related organizations, but I feel that it is essential to give their complete dossiers in order that Members of Congress may better understand the extent to which these "guiltless" souls have, individually and collectively, furthered the ends of the Soviet design in this country. Each and all of them are agents of the Communist apparatus. Each of them is a part of, and a party to, the Soviet plan to destroy the institutions of free men and to subordinate the world to Communist domination. These are functionaries of the new order which measures its justice by the length of a bayonet. The records follow, and I include at this point in the RECORD, the documentation referred to:

INFORMATION FROM THE FILES OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES, UNITED STATES HOUSE OF REPRESENTATIVES

Date: June 21, 1957.

For: Hon. DONALD L. JACKSON.

Subject: Philip M. Connelly.

The symbols inserted in parentheses after the name of any organization or publication listed herein indicate the name of each

Federal authority which has cited or designated that organization or publication, and the year in which each agency's first citation, or listing, of the subject appeared. Capital letters denote agency names, as follows: A—Attorney General of the United States; C—Committee on Un-American Activities; I—Internal Security Subcommittee of the Senate Judiciary Committee; J—Senate Judiciary Committee; and S—Subversive Activities Control Board. (For more complete information on citations, see this committee's Guide to Subversive Organizations and Publications.)

A number of witnesses have testified concerning Philip M. Connelly before the Committee on Un-American Activities. On March 29, 1944, the committee released a report (H. Rept. No. 1311) in which a chapter is devoted to Mr. Connelly. Attached is a reproduction of excerpts from that report (pp. 98, 99, 130, and 131), containing references to testimony given prior to 1944 concerning Mr. Connelly.

In an appearance before the committee on October 24, 1947, Mr. Oliver Carlson said:

"So far as the Los Angeles picture is concerned, I should say the greatest strength in the labor movement lies within the CIO. Mr. Philip Connelly, the secretary of the CIO Council, has I think, at least to my satisfaction, been proved to be a Communist, and works with them and has for years" (Communist Infiltration of the Motion Picture Industry, p. 250).

Mr. Roy M. Brewer made the following statement to the committee on October 28, 1947:

"And I want to say here that the official CIO movement in Los Angeles, as well as in the State of California, is recognized by all experts in the field of labor as being completely under the domination of the Communist Party. It is led by a man by the name of Phil Connolly (sic) who is generally recognized as being a Communist" (ibid., p. 349; see also testimony given by Mr. Brewer on May 17 and 18, 1951, Communist Infiltration of Hollywood Motion-Picture Industry, pp. 479 and 503).

Mr. Charles W. Judson testified before this committee on January 26, 1952, and stated that he had been a member of newspaper unit 140 of the Communist Party. He was asked to identify fellow members of that unit, and Phil Connelly was one of those he named. Mr. Judson said; "He was extremely active in the newspaper guild and I attended numerous meetings with him" (Communist Activities Among Professional Groups in the Los Angeles Area, pt. 1, p. 2639).

Mrs. Alice K. Bennett, formerly the wife of Mr. Judson, testified before the committee on May 22, 1952. She stated that she had been a member of the Communist Party, assigned first to a unit of social workers. While married to Mr. Judson, she was transferred to the newspaper unit, and she identified Philip Connelly as one of the members of that group (Communist Activities Among Professional Groups in the Los Angeles Area, pt. 2, p. 3563).

On July 8, 1952, Miss Urcel Daniel appeared as a witness before the committee. She stated that she had been a member of a newspaper unit in the Communist Party, and she identified Philip Connelly as one of the members of the group (ibid., p. 3581).

Mr. Stephen A. Wereb appeared before the committee on July 1, 1955. He testified that he had belonged to the Communist Party in connection with his work as an undercover agent for the Federal Bureau of Investigation. He told of a meeting held in 1945, which was attended only by functionaries of the Communist Party, who were required to present an official pass. Those lacking a pass had to be identified by the credentials committee, and Mr. Wereb stated that he had been fortunate enough to be elected to that committee. He named Philip Connelly as one of the functionaries who attended the meeting. He testified further concerning Mr. Connelly, as follows:

Mr. WEREB. In the fall—rather, the early part of the winter of 1946 * * * we were given instruction by the chairmen of our groups to attend a meeting held at the Templar Hall * * * a man walked in whom I knew to be a Communist for a long time, Carl Brant * * *. He now was addressing this meeting. He said, "Comrades, there has been by the Superior Court in the county of Los Angeles an order issued limiting the pickets * * * and we are going to break that order."

* * * * *

The following morning I was on the picket line with the manpower we mobilized. The police department had a hundred or more policemen out there in the morning, and at 7 o'clock the parade started. In spite of the police, loudspeaker warnings, the parade started down Lawson Avenue going west; I would say 1,500 people. This was led by two people. They spearheaded this. One was Philip Connelly * * * and this man Carl Brant. They came at the head of this and defied the police . . . and they were going to have violence, and they did have violence.

Mr. DOYLE. In other words, here were two known Communists leading a group of American workingmen and women, most of whom probably had no idea that the Communist Party was leading them down the road.

Mr. WEREB. That is correct.

* * * * *

Mr. TAVENNER. The Philip Connelly you referred to as being one of the two leaders of this group, do you recall whether or not he served a jail sentence on the charge of inciting a riot?

Mr. WEREB. Yes, he did. (Investigation of Communist Activities in the Los Angeles, Calif., Area—pt. 4, pp. 1812, 1819–1822).

Philip M. Connelly was arrested in 1951 and indicted in 1952, charged with conspiring to overthrow the Government by force and violence (see Daily Worker, July 31, 1951, p. 3; Daily People's World, Aug. 1, 1951, p. 8; Transcript of proceedings, July 18, 1952, Los Angeles, Calif., *United States of America, Plaintiff* v. *William Schneiderman, et al., Defendants*, p. 12,593). On August 5, 1952, Mr. Connelly and 13 other defendants, including the State chairman of the Communist Party, were convicted of violation of the Smith Act, in the court of Federal Judge William C. Mathes, Los Angeles (Daily People's World, Aug. 6, 1952, pp. 1 and 8). The 14 received maximum sentences of 5 years in prison and $10,000 fine. The Ninth United States Circuit Court of Appeals upheld the conviction. A petition for reconsideration was filed, but the Court of Appeals refused to reconsider its decision (Daily People's World, June 16, 1955, p. 8). The cases were taken to the United States Supreme Court, and it was reported on June 17, 1957, that the Supreme Court had that day "ordered the freeing of 5 California Communist Party leaders and new trials for 9 others who were convicted of teaching and advocating violent overthrow of the Government" (Washington Evening Star, June 17, 1957, pp. A1 and 6). Philip M. Connelly was named as one of those for whom acquittals had been ordered on the basis of insufficient evidence. Thermo-Fax reproductions of the Evening Star article and an article from the Washington Post and Times-Herald of June 18, 1957 (p. A21) accompany this report.

Mr. Connelly was the subject of an article by Jack Young which appeared in the magazine section of the Daily People's World, August 17, 1951. A reproduction of the article is attached hereto.

During the trial of Harry Bridges in California, in 1950, Mr. Lewis Michener testified concerning a Communist meeting which he attended in San Francisco, in 1940. He stated that Philip Connelly also attended the meeting (Daily People's World, Jan. 12, 1950, p. 10). It is noted that in 1941 Mr. Jay Edward Bolling testified before the Special Committee on Un-American Activities that Mrs. Lew Michener had told him "Slim" Connelly was a Communist (see printed hearings, vol. 14, p. 8589; also report No. 1311, attached hereto).

An advertisement in the Daily People's World of October 26, 1950, page 4, announced a rally to be held under auspices of the election campaign committee, Communist Party of Los Angeles, on October 29, in Embassy Auditorium. Philip "Slim" Connelly was named as one of the speakers.

The Sunday Worker of January 25, 1942 (sec. 2, p. 4), named Mr. Connelly as one of the CIO leaders who were affiliated with the Citizens' Committee to Free Earl Browder (A–1942; C–1944). Earl Browder, then general secretary of the Communist Party, was in prison serving a sentence involving fraudulent passports. An advertisement in behalf of Mr. Browder appeared in the Washington Post of March 12, 1942, and Mr. Connelly was listed as a signer.

The Daily People's World of February 3, 1948, page 2, announced the arrest of "Claudia Jones, Negro official of the Communist Party * * * charged by the FBI and immigration authorities with being an alien who desires forcible overthrow of the Government. * * * Signing a statement that Miss Jones' arrest was a 'most unfortunate and dangerous action' and urging that the charges against her be dismissed were Philip M. Connelly, secretary Los Angeles CIO Council (and others)."

Philip M. Connelly, Los Angeles editor of the Daily People's World, was named as one of the "prominent guests at the speaker's table" at a dinner protesting the trial of 12 Communist leaders, in an article which appeared in the Daily People's World of September 6, 1949, page 3. The article stated that the dinner audience of 500 "contributed $25 each to the Foley Square defense."

The following appeared in the Daily Worker, July 2, 1956, page 6:

"LOS ANGELES.—Over 350 people attended the party at the Robertson Rendezvous in Los Angeles last Saturday to honor Dalton Trumbo and to celebrate and introduce his pamphlet 'The Devil in the Book'. This is the 50-page tract concerning the Smith Act in general with special emphasis on the California trial.

"One by one the author called up Smith Act defendants * * * Slim Connelly."

It was reported in the Daily People's World of July 31, 1956, page 6, that Philip M. Connelly had chaired a meeting held under auspices of that newspaper, "to greet Steve Nelson, western Pennsylvania Communist party chairman and a Smith Act defendant," on July 29.

The Daily People's World of February 19, 1952, page 3, reported that Mr. Connelly had been a speaker at a mass meeting of trade unionists to plan a fight on the Smith Act. An advertisement in the issue of October 5, 1955, page 7, announced that he would speak on the Smith Act case at a forum on October 9.

As reported in the foregoing, Mr. Connelly has served as Los Angeles editor of the Daily People's World, which is the official organ of the Communist Party on the west coast. Our files also contain references to numerous articles contributed by him to that newspaper during the period of 1949–1954, and to the Daily Worker in 1949, 1953, and 1954.

An advertisement in the Daily People's World of November 17, 1949, page 3, announced that Mr. Connelly would be a featured guest at a banquet under the auspices of the California Labor School (A–1948; I–1956).

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A letterhead, dated August 24, 1939, of the Harry Bridges Defense Committee (C–1944) named Mr. Connelly as a member of the southern division, California sponsoring committee. It is noted that Mr. Connelly, as a representative of the CIO, was associated with Harry Bridges in a libel suit against William Randolph Hearst and his publishing houses, as reported in the Daily People's World, January 9, 1942, page 1.

The Daily Worker of December 19, 1940, page 5, named Mr. Connelly as a signer of an appeal sponsored by the National Federation for Constitutional Liberties (C–1942; A–1942), on behalf of Sam Darcy, a Communist.

An advertisement in the Daily People's World of May 2, 1947, page 8, named Mr. Connelly as a sponsor of the Los Angeles Chapter of the Civil Rights Congress (C–1947; A–1947; I–1956). The following sources name him as a speaker for the organization: a handbill, "Keyes Freed To Kill Again"; Daily People's World, February 24, 1948, page 3; March 29, 1948, page 3; July 19, 1948, page 3.

New Masses (C–1939; A–1942) for August 6, 1940, page 22, named Mr. Connelly as a speaker for a mass meeting of the American Peace Crusade (C–1939).

Mr. Connelly was a member of the National Council of the American Peace Mobilization (C–1942; A–1942; I–1956), according to a pamphlet, "What Is APM?", page 11, the Daily Worker, September 3, 1940, page 4, and November 9, 1940, page 5.

A letterhead of the Committee To Defend America by Keeping Out of War (C–1944), dated August 10, 1940, named Mr. Connelly as a sponsor. A leaflet entitled "Committee To Defend America by Keeping Out of War" (p. 2) named him as a sponsor of the Emergency Peace Mobilization (A–1942; C–1944).

The Daily People's World of December 18, 1951, page 3, reported that Mr. Connelly was a speaker at a party given by the California Emergency Defense Committee (A–1953) for Communist leaders who had been released from jail after arrest under the Smith Act.

Letterheads dated 1946, 1947, and 1948 list Mr. Connelly as a sponsor of the Committee for a Democratic Far Eastern Policy (A–1949; J–1952; I–1956).

An advertisement in the Daily People's World of June 23, 1948, page 5, urged that "the imprisonment of the executive board of the Joint Anti-Fascist Refugee Committee" (C–1944; A–1947; I–1956) be stopped, and announced a protest meeting to be held on June 28, under auspices of the Spanish Refugee Appeal (C–1946; I–1956). Mr. Connelly was named as chairman of the meeting.

An article entitled "Smith Act Stirs Rank and File" appeared in March of Labor (C–1954), March 1952, page 18. It was accompanied by a photograph of Mr. Connelly, and he was referred to as one of the "victims" of the Smith Act.

It was reported in the Daily Worker of January 21, 1952, page 8, that Mr. Connelly was a speaker at a meeting on January 17, under auspices of the National Committee for Freedom of the Press (A–1953).

The Daily People's World, October 3, 1946, page 2, announced that in his capacity as secretary of the Los Angeles CIO Council Mr. Connelly had sent a letter to all affiliated locals, urging them to send two delegates to the National Conference on American Policy in China and the Far East (A–1949).

INFORMATION FROM THE FILES OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES, UNITED STATES HOUSE OF REPRESENTATIVES

Date: June 20, 1957.
For: Hon. DONALD L. JACKSON.
Subject: Frank Spector.

The public records, files, and publications of this Committee contain the following information concerning the subject individual. This report should not be construed as representing the results of an investigation by or by findings of this committee. It should be noted that the individual is not necessarily a Communist, a Communist sympathizer, or a fellow-traveler unless otherwise indicated.

The symbols, inserted in parentheses after the name of any organization or publication below, indicate the name of each Federal authority which has cited, or designated, that organization or publication and the year in which each agency's first citation, or listing, of the subject appeared. Capital letters denote agency names, as follows: A—Attorney General of the United States; C—Committee on Un-American Activities; I—Internal Security Subcommittee of the Senate Judiciary Committee; J—Senate Judiciary Committee; and S—Subversive Activities Control Board. (For more complete information on citations, see this committee's Guide to Subversive Organizations and Publications.)

Following is an excerpt from the testimony of Harper L. Knowles, chairman of the radical research committee of the American Legion, Department of California, at a public hearing of the Special Committee on Un-American Activities, October 24, 1938:

"Mr. KNOWLES. On December 8, 1936, a mass meeting was held in San Francisco Auditorium * * * Those seated on the platform with Harry Bridges were * * *; Frank Spector, party organizer for the Communist Party" (p. 1789).

Mr. Knowles then read excerpts from articles in the Western Worker "Communist Party newspaper" (1937) entitled "Preconvention discussion of the Lessons of the Maritime Strike by Frank Spector":

"The Communists in the maritime union, both before and during the strike," Spector wrote, "participated in every phase of the struggle, whether on the picket lines, in the various committees for organizing relief, publicity, finances, picketing, and in the leading strike committees, * * *

"One of the major factors in the success of the strike was the correct policy of the Communists * * * in laying the basis before last September 30 for joint action in all maritime unions."

"The role and influence of the party reflected especially in the recruiting of over 300 new members to the party from the strikers' ranks. The party organization as a whole reacted well to its tasks during the strike" (pp. 1791, 1792). (Investigation of Un-American Propaganda Activities in the United States, vol. 3, 1938 hearings).

The following excerpts are from a sworn affidavit of Arthur James Kent, Los Angeles, Calif., November 2, 1938:

"Mr. KENT. In the years 1932, 1933, 1934, 1935, 1936 and until September 1937, I was a member of the Communist Party; and in the years 1936 and 1937 I was a membership director for the Communist Party at San Francisco and in charge of political activity of the party.

* * * * * *

"The Communist Party had a political strategy committee * * * and the members of that committee were * * * Frank Spector.

* * * * * *

"I was also in 1936 and 1937, fraction secretary of the Conference for Progressive Political Action, the fraction being all Communist Party members in Sacramento, San Francisco, Los Angeles, or elsewhere, or who were leaders in political action. As such secretary I was instructed by the leaders of the Communist Party—Schneiderman, Spector, or Gannett—what legislative bills were to be pushed and by whom." (Investigation of Un-American Propaganda Activities in the United States, Special Committee Hearings, 1938, vol. 3, pp. 2083 and 2084.)

Mrs. Maida B. McLaughlin, witness before the Special Committee on Un-American Activities on August 20, 1940 (Executive hearings, made public), made the following references to Frank Spector:

"Mr. STEDMAN. And in your position on the county finance committee of the Communist Party did you collect funds from other members of the Federal writers' project for the Communist Party?

"Mrs. MCLAUGHLIN. The members of the party on the project? Yes.

* * * * * *

"Mr. STEDMAN. Who did you turn this money over to that you collected from the Government workers?

"Mrs. MCLAUGHLIN. * * * and Frank Spector. They were both always there.

"Mr. STEDMAN. Frank Spector is an official of the Communist Party here in San Francisco?

"Mrs. MCLAUGHLIN. Yes, sir.

"Mr. STEDMAN. Is it your understanding that Frank Spector has already been ordered deported from the United States?

"Mrs. MCLAUGHLIN. Yes, sir.

"Mr. STEDMAN. And he is still operating here in San Francisco and throughout California as a paid organizer for the Communist Party?

"Mrs. MCLAUGHLIN. He is." (Investigation of Un-American Propaganda Activities in the United States, pp. 1491 and 1492.)

Following are excerpts from the testimony of Roy M. Brewer at a public hearing of the Committee on Un-American Activities on May 18, 1951:

"Mr. BREWER. There is an individual in Mr. Sorrell's organization, Frank Spector, who testified before the California committee that he had been a Communist since 1919, had never denied it.

"Mr. TAVENNER. Where is he now?

"Mr. BREWER. As far as I know he is in Los Angeles. He was in this union during the entire period, but he was expelled later on, I think." (Communist Infiltration of Hollywood Motion-Picture Industry—pt. 2, p. 527.)

On January 24, 1952, A. Marburg Yerkes, former member of the Communist Party, was a witness at a public hearing of the Committee on Un-American Activities and made the following reference to Frank Spector:

"Mr. YERKES. I went to a meeting, a Communist Party meeting, which was held in Los Angeles in the summer of 1948, at a place called the Park Manor. * * * There was endless speechmaking and milling about.

"Mr. TAVENNER. Do you recall the names of any of the speakers?

"Mr. YERKES. I do remember a few people. Dorothy ——— was there and a chap whom I have never met, but whom I have seen, and identified as Frank Specter (sic)." (Communist Activities Among Professional Groups in the Los Angeles Area—pt. 1, pp. 2560 and 2561.)

Mrs. Anita Bell Schneider, who joined the Communist Party as an undercover agent for the Federal Bureau of Investigation had this to say about Frank Spector when she testified before the Committee on Un-American Activities on June 27, 1955:

"Mr. MOULDER. Did you have any contact with any of the Communist Party leaders in the Los Angeles area while you were working in the San Diego area?

"Mrs. SCHNEIDER. I had contact with some of them.

* * * * * *

"I met Frank Spector. Frank Spector I knew as a Communist Party member.

"Mr. MOULDER. Did you know him here among the Los Angeles cells?

"Mrs. SCHNEIDER. No. I met him when he came to San Diego to speak for the Civil Rights Congress." (Investigation of Communist Activities in the Los Angeles, Calif., Area—pt. 1, p. 1517.)

Stephen A. Wereb, who worked within the Communist Party for the Federal Bureau of Investigation from October 1943 until January 1948, was a witness before the Committee on Un-American Activities on July 1, 1955. Among those he said he knew to be members

of the Communist Party was Frank Spector whom he referred to as "an oldtimer; made the papers a lot of times." (Investigation of Communist Activities in the Los Angeles, Calif., Area, pt. 4, p. 1817.)

Following is an excerpt from the testimony of William Don Waddilove, Communist Party member in 1947 and 1948, who appeared as a witness before the Committee on Un-American Activities on April 16, 1956:

"Mr. TAVENNER. Can you recall at this time the names of any of the Communist Party functionaries who attended the meetings of your group?

"Mr. WADDILOVE. The only one I could possibly recall would be Frank Spector. That is the only one I was aware of." (Investigation of Communist Activities in the Los Angeles, Calif., Area, pt. 7, p. 3663.)

Frank Spector was shown as a member of the Secretariat of the Los Angeles Subdistrict, Communist Party of United States on a document issued by the Los Angeles Subdistrict, August 15, 1929, which was reprinted as exhibit No. 10–A, with the testimony of Capt. William F. Hynes of the Los Angeles police department in hearings of the Special Committee to Investigate Communist Activities in the United States, House of Representatives, part 5, volume No. 4, October 9, 1930, pages 631–632.

The Daily Worker of January 9, 1937, named Frank Spector as a county organizer of the Communist Party in San Francisco in a page 1 story; and, the same paper on June 23, 1937 (p. 1), listed him as a representative of the Communist Party in California. The Young Communist League yearbook issued by the California YCL in 1937 (p. 39), showed Frank Spector among those who sent greetings; and the booklet, "For Security, Democracy, Jobs, Peace" (page 3), revealed that Frank Spector, secretary of the San Francisco county committee, sent a telegram of greetings to the third annual convention of the Los Angeles, Calif., Communist Party held on April 29, 30, and May 1, 1938.

According to the proceedings of the California convention of the Communist Party, May 14 and 15, 1938, pages 2, 3, 5, and 8, Frank Spector was a member of the presiding committee on elections; was elected chairman of the nominations committee at the second session; extended remarks at the same session; gave a pledge in the Anita Whitney party building drive at the third session; and made the report of the nominations committee at the fourth session.

The Daily Worker of May 30, 1938, page 8, reported that Frank Spector of San Francisco was a member of the peace commission of the 10th national convention of the Communist Party held in New York and that he suggested regional conferences on the Spain embargo issue.

Frank Spector was county secretary of the Communist Party in San Francisco, according to Equal Justice, February 1939, page 4, was named as a member of the Communist Party in Los Angeles by the Daily People's World, May 5, 1948, page 3, and was shown as chairman, southern division, Communist Party, Los Angeles, in the Daily People's World, September 8, 1949, page 3.

The Daily Worker of January 8, 1930, page 1, reported that Frank Spector, one of the workers arrested in the San Bernardino demonstration at the city hall in December, was convicted in court in San Bernardino and sentenced to 125 days in jail. The paper said: "The sentence is part of the intimidation campaign against militant workers here, but it will not halt future demonstrations by militant workers, according to the Communist Party." On the same page, another article stated that Frank Spector, district organizer of the International Labor Defense (A–1942; C–1939) in southern California "today telegraphed the national office of the ILD that workers arrested in the strike of Mexican and Filipino plantation laborers have already been released through the efforts of the ILD."

As reported in the Daily Worker, March 19, 1930, page 2, Frank Spector, secretary of International Labor Defense in Los Angeles was being held for inciting to riot and was being defended by the ILD; and, according to an article datelined Los Angeles, April 30, in the Daily Worker of May 1, 1930, page 1, "Frank Spector, district organizer, International Labor Defense, was arrested in court today on a criminal syndicalist charge for his activity among the workers of the Imperial Valley while he was attending a hearing on deportation charges against him. No bail has as yet been set."

The Daily Worker, February 7, 1933, page 4, contained an article by Frank Spector entitled, "The Daily Worker in the San Quentin Prison," and noted that: "Frank Spector was 1 of the 8 Imperial Valley prisoners sentenced in 1930 to from 3 to 42 years for organizing the agricultural slaves of Imperial Valley, Calif. Mass protests forced Spector's release after he had served a year. He is now assistant national secretary of the International Labor Defense." The New Masses (A–1942; C–1939) of April 8, 1941, page 15, contained an article, "Hero in Stripes," written by Frank Spector about J. B. McNamara, a fellow prison mate in 1930.

The Daily Worker of June 10, 1936, page 3, reported that the (New York) State executive committee of International Labor Defense announced that the week of June 15 would be set aside as Brazil week and that Frank Spector, State secretary of ILD said: "All working class organizations, particularly trade unions, should support this campaign against the fascist terror in Brazil."

The ILD publication, Equal Justice, for February 1939, page 4, showed that Frank Spector was arrested in San Francisco on October 2, 1938, for anti-Nazi demonstration.

It was reported in the Daily People's World, December 7, 1950, page 2, that Five Los Angeles residents, including Frank Spector, veteran of many historic labor battles in California and widely known Communist, were informed today that, under the McCarran Act, they are expected to deport themselves" and that failure to do so will subject them to criminal prosecution.

The daily People's World for June 13, 1951, page 1, showed Frank Spector, Communist Party leader, as facing deportation, and in the July 10, 1951, issue, pages 3 and 6 showed him as being out on bail and as speaking at a reception held by the Los Angeles Committee for Protection of Foreign Born (C–1956) in his honor on July 8 at Parkview Manor. According to the same paper, July 11, 1951, page 3, the case was continued until July 19 when the defense motion will be argued and that "Spector continued at liberty on $15,000 bail raised by the Los Angeles civil rights bail fund." The Los Angeles Committee for Protection of Foreign Born was defending Spector in his deportation fight, according to the Lamp, December 1951–January 1952, page 1, and he was listed in the organization's booklet containing the program and greetings for its conference on February 7, 1953 (p. 17) as one of the "80 deportees of the Los Angeles committee * * *" who sent greetings. The proceedings of this conference, February 7, 1953, page 4, showed Frank Spector as being elected to the resolutions committee for the conference, and he was still listed as one of the "victims of deportation" in the souvenir journal issued by the Los Angeles Committee for Protection of Foreign Born for its fourth annual conference in Los Angeles, February 28, 1954, page 4.

On November 19, 1953, page 6, the Daily Worker contained an article datelined, "Los Angeles, November 8," which noted that, after a final Immigration Department order, the Frank Spector trial had been set by Judge William Mathes to begin February 15, and added:

"Spector, who came to the United States as a youth, has been active ever since in trade union and progressive struggles, first in New York, then around Chicago, and since the 1920's in Los Angeles.

"He was first ordered deported in 1930. But the Government took no steps to carry out the order until after passage of the 1950 McCarran law.

"He was indicted on 4 counts, but Judge Mathes dismissed 2 of them as faulty. The Government carried the Mathes dismissal to the United States Supreme Court and won reinstatement of the counts.

"Meanwhile, Spector's lawyers, headed by Attorney John Porter, of foreign born legal panel, challenged validity of the 1930 deportation order.

"This challenge is now pending an appeal before the ninth circut court at San Francisco. Should there be a circuit court ruling, the February 15 trial date in the McCarran case may be postponed, Judge Mathes indicated."

Elizabeth Gurley Flynn, in her column in the Daily Worker, July 15, 1949, page 8, wrote about the pamphlet, It's You They're After, published by the Civil Rights Congress (A–1947; C–1947; I–1956) of Los Angeles. She described this as the "story of the Los Angeles witch hunt," and revealed that Frank Spector was among the "21 people which have been sentenced for contempt for refusing to answer these questions to a grand jury." The questions to which she referred concerned the officers and organization of the Los Angeles Communist Party.

References to the arrest of Frank Spector under the Smith Act on charges of conspiring to overthrow the Government by force and violence and subsequent developments of the case appear, as follows, in the separate sources indicated:

The Daily Worker of September 3, 1951, page 3, noted that Frank Spector, of Los Angeles, was arrested under the Smith Act, as did the Daily People's World, September 4, 1951, page 1. He was released on bail, set at $5,000 by the circuit court of appeals in California, according to the Daily People's World, December 19, 1951, page 1, and the Daily Worker, December 19, 1951, page 1; and, in celebration of this, he, Frank Carlson and Ben Dobbs were superhonor guests at the Christmas-Chunukah party of the Civil Rights Congress (A–1947; C–1947; I–1956) at Park View Manor (Daily People's World, Dec. 20, 1951, p. 6).

The transcript of proceedings of the United States District Court, Southern District of California, July 18, 1952, Los Angeles, Calif., *United States of America, plaintiff* v. *William Schneiderman et al., defendants*, pages 12 and 593, showed Frank Efraim Spector as 1 of 14 defendants charged in an indictment with conspiring to overthrow the Government by force and violence. He was convicted of violation of the Smith Act in Los Angeles on August 5, 1952 (Daily People's World, Aug. 6, 1952, p. 1, and the Worker, Aug. 10, 1952, p. 3); appeals were filed in his behalf on June 14, 1953, in San Francisco (Daily People's World, June 16, 1953, p. 3); and, the case was shown as being on appeal to the court of appeals in a Justice Department letter dated September 8, 1954. The Daily People's World reported on June 16, 1955 (p. 8) that the Ninth United States Circuit Court of Appeals had refused to reconsider its earlier decision upholding conviction under the Smith Act and that Frank Spector was free on bond. The same paper showed in its August 21, 1956, issue, page 3, that the case of the California Smith Act defendants, Frank Spector among them, would be reviewed by the Supreme Court on October 8, 1956. It was reported on June 17, 1957, in the Evening Star, pages A–1 and 6 (and in the Washington Post and Times

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Herald, June 18, 1957, p. A–21) that Frank Efraim Spector, Communist Party organizer of Los Angeles, was 1 of the 5 California Communists freed by the Supreme Court in a 4 to 3 majority opinion on June 17. (Thermofax copies of these 2 clippings are being enclosed for use in connection with this report and the 4 others requested.)

In 1954, the Daily People's World reported that Frank Spector would be leader of classes on the "history of civil-rights struggles in the United States" at a school to be held by the Civil Rights Congress (A–1947; C–1947; I–1956) in Los Angeles beginning in October (issue of September 8, 1954, p. 7), and would lead the opening session of the school on November 6 at CRC headquarters, room 709, 326 West Third Street, Los Angeles (issue of November 1, 1954, p. 6).

INFORMATION FROM THE FILES OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES, UNITED STATES HOUSE OF REPRESENTATIVES

Date: June 20, 1957.

For: Hon. DONALD L. JACKSON.

Subject: Mrs. Rose Chernin Kusnitz.

The public records, files, and publications of this committee contain the following information concerning the subject individual. This report should not be construed as representing the results of an investigation by or findings of this committee. It should be noted that the individual is not necessarily a Communist, a Communist sympathizer, or a fellow-traveler unless otherwise indicated.

The symbols, inserted in parentheses after the name of any organization or publication below, indicate the name of each Federal authority which has cited or designated that organization or publication and the year in which each agency's first citation or listing of the subject appeared. Capital letters denote agency names, as follows: A—Attorney General of the United States; C—Committee on Un-American Activities; I—Internal Security Subcommittee of the Senate Judiciary Committee; J—Senate Judiciary Committee; and, S—Subversive Activities Control Board. (For more complete information on citations, see this committee's Guide to Subversive Organizations and Publications.)

On July 16, 1940, in testimony before a subcommittee of the Special Committee on Un-American Activities, Mr. John L. Leech, former member of the State committee of the Communist Party of California, referred to Rose Chernin, as follows:

"Mr. STEDMAN. Do you recall the approximate date when he joined the party?

"Mr. LEECH. It was some time prior to the Criminal Syndicalism Congress held in California in the early part of 1936. He took an active part in the preparation and organization of that congress, but I didn't personally bring him into the Communist Party, and I would just have to state the date as being in the very early part of 1936.

"Mr. STEDMAN. Have you ever met in strictly Communist Party meetings with Mr.——?

"Mr. LEECH. Yes; in connection with the Criminal Syndicalism Congress which I have just mentioned. Rose Chernin, secretary of International Labor Defense in Los Angeles, district 14, called the fraction to intensify the practical work for this congress preparatory to its being held; and, as the county organizer of the party in Los Angeles, my responsibility was to meet with this fraction, and in this meeting of the party, which excluded all others than Communists, Mr. —— took a part." (Executive hearings, later released, vol. 2, March–July 1940, p. 930.)

Miss Rena Vale of Los Angeles, Calif., on July 22, 1940, identified Rose Chernin as a Communist Party functionary, as shown in the following excerpt from her testimony before a subcommittee of the Special Committee on Un-American Activities:

"Mr. STEDMAN. Before you joined the party did you do some work for the International Labor Defense?

"Miss VALE. Yes, sir.

"Mr. STEDMAN. Recite the details concerning that work, Miss Vale.

"Miss VALE. Well, there were two instances in which I did work for the International Labor Defense. The first was at the time the Young Communist League organizer, Angelo Herndon, a Negro, had just been released from a Georgia prison and came to the coast, and I did publicity work for his tour under the instructions of Rose Chernin.

"Mr. STEDMAN. Did Miss Chernin tell you that all officials of the International Labor Defense were Communist Party members?

"Miss VALE. Yes, sir; she did.

"Mr. STEDMAN. What did she tell you?

"Miss VALE. She told me the party had organized, and did control the International Labor Defense.

"Mr. STEDMAN. Is she a well known Communist Party member in the State of California?

"Miss VALE. Yes, sir; although she isn't in the State of California now.

"Mr. STEDMAN. Where is she?

"Miss VALE. The last I heard of her she was in New York.

"Mr. Stedman. At the time you knew her was she a functionary in the party?

"Miss VALE. Yes, sir; she said she was." (Executive hearings, later released, vol. 3, July and August, 1940, pp. 1211–1212.)

The following references to Rose Cherin are taken from public testimony before the Committee on Un-American Activities by Mrs. Anita Bell Schneider and Mr. Stephen A. Wereb, on June 27, 1955, and July 1, 1955, respectively:

"Mr. MOULDER. Did you have any contact with any of the Communist Party leaders in the Los Angeles area while you were working in the San Diego area?

"Mrs. SCHNEIDER. I had contact with some of them. I met in closed Communist Party meetings.

* * * * *

"Mrs. SCHNEIDER. I met Rose Chernin," (Investigation of Communist Activities in the Los Angeles, Calif., Area, part 1, June 27, and 28, 1955, page 1517.)

"Mr. TAVENNER. Will you proceed now with giving of the names of the functionaries of the Communist Party who attended the meeting regarding the Duclos letter?

"Mr. WEREB. We had * * * Rose Chernin, convicted in the Smith Act.

* * * * *

"Mr. WEREB. There are more names I have but these are names of those people who were at the southern section of the California Communist Party." (Investigation of Communist Activities in the Los Angeles, Calif. area, pt. 4, July 1 and 2, 1955, pp. 1822–23.)

The annual report of the Committee on Un-American Activities for the year 1956, page 5, made reference to Rose Chernin Kusnitz in connection with the hearings on Communist political subversion, as follows:

"The evidence during these hearings disclosed the control exercised over these organizations by the Communist Party. In California, there was created the Los Angeles Committee for Protection of Foreign Born. Its executive secretary is Rose Chernin Kusnitz, who was convicted under the Smith Act. When she appeared before the committee on December 8, 1956, she was still executive secretary of the Los Angeles Committee for Protection of Foreign Born, and received her total income through this organization, even though more than 2 years had elapsed since her conviction for advocating the overthrow of the United States Government by force and violence."

Rose Chernin Kusnitz was the subject of a full-page article by Philip M. Connelly in the Daily People's World, January 18, 1952, page 8, magazine section. In this biographical sketch, she was reported to have been active in the unemployed council (C–1939) in New York City about 1929 and in the workers alliance (A–1942; C–1939) in Los Angeles in 1932, and then to have gone to Russia when her husband, Paul, an engineer, signed a 3-year contract for work on the Moscow subway system. She was further reported as working in a publishing house in Moscow, and after a year and a half, returned to California because of her daughter's illness. In California, the article stated that she helped lead a fight against the State criminal syndicalism law, but, when her husband returned from Russia, she joined him in New York where she was active in the American Labor Party (C–1944). In 1946, after the daughter's death, according to this article, she and her husband returned to Los Angeles, and Rose Chernin returned to full-time work in the civil rights congress (A–1947; C–1947; I–1956) but "was drafted from CRC to take charge of the Los Angeles Committee for the Protection of Foreign Born (C–1956)." (A Thermo-fax copy of this article is attached.).

The Daily Worker of August 27, 1926, page 4, listed one Rose Chernin of New York City as a winner of a contest for selling subscriptions to the Daily Worker (C–1939).

Rose Chernin was shown as a Communist Party section organizer for the upper eighth A. D., New York City, by the Daily Worker, November 17, 1942, page 5.

The Daily People's World, August 31, 1950, page 10, named Mrs. Rose Chernin as membership drive director for the civil rights congress (A–1947; C–1947; I–1956); and, according to the same paper, October 24, 1950, page 12, Rose Chernin of the civil rights congress was a member of a delegation protesting the McCarran law.

The Daily Worker of June 17, 1951, page 8, listed Rose Chernin among the members of an All Nations Salute honoring Ferdinand Smith and others which was held by the American Committee for Protection of Foreign Born (A–1948; C–1942; I–1956) in Chicago, June 9 and 10.

Rose Chernin Kusnitz was listed in an advertisement in the Daily People's World of December 26, 1951, page 3, as one of those who would participate in a celebration to be held by the Jewish People's Fraternal Order (A–1950) on December 29 at North Star Auditorium, Los Angeles.

The Daily People's World of December 18, 1951, page 3, reported Mrs. Rose Chernin to be among the guests of honor at a party and dance given by the California Emergency Defense Committee (A–1953) in Los Angeles on their release from jail after arrest under the Smith Act; and the same paper, on March 4, 1952, page 3, showed Rose Chernin Kuznitz as honor guest at the organization's International Women's Day celebration to be held on March 8 at Forum Starlite Roof, Los Angeles.

Mrs. Rose Chernin was shown as a member of the Los Angeles Committee for Protection of Foreign Born (C–1956) in the Daily People's World, March 5, 1951, page 3, and as the executive director, or executive secretary, of the organization in the following sources: Daily People's World, July 10, 1951, page 3, and July 16, 1951, page 3; a booklet, "Greet the New Year with the Los Angeles Committee * * * December 31, 1951, * * *," page 2; proceedings of the organization's conference, February 7, 1953, page 13, where she was shown as being reelected executive director; a paid advertisement of the Los Angeles Committee * * * in Community News Service, April 23, 1953, page 8; official letterheads of the organization, date April 27, 1953, April 30, 1953, May 7, 1953, and May 13, 1953; the Daily People's World, March 3, 1954, page 6 and a press release of March 4, 1954, which show her as reelected as executive director at the fourth annual conference held February 27 and 28, 1954; letterheads of June 29, 1954 and Feb-

ruary 9, 1955; the Daily People's World, March 22, 1955, page 3, reporting her unanimous reelection as executive director; and, a letterhead, May 28, 1957.

Identified as executive secretary, or executive director, Mrs. Rose Chernin has been shown in the various sources, indicated below in each case, as taking part in activities of the Los Angeles Committee for Protection of Foreign Born, as follows: Speaker at a meeting (Daily People's World, March 6, 1951, p. 10); speaker at a reception for "The Terminal Island Four" in Los Angeles on May 6, 1951 (Daily People's World, May 10, 1951, page 9) (The Terminal Island Four were listed in a circular, "Urgent," issued by the Los Angeles Committee * * * in March 1952, as being Miriam Stevenson, David Hyun, Harry Carlisle, and Frank Carlson, "foreign-born Americans denied bail in deportation proceedings."); speaker at a reception to welcome Frank Spector on July 8 at Parkview Manor (Daily People's World, July 10, 1951, page 3); as protesting the jailing of Mrs. Charlotte Galalian by the Immigration Department (Daily People's World, July 16, 1951, page 3); as urging support of a dinner on September 16 to honor the attorneys and research workers of the Los Angeles Committee * * * (Daily People's World, August 30, 1951, page 6); speaker at a victory rally on December 21 at Park Manor, Los Angeles to celebrate her release from jail (Daily People's World, December 17, 1951, page 6); speaker at a testimonial dinner to be held in honor of Abner Green of the American Committee for Protection of Foreign Born at Park Manor in Los Angeles on March 9 (Daily People's World, March 4, 1952, page 3); as co-signer of the organization's appeal for aid in its fight to preserve the right to bail, and to halt the deportation drive (mimeographed appeal concerning the Supreme Court decision of March 10, 1952, in the case of the Terminal Island Four); speaker at meeting at Parkview Manor auditorium, Los Angeles (Daily People's World, October 21, 1952, page 6); as welcoming the delegates and observers and as being the keynote speaker at the Southern California Conference to Defend the Rights of Foreign Born Americans, at Park Manor, Los Angeles, Calif., February 7, 1953 (booklet containing the program and greetings, February 7, 1953, pages 2 and 3, and Daily People's World, February 10, 1953, pages 2 and 6); speaker at informal dinner arranged in honor of Stanley Nowak at the Festival of Nationalities in Los Angeles in June 1953 (mimeographed press release of the Los Angeles Committee * * *, June 1, 1953); as extending greetings to those attending the Festival of Nationalities, June 7, 1953 (mimeographed program); speaker at meeting on July 6 at Park Manor to support David Hyun and Mrs. Miriam Stevenson who must surrender July 6 in deportation proceedings (Daily People's World, July 6, 1953, page 3); speaker at the Los Angeles Committee's annual banquet honoring their panel of defense attorneys on November 11 in Los Angeles (Daily People's World, November 12, 1953, page 6); as scheduled to speak and bring greetings at the group's Fourth Annual Conference at Park Manor, Los Angeles, February 27–28, 1954 (Souvenir Journal and the Summary of Proceedings); speakef at the Festival of Nationalities, June 6 at the Croatian picnic grounds, Los Angeles (Daily People's World, June 8, 1954, page 3); and, as scheduled to speak at a dinner-dance to be given by the Los Angeles Committee for Protection of Foreign Born on October 29 at Park Manor in Los Angeles (Daily People's World, October 25, 1955, p. 6, advertisement).

The Daily People's World, July 27, 1951, page 8 and the Times Herald of Washington, D. C., same date, page 5, reported that Rose Chernin, executive secretary of the Los Angeles Committee for Protection of Foreign Born had been arrested under the Smith Act for conspiracy and was being held for $75,000 bail. According to the Daily People's World and the Washington Post, both of August 1, 1951, pages 8 and 9, respectively, Rose Chernin was indicted under the Smith Act and bail was fixed at $75,000. Her photograph appeared in this connection in the Daily Worker of August 19, 1951, page 3. On December 10, 1951, the Daily People's World reported, page 1, that Mrs. Rose Chernin had been freed from county jail in Los Angeles on $5,000 bail.

The transcript of proceedings of the United States District Court, southern district of California, July 18, 1952, Los Angeles, Calif., *United States of America, plaintiff, v. William Schneiderman et al., defendants,* pages 12 and 593, showed Rose Chernin Kusnitz as 1 of 14 defendants charged in an indictment with conspiring to overthrow the Government by force and violence. Mrs. Rose Chernin Kusnitz was reported as being convicted on August 5 in Los Angeles and as being sentenced on August 7, 1952 to 5 years imprisonment and a $10,000 fine (see: Daily People's World, Aug. 6, 1952, p. 1; Washington Post, Aug. 6, 1952, p. 1; Washington Times Herald, Aug. 6, 1952, p. 1; Washington Post, Aug. 8, 1952, p. 10; Times Herald, Aug. 8, 1952; Evening Star, Aug. 8, 1952; New York Times, Aug. 8, 1952, pp. 1 and 5; and the Worker, Aug. 10, 1952, p. 3, with photo).

Appeals were filed on behalf of Mrs. Rose Chernin Kusnitz on June 14, 1953, in San Francisco, according to the Daily People's World, June 16, 1953, page 3; and her name was listed in a Justice Department letter of September 8, 1954 among the defendants in Smith Act case V, shown then as on appeal to the court of appeals. The Daily People's World reported on June 16, 1955, page 8, that the Ninth United States Circuit Court of Appeals had refused to reconsider its earlier decision in the California Smith Act case and that Rose Chernin Kusnitz, one of the defendants, was free on bond.

It was announced in the Daily People's World of August 21, 1956, page 3, that the case of Rose Chernin Kusnitz, California Smith Act defendant, would be reviewed by the Supreme Court in October 1956; and, as reported in the Washington Post and Times Herald, June 18, 1957, page A–21, and the Evening Star, June 17, 1957, pages A–1 and 6, Rose Chernin Kusnitz was 1 of 5 California Communists freed by the Supreme Court in a 4–3 majority opinion on June 17, 1957. (A Thermo-fax copy of each of the 2 latter clippings is being enclosed for use with this report and the 4 others requested.)

On October 23, 1952, the Washington (D. C.) Times Herald reported, page 9, that the Attorney General had directed that denaturalization and deportation proceedings be instituted against Rose Chernin of Los Angeles at once; and, the Daily People's World of May 4, 1953, page 6, reported that the Justice Department was seeking to denaturalize Mrs. Rose Chernin, director of the Los Angeles Committee for Protection of Foreign Born, and that she had 60 days in which to file answer to the charges. Reference was made to Rose Chernin's case in the souvenir journal, fourth annual conference, Los Angeles Committee for Protection of Foreign Born, February 28, 1954, page 9, in an article captioned, "Victims of Denaturalization." It was noted in the Daily People's World of June 11, 1956, page 2, that the denaturalization trial of Rose Chernin Kuznitz would begin on June 12. However, an INS article datelined, Los Angeles, August 28, in the Washington Post and Times Herald, August 29, 1956, page 17, reported:

"Rose Chernin Kusnitz * * * has won her fight to retain her American citizenship.

"United States Judge Harry C. Westover ruled yesterday that she keep the citizenship she acquired by naturalization in 1929. He attacked the Government's case as 'based primarily upon the philosophy of guilt by association.'

"Judge Westover explained:

* * * * * *

"'Such philosophy has never been recognized as a principle of law.'

"He held that no evidence was produced to sustain charges that Mrs. Kusnitz was 'an officer of the Communist Party since 1927,' and that evidence was insufficient regarding possible 'statements, speeches, or acts of violence prior' to naturalization.

"The Government had contended she made false statements regarding her loyalty when she swore allegiance 27 years ago."

The Daily Worker of December 13, 1956, page 7, commented that the United States attorney's office had announced it was dropping all plans to appeal a ruling by a Federal judge that there was no evidence to justify revocation of Rose Chernin's naturalization.

INFORMATION FROM THE FILES OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES, UNITED STATES HOUSE OF REPRESENTATIVES

Date: June 21, 1957.
For: Hon. DONALD L. JACKSON.
Subject: Henry Steinberg.

The public records, files, and publications of this committee contain the following information concerning the subject individual. This report should not be construed as representing the results of an investigation by or findings of this committee. It should be noted that the individual is not necessarily a Communist, a Communist sympathizer, or a fellow traveler unless otherwise indicated.

The symbols, inserted in parentheses after the name of any organization or publication below, indicate the name of each Federal authority which has cited, or designated, that organization or publication and the year in which each agency's first citation, or listing, of the subject appeared. Capital leters denote agency names, as follows: A—Attorney General of the United States; C—Committee on Un-American Activities; I—Internal Security Subcommittee of the Senate Judiciary Committee; J—Senate Judiciary Committee; and, S—Subversive Activities Control Board. (For more complete information on citations, see this committee's Guide to Subversive Organizations and Publications.

The Daily People's World of November 12, 1948 (p. 5), contained a photograph of Henry Steinberg, who served in the Army on Okinawa and then served as chairman of the Communist Party in the 19th Congressional District, Los Angeles. The photograph showed him being served with a subpena to appear before the grand jury as he was leaving the county jail cell where he spent 9 days for refusing to answer questions he considered beyond the province of the grand jury. The Daily Worker of April 11, 1949 (p. 2), reported that Henry Steinberg was Communist Party candidate for the Board of Education Office No. 4 in Los Angeles. The Daily People's World of April 7, 1950 (p. 9), identified Henry Steinberg, Communist Party candidate for assessor in the June 6 primary in Los Angeles, as 37 years old, born in St. Louis, Mo., but a resident of Los Angeles since about 1935. The news article stated further that he was Communist Party county legislative director, one of "the Los Angeles 21" who refused to stoolpigeon for the Federal grand jury a year and a half ago, and Communist Party candidate for the board of education in 1949 whose grand total of 35,000 votes was the highest ever received [sic] by a Communist candidate for citywide office locally.

The Daily People's World of April 27, 1950 (p. 10), reported that Henry Steinberg was Communist Party candidate for tax assessor in Los Angeles. Reference to this was found also in the Daily People's World of April 28,

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1950 (p. 6). The Daily People's World of January 30, 1951 (pp. 2 and 3) reported that Henry Steinberg, Communist Party county legislative director was candidate for the Board of Education in Los Angeles. He was named as county legislative director of the Communist Party in Los Angeles as shown by the Daily People's World of March 1, 1951 (p. 3). According to the Daily People's World of March 30, 1951 (p. 7), Henry Steinberg, legislative director of the Los Angeles Communist Party, was endorsed as candidate for the board of education on the Communist Party ticket. He was defeated in the campaign for city councilman according to the Daily People's World of April 5, 1951 (p. 3). The Daily Worker of April 10, 1951 (p. 4), reported that Henry Steinberg, legislative director of the Communist Party in Los Angeles, was candidate for the Los Angeles school board. He polled 39,707 votes but was defeated. The Daily Worker of July 31, 1951 (p. 3), reported that Henry Steinberg, Communist Party leader, was jailed under the Smith Act for conspiracy and held for $75,000 bail. This same information was found in the Daily Worker of August 19, 1951 (p. 3). Henry Steinberg, Los Angeles, participated in a meeting in behalf of the Communist cases according to the Daily People's World of September 6, 1949 (p. 3). He was one of a group of war veterans who protested against President Eisenhower's proposal to deprive Communists convicted under the Smith Act of their citizenship according to the Daily People's World of January 18, 1954 (p. 2).

Walter S. Steele testified in public hearings of this committee on July 21, 1947 (p. 13), that Henry Steinberg was on a list of officers of the Communist Party as Communist Party candidate for councilman, Ninth District, Los Angeles County.

The following quotation is from the testimony of Stephen A. Wereb who testified in public hearings of this committee on July 1, 1955:

"Mr. TAVENNER. Mr. Wereb * * * will you proceed now with giving of the names of the functionaries of the Communist Party who attended the meeting regarding the Duclos letter?

"Mr. WEREB. Henry Steinberg, convicted in the Smith Act. ("p. 1822.")

The Daily Worker of October 2, 1948 (p. 2) reported that Henry Steinberg was sentenced to jail for civil contempt of court in Los Angeles. He was photographed with other defendants in the Daily People's World of November 5, 1948 (p. 1). The April 24, 1950, issue of the Daily People's World (p. 12) reported that the United States circuit court of appeals ruled in his favor. He was indicted under the Smith Act by a Federal grand jury in Los Angeles, July 31, according to the Daily People's World of August 1, 1951 (p. 8). The Daily People's World of December 11, 1951 (p. 1), reported that Henry Steinberg, arrested under the Smith Act, was freed on bail after 4 months in jail. Henry Steinberg was 1 of 14 defendants charged in an indictment with conspiring to overthrow the Government by force and violence in the southern district of California. United States district court, as shown by the transcript of the proceedings, July 18, 1952, Los Angeles, Calif., *United States of America, plaintiff* v. *William Schneiderman et al., defendants.* Henry Steinberg was convicted of violation of the Smith Act in Los Angeles on August 5, according to the Daily People's World of August 6, 1952 (p. 1). He was given the maximum penalty of 5 years in prison and $10,000 fine for conspiring to teach and advocate the overthrow of the Government by force and violence, as reported in the New York Times, August 8, 1952 (pp. 1 and 5), the Washington Post, August 8, 1952 (p. 10), the Times Herald, August 8, 1952, and the Evening Star, August 8, 1952. The Worker of August 10, 1952 (p. 3), reported that Henry Steinberg was 1 of 14 convicted in Los Angeles, Calif., of violation of the Smith Act. Appeals were filed in his behalf on June 14 in San Francisco according to the Daily People's World of June 16, 1953 (p. 3).

A Justice Department letter, dated September 8, 1954, with a list of Smith Act cases involving the Communist Party leaders, listed Henry Steinberg, a defendant in the Smith Act case V. *United States* v. *Schneiderman, et al.*, February 1, 1952, to August 5, 1952, Los Angeles, Calif; convicted; on appeal to the Court of Appeals. The Daily People's World of June 16, 1955 (p. 8), reported that the Ninth United States Circuit Court of Appeals had refused to reconsider its earlier decision upholding Henry Steinberg's conviction under the Smith Act. At the time Mr. Steinberg was free on bond. The Daily People's World of August 21, 1956 (p. 3), announced that Henry Steinberg's case would be reviewed by the Supreme Court on October 8, 1956. The Evening Star of June 17, 1957 (pp. A-1 and 6), and the Washington Post and Times Herald of June 18, 1957 (p. A-21), reported that Henry Steinberg, legislative director of the Communist Party in Los Angeles County, was 1 of 5 California Communists freed by the Supreme Court in a 4-to-3 majority opinion of June 17. All were convicted in 1952 under the Smith Act. The basis for the Court's decision was given in the article.

Henry Steinberg was the subject of an article by Philip M. Connelly from the Los Angeles County jail (Daily People's World, November 9, 1951, pp. M3 and 7).[1]

He was scheduled as a speaker for a meeting on the Smith Act to be held April 3 in Los Angeles (Daily People's World, April 2, 1952, p. 3). The Daily People's World of June 6, 1952 (p. 3), reported that he was to participate in an anti-Smith Act motorcade and rally.

Henry Steinberg was a speaker at a Communist Party May Day celebration in San Pedro, according to the Daily People's World of May 4, 1950 (p. 2).

His photograph and biography are found in the pamplet, It's You They're After (p. 15).

The Daily People's World of September 15, 1950 (p. 5),[1] contained Henry Steinberg's statement on why he refused to register as a Communist Party member. An article, Why I Refused to Register, by Henry Steinberg, is found in the September 24, 1950, issue of the Worker (p. 3).

INFORMATION FROM THE FILES OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES, UNITED STATES HOUSE OF REPRESENTATIVES

Date: June 20, 1957.
For: Hon. DONALD L. JACKSON.
Subject: Al Richmond.

The public records, files and publications of this committee contain the following information concerning the subject individual. This report should not be construed as representing the results of an investigation by or findings of this committee. It should be noted that the individual is not necessarily a Communist, a Communist sympathizer, or a fellow traveler unless otherwise indicated.

The symbols, inserted in parentheses after the name of any organization or publication below, indicate the name of each Federal authority which has cited, or designated, that organization or publication and the year in which each agency's first citation, or listing, of the subject appeared. Capital letters denote agency names, as follows: A—Attorney General of the United States; C—Committee on Un-American Activities; I—Internal Security Subcommittee of the Senate Judiciary Committee; J—Senate Judiciary Committee; and S—Subversive Activities Control Board. (For more complete information on citations, see this committee's Guide to Subversive Organizations and Publications.)

Charles David Blodgett testified in public hearings of the Committee on Un-American Activities on December 3, 1953. The following quotations are from his testimony.

"Mr. TAVENNER. Will you tell the committee, please, who constituted the staff of the Daily People's World during the period you were employed by it?

"Mr. BLODGETT. Mr. Al Richmond, of course, was the executive editor of the Daily People's World.

"Mr. TAVENNER. Let me interrupt you a moment. In identifying those employed by the Daily People's World, will you state whether or not you knew them to be members of the Communist Party, and if you name those that you did not know to be members of the Communist Party, will you also so state that fact? In other words, give us all the information you can about those who were members of that staff and the extent of their participation, if any existed, in Communist Party activities.

"Mr. BLODGETT. To the best of my knowledge, all members of the editorial department of Daily People's World and the business office were members of the Communist Party. That was a prerequisite for employment."

* * * * *

"Mr. BLODGETT. I can further substantiate that by the fact that we did hold regular meetings of the staff, both editorial and business, which were conducted as Community Party educational meetings, and members of the State executive board of the party were often in attendance [sic], giving the staff the line, strategy, and tactics of the party to be applied by the party * * * " (p. 3287).

Stanley B. Hancock testified in executive hearings of the Committee on Un-American Activities, March 1, 1954. These hearings were later made public. References to Al Richmond in Mr. Hancock's testimony follow:

"Mr. TAVENNER. In your association with the Newspaper Guild in San Francisco did you learn to know any of its members as members of the Communist Party?

"Mr. HANCOCK. Only my fellow employees from the People's World.

"Mr. TAVENNER. Who were they?

"Mr. HANCOCK. Al Richmond.

"Mr. TAVENNER. Was the Daily People's World in San Francisco an official organ of the Communist Party?

"Mr. HANCOCK. No, sir; not so designated in contrast to its predecessor, the Western Worker, which carried on its masthead the title 'Official organ of the Communist Party.' The Daily People's World ostensibly was the product of leftwingers. In actuality it was completely controlled and dominated by the Communist Party, but it never stated these facts in its columns.

"Mr. TAVENNER. On what do you base the statement that this paper was dominated and controlled by the Communist Party?

"Mr. HANCOCK. The many meetings I attended with the State committee of the party at which details of the circulation problems and financial problems of the People's World were reported on, and the solution was discussed. Certainly all the key people on the paper were party members, including the editor, city editor.

"Mr. TAVENNER. What was his name?

"Mr. HANCOCK. Al Richmond was the city editor" (pp. 4584-4585).

Stephen A. Wereb testified in public hearings of this committee on July 1, 1955. The following reference to Al Richmond is from that testimony.

"Mr. WEREB. One of the functions I would like to call your attention to was in the month of June, I believe, 1945. I was given credentials by the club chairman, John Houston. This was printed by the Los Angeles County Communist Board, and it was

[1] Thermo-fax copies attached.

signed. With these credentials I attended what was known as the southwest section, southern section of the State of California Convention of the Communist Party. That was held in the Danish Hall around 24th or 25th Street, a few doors east of Vermont Avenue. This was approximately the month of June in 1945.

* * * * *

"Mr. TAVENNER. Did you record the names of the persons present that you could identify?

"Mr. WEREB. I did.

"Mr. TAVENNER. As members of the Communist Party?

"Mr. WEREB. I did, sir. Did you wish to hear them now?

* * * * *

"Mr. TAVENNER. Very well. I would like for to proceed (sic).

* * * * *

"Mr. WEREB. Al Richmond, R-i-c-h-m-o-n-d. He is a Smith Act conviction from the Peoples World" (pp. 1812, 1814, 1817).

Walter S. Steele testified in public hearings of the Special Committee on Un-American Activities, August 16, 1938. During the course of his testimony Mr. Steele read a list of Leading State Officials of Communist Party, U. S. A. * * * Al Richmond was shown on this list as propaganda director in California. (See p. 314 of the hearings.)

The Daily Worker of February 13, 1957 (pp. 1 and 2), and the New York Times of February 13, 1957 (pp. 1 and 20), reported that Al Richmond, San Francisco, Calif., was elected to the national committee of the Communist Party, U. S. A., at the closing session of the 16th national convention held February 9–12, New York City. Al Richmond, California, wrote an article entitled "Strike Struggles and Some Key Conclusions" which was printed in the 1951 issue of "Our Party," Pre-Convention Discussion Bulletin, No. 5, issued by the Communist Party, U. S. A. The Daily Worker of August 29, 1936 (p. 3) contained an article entitled "2 Communists to Speak at Labor Press Outing" in which it was reported that Al Richmond, Washington correspondent for the Daily Worker, was to speak at a Labor Press outing arranged by the Communist Party in Washington, D. C. According to the Daily People's World of January 18, 1954 (p. 2), Al Richmond was one of a group of war veterans who protested against President Eisenhower's proposal to deprive Communists convicted under the Smith Act of their citizenship. He was identified in this instance as T/Sgt., Medical Dept. ETO, from San Francisco.

According to the Daily Worker of July 27, 1951 (p. 1), Al Richmond, executive editor of the Daily People's World, was arrested under the Smith Act for conspiracy, with bail set at $75,000. The same information is found in the Daily People's World of that date in which he was described as a "working class" leader. Al Richmond was indicted under the Smith Act by a Federal grand jury in Los Angeles, July 31, as shown by the Daily People's World of August 1, 1951 (p. 8), and the Washington Post of August 1, 1951 (p. 9). He was freed on bail after 4 months in jail (Daily People's World, December 11, 1951, p. 1). The transcript of proceedings, July 18, 1952, Los Angeles, Calif., United States of America, Plaintiff vs. William Schneiderman et al., Defendants, listed Al Richmond, 1 of 14 defendents, charged in an indictment with conspiring to overthrow the Government by force and violence, in the Southern District of California, United States District Court.

The Daily People's World of August 6, 1952 (p. 1) reported that Al Richmond was convicted of violation of the Smith Act in Los Angeles on August 5. He was given the maximum penalty of 5 years in prison and $10,000 fine for conspiring to teach and advocate the overthrow of the Government by force and violence according to the New York Times of August 8, 1952 (pp. 1 and 5). The Daily Worker of November 9, 1952 (p. 8) reported that the United States Government moved to have Al Richmond's citizenship revoked. The Daily Worker of May 13, 1953 (p. 2), reported that Al Richmond, Daily People's World editor convicted under the Smith Act, obtained his citizenship in 1943 at San Antonio, Tex., while in the United States Army. The article stated further that he won postponement of the Government's suit to cancel his citizenship until his appeal of a Smith Act conviction was adjudged. Appeals were filed in his behalf on June 14 in San Francisco according to the Daily People's World of June 16, 1953 (p. 3). A Justice Department letter, September 8, 1954, with a list of Smith Act cases involving Communist Party leaders listed Al Richmond as a defendant in the Smith Act Case V, *United States* v. *Schneiderman et al.*, February 1, 1952, to August 5, 1952, Los Angeles, Calif.; convicted, on appeal to Court of Appeals. The Washington Evening Star of June 17, 1957 (pp. A–1 and 6) and the Washington Post and Times Herald of June 16, 1957 (p. A–21), reported that Al Richmond was 1 of 5 California Communists freed by the Supreme Court in a 4-3 majority opinion on June 17.

Al Richmond, editor-in-chief, Daily People's World, was shown as a member of the faculty or lecturer at the California Labor School (A–1948; I–1956) in the spring 1947 catalog of the school (p. 47), the testimony of Walter S. Steele in public hearings of this committee, July 21, 1947 (p. 54), and in the yearbook and catalog of the school for 1948 (pp. 16, 38). He was chairman of the forum on labor developments in Australia, Panama and South Africa at the California Labor School (Daily People's World, July 7, 1948, p. 1). The Daily People's World of April 2, 1951 (p. 8) reported that Mr. Richmond would speak at a discussion series held by the school. The Daily People's World of May 8, 1951 (p. 8) announced that Al Richmond would speak at the California Labor School on problems of Mexican-Americans on May 9. He was announced as a member of a panel discussion at the school on September 18 (Daily People's World, September 18, 1952, p. 7); at a forum on November 26 (Daily People's World, November 21, 1952, p. 2); as a speaker on "the truth behind the current charges of Soviet antisemitism" in San Francisco, February 18 (Daily People's World, February 11, 1953, p. 7); and as a lecturer in a series on Economic Problems of Capitalism and Socialism, beginning February 25, 1953 (Daily People's World, February 19, 1953, p. 7).

The Daily People's World of March 20, 1953 (p. 3) reported that Al Richmond was to conduct a class on "Economic Problems of Capitalism and Socialism" in a series of the California Labor School beginning April 1 in Oakland. It was announced in the Daily People's World of April 27, 1953 (p. 7), that Al Richmond would be a guest speaker at the California Labor School at a lecture course on United States Imperialism—As It Affects Us at Home and Colonial Peoples Abroad, beginning April 28. The Daily People's World of September 15, 1953 (p. 7) reported that Al Richmond was to lecture on China trade in a regular lecture series entitled "Our Changing World Today" at the California Labor School. The Daily People's World of November 13, 1953 (p. 6) and November 24, 1953 (p. 2) reported that Al Richmond would support the 11th annual Christmas market to be held December 11–13 in San Francisco, to benefit the California Labor School.

The circular, Winter Term 1954, January 18–March 26, named Al Richmond as instructor of a session at the California Labor School on California Masters of Literature. The Daily People's World of April 26, 1954 (p. 7), announced that Al Richmond would speak at the California Labor School on Puerto Rico—United States Colony, in a series of lectures. The Daily People's World of May 14, 1954 (p. 3), announced that Al Richmond would deliver the last in a series of lectures on the History of the Negro People in the United States on May 17. The Daily People's World of July 8, 1954 (p. 7), announced that Al Richmond was scheduled to lecture on the history and problems of the Negro people at the California Labor School during the summer lecture discussion series beginning July 28.

Al Richmond was guest of honor at a meeting of the Civil Rights Congress (A–1947; C–1947; I–1956) held December 14 welcoming home working class leaders arrested under the Smith Act according to the Daily Worker of December 19, 1951 (p. 3). It was announced in the Daily People's World of January 17, 1952 (p. 3), that Al Richmond was to be guest of honor at a meeting of the Civil Rights Congress to be held January 25, San Francisco.

Al Richmond was shown as executive editor of the Daily People's World (C–1941) in the following sources: Daily People's World, August 8, 1947, page 2; January 6, 1948, page 5; March 4, 1947, page 2; May 20, 1948, page 3 and April 6 1953, page 3. Al Richmond was shown as a member of the editorial board of the Daily People's World in the January 27, 1938, issue of the Daily Worker (p. 1), and as editor in the October 2, 1947 (p. 3), October 6, 1952 (p. 6) and October 5, 1953 (p. 6) issues of the Daily People's World. In testimony in public hearings of this committee on July 21, 1947, Walter S. Steele named Al Richmond as executive editor of the Daily People's World (p. 34), and a staff writer for the paper (p. 43).

Articles written by Al Richmond are found in the following issues of the Daily People's World: December 14, 1942, page 1; August 15, 1947, page 1; August 5, 1948, page 1; October 7, 1948, page 2; January 20, 1950, page 1, section 2; June 9, 1950, page 1, section 2; January 19, 1951, page 3, section 2; February 23, 1951, page 1, section 2; March 26, 1951, page 5; April 5, 1951, page 1; April 20, 1951, section 2, page 1; May 11, 1951, page 8M; December 21, 1951, page M4; December 28, 1951, page M1; January 11, 1952, page M3; February 15, 1952, page M4; March 7, 1952, page M4; June 20, 1952, page 6; December 5, 1952, page 6M; July 3, 1953, page 4M; December 31, 1953, page 5M; July 2, 1954, page 1M; December 10, 1954, page M5; and February 4, 1955, page M1.

Al Richmond spoke at gatherings of the Daily People's World as shown by the following issues of the publication: Daily People's World, April 14, 1952, page 8; July 7, 1952, page 2; July 9, 1952, page 1; December 26, 1952, page 3; February 16, 1953, page 7; March 9, 1953, page 8; March 12, 1953, page 2; January 21, 1954, page 2; May 7, 1954, page 2; and June 22, 1956, page 3.

The Daily People's World of January 7, 1953 (p. 3), reported that Al Richmond would participate in the Daily People's World 15th anniversary celebration on January 9 in San Francisco. The January 13, 1953, issue of the newspaper (p. 3) reported that he did participate in the celebration. He signed an open letter urging full support to the newspaper's drive for new readers (Daily People's World, March 18, 1953, p. 8). It was announced in the Daily People's World of May 26, 1953 (p. 2), that Al Richmond would participate in a welcome home celebration for Nat Yanish, freed on bail in deportation proceedings to be held May 29 in San Francisco. Al Richmond, staff member of the Daily People's World, pledged a day's pay to its annual fund drive according to the June 19, 1953, issue of the newspaper. Al Richmond was the subject of an article by

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Adam Lapin in the August 10, 1951, issue of the Daily People's World (sec. 2, p. 1).

Al Richmond was Washington correspondent for the Daily Worker (C–1939) according to the August 29, 1936, issue of the publication (p. 3). He was California correspondent according to the January 4, 1939, issue (p. 1). Walter S. Steele testified in public hearings of this committee on August 16, 1938. In the course of his testimony Mr. Steele identified Al Richmond as a columnist for the Daily Worker (p. 321).

Al Richmond contributed articles to the following issues of the Daily Worker: May 16, 1935, page 5; November 2, 1935, page 5; May 24, 1936, page 3; June 25, 1936, page 1; July 18, 1936, page 1; August 15, 1936, page 1; January 27, 1938, page 1; March 1, 1942, section 2, page 4; April 13, 1952, page M8; May 10, 1953, page 3; April 26, 1954, page 4; and February 19, 1956, page 9.

Articles written by Al Richmond are found in the following issues of New Masses (A–1942; C–1939); October 4, 1938, page 13; November 22, 1938, page 8; January 17, 1939, page 15; and May 21, 1940, page 9. He contributed to the September 1952 issue of Masses and Mainstream (C–1949).

Al Richmond spoke in behalf of the Communist cases as shown by the Daily People's World of October 24, 1949 (p. 3). He spoke at a mass meeting for the California Smith Act defendants according to the Daily People's World of January 24, 1952 (p. 3)

Al Richmond, editorial staff, Western Worker, sent greetings to the Young Communist League (A–1948; C–1940) as shown by the California Young Communist League Yearbook, 1937 (p. 45).

Nine other Los Angeles Communists, convicted of Smith Act violations at the same time as the 5, were granted a new trial. Their records are very much like those of the 5 foregoing and no purpose could be served by taking additional space in the record to detail their many activities for and on behalf of the Red conspiracy. Suffice it to say that these Communists and their Communist attorneys are now at liberty to resume a normal life of revolutionary plotting—a course but temporarily slowed, if at all, by their convictions.

Nothing in recent years has given greater impetus or encouragement to the resurgence of the American Communist apparatus than have recent decisions of the Supreme Court. Joyous disbelief must have greeted the news of the acquittal of the five, as well as the intelligence of new trials for the other Smith Act defendants in the Los Angeles case. Following as it did the earlier action of the Court in requiring the FBI to open its files in court actions against subversives. Monday, June 17, 1957, might well be added to the Communist calendar as a "Red letter" day to be celebrated throughout the enslaved world.

Nor is the Congress itself blameless in the matter. The duty of the Congress is to write the laws; that of the Supreme Court to interpret them. For many months Members of the Congress, and a sizable section of the Nation's press, have voiced criticism of some of the recent interpretations and decisions of the Court. Yet the Congress has not taken action to this time to clarify its intent nor to rewrite the law in certain instances where it was clearly evident that the interpretation put upon an act by the Court was not that intended by the Congress in passing the legislation. Pending bills deal with this aspect of the matter, and the respective Committees on the Judiciary should act before the public demand forces recognition of a worsening situation and a growing protest.

Mr. Speaker, I have just received from a great American jurist, former president of the American Bar Association, Mr. Lloyd Wright, the following telegram:

Although I speak for myself alone, I am sure that many members of the legal profession and thoughtful citizens throughout the country are gravely concerned by the trend evident in recent decisions of the Court. In the structures of American Government we have entrusted the ultimate power to the judiciary in the faith that ours may be a government of laws and not of men. Only through the disciplines and processes of law can the Nation and its traditional liberties be held secure, and only if these disciplines and processes are respected can the Court abide by its solemn duties.

Certain well-known decisions fail to respect these limits of the judicial function. The boundaries of the concrete case have been transcended, in disregard of the Court's own rules, and in an apparent campaign of ideological preachment. Personal views of individual judges have supplanted precedent, the cornerstone of Anglo-American jurisprudence. Rightful prerogatives of the political branches of the Federal Government have sometimes been usurped, and the rights of the American people to control their local affairs through State governments have been ignored.

The final solution is not chastisement of the transient occupants of the bench or curtailment of essential judicial powers. The Court as an institution must be preserved. It can be restored to its proper station by limiting the honor of its office to seasoned trial judges or men who have in other pursuits proved their qualification. Every citizen shares the responsibility forthrightly to assure that those chosen for the Bench are fit to discharge its solemn obligations.

The following is another telegram I received from Mr. Louis C. Wyman:

SUN VALLEY, IDAHO, *June 26, 1957.*

Hon. DONALD L. JACKSON,
Members of Congress
House Office Building,
Washington, D. C.:

Copy of my address of June 24 airmailed special to you this morning as requested. The National Association of Attorneys General one hour ago passed the following resolution 31 to 11 calling for cooperation with Federal agencies in preparation of legislation designed to regain as much ground for national and State security as is possible from the recent decisions of the Supreme Court:

"Be it resolved by the 51st annual meeting of the National Association of Attorneys General at Sun Valley, Idaho, June 26, 1957, That the president of this association is authorized to appoint a committee on internal security, such committee to be instructed to confer immediately with interested Federal agencies and other national groups, including the American Bar Association, with a view to preparation of legislation for introduction at the current session of Congress designed to reaffirm and reactivate Federal and State internal security controls, and be it further

"Resolved, That the committee shall present its recommendations to the executive committee of this association, and with the approval and authority of the executive committee, the committee on internal security is authorized to appear before the Congress in support of its recommendations."

Needless to say, this matter is of literally urgent importance. I sincerely hope Congress will not let these decisions go by without acting to cure as much as possible by legislation and by proposal of adequate constitutional amendments. If the first amendment is to be applied as it has by the Court in the *Watkins* v. *United States* to security cases the limitation will apply with even greater force to Congressional investigations in fields in which no justification for limitation of freedom of speech has yet been pronounced. Not only will the Federal Bureau of Investigation and Department of Justice be severely handicapped by it; it is almost certain that Congressional and State legislative fact-finding investigations cannot function at all when opposed by hostile witnesses in the future under these decisions.

Best wishes.

LOUIS C. WYMAN, *President.*

The House Committee on Un-American Activities and the Senate Subcommittee on Internal Security have been rendered as innocuous as two kittens in a cage full of rabid dogs, and if the intent of the decisions was to destroy the utility of these committees, that goal has been achieved. It might be added that the Court has accomplished what all of the Communists, the fellow travelers, and apologists have been unable to do since the gentleman from Texas [Mr. DIES] was first named chairman of the Select Committee on Un-American Activities many years ago. If the Congress does not intend to rectify the present situation by appropriate legislation to protect its own committees, it should then abolish them by appropriate resolutions, and leave the field of battle completely in control of those who would destroy not only the authority of the two committees in question, but the inherent power of the Congress to investigate in any area it deems proper and necessary. Furthermore, if the powers delegated to the States by the Constitution are to be preserved against the further and alarming encroachments of Federal sovereignty, the Congress should meet the present challenge and emphatically.

Although the impact of recent decisions has been felt principally in the area of Communist investigation, no member of any committee of the Congress can today afford the luxury of complacency. The Court has demonstrated its ability to so restrict and nullify the effective activity of a Congressional committee that no committee of the Congress, nor any member of any committee, can assume that his particular area of Congressional activity is beyond the reach of the Court.

The present Court is demonstrating a libertarian view that is, in the opinion of many, tortured and strained. In an effort to demonstrate something that escapes the understanding of the average layman, the Court is returning scot-free to the bosom of the conspiracy, known Communists who may be expected to resume immediately their former positions as functionaries of the Communist apparatus. Whether the safety of the American people and their right to be secure against treason in their midst, is more important than possible injury to a few known and proven Communists, is a question fraught with concern at the present time. No one

questions the right nor the duty of the Court to scrutinize closely the acts of the Congress and the decisions of subordinate courts. Any concerned citizen, however, has the right and the clear duty to protest decisions which appear to constitute infringements of authority constitutionally delegated to the legislative branch, and outright acquittals of Communist defendants determined guilty of subversion by legally constituted juries.

During last week a subcommittee of the House Committee on Un-American Activities held hearings in San Francisco, Calif., inquiring into matters clearly within the purview of the charge laid upon the committee by the House of Representatives in Public Law 601. During the hearings the most recent decisions of the Supreme Court were handed down, and it is my understanding that the arrogance and intransigence of unfriendly witnesses appearing in response to subpenas issued by the subcommittee, exceeded anything before witnessed in the history of the committee. In this connection it should be pointed out to the membership of the House that for several years past it has been the policy of the House Committee on Un-American Activities not to subpena before it any person not previously identified, under oath, as a past or present member of the Communist conspiracy. It is my understanding that all who were subpenaed to appear befor the subcommittee in San Francisco had been so identified. It is clear that the heart and soul of any conspiracy are those individuals who comprise its secret councils, and participate in its secret operations. It is impossible to disclose the machinations of a conspiracy, whatever its nature, without bringing before proper authorities those individuals who constitute the conspiratorial core. Without the authority to subpena witnesses and to direct to those witnesses questions relating to sworn information in the possession of the committee, there is removed from the hands of the Congress of the United States the only effective instrument it possesses for the initiation and recommendation of remedial legislation. During the many years in which the House Committee on Un-American Activities has served as the instrument of the House for the investigation of subversive propaganda activities, a considerable number of legislative recommendations have been made by the committee to the legislative committees of this body. The charge is frequently made, and evidently the Supreme Court believes that the primary purpose of the committee is exposure of the role played by witnesses, and not the implementation of its findings by appropriate recommendations for remedial legislation. The most effective answer to this charge is to insert into the RECORD a documented list of committee recommendations for legislative action by the Congress, together with a list of subtantive legislative actions taken by the Congress and by the executive branch on the recommendations submitted by the committee. To that end, Mr. Speaker, I insert in the RECORD at this point a list of such recommendations and actions:

PART I

1947

Citizenship of Federal employees

Committee recommendation: The enactment of legislation requiring that all employees and officials of our Federal Government be American citizens (January 3, 1941).

Action: Although no such legislation has been enacted, the apropriation acts carry citizenship requirements, of which the following is an example:

"General Government Matters Appropriation Act, 1958 (Public Law 85-48, sec. 202). Unless otherwise specified and during the current fiscal year, no part of any appropriation contained in this or any other act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in continental United States unless such person (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of enactment of this act who, being eligible for citizenship, had filed a declaration of intention to become a citizen of the United States prior to such date; (3) is a person who owes allegiance to the United States; or (4) is an alien from the Baltic countries lawfully admitted to the United States for permanent residence: *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony and, upon conviction, shall be fined not more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of the Republic of the Philippines or to nationals of those countries allied with the United States in the current defense effort, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies."

Deportation and exclusion of alien subversives

Committee recommendation: That legislation be enacted requiring that all alien Communists and other subversive aliens be promptly deported and that the Immigration Service maintain a stringent screening process to restrain the present influx of aliens into the United States and to determine whether their political background is inimical to the best interests of the United States (January 2, 1947).

Action: I. Section 22 "Sec. 4" of the Internal Security Act of 1950 (64 Stat. 1008) as repealed (66 Stat. 279, sec. 403 (a) (16)) and superseded by section 241 (a) (6) of the McCarran-Walter Immigration Act of June 27, 1952 (66 Stat. 205), provides for deportation of aliens affiliated with the Communist Party and other subversive aliens.

II. Section 22 of the Internal Security Act of 1950 (64 Stat. 1006) as repealed (66 Stat. 279, sec. 403 (a) (16)) and superseded by section 212 (a) (28) of the McCarran-Walter Immigration Act of June 27, 1952 (66 Stat. 184), provides for the exclusion of aliens with political backgrounds which are inimical to the welfare of the United States.

III. Chapter 4 of the McCarran-Walter Immigration Act of June 27, 1952 (66 Stat. 195-204), provides for a stringent screening process.

Restriction of tax-exemption privileges of Communist educational and charitable organizations

Committee recommendation: Legislation should be enacted to restrict the benefits of certain tax-exemption privileges now extended to a number of Communist fronts posing as educational, charitable, and relief organizations (January 2, 1947).

Action: Section 11 (b) of the Internal Security Act of 1950 (64 Stat. 997) denies income-tax exemptions under section 502 of the Internal Revenue Code, to Communist organizations required to register under section 7 of the Internal Security Act.

Secret membership in organizations

Committee recommendation: Legislation designed to prohibit membership in any organization using the United States mails or subject to Federal laws, by persons using an alias or assumed name. Such legislation should also include a provision which would clearly ban concealed or secret memberships in any such organizations (January 2, 1947).

Action: Section 8 of the Internal Security Act of 1950 (64 Stat. 995) provides for registration with the Attorney General of individuals who are members of Communist-action organizations, and seeking or holding employment in a defense facility.

1948

RECOMMENDATIONS CONTAINED IN ANNUAL REPORT OF COMMITTEE, 80TH CONGRESS, 2D SESSION

Mundt-Nixon bill

Committee recommendation: Legislation modeled substantially after the so-called Mundt-Nixon bill (December 31, 1948).

Action: The provisions of the Mundt-Nixon bill (H. R. 5852, 80th Cong.) have been incorporated in the Internal Security Act of 1950 in the following sections, given in the order in which a similar provision appeared in the Mundt-Nixon bill: Sections 7-10 (64 Stat. 993-996), section 5 (64 Stat. 992), section 6 (64 Stat. 993), sections 12-13 (64 Stat. 997-1001), section 14 (64 Stat. 1001), section 11 (64 Stat. 996-997).

Deportation of aliens upon conviction of crimes against United States

Committee recommendation: That the espionage laws of the United States be substantially strengthened with special attention to means for returning aliens to other countries upon conviction for crimes against the United States (December 31, 1948).

Action: Section 241 (a) (17) of the McCarran-Walter Immigration Act of June 27, 1952 (66 Stat. 207), substantially strengthens the laws concerning deportation of aliens on conviction for crimes against the United States by listing specific acts, the violation of which shall be grounds for deportation. Among these acts are: The Espionage Act of 1917 (40 Stat. 217) as amended (40 Stat. 553), the espionage provisions of the Criminal Code (18 U. S. C. 791, 792, 793, 794, 2388, 3241), the sabotage provisions of the Criminal Code (18 U. S. C. 2151-2156), the Selective Service Act of 1948 (61 Stat. 604), the Universal Military Training and Service Act (65 Stat. 75), and several others.

Study of immigration laws

Committee recommendation: That our immigration laws and passport visa regulations be carefully studied to determine what changes are necessary to prevent disloyal elements from entering this country and remaining here (December 31, 1948).

Action: Section 401 (a) of the McCarran-Walter Immigration Act of June 27, 1952 (66 Stat. 274), provides for the Joint Committee on Immigration and Nationality Policy, which is to conduct a continuing study of the administration of the act and

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its effect on the national security, etc., of the United States. The Secretary of State and the Attorney General are required to submit all regulations, etc., requested by the committee pertaining to administration of the act, and the Secretary of State shall consult with the committee from time to time.

1949

RECOMMENDATIONS CONTAINED IN ANNUAL REPORT OF COMMITTEE, 81ST CONGRESS, 1ST SESSION

Statute of limitations in espionage cases

Committee recommendation: That the statute of limitations in espionage cases be amended (March 15, 1950).

Action: Sections 4 (e) and 19 of the Internal Security Act (64 Stat. 992, 1005) provide for a 10-year statute of limitations for a violation of certain provisions of law concerning espionage, other than violations constituting a capital offense. This replaces the 3-year statute of limitations (18 U. S. C. 3282) which would otherwise prevail.

Legal definition of treason

Committee recommendation: That legal definition of treason and the penalties attached thereto be broadened to cover a period like the present cold war.

Action: There are 2 bills now pending (H. J. Res. 1 and H. J. Res. 53) which provide for a constitutional amendment, broadening the definition of treason so as to include adherence to any group which advocates the overthrow of the Government by force or violence.

Employment of subversives in defense plants—safeguards

Committee recommendation: Adoption of H. R. 3903 (81st Cong.) providing for safeguards against employment of subversive individuals in defense plants (March 15, 1950).

Action: Section 5 of the Internal Security Act of 1950 (64 Stat. 992) provides that members of a Communist-action organization shall not hold employment in a defense facility, and that members of a Communist-front organization must disclose such membership when seeking or holding employment in a defense facility.

Detention of undeportable alien Communists

Committee recommendation: H. R. 10 (81st Cong.), providing for the supervision and detention of undeportable aliens, should be enacted into law in order to deal with thousands of alien Communists refused acceptance by the country of their birth (March 15, 1950).

Action: Section 23 "Sec. 20 (b)" of the Internal Security Act of 1950 (64 Stat. 1011) and the act of June 18, 1952 (66 Stat. 138, c. 442), as (both) repealed and superseded by section 242 (c)–(h) of the McCarran-Walter Immigration Act (66 Stat. 210–212) provides for detention and supervision of such aliens.

1950

Technical surveillance

Committee recommendation: That Congress authorize the use of technical evidence secured during the course of investigations involving espionage, treason, or other crimes involving the security of the United States, to intercept and use as evidence in any criminal proceeding information obtained as the result of technical surveillance (January 2, 1951).

Action: There are 2 bills now pending (H. R. 269, 1010) which would authorize the admission into evidence of information intercepted in national security investigations in any criminal proceeding, in any court established by Congress in criminal cases involving interference with national security or defense by treason, sabotage, espionage, etc., if such information is obtained after the issuance of an ex parte order by a Federal judge, authorizing the interception.

Amendment of Taft-Hartley Act—non-Communist affidavits

Committee recommendation: Amendment of Taft-Hartley Act to make impossible a situation where a union official formally resigns from the Communist Party and then signs a non-Communist affidavit (January 2, 1951).

Action: The Communist Control Act of 1954 (68 Stat. 777, sec. 6) has made it lawful for a member of a Communist organization to hold office in any labor union (50 U. S. C. 784 (1) (E)); the act of July 26, 1955 (69 Stat. 375, c381), in amending section 13A (e) (1) of the Subversive Activities Control Act, now provides that a labor union which has an officer who has been affiliated with a Communist organization for the past 3 years, shall be considered a "Communist-infiltrated organization" and shall be ineligible to act as representative of any employees.

1951

Single espionage statute for peace and war

Committee recommendation: A single, comprehensive espionage statute applicable both to peacetime and wartime, carrying a capital-punishment sentence (February 17, 1952).

Action: The act of September 3, 1954 (68 Stat. 1219 sec. 201) amended section 794 of the criminal code so that gathering or delivering defense information to aid a foreign government now carries a penalty of "death or imprisonment for any term of years, or for life" in peacetime as well as in wartime (18 U. S. C. 794).

Immunity for Congressional witnesses

Committee recommendation: Legislation to effect a greater latitude in granting immunity from prosecution to witnesses appearing before Congressional, executive, or judicial hearings (February 17, 1951).

Action: The act of August 20, 1954 (68 Stat. 745 sec. 1) provides that a witness in any Congressional investigation involving interference with or endangering of the national security or defense, by specific crimes involving subversive activity, may be granted immunity against self-incrimination (if he has claimed such privilege) and thereby be compelled to testify and produce evidence. The act requires, prior to the immunity grant, an order of a United States District Court compelling the testimony or the production of evidence. No testimony so compelled shall be used in any subsequent criminal proceeding against the witness in any court. But no immunity shall exist against perjury or contempt committed while testifying or producing evidence under compulsion (18 U. S. C. 3486).

1952

RECOMMENDATIONS CONTAINED IN ANNUAL REPORT OF COMMITTEE, 82D CONGRESS, 2D SESSION

Emergency powers of executive branch in present period

Committee recommendation: In matters dealing with internal security, that emergency powers of the executive branch of the Government be placed on a wartime basis in periods such as now exist (December 28, 1952).

Action: Act of June 30, 1953 (67 Stat. 133 ch. 175), extend until 6 months after the termination of the national emergency declared by the President on December 16, 1950, certain wartime provisions relating to sabotage of war materials, espionage, and subversive activities affecting the Armed Forces.

1953

B. ON RECOMMENDATIONS MADE IN ANNUAL REPORT OF FEBRUARY 6, 1954

Foreign agents—Registration

Committee recommendation: Reexamination of the Foreign Agents Registration Act of 1938 to determine its effectiveness in controlling and exposing subversive activities (February 6, 1954).

Action: This was done, with the resulting enactment of the act of August 1, 1956 (70 Stat. 899 c849) which provides for the registration of every person who has knowledge of or who has received training in foreign espionage systems (50 U. S. C. 851).

Communist infiltration of labor unions

Committee recommendation: The study of the anti-Communist oath provision of the Taft-Hartley Act with a view to strengthening that provision to prevent Communist infiltration of labor unions (February 6, 1954).

Action: The act of July 26, 1955 (69 Stat. 375 c381) amends section 13A (e) (1) of the Subversive Activities Control Act so that the management of an organization may be considered Communist-infiltrated if one of its officers has been a member of a Communist organization within the past 3 (previously 2) years (50 U. S. C. 792a).

Membership clause of the Smith Act

Committee recommendation: The Smith Act be amended to "provide that proof of membership in the Communist Party shall constitute prima facie evidence of violation of the Smith Act."

Action: Although no legislation has been enacted to so amend the Smith Act, section 4 of the Communist Control Act of 1954 (68 Stat. 775) provides that whoever knowingly and wilfully becomes or remains a member of the Communist Party shall be subject to all the provisions and penalties of the Internal Security Act of 1950.

The court has convicted Claude Lightfoot for violating "the membership clause of the Smith Act," on the theory that he continued to be a member of the Communist Party, knowing what the party stood for. *United States* v. *Lightfoot* (January 12, 1956, CA 7, 24 L. W. 2319).

1954

Recommendations made in 1954 either (a) were also made in previous years and are reported above or (b) are recommendations on which no legislative action has been taken.

1955

Streamlining contempt of Congress procedures

Committee recommendations: H. R. 780, 84th Congress, be enacted by the Senate. This bill provides that a committee may refer a defiant witness directly to the courts, where, if the court finds the witness to have been in contempt of Congress, and the witness so continues, the witness may be adjudged in contempt of court, itself.

Action: H. R. 259, now pending in the 85th Congress is a similar measure.

Registration of persons trained in espionage

Committee recommendation: All persons with a knowledge or training in espionage, counterespionage, or sabotage tactics of a foreign government be required to register.

Action: Act of August 1, 1956 (70 Stat. 900, ch. 849) so provided (50 U. S. C. secs. 851–857).

1956

E. ON RECOMMENDATIONS MADE IN ANNUAL REPORT FOR 1956

Perjury statute

Committee recommendation: Presently the Government must prove perjury by the testimony of 2 witnesses or 1 witness and corroborative evidence. Legislation is needed (bills were introduced in both Houses, 84th Congress) requiring that the Government need prove only that the statements of the witness are contradictory—provided that they are willful, concern material matters, and are made within 3 years of each other.

Action: H. R. 282, now pending, extends the United States criminal law relating to perjury to the willful giving of contradictory statements under oath.

Passports: Use by members of the Communist Party

Committee recommendation: Secretary of State should have his discretionary power in the matter of the issuance of passports reinforced by positive legislative declaration: statutory recognition should be given the presently existing regulations governing passport matters.

Action: H. R. 5612, now pending, would prohibit the issuance of passports to persons under Communist discipline under the Communist Control Act.

Penalties—Increase

Committee recommendation: More realistic penalties for such crimes as those involving seditious conspiracy, advocating overthrow of the Government, and conspiracy to advocate overthrow of the Government.

Title 18, United States Code, section 2384 should be amended to provide penalties up to $20,000 and 10 years; title 18, United States Code, section 2385 should be amended likewise:

Action: The act of July 24, 1956 (70 Stat. 623 c678) increased the penalty for seditious conspiracy, and for willfully advocating the overthrow of government by force, to a fine of $20,000, or imprisonment for not more than 20 years, or both (18 U. S. C. 2384, 2385).

Social Security—Fraud

Committee recommendation: Legislation making it a crime for any member of the Communist Party to acquire a social security card under a false name. Recommends a 10 year statute of limitations for such a crime.

Action: The Social Security Act has been amended by act of August 1, 1956, to provide that service in the employ of a Communist or Communist-infiltrated organization shall not count toward social security coverage (42 U. S. C. 410 (a) (17)).

The Social Security Act provides a penalty for fraud in connection with any false representation concerning the requirements of the act (42 U. S. C. 1307 (a)).

Summary suspension of Federal employees

Committee recommendation: Legislation to overrule the Supreme Court in *Cole* v. *Young* (351 U. S. 536) where it held that "national security" as used in the National Security Act (August 26, 1950) referred only to employees "directly concerned with the protection of the Nation from internal subversion or foreign aggression. * * *" The legislation recommended would state that all employees of any Government department or agency were engaged in "national security."

Action: H. R. 981, now pending, would authorize the summary dismissal of Federal employees in the interest of national security in the absolute discretion of the head of the department or agency. All employees of any department or agency are deemed to be employed in an activity of the Government involving national security.

PART II

INDEPENDENT COMMISSION ON FEDERAL LOYALTY

Committee recommendations: That Congress create an independent commission with authority to investigate and to order the discharge of any employee or official of the Federal Government whose loyalty to the United States is found to be in doubt (January 2, 1947).

Action: Although no legislation was enacted, several steps in that direction have been made under Executive Order 10450 (18 F. R. 2489), issued on April 27, 1953, which establishes a security program for the Federal departments and agencies. Sections 1 and 6 of this order provide for summary suspension by agency heads, of employees considered to be poor security risks, followed by termination of their employment if found to be advisable in the interest of national security upon the results of proper investigation. Section 9 of this order provides for a central clearance by means of a security-investigation index to be maintained in the Civil Service Commission, covering all persons as to whom security investigations have been conducted by any agency, and to contain all identifying information which the heads of agencies shall immediately furnish to the Civil Service Commission.

SUBVERSIVE MATTERS DIVISION IN THE DEPARTMENT OF JUSTICE

Committee recommendation: That the Department of Justice be required by law to establish within the Department a special division devoted to the prosecution of subversive elements now operating in the United States (January 2, 1947).

Action: On July 9, 1954, the Attorney General established the Internal Security Division in the Department of Justice (Order No. 51–54) (19 F. R. 4429).

SECOND-CLASS MAILING PRIVILEGES OF FOREIGN EMBASSIES

Committee recommendation: That the House request, by proper resolution, a report from the Postmaster General of the United States, setting forth the number of embassies or foreign agencies now enjoying second-class mailing privileges and also specifically identifying such agencies where the respective foreign governments do not accord to our embassies, ministers, and other United States officials equal mailing privileges in those countries, and that proper legislation be enacted by Congress limiting the use of second-class mailing privileges to such embassies and agencies of those foreign governments which extend reciprocal privileges to the United States Government (January 2, 1947).

Action: No legislation, but reciprocity is being enforced by the State Department. An illustration appears in Department of State Press Release No. 680, issued December 31, 1953, containing the text of a note delivered to the Rumanian Legation, in which the Secretary of State notified the Legation to cease the publication in the United States of the Rumanian News and other similar pamphlets published at the expense of the Rumanian Government. This step was taken because the Rumanian Government had on December 29, 1953, banned the distribution in Rumania of a publication issued by our Legation in Bucharest entitled "News From America."

ACTIVITIES OF COMMUNIST COUNTRY EMBASSIES

Committee recommendation: That activities of embassies of Communist-dominated countries be limited to proper safeguards sternly enforced (March 15, 1950).

Action: This now being enforced by the State Department and restrictions on diplomatic personnel are generally a matter of reciprocity with the various foreign countries. On March 10, 1952, the State Department issued a press release (No. 181) which contains the text of a note from the Secretary of State to the Ambassador of the U. S. S. R., restricting the travel of Soviet officials in the United States to a 25-mile radius from their base office, without prior permission from the State Department. This action was retaliatory for restrictions placed upon travel of American diplomatic and consular officials in the Soviet Union.

RESTRICTIONS ON TRAVEL BY SOVIET AND SATELLITE DIPLOMATS

Committee recommendation: That reciprocal restrictions be enforced by this country on the travel of Soviet and satellite diplomats (February 17, 1952).

Action: Such restrictions are now being enforced by the State Department, an example being the note of March 10, 1952, from the Secretary of State to the Soviet Ambassador, restricting the travel of Soviet officials in the United States to a 25-mile radius from their base office, without prior permission from the State Department. This was in retaliation for similar restrictions placed upon the travel of American diplomatic and consular officials in the Soviet Union.

CANCELLATION OF PASSPORT OF PERSON UNDER SUBPENA

Committee recommendation: Legislation to provide for the cancellation of the passport in the possession of any United States citizen in a foreign country for whom a subpena has been outstanding for 6 months (February 17, 1952).

Action: Although no such legislation has been introduced, a step in that direction may have been taken by the issuance by the Secretary of State (on January 10, 1956), of Department Regulation 108.276, which amends section 51.136 of the passport regulations, to provide that passport facilities, except for direct and immediate return to the United States, will be refused to a person when it appears to the satisfaction of the Secretary that the person's activities abroad would: (a) violate the laws of the United States; (b) be prejudicial to the orderly conduct of foreign relations; or (c) otherwise prejudicial to the interests of the United States (21 F. R. 336).

REVOCATION OF COMMISSION IN ARMED FORCES

Committee recommendation: That in any instance where a person holding a commission in the armed services chooses to refuse to answer questions concerning his present or past membership in the Communist Party, such commission shall be immediately revoked (February 17, 1952).

Action: No legislative action, but the Army Department has issued AR 604–10 (15 May 1957), Criterion No. 6, section 13, which includes a provision that the refusal of military personnel to testify before a duly authorized body regarding subversive activities, may result in a discharge other than honorable.

If the American people are aware of the nature and of the ultimate goals of the Soviet Union, it is the contention of many that the knowledge acquired has stemmed from the conscientious pursuit of their assigned duties by the Members of the House and Senate who have undertaken the onerous duty of service upon one or another of the committees investigating subversive propaganda activities. Again, I repeat, Mr. Speaker, that recent decisions in the Supreme Court have rendered the committees' effectiveness null and void, and that unless the Senate and the House move, by legislation, to restore authority to their committees and spell out the authority intended to be exercised, these instruments might as well be abolished by appropriate resolution.

Now to the question, Mr. Speaker, of public information mediums and the role they should play in bringing the story of the American Congress at work to the American people. It has long been accepted as desirable and proper that newspaper, periodical, and radio representatives should enjoy every facility here on Capitol Hill, necessary to the important work of the gathering and dissemination of news originating in the Capitol. However, new problems, unique

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in the history of the Congress, have been created in recent years, following the development of television and its rapid acceptance by the American people as a news medium. Many resolutions have been introduced in recent years which would have written into the rules of the House of Representatives either a prohibition upon the use of television in the House and in committee hearings, or, conversely, a rule which would have made possible the broadcasting of committee hearings by television, radio, or moving pictures, subject to the decision of a committee chairman, or upon a vote of a majority of the members of the committee. The original ban on television, radio, and moving pictures in a hearing room was issued by our distinguished Speaker, Mr. RAYBURN, in 1952, when a subcommittee of the House Committee on Un-American Activities was conducting a series of hearings in Detroit, Mich. At that time the committee subpenaed as witnesses, a number of officials of the Ford local union, all of whom had been identified in previous testimony, under oath, as past or present members of the Communist Party. In the midst of those hearings, an order was issued by the Speaker, prohibiting the further televising or broadcasting of the testimony. Since that time the question of television, moving pictures, and radio broadcasts from committee hearing rooms has been the center of a continuing controversy; one which was pointed up dramatically during the recent hearings of a subcommittee of the House Committee on Un-American Activities in San Francisco.

It is my contention, Mr. Speaker, that television and other visual mediums are here to stay, and that their wide acceptance by the American people indicates that they, too, believe all to have become coequal partners. Today millions depend upon their newspapers, their radios, and their television sets for information on events transpiring throughout the world, and in giving coverage to news events, each medium supplements the other. Nor should the reluctance of a witness to face a camera of any kind influence in any way the decision of the Congress, which should be made upon this important subject in the immediate future. No defendant, and very few witnesses, appearing in response to an official court order or subpena, desire to have their countenances seen by their fellow citizens. In almost every issue of every newspaper there appears a picture of a defendant, a witness, or one subject to some form of inquiry, attempting to shield his face from the probing eye of the press camera. Yet, no protest is made that photographing a reluctant individual under those circumstances infringes upon his constitutional rights. To the contrary, such photographs have become a part of our contemporary journalistic scene. In another body, the recent hearings into practices in some trade unions were televised throughout the Nation and served to bring to the American people—our employers if you please—the shocking story of what may transpire where secrecy instead of publicity is the order of the day. It should not be forgotten, Mr. Speaker, that we who represent the people of the United States in the Halls of Congress are here as their agents and upon the public business. The people have a complete and absolute right to know what goes on, and under what circumstances. Those whom we represent are footing the bill for the activities of the Congress, and for any and all of its committees and subcommittees. Hearings before the committees of the Congress are in no manner trials, in spite of what the Communists and their sympathizers, and the critics of Congressional investigations, claim. They are hearings, based in all instances upon what the committee considers to be factual information and evidence upon which it proceeds. If a witness does not choose to answer the question propounded to him by committee members or counsel, he has the unquestioned right to avail himself of whatever protection he desires.

Certainly, Mr. Speaker, his declination to speak openly and frankly is news, as evidenced by the recent hearings in another body a few days ago. The question, then, resolves itself into one involving an interpretation of what constitutes news media and to what extent one news medium shall be militated against, and which shall be shown preferential treatment. It is my contention that all facilities and media, properly accredited, which serve the function of giving news service to the American people, must be considered by this Congress on an equal basis. All of them have certain advantages in relation to the other, and all have certain disadvantages by the same yardstick. But, Mr. Speaker, to rule that it is quite all right to photograph a reluctant witness with a speed graphic, but that it is improper to record visually his testimony or his arrogance when questioned by a committee of the Congress, is to draw a tenuous line of distinction and to assume a position which the very force of moving events is certain to destroy. Piling sand against the tide is no answer to the question here involved. The argument has been advanced against television, moving pictures and radio, that the presence of facilities required for the operation of the media create a situation in a hearing room where the witness under interrogation is unable to coordinate his thoughts, and is thus placed at a disadvantage in presenting his case. Having been a member of a committee which has, on many occasions, utilized every means of information to bring the facts of a hearing to the public, I can say, sir, that in no instance of which I have any knowledge, has the presence of television done anything more than to increase the arrogance of unfriendly witnesses, amplify their snarling contempt of the Congress, and in general offer them what they believe to be an excellent vehicle for further exploitation of the individual and collective Communist propaganda effort.

I should feel remiss in my duty as a member of the House Committee on Un-American Activities if I did not, during the course of these remarks, pay personal tribute to the gentleman from Pennsylvania [Mr. WALTER], chairman of the House committee. It has been my privilege to serve under several committee chairmen, Democrat and Republican, during my service on this committee, and all were men of dedication and determination. The gentleman from Pennsylvania is not only an able chairman and a constitutional lawyer of great ability, but one whose tenure has been marked by fairness and equity. It has been his constant aim, as it has been that of the other members of this important committee of the House, to keep partisanship out of our committee labors. We who serve on the committee recognize that nothing would be more detrimental nor devastating to our work than to permit considerations of a partisan nature to interfere with the conduct of our hearings. In our determination not to permit our ranks to be split, we have proceeded to the execution of our duties in harmony and with a common purpose. Under the rules of procedure adopted several years ago by the House committee, witnesses appearing before the committee are given every consideration consistent with their own conduct. What the Committee on Un-American Activities requires is a clear-cut statement from the Supreme Court as to where the committee has erred and what improper assumption of power it has exercised. Although the Court has devoted a considerable number of words to its recent decisions, the words do nothing to spell out in clear terms what the Court considers the proper course of action for investigative committees to follow. The decisions are worded in a negative fashion, constituting a new series of prohibitions upon the committees, but they fail to delineate a constitutional pattern which might be accepted by the Congress in delegating required responsibility to its several committees.

But the Congress is not without constitutional authority to proceed on its own responsibility to correct the present situation and bring some element of order out of increasing turmoil. Legislation already introduced and now pending in the cognizant committees of the House will serve the purpose of plugging one of the loopholes. It may be found necessary to amend the Constitution to meet some of the other situations brought about by recent decisions of the Court. The Congress can either take the decisions lying down, and be steamrolled into compliance, or it can exercise its prerogatives as a coequal branch of Government and bring forth the necessary legislative devices to curb the expanding authority of the judicial branch. We are in a constitutional crisis, and the determination which is finally made relative to the question of jurisdictions, may well decide the future form and substance of the American Republic. A national concern is being expressed today regarding decisions of the Court, and the people whom we have the honor to represent are demanding that the Congress take whatever steps are necessary to preserve the traditional balance of power. To fail to meet the present challenge will mean that we have failed individually and collectively in our sworn duty to preserve and defend the Constitution. I have no quarrel with any man who accomplishes his duty as he sees it, but I

do reserve the right to take whatever actions are within my power to counteract and offset the possible catastrophic results which may follow on another's decision, no matter how sincere his intent might have been. Mr. Speaker, this is the situation in which the Congress finds itself today. Granted that the Supreme Court has acted according to the sincere beliefs of all of its members, the fact remains that the Justices are men, and that men are not infallible. Courts have reversed their own decisions, and are quite likely to do so again in the future. In the meanwhile we cannot delegate nor escape our own responsibilities; responsibilities which have been laid upon us by the American people to inquire, to investigate and to legislate upon the findings which are made as a result of such inquiry, investigation and findings. A Congress unable to investigate is a Congress unable to legislate, and whatever agency, judicial or otherwise, limits the power of the Congress to inquire or investigate, also limits the power and the capacity of that same Congress to discharge adequately the responsibilities placed upon it by the people.

Mr. Speaker, it is unfortunate that the present hour finds a dispute of this kind developing, but the dispute is a fact and there is nothing to indicate that the Supreme Court intends to follow a course of action in the future different in any way from the course which has been followed for the past several years. Legislation is the only recourse, and it is to be hoped that the Congress will move promptly to the reestablishment of its powers and authority in the triumvirate of government.

Before going further I ask the membership to reflect upon, and to read this statement in the light of the following words of George Washington taken from his Farewell Address:

If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed.

Mr. Speaker, pertinent to my discussion today is an article in the U. S. News & World Report of June 28, 1957, I include at this point in the RECORD the article in question, "Here's How the Supreme Court is Stirring Things Up." I also include the following the U. S. News & World Report article, several editorials, and articles on the same subject.

[From the U. S. News & World Report of June 28, 1957]

HERE'S HOW THE SUPREME COURT IS STIRRING THINGS UP

The Supreme Court of the United States, asserting power in a way seldom before attempted in its long history, is playing a major part in the growing turmoil in Washington.

On this Court of 9 Justices are 4 appointed by President Eisenhower. Earl Warren, former Republican Governor of California, as Chief Justice, appears to be the driving force of a Court majority that is breaking down traditions in widening fields of law.

It is now clear that the Court set its course back in 1954 with the decision that ordered an end to separate public schools for whites and Negroes. This reversed a Court doctrine of more than 50 years' standing. Since that time, in a growing range of important decisions, a Court majority has limited the power of States in many fields, limited the power of Congress, asserted strongly the rights of individuals, added strength and breadth to the antitrust laws.

On June 17, 1957, after 3 years of pioneering, the Court had a field day. At one sitting, the Justices did these things:

Upheld the right of anyone to preach the overthrow of Government, so long as the preaching is limited to "abstract principle" and does not openly advocate specific action to overthrow Government.

Limited the power of committees of Congress to make investigations and to require witnesses to testify.

Limited the power of States to require witnesses to testify in investigations authorized by State legislatures.

Restricted the power of officials to discharge Government employees.

NEW PATHS

The June 17 decisions capped a term of the Court that saw the Justices carve new paths in many fields of law. As a result of decisions earlier in the term:

Reports to the Federal Bureau of Investigation and other Government agencies must be turned over to defendants in criminal trials, if persons who made the reports are called as witnesses.

Relatives of men stationed overseas cannot be tried in military courts.

Past Communist connections, or suspected connections, are not sufficient cause for States to refuse to admit attorneys to the bar.

Antitrust laws apply to firms that bought stock in firms that were their customers, as well as in ones that were their competitors.

NEW CONTROVERSIES

Each of these decisions has resulted in growing controversy and complaints that the Supreme Court, under Chief Justice Warren, is exceeding its powers by treading on the authority of the executive departments, the rights of States and the powers of Congress.

The Justice Department, for example, is concerned about the effects of the decision to open FBI files. In that decision, the Court held that Clinton E. Jencks, a labor leader convicted in a lower court of filing a false non-Communist affidavit, was entitled to a new trial because his request to examine the reports of two Government witnesses was denied.

Federal trial courts already have interpreted this decision in different ways. A judge in New York held that the files need not be supplied until the witnesses are called. But in Washington, D. C., Judge Burnita S. Matthews ruled that James R. Hoffa, an official of the Teamsters Union on trial for bribery, was entitled to a look at the documents before the trial began.

Elsewhere, some courts are applying this decision narrowly while others are ordering the records thrown wide open. In one case, the Government allowed a charge to be dismissed rather than produce its files. Assistant Attorney General Warren Olney III, head of the Criminal Division of the Justice Department, says it will take several more Supreme Court decisions and perhaps years of litigation before the full meaning of the Jencks ruling becomes clear.

ON COMMUNISM, CONFUSION

The same confusion follows the ruling in the case that involved Communist preachings. That decision resulted in the freeing of five west coast Communists and a new trial for nine others. In this case, Associate Justice John M. Harlan held for the majority that the word organize in the Smith Act meant to establish, rather than continued organizing. From that point, the Court held that the 5 members could not be prosecuted because the Communist Party of the United States was reorganized in 1945 and the 5 were not indicted until 1951, after the deadline under the 3-year statute of limitations.

As for the nine other party members, the Court held that they should get a new trial because at the original trial, the judge issued a defective instruction to the jury. This instruction failed "to distinguish between advocacy of forcible overthrow as an abstract doctrine and advocacy of action to that end."

This decision is being criticized among attorneys and in Congress as "legal hairsplitting." Nevertheless, Justice Department attorneys are debating whether another trial is worth the effort. These same attorneys are puzzled about the effects of this decision and the Jencks decision on internal-security cases now pending. Nineteen are now being appealed, and all involve either the production of documents or the new, narrow interpretation of the Smith Act.

FOR CONGRESS, A SETBACK

The powers of Congress received a jolt from the Court in the decision that held John T. Watkins, a union organizer, was within his constitutional rights when he refused to tell a subcommittee of the House Committee on Un-American Activities about past associates in connection with Communist activities. Here the Court held that the subcommittee failed to establish that the questions were pertinent to any legislative purpose.

In the Watkins case, the Court told Congress, in effect, that, if its committees want to get replies from witnesses the committee's legislative purpose must be defined by Congress itself, and the witness must be told why the questions are pertinent. Chief Justice Warren said in his opinion that "there is no Congressional power to expose for the sake of exposure."

This decision, besides freeing Mr. Watkins from a conviction for contempt of Congress, had a quick reaction from the Senate Internal Security Subcommittee. Senator ROMAN L. HRUSKA, Republican, of Nebraska, granted a delay in a subcommittee hearing on alleged Communist infiltration into the New York communications industry when the attorney for three witnesses called attention to the Watkins case.

The decision also is expected to affect convictions of others who refused to answer questions before Congressional committees. One of these cases involves Arthur Miller, a playwright, who, like Mr. Watkins, testified about his associations with Communists but refused to name his associates.

The Court struck down State powers of investigation in a case similar to the Watkins case. This involved the refusal of Paul M. Sweezy, an author and lecturer, to answer questions put by the attorney general of New Hampshire, who was conducting an investigation for the New Hampshire Legislature. Mr. Sweezy denied any Communist connections, but refused to answer questions about the content of a lecture he had given at the University of New Hampshire and about his activities in the Progressive Party.

In this case, the Court held that Mr. Sweezy was within his rights. It freed him from a contempt conviction imposed by a New Hampshire court and upheld by the New Hampshire Supreme Court. The issue involved questions of "academic freedom." The United States Supreme Court decided that the clause in the 14th amendment that protects a citizen from being denied life, liberty, or property, without "due process of law," protected Mr. Sweezy.

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LESS POWER TO FIRE

In still another case, the Court narrowed the authority of Government officials to discharge Federal employees. This case involved John S. Service, onetime State Department employee who was discharged by Dean Acheson, then Secretary of State. Mr. Service had been repeatedly charged and repeatedly cleared as a security risk from 1945 to 1951, when Mr. Acheson discharged him after a negative finding by a loyalty review board.

The Service decision is patterned after another decision involving the late Dr. John P. Peters, who lost his Government post after a loyalty review board reversed a finding of a lower board. The Court held in that case that the review board had no authority to consider cases after previous clearance by other agencies. The Court also has decided that only Federal employees in "sensitive" jobs can be dismissed abruptly, without ordinary civil-service procedures, on suspicion of disloyalty.

NEW PATTERN

Actually, in all of these cases the Court appears to be following a pattern that has taken shape since the installation of Earl Warren as Chief Justice. That pattern tends to restrict government powers, State or Federal, over individuals. It favors Federal authority over State authority whenever there seems to be a conflict, and it tends to strengthen Government regulations of business activity. This broad trend of decisions now is prompting close study in Congress, inside the administration and among attorneys everywhere.

The Justice Department is reexamining the cases it has on file to see if they square with Supreme Court decisions on producing documents and on the Smith Act. These cases involve everything from charges of selling narcotics to Communist subversion and to actions under the antitrust laws.

Attorneys for corporations are giving close study to the decision holding that the Du Pont Co. violated the antitrust laws by a 23 percent ownership of General Motors Corp. These attorneys are wondering what effect this decision may have on the investments their corporate clients have made in other companies. Attorneys for people charged with criminal offenses are looking into new tactics that they may use for the defense of their clients.

Finally, Congress is being forced by the Court decision in the Watkins case to look at its own rules and to consider again proposals to try to restrain the power of the courts. Some Members of Congress have criticized openly the actions of the Court. Others are saying privately that new rules on investigations may have to be adopted if Congress is to avoid an avalanche of appeals to the courts.

Meanwhile, the Justices on the Court give no sign of changing the bold course they have adopted since 1954.

[From the Santa Monica Evening Outlook of June 21, 1957]

HIGH COURT MAKES TREASON SAFE

The Supreme Court's decision freeing five southern California Communist Party leaders, including "Slim" Connelly, Los Angeles editor of the People's World, and ordering new trials for 9 others, including Mrs. Dorothy Healey Connelly, one-time chairman of the Los Angeles County Communist Party, has completely thwarted the effectiveness of Congressional investigations under the Smith Act.

Likewise, the Court's doctrine of particularization, aimed at Congressional committeemen's questioning of witnesses, will cripple further investigations into labor-union rackets, Government scandals, or any other public evil brought to Congressional attention. Justice Clark, a former Attorney General, in his dissent, put it correctly in saying that "the majority of the Court has substituted the judiciary as the grand inquisitor and supervisor of Congressional investigations. It has never been so."

In its sweeping decision, the High Court majority of Chief Justice Warren and Justices Douglas, Frankfurter, Black, and Brennan, has opened the way to Communists, traitors, disloyal citizens, and crooks of all kinds in business and labor to refuse to answer questions which the witness himself arbitrarily decides are not pertinent to a legislative purpose. It means that every time a Senator or Representative asks a question during an investigation the witness must be given a clear explanation of what the legislative purpose is; and this might even have to be confirmed by a resolution adopted in each case by Senate or House. Following this, it may have to be passed on by the Supreme Court before it becomes really valid. It may easily be seen that congressional investigations are killed by the latest Supreme Court edict.

Had such a cumbersome procedure been in effect during the Harding administration it would have prevented any exposure of the Teapot Dome scandals. Had it been in effect in 1950 Alger Hiss could have avoided answering questions asked him by the House Committee on Un-American Activities, headed then by RICHARD M. NIXON. This committee's charter of authority now is torn to shreds by the Supreme Court.

Congressional power to investigate has been curtailed drastically on the ground that Congress has to particularize in every case and specify in its resolutions exactly why it wants certain questions asked. Again, quoting Justice Clerk, this "is unnecessary and unworkable. The resulting restraint imposed on the committee system appears to cripple the system beyond workability. This is because the Supreme Court has now set itself up as knowing more about what Congress needs to know to legislate than Congress itself thinks it does."

In another decision the same day State legislatures were told that they, too, cannot investigate and require witnesses to answer their questions except where it can be proved that the State has an overriding interest in a subversive individual which outweighs his right to silence; and this, in turn, might have to be reviewed in each instance by the Supreme Court of the United States.

For the most part, the majority of the presently constituted Supreme Court displays a curious indifference to the actual operations of Communist subversion in this country, perpetrated by people of the Connelly type. To these Justices, apparently, there is no Communist menace, no such thing as infiltration by Communist stooges. If a man admits he has worked with the Communists and then refuses to tell who they were, this is interpreted by the present high Court as a "right to silence" derived from the first amendment which, now added to the fifth amendment, makes it safe to wage treason within our country.

The conspirators in the Kremlin naturally will be joyous, for all they need to do now is to send word to their Communist Party leaders in the United States to adapt themselves to the new ruling of the Supreme Court.

The high Court's latest decisons will please the so-called liberal element which has long crusaded against congressional investigation of Communist activities, but it will cause just consternation among most sober-minded Americans and great puzzlement about our Supreme Court as at present constituted.

[From the Los Angeles Times]

SAVING GRACE OF COMMONSENSE

(By Kyle Palmer)

Whether the United States Supreme Court mostly needs a group of lawyers equipped with commonsense, as one United States Senator has suggested, or is carrying out the law strictly according to constitutional requirements are questions most of us are now pondering.

As one of the three branches of Government constituted to protect our constitutional freedoms—of speech, the press, religious conviction—the Court is our last resort.

Hence, the current nationwide dissatisfaction caused by the Court's rulings on lower court convictions of Communists in California must be regarded as occasion for considerable restraint in our several reactions.

President Eisenhower, neatly sidestepping any indication of his personal opinions, stated the case more or less for all of us when he told his press conference: "Like all laymen in the law, I have my fixed convictions about these things and I suppose they are, on one side or the other, very strong."

Whether you are on one side or the other in this matter you must concede that doubts have been raised, that some feel the Court has tightened the bolts on our conceptions of human rights and others are persuaded that it has opened still wider the gaps through which our dedicated enemies may enter to destroy us.

Obviously either the citizenry as a whole is unacquainted with some of the basic factors in the American system or our High Court judges have reduced the law to an overrefinement of semantics.

In due course the wisdom of the Court's decision, or the reverse thereof, will appear. But the immediate impact on the country's thinking is already making itself evident.

Jubilant Communists believe they have a new dispensation for organizing and expanding; many of their sympathizers feel encouraged to move, and on the other side, anti-Communist elements are aroused and determined to effect measures making impossible any fresh or additional advances of the Red conspiracy in this country.

The best that can be said for the members of the Supreme Court responsible for the Court's ruling is that they acted with scrupulous and courageous regard for our constitutional guaranties and the worst, perhaps, that in seeking with great fidelity to protect the inherent rights of all citizens the Court may have inadvertently added to the perplexities and burdens of those responsible for discovering, exposing and absorting subversive undertakings.

The ordinary citizen is not called upon to receive without critical analysis the action of any official of Government, be he a member of the legislative, the executive or the judicial branch, but neither is an ordinary citizen endowed with any right to take law into his own hands or to disobey a law merely because he disagrees with its import.

Communism knows no law other than that of the dictatorship under which it exists; our system guarantees to a Communist as to any other the full protection of a constitution itself safeguarded against the whims and passions of men.

Perhaps most of us will agree that those who drafted the Federal Constitution did not anticipate or in any sound degree provide against a conspiracy such as communism in America represents.

With the experience of all history to guide them the framers of the Constitution sought to protect the individual citizen alike from the tyranny of the despot and the rage of the mob.

Yet here in the last half of the 20th century, 170 years after the Constitution was approved, we are faced with this bewildering, baffling and menacing problem of a Communist conspiracy.

No training or skill of legal minds is essential to a general understanding of what the Constitution commands and intends with respect to treason or to the right of

Congress to enact laws for the protection and security of the Nation.

And, further, in the first amendment of the Constitution the Congress is specifically prohibited from approval of any law abridging the right of free speech or of the press, or the right of peaceable assembly.

Acting by authority conferred upon it the Congress in 1940 adopted the Smith Act under which Communists have been tried and convicted. The act makes it a criminal offense to advocate or teach the violent overthrow of the Government.

The late Chief Justice Vinson, who wrote a majority ruling opinion in effect that the Constitution was not devised to prevent the Government from protecting itself against violent destruction, held that the right of free speech is not absolute, but must be considered subordinate to preservation of Government unless the people, by their votes, wish to change their system by peaceful means.

From that point the ordinary citizen must rest content while the courts, the lawyers, and the philosophers—as also the sophists—argue the questions.

On the basis of the commonsense mentioned by the Senator most of us will continue to recognize the Communist movement in this country for what it is—a poisonous, alien, ruthless, and sinister scheme to destroy our institutions, our liberties, and our way of life.

The so-call dedicated Communist, the man or woman who counts not the cost nor considers the price in duplicity, betrayal or deception, is a being which few in America can understand. And almost equally beyond our comprehension is the man or woman who can be seduced by the subversive Red doctrines.

Nevertheless, both of the breeds exist here, each working to a common end.

Obviously, either our laws are misguided, and are inadequate to subdue such endeavors, or the interpretations placed on the laws by the Supreme Court are wrong.

Instead of railing at the court, instead of feeling that this or that particular judge has failed to give proper weight to the laws and their intent, Congress should set about to plug the holes and mend the fences. Congress has the right to act and, within the limits of its constitutional power, can assist the courts in a clearer definition of what constitutes peril to the Nation and what steps to take to eliminate the dangers.

Communism received no clearance in the court's latest action on the legal status of a few individual Reds, but the peace of mind of the people has been shaken.

In such circumstances we should feel no inspiration to resort to impulsive, ill-considered action. We face a deadly enemy, and only by cold, logical, inexorable efforts to defeat him can we be secure.

Certainly we should not permit the enemy to use our free institutions and regulated authority as a means for our own dissolution. Commonsense is a force not essential alone to the courts and the judges.

[From the Los Angeles Times of June 26, 1957]

THE SUPREME COURT IN WATKINS CASE

(By Walter Lippmann)

In the Watkins case the Supreme Court, with Chief Justice Warren delivering the opinion of the majority, has tried to set down certain limits on the rights and powers of Congressional investigating committees.

We must, I think, describe the opinion in this tentative way. For the limitations are stated in general terms, and no one can know how they will in the future apply specifically in concrete cases.

In practice, the application will depend on how much each particular committee is willing to accept, how much it is determined to stretch the limitations, and whether the court will be disposed to construe the limitations strictly or loosely.

However, we have in the Watkins decision a powerful assertion of a principle which will influence the conduct of committees, the attitude of witnesses, the actions of the court, and the general posture of public opinion. The principle is that a witness, who believes that his constitutional rights are being abused, may appeal to the courts for protection.

Those who are opposed to the decision must say that they do not think that a witness should be able to appeal from a Congressional committee to the courts. This is, in substance, what Mr. Justice Clark, the lone dissenter seems to think—that for the courts to intervene is usurpation of power, and that, as a matter of fact, it is not in the public interest that the judiciary should "supervise" Congressional investigations.

Mr. Justice Clark, who regards the decision as "mischievous," comes very near to saying that Congressional committees are a law unto themselves.

"Perhaps," he says, "the rules of conduct placed upon the committees by the House admit of individual abuse and unfairness. But that is none of our—that is, the Court's affair. So long as the object of the legislative inquiry is legitimate and the questions proposed are pertinent thereto, it is not for the Court to interfere with the committee's system of inquiry."

This is a masterpiece of confusion. For it begs the question before the Court. In the Watkins case was there individual abuse and unfairness because a particular phase of the inquiry was not legitimate or because the questions put to Watkins were not pertinent? It is not entirely clear what Justice Clark really thinks. But apparently it is that the Court must assume that what a committee does is legitimate and that the questions it puts are pertinent, and that if they produce "individual abuse and unfairness," it is none of the Court's affair.

On the broad constitutional issue, Justice Clark holds that it is a "trespass upon the fundamental American principle of separation of powers" for the courts to concern themselves with individual abuse and unfairness. But is it truly an American principle that the separation of powers is absolute, so absolute that a committee of Congress cannot be called to account for the lawfulness on what it does?

Surely, the American principle is that Congress is not a sovereign body, accountable only to itself, but that it is under the law of the Constitution—of the Constitution as interpreted by the courts and as it may be amended by the people.

The ultimate issue raised by the Watkins case is not constitutional. It is, if we are quite candid, whether in order to combat the Communist movement, which would, if it could, destroy the American Government and the American social order, it is necessary to encourage or to permit congressional committees to proceed outside the Constitution.

Can the Constitution be defended only by extraconstitutional means, or can it be defended within its own terms? It has been on the grounds that there was a desperate emergency that many sober and conservative men have supported or connived at McCarthyism.

The Watkins decision is addressed to this particular kind of extraconstitutional investigation, of which the object is to outlaw, by exposure and pitiless publicity all behavior which might assist, might favor, might tolerate the spread of Communist propaganda.

These investigations are not addressed primarily to illegal acts, to espionage and subversion. They are addressed to activities which are not, strictly speaking, against the law and could not be prosecuted in a court.

There being no legal way to suppress such activities as propaganda, infiltration and fellow-traveling, Congress, with the support of public opinion, has created committees which are designed, among other things, to suppress by intimidation what cannot be suppressed by due process of law.

The Supreme Court has waited a long time—some 10 years—before it has intervened in what is unconstitutional process, resorted to on the grounds that fire must be fought with fire, that the end, which is to stop the spread of communism justifies any means.

I do not think the long patience of the Court shows that the Eisenhower court is more liberal than the Roosevelt-Truman court but rather that the times have changed. The emergency—if there was one which could not be met by lawful means—is over, and the presumption is now that investigating committees must work within the limits of the Constitution.

Mr. JACKSON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include various articles, telegrams and other pertinent matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHERER. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from Ohio.

Mr. SCHERER. Mr. Speaker, just 10 days ago when the latest controversial decisions of the Supreme Court were handed down, the Un-American Activities Committee was commencing hearings in San Francisco. Although the press in California asked me to comment on those decisions, I hesitated to say anything at that time because I was so shocked and stunned that I felt my observations might be too intemperate.

Since then I have reviewed a series of decisions by the Supreme Court over the last 2 years. As I come to realize the full impact of these decisions on the security of this Nation, I become more alarmed about the direction in which we are heading. Legal principles, investigatory and judicial procedures which I learned in law school and which have been followed during 25 years of practice at the bar have been shattered.

When the most significant of these decisions were handed down by the Court on June 17, a former chairman of the Communist Party in California rejoicingly exclaimed that it was "the greatest victory the Communist Party in America has ever received." She said:

> It will mark a rejuvenation of the party in America. We have lost some members in the last few years, but now we are on our way.

The committee saw and felt that rejuvenation at the San Francisco hearings. During the last few years, the Communist hangers-on at such hearings had diminished. Enthusiasm had been dampened. The witnesses exhibited less confidence in the rightness of the Communist cause. All this was changed last Monday. The Communists filled the large hearing room and overflowed into the corridors. Their snide and vituperative remarks to committee members as they passed through the halls and on the elevators were again in evidence. The

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witnesses and the lawyers were jubilant as well as arrogant. The delaying tactics, the evasiveness, and the long Communist propaganda speeches returned.

As we grappled during the hearings with the strangling directives of the Court, we came to the conclusion that Justice Tom Clark, in his dissenting opinion, was right when he said that the investigating committees and the Federal Bureau of Investigation "may as well close up shop" and go home. Yes; it was a great day for the Kremlin but an ominous one for the people of the United States.

I predict that, unless these decisions can be nullified by action of the Congress, there will be a resurgence of Communist activity in the United States that will not only make your hair curl but your stomach turn.

Lenin, Stalin, and other top Communists have always predicted that the United States would be destroyed from within, as have been most of the countries that have been taken behind the Iron Curtain since 1933. Their predictions have a far better chance of becoming a reality as a result of these decisions.

Not too many years ago the agents of the Kremlin succeeded in infiltrating the various agencies of the Government of the United States and the various institutions of American life. Our most vital secrets, including those of the atom bomb, found their way to the Kremlin. The new method of warfare, namely, the internal subversion of the free countries of the world, made phenomenal headway.

Most of the 800 million people of the Free World who have been taken behind the Iron Curtain since 1933 got there not by outward aggression but through the internal subversion of their countries by those who owed their loyalty to the Kremlin. One traitor within is more dangerous to our safety and security than 10,000 enemy troops poised on the other side of the Iron Curtain.

Although the Federal Bureau of Investigation did its job well throughout the years and reported its findings faithfully, it was not until the investigating committees of the Congress moved in and brought to light this insidious subversion that we finally began to clean out this fifth column in America.

Patiently and carefully the Congress passed law after law recommended by the investigating committees to enable this Nation to deal effectively with this new menace from within, this new method of warfare.

In one fell swoop these decisions of the Supreme Court have all but destroyed the most powerful weapons that the Federal Bureau of Investigation and Congressional investigating committees have in their fight against the internal subversion of this country.

The Court has usurped the powers of the Congress. It has rewritten and nullified laws to fit its own social, political, and economic philosophies. It has destroyed basic and fundamental States rights. It has invaded and taken over prerogatives of the executive branch. It has supplanted the jury and trial judge when expediency demands. It has handcuffed the police and FBI in criminal cases, as pointed out by Justice Tom Clark in his dissenting opinion.

Perhaps I can illustrate by example how one of these decisions, namely, the one in the Watkins case, affects the committee's fight against subversion. Following the public hearings in California, the committee on last Saturday held an executive session for the purpose of obtaining evidence in the commencement of an investigation into a new and unexplored field of Communist subversive activity in the United States. The hearings were held in executive session because it was imperative that for the time being at least the objectives of our investigation be kept highly secret and that no notice be given to the Communists as to the fact that the committee had even any knowledge of these particular operations.

It was apparent that, if they had such knowledge, the whole investigation might fail completely. As an example, some witnesses and documents would conveniently disappear; witnesses would be alerted and their testimony changed or slanted. Of course, if Communist agents were aware of the fact that we had knowledge of the activity, it might be discontinued or go underground.

Now let us see what happened. When the witness appeared, his lawyer, armed with the decision in the Watkins case, demanded, before he would let his client even answer as to his occupation, that we outline in detail the nature and object of our investigation and then explain fully how each question we asked his client was pertinent to the subject and object of the investigation.

Obviously, we had no alternative except to dismiss the witness and forgo the investigation. Certainly it was better to do this than to tell the Kremlin what we knew.

The Department of Justice and the Federal Bureau of Investigation are similarly handcuffed by the decision freeing the five California Communists convicted for advocating the overthrow of this Government by force and violence. By these decisions the FBI must either bare its secret files to the enemies of this country or forgo the prosecution of these traitors. Do you wonder why I say June 17 was a Roman holiday for the Kremlin but an ominous day for the United States?

The tragedy of the Watkins decision is that the conclusion reached by the Court is based on a false premise. The Court assumes that the Un-American Activities Committee is investigating communism as an economic and political philosophy and that the Communist Party in the United States is a political party as we know political parties in this country. On the basis of this false assumption, the Court comes to an apparently logical but novel conclusion.

However, every school boy should know by this time that the Communist Party is not a political party but a conspiratorial apparatus—a fifth-column arm of the Soviet Union with whom we are at war even though it may not be a shooting war. In fact, the Congress of the United States has by law so stated.

Perhaps the Court has never read the secret oath an individual takes when he joins the Russian conspiracy—the Communist Party. This oath reads:

> I pledge myself to rally the masses to defend the Soviet Union, a land of victorious socialism. I pledge myself at all times to remain a vigilant and firm defender of the Leninist line of the party, the only line that insures the triumph of Soviet power in the United States.

Mr. KEATING. Mr. Speaker, will the gentleman yield to me?

Mr. JACKSON. I should be happy to yield to the gentleman from New York.

Mr. KEATING. Mr. Speaker, I want to compliment the gentleman from California on the very fine presentation he has made of one of the most important problems of our day.

I share the gentleman's concern as to the effect which these recent Supreme Court decisions may ultimately have upon our ability to wage war upon communism in this country.

There is no question that the Communist conspiracy still presents a serious threat to our security. We must be prepared to fight it with every weapon at our command.

Investigation and legislation by Congress are two of our most powerful weapons in this struggle. To put them aside or to allow them to be rendered impotent by our failure to act in the face of recent decisions would be to court disaster.

Yet, much as we may question the wisdom of these recent decisions of the Supreme Court, I think we are both in agreement with President Eisenhower who said just yesterday that, despite our doubts, it is vital that we maintain the independence of our judiciary.

I support the gentleman wholeheartedly in his assertion that the only positive, constructive course for Congress to take in the face of these decisions is to legislate wisely. These recent Court pronouncements make it incumbent upon Congress to reappraise its whole system of investigation, legislation and law enforcement in this area, which is so vital to our national security.

In that connection, I have recently introduced a bill to deal with this so-called Jencks decision which has been promptly referred by the chairman of our committee to the subcommittee of which the gentleman from Louisiana [Mr. WILLIS] is chairman. At this point permit me to commend our distinguished colleague from Louisiana who has so promptly called a hearing this very day on this important subject.

This bill is designed to stem the possible abuses likely to flow from this decision in the Jencks case, where it was held that in certain instances FBI files would have to be made available to the defense in these cases involving subversive activities. Under the provisions of this bill the defendant would be given the protection required by the Court's decision, but at the same time the Government would be protected against the necessity of having to open its files completely to unauthorized persons. Discretion would be placed in the Court to determine what statements in the file were relevant and it would allow the defense

access only to these statements. I think no one can argue that such a procedure is not completely fair and reasonable. It has the unqualified approval of the Department of Justice.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. KEATING. Mr. Speaker, I ask unanimous consent that, with the leave of other Members who have special orders, the gentleman from California may proceed for an additional 5 minutes.

The SPEAKER pro tempore (Mr. ROOSEVELT). The Chair would like to point out that there are three other special orders, for the gentleman from Illinois [Mr. SHEEHAN], the gentleman from West Virginia [Mr. BYRD], and the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, I shall not object to the gentleman's proceeding for an additional time, and shall vacate my special order for today and postpone it until tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. May I also point out that, in keeping with the gentleman's very persuasive argument that now is the time for Congress to act to reestablish its powers and authority, I have prepared for presentation to the full Committee on the Judiciary, at its next meeting, a resolution for the establishment of a special subcommittee to study and appraise our laws and Congress' power to investigate in the light of these Court decisions. I earnestly believe that such a study should be instituted at once so that Congress may be given an opportunity to act upon sound legislative proposals at the earliest possible date. I sincerely hope and am quite confident that the chairman of our committee and its other members will support me in this endeavor.

Mr. Speaker, there is no doubt that many of us have been deeply disturbed by these recent Supreme Court decisions which seem to have clamped unduly tight and unworkable controls on the investigative powers of Congress and on the legislative means by which Congress has endeavored to combat the internal threat of the Communist conspiracy.

The proper way to respond to these decisions is not by attacks on the membership or authority of the Court. The proper response is by studying in mature and measured manner the problems raised by any decision of the Court, and then, if necessary, by proposing legislation to offset any serious effects which might arise out of these decisions.

This is the philosophy which has guided me in introducing legislation Monday to cope with the effect of the decision in the Jencks case. This is the philosophy which has guided me also in drafting the resolution to which I have referred.

It is my own personal feeling that careful study can lead to the framing of rules, procedures, and legislation which will enable the Congress to reassert its vital investigative powers without in any way abridging the constitutional rights of our citizens.

And I believe we can and must formulate legislation which will effectively combat subversives, within the framework of the Constitution, and which will effectively and legally carry out what we all know to be the will of the loyal and law-abiding people of this country.

I am grateful to the gentleman for yielding to me to make these remarks.

Mr. JACKSON. I thank the distinguished gentleman from New York for a very helpful contribution to the general discussion today and also the discussion with my colleague on the committee the gentleman from Ohio.

I should also like to express my thanks to the gentleman from West Virginia, the gentleman from Illinois, and the gentlewoman from Massachusetts for their kindness in permitting us to continue for a few extra moments.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield.

Mrs. ROGERS of Massachusetts. I commend the gentleman from California and the other Members who have spoken. I heartily agree with what they have said. I touched on this matter very briefly the other day and I am thoroughly in accord with the very fine presentation you have all made.

Mr. DOYLE. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield.

Mr. DOYLE. I wish to compliment the gentleman on what he has given us today. The Supreme Court cases have worried me, especially the Watkins case. I have been working rather diligently ever since it came to my attention to make a suggestion to the Congress and especially with reference to that case, and I expect to file that suggestion in the next day or two, not because it may be the ultimate but merely as a suggestion to begin considering the problems of the Committee on Un-American Activities and especially the result of the Watkins decision.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield.

Mr. TEAGUE of California. I should like to compliment the distinguished gentleman from California on his splendid statement and to tell him that I concur completely in what he has said to us and I wish to associate myself with his remarks.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield.

Mr. JENSEN. I wish to compliment the gentleman from California on the fine presentation he has made to the House on this very important matter. I wish also to compliment the gentleman from Ohio and others who have spoken. I, too, have been greatly concerned about this matter and I know the people of the country are greatly concerned. I have been hearing from the people I have the honor to represent here in the Halls of Congress. They tell me it is difficult for them to understand how such a decision could have been reached by that great Court, the Supreme Court of the United States. I sincerely hope and pray that the Congress will soon take such action to clarify and solve these problems which are a source of great concern to every thinking American so that this great Nation of ours may continue to be free.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield.

Mr. JUDD. I want to associate myself with the gentleman's remarks today. It is incredible that the United States should get into a position where we cannot defend ourselves against the greatest enemy that civilization has ever known. I commend the gentleman for his leadership in this matter.

The SPEAKER pro tempore (Mr. ROOSEVELT). The time of the gentleman has expired.

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations may have until midnight tonight to file reports on the following bills: S. 1141, S. 806, H. R. 6182, H. R. 8005, and H. R. 8364.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

"DO NOTHING" DEMOCRAT CONGRESS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. SHEEHAN] is recognized for 30 minutes.

Mr. SHEEHAN. Mr. Speaker, to date, the 1st session of the 85th Congress has earned for itself the dubious honor of being the champion "do nothing" Congress. The only other Congress in recent years to have been given such a title, and undeservedly so by President Truman, was the Republican-controlled 80th Congress, whose good record was besmirched by the failure of the Republican presidential candidate, Thomas Dewey, to defend and support the record of budget cutting and tax saving, which that Congress so effectively accomplished.

Since it was the Democrat President and the Democrat candidates for Congress who labeled the Republican 80th Congress a "do nothing" Congress, we should compare the accomplishments of both the 80th and 85th Congresses to factually determine which rightfully deserves this odious title.

In 1947 and 1948, the Republican controlled 80th Congress cut taxes by $5 billion a year, of which 71 percent of this tax reduction went to people earning less than $5,000 per year. The national debt was paid off to the extent of $7 billion—the first real reduction in 17 years. A surplus of $8.5 billion was left in the Treasury in 1948. This same Republican-controlled Congress forced the Democrat administration to set up a loyalty review program and brought about the spectacular expose of Communists in the Government, of which Alger Hiss was one. The passing of the Taft-Hartley

Act was another immeasurable aid to the working man in the way of keeping his unions and their officials within reasonable control. The Republican 80th Congress also accomplished the following: Unified armed services, launched European recovery program, voted Greek-Turkish, Chinese aid, created Hoover Commission, forced Government loyalty check, enacted labor's bill of rights, raised Government employees' pay, made farm price supports permanent, liberalized veterans' benefits, limited new Presidents to 2 terms, doubled housing construction, pushed income and jobs to record highs.

Now the 85th Congress is controlled by the same Democrat leadership which led the 84th Congress to be labeled a "disappointment;" even by the very organization which stomped up and down the country to elect a Democrat controlled Congress, namely, the American Federation of Labor, whose executive council, in August of 1956, classified the 84th Congress as a "disappointment."

Up to the present time, the only action taken by the 85th Democrat controlled Congress, has been on appropriation bills and matters of a routine nature in which there is little or no controversy. About the only piece of legislation, which could be termed as major legislation, was embodied in the Middle East doctrine, which Congress passed in its early session. During my 7 years in the House of Representatives, I have never witnessed such a leaderless and aimless attitude in the Congress.

Of course, we realize that politics is always rearing its ugly head, and that present Democrat inaction might be a program of planned confusion. Firstly, there is a notable and marked division of principles and opinions within the Democrat Party in the Congress; and secondly, the Democrats are definitely playing for continued control of Congress in 1958, as well as the winning of the Presidency in 1960.

Evidence of the Democrat Party division in Congress is most apparent in the great split in the principles of the southern conservatives and the northern liberals. This is so self-evident that little time need be spent in proving the point. In January, a group of liberal Democrats proposed a program in the House of Representatives, and it is most noteworthy that the acknowledged leaders of the House were made conspicuous by their absence. Eighty out of 233 Democrat Members joined in this proposal, which turned out to be a program of nothing but taxing, spending, giving, and bringing on a more powerful centralized government. This may be summed up as a continuation and extension of the New Deal and the Fair Deal, with a new raw deal for the middle class in America. According to press reports, this new liberal bloc is going to let Speaker SAM RAYBURN alone for the moment. The groundwork and tactics of this offshoot of the Democrat Party have been set forth, most brazenly, by its organizer, who is quoted as follows:

> But we will not be especially active this session. Next session, however, we expect to use discharge petitions, committee votes, and other legislative aids to make our positions very clear to the whole country.

In other words, these Congressmen are saying, in effect, let the country go to the dogs this year and we will put all of our efforts into reelecting a Democrat-controlled Congress next year.

Up to the present time, only 2 of 15 major legislative proposals have received final action, and even that stanch supporting organization of the Democrat Party, namely, the Americans for Democratic Action, stated that the Democrat Congress, to date, had "accomplished nothing during the first half of this session in the way of completed legislation of general application. But of even more concern, they have done little to lay the groundwork for action during the remainder of this session."

As a Republican, I regret very much that President Eisenhower listened to the political amateurs in his palace guard, who reputedly sold him a bill of goods to the effect that it would make no difference to his legislative program as to which party controlled the Congress. He has now learned too late that the Democrats play politics for keeps and that they go along with his program only when such programs are acceptable to Democrat philosophy and principles. The record of accomplishments of the Republican-controlled 83d Congress proves that even if a President does not receive 100 percent cooperation from his own party, he can still get the vast majority of his program through Congress.

The Democrat Party, in their 1952 and 1956 platforms, pledged all things to all people. A civil-rights program, revision of the immigration laws, improvement of the Refugee Relief Act, repeal of the Taft-Hartley Act, extension of minimum wage coverage, occupational safety programs, statehood of Alaska and Hawaii, and postal pay increases constitute only a partial list of the many platform promises which have not been carried out during the last 3 years of the Democrat-controlled Congress.

In reviewing the platform of the Democrat Party, since they took over control of Congress in January of 1955, and comparing their campaign promises with their performance thus far, it is quite obvious that a "do nothing" spirit prevails. It is also obvious that it is their intent to let the citizens of America live on empty promises in the hope of recapturing the Presidency in 1960.

LATVIA: A SELECTED BIBLIOGRAPHY WITH A BRIEF HISTORICAL SURVEY

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. ADDONIZIO] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ADDONIZIO. Mr. Speaker, as a matter of service to the Congress of the United States, and a duty I feel I owe to the American people in the contest that now engulfs mankind, I want to call attention to a work of special merit and wide importance. This work is a brilliant compendium of information and analysis by Selma A. Ozols, of the Libary of Congress, on Latvia. The title is "Latvia: A Selected Bibliography With a Brief Historical Survey." It is a superbly organized and lucid history of this tragic Baltic country told with a reverence for scholarship and accuracy that never loses its common and appealing touch even for those who find works of scholarship uninviting from the standpoint of interest and entertainment. Moreover, it includes a comprehensive bibliography which testifies to the research and effort that went into this work and provides the student, researcher and scholar of the future with an indispensable tool for studying the ramifying culture of this fabulously absorbing Baltic state.

When I say fabulously absorbing I hasten to add that it is Latvia's struggle for freedom and her undefeated spirit under the heel of the Soviet Union that renders her story, as told in this chronicle, so dramatic and so appealing to the people of America, and more especially to the people of all the Baltic countries now settled in the United States. Moreover the book fills a gap in the history of our own country for it reveals, sympathetically of course, but without exaggeration and with abundant and precise documentation, the role that Americans of Latvian descent and the early Latvian immigrants to this country have played and are now playing in American progress and good citizenship. The book rightly makes a point of the fact that as of the 1940 census, I quote:

> Latvians are not mentioned in the report of crime surveys.

It is estimated that there are now altogether about 140,000 Latvians, including their descendants, in this country. This I learn from the author of this work. I should like to add on my own that what makes this country a bulwark of freedom and the last great hope of all mankind for a free society, is just the sort of human material represented by these 140,000 Latvians.

As a matter of fact as significant as any individual piece of evidence can be on the worthwhileness of these people is the author of this book herself.

Mrs. Ozols, who was born in Latvia, is a graduate of the School of Law and Political Economics, University of Riga, and also studied law at Heidelberg University, Germany. She was engaged in legal work with her husband, Jacob Rudolf Ozols, who was a member of the Bar Association in Riga, Latvia and a special legal consultant with the Latvian Government. Mrs. Ozols was one of the Latvians persecuted during World War II by the Communists and Nazis and was confined to a prison camp for forced labor. In 1949 Mrs. Ozols came to America under the Displaced Persons Act, and in 1954 she became an American citizen. After arriving in this country she attended the following schools at night: Americanization School, George Washington University, and from 1952 to 1957 the Catholic University of America.

Since February 1950 Mrs. Ozols has been employed by the Library of Congress.

This survey for all its warmth and appeal constricts itself to a sometimes severe objectivity. It is at once a labor of love and a work of austere scholarship. It is succinct rather than monumental and it is peculiarly useful because the orderly and organized mind that created it fashioned it so that it may serve as a ready reference volume. I may add that the book has already had wide approval from savants and experts in the field. It has been accepted by the Faculty of the Graduate School of Arts and Sciences of the Catholic University of America in partial fulfillment of the requirements for the degree of Master of Sciences in Library Science, a degree that Mrs. Ozols now holds.

It is, Mr. Speaker, an outstanding work in its field and I hope that this Congress and the people of America will recognize its usefulness and derive from what Mrs. Ozols has done a full measure of value.

SPECIAL ORDER VACATED

The SPEAKER pro tempore. Under the previous order of the House the gentleman from West Virginia [Mr. BYRD] is recognized for 60 minutes.

Mr. BYRD. Mr. Speaker, I have a special order to address the House for 60 minutes tomorrow, at which time I shall speak on the subject of trade with Communist China.

I ask unanimous consent to vacate the special order granted me for today.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to:

Mr. O'BRIEN of New York (at the request of Mr. DELANEY) for an indefinite period, on account of illness in family.

Mr. DAVIS of Tennessee (at the request of Mr. BECKWORTH) for Friday, June 28, on account of important business.

Mr. LONG (at the request of Mr. MCCORMACK), indefinitely, on account of official matters.

Mr. BECKER (at the request of Mr. MARTIN) for Friday, June 28 on account of official business.

Mr. TEAGUE of Texas (at the request of Mr. KILDAY) from June 27 through July 2, on account of personal business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mrs. ROGERS of Massachusetts for 5 minutes today.

Mr. COLE for 30 minutes on Monday next.

Mrs. ROGERS of Massachusetts for 5 minutes on tomorrow.

Mr. HOLIFIELD for 30 minutes tomorrow, to revise and extend the remarks he will make then to include related matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MCGREGOR the remarks he will make in the Committee of the Whole today and to include certain charts and extraneous matter.

Mr. HOSMER in two instances and to include extraneous matter.

Mr. OSTERTAG to include extraneous matter.

Mr. ROONEY (at the request of Mr. MCCORMACK) to revise and extend the remarks he made today during the consideration of the conference reports and the amendments on the bill H. R. 6070 and to include extraneous matter therein.

SENATE BILLS AND CONCURRENT RESOLUTIONS REFERRED

Bills and concurrent resolutions of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 20. An act for the relief of the widow of Col. Claud C. Smith; to the Committee on the Judiciary.

S. 140. An act for the relief of Jan Szpytman; to the Committee on the Judiciary.

S. 178. An act for the relief of Mrs. Edward J. Smith (nee Concetta Chiodo) and her daughter, Roberta Smith; to the Committee on the Judiciary.

S. 439. An act for the relief of Susan Tsiang Ho; to the Committee on the Judiciary.

S. 554. An act for the relief of Giorgio Giordanella; to the Committee on the Judiciary.

S. 651. An act for the relief of Sister Clementine (Ilona Molnar); to the Committee on the Judiciary.

S. 669. An act for the relief of Mrs. Antonietta Giorgio and her children, Antonio Giorgio and Menotti Giorgio; to the Committee on the Judiciary.

S. 789. An act for the relief of Herbert T. King; his wife, Chang Si-Ling King; and his daughter, Chen Hsiao-Ling King; to the Committee on the Judiciary.

S. 811. An act for the relief of Fannie Alexander Gast; to the Committee on the Judiciary.

S. 823. An act for the relief of Maud Abraham; to the Committee on the Judiciary.

S. 832. An act for the relief of Matilda Strah; to the Committee on the Judiciary.

S. 846. An act for the establishment of a National Outdoor Recreation Resources Review Commission to study the outdoor recreation resources of the public lands and other land and water areas of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 850. An act for the relief of Stavros Manousos; to the Committee on the Judiciary.

S. 862. An act for the relief of Barbara L. Weiss; to the Committee on the Judiciary.

S. 875. An act for the relief of Vuokko A. Bingham; to the Committee on the Judiciary.

S. 876. An act for the relief of Katharina Theresia Beuving Keyzer; to the Committee on the Judiciary.

S. 957. An act for the relief of Calogero Maniscalco; to the Committee on the Judiciary.

S. 960. An act for the relief of Fotina (Theresa) Wardini; to the Committee on the Judiciary.

S. 969. An act to prescribe the weight to be given to evidence of tests of alcohol in the blood or urine of persons tried in the District of Columbia for operating vehicles while under the influence of intoxicating liquor; to the Committee on the District of Columbia.

S. 1007. An act for the relief of Sgt. Donald D. Coleman; to the Committee on the Judiciary.

S. 1048. An act for the relief of Matilda Hajos; to the Committee on the Judiciary.

S. 1053. An act for the relief of Poppy Catherine Hayakawa Merritt; to the Committee on the Judiciary.

S. 1082. An act for the relief of Katina Apostolou; to the Committee on the Judiciary.

S. 1097. An act for the relief of Francoise Beyronneau; to the Committee on the Judiciary.

S. 1102. An act for the relief of Adolfo Camillo Scopone; to the Committee on the Judiciary.

S. 1240. An act for the relief of Panagiotis Tulios; to the Committee on the Judiciary.

S. 1244. An act for the relief of Teiko Watanabe Holderfield; to the Committee on the Judiciary.

S. 1251. An act for the relief of Florinda Mellone Garcia; to the Committee on the Judiciary.

S. 1253. An act for the relief of Myung Ok Shin; to the Committee on the Judiciary.

S. 1283. An act for the relief of Garth Cecil Briden; to the Committee on the Judiciary.

S. 1309. An act for the relief of Susanne Burka; to the Committee on the Judiciary.

S. 1311. An act for the relief of Maria Gradi; to the Committee on the Judiciary.

S. 1361. An act to revive and reenact the act entitled "An act authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River; to the Committee on Public Works.

S. 1363. An act for the relief of Vassilios Kostikos; to the Committee on the Judiciary.

S. 1397. An act for the relief of Angeline Mastro Mone (Angelina Mastroianni); to the Committee on the Judiciary.

S. 1417. An act relating to the affairs of the Osage Tribe of Indians in Oklahoma; to the Committee on Interior and Insular Affairs.

S. 1508. An act for the relief of Salvatore LaTerra; to the Committee on the Judiciary.

S. 1510. An act for the relief of Reginald S. Levy; to the Committee on the Judiciary.

S. 1519. An act for the relief of Isaac Lidji, Henry Issac Lidji, and Sylvio Isaac Gattegno; to the Committee on the Judiciary.

S. 1718. An act to amend section 201 (a) of the Civil Aeronautics Act of 1938, as amended, relative to the terms of office of members of the Civil Aeronautics Board; to the Committee on Interstate and Foreign Commerce.

S. 1774. An act for the relief of Yee Suey Nong; to the Committee on the Judiciary.

S. 1817. An act for the relief of John Panagiotou; to the Committee on the Judiciary.

S. 1823. An act to authorize the conveyance of Bunker Hill Island in Lake Cumberland near Burnside, Ky., to the Commonwealth of Kentucky for public park purposes; to the Committee on Public Works.

S. 1838. An act for the relief of Charles Douglas; to the Committee on the Judiciary.

S. 1848. An act for the relief of Michelle Patricia Hill (Patricia Adachi); to the Committee on the Judiciary.

S. 2027. An act for the relief of Vendelin Kalenda; to the Committee on the Judiciary.

S. 2161. An act to amend the act of August 14, 1955 (69 Stat. 725); to the Committee on Interior and Insular Affairs.

S. 2212. An act to amend the North Pacific Fisheries Act of 1954; to the Committee on Merchant Marine and Fisheries.

S. 2299. An act to amend section 3 (b) of the Securities Act of 1933; to the Committee on Interstate and Foreign Commerce.

S. Con. Res. 27. Concurrent resolution to create a joint committee to represent Congress at the 350th anniversary of the founding of Jamestown, Va.; to the Committee on Rules.

S. Con. Res. 31. Concurrent resolution favoring the fulfillment of the program recommended by the National Historical Publications Commission for the publication of certain documents; to the Committee on House Administration.

S. Con. Res. 32. Concurrent resolution favoring Congressional recognition of the National Cowboy Hall of Fame and Museum to be located at Oklahoma City, Okla.; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled, bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1752. An act for the relief of Frank J. and Mae T. W. Burger;

H. R. 2964. An act to confer jurisdiction on the United States District Court for the Eastern District of Texas, Jefferson division, to hear, determine, and render judgment on certain claims of George W. Edwards, Jr., against the United States;

H. R. 3477. An act relating to moneys received from mineral lands in Alaska;

H. R. 3836. An act to repeal section 1157 of title 18 of the United States Code, as amended;

H. R. 3837. An act to amend the act of August 24, 1912, as amended, with reference to educational leave to employees of the Bureau of Indian Affairs;

H. R. 4945. An act to provide for the conveyance of certain real property in West Palm Beach, Fla., to the port of Palm Beach district;

H. R. 6287. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes;

H. R. 6692. An act to authorize the transfer of the Coyote Valley Indian Rancheria to the Secretary of the Army, and for other purposes;

H. R. 7050. An act to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes;

H. R. 7249. An act to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia;

H. R. 7259. An act relating to marketing quotas and price supports for fire-cured, dark air-cured, and Virginia sun-cured tobacco;

H. R. 7835. An act to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and for other purposes;

H. J. Res. 273. Joint resolution to waive the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, in behalf of certain aliens; and

H. J. Res. 379. Joint resolution making supplemental appropriations for the Post Office Department for the fiscal year 1958, and for other purposes.

HOUSING ACT OF 1957

Mr. SPENCE submitted a conference report and statement on the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, and for other purposes.

ADJOURNMENT

Mr. BYRD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to. Accordingly (at 5 o'clock and 33 minutes p. m.) the House adjourned until tomorrow, Friday, June 28, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

985. A letter from the Acting Secretary of Agriculture, transmitting a progress report on the orderly liquidation of stocks of agricultural commodities held by the Commodity Credit Corporation, reflecting estimated activity under the various disposal programs, programs of disposition, and estimated remaining inventory as of June 30, 1958, pursuant to section 201 (b) of the Agricultural Act of 1956; to the Committee on Agriculture.

986. A letter from the Secretary of the Army and the Assistant Secretary of Agriculture, relative to submitting notice of the intention of the Department of the Army and the Department of Agriculture to interchange jurisdiction of military and national forest lands, pursuant to Public Law 804, 84th Congress; to the Committee on Agriculture.

987. A letter from the Secretary of Defense, relative to 29 reports covering 57 violations of section 3679, Revised Statutes and Department of Defense Directive 7200.1 entitled, "Administrative Control of Appropriations Within the Department of Defense," pursuant to section 3679 (i) (2), Revised Statutes; to the Committee on Appropriations.

988. A letter from the Secretary, Reconstruction Finance Corporation, transmitting a copy of notice of dissolution of U. S. Commercial Company as of the close of business June 20, 1957; to the Committee on Banking and Currency.

989. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation entitled "A bill to authorize the establishment of 88 positions for specially qualified scientific and professional personnel in the Department of Commerce at rates of compensation not to exceed the maximum rate payable under Public Law 313, 80th Congress, as amended, and Public Law 854, 84th Congress"; to the Committee on Post Office and Civil Service.

990. A letter from the Postmaster General, transmitting the cost ascertainment report for the fiscal year 1956; to the Committee on Post Office and Civil Service.

991. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, relative to the case of Nathan Snider, also known as Nathan Gelb or Kuschneider, A-8957254, involving suspension of deportation, and requesting that it be withdrawn and returned to the jurisdiction of this Service; to the Committee on the Judiciary.

992. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 7, 1957, submitting a report, together with accompanying papers and illustrations, on a letter report on Lake Taneycomo, Mo., authorized by the River and Harbor Act approved July 24, 1946; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COOLEY: Committee on Agriculture. H. R. 6570. A bill to amend the peanut marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, and for other purposes; with amendment (Rept. No. 649). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRAZIER: Committee on the Judiciary. House Joint Resolution 253. Joint resolution to establish a commission to commemorate the 100th anniversary of the Civil War, and for other purposes; with amendment (Rept. No. 650). Referred to the Committee of the Whole House on the State of the Union.

Mr. KIRWAN: Committee of conference. H. R. 5189. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 653). Ordered to be printed.

Mr. DAWSON of Illinois: Committee on Government Operations. S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from insurrectos during 1899–1903; without amendment (Rept. No. 655). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. H. R. 8005. A bill to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in the county of Cook and State of Illinois; with amendment (Rept. No. 656). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. H. R. 8364. A bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959; with amendment (Rept. No. 657). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee of conference. H. R. 6659. A bill to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes (Rept. No. 659). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 1826. A bill to authorize the sale of certain lands of the United States in Wyoming to Bud E. Burnaugh; without amendment (Rept. No. 651).

Referred to the Committee of the Whole House.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 1259. A bill to clear the title to certain Indian land; without amendment (Rept. No. 652). Referred to the Committee of the Whole House.

Mr. DAWSON of Illinois: Committee on Government Operations. S. 806. An act to authorize the Administrator of General Services to quitclaim all interest of the United States in and to a certain parcel of land in Indiana to the board of trustees for the Vincennes University, Vincennes, Ind.; without amendment (Rept. No. 654). Referred to the Committee of the Whole House.

Mr. DAWSON of Illinois: Committee on Government Operations. H. R. 6182. A bill to provide for the conveyance of certain real property of the United States to the former owners thereof; with amendment (Rept. No. 658). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENTLEY:

H. R. 8410. A bill to provide that an individual who is not eligible upon reaching retirement age for old-age insurance benefits under title II of the Social Security Act may obtain a refund of the social-security taxes which he has paid; to the Committee on Ways and Means.

By Mr. BROOKS of Louisiana:

H. R. 8411. A bill to amend section 1033 (f) of the Internal Revenue Code of 1954 with respect to the tax treatment of livestock sold on account of flood; to the Committee on Ways and Means.

By Mr. DELLAY:

H. R. 8412. A bill to amend section 207 of the Legislative Reorganization Act of 1946, to provide that the Boards for the Correction of Military or Naval Records shall give consideration to satisfactory evidence relating to good character and conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes; to the Committee on Armed Services.

By Mr. FRELINGHUYSEN:

H. R. 8413. A bill to amend the Fair Labor Standards Act of 1938, as amended; to the Committee on Education and Labor.

By Mr. HOSMER:

H. R. 8414. A bill to amend chapter 223 of title 18 relating to demands for production of statements and reports of witnesses; to the Committee on the Judiciary.

By Mr. JARMAN:

H. R. 8415. A bill to provide for increased participation in the acreage reserve program by producers of basic commodities in major disaster areas; to the Committee on Agriculture.

By Mr. LOSER:

H. R. 8416. A bill to amend title 28 of the United States Code to prohibit the introduction into evidence in criminal proceedings of confidential information from the files of the Federal Bureau of Investigation; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H. R. 8417. A bill to extend the benefits of the act of May 29, 1944, entitled "An act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal," to certain additional civilian officers and employees; to the Committee on Merchant Marine and Fisheries.

By Mr. MATTHEWS:

H. R. 8418. A bill to provide flexibility in the operation of marketing agreement programs; to the Committee on Agriculture.

By Mr. NIMTZ:

H. R. 8419. A bill to amend title 28 of the United States Code relating to actions for infringements of copyrights by the United States; to the Committee on the Judiciary.

H. R. 8420. A bill to authorize the National Inventors Council to make awards for inventive contributions relating to the national defense; to the Committee on the Judiciary.

H. R. 8421. A bill to change the method of computing basic pay for members of the uniformed services, to provide term retention contracts for Reserve officers, and for other purposes; to the Committee on Armed Services.

By Mr. PELLY:

H. R. 8422. A bill to legalize maritime and building trades hiring halls; to the Committee on Education and Labor.

By Mr. POFF:

H. R. 8423. A bill to amend chapter 223 of title 18 relating to demands for production of statements and reports of witnesses; to the Committee on the Judiciary.

By Mrs. ROGERS of Massachusetts:

H. R. 8424. A bill to include certain service performed for Members of Congress as annuitable service under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

By Mr. ROONEY:

H. R. 8425. A bill to amend part B of title IV of the Veterans' Benefits Act of 1957 to grant a pension of $100 per month to all veterans of World War I who are 60 years of age or older; to the Committee on Veterans' Affairs.

By Mr. SANTANGELO:

H. R. 8426. A bill to facilitate the entry into the United States of certain adopted children, and other relatives of United States citizens, and for other purposes; to the Committee on the Judiciary.

By Mr. WAINWRIGHT:

H. R. 8427. A bill to establish a temporary Presidential commission to study and report on the problems relating to blindness and the needs of blind persons, and for other purposes; to the Committee on Education and Labor.

By Mr. WEAVER:

H. R. 8428. A bill to provide for the increased use of agricultural products for industrial purposes; to the Committee on Agriculture.

By Mr. WRIGHT:

H. R. 8429. A bill to amend the Vocational Rehabilitation Act; to the Committee on Education and Labor.

By Mr. OSMERS:

H. R. 8430. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer certain additional credits, exclusions, exemptions, and deductions for income-tax purposes, which may hereafter be referred to as the citizens' hardship tax relief bill; to the Committee on Ways and Means.

By Mr. PATTERSON:

H. J. Res. 389. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

By Mr. TELLER:

H. J. Res. 390. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the Second Annual United States World Trade Fair to be held in New York City, N. Y., from May 7 to May 17, 1958; to the Committee on Foreign Affairs.

By Mr. ANDERSON of Montana:

H. Res. 303. Resolution to amend the Rules of the House with respect to the jurisdiction of the Committee on Un-American Activities; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to enact legislation restricting the importation of plywood; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAUMHART:

H. R. 8431. A bill for the relief of Florencio Mejia; to the Committee on the Judiciary.

By Mr. HAYS of Arkansas:

H. R. 8432. A bill for the relief of Ted Lamb and Associates; to the Committee on the Judiciary.

By Mr. KILGORE:

H. R. 8433. A bill for the relief of Capt. Laurence D. Talbot (retired); to the Committee on the Judiciary.

By Mr. LeCOMPTE:

H. R. 8434. A bill for the relief of Choy Ahoh Yang; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H. R. 8435. A bill for the relief of Aurelio and Vicencio Restauro; to the Committee on the Judiciary.

By Mr. PATTERSON:

H. R. 8436. A bill for the relief of Concetta Cancelliere Martorana; to the Committee on the Judiciary.

By Mr. VAN ZANDT:

H. R. 8437. A bill to amend the act of August 3, 1956, to authorize certain personnel of the Armed Forces to accept and wear decorations conferred by the Philippine Government; to the Committee on Armed Services.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

296. By Mr. CRETELLA: Petition of the Connecticut State Medical Society on results of membership referendum on compulsory social security for physicians; to the Committee on Ways and Means.

297. By the SPEAKER: Petition of the secretary, Headquarters of the General Eldership of the Churches of God in North America, Inc., Harrisburg, Pa., petitioning consideration of their resolution with reference to going on record as opposing the continued exploding and testing of nuclear weapons by the United States and other powers, and to expedite a basis of international agreement by which all powers may terminate the testing of nuclear weapons; to the Committee on Foreign Affairs.

298. Also, petition of the Counselor, Chinese Embassy, Washington, D. C., relative to transmitting an English translation of a communication from 58 overseas Chinese organizations in Macoa addressed to the United States Congress on the T'ai-pei riots which occurred on May 24; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

There Was No Surrender of Jurisdiction Over American Troops Overseas in World War I

EXTENSION OF REMARKS
OF
HON. HAROLD C. OSTERTAG
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 27, 1957

Mr. OSTERTAG. Mr. Speaker, at this time when there is so much dismay over the surrender of American servicemen to foreign courts for trial on criminal charges, it is instructive to recall how matters of this kind were handled in World War I. I asked the Library of Congress to look into this matter for me, to determine whether there was, as late as World War I, any precedent for the surrender of jurisdiction over our Armed Forces, as is now possible under the status of forces treaties and agreements. I find that no such arrangements were thought to be necessary, and none were made. The United States maintained jurisdiction over its troops stationed in England and France during the First World War, even though they could be arrested by civil or military police of the host country for criminal offenses committed while they were off duty. Formal arrangements provided that after arrest, they would be returned to American military jurisdiction for trial under the Constitution and laws of the United States.

This, in my judgment, was a sound arrangement, and the only arrangement which can insure that the United States Constitution and the Bill of Rights follow the men in our uniformed services wherever they may be assigned to duty.

Under leave to extend my remarks, Mr. Speaker, I include in the RECORD, the memorandum on this point prepared for me by Mr. Arthur H. Darken, of the Foreign Affairs Division, Legislative Reference Service of the Library of Congress.

THE LIBRARY OF CONGRESS,
Washington, D. C., June 14, 1957.

To: Hon. Harold C. Ostertag.
From: Foreign Affairs Division.
Subject: Criminal jurisdiction of United States Armed Forces in allied countries during World War I.
(Attention: Miss Savell.)

Upon arrival of the United States forces in France in World War I, both the American and French authorities took the view that under the general principles of international law members of the American Expeditionary Forces were answerable only to American tribunals for all offenses they might commit in France. It was later formally agreed between the two Governments that each should possess exclusive criminal jurisdiction over its land and sea forces whether in the territory of either nation or on the high seas.

A similar arrangement prevailed in the United Kingdom, which issued an order in council stating that: "The naval and military authorities and courts of an ally may exercise in relation to the members of any naval or military force of that ally who may, for the time, be in the United Kingdom, all such powers as are conferred on them by the law of that ally."

Arrangements were made in both France and the United Kingdom, however, for the local police or military authorities to arrest American soldiers absent from their commands or committing offenses against the civil population. In each instance the American soldiers so arrested were to be turned over to the United States military authorities for trial and punishment.

In June 1917 the commander in chief of the AEF recommended the passage of legislation that would enable him to organize a claims service in the force for the investigation and payment of such damages against the civil population as might be caused by United States soldiers in France. This law was enacted in April 1918 and put into effect. Some of the most frequent sources of claims for damages were automobile accidents, collisions between commercial vessels of France and England and those chartered by the United States, and incidents involved in billeting American troops in requisitioned French quarters.[1]

ARTHUR H. DARKEN.

Long Beach State College Tour

EXTENSION OF REMARKS
OF
HON. CRAIG HOSMER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 27, 1957

Mr. HOSMER. Mr. Speaker, visiting us here today is a group of elementary and high school teachers, as well as a few future teachers, from southern California who are on a 10,000-mile tour of the United States as part of their study for credits at the Long Beach State College, Long Beach, Calif.

One aim of this tour, which is called a field trip in United States history and government, is to acquaint our California teachers with the most important historical places in our country so that they may go back to the classrooms and make the teaching of history more interesting and more meaningful.

It is also the aim of the Long Beach State College through this tour to acquaint our California teachers with the work that goes on in our American political institutions. They go behind the scenes of our Federal, State, and city governments and meet with important government officials in order to learn from these officials about the organization and functions of their respective departments.

This course of study was approved by the Long Beach State College in 1953, and by the Department of Education, State of California, the same year. Each year since 1953, under the guidance of Dr. J. Wesley Bratton, dean of the summer session, and the direction of Mr. Ross A. Sciarrotta, instructor and tour director, a group has visited Washington, and I have had the pleasure of arranging their visit here, which includes briefings by heads of departments and by foreign diplomats, as well as visits to House and Senate committee hearings and sessions of the House and Senate. Because their tour is a study tour—one for which they earn six college credits that may be applied toward higher degrees—may account for the warm reception and fine cooperation they receive from the top Government officials who take time off from their busy days to explain the operations of their agencies and departments.

In addition to Mr. Sciarrotta, the instructor and tour director, the following are in the group visiting us today: Mr. John Feder, Miss Tina Heller, Miss Delia H. Sprauer, Mr. Frank M. Takahashi, Mr. and Mrs. Ervin H. Miller, Miss Kathy Crowther, Mr. Dennis Brown, Miss Peggy Ratcliff, and Miss Kathy Doba from Long Beach; Miss Violet E. Good and Miss Helen Roudebrush from Bellflower; Mrs. B. F. McNamee, Altadena; Mr. G. W. Mercereau from Los Angeles; and Mr. Verne W. Cowan from Visalia, Calif.

[1] The main source of information in the preparation of this memorandum was United States Army in the World War, 1917–19, prepared by the Historical Division of the Department of the Army, 1948, vol. 15, pp. 363ff.

Seventh Annual National Catholic Youth Week

EXTENSION OF REMARKS
OF
HON. JOHN F. KENNEDY
OF MASSACHUSETTS
IN THE SENATE OF THE UNITED STATES
Thursday, June 27, 1957

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the Appendix of the RECORD a statement on the observance of the seventh annual Youth Week sponsored by the National Council of Catholic Youth, which will be celebrated from October 27 through November 3.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SEVENTH ANNUAL NATIONAL CATHOLIC YOUTH WEEK

There is much of encouragement and promise in the theme of this year's National Catholic Youth Week—"Healthier, Holier, Happier." The week, whose seventh annual observance will be celebrated from October 27 through November 3, is dedicated to the 7 million young people who comprise the Catholic youth organizations of the country. Rt. Rev. Msgr. Joseph E. Schieder, director of the Catholic youth in the United States, has arranged the event sponsored by the National Council of Catholic Youth.

President Eisenhower and former Presidents Truman and Hoover, along with other State officials, and governors and mayors all over the country, have proclaimed the observance in special messages prepared for the week.

Youth week is the display window for the talents and achievements of the Catholic youth of America. It includes participation by hundreds of schools, colleges, and universities, and many local and national youth groups, in addition to millions of working youth. The week's calendar of activities is geared also to participation by youth in military installations overseas. Programed events include religious exercises, radio-TV shows, award dinners, athletic contests, parades, and social affairs.

The theme of the week embodies the elements essential to the formation of the complete human being—healthier in mind and body, holier in spirit, and happier as a natural consequence of these two conditions. The youth organizations who set this as their goal in working with young people today are to be commended for their splendid contribution to the welfare of our Nation. Youth week serves as a reminder of the zealous efforts on the part of youth leaders all over the country to provide better citizens for the future of America.

Vice President Richard M. Nixon's Speech Before 42d Annual Kiwanis International Convention

EXTENSION OF REMARKS
OF
HON. CRAIG HOSMER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 27, 1957

Mr. HOSMER. Mr. Speaker, it is my pleasure to present the text of Vice President NIXON's speech today before the 42d annual Kiwanis International Convention in Atlantic City:

I know that there is no subject of greater interest to Kiwanians than that of international relations and the policies which are designed to bring lasting peace to the world. I would like to discuss that subject on the basis of my personal observations of our policies in action over the past 4½ years.

I believe there has been too much pessimistic, defeatist talk about America's policies in the past few months.

It is time for us to discuss our responsibilities in the world, not in terms of what we cannot do, but in terms of what America should do as a great nation welcoming the opportunity which is presented to us to make a mighty contribution to the cause of peace and freedom in the world. I suggest that we examine American policies in that spirit today.

DEFENSE BUDGET

We begin with a policy on which there is probably very little disagreement—the necessity for the United States and the Free World to maintain military strength sufficient to meet and defeat any aggressor. We do this not because we want war but because we want peace and because history tells us that where a potential aggressor is on the loose weakness invites attack and strength discourages it.

We can disagree as to what the level of that strength should be. But where the decisions as to the character and quantity of our defense were made after months of study of facts available from all over the world by a man with the experience and background of the President of the United States, I say that anyone who would make substantial cuts in that budget below the amounts recommended is taking a risk with America's security which the American people will not and should not support.

DISARMAMENT

There may be those who believe that we can make reductions in our Defense Establishment because of the prospects for disarmament. But while negotiations for disarmament are taking place is the very time we should not reduce our defenses.

Our primary objective and motivation in such negotiations must not be to reduce our burden of armaments but to reduce the danger of war.

The Free World's military strength is the major deterrent to war today. If we reduce our strength and the Communists do not make a corresponding reduction in theirs, the risk of war will be correspondingly increased. A bad disarmament agreement, therefore, would be worse than none at all.

The road to war is paved with agreements based solely on mutual trust. That is why we serve the cause of peace when we insist that we will not make an agreement to reduce our own armed strength unless an inspection system is put into effect which will make certain that all the parties to the agreement are carrying out their commitments under it in good faith.

Let me turn now to some of the more controversial aspects of our foreign and defense policies. We have heard a great deal of criticism in recent weeks of our foreign-aid programs.

I suggest we examine those programs solely in terms of one question: Are the interests of the United States being served by them?

MILITARY-AID PROGRAM

Approximately three-fourths of the foreign-aid appropriation is for military assistance. Among the countries which are receiving military assistance are Korea, Formosa, South Vietnam, Pakistan, and Turkey.

All of these countries have common borders with Communist countries. The question is not whether they should have adequate defense forces, but how it should be done. On the average it costs 5 times as much to maintain an American abroad as it does for the fighting men of the allies we are aiding. By conservative estimates, our expenditure of $2.8 billion in foreign military aid results directly in at least $15 billion worth of defense for ourselves and the Free World. Spending less for military aid abroad would simply mean spending more for defense at home and more American boys in uniform. I submit that on the basis of these facts those who would cut our military foreign aid programs are in fact the spendthrifts and not the economizers.

WINNING THE COLD WAR

Let us turn now to another phase of our program for peace. We can readily see how maintaining the military strength of the Free World at adequate levels reduces the danger of war. But if we rely on nothing more than military strength we can only hope to have an uneasy truce with the whole world armed to the teeth for years to come.

What can we do not just to prevent a hot war but to win the cold war and thereby help to create the conditions on which a lasting peace can be built?

In finding the answer to this question let us begin by examining the breakdown of people in the world. The world's population today is roughly divided into thirds: one-third Free World, one-third Communist, and one-third uncommitted or neutral. If the Communists can win a substantial part of the uncommitted areas of Africa and Asia to their side, the balance of power in the world which deters war today would shift inevitably in favor of the Communists and the risk of war would consequently increase.

But an even greater danger would be that by controlling the resources of Asia and Africa they would be able to force the Free World to surrender without waging war.

The other side of the picture is that if the uncommitted world rejects communism and turns toward the Free World, the danger of both war and surrender will be substantially reduced.

What policies can we adopt which will help to accomplish this objective? This brings us to the basic question—what do the people of the uncommitted nations want?

ECONOMIC AID PROGRAM

They want economic progress so that they can raise their deplorably low living standards. They would prefer to gain that progress and keep their freedom and independence at the same time. But if there is no other answer they will turn to the Communist world for help. And those who accept economic help from the Communists run the risk of eventual Communist domination.

That is why we are appropriating $1 billion a year to help nations in this category. Our purpose is not to buy friends but to help them develop the economic and political strength and independence which is the antithesis of Communist domination.

In the final analysis of our own independence and peace are involved just as much as that of the nations we are aiding.

As important as economic progress is, we would make a fatal error if we assumed that this was the complete answer to the problem of the uncommitted nations.

The people of these countries above all else want and deserve recognition of their dignity as individuals and as nations. We must never forget that they are as sovereign as we are. They are as jealous of their rights and their independence as we are.

And we want it that way. We do not want satellites browbeaten by American armed might or by our economic strength. We want allies, friends, and partners. Let us talk less about our world leadership and more about our partnership with other free nations. And may we always treat the people of other lands with the dignity and respect they deserve.

We have discussed our military program to deter a hot war and our economic aid program to win the cold war. What can we do in addition which will help create the understanding and good will which is essential if we are to have real peace?

A BREAKTHROUGH FOR PEACE

What we need is a breakthrough for peace. We must contain communism without war. But we must go further and try to set in motion changes in the Communist empire which will enable us to have real peace, not just an armed truce.

This will not be easy. There are no trick gimmicks that will change men's hearts. There are no miracle drugs which will impede the drive for power or restrain the cruelty and insolence of those who live by naked force.

If the Soviet Union would agree to a regular exchange of radio and television broadcasts, as proposed by Secretary Dulles and Senator JOHNSON, real progress could be made in reducing misunderstanding and prejudice.

But exchange of broadcasts may not be the most effective answer to the basic problem. People everywhere have been bombarded with so much propaganda that they are skeptical of it. There is a tendency to be suspicious of any information which emanates from government sources.

EXCHANGE PROGRAM

We should put at least equal emphasis on another program which too often is treated as a stepchild by both the executive department and the Congress in allocating funds in the information field. I refer to our cultural and persons exchange program. A recent example of the effectiveness of the cultural exchange phase of this program is the sensation created by our exhibit at the Poznan Trade Fair in Poland. This exhibit has

probably created more interest in and understanding of the American economic system than 10 years of radio broadcasts.

Under the exchange of persons phase of this program editors, professors, labor leaders, clergymen, public officials, and various technical experts come here for periods of up to a year. They spend most of their time visiting Americans who share their profession or occupation. They are helped in planning their program, but they are not given propaganda tours or indoctrination. They see our country as it is—its good points and its weaknesses. When they return home they have had a firsthand experience of what democracy and freedom of opportunity mean in practice.

Radio and TV broadcasts are more spectacular but the exchange program in the long run is more lasting in its effect. What an American says to a citizen of another country about America is not as effective as when a citizen of that country who has visited America says the same thing.

These programs are so effective and so essential in creating better understanding that we should sharply increase our emphasis on them. At the present time only 12,000 leaders a year from all parts of the world are able to visit the United States under the Government exchange program. I believe we should set as our goal bringing at least 25,000 leaders a year from foreign countries to the United States.

EAST-WEST EXCHANGE

It is particularly important that we show greater initiative in attempting to increase on a large scale the exchange of persons program with the Soviet Union and its European satellites. We should accept the risks in such a program in the hope that we will be striking directly at the roadblock of hatred and prejudice which bars the road to peace. It is true that the Kremlin's leaders can be expected to do their best to send only case-hardened, tested Communist Party members to the United States under these programs. But the larger the number who come, the less effective the Communist screening process can be.

In undertaking such an expanded program we should not expect a miracle overnight. Attitudes which have been drilled into people for years do not change in a day. But only in this way can the seeds of understanding be planted which may eventually blossom into the good will the world so desperately needs.

SOVIETS BLOCK EXCHANGE

The major question, of course, is will the Soviet leaders meet us halfway in expanding the exchange of persons program? Mr. Khrushchev in recent days has tried to create the impression that it is the United States which is blocking a broader exchange of information and persons.

Never in history has a national leader indulged in more hypocritical double-talk. He is using the old Communist tactic of accusing us of the very practices of which his government is guilty.

We made it clear at the Geneva Conference and on a number of occasions since then that we want to increase the exchange of information and persons between the Soviet Union and the United States. Mr. Khrushchev now says that they want to do the same thing. It is time for him to back up his words with deeds.

Here are six areas in which by changing Soviet policy he can prove his good faith and contribute to the cause of understanding and peace:

He can stop jamming Free World broadcasts to the Soviet Union. We do not interfere with Soviet broadcasts in any respect. Our broadcasts to the Soviet Union are jammed by the Communists night an dday.

He can allow foreign periodicals to be freely sold and distributed in the Soviet Union. Communist periodicals are allowed to enter this country and can be purchased by anyone who wishes. On the other hand, the Russian people cannot purchase American newspapers or magazines except in those rare instances where their government permits it.

He can quit censoring news stories filed by foreign correspondents in the Soviet Union. Russian correspondents are invited to our press conferences and their copy is not censored in any way. The exact opposite is true in the USSR where every word a correspondent sends out to the Free World must be approved by a Soviet government official.

He can remove the restrictions which the Soviet government has placed upon travel within the Soviet Union. The United States has time after time requested just such a relaxation of restrictions. Mr. Khrushchev has said that he would be prepared to do away with these restrictions by mutual agreement. Up to this point, the Soviet action, in contrast to agreeable words over TV, has been negative.

He can allow not just a few Government officials whom the leaders feel can risk exposure to our freedoms but Soviet citizens of all ranks and walks of life to come to the United States under the exchange program.

He can accept the offer of the Secretary of State to exchange on a regular basis radio and television programs. The concepts of communism are read and understood by many in this country and have been rejected by our own free will. We challenge the Soviet Union to permit similar free and wide circulation within its borders of the concepts of freedom and democracy.

Acceptance by Mr. Khrushchev of any one of these proposals would be an evidence of Soviet good faith in their expressed desire to reduce tensions and to create better understanding between the Communist world and the Free World. His continued refusal to take action will place the responsibility on the Soviet leaders and the Soviet leaders alone for blocking the road to peace.

May I conclude by expressing an optimistic conviction as to the future? You have all heard a great deal of talk with regard to the anti-American sentiment which exists in various parts of the world. The impression is sometimes created that our policies abroad have left a hot-bed of hate all over the world. There is no question but that tensions have been created which are inevitable when people of different backgrounds must live and work together. But anyone who concludes that because of a few incidents anti-Americanism is the rule rather than the exception in other countries is dead wrong.

I can testify from personal experience on this score on the basis of visits to 40 countries in the past 4 years. In my opinion, there is a great well of friendship for the people of the United States among the people of other lands. All we have to do is to go halfway in treating them as equals, in respecting their traditions, and in proceeding always on the basic assumption that there are no second-class people or second-class nations in the world today. Nothing can contribute more to the cause of peace than for us to act and think in those terms in our dealings with other peoples.

I believe that if we can show the same courage and devotion in fighting for peace that we have always shown in fighting to win wars, we have the best opportunity in history to realize in our time man's dream of peace and freedom for the people of the world.

HOUSE OF REPRESENTATIVES

FRIDAY, JUNE 28, 1957

The House met at 12 o'clock noon.

Rev. Luther Mauney, D. D., pastor, Resurrection Lutheran Church, Arlington, Va., offered the following prayer:

Almighty God, who hast set our lives within two worlds, so that we are at once the creatures of time and of eternity, grant us the double vision to see the nature of our life in both realms. As the sons of God, make us to know Thy glory and Thy will, and to magnify Thee. As the children of men, may we come to love Thy word, that we may be led to do justly, to love mercy, and to walk humbly with our God.

Blessed Lord, help us to see our way in life—our duties, our responsibilities, our paths of service—in the light of Him who lived in Galilee. As He was a seeker for the truth, may we be too. As He steadfastly stood for the right, without equivocation or compromise, help us also thus to act. Wherein He sought human and spiritual values beyond all else, lead us to organize our purposes to attain these ends.

Strengthen us, O God, by Thy gifts that we may meet the challenge which comes from this our day and generation. Be it breadth of vision that is needed, or strength of purpose; if the times call for courage, or for cleverness, or compassion—whatever the need, may Thy holy spirit make us equal to the requirement that we may be lifted above the infirmities of the flesh and made worthy administrators in Thy governance of mankind.

Make our Nation great in her acceptance of Thy way of truth, and in her service for all men. Bestow Thy grace upon all who are in positions of leadership, that they may serve not as to men but as unto Thee. And establish peace and happiness, truth and justice, true religion and piety among us throughout all generations, through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 3373. An act to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes;

H. R. 4748. An act to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims subject to that act may be made;

H. R. 6523. An act to amend the Federal Employees' Compensation Act to provide compensation for employees of the United

States suffering injuries from war-risk hazards or during detention by a hostile force or person;

H. R. 7954. An act relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons;

H. R. 8383. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOHN J. ROONEY, Members of the House of Representatives, to accept and wear the award of the Ecclesiastical Order of St. Gregory the Great, with the rank of Knight Commander with Star; and

H. R. 8384. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOSEPH W. MARTIN, JR., Members of the House of Representatives, to accept and wear the award of the Philippine Legion of Honor in the degree of Commander, tendered by the Republic of the Philippines.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 60. An act to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado.

S. 603. An act to require that international agreements other than treaties, hereafter entered into by the United States, be transmitted to the Senate within 60 days after the execution thereof;

S. 1459. An act to amend section 208 (c) of the Interstate Commerce Act, as amended;

S. 1856. An act to provide for the development and modernization of the national system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, and for other purposes; and

S. J. Res. 73. Joint resolution to amend Public Law 843, 80th Congress, as amended, providing for membership and participation by the United States in the International Labor Organization and authorizing appropriations therefor.

The message also announced that the Senate insists upon its amendment to the concurrent resolution (H. Con. Res. 204) entitled "Concurrent resolution expressing the sense of the Congress on the problem of Hungary," and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GREEN, Mr. FULBRIGHT, and Mr. KNOWLAND to be the conferees on the part of the Senate.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 1314, to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, with the House amendment thereto, insist upon the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. COOLEY, POAGE, GATHINGS, AUGUST H. ANDRESEN, and HILL.

COMMITTEE ON ARMED SERVICES

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Investigations of the Armed Services Committee may be allowed to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

PUBLIC ASSISTANCE PROVISIONS OF THE SOCIAL SECURITY ACT

Mr. COOPER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? The Chair hears none and appoints the following conferees: Messrs. COOPER, MILLS, GREGORY, REED, and JENKINS.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

VETERANS' HOSPITALS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, an article was sent to me from Massachusetts by Fulton Lewis in which he said that the Members of New England and Arkansas have lost interest in the Hot Springs hospital. I assure you that insofar as Massachusetts is concerned, that is not so. We also need the Waltham hospital. The Army needs hospitals desperately. There is a great shortage of beds everywhere in the State, and we are fighting just as hard to have the Senate put something in the bill for Waltham as ever before, and I am sure that is the case with Arkansas.

PROGRAM FOR NEXT WEEK

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts.

There was no objection.

Mr. MARTIN. Mr. Speaker, I take this time to inquire of the majority leader as to the program for next week.

Mr. McCORMACK. Monday is Consent Calendar Day. There will be five suspensions:

H. R. 6182, conveyance of certain real property to former owners thereof;

H. R. 8055, conveyance of United States interest in and to fissionable materials, in Cook County, Ill.;

S. 1141, records donated to the Philippines;

S. 806, quitclaim land, Vincennes University, Indiana; and

H. R. 8195, to facilitate the payment of Government checks.

There will be a continuing resolution in relation to temporary appropriations, and then H. R. 7383, to amend the Atomic Energy Act regarding indemnity and liability.

On Tuesday the Private Calendar will be called. The rest of Tuesday and Wednesday is undetermined.

Conference reports can be brought up at any time.

In accordance with the announcement I made yesterday, there will be no legislative business on Thursday, Friday, or Saturday. On Wednesday we will adjourn to Friday and then from Friday to Monday of next week. The reason for going over from Wednesday to Friday is to enable the employees of the House restaurant to have their Fourth of July off the same as others.

Mr. MARTIN. I thank the gentleman.

THE LAW OF THE LAND

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina.

There was no objection.

Mr. RIVERS. Mr. Speaker, there are a lot of people who say that whatever the Supreme Court says is the law of the land and point with great pride to the school integration cases. One of those people who say that a Supreme Court decision is the law of the land is Herbert Brownell. But when the Jencks case came out and the Court directed him to turn over the FBI files to the Communists, Brownell came running up to the Judiciary Committee to change the law. Up to this time he has not turned over the files to the Communists. I say that Brownell may be in contempt of the Supreme Court for not obeying the law of the land enunciated by this Supreme Court. He is eating out of one spoon and expects us to eat out of another. He is in contempt of the same Court which holds us in the South contemptuous. Brownell honors the political decisions of this Court or those which

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at the moment are either on the side of popular feeling.

Mr. Speaker, I insert an editorial from the Charleston News and Courier of June 27, 1957, on this subject titled "The Law of the Land."

LAW OF THE LAND

Supreme Court decisions, we constantly hear from integrationists, are the law of the land. Attorney General Brownell is not satisfied, however, with the law of the land in the Jencks case. The effect of the Supreme Court's decision in favor of an alleged Communist is to open up FBI files to defendants on fishing expeditions. The Department of Justice has appealed to Congress to pass laws to protect these Government secrets.

The News and Courier approves of this effort. It cannot resist noting the turnabout by the Attorney General when a decision doesn't suit him. Southerners are appealing the school segregation decision to the court of public opinion, the court of last resort in any country.

AUTHORITY TO RECEIVE MESSAGES AND SIGN ENROLLED BILLS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEGISLATIVE APPROPRIATION BILL, FISCAL YEAR 1958

Mr. NORRELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7599) making appropriations for the legislative branch for the fiscal year ending June 30, 1958, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, after line 6, insert:

"SENATE

"Salaries of Senators, mileage of the President of the Senate and of Senators, expense allowance of the majority and minority leaders of the Senate, and salary and expense allowance of the Vice President."

Page 1, after line 6, insert "For compensation of Senators, $2,328,245."

Page 1, after line 6, insert "For mileage of the President of the Senate and of Senators, $51,000."

Page 1, after line 6, insert "For expense allowance of the majority leader and the minority leader of the Senate, $2,000 each, in all $4,000."

Page 1, after line 6, insert "For the compensation of the Vice President of the United States, $37,695."

Page 1, after line 6, insert "For expense allowance of the Vice President, $10,000."

Page 1, after line 6, insert:

"SALARIES, OFFICERS AND EMPLOYEES

"For compensation of officers, employees, clerks to Senators, and others as authorized by law, including agency contributions as authorized, which shall be paid from this appropriation without regard to the below limitations, as follows."

Page 1, after line 6, insert:

"OFFICE OF THE VICE PRESIDENT

"For clerical assistance to the Vice President, at rates of compensation to be fixed by him in basic multiples of $5 per month, $101,925."

Page 1, after line 6, insert:

"CHAPLAIN

"Chaplain of the Senate, $5,000."

Page 1, after line 6, insert:

"OFFICE OF THE SECRETARY

"For office of the Secretary, $572,915."

Page 1, after line 6, insert:

"COMMITTEE EMPLOYEES

"For professional and clerical assistance to standing committees, and the Select Committee on Small Business, $2,030,650."

Page 1, after line 6, insert "Conference committees."

Page 1, after line 6, insert "For clerical assistance to the conference of the majority, at rates of compensation to be fixed by the chairman of said committee, $40,000."

Page 1, after line 6, insert "For clerical assistance to the conference of the minority, at rates of compensation to be fixed by the chairman of said committee, $40,000."

Page 1, after line 6, insert:

"ADMINISTRATIVE AND CLERICAL ASSISTANTS TO SENATORS

"For administrative and clerical assistants and messenger service for Senators, $9,640,000."

Page 1, after line 6, insert:

"OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

"For Office of Sergeant at Arms and Doorkeeper, $1,760,940: *Provided*, That effective July 1, 1957, the basic annual compensation of the following positions shall be: Editor and printer, $4,020, in lieu of $3,000; 3 cabinetmakers at $2,700 each in lieu of $2,640 each; finisher, $2,700 in lieu of $2,640; upholsterer, $2,700 in lieu of $2,640; superintendent, service department, $6,060 in lieu of $4,800; foreman, repairman, $2,820 in lieu of $2,760; repairman, $2,640 in lieu of $2,580; repairman, $2,520 in lieu of $2,460."

Page 1, after line 6, insert:

"OFFICES OF THE SECRETARIES FOR THE MAJORITY AND THE MINORITY

"For the offices of the Secretary for the Majority and the Secretary for the Minority, $94,950."

Page 1, after line 6, insert:

"OFFICE OF THE MAJORITY AND MINORITY WHIPS

"For 2 clerical assistants, 1 for the majority whip and 1 for the minority whip, at not to exceed $5,580 basic per annum each, $20,045."

Page 1, after line 6, insert "Contingent expenses of the Senate."

Page 1, after line 6, insert "Legislative reorganization: For salaries and expenses, legislative reorganization, $106,500."

Page 1, after line 6, insert "Senate policy committees: For salaries and expenses of the Majority Policy Committee and the Minority Policy Committee, $111,825 for each such committee; in all, $223,650."

Page 1, after line 6, insert "Joint Economic Committee: For salaries and expenses of the Joint Economic Committee, $143,360."

Page 1, after line 6, insert "Joint Committee on Atomic Energy: For salaries and expenses of the Joint Committee on Atomic Energy, $233,520; and for expenses of compiling and preparing year end Joint Committee reports, $865, said sum, or any part thereof, may be paid as additional compensation to any employee of the United States; in all, $234,385."

Page 1, after line 6, insert "Joint Committee on Printing: For salaries and expenses of the Joint Committee on Printing, $62,635; for expenses of compiling, preparing, and indexing the Congressional Directory, $1,600; and for compiling, preparing, and indexing material for the biographical directory, $2,605, said sum, or any part thereof, in the discretion of the chairman or vice chairman of the Joint Committee on Printing, may be paid as additional compensation to any employee of the United States; in all, $66,840."

Page 1, after line 6, insert "Committee on Rules and Administration: For reimbursement to General Services Administration for space furnished the United States Senate, $30,810; and for expenses of compiling, preparing, and indexing material for the Senate Manual, $2,180, said sum, or any part thereof, in the discretion of the chairman of the Committee on Rules and Administration, may be paid as additional compensation to any employee of the United States; in all, $32,990."

Page 1, after line 6, insert "Vice President's automobile: For purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President, $7,600."

Page 1, after line 6, insert "Automobile for the President pro tempore: For purchase, exchange, driving, maintenance, and operation of an automobile for the President pro tempore of the Senate, $7,100."

Page 1, after line 6, insert "Automobiles for majority and minority leaders: For purchase, exchange, driving, maintenance, and operation of 2 automobiles, 1 for the majority leader of the Senate, and 1 for the minority leader of the Senate, $14,200."

Page 1, after line 6, insert "Reporting Senate proceedings: For reporting the debates and proceedings of the Senate, payable in equal monthly installments, $188,825."

Page 1, after line 6, insert "Furniture: For services and materials in cleaning and repairing furniture, and for the purchase of furniture, $31,190: *Provided*, That the furniture purchased is not available from other agencies of the Government."

Page 1, after line 6, insert "Inquiries and investigations: For expenses of inquiries and investigations ordered by the Senate or conducted pursuant to section 134 (a) of Public Law 601, Seventy-ninth Congress, including $380,000 for the Committee on Appropriations, to be available also for the purposes mentioned in Senate Resolution Numbered 193, agreed to October 14, 1943, $2,650,000."

Page 1, after line 6, insert "Folding documents: For the employment of personnel for folding speeches and pamphlets at a gross rate of not exceeding $1.61 per hour per person, $29,000."

Page 1, after line 6, insert "Senate restaurants: For repairs, improvements, equipment and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended under the supervision of the Committee on Rules and Administration, United States Senate, $85,000."

Page 1, after line 6, insert "Motor vehicles: For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $16,560."

Page 1, after line 6, insert "Miscellaneous items: For miscellaneous items, exclusive of labor, $1,455,000."

Page 1, after line 6, insert "Postage stamps: For Office of the Secretary, $650; Office of the Sergeant at Arms, $725; Offices of the Secretaries of the Majority and the Minority, $100; and for airmail and special-delivery stamps for Senators and the President of the Senate, as authorized by law, $38,000, in all, $40,275."

Page 1, after line 6, insert "Stationery (Revolving Fund): For stationery for Senators and the President of the Senate, $174,600; and for stationery for committees and officers of the Senate, $12,900; in all, $187,500, to remain available until expended."

Page 1, after line 6, insert "Communications: For an amount for communications which may be expended interchangeably for payment, in accordance with such limitations and restrictions as may be prescribed

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by the Committee on Rules and Administration, of charges on official telegrams and long-distance telephone calls made by or on behalf of Senators or the President of the Senate, such telephone calls to be in addition to those authorized by the provisions of the Legislative Branch Appropriation Act, 1947 (60 Stat. 392; 2 U. S. C. 46c, 46d, 46e), as amended, and the First Deficiency Appropriation Act, 1949 (63 Stat. 77; 2 U. S. C. 46d–1), $14,550."

Page 1, after line 6, insert:

"ADMINISTRATIVE PROVISIONS

"Salaries or wages paid out of the items under "Contingent Expenses of the Senate" shall hereafter be computed at basic rates, plus increased and additional compensation, as authorized and provided by law."

Page 11, line 5, strike out "$357,000" and insert "$361,385."

Page 11, line 5, strike out "$183,000" and insert "$187,385."

Page 11, line 7, after "House" insert "*Provided*, That effective July 1, 1957, the gross compensation of the Legislative Counsel of the Senate shall be $17,500; and no more than three employees in the office of the Legislative Counsel of the Senate may be designated as Senior Counsel, whose compensation shall be $15,500 gross per annum each."

Page 11, after line 7, insert:

"JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES

"For an amount to enable the Joint Committee on Reduction of Nonessential Federal Expenditures to carry out the duties imposed upon it by section 601 of the Revenue Act of 1941 (55 Stat. 726), to remain available during the existence of the committee, $22,500, to be disbursed by the Secretary of the Senate."

Page 13, after line 2, insert "Hereafter the purchase of supplies and equipment and the procurement of services for all branches under the Architect of the Capitol may be made in the open market without compliance with section 3709 of the Revised Statutes of the United States, as amended, in the manner common among businessmen, when the aggregate amount of the purchase or the service does not exceed $1,000 in any instance."

Page 14, line 2, strike out "$897,100" and insert "$901,800."

Page 14, line 10, after "$307,000" insert "*Provided*, That not to exceed $56,000 of the amount made available under this head for the fiscal year 1957 for construction of a combined sanitary-storm water sewer extending from the additional Senate Office Building to the existing sewer crossing Constitution Avenue just west of New Jersey Avenue NW., is hereby continued available until June 30, 1958."

Page 14, after line 10, insert "Subway transportation, Capitol and Senate Office Buildings: For maintenance, repairs, and rebuilding of the subway transportation system connecting the Senate Office Building with the Capitol, including personal and other services, $4,500."

Page 14, after line 10, insert "Senate Office Buildings: For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel and for personal and other services; including eight female attendants in charge of ladies' retiring rooms at $1,800 each, for the care and operation of the Senate Office Buildings; uniforms or allowances therefor as authorized by the act of September 1, 1954, as amended (5 U. S. C. 2131); to be expended under the control and supervision of the Architect of the Capitol; in all, $1,320,400: *Provided*, That not to exceed $87,000 of the amount made available under the head 'Senate Office Building' in the Legislative Branch Appropriation Act, 1957, shall continue available until expended."

Page 14, after line 10, insert:

"ADDITIONAL OFFICE BUILDING FOR THE UNITED STATES SENATE

"Construction and equipment of additional Senate Office Building: To enable the Architect of the Capitol, under the direction of the Senate Office Building Commission, to continue to provide for the construction and equipment of a fire-proof office building for the use of the United States Senate, in accordance with the provisions of the Second Deficiency Appropriation Act, 1948 (62 Stat. 1029), $2,846,000: *Provided*, That no part of the funds herein appropriated shall be obligated or expended for construction of the rear center wing of said building, from the ground floor up, provided for under the building plans heretofore approved by such Commission: *Provided further*, That the amount of $20,600,000 fixed by the Second Deficiency Appropriation Act, 1948 (62 Stat. 1029) as the limit of cost for construction and equipment of an additional office building for the United States Senate is hereby increased by $2,846,000."

Page 22, after line 8, insert:

"SEC. 105. The appropriations, authorizations, and authority with respect thereto in this act shall be available from July 1, 1957, unless otherwise provided, for the purposes provided in such appropriations, authorizations, and authority. All obligations incurred during the period between June 30, 1957, and the date of the enactment of this act in anticipation of such appropriations, authorizations, and authority are hereby ratified and confirmed if in accordance with the terms hereof."

Page 22, line 9, strike out "105" and insert "106."

Mr. HORAN (during the reading of the Senate amendments). Mr. Speaker, our subcommittee is in complete agreement on these Senate amendments. I ask unanimous consent that further reading of the Senate amendments be dispensed with and that they be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. NORRELL. Mr. Speaker, the bill as passed by the Senate is the same as passed by the House except for addition of items pertaining to the Senate or those joint items customarily carried in the Senate section. Following custom, the House leaves to the Senate the matter of determining its housekeeping items. The Senate has added $26,474,375 to the bill. They made no changes in the Library items or the Government Printing Office, or in any of the items under the Architect of the Capitol except insofar as was necessary to take care of Senate items.

The bill totals $104,844,660, as compared to estimates of $108,271,443 a reduction of $3,426,783. It is $14,205,138 below appropriations for 1957. The following table summarizes the situation.

Group	Appropriations, 1957	Budget estimates, 1958	House bill, 1958	Amount recommended by Senate committee	Increase (+) or decrease (−), Senate bill compared with—		
					Appropriations, 1957	Budget estimates, 1958	House bill
Senate	$22,362,615	$23,376,015		$22,271,890	−$90,725	−$1,104,125	+$22,271,890
House of Representatives	35,960,740	38,680,385	$37,827,705	37,827,705	+1,866,965	−852,680	
Joint offices and items	2,600,635	2,612,380	2,611,180	2,638,065	+37,430	+25,685	+26,885
Architect of the Capitol	35,044,200	17,791,500	12,833,400	17,009,000	−18,035,200	−782,500	+4,175,600
Botanic Garden	253,600	862,500	275,500	275,500	+21,900	−587,000	
Library of Congress	10,637,608	11,766,763	11,647,500	11,647,500	+1,009,892	−119,263	
Government Printing Office	12,190,400	13,181,900	13,175,000	13,175,000	+984,600	−6,900	
Total	119,049,798	108,271,443	78,370,285	104,844,660	−14,205,138	−3,426,783	+[illegible],474,375

The SPEAKER. The question is on the Senate amendments.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1958

Mr. KIRWAN. Mr. Speaker, I call up the conference report on the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 653)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 12, 13, 20, 21, 27, 28, 29, 38, and 43.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 5, 7, 10, 11, 14, 16, 17, 19, 22, 23, 24, 25, 26, 31, 34, 35, 36, 37, 40, 41, and 42, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the matter proposed in said amendment insert:

"ACQUISITION OF STRATEGIC MINERALS

"For necessary expenses in carrying out the provisions of the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956 (70 Stat. 579), including services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), $6,700,000: *Provided*, That none of the funds appropriated in this paragraph shall be available for purchases authorized in section 2a of said act."

And the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,450,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$18,835,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$11,600,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$75"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$175,000"; and the Senate agree to the same.

The committee of conference reports in disagreement amendments numbered 2, 8, 30 and 39.

MICHAEL J. KIRWAN,
W. F. NORRELL,
ALFRED D. SIEMINSKI,
DON MAGNUSON,
CLARENCE CANNON,
BEN F. JENSEN,
IVOR D. FENTON,
HAMER H. BUDGE,
JOHN TABER,
Managers on the Part of the House.

CARL HAYDEN,
DENNIS CHAVEZ,
WARREN MAGNUSON,
KARL E. MUNDT,
MILTON R. YOUNG,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

Office of Saline Water

Amendment No. 1: Appropriates $725,000 as proposed by the Senate instead of $1,159,000 as proposed by the House. Of the amount provided, not to exceed $125,000 shall be available for administrative expenses.

Office of the Solicitor

Amendment No. 2: Reported in disagreement.

Office of Minerals Mobilization

Amendment No. 3: Appropriates $263,000 as proposed by the Senate instead of $313,000 as proposed by the House.

Acquisition of strategic minerals

Amendment No. 4: Appropriates $6,700,000 as proposed by the Senate to continue the fluorspar and asbestos programs, and deletes language proposed by the Senate to continue funds available to December 31, 1958, and language prohibiting availability of appropriation for expenses after materials are transferred to the strategic or supplemental stockpile. Funds are available for this purpose under other appropriations. The managers on the part of the House are in agreement that additional research on tungsten is justified and an increase for this purpose has been provided in the appropriation to the Bureau of Mines. The managers on the part of the House are in further agreement, in light of the present Government inventory of tungsten, which represents an excessive surplus to the long-term strategic stockpile objective, that future Government purchases will not be warranted until such time as they can be fully justified as an essential defense requirement.

Bureau of Land Management

Amendment No. 5: Appropriates $5,480,000 for construction as proposed by the Senate instead of $6,500,000 as proposed by the House.

Amendment No. 6: Permits purchase of 31 passenger motor vehicles instead of 41 as proposed by the Senate.

Bureau of Indian Affairs

Amendment No. 7: Appropriates $59,460,000 for education and welfare services as proposed by the Senate instead of $59,560,000 as proposed by the House.

Amendment No. 8: Reported in disagreement.

Amendment No. 9: Appropriates $3,450,000 for general administrative expenses instead of $3,400,000 as proposed by the House and $3,500,000 as proposed by the Senate. The conferees are in agreement that the increase provided for 1958 be used to employ only Indian personnel.

Amendment No. 10: Permits purchase of 300 passenger motor vehicles for replacement only as proposed by the Senate instead of 270 as proposed by the House.

Amendment No. 11: Appropriates $2,920,000 as proposed by the Senate instead of $3,000,000 as proposed by the House.

Geological Survey

Amendment No. 12: Appropriates $36,000,000 as proposed by the House instead of $37,500,000 as proposed by the Senate. The reduction made in the budget estimates is to be allocated by the Geological Survey.

Amendment No. 13: Permits purchase of 125 passenger motor vehicles as proposed by the House instead of 145 as proposed by the Senate.

Amendment No. 14: Deletes language as proposed by the Senate.

Bureau of Mines

Amendment No. 15: Appropriates $18,835,000 for conservation and development of mineral resources instead of $18,910,000 as proposed by the Senate and $18,700,000 as proposed by the House. Of the amount provided, not to exceed $135,000 shall be available to maintain the standby oil-shale facility at Rifle, Colorado. Only custodial employees are to be retained at the facility under the funds made available.

The managers on the part of the House direct that all the buildings, structures, and equipment used in connection with the Oil Shale Demonstration Plant of the Bureau of Mines at Rifle, Colorado, shall be disposed of during fiscal year 1958, under the established procedures of the Federal Property and Administrative Services Act of 1949, as amended, by further utilization within the Government after removal from the site, or by sale or lease as surplus property on or off site.

Amendment No. 16: Appropriates $1,095,000 for general administrative expenses as proposed by the Senate instead of $1,135,00 as proposed by the House.

National Park Service

Amendment No. 17: Appropriates $14,150,000 for management and protection as proposed by the Senate instead of $13,750,000 as proposed by the House. Within the amount provided, the following items have been allowed: Field training facility, $45,000; Historic American Buildings Survey, $139,265; Historic Sites Survey, $92,930; and archeological investigations $334,900 including $15,000 to locate the first Arkansas post.

Amendment No. 18: Appropriates $11,600,000 for maintenance and rehabilitation of physical facilities instead of $11,763,000 as proposed by the Senate and $11,500,000 as proposed by the House.

Amendment No. 19: Appropriates $17,400,000 for construction as proposed by the Senate instead of $20 million as proposed by the House. The conferees are in agreement with the language in the Senate Report with respect to plans for Mount Rainier. Within the amount provided $500,000 is to be made available for construction and development of the Independence National Historical Park, Philadelphia, Penna.

Amendment No. 20: Deletes language proposed by the Senate.

Amendment No. 21: Authorizes purchase of 117 passenger motor vehicles as proposed by the House instead of 124 as proposed by the Senate.

Fish and Wildlife Service

Bureau of Sport Fisheries and Wildlife

Amendment No. 22: Appropriates $5,677,000 for construction as proposed by the Senate instead of $5,332,000 as proposed by the House. The conferees are in agreement that the De Soto-Bertrand Bend Wildlife Refuge and Recreation Area shall be established and have approved $200,000 to initiate acquisition of the land. The conferees further agree that all of the land within the loop shall be purchased but that only the minimum amount of land outside the loop necessary to provide a satisfactory wildlife refuge shall be acquired. The Fish and Wildlife Service shall confer with the land owners whose lands surround the loop and develop a mutually satisfactory land acquisition plan.

Amendment No. 23: Inserts language and appropriates $166,190 for general administrative expenses as proposed by the Senate. While the recommendations of the conferees are based on providing for administrative services of the Bureau of Sport Fisheries and Wildlife and the Bureau of Commercial Fisheries under the Office of the Commissioner of Fish and Wildlife, it is the view of the conferees that it would be desirable and in keeping with the intent of the act, if such services were provided under the office of the director of the respective bureau. The Secretary has the authority under Reorganization Plan No. 3 of 1950 (64 Stat. 1262) to transfer the functions and funds involved in order to provide for separate administrative services.

The conferees agree that the Department should have latitude in determining, within the funds provided in the bill for administrative expenses, the manner in which administrative services are to be provided in Washington, D. C., and the regional offices. However, as the budget estimate was submitted primarily on a basis of providing such

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services on a consolidated basis, it is directed, before separate administrative staffs are established under the Bureau of Sport Fisheries and Wildlife and the Bureau of Commercial Fisheries, that the plan be submitted to the Budget Bureau for detailed review and certification that it is in accordance with current management principles and criteria and that the plan can be fully implemented in an effective and efficient manner within the funds available. The conferees wish to make it abundantly clear that they do not intend to approve any additional funds for this purpose regardless of the type of administrative organization finally approved and placed into effect.

Bureau of Commercial Fisheries

Amendment No. 24: Appropriates $5,781,000 for management and investigations of resources as proposed by the Senate instead of $6,000,000 as proposed by the House.

Amendment No. 25: Inserts language and appropriates $117,510 for general administrative expenses as proposed by the Senate. The statement of the managers on Amendment Numbered 23 is applicable to this item.

Office of Commissioner of Fish and Wildlife

Amendment No. 26: Inserts language and appropriates $913,200 for salaries and expenses as proposed by the Senate. The statement of the managers on Amendment Numbered 23 is applicable to this item.

Administrative provisions

Amendment No. 27: Authorizes purchase of 114 passenger motor vehicles as proposed by the House instead of 124 as proposed by the Senate.

Amendment No. 28: Strikes out language proposed by the Senate authorizing transfers between appropriations.

Office of Territories

Administration of Territories

Amendment No. 29: Appropriates $1,965,000 as proposed by the House instead of $1,940,000 as proposed by the Senate.

Trust Territory of the Pacific Islands

Amendment No. 30: Reported in disagreement.

Alaska port of entry facilities

Amendment No. 31: Deletes language proposed by the House.

General provisions, Department of the Interior

Amendment No. 32: Authorizes $75 per diem for individuals instead of $50 as proposed by the House and $100 as proposed by the Senate.

Amendment No. 33: Authorizes use of $175,000 for per diem payments instead of $125,000 as proposed by the House and $200,000 as proposed by the Senate.

DEPARTMENT OF AGRICULTURE

Forest Service

Forest Protection and Utilization

Amendments Nos. 34 and 35: Appropriate $68,750,000 for forest land management as proposed by the Senate instead of $69,000,000 as proposed by the House and of this amount provide $5,000,000 for fighting and preventing forest fires as proposed by the Senate instead of $5,250,000 as proposed by the House.

Amendment No. 36: Appropriates $11,835,000 for forest research as proposed by the Senate instead of $11,325,000 as proposed by the House.

Assistance for States for tree planting

Amendment No. 37: Inserts language and appropriates $500,000 as proposed by the Senate.

General provisions, Forest Service

Amendment No. 38: Authorizes purchase of 157 passenger motor vehicles as proposed by the House instead of 168 as proposed by the Senate.

BOSTON NATIONAL HISTORIC SITES COMMISSION

Amendment No. 39: Reported in disagreement.

NATIONAL CAPITAL PLANNING COMMISSION

Amendments Nos. 40 and 41: Appropriate for land acquisition $1,393,000 as proposed by the Senate instead of $4,793,000 as proposed by the House and provide that of this amount $75,000 as proposed by the Senate instead of $3,475,000 as proposed by the House shall be available for the purposes of section 1 (a) of the act of May 29, 1930.

In disallowing funds for the George Washington Memorial Parkway in Fairfax, Virginia, from the proposed Cabin John Bridge to Great Falls, $1,500,000, and Prince Georges County, Maryland, from the District line to Fort Washington, $1,900,000, the conferees are in agreement that the need for the extension of the parkway into these areas should be reviewed currently by the appropriate legislative committees.

The conferees further agree that the funds provided for land acquisition for the District of Columbia park, the parkway, and playground system are not to be expended for the following pending further review: Buchanan Recreation Center, Cleveland Park Recreation Center, Northeast Playground, and the neighborhood park, vicinity of New Hampshire Avenue and Park Road NW.

Amendment No. 42: Provides that of the amount appropriated for land acquisition $69,000 as proposed by the Senate instead of $125,000 as proposed by the House shall be available for expenses of the Commission.

SMITHSONIAN INSTITUTION

Amendment No. 43: Restores House language and appropriates $800,000 for additions to the Natural History Building as proposed by the House.

MICHAEL J. KIRWAN,
W. F. NORRELL,
ALFRED D. SIEMINSKI,
DON MAGNUSON,
CLARENCE CANNON,
BEN F. JENSEN,
IVOR D. FENTON,
HAMER H. BUDGE,
JOHN TABER,
Managers on the Part of the House.

Mr. KIRWAN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 2: Page 3, line 1, insert the following: "*Provided further*, That not to exceed $18,500 of the unobligated balance remaining on June 30, 1957, of the appropriation granted under this head in the Department of the Interior and Related Agencies Appropriation Act, 1957, shall remain available during the current fiscal year for printing the Handbook of Indian Federal Law."

Mr. KIRWAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 8: Page 8, line 5, insert the following: "*Provided*, That, notwithstanding the provisions of section 4 (a) of the Civil Service Retirement Act of July 31, 1956 (70 Stat. 747), not to exceed $80,000 of this appropriation shall be available for payment of the Federal matching contribution to the retirement fund for Federal employees paid from tribal funds."

Mr. KIRWAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 30: On page 26, line 7, insert the following: "*Provided further*, That, notwithstanding the provisions of any law, the Trust Territory of the Pacific Islands is authorized to receive, during the current fiscal year, from the Department of Agriculture for distribution on the same basis as domestic distribution in any State, Territory, or possession of the United States, without exchange of funds, such surplus food commodities as may be available pursuant to section 32 of the act of August 24, 1935, as amended (7 U. S. C. 612c) and section 416 of the Agricultural Act of 1949, as amended (7 U. S. C. 1431)."

Mr. KIRWAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 39: Page 37, line 11, insert the following:

"BOSTON NATIONAL HISTORIC SITES COMMISSION

"The appropriation granted under this heading in the Supplemental Appropriations Act of 1956 shall remain available until June 30, 1958."

Mr. KIRWAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment; and pending that, I yield 5 minutes to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, I think it should be announced that the conferees are in full agreement on this bill. The budget has been reduced by a round figure of $59 million or a little over 12 percent. This is a good bill. It takes care of those things that should be taken care of and without wasting money. So I hope the conference report will be approved.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Iowa.

Mr. GROSS. On page 6 of the conference report I notice that $913,200 is to be appropriated for salaries and expenses for the Office of the Commissioner of Fish and Wildlife. Am I to understand that the appropriation this year will be in that amount for this reorganized setup in the Federal Fish and Wildlife Service?

Mr. JENSEN. If the gentleman will read the language on page 5 of the report in connection with amendment No. 23 he will get the answer.

Mr. GROSS. I am still asking the question whether this means we are appropriating in this bill $913,000 for salaries and expenses for the reorganized setup.

Mr. JENSEN. Yes; because we are setting up a commercial fishery branch of the Service and also having the sports fishery branch. They are two separate and distinct businesses, so to speak. I can assure the gentleman that the personnel are going to be held down to a minimum.

HOUSE LIBRARY

Mr. GROSS. This is the reorganization that was approved by the House last year. At that time we were told it would involve the employment of only some 5 or 10 additional personnel and the cost would be very little. Now we find out it is going to cost, if I understand this situation correctly, a very substantial amount. I simply want to point out to the House how it is possible to get into a sizable expenditure on a reorganization that is supposed to provide economy as well as greater efficiency.

Mr. JENSEN. I may say to the gentleman, it was first estimated that this new office under the Fish and Wildlife Service was to cost $1,757,000 for fiscal year 1958; the committee cut that figure about in half.

Mr. GROSS. Yes; but I would say to the gentleman it is still costing much more than we were told it would cost when the bill came in from the legislative committee to provide for the reorganization.

Mr. JENSEN. I hope the gentleman is not trying to make his colleague from Iowa look like a spendthrift.

Mr. GROSS. No; not at all.

Mr. JENSEN. Because the gentleman knows and everyone in the House knows that I certainly would not approve of such a thing. My record proves that, and I have a conservative record.

Mr. GROSS. My remarks, of course, are not directed to the gentleman from Iowa. I am well aware of his record for economy in this House. I simply want to point out to the House that we were told last year there would be no particular increase in the personnel nor in the expenditures if this reorganization was made. Now, we find out differently. I do want to commend the gentleman from Iowa [Mr. JENSEN] and the chairman of the Appropriations Subcommittee [Mr. KIRWAN] for holding down this particular appropriation.

Mr. TOLLEFSON. Mr. Speaker, will the gentleman yield?

Mr. JENSEN. I yield.

Mr. TOLLEFSON. Could the gentleman inform us whether the total cost of the two new bureaus is greater than or equal to, or less than the amount that we provided for those functions last year?

Mr. JENSEN. They are slightly higher.

Mr. TOLLEFSON. Is it slightly greater? As I read the Interior Department appropriation bill on the House side and on the Senate side, I came to the conclusion, adding the figures together, that for this year for both of these bureaus we appropriated less than was appropriated for both these functions last year.

Mr. JENSEN. The overall appropriation for the Department of the Interior is, as I said before, $59 million in round figures below the budget estimate or a reduction of a little over 12 percent.

Mr. KIRWAN. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, I thank my good friend and colleague, the gentleman from Ohio [Mr. KIRWAN] for giving me the time to state just exactly what this conference report does to the oil-shale facility at Rifle, Colo., over which there has been a great deal of discussion during the last several years. As I understand the language, it makes the facility which is located on the naval oil shale reserve surplus to any governmental uses of the Departments of Interior and Navy and turns it over to the General Services Administration to dispose of in accordance with present law. That, to me, means that it will be disposed of and carried away from its present site. I would like to ask the chairman of the subcommittee, the gentleman from Ohio [Mr. KIRWAN] if this language does not, in effect, mean that the property, the oil-shale reserve facility now located on the oil-shale reserve, will be dismantled within the next year and will be disposed of.

Mr. KIRWAN. We are making every effort to do that—to dismantle it and dispose of it in the next year.

Mr. ASPINALL. And that is regardless of any desire on the part of the Navy to have the property left on their oil shale reserve lands; is that correct?

Mr. KIRWAN. If the Navy had notified the Department of the Interior, or if they had notified this committee that they wanted that done, we would be happy to do it, if they picked up the tab for the 34 employees. But, there has been no effort made by the Navy to do that.

Mr. ASPINALL. Will the gentleman answer this question then? Is this language written in accordance with the wishes of the Department of the Interior?

Mr. KIRWAN. It was prepared at our request and in accordance with our committee's wishes.

Mr. ASPINALL. This language was written at your request?

Mr. KIRWAN. The language is at our request.

Mr. ASPINALL. Is it in agreement with Interior's wishes?

Mr. KIRWAN. I would not say it is in agreement. But, every time they appeared before our committee, they never made a good justification for continuing the program.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield.

Mr. VINSON. As a matter of fact, has not the Interior Department requested that this property be turned over to the Navy Department? And is it not a fact that it is under the custody and control of the Navy Department today?

Mr. ASPINALL. That is my understanding. My understanding is that this property by executive order was turned over to the Navy Department and that the Navy is in control of it at the present time and will continue in control of it until this Congress says otherwise or until there are Executive orders to the contrary.

Mr. KIRWAN. Was there not a provision in the conference report on the 1957 Defense Department appropriation bill last year that told them to get rid of it? And they got rid of it by passing it back to the Interior Department and our committee.

Mr. ASPINALL. Is it the gentleman's understanding that the Defense Department asked to be relieved of their responsibility?

Mr. KIRWAN. The conference report last year told them to get rid of it, and the Department of the Navy passed it back to us. If the Navy wants it I am sure the committee will be glad to give it to the Navy, or to the Army, either, if the gentleman from Georgia wants them to have it.

Mr. ASPINALL. Under this language it is impossible to do that.

Mr. VINSON. Under this language you will have to dispose of everything, the machinery, automobiles, trucks, buildings, must all be sold.

Mr. KIRWAN. Yes, and from the way they testified as to the lack of upkeep and the state of the property something should be done about it. Think what would have happened if men had been in there when the roof collapsed. There were acres of unsupported excavated area. You cannot expect the thing not to collapse if you do not support the roof. I have worked in mines several years and know what I am talking about.

Mr. VINSON. If the gentleman from Colorado will yield, here is the history of the project: Some years ago the Navy authorized the Bureau of Mines to install and operate experimental oil-shale facilities at Rifle, Colo. A considerable sum of money was spent. A retort was built. Later the Bureau of Mines of the Department of the Interior concluded that it did not want to carry on any further experimental work, feeling that this should be done by private companies.

Later a retort was built by an oil company owning some shale lands adjacent thereto. Their retort is entirely different from that built by the Bureau of Mines. Last year the committee refused to appropriate money either for operation or maintenance. The Bureau of Mines, therefore, through the Interior Department said to transfer this property back to the Navy Department, and on June 26 last year it was transferred.

What you are doing now is to force the Government to sell all of the property.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield.

Mr. JENSEN. Here is the point. The gentleman is right to this extent, but he does not tell the whole story.

Mr. VINSON. I was going to but the gentleman would not let me finish.

Mr. JENSEN. Let me help you finish.

Mr. VINSON. I thank the gentleman very much.

The SPEAKER. The time of the gentleman from Colorado has expired.

Mr. KIRWAN. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. JENSEN. The Subcommittee on Interior Appropriations was informed that the Navy wanted to own this property; so in our bill this year we dropped the amount which had been requested by the Bureau of the Budget for this facility.

We expected that the Appropriations Committee for the Navy would pick up and appropriate the money for this proj-

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ect, but they did not do it. How, therefore, can anyone expect our Subcommittee on Interior Appropriations to do other than we did?

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield.

Mr. VINSON. The gentleman has gone too far. He is forcing this property to be sold. The custodial cost was cared for out of the Naval Petroleum Reserve program. The only complaint I find is that you are forcing the Government to abandon that property.

Mr. JENSEN. I must say to the gentleman that the Navy, apparently, does not want this property.

Mr. VINSON. The gentleman is in error. The Navy is very anxious to let everything stand in status quo.

Mr. JENSEN. They made a very poor case before the Appropriations Committee.

Mr. VINSON. I would not say that.

Mr. KIRWAN. Why did not the Navy submit its budget on this, then?

Mr. ASPINALL. Mr. Speaker, I would like to use a little of my time. May I say that there is a jurisdictional question involved at the present time. The Bureau of the Budget recognizes the former position of the Department of the Interior. The Department of Defense has been unable to come up with a recommendation for funds because the Bureau of the Budget neglected or refused to recognize their right to the physical control of the plant. But it is my understanding that over in the other body the representatives of the Navy have asked for funds to take care of custodial and maintenance care. The House language in this report permits only custodial care; it does not permit any maintenance care whatever. The machinery and other articles involved that should be maintained will deteriorate very, very rapidly if there is not some maintenance care provided. The House language strikes out any possibility of maintenance.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Georgia.

Mr. VINSON. It is not so much a question of maintenance; it is a question of forcing the Government now by this language to dispose of the property.

Mr. ASPINALL. The gentleman is correct, and not only dispose of the property but dispose of it so that it has to be removed from Navy jurisdiction.

Mr. FENTON. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Pennsylvania.

Mr. FENTON. Perhaps I can throw some light on this. Originally this was a naval reserve affair. Of course, it was handed to the Bureau of Mines to do some research work in the way of converting shale to oil, which is the function of the Bureau of Mines.

Mr. ASPINALL. The shale values belonged to the Navy and they have from the beginning but the oil-shale plant has belonged to the Bureau of Mines in the Department of the Interior.

Mr. FENTON. That is correct. Research has been developed to such a point that it is now feasible to develop oil out of shale at a pretty low cost. It has been the thought of some of the authorities in the Bureau of Mines that the research value as far as developing oil out of shale is concerned had proceeded far enough and that the Bureau of Mines should get out of it.

Mr. ASPINALL. Permit me to make one further statement. We have not yet reached the feasibility point. Not only that, but this language would close this facility forever before there was any possibility of reaching that point.

Mr. FENTON. There is some difference of opinion on that among the researchers themselves. One group seems to think they are far in advance of the Bureau of Mines at this time. Another group from the Bureau of Mines itself claims they are 10 years ahead of what they were doing at Rifle.

Mr. ASPINALL. Would the gentleman from Pennsylvania answer this question: Is it his understanding that the Department of the Interior joins in this language which House managers have seen fit to put in the report?

Mr. FENTON. I do not know what the Bureau of Mines or the Department of the Interior think about it now, but it is the consensus of opinion of our committee that if the Navy wants the Rifle project it ought to at least pick up the tab for it. There are $135,000 in this bill to take care of the place for fiscal 1958.

The SPEAKER. The time of the gentleman from Colorado has expired.

Mr. KIRWAN. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. VINSON].

Mr. VINSON. Mr. Speaker, the gentleman has just stated that if the Navy wants this it ought to pick up the tab. I agree with the gentleman. But what you are doing is not giving the Navy an opportunity to pick up the tab. You are disposing of the property.

Now, that is the only complaint that we are making here.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Iowa.

Mr. JENSEN. Three years ago the President's Advisory Committee on Petroleum recommended that this project be stopped. I cannot understand how the gentleman could expect the committee to do other than what we did after the Naval Affairs Committee refused to pick up the tab.

Mr. VINSON. Well, I want to say that I find no complaint for not making appropriations if the facts did not in the judgment of the committee warrant it. The only complaint I am making is with reference to forcing a disposal of the property.

Mr. Speaker, let me in somewhat chronological order acquaint the House with this whole situation. When I read the conference report this morning, I promptly dictated these few remarks, and I think it will place the issue clearly before the House.

The Navy has three oil shale reserves. Nos. 1 and 3 are located in Colorado. No. 2 is located in Utah.

Naval oil shale reserve No. 1 was set aside by President Wilson by Executive order on December 6, 1916. It includes an area of 41,353 acres of land.

Naval oil shale reserve No. 3 was established by Executive order on September 27, 1924. It includes approximately 22,600 acres of land which borders reserve No. 1 on the east, south, and west.

On August 12, 1944, the Department of the Navy authorized the Bureau of Mines of the Department of Interior to utilize the lands in furtherance of the synthetic liquid fuels program. For 10 years they Bureau of Mines carried on an extensive research and development program to establish methods and costs for producing oil and refined products from oil shale, and considerable progress was made in all phases of the program.

The Department of Interior request for funds for continuation of the work during fiscal year 1957 was denied and, on June 14, 1956, the Secretary of the Interior requested the Department of the Navy to assume custody of the facilities constructed by the Bureau of Mines on naval oil shale reserves Nos. 1 and 3.

At the request of the Department of the Navy, the House Armed Services Committee considered the transfer proposal and approved it on June 20, 1956. Since that time the experimental facility has not been in operation. It has been maintained out of funds made available from the annual appropriation for naval petroleum reserves. These funds were used to pay custodial employees furnished by the Bureau of Mines.

In the conference report, amendment No. 15 states that—

> The managers on the part of the House direct that all the buildings, structures, and equipment used in connection with the oil shale demonstration plant of the Bureau of Mines at Rifle, Colo., shall be disposed of during fiscal year 1958, under the established procedures of the Federal Property and Administrative Services Act of 1949, as amended, by further utilization within the Government after removal from the site, or by sale or lease as surplus property on or off the site.

The obvious intent of this language is to insure that no agency of the Government shall continue with the experiments in connection with the extraction of oil from oil shale.

Members should clearly understand the effect of this language before approving the conference report. It has been the continuing position of the Committee on Armed Services that these experiments should continue until we have found the solution to the economic extraction of shale oil from the vast shale deposits which are now under Government control. That continues to be my position.

The adoption of the language in the conference reports simply means that the House is making a policy decision to take the Government completely out of this important undertaking. And this occurs at a time when the process shows great promise of producing the answers which we have been seeking.

Therefore, I hope that this language will not be agreed to, because, in my

judgment, the committee went far beyond what the facts and circumstances warranted.

The SPEAKER. The question is on the motion offered by the gentleman from Ohio.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

HOUSING ACT OF 1957

Mr. SPENCE. Mr. Speaker, I call up the conference report on the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 659)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this Act may be cited as the 'Housing Act of 1957'.

"TITLE I—FHA INSURANCE PROGRAMS

"Lower downpayments for sales housing

"SEC. 101. (a) Section 203 (b) (2) of the National Housing Act is amended to read as follows:

"'(2) Involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount not to exceed $20,000 in the case of property upon which there is located a dwelling designed principally (whether or not it may be intended to be rented temporarily for school purposes) for a one- or two-family residence; or $27,500 in the case of a three-family residence; or $35,000 in the case of a four-family residence; and not to exceed an amount equal to the sum of (i) 97 per centum (but, in any case where the dwelling is not approved for mortgage insurance prior to the beginning of construction, unless the construction of the dwelling was completed more than one year prior to the application for mortgage insurance, 90 per centum) of $10,000 of the appraised value of the property, as of the date the mortgage is accepted for insurance, (ii) 85 per centum of such value in excess of $10,000 but not in excess of $16,000, and (iii) 70 per centum of such value in excess of $16,000.'.

"(b) Section 203 (b) of such Act is further amended by adding the following paragraphs at the end thereof:

"'(8) In the case of a mortgagor who is not the occupant of the property, have a principal obligation not in excess of an amount equal to 85 per centum of the amount computed under the provisions of paragraph (2) of this subsection.

"'(9) Be executed by a mortgagor who shall have paid on account of the property at least 3 per centum, or such larger amount as the Commissioner may determine, of the Commissioner's estimate of the cost of acquisition in cash or its equivalent: *Provided*, That with respect to a mortgage executed by a mortgagor who is sixty years of age or older as of the date the mortgage is endorsed for insurance or with respect to a mortgage meeting the requirements of subsection (i) of this section, the mortgagor's payment required by this subsection may be paid by a corporation or person other than the mortgagor under such terms and conditions as the Commissioner may prescribe.'.

"(c) Section 203 (i) of such Act is amended to read as follows:

"'(i) The Commissioner is authorized to insure under this section any mortgage meeting the requirements of subsection (b) of this section, except as modified by this subsection, which involves a principal obligation not in excess of $8,000 and not in excess of 97 per centum of the appraised value of a property located in an area where the Commissioner finds it is not practicable to obtain conformity with many of the requirements essential to the insurance of mortgages on housing in built-up urban areas, upon which there is located a dwelling designed principally for a single-family residence, and which is approved for mortgage insurance prior to the beginning of construction: *Provided*, That if the mortgagor is not the occupant of the property at the time of insurance, the principal obligation of the mortgage shall not exceed 85 per centum of the appraised value of the property: *Provided further*, That the Commissioner finds that the property with respect to which the mortgage is executed is an acceptable risk, giving consideration to the need for providing adequate housing for families of low and moderate income particularly in suburban and outlying areas or small communities: *Provided further*, That under the foregoing provisions of this subsection the Commissioner is authorized to insure any mortgage issued with respect to the construction of a farm home on a plot of land five or more acres in size adjacent to a public highway, the total amount of insurance outstanding at any one time under this proviso not to exceed $100,000,000.'.

"SEC. 102. (a) Section 220 (d) (3) of the National Housing Act is amended by striking out all appearing before clause (B) and inserting in lieu thereof the following:

"'(3) The mortgage shall—

"'(A) (i) involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount not to exceed $20,000 in the case of property upon which there is located a dwelling designed principally for a one- or two-family residence; or $27,500 in the case of a three-family residence; or $35,000 in the case of a four-family residence; or in the case of a dwelling designed principally for residential use for more than four families (but not exceeding such additional number of family units as the Commissioner may prescribe) $35,000 plus not to exceed $7,000 for each additional family unit in excess of four located on such property; and not to exceed an amount equal to the sum of (1) 97 per centum (but, in any case where the dwelling is not approved for mortgage insurance prior to the beginning of construction, unless the construction of the dwelling was completed more than one year prior to the application for mortgage insurance, 90 per centum) of $10,000 of the Commissioner's estimate of replacement cost of the property, as of the date the mortgage is acccepted for insurance, (2) 85 per centum of such replacement cost in excess of $10,000 but not in excess of $16,000, (3) 70 per centum of such replacement cost in excess of $16,000: *Provided*, That in the case of properties other than new construction, the foregoing limitations upon the amount of the mortgage shall be based upon appraised value rather than upon the Commissioner's estimate of the replacement cost;

"'(ii) in the case of a mortgagor who is not the occupant of the property, have a principal obligation not in excess of an amount equal to 85 per centum of the amount computed under the provisions of clause (i); or'.

"(b) Section 220 (d) (3) of such Act is further amended by striking out the phrase 'not to exceed' the first four places it appears in clause (B) and inserting in lieu thereof the phrase 'not exceed'.

"SEC. 103. Section 222 (b) of the National Housing Act is amended to read as follows:

"'(b) To be eligible for insurance under this section a mortgage shall—

"'(1) meet the requirements of section 203 (b) except as such requirements are modified by this section;

"'(2) involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount not to exceed $17,100;

"'(3) have a principal obligation in an amount not in excess of 95 per centum of the appraised value of the property or such higher amount as may be derived by applying the maximum ratio of loan to value prescribed in section 203 (b) (2); and

"'(4) be executed by a mortgagor who at the time of application for insurance is certified as a "serviceman" and who at the time of insurance is the owner of the property and either occupies the property or certifies that his failure to do so is the result of his military assignment, or, in the case of the United States Coast Guard, other assignment.'

"SEC. 104. The Federal Housing Commissioner, in establishing maximum loan-to-value ratios for mortgages insured by him under the National Housing Act, as amended by sections 101, 102, and 103 of this Act, shall determine that such ratios are in the public interest after taking into consideration (1) the effect of such ratios on the national economy and on conditions in the building industry, and (2) the availability or unavailability of residential mortgage credit assisted under the Servicemen's Readjustment Act of 1944, as amended.

"OTHER PROVISIONS RELATING TO FHA INSURANCE PROGRAMS

"SEC. 105. Section 2 of the National Housing Act is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

"'(g) Any payment for loss made after December 31, 1957, to an approved financial institution under this section shall be final and incontestable after two years from the date the claim was certified for payment by the Commissioner, in the absence of fraud or misrepresentation on the part of such institution, unless a demand for repurchase of the obligation shall have been made on behalf of the United States prior to the expiration of such two-year period.'

"SEC. 107. Section 203 (d) of the National Housing Act is repealed.

"SEC. 107. Section 204 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"'(k) Notwithstanding any other provision of this section or of section 604 or 904, with respect to any debentures issued pursuant to this section or section 604 or 904, the Commissioner may (1) include in such debentures reasonable payments made by the mortgagee, with the approval of the Commissioner, for the purpose of protecting, operating, or preserving the property, and taxes imposed upon any deed or other instrument

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by which the property was acquired by the mortgagee and transferred or conveyed to the Commissioner, and (2) terminate the mortgagee's obligation to pay mortgage insurance premiums upon receipt of an application for debentures filed by the mortgagee.'.

"SEC. 108. (a) The second sentence of section 204 (d) of the National Housing Act is amended by striking out 'determined by the Commissioner, with the approval of the Secretary of the Treasury, at the time the mortgage was offered for insurance, but not to exceed 3 per centum per annum" and by inserting in lieu thereof 'established by the Commissioner pursuant to section 224'.

"(b) The second sentence of section 207 (i) of such Act is amended by striking out 'determined by the Commissioner, with the approval of the Secretary of the Treasury, at the time the mortgage was insured, but not to exceed 3 per centum per annum' and by inserting in lieu thereof 'established by the Commissioner pursuant to section 224,'.

"(c) The second sentence of section 803 (f) of such Act is amended by striking out 'determined by the Commissioner with the approval of the Secretary of the Treasury, at the time the mortgage was accepted for insurance, but not to exceed 3 per centum per annum' and by inserting in lieu thereof 'established by the Commissioner pursuant to section 224'.

"SEC. 109. Section 207 (c) (3) of the National Housing Act is amended by striking out 'limitations per room' and inserting in lieu thereof 'limitations', and by inserting immediately after '$1,000 per room' the following: 'without regard to the number of rooms being less than four, or four or more,'.

"SEC. 110. The unnumbered paragraph immediately following paragraph (3) of section 207 (c) of the National Housing Act is amended (1) by striking out '$8,100 per family unit' and inserting in lieu thereof '$8,100 per family unit (or $8,400 per family unit in the case of projects to consist of elevator-type structures)', and (2) by inserting before the period at the end thereof a comma and the following: 'and may permit single elderly persons to use and occupy such units'.

"SEC. 111. Section 207 (q) of the National Housing Act is repealed.

"SEC. 112. Sections 213 (e), 220 (f) (1), 221 (g) (1), and 222 (e) of the National Housing Act are each amended by striking out 'and (h) of section 204' and inserting in lieu thereof '(h), and (j) of section 204'.

"SEC. 113. Section 219 of the National Housing Act is amended by striking out 'or the Section 220 Housing Insurance Fund' and inserting in lieu thereof 'the Section 220 Housing Insurance Fund, the Section 221 Housing Insurance Fund, or the Servicemen's Mortgage Insurance Fund'."

"SEC. 114. Section 223 (a) of the National Housing Act is amended—

"(1) by striking out 'or 213' each place it appears (except in the second proviso in paragraph (7)) and inserting in lieu thereof '213, or 222';

"(2) by inserting after 'prescribed by' in paragraph (4) the following: 'this Act or'; and

"(3) by striking out the second proviso in paragraph (7) and inserting in lieu thereof the following: ': *Provided further*, That a mortgage of the character described in paragraphs (1) through (6) of this subsection shall have a maturity, a principal obligation, and an interest rate not in excess of the maximums applicable to loans insured under section 203, 207, 213, or 222, as the case may be, except that in no case may the principal obligation of a mortgage referred to in paragraph (5) of this subsection exceed 90 per centum of the appraised value of the mortgaged property'.

"SEC. 115. Section 226 of the National Housing Act is amended by adding at the end thereof the following new sentence: 'Notwithstanding the first sentence of this section, the Commissioner is authorized to require, in connection with any mortgage where the mortgage amount is computed on the basis of the Commissioner's estimate of the replacement cost of the property, that a written statement setting forth such estimate be furnished under this section in lieu of a written statement setting forth the amount of the appraised value of the property.'.

"TITLE II—FEDERAL NATIONAL MORTGAGE ASSOCIATION

"Secondary market operations

"SEC. 201. The first sentence of section 303 (b) of the National Housing Act is amended to read as follows: 'The Association shall accumulate funds for its capital surplus account from private sources by requiring each mortgage seller to make payments of nonrefundable capital contributions, equal to not more than 2 per centum nor less than 1 per centum of the unpaid principal amounts of mortgages purchased or to be purchased by the Association from such seller under section 304, as determined from time to time by the Association, taking into consideration conditions in the mortgage market and the general economy.'

"SEC. 202. (a) The second sentence of section 303 (d) of the National Housing Act is amended by striking out '$50,000,000' and inserting in lieu thereof '$115,000,000'.

"(b) The second sentence of section 303 (e) of such Act is amended by striking out '$50,000,000' and inserting in lieu thereof '$115,000,000'.

"SEC. 203. Section 304 (c) of the National Housing Act is amended by striking out '$1,350,000,000' and inserting in lieu thereof '$2,250,000,000'.

"SPECIAL ASSISTANCE FUNCTIONS

"SEC. 204. (a) The second sentence of section 305 (b) of the National Housing Act is amended to read as follows: 'Notwithstanding any other provision of this section, the price to be paid by the Association for mortgages purchased in its operations under this section, until the close of August 7, 1958, shall be not less than the unpaid principal amount thereof at the time of purchase, with adjustments for interest and any comparable items.'.

"(b) Section 305 (b) of such Act is further amended by striking out the third sentence and inserting in lieu thereof the following: 'The Association shall impose charges or fees for its services under this section, in an amount not to exceed 1½ per centum of the unpaid principal amount of any mortgage for its commitment and its purchase of such mortgage, with the objective that all costs and expenses of its operations under this section should be within its income derived from such operations and that such operations should be fully self-supporting. Not more than one-half of the charges or fees imposed under the preceding sentence with respect to any mortgage shall be collected at the time of the issuance of the commitment with respect to such mortgage, and the balance of such charge or fee shall be collected at the time of the purchase of the mortgage.'.

"SEC. 205. Section 305 (c) of the National Housing Act is amended to read as follows:

"'(c) The total amount of purchases and commitments authorized by the President pursuant to subsection (a) of this section shall not exceed $450,000,000 outstanding at any one time.'.

"SEC. 206. Section 305 (e) of the National Housing Act is amended to read as follows:

"'(e) Notwithstanding any other provision of this Act, the Association is authorized to enter into advance commitment contracts and purchase transactions which do not exceed $200,000,000 outstanding at any one time, if such commitments or transactions relate to mortgages with respect to which the Federal Housing Commissioner shall have issued pursuant to section 213 either a commitment to insure or a statement of eligibility; but such commitments in any one State shall not exceed $20,000,000 outstanding at any one time: *Provided*, That (1) of the total amount of advance commitment contracts and purchase transactions authorized by this subsection, the amount of $50,000,000 shall be available solely for commitments or purchases of mortgages where the management or sales-type cooperative involved is certified by the Federal Housing Commissioner as a consumer cooperative, and (2) of the commitments in any one State, not more than $15,000,000 shall be outstanding at any one time for mortgages with respect to cooperative projects which are not of the type described in clause (1) of this proviso.'

"SEC. 207. Section 305 (f) of the National Housing Act is amended by striking out '$200,000,000' and inserting in lieu thereof '$450,000,000', and by inserting before the period a colon and the following: *'Provided further*, That not less than 7.5 per centum of the amount authorized in the preceding proviso shall be available for such purchases and commitments with respect to mortgages insured under section 809'.

"TITLE III—SLUM CLEARANCE AND URBAN RENEWAL

"SEC. 301. Section 103 (b) of the Housing Act of 1949 is amended by striking out '$500,000,000, which limit shall be increased by further amounts of $200,000,000 on July 1 in each of the years 1955 and 1956, respectively', and inserting in lieu thereof '$900,000,000, which limit shall be increased by $350,000,000 on the date of enactment of the Housing Act of 1957'.

"SEC. 302. The Housing Act of 1949 is further amended by—

"(1) striking out the second sentence of section 103 (a) and inserting in lieu thereof the following: 'The aggregate of such capital grants with respect to all the projects of a local public agency on which contracts for capital grants have been made under this title, exclusive of projects referred to in the proviso hereto, shall not exceed two-thirds of the aggregate of the net project costs of such nonexcluded projects: *Provided*, That the aggregate of such capital grants may exceed two-thirds but not three-fourths of the aggregate net project costs of those projects which the Administrator, at the request of a local public agency, may approve on such a three-fourths capital grant basis. A capital grant with respect to any individual project shall not exceed the difference between the net project cost and the local grants-in-aid actually made with respect to the project.';

"(2) inserting before the period at the end of section 104 the following: 'on the two-thirds basis, or in excess of one-fourth of the aggregate net project costs of all projects of the local public agency on which contracts for capital grants have been made on the three-fourths basis';

"(3) inserting before the first semicolon in section 110 (d) the words 'to defray expenditures within the purview of section 110 (e) (1) hereof';

"(4) inserting before the period at the end of the first sentence of section 110 (e) a colon and the following: *'Provided*, That with respect to a project for which a contract for capital grant has been executed on a three-fourths basis pursuant to the proviso in the second sentence of section 103 (a), gross project cost shall include, in lieu of the amount specified in clause (1), the amount of the expenditures by the local public agency with respect to the following undertakings and activities necessary to carry out such project;

"'(i) acquisition of land (but only to the extent of the consideration paid to the owner and not title, appraisal, negotiating, legal, or any other expenditures of the local public agency incidental to aquiring land),

disposition of land, demolition and removal of buildings and improvements, and site preparation and improvements, all as provided in paragraphs (1), (2), (3), (4), and (6) of section 110 (c); and

"'(ii) the payment of carrying charges related to the undertakings in clause (i), exclusive of taxes and payments in lieu of taxes, but not beyond the point where such a project is completed;

but not the cost of any other undertakings and activities (including, but without being limited to, the cost of surveys and plans, legal services of any kind, and all administrative and overhead expenses of the local public agency) with respect to such project'; and

"(5) inserting within the parentheses in the second sentence of section 110 (e) after the words 'or is hereafter executed' the following: ', other than a project on which a contract for capital grant is made on a three-fourths basis pursuant to the proviso in the second sentence of section 103 (a)'.

"SEC. 303. Section 106 (e) of the Housing Act of 1949 is amended by striking out '10 per centum' and inserting in lieu thereof '12½ per centum'.

"SEC. 304. Paragraph (2) of section 106 (f) of the Housing Act of 1949 is amended by striking out the second sentence and inserting in lieu thereof the following: 'Such payments shall be made subject to such rules and regulations as may be prescribed by the Administrator, and shall not exceed $100 in the case of an individual or family, or $2,500 in the case of a business concern. Such rules and regulations may include provisions authorizing payment to individuals and families of fixed amounts (not to exceed $100 in any case) in lieu of their respective reasonable and necessary moving expenses.'.

"SEC. 305. Section 110 (b) of the Housing Act of 1949 is amended to read as follows:

"'(b) "Urban renewal plan" means a plan, as it exists from time to time, for an urban renewal project, which plan (1) shall conform to the general plan of the locality as a whole and to the workable program referred to in section 101 hereof and shall be consistent with definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements; and (2) shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum densities, and building requirements.'.

"SEC. 306. Section 110 (d) of the Housing Act of 1949 is amended by inserting in the second proviso of the first sentence after the words 'under this section 110 (d)' the following: 'with respect to any project covered by a Federal-aid contract under this title'.

"SEC. 307. Section 2 (5) of the United States Housing Act of 1937 is amended by adding the following at the end thereof: 'In cases where the public housing agency is also the local public agency for the purposes of title I of the Housing Act of 1949 an administration building included in a low-rent housing project to provide central administrative office facilities may also include sufficient facilities for the administration of its functions as such local public agency, and in such case, the Authority shall require that an economic rent shall be charged for the facilities in such building which are used for the administration of its functions as such local public agency and shall be paid from funds derived from sources other than the low-rent housing projects of such public housing agency.'.

"TITLE IV—PUBLIC HOUSING

"Low rent housing

"SEC. 401. (a) In order to enable low-rent housing to serve more effectively the needs of large families of low income, the United States Housing Act of 1937 is amended by striking out the second and third sentences of paragraph (1) of section 2, and inserting in lieu thereof the following: 'The dwellings in low-rent housing as defined in this act shall be available solely for families whose net annual income at the time of admission, less an exemption of (a) $100 for each adult dependent member of the family having no income and for each minor (other than the head of the family and his spouse), and (b) not to exceed $600 of the income of each member of the family other than the principal wage earner, does not exceed five times the annual rental (including the value at cost to them of water, electricity, gas, other heating and cooking fuels, and other utilities) of the dwellings to be furnished such families. For the sole purpose of determining eligibility for continued occupancy, a public housing agency may allow, from the net annual income of any family, an exemption (a) for each minor member of the family (other than the head of the family and his spouse) of either $100 or all or any part of the income of such minor, and (b) of $100 for each adult dependent member of the family having no income, and (c) not to exceed $600 of the income of any other member of the family other than the principal wage earner.'.

"(b) Section 15 (5) of the United States Housing Act of 1937 is amended by striking out '$1,750' and inserting in lieu thereof '$2,000', and by striking out '$2,250'.

"(c) Section 15 (5) of the United States Housing Act of 1937 is amended by adding at the end thereof a new sentence as follows: 'Every contract made pursuant to this Act for loans, annual contributions, or capital grants, with respect to a project for which the preparation of plans, drawings, and specifications has not been started or contracted for prior to the date of enactment of the Housing Act of 1957, shall require that such plans, drawings, and specifications follow the principle of modular measure in every case deemed feasible by the public housing agency, in order that the housing may be built by conventional construction, on-site fabrication, factory pre-cutting, factory fabrication, or any combination of these construction methods.'.

"Disposition of war housing projects

"SEC. 402. (a) Notwithstanding the provisions of section 614 of the Act entitled 'An Act to expedite the provision of housing in connection with national defense, and for other purposes', approved October 14, 1940, as amended (42 U. S. C. 1521, and the following), the Housing and Home Finance Administrator is authorized to sell and convey war housing project CONN-6029 to the housing authority of the town of Wethersfield, Connecticut, pursuant to the provisions of section 810 of the Housing Act of 1954, as amended, until midnight of December 1, 1957.

"(b) Notwithstanding any other provision of law, the Housing and Home Finance Administrator is authorized and directed to sell and convey to the Housing Authority of the city of Las Vegas, Nevada, for a total price of $452,200, all of the right, title, and interest of the United States in and to the housing project known as Kelso-Turner (NEV-26021) located in the city of Las Vegas, Nevada. Five per centum of the purchase price shall be paid at the time of closing and the balance of the purchase price shall be secured by a mortgage and shall be paid in equal annual installments within twenty years from the date of sale with the right of prepayment of all or any part thereof. The unpaid balances shall bear interest at the rate of 4½ per centum per annum. The Administrator may impose such other terms and conditions as he may deem necessary or desirable. The Administrator shall make no payments in lieu of taxes with respect to the project authorized to be conveyed hereunder for any tax year or portion thereof subsequent to the date of sale. Any sale pursuant to this authorization shall be made within three months after the date of enactment of this Act.

"(c) (1) Notwithstanding the provisions of sections 607 and 614 of the Act entitled 'An Act to expedite the provision of housing in connection with national defense, and for other purposes', approved October 14, 1940, as amended (42 U. S. C. 1521, and the following), or any other law, the Housing and Home Finance Administrator shall convey to the State of Louisiana all right, title, and interest of the United States in and to the projects identified as LA-16011 and LA-16012, constructed under the provisions of said Act on real property constituting a part of the grounds of the Central Louisiana Hospital for the Insane leased from the State of Louisiana. Such conveyance shall be made in consideration of the payment of $300,000 by the State of Louisiana in three equal annual installments.

"(2) Payments in lieu of taxes, pursuant to section 306 of such Act of October 14, 1940, shall be made only for the pro rata period of the tax year preceding the date of delivery of possession of such projects to the State of Louisiana.

"(3) The provisions of this subsection shall be effective only if the first installment is paid within sixty days after the date of enactment of this Act.

"(d) Notwithstanding any other provision of law, the Housing and Home Finance Administrator is authorized and directed to sell and convey to the city of Layton, Utah, for a total purchase price of $580,000, all of the right, title, and interest of the United States in and to the housing project known as Verdeland Park (UTAH-42015) located in the city of Layton, Utah. The purchase price shall be secured by a mortgage which need not be a general obligation of the city, and shall be paid in equal annual installments within ten years from the date of sale with the right of prepayment of all or any part thereof. No down-payment shall be required, and the unpaid balances shall bear interest at the rate of 4½ per centum per annum. The Administrator may impose such other terms and conditions as he may deem necessary or desirable. The Administrator shall make no payments in lieu of taxes with respect to the project authorized to be conveyed hereunder for any tax year or portion thereof subsequent to the date of sale. The provisions of this subsection shall be effective only if the conveyance is made within ninety days after the date of the approval of this Act.

"TITLE V—MILITARY HOUSING

"SEC. 501. Section 803 (a) of the National Housing Act is amended by striking out 'June 30, 1958' and inserting in lieu thereof 'June 30, 1959'.

"SEC. 502. Section 803 (b) (3) (B) of the National Housing Act is amended by inserting before the semicolon at the end thereof a colon and the following: *'Provided further*, That should the financing of housing to be constructed pursuant to a single invitation for bids be accomplished by two or more mortgages, the principal obligation of any single mortgage may exceed an average of $16,500 per family unit if the sum of the principal obligations of all mortgages for such housing does not exceed an average of $16,500 per family unit.'

UNIVERSITY OF MICHIGAN LIBRARIES

"SEC. 503. Section 410 of the Housing Amendments of 1955 is amended to read as follows:

"'SEC. 410. In the construction of housing under the authority of this title and title VIII of the National Housing Act, as amended, the maximum limitations on net floor area for each unit shall be the same as the net floor area limitations prescribed by law (at the time plans and specifications for such construction are begun) for public quarters built with appropriated funds under military construction authority.'

"SEC. 504. Section 404 (a) of the Housing Amendments of 1955 is amended by striking out 'an appropriate allowance for physical depreciation' and inserting in lieu thereof 'an appropriate allowance representing the estimated cost of repairs and replacements necessary to restore the property to sound physical condition'.

"TITLE VI—MISCELLANEOUS

"College housing

"SEC. 601. (a) Section 401 (d) of the Housing Act of 1950 is amended by striking out '$750,000,000' and inserting in lieu thereof '$925,000,000', and by inserting before the period at the end thereof a colon and the following: '*Provided further*, That the amount outstanding for hospitals, referred to in clause (3) of section 404 (b) of this title, shall not exceed $25,000,000'.

"(b) Section 404 (b) of such Act is amended to read as follows:

"'(b) "Educational institution" means (1) any educational institution offering at least a two-year program acceptable for full credit toward a baccalaureate degree, including any public educational institution, or any private educational institution no part of the net earnings of which inures to the benefit of any private shareholder or individual, (2) any hospital operating a school of nursing beyond the level of high school approved by the appropriate State authority, or any hospital approved for internships by recognized authority, if such hospital is either a public hospital or a private hospital, no part of the net earnings of which inures to the benefit of any private shareholder or individual, (3) any corporation (no part of the net earnings of which inures to the benefit of any private shareholder or individual) (A) established by any institution included in clause (1) of this subsection for the sole purpose of providing housing or other educational facilities for students or students and faculty of such institution without regard to their membership in or affiliation with any social, fraternal, or honorary society or organization, and (B) upon dissolution of which all title to any property purchased or built from the proceeds of any loan secured under this title will pass to such institution, and (4) any agency, public authority, or other instrumentality of any State established for the purpose of providing or financing housing or other educational facilities for students or faculty of any public educational institution included in clause (1) of this subsection, but nothing herein contained shall require an institution included in clause (1) of this subsection to obtain loans through any instrumentality included in this clause of this subsection.'.

"Voluntary home mortgage credit program

"SEC. 602. Section 610 (a) of the Housing Act of 1954 is amended to read as follows:

"'(a) This title and all authority conferred hereunder shall terminate at the close of July 31, 1959.'

"Farm housing research

"SEC. 603. (a) The Housing and Home Finance Administrator is authorized and directed to undertake and carry out a program, in the manner provided in subsection (b), for the study of farm housing in the United States. Such program shall be designed to assist in the improvement of farm housing conditions in the United States by developing data and information on—

"(1) the adequacy of existing farm housing;

"(2) the nature and extent of current and prospective needs for farm housing, including the needs for financing and improved design, utility, and comfort, and the methods by which such needs might best be satisfied;

"(3) the problems faced by farmers in purchasing, constructing, improving, altering, repairing, and replacing farm dwellings;

"(4) the interrelation of farm housing problems and the problems of housing in urban and suburban areas; and

"(5) any other matters bearing upon the provision of adequate housing for the farm population of the United States.

"(b) The research, study, and analysis required to carry out the program described in subsection (a) shall be conducted by land-grant colleges established pursuant to the Act of July 2, 1862 (7 U. S. C., secs. 301–308), and such research, study, and analysis shall be financed with grants made to such colleges by the Housing and Home Finance Administrator on such terms, conditions, and standards as may be specified in regulations prescribed by him.

"(c) The authority of the Housing and Home Finance Administrator to make grants under subsection (b) shall expire June 30, 1959; and the total amount of such grants shall not exceed $300,000 during either of the fiscal years ending June 30, 1958, and June 30, 1959.

"(d) There are authorized to be appropriated such sums as may be necessary to carry out this section.

"Exchange of data

"SEC. 604. The Housing and Home Finance Administrator shall exchange data relating to housing and urban planning and development with other nations where such exchange is deemed by him to be beneficial to the programs of the Housing and Home Finance Agency.

"Discount control

"SEC. 605. The Federal Housing Commissioner shall fix reasonable limits on the charges, fees, and discounts imposed upon the builder, seller, or purchaser in connection with the financing of the construction or sale of any housing covered by a mortgage insured under the National Housing Act, whether or not such charges, fees, and discounts are imposed in connection with the financing under such mortgage. The Administrator of Veterans' Affairs shall fix reasonable limits on the charges, fees, and discounts imposed upon the builder, seller, or purchaser in connection with the financing of the construction or sale of any housing which is built or purchased with a home loan insured or guaranteed under the Servicemen's Readjustment Act of 1944, whether or not such charges, fees, and discounts are imposed in connection with such home loan. Such limits may vary in accordance with the terms of the mortgage involved, the geographical area in which the housing is located, and such other pertinent factors as the Commissioner or the Administrator deems advisable. As a condition of eligibility for such guaranty or insurance, the lender shall certify that no charge, fee, or discount has been imposed by it in excess of the limits fixed pursuant to this section.

"Urban planning grants

"SEC. 606. The second sentence of section 701 of the Housing Act of 1954 is amended by striking out 'and (3) to State planning agencies, to be used for the provision of planning assistance to the cities, other municipalities, and counties referred to in clause (2) hereof' and by inserting in lieu thereof the following: '(3) to official governmental planning agencies for areas threatened with rapid urbanization as a result of the establishment or rapid and substantial expansion of a Federal installation; and (4) to State planning agencies, to be used for the provision of planning assistance to the cities, other municipalities, and counties referred to in clause (2) hereof and to the areas referred to in clause (3) hereof'."

And the Senate agree to the same.

BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
ALBERT RAINS,
HENRY O. TALLE,
C. E. KILBURN,
GORDON L. MCDONOUGH,
Managers on the Part of the House.

J. W. FULBRIGHT,
JOHN SPARKMAN,
PAUL H. DOUGLAS,
A. S. (MIKE) MONRONEY,
By J. J. S.
JOSEPH S. CLARK,
HOMER E. CAPEHART,
WALLACE F. BENNETT,
P. BUSH,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. Except for technical, clarifying, and conforming changes, the following statement explains the differences between the House bill and the substitute agreed to in conference.

TITLE I—FHA INSURANCE PROGRAMS

Low-Cost Housing in Outlying and Rural Areas

The House bill contained a provision reducing the minimum required downpayment under FHA's section 203 (i) program of low-cost housing in outlying and rural areas from 5 to 4 percent, and increasing the maximum loan from the present $6,650 to $6,750. The Senate amendment decreased the minimum downpayment to 3 percent and increased the maximum loan to $8,000. The conference substitute follows the Senate language.

The House bill eliminated an existing provision for insurance on farm housing loans on 5 or more acres adjacent to a public highway. The Senate amendment retained this provision and the conference substitute follows the language of the Senate amendment. The conference substitute also includes language making it clear that where the mortgagor is the builder the reduced mortgage ceiling (85 percent of appraised value) will continue to apply.

Servicemen's Housing

The House bill contained a provision decreasing the minimum required downpayment under FHA's section 222 servicemen's mortgage insurance program from 5 percent to 3 percent, and increasing the maximum loan amount from $17,100 to $17,300. The Senate amendment included a provision retaining the present maximum loan amount of $17,100 and retaining the present 5 percent minimum downpayment, except where the

minimum downpayment would be less than 5 percent under the amended downpayment schedule applicable to sales housing under FHA's section 203 (b). The conference substitute conforms to the language of the Senate amendment.

Discretionary Authority With Respect to Lower Downpayments

The Senate amendment contained a provision requiring the FHA Commissioner, in establishing the lower downpayments provided in the bill, to determine that such action is in the public interest, taking into account (1) the national economy and conditions in the building industry, and (2) the availability or lack of financing for VA-guaranteed loans under the GI bill. No comparable provision was contained in the House bill. The conference substitute retains this provision of the Senate amendment.

Incontestability of Claim Under FHA's Title I Program

The House bill contained a section providing that effective January 1, 1958, any payments for loss made to the lender under the title I home-improvement program shall be final and incontestable after two years from the date the claim was certified for payment by the Commissioner, in the absence of fraud or misrepresentation. A similar provision contained in the Senate amendment differed only in that it contained an exception clause which would not make insurance claims final or incontestable if a demand for repurchase of the obligation has been made in behalf of the United States prior to the expiration of the two-year period. The conference substitute conforms to the language of the Senate amendment.

Repeal of Obsolete Provision

The Senate amendment contained a provision, not in the House bill, repealing section 203 (d) of the National Housing Act, an obsolete provision pertaining to insurance of mortgages on farm properties. The conference substitute follows the language of the Senate amendment.

High Cost Allowance for Section 207

The Senate amendment contained a provision, not in the House bill, authorizing the high cost area allowance ($1,000 per room) to be applicable without regard to the number of rooms in the unit in FHA's regular section 207 rental housing program. The conference substitute conforms to the Senate amendment.

Financing of Government-Owned Housing

The Senate amendment contained a provision, not in the House bill, amending section 223 of the National Housing Act, which permits the insurance of mortgages under certain specified sections of that act without regard to the minimum property requirements of FHA, so as to include section 222 (servicemen's mortgage insurance) among the specified sections (presently sections 203, 207, and 213). All such housing is presently owned by the Federal Government, a State or municipality, or an agency, instrumentality, or political subdivision of either. Section 114 of the conference substitute conforms to the Senate amendment.

Statement of Replacement Cost

The Senate amendment contained a provision, not in the House bill, amending section 226 of the National Housing Act to authorize FHA to furnish the home buyer with its estimate of replacement cost, where a mortgage is based on replacement cost, in lieu of the statement of appraised value now required. Section 115 of the conference substitute follows the language of the Senate amendment.

Proposed Broadened FHA 221 Program

The Senate amendment contained a provision under which the FHA section 221 mortgage insurance program would have been considerably broadened and liberalized. The House bill did not include such a provision and none is included in the conference substitute. In view of the difficulty the committee of conference experienced in connection with this provision, members of the House committee agreed its Housing Subcommittee should give further study to the housing needs of all income groups next year.

TITLE II—FEDERAL NATIONAL MORTGAGE ASSOCIATION

I. Secondary market operations

Increased Mortgage Purchase Authority

The House bill contained a provision increasing the capitalization of FNMA's regular secondary market operations by $125 million. Under the 10-to-1 ratio FNMA's borrowing authority would be increased by $1.25 billion, bringing its total mortgage purchase authority to approximately $2.85 billion. The provision in the Senate amendment would increase FNMA's capitalization by $50 million, thereby increasing FNMA's borrowing authority by $500 million and increasing its total mortgage purchase authority to approximately $2.1 billion. The conference substitute provides for an increase in capital stock of $65 million in the aggregate, which FNMA may issue from time to time.

Under the 10-to-1 ratio, FNMA's borrowing authority is increased by $650 million, bringing its total mortgage purchase authority to approximately $2.25 billion.

Treasury "Backstop"

The provision in the House bill increased to $2.85 billion (now $1.35 billion) the maximum amount of FNMA's secondary market operation obligations which the Secretary of the Treasury can acquire, to make the Treasury "backstop" approximately equivalent to FNMA's total borrowing authority. The comparable provision in the Senate amendment increased the maximum amount of FNMA's secondary market obligations which the Secretary of the Treasury can acquire to $1.7 billion. The conference substitute retains the principle of the House bill by providing a Treasury "backstop" of $2.25 billion.

II. Special assistance functions

Purchase Price for Special Assistance Mortgages

The House bill contained a provision requiring FNMA on a permanent basis to purchase special assistance mortgages at not less than par. The Senate amendment would have continued for one additional year the present requirement that all FNMA purchases of special assistance mortgages be made at a price not less than 99.

The conference substitute conforms to the House bill except that the par purchase requirement would apply for one year beyond the present expiration date of the purchase price provision (August 7, 1957).

Limitation on Fees and Charges

The Senate amendment contained a provision limiting FNMA's fees and charges on special assistance mortgages to a maximum of 1 percent, no more than one-half at the time of commitment and the balance at the time of delivery. The House bill contained no comparable provision. The conference substitute follows the language of the Senate amendment except that a maximum of 1½ percent is provided.

Cooperative Housing

The Senate amendment contained a provision, not in the House bill, increasing from $100 million to $200 million the special assistance revolving fund for the purchase by FNMA of FHA-insured section 213 cooperative mortgages. The provision would have reserved $100 million of the increased authorization for consumer-sponsored cooperatives. The Senate amendment also increased the $10 million per State limitation correspondingly to $20 million, of which $10 million would have been reserved for consumer-sponsored cooperatives.

The conferees agreed to the $100 million increase with an amendment making it clear that $50 million of the authorization will be reserved for consumer cooperatives (the substitute amended "consumer-sponsored cooperatives" to read "consumer cooperatives"). $5 million of the authorization for each State will be reserved for consumer cooperatives.

It is the understanding of the conferees that the essential distinction between a builder cooperative and a consumer cooperative is that in the consumer type the organizing force and the managerial direction is in the hands of the cooperators.

Military Housing Revolving Fund

The House bill included a provision increasing from $200 million to $500 million the amount of the special revolving fund under FNMA's special assistance program available to support Title VIII military housing mortgages. The comparable provision in the Senate amendment would have increased the revolving fund from $200 to $400 million. The conference substitute provides for an increase of $250 million.

The Senate amendment contained a provision (not in the House bill) for the earmarking of up to 7.5 percent of the fund for mortgages insured under section 809 to provide sales housing for essential civilians at military research and development centers. The conference substitute follows the language of the Senate amendment.

FNMA Tax Formula

The House bill contained a provision changing the formula for computing the amount which FNMA must pay to the Secretary of the Treasury, as the equivalent of Federal income taxes, with respect to its secondary market operations. It provided for the deduction from FNMA's gross income, in addition to all expenses and other deductions which would be authorized by law if FNMA were not exempt from such taxes, of any amounts paid by FNMA to the Secretary of the Treasury as a return on his investment in FNMA's securities. No comparable provision was contained in the Senate amendment and none is contained in the substitute.

TITLE III—SLUM CLEARANCE AND URBAN RENEWAL

Increased Capital Grant Authorization

The House bill contained a provision increasing the present $900 million capital grant authorization by an additional $250 million on July 1, 1957. The Senate amendment provided for an increase of $500 million, $250 million in each of the years 1957 and 1958. Section 301 of the conference substitute increases the capital grant authorization by $350 million.

Alternative Formula for Slum Clearance Grants

The Senate amendment contained a provision, not in the House bill, establishing a new alternative method for determining the amount of Federal grants that may be paid under the slum clearance and urbans-renewal program, using three-fourths of a reduced net profit cost instead of two-thirds of present net project cost.

The new method would permit grant payments, in the case of projects approved by HHFA at the request of the local public agency, of not more than three-fourths of "net" project cost on the basis of a revised definition of "gross" project cost. The revised definition would restrict "the expenditures by the local public agency for any or all of the undertakings necessary to carry out the project, including carrying charges" by excluding expenditures of the local public agency for administration, overhead, taxes (or payments in lieu thereof), and legal, survey,

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and planning services. The present statutory definition of "net" project cost is not changed; however, where the new formula is used the revised definition of "gross" project cost would result in a different "net" project cost from that which would result in an identical project where "net" project cost is calculated under the current formula. This provision is included as section 302 of the substitute.

Per State Limitation on Slum Clearance Assistance

The Senate amendment contained a provision, not in the House bill, increasing the maximum amount of expenditure, permitted for loans or grants under the slum clearance and urban renewal program in any one State from 10 to 15 percent of the total funds authorized for the program. The conference substitute provides that the maximum per State cannot exceed 12½ percent of the total funds authorized.

Relocation Payments

The House bill included a provision authorizing relocation payments to individuals and families of fixed amounts in lieu of their actual moving expenses. In no case could such payments exceed the present statutory maximum ($100). The Senate amendment contained a similar provision, except it would have also increased the maximum relocation payments to business concerns from $2,000 to $3,000. The conference substitute conforms to the Senate amendment, except that a maximum of $2,500 is provided for business relocation payments.

Restriction of Public Housing to Relocation Families

The House bill contained a provision which would amend the Housing Act of 1949 to prohibit new contracts for low-rent public housing except with respect to projects certified by the local governing body as needed for the relocation of families displaced as a result of Federal, State, or local governmental action in the community and not in excess of the total number of such units which the Housing Administrator determines to be needed for the relocation of families to be displaced as a result of such action. No comparable provision was included in the Senate amendment and none is contained in the conference substitute.

Conformance of Urban Renewal Plans to Program Objectives

The Senate amendment contained an amendment removing the requirement that an urban-renewal plan must contain an indication of the relationship of the plan to local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements; but inserts a specific requirement that the plan be consistent with such objectives. This provision is included as Section 305 of the conference substitute.

Office Space for Urban Renewal Functions

The Senate amendment contained a provision permitting a local public housing agency which is also the local public agency for purposes of the slum clearance and urban renewal program to provide space in the public housing administration buildings, at an economic rent paid out of non-public-housing funds, for the performance of urban renewal functions. No comparable provision was contained in the House bill. The conference substitute follows the Senate language.

TITLE IV—PUBLIC HOUSING

Amended Income Exemption

The Senate amendment contained a provision which would increase income exemptions for admission to and continued occupancy of public housing. No comparable provision was contained in the House bill. The conference substitute conforms to the Senate amendment.

For families seeking admission to public housing, the existing exemption of $100 for minors would be continued, and additional exemptions of $100 for each adult dependent with no license, and up to $600 of the income of each member of the family other than the principal wage earner (including minors), would be provided. For families desiring to continue occupying public housing, the existing exemptions for minors would be continued, and additional exemptions would be provided of $100 for each adult dependent member of the family having no income, and up to $600 of the income of any other adult member of the family other than the principal wage earner.

Increase in Per-Room Cost Limit

The Senate amendment contained a provision, not in the House bill, raising the per-room cost limits from $1,750 to $2,000 for regular units, and from $2,250 to $2,500 for elderly person units.

The conference substitute conforms to the Senate amendment.

Modular Measure Requirement in Public Housing

The Senate amendment contained a provision, not in the House bill, requiring public housing plans and specifications to follow the principle of modular measure in every case deemed feasible. The conference substitute conforms to the Senate amendment.

Disposal of War Housing

The Senate amendment contained four provisions, not in the House bill, which provide for the disposition of certain war housing projects in Connecticut, Nevada, Louisiana, and Utah. These four provisions are included as section 402 of the conference substitute.

TITLE V—MILITARY HOUSING

Purchase of Wherry Housing

The House bill contained a provision eliminating the "allowance for physical depreciation" as one of the factors used in determining the purchase price of Wherry Act housing acquired under the 1955 Housing Amendments, and substituting an "appropriate allowance representing the estimated cost of repairs and replacements immediately necessary to restore the property to sound physical condition." No similar provision was included in the Senate amendment. The conference substitute retains the language of the House bill, except that the word "immediately" is omitted from the phrase last quoted above.

This word was included in the House bill to indicate that in determining whether a deduction should be made for needed maintenance items, only those items which are past due should be considered. For example, if a project normally needs painting every two years, a deduction shall be made if two years have elapsed since it was last painted, but not if only one year has elapsed. While the conferees agreed to this principle, they felt that the word "immediately" might have broader implications, and accordingly deleted it in order to make sure that all costs of repairs and replacements needed to put the project in first class condition will be included.

Specifications for Military Housing

It has come to the attention of the conferees that products of some manufacturers are being excluded from consideration by architects and contracting officers of the Armed Services when preparing plans, specifications, and the contracts to carry out the military housing program.

While the conferees agree completely that the use of inferior materials or improper use of good materials should not be tolerated, we believe also that the military can get more value per dollar of expenditure by encouraging free and competitive bidding among all suppliers and manufacturers whose products meet the required standards.

The conferees believe that the problem of inclusion or exclusion of products and materials could be resolved in part if the Armed Services would include in the specifications for military housing, all of the Federal specification numbers which relate to given categories or quality of materials or products used in the construction of such housing. This, however, would not in itself be a complete answer to the problem, for it is well known that Federal specifications neglect many categories of products entirely or leave out some products which are as good or better and which by being included in the competition, along with those products covered by Federal specifications would reduce costs to the Government. In addition, qualification for the Federal specification list is a long, time-consuming process which in some instances may require as long as three years for approval. We believe this latter point could be corrected by the Armed Services through the establishment of an approved products/materials list to be incorporated in all title VIII military housing specifications. This would have the effect of making all products on such list acceptable by all Government architects or contracting officers engaged in the military housing program and thus a part of all military housing specifications, and would do much to eliminate the criticism now being directed against the present contracting procedures used in this program. Manufacturers of products not covered by Federal specifications could be required to make full presentation and demonstrate to the satisfaction of the Armed Services that their products or materials are equal to or better than those called for by Federal specifications before such products or materials could be placed on the approved list.

The conferees, therefore, request the Secretary of Defense or his designee to include in all specifications for military housing to be constructed under the title VIII program all of the Federal specification numbers which relate to given categories or quality of materials or products used in such construction. It is also requested that the Secretary of Defense or his designee establish at an early date an approved products/materials list which shall be incorporated by reference in all title VIII military housing specifications. The approved products/materials list should, of course, be open at all times for further additions or deletions as determined desirable by the Secretary.

TITLE VI—MISCELLANEOUS

College housing

Interest Rate Formula

The House bill contained a provision changing the interest rate on college housing loans made pursuant to applications filed after May 10, 1957.

No comparable provision was included in the Senate amendment and none is contained in the conference substitute.

Fund Authorization and Eligibility

The House bill contained a provision increasing the college housing loan authorization by $150 million (from the present $750 million to $900 million). The provision in the Senate amendment increased the college housing loan authorization to $925 million, which would include $25 million for loans to nonprofit hospitals to provide housing for student nurses and interns. In addition to extending eligibility under the college housing loan program to nonprofit hospitals for housing student nurses and interns, the Senate amendment would have extended eligibility to nonprofit divinity schools for housing and related facilities for divinity students, and to State agencies established to finance housing and related facilities for public educational institutions.

The conference substitute follows the Senate amendment with respect to the increase in loan authorization. Extension of eligibility under the conference substitute is confined to nonprofit hospitals which operate schools of nursing or are approved for internship, and to State agencies established to finance housing and related facilities for public educational institutions.

Farm housing research

The House bill contained a provision for a 2-year program of farm housing research, authorizing $600,000 ($300,000 in each of the fiscal years ending June 30, 1958, and June 30, 1959) for grants under such program. The comparable provision in the Senate amendment provided that the total amount of such grants shall not exceed $200,000 during the fiscal years ending June 30, 1958, and June 30, 1959.

The conference substitute follows the language of the House bill. The conferees also wish to express their understanding that in awarding research and study grants to loan-grant colleges, the Housing and Home Finance Administrator will award the grants to those colleges best equipped to conduct the research. The conferees further intend that the research grants will not be confined to any one area but rather will utilize the research facilities of one or more land-grant colleges in each of the major regional sections of the United States.

Exchange of Data

The Senate amendment contained a provision, not in the House bill, directing the Housing and Home Finance Administrator to exchange data relating to housing and urban planning and development with other nations, where he deems such an exchange beneficial to the programs of the Housing and Home Finance Agency. The conference substitute follows the language of the Senate amendment.

Mortgage credit study

The House bill contained a provision directing the Housing and Home Finance Agency to make a study of the mortgage credit needs of the residential-building industry and to report its findings and recommendations to the President and the Congress by April 30, 1958. The Senate amendment contained no comparable provision and none is contained in the conference substitute.

Discount control

The House bill contained a provision directing the Housing and Home Finance Administrator, upon completion of the mortgage credit study referred to above, to fix reasonable limits (to vary in accordance with certain stated factors) on the charges, fees, and discounts imposed in connection with financing (including conventional construction financing) under FHA-insured mortgages, and to require a lender's certification of compliance with such limits as a condition of eligibility for insurance.

The provision in the Senate amendment directed the Federal Housing Commissioner (with respect to FHA-insured mortgages) and the Administrator of Veterans' Affairs (with respect to VA-guaranteed or insured loans) to issue such regulations, applicable uniformly to all classes of mortgagees, as they deem desirable to limit the charges and fees imposed in connection with financing (including conventional construction financing) under such mortgages or loans, and to require a mortgagee's certification of compliance with such regulations before any such insurance or guaranty is granted.

The conference substitute follows the language of the House bill but applies discount controls to VA-guaranteed as well as FHA-insured mortgages, and deletes the credit study requirement. Thus the conference substitute directs both agencies to stipulate reasonable ceilings on charges, fees, and discounts, taking into account geographic factors and other factors affecting the type and quality of the mortgage security.

Urban planning grants

The Senate amendment contained a provision which was not included in the House bill under which the HHFA could make urban planning grants to official governmental planning agencies for areas threatened with rapid urbanization by the establishment or expansion of Federal installations. The conference substitute retains this provision of the Senate amendment.

BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
ALBERT RAINS,
HENRY O. TALLE,
C. E. KILBURN,
GORDON L. MCDONOUGH,
Managers on the Part of the House.

Mr. SPENCE (during the reading of the statement). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with and that it be printed in full in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SPENCE. Mr. Speaker, I yield such time as he may desire to the gentleman from North Carolina [Mr. SHUFORD].

Mr. SHUFORD. Mr. Speaker, I refer to section 605 of H. R. 6659, as recommended by the conferees. Section 605 directs the Administrator of Veterans' Affairs to fix reasonable limits on the charges, fee, and discounts imposed upon the builder, seller, or purchaser in connection with the financing, construction, or sale of any housing which is built or purchased with a home loan insured or guaranteed under the Servicemen's Readjustment Act of 1944.

The House Banking and Currency Committee included a similar provision in H. R. 6659 when the bill was reported by the committee. There were several other provisions reported by the House Banking and Currency Committee which also affected the veterans' housing program, which is under the jurisdiction of the House Veterans' Affairs Committee. On April 9, 1957, the Committee on Veterans' Affairs adopted the following resolution:

That the Veterans' Affairs Committee instruct the staff to draft amendments for possible presentation to the Rules Committee and on the floor of the House which would strike from H. R. 6659 any reference to veterans' housing or use of the veterans' NSLI funds as a secondary market for veterans.

This position was reaffirmed by the Committee on Veterans' Affairs in a meeting on May 7, 1957.

Pursuant to the resolution of the committee, the chairman objected to the inclusion of provisions in H. R. 6659 affecting the veterans' housing program. This viewpoint prevailed in the House and H. R. 6659, as passed by the House, deleted those sections of the bill affecting the veterans' housing program, including the reference to discount controls by the Administrator of Veterans' Affairs, which has now been restored by the conferees.

The record should reflect that the jurisdiction of the House Committee on Veterans' Affairs is being invaded, in our opinion, and that those responsible for this recommendation should assume responsibility for any adverse effects which it may create in the veterans' housing program.

With concurrence of the chairman of the Veterans' Affairs Committee, the Honorable OLIN E. TEAGUE, I am placing in the RECORD a copy of a letter which the chairman directed to the conferees on H. R. 6659, urging adoption of the House version on discount controls so that the Veterans' Administration home-loan program will not be affected by the discount-control provision.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, D. C., June 21, 1957.

DEAR COLLEAGUE: H. R. 6659, as reported by the House Committee on Banking and Currency, contained a section directing the Administrator of Veterans' Affairs to fix reasonable limits on discounts paid in connection with Veterans' Administration guaranteed loans.

The subject of discount controls on Veterans' Administration guaranteed loans was considered at length by the Committee on Veterans' Affairs as part of extensive hearings relating to the veterans' housing program. The Committee on Veterans' Affairs, after considering the discount issue, declined to eliminate or attempt to control discounts in connection with Veterans' Administration guaranteed loans. The experience gained several years ago when such an attempt was made undoubtedly guided the committee in its decision. After 6 weeks of attempting to eliminate discounts several years ago, the regulations promulgated by the Veterans' Administration for the purpose were removed by an act of Congress, since they proved unsuccessful.

The House Committee on Veterans' Affairs, by formal resolution, objected to the inclusion of provisions in a bill reported by the House Banking and Currency Committee which would alter the Veterans' Administration guaranteed home-loan program, which operates under the jurisdiction of the House Committee on Veterans' Affairs. As a result of the committee's opposition, the provision relating to discount control on Veterans' Administration guaranteed loans was removed on the floor of the House. The Senate Committee on Banking and Currency concurred in this action and reported H. R. 6659 without the discount-control provision for Veterans' Administration guaranteed loans. The provision was reinstated by amendment on the floor of the Senate. The result is that the House and Senate passed versions of H. R. 6659 differ on the point of control of discounts on Veterans' Administration loans, the Senate passed version of the bill containing the provision and the House version omitting it.

The House Committee on Veterans' Affairs continues its opposition to inclusion of provisions in a general housing bill which regulate the Veterans' Administration housing program and there is ample evidence to indicate that if such a provision is enacted into law, a substantial decline in Veterans' Administration guaranteed loans will occur immediately.

Experience in the Veterans' Administration home loan program for the first 4 months of 1957 and projections by the Veterans' Administration indicate that about 300,000 home loans will be made to veterans during 1957. The discount practice has been prevalent in the program for several years, and even during the periods when mortgage money was readily available the discount procedure seemed necessary to equalize the differences in the money market between various geographical areas of the United States.

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The language adopted by the Senate does not appear to outlaw discounts. It appears to condone and control them. If such a provision is enacted into law, the result will be that the stamp of Government approval is placed on the practice and ceiling set on discounts by the Federal Housing Administration and Veterans' Administration will tend to become maximums if they are sufficiently high to attract mortgage capital. If they are unrealistically low, they will simply exclude such capital from the market. Either result is undesirable.

The Committee on Veterans' Affairs is aware of the arguments that are advanced to the effect that the veteran ultimately pays the discount, and members of the committee undoubtedly share the desire to obtain ample mortgage financing funds without such a practice. The fact remains, however, that there is a difference in the money market in various areas of the United States and that there is no way to require a lender to loan money unless the interest yield is attractive. It is realized that some of the discount paid by the builder may be passed on to the veteran if the builder can devise a way to do so; however, it does not follow that if it were possible to eliminate discounts the veteran would necessarily profit by the full amount of the discount eliminated, since there is no assurance whatever that the builder would sell the house to the veteran cheaper, simply because he was required to pay no discount. A more probable result would be an enlarged profit to the builder, with very little difference in the price to the veteran.

In consideration of the circumstances outlined above, it is hoped that the Senate will recede from its amendment regarding control of discounts on Veterans' Administration loans and accept the House version on this point.

Very truly yours,

OLIN E. TEAGUE,
Chairman.

Mr. SPENCE. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the conference report just agreed to.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RAINS. Mr. Speaker, I think that in the conference report we have brought a good housing bill back to the House. It is of course by no means perfect, but I believe that it represents a fair compromise. In my judgment it is a good workable housing bill which will provide much-needed relief to the housing industry and to many worthwhile housing programs, and I think that the House can give it wholehearted support.

I would like to discuss the most significant changes embodied in the conference report.

TITLE I—FHA INSURANCE PROGRAMS

LOWER DOWNPAYMENTS FOR SALES HOUSING

One of the most significant items in the conference report is the substantial liberalization of the downpayment terms in the FHA program. The lower downpayments we have provided should bring home ownership within the reach of hundreds and thousands of additional families. I am pleased to report that the House version on the downpayment schedule prevailed in the conference. The House version lowered downpayments substantially but in my judgment was not quite as extreme as the Senate version. Under the conference report downpayments on FHA loans which are now 5 percent of the first $9,000 of value and 25 percent of the excess, will be reduced to 3 percent of the first $10,000 of value, 15 percent of the value between $10,000 and $16,000, and 30 percent of the excess value.

The conference report also liberalizes the downpayment terms for servicemen's housing under FHA section 222 program. It also reduces downpayments and increases the permissible loan amount for section 203 (i) housing, which is low-cost housing in outlying and rural areas.

HIGH-COST ALLOWANCE FOR SECTION 207

The conference report adopted a Senate amendment, which by permitting a high-cost area allowance for FHA's section 207 rental housing projects without regard to the average room count, should help production of much-needed rental housing at moderate rentals in many of our urban centers.

PROPOSED BROADENED FHA 221 PROGRAM

Mr. Speaker, the conference committee probably spent more time on one provision in the Senate bill than on all other items in the conference. This was the provision in the Senate bill which would have amended section 221 of the National Housing Act to extend eligibility for 221 insurance, now reserved for people displaced by urban renewal, to the elderly, people of moderate income, and other groups. I should like to pay particular tribute to the valiant fight waged for this program by my colleague, Senator SPARKMAN.

I do not wish the Members of the House to interpret the failure of the House conferees to agree to this section to be interpreted as personal opposition to it upon my part. I believe that the time is long overdue for us to devote more effort to finding a solution to the acute housing needs of both the elderly and those families in moderate-income brackets. I have long felt that these groups were largely neglected by our national housing programs. As long ago as 1949 I introduced a bill aimed at taking care of the housing needs of the middle-income groups. In the last Congress I introduced a measure to authorize direct loans for 50 years at 3½ percent to nonprofit institutions so that they might provide housing for the elderly.

It is my intention as chairman of the Subcommittee on Housing to hold hearings next year aimed at finding a solution to the pressing housing needs of the elderly and moderate-income groups. I want to assure the House that this will be done.

TITLE II—FEDERAL NATIONAL MORTGAGE ASSOCIATION

I. SECONDARY MARKET OPERATIONS

The compromise bill provides substantial funds so that FNMA can continue its mortgage purchase support program of FHA and GI loans. It provides that FNMA's borrowing authority will be increased by $650 million. This is substantially less than the $1.25 billion increase provided for in the House bill, but is higher than the Senate version which would have provided an increase of only $500 million. The increase will bring FNMA's total borrowing authority to approximately $2.25 billion.

Under the conference report the Treasury "backstop," that is, the ability of FNMA to borrow from the Treasury is increased to make it approximately equivalent to FNMA's total borrowing authority.

II. SPECIAL ASSISTANCE FUNCTIONS

PURCHASE PRICE FOR SPECIAL ASSISTANCE MORTGAGES

The conference report assures much-needed Government support for the various special assistance programs aided by the Federal National Mortgage Association. The conference report requires FNMA to pay par for such mortgages for a period of 1 additional year.

COOPERATIVE HOUSING

The conference report increases the present revolving fund which supports FHA section 213 cooperative housing mortgages from $100 million to $200 million. It also reserves $50 million of the total authorization for consumer cooperatives.

MILITARY HOUSING REVOLVING FUND

On funds for military housing loans the conference report splits the difference between the House and Senate version and provides for an increase of $250 million in the special FNMA revolving fund used to assure the availability of financing for title VIII military housing projects, so vital to our national defense. The conference report also assures that a modest portion of the total authorization will be used to support section 809 mortgages which provide sales housing for essential civilians on military research and development centers.

TITLE III—SLUM CLEARANCE AND URBAN RENEWAL

INCREASED CAPITAL GRANT AUTHORIZATION

Mr. Speaker, you will recall that the House bill would have provided an additional $250 million for slum clearance grants for 1 year. The Senate amendment called for a $500 million increase, $250 million in each of the years 1957 and 1958.

The conference substitute provides for an increase of $350 million for 1 year, $100 million more than the House bill provided, but $150 million below the amount the Senate asked for a 2-year period.

ALTERNATIVE FORMULA FOR SLUM CLEARANCE GRANTS

The conference report provides a new alternative method for determining the amount of Federal grants. While this new formula involves a higher ratio of Federal grants, that is three-fourths instead of two-thirds under the present formula, it is our understanding no real increase in the amount of Federal contribution is involved. The new formula merely provides a method whereby some cities can avoid a lot of red tape and lengthy procedural steps.

RELOCATION PAYMENTS

Under present law businesses which are displaced by slum clearance operations can be reimbursed for moving costs up to $2,000. The Senate amendment would have increased this to $3,000, but the conference report increases it only to $2,500.

TITLE IV—PUBLIC HOUSING

AMENDED INCOME EXEMPTION

The Senate bill had a series of amendments on low-rent public housing. The conference rejected several of these but the conference report does contain three new significant amendments affecting low-rent public housing.

The first would increase the income exemption somewhat for admission to and continued occupancy of public housing. For families seeking admission to public housing, the existing exemption of $100 for minors would be continued, and additional exemptions of $100 for each adult dependent with no income, and up to $600 of the income of each member of the family other than the principal wage earner—including minors—would be provided. For families desiring to continue occupying public housing, the existing exemptions for minors would be continued and additional exemptions would be provided of $100 for each adult dependent member of the family having no income, and up to $600 of the income of any other adult member of the family other than the principal wage earner.

The second would increase the per-room cost limits on public housing from $1,750 to $2,000 for regular units and from $2,250 to $2,500 for elderly persons units. The third amendment would require plans and specifications to follow the principle of modular measure where feasible.

TITLE V—MILITARY HOUSING

WHERRY ACQUISITION PROGRAM

Mr. Speaker, the conferees accepted the provision contained in the House bill which clarifies the law relating to the purchase price formula used under the acquisition program of Wherry projects with one slight amendment. By adopting this minor amendment there was no intention whatever to change the House position on this subject, and it is intended that the provisions contained in House Report 313 relating to the Wherry acquisition program be followed by the Department of Defense and the three services. This discussion may be found on pages 17, 18, and 19 of the House report.

TITLE VI—MISCELLANEOUS

COLLEGE HOUSING

The conference report retains the interest rate formula for college housing loans in present law.

The compromise bill increases the amount of funds for college housing loans by $150 million to $925 million, of which $25 million would be reserved for a new type of eligible loan, namely, loans to nonprofit hospitals for housing student nurses and interns.

FARM HOUSING RESEARCH

I am delighted to report that at long last we are providing an effective program for farm housing research. The conference report follows the House bill and provides a 2-year program of farm housing research authorizing $600,000—$300,000 in each of the next 2 fiscal years. The money will be used for grants by the Housing and Home Finance Administrator to land-grant colleges to undertake intensive research programs to see what can be done to reduce the cost of farm housing and to improve the quality of housing on our farms. I am proud to have been the sponsor of this program and I am most hopeful that it will help improve the housing standards of our agricultural population.

DISCOUNT CONTROL

Both the House and Senate versions contained provisions attempting to cope with the problem of excessive discounts which in my judgment have approached scandalous proportions. The conference substitute considered this problem most carefully and I think that the conference report provides a workable compromise. Discount control will be applicable both to GI and FHA loans. Frankly, it would be unworkable to attempt to control discounts on one and not the other. Both the VA and FHA are directed to issue regulations, not to rule out discounts because we found that to be unworkable, but rather to fix reasonable limits on the discounts which lenders may charge. It directs both agencies in setting such reasonable limits to take into account geographic differentials in the supply of mortgage credit, and also differentials with respect to the quality and type of loan security. I think the conference has rendered a useful service in coming up with this workable compromise and I am most hopeful that we have seen the end of unconscionable discounts, which in the last analysis are paid through the nose by the home buyer.

Mr. Speaker, I urge the immediate adoption of the conference report so that we can get this much-needed legislation to the President's desk for signature as soon as possible.

Mr. TALLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. TALLE. Mr. Speaker, the Housing Act of 1957 as embodied in the conference report to accompany H. R. 6659 is good legislation. It represents the culmination of a tremendous lot of work, study, and inquiry on the part of the Subcommittee on Housing, of which the gentleman from Alabama [Mr. RAINS] is chairman; by the Banking and Currency Committees of the Congress; and, finally, by the conferees of the two Chambers who were assigned the task of ironing out the differences in the House and Senate versions.

This was not an easy task to perform. There were 29 items in the Senate bill which were foreign to the House bill. There were 7 items in the House bill which were foreign to the Senate bill. Finally, there were 16 items in the two bills which dealt with similar subjects but differed as to details.

The gentleman from Kentucky [Mr. SPENCE], chairman of the House Committee on Banking and Currency, deserves commendation for his leadership. The House conferees working with him made every effort to discharge their responsibilities by seeking diligently to get approval of provisions that represented the will of the House of Representatives. It is my best judgment, Mr. Speaker, that the enactment of this legislation will prove to be beneficial to the American people.

Mr. KILBURN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KILBURN. Mr. Speaker, I think the managers on the part of the House did an excellent job in maintaining the position of the House on nearly all parts of the Housing bill.

Under the leadership of our chairman, the gentleman from Kentucky [Mr. SPENCE], and the ranking member, the gentleman from Iowa [Mr. TALLE], and the chairman of the Housing Subcommittee, the gentleman from Alabama [Mr. RAINS], our side of the conference functioned as a team and, I think, did well.

I would especially like to commend the gentleman from Alabama [Mr. RAINS] all through this housing legislation. He was always absolutely fair and considerate toward the views of the minority members. There was no partisanship, and during the conference he was extremely competent in maintaining our position. It was a pleasure to work with him.

COMPULSORY INSPECTION OF POULTRY AND POULTRY PRODUCTS

Mr. SMITH of Virginia, from the Committee on Rules (on behalf of Mr. TRIMBLE), reported the following privileged resolution (H. Res. 304, Rept. No. 663), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6814) to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products. After general debate which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

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THREE HUNDRED AND FIFTIETH ANNIVERSARY OF THE FOUNDING OF JAMESTOWN, VA.

Mr. SMITH of Virginia. Mr. Speaker, I call up a privileged resolution (S. Con. Res. 27) to create a joint committee to represent Congress at the 350th anniversary of the founding of Jamestown, Va., which was reported by the Committee on Rules this morning. I believe there is no objection to it, so I ask unanimous consent that it be considered at the present time.

The Clerk read the title of the concurrent resolution.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. GROSS. Reserving the right to object, Mr. Speaker, is there any cost attached to this concurrent resolution?

Mr. SMITH of Virginia. Not to exceed $1,000.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That a joint committee consisting of 4 Senators and 5 Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, is authorized to represent the Congress of the United States at the ceremonies to be held at Jamestown, Va., on July 30, 1957, in commemoration of the 350th anniversary of the founding of Jamestown, the first permanent English settlement in America. The committee shall select a chairman from among its members.

Resolved further, That the necessary expenses of such joint committee shall not exceed the sum of $1,000, one-half of such sum to be paid from the contingent fund of the Senate and one-half of such sum to be paid from the contingent fund of the House of Representatives, on vouchers approved by the chairman.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. O'HARA of Minnesota. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may sit during the session of the House today.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

REPORT ON FAR EAST FORCES

Mr. OSMERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. OSMERS. Mr. Speaker, in these days of frequent disturbing reports from many parts of the world, I am pleased to be able to give the House some good news from Korea and Okinawa. The Right Reverend Harry S. Kennedy, D. D., bishop of Honolulu, and representative of the Armed Forces Commission of the Protestant Episcopal Church in the United States of America, has returned to Hawaii after 2 months of visiting his far-flung diocese, which includes the Hawaiian Islands, Wake, Midway, Guam, the American Samoas, Taiwan—Formosa—and Okinawa. Bishop Kennedy also visited military chaplains and personnel in Japan and Korea. Before his return to Hawaii, Bishop Kennedy, in conference with Military Chaplain Matthew Imrie, stated that excellent relations exist between the South Korean people and the American forces and between the people of Okinawa and our troops on that island. According to the bishop, morale is high, discipline is excellent, and for this Gen. Lyman L. Lemnitzer, the Far East commander, and Gen. I. D. White, the Eighth Army commander, should receive the highest commendation. Our military chaplains in the area are also rendering outstanding service to our troops. The full report of Bishop Kennedy follows:

REPORT OF BISHOP KENNEDY TO GEN. I. D. WHITE

KOREA

My first visit to the Eighth Army in Korea was back in 1951. I recall vividly the devastation of Seoul, which had been fought over four times, and the desperate conditions under which our men were fighting.

With the exception of 1956, I have made yearly visitations to Korea and each succeeding visit impresses me with the tremendous achievements of Koreans and Americans alike.

Seoul has arisen out of fire and ashes like the fabled Phoenix, thanks to the prodigious feats of UNKRA, AFKA, the Eighth Army, and the Korean people themselves. Economic and technological aid have restored much of the economy. Although the scars of war are still noticeable, the tremendous gains in new buildings and reconstruction are more evident.

The American soldier has been of inestimable assistance in bolstering the material well-being and morale of our Korean allies. Trained from childhood in the American way of helping one's neighbor, literally tens of thousands of soldiers have given lavishly of their money and labor in providing relief for the sick, the hungry, and the shelterless, orphaned children, the aged, and the thousands mutilated by war. The generosity and kindness of our soldiers, their eager and voluntary response to human needs, has earned an undying, affectionate regard in the hearts and minds of the Korean people all the way from their courageous President to the farmer at work in his rice paddy.

My visits to chaplains and servicemen afforded me opportunities to observe facilities and living conditions and to share many conversations and confidences.

Certainly, I was thrilled with the morale of our men. Frankly, the situation in Korea tests the heart, the mind, and body of a soldier. The terrain and weather call for rugged manhood. The separation from family for a 16-month tour calls for disciplined and understanding manhood. The nearness of the potential aggressor, the knowledge of the threat of international imperialistic communism to all freedom-loving peoples, challenges one's manhood. Korea is a vital frontier in the crusade for freedom. The Eighth Army commanding general, Gen. I. D. White, has done a magnificent job in teaching his men the importance of the Eighth Army's mission.

Factors other than knowledge of the mission contribute to high morale. General White has almost miraculously changed the living conditions of his men from semicombat standards to semipermanent standards. For example: Our soldiers no longer live in tents, quonset-type or barracks buildings have taken their place; Coleman lanterns and candles have given way to electricity; hot and cold running water is the rule rather than the exception; superior athletic, recreational, and educational programs and facilities are now in operation; 77 chapels, varying in size, but all benefiting from a chapel beautification project, serve the thousands of troops.

I would be remiss were I not to mention the high performance of Eighth Army chaplains and the wholehearted support they receive from the command. Evidences such as attractive chapels, the large number of men attending services, and the completeness of pastoral programs supported the command's enthusiastic endorsement of the chaplains' contributions to the success of the Eighth Army's mission.

Inasmuch as questions are raised concerning morals as well as morale, I will mention the subject. The ethical standards of Christianity and Judaism are basic to the ideology of the American way of life and are cherished by our men in uniform as they are cherished by their neighbors and families back home. It is true that the Ten Commandments are violated abroad as well as at home. The whole process of growing to maturity involves embracing the truth that obedience to law, moral and physical, is required for freedom and powerful performance. General White is emphatic in his contention that the tough, competent fighting man is first of all a disciplined man, physically, mentally, and morally. Incidentally, there is less tolerance of delinquency in the Eighth Army than there is in the average civilian community where competing interests so often compromise moral standards.

The testing, or temptations, of men away from home (be it college, a strange city, or overseas) are more demanding than when the individual is supported by the physical presence of family and friends. Living in the bosom of his family, a man has constant help in personal decisions. Living away from his family, the individual must depend more on his own metal. The clergy serving in the Army, the officers discharging their responsibilities as "father of their men," the family-church-school, background of the individual, and the letters from home contribute assistance and guidance in personal decisions. In general, the conduct of our men in Korea is as good as their conduct at home. If one looks for disappointments, one can find them. However, if one relates the delinquency incidents to the wonderful accomplishments of our men as soldiers and ambassadors of good will, the result makes one very proud indeed. Our youths are our greatest asset. We do not have to sell them short. The indices of morals and morale reflect the high standards of our American homes. As long as leaders of the caliber of General Lemnitzer and General White command our troops, we Americans can be confident that the moral standards of our culture and the obligations of American citizenship will be cherished and nourished.

OKINAWA

My first visit to Okinawa was in the summer of 1945, when I was the guest of General Stilwell. I have seen the island in ashes and the people hungry, homeless, and practically naked.

My visit this year was my eighth visit to Okinawa, so I have witnessed the results of

the rehabilitation program carried on by the United States Forces. My personal feeling, after conferring with natives, is that they are grateful for all that has been done for them. They are no longer second-class citizens. Any agitation for reversion comes from a small group of malcontents.

If every American could see what I have experienced over the years, they would indeed be proud of our program. New schools, highways, housing, improved fishing and agriculture, medical aid and employment have given the Okinawan a higher standard of living.

I feel that if a plebiscite were held, the Okinawans would not vote for reversion to Japan, but would wish to continue as they are. A few political agitators are very vocal, but they do not carry the weight of the people behind them.

MURPHY GENERAL HOSPITAL, WALTHAM, MASS.

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise to ask the Members of the House if they do not feel that the Budget puts us and also the Appropriations Committees and the different departments in a very embarrassing position. It seems to me they put the departments in the position of lying. Often the departments are very eager to have an appropriation go into a bill, but they are not allowed to request it because the Budget says "No," so they have to say they do not want it, when they do. I think it makes perjurers of them and is very bad for the country and very bad for the legislators. I wonder if the House would like to join me in seeing if that cannot be remedied in some way.

As an instance, recently we had up for consideration an appropriation for the Murphy General Hospital at Waltham, Mass. It is still in the bill, which has gone over to the Senate. The Surgeon General's Office, I believe, did not dare say they needed and wanted that hospital, because the Budget said "No."

Toward the end of the time before the bill came up for discussion, I called up the Surgeon General's Office and they told me they were allowed to make no comment, that it must go through the Secretary's Office. Now we need that hospital very much at Waltham. There is a shortage of beds everywhere. If you send the patients to the Chelsea Naval Hospital, the Navy wrote me it would mean that the naval hospital would have to open another building and they would have to have more nurses and doctors and scientists and specialists. All that, of course, would mean greatly added expense. The hospital at Devens is considered inadequate. You need a new hospital there—and it has been authorized. So that is not a suitable place to send these men. As for the civilian hospitals, you cannot send the men there either because there is a great shortage of beds, nurses, and doctors—as a result of which, they have had to close entire floors in certain hospitals. There is a shortage of beds in the Veterans' Administration hospitals. A relative of mine was put out of a hospital recently after a very serious operation because they needed his bed. Mr. Speaker, I hope that the other body will reconsider a decision which I think the subcommittee has agreed to, which would take out the authorization for the Murphy General Hospital at Waltham, Mass. I would like to point out the fact that some 2 years ago the Cushing General Hospital was turned over to the State, to the Commonwealth of Massachusetts. Our Governor Herter, of Massachusetts, said that he wanted to use it for another hospital. So, finally, they turned it over to the State. It was filled with veterans and many paraplegics were there. It was ideally suited to their special needs, and to this minute that hospital has never been used by the State. I hope very much the Members of the House will urge the members of the Senate Committee on Appropriations in the other body to allow, so far as they can, the continuance of the Murphy General Hospital. A number of years ago, just before World War II, the hospital was closed under somewhat similar circumstances. Then came the sneak attack at Pearl Harbor. Within a few months, they had to reopen Murphy General Hospital at great expense and great distress to the very sick patients who had been moved, and it was not ready for the new patients. It was a great expense to close it and it was a great expense to reopen it. There was no economy in that, I assure you, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I am very glad to yield to the gentleman. I know how the gentleman feels about this matter.

Mr. McCORMACK. I am thoroughly in accord with the statements made by the gentlewoman from Massachusetts [Mrs. ROGERS]. We all remember that the House Committee on Appropriations had a proviso in the bill, as reported out by the committee, which would keep the Murphy General Hospital open as well as the Army hospital at Hot Springs, Ark. Of course, there was also carried in the bill the necessary money to keep both hospitals open during the next fiscal year. A point of order was made against that proviso on the ground that it was legislation on an appropriation bill and, of course, the point of order was sustained. If that point of order had not been made, I am satisfied that the House would have kept the language in the bill. The Member who made the point of order exercised his right under the rules of the House, although I disagree with his judgment in so doing. If in addition to making the point of order, he had then tried to reduce the amount of the appropriation for both hospitals, he would have carried the thing through. But, he did not do that. Therefore, the bill, as it passed the House, carries the appropriations in it to keep both hospitals open without the express language, however, which has been heretofore carried in the bill to keep them open. I hope the other body will put that language back in the bill so as to keep both hospitals open. As I understand, the bill is likely to come up in the other body either today or Monday and I hope such action will be taken by the other body so as to keep both hospitals open. The money is appropriated to keep both of them open and the language should be restored which would permit the hospitals to remain open. I hope the other body will restore the language and order the Department of Defense to keep both hospitals open, in which event I am satisfied that the membership of the House would concur in such an amendment.

Mrs. ROGERS of Massachusetts. I understand that the money is still in the bill for both hospitals.

Mr. McCORMACK. That is exactly correct.

Mrs. ROGERS of Massachusetts. I do not know whether any of the other Members have known of cases where men have been moved in an ambulance to another hospital on the closing of that hospital and on the way to the other hospital those men have died. It has been very, very unfortunate, but it has happened. I maintain there is such a thing as an economy in saving lives and in keeping our soldiers and their families well, in body and in mind; to do that we need hospitals.

I have followed a good many cases of sick and disabled service people in the past many years and there is very great danger if they are not cured. I am glad the House left the money in the appropriation bill and I am very sure the Surgeon General's Office is glad to have it in even though they are under wraps and cannot talk freely.

Mr. McCORMACK. Are they under wraps?

Mrs. ROGERS of Massachusetts. Yes; because I twice asked them to give me information as to whether they wanted it or not, and they said they could not give it, that it would have to come from the Office of the Secretary of Defense. This did not come originally from the Surgeon General's Office, but from the overall medical committee I believe under Under Secretary Wilson.

Mr. McCORMACK. In other words, they cannot even talk to Members of Congress.

Mrs. ROGERS of Massachusetts. The gentleman knows that is true; it has happened in other instances. That is why I feel this budget is making dishonest people and perjurers out of people working in the Government. We are not going to have honest government this way. I am not speaking of any particular party; it applies to both parties.

Mr. McCORMACK. That is, the gentlewoman means they are prohibited from talking now.

Mrs. ROGERS of Massachusetts. Yes.

Mr. McCORMACK. I have no recollection that they were prohibited from talking when the Democrats were in.

Mrs. ROGERS of Massachusetts. It has happened at times; they were.

Mr. McCORMACK. No.

Mrs. ROGERS of Massachusetts. Yes, they were. I am sorry to disagree with the gentleman. I remember very well when the hospital was closed; at the time I referred to, President Truman was in office.

Mr. McCORMACK. I do not recollect it.

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Mrs. ROGERS of Massachusetts. I take issue with the gentleman on that. It has happened in both parties; it is not confined to one party. The unfortunate thing about it is that often cuts in appropriations are not known about by the Presidents—they do nothing regarding it. I wish the House could rise up and ask that we have honest reports from the different departments of the Government.

Mr. McCORMACK. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. McCORMACK. Regardless of our views on that, we are in agreement on the need for this hospital.

Mrs. ROGERS of Massachusetts. Yes, and I think every Member of the House wants our service men and women and our veterans taken care of. I wish the Members could visit the streets of the cities and towns in Massachusetts. Everywhere I hear the same thing. Literally hundreds have asked, nay, begged to have Murphy General kept open. There would be no economy in money or human life and suffering to close it. It comes with poor grace from the Department of Defense when they want our support for their huge defense budget to take away services for our service people. I have always supported the national defense.

RADIATION HAZARDS IN WAR AND PEACE

The SPEAKER. Under the previous order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 30 minutes.

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, last month the distinguished Chairman of the Joint Committee on Atomic Energy, the gentleman from North Carolina [Mr. DURHAM], appointed a special subcommittee to gather the known scientific facts on nuclear radiation and its hazards. I was given the honor and privilege of presiding over the special Subcommittee on Radiation.

Hearings were conducted in a completely fair and objective manner. Policy and partisan issues were excluded. Our subcommittee sought only the cold, scientific facts. We called together outstanding scientists and specialists in the nuclear field. Sessions were held for 8 days beginning May 27. Approximately 40 hours were spent by members of the Joint Committee on Atomic Energy in hearing these witnesses. A list of the witnesses was announced before the hearings in my remarks on the floor of the House on May 22, 1957.

I wish to commend the committee members from both Chambers and from both parties who have sat so patiently and who have worked so hard in preparing themselves to conduct these hearings. It is a tribute to the members that they do not run from the language of the scientist, but listen and understand and help to convey the meaning of that language to the layman.

For my part, I will say that I have enjoyed the friendly cooperation of Members of both sides of the aisle. Republicans as well as Democrats have made some very kind remarks to me about the chairmanship of these hearings.

Recognizing that a Congressional hearing places some limits on the time that can be devoted to one matter, I am satisfied that through these hearings we will have assembled the most authoritative and up-to-date information on nuclear radiation available in the United States, and for that matter, in most of the world.

Of necessity the basic source of information in the nuclear field is the Atomic Energy Commission. That agency was established by law more than 10 years ago to develop the military and peacetime applications of atomic energy. The Congressional mandate has carried with it during that decade the huge sum of $15 billion of the taxpayers' funds which Congress has voted for the Atomic Energy Commission.

The production plants, laboratories, and university research programs supported by these public funds have been the basic training grounds of our nuclear scientists and technicians. Of the 36 expert witnesses, 6 came directly from the Commission, and 25 were employed directly or as consultants to Commission contractors.

This should dispel at once the notion, if anyone has it, that the hearings were onesided or rigged against the Atomic Energy Commission. The testimony was aimed at no particular individual or agency. It was aimed only in the straight direction of fact and truth.

The Atomic Energy Commission had full opportunity to present testimony. The agency was notified months in advance about the hearings. Dr. Willard F. Libby, an outstanding scientist in his own right and a distinguished member of the Commission, testified. He complimented the subcommittee for its public service and its endeavor to sort out the thorny facts in the brier patch of controversy and confusion which has snarled up the radiation issue.

In the course of these remarks, I shall have some critical statements to make about the Atomic Energy Commission. I bear no personal grudge against the members of the Commission nor its hardworking and dedicated employees and contractors. My purpose is to bring to public attention certain matters of vital concern for which the Commission bears responsibility. I shall also commend the Commission for the honorable and efficient discharge of many of its important duties and responsibilities.

To make myself clearly understood, let me say again that the subcommittee hearings were not a forum for discussion of public policies. They were, rather, a scientific seminar to lay a basic groundwork of knowledge for discussion by the public and for policy decisions by the responsible agencies of Government.

I choose this forum, the floor of the House of Representatives, to draw out some of the important policy implications of our hearings. Here I speak on my responsibility and on the basis of my own judgment. Here I put aside the role of impartial chairman and become an advocate for the views I hold and the conclusions I draw from the Congressional inquiry.

In due course the Joint Committee on Atomic Energy will present to the Congress a report on the hearings. I do not presume to anticipate any findings in the report nor to define its contents. But I feel I owe it to my own conscience, to my colleagues, to my constituents, and to the community of interested and concerned persons who have followed these hearings, many of whom have written to me, to speak now—and speak frankly—on a subject which concerns the health and the happiness and the future of mankind.

RADIOACTIVITY A NEW GLOBAL HAZARD

First of all, let us consider the setting. Our world is radioactive. Man himself is radioactive. The air we breathe, the water we drink and the food we eat contain minute bits of radioactivity. Scientists have known these facts for some 60 years.

This radioactive material is part of our natural environment. It is, so to speak, one of the facts of life on this globe. We live with it, and there is nothing much we can do about it. Except for the scientists who continually probe the secrets of the universe, most people know little and care less about natural radioactivity.

But today, a new and most fundamental problem confronts the world. This is the problem of evaluation and control of the new hazard of man-made radioactivity. These unnatural radioactive substances can be unleashed in enormous quantities to contaminate the world, to bring death and suffering to its inhabitants and serious harm to future generations.

I stress the fact that this is a new hazard. One might say the peril was born when scientists split the uranium atom almost 20 years ago, or when atomic bombs were developed and exploded over Japanese cities in World War II. True, the atomic bomb generated large quantities of radioactive debris, but the amounts were not sufficient to become a global hazard; neither were the amounts from relatively few nuclear powerplants which utilize uranium as a fuel.

The genius of man in the arts of mass destruction has produced a new bomb, sometimes called the superbomb. This new bomb differs from the atomic bomb in two respects: First, it can produce hundreds and even thousands of times more radioactive material; and, second, its explosion hurls this debris so high into the air that it is dispersed to the four corners of the world. I mean that in quite a literal sense.

The United States has a farflung system for sampling air and soil and rainwater for their radioactive content. We have measured bomb particles from Russian and American test explosions wherever we have looked—in the frozen

wastes of the north, in the Wisconsin dairylands, in the citrus groves of California and Florida, in the Corn Belt of the Midwest. Yes, the radioactive debris even has been identified in the antarctic snows. No place where men dwell escapes the fallout from nuclear bomb explosions. Man is changing his environment in a radically new manner.

THE 1954 EXPLOSION

Let me illustrate this in a specific way. On March 1, 1954, the United States exploded the most powerful nuclear weapon in its testing program up to that time. This was the explosion, as many of you know, which contaminated 7,000 square miles of surrounding territory. In fact, today, some uninhabited parts of the Marshall Islands, 100 miles from the test site, are still so radioactive that they are above the permissible level for normal land use.

This smoldering radioactivity in the Marshall Islands is due to the split atoms of uranium which stick to the trees, vegetation, and the soil. This residual radioactivity is a grim forewarning of what could happen to an entire continent if attacked with such dirty nuclear weapons. This Nation, or any nation, if ravaged by nuclear assault, would remain for years a semiwasteland of danger in which people could not move freely about without exposing themselves to harmful radioactivity.

Not all the split atoms of uranium fell out on the Marshall Islands area. Some were tossed high into the heavens, riding the mushroom cloud which pushed its head into the gloom of the stratosphere.

This seething cloud, as it reached the upper air, soon became strewn out into tiny invisible fragments. High altitude winds buffeted and blew them around the world as they descended from the stratosphere.

This was really quite fortunate, for most of the split atoms were trapped in a kind of isolation ward. They continued to emit powerful radioactive rays, but these hurt no one since they were rapidly absorbed in the upper air and never penetrated down to sea level.

If all of the split atoms remained suspended indefinitely in the stratosphere, an unlimited number of big bomb tests could be conducted safely so far as global contamination is concerned. But what goes up unfortunately must come down. As a result, we have the phenomenon of global fallout.

The great bulk of the split atoms of uranium which fall out here and there on the globe burn themselves out by the time they reach the earth's surface. These burned-out fragments are of no consequence to anyone. They are the dead ashes of atomic fires.

Not all atom fragments burn out so quickly. What concerns us are the live ashes of atomic fires. An exploding nuclear bomb breaks matter into possibly 200 distinct species of atomic fragments from about 3 dozen chemical elements. One of these elements is strontium 90.

Chemically, strontium is very much like calcium, the chalky white substance that is familiar to everyone. Strontium 90 is radioactive strontium, the particular species of strontium that is formed when uranium atoms are blown apart.

The radioactivity of strontium 90 is dissipated by 50 percent every 28 years. Physicists say that it is "long lived." Therein lies part of the danger, for if this radioactive material enters the human body and stays in it, the hazard to humans obviously is a long-term hazard.

I shall say more about the nature of strontium 90 in a moment. I note at this point that the Atomic Energy Commission has been studying the strontium fallout problem rather intensively for almost 4 years. Project Sunshine was set up for this purpose, and soil samples were gathered from all over the world. To date the Atomic Energy Commission has spent $8.3 million on this project in 1956 and 1957.

I believe it is to the credit of the United States that the AEC has sponsored such extensive research in strontium fallout. Dr. Libby, scientist-member of the Atomic Energy Commission, deserves special commendation for his interest in, and support of, this project.

Expert scientists who testified before the subcommittee of the Joint Committee on Atomic Energy which investigated the scientific aspects of fallout have reached considerable agreement on many problems involving strontium fallout.

ASPECTS OF THE FALLOUT PROBLEM

May I say, first, that this agreement lies in the area of the physical sciences—in nuclear physics, earth science, meteorology, physics, and chemistry. Strontium 90 is included in the three phases of the worldwide fallout problem which I divide up as follows:

First. Physical aspects of global fallout: This involves production of bomb debris, injection into the atmosphere, stratospheric transport, leakage from the upper air and deposition on the earth's surface.

Second. Contamination of food and uptake by man: This involves the absorption of radioactive particles by plants and animals, entry into man's food supply, and uptake and retention by human beings.

Third. Evaluation of the biological effects: This involves present and future concentrations of strontium in man, the maximum permissible concentration, variations from the average concentration, and probable biological effects of low-level radiation.

These three categories are scientific and technical. They point quickly, however, to problems which are not scientific or technical. Whether this Nation should add more bomb debris to the atmosphere requires an evaluation of risk which goes beyond the competence of the scientist or even of the Government official. In a democracy it goes down to the level of the individual. It is something which must be debated fully once the basic scientific and technical data allow such debate to be informed. I believe that our subcommittee hearings when printed will enable the public to at least see the dimensions of the risk.

PHYSICAL ASPECTS OF STRONTIUM FALLOUT

To return to the physical aspects of fallout, may I say briefly that we know that once bomb debris is injected into the stratosphere, the strontium 90 particles circulate around the world many times before coming down. We do not know exactly how long this circulation goes on before the strontium comes down, but it appears that it takes about 5 years for half of the strontium to descend from the upper air. Once it does, it is quickly swept down to earth with rain, snow, or fog.

This means that wherever precipitation occurs—which is where man gathers to seek his food supply—strontium fallout occurs. The most recent data supplied to my subcommittee by the United States Weather Bureau experts show that the fallout around the globe is not uniform. More fallout occurs in the north temperature zone than in the Southern Hemisphere.

This is one of the most important facts developed in the hearings. Heretofore the Atomic Energy Commission dealt in global averages which seemed to minimize the danger. These statistical averages afford no comfort to the populations exposed to the heavier incidence of fallout.

As a Californian, I might remark at this time that I read a magazine article the other day which inferred that California citrus fruit is being dusted with more strontium than that in other States. I checked the strontium measurements in the United States and I find that Florida has a higher strontium fallout than California.

CONTAMINATION OF FOOD

Strontium is finding its way into many channels of man's food supply. The Japanese have measured the strontium 90 content of their rice. We keep a constant check on the strontium 90 level of our milk. This substance gains entry into plant and animal life because it acts as a chemical companion to calcium. If the plant needs calcium it also takes up strontium. Studies made by the Department of Agriculture are still underway but they show that most plants take up strontium blindly and do not discriminate against it.

Once locked in plants, the strontium is on its way into the food supply. Dairy cattle, grazing in Wisconsin, or in the New York milk shed, for example, take in the strontium that happens to be in the grass or feed. Fortunately, only a fraction of this strontium finds its way into the cow's milk. Due to the cow's physiological mechanism, much of the strontium is blocked out of the milk. This built-in roadblock against strontium is most fortunate for our children since they derive so much of their needed calcium from dairy products. It reduces but does not eliminate the uptake of strontium 90.

THE HUMAN INTAKE

Just as the cow manages to block out much of the strontium in its feed, so do humans discriminate against strontium. In other words, when strontium enters the human system, it is not received as though it were a twin brother of calcium. It gets treated as though it were a more distant relative. Some of the strontium is blocked out and does not remain in

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humans. Again, this is very fortunate, for otherwise people today would contain considerably more strontium 90 than they actually do.

What happens to the strontium 90 once it gets inside people? It behaves like calcium and is absorbed in living bone. We know this on the basis of experimental measurements of bones taken from humans and from corpses. Every person on this planet now probably contains a measurable amount of strontium 90 in his or her skeleton. Prior to the advent of atomic energy no such contaminant existed. Thus strontium 90 is a brandnew additive to our internal environment.

Since not all the strontium from bomb tests to date has fallen out, and since not all that which has fallen has found its way into the human food supply, we have only a fraction of the amount of strontium which we will have at some time in the future. And we must constantly keep in mind the fact that more bombs are being tested with each passing day.

The world has witnessed almost 120 bomb tests so far. That is almost one for every month since World War II. And a single bomb test today can be the equal of a thousand Hiroshima-class bombs.

It is against this background that we must view the problem of evaluating the radiation risk from strontium in humans. This brings us to the third phase of the problem as I have outlined it.

EVALUATING THE BIOLOGICAL EFFECTS

My subcommittee heard a great deal of testimony from eminent scientists on the probable biological damage to be expected from various amounts of internally deposited radioactive substances. But after listening to many experts disagree on this subject, I arrived at the conclusion that we need much more scientific knowledge before we can really be sure of the ultimate effects of a certain amount of radiostrontium—another word for strontium 90.

As a layman, I was somewhat shocked to find out how much the experts admitted they did not know about the long-term effects of radiation. In fact, when I thought over how little is known for sure, I wondered how some officials of the Government could be so positive that bomb tests were so safe.

The seeming optimism and complacency of Government officials is by no means shared by our citizens, judging by the mail I receive. A citizen of California, for example, who wants the United States to take the lead in renouncing further bomb tests writes these wise words:

> Scientists simply do not know enough to say what is safe, what is permissible. This area of research is so new, tomorrow they may make discoveries that will confound all they know today. It may then be too late.

The majority of the scientists who have competence through laboratory experiments, human case histories, and intensive study of radiation phenomena agree that the specific rise in earth radiation caused by bomb testing to date is no more than one-tenth of the natural radiation. They agree that, barring accidents to a limited number of people such as the Japanese fishermen or the Marshalese Islanders, this amount does not or has not produced any bone or flesh—somatic—damage.

On the other hand, the majority of the geneticists agree that this one-tenth increase in environment radiation may cause an increase in gene mutations of 10 percent over those caused by natural radiation. Here we enter the realm of assumption because we do not know the number of mutations which are caused by natural radiation, nor can we separate mutations caused by other factors from those caused by natural radiation.

Laboratory experiments with various radiation doses are being conducted on fruitflies, mice, dogs, and monkeys. It is, of course, not practical to experiment on human beings, and the human life span is too long to furnish us the knowledge we need now on genetic or hereditary effects. We can only try to extrapolate the effects of radiation on insects and short-life-span mammals, and consider these effects as they would apply to human beings.

The element of error in this extrapolation is admitted by all scientists. It is also admitted that the degree of error cannot be accurately estimated. All agree, however, that any radiation causes mutations of the genes and substantial radiation can kill the germ cells of life or cause abnormalities which are transmitted to future generations. Of course, there are millions of genes in each human being, and the probability of adverse genetic effect upon the specific sperm which fertilizes a particular ovum must be calculated in relation to the number of mutated genes as compared to the number of normal genes.

"WORRY LIMITS" ARE NEEDED

What we really need are some standards against which we can measure whether or not a given amount of strontium will be harmful. We need some worry limits—amounts of strontium 90 which, if exceeded, would cause profound worry about the eventual consequences of the radiation effects. Then we need to use some sort of yardstick to relate how close we are to the worry limit.

Experts differ on what the worry limit should be, but it was interesting to note that they do not disagree too much. Dr. Shields Warren, former director of biology and medicine for the AEC, testified that he "would be reluctant to see the average strontium 90 content of bones, particularly in children, go much above 10 times the present level." Other witnesses seemed to agree with this worry limit.

We must realize that the strontium 90 content of children's bones will increase when more strontium falls out and finds its way into the food supply. This means that we are considerably less than 10 times away from the safe limit. We may be only 3 or 5 times from the worry limit.

It seems to me that this is what worries the scientists in this country and in other lands. The Atomic Energy Commission has continually given out assurances that we had nothing to worry about and yet we find, using testimony from their own experts, that there is reason to worry.

HOW MUCH BOMB TESTING?

Let me put it another way. After hearing a number of experts discuss radioactive fallout, my subcommittee convened these experts in a roundtable discussion. We soon found that these experts agreed, within limits, upon the amount of bomb testing which one could do safely in a given year. They agreed that somewhere between 2 and 10 megatons of split atoms could be injected into the stratosphere each year without undue biological risk on a global basis.

Allow me to explain what this means It means that the total explosiveness from uranium bombs should not exceed 2 to 10 million tons of TNT equivalent per year. I speak of fission yield only.

The March 1, 1954, bomb referred to earlier approximated the 10 megaton upper limit just mentioned. It is possible to fabricate a single bomb with five times this explosiveness.

This means that unless some element of control is introduced into the testing of nuclear weapons, it is possible for a single bomb test to overshoot the worry limit.

It is true that new types of bombs have been developed which are not all dirty. But it is equally true that no all-clean bomb has been developed. Every nuclear weapon exploded adds a measurable amount of radioactivity to the earth's atmosphere.

American scientists are hopeful that through further experiments atomic-hydrogen bombs can be developed which will release just a small percentage of dirty radioactivity. While this seems possible and from a standpoint of testing such development would decrease the amount of global radioactivity in future testing, we must ask ourselves this question, Are the Soviets interested in decreasing radioactivity of their bombs either for testing or use in a future war? So it appears to me that a one nation development of cleaner bombs does not remove the compulsion to prevent nuclear war nor does it answer the problem of increasing the radiation hazard by multination testing.

WHAT IS AEC SAFETY STANDARD?

Scientific judgment that the amount of radioactive material injected into the stratosphere should not exceed 10 megatons a year—the upper limit in a range of values offered by different scientists—was another important point developed in our hearings. Significantly, this information came from lower echelon scientists connected with the Atomic Energy Commission. The question arises, what value is the Commission using in its official safety standard?

The Congress and the public have not been told this important information. I recall that Secretary of State Dulles announced a month or two ago that the United States bomb tests would involve only a small fraction of what was considered a dangerous level, but what fraction? And what was the harmful level? These facts were not revealed.

Suppose the safe annual limit is 10 megatons. It may be more or it may be less—I do not know—but the scientists

set a ceiling of 10. Why should the official Government agency charged with full responsibility in the atomic-energy field keep the American people in the dark? If we could bring out the facts in our Congressional hearings, certainly the facts are not classified. At the very least the Atomic Energy Commission could demonstrate its awareness of the hazard and the need for safety by telling the public more plainly how much effort is going into the measurement and evaluation of atmospheric contamination.

It has been my experience that a Congressional investigation is often the only way to make the Atomic Energy Commission come out into the open. We literally squeeze the information out of the Agency. Except for the Congressional hearings, the AEC would withhold some important information that the public should have. Then, too, when the Commission releases information on its own initiative, it comes in forbidding technical form or in driblets through speeches of Commission members or other high-ranking personnel. Even skillful newspaper reporters, not to mention the layman on the outside, have difficulty piecing together the information or understanding its significance.

I believe that our hearings will be a substantial help in bringing out a great deal of obscure information in plain language which a lay reader can understand.

PARTY LINE WITHIN AEC

The Atomic Energy Commission approach to the hazards from bomb-test fallout seems to add up to a party line—"play it down." As custodian of official information, the AEC has an urgent responsibility to communicate these facts to the public. Yet time after time there has been a long delay in issuance of the facts, and oftentimes the facts have to be dragged out of the Agency by the Congress. Certainly it took a Congressional investigation of fallout to enable some of the Commission's own experts to break through the party line.

More than 6 years ago the Atomic Energy Commission published a study on atomic-weapon effects. New weapon developments and new data made necessary a revision of that study. Publication of the revised study has been delayed a full year. I have some reason to believe that when it comes out shortly, the revised publication, effects of nuclear weapons, will be still out of date in several matters. In some areas the coverage of known and unclassified information is incomplete.

Tardy release of information is bad enough in itself. But there is something worse. That is the selective use and release of information to favor a political position. The Atomic Energy Commission is supposed to be an independent agency. By direction of the Congress it commands vast resources and decides what the public shall know and what shall be withheld from the public. This is a great burden of responsibility. The Chairman of the Atomic Energy Commission, by virtue of his dual role as Atomic Energy Adviser to the President and head of an independent agency, has at times blurred and confused two separate roles. The prestige and resources of the Atomic Energy Commission have been lent to the fulfillment of partisan purposes in at least two instances—the Dixon-Yates involvement and the 1956 presidential campaign.

Whether detection of large bomb tests is feasible or not could make an enormous difference in possible international control arrangements. But the Atomic Energy Commission does not deign to enlighten the public and its scientists are muzzled.

Do the members recall that during the last political campaign it was argued that bomb testing was essential to missile development? Dr. Libby reiterated this position in substance in a paper presented to my subcommittee. But Secretary of Defense Wilson recently took a contrary position. What is the public to believe?

NEW LOOK AT STRONTIUM HAZARD

The administration line on the strontium hazard would almost persuade one that, like dishwashing with a certain detergent, it is almost nice. The study project on the fallout incidence of this bone-seeking cancer-producing substance is called Project Sunshine, truly a cheerful name for such a deadly agent, as if it were a tranquilizer. But the people of the world do not look upon a global poison as a tonic. Although the present quantity may be small, they are concerned with any increase.

The official optimism is based in part upon a report of the National Academy of Sciences. The data from this report are now more than 18 months old. The report ought to be revised, but Dr. Shields Warren, chairman of the pathology committee of the National Academy, stated before my subcommittee that no new report will be made in the near future.

It is well to recall that Dr. Warren Weaver, of the Rockefeller Foundation, testified before the Senate Disarmament Subcommittee earlier this year: "The British group, on the whole, did a more detailed piece of research on the strontium 90 than we did."

I would like to state that the British came up with a less optimistic report on strontium 90 than we did last year—June 1956. I suggest that our National Academy of Sciences reexamine the strontium 90 problem and put at least as much effort on the job as the British did. The new look should include some new scientific faces, too, so that the public can be assured that the AEC scientists do not dominate it. The public, rightly or wrongly, would have more confidence in a report with a wider base of personnel.

WHO EVALUATES THE RISK?

Certain crucial questions emerge from the developments I have discussed.

Who evaluates the risk? We know that there are risks associated with continued nuclear testing. These must be balanced against the risks involved if we stop further tests. The Atomic Energy Commission plays a key role in this delicate and difficult balancing of competing dangers.

I see here a conflict of interests. Is it prudent to ask the same agency to both develop bombs and evaluate the risks of fallout? Would one ask General Motors to evaluate the feasibility of limiting the number of motor cars to be produced each year? The AEC is charged with the responsibility of weapon development and they are doing a good job in this field, but an adverse judgment on their part on bomb testing could conflict with their primary mission.

What advice does the President get from scientists? How can we be sure that the President is getting the best scientific evaluation of the problem? Mr. Eisenhower says that he bases his judgment upon the national academy study. But this academy report is complex and technical. Who interprets it for the President? This is a subject of such great importance that the President should seek opposing viewpoints in order that he may exercise independence of judgment.

Have any eminent scientists discussed the strontium 90 problem with the President? I have no information to lead me to believe the President really understands this particular hazard.

Although directed by the Atomic Energy Act of 1954 to keep the Joint Committee on Atomic Energy "fully informed," the Chairman of the Atomic Energy Commission has failed, in my opinion, to fulfill this legal mandate. As special Presidential adviser to the President on atomic energy matters, Mr. Strauss is in a most favored and influential position. My question is simply this: Has the President been "fully informed?" Have the views of eminent scientists, who hold contrary views on strontium 90 to those of Mr. Strauss, been brought to the President's attention?

What is the value of future tests? How can we judge the value of future tests when—on one day—Dr. Libby of the Atomic Energy Commission tells us it would be disastrous to stop them—and on the next—Secretary of Defense Wilson contradicts Dr. Libby by saying that test cessation would not affect the intercontinental ballistic missile.

FALLOUT NOW A WORLD ISSUE

Whether we like it or not, whether the Atomic Energy Commission knows it or not, fallout has now become a great and crucial problem of our times. I would like to read just a few fragments from the torrent of mail which has poured into my office following the recent investigation of the Joint Committee on Atomic Energy.

A citizen of California writes:

In the name of survival of humanity, I urge you to work to stop H-bomb tests. The danger is great, and I want my children to live.

A citizen of New Jersey writes:

Inasmuch as existing weapons are already more than adequate to annihilate the civilized world, it seems silly to me to test bigger and better weapons when such tests cause great harm not connected with active warfare. The costs of such tests are better applied to peaceful uses of the atom.

I might also point out that if the United States is the first to stop such unnecessary testing, the force of our moral position in the world will be vastly increased. Such

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moral pressure would be sufficient, I think, to compel the Russians and British to stop also. Our prestige will certainly tumble if Russia stops first.

A Pennsylvania mother writes:

I want to add my expression of concern for continued nuclear bomb testings. I hope your committee will agree that all United States tests should be halted now, in view of the uncertainty of many qualified physicians and scientists regarding the damage fallout has upon us, not to mention future generations of unborn Americans. Why should we want in any way to endanger our own futures or those of our descendants? It appears we have enough weapons, nuclear and otherwise, to blow the world to pieces now. Why do we need to test even more destructive weapons? Can't we Americans spend our money for more constructive things and make sure we are all healthy and able to face the future with hope?

Another California citizen writes:

I want to register with you my concern about the bomb tests. I urge that we stop the testing of nuclear bombs now. This to be followed by world abolition of nuclear weapons and general disarmament. Let us act now, not wait until possibly millions of human beings have been killed or hopelessly injured.

Even if the dangers from nuclear radiation may have been overstated by some scientists, other scientists who think the danger small admit they do not know for sure. So is it not better to stop the tests now rather than to risk crippling and killing ourselves and future generations?

We are now dealing with a global health problem. We must take steps to face up to this new problem and we must educate the public to the many factfinding prospects on radiation. The world should know that the AEC is sponsoring more than 50 important research programs in this field of radiation alone. We should get the facts out in plain language as fast as they are discovered. We should publish official AEC bulletins often and disseminate them widely for public information. The Soviets are outmaneuvering us in this radiation field and are misleading millions of uninformed or misinformed people. We are failing to use our information and thereby losing leadership by default.

Obviously, some control and limitation of weapons testing is now mandatory. I would not for one moment suggest that the United States stop testing without some form of international agreement to insure that all other nations would also desist. Any deviation from this basic principle of multilateral agreement to stop testing, based on a foolproof system of inspection and detection would, in my opnion, jeopardize our national security.

In the summer of 1955 we had an atoms-for-peace meeting in Geneva. I urge that an equally important conference of international scientists be convened for the evaluation of the radiation risks attending nuclear detonations and the peacetime applications of nuclear power. Bomb testing is not the only radiation hazard.

We stand on the threshold of an era of nuclear power. This new power source, if it is to play any significant role in filling the energy needs of the world, will unleash amounts of radioactivity even more staggering than those involved in nuclear weaponry. It makes no difference whether the split uranium atom is born inside a bomb or in a nuclear power reactor. If it is uncontrolled and enters man's environment, it forms the same ultimate hazard.

That is why I urge that the nations of the world get together and allow their most expert scientists to discuss these hazards freely and openly. We have urgent need for a set of standards for radiation risks which take account of the global nature of fallout and the awesome proportions of a future nuclear power industry. Just as the scientists sat around the table at our subcommittee hearings to thresh out problems and establish facts, so we need a world roundtable of scientists to assess this common danger to mankind.

May I say in conclusion that I believe the Congressional action in airing the facts about fallout did a valuable service to the world in that it demonstrated that we were not afraid to discuss these things in the open. To my mind we raised our stock in the world because we brought these facts out into the open and held the hearings so that everyone could see what was going on. I noted that the reporters at these hearings represented many countries. And I have seen a press roundup which indicates that the eyes of the world were focused on our hearings.

Most important of all, our subcommittee's hearings have brought together the comprehensive views of the most representative group of scientists yet assembled for testimony on this important and controversial subject. These scientists were chosen because of their specialized knowledge in the field of radiation and its effects on man.

Thoughtful, concerned, and interested people will find in these hearings scientific testimony upon which they can base intelligent opinions.

THOMAS E. MURRAY

Mr. HOLIFIELD. Mr. Speaker, 2 days ago the chairman of the Joint Committee on Atomic Energy, the gentleman from North Carolina [Mr. DURHAM], announced the appointment as consultant to our joint committee of Thomas E. Murray, who for the past 7 years has been an Atomic Energy Commissioner. As most of the Members know, Mr. Murray has served in the capacity of Atomic Energy Commissioner for 7 years. In my humble opinion, Mr. Murray has been one of the greatest Commissioners ever appointed to that Commission. The President did not see fit to reappoint Mr. Murray to the Commission, notwithstanding the fact that 10 members of the 18 members of the Joint Committee thought it would be in the public interest and in the national interest to have this man continue his dedicated service to the Nation in that capacity. This, of course, was the President's privilege and right. Under the Atomic Energy Act of 1954 he may appoint whoever he pleases by and with the consent of the Senate.

Many of us thought there should continue to be a voice on that 5-man Commission which would be an independent voice, which would bring forth a different point of view when justified, than the point of view of the Chairman of the Atomic Energy Commission, Mr. Strauss. Mr. Strauss is a very able man, he has a very strong character, he has very strong views, he has been able, it seems, to dominate the Commission to the point where Mr. Strauss' views have obtained on the Commission, the only exception being Mr. Murray.

We felt in the original instance in 1946, and the House expressed its will again in 1954 when the original act was revised, that the 5-man type of Commission was the desirable type of administrative authority for this tremendously important program of the Government, a program which is costing us in round figures over $2 billion a year. We thought that the bringing to bear upon the tremendous and complicated problems which they have considered, the minds of five men having different backgrounds, different environments, different training, different points of view. Then finally there could be the settling of the five different points of view into one administrative policy. This was the way this Commission with its great responsibilities dealing as it does in the realm of secrecy and in broad, wide administrative powers not given to any other administrative agency of the Government should work. We thought there would be safety in the number of five which would not obtain if one man were appointed administrator or if one man dominated a five-man Commission. It was because of this fact that we thought there should be an independent voice on the Commission.

The President has appointed 2 men to fill 2 vacancies on the Commission, 1 caused by the retirement of Mr. Murray. I do not at this time comment on these men or their ability or their characters. I do not know them personally. I have reason to believe from what I have heard that they are competent men, they are men of high character, and I hope they are men of independent judgment, men who will go on that Commission and exercise their independent judgment in connection with the great problems that must come before this Commission. Having said that about these two men, I pass on to a consideration of the retiring Commissioner, Mr. Thomas E. Murray.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Illinois.

Mr. YATES. I want to join with what the gentleman says in his praise of Commissioner Murray, without commenting upon the new appointees to the Atomic Energy Commission. I assume both new appointees are qualified persons. But does not the gentleman agree with me it is extremely unfortunate that the President saw fit to scrap the education, the knowledge, the tremendous experience, the fine ability, that Commissioner Murray has demonstrated over the years of his tenure in office with the Atomic Energy Commission? Does not the gentleman believe that the important work

being done by the Commission will suffer as a result of the fact that Mr. Murray was not reappointed?

Mr. HOLIFIELD. I certainly agree with the gentleman from Illinois, and I would like to go even much further than that. I would say this, that regardless of the ability of the incoming appointed Commissioners, we are sacrificing by not reappointing Mr. Murray to a certain extent the 7 years of experience and the 7 years of dedicated service to the Nation. We are sacrificing the services of a man who is not interested in monetary compensation but is only interested in what is good for the Nation. And, I would just like to point out at this time some of the tremendous programs, which, I say, the former Commissioner, Mr. Murray, was responsible for.

Along in the early days of this program we thought that uranium was one of those very scarce substances. From all the evidence we had we did not believe that there were very many supplies of this material in the world and very many places where you could get uranium. The Belgian Congo was one that we knew had a great store of this material. The Bear Lake region in Canada was another, and a few other minor places in the world. But, we felt that it was necessary for the security of the Free World that there be an increased production of what we call raw uranium. So, Mr. Murray was the Commissioner who came forward and advocated an increased raw material program giving incentives to exploration and development which has developed a quantity of uranium here in the United States in the regions of Colorado, Utah, and New Mexico, which is equal to the great Shinkolobwe deposits in the Belgian Congo. And, there have been other places throughout the world where new supplies of uranium have been discovered until now we have uranium in great quantities.

Another great program which Mr. Murray advocated was a vigorous testing program of weapons. I tell no secret when I say that the Joint Committee on Atomic Energy pushed the weapons program on the Department of Defense. They did not come to us asking for atomic weapons. They were perfectly willing to go ahead with their bows and arrows, their cavalry, their Springfield rifles, their old type machineguns, their surface carriers. They were perfectly willing to go ahead in the tradition of the last 100 years. But we pushed the weapons program onto the Department of Defense, and Mr. Murray was the man who said:

> We have got to have a vigorous testing program in Nevada and another one for large weapons out in the South Pacific if we are going to find out what we have got in the way of these new types of weapons.

Mr. YATES. Mr. Speaker, will the gentleman yield on that point?

Mr. HOLIFIELD. Yes.

Mr. YATES. I was glad to see the statement attributed to Mr. Murray in the paper yesterday that Mr. Murray does not necessarily wish to continue the testing of the hydrogen bomb, but he thinks the testing should continue with respect to the smaller nuclear weapons.

Mr. HOLIFIELD. That is another very grave issue and a very important issue which I would like to go into at some length on the floor at some other time. But, for the sake of clarity, Mr. Murray has taken the position that we should do everything in our power to perfect an international agreement to stop testing the megaton weapons. But he has been a very strong advocate of testing the smaller weapons and he continues to take that position.

Now I want to go to the next program which he advocated. Mr. Murray is a free-enterprise man. He comes from a long line of New England private enterprisers in the field of public utility machinery manufacturing. I understand that he has over 200 private patents in that field. But he took the position that the Government should initiate and carry through a vigorous program of atomic power reactors, and he took that position on the basis that we are faced with a situation of international competition; that unless we did it, the Soviet Union or, and this would be better for the Free World, Great Britain would beat us to the point of producing economic electrical atomic reactors. So he said that the only way we should proceed in this technology, and meet international competitive conditions is for the Government to proceed with a vigorous program of development and then make the techniques available to all of the manufacturers of utility machinery in the United States, to all of the public and private power people. He is strictly a private power man, but he recognized that unless we had the Government go ahead and spend the millions that are necessary that it would be impossible for private industry to spend such funds in the period in which it has to be spent, because of international competition. He pointed out that we would lose our place in the race, possibly to the Soviets.

This program has not been waged by the Government; and, notwithstanding the fact that the 1954 act was passed which allowed private industry to come in and do this job, they have not done this job up to the middle of 1957. And I see no real chance for them to do the job that needs to be done in the next 10 years.

Mr. JENKINS. Mr. Speaker, will the gentleman yield to me?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. JENKINS. I just want to say this. I have the honor and privilege of serving on the committee with the distinguished gentleman from California. I want this House to know that the gentleman from California is tremendously well qualified to speak on anything that pertains to atomic energy. I can remember the day, when, as members of the Committee on Atomic Energy we were not allowed to say very much. But the gentleman from California has studied the subject, he knows what he is talking about, and I am glad to say a good word for him and he knows that I am telling the truth.

Mr. HOLIFIELD. Mr. Speaker, I deeply appreciate those remarks of my colleague, the gentleman from Ohio.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. On this point, yes.

Mr. EVINS. I have listened with interest to the remarks of the gentleman. And since he was speaking of the Atomic Energy Commission favoring private enterprise, I wanted to ask the gentleman if there is not a section in the Atomic Energy Act which says that there shall be no subsidies. No subsidies is emphasized in the basic law. I think there is one exception—except for research purposes. Has not the Atomic Energy Commission taken that exception and made it the general rule rather than following the intent of the law, which says that there shall be no subsidies? In fact, they are so pro-private enterprise that millions and millions of dollars have been given to the private utilities in subsidies, when the basic law says that there shall be no subsidies.

Would the gentleman comment upon that, please.

Mr. HOLIFIELD. The gentleman does not want to get away from the main line of his remarks at this time.

Mr. EVINS. The gentleman was speaking about private enterprise.

Mr. HOLIFIELD. I will say there is a no-subsidy provision written into the 1954 act. There is an exception in that no-subsidy provision which provides that the Government may finance under sections 31, 104, and 41 of the act research and development programs. The Atomic Energy Commission has started research under sections 31 and 41 and section 104, a combination of those sections, those provisions, and it is pursuing its program. I agree with the gentleman that I think too much stress has been put upon those particular sections. I also agree that by putting stress upon those particular sections it has operated in such a way that the program has lagged. If they had gone ahead and done the job which Mr. Murray and many of us on the committee thought ought to have been done, we would be further along the line of technology in this very important field.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. TEAGUE of California. Getting back for a moment to Mr. Murray, whom I do not know, I take it that the gentleman from California [Mr. HOLIFIELD] considers him to be one of the most learned men in the field of atomic energy?

Mr. HOLIFIELD. I do.

Mr. TEAGUE of California. I also understand he has indicated he does not favor the abolition of bomb tests, as qualified by the gentleman's statement.

Mr. HOLIFIELD. That is true.

Mr. TEAGUE of California. Is there some difference of opinion between Mr. Murray and Adlai Stevenson in reference to this question?

Mr. HOLIFIELD. I would have to have the remarks of Adlai Stevenson before me to pass judgment on that. I hesitate to express my opinion for fear

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that I might not accurately portray the two positions. However, as I remember, the former candidate for the Presidency on the Democratic ticket, Adlai Stevenson, advocated a cessation of the big bomb tests. It is also my understanding that he did not advocate it on a unilateral basis. Clarifications of his statement which he subsequently made on request of certain members of the press indicate to me that his position was very much the position of Mr. Murray. Also, I may say that it is a position which seems to be in order of adoption by President Eisenhower at this time. As I understand the President's recent remarks, the President did indicate that he was very much interested in stopping the large bomb testing provided adequate inspection and detection methods could be promulgated on an international multilateral basis. This is my position and this is the position, as far as I know, of a great many members of the Joint Committee on Atomic Energy.

Mr. TEAGUE of California. I thank the gentleman. It seems to me there was no inconsistency between the position of the President and Mr. Murray. I was not sure about Mr. Stevenson. That is why I asked the question.

Mr. HOLIFIELD. I would say from reading the press reports that I am not quite sure what the President's position is. I have not read the transcript of the President's actual words, so I will not take the responsibility at this time for knowing definitely what the President's position is.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Illinois.

Mr. YATES. But we do know the President was opposed to the suggestion that Mr. Stevenson made during the course of the campaign.

Mr. HOLIFIELD. Yes. We must remember that we were in a political campaign at that time. Mr. Stevenson made a suggestion which apparently had a great heart appeal to the American people. At that time the Republican candidates for President and Vice President denounced his position. Other people were not so temperate in their denunciation of his position. They went to extremes and attributed to him statements which he did not make.

But I do not want to get into that subject at this time. Let me just finish my list of great accomplishments of Commissioner Murray.

He pointed out the radiation hazards of megaton bomb testing. He has pointed that out in articles in Life magazine and articles in the press and speeches at different universities. I want the Members of the House who are interested in this subject to read the speech which I have put into the RECORD at this point today on radiation hazards in war and peace. Remember that most of the remarks here refer to bomb testing, not to nuclear war but to bomb testing. I think you will find that I have made a fair appraisal of the scientific testimony which was given before our committee. Without at this time telling you what my position is on that particular point, I ask you to read the speech, and you will find the rounded reasoning which the scientists gave and upon which I based my interpretation of their testimony. But the point I wish to make now is that Mr. Murray has been a great humanitarian, Christian man who has come forward and pointed out the dangers of increased large bomb testing and the dangers of nuclear warfare, and that was his fifth great contribution, in my opinion, to the thinking of the American people.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. YATES. I want to point out to the gentleman that he is exactly right in pointing out Mr. Murray's humanitarian qualities. Mr. Murray had much vision and much sympathy. I remember very well a speech that Mr. Murray made in which he proposed, after the State Department had messed up the negotiations with Japan, following the big bomb test in the Pacific when the Japanese ship, the *Lucky Dragon*, was caught in the fallout and some of the Japanese fishermen were injured as a result of that test, Mr. Murray then proposed in response to the cries in Japan about the destruction wrought by the United States atomic explosion:

> Why do not we find some way of going to Japan with a message of peace, providing atomic reactors for Japan which will create atomic energy for peaceful purposes?

That is the sort of man of vision that Mr. Murray is.

Mr. HOLIFIELD. The gentleman has spoken correctly. In my opinion the whole Japanese problem of radiation of the fishermen on the *Lucky Dragon* has been mishandled. I have been informed recently that none of our Government representatives in the State Department or the Atomic Energy Commission tried to contact the injured Japanese and express the official regrets because of the incident.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. McCORMACK. Mr. Speaker, Thomas E. Murray is one of the best versed men in the field of nuclear activity not only in the United States but throughout the world. He is a dedicated man, a man who has given of himself untiringly, who has dedicated his great capacity for service not only to the people of our country but to mankind. The failure to reappoint Mr. Murray to the Joint Committee on Atomic Energy is evidence of a reckless disregard of the best interests of the United States of America. President Eisenhower must assume complete responsibility for that failure to reappoint Commissioner Murray. The failure to reappoint Commissioner Murray clearly shows that this administration does not want men with independent minds in the Federal service, but that the administration instead wants "yes" men; men who will subject themselves to mental dictatorship. But, President Eisenhower and Admiral Strauss failed to reckon with one thing and that is that there were other ways to keep Commissioner Murray in the field to which he has dedicated himself—there is more than one way to keep Commissioner Murray in the public service. President Eisenhower and Admiral Strauss thought that they had got rid of Commissioner Murray, but they now realize that they have not got rid of him and that he is going to continue to serve the people of America in the same field, but in another position. I congratulate the Joint Committee on Atomic Energy for their leadership and their foresight in appointing Commissioner Murray to be the consultant for that committee. As a result of that action, the people of America—the people of the world will continue to reap the benefits of the great capacity of this man. They will continue to obtain the benefits of his independent mind. Among other things I call attention to my friend, the gentleman from California, that Mr. Murray showed his great statesmanship when he appeared before an appropriate committee of the other body in connection with the ratification of the treaty relating to the international atomic energy agency. He appeared without consultation with other members. In fact, the other members I understand consulted with each other as to what they would say when they appeared before the committee. Is that correct?

Mr. HOLIFIELD. That is correct.

Mr. McCORMACK. But Mr. Murray was not asked by them to sit with them in order to have an exchange of views of the complete commission. Despite that, Mr. Murray appeared upon invitation by the Senate committee and strongly urged the ratification of that treaty.

Up to that time it was doubtful whether the treaty would be ratified, at least without reservations. From the time that Commissioner Murray appeared before the committee matters changed; that was the turning point. A favorable recommendation came out of the committee shortly thereafter and the treaty has since been overwhelmingly ratified by the United States Senate.

So Commissioner Murray is going to continue in the service of the public and he is going to continue from an angle that I think will enable him to act with greater independence. As a matter of fact, in the light of what has taken place, in a sense, I am glad he was not reappointed, because if they had reappointed him they would have been able to handicap him to some extent. Now he can operate in conjunction with the Joint Committee on Atomic Energy in complete independence and with complete respect.

In closing may I say that while I know of Mr. Floberg, I do not know him personally. Everything I have heard about him has been very favorable. Whether he is qualified for this board or not is a question I cannot pass upon. I assume his qualifications will be thoroughly inquired into by the appropriate Senate committee.

Whether he is going to be a man of independence, I assume, will be thoroughly probed by the members of the Senate committee.

And the same in relation to John Graham. But I do know John Graham; I know that he is a man of independence, a man of great capacity, a man who has strong convictions. I can confidently express my opinion that John Graham would not be a yes-man for anyone. I am glad to make that observation in relation to John Graham, whom I have known for many years, particularly when he was Assistant Secretary of the Treasury, in which position he performed outstanding service for our people.

Again I congratulate the gentleman from California, the gentleman from North Carolina [Mr. DURHAM], chairman of the Joint Committee, and all the other members of the Joint Committee on Atomic Energy for voting to appoint Tom Murray as consultant.

Mr. HOLIFIELD. I thank the gentleman for his contribution.

In closing, let me say that I believe that the action which the chairman of the Joint Committee [Mr. DURHAM] took in retaining the services of Mr. Murray as consultant will give to our committee access, at any time we need it, to the wide broad background of knowledge which Mr. Murray has accumulated over the 7 years of his service. I am sure we will consult him frequently on matters of atomic policy, as to goals and objectives which are necessary to develop the peacetime atom, and to protect us from the hazards of nuclear energy when it is used in a weapons capacity.

I thank the gentleman very much.

FURNITURE AND FURNISHINGS FOR THE ADDITIONAL SENATE OFFICE BUILDING

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, in this morning's Washington Post and Times Herald there appeared an article on the front page giving an account of the votes taken yesterday concerning three bills to provide for the construction and furnishing of the new Senate Office Building and the renovation of the present Senate Office Building. The headline of the article stated that the House had voted to give the Members of the Senate chairs valued at $800 apiece. This is not true. The measure voted upon by the House approved no specific furniture but merely was an authorization to the Architect of the Capitol under the direction of the Senate Office Building Commission to provide the necessary furniture for the new building. This is the identical procedure which was followed in connection with the present Senate Office Building and both of the present House Office Buildings.

I think it is important, Mr. Speaker, that the Members of the House and the public actually know what the authorization included. I present, therefore, the following statement giving an account furnished me by the Architect of the Capitol. It shows just what is involved and what the intention of the Commission and the Architect is with respect to the procurement of furniture and other articles needed to be placed in the new building.

The act of June 25, 1948, authorizing the construction and equipment of an additional office building for the United States Senate, does not authorize the purchase of furniture and furnishings for the new building. It has been the prevailing practice with respect to buildings erected on Capitol Hill to provide for furniture and furnishings by separate legislation.

S. 1428 authorizes and directs the Architect of the Capitol, under the direction of the Senate Office Building Commission, to provide furniture and furnishings for the additional Senate Office Building.

This bill was passed by the Senate, March 12, 1957, and by the House, June 27, 1957.

At a meeting of March 20, 1957, the Senate Office Building Commission requested the Architect of the Capitol to arrange with reputable furniture companies for displays in the rotunda of the present Senate Office Building of sample furniture for the new building. The Architect requested several reputable companies to display furniture in a specified good-quality range in the following categories:

Senators' suites and other offices: Executive-type desk, executive-type chair, guest chair, secretarial desk, secretarial chair.

For committee rooms: Conference table, Senators' chairs on rostrum, spectators' and witnesses' chairs.

The request did not include furnishing of any vibrating chairs or other specialized equipment.

The displays of the various companies were held over a period of several weeks in the rotunda of the Senate Office Building and during this period of time, the members of the Senate Office Building Commission, other Senators and their staffs and the Architect of the Capitol had an opportunity to see such furniture and to examine it thoroughly.

The Architect was then requested to ask each company involved to submit its brochures containing specifications, cuts, prices, and other information on the furniture they wished to have considered. This data is now being assembled and will be submitted to the Senate Office Building Commission at its next meeting.

Although S. 1428, authorizing the furnishing of the building, provides that the furniture may be obtained without formal competitive bidding, this law does not preclude the taking of competitive bids and no decision has been made by the Senate Office Building Commission as to whether the furniture will be purchased, in whole or in part, through negotiations, under open or limited competitive bid procedures, or otherwise.

Now that S. 1428 has been passed by the House of Representatives, the Senate Office Building Commission, upon its approval as a public law, will be vested with the necessary authority to decide upon a definite procedure, including a determination of costs, for furnishing the building. Before making any final decision on this matter, the Commission will thoroughly consider the question of cost, design, quality, and need for the various items of furniture involved. Any recommendations of the Senate Office Building Commission will then be submitted to the Senate Committee on Appropriations and justified before that committee in requesting funds for the purchase of furniture and furnishings required. Any funds approved by that committee will then be subject to approval by the Senate and the House.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a statement.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

TRADING WITH RED CHINA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. BYRD] is recognized for 60 minutes.

Mr. BYRD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and also that any other Member of the House who wishes to do so may have permission to extend their remarks in the RECORD on the subject to be discussed.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BYRD. Mr. Speaker, Charles Dickens, in his great novel, A Tale of Two Cities, used a paragraph which is most appropriate for the day in which we live. The opening paragraph of this most fascinating story reads as follows:

> It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of light, it was the season of darkness, it was the spring of hope, it was the winter of despair, we had everything before us, we had nothing before us, we were all going direct to Heaven, we were all going direct the other way—in short, the period was so far like the present period, that some of its noisiest authorities insisted on its being received, for good or for evil, in the superlative degree of comparison only.

Mr. Speaker, I think that I have never seen a time in which peoples and countries have been more confused, more at a loss to know in which direction we are going, than the present day. It is as though Hamlet's words, "The time is out of joint," were meant for this age rather than for the age in which the Bard of Avon penned them.

At a moment when talk of agreement on arms limitation seems to be proceeding hopefully in London, the United States and allied governments have announced that they are equipping with modern weapons the United Nations forces in Korea. Our leaders speak of disarmament on the one hand and rearmament on the other. Many of our

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scientists say that there is little danger from fallout. Others have contributed to a growing hysteria saying that the terrible consequences of fallout will be visited not only upon ourselves but upon a physically and mentally defunct and deformed posterity. One day we are told that we are closer to peace than ever before; the next day we hear that new and greater perils lie in wait.

We witness a discomfiting scene within the governmental arenas in which 2 of the 3 coordinating branches of our Government are traveling in two diametrically opposite directions, the Congress of the United States attempting to do everything within its power to reveal the subversive elements within our midst, to disarm them and destroy them, while on the other hand, the highest Court of the land strikes the shackles from these same disloyal and dangerous men and organizations, giving them a green light virtually to go where they please, do what they please, with complete freedom to undermine the Government which gives them protection and destroy the Nation within whose shores they enjoy the advantages and opportunities which are only to be enjoyed under a system of democratic processes and democratic institutions.

A few weeks ago no sane political leader would have advanced the thought that we should trade with Red China, but in more recent days there are those in high places who have suggested that we take a new look at the entire subject of trade with Red China, and so, Mr. Speaker, it seems indeed that we are going in all directions at one and the same time with no one able to say where we are going or what our objective really is.

The Communist strategy of once more offering peaceful coexistence and unlimited trade possibilities to the peace-hungry and trade-hungry West has succeeded in obscuring the logical thinking of many responsible political leaders in this country. There are some, for instance, in both parties in the other body who have recently expressed themselves as believing that there should be a complete resurvey of our policies toward Communist China insofar as trade is concerned. These same individuals remain adamant on the matter of our not extending diplomatic recognition to the Chinese Communist regime, as if trade could be carried on without diplomatic implementation sooner or later. There is no possibility of trade without some sort of recognition on our part. Who will protect American citizens who must go abroad to look after their interests, especially when they deal with a Communist regime where all business transactions, such as exports and imports, are handled exclusively by the Government? The claim that we could do business with the Chinese Communists and at the same time refuse to recognize them diplomatically is a mere pipe dream. There was a time when the Reds were held responsible for the slaughter of some 40,000 American GI's in the aggression against South Korea, triggered only 7 years ago by the men in Kremlin and Peiping. Nothing has changed except the attitude of some of our own legislators and political leaders. They gloss over the fact that the Red Chinese regime stands indicted as an aggressor by the United Nations resolution of 1951. They gloss over the fact that this is the same regime which tortured and murdered thousands of American fighting men. Do the American people forget so easily as do the handful of politico-opportunists who would surrender principles for headlines?

Communist China is now in the throes of a serious internal crisis created by floods, famine, and an inefficient and unproductive economic system. It is a crisis which cannot be solved even by mass executions. The men in Peiping need outside support to maintain themselves in power. Russia cannot support them and feed the tens of millions of undernourished and starving Chinese. Nothing, of course, would contribute more to the strength and prestige of the Communist regime at a time when it may be about to lose its grip than for us to let down the bars of trade to accommodate the views of some of our allies and to accommodate the thirst for an additional small measure of trade by those who measure everything in this life in terms of gold and silver and material economic gains.

Mr. Speaker, I am not a minister. I am neither capable nor worthy of being one, but I believe the Psalmist knew what he was talking about when he said, "Be still, and know that I am God." And so, I often retire to the quietness of my room when I am overwhelmed with frustration and discouragement, as I am now, and I might say parenthetically, that I seem to have the company of the whole world, except possibly for the Communists themselves, at this moment, and I search the Scriptures for guidance and for passages that will give me renewed strength. I think sometimes that if we would just leave ourselves out of the picture and take God's word and God's advice we would solve most of the problems that confront us, and we would find the peace that passeth all understanding.

I was reading the Book of St. Luke this morning and I came to a very interesting selection of passages which seem most appropriate for my subject today. If the House will permit me to read from this greatest of all books, I should like to take the time to call your attention to chapter 4, the first through the eighth verses:

> And Jesus being full of the Holy Ghost returned from Jordan, and was led by the spirit into the wilderness,
>
> Being forty days tempted of the devil. And in those days he did eat nothing: and when they were ended, he afterward hungered.
>
> And the devil said unto Him, If thou be the Son of God, command this stone that it be made bread.
>
> And Jesus answered him, saying, It is written, That man shall not live by bread alone, but by every word of God.
>
> And the devil, taking Him up into an high mountain, shewed unto him all the kingdoms of the world in a moment of time.
>
> And the devil said unto Him, All this power will I give thee, and the glory of them: for that is delivered unto me; and to whomsoever I will I give it.
>
> If thou therefore wilt worship me, all shall be thine.
>
> And Jesus answered and said unto him, Get thee behind me, Satan; for it is written, Thou shalt worship the Lord thy God, and Him only shalt thou serve.

Now, Mr. Speaker, it might be well for those who think only of the mere pittance that might be gained from trading with and embracing our mortal enemy, to be reminded of the words of the Master, "Man shall not live by bread alone, but by every word of God." Would that our leaders might also arm themselves with the Scriptures when they are confronted with the blandishments, the false promises, and the temptations offered by the Communists in their drive for trade, respectability, and ultimate world domination. Would that our leaders could find the courage to say, "Get thee behind me, Satan."

Mr. Speaker, 7 years have passed now since the Communists fastened their control over China. At that time we recognized the tragedy, but we did not wholly foresee the viciousness of the regime. As history has unfolded, the Communist dictatorship has laid bare a record of violence, aggression, hatred, intrigue, and genocide. The record is stained not only with the blood of more than 20 million Chinese who resisted domination but with the blood of untold thousands who died at the hands of Communist China in Korea.

My purpose is to consider, as dispassionately as may be possible, the implications of engaging in trade with Red China. The implications are far more extensive than any question of trade for the sake of trade. The real question at issue is whether the Free World is to continue to survive in freedom or to forfeit that freedom by expediency. The issue is whether international relations of the future are to be governed by moral principles or by Communist terrorism.

Until recently the United States has taken the leadership in containing Communist aggression and in applying economic and moral sanctions. The breakdown of that leadership has been gradual and subtle but nonetheless real. Communist strategists, feeling the pressure of our military, economic, and psychological containment, devised the coexistence theme.

Following upon the breakdown of resistance among our allies the United States is now responding to coexistence. We are falling prey to Communist lines and, in so doing, are not only endangering our own future security—we are also abandoning the moral principles upon which our leadership has been based. We are on the verge of undoing all that has been done to erect a system of Free World defenses. This is a serious charge and may I make the position clear that the charge is not directed specifically at the administration. It is directed as well at the growing sentiment among the members of both great parties, both in the House of Representatives and in the Senate—a sentiment that we should relax our leadership and accept coexistence. The summit conference in Geneva was symptomatic of the trend. The summit conference, strongly supported by segments within the Congress and particularly within the Senate, did irreparable damage to United States moral leadership. The summit conference was

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immediately followed by a relaxation in controls on strategic trade with the Communist bloc. We gave de facto recognition to Communist China by engaging in long and fruitless diplomatic negotiations in Geneva. We failed to oppose the admission of Outer Mongolia into the United Nations—we were weak-kneed, while Chiang Kai-shek exercised the moral leadership which the United States has for sometime been in the process of abandoning.

There is little need to elaborate further on the evidence of the trend toward coexistence—of the breakdown in moral leadership. It is evident in the administration, in the statements of indivdual Members of Congress, in the press and in public apathy. The developing pressure for trade with Communist China is but one further step into the quicksands of appeasement. We have now arrived at a crucial point of decision. Either the United States must reassert those principles essential to decency and freedom or we travel down the "buddy-buddy" road to our own destruction.

In making that decision may we refresh our memories. While we vacillate and capitulate and toy with coexistence, the Communists never deviate from their avowed course of world domination.

The Handbook of Marxism sets forth the Communist objective in the section on the program of the Communist International. It says:

Thus, the dictatorship of the world proletariat is an essential and vital condition precedent to the transformation of the world capitalist economy into Socialist economy. This world dictatorship can be established only when the victory of socialism has been achieved * * * uniting the whole of mankind under the hegemony of the international proletariat organized as a state.

Lenin outlined the modus operandi for this objective of world domination. He said:

First we will take Eastern Europe, then the masses of Asia. Then we will surround America, the last citadel of capitalism. We shall not have to attack. She will fall into our lap like an overripe fruit.

Quoting Lenin, Stalin has said:

Lenin never regarded the Republic of the Soviets as an end in itself. To him it was always a link needed to strengthen the chain of the revolutionary movement in the countries of the East and the West, a link needed to facilitate the victory of the working people of the whole world over capitalism.

And Stalin supported the view:

For the victory of the revolution in one country, in the present case Russia * * * is the beginning of and the groundwork for the world revolution.

And with the death of Stalin, Malenkov—notwithstanding his professions for a new order of coexistence—revealed his faith in Soviet destiny.

We know firmly that the victory of democracy and socialism throughout the world is inevitable—

He said.

I do not wish to labor the point, but it is clear that irrespective of changes in strategy, irrespective of current rulers, the key objective of world domination has remained constant. The Soviet presiding officer over the U. N. Security Council in 1949, Dimitry Manuilsky, had bluntly stated the objective in 1931:

War to the hilt between communism and capitalism is inevitable. Today, of course, we are not strong enough to attack. Our time will come in 20 or 30 years. To win we shall need the element of surprise. The bourgeoisie will have to be put to sleep. So we shall begin by launching the most spectacular peace movement on record. There will be electrifying overtures and unheard of concessions. The capitalist countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down, we shall smash them with our clenched fist.

There may be some who have looked upon the globetrotting of Bulganin and Khrushchev as the innocent pranks of a pair of clowns. That may well have been the lulling effect intended. Many of our allies have been unable to reconcile the humorous guile of the Soviet leaders with our past policy toward Communist world domination. But only 3 weeks ago Khrushchev, in his television broadcast to the American people, removed the peace mantle long enough to reveal his faith in the day when every American child would be a Communist. The current theme, on the schedule to make every American child a Communist, is the drive for trade with Red China.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the distinguished gentleman from Minnesota.

Mr. JUDD. It is good for our country that my friend and colleague from West Virginia has taken this occasion to discuss this very important subject of why we should not trade with Red China. I agree with him wholeheartedly, except I think he may be a little too pessimistic with respect to our own country. It is true that some very articulate voices are urging us to go down the primrose path of succumbing to Communist blandishments, as we have done a few times in the past to our own disaster; but actually it is only a few voices in our country and still fewer voices in the two bodies of Congress that have suggested we ought to reconsider our present policy, and enter into trade or other relationships with an outlaw government, as if it were a law-abiding member of the family of nations.

It is, indeed, like the situation described in what the gentleman read from Holy Scripture. Jesus would have been happy to make an arrangement with the Devil if the latter had been willing to make an agreement that was honorable and that could be depended upon, that is, if the Devil had been willing to cease being the Devil. But when He found the Devil was interested only in tricking Him, then our Lord refused to be tricked. He talked with the Devil, certainly—but He did not give in to him. He then broke off negotiations because the Devil was not sincere—in fact, being the Devil, could not be sincere. It is the same with Communists.

So I feel that our greatest danger is not the power or skill of the Communists with their devious maneuvers, attractive and deceptive as their protestations are; the greatest danger is that not enough Americans will speak out as the gentleman from West Virginia is doing. The great majority of the Members of this Congress, and of the newspapers, and of the columnists, and of our people are dead set against any deal which would build up the enemy of our country and at the expense of our allies. The danger is that many will not make their views heard loudly and frequently enough. If more will speak out and make their opposition known, as the gentleman is doing today, so that complacency or indifference or preoccupation with other matters do not divert our attention from the essential nature and the consequent danger of the Communist regime in China, then I am not alarmed about what the outcome will be.

Since the gentleman started his address today, there has come into my hands this release, officially made at 1:30 p. m., just 20 minutes ago, of the speech given this morning in San Francisco, actually being given at this very hour, by Secretary of State Dulles on this same subject. I would like permission to put it in the RECORD following the gentleman's address, because I think it is the best restatement of the nature of the Chinese Communist threat to all free peoples, and the best restatement of America's position and the reasons therefor, that I have seen.

We are always ready to examine changing situations, but we refuse to abandon principles in order to get something that might look like a settlement but would only be a truce or a trap which would lead to disaster.

And talking about this matter of trading with Red China, I find these sentences in what the Secretary is saying just now:

But the experience of those who now recognize and deal with the Chinese Communist regime convinces us that, under present conditions, neither recognition, trade, nor cultural relations, nor all three, would favorably influence the evolution of affairs in China. The probable result, internally, would be the opposite of what we hoped for.

Internationally the Chinese Communist regime does not conform to the practices of civilized nations; does not live up to its international obligations; has not been peaceful in the past, and gives no evidence of being peaceful in the future. Its foreign policies are hostile to us and our Asian allies. Under these circumstances, it would be folly for us to establish relations with the Chinese Communists which would enhance their ability to hurt us and our friends.

Upstairs in the Committee on Foreign Affairs, we are laboring these days to try to get ready a bill in which hundreds of millions of dollars will be authorized to help to do what? To help to strengthen the countries of Asia against whom? Only one enemy. Against Communist China. We ought to have our heads examined for sanity if, on one hand we appropriate hundreds of millions of dollars to strengthen free countries against Communist China, and then turn around and trade with the Red Chinese helping solve their problems for them and building the Communists up against the very countries we are arming and aiding against the Communists. I have a

higher estimate of the American people and of our Government, both the executive and the legislative branches, than to believe we will make such a mistake as the gentleman is warning us against, once the facts are made clear. It is our duty on every occasion to keep before us the essential, the inescapable, and the unresolvable conflict between communism anywhere and the kind of decent society we want and must have if we are to live.

Mr. BYRD. I want to express my gratitude to my colleague and my friend, the gentleman from Minnesota, with whom I serve on the great Committee on Foreign Affairs. I share with him his great confidence in the sanity of the American people. The only thing I fear is that a few of the little foxes might come in and spoil the vine. It is for this reason that I have today taken this opportunity to voice my fears and my strong objections to any idea of relaxing our opposition to trade with Red China.

I thank the gentleman for his contribution.

I will be glad to yield to my colleague from California.

Mr. JACKSON. Mr. Speaker, I dislike to break in on the gentleman's thought at this time because I am very much interested in the scholarly presentation of this important subject which he is making. I do want, however, to subscribe to what the gentleman is saying and the premises that he is making. I think that he renders a great service not only to his colleagues here in the Congress but also to the American people generally in taking the leadership in keeping this important matter in front of the American people.

The great danger is that there are so many things going on, there is so much conflict, so much turmoil and controversy it might be very easy for this important matter to be shunted aside. I think, as the gentleman said, there is evidence that the people are saying now: "Well, perhaps these Chinese Reds are not what they have been pictured to be; perhaps they are not the brutal beasts they have been represented to be."

But that is not possible for those of us who served in the Pacific and saw American men with hands wired behind their backs and bullet holes in their heads.

The gentleman is rendering a constructive service and an important service in keeping this matter before the American people.

Mr. BYRD. I thank the gentleman.

Mrs. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I would like to associate myself with what the gentleman has been saying. I rise, however, not only to commend him for his words, but, if the gentleman will permit me, to commend him in particular for what he stands for in the House and on the House Foreign Affairs Committee.

It has been my privilege to see the gentleman in friendly action in many foreign lands. Never has he failed to give an indisputable example of straight thinking, of clear presentation, of honest and Christian living. He has demonstrated to the people with whom he spoke the kind of purpose that is truly American.

I have been proud to be associated with him at the time when he was a member of the subcommittee on the Far East and the Pacific. Never does he lose his sense of perspective or his spirit.

I am sure that what he is saying to us today needs to be said over and over and over—to a country which always believes the best even of its enemies, which is apt to indulge often in a bit of wishful thinking and which sometimes needs to be reminded that the ultimate end has always to be kept in mind.

I thank the gentleman for yielding.

Mr. BYRD. I wish to express my gratitude to the gentlewoman from Illinois. May I say that in working with her on the same great committee on which we have both served, she has been a great inspiration to me.

If I may be permitted to digress for just a minute, it would be for the purpose of reciting a little poem which adequately portrays the thoughts that are in my heart as I speak of the gentle lady from Illinois:

The roses red upon my neighbor's vine
Are owned by him, but they are also mine.
His was the cost and his the labor too,
But mine, as well as his, the joy, their loveliness to view.

They bloom for me and are for me as fair
As for the man who gives them all his care;
Thus I am rich because a good man grew
A rose-clad vine for all his neighbors' view.

I know from this that others plant for me
That what they own my joy may also be;
So why be selfish when so much that's fine
Is grown for me upon my neighbor's vine.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the gentleman from Iowa.

Mr. GROSS. Let me adopt the words used by the gentleman from Minnesota [Mr. JUDD] in saying that we ought to have our heads examined if we continue to give foreign aid to some of our so-called friends to build up their productive capacity, who then turn around and announce blandly that they are going to trade in strategic and all other kinds of materials with Red China. It just does not make sense to me that we continue to give them help out of the Treasury of the United States and out of the pockets of the taxpayers of the United States, and then they trade with Red China. I am opposed to trading with Red China. I want to commend the gentleman for the statement he has made.

Mr. BROOKS of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the gentleman from Louisiana.

Mr. BROOKS of Louisiana. Mr. Speaker, I am very happy that the gentleman informed me of the special order he had for this afternoon and that I might be permitted the opportunity of sitting here to listen to the scholarly address just made by the gentleman. I have profound respect for the gentleman's interest in our country and his patriotism for our country. I share his views so ably expressed in reference to trading with Red China.

It seems to me it is a rather strange situation that is presented here today. I might say parenthetically that I do not have the privilege of serving with the gentleman from West Virginia on the Committee on Foreign Affairs of the House of Representatives. My service has been on the Committee on the Armed Services of the House of Representatives. But it is a strange situation that presents itself today, that there are men in this Nation contemplating trading with Red China, a nation that exhibited such extreme hostility to our people a few years ago. Now, there are some of our people, and I am glad to say they are in the small minority, contemplating the possibility of making material wealth out of trading with these people who have shown no penitence on their part for their wrongdoing in Korea. At this very moment we are having to strengthen our defenses over there in Korea, we are having to send over there modern equipment, modern supplies, jetplanes of the first line, and we are having to do that because of the violation by Red China of its agreement with the people of the United States that there would be no change in the status of the defenses they set up in northern China.

So by our actions, we are charging them, and properly so, with having violated their word and written agreement not to build up their defenses in northern China and at the same time we are contemplating doing business with that nation and those people who treat their word and their obligation so lightly as to violate their agreements with impunity. I thank the gentleman.

Mr. BYRD. I am grateful for the fine contribution that has been made to this discussion by my true friend, the gentleman from Louisiana.

Mr. ZABLOCKI. Mr. Speaker, will the gentleman yield?

Mr. BYRD. Mr. Speaker, I yield to the gentleman from Wisconsin, a distinguished and great American.

Mr. ZABLOCKI. Mr. Speaker, I want to commend the gentleman from West Virginia [Mr. BYRD] for his forthright remarks on the subject of our trade with Red China.

I am strongly of the opinion that we should not, that we must not, remove our restrictions on trade with Red China.

At present, there is one category of goods which cannot be exported to Red China. This is the totally forbidden category. In addition, there is the second category which contains articles that may be exported within specified limits. Finally, we have the so-called watch list, where the shipments are reported whereby no limitations exist unless the volume of shipments requires further action.

This differentiation has been respected by a number of our allies who have normally traded with the China mainland. It is in the nature of a restriction vital to the best interests of the Free World.

Needless to say, there is a complete prohibition on the export of strategic goods to Red China. Even the second list, however, contains some items which

can be potentially strategic. Our restrictions on these exports must be maintained.

We cannot allow our trade with Red China to strengthen the Communist regime on the mainland, or to provide it with the sinews of war. Red China is aggressive, and it inspires to dominate the Far East. Let us not sell them anything which they could use to advance their plans.

Mr. Speaker, I do not favor any relaxation of our barriers to trade with Red China. Let them stand as they are. They were erected in the interest of our Nation, and of the Free World. They have been serving their purpose, and they will continue to do so as long as they will be needed.

Mr. BYRD. Mr. Speaker, before examining in detail the implications of trade with Red China, may I point to the one great lesson we should have learned in dealing with Communist domination. All of our experience—and I believe every Member of the House of Representatives will confirm this—all of our experience to date has proved that the Communists exploit areas of weakness and are restrained only by the application of physical or economic or moral pressure. There is an urge "to return to normalcy." It would be an ideal world if the same type of normalcy could apply in our relations with the Communists as applies within the family of free nations. But normal negotiations of controversies, normal travel, normal exchange of information, normal cultural exchanges, and normal trade are all daydreams so long as the nightmare of fanatical Communist domination threatens the peace of the world. Tempting as normalcy might be, it is visionary—it is diametrically opposed to the reality of Communist objectives and to our very survival as a free nation.

The record is clear. As a result of our profession of friendliness and our attempt to have normal relations with the masters of the Kremlin during and immediately following World War II the Soviet Union expanded into Estonia, Latvia, Lithuania, Poland, Czechoslovakia, Bulgaria, Hungary, East Germany, Austria, Manchuria, and North Korea. Soviet troops planted in northern Iran at the end of the war refused to budge until it became evident that the United States would apply force to eject them. We witnessed the speed with which militant communism moved into areas of economic weakness in Europe at the war's end. While we were disarming, and long before the light that is now the NATO structure had dawned, Communist expansionism threatened Turkey, Greece, Italy, and France. Assuming we were weak in Korea they struck. Recognizing weakness in southeast Asia they struck in Indochina. In each instance they expanded into a power vacuum and were only restrained or repulsed through force—military force, economic force, and moral force.

While they may be minor academic distinctions between Russian and Chinese communism there is no distinction in the objectives of Communist world domination. From the date the Chinese Communists exploited economic prostration to gain control of China, Red China has been coiled for militant expansion. Tibet has fallen. They defied the efforts of the United Nations to unify Korea. They brazenly aided the Vietminh in Indochina. They remain poised to strike at Formosa. They have organized a puppet government for an autonomous Thai state comprising Thailand, Laos, and northern Burma, in anticipation of a broader strike at southeast Asia. India is compelled to deploy its forces to Assam to forestall the threat to Nepal and Bhutan. The military threats are augmented by a strategy of peaceful coexistence, the glad hand of Chou En-lai, good-will tours, subsidized exports of consumer goods, and free education for overseas Chinese in the universities of mainland China. To date it is abundantly clear—in Asia as in Europe—that militant communism has been halted and will continue to be halted only by combined military, economic, and psychological pressure.

Yet, misguided voices are beginning to waver. It is as dangerous to talk of trade with Red China as it would be to suggest the withdrawal of our military forces from Korea and Formosa, the scrapping of our mutual-defense treaties with Korea, Japan, the Philippines, and Formosa—or the dismantling of the SEATO defense structure. This first step, the establishment of trade with Red China, would trigger a chain of events leading to the complete breakdown of anti-Communist defenses. It is not difficult to forecast the sequence: trade followed by fraternization leading to recognition followed by admission to the United Nations accompanied by the betrayal of Formosa. The process would be accompanied by a gradual weakening of Free World security structures while we strengthened the power of the Communist bloc to engage in further aggression. To trade with Red China is to light the fuse that can only culminate in our own destruction.

Apart from our continued existence as a free nation, can we retain our leadership or our self-respect if we condone all that is repugnant to our sense of decency? Is there not a responsibility of moral sanctions to be applied by civilized peoples against regimes that treat human lives with contempt? Should we reward mass murder with trade? Can we in clear conscience aid and abet the denial of basic freedoms through the recognition of such regimes? Should we respond to international outlawry by opening the doors of the United Nations to such regimes? I am of the belief that the United States has a heritage to uphold—that our responsibility would be stained before history should we reward tyranny with generosity or genocide with trade.

By their own admission, the Mao Tse-tung regime has liquidated more than 20 million Chinese so-called enemies of the state—more accurately, defenders of freedom. Unperturbed by this blood on their hands, China's rulers hold the responsibility for yet untold casualties in Korea.

It is difficult for us to visualize the massive impact of reeducation at the point of a pistol; the so-called brain washing; the diabolical internal police system under which friends cannot trust friends and children betray their own parents; the mock public trials followed by public executions; the mass shock treatment to enforce conformance; the mass mobilization of slave labor; the denial of freedom of silence as well as freedom of speech; the trampling upon religious institutions; the confiscation of private property; in short, the submergence of 600 million Chinese to the iron rule of the police state. These horrible crimes against humanity have been inflicted upon the Chinese people—but what of Red China's treatment of Americans?

We know of the traditional friendship that existed between the American people and those of China. The bonds were strong. Upon coming into power at the end of 1949 the Communists, from the very first, set out systematically to destroy the existing reservoir of good will. Borrowing from the Soviet Union they portrayed the United States as the arch-enemy of the Chinese people. The "hate America" campaign was a calculated instrument of Mao's policy. Mammoth signboards, wall posters, the press, the radio, the party cadres all screamed venomous lies designed to arouse hatred for the United States. The brainwashing apparatus, all the propaganda organs of the state, hammered on the theme "hate America." United States citizens in China, missionaries, educators, businessmen became the victims of Mao Tse-tung's mad determination to appear superior to the United States. The reports of Americans who finally escaped from this ordeal are a sordid record of shameless indignity. It is more than a record of isolated imprisonment and torture of individual American citizens. It must be looked upon as the calculated policy of the Communist regime, directed not against these unfortunate individual American citizens but against the entire people of the United States. These crimes are of such magnitude that they cannot be considered as subject to settlement by compensation or the exchange of notes. They are dictated by Communist state policy and can only be dealt with by total United States policy toward the Communist regime. I do not propose to recite the horrors of the Korean war. There is scarcely an American family that has not felt tragedy directly or indirectly, as the result of Communist China's defiance of the United Nations. But even accepting that all warfare has its horrors, can we condone the violations of accepted international law; the torture and murder of American prisoners of war; the refusal to return captured prisoners of war in accordance with international law and the armistice agreement; the dastardly, calculated move to blemish the honor of the United States by fabricating false charges of germ warfare? I am of the belief that we would compromise our integrity and abandon our moral leadership should we now respond to China's

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bullying by engaging in trade and its sequel.

There are two principal reasons why the Communist bloc would like to establish trade with the United States:

First, it would commence the chain reaction of events that would end in the collapse of the Western alliance and the shift of some Asian countries from the Free World to communism. Perhaps those who advocate trade do not fully realize the motivations of many newly independent Asian States. They are proud peoples. Their outlook toward free institutions is the same as our own. At the same time they still harbor resentments growing out of the days when they were colonies. These states are striving to attain real independence, real recognition, real equality—to atone for the indignity they have suffered in the past. They are determined to rise from their poverty to attain economic parity with the West. In order to achieve this end in a short time there is a strong tendency among some Asians to adopt the methods of communism. The conflicting attractions then make for a certain amount of vacillation and wavering. This situation is not helped by a geographic position in which Communist China and the Soviet Union are poised on their borders. The relationship of this delicate balance to our trade with Communist China is simply this. These countries can afford to oppose communism only so long as the United States maintains an opposition so firm and so steadfast that they can be assured that communism is not the wave of the future. The moment we relax our firm opposition they have no alternative but to aline themselves with Peking. Moreover, as soon as this hole has been made in the dike there will be no recourse for the 12 million overseas Chinese in southeast Asia but to shift their loyalty to the Peking Government. Once the girders of the entire defense structure have been removed there can be no halting the avalanche of Communist expansion. This, Communist China well recognizes. For this reason Communist China is most interested in removing our trade embargo.

The second reason is China's need for trade to industrialize her economy and to expand her military power. To date, China has been dependent upon the Soviet Union and the satellites to provide the foundations of heavy industry. It would be reckless to ignore the fact that progress is being made. Of 694 major industrial construction projects in progress during the first 5-year plan, the 156 key projects have been provided by the Soviet Union. At the present time it is reliably estimated that there are upward of 50,000 Soviet technicians in China.

Although the greatest industrial expansion has taken place in Manchuria, China is developing two completely new industrial areas, one in Inner Mongolia and the other in the Wuhan area of central China. To give a rough idea of the extent of the development, by 1955 a total of 136 major enterprises classified as industrial capital construction had been completed. These included a heavy steel rolling mill, a seamless steel tubing mill, a sheet steel mill, 4 new automatic blast furnaces, 8 batteries of coke ovens, an ore-dressing plant and a sintering plant at Anshan. Although not yet completed, progress is being made on 80 plants that will form the foundation of the machine building industry. A switch gear factory and a pneumatic tool factory have been completed in Shenyang. A large cutting tool works and an electrical equipment plant have been completed in Harbin. Thirty-nine new modern textile mills have been placed in operation during the past 5 years. A new railway has been completed linking China and the Soviet Union through Outer Mongolia. Another line, linking the two countries through Sinkiang is near completion. Progress is reliably reported on machine-tool plants, tractor plants, motorcar works, shipyards, hydroelectric plants and other basic industrial developments. My purpose is not to burden the House with a recital of Communist China's economic achievements. It is rather to dispel any possible notion we may have that China cannot possibly become a serious threat.

Recognizing that progress is already being made in China it would seem to be irrational for us to hurry the date when China's industrial power can be used against us. As it now stands, China's development to a great extent retards further development in the Soviet Union. There is strong evidence that China's demands create an economic strain upon the Soviet Union. For example, Members will recall the fabulous offer made by Russia to build India a steel mill last year. It is a matter of record that the Russians first offered India an old steel mill that had previously been rejected by China. The Soviet Union finally had to import a steel mill from Czechoslovakia to provide India. Recognizing this internal economic stringency, China would be most happy, we may be sure, to secure ten or a hundred steel mills from the United States, Britain, West Germany, or Japan. But by what logic should the Free World accelerate its own destruction by ten or a hundredfold.

It is not difficult to understand how China would benefit by importing machine tools, turbines, and generators. We have the precedent of United States exports of scrap iron, aviation gasoline, petroleum, and other sinews of industrialization that brought Japan to Pearl Harbor. It is difficult to visualize, however, what China might export to maintain a trade balance. Trade is a two-way street. The United States, Britain, Japan, and other Free World countries, thirsting for markets, have much that would be of value to China but what precisely does China have that would be of value to the Free World? China's principal exports are hog bristles, tung oil, litchi nuts, grass mats, tea, a little silk, and soya sauce. Unlisted on the international records of trade items is Communist China's foremost export, the illicit trade in narcotics. Communist China has built up the illusion of a vast untapped market of 600 million consumers. But how does this square with the economic facts? Communist China is now squeezing its population to the hilt to extract the capital needed for industrial development. China itself is not developing consumer goods industries and could hardly be expected to divert its scarce foreign exchange to import consumer goods. The idea of 600 million consumers is a myth and illusion. The real market exists only for heavy producer goods essential to industrial development. Such trade would be state trading and in no sense trading with Chinese private enterprise.

Since the existing embargo on trade with China has applied only to exports to China and not to imports from China, the volume of China's exports to non-Communist countries may be taken as a fairly reliable indication of China's capacity to earn foreign exchange. According to the Department of Commerce, China's exports in 1956 amounted to about $627 million. As an indication of how vast this market is, as reflected in capacity to acquire purchasing power or foreign exchange, China's exports outside the Communist bloc in 1956 were almost exactly one-quarter those of tiny Belgium and Luxembourg. In fact, China's exports were less than those of Finland and only slightly higher than Mexico's exports. But there are some wishful thinkers among our allies who contend that China's capacity to buy, or, in other words, her capacity to export, will increase as our shipments increase; that through some mysterious defiance of the laws of economics, by shipping locomotives, hydroelectric plants, steel mills, lathes, and electronic equipment to China this will increase the world-wide demand for bean curd, hog bristles and soya sauce. My personal view is that the world demand for soya sauce has now reached the saturation point.

The pinch on China's capacity to expand is also reflected in her sterling balance position. The reported current trade surplus of about £90 million sterling is deceiving since a large portion of this amount is required for shipping, insurance, and brokerage charges. In addition, trade within the Communist bloc is in the sterling area. While the extent to which China is deficit in her trade with the Soviet Union and other satellites is not known, in the case of Poland, alone, China's deficit for last year amounts to about £10 million. China is by no means in possession of the large sterling reserves attributed by some British businessmen. China's dollar position may be presumed on the face of it to be even more deplorable.

Looking at the prospects for trade from another position, at the very peak of our trade with China, during the period 1936–38, exports to China amounted to only 1.5 percent of total United States exports. During the same period it represented less than 1 percent of Britain's total exports. This adds up to the inescapable conclusions:

First, that with China's limited capacity to buy, any increase in trade would be exclusively in heavy equipment needed to develop China's industry and warmaking capacity.

Secondly, there would be no increase in imports of consumer goods. Third,

there would be no overall increase in the total volume of trade. The difference would be that China would use the scarce foreign exchange to purchase only those items that are now classified as strategic. We saw what happened in August 1954 at the time the United States and our allies made a drastic revision, removing many strategic items from the embargo lists. The effect of that revision was not the rapid increase in trade expected by our allies. It was rather a shift in the pattern of imports by the Communist bloc from less strategic to more strategic items. These lead to the fourth conclusion, that little benefit results to the Free World in the form of increased trade. The benefit is exclusively to the Communist bloc. That benefit is in expanding industrial plants and war-making capacity aimed at our own destruction.

Is it possible to mitigate these conclusions by contending that no one is proposing a complete relaxation in controls but only the removal of the differential to place China trade on the same basis as trade with the Soviet Union. One has only to look at the list of items now freed by Britain for export to China to conclude that the differential should be reversed. Instead of relaxing controls on China trade, our interest would be better served by placing trade with the entire Communist bloc on the same basis as the present China embargo. Britain has announced that it will now ship the following export items to China: Machine tools, electric motors and generators, rubber working machinery, motor vehicles and tractors, railway locomotives and rolling stock, internal combustion engines, iron and steel, aluminum and copper products, lead and zinc, scientific instruments, raw rubber and tires, chemicals, and other industrial items.

Britain, with others, has contended that there is little logic in placing these items on the China embargo list so long as we sell them to Russia, from where they are reexported to China. Britain is right; there is little sanity or logic in a differential, but the conclusion dictated by our own survival is that the China embargo should be extended to the Soviet Union and the satellites rather than the reverse.

It is a tragic repetition of the old fallacy that two wrongs make a right. The sequel, I suppose, will shortly be that the wrong of permitting the Soviet Union to use the United Nations as a springboard to world domination might be righted by granting representation to Communist China in the United Nations. Beyond that is the false reasoning that the wrong of our strengthening the sinews of war in the Soviet Union can be righted by industrializing Communist China.

Those who are now urging trade with Communist China, should they succeed, tomorrow will be in the vanguard of those favoring the admission of Red China into the general agreement on tariffs and trade. If we industrialize China to the point that it has a capacity to produce consumer goods and with the other hand we open the door to GATT, the United States, Britain, and other manufacturing nations might as well foreclose their foreign markets. It is not likely that those countries who respect and afford legal protection to the rights of labor can compete with the cutthroat prices possible with 600 million people producing under conditions of slave labor.

There is no reason to assume that Red China would abide by international trade agreements better than it has abided by its other agreements. The United Nations has declared the Korean armistice agreement no longer to be binding for the very reason that Communist China persistently has violated its terms. While we have maintained our forces and armament at the prescribed level, Communist China has continued to build up her striking power. In September 1955 Communist China, in a solemn agreement with the United States, pledged to return all Americans illegally imprisoned in China. This is the middle of 1957 and the American citizens are still interned. Not only is it evidence of China's view on the sanctity of agreements but now Red China has reverted to blackmail, using the release of the American citizens as the quid pro quo for the establishment of trade. It is a fallacy to assume that Red China would abide by any international agreement, trade agreement, or otherwise. No Communist country has ever held an international agreement to be sacred. When agreements cease to serve the purpose of world domination all Communist countries treat them as scraps of paper.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the gentleman from Ohio.

Mr. FEIGHAN. Mr. Speaker, I congratulate the very distinguished gentleman from West Virginia on his very thoughtful, objective, and clear analysis of the dangers facing the United States and the Free World. Trading with the Red Chinese will open the gates wide for the infiltration of subversives, espionage agents, Communist propaganda, and the movement of tons of opium and evil drug habit-forming narcotics which are peculiar to the mainland. It was my good fortune in 1955 to have a long conference with General Kim of South Korea, who was head of the Counterintelligence Corps of the Army of the Republic of Korea.

General Kim was a dedicated man who knew the Chinese Communists from bitter experience. He made a very careful study of the manner in which the Red Chinese used illegal trade as a means for infiltrating the espionage agents, propaganda, and habit-forming drugs such as opium. The study made by General Kim leaves no doubt that if the countries of free Asia and the Free World generally engage in trade with Red China, they will be opening themselves to all these abuses.

I have here in my hand a briefing book presented to me by General Kim during my visit to Korea. It contains among other things a map showing how the Communists used illegal trade routes to undermine free countries such as the Republic of Korea. It also contains pictures of raw opium and other drugs confiscated from persons who were using these illegal trade routes.

Another thing that impressed me was that the Communist underground which is constantly at work in all free countries depends upon trade between Communist countries and the free countries in order to secure funds to pay the expenses of the underground movement. It is also a well established fact that the Communists used currencies earned by foreign trade to carry on their propaganda activities in the countries foolish enough to carry on commercial trade with such Communist countries.

It has been said by persons who have studied the situation in the Far East for a lifetime that trade between the free countries and Communist China is the first step toward getting the Red Chinese admitted to the U. N. It is also a step toward getting the United States to extend diplomatic recognition to Red China. Both steps should be vigorously opposed.

It is foolish to believe that we can enter into trade with Red China without paying an expensive price—and that is a price which no American should ever pay. If England or any other country which owes a heavy debt to the United States engages in trade with Red China, we should require from that country an annual payment equal to the amount of the profit from the trade that country does with Red China. If we were to put such a requirement into the Mutual Security Act or some other appropriate legislation, we would soon break up any thought these countries have of trade with Red China. This is a fair proposal and should be given serious thought by Congress if efforts persist in forcing countries of the Free World into trade with Red China.

Again I wish to congratulate the gentleman for a very fine and scholarly presentation.

Mr. BYRD. I thank the gentleman.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the gentleman from Kentucky.

Mr. PERKINS. I certainly want to congratulate the distinguished gentleman from West Virginia for a remarkable speech here in the Halls of the House of Representatives today and I want to associate myself with the views expressed by the gentleman. The gentleman from West Virginia is one of the outstanding scholars and one of the most sincere and conscientious workers in this body, and I am certainly delighted to hear him present such a masterful and timely address to the Members of this House today. In so doing, he is performing a great service to the entire Nation and its people. I am confident that the position he has taken in regard to Red China is the right position morally. I am glad to take my stand with him, because nothing that is morally wrong can ever be politically right.

Mr. BYRD. I thank the gentleman for his kind words.

Now, Mr. Speaker, may we examine point by point the arguments that are being advanced by those who advocate trade with Red China.

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First, it is contended by some that if we trade with Red China and otherwise get our foot in the door we will be able to bring about a split between Russia and China. Conceding that there may be some superficial differences between China and Russia, they are, nevertheless, linked with a common ideology. They both view Communist world domination as the immutable objective. They both view the capitalist world, and particularly the United States, as a mortal enemy. They share a common aspersion for democracy and individual freedom. They not only have a common boundary, but since 1950 the two countries have been linked by rail and highway connections. Trade within the Communist bloc has expanded. There has been a vast exchange of persons, ideas, and technical information. There has been a concerted effort to expand cultural relations. Russian is a required language in many Chinese universities. Soviet technicians are swarming over China, as well as Soviet political cadres. There is no evidence that this is to the disliking of either. In fact, it is hard to visualize how either of these two Communist giants could be induced to lessen the total Communist strength through voluntarily splitting from its partner in crime. Those who contend that there is a possibility of a split usually point to acts of Chinese independence, such as the refusal of Chou En-lai to reside in the same house with the Soviet delegation at the Geneva Conference of 1954. Or they point to such evidence as Chou En-lai's independence at the Afro-Asian Conference at Bandung.

At the time the two countries liquidated their agreements on their four joint-stock companies and Russia agreed to relinquish the control over Port Arthur to China, some analysts jumped to the conclusion that a significant cleavage had occurred—that we should jump in and drive a wedge to split China from Russia. The true interpretation, as subsequent events have shown, is that China is not a satellite—it is a full-fledged partner in crime. That it is a full-grown partner, however, in no way weakens the Communist alliance, nor does it offer any prospect for a cleavage.

Another reason advanced for trade with China likewise is a foot-in-the-door proposition. They contend that our policy is negative—that if we only follow a positive policy, in time we will be able to mold the Chinese into our own likeness. As a corollary, while we are molding the Chinese Communists we would also be winning Asian friends and influencing Asian peoples, since all Asia wants us to be friendly with Communist China.

As for molding China to our likeness, did we mold them in Korea? Have they been putty in our hands during the Johnson-Wang negotiations in Geneva? Have they assimilated decency through association to the point of halting their "hate America" propaganda? Have we talked them into releasing the imprisoned Americans? Have they learned yet from their contacts with free peoples the meaning of abiding by agreements? It is a well-known fact that throughout the centuries China has been invaded, only to have the invaders assimilated by the Chinese.

If we ever got our foot in the door there is little question as to who would end up molding whom. And as for all Asia hoping that we establish friendly relations with Red China, members will recall how the Asian countries themselves turned the Bandung Conference into a condemnation of communism as a greater evil than colonialism. We must recognize that the countries of Asia are now primarily oriented toward Western concepts of independence and freedom. We must draw a perceptive line between what they really want and their occasional demonstrations of friendship toward the two Communist giants ready to descend upon them. We would betray the Asian leaders and the Asian people by giving them no recourse but to turn to communism.

Then there is the opportunist argument, the contention that now Britain, France, Italy, Belgium, Norway, and West Germany have relaxed their embargoes—therefore in order to maintain solidarity among our allies we should follow suit.

The reason for developing an alliance in the first place is to maintain the relative strength of the Free World against the Communist bloc. If all of our allies set out together to strengthen the Communist bloc through trade, it is difficult to see what value would remain in the maintenance of the Free World alliance. There is little need for an alliance for the purpose of strengthening our enemies. Since the end of World War II we have expended our resources in foreign aid to strengthen our allies. It is not logical that we should now counter this by measures to strengthen our enemies.

Mr. JUDD. Mr. Speaker, will the gentleman yield to me again at this point?

Mr. BYRD. I yield to the gentleman.

Mr. JUDD. On the argument to which the gentleman has referred—when he was discussing the folly and shortsightedness of some of our allies—namely, that because some of them have expanded their trade with Red China, therefore we should do the same, would not the gentleman agree that the key thing in the Far East is not what England does tradewise, or what France does; it is what the United States does that counts? Those countries in Asia have dealt with our European allies through a century or more. They expect them to operate on the basis of shopkeeping, of opportunism, and of expediency. They know that England traded with the Kaiser and with Hitler and lost about half of her Empire in the wars that followed. They know that out of such trade she earned a few millions, and lost billions and ultimately lost her position of power in the world.

The key thing in Asia, I think the gentleman will agree, is not what England or any other Western country, or even Japan, does there; it is what the United States does. Because it is the United States which has power today in the Pacific, and not any other country. And no matter what these other countries do, if the United States is firm and stands by her friends, stands by her commitments, so that the other nations know that they can count on us not to let them down, then there will be no great pressure among them to deal with Communist China as there would be immediately, if the United States were to take such a fatal step as to follow England's example.

If we were to take that step, then what in the world could Japan do, or the Philippines, or Thailand, or Burma, or any other country there, except prepare to give in to the Chinese Communists?

We regret the shortsighted policy of certain allies and I believe they will lose more in America by this policy of expediency than they will gain in China. Perhaps some of them think they can have both China and the United States. They may find that they cannot have close comradeship and trade with our enemies and still have the same sort of support and comradeship with the United States that they have had in the past.

But regardless of that mistake on their part which we believe will gravely injure their own interests in the long run, the decisive thing is what the United States does. That is what the people of Asia will be watching. They will be reading with satisfaction the gentleman's remarks of today as evidence of the solid determination on the part of the American people and their representatives in Congress to stick to moral principle, to our commitments to them, and to commonsense.

Never yet has a country made any real gains by dealing with its enemy. Never yet have we made lasting gains by building up or strengthening the Communists anywhere, and we do not propose to do any such thing now.

Mr. BYRD. I agree with the gentleman that the kind of leadership needed so urgently in the world today is that leadership which is based on moral principles. If the United States is not ready, willing, and determined today to stand by strong moral and spiritual principles, it just simply does not deserve to be accorded the position of leadership.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the gentleman from Iowa.

Mr. GROSS. Therefore, according to the gentleman from Minnesota, if the British and French want to be immoral, it is incumbent upon us to continue to provide money by which they can carry out their immorality in this case by increasing or providing for their production so they can trade with Red China. I see no validity whatever in the argument that we have to support these subsidies by contributions out of the pockets of the taxpayers of this country.

Mr. JUDD. I do not think the gentleman will find any such argument in what I said. I said I think our allies in Europe will find they have lost support in the United States by dealing with our enemies. I think they have made a mistake. Further, there are no substantial amounts for England or France in our foreign-aid program at the present time.

Mr. GROSS. Whether they have such support or not, we can find out when the Committee on Foreign Affairs passes out the usual dole in the form of millions of dollars to the foreigners. I will be convinced when I see how much the gentleman's committee cut it and what the House does when it is presented with the question of passing the bill. That will be the proof of the pudding.

Mr. JUDD. The gentleman will find there is very, very little aid for Britain and France this year.

Mr. GROSS. Directly, perhaps, but indirectly there will be plenty of it. Of course, we spent billions on them in the years gone by to build up their productive capacity beyond the prewar level, so that they are now in position to build rubber plants, not only in China but in Red Russia itself.

Mr. BYRD. Mr. Speaker, there is another specious sort of argument advanced for trade with China. That is, we should not allow 600 million people to suffer even though we disagree with the form of government which holds them in bondage: This is another way of saying: We do not like to see 600 million Chinese suffer, therefore we will make it possible for their wicked rulers also to extend their control over 170 million Americans. If the Chinese people are ever to free themselves of this dictatorship, it will not result from our trade to strengthen the very dictatorship that holds them in their misery.

There are also those who advance the view that the establishment of trade relations between the United States and China would be the essential first step toward a general settlement of problems in Asia. For example, it is supposed that if only trade relations are commenced it would bring about the reunification of Korea, a solution to the Formosan question, and the Chinese threat against southeast Asia would evaporate. What is more likely, is that this prestige gain would usher the Chinese Communists into the United Nations, result in a shift in the present neutrals toward the Communist bloc, and ultimately shatter the solidarity of the Western alliance. Instead of solving the problems of Korea and Formosa it would only make the Chinese Communists more bellicose.

There then is the love and friendship cult—contending that if we only unleash an avalanche of love for the Chinese Communists all the problems will resolve themselves. The Communists themselves only talk about coexistence but the love cult would go beyond this. At home we do not apply this principle to murderers. In the international community there can be no decency nor order unless the violator feels the weight of sanctions. During World War II we approached this love Communists principle at the time the U. S. S. R. was one of the great allies and we poured our treasure into the Soviet coffer. Can any Member contend that the love offensive changed the inherent mal temper of the Russian Bear?

These reasons all are of a mollycoddling nature. They all boil down to a meandering proposal that if a copperhead bites you the thing to do is to feed it milk; that if you know someone is intent upon murdering your children, you give him a gun. The tragedy is that we are not dealing with isolated individual vipers or murderers but with Communist nations intent upon destroying the free world. To appease international outlawry we propose to arm the outlaw. To appease our allies we bring ourselves to the verge of bartering away the loyalty we owe to the Chiang Kai-shek Government. For the lure of the false profits of trade, we come to the verge of sacrificing our future as a free nation. I suggest that the time is now opportune for the House of Representatives to place itself on record in firm opposition to any form of trade with Red China.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the gentleman from Ohio.

Mr. BOW. I should like to compliment the gentleman from West Virginia on this very fine address he is making to the House today. I hope the Members who are inadvertently absent on committee assignments will have the opportunity to read what the gentleman has had to say here, because it is so important not only for the Members of the House but for the world to understand the position of the Congress of the United States on the question of dealing and trading with Red China, or the possibility of any recognition of Red China by the United States. I feel that sometimes because of the irresponsible statements made by some at times that our friends and allies in the Far East who are weaker than we are could well wonder whether we are beginning to go forward toward a recognition of Red China and whether we are going to start dealing with them and so strengthen Red China to the point where they may be engulfed by Red China so that those nations which are friends of ours would be lost. I compliment the gentleman for his fine address. I think the gentleman will be strengthened and reassured in his position and will be as pleased as I have been to read today the very strong statement on this question made by Secretary of State Dulles in San Francisco.

It seems to me that anyone who reads what the gentleman is saying today and who reads what the Secretary is saying in San Francisco today will have all his doubts resolved as to our position on this very important matter, and that any doubts will be eliminated and he will know that we will not trade with Red China nor will we recognize Red China. I should like to further compliment the gentleman for the tone of his address here today. The gentleman has not been emotional nor has he called upon prejudices. Rather he has given a fine factual statement and interwoven in that statement is that principle upon which this Nation has been founded, a deep sense of religious belief, the belief in the guidance of the Almighty in these matters. The gentleman is to be complimented for that because, I believe, the world understands that we do follow the principles upon which the gentleman has spoken. Those atheistic countries of the world who would destroy all of the things that we stand for will find that here is actually a nation that stands for peace and the welfare of all people. That is the thing that we strive for. We do not desire to have a bit of land from anyone. I heard the distinguished majority leader, the gentleman from Massachusetts [Mr. McCORMACK], make an excellent statement on that not long ago when he said that this Nation does not try to take anything away from anyone and that we do not want anybody's land and that all we want in this land is peace not only for ourselves but for all other peoples. That is our position.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to my esteemed majority leader.

Mr. McCORMACK. The gentleman has quoted me correctly. He will also remember that I said that no country in the world need to have any fear of the United States impairing or invading or destroying their sovereignty.

Mr. BOW. The gentleman is correct. It was an excellent statement by the majority leader to let the world know the position of the United States and the position of this Congress.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield.

Mr. VORYS. I, too, want to commend the gentleman on this thoughtful and devastating analysis that he has made of the arguments that we hear as to the recognition of Red China and flinching in any way from the resolute stand that we have taken through the years. As the gentleman knows, we are working in our committee now to make it possible for these free neighbors in Korea and Formosa and Vietnam to resist the constantly threatened open aggression of Red China. In the case of Formosa, the heaviest bombardment in a long period of time has taken place in the last few days. How anyone in the Free World can think that it is possible for us to consider these lawless, bloodthirsty people as law-abiding neighbors in the world community is more than I can understand. I just do not see how they could have such thoughts. The gentleman has made a vast and important contribution in straightening out the thinking of such people here and all over the world.

Mr. BYRD. I thank the gentleman.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield.

Mr. FEIGHAN. It seems patently clear from what the gentleman has so ably expressed that if the United States were to engage in trade with Red China, we should immediately give up any idea of maintaining a bloc of free nations in Asia dedicated to the prevention of further Communist aggression. If the United States ever opens trade with Red China, every country in Asia will immediately follow suit. These countries of Asia would then be subjected to internal subversion, propaganda, and sabotage which always follows in the wake of trade with any Communist nation. It would not be long before a strong anti-American campaign would be spread throughout all of Asia which

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would then be followed by a campaign for neutralism, and finally Communist takeover of the entire area.

Mr. BYRD. I do not think there can be any doubt about the gentleman's assertion. I think that if we relax our opposition the entire Free World will gravitate more and more toward Communist China.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I shall do so with pleasure.

Mr. JUDD. I want to take advantage of a special opportunity to point out the other half of the coin of standing resolutely against any change of policy that would give aid and comfort to our avowed enemies. We recognize that all that such opposition does, in a sense, is hold back the forces of aggression and enslavement and buy time, during which there is opportunity to put into effect the kind of ideas and principles, moral principles that we believe will work. We gain time to demonstrate the better alternative.

It is an interesting coincidence that we happen to have with us, as guests in the gallery today, several scores of individuals from the very countries of Asia that we are discussing. They have come from their homes in Asia and the Middle East to attend a conference in Lake Mackinac of the Moral Rearmament Group. They are seeking and finding a better alternative than communism—the positive, constructive, contagious, compelling motivation of Christian discipleship that inspires men to work as hard for the truth, for healing and reconciliation and justice and lasting peace, as the Communists do for their lies, for division and hatred and cruelty.

Mr. GROSS. Mr. Speaker, a point of order.

The SPEAKER pro tempore (Mr. WATTS). The gentleman will state it.

Mr. GROSS. Mr. Speaker, I make the point of order that it is against the rules of the House to call attention to any guests in the gallery.

The SPEAKER pro tempore. The point of order is well taken.

Mr. BYRD. Mr. Speaker, some years ago I read a story by Tolstoi entitled "What Shall It Profit?" I would like in closing my remarks to relate that story. Tolstoi told the story of a young man who had land hunger and who added land to land and farm to farm, but could never get enough. The young man's father died and left his huge estate, but the young man was still not satisfied, and he would lie awake at night planning and scheming as to how he might increase his possessions. One day there appeared in his presence a stranger upon whose countenance were authority and power. The stranger promised the young man all of the land that he could cover in a day for a thousand rubles. He said that the young man could start in any direction and go as far and as fast as he would, and that if he were back by sunset he could have all of the land that he had encompassed. So the young man took off his hat and coat and placed the money upon the ground and, without saying a word to his wife and children, he started out at sunrise to get, at last, enough land. He started leisurely enough, but after a while he hurried a little and then he went faster still. His original plan was to cover a plot of ground 6 miles square, but after he had walked the first 6 miles he paused and he looked to the right and to the left. He thought that it was the finest land that he had ever seen, and he decided to walk 3 more miles, and then he walked 3 more miles. Then he walked 3 more miles, until he had covered a distance of 15 miles before he turned upon the second side. He completed the second side, a total distance of 30 miles, just as the sun crossed the meridian. He came upon an old man drinking water from a spring, but in his hunger for land he brushed the old man's cup aside and pressed on. All through the long afternoon he constantly accelerated his pace, fearful that he had undertaken too much and might lose it all in the end. When he was within a few miles of the goal, it seemed that he would be completely overcome with exhaustion, but, being a young and ambitious man, he summoned the last ounce of his strength and he put forth one final and tremendous effort to reach the starting point before the sun should set. As the afternoon shadows lengthened and the hours wore on, the path became less level and his feet were bruised upon the stones. When he was within a few yards of the goal, he no longer could stand upon his feet, but he made his way painfully, crawling inch by inch upon the ground. He no longer could see to the left or to the right. Every muscle was aching and every nerve seemed to be breaking. Looking ahead, he saw standing at the grave of his father the stranger with a cruel, cynical smile upon his face. The man reached the starting point just as the sun went down, but he had overtaxed his strength, and he fell dead upon the spot. The servants dug a grave for him, and the stranger said to the servants, "I promised him all of the land that he could cover. You see how much it is: 6 feet long and 3 feet wide." And with that, the stranger, who was called Death, vanished, and as he did so he said, "I have kept my pledge."

Tolstoy told the story of many a life. Not the life of the very rich necessarily, but he told the story of every life in which the love of material things and the greed for gain shrivels the soul and leaves the life a miserable failure at last.

Mr. Speaker, the young man in Tolstoy's story thought only of material gain. Those who today urge that we trade with Red China perhaps are thinking of material and political gain. But, Mr. Speaker, we cannot forsake moral principles for political and economic gains. To do this, we can only find, when it is all too late, that we have concentrated on things ephemeral and that we have let the real and eternal things slip through our grasp. Let us not then, for the sake of a few dollars in trade, surrender our principles as a great nation and as a great people. For, as the Prince of Peace said so well, "Man shall not live by bread alone, but by every word of God."

Mr. JUDD. Mr. Speaker, I wish at this point to insert the address made today by Secretary of State Dulles in San Francisco, to which I referred in my earlier remarks. The complete statement is as follows:

OUR POLICIES TOWARD COMMUNISM IN CHINA

(Address by the Honorable John Foster Dulles, Secretary of State, Before the International Convention of Lions International, San Francisco, Calif., June 28, 1957)

It is appropriate that in this great city of San Francisco, which faces the Far East, we should consider our policies toward communism in China.

I. THE SITUATION TODAY

On the China mainland 600 million people are ruled by the Chinese Communist Party. That party came to power by violence and, so far, has lived by violence.

It retains power not by will of the Chinese people, but by massive, forcible repression. It fought the United Nations in Korea; it supported the Communist war in Indochina; it took Tibet by force. It fomented the Communist Huk rebellion in the Philippines and the Communists' insurrection in Malaya. It does not disguise its expansionist ambitions. It is bitterly hateful of the United States, which it considers a principal obstacle in the way of its path of conquest.

In the face of this condition the United States has supported, morally and materially, the free nations of the western Pacific and Southeast Asia. Our security treaties make clear that the violation of these nations by international communism would be considered as endangering our own peace and safety, and that we would act accordingly.

Together we constitute a goodly company and a stout bulwark against aggression.

As regard China, we have abstained from any act to encourage the Communist regime, morally, politically, or materially. Thus:

We have not extended diplomatic recognition to the Chinese Communist regime;

We have opposed its seating in the United Nations;

We have not traded with Communist China, or sanctioned cultural interchanges with it.

These have been, and are, our policies. Like all our policies, they are under periodic review.

II. THE PRECEDENT OF RUSSIA

As we review our China policy, we naturally and properly recall our recognition policy as regard Communist Russia.

The Bolsheviks seized power from Kerensky in 1917. Nevertheless, we continued for 16 years to treat the Kerensky representatives in exile as the lawful government of Russia. By 1933, it seemed that the Communist regime might be considered as a peaceful member of society. For more than a decade it had committed no act of armed aggression. It had accepted the independence of Estonia, Latvia, and Lithuania, and of Poland. It was not demonstrably maltreating American citizens. It promised to cease subversive activities in the United States, to respect American rights in Russia, and to settle Russia's public and private debts to the United States.

Also, by 1933, we desired to encourage the Soviet regime to resist Japanese aggressive policies in the Far East. The Republic of China, inspired by this same notion, had recognized the Soviet Government in December 1932, and we shortly followed suit.

We need not question that act of recognition under the circumstances which then prevailed. Recognition seemed indicated by most tests, and we did not read the future.

However, it can, I think, be said with confidence that recognition would not have been accorded to the Soviet Union even in 1933 had there been clear warning that the Soviet

promises given in that connection were totally unreliable, that aggressive war would soon become an instrumentality of Soviet policy, and that it would be neutral toward Japanese aggression in Asia.

In the case of Communist China, we are forewarned. The regime fails to pass even those tests which, after 16 years, the Soviet regime seemed to pass.

1. Soviet Russia, in 1933, had had a decade of peaceful and nonaggressive relations with neighboring states; Communist China's past record is one of armed aggression.

2. The Soviet regime seemed to want peace for the future. In the case of Communist China the situation is quite the reverse. Mr. Chou En-lai, at the time of the Bandung Conference, said that "the Chinese people do not want to have war with the United States and are willing to settle international disputes by peaceful means." But when the United States took him up, and sought explicit reciprocal renunciations of force, his Ambassador, after presenting various evasive formulas, finally stated frankly that his regime contemplated using armed force to take Taiwan (Formosa) unless they could get it in some other way.

3. The Soviet Union in 1933 was not flagrantly violating its international engagements. The Chinese Communist regime is violating the 1953 Korean armistice and the 1954 Indochina armistice.

4. There was reason to hope that the Soviet regime would treat our nationals with respect. The Chinese Communist regime violates the persons of our citizens in defiance of the elementary code of international decency and breaches its 1955 pledge to release them.

5. It seemed, in 1933, that the Soviet regime and the United States had parallel interests in resisting Japanese aggression in the Far East. Today, the political purposes of Communist China clash everywhere with our own.

III. THE CONSEQUENCES OF RECOGNITION

United States diplomatic recognition of Communist China would have the following consequences:

1. The many mainland Chinese, who by Mao Tse-tung's own recent admission seek to change the nature of their government, would be immensely discouraged.

2. The millions of overseas Chinese would feel that they had no Free China to which to look. Today, increasing numbers of these overseas Chinese go to Free China to study. Six years ago there were less than 100 Chinese students from Southeast Asia and Hong Kong studying in Taiwan. Now there are nearly 5,000.

The number of Chinese students from overseas communities coming to free China has increased year by year; the number going to Communist China has declined, and hundreds of disillusioned students have made their way out of mainland China in the past 2 years.

If the United States recognized the Chinese Communist regime, many of the millions of overseas Chinese in free Asian countries would, reluctantly, turn to acceptance of the guiding direction of the Communist regime. This would be a tragedy for them; and it would imperil friendly governments already menaced by Chinese Communist subversion.

3. The Republic of China would feel crushed by its friend. That government was our ally in the Second World War and for long bore alone the main burden of the Far Eastern war. It had many tempting opportunities to compromise with the Japanese on terms which would have been gravely detrimental to the United States. It never did so. We condemn the Soviets for having dishonored their 20-year treaty pledge of 1945 to support the Chinese National Government as the central government of China. We are honor-bound to give our ally, to whom we are pledged by a mutual-defense treaty, a full measure of loyalty.

4. The free Asian governments of the Pacific and Southeast Asia would be gravely perplexed. They are close to the vast Chinese land mass. Geographically and, to some extent, politically, they are separated as among themselves. The spirit and resolution of the United States provides an important unifying and fortifying influence. If we seemed to waver and to compromise with Chinese communism, that would, in turn, weaken free Asia resistance to Chinese communism and assist international communism to score a great success in its program to encircle us.

IV. CHINA AND THE UNITED NATIONS

United States recognition of Communist China would make it probable that the Communist regime would obtain the seat of China in the United Nations. That would not be in the interest either of the United States or of the United Nations.

The United Nations is not a reformatory for bad governments. It is supposedly an association of those who are already peace loving, and who are able and willing to carry out the charter obligations. The basic obligation is to renounce the international use of force, except in defense against armed attack.

The Chinese Communist regime has a record of successive armed aggressions, including war against the United Nations itself, a war not yet politically settled but discontinued by an armistice. The regime asserts not only its right, but its purpose, to use force if need be to bring Taiwan under its rule.

The Republic of China is entitled to a permanent seat and "veto power" in the Security Council. Should a regime which in 7 years has promoted 5 foreign or civil wars—Korea, Indochina, Tibet, the Philippines, and Malaya; which itself has fought the United Nations and has been found by it to be an aggressor; which defies the United Nations decision to reunify Korea, and which openly proclaims its continuing purpose to use force—should that regime be given a permanent seat, with veto power, in the body which under the Charter has "primary responsibility for the maintaining of international peace and security"?

Communist Russia, with veto power, already seriously limits the ability of the United Nations to serve its intended purposes. Were Communist China also to become a permanent, veto-wielding member of the Security Council, that would, I fear, implant in the United Nations the seeds of its own destruction.

V. TRADE AND CULTURAL RELATIONS WITH COMMUNIST CHINA

Let me turn now to the matter of trade and cultural relations, which could exist, to a limited degree, without recognition.

Normal peacetime trade with China, from which the American and Chinese peoples would benefit, could be in the common interest. But it seems that that kind of trade is not to be had in any appreciable volume.

Trade with Communist China is not a free trade. It does not provide one country with what its people want, but cannot well produce for themselves, in exchange for what other people want but cannot well produce for themselves. Trade with Communist China is wholly controlled by an official apparatus and its limited amounts of foreign exchange are used to develop as rapidly as possible a formidable military establishment and a heavy industry to support it. The primary desire of that regime is for machine tools, electronic equipment, and, in general, what will help it produce tanks, trucks, planes, ammunition, and other military items.

Whatever others may do, surely the United States, which has heavy security commitments in the China area, ought not build up the military power of its potential enemy.

We also doubt the value of cultural exchanges, which the Chinese Communist are eager to develop. They want this relationship with the United States primarily because, once that example were given, it would be difficult for China's close neighbors not to follow it. These free nations, already exposed to intense Communist subversive activities, could not have the cultural exchanges that the Communists want without adding greatly to their danger.

VI. THE DE FACTO AGRUMENT

These are the considerations which argue for a continuance of our present policies. What are the arguments on the other side?

There are some who say that we should accord diplomatic recognition to the Communist regime because it has now been in power so long that it has won the right to that.

That is not sound international law. Diplomatic recognition is always a privilege, never a right.

Of course, the United States recognizes that the Chinese Communist regime exists. We well know that it exists, for it has fought in Korea. Also, we admit of dealing with the Chinese Communists in particular cases where that may serve our interests. We have dealt with it in relation to the Korean and Indochina Armistices. For nearly 2 years we have been, and still are, dealing with it in an effort to free our citizens and to obtain reciprocal renunciations of force.

But diplomatic recognition gives the recognized regime valuable rights and privileges and, in the world of today, recognition by the United States gives the recipient much-added prestige and influence at home and abroad.

Of course, diplomatic recognition is not to be withheld capriciously. In this matter, as others, the United States seeks to act in accordance with principles which contribute to a world society of order under law.

A test often applied is the ability of a regime actually to govern. But that is by no means a controlling factor. Nations often maintain diplomatic relations with governments in exile. And they frequently deny recognition to those in actual power.

Other customary tests are whether, as Thomas Jefferson put it, the recognized government reflects "the will of the nation, substantially declared"; whether the government conforms to the code of civilized nations, lives peacefully and honors its international obligations.

Always, however, recognition is admitted to be an instrument of national policy, to serve enlightened self-interest.

One thing is established beyond a doubt. There is nothing automatic about recognition. It is nothing compelled by the mere lapse of time.

VII. THE INEVITABILITY ARGUMENT

Another argument is that diplomatic recognition is inevitable, so why not now?

First of all, let me say emphatically that the United States need never succumb to the argument of inevitability. We feel that we, with our friends, can fashion our own destiny. We do not accept the mastery of Communist forces.

And let me go on to say that Communist-type despotisms are not so immutable as they sometimes appear. Time and circumstances work also upon them.

There is often an optical illusion which results from the fact that police states, suppressing differences, give an external appearance of hard permanency; whereas the democracies with their opposition parties and often speaking through different and discordant voices, seem the unstable, pliable members of the world society.

The reality is, of course, that a governmental system which tolerates diversity has

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a long-life expectancy. And a system which seeks to impose conformity is always in danger. That results from the basic nature of human beings. Of all the arguments advanced for recognition of Communist China, the least cogent is the argument of inevitability.

VIII. CHINA VERSUS RUSSIA

There are some who suggest that if we assist the Chinese Communists to wax strong, then they will eventually break with Soviet Russia and that that is our best hope for the future.

There are no doubt basic power rivalries between Russia and China in Asia. On the other hand, the Russian and Chinese Communist Parties are bound together by close ideological ties.

Perhaps, if the ambitions of the Chinese Communists are inflated by successes, they might eventually clash with Soviet Russia.

Perhaps, too, if the Axis Powers had won the Second World War, they would have fallen out among themselves.

But no one suggested that we should tolerate and even assist an Axis victory because in the end they would quarrel over the booty—of which we would be part.

IX. CONCLUSION

We seek to appraise our China policies with an open mind and without emotion, except for a certain indignation at the prolonged abuse of American citizens in China. We have no feeling whatsoever that change is to be avoided merely in the interest of consistency or because change would imply past error.

We always take into account the possibility of influencing the Communist regime to better ways if we had diplomatic relations with it, or if, without that, we had commercial and cultural contacts with it. But the experience of those who now recognize and deal with the Chinese Communist regime convinces us that, under present conditions, neither recognition, trade, nor cultural relations, nor all three, would favorably influence the evolution of affairs in China. The probable result, internally, would be the opposite of what we hope for.

Internationally the Chinese Communist regime does not conform to the practices of civilized nations; does not live up to its international obligations; has not been peaceful in the past, and gives no evidence of being peaceful in the future. Its foreign policies are hostile to us and our Asian allies. Under these circumstances, it would be folly for us to establish relations with the Chinese Communists which would enhance their ability to hurt us and our friends.

You may ask, "What of the future?" Are our policies merely negative? Do we see any prospect of resuming the many friendly ties which, for many generations, the American people have had with the Chinese people, and which we want to have again?

Do we see any chance that the potentially great Chinese nation, with its rich and ancient culture and wisdom, will again be able to play a constructive part in the councils of the nations?

We confidently answer these questions in the affirmative. Our confidence is based on certain fundamental beliefs. One is a belief in the future of human freedom. We know that the materialistic rule of international communism will never permanently serve the aspirations with which human beings are endowed by their Creator.

Within the Soviet Union the rulers have had to disavow Stalin's brand of communism.

Within the satellites, even 12 years of indoctrination do not persuade the people that the Soviet system satisfies either their national or their individual desires.

Communism is equally repugnant to the Chinese people. We read the recent brave words uttered within Red China by the university lecturer: "To overthrow you cannot be called unpatriotic, because you Communists no longer serve the people."

The Chinese people are, above all, individualists. We can confidently base our policies on the assumption that international communism's rule of strict conformity is, in China as elsewhere, a passing and not a perpetual phase. We owe it to ourselves, our allies, and the Chinese people to do all that we can to contribute to that passing.

If we believed that this passing would be promoted by trade and cultural relations, then we would have such relations.

If we believed that this passing would be promoted by our having diplomatic relations with the present regime, then we would have such relations.

If we believed that this passing would be promoted by some participation of the present regime in the activities of the United Nations, then we would not oppose that.

We should be, and we are, constantly testing our policies, to be as certain as we can be that, in the light of conditions as they from time to time are, our policies shall serve the great purposes to which our Nation has been dedicated since its foundation—the cause of peace, justice, and human liberty.

Our policies are readily adjustable to meet the requirements of changing conditions. But there are occasions when others, and not we, should provide the change. Nothing could be more dangerous than for the United States to operate on the theory that if hostile and evil forces do not quickly or readily change, then it is we who must change to meet them.

The United States exerts an immense influence in the world today, not only because it is powerful, but because we stand for peace, for national independence and personal liberty. Many free nations seek to coordinate their foreign policies with ours. Such coordination is indeed indispensable if the free world is to have the cohesion needed to make it safe. But United States policies will never serve as rallying points for free peoples if the impression is created that our policies are subject to change to meet Communist wishes for no reason other than that communism does not want to change. If communism is stubborn for the wrong, let us be steadfast for the right.

The capacity to change is an indispensable capacity. Equally indispensable is the capacity to hold fast that which is good. Given those qualities, we can hopefully look forward to the day when those in Asia who are yet free can confidently remain free, and when the people of China and the people of America can resume their long history of cooperative friendship.

TRADING WITH RED CHINA

Mr. JUDD. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. JUDD. Mr. Speaker, I merely want to add a few further comments on the remarks of the gentleman from West Virginia. In summary, he has pointed out that all of the supposed benefits, both commercial and political, of trade with Red China are nonexistent, or at least very nebulous.

Communist China has a very limited amount of foreign exchange with which to buy imports. She is already using every bit she has to buy commodities from countries like England, that, to some extent, are nonstrategic. When our allies take down the barrier to trade in strategic commodities, then Communist China uses what exchange she has to buy materials she can use to make weapons—electronics and essential minerals, machine tools, and things of that sort. Naturally she can buy fewer of the things she now buys and that her people might use directly—food, clothing, and so on. Thus England cannot have substantially more trade or larger profits. She will just sell larger quantities of the things that will make Red China stronger militarily for the day when China decides to take Hong Kong.

So the commercial gains are nonexistent, or at least insignificant.

The political gains from establishing such relations are equally dubious. The gentleman has pointed out that the political results of trade, recognition, admission of Red China into the United Nations would, in fact, be losses, not gains.

These are some of the certain losses:

First, our allies, the free Chinese, on Formosa, would have no choice but to surrender.

Second, the so-called offshore Chinese, the 12 million Chinese in southeast Asia—occupying key positions of power and influence in Singapore, Rangoon, Manila, Jakarta, Bangkok, and Saigon—would have no place to turn to for guidance and support, except Communist China. That would put powerful fifth columns into the hands of the Peiping regime and certainly lead to very rapid subversion of the strategic countries of Southeast Asia.

Third, if we were now to start trading with the Communist regime which almost daily declares itself our enemy, it would tell all our true friends in Asia that they cannot count on the United States to be steadfast. They would then know, what they have long feared, namely, that trade is so important to us that whenever even an enemy offers us trade, we are willing to sell out our friends in order to get that trade.

What would that do to the whole system of collective security we have been building at such cost and effort? It would destroy it within a very few years. For why should any small country stand by us, if we do not stand by it? And why should any other country resist Red China if the United States accepts it and trades with it?

Fourth, it would tell our allies in Europe and elsewhere that the United States cannot be counted upon to stand up for them either, if it is not a dependable ally in Asia.

And fifth, worst of all, perhaps, it would tell 900 million people behind the Iron Curtain that we are abandoning them to Communist enslavement, that we are more interested in making a deal with the oppressors than in standing steadfastly with the oppressed.

The gentleman from West Virginia has pointed out so well that the United States cannot and will not take such a step. It would be not only immoral; it would be stupid. For it would bring no significant

commercial gains; it would bring political losses of disastrous proportions.

May I urge that those either in our own country or abroad, friend or enemy, who think the United States will weaken on this matter of patient, firm, strong resistance to Communist tyranny, read and study the gentleman's remarks. They will see how wrong it would be and how foolish it would be. We do not intend to be that wrong or that foolish.

DIRTY—DIRTIER—DIRTIEST

Mr. COFFIN. Mr. Speaker, I ask unanimous consent that the gentlewoman from Oregon [Mrs. GREEN] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, those of us who are concerned about the effects of radioactive fallout on this and future generations are equally concerned with attempts by those in high administrative posts to brainwash the minds of the American people with pat and misleading phrases.

One such phrase is the word "clean" as applied to A-bombs and H-bombs.

Many scientists have testified that in reality there is no such thing as a "clean" bomb. Those who have slipped that word into the lexicon of daily usage are doing a disservice to the American people. There is only a dirty bomb, a dirtier bomb, and a dirtiest bomb.

I was, therefore, pleased to read the editorial on Wednesday, June 26, 1957, in the Oregonian entitled " 'Clean' Bomb No Comfort," which reaffirmed the dangers of continued nuclear testing. I ask unanimous consent that this editorial be reprinted in the CONGRESSIONAL RECORD at the conclusion of my remarks.

"CLEAN" BOMB NO COMFORT

While the development of clean nuclear weapons undoubtedly is a gerat technical achievement, from a practical standpoint their availability does not mean a war fought with A-bombs or H-bombs will be less horrible.

A dirty bomb is one which scatters, when it explodes, unburned fragments of radioactive material which can be carried along by air currents and dropped, with lethal effect, in a long path stretching downwind from ground zero. This secondary menace is eliminated almost entirely in the new type bombs explained to President Eisenhower this week by a team of atomic scientists working with the Atomic Energy Commission.

However, even a clean bomb can be made dirty simply by exploding it close to the earth, where it will suck up into its fireball pulverized debris that has been made radioactive and deadly. The gray ash which fell on the decks of the Japanese fishing vessel *Fortunate Dragon* after the first United States H-bomb test in the Pacific, giving radiation burns to the crew, came from a coral island obliterated by the blast. One of the new clean weapons would produce the same effect if detonated under the same circumstances. So the Russians, or the British, or ourselves, could and probably would fight dirty with clean bombs if it appeared strategically advantageous to do so.

It seems likely the scientists' visit was inspired by AEC Chairman Lewis Strauss, who strongly favors the continued testing of nuclear weapons and wishes to quiet some of the fears of those who oppose the test program. It is significant, however, that no mention was made of strontium 90 in the discussion of the new nuclear weapons. This stuff, one of the more abundant radioactive products of nuclear fission, has a combination of qualities which make it a serious problem.

For one, strontium 90 is so light it is carried high into the stratosphere, where it spreads all around the earth and is deposited gradually over a period of years. For another, it has a half-life of 25 years and thus remains active a long time. Third, it is known to cause bone tumors in experimental animals and is thought likely to have the same effect in humans. And fourth, since it is chemically similar to calcium and is taken up and concentrated by bone tissue which has an affinity for calcium, strontium 90 finds its way into children's bodies through milk produced by cows feeding in contaminated pastures.

Even the cleanest A-bomb thus needs more scrubbing if strontium 90 has not been licked, and the announcement from Washington is silent on this point. Those who are working toward an international moratorium on tests of new nuclear weapons, and toward their eventual abolition from world arsenals, still have a powerful argument.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PROUTY (at the request of Mr. MARTIN), indefinitely, on account of illness in his family.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 60. An act to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado; to the Committee on Interior and Insular Affairs.

S. 603. An act to require that international agreements other than treaties, hereafter entered into by the United States, be transmitted to the Senate within 60 days after the execution thereof; to the Committee on Foreign Affairs.

S. 1459. An act to amend section 208 (c) of the Interstate Commerce Act, as amended; to the Committee on Interstate and Foreign Commerce.

S. 1856. An act to provide for the development and modernization of the natural system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. J. Res. 73. Joint resolution to amend Public Law 843, 80th Congress, as amended, providing for membership and participation by the United States in the International Labor Organization and authorizing appropriations therefor; to the Committee on Foreign Affairs.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3373. An act to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes;

H. R. 3400. An act to provide full and fair disclosure of the character of charitable, benevolent, patriotic, or other solicitations in the District of Columbia; and for other purposes;

H. R. 4748. An act to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims subject to that act may be made;

H. R. 6070. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes;

H. R. 6523. An act to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person;

H. R. 7954. An act relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons;

H. R. 8383. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOHN J. ROONEY, Members of the House of Representatives, to accept and wear the award of the Ecclesiastical Order of Saint Gregory the Great, with the rank of Knight Commander with Star;

H. R. 8384. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOSEPH W. MARTIN, JR., Members of the House of Representatives, to accept and wear the award of the Philippine Legion of Honor in the degree of Commander, tendered by the Republic of the Philippines; and

H. J. Res. 172. Joint resolution relating to the stockpile of extra long staple cotton under the Strategic and Critical Materials Stockpiling Act.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 1428. An act to authorize furniture and furnishings for the additional office building for the United States Senate;

S. 1429. An act authorizing the enlargement and remodeling of Senators' suites and structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate;

S. 1430. An act increasing the limit of cost fixed for construction and equipment of an additional office building for the United States Senate; and

S. J. Res. 115. Joint resolution to provide an interim extension for the voluntary home mortgage credit program.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills

and joint resolutions of the House of the following titles:

H. R. 1752. An act for the relief of Frank J. and Mae T. W. Burger;

H. R. 2964. An act to confer jurisdiction on the United States District Court for the Eastern District of Texas, Jefferson Division, to hear, determine, and render judgment on certain claims of George W. Edwards, Jr., against the United States;

H. R. 3373. An act to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes;

H. R. 3400. An act to provide full and fair disclosure of the character of charitable, benevolent, patriotic, or other solicitations in the District of Columbia; and for other purposes;

H. R. 3477. An act relating to moneys received from mineral lands in Alaska;

H. R. 3836. An act to repeal section 1157 of title 18 of the United States Code, as amended;

H. R. 3837. An act to amend the act of August 24, 1912, as amended, with reference to educational leave to employees of the Bureau of Indian Affairs;

H. R. 4748. An act to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims subject to that act may be made;

H. R. 4945. An act to provide for the conveyance of certain real property in West Palm Beach, Fla., to the port of Palm Beach district;

H. R. 6070. An act making appropriations for sundry independent bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes;

H. R. 6287. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes;

H. R. 6523. An act to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person;

H. R. 6692. An act to authorize the transfer of the Coyote Valley Indian Rancheria to the Secretary of the Army, and for other purposes;

H. R. 7050. An act to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes;

H. R. 7249. An act to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia;

H. R. 7259. An act relating to marketing quotas and price supports for fire-cured, dark air-cured, and Virginia sun-cured tobacco;

H. R. 7835. An act to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and for other purposes;

H. R. 7954. An act relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons;

H. R. 8383. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOHN J. ROONEY, Members of the House of Representatives, to accept and wear the award of the Ecclesiastical Order of St. Gregory the Great, with the rank of Knight Commander with Star;

H. R. 8384. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOSEPH W. MARTIN, Jr., Members of the House of Representatives, to accept and wear the award of the Philippine Legion of Honor in the degree of Commander, tendered by the Republic of the Philippines;

H. J. Res. 172. An act relating to the stockpile of extra long staple cotton under the Strategic and Critical Materials Stockpiling Act;

H. J. Res. 273. An act to waive the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, in behalf of certain aliens; and

H. J. Res. 379. An act making supplemental appropriations for the Post Office Department for the fiscal year 1958, and for other purposes.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FEIGHAN for 15 minutes on July 1.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. REUSS and to include extraneous matter.

Mr. MILLER of Nebraska and to include a speech.

Mr. BAUMHART (at the request of Mr. MARTIN).

Mr. COLLIER (at the request of Mr. MARTIN).

Mr. BERRY and to include extraneous matter.

Mr. BOW and to include related matter.

Mr. DORN of South Carolina and include a platform.

Mr. SHELLEY (at the request of Mr. MCCORMACK) and include related matter.

Mr. MCCORMACK (at the request of Mr. COFFIN) and to include extraneous matter.

Mr. HARRIS (at the request of Mr. COFFIN) and to include a letter.

ADJOURNMENT

Mr. COFFIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 38 minutes p. m.), under its previous order, the House adjourned until Monday, July 1, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

993. A letter from the Attorney General, transmitting the report of the Attorney General on the administration of the Foreign Agents Registration Act covering the calendar year 1956, pursuant to the Foreign Agents Registration Act; to the Committee on the Judiciary.

994. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation entitled "A bill to amend the act entitled 'An act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of international conventions, and for other purposes,' approved July 5, 1946, with respect to proceedings in the Patent Office"; to the Committee on the Judiciary.

995. A letter from the Deputy Postmaster General, transmitting a draft of proposed legislation entitled "A bill to make uniform the termination date for the use of official franks by former Members of Congress, and for other purposes"; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 993. A bill to provide for the conveyance of certain land by the United States to the Cape Flattery School District in the State of Washington; with amendment (Rept. No. 660). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 6521. A bill to repeal section 3 of the act of June 30, 1945 (59 Stat. 265); with amendment (Rept. No. 661). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 6940. A bill, to authorize the Secretary of the Interior to reimburse owners of lands acquired under the Federal reclamation laws for their moving expenses, and for other purposes; with amendment (Rept. No. 662). Referred to the Committee of the Whole House on the State of the Union.

Mr. TRIMBLE: Committee on Rules. House Resolution 304. Resolution for the consideration of H. R. 6814, a bill to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products without amendment (Rept. No. 663). Referred to the House Calendar.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 2147. A bill to provide for the construction by the Secretary of the Interior of the San Angelo Federal reclamation project, Texas, and for other purposes; with amendment (Rept. No. 664). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER:

H. R. 8438. A bill to amend section 1733 of title 28, United States Code; to the Committee on the Judiciary.

By Mr. CELLER:

H. R. 8439. A bill to cancel certain bonds posted pursuant to the Immigration Act of 1924, as amended, or the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H. R. 8440. A bill to amend title II of the Social Security Act to include the Delaware River Port Authority, a corporate instrumentality of the States of Pennsylvania and New Jersey, with the States which are permitted to divide their retirement systems into two parts so as to obtain social-security coverage, under agreement, for only those employees of the Delaware River Port Authority who desire such coverage; to the Committee on Ways and Means.

By Mr. MOORE:

H. R. 8441. A bill to amend the act entitled "An act to provide for the registration and

protection of trademarks used in commerce, to carry out the provisions of international conventions, and for other purposes," approved July 5, 1946, with respect to proceedings in the Patent Office; to the Committee on the Judiciary.

By Mr. McCARTHY:

H. R. 8442. A bill to amend paragraph 1774 of the Tariff Act of 1930 with respect to the importation of certain articles for religious purposes; to the Committee on Ways and Means.

By Mr. REUSS:

H. Con. Res. 211. Concurrent resolution sustaining the principle of religious freedom in treaties between the United States and other nations; to the Committee on Foreign Affairs.

By Mr. TRIMBLE:

H. Res. 304. Resolution providing for the consideration of H. R. 6814, a bill to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H. R. 8443. A bill for the relief of Mrs. Josephine Biel; to the Committee on the Judiciary.

By Mr. HILL:

H. R. 8444. A bill for the relief of Lloyd Lucero; to the Committee on the Judiciary.

By Mr. HILLINGS:

H. R. 8445. A bill for the relief of Ludwig and Isabel Model; to the Committee on the Judiciary.

By Mr. MADDEN:

H. R. 8446. A bill for the relief of Cornel A. Lengyel-Leahu; to the Committee on the Judiciary.

By Mr. MORRISON:

H. R. 8447. A bill for the relief of Israel Wernik; to the Committee on the Judiciary.

By Mr. POAGE:

H. R. 8448. A bill for the relief of Willie C. Williams; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H. R. 8449. A bill for the relief of John Ake Bertil Nordstedt; to the Committee on the Judiciary.

By Mr. SAYLOR:

H. R. 8450. A bill for the relief of Waltraud Scheiffele Kocsis; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H. R. 8451. A bill for the relief of Peggy and Erika Schuh; to the Committee on the Judiciary.

By Mr. WITHROW:

H. R. 8452. A bill for the relief of Emmanuel Kim Kosmitis; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H. R. 8453. A bill for the relief of Mrs. Anka Maric; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Chairman McConnaughey Leaves Federal Government Service

EXTENSION OF REMARKS
OF
HON. OREN HARRIS
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES

Friday, June 28, 1957

Mr. HARRIS. Mr. Speaker, Mr. George C. McConnaughey, Chairman of the Federal Communications Commission, is leaving Federal Government service on June 30, 1957. As chairman of the Committee on Interstate and Foreign Commerce I have had many occasions to deal with the Federal Communications Commission and its Chairman. I have always found him courteous and cooperative and although in some instances we may have disagreed with regard to specific issues, there always has been an atmosphere of mutual respect. I have addressed the following letter to Chairman McConnaughey which I would like to insert in the RECORD:

JUNE 28, 1957.

Hon. GEORGE C. MCCONNAUGHEY,
Chairman, Federal Communications Commission, Washington, D. C.

DEAR CHAIRMAN MCCONNAUGHEY: I do not want to let the day of your retirement from Federal Government service pass without extending to you my best wishes for the future and expressing my appreciation for the courteous manner in which you have always dealt with the Committee on Interstate and Foreign Commerce whenever the Commission was called upon for information.

In public life, individuals who have dealings with each other must not necessarily agree with each other's point of view, and on occasions we have openly and frankly disagreed. However, at all times I have respected you for the sincerity with which you have presented your position, and I have always found you willing to listen to the arguments advanced by those who were inclined to disagree with your views.

There are few places in the Federal public service where the problems confronting an agency of Government are more urgent and more controversial than in the case of the Federal Communications Commission. Under your chairmanship, the Commission has striven to bring about solutions of several communications problems of great importance to the public, and you can leave the Commission feeling confident that you have given your best to bring about fair and equitable solutions of these problems.

Sincerely yours,

OREN HARRIS,
Member of Congress, Chairman.

The High Hells Canyon Dam Project

EXTENSION OF REMARKS
OF
HON. HAROLD R. COLLIER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Friday, June 28, 1957

Mr. COLLIER. Mr. Speaker, under leave to extend my remarks in the RECORD, I would like to discuss briefly S. 555, the high Hells Canyon Dam project, which last week was passed by the other body and which the House Committee on Interior and Insular Affairs will be asked to vote on shortly.

The bald fact is that high Hells Canyon Dam will cost the American taxpayers $500 million. The dam has the sole admitted purpose of supplying cheap Federal power to individuals and industries of the Pacific Northwest, which may be an admirable purpose if you live in that pleasant area.

I represent the people of the 10th District of Illinois and I have to ask myself: What benefit do we get from high Hells Canyon Dam? The only answer is: Absolutely none at all.

Then I must ask myself, What does high Hells Canyon cost the people of Illinois? We in Illinois paid last year 8.1 percent of all Federal income taxes. In other words, we would pay 8.1 percent of the cost of Hells Canyon, or, roughly, $39 million. That is $39 million going out for which we get nothing in return.

Mr. Speaker, when I return to my home in Illinois and face my constituents who have paid the electric light bills of the people of the Pacific Northwest, how am I to answer their questions?

I would like to suggest, too, to the Members from such States as New York, which would pay 17.1 percent of Hells Canyon's cost, and Pennsylvania which would pay 7.5 percent of the cost of this proposed project that they ask themselves the same questions before they vote in favor of this half-billion-dollar raid on the Federal Treasury.

Young Republicans

EXTENSION OF REMARKS
OF
HON. W. J. BRYAN DORN
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES

Friday, June 28, 1957

Mr. DORN of South Carolina. Mr. Speaker, as far as news is concerned, we seem to be under a military censorship today. For a while, there was much hullabaloo and publicity about the Nation's Young Republicans holding a convention in Washington, D. C. The general theme song was that these Young Republicans would be 100 percent for modern republicanism. According to the "whoop-it-up" boys, we got the impression that these Young Republicans would be as far from the philosophy of the old guard Republicans as east is from west.

But lo and behold, these Young Republicans seem to have ideas of their own. Undoubtedly, they came into town from the grassroots where the people are not as yet completely brainwashed. I have been unable to learn from the press, which is apparently feeling the effects of this military censorship, what was actually adopted by the Young Republicans. However, a good Republican friend of mine, a patriotic American, furnished me with some of the resolutions adopted and which were not reported to the people of the country.

UNIVERSITY OF MICHIGAN LIBRARIES

Following are some of the resolutions adopted by the Young Republicans last week at their convention here in Washington:

1. Pass a Federal right-to-work law.
2. Congress should not pass Federal aid to education.
3. That Sergeant Girard not be turned over to the Japanese courts.
4. No military aid to Tito in Yugoslavia.
5. A stronger Taft-Hartley law.
6. No aid of any sort to any Communist nation.

Farm Price Supports

EXTENSION OF REMARKS
OF
HON. E. Y. BERRY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 28, 1957

Mr. BERRY. Mr. Speaker, throughout this session of Congress I have listened to the Democrats lay the lash to Mr. Benson for not establishing support levels on various crops at 90 percent of parity. They contend that since he has the authority to establish the support price at that level, that he is obligated to do so.

During the past week I have listened to a number from that side of the aisle demand Mr. Benson's resignation, stating that the wheat referendum demonstrated a complete denunciation by the wheat farmers of America of Mr. Benson and his policies.

It is interesting to note that even in South Dakota, which according to the unofficial returns of the wheat referendum, gave the second largest percentage endorsement in the Nation, less than 30 percent of the eligible wheat farmers participated in the referendum.

According to unofficial returns 13,589 votes were cast out of an estimated 44,500 eligible. In 1957, 19,084 voted out of the same estimated eligible. In 1956, 20,243 voted out of an eligible list of 44,000. In 1955, 14,486 voted out of 44,000, and in 1954, 23,486 voted out of 44,000 eligible.

Nationally, the unofficial returns show that only 172,166 persons voted in the 1957 referendum, as compared with 447,757 in 1954. One is prone to wonder why many eligible wheat farmers neglected to vote in the 1957 referendum. Possibly it is because a majority are not satisfied with any of these programs, and feel that the wheat-production industry would be much better off with a program geared to the betterment of the wheat industry, rather than an overall support program.

Personally, I believe that what wheat farmers want and what wheat farmers need is a program for milling wheat. Instead of the vote being a denunciation of Benson, it may have been a lack of interest in the choice the wheat farmer had to make, as demonstrated by the fact that only a little more than one-third of those voting in 1954 voted in 1957.

Let me point out, Mr. Speaker, that the Democrats are in complete control of every committee in both the House and the Senate. Let me point out that the leadership is completely in the control of the Democratic Party, and they can pass any bill in this Congress they wish to pass. The Secretary of Agriculture is only an arm of the administrative branch of Government, and administers the laws passed by the Congress. If the Democratic Party really wants a program of farm supports at 90 percent of parity, they can pass a law providing supports at that level, and the Secretary of Agriculture has no alternative except to put that law into effect.

The Secretary of Agriculture is actually an agent of the Congress. Mr. Speaker, I demand that this Congress patch together its bankrupt farm leadership, assume the responsibility that is theirs, and pass legislation which does what they claim they want instead of rocking restfully in the shade of the Department of Agriculture, screaming "resignation" at the Secretary.

Retirement Annuity Increases

EXTENSION OF REMARKS
OF
HON. JOHN F. SHELLEY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 28, 1957

Mr. SHELLEY. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the statement which I presented to the Pfost subcommittee of the Committee on Post Office and Civil Service today. The subcommittee is considering legislation to provide a much needed increase in annuities for civil-service employees who retired before October 1, 1956. Among the bills which they are considering is my bill, H. R. 4701. I sincerely hope that the committee will act without delay to approve such a measure so that the many retired employees of the Government and their families who are now undergoing severe hardship will receive badly needed help.

The statement follows:

STATEMENT BY HON. JOHN F. SHELLEY SUPPORTING INCREASED ANNUITIES FOR CIVIL SERVICE EMPLOYEES RETIRED PRIOR TO OCTOBER 1, 1956

Madam Chairman and members of the subcommittee, although in the interest of saving time in consideration of this much needed legislation I have not asked to appear before your subcommittee personally, I do appreciate the opportunity of submitting this statement in support of my bill, H. R. 4701, and of other measures to provide an increase in the annuities of civil-service retirees and their survivors.

It is unfortunate that when Public Law 854 was enacted last year, including Civil Service Retirement Act amendments, the annuity increases were limited to those who retired after October 1, 1956. Because of that limitation a great many people living on fixed civil-service retirement incomes were forced to continue a hand-to-mouth existence, and their situation has gone from bad to worse as the cost of living has continued its steady rise month by month. The token increase granted to them in 1955 did not even begin to absorb the living cost rise prior to that time and, as we all know, there has been no downward turn in the Consumer Price Index since. On the contrary it continues to inch upward, in spite of the administration's rosy statements from time to time about a leveling off with predictions of a downward trend.

I call attention to the fact that Public Law 854 of the 84th Congress contained a provision in section 406 stating it to be the policy of Congress that whenever general adjustments were made in the salaries of Government employees corresponding adjustments should be made in the annuities of retired employees. I submit that this does not mean that we should wait a year or two thereafter but that the increases in civil-service annuities should be made concurrently. Your committee has now begun consideration of employee pay increase legislation and it is apparent that, despite the opposition of the Eisenhower administration, this session of Congress will pass pay raise bills, thus calling the President's hand. Certainly, in line with the policy voiced in the 84th Congress, we should present to him at the same time a measure calling for a generous increase in retirement annuities.

I have in my files a large sheaf of letters from retired Government employees in my district telling me of the hard time they are having in trying to get along on their small annuities. I know that these are not exaggerations as I have come face to face with many of my constituents who are in similar situations, and it is a matter of commonsense that even a man living alone cannot live on $100 or $150 or even $200 a month which is the case with many of them, whereas those with a wife and other dependents to support have no chance at all unless they can find some other source of income. A man who has passed retirement age has little opportunity to find any sort of a job to supplement his annuity in this day and age. Many of them are simply not capable because of age or physical infirmities of holding down a money-making job of any kind. Others, willing and able to work, just can't get a job because of the age taboo which has grown up around us. Under these circumstances we have no choice but to act to bring the level of annuity incomes up to a point where outright suffering can be avoided. A schedule of increases such as provided in H. R. 4 and my bill, H. R. 4701, is a minimum approach to a just solution of the problem.

The fundamental purpose of the civil-service retirement system is to insure that people who have given a lifetime of work to the Government and to the people of the United States will not be thrown on the streets or to the mercy of public assistance agencies or charities when their productive years have ended. There was a time when the annuities provided by the system were sufficient to permit a retired employee with maximum service to live in relative comfort, assuming that he had been provident enough to purchase a home during his working years. That time is long since past. Very few retired employees who were in the lower pay grades during their Government careers have the means to subsist now, when subsistence on their debased annuity income alone is not possible. Only this relative few whose family responsibilities were lighter or who found other means of supplementing their capital while still in the prime of life are free from want of one kind or another now. For the great majority the decreasing value of their annuity as the cost of living has increased means that they are faced with privation or with dependence on their children. This situation is certainly contrary to the intent of the retirement program, and is a cruel contrast to the promise of a protected old age held out by Congress in inducing participation in the program. The only way in which we can return to the basic principle and promise held out in establishing the system is to pass timely

legislation to maintain the real income provided by annuities at a level consistent with the cost of living. The time to do that is now. Every day in which we delay is an additional day of hardship for civil service annuitants and their dependents and causes them to fall deeper and deeper into the hole of debt. Even those who may have some independent means are faced with the necessity for drawing on their meager savings until they are wiped out. We cannot in good conscience leave these people faced with such harsh alternatives.

The Civil Service Commission informs me that as of June 30, 1956, the latest date for which they have compiled figures, the average monthly annuity paid to beneficiaries of the retirement system was $133 per month. That average has increased somewhat as a result of Public Law 854, but the increase did not apply to the beneficiaries of the legislation we are now considering and only serves to make the position of those who retired before October 1 of last year relatively less favorable. At the same time the monthly benefit for survivors of deceased employees averaged only $50. Remembering that these are only average figures and that countless thousands are receiving less than that amount, it is completely clear that a very substantial increase is necessary to afford the absolute minimum needed to eke out a living for those in the less than average class.

It is for this reason that my bill and other similar bills set up a schedule calling for greater percentage increases for those whose annuities are less than $1,500 per year. However, on mature consideration it occurs to me that the schedule of increases set up in the Morrison bill and my bill might work an injustice on the groups whose annuities are now just above $1,500, in that others in the same retirement date class with annuities of slightly less than $1,500 might be jumped above them in total annuity by virtue of the 25 percent to 30 percent increase provided for the lower-income groups. Therefore, I propose that if the schedule in the Morrison bill is used as a basis for any increase granted, the flat 10-percent increase for annuities above $1,500 in the several retirement-date groups be revised to grant either the maximum increase granted for those with less than $1,500 annuity or 10 percent, whichever is greater. Thus, those with annuities of over $1,500 who retired between October 1, 1955, and October 1, 1956, would receive either $375 (25 percent of $1,500) or 10 percent of their total annuity, whichever is greater. Similarly, those who retired between August 20, 1920, and October 1, 1951, would receive an increase of either $450 (30 percent of $1,500) or 10 percent, whichever is greater. There would be similar minimum increases of 26, 27, 28, and 29 percent of $1,500 for those in the intervening retirement-date groups whose present annuity is in excess of $1,500. This proposed revision would prevent an inequitable adjustment of annuities just above or below $1,500 through which annuitants receiving lesser benefits now might wind up with a greater annuity than others now receiving a slightly higher payment.

I am prepared to support on the floor of the House any bill which emerges from your committee which provides for an adequate schedule of increases for civil-service annuitants and their survivors, provided that it does full justice to the urgent need. I know, for example, that there is a great deal of support for the Davis bill which calls for a different schedule of increases and does not specify the source of funds to be used in paying such increases. To me the imperative thing is that action be taken quickly, that the committee satisfy itself that the increases provided are reasonable and just and that the fiscal obligations are such as to assure payment on a sound basis.

Allocation of Nickel

EXTENSION OF REMARKS
OF

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 28, 1957

Mr. McCORMACK. Mr. Speaker, under leave to revise and extend my remarks, I am inserting in the RECORD a letter dated April 30, 1957, from Mr. C. T. Murphy, vice president, McLouth Steel Corp., Detroit, Mich., and an exchange of letters with Secretary Weeks.

Mr. Murphy's letter points out the hardship suffered by certain steelmakers who require nickel for their operations. It is their contention that nickel is allocated to them on the basis of an old formula which does not take into consideration current requirements.

As a result, some companies have been forced to pay high prices for contained nickel from scrap or to buy from the gray market which has thrived through the leakages in the allocation system. The allocation system is based upon an understanding or arrangement between the Department of Commerce, with ODM's blessing, and the International Nickel Co.—see CONGRESSIONAL RECORD of June 26, 1957.

While the responsible executive agencies do not wish to exercise controls for one reason or another, they approve allocation controls by the world's greatest producer of nickel, a Canadian concern. It is strange to me that the vice president of the McLouth Steel Corp., Detroit, Mich., should need to say:

International Nickel Co. did grant us a very small portion of our requirements and permitted us to start making nickel alloy steels.

I am pleased to relate, however, that the Secretary of Commerce is agreeable to the idea of arranging a meeting with a representative group of stainless steel manufacturers for the purpose of giving consideration to their problems and recommendations. The insertions follow:

MCLOUTH STEEL CORP.,
Detroit, Mich., April 30, 1957.

Mr. JOHN M. CURLEY,
President, Eastern Stainless Corp.,
Baltimore, Md.

DEAR MR. CURLEY: We have read with interest the remarks of the Honorable JOHN W. MCCORMACK, of Massachusetts, in the House of Representatives on Thursday, April 18, 1957, together with your letter to him dated March 20, 1957, with reference to the nickel situation.

We, too, have wondered at the wisdom of withholding the excess quantity of Nicaro sinter from the market because of the fact that steelmakers can use it and platers cannot, and as a consequence releasing it to the steelmakers would create an imbalance according to the formula now in effect. It has seemed completely unreasonable to us that this material, produced by the Nickel Processing Co. of National Lead Co., must be withheld from American steelmakers who so badly need it. The material in question should be put on the open market at the discretion of National Lead Co. and sold to the companies who need and can use the material, and who would agree to continue to use it after the balance of supply and demand has been attained.

We also agree with you that the formula now in use in allocating nickel is antiquated and should be revised. This formula has worked severe hardship on our company because during the years 1946 to 1954 we purchased rerolling slabs from a local concern who in turn built up a considerable record for purchases of prime nickel with International Nickel Co. over these years. It was our foresight, ingenuity, and salesmanship which built up the market, but unfortunately did not provide us with any history as users of prime nickel. Consequently, when our facilities for producing our own nickel alloy steels were put into operation in 1954, we had no record of purchases of nickel and, therefore, no allocation. International Nickel Co. did grant us a very small portion of our requirements and permitted us to start making nickel alloy steels, but we have had to buy large quantities of high-priced nickel alloys and scrap to keep going, and as a result have suffered considerable loss because of the out-of-date formula used for the distribution of nickel.

During the period when we were paying $1.75 to $2 per pound for contained nickel in scrap, Nicaro was accumulating large quantities of nickel sinter which they would have been happy to sell at the market price but which we could not buy because of the allocation formula in effect. We fail to see the wisdom or justice in this situation.

We agree with you wholeheartedly that a good way to effect economy in our Government would be to discontinue adding to our already heavy Government expenditures for stockpile purposes. The public would be terribly shocked to know that the amounts of money which we have tied up in stockpile items today just about equals the alarmingly high budget for the next fiscal year which was recently presented to Congress.

We will be pleased to lend our support to a movement to revise the outdated formula now in use for the allocation of nickel and to release for civilian use the large quantities of Nicaro sinter now being accumulated in stock.

Very truly yours,

C. T. MURPHY,
Vice President.

JUNE 26, 1957.

The Honorable SINCLAIR WEEKS,
Secretary of Commerce,
Washington, D. C.

DEAR MR. SECRETARY: It is my understanding that certain stainless-steel manufacturers contend that the base for the allocation of nickel has not been brought up to date since 1951 to provide for changed operation conditions within the industry. It is also contended that the industry task force on nickel has not convened since September 1953, despite the radically changed conditions which necessitate revision of the distribution formulas.

Would it be convenient for you or your staff to meet with this or a representative group and give consideration to their problems and recommendations?

Sincerely yours,

JOHN W. MCCORMACK.

THE SECRETARY OF COMMERCE,
Washington, June 27, 1957.

The Honorable JOHN W. MCCORMACK,
House of Representatives,
Washington, D. C.

DEAR MR. MCCORMACK: This will acknowledge and thank you for your communication of June 26, 1957 concerning the contention of certain stainless-steel manufacturers that the nickel-distribution system is outmoded.

I have requested Mr. H. B. McCoy, Administrator of the Business and Defense Services Administration, to look into the matter and

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to arrange a meeting with a representative group of such stainless-steel manufacturers if this appears to be desirable. I shall be pleased to sit in on any such meeting as may be arranged.

As of possible assistance to Mr. McCoy in arranging for full and adequate representation it would be appreciated if you would suggest the names of companies whom you may wish to have represented.

I shall pass on to you any details concerning the time and place of the meeting.

Sincerely yours,

SINCLAIR WEEKS,
Secretary of Commerce.

Unrealistic Taxes Stifle Small Business Research

EXTENSION OF REMARKS
OF
HON. A. D. BAUMHART, JR.
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, June 28, 1957

Mr. BAUMHART. Mr. Speaker, the Congress has long recognized the importance of preserving small business in our economy by enacting antitrust laws, by earmarking certain Government contracts for small firms, and by providing financial assistance to firms unable to secure funds from conventional loan sources at reasonable interest rates.

In voting this week to extend the life of the Small Business Administration and its helpful programs (H. R. 7963), we again demonstrated our concern for the small-business man and our willingness to provide assistance to him.

This is all to our credit, but there is no mistaking the fact that the Congress has failed to come to grips with basic impediments and burdens which our tax laws have thrust upon defenseless small businesses. As now constituted, our corporate and personal income tax laws combine to strike the small-business man twice and prevent him from realizing the growth potential of his business.

All too often, therefore, our small businesses remain stunted and undernourished, eking out a marginal existence. They become easy prey for even the slightest drop in the level of business. Our national economy is surely the loser when ingenuity, skill, and ambition are thwarted by unrealistic tax policies.

Remedial action is urgently overdue. Such relief would be provided by my bill, H. R. 6184, and by other bills introduced by my distinguished Republican colleagues who serve on the House Select Committee To Conduct a Study and Investigation of the Problems of Small Business. These bills incorporate recommendations of the President's Cabinet Committee on Small Business, along with proposals made by leading tax experts.

Research—the constant striving for improved products and wider distribution—is the nourishing lifeblood of business, large or small. There is no status quo in business; one must grow or die. But our present tax laws conspire to keep the small-business man from pursuing vital research and thereby tend to make him increasingly reliant on artificial aids and stimuli from the Federal Government.

In this connection I would like to insert in the RECORD excerpts from a study entitled "Research for the Small Business" appearing in the Corporate Director, volume VI, No. 16, May 1957, published by the American Institute of Management. This material derives in large part from Research and Development in the Corporation, the fifth volume in a series analyzing the 10 functional categories of management appraisal developed by the institute.

"Small business," as used in the AIM material, refers in manufacturing to a company whose annual sales volume is under $5 million, whose net worth is under $1 million, and whose earnings are under $100,000. In retail and service trades, a business is considered small if its sales are under $1 million.

By "research" the study means management efforts to develop new products, processes, or equipment; to improve existing products, processes, or equipment, its own or those of competitors; to develop new uses or new markets for its products; to lower the costs of production and maintenance; to salvage materials.

The excerpts follow:

Despite all the evidence of its value, small business generally ignores research. Only about 10 percent of this country's small manufacturers have their own research facilities; only about 20 percent support real research in any way at all.

The chief executives of many small companies believe that research, because of its cost, is a function of big business. The widely publicized, elaborate research facilities of the large corporations confirm this impression for them. They see other deterrents too. Research returns are slow—it may be a decade before a research idea begins to pay for itself. The idea may never pay off. As one small-business head puts it, "Big business can bury a mistake. In a small company, one mistake may bury the business."

But despite these arguments, it can be shown that research should be a continuing function of the very business process itself. Research is essential for growth in any competitive field. And the small competitor is in no way excluded from research; in fact, in several ways it has advantages over the large corporation. The small firm has a flexibility lost in bigness. It can capitalize quickly on a development for a limited market, while its large competitor must consider his national market and large scale production process. And, research can be less costly than many businessmen believe.

HOW MUCH WILL IT COST?

In concrete terms, how much must management spend to support a formal research department? Naturally, this figure cannot be fixed rigidly, but these points can serve as guides:

About 50 to 60 percent of an annual research allotment is spent for salaries.

The average salary of a research scientist today is between $8,000 and $9,000, and each scientist must be supported by one other employee (laboratory worker, technician, librarian, stenographer, etc.) whose salary is about half that of the researcher's.

It costs at least $10,000 to equip each scientist to carry out his work—although in specialized fields this figure can be much higher. Added to that figure would be the initial investment in a research building or facility.

A research team of, say, 5 scientists and 5 other personnel would therefore need a budget of about $100,000 to $140,000 per year, plus the initial cost of building and a minimum of $50,000 for equipment. A company can spend less, of course—down to the cost of supporting a single researcher. But the practical minimum is not much below a budgeted $120,000 a year. One research consultant advises: "If a company can't spend at least $100,000 a year for 5 years, it can't afford its own research department."

* * * * *

WHY COMPANIES GO OUTSIDE

Many excellently managed companies use outside research organizations to obtain the services of specialized personnel and equipment not in the company's research department and not likely to be needed there regularly or permanently. Some companies use outside research to assure research objectivity and a fresh research attitude. Or they may want to avoid imbalance in their research department—too many projects in one field of science. In any event, these corporations have various valid reasons for using outside research facilities. Many of the best managed companies have used them regularly and profitably for decades.

Smaller companies can gain these and other advantages from outside research. They can avoid prohibitive investment in equipment, gain the services of personnel they could not attract on any permanent basis, and let their research expenditures expand or contract as profits permit.

* * * * *

The cost of outside research is, naturally, important to the small company considering it. Consistent with their nonprofit status, most of the research institutes try to conduct all programs at the lowest possible cost. Like company research, though, costs can vary greatly. They can mount quickly if expensive special equipment is needed or if extensive travel is required. However, the cost of an average project can be estimated roughly. A project that requires full-time work by two men—a professional scientist or engineer and a laboratory technician—will cost about $2,000 to $2,500 per month. At some foundations, projects can be set up on a fractional basis—employing the part-time services of one scientist, if the work can be effectively prosecuted in this way.

ANOTHER VIEW OF COSTS

The projects actually in progress at one of the large research institutes provide another view of research costs. Southwest Research Institute gives these figures on the costs of sponsored research there:

"About one-sixth of our projects amount to less than $1,000 in total cost. About one-third range from $1,000 to $5,000. Another one-third cost $5,000–$7,500, and the remaining sixth go all the way up to one project, for example, which amounts to over $500,000 per year."

Obviously not even the very small corporation is excluded from research if projects can be pursued for only a few thousand dollars. There is probably no excuse for any company, regardless of its ability to maintain its own research department, to fail to avail itself of some research effort through the superbly conducted independent research facilities which exist primarily to meet its needs.

Nontechnical research too can be pursued the same way. Several of the major research foundations—Stanford Research Institute is probably preeminent in this—do extensive economic research for business.

* * * * *

ELEVEN RESEARCH PROJECTS

A medium-sized firm in the chemical equipment business placed 11 projects with 1 research foundation during the past 5 years.

Their cost, progress, and variety are related here by the research foundation:

Project 1: Investigate the possibility of developing a new chemical equipment device. Had it been done? Would it be possible? How could it best be developed? The answer: The possibilities looked good. The device was new; it might be commercially practical. The foundation's report outlined an approach for developing the device.

Project 2: Review and analyze possible new products. This continuing project is still in existence; the foundation periodically reports its review.

Project 3: Develop a new method of solving the gum problem in gas absorption units. Result: A patentable invention which has already proved profitable.

These 3 projects each cost from $2,000 to $5,000.

Project 4: Make a pilot plant study of an absorption-type gas drier. Cost: $6,000. Result: An improved process netting the company a pretax profit of $150,000 per year.

Project 5: Investigate a possible new device. Result: Negative, project abandoned. Cost: $1,800 (of an allotted $5,000).

Project 6: Analyze the possibilities in a new device for the oil industry. Result: The device was possible, but uneconomical and certainly not feasible commercially. Cost: $2,500.

Project 7: Develop a new type of industrial gas refrigeration process. Results: A successful invention, carried through the pilot plant stage and proved to be commercially practical. Patent application made. Cost: $35,000. Since this product has not yet been marketed, the profit from this research cannot be determined.

Project 8: Analyze the low-temperature limits of a chemical process. Results: Successful. Cost: $1,500.

Project 9: Develop the chemical equipment device first investigated by the foundation (project 1). Results: Successful. Patent application has been made. Profit potential is estimated to be over $200,000 per year.

Project 10: Develop a gas-desulfurizer for use by a large customer of the sponsoring company. Results: Successful, but the development was designed specifically for the single customer. Cost: $5,000, underwritten by the sponsor.

Project 11: Evaluate an invention on which the company had obtained an option. Results: A report advising against buying the device. Cost: $3,200.

The AIM study should be required reading for every small-business man. It makes a strong case for research and points out many ways that the small business can embark on a research program within its own organization or through outside research facilities.

It has been my own experience, however, that many—if not most—small-business men fully recognize that research is indispensable and are earmarking every possible dollar for this vital business function. The rub lies in the fact that—after taxes—there just are not enough dollars available to small-business men, no matter how research-minded they may be.

As the AIM study points out, "research can be less costly than many businessmen believe." But when increased cost of labor and materials trims profits; when these profits are in turn trimmed to the bone by taxes, and when the small-business man himself is forced to pay taxes on his own paltry share of these profits—it is obvious that the best-laid plans for research must all too often be deferred, if not scrapped. Little wonder, then, that a small-business man finds himself on a treadmill—unable to plow back earnings, incapable of attracting fresh investment capital, thwarted in his efforts to achieve the full potential of his product or his market.

As I see it, a revamping of our tax laws as they affect the small-business man can do more than anything else at this time to emancipate him from his treadmill. Praiseworthy as our other efforts may be to help him, they are attacking his symptoms rather than the source of his malady.

H. R. 6184 has been devised to provide for growth, expansion, and modernization for small and independent business enterprises engaged in trade or commerce.

It would amend the Internal Revenue Code to provide an election for filing income tax returns for small and independent businesses engaged in trade or commerce whether or not such businesses operate as individuals, partnerships or corporations, and to provide a normal tax rate of 20 percent for taxable years after March 31, 1957, and to increase the surtax exemption.

In addition, the bill would allow credits for losses incurred through investment or loans, and authorize a growth, expansion and modernization exemption on net taxable earnings.

Rapid amortization of property utilized for the production of profit would be granted to small and independent businesses engaged in trade or commerce. Small business could also claim an exemption for good-will in the determination of the value of an estate.

By enacting such a realistic, far-reaching tax program I am confident that we can launch a significant breakthrough in the small-business segment of our economy, without penalizing or discriminating against other groups. If we believe in the philosophy that it is better to help someone help himself than it is to put him on the dole, we should pay more than lipservice to it by giving the small-business man the tax incentive and break he both needs and deserves.

An Anniversary in the Cause of Freedom: Jan Hus' Death, July 6, 1415

EXTENSION OF REMARKS
OF
HON. HENRY S. REUSS
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Friday, June 28, 1957

Mr. REUSS. Mr. Speaker, we are approaching a day which is important in the hearts of all Americans of Czech descent: the anniversary of the death of the great Czech patriot, Jan Hus. Burned at the stake on July 6, 1415, Hus was a true martyr in the cause of human liberty.

We recall Jan Hus these many centuries later because his struggle for freedom of expression reminds poignantly that the Czech people lie again today under the yoke of an alien despotism. From the heroes of the past, we can derive renewed confidence in the ultimate destiny of the Czechs to be free once more. I for one believe that the United States Government must seize the initiative and propose a settlement based on the disarmament and liberation of middle Europe.

America is fortunate to have the strength of its citizens of Czech ancestry in building our own sinews of democracy. That is why it is appropriate to pause in the Halls of the United States Congress and take note of the anniversary of Jan Hus' death. Because it is an anniversary in the cause of freedom, it has deep and lasting meaning to all of us.

Electric Power for an Expanding Economy

EXTENSION OF REMARKS
OF
HON. A. L. MILLER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 28, 1957

Mr. MILLER of Nebraska. Mr. Speaker, it is a pleasure to insert in the CONGRESSIONAL RECORD a speech made by the Secretary of Interior, the Honorable Fred A. Seaton. I have known Mr. Seaton, a fellow Nebraskan, for many years. He has established an enviable record for good, sound, honest thinking. His article entitled "Electric Power for an Expanding Economy" is thought provoking. It should make us all realize we are living in an explosive economy that is ever expanding and we should realize it is not possible for the Federal Government to supply all of the electric energy needed by this expanding economy. I think one of the greatest steps forward in our electric energy field is that taken by the REA's who are on a sound, businesslike management program. They borrow the money. They pay interest and return the borrowed money, with interest, to the Federal Treasury. When I first came to Congress, Nebraska farms were about 45 percent electrified. Today it is close to 98 percent. It is one thing that has brought the convenience and comfort to farm life that they hardly dared dream of a few years ago. I commend the reading of the Secretary's article to my colleagues:

ELECTRIC POWER FOR AN EXPANDING ECONOMY
(By Secretary of the Interior Fred A. Seaton)

Our population is growing at a rapid rate; there will be 221 million Americans or more by 1975. Our economy is expanding, having passed the $412 billion mark in 1956 and now moving toward $500 billion a year.

Our electric power needs are, therefore, also growing.

Under such circumstances there are two dangers. The first is that we shall not produce enough power to meet our country's needs in the next 10 or 20 years. The second is that the Federal Government will gain more control over our electric-power facilities than is necessary or desirable.

These facts and these dangers underlie the administration's power policy.

Consider the first danger first: The Federal Power Commission estimates that by 1965

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we shall need 96 million more kilowatts of generating capacity than we have now. At present rates each kilowatt costs $464. Our economy will, therefore, have to spend—for generation, transmission, and distribution facilities—$44,544,000,000 in less than a decade. By 1975 the comparable amount will be $96,048,000,000.

Only about 8½ percent of the new capacity needed by 1965 can come from hydroelectric plants, the type which the Federal Government has traditionally built or helped to build. Fifteen percent, at the outside, may come from atomic-energy plants. The rest, 77 percent, will have to come from steam plants, burning fossil fuels—coal, oil, natural gas. Except in the TVA region, the Government traditionally has not built steam plants. And the Congress has never spent for power development at the rate which would be necessary to meet the power needs which I have just outlined.

Faced with these facts, you have two alternatives. You can urge that the Government reverse its policies, enter the steam-plant business on a large scale, and allot a bigger slice of the Federal tax dollar than ever before to power development. Or you can uphold the principle, the teamwork principle, that the Federal Government should build some power facilities, the State governments some, local governments some, and private utilities some.

If you take the first alternative, you will have to wait a long while (possibly even a dangerously long time) for the Congress to start spending for power as you want it to. In the meantime—and these are crucial years—our population will continue to grow. Our power needs will expand. The possibility of shortages of electricity will be a constant threat.

If you take the second alternative, you can have a reasonable expectation of new projects started today and new power put on the line at approximately the same rate as that of the growth in demand.

Actually, most Americans believe in the teamwork concept. Except for the zealots, most people neither want to abolish the private utilities and the State and municipal PUD's nor to remove the Federal Government from the power field. We believe that each of these organizations has its proper place and its share of work to do in producing and marketing power. Only through the teamwork of all can the country be assured of adequate power development. And we believe that through teamwork the country can simultaneously avoid the second danger I mentioned at the outset: an excess of Federal control. For teamwork assures us of many sources of capital and decision making—not just one—in the electric power field.

Teamwork has, in fact, been responsible for much of our progress so far.

This Nation's standard of living has never been equaled elsewhere in the world. But our accomplishment owes much to the reliability, economy, and adequacy of our country's electric service. Scientific and technological developments have led to the manufacture of reliable and efficient generation, transmission, distribution, and utilization equipment. Twenty-five years ago 1 pound of coal produced 0.67 kilowatt-hour. Today the same pound of coal produces 1.06 kilowatt-hours. Twenty-five years ago small local utilities served limited geographical areas. Today transmission interconnections and pooled operations have improved the reliability of service and contributed to the economic loading of systems. New designs and the use of improved protective equipment have made distribution systems more reliable. Twenty-five years ago the average retail monthly cost of electric energy for 100 kilowatt-hours was about $4.75. In 1956 the cost was $3.88.

The relatively stable cost of electric service during the past quarter century—during an economic depression, two wars, and a postwar period—could not have been maintained except for the initiative and resourcefulness of men in management, the ingenuity of scientists and engineers, and the competent decisions of State and Federal regulatory agencies. These people have all rendered outstanding public service. Their accomplishment is reflected in the Federal Power Commission statistics for the past quarter century, which show that installed generation capacity of the utility industry increased from 34,386,739 kilowatts in 1932 to 120,435,249 kilowatts in 1957. It is difficult to overestimate what this energy source has meant to the Nation's increasing prosperity.

But we don't have to look to the past for all our evidence. Today in the Pacific Northwest teamwork is again helping an entire region's economic development.

Before President Eisenhower took office, a former Secretary of the Interior said:

"The power supply outlook in the Pacific Northwest for the next several years will remain critical. Power requirements continue to exceed supply and the addition of defense industry loads with associated increases in civilian power requirements will further tax the existing generating and transmission facilities. Even with strict adherence to present recommended schedules for installation of new generating plants it is expected that the Pacific Northwest will be in a power shortage situation until 1957."

A power shortage was indeed imminent in this area during the latter part of 1952 and early 1953. Electric power use was curtailed. I am sure the people directly affected—especially in industries which were required to slow production and cut their payrolls—will remember the incident. This power shortage and other threatened brownouts occurred even though the contribution of the Federal Government was substantial.

Under the former administration's policy of preempting power sites for exclusive Federal development, State and municipal organizations and private companies could only plead each year for more and more Federal spending. Local initiative was stifled. Each year more serious power shortages were predicted. Business began to look elsewhere.

But today under the policy of planned teamwork much progress has been made to correct this state of affairs. Water resource development is proceeding at an ever-increasing rate. Local organizations are getting the opportunity to plan, finance, construct, and operate their projects.

The municipal plants of Tacoma, Seattle, and Eugene have facilities under construction to provide 604,000 kilowatts of energy. In Washington the Grant County, Chelan County, Douglas County, and Klickitat public utility districts have currently under construction and in planning 3,456,000 kilowatts—more than the total Federal kilowatt contribution in the past 10 years.

These organizations, it might be observed, are not private interests. They are public-power entities. Moreover, their projects are under strict regulation by the Federal Power Commission, which under the law is responsible for making certain that no hydroelectric project on a river subject to Federal jurisdiction will impair the fullest possible development of the resources of the entire basin.

But teamwork doesn't involve just local or regional or private groups. The Federal Government has much to do.

Federal action has, for example, brought immense industrial and agricultural and human benefits to the areas of the Central Valley of California, the Tennessee Valley, the Missouri Valley, and the Columbia River Basin. The administration is well aware of the importance and necessity of wise Federal programs in the water resources field. Last year, for example, the President supported and signed into law the great upper Colorado River storage project—the largest irrigation measure ever authorized by the Congress in a single piece of legislation. Under this project tremendous reservoirs will be built. The water supply of the upper Colorado Basin—a supply used in Wyoming, Utah, Colorado, Arizona, New Mexico, and other States—will be stabilized. Within 25 years irrigation water will be brought to more than 360,000 acres of land. A million kilowatts of hydroelectric power will be made available.

These changes will mean that a vast underdeveloped area, rich in natural resources, will be able to take care of the needs of an increased population for more homes, more schools, more businesses, and more productive farms.

The Fryingpan-Arkansas project is another means to the same end. Such administration measures help illustrate what the President meant when he said at McNary Dam in 1954: "The issue is not * * * public power versus unregulated private power. The issue posed to us is Federal monopoly of power as against public or regulated power, freely chosen in each instance by the citizens of each area, with the Federal Government coming in as a cooperating partner where this seems necessary or desirable."

Like the upper Colorado project and the TVA, McNary Dam itself is an example of the type of undertaking that, because of its sheer size, can be accomplished only by the Federal Government. The Hoover Dam is another. Grand Coulee is another. The administration looks with favor on such projects which, in Lincoln's words, need to be undertaken but which cannot be successfully undertaken by individuals or non-Federal organizations.

In accordance with this policy, in fiscal year 1956 the Bureau of Reclamation added $160 million to its $2.6 billion investment in western projects for power and other purposes. It added hydroelectric generating capacity in multipurpose dams in the amount of 120,000 kilowatts. With the Corps of Engineers, the Bureau now has underway 299 projects, for flood control, navigation, irrigation, water supply, and power. The Bureau, the corps, and other divisions of Government will continue to do their full and proper share as members of the team.

As the figure just mentioned indicates, of course, the development of hydroelectric power is only one of the results of the best kind of river basin project. The administration believes in multiple-purpose undertakings—projects which bring forth not just one benefit, but a variety, in irrigation development, power generation, fish and wildlife conservation, improvement of navigation. Theodore Roosevelt in 1908 forcefully set down this general principle:

"* * * every waterway should be made to serve the people as largely and in as many different ways as possible. It is poor business to develop a river for navigation in such a way as to prevent its use for power, when by a little foresight it could be made to serve both purposes. We cannot afford needlessly to sacrifice power to irrigation, or irrigation to domestic water supply, when by taking thought we may have all three. Every stream should be used to the utmost. No stream can be so used unless such use is planned for in advance. When such plans are made we shall find that, instead of interfering, one use can often be made to assist another. Each river system from its headwaters in the forest to its mouth on the coast, is a single unit and should be treated as such. Navigation of the lower reaches of a stream cannot be fully developed without the control of floods and low waters by storage and drainage. Navigable channels are directly concerned with the protection of source waters and with soil erosion, which takes the materials for bars and shoals from the richest

portions of our farms. The uses of a stream for domestic and municipal water supply, for power, and in many cases for irrigation, must also be taken into full account."

The Eisenhower administration believes in basin development for multiple purposes through teamwork. As the President said only a few months ago, in his state of the Union message:

"The whole matter of making the best use of each drop of water from the moment it reaches the soil until it reaches the ocean for such purposes as irrigation, flood control, power production, and domestic and industrial uses, clearly demands the closest kind of cooperation and partnership between municipalities, States, and the Federal Government."

Following such a principle we can make certain that the Federal Government will not take on functions which properly belong to States and localities. And we can make certain also that in the years immediately before us our country will have the electricity it needs for its people, every day becoming more numerous, and their economy, every year moving to higher and higher plateaus.

Teamwork is the keynote in the article prepared for Public Utilities Fortnightly—beginning on page 798—by the Honorable Fred A. Seaton, Secretary of the Interior. Secretary Seaton is a native of the District of Columbia, but he spent most of his life in Nebraska and Kansas. He attended Kansas State College, from which he received an honorary doctor of laws degree in 1955. His primary interest before becoming a member of the Eisenhower administration was in the publishing and radio business in Nebraska, Kansas, South Dakota, Wyoming, and Colorado. He calls Hastings, Nebr., his home, where he publishes the Hastings Daily Tribune. In 1951 he was appointed to the United States Senate to fill the vacancy left by the passing of Nebraska's Senator Kenneth S. Wherry. He also served as Assistant Secretary of Defense, 1953, and administrative assistant to the President, 1955. He was appointed the 36th Secretary of Interior on May 28, 1956.

Two Ohio Citizens Recognized as National Leaders in Fight To Control Tuberculosis

EXTENSION OF REMARKS
OF
HON. FRANK T. BOW
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, June 28, 1957

Mr. BOW. Mr. Speaker, an unusual honor has come to Stark County in the recognition of two of our citizens as national leaders in the fight to control tuberculosis.

Dr. William M. Morgan, of Alliance, is serving as president of the National Tuberculosis Association, and Mr. L. L. Taylor, of Canton, is president-elect of the National Conference of Tuberculosis Workers.

Each man in his own field, one voluntary and the other as a professional worker, has reached the highest office to which he might aspire in this work.

As one who has observed their sincere devotion and unceasing labors over the years, I can testify the recognition is well deserved.

Dr. Morgan, a professor at Mount Union College, has served the tuberculosis association in county, State, and national offices for 20 years.

Mr. Taylor has been in this work since 1944, and he is the third county executive ever to be elected to top national office.

Both have contributed greatly to eliminate tuberculosis as a threat to public health in our county, State, and Nation. They have brought honor to Stark County and the State of Ohio.

SENATE

MONDAY, JULY 1, 1957

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father, God, from all the traditions which separate us from one another and write our names in different camps of thought, conviction, and interpretation, we pause at another week's beginning for the upward look which makes us one in glad communion with Thee, as we lift up our eyes to the hills of faith out on the far horizons of our cluttered, anxious, and noisy days. Teach us so to live and so to toil and so to play our part in this age on ages telling that with clear consciences we may face the gaze of our contemporaries and the judgment of posterity as we fail not man nor Thee. We ask it in the Redeemer's blessed name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Thursday, June 27, 1957, was approved, and its reading was dispensed with.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED DURING ADJOURNMENT

Under authority of the order of the Senate of June 27, 1957,

The VICE PRESIDENT signed, on June 28, 1957, the following enrolled bills and joint resolutions, which had previously been signed by the Speaker of the House of Representatives:

S. 1428. An act to authorize furniture and furnishings for the additional office building for the United States Senate;

S. 1429. An act authorizing the enlargement and remodeling of Senators' suites and structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate;

S. 1430. An act increasing the limit of cost fixed for construction and equipment of an additional office building for the United States Senate;

H. R. 3373. An act to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes;

H. R. 3400. An act to provide full and fair disclosure of the character of charitable, benevolent, patriotic, or other solicitations in the District of Columbia; and for other purposes;

H. R. 4748. An act to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims subject to that act may be made;

H. R. 6070. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30 1958, and for other purposes;

H. R. 6523. An act to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person;

H. R. 7954. An act relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons;

H. R. 8383. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOHN J. ROONEY, Members of the House of Representatives, to accept and wear the award of the Ecclesiastical Order of St. Gregory the Great, with the rank of Knight Commander With Star;

H. R. 8384. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOSEPH W. MARTIN, JR., Members of the House of Representatives, to accept and wear the award of the Philippine Legion of Honor in the degree of Commander, tendered by the Republic of the Philippines;

S. J. 115. Joint resolution to provide an interim extension for the voluntary home mortgage credit program; and

H. J. Res. 172. Joint resolution relating to the stockpile of extra long staple cotton under the Strategic and Critical Materials Stockpiling Act.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of May 22, 1957,

The following report of a committee was submitted on June 28, 1957:

By Mr. CHAVEZ, from the Committee on Appropriations, with amendments:

H. R. 7665. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 543).

NOTICES OF MOTIONS TO SUSPEND THE RULE SUBMITTED DURING ADJOURNMENT — AMENDMENTS TO DEFENSE DEPARTMENT APPROPRIATION BILL

Under authority of the order of the Senate of May 22, 1957,

Mr. CHAVEZ, on June 29, 1957, submitted the following notices in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice

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in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill H. R. 7665 making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, the following amendment, namely: On page 8, on line 4, after the amount, insert: "*Provided*, That during the fiscal year 1958 the maintenance, operation, and availability of the Army-Navy Hospital at Hot Springs National Park, Ark., to meet requirements of the military and naval forces shall be continued."

Mr. CHAVEZ also submitted an amendment intended to be proposed by him to House bill 7665, making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill H. R. 7665 making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, the following amendment, namely: On page 12, on line 22, after the word "Fund" insert: "*Provided*, That no part of this or any other appropriation shall be used to pay any officer, while on active duty as Governor of the Naval Home, any amount in excess of the maximum pay and allowances of a rear admiral, upper half."

Mr. CHAVEZ also submitted an amendment, intended to be proposed by him to House bill 7665, making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. CHAVEZ, on July 1, 1957, submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill H. R. 7665 making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, the following amendment, namely: On page 8, on line 8, insert the following: "*Provided further*, That $700,000 of the funds available to the Department of the Army shall be used for the continued operation of the Turtle Mountain Ordnance Plant at Rolla, N. Dak., during the fiscal year ending June 30, 1958."

Mr. CHAVEZ also submitted an amendment, intended to be proposed by him to House bill 7665, making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on June 28, 1957, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 1428. An act to authorize furniture and furnishings for the additional office building for the United States Senate;

S. 1429. An act authorizing the enlargement and remodeling of Senators' suites and structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate;

S. 1430. An act increasing the limit of cost fixed for construction and equipment of an additional office building for the United States Senate; and

S. J. Res. 115. Joint resolution to provide an interim extension for the voluntary home mortgage credit program.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On June 27, 1957:

S. 407. An act for the relief of Julian D. Dycaico;

S. 1034. An act to authorize and direct the Secretary of Agriculture to convey to the University of Missouri, for agricultural purposes, certain real property in Callaway County, Mo.;

S. 1179. An act for the relief of Harold George Jackson;

S. 1206. An act for the relief of Antonine Velleman; and

S. 1319. An act to renounce any right, title, and interest which the United States may have in certain lands in Montana.

On June 29, 1957:

S. 601. An act relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund, and for other purposes; and

S. J. Res. 115. Joint resolution to provide an interim extension for the voluntary home mortgage credit program.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954 and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COOLEY, Mr. POAGE, Mr. GATHINGS, Mr. ANDRESEN, and Mr. HILL were appointed manager on the part of the House at the conference.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 27) to create a joint committee to represent Congress at the 350th anniversary of the founding of Jamestown, Va.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes, and that the House receded from its disagreement to the amendments of the Senate numbered 2, 8, 30, and 39, to the bill, and concurred therein.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COOPER, Mr. MILLS, Mr. GREGORY, Mr. REED of New York, and Mr. JENKINS were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 7599) making appropriations for the legislative branch for the fiscal year ending June 30, 1958, and for other purposes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following committees and subcommittee were authorized to meet during the session of the Senate today:

The Committee on the Judiciary, until 12 o'clock noon during today's session of the Senate.

The Committee on Rules and Administration.

The Subcommittee on Fiscal Affairs of the Committee on the District of Columbia.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour, for the introduction of bills and the transaction of other routine business. In that connection, I ask unanimous consent that statements be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to act on the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of

the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. BYRD, from the Committee on Finance:

Robert Bernerd Anderson, of New York, to be Secretary of the Treasury;

Albert Cole, of Massachusetts, to be Comptroller of Customs, with headquarters at Boston, Mass.; and

Albina R. Cermak, of Cleveland, Ohio, to be collector of customs in customs collection district No. 41, with headquarters at Cleveland, Ohio.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the calendar will be stated.

DEPARTMENT OF THE AIR FORCE

The Chief Clerk read the nomination of Richard E. Horner, of California, to be an Assistant Secretary of the Air Force.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

FEDERAL CIVIL DEFENSE ADMINISTRATION

The Chief Clerk read the nomination of Leo Arthur Hoegh, of Iowa, to be Federal Civil Defense Administrator.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

MILITARY STAFF COMMITTEE OF THE UNITED NATIONS

The Chief Clerk read the nomination of Lt. Gen. Blackshear Morrison Bryan, O15004, Army of the United States, for appointment as senior United States Army member of the Military Staff Committee of the United Nations, under the provisions of title 10, United States Code, section 711.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

IN THE ARMY

The Chief Clerk proceeded to read sundry nominations in the Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations in the Army be considered en bloc.

The VICE PRESIDENT. Without objection, the Army nominations will be considered en bloc; and, without objection, they are confirmed.

IN THE NAVY

The Chief Clerk proceeded to read sundry nominations in the Navy.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations in the Navy be considered en bloc.

The VICE PRESIDENT. Without objection, the Navy nominations will be considered en bloc; and, without objection, they are confirmed.

AIR FORCE AND MARINE CORPS NOMINATIONS REPORTED FAVORABLY AND PLACED ON THE VICE PRESIDENT'S DESK

The Chief Clerk proceeded to read sundry nominations in the Air Force and in the Marine Corps, reported favorably and placed on the Vice President's desk.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATION, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED PROVISION PERTAINING TO DEPARTMENT OF THE AIR FORCE (S. DOC. NO. 50)

A communication from the President of the United States, transmitting a proposed provision pertaining to an appropriation for the fiscal year 1958 for the Department of the Air Force, in the form of an amendment to the budget for the said fiscal year (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

REPORT ON PROGRAM FOR EXPANSION OF MARKETS FOR SURPLUS AGRICULTURAL COMMODITIES

A letter from the Acting Secretary of Agriculture, transmitting, pursuant to law, a report on the program for the expansion of markets for surplus agricultural commodities through marketing and utilization research and improvement of marketing facilities (with an accompanying report); to the Committee on Agriculture and Forestry.

PROGRESS REPORT ON LIQUIDATION OF STOCKS OF AGRICULTURAL COMMODITIES HELD BY COMMODITY CREDIT CORPORATION

A letter from the Acting Secretary of Agriculture, transmitting, pursuant to law, a progress report on the orderly liquidation of stocks of agricultural commodities held by the Commodity Credit Corporation, dated June 20, 1957 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORTS OF OVEROBLIGATIONS OF APPROPRIATIONS

A letter from the Secretary of Defense, transmitting, pursuant to law, reports of the Departments of the Army, Navy, and Air Force, covering overobligations of certain appropriations (with accompanying papers); to the Committee on Appropriations.

REPORT ON COMPETITION IN THE SYNTHETIC RUBBER INDUSTRY

A letter from the Attorney General, transmitting, pursuant to law, his report on competition in the synthetic rubber industry, dated July 1, 1957 (with an accompanying report); to the Committeee on Banking and Currency.

REPORT ON MILITARY PRIME CONTRACTS WITH BUSINESS FIRMS IN THE UNITED STATES FOR EXPERIMENTAL, DEVELOPMENTAL, AND RESEARCH WORK

A letter from the Assistant Secretary of Defense, Supply and Logistics, transmitting, pursuant to law, a report on military prime contracts with business firms in the United States for experimental, developmental, and research work (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON THE STRATEGIC TRADE CONTROL SYSTEM, 1948–56

A letter from the Deputy Director for Mutual Defense Assistance Control, International Cooperation Administration, Washington, D. C., transmitting, pursuant to law, a report on the Strategic Trade Control System, 1948–56 (with an accompanying report); to the Committee on Foreign Relations.

REPORT OF PACIFIC MARINE FISHERIES COMMISSION

A letter from the Chairman, Pacific Marine Fisheries Commission, Portland, Oreg., transmitting, pursuant to law, a report of that Commission, for the year 1956 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

AMENDMENT OF CIVIL AERONAUTICS ACT OF 1938, RELATING TO IMPOSITION OF CIVIL PENALTIES IN CERTAIN CASES

A letter from the Chairman, Civil Aeronautics Board, Washington, D. C., transmitting a draft of proposed legislation to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions (with accompanying papers) to the Committee on Interstate and Foreign Commerce.

REPORT OF ADMINISTRATION OF FOREIGN AGENTS REGISTRATION ACT OF 1938

A letter from the Attorney General, transmitting, pursuant to law, his report on the administration of Foreign Agents Registration Act of 1938, as amended, for the calendar year 1956 (with an accompanying report); to the Committee on the Judiciary.

AMENDMENT OF ACT RELATING TO REGISTRATION AND PROTECTION OF CERTAIN TRADEMARKS

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the act entitled "An act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of international conventions, and for other purposes," approved July 5, 1946, with respect to proceedings in the Patent Office (with an accompanying paper); to the Committee on the Judiciary.

TERMINATION DATE FOR USE OF OFFICIAL FRANKS BY FORMER MEMBERS OF CONGRESS

A letter from the Deputy Postmaster General, transmitting a draft of proposed legislation to make uniform the termination date for the use of official franks by former Members of Congress, and for other purposes (with an accompanying paper); to the Committee on Post Office and Civil Service.

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PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Senate of the State of Pennsylvania; to the Committee on Banking and Currency:

"Pennsylvania has had to face serious economic and unemployment problems for decades; and Pennsylvania's unemployment rate has consistently run higher than other States and the Nation for many years, all of which problems derive from the fact that the State's unemployment has always been very heavily concentrated in certain distressed areas of the State; and as a consequence, Pennsylvania has continuously had far more than its share of areas of substantial labor surplus, or so-called depressed areas; and

"Pennsylvania currently has 11 areas classified as areas of substantial labor surplus on the official area classification list of the United States Department of Labor, 4 of which are major metropolitan areas which are regularly included in the classification system and 7 are smaller areas which are classified because they have substantial labor surpluses, and all have been continuously classified as surplus areas for 2 years or longer; and

"In the United States as a whole, only 19 major areas are currently listed as areas of substantial labor surplus, so that the 4 major areas in Pennsylvania alone account for more than one-fifth of the total in the entire country and the 7 smaller areas of substantial labor surplus represent one-eighth of the United States total of that type; and

"The basic cause of Pennsylvania's unemployment problem arises out of the fact that the State and its depressed areas have a heavy preponderance of basic national industries in which severe and sustained long-term employment declines have been occurring due to the toll of progress and technological advancements of which anthracite and bituminous coal mining, railroad transportation, railroad equipment manufacturing, textile manufacturing, and metals manufacturing are notable examples; and

"The persisting heavy volume of unemployment has contributed very substantially to the large volume of unemployment compensation activity in Pennsylvania, as represented by over 56 million claims filed and over $990 million—almost $1 billion—in benefits paid during the years 1950 to 1956, inclusive; and

"Public assistance costs in Pennsylvania have been swollen as a result of the continuing high levels of unemployment in the years 1950–56, inclusive to over $732 million in direct payments to people in need; and

"Although extensive efforts have been undertaken by the State government and by local communities to increase employment in the depressed areas, the gains have not been sufficient to stem the rising tide of unemployment flowing from continued job losses in problem industries and from the continued normal growth of local labor forces; and

"In order to reduce unemployment to 3 percent of the labor force in these 11 surplus areas in Pennsylvania 56,941 additional jobs are needed, requiring a total estimated capital investment of $427,095,000, approximately 25 percent of which, or $106,774,000, would be required for factory buildings alone; and

"Assuming that 10 percent of this total, or $11 million, is raisable from community subscriptions for equity capital and 50 percent of this total, or $53 million, is raisable from private banks, insurance companies, and other sources of private investment capital as first mortgages, a balance of 40 percent or $43 million, in second mortgage revolving capital funds would be necessary from State and Federal Government sources; and

"The job to be done is manifestly enormous, and it is obvious that the problem of chronic unemployment with its vast waste of manpower and severe drains on the economy of a State as large and important as Pennsylvania should be a matter of grave concern to the Nation and to the Congress, as well as the State itself and the communities directly involved, and since various aspects of the problem transcend State boundaries and are sectional and even national in scope, and therefore are not susceptible to State and local remedies: Therefore be it

"*Resolved*, That the Senate of the General Assembly of Pennsylvania, in behalf of the people of Pennsylvania, hereby memorialize the Congress of the United States to enact Senate bill No. 964, known as the area redevelopment bill; and be it further

"*Resolved*, That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, the Secretary of Labor and Industry, the Secretary of Commerce, the Speaker of the House of Representatives, the Chairman of the Committee on Banking and Currency of the Senate, and to each Senator and Representative from Pennsylvania in the Congress of the United States.

"I certify that the foregoing is a true and correct copy of a resolution introduced by Senators William J. Lane, Joseph M. Barr, Albert R. Pechan, and Rowland B. Mahany and adopted by the Senate of Pennsylvania the 23d day of May 1957.

"A. H. LETZLER,
"*Secretary, Senate of Pennsylvania.*"

A resolution of the Senate of the Territory of Hawaii; to the Committee on Interior and Insular Affairs:

"Senate Resolution 6

"Whereas section 80 of the Hawaiian Organic Act now provides, in part, that 'The Governor shall nominate and, by and with the advice and consent of the Senate of the Territory of Hawaii, appoint' certain stated officers of the Territory of Hawaii; and

"Whereas it is also provided by section 80 of the Hawaiian Organic Act that the Governor 'may make such appointments when the Senate is not in session by granting commissions, which shall, unless such appointments are confirmed, expire at the end of the next session of the Senate'; and

"Whereas by reason of the fact that the Governor, by refusing to submit interim appointments made by him to the Senate, can thwart the apparent intent and spirit of the Hawaiian Organic Act, either by reappointing a person who has been given an interim appointment (in which case the Governor has circumvented the provision of the said Organic Act requiring that the appointment of persons to certain public office be confirmed by the Senate) or, by refusing to reappoint such a person (in which case the Governor has unilaterally terminated the service of such person contrary to the specific provisions of the Hawaiian Organic Act which require the approval of the Senate to any such removal); and

"Whereas the delegates to the constitutional convention of 1950 were aware of the possibility of such action by a Governor and included in the proposed constitution for Hawaii provisions which would disqualify any interim appointee whose appointment was not confirmed by the Senate from receiving another interim appointment to the same office, and which would similarly disqualify any person nominated for office and whose nomination failed to receive the consent of the Senate from receiving an interim appointment thereafter to such office: Now, therefore, be it

"*Resolved by the Senate of the 29th Legislature of the Territory of Hawaii, in special session assembled*, That the Congress of the United States be and it is hereby respectfully requested to amend the Hawaiian Organic Act by adding a new paragraph to section 80 thereof, to read as follows:

" 'No person who has been appointed to any office requiring the confirmation of the Senate, whose appointment fails of confirmation by the Senate, shall be eligible for another interim appointment to such office and no person who has been nominated for any such office whose nomination has not received the consent of the Senate shall be eligible to an interim appointment thereafter to such office'; and be it further

"*Resolved*, That certified copies of this resolution be forwarded to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, to the Secretary of the Interior, and to the Delegate to the Congress from Hawaii."

The petition of Elliott B. Roberts, of Westmoreland Hills, Md., praying for the enactment of House bill 7431, to construct and equip a geophysical institute in the Territory of Hawaii; to the Committee on Appropriations.

The petition of Vincent J. Schaefer, of Missoula, Mont., praying for the enactment of House bill 7431, to construct and equip a geophysical institute in the Territory of Hawaii; to the Committee on Appropriations.

Resolutions adopted by the Verendrye Electric Cooperative, Inc., Velva, N. C., relating to dishonest power company advertising, and so forth; to the Committee on Interstate and Foreign Commerce.

The petition of Cornelia Dabney Tucker, of Charleston, S. C., relating to the qualifications for United States Supreme Court Justices (with an accompanying paper); to the Committee on the Judiciary.

A resolution adopted by the Veterans of Foreign Wars of the United States, Department of Ohio, relating to a trial by jury of Army Sp3c. William S. Girard; to the Committee on the Judiciary.

A resolution adopted by the Board of Supervisors, County of Maui, Territory of Hawii, favoring the enactment of legislation to permit the entry into the United States as nonquota immigrants, the wives and minor children of the nationals of the Republic of the Philippines; to the Committee on the Judiciary.

A resolution adopted by the Los Angeles, Calif., Postal Organizations Council favoring the enactment of legislation to provide increased compensation for postal employees; to the Committee on Post Office and Civil Service.

Resolutions adopted at the 66th annual convention of the South Dakota Stock Growers Association, at Pierre, S. Dak., relating to land appraisals, and so forth; to the Committee on Public Works.

A resolution adopted by the General Eldership of the Churches of God in North America, Inc., Harrisburg, Pa., protesting against the continued exploding and testing of nuclear weapons; to the Joint Committee on Atomic Energy.

JOINT RESOLUTIONS OF WISCONSIN STATE LEGISLATURE

Mr. WILEY. Mr. President, I have received today two important joint resolutions from the State Legislature of Wisconsin, as forwarded to me by

Lawrence R. Larsen, chief clerk of the State senate.

The first resolution bears upon a bill to which I have previously referred on the Senate floor—H. R. 64 dealing with payments of pensions to veterans who are domiciled in a State veterans' home.

The joint resolution points out an unfortunate result which would accrue in the event H. R. 64 is not amended in the public interest.

The second joint resolution bears upon that great organization which is at this very moment hard at work in disaster relief in Louisiana and elsewhere in our Nation.

Today's newspapers are still full of the inspiring story of Red Cross services in Louisiana, Missouri, and elsewhere to relieve the tragic victims of hurricane Audrey.

As repeatedly pointed out by President Eisenhower and General Gruenther, it is essential that the Red Cross disaster relief fund be replenished.

It is, of course, essential that the public give fullest support to the Red Cross, and that it have at all times the highest degree of confidence in this noble organization.

I present the two joint resolutions, and ask unanimous consent that they be printed in the RECORD.

There being no objection, the joint resolutions were received, appropriately referred, and, under the rule, ordered to be printed in the RECORD, as follows:

To the Committee on Finance:

"Senate Joint Resolution 56

"Joint resolution memorializing the Congress of the United States relating to the payment of pensions to veterans which are domiciled in a State veterans home

"Whereas the Veterans' Affairs Committee of the House of Representatives of the United States Congress in considering H. R. 64; and

"Whereas section 1 (c) of this bill provides that the Veterans' Administration shall withhold all pensions due a veteran in excess of $30 while he is being furnished domiciliary care in a State home; and

"Whereas this provision would eliminate the possibility of a veteran member of the home contributing to the State for his maintenance; and

"Whereas the State of Wisconsin is presently collecting approximately $190,000 per year from members of the home in Wisconsin for their maintenance; and

"Whereas it was the Federal aid which created the incentive for the States to construct and operate veterans homes, thereby removing some of the burden from the Federal Government: Now, therefore, be it

"Resolved by the senate (the assembly concurring), That the legislature request that section 1 (c) of H. R. 64 be stricken from the bill; and be it further

"Resolved, That this resolution be spread on the journal and that a copy hereof, properly authenticated, be sent to the Secretary of the United States Senate, the Chief Clerk of the House of Representatives, each member of the Veterans' Affairs Committee of the House of Representatives, and each member of the Wisconsin delegation in Congress.

"W. P. KNOWLES,
"President of the Senate.
"LAWRENCE R. LARSEN,
"Chief Clerk of the Senate.
"ROBERT G. MAROTZ,
"Speaker of the Assembly.
"ARTHUR L. MAY,
"Chief Clerk of the Assembly."

To the Committee on Foreign Relations:

"Senate Joint Resolution 104

"Joint resolution relating to maintaining public confidence in the efficient and economical administration of the American Red Cross

"Whereas General Gruenther, president of the National Red Cross, states that the organization is in serious financial trouble, having exhausted its disaster reserve fund and is at the present time running about 17 percent short of its 1957 fund drive goal of $95 million; and

"Whereas it is almost universally agreed that a private charity with the Christian and humanitarian motives and objectives of the present-day local, national, and international Red Cross is essential and worthy; and

"Whereas, the cost of administration of the national organization and its 3,700 chapters runs about 10 percent despite the gratuitous services rendered by a huge volunteer force which donates hundreds of millions of man-hours of service annually; and

"Whereas said volunteer gratuitous workers who give blood or solicit funds in all fairness deserve the unqualified spontaneous support of the general public which will be forthcoming and available only if the public mind rests in the firm belief or conviction that the administration of said private charity is efficient and economical: Now, therefore, be it

"Resolved by the senate (the assembly concurring), That the Wisconsin Legislature does hereby memorialize the National Congress, which charters the Red Cross, to authorize and conduct factfinding public hearings on Red Cross administration, hoping thereby to restore or establish full public confidence in this great humanitarian institution; and be it further

"Resolved, That properly certified copies of this resolution be forwarded to President Eisenhower, General Gruenther, and to each Wisconsin Member of Congress.

"ROBERT G. MAROTZ,
"Speaker of the Assembly.
"ARTHUR L. MAY,
"Chief Clerk of the Assembly,
"W. P. KNOWLES,
"President of the Senate.
"LAWRENCE R. LARSEN,
"Chief Clerk of the Senate."

RESOLUTION OF WISCONSIN STATE PUBLIC SERVICE COMMISSION

Mr. WILEY. Mr. President, I present a resolution dealing with H. R. 7672, now pending before the House Interstate Commerce Committee, relating to State jurisdiction over intrastate rates.

This resolution was forwarded to me by Edward T. Kaveny, of Madison, secretary of the public service commission of my State. This commission has a long and very honorable record, I may say, of effective regulation of rates in the public interest. Its views are always worthy of close attention, therefore.

I ask unanimous consent that the resolution be printed in the RECORD, and be thereafter referred to the Committee on Interstate and Foreign Commerce.

There being no objection, the resolution was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

Bill H. R. 7672 was introduced by Congressman FLYNT on May 21, 1957. This bill would amend section 13 (4) of the Interstate Commerce Act. This amendment to section 13 (4) of the Interstate Commerce Act, if enacted into law, would strengthen the jurisdiction of the individual States over intrastate rates within the respective States. It is our opinion that any amendment to the Interstate Commerce Act which would strengthen the jurisdiction of the individual States over intrastate freight rates is in the public interest: Therefore be it

Resolved, That the Public Service Commission of Wisconsin endorse the provisions of bill H. R. 7672; it is further

Resolved, That a copy of this resolution be forwarded to each member from Wisconsin in the Congress of the United States.

EDWARD T. KAVENY,
Secretary, Public Service Commission of Wisconsin.

RESOLUTION OF MINNESOTA SONS OF UNION VETERANS OF THE CIVIL WAR

Mr. HUMPHREY. Mr. President, I have just received a resolution adopted by the Minnesota Sons of Union Veterans of the Civil War. This resolution protests further aircraft flights over public or patriotic gatherings. This has become a compelling issue in Minnesota since the tragic Memorial Day jetplane crash at Sunset Memorial Park in Minneapolis.

I ask unanimous consent that the resolution be printed in the RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

DEPARTMENT OF MINNESOTA,
SONS OF UNION VETERANS,
OF THE CIVIL WAR.

Whereas the sad, serious accident incurred by jetplanes while doing a ceremonial maneuver on Memorial Day, May 30, 1957, above the cemetery called Sunset Memorial Park, causing one death and serious property damage; and

Whereas this order and many other patriotic groups have for years protested the practice of military or other planes flying over places where services for the dead were being held, and also Flag Day services at the Minnesota Soldiers Home, at times completely destroying the effectiveness of our programs; and

Whereas, this practice has been protested, even to authorities in Washington, D. C., with no avail: Now, therefore, be it

Resolved, That the 73d annual encampment of the Department of Minnesota, Sons of Union Veterans of the Civil War, assembled in Minneapolis, Minn., June 1 and 2, 1957, to go on record as appealing to Gov. Orville L. Freeman, Mayors Eric G. Hoyer and Joseph E. Dillon, United States Senators Edward J. Thye and Hubert H. Humphrey to take steps to see that such flying is never again permitted over crowds, beaches, or any public or patriotic gatherings in time of peace; and be it further

Resolved, That copies of this resolution be sent to the Governor of Minnesota, the mayors of Minneapolis and St. Paul, the two United States Senators, the commander in chief of the Sons of Union Veterans of the Civil War, and to the press.

Adopted June 1, 1957.

THEODORE FROOD I.,
Department Commander.

ST. PAUL, MINN.
Attest:

DEWEY B. MEAD,
Department Secretary.

MINNEAPOLIS, MINN.

UNIVERSITY OF WISCONSIN LIBRARIES

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 562. A bill for the relief of Hideko Takiguchi Pulaski (Rept. No. 544);

S. 1335. A bill for the relief of Sandra Ann Scott (Rept. No. 545);

S. 2413. A bill to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district (Rept. No. 567);

H. J. Res. 316. Joint resolution for the relief of certain aliens (Rept. No. 563); and

H. J. Res. 322. Joint resolution for the relief of certain aliens (Rept. No. 564).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 294. A bill for the relief of Mrs. Marion Huggins (Rept. No. 546);

S. 591. A bill for the relief of Seol Bong Ryu (Rept. No. 547);

S. 1268. A bill for the relief of Don Q. Gee (Rept. No. 548);

S. 1321. A bill for the relief of Junko Matsuoka Eckrich (Rept. No. 549);

S. 1353. A bill for the relief of Ayako Yoshida (Rept. No. 550);

S. 1452. A bill for the relief of Francesca Maria Arria (Rept. No. 551);

S. 1496. A bill for the relief of Nicoleta P. Pantelakis (Rept. No. 552);

S. 1502. A bill for the relief of Erika Otto (Rept. No. 553);

S. 1528. A bill for the relief of Arthur Green (Rept. No. 554);

S. 1641. A bill for the relief of Yong Ja Lee (Mina Kuhrt) (Rept. No. 555);

S. 1783. A bill for the relief of Randolph Stephan Walker (Rept. No. 556); and

H. R. 2070. An act for the relief of Mrs. Rhea Silvers (Rept. No. 566).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 1071. A bill for the relief of David Mark Sterling and Judith Kobudeh Sterling (Rept. No. 557);

S. 1276. A bill for the relief of Emilio Valle Duarte (Rept. No. 558);

S. 1472. A bill for the relief of Triantafilia Antul (Rept. No. 559);

S. 1478. A bill for the relief of Klara Fritzsche (Rept. No. 560);

S. 1509. A bill for the relief of Fumiko Bigelow (Rept. No. 561);

S. 1570. A bill for the relief of Julia Fodor (Rept. No. 562); and

H. J. Res. 324. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 565).

By Mr. O'MAHONEY, from the Committee on the Judiciary, with amendments:

S. 2377. A bill to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses (Rept. No. 569).

By Mr. SMATHERS, from the Committee on Interstate and Foreign Commerce, with amendments:

S. 1386. A bill to authorize the Interstate Commerce Commission to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of power or train brakes (Rept. No. 568).

TEMPORARY APPROPRIATIONS FOR FISCAL YEAR 1958

Mr. HAYDEN, from the Committee on Appropriations, to which was referred the joint resolution (H. J. Res. 391) making temporary appropriations for the fiscal year 1958, and for other purposes, reported it favorably, without amendment, and it was read the third time and passed.

(See the remarks of Mr. HAYDEN when he reported the above joint resolution, which appear under a separate heading.)

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of New Jersey:

S. 2422. A bill for the relief of Ester Piccini; to the Committee on the Judiciary.

By Mr. MANSFIELD (for Mr. JOHNSON of Texas):

S. 2423. A bill for the relief of Tomoko Vela; to the Committee on the Judiciary.

By Mr. THYE:

S. 2424. A bill to provide that the Secretary of Agriculture shall convey certain land to the village of New Richland, Minn.; to the Committee on Agriculture and Forestry.

By Mr. GREEN:

S. 2425. A bill for the relief of Eugene O. Jalbert; to the Committee on the Judiciary.

By Mr. ELLENDER (by request):

S. 2426. A bill to authorize Commodity Credit Corporation to acquire title to unredeemed loan collateral without obligation to make equity payments; to the Committee on Agriculture and Forestry.

By Mr. CAPEHART:

S. 2427. A bill to insure greater consistency among Federal loan programs, to avoid hidden subsidies, and to achieve more effective coordination between Federal loan programs and the fiscal and credit policies of the Federal Government; to the Committee on Banking and Currency.

(See the remarks of Mr. CAPEHART when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S. 2428. A bill to amend the act known as the "District of Columbia Revenue Act of 1937", approved August 17, 1937; to the Committee on the District of Columbia.

S. 2429. A bill for the relief of Ma Chuck Moon and Ma Chuck Woon; to the Committee on the Judiciary.

By Mr. KUCHEL:

S. 2430. A bill for the relief of Carlos Olmos Chang and his wife, Maria Luisa Chin de Chang; to the Committee on the Judiciary.

By Mr. KUCHEL (for himself, Mr. KNOWLAND, Mr. MORSE, and Mr. NEUBERGER):

S. 2431. A bill granting the consent of Congress to the Klamath River Basin Compact between the States of California and Oregon, and for related purposes; to the Committee on Interior and Insular Affairs.

By Mr. BUTLER:

S. 2432. A bill to require that any person taken into custody as a suspect in the commission of a crime in the District of Columbia shall be arraigned within 12 hours from the time at which he is taken into custody; to the Committee on the District of Columbia.

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2433. A bill to provide for the construction of minimum basic recreation facilities in the Owyhee Reservoir Area, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. HENNINGS:

S. 2434. A bill to amend the act entitled "An act to provide books for the adult blind"; and

S. 2435. A bill to organize and microfilm the papers of Presidents of the United States in the collections of the Library of Congress; to the Committee on Rules and Administration.

(See the remarks of Mr. HENNINGS when he introduced the above bills, which appear under a separate heading.)

CONSISTENCY IN FEDERAL LOAN PROGRAMS

Mr. CAPEHART. Mr. President, I introduce, for appropriate reference, a bill to insure greater consistency among Federal loan programs, to avoid hidden subsidies, and to achieve more effective coordination between Federal loan programs and the fiscal and credit policies of the Federal Government. I ask unanimous consent that a statement, prepared by me, with reference to the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 2427) to insure greater consistency among Federal loan programs, to avoid hidden subsidies, and to achieve more effective coordination between Federal loan programs and the fiscal and credit policies of the Federal Government, introduced by Mr. CAPEHART, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The statement presented by Mr. CAPEHART is as follows:

STATEMENT BY SENATOR CAPEHART

This bill establishes two major policies applicable to all loan programs of the Federal Government. It requires each lending agency to pay interest to any future borrowing from the Treasury at a rate fixed by the Secretary of the Treasury, taking into consideration the current market rates of interest on Treasury obligations with maturities comparable to those of the loans made by the lending agency. It further requires each lending agency to charge interest on any future loans equal to at least the rate fixed by the Secretary of the Treasury, together with additional amounts sufficient to defray administrative expenses and probable losses to the extent that such additional charges are consistent with the purpose of the loan program. It will have no effect whatsoever on interest rates charged on outstanding loans or on interest rates paid to the Treasury on the funds necessary to finance these loans.

This legislation is necessary to modify the fixed statutory maximum interest rates on several lending programs established when interest costs were much lower than they are today. This bill will provide the flexibility needed to permit the interest rates charged to reflect both the current costs of each lending program and the objectives it serves.

One of the basic purposes of the legislation is to assure that, insofar as consistent with the purposes of the lending programs, all of the costs involved shall be paid by the borrower who benefits from the loan. At present hidden subsidies exist in several programs. Removal or reduction of these subsidies will increase interest receipts of these programs and thus reduce their budgetary requirements. In addition, any increase in interest rates charged will encourage substitution of private financing and thus reduce Government expenditures. The most immediate effect on the budget will be from reduced disbursements on future loans. In later years, however, as more adequate interest is paid on a larger share of the outstanding loans, the major budget saving will accrue from this source.

By requiring all lending agencies to cover at least the interest cost incurred by the Government, the proposed legislation will reduce Government competition with private lenders, wherever private lenders provide comparable loans on reasonable terms. When private financial institutions are not able to make the type of loans required, moreover, it is only reasonable that the borrower should pay for the full cost of the credit he receives to the maximum extent possible, rather than to place an unnecessary burden on the taxpayer.

RECREATION FACILITIES AT OWYHEE LAKE, OREG.

Mr. NEUBERGER. Mr. President, on behalf of myself, and my colleague, the senior Senator from Oregon [Mr. MORSE], I introduce, for appropriate reference, a bill to provide for construction of minimum basic recreation facilities in the Owyhee Reservoir area, in Malheur County, Oreg.

When Owyhee Dam was constructed, in the late 1920's, to bring water to a fertile, but arid, section of eastern Oregon, recreation features of the project were given only minor consideration. The location of the reservoir in western plateau country is in the midst of an area of unique scenic quality. But, perhaps, the most important collateral effect of impounding water behind Owyhee Dam has been the creation of a lake which abounds with fish. Knowledgeable anglers say that the Owyhee Reservoir provides some of the best bass fishing in the West.

However, the opportunities for enjoyment of the fishing and the scenic grandeur of the area are minimized by the lack of roads and other facilities. To those of anything less than pioneering instinct, the Owyhee Reservoir is virtually isolated.

It is time that Congress take steps to help remedy the lack of facilities needed to develop the full potential of the Owyhee Reservoir's recreational features. The State of Oregon, through its park department, has evidenced interest in cooperating with the Federal Government to develop the Owyhee Reservoir area. In the absence of a broad, general program for recreational use of Federal reservoir areas, I urge early action on this bill, so that the full benefits of Owyhee Reservoir can be enjoyed by the people of the Pacific Northwest.

I ask unanimous consent that the bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2433) to provide for the construction of minimum basic recreation facilities in the Owyhee Reservoir area, Oregon, and for other purposes, introduced by Mr. NEUBERGER (for himself and Mr. MORSE), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to investigate, plan, and construct minimum basic recreation facilities on lands of the Owyhee Reservoir project, Oregon (including access roads and facilities for the safety, health, and protection of the visiting public), and to provide for public use and enjoyment of such facilities, and the water areas created by this project, by such means as are consistent with the primary purpose of the project, at a cost not to exceed $495,000, as soon as the State of Oregon, or a political subdivision thereof, enters into agreement with the Secretary of the Interior to administer, operate, and maintain the recreation features of the reservoir area for a period of not less than 20 years.

SEC. 2. The Secretary of the Interior may issue such regulations as may be necessary to carry out the purposes of this act.

PROPOSED LEGISLATION PERTAINING TO THE NEEDS OF THE LIBRARY OF CONGRESS

Mr. HENNINGS. Mr. President, I introduce, for appropriate reference, two bills that are concerned with Library of Congress needs. Similar bills have already been introduced in the House, and I hope that by bringing them to the attention of the Senate, I can facilitate their passage. The first of these bills will increase and continue the authorization for funds to provide books for the adult blind. The Library of Congress has long maintained a cooperative program in which reading material and machines are provided by the Federal Government to local, State, and private agencies for distribution to individual blind readers. For lack of funds, the Division of the Blind can now only give inadequate service. I request that a statement of facts, showing in detail why more funds are needed, be printed in the RECORD.

The second bill makes an authorization for the Librarian of Congress to index and microfilm the papers of Presidents of our country. In this way, we will always have access to these unique, historic, and priceless documents. Our former President, Harry S. Truman, made a most eloquent statement on behalf of this bill on June 21, 1957, when he appeared before a House committee studying similar legislation. I am honored to include his remarks, and I commend them to my colleagues' attention. His statement expresses in the clearest possible way the real need for such an authorization. I am convinced, of course, that by passing this bill Congress will have provided an inestimable gift to the American people. I request that President Truman's remarks be printed in the RECORD.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the statements will be printed in the RECORD.

The bills, introduced by Mr. HENNINGS, were received, read twice by their titles, and referred to the Committee on Rules and Administration, as follows:

S. 2434. A bill to amend the act entitled "An act to provide books for the adult blind."

The statement of facts, accompanying Senate bill 2434 presented by Mr. HENNINGS, is as follows:

STATEMENT OF FACTS IN SUPPORT OF PROPOSED AMENDMENTS TO SECTION 135A, TITLE 2, UNITED STATES CODE, AUTHORIZING APPROPRIATIONS TO THE LIBRARY OF CONGRESS FOR A PROGRAM OF LIBRARY SERVICE TO THE BLIND

With appropriations provided under present statutory authority, the Library of Congress through its Division for the Blind is responsible for administering a national program to provide reading materials for the blind of the United States, its Territories, insular possessions and the District of Columbia. It provides books in raised characters (braille and moon type) and recorded books (talking books) together with machines to play the latter. The books are made available to 28 regional libraries which assume responsibility for service to the individual blind readers, and the machines to 55 State agencies which assign them to qualified blind readers. Thus this is a cooperative program in which the Federal Government provides the reading materials (including machines) for the blind and the local, State, or private agencies assume responsibility for the distribution of books and machines to the individual blind readers.

In 1931 at the time of the inception of the program of books for the adult blind there were 11,450 blind readers. By 1946 when $500,000 was appropriated and the appropriation authorization of $1,125,000 was granted by Congress, the total number of blind readers had grown to 30,088 or by 163 percent. At the present time, the program is serving approximately 60,000 blind readers, a 100 percent increase over 1946. In 1952 the program was broadened to include children by an amendment striking the word "adult" from the first sentence of the first section. The program has demanded the expenditure of $1 million from fiscal years 1948 through 1956 with the exception of 1949 when only $979,400 was appropriated. The requirements for increased service made it necessary to request $1,067,481 in fiscal year 1957 and the full $1,125,000 is being requested for fiscal 1958, an amount which is $267,000 below the program requirements. (See table I.)

The steady increase in readers, approximately 3,000 new registrations a year, makes it necessary to provide additional reproducers for talking books, repair existing reproducers, furnish additional copies of talking books (editions increased from 1,172 to 1,913 copies since 1953), rerecord popular old titles (currently approximately one-third of record expenditures), and provide more books in braille, particularly hand-copied books to meet special needs. In order to stay within the $1,125,000 authorization we can add annually less than 200 talking-books titles to the collections. This is in contrast to 251 talking book titles acquired in 1953. In further contrast, 10,000 ink-print titles are available to the sighted readers annually through American libraries from the yearly output of publishing houses in this country alone. In addition, in fiscal 1957 we shall be unable to meet the estimated demand for machines by about 4,000 units. (See table III.)

Due to the increase in demand in recent years for more copies of talking books to satisfy the growing clientele of readers which has required issuance of larger editions of each title, the cost of talking books per title has correspondingly increased from $2,782.65 to $3,088.09 or 11 percent. In 1948 for the purchase of 150 or more copies of a talking-book title the price per record was $1.04; in 1956 the price per record was $1.41 for the same number of copies. The price increase

UNIVERSITY OF MICHIGAN LIBRARIES

for braille books has been even more substantial. A sample of 8 titles produced in 1948 shows an average cost of $1.08 for each volume produced. A similar sample for 1956 shows a cost of $7.40 for each volume produced.

The increasing size of the program requires a greater degree of administration and coordination of the regional library service, liaison with the manufacturers of reproducers, suppliers of records, and printers of braille- and moon-type books. For lack of funds the staff of the Division for the Blind can now give only inadequate service in this regard.

TABLE I.—*Requirements for fiscal 1958 for an estimated 63,500 readers*

12,000 reproducers	$375,000
200 new talking book titles, including transportation	656,677
150 new braille titles, including transportation	108,725
Salaries for a staff of 26	129,831
Repair of 5,500 reproducers	33,250
Research and development to improve reading materials	35,000
Publications (including Braille Book Review, Talking Book Topics, and catalog card printing)	27,800
Braille transcribing	5,500
Travel to supervise manufacture and to coordinate and instruct regional staff	10,000
Miscellaneous (including purchase of needles and other replacement items in machines, postage, telephone and telegraph, supplies, printing, etc.)	10,300
Total needs	1,392,083
Present authorization	1,125,000
Total	267,083

TABLE II

Fiscal year	Number of readers	Number of talking book titles	Number of records	Number of braille titles	Number of braille volumes
1946	30,088	129	232,616	138	20,384
1947	34,884	44	102,080	126	12,620
1948	33,045	145	210,196	225	20,086
1949	35,692	150	273,164	230	20,180
1950	40,768	162	324,161	116	8,168
1951	43,494	99	253,137	98	8,282
1952	46,353	190	443,350	161	13,027
1953	47,774	251	450,425	128	10,208
1954	52,357	216	326,669	132	8,925
1955	54,932	200	344,863	141	8,949
1956	[1] 57,700	143	312,890	116	8,750

[1] Estimated.

TABLE III

Fiscal year	Machines on hand	Number manufactured	Number retired	Net number available machines	Number talking book readers
1946	23,500	550	4,800	19,250	18,607
1947	19,250	2,550	4,800	17,000	23,343
1948	17,000	8,500	4,800	20,700	21,566
1949	20,700	12,000	4,589	28,111	25,643
1950	28,111	15,000	4,800	38,311	30,691
1951	38,311	7,500	3,664	42,147	33,642
1952	42,147	0	2,018	40,129	37,278
1953	40,129	0	1,155	38,974	38,090
1954	38,974	3,500	837	41,637	42,470
1955	41,637	4,300	1,653	44,284	44,273
1956	44,284	9,999	[1] 11,712	42,571	47,000
1957	42,571	7,000	[2] 3,000	[3] 46,571	[2] 50,500
1958	[2] 46,571	8,100	[2] 5,000	[2] 49,671	[2] 53,300

[1] All remaining models excepting model R machines manufactured prior to 1949 (comprising approximately 10,000 model S machines and machines of the 30,000 series) were retired at the conclusion of 1956 distribution because of obsolescence in addition to scrapping of 1,712 later models.
[2] Estimated.
[3] Including all remaining model R machines manufactured in 1948.

TABLE IV

Fiscal year	Appropriation	Number of readers	Number braille titles	Number talking book titles	Number of records	Number of machines manufactured	Machines repaired	Total cost
1947	$500,000	34,884	126	44	102,080	2,550	----------	$391,031
1948	1,000,000	33,046	225	145	210,196	8,500	4,250	770,848
1949	979,400	35,692	221	150	273,164	12,000	6,000	812,354
1950	1,000,000	40,768	116	162	324,161	15,000	2,692	970,045
1951	1,000,000	43,494	98	99	253,137	7,500	3,663	636,869
1952	1,000,000	46,983	161	190	443,350	----------	6,447	849,339
1953	1,000,000	47,774	128	251	450,425	----------	8,526	875,460
1954	1,000,000	52,357	132	216	326,669	3,500	9,271	789,979
1955	1,000,000	54,932	141	200	344,863	4,300	9,213	821,534
1956	1,000,000	[1] 57,700	116	143	312,890	10,000	4,076	850,608
1957	1,067,481	[1] 60,500	[1] 129	[1] 158	[2] 365,812	7,000	[3] 2,000	[1] 879,175
1958	1,125,000	[1] 63,300	[1] 129	[1] 164	[1] 383,760	[1] 8,100	[1] 5,500	[1] 914,449

[1] Estimated.
[2] Recording of 1 title, Old Testament (Bible), 33,938 records.
[3] Estimated, based on number of units repaired to present date.

S. 2435. A bill to organize and microfilm the papers of Presidents of the United States in the collections of the Library of Congress.

The statement of former President Truman presented by Mr. HENNINGS is as follows:

STATEMENT OF FORMER PRESIDENT HARRY S. TRUMAN BEFORE A SUBCOMMITTEE OF THE COMMITTEE ON HOUSE ADMINISTRATION OF THE UNITED STATES HOUSE OF REPRESENTATIVES IN SUPPORT OF H. R. 7813, JUNE 21, 1957

Representative JONES, and members of the committee, I am appearing here in support of H. R. 7813, a bill introduced by my old friend JOHN MCCORMACK.

The adoption of this measure will help to preserve and to make available for study the records of 1 of the 3 great branches of our Government, the Presidency.

The Presidency is a unique American institution. No other country's constitution has an office like it, because it is a combination of the functions and duties of the head of state with those of the head of the Government. Added significance has been given to it by our system of popular elections, which changed the original scheme of the Constitution and made the President the only officer of government chosen by the whole people.

Unfortunately, the actions of the Presidency are not as fully recorded as those of other branches of the Government. The decisions of the Congress are publicly debated, and the reasons for its actions can usually be found in the CONGRESSIONAL RECORD or in the printed hearings or reports of its committees. The courts, under our common law tradition, are required to set down in writing the reasons for their decisions. For the study of the legislative or judicial branches of the Government there exist, therefore, published records in abundance. But no such official record exists for the decisions and actions of the President. We can learn what a President did (although in many fields of activity there is no official record even of his acts), but we often have no public records, official or otherwise, for the reasons behind his decisions.

Of course, the operations of the Presidency are so complex, and include such delicate functions as the conduct of foreign affairs and domestic political strategy, that it would be difficult, and often unwise, as well as impractical, to publish the reasons for all Presidential decisions at the time they were made. There is all the more reason, therefore, for preserving the historical records of the conduct of the Presidency for study and examination after the passage of time has made such study possible and after the necessity for keeping some of them confidential has ended.

The historical records on which such study can be based are to be found in the correspondence and the papers of the Presidents.

These papers, as a constitutional matter, have been traditionally considered to be the private property of each individual President. He has always taken them with him on leaving office, and until recent years he and his heirs have had little help from the Government in preserving them. As a result many have been dispersed, lost, or destroyed.

Beginning around 1900, the Library of Congress embarked on a campaign to collect and preserve the papers of past Presidents. To the retiring President, or his heirs, the Library offered a place of safekeeping for the papers. Efforts were also made to find the papers of earlier Presidents and to attract them to the Library for preservation.

As a result, the Library of Congress now has in its Manuscript Division papers from the hands or from the files of 23 Presidents of the United States. In some few instances these papers are fragmentary, or of small importance, or do not include papers of the period of the Presidency. In most instances, however, the papers in the possession of the Library of Congress are substantially complete files covering the years during which their author occupied the Presidency, as well as other aspects of his career.

The Librarian of Congress, who is here, can give you all the details about these papers.

The collections of the Library of Congress are bound or boxed in typical manuscript cases and arranged on shelves in the Manuscript Division of the Library of Congress annex. With a few exceptions they have not been cataloged or indexed. This does not mean they have been negligently treated, as manuscripts go. Indeed, they are probably more accessible than the manuscripts of other historical personages. But this is not good enough for the only surviving records of the third coequal branch of our constitutional form of government.

In the case of some of the earlier Presidents, biographers or researchers using their papers are confronted with the task of making their own catalogs or indexes before they can make adequate use of the files. The problem is worse in the case of later Presidents, because their files are so much more voluminous, running, in the case of President Wilson, to 280,000 pieces, and, in the case of President Taft, to even more.

No blame attaches to the Library of Congress for this lack of cataloging and cross-referencing. To arrange and index the papers properly is a considerable task requiring the work of skilled specialists over a substantial period of time, and substantial funds.

There is another great drawback to the easy use of the Presidential papers. To study them, scholars must leave their homes or universities and come to Washington. The expense and inconvenience have undoubtedly discouraged the use of this great wealth of historical records.

Perhaps the greatest disadvantage of the present situation is the vulnerability of these papers to destruction. Here, in a sense, we have put all of our Presidential historical treasures in one basket. The dangers of atomic war make us conscious today of how reckless this is. But it is not only atomic attack that might deprive us of these records. Any disaster in the Library of Congress annex, such as a fire, or the destructive act of some crank or lunatic might have the same effect.

The bill before you remedies all these difficulties and dangers.

It provides authorization for funds to put these papers in good order and index them. As a result, researchers will be able to use them with greater ease and without waste of time.

It provides authorization for microfilming all the papers. The microfilm prints can then be purchased by institutions of learning throughout the land, as complete sets, or in part. Students wishing just part of these files can order them and obtain them for their own use. Or they can go to their nearby universities or record conters and study the microfilms there. I hope that our National Archives and records system can obtain complete sets and keep them in their archival depositories at various places around the country. I very much want to see a set at the Truman Library in Independence, which will soon belong to the Government, and I shall work to see that a set is obtained for that depository.

Finally, by dispersing copies of these precious records throughout the country, their contents will be preserved against the danger of enemy attack or other destruction for posterity.

In these ways the bill before you safeguards some of our most valuable national records and opens the possibility of a more widespread and intensive study of the functions and the importance of the American Presidency.

It goes without saying that the Presidential papers that are not in the Library of Congress should also be indexed and microfilmed. This is being done with respect to the Roosevelt papers at Hyde Park, as the Archivist, Dr. Wayne Grover, can explain to you, and the same process will be applied to my papers in due course after they too have come under the care of the National Archives.

The papers of modern Presidents are so voluminous that they should come under the protection of the National Archives in special depositories. The Library of Congress collections would be swamped by the papers of any recent President. For example, the papers of the 23 Presidents now in the possession of the Library of Congress total some 2,700,000 pieces, whereas my files—the files of 1 President today—are estimated to contain approximately 3,500,000 pieces.

I believe that the Congress has made ample provision for the safekeeping of the papers of modern Presidents in the Presidential libraries amendments to the Federal Property and Administrative Services Act which were introduced by JOHN MCCORMACK and adopted in 1955, and under which the Truman Library building and my papers and mementos will pass to the Federal Government next month.

It now remains for the Congress to take the necessary steps to safeguard and make available to the public the papers of earlier Presidents now in the Government's keeping. This aim is achieved by the bill here under consideration.

CONSTRUCTION OF CERTAIN WORKS OF IMPROVEMENT IN NIAGARA RIVER—AMENDMENT

Mr. MARTIN of Pennsylvania submitted an amendment, intended to be proposed by him, to the bill (S. 2406) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes, which was ordered to lie on the table and to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. WILEY:

Statement by him relating to the visit to Washington, D. C., of Asian delegates from the Moral Rearmament Assembly of Nations at Mackinac Island, Mich.

By Mr. HENNINGS:

Article entitled "Presidential Succession," written by Senator GREEN and published in the Dickinson Law Review.

By Mr. TALMADGE:

Statement by John J. Wicker, Jr., in connection with hearings on proposed changes in the Senate cloture rule, with introduction of Mr. Wicker by Senator ROBERTSON.

NOTICE OF HEARINGS ON THE NORTH AMERICAN REGIONAL BROADCASTING AGREEMENT AND THE BROADCASTING AGREEMENT WITH MEXICO

Mr. FULBRIGHT. Mr. President, as chairman of the subcomittee of the Committee on Foreign Relations to consider the North American Regional Broadcasting Agreement—NARBA—and the agreement with Mexico relating to broadcasting, I wish to announce that there will be a public hearing on Wednesday, July 10, 1957, on these two treaties.

The North American Regional Broadcasting Agreement—Executive A, 82d Congress, 1st session—was transmitted to the Senate on February 5, 1951. Public hearings were held on the agreement in 1953 but no further action was taken.

The agreement with Mexico—Executive G., 85th Cong., 1st sess.—was transmitted to the Senate on March 12, 1957.

This announcement is to advise the interested parties to get in touch with the Committee on Foreign Relations if they wish to testify on July 10.

The members of the subcommittee besides myself are Senators MANSFIELD, MORSE, KNOWLAND, and AIKEN.

NOTICE OF HEARINGS ON NOMINATIONS OF CLIFFORD O'SULLIVAN, TO BE UNITED STATES DISTRICT JUDGE, EASTERN DISTRICT OF MICHIGAN, AND JOSEPH C. ZAVATT, TO BE UNITED STATES DISTRICT JUDGE, EASTERN DISTRICT OF NEW YORK

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Wednesday, July 10, 1957, beginning at 10 a. m., in room 424, Senate Office Building, upon the nominations of—

Clifford O'Sullivan, of Michigan, to be United States district judge for the eastern district of Michigan, vice Arthur A. Koscinski, retired.

Joseph C. Zavatt, of New York, to be United States district judge for the eastern district of New York, vice Clarence G. Galston, retired.

At the indicated time and place all persons interested in the above nominations may make such representations as may be pertinent. The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Indiana [Mr. JENNER], and myself, as chairman.

RELATIONS WITH COMMUNIST CHINA—ADDRESS BY SECRETARY OF STATE AT SAN FRANCISCO, CALIF.

Mr. KNOWLAND. Mr. President, on last Friday at San Francisco, the Secretary of State, John Foster Dulles, delivered an outstanding address relative to our policy in relation to Communist China. I ask unanimous consent that the text of the Secretary's address be printed at this point in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

OUR POLICIES TOWARD COMMUNISM IN CHINA

(Address by the Honorable John Foster Dulles, Secretary of State, before the International Convention of Lions International, Civic Auditorium, San Francisco, Calif., Friday, June 28, 1957)

It is appropriate that in this great city of San Francisco, which faces the Far East, we should consider our policies toward communism in China.

I. THE SITUATION TODAY

On the China mainland 600 million people are ruled by the Chinese Communist Party. That party came to power by violence and, so far, has lived by violence.

It retains power not by will of the Chinese people, but by massive, forcible repression. It fought the United Nations in Korea, it supported the Communist war in Indochina; it took Tibet by force. It fomented the Communist Huk rebellion in the Philippines and the Communists' insurrection in Malaya. It does not disguise its expansionist ambitions. It is bitterly hateful of the United States, which it considers a principal obstacle in the way of its path of conquest.

In the face of this condition the United States has supported, morally and materially, the free nations of the Western Pacific and Southeast Asia. Our security treaties make clear that the violation of these nations by international communism would be considered as endangering our own peace and safety, and that we would act accordingly.

Together we constitute a goodly company and a stout bulwark against aggression.

As regards China, we have abstained from any act to encourage the Communist regime, morally, politically, or materially. Thus:

We have not extended diplomatic recognition to the Chinese Communist regime;

We have opposed its seating in the United Nations;

We have not traded with Communist China, or sanctioned cultural interchanges with it.

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These have been, and are, our policies. Like all our policies, they are under periodic review.

II. THE PRECEDENT OF RUSSIA

As we review our China policy, we naturally and properly recall our recognition policy as regards Communist Russia.

The Bolsheviks seized power from Kerensky in 1917. Nevertheless, we continued for 16 years to treat the Kerensky representatives in exile as the lawful government of Russia. By 1933, it seemed that the Communist regime might be considered as a peaceful member of society. For more than a decade it had committed no act of armed aggression. It had accepted the independence of Estonia, Latvia, and Lithuania, and of Poland. It was not demonstably maltreating American citizens. It promised to cease subversive activities in the United States, to respect American rights in Russia, and to settle Russia's public and private debts to the United States.

Also, by 1933, we desired to encourage the Soviet regime to resist Japanese aggressive policies in the Far East. The Republic of China, inspired by this same notion, had recognized the Soviet Government in December 1932 and we shortly followed suit.

We need not question that act of recognition under the circumstances which then prevailed. Recognition seemed indicated by most tests and we did not read the future.

However, it can, I think, be said with confidence that recognition would not have been accorded to the Soviet Union even in 1933 had there been clear warning that the Soviet promises given in that connection were totally unreliable, that aggressive war would soon become an instrumentality of Soviet policy, and that it would be neutral toward Japanese aggression in Asia.

In the case of Communist China, we are forewarned. That regime fails to pass even those tests which, after 16 years, the Soviet regime seemed to pass.

(1) Soviet Russia, in 1933, had had a decade of peaceful and nonaggressive relations with neighboring states; Communist China's past record is one of armed aggression.

(2) The Soviet regime seemed to want peace for the future. In the case of Communist China the situation is quite the reverse. Mr. Chou En-lai, at the time of the Bandung Conference, said that "the Chinese people do not want to have war with the United States and are willing to settle international disputes by peaceful means." But when the United States took him up, and sought explicit reciprocal renunciations of force, his Ambassador, after presenting various evasive formulas, finally stated frankly that his regime contemplated using armed force to take Taiwan (Formosa) unless they could get it in some other way.

(3) The Soviet Union in 1933 was not flagrantly violating its international engagements. The Chinese Communist regime is violating the 1953 Korean armistice and the 1954 Indochina armistice.

(4) There was reason to hope that the Soviet regime would treat our nationals with respect. The Chinese Communist regime violates the persons of our citizens in defiance of the elementary code of international decency and breaches its 1955 pledge to release them.

(5) It seemed, in 1933, that the Soviet regime and the United States had parallel interests in resisting Japanese aggression in the Far East. Today the political purposes of Communist China clash everywhere with our own.

III. THE CONSEQUENCES OF RECOGNITION

United States diplomatic recognition of Communist China would have the following consequences:

(1) The many mainland Chinese, who by Mao Tse-tung's own recent admission seek to change the nature of their government, would be immensely discouraged.

(2) The millions of overseas Chinese would feel that they had no free China to which to look. Today increasing numbers of these overseas Chinese go to free China to study. Six years ago there were less than 100 Chinese students from southeast Asia and Hong Kong studying in Taiwan. Now there are nearly 5,000.

The number of Chinese students from overseas communities coming to free China has increased year by year; the number going to Communist China has declined, and hundreds of disillusioned students have made their way out of mainland China in the past 2 years.

If the United States recognized the Chinese Communist regime, many of the millions of overseas Chinese in free Asian countries would reluctantly turn to acceptance of the guiding direction of the Communist regime. This would be a tragedy for them; and it would imperil friendly governments already menaced by Chinese Communist subversion.

(3) The Republic of China would feel crushed by its friend. That Government was our ally in the Second World War and for long bore alone the main burden of the Far Eastern war. It had many tempting opportunities to compromise with the Japanese on terms which would have been gravely detrimental to the United States. It never did so. We condemn the Soviets for having dishonored their 20-year treaty pledge of 1945 to support the Chinese National Government as the Central Government of China. We are honorbound to give our ally, to whom we are pledged by a mutual-defense treaty, a full measure of loyalty.

(4) The free Asian governments of the Pacific and southeast Asia would be gravely perplexed. They are close to the vast Chinese land mass. Geographically and, to some extent politically, they are separated as among themselves. The spirit and resolution of the United States provides an important unifying and fortifying influence. If we seemed to waver and to compromise with Chinese communism, that would in turn weaken free Asia resistance to Chinese communism and assist international communism to score a great success in its program to encircle us.

IV. CHINA AND THE UNITED NATIONS

United States recognition of Communist China would make it probable that the Communist regime would obtain the seat of China in the United Nations. That would not be in the interest either of the United States or of the United Nations.

The United Nations is not a reformatory for bad governments. It is supposedly an association of those who are already peaceloving, and who are able and willing to carry out the charter obligations. The basic obligation is to renounce the international use of force, except in defense against armed attack.

The Chinese Communist regime has a record of successive armed aggressions, including war against the United Nations itself, a war not yet politically settled but discontinued by an armistice. The regime asserts not only its right, but its purpose, to use force if need be to bring Taiwan under its rule.

The Republic of China is entitled to a permanent seat and veto power in the Security Council. Should a regime which in 7 years has promoted five foreign or civil wars—Korea, Indochina, Tibet, the Philippines, and Malaya; which itself has fought the United Nations, and has been found by it to be an aggressor; which defies the United Nations decision to reunify Korea, and which openly proclaims its continuing purpose to use force—should that regime be given a permanent seat, with veto power, in the body which, under the charter, has primary responsibility for the maintaining of international peace and security?

Communist Russia, with veto power, already seriously limits the ability of the United Nations to serve its intended purposes. Were Communist China also to become a permanent, veto-wielding member of the Security Council, that would, I fear, implant in the United Nations the seeds of its own destruction.

V. TRADE AND CULTURAL RELATIONS WITH COMMUNIST CHINA

Let me turn now to the matter of trade and cultural relations, which could exist, to a limited degree, without recognition.

Normal peacetime trade with China, from which the American and Chinese peoples would benefit, could be in the common interest. But it seems that that kind of trade is not to be had in any appreciable volume.

Trade with Communist China is not a free trade. It does not provide one country with what its people want, but cannot well produce for themselves, in exchange for what other people want but cannot well produce for themselves. Trade with Communist China is wholly controlled by an official apparatus and its limited amounts of foreign exchange are used to develop as rapidly as possible a formidable military establishment and a heavy industry to support it. The primary desire of that regime is for machine tools, electronic equipment, and, in general, what will help it produce tanks, trucks, planes, ammunition, and other military items.

Whatever others may do, surely the United States, which has heavy security commitments in the China area, ought not build up the military power of its potential enemy.

We also doubt the value of cultural exchanges, which the Chinese Communists are eager to develop. They want this relationship with the United States primarily because, once that example was given, it would be difficult for China's close neighbors not to follow it. These free nations, already exposed to intense Communist subversive activities, could not have the cultural exchanges that the Communists want without adding greatly to their danger.

VI. THE DE FACTO ARGUMENT

These are the considerations which argue for a continuance of our present policies. What are the arguments on the other side?

There are some who say that we should accord diplomatic recognition to the Communist regime because it has now been in power so long that it has won the right to that.

That is not sound international law. Diplomatic recognition is always a privilege, never a right.

Of course, the United States recognizes that the Chinese Communist regime exists. We well know that it exists, for it has fought in Korea. Also, we admit of dealing with the Chinese Communists in particular cases where that may serve our interests. We have dealt with it in relation to the Korean and Indochina armistices. For nearly 2 years we have been, and still are, dealing with it in an effort to free our citizens and to obtain reciprocal renunciations of force.

But diplomatic recognition gives the recognized regime valuable rights and privileges, in the world of today, recognition by the United States gives the recipient much added prestige and influence at home and abroad.

Of course, diplomatic recognition is not to be withheld capriciously. In this matter, as others, the United States seeks to act in accordance with principles which contribute to a world society of order under law.

A test often applied is the ability of a regime actually to govern. But that is by no means a controlling factor. Nations often maintain diplomatic relations with governments in exile. And they frequently deny recognition to those in actual power.

Other customary tests are whether, as Thomas Jefferson put it, the recognized government reflects the will of the nation substantially declared; whether the government conforms to the code of civilized nations, lives peacefully, and honors its international obligations.

Always, however, recognition is admitted to be an instrument of national policy, to serve enlightened self-interest.

One thing is established beyond a doubt. There is nothing automatic about recognition. It is nothing compelled by the mere lapse of time.

VII. THE "INEVITABILITY" ARGUMENT

Another argument is that diplomatic recognition is inevitable, so why not now?

First of all, let me say emphatically that the United States need never succumb to the argument of "inevitability." We feel that we, with our friends, can fashion our own destiny. We do not accept the mastery of Communist forces.

And let me go on to say that Communist-type despotisms are not so immutable as they sometimes appear. Time and circumstances work also upon them.

There is often an optical illusion which results from the fact that police states, suppressing differences, give an external appearance of hard permanency; whereas the democracies with their opposition parties and often speaking through different and discordant voices, seem the unstable, pliable members of the world society.

The reality is, of course, that a governmental system which tolerates diversity has a long life expectancy. And a system which seeks to impose conformity is always in danger. That results from the basic nature of human beings. Of all the arguments advanced for recognition of Communist China, the least cogent is the argument of "inevitability."

VIII. CHINA VERSUS RUSSIA

There are some who suggest that if we assist the Chinese Communists to wax strong, then they will eventually break with Soviet Russia and that that is our best hope for the future.

There are, no doubt, basic power rivalries between Russia and China in Asia. On the other hand, the Russian and Chinese Communist Parties are bound together by close ideological ties.

Perhaps, if the ambitions of the Chinese Communists are inflated by success, they might eventually clash with Soviet Russia.

Perhaps, too, if the Axis Powers had won the Second World War, they would have fallen out among themselves.

But no one suggested that we should tolerate and even assist an Axis victory because in the end they would quarrel over the booty—of which we would be part.

IX. CONCLUSION

We seek to appraise our China policies with an open mind and without emotion, except for a certain indignation at the prolonged abuse of American citizens in China. We have no feeling whatsoever that change is to be avoided merely in the interest of consistency or because change would imply past error.

We always take into account the possibility of influencing the Communist regime to better ways if we had diplomatic relations with it, or if, without that, we had commercial and cultural contacts with it. But the experience of those who now recognize and deal with the Chinese Communist regime convinces us that, under present conditions, neither recognition, trade, nor cultural relations, nor all three, would favorably influence the evolution of affairs in China. The probable result, internally, would be the opposite of what we hope for.

Internationally the Chinese Communist regime does not conform to the practices of civilized nations; does not live up to its international obligations; has not been peaceful in the past, and gives no evidence of being peaceful in the future. Its foreign policies are hostile to us and our Asian allies. Under these circumstances, it would be folly for us to establish relations with the Chinese Communists which would enhance their ability to hurt us and our friends.

You may ask, "What of the future?" Are our policies merely negative? Do we see any prospect of resuming the many friendly ties which, for many generations, the American people have had with the Chinese people, and which we want to have again?

Do we see any chance that the potentially great Chinese nation, with its rich and ancient culture and wisdom, will again be able to play a constructive part in the councils of the nations?

We confidently answer these questions in the affirmative. Our confidence is based on certain fundamental beliefs. One is a belief in the future of human freedom. We know that the materialistic rule of international communism will never permanently serve the aspirations with which human beings are endowed by their Creator.

Within the Soviet Union the rulers have had to disavow Stalin's brand of communism.

Within the satellites, even 12 years of indoctrination do not persuade the people that the Soviet system satisfies either their national or their individual desires.

Communism is equally repugnant to the Chinese people. We read the recent brave words uttered within Red China by the university lecturer: "To overthrow you cannot be called unpatriotic, because you Communists no longer serve the people."

The Chinese people are, above all, individualists. We can confidently base our policies on the assumption that international communism's rule of strict conformity is, in China as elsewhere, a passing and not a perpetual phase. We owe it to ourselves, our allies, and the Chinese people to do all that we can to contribute to that passing.

If we believed that this passing would be promoted by trade and cultural relations, then we would have such relations.

If we believed that this passing would be promoted by our having diplomatic relations with the present regime, then we would have such relations.

If we believed that this passing would be promoted by some participation of the present regime in the activities of the United Nations, then we would not oppose that.

We should be, and we are, constantly testing our policies, to be as certain as we can be that, in the light of conditions as they from time to time are, our policies shall serve the great purposes to which our Nation has been dedicated since its foundation—the cause of peace, justice, and human liberty.

Our policies are readily adjustable to meet the requirements of changing conditions. But there are occasions when others, and not we, should provide the change. Nothing could be more dangerous than for the United States to operate on the theory that if hostile and evil forces do not quickly or readily change, then it is we who must change to meet them.

The United States exerts an immense influence in the world today, not only because it is powerful, but because we stand for peace, for national independence, and personal liberty. Many free nations seek to coordinate their foreign policies with ours. Such coordination is indeed indispensable if the Free World is to have the cohesion needed to make it safe. But United States policies will never serve as rallying points for free peoples if the impression is created that our policies are subject to change to meet Communist wishes for no reason other than that Communism does not want to change. If communism is stubborn for the wrong, let us be steadfast for the right.

The capacity to change is an indispensable capacity. Equally indispensable is the capacity to hold fast that which is good. Given those qualities, we can hopefully look forward to the day when those in Asia who are yet free can confidently remain free, and when the people of China and the people of America can resume their long history of cooperative friendship.

Mr. SMITH of New Jersey. Mr. President, I desire to join with the minority leader, the senior Senator from California [Mr. KNOWLAND], in supporting wholeheartedly the very able speech that the Secretary of State made before the International Convention of Lions International in San Francisco on June 28. This is the address that the minority leader has had printed in the RECORD.

In light of the many rumors that organized steps are being taken to admit Red China to the United Nations, and also to bring about the recognition of Communist China by the United States, it seems to me that this clarifying speech by the Secretary of State is of first importance.

I was particularly impressed by the brief statement in part I, which is as follows:

As regards China, we have abstained from any act to encourage the Communist regime, morally, politically, or materially. Thus:

We have not extended diplomatic recognition to the Chinese Communist regime;

We have opposed its seating in the United Nations;

We have not traded with Communist China, or sanctioned cultural interchanges with it.

These have been, and are, our policies. Like all our policies, they are under periodic review.

The Secretary in part IV of his address relating to the admission of Communist China to the United Nations dramatically raises the question of why Communist China should be admitted to the United Nations at this time:

Should a regime which in 7 years has promoted 5 foreign or civil wars—Korea, Indochina, Tibet, the Philippines, and Malaya; which itself has fought the United Nations and has been found by it to be an aggressor; which defies the United Nations' decision to reunify Korea, and which openly proclaims its continuing purpose to use force—should that regime be given a permanent seat, with veto power, in the body which under the Charter has "primary responsibility for the maintaining of international peace and security"?

In part IX in the general conclusion of the address, the Secretary states the reasons why we cannot recognize the Chinese Communist regime now, and I quote the following:

Internationally the Chinese Communist regime does not conform to the practices of civilized nations; does not live up to its international obligations; has not been peaceful in the past, and gives no evidence of being peaceful in the future. Its foreign policies are hostile to us and our Asian allies. Under these circumstances, it would be folly for us to establish relations with the Chinese Communists which would enhance their ability to hurt us and our friends.

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Finally, the Secretary, in conclusion, made this challenging statement:

If communism is stubborn for the wrong, let us be steadfast for the right.

And, at the end of his speech, the Secretary stated:

The capacity to change is an indispensable capacity. Equally indispensable is the capacity to hold fast that which is good. Given those qualities, we can hopefully look forward to the day when those in Asia who are yet free can confidently remain free, and when the people of China and the people of American can resume their long history of cooperative friendship.

Mr. President, it is my hope that every Member of the Senate in considering this important issue will read carefully the well chosen words of the Secretary of State.

Mr. HUMPHREY subsequently said, Mr. President, I was astonished over the weekend to read the speech which the Secretary of State delivered at the Lions International convention at San Francisco. In it, Secretary Dulles referred to Communist control of the China mainland as a "passing and not a perpetual phase." He is quoted as saying: "We can confidently base our policies on the assumption that international communism's rule of strict conformity is, in China as elsewhere, a passing and not a perpetual phase."

Mr. President, we have heard from the Secretary of State before on this issue of the withering away of the Communist state. Last Friday the Secretary was speaking of Communist China. Two years ago, in June 1955, the Secretary was referring to the Soviet Union when he said that the Soviet economy was on the point of collapse. At that time the New York Times of July 8, 1955, commented: "He gave no factual elaborations to support the statement." I am afraid, Mr. President, that the Secretary's optimistic reference last Friday to Communist rule in China as a passing phase falls into this same category. The facts to support the statement are missing.

In yesterday's Washington Post and Times Herald there was an editorial entitled "Mr. Dulles on China." That editorial stresses the importance of developing an American approach which is alert to our own permanent interests. We should review and change static policies when they are no longer productive ones.

I ask unanimous consent that the text of the editorial be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MR. DULLES ON CHINA

Secretary Dulles told his audience in San Francisco that the United States' policy toward Communist China is "under periodic review," but the remainder of his speech gave little evidence of it. Indeed, the Secretary followed up this bow to flexibility in foreign policy by a stout defense of the unchanging policy to which he has kept the country committed for more than 4 years. There is much logic in his indictment of the Red Chinese regime, which continues to violate its international engagements and to hold American citizens as prisoners "in defiance of the elementary code of international decency" and in violation of its 1955 pledge to release them. It does not follow, however, that American interests are best served by a static policy which inflicts disadvantages on this country as well as on mainland China.

The most persuasive part of the Secretary's speech was that directed against recognition of the Peking regime at this time and against the substitution of Communist China for Nationalist China in the United Nations Security Council. He was least convincing when he talked about maintenance of the present ban against all trade and cultural relations with the Chinese mainland. "Normal peacetime trade with China, from which the American and Chinese peoples would benefit," he asserted, "could be in the common interest." But he went on to say that trade with China at present would not amount to much without the shipment of strategic goods.

Of course, the United States cannot in the present context of world affairs, permit the shipment to China of equipment that would add to her warmaking potential. But this should not preclude the allowance of limited trade of the type that American firms carry on with Russia. There would be less hostility to Mr. Dulles' China policy if he were willing to make minor concessions that might encourage Peking to soften its belligerent and arbitrary attitude.

Mr. Dulles continues to oppose cultural relations with Communist China at a moment when his Department is actively seeking such exchanges with the Soviet Union. The reason he gives is that an American example of cultural contacts would expose China's close neighbors to more intense subversive efforts. But surely the State Department could allow American journalists to report the news in China without weakening the defenses of any country to the pressures of the Communists. Indeed, more information about what is happening in Red China might well be a safeguard against subversive forces.

There can be no quarrel with Mr. Dulles' statement that "the capacity to hold fast to that which is good" is as indispensable as the capacity to change. But many will quarrel with his tendency to classify all that he has done in the past as good so as to avoid facing the need for an evolution of policy when a stalemate has been reached. He did, to be sure, voice hope that an emergence of freedom in China will make possible the resumption of friendly relations at some time in the future. What we should like to be sure of is that the United States will take advantage of every opportunity to encourage that kind of evolution.

TRAINING FOREIGN POLICE OFFICERS—A FINE EXAMPLE OF THE TECHNICAL ASSISTANCE FUND

Mr. WILEY. Mr. President, within the near future, the Senate will be taking up the 1958 Mutual Security Appropriation bill.

It is my earnest hope that the basic sums to which we have already agreed in the mutual security authorization bill will be approved in the appropriation bill which will be coming before us.

In the course of the debate on the fund bill, we will be covering literally hundreds—yes, thousands—of appropriation items under military, economic, and technical assistance.

It is my purpose at the present time to invite attention to one particular item under this bill. This example illustrates, I believe, the sound use to which our funds are being put.

I refer to the expert training and know-how furnished under ICA contract with the International Association of Chiefs of Police.

This splendid nonprofit group, with interests and membership in some 47 countries, provides a vital link in strengthening the internal security of nations throughout the world.

We have learned, during the postwar decade, how Communist subversion invariably aims at what is called in some countries the Department of Interior, in other countries the national police force, or some other term.

When a coalition government is formed, as, for example, in Czechoslovakia, before the Communist takeover, invariably the Communists aim to get control of the police ministry.

Where they cannot get control of the police, the Communists aim to foment street riots and disturbances, so as to promote chaos within a country and a breakdown of authority.

I ask unanimous consent that a statement which describes how the United States is wisely seeking to counter this Communist tactic be printed at this point in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

THE IACP AND OUR NATIONAL INTEREST

Just what does this type of project mean in terms of our mutual security aims? How does the International Association of Chiefs of Police serve our national interest? It could mean a great deal.

The national police force of any nation is a strategic instrument. Civil police can serve to fortify or subvert the internal security of a country. It can serve to protect the people from within against hostile elements, or it can be misused by alien sources as a means of force and repression against the people.

It is obvious, then, that police and law enforcement agencies may be key powers in government. It would be to our self-interest to foster high police standards and practices in other nations based upon sound national principles. Wouldn't it be better to introduce Iranian or Lebanese police officers to American law-enforcement skills, than find them "taken in" by Soviet imperialist offers of so-called democratic technical training?

Of course, we in this country do not have a national police force, as such. Our great FBI is an investigative agency of the Department of Justice; it is not a prosecuting force.

But other nations do have national or quasi-national police forces and they must protect those forces from Communist termiting.

MAJOR AREAS REPRESENTED

This is just what the International Association of Chiefs of Police is trying to accomplish—to introduce the highest American standards and safeguards. Let's take a look at some of the police officials already programed by the IACP, spotlighting their origin. We will see that they represent serious "hot-spot areas" all over the world—areas where the police unit could wield a constructive or destructive force.

The IACP has hosted:

Fifteen officials from Afghanistan—a prime target of Communist subversion and infiltration.

Seventy-two officials from Indonesia—a land of 3,000 islands, rich in minerals, but revolution-torn and underdeveloped. This is another perfect prey for Communist exploitation.

Twenty-five officials from Iran and Iraq—both strategic landmarks in the Mid-East, and friendly to western-sponsored collective security.

Nine officials from Lebanon—a tiny Mid-East quarter, trying to "stay with" the West.

Fourteen officials from the Philippines—a stanch member of SEATON and the Gibraltar of southeast Asia.

Ten officials from Guatemala—once Communist-threatened, and still trying to hold its own against alien Red forces.

Sixteen officials from Korea—an ally which must remain on guard internally, and externally in the wake of a Communist military buildup in the north.

These are but a few of the crucial nations participating in the IACP program, plus other countries in continuous contact with the IACP training division.

THE IACP OPERATION

How does the IACP program with the Government operate, and how are these foreign participants chosen?

The Training Division of the International Association of Chiefs of Police, located here in Washington, provides constant consultation services to the International Cooperation Administration. When the visiting officers arrive in the United States, they are initially processed by the Government agency and then turned over to the training division for programing. All of the programs are carefully supervised, and the participants receive counseling and advice as they pursue their studies.

The studies undertaken consist of supervised observations and on-the-job training in Federal, State, and municipal police agencies; regular courses in police schools; specialized courses in private organizations and universities; and extended academic studies in universities.

The visitors are nominated by their respective governments for training in the United States, in accord with their aims to improve civilian police service. They do not receive personal grants or scholarships. Each of these officials is selected for the purpose of gaining the specific knowledge and skill needed by his country.

The length of the training program averages about 6 months. The ranks of the foreign officials range from lower executive levels to top-grade positions. Naturally they all undergo a careful screening process prior to acceptance in the program.

UNIQUE ADVANTAGES OF THE IACP

As a private professional organization, the International Association of Chiefs of Police has unique advantage in handling this particular type of exchange project.

Since January of 1955, a total of 268 police officers from 41 different countries have been programed by the IACP, for both the International Cooperation Administration and International Educational Exchange Service.

In placing these officials, the IACP has utilized without cost to the Government the facilities and cooperation of 87 municipal police departments, 24 State police organizations, 4 county police organizations, 12 Federal law-enforcement agencies, 22 penal institutions, 9 fire departments, 10 other Government agencies, 24 non-Government agencies.

The association, thus, has ready access to the facilities and professional know-how of law-enforcement agencies throughout the country.

OTHER "NUGGET" BYPRODUCTS OF THE IACP EXCHANGE

We see other positive values of this type of technical assistance administered under private auspices.

Most of the visiting police representatives have become full members of the IACP. Thus, they have an opportunity to follow up their experiences with direct association contacts.

The participants also acquire new technical skills and information in an atmosphere of freedom. They can see at first hand how their learned techniques are applied in a society based on respect for individual rights and personal property.

Moreover, in a 6–10 month training period, law enforcement officials have time to gather grassroots impressions about our way of life. And there have been many instances of lasting friendships between the visitors and their American colleagues. Such impressions and "professional rapport" are invaluable. They not only encourage constructive "law enforcement thinking" in other nations, but these factors make for better understanding among the future heads of national internal security systems.

WISCONSIN PARTICIPATION IN "HOSTING" POLICE OFFICIALS

I am happy to note the participation of several Wisconsin agencies in the IACP training program. The municipal police departments of Madison and Milwaukee, as well as our State crime laboratory have already played hosts to some of these visitors.

For the future, I think other Wisconsin groups will be interested in "getting into the swing" once they too, realize the opportunity.

Our Wisconsin Chiefs of Police Association and Fire Chiefs Association; the State traffic safety board; our correctional and penal agencies; other local police and fire departments—there are innumerable possibilities of additional active Wisconsin support for this project.

I have recently pointed to Wisconsin's leadership in developing a sounder correctional system. Our State has taken the lead in centralizing responsibility for prisons, probation, and allied services. The "Wisconsin Experience" in this field might be beneficial to correctional programs in other nations.

FUTURE NEEDS OF THE IACP

Naturally the real effectiveness of the IACP project will be determined only by the actual use of acquired information and skills in the home countries. Yet, there is already every evidence that the officials have benefited by their contacts and study. Likewise, our own local agencies cooperating in the program have gained from the exchange of information.

The association has long maintained an excellent record of achievement in the improvement of police service in the United States. And it is doing a grand job in its expanding services to our Government. The support given to the international program within IACP ranks is outstanding, demonstrating genuine patriotic interest.

Right now, this program operates essentially through Government contracting, namely the ICA. It can maintain itself on an annual budget of around $65,000.

The IACP is endeavoring to develop its own facilities in order that it can continue to provide required services directly to United States Government agencies. At the same time, additional support from private sources would add tremendously to the effectiveness of the program in several ways.

Foundation support would help to alleviate direct costs out of public funds. Many detailed procedures and normal governmental red tape would be reduced, which now tend to unnecessarily complicate the handling of foreign technicians. The professional standards of law enforcement might be more effectively aided, through private support.

Thus, exploration of the possibilities of more "outside backing" of IACP goals should be pursued. This, of course, would presume coordination with the Government agencies concerned.

CONCLUSION

From the above, there is no question but that the IACP is a worthy support in our multifaceted mutual security effort. It warrants our full backing and continued assistance. Hats off to this outstanding professional group.

STUDY DEMONSTRATING THAT FEDERAL AID TO SCHOOLS DOES NOT MEAN FEDERAL DOMINANCE OR CONTROL OF EDUCATION

Mr. NEUBERGER. Mr. President, one of the most convincing presentations in favor of Federal aid to schools is a study just conducted by Teachers College at Columbia University, in New York City. This study has demonstrated that Federal aid to schools in no measure means Federal dominance or control of education.

Over 3,000 school districts in the Nation now qualify for Government financial assistance because their school enrollment has been enlarged by various Federal activities, such as military posts, defense production plants, Federal dam projects, and so forth.

Teachers College sponsored a study of 500 of these 3,000 school districts, to determine whether payment of Federal funds resulted in Federal domination. According to Dr. Benjamine Fine, education editor of the New York Times—

The study found that only a tiny minority of the districts complained of any Federal control over their educational programs, even though they received substantial Government support.

The study by Teachers College concludes that—

Federal control over school personnel, the curriculum and instructional programs had not accompanied the distribution of funds.

Because the study by the staff of Teachers College is so thorough a refutation of the old charge that the Federal Government cannot assist our school-construction needs financially without controlling the operation of schools, I ask unanimous consent that the entire article by Dr. Fine, from the New York Times of Sunday, June 30, 1957, be printed in the body of the RECORD. It is impressive support of those of us who are backing the program for Federal aid to education.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 30, 1957]

FEDERAL AID FOR SCHOOLS HAS NOT RESULTED IN FEDERAL CONTROL IN CASES STUDIED

(By Benjamin Fine)

Federal aid to education received support last week from several sources. President Eisenhower again endorsed it in a letter to Republican Representative PETER FRELINGHUYSEN JR., of New Jersey. And 75 busi-

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ness leaders from across the country signed a statement calling for passage of the measure.

In spite of such indications of support and the steady pressure for Federal aid on the part of organizations like the National Education Association, the aid bill remains bottled up and its prospects are not good.

Because much of the opposition to the bill hinges on the charge that it would mean Federal domination of local school affairs, a study made public by Teachers College, Columbia University, was very timely. The study indicated that Federal aid does not necessarily mean Federal interference.

The study was of some of the 3,000 school districts that now receive Government funds under Public Law 874 because they have swollen enrollments caused by Federal activities in their areas, such as defense plants or military bases.

The estimated amount of Federal aid given these districts in the 1955–56 school year was $90 million.

Under the guidance of the department of educational administration of Teachers College, Dr. Robert I. Sperber studied 500 of the 3,000 school districts. The study found that only a tiny minority of the districts complained of any Federal control over their educational programs, even though they received substantial Government support.

"Federal control over school personnel, the curriculum, and instructional programs had not accompanied the distribution of funds," the study concludes.

RESULTS OF THE STUDY

The specific conclusions that the study reached are:

(1) No Federal control had resulted from field examinations of school districts by regional representatives of the Division of School Assistance in Federally Affected Areas, a unit of the Office of Education.

(2) Discretionary control powers granted to the United States Commissioner of Education by the law had not led to Federal control.

(3) The vast majority of school officials spent very little time in handling matters pertaining to Federal aid.

(4) Most school officials felt that citizens were more willing to support their local school programs as a result of receiving Federal aid.

What are the implications of this study? Dr. Sperber contends that Federal control is not likely to occur when Federal-support legislation is carefully conceived and when the Federal officials who administer the program "are sensitive to the dangers of Federal control over personnel, curriculum, and instructional programs."

The question arises as to whether the lack of control noted under the emergency measure would carry over under the administration bill now in Congress? From all evidence available, the same standards would be observed. As the study points out: The greatest single weapon against Federal control is the feeling of the American people against it. A sensitivity to control and interference has been built up over the century and a half of American history.

ANNOUNCEMENT OF CONSIDERATION ON TOMORROW OF AGREEMENT BETWEEN UNITED STATES AND AUSTRIA REGARDING CERTAIN AUSTRIAN BONDS

Mr. MANSFIELD. Mr. President, I desire to announce, with the concurrence of the minority leader, that tomorrow the Senate will take up Executive H—85th Congress, 1st session—the agreement between the United States and the Republic of Austria regarding certain bonds of Austrian issue.

Mr. KNOWLAND. In that connection, I understand that, pursuant to the usual arrangement, a yea-and-nay vote will be taken on the question of ratification of the agreement.

Mr. MANSFIELD. That is correct.

AMENDMENT OF PUBLIC ASSISTANCE PROVISIONS OF SOCIAL SECURITY ACT, RELATING TO DISTRIBUTION OF CERTAIN FUNDS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MANSFIELD. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BYRD, Mr. KERR, Mr. FREAR, Mr. MARTIN of Pennsylvania, and Mr. WILLIAMS conferees on the part of the Senate.

INTERIOR DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of June 28, 1957, pp. 10553–10555, CONGRESSIONAL RECORD.)

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. KNOWLAND. I understand the conference report was signed by all conferees, on both sides of the aisle, on the part of the Senate. Is that correct?

Mr. HAYDEN. That is true.

Mr. President, as this bill passed the Senate it provided for appropriations totaling $457,152,600 for the activities and programs of the Department of the Interior, exclusive of the power agencies; the Forest Service; and the various related agencies. The conferees agreed on appropriations totaling $456,189,600 for these agencies; that is, there was a reduction by the conferees of $963,000.

If there are any questions, I shall be glad to answer them.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. CURTIS. I should like to inquire what was done in conference in the case of amendment No. 22, relating to a wildlife refuge and recreation area near the De Soto-Bertrand cutoff on the Missouhi River.

Mr. HAYDEN. Perhaps I had better read a paragraph contained in the conference report and make a statement with regard to it:

> Amendment No. 22: Appropriates $5,677,000 for construction as proposed by the Senate instead of $5,332,000 as proposed by the House. The conferees are in agreement that the De Soto-Bertrand Bend Wildlife Refuge and Recreation Area shall be established and have approved $200,000 to initiate acquisition of the land. The conferees further agree that all of the land within the loop shall be purchased but that only the minimum amount of land outside the loop necessary to provide a satisfactory wildlife refuge shall be acquired. The Fish and Wildlife Service shall confer with the landowners whose lands surround the loop and develop a mutually satisfactory land-acquisition plan.

There were complaints from the citizens of Iowa and Nebraska that the proposal of the Fish and Wildlife Service required too much land.

I should like to invite attention further to the fact that the controversy which has arisen in this matter not as to the refuge, but as to the size of the refuge. The Fish and Wildlife Service has stated that a refuge in this area is needed, and would become a part of the general network of refuges to the protection of migratory waterfowl.

In order to become a part of the refuge system, this proposed refuge will have to be approved by the Migratory Bird Conservation Commission. This is in accord with the provisons of the Migratory Bird Conservation Act of 1929, as amended. This act specifically provides:

> And no purchase or rental shall be made of any area until it has been duly approved for purchase or rental by said Commission.

This provision applies to the proposed De Soto-Bertrand Bend refuge, and it will be this Commission that determines the size of the refuge.

So while Congress can authorize the establishment of the refuge, the Commission must take final action to establish it.

Mr. CURTIS. In other words, suppose the Commission turned it down.

How much money would be appropriated?

Mr. HAYDEN. None.

Mr. CURTIS. How much would be available to expend?

Mr. HAYDEN. There would be nothing available until the Commission approved it.

Mr. CURTIS. Not even the $200,000?

Mr. HAYDEN. No; not even that amount.

Mr. CURTIS. From what source would the money come for this refuge if the Commission approved it?

Mr. HAYDEN. The money would come from two sources—direct appropriations and "Duck-Stamp" funds.

Mr. CURTIS. I read from a sentence in the report:

> The Fish and Wildlife Service shall confer with the landowners whose lands surround the loop and develop a mutually satisfactory land-acquisition plan.

That provision probably would prevent all the land from being taken from Nebraska and none from Iowa; is that correct?

Mr. HAYDEN. Not necessarily. It makes a difference whether a large or a small area is taken in either State. If the Fish and Wildlife Service could negotiate for a reasonable area, one not containing too much acreage and the Commission stated it was enough land, it could be made a refuge. If the Commission stated there should be a much larger area and the Fish and Wildlife Service said that much land could not be taken, there would still be trouble in establishing the refuge.

Mr. CURTIS. I thank the Senator, and I particularly thank him for that part of his statement in which he stated that no money will be available unless the Commission on Migratory Birds approves the refuge. I hope the Commission will look into it very carefully.

I should like to ask the Senator if there is an element of construction in the area that is not contained in the bill.

Mr. HAYDEN. Yes.

Mr. CURTIS. Under the Army engineers plan?

Mr. HAYDEN. Yes.

Mr. CURTIS. That is covered in a different measure; is it not?

Mr. HAYDEN. The Army engineers say it is feasible to cut the bend in the river. It will save their stabilizing many miles of the river. If the bend were eliminated by this cutoff, the necessity for stabilizing the river banks would be eliminated. It is advantageous to do that. The engineers like to cut out bends where they can on the Missouri River, so it will speed the flow of water. If the bend is eliminated, the question then arises what will be done with respect to wildlife on the land at present within the bend.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. AIKEN. Can the Senator advise us what the conferees did with respect to the amendment offered by the Senator from Maine [Mrs. SMITH] which proposed $500,000 for carrying out provisions of the Soil Bank Act?

Mr. HAYDEN. The House agreed to the amendment.

Mr. AIKEN. I am very glad the conferees took the action they did in that respect.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. ALLOTT. I should like to propound this questoin in behalf of the junior Senator from Colorado [Mr. CARROLL] and myself. On page 4 of the report, under the heading "Bureau of Mines," the middle paragraph reads as follows:

> The managers on the part of the House direct that all the buildings, structures, and equipment used in connection with the oil-shale demonstration plant of the Bureau of Mines at Rifle, Colo., shall be disposed of during fiscal year 1958, under the established procedures of the Federal Property and Administrative Services Act of 1949, as amended by further utilization within the Government after removal from the site, or by sale or lease as surplus property on or off site.

I emphasize the statement that the managers on the part of the House direct that all the buildings shall be disposed of. I should like to ask whether the managers on the part of the Senate agreed to any such provision.

Mr. HAYDEN. We did not. I want to make it clear that the statement referred to is the statement of the managers on the part of the House and in no way reflects the views of the Senate conferees.

It is my personal view, which I think is shared by all the Senate conferees, that the disposition of these facilities was not a matter before the conference committee. The only question before the conference committee was the amount to be appropriated for the maintenance and protection of these facilities.

I understand that there is pending proposed legislation dealing with the future use of this installation. Therefore, it is a matter for the appropriate legislative committees and the Congress.

Mr. ALLOTT. There is one further question I should like to ask the chairman of the committee. We desire that the RECORD may be abundantly clear. Since the managers on the part of the House have directed this and the managers on the part of the Senate did not agree to it; therefore, what is the legislative effect of this direction?

Mr. HAYDEN. It may be persuasive upon those interested in the matter either to do nothing or to do something. Anyway, the two Houses have not agreed. The recommendation made does not carry the force of law or the force of a united conference report.

Mr. ALLOTT. As a result of this directive of the managers on the part of the House then, the property could not be disposed of?

Mr. HAYDEN. Not necessarily. As I have stated, I understand there is pending in the legislative committees proposed legislation to take care of the matter. I have felt all along that the House had the wrong idea about the situation at Rifle, but the House conferees were adamant. They made up their minds that what they proposed was the way to do it, and they wanted to say so. We could not prevent them from doing that.

Mr. ALLOTT. I appreciate very much the chairman's kind attention to this matter, because he is one of those who have realized what valuable asset this installation is to the United States and how important it is that it be developed.

I thank the chairman for his attention to this matter.

Mr. HAYDEN. I thank the Senator.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from Colorado.

Mr. CARROLL. I wish to thank the distinguished Senator from Arizona, the chairman of this very important committee, for giving what seems to be a minor matter his full attention. It is very important that we have the record clearly made this morning. As I understand the state of the record this morning, while there may be a legislative expression of opinion of Members on the part of the House, it is not to be construed a legislative direction to the Bureau of Mines to dismantle, dispose of, or lease this plant.

Mr. HAYDEN. It is an expression of opinion on the part of the House conferees. It does not carry the weight of law.

Mr. CARROLL. I thank the distinguished Senator from Arizona. This will give us some months to explore the question of what may be done with that very important plant; whether we will maintain it, whether we will dispose of it by lease, or whether the Navy will take it again.

During the House consideration of this matter a considerable colloquy occurred between some very fine friends of mine, Representative KIRWAN and Representative JENSEN. I know they have strong convictions. However, both the Senator from Georgia and the distinguished Rep-representative from the fourth District of Colorado Congressman ASPINALL also have strong feelings about this matter. It is my hope that all of us working together can save this experimental plant in the public interest.

Mr. HAYDEN. I hope that can be done, in a legislative way.

Mr. CARROLL. I do not see the Senator on the floor of the Senate at this time, but I know the father of the Synthetic Fuels Act, the able Senator from Wyoming [Mr. O'MAHONEY], also shares the convictions and legal opinions of the distinguished senior Senator from Arizona on this point.

Mr. HAYDEN. I obtained my education on the subject primarily from the Senator from Wyoming [Mr. O'MAHONEY].

Mr. CARROLL. I thank the Senator.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. HAYDEN. I yield.

Mr. SALTONSTALL. May I ask the chairman of the committee, did the House position on the planning money for the Smithsonian Institution prevail?

Mr. HAYDEN. It did.

Mr. SALTONSTALL. Mr. President, as one Member who is a regent of the

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Smithsonian Institution I am very much interested in this subject and believe it to be worthwhile. I wish to thank the Senate conferees for their cooperation.

Mr. HAYDEN. We found the House conferees very much of the same mind as the Senator.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. SMITH of New Jersey. I was going to say that I deeply appreciate the action of the Senate conferees to on this item. It was quite important to the Smithsonian Institution.

Mr. HAYDEN. I thank the Senator.

The PRESIDING OFFICER (Mr. MORTON in the chair). The question is on agreeing to the conference report.

The report was agreed to.

Mr. HAYDEN. Mr. President, I ask unanimous consent to have printed in the RECORD a tabulation setting forth the appropriations for 1957, the budget estimates for 1958; and the action on these estimatees for the various appropriations in the bill.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Department of the Interior and Related Agencies Appropriation Act, 1958 (H. R. 5189), comparative statement of appropriations for 1957, and budget estimates for 1958 and action on the estimates

Agency and item	Appropriations, 1957	Budget estimates, 1958	Recommended in House bill for 1958	Committee recommendation	Senate allowance	Conference allowance
TITLE I—DEPARTMENT OF THE INTERIOR						
DEPARTMENTAL OFFICES						
Office of Saline Water	$550,000	$1,159,000	$1,159,000	$725,000	$725,000	$725,000
Office of Oil and Gas	513,800	585,000	585,000	585,000	585,000	585,000
Office of the Solicitor	2,835,000	2,923,000	2,900,000	2,900,000	2,900,000	2,900,000
Office of Minerals Mobilization	300,000	313,000	313,000	263,000	263,000	263,000
Acquisition of domestic minerals	21,000,000	40,000,000		6,700,000	6,700,000	6,700,000
Total, departmental offices	25,198,800	44,980,000	4,957,000	11,173,000	11,173,000	11,173,000
BUREAU OF LAND MANAGEMENT						
Management of lands and resources	18,369,300	22,220,000	22,000,000	22,000,000	22,000,000	22,000,000
Construction	4,600,000	6,500,000	6,500,000	5,480,000	5,480,000	5,480,000
Range improvements [1]	(390,871)	(620,000)	(620,000)	(620,000)	(620,000)	(620,000)
Total, Bureau of Land Management	22,969,300	28,720,000	28,500,000	27,480,000	27,480,000	27,480,000
BUREAU OF INDIAN AFFAIRS						
Education and welfare services	50,720,000	59,560,000	59,560,000	59,460,000	59,460,000	59,460,000
Resources management	[2] 16,450,000	17,200,000	17,200,000	17,200,000	17,200,000	17,200,000
Construction	5,240,000	21,225,000	17,000,000	17,000,000	17,000,000	17,000,000
Road construction and maintenance (liquidation of contract authorization)	11,500,000	12,000,000	12,000,000	12,000,000	12,000,000	12,000,000
General administrative expenses	3,190,000	3,564,000	3,400,000	3,500,000	3,500,000	3,450,000
Payment to Menominee Tribe of Indians		500,000	300,000	300,000	300,000	300,000
Distribution of funds of the Creek Indians	200,000					
Payment to Pine Ridge Sioux Tribe of Indians	437,500					
Total, Bureau of Indian Affairs, exclusive of tribal funds	87,737,500	114,049,000	109,460,000	109,460,000	109,460,000	109,410,000
Tribal funds (not included in totals of this tabulation)	(3,000,000)	(3,000,000)	(3,000,000)	(2,920,000)	(2,920,000)	(2,920,000)
GEOLOGICAL SURVEY						
Survey, investigations, and research	31,602,000	38,775,000	36,000,000	37,500,000	37,500,000	36,000,000
BUREAU OF MINES						
Conservation and development of mineral resources	15,862,750	19,575,000	18,700,000	18,910,000	18,910,000	18,835,000
Health and safety	5,304,300	5,900,000	5,900,000	5,900,000	5,900,000	5,900,000
Construction		23,000	23,000	23,000	23,000	23,000
General administrative expenses	1,030,000	1,135,000	1,135,000	1,095,000	1,095,000	1,095,000
Total, Bureau of Mines	22,197,050	26,633,000	25,758,000	25,928,000	25,928,000	25,853,000
NATIONAL PARK SERVICE						
Management and protection	11,562,000	14,523,000	13,750,000	14,150,000	14,150,000	14,150,000
Maintenance and rehabilitation of physical facilities	10,158,000	11,763,000	11,500,000	11,763,000	11,763,000	11,600,000
Construction	15,250,000	20,000,000	20,000,000	17,000,000	17,400,000	17,400,000
Construction (liquidation of contract authorization)	29,800,000	31,000,000	31,000,000	31,000,000	31,000,000	31,000,000
General administrative expenses	1,250,000	1,365,000	1,330,000	1,330,000	1,330,000	1,330,000
Total, National Park Service	68,020,000	78,651,000	77,580,000	75,243,000	75,643,000	75,480,000
FISH AND WILDLIFE SERVICE						
Bureau of Sport Fisheries and Wildlife:						
Management and investigations of resources	10,217,340	11,500,000	12,000,000	12,000,000	12,000,000	12,000,000
Construction	2,601,000	5,332,000	5,332,000	5,677,000	5,677,000	5,677,000
General administrative expenses	200,300	220,200		166,190	166,190	166,190
Subtotal, Bureau of Sport Fisheries and Wildlife	13,018,640	17,052,200	17,332,000	17,843,190	17,843,190	17,843,190
Bureau of Commercial Fisheries:						
Management and investigations of resources	4,671,200	5,985,000	6,000,000	5,781,000	5,781,000	5,781,000
Construction	930,000	700,000	700,000	700,000	700,000	700,000
Fisheries loan fund	10,000,000					
General administrative expenses	89,200	220,200		117,510	117,510	117,510
Administration of Pribilof Islands [1]	(2,855,705)	(1,821,000)	(1,821,000)	(1,821,000)	(1,821,000)	(1,821,000)
Subtotal, Bureau of Commercial Fisheries	15,690,400	6,905,200	6,700,000	6,598,510	6,598,510	6,598,510
Office of the Commissioner of Fish and Wildlife:						
Management and investigation of resources	619,260	911,000				
Salaries and expenses	533,800	1,285,600		913,200	913,200	913,200
Subtotal, Office of the Commissioner	1,153,060	2,196,600		913,200	913,200	913,200
Total, Fish and Wildlife Service	29,862,100	26,154,000	24,032,000	25,354,900	25,354,900	25,354,900
OFFICE OF TERRITORIES						
Administration of Territories	2,803,000	1,940,000	1,965,000	1,940,000	1,940,000	1,965,000
Trust Territory of the Pacific Islands	4,800,000	4,960,000	4,800,000	4,800,000	4,800,000	4,800,000
Alaska public works	4,908,000	6,000,000	6,000,000	6,000,000	6,000,000	6,000,000

[1] Indefinite appropriation of receipts. Not included in the totals of this tabulation.

[2] And in addition $283,000 to be derived by transfer from other appropriations pending in the Third Supplemental Appropriation Act, 1957 (H. R. 7221).

Department of the Interior and Related Agencies Appropriation Act, 1958 (H. R. 5189), comparative statement of appropriations for 1957, and budget estimates for 1958 and action on the estimates—Continued

Agency and item	Appropriations, 1957	Budget estimates, 1958	Recommended in House bill for 1958	Committee recommendation	Senate allowance	Conference allowance
TITLE I—DEPARTMENT OF THE INTERIOR—continued						
OFFICE OF TERRITORIES—continued						
Alaskan port of entry facilities		$30,000	$30,000	None	None	None
Construction of roads, Alaska	$7,800,000	(2)				
Operation and maintenance of roads, Alaska	3,625,000	(2)				
Total, Office of Territories	23,996,000	12,930,000	12,795,000	$12,740,000	$12,740,000	$12,765,000
OFFICE OF THE SECRETARY						
Salaries and expenses	2,222,000	2,568,000	2,500,000	2,500,000	2,500,000	2,500,000
Total, Department of the Interior	313,804,750	373,460,000	321,582,000	327,378,900	327,778,900	326,015,900
TITLE II—RELATED AGENCIES						
Commission of Fine Arts	31,000	35,000	35,000	35,000	35,000	35,000
Federal Coal Mine Safety Board of Review	70,000	70,000	70,000	70,000	70,000	70,000
Forest Service, Department of Agriculture:						
Forest protection and utilization:						
Forest land management	[4] 59,615,750	72,730,000	69,000,000	68,750,000	68,750,000	68,750,000
Forest research	10,155,000	11,325,000	11,325,000	11,835,000	11,835,000	11,835,000
State and private forestry cooperation	12,190,000	13,245,000	13,245,000	13,245,000	13,245,000	13,245,000
Subtotal	81,960,750	97,300,000	93,570,000	93,830,000	93,830,000	93,830,000
Forest roads and trails	24,000,000	24,336,000	24,336,000	24,336,000	24,336,000	24,336,000
Assistance to States for tree planting		4,000,000		None	500,000	500,000
Acquisition of lands for national forests:						
Cache National Forest	50,000	50,000	50,000	50,000	50,000	50,000
Superior National Forest	500,000	500,000	500,000	500,000	500,000	500,000
Special acts [5]	(10,000)	(10,000)	(10,000)	(10,000)	(10,000)	(10,000)
Cooperative range improvements (special account)	[5] (700,000)	(700,000)	(700,000)	(700,000)	(700,000)	(700,000)
Total, Forest Service	106,510,750	126,186,000	118,456,000	118,716,000	119,216,000	119,216,000
Indian Claims Commission	[6] 132,300	177,700	177,700	177,700	177,700	177,700
Jamestown-Williamsburg-Yorktown Celebration Commission	115,000	88,000	88,000	88,000	88,000	88,000
National Capital Planning Commission:						
Salaries and expenses	200,000	250,000	225,000	225,000	225,000	225,000
Land acquisition	1,250,000	5,646,000	4,793,000	1,393,000	1,393,000	1,393,000
Salaries and expenses, Washington regional mass transportation survey	200,000					
Total, National Capital Planning Commission	1,650,000	5,896,000	5,018,000	1,618,000	1,618,000	1,618,000
Smithsonian Institution:						
Salaries and expenses, Smithsonian Institution	4,425,000	6,100,000	6,000,000	6,000,000	6,000,000	6,000,000
Additions to the Natural History Building		800,000	800,000	None	None	800,000
Salaries and expenses, National Gallery of Art	[7] 1,535,000	1,645,000	1,645,000	1,645,000	1,645,000	1,645,000
Museum of History and Technology	33,712,000					
Total, Smithsonian Institution	39,672,000	8,545,000	8,445,000	7,645,000	7,645,000	8,445,000
National Monument Commission		25,000				
Alexander Hamilton Bicentennial Commission	55,000	15,000				
District of Columbia Auditorium Commission	150,000					
Franklin Delano Roosevelt Memorial Commission	10,000					
Theodore Roosevelt Centennial Commission	163,400					
Woodrow Wilson Centennial Celebration Commission	48,500					
Booker T. Washington Centennial Commission	225,000					
Total, related agencies	148,832,950	141,037,700	132,269,700	128,349,700	128,849,700	129,649,700
TITLE III—VIRGIN ISLANDS CORPORATION						
Contributions	425,000	692,000	524,000	524,000	524,000	524,000
Administrative expenses [8]	(160,000)	(160,000)	(160,000)	(160,000)	(160,000)	(160,000)
Revolving fund	125,000					
Total, Virgin Islands Corporation	550,000	692,000	524,000	524,000	524,000	524,000
Grand total, titles I, II, and III	463,187,700	515,189,700	454,395,700	456,252,600	457,152,600	456,189,600

[2] Account transferred to the Bureau of Public Roads, Department of Commerce.
[4] Includes $5,000,000 in the Second Urgent Deficiency Appropriation Act, 1957, and, in addition, $2,300,000 to be derived by transfer from other appropriations.
[5] Appropriation of receipts. Not included in the totals of this tabulation.
[6] Includes $7,700 pending in the Third Supplemental Appropriation Act, 1957 (H. R. 7221).
[7] Includes $30,000 pending in the Third Supplemental Appropriation Act, 1957 (H. R. 7221).
[8] Limitation on the use of corporate funds. Not included in the totals of this tabulation.

DEPARTMENT OF INTERIOR APPROPRIATION BILL

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 5189, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
June 28, 1957.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 2, 8, 30, and 39 to the bill (H. R. 5189) entitled "An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes", and concur therein.

The PRESIDING OFFICER. The Chair would like to state that no action is required by the Senate. To keep the RECORD straight, it should be pointed out that the House has receded from its disagreement to the four amendments of the Senate. The action the Senate has taken on the conference report is the final action.

GRADUATION DAY ADDRESS BY SECRETARY WILSON AT NATIONAL WAR COLLEGE

Mr. SMITH of New Jersey. Mr. President, on June 11th at the graduation exercises of the National War College, the Secretary of Defense, the Honorable Charles E. Wilson, made an outstanding address on some of the problems facing the Department of Defense, and the relation of those problems to the National War College.

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Included in the address was a discussion of the question of the unification of the Armed Forces.

In light of the importance of this statement, I ask unanimous consent to have it published in full in the body of the RECORD in connection with my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SECRETARY OF DEFENSE CHARLES E. WILSON, GRADUATION EXERCISES, NATIONAL WAR COLLEGE, WASHINGTON, D. C., JUNE 11, 1957

Admiral Wooldridge and Graduates of the National War College:

I appreciate this opportunity to make a few short remarks on this your last day as students at the National War College. It affords me an opportunity to speak on a subject to which I have given much thought and study during more than 4 years and which I am sure is of interest to all of us, as well as to many outside of the Department of Defense.

Your college and the Office of the Secretary of Defense were established in response to the same need—the increasing impact of military decisions on the economic, political, and social life of our Nation, and the recognition of the necessity for unification in certain policy and command areas to effectively and efficiently carry out our mission both in peace and war.

Therefore, our organizations have similar objectives—the National War College to study the problems and improve the understanding of all services in regard to the need for coordination and the necessary unification in regard to policies and commands—the Office of the Secretary of Defense to further the establishment of integrated policies and procedures for the Military Departments and the development of effective strategic direction for the Armed Forces and their operation under unified control.

We are associates in the largest organization in the Free World—there are over 4 million of us, military and civilian. Our assigned mission—the security of the United States—gives us many common interests, an important one being the best type of organization of the Department of Defense.

This is the subject I would like to discuss briefly today. It is a subject in which many people are properly interested. The need for an effective organization is clear. Quite a few people with or without experience underestimate the basic requirements of an effective organization. It is really a problem which defies simple solutions. It is importantly influenced by our type of Government.

There appears to be general agreement among those that are interested in the matter that some kind of unification of the Armed Forces is essential for our military as well as our economic security. Past experience as well as current developments make this conclusion self-evident. Not only do the military services increasingly supplement each other's striking power, but the demands that they must make upon our industrial and economic capacity—even in peacetime—are such that uncontrolled competition would be ruinous to our country.

The differences of opinion that arise do not, therefore, deal with the need for unification but center on the form of unification. It is something like the difference between strategy and tactics. I have been privileged to have an extended experience with large organizations—first in industry and now for more than 4 years in the Department of Defense and the Federal Government.

Bigness in industry as well as in Government requires decentralization—the delegation of duties, authority and responsibility. It also requires a staff and line type of organization, basically very similar to the military organizations with which you men are so familiar, especially in the field. The larger the organization, the less top officials can concern themselves with details. If they were to try to follow such a course, operations would soon stop or decisions would be made in ignorance of the real problems.

Every battalion commander has his staff; every division commander has his staff; every corps commander has his staff; every unified commander has his staff. The difference between planning and responsibility for action is understood. A great effort is made to solve the problems and measure up to the responsibilities at each successive step in the organization.

Many people do not know that we have a National War College, where men from all the services study the important matter of organization and how we go about effectively cooperating with each other and coordinating our activities. In a certain sense, future unified commanders have their basic training right here at the War College. Many people also do not understand how the Department of Defense is organized, where civilians as well as officers from all the services work together in an effective staff and line type of organization.

Essential to the effective management of a large organization is the establishment of clear channels of information that will enable those charged with making major decisions to be fully informed on the problems involved and on the alternative courses available. This channel of information must really be a two-way street—carrying information from the top down in the organization and from the people who are real close to the problems back up to the top. Massive, autocratic organizations, not tolerating differences of opinion make impossible this free flow of information.

There is always talk about the differences of opinion among us in the defense establishment. In my experience, a healthy difference of opinion among people who have a common objective is a sound thing. In fact, it would be surprising if, in view of the tremendous problems with which we are confronted, there were no disagreements.

The problems created by the current international situation and by our rapidly advancing technology require the thorough consideration of all possible points of view and alternative courses of action. Any other course might be fatal to the security of our country and would be contrary to the traditions to which we adhere.

Historically, we Americans do not believe in dictators or in people who sit in ivory towers and try to tell everybody what to do. You cannot force people, especially in our country, to come into agreement when there is no agreement. Fortunately under our form of government nobody attempts such a thing very often.

Our Government is a government of checks and balances. The President cannot do certain things without checking with the Congress. Within the executive branch, policies are coordinated with all the departments concerned, and decisions are reached after all have had their say. We follow the same procedure within the Department of Defense.

The final decisions will not always completely satisfy everybody concerned. In an organization composed of people working for a common purpose, these decisions are accepted in the knowledge that they were reached after full consideration of all points of view and a realization that the decisions can be reconsidered at any time if new facts are discovered which bear upon the problems.

The current organization of the Department of Defense has been established not only to promulgate unified policies but also to facilitate this type of administration. I believe that it represents the most effective and most efficient way to run a large organization in a free country. The alternative would be the overconcentration of power and authority in the hands of 1 or 2 men. This would risk a form of dictatorship in which we do not believe.

Our type of organization does provide for full direction, authority, control, and responsibility at the top, but this power is not used to cover up mistakes and make the organization suffer with the wrong decisions. It is used to avoid what at times I have referred to as the concentration of stupidity. In policymaking, the arbitrary use of authority usually indicates a weak case. When a man wants absolute authority it is fairly safe to assume that he does not want anyone to be able to check up on him when he does the wrong thing. He wants to have his own way—right or wrong. The kind of unified organization with increased power at the top that some people are advocating in the name of efficiency would make possible mistakes and abuses that would more than offset any potential gains in effectiveness. Furthermore, I am certain that if such a type of organization were tried it would shortly be found unacceptable to the Congress and the American people.

A large and improving organization is necessarily a compromise between an assumed theoretically perfect one, the traditions and experiences of the past, and the capabilities of the men who will fill the important assignments in it. Each of these factors is important and must be fully appraised and taken into account.

The Department of Defense is such an organization and is consistent with the intent of the National Security Act as approved by the Congress. At the same time it is an effective instrument to further the unification of the Armed Forces needed for the security of our country. It provides for realistic progress in our mission of providing for the security of the Nation at minimum cost.

I would like to clearly go on record with all of you that I believe the present organization of the Department of Defense is sound, incorporating as it does the separate military services and military departments in an organization which is responsive to the President, the Congress, and the American people. I would caution those who recommend radical changes to advocate them only after the most careful thought and when experience has proved that they are necessary.

There have been changes in strategy and tactics as well as in the organization of the military departments during the first 10 years of unification. There will be further evolutionary changes in the years to come principally brought about by new weapons and a changing international situation. I see no need for any revolutionary change at this time or in the foreseeable future. The current organizational pattern and the administrative procedures of the Department of Defense are flexible but they insure that changes will not be made according to some ivory-tower theory or solely from the point of view of the narrow specialist. Any changes that are made will be the result of the best judgment of all the people concerned.

In our conference room at the Pentagon we have a motto hanging on the wall which says: "Reasonable, intelligent men with a common objective in the presence of the facts do not have too much trouble coming into agreement."

Looking at this motto in the negative, there are several ways that you can discount yourself with your associates. You can be unreasonable, you can be unintelligent, you can lack a common objective, or you can refuse to accept obvious facts. Taking any of these positions you will be an obstructionist and accomplish very little, but if you recognize these essentials of cooperation and coordination you will do your part and if

your associates do the same you will have little trouble coming into agreement about even the most important matters.

I recommend this motto to you who as graduates of the National War College will be involved in the development of high-level policies and the exercise of joint and combined command and staff functions. You will find that your problems will not be caused by any lack of authority but will center on getting the facts and obtaining the willing cooperation of others to get the right thing done.

Predictions are dangerous in this rapidly changing age of ours, but I feel confident in predicting that those of you who understand these essentials of cooperation will go far in your profession.

The requirements for leadership throughout the Department of Defense, as well as elsewhere in our country, are at an all-time high. Not only are the ordinarily accepted requirements of leadership necessary—honesty, courage, integrity, understanding of people—but in this scientific and industrial age, increasing technical competence in many areas is also required.

We were proud of you when you were selected as students for the course here at the National War College. We look forward with confidence to your accomplishments in the future.

PROTECTION OF GOVERNMENT FILES

Mr. POTTER. Mr. President, I ask unanimous consent to speak for 5 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. POTTER. Mr. President, on June 3 the Supreme Court of the United States handed down a decision in the case of Clinton E. Jencks which has given rise to genuine fear among those who value the individual's right to privacy and our Government's right to protect its secret documents.

Briefly, the Jencks decree requires the Government, in criminal cases, to produce its files for the scrutiny of the accused and for admission in evidence. I view this decision with considerable disquiet.

We all know, Mr. President, that the vast files of the Federal Bureau of Investigation and other intelligence arms of the Government contain masses of raw material, much of it unscreened and much of it totally irrelevant in assessing the motives or behavior of an individual in question. Unsubstantiated accusations find their way into these files as easily as factual statements. Hearsay evidence, often of an extremely confidential nature, is included.

The current issue of United States Law Week, dated June 25, states that the Jencks case requires the Government to "accept obligations of disclosure once its witnesses are called to the stand." It is my understanding that the lower courts have some leeway in enforcing the Jencks decree, but there is no question that the courts and the people are entitled to definite clarification of the Supreme Court's decision.

Therefore, I was proud to join the other day in cosponsoring Senate bill 2377, designed to safeguard the secret files of the United States. I commend the Judiciary Subcommittee, which now has that bill, for acting promptly.

The distinguished Members of this body will be interested, I am sure, to hear the views of the Honorable J. Edgar Hoover, Director of the Federal Bureau of Investigation, on the necessity for maintaining its files inviolate. I quote:

I have always maintained the view that if we were to fully discharge the serious responsibilities imposed upon us, the confidential character of our files must be inviolate.

A cardinal principle of success for any agency having a responsibility for investigations is its ability to secure information. To do that, it must be able to maintain confidences. Any person furnishing information must have the security of knowing that when he furnishes information on a confidential basis, he will not at a later date find that confidence broken. When that occurs, the ability of the investigative agency to discharge its responsibilities in the future is materially lessened.

The public record clearly proves that the FBI because it does maintain confidences has been able to develop valuable sources of information which have a direct bearing on the internal security of the Nation. Some witnesses have risked their lives as undercover employees of the FBI.

The question of opening the files of the FBI involves a grave matter of principle. These files contain complaints, allegations, facts, and statements of all persons interviewed. Depending upon the purpose of the investigation, particularly in security cases, they contain not only background data on the individual but details of his private life which bear upon the investigation. In these files also are the identities of our confidential sources of information and full details of investigative techniques. In short, they consist of a running account of all that transpires.

The contents of these files were never intended to be disclosed and, unless we drastically change and circumscribe our procedures, they should not be disclosed.

If spread upon the record, criminals, foreign agents, subversives, and others would be forewarned and would seek methods to carry out their activities by avoiding detection and thus defeat the very purpose for which the FBI was created. Each exception undermines this principle, establishes a precedent, and would inevitably result in a complete collapse of a traditional policy which has proven its soundness.

A disclosure of FBI reports would reveal the identity of confidential sources of information and, if it did not place the lives of such persons in actual jeopardy, it would certainly ruin their future value and effectiveness. The disclosure of FBI reports would make otherwise patriotic citizens reluctant to furnish information.

In the conduct of official investigations, information of a highly restricted nature having a direct bearing upon national security often finds its way into the files which, if disclosed, would be of considerable value to a foreign power. Increasingly, we have observed efforts of a foreign power to seek intimate personal details concerning many of our leaders in Government and industry. They should not be aided by having these details made public for their use and advantage, thereby crippling the important work of the FBI.

So far, I have directed my remarks against a disclosure of FBI files on security grounds. There are other compelling reasons why the files of the FBI should remain inviolate. For the want of a more apt comparison, our files can be compared to the notes of a newspaper reporter before he has culled the printable material from the unprintable. The files do not consist of proven information alone. The files must be viewed as a whole. One report may allege crimes of a most despicable type, and the truth or falsity of these charges may not emerge until several reports are studied, further investigation made, and the wheat separated from the chaff.

The FBI has the obligation, within the scope of Federal law, not only to protect the rights, lives, and property of our citizens, but also to protect the confidential relationship of the citizen when he patriotically serves his Government by providing information essential to our security.

In other words, Mr. President, exposing secret Government files would make a mockery of our pledge to persons who had furnished information in confidence.

Therefore, unless we legislate to clarify the Supreme Court's decision, there will be far-reaching and adverse effects upon Federal intelligence and the law enforcement agencies in maintaining the vitally necessary confidential nature of their reports, files, and documents. The confidential status of their informants would be undermined.

S. 2377 has distinguished sponsorship on both sides of the aisle. It would protect the Government's files from subpena with the following exception: After a witness called by the United States had testified in direct examination, the defense could call for Government reports of the witness. The judge would be permitted to study such files and determine their relevancy.

The court shall excise from such reports—

The bill states—

* * * any portions which the court has determined do not relate to the subject matter as to which the witness has testified.

As I see it, the Court's decision poses the following dangers:

It threatens the whole structure and operation of the FBI and intelligence operations.

It makes life 100 percent easier for traitors and subversives.

It jeopardizes the confidential status of patriotic citizens who have furnished information to our Government.

It turns Government records into a free peepshow for alien powers.

Mr. President, it is our duty to clarify the Supreme Court's decree at once through proper legislation. Unless we do so, there will be immediate and adverse effects on the efforts of the FBI and other law enforcement agencies in their vital task of maintaining the confidential nature of reports, files, and documents. Even worse, the confidential status of their informants would be undermined.

Justice Clark, in his dissenting opinion in the Jencks case, summed it up as follows:

Unless the Congress changes the rule announced by the Court today, those intelligence agencies of our Government engaged in law enforcement may as well close up shop, for the Court has opened their files to the criminal, and thus afforded him a Roman holiday for rummaging through confidential information, as well as national secrets.

PAY RAISES FOR FEDERAL EMPLOYEES

Mr. CARROLL. Mr. President, now and then we receive a letter from the grassroots, which gives us the type of

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vital information we need in formulating and enacting legislation. I received such a letter today from a constituent in Colorado Springs.

He is a young man, 32 years old, who works for the Federal Government. He describes in his letter the difficulty he is experiencing in meeting his everyday expenses with the Federal salary he receives. In his letter he itemized his expenses for electricity, gas, water, automobile insurance, milk, groceries, life insurance, medicine, clothing, and payments on a house. When he has concluded itemizing his expenses, he finds himself $26.58 in the red.

My constituent suggests that if he is to continue in Government service, and make the service a career, Congress should pay him a living wage, a wage that will permit him to support his family in a decent manner and to begin saving for the proper education of his children. At the same time, he states that if he is to continue to support his family under present economic conditions, he may have to reinforce his income with a second job.

Here is a graphic example of what is happening at the grassroots to Government employees, firemen, policemen, schoolteachers, persons living in retirement and the aged and others living on fixed incomes. Inflation at the grass roots, in my opinion, is not being given serious enough consideration by the administration. I am very happy to note, however, that the Senator from Tennessee [Mr. KEFAUVER], and the antitrust subcommittee of the Committee on the Judiciary, will conduct an investigation into the recent price increases announced by the U. S. Steel Corp. Recently an investigation was made of the major oil companies in the Nation with respect to their oil and gas price increases.

There is a difference of opinion among the top economists of our country, but it seems to me that no one can deny that the giant corporations of this Nation are not in a competitive market. They are administering their prices in a way which feeds fuel to the ravaging fires of inflation.

I ask unanimous consent to have the entire letter of my Colorado Springs constituent printed in the RECORD, at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 26, 1957.

Senator JOHN A. CARROLL,
Senate Office Building,
Washington, D. C.

DEAR MR. CONGRESSMAN: I am writing to relay to you information which I feel may be of help to you in doing what you feel is necessary and in the best interest of the Government with regard to a proposed pay raise for Federal employees.

I am married and have 3 children, ages 3, 6, and 8 years old. I am 32 years old, my wife is 29. I work in the Purchasing and Contracting Division at Fort Carson, as a supervising purchasing agent, GS-7. My take-home pay every 2 weeks is $154.11. We are trying to buy a home near Colorado Springs and I submit below my monthly living expenditures including house payment.

Electricity	$9.17
Gas and water	9.34
Gasoline bill	20.00
Liability insurance (required by Government (automobile))	10.00
Telephone bill	4.89
Milk	16.70
Life insurance premium ($5,000)	10.60
Firestone stores (new tires for car)	14.00
Colorado Springs Medical Center	10.00
Fort Carson Federal Credit Union	25.00
Exchange National Bank	18.10
Sears, Roebuck & Co. (clothing and miscellaneous)	15.00
House payment	102.00
Groceries	70.00
Total expenses	334.80
Total income	308.22
Deficit	26.58

As you can readily determine I am obliged to obtain employment elsewhere to supplement my income at Fort Carson in order to balance a budget.

I have been buying an $18.75 bond since shortly after being employed at Fort Carson every 6 weeks. This bond is cashed to pay a quarterly Blue Cross, Blue Shield payment which incidentally is not shown above.

It is the desire of my wife and myself to send our three children to college, however if I remain in the employ of the Federal Government I can foresee a slim chance for my children to have an education.

Is it the desire of our Government that men like myself forfeit the years of civil service (6½ years in my case, plus approximately 2 years military service) in order to make a decent living? Would it not be in the best interest of the Government to provide adequate wages so that trained employees could be retained?

The above information is respectfully submitted to provide a guide for action you may have at your command.

DEFENSE DEPARTMENT APPROPRIATION, 1958

Mr. MANSFIELD. Mr. President, is morning business concluded?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 551, H. R. 7665.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. CHAVEZ obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield to me so that I may suggest the absence of a quorum?

Mr. CHAVEZ. I yield for that purpose.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	Murray
Allott	Green	Neuberger
Barrett	Hayden	O'Mahoney
Beall	Hennings	Pastore
Bennett	Hickenlooper	Payne
Bible	Hill	Potter
Bricker	Holland	Purtell
Bush	Hruska	Revercomb
Butler	Humphrey	Robertson
Capehart	Jackson	Russell
Carlson	Javits	Saltonstall
Carroll	Johnston, S. C.	Schoeppel
Case, S. Dak.	Kefauver	Smathers
Chavez	Kennedy	Smith, Maine
Clark	Kerr	Smith, N. J.
Cooper	Knowland	Sparkman
Cotton	Kuchel	Stennis
Curtis	Lausche	Symington
Dirksen	Long	Talmadge
Douglas	Magnuson	Thurmond
Dworshak	Mansfield	Thye
Eastland	Martin, Iowa	Watkins
Ellender	Martin, Pa.	Wiley
Ervin	McClellan	Williams
Flanders	McNamara	Yarborough
Frear	Morse	Young
Fulbright	Morton	
Goldwater	Mundt	

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from Texas [Mr. JOHNSON], the Senator from West Virginia [Mr. NEELY], and the Senator from North Carolina [Mr. SCOTT] are absent on official business.

I also announce that the Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from New Jersey [Mr. CASE] and the Senator from Indiana [Mr. JENNER] are necessarily absent.

The Senator from Nevada [Mr. MALONE] is absent on official business.

The PRESIDING OFFICER. A quorum is present.

Mr. MANSFIELD. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. Mr. President, it is not my purpose to yield for more than 1 minute to any Senator. If more than 1 minute is required, I shall object.

ENLISTMENT OF ALIENS IN THE REGULAR ARMY

Mr. MANSFIELD. Mr. President, on the basis of the statement the Senator from New Mexico has just made, will he yield to me?

Mr. CHAVEZ. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 549, Senate bill 2420.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2420) to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana for the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 2420) to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes.

Mr. SALTONSTALL. Mr. President, this measure extends the so-called Lodge Act to permit aliens to be enlisted in the United States Army, under certain circumstances, for another period of 2 years. This arrangement has worked successfully. The Army has requested its continuance, and the Committee on Armed Services unanimously voted that it be continued for another 2 years.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2420) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1 of the act of June 30, 1950, as amended (69 Stat. 297), is further amended by striking out the words "until June 30, 1957," and inserting in place thereof the words "before July 1, 1959."

SEC. 2. Section 3253 (c), title 10, United States Code, does not apply to enlistments made under the Act of June 30, 1950, as amended (69 Stat. 297), on and after the date of enactment of this Act and before July 1, 1959.

SEC. 3. Enlistments made under the Act of June 30, 1950, as amended (69 Stat. 297), after June 30, 1955, and before the date of enactment of this Act are considered to have been made under a suspension of (1) that portion of section 2 of the Act of August 1, 1893 (28 Stat. 216), as amended, which read: "In time of peace no person who is not a citizen of the United States or who has not made legal declaration of his intention to become a citizen of the United States, shall be enlisted for the first enlistment in the Army." or (2) section 3253 (c) of title 10, United States Code, as the case may be.

PARTICIPATION BY THE UNITED STATES IN THE INTERNATIONAL LABOR ORGANIZATION

Mr. ELLENDER. Mr. President, will the Senator from New Mexico yield for a moment to me?

Mr. CHAVEZ. I yield.

Mr. ELLENDER. Mr. President, I notice that on last Thursday, the Senate passed Senate Joint Resolution 73, to amend Public Law 843, 80th Congress, as amended, providing for membership and participation by the United States in the International Labor Organization and authorizing appropriations therefor. That is correct, is it not?

Mr. MANSFIELD. That is correct.

Mr. ELLENDER. The statement made on Thursday by the Senator from Montana indicates that the matter was discussed with me. I wish to ask the Senator from Montana whether it is a fact that the amount of the contribution by the United States is not in excess of 25 percent of the entire budget of the International Labor Organization.

Mr. MANSFIELD. Let me say that was the unanimous opinion and intent of the Foreign Relations Committee when it reported the $2 million authorization for the International Labor Organization; and it is in accord with what the Senator from Louisiana has consistently stood for, insofar as this particular agency is concerned.

Mr. ELLENDER. The Senator from Montana will remember that last year the Senate took up this matter, and the Senate refused to increase the amount to more than 25 percent.

Mr. MANSFIELD. I can assure the Senator from Louisiana that 25 percent is the full extent of the United States contribution.

Mr. ELLENDER. I thank the Senator from Montana.

INCREASE OF BORROWING AUTHORITY, ETC., OF THE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The PRESIDING OFFICER laid before the Senate the bill (H. R. 5728) to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings, of the St. Lawrence Seaway Development Corporation, which was read twice by its title.

Mr. WILEY. I ask unanimous consent for the immediate consideration of the bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to the consideration of the bill (H. R. 5728) to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings, of the St. Lawrence Seaway Development Corporation.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. WILEY. Mr. President, I offer the amendments which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendments will be stated.

The LEGISLATIVE CLERK. In paragraph (4), on page 3, in line 1, it is proposed to strike out "two sentences" and insert "sentence."

In line 8 and 9, it is proposed to strike out:

If the Secretary of the Treasury approves, the interest on such bonds may be deferred.

And to insert:

The interest payments on such bonds may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest after June 30, 1960.

Mr. WILEY. Mr. President, I may say that, with one minor exception, these two amendments will make the House bill identical to the bill the Senate passed last week. The one minor exception is that whereas the Senate bill required reports to the House Public Works and the Senate Foreign Relations Committees, the House bill requires reports to Congress.

This matter has been discussed with interested Senators on both sides of the aisle, and also with Members of the House; and, so far as I know, this procedure is entirely agreeable to all concerned.

Mr. KNOWLAND. Mr. President, will the Senator from Wisconsin yield to me?

Mr. WILEY. I yield.

Mr. KNOWLAND. The matter was taken up with both the majority and the minority leadership; and my understanding of the amendments is that they put the House bill into conformity with the bill reported by the Senate Foreign Relations Committee and passed by the Senate, with the one exception that the Senate bill requires that the reports be made to the committees mentioned, whereas the House bill requires that the reports be made to the Congress. Personally, I feel that is entirely acceptable.

The PRESIDING OFFICER. The amendments will be stated.

The LEGISLATIVE CLERK. In paragraph (4), on page 3, in line 1, it is proposed to strike out "two sentences" and insert "sentence."

In lines 8 and 9, it is proposed to strike out:

If the Secretary of the Treasury approves, the interest on such bonds may be deferred.

And to insert:

The interest payments on such bonds may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest after June 30, 1960.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. WILEY. I yield.

Mr. AIKEN. Does the proposal provide for raising the interest rates on the seaway bonds?

Mr. WILEY. It does not increase the rates.

Mr. AIKEN. It provides for compounding the interest?

Mr. WILEY. After 1960.

Mr. AIKEN. Not before 1960?

Mr. WILEY. That is right, if the Treasury so decides.

Mr. AIKEN. Is there discretion in the hands of the Secretary of the Treasury not to compound the interest?

Mr. WILEY. Before 1960.

Mr. AIKEN. Does the Senator mean that the Secretary of the Treasury can decide to compound the interest before 1960?

Mr. WILEY. No.

Mr. AIKEN. That is what I wanted to make clear.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a joint resolution (H. J. Res.

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391) making temporary appropriations for the fiscal year 1958, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 7599) making appropriations for the legislative branch for the fiscal year ending June 30, 1958, and for other purposes, and it was signed by the Vice President.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 391) making temporary appropriations for the fiscal year 1958, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

DEFENSE DEPARTMENT APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

Mr. CHAVEZ. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, that the bill as thus amended be considered as original text for the purpose of further amendment, and that any point of order against a committee amendment be reserved.

The PRESIDING OFFICER. Is there objection?

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. YOUNG. I should like to ask that one exception be made to that order, namely, that the provision on page 8, commencing with line 8, through line 11, be excepted from the agreement, so that the amendment may be deleted from the bill.

That amendment, which was sponsored by me, is no longer necessary. It would require that the Department of the Army use $700,000 of its funds to keep open and operating the Turtle Mountain Ordnance Plant at Rolla, N. Dak. That is the only jewel plant in the United States.

Mr. CHAVEZ. Is the Senator referring to page 8, beginning on line 8?

Mr. YOUNG. Yes. I refer to page 8, beginning on line 8, to the end of the paragraph on line 11. It refers to the Turtle Mountain Ordnance Plant, which is a jewel plant.

The reason for my request is that the General Services Administration, the Office of Defense Mobilization, the Department of the Army, and the Bulova Watch Co. reached an agreement this morning whereby they will operate that plant for another year under a much better arrangement than existed in the past. So this language is unnecessary.

Later, I shall ask that the language in the report, on page 4, referring to this item, also be deleted.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from New Mexico as modified by the request of the Senator from North Dakota? Without objection, it is so ordered.

Without objection, the committee amendment referred to by the Senator from North Dakota [Mr. YOUNG] is rejected.

The committee amendment rejected was on page 8 beginning in line 8, to insert the following:

Provided further, That $700,000 of the funds available to the Department of the Army shall be used for the continued operation of the Turtle Mountain Ordnance Plant at Rolla, N. Dak., during the fiscal year ending June 30, 1958.

The committee amendments agreed to en bloc are as follows:

Under the heading "Title III—Department of the Army—Military Personnel", on page 5, line 17, after the word "circumstances", to strike out "$3,113,000,000" and insert "$3,123,000,000."

Under the subhead "Operation and Maintenance", on page 8 line 3, after the word "Government", to strike out "$3,145,200,000" and insert "$3,291,356,000."

On page 8, line 4, after the amendment just above stated, to insert a colon and "*Provided*, That during the fiscal year 1958 the maintenance, operation, and availability of the Army-Navy Hospital at Hot Springs National Park, Ark., to meet requirements of the military and naval forces shall be continued."

Under the subhead "Reserve Personnel", on page 8, line 21, after the word "day", to strike out "$197,000,000" and insert "$217,000,000."

Under the subhead "Army National Guard", on page 10, line 2, after the word "aircraft", to strike out "$320,000,000" and insert "$360,000,000."

Under the subhead "Research and Development", on page 10, line 12, after the word "law", to strike out $392,000,000" and insert "$400,000,000."

Under the subhead "National Board for the Promotion of Rifle Practice, Army", on page 10, line 22, after the word "Board", to strike out "$225,000" and insert "$300,000."

Under the subhead "Alaska Communication System", on page 11, line 5, after the word "vehicles", to strike out "$5,000,000" and insert "$5,500,000."

On page 11, after line 12, to strike out:

"PROCUREMENT AND PRODUCTION, ARMY

"For expenses necessary for the procurement, manufacture, and modification of armament, ammunition, equipment, vehicles, vessels, and aircraft for the Army and the Reserve Officers' Training Corps; purchase of passenger motor vehicles for replacement only (including 13 and 15 at not to exceed $3,000 and $2,400 each); expenses which in the discretion of the Secretary of the Army are necessary in providing facilities for production of equipment and supplies for national defense purposes, including construction, and the furnishing of Government owned facilities and equipment at privately owned plants; and ammunition for military salutes at institutions to which issue of weapons for salutes is authorized; $67 million, to remain available until expended."

Under the heading "Title IV—Department of the Navy—Military Personnel, Navy", on page 12, line 17, after the word "cadet", to strike out "$2,295,000,000" and insert "$2,307,000,000."

On page 12, line 22, after the word "Fund", to insert a colon and "*Provided*, That no part of this or any other appropriation shall be used to pay any officer, while on active duty as Governor of the Naval Home, any amount in excess of the maximum pay and allowances of a rear admiral, upper half."

Under the subhead "Navy Personnel, General Expenses", on page 14, line 3, after the word "salaries", to strike out "$87,000,000" and insert "$88,000,000."

Under the subhead "Military Personnel, Marine Corps", on page 14, line 12, after the word "training", to strike out "$630,000,000" and insert "$634,600,000."

Under the subhead "Reserve Personnel, Marine Corps", on page 14, line 19, after the word "duty", to strike out "$23,200,000" and insert "$23,500,000."

On page 14, after line 20, to strike out:

"MARINE CORPS PROCUREMENT

"For expenses necessary for the procurement, manufacture, and modification of armament, ammunition, military equipment and vehicles for the Marine Corps, including purchase of not to exceed 276 passenger motor vehicles, of which 107 shall be for replacement only (including 3 at not to exceed $2,400 each); $20,000,000, to remain available until expended."

Under the subhead "Marine Corps Troops and Facilities", on page 15, line 18, after the word "salaries", to strike out "$178,000,000" and insert "$182,500,000."

Under the subhead "Aircraft and Related Procurement", on page 16, line 6, after the word "appropriation", to strike out '$1,182,000,000" and insert "$1,912,000,000."

Under the subhead "Aircraft and Facilities", on page 16, line 16, after the word salaries", to strike out '$853,500,000" and insert "$868,500,000."

Under the subhead "Shipbuilding and Conversion", on page 17, line 11, after the word "appropriation", to strike out "$1,534,000,000" and insert "$1,609,000,000."

Under the subhead "Ships and Facilities", on page 17, line 24, after the word "salaries", to strike out "$820,000,000" and insert "$823,000,000."

Under the subhead "Procurement of Ordnance and Ammunition", on page 18, line 19, after the word "plants", to strike out "$176,000,000" and insert "$211,000,000."

Under the subhead "Ordnance and Facilities", on page 19, line 6, after the word "salaries", to strike out "$164,000,000" and insert "$166,000,000."

Under the subhead "Medical Care", on page 19, line 15, after the word "salaries", to strike out "$85,200,000" and insert "$86,700,000."

Under the subhead "Civil Engineering", on page 20, line 2, after the word "salaries", to strike out "$134,630,000" and insert "$136,630,000."

Under the subhead "Research and Development", on page 20, line 7, after the word "law", to strike out "$495,000,000" and insert "$505,000,000."

Under the subhead "Service-Wide Supply and Finance", on page 20, line 21, after the word "salaries", to strike out "$300,000,000" and insert "$306,000,000."

Under the subhead "Service-Wide Operations", on page 21, line 11, after the word "salaries", to strike out "$107,000,000" and insert "$108,000,000."

Under the heading "Title V—Department of the Air Force—Aircraft and Related Procurement", on page 22, line 8, after the word "things", to strike out "$5,864,000,000" and insert "$6,126,000,000."

Under the subhead "Procurement Other Than Aircraft", on page 22, line 16, after the word "each", to strike out "$1,146,500,000" and insert "$1,246,500,000."

Under the subhead "Research and Development", on page 23, line 1, after the word "law", to strike out "$649,000,000" and insert "$661,000,000."

Under the subhead "Operation and Maintenance", on page 25, line 1, after the word "Government", to strike out "$4,062,120,000" and insert "$4,193,993,000."

Under the subhead "Military Personnel", on page 26, line 16, after the word "enlistment", to strike out "$3,801,600,000" and insert "$3,836,600,000."

Under the subhead "Reserve Personnel", on page 26, line 25, to strike out "$55,000,000" and insert "$57,000,000."

Mr. CHAVEZ. Mr. President, as chairman of the Senate Appropriations Subcommittee which considered H. R. 7665, the Defense Department appropriation bill for 1958, I wish to give a brief explanation of the measure before the Senate.

ACTION ON BILL

As reported by the committee, the bill contains a total of $34,534,229,000.

This amount is an increase over the House figure by $971,504,000.

It is a reduction under the budget estimates of $1,593,771,000.

And it is a reduction under last year's appropriation of $164,294,000.

It provides a little more than $16 million for the Office of the Secretary of Defense; about $682 million for interservice activities; about $7.4 billion for the Department of the Army; about $10 billion for the Department of the Navy; and a bit under $16.4 billion for the Department of the Air Force.

The majority of the committee believes that these funds are necessary to provide for the security of our country.

I should like now to describe the situation which faced the Senate committee when it came time to act on the bill.

The House had made cuts amounting to approximately $2,565 million. Of the House reductions $590 million was the result of transfers which—while it was sound fiscal policy to reduce unused balances—had no effect on the military personnel appropriations from which the appropriations were taken. A little over $129 million was reduced on the assumption that if foreign credits were not forthcoming for support of our troops abroad, the Department might make additional requests in the future. The Department accepted total reductions of about $1,345 million without appeal.

But the Department requested restoration of the remaining $1,220 million. It was up to the committee to decide what should be done. We were not lacking in information. Our hearings had taken a full month, nearly every morning and afternoon. We compiled a record of almost 1,600 pages, which Senators have before them. We heard from 131 principal witnesses, some of whom were recalled by the committee in its efforts to arrive at the right decision. We made an exhaustive inquiry.

At this point I wish to thank those Members who assisted in the preparation of this bill.

I may say that the chairman of the subcommittee received complete cooperation from the members of the subcommittee, no matter from which side of the aisle.

COMMITTEE RECOMMENDATIONS

So the committee has made its recommendations of a total of $971,504,000 over the figure of the House bill. Of that total, about $158 million will go to the Army, $253 million to the Navy, and $561 million to the Air Force. Major increases are made in the fields of operations and in the procurement of aircraft, missiles, and ships.

The committee also included in the bill an additional $100 million for the Organized Reserve and National Guard, since it was testified that the added funds were needed to handle the influx of 6-month trainees in the 1957 and 1958 programs. If funds are not provided, the strength of these branches of the armed services will be cut.

Two major reductions were made. One is a reduction of $583 million in Army procurement and production. Of this amount $516 million had been suggested for deletion by the President in his letter to the Speaker of the House on April 18, 1957, and has been acted upon by the House. The remaining $67 million of the reduction is recommended by the Senate committee. It should have no harmful effect on the Army's 1958 buying program, inasmuch as under the Secretary of Defense's memorandum of May 22, 1957, the Army reduced its planned obligation in this account by $74 million, thus making this sum available in 1958 and subsequent years. Another reduction of the same type was made in Marine Corps procurement. The House reduced the budget estimate from $100 million to $20 million and the Senate committee reduced it further to zero.

Mr. President, I shall not attempt to discuss at this time all the many individual amendments to H. R. 7665 recommended by the committee. The details are included in the committee's report. I simply wish to state that in the judgment of the committee the funds provided in the bill now before the Senate are the amounts required to assure the level and type of military strength needed for our national security.

Our committee was not unanimous in support of all the committee recommendations. There are those who believe, in all sincerity, that the bill can be reduced without detriment to our national security. They acted with the same high purpose as did the House of Representatives. I do not quarrel with them, for I am in sympathy with their basic objectives—to provide a strong modern defense machine at a minimum cost.

But the majority—the vast majority—of the committee believed that the added funds were essential to the security of our Nation. We are well aware of the fiscal and economic problems the country is now facing. We wish to economize. But it has always been the policy of the Congress, and more specifically the Senate Appropriations Committee, to put the security of the United States ahead of all other considerations. We know that the people of this country will never refuse to pay the cost of essential national defense so long as they are convinced the expenditures are necessary.

We know, too, that the Communist military might is continuing to grow, regardless of what other difficulties they may be having—growing particularly in the types of military power which constitutes the real threat to international security. We can find no firm evidence that the nature and extent of the military threat to the United States and its allies has abated to any perceptible degree since we voted to add a billion dollars to the defense bill last year.

INCREASED COSTS

Recognizing, as we did, the fiscal and economic problems of the Government, we also could not ignore the increasing costs of national defense. While it is true that price and wage increases have taken their toll of the defense dollar, the real pressure on defense costs comes from the tremendous increases in the costs of new weapons—their development, production, and operation and maintenance.

I shall invite the attention of Senators to some items.

The B–29, the heavy bomber at the end of World War II, cost $600,000 apiece. The B–36 cost about $4 million and the B–52, with which they are now being replaced, cost twice as much as the B–36 and in addition requires very expensive jet tankers for refueling.

The Army's Nike-Ajax, which costs three times as much per battalion as the conventional antiaircraft guns they are replacing, will soon in turn be replaced by the Nike-Hercules, costing several times more.

A World War II submarine cost about $5 million to build. The submarine financed in the bill under consideration cost more than 10 times as much—in other words, about $50 million.

The ballistic missile programs, which have attracted so much attention, are extremely costly. It is estimated that the cost of their development to the stage of even initial operating capability may be several times the cost of developing the first atomic bomb.

DEFENSE OFFICIALS OPINIONS

The committee asked the top officials of the Department of Defense their opinion regarding the sufficiency of funds contained in the bill. I wish all Senators could have been present to hear them.

Secretary Wilson testified:

We hope that your committee will see fit to restore most of the amounts of the proposed cuts in these areas, because they represent adjustments downward in our defense program of considerable magnitude and seriousness. If permitted to stand, I believe that reductions of the magnitude proposed would amount to gambling unwisely with the security of the Nation.

Secretary Brucker of the Army stated:

I am very much disturbed with the budget reductions proposed in the House bill, especially in view of the retrenchments we have already made in order to get along in fiscal year 1958 with less financing than we had in fiscal year 1957. We are proud of the Army record and we want to move forward. I feel the reductions indicated will have a severe impact on many of our activities.

Assistant Secretary Roderick of the Army said:

Reductions of the type recommended by the House would cut into the bone and muscle of the Army and reduce its ability to execute its combat mission.

Secretary Gates of the Navy stated:

The budget presented to Congress by the President of the United States for the Department of the Navy was tailored to meet our minimum requirements—only a drastic change in world affairs can permit major

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readjustments in our naval program, and this budget which supports it.

Secretary Douglas of the Air Force said:

In my judgment our budget for fiscal year 1958 requests a minimum of funds to carry out our fiscal year 1958 Air Force program. Although it is an austere budget, it will provide, with careful management, for combinations of delivery systems which will comprise the greatest air striking power the Air Force has ever had. It will give the Air Force the capability to perform its mission if called upon in any emergency.

MILITARY EXPERTS ASK RESTORATION

Now let us turn to the top military leaders of our country, who are supposed to advise our country as to our needs in this area. What did they say? We asked them to speak candidly to us, the representatives of the people they have sworn to defend. We represent the people. The military officials are supposed to defend those whom we represent.

Listen to just three sentences of Admiral Radford's presentation, he being the Chairman of the Joint Chiefs of Staff:

We believe it to be a sound budget and a necessary one if we are to have the type of defense for this country which will insure the security of our people and institutions. I merely wish to emphasize for the record that our 1958 budget program is as well balanced as the best military planning and thinking could devise. Large cuts in the budget would not only disturb that balance but, in the opinion of the Joint Chiefs of Staff, would risk the security of the Nation and the Free World.

General Taylor, Chief of Staff of the Army, stated:

I assure the committee, as Chief of Staff, that the Army needs every dollar of the President's 1958 budget if it is to be able to field and fight the Army forces which are essential to our security.

Admiral Burke, Chief of Naval Operations, gave his measured opinion:

Our budget has been subjected to a most thorough and painstaking analysis over an extended period of time. * * * It cannot be reduced without serious effect upon well-considered programs essential to our national security.

General Twining, Chief of Staff of the Air Force, who will soon become Chief of the Joint Chiefs of Staff, warned the committee in these words:

The Air Force request which is being presented to you has actually been pared below what I considered minimum essential a few months ago. I have said before there is an element of risk in every defense budget. I will speak even more plainly. The Air Force budget, as presented to you today, has already been reduced to a point which lies in what I consider to be a dangerous area. * * * The President's budget for 1958 for the Air Force as it was submitted to the Congress was designed to support a minimum program, and the financing proposed was marginal. * * * I cannot emphasize too strongly the necessity for appropriation of the total new obligating authority requested for the Air Force in the President's budget. Substantial reductions in those amounts mean a new and reduced Air Force program, which can only be measured in terms of disproportionately increased risk to our national security in the budget year, as well as in future years.

These are but brief excerpts from the studied opinions of the men, civilian and military, who lead the defense effort of our country.

RECORD OF APPROPRIATIONS COMMITTEE

The record of the Senate Appropriations Committee during the present session speaks for itself in its desire to economize. It has spearheaded the drive for economy in Government by making a 5.5-percent reduction in total funding acted upon to date. There may be those present today who might wish that this bill could be cut further. I wish that it might also. But I will not vote, and the committee would not vote, to do so as long as we believe such a course would weaken our defenses.

WASTE DECRIED

We all recognize that in an operation as vast and multipurposed as our Defense Department there is some waste. I call the attention of the Senate to that section of the committee report which deals with that subject, directing the Department to redouble its efforts in ferreting out all waste and duplication and urging that it create an economy-conscious military and civilian organization which will extract a dollar's worth of defense for each dollar expended. The Department has made progress, I believe, in this respect. I believe that more can be made.

NEED FOR STRONG DEFENSE

However, I cannot subscribe to the thinking which would argue for reductions which, as our military experts testified, might well jeopardize our defense posture. I hope that the planes, the ships, the tanks, and the missiles which are provided for in this bill will never have a wartime use. But until we can be assured that the threat of aggression is over, we must provide the arms and equipment for the men who may be called upon to repel the aggressor at 4 o'clock some awful morning.

In the past few weeks there has been heartening talk about disarmament, but until such action is a surety, we must not relax our vigilance for a moment. International tensions have not lessened appreciably in the past year. I need only cite the situation in the Middle East, the unrest in Poland, the rape of Hungary, the perfidy of the Reds in their North Korean buildup to prove this.

And if the history of the past 10 years is any criterion, we may well be faced with localized warfare in widely scattered parts of the globe at any time. I need not remind the Senate that these local bonfires might flare overnight into a general conflagration. I think it safe to assume that only the deterrent strength of our forces have kept these outbreaks in check. The committee believes that the funds made available will continue to provide a minimum force to maintain that deterrent.

Some years ago the then Chairman of the Joint Chiefs of Staff was asked by a member of the Senate Appropriations Committee whether the funds provided in the defense bill then pending were sufficient for the needs of the Department. I shall always remember his reply. He said, in effect, "If we don't have a war, then the funds in this bill are too much. If we do have a war, then they are far too little."

I wish to emphasize that statement. I feel, and the committee feels, that if we do not have a war the bill recommended by the committee will be sufficient. If, all of a sudden, we do have a war, it will be far too little.

With this thought, I ask for favorable action on the committee's recommendations to the bill before us. I know it is in good hands.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD in connection with my remarks summary tabulations of our military forces, military personnel strength, and a short narrative description of our forces this budget will support.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Summary of military forces

	June 30, 1956 (actual)	June 30, 1957 (estimated)	June 30, 1958 (planned)
Department of the Army:			
Divisions	18	18	17
Regiments and RCT's	10	9	9
Antiaircraft battalions	133	122	126
Army missile commands	0	2	6
Department of the Navy: Active ships, total	973	976	983
Major combat	404	412	422
Other active	569	564	561
Marine divisions	3	3	3
Marine air wings	3	3	3
Department of the Air Force: Wings total	131	137	128
Strategic	51	50	45
Air defense	32	32	32
Tactical	48	55	51

The Army will begin and end the year with 1 million men, the Navy with 675,000, and the Marine Corps with 200,000. The Air Force will begin the year with about 921,000 and end it with 925,000.

Military personnel strength

	June 30, 1956 (actual)	June 30, 1957 (estimated)	June 30, 1958 (planned)
Department of Defense, total	2,805,550	2,795,700	2,800,000
Army	1,024,887	1,000,000	1,000,000
Navy	669,925	675,000	675,000
Marine Corps	200,780	200,000	200,000
Air Force	909,958	920,700	925,000

DESCRIPTION OF FORCES CONTAINED IN THE DEFENSE DEPARTMENT BILL

Under the bill as reported by the Senate committee, the Army will support 17 divisions, 9 regiments and regimental combat teams, 126 antiaircraft battalions, and 6 Army missile commands. This is a reduction of 1 division below the number the Army now has but is an increase of 4 antiaircraft battalions and 4 Army missile commands. These missile commands are similar to the Southern European Task Force, SETAF, which backs up the NATO forces in Italy with its nuclear weapons. Secretary of the Army Brucker reports that by the end of fiscal year 1958 approximately 70 percent of the active Army antiaircraft battalions assigned to the defense of the continental

United States will be equipped with the NIKE ground-to-air missile. Soon many of these units will be augmented with the new NIKE Hercules, which has considerably greater range and can carry an atomic warhead. In addition, the Army is now engaged in a major reorganization of its principle combat units. The purpose of this reorganization is to improve the capability of the Army to fight effectively under conditions of atomic warfare.

For the Navy this bill will provide a total of 983 active ships, including 422 combatant vessels, slightly higher than the number now in operation. During fiscal year 1958, 23 new ships will join the fleet, including the *Ranger* which is the third Forrestal-type carrier, 5 destroyers, 2 nuclear, and 2 guided missile submarines, and 13 other ships. In addition, 10 other converted ships will join the fleet, including the attack carrier *Midway*, a guided-missile cruiser capable of firing the long-range Talos missile, and a number of other vessels.

The Marine Corps will continue to maintain 3 divisions and 3 air wings in a high state of combat readiness. The Navy, including the Marine Corps, will continue to operate something less than 10,000 aircraft, including such new jet aircraft as the A–3–D, A–4–D, and F–8–U.

The bill will provide for the Air Force a total of 128 wings by the end of fiscal year 1958, compared with a 1957 goal of 137 wings. The reduction reflects an increase in the Army's guided missile capacity for close support of its ground forces and the phasing out of strategic fighter wings no longer required. In addition, B–36 strategic bomber wings will be replaced with B–52 wings of 45 aircraft each, supported by jet fuel tankers, virtual completion of the conversion of fighter-bomber and fighter-day units to Century series aircraft, strengthening of aid defense forces with Century series intercepter aircraft and missiles. Also, there will be continued construction and operation of the air-warning network as well as continued research and development of missiles, advanced aircraft, electronic warning and control systems, and other electronic devices.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. SALTONSTALL. Mr. President, I wish merely to say that I sat in committee with the chairman of the Subcommittee on Armed Services, the Senator from New Mexico [Mr. CHAVEZ], and I know how faithfully he attended the committee meetings and the care with which he worked on the bill which is now before the Senate. I wish to commend him and to support him in his advocacy of what the committee has done.

Mr. CHAVEZ. In response to the statement of the Senator from Massachusetts, I, like any other chairman of a subcommittee, took my work seriously. However, I would not have been able to do as well as I did without the cooperation of not only the members of the subcommittee on both sides of the aisle, but of the full committee itself.

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. FLANDERS. I also wish to say a word of commendation. Anyone who has not been through the work connected with a military appropriation bill—and I must say that I was not completely faithful in attendance on the hearings—cannot have any idea of the difficulty of deciding what is right and what is wrong; what is enough and what is not enough. I am satisfied that the work which the chairman of the subcommittee and the other members of the subcommittee, as well as the members of the full committee, did, resulted in bringing before the Senate the best appropriation bill for the defense of the country I can conceive of as being possible to come from a committee.

Mr. CHAVEZ. I wish to assure my good friend from Vermont that I appreciate his kind words, and I am most thankful for them.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. DOUGLAS. I, too, wish to express my confidence in the energy and devotion of the distinguished chairman of the subcommittee. A little later I shall seek recognition in my own right to discuss the bill. Before I do so I should like to have the privilege of asking the distinguished chairman 2 or 3 very simple questions.

Mr. CHAVEZ. I shall try to answer the questions.

Mr. DOUGLAS. The first question I should like to ask is this: There are well-informed rumors to the effect that the Secretary of Defense intends to impose expenditure limits upon the various services regardless of the sums which Congress may appropriate. If that should be so, and such limits should be imposed, I should like to ask whether such limits, administratively imposed, can supersede statutory requirements previously made by Congress and signed by the President.

Mr. CHAVEZ. Of course, we hear of rumors of many kinds. I hope the rumors to which the Senator has referred are unfounded.

Mr. DOUGLAS. If such expenditure limits should be imposed, could such administrative action supersede a law prescribing certain strengths?

Mr. CHAVEZ. I should not think so. I am looking at it from the point of the law itself. Of course I know that administrators do a great many things the law does not intend.

Mr. DOUGLAS. Would such action, in the judgment of the Senator from New Mexico be contrary to law?

Mr. CHAVEZ. There is only one reason for the bill now before the Senate. We have the authority of law to appropriate money for national defense purposes. With that in mind we have recommended certain appropriations. We have not recommended all the Department asked for. We have not recommended what the Department wanted restored. We have recommended what the committee, after trials and tribulations, after listening to a great deal of testimony, thought would meet the requirements of our national defense.

Mr. DOUGLAS. There is a very important point connected with my question, as the Senator from New Mexico is well aware. In 1952 Congress passed, and the President signed, a law fixing the statutory minimum strength of the Marine Corps, to include three divisions. There are various elements in the armed services which would like to see the strength of the Marine Corps reduced below three divisions.

What I am asking is this: Could the Secretary of Defense impose any limits which would reduce the strength of the Marine Corps to less than three divisions?

Mr. CHAVEZ. So far as the pending bill is concerned, it provides for three divisions.

Mr. DOUGLAS. Is it the Senator's understanding that the Secretary of Defense must hold to those minimum strengths?

Mr. CHAVEZ. I think that is what he should do. Whether he will or not, I do not know.

Mr. DOUGLAS. There is a very important legal question involved. A law was passed by Congress fixing the minimum strength of the Marine Corps at three divisions, and it was intended that those should not be a skeleton division, but real divisions.

Mr. CHAVEZ. We are providing in the bill for that kind of divisions.

Mr. DOUGLAS. There are rumors that the Secretary of Defense intends to impose expenditure limits regardless of the sums appropriated once the bill has been enacted. If funds are provided which would give the Marine Corps three full divisions, would such rumored action by the Secretary of Defense not be a violation of law, and contrary to the judgment which the Committee on Appropriations exercised in approving and reporting the bill?

Mr. CHAVEZ. I believe it would be in violation of the law. There is ample law which provides for the three Marine Corps divisions. However, we see the law misinterpreted every day in the week. So I do not know what the Secretary of Defense will do.

Mr. DOUGLAS. I am simply trying to establish a parliamentary record which will make it impossible for the Secretary of Defense to deny the solemn will of the Congress.

Mr. CHAVEZ. I do not know about the rumors; but so far as the bill is concerned, I know it provides for three divisions of marines, as the Senator from Illinois has indicated. I hope his information is only rumor.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. SYMINGTON. The Assistant Secretary of Defense, the comptroller, made a statement which strongly verifies the prediction of the distinguished senior Senator from Illinois. This is what the comptroller said in his prepared statement before the Senate subcommittee of which the distinguished senior Senator from New Mexico is the chairman:

We have been informed that considering the anticipated revenues of the Government, and the statutory debt limit, expenditures for the Department of Defense must not substantially exceed the budget estimate of $38 billion during the coming year. The current monthly rate of expenditure, however, is now running considerably above the annual rate of $38 billion. In order to clarify the fiscal position of the Department of Defense, each military department has been directed by the Secretary of Defense to sub-

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mit a detailed plan to him later in this month for meeting its fiscal year 1958 expenditure objectives, taking into account outstanding obligations, as well as the plans for rate and volume of new obligation.

Secretary Wilson has asked that you be informed that steps are being taken which should bring defense expenditures into line with the President's budget submission for fiscal year 1958.

I quote this statement only to show that, regardless of whether the distinguished Senator from Illinois is correct in his understanding of what will happen to the marines, the Assistant Secretary of Defense shows that the Department of Defense intends to tailor its military appropriations, obligations, and expenditures to the fiscal problem rather than to the defense requirements.

Mr. CHAVEZ. Mr. President, I am most happy that the Senator from Illinois has made his inquiry, because I hope a record can be made this afternoon in connection with the passage of the bill which will indicate to the Department of Defense, whether it be to Mr. McNeil, the budget officer, or Mr. Wilson, the Secretary of Defense, that it is our intention that provision be made for three marine divisions.

Mr. DOUGLAS. I thank the Senator from New Mexico for that assurance. I hope the officials of the Department of Defense will not only read the parliamentary record which we are establishing but also will follow it.

I may say that I am not opposed to the Department of Defense placing a limit on expenditures and cutting down on the excess waste in the Department, excess waste which I shall shortly demonstrate in my main speech on the floor. I think there are great economies which could be made with determination and with good business management, which thus far has been lacking.

Mr. CHAVEZ. I feel the same as does the Senator from Illinois.

Mr. DOUGLAS. But I think we should not cut into the muscle of the defense of this country; and the tendency has been, unfortunately, for the military officials and the officials of the Department of Defense to sacrifice muscle for fat.

Mr. CHAVEZ. I know what the Department did several years ago. Congress provided $40 million for the Marine divisions, but the money was never used for the purpose for which it was intended it should be used. That is one of the reasons why I hope we will make the record so crystal clear that the Department will know what we are talking about.

Mr. SMATHERS. Mr. President, will the Senator from Illinois permit me to ask a question of the able chairman before he leaves the point about the economy standard?

Mr. DOUGLAS. Yes; certainly.

Mr. SMATHERS. Does the chairman know of any statutory authority or constitutional authority which would give to the Secretary of Defense the right to reduce the size of the Marine Corps below the minimum standard which was set for it by Congress?

Mr. CHAVEZ. I know of no such authority whatsoever. I have been dealing with the departments of government for many years, and I am not surprised at anything they do administratively.

Mr. SMATHERS. But does the Senator know of any legal authority?

Mr. CHAVEZ. Legally, they have no right whatsoever to reduce the size of the Marine Corps.

Mr. SMATHERS. Legally, then, it would be a violation of the law for the Secretary of Defense to reduce the Marine Corps below the minimum standard set by Congress?

Mr. CHAVEZ. I believe it would be just as much a violation of the law as if I ran my car through a red light.

Mr. DOUGLAS. Would the Senator say whether there is any possibility of imposing upon the Secretary of Defense a penalty similar to that which would be imposed upon us if we ran through a red light?

Mr. CHAVEZ. I do not know of any authority, but there should be some.

Mr. DOUGLAS. What would the Senator from New Mexico suggest as a means of keeping the Department of Defense in conformity with the will of Congress?

Mr. CHAVEZ. I am not talking only about the Department of Defense; I am speaking of all departments. I know of only one thing which they understand; that is the amount of money Congress appropriates.

Mr. DOUGLAS. Is the Senator referring to a reduction in the appropriation?

Mr. CHAVEZ. That is correct.

Mr. DOUGLAS. Does not the Senator from New Mexico think he has furnished an excellent argument for cutting the defense budget?

Mr. CHAVEZ. No, I have not. We should give them what they need, but should not give them more than they need.

Mr. DOUGLAS. I shall continue this topic later.

Now, I should like to take up another point. The committee took virtually 1,600 pages of testimony; did it not?

Mr. CHAVEZ. That is correct.

Mr. DOUGLAS. Is it not true that virtually the only witnesses who appeared in behalf of the taxpayers and in behalf of reductions were Mr. Perry M. Shoemaker and Mr. John B. Olverson, representing the Chamber of Commerce of the United States?

Mr. CHAVEZ. There might have been several others, but I recall those two witnesses.

Mr. DOUGLAS. Their testimony runs from page 1467 to page 1513. That is only 46 pages out of 1,600. So only 4 percent of the testimony was in behalf of the taxpayers.

Mr. CHAVEZ. I have been a member of the Committee on Appropriations for many years. I have always noted, generally speaking, the only witnesses who appear are those who want the money.

Mr. DOUGLAS. That is correct.

Mr. CHAVEZ. It is seldom that anyone appears to represent John Q. Public, and to state to the committee that although the information submitted to it might be correct, nevertheless, for certain reasons the money should not be granted. I wish more persons like Mr. Shoemaker and Mr. Olverson would appear before the Committee on Appropriations and other committees. Generally, the departments have things their own way. They have smart boys to represent them, and they almost make one cry.

Mr. DOUGLAS. I am very glad the Senator from New Mexico is saying this. The record shows that only 4 percent of the testimony came from representatives of the taxpayers and they pointed out that economies could be made. Ninety-six percent of the testimony came from officials of the Department of Defense and officers of the armed services. Those in the latter category were all anxious to increase the appropriation above the House figure.

Mr. CHAVEZ. But they were not entirely successful.

Mr. DOUGLAS. They got a billion dollars increase.

Mr. CHAVEZ. Not quite.

Mr. DOUGLAS. Well, lacking only $29 million. I would say they got a billion dollars.

Mr. CHAVEZ. Let us get the record straight. They wanted $1,220,000,000. They did not get that. They got less than a billion.

Mr. DOUGLAS. They got $971 million.

Mr. CHAVEZ. That is correct.

Mr. DOUGLAS. As I shall point out later, I think $87 million of the so-called reductions in the stock funds are purely bookkeeping transactions; so, in effect, the Department got about $1,058,000,000, and the cut from the original budget amounted to only $200 million. I should say the Department of Defense did very well, and that in bringing the Senator from New Mexico almost to tears, they melted him.

Mr. CHAVEZ. No, they did not, in any instance.

Mr. DOUGLAS. I am grateful to the Senator from New Mexico for the characteristic frankness and candor with which he has pointed out the tremendous pressure to which the Committee on Appropriations is subjected by Government officials. It is almost more than flesh and blood can stand to resist those pressures.

Mr. CHAVEZ. But it happened in this instance that the subcommittee and the full committee resisted the pressures.

The PRESIDING OFFICER. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

Mr. SMATHERS. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed with the consideration of the Department of Defense appropriation bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate resumed the consideration of the bill (H. R. 7665) making

appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. SALTONSTALL. In further answer to the question asked by the Senator from Illinois [Mr. DOUGLAS], which the Senator from New Mexico has been so ably answering, I may say that I heard practically all the testimony of Mr. Shoemaker. Some of the suggestions he made were worthy of study. But as in the case of everyone else who is on the outside of a great deal of classified information, I believe that some of the cuts Mr. Shoemaker proposed were utterly impractical; and after listening to some of the classified testimony, one could only reach the conclusion that some of the suggestions the witnesses made for reductions would, if followed, jeopardize our security to a great degree.

When reference is made to the interest of the taxpayers—and the Senator from New Mexico has made such reference—we should remember that the first interest of the taxpayers of the Nation is security, which is what the committee tried to provide.

Mr. CHAVEZ. Not only that, but let me also say to the Senator from Illinois that aside from 2 days, the committee did not hold any classified sessions; all the others were open sessions. Although it is true that only 2, 3, or 4 witnesses who represented the taxpayers appeared, yet all the taxpayers of the United States were informed of what was going on; the hearings were open; and the press—even the Chicago Tribune—was represented, and was publishing stories.

Mr. DOUGLAS. Mr. President, the Senator from New Mexico is well aware that it is very difficult—in fact, almost impossible—for a private citizen to accumulate sufficient information and to have sufficient knowledge of the operations of the Military Establishment, which is spending $38 billion a year, to be able to appear before the committee and give competent testimony. Mr. Shoemaker was able to do so only because he had been chairman of a task force established under the Hoover Commission, and had worked on that task force, particularly in the field of military transportation, and also because he was backed up by the resources of the United States Chamber of Commerce. It may seem somewhat incongruous for me to find myself in agreement with the United States Chamber of Commerce, because I think its attitude on most public questions differs appreciably from mine. But in this instance I wish to congratulate the United States Chamber of Commerce for the magnificent work it did.

Is it not a fact that although some of Mr. Shoemaker's studies may have contained some error—and I myself questioned two or three of them—nevertheless he not only proposed that the amounts voted by the House of Representatives be sustained, but he also proposed a further cut of approximately three-fourths of a billion dollars?

Mr. CHAVEZ. Yes; that is what he testified to.

Mr. DOUGLAS. And his testimony was very detailed, was it not?

Mr. CHAVEZ. It was detailed, but it was not correct.

Mr. DOUGLAS. However, it was not capricious testimony, was it?

Mr. CHAVEZ. No; it was meant in the best of faith.

Mr. DOUGLAS. And he was well informed, was he not?

Mr. CHAVEZ. Yes, he was well informed.

Mr. DOUGLAS. Nevertheless, he was the only witness who appeared on behalf of the taxpayers; and there were approximately 1,550 pages of testimony from Secretaries, Under Secretaries, Deputy Under Secretaries, Assistant Secretaries, Deputy Assistant Secretaries, 5-star generals, 4-star generals, 3-star generals, and 2-star generals, so that the whole weight and force of the Military Establishment was thrown behind the demand, "Give us the full amount."

Mr. SYMINGTON. Will the Senator from New Mexico yield for a question: What point is the Senator from Illinois trying to make?

Mr. DOUGLAS. My point is that the testimony the committee takes is necessarily weighted heavily in favor of increases in the appropriations; and possible economies in any large amount are not called to the attention of the Appropriations Committee.

Mr. SYMINGTON. Mr. President, will the Senator from New Mexico yield to me?

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Does the Senator from New Mexico yield to the Senator from Missouri?

Mr. CHAVEZ. Certainly.

Mr. SYMINGTON. Is it not true that the Defense budget presented by President Eisenhower was cut $2,630,000,000 by the House of Representatives?

Mr. CHAVEZ. In fact, a little more than that.

Mr. SYMINGTON. Is it not true that the President agreed to accept $1,410,000,000 of those cuts, but stated that if any further reductions were made, that would be against the security of the United States?

Mr. CHAVEZ. Yes; that is true.

Mr. SYMINGTON. Is it not also true that in April 1957 the President spoke to the American people on the television, and stated that the restoration of $1,220,000,000 was essential to the future security of the country?

Mr. CHAVEZ. I have read about that, but I would not want to pass judgment on what the President said.

Mr. SYMINGTON. I tell the Senator from New Mexico that I heard the President make the statement on the television, and it was so recorded in the press.

Is it not also true that the subcommittee, of which the distinguished Senator from New Mexico is chairman, refused to vote to provide the full $1,220,000,000 which the President said is essential for the security of the United States, but the subcommittee did vote to restore $971,504,000?

Mr. CHAVEZ. That is correct.

This is the picture, so far as the figures are concerned—and I shall speak in round numbers: The House of Representatives made cuts of approximately $2,500,000,000. The administration would not agree to that total amount; it would agree to cuts in the amount of only approximately $1,300,000,000.

Mr. SYMINGTON. That was the position of the administration, was it not?

Mr. CHAVEZ. Yes.

The committee did not even go that far, but voted for less than $1 billion. The committee also had in mind that it, too, wished to make cuts, but the foremost thing in the mind of the committee was the national security.

Mr. SYMINGTON. I should like to ask one other question of the distinguished chairman of the subcommittee: Did the committee refuse to hear from any person who requested to be heard?

Mr. CHAVEZ. Not one. Not only that, but the press had all these stories daily. I did not receive from home or elsewhere one letter complaining about the budget or about anything else in connection with this bill.

Mr. SYMINGTON. I am sure, based on his comments, that the distinguished Senator from Illinois would like to see the budget increased in order to take care of the statutory obligations for the Marines; and I am also sure that his service with the Marines is not the primary reason for his position, but that he would also like to see the statutory obligations incident to the Army and the Navy also observed. However, is it not true that what the Senator from Illinois is getting at is that, whereas the witnesses on behalf of the administration who appeared before the committees requested large restorations of appropriations, at the same time the committee learned—and now the people have found out about it—that the administration was heavily cutting the military services in obligational authority and also in expenditures both of which are at least as important as appropriations?

Mr. CHAVEZ. I agree entirely with the last part of the statement made by my colleague, the Senator from Missouri. But as to the first part—regarding what the Senator from Illinois has in mind—let me say I never comment on the motives of my colleagues.

Mr. SYMINGTON. Later, I shall speak briefly on the bill, Mr. President; but at this time I should like to associate myself with those of my colleagues who have congratulated the distinguished senior Senator from New Mexico [Mr. CHAVEZ] for the magnificent way he handled the defense appropriations hearings, in which I had the honor for the first time to take part.

Mr. CHAVEZ. I thank the Senator from Missouri.

Mr. SMATHERS. Mr. President, will the Senator from New Mexico yield to me, so that I may ask a question?

The PRESIDING OFFICER (Mr. THURMOND in the chair). Does the Senator from New Mexico yield to the Senator from Florida?

Mr. CHAVEZ. I yield.

Mr. SMATHERS. What appeared to me to be a little inconsistency in the President's television presentation, to

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which reference has been made and his action was that, as I recall, he said he had to have $1,200,000,000 restored; but I read in the newspapers in the past few days that the President himself agreed voluntarily to reduce by $256 million the request made of the Congress for these military appropriations?

Mr. DOUGLAS. That was for military public works.

Mr. SYMINGTON. Mr. President, will the Senator from New Mexico yield, so that I may answer the Senator from Florida?

Mr. CHAVEZ. I yield.

Mr. SYMINGTON. After the committee decided to increase the appropriations by approximately $960 million supporting to a considerable extent the President's request, in the afternoon the President voluntarily sent to the Congress a decision to cut the military construction funds by approximately $256 million. I understand the President did this without the concurrence of the Department of Defense, but at the suggestion of the Bureau of the Budget.

Mr. SMATHERS. Was the $256 million which the President said he would gladly give up—in the case of the appropriations for military public works—a part of the $1,200,000,000 which he first said he needed?

Mr. SYMINGTON. No; it was not. But so long as the distinguished Senator from Florida has brought up the matter, let me say that the most extraordinary aspect of it to me is that at the same time when the President was requesting the American people to urge Congress to restore $638 million for the Air Force, $390 million for the Navy, and $134 million for the Army, the subcommittee of which the distinguished Senator from New Mexico [Mr. CHAVEZ] is chairman found that Secretary Wilson had issued a secret directive which, according to the formal, printed statement by the Secretary of the Air Force, would result in decreasing the Air Force program for fiscal year 1958 by approximately $4,200,000,000.

The immediate effect of that directive has, through liberal interpretation and the granting of exceptions, been substantially lessened. However, it showed, in my opinion, great insincerity with respect to what was really needed, and it also showed once again that our entire Defense Establishment is being tailored to the day-to-day fiscal demands of the Treasury Department and the Bureau of the Budget.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. DOUGLAS. The statement has been made that the House cut the President's budget by approximately $2,500 million. Is it not a fact that of that cut $1,300 million was a paper cut, and the President so labeled it, namely, the House merely altered the funds appropriated for the multiplicity of stock funds which have surpluses now and they have simply required the stock funds to draw upon their unexpended balances, rather than have Congress directly appropriate the added amounts?

Mr. CHAVEZ. I will say to the Senator from Illinois that in part that directive was limited only to the obligating authority.

Mr. DOUGLAS. Did not the President imply that of the cut of $2,500 million, $1,300 million was a phony cut and not a real cut?

Mr. CHAVEZ. I do not know what he said.

Mr. DOUGLAS. The record will show that. Therefore, the real cut made by the House approximated only $1,200 million, of which $971 million has been restored, and, in my judgment, $87 million more, because there are $87 million in paper economies shown by the committee by deducting amounts from the stock funds. So, in reality, I think the committee has increased the House appropriation by $1 billion and approximately $58 million, making the cut something less than $200 million, which is one-half of 1 percent of the budget originally submitted.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. SALTONSTALL. I should simply like to say that when the Senator from Illinois uses the word "phony" he is not accurate. The cuts the President requested—at least the great bulk of them—related to two matters. One related to the Army and Marine procurement, which was placed in the estimate when the original budget was submitted. Then it was found that such procurement probably would not be necessary during the fiscal year 1958. That amount was dropped at the President's request. The other $599 million was money from the Army stock fund and from the industrial fund, in which reductions could be effected. I heartily approve of that, and I know the Senator from New Mexico has been urging for a number of years that it be done, because the balances, or surpluses, in those funds have increased in volume to such an extent that the capital—and it is capital—could be taken away from the funds, and be used.

Mr. DOUGLAS. I submit the Senator from Massachusetts has borne out completely what the Senator from Illinois has been saying, namely, that apparently the reduction in appropriations of $1.3 billion would not result in the decrease of one dollar in the expenditures of the Department of Defense, but would merely reduce the amounts appropriated for the stock funds and require the Department of Defense to draw down the existing idle cash balances in those stock funds. Is not that true?

Mr. CHAVEZ. That is the interpretation of the Senator from Illinois.

Mr. DOUGLAS. But is it not true? Did not the President label these cuts of $1.3 billion, in the statement from the White House, as being paper cuts? I do not think he used the term "phony cuts," but he used the term "paper" cut. The term "phony" is my term. It was not meant in any derogatory sense, but it was an apparent cut which the public thought it was getting in reduction of expenditures, but in reality it is not a cut at all.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. SALTONSTALL. I think the Senator is perhaps confused about something which puzzles us at times, and something which it is very difficult for me, as a member of the committee, to understand and keep in mind. There are two budgets. There is an expenditure budget, on which taxes are based, and there is the new obligatory authority, which is the responsibility of Congress. When Congress appropriates money, there is involved new obligatory authority which may last for 2 or 3 or 4 years. Probably not over one-quarter of the funds we appropriate—or perhaps I should say one-half, to be conservative—will be spent in the fiscal year 1958. They go into the expenditure budget. We are cutting down, at the President's request and at our own request, the new obligatory authority, which amounts to a reduction in expenditures in future years.

Mr. DOUGLAS. We are drawing down the surpluses of money in the stock funds, of which there are 250.

Mr. SALTONSTALL. We are drawing down some of those funds. At the same time, we are cutting down some of the new obligatory authority.

Mr. DOUGLAS. There is idle cash in those funds.

Mr. SALTONSTALL. I am talking about procurement.

Mr. DOUGLAS. The stock funds had idle cash surpluses.

Mr. SALTONSTALL. They had more than enough capital to do business.

Mr. DOUGLAS. That was in the form of cash.

Mr. SALTONSTALL. We did not appropriate funds, but took away a certain amount of the funds which could be used by drawing down the capital and using that money instead of appropriating new money.

Mr. DOUGLAS. I think everything the Senator from Massachusetts has said has again borne out the statement by the Senator from Illinois that of the $2,500,000,000 cuts made by the House, only $1,200,000,000 would have resulted at any time in decreased expenditures, and $1,300,000,000 simply drew upon idle cash balances in the multiplicity of stock funds.

Mr. SALTONSTALL. I cannot agree with the Senator from Illinois.

Mr. CHAVEZ. I cannot, either, because if we had not done what we did, we would have had to appropriate new money.

Mr. DOUGLAS. And increase the idle cash balances still further.

Mr. CHAVEZ. Perhaps so. Nevertheless, it is a fact.

Mr. DOUGLAS. I agree that it is not so bad as it would be if the idle cash balances were increased still further, but it certainly cannot result in decreases in expenditures, either now or hereafter.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CHAVEZ. Yes.

Mr. SALTONSTALL. It cuts down the amount of money which would be available to the Department of the Army and the Department of the Navy and which would be used in building up inventories.

Mr. DOUGLAS. I shall talk about inventories when I get the floor in my own right.

Mr. SALTONSTALL. The Senator is bringing it up. That is why I mention it.

Mr. DOUGLAS. I may say we have $134 billion in inventories. Even excluding real estate, we have $111 billion in inventories.

Mr. President, I should like now to strike a minor note on a subject which perhaps will also interest the Senator from Massachusetts [Mr. SALTONSTALL].

I have heard a great deal of discussion about the Murphy General Hospital at Waltham, Mass., and the hospital at Hot Springs, Ark., for paralytics.

I should like to ask this question: In the increased appropriations which the Senate committee recommends in the bill, are funds now recommended for the continuation of the Murphy General Hospital at Waltham and the other hospital at Hot Springs, Ark., the name of which I forget?

Mr. CHAVEZ. No. The hospital at Waltham is now being used by another department of the Government. It is getting no funds whatsoever.

Mr. DOUGLAS. The Murphy General Hospital will not be continued?

Mr. CHAVEZ. Not as such. It will be continued as Government property, used by another Government department.

Mr. DOUGLAS. But not as a hospital?

Mr. CHAVEZ. Not as a hospital.

Mr. DOUGLAS. What about the Hot Springs hospital?

Mr. CHAVEZ. The hospital at Hot Springs is in the area of the Senator from Arkansas [Mr. MCCLELLAN]. He is a member of the Appropriations Committee. I think he will be able to tell the Senator from Illinois about that.

Mr. MCCLELLAN. What would the distinguished Senator like to know about it?

Mr. DOUGLAS. I should like to know whether the hospital at Hot Springs is to be continued.

Mr. MCCLELLAN. It is, if I have my way about it.

Mr. DOUGLAS. Is it provided for in the bill?

Mr. MCCLELLAN. Yes.

Mr. DOUGLAS. The item is in the bill. That is all I wished to establish.

Mr. MCCLELLAN. Is there anything else the Senator desires to ask about it, now?

Mr. DOUGLAS. No, that is all. I wish to thank the Senator.

Mr. MCCLELLAN. I thank the Senator.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. DOUGLAS. Mr. President, I do not know whether the Senator from New Mexico has yielded the floor.

Mr. CHAVEZ. If the Senator from Illinois wishes to begin his remarks now, I shall be glad to yield.

Mr. DOUGLAS. I do not wish to shut the Senator off.

Mr. CHAVEZ. No. I am ready to vote.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. CARROLL. Before we proceed with the debate on the bill I should like to ask some questions, if I may.

Mr. CHAVEZ. Certainly.

Mr. CARROLL. On page 2 of the committee report I observe, under the heading "Appropriations, 1957," a total of $34,698,523,000.

Mr. CHAVEZ. The Senator is correct.

Mr. CARROLL. A look at the fourth column discloses that the amount recommended by the Senate committee is $34,534,229,000.

Mr. CHAVEZ. That is correct.

Mr. CARROLL. According to footnotes 1 and 2 $400 million plus $190 million are evidently derived by transfer from the funds listed. Do they total $590 million?

Mr. CHAVEZ. Yes.

Mr. CARROLL. The addition of that amount to the $34,534,229,000 will give a total of approximately $35,125,000,000, will it not?

Mr. CHAVEZ. The Senator is talking about adding to the $34.5 billion the amount covered by notation No. 2?

Mr. CARROLL. Notations 1 and 2.

Mr. CHAVEZ. Both 1 and 2, the $590 million?

Mr. CARROLL. $590 million. So that I will have this fixed in my own mind, the $34,534,229,000——

Mr. CHAVEZ. That is new money.

Mr. CARROLL. That is new money, the amount recommended to be appropriated.

Mr. CHAVEZ. That is correct.

Mr. CARROLL. The $590 million is the additional amount to be expended?

Mr. CHAVEZ. That is correct. The Department already has that.

Mr. CARROLL. This is the reason, Mr. President, I put the question: Actually when we have finished all this, we find we are being asked to appropriate for fiscal year 1958 as much as we appropriated for fiscal year 1957, if not more.

Mr. CHAVEZ. No; that is not quite correct. We are recommending an appropriation of $34,534,229,000, as shown in column 4.

Mr. CARROLL. Yes.

Mr. CHAVEZ. That is what is provided in the bill. The $590 million, which the Senator speaks of now, is money the Department already has on hand, which can be obligated if it is so desired. It has already been appropriated.

Mr. CARROLL. Yes.

Mr. CHAVEZ. If the Department needs it for the program, it has it in hand. It is not an appropriation item this time.

Mr. CARROLL. Let me put the question in a different form. The total money in the appropriation bill, plus the funds transferred, will give the Department more money to meet defense needs than they had in the appropriations for 1957.

Mr. CHAVEZ. Except for transfers.

What I should like to have the Senator from Colorado differentiate is this: The only actual money we are in the process of appropriating now is the $34 billion plus.

Mr. CARROLL. I understand.

Mr. CHAVEZ. The Department of Defense has unobligated funds which run into billions of dollars.

Mr. CARROLL. I understand.

Mr. CHAVEZ. Which they can obligate if they need the money for the program. If they do not need it, they do not have to spend it at all.

Mr. CARROLL. I wish to say to my friend—and he is my friend—the distinguished Senator from New Mexico [Mr. CHAVEZ], that one of the reasons why I have put this series of questions——

Mr. CHAVEZ. I am glad the Senator has made the inquiries.

Mr. CARROLL. One of my reasons is that 10 years ago, when I was a Member of the other body, I voted to unify the military forces. I find though, that a great deal of unification is still needed. A very distinguished former colleague of mine in the House of Representatives, Representative MAHON, of Texas, has issued some public statements lately regarding the situation, which I have not yet had an opportunity to thoroughly study. But he has a very important position on the Appropriations Committee of the other body, and his opinions on the matter of unification should be given serious attention.

Mr. CHAVEZ. That is correct.

Mr. CARROLL. There is a growing feeling in the United States that there is too much waste in the Military Establishment, and that there is overlapping and duplication.

I make this statement in no criticism of the committee at all, but somewhere along the line somebody must bring the separate branches of the Military Establishment together. I note that the Defense Department will have as much money to spend this fiscal year as it had during last fiscal year, and the last was as great as the one before or greater. The question is, when are we going to nail things down and shake out the Military Establishment, with its huge expenditures of billions of dollars?

Mr. CHAVEZ. I think the Senator is correct in his ideas, but we have here for consideration a recommendation for the appropriation of $34,534,229,000, which is a lot of money. If we keep on developing new weapons, as well as other items of military equipment, this amount of money will be small compared to what I estimate it may be 5 or 10 years from now.

Mr. CARROLL. Of course, Mr. President, the distinguished Senator from New Mexico also realizes it is true that unless we curb inflation, these tremendous military costs will continue to pyramid.

I make the point that as I look at the requested appropriation of $34,534,229,000 and compare it with the appropriation of a year ago—I make no reference to a transfer of funds—when the appropriation was $34,698,523,000, the difference is only about $160 million, which is very small compared to the overall, total expenditure.

I know that the chairman of the subcommittee is interested in economy. Somewhere along the line some group

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has to make an intensive study of the cost of the Military Establishment, because it has been said, and I believe with some merit, that each of the services wants to win the war alone.

Mr. CHAVEZ. That is correct.

Mr. CARROLL. Somehow, possibly in the Congress, through a joint committee, or through a special committee, we will have to knock together the heads of the branches of the Military Establishment. This $35 billion expenditure is interfering with many worthwhile programs in this country which need development in the interest of the people.

Mr. CHAVEZ. I think the Senator's remarks are correct, that we ought to try to assist the Department where it is possible, and we should impress upon the Defense Department as strongly as we can the need for a proper program. Indeed, even in the report we have before us now we have called attention to the facts of duplication and waste, and so forth.

Mr. CARROLL. I thank the distinguished Senator from New Mexico for yielding to me and giving me an opportunity to ask these questions. I know that he has worked hard. I know that this is a gigantic task for any small subcommittee. If more money or a larger staff is needed to investigate this question, the facilities should be provided, in order that notice may be served upon the administration that excessive expenditures must be curtailed and waste eliminated.

Mr. CHAVEZ. I thank the Senator.

Mr. DOUGLAS. Mr. President, I wish to set forth a proposal which would result in a decrease in expenditures and at the same time an increase in military security. I am proposing a course of action which will at the appropriate time be supported by amendments to the defense appropriation bill, which would save half a billion dollars for the taxpayers and at the same time create two additional combat divisions of a nonnuclear nature. This can be done by holding to the House appropriations and defeating the billion dollar increase proposed by the Senate Appropriations Committee, and then devoting half of the savings which are thus made to equipping two additional combat divisions. The men for these divisions would be drawn from those squeezed out of the existing divisions because of their being equipped with nuclear weapons and from the excessive numbers of men now being used for supply, administrative and personnel functions. The size of Army divisions is being reduced to approximately 14,000 men.

In short, I am proposing that we transform some of the fat in the armed services into muscle and that we turn military waste into greater military security and that, at the same time, we give the taxpayers a break.

This can be done, as I shall show in my speech. But before I do so, I should like to summarize the present budget situation in the matters of defense. The administration originally proposed a total United States defense budget, excluding mutual security, of approximately $40 billion; $36 billion of this was for the current direct appropriation for the Department of Defense, $2 billion was specifically earmarked for public works, and $2 billion for atomic energy.

The House cut the appropriation for the Defense budget by $2.5 billion, or to $33.5 billion. But, as has been pointed out, no less than $1.3 billion of this represented paper cuts by manipulating the bookkeeping figures for the various stock funds. This meant that the real cut made by the House was really only $1.2 billion, so far as actual expenditures are concerned, either now or in the future. The Senate Appropriations Committee now proposes to restore approximately $1 billion of this. If we adopt their recommendations, the cut will therefore be only $200 million or only about one-half of 1 percent of the proposed budget.

There are about 20 million Americans who have served for longer or shorter periods of time in the Armed Forces of the United States. I think every one of these men knows that far greater economies than these could be effected without the slightest damage to our security.

Again and again the distinguished and able chairman of the subcommittee on appropriations dealing with defense matters has said that these appropriations were necessary for national security. Of course we want national security; but, as I say, the knowledge of these 20 million men, based upon firsthand experience in the service, would cause them to say almost unanimously, I think, that we could make several hundred million dollars of cuts without affecting national security in the slightest.

I believe also that nearly all of these 20 million would want to have some of these savings used actually to increase the combat effectiveness of our forces. That, I repeat, is what my proposal would do. It would save money and increase strength where it is needed. It would shift some of the weight of the Armed Forces from their paunch to the muscle of their arms and legs.

THE OBSTACLES WE FACE

I think I know what I am in for when I make this proposal. The gentlest and yet perhaps most effective argument against it will be to ask why should I put my judgment against that of the Appropriations Committee, the Defense Department, and the President? "Do not these gentlemen," it will be asked, "know infinitely more about this situation than you? Why should we substitute your judgment for theirs?"

This objection would be crushing were it not for two facts. The first is that I am primarily basing this appeal not upon my own knowledge and facts acquired only at first hand, but primarily and overwhelmingly upon careful and detailed investigations by competent and careful bodies. I am basing these proposals in the main on a series of excellent inquiries made by committees of the House, notably those by Representatives HARDY, BONNER, HÉBERT—in the report just issued—and Representative MCCORMACK; also upon the studies and reports of the Hoover Commission, and of the United States Chamber of Commerce, and upon numerous other investigations as well. The evidence I present will, therefore, be overwhelmingly documented and will, I believe, be incontrovertible.

But what about the opposition of the Defense Department to these cuts which has been so controlling with both the President and the committee? Here, may I say in all politeness what every one of us knows to be the prize understatement of the year, namely, that a zest for economy has never been one of the conspicuous virtues of the military? The military do have great virtues—courage, loyalty, discipline, truthtelling. But thrift is not one of them. In wartime, it has to be thrown aside. In peacetime, it is not honored. So, the military have a built-in bias against economizing, and this goes so far that frequently they will sacrifice military muscle in order to maintain or increase administrative fat.

This is another reason why we should use our own judgment on the military budget and not be content with hand-me-down judgments from inevitably biased and ex parte sources.

This brings us to the second grave risk which any fighter for economy and a strong national defense must face. This is the charge that will be leveled against him—that he is endangering national security. Sometimes this charge will be made by leading members of the Military Establishment, sometimes by unthinking Members of Congress, and sometimes by private suppliers who are doing very well on Government contracts and who do not want to have their profits reduced.

But whatever the source or the motive, these are the cruelest wounds which any battler for economy must suffer. But a public servant must not be frightened off either by physical danger or by calumny, if his cause is just.

In this case, let there be no talk that this proposal is stabbing our troops in the back or weakening the security of our Nation. What I am proposing is, instead, to increase our combat forces and our ready military effectiveness. Let those who may be tempted to raise the cry of national security against these proposals instead ask themselves whether it is not they who are reducing our national security in order to protect unneeded paper-pushers, overweight chairborne generals, useless plush and luxury, and a multitude of free riders.

We are in for a terrible struggle, and we should strip for action. And if the struggle does not take place, let one of the reasons be that we are ready for it.

When a military detachment is ordered to start upon a long march, its members are very careful not to overload their packs, and not to carry with them unneeded articles. When we are ordered to take a long march we strip our packs to the bone, in order that the burden may not be too heavy. We are in for a long and desperate struggle with Soviet Russia, and we should not enter that struggle, or continue in it, weighted down, as I shall show, by a multitude of wastes, hundreds of millions in excess payments, and various forms of excess baggage which impede and slow down our military effectiveness and our progress.

SOURCES OF WASTE WHICH CAN BE REDUCED—EXCESSIVE INVENTORIES AND SUPPLIES

Now, Mr. President, I want to turn to the question of excessive inventories and supplies. In 1956, the House Committee on Government Operations issued an inventory report on the amount of real and personal property which the United States Government possessed. I hold a copy of the report in my hand. It is a committee print, issued as of June 30, 1956, and it embraces 215 pages.

I wish to cite facts and figures from that report, as well as from the official figures from the 1958 budget which will show that the Department of Defense has billions upon billions of dollars, indeed, I might say, tens of billions of dollars, in supplies and inventories scattered throughout the world, which in amount appear to be enough to run the Defense Establishment for more than an entire year if no money at all were appropriated by the Congress for the purchase of supplies and stocks.

Let us look at these figures.

1. WORLDWIDE DISTRIBUTION OF INVENTORIES, DEPARTMENT OF DEFENSE, JUNE 30, 1956, ONLY A YEAR AGO

Mr. President, on page 55 of that House report there is a table giving the worldwide distribution of inventories of the Department of Defense as of June 30, 1956. That table shows that the Department of Defense, on that date, had $134 billion in inventories. Of this amount, $22 billion was in real property, leaving $111.1 billion in personal property in that inventory.

I ask unanimous consent that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Worldwide distribution of inventories, Department of Defense, as of June 30, 1956

[Millions of dollars]

Military department and type of property	Total	Continental United States	Territories and possessions	Foreign countries and afloat	In transit
DOD total	134,082	105,529	4,991	22,126	1,436
Real property	[1] 22,918	19,248	2,470	2,200	
Personal property	[2] 111,164	[2] 87,281	[2] 2,521	19,926	1,436
Army total	35,411	28,955	1,158	4,981	317
Real property	7,950	6,879	585	486	
Personal property	27,461	22,076	573	4,495	317
Navy (including Marine Corps) total	53,907	40,455	2,035	11,104	313
Real property	7,887	6,530	1,096	261	
Personal property	46,020	[3] 33,925	939	[4] 10,843	313
Air Force total	44,764	36,119	1,798	6,041	806
Real property	7,081	4,839	789	1,453	
Personal property	37,683	31,280	1,009	4,588	806

[1] Excludes real property under the jurisdiction of the Civil Works Division, Office, Chief of Engineers, Department of the Army, in the amounts of: Worldwide, $3,398 million; continental United States, $3,391 million; and Territories and possessions, $7 million. Also excludes certain original costs of dredging and other work of improving channels and harbors carried in the accounts of the Civil Works Division, Office, Chief of Engineers, Department of the Army.

[2] Excludes personal property under the jurisdiction of the Civil Works Division, Office, Chief of Engineers, Department of the Army, in the amounts of: Worldwide, $185.2 million; continental United States, $185 million; and Territories and possessions, $0.2 million. Includes $2 million personal property of the Office of the Secretary of Defense.

[3] Includes reserve fleet.

[4] Includes supplies afloat and active fleet.

Mr. DOUGLAS. Mr. President, $111 billion is a fantastic amount of money. I have been informed by the Treasury Department that a 2-inch high pile of $10 bills would include 500 such bills, or $5,000.

I have in my hand a $10 bill which I have just borrowed from my legislative assistant. It would take 500 of these $10 bills to make a pile 2 inches high. A pile of $10 bills 1 foot in height would amount to $30,000. The Washington Monument is 555 feet in height. Therefore, a billion dollars in $10 bills would amount to approximately 60 piles of $10 bills as high as the Washington Monument. One hundred and eleven billion dollars in $10 bills, if piled in separate piles, each as high as the Washington Monument, would create over 6,660 piles of $10 bills as high as the monument.

Mr. GORE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. GORE. How much would that be in Confederate money?

Mr. DOUGLAS. I am told that Confederate money has only sentimental value.

Mr. GORE. The Senator is in error; certain original issues are increasing in value.

Mr. DOUGLAS. Are they? The Senator from Tennessee is an expert on the Confederacy. I have no personal feelings about the Civil War. Can the Senator tell me what a dollar of Confederate money is worth today?

Mr. GORE. I am unable to tell the Senator. These are perhaps going up about as fast as Government bonds are going down.

Mr. DOUGLAS. Probably $111 billion in Confederate money would cover the Mall as high as the Washington Monument, 555 feet, from Capitol Hill to the Lincoln Memorial. That is only a curbstone opinion, of course.

That, Mr. President, is the kind of figures we are dealing with.

Of the $111 billion in personal property which the Defense Department had scattered throughout the world on June 30, 1956, the Army had $27.4 billion, the Navy and Marine Corps had $46 billion, and the Air Force $37.6 billion.

If one turns to page 68 of that report, there is a table on the "Supply System Inventories of the Department of Defense as of June 30, 1956." The total amount of the inventories in the supply system was $50.974 billions, or approximately $51 billion. This was divided as follows:

	Billion
Army	$19.8
Navy	15.2
Marine Corps	1.8
Air Force	13.9

Mr. President, I ask unanimous consent that table 7 of the report, published on page 68, be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Supply system inventories, Department of Defense, as of June 30, 1956

[Millions of dollars]

	Total	Stock fund inventories	Appropriated fund inventories
Department of Defense	50,974	9,772	41,202
Army	19,855	7,114	12,741
Navy	[1] 15,297	1,478	[1] 13,819
Marine Corps	1,844	406	1,438
Air Force	13,978	774	13,204

[1] Includes $774 million aircraft spare engines and $174 million of shipboard supplies not included in Navy supply system inventory data.

Mr. DOUGLAS. Again, Mr. President, these are fantastic amounts which are in the supply system, so-called, and which are distinguishable from the total amount of inventory, much of which is outside the supply system and which is being used by the forces in the field.

Again, it appears that there is enough money in these inventories, alone, to run the defense forces for a year or more.

This table also shows the breakdown in the inventories between those inventories from appropriated funds and those inventories which are in the so-called stock funds. The amounts in the stock funds are of great importance, and of the total amounts each service had in inventories, they had in their stock funds the following amounts:

	Million
Army	$7,114
Navy	1,478
Marine Corps	406
Air Force	774

Mr. President, on pages 71, 73, 75, 77, 78, 79, and 82 of the report, there are a series of tables of the supply system inventories for each service, including stock funds, and additional table of the stock fund inventories for each service. I ask unanimous consent that these tables may be included in the RECORD at this point.

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There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Supply-system inventories (including stock funds), Department of the Army, as of June 30, 1956

[Thousands of dollars]

Category	Total stocks	Undistributed stocks	Distributed stocks							
			Total	Peacetime operating	Mobilization Reserve [1]	Economic retention	Contingency retention	Claimant	Disposable excess [2]	Unserviceable
Army, total	19,855,333	[3] 385,459	19,469,874	3,865,864	5,617,349	3,167,140	[4] 962,046	1,631,937	2,432,867	1,792,671
Chemical Corps	373,433	669	372,764	20,865	39,612	51,963	9,049	217,069	22,346	11,860
Engineer Corps	1,317,760	18,220	1,299,540	153,875	250,238	513,827	5,470	32,121	231,152	112,857
Medical Corps	191,246	8,454	182,792	32,146	114,984	26,708	165	170	7,362	1,257
Ordnance Corps, total	13,292,041	197,046	13,094,995	2,668,056	3,593,307	1,652,438	913,911	1,142,785	1,653,848	1,470,650
Weapons	1,257,722		1,257,722	259,224	236,334	167,643	118,765	53,504	80,330	341,922
Vehicles	1,805,101		1,805,101	813,503	232,819	37,229	10,387	7,877	200,299	502,987
Ammunition, guided missiles, rockets and related equipment	6,612,098		6,612,098	860,764	2,990,282	359,255	781,314	1,079,648	168,068	372,767
Spare parts, tools, equipment, and supplies	3,420,074		3,420,074	734,565	133,872	1,088,311	3,445	1,756	1,205,151	252,974
Undistributed	197,046	197,046								
Quartermaster Corps, total	2,510,019	78,207	2,431,812	493,611	1,028,864	572,622	3,709	145,128	130,410	57,468
Clothing and equipage	1,803,824		1,803,824	265,354	867,565	422,476	2,431	114,881	95,656	35,461
General supplies	312,057		312,057	86,328	33,751	135,201	1,228	2,985	32,929	19,635
Petroleum and allied equipment	121,441		121,441	23,566	57,900	9,744	49	26,856	1,604	1,632
Subsistence	194,490		194,490	118,363	69,648	5,201	1	406	131	740
Undistributed	78,207	78,207								
Signal Corps	1,406,414	62,267	1,344,147	318,887	413,857	303,171	12,229	93,391	86,518	116,094
Transportation Corps	490,493	20,596	469,897	177,897	176,487	46,411	17,513	1,273	27,831	22,485
Defense Supply Service	527		527	527						
Surplus property (not reported above)	273,400		273,400						273,400	

[1] Stocks held against that portion of the mobilization reserve materiel requirement for which procurement is authorized.
[2] Stocks excess to 1 command but not necessarily excess to the Army supply system.
[3] Consists of $317,472,000 in transit and $67,987,000 at contractors.
[4] Includes $4,880,000 special retention stocks in CONUS stations.

Stock fund inventories, Department of the Army, as of June 30, 1956

[Thousands of dollars]

Category	Total stocks	Undistributed stocks [1]	Distributed stocks						
			Total	Peacetime operating	Mobilization reserve	Economic retention	Contingency retention	Excess and surplus	Unserviceable
Army stock fund, total	7,114,463	264,411	6,850,052	1,440,250	1,474,125	2,139,837	13,391	1,490,622	291,827
Chemical Corps	55,169	1,466	53,703	2,485	10,364	22,241	8,841	8,891	881
Engineer Corps	723,603	23,744	699,859	78,728	109,919	334,660		160,031	16,521
Medical-dental	188,732	8,124	180,608	37,868	103,692	33,691		3,593	1,764
Ordnance Corps	3,356,762	124,984	3,231,778	624,653	132,719	[2] 1,095,205		1,163,398	215,803
Quartermaster Corps	2,133,520	75,806	2,057,714	518,045	959,230	469,184	279	71,492	39,484
Clothing and equipage	1,720,163	52,354	1,667,809	353,054	853,722	383,412	279	47,864	29,478
Subsistence (retail)	102,366	14,927	87,439	52,744	31,697	2,864		134	
General supplies	216,200	5,980	210,220	80,390	18,472	80,466		22,469	8,423
Petroleum, oil, and lubricants	94,791	2,545	92,246	31,857	55,339	2,442		1,025	1,583
Quartermaster subsistence, single manager	105,161	2,904	102,257	64,156	37,360				741
Signal Corps	481,111	27,014	454,097	95,212	102,867	[3] 175,476	4,121	61,146	15,275
Transportation Corps	69,900	369	69,531	18,598	17,974	9,380	150	22,071	1,358
Defense supply service	505		505	505					

[1] Consists of $33,404,000 stocks at contractors, $3,981,000 stocks temporarily in use, $18,043,000 stocks of other adjustments, and $208,983,000 stocks in transit.
[2] Excludes $9,189,000 of Air Force equity.
[3] Excludes $42,922,000 of Air Force equity.

NOTE.—The figures in this table are subject to possible minor adjustment when current reviews are completed.

Supply system inventories (including stock funds), Department of the Navy, exclusive of Marine Corps, as of June 30, 1956

[Thousands of dollars]

Category	Total stocks	Undistributed stocks	Distributed stocks					
			Total	Peacetime operating	Mobilization reserve	Economic retention	Contingency retention	Disposable excess
Navy, total	[1] 14,349,122	335,893	14,013,229	4,026,283	5,983,971	1,885,210	361,034	1,756,731
Major ordnance equipment and explosives	5,893,797		5,893,797	1,579,720	3,500,282	747,147		66,648
Ordnance repair parts	1,278,676		1,278,676	29,771	729,094	455,597	13,885	50,329
Major aeronautical equipment	213,757		213,757	71,558	81,850	15,474	6,437	38,438
Aeronautical and photographic material	2,117,478		2,117,478	983,857	440,939	112,506	60,629	519,547
Major shipboard machinery, equipment, and components	846,311		846,311	306,728	193,102	11,123	226,093	109,265
Major electronic equipment	559,058		559,058	243,400	131,000		51,250	133,408
Special shipboard electric fittings and fixtures	33,506		33,506	5,327	10,179	8,657		9,343
Ships-repair parts	448,273		448,273	48,069	157,930	191,274		51,000
Submarine repair parts	42,292		42,292	8,268	15,160	4,961	2,192	11,711
Electronics	320,578		320,578	73,091	51,905	68,547	548	126,487
Major construction, and civil engineering equipment	240,864		240,864	11,671	219,093			10,100
Vehicular equipment parts	78,263		78,263	6,458	45,320	20,158		6,327
Training aids and educational books	1,745		1,745	836				909
Special training devices and replacement parts	14,822		14,822	14,833				

[1] Excludes "Shipboard supplies," $173,588,712, and "Aircraft spare engines," $773,972,000.

Supply system inventories (including stock funds), Department of the Navy, exclusive of Marine Corps, as of June 30, 1956—Continued

[Thousands of dollars]

Category	Total stocks	Undistributed stocks	Distributed stocks					
			Total	Peacetime operating	Mobilization reserve	Economic retention	Contingency retention	Disposable excess
Navy, total—Continued								
Scrap salvage and excess	329,298		329,298					329,298
Government-furnished material	324,474		324,474	324,474				
Material-handling equipment, clearances, and other	6,348		6,348	3,486	2,862			
General stores	581,600		581,600	86,188	119,682	161,036		214,694
Special clothing and textiles	293,378		293,378	35,384	120,300	75,140		62,554
Ships' stores and commissary store stock	22,146		22,043					103
Medical, dental, blood plasma, and related items	125,364		125,364	41,764	53,440	13,590		16,570
Fuels and related items	157,614		157,614	54,879	102,735			
Provisions	50,116		50,116	41,018	9,098			
Forms and publications	328		328	328				
Ships' construction material account	14,235		14,235	14,235				
Shipbuilding and conversion stores account	18,908		18,908	18,908				
In transit	307,009	307,009						
Manufacturing work in process	264	264						
Stores paid for not taken up	28,620	28,620						

Stock fund inventories, Department of the Navy, exclusive of Marine Corps, as of June 30, 1956

[Thousands of dollars]

Category	Total stocks	Undistributed stocks	Distributed stocks				
			Total	Peacetime operating	Mobilization reserve	Economic retention	Disposable excess
Navy stock fund, total	1,478,288	[1] 55,982	1,422,306	305,597	447,826	284,798	384,085
General stores	555,639	22,373	533,266	80,281	107,632	140,307	205,046
Vehicular equipment repair parts	36,900	1,137	35,763	5,631	8,354	17,433	4,345
Special ship electric fittings	34,129	715	33,414	5,309	10,109	8,657	9,339
Ship store and commissary store stock	21,567	−579	22,146	22,043			103
Medical and dental	97,261	2,027	95,234	11,634	53,440	13,590	16,570
Blood plasma	29,677	−454	30,131	30,131			
Subsistence stores	52,290	2,174	50,116	41,018	9,098		
Fuel, lubricants and POL drums	143,075	−14,539	157,614	54,879	102,735		
Ship repair parts	9,235	361	8,874	902	2,736	4,236	1,000
Common electronic items	130,330	3,911	126,419	19,437	36,482	[2] 28,505	41,995
Scrap, salvage and excess	48,559	236	48,323				48,323
In transit from procurement	28,620	28,620					
Special clothing and textiles	161,136	−81	161,217	11,277	62,570	50,820	36,550
Resale clothing	126,668	8,053	118,615	21,881	54,670	21,250	20,814
Forms and publications	331	3	328	328			
Other	2,871	2,025	846	846			

[1] Includes $28,620,000 stock in transit from procurement, $27,083,000 inventories in transit and $279,000 manufacturing work in progress.

[2] Includes $191,000 contingency retention stocks.

Supply system inventories (including stock funds), Marine Corps, as of June 30, 1956

[Thousands of dollars]

Category	Total stocks	Undistributed stocks	Distributed stocks			Category	Total stocks	Undistributed stocks	Distributed stocks		
			Total	Operating	Excess, surplus, and salvage				Total	Operating	Excess, surplus, and salvage
Marine Corps, total	1,843,854	[1] 12,288	1,831,566	1,756,355	75,211	Marine Corps, total—con.					
						Maintenance and utility items	31,074		31,074	28,786	2,288
Electronics	189,702		189,702	161,702	28,000	Subsistence	2,688		2,688	2,687	1
Engineer	96,258		96,258	86,420	9,838	Fuel supply	488		488	484	4
General property	142,265		142,265	129,086	13,179	Stocks paid for not taken up	6,818	6,818			
Motor transport	130,534		130,534	121,164	9,370	In transit	5,470	5,470			
Organizational clothing	42,675		42,675	39,030	3,645	Excess, surplus, salvage and scrap (not reported above)	205		205		205
Individual clothing	57,915		57,915	56,882	1,033						
Ordnance	1,137,762		1,137,762	1,130,114	7,648						

[1] Includes $6,095,000 of stocks in hands of contractors.

Stock fund inventories, Marine Corps, as of June 30, 1956

[Thousands of dollars]

Category	Total stocks	Undistributed stocks	Distributed stocks				
			Total	Peacetime operating	Economic retention [1]	Mobilization reserve	Excess and surplus
Marine Corps stock fund, total	406,078	12,429	393,649	33,384	133,464	100,535	126,266
Electronics	3,314		3,314	295	1,129	737	1,153
Engineer	34,409		34,409	2,591	7,463	4,456	19,899
General property	109,629		109,629	11,240	35,940	26,296	36,153
Motor transport	37,554		37,554	1,876	7,684	9,492	18,502
Organizational clothing	23,845		23,845	1,550	2,092	18,814	1,389
Individual clothing	57,905		57,905	10,088	11,394	32,670	3,753
Ordnance	123,818		123,818	2,572	67,762	8,070	45,414
Subsistence	2,688		2,688	2,688			
Fuel supply	487		487	484			3
Stocks paid for not taken up	6,959	6,959					
In transit	5,470	5,470					

[1] Includes contingency retention stocks, $1,000 of electronics and $2,450,000 of motor transport.

UNIVERSITY OF MICHIGAN LIBRARIES

Supply system inventories (including stock fund), Department of the Air Force, as of June 30, 1956

[Thousands of dollars]

Category	Total stocks [1]	Undistributed stocks	Distributed stocks					
			Total	Operating and retention		Reserve	Other claimants	Disposable excess
				Serviceable	Reparable			
Air Force, total	13,978,130	1,874,843	12,103,287	7,729,943	3,380,023	737,164	112,161	143,996
Airframe spares	1,368,185		1,368,185	987,354	305,056	18,066	53,964	3,745
Engines and engine spare parts	3,143,698		3,143,698	1,776,166	1,311,517	18,771	14,012	23,232
Aircraft instruments, assemblies, and components	2,597,932		2,597,932	1,586,145	866,078	113,803	15,686	16,220
Electronics and communications equipment spares and supplies	1,016,815		1,016,815	694,320	170,737	126,886	2,247	22,625
Vehicles and spare parts, marine equipment and construction machinery	634,154		634,154	332,955	119,014	167,658	508	14,019
Tools, hand and specialized	77,321		77,321	62,681	1,607	2,221	1,288	9,524
Shop machinery and laboratory equipment	207,969		207,969	127,228	56,629	15,019	766	8,327
Fuels and fuel-handling equipment and parts	47,280		47,280	40,417	3,304	3,139	25	395
Ammunition	267,474		267,474	208,040	8,574	50,303		557
Armament and photographic equipment and supplies	1,071,877		1,071,877	642,288	362,730	58,157	83	8,619
Trainers and training aids	73,294		73,294	50,509	14,351	654	7,505	275
Food service, heating and air-conditioning equipment and parts	53,523		53,523	40,111	7,165	4,638	344	1,265
Musical instruments, athletic equipment and accessories	3,743		3,743	2,135	291	115		1,202
Clothing, survival equipment and parachutes	216,256		216,256	170,333	27,330	12,054	4,879	1,660
Furniture, office and printing equipment	45,251		45,251	28,404	9,588	5,521	8	1,730
Miscellaneous hardware and general purpose supplies	471,649		471,649	391,058	29,214	34,164	3,135	14,078
Flying field, hangar, and night-lighting equipment	90,017		90,017	57,806	8,597	22,706	109	799
Hazard-detecting equipment	7,664		7,664	5,095	2,303	203	2	61
Stocks in local purchase stores	37,812		37,812	37,804	7	1		
Technical services	513,309		513,309	402,339	44,150	54,656	7,538	4,626
Stock fund [2]	604,478	604,478						
All other	622,803	464,739	158,064	86,755	31,781	28,420	62	11,037
In transit stocks	805,626	805,626						

[1] Excludes Air Force inventory held by Army, $1,476,000,000.

[2] Excludes $169,760,000 distributed in preceding categories but included in the stock fund inventory total of $774,238,000 of table 15.

Stock fund inventories, Department of the Air Force, as of June 30, 1956

[Thousands of dollars]

Category	Total stocks	Undistributed stocks [1]	Distributed stocks				
			Total	Operating stocks	Mobilization reserve	Economic retention	Excess surplus and salvage
Air Force stock fund, total	774,238	27,450	746,788	254,387	198,317	272,658	21,426
Aviation fuels division	254,236	12,887	241,349	114,262	127,087		
Clothing division	210,021	3,511	206,510	39,097	8,048	146,813	12,552
Medical-dental division	86,141	3,353	82,788	21,561	54,928	3,387	2,912
General supplies	169,760	4,105	165,655	33,020	4,215	122,458	5,962
Commissary	53,978	3,594	50,384	46,345	4,039		
Air Force Academy	102		102	102			

[1] Includes $19,967,000 in transit stocks and $7,483,000 stocks in hands of contractors.

Mr. DOUGLAS. Mr. President, there are several points to be made about these tables. First, one will note how they are broken down. The total amount of stocks is given. These in turn are broken down into the amounts needed for peacetime operating, for a mobilization reserve, for economic retention, for contingency retention, for "claimant," for disposable excess, and unserviceable stocks. These stocks are listed, substantially, in the priority of their importance. Thus, if one looks at the table of total supply-system inventories for the Army, one finds that there were inventories equal to $19.4 billion on June 30, 1956.

Of this amount, some $3.8 billion was in the peacetime operating inventory.

This is the amount which is needed, by Army standards, to run the Army if we have no war. So if there were no Communist threat, and if it could be guaranteed that we would not have to fight a war at some future date, these are the amounts of stock which the Army believes it should have on hand to run the Army in a peacetime year such as now.

In addition, to prepare for the contingency of war, the Army has an additional inventory called the mobilization-reserve inventory which are stocks held against that portion of the mobilization-reserve material requirement for which procurement is authorized. In the case of the Army as of June 30, 1956, this amounted to an additional $5.6 billion.

It could be said that these two inventories, taken together, are the inventories which are needed to support our forces today, plus a reserve if we had to mobilize tomorrow morning. The 2 together amount to $9.4 billion of the total inventory of $19.4 billion which the Army had on June 30, 1956, indicating that $10 billion, or half the total, lay outside the war necessities.

In addition, however, the Army has an inventory which amounted to $3.1 billion, and which is labeled "economic retention." Apparently, these inventories are made up of items which the Army considers more economic to keep and store than it is to sell or to get rid of as surpluses. So, in effect, this inventory is outside the military "muscle" which was needed either to support a peacetime Army in that year or which would be needed if mobilization occured.

There is yet another inventory called "contingency retention." This amounted to $962 million as of June 30, 1956. This, of course, has less priority, even, than the "economic reserve," and is an additional surplus of equipment and inventories above and beyond that needed either to support our forces or to support them in case of mobilization.

In addition to these, there are three more inventories—called "claimant" inventories, the "disposable excess," and the "unserviceable." These amounted to $1.6 billion, $2.4 billion, and $1.79 billion, respectively, as of June 30, 1956.

Thus, Mr. President, it can be seen that the Army, itself—which is only one of the services—had billions of dollars in inventories as of June 30, 1956, which were over and above the amounts needed to support the Army in that fiscal year or which might have been needed if it had been necessary to fight a war on any day in that year.

These, Mr. President, are the billions of dollars in "fat"—not muscle—which the Army had in its inventories, and which in substantially the same amounts the Army still has in its inventories. Therefore, Mr. President, Congress could

cut many hundreds of millions and even billions of dollars from the Defense Department appropriation without affecting either our peacetime Army or the equipment needed to go on an all-out mobilization base.

2. STOCK FUNDS

Mr. President, let us turn now to the stock funds. I have already placed in the RECORD the amount of these stock funds on June 30, 1956. I now ask unanimous consent that tables of the stock fund inventories for December 31, 1956 for the Army, the Navy, and the Air Force, be printed in the RECORD at this point

. There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Stock fund inventories as of Dec. 31, 1956

DEPARTMENT OF THE ARMY

[Thousands of dollars]

Category	Total stocks	Undistributed stocks	Distributed stocks						Fiscal year 1957 estimated sales	Fiscal year 1957 estimated procurement [1]
			Total	Peacetime operating	Mobilization reserve	Economic retention	Contingency retention	Disposable excess		
Army stock fund, total	$7,314,785	$206,544	$7,108,241	$1,937,747	$1,461,719	$2,032,825	$4,652	$1,671,298	$2,607,100	$2,196,650
Chemical	53,109		53,109	14,992	8,500	9,578	35	20,004	6,000	2,500
Engineers	710,374		710,374	110,956	108,892	309,875	1,334	179,317	94,000	80,000
Medical	172,623		172,623	28,792	115,268	20,985	159	7,419	33,000	25,000
Ordnance	3,302,549		3,302,549	1,056,825	142,925	1,137,120	893	964,786	490,000	279,000
Quartermaster, total	2,025,851		2,025,851	575,581	1,005,895	376,830	1,542	66,003	1,862,000	1,713,000
Subsistence	85,202		85,202	53,106	29,600	2,496			504,000	504,000
Subsistence single manager	113,078		113,078	88,128	24,816			134	700,000	705,000
Petroleum, oil, and lubricants	91,086		91,086	24,464	58,026	6,541	44	2,011	155,000	151,000
General supplies	345,120		345,120	150,580	97,086	67,776	324	29,354	104,000	63,000
Clothing and equipage	147,301		147,301	67,557	31,713	17,322	1,174	29,535	185,000	175,000
Clothing and textile single manager	1,244,064		1,244,064	191,746	764,654	282,695		4,969	214,000	115,000
Signal	501,626		501,626	131,224	67,434	162,514	689	139,765	110,000	90,000
Transportation	64,957		64,957	18,792	12,805	15,923		17,437	10,000	5,000
Defense Supply Service	585		585	585					2,100	2,150
Stocks in hands of contractors (GFM)	46,178	46,178								
Stocks in transit	217,178	217,178								
Inventory adjustments	(56,812)	(56,812)								
Surplus and foreign excess held by property disposal officers	276,567		276,567					276,567		

[1] Includes transportation, repair, and other costs.

DEPARTMENT OF THE NAVY—EXCLUSIVE OF MARINE CORPS

Navy stock fund, total	$2,261,289	$96,903	$2,164,386	$404,976	$664,225	$580,819	$2,916	$511,450	$1,130,000	$1,065,000
Special shipboard electrical fittings	34,125		34,125	6,661	10,246	7,825		9,393	9,000	7,000
Special clothing and textiles	156,946		156,946	3,049	70,192	48,308		35,397	15,000	5,000
Photographic material	8,529		8,529	2,837	2,349	2,099	353	891	5,000	4,500
General stores	531,181		531,181	84,381	106,900	138,300		201,600	200,000	164,000
Ship repair parts	534,988		534,988	52,696	192,187	239,105		51,000	65,000	45,000
Forms and publications	10,441		10,441	2,099	219	6,623		1,500	5,000	5,000
Medical and dental material	95,384		95,384	14,238	46,306	34,840			12,000	9,500
Blood plasma and related items	33,657		33,657	33,657					1,250	1,000
Provisions	41,204		41,204	30,849	10,355				210,000	210,000
Electronics	285,591		285,591	65,550	52,675	66,537	548	100,281	42,500	40,500
Submarine repair parts	40,033		40,033	8,612	15,000	4,391	2,015	10,015	7,000	7,000
Ships store and commissary store stock	24,135		24,135	24,135					135,000	135,000
Resale clothing	102,761		102,761	17,147	49,887	18,119		17,608	50,000	51,500
Fuels and related items	149,352		149,352	47,276	102,076				330,000	335,000
Vehicular equipment parts	41,545		41,545	11,493	5,833	14,672		9,547	13,000	10,000
Other (includes MHE, process shops, and clearance)	296		296	296					12,250	5,000
Single manager medical material									18,000	30,000
Scrap, salvage, and excess	74,218		74,218					74,218		
Manufacturing work in process	243	243								
Stocks in transit, total	96,660	96,660								
From procurement	44,539	44,539								
Between storage locations	52,121	52,121								

DEPARTMENT OF THE AIR FORCE

[Thousands of dollars]

Category	Total stocks	Undistributed stocks	Distributed stocks					Fiscal year 1957 estimated sales	Fiscal year 1957 estimated procurement
			Total	Peacetime operating	Mobilization reserve	Economic retention	Disposable excess		
Air Force stock fund, total	$800,331	$34,775	$765,556	$214,895	$245,079	$283,462	$22,120	$1,173,000	$1,152,000
Aviation Fuels Division	272,334	4,366	267,968	82,793	185,175			669,750	700,000
Clothing Division	200,837	5,333	195,504	35,437	7,169	142,859	10,039	54,000	40,000
Medical-Dental Division	81,387	3,167	78,220	19,309	45,850	4,335	8,726	23,250	13,000
General supplies	184,010	21,909	162,101	20,070	2,408	136,268	3,355	97,430	65,200
Commissary	61,710		61,710	57,233	4,477			333,000	333,000
Air Force Academy	53		53	53				570	800
In transit stock		32,416							
Stocks in the hands of contractors		2,359							

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Mr. DOUGLAS. Mr. President, it will be seen from these tables that the Army had $7.1 billion in its stock-fund inventories, the Navy a little more than $2.1 billion, and the Air Force $765 million, on December 31, 1956.

Mr. President, I have further figures which are taken from the fiscal year 1958 budget which show the estimated stock-fund inventories as of June 30, 1958, for the Army, the Navy, the Marine Corps, and the Air Force, and I ask unanimous consent that these be placed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Army stock fund

Activities	Obligations, 1958, estimated	Sales, 1958, estimated	Inventory at June 30, 1958, estimated
Army clothing and equipage	$160,000,000	$180,000,000	$203,708,754
Army subsistence	505,000,000	505,000,000	132,284,992
Chemical supplies	2,500,000	6,000,000	41,925,265
Defense supply service	2,100,000	2,000,000	630,247
Engineer supplies	90,000,000	90,000,000	670,409,757
General quartermaster supplies	228,000,000	255,000,000	407,167,669
Medical-dental supplies	21,000,000	21,000,000	27,429,823
Ordnance tank-automotive supplies	150,000,000	320,000,000	1,773,312,733
Other ordnance supplies	95,000,000	160,000,000	1,370,935,177
Signal supplies	95,000,000	105,000,000	458,284,796
Transportation supplies	6,000,000	10,000,000	58,631,000
Single-manager clothing and textiles	240,000,000	350,000,000	1,727,817,000
Single-manager subsistence	700,000,000	700,000,000	124,896,000
Total	2,294,600,000	2,704,100,000	6,997,433,213

See p. 562, 1958 Budget.

Navy stock fund

Activities	Obligations, 1958, estimated	Sales, 1958, estimated	Inventory at June 30, 1958, estimated
Special shipboard electrical fittings and fixtures	$8,800,000	$9,000,000	$20,699,471
Special clothing and textiles	5,300,000	5,000,000	6,680,000
Photographic material	195,600,000	200,000,000	305,729,311
General stores	73,600,000	75,000,000	337,244,617
Ships repair parts	4,600,000	5,000,000	5,101,127
Forms and publications	9,000,000	9,500,000	5,231,200
Medical and dental material			
Blood plasma and related items			
Provisions	215,000,000	210,000,000	45,330,669
Electronics	49,000,000	45,000,000	181,769,561
Submarine repair parts	10,300,000	6,500,000	28,660,000
Ships' store and commissary store stocks	130,000,000	135,000,000	26,114,521
Resale clothing and accessories	60,000,000	60,000,000	22,133,419
Fuels and related items	332,600,000	330,000,000	166,645,344
Vehicular equipment parts	14,800,000	13,000,000	27,428,791
Other (special clearances, excess material transferred for disposal, Government-furnished material, refunds)	1,000,000	12,000,000	280,500,906
Single-manager medical material	82,000,000	65,000,000	286,600,000
Total	1,191,000,000	1,180,000,000	1,776,255,682
Sales-manager blood and related items: Operating stocks			30,386,745

See pp. 571–572, 1958 Budget.

Marine Corps stock fund

Activities	Obligations, 1958, estimated	Sales, 1958, estimated	Inventory at June 30, 1958, estimated
Electronics parts	$6,700,000	$8,000,000	$45,338,562
Engineer property, material and parts	4,100,000	5,000,000	33,308,693
General property	10,000,000	17,000,000	56,186,799
Individual clothing	15,000,000	15,000,000	16,938,146
Motor transport equipment and parts	4,200,000	5,000,000	33,109,560
Organizational clothing	5,000,000	5,000,000	10,051,773
Ordnance equipment and parts	3,000,000	10,000,000	196,282,879
Subsistence	39,000,000	39,000,000	1,772,710
Fuels	6,000,000	6,000,000	700,559
Total	93,000,000	110,000,000	393,689,681

See p. 565, Budget 1958.

Air Force stock fund

Activities	Obligations, 1958, estimated	Sales, 1958, estimated	Inventory at June 30, 1958, estimated
Clothing	$76,350,000	$78,000,000	$22,379,130
Medical-dental supplies	23,000,000	23,000,000	19,419,700
Aviation fuels	700,000,000	700,000,000	284,486,465
Subsistence, commissaries	350,000,000	350,000,000	51,578,453
Air Force Academy cadet store	650,000	500,000	208,404
General supplies	610,000,000	574,500,000	246,619,518
Total	1,760,000,000	1,726,000,000	624,691,670

Mr. DOUGLAS. Mr. President, I wish to discuss the significance of these stock funds.

The "stock funds" are essentially corporations which hold title under a charter to these supplies. For example, on June 30, 1958, the Army stock funds will total $6.99 billion, virtually $7 billion. These have been built up from appropriations which the Congress has made available to the Department of Defense over the past years.

Mr. President, on the tables I have submitted from the 1958 budget, it will be seen that the managers of the stock funds for the Army expect to sell to the various departments and groups in the Army approximately $2.7 billion of these supplies. Thus, it will be seen that in the Army stock funds there is two and a half times the amount of inventories which the stock funds expect to sell or use in fiscal 1958.

Mr. President, there is also the fact that before some bureau of the Army can draw down these stock funds, it must come to Congress and ask for an appropriation of money to buy the goods and supplies from the stock funds. Therefore, when we appropriate money to the various departments of the Army for equipment and materials and supplies, and so forth, we are, in part, appropriating money for them to buy from these stock funds—or corporations—materials and supplies for which the Congress has already appropriated money, and which have been purchased with appropriated funds. Therefore, with respect to the amounts in the stock funds, the Congress is really appropriating twice for these supplies and inventories. This, of course, leads to slow turnover and slow utilization of the supplies. What should be done is that these stocks should be drawn down to reasonable inventories—surely they should turn over once a year instead of once in two and a half years, as now appears to be the case in the Army—and they should be drawn down and used without any further appropriation—or a double appropriation—from the Congress.

Mr. GORE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. GORE. Did the Senator from Tennessee correctly understand the Senator from Illinois to say that, in effect, Congress had appropriated twice for some of these items?

Mr. SALTONSTALL. Mr. President, will the Senator from Tennessee be willing to speak a little louder?

Mr. GORE. I will restate my question. Did the Senator from Tennessee correctly understand the Senator from Illinois to say that, in effect, Congress had appropriated twice for some of the items in the stockpiles?

Mr. DOUGLAS. I think that is the practical effect of the process. Congress appropriated first to build up the stockpiles; then we are asked to appropriate additional funds so that the amounts can be taken out of the stockpiles and given to the services.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. SALTONSTALL. From my understanding of the testimony, I cannot agree with that statement. I may say, in explanation, that the amount for those stockpiles has been built up over the years. Nothing has been included for the stockpiles this year, so far as I know, because the amount has been kept up to a level which is high enough, so instead of providing more money for them, we took some out.

To my knowledge, as a member of the Committee on Appropriations, those stockpiles were started 8 or 10 years ago.

Mr. DOUGLAS. Appropriations were originally made for them.

Mr. SALTONSTALL. Appropriations were originally made for them; there is no question about that. But, to the best of my knowledge, no money has been put into those funds this year.

Mr. DOUGLAS. The budget for the coming year—I will cite page 562 of the big budget, the Gray budget, shows that the inventory of the Army stock fund is estimated to be, as of the 30th of next June, approximately $6.997 billion. Sales to the services will be $2.7 billion. Obligations for 1958, $2.3 billion.

In other words, Congress must appropriate $2.3 billion to the stock fund in order to get $2.7 billion out for the services. That is where $400 million of the alleged savings come from. We are drawing down the cash balance by $400 million in order to make it possible to withdraw $2.7 billion. Thus the $2.3 billion is a second appropriation for these stocks.

I am choosing the Army simply as an example. Similar stock funds exist for all the services—a multiplicity of stock funds. Standing behind these funds are the enormous reserves of supplies which I have mentioned, and which fall outside the stock funds completely.

Here, again, Mr. President, is a way by which billions could be saved without affecting the muscle or ability of our Armed Forces to fight a war.

Further, it will be seen from these figures for fiscal year 1958—and this is the point I have covered—that whereas the stock funds for the Army expect to sell $2.7 billions of the inventories to other Army departments, the 1958 obligations are estimated at only $2.29 billion or $410 million less than the sales. The stock funds, therefore, will have $400 million in cash on their books in excess of the amount of new obligations. This is the method by which the services pile up money and create the tremendous backlog for which I have already given figures.

The same is true for the Navy and the Air Force as can be seen from the tables I have placed in the RECORD.

Further, from time to time, these balances, in small part, are turned back. That has happened this year. When that has been done, the Department of Defense has claimed that it has made great savings—when in fact it has done little more than to turn back a very small proportion of the great excessive backlog. This is no real savings but a bookkeeping savings, and is the type of bookkeeping savings which is included in the present appropriation bill. I am referring specifically to the $1.3 billion of the House cut which the President did not ask to have restored, and which was called a bookkeeping, rather than an actual savings.

Finally, Mr. President, I have before me a document which the Department of Defense puts out each month, called Department of Defense Excess Personal Property. This particular document is for May of this year. In it are included those items which any one agency of the Department of Defense has said were excessive for its own needs. This is a listing of the items called Disposal Excess on the supply-system inventories which I have already placed in the RECORD.

For May of this year, the document has 264 pages. On each page are listed 100 general items. Mr. President, at this time I shall read some of them; and let me say that there is no statement about the quantity: Holder, tool, cutting; holder, tool, planer and shaper; holder, brush; piston, made of steel; plastic sheet—and so on, a bewildering list. For each of these, there may be one or a thousand units which a bureau has stated it has in excess quantities. Thus, there are included for this one month 264 pages, of 100 categories each, or a total of 26,400 categories; and in most of these categories there are more than one, and often thousands of individual units. These are the excess, to be disposed of. If these particular items are not needed by some other department, they eventually become surplus, and then are sold by the Government.

This gives us some small idea of how much overhead and fat and waste there are in the Military Establishment—items which could be cut back or used more efficiently without affecting in one iota our ability to fight a war.

Moreover, in all this we should note that if we cut down on all this tremendous excess of supplies, we shall need far fewer warehouses and storage facilities and fewer quartermasters. Savings on supplies will, therefore, produce further savings in the case of personnel and maintenance.

It is foolish to believe that the Congress and the military must act like a bunch of pack rats in order to have the United States be a great military power. Instead, our military forces are muscle-bound in building up an excess quantity of goods which probably cannot be used in a future war—which may be short in duration; and large quantities of the goods have to be sold at giveaway prices; but still we keep piling up further supplies.

Mr. President, I submit that we should trim down, and should not imitate the pack rat, in connection with our military procurement.

WASTES IN CONTRACTING AND PROCUREMENT—NEGOTIATED CONTRACTS

1. THE HÉBERT COMMITTEE REPORT

One of the worst abuses in contracting and procurement by the armed services is in the so-called negotiated contracts. Simply stated, this means that instead of calling for open and competitive bidding, the Defense Department negotiates with one, and sometimes more,

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firms for certain supplies. The abuses have been so widespread that only yesterday the Subcommittee for Special Investigations of the House Committee on Armed Services—the Hébert committee—issued a scathing report on this practice.

Mr. President, I hold in my hand both the report and the hearings before the Hébert committee; and in that connection I ask unanimous consent that an editorial published today in the Washington Post be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PROCUREMENT IN CAMERA

The report of the House Armed Services Investigating Subcommittee on Defense Department procurement practices is a highly serious indictment. It reveals that a startling 92 percent of the Nation's defense buying is being handled by negotiated contracts rather than through advertised, competitive bidding. Moreover, the dubious legal authority relied upon for this extensive practice and the often slipshod and secretive manner in which it is carried out raise serious questions whether the possible advantages in negotiated buying are not more than offset by the losses inevitable in such unbusinesslike procedures.

The Navy and Air Force seem to be by far the worst offenders. Despite explicit earlier promises to Congress that they would not continue to use emergency Korean war authority for negotiated buying except in certain limited circumstances, in the first 9 months of last year 35 percent of Navy dollars and 54 percent of Air Force dollars were spent under this authority. Only the Army seemed to make a real effort to revert to normal procedures, limiting its emergency negotiated buying to 9.4 percent.

Astonishingly the Navy admitted to the House subcommittee that some negotiations are even conducted by telephone and that "it is not the practice of the Bureau of Ships to negotiate with all bidders because this could convert procurement into auction." Chairman F. Edward Hébert is quite right in asking, "How better can you get a lower price than at auction or bargaining?" What compounds the evil is the frequent refusal of the armed services to make public the bids submitted after contracts are awarded competitively and to shroud negotiations in secrecy.

The subcommittee very properly concludes that until a public accounting is made of the contracting procedures and practices within the several military departments, we shall not have a return to the traditional American system of public purchasing; we shall not have competition; we shall be constantly beset with charges of favoritism; we shall hear charges of wrongdoing, and of loose and inconsistent purchasing; we shall not have competition among businessmen of an order of magnitude which will, by the proven American system of free enterprise in a competitive market, reduce the costs of products.

There must, of course, be a considerable amount of negotiated procurement—but not to the extent of 92 percent. Defense officials defend the practice as the best way to achieve good performance, adherence to specifications and prompt buying. Their protestations would carry more weight if they would keep faith with Congress on the way in which negotiated buying is to be used—and more particularly if they would remove the cloak of secrecy from their proceedings.

It is not necessary that a procurement officer be crooked for the public to take a beating on a negotiated contract. He need only be inexperienced, tired or cynical. The cure for these common failings is to put him and all his dealings in a goldfish bowl so that competitors may better squeeze the excess out of their prices for the taxpayer's benefit.

Mr. DOUGLAS. I may say, Mr. President, that I believe that the Senate does not pay sufficient attention to the extremely competent, careful, and detailed studies which are made by the other body, and which could be of enormous help to the Senate in the making of cuts in appropriations.

Mr. President, the committee originally had issued a report on December 14, 1955, concerning the abuses of the Armed Services Procurement Act during the 30-month period from January 1, 1953, through June 30, 1955. They found that in that period 93.55 percent—and I think Senators should realize the importance of this—of the dollar value of all procurement was by negotiation. It was done under the Presidential proclamation of a national emergency by President Truman on December 16, 1950. It should be recalled that all Korean hostilities ended on July 27, 1953. President Truman's proclamation had the effect at the time of suspending the provisions of the Procurement Act of 1947, which required competitive bidding.

Nevertheless, the House Armed Services Committee found, in December 1955, that for 2½ years after the termination of the Korean war 93 percent of the dollar value of all procurement was not by contract, but by negotiation, although the reason for the removal for most of these contracts from competitive bidding and their transfer to negotiation had disappeared because the hostilities had terminated and the national emergency in fact no longer existed, although President Eisenhower had not revoked the previous emergency decree of President Truman.

As a result of that report and the abuses brought out then, the Department of Defense agreed that, as of January 1, 1956, negotiated contracts would be limited to very special and particular areas where, on paper at least, it would appear there was some real and genuine justification for negotiated contracts.

I wish to read the solemn promise made to the House Committee on Armed Services, and which is repeated on page 671 of the report of the Hébert committee. This is what the Deputy Assistant Secretary of Defense for Supply and Logistics testified in part:

> We have no intention either of perpetuating the use of the authority beyond the time when it is no longer justified or of utilizing negotiation at any given time on a broader basis that the circumstances require.

The House Committee on Armed Services thought this was a firm promise, but they later determined to check and see whether this promise had actually been fulfilled.

Now the committee has reported again. It has found that in the period from January 1, 1956, just a few days before the Deputy Assistant Secretary made his promise, through September 30, 1956, which was the latest date for which the Department of Defense provided figures, approximately 92 percent of the value of the contracts awarded and a little over 92 percent of the number of contracts involved in that 9-month period were negotiated. This is the period following the promise of the Defense Department substantially to do away with negotiation except in very limited areas.

After the solemn promise had been given by the Department of Defense virtually to do away with negotiated contracts, the Department only reduced them from 93 to 92 percent, or decreased them by only 1 percent during this period, despite the fact that the Korean war had been over for more than 3 years and the occasion for any national emergency had long since been removed.

Mr. President, I ask unanimous consent that table A, which appears at page 640 of that House report, be printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER. (Mr. CLARK in the chair). Is there objection to the request of the Senator from Illinois?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE A.—*Comparison: Procurement by negotiation versus advertised competitive bidding during period Jan. 1 1956, through Sept. 30, 1956, by dollar value and number of contracts under Armed Services Procurement Act of 1947—by value*

[Value in thousands of dollars]

	Total	Negotiated	Advertised	Negotiated	Advertised
				Percent	*Percent*
Army	2,647,590	2,203,466	444,124	83.23	16.77
Navy	4,145,529	3,768,280	377,249	90.90	9.10
Air Force	7,034,713	6,744,359	290,354	95.87	4.13
Total	13,827,832	12,716,085	1,111,727	91.96	8.04

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. Between the date of January 10, 1956, when the Deputy Assistant Secretary of Defense for Supply and Logistics testified that there was no intention of continuing the use of this authority, and the present date, was any statement ever made to show why the practice was not discontinued?

Mr. DOUGLAS. I know of none. I may say the Secretary made the statement on January 10, 1956, just a few days after the beginning of the period which had been studied.

Mr. LAUSCHE. Yes.

Mr. DOUGLAS. In any event, the Department had time to carry out the

promise, though there was no indication that it carried out the promise in the slightest.

Mr. LAUSCHE. And there has been no change in circumstances which would warrant an abandonment of the statement made in late 1955 or early 1956?

Mr. DOUGLAS. I know of none.

Mr. LAUSCHE. Does the Senator from Illinois know whether in the State of Illinois there is a similar right to enter into contracts without competitive bidding under emergency situations?

Mr. DOUGLAS. There may be, but I think it is a very bad practice.

Mr. LAUSCHE. I agree with the Senator from Illinois. I am quite certain if any such procedure as that had happened in the State of Ohio while I was the governor, there would have been a hue and cry all up and down the State from citizens demanding to know why the normal law was not complied with and why bidders were not asked to submit competitively their figures, with the contracts being awarded to the lowest and best bidder.

Mr. DOUGLAS. The Senator from Ohio, who had a distinguished record as governor of his great State for 10 years, was conspicuous in insisting upon competitive bidding in the State of Ohio, and upon receiving 100 cents worth of value for every dollar he paid out.

Mr. LAUSCHE. I thank the Senator very much.

Mr. DOUGLAS. I wish to commend the Senator for his record, and to say that we should have some of those qualities in the Department of Defense. They have 33 secretaries, under secretaries, deputy under secretaries, assistant secretaries and deputy assistant secretaries, yet apparently they have not been able to effect a change or improvement in this one simple thing.

Mr. LAUSCHE. Is the Senator able to state what is the aggregate sum of money involved for the last year with relation to contracts which were let by negotiation and not after competitive bidding?

Mr. DOUGLAS. Table A, which I am having printed in the RECORD, shows total contracts awarded in a 9-month period, in 1956, not for a full year, and they amounted to $13,828 million. I am giving that figure to the nearest million dollars.

The advertised and competitive bids amounted to only $1,112 million, and the negotiated contracts were in the amount of $12,716 million. Therefore, 92 percent of the $13.8 billion of contracts were negotiated rather than let through competitive bidding.

Mr. LAUSCHE. If the Senator will yield further, I will venture to state that, although I have not analyzed the laws of the different States, the strong probability is that in each of the 48 States of the Nation there is a law which predominantly requires competitive bidding, and permits the letting of contracts under negotiation only in emergencies and in abnormal circumstances.

Mr. DOUGLAS. I think that is true.

Mr. LAUSCHE. I thank the Senator very much.

Mr. DOUGLAS. The Department of Defense is taking advantage of the emergency proclamation issued by President Truman at the time of the Korean war, which has not been revoked by President Eisenhower, but I submit that the circumstances which properly led to the original issuance of that Executive order have long since disappeared. The shooting in Korea stopped 4 years ago, yet 3 years after it had stopped the Department of Defense was still making its purchases, in 92 percent of the cases, by negotiated contracts rather than by competitive contracts.

Mr. LAUSCHE. I think the query would be well in order: When will the emergency come to an end? When will we resume making purchases on what is supposed to be a normal-times basis?

Mr. DOUGLAS. If the job were being properly done that time should be tomorrow.

I have asked unanimous consent that table A, which appears on page 640 of the House report, be printed in the RECORD.

This table shows, as my colloquy with the able Senator from Ohio has emphasized, that of contracts of a total value of $13,827,832,000, contracts having a value of $12,716,085,000 were awarded by negotiation, or, as we have repeatedly emphasized, 92 percent.

Broken down by services, this table shows that 83.23 percent of the value of Army contracts was negotiated, while contracts involving only 16.77 percent of value were let by competitive bidding.

Let me say that the Army made the best record of the three services in this respect or rather the least bad record. The Army submitted one-sixth of the dollar value of its contracts to competitive bidding, which was the least bad record of the three services.

(At this point Mr. DOUGLAS yielded to Mr. SPARKMAN to submit the conference report on the Housing Act of 1957, which report was considered and agreed to.)

Mr. DOUGLAS. Mr. President, when the consideration of the conference report on the housing bill was interjected into the proceedings, I was pointing out that in the 9 months from January 1 to September 30, 92 percent of the dollar value of the contracts of the Department of Defense had been negotiated rather than subjected to competitive bidding.

In the case of the Army, which was not so bad as the other branches of the Armed Forces, 83 percent of the dollar value of the contracts had been negotiated, and about 17 percent let by competitive bidding. This is the best record. Only one-sixth of the dollar volume of the Army contracts was, however, let by competitive bidding.

The Navy negotiated 90.9 percent of the value of its contracts, and therefore let only 9.1 percent by competitive bidding.

The Air Force was the worst offender. It negotiated 95.87 percent of the value of its contracts, or approximately 96 percent, and received competitive bids for only 4.13 percent of the total value of the contracts. Mr. President, that is a shocking situation, and it is particularly bad in view of the promise which had been made to the House Committee on Armed Services.

Let me repeat the words of the Committee on this practice. The committee notes that—

> Secrecy of negotiations in the spawning ground for suspicion and fraud (p. 643).
>
> Secrecy is the negation of a public trust openly administered. It is the substitution of personal responsibility for law: the substitution of the individual for a "government of laws and not of men" (p. 643).

The committee also points out:

> Negotiation is much too complicated to be so widespread within the Departments when even the voluminous instructions and guidelines cannot keep pace with the needs for guidance (p. 663).
>
> Negotiation is an open invitation to trouble (p. 663).

The committee notes that—

> The Deputy Director of Procurement for the Air Force calls negotiation an art, where meaning may be "conveyed by the blinking of an eye or the shading of a statement." That is not the way to transact the public business (p. 663).

I submit that the Hébert committee was correct when it said that this was not the correct way in which to transact the public business. The committee sums up the situation in these words:

> We condemn excessive use of negotiation. We condemn it as a breeding place for suspicion and fraud. We condemn it as a shield for mischief. We accept it only when no other course is possible in order to make certain that which was theretofore uncertain (p. 663).

The committee hearings went into great detail and elicited overwhelming factual support to show the abuses of negotiated contracts.

Only a few of these examples are summarized in the committee's report. One of them had to do with a contract for the protection and maintenance of the Melvindale, Mich., forge tank plant. I think it would be obvious to begin with that contracts for police and maintenance forces should not be negotiated. I ask unanimous consent that that example, which appears on page 643 of the Hébert report, be included in the RECORD at this point.

There being no objection, the example was ordered to be printed in the RECORD, as follows:

NEGOTIATIONS BY DEPARTMENT OF THE ARMY, DA-2-018-ORD-15016, DETROIT ORDNANCE DISTRICT

This contract was to provide for the protection and maintenance of the Melvindale (Mich.) forge tank plant.

Proposals to negotiate were solicited under section 2304 (a) (10), "services for which it is impracticable to secure competition by formal advertising."

A contract was awarded to General Riggers, Inc., at $86,750. Dearborn Machinery Movers Co. bid $85,910.

Dearborn's bid was first revised downward, taking into account the value to it of the storage space. It later revised upward to $85,910 upon being apprised that the facility was to be disposed of and the use and availability of storage space might be restricted because of that.

Dearborn stated that major repairs should be assumed by the Government. It men-

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tioned no amount. Detroit Ordnance estimated that this repair might cost $69,000. The repair item was held to be a qualification of the bid. Dearborn was not consulted as to the sum estimated for such an item by the Government.

General Riggers had made no similar statement. It did, however, in its final bid, include a schedule for use of storage space. Machinery, at the time in the plant, was subsequently to be removed in progressive stages. Dearborn had a similar provision in its bid.

Detroit Ordnance District awarded the contract to General Riggers because of the alleged qualifying condition concerning building repair but without any discussions.

No attempt was made to elicit from Dearborn any clarification of this repair item. No questions were asked of Dearborn concerning its estimate of the costs of repairs. No attempt was made to solicit a better proposal for rental of the storage space.

Serious doubt exists as to whether section 2304 (a) (10) could have been used in lieu of sealed bidding.

This same housekeeping operation had been undertaken before. Its limits and requirements could have been well-enough defined so that a statement of requirement could have been drawn, and sealed competitive bids solicited.

This appears to be another example of unnecessary resort to the use of an exception permitting negotiation.

Mr. DOUGLAS. Mr. President, the committee gave another example of a negotiated contract which was let under the provisions of a section of the law which provides negotiation when the "details of the supplies or services being procured should not be publicly disclosed."

In this instance the Navy contracted for eight guided missile destroyers. But the Navy, in fact, widely publicized the contracts and many of the details of the contracts.

Further, the Navy, in its correspondence to the committee about them, stated that the "negotiations were conducted by telephone and in conference with Bureau personnel."

The Navy further stated:

Negotiations were conducted only with the four lowest bidders. It is not the practice of the Bureau of Ships to negotiate with all bidders because this would convert the procurement into an auction. Although lower prices might be obtained as a result of auctioneering, such practice lengthens the procurement process, creates distrust among bidders, and may result in acceptance of contract prices at less than cost, causing eventual nondelivery and financial difficulties to the successful bidders.

Well, Mr. President, that is a rather feeble excuse for not negotiating with all the bidders. It raises cries of favoritism, which often appear to be true, and certainly negates, by inference, the value of the competitive system under which we live and operate.

I ask unanimous consent that this example from the Hébert report, pages 644 to 648, be included in the RECORD at this point.

There being no objection, the example was ordered to be printed in the RECORD, as follows:

"NEGOTIATIONS" AS PRACTICED IN THE DEPARTMENT OF THE NAVY

A. This subcommittee and the full committee have questioned whether Navy Procurement Directive 3-002.1, which purports to give its negotiator the authority to determine whether a response to proposals had been adequate and whether the prices received are reasonable and low, and then without any discussion whatsoever to have no "further (?) negotiations," but instead make an award on the proposal which meets his standards.

The subcommittee is advised that Navy Department experience indicated that 5 percent of the number of contracts and 2 percent of the dollar value of contracts in each fiscal year have been awarded by this process.

On January 5, 1956, in case No. B-125770, the Comptroller General requested the opinion of the Department of Defense as to whether that procedure was "sufficient to secure the Government "the best possible agreement" as apparently contemplated by the Congress, and the "full and free competition" provided for by the applicable provision of the Armed Services Procurement Regulations."

The Assistant Secretary of Defense for Supply and Logistics under date of February 16, 1956, endorsed the procedure and proposed to make it applicable throughout the Department of Defense.

The reason given was that "we must find a way to cause the potential contractor to provide his best quotation. We believe that this can best be accomplished if he is not assured that there will be further individual bargaining. If so assured, he will, without question, present his quotation in such a way as to include contingency allowance for negotiation purposes."

On December 5, 1956, this subcommittee, with the approval of the chairman of the Armed Services Committee, denounced the directive as unlawful and deceptive, and a distortion of the negotiating authority.

True to plan, the Department of Defense made the procedure applicable by an amendment to the Armed Services Procurement Regulations on February 1, 1957, section 3-805 (a).

B. Another view of the Department of the Navy's "negotiations" as practiced is demonstrated in the so-called negotiated purchase of eight guided missile destroyers, the award of the contracts relating to which was publicized in a Navy press release.

The subcommittee has exchanged correspondence with the Navy Department on the procedures employed and the results effected in these so-called negotiations. The correspondence is as follows:

SATURDAY, MARCH 30, 1957.

Memorandum for: Rear Adm. E. C. Stephan, Department of Navy, Legislative Liaison, room 4D-834, the Pentagon, Washington, D. C.

Published reports indicate that 4 contracts totaling $146,101,743 for the construction of 8 guided missile destroyers have been awarded as follows:

New York Shipbuilding Corp., 3; Bath Iron Corp., 2; Defoe Shipbuilding Co., 2; Todd Shipyards, Inc., Seattle, 1.

Press releases indicate that 11 firms submitted bids, and that the contracts were awarded as a result of competitive negotiations.

In its current study of negotiated proposals, the subcommittee would appreciate receiving as early as practicable, since this matter is now concluded, an abstract of proposals indicating: (1) initial proposals, and (2) final negotiated proposals and a brief description of the method by which these negotiations were conducted as well as a statement of the applicable section of the Armed Services Procurement Act, now title 10, section 2304, United States Code.

By direction of the chairman:

JOHN J. COURTNEY,
Special Counsel.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D. C., April 15, 1957.

In reply refer to OLL:INV:ACJ:gms 6-845.

Mr. JOHN J. COURTNEY,
Special Counsel, Subcommittee for Special Investigations, Committee on Armed Services, House of Representatives, Washington, D. C.

MY DEAR MR. COURTNEY: In your memorandum of March 30, 1957, you requested an abstract of proposals and other data pertaining to the recent award by the Navy's Bureau of Ships of 4 contracts for the construction of 8 guided missile destroyers (DDG) in the Navy's fiscal year 1957 shipbuilding program. You indicated that this information was required by the subcommittee for use in its current study of negotiated proposals.

This procurement was negotiated under the authority of section 2304 (a) (12) of title 10, United States Code, which permits the use of negotiation procedures when details of the supplies or services being procured should not be publicly disclosed. These missile destroyers are of new design and will incorporate armament and equipment classified for security reasons. Proposals were solicited on a countrywide, competitive basis from qualified firms. Eleven proposals were received in response to 15 invitations. Details of the four lowest proposals initially received resulting in contract awards are set forth in the enclosed abstract.

A summary of the final negotiated prices with the four contractors, plus the delivery schedules and vendors for turbines, gears, and boilers is set forth below:

New York Shipbuilding: 3 vessels, at $16,374,500 per vessel; total, $49,123,500.

Delivery schedule: 39, 43, and 47 months after award.

Manufacturer of components: Westinghouse Electric turbines, Westinghouse Electric gears, Foster Wheeler boilers.

Defoe Shipbuilding: 2 vessels, at $17,222,621.50 per vessel; total, $34,445,243.

Delivery schedule: 39 and 43 months after award.

Manufacturer of components: GE turbines, GE gears, and Foster Wheeler boilers.

Bath Iron Works: 2 vessels, at $17,234,550 per vessel; total $34,445,243.

Delivery schedule: 36 and 40 months after award.

Manufacturer of components: GE turbines, GE gears, and Babcock & Wilcox boilers.

Todd (Seattle): 1 vessel, at $18,487,400 per vessel; total $18,487,400.

Delivery schedule: 40 months after award.

Manufacturer of components: GE turbines, GE gears, and Foster Wheeler boilers.

These contracts were awarded to the four shipyards submitting the lowest competitive proposals. All of these yards are well-known, highly qualified shipbuilders and are included in the Navy's industrial mobilization planning program. Through the use of negotiation procedures, the Bureau of Ships:

(a) Provided for a high degree of interchangeability of major components and decreased the quantity of stock components and spare parts required.

(b) Obtained price reductions from 3 of the 4 bidders concerned.

(c) Obtained strategic dispersal of construction.

(d) Provided a broad base for competitive award of guided missile destroyers in future programs and for mass production in the event of mobilization.

(e) Obtained earlier completion of the missile destroyers for which the Navy has pressing operational requirements.

(f) Permitted a Puget Sound shipyard to build up skills and facilities necessary to discharge mobilization responsibilities for destroyer construction, thereby promoting

the maintenance of a shipbuilding capability on the west coast essential for national defense as required by statute (10 U. S. C. 7302).

(g) Encouraged the acquisition of experience and know-how in combatant ship construction in the Great Lakes area by awarding a contract to a Michigan shipbuilder, delivery to be accomplished via the new St. Lawrence seaway.

The invitations solicited proposals on the basis of 1, 2, 3, and 4 vessels and asked all bidders to indicate expected vendors for main propulsion turbines, main propulsion reduction gears, boilers and generators, with vendor's price for each, and to quote alternately on the basis of 3 different vendors supplying such components. The Bureau reserved the right to award on the basis of any combination of manufacturers of these components. This clause was inserted to insure maximum interchangeability of components and to reduce the quantity of spare parts required. The invitations also asked each bidder to quote as a follow yard with plans to be furnished at cost of reproduction. The Bureau had previously obtained a proposal for preparation of working plans from Gibbs & Cox, New York City, a leading design firm in the preparation of plans for destroyers and other combatant ships.

Following analysis of the proposals received, the Bureau, with the approval of the Secretary of the Navy, decided that the best interests of the Government would be served by making awards to 4 contractors on a 3, 2, 2, 1 vessel basis. It was considered that this distribution would prevent overloading of any one yard and permit earlier delivery dates, would result in strategic dispersal, and, finally, would permit awards at the lowest practicable cost to the Government. It was further decided to award construction of 3 ships to the New York Shipbuilding Corp., the lowest bidder, which is also building a *Forrestal*-class carrier and other ships; to the Defoe Shipbuilding Co., which has previously not constructed any ships larger than escort vessels, nor more than 2 of these at any one time; 2 to Bath Iron Works; and 1 to Todd Shipyards, Seattle. Bath Iron Works, a yard specializing in destroyer construction for the Navy, agreed to assume the role of lead yard and to enter into a contract with Gibbs & Cox for the preparation and furnishing of working plans. A cost reimbursable portion was included in the contract with Bath in an estimated amount of $9,576,500, including fee, for this plan work.

Todd Shipyards, Seattle, Wash., has been engaged in recent years in Navy conversion and repair work. In wartime this shipyard is scheduled to operate nearby Navy reserve facilities for construction of DDG-type, as well as other types of Navy ships. Thus, the award to Todd was not only justified on a price basis, but would also permit the build-up of facilities and a nucleus of trained personnel for its expected mobilization assignments.

Government-furnished material to be supplied each contractor amounts to approximately $1,553,000 per vessel, exclusive of certain ordnance equipment. The cost of any facilities required for construction of these ships is to be borne by the contractors.

In your letter you requested a brief description of the method by which negotiations were conducted. These were conducted by telephone and in conference with Bureau personnel. Items which were the subject of negotiation with all of the successful bidders included terms and conditions of the contract involving limitations of liability for correction of defects arising during the guaranty period, reserves to be withheld until final settlement, and approval of subcontract and purchase order clauses as to sources for turbines, gears, and boilers. These are normally subjects for negotiation in procurements of large combatant ships.

Negotiations were conducted only with the four lowest bidders. It is not the practice of the Bureau of Ships to negotiate with all bidders because this would convert the procurement into an auction. Although lower prices might be obtained as a result of auctioneering, such practice lengthens the procurement process, creates distrust among bidders, and may result in acceptance of contract prices at less than cost, causing eventual nondelivery and financial difficulties to the successful bidders. The Bureau negotiates downward price adjustments only to the extent that the prices quoted appear higher than a fair and reasonable price.

Through negotiation with all 4 bidders, the Bureau was able to obtain agreement, at the same or lower prices, for installation of the same manufacture of turbines and gears in 5 ships. The remaining ships will have identical components of different manufacture. Likewise, standardization for boilers was obtained for all except two ships. These negotiated arrangements will permit greater interchangeability of components, and will reduce stocking requirements for spare parts, thus resulting in lower maintenance costs.

During negotiations, Bath reduced its quoted prices on all quantities of vessels by a substantial sum on the basis that Gibbs & Cox would prepare plans for Bath under a subcontract, in lieu of Bath obtaining plans from the Bureau. The subcontract to which Bath agreed would cover the same scope, estimated cost, and percentage of fee previously agreed upon by Gibbs & Cox with the Government. This arrangement has mutual advantages to both parties. It gives Bath control of plans, assures Bath of getting the required plans on time, affords greater assurance to both parties of timely delivery of vessels, and relieves the Government of liability for any late delivery of Government-furnished plans which past experience has indicated can be costly. Following examination of Bath's price analysis, negotiations were conducted which resulted in elimination of certain items, and reductions in man-hours, labor dollars, overhead, and profit.

As a result of negotiations, the Bureau obtained a total price reduction of $1,321,500 from Bath, $125,604 from Todd, and $452,523 from the New York Shipbuilding Corp.

The foregoing information was submitted in business confidence by the contractors concerned, and it is requested that it not be publicly disclosed.

I trust that this fully answers your inquiry. If additional information is desired, do not hesitate to call upon me.

Sincerely yours,

E. C. STEPHAN,
Rear Admiral, United States Navy,
Chief of Legislative Liaison.

WEDNESDAY, MAY 15, 1957.

Re your file, OLL:INV:ACJ:gms 6-845
Rear Adm. E. C. STEPHAN,
Chief, Legislative Liaison,
Department of the Navy,
Washington, D. C.

DEAR ADMIRAL: On April 15, 1957, you responded to the subcommittee's memorandum request made by our special counsel under my direction, amplifying information contained in a Navy press release appearing in the Wall Street Journal announcing the award of 4 contracts for destroyers in the aggregate sum of $146 million.

The information contained in your letter is responsive to the subcommittee's questionnaire. Your response was read into the record at an executive session of the subcommittee on Monday, May 13, 1957.

The subcommittee is of the opinion that none of the matters referred to in your letter are, in fact, business confidences which may not be made public. If any commitments were made to secrete the information contained in the letter responding to the subcommittee's questionnaire, the subcommittee desires to know by whom they were made, on what authority, and to whom they were made.

Will you please give this matter your immediate attention and let me have your response before the next executive meeting of the subcommittee which will be on Friday afternoon, May 17.

Sincerely yours,

F. EDWARD HÉBERT,
Chairman.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D. C., May 17, 1957.

In reply refer to OLL:INV:HCL:gms 6-845.
Hon. F. EDWARD HÉBERT,
Chairman, Subcommittee for Special Investigations,
Committee on Armed Services,
Old House Office Building,
Washington, D. C.

MY DEAR MR. CHAIRMAN: In your letter of May 15, 1957, you asked what commitments, if any, had been made to not publicize information on a recent procurement on guided missile destroyers (DDG) contained in our letter to you of April 15, 1957. No specific commitments have been made. But quotations submitted by competing shipyards on negotiated procurements are informal proposals submitted with the distinct understanding that they will be kept in confidence and subject to withdrawal at any time.

Although the information is unclassified, it is requested that the abstract of quotations enclosed with our letter of April 15 and the last paragraph of page 4 and the first paragraph of page 5 of the letter not be published. It is believed that disclosure of these details of negotiations and procurements of this type would not be in the public interest.

Unlike bids received in advertised procurements, these quotations do not represent formal offers which, upon acceptance, become binding contracts, but rather proposals to serve as a basis for negotiations. Such proposals may or may not represent the final contract prices agreed upon. To make public disclosure of such quotations, therefore, either during the negotiation process or after award, would prejudice the Navy in its efforts to negotiate the most advantageous prices to the Government.

A further consideration is that quotations from the competing firms are frequently contingent upon acceptance by the Government of changes in the specifications, special contract clauses, or other conditions, and hence are not comparable. Thus, disclosure would present a distorted pricing picture which would confuse the public and would not benefit either the Government or the contractor.

To assist the subcommittee in its consideration of negotiated procurements, details of negotiations with the successful bidders on the destroyer procurement, which resulted in price reductions and in more advantageous contract terms to the Government, were described in our letter of April 15, 1957. Public disclosure of such information would reveal details of the negotiation process and business practices of the various bidders which the Navy has always, in the interest of maintaining satisfactory relations with its contractors, endeavored to preserve in confidence. Disclosure would handicap the Navy in future negotiations with these same shipyards. In this connection, it should be mentioned that invitations will soon be issued for quotations on guided-missile destroyers in the Navy's fiscal 1958 shipbuilding program. Disclosure of details of past negotiations would impair the Navy's bargaining position in obtaining the best possible contract terms, and might create distrust among bidders toward each other and toward the Government.

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For these reasons, the request to withhold the information specified in the second paragraph above is believed in this case amply justified in the public interest. There is no objection to publication of the remainder of the letter of April 15.

With kindest regards,

Sincerely yours,

E. C. STEPHAN,
Rear Admiral, United States Navy,
Chief of Legislative Liaison.

Mr. DOUGLAS. Mr. President, let me turn to yet another example from the Hébert report. This has to do with procurement of air conditioner units for aircraft.

The Hébert committee report sums up the results of this example as follows:

On the purchase of air-conditioning units, the Air Force holds that negotiation means to invite the discussion of technical proposals. Then, among 5 bidders, to disclose the fact that they were not low to 2 bidders; to allow the other 2 to guess from discussions on specific items in their proposals that they were not low on these items; and as to the fifth bidder (original low price bidder) to condemn him because he did not ask a specific question as to whether he was still low, and was disqualified (p. 684).

There is a very grave question, Mr. President, why this item was ever negotiated in the first place. The Hébert report points out, on page 687, that it was negotiated under a section of the law which was used by the Air Force because it claimed "it did not have sufficient specifications upon which to purchase the product."

Yet, Mr. President, at the same time one of the bidders was seeking sealed bids for the same article. In the words of the committee:

While the Air Force was invoking section 2304-(a) (10) for the purchase of MA-3 air conditioners, its prime contractor, Convair division of General Dynamics Corp., no stranger to the world of manufacturing, was soliciting competitive sealed bids for the same article from the same list of manufacturers to whom the Air Force circulated its requests.

Thus, Mr. President, not only were there numerous abuses when the contracts were negotiated, but there is a very grave question why they should have been negotiated in the first place. If General Dynamics could have these identical articles submitted to open, competitive bidding, why should not the Navy do so?

Mr. President, I ask unanimous consent to have printed at this point in the RECORD this further example from the Hébert committee's report.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

NEGOTIATION IN DEPARTMENT OF AIR FORCE, RFQ 33-602-56-3114, PROCUREMENT OF MA-3 AIR-CONDITIONER UNITS FOR AIRCRAFT

This procurement was undertaken under section 2304 (a) (10) upon the representation that it was impracticable to advertise for sealed competitive bids because of lack of specifications for the product sought.

A number of firms were solicited to submit technical proposals and prices. In November 1956, discussions were had concerning these technical proposals. As a result, five firms were found by the Air Force to be qualified to produce. That is to say, the method by which these manufacturers proposed to assemble and the components which they proposed to use had, by engineering evaluation, been found to be likely to produce the temperatures and other requirements sought in these articles, if completed in accordance with the proposal plan.

Our hearing was concerned with the pricing technique employed.

At the time these five firms submitted their technical proposals, each had submitted prices for unit and total procurement.

The issue, therefore, resolved itself into whether or not these five firms were negotiated in the usual and accepted meaning of that word; and, whether each received fair and equitable treatment for competitive price revision by negotiation.

One firm (Keco) testified that on November 15, 1956, at the completion of its technical discussions, its representatives requested advice as to whether those discussions were to be considered as price negotiations. The firm's representatives testified that they were told that the answer to that question was "No." There seems to be some difference as to what was actually said.

Nevertheless, this firm believed that it was the low bidder at that time. (It was in fact the low bidder by something over $400,000.) Its representatives then posed a hypothetical question as to whether "a firm which was low but which as a result of negotiations conducted with other bidders might cease to be low, would be so advised and given an opportunity to revise its price."

This hypothetical question, it is admitted, was answered "Yes." This firm then claims that, acting on such assurance, it did not revise its price until later events, which we will point out.

Another firm, Acme Precision Products, submitted its technical proposal and was qualified. It met with Air Force representatives at about the same time as Keco. Representatives of the firm testified that they did not ask whether they were low bidder. But their negotiators concluded from the mention of certain specific items of cost that the firm was not low. It then revised its price.

Representatives of the firm testified that no suggestion was made to them by the Air Force concerning a downward price revision. Their subsequent action was based on what they inferred from the discussions.

Another firm, Airtemp division of Chrysler Corp., testified that it was not suggested that its prices be revised; but in discussions relating to the type of motor which Chrysler had proposed to install, Air Force representatives suggested that a substitution of a less expensive motor could be used; and that automatically reduced material costs, and, obviously, reduced the total bid submitted. The company at that time received no suggestions about price revision or that it was not the low bidder. But, because of the change in components, Chrysler subsequently submitted a revised and lower price.

A third firm, American Electronics, testified that, after its discussions on proposals, it requested information as to whether it was the low bidder and was advised that it was not; whereupon, a new and revised price was submitted.

Recony Corp., the bidder subsequently given the award, testified that it requested information as to whether it was low and was advised that it was not, and that it then subsequently revised its price.

These latter four firms testified that their proposals and downward price revisions were made voluntarily in the circumstances recited.

Early in December 1956, the contracting officer sent a telegram to these five bidders stating that no unsolicited bids would be received after 4:30 p. m., December 10, 1956.

Between the date of their discussions and December 10, four firms submitted revised proposals.

The fifth firm, Keco, claims it did not submit a revised price proposal because it believed it was the low bidder and when it ceased to be the low bidder, it would be advised and given an opportunity to revise its prices.

Then this occurred: Airtemp division of Chrysler which had submitted a revised price before December 10, included a sum for delivery of these air conditioners from its plant in Dayton to Shelby Air Force Depot. None of the other bidders bid that way.

Air Force representatives on December 12, 1956, requested a revision of Chrysler's price which would exclude the amount charged for transportation. By telegram, Chrysler reduced its bid to take out this item.

Nothing further happened until late in December 1956, when Keco stated that its suspicions were aroused; and that it then sought information as to whether it was still the low bidder.

There were discussions between its representatives and the Air Force over a period of a week. It is not necessary to repeat the detail of each of them. But on January 4, 1957, Keco proposed by telephone to the Assistant Director of Air Force Procurement at Wright-Patterson Field a revision of $100 per unit.

The testimony is that the Assistant Director of Procurement did not give an immediate answer to this proposal; but, instead, apparently examined the other bid prices and telephoned Keco's representatives and stated that even a $100 reduction per unit would not make Keco the low bidder.

On Monday, January 7, 1957, Keco submitted by telegram a further revision of $300 per unit. This new proposal, in fact, did make it the low bidder.

This offer was rejected by telegram on January 11, 1957, upon the grounds that the award was approved prior to its receipt.

Regulations of the Air Force provide that revised proposals may be considered at any time prior to award. It subsequently was admitted by the Air Force that the notice of award was not placed in line for delivery to the awardee until January 10, 1956.

The Assistant Director of Procurement could not advise the subcommittee what the words "before award" meant, nor when, in these circumstances, award had been made.

The validity of this whole procedure is open to serious questions.

Were any of these firms entitled to be advised any time they ceased to be the low bidder in the course of the negotiations? As to this, there is a dispute, as will later be pointed out.

Nevertheless, two bidders were told they were not low; that the firm which was in fact the low bidder on the first proposal was advised, hypothetically, that it would be told when it ceased to be low bidder; and two other bidders merely guessed that a price revision was in order.

That is neither responsible, nor fair, nor uniform practice in negotiations in the considered opinion of the subcommittee. It is this type of thing which raises questions of suspicion, influence, and wrongdoing.

We note that the Air Force answer to the proposed revision of January 7, 1957, was not made upon the grounds that the revision did not occur before December 10, 1956 (the cutoff date specified in the telegram) but upon the grounds that the award had been approved before its receipt.

We note, also, that the cutoff date was waived for Chrysler Airtemp which had included a charge for transportation. On December 12, 1956, 2 days after the cutoff, Chrysler revised its price to exclude the transportation charge. That deduction

came almost to the point of making Chrysler the low bidder. Yet no other bidder was advised or informed or in any way solicited nor was the cutoff date extended, excepting for this one firm.

The Deputy Air Force procurement officer who received the proposal on January 4, 1957, from one bidder, later explained his conduct by stating that he was just being courteous to this bidder.

There is no question of courtesy in public matters. There is only a question of right and duty involved, and nothing more.

Mr. DOUGLAS. Mr. President, at this time, I wish to turn to yet another example of the abuses of the negotiated contract. This was a contract by the Air Force for 1,421 power-transfer switches. It is an example of waste in the neighborhood of $1 million. It is a situation where the "fifth" highest bidder received the contract. Although the invitation to the contract merely stated that "the preliminary drawings should be submitted in sufficient detail to indicate that the bidder had an understanding of the requirements of the manufacture of this article," the low bidder was excluded because his proposal lacked "satisfactory information." The Hébert committee report states that—

At no time was he asked to supply any additional detail or to amplify detail which he had supplied.

Thus, in the words of the committee:

For want of discussion a potential saving of a million dollars was thrown away (p. 51).

Mr. President, I ask unanimous consent that this example from the Hébert committee report be included in the RECORD at this point.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

AIR FORCE INVITATION NO. 30-635-56-4603, ROME AIR FORCE BASE, N. Y.

This was an invitation to submit technical proposals and prices for the manufacture of 1,421 power transfer switches. The invitation was extended to 39 firms on February 1, 1957.

When the technical proposals and prices were received, the prices ranged from $1,366,000 to $4,926,000.

The 4 lowest proposals were rejected because allegedly 1 was not in sufficient detail, and the other 3 because detail was unsatisfactory. A contract was awarded to the fifth higher bidder at $2,300,000.

Our inquiry disclosed that the reason for excluding the lowest bidder, who was nearly $1 million lower than the firm to whom award was made, was that this bidder's technical proposal lacked satisfactory information. At no time was he asked to supply any additional detail or to amplify detail which he had supplied.

The process was this: A contracting officer of limited experience received technical proposals and evaluated the financial data. He requested further data from several bidders, including the low bidder. There is some testimony that this contract specialist was of the opinion that the lowest bidder was entitled to the given award.

However, the evaluation of the technical proposals was transferred to a so-called engineering evaluating group. That group proceeded to exclude the four lowest bidders and stated their reasons to the contract specialist.

The invitation had stated merely that the preliminary drawings should be submitted in sufficient detail to indicate that the bidder had an understanding of the requirements for the manufacture of this article.

As has been pointed out, the detail submitted by three other rejected bidders indicated that they did not have an understanding of the proposal. But the lowest bidder's situation was different. What he indicated was sufficient detail. But no questions were asked for any additional detail. No negotiations were requested of this bidder.

The so-called contract specialist did nothing about it. He asked no further questions although he had asked questions with respect to other data which required elaboration.

Why, with a million-dollar saving staring him in the face, he and his superiors who reviewed the situation were not moved to ask a simple question, we cannot understand. Yet that is exactly what happened.

There had been set up a "Chinese wall" between the engineering group and this contract specialist. Neither could know what the other knew.

This is presented to us as a case which negotiation was required. But no discussions were had. For want of discussion, a potential saving of a million dollars was thrown away.

Mr. DOUGLAS. Mr. President, these examples are only a few of the hundreds of similar cases. They show the numerous abuses in the negotiated contract. They show one of the reasons why there is gross waste in the procurement activites of the Department of Defense.

They show why "secrecy of negotiations is the spawning ground for suspicion and fraud."

They show why "secrecy is the negation of a public trust openly administered."

They show why "negotiation is an open invitation to trouble."

They show why the "blinking of an eye or the shading of a statement," in the words of the Hébert committee, "is not the way to transact the public business."

Mr. President, these abuses have been going on for a great length of time. I have pointed out that ever since the Korean war, and in the 3 years that followed, approximately 93 percent of the contracts were being negotiated, rather than submitted to competitive bidding, despite the promises of the Secretary of Defense and the Under Secretary of the Navy.

Mr. NEUBERGER. Mr. President, at this point will the Senator from Illinois yield to me?

Mr. DOUGLAS. I yield.

Mr. NEUBERGER. First, I should like to endorse the very able speech the distinguished Senator from Illinois is making. Even with my limited knowledge of this subject, it seems to me that if any substantial savings are ever to be made in the Federal budget, they must be achieved in the extravagance and the very heavy spending for armaments, munitions, and defense, because that is where most of the spending occurs.

Mr. DOUGLAS. Let me say to my good friend, the Senator from Oregon, that I would prefer to say that the savings should be made out of the waste in the Defense Department.

Mr. NEUBERGER. That is implicit and implied in what I have said to the Senator from Illinois.

I should like to ask the Senator from Illinois about a further aspect of the very disturbing revelations he is making today to the Senate, to see whether he agrees with me. We are still in a period in which the young men of the country are being drafted for military service. They are being taken away from their normal lives; their educational careers are being disrupted; in a considerable number of instances they are taken from their parents, and in other instances they are taken from their wives and children. I know that when I was growing up, we were told by the leaders of veterans' organizations and by various other spokesmen of organizations in the country that, if ever there was another war or national emergency, there would be equality of sacrifice; capital, as well as men, would be drafted; there would be no more defense millionaires; money would not be made out of human blood. This is what we were then promised.

But today, in view of the negotiated contracts and the extravagant profiteering the Senator from Illinois has mentioned, is not the United States further from equality of sacrifice than perhaps ever before in its history, because even the limitations, such as the extensive renegotiation of contracts and the excess-profits taxes which existed during World War II, have been abolished. So at present the ceiling is off, so far as profiteering on armaments, tanks, uniforms, military aircraft, and so forth is concerned. As a result, not only is there a financial aspect to the point the Senator from Illinois is so properly and effectively making, but there is a moral and ethical aspect, as well. Is not that true?

Mr. DOUGLAS. I quite agree; and nothing distresses the morale of a country more than to require great sacrifices by its young men at the same time that great profits are allowed to be made.

Mr. NEUBERGER. Mr. President, I am struck by the contrast, for example, that the administration has abolished all the educational provisions of the GI bill of rights, which to some slight degree, at least, tended to equalize the sacrifice, and in that way some effort was made to compensate young men for the sacrifice they had made. Thus it was that the Government assisted them in going to college and otherwise in furthering their educational careers.

However, at the same time when that equalizing feature for our GI's has been abolished, larger profits than ever before are permitted to be made in the case of armaments and munitions. Again I emphasize that this moral aspect of the matter should concern the American people. Why does capital get more preferential treatment than boys?

Mr. DOUGLAS. I quite agree.

Mr. NEUBERGER. Mr. President, I desire to thank the Senator from Illinois for the contribution he is making.

Mr. DOUGLAS. I thank the Senator from Oregon for his very proper comments. I think he has rendered a public service.

Mr. President, this situation is shocking. It could shake to its foundations public confidence in the Department of Defense.

But, Mr. President, the Hébert report of June 30, 1957, is not the first such report. It is just one of many warnings

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which have come. On the question of the inadequacy of plant inspection reports and the capabilities to carry out the contract of the final contractor under negotiated contracts, abuses have been going on for years. The Hébert committee lists some of these, from the 82d Congress through to the present time.

Instead of things getting better, the situation is now worse. On page 680 of its report, the Hébert committee states:

The low point has been reached in this hearing.

Mr. President, I ask unanimous consent to have inserted at this point in the RECORD, the summaries of the Hébert committee of various actions of this and previous committees on the subject of the ability of contractors to carry out the contracts, and the failure of the Defense Department to make this determination before the contract was let.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

INADEQUATE PLANT INSPECTION REPORT AND FACILITY CAPABILITY REPORT

Since the 82d Congress the predecessor subcommittees of this subcommittee have repeatedly called attention to inadequate performance in this regard.

The following are inquiries in the 82d, 83d, and 84th Congresses involving facility capability or preaward surveys:

82D CONGRESS

1. Elvair Corp. We reported:

"The story unfolded in testimony, documents, and investigation of this company is fantastic. It places a severe strain on the patience and the credulity of the committee. It reveals a serious defect in our procurement system, a lack of interest and failure of duty on the part of procurement officers to rise to the full obligation of their offices and assignments in the interest of the United States. It shows how these promoters and the banker allies, who were more interested in a 'lead-pipe cinch' profit than anything else, can cause the established manufacturers of the country to be passed over, notwithstanding the assurances of the procurement officers that all that has to be done is for them to 'keep in communication with the nearest ordnance district.'

"The committee recommends a thorough overhauling of the procurement investigating staffs so that alert, capable, and interested personnel qualified in their duties are answered fully and completely, including the passing along of helpful information to other inquiring district offices. Too much responsibility is vested, in preparation and circulation of notices of Government needs, on persons having limited capacity and knowledge in the field of procurement, with the result that promoters of the type managing Elvair can gain a foothold."

2. Consolidated Industries, Inc., Memphis, Tenn. We reported:

"The subcommittee recommends that the services take immediate steps to improve and correct procurement regulations to assure competent preaward inspections; and that immediate steps be taken to educate inspectors upon the need of a full and adequate inquiry when making their examinations. Forms and regulations which leave them hidebound, if in fact that is the case, should be scrapped in favor of a realistic and competent approach."

3. Fashion Sport Shoe Co., Inc.

"Concerning a manufacturer of slippers for the armed services, the subcommittee found that this contractor has delivered 297,684 pair of slippers to the Government, all below Federal specification standards, and held contracts for an additional 393,024 pair. While our investigation dealt primarily with inspection methods by the Government and unscrupulous devices for a manufacturer to evade inspection, this manufacturer had been awarded many contracts when the company was in receivership."

4. Investigation of contract administration, Detroit Ordnance District. We found:

"During the 1-year test period from July 1, 1950, through June 30, 1951, there were 8,800 contracts administered by this ordnance district. On July 1, 1950, 2,474 were incomplete; of this number, 689 were delinquent."

83RD CONGRESS

1. Smoke generators (Air-A-Plane Corp., Norfolk, Va.). We reported:

"If this matter had not been brought to the subcommittee's attention, this bidder would have been eliminated and no one but the preaward surveyors would have known what had happened. Trick questions, half-truths, omissions, and distortions concealing incompetency would have deceived the contracting officer who had to rely upon them; and it would have cost the Government 15 percent more for this procurement.

"The House Armed Services Committee has for a long while been interested in having competent preaward surveys. Our many reports since the passage of the Armed Services Procurement Act are ample evidence of our interest and concern that preaward surveys be made to eliminate incompetents from the bidding process; but, on the other hand, that no bidder be disqualified by unfair or devious means.

"We recommend that the Chemical Corps institute more adequate training and investigate more carefully the competency of is preaward surveyors."

2. As a result of an executive inquiry of the subcommittee involving the awarding of contracts for the fabrication of clothing, the Army Quartermaster Corps was able to cancel out an irresponsible manufacturer.

84TH CONGRESS

The low point has been reached in this hearing. The subcommittee examined into the facility capability report of the successful contractor on Air Force procurement No. 33-602-56-3114.

The testimony of the personnel involved in that operation engaged the attention of this subcommittee on Monday, April 1, 1957. Questions and answers appear in subcommittee proceedings No. 2, pages 451 to 496, inclusive. It would be a waste of time and money to repeat the testimony. It is enough to say that it is a disgusting and dismal performance of a public responsibility.

The multitudinous interoffice reports were not only untrue of the successful contractor, but could very well have resulted in it having been disqualified without its knowledge, on the basis of the financial data submitted.

They were untrue because they were distorted. They were useless because they did not contain any information of value or counsel the contracting officer who was compelled under the regulations to rely upon them.

Six men spent an unknown number of days on this latter operation. Their financial data was incorrect and misleading, admittedly. The production capabilities were incompletely reported; and the information relayed to the contracting officer was worthless.

As far back as August 7, 1951, in commenting upon preaward inspections, our predecessor subcommittee stated:

"In the many cases which the subcommittee has examined of incompetent preaward inspection, the stock excuses have been either (1) that the regulations did not require the inspector to make the inquiry which would have ascertained the facts bearing upon the contractor's qualifications; or (2) that question wasn't on the form; or (3) 'I wasn't instructed to ask for that.'"

The subcommittee stated:

"It is high time that someone in authority took a look at the regulations and abolish them as a sanctuary for failures; and it is also time that some departmental procedures be worked out to educate inspectors on the questions that ought to be asked in a preaward inspection."

Six years later, we repeat that admonition. We suggest that the recommendations of this subcommittee be brought directly to the attention of the Secretaries of the military departments.

This subcommittee will say that in the 6 years it has been in almost continuous operation, it has yet to find a competent, satisfactory, and informative preaward survey made by competent, experienced, and Government employees.

With eyes to see, the inspector should report what he sees. With ears to hear, he ought to ask the questions that are necessary to properly evaluate and formulate opinion, not only for himself but to be able to transmit information to those finally responsible for making decisions on awards. That is particularly needed in view of the heavy responsibility vested on contracting officers under section 3-801.2 of the Armed Services Procurement Regulations.

Mr. DOUGLAS. Finally, Mr. President, I ask unanimous consent to include in the RECORD at this point, the summary and conclusions of the Hébert committee, which I believe every Member of the Congress should read.

There being no objection, the excerpts from the report were ordered to be printed in the RECORD, as follows:

SUMMARY AND CONCLUSIONS

I

During the full committee hearings of January 1956 upon a prior report of this subcommittee, the record of moneys spent by the Defense Department by virtue of the Korean national emergency proclamation of December 16, 1950, stood at 94.19 percent of all Defense Department moneys. The chairman of the full committee, in revealing this figure, stated that he was startled at the extent to which this type of purchasing was being used.

At that hearing, the Department of Defense announced the issuance on October 28, 1955, effective January 1, 1956, of Armed Services Procurement Regulation No. 3-201.2 (b), the purpose of which was to limit purchases within the Department of Defense military activities to the 16 numbered exceptions in the act with all the qualifications relating to each, and it agreed to limit the use of the national emergency exception in section 2304 (a) (1) to four cases.

1. Small business set-asides.
2. Labor surplus set-asides.
3. Purchase of nonperishable subsistence.
4. Waiving the requirement for secretarial approval of contracts for research and development less than $100,000.

We have been unable to get the record of the Department for more than the first 6 months of 1956. It shows only fifty-three one-thousandths of 1 percent of the dollar value of all contracts let in that 6-month period where contracts involving small business set-asides and labor surplus set-asides, a total 884 contracts by number. That accounts for the first two reservations.

On the purchase of nonperishable subsistence, only sixty-two one-hundredths of 1 percent of the Defense Department dollars were expended for this type of purchase. It accounted for 2,558 contracts by number.

And for the waiver of secretarial approval in research and development contracts, only

2.91 percent of Defense Department dollars were involved in this type of purchase. There were 3,305 contracts entered. These figures were furnished us by the Department of Defense.

The record of the other purchasing done is this:

The secretarial directive states that from January 1, 1956, under Armed Services Procurement Regulation 3-201.2 (b), the four reservations we have just mentioned above will be the only areas in which the Korean national emergency proclamation will be used as legal authority for contracting. We now have the record furnished us as of May 15, 1957, from the Department of Defense, as to what actually happened.

In 9 months of 1956, notwithstanding the Armed Services Procurement Regulation 3-201.2 (b), 38.94 percent of Department of Defense dollars amounting to $5,312,515,000 was contracted for, using as the legal basis the Korean national emergency proclamation of December 16, 1950. That was 84,410 contracts. This action was taken after the information given to the committee in January 1956.

The Department of the Army, however, did reduce its use of this exception to 9.44 percent of the dollar value of its purchases; and the Department of the Army is the one which purchases, almost exclusively, the nonperishable subsistence items (No. 3) for the services. The total dollar value of its contracts amounted to $241,956,000.

A look at the Navy and Air Force actions is revealing. In the same period, the Navy Department spent 35.53 percent of its dollars or $1,403,877,000, relying upon the authority of the Korean national emergency proclamation. The Department of the Air Force, in the same period, spent 54.13 percent of its dollars or a total of $3,650,639,000, relying upon the Korean national emergency proclamation.

Considering Armed Services Procurement Regulation 3-201.2 (b), how can it be said that the Department has kept faith with the Congress or faith with its own written directives?

The use of other exceptions of the act is worthy of note on the basis of the figures supplied us.

In the course of this inquiry, we examined into the use of section 2304 (a) (10) where it was said to be impracticable to obtain competition. Thirteen and sixty-two one-hundredths percent of Defense dollars or a total of $1,858,546,000 represented by 54,445 contracts were expended by the use of this exception. All of the cases we have detailed in this report relied upon that exception for its legal authority. We do not need to repeat or comment further upon that subject.

But another interesting figure has been developed in the breakdown of figures submitted on May 15, 1957. In the same 9-month period, $2,999,220,000 in money or 21.98 percent of Department of Defense dollars in that period was contracted for in 866 contracts because it was said to them that these 866 contracts were for specialized or technical supplies which required substantial initial investment or extended periods of preparation to manufacture. That is the record.

We call attention to the power delegated to Congress by the Constitution in section 8 of article I: "to make rules for the Government and regulation of the land and naval forces;"

Yet, today, there is in fact no law specifically dealing with the method of purchasing by the military departments as intended by the Congress when it passed the Armed Services Procurement Act of 1947. By reason of one of these sections upon the declaration of a national emergency by the President, the act is effectively suspended and contracting may legally be done now without reference to most of the provisions of the act.

The substitute now is the Armed Services Procurement Regulation 3-201.2 (b) to which reference has been made.

We think Congress has the duty of restoring law to the Department of Defense procurements. Regulations are clearly and demonstrably not enough, even if they were observed.

The cry that section 2304 (a) (1) should not be changed because of the need of additional standby power in the event of an emergency has served to abuse the confidence of the Congress and flout the law. There are ample provisions for emergency contained in the First War Powers Act, if indeed the public exigency provision, subsection a-2 of the Armed Services Procurement Act, is not adequate for that purpose.

The first war power provision for emergency purchasing does not expire until 1957, and a bill pends before the Congress to extend it to 1959. It has been continually extended since passage. But there is a great deal of difference between the negotiation required under the First War Powers Act and the negotiation which is done under section 2304 (a) (1).

II

We have stated some of the information developed in specific studies within the three service departments; and we have commented upon the testimony of the Department of Defense as the policymaking agent for the military services upon its interpretation of ASPA and regulations. From that, a number of conclusions follow:

We are, at the present time, no nearer to a definition of what "negotiation" means than that there are four different views; one, in the Department of Defense; another in the Department of Navy; another in the Department of Army; and a fourth in the Department of Air Force. Among these four there are as many interpretations of the word as there are people administering the law and regulations.

Department of the Air Force

On the purchase of air-conditioning units, the Air Force holds that negotiation means to invite the discussion of technical proposals. Then, among 5 bidders, to disclose the fact that they were not low to 2 bidders; to allow the other 2 to "guess" from discussions on specific items in their proposals that they were not low on these items; and as to the fifth bidder (original low price bidder) to condemn him because he did not ask a specific question as to whether he was still low, and was disqualified.

The Chairman of the Armed Services Procurement Regulations Committee of the Department of Defense holds that it would be unlawful to disclose the fact that a bidder was not low or to otherwise indicate to him information with respect to prices.

The Deputy Director of Procurement for the Air Force says that the bidder was negligent for not having asked the question which he says would have been answered, if asked.

The contracting officer in response to a hypothetical question, admitted that an original bidder who ceased to be low during negotiations would be told his position on the bidding list had changed as a result of negotiation.

Who is to be believed?

A second case: Negotiation meant that when an engineering evaluation returned the bid documents for lack of sufficient information (although the bid was over $1 million low) no question suggested itself as to what information was needed to properly evaluate and equate the proposal. Thus a low bid of over $1 million was calmly rejected without any question being asked—or any dicussion held.

The Deputy Chief of Procurement of the Air Materiel Center was unable to state at what point an award had been made under negotiated procedure. A new plateau (some place between negotiation and award) was invented which stated that an award had "been manually approved" after which no proposals were to be received.

The regulations state that, in the best interests of the Government, proposals may be received at any time "prior to award." What fixes that point of determination in the Department of Air Force, we have been unable to learn.

But, apparently, that subject has got some attention lately: on May 3, 1957, we received revision No. 64, adding a new section to departmental instructions, which reads:

"*3-154 Award. Award will be made with reasonable promptness by written notice to that contractor whose proposal will be most advantageous to the Government, price, and other factors considered. Award will be effected by mailing or delivering to the contractor a properly executed award or preliminary notice of award (as defined in step 19 of AFPI 53-513.5 and 53-513.13)."

That is a simple statement of the law concerning offer and acceptance.

Department of the Army

One case investigated is relatively uncomplicated. Although all of the procedures involved in sealed competitive bidding were employed, nevertheless, the procurement was "negotiated." In the course of that procedure, a prospective competitor was eliminated by "sandbag." His proposal was evaluated as involving an expenditure of money by the Government. He was not consulted as to fact or amount.

The addition of this secret amount resulted in making his bid too high and, therefore, unacceptable.

No discussions were had although the bid documents called for "negotiation." The Department of Army admitted that all of the procedures employed were those of competitive bidding. Why, then, would a bidder be deceived by an invitation to bid?

Department of the Navy

Two cases of the Department of Navy are cited. Navy Procurement Directive 3-002.1 has been adopted within the Armed Services Procurement Regulations as section 3-805.

This negotiation business is "heady stuff." As soon as this Navy regulation came to attention of the Department of Defense as an escape from surveillance in the ordinary processes of bidding , it was adopted by the Department of Defense.

Case No. 2 for the Navy involves even a more exaggerated and complicated use of the negotiating process.

Exception No. 12 of the Armed Services Procurement Act permits negotiation for property or services which "should not be publicly disclosed because of their character, ingredients, or components; * * *."

The Department of the Navy purchased nine destroyers in 1957, using as authority section 2304 (a) (12) of the statute.

A number of bidders were eliminated; and we are told that the three lowest bidders were negotiated with "by telephone and conference."

The total reductions in price by reason of negotiation were an infinitesimal amount. Was this a secret procurement? The announcement of the award was made by a printed press release of the Department of the Navy. The total sum of the contract and the name of the successful contractor were given to the public in the same press release by the Navy.

No suggestion was made that either prices or contracts or the subject of the contracts were secret. We feel the public will be interested to know what was accomplished in the negotiations, if they may be so termed.

Department of Defense

The Department of Defense says that to negotiate means to discuss. Yet while we

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were being assured by the Chairman of the Armed Services Procurement Regulations Committee that the word had a simple meaning whose purposes are understandable to all, nonetheless, another form of procurement was to be adopted, to wit: The Navy practice of awarding to the favorite contractor when it is suited to the Department of Navy, section 3-805, APR.

Why are we constantly belabored with the suggestion that negotiation is the most satisfactory way of contracting?

The answer has been very simply stated and restated by the Comptroller General. The most recent of his decisions is that once authority is given to negotiate, "the sky is the limit" for practice, procedures, and prices.

"When authority to negotiate a contract applies and is used * * * the terms and conditions upon which bids are requested and the selection of a contractor are matters for determination by the administrative office concerned, * * * in the exercise of its best judgment as to the interests of the Government. In such a negotiated procurement, the rules of formally advertised competitive bidding are not for application, and the negotiating authority legally may take into consideration not only price but all factors deemed essential to the accomplishment of the procurement (B-130216, April 4, 1957)."

We think negotiation has a use. Congress wrote 16 specific exceptions in which negotiation was to be used. All of them involved differences which might arise in procurement.

We think that a new section must be added to the act. We will define what negotiation requires so that all departments and the public may know what is to be expected when negotiations are invited and permitted under the act. That is our recommendation No. 2.

When this has been accomplished, we will have a statutory definition of this word which will be the same as the dictionary definition so that whether it be read in the judicial, legislative, or executive branches, or by the public, it will have the same meaning.

III

Subsection 2304 (a) (10): In the so-called negotiated cases which we have examined we find what seems to be a widespread abuse and misuse of section 2304 (a) (10). The legislative history of this section and the reason assigned for its inclusion in the Armed Services Procurement Act does not seem to bear any resemblance to the practices which have grown up in its use. In this report, we have commented upon the Senate report on the act. It was in the Senate that this subsection was added. The information which we have developed indicates to us, at least, that the exception as it is now being used was not in the minds of the Congress at the time the subsection was adopted; and we believe it would not have been endorsed by the Comptroller General, if we read correctly his comment upon the bill.

As we have pointed out in this report, this section has been used latterly since January 1, 1956, as a substitute for the number of cases in which it is said that specifications for the product required or the service needed are not adequate. Being specific—for example, in the Department of the Air Force procurement of MA-3 air conditioners—this section was used because the Air Force claimed it did not have sufficient specifications upon which to purchase the product.

If any commentary is needed upon the looseness of such a procedure, it would be this: While the Air Force was invoking section 2304 (a) (10) for the purchase of MA-3 air conditioners, its prime contractor, Convair division of General Dynamics Corp., no stranger to the world of manufacturing, was soliciting competitive sealed bids for the same article from the same list of manufacturers to whom the Air Force circulated its requests. It seems to require little more comment than that with respect to that particular procurement.

Turning to the Department of the Army in the case reported on specifically in this instance: Everything that was done with respect to the letting of this contract followed the procedures employed in sealed competitive bidding. Why, then, was a certification made that it was impracticable to obtain competition? Certainly not because there was any fixed price by reason of law or regulation, and certainly not because there was only a single source available.

This section seems to have developed into a catchall, to which resort will be had immediately the opportunities afforded by section 2304 (a) (1) are removed. In our opinion, it would be futile to amend one without the other being amended. Our observation is that the section is being grossly abused as a cover and a shield, and that it must be restricted to the purposes for which it was originally intended: cases where competition is nonexistent or where prices are fixed by law or regulation.

Subsection 2304 (a) (14): Subsection (a) (14) authorizes negotiated purchasing of technical or specialized supplies requiring substantial initial investment or extended period of preparation for manufacture. The statistics furnished us show these purchases amounted to $2,999,220,000 in the 9 months of 1956. That was 21.98 percent of the total purchases of the Department of Defense. It accounts for only 2.99 percent of Army dollars. But it accounts for 34.04 percent of Navy dollars and 22.80 percent of Air Force dollars. It accounts for a total of 866 contracts; 302 in the Department of the Army, 297 in the Department of the Navy, and 267 in the Department of the Air Force.

The public should know who the contractors are and what these technical supplies are which require an extended period of preparation to produce.

There is no secrecy involved or invoked under this subsection. Subsection 12 takes care of matters that are secret. We feel that it is unconscionable to allow 866 contracts involving nearly $3 billion, to be suppressed on any pretext.

IV

This subcommittee is of the opinion that until a public accounting is made of the contracting procedures and practices within the several military departments, we shall not have a return to the traditional American system of public purchasing; we shall not have competition; we shall be constantly beset with charges of favoritism; we shall hear charges of wrongdoing, and of loose and inconsistent purchasing; we shall not have competition among businessmen of an order of magnitude which will, by the proven American system of free enterprise in a competitive market, reduce the costs of products.

So long as the cloak of secrecy is thrown around Government procedures, trouble will haunt its precincts. We feel, that as a matter of fact, Congress was too generous in the exceptions which were written into the act of 1947. In stating our recommendations at this time on needed changes in the act we have not increased the number of recommendations because it may be said that the act itself has not been proved. We pointed out it has been in operation a little over 2½ years, in fact. It has been simulated by Armed Services Procurement Regulation 3-002.1 (b) since January 1, 1956. What we see in that period is not at all satisfactory as must be clearly evident from the material and the comments in this report.

We are in full agreement that negotiated procurement must be brought out into the open. If government is "everybody's business," as we so frequently hear, and if "an informed public is the best bulwark of democracy," then this $38 billion bill each year for the Defense Establishment ought to be itemized for the information and benefit of all the people who are paying it.

If negotiations are so important to the executive department and it does such a good job, price and other factors considered, why shouldn't the story be told?

One of the means usually employed by bidders in competitive fields is to examine the estimates made by competitors whom they know in verification of their own prices and products. To deny them information is to deny them a source which may aid in reducing prices. That has worked in the construction industry and is the uniform practice in it. It deserves the same test in the field of products and services.

The public business is a public trust. It is the right of the public to know how its officers conduct the affairs entrusted to them. If, as the Assistant Secretaries for Materiel of the three services indicated in appearance in January 1956, they are doing such a notable job, certainly it would be in the interest of the people who are annually paying the bill to be informed how successful they have been.

Therefore, we have concluded that one of the principal means of restoring public bidding to the conditions and the surroundings in which we feel it must be conducted, respecting always the secrecy of the weapons, the great bulk of Government purchases which are known to some in industry could with equal profit be known to the public We, therefore, propose that the public business and the public trust be favored by regular reporting in Defense Department procurement, with the exception of the subsection 12 of 2304 (a), and, for obvious reasons, subsections 3, 4, 8, 9, and 16.

That would leave the publication applicable to subsections 1, 2, 5, 6, 7, 10, 11, 13, 14, 15 and 17.

Then the public will know how the responsibilities of contracting officers, as defined in the regulations, have been carried out. Prospective suppliers will know the field of purchasing better. The public will know how the "guidelines" for contracting officers are being followed and how this "art" of negotiation, where meaning may be "conveyed by the blinking of an eye or the shading of a statement" is being discharged. It will be a support and aid to the conscientious contracting officer who can place his trust in the public knowledge that he is acting forthrightly in behalf of his Government. It will stimulate competition among American producers and suppliers because by knowing what products are bought and at what prices, the inevitable result will be competition by those eager and able to get into the field.

We shall anticipate an objection which will immediately be raised to the procedure and requirement set out in subsection a, b, and c of our Recommendation No. 4.

It may be asserted that the assembly of this information would place a great burden upon the departments. To any suggestion of this sort we respectfully refer to the following provisions of the ASPR. Since the data is required to be assembled, it can as well be made public.

"ARMED SERVICES PROCUREMENT REGULATIONS

"3-308 Retention of copies of determinations and findings, and of other records: Executed originals of all determinations and findings, and copies of all supporting documents, shall be preserved in the cognizant procuring activity or in the Department concerned for 6 years following the date of each respective determination. Complete records with respect to all negotiated contracts shall be preserved in the cognizant procuring activity or the Department concerned for a period of 6 years following final payment on each such respective contract.

"3-810 Exchange of information: In appropriate cases it is desirable to exchange and coordinate specialized information re-

garding a contractor between military departments, bureaus, technical services and other procuring activities since it will provide uniformity of treatment of major issues and it may aid in the resolution of particularly difficult or controversial issues.

"3–811 Record of price negotiations: At the conclusion of each negotiation of an initial or a revised price, the contracting officer shall promptly prepare or cause to be prepared a memorandum, setting forth the principal elements of the price negotiation, for inclusion in the contract file and for the use of any reviewing authorities. The memorandum shall be in sufficient detail to reflect the most significant considerations controlling establishment of the initial or revised price."

V

In the course of this report, we have had occasion to comment upon the variety of regulations, instructions, and directives issued for the guidance of contracting officers. The Department of Defense, we feel, was charged with introducing harmony and consistency into the national-defense system. Without laboring the point, it is our belief that the Secretary of Defense must, by law, be directed to undertake the establishment of uniform regulations dealing with the whole subject of procurement, and eliminate the confusing, overlapping, and unnecessary departmental directives, instructions, and regulations in so many fields.

VI

In the course of this report, we have commented upon the inadequacy and almost total failure of the Department of Defense in plant inspection reports and plant facilities. For 6 years we have pleaded for improvement.

Shortly following this report a complete survey of the qualifications, capacities, and duties of contracting officers will be issued by this subcommittee.

This is at once a conclusion and a warning that the time has come, from all of the evidence before us, not only in these hearings, but for 6 years last past, that the performance of plant inspection and facility capability reporting needs substantial improvement.

The foregoing conclusions do not by any means encompass the entire range of subjects which suggest themselves to the subcommittee as a result of the studies, the statistical data, staff information, and testimony which we have had. They are, however, a minimum which must be incorporated into law if there is to be a return to a regular, orderly, and competitive purchasing system. For these reasons, we make the following six recommendations:

RECOMMENDATIONS

From what has been discussed in our report and the conclusions we have expressed, these are our recommendations to the full committee:

1. That section 2304 (a) (1) of chapter 137, United States Code, title 10, be amended by striking therefrom the last four words, "or by the President." As amended, the section would read:

"(1) it is determined that such action is necessary in the public interest during a national emergency declared by Congress."

2. Strike all of subsection 2 of section 2302 and substitute in lieu thereof the following:

"'Negotiation' means any purchase of property or service where discussions between all bidders and the Government concerning the subject matter of the purchase or the price to be paid therefor are necessary to resolve uncertainties relating to the purchase: *Provided, however,* That nothing in this section shall prohibit the solicitation of sealed bid price proposals after such negotiations in like manner as formal advertised bidding, provided for in section 2304 and 2305."

3. Strike all of subsection (10) of section 2304 (a) and substitute in lieu thereof the following:

"(10) The purchase or contract is for property or service for which no competition exists, or where the prices for such products or services are fixed by law or regulation."

4. Add a new section as follows:

"(a) Whenever award shall be made of a contract for products or services which has been negotiated in accordance with subsections 1, 2, 5, 6, 7, 10, 11, 13, 14, 15, or 17 of section 2304 (a), the agency head shall immediately cause to be posted and publish the bid proposals of all bidders competing in said negotiations in like manner and to the same extent as though the award was made on formal advertised competitive bids as provided for in sections 2304 and 2305.

"(b) *Provided, however,* That if an award is made on any basis other than the lowest price, there shall be published simultaneously with announcement of the award a statement of the reason for the choice made or of the evaluation of the proposal selected, as the case may be.

"(c) All of the information referred to in (a) and (b) of this paragraph shall be available to the public on inquiry and shall be posted at the place of letting where the public may have access for a reasonable period of time."

5. Add a new section as follows:

"The Secretary of Defense is hereby authorized and directed forthwith to issue armed services procurement regulations consistent with the provisions of this act, which said regulations shall be uniform throughout the military departments. When any act is required to be performed under the regulations, the time for performing the same shall be specified with particularity."

6. The subcommittee recommends that that the Department of Defense immediately overhaul within the military dapartments the organization and personnel responsible for the preaward survey of facilities and firms considered for military contractors.

We have repeatedly called for such an undertaking since the 82d Congress, and conditions today seem, if anything, to us, a little worse with each new examination than they did in 1951.

Approved unanimously by the subcommittee, June 15, 1957; ordered printed and published.

F. EDWARD HÉBERT,
Chairman, Subcommittee for Special Investigations.

Approved June 15, 1957.

CARL VINSON,
Chairman, Armed Services Committee.

ABUSES WHICH HAVE COME TO MY PERSONAL ATTENTION

Mr. DOUGLAS. Mr. President, the abuses of the negotiated contract, as outlined in the hearings and the report of the Hébert committee, are only a beginning. There is probably not a single Member of Congress who has not had such abuses drawn to his personal attention in the course of his official duties over the last few years. In my own office, I have had numerous such cases. In the last week a very glaring example came to my attention, and I wish to use it here.

HEAVY TRACTORS

In my own State there are numerous manufacturers of heavy, earth-moving tractors. One of my constituents telegraphed to me last month concerning a Department of Defense contract—specifically, an Army contract—for such tractors.

It appears that in buying some 409 units of such tractors—and the Army soon will buy more—the Army negotiated a contract, without official sealed bids—with a particular company which I shall call X. The price for these tractors was established at $19,821; and as 409 tractors were immediately involved, this was a contract which in total amount was valued at $8,106,789. Mr. President, this contract was let, without bids, to a single contractor.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LAUSCHE. To make certain that the RECORD is clear, the price quoted by the Senator dealt with individual tractors, did it not?

Mr. DOUGLAS. That is correct. They were unit prices.

Mr. LAUSCHE. So a multiplication of that price by the number of tractors would give the total amount, would it not?

Mr. DOUGLAS. The Senator from Ohio is correct. I may say that the figures I have given for the RECORD are slightly different from those I have originally included in my speech because, as a result of a telephone conversation with the Department of the Army, the figures I have quoted are based on information correct up to the last hour. They are slightly lower than the figures I had originally, but not much.

I repeat that the contract was let to a single contractor without bids.

A competitive firm, Y, drew this contract to my attention. Personally, I had no interest in the contract and I had no particular interest in seeing that one rather than another firm receive this contract, for such tractors are manufactured by several firms in my own State.

Mr. President, I may say that Illinois is the center of the earth-moving machinery of the world.

So, I had neither a personal interest nor a State interest in seeing that one or another person or firm received the contract. I was interested only because I had grave doubts as to the price at which the contract was given and also as to why a contract for such tractors, which do not even come within the terms of the very lax authority the Defense Department has to negotiate contracts rather than to submit them to public bidding.

As a result of my inquiries and protest, the Army reopened this contract and called for an additional supplier. Although I am not satisfied about the ground on which this firm was barred from bidding again. As it happened the firm, Y, which originally drew this abuse to my attention did not receive the new contract, but a third firm, Z, was the other new bidder and received the contract, although firm Y's offer was thrown out on the ground that its bids did not meet the specifications. I personally retain my doubts as to whether this was an adequate reason or whether it was the true reason. The firm may have been disciplined because it had the courage to protest.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

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Mr. LAUSCHE. Is it not a fact that the development which the Senator has just described is very likely to be always the result of this type of letting bids?

Mr. DOUGLAS. That is correct.

Mr. LAUSCHE. That is, when bids are obtained under competitive bidding, the specifications must be of a clarity sufficient to enable the bidder to submit his price, or, if the specifications are not adequately clear, the bidders are called in, so that they are all equally informed on what they are expected to sell?

Mr. DOUGLAS. That is correct.

Mr. LAUSCHE. In other words, instead of having a rule of law, we have a rule of whims of different procurement agencies?

Mr. DOUGLAS. That is correct. That is the present practice.

The new contract—where the Army sought a second supplier—was for $16,827.60 per unit for 327 of the tractors and for $17,831 per unit for the remaining 82 tractors. For the total of 409 tractors, this meant a savings to the Department of the Army—as a result of my intervention and the offer of the new supplier—of $1,142,021.80, which is the difference between 409 tractors at $19,821 each, or $8,106,789, and 327 tractors at $16,827.60 each, and 82 tractors at $17,831 each, or a total of $6,964,467.20.

In other words, Mr. President, by putting the Army on the spot, we saved the taxpayers $1,142,000 this week; but this was only one case out of an enormous number of cases.

That, Mr. President, which was a result of my personal intervention with the Department of the Army to allow for a second supplier instead of merely "negotiating" the contract with a single supplier was a savings to the taxpayers of $1,142,000. It will result in further savings for it is my understanding that the Department of the Army plans to buy even more than the 409 tractors they have now contracted for.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. DOUGLAS. I will yield to the Senator from South Carolina for a question.

Mr. JOHNSTON of South Carolina. It seems as if the specifications sent to potential bidders are stated in such generalities as to make it almost impossible to submit bids. Is that correct?

Mr. DOUGLAS. I have had that same suspicion myself—that the specifications are commonly so loosely drawn that the offer of a low bidder can be thrown out on the ground that he has not met the specifications. That permits the procurement officers to give the contract to a higher bidder.

Mr. JOHNSTON of South Carolina. Has the Senator had any occasion to look into the question of the leasing of automobiles by the military services?

Mr. DOUGLAS. No; I have not. I would welcome any evidence the Senator from South Carolina can introduce on that matter.

Mr. JOHNSTON of South Carolina. Has the Senator had occasion to ascertain how many automobiles the Defense Department owns?

Mr. DOUGLAS. I am not informed on that matter. Can the Senator from South Carolina tell us?

Mr. JOHNSTON of South Carolina. I should like to put into the RECORD at this point the letter I wrote to the Secretary of Defense on May 9, asking specific questions as to the number of nonmilitary-type vehicles and limousines used by the Army, Navy, Marine Corps, Air Force, and other branches of the military, or by quasi-military establishments or organizations.

Mr. DOUGLAS. The Senator is now talking about noncombatant pieces of transportation?

Mr. JOHNSTON of South Carolina. I am referring to noncombatant civilian type. I should like to have that letter placed in the RECORD. It was written on May 9.

The PRESIDING OFFICER. Does the Senator from South Carolina desire unanimous consent to have the letter printed in the RECORD?

Mr. JOHNSTON of South Carolinia. I do.

The PRESIDING OFFICER. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 9, 1957.

Hon. CHARLES E. WILSON,
Secretary of Defense, The Department of Defense, Washington, D. C.

DEAR MR. WILSON: I shall appreciate your advising me as soon as possible the following information regarding nonmilitary-type vehicular transportation facilities used by the United States military forces:

1. How many nonmilitary-type vehicles are usd by the (a) Army, (b) Navy, (c) Marine Corps, (d) Air Force, (e) other branches of the military, or by quasi-military establishments or organizations.

2. Identify these vehicles stating whether they are (1) 2-door sedans, (2) 4-door sedans, (3) station wagons, (4) other similar natured vehicles.

3. Please give the trade name (Chevrolet, Ford, Cadillac, etc.) and year model of vehicle.

4. How many men in each branch of the service are being used as drivers or chauffeurs for these vehicles and how many personnel, military and/or civilians, are used in maintaining the car pools, etc., where these vehicles are located, and how control over use of vehicles is maintained. Also, please state what conditions in each branch of the service justify chauffeur treatment (to and from residence and office or between offices, etc.) for officers in aforementioned vehicles, with particular emphasis placed upon the Washington area.

5. Please identify the area where these vehicles are located or stationed; i. e., Washington area, New York area, Southeastern United States, Far East, Japan, Middle East, France, Germany, Korea, Formosa, etc.

6. Please state cost of these vehicles, explaining whether they are purchased (bids, contracts, etc.), leased or rented, and how much said leases or rentals cost, and how these bids, contracts, leases or rentals are awarded.

I shall appreciate receiving this information as quickly as possible since I intend using it to help determine certain national budgetary problems we are now considering in the Senate.

With best wishes, I am,
Sincerely yours,

OLIN D. JOHNSTON.

Mr. JOHNSTON of South Carolina. Then I received a letter from Mr. Carlton R. Adams, dated May 14, which reads as follows:

DEAR MR. CHAIRMAN: This will acknowledge your letter of May 9, to Secretary Wilson, in which you request certain information concerning nonmilitary-type vehicular transportation facilities used by the United States military forces.

Your letter has been referred to the Assistant Secretary of Defense (Comptroller) with the request that he furnish you with the desired information direct.

Please advise if I can be of any further assistance in this matter.

Sincerely yours.

Mr. DOUGLAS. That passes the buck to another stage.

Mr. JOHNSTON of South Carolina. I have always found that was so. I have been advised by the Pentagon that if the Defense Department were to answer my letter it would cost an estimated $40,000 to assemble the information. This shows how ridiculous military nonessential spending has become and how loosely it must be controlled.

Mr. DOUGLAS. Do I understand correctly that it would take the Department $40,000 to make up a list of the nonmilitary automobiles the Department owns?

Mr. JOHNSTON of South Carolina. That is right.

Mr. DOUGLAS. There must be quite a list of them.

Mr. JOHNSTON of South Carolina. There must be. It also shows that the Department did not have the information available when it was making up its request for an appropriation.

I also have a sheet the Department finally sent me, giving a partial list. I shall ask that the sheet be placed in the RECORD, which shows a total of 53,086 vehicles listed as being owned directly by the Defense Department.

Mr. DOUGLAS. Nonmilitary motor vehicles?

Mr. JOHNSTON of South Carolina. Nonmilitary motor vehicles.

Mr. DOUGLAS. They would be automobiles, station wagons——

Mr. JOHNSTON of South Carolina. Yes, all types of automobiles. I should like to call the Senator's attention to this fact, too: In looking into the question, this is only a list of what the Department owns outright. The Department also gives to each corps area the right to lease automobiles and pay so much a month for them. They also keep them in repair, and at the end of the year they permit them to go back to whoever is leasing them, at which time another automobile is leased. So, on it goes. Every installation in the United States, as I understand, has that right. The military has not been able to furnish me this information yet. I do not know how many automobiles are owned under that lease arrangement.

I notice here a figure for light sedans of 30,217.

Mr. DOUGLAS. They would be ordinary 5-seat automobiles.

Mr. JOHNSTON of South Carolina. They would be 4-door automobiles.

Mr. DOUGLAS. Four-door automobiles which would probably be 5- or 6-seaters.

Mr. JOHNSTON of South Carolina. Of course, they own buses, also station wagons and other kinds of vehicles. They own 193 buses which will carry from 12 to 16 passengers.

Mr. DOUGLAS. Those are nonmilitary?

Mr. JOHNSTON of South Carolina. They are nonmilitary.

Mr. DOUGLAS. How many Cadillacs do they own?

Mr. JOHNSTON of South Carolina. They would come under the head of heavy sedans. It is hard to figure out exactly what they do have. We have a partial list of them. I think the best thing to do is to put the list in the RECORD, so that Senators may see what the Department sent to me.

Mr. President, I ask unanimous consent that the worldwide inventory of selected nonmilitary vehicles as of June 30, 1956, be printed in the RECORD at this point.

There being no objection, the inventory was ordered to be printed in the RECORD, as follows:

Department of Defense worldwide inventory—Selected nonmilitary vehicles as of June 30, 1956

	Total	Office of the Secretary of Defense	Department of the Army	Department of the Navy	Marine Corps	Department of the Air Force
Sedan, light [1]	30,217	4	20,676	4,474	545	4,518
Sedan, medium [1]	1,252	17	658	90	8	479
Sedan, heavy [1]	26	3	7	14	1	1
Station wagon [1]	2,532	1	640	94	135	1,662
Carryall [1]	7,862	0	2,471	2,573	0	2,818
Bus, [1] 12 to 16 passenger	193	0	129	64	0	0
Bus, [1] 27 to 33 passenger	4,751	0	1,939	75	0	2,737
Bus, [1] 37 to 44 passenger	5,409	0	3,271	1,433	149	556
Bus, [1] other	844	0	711	0	0	133
Total	53,086	25	30,502	8,817	838	12,904

[1] The following makes of vehicles are reflected in the attached inventory:
Light sedans—Ford, Plymouth, Chevrolet.
Medium sedans—Buick, Pontiac, Mercury.
Heavy sedans—Cadillac, Packard, Chrysler.
Station wagons—Chevrolet, Dodge, Willys, Pontiac, Ford, Plymouth, Mercury, IHC.
Carryalls—Ford, Chevrolet, IHC, Willys, Fargo.
Buses—IHC, GMC, Dodge, Ford, Twin Coach, Mack, Reo, Southern Coach, National Coach, ACF-Brill, Fitzjohn Coach, Yellow Coach, Chevrolet, White.

As of June 30, 1956

	Sedans				Station wagons				Buses			
	Army	Navy	Marine Corps	Air Force	Army	Navy	Marine Corps	Air Force	Army	Navy	Marine Corps	Air Force
Alabama	356	19	1	120	11	1	1	34	75	4	0	64
Arizona	96	2	0	19	4	0	0	7	60	1	0	28
Arkansas	98	5	1	20	1	0	0	11	19	6	0	10
California	881	834	226	310	44	6	45	118	250	271	66	168
Colorado	115	18	0	73	10	0	0	16	43	1	0	40
Connecticut	11	25	0	17	0	0	1	4	1	4	0	0
Delaware	25	1	0	9	2	0	0	15	13	0	0	14
Florida	92	129	4	67	1	0	1	41	3	65	0	100
Georgia	635	26	21	82	27	1	8	37	265	4	8	39
Idaho	11	4	0	6	0	2	0	11	3	1	0	12
Illinois	345	160	1	71	23	3	5	50	61	26	0	69
Indiana	149	27	0	28	7	2	0	16	17	19	0	3
Iowa	71	11	0	17	0	1	0	21	2	0	0	5
Kansas	139	9	1	23	10	0	0	11	58	2	0	25
Kentucky	220	20	3	27	9	6	0	15	85	0	0	3
Louisiana	116	61	1	42	2	1	2	25	36	7	0	39
Maine	12	15	2	20	0	3	1	6	2	2	0	27
Maryland	469	138	1	59	45	0	1	14	102	52	0	36
Massachusetts	240	89	36	73	13	2	5	17	44	24	0	37
Michigan	188	17	1	51	12	1	0	34	17	1	0	23
Minnesota	105	14	0	40	2	2	0	62	4	2	0	14
Mississippi	84	10	0	27	2	0	0	12	3	0	0	42
Missouri	268	37	0	62	0	3	0	47	77	1	0	13
Montana	19	11	0	13	19	1	0	12	2	0	0	10
Nebraska	146	26	1	45	1	3	0	35	14	7	0	23
Nevada	13	8	0	12	0	0	0	1	2	14	0	33
New Hampshire	8	18	1	12	0	0	0	13	1	6	0	4
New Jersey	190	41	2	44	12	0	1	10	141	27	0	20
New Mexico	105	13	1	42	15	0	0	23	43	5	0	49
New York	729	188	5	134	40	10	7	50	164	30	0	73
North Carolina	130	52	60	31	6	0	18	21	37	19	40	4
North Dakota	51	5	0	2	0	0	0	6	2	0	0	0
Ohio	172	59	3	120	1	2	2	44	32	3	0	57
Oklahoma	122	11	0	111	0	0	0	42	51	21	0	36
Oregon	72	25	1	3	2	1	0	8	14	3	0	0
Pennsylvania	261	189	2	108	13	0	3	17	70	52	0	16
Rhode Island	9	69	1	8	0	0	0	2	1	36	0	0
South Carolina	183	85	4	41	7	1	6	33	35	20	12	31
South Dakota	50	0	0	10	15	0	0	15	7	0	0	17
Tennessee	183	38	3	38	4	1	0	30	5	14	0	18
Texas	513	105	8	210	15	7	1	110	113	15	0	239
Utah	108	23	0	35	10	0	0	24	36	9	0	13
Vermont	7	0	0	4	0	0	0	1	1	0	0	6
Virginia	307	357	30	59	29	9	25	19	199	152	19	23
Washington	345	211	2	49	16	2	0	50	127	48	0	62
West Virginia	68	11	3	19	2	0	0	2	2	1	0	0
Wisconsin	118	2	0	25	3	0	0	28	24	0	0	7
Wyoming	12	0	0	6	0	0	0	8	1	0	0	18
District of Columbia	180	92	36	548	53	1	2	11	16	27	8	38
Total, continental United States	8,827	3,310	462	2,992	488	72	135	1,249	2,380	1,002	149	1,608
Alaska	78	35	1	71	44	0	0	7	33	34	0	51
Hawaii	116	192	0	17	1	0	0	0	69	85	0	28
Panama Canal Zone	61	57	0	22	0	0	0	0	81	9	0	7
Puerto Rico	76	32	0	20	0	4	0	5	32	14	0	17
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0	0
All others	0	0	0	0	0	0	0	0	0	0	0	0
Total United States Territories and possessions	331	316	1	130	45	4	0	12	215	142	0	99
All foreign countries	3,765	605	0	1,559	6	10	0	364	1,400	200	0	1,288
Total administrative use	12,923	4,231	463	4,681	539	86	135	1,625	3,995	1,434	149	2,995
Total tactical use	8,155	66	67	0	99	0	0	0	1,211	15	0	0
In storage	263	281	24	317	2	8	0	37	844	123	0	431
Total	21,341	4,578	554	4,998	640	94	135	1,662	6,050	1,572	149	3,426

NOTE.—The Office of the Secretary of Defense had 24 sedans and 1 stationwagon, all of which were in administrative use in the District of Columbia.

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The geographical location of the carryalls, by State, is not required in the Department of Defense motor vehicle reporting system. Such vehicles are combined with sedan delivery trucks when reported by location and for cost reporting purposes.

Analysis of the reports as of June 30, 1956, shows the following worldwide inventory distribution and use of the carryalls:

	Total	Administrative use	Tactical use	In storage
Army	2,471	1,709	760	2
Navy	2,573	2,305	173	95
Marine Corps	0	0	0	0
Air Force	2,818	2,671	0	147

Department of the Army—Age distribution, selected nonmilitary vehicles,[1] as of June 30, 1956

	Grand total	Sedans			Station wagon	Carryall	Buses		
		Light	Medium	Heavy			12 to 16 passengers	29 to 33 passengers	37 to 44 passengers
Total	13,702	8,130	296	6	535	1,524	1	1,126	2,084
In use	12,935	8,099	296	6	533	1,523	1	883	1,594
In storage	767	31	0	0	2	1	0	243	490
1956 models	439	366	0	0	11	61	1	0	0
In use	439	366	0	0	11	61	1	0	0
In storage	0	0	0	0	0	0	0	0	0
1955 models	280	228	0	0	4	48	0	0	0
In use	280	228	0	0	4	48	0	0	0
In storage	0	0	0	0	0	0	0	0	0
1954 models	232	165	0	0	10	56	0	1	0
In use	232	165	0	0	10	56	0	1	0
In storage	0	0	0	0	0	0	0	0	0
1953 models	225	181	0	0	24	19	0	0	1
In use	225	181	0	0	24	19	0	0	1
In storage	0	0	0	0	0	0	0	0	0
1952 models	403	91	15	0	32	32	0	23	210
In use	402	91	15	0	32	32	0	23	209
In storage	0	0	0	0	0	0	0	0	0
1951 models	10,242	5,878	103	0	419	930	0	1,074	1,838
In use	9,499	5,847	103	0	417	929	0	833	1,370
In storage	743	31	0	0	2	1	0	241	468
1950 models	1,107	637	35	3	15	365	0	19	33
In use	1,086	637	35	3	15	365	0	19	12
In storage	21	0	0	0	0	0	0	0	21
1949 models	731	582	119	0	19	11	0	0	0
In use	731	582	119	0	19	11	0	0	0
In storage	0	0	0	0	0	0	0	0	0
1948 models	25	0	14	0	1	1	0	8	1
In use	23	0	14	0	1	1	0	6	1
In storage	2	0	0	0	0	0	0	2	0
1947 models	6	0	6	0	0	0	0	0	0
In use	6	0	6	0	0	0	0	0	0
In storage	0	0	0	0	0	0	0	0	0
1946 and earlier models	12	2	4	3	0	1	0	1	1
In use	12	2	4	3	0	1	0	1	1
In storage	0	0	0	0	0	0	0	0	0

[1] Includes only those vehicles in administrative use and in storage in the continental United States and its Territories and possessions. Excludes vehicles of these same types which are in tactical units (in lieu of more expensive military design vehicles) in these same areas.

Excludes also National Guard Bureau for which no age data were reported as of June 30, 1956. The inventory of these NGB vehicles (all in administrative use) in the continental United States and its Territories and possessions was as follows:

Sedan, light	704
Sedan, medium	53
Carryall	187
Bus, 27–33 passenger	1
Bus, 37–44 passenger	111
Bus, other	5

The Office of the Secretary of Defense had 24 sedans and 1 station wagon—all in administrative use. The age of these vehicles was as follows:

	Sedans			Station wagons
	Light	Medium	Heavy	
1952	4	0	0	0
1951	0	7	1	0
1950	0	8	1	1
1949	0	2	0	0
1948	0	0	1	0
Total	4	17	3	1

Department of the Navy—Age distribution, selected nonmilitary vehicles,[1] as of June 30, 1956

	Grand total	Sedans			Station wagon	Carryall	Buses		
		Light	Medium	Heavy			12 to 16 passengers	29 to 33 passengers	37 to 44 passengers
Total	6,865	3,554	67	9	76	2,015	53	42	1,049
In use	6,854	3,550	67	9	76	2,008	53	42	1,049
In storage	11	4	0	0	0	7	0	0	0
1956 models	0	0	0	0	0	0	0	0	0
In use	0	0	0	0	0	0	0	0	0
In storage	0	0	0	0	0	0	0	0	0
1955 models	181	150	0	0	4	3	0	0	24
In use	177	146	0	0	4	3	0	0	24
In storage	4	4	0	0	0	0	0	0	0
1954 models	63	1	0	0	48	7	0	0	7
In use	56	1	0	0	48	0	0	0	7
In storage	7	0	0	0	0	7	0	0	0
1953 models	1,255	852	0	0	0	390	1	0	12
In use	1,255	852	0	0	0	390	1	0	12
In storage	0	0	0	0	0	0	0	0	0
1952 models	1,766	811	1	2	3	616	41	0	292
In use	1,766	811	1	2	3	616	41	0	292
In storage	0	0	0	0	0	0	0	0	0
1951 models	1,770	497	23	0	5	772	3	5	465
In use	1,770	497	23	0	5	772	3	5	465
In storage	0	0	0	0	0	0	0	0	0
1950 models	940	768	14	2	1	80	8	12	55
In use	940	768	14	2	1	80	8	12	55
In storage	0	0	0	0	0	0	0	0	0
1949 models	637	455	23	1	9	134	0	14	1
In use	637	455	23	1	9	134	0	14	1
In storage	0	0	0	0	0	0	0	0	0
1948 models	7	5	0	1	0	1	0	0	0
In use	7	5	0	1	0	1	0	0	0
In storage	0	0	0	0	0	0	0	0	0
1947 models	6	0	3	0	1	1	0	1	0
In use	6	0	3	0	1	1	0	1	0
In storage	0	0	0	0	0	0	0	0	0
1946 and earlier models	240	15	3	3	5	11	0	10	193
In use	240	15	3	3	5	11	0	10	193
In storage	0	0	0	0	0	0	0	0	0

[1] Includes only those vehicles in administrative use and in storage in the continental United States and its Territories and possessions. Excludes vehicles of these same types which are in tactical units (in lieu of more expensive military design vehicles) in these same areas.

U. S. Marine Corps—Age distribution, selected nonmilitary vehicles,[1] as of June 30, 1956

	Grand total	Sedans			Station wagon	Bus, 37 to 44 passengers
		Light	Medium	Heavy		
Total	771	480	6	1	135	149
In use	747	456	6	1	135	149
In storage	24	24	0	0	0	0
1956 models	255	255	0	0	0	0
In use	233	233	0	0	0	0
In storage	22	22	0	0	0	0
1955 models	53	42	0	0	0	11
In use	53	42	0	0	0	11
In storage	0	0	0	0	0	0
1954 models	0	0	0	0	0	0
In use	0	0	0	0	0	0
In storage	0	0	0	0	0	0
1953 models	45	22	0	0	0	23
In use	43	20	0	0	0	23
In storage	2	2	0	0	0	0
1952 models	167	120	0	0	0	47
In use	167	120	0	0	0	47
In storage	0	0	0	0	0	0
1951 models	147	41	0	0	97	9
In use	147	41	0	0	97	9
In storage	0	0	0	0	0	0
1950 models	31	0	6	1	19	5
In use	31	0	6	1	19	5
In storage	0	0	0	0	0	0
1949 models	32	0	0	0	13	19
In use	32	0	0	0	13	19
In storage	0	0	0	0	0	0
1948 models	0	0	0	0	0	0
In use	0	0	0	0	0	0
In storage	0	0	0	0	0	0
1947 models	6	0	0	0	4	2
In use	6	0	0	0	4	2
In storage	0	0	0	0	0	0
1946 and earlier models	35	0	0	0	2	33
In use	35	0	0	0	2	33
In storage	0	0	0	0	0	0

[1] Includes only those vehicles in administrative use and in storage in the continental United States and its Territories and possessions. Excludes vehicles of these same types which are in tactical units (in lieu of more expensive military design vehicles) in these same areas.

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Department of the Air Force—Age distribution, selected nonmilitary vehicles,[1] as of June 30, 1956

	Grand total	Sedans		Station wagon	Carry-all	Buses	
		Light	Medium			29 to 33 passengers	37 to 44 passengers
Total	8,627	2,835	339	1,272	2,375	1,445	361
In use	8,346	2,785	337	1,261	2,256	1,388	319
In storage	281	50	2	11	119	57	42
1956 models	19	0	0	0	0	0	19
In use	0	0	0	0	0	0	0
In storage	19	0	0	0	0	0	19
1955 models	1,823	343	0	1,267	5	208	0
In use	1,809	340	0	1,256	5	208	0
In storage	14	3	0	11	0	0	0
1954 models	26	1	0	0	2	0	23
In use	14	1	0	0	1	0	12
In storage	12	0	0	0	1	0	11
1953 models	15	1	0	0	10	1	3
In use	14	1	0	0	9	1	3
In storage	1	0	0	0	1	0	0
1952 models	708	1	0	0	545	134	28
In use	681	1	0	0	522	131	27
In storage	27	0	0	0	23	3	1
1951 models	3,969	1,582	200	1	1,017	999	170
In use	3,864	1,567	200	1	965	961	170
In storage	105	15	0	0	52	38	0
1950 models	1,375	530	126	1	568	87	63
In use	1,333	522	124	1	548	79	59
In storage	42	8	2	0	20	8	4
1949 models	601	371	0	3	224	2	1
In use	559	349	0	3	204	2	1
In storage	42	22	0	0	20	0	0
1948 models	19	1	13	0	0	0	5
In use	18	0	13	0	0	0	5
In storage	1	1	0	0	0	0	0
1947 models	22	2	0	0	1	8	11
In use	5	1	0	0	0	0	4
In storage	17	1	0	0	1	8	7
1946 and earlier models	50	3	0	0	3	6	38
In use	49	3	0	0	2	6	38
In storage	1	0	0	0	1	0	0

[1] Includes only those vehicles in administrative use and in storage in the continental United States and its territories and possessions.

Mr. JOHNSTON of South Carolina. I see in one place 26 Cadillacs are listed.

Mr. DOUGLAS. That is merely in one place.

Mr. JOHNSTON of South Carolina. Yes.

Mr. President, I wish to agree with what has already been said, but I think it is well to say it again. We will never get very much of a tax reduction in the United States unless something is done to check up on and eliminate waste in the military field.

Mr. DOUGLAS. I wish to thank the Senator from South Carolina. I am sure he joins with me in not wishing to cut in the slightest into the military muscle. What the Senator from Illinois is proposing is that we build up the muscle at the expense of the fat, and save a half billion dollars, at the least, for the taxpayers, in addition.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield to the Senator from Michigan.

Mr. McNAMARA. Mr. President, I have listened to this colloquy with considerable interest. I am certain, as the Senator indicates, that a great many automobiles are being used by the military forces.

Mr. DOUGLAS. That was the statement of the Senator from South Carolina [Mr. JOHNSTON].

Mr. McNAMARA. The Senator is not suggesting, is he, that they should use trains or airplanes to go from place to place?

Mr. DOUGLAS. I am going to come to the question of airplanes later.

Mr. McNAMARA. There is no transportation which is cheaper than that provided by the automobile.

Mr. DOUGLAS. I shall come to the question of airplane service a little later.

Mr. McNAMARA. I do not think the Senator has made a very good case.

Mr. DOUGLAS. As to automobiles?

Mr. McNAMARA. The Senator would not wish to have the services stop using automobiles for transportation, would he?

Mr. DOUGLAS. No.

Mr. McNAMARA. There is a great need for them.

Mr. DOUGLAS. I know the Senator comes from Detroit and is very anxious to build up the automobile business in Detroit. I am not suggesting that automobiles be eliminated, but I agree with the implied comment of the Senator from South Carolina that some automobiles could be eliminated and that cheaper varieties could be used instead of the more expensive ones. The services could use Fords for Lincolns, and Chevrolets for Cadillacs.

Mr. McNAMARA. Mr. President, will the Senator yield further?

Mr. DOUGLAS. I yield.

Mr. McNAMARA. The Senator has made his statement, but I do not think he has submitted any proof.

Mr. DOUGLAS. I may say, the question as to automobiles was introduced by my good friend, the Senator from South Carolina, who is abundantly able to take care of himself.

Mr. McNAMARA. Then I accept the apology.

Mr. LONG. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG. Did I correctly understand the Senator to refer to 50,000 automobiles? That list must be far from complete. That would be only 1 automobile for every 70 persons in the service, and I know the services must have more than that.

Mr. DOUGLAS. These are nonmilitary automobiles.

Mr. LONG. Even for nonmilitary vehicles, 50,000 of them represent only 1 for 70 people. I suspect that the services have more than 50,000 automobiles.

Mr. DOUGLAS. It would be about 1 for 55.

Mr. JOHNSTON of South Carolina. I wish to have it plainly understood that I do not have the full list. The Department said it would cost $40,000 to compile the full list. This is merely the first little list. I certainly do not object to the military using automobiles. It is the excessive number they have, the unnecessarily fancy types they have, and the abusive uses to which they put them that I object.

Mr. DOUGLAS. The list the Senator is presenting is merely the first installment.

Mr. President, if merely in the course of my own duties, as 1 of 96 Senators and 1 of 531 Members of Congress, such examples as I have cited come to my attention, and if by my own personal demand that more than one firm be allowed to submit bids, a savings of over $1 million can result, surely there must be thousands of other examples where the absence of open bidding or negotiating with only one firm resulted in higher prices to the Defense Department and to the taxpayer.

Again I wish to emphasize that 93 percent of the number of contracts, and 92 percent of the dollar value of the contracts, were negotiated. If open bidding had been demanded, the savings, in my judgment, would have run into hundreds of millions of dollars.

How can this waste through negotiated contracts be said to be necessary for national security? How does this help the American Army, Navy, Marine Corps, and Air Force defend us against aggression?

Mr. LONG. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield to the Senator from Louisiana.

Mr. LONG. Is the Senator's amendment calculated to reach this particular problem?

Mr. DOUGLAS. The Senator from Illinois has proposed an amendment which will hold to the House figure,

which is somewhat less than a billion dollars below the Senate figure, and then divide the savings of a billion dollars into two parts, half to go to the taxpayers and half to provide for the equipment of two additional nonnuclear combat divisions for the Armed Forces.

Mr. LONG. The problem which confronts some of us when we try to bring about economy in the military is that usually, when we seek to reach a measure of economy, the items we want cut the least will be the ones reduced. For example, I noticed that the House committee inquired of the Air Force how they could make a 10 percent reduction in the Air Force budget, and the Air Force replied if that were done they would reduce operations by 50 percent. Based upon that calculation, I suppose that means a 20-percent reduction in the Air Force budget would cause the Air Force not to operate at all, and that they would go out of business.

Mr. DOUGLAS. That is the device which all bureaucrats, military as well as civilian, use to club Congress and the taxpayers into line. "If you cut us by any amount," they say, "we will cut out the most essential services rather than eliminate the least essential services." In this way they hold a club over our heads and try to take over the entire policymaking functions of the United States.

Mr. LONG. Of course the Senator realizes why that happens in some cases. Oftentimes the person in the service realizes that if he cuts down on the officers' club he may never get it back, but if he cuts down something essential on the base, Congress may well give that back to him the next year. Therefore, he will end up with both.

Mr. DOUGLAS. That is a sad commentary upon the public tactics of our leading officials. It is with pain and sorrow that I have to say the point which the Senator from Louisiana makes is very well taken.

Mr. LONG. Mr. President, will the Senator yield further?

Mr. DOUGLAS. I yield.

Mr. LONG. The Senator has made some effort to reduce some of the spending from time to time. When the service has been called upon to reply as to how the economy would be brought about, in the event it became necessary, has the Senator not found that the reply always is that the most essential possible items would have to be eliminated.

Mr. DOUGLAS. Almost invariably.

Mr. LAUSCHE. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I am glad to yield.

Mr. LAUSCHE. I suggest that we ought not forget that the presentation made by the Senator from Illinois really deals with two phases of government; first, with the installation of economy in the procurement program, and, second, with the very vital subject of compelling advertisement for competitive bidding in the letting of contracts, as distinguished from negotiation.

Mr. DOUGLAS. And I mean real competitive bidding, not fake competitive bidding, in which vague specifications are sent out, so that the low bidder can always be disqualified, or bidding under which new tricks are introduced at the last minute to throw out the low bidder.

Mr. LAUSCHE. It may be interesting to the Senator from Illinois to know that I have been receiving, on an average of one every week, complaints from Ohio bidders who were disqualified, even though their bids were low. They were unable to obtain any explanation as to why their bids were rejected.

Mr. DOUGLAS. Another such case was brought to my attention before I came to the floor today. In this case, I hasten to add, the Defense Department was not involved. It involved another department. This practice is a great evil running all through the Government. This administration has either not checked it, or has actually abetted it.

Mr. LAUSCHE. I would wish to be a bit more lenient. I believe that this practice is merely another example of the inability of government, when it once gets into a rut, to extricate itself from the rut. Seemingly nothing has the power to achieve that end.

Mr. DOUGLAS. Let me say to my good friend that there is a great deal in what he says. However, the administration has brought in secretaries, under secretaries, deputy under secretaries, assistant secretaries, and deputy assistant secretaries, from the business world. Supposedly they represent the best brains in the business world. They were to give us a business administration, and do things in a systematic fashion. Now we find, with the war emergency over, that things are probably worse than they ever were before.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CARROLL. Recently a case of this kind came to the attention of my office. As the Senator from Illinois is aware, an Air Force Academy is being built at Colorado Springs.

Mr. DOUGLAS. I have heard about it. I think it should have been in Illinois, but now that it is in Colorado Springs, that is all right.

Mr. CARROLL. The contracts for the Air Force Academy are awarded to general or prime contractors, who sublet certain portions of the work. The case to which I refer seems to involve a minor matter. It involves the question of whether there should be one master key in that great academy.

Mr. DOUGLAS. For all the doors?

Mr. CARROLL. Yes. It was proposed to have a single key. However, it so happened that the prime contractor had subcontracted the work for 4 or 5 months, and a number of small-business men were interested in the contract. Then it was decided, after negotiation, that there should be a master key, with a master lock to be obtained from one of the giant corporations.

Mr. DOUGLAS. And all the small contractors were thrown out.

Mr. CARROLL. Yes. Then the case came to our attention. We called in the military officials, and with the cooperation of the Small Business Administration's investigators, and by the application of constant pressure, enlightenment finally came to the military, and it threw out the specifications and went back to a competitive-bidding proposal.

Mr. DOUGLAS. I congratulate the Senator from Colorado. He has, as usual, done a great job. However, it is necessary for us to spend a large portion of our time watching details, and correcting only a small fraction of the mistakes and wastes which occur.

Mr. CARROLL. I congratulate the Senator from Illinois, because it seems to me that the facts sustain the very point which he is making so ably, namely, that there should be bidding by competent persons in an honest program.

Mr. DOUGLAS. Under definite specifications.

Mr. CARROLL. Such a system would be to the interest of the small-business people and in the interest of the taxpayers.

Mr. DOUGLAS. Certainly.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield for a question.

Mr. JOHNSTON of South Carolina. I should like to inform the Senator from Illinois that during the past week I have received complaints in my office from a place which he knows well, namely, Parris Island.

Mr. DOUGLAS. I spent the most trying period of my life at Parris Island and yet I am very fond of the area of the State in which it is situated.

Mr. JOHNSTON of South Carolina. At Parris Island they do not always accept the low bid. A great many complaints have come to me from that source. I receive complaints almost daily about what is taking place at Parris Island.

Mr. DOUGLAS. In general, the Marine Corps has a much better record than the other services in this respect. However, even the Marine Corps may slip at times.

Mr. JOHNSTON of South Carolina. One of the complaints which came to my attention involved the tailor shop. I can bring forth the record to show what took place in that particular situation.

Mr. DOUGLAS. I should like to have the Senator from South Carolina place the facts in the RECORD. I am not interested in protecting any particular service.

Mr. JOHNSTON of South Carolina. I know the Senator is not. I was not insinuating that he was. I know he is trying to show to the Senate what is taking place, and where the waste is occurring. The Senator wishes to eliminate the waste if possible, regardless of where it occurs.

Mr. DOUGLAS. In a letter to me concerning the tractor contracts the Army has stated that since early 1956—

> The Department of the Army policy has been modified to require a minimum of two suppliers, in most cases, where standardization is to be accomplished by negotiation under the cited statute.
>
> In keeping with the revised policy, the authority to negotiate this item has been rescinded until such time that an additional supplier has been selected and approved, based upon procurement by formal advertising.

So, Mr. President, the Department of the Army has made a minor concession.

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They admit that since 1956 they have, as a policy, required two bidders for such contracts. Of course, in this case, they required only one.

Then, instead of opening up the contract to everyone, they merely are asking for a second bidder.

I doubt very much, Mr. President, that they have the authority under the law even to invoke this particular section for the purpose of purchasing these heavy tractors. Surely, they are civilian goods manufactured by a variety of firms—two in my own State that I know of—where standardization is already an accomplished fact.

I believe this is a gross abuse of the authority which they have. Further, I believe that they should not even have such authority and that they should have open competitive bidding even when the conditions actually qualify under section 2304 (a) (13).

I suggest that the President immediately withdraw the Presidential order issued in December 1950, exempting certain of these contracts on the ground that there is a national emergency. The national emergency, so far as open war is concerned, is over.

If savings of over $1 million can be made by having a second bidder, how much greater savings could we gain if all interested parties were allowed to bid, if those bids were competitive instead of negotiated, and if they were out in the open where the sunlight of public knowledge could penetrate the present secret negotiations.

The Secretary of Defense, his Under Secretaries and Assistant Secretaries and their Deputies, the Secretaries of the three Departments, their Under Secretaries, Assistant Secretaries and their Deputies—all 33 of them—seem to be either unwilling or unable to prevent these abuses from occurring.

WASTE IN OTHER CONTRACTS

I now wish to turn to another source of waste, namely, waste in connection with other contracts.

The Department of Commerce publishes a daily synopsis of United States Government proposed procurement, sales and contract awards. We know that 91.96 percent of the Defense Department contracts are negotiated contracts, and that only 8.04 percent are let under conditions of competitive bidding. These latter contracts are announced, bids sought and awards made by way of this Department of Commerce publication. Bids which are sought and contract awards which are made for the Army, the Navy, and the Air Force are listed in detail in this bulletin.

It should be noted that the contracts for the Armed Forces which are listed here are all procurements of $10,000 or more.

Mr. President, I have been receiving these daily sheets from the Department of Commerce. They are, of course, voluminous and with great detail. However, I have gone through them for the month of May 1957, and I believe that I can show, by merely reading off many of them, that the Army, Navy, and Air Force are letting contracts for numerous items in great amounts which are unnecessary and that many other items listed here could be postponed or deferred.

I have before me a number of cards on which entries with regard to some of these contracts have been made. Bear in mind that these contracts are all for more than $10,000; and the statistics are for only one month. Let me read one which appeared on May 20. The first item has to do with a billboard poster "Go Places Faster."

That is where the money goes. It goes places faster.

Here is another one: "Landscaping, turfing, irrigation system, and practice putting green, consisting of planting trees, shrubs, and vines on 6 acres, sodding 8.5 acres with St. Augustine grass, sprigging 4 acres with Bermuda grass, seeding buffalograss on 6 acres, and so forth, at Galveston, Tex."

How does that help the war effort? How does that help to defeat Communists? In my days of military service such work was done either by recruits or by prisoners.

Now, I regret to say, I have some items from my own Marine Corps. I shall put these into the RECORD also:

Household furniture, wood, bedstead, double and single; dresser and mirror; dressing table and mirror; chest of drawers and night table, $65,199.

Household furniture, wood, desk; end table; coffee table; console table; dining table; buffet; and china cabinet, $59,433.

Porch furniture, wrought iron, settee, armchair, and coffee table, three items, $44,240.

The Marine Corps did not make its reputation on buffet tables.

Also for the Marine Corps:

Furniture, living-room, wood upholstered, davenports and armchairs, $39,046.

The following item is for the Army:

Modification of shower room and lavatory in Castle Williams Building 55, Fort Jay.

Installation of evaporative coolers for mezzanine floor, Mather Air Force Base, Calif.

Modification to mezzanine for office in Building 632, Fort Belvoir, Va.

Construction of golf locker building, Andrews Air Force Base.

Construction of officers' open mess and bathhouse, Fort Hood, Tex.

Commissioned officers' mess (open) and swimming pool, Naval Air Station, Cecil Field, Fla., $526,000.

Is it necessary to spend over a half million dollars for an officers' mess and swimming pool? Could they not be built for less? How does this increase security?

Construction of officers' open mess, with swimming pool and bathhouse, Fort Eustis, Va.

Repairs to swimming pool at Fort Stewart, Ga.

Improvements and repairs to swimming pools and bathhouse, Fort Riley, Kans.

Rehabilitation of enlisted men's swimming pool at north area, Fort Myer, Arlington, Va.

Construction of bathhouse for dependents' swimming pool, consisting of a concrete masonry building requiring earth work, concrete, iron and steelwork, carpentry and joinery, plumbing, electrical, outside services, and related work, Marine Corps Base, Twentynine Palms, Calif.

Installation of filtration plant, airmen's swimming pool, Mather Air Force Base, Calif.

Modification of shower rooms in airmen's dormitory buildings, Tyndall Air Force Base, Fla.

Construction of building and pool, bathhouse, 42 by 90 feet, with Atch filter room, 17 by 32 feet. Swimming pool 63 by 82 feet, England Air Force Base, La.

I have made a hasty calculation, and I find that last pool is about one-eighth of an acre. More men could use the swimming pool if they used it in shifts. In former days it used to be said that England won its victories on the playing fields of Eton. I doubt that any victory over Communists will be won in an eighth of an acre swimming pool or on a golf course.

Alterations to shops toilets, Raritan Arsenal, N. J.

Thirty power lawnmowers, walking type, Chicago.

All of us who have served in the military service know that the work of cutting lawns used to be done either by recruits or by those who were in the brig. There are probably as many disciplinary cases now as there were then, because of the lack of the stimulus of war times.

Then there are these further examples of contracts for $10,000 or more.

Furnish and install ceramic tile wainscot for dormitories, Myrtle Beach, Air Force Base, S. C.

Grass mowing job. Post Purchasing and Contracting Office, Training Center Field, Artillery, Fort Chaffee, Ark.

I am sure that is a great contribution to national defense.

Installation of 6-lane bowling alley in Building 600 at Arlington Hall Station, Arlington, Va.

How does that contribute to national security? Is bowling a necessity to be paid for by the taxpayers?

Lawn watering system, Fort Sam Houston National Cemetery, Galveston, Tex.

"Ash receiver, tobacco." I suppose that means ashtrays, $12,072.

I had some fun a few years ago about the 11,000 dozen oyster forks that the Navy felt were necessary to have for the successful conduct of the war effort by the nautical forces of the United States. That was a wasteful expenditure. What earthly use can there be for all these ashtrays?

I continue to read from the lists:

Carpet, velvet, uncut pile (wool) Columbus General Depot, Columbus, Ohio.

Paine Air Force Base, Wash. Modification of six existing rooms in building No. 702. These rooms are to be made into three VIP quarters, each consisting of a living room and bedroom with separate latrines. All partitions to be covered with ½-inch plasterboard with cedar paneling. Latrines will be ceramic tile floor with tile 5 feet up on walls. Floors of rooms will be asphalt tile over existing fir flooring. Light fixtures will be replaced with fluorescent indirect lighting. Area to be modified is 1,692 square feet.

Apparently they are expecting some high brass to visit out there. What contribution to national defense and national security does all this make?

"Periodical subscriptions (30,240 subscriptions)," Shelby Air Force Depot, Wilkins Air Force Base, Shelby, Ohio. The subscriptions are to be placed with

the American News, subscription agency division, 131 Varick Street, New York 13, N. Y.

Here are some magnificent enterprises out on the Pacific coast:

Athletic courts, Fairchild defense area, Washington. Work involves construction of an athletic court at five locations. Each court will be 120 by 60 feet in size, consisting of 624 square yards of asphaltic concrete paving and 173 yards of portland cement concrete paving; a chain-link backstop fence, 10 feet high at each end; 2 basketball backboards and baskets mounted on pipe framework; painted lines on the court to delineate areas for different games. Work also will include required stripping, grubbing, excavation, filling, grading, base course, and drainage ditches at each site.

Athletic courts, Seattle defense area, Washington. Work involves construction of an athletic court at 12 locations. Each court will be 120 feet by 60 feet in size, consisting of 624 square yards of asphaltic concrete paving—

It goes on to set out the requirements that I have already listed.

The Commandant of the Marine Corps asks for pocket billiard tables, in accordance with an attached purchase order.

Shuffleboards, 9 by 22 feet, in accordance with purchase description.

Mr. President, shuffleboard is a game which is played in St. Petersburg, Fla., in the wintertime when the septuagenarians and the octogenarians go forth in the sunshine to have a little amusement. This is an expenditure for military shuffleboards.

Do the oldtimers in the Armed Forces have to have shuffleboard as a military necessity?

Here is another one. This is at Fort George Meade, Md.:

Alterations and improvements to golf pro shop.

So not only do they have a golf course there, but they have a professional out there to teach them how to play golf; and, of course, he has to have a shop. So there must be alterations and improvements to the shop of the golf professional. Mind you, Mr. President, this item would not be here unless it amounted to more than $10,000.

It would be interesting to know who the golf professional is, what his salary is, whether he is military personnel, what rank he holds, and what other military duties he performs.

Here is one which is really for the books. At Fort Bragg, N. C.:

Diaper laundry service.

I knew we were taking soldiers young, but I did not know we had to buy diapers for them. I suppose, however, this refers to the dependents of the soldiers. But I submit that they ought to provide for their own diaper laundry service. I am in favor of security from the beginning to the end. I am in favor of greater security from birth to the grave; and, as someone has said, "from the womb to the tomb."

But I do not believe the United States Government should provide diaper service for the dependents of the members of the Armed Forces. Yet in this instance the Army was advertising for bids. Probably they would secure a lower price under bids than under negotiated contracts. But why should they do this at all.

Here is another peculiar item:

Rehabilitation of golf course greens at Eglin Air Force Base, Fla.

The present greens are apparently not good enough. The work could not be done by the personnel; it had to be done by letting a contract.

The next one is:

Installation of ceramic tile in shower rooms of three permanent barracks, Fort Monmouth, N. J.

Ceramic tile is not needed. Shower rooms with good, concrete bases are adequate in the military service and out of it.

The next one is:

Replacement of metal cornices with wood cornices at Fort Hancock, Highlands, N. J.

Mr. President, there are many more such items. I could spend all afternoon and all evening reading them. I intended to ask that they all be printed in the RECORD; however, I do not know whether the CONGRESSIONAL RECORD could stand the expense. But I have hundreds of these cases. I shall select a few.

Air conditioner, Gadsden Air Force Depot, Gadsden Air Force Station, Gadsden, Ala.

That one may not be so bad; it gets hot down in Alabama.

Here is one for the installation of an air conditioner at Governors Island, N. Y. Governors Island is the little island opposite the Battery, which we see when we fly into New York Harbor. Governors Island is fanned by cool breezes on all sides. It is one of the coolest places in New York. Yet the Army wants an air conditioner there.

Here is another instance of air conditioning—this one even worse. Up in Portsmouth, N. H., close to the Maine border, where the cool breezes of the Atlantic and the cold waters of that ocean beat in, the Navy also wants to install air conditioners. It will cost $45,467 to do so.

The Army wants to construct a clothing sales store near Little Rock, Ark., where, of course, there are numerous civilian stores. The area will be 6,500 square feet. It is proposed to install a concrete foundation and a fire sprinkler system. That is to be at Fort Chaffee, Ark. The cost is to be $40,939.

Let us take, for example, the State of my good friend, the distinguished junior Senator from Colorado [Mr. CARROLL]. The Senator from Colorado is a great battler for economy and for the rights of the people. At Fort Carson, Colo., the Army wants to replace unit heaters in 8 chapels and replace the unit heaters with radiators in 4 chapels.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CARROLL. My attention was diverted momentarily. Will the Senator be so kind as to repeat that item?

Mr. DOUGLAS. At Fort Carson, Colo., the Army wants to replace unit heaters in 8 chapels and to replace unit heaters with radiators in 4 chapels.

Mr. CARROLL. In chapels?

Mr. DOUGLAS. Yes. The chapels already have heaters, but the chapels are not heated well enough, so it is necessary, so they decide, to install artificial heaters.

Mr. CARROLL. If the installation or replacement of unit heaters will bring the personnel at Fort Carson closer to the Lord, it may be worth the expense.

Mr. DOUGLAS. Well, will it do so?

This one is interesting:

Rehabilitation of mess hall and galley, Naval Radio Station, Cheltenham, Md., $111,446.

That is quite a sum. The next item is:

Replacement of steps and platforms on buildings in the cantonment area of Camp Drum, Watertown, N. Y., $62,750.

This item is interesting, because there is a note which states that Camp Drum is inactive. Nevertheless, the steps and platforms on the buildings in the cantonment area are to be replaced. There may be an error in this item; I do not know.

The next is:

Replacement of wooden steps and loading platforms for kitchen entrance on mess hall buildings at Fort Hood, Tex., $29,701.

Can they not make the old loading platforms do? If so, can they not be fixed up for less than $29,701?

The next one is:

Replacement of wood frame window screens with aluminum screens.

This must be for more than $10,000, otherwise it would not be listed.

Here is another:

Remove wood ventilators and install metal ventilators on warehouses.

This is to be at the purchasing division, Sharpe General Depot, United States Army, Lathrop, Calif.

Next I find an item:

Replace existing gasoline pumps with submerged dispensing pumps, Fort Carson, Colo.

Why must the gasoline pumps go underground? The Secret Service and the counterintelligence might go underground; but why do gasoline pumps at Fort Carson have to go underground?

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CARROLL. I make no defense of the underground movement except by referring back to the heating units. I am sure that the Senator from Illinois understands that Camp Carson is at the base of or close by the great Pikes Peak mountain. I think there is some reasonableness about providing a heating unit in a chapel there.

Mr. DOUGLAS. That may be.

Mr. CARROLL. It would be necessary when the men attended religious services.

Mr. DOUGLAS. Why do gasoline pumps have to be put underground? Is it cold there?

Mr. CARROLL. No, I would not use the climatic conditions there as a reason. I really do not know the answer. That is one of the things which ought to be examined.

Mr. DOUGLAS. Of course, the chapels already have heating units. The item

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to which I referred was merely to replace them.

Mr. CARROLL. I assume they may be defective. But I congratulate the Senator from Illinois for exposing these matters. These are things that ought to be looked into.

Mr. DOUGLAS. I have information about hundreds of these cases. I think I should say, in all honesty, that on the average they are not quite so spectacular as the ones which I have given. But there are enough of these cases to indicate that many of the purchases are unnecessary, and that in a large percentage of the cases the work could be deferred. That is all I am trying to show.

Mr. CARROLL. That is exactly the point I wanted to make in congratulating the Senator for presenting these matters. If we knew about them and can examine into them, and the military authorities, in turn, know that we are examining into them, perhaps more economy will be brought about.

Mr. DOUGLAS. I do not think any more economy will voluntarily be employed by the Defense Department. The same thing has gone on for years and years and years; yet the armed services blithely disregard the statements of Senators, Representatives, and others and the injunctions we officially issue.

Mr. President, I wish to turn now to a discussion of the waste caused by an excessive number of military installations.

WASTE CAUSED BY AN EXCESSIVE NUMBER OF MILITARY INSTALLATIONS

Just as the Government wasted money prior to World War I, in maintaining an excessive number of military posts inherited from the successive Indian wars and unneeded naval bases, so is it doing today. In a similar fashion we had to build up a large number of installations in World War II to handle the 16 million men who were in the armed services. But when peace came, we retained many more of these than were needed, and these still continue absorbing personnel which could be used to better advantage elsewhere, and which are costing large sums of money to maintain.

When Budget Director Brundage testified before the Joint Economic Subcommittee this spring, and spoke of possible economies in the Defense Department, I asked when, in his judgment, safe cuts could be made. He replied that this could be done by closing unneeded Army posts, supply depots, warehouses, Navy installations, unneeded air installations, and so forth.

I asked him to give me a list of the installations which in his judgment should be closed, and he promised to get them for me. Sometime later, he evidently obtained such a list from the Defense Department; and then he wrote to me, enclosing the list in a covering letter. But I wish to call attention to the circumstances under which I received the letter and its enclosure. The Defense Department has stamped its list "Confidential," and he stamped his covering letter to me "Secret." Thus, I was prevented by their action from using the material in the debate on the Defense Department appropriation bill.

Mr. President, I have made it a practice never to handle a piece of classified material. I will not listen to anyone tell me anything that is classified. I will not hold in my hand a piece of classified material. But the list was sent to me through the mails, and I had to do something with it. I immediately put it in a combination filing case-safe which I have in my office, and there I locked up the material. I did not give it a thorough examination, and I hold it there temporarily.

But I then dispatched a telegram to Mr. Brundage; and I should like to read the telegram, for at least it is not classified, and I can read it here. The telegram is dated June 24, and reads as follows:

A-10 OFFICIAL

JUNE 24, 1957.

Mr. PERCIVAL BRUNDAGE,
Director, Bureau of the Budget,
Washington, D. C.:

Thank you for your letter of June 21 in which you conformed with your promise before the Joint Economic Committee in sending me a list of the Defense installations which are currently being considered by the Department of Defense for inactivation, disestablishment or reduction of status. I am deeply disturbed however that they have been marked "Secret" and hence are only for my personal use and cannot be used by the Senate in considering the Defense budget. In this way the administration has sealed off from the legislative branch of the Government information which is essential to wise economy. Then I suppose the Congress will be criticized for not making the cuts which the administration declares to be desirable. I am putting your list in my safe so that it will not be seen by others but I must ask you to get in touch with the Defense Department and ask them to remove the classification so that it may be used to enable Congress to take wise action. If this is not done I think you will agree that it is highly proper for me to report the sealing off of this information from Congress to Congressman Moss' committee without of course revealing any of the details involved.

Very frankly, Mr. President, I do not know very much about the details, because I put the material into a safe before I could read it thoroughly.

I read further from the telegram:

This is a very grave problem but the present practice, I think, strikes at the very heart of wise government. I hope that you will reconsider the matter and make this material available for public use and for consideration by the Senate.

PAUL H. DOUGLAS,
United States Senator.

That telegram did not produce results. So, three days later—on June 27—I sent a second telegram, as follows:

A-10 OFFICIAL

JUNE 27, 1957.

Mr. PERCIVAL BRUNDAGE,
Director, Bureau of Budget,
Washington, D. C.:

Please refer to my telegram of June 24. Feel in all fairness that I should report to you that it is my intention to bring up on the floor of the Senate tomorrow the way in which information on the closing down of military installations was sealed off from legislative knowledge by giving it a "Secret" classification. I hope that you will in no sense consider this a threat but I feel it is only honorable to report my intention to you. I hope you and the Defense Department will declassify this material so that it can be used to save the taxpayers money instead of protecting waste as is now the case.

PAUL H. DOUGLAS,
United States Senator.

That telegram got results; Mr. Brundage called me very courteously, and made a full report, saying he had done his best in connection with the matter—which I believe—and saying that the Army wished to make some qualifications to the material it sent me, and wished to report a list of installations which it planned to close during the next 6 months.

Mr. Dechert, the General Counsel of the Department of Defense, came to see me; and he assured me that they would do their best to furnish me with this material. This morning, I received a list which stated that the savings of expenditures which will accrue as a result of these cases were "given full consideration in our budget request for the fiscal year 1958 appropriation bill."

The military have become so expert in the use of language that I am unable—in view of the fact that I received the material only a few hours ago—to tell whether the statement that it will be "given full consideration" means that the appropriations have been cut correspondingly or not; but I submit the list for the RECORD, for such use as may possibly be attached to it; and I ask unanimous consent that the list be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE NAVY INSTALLATIONS AND ACTIVITIES THAT WILL BE CLOSED BETWEEN JULY 1 AND DECEMBER 31, 1957

ACTIVITY

(a) Disestablish:

1. Navy Purchasing Office, San Francisco, Calif.
2. Navy Regional Accounts Office, Charleston, S. C.
3. Navy Regional Accounts Office, Seattle, Wash.
4. Navy Regional Accounts Office, New Orleans, La.
5. Navy Medical and Dental Supply Depot, NSC, Oakland, Calif.
6. Electrical Fittings Inventory Control Division, Portsmouth, NSY.
7. Naval Supply Depot, Spokane, Wash.
8. Naval Supply Activities Command, New York.
9. Naval Base and Command Headquarters, Mare Island, Calif.
10. Naval Port Control Office, New York.
11. Naval Direction Finder Station, Dupont, S. C.
12. Naval Air Reserve Facility, Birmingham, Ala.
13. Naval Air Facility, Elizabeth City, N. C.
14. Assistant Inspector Naval Materiel, Huntington, W. Va.
15. Assistant Inspector Naval Materiel, Providence, R. I.
16. Assistant Inspector Naval Materiel, Worcester, Mass.
17. Eliminate recruiting substations in order to reduce recruiting personnel by 100.
18. Deputy commanders and staffs, Pacific and Atlantic RESFLTS.
19. Public Works Transportation Center, 14th ND.
20. District Public Works Office, 15th ND.

21. Superintendent Shipbuilding, Baltimore, Md.
22. Industrial Manager, Ninth Naval District, Chicago Headquarters.
23. Assistant Industrial Manager, Jacksonville, Fla.
24. Assistant Industrial Manager, Astoria, Oreg.
25. Assistant Industrial Manager, San Diego, Calif.
26. Inspector Machinery, Lynn, Mass.
27. Inspector Machinery, Essington, Pa.
28. Inspector Machinery, Cleveland, Ohio.
29. Shipbuilding liaison officers, France and Italy.
30. Daggett Annex, Marine Corps Supply Center, Barstow, Calif.
31. Lippencott Building, Marine Corps Supply Acitivity, Philadelphia, Pa.
32. U. S. Marine Corps Recruiting Station, Honolulu, T. H.
33. Mobile Ship Repair Unit No. 1, Third Naval District.

(b) Inactivate:

1. Naval Ammunition Depot, New Orleans, La.
2. Naval Station, Coco Solo, C. Z.
3. U. S. Naval Hospital, Corona, Calif.
4. U. S. Naval Hospital, Mare Island, Calif.
5. Naval Station Command and Headquarters, Seattle, Wash.

(c) Maintenance and partial maintenance:

1. Naval Supply Depot, Scotia, N. Y.
2. Naval Aviation Supply Depot, Philadelphia, Pa.
3. Naval Ammunition Depot, Hastings, Nebr.
4. Naval Ordnance Plant, Pocatello, Idaho.

(d) Reduced operations:

1. Naval Ammunition Depot, McAlester, Okla.
2. Naval Supply Depot, Clearfield, Utah.
3. Naval Station, Kwajalein, M. I.
4. Naval Air Reserve training by approximately 200 naval personnel.
5. Naval air training by approximately 1,430 naval personnel.
6. Fleet activities, Sasebo.
7. Five Naval Reserve training centers (redesignated "facilities").
8. Bureau of Naval Personnel Training Activities by approximately 2,900 naval personnel.
9. Naval shipyards by approximately 2,100 civilian personnel.
10. BUSHIPS Laboratories by approximately 25 civilian personnel.
11. Navy shipbuilding scheduling activity, Philadelphia, by approximately 90 civilian personnel.
12. MAAG's and missions by 12 percent personnel reduction overall.
13. SUBCOMNELM/HQ-Support Activities, Naples.
14. MSTS Atlantic, Pacific, eastern Atlantic, and Mediterranean and western Pacific by approximately 40 naval and 170 civilian.
15. Naval Air Station, Twakuni, Japan.
16. Marine Corps Cold Weather Training Center, Bridgeport, Calif.
17. Marine barracks, NAD, Hastings, Nebr.
18. Marine barracks, NAD, McAlester, Okla.

DEPARTMENT OF THE AIR FORCE BASES TO BE CLOSED BETWEEN JULY 1 AND DECEMBER 31, 1957

Marana Air Base, Ariz.
Stallings Air Base, N. C.
Mobile storage station, Alabama.
Vancouver vehicle storate site, Washington.
Rochester Air Force station (A. C. and W.) site, Minnesota.

DEPARTMENT OF THE ARMY INSTALLATIONS AND ACTIVITIES THAT WILL BE CLOSED BETWEEN JULY 1 AND DECEMBER 31, 1957

Prisoner of War Information Center, Fort Holabird, Md.
Seattle Army Terminal, Wash.
Sixth Army Br. Lab., Fort Lewis, Wash.
Instrument Repair Shop, Columbus General Depot, Ohio.
Oakland Army Term, partial disposal, California.
Prince Bridge Test Site, W. Va.
Phosphate Development Works, Wilson Dam, Ala.

Mr. DOUGLAS. Mr. President, there are other military installations which could be deactivated, with great savings in personnel and great savings in money, to the general benefit of all. In my judgment, there is no earthly reason why the Department should have classified that material. I think it was of no use to the enemy. It might have been of some use to Congress. But we have been prevented from using it; and only under the threat that I was going to go to the Moss committee, did we force any of it whatsoever into the open.

In the case of such installations, I think both the Congress and the public themselves are partially to blame in this matter, because whenever the military does move to deactivate a military establishment, a cry arises from the citizens and from the chamber of commerce of the community affected, and they argue that that should not be done. They ask us to get busy and stop it. So I think the public as a whole, as well as the Congress, must bear a considerable share of the responsibility. But the point is that when some of us were at least trying to obtain the information, so that Congress could do a better job, the full information was sealed off and shut away from Congress by the action of the Department of Defense.

THE WASTE IN MATS AND ADMINISTRATIVE AIRCRAFT

Mr. President, there is one other source of waste about which I wish to speak, namely, the waste in the use of MATS—the Military Air Transport Service—and the so-called Administrative Aircraft.

The average civilian does not fully realize the great cost of the Military Air Transport Service, familiarly known as MATS, and of the excessively wide use of administrative aircraft.

A very thorough study of these services was made by the task force on transportation, of the Second Hoover Commission, headed by Mr. Perry M. Shoemaker, president of the Delaware, Lackawanna, & Western Railroad.

I hold in my hand a copy of the report of the task force; it gives every indication of being a most carefully prepared, thorough, and accurate study. This group found that MATS costs the taxpayers $481,400,000 in fiscal 1954 (Report on Transportation, p. 51), and employed no less than 103,000 persons. By the fiscal year 1955, the cost had risen to $560 million. Today, it is probably higher. About one-tenth of the Air Force seems to be employed in these activities. The task-force committee estimated that in the fiscal year 1954, a total of 2,176,000 passengers were flown by MATS, of whom over five-sixths were domestic passengers (Ibid., p. 51), and that the total passenger miles flown in that year was probably not far from 1,500,000,000. The estimate for the last 6 months of this were 748,900,000 passenger miles (Ibid., p. 52).

The task-force committee noted the fact that the large proportion of the domestic routes of MATS, and a considerable percentage of the foreign routes, duplicated those of the commercial air carriers. The task force also went on to point out that if a considerable proportion of the passengers and mail now carried on MATS and other aircraft—and many other aircraft are involved in this matter—were transferred to commercial lines, both certified and independent—and I wish to say that, in my judgment, both the certified and the independent airlines should be used—to help absorb their surplus capacity, great savings would be effected. In the first place, fewer aircraft would be needed, less gasoline would be used, and unneeded personnel could be released for other duties.

Mr. SALTONSTALL. Mr. President, will the Senator from Illinois yield to me?

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Does the Senator from Illinois yield to the Senator from Massachusetts?

Mr. DOUGLAS. I yield.

Mr. SALTONSTALL. I wish to call the attention of the Senator from Illinois to pages 13 and 14 of the report, particularly to the paragraph a little past the middle of page 14, reading as follows:

> The committee desires that a report be made by the first of January 1958 which would indicate the progress made by the Department of Defense in implementing this directive.

That is right along the line of the statement the Senator from Illinois has made.

Mr. DOUGLAS. I am glad the Senator from Massachusetts has confirmed my statement that there has been great waste in the program. But, in my judgment, there are great roadblocks which will prevent performance by the Department of Defense in connection with this matter, because the matter has been called, year after year, to the attention of the Department of Defense and to the attention of other agencies, but no action has been taken.

When we remember that they have also paid no attention to the O'Mahoney amendment of 1952—and I hope that will be discussed fully; it provided for common management under civilian direction of common-use items for the services—and when they have paid no attention to their promise to eliminate negotiated contracts, the Senator from Massachusetts will forgive me if I say that we cannot be content with mere promises and reports. As the Senator from New Mexico remarked, there is no stimulus such as a cut in the appropriation to induce virtuous behavior.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CARROLL. Will the Senator explain a little more fully the O'Mahoney amendment of 1952?

Mr. DOUGLAS. The O'Mahoney amendment grew out of an amendment proposed by me to make it mandatory to provide for common purchase and storage of the so-called common-use

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items; namely, food, clothing, and other items which all the four services needed. This seemed a little too stringent a proposal; but the Senator from Wyoming proposed an amendment, which was adopted, declaring it to be the sense of the Congress that this should be done. But nothing was done about it, and the Senator from Wyoming, the Senator from Illinois, and I believe the Senator from New Mexico [Mr. CHAVEZ], joined in proposing an amendment this year to make it mandatory that such a proposal be put into effect. That would save probably hundreds of millions of dollars. I do not propose a complete unification of the supply services. I believe in a reasonable degree of competition between the services. I believe that the one who controls completely the supplies will reach out and control the service, and I do not want to see a single general staff. But certainly the common-use items should be under a single management, which should be under civilian control, to remove the possibility that one service will control any other service by doling out such supplies.

Mr. CARROLL. I thank the Senator. I understand an amendment to that effect is about to be offered. In 1952, it was declared to be the sense of Congress, but the amendment would make it mandatory. I thank the Senator.

Mr. DOUGLAS. I hope many more Senators will support it, because it is fundamental.

We should also realize that there are no less than 573 administrative aircraft at the service of various commanding officers and units. The Hoover Commission estimates that no less than two-thirds of all passengers carried by all forms of military aircraft are "hitchhikers," and while a large percentage of these trips are legitimate, a considerable percentage are undoubtedly unnecessary and would not be carried out unless transportation were close at hand at Government expense.

That many of these administrative aircraft are plush jobs can be seen by the photograph which I shall show, which Representative FLOOD obtained, but which as you will see was first stamped "secret" by the Air Force to prevent its being used by him.

What is "secret" in the photograph of this military aircraft? It is an ordinary commercial plane. The only reason why it was stamped "secret" was that the Air Force wanted to cover up what was being used. It has been said that while a doctor can bury his mistakes, the military can classify them.

Representative FLOOD succeeded in getting the photograph declassified. Therefore, I am permitted to show it. Otherwise I would not be permitted to do so.

As is obvious, this is a quite luxurious plane. When I traveled to Europe by air I went on tourist planes with at least 5 seats to a row, and, as I remember, 6 seats to a row. This is a four-seat-to-a-row plane.

A reduction in the size of MATS and in the number of administrative aircraft would save very large sums of money. The chamber of commerce has estimated that the cost to the Government of a DC–4 is about $445 per hour, or $95 and 22 percent more than the charges by a commercial airline. For a DC–6, the cost is $145 per hour more than the charges of the commercial lines. Here is a place where the Air Force can make economies without reducing its effectiveness in the slightest.

After going over this material I wrote this line in my statement: "Probably at least $100 million could be saved this year." Then I looked up the testimony by Mr. Shoemaker, and I found that his estimate was $99 plus million.

Congress this year, as in the past, has recognized the waste in MATS and in administrative aircraft and has issued a caution to the Air Force to economize and cut down. I refer to page 14 of the committee's report. But since its previous cautions have had no effect, since the promises made a year and a half ago to the HÉBERT committee on doing away with negotiated contracts have been broken, since the O'Mahoney amendment of 1952 has been flouted, I submit we cannot depend on any more promises. Congress should instead make cuts and force economies. The record of the 33 secretaries, under secretaries, deputy under secretaries, assistant secretaries, and deputy assistant secretaries has been so poor in effecting economies that we should not be content with professions of intended reform any longer.

I come to my conclusion, namely, how to turn waste and fat into military muscle.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield for a question or an insertion in the RECORD.

Mr. MORSE. I have a question.

Mr. DOUGLAS. I shall be glad to yield for a question.

Mr. MORSE. I regret I have found myself in disagreement with the Senator from Illinois recently——

Mr. DOUGLAS. The Senator from Oregon and I have gone on our separate ways in the past 2 weeks, but I hope the Senator from Oregon will return to the fold and that all will be well in the ranks.

Mr. MORSE. I will not say more in the Senator's time about which fold is the right fold, but I am with the Senator on the matter of the defense budget.

I wonder if the Senator from Illinois would like to make an estimate, since he has been speaking about the Air Force budget, as to how much he thinks it cost the taxpayers for the recent fly-over in honor of General Twining last Saturday.

Mr. DOUGLAS. I do not know. I was distressed when the departure of the previous Secretary of the Air Force, Mr. Talbott, was accompanied by the biggest air review in the history of the United States.

I wish to congratulate the Senator from Oregon for making the fight against Mr. Talbott when his name was up for confirmation. I knew of the 1917–18 record of Mr. Talbott, which was a bad record, but he did the things for which he was criticized when he was a young man, and I thought he was under the influence of his father, so I felt that since the episode had occurred 30 years before we should close the books, forgive the fellow, and let him have another chance. The Senator from Oregon had better judgment than I in that matter, and he voted against Mr. Talbott's confirmation. I wish to congratulate the Senator for that. It has turned out that he was right, since Mr. Talbott abused his office and used his position to gain favor and profit for the consulting firm in which he had a financial interest. Then, instead of being drummed out of office as he should have been, this administration staged the biggest air review in history in his honor. I think it was a shameful performance and a shameful waste of funds.

General Twining, I think, is a very honorable man and a very competent airman. I wish to make it clear that I think he deserves well at the hands of the United States of America. But we do not make men great by spending large sums of money in their honor. Men are made great by what they do and by their records. They do not have to live in marble palaces. They do not have to have hundreds of thousands of dollars spent upon them. Their work should be regarded as their achievement.

Mr. MORSE. I wish to say to the Senator from Illinois that I agree with his observations, and in asking the questions I am asking him now I cast no reflection upon General Twining. In fact, the general is a fellow Oregonian, and we are proud of him. I think he has made a great record. But whether he is an Oregonian or comes from any other State, in my judgment, does not justify the waste of the taxpayers' money, as I think it was wasted last Saturday in the so-called air show.

Mr. DOUGLAS. I agree.

Mr. MORSE. I wish to ask the Senator from Illinois if he is aware of the fact that the Defense Establishment brought out of mothballs some very old World War I planes which they had to get in shape for the exhibition last Saturday. Is the Senator aware of that?

Mr. DOUGLAS. No, I was not aware of that. I would say that was not only expensive, but if this was so, it also risked the lives of the aviators. I only pray they were not the DeHaviland Four's, which Mr. Talbott made in 1917–1918, nearly all of which went up in flames when the aviators climbed into them and tried to fly them.

Mr. CHAVEZ. Mr. President, I wonder if the Senator would be kind enough to yield to me so that I may tell about the mothballed planes.

Mr. MORSE. I would be delighted to have any information the very able chairman of the Appropriations Subcommittee can give us.

I wonder if the Senator from Illinois is aware of the fact that at the exhibition last Saturday——

Mr. DOUGLAS. I wonder if the Senator from New Mexico should not be given the opportunity to make the explanation.

Mr. MORSE. I thought the Senator meant he would do so after I had finished. However, I am delighted to yield now.

Mr. CHAVEZ. In the so-called exhibition on behalf of General Twining, there were the B–47's, B–52's, B–57's, F–100's,

F–86's, F–108's, C–130's, and the KC–135's. There was also a Jenny and a Spad.

I may say to the Senator from Oregon that outside of the Jenny and the Spad, every one of the planes I have mentioned, which were in the exhibition, was a regularly assigned training plane. The Jenny and the Spad were not in mothballs, but are kept for occasions such as this, whether the occasion is correct or incorrect.

Mr. DOUGLAS. Is the Jenny a 1917 plane?

Mr. CHAVEZ. 1917.

Mr. DOUGLAS. The Jenny is a 1917 plane.

Mr. CHAVEZ. It is an oldtimer, anyway.

Mr. DOUGLAS. A plane that is 40 years old.

Mr. CHAVEZ. I thought I should give that information.

Mr. DOUGLAS. What is a Spad?

Mr. CHAVEZ. A Spad is an oldtimer, also.

Mr. DOUGLAS. Is that a 1917 plane?

Mr. CHAVEZ. I cannot tell the Senator how old it is, but it is old.

Mr. DOUGLAS. It is old.

Mr. MORSE. I wish to thank the Senator from New Mexico. As the Senator is aware, I spoke to him about this matter earlier this afternoon and told him I would appreciate it if he could find out the cost of that exhibition.

If the Senator from Illinois will permit, can the Senator from New Mexico tell us what the cost of that exhibition was?

Mr. CHAVEZ. I think I can give the figures. It started at Andrews Air Force Base. The Air Force had a little party there for General Twining, which I think he deserved. In this day and age I do not think it was too expensive. The cost was approximately $4,300 at Andrews.

Mr. MORSE. Does the Senator mean the cost of flying the planes?

Mr. CHAVEZ. No. The cost of flying the planes was more than that. This was when they gave him the reception at Andrews Air Force Base. The best information I can get from the Air Force is that the reception cost $4,300.

The cost of flying the planes in the exhibition was $400,000 in gasoline and fuel. But I do not wish to have the Senator from Oregon become excited about those figures, because the personnel were all in training and they happened to use the planes for this particular occasion.

Mr. MORSE. Were some of these heavy bombers brought to this area from great distances across the country?

Mr. CHAVEZ. I do not know. I know the designations of the particular planes. I can identify them as B–47's, B–52's, and so on, but where they were brought from I do not know.

Mr. MORSE. I am seeking information. I believe in double checking. My information is that the planes came from great distances. My information is that although they are serviceable planes, what we call training planes, nevertheless this is not the kind of project that is ordinarily conducted in order to train men for the military service. This was not what one would call a so-called war game training performance, but it was a straight out and out exhibition performance, which could be described as an air parade, which is quite a different thing.

We have various military parades, but one would not say that military parades, such as those down Pennsylvania Avenue, are very helpful in the training of personnel for war maneuvers. I understand that what was really had last Saturday was an air parade.

Mr. CHAVEZ. The only thing I can say to the Senator is that I can agree with him in part, but where the planes came from I cannot tell the Senator.

Mr. MORSE. I wish to thank the Senator from Illinois. I only want to say that I am very much interested in the Defense Establishment and any work it can perform to strengthen the security of my country.

Mr. DOUGLAS. That is precisely what the Senator from Illinois is about to propose.

Mr. MORSE. That is the thesis of the Senator's speech, and I join him in it.

For example, I think we should have more adequate hospital facilities for some of our veterans. But when we try to make a fight in our States for adequate hospitalization, to avoid causing veterans to travel long distances in order to obtain hospitalization, what are we told? We are told, "We do not have the money." But apparently we have $400,000 for an air parade.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. SALTONSTALL. I should like to supplement what my distinguished friend from New Mexico [Mr. CHAVEZ] has said.

The planes referred to came from California, Maine, and other places. They came as an organization, to demonstrate the effectiveness of the drilling and training required to put on an exhibition of that character on time. Every plane came in on time with the exception of one, which was 1 minute late. It had come from a great distance. General Twining is a distinguished general. He was given an opportunity, before assuming the position of Chairman of the Joint Chiefs of Staff, to see, to a certain degree, what our planes were capable of doing, the type of planes we have now, and the type of personnel we have. All types of people from various countries were invited to see that drill. It went far beyond an exhibition for General Twining.

I do not care to say more at this time.

Mr. CHAVEZ. The fact that it was General Twining who was the guest of honor was only incidental. The purpose of the demonstration was to show, on that occasion, the performance that is possible.

Mr. SALTONSTALL. The Senator has said in two sentences what I have been trying to say, and has given an accurate description of the purpose of the exhibition.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MORSE. Let me say in reply to the Senator from Massachusetts that I think he is dead wrong as to the value of that exhibition for any real training purpose. I think a much more effective monument to the service of General Twining could have been built for him by way, let us say, of dedicating a needed veterans' hospital in honor of General Twining, rather than to waste $400,000 of the taxpayers' money for that kind of aircraft tinsel show.

HOW TO TURN WASTE AND FAT INTO MILITARY MUSCLE

Mr. DOUGLAS. I now come to the most important part of what I have to say, namely, the way in which we can increase our military strength in readiness by turning some of our military fat into much-needed military muscle.

In these last 4 years, our Government has followed 2 contradictory policies. It has increased our military commitments until they now stretch virtually around the entire globe with the exception of India and Burma, while at the same time, it has greatly decreased the military strength which we need to help check probing operations and limited wars started by the Communist bloc.

On the one hand, consider our increased commitments, not only the NATO powers plus Greece and Turkey, inherited from the Truman administration, but now Korea and Japan, Southeast Asia and SEATO, the Eisenhower doctrine, the military underwriting of the Baghdad Pact, and the situation in the Middle East.

All this would seem to call for increased military strength rather than for less, if such guaranties are to be effective and meaningful. This need would also seem to be intensified by the recent decision of Great Britain to cut its armed forces almost in half, and to give up its military strong points which formerly held their empire together.

But instead of increasing our military strength, we have reduced it. If my information is correct, we have disbanded three Army divisions, cut the personnel of others, and reduced some to the status of training units which are at the farthest removed from being combat ready.

To add to all this, we are pulling back units from Japan and the Pacific, while the Secretary of Defense proudly boasts that still further cuts will be carried out in the near future. This is in advance of any firm disarmament agreement with the Soviet Union or any built-in inspection or enforcement procedures.

To me and to many others, this seems a reckless dissipation of national strength in the face of increased commitments. We make pacts promising to protect people everywhere from aggression and in the same breath, we throw away the instruments by which alone we can make these pledges good. To the diplomacy of interventionism, we increasingly wed the military policy of isolationism.

I know the two replies which the defenders of our policy will make. The first is that because of the atomic and hydrogen bombs, the Strategic Air Command, and the 5,000- and 1,500-mile guided missiles which we can make, and,

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it is said, will shortly make, are so terrible that the threat of massive retaliation will be such that the enemy will not dare to commit aggression.

I grant that this factor will probably make a direct attack on Western Europe unlikely for some time to come. It may well deter Soviet Russia from a sudden air or missile attack upon us, since they will know that crushing reprisals will then be launched against them and that they will, therefore, have achieved only mutual destruction.

But what the Communists are instead most likely to attempt will be a series of localized, limited, and probing operations such as they tried and we checked in Greece, Turkey, and Korea but in which they were partially successful in Indochina. Such a drive can be camouflaged behind other peoples and through nationalist movements and street mobs. Consider Southeast Asia, for example. While South Vietnam is steady at the moment, Laos and Cambodia are certainly highly unstable. A fairly strong Communist push here would have a good chance of successfully taking over these two states. If this happened, South Vietnam would inevitably fall into Communist hands. Siam is certainly not stable, nor is Burma, the latter being one of the neutralist powers.

Nor are things much better in the Middle East. We are temporarily out of a bad situation in Jordan, and we now have Saudi Arabia on our side. But Syria and Egypt are drifting ever closer to Soviet Russia, while we have not heard the last of the Palestinian Arabs and the street mobs in Jordan. If violence starts here, or in Persia, or Iraq, or in Pakistan, and Russia and Russia's allies make probing attacks, what will we do? Let us remember that the British are not now a military force in this area and that we and our other allies will be alone.

If we use the big bomb, we will inevitably expand a local and limited war into an earth-shattering and world-destroying war of mutual annihilation. Faced with such a probability, we will certainly be reluctant to use the big bombs. This reluctance will be intensified by the fact that the use of the big bombs against the black, brown, and yellow peoples of the world will inevitably cause almost the entire billion and a half of these folks to go over to the other side and that if anything is left after the mutual destruction is over, Asia, the Middle East, and Africa will be on the other side.

The Russians have undoubtedly thought out all these factors and, therefore, I believe we may expect probing and limited attacks with Russia and China hiding behind local fronts as they did in Korea and Vietnam.

What is needed in these circumstances is a sufficient force in readiness, well equipped and trained, which can be rushed to crucial points which the Communists are either attacking or threatening to attack. The usefulness of such forces was well demonstrated last spring when the landing force of marines was sent to Beirut, Lebanon, at a time when it looked as though the anti-Western mobs would take over the neighboring country of Jordan.

It is the great merit of such military units that they can confine the use of force and violence to the areas where aggression is taking place and to the persons directly involved. By using conventional weapons, they can concentrate on their immediate objective without indiscriminately spreading death and destruction over the civilian population or upon those who are on the sidelines. The use of such forces is the best way to prevent a local and limited war from being expanded into a race-destroying major conflict. These forces are indeed like a surgeon's knife. They will cut out the diseased tissue from the body with the least possible damage to the surrounding parts.

And yet it is precisely this portion of our Armed Forces which is being slighted by the overwhelming emphasis being placed on so-called major deterrents namely, atomic and hydrogen bombs, the Strategic Air Command bombs, ballistic missiles, and so forth.

I submit that we need more of such well-trained forces in readiness—both army and marine—rather than less, and that these can be obtained without cost to the taxpayer—and indeed with savings to him—by cutting down on present wastes of men and money by the several branches of the Military Establishment.

There will be two objections to this conclusion. The first is that this need for such American forces can be avoided by building up the local armies, as we have done in Korea and Formosa, and plan to do in Japan.

I am, of course, in favor of building up the military strength of our allies, and I have demonstrated by my continuing support of the mutual security program. But this is not enough in itself. Slight shifts in the public opinion within these countries, or in court politics and personalities, may cause a shift in loyalties, and turn forces from allies into neutrals or opponents. Furthermore, new countries and untried local troops often lack self-confidence and are reluctant to stand up against monolithic police states such as Russia and China with their well-disciplined armies.

The people and the troops of the local states will, therefore, be vitalized, reinforced and aided if they know that behind and alongside of them are competent American forces. But if they know that these troops are far away and are being more and more reduced, it will be small wonder if they lose heart and decide that too heavy a share of the burden is being thrown upon them. That is likely to be the final result if we persist in our present policy.

But, it is asked, will not the use of tactical nuclear weapons avoid the necessity for more combat forces in readiness? If we equip our regiments and divisions with mortar and artillery shells which have nuclear warheads, can we not, it is asked, get along better with fewer men? I favor equipping most of our divisions with such weapons.

From the well-informed criticism of Atomic Energy Commissioner Murray, this process has—up to now—not gone very far. We, therefore, should not rely upon it before it comes into being.

Moreover—and I hope this will be considered very carefully—such a limited initial use of atomic and nuclear weapons to those forces which are immediately in opposition to ours is at best extremely dangerous at all times and in all places and would, in my judgment, be almost fatal in the areas between Casablanca and Hawaii. Even if employed on the European land mass against white troops, the use of even atomic hand grenades would tempt the other side to reply with atomic mortar fire, and for us to rejoin with atomic artillery. With atomic war ranging on a tactical scale, it would be almost inevitable for it to expand to the strategic level and not only the twilight but the full darkness of the gods would be upon us.

Just as the atomic bomb is now used to trigger off the hydrogen bomb, so would the tactical use of atomic and nuclear weapons tend to trigger off their strategic use against rear bases and the civilian populations of the countries opposed to us. Our military strategists should, therefore, realize that there are inevitable chain reactions in the fields of battle and of men's minds which should make us very reluctant to use atomic and nuclear weapons, unless an initial attack is committed against us.

But the reasons against their use in the very regions where the Communists are most likely to conduct their probing operations, namely, the presently neutral and uncommitted third of the world, are, to my mind, at least, overwhelming.

For while it is no more morally wrong to kill a uniformed opposing soldier in battle by atomic or nuclear weapons than it is by conventional bullets, grenades, and shells, for white troops to use such weapons against yellow, brown, or black men would almost inevitably touch off a race war and throw all these peoples into the Communist ranks.

We are already being heavily criticized for using the atomic bomb against the Japanese but not against the Germans, and the Communists are making unjustified headway with this propaganda among the so-called colored peoples of the world. It is, of course, unjustified because the atomic bomb had not been perfected before Germany surrendered, and it was not available and was not successfully tested until the Alamogordo explosion of July 1945.

Furthermore, President Truman's heart-rending decision to drop the bomb on Hiroshima was only made after military intelligence had informed him that the alternative was a military landing on Japan which would cost us 250,000 lives and the Japanese several times that number. This estimate may well have been wrong, as Admiral Zacharias has constantly maintained, but the President acted on the best information which was available to him and with a view to reducing the loss of life rather than increasing it.

But while all this is true, the colored peoples of the world are acutely conscious that the bomb was dropped upon yellow men. They are inclined to believe that it will be so used in the future;

and if and when it is, I predict a chain reaction of anger, race hatred, and revenge is likely to sweep over Asia, Africa, and the Near East, and possibly even to reach the Caribbean and our own country.

I submit, therefore, that to meet the Communist probing attacks—which are probably coming in the next decade—that we need both to have combat troops in readiness for a quick and effective action in the area where trouble is likely to occur, but these should use conventional and nonatomic and nonnuclear weapons.

Since the funds to equip these two additional divisions can be obtained by reducing the waste in the armed services, the only question which remains is whether the $500 million provided in the amendment will be adequate and whether the division between the Army and the Marine Corps is fair. Here it should be remembered that the personnel for these divisions will be drawn from excess members already employed in supply, personnel, and administrative functions, and from those squeezed out from the combat divisions by the use of the new weapons.

The new tables of organization of the Army provide for a total strength of 13,748 men, which is appreciably less than the number provided in the former tables of organization. Therefore if the 17 divisions are reduced in size in accordance with the new tables of organization, and if men can be squeezed out of the supply and administrative functions, as they most certainly can be, there will be an ample number of men left with which to set up the two combat divisions. There will probably be an excess and if the Defense Department had only the will to do so, they could set up four or more additional divisions. We need them and we should have them but I am most conservative in the reasons I am proposing.

There will, therefore, be no extra costs for pay or uniforms. Furthermore, the needed supplies can largely be drawn from the excess stocks which now bulge from the myriad supply depots which are scattered about the land. Since the total of operation and maintenance appropriations for the 17 Army divisions is set at $3.3 billion, or at an average yearly rate of slightly less than $200 million per division, it will be seen that an allowance of $250 million for each of the proposed divisions is most generous. For, as I have already mentioned, most of the supplies can be drawn from the huge existing stockpiles.

The fairest way of dealing with the inevitable rivalry between the Army and the Marine Corps over their relative shares in this expansion of combat forces, would be to allot them in proportion to their present combat strength. At a rough guess, this would probably mean that about five-sixths of the increase would go to the Army.

I hope that I have demonstrated the need and the way at once to reduce waste in our Military Establishment, greatly increase combat effectiveness in the places and areas most needed, and at the same time save half a billion dollars for the taxpayers.

Are not the only arguments against such a course the children of inertia and luxury and an undue concern for vested interests both in and out of the services?

I yield the floor, Mr. President.

Mr. DOUGLAS subsequently said: Mr. President, I ask unanimous consent that the statement I am about to make be placed at the conclusion of my main remarks on the Department of Defense appropriation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, I send to the desk two amendments which have the same purpose, and ask that they be printed following the remarks which I am now about to make.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. Depending upon the parliamentary situation when they are offered, the two amendments will each provide that the House figure as submitted to the Senate be approved, and that one-half of the Senate increase be given for the equipping and added expenses connected with the establishing of two additional combat divisions to be provided the Army and Marine Corps in proportion to their present strength, or roughly a little more than five-sixths going to the Army and a little less than one-sixth going to the Marine Corps.

One amendment is drawn on the assumption that the increases voted by the committee will be voted by the Senate; and therefore, this amendment is longer than the other one.

The other amendment is drawn on the alternative assumption that the figures voted by the House of Representatives will be voted by the Senate, and therefore the amendment provides for an increase of $500 million over the amount voted by the House of Representatives.

But I repeat that the purpose and effect of the two amendments is the same, namely, to increase by a total of $500 million the appropriations voted by the House of Representatives, and to earmark these sums for two additional combat divisions, but to provide that the total will be approximately $500 million less than the amounts provided by the Senate committee's version of the bill.

Mr. President, I send the amendments to the desk, and ask that they be printed and be made available for the debate tomorrow.

The PRESIDING OFFICER. The amendments will be received and will be printed.

Mr. CARROLL. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I am glad to yield.

Mr. CARROLL. The Senator from Illinois has had a very long day, and I hesitate to detain him.

Mr. DOUGLAS. That is quite all right; I am glad to have the Senator from Colorado ask me questions.

Mr. CARROLL. The presentation the Senator from Illinois has made has been very helpful to me, at least, in connection with making up my mind about this very important bill.

I have no desire to tax the patience or stamina of the distinguished Senator from Illinois, but I should like to ask a question which may be helpful, particularly in that it may be read by Senators before passing on the amendments tomorrow. I observe that one of the amendments of the Senator from Illinois is for the purpose of restoring some of the cuts voted by the House of Representatives, as I understand.

Mr. DOUGLAS. That is correct; the purpose is to divide into two approximately equal parts the $1 billion increase voted by the Senate committee for the ordinary budgets of the various services. One part would be a decrease in the total appropriations carried in the bill as reported by the Senate committee; the other part would be earmarked for the financing of two combat divisions for use in the areas where limited war is likely to break out. I would like the amendments printed both in the RECORD and for distribution tomorrow when the bill will be acted upon.

Mr. CARROLL. On page 18 of the report, under the heading "Procurement and production," I notice that the bill as reported by the Senate committee calls for appropriations $583 million less than the amount of the budget estimates for 1958. Furthermore, in this case, the Senate committee has recommended a greater cut than that voted by the House of Representatives. However, I am wondering in what categories or for what appropriation items the Senate committee has voted increases.

Mr. DOUGLAS. That can be ascertained by reading the bill and the report. For example, in the case of the Department of the Army, for operation and maintenance the Senate committee recommends an increase of approximately $146 million.

Mr. CARROLL. With reference to the $146 million, would the amendment of the Senator from Illinois make a reduction back to the amount voted by the House of Representatives? That is what I have in mind.

Mr. DOUGLAS. That is correct.

In the case of Reserve personnel, the Senate committee voted to increase by $20 million the amount voted by the House of Representatives.

In the case of the Army National Guard, the Senate committee voted an increase in the amount of $40 million over the amount voted by the House of Representatives.

In the case of the funds for research and development, the Senate committee has voted for an increase in the amount of $8 million over the amount voted by the House of Representatives.

In the case of the National Board for the Promotion of Rifle Practice, the Senate committee has voted for an increase in the amount of $75,000 over the amount voted by the House of Representatives.

In the case of the Alaska Communication System, the Senate committee has voted for an increase in the amount of $500,000 over the amount voted by the House of Representatives.

Then the Senate committee has voted for a "paper" cut in the case of the appropriation for procurement and production. However, as I explained earlier this afternoon, the cut is not a real one, because it merely diminishes the cash balances for the Army stock funds.

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Mr. CARROLL. So the real increase comes in the item for operation and maintenance, for which the Senate committee has voted an increase in the amount of $146 million; is that correct?

Mr. DOUGLAS. Yes, but that is where some of the greatest waste has occurred.

Mr. CARROLL. Will that amount be broken down?

Mr. DOUGLAS. The Senate committee has not furnished us with a breakdown, but merely has furnished us with its version of the bill and with its report on the bill.

Mr. CARROLL. I thank the Senator from Illinois.

Mr. DOUGLAS. Continuing, let me say that for the Department of the Navy, the Senate committee has voted for an increase of $12 million in the amount voted by the House of Representatives for military personnel of the Navy; and the Senate committee has voted for an increase of $1 million in the amount voted by the House of Representatives for Navy personnel, general expenses; and the Senate committee has voted for an increase of $4,600,000 in the amount voted by the House of Representatives for military personnel of the Marine Corps; and an increase of $300,000 in the amount voted by the House of Representatives for Reserve personnel, Marine Corps; and an increase of $4,500,000 in the amount voted by the House of Representatives for Marine Corps troops and facilities; and an increase of $100 million in the amount voted by the House of Representatives for naval aircraft and related procurement; and an increase of $15 million in the amount voted by the House of Representatives for naval aircraft and facilities; and an increase of $75 million in the amount voted by the House of Representatives for shipbuild- and conversion; and an increase of $3 million in the amount voted by the House of Representatives for ships and facilities; and an increase of $35 million in the amount voted by the House of Representatives for procurement of ordnance and ammunition; and an increase of $1,500,000 for medical care; $2 million for Navy civil engineering; $10 million for research and development; $6 million for servicewide supply and finance; and $1 million for servicewide operations, over the amounts voted by the House of Representatives; and the Senate committee has recommended other items of increase along the way; and it has voted for a large increase—in the amount of $280 million—above the amount voted by the House of Representatives for the Department of the Air Force, aircraft and related procurement; and the Senate committee has voted for an increase of $100 million above the amount voted by the House of Representatives for procurement other than aircraft, for the Air Force; and an increase of $12 million over the amount voted by the House of Representatives for research and development; and an increase of $131,873,000 over the amount voted by the House of Representatives for operation and maintenance of the Air Force; and an increase of $35 million over the amount voted by the House of Representatives for military personnel of the Air Force; and an increase of $2 million over the amount voted by the House of Representatives for Reserve personnel of the Air Force.

Those figures show the items for which the Senate committee has voted increases, and they indicate where the economies proposed by me, on the one hand, and, on the other hand, the increases in strength, would be distributed.

Mr. CARROLL. In other words, as I read the figures, the Senate committee has voted increases in the amount of $971,504,000 over the amounts voted by the House of Representatives.

Mr. DOUGLAS. That is the overall increase; but cuts of $87 million were made in the appropriations for the stock funds, thus still further decreasing the idle capital reserves in the case of stock parts. I would say in no sense are they decreased in bona fide operations; there will merely be a utilization of money already available. So, in effect, I think the increases in appropriations which have been voted by the Senate committee amount to well over $1,050,000,000; and that therefore the real economies, as compared with the budget estimates, will amount to only approximately $200 million.

Mr. CARROLL. But the difference, then, between the amounts voted by the House of Representatives and the amounts voted by the Senate committee is what?

Mr. DOUGLAS. It is admittedly $971,504,000; but I think that figure should be increased by $87 million of claimed economies. So I think the real difference is $1,058,504,000.

Mr. CARROLL. $1,058,504,000?

Mr. DOUGLAS. Yes.

Mr. CARROLL. I thank the Senator from Illinois.

Mr. DOUGLAS. I thank the Senator from Colorado, because he has brought out a very important point.

Mr. President, I yield the floor.

EXHIBIT 1

Intended to be proposed by Mr. DOUGLAS to the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, viz:

On page 8, between lines 11 and 12, insert the following:

"COMBAT UNITS

"For expenses incident to the arming, equipping, and supporting of combat units of the Army utilizing non-nuclear firepower; $425,000,000."

On page 14, between lines 13 and 14, insert the following:

"COMBAT UNITS, MARINE CORPS

"For expenses incident to the arming, equipping, and supporting of combat units of the Marine Corps utilizing non-nuclear firepower; $75,000,000."

On page 5, line 17, strike out "$3,123,000,000" and insert in lieu thereof "$3,113,000,000".

On page 8, line 4, strike out "$3,291,356,000" and insert in lieu thereof "$3,145,200,000".

On page 8, line 21, strike out "$217,000,000" and insert in lieu thereof "$197,000,000".

On page 10, line 2, strike out "$360,000,000" and insert in lieu thereof "$320,000,000".

On page 10, line 12, strike out "$400,000,000" and insert in lieu thereof "$392,000,000".

On page 10, lines 22 and 23, strike out "$300,000" and insert in lieu thereof "$225,000".

On page 11, line 6, strike out "$5,500,000" and insert in lieu thereof "$5,000,000".

On page 12, lines 17 and 18, strike out "$2,307,000,000" and insert in lieu thereof "$2,295,000,000".

On page 14, line 3, strike out "$88,000,000" and insert in lieu thereof "$87,000,000".

On page 14, lines 12 and 13, strike out "$634,600,000" and insert in lieu thereof "$630,000,000".

On page 14, lines 19 and 20, strike out "$23,500,000" and insert in lieu thereof "$23,200,000".

On page 15, line 18, strike out "$182,500,000" and insert in lieu thereof "$178,000,000".

On page 16, line 6, strike out "$1,912,000,000" and insert in lieu thereof "$1,812,000,000".

On page 16, line 16, strike out "$868,500,000" and insert in lieu thereof "$853,500,000".

On page 17, line 12, strike out "$1,609,000,000" and insert in lieu thereof "$1,534,000,000".

On page 18, line 1, strike out "$823,000,000" and insert in lieu thereof "$820,000,000".

On page 18, line 20, strike out "$211,000,000" and insert in lieu thereof "$176,000,000".

On page 19, line 6, strike out "$166,000,000" and insert in lieu thereof "$164,000,000".

On page 19, line 15, strike out "$86,700,000" and insert in lieu thereof "$85,200,000".

On page 20, line 2, strike out "$136,630,000" and insert in lieu thereof "$134,630,000".

On page 20, line 7, strike out "$505,000,000" and insert in lieu thereof "$495,000,000".

On page 20, line 21, strike out "$306,000,000" and insert in lieu thereof "$300,000,000".

On page 21, line 12, strike out "$108,000,000" and insert in lieu thereof "$107,000,000".

On page 22, line 8, strike out "$6,126,000,000" and insert in lieu thereof "$5,864,000,000".

On page 22, line 16, strike out "$1,246,500,000" and insert in lieu thereof "$1,146,500,000".

On page 23, line 1, strike out "$661,000,000" and insert in lieu thereof "$649,000,000".

On page 25, line 2, strike out "$4,193,993,000" and insert in lieu thereof "$4,062,120,000".

On page 26, line 16, strike out "$3,836,600,000" and insert in lieu thereof "$3,801,600,000".

On page 26, line 25, strike out "$57,000,000" and insert in lieu thereof "$55,000,000".

On pages 8, between lines 11 and 12, insert the following:

"COMBAT UNITS

"For expenses incident to the arming, equipping, and supporting of combat units of the Army utilizing non-nuclear firepower $425,000,000."

On page 14, between lines 13 and 14, insert the following:

"COMBAT UNITS, MARINE CORPS

For expenses incident to the arming, equipping, and supporting of combat units of the Marine Corps utilizing non-nuclear firepower; $75,000,000."

TEMPORARY APPROPRIATIONS, 1958

During the delivery of Mr. DOUGLAS' speech,

Mr. MANSFIELD. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. Certainly.

Mr. MANSFIELD. Mr. President, with the understanding that what is about to occur will appear at the end of the remarks of the Senator from Illinois, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senator from Arizona [Mr. HAYDEN] be recognized, for the

purpose of reporting a continuing joint resolution.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the Senator from Arizona may proceed.

Mr. HAYDEN. Mr. President, from the Committee on Appropriations, I report, without amendment, House Joint Resolution 391, making temporary appropriations for the fiscal year 1958, and for other purposes; and I ask unanimous consent for the immediate consideration of the joint resolution.

Mr. SALTONSTALL. Mr. President, reserving the right to object—although I shall not object—let me say that I understand the joint resolution simply continues the appropriations for the Defense Department and other agencies such as the Department of Agriculture, Public Works, the Atomic Energy Commission, and the appropriations under the mutual security programs, the 1958 appropriations for which have not yet been made.

Mr. HAYDEN. Yes. As stated in the report of the House Committee on Appropriations, the resolution is of the usual type, in order to make provision for continuing in operation the functions of government for which annual appropriations for 1958 have not yet been enacted; and the joint resolution will continue them to the 31st of July only.

This joint resolution covers the following appropriation acts for the fiscal year 1958:

Department of Agriculture and Farm Credit Administration Appropriation Act; Department of Defense Appropriation Act; Public Works Appropriation Act; and also funds for the Housing and Home Finance Agency, Office of the Administrator, salaries and expenses; Export-Import Bank of Washington; Tennessee Valley Authority, direct appropriation activities; Atomic Energy Commission; administration, Ryukyu Islands; Small Business Administration; and mutual security programs.

The PRESIDING OFFICER. The joint resolution will be read by title, for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 391) making temporary appropriations for the fiscal year 1958, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona.

Mr. HOLLAND. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. HOLLAND. In the continuation of appropriations to cover the first month of the new fiscal year—in other words, the month beginning today—what rate is provided for?

Mr. HAYDEN. One-twelfth of the amount appropriated during the past fiscal year.

Mr. HOLLAND. Then am I correct in understanding that in the case of the agencies for which the Congress has voted for rather material cuts in appropriations, the effect of the cuts will be reduced, in that the appropriations will be continued at the same rate as for 1957, for at least one-twelfth of the new year?

Mr. HAYDEN. The joint resolution contains a provision covering that point. I read from paragraph (3) on page 2 of the joint resolution:

(3) Whenever the amount which would be made available or the authority which would be granted under an act listed in this subsection as passed by the House is different from that which would be made available or granted under such act as passed by the Senate, the pertinent project or activity shall be continued under the lesser amount or the more restrictive authority.

Mr. HOLLAND. The rates there referred to are those on the basis of bills now pending, as passed by the House of Representatives and the Senate?

Mr. HAYDEN. Yes.

Mr. HOLLAND. I thank the distinguished Senator from Arizona.

Mr. SALTONSTALL. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. SALTONSTALL. To elucidate further the point made by the Senator from Florida, I should like to ask the Senator from Arizona this question: His answer referred to the bills now pending; but there are several measures, such as those for mutual security and for the Atomic Energy Commission, for which no bill has been passed by either House.

Mr. HAYDEN. In those instances, the one-twelfth of the current rate would apply or the rate provided in the budget estimate, whichever is lower; or, if no budget estimate had been sumitted prior to June 30, 1957, at the current rate or in the amount or at the rate specified in the resolution.

Mr. HOLLAND. Mr. President, will the Senator from Arizona yield further to me?

Mr. HAYDEN. I yield.

Mr. HOLLAND. In other words, as to the agencies for which either the House or the Senate, or both, have passed appropriation bills for the fiscal year 1958, the rate stated by the Senator from Arizona will apply; in other words, the smaller or lesser amount as voted by either House shall be the measure against which one-twelfth shall be figured?

Mr. HAYDEN. That is correct.

Mr. HOLLAND. In the case of bills not yet passed or not yet considered by either House, such as the foreign aid bill and such as the military construction bill, the figure against which the one-twelfth shall be levied is the appropriation for fiscal 1957?

Mr. HAYDEN. In that event it will be the budget estimate or last year's rate, whichever is the lesser, or if no budget estimate had been submitted prior to June 30, 1957, at the current rate or in the amount or at the rate specified in the resolution.

Mr. HOLLAND. The budget estimate for this year, fiscal 1958?

Mr. HAYDEN. Yes.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. LAUSCHE. What will be the situation in the event the bill as finally passed provides for less than the budget estimate or less than the amount appropriated for 1957?

Mr. HAYDEN. There would be a possibility of some extra expense being incurred in the next 30 days, but it could not amount to very much and it would be charged against their regular appropriation when enacted.

Mr. LAUSCHE. I assume the administrative agency will recognize the fact that the amount of money allocated will be less than either the budget estimate or the amount granted for 1957.

Mr. HAYDEN. This is a situation that has happened in years past, and I have not heard any great complaint about it.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. HOLLAND. I thoroughly agree with the statement of the Senator from Arizona that there has not been much complaint in the past, but I do not recall any time, at least in the immediate past, when there has been such a continued effort to effect reductions such as we have seen in this Congress.

Mr. HAYDEN. If money were expended in the month of July at a rate greater than would be appropriated as the bill finally became law, the amount in excess would be taken off the amount allowed for the remainder of the year.

Mr. HOLLAND. Is that provision in the resolution?

Mr. HAYDEN. That is the provision in the law.

Mr. HOLLAND. Is that provision in the resolution as reported today, and which is now under consideration? If it is, it seems to me it answers completely our anxiety. As the Senator knows, we have not had the opportunity to see the joint resolution.

Mr. HAYDEN. I read section 103 of the House joint resolution:

SEC. 103. Appropriations and funds made available and authority granted pursuant to this act may be used without regard to the time limitations set forth in subsection (d) (2) of section 3679, Revised Statutes, and expenditures therefrom shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

I think that covers the eventuality.

Mr. HOLLAND. I thank the Senator.

The PRESIDING OFFICER. Is there objection to temporarily laying aside the pending business and proceeding to the consideration of House Joint Resolution 391?

There being no objection, the Senate proceeded to consider the joint resolution.

The PRESIDING OFFICER. The joint resolution is open to amendment.

If there be no amendment to be offered, the question is on the third reading of the joint resolution.

The joint resolution (H. J. Res. 391) was ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I wish to thank the Senator from Illinois for his unfailing courtesy in allowing us to take action on this very important joint resolution at this time.

Mr. President, I suggest the absence of a quorum.

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The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HOUSING ACT OF 1957—CONFERENCE REPORT

During the delivery of Mr. DOUGLAS' speech,

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. DOUGLAS. I will yield with the understanding that any comments which the Senator may make, or any business which he wishes to transact, will appear in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. CLARK in the chair.) Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of June 28, 1957, pp. 10558–10564, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. SPARKMAN. Mr. President, earlier in the year—in March and April—the Housing Subcommittee held hearings over a period of 11 days on some 20 bills referred to the subcommittee. Following completion of the subcommittee's deliberations, the House bill, H. R. 6659, was referred to the Banking and Currency Committee. When the Banking and Currency Committee had completed work on its bill, the House bill was taken up and amended by striking everything after the enacting clause and inserting the language of the Senate bill.

We have just completed three spirited conference sessions with the House Conferees, and have reached agreement.

Mr. President, I shall be very brief in making a few remarks about the conference report. It has already been agreed to by the House of Representatives, and the Senators who may have read the CONGRESSIONAL RECORD of Thursday last had the opportunity to see the statement on the part of the managers of the House. The House agreed to the conference report on Friday.

I ask unanimous consent to have printed in the RECORD a statement I have prepared showing the features of the report as agreed to by the conferees.

There being no objection the statement was ordered to be printed in the RECORD, as follows:

TITLE I—FHA INSURANCE PROGRAMS

Lower downpayments for sales housing

Of major interest to most Members of the Senate is the provision affecting the minimum downpayments which will be permitted if this conference report is adopted. Both House and Senate bills contained a new downpayment schedule for FHA's sales housing program. The House proposal would reduce downpayments to 3 percent of the first $10,000, 15 percent of the next $6,000, and 30 percent of the excess. The Senate downpayment schedule would reduce downpayments to 3 percent of the first $10,000, 10 percent of the next $6,000, and 30 percent of the excess. These schedules are compared with the present schedule, which is 5 percent of the first $9,000 and 25 percent of the excess. The Senate conferees receded on this point and agreed to accept the House language.

The following chart indicates the differences between the House and Senate bills and the present downpayment schedule.

Minimum downpayments required for 1-to-2-family owner-occupant properties with FHA-insured loans.

Appraised value	Current FHA statute (5 percent of 1st $9,000 of appraised value; plus 25 percent of excess)		Conference report (3 percent of 1st $10,000 value, plus 15 percent of next $6,000 plus 30 percent of excess)	
	Amount	Percent	Amount	Percent
$5,000	$250	5.0	$150	3.0
$6,000	300	5.0	180	3.0
$7,000	350	5.0	210	3.0
$8,000	400	5.0	240	3.0
$9,000	450	5.0	270	3.0
$10,000	700	7.0	300	3.0
$11,000	950	8.6	450	4.1
$12,000	1,200	10.0	600	5.0
$13,000	1,450	11.2	750	5.8
$14,000	1,700	12.1	900	6.4
$15,000	1,950	13.0	1,050	7.0
$16,000	2,200	13.8	1,200	7.5
$17,000	2,450	14.4	1,500	8.8
$18,000	2,700	15.0	1,800	10.0
$19,000	2,950	15.5	2,100	11.1
$20,000	3,200	16.0	2,400	12.0
$21,000	3,450	16.4	2,700	12.9
$22,000	3,700	16.8	3,000	13.6
$23,000	3,950	17.2	3,300	14.3
$24,000	4,200	17.5	[1] 4,000	16.7
$25,000	[1] 5,000	20.0	[1] 5,000	20.0

[1] Reflects maximum insurable mortgage of $20,000.

Both House and Senate amended the FHA section 203 (1) program for low-cost housing in outlying and rural areas. The Senate amendment, the more liberal of the two, decreased the minimum downpayment to 3 percent and increased the maximum loan to $8,000. This amendment was adopted by the conferees. In line with the action taken to reduce the FHA downpayment schedule for sales housing, both bills contained langauge which would also reduce the downpayment schedules for FHA section 222 servicemen's mortgage insurance program so as to bring this program into conformity with other FHA sales housing programs. On this item, the Senate amendment prevailed. This amendment includes a provision retaining the present maximum loan amount of $17,000 and retaining the present 5 percent minimum downpayment, except where the minimum downpayment would be less than 5 percent under the amended downpayment schedule applicable to sales housing under FHA's section 203 (b).

The Senate amendment, following a recommendation of the administration, provided that the FHA Commissioner prior to authorizing the lower dawnpayments as mentioned above shall determine that they are in the public interest, taking into account (1) the national economy and conditions in the building industry, and (2) the availability of GI loans. The House had no comparable provision and the Senate amendment prevailed.

The House bill provided that, effective January 1, 1958, claims paid to a lender under the FHA title I home improvement loan program would be final and incontestable after 2 years from the date the claim was certified for payment by the FHA in the absence of fraud or misrepresentation. A similar provision was contained in the Senate amendment with an additional safeguard to the effect that if a demand for repurchase of the obligation has been made by the United States prior to the expiration of the 2-year period, the claim payment would not be final or incontestable. On this item, the House receded and the Senate language is contained in the bill.

Another Senate amendment authorizes the FHA Commissioner to add an additional $1,000 per room under the FHA section 207 rental housing program in high-cost areas without regard to the number of rooms per unit. At present, this high-cost area allowance may be made only if the unit has four or more rooms. The House having no comparable item receded and accepted the Senate language.

The House also receded and agreed to a Senate amendment not contained in the House bill affecting the insurance of mortgages on housing owned by the Federal Government or a State or municipality and being sold to private citizens. At the present, the FHA may insure these mortgages under the terms of sections 203, 207, and 213. This Senate language would also permit insurance under section 222 with respect to sale of these government-owned properties.

Another provision contained in the Senate amendment but not in the House bill would authorize FHA to furnish the home buyer with an estimate of replacement cost where the mortgage is based on replacement cost in lieu of the statement of appraised value as now required. The House receded and the Senate language is contained in the bill as approved by the conferees.

As most Members of the Senate know, the Senate amendment contained an expanded section 221 program, which would have provided a more liberal FHA mortgage insurance program for moderate-income families, minority families, elderly persons, and others in addition to the displaced families presently covered by section 221. This much-needed program was adopted by the Senate committee, passed by the Senate, but opposed by the administration. The House bill had no such feature and after a most strenuous attempt on the part of the Senate conferees, the House prevailed and the language was deleted from the bill. I note with interest, however, a paragraph in the statement made by the House conferees to the effect that Members of the House committee have reached an agreement that its Housing Subcommittee should give further study to the housing needs of all income groups next year. This statement is intended to imply that consideration will be given to some such program as section 221 during the next session of Congress.

The Senate during floor debate added an amendment to the bill as reported by the committee which would give discretionary authority to the FHA Commissioner to establish maximum sales prices as a condition of eligibility for FHA insurance on homes insured under section 203 (b) (sales housing). The House had no comparable provision and the Senate receded so that this particular amendment is not contained in the bill now before the Senate.

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TITLE II—FEDERAL NATIONAL MORTGAGE ASSOCIATION

Secondary market operations

The Senate amendments contained a provision proposed by Senator BEALL and added on the floor which would have authorized FNMA to purchase Government-insured or guaranteed mortgages above the present FNMA limit of $15,000 if those mortgages originated in areas declared by the Federal Housing Commissioner to be high-cost areas. The House conferees objected to this amendment and the Senate receded. It is not contained in the bill.

The Senate also receded on another provision relating to the amount of FNMA stock which a mortgage seller must purchase under FNMA's secondary market operations. Under present law, FNMA can increase without limit the amount of stock to be purchased by a mortgage seller. The only restriction contained in the present law is that the stock purchase cannot be less than 1 percent of the outstanding mortgage amount. The stock purchase requirement at present is established by regulation at 2 percent. The House amendment would set a maximum stock purchase requirement of 2 percent and retain the minimum at 1 percent. The Senate receded on this provision and the language as described above is contained in the bill.

The House bill contained a provision increasing the capitalization of FNMA's secondary market operations by $125 million. Inasmuch as FNMA's borrowing authority is based on a 10-to-1 ratio of its capital and surplus, this amount would increase FNMA's borrowing authority by $1.25 billion, bringing its total mortgage purchase authority to approximately $2.85 billion. The similar provision in the Senate amendment would have increased FNMA's capitalization by only $50 million, thereby increasing FNMA's borrowing authority by $500 million, and making FNMA's total mortgage purchase authority approximately $2.1 billion. The conference adopted a substitute which provides for an increase in capital stock of $65 million in the aggregate. Under the 10-to-1 ratio, FNMA's borrowing authority is thereby increased by $650 million, bringing its total mortgage purchase authority to approximately $2.25 billion.

Another compromise was achieved with respect to the provision contained in both House and Senate bills limiting the maximum amount of FNMA's secondary market obligations which the Secretary of the Treasury may acquire. This authority, now limited to $1.35 billion, would have been increased to $2.85 billion by the House bill, and to $1.7 billion by the Senate amendment. The compromise agreed upon by the conferees will limit this Treasury "backstop" authority to $2.25 billion.

Special assistance functions

The House bill would have required FNMA to purchase special assistance mortgages at par without a time limitation. The Senate amendment would have continued for 1 additional year the present requirement that FNMA purchase special assistance mortgages at not less than 99 percent of par. The compromise agreed to by the conferees authorizes purchase at par from the date of enactment until August 7, 1958.

The Senate amendment limited the fees and charges which FNMA may assess on special assistance mortgages to a maximum of 1 percent—to be paid one-half at the time of commitment and the balance at the time of delivery. The House bill had no comparable provision. The conference substitute provides that FNMA must fix a limit on the fees and charges permitted, but increases the maximum to 1½ percent. No more than one-half of the total fees may be charged at the time of commitment and the balance at the time of delivery.

The Senate amendment contained a provision extending the benefits of any increase in purchase price or the reduction of fees and charges on special assistance mortgages on which commitments had been entered into after March 31, 1957. House conferees would not accept this provision and the Senate receded. It was deleted from the bill.

The House bill had no provision authorizing additional FNMA funds for purchase of special assistance mortgages insured under section 213 of the National Housing Act (cooperative housing mortgages). The Senate provision on this subject authorized an additional $100 million, increasing the total authorization to $200 million for purchases by FNMA of these mortgages. Of the total authorization, $50 million is made available solely for commitments of purchases of mortgages where the cooperative is certified by the FHA as a consumer cooperative. Commitments in any one State shall not exceed $20 million, and within the State limit commitments shall not exceed $15 million outstanding at any one time for mortgages which are not certified as consumer sponsored, leaving a minimum of $5 million within each State for mortgages which are certified as consumer sponsored.

In addition to increasing and allocating moneys made available under this section, the conferees agreed to delete from the statute the words "consumer sponsored" and insert in lieu thereof "consumer cooperative." This amendment is made necessary by reason of the fact that very few, if any, cooperatives are actually consumer sponsored. For example, a group such as a labor union or, as in one case, a group of United Nations employees may band together to produce housing for their personal use. The individual cooperatives having no skill in the formation of a cooperative or the preparation of FHA applications, etc., may utilize experts who do have such knowledge. In this event, while the group may be a consumer cooperative, in that the members themselves will eventually own and occupy the dwelling units constructed as a result of their efforts, they may not, under certain circumstances, be classified as a "consumer-sponsored cooperative." The amendment as advocated by the Senate conferees and agreed to by the conference committee should eliminate the possibility of difficulty over the meaning of these terms.

The House bill provided an increase from $200 million to $500 million in the amount of FNMA's special assistance funds available to purchase mortgages insured under FHA's title VIII military housing program. The comparable provision in the Senate amendment would have increased this revolving fund from $200 million to $400 million. The substitute as agreed to by the conferees provides for an increase of $250 million or an increase from the present total of $200 million to a total of $450 million. Seven and five-tenths percent of this total or $33.75 million is reserved for the purchase of mortgages insured under FHA section 809 (housing for essential civilian workers at research or development centers). Inasmuch as about $10 million has already been utilized for the purchase or commitments to purchase section 809 mortgages, there will be a total of approximately $23.75 million available for additional purchases of FHA section 809 mortgages.

The Senate amendment contained a provision which would have authorized FNMA to make construction loans where these loans are FHA-insured and where FNMA has issued a commitment for permanent financing. These construction loans would have applied only to FHA-insured mortgages on rental property, cooperative property, and military housing projects. (Fees and charges for this new FNMA service would have been limited to 1 percent.) The House had no comparable provision and would not agree to the Senate language. The Senate receded and this provision is not contained in the bill as agreed to by the conferees.

The House bill contained a provision which would have changed the formula for computing the amount which FNMA must pay to the Secretary of the Treasury in lieu of Federal income taxes on profits made in its secondary market operations. The Senate refused to accept this amendment, the House receded, and the amendment is not contained in this bill.

TITLE III—SLUM CLEARANCE AND URBAN RENEWAL

Both House and Senate bills contained provisions increasing the present $900 million capital grant authorization. The House would have added an additional $250 million on July 1, 1957, and the Senate an additional $250 million in each of the years 1957 and 1958. The compromise agreed to by the conference committee increases the additional authorization to $350 million, but limits it to 1 year only.

The Senate provided an alternate formula as recommended by the administration for computing the amount of Federal grants that may be paid to communities to defray the cost of a slum clearance and urban renewal program. Under the new formula, the Federal share would be three-quarters of a reduced new project cost, instead of two-thirds of the present net project cost. This amendment is designed to eliminate some of the redtape and difficulties which local communities have had in initiating urban renewal projects and should result in no additional financial burden for the Federal Government. A community is entitled to utilize either the old formula or the new formula as it wishes. On this item, the House receded and the amendment was agreed to by the conferees.

The Senate amendment also contained a provision not in the House bill increasing the maximum amount of capital grants which may be made to any one State under the slum clearance and urban renewal program from 10 to 15 percent. The conference substitute provides that the maximum per State cannot exceed 12½ percent of the total funds authorized.

Both House and Senate bills contained a provision authorizing relocation payments to individuals and families of fixed amounts in lieu of actual moving expenses. In no case may such payments exceed the present statutory maximum of $100. The Senate amendment in addition increased maximum relocation payments to business concerns from $2,000 to $3,000. The conference substitute reduced this amount to $2,500.

The Senate eliminated the requirement that an urban renewal plan must contain an indication of the relationship of the plan to local objectives respecting land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements; but inserted a requirement that the plan be consistent with such objectives. The House conferees receded on this point and the provision is contained in the conference bill.

The Senate authorized a local public housing agency which is also the local public agency for slum clearance and urban renewal to provide space in public housing administration buildings at an economic rent for the performance of urban renewal functions. No comparable provision was contained in the House bill. The conference substitute follows the Senate language.

The Senate amendment authorized an additional exemption to the predominantly residential test now applicable to slum clearance and urban renewal projects. Under this provision, capital grants for nonresidential development, including the development of blighted residential areas

(presently authorized under existing law) and redevelopment of commercial and industrial areas (newly authorized by this amendment) would be limited to 7.5 percent of the total grant authorization. Following objections of the House conferees to this amendment, the Senate receded and the amendment is not included in the conference bill.

TITLE IV—PUBLIC HOUSING

Low rent housing

The Senate took to the conference this year five provisions relating to low-rent housing which were designed to improve the program. The House brought one provision which would have restricted the program. The Senate conferees persuaded the House to recede on its restrictive provision and to adopt 3 out of the 5 provisions in the Senate amendment. I believe that these three new provisions in the public housing program will materially strengthen it.

First, the Senate amendment contained a provision which would increase income exemptions for admission to, and continued occupancy of low-rent housing. These increases are essential to bring the income tests for public housing up to date and in line with the current housing needs of low-income families.

Second, the conference adopted a provision, not in the House bill, raising the per room cost limits from $1,750 to $2,000 for regular units, and from $2,250 to $2,500 for elderly persons units.

Third, a provision was adopted requiring public housing plans and specifications to follow the principle of modular measure in every case deemed feasible. The principle of modular measure is steadily gaining wide acceptance in the construction field. Last year, the Housing Act provided for the application of this principle to military housing, and it is a step in the right direction to apply it to public housing construction.

The two Senate provisions which were not adopted by the conference were: One which would have permitted overincome tenants to remain in public housing if adequate housing were not available in the locality, and the other would have eliminated the workable program requirement from existing law.

Finally, the Senate persuaded the House to recede on a severely restrictive provision in its bill which would have limited public housing to projects needed solely for relocation purposes.

Disposal of war housing

The House adopted four Senate provisions which would dispose of war housing projects located in Connecticut, Nevada, Louisiana, and Utah.

TITLE V—MILITARY HOUSING

The conference report extends the military housing program for an additional year from June 30, 1958 until June 30, 1959. This item was identical in both the House bill and the Senate amendment.

Two major issues were in conference. A Senate provision would have permitted the principal obligation of a title VIII mortgage to exceed the replacement cost of the property, so long as the bid of the eligible bidder was in a reasonable relationship to such cost. The Senate receded on this item.

It also receded on a House provision which modified the statutory formula for negotiating a purchase price of Wherry Act housing. The provision in existing law which sets forth an allowance for physical depreciation as one of the factors in negotiating the price is eliminated and in its place there would be an "appropriate allowance representing the estimated cost of repairs and replacements necessary to restore the property to sound physical condition.

TITLE VI—MISCELLANEOUS

College housing

The House bill contained a provision increasing the interest rate on college housing loans. No comparable provision was included in the Senate amendment. The House receded to the Senate on this item, leaving unchanged the present formula for computing the college housing interest rate.

An additional $175 million was added to the college housing loan authorization, raising the ceiling from the present $750 million to $900 million. Of the increased authorization, $25 million is earmarked for loans to hospitals to provide housing for student nurses or interns, which constitutes a new category made eligible for this program by this year's bill. In addition, State hospital dormatory authorities were made eligible to borrow from the college loan fund.

A provision in the Senate amendment to the bill extending the program to divinity schools was eliminated.

Farm housing research

Both the House bill and the Senate amendment contained a provision for a 2-year program of farm housing research. The research would be done by land-grant colleges and would aim to develop new methods and designs toward the end of stimulating the construction of farm housing, which is woefully inadequate.

The conference adopted the House provision which authorizes $300,000 a year for each of the fiscal years 1958 and 1959 to support the program.

Exchange of data

The conference followed the language of the Senate amendment which authorizes the HHFA Administrator to exchange data relating to housing and urban planning and development with other nations where he regards such an exchange beneficial to his programs.

Voluntary home mortgage credit program

Both the House bill and the Senate amendment provided for the extension of the voluntary home mortgage credit program. The Senate amendment would have extended the program for 3 years, the House bill for 2 years and 1 month, until July 31, 1959. The conference adopted the House language.

Discount control

Both versions of the bill contained a provision authorizing control of discounts on FHA and VA mortgages. This is a problem which has received a great deal of attention this year, but which is most difficult to solve. The conference adopted the best features of both versions and drafted a substitute, which generally follows the language of the House bill, but applies discount controls to VA-guaranteed as well as FHA-insured mortgages, and deletes the requirement in the House bill for a mortgage credit study to precede the implementation of the statute.

The conference substitute directs both the FHA and VA to stipulate reasonable ceilings on charges, fees, and discounts, taking into account geographic factors and other factors affecting the type and quality of the mortgage security. It also requires a lender's certification of compliance as a condition of eligibility for FHA insurance or VA guaranty.

I believe that the conference substitute is a workable provision, and if administered diligently by the housing agencies, will go a long way toward eliminating discount abuses.

Urban planning grants

The conference report adopted the provision in the Senate amendment under which the HHFA could make urban planning grants to official governmental planning agencies to areas threatened with rapid urbanization by the establishment or expansion of Federal installations.

Mr. SPARKMAN. Mr. President, it may have been noted that the total amount in the House provision was far higher than that in the Senate version. The conferees agreed on a total figure about halfway between the Senate and House versions.

Because of the considerable interest in cost of the housing bill, I have prepared a table on new obligational authority proposed by the Senate bill, the House bill, and the bill as approved in conference. I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

New obligational authority, Housing Act of 1957

[In millions]

	Senate	House	Conference
FEDERAL NATIONAL MORTGAGE ASSOCIATION			
Secondary market operations:			
Increase in preferred stock	$30	$125	$65
Increase in Treasury lending authority	350	1,500	900
Special assistance:			
Presidential authority	150	150	150
Cooperative housing (sec. 213)	100	----	100
Military housing (title VIII)	200	200	250
Moderate income and elderly (sec. 221)	75	----	----
Urban renewal grant fund	250	250	350
College housing loan fund	175	150	175
Farm housing research	(1)	(1)	(1)
Total	1,350	2,475	1,990

[1] Less than $1 million.

Mr. SPARKMAN. Of course, as is usual in conferences, not all the things the Senate wanted were obtained in the final result. I am sure that the conferees from the House would make a similar statement. The conference report represents a compromise between the two bodies.

As a matter of fact, there were some items in the bill as it passed the Senate in which I was very greatly interested, but which I was unable to get through the conference. I have in mind particularly the effort which was made by many of us—and approved by the Senate—to provide some kind of housing relief for the lower or moderate income people. Notwithstanding the insistence and the steadfastness of a majority of the conferees from the Senate, we were unable to have that amendment agreed to, merely because the House had not considered any such legislation, and the House conferees thought it was asking too much to ask them to take it back to the House and have the House agree to it, in the absence of some study of the subject.

The managers on the part of the House included in their report mention of this item, with the assurance that the subject would be studied, looking toward some kind of legislation to help the lower income people in next year's housing bill. I hope we shall keep our attention turned in that direction. I have already asked the staff to pay particular attention to some kind of program which

would permit this great segment of the people of this country to enjoy an equitable opportunity to own a decent home, in decent surroundings, in which to house their families and rear their children, in order that they may have some opportunity to share in the great overall housing program.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. SPARKMAN. I am delighted to yield to the distinguished Senator from Indiana.

Mr. CAPEHART. I congratulate the able Senator from Alabama, chairman of the Subcommittee on Housing of the Banking and Currency Committee. I think he has done a fine job, and that, everything considered, the bill as it comes from conference is a good bill. I think the conference report should be agreed to.

Mr. SPARKMAN. I appreciate the remarks of the Senator from Indiana. I, too, think it is a good bill. That does not mean that it represents everything I would like to have in it, or everything anyone else would like to have in it. However, I think it is a good bill. I express my appreciation to the Senator from Indiana and to every other member of the subcommittee. They worked hard and did an excellent job in formulating the measure, managing it on the floor of the Senate, and handling it in conference.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. SALTONSTALL. I understand that the conference report is signed by all but one member of the Senate conferees, but that he is ill.

Mr. SPARKMAN. My understanding is that every member of the Senate conferees signed it. I am now told that the Senator from Ohio [Mr. BRICKER] did not sign.

Mr. SALTONSTALL. It is my understanding that he does not wish to be heard on the conference report.

Mr. SPARKMAN. He said nothing about holding it up.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. REVERCOMB. Was any change made with respect to downpayments?

Mr. SPARKMAN. There was very little difference between the House and the Senate on that item. The Senate provided for 3 percent on the first $10,000; 10 percent up to the next $6,000; and 30 percent beyond. The House provided percentages of 3, 15, and 30. That was the only difference; and the conferees accepted the House language.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. SPARKMAN. I am very glad to yield to the distinguished Senator from Pennsylvania.

Mr. CLARK. I should like briefly to state for the RECORD that, as a member of the conference committee, I signed the report, with grave hesitation and a good deal of regret. In my judgment, this is not a very good housing bill. It is better than no bill at all; and because it is better than no bill at all, I felt compelled to sign the conference report.

In my judgment, the glaring defect in this housing bill is the same glaring defect which has existed in all housing bills passed by the Congress ever since 1952. It does not provide housing for the people who really need housing, but it provides housing for those who, in all likelihood, could get it anyway.

The public-housing provisions of existing law are, in my judgment, completely inadequate. Two of the five amendments to the public housing law which would at least to some extent have improved the situation with respect to public housing were eliminated in conference.

The bill makes no provision whatever, as the distinguished Senator from Alabama has said, for housing for moderate income individuals. I wish the Senator from Alabama had been in Philadelphia over the weekend. The Philadelphia Inquirer, our leading daily newspaper, carried an account on the front page pointing out that 1,000 families had been ejected from public-housing units in the city of Philadelphia during the past few years, because their income had reached the point where they could no longer remain there. In almost all instances they went back to the slums from which they had come, because there was no moderate income housing for them to move into.

Mr. SPARKMAN. I think the Senator has mentioned a matter which should be mentioned, and which I tried repeatedly, during the consideration of the bill in the Senate and in the conference, as the Senator well knows, to point out.

When we establish a public-housing program under our present system, we virtually tie certain people to those public-housing units. We do not encourage them to try to build up their incomes so as to make them ineligible to continue in the housing. There is a reason for that. There is no adequate housing for them to move into.

The Senator may recall that I told the conferees about being in my own hometown during the Easter vacation, and seeing some section 221 housing. I was told that it was the first in that area, and probably the first in the United States to be completed.

First I saw a house out of which a family had moved, in a slum area, where the houses were all being demolished, under an urban renewal project. This one house had been left standing because it typified the houses in that area. The director of the Housing Authority said to me, "I want to show you where this family lived in the slums, and then I want to take you over and show you the section 211 house into which it has moved."

The contrast is simply unbelievable. It is almost inconceivable. I saw the head of the family which had moved into the new home. It was an inspiring thing to see the pride in that man because he had been able to make the transfer from a slum area, where, by the way, he had owned his own home. It was not a case of rental. However, he had done the best he could. He and his family moved into a section 221 house, a house which he never could have provided under his own steam. If it had not been for some such program as this, he would not have been able to move into it.

The remarkable thing to me was a statement the housing director made. He said, "The people in the nearby public housing project, seeing this type of house, which a person of limited means can afford, are doing everything they can to build up their income to the point where they will not be eligible to live there any longer, in order that they may have an opportunity to obtain this kind of house."

There is a catch in the law, however. Under the law as it now stands, they do not have an opportunity to obtain that kind of housing, because that kind of housing was provided only for persons who are dislocated by reason of governmental action. All we were trying to do by section 116 was to extend the operation of section 221 so that the type of persons I have described might have some opportunity to buy a decent home, in decent surroundings, and call it his own.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. SPARKMAN I yield.

Mr. CLARK. The Senate should know of the valiant fight made by the distinguished Senator from Alabama in support of moderate-income housing. What now seems like a long time ago indeed, when the subcommittee, headed by the Senator from Alabama, was considering moderate-income housing, and when he tried to get a broad gage moderate-income housing provision written into the bill, we lost by a close vote.

The Senator from Alabama then sponsored a somewhat more modest request, and we were able to put it through, with the assistance of the Senator from Illinois and other Senators. We carried it to the full committee. My recollection is that it was cut down. We brought it to the Senate floor, and it was cut down again. We took it to conference, and it was wiped out.

During that entire time the Senator from Alabama fought like a tiger for this necessary addition to our housing legislation. I am delighted to hear him say today that the fight is not over, and that next year we will fight again.

Mr. President, had it not been for the $350 million appropriated for urban renewal and slum clearance, I would not have signed the conference report. In my judgment a housing bill should be a bill for the benefit of all the people, not merely for the benefit of the people in the upper income bracket and the home builders.

I will say to my distinguished friend from Alabama that I have nothing against the home building industry or the builders themselves. Long may they prosper. They ought to have their situation improved, because our country needs 2 million new homes, and fewer than 1 million homes are being provided at the present time.

I thank the Senator from Alabama for yielding to me.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. SPARKMAN. I shall be glad to yield in a moment. First I wish to ex-

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press my appreciation for the remarks of the Senator from Pennsylvania. I share with him the disappointment over the bill not being a better bill. However, there is one thing I learned a long time ago, and that is that legislation must be a compromise, because it must represent a meeting of minds, not only a meeting of minds of Senators, but also a meeting of minds between Senators and Members of the House of Representatives.

Furthermore, I have seen measure after measure which was worked on year after year, eventually become law. Therefore, I try not to be impatient. With one exception I believe I have signed every conference report on housing legislation. I have seen a steady improvement in such legislation. At least I like to think that we have been steadily improving the situation. What we must do is to constantly try to improve it.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. CAPEHART. Mr. President, only a moment ago I praised the Senator from Alabama and other Senators for what they did in connection with the measure now before the Senate. It is a good bill. However I must say one thing in connection with it, because the able Senator from Alabama referred to the fact that a housing bill should cover everyone.

We do have a housing bill that covers everyone. The trouble does not lie with the housing bill. The section to which he refers, which was eliminated in conference, had to do with the number of years in which a purchaser had to pay for his home.

Otherwise there was nothing different about that particular section and other sections. I am in sympathy with everything the Senator from Alabama has said and what he has been trying to do. However, the trouble is that the selling price of even the cheapest house today, when divided into monthly payments over a period of 25, or 30, or 40 years, makes the monthly payments around $75 to $100 a month. That is on the cheapest house. We had testimony before our committee that the cheapest house costs 11 or 12 thousand dollars. There may be a few that can be built to sell for $9 thousand.

Therefore, if we consider the downpayment of even the cheapest house, with a modest interest rate of 4 percent or 5 percent, and divide the total into equal monthly payments over a 40-year period, the payments run to about $75 or $100 a month. Therein lies the trouble. It is not the proposed legislation before us. Neither does the bill have any effect on the desire of Senators to help people with low income get a new house. All of us want people in the low-income groups to be able to buy new homes.

However, to do so, it will be necessary, first, to solve the problem of finding a way to build a house to sell for $5,000, and at the same time give everyone a little profit, including the builder and the real estate man, and everyone else concerned. That is the problem which must first be solved. It cannot be solved unless the taxpayers are asked to subsidize such construction to the extent of perhaps 3 or 4 or 5 thousand dollars on every house. We are working on it, of course. As Senators know we wrote into the committee report the statement that we wanted to continue to work on the subject, and we will continue to work on it. However, the problem is one of cost.

There is nothing wrong with the conference bill. If someone can construct a $5,000 house, on which FHA will guarantee the mortgage under present terms for 25 years, at 4½ or 5 percent interest, the moderate income people will be able to buy a low-priced house. Until that problem is solved, I do not know how such people will be able to get new homes. The average man we have in mind in that connection has the ability to pay around $40 or $50 a month. That is the kind of man who would buy that type of house.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. CLARK. I suppose it is only a woman who always wants to get the last word. I shall not try to have the last word, but I wish to say that the Senator from Indiana and the Senator from Alabama and I have been engaged in this argument ever since the early part of this year. I do not believe we will ever settle it on the floor of the Senate or elsewhere. I should like the RECORD to show, however, my profound respect for the point of view of the Senator from Indiana and my profound disagreement with both his mathematics and his philosophy.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. ELLENDER. The Senator from Alabama will remember that in the early part of the year my colleague and I talked to him about housing at various Army camps.

Mr. SPARKMAN. One in particular was badly in need, and that was Fort Polk.

Mr. ELLENDER. Yes. That prompted us to introduce a bill. I understand that provision has been made for FNMA loans——

Mr. SPARKMAN. Purchases.

Mr. ELLENDER. Purchases; yes, to the extent of a quarter of a billion dollars. Is that correct?

Mr. SPARKMAN. An increase of $250 million to permit FNMA to purchase mortgages on military housing.

Mr. ELLENDER. That of course, I presume, would apply to places at which a request was made for such sums.

Mr. SPARKMAN. That is true. I recall quite well the situation at Fort Polk. Not only was there need for housing, but the commitment had already been made. A letter of intent had been issued.

Mr. ELLENDER. The Senator will recall that the money assigned to Camp Polk was used somewhere else. That was the reason for our introducing a bill on that subject.

Mr. SPARKMAN. Yes. The Senator is correct. There are adequate funds in the bill to meet that situation. There is enough money to take care of it during the coming year.

Mr. ELLENDER. I thank the Senator.

Mr. SPARKMAN. Mr. President, I shall bring this discussion to a close; but I should like to say to the Senator from Indiana that of course there can be no disputing his statement about the increase in the cost of housing. We all acknowledge that. However, the purpose of the program we were trying to establish was to try to put the incentive, the emphasis, on housing, trending toward lower cost rather than toward higher cost.

There are many places throughout the country—and this is something a great many people might not believe—where housing can be built for $8,000. There are many other places where housing can be built for $9,000 or $10,000. A person having a $4,000 income can afford a $10,000 house. But unless it is possible to have that type of housing built, unless it is possible to offer some kind of incentive to the builders to build that type of housing, and to FNMA to buy that type of mortgage on the market, such housing simply cannot be built.

It is fairly easy to have high-cost housing built, housing in the price range from $15,000 to $30,000 or $35,000. For that type housing, in the higher brackets, the conventional money market is available, and that is where most of that type of housing is handled. For housing in the range from $15,000 to $25,000, FHA insurance can be procured.

But no one seems to care about the lower priced housing, the only type of housing which the person having a low income can afford. When I say "low income," I am really speaking of an income which only a few years ago would have been considered a pretty high income. But a person who earns from $4,000 to $6,000 today finds it difficult to buy housing.

Mr. President, we must not rest until we can find some way, if we intend to continue the Federal housing program, to give assistance in the housing field; some way to make it possible for the people in the lower income bracket, those who earn from $4,000 to $6,000 a year, to enjoy an equitable opportunity to have a decent home, in decent surroundings, something which we stated in 1949 was the right of every American family to look forward to.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks a summary of the Housing Act of 1957. I believe Senators will find it helpful in analyzing the bill.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

HOUSING ACT OF 1957—SECTION-BY-SECTION ANALYSIS

TITLE I—FHA INSURANCE PROGRAMS

Lower downpayments for sales housing

Sections 101 and 102: Decreases minimum downpayment under FHA's section 203 sales-housing program, and under FHA's section 220 urban-renewal housing program, to 3 percent of first $10,000, 15 percent of next $6,000, and 30 percent of excess. Also increases the maximum loan under section 203 (i) to $8,000.

Section 103: Retains present 5-percent minimum downpayment except where the downpayment under section 203 (b) (as amended by the bill) would be lower. Retains present maximum loan amount.

Section 104: In establishing the lower downpayments provided in the bill the FHA Commissioner shall determine they are in the public interest, taking into account (1) the national economy and conditions in the building industry, and (2) the availability of GI loans.

Other provisions relating to FHA insurance programs

Section 105: Amends title I (home improvement) law to establish a 2-year statute of limitations on FHA claims.

Section 106: Repeals section 203 (d) of the National Housing Act, an obsolete provision pertaining to insurance of mortgages on farm properties.

Section 107: Amends section 204 of the National Housing Act to authorize the FHA to permit certain mortgage expenditures on foreclosed property, and to terminate payment of insurance premiums when application for insurance claim debentures is filed.

Section 108: Amends sections 204 (d), 207 (i), and 803 (f) in order to delegate obsolete provisions fixing maximum interest rates on FHA debentures.

Section 109: Permits the high-cost area allowance ($1,000 per room) to be applicable without regard to the number of rooms in the unit in FHA's section 207 rental housing program.

Section 110: Increases from $8,100 to $8,400 maximum mortgage amount per family unit for FHA section 207 elevator structures for elderly. Adds a special provision to make clear that single persons as well as families are eligible for occupancy.

Section 111: Repeals section 207 (q), an obsolete FHA cooperative housing provision.

Section 112: Applies provision waiving insurance premium to FHA sections 213, 220, 221, and 222 mortgages.

Section 113: Includes FHA sections 221 and 222 mortgage funds in the FHA section 219 provisions permitting transfer of insurance funds.

Section 114: Amends section 223 of the National Housing Act to include section 222 (Servicemen's Mortgage Insurance) among the specified sections (presently secs. 203, 207, and 213).

Section 115: Amends section 226 of the National Housing Act to authorize FHA to furnish the home buyer with its estimate of replacement cost, where a mortgage is based on replacement cost, in lieu of the statement of appraised value now required.

TITLE II—FEDERAL NATIONAL MORTGAGE ASSOCIATION

Secondary market operations

Section 201: Amends section 303 (b) of the National Housing Act relating to the amount of FNMA stock which a seller must purchase under FNMA's regular secondary market operations. Under present law FNMA can increase without limiting the amount of the required stock purchase; the only restriction is that it cannot be less than 1 percent of the outstanding mortgage amount. By regulation the requirement is currently 2 percent. The amendment made by this subsection would establish the maximum stock purchase requirement at 2 percent and retain the minimum at 1 percent.

Section 202 (a) and (b): Increases capitalization by $65 million, thereby increasing FNMA's borrowing authority by $650 million.

Section 203: Increases to $2.25 billion (now $1.35 billion) the maximum amount of FNMA's secondary market operation obligations which the Secretary of the Treasury can acquire.

Special assistance function

Section 204: Amends section 305 (b) of the National Housing Act to require that FNMA purchase special assistance mortgages at par until August 7, 1958. In addition, FNMA's fees and charges on special assistance mortgages would be limited to a maximum of 1½ percent.

Section 205: Amends section 305 (c) of the National Housing Act to increase from $200 million to $450 million the amount of purchases and commitments of special assistance mortgages subject to the discretion of the President, and to delete the presidential authority to use $100 million for the purchase of participation loans.

Section 206: Increases from $100 million to $200 million the special assistance revolving fund for the purchase of FHA section 213 cooperative housing mortgages. Would reserve $50 million for consumer-cooperatives. The present limitation of $10 million on outstanding commitments per State would be increased correspondingly to $20 million of which $5 million is reserved for consumer-cooperatives.

Section 207: Increases the title VIII (military housing) revolving fund from $200 million to $450 million and earmarks up to 7.5 percent of the fund for mortgages insured under section 809, which relates to sales housing for essential civilians at military research and development centers.

TITLE III—SLUM CLEARANCE AND URBAN RENEWAL

Section 301: Increases the present $900 million capital grant contract authorization by $350 million.

Section 302: Amends the Housing Act of 1949 to establish an alternate formula for computing Federal capital grants. Three-quarters of a reduced net project cost instead of two-thirds of present net project cost.) City can elect which formula to use.

Section 303: Amends section 106 (e) of the Housing Act of 1949 to increase from 10 percent to 12½ percent the proportion of urban renewal capital grant authorization that can be allocated to one State.

Section 304: Amends section 106 (f) of the Housing Act of 1949 to permit the Urban Renewal Administrator to establish maximum payments for moving expenses up to $100 without requiring proof of the actual costs of such expenses by individuals and families. Increases the maximum relocation payments to business concerns from $2,000 to $2,500.

Section 305: Amends section 110 (b) of the Housing Act of 1949 to permit a local community to indicate in a submission separate from the urban renewal plan, the relationship between the urban renewal plan and overall local planning objectives. As now worded, this provision requires this relationship to be indicated in the urban renewal plan.

Section 306: Amends section 110 (d) of the Housing Act of 1949 to extend to slum clearance projects under the 1949 act, the provision now applicable to urban renewal projects under the 1954 act, whereby the estimated costs of facilities offered as noncash grants-in-aid shall be deemed actual costs, if the construction of these facilities is not complete (and actual costs not known) at the time of final disposition of land in the project area.

Section 307: Amends section 2 (5) of the United States Housing Act of 1937 to permit a local public housing agency to furnish administrative facilities to the local urban renewal agency, at economic rent, in localities where the same agency administers both programs.

TITLE IV—PUBLIC HOUSING

Low rent housing

Section 401 (a): Increases income exemptions for admission to and continued occupancy of public housing. For families seeking admission to public housing, the exemption would be $100 for each adult or minor dependent with no income, and up to $600 of the income of each member of the family other than the principal wage earner. For families desiring to continue occupying public housing, the exemption would be either $100 or all or any part of the annual income for each minor of the family, $100 for each adult dependent member of the family having no income, and up to $600 of the income of any other member of the family other than the principal wage earner. (The present exemptions are: For admission, $100 for each minor member of the family; for continued occupancy, $100 or all or any part of the annual income of each such minor.)

Section 401 (b): Raises the per-room cost limits from $1,750 to $2,000 for regular units, and from $2,250 to $2,500 for elderly persons units.

Section 401 (c): Requires public housing plans and specifications to follow the principle of modular measure in every case deemed feasible.

Disposition of war housing projects

Section 402 (a): Extends until December 1, 1957, the time in which war housing project CONN-6029 may be sold to the Housing Authority of Wethersfield, Conn.

Section 402 (b): Authorizes and directs the HHFA, within 3 months, to sell and convey housing project NEV-26021 to the Housing Authority of Las Vegas, Nev., for the price of $452,200. A downpayment of 5 percent would be required at closing and the balance (secured by mortgage) would be paid over a 20-year period at an interest rate of 4½ percent.

Section 402 (c): Directs HHFA to convey to the State of Louisiana war housing projects LA-16011 and LA-16012, for the price of $300,000 payable in 3 equal annual installments, provided the first such installment is paid within 60 days after enactment of this provision.

Section 402 (d): Authorizes and directs HHFA to sell war housing project UTAH-42015, known as Verdeland Park, to the city of Layton, Utah, for the price of $580,000 (without any downpayment) under a mortgage payable over a 10-year period at 4½ percent interest, provided conveyance is made within 90 days.

TITLE V—MILITARY HOUSING

Section 501: Amends section 803 (a) of the National Housing Act to extend the military housing program for 1 year, from June 30, 1958, until June 30, 1959.

Section 502: Makes the statutory maximum average of $16,500 per family unit for title VIII housing applicable to each project rather than each mortgage.

Section 503: Technical amendment eliminating the reference in existing law to specifically named statutes dealing with net floor area limitations, and providing instead that such limitations for title VIII housing shall be the same as those generally prescribed (at the time plans and specifications are begun) for appropriated fund housing.

Section 504: Eliminates "allowance for physical depreciation" as one of the factors used in determining the purchase price of Wherry Act housing acquired under the 1956 Housing Act, as amended, and substitutes "appropriate allowance representing the estimated cost of repairs and replacements necessary to restore the property to sound physical condition."

TITLE VI—MISCELLANEOUS

College housing

Section 601 (a): Increases the college housing loan authorization to $925 million, which would include $25 million for loans to hospitals for housing student nurses or interns.

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Section 601 (b): Amends section 404 (b) of the Housing Act of 1950 to permit HHFA to make college housing loans to (1) hospitals for dormitories for student nurses or interns, and (2) State authorities established to construct dormitory facilities for schools within a State university system.

Voluntary Home Mortgage Credit Program

Section 602: Extends the Voluntary Home Mortgage Credit Program until July 31, 1959.

Farm housing research

Section 603: Provides for a 2-year program of farm housing research, and authorizes $300,000 in each of the fiscal years 1958 and 1959 for grants.

Exchange of data

Section 604: Directs HHFA Administrator to exchange with other nations data relating to housing and urban planning and development, where he deems such an exchange beneficial to the programs of the HHFA.

Discount control

Section 605: Requires the FHA Commissioner and the VA Administrator to issue regulations relating to the control of discounts on Government-supported mortgages.

Urban planning grants

Section 606: Authorizes HHFA to make urban planning grants to official governmental planning agencies for areas threatened with rapid urbanization by the establishment or expansion of Federal installations.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 45. An act to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.;

S. 806. An act to authorize the Administrator of General Services to quitclaim all interest of the United States in and to a certain parcel of land in Indiana to the board of trustees for the Vincennes University, Vincennes, Ind.;

S. 886. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation;

S. 937. An act to amend section 4 of the Interstate Commerce Act, as amended;

S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from insurrectos during 1899–1903;

S. 1396. An act to amend section 6 of the act approved July 10, 1890 (26 Stat. 222), relating to the admission into the Union of the State of Wyoming by providing for the use of public lands granted to said State for the purpose of construction, reconstruction, repair, renovation, furnishing, equipment, or other permanent improvement of public buildings at the capital of said State;

S. 1412. An act to amend section 2 (b) of the Performance Rating Act of 1950, as amended;

S. 1794. An act to amend section 6 of the act approved July 3, 1890 (26 Stat. 215), relating to the admission into the Union of the State of Idaho by providing for the use of public lands granted therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, and other permanent improvements of public buildings at the capital; and

S. 1806. An act to amend the Sockeye Salmon Fishery Act of 1947.

The message also announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con. Res. 22. Concurrent resolution to print for the use of the Senate Committee on the Judiciary additional copies of the "Internal Security Annual Report for 1956;"

S. Con. Res. 26. Concurrent resolution to print additional copies of the report entitled "The International Petroleum Cartel;" and

S. Con. Res. 30. Concurrent resolution to print a compilation of studies and reports on the foreign aid program.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes, and it was signed by the President pro tempore.

DEFENSE DEPARTMENT APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

Mr. MORSE. Mr. President, will the Senator withhold that suggestion for the moment?

Mr. MANSFIELD. I withhold it.

Mr. MORSE. Mr. President, I should like to ask a few questions of the distinguished Senator from New Mexico [Mr. CHAVEZ], the chairman of the subcommittee.

The Senator will recall that several weeks ago I wrote to him about progress toward a single military purchasing catalog, as called for in Public Law 436 of the 82d Congress. The Senator will recall that I was the Senate sponsor of the single catalog law. I sent to the Senator from New Mexico documents prepared by Colonel Kelley—a Reserve officer who has followed this subject for several years—to be used during the hearings, and I know the Senator from New Mexico made use of those documents. I shall ask permission later that the documents be incorporated in the RECORD as a part of my remarks.

The American Legion, supported by the United States Chamber of Commerce, has been contending for some time that Public Law 436 has been flagrantly ignored, and that if it were followed by the Defense Establishment, billions of dollars could be saved in military purchasing. I wondered if the chairman could advise the Senate what the status is, first, with respect to the action of the Department of Defense on the complaints by the American Legion and the United States Chamber of Commerce, and others, who allege, at least, that there is great waste in military purchasing.

Second, I should like to have the Senator's advice as to whether or not he believes the situation which I think needs to be corrected should be handled through a channel other than the Committee on Appropriations, because it involves, perhaps, legislative problems and, if so, should be referred to the Committee on Armed Services.

Mr. CHAVEZ. We considered within the committee an amendment proposed by the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Illinois [Mr. DOUGLAS], and myself to create positions for civilian agents who would do the purchasing for the Department, especially the purchasing of standard goods, common-use items. The committee decided it would be better to enact legislation covering the matter and, therefore, it would be well to introduce a bill to carry out the idea. But nothing was done, so far as the amendment to which I have referred was concerned.

If the Senator will turn to page 744 of the hearing, his letter begins at the bottom of that page. Following his letter the record of the hearings contain comments by the Army, on page 745, as follows:

ARMY COMMENT ON LETTER FROM SENATOR MORSE

Progress in the Federal catalog program has been reviewed and reported annually by the Military Operations Subcommittee of the Committee on Government Operations, House of Representatives. The latest review was made January 30–31, 1957. On February 4, 1954, this subcommittee conducted a hearing on allegations, similar to those made in the letter inserted in the RECORD by Senator ELLENDER, and report of the hearing was published by the Committee on Government Operations.

In other words, notwithstanding the letter of my good friend from Oregon, the catalog still is not completed.

Mr. MORSE. I thank the Senator from New Mexico. Certainly he has made the legislative record for this debate. I serve notice on the Military Establishment today, from the floor of the Senate, that this is not a dead issue.

I am accustomed to the brushoff that we get from the Defense Establishment to the effect that another review report has been filed. At least, they ought to save the paper.

Mr. CHAVEZ. Including the nine sheets of copies.

Mr. MORSE. They ought to save the paper. They ought to go to work and save for the taxpayers of the Nation the millions of dollars which could be saved if the procedure of the law were followed, namely, to establish a single purchasing catalog system forthwith. We have waited since 1952 for this kind of saving by the Defense Establishment.

Mr. CHAVEZ. There is no particular reason why, as to standard brands of usable products, the Army should have a purchasing agent, the Navy a purchasing agent, the Air Corps a purchasing agent, and the Marine Corps a purchasing agent. I agree with the Senator from Oregon.

Mr. MORSE. It is inexcusable waste. I do not know of anybody who has

greater familiarity with it than has the present occupant of the White House. In my judgment, he has a responsibility, which I do not think he has been carrying out, to bring to an end this kind of waste. I would have him tell his military colleagues at the Pentagon Building to start following the law which is on the books and to bring about for the taxpayers this saving which is long overdue. The military officials in the Pentagon Building are guilty of inexcusable waste in regard to their purchasing practices.

I agree that the Committee on Appropriations can do no more than to raise the question, but I intend to continue my endeavor to bring about this economy. So I want the Pentagon officials to know that, so far as the senior Senator from Oregon is concerned, this is not a dead issue; I do not intend to let it sleep. I intend to keep it an aroused issue, because the American people are entitled to have the law carried out to its letter.

Mr. CHAVEZ. I agree 100 percent with the Senator from Oregon. I agree with him when he says that the condition is wasteful. Thirty-four billion dollars is a lot of money. It is as much as the cost of all the other departments of the Government.

Knowing Government operations, as I think I do to a certain extent, there must be considerable waste. One thing that the Committee on Appropriations can do is to try to hold back appropriations, which is the only thing the Department of Defense—or any other Department, for that matter—understands. In many instances, I have almost come to the conclusion that the only way to save money is by not making an appropriation. But we have a terrific responsibility in the matter of national security.

I assure the Senator from Oregon that in this instance, on both sides of the aisle, a real effort was made to give the Department of Defense what was actually needed, without jeopardizing the national security. But we did not give them any money to go pheasant hunting in South Dakota.

Mr. MORSE. I thank the Senator from New Mexico.

Mr. President, in order to save time I shall read only one telegram and then ask unanimous consent to have certain other material on this matter be printed in the RECORD.

Public Law 436 is the direct result of a very able study which was made by the Grants Pass Post, No. 28, of the American Legion some years ago. They first called the waste in the military establishment to my attention by a resolution which they passed. We proceeded, then, to make an investigation. I had the assistance, I may say, of some very able leaders in the veterans' organizations, including the American Legion. I was then a member of the Committee on Armed Services. The committee held extensive hearings and the RECORD shows that the bill I offered was enthusiastically passed by the Senate. If it were enforced, it could result in the savings of millions of dollars of the taxpayers' money. This is the telegram I received from the commander of the American Legion post at Grants Pass, Oreg., under date of April 5, 1957. He really deserves the credit for the passage of the law in the first place:

You might bring to the attention of the President and the Congress that if the single catalog authorized in Public Law 436 in 1952 had been used there could have been reductions in the Federal budget of $5 billion without hurting any essential program. This law was the result of a resolution initiated by the Grants Pass Post of the American Legion in 1950.

ARTHUR VAN WALK,
Commander, Grants Pass Post, No. 28, the American Legion.

Mr. President, I ask unanimous consent to have printed at this point in my remarks excerpts from other correspondence I have received dealing with this subject matter. I give the Senate assurance that I will include all the material on this particular matter, excluding only the material which does not deal with it, and personal comments which deal with subject matter other than this particular problem.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

ST. THOMAS, V. I.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: * * * You may recall me as the Assistant to the Secretary of Defense who wrote the original Public Law 436 and the American Legion catalog bill that you introduced in the Senate. I came to the Virgin Islands a year ago as Comptroller of the Virgin Islands Corporation, an agency of the Department of Interior, but have since resigned from the Government.

My interest in military cataloging and the interest of those who have fought for so many years for a single catalog is still undiminished. I have kept in close touch with the current situation and it is clear that the present administration is not only failing to carry out the intent and provisions of Public Law 436, but is destroying all the work that was done during and after the war. The trouble is that since Jack Anderson left the House, there has been no one in either Chamber who has had the time or the interest to keep in touch with the program.

Such a program involving savings, according to official estimates, of over 4 billions of dollars annually might be of interest to you. Should you care to undertake the following up of this program, you would have behind you all of the American people, every veterans' organization, including the American Legion and Reserve Officers Association. As you may recall, I am the military cataloging consultant for both of these organizations and Gen. STROM THURMOND, newly elected Senator from South Carolina, is the president of ROA and is on the American Legion committee having jurisdiction of the military cataloging program.

Most of the progress that has been made in military cataloging and supply, including the passage of Public Law 436, can be traced to your own State of Oregon. I was asked to write a catalog resolution in 1950 for the Grants Pass (Oreg.) Chapter of the American Legion; this resolution eventually was approved by the department of Oregon and by the national convention of the American Legion. When I wrote the original draft of the bill for Public Law 436, I followed the Grants Pass resolution. Thus, in fighting for a program so important to the American people, you are more specifically fighting for an Oregon program.

You did such a wonderful job on Public Law 436 that I hope you will renew your interest. I shall be only too glad to help you.

Sincerely yours,

W. A. KELLEY,
Colonel, Signal Corps Reserve.

The AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., December 4, 1956.

Hon. WAYNE MORSE,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: During the 82d Congress we appealed to you for help in getting legislation placed on the statute books covering what is known as the one-catalog supply system in the Pentagon.

You were good enough to introduce, at our request, S. 3023. This bill was somewhat similar to H. R. 7045, which became Public Law 436 of the 82d Congress, same having been approved by the President on July 1, 1952.

While indications are that the authorities in the Pentagon have made some progress, it has not been anything near like what it should be.

I am taking the liberty of enclosing a copy of Resolution 283 adopted at our 1956 national convention urging the adoption of the single supply catalog system.

If, in your good judgment, you feel there is enough law on this problem now on the statute books, I would thank you to advise me accordingly. It may well be that the problem is well covered by law but not being administered as effectively as it should be to carry out the spirit of Public Law 436 of the 82d Congress.

In the event you feel, after such investigation, if any, as you may care to make on the subject, there is need for additional legislation, we would be very happy to have you introduce same.

I know that you are very much interested in this problem, and if this law were properly administered it could save the Government millions and millions of dollars.

I would be very happy to receive any comments or suggestions you may have to offer in connection with this matter.

With kindest personal regards, and many thanks for your always fine cooperation, I am,

Sincerely yours,

MILES D. KENNEDY,
Director.

RESOLUTION 283, ADOPTED AT 1956 NATIONAL CONVENTION OF THE AMERICAN LEGION HELD IN LOS ANGELES, CALIF., SEPTEMBER 3-6, 1956

Committee: National security.

Subject: Urge adoption of a single supply catalog system.

Whereas the requirements of an adequate single supply catalog system for our Armed Forces have not been attained as previously called for by the American Legion: Now, therefore, be it

Resolved, by the American Legion in national convention assembled in Los Angeles, Calif., September 3–6, 1956, That it reaffirm our 1950 resolution which became Resolution 610 as adopted by the 1950 national convention at Los Angeles, and since reaffirmed at each succeeding national convention and we call for additional legislation as may or shall be necessary and appropriate to accomplish the purpose of this resolution.

APRIL 10, 1957.

ARTHUR VAN WALK,
Commander, Grants Pass Post, No. 28, American Legion, Grants Pass, Oreg.:

Reur wire I have written Chairman CHAVEZ of Defense Subcommittee of Senate Appropriations Committee, asking that progress of

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Defense Department toward establishing single catalog be explored during hearings on Defense budget. Appreciate your vigilant interest, and will continue to depend upon your help in achieving this reform.

Regards,

WAYNE MORSE.

APRIL 11, 1957.

JOHN A. TURNER,
Grants Pass, Oreg.:

Reur wire have contacted Senate Appropriations Subcommittee on Defense appropriations regarding single military catalog. Will also direct Kelley report to its attention. Appreciate your help in effort to accomplish this reform.

Regards,

WAYNE MORSE.

GRANTS PASS, OREG., *April 9, 1957.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

You can obtain from the office of national commander, American Legion, copy of report on Federal catalog program made to the President by White House Consultant, Col. W. A. Kelley dated July 20, 1956. Copies were made available to national convention of Legion last September. This report proves present program is a deliberate fraud.

JOHN A. TURNER.

THE AMERICAN LEGION,
NATIONAL SECURITY COMMISSION,
INDIANAPOLIS, IND., *April 23, 1957.*

Hon. WAYNE L. MORSE,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR WAYNE: Miles Kennedy, director of the national legislative division of the American Legion, has sent me a copy of his letter to you of April 10 together with a copy of your letter to Senator CHAVEZ, relative to the single supply catalog for the armed services.

Also, I have your wire to Arthur Van Walk, commander of Grants Pass Post, No. 28, which initiated that program in the Legion. This is to advise you that attention will be given this matter at the sessions of the National Security Commission to be held in Washington, April 25–27, and noting that you are not leaving the Capital during this week, I will endeavor to establish contact with you either this week or Monday or Tuesday of next week. Your continued interest in this matter could be extremely valuable to consummation of the program.

I wish to compliment you upon the very clear presentation in your letter of April 8 to Senator CHAVEZ. In line with this letter, Grants Pass Post, No. 28, last night adopted another resolution on the subject, two copies of which are enclosed herewith.

Very truly yours,

NIEL R. ALLEN.

THE AMERICAN LEGION,
GRANTS PASS POST, NO. 28.

"Whereas reduction of the Federal budget presently is a major concern of Congress; and

"Whereas the directive of Public Law 436 of the 82d Congress, that the Defense Department develop a single catalog for procurement by all the services is not being complied with; and

"Whereas it is estimated by responsible sources, and was a finding of the first Hoover Commission that the Federal budget could be reduced by a figure ranging up to $5 billion without damaging any essential program, if the single supply catalog were in use:

"Now, therefore, Grants Pass Post, No. 28, of the American Legion, reiterates its call for a single supply catalog for the armed services as set forth in its original resolution on the subject which became Resolution 610 of the 1950 National Convention of the American Legion and which annually has been renewed as American Legion policy, and which could be made effective under Public Law 436 of the 82d Congress; and it is further

"Resolved, That the Subcommittee on Defense Department Appropriations, of the Senate Appropriations Committee, is respectfully petitioned to investigate whether proper progress is being made to that end by the Defense Department and to set up a means of exercising congressional oversight of the Department's efforts to carry out the intent of the law."

The foregoing resolution was adopted at a regular meeting of Grants Pass Post, No. 28, this 22d day of April 1957.

ARTHUR M. VAN WALK,
Commander.

Attest:

JACK VINCENT,
Adjutant.

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., April 10, 1957.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: Permit me to thank you sincerely for your thoughtfulness in sending me a copy of your letter of April 8, 1957, to Senator CHAVEZ, as chairman of the Subcommittee on Defense Department Appropriations, relative to the one catalog program in the Department of Defense.

We are grateful to you for your continuing interest in a single military catalog. I again want to thank you for having sponsored the bill which became Public Law 436 of the 82d Congress. I have continued to remind our people of your splendid help on that occasion when we picked up the problem after the Hoover Committee had started it and then let the matter drop.

We feel that if this law were properly administered, a great amount of money could be saved as the result thereof.

With kindest personal regards, I am

Sincerely yours,

MILES D. KENNEDY,
Director.

Resolution adopted April 27, 1957, by national security commission and recommended for adoption by national executive committee of the American Legion, meeting May 1–2 at Indianapolis:

"Whereas reduction of the Federal budget presently is a major concern of Congress; and

"Whereas the directive of Public Law 436 of the 82d Congress that the Defense Department develop a single catalog for all the services has not been complied with; and

"Whereas it is estimated by responsible sources that the Federal budget could be reduced by a figure ranging up to $5 billion without damaging any essential program, if the single supply catalog were in use.

"Now, therefore, the American Legion reiterates its call for the single supply catalog for the armed services called for by Public Law 436 of the 82d Congress approved July 1, 1952; and it is further

"Resolved, That the Congress is respectfully petitioned to investigate whether proper progress is being made to that end by the Defense Department and to set up appropriate means such as a 'watch dog committee' to exercise a direct and continuing oversight of the Department's efforts to carry out the intent of the law."

UNITED STATES SENATE,
COMMITTEE ON PUBLIC WORKS,
April 15, 1957.

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: Thank you for your letter of April 8 relative to the directive of Public Law 436 of the 82d Congress which provides that the Defense Department develop one catalog for procurement by all the services, which you say is not being complied with.

I am forwarding your letter with a copy of this reply to Mr. Francis Hewitt, of the Appropriations Committee, who works with me on the military appropriation bill, requesting that he call it to my attention when the hearings commence.

With regards, I am,

Sincerely,

DENNIS CHAVEZ,
United States Senate.

APRIL 8, 1957.

Hon. DENNIS CHAVEZ,
Chairman, Subcommittee on Defense Department Appropriations, Senate Appropriations, Committee, United States Senate, Washington, D. C.

DEAR SENATOR: It has been indicated to me recently that the directive of Public Law 436 of the 82d Congress that the Defense Department develop one catalog for procurement by all the services is not being complied with. The Grants Pass Legion Post sent me the attached telegram, expressing the view that the Federal budget could be reduced by $5 billion this year without damaging any essential program, if the single military catalog were in use.

It has been a long-standing recommendation of the American Legion that a single catalog system be adopted by the Defense Department. Initiated by the Grants Pass Legion Post in 1950, the proposal was then endorsed by the Oregon department and by the American Legion's national convention. A single military catalog was also a major recommendation of the first Hoover Commission.

I sponsored the necessary legislation in the Senate to effectuate this reform, and companion legislation was sponsored in the House of Representatives by former Congressman Jack Anderson of California. It became Public Law 436 of the 82d Congress, a copy of which is attached.

Your subcommittee will soon be reviewing the budget request for the Defense Department, and I believe that the extent of adherence to a single catalog by the Department, and its progress in establishing it, is a subject that might be looked into. A substantial saving in the operation of the Department could protect the military outlays essential to our defense from unwarranted cuts, and could also protect expenditures in the public interest in other departments and agencies. I think your subcommittee will also agree that having enacted Public Law 436 upon the recommendation of the Hoover Commission for the purpose of saving the taxpayers' money, as well as for advancing the efficiency of the Defense Department, Congress is obliged to exercise oversight of the Department's efforts to carry out the intent of the law.

I would hope that this aspect of the operation of the Defense Department and of its budget might be explored fully by your subcommittee in the course of its forthcoming hearings.

With kindest regards.

Sincerely,

WAYNE MORSE.

MAY 15, 1957.

The Honorable DENNIS CHAVEZ,
Chairman, Subcommittee on Defense Department Appropriations, Senate Appropriations Committee, United States Senate, Washington, D. C.

DEAR SENATOR: In connection with our earlier correspondence about the single military catalog, I am sending you separately two reports prepared by Col. W. A. Kelley on the degree of compliance with Public Law 436 of the 82d Congress. This material

will be useful to Mr. Hewitt of the subcommittee staff and to subcommittee members in considering defense appropriations.

With kindest regards.

Sincerely,

WAYNE MORSE.

SENATOR MORSE REPORTS TO OREGON, APRIL 1957

One of the most important savings that can and should be made is in military purchasing by the Defense Department. The first Hoover Commission strongly recommended a single catalog to be used by all the military services for procurement of military supplies and equipment. The American Legion Post of Grants Pass, Oreg., urged that it be adopted, and the State and national conventions of the American Legion later endorsed the proposal. And the Grants Pass Post deserves great credit for this proposal for economy in the military.

* * * * *

In 1952, I sponsored legislation in the Senate directing the Defense Department to develop a single catalog system, and it became law in the 82d Congress. The testimony offered in support of my bill showed that adoption of the single catalog would probably result in savings of over $4 billion a year.

Recently it has appeared that the Defense Department has not progressed as rapidly as it should toward putting this directive into effect. Frankly it has been dragging its heels, and I have asked the Senate Appropriations subcommittee on defense expenditures to explore this aspect of the Department's request for funds.

Mr. MORSE. Mr. President, I think the Senate has an obligation in the year immediately ahead to ascertain what has happened to Public Law 436, so far as its administration by the Pentagon officials is concerned. I announce today that at an early date I shall take up this matter with the chairman of the Committee on Armed Services.

Mr. MANSFIELD. Mr. President, I should like to address a question to the Senator from New Mexico. Am I to understand that on the basis of the moneys appropriated to the Marine Corps for the next fiscal year, the Marine Corps will be able to maintain its statutory floor of three combat-sized divisions and three air wings?

Mr. CHAVEZ. The Marines themselves testified to that effect.

Mr. MANSFIELD. And it was the intend of the Appropriations Committee and, by that token, the intent of the Senate and the Congress, that the moneys appropriated shall be sufficient to maintain the statutory floor of the Marine Corps, namely, 3 combat-size divisions and 3 combat air wings.

Mr. CHAVEZ. Let me say to the Senator from Montana that not only was that the intention, but the Marine Corps is one branch of the Defense Department which had the sympathy of the committee as a whole. The committee voted for the Marine Corps appropriations in the amount of the budget estimate. The Marine Corps was the only one for which the committee voted appropriations in the amount of the full budget estimate.

Mr. MANSFIELD. Mr. President, I appreciate the statement of the Senator from New Mexico, because I have in mind the law which has set the floor for the Marine Corps at 3 combat-size divisions and 3 combat air wings.

Mr. CHAVEZ. I am very glad the Senator from Montana has called that matter to my attention, because it was my hope that by means of the debate had this afternoon, the Senate would make crystal clear that what it has in mind, in making that appropriation, is to have 3 full divisions of the Marines and 3 Marine air wings, and thus carry out the law.

Mr. MANSFIELD. I thank the Senator from New Mexico.

FISCAL YEAR 1958 MILITARY BUDGET

Mr. SYMINGTON. Mr. President, I have had the pleasure of listening with interest to the distinguished senior Senator from Illinois [Mr. DOUGLAS], as he raised many problems incident to the operations of the Department of Defense and the three military services.

In many cases his criticism of the efficiency of the services are justified.

In private business there would not be the extended waste found under the present planning and programs of the three services, because any bank or business which tried to operate under said planning and programs, which have in recent years been characteristic of the Department of Defense, would long since have gone bankrupt.

Mr. President, the Senate is now considering the proposed military budget for the fiscal year 1958.

There are many who believe the Korean War would never have been forced upon us if the Free World had not so heavily, and unilaterally, reduced is military strength.

After the start of the Korean war, the percentage of America's gross national product placed into major security expenditures began to grow rapidly. From 4.5 percent in the fiscal year 1950, it rose to 6.8 percent in 1951, 12.7 percent in 1952, and 13.8 percent in 1953.

When the present administration came into power, however, despite the lesson of Korea, it immediately began again to reduce our defense effort. In 1954, the percentage of the gross national product expended for defense dropped to 12.7 percent; in 1955, it went to 10.4 percent; and in 1956, it dropped further, to 9.8 percent.

It should be noted that in 1953, when we were using nearly 14 percent of our income for defense, the United States had virtually an atomic monopoly. Today, however, we have no such monopoly; and yet we have now cut our expenditures for security to less than 10 percent of our gross national product.

These reductions have been made despite our ever-increasing worldwide commitments. To the heavy obligations we already had in such countries as Korea, Formosa, Indochina, West Germany, and the other NATO countries, we have now added the heavy new obligation incident to the Eisenhower doctrine for the Middle East.

These reductions have also been made despite the known heavy increase in military strength of the Soviet and Chinese Communists.

To reduce our relative military strength under these conditions works against the best interests of all people who desire to remain free, as the men and women of Hungary would be the first to verify.

These reductions have been laid down as established policy, at a time when this country is richer, and therefore enjoys a better standard of living than any country has ever enjoyed in the history of the world.

The Communists have every right to believe, therefore, that figures are more important to this Government than forces; and to set their foreign policy plans and programs accordingly.

President Eisenhower presented the Congress with a military budget request of $38,500,000,000. This recommendation was reduced over $2½ billion by the House of Representatives. After studying that reduction, the President accepted over 50 percent of the House cuts; but he went on television to urge the American people to in turn pressure the Congress to restore the remaining billion two hundred million dollars.

That was the President's considered opinion, made after his reexamination; and as a result the Senate committee has restored nearly a billion dollars.

Now, however, as of only last Friday, the President again revised his desires, and asks that there be a further cut in the military budget of some $256 million.

So I ask again, what Military Establishment does the President want? Is our entire military programing to be tailored to the day-to-day problems of the Treasury?

Any businessman would look on the waste incident to this up and down, hand-to-mouth programing with disgust. The billion of dollars such programing is costing the American taxpayer is hard for the average citizen to realize. But, worse, this constant budget vacillation directly affects our national security.

Today in London are going on what may be the most important conferences of this century; or, for that matter, in the history of the world. I refer to the disarmament conference between the United States, Russia, England, France, and Canada. Even if little or nothing comes out of them now, they may be a beginning.

These conferences are vitally important, because it is becoming ever more clear that, whereas if the country is attacked, in all probability we can destroy the Communists, so in turn they can in all probability destroy us.

As the logic of this "two scorpions in a bottle" theory becomes more apparent, it is unfortunate that both our allies and our possible enemies now know we plan to further reduce our defense programs.

Perhaps the new administration defense policy of reduction and stretch-out is not one of unilateral disarmament; but it will be so construed in the other capitals of the world.

Do we have a better chance to obtain permanent world peace through agreed-upon disarmament if we negotiate with the Communists from a position of relative weakness, or if we negotiate from a position of relative strength?

In order to back up our diplomatic commitments, there are hundreds of

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thousands of American soldiers, sailors, and airmen—many with their families—stationed all over the world.

We know that, regardless of previous agreements, in some of these areas containing our troops there have been heavy reductions in the forces of our allies. But the United States continues to fulfill to the letter every one of its own agreements.

In Germany alone we continue to maintain 5 divisions—over 30 percent of our strategic reserve—plus 23 air bases. But the French have practically gone from Germany; and the British are heavily reducing their forces in that country.

In this connection, an informed writer, Dr. Henry Kissinger, in his book Nuclear Weapons and Foreign Policy, recently stated:

> The result of all these half measures and mutual pretenses has been the stationing of substantial ground forces in an area (Germany) where our strategic doctrine explicitly rejects the possibility of local war. While in the peripheral areas of Asia and the Middle East, where the possibility of local war is admitted, we have neither forces on the spot, nor the mobility (airlift) to get our strategic reserve into position quickly enough.

Never was there a more logical indictment of the forces available for limited war that we are building, and of their deployment. No wonder our allies look on these vacillations with increasing skepticism, and, in some cases, with actual distrust.

If such is to continue to be our policy, unless we maintain our forces at least at their current strength, are we not in effect deserting those Americans now stationed in places like Germany?

That is the type of realism this Nation must face up to, because the biggest fool is the fool who fools himself.

Now, if ever, is the time in our history for courage and clear thought.

The reason this administration gives for further cutting the military programs is lack of money.

Then why does President Eisenhower continue in opposition to the various practical methods now available for obtaining more military defense at less cost?

Why, for example, does he reject the recommendations of the Cordiner Military Manpower Committee, a committee he appointed himself under the President of General Electric Co.? That Committee's report states that if its recommendations are adopted, $5 billion a year can be saved within 5 years, at no sacrifice whatever to national defense.

Why also is there continuing refusal to consider and further unification? The Hoover Commission asserts that its recommendations along those lines would save additional billions.

Why do we not reexamine our strategic stockpile policy and program; also our industrial reserve program, in both of which the American people have now invested many billions of dollars?

If these latter programs were right in the past, how can they necessarily be right in this rapidly developing hydrogen era?

Above all, why do the President and his subordinates continue to refuse to agree to any real weapons systems evaluation program, the place where by far the most money could be saved?

Because of this latter refusal, a recent scholarly article stated: "With modern weapons, the traditional definition of primary missions amounts to giving each of the three services a claim to develop within itself a capability for total war."

And that is exactly what each service is doing, or at least trying to do—at tremendous unnecessary expense to the taxpayer.

The above facts show where billions of dollars are being wasted which could be utilized to shore up our defenses. Under better management they could buy more airlift for the Army—badly needed—more submarines for the Navy—badly needed—and more jet tankers for the Air Force—also badly needed.

And at least as important, they could hold more trained people in all the services. But the President and his advisers will not sit down to the task. Rather, in the interest of a false economy, because it is economy at the expense of security, they are now applying meat-ax cuts across the board.

People like former President Hoover and Mr. Cordiner have shown where great savings can be made without sacrifice to security.

Apparently, however, this Administration is determined not to take advantage of such suggestions. It prefers to continue to operate under obsolete rules, rules which will jeopardize our future generations, because we are now in the process of unilateral disarmament.

Even so, I do not want to cut off my children's noses either to spite my face or the face of the President.

Those who refuse to support these restorations should remember that experienced students of our current position now say, with deep sincerity, that the way things are going, within 10 years there may be no life left on this earth.

Many people believe in the literal truth of Biblical prophecies.

In Revelation, chapter 16, Armageddon, the final battle of the world, is described as follows:

> And there were voices, and thunders, and lightnings; and there was a great earthquake, such as was not since men were upon the earth, so mighty an earthquake, and so great. * * * And the cities of the nations fell. * * * And every island fled away, and the mountains were not found.
>
> And there fell upon men a great hail out of heaven.

Perhaps the modern word for "hail" is "fallout"; and in any case, those of us who saw the disappearance of a good-sized Pacific island after a multi-million-ton nuclear explosion, know that what has happened once can happen again.

If we are to survive as a free people, the time to act with courage and vision is now. We had better stop flopping around with our defense policy and programs. In our defense plans, as in our diplomatic plans, we must start creating policies which establish events, instead of letting events continue to establish our policies.

It is for these reasons that I fully support these recommended restorations to this military budget.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to my able friend, the senior Senator from Oregon.

Mr. MORSE. As a preface to my questions, I wish to say that I believe in following the experts. The Senator from Missouri was a great Secretary of the Air Force. I am at a loss to understand why the advice he has been giving this administration since his service in the Senate commenced has not been heeded, because it has been based upon his firsthand knowledge of America's air defense problems.

The interesting thing is that many predictions the Senator from Missouri has made in the past several years with respect to our Air Force problems have already come to pass. I wish to commend the Senator for the statement he has made.

Mr. SYMINGTON. I thank the Senator, very deeply.

Mr. MORSE. I should like to ask the Senator a few questions about his statement.

My understanding of the position of the Senator from Missouri is that we can make great savings in the military budget, as the Senator from Illinois [Mr. DOUGLAS] has so ably pointed out in his speech this afternoon, but the Senator from Missouri takes the position that we could make those savings, for example, if we put into administrative practice some of the recommendations of the Hoover Commission and some of the recommendations of President Eisenhower's own specially appointed Committee known as the Cordiner Committee? Am I correct in my understanding of the position taken by the Senator from Missouri?

Mr. SYMINGTON. The Senator is correct. I would add that we should also reexamine programs and not simply consider them as the laws of the Medes and the Persians. I refer to such programs as the industrial reserve program.

Mr. MORSE. And the stockpile program.

Mr. SYMINGTON. The Senator is correct.

As someone has said recently, before World War II we had two weapons systems. During World War II we developed, let us say, 10. At the present time we have scores. As missile development continues we may have thousands. But for reasons best known to themselves, the leaders of this administration refuse to have any real weapons systems evaluation program which would determine where the greatest amount of money could be saved for the taxpayers.

Mr. MORSE. As the Senator from Missouri knows, I have followed his leadership with respect to the matter of military defense.

Mr. SYMINGTON. The Senator honors me, and I am grateful.

Mr. MORSE. Am I correct in interpreting the position of the Senator from Missouri to be that the essential thing is

to see to it we have forces in being which can be immediately employed for the defense of the Nation in case of a sudden attack upon us by our potential enemies?

Mr. SYMINGTON. There is no question that what is now called the air atomic age has tremendously increased the importance of forces in being.

Mr. MORSE. Am I correct in my understanding that one of the major contentions of the Senator from Missouri, the very able former Secretary of the Air Force, is that this administration, as he has stated throughout the series of debates in the Senate, has been economizing at the expense of forces in being, but it has not done the job which some of its own committees have recommended with regard to great savings which can be made in connection with administrative functions in the Military Establishment?

Mr. SYMINGTON. The able Senator is right.

Mr. MORSE. Next, am I correct in my understanding that the Senator from Missouri takes the position that as of now, with the disarmament problem before us as it is, we may find ourselves engaged in an unilateral disarmament program by the further weakening of our forces in being, so that we may wake up some day to find ourselves in the middle of an atomic war without the forces in being necessary for those very important first few hours and days of the war in sufficient numbers adequately to protect the people of the United States?

Mr. SYMINGTON. I agree with the distinguished Senator from Oregon.

When the President last Friday came out voluntarily for further heavy reductions in the Military Establishment, that is just another way—I repeat, another way—of cutting the ground out from under his representatives in London at the disarmament conference.

Mr. MORSE. Is it the position of the Senator from Missouri that our disarmament program should not precede a reduction in our own forces in being, but that our disarmament program should follow after we have made perfectly clear to the world that we have forces in being to defend adequately the American people?

Mr. SYMINGTON. There is no question about that.

Everybody realizes, I believe, that our chances for any true disarmament are infinitely better if we negotiate with the atheists who run the Kremlin from a position of relative strength instead of from one of relative weakness.

Mr. MORSE. I have one final question. Would the Senator from Missouri give the Senate his opinon, which I consider to be an expert opinion, with respect to what he thinks the present status is of both the Air Force program and the missile program now being conducted by this administration?

Mr. SYMINGTON. If I may state my opinion to the able Senator from Oregon, when it comes to military strength, we must always incorporate the word "relative."

From a relative standpoint, I believe that our Air Force is now adequate enough to destroy the Communists, in an all-out attack; and I also believe that their force is now adequate to destroy ours in a similar attack. Therefore the question is, what about forces which are and would be necessary for any limited type of war. The latter become increasingly important if we are now in what has been called an atomic stalemate.

With respect to our Navy, we have a strong surface Navy, but in recent years Russian naval construction, especially of submarines has become so great that I believe—since submarines can now be used as weapons of attack—there is no longer the naval supremacy which we for so long have felt that we had.

From the standpoint of the Army, and I include the Marines as ground soldiers, the Soviets are ahead of us in modernity; and far ahead in size. Their army is entirely adequate to handle a limited war. Our Army is not.

The missile field is difficult to analyze because of relative lack of information. However, it is my belief that the Soviet Communists are at least equal to us in missile development and in one of the two most important categories are ahead.

Mr. MORSE. I wish to thank the Senator very much for making this statement and for making this record.

Mr. SYMINGTON. I again thank the Senator from Oregon. His interest in a strong America has long been known by those who wish to remain free.

Mr. DOUGLAS. Mr. President, will the Senator yield to me?

Mr. SYMINGTON. I am glad to yield to the able Senator from Illinois.

Mr. DOUGLAS. I wish to congratulate the Senator from Missouri for his very excellent statement. There is one point, at the conclusion of his reply to the Senator from Oregon, which is most significant, where the Senator stated that so far as our land forces are concerned they are inferior to those of the Soviet Union.

In the case of a limited war resulting from probing operations with an atomic stalemate, might not this lack of strength on our part be fatal? It would seem to me to be so. That is one reason why I have urged the reducing of waste in the armed services, and that a portion of the economies achieved be devoted to increasing the strength of the Army and the Marine Corps, equipped with nonnuclear weapons, so that they would not stir up a race war and could confine the violence to the points where aggression was committed.

What does the Senator from Missouri think about that?

Mr. SYMINGTON. I think there is much in what the distinguished Senator says.

The Senator from Missouri would hesitate to eliminate tactical nuclear weapons from either the Marine Corps or the Army. With that reservation, I agree with the Senator.

Mr. DOUGLAS. I would not eliminate such weapons for troop use on the Continent of Europe. I am simply afraid that if we use tactical nuclear weapons against black, brown, or yellow people, it would touch off a race war even though soldiers in uniform were the only people who were killed.

Mr. SYMINGTON. I was not surprised to read in yesterday's paper that a former Canadian Chief of Staff said he thought we were not giving enough attention to the forces necessary for limited war. But I was pleased to read that the Chief of Staff of our Army had sufficient courage and vision yesterday to say that the way things were going, because of the ability of the Soviets to fight a limited war, if there should be a nuclear stalemate we might find ourselves in serious difficulty because of Soviet ability to attack the peripheries.

Mr. DOUGLAS. That was what the Senator from Illinois was trying to point out in the concluding portion of his address, in which he was attempting to outline ways to turn waste into security.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. O'MAHONEY. I wish to associate myself with my colleagues who have commended the Senator from Missouri for the speech he has delivered this afternoon. I regret only that there was not a quorum present to hear the Senator. I believe that the importance of his remarks is so great that the Senate is sacrificing its ability to become acquainted with the gravity of the situation because of the absence of many Senators. I assume that the Senator, because of his modesty, did not wish to have a quorum call. But these are the most troublous times in the history of this Government. It is really a shocking thing that a Senator from the great State of Missouri, who has behind him a remarkable record of achievement as Secretary of the Air Force, should be standing here making a moving speech with scarcely 20 Members of this body present. The speech should be heard by every Member of the Senate.

Mr. SYMINGTON. I thank the Senator.

Mr. O'MAHONEY. I hope that no effort will be made to bring the bill to a vote tonight, and I hope that when the Senate convenes tomorrow the Senator from Missouri will be ready to take the floor and explain again in detail the meaning of the situation in which we find ourselves.

If there should be a third world war, there would be no possibility that it would be waged on foreign soil. If a third world war comes, it will come to America. We know that today the Soviets have nuclear power sufficient to enable them to melt the ice cap on the North Pole and loose a flood of water which would probably inundate the eastern coast of North America and the western coast of Europe.

We have heard the Secretary of State speak again and again of brinks, brinks, and brinks. But we are on the brink. The people of the United States themselves are on the brink of a third world war. It is necessary to rally the owners of capital and the payers of taxes in the United States, and arouse them to a realization of what is going on. The necessity for this is such that the Senator from Missouri will, I hope, be willing to repeat his warning when tomorrow comes.

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Mr. SYMINGTON. I thank the distinguished Senator from Wyoming for what he has said. I have known for many years of his great interest in the military, and of his consistent record for a strong defense. I am aware of the fact that at one time he was chairman of the Military Appropriations Subcommittee, where he served in very able fashion.

I, too, am sorry there is not more general interest in the country and in the Congress in relation to defense, 60 percent of our total budget.

Mr. HILL. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield to my very able friend from Alabama.

Mr. HILL. I wish to join Senators who have commended the Senator from Missouri for his speech. I wish not only to congratulate him, but strongly to commend him. Not only was he a great Secretary of the Air Force, as the distinguished Senator from Oregon has said, but I know of no man in our country who has been a closer or more devoted student of the defense of our country than has the Senator from Missouri. He has given of his time, of his thought, and of his best efforts. He has given of himself. He is dedicated to the cause of defense of the United States. No man could come on this floor and speak with greater authority than does the Senator from Missouri. I, for one, am grateful to him for the message he has brought us this afternoon, bringing out so clearly and so eloquently the fact that we in the United States cannot afford to disarm unilaterally. We cannot afford to weaken or impair our forces while our enemies continue to build ever stronger their forces.

The Senator from Missouri has taken a further step, which is very important. He has shown that not only must we maintain our strength and continue to build it, but at the same time we should put an end to waste and unnecessary expense. We can cut down some of this unnecessary expense, and yet maintain our strength.

I think the Senator from Missouri is entitled to the thanks not only of the Senate, but of all the people of the country. I wish it were possible for every man, woman, and child in America today to read the address of the Senator from Missouri. He has certainly made a great contribution this afternoon. His speech is statesmanship at its best.

Mr. SYMINGTON. I thank my able colleague, for whom I have the most complete respect. The Senator from Missouri knows that the Senator from Alabama is one of the most experienced experts in this field. For many years he has led the fight for adequate defense.

It has been a matter of deep regret to me that some Members of this body have felt there is no mileage in arguing with the current administration over the character and size of our Military Establishment. I am consoled, sometimes, in the failure of some efforts made with my friend from Alabama to prevent unilateral disarmament by remembering there were many Englishmen in the middle 1930's who shared similar confidence in Mr. Baldwin and Mr. Chamberlain; and that Mr. Churchill was the conspicuous exception.

I thank the Senator for his very gracious, undeserved, and deeply appreciated remarks.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. MANSFIELD. I, too, wish to join my colleagues in congratulating and commending the distinguished Senator from Missouri for the remarks he has made this afternoon.

The Senator is a member of the Armed Services Committee, is he not?

Mr. SYMINGTON. I thank the able acting majority leader; and that is correct.

Mr. MANSFIELD. The Senator is also a member of the Subcommittee on Armed Services of the Appropriations Committee, is he not?

Mr. SYMINGTON. That is correct.

Mr. MANSFIELD. The Senator has attended every meeting of that subcommittee of the Appropriations Committee and has had a great deal to do with the defense measure now before us. Is not that correct?

Mr. SYMINGTON. I thank the Senator for his gracious comments.

Mr. MANSFIELD. I have been in that committee on several occasions on other matters, and I have always found the Senator from Missouri at his place at the table, participating actively, and having a great deal to do with the kind of defense appropriation bill which finally came from the committee.

I think the RECORD ought to show that fact, and the RECORD should also show that the Senator has a very great interest in the so-called Cordiner report, which was submitted by a Commission which was appointed by the President, but the findings of which were ignored by the President. Is that correct?

Mr. SYMINGTON. That is correct.

Mr. MANSFIELD. Did not the Cordiner Commission set forth recommendations which, if put into effect, would save, over a short period of time, $5 billion in the defense costs of the country?

Mr. SYMINGTON. By 1962, $5 billion a year, at no sacrifice in our defense, the report says, would be saved.

Mr. MANSFIELD. As a matter of fact, we would have better trained men and we would have a more capable force and we would have better technicians, who would stay in the service for longer periods of time. Is that correct?

Mr. SYMINGTON. That is correct. I add one point which came to my attention only recently. In the Strategic Air Command, considered the No. 1 deterrent of all-out war, not too long ago 17,000 out of every 43,000 men in that command were on-the-job trainees.

Mr. MANSFIELD. The Senator has always demonstrated his great patriotism and his great interest and his great understanding of the defense problems of our country. I again wish to join my colleagues in extending to him my deep commendation.

Mr. SYMINGTON. I again thank the acting majority leader and deeply appreciate the remarks he has been kind enough to make on the floor this afternoon. He has always been for a strong America against the growth of communism.

Mr. JACKSON obtained the floor.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. JACKSON. I merely wish to say that the distinguished junior Senator from Missouri has once again made a fine statement on the floor of the Senate in connection with our overall national security situation. I have followed very closely the work he has been doing in the Subcommittee on Defense Appropriations. I know that as a result of his membership on that subcommittee we have a much better bill than we otherwise would have. His long experience in the executive branch, as the first Secretary of the Air Force, and his service on the subcommittee have been invaluable to the Senate.

Mr. SYMINGTON. I thank my able friend from Washington. It has been my privilege to serve with him on the Armed Services Committee for a number of years. As Chairman of the Subcommittee on Military Applications of the Joint Committee on Atomic Energy, he is one of the foremost authorities today on this subject in the country. I am sure that what he is going to say to the Senate tonight will be of great interest and will be appreciated by all interested in this vital subject.

Mr. CHAVEZ. Mr. President——

Mr. JACKSON. Mr. President, I shall be very happy to yield to the Senator from New Mexico for a question.

Mr. CHAVEZ. I appreciate the kindness of the Senator from Washington, but it so happens that I am handling the bill on the floor.

Mr. JACKSON. The distinguished chairman of the subcommittee has done an outstanding job. I was merely commenting on the statement made by the distinguished junior Senator from Missouri.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. JACKSON. I am happy to yield.

Mr. SYMINGTON. With reference to the remarks of the able senior Senator from New Mexico, of course he is handling the bill in able fashion. I have been very pleased with the conscientious and constructive way in which he handled the hearings on the pending bill. The speed with which these matters have come to the floor after long hearings is additional proof of his administrative ability. I express my appreciation, as the lowest member on the committee totem pole, for his gracious courtesy at all times.

Mr. O'MAHONEY. Mr. President, will the Senator yield for just a moment?

Mr. JACKSON. I yield.

Mr. O'MAHONEY. Mr. President, I rise to give notice that it will be my purpose to move, under rule XL, to suspend paragraph 4 of rule XVI, which provides that no amendment which proposes general legislation shall be received to any general appropriation bill. It will be my purpose tomorrow to offer, on behalf of the Senator from Illinois [Mr. DOUGLAS] the Senator from Colorado [Mr. CARROLL] and myself an amendment which

we offered in committee but which the committee did not see fit to adopt. It was rejected in committee largely, I understand, because it is a legislative amendment. The amendment is an enlargement of an existing provision of law, a legislative rider, known as section 638 of the Appropriation Act of 1953.

At that time I was a member of the Committee on Appropriations and chairman of the Subcommittee on Defense Appropriations. The Appropriations Committee at that time gave its complete support to the measure, the purpose of which was to place restrictions upon procurement expenditures by bringing about a unification of the expenditure functions of the various services in the Department of Defense.

Mr. President, at the conclusion of my remarks I shall submit the notice of a motion to suspend the rule.

Mr. SALTONSTALL. Mr. President, I rise to make a parliamentary inquiry.

The PRESIDING OFFICER (Mr. MORSE in the chair). The Senator from Massachusetts will state it.

Mr. SALTONSTALL. My question is this. The Senator from Wyoming has stated that he will move to suspend the rule with regard to legislation on an appropriation bill. Does that require a point of order to be made, or does that come about automatically when the Senator moves to suspend the rule, and does it then take a two-thirds vote to suspend the rule?

The PRESIDING OFFICER. The Senator from Wyoming could offer his amendment; the point of order could be made against the amendment; and then the Senator from Wyoming could move to suspend the rule, which would require a two-thirds vote.

Mr. SALTONSTALL. I thank the Chair. I say most respectfully, after listening to the Senator from Wyoming and after giving him an opportunity to present his amendment, I shall make a point of order against it.

Mr. O'MAHONEY. I understand, of course, that it will be the intention of the Senator from Massachusetts to make a point of order. The matter, however, is of grave importance to the economy of the country, to the reduction of the national debt, and to the prevention of waste and extravagance, because of the failure of the Department of Defense to take full advantage of existing law and to abolish the methods and practices which are being followed, and which were so clearly set forth this afternoon by the Senator from Illinois [Mr. DOUGLAS], in his masterly address.

The same facts, or similar facts, are set forth in a House document. It is the report of the Special Investigations Subcommittee of the House Armed Services Committee. The investigation has been going on for several months. It reveals shocking conditions of waste of the money of the people of the United States by the Department of Defense. We ought to take steps to eradicate such conditions. When the proper time comes, I shall take the floor to explain in more detail the reasons why the amendment should be adopted.

NOTICE OF MOTION TO SUSPEND THE RULE

Mr. O'MAHONEY (for himself, Mr. DOUGLAS, and Mr. CARROLL) submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, the following amendment, namely: At the proper place in the bill, insert the following new sections:

SEC. . For the purpose of achieving an efficient, economical, and practical integrated supply system designed to meet the needs of the military departments without duplication or overlapping of either operations or functions, the President, within 180 days after the date of enactment of this act, shall submit to the Congress his recommendations for a civilian-managed agency, to be under the supervision and direction of the Secretary of Defense, which shall be responsible for the procurement, production, warehousing, distribution of supplies or equipment, standardization of inventory control and other supply management functions for common supply items.

SEC. . Section 638 of the Department of Defense Appropriation Act, 1953, is amended to read as follows:

"SEC. 638. (a) Notwithstanding any other provision of law, the Secretary of Defense shall take such actions as are necessary to achieve economy, efficiency, and effectiveness in noncombatant services, activities, and operations through the elimination of overlapping, duplication, and waste within and among the agencies of the Department of Defense.

"(b) The Secretary of Defense, in order provide for the effective accomplishment of this section, is hereby authorized from time to time to transfer, combine, and coordinate noncombatant services, activities, and operations within the Department of Defense.

"(c) The Secretary of Defense is further authorized to transfer such property, records, and personnel and such unexpended balances (available or to be made available) of appropriations, allocations, and other funds of the military departments, as he deems necessary to carry out the provisions of this section."

Mr. O'MAHONEY (for himself, Mr. DOUGLAS, and Mr. CARROLL) also submitted an amendment, intended to be proposed by them, jointly, to House bill 7665, making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. SALTONSTALL. Of course, I do not agree with everything the Senator from Wyoming has said. I will not make the argument now, except to say that I believe that if his proposition is a wise and necessary one, it should be offered to the Committee on Armed Services and considered carefully.

ORDER FOR ADJOURNMENT TO 11 A. M. TOMORROW

Mr. MANSFIELD. Mr. President, it is evident that action on the Department of Defense appropriation bill cannot be concluded tonight. I ask unanimous consent, therefore, that when the Senate completes its business today, it adjourn until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILEY. Mr. President, am I to understand, then, that there will be no votes tonight?

Mr. MANSFIELD. So far as the leadership is concerned, there will be no votes of any kind tonight.

MESSAGE FROM THE HOUSE—ENROLLED BILL AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the President pro tempore:

H. R. 6659. An act to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes; and

H. J. Res. 391. Joint resolution making temporary appropriations for the fiscal year 1958, and for other purposes.

DEFENSE DEPARTMENT APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

Mr. JACKSON. Mr. President, I do not intend to speak at length at this time. My views on defense are well-known to the Senate.

But I wish to commend the Appropriations Committee for restoring almost $1 billion of the funds cut by the House from the defense bill.

Mr. President, you will recall that the Senate added $900 million to the Air Force appropriation last year. For this we received no thanks from the administration. Top officials told us they did not need the money, did not want the money, and could not spend it if they had it. They called the $900 million an extravagance.

But, Mr. President, events have proved the administration wrong. On May 22 of this year, Secretary Wilson felt compelled to hold back some $500 million earmarked for new weapons procurement, because military spending was running at a higher rate than he foresaw. At the same time, strong hints have been given that drastic spending curbs will be ordered in the fiscal year starting July 1 in the hope of keeping military expenditures somewhere near the budgeted spending level.

In this situation, the additional $900 million we voted last year is coming in mighty handy.

Mr. President, the continuing peril is demonstrated by the events of this last year. One need only mention Moscow's entry into the Middle East, and the

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crushing of Hungary's revolt by the Soviet Army.

There is much talk of disarmament, relaxation of tension, and peace. But it is still talk. Is there any hard evidence that the peril is really subsiding? Is there new intelligence which signifies an early or a general settlement with Moscow?

I have not seen it. On the contrary, Zorin talks peace and disarmament in London, but Khrushchev and Bulganin swing the hammer and sickle in Moscow.

Indeed Khrushchev boasts that this is but the start of the struggle. As he said in the now famous CBS television program:

> You hold first place among all capitalist countries in all fields of production, but now there is a socialist country on hand which is trying to catch up with you and you can be sure that we will catch up with you.

Khrushchev added:

> I can prophesy that your grandchildren in America will live under socialism.

Mr. President, we must persist in seeking a safe and sound disarmament agreement among the nations. The present balance of terror is a precarious foundation for peace. The world requires security arrangements which rest on more than the threat of mutual annihilation. Yet until we have a knave-proof disarmament system, this Nation cannot safely weaken its military position.

Some savings can be made in the defense field. Wherever we can impose more austerity in our defense program without cutting real military power—we should do so. A greater austerity is a good thing. But cuts or cutbacks which undermine actual military strength are a mistake.

I hope the Senate will pass the bill as reported by the Appropriations Committee—without further cuts. But let us not delude ourselves. For the modern and balanced defense we need, we shall have to pay more than we provide in this bill.

Serious thought will have to be given to adding certain funds, when supplemental appropriations are considered after the first of next year.

Mr. President, the defense funds now recommended by the Appropriations Committee are the minimum which the Senate must furnish.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. SYMINGTON. Let me congratulate the distinguished junior Senator from Washington upon his brief but very effective talk. I should like to associate myself with his remarks.

I ask the Senator if it is not true that, at the same time this administration has been asking Congress to increase heavily the appropriations for military defense, it has also been stating that, because of fiscal problems, it plans to reduce heavily the obligations and expenditures it plans to allow the three services.

Mr. JACKSON. That is correct, as I understand it.

Mr. SYMINGTON. Is it not true that the obligational authority granted to the services, their right to expend that money, is far more important than any request for appropriations?

Mr. JACKSON. I should think so. This is particularly true so far as those items go which require a long time for procurement—in other words, items which involve long lead time.

Mr. SYMINGTON. It would be especially true, also, would it not, because in the past the appropriations which have been made to the Department of Defense often have not been utilized, because that Department, or the Bureau of the Budget considered it advisable not to do so?

Mr. JACKSON. I understand that is true. I thank my distinguished colleague from Missouri for his observation.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. MANSFIELD. I join with the Senator from Missouri in congratulating the Senator from Washington. As always, he has given us something to think about; as always he has spoken his mind and as spoken it forcefully. I hope the advice he has given the administration this afternoon will be taken to heart.

FAST TAX WRITEOFFS

Mr. CARROLL. Mr. President, almost 2 months ago Barnet Nover, chief of the Washington Bureau of the Denver Post, with prophetic vision, asked one of the most important questions of this session: "Is a new giveaway brewing in the Idaho power project?" I ask unanimous consent to have his article printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS A NEW GIVEAWAY BREWING IN THE IDAHO POWER PROJECT?

(By Barnet Nover)

WASHINGTON.—Is a new Al Sarena giveaway case in the making, this time along the middle reaches of the Snake River as it winds its way through deep canyons along the Idaho-Oregon boundary?

The Al Sarena case involved the grant of a mineral lease on valuable timber lands in Oregon. The lease was made by the Interior Department, over the objection of its own experts, and under conditions which seemed peculiar. And the sequel was not the mining of minerals from below ground, the ostensible reason for the lease, but only the cutting of timber on the site.

It is being said in justification of the rapid tax amortization certificate granted last week by the Office of Defense Mobilization to the Idaho Power Co. for two power projects it is constructing on the Snake River that there was nothing exceptional about this action. It was wholly in line, it is continued, with similar rapid tax writeoffs granted to private utilities for more than 900 other power projects, including some built by the same Idaho Power Co.

It is also being pointed out that the applications made by Idaho Power for such tax writeoffs bear the dates August 6, 1953, for the $35,944,000 Oxbow Dam, and August 21, 1953, for the $67,138,000 Brownlee Dam, both on the Snake. The cutoff date for such applications was January 1, 1956.

The only reason why these two Idaho Power applications were held up until now, we are told, is because it was not until the Supreme Court refused to act on the plea to nullify the FPC license granted the utility for the construction of the two dams that the company could claim a clear title and go ahead in earnest with these power projects.

All this may be so. But the fact remains that one of the principal arguments advanced by the Idaho Power Co. for the private construction of three low-level dams on the Snake as against a high Government-built dam at Hells Canyon was that almost as much power would be produced under the three-dam plan as by the high dam. It was further claimed that the Government, instead of having to shell out millions for the project, would benefit from taxes paid by the utility.

What we now find is that by being authorized to write off depreciation on the Oxbow and Brownlee Dams in a 5-year instead of a 20-year period, the Idaho Power Co. will, in effect, be able to save $29,250,000 in taxes during the next 5 years.

In other words, the Government will be subsidizing the Idaho Power Co. for part of the construction. These tax savings, if invested and receiving even a modest rate of return, could in the life of the dams (say 50 years, which is conservative) pay for the entire cost of the two dams and amounts to a sum greater than the sum which Interior Department engineers estimated would be the cost of the Federal high dam at Hells Canyon.

It is not surprising, then, that Senator WAYNE MORSE, Democrat, of Oregon, a stanch advocate of the high dam, describes the ODM's grant to the Idaho Power Co. of a rapid tax amortization as a demonstration of Executive immorality, and political theft. But the action was also bitterly denounced by Senator HARRY F. BYRD, whose views on many matters, including the Hells Canyon issue, are frequently the exact opposite of MORSE'S. BYRD described the action of the ODM as an utterly indefensible act.

The law providing for the rapid writeoff depreciation, he said, "was intended to apply only to those industries which were engaged in defense operations. A public utility is guaranteed its profits."

The ODM may argue in justification of its tax that the development of electric power is an essential defense need. But if that is the case it is passing strange that the administration rejected the high dam, which would be capable of producing a million kilowatts of electrical energy, and threw its weight behind the Idaho Power Co.'s application for a substitute plan which lacks flood control and other features of the high dam plan and would also, even if carried out to the full, produce far less power.

Mr. CARROLL. To answer Mr. Nover's question, the Denver Post, an independent Republican newspaper, assigned one of its most skilled research and editorial staff writers to examine into the so-called free-tax, fast tax writeoffs. I ask unanimous consent to have printed in the body of the RECORD an article entitled, "Others Pay for Speedy Tax Writeoff," written by Robert H. Hansen, Denver Post editorial writer, and published in the Denver Post of June 23, 1957; and also an article entitled, "Tax Writeoff Amounts to 'Free' Loan," written by Robert H. Hansen, and published in the Denver Post of June 24, 1957.

I have studied this subject for many weeks. I find these articles to be the most comprehensive, carefully written

analysis I have read in any newspaper in the Nation.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Denver Post of June 23, 1957]

OTHERS PAY FOR SPEEDY TAX WRITEOFF

(By Robert H. Hansen)

There is a whole lot more to fast tax writeoffs than the public v. private power controversy over Hells Canyon.

That controversy is focusing public attention upon a tax gimmick which, when spread over the Nation, will cost the American taxpayers $5 billion to $6 billion in extra taxes between 1950 and 1960.

That same tax gimmick will add another $3 billion in interest charges to the taxpayers' bill—the price of making little-understood concessions to favored businesses.

The rejection by Idaho Power Co. of $65 million in fast tax writeoffs for private Hells Canyon development on the Snake River boundary of Oregon and Idaho, only points up mounting Congressional demands for repeal of the entire writeoff program.

For almost 2 months, until the eve of the 45-38 Senate vote for a high Federal Hells Canyon Dam, Idaho Power stood firm on its valuable writeoff privileges. Then it caved in and with it collapsed the only serious defense offered for the giant industrial subsidy that fast tax writeoffs are.

Actually, fast tax writeoffs are not as hard to understand as they sound. Nor are their effects too difficult for the average taxpayer to grasp.

Probably the best Congressional analysis of fast tax writeoffs (also known as the accelerated amortization or certificates-of-necessity program) was made in 1951 by the House Committee on Expenditures in the Executive Departments. That committee said:

"The certificate-of-necessity program is the biggest bonanza that ever came down the Government pike. In 5 months, certificates have been issued for $5 billion worth of plants. Applications are pending for many billions more and the end is not in sight."

Today the program has passed the $23 billion mark, involving 22,000 writeoffs in 229 kinds of industry.

Two years ago Treasury Secretary Humphrey told a House committee that fast tax writeoffs are dangerously discriminatory and artificial.

HUMPHREY URGED CONGRESSIONAL ACTION

"If such subsidies * * * are desired," Humphrey testified, "then appropriations should be made * * * which can be submitted to the Congress * * * where the full amounts will be well known and where the Congress specifically can vote in favor or in opposition to special treatment for any group.

"This use of the tax laws, where stimulants are applied by men, not by law, is appropriate only in an emergency or under special conditions under rigid restrictions."

But what is this fast tax writeoff program anyway? How does it work? Where did it come from and where does it stand? What does it mean to industry? How does it cost the taxpayer? Why all the furor now, after all these years? And what, if anything, is being done about it?

Fast tax writeoffs are a subsidy to private industry to encourage production and expansion. They were intended only for defense industries. But lack of a clear definition of defense has resulted in costly abuses.

A fast tax writeoff allows a company to postpone a share of its normal income tax for 5 years and then repay it over the next 10 to 50 years or so, depending on the useful life of the plant for which it was granted.

This is why fast tax writeoffs are regarded as interest-free loans. The company can retain money it otherwise would have paid in taxes, put it to work against the day 5 years hence when larger-than-normal taxes begin falling due, and use it as a valuable aid to obtain cheaper private financing.

Meantime, if corporate income taxes are ever reduced, the company gains still another windfall.

POSTPONED TAX MUST BE PAID BY OTHERS

And somebody has to pay the taxes that favored industries are postponing. That somebody is the average American taxpayer. He gets stuck for the interest the Government must pay, besides.

Postponed taxes under fast writeoffs will amount to about $5 billion between 1950 and 1960. The staff report of the Joint Committee on Internal Revenue Taxation last December said:

"If the Federal Government wants a balanced budget, then revenue from one taxpayer postponed this year must be made up by keeping rates on other taxpayers higher than they otherwise would have been.

"When the postponed taxes are ultimately paid, the other taxpayers get a break, but by that time there may be different 'other taxpayers' ".

And about the additional interest costs the taxpayers must also bear, the committee staff estimated:

"On the basis of the revenue postponement ($5 billion), there would appear to be an interest cost to the Federal Government through the year 1976 totaling roughly $3 billion."

(EDITOR'S NOTE.—Treasury Secretary Humphrey has used this same $3 billion figure as the interest cost to other taxpayers. The committee staff added that another $1 billion in interest charges may pile up after 1976.)

Those figures are based on the average interest rate on the entire Federal debt, 2.63 percent. But if current borrowing rates, which exceed 3 percent, were applied, the total interest cost would be even higher.

WRITEOFFS HAD START IN WORLD WAR I

Regardless of what fast tax writeoffs mean to the privileged industries which receive them, they do shift a substantial tax burden onto the wage earners and unfavored businesses.

This remains true whether fast tax writeoffs are considered as subsidies, interest-free loans, tax deferrals or anything else. Nor does it make any difference whether the same amount of taxes is paid in the long run by those who receive tax advantages from writeoffs.

Historically, fast tax writeoffs began in World War I, were revived in World War II, and again during the Korean war. In all three cases they helped to offset the depressing effect of the excess profits tax and provided capital for plant expansion in the national defense.

But this is the first time fast tax writeoffs for war have been continued so far into peace. The World War I and II programs died with excess profit taxes soon after the fighting stopped.

After Korea, however, the excess profits tax expired all right, but fast tax writeoffs were extended indefinitely in the internal revenue code of 1954.

Politically, Republicans accuse the Democrats of enacting fast tax writeoffs in the first place. But Democrats quickly reply President Roosevelt criticized the World War II program as special privileges for the greedy, not the needy, only to have it passed over his veto.

Democrats blame the Republicans for including the Korean writeoff program in the internal revenue law revision of 1954. That was a key bill in the GOP package of tax legislation which President Eisenhower a few weeks ago claimed has already saved our people almost $25 billion in taxes.

[From the Denver Post of June 24, 1957]

TAX WRITEOFF AMOUNTS TO "FREE" LOAN

(By Robert H. Hansen)

The average American is quick to anger when a labor leader "borrows" $300,000 without interest from union funds, or business executives deduct a $60,000 "dinner" for a bakery workers boss from their income taxes.

But does that same average American grasp the greater significance of fast tax writeoffs—a program which is costing him $5 billion to $6 billion?

Here's what bonanza fast tax writeoffs are:

Say the Government allowed the average taxpayer to keep $100 of his income tax every year for 5 years, and then repay it in small amounts over the next 45 years without interest.

In 5 years the taxpayer would have a $500 interest-free "loan" of income taxes he ordinarily would have paid. By investing this $500 at 3 percent compound interest, he could repay the "loan" and have $977.44 left over at the end of 50 years. At 4 percent interest, his free $500 tax "loan" would earn $1,819.17 in 50 years, after paying itself off besides.

That is how fast tax writeoffs work—except they involve billions of dollars for favored industries, not just hundreds for average taxpayers.

The staff of the joint Congressional Committee on Internal Revenue Taxation reported last December that the fast writeoff program is costing the Nation's taxpayers between $5 billion and $6 billion in taxes, and another $3 billion to $4 billion in interest.

TWENTY-TWO THOUSAND WRITEOFFS WORTH $23 BILLION

Since the Korean war started, nearly 22,000 fast tax writeoffs totaling $23 billion have been handed to 229 kinds of industry, in the name of national defense.

But in 3 years of peace since that limited war ended, tax writeoffs of $17 billion for defense purposes have been approved—or $1 billion more than all the tax writeoffs of World War II.

Even the $5.7 billion written off during World War II brought sharp Congressional criticism. In 1948, a Senate committee headed by Senator Brewster, Republican, of Maine, said of the wartime rapid-writeoff program:

"Legal profiteering resulted from certificates of necessity. Many companies came out of the war with new, valuable, fully amortized facilities which they could either use, or as some have done, sell. In this way a facility actually paid for out of a contractor's war taxes was additional war profit to him. * * *"

Witnesses before the Brewster committee suggested that as much as $3 billion of the wartime certificates was unwarranted.

In 1951 it was estimated that fast tax writeoffs of World War II produced another $3.2 billion windfall in reduced wartime corporation taxes, according to testimony before the House Committee on Expenditures in the Executive Departments.

PROFITS TAX'S DEATH BOON TO CORPORATIONS

Then in 1953, the excess-profits tax was killed—saving corporations another $1.6 billion in income taxes. But fast tax writeoffs rolled merrily on as part of 1954 overhaul of the Nation's tax laws engineered by Senator Millikin, Republican, of Colorado.

In the case of World Wars I and II, fast tax writeoffs ended along with excess-profits taxes shortly after the fighting stopped.

But now it will require an act of Congress instead of Presidential action as before to repeal the Korean writeoffs, 4 years after that lesser war ended.

Senator BYRD, the conservative Virginia Democrat, is leading a drive for repeal. He

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wants to restrict fast tax writeoffs to new military items only.

Last December Senator BYRD told Congress:

"On the basis of certificates (for fast writeoffs) issued between 1950 and 1956, it is estimated there will be a loss in revenue of approximately $5 billion, none of which can begin to be recovered until 1961.

"This is a hidden cost for which no appropriation is required by the Congress. Its effect makes it more difficult to balance the budget or reduce the tax burden of taxpayers not receiving such a benefit."

BYRD is chairman of the tax-writing Senate Finance Committee. With certain minor or technical amendments, his proposed repeal of fast tax writeoffs has drawn support from President Eisenhower, the Secretaries of Treasury, Commerce, and Interior, the Bureau of the Budget, the Defense Department, and numbers of influential Democratic and Republican Senators and Congressmen.

But the fast-tax-writeoff program is far from dead yet. (See accompanying table.)

Treasury Secretary Humphrey has testified that the interest cost to the Government—on funds it has to borrow to replace lost fast-tax-writeoff revenues—will amount to $3 billion in this decade of high taxes, high interest, and high budgets.

TAX WRITEOFFS TOP ONE-HALF BILLION DOLLARS IN 1957

Fast tax writeoffs approved in 1957

Industry	Number of write-offs	Amount
		Million
Plants for military production	129	$73.7
Research facilities	23	48.0
Ocean-going tankers	26	187.0
Steel castings	12	4.0
Roll-on, roll-off ships	2	73.2
Oil refineries	10	20.1
Glycerin facilities	1	6.4
Steam turbine facilities	3	10.7
Steam boiler facilities	1	1.4
Oil storage for military	10	39.2
Electric power transmission	13	45.5
Electric power generation	2	65.2
Titanium processing	3	6.8
Total	235	581.2
Applications approved: Eligible applications pending as of May 10, 1957	257	688.0
		Billion
Applications denied: Jan. 1–May 10, 1957		$4.0
1950–57	22,000	23.0

To those who argue that fast tax writeoffs are not subsidies, that they do not impose any additional costs on the taxpayers, and that everything comes out even in the long run, Senator BYRD has said:

"Somebody has gotten advantage of the Government to the extent of $3 billion in interest. * * * The Government has lost it, lost it forever. * * * There is no question about that."

The staff of the Joint Committee on Internal Revenue Taxation concluded last December that fast tax writeoffs are hidden subsidies, and put its finger on another bad feature of the program—discrimination. The staff reported:

"Rapid amortization is a form of special government assistance to private manufacturers or, bluntly, a subsidy. * * * As does any subsidy, it involves favoring one firm, that gets a subsidy, over another."

At the height of the Korean war 6 years ago, a house committee chairmanned by Representative DAWSON, Democrat, of Illinois, summed up the fast tax writeoff program this way:

UNAPPRECIATIVE OF RESPONSIBILITY

"At times, the subcommittee gathered the impression that those administering the certificate of necessity program were not fully appreciative of the grave responsibility imposed upon them. Some seemed to feel that little harm could result from injudicious grants of certificates. * * *

"The fact is, of course, that their actions may well shape the Nation's economy for generations to come and that the millions in tax exemptions which they are granting will have to be compensated for by other means.

"Thus, the effect of the program well may reach to the pockets of every taxpayer in the country."

But this penetrating report went unnoticed because both Congress and the people were too preoccupied with the conflict in Korea.

PROPOSED AMENDMENT OF INTERNATIONAL CONVENTION FOR SAFETY OF LIFE AT SEA—REMOVAL OF INJUNCTION OF SECRECY

Mr. MANSFIELD. Mr. President, I move that the injunction of secrecy be removed from Executive M, 85th Congress, 1st session, a proposed amendment to the International Convention for the Safety of Life at Sea, signed at London on June 10, 1948, as contained in a memorandum dated at London in May 1955. I ask unanimous consent that the proposed amendment, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

Referring to the International Convention for the Safety of Life at Sea signed at London on June 10, 1948, I transmit herewith a report by the Secretary of State recommending amendment of that convention. The proposal for amendment originated with the Government of the United Kingdom and is contained in a memorandum, dated at London in May 1955, from the British Ministry of Transport and Civil Aviation, a copy of which memorandum is also transmitted herewith.

I request that the Senate give its advice and consent to the ratification of the amendment to Regulation 30 of chapter III of the International Convention for the Safety of Life at Sea signed at London on June 10, 1948, as recommended in the report of the Secretary of State.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *July 1, 1957.*

(Enclosures: 1. Report of the Secretary of State. 2. Memorandum, with attachment).

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, I should like to announce the schedule for tomorrow.

I have previously announced that on tomorrow the Senate will consider Executive H, 85th Congress, 1st session, the agreement between the United States of America and the Republic of Austria regarding certain bonds of Austrian issue. It is our intention to move to have that agreement or treaty considered immediately after completion of the morning business; and, as previously announced, there will be a yea-and-nay vote on the question of ratification of the agreement, in accordance with the practice of the Senate.

Calendar No. 551, House bill 7665, the Department of Defense appropriation bill, remains the pending business.

The unfinished business remains Calendar No. 486, Senate bill 944, to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes." It is intended that the Senate will complete action on that bill tomorrow, and will consider also, either tomorrow or Wednesday, the following bills:

First. Calendar No. 488, S. 1730, a bill to implement a treaty with the Republic of Panama.

Second. Calendar No. 537, S. 1489, amending title 14 of the United States Code, relative to retirement rank of warrant officers.

Third. Calendar No. 538, S. 2250, authorizing the construction of some surveying ships for the Coast and Geodetic Survey.

Fourth. Calendar No. 539, S. 1520, to authorize the disposal of federally owned property at obsolescent canalized waterways.

Fifth. Calendar No. 540, S. 1461, to amend section 212 (a) of the Interstate Commerce Act.

Sixth. Calendar No. 546, S. 1971, amending sections 3 (a) and 7 (a) of the Vocational Rehabilitation Act.

Seventh. Calendar No. 548, S. 2261, amending the Public Buildings Purchase Contract Act of 1954.

Eighth. Calendar No. 550, S. 1383, amending section 410 of the Interstate Commerce Act to require freight forwarders to obtain certificates of public convenience and necessity.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MANSFIELD. Yes, indeed.

Mr. SALTONSTALL. Is it the intention of the Senator to have the Senate complete action on the treaty and the defense appropriation bill tomorrow, before taking up the other measures?

Mr. MANSFIELD. If it is at all possible.

Mr. SALTONSTALL. Is it the Senator's intention to have a fairly late session tomorrow night in order to accomplish that objective?

Mr. MANSFIELD. That should depend on developments. I hope to have action on the Defense Department appropriation bill completed tomorrow; if not, then some time early on Wednesday. I think what the Senate does the remainder of the week will depend on what it does tomorrow.

LEAD-ZINC SHUTDOWNS AND MINERALS POLICY

Mr. WATKINS. Mr. President, recent price declines for lead and zinc have forced a number of domestic mining and

milling companies to close or announce impending shutdowns.

These actions, all heavy economic blows to the communities involved, underscore the importance of our expediting action on the President's long-range minerals program, which includes import protection for domestic lead and zinc against ruinous foreign dumping.

An article in the Salt Lake Tribune of June 26 summarizes this economic catastrophe in the lead-zinc mining areas, and I request unanimous consent to introduce this article in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HUNDREDS FACE JOB LOSS IN LEAD-ZINC SHUTDOWNS

(By Robert W. Bernick)

Hundreds of additional lead-zinc miners are being served with severance notices in western United States as more lead-zinc mines prepare to close in the face of price declines and mounting foreign imports.

American Smelting & Refining Co. will close three metal mines in Colorado, New Mexico, and Washington, the Tribune was informed.

Combined Metals Reduction Co., Salt Lake City, associated with Crested Buttes Co. in operations on the King Lease near Crested Buttes (Gunnison), Colo., announced closure or mine and mill, affecting 30 workmen.

E. H. Snyder, C. M. R. president, also announced that the Pioche District, Nev., operations of the company would be closed by August 1, unless there was an improvement in prices of the two metals.

(Only action by Congress on increase in tariffs on the imports of these metals would buoy prices at this stage, in the opinion of most observers.)

Meanwhile, A. S. & R. was mailing notices of severance to some 80 employees at its Keystone mine and mill at Crested Buttes, the Tribune was informed. Some 80 miners and millmen on day pay will be affected by the closure July 15. A few miners will be kept at work on a development project at the properties, the Tribune learned.

At A. S. & R.'s Ground Hog Mine at Silver City, N. Mex., and the custom mill at Deming, N. Mex., some 200 miners and millmen would be affected by closures scheduled next month. Other mines shipping to the Deming concentrator also would presumably close down.

A low-grade open cut zinc property near Colville, Wash., along with a mill near Colville, also will be closed by American Smelting, the Tribune was advised. This Vanstone mine and mill employs an estimated 80 persons.

In all, the shutdowns at the King Lease and those involving A. S. & R. bring to more than 400 miners and millmen who will face unemployment next month. An additional 150 miners and millmen at the Pioche District properties of C. M. R. would be affected in August, Mr. Snyder said.

During the last few months, as the domestic mining industry has seen lead prices skid to 14 cents and zinc to 10½ cents a pound, mines and mills have been closed down in the tristate district of Oklahoma, Kansas and Missouri and in Utah, Idaho, Colorado, Nevada, New Mexico, California, Montana, Washington, Oregon and Arizona.

Declines in prices result from ruthless dumping of lead and zinc metals on American shores by companies engaged in low-wage, foreign production of the commodities.

Policies of encouraging foreign production of metals by the United States State Department have thus resulted in grave contraction of minerals development in the Western States with consequent unemployment to citizens of the region.

Mr. WATKINS. A number of Western communities have brought this matter of urgency to the attention of the House Ways and Means Comittee, with a request for early hearings on this measure. A large number of the Members of both Houses of Congress also have petitioned the House committee to expedite these hearings, and I sincerely trust that this can be done so that a remedy can be provided before many of these remaining domestic mining firms are forced out of business.

Mr. President, one of the important features of the President's long-range minerals policy legislative proposals is the authorization of assistance in minerals exploration. The precedent for this aspect of the program has been the minerals exploration activities sponsored by the Defense Minerals Exploration Administration since 1950.

In a news release on the FMEA program issued by Secretary Seaton on June 27, the Interior Secretary reported that the exploration projects already certified under this program had discovered minerals potentially worth $490 million.

Based upon Federal assistance costs for these projects, the program has contributed discoveries of about $50 million worth of new ore in the ground for every $1 million in Federal funds invested. If the total cost of all projects is included, the ratio stands at about 23 to 1, Secretary Seaton estimated.

This type of return on a Federal investment spells good business any way one looks at it. In addition to the value of the minerals itself, the mining of these minerals, and the processing and fabrication of the metals, will amplify that value many times in terms of employment, new business opportunity, and local, State, and Federal taxes paid on the business operations.

In view of the widespread, bipartisan interest in long-range minerals legislation, I hereby request unanimous consent to introduce at this point the entire Department of Interior news release on the DMEA program.

In addition, I also request unanimous consent to introduce at this point an article from the Deseret News and Salt Lake Telegram of June 26, 1957. This article summarizes the development of active, bipartisan support for the President's long-range minerals program.

There being no objection, the news release and article were ordered to be printed in the RECORD, as follows:

[From the Department of the Interior Information Service]

ORE POTENTIAL ON DMBA CERTIFIED PROJECTS ESTIMATED AT $490 MILLION

Secretary of the Interior Fred A. Seaton said today that the ore potential resulting from 291 mineral exploration projects certified by the Department's Defense Minerals Exploration Administration is estimated to be worth $490 million, based upon December 1956 prices.

Secretary Seaton said he has been advised by DMEA Administrator C. O. Mittendorf that about $8.5 million of Government funds had been disbursed on the successful projects through April 30, 1957. This represents about $50 million worth of new ore in the ground for each $1 million of Federal funds invested in these projects. The ratio decreases to about 23 to 1 when all contract disbursements made under the DMEA program are compared with the value of ore potential, the Secretary was informed.

Repayments received through April 30 amounted to $1,798,000. This was derived from royalties on production valued at about $37,458,000. Twenty-five projects have completely repaid Government contributions in an amount of $401,670.

The exploration program of the DMEA operates under the authority of the Defense Production Act of 1950, as amended. Its purpose is to encourage exploration for domestic sources of strategic and critical minerals. As a part of the newly proposed long-range minerals program, legislation has been submitted by the Department which would place mineral exploration activities on a permanent basis.

According to Administrator Mittendorf, DMEA has received 3,550 applications for proposed projects in 43 of the 48 States and in Alaska. On April 30, 1957, 202 applications were in various stages of processing, 1,706 had been denied, 629 had been withdrawn, and 1,013 had resulted in exploration contracts.

Of the 1,013 contracts, 765 have been terminated after some exploration work, 64 projects have been canceled with no expenditure of Federal funds for exploration, and 184 are still in force. The DMEA had certified 269 of the 765 terminated projects, leaving 496 terminated uncertified. Two of the canceled projects were certified and 20 of the 184 projects presently in force have been certified. Additional certifications are expected from among this number.

The largest number of certifications relate to copper, lead, mica, tungsten, uranium, and zinc, Mr. Mittendorf said. The largest number of uncertified terminated projects involved these same commodities.

Certification by DMEA means that a project shows ore deposits of sufficient quality and quantity to warrant notifying the operator of his obligation to pay a royalty on future production for repayment of Government participation in the exploration, Mr. Mittendorf explained. Certification does not necessarily mean that the DMEA regards the property immediately capable of producing economically, but it does protect the Government's financial interest in the event that production occurs at some future period.

Under the DMEA program, Federal funds are used to finance part of the exploration on approved projects, the extent of Government participation depending upon the mineral commodity involved. Federal expenditures are repayable through royalties on future production, but in the case of the two certified but canceled projects, no royalties are due since no Government money was spent on them for exploration.

Secretary Seaton was informed that the cost of work approved under all DMEA contracts thus far totals about $48,295,000, with maximum Government participation approximating $29,772,000. These figures represent the estimated cost of exploration work to be undertaken, and not funds actually expended at this time.

Federal expenditures on the 496 terminated uncertified projects amounted to $4,369,000, as compared with $7,100,000 spent on 271 terminated projects which had been certified, Mr. Mittendorf said. He pointed out that the relatively low expenditures on unsuccessful exploration demonstrates the care exercised by DMEA in

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administering contracts to avoid unwarranted expenditure of public funds.

Federal funds spent on the 20 certified projects still in force added to the $7.1 million expended on certified terminated projects brings the total of Government money invested in successful projects to the $8.5 million figure reported to Secretary Seaton.

[From the Deseret News and Salt Lake Telegram of June 26, 1957]

IKE TO PRESS MINERAL BILLS—SOLONS IN 11 WESTERN STATES VOTE TO PUSH VITAL PROGRAM

WASHINGTON.—The administration's new long-term minerals program got a major boost Tuesday as President Eisenhower pledged his efforts to get speedy action on bills before Congress, and Congressmen from 11 Western States voted to go "all out" in their support of the program.

Senator ARTHUR V. WATKINS (Republican, Utah), went to the White House to enlist the President's assistance in gaining immediate hearings on the bills before the House Ways and Means Committee.

President Eisenhower promised Senator WATKINS "every help he could" and agreed to bring up the matter at Thursday's meeting with legislative leaders. Senator WATKINS told the President of the situation of his State where the Eureka mine had been forced to close and low lead and zinc prices threatened to throw between 4,000 and 5,000 miners out of work.

REVENUE MEASURES

Since the minerals bills are revenue measures they must be initiated in the House.

Meanwhile, 15 western Congressmen met Tuesday to unite in bipartisan support of the administration's plan for a sliding scale of excise taxes on foreign imports of lead and zinc.

Reflecting a mushrooming movement to hurry the bills through Congress, the Congressmen unanimously agreed to ask that hearings be conducted in executive, not public sessions and that no amendments be made on the floor of the House.

At the luncheon meeting, the Congressmen heard reports of further price declines in the offing and growing numbers of mine closures.

CAN'T HOLD OUT

Representative WILLIAM A. DAWSON, Republican, Utah, urged immediate action as "our mines can't hold out until next year."

"Since the administration's long range minerals policy was announced," Representative DAWSON said, "foreign producers with their advantage of low cost labor, are dumping more than ever on the American market."

Representative JOHN J. DEMPSEY, Democrat of New Mexico, announced that Congressmen from New York, Tennessee and New Jersey, all zinc producers, had been urged to join in the effort to hurry legislation. He said that the dangerous price decline in the last few days called for concerted action, and he was optimistic that now the bills would get rapid consideration.

Representative GRACIE PFOST, Democrat of Idaho, called the zinc and lead situation critical in her State. Idaho is the Nation's third largest producer and second largest lead producer. She reported her office has been flooded with letters and telegrams from lead-zinc mines facing closure.

NEW MEXICO MINES CLOSE

Representative JOSEPH M. MONTOYA, Democrat of New Mexico, pointed out that two mines in New Mexico at Deming and Vanadium had closed in the last few days.

"We must act concertedly to get some rapid action on the lead and zinc prices," he said.

Other Representatives who voted to go "all out" for rapid passage of minerals legislation were Republicans J. EDGAR CHENOWETH, Colorado; MYRON V. GEORGE, Kansas; E. KEITH THOMPSON, Wyoming; HENRY A. DIXON, Utah, and Democrats LEE METCALF and LEROY H. ANDERSON, Montana; EUGENE J. MCCARTHY, Minnesota; WAYNE N. ASPINALL, and BYRON G. RODGERS, Colorado; WALTER S. BARING, Nevada, and ED EDMONDSON, Oklahoma.

PROVISIONS OF BILLS

The bills provide for a new import excise tax to stabilize lead at 16 cents a pound and zinc at 13½ cents a pound and policy of establishing support of the minerals industry with Government assistance in exploration and development of essential minerals.

This is the first time a concrete, long-range program will have been made for the mining industry.

INDIAN POLICY: THE GOAL IS FREEDOM AS AN AMERICAN CITIZEN

Mr. WATKINS. Mr. President, this morning the Indian Affairs Subcommittee heard testimony from Assistant Secretary of the Interior, O. Hatfield Chilson, and from various officers of the Indian Bureau, relative to consideration of various proposals for bettering the Indians' standard of living and for Federal aid to the Indians.

At this time I feel that it is particularly important that we keep before us, in all considerations of Indian legislation, the basic policy of this Congress and of the immediately preceding Congresses relative to Indians. This policy has been and is to assure that "as rapidly as possible" we provide conditions whereby the Indians are subject to the same privileges and responsibilities as are applicable to other citizens of the United States, and that we "end their status as wards of the United States."

To refresh Congressional memories, let me note that this was the unanimous decision on Indian policy expressed by Members of the 83d Congress in 1953, and that it was the abiding policy of the succeeding 84th Congress.

Freedom for the Indian, freedom that will assure him the same rights and duties that are common to all Americans, should be our abiding aim in all Indian legislation. Toward that end we should constantly strive. When we consider various economic, educational, cultural, or other proposals for Indian benefit, we should ask: Will this aid the Indian in his rise toward complete freedom of action as an American citizen?

Mr. President, by request of the American Academy of Political and Social Science, I contributed, for their latest issue of the Annals, an article dealing with this very problem. I related therein Congressional policy toward the Indian freedom movement, particularly in the 83d and 84th Congresses. Since the article is not long, I hope that all Members of the Senate and House will give it their serious consideration.

I therefore ask unanimous consent that, for the convenience of Members and others interested, the article be printed at this point in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TERMINATION OF FEDERAL SUPERVISON: THE REMOVAL OF RESTRICTIONS OVER INDIAN PROPERTY AND PERSON

(By Hon. ARTHUR V. WATKINS,[1] of Utah)

(Abstract: Thinking constructively of the Indian as a fellow American we are now seeking to assure him of equality in the enjoyment and responsibilities of our national citizenship. Congress has called for termination of Federal supervision over him as soon as possible. The proposed solutions vary in method. Seeking to be factual and informative rather than argumentative, the author discusses recent Congressional and related actions with a view as to what these establish for the present and portend for the future.—EDITOR.)

Virtually since the first decade of our national life the Indian, as tribesman and individual, was accorded a status apart. Now, however, we think constructively and affirmatively of the Indian as a fellow American. We seek to assure that in health, education, and welfare, in social, political, economic, and cultural opportunity, he or she stands as one with us in the enjoyment and responsibilities of our national citizenship. It is particularly gratifying to know that recent years of united effort, mutual planning, and Indian self-appraisal truly have begun to bear increasing fruit.

One facet of this overall development concerns the freeing of the Indians from special Federal restrictions on the property and the person of the tribes and their members. This is not a novel development, but a natural outgrowth of our relationship with the Indians. Congress is fully agreed upon its accomplishment. By unanimous vote in both the Senate and the House of Representatives termination of such special Federal supervision has been called for as soon as possible. Of course, as with any such major social concern, methods vary in proposed solutions and emotions sometimes rise as to how the final goal should best be reached. A clear understanding of principles and events is necessary. Here the author seeks more to be factual and informative rather than argumentative and dogmatic. This article is largely intended to note recent Congressional and related actions with a view as to what these portend for the future as well as establish for the present. After all, the matter of freeing the Indian from wardship status is not rightfully a subject to debate in academic fashion, with facts marshalled here and there to be maneuvered and countermaneuvered in a vast battle of words and ideas. Much more I see this as an ideal or universal truth, to which all men subscribe, and concerning which they differ only in their opinion as to how the ideal may be attained and in what degree and during what period of time. In the course of this chapter, then, I shall be primarily concerned with the main object and the degree of understanding which has come to us regarding its attainability.

THE SITUATION IN DECEMBER 1956

A little more than 2 years ago—June 17, 1954—President Dwight D. Eisenhower signed a bill approved by the 83d Congress that signified a landmark in Indian legislative history. By this measure's terms an Indian tribe and its members, the Menominee of Wisconsin, were assured that after a

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[1] ARTHUR V. WATKINS, LL. B., Washington, D. C., is the senior United States Senator from Utah. He has served in the Senate since 1947. During the 80th and 83d Congresses, he was chairman of the Subcommittee on Indian Affairs and is now the ranking Republican member.

brief transition period they would at last have full control of their own affairs and would possess all of the attributes of complete American citizenship. This was a most worthy moment in our history. We should all dwell upon its deep meaning. Considering the lengthy span of our Indian relationship, the recency of this event is significant. Obviously, such affirmative action for the great majority of Indians has just begun. Moreover, it should be noted that the foundations laid are solid.

Philosophically speaking, the Indian wardship problem brings up basically the questionable merit of treating the Indian of today as an Indian, rather than as a fellow American citizen. Now, doing away with restrictive Federal supervision over Indians, as such, does not affect the retention of those cultural and racial qualities which people of Indian descent would wish to retain; many of us are proud of our ancestral heritage, but that does not nor should it alter our status as American citizens. The distinction between abolishment of wardship and abandonment of the Indian heritage is vitally important. I wish to emphasize this point, because a few well-intentioned private organizations repeatedly seek to influence Congress to keep the Indian in a restricted status by urging legislation to retain him as an Indian ward and as a member of a caste with social status apart from others, not basically as what he is—a fellow American citizen.

These organizations have presented some proposals to Congress impossible of accomplishment, but likely to produce argumentation and thus to protract debate beyond reasonable limits. In this manner they apparently seek to justify a continued role as presumable spokesmen for Indian tribes. Likewise, it should be noted that in legislative considerations various other private organizations and serious-minded periodicals have been used as devices propagandizing viewpoints based upon assertions known to Congress to be contrary to the facts upon Indian conditions. Special interests are of course involved in other ways; thus commercial companies having specific reservation leases may be reluctant to see terminal programs proceed, feeling that their own economic interests may be jeopardized. And again, State cooperation in the assumption of responsibilities for their Indian citizens has not always been consistent. Historically, however, the Congress, although perhaps more or less ineffectively until recent years, has sought in the nineteenth and early twentieth centuries to free the Indian. A full study of Congressional actions will bear this out. Freedom for the Indian was the goal then; it is the goal now.

Unfortunately, the major and continuing Congressional movement toward full freedom was delayed for a time by the Indian Reorganization Act of 1934, the Wheeler-Howard Act. Amid the deep social concern of the depression years, Congress deviated from its accustomed policy under the concept of promoting the general Indian welfare. In the postdepression years Congress—realizing this change of policy—sought to return to the historic principles of much earlier decades. Indeed, one of the original authors of the act was desirous of its repeal. We should recall, however, that war years soon followed in which Congress found itself engrossed in problems first of national defense and then of mutual security. As with many other major projects, action was thus delayed.

INDIAN FREEDOM

In 1947 significant facts were emphasized regarding the advisability of furthering Indian freedom during hearings of the Senate Post Office and Civil Service Committee. The then Acting Commissioner of Indian Affairs, William Zimmerman, Jr., testified that about 40,000 Indians were then ready for immediate freedom from further special Federal control. Statements made by the Acting Commissioner vividly recalled Congressional attention to the fact that specific groups of Indians were then regarded as prepared for on-the-spot freedom from their wardship status. Later the same Mr. Zimmerman became an officer of one of the private groups interested in Indian affairs. This testimony at the 1947 hearings served as an effective stimulus toward renewed consideration of an end of wardship.

In the light of this background, the actions of the ensuing 83d and 84th Congresses offer profitable example and experience. As this Federal policy is better understood, tribal and individual Indian interest in abolishment of special Federal controls will continue to increase. Meanwhile, we must be ever mindful that in broad terms and in many ways, decontrol has already advanced for all Indians by and large. These Federal restraints over Indians have been removed through related Congressional measures dealing wtih health, education, social welfare, economics, and kindred fields, the end result of which is to regard the Indians as any other American citizens.

The Indian freedom program will not be accomplished immediately in the case of more large and complex situations, but for most tribes it can be numbered in a few years. Emotional and practical concerns dictate careful but measurable progress toward the goal of complete freedom. Complicated realty and other property problems, the careful clarification and protection of rights, these at times serve to make the process of decontrol lengthy. Meanwhile the Congress, through increased appropriations, is stressing the education of Indian children. The Bureau of Indian Affairs is expanding its adult education and vocational rehabilitation programs to help Indians earn a livelihood and to assume their responsibilities as citizens without special Federal services. By action of the 83d Congress, Indian health concerns, previously in the Bureau's care, have been transferred to the Public Health Service. Simultaneously through the Bureau's relocation program, increasing thousands of energetic, healthy, skilled Indians compete successfully in our cities, bring their families into new modern homes, and thus in effect remove many conditions of their earlier wardship. Where financial burdens of transition from guardianship to normal citizenship appear evident for a tribe, consideration is given; thus the 83d Congress in precedent-setting legislation provided assurance of aid for the Menominee. When all factors are considered, numerous chain-reaction situations are evident which tend to stimulate the desire for freedom even more conclusively.

We may admit the it-takes-time view, but we should not allow it to lull us into inaction. Freedom of action for the Indian as a full-fledged citizen—that is the continuing aim. Toward this end Congress and the administration, State, and local governments, Indian tribes and members, interested private agencies, and individual Americans as responsible citizens should all be united and work constantly. The legislatively set target dates for Indian freedom serve as significant spurs to accomplishment. Congress steadily continues to inform itself, to seek out, delimit, and assist those Indians most able to profit immediately by freedom from special supervision, and it acts primarily to speed the day for all Indian tribes and members to be relieved of their wardship status. A basic purpose of Congress in setting up the Indian Claims Commission was to clear the way toward complete freedom of the Indians by assuring a final settlement of all obligations—real or purported—of the Federal Government to the Indian tribes and other groups.

This picture we must keep in mind when considering the steps that will be taken during the 85th and succeeding Congresses and in understanding the setting in which the 83d and 84th Congresses acted to directly further the freedom program.

Let us now briefly consider the work of these two recent Congresses.

Freedom program in the 83d Congress

In 1953 during the 83d Congress the Members of the Senate and the House unanimously endorsed a statement on Indian policy that has continued to be in its general terms the guiding course of Congress. This action taken in the first session, designated as House Concurrent Resolution 108, should be carefully noted in full:

"Whereas it is the policy of Congress, as rapidly as possible to make the Indians within the territorial limits of the United States subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States, to end their status as wards of the United States, and to grant them all of the rights and prerogatives pertaining to American citizenship; and

"Whereas the Indians within the territorial limits of the United States should assume their full responsibilities as American citizens: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is declared to be the sense of Congress that at the earliest possible time, all of the Indian tribes and the individual members thereof located within the States of California, Florida, New York, and Texas, and all of the following-named Indian tribes and individual members thereof, should be freed from Federal supervision and control and from the disabilities and limitations specially applicable to Indians: The Flathead Tribe of Montana, the Klamath Tribe of Oregon, the Menominee Tribe of Wisconsin, the Potawatomi Tribe of Kansas and Nebraska, and those members of the Chippewa Tribe who are on the Turtle Mountain Reservation, North Dakota. It is further declared to be the sense of Congress that, upon the release of such tribes and individual members thereof from such disabilities and limitations, all offices of the Bureau of Indian Affairs in the States of California, Florida, New York, and Texas, and all other offices of the Bureau of Indian Affairs whose primary purpose was to serve any Indian tribe or individual Indian freed from Federal supervision should be abolished. It is further declared to be the sense of Congress that the Secretary of the Interior should examine all existing legislation dealing with such Indians and treaties between the Government of the United States and each such tribe, and report to Congress at the earliest practicable date, but not later than January 1, 1954, his recommendations for such legislation, as in his judgment, may be necessary to accomplish the purposes of this resolution."

Thereafter there were bills introduced and hearings held in 1954 on 12 Indian groups totaling 1,715 printed pages. As a result Congress enacted legislation providing for release of Federal supervision over the property and individual members of the Alabama and Coushatta Tribes of Texas, the Klamath of Oregon (Klamath and Modoc Tribes and the Yakooskin band of Snakes), the tribes of western Oregon (Grand Ronde, Siletz), the Menominee Tribe of Wisconsin, and certain tribes in Utah (Shivwits, Kanosh, Koosharem, and Indian Peaks bands of Paiutes; the mixed-blood Uintah and Ouray [Utes]). All of the above except the Utah Indians were specified in House Concurrent Resolution 108.

Approximately 10,000 Indians were thus set on the road to complete citizenship rights and responsibilities.

Hearings were also conducted but no conclusive legislation was adopted by the 83d Congress regarding freedom from special supervision of the following: The Kansas and Nebraska tribes (Sac and Fox, Iowa, Potawatomi, Kickapoo), the Makah of Wash-

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ington, the Flathead of Montana (Salish and Kootenai), the Seminole of Florida, the Turtle Mountain Chippewa of South Dakota, the Indians of California, the Nevada Indians (Ruby Valley, Shoshone, Yerington Paiute, Battle Mountain, Carson, Las Vegas, Lovelock, Reno-Sparks and Yerington colonies).

Completion of the Alabama-Coushatta program largely enabled the Bureau of Indian Affairs to wind up its activities in Texas, one of the goals expressed in the resolution. Even before its adoption the Bureau had virtually concluded its activities in another State mentioned in the resolution, that of New York.

Freedom program and the 84th Congress

During the 84th Congress legislation resulted in approval of releasing Federal control over the property and individual members of three tribes in Oklahoma—the Peoria, Ottawa, and Wyandotte. Each of these tribes voluntarily adopted a resolution requesting the introduction and enactment of terminal legislation.

Through action of the 84th Congress the Council of the Confederated Tribes at Colville, Wash., will submit within 5 years to the Secretary of the Interior a proposed plan providing for their decontrol. The Congress likewise adopted a special decontrol deadline in the case of the mixed-blood members of the Uintah and Ouray (Utes) in Utah. This provided a 7-year period or until fall, 1961, for completion of terminal proposals.

Secluded reservation life is a deterrent to the Indian, keeping him apart in ways far beyond the purely geographic. By way of preparation for future decontrol programs, the 84th Congress also passed the Vocational Rehabilitation Act to assist Indians to adapt themselves more readily to off-reservation life. Self-reliance is basic to the whole Indian-freedom program. Through our national historic development the Indian was formed into a dependent position with the Federal Government more and more, as America advanced westward, tending to sublimate his natural qualities of self-reliance, courage, discipline, resourcefulness, confidence, and faith in the future. Congress has realized this, and has steadily acted more positively to restore to the Indian these qualities. But self-reliance demands opportunity to grow. The Indian must be given the conditions under which—and only under which—self-reliance can be wholeheartedly regenerated.

DECONTROL ACTIONS PRECEDENT TO THE 83D AND 84TH CONGRESSES

To further clarify understanding, certain actions taken earlier than these two Congresses should be noted. Long before the 83d, of course, the matter of releasing Indians from Federal controls had been an important concern for Congressional and administration study and action.

During the early years of the century so-called competency commissions were intended to provide a means of determining the qualifications of Indians to manage their affairs independently of Bureau of Indian Affairs supervision.

A decisive step forward was the granting of legal citizenship in 1924 by Congress to all American Indians born in this country not hitherto made citizens. This clear indication of Congressional decision pointed toward the ideal of Indian freedom and complete citizenship.

The role of the Bureau itself in preparing the Indian for self-reliant status was emphatically phrased by the Institute for Government Research. The Brookings Foundation, in its major 1928 publication, the Problem of Indian Administration, commonly known as the Meriam report. It stated.

"The fundamental requirement is that the task of the Indian Service be recognized as primarily educational, in the broadest sense of that word, and that it be made an efficient educational agency, devoting its main energies to the social and economic advancement of the Indians, so that they may be absorbed into the prevailing civilization or be fitted to live in the presence of that civilization at least in accordance with a minimum standard of health and decency."

Soon thereafter—from 1929 to 1934—a broad survey was conducted by a Senate subcommittee relating to the principles upon which Indian administration should be furthered.

The Merian report had recommended the transfer of services performed by the Bureau of Indian Affairs to other agencies, both public and quasipublic. This principle was observed in 1934 in the passage of the Johnson-O'Malley Act, which enabled the Bureau to transfer some of its previous services, particularly in the welfare and educational fields. By thus integrating the Indians into service channels open to the common citizenry the way toward freedom from special controls was fostered.

During the late 1940's when the matter of Federal decontrol was considered it was proposed in theory that an impartial scientific approach was the best means to handle the terminal program. Thus, for those tribes definitely showing the greatest degree of advancement in education and economic self-sufficiency it was proposed that Federal control be withdrawn immediately. For others, a graduated scale of dates was proposed depending upon the rate of advance indicated. In 1947 the Bureau developed yardsticks and opinions on the relative degree of acculturation of various Indian tribes based on 1930 data. Since that time a continuing effort has been and is being made to refine similar data by tribes and other groups. Many of these data appeared in detail in House Report No. 2503, 2d session, 82d Congress, and in House Report No. 2680 of the 83d Congress. These reports and other survey work and recommendations were conducive to legislative action, particularly in the 83d Congress.

By thus integrating the Indians into service channels open to the common citizenry the way toward freedom from special controls was fostered.

ADMINISTRATIVE DEVELOPMENT OF 83D CONGRESS LEGISLATION

Experience developed in carrying out the legislation adopted by the 83d Congress for freedom from special Federal control over Indians will be a valuable guide in continuing to develop further freedom-program bills. Generally, this experience has shown that other factors being equal, the smaller and rather well assimilated tribes or other groups, having relatively minor and cohesive property or other value interests easily adjustable to individual shares, appear the more likely subjects for prompt release from Federal controls. And conversely, rather unassimilated and/or large groups with quite major or intricate property or other value interests require more time, patience, and mutual understanding in moving toward eventual freedom from their Federal wardship status.

For example, in a case such as that of the Alabama and Coushatta Tribes in Texas, involving about 400 Indians, relatively few problems were involved. All administrative action under the measures signed August 23, 1954, is complete. In fact, Federal supervision ended as of July 1, 1955, and responsibility for 3,100 acres of tribal lands has been transferred to the State of Texas. These Indian people continue to be eligible for admission to hospitals and schools, maintained by the Federal Government for Indians, on the same terms applicable to other Indians. However, only seven found it necessary to call upon Public Health Service hospitals for medical needs. During the fiscal year 1956 five Alabama and Coushatta students continued or completed their courses in Bureau schools.

Decontrol also proceeded smoothly with the so-called western Oregon Tribes, including some 2,100 Indians, and was completed August 13, 1956. Here more than 60 tribes, bands, and communities in northwest Oregon were concerned. After its final membership roll was completed the Grande Ronde Tribe decided to dispose of the bulk of its tribal lands and such sales were initiated. A practical property settlement on the Siletz Reservation was quickly effected and a per-capital distribution of $500,000—$400,000 of it from the sale of tribal lands—was made to the Siletz.

In December 1956 completion of decontrol arrangements for the Paiute bands in Utah was very near, assuring an additional 232 Indians freedom from any special controls by the Federal Government.

A practical solution of the full- versus mixed-blood status, of certain tribesmen was effectively worked out in Utah in the case of 1,804 Indians—Utes of the Uintah and Ouray Reservation. The Congressional act of August 27, 1954 provided for the division of tribal assets between the full bloods (the Ute Indian Tribe of the reservation) and the mixed bloods (the affiliated Ute citizens of the State of Utah). The final roll published April 5, 1956, determined a membership of 1,314 full-blood Indians and 490 mixed-blood persons. On the basis of this last roll a ration for the division of tribal lands was then worked out between full and mixed bloods. The mixed bloods have now adopted a constitution and by-laws approved by the Bureau, and a budget for fiscal year 1957 made provision for a $4,500 per-capita distribution of assets of the affiliated Ute citizens. Meanwhile the full bloods have drawn up a long-range development program for their own property.

In the case of the Klamath the Government has shown its willingness to review the program as a result of administrative problems that arose in applying freedom legislation. As a result of statements from both Indians and non-Indians who felt that enforcement of the act of August 13, 1954, might prove injurious to the valuable Klamath forest lands, the Secretary of the Interior has agreed to review the act with a view to possible amendment should it seem desirable. The act does not call for complete decontrol before August 13, 1958. However, other events moved forward auspiciously for the 2,118 Indians concerned. A proposed final roll for the Klamaths has been published, and plans have been proceeding for a suggested division of the tribal property as well as for management of tribal-held assets.

A detailed case history of each tribal member is being obtained, and a special advisory service is open to those wishing its assistance.

Although the Menominee was the first decontrol act adopted by the 83d Congress, on June 17, 1954, this act affecting the largest such group to date—3,225 Indians living in Wisconsin—provides for the longest transition period of those enacted by the 83d Congress. In many ways the most interesting of the decontrol projects to date, it also marks a fine example of State and local interest and cooperation.

During the first year of the Menominee transitional program four steps were taken: To prepare for a final membership roll and to arrange distribution of $4,885,500 among members; to set up a State-Federal special educational program and to reorganize tribal and agency commercial activities with Menominee controls greatly augmented.

An enlarged tribal organization has taken over many service functions formerly performed locally by the agency personnel. The greatly reduced agency staff is now largely devoted to advisory and trust-management

activities. For the balance of the transitional period it will be a learn-by-doing process for the Menominees with counseling and general trust supervision as the Bureau's interim role.

ADMINISTRATIVE DEVELOPMENT OF 84TH CONGRESS LEGISLATION

Through their voluntary request more than 2,000 Indians in Oklahoma, members of the Peoria, Ottawa, and Wyandotte Tribes, were placed upon the road to final termination of special Federal controls by the 84th Congress. For each group a complete membership roll was to be prepared early in 1957, and it was expected that decontrol would be complete by August 1959 for each. No large administrative problems appear evident.

During October 1956 a delegation of the Confederated Tribe of the Colville, Wash., reservation met with Bureau officials in Washington to prepare a 5-year decontrol program for 4,189 Indians. The 84th Congress had provided that the tribe should submit proposed decontrol legislation by July 24, 1961.

VOLUNTARY INDIAN ACTIONS TOWARD FEDERAL DECONTROL

The Commissioner of Indian Affairs, Glenn L. Emmons, has noted that one of the most helpful and promising courses toward termination is by voluntary request of the Indian groups themselves. In an informal statement on January 31, 1956, at a House subcommittee hearing on appropriations, Emmons remarked:

"* * * In a number of areas, tribes have taken the initiative in exploring the means of programing their way toward eventual self-determination, that is, the Sisseton-Wahpeton Tribe in the Aberdeen (S. Dak.) area, the Makah and Colville Tribes in the State of Washington, several urban colonies in Nevada, the tribes in the Quapaw jurisdiction in eastern Oklahoma. * * *

"* * * in order for projects to be meaningful to the tribal groups, they must be developed at the local level in consultation with the tribal groups affected, and there must be a continuous follow-through in the development and implementation of the program proposals."

On April 12, 1956, in a major memorandum to all of the Bureau area directors and superintendents, Commissioner Emmons again referred particularly to the value of voluntary Indian group action. He said in part:

"A good program is one which results from the desires of and fits the needs of a particular group of Indians. In whole or in part the program should, if possible, be the work of the Indians themselves."

As to the question of legislation Emmons noted that " * * * In some cases, it may specifically develop that special legislation will be necessary to forward a group's basic program. In other cases the Indian group may feel that the group's cultural assimilation and integration into the community life about them has progressed to the point where they desire early Congressional consideration of termination legislation. In either case, the area director should advise the Commissioner with a view to arranging for special guidance and assistance."

ROLE OF THE INDIAN CLAIMS COMMISSION IN DECONTROL

Completely within the historic policy of Congress in working toward the elimination of special controls over Indians is its concept of the role of the Indian Claims Commission. The Commission assures legal settlement of long-standing claims for redress against the Federal Government, which many Indians believe should be a necessary condition precedent to effective decontrol consideration. The Commission, set up in 1946, was then empowered to accept petitions until August 13, 1951, and was directed to conclude judgments on all claims by April 1957. Because of the large number of claims filed it had become necessary to extend the life of the Commission, and Congress—intent on providing judicial determination of all claims—passed legislation in 1956 to continue the Commission until the spring of 1962. However, the fact that all claims are not settled does not forestall present decontrol planning.

ACTION OF SUCCEEDING CONGRESSES TOWARD DECONTROL

The basic principle enunciated so clearly and approved unanimously by the Senate and House in House Concurrent Resolution 108 of the 83d Congress continues to be the overall guiding policy of Congress in Indian affairs. In view of the historic policy of Congress favoring freedom for the Indians, we may well expect future Congresses to continue to endorse the principle that as rapidly as possible we should end the status of Indians as wards of the Government and grant them all of the rights and prerogatives pertaining to American citizenship.

With the aim of equality before the law in mind, our course should rightly be no other. Firm and constant consideration for those of Indian ancestry should lead us all to work diligently and carefully for the full realization of their national citizenship with all other Americans. Following in the footsteps of the Emancipation Proclamation of 94 years ago, I see the following words emblazoned in letters of fire above the heads of the Indians—these people shall be free.

COL. BENJAMIN AXELROAD—VETO MESSAGE (S. DOC. NO. 51)

The PRESIDING OFFICER (Mr. MORTON in the chair) laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying bill, referred to the Committee on the Judiciary and ordered to be printed:

To the United States Senate:

I am returning herewith, without my approval, S. 1008, for the relief of Col. Benjamin Axelroad.

The bill would provide for the payment to Col. Benjamin Axelroad, of Tullahoma, Tenn., the sum of $2,799.50 as compensation for legal services performed and expenses incurred by him in securing the enactment of private relief legislation to compensate certain claimants for a death and for personal injuries sustained by others in a motor-vehicle accident involving an Army truck.

The private relief legislation involved was Private Law 498, 83d Congress, approved July 1, 1954, entitled, "For the Relief of Chester H. Tuck, Mary Elizabeth Fisher, James Thomas Harper, and Mrs. T. W. Bennett," which provided compensation to the named beneficiaries in the aggregate amount of $27,999.50. That act also provided that no part of the money appropriated therein should be paid to or received by any agent or attorney on account of services rendered in connection with such claim and specified a penalty of a fine of not more than $1,000 for violation of such prohibition. When that act passed the House of Representatives, it provided that no part of the amount appropriated therein "for the payment of any one claim in excess of 10 percent thereof" should be paid to any attorney. This language was stricken in the Senate, however, and the measure was finally enacted carrying the complete bar against the payment of attorney's fee in any amount from the sums appropriated.

The relief proposed by this measure is most unusual. It would require the Government to compensate counsel for claimants in private relief legislation, whereas claimants themselves should bear the cost of attorneys' fees for such services. Indeed, the enrolled bill here under consideration contains an identical prohibition against the payment of attorneys' fees for services rendered in connection with this legislation. I am unable to find any justification for the payment by the Government of attorneys' fees on behalf of claimants in private relief legislation. Committee reports on this bill (H. Rept. 498 and S. Rept. 210, 85th Cong.) advance, as a basis for this legislation, the fact that original language would not have prohibited the payment of an attorney fee by the claimants. This language was stricken from the bill and, as a result, counsel could not obtain compensation under the bill as finally enacted. If the original language of the former measure, prohibiting the payment of attorneys' fees from the amount appropriated in excess of 10 percent thereof, had been enacted, Colonel Axelroad might have been entitled to recover reasonable attorneys' fees from claimants out of the amount appropriated—but in no event would he have been entitled to a fee from the Government. If the Congress wishes to undo what it did in enacting legislation prohibiting Colonel Axelroad from receiving any compensation from the amounts of the several awards, it may be done by appropriate legislation. I cannot, however, approve legislation which would cast upon the Government the burden of paying the fees of counsel for claimants in private relief legislation, and which would establish a most undesirable precedent.

For these reasons, I feel obliged to withhold my approval from this measure.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *July 1, 1957.*

ADJOURNMENT TO 11 A. M. TOMORROW

Mr. MANSFIELD. Mr. President, under the order previously entered, I move that the Senate stand in adjournment until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 16 minutes p. m.) the Senate adjourned, the adjournment being under the order previously entered, until tomorrow, Tuesday, July 2, 1957, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate July 1, 1957:

FEDERAL DEPOSIT INSURANCE CORPORATION

Erle Cocke, Sr., of Georgia, to be a member of the Board of Directors of the Federal Deposit Insurance Corporation for a term of 6 years, vice Maple T. Harl, deceased.

INTERNATIONAL MONETARY FUND

Frank A. Southard, Jr., of New York, to be United States executive director of the In-

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ternational Monetary Fund for a term of 2 years. (Reappointment.)

COLLECTOR OF CUSTOMS

Cleta M. Smith, of St. Louis, Mo., to be collector of customs in customs collection district No. 45, with headquarters at St. Louis, Mo. (Reappointment.)

DEPARTMENT OF COMMERCE

Henry Kearns, of California, to be an Assistant Secretary of Commerce, vice H. C. McClellan, resigned.

COAST AND GEODETIC SURVEY

Charles Pierce, of Washington, to be Assistant Director of the Coast and Geodetic Survey, with the rank of rear admiral for a term of 4 years, vice Robert W. Knox, retiring.

TENNESSEE VALLEY AUTHORITY

Arnold R. Jones, of Kansas, to be a member of the Board of Directors of the Tennessee Valley Authority for the term expiring May 18, 1966, vice Harry Alfred Curtis, term expired.

MISSISSIPPI RIVER COMMISSION

Brig. Gen. William A. Carter (colonel, Corps of Engineers) to be a member and President of the Mississippi River Commission, vice Maj. Gen. John R. Hardin, retiring.

UNITED STATES ATTORNEY

Hugh K. Martin, of Ohio, to be United States attorney for the southern district of Ohio for a term of 4 years. He is now serving in this office under an appointment which expires July 16, 1957.

UNITED STATES MARSHAL

James Y. Victor, of Oklahoma, to be United States marshal for the northern district of Oklahoma for a term of 4 years. He is now serving in this office under an appointment which expires August 5, 1957.

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the regular corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

I. FOR APPOINTMENT

To be surgeon

Philippe V. Cardon, Jr.

To be senior assistant surgeon

George M. Berg
Philip S. Brachman
Charles A. Davis, Jr.
John P. Doyle
Jerome G. Green
Joseph P. Mardesich
Norbert J. Matzinger
Gene E. Meger
Bernard R. Shochet
James H. Tuthill
Adolph J. Urban
Daniel I. Yale

To be assistant surgeon

Robert W. Kirtley.

To be senior assistant dental surgeon

Selvin Sonken.
Charles W. Taylor, Jr.

To be assistant dental surgeon

Darwin F. Davis, Jr.
Christopher E. Kennemer.
Charles P. Wollschlager.

To be senior sanitary engineer

Jerome H. Svore.

To be senior assistant sanitary engineer

Joseph P. Schock.

To be assistant sanitary engineer

Richard S. Brief.
Herbert R. Pahren.

To be senior assistant pharmacist

Salvatore D. Gasdia.

To be assistant pharmacist

Gene G. Knapp.
M. Thomas Wagner, Jr.

To be senior scientist

Herbert F. Schoof.

To be scientist

Joseph B. Margolin.

To be sanitarian

Mary C. Gillis.
William C. Miller, Jr.

To be assistant veterinarian

Paul Arnstein.

To be nurse officer

Tirzah M. Morgan.

To be senior assistant nurse officer

Verna B. Grimm.
Helen Solomon.
Lena F. Turner.

To be therapist

Corinne Q. Way.

II. FOR PERMANENT PROMOTION

To be surgeon

Charles A. Munroe.

To be senior assistant pharmacist

James E. Bleadingheiser.

To be assistant pharmacist

William H. Briner.
Robert E. McKay.

To be senior therapist

Eleanor G. Loomis.

IN THE REGULAR ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299. All officers are subject to physical examination required by law.

To be lieutenant colonel

Abernathy, Sterling H., O32401.
Abraham, Robert, O32427.
Ackner, Ned E., O32452.
Aebischer, Louis J., O32384.
Ahee, Joe, O22215.
Allen, Ollie J., O32085.
Arthur, John E., O32468.
Babcock, Bernard E., O44018.
Bachman, Roger M., O22226.
Balish, Harry, O22218.
Balliett, Howard D., O22684.
Bare, George S., O32488.
Barry, Robert B., Jr., O22674.
Baskin, John S., O22634.
Batlin, Alexander, O43927.
Baum, John W., O38997.
Beaty, William F., O22672.
Becker, Alexander, O32392.
Bedford, William H., Jr., O43926.
Beelman, Glenn T., O22235.
Besser, William J., O44039.
Bishop, James F., O22231.
Bjork, Delbert L., O32399.
Boyce, Beryl L., O32400.
Bradford, James C., O32519.
Brooks, Robert L., Jr., O44054.
Brown, Bevelle T., O32469.
Brown, Virgil G., O40398.
Browne, Harvey S., 3d, O38992.
Brownfield, Page H., O40395.
Brubaker, William E., Jr., O32497.
Bruce, Thomas R., Jr., O32423.
Bruyere, Walter R., 3d, O22644.
Bucha, Paul A., O31996.
Callaway, George D., O32502.
Canine, Chester E., O43949.
Cannon, Linden K., Jr., O32509.
Cantrell, Charles, O22682.
Chaney, Christopher W., O32496.
Christy, John J., O44023.
Clark, Carl V., O40393.
Cole, Norman E., O32484.
Copley, Lewis L., O22652.
Corcoran, Charles A., O31721.
Cox, Amel L., O43971.
Cox, Landon G., O32413.
Cross, Leslie H., O22232.
Dantzker, Morris, O43992.
Dawson, George P., Jr., O38998.
Delnore, Victor E., O32398.
Devore, Leland S., Jr., O32404.
Dewey, George C., O22191.
Dickey, Charles H., 3d, O44001.
Donaldson, William R., O22198.
Dougan, Murray D., O22221.
Downey, Stephen W., Jr., O22649.
Doyle, George K., O44000.
Eaves, Royce L., O32499.
Eitt, Herbert E., O32477.
Erb, Herbert B., O40379.
Erickson, John L., O32434.
Fairchild, Clarence G., O40396.
Fisher, Norman E., O32435.
Fleming, David D., O32042.
Fondren, William M., O32481.
Fonk, Elwyn J., O44015.
Foster, Ralph L., O22669.
Freeman, Harlan M., O32409.
Friedman, Arthur L., O32474.
Frink, Albert W., O22192.
Gall, William O., O22664.
Gallagher, James D., O43958.
Gallaher, Glendale D., O43925.
Gee, William C., O44027.
Genetti, Albert J., O22194.
Giles, Earl F., O56899.
Gorn, John W., O22200.
Gray, Norman, O40387.
Hale, Ralph N., O43968.
Hall, Richard E., Jr., O32330.
Hamilton, Wilbur A., O52352.
Hampton, McLean, O32239.
Hannum, Calvin S., O32428.
Harnstrom, Edmund V., O32414.
Harrold, Arthur K., O32417.
Hasselback, Frederick W., O22673.
Hassenfelt, Harold E., O22195.
Hastings, William H., O22658.
Heasty, Charles F., Jr., O22665.
Helfert, Peter A., O32385.
Helmuth, Oliver J., O32395.
Heston, John T., O52371.
Hill, Raymond D., O22645.
Hodges, Richard, O44065.
Holmes, Sterling C., O22655.
Hood, Ralph E., O32443.
Hoover, Lawrence M., O22193.
Hussey, William J. A., O22205.
Irby, Richard L., O22678.
Jacks, Fred W., Jr., O32407.
Jean, James N., O22632.
Jewett, Leonard G., O22236.
Johnson, Benjamin W., O52351.
Johnson, Harold O., O22635.
Jordahn, Erik W., O44060.
Kaiser, William F., O52323.
Kaufman, Lee S., O32388.
Kelly, Lem M., O32378.
Kenan, Thomas A., O22670.
Kent, Richard F., O22676.
Kinson, Richard L., O43955.
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Young, Ross, O39001.
Zecca, Mario J., O32396.

To be lieutenant colonel, Chaplain

Johnson, Andrew L., O30934.
Kozak, Edwin J., O43129.
McCarty, Robert S., O51970.
Moore, Harmon D., O51971.
Sampson, Francis L., O30951.

To be lieutenant colonel, Medical Corps

Ashby, John D., O66608.
Conant, Ralph E., O65408.
Cox, William W., O43178.
Crump, Frederic M., O65530.
Heldobler, Alfred O., O65568.
Kirk, Warren M., O65674.
Krieger, Howard G., O65673.
Putnoi, Martin, O66075.
Reed, Paul A., O65411.
Smith, James H., O55410.
Sullivan, Joseph T., O59513.
Turner, Hyman, O65567.

To be lieutenant colonel, Dental Corps

Augsburger, Russell H., O24376.
Avery, S. Kingdon, O23684.
Clapp, Stacy W., Jr., O30990.
Cruzan, Winston V., O30981.
DeGon, Kenneth C., O23676.
Evans, Pierre O., O23351.
Farrell, Clement A., O30928.
Farrell, Richard J., O25168.
Goodall, Henry A., O30977.
Haskins, Harold P., O23347.
Irby, William B., O31035.
Krug, Frederick R., O23613.
Laffitte, Herbert B., O43150.
McKelvey, Lowell E., O30967.
McNelly, Justin E., O31026.
Murphy, James M., O23609.
Orsinger, William O., O23343.
Quarantillo, Edward P., O31002.
Rogers, Roger P., O38858.
Sexson, Julius C., O24630.
Siegesmund, Kenneth W., O43149.
Smith, Edwin H., Jr., O24629.
Talbot, Raymond J., O23608.
Wilenzick, Harold, O23342.

To be lieutenant colonel, Veterinary Corps

Batcheldor, George D., O38852.
Brenner, Carl F., O51969.
Isenberg, Conley G., O40104.
Wheelin, Thomas J., O38856.

To be lieutenant colonel, Medical Service Corps

Flintjer, John D., O56920.
Ryer, Robert, 3d, O31252.
Stabile, Joseph N., O43218.

To be lieutenant colonel, Women's Army Corps

Briggs, Ruth M., L339.
Lynch, Sue, L81.
Munson, Ethel C., L91.
Murray, Billie L., L84.
Schulten, Marjorie E., L249.

To be major

Abrignani, Vincent A., O40966.
Adams, Edwin C., O38212.
Adamson, James B., O26935.
Allan, Robert H., Jr., O38070.
Althaus, Kenneth G., Jr., O41121.
Amacher, Aaron G., O27040.
Anderson, Arnold V., O37666.
Anderson, Edward P., O39426.
Andreoli, Robert L., O41181.
Andrews, Albert E., O55492.
Applewhite, Kermet H., O36787.
Aschoff, John F., Jr., O37856.
Atkins, James L., O39409.
Aud, James E., O27051.
Aylor, James L., O37766.
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Barfoot, Van T., O38209.
Barnes, Joseph P., O26501.
Bartley, James T., O26649.
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Smith, Robert McK., O39408.
Smith, Robert S., Jr., O50000.
Smith, Stephen H., O26632.
Snead, George M., Jr., O27028.
Snedeker, Eugene C., O50011.
Snow, Beverly C., Jr., O26499.
Snyder, Hollice H., O49998.
Spence, Judson C., Sr., O49771.
Sproul, Donald N., O49441.
Staffa, Rudolph W., O49348.
Staser, Bruce I., O26842.
Steel, Charles L., Jr., O26546.
Stephenson, Horace G., O55488.
Stevens, Kenneth T., O36203.
Stewart, John A., Jr., O37800.
Stowell, William McG., O26682.
Strecker, Robert H., O26853.
Stuart, Whitney D., O37788.
Styve, Lester O., O38199.
Suddeth, James A., O55222.
Sullivan, John S., Jr., O26904.
Sweers, Peter C., Jr., O39371.
Tarpley, Thomas McK., O26827.
Taylor, Roy M., Jr., O39419.
Terry, Thomas E., O27042.
Thebaud, Charles C., O38008.
Thomas, Jay P., O49885.
Thompson, Milton R., O49532.
Thomure, Richard P., O49440.
Todd, William N., 3d, O26846.
Toffler, Alan R., O38037.
Toon, Philip B., O26799.
Treadwell, Jack LeM., O38163.
Trigg, Robert E., O49819.
Trimmer, John C., O26633.
Truman, Corbie R., O26883.
Truog, John E., O55415.
Tully, Larkin S., O26929.
Turner, Walter M., O37963.
Tuttle, George A., O26583.
Tuttle, William B., Jr., O26941.
Ursano, James J., O37890.
Usher, William F., O55954.
Valenstein, Earle L., O50040.
Van Lydegraf, Dean, O49667.
Vance, Wendell W., O55895.
Vitullo, Anthony J., O26760.
Waldner, Stanley C., O39358.
Walker, Joseph, Jr., O37817.
Waller, Charles P., 5th, O55840.
Walters, Gene A., O37805.
Wardlow, Ralph C., O49516.
Ware, Richard S., Jr., O26688.
Warner, Virgil L., Jr., O41122.
Watson, Francis M., Jr., O39381.
Wear, George E., O26783.
Weathers, James W., Jr., O26879.
Webster, Robert A., Jr., O55579.
Wedbush, Othon E., O55231.
Weihs, Donald H., O56001.
Weinberger, Howard W., O38234.
Wernimont, Wayne H., O38017.
Wessels, Robert R., O26630.
Weston, Alan E., O26519.
Wheeler, Jesse L., Jr., O49154.
White, Cecil W., O38208.
White, Fred R., O49616.
White, Lawrence J., O37738.
Whitesides, Bruce McK., O49707.
Williams, David H., Jr., O38029.
Williams, Richard K., O38174.
Williams, Robert J., O49162.
Williams, William R., Jr., O37675.
Wise, Richard A., O38171.
Witt, Warren W., O49370.
Wood, Carroll H., O27024.
Woodson, Wilbert T., Jr., O49358.
Yantis, Myron DeW., O38014.
Young, Mason J., Jr., O26603.
Young, Robert M., O37803.
Zillmer, David, O26722.

To be major, Women's Army Corps

Anthony, Carolyn M., L290.
Averett, Imogen E., L160.
Bailey, Mildred C., L281.
Baker, Maxene M., I173.
Carlson, Lane, L169.
Connolly, Iona S., L185.
Dahnke, Alice L., L283.
Deady, Virginia R., L167.
Dollahite, Jimmie B., L179.
Feild, Constance K., L184.
Gentle, Margaret M., L178.
Guyette, Mary J., L183.
Knasiak, Marie S., L187.
Mills, Martha L., L186.
Sinclair, Margaret E., L163.
Sutherland, Katherine L., L286.
Williams, Carol M., L175.

To be major, Medical Corps

Anglin, Walter McA., O62979.
Arney, Glen K., O63170.
Barquist, Richard F., O67984.
Carson, Charles P., O65961.
Collings, Harold, Jr., O63456.
Cosand, Henry C., Jr., O62982.
Davis, Michael J., O65428.
Deffer, Philip A., O67915.
Deutsch, David L., O67916.
Dunckel, William C., Jr., O60781.
Fadell, Edward J., O67919.
Giffin, Robert B., Jr., O60152.
Hawkins, Joseph A., O63835.
Hayes, James C., O68013.
Keeling, William McC., O63455.
Kroyer, John M., O60089.
Law, Arthur G., O62977.
Leonard, Robert R., Jr., O60096.
Mallis, Nicholas, O60153.
Marchesi, John C., O66045.
Massonneau, Robert L., O63673.
McCabe, Marshall E., O71555.
Nelson, Kenwyn G., O67947.
Platoff, Gennady E., O63457.
Raymond, Bruce A., O63834.
Sloane, Jeremiah P., O71280.
Stephens, William A., O65429.
Stratton, Albert W., O68056.
Sundre, Robert L., O62950.
Tearse, Herbert G., O67966.
Williams, William A., O63169.

To be major, Dental Corps

Amaral, William J., O63474.
Arbucci, John R., O63152.
Benson, Walter E., O61950.
Bowers, Dale C., O57751.
Brown, Walter Z., O57752.
Burns, Doyle E., O63668.
Campagna, Sebastian J., O57845.
Clark, Raymond C., O61072.
DeYoung, Millard E., O57418.
Donahue, James L., O58116.
Dougherty, William O., O61172.
Ellis, David J., O63154.
Flinchbaugh, Ralph W., O61071.
Foster, James K., Jr., O63161.
Geer, John F., O63719.
Gowan, Paul M., O57914.
Helig, Frederick A., O58115.
Hill, James J., O63778.
House, Ernest E., O63720.
Hughes, Kenneth W., O57846.
Kendall, Charles G., O62904.
Klevan, Dean C., O63450.
Korchin, Leo, O61173.
Lancaster, Carolus N., O62902.
Lancaster, James E., O57037.
Lewis, Carter H., Jr., O57915.
Lewis, Sherman, O57844.
Lister, Roderick L., O57753.
Maloney, Richard J., O57574.
Merchant, Hubert W., O63669.
Pollock, Jack P., O62909.
Rowland, Robert B., O63781.
Schroeder, Charles R., O63783.
Stalker, Francis O., O63151.
Styer, Donald J., O63716.
Summa, Joseph P., O65574.
Suriano, Raffaele, O63212.
Thomasson, Kenneth W., O62911.
Williams, Lloyd E., O63472.
Zak, Henry L., O63831.

To be major, Veterinary Corps

Dixon, George F., O37624.
Folling, Bjarne N., O52058.

To be major, Medical Service Corps

Bunger, Egbert V., O39492.
Bunson, Sydney M., O56273.
Butler, Stanley E., O37609.
Cheezum, Lynn R., O41363.
Clutter, Carroll E., O41362.
Cook, Dudley P., O38552.
Cunningham, Melvin F., O41146.
Dexter, Wade H., O38554.
Epperson, Jordan L., O38550.
Erb, John J., Jr., O38538.
Flora, Jack L., O38551.
Foley, Joseph S., O38539.
Hanna, Edward J., O37610.
Hart, Bernard A., O38544.
Heep, Matthew S., Jr., O56981.
Holladay, Norman C., O38540.
Keenan, James W., O49972.
Knight, Ovid L., O37601.
LaFrankie, Reginald S., O41163.
Layman, Charles A., O49778.
Pascal, Andre R., O38573.
Pfeiffer, Lawrence J., O38546.
Prettyman, William O., Jr., O38549.
Redmond, John, Jr., O38542.
Stanley, Forrest H., O38545.
Wells, Frederick M., O39487.
Williams, John R., O38533.
Wiscarson, John W., O37588.
Zielazinski, Harry R., O38543.

To be captain

Aarestad, James H., O69576.
Aaron, Thomas E., O64021.
Ablett, Charles B., O67546.
Ackerson, Bruce A., O64055.
Adams, George H., O69450.
Adams, Paul G., O68067.
Aden, Irving J., Jr., O67635.
Akers, Albert B., O64211.
Albert, Benjamin B., Jr., O70246.
Albree, John A., O64529.
Albritton, Herbert H., O64169.
Albritton, John D., O64408.
Aldenerfer, Franklin W., Jr., O69581.
Aldridge, George W., O69582.
Alexander, Hubert F., Jr., O68068.
Alfonte, William A., Jr., O63765.
Alford, John C., Jr., O71751.
Allen, John C., O69583.
Alter, Charles P., O65505.
Altvater, Harry W., O65557.
Alverson, Willard G., O64688.
Anderson, Dee R., O67637.
Anderson, Skinner E., O69453.
Andrews, George N., O64900.
Andrews, Robert J., O63759.
Anker, Don C., O64070.
Antila, Eric F., O64029.
Arculis, Sherwin, O70162.
Armstrong, Charles E., O64384.
Arnet, Robert A., O64700.
Arnold, Peter E., O64479.
Arnold, Raymond E., O64226.
Arter, Robert, O63272.
Ashley, Floy L., O63897.
Atkeson, Edward B., O64089.
Atkins, Jesse J., O68072.
Atkinson, Larry R., O71439.
Austin, Garratt A., O65624.
Avis, William T., O64411.
Ayers, Carl W., O73436.
Bachinski, Stephen W., O70253.
Baez-Murphy, Julio C., O70255.
Bailey, Bruce B., O64175.
Bailey, Joe, O68073.
Bain, James, Jr., O68322.
Baird, Olin J., Jr., O68075.
Baisley, Robert F., O64275.
Baker, Arthur R., O67639.
Baker, Harold L., O64244.
Baker, Milton S., O67640.
Balke, Thomas R., O64830.
Bannister, Bob C., O70261.
Barber, Ransom E., O64033.
Barker, Frank P. K., Jr., O64243.
Barnes, Wilman D., O64821.
Barott, William C., O64102.
Barringer, Fred A., O71758.
Barringer, John D., O65398.
Barron, James T., O64039.
Barton, Harold A., O64013.
Basanez, Edward S., O69585.
Bashore, Frank M., O64197.
Bateman, Samuel J., Jr., O63761.
Bates, James D., O63607.
Bauer, James C., O64318.
Bauers, Robert E., O64157.
Baum, Alfred K., O69587.
Baumann, Adolph E., O63554.
Bayless, Robert M., O70163.
Beamer, William E., O69457.
Beard, Orville S., O63255.
Bearden, Richard D., Jr., O64347.
Beaty, Raymond H., O63679.
Beczkiewicz, Peter A., O63950.
Bell, David A., O69459.
Bell, John E., O70270.
Bellomo, Jack B., Jr., O67643.
Benefiel, Daniel J., O69588.
Benefield, Ralph O., O67788.
Bennett, Ernest LeR., O64269.
Bennett, Risden T., Jr., O70272.
Beran, Kurt, O67644.
Bernier, Jacques W., O64740.
Best, Frederick W., Jr., O64245.
Beutler, William W., O65375.
Bicher, George A., Jr., O63914.
Bick, James D., O64216.
Biggs, Odie E., O65396.
Bills, David L., O63925.
Bilon, John J., O69591.
Birch, Harold B., O64656.
Bird, Russell D., O64365.
Birdseye, Elmer H., O64024.
Birkmeyer, Louis R., O63576.
Bishop, James M., O71444.
Bittick, Emmett K., O73288.
Black, John R., O64253.
Black, Roscoe, O71445.
Blaine, Ronald L., O68079.
Blasingame, Robert M., O65402.
Blazina, Joseph J., O73289.
Boatner, James G., O63931.
Bohen, John McG., O64116.
Bond, Robert M., O69596.
Bontadelli, James A., O64785.
Bostad, Allen B., O64636.
Bowden, James C., Jr., O66136.
Bowden, William C., O63516.
Bowers, Emmett W., O64359.
Boyd, Robert U., Jr., O66137.
Boze, Wilburn H., O65320.
Bradley, Phillip H., O65393.
Bradley, William J., Jr., O63973.
Bradshaw, Charles W., O70283.
Brady, Morris J., O69597.
Braim, Paul F., O69598.
Brandenburg, John F., O69599.
Brandenburg, John N., O64653.
Breakiron, Richard C., O63993.
Breed, Edwin R., O69462.
Breen, Thomas A., O64746.
Brett, James S., O63998.
Britton, Thomas N., Jr., O70169.
Broady, James P., O64237.
Brooke, DeForrest, O68083.
Brooks, Edwin E., O71452.
Brooks, Harry W., Jr., O73494.
Brosky, Vincent I., O64232.
Brown, Dewey E., O63597.
Brown, Harry W., O64560.
Brown, John C., O70288.
Brown, Norman, O73295.
Brown, Thomas J., Jr., O64897.
Brown, Wesley B., O65754.
Brown, William R., O69603.
Browning, Freddie L., O72827.
Brubaker, Russell E., O63652.
Bruton, Gaston S., Jr., O67991.
Bryson, Baird P., O69604.
Buchan, Earl K., O72829.
Buchanan, Charles J., O63197.
Buck, Bruce F., O69465.
Buck, Richard J., O64023.
Buergin, Allan A., O65331.
Burk, Frank E., O63513.
Burke, John P., O63563.
Burke, Robert B., Jr., O65327.
Burkett, Joseph W., O69608.
Burkholder, Lowell E., O69609.
Burns, Jack W., O63631.
Busbee, John T., O64259.
Butler, Jack R., O73062.
Butler, Lawrence E., O67650.
Byers, John R., O63880.
Byron, William P., O64473.
Callaway, Jack G., O64507.
Campbell, Clarence P., O72836.
Canham, Charles D. W., 2d, O64000.
Canine, Ralph J., Jr., O69466.
Cannon, Morris C., O66140.
Capers, Norris R., O64574.
Carlson, Gerald J., O64155.
Carmichael, Donald B., O64313.
Carmichael, Donald Q., O65354.
Carpenter, Archie E., O65621.
Carpinteri, Paul S., O70170.
Carrigan, Marion R., Jr., O63494.
Carrillo, Arnold R., O64266.
Carroll, David A., O63956.
Carter, Charles H., Jr., O64417.
Carter, David G., O63934.
Carter, Edd McL., O63132.
Carter, William G., O64807.
Carvajal, Joseph R., O63756.
Casbon, Lewis M., O64137.
Casman, William R., Jr., O64224.
Casner, Earl L., Jr., O64545.
Castille, Maurice J., O70299.
Castro, Joseph F., O64893.
Cathrall, Eugene H., 3d, O63496.
Cavazos, Richard E., O64593.
Chadbourne, Ralph G., O69617.
Champion, Alfred N., O70300.
Champlin, Allen R., O63511.
Chandler, George V., O63493.
Chapman, James N., O70301.
Charles, Carlyle H., O69618.
Charney, Theodore J., O63977.
Check, James A., O63960.
Chesak, Kenneth L., O64584.
Chirafisi, Donald, O61409.
Chrisco, Robert H., O72841.
Christian, Charles F., O71654.
Christiansen, Thomas B., Jr., O64870.
Cipolla, Francis R., O64665.
Clark, James O69468.
Clark, Noble N. O64909.
Clark, Philip L., O69469.
Clark, Steven T., O64674.
Clark, William L., O64453.
Clarke, Robert B., O73951.
Clary, Thomas C., O69621.
Clause, James D., O75097.
Clay, Jack H., O64373.
Clem, Carrell A., Jr., O69470.
Clemons, Joseph G., Jr., O63871.
Clough, Junie L., O63525.
Clune, William C., O68088.
Cobb, John E., O65966.
Cochran, Arthur F., O63604.
Cochran, Maury F., Jr., O70303.
Coleman, Walter E., O70081.
Coleman, William E., O70305.
Coley, James P., O64744.
Collier, Harry H., O63691.
Collins, Roland H., O63122.
Collins, Thomas J., Jr., O63135.
Collom, Percy W., Jr., O64407.
Compton, Thomas J., O65366.
Conlee, John F., O64534.
Conn, Jack L., O66143.
Conway, Edward R., O67659.
Cook, George R., O64591.
Cook, Harold E., O64402.
Cook, James H., O69471.
Cook, Raymond L., O68089.
Cooley, Raymond K., O64345.
Cooper, John P., O34406.
Cooper, William E., Jr., O64701.
Corbett, Charles D., O64626.
Corbett, William U., Jr., O64510.
Corkill, Harry L., Jr., O73064.
Corliss, James J., O70309.
Cortner, Sanders A., Jr., O64156.
Costanzo, Albert C., O63895.
Coughlin, Paul A., O64032.
Couris, John G., O64390.
Cousins, John H., O63877.
Cox, Carlisle B., Jr., O67661.
Coy, Malcolm L., O70313.
Craft, George E., O64254.
Craig, Francis W., O64022.
Craig, Max A., O63654.
Craig, Verne P., O70314.
Cram, George D., Jr., O69475.
Cramer, Raymond A., Jr., O63138.
Craun, Noel E., Jr., O71661.
Criswell, Daniel L., O65397.
Crocker, Lawrence P., O63882.
Cromwell, Raymond B., Jr., O63858.
Cross, Clifford E., O67663.
Crouch, William E., Jr., O64002.
Crow, Eldward E., O69627.
Crowe, Charles A., O64097.
Crowe, J. Godfrey, O64059.
Cunningham, Gene S., Jr., O64267.
Cunningham, Lee D., O64921.
Cuny, Philip A., O64048.
Curran, George W. 2d, O68091.
Curtis, Roland E., O63261.
Daigh, John D., O63918.
Daigneau, Louis A., Jr., O63565.
Daly, Earl E., Jr., O63630.
Daniels, John L., O65974.
Dashiell, John C., O68093.
Davis, Ernest J., O64299.
Davis, Francis J., O64896.
Davis, Michael McQ., O64212.
Davis, William E., O63608.

Davison, Evan R., O70179.
Dawson, John G., O60280.
Dean, Allen M. R., O63927.
Decker, Oscar C., Jr., O64303.
Deichmeister, Frank L., O70322.
DeLoach, William W., O67668.
DeLorimier, Alfred J., O63183.
Dennis, Ralston K., O70324.
Denny, Lawrence E., O71479.
Dent, Thomas R., O70325.
Depew, William L. O64174.
DeRamus, Thomas B., Jr., O64173.
Derrick, John T., O64178.
Deskis, Anthony J., Jr., O64424.
DeYoung, Alan, O69478.
Diana, Michele N., O65356.
Dibbert, Bernard W., O64231.
Dickson, John F., Jr., O63633.
Dietrich, Daniel H., Jr., O67669.
Diggles, Walter J., O64351.
Dilbeck, Thomas J., O63685.
Dittamo, Roy J., O64777.
Dobson, Robert R., O69631.
Doerflinger, Otto C., Jr., O63922.
Donaldson, John E., O65364.
Donnan, Joseph A., O64829.
Dorman, Robert L., O69633.
Dorton, John J., O63967.
Doss, Jesse B., O64264.
Doty, Kie O., O64213.
Dougherty, Charles A., O64268.
Dover, Ralph S., O64468.
Downes, Miles H., O64845.
Downing, Earl D., O63698.
Drenkhahn, Andrew O., O72859.
Dubia, Christian F., O69637.
Dudney, Charles L., O71782.
Duffy, Thomas N., O64762.
Dufour, Elmore G., O65405.
Duke, Lee E., O63947.
Dukes, David D., O64805.
Dumas, John L., O67670.
Dunlap, Norman E., O63980.
Dupont, Albert A., O73321.
Duskin, Edgar W., O67671.
Duvall, William H., O69907.
Dyer, Robert A. J., Jr., O71485.
Eaton, Loren D., O65365.
Eberhardt, Ernest M., Jr., O63583.
Ebersberger, Robert C., O63690.
Edler, William C., O64124.
Ehni, Richard L., O63864.
Eicher, William E., O73325.
Einsel, David W., Jr., O63806.
Ellis, David M., O67672.
Ellis, George V., O64378.
Ellis, Robert H., O64639.
Emig, Harvey E., O64262.
Emmons, Earl, O67673.
Erdrich, Robert H., O63657.
Ernst, Harold O., Jr., O68097.
Escribano-Aponte, Angel, O67674.
Esper, Donald O63581.
Esser, Alan C., O63954.
Estes, Van E., Jr., O63515.
Eva, Norman, Jr. O69641.
Evans, Bill G., O69642.
Evans, Henry C., Jr., O64181.
Evans, John C. O72863.
Ewing Charles B., Jr., O63890.
Ewing John B., O68099.
Faaborg, Clarence, O68100.
Fade, Walter W., O65617.
Fant, Joseph L., 3d., O64142.
Faulkner, Donald H., O64808.
Fegley, Richard J., O64789.
Finch, Homer J., O64627.
Fish, Curtis D., O69485.
Fitzgerald, Leo J., O65382.
Flanagan, Robert W., O64172.
Fleck, Herbert A., O67675.
Fleming, Joseph V., O63881.
Flemming, Frederick F., O69647.
Flood, James P., O64592.
Flynn, William F., O63522.
Foldberg, John D., O64154.
Ford, Clarence E., O64281.
Forman, Robert H., O64878.
Forrester, Redmond V., Jr., O64057.
Foss, Peter J., O64062.
Foster, John B., O64042.
Foster, Thomas G., 3d, O63959.
Fountain, Foster F., Jr., O72869.
Fox, Douglas E., O67678.
Fox, Harley C., O69648.
Fox, John K., O64410.
Francis, Gordon H., O64540.
Franz, Robert F., Jr., O64645.
Fraser, Danny P., O64537.
Frazier, Lee V., O63195.
Fred, Walter A., O65349.
French, Daniel W., O67679.
French, Harry W., O67680.
Friar, Robert G., O70185.
Frick, Alan A., O63885.
Fridy, Richard S., O65400.
Fried, George W., O73330.
Friend, Edgar V., Jr., O64812.
Fucci, Michael A., O64415.
Fuerst, Albert A., O69650.
Fulton, James F. Jr., O64883.
Fyock, James A., O69652.
Gabe, Donald D., O63253.
Gallant, Wallace M., O70339.
Galligan, Hugh S., O64159.
Gardes, George H., O63976.
Garrison, Charles T., O63246.
Garrison, Frank L., O70341.
Gauger, Daniel McL., O64469.
Gause, Joseph W., Jr., O72877.
Gentry, Dennis V., Jr., O69490.
Gentry, Edwin B., O64362.
Genualdi, Joe, O63505.
German, Robert L., O64368.
Giambusso, Angelo, O63687.
Gigney, Louis G., Jr., O68103.
Gilbert, John M., O73334.
Gilbertson, Rodney B., O64041.
Gilchrist, Raymond, Jr., O69491.
Gildart, Charles R., Jr., O64106.
Gillilland, William S., O67682.
Gillingham, William R., O64611.
Gillis, Charles A., O64822.
Gillis, Ronald J., O64432.
Girven, Elijah H., Jr., O66000.
Gividen, George M., Jr., O64146.
Glasgow, Richard J., O74697.
Goble, David B., O69492.
Goettel, Donald J., O64757.
Goodnow, Chandler, O64092.
Goodson, Allen McL., O71670.
Goodwin, Warner S., Jr., O64322.
Gordon, John D., O69659.
Gould, Jack W., O72881.
Gow, Arthur J., O67684.
Graham, John A., 3d, O64218.
Granger, Clinton E., Jr., O64081.
Granicher, John W., O63909.
Grant, Myles S., O63945.
Graves, Charles S., O69494.
Gray, Daniel P., O64623.
Gray, William W., O64859.
Greene, Sammie L., O68349.
Greenlee, Joseph C., O68105.
Gregory, Bob L., O69663.
Gressette, William C., O64706.
Griffith, James C., O70349.
Grills, Angelo, O70350.
Grimes, Richard A., O64649.
Grimm, Philip D., O70351.
Grisham, Jack P., O67687.
Grover, William S., O64454.
Grugin, William E., O64054.
Gudgel, John E., Jr., O64569.
Guest, Charles B., Jr., O64680.
Gunning, Robert, Jr., O64702.
Haas, Richard J., O69495.
Habermehl, Robert N., O68010.
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Short, George P., Jr., O65328.
Shuffstall, Donald C., O70502.
Shuford, Richard H., Jr., O67756.
Shuman, Thomas A., O63258.
Sill, Stanton E., O61046.
Simmons, Frank R., O67757.
Simmons, William L., Jr., O63439.
Simonson, Eugene M., O64297.
Simpson, Dwight McB., Jr., O64790.
Simpson, Robert I., Jr., O64068.
Siracuse, Angelo J., O73402.
Sites, Joseph L., O64017.
Skinner, George B., O63575.
Skoglund, Clifford E., O73486.
Slavich, Ivan L., Jr., O64223.
Slocum, John M., Jr., O71872.
Smith, Albert T., Jr., O68166.
Smith, Athol McD., O69794.
Smith, Fred D., O70236.
Smith Gorman C., O63893.
Smith, Harrison S., O68168.
Smith, Herbert H., O67758.
Smith, John A., Jr., O64478.

Smith, Joseph St. C., O63923.
Smith, Joseph W., O69797.
Smith, Kulman B., O63568.
Smith, William H., O63660.
Sneeden, Emory M., O68170.
Snowden, Charles S., Jr., O71605.
Snyder, Howard W., O64120.
Snyder, Melvin C., Jr., O63988.
Snyder, Robert W., O63951.
Socky, Frank J., O70508.
Somers, Joseph L., O69561.
Souser, David H., O64382.
Souville, Lawrence W., Jr., O64575.
Spaid, John F., O68171.
Sparks, Claude S., Jr., O67759.
Spencer, Milton T., O67760.
Spencer, Thomas A., O63503.
Spicely, Samuel B., O64571.
Spieldoch, Richard B., O73407.
Spiro, Norman A., O64436.
Spiva, Derrell W., Jr., O64525.
Spivey, Benjamin G., O70238.
Stafford, Mebane G., O67761.
Stahl, John J., Jr., O64084.
Stamper, Archie L., O64222.
Standley, Robert J., O73408.
Stannard, George W., O64176.
Steele, Howard M., Jr., O64180.
Steele, William B., O63267.
Steidl, Walter R., O64030.
Steiger, Wallace C., Jr., O64007.
Stein, Lewis I., O69801.
Stephens, William C., O64455.
Stephenson, Floyd G., O64191.
Stevens, Chris W., Jr., O64416.
Stevens, John R., O64847.
Stevenson, Herbert J., O65361.
Stewart, James B., O63190.
Stewart, Wilmer D., O70516.
Stockdale, William K., O63875.
Stoddard, Richard N., O63256.
Stolsits, Frank L., O64287.
Stoner, John K., Jr., O64590.
Storey, Robert G. M., O69808.
Stout, Charles H., O64643.
Strawhand, Tunstall L., 3d, O63430.
Stringfellow, Charles C., O63203.
Strong, William B., Jr., O64252.
Stubbs, Duane H, O64712.
Stumm, Thomas A, O63888.
Sudderth, David H., Jr., O70519.
Sulenski, Joseph S., O70239.
Sumner, Robert B., O63859.
Sutton, Claude B., Jr., O67620.
Sutton, Harry L., Jr., O70522.
Sutton, James L., O70523.
Sweet, Richard S., O64671.
Swift, Robert J., Sr., O73412.
Szymczyk, Richard A., O64058.
Tague, Duane R., O63995.
Takano, Thomas H., O69564.
Talafuse, Darwin D., O63564.
Tambe, Joseph T., O65374.
Tamez, Rudolph M., O67766.
Tanzola, Vincent J., Jr., O64355.
Tarbell, Frank S., O64464.
Tatum, John M., Jr., O64187.
Tausch, Roland D., O63961.
Taylor, Don C., O67768.
Taylor, George O., Jr., O67769.
Taylor, William W., Jr., O70524.
Tecco, Robert, O70525.
Teehan, Paul A., O64499.
Tennant, Malcolm B., O64025.
Terrell, Ernest P., Jr., O70526.
Tester, Duane M., O64305.
Tharp, Charles B., O64770.
Thomas, Constantine, O67770.
Thomas, David C., O69815.
Thomas, Edgar C., Jr., O64072.
Thomas, Francis G., Jr., O63499.
Thomas, Lloyd A., Jr., O64603.
Thomas, Robert F., O70528.
Thomas, William N., O64035.
Thompson, Dudley, O63962.
Thompson, Nathaniel R., Jr., O64421.
Thompson, Richard H., O73415.
Thompson, Thomas E, O70529.
Thorsen, Peter L., O64020.
Tominac, John J., O68172.
Toole, Raymond L., Jr., O64153.
Torseth, Lowell E., O64207.
Treat, Charles J., O67627.
Trolan, Rice T., O67772.
Tucker, George G., Jr., O65358.
Tucker, Ray E., O65330.
Turner, Jean L., O70537.
Tyson, Robert M., Jr., O73082.
Uttinger, Joe W., O69568.
Valella, Dominic, O64265.
Van D'Elden, Karl H., O67773.
Vandenberg, William E., O63870.
Van Keuren, Edwin, Jr., O64104.
VanMatre, Donald A., O63974.
Vann, Joseph W., O63248.
Vaughn, Clifford H., O71618.
Vaughn, Edward R., Jr., O64480.
Vellella, Frank P., O64078.
Verser, Fort A., Jr., O65321.
Vetort, Herman J., O63987.
Villaret, Gustav, 3d, O64166.
Vincent, Robert DeW., O63939.
Voelcker, Herbert B., Jr., O64857.
Vogel, Edward B., O70546.
Volk, Robert H., O64210.
Wainer, Douglas F., O64118.
Walby, William G., O70547.
Waldman, Francis J., Jr., O63879.
Walker, Billy G., O64248.
Walker, Charles J., O64193.
Walker, John R., Jr., O64526.
Walker, Samuel S., O71738.
Wallace, William B., O64662.
Wallens, Charles N., O64133.
Walpole, Philip P., O64581.
Walsh, Daniel J., O64324.
Ward, Bynum P., O63526.
Ward, Charles F., Jr., O66117.
Wardrop, Daniel H., O64060.
Warthen, Price L., O71891.
Waters, William W., O69825.
Weaver, James W., O69572.
Weaver, Jonathan M., Jr., O68174.
Welch, Marhl L., O65333.
Welch, Paul B., Jr., O70062.
Welch, Robert E., O64050.
Wells, Obel H., O69827.
Wells, Richard M., O63928.
West, Charles F., O63753.
Weston, Robert A., O73010.
Westrich, Ralph L., O64661.
Weyand, Alexander M., O64122.
Whisler, Harold H., O70560.
White, Marion E., O69830.
White, Peter L., O63504.
Whitmire, Nelson L., O63588.
Whitted, Jack G., O64583.
Wiard, Seth, Jr., O64755.
Wiens, Gene B., O64855.
Wilder, Bliss W., O71626.
Wilhelmi, Sylvester L., O65373.
Wilkinson, Don A., O63819.
Williams, Aylwyn D., O64876.
Williams, Davant T., O71744.
Williams, Edward L., Jr., O64438.
Williams, Fred D., O70565.
Williams, Lawrence H. D., O69573.
Williams, Oscar D., Jr., O64686.
Williams, Paul S., Jr., O64804.
Williams, William R., O68176.
Williford, Oliver J., 3d, O64620.
Willis, Edward M., O63899.
Wilmot, Francis G., Jr., O64533.
Wilson, Don E., O67781.
Wilson, Franklin L., O63975.
Wilson, James R., O71897.
Winfield, Francis E., O64194.
Winn, Arthur C., O70568.
Winter, Kenneth LeR., O64383.
Wirth, Herman L., O64745.
Wisnack, Joseph R., O70569.
Wolf, William S., O63436.
Wong, Frank, O64296.
Wood, Donald M., O64234.
Wood, George E., O67782.
Woodley, Thomas R., O63883.
Woodrow, Ralph T., O70570.
Woods, Glenn H., Jr., O63544.
Woodward, Arthur Q., Jr., O64310.
Woody, Charles K., O64604.
Wright, Clarence D., O71749.
Wright, Corey J., Jr., O67784.
Wright, Louie E., O64412.
Wroth, James M., O64596.
Wysong, Richard C., O64607.
Yerks, Robert G., O64150.
Yoder, Donald A., O63570.
Yoder, Harry A., Jr., O64840.
Young, Fletcher R., Jr., O63577.
Youngblood, James O., O69841.
Yusas, Vitte V., O64316.
Zalonis, John A., Jr., O68178.
Zamparelli, Alfred A., O73434.
Zastrow, Richard E., O69842.
Zeller, Norman C., O71634.
Zeller, Richard G., O63640.
Zuver, Edward L., O64196.

To be captain, Women's Army Corps

Altenburger, Jean C., L378.
Barron, Helen F., L481.
Bouldin, Patricia L., L388.
Clarke, Mary E., L468.
Dohnal, June P., L478.
Edwards, Mary A., L480.
Garrett, Pola L., L376.
MacMichael, Kitt M., L385.
McCarthy, Margaret M., L463.
Morsman, Phyllis J., L360.
Paul, Geraldine, L472.
Sherba, Dorothy, L373.
Sollars, Jacquelyn R., L362.
Wandelt, Virginia H., L355.
Wardell, Barbara J., 375.
Wilkes, Kathleen I., L374.

To be captain, Medical Corps

Abington, Robert B., O73262.
Alden, Alfred M., O73210.
Allen, John W., O73086.
Appleton, Budd, O73263.
Armstrong, Frederick S., O72814.
Campbell, Arthur S., O73438.
Clements, James H., O73239.
Dart, Leroy H., Jr., O73252.
Domnitz, Jack, O73524.
Donald, Alexander G., O73212.
DuBois, James J., O72702.
Faircloth, James R., O72865.
Ferguson, John S., Jr., O73553.
George, Richard E., O73449.
Granger, Carl V., Jr., O72882.
Green, David C., O72389.
Hearn, R. E., O73270.
Jackson, Peter E., O72392.
King, Hueston C., O73271.
Klemme, William M., O73044.
Kurke, Lewis, O73511.
Laux, France A., O73272.
Levin, Herbert J., O72418.
McDonald, Charles E., O73243.
Morris, Robert W., Jr., O73276.
Olsen, Ralph N., O73075.
Parker, Malcolm R., Jr., O73454.
Parsons, Robert W., O72422.
Rayfield, Roy C., O73245.
Skipworth, George B., O73195.
Small, Harold S., O73117.
Smith, Perry C., O73249.
Vargas, Manuel J., Jr., O73083.
Williamson, Harold G., O73085.
Woolvin, Samuel C., O73459.

To be captain, Dental Corps

Boykin, Thomas C., O73061.
Clinton, Everett E., O72452.
Hunsuck, Ervin E., O72336.
Larrabee, Wayne F., O71931.
Milligan, Vernon L., O73244.
Nicholas, Wharton A., Jr., O73178.
Norris, Russell S., O73231.
Osbon, Donald B., O73179.
Shepard, Walter L., O69556.
Smith, Duncan M., O73259.
Stepp, James V., O73233.

To be captain, Veterinary Corps

Baker, Roger W., O73018.
Johnson, Edward L., O71929.

To be captain, Medical Service Corps

Allen, Joseph K., O70248.
Anderson, James E., O70249.
Angel, Charles R., O69848.
Anistranski, Charles, O70251.

Beavers, Joseph E., O70266.
Benson, Albert G., O69858.
Bethea, Thomas M., O70274.
Black, Gordon C., O73060.
Bolger, Robert E., O69863.
Bradford, Duke C., Jr., O69864.
Brown, Earle W., O65956.
Buckius, Richard R., O70290.
Carmick, Edward J., O69875.
Carmody, Francis J., Jr., O69876.
Cavanaugh, Dan C., O63187.
Chewning, Claudius D., O69881.
Christensen, Herbert E., O67557.
Christopherson, William J., Jr., O68087.
Cofield, Leaton C., O70304.
Couch, Sidney A., O68090.
Crawford, John P., O69891.
Dalton, Russell R., O63092.
Daly, Hugh F., Jr., O69896.
Davis, Robert E., O70320.
Dittmann, Stephen P., O69904.
Eggleston, Norman E., O68096.
Egozcue, Edward J., O70330.
Field, Gordon, O70335.
Fields, James S., O70336.
Fletcher, John L., O73499.
Foley, Paul M., O67573.
Foulk, William J., O69923.
Freeman, William L., O69926.
Funk, John C., O73032.
Garis, Kenneth D., O69929.
Gausepohl, Elmer B., O68102.
Godfrey, William H., O72372.
Graziano, James F., O70354.
Griffith, Henry V., O63938.
Grzesiow, Thomas M., O70355.
Hamm, Charles R., O69941.
Hammett, John W., O73070.
Hardwick, Willard E., O64447.
Haworth, David D., O68109.
Hedeen, Robert A., O38111.
Henderson, Arnold C., O70372.
Hernandez, Donald, O67578.
Hiatt, Robert S., O68114.
Hill, William G., O68116.
Hoefling, Adam F., O67579.
Holland, Willis D., O66021.
Holman, Edward F., O70380.
Hungate, Joseph I., Jr., O69953.
Jacobs, Joseph P., O69954.
Knowles, William R., O68124.
Litrio, John J., O68129.
Lowe, Bryan T., O70412.
MacLennan, Robert J., O69975.
Madrano, Joseph P., O69976.
Marshall, John D., Jr., O69978.
McCaffrey, Joseph P., O73969.
McCandless, Earl R., O73048.
McFarland, Cowan J., O70427.
McKinney, Robert W., O69986.
Miner, Lewis C., O64409.
Mitchell, Henry C., O68139.
Mortensen, Raymond K., O69993.
Mundy, Roy L., O69997.
Needles, Herman C., O70002.
Newson, Harold D., O70451.
Parker, Albert E., O70009.
Peterson, Merrill C., Jr., O70471.
Ports, Kenneth N., O68151.
Reese, Seth T., Jr., O67607.
Roesser, Joseph C., O73481.
Rogers, John E., Jr., O70493.
Ryan, Aaron, O70495.
Sagner, Charles E., Jr., O67611.
Sankey, Theodore R., O70496.
Scott, Jack H., O73485.
See, Herbert G., O68162.
Shaw, Robert MacK., Jr., O67613.
Short, Robert D., O63621.
Smith, Jack C., O70041.
Spellman, Seth W., Jr., O70509.
Spencer, Lloyd E., O70511.
Storms, William G., O70047.
Summers, Samuel J., 3d, O70521.
Taylor, Robert L., O67622.
Trahan, Robert G., O71734.
Valentine, John P., O70054.
Veltri, Benjamin J., O66113.
Wagner, John R., O70056.
Walsh, Ralph J., O67632.
Walton, Bryce C., O70550.
Welton, George C., O70557.
Wheatley, Kenneth K., O70558.
Whitmore, Robert O., O70065.
Wilkinson, Clarence H., O73487.
Wold, Vernon H., O63814.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3304. All officers are subject to physical examination required by law.

To be lieutenant colonel, Army Nurse Corps

Hannigan, Kathryn D., N150.
Williams, Maude D., N1871.

To be major, Army Nurse Corps

Becker, Jane T., N2051.
DeWitt, Florence M., N1887.
Hollinger, Margaret A., N1962.
Jensen, Doris F., N1963.
Kotowski, Eva T., N2133.
Loucks, Margaret L., N2050.

To be captain, Army Nurse Corps

Brown, Barbara R., N2589.
Cooper, Jacqueline L., N2731.
Cox, Juana J., N2686.
Davis, Betty K., N2729.
Decker, Julia E., N2702.
Fritz, Mildred C., N2561.
Guseman, Elsie R., N2724.
Hill, Nellie M., N2716.
Holmes, Beatrice V., N2699.
Holtz, Betty L. B., N2630.
Holtz, Dorothy M., N2575.
Imlach, Eleanor H., N2711.
Jackson, Barbara E., N2727.
King, Harriet J., N2732.
Kirkpatrick, Mable, N2721.
Liberty, Frances M., N2695.
Lothian, Elizabeth E., N2594.
Lundy, Sara N., N2551.
McLean, Mary F., N2572.
Milian, Helen T., N2689.
Mobley, Ruth Z., N2646.
Morgan, Betty F., N2744.
Olson, Ruth E., N2712.
Parks, Madelyn N., N2536.
Pelton, Ella M., N2652.
Riggs, Lucille M., N2653.
Rita, Mary, N2745.
Schlachter, Elsie M., N2718.
Shor, Edith E., N2726.
Steinhilber, Marion A., N2708.
Suess, Helen V., N2591.
Turgeon, Beatrice L., N2734.
Watson, Elinor M., N2676.
Wilkey, Mildred E., N2693.
Wilson, Lorna M., N2626.

To be captain, Army Medical Specialist Corps

Galt, Elizabeth A., M10149.
Gilchrist, Priscilla K., M10159.
Lopez, Sarah D., M10150.
McKinley, Harriet J. A., M10147.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 1, 1957:

Department of the Air Force

Richard E. Horner, of California, to be an Assistant Secretary of the Air Force.

Federal Civil Defense Administration

Leo Arthur Hoegh, of Iowa, to be Federal Civil Defense Administrator.

Military Staff Committee of the United Nations

Lt. Gen. Blackshear Morrison Bryan, O15004, Army of the United States, for appointment as senior United States Army member of the Military Staff Committee of the United Nations, under the provisions of title 10, United States Code, section 711.

In the Army

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in rank as follows:

Maj. Gen. Robert Milchrist Cannon, O16163, United States Army, to be lieutenant general.

Lt. Gen. Robert Nicholas Young, O15068, Army of the United States (major general, U. S. Army), to be placed on the retired list in the grade of lieutenant general under the provisions of title 10, United States Code, section 3962.

The following-named officers for appointment in the Regular Army of the United States to the grade indicated under the provisions of title 10, United States Code, sections 3284 and 3306:

To be brigadier general

Maj. Gen. Louis Theilmann Heath, O18060.
Maj. Gen. Andrew Pick O'Meara, O18062.
Maj. Gen. Robert Jefferson Wood, O18064.
Maj. Gen. Robert Highman Booth, O18093.
Brig. Gen. Alva Revista Fitch, O18113.
Maj. Gen. Roy Ernest Lindquist, O18125.
Brig. Gen. Sidney Clay Wooten, O18126.
Brig. Gen. Archibald William Stuart, O18130.
Maj. Gen. Barksdale Hamlett, O18143.
Brig. Gen. Carl Irven Hutton, O18177.
Brig. Gen. Ned Dalton Moore, O18212.
Maj. Gen. Walter Bernard Yeager, O29464.

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major general

Brig. Gen. Sam Carroll Russell, O18678.

To be brigadier general

Col. James Wilson Holsinger, O29432.
Col. William Whipple, O18024.
Col. George Sebastian Speidel, Jr., O18406.
Col. Paul Arthur Mayo, O18621.
Col. John Tabb Snodgrass, O29670.
Col. William Winston Lapsley, O19727.

Appointment as dean of the Academic Board of the United States Military Academy under the provisions of title 10, United States Code, section 4335

Prof. Gerald Alford Counts, O8556, United States Military Academy.

In the Navy

To have the grade, rank, pay, and allowances of vice admiral while so serving in present assignment

Rear Adm. Robert B. Pirie, United States Navy.

The following-named persons, when retired, to be placed on the retired list, with the rank of vice admiral, in accordance with the provisions of title 10, United States Code, section 5233:

Vice Adm. Cato D. Glover, Jr., United States Navy.
Rear Adm. James H. Thach, Jr., United States Navy.

In the Air Force

The nominations of Rachel W. Brinton, and 5,063 other persons for promotion in the Regular Air Force, which were confirmed today, were received by the Senate on June 10, 1957, and appear in full in the proceedings of the Senate for that day, under the caption "Nominations," beginning with the name of Rachel W. Brinton, which appears on page 8622, and ending with the name of Jeremiah R. Lynch, which is shown on page 8640.

In the Marine Corps

Capt. Albert F. Schoepper, United States Marine Corps, for permanent appointment to the grade of major.

The nominations of Jino J. D'Alessandro, and 723 other persons for permanent appointments in the Marine Corps, which were confirmed today, were received by the Senate

on June 14, 1957, and appear in full in the Senate proceedings of that date, under the caption "Nominations," beginning with the name of Jino J. D'Alessandro, which is shown on page 9180, and ending with the name of Raymond J. Start, which is shown on page 9182.

HOUSE OF REPRESENTATIVES

MONDAY, JULY 1, 1957

The House met at 12 o'clock noon.

Rabbi Morton M. Berman, Temple Isaiah Israel, Chicago, Ill., offered the following prayer:

God of our fathers, we ask Thy blessing upon this assembly, men and women dedicated to the making of the laws of our great Nation. We pray that they may always be filled with an awareness of the ideals on which this Nation rests. As we approach the Day of Independence, our hearts are filled with the recollection of the sacred values upon which this Nation rests, upon the concept of equality of all men and of the right of all men to the enjoyment of those rights which God affords us and which our Nation guarantees to all the people.

May the leaders of our Nation be ever conscious of their responsibility to keep America great—great not alone in material things, but in those blessings of the spirit, in justice and compassion, in freedom and in peace. May the work of your hands and the thoughts of your mind enable us to keep America foremost in the struggle to build a just and free world. Amen.

The Journal of the proceedings of Friday, June 28, 1957, was read and approved.

THE CONTINUING APPROPRIATIONS RESOLUTION FOR FISCAL YEAR 1958

Mr. CANNON. Mr. Speaker, by direction of the Committee on Appropriations, I ask unanimous consent for the immediate consideration of the resolution, House Joint Resolution 391, the continuing resolution making temporary appropriations for the fiscal year 1958.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. TABER. Mr. Speaker, reserving the right to object, I should like to have the chairman explain the resolution.

Mr. CANNON. Mr. Speaker, in response to the request of the gentleman from New York, this is the usual stereotyped resolution always passed at the end of the fiscal year, to provide for the departments for which appropriation bills have not yet passed for the fiscal year 1958. It is in no respect different from the continuing resolutions we have had for many years past.

I ask unanimous consent that the joint resolution be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units in the executive branch of the Government, namely:

(a) (1) Such amounts as may be necessary for continuing projects or activities (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1957 and for which appropriations, funds, or other authority would be made available in the following appropriation acts for the fiscal year 1958:

Department of Agriculture and Farm Credit Administration Appropriation Act;

Department of Defense Appropriation Act;

Public Works Appropriation Act.

(2) Appropriations made by this subsection shall be available to the extent and in the manner which would be provided for by the pertinent appropriation act.

(3) Whenever the amount which would be made available or the authority which would be granted under an act listed in this subsection as passed by the House is different from that which would be made available or granted under such act as passed by the Senate, the pertinent project or activity shall be continued under the lesser amount or the more restrictive authority.

(4) Whenever an act listed in this subsection has been passed by only one House or where an item is included in only one version of an act as passed by both Houses, the pertinent project or activity shall be continued under the appropriation, funds, or authority granted by the one House, but at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower.

(b) Such amounts as may be necessary for continuing projects or activities which were conducted in the fiscal year 1957 and listed in this subsection (1) at a rate for operations not in excess of the current rate or the rate provided for in the budget estimate, whichever is lower, or (2) if no budget estimate has been submitted prior to June 30, 1957, at the current rate, or (3) in the amount or at the rate specified herein:

Housing and Home Finance Agency, Office of the Administrator, Salaries and Expenses (voluntary home mortgage credit program);

Export-Import Bank of Washington;

Tennessee Valley Authority (direct appropriation activities);

Atomic Energy Commission;

Administration, Ryukyu Islands;

Small Business Administration;

Mutual security programs, $200 million, to be expended in accord with provisions of law applicable to such program during the fiscal year 1957 and at a rate for any individual program not in excess of the current rate therefor: *Provided*, That administrative expenses for such programs shall not exceed the current rate.

SEC. 102. Appropriations and funds made available and authority granted pursuant to this act shall remain available until (a) enactment into law of an appropriation for any project or activity provided for in this act, or (b) enactment of the applicable appropriation act by both Houses without any provision for such project or activity, or (c) July 31, 1957, whichever first occurs.

SEC. 103. Appropriations and funds made available and authority granted pursuant to this act may be used without regard to the time limitations set forth in subsection (d) (2) of section 3679, Revised Statutes, and expenditures therefrom shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 104. No appropriation or fund made available or authority granted pursuant to this act shall be used to initiate or resume any project or activity which was not being conducted during the fiscal year 1957, except military construction projects otherwise authorized by law. Appropriations made and authority granted pursuant to this act shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this act.

Mr. CANNON. Mr. Speaker, this is fiscal "New Year's Day" for the Government of the United States. Today the Government turns over a new leaf and makes a fresh start on another year's spending.

But contrary to the traditional New Year's Day of the calendar year, there is little occasion for rejoicing and few felicitations on the fiscal year just closed and the new year just beginning.

I shall not discuss at this time the unhappy financial situation in which the Nation finds itself at this fiscal milestone—the continuous and successive increase in the cost of living, the progressive depreciation in the buying power of the dollar, the apparent abandonment of any attempt to systematize the reduction of the national debt, the annual bill of $8,250,000,000 yearly interest on our public obligations, the largest peacetime budget in the history of the Republic, and our inability to balance the budget without continuing the levy of wartime taxes which were supposed to have been abandoned immediately on the cessation of hostilities.

But I do want to emphasize on this sobering occasion the more serious and more alarming demand of the people, the average citizen, for more costly and more luxurious service on the part of the Government, without regard for the cost of the service.

Every fiscal year the departments are demanding more money—which means more taxes, for the Government cannot continue to extend and expand its services without increasing the appropriations for the departments and, of course, increased appropriations mean increased taxes. There is no alternative. These lush services are not free. They do not come off the Christmas tree.

The President, with this in mind, said recently:

I am sure many Members of the Congress are as gratified as I am to note the growing awareness of private citizens that the dollars spent by the Federal Government are in fact their own dollars, and that Federal benefits are not free but must be paid for out of taxes collected from the people. It is good to see this realization developing into a widespread insistence that Federal activity be held to the minimum consistent with national needs. As this sentiment grows, our country will be strengthened in many ways.

Notwithstanding these wise and significant admonitions on the part of the President, at a time when we should be reducing and contracting expenses and retrenching expenditures and appropriations, we are increasing and expanding personnel and services. And that means increasing appropriations which inevitably means increasing taxes.

We are headed at hurricane speed for larger costs and larger taxes in every department, every year and the alarming thing is that nobody seems to be alarmed.

If we cannot even start systematic payments on the national debt this year when personal and national income are at high tide, when can we start payment?

Congress votes these record appropriations because the people at home demand increased appropriations. And Congress will not vote a budget that will keep the Nation solvent until the people back home demand it.

With a view to impressing the voters with the fact that they must go down in their pockets and dig up the taxes required to pay for all this prodigal shoveling of cash from the United States Treasury; that there is not a single "free" dollar here in Washington; that the more they demand in the way of services and new programs, the more tax dollars they must send to Washington to pay the bill and the Federal overhead, I am this morning introducing a bill (H. R. 8460) to alter the withholding tax plan and permit each taxpayer to receive, in his pay check, the major part of his Federal income tax, which his check does not now include. He will then send in to Uncle Sam his check every three months based on his estimated tax liability not withheld by his employer. Nothing else will bring home to him so graphically the realization that it is himself and not Santa Claus who is holding the sack and paying the bills and incidentally greasing the palms of all the bureaucrats in between.

Individual taxpayers carry the largest part of the tax load. The President's budget for 1958 estimates total budget receipts of $73.6 billion, of which $41 billion, or 55 percent, are from individual income taxes. Something like 37 percent, or about $27.8 billion, of the entire Federal revenue is collected through the payroll withholding tax plan. Unfortunately the withholding tax plan is painless. This bill turns the major part of it over to the taxpayer and lets him dole it out to the Collector of Internal Revenue. And suddenly he realizes who is paying and where all this free money is coming from. And the hope is that he will with corresponding alacrity demand of his Congressman that he exercise a little more common horsesense in shoveling it out.

I append a brief analysis of the bill:

Section 1 (a) of the bill would revise the rate of withholding from the present 18 percent down to 4½ percent, a reduction of 75 percent. The proposed 4½-percent rate is not a magic, or inflexible, rate. It is to some extent a judgment figure. The purpose here is to provide that a substantial part of the tax presently being withheld be henceforth included in the taxpayer's take-home pay.

Paragraph (1) (A) of section 1 (b) provides that the Secretary of the Treasury shall prescribe wage bracket withholding tables in lieu of those in the present law. Present tables are based on the 18 percent withholding rate. Paragraph (1) (A) would provide that the Secretary would prescribe new tables consistent with the proposed new withholding rate of 4½ percent.

Paragraph (1) (B) of section 1 (b) merely assures continuation of the present 18-percent tables until January 1, 1958, the date provided in Section 4 for the proposed new rate of 4½ percent to become effective.

Section 1 (c) would repeal present law which permits optional withholding additional to that prescribed in the present withholding tables. This repeal would be consistent with the basic purpose of the bill.

Section 2 would amend existing law relating to filing of declaration of estimated income tax by individuals. Here again, the two minimum tax liability figures are judgment amounts. The purpose is to set a reasonably low minimum tax liability level—after deducting credits including amounts already withheld at the source by the employer—beyond which the taxpayer would be required to file a declaration and make payment, or payments, in accord with law. Under the bill as submitted, a single individual whose annual take-home pay includes at least $40 of estimated tax liability would be required to file a declaration and remit payment thereof either in quarterly installments, or in one payment if so desired. Under a joint declaration, the bill sets the corresponding figure at $80.

Section 3 would repeal a section of present law which would be inapplicable or inoperative upon abandonment of the present 18 percent withholding rate.

Section 4 sets the effective dates of the several provisions of the bill. The new 4½-percent withholding rate would apply to remuneration paid on or after January 1, 1958. The provisions of sections 2 and 3, relating to declarations and returns, would be applicable to taxable years beginning on or after January 1, 1958.

Mr. Speaker, I move the previous question on the joint resolution.

The previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RABBI MORTON M. BERMAN

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I wish to thank the ever-gracious and beloved Chaplain, the Reverend Dr. Bernard Braskamp, for inviting Rabbi Morton M. Berman to be with us on the opening of the session on this, the 1st day of July. Rabbi Berman, who served with great distinction and bravery in World War II, has been the spiritual head of one of our large synagogues in the city of Chicago. He is leaving Chicago and his friends there to make his permanent residence in Israel. I understand he is sailing in the next day or two. We all feel privileged, I know, to have Rabbi Berman here with us today and to share in the spiritual uplift of his prayer opening the session of the House of Representatives of the Congress of the United States and in his presence on the floor. May God's blessing attend him in all the days ahead in his work of dedication to the greatness and goodness of the State of Israel. In Chicago we shall miss him sorely, but our prayers shall be with him always.

Mr. BOYLE. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Illinois.

Mr. BOYLE. Mr. Speaker, it is a profound honor and privilege to join with the other Members of Congress from Illinois in hailing Rabbi Morton M. Berman as he leaves our great city of Chicago to embark upon a new life, a highly significant mission in the tiny State of Israel. His leaving is a profound loss not only to Chicago but to Illinois and the whole United States. Nowhere will you find a man who exemplifies that adage that people should walk among tall men better than in his individual case. Through the years Rabbi Berman has been a leader of the Jewish community not only of Chicago but of the United States. Many and varied have been his wonderful contributions. In the battle for men's minds in this critical and revolutionary era as it turns to the Middle East, that region is getting a wonderful spokesman because there is no man that believes more in the spirit of charity, of love and brotherhood than our departing friend. We salute him and wish him well. In his new endeavors may he continue to be esteemed and loved as he meets a new challenge and a new opportunity for good.

Mr. ROOSEVELT. Mr. Speaker, the beautiful words of prayer spoken for us today by Rabbi Berman are typical of his deep inspiration. Those of my colleagues from Illinois who speak words of praise for Rabbi Berman today do so from firsthand knowledge of his great contributions to his community and his Nation. As one who also has had the privilege of knowing personally of Rabbi Berman's work I welcome this occasion to join with all his friends in wishing him every blessing in his new work overseas. May peace and justice for all men crown his efforts.

Mrs. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. Mr. Speaker, it is an honor and a privilege to find myself a Member of the House of Representatives at a time when Rabbi Berman comes to say hail and farewell. No man in the Chicago area has done more to hold high those ideals and principles upon which this Nation stands. We wish him Godspeed and send with him our prayers for great service and extended life. We know that in Israel as in this country he will make his work and his life conform to and enhance these same ideals. May we accept the responsibility of keeping them high in

our own thoughts and actions, as we in legislating seek to bring peace and harmony to this troubled world.

COMMUNIST CHINA

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. WIGGLESWORTH. Mr. Speaker, I, too, want to commend the forthright statement of Secretary Dulles—in his San Francisco speech, he has clarified our policy toward Communist China in a way that can no longer be misunderstood by even the most wishful thinkers.

I am sure that the American people as a whole, regardless of party, agree that we must be steadfast for the right in resisting at this time recognition, trade, and seating in the United Nations.

The consequences of recognition upon the millions of Chinese on the mainland and overseas who oppose the present regime in Communist China, and upon our stanch friend and ally, the Republic of China and other free Asian governments of the Pacific and southeast Asia—the dangers of admitting to the United Nations a regime which has promoted 5 foreign or civil wars in the past 7 years, which defies the United Nations, and which proclaims its continuing purpose to resort to military aggression if and when it sees fit—the lack of sound judgment in building up, through trade controlled by the government of Red China, the military power of a potential enemy, are all clearly set forth for the world to note.

To appear to weaken, to compromise with Chinese communism at this time is to play directly into the hands of international communism in its unrelenting search for world domination.

To remain strong, to adhere to that which is right, is to recognize the gains which the Free World has won and to bring closer the day of victory in the struggle for freedom.

Let us not waiver when we are winning.

Mr. MORANO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MORANO. Mr. Speaker, I wish to join with my distinguished colleague from Wisconsin [Mr. SMITH] and my distinguished colleague from Massachusetts [Mr. WIGGLESWORTH] in the remarks they made concerning the admittance of Red China. I am delighted that the Secretary of State, John Foster Dulles, has so forcefully laid at rest the persistent rumors inspired by the Red China lobby that our policy on China is about to change. I agree with the Secretary that the capacity to change is an indispensable capacity of the American people, but I am even more strongly of the opinion that now, at the very moment when our policy holds the greatest promise for success, is the time to hold fast against the policy of admission of Red China to the United Nations.

MUTUAL SECURITY PROGRAM

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, I take this moment to call attention to the remarks which I will extend in the body of today's RECORD at the conclusion of other special orders, respecting the mutual security program. The burden of those remarks is that if you are going to have such a program you had better appropriate the basic minimum amount of money needed to carry it on, or otherwise abandon it.

The remarks also include a historical summary of the reasons behind the mutual security program of the United States.

I am extending the remarks rather than delivering them because I expect to be in committee hearings on the Hells Canyon Dam proposal during the afternoon.

BOARD OF VETERANS' APPEALS IS IGNORING THE LAWS ENACTED BY CONGRESS

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, I want to call to the attention of the House a matter in the Veterans' Administration which is becoming most serious and which the House should know about.

I refer to the many decisions emanating from the Board of Veterans' Appeals which clearly violate the laws enacted by Congress for the protection of our veterans. Particularly, reference is made to the presumption of soundness which applies to a man going into one of the branches of the Armed Forces. I also refer to the provision of law which requires all reasonable doubt to be resolved in favor of the veteran. Both of these provisions are being ignored, in my opinion, in many decisions being made by the Board of Veterans' Appeals.

I think that unless this trend is stopped it will be necessary for the Congress to enact legislation to assure that the will and intent of the law is followed.

I, for one, do not expect to sit idly by and see deserving cases denied day after day.

RED CHINA

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN. Mr. Speaker, Secretary Dulles made a bold, courageous, and appealing talk in San Francisco. He properly rejects recognition of Red China and points out the folly of thinking it would bring more trade to the United States. Trade with Red China, he emphasizes, would only be for the purpose of building up the military strength of communism.

As long as brutal, repressive communism rules China, we cannot permit their admission to the United Nations, nor can we grant them diplomatic recognition. To do so would dishearten and discourage the millions of free people who struggle for the day when all people will be free.

And in the end it would bring disaster to ourselves. The record of communism is not such as to encourage us to rely on slick and glib promises. The repeated violations of the Korean armistice are proof of how futile it is to depend upon the word of Red China.

Communism, if it had its way, would spread its ideology all over the world and put in the chains of slavery people who are now free and are determined to remain free.

MUTUAL SECURITY PROGRAM

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks on the mutual security program in the body of the RECORD at the conclusion of today's legislative business and other special orders.

The SPEAKER. Is there objection?

There was no objection.

COMMITTEE MEETING DURING GENERAL DEBATE

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may be permitted to sit during executive session during general debate in the House today.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

COMMITTEE ON FOREIGN AFFAIRS

Mr. BURLESON. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until midnight tonight to file a report on House Joint Resolution 16, providing for the revision of the status-of-forces agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. VORYS. Mr. Speaker, I ask unanimous consent that I may have permission to file a minority report with the majority report on the same bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

IMPLICATIONS IN THE INCREASE OF THE PRICE OF STEEL

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, today the price of steel is $6 more a ton. I wish to express my complete disappointment—utter astonishment—in the decision of the steel corporations to raise steel prices. The appeal of President Eisenhower that all of us voluntarily exercise restraints to combat the inflation spiral in costs and prices went entirely unheeded. We will now see a rise in the price of automobiles, refrigerators, baby carriages, and all those items used by the average family. We will now see a price rise in national defense costs and in our highway construction program where steel is so extensively used.

Steel is considered big business. But just how big is big business? It is big in capital investment. It is big in plants and equipment. It is big in the number of stockholders and number of employees. It is big in net worth and profits.

But, Mr. Speaker, it is disappointing to me to find that steel is not big enough to forego immediate profits for future gains. Yes, the steel industry is big, but it apparently is not big enough in vision to recognize that this action on their part in raising prices will have a tremendous impact on our whole economy. In my judgment, you are truly big when you place the best interests of the country above all else.

If to combat inflation it should become necessary to impose artificial price and wage controls, to which I have always been opposed, the steel industry would be the first to protest and protest with vigor. Yet they themselves proceed, without foresight, to help create a situation which may make such rigid action inevitable.

THE CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

LIMITING PAYMENTS TO CERTAIN BENEFICIARIES

The Clerk called the bill (H. R. 72) to amend section 21 of the World War Veterans' Act, 1924, to provide for the disposition of certain benefits which are unpaid at the death of the intended beneficiary.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WEAVER. Mr. Speaker, inasmuch as a rule has been granted on this bill I ask unanimous consent that it may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

MEAT PROMOTION PROGRAM

The Clerk called the bill (H. R. 7244) amending the Packers and Stockyards Act, 1921, to permit deductions for a self-help meat promotion program.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. O'NEILL. Mr. Speaker, I object.

SEWER AND WATER FACILITIES FOR ELKO INDIAN COLONY, NEVADA

The Clerk called the bill (H. R. 5953) to provide for the construction of sewer and water facilities for the Elko Indian colony, Nevada.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the exercise of his functions under the act entitled "An act to transfer the maintenance and operation of hospital and health facilities for Indians to the Public Health Service, and for other purposes," approved August 5, 1954 (68 Stat. 674), the Surgeon General shall—

(1) undertake such construction as may be necessary to extend the sewer and water lines of the city of Elko, Nev., to all land used by the Elko Indian colony, so as to provide water under pressure and adequate sewage facilities for all habitable dwellings on such land, and shall transfer or lease such facilities, without consideration therefor, to the city of Elko, Nev.; and

(2) provide all such habitable dwellings with appurtenances necessary for full utilization of such facilities.

SEC. 2. There are authorized to be appropriated such sums as may be necessary to carry out this act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That to carry out more effectively the purposes of the act of January 31, 1931 (46 Stat. 1046), as amended (authorizing appropriations for the installation of sanitary sewer and water systems for the Indian village of the Elko Indian colony), and his functions under the act entitled 'An act to transfer the maintenance and operation of hospital and health facilities for Indians to the Public Health Service, and for other purposes', approved August 5, 1954 (68 Stat. 674), the Surgeon General is authorized—

"(1) to develop plans, after consultation with the Indians concerned and in cooperation with the city of Elko, Nev., and other appropriate State or local public authorities, for extending the city's water and sewer lines and providing essential domestic and community water supplies and sewage and waste disposal facilities for the Indian village of the Elko Indian colony, including the provision of necessary appurtenances and fixtures for Indian homes in the village;

"(2) to make such arrangements with such public authorities, and with the Indians to be served by such lines, supplies, and facilities (including such appurtenances and fixtures), regarding contributions toward the extension and provision thereof and responsibilities for maintenance thereof, as in his judgment are equitable and will best assure the future maintenance of such lines, supplies, and facilities in an effective and operating condition and, after making such arrangements, to construct (directly or by contract) or otherwise provide such lines, supplies, and facilities on lands occupied by the Elko Indian colony or on lands made available for the purpose by the city of Elko or other public agency; and

"(3) to transfer any lines, facilities, or appurtenances provided hereunder, with or without a money consideration, and under such terms and conditions as in his judgment are appropriate, having regard to the contributions made and the maintenance responsibilities undertaken, the special health needs of the Indians concerned, and the purposes of this act, to the city of Elko, to the State of Nevada, or to any other subdivision of such State or, in the case of domestic appurtenances and fixtures, to any one or more of the occupants of the Indian homes served thereby.

"SEC. 2. There are authorized to be appropriated from time to time such sums, not to exceed $40,000 as may be necessary to carry out this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL KEY DEER REFUGE IN FLORIDA

The Clerk called the bill (H. R. 1058) to preserve the Key deer and other wildlife resources in the Florida Keys by the establishment of a National Key Deer Refuge in the State of Florida.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in order to protect and preserve in the national interest the Key deer and other wildlife resources in the Florida Keys, the Secretary of the Interior is authorized to acquire title, in such manner as he shall consider to be in the public interest, including but not limited to donation, the use of donated funds, and exchange for unreserved public land or interests therein when such exchanges involve properties of approximately equal value, not to exceed 1,000 acres of the lands or interests there in townships 65 and 66 south, ranges 28, 29, and 30 east, Monroe County, Fla.: *Provided, however*, That no land shall be acquired by condemnation on any island which is traversed at any point by United States Highway No. 1, as he shall find to be suitable for the conservation and management of the said Key deer and other wildlife. The properties so acquired shall constitute the National Key Deer Refuge, and shall be administered by the Secretary of the Interior in accordance with the laws and regulations relating to the national wildlife refuges, including, but not limited to, sections 4, 7, and 8 of the act of March 10, 1934, as amended by the act of August 14, 1946 (60 Stat. 1080; 16 U. S. C., 1952 edition, secs. 664, 666a, and 668), relating to the conservation of wildlife, fish, and game.

SEC. 2. In furtherance of the aforesaid purposes, the Secretary may take such action and make such expenditures as he shall find to be necessary in order to secure satisfactory title in the United States to such properties, including the payment of expenses incidental to the location, examination, and survey of such lands and the acquisition of title thereto; but no payment shall be made for any such lands until the title thereto shall be satisfactory to the Attorney General: *Provided*, That the acquisition of such lands

or interests therein by the United States shall in no case be defeated because of rights-of-ways easements, exceptions, and reservations which, in the opinions of the Secretary of the Interior, will not interfere materially with the use of such properties for the purposes of this act.

SEC. 3. There is hereby authorized to be appropriated from time to time out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to effectuate the purposes of this act. The Secretary shall not utilize more than $35,000 from appropriated funds for the acquisition of land and interests in land. For the purposes of the immediately preceding sentence, the exchange by the Secretary of lands and interests therein shall not be considered an expenditure from appropriated funds.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

AMENDING THE SOCKEYE SALMON FISHERY ACT OF 1947

The Clerk called the bill (H. R. 6587) to amend the Sockeye Salmon Fishery Act of 1947.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. BONNER. Mr. Speaker, I ask unanimous consent that the bill S. 1806 be considered in lieu of the House bill, H. R. 6587. It is an identical bill.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 2 (a) of the Sockeye Salmon Fishery Act of 1947 (61 Stat. 511) is amended to read as follows:

"(a) Convention: The word 'convention' means the convention between the United States of American and the Dominion of Canada for the protection, preservation, and extension of the sockeye salmon fisheries of the Fraser River system, signed at Washington on the 26th day of May 1930, as amended by the protocol to the convention, signed at Ottawa on the 28th day of December 1956."

SEC. 2. Section 2 (e) of such act is amended to read as follows:

"(e) Sockeye salmon and pink salmon: The term 'sockeye salmon' means that species of salmon known by the scientific name Oncorhynchus nerka, and the term 'pink salmon' means that species of salmon known by the scientific name Oncorhynchus gorbuscha."

SEC. 3. Such act is further amended by striking out "sockeye salmon" wherever used in such act, except in subsections (a) and (e) of section 2, and inserting in lieu thereof "sockeye salmon or pink salmon."

SEC. 4. Section 7 (a) of such act is amended by striking out "fishery" and inserting in lieu thereof "fisheries."

SEC. 5. The amendments made by this act shall take effect on the date of entry into force of the protocol, signed at Ottawa on December 28, 1956, between the United States of America and Canada to the convention for the protection, preservation, and extension of the sockeye salmon fisheries of the Fraser River system, signed at Washington on May 26, 1930.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 6587) was laid on the table.

A motion to reconsider was laid on the table.

CANAL ZONE MONEY ORDERS WHICH REMAIN UNPAID

The Clerk called the bill (H. R. 6710) relating to Canal Zone money orders which remain unpaid.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That chapter 14 of title 2 of the Canal Zone Code, as amended by section 2 of the act of June 13, 1940 (ch. 358, 54 Stat. 389), is amended by adding at the end thereof a new section numbered 282 and reading as follows:

"§ 282. Money orders unpaid after lapse of 20 years

"No money order heretofore or hereafter issued by the Canal Zone postal service shall be paid after 20 years from the last day of the month of original issue. Claims for unpaid money orders shall be forever barred unless received by the Canal Zone postal service within such 20-year period. Funds accrued because of money orders remaining unpaid shall be treated as revenues of the Canal Zone postal service. The records of the Canal Zone postal service shall serve as the basis for adjudicating claims for payment of money orders."

SEC. 2. This act shall take effect on the 1st day of the 6th calendar month beginning after the date of its enactment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING DUAL JOBS FOR CANAL ZONE TEACHERS

The Clerk called the bill (H. R. 7734) to exempt certain teachers in the Canal Zone public schools from prohibitions against the holding of dual offices and the receipt of double salaries.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the Legislative, Executive, and Judicial Appropriation Act, approved July 31, 1894, as amended, and section 6 of the Legislative, Executive, and Judicial Appropriation Act, approved May 10, 1916, as amended, shall not apply to teachers in the public schools of the Canal Zone who are also employed in night schools or in vacation schools or programs.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSPORTATION ON CANADIAN VESSELS TO AND WITHIN ALASKA

The Clerk called the bill (S. 886) to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, until June 30, 1958, notwithstanding the provisions of law of the United States restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from any port in the United States to another port of the United States, passengers may be transported on Canadian vessels between ports in southeastern Alaska, and passengers and merchandise may be transported on Canadian vessels between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING PENALTIES FOR INTERFERENCE WITH UTILITY LINES

The Clerk called the bill (H. R. 3604) to amend section 831 of title 5 of the Canal Zone Code to make it a felony to injure or destroy works, property, or material of communication, power, lighting, control, or signal lines, stations, or systems, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 831 of title 5 of the Canal Zone Code is hereby amended to read as follows:

"§ 831. Communication, power, lighting, control, or signal lines, stations, or systems

"Whoever (a) willfully or maliciously injures or destroys any of the works, property, or material of any radio, telegraph, telephone, cable, or television line, station, or system, or other means of communication, or of any power or lighting line station, or system, or other means of power or lighting transmission or distribution, or of any control or signal line, station, or system, whether any such line, station, or system be constructed or in process of construction, or (b), willfully or maliciously interferes in any way with the working or use of any such line, station, or system, or (c), willfully or maliciously obstructs, hinders, or delays the transmission of any communication or signal, or the transmission or distribution of power or lighting by means of any such line, station, or system, is guilty of a felony."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELATING TO ADMISSION INTO THE UNION OF THE STATE OF IDAHO

The Clerk called the bill (S. 1794) to amend section 6 of the act approved July 3, 1890 (26 Stat. 215), relating to the admission into the Union of the State of Idaho by providing for the use of public lands granted therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvements of public buildings at the capital.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of the act relating to the admission of the State of Idaho into the Union be amended to read as follows: "That 50 sections of the unappropriated public lands within said State, to be selected and located in legal subdivisions as provided in section 4 of the act, shall be, and are hereby granted to said State for the purpose of erecting public buildings at the capital of said State for

legislative, executive, and judicial purposes, including construction, reconstruction, repair, renovation, furnishings, equipment, and any other permanent improvement of such buildings and the acquisition of necessary land for such buildings, and the payment of principal and interest on bonds issued for any of the above purposes."

SEC. 2. This act shall take effect as of July 3, 1890.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELATING TO THE ADMISSION INTO THE UNION OF THE STATE OF WYOMING

The Clerk called the bill (H. R. 7708) to amend section 6 of the act approved July 10, 1890 (26 Stat. 222), relating to the admission into the Union of the State of Wyoming by providing for the use of public lands granted to said State for the purpose of construction, reconstruction, repair, renovation, furnishing, equipment, or other permanent improvement of public buildings at the capital of said State.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ENGLE. Mr. Speaker, I ask unanimous consent that the bill, S. 1396, which is an identical bill to the House bill, be considered in lieu of H. R. 7708.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 6 of the act of July 10, 1890 (26 Stat. 222, 223), providing for the admission into the Union of the State of Wyoming, is amended to read as follows:

"SEC. 6. That 50 sections of the unappropriated public lands within said State, to be selected and located in legal subdivisions as provided in section 4 of this act, shall be, and are hereby, granted to said State for the purpose of erecting public buildings at the capital of said State, including construction, reconstruction, repair, renovation, furnishing, equipment; and any other permanent improvement of such buildings, and the acquisition of necessary land for such buildings, and the payment of principal and interest on bonds issued for any of the above purposes."

SEC. 2. This act shall take effect as of July 10, 1890.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 7708) was laid on the table.

A motion to reconsider was laid on the table.

AMENDING SECTION 206 OF THE LEGISLATIVE REORGANIZATION ACT OF 1946

The Clerk called the bill (H. R. 6900) to amend section 206 of the Legislative Reorganization Act of 1946, so as to enable the Comptroller General more effectively to assist the Appropriations Committees in considering the budget.

The SPEAKER. Is there objection to the present consideration of the bill?

Messrs. FORD, HORAN, and BOW objected.

APPLICATION OF PUBLIC LAW 815, 81ST CONGRESS, TO WAKE ISLAND

The Clerk called the bill (H. R. 7540) to amend Public Law 815, 81st Congress, relating to school construction in federally affected areas, to make its provisions applicable to Wake Island.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 210 (14) of the act of September 23, 1950 (Public Law 815, 81st Cong.), is amended by striking out "or the Virgin Islands" and inserting "the Virgin Islands, or Wake Island."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTRUCTION OF INDIAN HEALTH FACILITIES

The Clerk called the bill (H. R. 8053) to authorize funds available for construction of Indian health facilities to be used to assist in the construction of community hospitals which will serve Indians and non-Indians.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That whenever the Surgeon General of the Public Health Service, in carrying out his functions under the act of August 5, 1954 (68 Stat. 674), determines, after consultation with the Indians concerned, that in a particular area the provision of financial assistance to one or more public or other nonprofit agencies or organizations for the construction of a community hospital constitutes a more desirable and effective method, than direct Federal construction, of obtaining needed hospital facilities for Indians in the area to whom the Public Health Service provides health services, he may provide such financial assistant from funds available for the construction of Indian health facilities for such Indians.

SEC. 2. The amount of such financial assistance shall not exceed that portion of the reasonable cost of the construction project which is attributable to the Indian health needs, as determined by the Surgeon General: *Provided*, That in determining, for the purposes of this act, the portion of the cost of the construction project attributable to Indian health needs, the Surgeon General shall take into account only those categories of Indians receiving hospital and medical care, including outpatient care and field health services, from or at the expenses of the Public Health Service on the date of enactment of this act.

SEC. 3. As a condition to providing assistance under section 1, the Surgeon General shall—

(a) require plans and specifications meeting such standards of construction and equipment as he may prescribe, and

(b) obtain such assurances and agreements as in his judgment are equitable in the light of the financial assistance provided under this act and are necessary to assure the availability of the facility for the provision of hospital and medical care to Indians and to assure compliance with State standards for operation and maintenance of hospitals which receive Federal aid under title VI of the Public Health Service Act (42 U. S. C. ch. 6A, subch. IV).

SEC. 4. The Surgeon General shall make payments under section 1 in advance or by way of reimbursement and in such installments consistent with construction progress, as he may determine.

SEC. 5. Neither assistance provided under this act for meeting part of the cost of construction of a hospital project, nor the giving of any assurance required as a condition of such assistance, shall be construed as affecting in any way the eligibility of such project for aid under title VI of the Public Health Service Act or any other Federal Act authorizing financial aid in the construction of such project, but construction costs met with Federal funds made available under this act shall not be included in the cost of construction in which the Federal Government shares under such title VI or other Federal Act.

SEC. 6. As used in this act:

(a) "Hospital" includes diagnostic or treatment centers and general hospitals, and related facilities, such as laboratories, outpatient departments, nurses' home and training facilities, and central service facilities operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care;

(b) "Diagnostic or treatment center" means a facility for the diagnosis or diagnosis and treatment of ambulatory patients—

(1) which is operated in connection with a hospital, or

(2) in which patient care is under the professional supervision of persons licensed to practice medicine or surgery in the State, or, in the case of dental diagnosis or treatment, under the professional supervision of persons licensed to practice dentistry in the State.

(c) "Nonprofit" means owned or operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(d) "Construction" means construction of new buildings, expansion, remodeling, and alteration of existing buildings, and initial equpment of any such buldings (including medical transportation facilities), including architects and engineering fees, but excluding legal fees, the cost of off-site improvements and the cost of the acquisition of land.

SEC. 7. Except as otherwise specifically provided, nothing in this act shall be construed as conferring on any Federal officer or employee the right to exercise any supervision or control over the administration, personnel, maintenance, or operation of any hospital, with respect to which any funds have been or may be expended under this act.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMS of Mississippi: Page 1, strike out beginning with line 5 down through line 2 on page 2, and insert the following: "August 5, 1954 (68 Stat. 674), with respect to the provision of health services to Indians in any particular area, determines, after consultation with such Indians, that the provision of financial assistance to one or more public or other nonprofit agencies or organizations for the construction of a community hospital constitutes a method of making needed hospital facilities available for such Indians which is more desirable and effective than direct Federal construction"; page 2, line 13, strike out "receiving" and insert "for which"; and in line 14 strike out "from" and insert "is being provided by"; page 3, line 1, after "assure" insert " that the hosiptal is operated in."

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS of Mississippi. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. I should like to ask the gentleman from Missis-

sippi relative to the Indian health facilities. Does that include plumbing and sewage disposal plants and water plants?

Mr. WILLIAMS of Mississippi. No. This bill deals exclusively with hospital facilities. It permits participation by the Public Health Service in the construction of public and nonprofit hospitals to the extent it is estimated by the Surgeon General that the Indians will require those facilities.

Mr. MILLER of Nebraska. This also applies to use by non-Indians?

Mr. WILLIAMS of Mississippi. I did not get the question.

Mr. MILLER of Nebraska. Will non-Indians also use the hospital facilities?

Mr. WILLIAMS of Mississippi. Oh, yes. Let me give the gentleman an example of what this will cover. We will say, for example, that a city is getting ready to construct a 25-bed hospital. There is an Indian colony in the immediate vicinity, to which the Federal Government is obligated to furnish health care. This bill provides that the Surgeon General may enter into an agreement with the community, estimating the needs of the Indians to be, we will say, 5 beds, and to pay for the additional 5 beds and expand it to a 30-bed hospital. In that way, the five beds will be reserved for use of the Indians.

Mr. MILLER Nebraska. Is it not possible for this project to come under the provisions of the Hill-Burton Act?

Mr. WILLIAMS of Mississippi. That is true.

Mr. MILLER of Nebraska. Is this in excess of the Hill-Burton bill or in addition to it?

Mr. WILLIAMS of Mississippi. This is separate and apart from the Hill-Burton Act.

Mr. MILLER of Nebraska. The reason I raised the question is that for a number of years we have had before our Committee on Interior and Insular Affairs a bill that would put the Public Health Department in the business of building and maintaining sewage disposal plants and so forth for the Indians. The bill now has been referred to the Committee on Interstate and Foreign Commerce, because they felt they could get a little better reception. I will say to the gentleman while I am not favorable to all aspects of the bill, I think the bills that we have had before our committee go entirely too far in allowing the department to build and maintain and supervise sewage plants and water works and so forth for the various tribal Indians throughout the country when we do not extend it to non-Indians. The bills would cost unknown amounts if passed.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IMPROVED METHODS OF STATING BUDGET ESTIMATES

The Clerk called the bill (H. R. 8002) to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, I object.

AMENDING ADMINISTRATIVE EXPENSES ACT OF 1946

The Clerk called the bill (H. R. 7390) to amend the Administrative Expenses Act of 1946, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM, of Iowa. I object, Mr. Speaker.

AMENDING SECTION 4 OF THE INTERSTATE COMMERCE ACT

The Clerk called the bill (S. 937) to amend section 4 of the Interstate Commerce Act, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 4 (1) of the Interstate Commerce Act, as amended (49 U. S. C. 4 (1), is amended to read as follows:

"(1) It shall be unlawful for any common carrier subject to this part or part III to charge or receive any greater compensation in the aggregate for the transportation of passengers, or of like kind of property, for a shorter than for a longer distance over the same line or route in the same direction, the shorter being included within the longer distance, or to charge any greater compensation as a through rate than the aggregate of the intermediate rates subject to the provisions of this part or part III, but this shall not be construed as authorizing any common carrier within the terms of this part or part III to charge or receive as great compensation for a shorter as for a longer distance: *Provided*, That upon application to the Commission and after investigation, such carrier, in special cases, may be authorized by the Commission to charge less for longer than for shorter distances for the transportation of passengers or property, and the Commission may from time to time prescribe the extent to which such designated carriers may be relieved from the operation of the foregoing provisions of this section, but in exercising the authority conferred upon it in this proviso, the Commission shall not permit the establishment of any charge to or from the more distant point that is not reasonably compensatory for the service performed; and no such authorization shall be granted on account of merely potential water competition not actually in existence; *Provided further*, That any such carrier or carriers operating over a circuitous line or route may, subject only to the standards of lawfulness set forth in other provisions of this part or part III and without further authorization, meet the charges of such carrier or carriers of the same type operating over a more direct line or route, to or from the competitive points, provided that rates so established over circuitous routes shall not be evidence on the issue of the compensatory character of rates involved in other proceedings: *And provided further*, That tariffs proposing rates subject to the provisions of this paragraph requiring Commission authorization may be filed when application is made to the Commission under the provisions hereof, and in the event such application is approved, the Commission shall permit such tariffs to become effective upon 1 day's notice."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TOLL BRIDGE AT OR NEAR BAUDETTE, MINN.

The Clerk called the bill (S. 1054) to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first section of the act entitled "An act to revive and reenact the act authorizing the village of Baudette, State of Minnesota, its public successors or public assigns, to construct, maintain, and operate a toll bridge across the Rainy River, at or near Baudette, Minn., approved December 21, 1950," approved June 16, 1955 (69 Stat. 159), is amended by striking out "commenced within 2 years and completed within 4 years" and inserting in lieu thereof "commenced within 4 years and completed within 6 years."

With the following committee amendment:

Page 2, line 3, insert:

"SEC. 2. The amendments made by the first section of this act shall take effect as of June 15, 1957."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HANDLING OF SHORT PAID AND UNDELIVERABLE MAIL

The Clerk called the bill (H. R. 7910) to revise the laws relating to the handling of short paid and undeliverable mail, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) the Postmaster General shall prescribe by regulation the conditions under which matter mailed without prepayment of the postage required by law to be paid, or without prepayment of the full amount of the postage required by law to be paid, shall be delivered to the addressee, returned to the sender, or otherwise disposed of.

(b) The Postmaster General shall prescribe by regulation from time to time the charges to be collected on delivery for any matter mailed without prepayment of any lawfully required postage or without prepayment of the full amount of the lawfully required postage.

The Postmaster General may waive the collection of any charges when he deems such waiver to be in the best interest of the Government.

SEC. 2. Section 12 (a) of the act of October 30, 1951 (65 Stat. 676; 39 U. S. C. 246f (a)), is amended by inserting before the period at the end thereof a semicolon and the following new paragraph:

"(9) for returning undeliverable letters and parcels from the dead-letter office to the senders."

SEC. 3. Section 26 of the act of March 3, 1879 (20 Stat. 361), as amended (39 U. S. C. 275), is further amended to read as follows:

"SEC. 26. (a) The Postmaster General may issue postage due stamps of such special design and denomination as he deems necessary to be affixed to short paid mail, and such

stamps shall be canceled in the same manner as other postage stamps.

"(b) Postage due stamps may not be sold by any postmaster nor received by him in repayment of postage or fess for special services.

"(c) The Postmaster General may designate agencies of the Department where postage due stamps may be sold for philatelic purposes only."

SEC. 4. Section 3936 of the Revised Statutes, as amended (39 U. S. C. 406), is further amended by striking out the second sentence and inserting, in lieu thereof, the following:

"The Postmaster General shall return to the senders by registered mail all ordinary dead letters containing $10 or more in cash, and parcels of the first class which apparently contain matter valued at $10 or more, under such rules and regulations as he may prescribe. The minimum registry fee, in addition to such other fees as the Postmaster General may prescribe, shall be collected at the time of delivery."

SEC. 5. The first section 1 of the act of May 9, 1930 (39 U. S. C. 261), is amended by striking out "15 cents" and by inserting in lieu thereof "25 cents."

SEC. 6. All laws or parts of laws inconsistent with the provisions of this act are hereby repealed. Such repeal shall include, but shall not be limited to, the following laws and parts of laws which are hereby repealed:

(a) Section 3937 of the Revised Statutes, as amended (39 U. S. C. 407);

(b) Section 3898 of the Revised Statutes (39 U. S. C. 274);

(c) Section 3900 of the Revised Statutes (39 U. S. C. 272);

(d) The semicolon and the clause "but if the publisher of any refused or uncalled-for newspaper or other periodical shall pay the postage due thereon, such newspaper or other periodical shall be excepted from the operation of such regulations," in section 4061 of the Revised Statutes (39 U. S. C. 411);

(e) The second proviso of section 29 of the act of March 3, 1879 (20 Stat. 362) as added by the amendment to such section contained in section 3 of the act of July 5, 1884 (23 Stat. 158; 39 U. S. C. 321); and

(f) The proviso added to section 3 of the act of March 3, 1885 (23 Stat. 387), as amended by the act of January 16, 1889 (25 Stat. 650; 39 U. S. C. 165).

SEC. 7. This act shall be effective on the first day of the third month following the month in which enacted.

With the following committee amendments:

Page 1, strike out lines 3 to 8, inclusive, and insert in lieu thereof the following: "That (a) the Postmaster General shall prescribe by regulation the conditions for delivery to the addressee, return to the sender, other disposition, of matter mailed without prepayment of the postage required by law to be paid, or without prepayment of the full amount of the postage required by law to be paid."

Page 2, line 9, immediately after the period insert "Such charges (1) shall be in addition to the payment of lawfully required postage, (2) shall not be adjusted more frequently than once every 2 years, and (3) when adjusted shall equal, as nearly as is practicable, the approximate cost incurred by the Post Office Department with respect to the delivery of such matter and the collection of postage and other lawful charges thereon."

Page 3, line 25, strike out "1."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTRACTS FOR CONDUCT OF CONTRACT POSTAL STATIONS

The Clerk called the bill (H. R. 7907) relating to contracts for the conduct of contract postal stations, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 15 of the act entitled "An act to amend the act approved June 25, 1910, authorizing the postal savings system, and for other purposes," approved May 18, 1916 (39 Stat. 163; 39 U. S. C. 161), is hereby amended to read as follows:

"SEC. 15. The Postmaster General may enter into contracts for the conduct of contract stations for a term not exceeding 3 years. Any such contract may be renewed by the Postmaster General, at the same or a lower contract price, for additional terms not exceeding 3 years each unless (1) the Postmaster General finds that such renewal is not in the interest of the United States, or (2) not later than 90 days before the end of any contract term the Post Office Department receives a request in writing that the contract be opened for competitive bidding at the end of such term. Upon any such finding by the Postmaster General, or upon receipt of any such request, the Postmaster General shall terminate the contract, with respect to which such finding has been made or such request has been received, at the end of the current term and shall advertise for bids thereon in accordance with existing laws relating to the advertising of public contracts and the award thereof on the basis of competitive bidding."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REIMBURSEMENT TO COUNCIL OF CHEYENNE RESERVATION

The Clerk called the bill (H. R. 5810) to provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the act of September 3, 1954.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to the Cheyenne River Sioux Tribal Council, Cheyenne Agency, S. Dak., the sum of $97,580.24. The payment of such sum shall be in full settlement of all claims of the said tribal council against the United States for reimbursement for expenses incurred by it and caused by, or incident to, negotiations which led up to the making and ratification of the agreement between the United States and said tribal council contained in the act of September 3, 1954 (68 Stat. 1191).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING PERFORMANCE RATING ACT OF 1950

The Clerk called the bill (S. 1412) to amend section 2 (b) of the Performance Rating Act of 1950, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 (b) of the Performance Rating Act of 1950, as amended (5 U. S. C. 2001), is further amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following:

"(13) Civilian officers and members of crews of vessels operated by the Department of the Army and the Department of the Navy."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF LAND TO VILLAGE OF CENTRAL, N. MEX.

The Clerk called the bill (H. R. 7520) to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 45, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That, subject to section 2 of this act, the Secretary of Agriculture is authorized and directed to sell, at market value as determined by him, and to convey to the village of Central, in the State of New Mexico, for the purpose of residential and business development, the following described lands, formerly part of the Fort Bayard Military Reservation, Grant County, N. Mex., comprising approximately fifty-eight and thirty-one one-hundredths acres situated in the north half of the south half of the southeast quarter of section 34, township 17 south, range 13 west, and in the north half of the south half of section 35, township 17 south, range 13 west, New Mexico principal meridian, more particularly described by metes and bounds as follows:

Beginning at a point located at the intersection of the south right-of-way line of United States Highway 260 and the south boundary of the Fort Bayard Military Reservation, from which the Fort Bayard Military Reservation 1-mile marker bears north 89 degrees 59 minutes east, 30.65 feet distant;

Thence along the south right-of-way line of United States Highway 260 as follows:

First, along a circular curve to the left, the radius being 1,332.5 feet and the long chord being 1,078.87 feet in length and bearing north 58 degrees 47 minutes west;

Thence along a transition curve to the left, the long chord being 287.83 feet in length and bearing north 86 degrees 48 minutes west;

Thence north 88 degrees 38 minutes west, 1,067.69 feet;

Thence along a circular curve to the left, the radius being 8,494.42 feet and the long chord being 2,364.46 feet in length and bearing south 83 degrees 18 minutes west;

Thence south 75 degrees 18 minutes west, 1,309.49 feet to a point of intersection of the south right-of-way line of United States Highway 260 and the south boundary of the Fort Bayard Military Reservation;

Thence leaving said right-of-way, along the south boundary of the Fort Bayard Military Reservation as follows:

North 89 degrees 17 minutes east, 654.26 feet to the Fort Bayard Military Reservation 2-mile marker;

Thence north 89 degrees 59 minutes east, 2,629.90 feet to the Fort Bayard Military Reservation 1½-mile marker;

Thence north 89 degrees 59 minutes east, 2,610.00 feet to the point of beginning.

SEC. 2. The conveyance authorized by this Act (1) shall provide that the described land shall not be used in a manner incompatible with the proper and effective operation of the Veterans' Administration hospital at Fort Bayard, N. Mex., and if any parcel or lot shall ever be used in such manner, the title to such parcel or lot shall revert to the United States, which shall have the immediate right of reentry thereon, provided that such reversion shall terminate in the event the Veterans' Administration ceases operation of the hospital, (2) shall protect existing valid rights, (3) shall reserve easements for existing facilities such as roads, telephone lines, pipelines, electric power transmission lines, or other facilities or improvements in place, and shall reserve such easements for roads as the Secretary of Agriculture finds necessary to assure access to land of the United States or to meet public needs, (4) shall reserve to the United States all mineral rights, including gas and oil, in the land so conveyed, and (5) may contain such additional terms, conditions, reservations, and restrictions as may be determined by the Secretary of Agriculture or the Administrator of Veterans' Affairs to be necessary to protect the interests of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 7520) was laid on the table.

SUPPLEMENTING THE LAND-GRANT PROVISIONS OF THE ALASKA MENTAL HEALTH ENABLING ACT

The Clerk called the bill (H. R. 3358) to supplement the land-grant provisions of the Alaska Mental Health Enabling Act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of subsection (a) of section 202 of the Alaska Mental Health Enabling Act of July 28, 1956 (70 Stat. 712), no lease, permit, license, or contract which has been issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 181 and the following), as amended, or under the Alaska Coal Leasing Act of October 20, 1914 (38 Stat. 741; 30 U. S. C., sec. 432 and the following), as amended, and which is in effect on the date of approval of this act shall prevent the Territory of Alaska from selecting under said section 202 the lands subject to such lease, permit, license, or contract: *Provided*, That an application to select such lands is filed with the Secretary of the Interior within a period of 5 years after the date of approval of this act: *And provided further*, That such selections shall be made only from lands that are otherwise open to selection under said section 202. Such selections shall include the entire area that is subject to each lease, permit, license, or contract involved in the selections. Any patent for such lands shall vest in the Territory of Alaska all right, title, and interest of the United States in and to any such lease, permit, license, or contract that remains outstanding on the effective date of the patent, including the right to all rentals, royalties, and other payments accruing after that date under such lease, permit, license, or contract, and including any authority that may have been retained by the United States to modify the terms and conditions of such lease, permit, license, or contract: *Provided*, That nothing herein contained shall affect the continued validity of any such lease, permit, license, or contract or any rights arising thereunder.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

PUBLIC RECREATIONAL FACILITIES IN ALASKA

The Clerk called the bill (H. R. 7864) to amend the act of May 4, 1956 (70 Stat. 130), relating to the establishment of public recreational facilities in Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of May 4, 1956 (70 Stat. 130), is hereby amended by inserting in place of the word "transfer" in the first sentence thereof the words "conveyance or other disposition", and by deleting the entire third sentence and substituting therefor the following sentence: "Upon such terms and conditions as he may consider to be in the public interest, the Secretary may convey, or otherwise dispose of, to appropriate territorial agencies and communities such of the aforesaid public facilities and land relating thereto as he shall deem in the public interest."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE SECRETARY OF THE INTERIOR TO CONSUMMATE LAND EXCHANGES

The Clerk called the bill (H. R. 2170) to authorize the Secretary of the Interior to consummate desirable land exchanges.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to accept from grantors title to non-Federal land and interests in land, together with improvements thereon, situated within or adjacent to the Great Smoky Mountains National Park, and in exchange therefor, to convey by deed on behalf of the United States to the aforesaid grantors, land or interests therein, together with improvements thereon, situated within the Great Smoky Mountains National Park: *Provided*, That such exchanges may be made without additional compensation by either party to the exchange when the properties to be exchanged are of approximately equal value; however, when the properties are not of approximately equal value, as may be determined by the Secretary, an additional payment of funds shall be required by the Secretary or by the grantor of non-Federal properties, as the case may be, in order to make an equal exchange, and the Secretary is authorized to use any land acquisition funds relating to the national-park system for such purposes: *Provided further*, That not more than 200 acres of park land shall be conveyed pursuant to the aforesaid exchange authority. All properties acquired by the United States pursuant to this act shall become a part of the Great Smoky Mountains National Park upon acquisition thereof. Properties conveyed by the United States pursuant to this act shall thereafter be excluded from the park and any Federal regulation or control thereof for park purposes.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF LANDS TO STATE OF TENNESSEE

The Clerk called the bill (H. R. 4115) to authorize the conveyance of certain lands in Shiloh National Military Park to the State of Tennessee for the relocation of highways, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in order that existing roads within Shiloh National Military Park may be devoted primarily to use by park visitors and that traffic hazards and nonconforming uses may be eliminated from the park by providing a more suitable road location and related area for the highways designated State routes Nos. 22 and 142 which now traverse the central portion of the park, the Secretary of the Interior is authorized to convey certain lands within Shiloh National Military Park on the terms and conditions hereinafter provided.

SEC. 2. The Secretary may convey to the State of Tennessee for road purposes a right-of-way located in Hardin County, Tenn., as shown on National Park Service map NMP-SH-7006, revised June 1956, being a minimum of 120 feet and a maximum of 140 feet in width, and a length of approximately 18,900 feet, said, right-of-way containing approximately 51 acres: *Provided*, That, in exchange, the State constructs and thereafter maintains a roadway on said lands and thereupon releases those portions of the present highways within the park designated State routes Nos. 22 and 142 from such designation and subsequent use for State highway purposes.

SEC. 3. The Secretary may convey to the State of Tennessee for use as a recreational area contiguous and incident to the relocated State Route No. 22 certain lands situated in Hardin County, Tenn., as shown on National Park Service map NMP-SH-7006, revised June 1956, and designated thereon as parcel A, said lands containing 151 acres, more or less: *Provided*, That in exchange the lands so conveyed shall be developed and used exclusively by the State or its political subdivisions for recreational purposes only, thereby removing certain incompatible uses from the military park.

SEC. 4. Upon the delivery and acceptance of the conveyance herein authorized, any jurisdiction heretofore ceded to the United States by the State of Tennessee over the lands conveyed shall thereby cease and determine and shall thereafter vest and be in the State of Tennessee.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDATORY CONTRACT WITH NORTHPORT IRRIGATION DISTRICT, NEBRASKA

The Clerk called the bill (H. R. 3071) to authorize the Secretary of the Interior to enter into and to execute amendatory contract with the Northport Irrigation District, Nebr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to enter into a contract with the Northport Irrigation District, Nebraska, amendatory of the contract between said district and the United States

dated August 19, 1948, which amendatory contract shall provide, among other things, for (1) the relinquishment by the district of any interest that it may have in all present and potential power revenues from or related to the North Platte Federal reclamation project, (ii) application by the United States of the consideration for said relinquishment, namely $479,602, in amounts of not more than $8,000 per annum toward payment of the annual cost of carrying the district's water through the Farmers' Irrigation District canal, and (iii) retention by the United States of that portion of miscellaneous project revenues which the Secretary determines are properly creditable to the district, which revenues shall be covered into the special deposit account established by section 4 of the act of July 17, 1952 (66 that 754, 755), and expended for the purposes and in the manner therein provided.

SEC. 2. Nothing contained in this act shall be construed to diminish or enlarge the adjusted construction charge obligations of the Gering and Fort Laramie, the Goshen, and the Pathfinder Irrigation Districts, or any other party as set forth in the contracts between the United States and said districts and parties which were approved by the act of July 17, 1952, or which have been or shall be entered into pursuant to the authority contained in said act or to alter the basis upon which said adjusted construction charge obligations have been or shall be computed. The share of each participant in the cost of operating and maintaining the reserved works of the North Platte project shall be computed by the Secretary on the basis of the project acreages in the Fort Laramie and Interstate divisions as set forth in the aforementioned district contracts and 16,170 acres in the Northport division, but said basis of computation shall not entitle the Northport Irrigation District to any larger amount of credit from miscellaneous project revenues than is consistent with the amounts apportioned to the other districts and parties in accordance with the aforesaid contracts.

SEC. 3. The heading "Northport Division" in section 26 of the act of May 25, 1926 (44 Stat. 636, 642) and paragraph (a) thereunder are hereby repealed, but this repeal shall not affect the obligation of the Northport Irrigation District as expressed in its contract with the United States dated August 19, 1948.

Sec. 4. The paragraph under he heading "Appropriation of Certain Payments" in that portion of chapter VII, title I, of the act of September 6, 1950, which pertains to the Bureau of Reclamation (64 Stat. 595, 659) is hereby amended to read as follows:

"The Secretary may, without further appropriation, pay from the reclamation fund to the Farmers' Irrigation District, Nebraska, such sums, but not more than $8,000 per annum, as are required for water carriage in accordance with contracts between the United States and the Northport Irrigation District authorized by and entered into pursuant to law. The authority contained in this paragraph shall expire when the tottal of such payments shall be $479,602."

With the following committee amendment:

Page 4, following line 6, add a new section to read as follows:

"SEC. 5. The amount of $479,602 stated in section 1 of this act and in the paragraph of the act of September 6, 1950, which is amended by section 4 of this act shall be reduced by whatever amount of net power revenues may have accrued to the benefit of the Northport Irrigation District after June 30, 1956."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COLLECTION OF PEANUT STATISTICS

The Clerk called the bill (H. R. 6764) to amend the act of June 24, 1956, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the last sentence of section 1 of the act of June 24, 1936 (ch. 745, 49 Stat. 1898; 7 U. S. C. 951), is amended to read as follows: "All reports shall be submitted monthly in each year, except as otherwise prescribed by the Secretary."

SEC. 2. Section 2 of said act, as amended (49 Stat. 1899; 52 Stat. 349; 7 U. S. C. 952), is repealed.

SEC. 3. Section 3 of said act, as amended (49 Stat. 1899; 52 Stat. 349; 7 U. S. C. 953), is renumbered section 2 and is amended to read as follows:

"It shall be the duty of each warehouseman, broker, cleaner, sheller, dealer, growers' cooperative association, crusher, salter, manufacturer of peanut products, and owner other than the original producer of peanuts to furnish reports, complete and correct to the best of his knowledge, on the quantity of peanuts and peanut oil received, processed, shipped, and owned by him or in his possession. Such reports, when and as requested by the Secretary, shall be furnished within the time prescribed and in accordance with forms provided by him for the purpose. Any person required by this act, or the regulations promulgated thereunder, to furnish reports or information, and any officer, agent, or employee thereof, who shall refuse to give such reports or information or shall willfully give answers that are false and misleading, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than $300 nor more than $1,000, or imprisoned not more than 1 year, or be subject to both such fine and imprisonment."

SEC. 4. Sections 4, 5, 6, and 7 of said act (49 Stat. 1899; 7 U. S. C. 954–7) are renumbered sections 3, 4, 5, and 6, respectively.

With the following committee amendments:

Page 2, beginning on line 2, strike out "is renumbered section 2 and".

Page 2, line 16, insert a comma after the words "or employee thereof".

Page 2, beginning on line 22, strike out all of section 4.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 609) to amend the act of June 24, 1936, as amended—relating to the collection and publication of peanut statistics—to delete the requirement for reports from persons owning or operating peanut-picking or threshing machines, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma

There was no objection.

The Clerk read the Senate bill.

Mr. ALBERT. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ALBERT: Strike out all after the enacting clause and insert the provisions of the bill H. R. 6764 as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

The proceedings by which the bill (H. R. 6764) was passed were vacated and the bill was laid on the table.

CONVEYANCE OF CERTAIN REAL PROPERTY OF THE UNITED STATES TO THE FORMER OWNERS THEREOF

Mr. BROOKS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 6182) to provide for the conveyance of certain real property of the United States to the former owners thereof, as amended.

The Clerk read, as follows:

Be it enacted, etc., That the Administrator of General Services shall convey without consideration to Martha V. Gilkeson and Damaris E. Gilkeson, Moorefield, W. Va., all right, title, and interest of the United States in and to the real property containing 9 acres, more or less, which is described in section 2 of this act.

SEC. 2. The real property referred to in the first section of this act, known as the Moorefield Fish Cultural Station, is the same property conveyed by deed dated the 21st day of March 1938, from Martha V. Gilkeson and Damaris E. Gilkeson to the United States of America, said deed recorded on the 2d day of June 1939 in the clerk's office of the county court of Hardy County, W. Va., the exact legal description of which shall be determined by the Administrator of General Services.

The SPEAKER. Is a second demanded?

Mr. MAY. Mr. Speaker, I demand a second.

Mr. BROOKS of Texas. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, this is a bill which would convey 8.9 acres of farmland, donated to the Federal Government, to the former owners. The bill came out of the Committee on Government Operations without any dissenting votes either in the subcommittee or the full committee.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

FISSIONABLE MATERIALS

Mr. BROOKS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 8005) to provide for the

conveyance of an interest of the United States in and to fissionable materials in a tract of land in the county of Cook, and State of Illinois, as amended.

The Clerk read as follows:

Be it enacted, etc., That the Administrator of General Services is authorized and directed to convey by quitclaim deed to the city of Chicago, a municipal corporation of the State of Illinois, all of the right, title, and interest of the United States in and to "fissionable materials," as defined by Executive Order No. 9701 issued March 4, 1946, in the tract of land in the county of Cook, State of Illinois, which was conveyed by quitclaim deed from the United States of America to the city of Chicago, recorded on March 22, 1946, in the office of recorder of deeds of Cook County, Ill., as Document No. 13747964; the exact legal description of such land shall be determind by the Administrator of General Services.

The SPEAKER. Is a second demanded? If not, the question is, Will the House suspend the rules and pass the bill?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. BROOKS of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. O'BRIEN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. O'BRIEN of Illinois. Mr. Speaker, the purpose of H. R. 8005, which I introduced at the request of the mayor and corporation counsel of the city of Chicago, is to remove a technical objection that has been blocking the marketing of a bond issue of $85 million for the improvement of O'Hare Airport in Chicago.

Under an arrangement advantageous to the city and to the Nation and as well to the Defense Department, the $85 million bond issue for the further development and improvement of this most important airport will be retired from the earnings of the commercial airlines. In addition to the $85 million, which as I have said ultimately will be repaid by the airlines without one cent of the burden falling on the taxpayers, the city of Chicago is putting in an additional $15 million, raised by another bond issue, for the acquisition of adjacent lands to meet the demands for future expansion. O'Hare Airport when the planned developments and improvements are completed will be the largest and most important airport in inland America, servicing national and international commercial airlines and the flying craft of the Air Force of the United States. Needless for me to say, it is vital to the defense and security of the country, as well as to the national economic interest accruing from air transportation progress, that the plans go forward without delay. I wish to commend Mayor Richard J. Daley and the members of his municipal government, including Corporation Counsel Melaniphy, for conducting the negotiations and reaching the agreement whereby the cost of this most important development in the public interest will not come out of the pockets of the taxpayers.

The reason the enactment of H. R. 8005 is necessary is that the Atomic Energy Act of 1946, supplemented and expanded somewhat by Executive orders, required that in all conveyances of lands by the Federal Government there should be reserved the right to fissionable materials. An amendment to the act in 1954 provided that such reservations should on application be rescinded. Since there was no longer need for such reservation, it was clearly the intention that the application of the 1954 amendment should cover all lands conveyed by the Federal Government, but the language used in the 1954 amendment was "public lands" and the question has never been judicially passed upon whether the term "public lands" in a strict technically legal sense is confined to lands of the public domain or includes acquired lands.

As the site of O'Hare Airport was acquired by the Federal Government during the war period and later given by the Federal Government to the city of Chicago for exclusive use as an airfield it is not land from the public domain.

As long as this technical question is undecided it is necessary for present holders of land acquired not from the public domain by the Federal Government, and later transferred to them to come to the Congress for clarifying relief. In July of last year the Congress passed H. R. 9578, a bill similar to H. R. 8005, and which became a law of the 84th Congress. In that instance the owner of the land from which the reservation was removed was a private party and the use of the land was for a private purpose. In the present instance the owner of the land is a municipal corporation and the use of the land is for a public purpose and in the furtherance of national economic and military ends.

There is no objection from the Atomic Energy Commission and the General Services Administration since the retention of the reservations is no longer thought advantageous to the Federal Government.

I trust the bill will be passed and that later, as I understand is now in prospect, there will be general legislation making bills of the character of H. R. 8005 unnecessary.

Mr. BROOKS of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. O'HARA] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was objection.

Mr. O'HARA of Illinois. Mr. Speaker, my colleague and the beloved dean of the Illinois delegation, Mr. O'BRIEN, who is the author of H. R. 8005, has explained the bill and its purpose, and the reason for its introduction, with such clarifying completeness that nothing remains to be said. I trust the bill will pass unanimously.

There is one typographical error in the report, however, that in justice to the memory of a great American hero of World War II I would wish to correct. The report because of this typographical error refers to O'Hare National Airport as O'Hara National Airport. The airport is named in honor of the memory of a young man from Chicago who as a combat flyer gave his life in one of the outstanding feats of heroism in the war with Japan. He spelled his name O'Hare, and it is his name the airport bears.

DONATION OF CERTAIN RECORDS TO THE PHILIPPINE REPUBLIC

Mr. BROOKS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1141) to authorize and direct the Administrator of General Services to donate to the Philippine Republic certains records captured from insurrectos during 1899–1903.

The Clerk read as follows:

Be it enacted, etc., That the Administrator of General Services is authorized and directed to transfer to the Government of the Republic of the Philippines, without compensation, the records captured by United States forces from the Philippine insurgents during the period 1899–1903 and now maintained as part of record group 94 in the National Archives of the United States.

SEC. 2. Before effecting such transfer, the Administrator of General Services shall cause to be made a microfilm copy of each document contained in such records which the Secretary of State or his designated representative shall select for preservation in the National Archives of the United States.

SEC. 3. There is hereby authorized to be appropriated to the Administrator of General Services such sum, not exceeding $35,000, as may be required to cover the costs of microfilming records and transporting the originals thereof to Manila in conformity with the provisions of this act.

The SPEAKER. Is a second demanded? If not, the question is, Will the House suspend the rules and pass the bill?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. BROOKS of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS of Texas. Mr. Speaker, S. 1141 directs the Administrator of General Services to transfer to the Philippine Republic those records captured by the United States forces from insurrectos during 1899–1903. These records are now maintained in the National Archives and the bill provides for the microfilming of those records which have historical significance. These micofilms would be maintained in our archives.

These captured records are hallowed historical documents of special value and great significance to the Republic of the Philippines. They detail the momentous beginnings of democracy in the islands, illuminating the desperate period when

Filipinos first made very plain their budding desire for self-governing liberty.

More than a half century has passed since Admiral Dewey took Manila, and the whole world today knows the Philippines as a growing example of democracy successfully at work in the Far East, a flaming symbol of freedom in an Asia which has felt the dark menace of communism. The subject records prove that the Filipinos were striving for a democratic way of life even before United States forces challenged Spanish control of the Philippines.

Gen. Carlos P. Romulo, Philippine Ambassador to the United States, testifying before the General Government Activities Subcommittee, described the period 1899–1903 covered by these records as one of revolution, its principals now national heroes of the Filipinos.

General Romulo said the records prove that even before American troops came to the Philippines, the Filipinos were already fighting for democracy and the democratic way of life.

He said his nation is grateful that the American Government is willing to donate these records to them and feels it is another token of the friendship and good will the United States long has manifested toward the Philippines. They hope to have the records on the 4th of July 1957, 11th anniversary of Philippine independence.

Students and scholars of government also have indicated a great interest in these records. The bill provides that microfilm copies of the records to be transferred be retained by the National Archives to serve such research needs.

VINCENNES UNIVERSITY, VINCENNES, IND.

Mr. BROOKS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (S. 806) to authorize the Administrator of General Services to quitclaim all interest of the United States in and to a certain parcel of land in Indiana to the board of trustees for the Vincennes University, Vincennes, Ind.

The Clerk read as follows:

Be it enacted, etc., That (a) the Administrator of General Services is authorized and directed to convey by quitclaim deed, without consideration, to the board of trustees for the Vincennes University, Vincennes, Ind., all right, title, and interest in and to that parcel of land located in the city of Vincennes, Ind., title to which was vested previously in the city of Vincennes, Ind., by section 2 of the act of March 3, 1881 (21 Stat. 505), and which was authorized to be conveyed with certain reservations to the board of trustees for the Vincennes University by the act of June 30, 1944 (58 Stat. 645). The Administrator shall except from such conveyance that area of land within such parcel bounded by Third and Fourth Streets and Indianapolis Avenue and Hickman Street (now College Avenue).

(b) The Administrator shall withhold execution of the conveyance provided for in subsection (a) until he determines that the city of Vincennes, Ind., has released and conveyed to the board of trustees for the Vincennes University any right, title, and interest that such city may have in and to the parcel of land defined in subsection (a). In the event the city of Vincennes fails to release and convey such right, title, and interest within 6 months from the date of enactment of this act, the authority contained herein shall terminate and be of no further force or effect.

The SPEAKER. Is a second demanded?

Mr. MAY. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. Does the gentleman from Texas desire to be heard on his motion?

Mr. BROOKS of Texas. I do not desire to be heard on it, Mr. Speaker.

Mr. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRAY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. BRAY. Mr. Speaker the purpose of this bill is quite simple and I believe the consideration of it can also be free from complexities. The bill is to remove certain reversionary restrictions on a part of the campus of the Vincennes University. To all intents and purposes, the Federal Government has lost its interest in this land which is used as a college campus. The Government has parted with title to it, except on the contingencies that the University must cease to use it for school purposes, and, in which event, the City of Vincennes should then cease to use it for park purposes. The Senate report itemizes the various transactions which have placed the deed to this small tract of land in its present predicament. Vincennes University currently is anxious to proceed with construction of a much needed school facility. To do so it must have title to this land completely free of even so remote a reversionary interest as the Federal Government has. The Bureau of the Budget has no objections to this bill nor has the Comptroller General of the United States.

We are all aware of the severe strain on educational facilities at colleges and universities throughout the Nation. Vincennes University is a junior college on a community level which is doing much to meet the expanding need for this type of education. The enactment of this measure, which does not require any Federal expenditure and which relinquishes only a very nominal interest, will be of great assistance to Vincennes University in meeting the needs of its student body.

The bill also requires that the Administrator of General Services Administration shall withhold execution of the conveyance until he determines that the city of Vincennes has released and conveyed to Vincennes University the reversionary interest it has. In other words, the continued use of this land for educational purposes will be assured and I might add, that it is being used for such purposes now but will be of much more assistance to the university if they can obtain unrestricted title as this bill would allow.

I had introduced H. R. 5569 to accomplish the same purpose. I asked the committee to approve the Senate bill in order to speed the enactment of this legislation so important to Vincennes University.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PAYMENT OF GOVERNMENT CHECKS

Mr. McCORMACK. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 8195) to facilitate the payment of Government checks, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted, etc., That section 1 of the act of July 11, 1947 (61 Stat. 308; 31 U. S. C. 132) is hereby amended to read as follows:

"That (a) All checks heretofore or hereafter drawn on the Treasurer of the United States, including those drawn by wholly owned and mixed-ownership Government corporations, shall be payable without limitation of time: *Provided,* That where on presentation of any check for payment the Treasurer of the United States is on notice of a doubtful question of law or fact the payment of such check shall be deferred pending settlement by the General Accounting Office.

"(b) The amount of all checks drawn by authorized officers of the United States on designated depositaries which have not been paid prior to the close of the fiscal year next following the fiscal year in which the checks were issued shall be withdrawn from the accounts with such depositaries and deposited with the Treasurer of the United States for credit to a consolidated account or accounts on the books of the Treasury. Claims for the proceeds of such unpaid checks shall be payable from such consolidated accounts by checks drawn on the Treasurer of the United States pursuant to settlement by the General Accounting Office.

"(c) The limitation imposed in respect to certain claims or demands against the United States by the act of October 9, 1940 (54 Stat. 1061; 31 U. S. C. 71a, 237), shall not be deemed to apply to original or substitute checks heretofore or hereafter drawn on the Treasurer of the United States, including those drawn by wholly owned and mixed-ownership Government corporations, or drawn by authorized officers of the United States on designated depositaries."

SEC. 2. Section 3 of the act of July 11, 1947 (61 Stat. 309; 31 U. S. C. 134) is hereby amended to read as follows:

"SEC. 3. The Secretary of the Treasury is authorized to transfer, at appropriate intervals, amounts of unpaid checks from the accounts on which drawn to a consolidated account or accounts on the books of the Treasury and to transfer to such consolidated account or accounts the balance of the special deposit account established pursuant to section 1 of the act of July 11, 1947 (61 Stat. 308), which consolidated account or accounts shall be available for the payment of such checks and any unpaid checks heretofore payable from the special deposit account. The Secretary of the Treasury is further authorized to transfer, at appropriate intervals, from the accounts available for the payment of unpaid checks to the appropriate receipt account on the books of the Treasury any amounts not required for the payment of such checks and with the concurrence of the Comptroller General to make such rules and regulations as he may

deem necessary or proper for the administration of the provisions of this act: *Provided*, That in the case of checks issued by the disbursing officer of the District of Columbia and the disbursing officer of the Corps of Engineers in reference to the disbursement of District funds, the Secretary of the Treasury is authorized to transfer, at appropriate intervals, from the accounts available for the payment of such unpaid checks, to the general revenues of the District of Columbia, any amounts not required for the payment of such checks: *Provided further*, That as to such checks issued on or before June 30, 1955, transfers to the general revenues of the District of Columbia shall be limited to the amount of undelivered checks."

SEC. 3. (a) Section 2 of the act of June 22, 1926 (44 Stat. 761; 31 U. S. C. 122) is hereby amended to read as follows:

"SEC. 2. Hereafter all claims on account of any check, checks, warrant, or warrants appearing from the records of the General Accounting Office or the Treasury Department to have been paid, shall be barred if not presented to the General Accounting Office or the Treasurer of the United States within 6 years after the date of issuance of the check, checks, warrant, or warrants involved. However, any claims for the proceeds of checks payable in Philippine pesos heretofore issued in payment of claims certified by the Philippine War Damage Commission, shall not be barred if received by the representative of the Chief Disbursing Officer, United States Treasury Department, at Manila, Republic of Philippines, within 6 years after the date of issuance of such checks."

(b) Section 1 of the act of March 6, 1946 (60 Stat. 31; 31 U. S. C. 129) is hereby amended by inserting immediately after the words "General Accounting Office" the words "or the Treasurer of the United States".

SEC. 4. Subsection (a) of section 3646 of the Revised Statutes of the United States, as amended (31 U. S. C. 528 (a)) is hereby amended to read as follows:

"(a) Except as provided in this section, whenever it is clearly proved to the satisfaction of the Secretary of the Treasury that any original check of the United States is lost, stolen, or wholly or partly destroyed, or is so mutilated or defaced as to impair its value to its owner or holder, the Secretary of the Treasury is authorized to issue to the owner or holder thereof against funds available for the payment of the original check a substitute showing such information as may be necessary to identify the original check, upon receipt and approval by the Secretary of the Treasury of an undertaking to indemnify the United States, in such form and amount and with such surety, sureties or security, if any, as the Secretary of the Treasury may require; but no such substitute shall be payable if the original check shall first have been paid: *Provided*, That nothing contained in this section shall be deemed to relieve any certifying officer or his sureties or any disbursing officer or his sureties of any liability to the United States on account of any payment resulting from the erroneous issuance of the original check."

SEC. 5. (a) Subsection (c) of section 3646 of the Revised Statutes of the United States, as amended (31 U. S. C. 528 (c)), is further amended by deleting the phrase "prior to the expiration of 10 years from the date on which the original check was issued" and inserting in lieu thereof "prior to the close of the fiscal year next following the fiscal year in which the check was issued".

(b) Subsection (e) of section 3646 of the Revised Statutes of the United States, as amended (31 U. S. C. 528 (e)), is further amended by deleting the phrase "prior to the expiration of 10 years from the date on which the original check was issued".

(c) Subsection (f) of section 3646 of the Revised Statutes of the United States, as amended (61 Stat. 310; 31 U. S. C. 528 (f)), is further amended to read as follows:

"(f) Substitutes issued under this section drawn on the Treasurer of the United States shall be deemed to be original checks and payable under the same conditions as original checks."

SEC. 6. Section 2 of the act of July 11, 1947 (61 Stat. 309; 31 U. S. C. 133), and section 5 of the act of July 1, 1916, as amended (61 Stat. 309; 31 U. S. C. 154) are hereby repealed.

The SPEAKER. Is a second demanded?

Mr. BROWN of Ohio. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, this is a very simple bill. If any Member wants to ask any questions about it, I shall be very glad to undertake to answer them.

Mr. GROSS. Is this similar to the bill H. R. 8195?

Mr. McCORMACK. This is H. R. 8195.

Mr. GROSS. I thought we were considering a Senate bill.

Mr. McCORMACK. There is no bill of this kind that has passed the Senate. There are certain minor committee amendments. This is merely to facilitate the payment of checks that have been outstanding for more than a year. This is a matter in relation to better service to the people and there will be some savings to the Government while bringing about greater efficiency at the same time.

Mr. GROSS. May I say to the gentleman I was under the impression that the House was considering a Senate bill and I was seeking to ascertain whether it was similar to the bill H. R. 8195.

Mr. McCORMACK. No; this is the House bill.

Mr. BROWN of Ohio. Mr. Speaker, the members of the Committee on Government Operations are unanimous in reporting out this bill. The purpose of this bill is to correct certain inequities and the bill has been recommended by the Treasury and by the General Accounting Office.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

INTERNAL SECURITY ANNUAL REPORT FOR 1956

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up the concurrent resolution (S. Con. Res. 22) to print for the use of the Senate Committee on the Judiciary additional copies of the internal security annual report for 1956 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary 75,000 additional copies of Senate Report No. 131, 85th Congress, entitled "Internal Security Annual Report for 1956."

Mr. LeCOMPTE. Mr. Speaker, will the gentleman yield?

Mr. HAYS of Ohio. I yield.

Mr. LeCOMPTE. Mr. Speaker, for the benefit of the membership I simply want to ask the gentleman from Ohio whether it is not true that 2 or 3 of these resolutions are resolutions of the other body.

Mr. HAYS of Ohio. That is correct.

Mr. LeCOMPTE. Of course, the principle of comity between the two bodies practically compels us to pass these resolutions without any long drawn-out debate.

Mr. HAYS of Ohio. That has always been the policy.

Mr. LeCOMPTE. And the other resolutions, if I may speak at the moment concerning the several resolutions which the gentleman from Ohio expects to call up at this time are mostly resolutions from committees of the House asking for documents to be printed for the use of the committees; is that not correct? And of the total cost probably the three Senate resolutions cost far in excess of the amount estimated for the others.

Mr. HAYS of Ohio. That is correct.

Mr. LeCOMPTE. The House resolutions constitute the greater part of this group of resolutions and all were passed out of the Committee on House Administration by unanimous vote.

Mr. HAYS of Ohio. That is the case in all except one or two instances, and I will speak about those when we get to them.

Mr. LeCOMPTE. I thank the gentleman.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

THE INTERNATIONAL PETROLEUM CARTEL

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up the concurrent resolution (S. Con. Res. 26) to print additional copies of the report entitled "The International Petroleum Cartel," and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there shall be printed 3,000 additional copies of the report entitled "The International Petroleum Cartel," a staff report to the Federal Trade Commission submitted to the Subcommittee on Monopoly of the Senate Committee on Small Business, which was printed as a committee print during the 82d Congress, 2d session. Such additional copies shall be for the use of the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

COMPILATION OF STUDIES AND REPORTS ON THE FOREIGN-AID PROGRAM

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House

Administration, I call up the concurrent resolution (S. Con. Res. 30) to print a compilation of studies and reports on the foreign-aid program, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there shall be printed as a Senate document a compilation of studies and reports prepared under the direction of the Special Committee To Study the Foreign Aid Program, created by Senate Resolution 285, agreed to July 11, 1956, as amended by Senate Resolution 35, agreed to January 30, 1957.

SEC. 2. There shall be printed 8,000 additional copies of such Senate document. Such additional copies shall be for the use of the Special Committee To Study the Foreign Aid Program.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

FOREIGN TRADE INTERESTS IN THE STATE OF MICHIGAN

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 240) authorizing the printing of the manuscript, Foreign Trade Interests in the State of Michigan, as a House document, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the manuscript entitled "Foreign Trade Interests in the State of Michigan," prepared by the Library of Congress, be printed as a House document.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INTERNAL REVENUE ADMINISTRATION, PROGRESS REPORT OF THE SUBCOMMITTEE ON INTERNAL REVENUE TAXATION

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 266) providing for printing additional copies of a study entitled "Internal Revenue Administration, Progress Report of the Subcommittee on Internal Revenue Taxation" and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there be printed for the use of the Committee on Ways and Means, House of Representatives, 3,000 additional copies of a study entitled "Internal Revenue Administration, Progress Report of the Subcommittee on Internal Revenue Taxation," to the Committee on Ways and Means, issued by said committee during the 85th Congress, 1st session.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT ON INTERGOVERNMENTAL RELATIONS

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 278 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there be printed for use of the Committee on Government Operations 2,700 additional copies of the report on intergovernmental relations made by that committee pursuant to a study of State and local governments.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 135, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the publication entitled "Guide to Subversive Organizations and Publications" prepared by the Committee on Un-American Activities, House of Representatives, 84th Congress, 2d session, be printed as a House document; and that there be printed 60,000 additional copies of said document, of which 40,000 copies shall be for the use of said committee and 20,000 copies to be prorated to the Members of the House of Representatives for a period of 90 days after which time the unused balance shall revert to the Committee on Un-American Activities.

The SPEAKER. The question is on agreeing to the resolution.

Mr. HAYS of Ohio. Mr. Speaker, I would like to state for the RECORD that there was some discussion of this resolution in the committee and there was some objection to it, although it was subsequently reported out by an almost unanimous vote. The objection came about because there had been some criticism by the press that our subcommittee was holding up on this resolution and copies were not available to people who wanted them. Some members of the committee called the Government Printing Office and found there were some 5,000 copies down there for sale. They felt that we should not come out with this resolution until that supply was exhausted. However, the full committee ordered the subcommittee to make a study of matters of this kind with a view to setting up some rule for the future, and then with, I believe, only one dissenting vote the committee reported out this resolution.

The SPEAKER. The question is on the resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

SOVIET TOTAL WAR

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 136, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That volumes I and II of the publication entitled "Soviet Total War" prepared by the Committee on Un-American Activities, House of Representatives, 84th Congress, 2d session, be printed as a House document; and that there be printed 5,000 additional copies each of volumes I and II for the use of said committee.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRIAL BY TREASON

Mr. HAYS of Ohio. Mr. Speaker, I call up the resolution, House Resolution 189, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the publication entitled "Trial by Treason" prepared by the Committee on Un-American Activities, House of Representatives, 84th Congress, 2d session, be printed as a House document; and that there be printed 4,000 additional copies of this document for the use of said committee.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNUAL REPORT FOR THE YEAR 1956

Mr. HAYS of Ohio. Mr. Speaker, under direction of the Committee on House Administration, I call up House Resolution 220 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there be printed for the use of the Committee on Un-American Activities 7,000 additional copies of House Report No. 53, current session, entitled "Annual Report for the Year 1956."

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO AMEND THE ATOMIC ENERGY ACT OF 1954

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 297, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7383) to amend the Atomic Energy Act of 1954, as amended, and for other purposes. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking House minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the

consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

At this time I yield myself such time as I may require.

Mr. Speaker, House Resolution 297 provides for the consideration of H. R. 7383, a bill to amend the Atomic Energy Act of 1954, as amended. The resolution provides for an open rule and 2 hours of general debate on the bill.

H. R. 7383 is substantially the same as the bill reported by the Joint Committee on Atomic Energy last year, which was never debated on the floor of either House.

The provisions of this bill provide governmental indemnification to persons and companies licensed by the Atomic Energy Commission within the next 10 years. Indemnification agreements will be signed under which the Commission will agree to indemnify the licensees for a portion of the damages arising from nuclear incidents which are in excess of financial protection in the form of private liability insurance, private contractual indemnities, or self-insurance required by the Commission to cover public liability claims. The limit of the Commission's responsibility under the agreements would be $500 million. The Commission is authorized to treat with its own contractors in the same way it treats with licensees under the provisions of this bill.

The Commission is also authorized to make contracts in advance of appropriations, and any appropriations made available to the Commission shall be available for the payment of obligations under indemnity agreements.

Section 5 of the bill adds a new section 29 to the Atomic Energy Act to formally establish a Committee on Reactor Safeguards. The Committee will review license applications and advise the Commission with respect to the hazards involved at any facility. The Committee is required to publish its safety reports and public hearings on certain facility license applications. The main reason for making this Committee a statutory committee is to insure that any features of new reactors would be as safe as possible.

Ample time has been provided for debate on H. R. 7383, and I urge the prompt adoption of House Resolution 297.

Mr. Speaker, I think the Committee on Rules reported this bill unanimously and with one exception I think it was reported unanimously by the Joint Committee on Atomic Energy.

Mr. Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, as the gentleman from Indiana [Mr. MADDEN] has explained, House Resolution 297 makes in order the consideration of the bill, H. R. 7383, from the Joint Committee on Atomic Energy, to amend the Atomic Energy Act of 1954 so as to authorize the Federal Government to engage in the insuring of privately constructed and operated atomic energy plants for the manufacture of power and electric energy after private insurance companies have granted as much insurance as it is possible to obtain. The bill was reported almost, if not quite, unanimously. I think there was perhaps one member of the Joint Committee on Atomic Energy that had a reservation, but the bill is supported by the great majority of the members of the Joint Committee on Atomic Energy and the rule which provides for consideration of the bill was reported by the Committee on Rules with a unanimous vote.

This bill, of course, involves a considerable liability on the part of the Government under certain conditions and is an important measure. It will be fully explained during general debate and the provisions of the bill will be carefully gone into.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. GROSS. Does this bill have the firm support of the administration, may I ask the gentleman?

Mr. BROWN of Ohio. It was my understanding that the Atomic Energy Commission and the administration have supported the measure.

Mr. COLE. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. COLE. I can assure the gentleman from Iowa that this bill does have the very strong support of the administration; so much so that at the last session of Congress President Eisenhower sent a communication to the Speaker asking that this bill be given consideration.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, I have not been able to find any reference in the report to such a communication or any statement from the Bureau of the Budget with respect to the financing provisions.

Mr. COLE. I was referring to a communication from the President to the Speaker which was submitted during the last session of Congress, and I am only speaking from memory; I am not altogether positive.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. PRICE. The joint committee is in possession of a letter of approval from the Atomic Energy Commission and cleared by the Bureau of the Budget for this purpose.

Mr. BROWN of Ohio. Will the gentleman place that letter in the RECORD?

Mr. PRICE. Yes. I would be glad to read it now. The letter reads as follows:

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., June 5, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy,
Congress of the United States.

DEAR MR. DURHAM: In accordance with Senator ANDERSON'S request transmitted by Mr. Ramey in his letter of May 20, the Commission has reviewed S. 2051 and H. R. 7383. While, as we indicated by our recent testimony on indemnity legislation, certain provisions contained in the bills may raise problems of administration, we believe that we will be able to develop a workable program under the authority provided therein. Although we would prefer to continue the Advisory Committee on Reactor Safeguards in its present status, as indicated by our letter of January 4, 1957, to Senator ANDERSON, we feel that in view of the urgent need for indemnity legislation, the enactment of S. 2051 or H. R. 7383 is of paramount importance.

In response to Senator ANDERSON'S request, we are forwarding to the executive director of your committee by separate letter our comments directed toward perfecting amendments to better carry out the purposes of the bill.

Sincerely yours,

LEWIS STRAUSS,
Chairman.

Mr. BROWN of Ohio. I thank the gentleman.

Mr. MADDEN. Mr. Speaker, I yield 10 minutes to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, 7 years ago I called attention to a program being conducted in my native city of Boston aimed at reducing the tragic loss of life and property due to fire. Reprints from the CONGRESSIONAL RECORD of those remarks were secured and distributed, at their expense, by the National Board of Fire Underwriters.

Thus there was fulfilled one of the major purposes of my remarks in that other communities in the United States—as well as in Canada and many parts of the world—learned about this program.

I was reminded of this when I learned that among the many communities that adopted this program is Flint, Mich. As a reward, eight outstanding boys and girls who participated in this fire marshal plan program, as it is called, were brought to Washington where my fellow Congressmen from Michigan met them and played host.

If I might employ a figure of speech, I would like now to reverse the procedure and to take you Members of Congress back to your districts and to the Nation as a whole so that we might realize, first, the great need for this work being performed so gloriously by our boys and girls in the sixth grades; and second, that you may appreciate the great civic contribution of these boys and girls who have participated in this fire marshal plan program.

Let me state at this time that the program derives its name because it is built about a key boy or girl in each participating school classroom. And he or she is designated the room marshal, and proudly wears a gold badge signifying that rank.

But before explaining in greater detail just how this plan works and why it is so successful, I wish to direct your attention to the tragic problem itself. It is conservatively estimated that at least 13,000 people are burned to death in the United States every year; that three-quarters of these deaths occur in the home, and that a very high percentage of those who are burned to death in their own homes are children.

Quite properly, we as a Nation do much to combat polio and other diseases which

we group as killers of children. Why are we so indifferent to the tragedy of fire which annually kills more children than all these major diseases combined? Let me quote from a newspaper story concerning just one of these fires that occur too often and wipe out 5, 6, and more children in a single family: "One by one we saw the tortured faces of these children vanish from the window while we had to stand by helpless to save them."

Such is the average adult's conception of fire and the role of the fire department that we become cutraged when we read of as many as seven children being burned to death less than a mile from the fire station, as happened in one community this year. We seem to take for granted that because we have appropriated the funds for a fire department these tragedies cannot happen.

We forget that today more than ever homes are subjected to flash fires which can gut a home and take lives in a matter of a few seconds. Long before the fastest fire apparatus has a chance to respond.

We have made great technological advances in our war against fire. We have learned how to prevent conflagrations and to contain the large industrial fire and in many instances prevent it. Nevertheless, our fire losses keep soaring until they have passed the billion-dollar mark.

One obvious reason for this is that our dwelling fires have increased. There is a logical explanation for this. The many new products and inventions that have added to our comfort have, in turn, introduced many new and unrecognized fire hazards into our homes.

Smoking, for example, has greatly increased in the home and careless smoking is still the number one cause of fires. A survey has indicated that one-third of all dwelling fires caused by smoking or matches result from smoking in bed. The variety of appliances using electricity and now available for the average home has tripled since the end of World War II and such appliances, old and new, are in much greater use today.

In short our problem, that destroys so much life and property, centers upon the community and the occupants of our homes.

How do we reach them? How do we instruct them? How do we get them to pay attention and to cooperate? How do we get them to save their lives and the lives of their children?

That is why 7 years ago I called attention in Congress to the program conducted in my native city of Boston by the Boston Fire Department and Boston public, parochial and private schools, and sponsored by the Boston Board of Fire Underwriters. In Boston, shortly after the introduction of the fire marshal plan, the number of building fires dropped 25 percent and this figure has remained consistently low. Moreover, the experience of other communities that sought information and then adopted this program is similar. Here are just a few examples. In Watertown, Mass., the Watertown Press in a full page feature article revealed that after the first year of this program fire losses dropped from $235,483 the year before to $38,789. In the second year fire losses reached a record low of $19,332.

In Chelsea, Mass., a report of the local Chamber of Commerce gave credit to the program for a 64 percent drop in fire losses. Building fires, which ran above 400 a year before the program, dropped consistently to a below 100 mark with one low of 67. Warren, Ohio, where the chamber sponsors the program, reported a 20 percent drop in dwelling fires, and Woonsocket, R. I., where local insurance agents sponsor the program, reported a 40 percent drop in losses

However, all communities point out that prevention of fires and the saving of life and property is but one phase of the program. It improves schoolwork and serves as the foremost youth activity in which all boys and girls, including the physically handicapped, can excell in an outstanding civil activity. Johnstown, Pa., for this reason calls its fire marshal plan program "a fire prevention and juvenile delinquency program."

It is a tragic fact that the average adult is too preoccupied with the crowded affairs of a busy existence to give attention to the many warnings beamed at him or her concerning the many hazards about us. And yet only by an educational program can we gain the necessary attention and cooperation of these adults—the occupants of our homes.

This end has been and can be achieved by this sixth grade program; thanks primarily to the responsiveness and alertness of boys and girls of this age, and thanks, also, to the cooperation of local fire and school departments as well as local groups who make this possible.

In the beginning this fire marshal plan was undertaken in the belief that our present generation of adults could be written off as beyond the age when they could be alerted to dangers in the home, or could have their habits changed. Instruction was begun with the idea that knowledge and good habits would be planted in children at a formative age to bear fruit some years later when they became adults.

This achievement has already been gained, since the program has been in effect for more than a dozen years. But in the very beginning it was happily discovered that these enthusiastic boys and girls would immediately eliminate thousands of fire hazards in and around their own homes.

But perhaps of even greater value was the soon discovered fact that they could and did gain the attention and cooperation of their parents. This in turn created interest in the work of fire and other officials in their efforts to make their communities safer.

We have reams of statistics resulting from fires that have occurred. There is no way of recording that fire that would have happened had not some father, at the moment of tossing away a lighted cigarette, remembered the interest of his sixth grade son or daughter and extinguished the cigarette. But we do know that these and many other similar acts have occurred because we have so many reports from parents and teachers.

And so 7 years after I first called attention to the benefits of this fire marshal plan program, I am only too happy to do so again, having before me the splendid record achieved in so many communities.

I point with pride to the work under this program of such Massachusetts communities as Boston, Cambridge, Chelsea, Weymouth, Watertown, Waltham, Burlington, Holyoke, Lynn, Athol, Orange, and to communities in other States, such cities and towns as Cleveland; Minneapolis; Warren, Ohio; Niles, Ohio; Champion, Ohio; Flint, Mich.; Council Bluffs, Iowa; Ridgewood, N. J.; Woonsocket, R. I.; and Presque Isle, Maine.

In conclusion I would like to quote from the remarks of Fire Commissioner Francis X. Cotter of Boston. Annually at the end of the school year the Boston Fire Department stages an open air reception for the boys and girls.

The commissioner called attention to the members of the firemen's band and to the other uniformed firefighters on the stage. "This is one Boston Fire Department. But you boys and girls wearing your well-earned badges tonight are also a fire department. You do not climb ladders or pour water into flaming buildings, but in eliminating fire hazards and preventing just such fires you, too, perform the work of a fire department. Work for which the city is indebted to you and I know is grateful."

May the work of such fire departments expand and continue.

To those interested, I might say that details of the fire marshal plan program and how it may be adopted can be obtained from Herbert L. McNary, executive manager, Boston Board of Fire Underwriters, 89 Broad Street, Boston 10, Mass.

Mr. MADDEN. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include an article by Robert J. Serling of the United Press.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, a very interesting and informative article on aviation safety and the tragic accident over Grand Canyon a year ago appeared Sunday in the Washington Post and Times-Herald. It was written by Mr. Robert J. Serling of the United Press. In view of its interest to Members, I ask unanimous consent to extend my remarks and include that article.

Through the years, the Committee on Interstate and Foreign Commerce has maintained a continuing interest in aviation safety, a subject over which the committee has legislative jurisdiction.

Immediately following the Grand Canyon accident, the then chairman of the committee, the late Honorable J. Percy

Priest, appointed me chairman of a special subcommittee to investigate the Grand Canyon accident.

The committee made an on-the-spot investigation at the scene of the accident where testimony was taken in an all-day session from officials of the Civil Aeronautics Board, the Civil Aeronautics Administration and others with knowledge of incidents leading up to this tragic accident in which 128 lives were lost.

Later, in Washington, we held hearings on July 18 and again on September 11, 12, and 13. I shall not go into detail regarding facts developed in these hearings. The hearings have been printed and are available from the committee.

Subsequently, on January 3, 1957, I submitted a report to the House on our investigation of this accident and the problems encountered in the use of our crowded airspace. That report is House Report No. 2972, 84th Congress, entitled "Airspace Use Study."

In our report, we said:

The Grand Canyon accident points out very clearly that the "see and be seen" concept will be out of date in the jet age. Some more effective method of traffic control or collision avoidance is needed. This control must be capable of being effective under all conditions, including airspace that is presently not controlled.

In the hearings held in Washington last September, Mr. James T. Pyle, Administrator of Civil Aeronautics, outlined to the committee steps being taken by the CAA to install new equipment and develop new techniques to handle the growing air-safety problem. The CAA is proceeding with those plans as rapidly as possible.

In connection with the Grand Canyon accident, the committee insisted that steps be taken as rapidly as possible to establish an airway across Grand Canyon. Difficulties were encountered in connection with airspace reservations of the military, but I am pleased to announce that the CAA today announced the airway has been established.

At the very start of the Grand Canyon accident investigation it became apparent that the line of demarcation between responsibilities of the CAB and the CAA in the field of aviation safety should be more clearly defined.

In our report, the committee said:

It is evident that the closest coordination must be maintained between the CAB and the CAA in this field. During the September hearings, Mr. James Pyle, then Acting Administrator of the CAA, informed the subcommittee that he and Mr. James Durfee, Chairman of the Civil Aeronautics Board, had agreed to make a study of regulatory problems involved in this delegation of rulemaking authority to the CAA. The committee is of the opinion that this is an important step toward improving the relationship between the two agencies having great responsibilities with the aviation program so vital to the American public.

In further hearings held April 16, 1957, Hon. James F. Durfee, Chairman of the Civil Aeronautics Board, told the committee:

We have now established an agreed procedure for a method of coordinating the rulemaking activities of the Board with the administrative functions of the administration and particularly with the question of delegation of rulemaking power by the Board to the Administrator in certain types of regulations where we feel the Administrator can perhaps do the job more expeditiously and on the basis of better information than we have, because of their personnel in the field.

The committee has continued its study of the subject of aviation safety in the present Congress in a series of hearings. We are pleased with the progress being made, but much more must be done and I am sure will be done as rapidly as possible.

The article by Mr. Serling follows:

CANYON CRASH HAS MADE AIR SAFER

(By Robert J. Serling)

One year ago today, two giant airliners bisected an angle of death over the Grand Canyon.

In a few sickening seconds, 128 lives were snuffed out in history's worst commercial aviation disaster and a stunned Nation was made suddenly aware of a gigantic air safety problem.

Grand Canyon was the "impossible" accident: The airliners collided in reasonably clear weather, at a high altitude and in literally empty airspace.

The lesson was grimly clear. If it could happen over the Grand Canyon, it was far more likely to happen in the congested air approaches to the big cities.

The Civil Aeronautics Board spent almost 10 months investigating why Trans World Airlines' super-Constellation and United Airlines' DC–7 collided. In its final report, the CAB said the "probable cause was that the pilots did not see each other in time"—which was like saying that the collision was accidental.

But the CAB went on to list a number of factors which, singly or in combination, may have "blinded" the pilots. These included:

Limited cockpit visibility.

Intervening clouds which prevented the pilots from seeing the other aircraft in time to maneuver away.

Preoccupation with normal cockpit duties.

Physiological limits to human vision.

Insufficiency of en route air traffic advisory information because of inadequate facilities and lack of personnel in air traffic control (ATC).

Preoccupation with unrelated cockpit duties such as trying to provide passengers with a more scenic view of the canyon.

This possible sightseeing factor has been discarded by most air safety experts because of the altitude (21,000 feet) and the clouds and haze present. But the other suggested factors added up to an indictment of the air traffic system as it existed on June 30, 1956.

The TWA and United planes came together because their pilots didn't see each other in time—but that visual failure was merely the culmination of many weaknesses in the system under which the airmen were operating.

Both planes were flying off airways—in airspace uncontrolled by Federal traffic control centers. That was because the controlled airways were not as direct. But in choosing to fly the uncontrolled routes, the pilots were made solely responsible for avoiding any other traffic.

The TWA plane, originally assigned a lower altitude, had been given permission to climb 1,000 feet above the clouds. In doing so, it had to reach 21,000 feet—the assigned altitude of United's DC–7. TWA was told that United was at that altitude but the undermanned ATC centers along the route were too busy to warn United. The centers had their hands full monitoring traffic on controlled airways; they could not accept responsibility for planes in uncontrolled air space.

Thus the deadly pattern was set. Has anything been done about those conditions in the 12 months since? These are the positive accomplishments:

As quickly as possible, the airlines are shifting to instrument flight rules (IFR) both at high altitudes and in the more congested airways. All carriers have voluntarily gone to "positive separation" for all flights above 18,000 feet, which means that they must fly on federally designated airways under the monitoring and guidance of air traffic control centers.

Effective Monday, every flight above 9,500 feet in the heavily traveled Golden Triangle between New York, Washington and Chicago must fly IFR in controlled air space. And, eventually, every commercially scheduled flight will be IFR from takeoff to landing.

The Civil Aeronautics Administration, which operates the air traffic control system, is almost ready to control all civil and military flights above 24,000 feet. By next January, this floor will be lowered to 15,000 feet. CAA has increased the number of one-way airways, particularly between New York-Washington and New York-Chicago. It also has designated 12 direct transcontinental "superskyways" for safe separation and control of coast-to-coast high-speed flights, including the forthcoming jets.

The CAA, with Congressional blessing, has compressed its original 5-year expansion of the Federal airways system into 3 years and has stepped up spending on this system from $246 million to at least $810 million.

From June 30, 1956, to last May 30, the CAA added nearly 7,000 miles of electronically monitored airways to its system. It put into commission millions of dollars worth of radio and radar equipment both along the airways and at airports themselves. It also recruited 2,200 new air traffic controllers and spent $9 million on 23 long-range radar sets with first deliveries scheduled for August.

The CAA in the past 12 months has spent another $9 million on improved communications equipment for more efficient voice traffic between pilots and controllers.

The CAA has revised its regulations to cut down the visual flight rules (VFR) under which pilots must bear complete responsibility for avoiding other traffic. VFR is now given pilots only when they request it; formerly CAA controllers initiated VFR restrictions.

Both the CAA and the airlines, with pilots' cooperation, are restricting the 1,000 on top clearances which played a role in the Grand Canyon crash. Pilots must now fly at least 2,000 feet above the clouds.

Congress and the aviation industry have been handed a massive blueprint for future handling of air traffic, drawn up by President Eisenhower's Special Aviation Facilities Planning Commission. It calls for a temporary 3-year airways modernization board which would test new air traffic control systems and equipment. It details elaborate future plans for traffic control at major airports and recommends a new, completely independent Federal aviation agency.

These are the positive accomplishments which followed Grand Canyon. But they do not give the whole picture.

Some of the Government's airways expansion plans have been blocked by conflicts with the military over use of airspace. For example, CAA plans to establish a direct, controlled airway across the Grand Canyon collided with an Air Force demand that the area be banned to commercial planes. The controversy is still being thrashed out.

Also, the CAA's proposed 12 superskyways for transcontinental flights are being threatened by the military blocking out sections for air training and gunnery practice. During the recent naval maneuvers which President Eisenhower witnessed off the Virginia coast, airlines were forced to detour more than 200 flights in a 27-hour period.

Despite the current drive toward safer air-traffic control, near misses take place daily. A recent report to Congress revealed that aircraft are involved in two near misses a day while flying over densely populated areas. The Civil Aeronautics Board reported 452 near collisions in the last 4 months of 1956—101 of them over the largest metropolitan areas.

Last month, the aviation industry itself ruefully admitted that 2 years of research have failed to develop anticollision warning devices. Nearly 70 companies have been trying to perfect anticollision or proximity warning equipment without success.

Could Grand Canyon happen again?

Government and aviation industry officials believe that the chances have been reduced considerably, thanks to better control of high-flying traffic and the virtual elimination of visual flight rules for such planes. But the collision danger itself is still haunting pilots and airline executives. Traffic in congested airport areas gets heavier by the day.

And no matter how much improved control goes into commercial airline operations, there is no present way to keep military and private aircraft out of the way all the time. Many of the reported near-misses have involved military and private planes brushing close to airliners, with the formers' presence unsuspected by air traffic control centers.

The blueprint mapped by White House air safety planners would lump all military, commercial, and private planes under a single control system. But the target date for this blueprint is 1975—and, as one veteran pilot put it, "a lot of collisions can take place in the next few years."

Grand Canyon accomplished two major goals:

It galvanized Congress into voting funds for which Federal aviation agencies and the airlines had been pleading for years.

It also resulted in some badly needed Government-industry cooperation in solving air traffic problems.

Like virtually every air crash, it taught some lessons and drove home old ones—for which 128 persons had to die. And like every air accident, it cannot be summed up in mere statistics. It touched hundreds of homes with personal tragedy which a short year has failed to ease.

The families of the dead pilots are reasonably well off financially, although one of the companies had to take up a collection to pay off a copilot's mortgage. Three damage suits totaling a half-million dollars have been filed against the Government and the two airlines. More are expected now that the CAB's final report has been published.

The crash apparently had no effect on the public's confidence in air travel. In the 6 months following June 30, 1956, 19,168,000 persons flew domestic airlines. That was about 2 million more than in the comparable period of the preceding year.

Much of the wreckage of the red and white Constellation and the blue and silver DC–7 is still at the scene. Investigators took what they could for laboratory inspection, but some of the parts were left where they fell on that warm, hazy day in June.

They will stay there rusting and forgotten—mute testimony to man's imperfections, while overhead will thunder airliners on flights made safer by what happened 1 year ago today.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I rise in support of H. R. 7383, the atomic reactor indemnity bill which amends the Atomic Energy Act of 1954 to protect the public by providing governmental indemnity and granting limitation of liability for persons in the atomic energy program.

I have studied the report of the Joint Committee on Atomic Energy on this bill and I feel that it justifies a favorable vote. Without a governmental indemnity program, private industry just cannot move ahead in the field of peaceful uses of atomic energy. This bill offers a practical approach to the problem of providing adequate protection against liability arising from atomic hazards as well as a sound basis for compensating the public for any possible injury or damage arising from an atomic runaway. Private insurance companies could provide a maximum of $65 million in financial protection and the Atomic Energy Commission will agree to indemnify the licensee for damages arising from nuclear incidents which are in excess of this financial protection but up to a limit of $500 million.

This legislation is necessary if the development of economical, competitive, and safe nuclear power by private industry is to continue. Otherwise, the Government will have to take over the entire program of peaceful development of atomic energy. This will result in the taxpayers being held responsible for the entire cost of the program. It will also place the entire burden of any possible atomic runaway with resultant tremendous losses upon the Federal Government and ultimately, the American taxpayer.

Mr. MADDEN. Mr. Speaker, I yield myself 7 minutes and ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

TITO-KHRUSHCHEV TELEVISION BROADCAST

Mr. MADDEN. Mr. Speaker, yesterday afternoon, June 30, for the second time within a month, millions of Americans listened to another Communist television propaganda broadcast by one of the leading Communist tyrants in the world, Tito of Yugoslavia. On June 2 a similar television program was sent over the airwaves by Nikita S. Khrushchev, the Soviet Communist leader. Anyone who listened to these two Communist leaders could detect a well prepared effort to mislead the people of the world concerning the real truth of the Communist menace. The questions propounded to these Communist leaders were of such a nature that they could engage in general answers, extolling false propaganda about the so-called people's government under the Communist rule. In answer to one question, Khrushchev stated and I quote:

> We would prefer that you would not plan that war against us, but we believe that you are planning that war and you must know that such a war would be an awful thing—

And then he proceeded to elaborate on the Communist peaceful intentions. He also elaborated on how anxious the peoples of the captive countries were to accept communism and how happy they are under its regime.

If the questions asked in these interviews were not censored, why did not the interrogators ask Dictators Khrushchev and Tito regarding how the Communists succeeded in taking over the captive countries and remind them of the millions of innocent victims who were executed, massacred, and sent to slave labor camps so that these countries, could, as he says, enjoy life under communism. Why did they not ask them about the destruction of churches and the tens of thousands of priests, ministers, rabbis, and leaders of religion who have been tortured, imprisoned, and executed under the Communist regime. If these television reporters and the Columbia Broadcasting System wished to give the American people a true interrogation of these dictators, they should have consulted the records and reports of two committees of Congress who have had an opportunity to hold hearings, receive sworn testimony, and expose communism in its true light. All of this testimony was documented by a special committee of Congress which invited the Soviet leaders to testify. A special congressional committee in the 83d Congress took the testimony of 250 witnesses, including former leaders in government of Communist captive nations, religious and labor leaders, and victims of slave labor camps which expose the real truth about communism. Testimony under oath before this congressional committee in hearings in Munich, Germany, revealed that Ana Pauker, the Communist Rumanian leader, stated that when the Soviet armies took over Rumania, the Communists in Rumania numbered less than 1,000 in a nation of 20 million people. This congressional committee filed separate reports, revealing identical methods used by the Soviets to take over Poland, Hungary, Czechoslovakia, Bulgaria, Albania, Georgia, Estonia, Byelorussia, Ukrania, Latvia, and other smaller nations. I wonder if Secretary of State Dulles and Allan Dulles, head of the Central Intelligence Agency could possibly persuade the Soviet leaders to air a similar broadcast throughout Russia and behind the Iron Curtain which was enjoyed by comrade Khrushchev and Tito on a nationwide hookup in our country. Why were not Mr. Khrushchev and Tito asked if such a broadcast behind the Iron Curtain would be permitted?

I firmly believe that considering the billions that American taxpayers are spending to curtail communism that the State Department and our public information and intelligence system should exert the same efforts to spread the truth about democracy and free government that the Communist leaders succeeded in broadcasting regarding the Communist conspiracy. The Columbia Broadcasting System should offer to the State Department its facilities to answer the unfortunate and misleading broadcasts which they allowed to go over the air waves on their programs yesterday and on June 2.

The following are some of the questions which the reporters either failed to ask or were restricted from asking these two Communist dictators:

First. Why has there not been a free election held within the Soviet borders during the last 39 years?

Second. Why are labor unions completely abolished in Russia and in the other Iron Curtain countries?

Third. Is it not a fact that the basic reasons for the recent uprisings in Poland, Hungary, and East Germany were based on hatred for tyranny, bad working conditions, and the breakdown of Communist economy?

Fourth. How many slave labor camps are behind the Iron Curtain as of today? How many slave laborers and political prisoners are inmates of these camps?

Fifth. Why did the Soviet leaders denounce the 17-point program submitted by the democracies in November 1955 for breaking down the barriers between communism in the Free World as a "blueprint for espionage"?

Sixth. Mr. Khrushchev, after the uprising, the Hungarian Government wanted to peacefully coexist with the Soviet, why did Moscow commit the violent onslaught and kill and imprison hundreds of thousands of Hungarian people?

Seventh. Mr. Khrushchev, after the summit meeting in Geneva, why did you and Mr. Bulganin, on your extended trip through the Near East, publicly denounce and condemn the leaders of the Free World as imperialists and warmongers when at Geneva a few months before, you were silent on these charges?

Eighth. Mr. Khrushchev, a special congressional committee, after holding extended hearings in this country and in Europe, reported unanimously in its findings that the Soviet leaders massacred 14,000 Polish Army officers and civilian leaders in the Katyn Forest and 2 other prison camps. Your government was invited to submit testimony at the Katyn massacre hearings in Frankfurt, Germany, in 1952. Why was this invitation refused?

Ninth. Mr. Khrushchev, in June 1945, 15 Polish leaders were invited to Moscow on the pretense of negotiating for an independent Poland. Thirteen of these emissaries disappeared and the remaining two were jailed by your secret police. What became of the 13 who disappeared?

Tenth. Mr. Khrushchev, the U. S. News & World Report, an American magazine, in an article last year, stated that of 52 agreements, treaties, and pacts entered into by the free nations with your government during the last 25 years, only 2 agreements have been kept. Is that statement true? If so, what agreements and pacts did the Soviets fulfill during this period?

Eleventh. Mr. Khrushchev, why was it necessary 6 years ago for our Government to conduct a gigantic food and provision airlift into Berlin in violation of your corridor agreement?

Twelfth. Mr. Khrushchev, why were the free elections "for captive countries" agreement which your government signed at Yalta not carried out by the Communist leaders?

Thirteenth. Mr. Khrushchev, the special congressional committee in the 81st Congress filed separate reports based on testimony of over 300 witnesses revealing executions, tortures, mass arrests, and deportation of millions of people of all ages to Siberia and other slave-labor centers. If your contention is true that the satellite nations voluntarily accepted communism, why were these crimes on humanity necessary to take control of the Baltic nations or other captive nations?

Mr. Speaker, these are just a few of important questions that should have been propounded by the Columbia Broadcasting System interrogators to the two Communist leaders who enjoyed free access to our air waves, I personally am not objecting to the American people listening to the facts from any source whatsoever if they are truthful and not false Communist propaganda. We are spending billions of dollars to expose communism in its true light and our Government is so naive as to allow the avowed enemies of world freedom to falsely propagandize the people throughout the world in behalf of an international Communist conspiracy which has for its purpose to eventually enslave humanity. No doubt the success of the Khrushchev-Tito propaganda television broadcasts will bring about additional repetition of these broadcasts by other Communist leaders. Our next television visitors may be the leaders in Red China.

Today I am filing a resolution asking that the Congress go on record demanding that the Federal Communications Commission insist that all future questions propounded to Communist officials on television or radio broadcasts be submitted to the Secretary of State and the Director of our Central Intelligence for approval. If Communist leaders are willing to answer only questions which are submitted for their approval before the broadcast, they should be denied the use of our air waves. The Khrushchev-Tito broadcasts were excellent opportunities to submit questions to these two Communist leaders which if answered in truth, would reveal important facts about the Communist conspiracy which millions throughout the world do not know. The questions propounded to Khrushchev and Tito were skimmed milk, watered down interrogations which only afforded them an opportunity to continue their false propaganda and lies regarding communism as compared with world democracy.

Resolution to express the sense of the House of Representatives with respect to radio television broadcasts of interviews with official representatives of Communist and Communist-dominated countries

Resolved, That it is the sense of the House of Representatives that no radio or television broadcast should be permitted over the facilities of any station licensed under the Communications Act of 1934, if such broadcast consists of an interview with any official representative of the Union of Soviet Socialist Republics or of any other Communist or Communist-dominated government, unless, prior to such broadcast, the questions to be propounded to such official representative have been submitted to, and approved by, the Secretary of State.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman.

Mr. LAIRD. Mr. Speaker, I watched the program on which Marshal Tito of Yugoslavia was interviewed yesterday. It seemed to me that the commentator, Edward R. Murrow, tried to give the impression to the American people that the questions he was asking were completely unrehearsed. As I listened to that program, it seemed to me that Mr. Murrow took complete responsibility for the questions asked of Tito, at least he tried to give the viewer that impression. Why he did not ask any of the questions outlined by the gentleman from Indiana is certainly something Mr. Murrow and CBS should explain to the American people.

Mr. MADDEN. Several months ago Congressmen McCORMACK, KEATING, McDONOUGH, and myself caused a petition to be circulated among the Members protesting Tito's proposed visit to Washington. The great number of signatures to this petition caused the cancellation of Tito's propaganda visit to our Capital. The questions that I have suggested are only a few of the very important questions that could have been asked, but these Communist dictators refuse to appear on a television broadcast unless they know the type of questions they are going to be asked, so that they may send out their Communist propaganda.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman.

Mr. O'NEILL. I think an important point is the fact that with all of the money that we appropriated for the Voice of America last year to spread the gospel of democratic government throughout the world, the Russians spent more money to jam the program than the amount that we spent on the Voice of America. Yet the C. B. S. allows these Communists to come into this country, through their leaders, and speak before 20 million of our people. I think it is a problem to which we should give some attention.

Mr. MADDEN. I thank the gentleman. The Communists are spending billions of dollars for propaganda. They come into our country through the use of our airwaves and then refuse to answer questions unless they are submitted to them beforehand so that they can prepare their Communist propaganda.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman.

Mr. FEIGHAN. Mr. Speaker, I wish to congratulate the distinguished gentleman from Indiana for his timely and practical resolution. I wish he were a participant in those TV programs and was permitted a free interrogation of these brutal, criminal tyrannists such as Khrushchev and Tito.

With reference to the gentleman's resolution that he is proposing, I think there is merit to it. But I would have to give that considerable thought because, if the State Department is going to approve these questions, that may not be a proper safeguard for the simple reason that many of the State Department officials have the silly notion that the way to defeat communism is

to strengthen it and to support it, just as they advocate support for Tito's tyrannical regime in Yugoslavia. However, your resolution would clearly fix responsibility for the questions asked of any communistic dictators.

As matters now stand no one has responsibility to the American people for these questions.

Yet the Kremlin and all its stooges are now sole judges of what questions can be asked before the so-called interviews begin.

Mr. DEROUNIAN. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman.

Mr. DEROUNIAN. Mr. Speaker, if the gentleman's resolution should be passed, does he not think that Mr. Murrow might be put out of business? Mr. Murrow seems so proud of his Communist dictator firsts on television.

Mr. MADDEN. I do think Mr. Murrow lost a beautiful opportunity when he had this interview with Tito, to ask him certain very pointed questions that Tito would not have been able to answer.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 391. Joint resolution making temporary appropriations for the fiscal year 1958, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5189) entitled "An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6659) entitled "An act to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes."

The message also announced that the Senate insists upon its amendments to the bill (H. R. 7238) entitled "An act to amend the public-assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD, Mr. KERR, Mr. FREAR, Mr. MARTIN of Pennsylvania, and Mr. WILLIAMS to be the conferees on the part of the Senate.

TO AMEND THE ATOMIC ENERGY ACT OF 1954

Mr. DURHAM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7383) to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from North Carolina.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 7383, with Mr. O'NEILL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. DURHAM. Mr. Chairman, I yield 20 minutes to the gentleman from Illinois [Mr. PRICE].

Mr. DINGELL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Ninety-one Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 129]

Adair	Gwinn	Patterson
Andersen, H. Carl	Halleck	Pilcher
	Harrison, Nebr.	Pillion
Ayres	Hoffman	Polk
Bailey	Holtzman	Powell
Barden	James	Preston
Beamer	Jennings	Rains
Bowler	Jensen	Reece, Tenn.
Brownson	Johansen	Reed
Buckley	Jones, Ala.	Riehlman
Celler	Jones, Mo.	St. George
Christopher	Kearns	Saund
Chudoff	Kilburn	Scott, N. C.
Clevenger	Landrum	Sheehan
Collier	McConnell	Shelley
Colmer	McMillan	Taylor
Curtis, Mo.	Mailliard	Teague, Tex.
Davis, Ga.	Mason	Teller
Dawson, Ill.	Matthews	Thomas
Delaney	Metcalf	Thompson, La.
Dennison	Michel	Thomson, Wyo.
Dollinger	Miller, N. Y.	Willis
Dooley	Moore	Wilson, Calif.
Evins	Morrison	Zablocki
Fino	O'Konski	
Grant	Osmers	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'NEILL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 7383) and finding itself without a quorum, he had directed the roll to be called when 343 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Chairman, first let me assure my colleagues of the House that I had nothing at all to do with the request that a quorum be present, although I believe it is worthwhile for as many Members as possible to sit here and listen to the debate on this bill which we regard as important legislation.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from California.

Mr. HOLIFIELD. I will say that I made an agreement not to ask for a roll-call vote on this bill, but that does not mean I think this bill ought to be considered with only 25 or 30 Members on the floor and I shall take no responsibility for any quorum calls in case the Members do not stay on the floor, because this bill involves a contingent liability on the part of the United States that may run from $50 to $100 billion and I think it is serious enough so that the Members should hear the arguments on both sides of the question.

Mr. PRICE. Mr. Chairman, I am not making any particular issue of the fact that a quorum call was had, but I do not think I have sufficient wisdom that I would ask that a special call of Members be made to listen to my remarks.

Mr. Chairman, as I speak this afternoon in support of H. R. 7383, I do so with the conviction that this bill is as soundly drafted as it is possible to get. The probability of there ever being any necessity for using the provisions of this act is very, very slight.

Let me give you a brief explanation of how the bill operates.

First. As a condition for a license for a reactor, the Commission will require the licensee to take out and maintain financial protection. The face amount of this protection is to be the amount of insurance which is privately available, unless the commission finds that a lesser amount is fair, considering the hazard involved in the reactor and the terms and cost of the insurance, among other things.

The Commission is given authority to require this financial protection as a condition of the license when any other hazardous activity in the atomic energy program might be carried on.

Second. Each licensee required to furnish financial protection is also required to maintain a contract of indemnification with the Federal Government by which the Government will indemnify the licensee up to $500 million, including damages and the costs of investigating and settling claims. This $500 million is the maximum amount the Government will be called upon to pay in connection with any nuclear incident under this bill.

Third. Both the financial protection and the Government's indemnification are to be made for the benefit of any person who might be found liable for a reactor incident. This will cover a large number of contractors and subcontractors and it will cover them whether they supply the materials, knowing they are going into a reactor, or whether they supply them through the open market. In view of the committee's desire to protect the public, regardless of the particular cause of any reactor incident, the private insurance and the Government indemnification will both cover any person who might be liable for the nuclear incident at the reactor.

Fourth. The Commission is given the authority to use this indemnification pro-

cedure with its own contractors and subcontractors. There have been occasional questions as to the Commission's authority to give indemnification agreements under the Atomic Energy Act of 1954 where the President has not exercised his special authority to waive the statutory requirements of contracts. In addition, the Commission has not always extended its indemnities down through the lower tiers of subcontractors so that they are left without any protection in the event one of their contributions to a reactor should be found to be the cause of a nuclear incident.

Fifth. In the even more remote contingency that the possible damages might exceed the amount of the financial protection, together with the $500 million sum, the Commission, or any person interested, can apply to the District Court having jurisdiction in bankruptcy over the site of the nuclear incident and have the funds available prorated among all those to whom liability is owed. Congress could appropriate more moneys after further authorization hearings before the joint committee, if this seemed desirable at the time. The Commission is required to make full reports to the joint committee whenever there is a nuclear incident which might require the exercise of the powers given by this bill, and the final findings of the Commission are to be made public.

Sixth. The joint committee recommended that the Commission charge $30 a year per thousand kilowatts of thermal energy for commercial facilities. This would cover the administrative costs of the protection but would not provide an actuarily sound basis for accumulating any reserve.

To round out the picture, I should tell you that Commonwealth Edison Co. would pay $18,900 a year for the governmental indemnity; Yankee would pay $14,400; Elk River would pay $1,640; General Electric Co. would pay $360 and Armour and Battelle would pay $100 each.

Seventh. To complete the statutory provisions for the reasonable safety of reactors, as I have mentioned before, the bill would make the Reactor Safeguards Committee a statutory committee and would make its reports public. It would require the Reactor Safeguards Committee to pass on applications for those licenses for reactors which, by their nature, are the less safe. In addition, the Commission is required to hold hearings on each facility which would be licensed, either as a commercial facility or as a facility looking toward the demonstration of its practical value, or a testing facility. These are the facilities most likely to have the hazards against which this bill seeks to provide additional protection.

I believe that this bill is most important to the future of the atomic-energy industry. The Joint Committee has carefully examined all the angles with respect to the bill and we believe it as sound as possible and extremely necessary. I urge the passage of this bill.

Mr. Chairman, first I want to go over the history of how this bill came to its present state. During the hearings which are required to be held by the Joint Committee under section 202 of the Atomic Energy Act of 1954, this indemnity problem was brought to the attention of the committee as a possible roadblock. In April of 1956 the Joint Committee held a seminar with over 40 persons attending. These persons represented the Atomic Energy Commission, insurance companies, possible reactor owners, possible reactor contractors, and persons who may sell specialized services or parts. Again, on May 15, 16, 17, 18 and 21, 1956, the Joint Committee held public hearings on the problem, at which time it heard 38 persons, which also included representatives of cooperatives and unions.

Further hearings were held in June of 1956. Hearings were held again in March of 1957, at which time 26 witnesses were heard. Everybody who desired to appear was given an opportunity to testify or to file a statement. Only one statement has been submitted to the Joint Committee opposing this legislation.

I want to assure you that the main purpose of this proposed legislation is to see that the public is protected in the unlikely event of a runaway reactor. This aim, more than anything else, distinguishes the present bill from those methods of protection suggested by other persons.

Of course, the Joint Committee on Atomic Energy has followed the operation of the reactors ever since 1946. There has never been a reactor incident causing any lost time of personnel. There have been only three reactor accidents—one was the Chalk River reactor in Canada; one was the accidental melt down of the EBR–2 at Idaho; one was the deliberate pushing of the Borax experiment to rupture. In no case was any person hurt.

In addition, the Joint Committee requested the Atomic Energy Commission to have some of its experts make a study of the possibility that a reactor incident could occur. The Atomic Energy Commission testified:

> Nuclear reactors have been operated in the United States since December 2, 1942, with a safety record better than that of other industry. More than 100 reactor-years of regular operating experience have been accumulated, including experience with reactors of high power and large inventories of fission products, without a single personal injury and no significant deposition of radioactivity outside of the plant area. There have been a few accidents with research reactor installations as contrasted with the perfect record of safety of the regularly operating reactors. But even these accidents with research and experimental reactors did not affect the public.

There have been some criticisms leveled at the indemnity program. I will try to answer them as best I can.

In the first place, before there would be any call on the Government there would have to be some incident which would affect all of the safety controls which are built into the reactor and which would result in damage outside of the reactor, exceeding the amount of financial protection required. In order to do this, damage within the reactor would have to be so great that it would break through the containment structure usually required around reactors. In all the years of its operating experience, the Commission has never had an accident in any of its reactors which has even approached this magnitude. Indeed, there hasn't been a single incident in a reactor which has caused personal injury great enough to cost lost time. Those reactor incidents which have occurred have merely affected the reactor itself, and even then the damage has not been extensive. The report prepared for the joint committee by the Commission shows that the possibility of the contingency which concerns us is so remote that some scientists do not want to even express it in words.

However, if you take all of the remote incidents, add on the remote possibility of all safety devices failing simultaneously, add on the even more remote possibility of the container being ruptured, it is possible to imagine a radioactive cloud could escape which could effect considerable damage. It is against this very remote possibility that the joint committee is concerned. In the first place, the joint committee desires to afford financial protection to the public against this kind of a situation, as well as to see that everything reasonable is put in the statute to assure that the situation does not arise.

The best estimate of all who are concerned with the field is that the Government will never have to make any payments under this statute. The extremely small possibility of these very large damages has concerned those who would participate in the field to the point where this kind of protection is necessary for them, in order to have the field go forward.

In addition to the scientific safeguards, which are known, this bill also provides some legal safeguards. One of the basic assumptions of the insurance industry, in putting together their large pools for the insuring of reactors, has been that there will be a Reactor Safeguards Committee within the Commission. By this bill, the joint committee seeks to make that committee a statutory committee and to have it pass on safety of reactors as they are proposed and constructed. By making it a statutory committee, the joint committee hopes to give this Reactor Safeguards Committee permanent standing and prestige. The legislation, at the same time, would make the reports of the Reactor Safeguards Committee public and would require that there be hearings on the reactor applications, which would either be commercial, or those looking toward the demonstration and practical value, or testing reactor. Thus, the joint committee has tried to see that there are all the reasonable statutory provisions necessary to insure the safety of reactors.

Some have claimed that this indemnity is an additional subsidy to the private industry. I do not see it that way at all. I have favored having the Government build reactors. I have also favored having the Government assist private industry in the reactor-development program. This indemnity insurance will help industry, whether it is participating in the Government program as a contractor, or in the private program as a

licensee. For the purposes of this statute, it does not matter whether the atomic-energy program is carried forward by private licensees or by Government operations. In either event the private contractors have to supply the necessary materials and parts and the public does stand a chance of being injured. This bill would establish an indemnity procedure applicable either way, save for the very few indemnities on the very large and relatively more dangerous production reactors which are now granted indemnity by the President, acting under the powers under the Atomic Energy Act.

The others who participate under Government contracts, and this includes those who construct, design, and furnish parts for, testing reactors and the research reactors and the prototypes, do not receive this presidential indemnity but have received an indemnity under the Government contracts which is primarily based on the availability of funds. If this bill should not pass, not only will the entire demonstration program, be immediately halted, but another Government program of complete Government ownership, complete Government construction, and complete Government operation, would have to take its place with the only inherent powers in the Commission to grant indemnities which are presently subject to the availability of future funds. That is not a sound way to reach the problem, either from the point of view of citizens who might be injured, or from the point of view of those who will be asked to participate, whether the program is public or private.

To say that this program will put an enormous potential responsibility that will reach several hundred million dollars on the Federal Government is not presenting an accurate picture of the situation. This is a mathematical possibility, of course, but this is like saying that the insurance companies that insure automobiles have a potential liability of many billion dollars more than they say they have, since each automobile insured could be involved in an accident which could kill any number of persons whose lives would be worth many thousands of dollars. You and I know that this is not the way things occur. It is true at the moment the atomic energy program has been in existence since 1943 but since that time not only has there not been any major reactor accidents but there has not been even a minor reactor accident sufficient to cause lost time. In addition, the records of the Atomic Energy Commission show that the plants are one of the safest places to work.

I do not believe that the Congressional control of appropriations would be weakened. The rights of the people who would be injured would be established under State laws no matter whether the program is operated by the Federal Government or by Private Industry. This bill is fashioned so as to preserve those rights up to the point where the funds are not available. Then the limitation of liability proceeding is established. This is the only fair way to proceed. Otherwise, you would have the Congress passing on State rules of liability and damages and you would have the Congress passing on each and every claim.

There is nothing in this bill which would weaken control of appropriations by transferring any duties to the district courts. If there should be an incident involving damages over $500 million, the district courts would probably automatically have jurisdiction, since the person found liable would otherwise go into bankruptcy and leave the public completely unprotected. By the procedures established in this act that step is eliminated as it is eliminated in the limitation of liability proceedings for ships. The courts are given authority to prorate the funds available for those who would be entitled thereto in the most extreme case.

In other words, Mr. Chairman, this legislation which is before you today was suggested after thorough study by the Joint Committee extending over two separate sessions of Congress. By providing indemnity instead of reinsurance, it keeps the Government out of the insurance business and, at the same time, provides adequate protection for those persons who might unfortunately be hurt in the development of this industry.

I should tell you, Mr. Chairman, that the Atomic Energy Commission favors this legislation. On June 5, they wrote to Mr. DURHAM, stating, and I read the most pertinent sentence:

> Although we would prefer to continue the Advisory Committee on Reactor Safeguards in its present status, as indicated by our letter of January 4, 1957, to Senator ANDERSON, we feel that in view of the urgent need for indemnity legislation, the enactment of S. 2051 or H. R. 7383 is of paramount importance.

I should also state, Mr. Chairman, that the President, in his budget message, said:

> As a further and necessary step to facilitate industry's investment in atomic powerplants, legislation will again be proposed to authorize the Government to supplement commercially available insurance against liability arising from possible nuclear accidents.

This legislation has been approved both last year and this year by the joint committee. Last year there was one vote against this legislation. This year, with one member abstaining from voting, there was no vote against the legislation. It is believed that this legislation is in the best interests of all concerned, both for the protection of the public and to assure that those who will participate in the program will not suffer any undue risks from nuclear incidents. I believe that the bill is sound and should be passed.

Mr. HAYS of Ohio. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN (Mr. O'NEILL). The Chair will count. [After counting.] One hundred and three Members are present, a quorum.

Mr. COLE. Mr. Chairman, I yield myself 10 minutes.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. COLE. Mr. Chairman, the gentleman from Illinois [Mr. PRICE], the author of this bill, has given such a complete and clear explanation of its terms, its purposes, and the reasons for it, that I doubt if I can add anything of great value to what he has already said. I think, though, it might be helpful to the membership in arriving at their decision on how to vote on this measure to know something of the backgound of this bill.

Under the original Atomic Energy law under which this Government operated for the first 10 years of the atomic program except when it was under the Manhattan Engineering District, the entire operation of the program was under the Government, under Government auspices, under Government ownership, with Government direction and with Government liability in case anything went wrong. All these vast atomic energy plants which were constructed during the period of the atomic program have been Government plants. If any accident had occurred resulting in damage to property or injury to anybody the United States Government would have had to pay for those damages.

In 1953 and 1954 when the Joint Committee began deliberations and consideration of the possibility of revising the law so as to make it possible for private participation in the atomic program, this question of protecting the pubic against any unforeseen accident was in our mind. We were completely aware of it 3 or 4 years ago. It was a problem of such great magnitude, and the solution appeared so far in the distance that we at that time felt it would be undesirable to suspend changing the act in order to arrive at some solution to this question of indemnity of the public. At any rate, in 1954 the law was changed so as to make it possible for private development of atomic reactors along with the concurrent program of reactor development by the Government. All of the sponsors, private utility companies, private corporations, of a reactor program have insisted that without this assurance of some limitation on their liability they would not start in motion the reactors which they have in process of construction.

During the hearings on this bill recently all the reactor sponsors without exception insisted that they would not push the initial button to start the reactor going until they knew just where they stood with respect to public liability.

I want to repeat again that this bill is not for the purpose of indemnifying the reactor operator; it is for the purpose of protecting the public.

From the very early days when the committee considered this problem there was a wide variety of suggestions made ranging all the way from holding the reactor operator harmless for any accident that may occur—that is the extreme on the low end. Those people who had advanced that thought felt that the development of reactor technology was of such great public interest and importance that the public generally would have to accept the remote hazard of being damaged by it. At the

other end of the spectrum of recommendations was the thought that the Federal Government should absorb all of the liability as is the case now with the Government plants. In the course of time the insurance companies who were brought in to help resolve this question amassed the staggering and stupendous amount of $60 million to $65 million to cover the issuance of any single reactor, the greatest amount of insurance coverage that has ever been collected for any insurance purpose whatever. In view of the uncertainty of the liabilities that are involved I think it is to the great credit of the insurance companies that this fund has been inaugurated. The fund is composed of $50 million from privately owned stock insurance companies, approximately $10 million from mutual companies, making an aggregate of $60 million to $65 million.

This bill was reported by the committee, as indicated to you, and it was reported to the House last year. For a number of reasons the House did not consider it at that time. We bring it to you now for your consideration with the recommendation that it be adopted because without it private participation in the atomic program will grind to a dead but certain halt. Without the capacity of private industry, it will be inevitable that the Government must carry on with the program. Progress must be made and we must exhaust all opportunities to learn the full peacetime potential of atomic energy. If it is to be public policy that private capital will not participate, then it is inevitable that public funds must be used to advance the program.

What is the consequence of that route? It is that the liability will be the same in the future as it has been in the past with respect to atomic reactors. The full liability will fall upon the Federal Treasury and we will not have the benefit of this cushion of $60 million to $65 million to pay off the claims.

With regard to the provision contained in the bill granting a permanent statutory status for the Reactor Safeguards Committee, I would like to briefly express some grave concern which I have regarding the advisability of giving that committee statutory authority. As it is now under the present law the Atomic Energy Commission has from the beginning, I think it has been from the beginning, at any rate ever since it has been proposed for private participation, had a Reactor Safeguards Committee to give it advice with respect to the safety of these reactors. I would remind you that the variety of types of reactors is great. Serving on that Advisory Committee have been the most talented, skilled scientists in the reactor field.

I have no objection whatever to an Advisory Committee. I think it is highly necessary that the Commission have such guidance from these experts, but to make it a statutory committee seems to me to carry with it some consequences which might in time result in unpleasant and undesirable situations, especially because this bill requires that the recommendations of the Advisory Committee be made public. It permits public proceedings to be inaugurated against a license being granted by the Commission for the construction of any one of these reactors which that Advisory Committee has found to contain some elements of risk. For this reason it seems to me very likely that the best talent in the country will not willingly serve on the Advisory Committee, knowing its recommendations will be subject to litigation, litigation which may be inspired for purposes other than the safety of the public, although public safety will be used as the cloak on which to base such litigation. That being so, assuming that competent persons are recruited for the Statutory Advisory Committee, that safety committee then will be ultracautious in not passing approval on any reactor until it is convinced beyond any doubt whatever that the reactor is safe. That general objective, of course, is desirable, but nobody can be positive about the safety of these reactors. Nobody wants a reactor under construction which has reasonable elements of danger. But to inaugurate a system which will be ultraconservative from the standpoint of safety would tend, I think, to slow down the program. That is not the only objection I have to it as a statutory committee.

The Commission, ever since this reactor-development program started, has used its own safety people on its staff, competent people, who have given close study to this specialty of safety. Now, if there is a Statutory Safeguards Committee, it is inevitable and a natural human reaction, it seems to me, that the staff of the Commission itself will be less cautious in fulfilling its responsibility than it would otherwise be, since it very naturally will acquire the attitude: "Well, let us leave it up to the Statutory Committee which has this statutory responsibility and whose recommendations are open to public scrutiny and criticism to make the decision—let them carry the load and defend their positions." So, to that extent a close study of the problem will inevitably become more lax on the part of the Atomic Commission staff.

While I have no serious objections to the provisions in this bill regarding the Reactor Safeguards Committee, I do want to point out some possible consequences which might be harmful to the program. But, if the provisions in this bill are necessary in order to have the bill itself adopted, the indemnity bill, then, of course, that is a minor price for us to pay, for this bill is of the greatest importance. And, I repeat again that without it there will be no reactor-development program unless it is done by the Government, and if it is done by the Government, then the Government will have the full responsibility for whatever damages or whatever incidents may occur.

Mr. JENKINS. Mr. Chairman, will the gentleman yield?

Mr. COLE. I yield to the gentleman from Ohio.

Mr. JENKINS. Everybody knows that the gentleman is one of the best posted men in the whole country on this matter we are talking about. I would be very glad if the gentleman would take about 3 minutes to tell us about it. I want the gentleman from New York [Mr. COLE] to tell us what a reactor is, how they differ, what they cost, what they do, and what they are for. I do not know half as much as I should know about this important matter.

Mr. COLE. Well, the gentleman from Ohio has indicated that he does not know half as much as he would like to know about it. I may say to him, in response to his suggestion, that if I were to take 3 minutes to discuss my knowledge of reactor technology, I would convince the membership that I know far less about it than the gentleman from Ohio does. But, in an effort to comply with his suggestion, I can only say that a reactor is simply a name which is given to the boiler or furnace part of a conventional generating plant which makes electricity. The nuclear energy provides the heat that boils the water that turns the turbines. There are other ways of harnessing or utilizing this heat than to boil water. There are a variety of these scientific approaches in an effort to find most economical, efficient adaptation of nuclear energy as a fuel. And, it is in such an effort to develop which is the best, most efficient, and safest type of reactor that this program has been inaugurated. The reactor development program was started by the Commission at the suggestion of the joint committee 3 or 4 years ago. Then it was a complete Commission program. With a change in the law, the development program has come to be one in which private capital has participated, either exclusively private capital or by a combination of assistance from the Atomic Energy Commission.

Now, having succeeded in convincing the membership of the committee that I cannot even match the knowledge of the gentleman from Ohio on reactor development, I will close, but not without again urging that this bill is the keystone of the development of reactor technology for peaceful purposes, and without it we will have none.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. COLE. I yield to the gentleman.

Mr. JONAS. Is this pool of $60 or $70 million available for any accidents all over the United States before the indemnity comes into effect?

Mr. COLE. The insurance protection covers each single reactor, irrespective of size. As the gentleman from Ohio has indicated, these reactors range all the way from a negligible pittance of energy to tremendous amounts of energy. Therefore the risk of damage depends on the size of the reactor, the type of the reactor, and where it is located. But for each single reactor the amount of insurance which the Commission will require to be obtained for that reactor is the amount the Commission feels compatible with the particular type and place of the reactor.

I would point out that this law requires the Commission to exact from each applicant for a reactor license the full amount of available insurance, the full $60 million, unless the Commission finds under the circumstances that a lesser amount is sufficient to provide the protection against public damage.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. COLE. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. Somebody has told me that we are giving away these reactors, distributing them to some other countries; is that the fact?

Mr. COLE. If we have given away any, it has been a negligible amount in cost. We have started a program of assisting each foreign government in the cost of one small research reactor which, it is my recollection, represents a cost of $200,000 in Federal funds.

Mr. KEAN. Mr. Chairman, will the gentleman yield to me?

Mr. COLE. I yield to the gentleman from New Jersey.

Mr. KEAN. With respect to the question asked by the gentleman, do I understand that before the United States has any liability the amount of private insurance first must be covered?

Mr. COLE. The gentleman is correct.

Mr. KEAN. And that is not $67 million on each plant but allocated among the various plants?

Mr. COLE. No; the amount of insurance coverage which the Commission requires of each applicant for a license, covers the operation of the particular reactor for which a license is sought.

Mr. KEAN. And that fund overall is $67 million. But for a plant, say, in Pittsburgh, for example, that would only be $30 million or $40 million?

Mr. COLE. No; it is $65 million for each reactor.

Mr. KEAN. And if the damage were $70 million, let us say, the United States would be liable for only $5 million?

Mr. COLE. That is it exactly.

Mr. KEAN. I thank the gentleman very much.

Mr. DURHAM. Mr. Chairman, I yield 20 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I hope that the gentleman who asked the question on insurance will stay on the floor, because I wish to comment on what I think the bill provides.

Mr. Chairman, when you are one of a committee of 18 and you take position different from that of the other 17, it must be that you are either cantankerous or you believe very strongly in your position. I assure you, I am not cantankerous. I am not angry at anybody.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. COLE. May I join in the assurance that the gentleman is not cantankerous and that his position stems from a sincere, conscientious basis of criticism.

Mr. HOLIFIELD. I thank the gentleman. During the consideration of this bill I worked as hard as I could to make a good bill out of it. I think I made some contributions to the bill in its present condition, although I told them that from a basic standpoint of principle I could not support the bill.

I wish that I had a large audience here but I am not asking for a quorum call at this time because I know some of the other Members are busy. However, I wish I could have them here to hear what I have to say about this, because it stems from deep conviction and I am thinking about human lives. I am not thinking about dollars, I am thinking about a danger to human lives. There is a deep responsibility for the legislation which this Joint Committee brings forth. As I have been on it since its inception, I would not take issue with my chairman or colleagues who recommend the enactment of this bill providing Government limitation of liability for persons engaged in atomic enterprises, if I did not feel strongly on the matter.

I am going to take a few minutes of my limited time to elaborate on what my friend, the gentleman from Ohio [Mr. JENKINS] requested a moment ago. In order to bring it out very plainly, clearly, and briefly, and probably oversimplified from the time I need to explain it, I have some questions and answers here, and I am going to give it here in that form.

The first question is, What takes place in an atomic reactor? Atoms are split, which causes heat in a process called a chain reaction, which is under control.

What takes place inside an atom bomb when it explodes? Atoms are split in a noncontrolled chain reaction. Uncontrolled they are allowed to run wild.

What happens regarding radioactivity in both cases? Both a bomb and a reactor create radioactivity, deadly radioactivity, that can go through several feet of concrete and steel. In a reactor you contain the radioactivity behind walls of concrete, steel, or lead. In a bomb you release the radioactivity into the environment. As long as the controls work on a reactor, you are going to contain that radioactive material inside this reactor, and a large-size reactor may be half as large as this room.

The inside of a reactor becomes contaminated to a degree equivalent to the contamination of a bomb. As long as it is behind those walls it is safe. If that reactor gets out of control and it explodes, it is spread over the environment for many miles, possibly many hundreds of miles, and carried downwind on the breeze. The amount of radioactivity in a reactor varies with its size and its type.

Are there different degrees of inherent safety in different types of reactors? Yes, there are. Scientists agree that some reactors are more dangerous than others due to built-in peculiarities and higher heat-level operations.

What could happen to a reactor if its controls fail? It could run away, become so hot that it would melt down. It could explode and release radioactive clouds of gas and contaminated material in solid or liquid form into the countryside area. A combination of some or all of these factors that I have given you could occur.

Do reactors have accidents? Yes. There have been unplanned and unexpected accidents in small experimental types of reactors, and my colleague the gentleman from Illinois [Mr. PRICE] told you of two of them: The EBR No. 2 fast-breeder reactor which melted down. It got so hot it got out of control and it melted down. It was a small experimental reactor, a small model of the big reactor which is going to be built at Lagoona Beach, Mich.

Then there was the Chalk River reactor, another small reactor in Canada, which got so hot it had a core breakdown, and it leaked into the surrounding area around this reactor.

Remember these are small reactors and they are the reactors where we have had some experience in operating them. Now what do we know about the safety factors of the large commercial types of reactors which are now planned. We just do not know whether they will be safe or not because we have not built any of their contemplated size. We are shooting in the dark. We are going out into the unknown with these types of reactors. In no instance have all of the vital components such as the fuel rods, the valves, circulatory system, moderating element, the level of continuous heat operation, and so forth been tested. We have not tested them. We do not know. That is why the insurance companies will not cover these reactors to the extent that the people who are building them want them covered. They do no know. They sell their insurance on the basis of tables of experience. That is free enterprise and it should be that way. But 139 American insurance companies backed up by an agreement with Lloyds of London have said, "We will not write any more than $60 million of insurance." The gentleman from New York and the gentleman from Illinois are mistaken. This bill does not say that they have to take $60 million. I will read the bill to you.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. PRICE. Of course, the bill does not say they have to take $60 million of insurance out for every reactor, but we have had many hearings on this. It provides provisions within the bill so that the Commission could make regulations and determinations in its discretion on small research reactors.

Mr. HOLIFIELD. That is exactly it.

Mr. PRICE. The gentleman knows that it would not be fair to make the Armour Institute with a 50-kilowatt reactor constructed strictly for research purposes take out $60 million worth of insurance.

Mr. HOLIFIELD. No, the gentleman would not suggest that.

Mr. PRICE. All the testimony before the committee has been, and the provision in the bill will be, that the Commission insists on maximum insurance for these power demonstration reactors.

Mr. HOLIFIELD. I would like to give the gentleman more time, and I am sure the gentleman from North Carolina is going to give me some more time, but at the bottom of page 7, it says:

> The Commission shall establish criteria in writing for determination of the fee for facilities licensed under section 104.

That is what we are talking about, taking into consideration such factors as type and size and location of the facility involved and other factors pertaining to the hazards. The nature and purpose of the facilities. That is under section 104 and under section 104 we are building these reactors that we are talking about. At the bottom of page 4 it says,

"the Commission may establish a lesser amount on the basis of criteria set forth in writing, which it may revise from time to time, taking into consideration such factors as the following: (1) The cost and terms of private insurance,". If it considers the cost a little bit too high or the terms a little bit too onerous, it can cut them down.

The type and size and location of the licensed activities. That is all right.

Other factors pertaining to the hazard—that is all right.

The nature and purpose of the licensed activity—and that is all right.

But, when they take into consideration the cost and terms of private insurance, they can say, "Mr. Reactor Builder, you do not have to take out $60 million. The private insurance companies are charging too much."

Mr. PRICE. I know the gentleman is fair. Will he yield at this point?

Mr. HOLIFIELD. I yield.

Mr. PRICE. The gentleman knows that the committee amendment to which we all agreed, and which the gentleman himself offered, entirely changes the gentleman's position on that or it should change the position which he is taking now.

Mr. HOLIFIELD. I will be glad to comment on that. The committee amendment changes it in regard to reactors of 100,000 electrical kilowatts or higher but it does not change it for reactors of less than 100,000 kilowatts. It is important and I offered it to try to improve the bill. But I am showing you that it does not cover the risks on a reactor of 75,000 electrical kilowatts or 50,000 electrical kilowatts. They could blow up just the same as any reactor.

Mr. PRICE. I think any of them could blow up.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. COLE. Will the gentleman not agree that this authority for the Commission to take into consideration the cost of the insurance was included in the bill at the suggestion of the gentleman himself, for the purpose of allowing the Commission to take into consideration the inability of small, rural cooperatives who do not have the financial resources that private utilities might have?

Mr. HOLIFIELD. No. I am sorry. The gentleman was not responsible for that term.

Mr. COLE. Will the gentleman not agree that that is the purpose?

Mr. HOLIFIELD. No; that is taken care of in part 2. It is not my language. The language is in there for a definite purpose.

I am opposing this bill because it would provide another Government subsidy to atomic power development without any commensurate benefits to taxpayers and power consumers.

Second, it would place upon the Federal Government an enormous potential liability that could reach several hundred billion dollars.

I want to comment on that. At this point I want to correct a typographical error in the report which apparently I do not have here. The $500 billion figure on page 37 should be $50 billion. Meantime I yield to the gentleman from Tennessee.

Mr. BASS of Tennessee. Are not these reactors all owned by private industry?

Mr. HOLIFIELD. The Government owns reactors and private industry own reactors, but the Government is responsible for its own operations. The Government does not need this.

Mr. BASS of Tennessee. But this insurance we are talking about would be on a privately owned reactor?

Mr. HOLIFIELD. That is right.

Mr. BASS of Tennessee. Let me ask you one other question. Are not these people who own reactors, this industry, given a franchise or a license by the Government to operate these reactors as a sort of a noncompetitive situation?

Mr. HOLIFIELD. They are given a license by the Atomic Energy Commission to build a reactor and operate it.

Mr. BASS of Tennessee. But in effect this would be that the Government is underwriting insurance for private industry in atomic reactors.

Mr. HOLIFIELD. That is right.

Third, it would weaken Congressional control over appropriations by transferring to the Atomic Energy Commission complete discretionary power to commit the Government to undetermined liabilities in advance of appropriations.

Make no mistake about it. You are putting the Government into the insurance business with a vengeance, because as the gentleman who preceded me told you, each one of these reactors can be, if the Commission says it should be, covered by $500 million worth of Government insurance. Ten reactors, as I figure it, is $5 billion. A hundred reactors at that rate is $50 billion. I agree that all 100 of these are not going to explode at once, but what did Mr. Vance, one of the Commissioners, say in his testimony? I have it in my prepared speech. He said the damages for one nuclear accident could reach $7 billion. Five hundred million dollars is not the ceiling, because there is language in the bill which in effect says that if it runs over $500 million the Congress can take the matter up and follow through and give such additional liability indemnity as the Congress sees fit. So there are many places in the bill.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. PRICE. We took that language out of the bill. The Congress could do that anyway. Congress could do what it wills.

Mr. HOLIFIELD. Well, the language is still in the bill.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. ROGERS of Colorado. On page 2, line 1, "and may limit the liability of those persons liable for such losses." Does that mean that the Congress of the United States is giving the Atomic Energy Commission the authority and the right to limit the liability of any person for damage that they may do?

Mr. HOLIFIELD. Yes. You were told a few minutes ago that this was not to protect the reactor owners. It was to protect the people. I tell you that this relieves the reactor owners of their liability, and it indemnifies the survivors of any of the families of the people who have been killed by reactor explosion. So it does two things. There is only one thing that can protect you, and that is a safe reactor, or a reactor in an isolated position where it will not explode in the neighborhood of the people who are liable to get killed. In the case of five of these reactors the radius of possible danger is 30 miles and within their respective areas live a million people. If in that radius we had a real runaway large reactor, they call it a nuclear "incident," I call it an accident, then those people are the ones who will suffer.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. ROGERS of Colorado. Do you consider that wording to mean that the Atomic Energy Commission may under the authority of this language limit the amount that the owner or the operator of a reactor may pay for damages as to life or limb, or what-not, that if we adopt this legislation we pass that on to the Atomic Energy Commission?

Mr. HOLIFIELD. That is what the language of the bill says.

Mr. ROOSEVELT. Mr. Chairman, I think the gentleman is answering questions of the greatest moment and we want the Members to understand this. I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Fifty-nine Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 130]

Adair	Fino	O'Konski
Andersen, H. Carl	Grant	Osmers
	Gwinn	Patterson
Ayres	Halleck	Pilcher
Bailey	Harrison, Nebr.	Polk
Barden	Henderson	Powell
Beamer	Hoffman	Preston
Bowler	Holtzman	Rains
Brownson	James	Reece, Tenn.
Buckley	Jennings	Riehlman
Burdick	Jensen	St. George
Celler	Jones, Mo.	Saund
Christopher	Kearns	Scott, N. C.
Chudoff	Kilburn	Sheehan
Clevenger	Landrum	Shelley
Colmer	McConnell	Spence
Curtis, Mo.	McMillan	Steed
Davis, Ga.	Magnuson	Taylor
Dawson, Ill.	Mailliard	Teague, Tex.
Delaney	Mason	Teller
Dellay	Matthews	Thompson, La.
Dennison	Michel	Wainwright
Dixon	Miller, N. Y.	Willis
Dollinger	Montoya	Wilson, Calif.
Dooley	Moore	Withrow
Eberharter	Morano	Zablocki
Evins	Morrison	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'NEILL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 7383, and finding itself without a quorum, he had directed the roll to be called, when 346 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. HOLIFIELD. Mr. Chairman, when a Member rose and asked that a quorum call be made, I was explaining that while in this bill there is a ceiling of $60 million theoretically available from private insurance companies, there is a loophole in the bill, and I read from the committee report, at the bottom of page 20:

Since the program is so new, and no experience as to the rates established the Commission must be in a position to set the amount of financial protection required at an amount lower than amount of private insurance offered if the rates appear high and all other factors indicate a lower amount is appropriate.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. ROGERS of Colorado. On page 6, beginning in line 3, appears this language:

In such agreements of indemnification the Commission may require its contractor to provide and maintain financial protection of such a type and in such amounts as the Commission shall determine to be appropriate to cover public liability arising out of or in connection with the contractual activity.

Does that give to the Commission the authority to say what rate they should charge?

Mr. HOLIFIELD. It gives the Commission the authority to require its contractors to take out the amount of liability indemnification which they think is necessary.

Mr. ROGERS of Colorado. Is that in addition to the amount referred to on page 7 beginning on line 14, where it is stated, "This fee shall be $30 per year per thousand kilowatts"?

Mr. HOLIFIELD. I am glad the gentleman asked that question because in the report you will find some tables which give the rates which private companies will charge for their insurance. In the case of Commonwealth Edison, they will charge $250,000 for $50 million worth of coverage. That is in the hearings. That means they will charge an average of $5,000 per million dollars for private insurance for that type of reactor and in that amount. This language on page 7, which refers to the $30 per thousand kilowatts of thermal energy when it is figured out from the standpoint of electrical kilowatts, and I hope the Members hear this, the Government will receive $37.80 per million dollars insurance.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COLE. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. HOLIFIELD. When that is reduced to dollars, it means that the Government will charge $37.80 for each million dollars' worth of liability indemnification. For the full $500 million indemnification, the Government will charge a total of $18,900. In comparison, private insurance companies will only go as high as $50 million in indemnification and for that lesser amount of insurance will charge a total of $250,000. Insurance from private insurance companies, therefore, will cost on the average $5,000 per million as compared to the Government cost of $37.80 per million.

Mr. ROGERS of Colorado. With reference to the amount the Government may collect under the $30 per thousand kilowatts, is that to be considered as part of the obligation in excess of the obligation of a half billion dollars beginning on page 6, line 17, where it says:

e. The aggregate liability for a single nuclear incident of persons indemnified shall not exceed the sum of $500 million together with the amount of financial protection required of the licensee or contractor.

Mr. HOLIFIELD. No, that is included in it. This is the way of computing the first $50 million of private insurance. Then, you go above that. Instead of charging on the basis of a table of experience, it would be like charging an automobile owner for his accident insurance on the basis of how many wheels he had on his car or how many spark plugs he had in his car.

Now, Mr. Chairman, I want to go back to this section which you first called to my attention and that is the $30 per thousand. That applies to commercial reactors. But, if you read the next line, you will see for facilities licensed under section 104, and that is the type we are talking about, these experimental reactors for power demonstration purposes, the Commission is authorized to reduce the fee set forth above.

So, they do not even have to charge $37.80 for reactors under section 104, which is the type we are now considering indemnifying.

Mr. ROGERS of Colorado. Does not the Commission under section 104 have the right to collect such nominal fees as it deems appropriate, but no fee under this subsection shall be less than $100 a year.

Mr. HOLIFIELD. That is right.

Mr. ROGERS of Colorado. That means that they can license one of these reactors for as low as $100 a year.

Mr. HOLIFIELD. It says no license under this subsection shall be less than $100 a year. I think that was put in for the purpose of certain small reactors. It might be in a university or be a research or medical type reactor, an experimental or scientific type which would be very small and be of a very low heat quotient. That was to take care of the real small ones.

Mr. ROGERS of Colorado. Do you mean to say that this would give the Atomic Energy Commission the power to set a rate for one site and another rate for another site?

Mr. HOLIFIELD. Oh, yes; and I think that is necessary, too.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. PRICE. The Commission does not set the rates.

Mr. HOLIFIELD. The Commission sets the rates of the Government indemnity.

Mr. PRICE. Of the Government indemnity, but the reason for that is that we are not trying to build up a Government insurance fund. We are not trying to establish an actuarial history like private companies are trying to do. The gentleman knows that the private companies are doing this, and after a period of 10 years they intend to go over this whole thing and refund to the reactor companies what would have been considered in excess of a fair and reasonable premium. But we are not trying to establish that kind of history, because we do not intend to go into the insurance business.

Mr. HOLIFIELD. The reason you do not set it is because you do not have any historical experience.

Mr. ROGERS of Colorado. And we do not want it.

Mr. HOLIFIELD. Well, do not include me in that, because until you can have assurance that these reactors are safe, they should be put in isolated positions and not next to these great cities. That is the point I am making. I am making the point that you cannot put these reactors—and the large insurance companies themselves say we do not know what the reason is—you cannot put them near the cities and take the human-life risk and try to cover it up with $500 million of Government liability. That is my whole point. I do not want to stop this reactor business. I want them to keep on making them. I want the Government to build them and I want private industry to build them, but I know what happened in the case of the Lagoona Beach reactor—the reactor which the Scientific Safeguard Committee said was not safe, and the Atomic Energy Commission gave a construction permit on it anyway. When questioned last week, the top man of that Reactor Safeguard Committee said, "We are of the same opinion. This thing should not be built until it is safe." Yet they are going ahead and building it.

I admit the Atomic Energy Commission says, "We are not going to let them start operating until we are sure it is safe." But how can I know and how can I be sure the Atomic Energy Commission will not, just as it did recently, overrule the Committee and let them go ahead and operate this reactor near the city of Detroit, with the consequent risk of killing a hundred thousand people?

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. PRICE. With the passage of this bill it would be much less likely to approve such an operation.

Mr. HOLIFIELD. If this bill were not passed the PRDC would not build a reactor close to the city of Detroit. It would go out to an isolated place. They talk about these reactors not blowing up, and so forth. Every one of them is in an isolated position. The reactors that are being built in England are being built in isolated positions, because they cannot tell you that there will not be a blowup. I say that until they can tell you there is not going to be a blowup, you Members of Congress are taking upon your shoulders the personal responsibility for writing an indemnity bill which will give these people the coverage that they want financially and you will have upon your hearts and upon your minds and upon your souls the responsibility in case there is a blowup in this field.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. VANIK. Will the gentleman advise the Committee whether or not the private insurance companies have indicated a willingness to go into the power reactor development at Lagoona Beach?

Mr. HOLIFIELD. I have no information on that. I have no information that they will write a million dollars. Let me tell you something else too about the private insurance companies. They may decide after one of these accidents occurs, if it should occur—and it might occur—to retire from writing this atomic insurance. They may decide to reduce the amount available from $50 million to $1 million. They may decide to raise their rates drastically. Then you will be caught in the trap, because you will have these reactors built near the cities of our Nation and the private insurance companies will slide out and then it will be up to the Government to carry on. If they have one of these real catastrophic accidents then it will be up to the Government to carry on. The $50 to $100 million invested in these reactors will provide the incentive for them to keep on operating.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. ROGERS of Colorado. The statement was made by the gentleman from Illinois, I believe, a moment ago, that the Commission is authorized to collect certain moneys. Is that part of the indemnification fee?

Mr. PRICE. The fee for indemnification is not set by the Commission. The Committee was not seeking to go into the insurance business. It is not trying to establish an actuarially sound fund, and it is not trying to get into the ratemaking business. The legislation calls for a minimal fee to cover administrative costs of this program.

Mr. ROGERS of Colorado. That is what I wanted to bring out and find out. The $30 is for that purpose?

Mr. PRICE. It is for administration costs only, and we do not expect to ever have to pay indemnification.

Mr. ROGERS of Colorado. In section (f) on page 7, lines 14 and 15, the statement is made that it is going to be $30 per year.

Mr. PRICE. Yes.

Mr. ROGERS of Colorado. And that, I understand, is the fee and has nothing to do with the indemnification agreement that the Commission may require of its contractors.

Mr. PRICE. No; it has nothing to do with that.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. DURHAM. Mr. Chairman, I yield the gentleman from California 5 additional minutes.

Mr. HOLIFIELD. Mr. Chairman, I have not by any means been able to cover the important features of this bill, because of the time limit, although the time accorded me has been very generous. When the bill is read under the 5-minute rule I will avail myself of the opportunity of the floor to advance at least two amendments. I think those amendments should be attached to the bill in order to keep this reactor safeguard committee from being ignored, as it was in the Lagoona Beach case. Until this committee of scientists say these reactors are safe there should be no license of any kind given; and then there will be another amendment which I will offer that I will explain at that time.

I want to make it very clear to the House that even though those amendments are carried I shall vote against the bill, but I hope the amendments will carry for I think they will help improve the bill somewhat.

I hold in my hand the report of the National Academy of Sciences, National Research Council. This is the report to which the President referred the other day when he commented on radiation. I read to you from pages 31 and 32 of this report:

> As in any other area of human activity, accidents are bound to happen in the atomic energy program. The problem here is to set up a large enough margin of safety so that accidents that do occur are not catastrophes.
>
> The most serious possibility is that the core of a large reactor will overheat so severely as to vaporize its material complete. If the vapor were released to the air it would spread disastrous quantities of radioactivity over thousands of square miles.
>
> Such an accident is highly unlikely in a properly designed reactor.
>
> Nevertheless the barest chance of its happening in a highly populated area is intolerable.

You can take that bare chance if you want to.

Now I will read to you from a letter written by Commissioner Vance to the committee under date of March 22. He also said he did not think there was much chance of this happening but here is what he said would happen if it did:

> Theoretical property damages ranged from a lower limit of about one-half million dollars to an upper limit in the worst case of about $7 billion. This latter figure is largely due to assumed contamination of land with fission products.
>
> Under adverse combinations of the conditions considered, it was estimated that people could be killed at distances up to 15 miles, and injured at distances of about 45 miles. Land contamination could extend for greater distances.

I am not accepting this because Mr. Vance does not know any more than I know, but this is the result of their safety study, a study that came up and said: We do not think this will happen, but it could happen and it might happen, and if it does happen this is the damage that will occur.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from North Carolina.

Mr. JONAS. I take it that the gentleman's principal objection to the bill, therefore, is on the theory that it is too dangerous to construct these reactors in any event?

Mr. HOLIFIELD. Near big cities. I have always been for constructing them like they are constructed now, in isolated areas, but they are allowing them to build these reactors close to cities and that is the thing I am afraid of.

Mr. JONAS. If they are building them close to the cities and expect to continue to do so, then the insurance feature is desirable for protection?

Mr. HOLIFIELD. Of course, it is desirable, but here is the proposition: Are you going to cover up with $500 million worth of Government money a catastrophe that would decimate the city of Detroit, that might wipe out a hundred thousand people, and injure other thousands genetically for all time, as well as contaminate the land for an undetermined length of time? Remember, these reactors contain a mass of materials and fuel elements that are highly radioactive. The rays will go through concrete 3 feet thick; they will go through a human being and dissolve his flesh if you spread this. That is what we are up against. I am saying that the insurance companies are too smart to put over $50 million on one deal, and there are 139 of them backed by Lloyd's of London which will not put but $50 million up and the reactor people will not put them up unless they get $500 million worth of coverage. That is where the Government comes in to pick up the tab.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. COLE. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. HOLIFIELD. Mr. Chairman, I thank the gentleman. He is very kind to me, as he always is, and I want to assure you there is nothing but kindness in my heart for all those who may disagree with me.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Ohio.

Mr. VANIK. In the bill there is provided the Reactor Safeguards Committee. May I ask, in a situation where the committee may decide a facility is a dangerous facility and should not be built, will that decision or will that ruling prevent the Commission from granting a license?

Mr. HOLIFIELD. No. The Reactor Safeguard Committee can be overridden and the fact they have been overridden in the Lagoona Beach case is a demonstration exactly of what this means unless you place additional language in it.

One of my amendments would say:

> c. In the event that the Committee on Reactor Safeguards shall, by majority vote, determine that the applicant for a license has failed to satisfy the requirements set forth in section 182, the Committee shall report adversely to the Commission and the Commission shall not issue a construction permit under section 185, nor an operating license under sections 103, 104 b, and for testing facilities under 104 c of this act.

That would give the Reactor Committee some teeth. At this time they can do like they did at Lagoona Beach and turn down their advice.

Mr. SIEMINSKI. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from New Jersey.

Mr. SIEMINSKI. I understand the British are going into this atomic reactor business on quite a large scale for commercial purposes. What has been and what is their experience in this regard?

Mr. HOLIFIELD. They are building their reactors in isolated places in England far away from concentrated populations, and the government is carrying the liability just like we are at Hanford, Oak Ridge, and Savannah today.

Mr. SIEMINSKI. I thank the gentleman.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Ohio.

Mr. ASHLEY. I am interested in this discussion because the city of Cleveland is located near the Lagoona Beach project that the gentleman mentioned. Now, is it not true that the safeguards committee recommended against the hot reactor project that is to be installed at Lagoona Beach?

Mr. HOLIFIELD. That is right.

Mr. ASHLEY. Is there anything that can be done to reevaluate that decision? Is there anything being done by the Atomic Energy Commission?

Mr. HOLIFIELD. There is an intervenor's suit and the Atomic Energy Commission has said that they will not allow an operating license until we are convinced that this is a safe reactor. Now, that can be determined, I think, very easily, because if the PRDC puts $50 million into a program, it will be awfully hard to say to them that they cannot operate.

Mr. ASHLEY. Has the Detroit Edison group applied for insurance?

Mr. HOLIFIELD. Not that I know of. I have no information to indicate that they have, nor do I have any information that the private insurance companies will insure that type of a reactor. Now, they may or they may not. I do not know.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Illinois.

Mr. PRICE. Of course, they would have to take it out under the provisions of this bill. They could not operate or could not have a final license until they did subscribe to the provisions of this bill, and they would be compelled to have liability coverage.

Mr. HOLIFIELD. That is right, and they could not build it if they did not have it unless the Commission gave them a license. So, you can take it either way you want it.

Now, as to the other amendment I mentioned. There will be an amendment offered on page 4 at line 24 after the word "activity," which reads as follows:

And provided further, That in no event shall the amount of financial protection required from private sources for such facilities be less than 10 percent of the aggregate indemnity provided by the Government pursuant to subsection c hereof.

Which will in effect say that the Commission shall require the maximum amount of private insurance on reactors over 100,000-kilowatt size. And, as shown in the bill and in the report, the maximum amount available designated by the Commission might be cut to $1 million from the private people and $500 million from the Government.

Now, that would mean that if the Atomic Energy Commission said you shall take out a total of $200 million worth of liability, that they would have to take 50 percent of that, or $20 million, from private insurance, and if they said $500 million, they would have to take the maximum of $60 million, if it is available. So, that is to pinpoint the fact of not allowing the Commission to cut down on the private availability of insurance within their discretion but to make them use the private insurance companies wherever there is this insurance available.

Mr. DURHAM. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I do not believe there are as many bad things about this bill as my good friend the gentleman from California [Mr. HOLIFIELD] says there are. This House has been very kind to this committee. We have brought out but very few bills that there has not been unanimous agreement on both sides of the aisle. It so happens that the gentleman takes a different position on this measure than I do. And, I do not believe there has ever been a measure that has had as careful consideration by what I believe to be capable expert lawyers on the committee and its staff and also by attorneys of the insurance companies representing a 130-member group, and the atomic equipment companies and their counsel. They have studied this in detail for the past 2 years or more.

Just what are we trying to do here, without going into all of the details of the technicalities involved in this atomic energy field? We could stand here and talk hour after hour and there would still be some confusing points that would be difficult to clear up.

The gentleman from California [Mr. HOLIFIELD] just read from a book entitled "The Theoretical Possibilities and Consequences of Major Accidents in Large Nuclear Power Plants." I wish every Member of the House could read this through, not just pick out a few points here and there.

A full explanation of what a reactor is is also very technical, but the statement was made by the gentleman from California [Mr. HOLIFIELD] that atomic bombs and reactors are about the same and that an explosion could occur in a reactor, as I understood the gentleman's statement, which would be similar to that of an atomic weapon.

No scientist, no group of scientists, has ever come to that conclusion yet. They say it simply cannot result because of the difference in the structure and fissioning of the material. I think the scientists believe today that no such atomic explosion could occur in a nuclear reactor. Although atomic bombs and atomic reactors both involve chain reactions, a runaway reactor would not result in an atomic explosion comparable to an atomic bomb. An atomic bomb will explode only if carefully engineered in a bomb casing. The hazard from reactors is from a chemical explosion occurring as a result of a meltdown, not from a nuclear explosion which has never been demonstrated scientifically from a reactor meltdown.

As pointed out earlier, a meltdown is highly unlikely to ever occur.

Reactors are enclosed in a concrete containment shell which are designed to withstand any chemical or small scale nuclear explosion.

I want to recognize, however, that there is a hazard, although remote. That is why we bring this bill to you, because we feel that it is a measure which will give us some basic protection.

The atomic power field is the first industry where public safety standards have been developed before the industry has achieved commercial status.

America developed all of her domestic fuel resources before safety standards were established. What did we do with coal? We went for years and years and had explosions, because we had no safety devices and there were no insurance features until we were forced to do something and we finally did it. The same is true in connection with the railroads. We developed a great railroad system in this country with no safety features at all and no insurance features. I could also mention the automobile industry. Today we are killing 40,000 people a year in automobile accidents. But we laid down no basic rules for insurance. It would have been much better if we had done so, in my opinion.

Now we are taking this industry and trying to put it into the stream of private enterprise and develop it so that it will be of some use to the American people and the world. Because of the great Federal investment in the program and the increased private participation, I believe we are making progress. So we bring this measure in today in an effort to provide for some indemnity protection and to lay down some ground rules on safety and other matters. Private insurance and Government indemnity over and above it are absolutely necessary if, as has been said by the gentleman from New York [Mr. COLE], and others, we expect to develop this source of fuel. I do not believe we can afford not to develop atomic power to its fullest.

As we who have followed the program closely know, this program at the moment is not one in which there are any profits. Indeed, during the period of current development work, those who build and construct reactors in private industry can expect only losses. The cost of power produced by a reactor will not be economic in this country for the first generation of reactors still to go into operation. On the other hand, there is one extremely remote, but still barely possible, chance that a runaway reactor might suffer a meltdown and cause damage to persons outside of the reactor. If such an incident occurred, the damages could be very large.

The insurance companies have pooled their resources so that they are able to insure each reactor for third-party damage for two sums: the stock companies can issue a policy up to $50 million; and the mutual companies can issue a policy up to $10 million, for a total $60 million on each reactor. In other words, those who will be building or contributing to a reactor do not have the normal opportunity to make a profit but do stand a chance to bankrupt their companies and

thereby not be able to pay public liability claims.

I should digress a moment from the atomic energy industry to point out that in order to obtain the new large amounts of insurance for these policies, the insurance companies had to put together capacities that they had never had heretofore. The stock companies had 135 of their companies join together so that there was available $50 million of third-party liability insurance and $50 million on property insurance. Over 100 mutual companies likewise joined together so that they were able to offer $10 million of third-party insurance and $5 million of property insurance. These companies had to form special pools in order to achieve this capacity. I believe that this is a fine contribution of the insurance field to the operations of the atomic energy field.

This is an unknown area into which these companies are stepping and they seem to be doing everything they can to satisfy the needs of industry.

The Joint Committee has heard testimony from many of the firms in the field with respect to their ability to proceed without the insurance. These firms have almost uniformly stated that they cannot proceed unless this bill is passed. It is not the probability of damages but the possible size of the improbable damages that bothers them. Indeed, most of the applications for licenses and for contracts in the demonstration program for reactors in the Commission are contingent upon resolution of this indemnity problem.

The Joint Committee very carefully examined the entire situation. It sought to find the most reasonable method of solution for this problem. The only satisfactory solution appeared to be the indemnity route.

Under this bill the United States would indemnify the reactor owner for third-party liability damages caused beyond the amount of private insurance. The ceiling was set on the present sum of money which the Government would make available at $500 million. If, in the even more remote chance there might be an incident causing more than this amount of damage, then Congress could look at the particular situation again.

I should explain that we considered the indemnification route in place of the reinsurance, or other route, because of the small probability of there ever being any payments made by the United States under the provisions of this act. Hence, there was not an actuarially sound basis to try to establish any kind of insurance. If the Government tried to collect sums from the reactor operators which would quickly provide a fund from which tremendous losses could be paid, the reactor operators would not be able to make that kind of a payment. Furthermore, it would only be likely that the sum would never be used and the Government would have a large fund on its hands which would be idle. Also, the Government would most likely be required to set up insurance pools to care for the problem. Under the provisions of this bill, the Commission assumes functions in those areas of technology where it has competence and uses the facilities of the private firms for the balance of its responsibilities.

In conclusion, I want to say that I believe the bill we have before us today is a better bill than we have had before. It not only provides for protection to the public and reactor operators and suppliers, but it also incorporates procedures which help insure that all safe precautions will be taken in the design, construction, and operation of reactors. Thus the bill formally establishes the Reactor Safeguard Committee, requires that their safety reports on each power reactor be made public and requires hearings on power and test reactors.

Mr. PORTER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-five Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 131]

Adair	Fino	Morrison
Andersen, H. Carl	Grant	O'Konski
Ayres	Gwinn	Osmers
Bailey	Halleck	Patterson
Barden	Harris	Pilcher
Beamer	Harrison, Nebr.	Polk
Blatnik	Healey	Powell
Bowler	Henderson	Preston
Brownson	Hoffman	Rains
Buckley	Holtzman	Reece, Tenn.
Burdick	James	Riehlman
Celler	Jennings	St. George
Chelf	Jensen	Saund
Christopher	Johnson	Scott, N. C.
Chudoff	Jones, Mo.	Sheehan
Clevenger	Kearns	Shelley
Colmer	Kilburn	Spence
Curtis, Mo.	Landrum	Taylor
Davis, Ga.	McConnell	Teague, Tex.
Dawson, Ill.	McIntosh	Teller
Delaney	McMillan	Thomas
Dellay	Magnuson	Thompson, La.
Dennison	Mailliard	Utt
Dixon	Mason	Wainwright
Dollinger	Matthews	Willis
Dooley	Michel	Wilson, Calif.
Eberharter	Miller, N. Y.	Zablocki
Evins	Montoya	
	Moore	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. THOMPSON of New Jersey, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 7383, and finding itself without a quorum, he had directed the roll to be called when 345 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Chairman, I can assure the Members that I was not responsible for this rollcall. I had about completed my statement.

I do want to say that the gentleman from Illinois [Mr. PRICE] has made a very fine explanation of this measure, so has the gentleman from New York [Mr. COLE]. I am very sorry that our good friend and a member of our committee, the gentleman from California [Mr. HOLIFIELD] speaks in opposition to the measure. I believe it is sound, if we expect to get along with this program, and I hope the House will pass the measure today without delay.

Mr. COLE. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Chairman, I rise in support of House Resolution 7383, providing for Government indemnity against reactor hazards over and above private financial protection.

It seems to me that this bill is among the most important pieces of legislation which the House has before it this session and that prompt passage is essential if we are to avoid a serious setback in our atomic-power program.

As a member of the Joint Committee on Atomic Energy for the past 10 years I have observed at firsthand the remarkable progress which this country has achieved in the transition from purely military applications of atomic energy to large-scale peaceful applications, including atomic power.

As many of you may remember, the Joint Committee sponsored legislation back in 1954 so as to speed up this transition process through encouragement of private industry participation in our atomic energy program.

In the few short years that followed, private industry and cooperative groups, working in close cooperation with our Government laboratories and facilities, have taken large strides down the long difficult road toward development of nuclear powerplants.

These steps have been taken despite the fact that economic nuclear power, at least in this country, is some years away and that estimated construction costs are continuing to rise.

I think it is a tribute to those who have been willing to invest their money in atomic power development, that they have gone ahead with their plans, despite these discouragements, and have demonstrated their faith in the future.

The program at the present time is faced with still another roadblock which threatens to bring these efforts of private and cooperative groups to a standstill if it is not removed.

I refer to the problem of financial protection for nuclear powerplants to cover public liability claims in the remote event of a nuclear incident.

In many respects this is a psychological problem, in that it involves something that has not happened as yet, and probably never will.

In other words, it concerns the remote chance that one of these nuclear powerplants will have an accident of such proportions that private insurance will not be adequate, even under present pooling arrangements, to cover public liability.

While everyone agrees that the chances of such an accident are extremely doubtful, the possibility of an accident still exists, and serves as a strong deterrent to plant operators and equipment manufacturers who are participating in the nuclear power program.

I think that concern has been most acutely felt among the equipment manufacturers and the makers of component parts for atomic powerplants.

Many of these companies have forgone the realization of any profit for the near future, and in a number of cases have actually sustained loses, in the interests of gaining know-how for the future.

This poses the difficult problem of staying afloat financially in the interim period, but this is a challenge that the manufacturers are able to meet.

Yet when you place on them the additional psychological burden of possible bankruptcy arising from public liability payments in the event of a nuclear incident—and this affects large companies as well as small—then the old story of the straw that broke the camel's back comes to mind.

Perhaps the best way to describe the anxiety on the part of the equipment manufacturer is to quote briefly from the testimony of Frank McCune, president of the Atomic Products Division of the General Electric Co., which was presented to the joint committee at its recent public hearing on the indemnity bill we have before us today.

Mr. McCune is a man of the highest integrity and for many years has been intimately acquainted with the problems of atomic power development.

His company is presently engaged in developmental work aimed at producing a nuclear power reactor and associated equipment for the Dresden plant of the Commonwealth Edison Co. in Chicago.

Here is what Mr. McCune had to say:

In testifying on this subject in the past 3 years, I have said, in effect, that failure to provide liability protection could constitute a major obstacle to private work in the atomic field.

I have expressed concern that some projects might be delayed or halted if legislation were not enacted.

In this connection, I believe all of you are aware that in a recent poll conducted by the Atomic Industrial Forum, the unresolved liability question was rated second only to the lack of economic incentives as a roadblock to further progress.

On the other hand, General Electric Co. has not delayed or halted its own work.

To the contrary, it has gone ahead in the full confidence that legislation will be passed.

There are two reasons for this confidence.

First, we believe that the case for legislation is clear and overwhelming.

Second, it has been our experience that the Congress, acting on the advice of this committee, has always been prepared to do what is essential to atomic progress.

I believe that others have been going forward with the same conviction.

Mr. McCune then went on to say:

I think it only fair that I give this committee a statement of our thinking.

We have been very reluctant, categorically, to state that we will not proceed unless an indemnity bill is passed by Congress.

We have feared that such a statement might be misinterpreted as a threat to Congress to take action—or else.

Further, we have not wanted to cast any doubt on the ability of private industry to carry a major share of the job of atomic power development.

Eventually, however, there comes a time for a frank statement of the position of the General Electric Co.

I am sure that the committee would want us to make such a statement and would not misinterpret our motives in doing so.

The effort we have put into the atomic power program and the money we have spent on it should be sufficient evidence of our good faith.

Continuing, Mr. McCune said:

At present I see no alternative but to recommend that work on the Dresden Station be halted as soon as practicable after the end of this session of Congress in case appropriate legislation has not been passed by that time.

Also, as I now see it, it is my view that General Electric should not take on any other comparable project if it appears that appropriate legislation will not be passed.

I believe you appreciate that I have arrived at this view only with the greatest reluctance.

Now those are the words of Mr. Frank McCune, president of the Atomic Products division of the General Electric Co., one of our most responsible leaders in atomic industry.

As Mr. McCune goes to great length to point out, he is not threatening the Congress or anyone else with a take-it-or-leave-it proposition.

He is merely pointing out the tough facts of life in the atomic manufacturing business.

A question which was only of academic importance a few years ago, when plans were largely on paper, has become an intensely practical one now that manufacturers such as General Electric are in the actual hardware stage.

It is no longer a matter of theory but of hard fact whether any company wishes to proceed to the operating stage with a cloud of possible bankruptcy hanging over its head in the event of a nuclear incident.

Even though the chances of a serious incident are remote, the possibility does exist, and it is this possibility, or rather the fear of it, which confronts us.

It is clear that this fear—this anxiety and concern I have been describing—is widespread throughout the atomic industry and is posing a major obstacle to the progress of our nuclear power program.

In fact, it threatens the very existence of the program at a crucial stage of its development.

Therefore, it would be nothing less than tragic at this stage—when the fledging atomic industry is just beginning to get on its feet—to dissipate the fruits of its efforts by refusing to provide the protection it needs to go forward.

Mark you, the loss would not be confined to the atomic industry.

The greatest loss would be to the Nation itself, and it is for that compelling reason that I strongly urge the passage of this legislation.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from New York.

Mr. COLE. Will not the gentleman corroborate the statement which I and others have made that the same attitude which he has just quoted as coming from Mr. McCune was voiced by every other potential sponsor of a privately owned and operated reactor, and that they would not start the reactor until the extent of their liability was known as contained in the bill before the committee at this time.

Mr. VAN ZANDT. The gentleman from New York is correct. The witnesses who have appeared before the legislative subcommittee of the Joint Committee on Atomic Energy during the course of public hearings on the authorization bill have all supported the statement of Mr. McCune by saying that unless this bill becomes law they cannot proceed in their efforts to develop atomic power. So, the gentleman from New York is absolutely correct.

Mr. COLE. Mr. Chairman, will the gentleman yield further?

Mr. VAN ZANDT. I yield.

Mr. COLE. The gentleman has quoted Mr. McCune. Would the gentleman permit me to read from a copy of a letter which I received today from Dr. Henry Smyth? The letter was addressed to Mr. HOLIFIELD and is dated June 27, 1957. A copy was sent to me by Dr. Smyth who, I am sure the gentleman will acknowledge, is one of the foremost and best-informed scientists in the field of atomic energy.

Mr. VAN ZANDT. That is correct.

Mr. COLE. Dr. Smyth prepared the last report which was released by the Government along about 1946, right after the use of atomic energy in weapons. Later on he was a member of the Commission and he is now identified with the atomic program in an unofficial capacity in Princeton. But in connection with the bill before us, Dr. Smyth in this letter said:

Failure of this Congress to pass the insurance bill which has been approved by the joint committee and which everyone seems to feel is desirable and appropriate can seriously impede the program.

Mr. VAN ZANDT. I thank the gentleman.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That section 2 of the Atomic Energy Act of 1954, as amended, is amended by adding a new subsection to read as follows:

"i. In order to protect the public and to encourage the development of the atomic energy industry, in the interest of the general welfare and of the common defense and security, the United States may make funds available for a portion of the damages suffered by the public from nuclear incidents, and may limit the liability of those persons liable for such losses."

SEC. 2. Subsection 53 e. (8) of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"(8) except to the extent that the indemnification and limitation of liability provisions of section 170 apply, the licenses will hold the United States and the Commission harmless from any damages resulting from the use or possession of special nuclear material by the licensee."

SEC. 3. Section 11 of the Atomic Energy Act of 1954, as amended, is amended by adding thereto the following new subsections, and redesignating the other subsections accordingly:

"j. The term 'financial protection' means the ability to respond in damages for public liability."

"n. The term 'licensed activity' means an activity licensed pursuant to this act and covered by the provisions of section 170 a."

"o. The term 'nuclear incident' means any occurrence within the United States causing bodily injury, sickness, disease, or death, or

loss of or damage to property, or for loss of use of property, arising out of or resulting from the radioactive, toxic, explosive, or other hazardous properties of source, special nuclear, or byproduct material."

"r. The term 'person indemnified' means the person with whom an indemnity agreement is executed and any other person who may be liable."

"u. The term 'public liability' means any legal liability arising out of or resulting from a nuclear incident, except claims under State or Federal Workmen's Compensation Acts of employees of persons indemnified who are employed at the site of and in connection with the activity where the nuclear incident occurs, and except for claims arising out of an act of war. 'Public liability' also includes damage to property of persons indemnified: *Provided*, That such property is covered under the terms of the financial protection required, except property which is located at the site of and used in connection with the activity where the nuclear incident occurs."

SEC. 4. The Atomic Energy Act of 1954, as amended, is amended by adding thereto a new section, with the appropriate amendment to the table of contents:

"SEC. 170. Indemnification and limitation of liability.—

"a. Each license issued under section 103 or 104 and each construction permit issued under section 185 shall, and each license issued under section 53, 63, or 81 may, have as a condition of the license a requirement that the licensee have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with subsection 170 b. to cover public liability claims. Whenever such financial protection is required, it shall be a further condition of the license that the licensee execute and maintain an indemnification agreement in accordance with subsection 170 c. The Commission may require, as a further condition of issuing a license, that an applicant waive any immunity from public liability conferred by Federal or State law.

"b. The amount of financial protection required shall be the amount of liability insurance available from private sources, except that the Commission may establish a lesser amount on the basis of criteria set forth in writing, which it may revise from time to time, taking into consideration such factors as the following: (1) the cost and terms of private insurance, (2) the type, size, and location of the licensed activity and other factors pertaining to the hazard, and (3) the nature and purpose of the licensed activity. Such financial protection may include private insurance, private contractual indemnities, self insurance, other proof of financial responsibility, or a combination of such measures.

"c. The Commission shall, with respect to licenses issued between August 30, 1954, and August 1, 1967, for which it requires financial protection, agree to indemnify and hold harmless the licensee and other persons indemnified (other than a Government agency), as their interest may appear, from public liability arising from nuclear incidents which is in excess of the level of financial protection required of the licensee. The aggregate indemnity for all persons indemnified in connection with each nuclear incident shall not exceed $500 million. Such a contract of indemnification shall cover public liability arising out of or in connection with the licensed activity.

"d. In addition to any other authority the Commission may have, the Commission is authorized until August 1, 1967, to enter into agreements of indemnification with its contractors for the construction or operation of production or utilization facilities or other activities involving possession of sufficient quantities of special nuclear, source or byproduct materials to constitute a hazard involving potential widespread injury to persons or property other than those employed or used at the site of the contract activity, for the benefit of the United States. In such agreements of indemnification the Commission may require its contractor to provide and maintain financial protection of such a type and in such amounts as the Commission shall determine to be appropriate to cover public liability arising out of or in connection with the contractual activity, and shall indemnify the persons indemnified against such claims above the amount of the financial protection required, in the amount of $500 million in the aggregate for all persons indemnified in connection with such contract and for each nuclear incident. The provisions of this subsection may be applicable to lump sum as well as cost type contracts and to contracts and projects financed in whole or in part by the Commission.

"e. The aggregate liability for a single nuclear incident of persons indemnified shall not exceed the sum of $500 million together with the amount of financial protection required of the licensee or contractor. The Commission or any person indemnified may apply to the appropriate district court of the United States having venue in bankruptcy matters over the location of the nuclear incident, and upon a showing that the public liability from a single nuclear incident will probably exceed the limit of liability imposed by this section, shall be entitled to such orders as may be appropriate for enforcement of the provisions of this section, including an order limiting the liability of the persons indemnified, orders staying the payment of claims and the execution of court judgments, orders apportioning the payments to be made to claimants, orders permitting partial payments to be made before final determination of the total claims, and an order setting aside a part of the funds available for possible latent injuries not discovered until a later time.

"f. The Commission is authorized to collect a fee from all persons with whom an indemnification agreement is executed under this section. This fee shall be $30 per year per thousand kilowatts of thermal energy capacity for facilities licensed under section 103. For facilities licensed under section 104, and for construction permits under section 185, the Commission is authorized to reduce the fee set forth above. The Commission shall establish criteria in writing for determination of the fee for facilities licensed under section 104, taking into consideration such factors as (1) the type, size, and location of facility involved, and other factors pertaining to the hazard, and (2) the nature and purpose of the facility. For other licenses, the Commission shall collect such nominal fees as it deems appropriate. No fee under this subsection shall be less than $100 per year.

"g. In administering the provisions of this section, the Commission shall use, to the maximum extent practicable, the facilities and services of private insurance organizations, and the Commission may contract to pay a reasonable compensation for such services. Any contract made under the provisions of this subsection may be made without regard to the provisions of section 3709 of the Revised Statutes, as amended, upon a showing by the Commission that advertising is not reasonably practicable and advance payments may be made.

"h. The agreement of indemnification may contain such terms as the Commission deems appropriate to carry out the purposes of this section. Such agreement shall provide that, when the Commission makes a determination that the United States will probably be required to make indemnity payments under this section, the Commission shall collaborate with any person indemnified and may approve the payment of any claim under the agreement of indemnification, appear through the Attorney General on behalf of the person indemnified, take charge of such action, and settle or defend any such action. The Commission shall have final authority on behalf of the United States to settle or approve the settlement of any such claim on a fair and reasonable basis with due regard for the purposes of this act. Such settlement may include reasonable expenses in connection with the claim incurred by the person indemnified.

"i. After any nuclear incident which will probably require payments by the United States under this section, the Commission shall make a survey of the causes and extent of damage which shall forthwith be reported to the joint committee, and, except as forbidden by the provisions of chapter 12 of this act or any other law or Executive order, all final findings shall be made available to the public, to the parties involved and to the courts. The Commission shall report to the joint committee by April 1, 1958, and every year thereafter on the operations under this section.

"j. In administering the provisions of this section, the Commission may make contracts in advance of appropriations and incur obligations without regard to section 3679 of the Revised Statutes, as amended."

SEC. 5. The Atomic Energy Act of 1954, as amended, is amended by adding thereto a new section, making the appropriate amendment to the table of contents, as follows:

"SEC. 29. Committee on Reactor Safeguards: There is hereby established a Committee on Reactor Safeguards consisting of a maximum of 15 members appointed by the Commission for terms of 4 years each. The Committee shall review safety studies and facility license applications referred to it and shall make reports thereon, shall advise the Commission with regard to the hazards of proposed or existing reactor facilities and the adequacy of proposed reactor safety standards, and shall perform such other duties as the Commission may request. One member shall be designated by the Committee as the Chairman. The members of the Committee shall receive a per diem compensation for each day spent in meetings or conferences, and all members shall receive their necessary traveling or other expenses while engaged in the work of the Committee. The provisions of section 163 shall be applicable to the Committee."

SEC. 6. Section 182 of the Atomic Energy Act of 1954, as amended, is amended by redesignating subsection b. as subsection c. and subsection c. as subsection d., and by inserting the following subsection as a new subsection b. immediately after subsection a.:

"b. The Committee on Reactor Safeguards shall review each application under section 103 or 104 b. for a license for a facility, any application under section 104 c. for a testing facility, and any application under section 104 a. or c. specifically referred to it by the Commission, and shall submit a report thereon, which shall be made part of the record of the application and available to the public, except to the extent that security classification prevents disclosure."

SEC. 7. Section 189 a. of the Atomic Energy Act of 1954, as amended, is amended by adding the following sentence at the end thereof: "The Commission shall hold a hearing after 30 days notice and publication once in the Federal Register on each application under section 103 or 104 b. for a license for a facility, and on any application under section 104 c. for a license for a testing facility."

Mr. DURHAM (interrupting the reading of the bill). Mr. Chairman, I ask

unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. PRICE. Mr. Chairman, I send to the desk some committee amendments and ask unanimous consent that they be considered en bloc, with the exception of the amendment on page 4, line 24, which I request be considered separately.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read as follows:

Committee amendments offered by Mr. PRICE: Page 2, line 16, after "public liability" insert "and to meet the costs of investigating and defending claims and settling suits for such damages."; page 3, line 5, at the end add "for public liability."; page 5, line 8, strike "(other than a Government agency)"; page 5, line 14, after the figure "$500,000,000" insert "including the reasonable costs of investigating and settling claims and defending suits for damage"; page 6, line 11, after the figure "$500,000,000" insert "including the reasonable costs of investigating and settling claims and defending suits for damage"; page 6, line 18, after the word "indemnified" insert "including the reasonable costs of investigating and settling claims and defending suits for damage"; page 5, line 21, to page 6, line 3, strike out, beginning with the word "activities" to the end of the sentence and insert instead: "activities under contracts for the benefit of the United States involving activities under the risk of public liability for a substantial nuclear incident"; page 9, line 23, add "advisory" before "committee"; page 9, line 24, add "advisory" before "committee"; page 10, line 20, add "advisory" before "committee."

Mr. PRICE. Mr. Chairman, the committee amendments that have just been read are clarifying amendments to be sure that the bill as presented to the Congress is as clear as possible.

The first, fourth, fifth, and sixth amendments would merely be sure that the financial protection required of the participants in the program and the indemnity sum of $500 million are to cover both the liability and the costs of investigation and settlement of claims. This is to insure that the top liability of the Government under this bill for any one incident would be $500 million and not more.

The third amendment carries out the committee intent of treating all licensees alike for the purposes of this indemnity program regardless of whether they are private firms or Government agencies, which are also licensees—such as the Maritime Commission.

The seventh amendment redefines the area in which the indemnity bill could be applied by the Commission in its own contract operations so as to be as closely similar to those areas covered by licensed operations as is possible. The original language in covering only those activities involving possession of hazardous amounts of special nuclear materials did not cover such activities as the design or construction of a reactor which would precede the insertion of special nuclear materials into the pile as fuel.

The 8th, 9th, and 10th amendment merely add the word "Advisory" to the title of the Reactor Safeguards Committee—thus indicating its nature and keeping its present title.

These amendments have been agreed to by all committee members who have been able to be consulted—including the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from California.

Mr. HOLIFIELD. I agreed to consider these amendments en bloc because in my opinion they have strengthened the bill. However, there is an amendment which puts the word "advisory" before the word "committee" which is in conflict with an amendment which I intend to offer which, in effect, would make the Committee on Reactor Safeguards a real committee with teeth in it instead of a committee which could be overridden by the Commission. Therefore, I respectfully request that that particular amendment be withdrawn from the amendments that are to be considered en bloc and that it be voted on separately.

Mr. PRICE. Of course, the gentleman agreed in committee with the rest of us on this as a committee amendment. The committee has been polled and it has been submitted as a committee amendment.

Mr. HOLIFIELD. I have no objection to it being considered, but I am simply asking that it be considered separately.

Mr. PRICE. I think I would have to agree with the gentleman's request.

Mr. Chairman, I ask unanimous consent to withdraw from the amendments that are to be considered en bloc, the amendments offered by the committee at page 10, line 20; page 9, line 23, and page 9, line 24.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Illinois [Mr. PRICE].

The amendments were agreed to.

Mr. PRICE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PRICE: Page 4, line 24, after the word "activity" change the period to a colon and add the following: "*Provided*, That for facilities designed for producing substantial amounts of electricity and having a rated capacity of 100,000 electrical kilowatts or more, the amount of financial protection required shall be the maximum amount available from private sources."

Mr. HOLIFIELD. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment to the amendment offered by Mr. HOLIFIELD: On page 4, after the committee amendment, line 24, insert "*And provided further*, That in no event shall the amount of financial protection required from private sources for such facilities be less than 10 percent of the aggregate indemnity provided by the Government pursuant to subsection c hereof."

Mr. HOLIFIELD. Mr. Chairman, my amendment to the amendment would do this. The committee amendment provides that the Commission shall require reactor owners of 100,000 kilowatts or more to take the amount of insurance available from private insurance sources. I think this is a good amendment. As I said in my other presentation, I do not think it goes far enough, however. This amendment was my amendment in the committee. After studying it more thoroughly overnight, I thought it should be strengthened further by providing that in no instance should the Commission set a requirement of less than 10 percent of the aggregate amount to be taken from the private-insurance people. In other words, if they set the amount necessary as $500 million, it would mean that the utility company, the reactor owner, would be required to take $50 million available from the private insurance companies. If they said that because of the type of the reactor and its location away out in the country that the liability should be only $200 million, then this would require of the reactor owners to take $20 million. So this would be to prevent the Commission from saying, "Because of the terms and cost of insurance you only have to take $100 million from the private insurance people and you can take $500 million from the Government. One million dollars may cost you $5,000 or $20,000 from the private company, but we will give you $500 million for $18,500."

So if this is any part of private enterprise, certainly they should take at least 10 percent of the aggregrate amount from private insurance, and not be relieved of that burden.

That is the purpose of my amendment to the amendment. If you believe they should take at least 10 percent of their total insurance from the private companies, you would vote "Aye." If you believe the Commission should set it as low as a million dollars from the private owners, then utilize the cheap Government liability on top of that, of course your vote would be "No."

Mr. COLE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California to the committee amendment. The gentleman did submit this amendment to the Joint Committee and the Joint Committee rejected it. In place of the suggestion which the gentleman from California [Mr. HOLIFIELD] submitted to the Joint Committee, the committee recommended a change, as submitted to the House today. That is, that with respect to the large reactors of 100,000 kilowatts or more, the private operator should be required, before he gets a license, to obtain the greatest amount of insurance possible. Under the provisions submitted by the gentleman from California [Mr. HOLIFIELD], if, in the course of time this insurance fund, which today is an aggregate of $60 million, may increase to $100 million, under the committee amendment the reactor operator would have to get $100 million. The gentleman from California has indicated that the Commission would have the authority to permit the operator to obtain as little as $1 million worth of insurance,

which of course is not the case at all if the committee amendment is adopted. The Joint Committee thinks it is quite proper that these large reactor operators should be required as a matter of law to get the maximum amount of insurance that is available, whether it is $20 million or $30 million or $50 million or $100 million or $200 million. They must go out and buy and pay out of their own resources the coverage in the greatest amount that is available to them.

The amendments which have been offered by the gentleman from California would, it seems to me, place limitations on the minimum requirement so as to deny the Commission the right to insist on an insurance coverage if there should happen to be less than $60 or $65 million available to them.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. COLE. I yield.

Mr. HOLIFIELD. The purpose of my amendment to the amendment was to see that the reactors under 100,000 kilowatts also took not less than 10 percent of private insurance. I do not believe that it would affect the reactors over 100,000 because that is an express statement; but, then, when you get into 90,000 or 80,000, or 70,000, then the condition which I have alluded to does occur where the Commission can set not the maximum amount available but anything that they determine is the right amount to be taken from the private companies. My amendment would take that from the bill, 100,000 kilowatts.

Mr. COLE. Mr. Chairman, this bill has been drafted in such fashion as to lay out certain standards which the Atomic Energy Commission must follow in granting licenses and requiring the amount of insurance coverage. We must rely to some extent upon the integrity and the good judgment of the Atomic Energy Commission to make certain that its twofold responsibility in the atomic energy program is carried out: One, its responsibility as a commission in carrying forward the atomic energy program; the other its responsibility as a public agency to see that the public interest is preserved and that there be no opportunity of undue and unreasonable raids on the Federal Treasury.

I feel that the amendment offered by the gentleman from California is unnecessary and ill advised.

Mr. DURHAM. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California.

The gentleman from New York is correct in stating that this would have a very bad effect. It would place a limitation on the owners of these reactors to carry more insurance even if it were not available, this would place a limit on them forever.

I hope that the House will vote the amendment down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HOLIFIELD] to the amendment offered by the gentleman from Illinois [Mr. PRICE].

The amendment to the amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Illinois [Mr. PRICE].

The amendment was agreed to.

Mr. PRICE. Mr. Chairman, I offer three amendments, and I ask unanimous consent that they may be considered en bloc. They consist in adding the word "advisory" in three places.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. PRICE: Page 9, line 23, before the word "committee" insert the word "advisory."

Page 9, line 24, before the word "committee" insert the word "advisory."

Page 10, line 20, before the word "committee" insert the word "advisory."

Mr. HOLIFIELD. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. HOLIFIELD to the amendment offered by Mr. PRICE: Page 10, line 22, strike out the word "advisory."

Mr. HOLIFIELD. Mr. Chairman, my reason for offering this amendment in this manner is that it is included in the en bloc amendments; therefore, this is my only way of offering an amendment to the one amendment that concerned me.

My concern is that we are setting up a statutory Committee on Safeguards. I believe that this statutory committee should be other than an advisory committee.

At the present time our only protection from a disinterested source is in the Reactor Safeguards Committee which is composed, I believe, of 9 or 15 scientists who sit in judgment on the safety factors of these reactors and either clear them or render an adverse report. I believe that their report is so important to the safety of human life in the vicinity of these reactors that if we are going to make a statutory committee we should provide a statutory committee with power to render judgment and have that judgment followed.

Unless I amend this to rule out the word "advisory" then I have doubt as to the amendment which I intend to offer which makes this statutory committee an effective committee in place of just a front, just an advisory committee. It has no power. It can say, Do not build this reactor in this place because it is dangerous, but the AEC, notwithstanding they have set up a committee and they have picked the scientists who are qualified to judge as to the safety, may say, we are not going to follow your advice; we will let them build it anyway. So it becomes a nullity. That is what happened in the case of the PRDC reactor at Lagoona Beach, Mich. The Reactor Safeguards Committee which exists now by rules and regulations and not by statute made an adverse report on that type of reactor and the AEC overruled them. This means absolutely nothing now and we should not create a statutory Reactor Safeguards Committee unless we give it some power and I seek to do what ought to be done, in my opinion, which is to make it a statutory committee with power to have its views considered and not just summarily passed over by people on the Commission who are not scientists with the exception of one man, and who by majority action can overrule 9 or 15 scientists who may think otherwise. So that would be the reason why I would say that the word "advisory" should be stricken, that it should be as it appears now in the bill, namely, Committee on Reactors Safeguards.

Mr. COLE. Mr. Chairman, I must rise in opposition to the amendment offered by the gentleman from California. In his earlier discussion this afternoon, he made reference to the Lagoona Beach project that is proposed to be constructed in the vicinity of Detroit. My recollection is that the gentleman from California said this Reactor Safeguards Committee, now in existence in the Commission, had made a study of this particular project and had declared it unsafe. If I have misquoted the gentleman from California, I wish he would indicate it now.

Mr. HOLIFIELD. That is right.

Mr. COLE. The Safeguards Committee has never declared the Lagoona Beach project as unsafe and I will quote to you, Mr. Chairman, from a letter of the Reactor Safeguards Committee in which they present their views on the Lagoona Beach property.

In the very beginning of their letter they say:

> There are no facts or calculations available to the Committee that clearly indicate that the proposed reactor is not safe for this site. There has not been produced a scintilla of testimony that the proposed PRDC reactor is unstable or unsafe.

The PRDC reactor, I may say, is the Lagoona Beach reactor. So, there has been no statement by the advisory committee that the Lagoona Beach reactor is unsafe. It is true that the advisory committee has raised some question about the safety of the reactor. They have expressed a basis for some doubts, but at no time has any member of that reactor committee declared that this particular concept of reactor is unsafe.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. COLE. Surely.

Mr. HOLIFIELD. Would the gentleman permit the whole paragraph to be read? The gentleman read part of it.

Mr. COLE. The gentleman may read the entire matter on his own time.

Mr. HOLIFIELD. I do not have any time on this amendment. I used my 5 minutes.

Mr. COLE. Irrespective of what that may be, I have quoted to you the opening statement of the letter. But, it goes much deeper than what that particular committee has expressed itself on this particular subject. The law now establishes a general advisory committee to consult with the Commission on all phases of the atomic-energy program. That is a general advisory committee. The Commission may or may not accept the advice of that general advisory committee. At no place in the law does it say that the Commission must abide by

the decision of the general advisory committee. For the Congress by law to compel the Commission to accept the recommendation of a statutory committee with respect to atomic reactors would be to withdraw from the Commission the statutory responsibility the Commission now has to make certain that in every license granted, whether it is a reactor or whatever it may be, the Commission have in mind at all times the public interest and health and safety. Almost every section of the basic law imposes on the Atomic Energy Commission the obligation of making certain that the program is carried out in accordance with the best technical advice available, having in mind the safety and health of the public. To convey to this committee such power would be to set up a supercommission above and beyond the Commission itself, and it would be a terrible error to give this advisory committee paramount authority to that now given to the Commission.

Mr. DURHAM. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I hardly think it would be advisable or well to take a committee out of the AEC and give it final authority Commission. That would be a little beyond what I believe to be good procedure. Also, as stated by the gentleman from New York [Mr. COLE], the procedures now would all be avoided by such action as this. All the safeguards that we use now could be voided without going directly to the Commission and without asking the Commission to make any decision. I think it is unwise to accept such an amendment.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. DURHAM. I yield to the gentleman from California.

Mr. HOLIFIELD. I rise for the purpose of reading the paragraph which my colleague, the gentleman from New York [Mr. COLE], referred to:

> There are no facts or calculations available to the committee that clearly indicate that the proposed reactor is not safe for this site, the committee believes there is insufficient information available at this time to give assurance that the PRDC reactor can be operated at this site without public hazard.

Now, if you want to indulge in semantics and say that this is unsafe or safe, you can do so, but the assurance that the Reactor Safeguards Committee set up could not be given that it could be operated safely. Thereby by inference they meant it was unsafe. And, they went ahead and inserted two more paragraphs and then they set up a program for them to follow to prove that it could be operated safely. So, it is because of this situation where the Atomic Energy Commission overrode the Reactor Safeguards Committee that I felt that the word "advisory" should be stricken.

Mr. DURHAM. The gentleman will agree that the committee did ask for more research before any decision was made on this matter.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. DURHAM. I yield to the gentleman.

Mr. VAN ZANDT. Is it not true that the Commission granted only a conditional construction permit to the Lagoona Beach project, and they have not authorized them to operate a reactor until they have met the safety requirements?

Mr. DURHAM. That is correct.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HOLIFIELD] to the amendment offered by the gentleman from Illinois [Mr. PRICE].

The amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. PRICE].

The amendment was agreed to.

Mr. HOLIFIELD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. HOLIFIELD: Page 11, following line 2, add the following additional subsection to section 182:
>
> "c. In the event that the Committee on Reactor Safeguards shall, by majority vote, determine that the applicant for a license has failed to satisfy the requirements set forth in section 182, the committee shall report adversely to the Commission and the Commission shall not issue a construction permit under section 185 nor an operating license under sections 103, 104b, and for testing facilities under 104c of this act."

Mr. PRICE. Mr. Chairman, I make the point of order that this amendment in substance is exactly the same as the amendment which the committee just rejected.

The CHAIRMAN. The Chair overrules the point of order.

Mr. HOLIFIELD. Mr. Chairman, the same principle is involved. I was sure that this amendment was germane. I had circulated this petition and obligated myself to offer it.

What this does is to say that if you have 9 reactor scientists who are set up to pass on the safety of a reactor, and a majority of them say it is not safe then the Commission may not proceeed with it under any of the licenses permitted under the act. That is all there is to it.

If you want a safety reactor committee of scientists, who know more about this than any other people, and if they give an adverse report, but you want the reactor built anyway, near a big city, then vote against my amendment. But if you want a reactor safety committee that is set up for a real purpose and those people who have been chosen by the Commission itself think that it should not be followed, then you vote no on my amendment. But if you want this committee which is set up by statute to have some power, then you should vote yes on the amendment. That is all I ask.

Mr. DURHAM. Mr. Chairman, I rise in opposition to the amendment. This amendment in substance is the same as the amendment that has just been voted down except it is in the reverse. I ask that the amendment be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HOLIFIELD].

The amendment was rejected.

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. GROSS. Mr. Chairman, I should like to ask some member of the committee how many of these commercial reactors are in operation or are under contruction. I do not believe anyone this afternoon has given us any idea of the number of reactors that are in operation or are under construction. Can any member of the committee give me some information as to the size of this program?

Mr. DURHAM. Applications are coming in down here, but I do not recall the number of applications that are in at the present time. There are a number of them under construction, some large, some medium. I think the number now stands at around 10.

Mr. GROSS. What are the locations?

Mr. DURHAM. Those are the ones we are actively concerned with.

Mr. GROSS. What are the locations of the reactors privately operated or being constructed? Are they in the proximity of large cities? Where are they?

Mr. DURHAM. Most of them operating today are on the Savannah River. They are the old ones.

Mr. GROSS. I am talking about the reactors built or building for commercial purposes.

Mr. DURHAM. I cannot give the gentleman all the locations. The big one is at Shippingport.

Mr. GROSS. Are they in proximity to cities, or are they being built in isolated places?

Mr. DURHAM. Most are in isolated places. The one that is being located in Chicago is some 50 or 60 miles from the fringe of the city of Chicago, in an isolated position.

Mr. GROSS. How about the one at Pittsburgh?

Mr. DURHAM. That one is about 40 or 50 miles north of Pittsburgh, quite a distance from Pittsburgh.

Mr. GROSS. So you are making every endeavor to get these reactors outside of the large cities and in isolated places?

Mr. DURHAM. These are mostly big steam plants located out of the cities, so they are placing them more or less in line with their transmission lines.

Mr. GROSS. What are the British doing in connection with their commercial plants? Have they adopted an insurance plan of this kind?

Mr. DURHAM. The British have not completed their insurance yet. They are in process of doing it, very much as we are. The Calder Hall Reactor is a gas-diffusion plant. It also makes power. They have a different type of plant. We do not have one of them in this country.

Mr. GROSS. How many reactor plants are they building in the British Isles?

Mr. DURHAM. I believe 5.

Mr. GROSS. Does the gentleman mean they have not even started an insurance program of any kind?

Mr. DURHAM. Yes; they have it in process. We have had it in process 2 years ourselves.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from California.

Mr. HOLIFIELD. I think I can give the gentleman some information. It is my understanding that the Commonwealth Edison plant at Dresden, Ill., has over a million people in a radius of 30 miles around that plant.

Mr. PRICE. No; the gentleman is in error there. The Dresden plant is located 50 miles south of Chicago.

Mr. HOLIFIELD. I am not talking about the population of Chicago.

Mr. PRICE. The gentleman used the figure of over 1 million population in the radius of 30 miles. That is just not correct.

Mr. HOLIFIELD. I got that from the reactor study here, this black book.

Mr. PRICE. A lot of that population is in Chicago and Cook County. This is 30 miles south of Chicago and 15 miles south of Joliet, which is a city of about 60,000.

Mr. HOLIFIELD. The reactor at Laguna Bay has a population of around a million people around it.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New York.

Mr. COLE. I wanted to answer the question with respect to what Britain is doing with regard to the problem. She has no problem. It is a Government-owned and operated atomic industry operation. If anything goes wrong the Government is liable for it, if it accepts liability. They do not have any insurance problems. We will have the same result in this country if we do not pass this bill. We will have a Government-sponsored and Government-operated atomic energy program, and the Federal Treasury will be liable for the full damage.

Mr. GROSS. Mr. Chairman, I have no desire to in any way impede the development of atomic energy but this legislation gives far too much authority to the Atomic Energy Commission to control the purse strings in the expenditude of potentially huge sums of money.

Section 170 provides, for instance, that the Commission may make contracts in advance of appropriations by Congress and incur obligations without regard to the restraints wisely provided in existing law. There are other delegations of congressional power equally as potentially dangerous.

I submit, Mr. Chairman, that the time has come when Congress should be recapturing rather than delegating new powers to the commissions, boards, and bureaus that infest the Government. Moreover, I am not convinced that it is necessary at this time to set up this huge insurance program. I am seriously concerned that it will establish a precedent that can lead us into very deep financial water by assuming the risks of other enterprises.

For these and other reasons, I must oppose this measure.

The CHAIRMAN. If there are no further amendments, the Committee will rise.

Accordingly the Committee rose and the Speaker having resumed the chair, Mr. O'NEILL, Chairman of the Committee of the Whole House on the State of the Union reported that that Committee, having had under consideration the bill (H. R. 7383) to amend the Atomic Energy Act of 1954, as amended, and for other purposes, pursuant to House Resolution 297, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. DURHAM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ATOMIC ENERGY INSURANCE

Mr. PHILBIN. Mr. Speaker, there are few things more important to us today than adequate atomic-energy insurance because, unless the Congress authorizes a suitable program in this field, the development and utilization of atomic energy for peace will be seriously impeded and perhaps paralyzed.

I recently addressed the House upon the subject of flood insurance and at that time I pointed out that a flood-insurance measure would have to be undertaken and guaranteed by the Government, since no one could reasonably expect the private companies to assume the risks incident to this type of coverage, even though the bill provided that private enterprise should handle the proposed insurance contract.

The pending bill stands very much in the same position as the flood-insurance bill. It is an instance of where the risks involved are so great and incalculable that they cannot be assumed in entirety by private enterprise. It is clearly a field for government assistance based on demonstrated needs for this type of coverage and the requirements of our free economic system as well as the overriding considerations of the public safety and the clear mandate to develop atomic energy for peacetime uses. There are so many aspects and problems connected with the matter which admit of no easy solutions, yet like other difficult problems facing us these days where the answers are not clear and the methods proposed may well be in dispute, because of the great national and public interest factors involved, this Congress is bound to make speedy decisions and take speedy action.

Just as in the case of flood insurance, there are in this proposal definite, experimental features implicit and unavoidable in any authority we extend and any arrangements we make. This is not an instance wherein Congress can pass an organic law that will meet every contingency that may develop in the broad vital field of atomic energy. Here we can merely map out certain essential boundaries, apply certain essential principles and techniques, which appear to offer the means by which in our opinion the overall program can be best promoted.

To my mind, there has already been unfortunate delay in pressing for the development of atomic energy for peacetime uses which may well have produced serious handicaps, competitively speaking, in our broader efforts to retain nuclear superiority in the world and to accelerate the beneficial uses of the truly revolutionary nuclear discoveries and advances.

It may be asserted that American industry itself has been set back definitely by official failure and inability to get started with a realistic program of nuclear development applicable to many phases of our economic growth and necessary as well for social and welfare advancement.

Many public-service industries which have expressed willingness or entered into agreements looking toward nuclear energy development have been stalemated, not only by faltering, hesitant national policy in the field, but also by inability to secure or arrange for proper, necessary insurance against possible gigantic loss which could not possibly be absorbed by industry itself. It is not anticipated that this loss will necessarily occur; in fact, it is believed that it will not occur. But it is possible always that unfortunate accidents could happen as industry deals with these highly dangerous, unpredictable substances; hence, it is incumbent upon the Congress to provide a sufficient mechanism for coping with and, to an extent, eliminating these difficulties of insurance coverage.

A great public service company in my own State and area, for example, is ready to go forward with nuclear development at great cost to itself and stockholders. A suitable site has been selected and other arrangements effectuated, plans and specifications have been drawn and early construction is proposed. But like other companies throughout the Nation undertaking this work, this concern naturally wants to be assured of complete Government cooperation and be furnished with guaranties against possible huge losses that could well wipe out major portions of its investment.

At this time and for these reasons, I believe that Congress should be willing to go forward with a suitable insurance plan on the assumption that, if it is found wanting in any respect, procedurally or in substantive character, it can properly be revised to meet developing needs. I hope that the House will express its approval in no unmistakable terms of this necessary program.

JUNE 30 IS THE IMPORTANT ANNIVERSARY OF AMERICA'S FIRST SETTLEMENT FOR RELIGIOUS FREEDOM AND OF THE BEGINNING OF PERMANENT SETTLEMENT OF OUR LAND

Mr. BENNETT of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT of Florida. Mr. Speaker, 3 days from now, we Americans will celebrate our most important anniversary, the Fourth of July. Millions of us will be flying that day our beautiful American flag in commemoration of July 4, 1776. It is a fitting way for us to pay tribute to the courage and vision of those who established our independence and created our Nation.

Yesterday, a flag was flown over the Capitol of the United States which will, before this year is out, fly over a land in our beloved America where the roots of our people first became established 393 years ago on June 30, 1564.

The greatest historical coincidence of all time was the contemporaneousness of the religious revolutions of the 15th and 16th centuries with the discovery of America. Thus when the minds of men vigorously sought freedom a new land was discovered for their settlement and use. Almost 200 years later our Nation was born. Roughly our people have had 400 years of history in America the first 2 centuries of it in colonies and the second 2 centuries in independence.

It would seem fittting to me if America gave more adequate consideration and honor to the courage and vision of the early colonists who were inspired by the highest of ideals and came here to establish an area in which freedom would give the opportunity for adequate individual and collective development.

So, I would suggest that it would be appropriate for us in America to commemorate not only July 4, as the founding of our Nation, but also 5 days before that date, June 30, the date on which our first permanent foundations in this country were established. On June 29, 1564 there were no Europeans living in what is now the United States, but since that time, there have never failed to be such populations in our land. On June 30, 1564 the Fort Caroline settlement was founded. The Fort Caroline settlement of 1564 was predominantly French Protestant, but included Catholics and a number of European nationalities besides French. The settlement was inspired by the desire to be free from the religious and political oppressions of Europe. The existence of this colony required Spain to establish St. Augustine, which is today the oldest continuously occupied city in our land. It was also a part of the inspiration to the English in settling Roanoke and later Jamestown. The leader of this French colony, Rene Laudonniere, described the events of June 30, 1564, in the following language:

> I commanded a trumpet to be sounded, that being assembled, we might give thanks to God for our favorable and happy arrival. Then we sang a psalm of thanksgiving to God, beseeching Him that it would please Him of his grace to continue His accustomed goodness toward us his poor servants, and aid us in our enterprise that all might turn to His glory.
>
> Afterward having measured out a piece of ground in the form of a triangle, we all exerted ourselves, some to bring earth, some to cut fagots, and others to raise and make the rampart, for there was not a man that had not either a shovel, cutting hook, or hatchet, as well to clear the ground by cutting down the trees, as for building of the fort, which we did hasten in such cheerfulness that within a few days the effect of our diligence was apparent.

For those who are interested in the earlier but unsuccessful efforts at settlement in our country, a brief review of these earlier events may be of interest.

In 1514 Juan Ponce de Leon secured a patent to colonize Florida and Bimini, which he had explored in the previous year. In 1521 he led a colony of 200 men to the peninsula, landed on the west coast, and tried to establish a settlement. But he was attacked by natives and driven back to Cuba, mortally wounded.

To carry out a contract to colonize Chicora, Allyon sailed from Espanola in July 1526 with six vessels and a colony of 500 men and women, Dominican friars, and supplies, prepared to find a new home in Carolina. But the experiment was doomed to be another failure. Landing was first made on the river called Jordan, perhaps Cape Fear River. On another stream, perhaps the Peedee, the settlement of San Miguel de Gualdape was begun. But supplies gave out, Ayllon died in October 1528, quarrels ensued, and in midwinter the only survivors, about 150 souls, returned to Santo Domingo.

In 1526 Panfilo de Narvaez secured a patent. He raised a colony of 600 persons in Spain in 1528 and reached Florida, landing near Tampa Bay. He proceeded to a place near modern Tallahassee, built boats, traveled along the coast past the mouth of the Mississippi, and was wrecked on the coast of Texas. In a short time most of the survivors of the party died of disease, starvation, and exposure, or at the hands of the Indians. Having passed nearly 6 years of slavery among the Indians, four survivors reached the west coast of Mexico, having traveled across the present State of Texas.

In 1539 De Soto reached Florida with a colony of 600 persons. Landing at Tampa Bay, he soon set out to look for a rich province called Cale. This was the beginning of an expedition lasting 4 years, during which the Spaniards passed Pensacola Bay, the Savannah River, the North Carolina piedmont, Mobile Bay, the Mississippi near modern Memphis, across Arkansas into Oklahoma, thence down the Arkansas River to its mouth, where De Soto died, in May 1542. De Soto's followers crossed Arkansas to the Red River, then turning southwest through eastern Texas, perhaps reaching the Brazos River. Returning to the Mississippi, they built a fleet of boats, descended the river, and skirted the Texas coast, reaching Panuco on the Mexican coast in 1543. Thus ended the fourth attempt to colonize Florida.

Fray Luis Cancer, with a royal license and a plan to subdue Florida by peaceful methods, equipped a vessel at Vera Cruz and with a few companions went in 1549 to Florida to convert the natives. He was murdered, however, and his companions returned.

An expedition of 13 vessels and 1,500 soldiers and colonists landed at Pensacola Bay in 1559 and 3 vessels were sent on to Santa Elena—Parris Island, S. C.—but the latter were storm driven and returned to Veracruz. Establishing a garrison at Pensacola—Ichuse—this expedition moved about a thousand colonists inland to Nanipacna on the Alabama River. In 1560 the colony returned to Pensacola and in the following year most of the colony went to Santa Elena, but failed to make a settlement, and the Pensacola garrison was soon withdrawn.

In view of these repeated disasters, Philip II declared in 1561 that for the present no further attempt would be made to colonize Florida. However, the French colony at Fort Caroline called for renewed effort. Menendez founded St. Augustine in 1565 and after subduing the French, he garrisoned Fort Caroline, having renamed it San Mateo.

I believe that when we think about our Founding Fathers here in America, we should not only give honor and praise to those who achieved our independence in 1776. We should also honor and praise those who, centuries before, had the courage and vision to come to our shores in their quest for freedom and those who had the determination and perseverance to keep alive and to forward the spirit of freedom and liberty in our land. These of our earliest fathers made possible what happened two centuries later when we achieved our independence. So, June 30 should take its place among our important American anniversaries; and, as on July 4, our American flag should be displayed on this date as a fitting tribute to our early forefathers and their ideals.

MINORITY LEADER OF THE HOUSE MADE GOOD TV APPEARANCE BUT MISLED PUBLIC ON ADMINISTRATION'S TIGHT-MONEY POLICY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, yesterday I had the privilege of seeing the distinguished minority leader, the gentleman from Massachusetts, Hon. JOSEPH MARTIN, in an appearance on television. I am sure that many of the other Members had this privilege too. It is always educational to listen to the distinguished minority leader, and as always, the gentleman makes a fine appearance on television as he does in this Chamber. On the whole, the gen-

tleman is to be congratulated on his appearance.

On one important point, however, I believe that the distinguished minority leader, in response to a question, gave a hasty and ill-considered reply which unfortunately will have the effect of misleading the public about an important policy.

The question put to the gentleman from Massachusetts concerned the tight money policy. His answer was to the effect that the present tight money conditions have been brought about by the Federal Reserve System, and that the Federal Reserve System is an independent agency, and thereby indicated it was divorced from any control or influence by the administration or by the Congress. The gentleman from Massachusetts further added that President Eisenhower had been able to appoint only two members of the present Board of Governors of the Federal Reserve System. These statements would leave the impression, I think, that tight money is a policy which has been arrived at completely and separate and apart from any policy determined by the administration. And, indeed, the President, since he has appointed only 2 of the 7 man board, would be unable to reverse the policy, if he should care to do so.

I realize that hasty remarks are frequently made in the heat of debate and in response to questions without the speaker intending to convey the impression which such remarks do convey. In this instance, however, the distinguished gentleman's unfortunate remarks have left the wrong impression to a serious degree. And, indeed, these remarks tend to disassociate the administration with responsibility for a policy which the retiring Secretary of the Treasury, Mr. Humphrey, has at various times taken full credit for in public statements. I believe that the distinguished minority leader should, and will wish to make another public statement amplifying and correcting the misleading impression of his remarks.

On the question of the President's appointments to the Board of Governors, the President, in effect, has 4 members on the Board of 7. President Eisenhower has appointed Mr. Martin for a 14-year term and has also appointed him Chairman of the Board; he has also appointed Mr. Balderson, Vice Chairman of the Board, and Mr. Shepardson, a member of the Board. In addition, Mr. Mills of Oregon, a member of the Board of Governors appointed by President Truman, is a Republican so the President has four members of the Board of Governors. Mr. Martin, the chairman, was selected by the Secretary of the Treasury, Mr. Humphrey.

Mr. MARTIN should also correct the impression that Congress is unable to reverse the hard-money, high-interest policy. Perhaps without intending to do so, he left the definite impression that neither the administration nor Congress could do anything about the hard-money, high-interest policy and that the matter was left entirely to the Federal Reserve which cannot be influenced or controlled in any way.

THE PRESENT NEED TO CREATE A FOREIGN SERVICE ACADEMY

Mr. RODINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, since World War II the United States has become the leader of the Free World. To strengthen this position we have created and financed worldwide programs of mutual security, economic and technical assistance, and intellectual cooperation. During this time our defense spending has been higher than in any other previous peacetime period. Billions of dollars have been spent to expand our research and development program as well as our system of defense. Under this expanding international responsibility, however, very little has been done to remodel and develop our program of education for Foreign Service personnel. America's investments abroad are high, our policy circles the globe, our Foreign Service Corps "is our shock troops in the front-line of diplomacy abroad." We must make them our best qualified representatives. Recent world events in my opinion, make it mandatory for the Congress to give serious consideration to the many legislative proposals to create a United States Foreign Service Academy to strengthen America's world leadership.

My bill, H. R. 4220, would create a United States Foreign Service Academy for the instruction and training of diplomatic cadets to prepare them for service as officers in the Foreign Service of the United States. The institution's course of instruction would be equivalent to the curriculum of accredited colleges and universities in this country. Particular emphasis, however, would be placed on the study of the history, culture, customs, folklore, and language or languages of the nations in which the diplomatic cadets may elect to serve. Such a Foreign Service Academy would also provide the valuable firsthand experience of study in the field.

The proposal provides for selection of diplomatic cadets through competitive entrance examinations and a stipend for quarters and subsistence for the duration of the course.

Our Foreign Service officers must be recruited from among the best, most capable youth in this country. America must have a stable, progressive, dynamic Foreign Service training program which offers a challenge for opportunity and advancement to new recruits from all over the United States. Such a program must provide an intellectual challenge to the youth of America in order to stimulate more interest in Foreign Service careers. The plan for a United States Foreign Service Academy would help to increase the efficiency of the recruiting procedures for our Foreign Service corps. We need to improve the method of recruitment and the training for the United States Foreign Service in order to attract more gifted, capable and devoted people to the Service. In addition to accomplishing this end a corps of Foreign Service cadets selected by competitive examination from all over the country would help to develop a staff of diplomatic officers who would reflect the national characteristics of the American people. As a representative democracy, America must be represented officially abroad by all of the people in our population.

The current tensions of international relations require the United States to prepare its Foreign Service personnel for the most effective kind of service possible. This country must be represented abroad by well-trained Foreign Service officers because we depend on these people not only to serve the United States Government, but to explain our ideals and our ideas. Because our Foreign Service officers are the Nation's first line of defense abroad, their education and training is of paramount importance to this country's future world leadership. To best represent the United States our Foreign Service officers require an educational background considerably broader than what is afforded by the normal undergraduate training. A successful representative of our country should be not only better educated than the average university training affords with respect to the world outside the United States, but he should have also an exceptional understanding of his own country. He should be better equipped than the average college graduate in all those things which contribute to his ability to observe and interpret a foreign environment, in the things that appeal to the eye and ear, architecture, applied arts, industrial processes, methods of agriculture in all those things, in other words, that make up the outward expressions of custom, tradition, and belief. The Foreign Service officer should have sufficient experience with real scholarship, in the genuine academic sense, to understand at least the meaning of that concept, and to distinguish an unscholarly and unsound bit of intellectual work from a scholarly and sound one.

Training and preparation for the United States Foreign Service deserves as much interest, financial backing, and support as the Nation affords for the preparation of its officers in the various armed services. As I have tried to broadly outline to you, the education of a Foreign Service officer requires a good educational background, a knowledge of a modern foreign language, certain cultural interests, a knowledge of various systems of government, some acquaintance with the basic principle of economic theory, some knowledge of geography, and the ability to present ideas in an orderly fashion. Students preparing for a career in the Foreign Service must have the benefit of being taught by Foreign Service officers who have had years of experience in the Foreign Service of the United States. Men who understand the particular problems and cultural patterns of the areas in which they have lived and worked for the United States Government. It is as important for a future career diplomat to have this background of practical education during his training period as it is for the West Point cadets, Annapolis middies, and Air

Force cadets to be trained in the techniques and strategy of modern warfare by experienced military officers.

It is as important for the United States Government to spend money on the proper education of its Foreign Service officers, as it is important that we train for the Coast Guard and the other armed services. Our Foreign Service officers are among the first who are called upon to explain and defend this Nation's struggle to maintain the freedom throughout the world.

The extreme importance of providing for a well-trained United States Foreign Service corps, in contrast to the specialized training programs for the officer corps of our armed services, was highlighted by the editor of one of America's most widely read, popular magazines when he wrote:

> The United States Navy assigns young officers in various countries with no other job than learn the language. There are few comparable opportunities for members of the Foreign Service. * * * Do the American people seriously believe that dropping bombs on foreigners requires more knowledge of their language than does the negotiation with them? [1]

The vital role of our Foreign Service officers was compared also to the role of the military service by President Eisenhower, who respects the importance of both services in a divided world. The President said:

> The soldier can no longer regain a peace that is usable to the world. * * * If there is any organization that should have the highest morale based on the importance of its work, it is the Foreign Service and the State Department.

The proposals for the creation of a United States Foreign Service Academy, in my opinion, would help to develop more effective personnel for America's Foreign Service. At no other time in our history have we needed so many well-trained, capable representative American Foreign Service officers.

Dr. Henry M. Wriston, the renowned authority on international relations, in his recent book, Diplomacy in a Democracy, emphasized the urgent need for effective United States Foreign Service personnel when he declared that:

> No one who understands the temper of the world or the interests of the United States would fail to do everything reasonable to relieve tension with the Soviets. But he would be blind not to see that every success in easing that pressure creates new problems in keeping the Atlantic alliance strong. The task of the diplomat is simultaneously to hold friends together and keep the potential enemy at bay. His left hand works against his right hand. If he does not reduce tensions he is hostile to peace; if he relieves strain the strength of the alliance is correspondingly endangered. The path of diplomacy in these circumstances is narrow indeed; nonetheless it has become of critical importance. The diplomat must expound and explain; he must report and interpret; he must negotiate. Whatever is necessary to keep the peace and protect the national interest must be channeled through him. No longer is his significance largely ceremonial, or his labors peripheral. He can make or break the peace.[2]

The problems of world affairs cannot wait forever for the United States, at regular intervals, to patiently study the needs of the Foreign Service. There are vital issues at stake because the free world looks to us for intelligent, understanding leadership. This is directly connected with the quality of the educational background and experience of our Foreign Service officers. The survival of the American way of life in the world is dependent upon it. Through a specialized Foreign Service Academy education program, created by experienced educators, and experienced diplomats, we would strengthen our chances of establishing a growing, efficiently functioning foreign policy program.

The changing aspects of America's conduct of public business overseas demands congressional attention, study, and action. This need was highlighted recently by the American assembly in its background study of the representation of the United States abroad, which stated that:

> One of the vital problems facing American policymakers, and crying for comprehension by the American public, is the conduct of our overseas public business. The events of this century have thrust America into a position of deep involvement in the political, economic, social, and military developments in nations and areas all over the globe. This involvement is unprecedentedly broad in scope, costly in resources, perplexing as to policy, and complicated in administration. Yet it is no exaggeration to say that the successful handling of the issues flowing from it is crucial to the very survival of America and to the Western way of life. Nor is the weight of this burden likely to decline substantially in the foreseeable future. Even assuming the possibility of avoiding large-scale military conflict, the rising crescendo of competition with totalitarianism for the effective political and economic mobilization of vast populations and resources poses the most direct challenge to the energy, strength, and capacity for leadership of the American people.
>
> We cannot withdraw from this contest. With the help of our allies, and with the imaginative use of the many advantages which lie with us, we can prevail. But we can do so only if we fully recognize the magnitude of the task, accept the long-range burden it lays upon us, take the necessary policy decisions, and strengthen the administrative structure and processes necessary to carry them out.[3]

The United States must establish a vigorous, creative Foreign Service training program which is competent to strengthen America's increasingly responsible role in world affairs. The establishment of a Foreign Service academy deserves the study and attention of the Congress. A properly organized, well-staffed Foreign Service academy would provide a steady stream of recruits into the junior rank of the Service; it would provide the opportunity for qualified young people of limited means to receive the education and training necessary to prepare for the Service; and it would assure a curriculum adequately tailored to provide an education suitable to the urgent needs of the Service.

[1] Saturday Evening Post, Aug. 6, 1955, p. 10.

[2] Wriston, Henry, Diplomacy in a Democracy, New York, Harpers, November 1956, p. 15.

[3] The American Assembly (Columbia University), background papers for conference held May 3–6, 1956, pp. 1–2.

IN SUPPORT OF SECRETARY OF STATE DULLES' SPEECH ON RED CHINA

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SMITH of Wisconsin. Mr. Speaker, Secretary Dulles has done a service to our Nation and to free peoples everywhere by bluntly stating the many reasons why Red China should not be admitted to the society of respectable nations.

Red China, the Secretary said, came to power not by the will of the Chinese people but by violence. Violence is still its policy. It warred against the United Nations in Korea and has broken the armistice terms there and in Vietnam.

Its announced intention is to expand by force. Trading with Red China means building up an industrial machine to support conquests dangerous to us and the whole Free World.

The Secretary was extremely frank in pointing out that those nations which have recognized Red China have not changed her aggressive policies one iota. He might have added that the Red Chinese have never sent an ambassador to Great Britain, the first nation to recognize them years ago.

We must all agree with the Secretary that it is against the interest of free men everywhere to deal with people who have, by their continued actions, demonstrated that they cannot be trusted.

Mr. Speaker, as part of my remarks I am including an editorial which appeared in the Sunday Star, June 30, 1957:

THUMBS DOWN ON PEIPING

In his San Francisco address to the Lions International, Secretary Dulles has cogently explained why the United States is firmly resolved—under present conditions—not to extend diplomatic recognition to Red China or engage in trade or cultural relations with it.

The reasons for this thumbs-down policy are both obvious and compelling. To begin with, as shown particularly in Korea, and in places like Indochina, the Chinese Communists are still stigmatized with a black record of subversion, armed aggression, and flagrant violation of their armistice pledges. In addition, while abusing our nationals and continuing to carry out a bitter campaign of hate-American propaganda, they perist in evading our country's proposal for a reciprocal renunciation of force. Indeed, far from welcoming such a peace-promoting idea, they have frankly declared that they will resort to military action to seize Formosa if they cannot get it in some other way.

In these circumstances, especially since their venom has been directed principally at us, we can hardly establish diplomatic

relations with the Chinese Communists without doing serious damage to ourselves as a self-respecting nation. And by the same token, as Mr. Dulles has said, it is virtually certain that such recognition would have a tremendously perplexing and discouraging psychological effect on great numbers of people in mainland China who are bitterly opposed to the Peiping tyranny. Moreover, it would deeply confuse and depress the Formosa Nationalists and all those countries and governments of free Asia that look to us for leadership in holding the line against further Red subversion and aggression.

All this argues powerfully for the view that our policy regarding Red China, in the situation now prevailing, must be based on the proposition that neither recognition, trade nor cultural relations, or all three, would be wise. On the contrary, in Mr. Dulles' judgment, such action would be dangerous folly, and our Government must therefore stand firm against it. But for how long? Is our American position to be everlastingly negative toward Peiping? The Secretary has answered by saying that the United States will shift to a more affirmative line when, as and if the Chinese Communists change for the better, and he was voiced the hope—perhaps too optimistically—that their rule will be impermanent and relatively shortlived.

In any event, never is not a realistic or commonsense word in international affairs, and Mr. Dulles has been careful not to use it in ruling out early American recognition of Red China. For the process of change is always so much at work in the world that nobody can tell today what effect it will have upon policies tomorrow. Four or five years from now, or possibly even sooner, we may well find it highly desirable to have good relations with Peiping—even if it is still Communist, as it is likely to be.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Wisconsin. I yield.

Mr. VORYS. I wish to join the gentleman in the fine statement that he has made.

Mr. SMITH of Wisconsin. I thank the gentleman.

THE GEOPHYSICAL YEAR, EARTH SATELLITE, AND REDSTONE ARSENAL

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, at 8 o'clock last evening, Washington time, the universally heralded and long-awaited 1957–58 International Geophysical Year finally arrived. For the next 18 months, the world we inhabit will get perhaps the most extensive scientific examination in all history. At least 66 nations are participating in this International Geophysical Year and their leading scientists have spent years in preparation.

By working as a team and exchanging research data, scientists hope to solve some of the age-old riddles of the universe and possibly a few of the phenomena and mysteries of life on earth. In an undertaking of this type, full cooperation between all the participants is essential for any degree of success.

The United States main contribution to the geophysical year studies is to be the launching of an earth satellite, or perhaps a number of these small manmade moons. This satellite, our scientists tell us, will circle the earth at some 18,000 miles an hour. Tiny instruments on board will record certain scientific data and radio it back to earth. This information promises to be of inestimable value in designing later models which may someday carry humans. When the first earth satellite is fired and it assumes its orbit, the age of space will have begun.

Naturally, I hope that the United States is able to launch its satellite on schedule. It will be visible to people all over the world as it circles and recircles the earth. As a world leader, our Nation will suffer no diplomatic loss by sending up the first manmade moon. On the contrary, if we bungle the satellite project and especially if we let some other nation beat us to the launching, the United States stands to lose face all over the world.

The development of our Nation's satellite has been entrusted to the Department of the Navy. As far as we know, this project is on schedule although we have been given no date as to when the Navy expects to launch the satellite. We do know that Russia is rushing the development of its own space moon. They, of course, would like nothing better than to launch one of their satellites before we can get ours off. In this instance, the world prestige of the United States is in the balance.

Other than the propaganda value, a satellite will serve little practical use without carrying the proper scientific instruments to capture and transmit to earth the cosmic data in its orbit. The Navy tells us that it is the intricacies of these instruments which is now holding up the project, rather than the development of a suitable rocket to transport the satellite out into space.

However, we do not know that the Navy has the rocket to do it. Their scientists have not had much experience in long-range rockets but they have not asked for any held from the other services. While the Navy has been silent about its prospects for coming up with a suitable rocket, there have been persistent yet unofficial reports that such a rocket is already designed, if not in actual existence.

It is time, in my opinion, that the Department of Defense give more adequate consideration to using Army rockets developed at Redstone Arsenal to successfully launch the earth satellite.

There is no doubt that Redstone Arsenal's rocket research team is the greatest and most successful outside the Iron Curtain. They have just perfected our Nation's only intermediate range ballistic missile, the Jupiter. It has the longest range of any missile we have yet been able to develop. From Redstone recently have leaked repeated reports that its scientists have a rocket capable of launching the earth satellite.

In my judgment, the Department of Defense may be missing out by not utilizing Redstone in the satellite project. Of course, when the Department of Defense misses the boat in the case of the earth satellite, so does the United States. It certainly appears that there should be more cooperation between the services, especially since unification has taken place, at least on paper.

If it is a fact that Redstone Arsenal has a rocket capable of delivering the earth satellite on its space orbit, I see no valid reason for the Department of Defense to delay until such time as the Navy is able to come up with a satisfactory rocket.

Mr. Speaker, it is of the utmost importance to our Nation that there be real unification of, and cooperation between, our own armed services, just as there is between all the scientists participating in this international geophysical year.

INFLATION

Mr. HIESTAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HIESTAND. Mr. Speaker, war, famine, pestilence, and inflation have been mankind's greatest scourges. Today, through scientific and diplomatic progress, we have succeeded in reducing the chances of war, famine, and pestilence. But the danger of inflation—severe inflation—is still with us, and it is real.

In my judgment the greatest danger to our country—greater than the threat of Russian aggression or atomic fallout—is inflation. It is a stark tragedy that many millions of people face. The pathetic part is that so few people realize this threat. Seemingly they think, "It can't happen here."

Inflation was checked and the cost of living held almost even for the years 1953, 1954, and 1955, but 1956 showed nearly a 3-percent increase, and the latest available figure increases the cost of living by another 1½ percent.

Too few people realize the basic cause of inflation and the fact that Congress itself, the representatives of the people and their voice, is responsible for it over the years. The basic cause of inflation is Federal spending, and increased Federal spending means increased inflation.

Generally, three types of spending are especially vicious: Federal aid to States and communities, because it forces the States and communities to do excess spending without adding anything to the marketable supply of goods and services; defense spending, because it creates new money without adding anything to the supply of marketable goods, and, third, foreign aid, because, although most of the money is spent here in America, the products go overseas and add nothing to American supply but merely increase demand for marketable goods.

It is the third type of spending—foreign-aid spending—that concerns us here.

Foreign aid is the second largest single item in the Federal budget. Between July 1945 and December 1956, American taxpayers contributed $58 billion to various foreign-aid programs, and there are no indications that the policy ever will be curtailed. Estimates for the year ahead vary between $3 billion and $4 billion and there is well over $6 billion in unexpended balances from previous appropriations.

Yet, despite these staggering figures, there is no major program conducted by the Federal Government about which Congress knows less. Foreign aid has become a supercolossal, supersecret mystery compounded each year by more bigness, more bureaucracy and more bungling. Committees of Congress are thwarted in their attempts to get the real facts behind the foreign-aid program. Specifics do not exist.

Congress is requested, and almost required, to make annual appropriations which total 5 percent of the entire Federal budget, without sufficient data on which to judge whether it is acting wisely, foolishly, recklessly, or aimlessly. What for? What is happening to the authority of Congress to decide where and how the Nation's tax dollars shall be spent?

These questions have troubled many Members of the Senate. Last year, in an effort to resolve their doubts, Senators voted to create a Special Committee To Study the Foreign Aid Program. This special group spent almost a year in intensive study. It brought in unanimous recommendations for correcting the weaknesses, the fallacies, and the dangers. Yet the legislation upon which Congress is being asked to act this session pays only lipservice to the committee's recommendations.

Some new, more powerful committee is obviously needed so that every facet of the foreign-aid program may be patent to the Congress which controls it. Today I am introducing a resolution intended to establish such a committee. It would be a joint congressional committee to be known as the Joint Committee on Foreign Aid.

The committee would be composed of some of the most powerful men in Congress. It would be their duty to learn why the authority of Congress to vote with full knowledge of the subject upon which they are voting, has been thwarted. That would be the first job of the committee. More specifically, however, the committee would conduct a detailed study and evaluation of the policies and operations of our foreign-aid programs—past and present—to learn what they are all about and how they can be improved.

Congress must do this to clarify the objectives which foreign aid is supposed to obtain. Apparently there is no consistent aim of foreign aid beyond self-perpetuation. I have read and studied many available documents on foreign aid. Statements of the basic, overall purpose and goals of foreign aid are strangely lacking. We run upon the following in the Senate bill for this year:

> The Congress of the United States recognizes that the progress of free peoples in their efforts to further their economic development, and thus to strengthen their freedom, is important to the security and general welfare of the United States. The Congress further recognizes the necessity in some cases of assistance to such peoples if they are to succeed in these efforts. The Congress accordingly reaffirms that it is the policy of the United States, and declares it to be the purpose of this title, to assist, on a basis of self-help and mutual cooperation, the efforts of free peoples to develop their economic resources and to increase their productive capabilities.

This is intended to state a purpose. But it is so broad, so general, that almost any policy is permissible in carrying it out. Another purpose of my resolution would be to spell out a policy which would achieve the objectives stated above, while maintaining maximum economy and efficiency in all parts of the program.

Maximum economy and efficiency would not be served by continuing to appropriate new moneys while unexpended balances from previous appropriations pile up. This is the situation this year, as more than $6.3 billion remains in unexpended balances while we are being asked to appropriate $3 billion or $4 billion more.

Certainly the amount now remaining in unexpended balances is sufficient to carry over the program for another year in those places where we have a clear moral responsibility and strategic defense interest, while we conduct a critical examination of the entire program to determine whether new funds are required for additional years.

No blank check should be voted by Congress while $6.3 billion remains unexpended, and the necessity for finding out why so much remains unexpended is incumbent upon all of us in Congress.

Indications are that we may be asked to extend the revolving loan fund for 2 years. It is just this type of blank check extension that creates so much confusion about foreign aid. Where the program has been successful should be obvious under a searching examination by committee. Where it has failed should be equally obvious. In many cases improvements and savings could be carried out. These, too, should be clear to Congress without its having to vote full authority to the executive branch to spend blindly on nebulous good-will projects, many of which apparently do more harm than good.

In urging the creation of a special committee, I repeat the necessity for some congressional action to check inflation. Certainly a program that consumes 1 percent of our gross national product, and 5 percent of our entire Federal budget, adds to the inflation inasmuch as it returns no goods or services to the American people.

Even if all the highest motives of foreign aid were served by the present program, we still face the inflation factor, which, I repeat, is the most serious threat that our country faces.

NATIONAL SCHOOL LUNCH ACT

Mr. COAD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. COAD. Mr. Speaker, today I have introduced a bill to amend the National School Lunch Act, to increase the minimum protein requirements for lunches provided under that act. This bill would increase by one ounce the minimum protein requirements for the school lunch program, which would undeniably be beneficial to the many thousands of youngsters participating in this program throughout the United States. But, more than that, this bill would provide a substantial stimulation to the farmer by providing better markets; for the food trades by increasing sales operations; the consumer by insuring the best possible value for food expenditures; and for the Nation by promoting efficient use of our abundant food production.

The present law provides a minimum nutritional requirement of not less than 2 ounces of protein for the most popular type of school lunch. During the 1956-57 school year, there were approximately 1.8 billion meals served to school youngsters through this program. An increase of 1 ounce of protein food per meal would expand beneficial consumptive uses of lean meat, fish, poultry, and cheese in the amount of over 56,000 tons per year. I believe that early consideration and adoption of this measure would be a step in the right direction in increasing beneficial and consumptive uses of our bountiful harvest. I further believe that there are other areas wherein, with imagination, ingenuity, and conserted effort, it is possible to obtain a greater distribution and thus a greater beneficial use of our food surpluses. This program has increased in popularity with each year of operation. The school lunch program is providing in many instances the best and main meal of participating youngsters. I feel that this bill deserves the support of every Member of Congress.

TESTING OF ATOMIC WEAPONS

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. COLE] is recognized for 30 minutes.

Mr. COLE. Mr. Speaker, at Alamogordo, a very few in our Military Establishment observed the potential use of nuclear energy in waging warfare; at Hiroshima and Nagasaki all of the military and the entire world learned of this new force of tremendous military importance. The natural and inevitable consequence has been that greater and ever greater emphasis is being placed on atomic weapons by all major powers. The hydrogen bomb has only served to accentuate this revolution in concepts of warfare brought about by nuclear weapons. With progressively greater emphasis being placed on atomic weapons there has been a relatively lessening

of our effort to develop and expand the conventional methods of warfare. This, too, is natural and understandable because each dollar of defense expenditure for nuclear weapons produces a military posture millions of times more forcible than if that expenditure were for conventional weapons.

All this has transpired under the plans and program of our professional Military Establishment. The time has come, I think, for those having civilian responsibility in the military field to give a close but objective examination of the political implications of our increasing reliance upon an atomic arsenal. In our examination we must consider not only our own national security, but also the preservation of international stability throughout the world. No doubt considerable thought has been given by some in the military department to these political implications, but there appears to be no evidence of their having reached any conclusion. In fact some charge that on the contrary there appears to be considerable confusion of thought on the relation of atomic weapons and international politics within the Military Establishment. I have undertaken this discussion today to attempt some clarification of this confusion.

Within the last 6 months a great change has occurred in power relationships of the world. After Hiroshima, there was no doubt in the mind of any person, even the Soviets, that the United States held unquestioned and exclusive nuclear superiority. This nuclear capability was the shield which seemed to have slowed if not halted the expansion of Russia immediately after World War II, and which has been the strong defense of the Free World since that time.

Today with the advent of apparent Russian deliverable nuclear weapons and delivery capability, the shield is beginning to tarnish and we can no longer continue to rely completely with safety upon it. This great change carries portentous meaning for us and for the Free World. We and the world have not realized nor have we thought through the full implications of this change. Today all of us are nervously seeking an answer. It is this nervousness and uncertainty pervading both our military and our national life that is creating the nuclear military confusion and resultant lack of well-defined military purpose.

The Soviets have a nuclear capability; this we know. But we do not know the extent of that nuclear weapons capability. We have only the evidence of their detected atomic tests. However, there are other factors which can tell much of U. S. S. R. nuclear progress. The International Conference on Atomic Energy at Geneva in 1955 showed surprising advances by the Soviets in other than military uses of atomic energy. Testimony before committees of the Congress indicates an increasing capability by the Soviets to deliver weapons either by aircraft or guided and ballistic missiles. These help our assessment. But still none of us can determine with certainty the balance between the two great nuclear powers. This in itself is not necessarily bad. The very fact of uncertainty restrains both nations from attacking each other for reasons of self-interest if not for moral considerations. And, so long as both sides continue to believe that either can destroy the other, no matter which strikes first, there is a nuclear stalemate so far as a major war is concerned. Thus appears the world situation today.

What could bring nuclear war? I believe that neither side is likely to initiate a major war until and unless it believes in desperation that its national security is at stake. And national security is automatically at stake when either strikes first since there is no reliable assurance that retaliation will not be unacceptably destructive. Look at the situation from the Russian viewpoint. To the Russian Politburo what objective is worth the possible or probable loss of 50 or 100 or 150 million Russian lives in return for similar numbers of American casualties and the probable destruction of the cities and industries of both nations? Conversely, what conceivable circumstances would persuade the President, who alone under the law has authority to determine when to use nuclear weapons, to push the button which might bring similar consequences of retaliation upon American people and cities? In my view there are very very few such circumstances and very few conditions wherein either country would regard the threat adequate to justify the use of nuclear weapons. Certainly Korea was not of such importance; probably, stability in the Middle East is not sufficient to justify a nuclear attack on the homeland of the enemy. In fact, it is doubtful that even stability in Europe is of such importance. I categorically believe that no President would initiate an atomic assault on the Soviets or even that the Soviets would initiate an attack on us each knowing that such a big step would be the open invitation to national ruination.

Thus nuclear weapons have apparently reversed a trend of the last century in which limited or small wars have tended to grow into big ones. Undoubtedly there will continue to be small or limited wars in various parts of the world, but because of this atomic weapons stalemate these are most unlikely to ever develop into a major war. Two conclusions can be drawn from this thinking: First, there is little chance that opposition to aggression in any part of the world would lead either Russia or the United States to initiate an all-out war no matter what weapons have been used in resisting that aggression; second, nuclear weapons may be used in small and limited military engagements without those same weapons being applied to an all-out war.

Thus, we must strike a balance in our national military posture. On one hand we must retain this nuclear stalemate. To lose it would mean our probable destruction or eventual reduction to impotence by threat from the Soviets. On the other hand we must be prepared for the small war while deterring the big one.

If we can maintain this nuclear stalemate, the Soviets must pursue the only course remaining to them in their announced goal of world conquest. It is the one in which they have proved skillful in the past—limited aggression in various areas of the world where open aggression is deemed more profitable than their usual methods of infiltration, subversion and clandestine operation. To meet this situation we need capability for both all out and limited military action. Capability involving the strategic air command, missiles, submarines, fast seaplanes with atomic weapons, or any other future tools of warfare. All these are essential for our survival and we must have them. But to maintain such capability is difficult and costly, particularly as we stagger under a defense burden of approximately $40 billion annually. As the cost of armaments increases there inevitably will be pressure to fight the easy and cheapest way. This reaction is likely to reduce conventional forces and place ever greater emphasis on atomic weapons for all aggression either limited or major. It is this very significant and understandable trend which creates our military-political nervousness and which must be resolved.

What then will be our military requirements if we are to continue our role of defender of the Free World and resist by military action the open aggression which might occur in the world? We will need flexible discriminating weapons which can be applied to military objectives without unintended effects upon nearby civil populations or free forces. Not only do we need the weapons but we must have the determination to use these weapons wherever appropriate. To have these tools and the determination to use them, we must take appropriate action now.

It is my purpose to point out what I believe this action should be. Conventional forces are essential for there are many instances in which atomic weapons no matter how flexible, small or clean, will not be suitable. For example, operations in which enemy concentrations either of facilities or men cannot be formed or found would make the use of any atomic weapon both extravagant and useless; conventional weapons would be adequate.

We then require forces with dual capability in either conventional or atomic weapons as conditions may dictate. But all forces cannot have this dual capability for many years to come because of the great costs. What is needed is a gradual buildup and development of a flexible atomic capability. Thereby we can build slowly and rationally upon our knowledge of conventional weapons so that we will have both the understanding and the capability of using the right weapons in each situation.

In reaching a decision with regard to the increasing of our atomic capability to meet any unforeseen situation, it is important for us to give some consideration to the widespread belief throughout the world that the atomic weapon is wanton, indiscriminate, and inhumane. It is generally believed to be a horror weapon whose effects cannot be controlled and the use of which may result

in the death of thousands or millions of local civil population including even neutral or friendly forces. Because of this general conception, there is a corresponding prevailing opinion that the use of any nuclear weapon of any kind, at any place, would inevitably lead to an all-out war because of its wantonness. This may or may not be true depending upon the size and nature of the weapon used in relation to the location, size, and nature of the target. More fuel has been added to this conception through the belief that atomic bursts spew out atomic radiation—fallout—ashes of death which may be carried to the four corners of the world bringing disease, death, and destruction.

I think it most significant that Russia has constantly fed these flames of misconception regarding the ruthlessness of atomic weapons. Since Russia has a distinct manpower edge over the West, it is to her advantage to create a climate of fear of all nuclear weapons because thereby she would be free to pursue her usual methods of local aggression and fully put to use her vast superiority of manpower. It is small wonder that she has sought from the beginning to ban the atomic weapons which have so far held her in check and which are so essential to the Free World's resistance to Russia's expansion.

In the area of weapons tests Russia would like nothing better than to limit our atomic capability either by agreement or by suspension of these tests. She has been astonishingly successful in this campaign of deceit and propaganda, and if this campaign to outlaw nuclear tests and weapons were successfully continued without effective resistance, we might as well throw away our nuclear capability for resisting local aggressions because the public, even including our own, would not permit the use of atomic weapons until convinced that the issue is worth the price of probable national suicide. Few issues will ever be that important, particularly when the issues are so difficult to resolve. Thus we face a situation where we could be forced to inevitably retreat bit by bit until there is nothing left for us to defend.

To preclude our being backed away from the source of our military strength and protection, we need two things above all else. First, an aggressive and determined program to perfect "clean" weapons which will release a minimum, if any, radioactive fallout. This means without reservation that there must be no suspension or termination of atomic tests until the program of "cleanup" is completed. I must confess that during the past several months, a continuance of weapons tests without restraint or demonstrable humanitarian purpose has been more and more difficult to defend and, therefore, a matter of grave concern to me. Although the Joint Committee has been aware of considerable progress in the direction of making cleaner weapons, it was not until quite recently that the great success of these efforts was made known. We now have the unhesitating concurrence of all the most competent scientists engaged in the nuclear weapons program that their efforts could eliminate nearly 100 percent of the fallout radiation. Teller, Lawrence, Graves, Bradbury, York, and Mills all seem to agree. This being so, and certainly none of us have any basis on which to dispute the judgment of these scientists, we have but one course to follow. All humanity, decency, and conscience demand that the tests continue until the weapons can be made "clean" to the end that if and when an atomic weapon ever is used in battle, there will be no victims of innocent, distant, civil populations.

This does not imply that the disarmament discussion now in progress in London should be disrupted or modified in regard to a cessation of weapon testing. We can still agree to a cessation of all further tests except those which may be needed to prove our success in eliminating radioactive debris. This kind of limited tests can and should be done with United Nations participation.

Therefore, that we may demonstrate our good faith in continuing the tests for the purpose of making them clean, I propose that our Government extend an invitation to an appropriately qualified group of scientists designated by the United Nations, including the Russians, to attend our tests and make the necessary scientific examination of the radiation and see for themselves the success of our efforts. The scientists who vouch for the achievement of clean weapons assure me that such participation by foreign observers will not compromise our vital weapons information or national security in the slightest degree. If the United States sets the pattern for production of clean weapons, other nations should follow our example. Certainly, world opinion would soon demand that they do so.

The second element in maintaining our national nuclear shield is that we relax our security barriers sufficiently to permit a program of public education through which we can demonstrate not only to the American people but to the entire world that atomic weapons are not as wanton and indiscriminate as they are thought to be. Our experts, the scientists and the engineers are making constant progress toward reducing the size and yield of atomic weapons, making them more and more precision instruments so that only the immediate military target will be affected or destroyed. The honest objective of this program of experimentation tests and education will be that we have harnessed atomic energy to provide us with just another conventional weapon—that is, one which uses blast and heat to destroy the target but with no amount of radiation.

Atomic weapons can be discriminating and their effects can be confined to military targets when they are used to that end. Atomic weapons need not be wanton, indiscriminate, or inhuman. They can be made as precise and humane as any other weapon.

There is no such thing as a strategic or tactical atomic weapon except in the exact manner in which they may be used. It is most important that we understand and approve the use of atomic weapons so that we shall have both the weapon and the determination to use them to resist local aggressions.

It seems perfectly clear, therefore, Mr. Speaker, that any unqualified agreement to suspend the tests of atomic weapons is both ill advised, contrary to the advice of our experts, and unheeding of the voice of humanity and conscience. The world should know that our only purpose for continuing the tests is to remove the hazard which might befall innocent people if they are ever used as weapons. To prove our intention and the success of our efforts to make them clean, representatives of foreign nations should be invited to attend. Our responsibility as the leading Nation of the Free World, our position as the pioneer and leader in the atomic field, demand that we fulfill that position of responsibility and leadership by a continuance of the tests as I have indicated. Overriding all, Mr. Speaker, we must remember that the greatest strength of nuclear weapons is in their being. With nuclear weapons we can have both deterrence of the large war and winning of the small one; without nuclear weapons, we would be overrun by the hordo of Russian manpower. Nuclear weapons are the lever to apply our mental strength against Russian massed manpower.

INFLATION

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, inflation is the biggest danger facing this country today. On Monday, July 1, United States Steel boosted its price $6 a ton; the other steel companies will do the same thing—and once more the inflation balloon has been cut loose.

I was disappointed that the administration did all but put its official blessing to this steel price boost. It approved such inflationary price increases as being needed for expansion.

This is regrettable, Mr. Speaker. This will be taken as the signal for a price increase by every other major industry in this country.

And who suffers?

The greatest sufferers today are the thousands of older citizens. Those who are living on fixed incomes—who find their food, their rents or their taxes mounting. They find that monthly check buying less and less, they find the retirement they had looked forward to is now becoming a nightmare of economic worry.

And caught with them in this economic pincers—this big squeeze—are the ordinary folks, the wage earner, the postal workers, the school teacher, the minister, the farmer, the small business man—all of them are suffering from the ever-continuing inflationary spiral.

I'll admit that some people are profiting from this economic condition. The rich are getting richer—year in and year out since this administration has taken over, the rich have become richer, the poor have become poorer.

During the last 4 years the national income has gone up, but the income of

small incorporated business has dropped 4.5 percent. Farmers share of the national income has dropped 36.5 percent.

Yet during this same period corporation profits have gone up 16.5 percent. And interest income is up 40 percent.

The banker, the financial entrepreneur have grown fat at the expense of the farmer, the little businessman, the retired grandmother and grandfather, and the rank and file of the American public.

The only thing that can curb this drive to enrich the rich and impoverish the lower- and middle-income group is a complete investigation of corporate profits.

The Senate Finance Committee is doing a good job as far as it goes, but we need a supplemental investigation into the spread between production costs and retail costs and into the rapidly increasing profits of the Nation's moneylenders.

Only such an investigation, Mr. Speaker, can put the brake on today's runaway inflation.

SHIPPING RATES FROM THE PORT OF BOSTON

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. LANE] is recognized for 15 minutes.

Mr. LANE. Mr. Speaker, the United States Department of Commerce reports foreign-trade gain for the port of Boston.

Total volume of 5.8 million long tons last year, a gain of 16.6 percent over 1955.

Total value of foreign-trade movement $537,200,000, a gain of 11.7 percent.

The port of Boston is making steady progress in spite of the fact that it has to work with one hand tied behind its back in the form of railroad freight rate discrimination.

Boston is fighting to end this unfair discrimination so that it may compete on an equal basis with other ports. Boston once enjoyed advantageous shipping rates because it was closer to European and African ports. In 1935, however, a differential was imposed to give southerly ports equality with Boston. This so-called equalizing process by going too far, has placed Boston at a disadvantage. In 1935, ocean rates to and from all east coast ports were equalized, but the rail rates have not been adjusted.

At the present time, railroad freight rates on import and export shipments between Boston and Midwest, are usually 2 cents per hundredweight higher than the rate between Philadelphia and such points, and 3 cents higher than the Baltimore rate. New York rates are the same as the Boston rates.

This constitutes an unjust handicap.

Recognizing this inequity, the district court overruled the Interstate Commerce Commission, and gave Boston and New York parity rates on grain from the Great Lakes via Buffalo. The Supreme Court later affirmed this decision. This was only a partial victory, as it applied to a single route and to a single commodity.

A petition for freight-rate equalization has been filed by the Port of Boston Commission, the Boston-New York railroad lines, and others.

Opinion is that the Interstate Commerce Commission has no choice but to bring all port rates down to the Baltimore level. In general, parity has been established among the gulf ports and the west coast ports. In the East, the significant grain decision points the way toward true equality.

With this handicap removed, Boston will boom.

As it is, the port is doing a remarkable job.

Total cargo movement—exclusive of intraport—during the past fiscal year was the greatest of any year in the history of the port, exclusive of World War II, reflecting a high level of economic activity in the areas served by the port, and greater appreciation in such areas of the advantages of the port. Grain movement aggregated nearly 20 million bushels as contrasted with less than 8 million bushels average of the 10 preceding years.

During the year, rehabilitation of the Hoosac Grain Elevator, including the creation of new grain drives at a total cost of approximately $425,000 was completed, substantially improving grain-handling facilities and resulting in increased revenues to the Commonwealth. The extension of transit sheds and the renovation of the water supply system at Castle Island, at a total cost of about $1,200,000 was virtually completed and the rental payable to the Commonwealth for occupancy of this terminal was substantially increased.

The rehabilitation of Army-base pier at a total cost of about $11 million and of Commonwealth pier No. 5 at a total cost of about $1,300,000 was progressing more slowly than planned, prolonging the limitation of vessel berthing and cargo-handling areas. It is presently contemplated that the work at Army-base pier will be completed in October 1957, at which time this entirely restored facility will be turned over to the Commonwealth for operation under the 1954 compact with the Federal Government. This additional facility, which will be leased to a competent and experienced terminal operator, will produce significant net revenue for the Commonwealth. The modernization of Commonwealth pier No. 5 to the extent permitted by available funds is expected to be completed late in 1957. The Commission expects to install a mechanical grain-car unloader which will materially decrease cost of grain unloading at the East Boston elevator in 1957, for the full cost of which it will be reimbursed over the life of the lease by the New York Central.

The gross operating revenue of the Commission for fiscal year 1956 increased $365,000 over the previous year, exclusive of nonrecurring items, while operating expenses increased only $11,000, with the result that net operating revenue at $637,000 represented an increase of $354,000, or more than 44 percent over the preceding year. These net revenues not only provided for payment of interest on funded debt issued by the Commonwealth for the purchase and construction of port facilities, but also a substantial part of the sums required during the fiscal year for the retirement of such debt. It must be emphasized that on a normal business accounting basis the port properties earned a substantial surplus for the year. The apparent deficit results from charging against revenues the annual amortization of bonds issued on a 20-year serial basis to create facilities with a life of more than 50 years. So that the debt is being retired much more rapidly than the facilities created by such debt are depreciating.

The Commonwealth has devoted very large sums of money since World War II to the repair, improvement, and reconstruction of the port, and, with relatively minor exceptions, all of the pier facilities have been constructed or substantially rebuilt since 1946 and again, with relatively minor exceptions, are modern, in excellent condition, and provide efficient facilities for cargo handling.

Much of Boston's present oil-storage facilities is situated in the vicinity of Chelsea. This is an important arm of Boston Harbor. The $550,000 allocated by the Federal Government to deepen the Mystic River Channel will help greatly in accommodating the larger oil tankers.

It is estimated by some that the volume of transatlantic travel by sea, within 10 or 20 years, will increase to the point where New York will be unable to handle it. Boston would then enjoy an advantage that should prove attractive to steamship companies, because Boston is half a day nearer to Europe, as compared with New York. This is especially important on the return trip when travelers are in a hurry to get back home.

Another estimate indicates that Boston's present piers could service up to 50 percent more business as Boston prepares to meet the greater volume of the future.

There are many other factors involved in the successful development of a major port, which I cannot detail in this brief summation.

Boston has a glorious maritime history, and once present inequities that discriminate against her are removed, she will once again assume her leadership, because Boston is the natural transfer station between the Old World and the heartland of America.

The Port of Boston Commission has overcome many obstacles in its development program, and I believe that the members should be congratulated for their successful direction of an important project.

New England's future owes much to them.

THE INTERNATIONAL GEOPHYSICAL YEAR

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, today is a very significant date in the scientific world. It marks the beginning of the International Geophysical Year program. This is a worldwide scientific effort in which some 58 nations are participating and coordinating their efforts, and who are sending their scientists to all points in the world to make observations and take scientific measurements in every phase of geophysics. The goal is to learn more about the world we live on and the space above us.

The program of the International Geophysical Year that has most captured the imagination of the world, and it has become itself a symbol for the entire program, is that for the earth satellite. At some time during the next 18 months the scientists plan to project a round, metallic ball 20 inches in diameter and filled with instruments, some 300 miles above the earth. At that point it will travel around the world once every 90 minutes and stay there, nobody knows yet for how long. As this satellite passes observation points on each trip around it will transmit to earth the data it has collected in the last 90 minutes. But this is merely one program of some 13 fields of study, and each is fascinating when one goes into the details.

On May 1, some of the most outstanding scientists in the world came before the Independent Offices subcommittee of the House Committee on Appropriations and testified as to the current objectives for the International Geophysical Year as the program is about to begin, and plans for the coming 18 months. We had Dr. L. V. Berkner, Vice President of the Special International Committee for the International Geophysical Year, and Dr. Joseph Kaplan, Chairman of the United States National Committee for the International Geophysical Year, who are certainly outstanding men. There was also Dr. Richard W. Porter and Dr. James A. Van Allen who are chairmen of panels on the earth satellite program. Dr. Roger R. Revelle came from California to tell us about plans in the field of oceanography and Dr. Harry Wexler testified on the fascinating work that is progressing the Antarctic program.

Mr. Speaker, the members of the Independent Offices Appropriations Committee are proud of the men who are working for our Nation in the IGY. We congratulate the National Science Foundation under the able leadership of Dr. Alan T. Waterman for the part it has played in this historic undertaking. Our Nation is indebted to the United States Committee for the International Geophysical Year and the great number of learned and distinguished scientists and laymen who comprise the United States team for the IGY.

Mr. Speaker, the role of the Congress in this great undertaking has been emphasized by Dr. Joseph Kaplan, chairman, United States Committee for the International Geophysical Year, National Academy of Sciences:

> Your committee has welcomed us warmly and heard us patiently time and again; but, more than that, your committee has repeatedly, over the years since this program began, demonstrated keen and detailed interest in the scientific problems confronting us and our efforts to understand our physical environment. Your committee has shown vision and insight in thinking about these problems and in encouraging us with our plans and hopes. For these reasons, I feel that you are partners with us in this program and the successful launching of this unprecedented study is in large measure a tribute to the chairman and members of the committee and the Congress.

By these words, Dr. Kaplan indicates that the work could not have been undertaken without the interest of the Members of this House. Through recommendations of the Independent Offices Subcommittee on Appropriations, the Congress has appropriated $39 million to the National Science Foundation for the IGY program. This is only a small part of the total cost and effort that will be put into this worldwide coordinated effort. The total investment runs to something around $500 million and before the IGY year is completed could be substantially more than that.

As the world enters the International Geophysical Year, the Congress of the United States wishes godspeed to those throughout the world who will carry the program forward. The tests and findings and results of the tremendously significant programs of the IGY will no doubt affect the ways of the world in the future. Mankind awaits the conclusions with breathtaking anticipation.

Mr. Speaker, under unanimous consent I include with my remarks an editorial from today's New York Times and an article from the Baltimore Sun:

[From the New York Times of July 1, 1957]

MAN LOOKS AT HIS WORLD

Last night, at 8 o'clock eastern daylight saving time, which was midnight Greenwich mean time, man began his first completely coordinated look at his world. The creature who for countless generations lived in caves and trees, who walked with his head bent forward toward the ground, who feared the darkness of night and the gloom of the forests, who performed incantations to propitiate forces and spirits he could not understand—this creature, modern man in all his wisdom and all his foolishness, bitterly divided in his political philosophies, is now united in the common enterprise called the International Geophysical Year.

Let us translate the somewhat forbidding name This "year" is a term of eighteen months, during which scientists from sixty-odd nations will try to add to our knowledge of the surface of the earth, of the earth's internal structure, of the movements of currents in the oceans, of the nature and behavior of the atmosphere to a height of 300 miles or more.

These and other problems have been long under study, some for many generations. The International Geophysical Year is a supreme effort to concentrate this study in terms of time and spread it in terms of geography. The weather will be studied in 2,500 stations, forty of them in the Antarctic. Ships of ten countries will chart the Gulf Stream. Half a dozen expeditions will operate in the Antarctic, prying into the secrets of the ice and its influence on climate. Fifty observatories will concentrate on the sun. The tides of the land as well as of the sea will be measured. The exact shape of the earth will be determined with a degree of accuracy never before attained.

All this will be possible because the scientists of all the participating countries will be sharing every scrap of information they obtain. This information will be assembled and collated by a carefully organized system that will make the results swiftly available. If to understand our environment is to make it easier to control it, the next eighteen months may bring us nearer being masters of our destiny than many a long generation, many a century, has done in the past.

We stand on the threshold of a majestic—and dangerous—future. This is what the International Geophysical Year really dramatizes. Among the originally announced participating nations are 10 under the influence of Moscow or Peiping communism and one whose independence we are today wondering about—Yugoslavia. But though North Korea is on this original list, South Korea is not; although North Vietnam is on the list, the southern portions of that divided land are not; although Red China is on the list, she has been threatening to withdraw if Taiwan is allowed to retain her standing.

In what conceivable manner the study of air currents, or the movements of cold water at the bottom of the sea, or the earth's magnetism can touch this political dispute no sane person can imagine. There is an interlocking of worldwide physical phenomena, but politics do not affect it. Walter Sullivan wrote yesterday in this newspaper's Review of the Week section that a "prolonged low sea level at Miami Beach means that there will be severe ice conditions in the Barents Sea, north of Russia and Scandinavia, 3 years later." But this is not because Florida lives under private enterprise, Russia under communism, and parts of Scandinavia in the middle way.

The Psalmist said long ago, "The earth is the Lord's and the fullness thereof." The inheritance, under God, is ours. It is all mankind's, and not merely the possession of the more powerful or the more numerous. It is, if we can follow the pattern of the International Geophysical Year, a goodly heritage.

For in this enterprise of scientists, behaving as nonpolitically as circumstances permit, we may see the other side of science's proven destructiveness. Here is our world, everybody's world; we shall know how to make it more beautiful and happier. Will we use the knowledge?

[From the Baltimore Sun of June 29, 1957]

THE INTERNATIONAL GEOPHYSICAL YEAR AND SOME OF ITS PROJECTS

The long-heralded International Geophysical Year, described as man's most ambitious program in international scientific cooperation, begins on Monday. It will continue through December 31, 1958 (for a year and a half if you want to be literal).

What is geophysics? In an article in the American Scholar dealing with the International Geophysical Year, Mr. Laurence M. Gould, member of the executive committee of the United States national committee directing this country's participation, defines it as "The application of the tools of physics to the study of the earth and its atmosphere." All of man's major activities, he says, are inextricably bound up with the geophysical sciences. To a large extent they are the determining factors in such fields as agriculture, transportation, and communication of all sorts. Since the time of the very earliest speculations about the world, man has been measuring the earth, recording data about its climate, its oceans, and other geophysical phenomena. Now, thanks to electronic instrumentation, it will be possible to learn a great deal more than ever was possible before.

"Geophysics," continues Mr. Gould, "presents quite different problems from those of the laboratory sciences. The nuclear physicist can go into his laboratory and perform

experiments at will, but in geophysics the laboratory is the world itself. Nature performs the experiments; man makes the observations. Because all geophical phenomena are related in one way or another to solar activity, the interval 1957–58 was selected for the International Geophysical Year, as solar activity will be near the top of its 11-year cycle at that time.

"The present international effort was anticipated by the First Polar Year in 1882–83 and the Second Polar Year in 1932–33. Both of these involved but a few nations and were restricted to the north-polar region; yet the results of the first gave us our first definite data about the aurora and the basis for all subsequent research. During the second, studies of the ionosphere by newly developed techniques gave rise to data that was vital to the development of communications.

"During the forthcoming International Geophysical Year more than 5,000 scientists from 56 countries will be observing the same phenomena from stations all over the world. An important result should be the greatest breakthrough to date in a fundamental understanding of such major phenomena as ionospheric activity and atmospheric circulation. * * *

"Answers to many questions of both theoretical and practical importance will be sought during the International Geophysical Year. What is the relationship between long-range radio transmission and sun spots and solar flares? Is the earth's climate changing? Where do cosmic rays come from? These are but samples of the kinds of questions inherent in the International Geophysical Year.

"The particular geophysical phenomena to be studied by way of finding answers are aurora and air glow, cosmic rays, geomagnetism, glaciology, ionospheric physics, longitude and latitude, meteorology, oceanography, seismology, gravity, and solar activity.

"Atmospheric studies will be greatly extended beyond all previous records by the programs in rocketry and satellites. At least 600 rockets and 6 small earth-circling satellites with highly specialized instruments will be launched.

"Each of the six satellites will have special instruments which will teleradio back to earth new and important data about such phenomena as the density of the outer atmosphere, the fluctuations and intensities of cosmic rays, fluctuations of the earth's magnetic fields, more accurate measurements of longitude and latitude, and so on."

Much already has been heard on the activities in Antarctica. Of their magnitude and importance Mr. Gould says: "There will be a total of some 54 stations in the overall Antarctic program. While the problems of carrying out the observations in the International Geophysical Year in Antarctica are formidable, yet the results will be of major importance because it is the largest unoccupied area of the globe. Most fields of geophysics now demand for completeness specific data that are available only from observations on the polar continent.

"Solar radiation is assumed to be the principal agent in breaking up atoms to form the ionosphere. Our base at the South Pole will discover what happens to the ionosphere when there is no direct solar radiation for 6 months."

The International Geophysical Year, the writer concludes, is a good example of a new approach to world unity: "The geophysicist is inevitably a truly international scientist. All considerations other than purely scientific ones are omitted. For instance, the complicated matter of claims in Antartica is forgotten as the United States, Soviet Russia, Britain, France, and eight other nations cooperate in the first comprehensive exploration ever made of this single polar continent."

MURPHY GENERAL HOSPITAL, WALTHAM, MASS.

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I raise my voice against the closing of Murphy General Hospital at Waltham, Mass. I am besieged again and again with requests from people in the Commonwealth of Massachusetts and from people in the other States in New England to try to keep that hospital open. I hope that the other body will reconsider its decision not to have it in the appropriation bill that is under consideraiton there now. It would be a tragedy, spelled with a capital T if it is closed.

It has been said that the New England division of the Army engineers would go into the Waltham General Hospital if it is closed for hospital purposes. I am very much of the opinion that it will never be used by the Army engineers, and that is the report I have heard today. With all the strength of my being I implore the other body to keep Murphy General Hospital open at least for a year. I feel so sure that time will give added arguments and proof for its retention. We have such a shortage of proper beds and staffs as it is.

The cold war is still on but it may break out into a hot war at any time. The world is sitting on a tinder box and we certainly must take care of our servicemen and women. We are pledged to do it by legislation, and I am sure that because of a whim or desire of some persons the Murphy General Hospital should not be closed. I feel very strongly about it. The closing of the hospital before World War II and the necessary repairing a few months afterward was disastrous in the extreme and very expensive. Economy is one of the excuses. I believe no economy would ensue—sometimes we learn by bitter experience, and much suffering.

SELECTIVE IMMIGRATION BOARD

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 15 minutes.

Mr. FEIGHAN. Mr. Speaker, today I introduced H. R. 8454, a bill to create a Selective Immigration Board.

For some time there has been a strong controversy over our immigration policy and the laws that apply thereto. In this controversy there are those who insist that no change at all can be made in either our immigration policy or our immigration laws. At the other extreme are those who want to repeal practically all the immigration laws on the statute books and make a completely new start in that field.

My bill seeks neither of these objectives. All it seeks is a fair trial over a limited period of time of a new and selective method for the distribution of authorized but unused quota numbers. It does not seek to throw out the national origins formula. The national origins formula will remain as is during the 3 years proposed for the trial period which my bill authorizes.

There are a number of reasons which cause me to propose to Congress a limited trial of a new and selective method for the distribution of authorized but unused quota numbers. They are as follows:

First. Experience during the last 15 years has shown that our immigration policy lacks elasticity to meet the demands of our time. It will be recalled that President Franklin D. Roosevelt, in January, 1944, issued an Executive Order authorizing the admission into the United States of a limited number of victims of totalitarian persecution. In 1948 Congress enacted the Displaced Persons Act in order to meet a great human crisis that had developed in the wake of World War II. In 1953, Congress again enacted emergency immigration legislation known as the Refugee Relief Act in order to extend a helping hand to victims of Communist persecution who were seeking asylum in countries of the Free World. In November, 1956, even before the expiration of the Refugee Relief Act of 1953, President Eisenhower issued a Presidential Order authorizing the emergency admission into the United States of Hungarian refugees who had fled into Austria during and immediately following the inspiring Hungarian revolution against the despotism of Russian communism. All of these special immigration acts and directives were made necessary because our basic immigration policy and the laws that govern it were so rigid that they could not be applied in such emergencies.

Second. The national origins formula which is basic to our immigration laws was developed in the period 1921 to 1924, at a time when our national security and well-being were not endangered by the threat of world communism, and when the belief existed that it was possible to safely insulate the United States from world affairs since we were separated from most of the rest of the world by the Atlantic and Pacific Oceans. This explains in large measure the rigidity of the mathematical formula which today determines how many quota numbers shall be authorized each year and who shall be benefited by them.

Third. The world in which we live today is not the world of 1921 to 1924. The Atlantic and Pacific Oceans cannot be counted upon to insulate us against fast-moving events which happen in Europe or Asia. The genius of man has reduced the earth on which we live to a very small sphere in which we can reach almost any part of the earth's surface in a matter of hours and in which events happening anywhere in the world are news to us within a few minutes after they occur. In the intervening years we have grown into the greatest national power on earth and the crises of our day have placed upon us leadership of the still free nations of the world. In the struggle against the tyrannical ambitions of communism, experience has taught us that the survival of our free way of life in large measure depends upon our ability

to harness all our great resources behind a foreign policy capable of quick and decisive action.

Fourth. Congress has had emergency legislation brought before it to meet every crisis that develops in the world having an important effect on our national security. We must face up to the prospect that the likelihood exists that so long as the conspiracy of communism exists in this world and continues its inhumanities and tyrannies against people, we will continue to have refugees who plead with us for religious and political asylum. If another freedom revolution should break out in Poland or in Czechoslovakia or in Rumania or in Yugoslavia or East Germany or elsewhere behind the Iron Curtain, the President would be faced with the same situation that applied during the Hungarian revolution of last October and November. It is my judgment such revolutions against Russian occupation will certainly occur in the future.

Fifth. I feel reasonably confident that Congress will accept the idea of using authorized but unused quota numbers in order to put some flexibility into our immigration policy. I am not asking Congress to authorize more quota numbers because I think this is unnecessary. Congress, in my opinion, has authorized enough quota numbers to meet any situation that has or might develop in the world affecting our vital interests. The question is—how to make the authorized quota numbers work full time for our national interests.

Sixth. I believe the time has arrived to put an end to the immigration controversy which has taken up so much of the time of the Members of Congress. In my judgment, the only way this can be done is to provide a fair test on a trial basis of selective immigration based upon criteria established by Congress. The trial period which I envisage should provide the necessary experience for Congress to judge what changes, if any, should be made in the methods we now use to assign immigration quotas. Both sides of the controversy on immigration policy should be willing to accept this trial and to allow the case to be evaluated strictly on the basis of a record to be established.

I should like to make it clear that I propose no changes in the basic immigration law having to do with security standards or health requirements. All the provisions of the law in this respect remain unchanged. Moreover, the national origins formula remains basic to the law since it is not in the least affected by my proposal.

I anticipate that the appropriate committees of Congress will be constantly consulted and advised on all major developments within the purview of the Selective Immigration Board. The plan I propose will not work unless this is the case.

I expect that all departments and agencies of the Government concerned in any way with immigration will cooperate with the proposed Selective Immigration Board, and will give their advice and counsel to the Board.

I anticipate that the proposed Board will provide contingency plans in the allocation of authorized but unused quota numbers to take care of such future revolutions against communism as occurred in Hungary. This can be done by setting aside on an earmarked basis, a number of authorized but unused quota numbers to be used only should such a contingency arise.

The President of the United States has two major responsibilities in connection with my proposed Selective Immigration Act. In the first instance, the President is required to nominate five members of the Board, one who shall be designated by the President to be chairman. These Board members are to be appointed by the President by and with the advice and consent of the Senate. They are required by law to be selected without regard to their political affiliation and solely by virtue of their high personal integrity, their capabilities and their experience in and expert knowledge of national and international political, economic and social affairs and immigration laws and problems. The makeup of the Selective Immigration Board is critical to the success of the entire proposal.

The President, under this bill, must also make a determination on which aliens are refugees by virtue of the fact that they have left the country of their national origin because of oppression or persecution, or threat of oppression or persecution because of race, national origin, religion, adherence to democratic beliefs, or opposition to a totalitarian form of government. In this connection, I hope the President will avail himself of the advice and guidance of the National Security Council in making determinations of this sort, particularly when revolutions against Russian communism are involved. In any case, the President is the proper person to make such determinations, as he did in the Hungarian situation.

It is estimated that each year there are some 65,000 authorized but unused quota numbers. I propose that any part or all of these unused quota numbers for a 3-year period be allocated by the Selective Immigration Board with the following criteria to serve as guideposts in making specific allocations:

First. The desirability of bringing into the United States annually a number of persons possessing technical and professional skills and specialized experience found to be in short supply in the American labor market. A determination would need to be made that such services will be substantially beneficial to our national economy.

Second. Our traditional position of providing a haven for victims of totalitarian aggression who have found it necessary to flee their homelands because of persecution or threat of persecution based upon their religious or political views. In the present world circumstances, special account should be taken of those escapees from communism who fled from their homelands because of acts they had taken against the regimes in control.

Third. The desirability of reuniting families and relatives. There are in the United States a considerable number of families who have found asylum here while members of their immediate families are still living in distant lands. There are also native-born Americans who are anxious to have relatives abroad admitted into the United States for permanent residence. To reunite these broken families is to act in concert with our political philosophy which holds that the family is the basic unit of society.

After the Selective Immigration Board, with the advise and counsel of the appropriate committees of Congress and the concerned agencies of the executive branch of the Government, makes its determination on the manner in which authorized but unused quota numbers are to be distributed for a given year, that plan must be submitted to Congress for approval. If Congress disagrees on all or any part of the proposed plan, Congress can reject the plan and the Selective Immigration Board must then submit a new plan. In addition, it is to be noted that before a plan may be adopted by the Selective Immigration Board for submission to Congress, four of the five members of that Board must concur. With these safeguards, it is reasonable to assume that the Board will be highly sensitive to the advice and counsel from Congress and the concerned agencies of the Government which in turn will result in plans for the distribution of authorized but unused quota numbers that clearly will reflect benefits to the national interest.

Mr. Speaker, I introduced this bill with the hope and expectation that the appropriate subcommittee of the Committee on the Judiciary will give my proposal very careful thought and will, before the next session of Congress convenes, have a series of hearings during which interested organizations and individuals can express their views on the merits of the proposal.

MUTUAL SECURITY PROGRAM

Mr. HOSMER. Mr. Speaker, the much maligned mutual security program has been going on for over 10 years. Both Democrat and Republican Presidents have supported it. A substantial majority of Democrats and Republicans in Congress vote for the program year after year. Thus it must amount to something more than caprice and indiscretion with the taxpayers' dollars.

Of course, support for the program does not endorse the "horror cases" you sometimes read about where some bungling incompetent builds a hydroelectric project where there is no water, or a cowbarn where there are no cows. I am as outraged by such things as anybody else. But one thing should be made clear. Without indicting the many fine people who have been hired to handle these overseas programs, it has not always been possible to obtain 100 percent recruitment of people of the caliber we would like. The pay is not too good; in some areas living conditions are next to impossible, and the jobs are of temporary duration.

Whether or not the program should be carried on at all is a question on which thoughtful men can honestly disagree. But if it is to be carried on, I think everyone can agree that it should be

done as efficiently as possible, as economically as possible, as effectively as possible, and by the highest caliber personnel we can hire.

This means that the committees handling the mutual security authorization and appropriation bills, and the Congress in its consideration of them, must, if they decide to carry on the program at all, exercise a positive responsibility regarding it. That is a responsibility to give it enough money to carry out its objectives efficiently, economically and effectively. It is also a responsibility to give the program sufficient funds to hire the caliber personnel needed to guide its day-by-day operations toward those objectives.

There has never yet been a program by government, business, or by private individuals that did not require a certain basic minimum investment for its success. An investment of less than that amount not only brings failure to the program, but a dead loss of whatever amount actually was invested in it.

The same principle applies to the mutual-security program. Under present circumstances I am sure there is little likelihood of giving the program more than it needs. There is, however, a great danger of giving it less than it needs for success. Giving it less will not only destroy the whole program, it will waste whatever money is put into it. In short, we cannot possibly reach a compromise between an economy mood and what is basically needed for a working mutual-security program. We must either provide the basic minimum investment necessary, or abandon the program entirely.

The balance of my remarks will be directed to the question of whether or not the program should be abandoned. This can best be introduced by a question involving the actions of Congress with respect to the program since it was initially proposed and each year thereafter.

What decides a substantial majority of both the Houses of Congress after careful study, hearings, and debate to vote for the program year after year?

History helps explain.

There almost always has been some aggressor nation on the march against the world. Today it is Red Russia. Before in this century it was Germany under Hitler, Italy under Mussolini, Germany under the Kaiser. Going back further you find it was France under Napoleon, before that it was Spain, and so on.

Since each aggressor's ultimate reward has been defeat, history should tell us what inherent weaknesses of aggressors to exploit to our advantage against today's threat.

Looking at the historical pattern we find four invariable characteristics in a nation on the aggressive march:

First. Blustering statment of military invincibility calculated to frighten others into submission.

Second. Smokescreening the aggressive intent behind some crusading idea: Russian—communism; Hitler—race destiny; Napoleon—law, order, freedom from tyranny, and so forth.

Third. Satellization of neighboring countries.

Fourth. Alliances with noncontiguous countries.

Each of these historic characteristics mark Russian aggression today.

History shows us there is little threatened nations can do about the first two listed characteristics of an aggressor except employ counterpropaganda and ideological techniques. Our USIA program is designed to do just that. The wisdom of recent budget cuts in the program is therefore debatable.

As to the third, satellization, the experience of Napoleon with Holland is illustrative:

Under French bayonets a completely subservient stooge government was "elected" in Holland. Once in office, the stooges began giving trouble. Napoleon's answer was to depose them and set up his own brother Louis as King of Holland. Louis soon developed such a fondness for his Dutch subjects that he, too, began giving trouble, was deposed, and the territory incorporated bodily into France. There it became a thorn inside instead of outside the Napoleonic empire and contributed considerably to its ultimate breakup.

The situation of the Russian satellites today is strikingly similar. Despite stooge governments, the satellization process has not yet been perfected to the point where these countries can be relied upon by the Soviets to strengthen rather than weaken their apparatus of aggression. The two most powerful forces working against the Russians are: First, a spirit of nationalism in these countries, and, second, deep religious beliefs which constantly clash with the atheism of the Soviet regime. The Soviets never have seemed to realize their continuing antagonism to both these forces serves to render their satellization program imperfect and incomplete.

Unless and until the program is perfected, the satellites remain a source of weakness to Russia and a check on her aggressive designs. The intended victims of Soviet aggression, including ourselves, are thus posed the problem of how to assist these forces and block perfection of the satellization process.

Even though Tito in Yugoslavia and Gomulka in Poland are Communist stooges, are they such imperfect ones that some amount of "aid" would further their imperfections? Or would it just take a load off the Soviets? As a conscientious legislator I wish to heavens I knew for sure—I want to do what is best for our country. Looking back on history gives you a general idea what needs to be done, but it certainly gives you no specific instructions as to the right answer to this particular question. And avoiding the wrong answer has much to do with our future safety.

Getting to the fourth aggression characteristic, alliances, the answers appear a little clear. Russia has been slower than expected in seeking alliances. Her first move was toward China. As corrupt as was its Nationalist Government, a Soviet alliance was refused. In the absence of effective United States countermeasures, that government was replaced by a Communist regime that did ally itself.

In Europe, where United States action was effective in blocking Communist attempts to take over several countries, Soviet alliances were frustrated. Some say these countries are of little value as United States allies, so we have not gained. But the fact they are not allies of the Russians, who would straitjacket them into compliance, is certainly a factor favorable to us in the balance of power with the Reds. The mere thought of opening the Atlantic and Mediterranean seaports of France as naval bases for over 500 Russian submarines is a United States defense planner's nightmare.

Of late Russia has turned toward the Middle East for alliances. For various reasons which I shall not go into, but which are almost universally agreed on by geopolitical experts, it was to be expected that aggressive Russia would have turned toward the vitally strategic Middle East even earlier.

Thus far the Reds have obtained alliances with Egypt and Syria. Neither country is a satisfactory ally from the standpoint of national strength, but both are highly important because of their strategic locations. An element of their weakness from the Soviet point-of-view is their separation by Jordan. Conversely, it is a very definite advantage from the Free World point of view, including our own, to keep Jordan in existence to continue the separation of the two countries.

Jordan has little economic reason for existence as a separate state. It was formed under British influence as a buffer state to solve somewhat similar British problems in the area during an earlier time. It has been kept sovereign and independent by an annual $30 million grant from the British Government. Soviet subversion in Jordan has been effective in creating conditions which chopped off this subsidy as of March 31 this year.

With the Soviets pulling strings, the Egyptians and Syrians made a phony offer to put up $10 million each per year to help their neighbor. At, I believe our behest, King Saud made a legitimate offer of $10 million a year. At Moscow instructions, the Egyptians and Syrians already have reneged on their offer so as to bring about a collapse of the pro-Western Jordanian Government and give them an excuse to march in and join up with each other.

So we are faced with the question: Is it better to let this happen, or to put up $30 million a year in the guise of aid to prevent this important step toward consummation of Soviet plans to capture control of the Middle East, control of the Suez, and control of Mid-East oil which underlies Europe's economy?

Those whose lives have been devoted to study of just such things tell us the $30 million would be a drop in the bucket compared to what we would have to spend for increased defense if this Soviet aim should be accomplished. They give a similar answer with respect to the necessity of maintaining the Nationalist Chinese Government in control of Formosa, keystone of defense against military aggression from across the Pacific.

So it goes to a greater or lesser extent with various other points of a key military importance around the world. Most certainly these various nations have their own interest in not being gobbled up by the Communists, but we also have our own national security at stake in seeing to it that they are not.

That is why foreign aid is pretty much of a misnomer for what a majority of Republicans and Democrats in Congress, including myself, vote for when we support it. The President uses a much more accurate label, mutual security, and the connotation of those two words is what we vote for year after year. That is why this year's proposed $3.6 billion program amounts to $2.8 billion of direct and indirect military support, with $800 million in the economic category for situations akin to that of Jordan.

SAFETY ON NAVIGABLE WATERS IN THE UNITED STATES

Mr. BONNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, I wish to announce that I am today introducing a bill entitled "To promote boating safety on the navigable waters of the United States; to provide coordination and cooperation with the States in the interest of uniformity of boating laws, and for other purposes."

This legislation is the result of more than a year's study by the Merchant Marine and Fisheries Committee of the problems of recreational boating safety and regulation in the United States. In April of this year, our committee released House report No. 378, which summarized our findings and recommendations for legislation. The bill I am introducing today is for the purpose of implementing this report and putting the recommendations into legislative language.

Our committee has received very gratifying reactions from the boating industry and the public with respect to House Report No. 378. We shall, of course, forward this committee bill to the Coast Guard and other interested groups, in and out of Government, for comments and suggestions which can be received when hearings are held on the bill.

I should like to make two points about this legislation. First, it is the result of a nationwide study that received almost 100 percent cooperation from the industry and sport affected. Secondly, the provisions of this bill will provide needed regulation for the millions of pleasure boats on the navigable waters of the United States in a reasonable, temperate and nonrestrictive manner. Furthermore, this legislation will serve as a pattern or model which the States may follow in order to bring about general uniformity of boating laws in this country.

Briefly, this bill seeks to achieve five basic objectives, as follows:

First. Require the numbering for identification purposes, of all motor driven boats using the navigable waters of the United States. Such numbers would be renewable every 3 years and a nominal fee would be charged to cover the cost involved.

Second. The Coast Guard would be enabled to invoke stated civil penalties for reckless or negligent operation of a boat. Today, the Coast Guard can only proceed against violators through criminal proceedings. Aside from the difficulties attending a criminal prosecution in a Federal court, it is thought that the majority of infractions by boat owners or operators should not be stigmatized as crimes.

Third. The Coast Guard by regulations, will define generally, what acts or practices by boat operators are considered reckless or negligent operation.

Fourth. Persons operating boats that become involved in accidents would be required to stop and render assistance and also make a report to the Coast Guard of the accident.

Fifth. Provision is made for cooperation and coordination with the States to achieve the greatest possible uniformity of boating laws in an effort to obviate the chaos which would result from as many as 48 different State laws and a 49th Federal law.

Pleasure boating is a wonderful family means of recreation in our country today, and I feel that if the five legislative objectives described above are enacted, the sport and the industry will continue to grow and more millions of our citizens will go afloat in greater safety.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. MAILLIARD (at the request of Mr. ALLEN of California) for 2 weeks beginning July 1, on account of official and other business.

To Mr. KEARNS (at the request of Mr. ARENDS) until July 12, on account of official business.

To. Mr. CLEVENGER (at the request of Mr. BROWN of Ohio) for 2 days on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. STAGGERS, for 5 minutes, today.

Mr. LANE, for 15 minutes, today.

Mrs. ROGERS of Massachusetts (at the request of Mr. FULTON) for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MULTER (at the request of Mr. RODINO) and to include extraneous matter.

Mr. SIKES in two instances and to include extraneous matter.

Mr. LANE and to include extraneous matter.

Mr. BURDICK in three instances.

Mr. MILLER of Nebraska with reference to Alaskan Statehood and include extraneous material.

Mr. RABAUT and include extraneous material.

Mr. THOMPSON of Texas and include a newspaper article.

Mr. HOLTZMAN (at the request of Mr. ALBERT).

Mr. FULTON and to include related matter.

Mr. BEAMER (at the request of Mr. HARVEY) and to include extraneous matter.

Mr. ALGER.

Mr. BYRD.

Mr. ZELENKO (at the request of Mr. SANTANGELO) and to include extraneous matter.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereopon signed by the Speaker:

H. R. 5189. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes;

H. R. 6659. An act to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes;

H. R. 7599. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1958, and for other purposes; and

H. J. Res. 391. Joint resolution making temporary appropriations for the fiscal year 1958, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 7599. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1958, and for other purposes.

ADJOURNMENT

Mr. EDMONDSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 59 minutes p. m.) the House adjourned until tomorrow, Tuesday, July 2, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

996. A letter from the Acting Secretary of Agriculture, transmitting a report of operations for disposal of stocks of agricultural

commodities held by the Commodity Credit Corporation, pursuant to section 201 (b) of the Agricultural Act of 1956; to the Committee on Agriculture.

997. A letter from the Assistant Secretary of Defense (Supply and Logistics) transmitting reports on Army, Navy, Air Force, and Military Petroleum Supply Agency prime contract procurement actions with small and large concerns for work in the United States, pursuant to section 6 of Public Law 268, 84th Congress; to the Committee on Banking and Currency.

998. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of proposed legislation entitled "A bill to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions"; to the Committee on Interstate and Foreign Commerce.

999. A letter from the chairman, Pacific Marine Fisheries Commission transmitting the Ninth Annual Report of the Pacific Marine Fisheries Commission for the year 1956, pursuant to Public Law 232, 80th Congress; to the Committee on Merchant Marine and Fisheries.

1000. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 6, 1957, submitting a report, together with accompanying papers, on a letter report on Red River in vicinity of Index, Tex. (Ogden levee, Arkansas), requested by the Committee on Public Works, United States Senate and House of Representatives, adopted March 12, 1949, and July 6, 1949, respectively; referred to the Committee on Public Works.

1001. A communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1958 in the amount of $1,665,500,000 for the Department of Defense (H. Doc. No. 203); to the Committee on Appropriations and ordered to be printed.

1002. A letter from the Attorney General transmitting the Second Report of the Attorney General on Competition in the Synthetic Rubber Industry covering the industry's operation under private enterprise in the calendar year 1956, submitted in accordance with the request of the Senate Banking and Currency Committee set forth in Senate Report No. 117, 84th Congress; to the Committee on Armed Services.

1003. A letter from the Secretary of Defense, transmitting the Annual Report of the American National Red Cross for 1956, together with the combined statement of income and expenditures of the national organization for the fiscal year ended June 30, 1956, pursuant to the act approved July 17, 1953 (67 Stat. 178); to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROBESON of Virginia: Committee on Post Office and Civil Service. House Joint Resolution 275. Joint resolution transferring to the Commonwealth of Puerto Rico certain archives and records in possession of the National Archives; without amendment (Rept. No. 665). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations: H. R. 8195. A bill to facilitate the payment of Government checks, and for other purposes; with amendment (Rept. No. 666). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS of Ohio: Committee on House Administration. Senate Concurrent Resolution 22. Concurrent resolution to print for the use of the Senate Committee on the Judiciary additional copies of the "Internal Security Annual Report for 1956"; without amendment (Rept. No. 667). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. Senate Concurrent Resolution 26. Concurrent resolution to print additional copies of the report entitled "The International Petroleum Cartel"; without amendment (Rept. No. 668). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. Senate Concurrent Resolution 30. Concurrent resolution to print a compilation of studies and reports on the foreign aid program; without amendment (Rept. No. 669). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 240. Resolution authorizing the printing of the manuscript "Foreign Trade Interests in the State of Michigan" as a House document; without amendment (Rept. No. 670). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 266. Resolution providing for printing additional copies of a study entitled "Internal Revenue Administration—Progress Report of the Subcommittee on Internal Revenue Taxation"; without amendment (Rept. No. 671). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 278. Resolution authorizing the printing of additional copies of the report on intergovernmental relations; without amendment (Rept. No. 672). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Concurrent Resolution 135. Concurrent resolution to print as a House document the publication "Guide to Subversive Organizations and Publications" and to provide for the printing of additional copies; without amendment (Rept. No. 673). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Concurrent Resolution 136. Concurrent resolution to print as a House document volumes I and II of the publication "Soviet Total War" and to provide for the printing of additional copies; without amendment (Rept. No. 674). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 189. Resolution to print as a House document the publication "Trial by Treason" and to provide for the printing of additional copies; without amendment (Rept. No. 675). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 220. Resolution authorizing the printing of additional copies of House Report No. 53, current session; without amendment (Rept. No. 676). Ordered to be printed.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H. R. 3233. A bill to amend section 22 of the Interstate Commerce Act, as amended; with an amendment (Rept. No. 677). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURLESON: Committee on Foreign Affairs. House Joint Resolution 16. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; with an amendment (Rept. No. 678). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FEIGHAN:

H. R. 8454. A bill to create a selective immigration board and to provide for the allocation of authorized but unused quota numbers in accordance with the criteria established by the Congress; to the Committee on the Judiciary.

By Mr. ANFUSO:

H. R. 8455. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes; to the Committee on Agriculture.

H. R. 8456. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes; to the Committee on Agriculture.

By Mr. BENNETT of Florida:

H. R. 8457. A bill to provide for systematic reduction of the public debt; to the Committee on Ways and Means.

By Mr. BOLAND:

H. R. 8458. A bill to provide financial assistance for States and local governments through a system of loans and guaranties for purposes of public education, public health, and other public needs. To the Committee on Ways and Means.

By Mr. BONNER:

H. R. 8459. A bill to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CANNON:

H. R. 8460. A bill to promote economy in Government by reducing the rate at which individual income taxes are withheld at the source; to the Committee on Ways and Means.

By Mr. COLE:

H. R. 8461. A bill to amend the Atomic Energy Act of 1954 to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. DENTON:

H. R. 8462. A bill creating the City of Cannelton Bridge Commission, defining the authority, power, and duties of said commission; and authorizing the commission and its successors and assigns to construct, maintain, and operate a bridge across the Ohio River at or near Cannelton, Ind., and Hawesville, Ky., to purchase and operate a ferry at such location, and for other purposes; to the Committee on Public Works.

H. R. 8463. A bill to permit farmers in areas affected by excessive rainfall and flooded conditions to include acreage in the acreage reserve program up to July 31, 1957; to the Committee on Agriculture.

By Mr. DIXON:

H. R. 8464. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc; to the Committee on Ways and Means.

By Mr. ENGLE (by request):

H. R. 8465. A bill granting the consent of Congress to the Klamath River Basin compact between the States of California and

Oregon, and for related purposes; to the Committee on Interior and Insular Affairs.

By Mr. HAGEN:

H. R. 8466. A bill to provide a uniform rule for the transfer of cotton allotments of farms taken by agencies having the right of eminent domain; to the Committee on Agriculture.

H. R. 8467. A bill to amend the cotton-marketing quota provisions of the Agricultural Act of 1938, as amended; to the Committee on Agriculture.

H. R. 8468. A bill to provide a uniform rule for the transfer of allotments of farms taken by agencies having the right of eminent domain; to the Committee on Agriculture.

By Mr. HOLTZMAN:

H. R. 8469. A bill to amend the Internal Revenue Code of 1954 to regulate the importation of pistols and revolvers; to the Committee on Ways and Means.

By Mr. HYDE:

H. R. 8470. A bill to prohibit the examination in District of Columbia courts of any minister of religion in connection with communications made by or to him in his professional capacity, without the consent of the parties to such communications; to the Committee on the District of Columbia.

By Mr. JOHNSON:

H. R. 8471. A bill to amend the Migratory Bird Hunting Stamp Act of March 16, 1934, to provide for the reallocation of receipts from the sale of migratory bird hunting stamps, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ULLMAN:

H. R. 8472. A bill granting the consent of Congress to the Klamath River Basin compact between the States of California and Oregon, and for related purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARING:

H. R. 8473. A bill to prohibit residence requirements as conditions for eligibility under State plans for aid to the blind; to the Committee on Ways and Means.

By Mr. BONNER:

H. R. 8474. A bill to promote boating safety on the navigable waters of the United States; to provide coordination and cooperation with the States in the interest of uniformity of boating laws, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BURNS of Hawaii:

H. R. 8475. A bill to permit the Legislature of the Territory of Hawaii to enact legislation relating to public lands; to the Committee on Interior and Insular Affairs.

H. R. 8476. A bill to amend the Hawaiian Homes Commission Act, 1920, to extend the period of tax exemption of original lessees from 5 to 7 years; to the Committee on Interior and Insular Affairs.

H. R. 8477. A bill to amend section 77A of the Hawaiian Organic Act relating to the post auditor; to the Committee on Interior and Insular Affairs.

H. R. 8478. A bill to amend section 207 of the Hawaiian Homes Commission Act, 1920, to permit the establishment of a post office on Hawaiian home lands; to the Committee on Interior and Insular Affairs.

H. R. 8479. A bill to amend the Hawaiian Organic Act to lower the voting age of citizens of the Territory of Hawaii to 20 years; to the Committee on Interior and Insular Affairs.

H. R. 8480. A bill to amend the Agricultural Act of 1949 to provide that coffee shall be treated as a basic agricultural commodity; to the Committee on Agriculture.

H. R. 8481. A bill to amend title IV of the Agricultural Act of 1956 to provide that the provisions of such title shall apply to Hawaii; to the Committee on Agriculture.

H. R. 8482. A bill to authorize the Commissioner of Public Lands of the Territory of Hawaii to exchange certain public lands for private lands of equal value required for public highway purposes; to the Committee on Interior and Insular Affairs.

H. R. 8483. A bill to authorize the extension of leases of certain lands in the Territory of Hawaii; to the Committee on Interior and Insular Affairs.

H. R. 8484. A bill to amend section 373 of title 28 of the United States Code to extend the application thereof to the judges of the circuit courts of the Territory of Hawaii; to the Committee on the Judiciary.

H. R. 8485. A bill to amend the Hawaiian Organic Act to provide for leasing of public lands; to the Committee on Interior and Insular Affairs.

By Mr. COAD:

H. R. 8486. A bill to amend the National School Lunch Act to increase the minimum protein requirements for lunches provided under that act; to the Committee on Education and Labor.

By Mr. DIXON:

H. R. 8487. A bill to amend the Packers and Stockyards Act, 1921, as amended, regulating interstate and foreign commerce in livestock, livestock products, dairy products, poultry, poultry products, and eggs, to clarify the jurisdiction of the Secretary of Agriculture thereunder, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN of Pennsylvania:

H. R. 8488. A bill to amend title II of the Social Security Act to include the Port of New York Authority with the States and political subdivisions which are permitted to divide their retirement systems into two parts so as to obtain social security coverage, under agreement, for only those employees of the Port of New York Authority who desire such coverage; to the Committee on Ways and Means.

By Mr. SPRINGER:

H. R. 8489. A bill to provide for systematic reduction of the public debt; to the Committee on Ways and Means.

By Mr. THOMPSON of Texas:

H. R. 8490. A bill to amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments; to the Committee on Agriculture.

By Mr. CANNON:

H. J. Res. 391. Joint resolution making temporary appropriations for the fiscal year 1958, and for other purposes; to the Committee on Appropriations.

By Mr. HIESTAND:

H. Con. Res. 212. Concurrent resolution establishing a Joint Committee on Foreign Aid; to the Committee on Rules.

By Mr. MADDEN:

H. Res. 305. Resolution to express the sense of the House of Representatives with respect to radio and television broadcasts of interviews with official representatives of Communist and Communist-dominated countries; to the Committee on Interstate and Foreign Commerce.

By Mr. MERROW:

H. Res. 306. Resolution creating a select committee to conduct an investigation and study of factors responsible for increasing the cost of living; to the Committee on Rules.

By Mr. DOYLE:

H. Res. 307. Resolution to amend rule X and XI of the Rules of the House of Representatives; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mrs. CHURCH: Memorial of 70th General Assembly of the State of Illinois urging the modification or denunciation of the provisions of the NATO Status of Forces Treaty and all other agreements which surrender to foreign nations criminal jurisdiction over the United States Armed Forces, their civilian components and the dependents of each; to the Committee on Foreign Affairs.

By the SPEAKER: Memorial of the Legislature of the State of Pennsylvania, memorializing the President and the Congress of the United States to enact Senate bill 964, known as the area redevelopment bill; to the Committee on Banking and Currency.

Also, Memorial of the Legislature of the Territory of Hawaii memorializing the President and the Congress of the United States to amend the Hawaiian Organic Act by adding a new paragraph to section 80 thereof; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAKER:

H. R. 8491. A bill for the relief of Frieda Bergmann; to the Committee on the Judiciary.

H. R. 8492. A bill for the relief of John Timothy Livingston; to the Committee on the Judiciary.

By Mrs. BOLTON:

H. R. 8493. A bill for the relief of Dr. Anny Katan; to the Committee on the Judiciary.

By Mr. BOSCH:

H. R. 8494. A bill for the relief of Olga Sagi Szentirmai; to the Committee on the Judiciary.

H. R. 8495. A bill for the relief of Alfonso Cava; to the Committee on the Judiciary.

By Mr. CURTIS of Massachusetts:

H. R. 8496. A bill for the relief of William H. Pearlmutter; to the Committee on the Judiciary.

By Mr. HESS:

H. R. 8497. A bill for the relief of Robert J. Roncker; to the Committee on the Judiciary.

By Mr. HOLLAND:

H. R. 8498. A bill for the relief of Mrs. Cynthia Helene Estner; to the Committee on the Judiciary.

By Mr. KEATING:

H. R. 8499. A bill for the relief of George Olichwer; to the Committee on the Judiciary.

By Mr. MINSHALL:

H. R. 8500. A bill for the relief of the Fawick Corp.; to the Committee on the Judiciary.

By Mr. O'NEILL:

H. R. 8501. A bill for the relief of Jaime R. Gutierrez; to the Committee on the Judiciary.

By Mr. PATMAN:

H. R. 8502. A bill to provide for the reconveyance of certain real property heretofore acquired by the United States for the Texarkana Dam and Reservoir project, to B. R. McCarley, Texarkana, Ark.; to the Committee on Public Works.

By Mr. VORYS:

H. R. 8503. A bill for the relief of Mrs. Gertrude E. Shetler; to the Committee on the Judiciary.

By Mr. WALTER:

H. J. Res. 392. Joint resolution for the relief of certain aliens; to the Committee on the Judiciary.

H. J. Res. 393. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain persons; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

299. By the SPEAKER: Petition of the president, Northwest Texas Conference of the Methodist Church, Dallas, Tex., petitioning consideration of their resolution with reference to requesting enactment of the legislation now pending before the Congress of the United States to ban the serving of alcoholic beverages to airline passengers; to the Committee on Interstate and Foreign Commerce.

300. Also, petition of the chief clerk, city Council, Philadelphia, Pa., petitioning consideration of their resolution with reference to requesting that every attempt be made to prevent the Federal Government from abandoning the Salk antipolio vaccine program; to the Committee on Interstate and Foreign Commerce.

301. Also, petition of the county clerk, Wailuku, Maui, T. H., petitioning consideration of their resolution with reference to requesting enactment of necessary legislation to permit the entry into the United States of America as nonquota immigrants, the wives and minor children of the nationals of the Republic of the Philippines; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

The Supreme Court

EXTENSION OF REMARKS
OF
HON. USHER L. BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. BURDICK. Mr. Speaker, the decision of the Supreme Court of the United States in the Jencks case, holding in substance that the files of the FBI must be turned over to any defendant who is tried on charges investigated by that organization, threatens its usefulness and efficiency to a very great degree. For all practical purposes this puts the FBI out of business, and will also prevent convictions.

If a defendant has the files, he will naturally be in possession of the names of those who have cooperated with the FBI, and many of the persons who have given it information will not be living when the trial is completed. When a great number of these informers are shot down or pushed out of a 14-story window, new informers will hesitate to pass their knowledge on.

If we had lawyers sitting on the Supreme Court instead of professors and lecturers, this thought of squelching informers would have occurred to them. Just ask yourself how many experienced trial lawyers are on that Court.

In prosecuting liquor-running cases in the Federal Court in North Dakota I very often found it necessary to not call an important witness at all. I knew perfectly well that if he testified in open court against the defendant his life would not be worth a nickel. I therefore took his story in confidence, got the general line of the defendant's action and then proved my case by the witness I did not call. With all the precautions I took to protect the lives of witnesses, one that I did not call was shot down anyway because the defendant surmised that this witness had given me information.

Now, after this decision of the Supreme Court which opens the FBI files to a defendant how easy it will be for the defendant, who is usually befriended by a gang, to have this witness show up in a wooden box. I don't think that any member of the Supreme Court who supported this decision intended to make it possible for arch criminals to suppress the evidence against them by murder, but what they decided in that opinion had the effect of making witnesses easy marks for an assassin.

One of the very reasons why J. Edgar Hoover has been such a tower of strength in the prosecution of Federal violators is that he never went back on his word with an informant and made certain that he had all the protection possible from the revenge of underworld gangs. He never exposed any witness to risks that might take his life.

The majority of the Supreme Court evidently never thought of this, and as the matter now stands, witnesses are going to volunteer nothing to Mr. Hoover, as they will consider their lives more important than to give him information which will all be disclosed to the defendant before the trial begins.

This decision encourages crimes. It encourages the underworld, and it is a blow to law enforcement. Congress should immediately pass an act setting aside this opinion, which it has the power to do.

A few good lawyers on the Supreme Court would not do a bit of hurt at this time. No good lawyers who knew beans about criminal trials would ever have signed the opinion in the Jencks case.

Supreme Court

EXTENSION OF REMARKS
OF
HON. ROBERT L. F. SIKES
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. SIKES. Mr. Speaker, I am today introducing two measures designed to curb growing encroachments by the Supreme Court in the fields traditionally and historically reserved to the States and to stop incursions by the Court in the sphere of social and other legislation.

These measures were inspired by the Florida Legislature which passed memorials to Congress recommending passage of the two bills.

One bill proposes "an amendment to the Constitution of the United States which would provide that the powers reserved to the several States by the 10th amendment to this Constitution shall be construed to include, but not be limited to, power to enact laws to promote the public peace, safety, and welfare and to provide for good order, education, and harmonious race relations therein. In these enumerated fields, except where the Congress of the United States by legislation provides expressly to the contrary, the laws of each State shall govern."

The other measure would provide that "the Senate of the United States shall comprise a court with final appellate jurisdiction to review decisions and judgments of the Supreme Court of the United States where questions of the powers reserved to the States, or the people, are either directly or indirectly involved and decided and a State is a party or anywise interested in such question involved and decided. The Senate's exercise of such final appellate jurisdiction shall be under such rules and regulations as may be provided by the Senate, including the time within which appeals shall be taken. A decision of the Senate affirming, modifying, or reversing a decision or judgment of the Supreme Court of the United States shall be final."

After passage by the Congress both would require ratification as an amendment to the Constitution by the legislatures of three-fourths of the States.

The massive invasion by the Supreme Court into the field of sociological experiment and its obvious naivete in decisions dealing with the dangers of communism require that Congress step into the breach before irreparable damage is done.

Congressman Lane Supports H. R. 4 Providing Increased Annuities for Retired Federal Employees

EXTENSION OF REMARKS
OF
HON. THOMAS J. LANE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. LANE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my statement before the House Committee on Post Office and Civil Service on June 29 in support of legislation to increase annuities for retired Federal employees:

STATEMENT OF CONGRESSMAN THOMAS J. LANE BEFORE THE HOUSE COMMITTEE ON POST OFFICE AND CIVIL SERVICE, IN SUPPORT OF LEGISLATION TO INCREASE ANNUITIES OF RETIRED FEDERAL EMPLOYEES, JUNE 29, 1957

Mr. Chairman, 139 identical bills to provide annuity increases for all those Government workers who were "pensioned off" before last fall, is evidence of the overwhelming support for H. R. 4.

The legislation passed in 1956, to increase annuities for those retiring after October 1,

1956, added part of another ceiling to the civil service retirement system, but neglected to complete the job. H. R. 4 will remedy that inequity by providing higher coverage for all those retired in the years before October 1, 1956.

To do less than this would be a cruel breach of faith.

The men and women who gave 30 or 40 years of devoted service to the Federal Government, in the expectation of receiving an adequate annuity, have suffered from the gradual attrition of their annuities. The steady increase in the cost of living, has left their fixed pensions far behind. The social security contract that we made with them, has not been fulfilled. In many cases, this has resulted in actual hardship, and in all cases it has deprived them of peace of mind.

It is this depreciation in the value of their pensions that has resulted in an unfortunate situation which we intend to correct.

As the span of human life is lengthening, and increasing millions of our people are living on retirement, this raises social and economic problems that must be met, in the national interest. The needs, and the purchasing power of this group cannot be neglected without danger to the general welfare.

Furthermore, what we do here will be observed by, and will have an effect on the morale of all Federal employees. Realistic adjustments to meet changing conditions, are necessary to maintain the good faith implicit in the United States civil service retirement system.

The cramped retirement dollar is not what it used to be.

It has lost in purchasing power, as prices have gone up.

Barring a major economic setback, which no one expects, it looks as if we are in for a long period of gradual inflation.

Those living on fixed incomes, become the casualties of this trend, unless the Government provides increases in public pensions to keep the purchasing power of their retirement income at full value in relation to the cost of living. By this precedent, we hope that private retirement plans will make the same accommodation to the economic facts of life.

The escalator clause providing for automatic increases in wages to offset the rise in the cost of living, is basic to the contract between labor and management in several of our larger industries.

In principle, we should apply this thinking to our legislation regarding the retirement system for Federal employees.

Although it might be impractical to legislate such a formula, we are nevertheless, duty-bound to make upward revisions in retirement rates, to keep faith with the annuitants, in response to the faith they placed in us.

The sliding scale arrived at in H. R. 4 seems to be the most reasonable solution to the problem.

It ranges from a 25 percent increase of the present annuity for those who retired prior to October 1, 1956, to 30 percent for those who retired prior to October 1, 1951—for annuities which are $1,500 and under. It increases all such annuities in excess of $1,500 by 10 percent. It limits such increases to $750 per year, and excludes for computation purposes the amounts purchased by voluntary contributions. Provides that all such increases operate to increase the annuities of survivors.

The virtue of this bill is that it provides proportionate adjustments in a fair manner, and in language that is clear and understandable.

The Civil Service Retirement Fund, financed by 6½ percent contributions from Federal employees (which, incidentally, is much higher than the contributions of employees in private industry to the Social Security fund from which they receive relatively higher benefits) is in sound condition.

This bill requires on or after July 1, 1960, a yearly appropriation to compensate the retirement and disability fund for the extra cost of the increase in annuities. For any fiscal year for which such an appropriation shall not have been made, the proposed increases shall be canceled. But the Congress will be under a firm moral obligation to provide for such compensation to the fund.

Retirement 'security' must be genuine security and protected against depreciation.

The fact that H. R. 4 has already been endorsed via identical bills submitted by almost one-third of the membership of the House, is indicative of the overwhelming sentiment in its favor.

The Congress will increase the annuities of Government employees who retired before October 1. 1956.

To keep faith with them.

Jewish War Veterans of the United States of America

EXTENSION OF REMARKS

OF

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1957

Mr. FULTON. Mr. Speaker, it is a pleasure to call the attention of Congress to the correspondence of the President with Bernard Weitzer, national legislative director of the Jewish War Veterans of America, and to the resolution passed by the national executive committee of the Jewish War Veterans of America urging support of the 1957 mutual security program. At the same meeting the national executive committee of the Jewish War Veterans of America approved the recommendation of their Foreign Affairs Committee, urging full support for the President's budget request for the Armed Forces:

Whereas our organization has for 10 years consistently supported the essential elements of the mutual security program and appropriations fully adequate for the need thereof; and

Whereas the military aid, economic support in the form of loans and grants and technical assistance made available under that program, have strengthened our traditional allies and the independent nations of the world, especially those newly independent since World War II; and

Whereas the results of the mutual security program have inured to our own country's improved military defense and capacity for swift retaliation in the event of any Communist attack; and

Whereas the combination of our own strength and the capacity of the nations which we have aided to withstand the subversive and infiltrating activities of the Communists has served to deter Communist aggression and to frustrate their intent to dominate the world: Now, therefore, be it

Resolved, That the national executive committee of the Jewish War Veterans of the United States of America at its regular meeting in Washington, D. C., May 25–26, 1957, wholeheartedly supports the President's minimum request for funds to carry out the mutual security program as proposed in the President's message of May 21 to Congress and reaffirms its confidence that the dollars thus appropriated will be the most effective expenditure our country can make in achieving a durable, just peace.

JEWISH WAR VETERANS OF THE
UNITED STATES OF AMERICA,
Washington, D. C.

The PRESIDENT,
The White House,
Washington, D. C.

DEAR MR. PRESIDENT: You may recall that when I had the pleasure of visiting you, last year, with our newly elected national commander, William Carmen, we handed to you copies of the resolutions passed at our 61st annual national convention expressing the full support of our organization for the foreign-aid program which you have presented to the Congress in past years. These resolutions included military aid, economic aid in the form of loans and grants, technical assistance through bilateral agreements, as well as contributions to expanded technical-assistance programs of the United Nations and other types of assistance which buttress the strength of the independent nations of the world.

It is a pleasure to read your strong message to Congress setting forth your detailed recommendations for these foreign-aid programs covering fiscal year 1958. According to our convention resolutions, we would have preferred that these outlays be larger than those for 1957 instead of the decrease which you apparently found necessary.

Though we have become accustomed to terming these outlays "foreign aid," our membership is firmly convinced that this foreign aid is one of the strongest elements of our own defense and our own national interest. Dollar for dollar, these outlays contribute more than any other dollars we spend directly for our national defense; and, besides, they insure a greater likelihood of our living in peace.

We sincerely hope that the Congress will share the views and recommendations of our President on this subject and will, overwhelmingly, vote for the minimum appropriation requests you have made.

With all good wishes,

Cordially,

BERNARD WEITZER,
National Legislative Director.

THE WHITE HOUSE,
Washington, May 24, 1957.

Mr. BERNARD WEITZER,
National Legislative Director, Jewish War Veterans of the United States of America, Washington, D. C.

DEAR MR. WEITZER: I deeply appreciate the support you have expressed for the mutual-security program. In this recognition of the importance of strengthening the saving shield of freedom, you and your associates in the Jewish War Veterans of the United States of America give voice to America's determination to stand firmly against the menace of international communism.

Enactment of the proposed economic and military programs will contribute effectively both to our immediate security and to the promotion of peace in the world. Thank you for your clear expression of what you regard as being in the national interest.

Sincerely,

DWIGHT D. EISENHOWER.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1957

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the

RECORD, I include the following weekly newsletter to my constituents for the week concluded June 29:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas)

JUNE 29, 1957.—The Supreme Court decisions this week caused many thoughtful members concern far beyond the legislation under consideration. Decisions results: In Washington a convicted rapist was freed, though guilty by everyone's admission including his own; convicted Communist conspirators were freed, no question of their guilt; the powers of Congress to investigate and to question were curtailed, and Communists immediately flouted the House Un-American Activities Committee's jurisdiction in California hearings; the FBI files were declared open to defendants in criminal trials; vertical stock ownership of one company in another was condemned. There is a pattern emerging to these and earlier rulings by the Court which should concern every American. The reversal of time-honored rulings has the effect of new legislation, much as if Congress had passed new laws. The overriding danger is the aid and comfort given our avowed enemies, including the Communists, who are dedicated to discredit and overthrow our Government. The Supreme Court has bypassed Congress, and lessened its coequal importance. The sentiment is growing that its time for Congress, as representative of all the people, to reestablish its rightful legislative role. This may include quite properly some "pinning back of the ears" of the Supreme Court. Legislation to accomplish this, so far as possible, is being introduced. I shall report more on these bills in the future.

The continuing attack on business and businessmen by the Congress is a surprising matter to me. This is to be expected of Communists and socialists but not by American citizens nor Congressmen representing these citizens. Rather than praise capitalism, profit, stockownership, savings, and the underlying qualities required—initiative, planning, hard work, ambition, sacrifice, individual responsibility, and obligation, we confiscate the property of the most successful (up to 91 percent), denounce capitalism (although anyone with savings is a capitalist if he collects interest), deride bankers (who only invest the savings of others and then pay them interest), and discredit those who succeed. Simultaneously we subsidize those who pressure the Government hard enough for help, at the expense of the taxpayers. At the moment the Interstate Committee is concentrating on the regulation of the natural-gas producers by Federal law, not freeing them, so free-enterprise competition can keep prices down; Government is castigating bigness as though it were a sin, although we get the good things of life materially, like cars and most manufactured goods, from successful big operations (Premerger Notification Act now before committee); public power advocates (Hells Canyon) are trying to replace private business with Government operation; Congress is giving away food hand over fist; Federal public housing is replacing private or local government's efforts. Meanwhile, the Hoover Commission's practical and commonsense suggestions for getting the Government out of business in hundreds of activities are stalled by Congress. Why? What's the answer? Is there a pattern here, too? True, it's all embraced in the liberal's philosophy. Are the Congress and Supreme Court patterns related?

The Small Business Act was passed (1) making the Small Business Administration a permanent Government agency; (2) increasing money for loans; (3) to procure Government contracts; (4) to lower interest rates. I could not accept this emergency program as a permanent addition to the taxpayers' burden. The bill passed 392 to 2. I was 1 of the 2. I protested in this way: "Mr. Speaker, I do not consider this a vote for or against small business or small-business men—I, too, want to help the small-business man, if the Federal Government can do so appropriately. By this vote, I wish to stress that the way to help a small-business man is to return to him some of his tax money which can be done by cutting the size and cost of Government, not by making businessmen dependent on Government, and by such reliance on Government, increasing his taxes to pay for the service. As a Congressman, my views can be expressed in only one way, by the votes I cast. * * * Again, my vote is not a protest against the effort and efficiency of officials of the Small Business Administration, but is against the increasing encroachment of Federal Government in our lives, jeopardizing our very freedom and this includes economic freedom. This bill is a further part of the web to ensnare the people in the bureaucracy of big government. Therefore, I voted against the bill."

The Senate in conference with the House increased the appropriations which the House had cut (Senate, the upper body, always ups the cost), restoring $3½ million to the independent offices appropriation and $23 million to the Health, Education, and Welfare Department, money laboriously saved by the House. Economy? Then, the House failed to limit the Senate's expenditures on their new office building and furniture.

Importation of Firearms

EXTENSION OF REMARKS

OF

HON. LESTER HOLTZMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1957

Mr. HOLTZMAN. Mr. Speaker, I am today introducing a bill which would prohibit the importation into the United States of certain firearms.

I had introduced similar legislation in the 83d and 84th Congresses, but these measures prohibited only the members of the armed services and their dependents from bringing into this country pistols, revolvers, and other types of small firearms. The Department of the Army had submitted an adverse report on this legislation, primarily due to the fact that it was felt that the bill would be discriminatory toward military personnel and their dependents.

This year I have eliminated the provision restricting the ban to members of the Armed Forces only, and have asked that the prohibition be extended to everyone—civilian and military alike—who would bring such weapons into the country.

I have been in touch with many law-enforcement officers throughout the United States, and the vast majority of them have endorsed the legislation and have agreed that any attempt to keep dangerous weapons out of the hands of criminals, potential criminals, children, and irresponsible individuals should receive the full support of all those interested in combating crime, and lessening the occurrence of tragedy which results when some of these guns are accidentally fired. Our own district attorney, in Queens County, N. Y., one of the most heavily populated counties in the country—the Honorable Frank D. O'Connor—has agreed with me that the supply of illicit weapons should be stopped at its source, and fully supports the proposed measure.

Statistics have shown that as many as 50,000 of these contraband weapons have been brought into the United States on just one troopship returning from the European theater. Multiply that by the number of troopships and the number of civilians bringing such weapons into the country and we have an astounding figure.

I have been informed that in one county of New York City as much as 75 percent of the crimes of violence have been and are being committed with these so-called souvenirs. Every day we read in the papers or hear over the radio and television of tragic accidents which occur, and crimes which have been committed with these weapons.

I feel that something should be done to curb the easy accessibility of these guns, and I feel that this proposed legislation, together with efforts made on the local level, will do much to bring about a reduction in crimes, and to minimize future accidents which maim or kill so many individuals.

Mr. Dulles and the China Situation

EXTENSION OF REMARKS

OF

HON. USHER L. BURDICK

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1957

Mr. BURDICK. Mr. Speaker, I heard the speech made by Secretary Dulles at San Francisco, concerning Red China and the proposal to admit that country into the United Nations, and the proposed abandonment of the non-Communist Chinese, who are now members of the United Nations.

This was a very well-thought-out speech, and I hope the administration will not yield to any appeasement in pursuing this policy. If and when the Red Chinese are admitted to the United Nations it will be the time for us to withdraw from it. With Red China and Russia members of this organization these two nations will control it.

Both of them are aggressors, and have been so branded by the U. N.; yet if Red China is admitted, the control of the organization to preserve peace will be under the complete domination of these aggressors. The U. N. ostensibly exists for the preservation of world peace, yet the two major nations—with Red China in—will control the U. N., and will be doing just the opposite of what it was organized for. This arrangement will simplify matters, for the Russians then can commit acts of aggression and invasion, and this peace organization will approve that action.

Mr. Dulles sees this situation clearly, and he is to be congratulated for the utterance of these views. Let us hope

that the destructive element of appeasement will not intervene to change our stand. The day of appeasement is past. Appeasement has made many million prisoners, and there will be no Free World as long as we surrender any part of our policy to that weak sentiment of conciliation.

Why are the people of Hungary, Czechoslovakia, Poland, and the Baltic States prisoners today? The answer is appeasement, which was first initiated by the Prime Minister of England, Chamberlain. He justified his action for what he called "peace in our time." We appeased Stalin at Yalta and Russia again at Potsdam. If we had stood our ground then there would be no East and West Germany today, but one nation, and a tower of strength against communistic aggression. We could have done more then than it is possible to do now, but continued appeasement will open the gates to a flood of communism flowing to every corner of the globe.

If the Dulles speech is an expression of the attitude of the administration, then I say we are on the right track.

Speaking of Liberty

EXTENSION OF REMARKS
OF
HON. JOHN V. BEAMER
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. BEAMER. Mr. Speaker, in my newsletter No. 13 released on June 19, 1957, I reported on one subject as follows:

Speaking of liberty, Soviet Communist Party boss, Nikita S. Khrushchev, on the precedent making TV interview seen in the United States on Sunday, June 2, said that eventually the United States of America will go Socialist.

Let's show him. We should be concerned with the avowed Socialist or the card-carrying Communist, but we must be more fearful of those people and of those groups that knowingly or unwittingly espouse and promote doctrines and programs that are socialistic.

What is government ownership but socialism?

As an example, certain individuals and groups seem to be attempting to make a campaign issue out of Hells Canyon where private industry was authorized to build certain dams. Repeatedly, there are voices heard in the Congress (I read the CONGRESSIONAL RECORD daily) that prefer Government ownership of this project. Some of these people also cry against the accelerated tax amortization permitted under the law to the private corporation that is constructing these dams. Thousands of tax benefits of this nature have been granted for years and all of this, in turn, has returned millions of dollars in taxes to the Government. If the Government built and owned the dams, no taxes would be returned and the taxpayer would feel another enormous gouge in his pocketbook.

President Eisenhower, answering a newsman's inquiry about Mr. Khrushchev's remark, replied that, during the 3½ years that remained in his term, he would pledge continued opposition to the advance of socialism.

Hundreds of Government operations that formerly competed with privately owned industries have been closed, but there are many more that continue as a burden on the taxpayer. The accumulation of Government-owned businesses has helped to increase the budget—all inheritances from previous Congresses.

In 1953, it was found by the new administration that the Federal Government was engaged in some $40 billion worth of business ventures, including baking, furniture making, sawmill operations, ropemaking, dry cleaning, and others too numerous to mention. Since that time, many of these activities have been sold or terminated. The Defense Department alone has closed some 250 business-type activities and plans to halt many more. This program, if continued in all departments, will put this previously tax-exempt business on the tax rolls—and will help to reduce your taxes—and help to stop socialism in the United States of America.

If this principle is followed, there will be no more socialism in the United States of America.

Since that time I have read the debate and noted the results of the voting of the Senate that would place the Federal Government in the position of building and owning this Hells Canyon Dam. At the same time, some newspapers carried pictures of certain Senators expressing jubilation at the outcome of the Senate vote.

That expression is their privilege but it is not my conviction. My job and jubilation will be expressed when the House of Representatives rejects this action of the other body. If, for purely political reasons, it could happen that the majority in the House unfortunately would concur, then my faith will be placed in the veto that the President possesses.

I feel confident that he does not want any more socialism. I know that I do not want. Let Mr. Khrushchev keep his socialism in Russia.

Illness has kept me absent from recent sessions. I hope by all means that the doctors will permit me to return to vote against this further gouge of the taxpayer and against any further advance of socialism.

The Onassis Contract With the Maritime Commission

EXTENSION OF REMARKS
OF
HON. HERBERT ZELENKO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. ZELENKO. Mr. Speaker, the distinguished chairman of the Merchant Marine and Fisheries Committee, the Honorable HERBERT C. BONNER, of North Carolina, has indicated that he will call for the appearance of Secretary of Commerce Weeks and Secretary of the Navy Gates before the committee, of which I am privileged to be a member, to elicit from either or both of these distinguished Cabinet officers pertinent testimony to help the Congress and the people of the United States to find out whether there is any policy of national defense relating particularly to maritime matters which will protect the interests of this country in time of emergency.

Recently the Merchant Marine Committee concluded hearings on the so-called trade-out-and-build policy of the Maritime Administration, which permits the transfer of American vessels to foreign flag. During the course of the hearings, it became apparent that in many instances the interests of the United States were not being fully protected.

In the matter of the trade-out-and build contract between the Maritime Administration and one Aristotle Onassis, a purported Greek shipowner, there was involved a $200-million windfall to this person.

After hearings before the committee, the Maritime Administration agreed to revise and amend the Onassis contract and to tighten up its provisions so that any losses to this country in the matter of defense, taxes, and American labor would be minimized or mitigated.

During the course of the hearings, which were particularly illuminating, the looseness and laxity of certain of the negotiations and provisions of the Onassis contract became apparent. I repeatedly warned that the best interests of the United States were not being served in dealing with Onassis, especially since he had already been in difficulty with our Government.

In the Washington Daily News of Monday, July 1, 1957, there appears an article which is of the utmost significance. Apparently the very ships which were the subject of the recent hearings are to be a part of a transaction with Colonel Nasser, of Egypt, in the joint program of Nasser and Onassis to build a pipeline in Egypt to freeze out United States interests.

When we consider that Russian arms and Russian technical help are being sent into Egypt, when it is further considered that Nasser is pro-Communist and anti-Western, the inescapable conclusion must be reached that the United States and its Western allies will have no effective control whatsoever of any of the vessels being permitted to be transferred or any of the vessels flying the flag of the Onassis interests. With Russia controlling Egypt by arms and military, it is obvious that none of the Onassis ships, whether directly owned by him or under his control, will ever be permitted to wander too far from the Soviet reach.

In view of this latest development, I have written to the Maritime Administration to halt all proceedings under its contract with Onassis; and I shall ask my distinguished chairman, Representative BONNER, to determine what, if anything, the Maritime Administration knows of the article which follows:

DEAL WITH NASSER: ONASSIS BACKS SUEZ PIPELINE

CAIRO, July 1.—President Gamal Abdel Nasser teamed up today with Greek tanker magnate Aristotle Onassis to build a Suez to Port Said pipeline—Colonel Nasser's biggest coup since nationalization of the Suez Canal.

The $37 million project will take about a year to complete. The pipeline will have an initial capacity of 500,000 barrels per day.

Huge supertankers—too big to use the Suez Canal—would load oil in the Persian Gulf, and unload it into the pipeline at Suez. Other supertankers would reload at the Port Said terminus, 102 miles away.

The project would allow Mr. Onassis to use his fleet of supertankers, including the 47,000-ton King Saud I instead of having to send it around the Cape of Good Hope.

Mr. Onassis flew to Cairo Thursday and began immediate talks with Hasan Ibrahim, head of the canal organization.

Mr. Onassis has been plugging for a Suez pipeline since 1954 when he built the King Saud I and found it was too big to move through the canal.

Construction of the pipeline would dull the edge of present Western plans to build various Middle East pipelines to reduce Western Europe's dependence on the Suez Canal.

The project also would diminish the importance of any Israeli pipeline between Eilat on the Gulf of Aqaba and some Mediterranean port.

Informed sources said plans call for establishment of an Egyptian joint stock company holding a 12-year concession to build and operate the pipeline. Sixty percent would be held by the Egyptians and 40 percent by foreigners, chiefly Mr. Onassis.

At expiration of the concession period Egypt would take over full operation. In the meantime the Egyptian Government would receive 50 percent of the collected charges as royalty.

Panama Canal: Capacity Reduced by Water Shortage

EXTENSION OF REMARKS
OF
HON. CLARK W. THOMPSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. THOMPSON of Texas. Mr. Speaker, in my remarks in the CONGRESSIONAL RECORD of June 4, 1957, I commented at some length on the possibility of the capacity of the Panama Canal being threatened by shortage of water for Gatun Lake incident to the current prolonged and severe dry season in the Canal Zone. A special dispatch from Balboa, C. Z., published in the June 28, 1957, issue of the New York Times, indicates that this fear has now materialized, with notification to shipping companies of draft limitations for ore carriers and supertankers.

No doubt this depletion of water, after the rainy season gets under way, will pass by. But it is well to remember that there is a periodic cycle of excessively dry years in the Canal Zone and more water crises will develop in the future. These may be considerably aggravated by the steadily increasing traffic, which is now at its highest point in history with more than 8,320 transits in the fiscal year 1957.

It is fortunate that the water problem has long been foreseen by far-visioned Panama Canal engineers. The construction of the Madden Dam and power project in the 1930's was an important step toward its solution, but now it appears that the project is not enough to meet future needs of interoceanic transit.

The attention of the Congress is invited to the thoughtful article, "The Panama Canal: A Challenging Problem for the United States," by William R. McCann, E. Sydney Randolph, Edward C. Sherman, and William G. B. Thompson, all experienced engineers with Panama Canal, subsequent business, and other civilian experience. This article was published in a statement by Senator THOMAS E. MARTIN, of Iowa, to the United States Senate in the CONGRESSIONAL RECORD of January 17, 1957.

One of the points stressed by these independent engineers in listing the principal marine problems of the Panama Canal is the limited operating range of the Gatun Lake water level (87–82 feet). In meeting this difficulty they propose to raise the summit water level to its optimum height, approximately 92 feet, thereby deepening the channel and providing more water for lockages.

Thus, the current water crisis of the Panama Canal is a danger signal that dramatizes the entire canal problem, of which the summit water level height is but a single element. Together with its other problems, the canal situation calls for a program of major improvement of the waterway and not for mere treatment of symptoms.

The questions involved in the canal policy problem are too grave to be saddled on routine administrative officials, but must be assumed by the Congress, which is the ultimate authority.

Again I wish to stress the necessity for early action on pending measures to create an independent Interoceanic Canals Commission to make a complete and up-to-date study and to advise the Congress in the premises. The growing traffic at Panama demands this course, which, as stated many times previously, I still believe to be the only means whereby this vital question of policy can be adequately resolved in the best interests of the United States as a whole.

The indicated special dispatch follows:

DRAFT CURBS SET ON PANAMA CANAL—LOW WATER LEVEL LEADS TO LIMITATION ON BIG TANKERS AND ORE CARRIERS

BALBOA, C. Z., June 27.—Shortage of water for operating the Panama Canal has necessitated notification to shipping agencies that draft limitations for certain vessel types—such as ore carriers and supertankers—must be lowered about 6 inches.

Abnormal lack of rain in Gatun Basin and unusually heavy traffic have combined to lower the lake level from 85 or 87 feet to 82.

Temporary limitation on the draft for heavy, cumbersome ships will continue until the level reaches 83 feet.

The limitation does not preclude the transit of such ships but may cut their loadings. Relatively few ships are affected. The lake level today was only 8 inches above the record low since the canal was opened. A low of 81.39 was recorded in May 1926, and again in May 1933. But traffic was lighter then. Also, ships required smaller, shallower draft. Hence today's water shortage is more critical than that of the 1930's.

Only the continued lack of rain for 2 more weeks could drop the lake level to a new low.

Each ship in transit results in a loss of 52 million gallons of water to the canal—enough to supply the population of a city of a half-million people for a day. An average of 26 ships passed daily during May.

The water shortage also forced the canal to cut the use of its hydroelectric plants and switch to emergency diesels. Some diesel power has been used since early May. This week another diesel station was placed on 24-hour operation to save water.

Statement in Support of Increased Annuities for Retired Federal Employees, H. R. 3245

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. MULTER. Mr. Speaker, the following is my statement in support of my bill, H. R. 3245, before the House Post Office and Civil Service Committee, Subcommittee on Retirement Bills, on June 29, 1957:

STATEMENT OF REPRESENTATIVE ABRAHAM J. MULTER, DEMOCRAT, NEW YORK, BEFORE THE HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE, SUBCOMMITTEE ON RETIREMENT BILLS, JUNE 29, 1957

Mr. Chairman and members of this distinguished committee, I am glad to be able to appear before this committee in support of my bill, H. R. 3245, which will provide relief for our hard-pressed retired Federal civil servants. Your committee is familiar with the particular problems of the people who had already retired when the liberalizations in the Civil Service Retirement Act became effective in the fall of last year. Truly, the retired civil annuitant has become the forgotten man in retirement act improvements.

Implicit in the debate surrounding the passage of the Civil Service Retirement Act amendments of 1956 was the idea that similar legislation would be enacted for persons already on the retirement rolls. Indeed it was stated in the Senate that the only reason increases for retired annuitants were not included in the amendments was because it was felt that in the interest of all concerned—both active employees and present annuitants—it would be better to keep the two bills separate. Thus, in my view, when we voted an increase for active employees last session we were accepting the responsibility of making sure that people who had already retired would receive equal consideration.

My bill would provide increases for most annuitants of 22½ to 30 percent. These increases are necessary, I believe, because of the grossly inadequate benefits which so many former civil servants are now receiving. The figures speak for themselves. Almost 40 percent of present civil-service annuitants are trying to exist on benefits of less than $100 a month. The condition of the widows and orphans of deceased workers is even more desperate; 90 percent of the payments of survivors' benefits are less than $100 per month, and 57 percent are less than $50 per month.

The situation of retired annuitants was forcefully brought to my attention by a resolution of the New York State federation of chapters of the National Association of Retired Civil Employees at their convention held in Rochester, N. Y., in April of this year. The resolution cites a report carried in the U. S. News & World Report of August 3, 1956, which shows that "after an analysis of 35 groups which represented approximately 95 percent of our population, it was found that all these groups, based on

1939 income, were receiving larger real income, the increases ranging from 4 to 107 percent. However, the report carried the further shocking figure that civil retirees were down 13 percent, or in other words, were receiving 13 percent under the 1939 level."

The comment of the United States News & World Report—which is certainly impartial on this question—is very much to the point of our discussion here today. That magazine concluded, "People living on pensions are in trouble, unless their pensions are increased as the cost of living rises. This rarely happens. Payments to retired workers, for example, are adjusted by Congress only occasionally. Last year (1955) these payments were increased an average of 10 percent, but this still left retired workers worse off than in 1939."

Since this article appeared conditions have worsened. It is a matter of public record that the cost of living has continued to rise to record highs for every month since this report was made. In August 1956 it stood at 114.5. Today it has risen to 119.6—an increase of more than 5 percent. These facts, I believe, are impressive testimony to the urgent necessity for action on this bill in this session of Congress.

Finally, I am particularly desirous of your enacting the provision in the bill which grants annuities to the widows of employees who retired or died prior to April 1, 1948. These unfortunate women have been denied benefits merely because the civil service retirement system had made no provision for survivor benefits at that time. Simple equity seems to call for action on behalf of these widows, and this can be accomplished at a very reasonable cost.

I appreciate the opportunity to appear before this committee in support of this important legislation, and hope that you will see fit to take early action.

Revision of Federal Firearms Regulations

EXTENSION OF REMARKS
OF
HON. ROBERT L. F. SIKES
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. SIKES. Mr. Speaker, I have been receiving numerous letters of opposition to the proposal advanced by the Alcohol and Tobacco Tax Division, Internal Revenue Service, for the revision of the Federal firearms regulations, scheduled to be effective in the next few months.

If the proposal, as it now stands, is imposed on the firearms and ammunition dealers, it will work serious hardship, especially on the smaller dealers. One point in the proposal requires ammunition dealers to keep complete records on pistol and revolver shells. To maintain these records, it will necessitate additional help, time, and money for most dealers and manufacturers. Information which will be required for these records include: Name of manufacturer, type of shell, caliber and quantity, and, the identity of the person from whom the shell was received and the signature of the person to whom it was sold. This appears to me to be a regulation which is completely unnecessary.

There are other points within these proposals which are causing considerable concern, not only by dealers, but by manufacturers of firearms and ammunition as well.

In view of these and other facts, I have requested that these regulations not become effective until such time as Members of Congress have had ample time to study the revisions proposed and to be heard on them. It is my opinion that additional time is needed for further study by all concerned so that more favorable proposals can be worked out which will be acceptable to those affected.

The Internal Revenue Service has announced that a public hearing will be held on the proposed revision of Federal firearms regulations on August 27. Since Congress probably will have adjourned by August 27, it will not be possible for the greater number of us to be present because of scheduled activities in our own district; therefore, it is my hope that the hearing may be postponed until early in 1958 at which time the Members of Congress who desire to be heard will have an opportunity to do so.

Artificially Fattened Poultry Sold for Food May Be Poisonous

EXTENSION OF REMARKS
OF
HON. USHER L. BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. BURDICK. Mr. Speaker, in previous news releases I have issued I pointed out that estrogen pills inserted in animals and poultry for fattening purposes are on the suspect list of dangerous food additives, as found by the International Union Against Cancer meeting held in Rome, Italy, in August of 1956.

That is only part of the story. Recent events have pointed up the need for a compulsory poultry inspection bill similar to the compulsory red meat inspection bill enacted in 1906.

The Delaney committee found that in 1950 a chemical known as diethylstilbestrol, in 15 milligram pellets, was used on about 30 million chickens, and that its use was on the increase. A mechanical injector, similar to a hypodermic syringe, implants the pellets in chickens' necks just below the head. They are used purely for monetary reasons in the belief that they will step up the rate of growth as much as 20 percent, and cause a more even distribution of fat. This chemical, said the Delaney committee, is so potent and dangerous that it cannot be purchased in drugstores without a physician's prescription. The testimony of experts is conflicting concerning the safety of human absorption of the flesh of such treated poultry. Therefore, I ask, why should the doubt about its harmful effects be resolved in favor of its use, when scientists and so-called experts are sharply divided as to its long-range harmfulness on human health?

In 1952, 50,000 pounds of such treated chickens were condemned by the Food and Drug Administration as unsafe for human consumption. Sixty percent of the sampled chickens contained unabsorbed portions of these pellets in areas of the neck which would remain with the consumer after normal severance of the head from the carcass. There was evidence before the Delaney committee that the fat of fowl treated with stilbestrol differed chemically from that of normally fattened birds, and that it was watery and inferior culinarily; and there was additional evidence that the fat of birds so treated contained greater deposits of fat than the flesh of non-treated birds. There was also evidence that male birds so treated rapidly lost many male characteristics; combs, wattles, and reproductive organs shriveled, and the propensity for crowing and fighting disappeared.

The above facts stress the need for a compulsory poultry-inspection bill. Such a bill—S. 1747—recently passed the Senate. Its counterpart—H. R. 6814—was recently favorably reported by the House Agriculture Committee. Such a bill would tend to prevent the processor, or the dealer in such contaminated poultry from sending it into the channels of interstate commerce.

Why should not the meat of poultry which has been treated with estrogens be labeled so as to reveal that fact? Why should not restaurants serving such estrogen-treated food be required to advise customers by proper means so that they will know what they are eating and the risk being taken? Why should not the processors of such estrogen-treated poultry be required to prove beyond a reasonable doubt that such poultry is safe for human consumption before they should be permitted to sell it?

The facts cited above furnish potent support for the passage of my House Resolution 212—which is now before the Rules Committee—so as to procure proper strengthening of the Food, Drug, and Cosmetic Act of 1938.

Industrial Area Redevelopment

EXTENSION OF REMARKS
OF
HON. LOUIS C. RABAUT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. RABAUT. Mr. Speaker, under leave to extend my remarks, I should like to say that it is a matter of deep satisfaction to me, to the other members of the congressional delegation from the greater Detroit area and, I am sure, to many other Members, to know that the chairman of the Banking and Currency Committee, Mr. SPENCE, of Kentucky, has given assurance that the bills which many of us have introduced to provide for area redevelopment, both in industrial centers and in rural sections, will be the subject of committee hearings early in the 2d session of the 85th Congress, beginning January 1958.

Likewise, we are greatly heartened by the interest and support which the

Speaker has given this important matter which vitally affects millions of American families, thousands of American businesses and virtually every State in the Nation.

Recently it was my privilege to take part in a conference with the chairman of the Banking and Currency Committee and the Speaker at which a delegation representing more than 310,000 auto workers and their families in the Detroit area described that area's industrial blights, the obsolete multistory factories and outmoded facilities, and the need for Federal assistance in the way of loans and grants to clear away industrial slums and housing slums so that modern plants may be built in the Detroit area which has the world's greatest skilled labor supply in the automotive field. This delegation was composed of George Merelli and Ken Morris, codirectors, UAW region 1, Detroit—East Side—Mich., and Edward Cote and Joseph McCusker, codirectors, UAW Region 1A, Detroit—West Side—Mich.

This delegation reported that the UAW in Detroit area has committed substantial funds as "seed money" to be put into a common effort to develop practical plans for the modernization and redevelopment of the blighted areas of my native city. At this point in my remarks I ask unanimous consent to insert a brief summary of the area redevelopment bill which I have introduced as H. R. 7462 and which has been introduced by Congresswoman MARTHA GRIFFITHS as H. R. 5471, by Congressman MACHROWICZ as H. R. 5205, by Congressman LESINSKI as H. R. 5268, by Congressman DINGELL as H. R. 5302, and Congressman DIGGS as H. R. 7800. Senator MCNAMARA, of Michigan, also has introduced an area redevelopment bill, S. 964:

SUMMARY OF AREA REDEVELOPMENT BILL

1. Purpose: To assist communities, industries, enterprises, and individuals in areas needing redevelopment to expand their productive activity to alleviate excessive and prolonged unemployment and underemployment by providing new employment opportunities and developing and expanding existing facilities and resources without reducing employment in other areas.

2. Organization:

(a) Creates an Area Redevelopment Administration with an Administrator appointed by the President, subject to Senate confirmation.

(b) Creates a national Advisory Committee to assist Administrator.

3. Redevelopment areas defined:

(a) Industrial redevelopment areas are defined as "Those within the United States in which Administrator determines that there has existed substantial and persistent unemployment for an extended period of time."

(b) Rural redevelopment areas are defined as "those rural areas within the United States in which he determines that there exist the largest number and percentage of low income farm families, and a condition of substantial and persistent unemployment or underemployment."

(c) Administrator may designate several counties or municipalities or a part of a county or municipality as a "redevelopment area."

4. Local committees: Once a redevelopment area is determined, local redevelopment committee shall be appointed by Administrator consisting of at least 7 residents of area, representing management, labor, commercial, industrial development, and agricultural groups. Committee shall submit plans and cost estimates for:

(a) Development of resources, processing and marketing facilities of area;

(b) Construction, rehabilitation, and alteration of industrial plants or commercial facilities of area;

(c) Purchase of machinery or equipment for use in area to attract new industry and stimulate economic activity.

5. Loans:

(a) On application approved by a local committee, Administrator may make loans to assist in financing (1) purchase or development of land for industrial usage; (2) construction, rehabilitation, or alteration of industrial plants or other manufacturing, commercial, or processing facilities; and (3) purchase of machinery or equipment for use in area, if he finds borrower will not transfer business operations to such plant so as to effect a significant reduction of employment in any other area within the United States.

(b) One hundred million dollars authorized for making industrial redevelopment loans, on revolving fund basis. One hundred million dollars appropriated for rural redevelopment loans, with limitation of $6 million to any one State, on revolving-fund basis.

6. Assistance to public facilities:

(a) Loan for public facilities: Upon application of any State or political subdivision thereof, Indian tribe, private or public redevelopment organization, Administrator is authorized to make loans to assist in financing purchase or development of land for public-facility usage, and construction, rehabilitation, alteration, expansion, or improvement of public facilities in redevelopment areas.

(b) Grants for public facilities: Administrator may conduct studies of needs and probable costs in redevelopment areas for needed land acquisition for public-facility usage, and for construction, rehabilitation, alteration, expansion, or improvement of useful public facilities. May receive proposals from States, Indian tribes, organizations, etc., showing plans, costs, and contributions to be made to proposal, and Administrator may make grants where he finds appropriations authorized not to exceed $50 million for making grants.

7. Financial assistance under Housing Act:

(a) Housing and Home Finance Administrator is authorized to use slum clearance and urban renewal projects in redevelopment areas for industrial and commercial rebuilding without regard to requirements of existing law that project area be predominantly for residential uses. This is, however, subject to the limitation that not more than 10 percent of the funds authorized under existing law for loans or capital grants for slum clearance and urban renewal shall be available to provide financial assistance under this section.

(b) Housing and Home Finance Administrator is authorized also to make urban planning grants for planning in redevelopment areas.

8. Vocational training: Secretary of Labor shall—

(a) Determine vocational training or retraining needs of unemployed individuals in redevelopment areas and cooperate with Secretary of Health, Education, and Welfare, and State and local agencies engaged in vocational training to assure that all facilities are available to such unemployed persons.

(b) Determine additional facilities needed to meet vocational training or retraining needs. Secretary of Labor shall then so advise Secretary of Health, Education, and Welfare who shall furnish assistance, including finances, to State agencies to meet needs. If State agencies are unable to meet vocational training and retraining needs, Secretary of Health, Education, and Welfare may contract for such services with public or private institutions. Secretary of Labor shall provide any necessary technical assistance for setting up apprenticeship, journeymen, and other job training needed in locality.

9. Retraining subsistence payments: Secretary of Labor shall—

(a) Enter into agreements with redevelopment area States whereby the States, as agents of the Federal Government, make weekly retraining payments to unemployed individuals not entitled to unemployment compensation (exhaustions or not insured) and certified by Secretary of Labor to be taking training.

(b) Make retraining payments to such individuals for not more than 13 weeks in amounts equal to average unemployment compensation payments payable in State making payments.

Statehood for Alaska

EXTENSION OF REMARKS
OF
HON. A. L. MILLER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. MILLER of Nebraska. Mr. Speaker, I would like to summarize briefly the history of the great Territory of Alaska which I hope soon will become a valued member of our great team of States.

A possession of the United States since 1867, Alaska has had the status of a Territory since 1912. Here lies a vast area of 586,400 square miles with an undetermined population. The census of 1950 indicated a population of 128,643, but there have been some estimates as high as 200,000.

History tells us Alaska was discovered in the year 1741 by a Danish sailor commanding a Russian ship. Thereafter, Alaska was claimed by Russia.

United States negotiations for the purchase of Alaska started as early as 1855. In 1859 President Buchanan offered Russia $5 million for the unexplored wilderness, an offer which was rejected promptly.

Then in March of 1867 a treaty was signed whereby the United States agreed to pay Russia $7,200,000—a treaty which was heralded widely as Seward's Folly. Nevertheless, the actual transfer of Alaska from Russia to the United States was effected October 18, 1867. Thereafter, Alaska was called a district until 1912 when she was given Territorial rights.

Perhaps the most spectacular story in all of Alaska's history broke in 1896 when gold was discovered in quantity. In the ensuing gold rush it is estimated 100,000 Americans converged on the peninsula—with fame and gold for some—with tragedy and death for others.

The battle for Alaska statehood has been long and relentless. The first statehood bill was presented March 30, 1916, but needless to say, it came to an early demise.

The question of statehood rested then, more or less dormant, until the 80th Congress when hearings were held both in Alaska and Washington. A bill was reported out but there was no further action.

The 81st Congress held hearings in Washington. A statehood bill passed the House on March 3, 1950, but died in the Senate.

In the 82d Congress, the Senate reported out a bill which was recommitted.

In the 83d Congress, the committee reported a bill to the House. Then the Senate Interior Committee combined the Alaska and Hawaii statehood bills and passed the legislation in 1951. Request for a conference was objected to in the House and the matter tabled. Extensive hearings again had brought no tangible result.

In the 84th Congress, the House Interior and Insular Affairs Committee held 10 days of hearings on a combined Alaska-Hawaii bill and reported H. R. 2535. The bill was recommitted.

Mr. Speaker, after weighing the pros and cons of statehood for Alaska over a period of several years, I find myself more convinced than ever that Alaska should become a member of the team of States. The time has come for positive action.

There have been many arguments over the statehood question. I have studied both sides of the case with equal interest in my endeavor to get the thinking of as many of the people of Alaska as possible.

I believe you might be interested in the final results of an unofficial poll I conducted in Alaska through the cooperation of 10 radio stations and 5 newspapers in the larger cities of the Territory.

I asked the newspapers and the radio stations, as a public service, to publish or broadcast this question, "Do you favor immediate statehood for Alaska?" I requested the answers be mailed to my office in Washington, signed or unsigned. A remarkably large number—about 99 percent—were signed with name and address. Incidentally, in these days when we are trying to cut costs, I would like to report this poll was conducted without expense to the Government.

I received 1,916 replies to the question from residents of Alaska. So far as I could learn through routine inspection there seemed to be no duplication.

The vote indicated a considerable opposition to statehood as of this time. There were 522 affirmative votes and 1,394 negative ballots. Many of those who participated in the poll took the time and trouble to write long letters to set forth the reasons for their votes.

Now, we all realize that 1,916 votes would represent only a small segment of the total Alaska population. Only an overall plebiscite would furnish an accurate answer to the thinking of all the people. I had hoped that might be possible but a supporting amendment was rejected by a tie vote in the committee.

Now, may I say the unofficial poll was only one of the factors on which I based my final decision to vote in favor of statehood. While the poll was negative, the other factors were affirmative. At no time did I ever say or indicate the poll alone would govern my decision.

I found that opponents of statehood wrote longer and stronger letters than those who favored statehood. Many of them wrote that statehood now would bankrupt Alaska. Some asked for a 20-year tax moratorium before statehood. Some said they would move out if statehood were granted. Many said the new taxes necessary to support a State would ruin the Alaska economy. Those opposed seemed to be much more fierce in their attitudes than were those in favor.

If Alaska becomes a State, it will be the culmination of a promise of many years' standing, according to many letters favoring statehood. Many pointed to taxation without representation, to discrimination in shipping and to so-called "colonialism."

I believe it is agreed that if Alaska does become a State, there will have to be many adjustments made. There must be a complete review and correction of the tax structure, as proposed by Gov. Mike Stepovich in his inaugural address. Alaska would lose some of those special concessions which are given to Territories but not to States. Federal workers would lose the extra pay they receive for duty outside the States.

On the other hand, there would be many advantages to statehood, particularly in view of the amendments to the statehood bill which were approved in committee—such as the extension of the land area for the new State and dropping the ban on foreign shipping which should tend to promote new industry, new population, new development of the untold resources which lie dormant in Alaska.

The last plebiscite held in 1946 indicated a small majority in favor of statehood but similar narrow margins have been true in the cases of many States. I might cite the case of my own State of Nebraska in which the issue was approved by a margin of an even 100 votes shortly before statehood in 1867.

At this time, I would like to present, as fairly as possible, a small portion of the comments addressed to me during the statehood poll:

FOR IMMEDIATE STATEHOOD

The people of Alaska have been steadily preparing for statehood for a good many years and I feel that we are fully ready to assume the responsibilities that go with statehood.

I object very strongly to the blocking efforts from outside interests.

Reason alone would indicate that Alaskans desire statehood. What reasoning man wishes for government by edict; taxation without representation; discrimination in shipping, highway construction and use of national resources; and trial by judges who are appointed by his rulers?

I am unequivocally in favor of immediate statehood for Alaska and cannot understand why it has been so long denied us.

We do not have a vote in Congress nor a vote for President. We must depend on Federal courts for justice. There is nothing wrong with Federal courts but we have one in Anchorage for a population of 60,000 people and it is 2 years behind in its calendar. I say, let's have statehood.

We Alaskans have contributed much to the welfare of our country. Why should we be denied statehood now?

Alaska has so much to give but is stymied by the restrictions of Territorial government.

I think you will agree that Americans should not be compelled to live under a colonial system, even an American colonialism, if we are going to keep our American way of life and our American ideals.

For the sake of our American heritage and way of life and for the sake of the children and grandchildren of the American citizens who make up the entire Alaska population, Alaska should be granted immediate statehood.

We want the advantages of statehood we used to enjoy when we lived in the great State of Washington. We are disgusted with the way Alaskans are treated by selfish business interests in the States.

I can't understand why any Congressman or Senator can conscientiously oppose giving us the privilege of Statehood. As it now stands, we have taxation without representation.

OPPOSING IMMEDIATE STATEHOOD

The few people now living in Alaska would not be able to pay for the tremendous cost of statehood.

Let's leave Alaska a Territory, not make it a haven for a lot of money-hungry politicians.

We are burdened with such high taxation now there is no incentive to stay.

I definitely think Alaska is not ready for statehood and about 90 percent of the people here are opposed.

The statehood committee is organized and is being run strictly onesided.

The Congress should not turn over this vast undeveloped land to a bunch of fast operators to exploit for their own benefit.

I am not in favor of statehood for Alaska at this time but on the other hand I am not in favor of the present system of treatment but I do believe the present system to be the lesser of two evils.

I am a frequent traveler in the Alaska interior and I know the majority of inhabitants are opposed to statehood but do not have the means or the communications to express their views.

On the practical side, most of us know we can't support statehood.

We got a bunch of amateur politicians trying to appeal to our Alaska pride.

We are taxed very heavy now and can't raise enough money to run a Territory. I don't know what we would do with a State.

It would be pleasant if the politicians would forget themselves for a moment and face the facts and thinking of the people.

We do not complain about being colonials nor do we feel the Federal Government has stifled our growth. There is nothing new that statehood can do for us that the Federal Government has not done for us in the past.

I favor statehood but certainly not until the Territory can manage itself in a more businesslike manner and be in position to support itself.

This is the only organization that can speak for 35,000 of us natives. We are opposed to immediate statehood because you count as permanent the transient population of 100,000 persons, and in addition, you don't allow for the other transients (Government workers) who file their applications for transfer as soon as they get here and yet because they are civilians, can qualify to vote. We natives constitute almost the entire group that "lives off the country." Why hurry? (William L. Paul, Sr., Juneau, Grand President, Emeritus, of the Alaska Native Brotherhood.)

Mr. Speaker, the Interior and Insular Affairs Committee has explored carefully the pros and cons of the question of statehood for Alaska. The bill has been reported. I hope a rule will be granted and that the House again can work its will on this important subject.

It is my hope that the bill will not be joined with statehood for Hawaii. A subject as important as bringing in a new State to the Union ought to stand on its own merits.

I have given long and careful thought to the question of statehood for Alaska. While I am convinced the people will have a rather hard struggle in the early years of statehood I believe in the end, under wise economic and political leadership, they can attain a growth and place of influence that will be on a par with the other 48 States.

It is my considered judgment that, for some reason difficult to understand, there is less sentiment this year for statehood for either Alaska or Hawaii than at any previous time. It may be the same reason that has been reflected in my poll which is about 2½ to 1 against statehood. The people have been writing me long and thoughtful letters. I believe the question most frequently raised was that of poor political leadership. They also frequently referred to the high cost of living in Alaska and the inability of the people to compete with the other States without a tremendous subsidy from the Government.

It is true Alaska's economy is pretty well based on military and Government spending. The Territory receives more subsidy from the Government than any State—subsidies for schools, health, roads, agriculture, public works, and similar items. Many of the letters I received complained bitterly about the Alaska Statehood Commission and Tennessee plan under which this group has $175,000 to spend in promoting statehood for the Territory. I believe there are many Members of Congress who feel that some rather high-pressure methods have been used by the so-called Tennessee group, who, under the original bill, would have taken their seats as Senators and Representatives from Alaska had the bill not been amended to require a new election for these important posts.

There are many who wrote suggesting that a new plebiscite be held, stating that the vote in the last election to approve the constitution and Tennessee plan was mixed with that of voting for fish traps and was not a clear-cut mandate for immediate statehood for Alaska.

Mr. Speaker, I believe the committee has reported the best bill possible which would grant the Territory statehood. I expect to support it before the Rules Committee, and I suggest that my colleagues give their support to the bill when it comes to the House for consideration.

Address of Hon. Robert C. Byrd, of West Virginia, Before West Virginia Music Operators Association, Inc

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EXTENSION OF REMARKS

OF

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1957

Mr. BYRD. Mr. Speaker, under leave to extend my remarks, I wish to include an address which I made in Wheeling, W. Va., on Saturday, June 29, 1957, at the third annual convention of the West Virginia Music Operators Association, Inc. The address follows:

TRADE ASSOCIATIONS AND THEIR RELATIONSHIP WITH THE GOVERNMENT

Mr. Chairman, Ladies and Gentlemen: When I received your kind invitation to meet with you at your convention here today, I was very glad I was able to accept. Now that I am here, the pleasure of anticipation has been dwarfed by the cordial and friendly welcome you have given me. I was glad to accept your invitation primarily to get a chance to meet with you and to chat with you about things that concern us all. I also want to take this occasion to say a few words to you about trade associations, their place in American life, and particularly their functions relating to the Federal Government.

Trade associations, like the pleasures we get in listening to good music, are too generally taken for granted. They are not fully appreciated. Often they are inadequately supported.

But they are of tremendous importance. Most businessmen belong to at least one trade association, many to two or more. They have become an integral part in the economic and social life of the Nation, so much so that we can hardly conceive of our economy functioning smoothly without them.

How did these associations get started? Actually, of course, no one knows. It is only plausible to assume, however, that associations of businessmen are as old as business itself. As soon as 2 or 3 men started selling wool, or earthenware bowls, or metal ornaments at a primitive bazaar, we may be quite certain that quite often they got together, tossing about such questions as "How's business? What are you asking for this pitcher? Why is the quality of wool so poor this year?" Not much later producers and traders banded together for protection against bandits and pirates.

In the Middle Ages were formed the guilds of both manufacturers and merchants which might be considered more directly as the ancestors of today's trade associations. These guilds assumed a high degree of authority over their members, stipulating standards of output and rules for apprenticeship, fixing prices, and limiting output. They were a substantial power in the municipal and provincial governments in much of Europe as late as the 18th century.

However, there is obviously a vast gulf between such guilds and the trade associations as they have grown up in the United States. American trade associations are essentially voluntary in character and do not engage in such monopolistic activity as imposing prices or restricting production of individual members.

The affinity for Americans to join in groups such as trade associations was already observed more than a hundred years ago by that keen observer of American affairs, Alexis de Toqueville, who remarked in his noteworthy book, Democracy in America:

"Americans of all ages, all conditions, and all dispositions constantly form associations, succeed in proposing a common object to the exertions of a great many men and in getting them to voluntarily pursue it, and have applied this new science to the greatest number of purposes."

A few associations, mostly local in scope, developed before the 19th century, notably the Chamber of Commerce of the State of New York, founded in 1768, and the New York Stock Exchange, founded in 1792. The growth of national trade associations began after the Civil War. By 1900 there were an estimated 100 national associations in existence. By 1920 the number of trade associations had risen to more than 1,000, with many associations in the previous decade having adopted codes of ethics to promote higher standards of competitive conduct. Today there are at least 12,000 trade associations in the United States—National, State, and local.

This phenomenal growth certainly attests to the fact that these associations must be filling a genuine need. They have, in fact, adapted themselves to meet the great variety of needs of businessmen in different enterprises, needs that are constantly changing with shifts in economic conditions, public opinion, and governmental action. Although many of these functions will be familiar to you—some of them your own Music Operators Association undoubtedly undertakes for you—it may be well for us to refresh our memories as to scope of activities in which trade associations commonly engage today.

The trade association is probably first of all a clearinghouse of information that is vital to its own members. It often collects statistics on production and prices that its members need. Some of this information comes from the members themselves; often, other information is also gathered from pertinent public and other private sources. It may carry on any of a great range of advertising programs, making the public more favorably conscious of the products manufactured by its members. It often carries on educational programs of various kinds. This involves, on the one hand, providing information and suggestions for better business practices to members of the association themselves, and on the other, information to a wider public. Thus, trade associations in the food field are generous in furnishing carefully tested recipes to home economics instructors and to food editors in the daily papers. A trade association of savings banks will assist schools in carrying on campaigns encouraging thrift.

Closely related is the whole field of public relations, which includes a host of devices designed to create a more favorable public response to the particular industry involved. These devices run the gamut of news releases, plant tours, correspondence, speakers' bureaus, and a constructive approach to complaints.

Many of the larger trade associations now carry on sizable research projects on behalf of their members. The American Dairy Association, for example, is sponsoring a major research project designed to maintain and expand markets for milk and its products. The National Lumber Manufacturers Association has undertaken many projects of a technical nature, such as development of cigarette burn-proof table tops, utilization of sawmill waste, load tests of 50-foot timber trusses. These research projects are of greatest benefits to the small members of the associations who, obviously, cannot afford the necessary research personnel and facilities on their own. Here again the truth of the familiar motto, "In union there is strength" is borne out.

Trade associations have assisted their members in improving their accounting methods, in standardizing and simplifying their operations, in providing employment services, in cooperating with schools in providing employee training, in developing more effective employer-employee relations. They sometimes provide a certificate for products that meet specified standards.

But the function, or rather the group of related functions, of trade associations, I would like to concentrate on most here and now, is their role in governmental affairs. This is a tremendous and a complicated role. It is a well-known fact that, for better or worse, Government and business have come into an ever closer relationship, with more and more points of contact, over the years. The growth of antitrust and related legislation designed to assure fair and reasonable competition; the regulation of various industries such as railroads, airlines, radio and

television, electric and gas utilities; the protection of consumers and investors by such agencies as the Food and Drug Administration, the Federal Trade Commission and the Securities and Exchange Commission; the impact of taxes on corporations and other businesses; the reliance of the Government on industry for the materials and equipment needed for a successful prosecution of war and for an effective national defense—these are just a few of the illustrations of areas in which Government and business have impinged more and more on each other. In almost every instance, trade associations have performed an important service as a "middle man" between the Government and the particular industries involved. They are the ones who keep their membership informed as to legislation, both that which is passed and that which is proposed, and administrative action, affecting their members. They are the ones whom Government officials often turn to to get expert opinion on industry matters, and to obtain consultants, "dollar-a-year men," and other assistants needed in a war or defense emergency. They are frequently called upon to supply data essential for administrative action.

We often think of trade associations as lobbyists. Now, at first glance this sounds evil. The term "lobbying" has come into bad repute. But this is due largely to a few relatively isolated instances of unethical pressure having been brought to bear on individual Members of Congress, or other officials of the Government. Actually there is nothing improper about trade association representatives informing the Members of Congress and officials in the executive branch of the Government, just how they feel a specific legislature measure or executive order will affect the businesses in their own industry. On the contrary, no better way has yet been devised for Government officials to get, in a quick and efficient manner, a well-focused presentation of a particular industry point-of-view. It is vital for Government officials to have these views if they are to pass on legislative proposals with intelligence.

Trade associations not only furnish Government officials with industry opinion; they also supply the Government with a great deal of invaluable statistical information, information which is then, in most instances, made available to the whole American people. Take, for example, probably the single most convenient official compilation of statistics put out by the Government, the annual Statistical Abstract of the United States. In the back of that book are listed the sources of statistics used in the tables comprising this volume. You would be amazed at the number of trade associations listed there. To mention only a few, there are the American Iron and Steel Institute, the American Petroleum Institute, the Association of American Railways, the Automobile Manufacturers Association, and the National Lumber Manufacturers Association. These associations, and many more, compile and publish statistical information that is relied upon implicitly by Government officials in their day-to-day operations. Without these data, our stock of information about economic trends would be seriously deficient. Moreover, trade associations have been very helpful in assisting the Bureau of the Census and other official statistical agencies in deciding what information would be most useful for them to obtain and in assuring the cooperation of their members in the gathering of the requisite statistical data.

Of course, the trade association, as a middleman, does just as effective work in transmitting governmental views, laws and documents, to its members, as in giving the Government the benefit of industry statistics and viewpoints. Many trade associations have a legal branch whose primary obligation it is to keep their members informed of Federal, State, and local legislation, actual and proposed, that is pertinent to their operations. By keeping their membership thoroughly informed as to governmental policies and practices, trade associations frequently are helpful in a kind of watchdog operation over governmental affairs. They are able to, and have, pointed out cases of governmental waste, duplication, and inefficiency, which can then be more expeditiously corrected.

I have already mentioned, in a general way, how useful trade associations have been in the national defense effort. I think this is important enough that I should like to cite a few examples, again indicating the variety of trade association activity. In World War II, the National Electrical Contractors Association surveyed 6,000 electrical contractors to find 750 firms qualified to fill war orders. The American Association of Nurserymen gave the Army advice on plants and shrubs to use for camouflaging important civilian and military installations. The National Restaurant Association revised the Navy cookbook. The Association of General Contractors helped the Army develop a corps of men trained in the care of heavy construction equipment. Many of you, I am sure, could add instances of which you are personally familiar.

In concentrating as I have, and I believe, rightly so, on the constructive work done by trade associations, particularly in their dealings with governmental groups and agencies, I would not want to leave the impression that trade association activity has in each instance been in the public interest. There is in fact always the danger to be guarded against of collusion in terms of fixing prices or quantities or standards of production, which would clearly be in violation of the antitrust laws. There have been a few court cases in which trade associations have been prosecuted because of such unlawful activity. However, the percentage of trade associations that have become thus involved is very small and these court cases have made it reasonably clear as to what the proper limits of trade association activity are.

All in all, I am sure that we must agree that the record of trade associations in this country is an admirable one. The activities they have undertaken in the public interest are legion. They have facilitated the smooth functioning of business operations in hundreds of fields. They have made possible a mutual understanding between business and Government that would be quite inconceivable in their absence. I have every confidence that they will continue to perform ever more efficiently and usefully in the years to come.

Visit to Washington, D. C., of Asian Delegates From the Moral Re-Armament Assembly of Nations

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Monday, July 1, 1957

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement I have prepared relating to the visit to Washington, D. C., on June 28, 1957, of Asian delegates from the Moral Re-Armament Assembly of Nations at Mackinac Island, Mich.

There being no objection, the statement was ordered to the printed in the RECORD, as follows:

STATEMENT OF SENATOR WILEY RELATING TO VISIT OF ASIAN DELEGATES FROM THE MORAL RE-ARMAMENT ASSEMBLY OF NATIONS AT MACKINAC ISLAND, MICH., TO WASHINGTON, D. C., JUNE 28, 1957

Lincoln once said, "The dogmas of the quiet past are inadequate for the stormy present." In a world that has grown smaller through man's ingenuity, the power politics of the last century and the first 50 years of this century have proved inadequate. New conditions require new remedies or new approaches. Secretary Dulles has said, along the same line, "The capacity to change is an indispensable capacity. Equally indispensable is the capacity to hold fast that which is good."

Let me ask a few simple questions:

Is there any other way to meet head-on the challenge of Moscow's fight for Asia and Africa except by our usual diplomacy and by building up our military and economic strength?

Are we cognizant of the tremendous effort that the Kremlin is putting forth to inoculate the minds of the youth of other nations with their ideology? If so, what are we doing about it that is effective?

Is there any ideological stimulus available for the youth of all nations that would unite them in a great effort to stand for freedom, peace and friendly relations?

Do we realize the tremendous conflict going on for the souls and minds of men? Do we realize it—we in America living in the land of the highest standard of living ever attained by the human race—or are we drugged—as some say—by our materialistic success—drugged so that we cannot see the real path before us?

In Washington last Friday was a group of men and women who may hold the ideological balance of power in their nations. They come from the Moral Re-Armament Assembly of Nations at Mackinac Island, Mich., under the leadership of Dr. Frank N. D. Buchman of Pennsylvania.

Among them are prominent members of the Japanese, Philippines, and Ghana Parliaments, and 120 leaders of the Seinendan, the Japanese Youth Federation of 4½ million.

The Seinendan have been a primary target of the Communist strategy since they represent the future of Japan. One hundred from the Seinendan were invited to Moscow. Dr. Buchman invited 100 to Mackinac to find a superior ideology. The invitation was so effective that only a handful were found prepared to go to Moscow.

Moscow has 4 ships moving through the Mediterranean and the Pacific whose job is to pick up the youth of every branch of national life who have been invited to Moscow: 2,000 from Egypt, 2,000 from Britain, 1,100 from India, 650 from Japan. Sixteen thousand are already in training in Russia and China from North Korea.

Sixty-nine special trains are already laid on for the Moscow festival.

One thousand three hundred buses are being used from inside and outside Russia and a 600-car pool established in Moscow for the chief delegates.

One man from French Africa who is in Mackinac tells us that 15 delegates were invited from his country, given their return fares and the equivalent of $850 in cash over and above expenses. That is how a government uses its transportation and its finance when it aims to capture the youth of the world.

Many of the men who were in Mackinac from central Africa, from Britain, France, Germany, Italy, Scandinavia, and especially from north Africa, are men who were invited

to go to Moscow. They say, "No alternative program is offered to us except Moral Re-Armament, and it will be the salvation of our countries. But there is not much time."

What is happening to the Seinendan in America shows what can be done when we move effectively. European businessmen who saw what was happening at Mackinac were so impressed that they have pledged finance to bring plane loads of leading students and other youth from Europe to Mackinac.

It is a question of getting the right return on the money which we are nationally investing in aid to these countries. A Korean labor leader said, "After 3 confused and rushed months in America on a Government-sponsored tour, my meeting with MRA was an experience more valuable than anything in my 42 years. I was shown so much in America that was interesting, but had no application in Korea. In MRA everything I learned could immediately be applied in my own country."

A prominent American industrialist who has had the spending of millions of dollars of Government money, says, "You can do more with a dollar in Mackinac for America than anywhere else in the world."

In Mackinac there are not only leaders of youth who have chosen Moral Re-Armament instead of Moscow, but there are men like the first bipartisan delegation from the Ghana House of Parliament ever to represent their country overseas. Russia was the first country to invite a delegation at 5 minutes after midnight on the day of independence, but the first delegation to leave the country has come to Moral Re-Armament.

There is a delegation from Cyprus which contains both Greeks and Turks. They say they find the only hope here.

Leaders of black and white from South Africa, including the Judge President of the High Court, Southwest Africa, and African leaders who have bitterly fought the whites, are also united in this conviction.

The Middle East—Jordan, Iran, Lebanon, and key countries like the Sudan, also Pakistan and India represented by members of Parliament and industrial leaders, come because they know the situation is desperate. The Indian Government is doing everything it can now to stop the drift of labor, political, and youth leaders to Moscow, but without an answering and superior ideology they face an impossible task.

This is the significance of Mackinac and of the visitors to Washington on Friday. They are finding an ideology of freedom based on absolute moral standards and the guidance of God that can answer communism and the corruption and division that follow materialism of every kind in East and West.

The delegates from Mackinac include:

Mr. Niro Hoshijima, signatory to the Japanese Peace Treaty and senior member of the Japanese Diet.

Senator Mrs. Shidzue Kato, who received the largest majority of votes of any man or woman in the history of the Diet in the recent election.

Senator Takeshi Togano, chairman of the Transportation Committee of the Diet.

Senator Tsuyoshi Suzuki, former chairman of the Telecommunications Workers of 150,000 men in Japan.

Senator Roseller T. Lim, of the Philippine Congress, chief delegate to the ILO Conference in Geneva.

The Tolon Na, a leader of the opposition in the Ghana Parliament and one of the chief architects of their new constitution.

Maj. Agerico A. Palaypay, air force aide de camp and appointments secretary to the President of the Republic of the Philippines.

Mr. Rajmohan Gandhi, grandson of Mahatma Gandhi.

Mrs. Yukika Sohma, daughter of the late Honorable Yukio Ozaki, member of the Diet for over 60 years, who gave the cherry trees to Washington.

Mr. Takasumi Mitsui, of the Mitsui industrial family who had over a million employees before the war.

Mr. Sontoku Ninomiya, the founder and former president of the Seinendan, Japanese Youth Federation, of 4,300,000.

Mr. Kazuyoshi Mitsugi, chairman of the Tokyo region of the National Railway Workers.

Mr. Alberto Javier, acting chairman, Presidential Consultative Council on Youth Affairs, Philippines.

MRA is not another religious sect, although its ideology contains the fundamentals found in all religions—the teaching of honesty, purity, unselfishness and love, accepted absolutely for individuals and nations.

Friday last, I had an experience that I shall long remember. A Japanese told me, through an interpreter, "I came to America hating America because I was at Nagasaki, and there I lost all my loved ones. I have been to Mackinac Island, and the hate has gone out of me. I know I have something better to do than to hate."

I talked with a Filipino and with the grandson of Mahatma Gandhi; they, too, were seeking the answers and felt they had found some of them.

After the group had luncheon as guests of the Members of the Senate, they proceeded to the House of Representatives, where they were received by Speaker SAM RAYBURN.

Presidential Succession

EXTENSION OF REMARKS

OF

HON. THOMAS C. HENNINGS, JR.

OF MISSOURI

IN THE SENATE OF THE UNITED STATES

Monday, July 1, 1957

Mr. HENNINGS. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an article on Presidential Succession, written by the distinguished senior Senator from Rhode Island [Mr. GREEN]. The article appears in the Dickinson Law Review, of Dickinson College, in Carlisle, Pa.

It is an extremely provocative article, and in view of the long and varied experience of the distinguished senior Senator from Rhode Island as a teacher of law and in Government, I particularly commend it to the attention of my colleagues. The senior Senator from Rhode Island has exerted a leadership in the field for many years, and is especially well qualified to discuss this crucial question. I am sure all Senators will be interested in reading his latest thinking on this subject.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRESIDENTIAL SUCCESSION

(By the Honorable THEODORE FRANCIS GREEN, United States Senator from Rhode Island)

(Introduction)

During the past few decades the importance of the office of the President of the United States has greatly increased, paralleling the rise of our Nation to its current status as a leading world power.[1] Now, more than ever before in our history, it is imperative that transferral of the executive power of the United States from one individual to another be accomplished smoothly and with a minimum of disruption in the processes of government.

Experience has demonstrated that in many areas of the broad field of Presidential succession the law is uncertain, imperfect, or incomplete. For example, grave illnesses of certain Presidents in the past have threatened the orderly processes of government and caused serious international concern.[2] If tomorrow we suddenly find ourselves in an unprecedented situation involving Presidential succession the attendant crisis could jeopardize not only our own security but that of our neighbors in the Free World.

In order to discuss intelligibly the problems relating to Presidential succession and to consider proposed solutions of those problems, a definition of the term "Presidential succession" is the first stem. The definition should be broad enough to include the normal succession which occurs when the incumbent President is replaced by a newly elected President and yet apply also to the unexpected or fortuitous circumstances of removal, death, or resignation of an incumbent President, or his inability to discharge the powers and duties of his office. In its broadest aspects the term "Presidential succession" includes the conditions under which, the order in which, and the extent to which, one person after another succeeds to the office and/or the powers and duties of the United States Presidency.

At the outset, any consideration of this phase of our system of government is replete with profound legal problems and grave constitutional questions. Efforts to study the problems and suggest concrete solutions to them seem only to be made by the Congress at the times when situations become acute and public interest is high. Then as soon as the dangers have lessened, public interest, as well as that of Congress, subsides and affirmative action is postponed. This is understandable in view of the difficulties involved but is no excuse for tolerating further neglect.

For many years I have been acutely aware of the problems inherent in Presidential succession. Although I have opinions on some of the issues involved, I frankly admit that neither do I have all the answers, nor do I believe a sufficiently concentrated analysis of the current laws and authoritative recommendations has been made on which to predicate positive legislative reform. Several years ago I arrived at the conclusion that the most appropriate method of dealing with the situation would be the creation of a joint committee of the Congress charged with the responsibility of exploring the entire area

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[1] The book, Mr. President, by William Hillman (Farrar, Straus and Young, 1952), is an excellent and intimate portrayal of the problems and responsibilities encountered by the Chief Executive of the United States in today's world. For a more objective appraisal of the burdens of the American Presidency see Senate Report No. 1960, 84th Cong., 2d sess., entitled "Proposal to Create an Administrative Vice President."

[2] In 1881, President Garfield was incapacitated for 80 days preceding his death. During much of the time from September 1919 to March 1921 President Wilson was unable to give proper attention to the Presidential duties. In both instances the inability of the President was a well established fact, but friends and advisers counseled against transferring the powers and duties of the Presidency over to the Vice President in the fear that the President would be unable to regain the office in the event his inability should cease. The recent illnesses of President Eisenhower, which fortunately were of comparatively short duration, serve to point up once again the momentous problems which could arise under obscure provisions for dealing with the Presidential succession in such circumstances.

of Presidential succession and arriving at sound, well-considered proposals for appropriate consideration and action. As a Member of the United States Senate, I have introduced legislation to establish such a joint committee in the last six sessions of Congress.[3] Three times my proposals received the approval of the Senate, but in each of those instances the particular enabling resolution died in the House of Representatives.[4] However, my enthusiasm for the project has not waned with these disappointments, and I am continuing my crusade for the establishment of a joint committee which will lend the prestige and potency of both branches of the National Congress to this important project.

My most recent endeavor is Senate Concurrent Resolution 2 of the 85th Congress, which I introduced on last January 7. It would create a joint Congressional committee to make a full and complete study and investigation of all matters connected with the election, succession, and duties of the President and Vice President. The Senate Committee on Rules and Administration in favorably reporting my last previous concurrent resolution to the Senate stated, in part:

"The purpose of such contemplated study is to achieve a sound basis for the submission and promotion of remedial legislation necessary to make the statutes certain and complete concerning Presidential elections, successions, and duties.

"All matters relating thereto present legal problems and constitutional questions involving the fundamental concepts of the Federal Government which may be resolved adequately by Congress only after a thorough examination of the whole subject. To this end, a joint committee * * * would be established."[5]

The questions which follow are borrowed from S. Con. Res. 2, wherein they appear as suggested issues for study and recommendations. In this article I shall discuss them briefly and point out specific problems which they entail. I shall not presume to state the precise courses which remedial legislation should follow, because I believe such conclusions should await the completion of the study I propose. I shall, however, make reasoned observations where they seem appropriate.

Whether or not candidates for President and Vice President should be nominated by national conventions, as at present, and, if so, recommendations which should be made to the parties for improving the convention process, and, if not, a method which would be preferable.

I believe that our present method of nominating candidates for President and Vice President should be thoroughly reviewed by a joint committee of the Congress for the purpose of evaluating that method and recommending improvements therein or else the adoption of a preferable process.[6] At least two of my colleagues in the Senate have introduced specific legislation leading to the elimination or reform of nomination by national political conventions.

During the 82d Congress, Senator PAUL DOUGLAS, of Illinois, introduced S. 2570, to authorize the Attorney General to conduct preferential primaries for nomination of candidates for President and Vice President. Although the bill was the subject of a hearing by the Subcommittee on Rules, and was reported favorably to the Senate by the Committee on Rules and Administration,[7] it failed to pass. Mr. DOUGLAS introduced similar measures during the 83d and 84th Congresses,[8] both of which died in committee. Senator GEORGE SMATHERS, of Florida, introduced legislation during the 82d Congress providing for a constitutional amendment which would establish a presidential primary and eliminate nomination by national political conventions.[9]

Whether or not the President and Vice President should be elected by the electoral college, as at present, and if so, whether or not the members should be legally bound to vote in accordance with their instructions.

More than 20 States do not print the names of the candidates for electors on the general election ballots, but instead allow a vote for the presidential candidate of a national convention to be counted as a vote for the nominees of that candidate's party for the electoral college.[10] Yet the Constitution contemplates that electors, once chosen, shall be absolutely free to vote for any eligible person to be President or Vice President.[11] For example, as recently as December 18, 1956, an Alabama elector, Mr. W. F. Turner, who had been elected to vote for Adlai Stevenson and ESTES KEFAUVER, actually voted in the electoral college for Judge Walter B. Jones, of Alabama, for President and Senator-elect HERMAN TALMADGE for Vice President. Mr. Turner is only the most recent of several electors who have chosen to flaunt the wishes of a majority of the voters in their districts, though actually conforming to the original intent of the Constitution: viz, that the electors, not the people, shall choose our Executive.

There are several other weaknesses in the electoral-college procedure. Possibly the chief adverse criticism of the system is that it permits the election of candidates who trail in the popular vote. That has occurred three times during our Nation's history.[12] Then it is contended by some that, large portions of the electorate are in effect disfranchised by the winner-take-all system within

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[3] S. Con. Res. 50, 79th Cong., 2d sess. Submitted by Mr. GREEN January 17, 1946. Agreed to by the Senate March 14, 1946 (CONGRESSIONAL RECORD, vol. 92, pt. 2, p. 2237). Died in the House.

S. Con. Res. 1, 80th Cong., 1st sess. Submitted by Mr. GREEN January 6, 1947. Died in committee. See author's statement in support of S. Con. Res. 1 printed in Hearings before the Senate Committee on Rules and Administration on S. Con. Res. 1, S. 139, S. 536, and S. 564, 80th Cong., 1st sess., pp. 5–17 (1947).

S. Con. Res. 14, 81st Cong., 1st sess. Submitted by Mr. GREEN, January 31, 1949. Agreed to by the Senate October 17, 1949 (CONGRESSIONAL RECORD, vol. 95, pt. 11, p. 14772). Died in the House.

S. Con. Res. 23, 82d Cong., 1st sess. Submitted by Mr. GREEN April 9, 1951. Died in committee.

S. Con. Res. 2, 83d Cong., 1st sess. Submitted by Mr. GREEN January 7, 1953. Died in committee.

S. Con. Res. 65, 84th Cong., 2d sess. Submitted by Mr. GREEN January 23, 1956. Agreed to by the Senate February 20, 1956 (CONGRESSIONAL RECORD, vol. 102, pt. 3, pp. 2872–2875). Died in the House. (On March 8, 1956, the author appeared before the Committee on Rules of the House of Representatives and urged support of S. Con. Res. 65 and an identical resolution, H. Con. Res. 207, which had been introduced by Representative CHARLES E. BENNETT of Florida.)

[4] S. Con. Res. 50, 79th Cong., 2d sess.; S. Con. Res. 14, 81st Cong., 1st sess.; S. Con. Res. 65, 84th Cong., 2d sess.

[5] S. Rept. No. 1462, 84th Cong., 2d Sess. (1956) 1. Six years earlier the same committee, in favorably reporting a similar resolution, expressed the same objectives (Sen. Rept. No. 1096, 81st Cong., 1st Sess. (1949) 2).

[6] In the words of a popular periodical:

The search for a better way to nominate Presidential candidates is almost as old as the Presidency itself. In the early Presidential elections, candidates were selected by Members of Congress sitting in caucus. In 1824, Andrew Jackson and his followers rebelled against King Caucus, and paved the way for the convention system. In 1905, the Wisconsin Legislature passed a law for direct election of all delegates to national conventions. In 1910, Oregon adopted the first Presidential preference primary. In 1913, President Wilson urged virtually the same plan that Senator SMATHERS now proposes. (Time Magazine, February 25, 1952, vol. 59, No. 8.)

[7] S. Rept. No. 1858, 82d Cong., 2d Sess. (1952). See also Hearing before Subcommittee on Rules of the Committee on Rules and Administration on S. 2570, 82d Cong., 2d Sess. (1952).

[8] S. 1049, 83d Cong., 1st sess.; S. 652, 84th Cong., 1st sess.

[9] S. J. Res. 145, 82d Cong., 2d sess., which died in committee. Twelve States presently require that voters be enabled to express their preference for Presidential candidates. Those States are California, Illinois, Maryland, Minnesota, Nebraska, New Hampshire, New Jersey, Ohio, Oregon, Pennsylvania, West Virginia, and Wisconsin.

Although political parties are not provided for by the Constitution or statute, such parties have the power to determine their own nominees by well established precedent. Under their usual practice at national conventions the major political parties even provide for the possible death of its Presidential candidate.

To establish a procedure to be followed in the event of the death, resignation, or disability of its nominees for President and Vice President, the Democratic National Committee is authorized to fill the vacancy or vacancies, by a majority vote of a total number of votes possessed by the States and Territories at the preceding National Convention; the full vote of each State and Territory shall be cast by its duly qualified member, or members, of the National Committee, and in the event of a disagreement between the two members, each shall cast one-half of the full vote of the State. (Democratic Manual for the Democratic National Convention, 1956, p. 8.)

A similar resolution to provide for the same contingencies in respect to the Republican nominees was adopted by the Republican National Convention of 1956. (See also H. Rept. 345, 72d Cong.)

[10] The present provisions of law relating to the electoral college (enacted by Congress pursuant to Article II, Section 1, of the Constitution, and Amendment XII) are contained in Stat. 672–675 (3 U. S. C. 1–14). Title 3 of the United States Code, which contains said provisions, was enacted into positive law on June 25, 1948, by Public Law 771 of the 80th Congress. In 1957 the day set by the above law for the purpose of counting the electoral votes in Congress, January 6, falls on Sunday. Congress by the Act of March 24, 1956 (70 Stat. 54) designated Monday, January 7, as the day it shall meet in 1957 to count the electoral votes.

[11] According to custom electors usually vote for the candidate who is the choice of their political party. *McPherson* v. *Blacker* (146 U. S. 1, 36 (1892)). The U. S. Supreme Court has ruled that an elector may announce and pledge himself beforehand in support of such candidate. See *Ray* v. *Blair* (343 U. S. 214 (1952)).

[12] John Quincy Adams, in 1824; Rutherford B. Hayes, in 1876; and Benjamin Harrison, in 1888. A collateral problem develops from the failure of a candidate for President or Vice President to receive a majority of electoral votes. Then, under the 12th amendment of the Constitution, it becomes the prerogative of the House of Representatives to choose a President. But since 1801, when Thomas Jefferson was thus chosen over Aaron Burr—after 36 ballots—there has been support for a further amendment to resolve such issues by popular vote.

the States. It is also contended that since the people of the United States really do not elect their President, the present system is flagrantly undemocratic. Many persons agree with the statement attributed to Senator JOHN F. KENNEDY, Democrat, of Massachusetts, that "the electoral college is an unnecessary, confusing, and potentially harmful anachronism."[13]

During the 84th Congress a variety of proposals to revise or eliminate the electoral-college procedure were considered.[14] They can be conveniently categorized into those designed:

(a) To abolish the electoral college and elect the President and Vice President by direct popular vote;

(b) To keep the electoral college but to eliminate the discretionary power held—but rarely used—by the electors;

(c) To abolish the electoral college but retain the system of electoral votes, and apportion them among candidates on the basis of number of votes received by each candidate; or

(d) To permit each State, in its discretion, to adopt either of plans (b) or (c) above.

The debate on these proposals has revealed a wide disparity of opinion among Members of Congress.[15] But it has established clearly that there is a general need for change in the electoral procedure accompanied by lack of sufficient agreement on the nature of the best substitute or reform. Since the elimination of the electoral college or any radical revision thereof would necessitate a constitutional amendment, the need is apparent for comprehensive Congressional action if the processes of Presidential succession—by election—are to be improved within the foreseeable future.

Whether the provisions of Public Law 199 of the 80th Congress, approved July 18, 1947, relating to Presidential succession, adequately provide for all possible contingencies occasioned by the removal, resignation, death, or inability of both the President and Vice President.

The Constitution delegates to Congress authority to provide by law for the succession of the Presidency in the event the Nation should at any time find itself without either a President or a Vice President.[16] Pursuant to that authority Congress has enacted three basic statutes over the years.

The first, the act of March 1, 1792 (1 U. S. Stat. 240; Revised Stat., secs. 146, 147, 148, 149, 150), designated the President pro tempore of the Senate as third in succession (after President and Vice President). In the event there was no President pro tempore or he was unable to serve, the Speaker of the House was to act as President until the disability be removed or a President shall be elected. During the debates on this bill the question was raised as to who is an officer in the constitutional senses[17] since under the literal language of the Constitution[18] Congress can only debate what officer shall act as President. Although some Federal legislators doubted that the Presiding Officers of the respective Houses could qualify, they were notwithstanding designated as successors under the statute.

In 1886 Congress changed its mind and decided that the President pro tempore of the Senate and the Speaker of the House were not officers in the constitutional sense and therefore not eligible to succeed to the Presidency. The act of January 19, 1886 (24 U. S. Stat. 1), provided that the Secretary of State should be third in succession, followed in the stated order by the Secretary of the Treasury, the Secretary of War, the Attorney General, the Postmaster General, the Secretary of the Navy, and the Secretary of the Interior. From time to time bills were introduced to add the heads of newly created departments to the line of succession, but none became law, probably because of lack of interest at those times.

The principal criticism of the act of 1886 was that the President was in the unusual and undemocratic position of being able to select his potential successor through his prerogative of naming his Cabinet members. President Harry S. Truman in 1945 sent a special message to Congress asking that the succession law be changed to correct this anomaly. After much discussion in Congress the law was changed again, by the Act of July 18, 1947 (61 Stat. 380). That act, which is still in effect,[19] provides as follows:

"The Speaker of the House, upon his resignation as Speaker and as a Representative shall act as President in the absence of a President and a Vice President. If there is no Speaker or he is disabled or fails to qualify, the President pro tempore of the Senate, upon resignation as President pro tempore and as Senator, shall act as President. In the event of the absence or inability of either of the above, the Secretary of State shall act as President. The other Cabinet officers follow in the line of succession designated in the act of 1886."

Although Congress has temporarily answered the doubts as to whether the President pro tempore and the Speaker are officers in the constitutional sense, the question may arise again at any time. There are, in addition to this, many collateral questions which should be considered. Of these latter, I would like to touch briefly on one which is within the realm of current possibility.

Under present law the Speaker of the House and the President pro tempore of the Senate, both Democrats, are next in line after the President and Vice President, both Republicans, to serve as the Chief Executive. Should the top two offices fall vacant today, Speaker SAM RAYBURN would become President of the United States. This raises the question of party responsibility. Would a Democratic Speaker be as representative of the electoral will expressed in the last election as a Republican Secretary of State? Should the act of July 18, 1947, be modified to apply differently when the White House and the Congress are controlled by different political parties? That is the question which necessarily provokes the traditional arguments on the advantage of a pure parliamentary system.

How it shall be determined whether the President is unable to execute the powers and duties of the office; and how the extent and duration of such inability shall be determined and defined; and how it shall be decided that the inability requires the constitutional discharge by the Vice President of the powers and duties of the office of President, or results in the succession of the Vice President to the office of President.

During one of the sessions of the Continental Congress when the matter of presidential succession was under discussion Mr. John Dickinson, of Delaware, posed the following question to his colleagues: "What is the extent of the term 'disability' and who is to be the judge of it?"[20] It is interesting to note that nowhere is it recorded that Mr. Dickinson received an answer to his pointed inquiry.

Fortunately we survived the instances in our history when the ability of the President to carry on the duties of his office was highly questionable. The fact remains it is now more important than ever that we come to a definite understanding on the matter of what constitutes "inability" of a President in the constitutional concept. As is evident from the above allusion it was the intent of the framers of the Constitution that their successors in Government should meet the situation of inability to the President in the light of experience and pending circumstances.

The pertinent constitutional passage provides merely that in case of the President's inability to discharge the powers and duties of the office the same shall devolve on the Vice President.[21] The terse language suggests such problems as:

1. How should Presidential inability be defined?

2. Who shall determine that a President is unable to discharge his powers and duties?

3. When such determination is made, what ought to devolve on the Vice President, the office of the Presidency or only the powers and duties of that office?

I do not think that Congress should try to legislate a definition of the term "inability." Rather it would seem advisable, as it evidently did to the Founding Fathers, to allow the term to be interpreted in the light of conditions which obtain at the time. Instead of a cumbersome statutory definition, it might be better to adopt a commonsense rule that the President himself should be the judge of his own ability. However, this assumes that he is able to exercise rational judgment and declare his own inability and its likely extent; so Congress perhaps should lay the groundwork by expressing its interpretation of the constitutional provision and by establishing a positive procedure.

If a President were physically or mentally unable to decide or declare his inability, the power to so declare the inability might be given, by appropriate statute, to the President's Cabinet. It has been suggested that the authority should be vested in the Supreme Court or some independent commission.[22] To vest authority in the Supreme

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[13] 42 A. B. A. J. 1037 (November 1956).

[14] See How We Elect Our President: An Electoral College Education in One Lesson, by Joseph F. Dolan (42 A. B. A. J. 1037–1040 (November 1956)).

[15] (CONGRESSIONAL RECORD, vol. 102, pts. 4, 5, pp. 5533, 5535, 5537–5574, 5626, 5639, 5650, 5673, 8212.)

[16] Art. II, sec. 1, par. 6 of the Constitution reads:

"In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall act accordingly until the disability be removed or a President shall be elected."

[17] 3 Annals of Congress, 281.

[18] Supra note 16.

[19] By sec. 202 (a) of Public Law 253 of the 80th Cong., 1st sess., approved July 26, 1947, the Secretary of War and the Secretary of the Navy were eliminated from the line of succession and the Secretary of Defense (created by Public Law 253) was inserted therein.

[20] Farrand, Max, ed. The records of the Federal Convention of 1787 (Yale University Press, 1911), vol. 2, p. 427.

[21] Supra note 16.

[22] There are, of course the corollary problems of determining the duration and cessation of Presidential inability for which similar provision would have to be made.

For an indication of current congressional interest in the problems of Presidential inability see the following bill and joint resoluolutions introduced during the 84th Cong.: S. 2763, S. J. Res. 30, H. J. Res. 97, H. J. Res. 175, H. J. Res. 176, and H. J. Res. 442. See also hearings before Special Subcommittee to Study Presidential Inability of the House Committee on the Judiciary on Problem of Presidential Inability, 84th Cong., 2d sess. (1956), and accompanying committee print entitled "Presidential Inability" (January 31, 1956).

Court would probably require a constitutional amendment because the Court's original jurisdiction is strictly limited. Provision to decide the issue could follow the pattern of the impeachment process; devoid, of course, of any of the opprobrious connotations sometimes read into that process. A parallel procedure—initiation of the question of the President's inability by the House, consideration of the question by the Senate with the Chief Justice presiding, and a two-thirds vote by the Senate required for a determination or finding of inability—should provide ample safeguards for so grave a responsibility.

In the typical circumstance of Presidential inability I am inclined to the opinion that it is only the powers and duties of the President and not the Office itself that devolves on the Vice President. The logical implication of the Constitution seems to be that the Vice President in such a situation is merely acting for the President and that the latter recovers his powers when his disability is removed. As we have seen, there is no precedent to guide us except by questionable analogy to those instances when Vice Presidents have succeeded deceased Presidents.

The records of the Constitutional Convention indicate that it was not the intention of the framers of the Constitution that the Vice President or other officer in line of succession should become President in fact.[23] Yet we are faced with an unusual precedent in respect to Vice Presidents who succeeded to the powers and duties of the Presidency upon the death of a President. The precedent originated with Vice President John Tyler, who succeeded President William Henry Harrison, the first Chief Executive to die in office. Despite the objections of many of his contemporaries in high office, Tyler took the position that he was not Acting President, but President in fact. The other six Vice Presidents who succeeded Presidents who had died entertained the same attitude relative to their status when they assumed the powers and duties of the Presidency.[24] These precedents could cause reluctance in a disabled President and his advisers to encourage a Vice President to take over through fear that pursuant to the established precedent the Vice President would usurp the Office and fail to return it if the President's inability should cease.[25]

Congressional study of this tangent of presidential succession should have for its main objective the clarification of the status of one who succeeds to the Executive powers and duties. The present obscure situation should be rectified by statute or, if necessary, by constitutional amendment. Proceeding on the theory that the Vice President (or other officer in line of succession) does not become President in fact when he succeeds to the powers and duties of the Presidency under any set of circumstances, the question naturally arises as to whether it might not be advisable to provide for a special presidential election to coincide with the regular election of Members of the House of Representatives in those instances when 2 years or more of the presidential term remain. The proposed joint committee should consider the desirability of a constitutional amendment for that purpose.[26]

Whether the heavy responsibilities of the Presidency make it desirable to create an Office of Executive Vice President.

While not strictly within the area of presidential succession, I deem it advisable to include in the agenda for my proposed joint committee the consideration of the increasing responsibilities of the Presidency and the advisability and possibility of relieving the President of some of his administrative burdens. On January 16, 1956, former President Hoover, in an appearance before a Senate subcommittee, proposed that Congress create a statutory position of Administrative Vice President, to be assigned such administrative and coordination duties[27] as the President might be authorized under existing law to delegate to him. The former President emphasized that he was not proposing that the President be relieved of any of his constitutional duties. Mr. Hoover's proposal and other similar proposals and related matters were given complete study by the Subcommittee on Reorganization of the Senate Committee on Government Operations.[28]

CONCLUSION

I have attempted in this short article to review briefly some of the problems inherent in presidential succession and to emphasize those in dire need of early solution. The limitations of space have necessitated cursory treatment of the problems themselves, and my principal endeavor has been to stress the importance of their solution by the creation of a joint committee of Congress for that purpose.[29] All the items which I would include in the agenda of my proposed joint committee can best be considered together. While it is true that legislative remedies for them would have to be reported separately from several regular committees of the Senate and House, and that some of those remedies would be in the form of statutes and others in the form of constitutional amendments, I believe the first step by the Congress should be a comprehensive joint study of presidential succession in its broadest terms.

On Thursday, January 19, 1956, President Eisenhower held his first full-dress news conference following his unfortunate heart attack. At that conference, in discussing the laws of presidential succession and, in particular, succession pursuant to the disability of a President, President Eisenhower is quoted in the New York Times as having said:

"I think it is a subject that, in its broadest aspects, every phase of it should be carefully studied by the Congress, advised with by the Attorney General, and any kind of advice they want from the executive department, and some kind of a resolution of doubt reached. I think it would be good for the country."

I thoroughly concur in this forthright proposal. Although joint committees do not—except in rare instances—have my favor, it seems to me that the problems attendant upon Presidential succession constitute a rare instance. In my opinion, it is far more important to have some solution to the questions involved than it is to have the best solution, though, naturally, I would like to have the best. We cannot afford to be complacent. We cannot afford to indulge further procrastination in the area of Presidential succession. We must not wait for the impetus of another crisis to drive us to the action I now propose.[30] Any solution we can determine now by cool, deliberate consideration will be far superior to that achieved under the pressure of a sudden emergency.

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[23] Warren, Charles, The Making of the Constitution (1928), p. 635.

[24] In this respect, it is worthy to note an amusing aspect of the impeachment of Andrew Johnson, the Vice President who succeeded President Abraham Lincoln. During the impeachment of Johnson, his opponents, many of whom entertained the view that a Vice President does not in fact succeed to the Presidency, were forced to concede that Johnson was in fact President of the United States in order to proceed with the impeachment process inasmuch as Johnson was arraigned as "President of the United States."

[25] Amendment XX has seemingly given acquiescence to precedent in part since it provides that if a President-elect dies, the Vice President-elect shall become President.

[26] H. J. Res. 441, introduced by Congressman Dodd, during the 84th Cong., contained the following section:

"SEC. 2. If any person shall succeed to the Office of President, not having been elected thereto, and more than 1 year remains of the regular 4-year term, a special election shall be held within 4 months of the date of such succession to elect a President and Vice President to serve the remainder of such term."

[27] S. Rept. No. 1960, 84th Cong., 2d sess., 1956), p. 3.

[28] Hearings were held on this subject matter on January 16, 24, and 25, 1956; and on May 9, 1956, Senator JOHN KENNEDY, chairman of the Subcommittee on Reorganization of the Committee on Government Operations, summarized the unanimous views of the members of the subcommittee and explained its decision to take no further action at that time. See CONGRESSIONAL RECORD, vol. 102, pt. 6, p. 7744). Two proposals introduced in the House by Congressman FRELINGHUYSEN during the 84th Congress are worthy of note. H. R. 7900 would have established a Commission on the Office of President to look into the possibility of alleviating the heavy burdens of the Office of President and report its findings and recommendations to Congress. H. R. 7901, a more direct approach, would have amended title 3 of the United States Code by inserting a new provision, to wit:

"Section 106a. Administrative Vice President:

"The President is authorized to appoint, by and with the advice of the Senate, an administrative assistant to be designated as 'Administrative Vice President,' and may fix the compensation of such assistant at a rate not exceeding $27,500 per annum. The Administrative Vice President shall perform such duties as the President may prescribe."

In reference to the above proposals it should be noted that Congress made an attempt to relieve the President of much administrative detail by its act of October 31, 1951 (65 Stat. 712), which provides generally for the delegation of specified Presidential functions.

[29] In summarizing Congressional inaction and specific abortive attempts in clarification of succession law, one of the foremost authorities on the subject concluded her profound treatise as follows: "More to the point is Senator THEODORE F. GREEN'S resolution which would create a joint committee to investigate all matters relating to both Presidential election and succession." Silva, Ruth C., Presidential Succession. (University of Michigan Press, 1951, p. 166.)

[30] The report of the Senate Committee on Rules and Administration in recommending the establishment of my proposed joint Congressional committee, over 7 years ago, read in part:

"Many issues of the utmost importance and gravity will develop, no one of which can be adequately considered without a thorough examination of the entire subject. There also exists in this very important matter a definite interrelationship among the many far-reaching and fundamental questions which must be answered, so that this Nation will not be faced with a calamitous situation imperiling the succession of the Presidency without a legally established solution on which to rely. All uncertainties in a matter of such importance should be eliminated without hesitancy. This can be done by legislation which is based upon the findings of a complete investigation, and which is intelligently prepared and drafted so that all contingencies will be provided for in an adequate manner."

Senate Report 1096, 81st Congress, 1st sess. (1949) 2.

Freedom of Debate in the Senate

EXTENSION OF REMARKS
OF
HON. HERMAN E. TALMADGE
OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Monday, July 1, 1957

Mr. TALMADGE. Mr. President, on Friday, June 28, the Special Subcommittee on Senate Rule XXII of the Senate Committee on Rules and Administration had the privilege of hearing testimony by Hon. John J. Wicker, Jr., of Richmond, Va., representing Hon. W. C. (Dan) Daniel, national commander of the American Legion.

Mr. Wicker's presentation on the subject of continued freedom of debate in the Senate of the United States made on behalf of Commander Daniel was masterful and persuasive, and, in order that all Members of the Senate may have the full benefit of it, Mr. President, I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD. I further ask unanimous consent that the introduction of Mr. Wicker as given by the distinguished junior Senator from Virginia [Mr. ROBERTSON] precede the text of Mr. Wicker's testimony.

There being no objection, the statement and the introduction were ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR A. WILLIS ROBERTSON IN INTRODUCING HON. JOHN J. WICKER, JR., BEFORE SUBCOMMITTEE OF RULES COMMITTEE, JUNE 28, 1957

Mr. Chairman, last year when the Senate Judiciary Committee was conducting hearings on a so-called civil-rights bill, I introduced as a witness the same gentleman who is with me today.

I have known him for many years, first, as an outstanding lawyer, as a member of the State Senate of Virginia, and as one of the founders of the American Legion and a former Virginia State commander of that organization.

He is a former chairman of the judiciary committee of the Virginia Bar Association and a present member of the executive council of the insurance law section of the American Bar Association.

He was president of the electoral college of Virginia in 1944 and chairman for the first half of the 1945 constitutional convention of Virginia. He has served on several State commissions and boards.

Most important, for our present purpose, however, he is an astute student of the law and a dedicated believer in the principles of constitutional liberty and in the institutions, including the Senate of the United States, which are designed to preserve that liberty.

Last year he gave a convincing and scholarly argument against proposed legislation which he and I both felt would constitute a threat to constitutional liberty. Today I am sure he will be equally skillful in presenting his views on why it would be dangerous and undesirable to change the rules of the Senate in a way which might remove some of the protections of minority rights which were deliberately provided by the Founding Fathers or prevent the full discussion of constitutional issues which is necessary for the preservation of the spirit as well as the letter of that great document.

It is a pleasure for me to present to this committee the Honorable John J. Wicker, Jr., of Richmond, Va.

STATEMENT OF JOHN J. WICKER, JR., ATTORNEY AT LAW, REPRESENTATING W. C. (DAN) DANIEL, NATIONAL COMMANDER OF THE AMERICAN LEGION, BEFORE THE SUBCOMMITTEE OF THE SENATE COMMITTEE ON RULES AND ADMINISTRATION, IN CONNECTION WITH HEARINGS ON PROPOSED CHANGES IN SENATE RULE XXII (CLOTURE RULE)

Mr. Chairman and members of the subcommittee, my name is John J. Wicker, Jr. I am an attorney at law, and for many years I have been a member of the bar of the Supreme Court of Appeals of Virginia, of the Federal courts in Virginia, and of the Supreme Court of the United States. I am also a former Virginia State senator and I was temporary chairman of the 1945 constitutional convention of Virginia. I reside, as I have for most of my life, in Richmond, Va.

I am appearing before you at the request of W. C. (Dan) Daniel, the national commander of the American Legion, and upon his authority, to express the views of the national commander—with which views I am in full accord—concerning a number of resolutions pending before you to amend and modify rule XXII of the Standing Rules of the Senate (relating to cloture). The national commander was invited to appear before you by the distinguished Senator from Georgia, Senator Herman E. Talmadge, and being unable to appear in person because of previous engagements, he has requested and authorized me to appear in his stead.

GENERAL PURPOSE AND EFFECT OF PENDING RESOLUTIONS

While the several resolutions pending before you with regard to cloture have some differences in language and in detail, they all appear to have the same general intent and purpose and would probably have the same general effect, viz to make it possible for less than two-thirds of the duly elected Members of the Senate to shut off debate and to deprive more than one-third of the duly elected Senators of their right of unlimited debate.

PENDING RESOLUTIONS WOULD PERMIT 49 SENATORS TO SILENCE 47 SENATORS

As the rule now stands, the views and voices of United States Senators upon pending legislation can be shut off by the concurring vote of 64 out of the 96 elected Senators. Under these pending resolutions, cloture could be applied and debate terminated at any time, by the concurrence of only two-thirds of these Senators actually voting on the resolution of cloture, provided that they constituted at least a bare majority of the total membership.

Thus, the sentiments and opinions and judgments of a large number of duly elected United States Senators—voicing and reflecting the sentiments and opinions and judgments of the citizens of their respective States—could be stifled and silenced by the active concurrence of a bare elected majority. And this would be true regardless of how fundamentally important the issue might be.

While the rule now requires 64 affirmative votes to apply cloture, the pending resolutions would reduce that required number by 15, almost a fourth, so that the required minimum would be only 49 Senators, provided not more than 24 other Senators actually voted the other way. Forty-seven Senators might be opposed to the pending legislation and/or opposed to cloture; but unless at least 25 of them were actually present and voting, their opposition would be ignored and count for naught.

SENATE AND HOUSE ARE COORDINATE AND OF EQUAL DIGNITY BUT FUNDAMENTALLY DIFFERENT

Our Founding Fathers very wisely provided for two distinct bodies in the Federal legislative branch. The House of Representatives, chosen on a population basis and constituting a large representative body, is fresh from the people as a result of elections every other year. The Senate, being a smaller and consequently much more deliberative body, with each State being represented by two Senators regardless of wide variations in population and area, has its membership elected for 6-year terms with only one-third of the body being elected every 2 years.

Anyone making even a cursory study of the fundamental principles and aims and purposes which the framers of the Federal Constitution had in mind in providing for these two bodies, so vastly different in their size and basis of representation and terms of office and times of election, will recognize that while the powers of the two Houses are coordinate, their methods of operation would, in many particulars, be vitally and fundamentally different.

LIMITATION OF DEBATE APPROPRIATE AND NECESSARY IN HOUSE BUT NOT IN SENATE

Obviously anything like unlimited debate in any legislative body as large as the House of Representatives (numbering 435 Congressmen) would be completely out of question. Consequently limitation of debate in the House of Representatives is not only traditional and historical, but is also absolutely necessary in order to permit the House to operate.

By sharp contrast, however, the Senate, with a total membership of 96—substantially less than one-fourth of the number of the House—can operate efficiently and effectively without limitation of debate. In fact, the Senate has actually done so throughout its existence.

ANYTHING IMPORTANT ENOUGH TO JUSTIFY CLOTURE WILL HAVE ACTIVE SUPPORT OF AT LEAST 64 SENATORS

Anything so serious and so dangerous to our American form of Government—as shutting off debate and stifling free expression and argument by United States Senators—should never be sanctioned without the affirmative concurrence of at least two-thirds of the membership of the Senate. If any real emergency arises that requires and justifies a limitation of debate, surely the emergency would be recognized and acted upon by at least two-thirds of the Senators. And any proposition of that kind which cannot secure the active voting support of at least two-thirds of the duly elected Senators does not deserve to be adopted.

With only two Senators elected by any one State to represent that State and its people, it would be unreasonable to silence those Senators from expressing their views fully—especially on measures which they believe may involve a violation of fundamental constitutional rights—unless at least two-thirds of the membership of the Senate affirmatively vote to close debate.

Any attempt to shut off debate which cannot command the affirmative voting support of at least 64 out of the 96 elected Senators must have inherent in it such weakness and such objection that it deserves to fail.

MINORITY OF SENATORS OBSTRUCTING WILL OF MAJORITY IS SOMETIMES BEST FOR PUBLIC WELFARE

It is claimed that rule XXII permits a minority to obstruct the will of the majority. If that be true, it is not necessarily a damning indictment because our history shows many instances in which a bare majority, if unfettered and uncontrolled, would have done willful violence to the legitimate rights of minorities.

To enable cloture to be applied upon the concurring vote of less than two-thirds of the elected Senators would undoubtedly result in the hasty enactment of some legislation which would otherwise be defeated if

debate were sufficiently prolonged to enable the American public to become fully informed as to the merits or demerits of the proposed legislation and to transmit their sentiments to their representatives in the Senate. In the very nature of things there is not as much opportunity for this formulation of informed and considered public opinion in connection with the passage of legislation in the House of Representatives, but this opportunity should by all means be preserved in the Senate.

MINORITY OF SENATORS MAY ACTUALLY REPRESENT MAJORITY OF CITIZENS

A minority of Senators may actually be representative of a large majority of American citizens and of American territory. For example, there are 10 States having a combined total of only 20 United States Senators, and yet these 10 States have a combined population constituting a substantial majority of all the citizens of the United States of America, and also a majority of territory. Even as it stands now, the rule is fraught with some danger of unduly stifling debate; but this danger certainly should not be increased, as it would be, by a weakening modification of the rule by the pending resolutions.

PRESENT RULE HAS NOT KILLED PERMANENTLY ANY MERITORIOUS LEGISLATION

Of all the legislation that has failed of passage at one time or another in the United States Senate, because of unlimited debate, very few measures have failed of ultimate enactment. In fact, the few that have failed permanently were those that were of such a vicious type, fraught with such genuine peril to our American system of government, that they fully deserved the defeat they experienced.

SENATE EXPECTED TO BE MORE DELIBERATE THAN THE HOUSE

In view of the important differences in size, basis of representation, terms of office, times of election, prerogatives and functions, the Senate was designed and intended to operate quite differently from the House. It is not unreasonable to say that the Senate was intentionally created of such size and type as to make sure that many things hastily approved by the House would not receive the approval of the Senate.

Elected entirely every 2 years, the House is fresh from the people and, quite naturally, reflects the current popular sentiment of the people at the moment. But the Senate, elected by thirds over a period of 6 years, represents a much broader span of public opinion. Consequently, from the very beginning of our Government, the Senate has been expected to be more deliberate than the House; ordinarily to concur in House action but just as properly to refuse concurrence when any sizeable segment of the Senate has reasonable doubt of the long range wisdom of House action.

MORE DELIBERATE SENATE ACTS AS BULWARK AGAINST EXECUTIVE DOMINATION

While the House and the Senate are of equal dignity, there are many important functions performed solely by the Senate; for example, the confirmation of executive appointments and ratification of international treaties. If limitation of debate could be brought about by less than the concurring vote now required, it is conceivable that the Senate might not be able to discharge its important functions as intelligently as it should, and as it now does.

The smaller size, staggered changes of personnel and representation on the basis of individual States rather than population, all combine to show that the Senate was consciously designed to act also as a safeguard against Executive domination. Otherwise, why is it that the Senate, rather than the House, must approve or reject important official appointments made by the President? Obviously because—ordinarily although not always—the majority of the House is more apt to be of the same political party or governmental persuasion as the President. Thus, ordinarily, the House is more likely to go along with Presidential policy. The Senate, however, being more removed from the popular pressures and changing passions of the day, is more apt to apply its own deliberate judgment. And whenever necessary, in the interests of constitutional government, the Senate is expected to act as a deterrent and checkmate against hasty action—regardless of whether that action originates in the House or in the Senate.

It has been true in the past, and may well be so in the future, that it is a minority of both parties in the Senate that must be counted upon as the last bulwark against improper, harmful legislation. And this bulwark should not be destroyed or weakened, regardless of how high and noble the motives of the proponents may be.

HISTORY WARNS OF DANGER OF BARE MAJORITIES

With no reflection upon anyone, let us remember that most of the foreign tyrants of the past have acquired absolute and despotic power on the temporary but surging wave of popular sentiment of the day, allegedly to promote social welfare and so-called civil rights, etc. Few indeed would have succeeded in their autocratic seizures if their countries had been blessed with a legislative body with the courage, power, and deliberative character of the United States Senate. In the few instances where there was indeed a legislative body at all comparable to our Senate, the first step of the tyrant and his cohorts was to suspend or repeal all rules which permitted anything less than an absolute majority to oppose him. Of course, it may be said that such a thing could never happen here. Well, that same thing was said, and believed, in every country before it succumbed to the tyranny of a dictator.

WHY WEAKEN MINORITY IN THE SENATE TO STRENGTHEN MINORITY OUTSIDE?

It is a strange and paradoxical thing that many of the leading proponents of cloture, who seek to make it possible to stifle the voice of substantial minorities in the United States Senate, appear to be doing so principally in the hope of thereby bringing about the passage of pending legislation, allegedly designed to protect miscellaneous minorities of people here and there in the United States outside the Senate. It would seem that Senators should be at least equally zealous in protecting the rights of their fellow Members of what has well been described as the most august deliberative body in the world as they are in seeking to set up a vast bureaucracy of Federal inquisitors and prosecutors to ferret out and punish fancied grievances of a comparatively few individuals.

RULE XXII HAS PROVEN ITS VALUE TO PUBLIC WELFARE AND SHOULD NOT BE WEAKENED

Rule XXII has had considerably more than a century of useful life and it would not be for the best interest of the United States and its people, or of our American form of government, to emasculate or otherwise weaken this rule.

The modification and weakening of the rule would bring about far greater bitterness and resentment than whatever may be occasionally aroused by the operation of the rule as it now stands.

SENATE

TUESDAY, JULY 2, 1957

The Senate met at 11 o'clock a. m.

Rev. Robert Theron Browne, associate minister, First Methodist Church, Houston, Tex., offered the following prayer:

Eternal Father, give us grateful hearts for this moment when a nation prays. May we beg to offer our thanks simply, and without pretense, for the high calling that unites us in the cause of freedom.

At the approach of the sacred day upon which that liberty was conceived, prepare in us a clean heart, O God, that we may by Thy help receive so great an inheritance with high resolve that it shall never be lost.

May all that is done in this Chamber cause all our country to hear a resounding note of freedom.

By Thy grace, may our ideals concerning justice fall into a more sober perspective, and may we discover that we have been led by Thy hand through difficult hours of discussion.

We pray in Thy holy name, for Thou art the power and the glory. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Monday, July 1, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on July 1, 1957, the President had approved and signed the act (S. 768) to designate the east 14th Street highway bridge over the Potomac River at 14th Street in the District of Columbia as the Rochambeau Memorial Bridge.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 609. An act to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes; and

S. 1054. An act to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1058. An act to preserve the key deer and other wildlife resources in the Florida Keys by the establishment of a National Key Deer Refuge in the State of Florida;

H. R. 2170. An act to authorize the Secretary of the Interior to consummate desirable land exchanges;

H. R. 3071. An act to authorize the Secretary of the Interior to enter into and to execute amendatory contract with the Northport Irrigation District, Nebraska;

H. R. 3358. An act to supplement the land grant provisions of the Alaska Mental Health Enabling Act;

H. R. 3604. An act to amend section 831 of title 5 of the Canal Zone Code to make it a felony to injure or destroy works, property, or material of communication, power, lighting, control, or signal lines, stations, or systems, and for other purposes;

H. R. 4115. An act to authorize the conveyance of certain lands in Shiloh National Military Park to the State of Tennessee for the relocation of highways, and for other purposes;

H. R. 5810. An act to provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the act of September 3, 1954;

H. R. 5953. An act to provide for the construction of sewer and water facilities for the Elko Indian colony, Nevada;

H. R. 6182. An act to provide for the conveyance of certain real property of the United States to the former owners thereof;

H. R. 6710. An act relating to Canal Zone money orders which remain unpaid;

H. R. 7383. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes;

H. R. 7540. An act to amend Public Law 815, 81st Congress, relating to school construction in federally affected areas, to make its provisions applicable to Wake Island;

H. R. 7734. An act to exempt certain teachers in the Canal Zone public schools from prohibitions against the holding of dual offices and the receipt of double salaries;

H. R. 7864. An act to amend the act of May 4, 1956 (70 Stat. 130), relating to the establishment of public recreational facilities in Alaska;

H. R. 7907. An act relating to contracts for the conduct of contract postal stations, and for other purposes;

H. R. 7910. An act to revise the laws relating to the handling of short paid and undeliverable mail, and for other purposes;

H. R. 8005. An act to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in the county of Cook, and State of Illinois;

H. R. 8053. An act to authorize funds available for construction of Indian health facilities to be used to assist in the construction of community hospitals which will serve Indians and non-Indians; and

H. R. 8195. An act to facilitate the payment of Government checks, and for other purposes.

The message further announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 135. Concurrent resolution to print as a House document the publication Guide to Subversive Organizations and Publications and to provide for the printing of additional copies; and

H. Con. Res. 136. Concurrent resolution to print as a House document volumes I and II of the publication Soviet Total War and to provide for the printing of additional copies.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred or placed on the calendar, as indicated:

H. R. 1058. An act to preserve the key deer and other wildlife resources in the Florida Keys by the establishment of a National Key Deer Refuge in the State of Florida; to the Committee on Interstate and Foreign Commerce.

H. R. 2170. An act to authorize the Secretary of the Interior to consummate desirable land exchanges;

H. R. 3071. An act to authorize the Secretary of the Interior to enter into and to execute amendatory contract with the Northport Irrigation District, Nebraska;

H. R. 3358. An act to supplement the land-grant provisions of the Alaska Mental Health Enabling Act;

H. R. 4115. An act to authorize the conveyance of certain lands in Shiloh National Military Park to the State of Tennessee for the relocation of highways, and for other purposes; and

H. R. 7864. An act to amend the act of May 4, 1956 (70 Stat. 130), relating to the establishment of public recreational facilities in Alaska; to the Committee on Interior and Insular Affairs.

H. R. 3604. An act to amend section 831 of title 5 of the Canal Zone Code to make it a felony to injure or destroy works, property, or material of communication, power, lighting, control, or signal lines, stations, or systems, and for other purposes;

H. R. 6710. An act relating to Canal Zone money orders which remain unpaid; and

H. R. 7734. An act to exempt certain teachers in the Canal Zone public schools from prohibitions against the holding of dual offices and the receipt of double salaries; to the Committee on Armed Services.

H. R. 5810. An act to provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the act of September 3, 1954; to the Committee on the Judiciary.

H. R. 5953. An act to provide for the construction of sewer and water facilities for the Elko Indian colony, Nevada;

H. R. 7540. An act to amend Public Law 815, 81st Congress, relating to school construction in federally affected areas, to make its provisions applicable to Wake Island; and

H. R. 8053. An act to authorize funds available for construction of Indian health facilities to be used to assist in the construction of community hospitals which will serve Indians and non-Indians; to the Committee on Labor and Public Welfare.

H. R. 6182. An act to provide for the conveyance of certain real property of the United States to the former owners thereof; and

H. R. 8005. An act to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in the county of Cook, and State of Illinois; to the Committee on Government Operations.

H. R. 7383. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes; placed on the calendar.

H. R. 7907. An act relating to contracts for the conduct of contract postal stations, and for other purposes; and

H. R. 7910. An act to revise the laws relating to the handling of short paid and undeliverable mail, and for other purposes; to the Committee on Post Office and Civil Service.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions were referred to the Committee on Rules and Administration:

H. Con. Res. 135. Concurrent resolution to print as a House document the publication Guide to Subversive Organizations and Publications and to provide for the printing of additional copies.

"House Concurrent Resolution 135

"Resolved by the House of Representatives (the Senate concurring), That the publication entitled 'Guide to Subversive Organizations and Publications' prepared by the Committee on Un-American Activities, House of Representatives, 84th Congress, 2d session, be printed as a House document; and that there be printed 60,000 additional copies of said document, of which 40,000 copies shall be for the use of said committee and 20,000 copies to be prorated to the Members of the House of Representatives for a period of 90 days after which time the unused balance shall revert to the Committee on Un-American Activities."

H. Con. Res. 136. Concurrent resolution to print as a House document volumes I and II of the publication Soviet Total War and to provide for the printing of additional copies.

"House Concurrent Resolution 136

"Resolved by the House of Representatives (the Senate concurring), That volumes I and II of the publication entitled 'Soviet Total War' prepared by the Committee on Un-American Activities, House of Representatives, 84th Congress, 2d session, be printed as a House document; and that there be printed 5,000 additional copies each of volumes I and II for the use of said committee."

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following committees and subcommittee were authorized to meet during the session of the Senate today:

The Committee on Interior and Insular Affairs.

The Committee on Foreign Relations.

The subcommittee considering changes in rule XXII of the Committee on Rules and Administration.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour, for the introduction of bills and the transaction of other routine business. In that connection, I ask unanimous consent that statements be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

AUTHORIZATION FOR DISPOSAL OF CERTAIN UNCOMPLETED VESSELS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to authorize the disposal of certain uncompleted vessels, which, with the accompanying paper, was referred to the Committee on Armed Services.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

The petition of Roger Revelle, of La Jolla, Calif., praying for the enactment of legislation to construct a geophysical institute in the Territory of Hawaii; to the Committee on Appropriations.

A resolution adopted by the Northwest Texas Annual Conference of the Methodist Church, at Amarillo, Tex., favoring the enactment of legislation to prohibit the advertising of alcoholic beverages in interstate

commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. FLANDERS:

A joint resolution of the Legislature of the State of Vermont; to the Committee on Armed Services:

"Joint resolution relating to trial of United States military forces abroad

"Whereas the members of our Armed Forces serving abroad, their civilian components, and the dependents of each, are now subject to the criminal jurisdiction of more than 50 countries in which they may be on duty, by reason of the NATO Status of Forces Treaty, the administrative agreement with Japan, and executive agreements with other nations; and

"Whereas these agreements penalize our servicemen for foreign service by depriving them of many of the rights granted by our Constitution, which they are sworn to defend; and

"Whereas it is difficult for any serviceman accused of transgression in a foreign country to receive a fair and impartial trial because of the varying systems of jurisprudence which make it difficult for him to receive the protection of all of the rights and guaranties which our Constitution gives to every citizen, and because of the prejudice and animosity sometimes existing against our men; and

"Whereas legislation has been introduced in both the Senate and House of Representatives of the United States to direct the President to seek a modification of all such agreements so that the United States may regain exclusive jurisdiction over the members of its Armed Forces for all purposes: Now, therefore, be it

"Resolved by the senate and house of representatives, That the members of this body deplore the arrangements now existing which make service in our Armed Forces abroad a hazard by depriving our servicemen, their civilian components, and dependents of each ,of the rights and guaranties of our Constitution when they are stationed in other lands; and be it further

"Resolved, That we respectfully urge the Congress of the United States to immediately enact the legislation now pending or similar legislation which will secure a modification of the provisions of the NATO Status of Forces Treaty and all other agreements which surrender to foreign nations criminal jurisdiction over our servicemen; and be it further

"Resolved, That the general assembly express its belief that all United States service personnel stationed abroad should be tried by United States military tribunals under the Uniform Code of Military Justice for any offense committed on foreign soil and respectfully urge the President of the United States, by negotiation, and the Senate and House of Representatives of the United States by legislation directing such negotiation, to immediately seek a modification of all existing agreements with foreign nations so that the United States may regain criminal jurisdiction over its Armed Forces; and be it further

"Resolved, That the secretary of state send a copy of this resolution to Hon. GEORGE D. AIKEN, Hon. RALPH E. FLANDERS, and Hon. WINSTON L. PROUTY."

RESOLUTION OF FLORIDA STATE LEGISLATURE

Mr. HOLLAND. Mr. President, on behalf of myself and my colleague, the junior Senator from Florida [Mr. SMATHERS], I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, House Memorial 1579 of the Florida Legislature, regular session 1957, memorializing and requesting the Congress of the United States to take the necessary action to have the Department of the Interior cooperate and aid in preventing forest-fire hazards in Wakulla County, Fla., in which the Apalachicola National Forest is located.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and, under the rule, ordered to be printed in the RECORD, as follows:

House Memorial 1579

Memorial to Congress of the United States of America requesting aid and cooperation from the United States Department of the Interior to prevent forest-fire hazards in Wakulla County, Fla., in the national forest located therein

Whereas the year 1956 was one of the driest in the history of Florida, resulting in a drop of the natural water table and in Wakulla County, Fla., Lost Creek and the Sopchoppy River have become extremely low; and

Whereas there are thousands of acres of forest land, including the Apalachicola National Forest located in this area, which are now in a very bad position due to the fall of these rivers and if fire broke out in this area it would cause great damage to the forest and threaten life; and

Whereas the best solution, it appears, is to construct a series of spillway dams across these rivers to back up the waters of these rivers and raise the natural water table and assure water for fighting forest fires as well as maintaining natural fire breaks and reducing the hazard; and

Whereas the Apalachicola National Forest being involved, makes it necessary to consult the United States Government before such a cooperative plan can be worked out: Now, therefore, be it

Resolved by the Legislature of the State of Florida—

SECTION 1. The Congress of the United States of America is memorialized and requested to take the necessary action to have the Department of the Interior cooperate and aid in this forest-fire prevention measure.

SEC. 2. A copy of this memorial shall be sent by the secretary of state of the State of Florida to: (1) the Honorable BOB SIKES, Congressman from Florida, (2) the Honorable SPESSARD HOLLAND, Senator from Florida, (3) the Honorable GEORGE A. SMATHERS, Senator from Florida, (4) United States Secretary of the Interior.

Filed in office, secretary of state, June 20, 1957.

RESOLUTION IN SUPPORT OF INCREASED POSTAGE RATES

Mr. WILEY. Mr. President, I have received a resolution adopted by the Wisconsin Rural Letter Carriers' Association, favoring an increase in postage rates.

As we know, the House Post Office and Civil Service Committee has reported out a bill, H. R. 5836, for increased rates on first-, second-, and third-class mail, as well as on books.

While the Senate is awaiting action by the House on this revenue legislation, I would invite the attention of my colleagues, as well as the House members, to this grassroots "voice of support" for increased rates.

We will want, of course, to take a fair, openminded look at these proposals. As we recognize, there is a real need to modernize our postage rates in relation to today's actual increased costs of operation by the Post Office Department. Naturally, we will also want to give consideration to the effects that increased rates would have on specific groups of "mail users."

I feel there need be no basic inconsistency between the needs of the public, to avoid a huge postal deficit, and the needs of specific segments of private enterprise which rely heavily on fair mail rates for service purposes. These two basic interests can be and must be reconciled.

So that the sentiments of the fine Wisconsin Rural Letter Carriers Association may be considered, I request unanimous consent to have the resolution printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

WISCONSIN RURAL LETTER CARRIERS' ASSOCIATION,
Bowler, Wis., June 26, 1957.

DEAR MR. WILEY: The resolution listed below was passed at our annual State convention just completed, at Green Bay, and as per the same the secretary has been instructed to send a copy of said resolution to each of you.

No. 10. Whereas the Post Office Department has operated in a deficit and the Postmaster General has repeatedly asked for a postage rate increase, be it resolved that the Wisconsin Rural Letter Carriers' Association go on record as favoring an increase in rates, and that a copy of this resolution be sent to the Wisconsin Senators and Congressmen.

We do hope that some sort of an increase bill can be passed soon, to put postage rates on a 1957 basis.

Many thanks for anything you can do on this.

Respectfully yours,

MELVIN LEMKE,
State Secretary, Wisconsin RLCA.

RESOLUTIONS OF DAIRYLAND POWER COOPERATIVE, LA CROSSE, WIS.

Mr. WILEY. Mr. President, I have just received a series of resolutions adopted at a membership meeting of the vast Dairyland Power Cooperative, of La Crosse, Wis.

The first resolution of the Dairyland Power Co-op expresses the deep interest in the maintenance of stable and fair REA interest rates.

As we know, the REA—over the years—has helped tremendously in the development of rural America.

The REA lines have brought electricity to our farms, giving our rural folks light, electricity, and power—and thus access to the comforts and conveniences of modern living enjoyed by their city cousins.

The maintenance of this service—at fair and reasonable rates, of course, is of great importance to all of agriculture. As we are all aware, the farmer is still not receiving a proportionate share of the national income.

Consequently, I think it is highly important to take a careful look at any legislation—such as the proposals to increase REA interest rates—which might, in turn, result in an even greater strain on farm income.

The second resolution by this fine co-op recognizes the need for pushing ahead with our atomic program, a matter for which I for one have previously definitely voted.

The prospect of low-cost power through early development of atomic powerplants brightens the future, not only of agriculture, but the whole country—and the world.

Consequently, I am glad to have heard the "voice" of the Dairyland Power Co-op, as it expresses its interest in the Federal Government assuming a vital role in the atomic development program.

The third resolution expresses the approval and endorsement by Dairyland Power Cooperative's board of directors of the legislation for Federal construction of a high dam at Hells Canyon.

As a cosponsor of S. 555—which fortunately has just passed the Senate—of course, I am glad to have this approval of the Senate action.

Moreover, I invite the attention of the Members of the House, and especially of the Irrigation Subcommittee of the House Interstate Committee, as it takes up consideration of Hells Canyon today, to this resolution.

Because the Dairyland Power Cooperative, along with others in the cooperative movement, speaks strongly in behalf of rural Wisconsin and America, I believe these resolutions deserve the utmost consideration.

I ask unanimous consent to have these resolutions printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTIONS ADOPTED AT THE MEMBERSHIP MEETING OF THE DAIRYLAND POWER COOPERATIVE HELD JUNE 5, 1957, AT LA CROSSE, WIS.

STABLE AND FAIR REA INTEREST RATES

Resolved, That the delegates to the Dairyland Power Cooperative assembled in its annual meeting approve and endorse the remarks and position stated by President John E. Olson in his report to the members, relating to interest rates, as follows:

"Another controversy shaping up is over REA interest rates. You are all familiar with this issue. When the REA program was established, interest rates were legislated which would provide that they equal the average cost of money to the Government on long-term borrowings. In 1944, because of the red tape involved in establishing each new advance of REA loan funds at a different rate of interest, the Pace Act was passed pegging future interest rates at 2 percent. This 2-percent rate was established based upon a long-term average rate of interest cost to the Government. The Pace Act was a revision of the REA Act which recognized the 8 years of REA experience and was calculated to project the REA program into the future on a long-range basis. In addition to establishing a permanent 2-percent interest rate, the Pace Act changed the amortization period from 25 to 35 years. At the moment of the adoption of the Pace Act money was costing the Government considerably less than 2 percent, and on the average has been less than 2 percent since then. As a matter of fact, the Government has made a profit of $47 million on REA loans as of the end of 1956.

"However, during the past 3 years as a result of the hard-money policy of the national administration, interest rates have temporarily, at least, increased above 2 percent. Judging from history, it is doubtful that such hard-money policy will be permanent. At any rate, the temporary effects of such political expediencies are not a proper justification for upsetting the long-range REA program.

"As you might expect, the hue and cry was immediately set up by those wishing to embarrass REA, that interest rates should be increased. We recognize that loans at 2 percent today are causing withdrawals from that $47 million profit made by the Government on previous REA loans. But we must recognize, too, that REA loans are and must be long-term loans. There may be withdrawals, and there may be increases over the years in the profit made by the Government on a permanent 2-percent interest rate on REA loans. However, we supported the Pace Act in recognition of this fact of life, and we fully expect that the Congress will recognize that in the long run the 2-percent rate is a valid one in protecting the interest of all taxpayers.

"Where does this hue and cry come from? Certainly not from those interested in the welfare of our rural citizens. Certainly it does not come from those who have seen and appreciate the transformation that cooperative rural electrification has brought to rural America. Certainly not from the average taxpayer who recognizes that programs, such as the REA program, are building the economic power of millions more Americans to help them contribute toward the cost of government.

"Each and every member cooperative and Dairyland has a great stake in the outcome of this issue. Two percent interest on principal over a 35-year period amounts to a very large interest bill. For the calendar years of 1955 and 1956, for instance, Dairyland's expense for interest amounted to more than 13 percent of total operating expenses."

ATOMIC ENERGY

Whereas the dedicated purpose of Dairyland Power Cooperative to improve the standard of living of rural people will be advanced and nurtured by the early development of low-cost fuel through the use of atomic energy, and

Whereas the Federal Government has already invested $16 billion in the development of the use of atomic energy, and is in the most advantageous position to immediately proceed with the final development of atomic energy in the generation of electricity on a basis that will make such processes freely available to all types of organizations generating electricity on a fair and equal basis, regardless of size or financial ability of such organizations, and

Whereas it is our judgment that it is the responsibility of Congress to carry on a positive action program for the research, development and production of electricity from atomic fuel under direct government mandate and under legislation authorizing sufficient funds to build and operate a number of variable sized generating stations throughout the United States and to continue their operation until the desired competitive price status of the energy produced has been attained: Now, therefore, be it

Resolved, That the Dairyland Power Cooperative go on record urging Congress to enact into law Senate bill 151 and H. R. 2154, which would permit and enable the government to face up to its responsibility to the people of making finally available processes for the generation of electricity from atomic energy.

DEVELOPMENT OF HELLS CANYON ON THE SNAKE RIVER

Resolved, That the delegates to the Dairyland Power Cooperative assembled in its annual meeting approve and endorse the resolution of the board of directors relating to Hells Canyon adopted at its meeting of April 18, 1957, as follows:

Whereas the Congress of the United States will act at its present session on authorizing legislation to construct a high dam at Hells Canyon on the Snake River; and

Whereas the proper legislative test to apply to any project like the proposed high Hells Canyon Dam is whether it will provide for the fullest proper use of natural resources and whether private interests are willing and able to do the job as well as can be done by Federal development; and

Whereas the Federal Power Commission has granted a license to Idaho Power Co. for construction of small, low dams as an alternative to a single high Federal dam despite the findings of its hearing examiner, after a year of hearings, that the best development in the public interest would be a single high dam such as proposed in Hells Canyon legislation; and

Whereas we heartily concur with the examiner that a high dam providing 2,880,000 more acre-feet of storage for flood control, that would provide almost 40 percent more power; that would permit ultimate sale of the power at less than half the cost compared to projects authorized by the Federal Power Commission, is clearly a superior project in the public interest, particularly because it would be part of a long term integrated development of the Snake River; and

Whereas the examiner's reason for recommending approval of a Federal Power Commission license for private development was only because he personally didn't think Congress would authorize promptly the Federal development; and

Whereas Wisconsin, Minnesota, Illinois, and Iowa farmers, as well as farmers in 11 other Midwestern States would realize a saving of approximately $8.40 per ton in their purchase of plant food as a result of a major development of the phosphate resources of this area which would utilize the low-cost power from a Federal dam, but could not practically utilize higher cost power and lesser available capacity from private development; and

Whereas in 1957, 16 farmer-owned cooperative organizations serving the plant food needs of 2 million farmer-patrons in 15 Midwest States have already started development of the phosphate resources of this area but find the cost of concentrating superphosphates at the plant cost $2.10 per ton more for each additional mill in kilowatt hour cost and the difference between cost of power available from Federal development average 3 mills compared to 7 mills from private development; and

Whereas low cost power would increase the percentage of estimated phosphate deposits feasible for development by more than 300 percent, and such differentials in both price and available supply may often determine whether or not a farmer can afford to follow good soil conservation practices; and

Whereas Idaho Power Co. already has applications pending for rapid tax writeoffs on 2 of its proposed 3 small dams which at 6 percent over 50 years would yield a total subsidy at the expense of taxpayers of more than $325 million or roughly the cost of the Federal high dam, with the further expectation that a similar subsidy will be applied for if it should build the third dam it proposes; and

Whereas the private development represents partial, piecemeal and less than maximum integration of the potential of our great American water resources at ultimately much greater cost to the taxpayers of the Nation; and

Whereas this stretch of the Snake River represents the greatest remaining potential dam site in the Nation: Now, therefore, be it

Resolved, That we, the members of the board of directors of Dairyland Power Cooperative, which serves more than 90,000 rural families with their wholesale electric power needs in the States of Wisconsin, Iowa, Minnesota, and Illinois, do hereby strongly urge that our representatives in the Senate of the United States Congress, and our Representatives in the House of Representatives in our United States Congress, do

actively support enabling and authorizing legislation to provide for the construction of the high Federal dam at Hells Canyon under auspices of the United States and that construction be authorized with the least possible delay.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. NEUBERGER, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 4830. An act to authorize revision of the tribal roll of the eastern band of Cherokee Indians, North Carolina, and for other purposes (Rept. No. 570).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with amendments:

S. 977. A bill to suspend and to modify the application of the excess land provisions of the Federal reclamation laws to lands in the East Bench unit of the Missouri River Basin project (Rept. No. 574).

By Mr. LONG, from the Committee on Finance, with amendments:

S. 2080. A bill relating to the computation of annual income for the purpose of payment of pension for non-service-connected disability or death in certain cases (Rept. No. 571).

By Mr. CHAVEZ, from the Committee on Public Works, with amendments:

S. 1869. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes (Rept. No. 575).

INCREASED EXPENDITURES BY COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN, from the Committee on Foreign Relations, reported the following original resolution (S. Res. 152) authorizing an increase in expenditures for the Committee on Foreign Relations, which was referred to the Committee on Rules and Administration:

Resolved, That the Committee on Foreign Relations is authorized to expend from the contingent fund of the Senate, during the 85th Congress, for the purposes specified in section 134 (a) of the Legislative Reorganization Act of 1946, $10,000 in addition to the amount authorized in such section.

PAYMENT TO GOVERNMENT OF DENMARK

Mr. GREEN. Mr. President, from the Committee on Foreign Relations, I report an original bill to authorize a payment to the Government of Denmark, and I submit a report (No. 572) thereon.

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar.

The bill (S. 2448) to authorize a payment to the Government of Denmark was read twice by its title and placed on the calendar.

CONTINUANCE OF EFFECTIVENESS OF MISSING PERSONS ACT

Mr. RUSSELL. Mr. President, from the Committee on Armed Services, I report an original bill to extend the effectiveness of the Missing Persons Act, as extended, until April 1, 1958, and I submit a report (No. 573) thereon.

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar.

The bill (S. 2449) to extend the effectiveness of the Missing Persons Act, as extended, until April 1, 1958, was read twice by its title and placed on the calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. POTTER:

S. 2436. A bill to amend subsection (f) (1) of section 209 of the Highway Revenue Act of 1956 (70 Stat. 387); to the Committee on Finance.

S. 2437. A bill for the relief of Douglas Keddy; to the Committee on the Judiciary.

(See the remarks of Mr. POTTER when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. CLARK (by request):

S. 2438. A bill to amend the District of Columbia Business Corporation Act; to the Committee on the District of Columbia.

By Mr. SMITH of New Jersey:

S. 2439. A bill for the relief of Evangelia Margarita Novak; and

S. 2440. A bill for the relief of Siegbert Haja; to the Committee on the Judiciary.

By Mr. HRUSKA:

S. 2441. A bill to amend the act of March 4, 1933, to extend by 10 years the period prescribed for determining the rates of toll to be charged for use of the bridge across the Missouri River near Rulo, Nebr.; to the Committee on Public Works.

By Mr. HILL:

S. 2442. A bill for the relief of William S. Sherrill; to the Committee on Armed Services.

By Mr. YOUNG:

S. 2443. A bill to permit certain veterans to waive entitlement to insurance benefits under title II of the Social Security Act in order to preserve their rights to receive disability pensions under laws administered by the Veterans' Administration; to the Committee on Finance.

By Mr. AIKEN:

S. 2444. A bill to authorize cooperative associations of producers to bargain with purchasers singly or in groups and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. CASE of South Dakota:

S. 2445. A bill to extend for 2 months the time during which annual assessment work on mining claims held by location may be made; and

S. 2446. A bill to authorize the partition or sale of inherited interests in allotted Indian lands in South Dakota, to provide for an interim trust patent, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON (by request):

S. 2447. A bill to authorize and direct the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, and fungicides upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources following spraying and to provide basic data on the various chemical controls so that forests, croplands, and marshes can be sprayed with minimum losses of fish and wildlife; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN:

S. 2448. A bill to authorize a payment to the Government of Denmark; placed on the calendar.

(See the remarks of Mr. GREEN when he reported the above bill, which appear under the heading "Reports of Committees.")

By Mr. RUSSELL:

S. 2449. A bill to extend the effectiveness of the Missing Persons Act, as extended, until April 1, 1958; placed on the calendar.

(See the remarks of Mr. RUSSELL when he reported the above bill, which appear under the heading "Reports of Committees.")

By Mr. JACKSON:

S. 2450. A bill for the relief of Luther Joe Bracey (Choi Myung Dai);

S. 2451. A bill for the relief of Berta Irene Heurung (Hahn Myo Soon); and

S. 2452. A bill for the relief of Lou Jean Clark (Whang Marion); to the Committee on the Judiciary.

By Mr. SCOTT:

S. 2453. A bill for the relief of Emile Zaidan; to the Committee on the Judiciary.

RESOLUTIONS

The following resolutions were reported or submitted, and referred as indicated:

Mr. GREEN, from the Committee on Foreign Relations, reported an original resolution (S. Res. 152) authorizing an increase in expenditures for the Committee on Foreign Relations, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full, which appears under the heading "Reports of Committees.")

Mr. KENNEDY submitted a resolution (S. Res. 153) to express Senate opinion relative to the establishment of independence of Algeria, which was referred to the Committee on Foreign Relations.

(See resolution printed in full when submitted by Mr. KENNEDY, which appears under a separate heading.)

AMENDMENT OF HIGHWAY REVENUE ACT OF 1956

Mr. POTTER. Mr. President, I introduce a bill to amend subsection (f) (1) of section 209 of the Highway Revenue Act of 1956.

The bill would, if enacted, make it reasonably clear that funds in the highway trust fund shall not be used for the purpose of enforcing the Bacon-Davis provisions of the Highway Revenue Act. The reason for my introducing the bill is not that I am opposed to the Bacon-Davis provisions, because the contrary is true. I supported the Bacon-Davis provisions and they should be carried out; but they should be carried out by direct appropriation rather than by dipping into the highway trust fund for that purpose.

If we allowed the Department of Labor to dip its hands into the highway trust fund to carry out the provisions of the Davis-Bacon Act, we would be giving the Department of the Treasury, and other Government agencies which may have some dealings with the Interstate Highway System, the same privilege. Therefore, I sincerely hope the bill will receive favorable action, so that next year there will be no doubt that the Congress will be saying, "We have confidence in the highway trust fund."

I send the bill to the desk and ask that it be appropriately referred.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2436) to amend subsection (f) (1) of section 209 of the Highway

Revenue Act of 1956 (70 Stat. 387), introduced by Mr. POTTER, was received, read twice by its title, and referred to the Committee on Finance.

CONSTRUCTION OF CERTAIN WORKS OF IMPROVEMENT IN NIAGARA RIVER—AMENDMENTS

Mr. CLARK (for himself, Mr. LAUSCHE, and Mr. NEUBERGER) submitted amendments, intended to be proposed by them, jointly, to the bill (S. 2406) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT OF SOCIAL SECURITY ACT, RELATING TO RETROACTIVITY OF CERTAIN APPLICATIONS—AMENDMENT

Mr. POTTER. Mr. President, I submit an amendment which I intend to propose to the bill (H. R. 6191) to amend title II of the Social Security Act, as amended, to extend the period during which an application for a disability determination is granted full retroactivity, and for other purposes.

When social security coverage was extended on a volunteer local option basis to municipal employees, policemen, and firemen positions which were covered by State or a local retirement system were, at the insistence of national groups representing policemen and firemen, specifically excluded by law from social security coverage. Since the 1954 amendments, special legislation has been enacted which modifies this original exclusion to allow social security coverage for policemen and firemen of the States of North Carolina, South Carolina, Florida, Oregon, and South Dakota.

The purpose of my amendment is to include the State of Michigan among those States in which social security coverage for policemen and firemen is allowed.

The exclusion of all police and fire positions works a very definite hardship on firemen and policemen in some of our smaller cities and villages where local retirement systems are deemed inadequate. Generally firemen and policemen are the only ones in municipalities who are excluded from social security coverage.

My amendment would not only remove the bar to the coverage of individuals in police and fire positions in the State of Michigan, but would permit optional treatment of police positions, fire positions, or a combination of these positions, as a separate retirement system for referendum purposes. With the opportunity for separate referendums by these groups of employees, it appears that the interests of policemen and firemen are adequately protected, and at the same time opportunity is given for social security coverage, if desired.

The VICE PRESIDENT. The amendment will be received, printed, and lie on the table.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. YARBOROUGH:

Address delivered by him to the Texas Press Association State convention, San Antonio, Tex., June 29, 1957.

By Mr. REVERCOMB:

Address delivered by him before State convention of Veterans of Foreign Wars, at Clarksburg, W. Va., June 21, 1957.

By Mr. CASE of New Jersey:

Address delivered by Senator JAVITS at Colgate University conference on American foreign policy, Hamilton, N. Y., July 1, 1957.

By Mr. DOUGLAS:

Radio dialog entitled "Labor Answers Your Questions," program No. 9, entitled "Labor's New Broom," between A. J. Hayes, Senator Douglas, and Senator Morse.

By Mr. KUCHEL:

Letter dated May 31, 1957, addressed to him by Hon. Herbert Brownell, Jr., Attorney General of the United States, relative to Senate bill 83, the administration's civil-rights program.

NOTICE OF HEARING ON S. 420, TO PROVIDE FOR THE APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES

Mr. JOHNSTON of South Carolina. Mr. President, on behalf of the Subcommittee on Improvements in Judicial Machinery of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, July 10, 1957, at 10: 30 a. m., in 424 Senate Office Building, on S. 420, to provide for the appointment of additional circuit and district judges, and for other purposes. At the indicated time and place all persons interested in the proposed legislation may make such representations as may be pertinent.

The subcommittee consists of the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Utah [Mr. WATKINS], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

NONFERROUS METAL PRICES

Mr. MANSFIELD. Mr. President, in today's issue of the Wall Street Journal, I notice an item having to do with nonferrous metal prices. The article reads as follows:

Nonferrous metal prices continued under pressure. Zinc was reduced a half cent a pound to 10 cents, East St. Louis. This represented a 3½-cent drop since May 6 and was the lowest level reached in more than 3 years. In London, spot copper receded to a 4-year low at 26.96 cents a pound. Weakness in London was followed by a half cent drop in the domestic price for custom smelter copper, which fell to 28½ cents.

Mr. President, I think the attention of the Congress should be called to the fact that the mining industry in the United States is in a very serious condition at the present time. Within the past several days the American Smelting and Refining Co. has closed three zinc mines in the Western States. This morning we find that zinc has reached its lowest price in 3 years, and that the price of copper is at a 4-year low—well below 30 cents.

I hope the House Ways and Means Committee and the Senate Finance Committee will take cognizance of these facts, because if some action is not taken to impose a tariff or excise tax on the imports of metals I am sure the American metal-mining industry will be in a most difficult situation. I make these remarks at this time to indicate that something will have to be done if the American mining industry is to be saved.

I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, an article concerning the drop in the prices of metals, as published in the Wall Street Journal of July 2, 1957.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ZINC PRICE CUT IN UNITED STATES—COPPER OFF HERE, ABROAD—DOMESTIC ZINC HITS 10 CENTS A POUND; LONDON COPPER FALLS TO LOW SINCE 1953—RHODESIAN QUOTATION LOWER

The price of zinc dropped in this country yesterday and copper's price fell here and abroad.

The domestic price for zinc was reduced a half a cent a pound to 10 cents, East St. Louis, the lowest in more than 3 years; the price for Rhodesian copper was cut 1¼ cents a pound; copper's quotation on the London Metal Exchange hit its lowest point in almost 4 years; and custom smelter copper was lowered a half cent a pound.

The zinc price cut was started by a leading custom smelter. Other custom firms and producers of the metal did not follow immediately. It was indicated, however, that similar action would be taken shortly.

The last change in zinc's price was a half-cent cut, June 19, to 10½ cents a pound. The metal has dropped 3½ cents since May 6 from the 13½-cent quotation that had held since early January 1956.

The new 10-cent price tag is the lowest zinc has been quoted since March 26, 1954, when it was 9¾ cents.

Zinc's price break stems from world overproduction, sharply curtailed demand, and reduced Government purchases of zinc through its domestic buying program and its barter deals for foreign-origin zinc and lead in return for surplus agricultural products.

Trade sources report the Government under its latest monthly purchase program took about the same tonnages of zinc and lead as it did under May purchases, when it stepped up buying over the low rate of earlier months this year. Miners of these metals, however, said the amounts accepted still fell far short of absorbing surpluses.

THE FISCAL SITUATION

Mr. BUSH. Mr. President, from the press of last evening I observe that some of our friends on the other side of the aisle describe themselves as being shocked at the manner in which the newspapers have attributed political motives to the inquiry before the Senate Finance Committee. I venture to say, Mr. President, that they are no more shocked than are millions of people who are the savers of this country, and who for the first time in a long, long while are

getting some recognition of a favorable nature.

I hold in my hand an editorial dealing to some extent with this problem. It is entitled "Dollars and Sense," and was published in the Washington Post of June 29. The editorial begins with the following:

After all the recent nonsense from some of the more politically minded members of the Byrd committee, the sober report on inflation of the congressional Joint Economic Subcommittee is refreshing indeed.

Then the editorial proceeds to deal with that subject in a very interesting fashion.

I ask unanimous consent that the editorial be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post of June 29, 1957]

DOLLARS AND SENSE

After all the recent nonsense from some of the more politically minded members of the Byrd committee, the sober report on inflation of the congressional Joint Economic Subcommittee is refreshing indeed. In general, if not in detail, it supports the so-called tight-money policies which the administration has adopted in an effort, not altogether successful, to curb inflation. It puts the big budget problem in useful perspective by observing that most of the cuts Congress has made in the 1958 estimates will not produce real savings. It notes, indeed, that merely continuing present programs * * * may well result in rising levels of Federal spending over the next several years.

The report also points out, however, that the economy's growth seems likely to be sustained in the foreseeable future so that even existing Federal tax rates will produce about $3 billion more each year. The problem is to see that Federal spending, if it must rise, goes up at a slower pace. And the politically (and technically) difficult problem before Congress is to apply surpluses in proper proportion between tax adjustments and debt reduction so that saving is encouraged and inflation further dampened.

Spending reductions of one to two billion dollars—even if real and not merely apparent as has been the case in the recent budget-trimming exercises—would not suffice to allow a tax cut, or to ease materially the overall inflationary tendencies of the economy. If there is to be any hope of a tax cut in 1958—and the subcommittee certainly says nothing to suggest that one will be possible—it lies in economy efforts that are concerned with something more than mere elimination of waste and inefficiency, the subcommittee believes.

It declares close review of the substance of present programs, prospects for their future expansion or contraction, and their contributions to the Nation's economic progress "compared with private uses of the resources they command" will be necessary to effect major reductions in Federal expenditures. We have quoted what we regard as the key part of this statement. So long as the budget is balanced, spending reductions below that level will not necessarily ease inflationary pressures if the reductions are passed on in tax cuts. For if the money thus preserved for the private sector of the economy were used merely to augment the demand for goods and services that are in short supply, and if the budget cuts were in items such as slum clearance, school construction, or other programs that may contribute to economic growth and stability (even indirectly), the net effect of such cuts could add to inflationary pressures.

Here is a useful place for Senator BYRD's Finance Committee to begin if it wishes to get on with a serious study. Let it try to make a qualitative appraisal of the various kinds of Federal and private spending with respect to the end results on economic growth and savings. Let it endeavor to see whether a sort of handbook for real Federal economizing might be developed that would enable Congress to discriminate more wisely in its effort to draw the purse strings tighter.

Such a study could get into the difficult subject which the President dealt with, in somewhat superficial fashion, before the conference of governors: The return to the States of more responsibilities and of the taxes to meet them. Some Government programs no doubt are cheaper if carried out centrally, others might be less expensive if done at the State level. Similarly, private organizations might take over some Federal aspects of redevelopment, for example, and do it cheaper, or it might cost more. All of this is pretty much unexplored territory, but the rewards of investigating it might be vastly greater than continuing blind thrusts at big Federal spending per se.

THE EASY-MONEY FALLACY

Mr. BUSH. Mr. President, on yesterday there was published in the daily CONGRESSIONAL RECORD an article dealing with economic matters, from the current issue of the Guaranty Survey, a monthly publication of the Guaranty Trust Co., of New York. The article is entitled "The Easy-Money Fallacy." It is one of the most concise and effective articles in connection with the question of interest rates and monetary policy I have ever read. I hope Senators and others who read the CONGRESSIONAL RECORD will have an opportunity to refer to the article, which, as I have said, was published in yesterday's daily RECORD, where it was inserted by Representative RAY, of New York.

Mr. President——

The VICE PRESIDENT. The Senator from Connecticut.

HOW FARMERS MAKE HAY

Mr. BUSH. Mr. President, I hold in my hand a brief article entitled, "How Farmers Make Hay," which was published in Fortune magazine of July 1957. The burden of the article is that some of the REA cooperatives are in very fine financial condition, and that what they are doing with their surplus funds is to invest them in Government bonds at 3¼ percent. In other words, they are borrowing money from the Treasury at 2 percent, and then are lending it back to Uncle Sam at 3¼ percent. The article sets forth the fallacy of that kind of operation. I ask unanimous consent that the article be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW FARMERS MAKE HAY

Any city slicker who would like a short course in the art of thimblerigging the United States Government is hereby advised to spend a little time down on the farm. One intriguing avenue into the United States Treasury has been uncovered by the House Appropriations Committee, which found that some farmers whose crops had failed in 1956 were being solaced by the Government, not once, but twice. First, these farmers were recompensed under the Federal crop insurance program. And second, they collected money under the soil-bank program—for not harvesting their crops. (They were able to do this only in 1956, because the act specified that for this first year of the soil-bank program any farmer could be eligible for payments if he did not harvest his crops. In the future, only nonplanters will be eligible.)

A more durable, and yet more devious, method of separating the Treasury from its folding money was described to the House of Representatives a few weeks ago, by an urban legislator named FRANK J. BECKER. Congressman BECKER, a New York Republican, was complaining about a bill that would increase by $179 million the amount the Rural Electrification Administration could borrow from the Treasury. Like several other Federal agencies (e. g., the Small Business Administration), REA borrows from the Treasury at a fixed rate—in this case only 2 percent. The money it borrows is used to finance rural cooperatives that supply electricity to farmers.

What incensed Congressman BECKER was his discovery that the great majority of the cooperatives are today in fine financial shape, and in many cases have good-sized reserves that are being invested in long-term Government bonds. In other words, the REA cooperatives borrow from the Treasury at 2 percent and lend money back to it at 3.25 percent—the current rate on long-term issues. For an operation that is not much different from arbitrage, this is a handsome differential, and its natural that the REA, and rural legislators, are all in favor of the status quo. Under the status quo, it appears, there is no way to make rich cooperatives, the ones with reserves, lend directly to the needy cooperatives. The latter must go to the REA, which in turn goes to the Treasury, for the 2-percent money.

Last month the administration made an effort to take the Treasury off this hook by sending Congress a bill that would have the Treasury charge interest rates in line with its own borrowing costs. But rural legislators, as well as spokesmen for other special interests, are likely to give this bill a hard time. Perhaps the best way for the Government to handle its relations with farmers would be to look into a suggestion made, half seriously, by Congressman HOWARD SMITH of Virginia. Several months ago he proposed the complete liquidation of the Agriculture Department, including, presumably, the REA. Then, SMITH suggested, the Department's money—over $5 million spent in fiscal 1957—could be distributed directly to United States farmers. With the overhead cut down, the payments could be larger. And the farmers would not have to do so much finagling for their money.

COMMISSION ON REVISION OF COMPENSATION SYSTEM FOR CIVILIAN SALARIED EMPLOYEES—ADDITIONAL COSPONSOR OF BILL

Mr. MORTON. Mr. President, on June 18 the junior Senator from Pennsylvania [Mr. CLARK] introduced, on behalf of himself and the junior Senator from Minnesota [Mr. HUMPHREY], a bill (S. 2317) to establish a commission to study and revise the present compensation system for civilian employees of the Federal Government, to amend the compensation schedule of the Classification Act of 1949, and for other purposes. The bill would carry out the three major recommendations on compensation for civilian employees, as made by the Cordiner committee. The junior Senator from Pennsylvania has very graciously

permitted me to become a cosponsor of the bill; and I ask unanimous consent that my name be listed as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

COMPENSATION FOR CIVILIAN EMPLOYEES

Mr. MORTON. Mr. President, I am delighted to associate myself with the sponsorship of Senate bill 2317.

The Cordiner committee was established by Defense Secretary Wilson to advise him on the adjustments that might be needed in the present provisions for compensating officer, enlisted, and civilian personnel in order to attract and retain the competent professional, technical, managerial, and combat personnel required by our defense activities. Volume II of the committee's report deals with civilian personnel. It is to this portion of the report that Senate bill 2317 is directed.

In my opinion, the Cordiner committee's greatest contributions regarding the compensation system for our Federal employees were—

First. Outlining the principles of a modern system of compensation, and

Second. Pointing out the way in which those principles can be put into effect.

To quote the committee's report—

Any sound, modern compensation must embody the following principles. It must—

1. Adjust to market rates by particular skills.

2. React to changes in the general economy.

3. Maintain internal alinement.

4. Provide flexibility to accommodate individual worth.

5. Provide flexibility to meet unusual environment and work situations.

These are the principles upon which a successful compensation system today is based. Mr. Cordiner, president of General Electric, and his committee composed of leading industrialists and public members are thoroughly familiar with the application of these principles in non-Government activities. They feel the principles can, and must be, applied in the compensation system for Federal white-collar employees. So do I.

The committee recognized the complexity of the problem, and pointed out a practical means of arriving at a satisfactory and lasting solution. It proposed that a commission be established to overhaul the Classification Act and to report its recommendations to the Congress and the President. This commission would be composed of legislative branch, executive branch, and public members. This membership provides representation from Congress which must act upon its recommendations, representatives from the executive branch which must administer the system, and representatives from the public which these Federal employees serve, and which must foot the bill.

Section 1 of S. 2317 establishes this proposed commission. It is this section of the bill in which I have particular interest. I recognize the importance of the other two sections of the bill, however, I believe the Senate Post Office and Civil Service Committee, of which I am a member, will come to grips with the problems of immediate pay adjustments and more top level positions through other pending legislative proposals.

Mr. President, compensation for Federal employees is a matter which is above partisan politics. I believe the Congress should, and will, treat it that way by enacting section 1 of S. 2317 authorizing the establishment of a commission to study the pay of our civilian employees on an overall basis and from a long-range viewpoint. The pending pay bills are stopgap measures, at best. A more permanent solution must be found, and I am convinced S. 2317 provides the best possible approach to that end.

FEDERAL AID FOR SCHOOL CONSTRUCTION

Mr. BUTLER. Mr. President, some weeks ago, in anticipation of the consideration by the Senate of proposed legislation authorizing the use of Federal funds for school construction, I asked the governors of the 48 States to share with me any comments or opinions they might have on this highly controversial issue. Twenty-seven governors very graciously responded, and of these, twelve expressed unequivocal opposition to Federal aid for school construction; two were opposed with qualification. Six favored without qualification; five favored with qualification. Two governors responded with no comment.

I have made a digest of the responses from these governors, which in all probability will be of significant interest to the Members of the Senate and the House of Representatives alike. I therefore ask unanimous consent, Mr. President, that the results of this survey be printed in the body of the RECORD at this point.

There being no objection, the digest was ordered to be printed in the RECORD, as follows:

FEDERAL AID FOR SCHOOL CONSTRUCTION—RESULTS OF POLL OF GOVERNORS OF THE 48 STATES CONDUCTED BY SENATOR JOHN MARSHALL BUTLER (REPUBLICAN OF MARYLAND)—DIGEST OF 27 REPLIES

THOSE IN OPPOSITION

California, Gov. Goodwin J. Knight:

"I am firmly of the belief that the States and their political subdivisions should make full effort to finance and control their own systems of public education, and that we should look to the Federal Government for aid in school construction only to the extent that States and their local school jurisdictions are economically unable to provide adequate school facilities.

"In my opinion, we should be very careful to avoid establishing any form of Federal financial aid to our school system which would bring with it Federal control of education."

Delaware, Gov. J. Caleb Boggs: "From a purely State point of view I believe that Delaware could well do without Federal aid for school construction and meet its own problem successfully as it has been doing. Our State always comes out very poorly due to the criteria used in determination of Federal allocations."

Florida;[1] Gov. LeRoy Collins:

"Public education is one of those fields which I regard as a primary responsibility of State and local governments. My concern has been not so much with the Federal Government entering this field but what I regard as the failure of many State and local governments to provide adequately for public schools and, thereby, abandoning responsibilities which properly are theirs.

"We in Florida are determined that we shall meet our responsibilities in the field of public education, and we are devising methods which will make this possible.

"Should a new Federal assistance program be developed by the Congress, doubtless Florida will accept the advantages offered along with our sister States. As a State, however, we prefer for the Federal Government to help us to help ourselves. We can finance our schools and our school building program when we can go into the market for loans that are perfectly sound and find a lender who will buy our securities for a reasonable rate of interest."

Georgia, Gov. Marvin Griffin: "I am unalterably opposed to any Federal invasion, encroachment or infringement of the fundamental right and obligation of the individual States to provide, supervise and control the education of their children."

Illinois, Gov. William G. Stratton: "I can speak only for Illinois. I think in view of what has been done in this State that there's absolutely no necessity for Federal aid. It is possible that in other States a need exists. But it is my feeling, particularly about classrooms, that there have been ideal or wishful estimates. I think the original figures sent out from Washington 2 or 3 years ago were, from a practical standpoint, exaggerated."

Indiana, Gov. Harold W. Handley:

"Hoosiers feel that they can build better schools for less money. * * * Moreover, they resent and fear any intrusion by the Federal Government, both because it is unduly expensive and roundabout, and also because it would result in curtailment of complete local control. * * *

"This opposition also has been manifest by the Indiana Legislature regarding participation in a Federal library program. The majority of members of both political parties in both houses have consistently voted for home rule."

Iowa,[1] Gov. Herschel C. Loveless: "In view of the present status of legislation on this matter, I do not feel that I could make any comment which would cover all eventualities. It is quite clear in my own mind that there are some provisions which have been at least discussed, which would make such aid unacceptable."

Montana, Gov. J. Hugo Aronson: "Montana has no proven need for Federal aid for school construction. Nineteen hundred and fifty-seven legislature made no provision for State matching funds should Federal legislation pass Montana people show every indication of building necessary buildings."

Nebraska, Gov. Victor E. Anderson: "I would like to state that there does not seem to be any critical need in Nebraska for this program, nor am I aware of any classroom shortage in this area. Generally, the people of Nebraska are opposed to Federal aid to education in any form."

South Carolina, Gov. George B. Timmerman, Jr.: "We in South Carolina are opposed to Federal aid for education. It is folly to think that Federal aid will not mean additional taxation.

"It is inconceivable that the Federal Government would cut its vast expenditures for national defense, foreign air, public welfare assistance, and debt service which is cannot cut, in order to return money to the States for local school purposes."

South Dakota, Gov. Joe Foss: "Please be advised that South Dakota, as in other States, is confronted with the problem of fast-expanding school enrollments and lack of funds. However, I believe our communities

[1] Opposed with qualification.

[1] Opposed with qualification.

are doing a good job of keeping pace with the school construction needs. * * *

"I believe our citizens realize that classroom space must be made available to our growing school population, and I am confident the challenge will be met."

Texas, Gov. Price Daniel: "As a member of the United States Senate, I oppose general Federal aid for education and school construction because I think this is a responsibility the States and local governments can and should bear. Operation of our public schools is a last bulwark of local self-government. Dependence on Federal money would result ultimately in Federal controls."

Virginia, Gov. Thos. B. Stanley:

"There is need of some additional classroom facilities in Virginia but these needs can be met by the resources of our own localities and there is no basis whatsoever for Federal intervention in this field. Experience has shown that 'Federal aid' is a misnomer in that an excessive percentage of revenue is dissipated in administration and, in addition, control, and restrictions are attached to the expenditure of the money which are unnecessary and ofttimes objectionable.

"My judgment is that Federal aid would not be a service to public education but a hindrance, and would result in unnecessary additional cost to the taxpayers of the respective States."

Wyoming, Gov. Milward L. Simpson:

"If there ever was a clear mandate against Federal aid to schools, this is it. We do not need any more Federal aid to education. It invites Federal control and Federal control is the death knell to local control of our public-school system. Many see magic in the words, 'Federal aid.' It is an alluring phrase, actually intended to give the impression that big brother 'Uncle Sam' is saving the educational systems of the poor, beleagured, helpless little States. Federal aid actually means that we raise our taxes to send our money to Washington; then raise some more taxes to match the amount we have already sent to Washington in order to get back the amount we originally sent, less of course, an additional 40-percent cost of administering Federal controls.

"We have met and will continue to meet our obligations to our schools. Education of our youth is not only a responsibility. It is a sacred trust."

THOSE IN FAVOR

Arizona, Gov. Ernest W. McFarland: The Arizona White House Conference on Education recommends: "The principle of Federal aid to education is approved by specific vote of the conference members."

Kentucky, Gov. Albert B. Chandler: "Kentucky would certainly participate in a Federal program for schoolhouse construction and we do not fear Federal interference with our school system * * * the time has come for the Congress to act instead of finding excuses for failing to do its plain duty for the boys and girls of America."

Louisiana,[2] Gov. Earl K. Long: "Any Federal aid that might be provided should be absolutely free of Federal control or any phase of Federal administration. This matter should be left to the States and local school systems."

Michigan, Gov. G. Mennen Williams: "In short, we feel that Federal aid to education is of such vital necessity that we are desirous of seeing a start made as quickly as possible. We quite agree with the philosophy behind Senator PATRICK V. MCNAMARA'S bill; i. e., that we should start immediately and then perhaps iron out the formula controversy at a later date."

New Hampshire,[2] Gov. Lane Dwinell: "I believe New Hampshire should accept Federal aid for construction purposes only, provided such aid does not involve Federal interference with educational policies at State or local levels."

New York,[2] Gov. Averell Harriman: "Of the bills presently being considered by the House Committee on Education and Labor on the subject of Federal aid to education, it is my view that H. R. 1, introduced by Congressman KELLEY, is in several respects superior to the administration bill, H. R. 3986. * * * The Kelley bill is also preferable in permitting matching of Federal funds by funds expended by the school districts themselves. * * * Any Federal-aid bill should, of course, provide that control of education should remain with the States."

North Carolina,[2] Gov. Luther H. Hodges:

"The need for school construction in North Carolina is genuine. We believe that a Federal-aid program for school construction would be a constructive investment in the lives and the future of our children. At the same time, we believe strongly that the operation and control of our schools and our school policies should rest at the local and State levels."

Pennsylvania, Gov. George M. Leader: "It would certainly be to our advantage to participate in any assistance program enacted by the 85th Congress."

Rhode Island, Gov. Dennis J. Roberts: "Although Rhode Island under the present method of distribution of funds contained in H. R. 1, amended will receive the smallest amount per school age child of any State, we feel that this legislation is vital if we are to continue to be able to house our school children adequately."

Washington, Gov. Albert D. Rosellini: "I wish to express the view of this State's administration that we are in favor of Federal aid to carry out a program of adequate classroom facilities for public schools."

West Virginia,[2] Gov. Cecil H. Underwood: "West Virginia school buildings needs are many. While I have been rather vitally opposed to Federal grants-in-aid to the operating school program, I support aid to building construction."

ACKNOWLEDGMENTS, NO POSITION

Maryland, Gov. Theodore R. McKeldin.
New Jersey, Gov. Robert B. Meyner.

How States would fare under administration's school construction bill

	Federal allotment	Estimated tax-payments	Net gain or loss	For every dollar of taxes paid, this much school money
States in opposition:				
California	$14,180,000	$29,280,000	−$15,100,000	$0.48
Delaware	381,000	1,750,000	−1,369,000	.22
Florida [1]	6,309,000	5,531,000	+778,000	1.14
Georgia	11,926,000	3,937,000	+7,989,000	3.03
Illinois	11,125,000	23,499,000	−12,374,000	.47
Indiana	8,021,000	7,156,000	+865,000	1.12
Iowa [1]	5,813,000	3,937,000	+1,876,000	1.48
Montana	1,405,000	937,000	+468,000	1.50
Nebraska	2,856,000	2,625,000	+231,000	1.09
South Carolina	8,727,000	1,812,000	+6,915,000	4.82
South Dakota	1,881,000	719,000	+1,162,000	2.62
Texas	19,842,000	13,437,000	+6,405,000	1.48
Virginia	9,275,000	4,500,000	+4,775,000	2.06
Wyoming	674,000	469,000	+205,000	1.44
States in favor:				
Arizona	2,524,000	1,281,000	+1,243,000	1.97
Kentucky	8,917,000	2,937,000	+5,980,000	3.04
Louisiana [2]	9,204,000	3,344,000	+5,860,000	2.75
Michigan	12,102,000	16,843,000	−4,741,000	.72
New Hamshire [2]	1,074,000	937,000	+137,000	1.15
New York [2]	15,765,000	48,122,000	−32,357,000	.33
North Carolina [2]	14,615,000	4,125,000	+10,490,000	3.54
Pennsylvania	18,803,000	22,499,000	−3,696,000	.84
Rhode Island	886,000	1,656,000	−770,000	.54
Washington	4,298,000	4,781,000	−483,000	.90
West Virginia [2]	6,699,000	1,937,000	+4,762,000	3.46

[1] Opposed with qualification.
[2] Favored with qualification.

TAX JUSTICE FOR THE SELF-EMPLOYED

Mr. WILEY. Mr. President, I was pleased to note two items in today's mails point up an important issue of legislation which the Senate and House face, and to which I have repeatedly referred.

It is the issue of helping self-employed Americans to provide for their own retirement in later years by permitting them, in effect, to build up a nest egg on which tax rates are deferred.

This is commonly known as the Jenkins-Keogh legislation, in honor of the two distinguished Members of the House of Representatives Ways and Means Committee who have worked long and hard and well for this objective.

ARTICLE IN WISCONSIN MEDICAL SOCIETY FORUM

The first item which I noted was a fine article in the current June issue of the Medical Forum, published by the Wisconsin Medical Society in Madison. It was written on this topic by the Honorable F. Joseph Donohue, former Commissioner of the District of Columbia here, and now national chairman of the American Thrift Assembly.

This is the assembly of 21 national organizations of the self-employed—doctors, lawyers, accountants, and others—who have for the first time banded together to seek tax justice in this respect.

Simultaneously, I received a copy of an open letter to the distinguished chairman of the Senate Banking Committee, our colleague from Arkansas, Mr. FULBRIGHT. This open letter was written by Mr. Lucius S. Smith, secretary of the American Thrift Assembly.

Both of these messages point up the need for the Jenkins-Keogh bill.

INSURANCE PROVISION IN 1957 BILL

I am glad to say that this bill has been constantly improved so as to answer any

[2] Favored with qualification.

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[2] Favored with qualification.

previous obections to it. As Mr. Donohue noted in his article:

One of the biggest improvements in the 1957 bill is that you are permitted to invest in life insurance. You could let your present life policies constitute your retirement plan. Or you could buy new insurance for this purpose.

INVESTMENT AND DEFLATIONARY EFFECTS

In other words, the self-employed will be provided a sound variety of modus operandi to look after themselves in later years, rather than relying on Uncle Sam.

Likewise, the bill would have the effect of increasing the pool of capital available for sound long-time investment in our expanding economy. Thus, too, it would decrease present inflationary pressures which arise from the fact that the self-employed feel they might as well spend their present earnings which Uncle Sam will get otherwise, in high tax rates.

HOPED FOR AGREEMENT BY TREASURY

It is my earnest hope that the Secretary of the Treasury-designate, Robert Anderson, and his associates, will now take a sympathetic and understanding view of this legislation in the interest of fair tax treatment of these self-employed.

President Eisenhower has long since endorsed the principle of this legislation.

Of course, we realistically concede that with America's budget situation still admittedly very tight, even the deferral of tax revenue, such as this legislation proposes, becames a matter of deep significance to the Treasury.

Nevertheless, I hope that our budgetary situation will be such that our colleagues on the Ways and Means Committee will see their way clear toward sympathetically reappraising this legislation and sending it to the full House of Representatives for action so that we in the Senate, in turn, can take it up.

I ask unanimous consent that the text of both items to which I have referred be printed at this point in the body of the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

YOUR HELP IS NEEDED—THE JENKINS KEOGH FIGHT CAN BE WON

(By F. Joseph Donohue, chairman of the association's committee on retirement benefits and national chairman of the American Thrift Assembly, Inc.)

While President Eisenhower was speaking at his press conference April 3, Under Secretary of the Treasury W. Randolph Burgess told the Senate Finance Committee the budget could be substantially cut and taxes could be reduced next year. Burgess said the budget could be cut by two or three billion dollars.

Speaker of the House SAM RAYBURN, commenting on the President's tax statement, said, "We're going to make some reviews. Whether we will act or not this year. I don't know. If there is a tax cut, Congress will make it—and it's a Democratic Congress."

These statements coming at the time when the combined voices of self-employed citizens all through the United States are mounting a demand for enactment of the long-overdue Jenkins-Keogh bill, hold out the hope that the principle of tax deferment for individual retirement savings now can be realized.

This is the considered opinion of those of us who are working for the American Thrift Assembly on behalf of fair tax legislation that will give the self-employed the opportunity to save a small part of their own money for their own retirement—for family and old age—before taxes take most of what they earn. The American Thrift Assembly was incorporated early in 1957 in the District of Columbia to pool the leadership of a number of national associations whose members work for themselves and thus are ineligible, under present tax laws, to set up individual retirement programs similar to tax-sheltered pension plans available to those who work for others.

The spokesmen include the following officers of American Thrift Assembly, Inc.: John C. Williamson, a realtor, vice chairman; Morris B. Harriton, a certified public accountant, treasurer; Lucius B. Smith III, a public relations consultant, secretary; Ralph E. Becker, a lawyer, counsel; and the following members of the board of directors: Floyd W. Pillars, oral surgeon; William M. Black, managing partner of a leading firm of certified public accountants; Leon Chatelain, Jr., architect; David B. Allman, president-elect of the American Medical Association; Lester H. Sugarman, doctor of optometry; William J. Barnes, a patent lawyer; Brig. Gen. W. O. Kester; H. Walter Graves, realtor; George H. Frates, druggist; Carl R. Staiger, tax accountant; Neva B. Talley, lawyer; John C. Davis, executive director of National Small Businessmen's Association; and R. C. Vogt, a professional engineer.

GROUPS LISTED

Altogether, we represent and speak for the following associations: American Association of Medical Clinics, American Bar Association, American College of Radiology, American Dental Association, American Institute of Accountants, American Institute of Architects, American Medical Association, American Optometric Association, American Patent Law Association, American Society of Composers, Authors and Publishers, American Veterinary Medical Association, Artist's Managers Guild, Authors League, Maritime Law Association of the United States, National Association Real Estate Boards, National Association of Retail Druggists, National Association of Women Lawyers, National Funeral Director Association, National Small Businessmen's Association, National Society of Professional Engineers, National Society of Public Accountants, National Association of Tax Accountants, and more than 1,500 regional, State, and local associations and societies.

Of course, it ought to be pointed out that there are observers who continue to doubt that we can push the Jenkins-Keogh bill through Congress this year. They point out: (1) The administration continues to be reluctant about the bill. While it is true that President Eisenhower has given verbal support to the idea of tax equity for the self-employed, he apparently has been reluctant to oppose Secretary Humphrey's considered judgment that the bill, if enacted, would cost the Government an estimated one hundred to two hundred million dollars a year in revenue. (2) The bill is unpopular with many politically powerful elements. From the start it has been called a rich man's bill and the label has stuck, even though the major beneficiaries would actually be millions of small-business men and their families.

HOPES HIGH

Despite such admitted handicaps, optimism is running high at 1025 Connecticut Avenue, Washington, D. C., where ATA is leaving no stone unturned in its all-out campaign to win support.

Most lawyers now are generally familiar with the provisions of H. R. 9 and 10, as introduced in the House this session. Briefly, the Jenkins-Keogh bill would permit any person who has self-employment income to put part of his earnings before taxes into a retirement fund. Maximum permissible deduction: 10 percent of your annual net earnings from self-employment, up to a limit of $5,000. Total amount you could deduct over your lifetime: $100,000. If you are an older lawyer, with less time to accumulate a retirement fund, the bill would allow you to set aside more than the prescribed 10 percent a year. You have a wide choice of investments. For example, you can arrange your own retirement plan or you can join one arranged by a bar association. Any such plan would have to be administered by a bank or insurance company, which would invest your savings in securities, the earnings of which would not be taxed, but would be reinvested for you automatically.

One of the biggest improvements in the 1957 bill is that you are permitted to invest in life insurance. You could let your present life policies constitute your retirement plan. Or you could buy new insurance for this purpose.

Few lawyers realize how much of a tax advantage employed persons now enjoy over self-employed in the matter of retirement savings. A financial editor of the New York Times recently pointed out the difference by means of the following comparison:

Suppose a 40-year-old married man with 2 children wants a retirement plan that will let him retire at 65 on about 36 percent of his present $10,000 income. To guarantee him that much retirement income for life, an insurance company has to charge a $1,600 annual premium for the next 25 years.

If the man is employed, the actual cost of such a plan to his employer (who can deduct such annual premiums before paying taxes) totals only about $19,000 over the 25 years. If a man is self-employed, he can't deduct his annual premiums before taxes; so he has to earn $2,050 in order to have $1,600 of after-tax money for his premium. His actual cost for the 25 years will total more than $51,000.

The difference between the two totals is a whopping $32,000. That is how much a self-employed man is penalized if he earns $10,000 a year. If he earns more, the inequity becomes even greater. For example, a salaried person whose income is $25,000, would find the above program would cost his employer a total of $48,000. Its cost to a self-employed man with the same income, $152,000, is more than the typical self-employed man could hope to get back in retirement benefits. For, at 65, he would have a life expectancy of 15 years, and if he lived just that long he would get retirement benefits totaling only $135,000.

This is the sort of inequity the Jenkins-Keogh bill is designed to correct.

Will tax deferment for self-employed savings cause the Treasury Department to lose money? Estimates vary, but it seems unlikely that tax deferrals would exceed $100 million in revenue in the first year. Actually, it seems reasonable to believe that the Treasury ought to back the Jenkins-Keogh on its merits, for three reasons: (1) Its deflationary impact. Long-term savings on the order suggested by $100 million in taxes would reduce inflationary pressures. (2) New capital for sources of production. The volume of these savings (invested in trust, insurance, bonds, etc.) would increase the supply of investment capital, hence productivity—thus creating new tax revenues. (3) Tax paid on withdrawals. Income taxes ultimately are paid when savings are taken down at retirement age.

AMERICAN THRIFT ASSEMBLY
FOR 10 MILLION SELF-EMPLOYED,
Washington, D. C., June 27, 1957.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Banking and Currency, Senate Office Building, Washington, D. C.

DEAR SENATOR FULBRIGHT: Thank you for yours of June 18 asking for an explanation of our position on H. R. 9 and 10.

Today there are approximately 15 million Americans whose total annual compensation includes valuable fringe benefits on which a good part of the income tax they normally would have to pay is deferred. There are 10 million Americans who pay the full tax load each year on all of their earnings. What accounts for this separate treatment by the Internal Revenue Service—many people, including high Government officials, call it discrimination—of two major cross sections of the gainfully employed public?

The answer boils down to this: In 1942 the Congress supplemented the Social Security Act to encourage corporations and their employees to set up pension funds under preferential tax treatment. President Dwight D. Eisenhower described that amendment in his campaign for election in 1952: "When this legislation was being considered, self-employed citizens were evidently forgotten."

The explanation is as simple as that. Apparently by oversight, our present income-tax law discriminates against the man or woman who works for himself or herself in favor of the employee who is given a tax-free retirement plan by his employer. The self-employed, being his own boss, cannot be his own employee. So when it comes to setting up a private pension plan, the factor of self-reliance—once prized heavily in America as a cardinal virtue—weighs increasingly against nearly 10 million citizens ranging from accountants and farmers to tractor salesmen and undertakers who find it virtually impossible in these high-cost, shrinking-dollar days to save up the kind of money after taxes it takes to fund even a meager retirement plan.

When H. R. 9 and H. R. 10 come before the Committee on Ways and Means, we hope they will act to report this legislation to the House of Representatives for full consideration and that the House will approve the bill and send it on to the Senate. In one form or another, the legislation proposed in these bills has been before the committee a long time now. In all candor, the issue ought to be accorded a full and open test, once and for all.

This seems especially true in view of the fact that the vast majority of the House has expressed itself in recent months as favorable to these measures.

The Department of the Treasury, of course, continues to oppose this legislation for fear someone may open the door to tax reduction. But to what degree should Treasury's officials sway the judgment of the Nation's lawmakers in terminating the inequity that inspired these bills?

What weight should be assigned an obviously pro forma objection when it is understood the Treasury can assume no less rigid a posture in the present climate?

After all, H. R. 9 and H. R. 10 do not reduce taxes. We have here a proposal for deferment of a very little amount of tax revenue—for what purpose? To save for old age. The current reductions in appropriations will more than provide the margin within which Treasury can absorb the very modest temporary deferral of revenues contemplated in this legislation. And these bills provide for rapid and orderly recoupment of the taxes deferred.

The fact is, the administration has shot the ground from under any serious consideration of Treasury's pro forma opposition with three statements:

1. In 1952, President Eisenhower said: "I think something ought to be done to help (the self-employed) to help themselves by allowing a reasonable tax deduction for money put aside by them for their own savings. * * * If I am elected, I will favor legislation along these lines."

2. In 1955, the Treasury Department testified: "Tax relief seems most clearly indicated for self-employed individuals who do not have even potential tax benefits under existing law in providing themselves with retirement income. * * * It is the Treasury Department's view that the net effect of the present law is to give substantial potential tax advantages to employees who are covered by qualified pension plans over self-employed individuals. * * * When general tax relief is possible * * * the Department would be sympathetic to a limited form of special allowances to self-employed individuals."

3. On April 3, 1957, Under Secretary of the Treasury W. Randolph Burgess told the Senate Finance Committee the budget could be cut substantially and taxes reduced next year.

According to the Treasury Department's own statements, it clearly is time for the Committee and Ways and Means to call up H. R. 9 and H. R. 10 for full consideration by the 85th Congress.

There no longer can be any doubt that the self-employed are looking to the 85th Congress to eliminate the discrimination in the tax-on-total-compensation that gives benefits to one class of Americans—the corporate employee—to the disadvantage of an entire cross-section of fellow citizens.

The fact that the volume of savings that will ensue will function as a needed brake on inflation, and the fact that taxes are not cut but deferred in an orderly and self-reliant program for old age integrity, merit serious consideration now.

Sincerely,

LUCIUS S. SMITH III,
Secretary, American Thrift Assembly.

ANALYSIS OF EISENHOWER ADMINISTRATION

Mr. FULBRIGHT. Mr. President, as so often happens, Mr. Walter Lippmann has described clearly and succinctly what it is that afflicts this administration—unreadiness and indecision. Coming from any other source, this analysis of President Eisenhower's administration might be called partisan. Coming from Mr. Lippmann, it is an objective, penetrating study based upon decades of observation and a profound understanding of human affairs, especially governmental affairs of this country.

Mr. President, I ask unanimous consent that the article from this morning's Washington Post and Times Herald may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of July 2, 1957]

UNREADINESS AND INDECISION

(By Walter Lippmann)

There is a remarkable resemblance between General Eisenhower's handling of the disarmament negotiations and his handling of the budget. In both cases, that is to say, he has launched a proposal and embarked on a course, not having made up his mind about just where he wished to go. The deliberation, the weighing of alternatives, the hard work of making a firm decision, would in an orderly and rational conduct of Government have preceded the presentation of the budget and the sending of Mr. Stassen to London to negotiate with Mr. Zorin.

But in the case of the budget, it took nearly 2 months before it was reasonably clear whether the Chief Executive was for or against the executive budget. Only after much confusion and controversy did the President begin to make clear where he stood. In the case of disarmament, it has now transpired that he started the diplomatic exchanges with no real agreement within his own official family, with no adequate understanding with our allies, and with his own mind still fluid. During the past few weeks, with Mr. Stassen abroad in London to speak for him, the President has acted the part, not of a statesman who has a policy but of a puzzled man who is thinking out loud.

No doubt the problems of disarmament are extraordinarily complicated. They are fraught with uncertainty and with risk, and there is an awful responsibility on one who, like the President, must make the final decisions. But there is no reason why he had to enter into the negotiations or why he had to send Mr. Stassen to face Mr. Zorin, until he knew for certain whether he was in favor of reaching the kind of agreement that might conceivably be possible. He should have waited until he was ready. There was no use talking with the Russians if the President himself had not yet thought through his policy, no use if high officials in Washington were convinced that they must nullify what Mr. Stassen was supposed to do.

In the field of diplomacy, this has been like committing unprepared troops to a great battle, while the generals have not yet arranged for their supplies or ceased to argue with one another about the objectives of the battle. This is the way to demoralize an army and during the past week there has been a very considerable demoralization in Washington. The greatest doubt has been raised as to whether the President wants an agreement, or whether he could now persuade the Senate to ratify an agreement.

Mr. Gromyko is wrong in saying, as he did last week, that the United States is using the disarmament talks as a screen concealing its striving to continue and intensify the arms race. The truth is that the United States is not really using the disarmament talks at all because the President and his administration have a policy to which some are opposed, and about which the rest are not convinced.

Unless the President can find some way to clarify and then to make firm the American position, we shall find ourselves with a treaty that the President does not really want, or with one that the Senate will reject. In either event, we shall bring down upon ourselves the onus of blocking the path to a limitation of armaments.

I have heard it said that this will not happen because if and when Mr. Stassen really starts to negotiate about the details with Mr. Zorin, he will find the Soviet Union is quite unwilling to reach a good agreement about inspection and control. That may well be true if the negotiations are genuine. But if we remain in our present position, where the probabilities are against the ratification of a disarmament agreement, the Soviet Union can go very far in its offers without running the risk of having to make good on them.

We had better assume that the Russians do want an agreement, and that they are prepared to pay a considerable, though not an enormous, price for it. We had better assume, too, that we shall have ourselves to clear up the confusion in our own position, and that we must not count upon the unreasonableness of the Russians to save us from the consequences of our uncertainty and indecision.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, is the morning hour concluded?

The PRESIDING OFFICER (Mr. CURTIS in the chair). Is there further morning business? If not, morning business is closed.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nominations of William W. Boyd, to be postmaster at Sherrodsville, Ohio; Franklin B. Spriggs, to be postmaster at Arnold, Md.; Edith M. Casey, to be postmaster at New Caney, Tex.; Wesley D. Banks, to be postmaster at St. Matthews, S. C.; Jackson T. Potter, to be postmaster at Winnabow, N. C.; Blaine E. Moyer, to be postmaster at Kreamer, Pa.; Ted M. Anderson, to be postmaster at Batesville, Ark.; and Evelyn R. Howard, to be postmaster at Montmorenci, Ind., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. GREEN, from the Committee on Foreign Relations:

Neil H. Jacoby, of California, to be the representative on the Economic and Social Council of the United Nations, vice John C. Baker;

Vinton Chapin, of New Hampshire, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Luxembourg;

W. Randolph Burgess, of Maryland, to be the permanent representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary, vice George W. Perkins; and

Maxwell H. Gluck, of Kentucky, to be Ambassador Extraordinary and Plenipotentiary to Ceylon.

THE AUSTRIAN BONDS AGREEMENT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Executive H, the Austrian bonds agreement.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the agreement, Executive H (85th Cong., 1st sess.), between the United States and the Republic of Austria regarding certain bonds of Austrian issue denominated in dollars, together with a related protocol, both signed at Washington on November 21, 1956, which was read the second time, as follows:

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF AUSTRIA REGARDING CERTAIN BONDS OF AUSTRIAN ISSUE DENOMINATED IN DOLLARS

Whereas there are outstanding several issues of bearer bonds of Austrian debtors (both public and private) denominated in American dollars which are payable in the United States and for which there are corporate trustees, fiscal agents, or paying agents in the United States (which bonds are herein called "Austrian dollar bonds"); and

Whereas a certain number of these bonds were acquired by or on behalf of the issuers for eventual retirement, or immediately before or during World War II were acquired by or on behalf of the German Reich (Deutsches Reich), the Reichsbank, the Konversion Kasso fuer Deutsche Auslandsschulden, or the Deutsche Golddiskontbank, which bonds were not reintroduced into circulation by or on behalf of the issuer, the Government of Germany, or one of its said agencies; and

Whereas the bonds in question were never canceled in any way or presented for cancellation on the official records of the trustees, fiscal agents, or paying agents, and therefore appear on their face to be valid obligations and are carried on such records as still outstanding; and

Whereas many of these bonds were stolen or disappeared in Germany or Austria during the hostilities of World War II or immediately thereafter; and

Whereas some or all of the various bonds described above may have fallen unlawfully into the hands of persons who will seek to negotiate them or to make claim against the debtors, trustees, fiscal agents, or paying agents, or otherwise profit from their illegal acquisition; and

Whereas any payment on those bonds which are now held unlawfully would necessarily reduce the amount of foreign exchange or other funds available to make payments to legitimate holders, a large number of whom are nationals of the United States; and

Whereas any payment on those bonds which are now unlawfully held after having been acquired for eventual retirement, and which no longer represent valid and proper obligations of the issuer, would also be inequitable to the Austrian debtors; and

Whereas the free and open trading in the United States of all Austrian dollar bonds is impeded by the uncertainties arising from the situation described above; and

Whereas pursuant to Austrian Law No. 22 of December 16, 1953, the Government of Austria on various dates in 1954, commencing on February 1, published in the "Amtsblatt zur Wiener Zeitung" lists of numbers of the Austrian dollar bonds as recited in annex A of this agreement; and

Whereas Austrian Law No. 22 provided in effect that bonds of the type described in the second recital shall be deemed extinguished provided that such publication is made, but that holders thereof deeming themselves aggrieved shall have the right to present their claims to the Austrian courts within prescribed periods upon the expiration of which their claims would be barred; and

Whereas it is the desire of the contracting parties that all holders of Austrian dollar bonds who deem themselves aggrieved by the Austrian legislation referred to above shall have an adequate opportunity, in addition to that already provided by law, to present their claims before an appropriate and convenient tribunal; and

Whereas for the reasons set forth above it is desirable that reasonable periods of limitation be provided for the assertion of such claims, upon the expiration of which the bonds listed in annex A shall no longer be enforceable; and

Whereas it is desirable to establish a proper basis and appropriate procedures for accomplishing the foregoing objectives;

Now, therefore, the United States of America and the Republic of Austria have agreed as follows:

ARTICLE I

1. The two Governments hereby establish jointly a Tribunal for Austrian Dollar Bonds, hereinafter referred to as the Tribunal.

2. The Tribunal shall consist of two members and a Chairman. One member shall be appointed by the Government of the United States, the other member by the Government of Austria, and the Chairman (a citizen of the United States) by agreement between the two Governments.

ARTICLE II

1. Holders of any bonds listed in annex A who claim such bonds were improperly declared invalid may submit them, for a determination of their rights to valid bonds, to the Tribunal within 18 months from the first publication of the notice prescribed in article XII of this agreement or such further time as may be provided pursuant to article XV. A holder who submits a bond to the Tribunal shall submit therewith evidence to establish that such bond meets the requirements of paragraph 2 (a) or 2 (b) of this article.

2. If, upon consideration, all of the pertinent evidence submitted by the holder or otherwise received by the Tribunal with respect to any bond submitted to it pursuant to paragraph 1, the Tribunal is satisfied either—

(a) that, on January 1, 1945, the bond was located outside the borders of Austria and Germany as they existed on December 31, 1937, or

(b) that the bond was acquired by the holder prior to January 1, 1945, or in a chain of lawful acquisitions traced back to the owner of such bond on January 1, 1945, provided that the bond had not been acquired by or on behalf of the issuer or by the Government of Germany or one of its agencies, referred to in the second paragraph of the preamble, unless such bond was reintroduced into circulation prior to May 8, 1945, by or on behalf of the issue, the Government of Germany or one of its aforementioned agencies,

the Tribunal shall make a finding to that effect and shall certify the holder of such bond to be entitled to a valid bond of the same issue and denomination bearing a serial number not appearing in the list contained in annex A hereof and having attached thereto coupons of the same payment dates as those submitted to the holder. A copy of such certificate shall forthwith be furnished to the bondholder and the issuer. Upon such certification, the issuer shall, within such time and in such manner as the Tribunal may determine, cause such valid bond to be delivered to the Tribunal in exchange for the bond submitted to the Tribunal, and the Tribunal shall deliver such valid bond to the holder.

3. If, upon consideration of the evidence before it, the Tribunal is not satisfied that the requirements of paragraph 2 (a) or 2 (b) have been met, it shall make a finding to that effect and notify all parties in writing of such finding and the reasons therefor. The Tribunal shall thereupon promptly return the bond to its holder.

ARTICLE III

All decisions and findings of the Tribunal shall be by joint action of its two members if they are in agreement. If they are not in agreement, they shall refer the matter to the Chairman, whose decision or finding in such

case shall constitute the decision or finding of the Tribunal.

ARTICLE IV

The seat of the Tribunal shall be in New York City in the State of New York. The Tribunal shall maintain an office at which there shall be a duly appointed agent of the members and the Chairman for service of process in the cases referred to in article VIII. The Tribunal may, in view of exceptional circumstances, hold sessions elsewhere.

ARTICLE V

The Tribunal shall adopt reasonable regulations and procedures for the determination of cases with regard to bonds submitted to it.

ARTICLE VI

1. The Tribunal shall promptly notify the parties in interest whenever a bond listed in annex A has been submitted for a determination of the holder's rights. The issuer shall be given an opportunity to be heard and to present evidence.

2. For the determination of the issues referred to in article II the Tribunal may make such investigation as it considers necessary to ascertain the facts. If such an investigation is made, the Tribunal shall reduce the results thereof to writing which shall constitute part of the record. Both parties shall be given a reasonable opportunity to rebut any evidence resulting from such investigation.

3. The Tribunal before making any finding under paragraphs 2 or 3 of article II shall notify the parties in writing of its proposed finding and the evidence upon which it is based and give them reasonable opportunity to submit additional evidence.

4. The Tribunal shall not be bound by technical rules of evidence and shall accept any evidence submitted to it which it deems to have probative value regarding the situations described in paragraph 2 of article II. In particular, and without limiting the generality of the foregoing, the Tribunal may accept bank statements, statements of security brokers or dealers, and affidavits. Witnesses before the Tribunal may be sworn.

5. The Tribunal may request additional evidence beyond that submitted to it.

6. The Tribunal may hold hearings on its own motion and it shall hold hearings at the request of any party in interest.

ARTICLE VII

1. An invalidation decree by an Austrian court with respect to any bond shall be considered by the Tribunal:

(a) in the case of a holder claiming under paragraph 2 (a) of article II, as evidence, that such bond was inside Austria or Germany on January 1, 1945;

(b) in the case of a holder claiming under paragraph 2 (b) of article II, as evidence, that such bond was acquired by or on behalf of the issuer, or by the Government of Germany or one of its agencies before January 1, 1945, and was not reintroduced into circulation prior to May 8, 1945, by or on behalf of the issuer, the Government of Germany or one of the aforementioned agencies.

2. In the absence of other evidence such invalidation decree shall be controlling. If, however, other evidence is submitted or received, the decree shall be given only the weight which the circumstances surrounding its entry justify in the Tribunal's judgment.

ARTICLE VIII

The members of the Tribunal are authorized and bound not to claim any immunity from service of process issuing from any United States district court in proceedings brought to any holder of a bond listed in annex A to determine whether the requirements of article II have been met. Such proceedings must be brought within 4 months after a registered letter giving notice of the determination of the Tribunal has been mailed to the claimant at the last address furnished by him to the Tribunal. The Tribunal shall notify the issuer of the pendency of such action by registered mail. The members of the Tribunal, including the chairman, will comply with any judgment, order or decree that such court may issue in such proceedings. A certificate issued by the Tribunal pursuant to any such judgment, order or decree shall have the same effect as a certificate issued pursuant to paragraph 2 of article II.

ARTICLE IX

All rights of enforcement of the bonds listed in annex A shall be barred:

(a) if submitted to the Tribunal, 18 months after final determination of the Tribunal under article II or after final decision by the court in proceedings referred to in article VIII, or

(b) eighteen months after the first publication of the notice prescribed in article XII, or

(c) eighteen months after the original maturity date of the bond,

whichever is later, unless such time is extended by the two governments in accordance with article XV.

ARTICLE X

All holders of bonds submitted to the Tribunal in accordance with article II shall be informed of the provisions of articles II, IV, VI, VII, VIII, and IX.

ARTICLE XI

1. Former holders of any bond listed in annex A or their successors in interest as determined by the present Austrian restitution laws may apply to the Restitution Commission at the Landesgericht for Civil Matters at Vienna for a decree against the bond debtor to the effect that they were deprived of their bond within the meaning of the Austrian restitution laws. This application and a second application for the issuance of a valid bond as provided in paragraph 3 of this article shall be filed jointly and no later than 18 months from the first publication of the notice prescribed in article XII of this agreement or such further time as may be provided pursuant to article XV.

2. In determining whether the applicant was deprived of his bond within the meaning of the Austrian restitution laws it shall be immaterial whether the act of deprivation took place in or outside Austria.

3. If the Restitution Commission finds that the applicant was deprived of his bond within the meaning of the Austrian restitution laws it shall certify this fact in its decree and, pursuant to the second application, it shall adjudge the bond issuer liable to issue to the applicant within 90 days from the date of the decree a valid bond which shall bear a different serial number and which shall be equivalent in every respect to the bond of which the applicant has been deprived; the second application shall be denied, however, to the extent that payments were made by the bond debtor in accordance with regulations in force at the time and accepted by the creditor.

4. Neither the issuance of bonds of the Reichsanleihe 1938, series II, by way of exchange in accordance with the offer of indemnification of the German Reich Government made to owners of Austrian bonds, of October 25, 1938, nor the issuance between March 8, 1938, and April 8, 1945, of reichsmark bonds by Austrian corporate or municipal debtors in exchange for dollar bonds will, for the purposes of this article, be considered as having deprived the former owner of his bonds within the meaning of the Austrian restitution laws unless the exchange was brought about by direct duress against the former owner.

ARTICLE XII

1. In order to assure that holders of bonds listed in annex A, as well as former holders of such bonds and their successors in interest, are given timely and adequate notification of such action as is required of them to secure a determination of their rights under this agreement, the Government of Austria shall cause publication of an appropriate notice. The notice shall state the name of the issuer and trustee or fiscal agent and a description of the issue of each of the bond issues referred to in annex A. The notice shall also recite that certain bonds of the issues so listed have been invalidated by decrees of Austrian courts in proceedings duly brought for that purpose, or by statutory law of Austria. It shall state from whom information may be obtained regarding the specific serial numbers of the bonds so invalidated and it shall set forth the procedure whereby holders of such bonds and former holders or their successors may have their rights determined and, in appropriate cases, receive valid bonds, and it shall state the time limit within which claimants must act. The exact contents of the notice and its size and form shall be subject to approval by the Government of the United States prior to its publication pursuant to paragraph 2 of this article.

2. Publication of the notice shall begin simultaneously within 1 month from the entry into force of this agreement in at least 15 newspapers or financial journals in the United States and in 5 newspapers or financial journals in Europe. The selection of these newspapers and financial journals shall be subject to the approval of the Government of the United States. Publication of the notice shall be made on 3 different dates, within a period of 90 days.

3. The notice shall be published again on 3 different dates in 3 newspapers or financial journals having a general circulation in the United States, the last publication to be not later than 1 month before the expiration of the 18-month period prescribed in article II, paragraph 1, and article XI, paragraph 1.

ARTICLE XIII

1. The Government of Austria agrees to pay the entire cost of implementing the procedure prescribed by this agreement for the determination of the rights of holders of bonds listed in annex A including, in particular (but without limiting the generality of this provision):

(a) the costs of giving notice as required by article XII, including the costs of printing and widespread distribution of the lists of bonds involved;

(b) the compensation of the members of the Tribunal and of its Chairman, as agreed upon between the two Governments;

(c) office rent, salaries of employees, and other necessary expenses of the tribunal.

2. The Government of Austria agrees to pay to any holder of a bond listed in annex A who is found as a result of proceedings referred to in article II or article VIII to be entitled to a valid bond an allowance for legal and other expenses in the amount of 10 percent of the face amount of the bond.

3. The Government of Austria agrees that it will make available for transfer the dollar exchange necessary to effectuate the payments of its obligations under this article as they become due.

4. The Government of Austria agrees that, upon request of any interested person to the Austrian Embassy, Washington, D. C., or the Austrian Consulate General, New York, N. Y., information regarding bonds listed in annex A, including the specific serial numbers, will be made available.

ARTICLE XIV

1. The term "bond" or "bonds" in this agreement shall be deemed to include the

appurtenant coupon or coupons of such "bond" or "bonds."

2. The term "party in interest" in this agreement shall be deemed to include the issuer of bonds involved, any trustee, any paying or fiscal agent with respect to such bonds, and any party who either holds a bond listed in annex A or who may be liable on such bond.

ARTICLE XV

The Government of Austria agrees that if appropriate representation is made by the Government of the United States that the operation of this agreement appears likely to impose undue hardships upon the United States or its nationals, or nationals of other countries, or otherwise proves to be impracticable or unworkable, the Government of Austria will take action to eliminate such hardships or make the program practicable or workable. In particular, and without limiting the generality of the foregoing, the 18-month period for the filing of claims described in article II, paragraph 1, and in article XI, paragraph 1, shall be extended if the Government of the United States so requests before the end of the 18-month period.

ARTICLE XVI

1. The present agreement shall be ratified and the instruments of ratification shall be exchanged at Vienna as soon as possible.

2. The agreement shall enter into force on the date of the exchange of ratifications.

In witness whereof, the undersigned representatives duly authorized thereto by their respective Governments have signed this agreement.

Done at Washington, in duplicate, in the English and German language, both texts being equally authentic, this 21st day of November 1956.

For the United States of America:
[SEAL] HERBERT HOOVER, Jr.
For the Republic of Austria:
[SEAL] LEOPOLD FIGL.

* * * * *

PROTOCOL

At the time of the signing of the agreement between the United States of America and the Republic of Austria regarding certain bonds of Austrian issue denominated in dollars, the undersigned plenipotentiaries, duly authorized thereto by their respective Governments, have agreed on the following interpretations of the aforesaid agreement:

1. The agencies of the Government of the German Reich mentioned in article II, paragraph 2, item (b) and in article VII, paragraph 1, item (b) are in particular considered to be the agencies mentioned in the second paragraph of the preamble.

2. The Federal Republic of Germany is to be considered a party in interest in the meaning of article VI, paragraph 1, if and insofar it has assumed obligations under the agreement on German external debts, signed at London February 27, 1953, to effect payments due in respect of bonds which are presented.

3. The issuance of bonds of the Reichsanleihe 1938, series II, by way of exchange in accordance with the offer of indemnification of the German Reich Government made to owners of Austrian bonds, of October 25, 1938, will not, for the purposes of article XI, be considered expropriation within the meaning of the Austrian restitution laws, unless the exchange was brought about by direct duress against the former owner.

4. The measures reserved by article XV, except the extension of the deadline provided by the second sentence, require the consent of the German Federal Government insofar as such measures affect obligations of the Federal Republic of Germany.

This protocol shall constitute an integral part of the agreement to which it relates and shall be ratified together with that agreement.

In witness whereof, the undersigned representatives duly authorized thereto by their respective Governments have signed this protocol.

Done at Washington, in duplicate, in the English and German language, both texts being equally authentic, this 21st day of November, 1956.

For the United States of America:
[SEAL] HERBERT HOOVER, Jr.
For the Republic of Austria:
[SEAL] LEOPOLD FIGL.

Mr. MANSFIELD. Mr. President, for the information of Members of the Senate I wish to say that at the conclusion of the remarks of the chairman of the Committee on Foreign Relations [Mr. GREEN], and any other remarks pertinent to the treaty, I intend to suggest the absence of a quorum.

Mr. GREEN obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. GREEN. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, on the resolution of ratification I ask for yeas and nays.

The yeas and nays were ordered.

Mr. GREEN. Mr. President, the agreement now before the Senate between the United States and Austria, which was signed on November 25, 1956, creates a procedure under which the holders of certain dollar bonds issued by the Government of Austria prior to the Second World War may establish the validity of their bonds.

The problem dealt with in this agreement arises from the fact that a great many bonds which had been acquired by the issuing authority for eventual retirement were looted by Soviet military forces after the occupation of Austria. In consequence of such seizures, quantities of these bonds are believed to have come into the hands of individuals who might seek either to negotiate them or to claim payment from the issuing authorities. By the terms of the bond indentures, these retired bonds could only be canceled by the trustees or paying agents in the United States. This procedure was rendered impracticable by the disruption of transportation facilities during the war. Since they could not be canceled as paid in Austria, they appear, on their face, as valid securities. From this arose the possibility that the issuing authority might be compelled to make a double payment on the bonds.

To protect itself against this contingency, the Austrian Government published the numbers of the looted bonds, declaring them to be invalid under Austrian law No. 22 of December 15, 1953. Pending a solution of the problem, no payments are being made by the issuers to any holders of bonds, including those owned by residents of the United States.

The pending agreement permits bondholders who believe their securities to have been erroneously included on the lists published by Austria an opportunity to present their claims within a reasonable period of time to an American-Austrian tribunal sitting in New York City. Should the tribunal find against the bondholder he may have the question considered by a United States district court. In the event of a decision by that court favorable to the bondholder, he will be given valid bonds in exchange for those erroneously listed.

This agreement is similar in purpose with that concluded by the United States with the Federal Republic of Germany in 1953, to which the Senate gave its approval on July 13, 1953—volume 4, United States Treaties and Other Agreements, page 797.

The entire cost of implementing the procedure under the pending agreement will be defrayed by the Austrian Government—article XIII. Legal expenses of holders whose bonds are validated will be reimbursed on the basis of 10 percent of the face value of the bonds.

United States business circles which are most directly concerned with the agreement have warmly endorsed it. It also has the support of the Securities and Exchange Commission and the Bondholders Protective Council.

Mr. President, it is important not only for the American bondholder, but for Austrian credit in the international community, that Austria be in a position to resume payment on obligations on which she has been in default. The Austrian bonds agreement will permit a normalizing of transactions in Austrian securities, and thereby contribute to the economic stabilization of that country.

I therefore urge the Members of the Senate to give their approval to the pending treaty.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

If there be no objection, the treaty will be considered as having passed through its several parliamentary stages up to the point of consideration of the resolution of ratification, which will be read.

The resolution of ratification was read, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive H, 85th Congress, 1st session, the agreement between the United States and the Republic of Austria regarding certain bonds of Austrian issue denominated in dollars, together with a related protocol, both signed at Washington on November 21, 1956.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the ratification of the treaty? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Missouri [Mr. HENNINGS], the Senator from Texas [Mr. JOHNSON],

the Senator from Michigan [Mr. McNAMARA], the Senator from West Virginia [Mr. NEELY], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

I further announce that the Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

I also announce, if present and voting, all of the Senators listed above would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Indiana [Mr. JENNER] and the Senator from Kansas [Mr. SCHOEPPEL] are necessarily absent.

The Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from Iowa [Mr. MARTIN] is detained on official business.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], the Senator from North Dakota [Mr. LANGER], the Senator from Nevada [Mr. MALONE], the Senator from Iowa [Mr. MARTIN], and the Senator from Kansas [Mr. SCHOEPPEL] would each vote "yea."

The yeas and nays resulted—yeas 78, nays 0, as follows:

YEAS—78

Aiken	Fulbright	Mundt
Allott	Goldwater	Murray
Barrett	Gore	Neuberger
Beall	Green	Pastore
Bennett	Hayden	Payne
Bible	Hickenlooper	Potter
Bricker	Hill	Purtell
Bush	Holland	Revercomb
Butler	Hruska	Robertson
Byrd	Humphrey	Russell
Capehart	Jackson	Saltonstall
Carlson	Javits	Scott
Carroll	Johnston, S. C.	Smathers
Case, N. J.	Kefauver	Smith, Maine
Case, S. Dak.	Kennedy	Smith, N. J.
Clark	Kerr	Sparkman
Cooper	Knowland	Stennis
Cotton	Kuchel	Symington
Curtis	Lausche	Talmadge
Dirksen	Long	Thurmond
Douglas	Magnuson	Thye
Dworshak	Mansfield	Watkins
Ellender	Martin, Pa.	Wiley
Ervin	McClellan	Williams
Flanders	Morse	Yarborough
Frear	Morton	Young

NOT VOTING—17

Anderson	Ives	McNamara
Bridges	Jenner	Monroney
Chavez	Johnson, Tex.	Neely
Church	Langer	O'Mahoney
Eastland	Malone	Schoeppel
Hennings	Martin, Iowa	

The PRESIDING OFFICER. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

Mr. MANSFIELD. Mr. President, I ask that the President be notified of the adoption of the resolution of ratification.

The PRESIDING OFFICER. Without objection, the President will be notified.

NOMINATIONS

Mr. MANSFIELD. Mr. President, since the Senate is in executive session, I ask that it proceed to the consideration of the nominations on the Executive Calendar.

The PRESIDING OFFICER. The nominations on the calendar will be stated.

DEPARTMENT OF THE TREASURY

The Chief Clerk read the nomination of Robert Bernerd Anderson, of New York, to be Secretary of the Treasury.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COLLECTOR OF CUSTOMS

The Chief Clerk read the nomination of Albina R. Cermak, of Cleveland, Ohio, to be collector of customs in Customs Collection District No. 41, with headquarters at Cleveland, Ohio.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COMPTROLLER OF CUSTOMS

The Chief Clerk read the nomination of Albert Cole, of Massachusetts, to be Comptroller of Customs, with headquarters at Boston, Mass.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be notified forthwith of the confirmation of these nominations.

The PRESIDING OFFICER. The President will be immediately notified of the nominations this day confirmed.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

DEFENSE DEPARTMENT APPROPRIATIONS, 1958

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business will not come before the Senate until 1 o'clock.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of Calendar No. 551, H. R. 7665, the Department of Defense appropriation bill.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the pending business.

The Senate resumed the consideration of the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

Mr. DOUGLAS. Mr. President, I should like to make two technical changes on page 4 of my amendment designated "7-1-57-C" to the Defense Department appropriation bill. The changes are as follows:

In line 4, after the words "supporting of," insert "2 or more."

In line 10, after the words "supporting of," insert "additional."

I ask unanimous consent that the amendment as modified be printed at this point in the RECORD.

There being no objection, the amendment, as modified, was ordered to be printed in the RECORD, as follows:

On page 5, line 17, strike out "$3,123,000,000" and insert in lieu thereof "$3,113,000,000".

On page 8, line 4, strike out "$3,291,356,000" and insert in lieu thereof "$3,145,200,000".

On page 8, line 21, strike out $217,000,000" and insert in lieu thereof "$197,000,000".

On page 10, line 2, strike out "$360,000,000" and insert in lieu thereof "$320,000,000".

On page 10, line 12, strike out "$400,000,000" and insert in lieu thereof "$392,000,000".

On page 10, lines 22 and 23, strike out "$300,000" and insert in lieu thereof "$225,000".

On page 11, line 6, strike out "$5,500,000" and insert in lieu thereof "$5,000,000".

On page 12, lines 17 and 18, strike out "$2,307,000,000" and insert in lieu thereof "$2,295,000,000".

On page 14, line 3, strike out "$88,000,000" and insert in lieu thereof "$87,000,000".

On page 14, lines 12 and 13, strike out "$634,600,000" and insert in lieu thereof "$630,000,000".

On page 14, lines 19 and 20, strike out "$23,500,000" and insert in lieu thereof "$23,200,000".

On page 15, line 18, strike out "$182,500,000" and insert in lieu thereof "$178,000,000".

On page 16, line 6, strike out "$1,912,000,000" and insert in lieu thereof "$1,812,000,000".

On page 16, line 16, strike out "$868,500,000" and insert in lieu thereof "$853,500,000".

On page 17, line 12, strike out "$1,609,000,000" and insert in lieu thereof "$1,534,000,000".

On page 18, line 1, strike out "$823,000,000" and insert in lieu thereof "$820,000,000".

On page 18, line 20, strike out "$211,000,000" and insert in lieu thereof "$176,000,000".

On page 19, line 6, strike out "$166,000,000" and insert in lieu thereof "$164,000,000".

On page 19, line 15, strike out "$86,700,000" and insert in lieu thereof "$85,200,000".

On page 20, line 2, strike out "$136,630,000" and insert in lieu thereof "$134,630,000".

On page 20, line 7, strike out "$505,000,000" and insert in lieu thereof "$495,000,000".

On page 20, line 21, strike out "$306,000,000" and insert in lieu thereof "$300,000,000".

On page 21, line 12, strike out "$108,000,000" and insert in lieu thereof "$107,000,000".

On page 22, line 8, strike out "$6,126,000,000" and insert in lieu thereof "$5,864,000,000".

On page 22, line 16, strike out "$1,246,500,000" and insert in lieu thereof "$1,146,500,000".

On page 23, line 1, strike out "$661,000,000" and insert in lieu thereof "$649,000,000".

On page 25, line 2, strike out "$4,193,993,000" and insert in lieu thereof "$4,062,120,000".

On page 26, line 16, strike out "$3,836,600,000" and insert in lieu thereof "$3,801,600,000".

On page 26, line 25, strike out "$57,000,000" and insert in lieu thereof "$55,000,000".

On page 8, between lines 11 and 12, insert the following:

"COMBAT UNITS

"For expenses incident to the arming, equipping, and supporting of 2 or more combat units of the Army utilizing nonnuclear firepower; $425,000,000."

On page 14, between lines 13 and 14, insert the following:

"COMBAT UNITS, MARINE CORPS

"For expenses incident to the arming, equipping, and supporting of additional combat units of the Marine Corps utilizing nonnuclear firepower; $75,000,000."

CIVIL RIGHTS

Mr. RUSSELL. Mr. President, for the first time since I have been a Member of the Senate, I respectfully request that I be not interrupted in the course of my prepared discussion. I shall be happy to yield to any Senator who wishes to discuss any phase of my remarks when I have finished.

In the course of the discussion of the so-called civil-rights bill when it was sent directly to the calendar I touched upon the propaganda campaign to deceive the American people as to the true purposes and effect of that measure. I charged that an effort was being made to sail this bill through the Senate under the false colors of a moderate bill to assure and protect the voting rights of American citizens, while obscuring the larger purposes of the bill.

I said then, Mr. President, and I reassert now that the bill is cunningly designed to vest in the Attorney General unprecedented power to bring to bear the whole might of the Federal Government, including the Armed Forces if necessary, to force a commingling of white and Negro children in the State-supported public schools of the South.

Indeed, Mr. President, the unusual powers of this bill could be utilized to force the white people of the South at the point of a Federal bayonet to conform to almost any conceivable edict directed at the destruction of any of the local customs, laws, or practices separating the races in order to enforce a commingling of the races throughout the social order of the South.

This campaign of misrepresentation took shape even before the Senate took the unusual action of placing the bill directly on the calendar without committee consideration.

Proponents of the bill prepared the way for that action by speeches in which they consistently referred to it as a measure to assure the right to vote. The press, the radio, and television consistently parroted this propaganda line.

On the day following Senate action, I took occasion to listen to a number of radio and television broadcasts purporting to describe the bill and discuss the Senate action of bypassing the committee. Everyone that I heard referred to it as only a "moderate bill to assure voting rights for all citizens."

The great organs of the national press chorused this flagrant misrepresentation of the true character of the bill. As a sample, let me read extracts from an editorial carried by the New York Herald Tribune on Thursday, June 20, discussing the action taken in the Senate:

As Mr. Eisenhower said again at his news conference yesterday, the desired bill is moderate. Certainly there should be no alarm about a proposal for insuring the constitutionally guaranteed right of every qualified citizen to participate in national elections. But this is precisely what the southern legislators do not want, and they are resisting it with all their skills of obstruction.

Most of them, of course, are not quite so blunt as to contend that the Negro has no business voting. Yet, as every one knows, there is an effective system of discrimination and intimidation in large parts of the South which keeps the Negro from exercising his electoral privilege, and since this exists contrary to the Constitution, it seems only logical that this undemocratic denial should be stopped. The only way to do it is to establish practical means of enforcement. What the Administration proposes is injunctive relief by the courts in all violations or threats of violation of this most basic of all civil rights.

Why this should be so objectionable is hard to understand except on the ground that the South, or at least its constituted leadership, is congenitally opposed to the proposition that all citizens are enitled to equal rights.

It is noteworthy that this supposedly respectable publication carried the conspiracy of silence as to the true purposes of the bill over to its news columns. It did not mention in the news the fact that it was charged repeatedly on the floor of the Senate that the proponents of the bill were talking about voting rights, while thinking about integrating schools, and that one of the most eminent lawyers supporting the bill had admitted on the floor of the Senate that the Attorney General could apply this measure to an enforced commingling of the races in the public schools.

The eminent New York Times in its discussion of the Senate action concluded its editorial with the following description of the bill:

But quite apart from these political currents, there is a basic morality in this matter. It lies in the fact that the civil rights bill as passed by the House is, as President Eisenhower said, a "moderate, decent" measure, directed not against the South, but to freedom of the ballot for all Americans.

Newsweek, which styles itself as the magazine of news significance, limited its description of the bill to this statement:

Under the administration's civil-rights bill, the Attorney General would be given the power to seek an injunction in a Federal court against anyone who interfered with anyone else's right to vote. Those who violated the injunction would face charges of contempt of court.

Mr. President, I have always considered the Christian Science Monitor to be the most objective of our great national newspapers. But even the Monitor cautiously participated in the campaign in its editorial dealing with the Senate action by describing the bill as "a plan to permit the Attorney General to obtain injunctions to prevent such things as denial of voting rights to Negroes."

These are samples of the misrepresentation of the scope and extent of the sweeping powers of this bill that came to my attention in the course of my daily reading. They are fair samples of the movement designed to inflame public sentiment in the rest of the Nation against the white people of the South and their representatives in the Congress, in order to force passage of the bill before the people generally understand all of its terms.

In my opinion, Mr. President, this campaign of deception as to what this bill proposes to accomplish constitutes an abuse of the constitutional guaranty of freedom of the press. It is as great an abuse of that constitutional right as abuses being practiced to deny to any segment of our population the constitutional right to exercise the franchise.

It is a much more widespread abuse, for in this country today there are very fied under State law to vote find that right improperly limited or circumscribed. I can speak of personal knowledge of the condition in my own State. Within recent months, at a primary in our capital city, a Negro citizen was reelected over a single white opponent to serve in an important office, by a city-wide primary vote, in a southern city where the colored population constitutes only about 30 percent of the total.

There is a very simple reason, Mr. President, for this studied misrepresentation of the sweeping powers to punish the South, as proposed by this bill. Let me say in passing that in all of its implications it is as much of an actual force bill as the measures proposed by Sumner and Stevens in reconstruction days in their avowed drive "to put black heels on white necks." The powers are there, even though more cunningly contrived than the forthright legislation aimed at the South in the tragic era of reconstruction.

The simple reason for confining the description to a voting bill is that the American people generally are opposed to any denial of the right of ballot to any qualified citizen. It is easy to array them in support of a bill represented as confined to this purpose.

The more sweeping powers which this bill gives to the Attorney General, to exercise his will, are obscured because in this country outside the South there are millions of people who would not approve of another reconstruction at bayonet point of a peaceful and patriotic South.

There are many people in every State of the Union, including thousands who do not favor the social order which exists in the Southern States, who would not approve the use of their tax money to throw the whole might of the Federal Government, including the military forces, behind a force law designed to compel the intermingling of the races in the public schools and in all public places of entertainment in the Southern States.

There are many Americans everywhere who would look askance at denying the white people of the South the ordinary rights guaranteed all Americans everywhere, as is proposed in this cunningly contrived bill.

There are many Americans who know that constitutional guaranties cannot be denied to the white South without endangering the loss of those guaranties by all the people of this Nation.

There are others who do not believe in indicting and convicting the whole people of a great section of this land on the charge, unsupported by evidence,

that all of them would forswear themselves as jurors.

Now, Mr. President, I shall undertake to examine some aspects of this measure, so glibly advertised as a moderate bill to assure the right to vote. I shall undertake to do so in language which the layman can understand. I shall cite sections of the code, in order that my brethren of the bar may have the opportunity to study what I believe to be the most classic example of cunning draftsmanship ever presented to the American Congress.

Mr. President, let us go first to the one part of the bill which does deal with voting rights. It is appropriate that the part of this drastic bill which deals solely with voting rights should be part IV of a 4-part bill. Weighed against the important and far-reaching effect of the other provisions of the bill, it is meet and proper that the voting provision should be the last part of the bill, even though it is the only one that has been emphasized in the presentation of this wickedly designed measure to the American people.

Mr. President, I ask unanimous consent that part IV of the proposed law may be printed in the CONGRESSIONAL RECORD at this point.

There being no objection, part IV was ordered to be printed in the RECORD, as follows:

PART IV—TO PROVIDE MEANS OF FURTHER SECURING AND PROTECTING THE RIGHT TO VOTE

SEC. 131. Section 2004 of the Revised Statutes (42 U. S. C. 1971), is amended as follows:

(a) Amend the catch line of said section to read, "Voting rights."

(b) Designate its present text with the subsection symbol "(a)."

(c) Add, immediately following the present text, three new subsections to read as follows:

"(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

"(c) Whenever any person has engaged or is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States, or in the name of the United States but for the benefit of the real party in interest, a civil action or other proper proceeding for redress, or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"(d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

Mr. RUSSELL. Mr. President, part IV undoubtedly deals with voting rights. I shall not at this time discuss the full effect of this language. At an appropriate time I shall undertake to show that there are already on the statutes of the United States any number of laws to assure the right to vote, including criminal statutes which punish by fine and imprisonment any person who interferes with that right.

Leaving part IV, the voting part, I shall now proceed to that section of the bill which clearly stamps it as a force bill of unprecedented powers aimed at the white South. I shall demonstrate by explaining part III of the bill that the talk about voting rights is a smokescreen to obscure the unlimited grant of powers to the Attorney General of the United States to govern by injunction and Federal bayonet. This section of the bill strikes at our whole theory of a government of law and proposes to create a government of men. It grants to one man or to men sweeping powers to deny individual rights by wholesale and to jail and imprison peaceful American citizens according to the whim or caprice of the man or men exercising the power.

The heart of this bill is found in part III. Part III is the most cunningly devised and contrived piece of legislation I have ever seen. It is the ultimate in the technique of legislative draftsmanship to obscure purpose while creating and conferring power. By a process of amending one statute or existing law by reference and taking this statute or law and incorporating it, by reference to a number, into another law, without anywhere spelling out the total effect of the proposed law in express terms, it cunningly obscures its real scope and purpose.

When I was engaged in the active practice of law I thought I was a fair lawyer, but it has taken me a great deal of study to comprehend thoroughly the full magnitude of the objectives of the drafters of this part of the bill.

I understand it completely now. I unhesitatingly assert that part III of the bill was deliberately drawn to enable the use of the military forces to destroy the system of separation of the races in the Southern States at the point of a bayonet, if it should be found necessary to take this step.

I assert that this bill vests in one man, the Attorney General of the United States, greater powers over the American people than any other man, including any President elected by the people, has ever possessed.

This part of the bill is a potential instrument of tyranny and persecution. It can be used to jail and imprison American citizens and to deny them elemental rights inherent to all our people if it accords with the political inclinations of any Attorney General who possesses the confidence of the President.

Let us now proceed to consider the provisions of this bill and then discuss the ways by which it may be applied. Part III of the bill seeks to amend existing law known as section 1980 of the Revised Statutes—title 42, United States Code, section 1985. The existing law which is amended by reference has three paragraphs. The pertinent paragraph to this discussion is the third.

Mr. President, at this juncture I ask unanimous consent that part III of the proposed legislation be printed in the RECORD at this point.

There being no objection, part III was ordered to be printed in the RECORD, as follows:

PART III—TO STRENGTHEN THE CIVIL RIGHTS STATUTES, AND FOR OTHER PURPOSES

SEC. 121. Section 1980 of the Revised Statutes (42 U. S. C. 1985) is amended by adding thereto two paragraphs to be designated "Fourth" and "Fifth" and to read as follows:

"Fourth. Whenever any persons have engaged or are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs First, Second, or Third, the Attorney General may institute for the United States, or in the name of the United States but for the benefit of the real party in interest, a civil action or other proper proceeding for redress, or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order.

"Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

SEC. 122. Section 1343 of title 28, United States Code, is amended as follows:

(a) Amend the catch line of said section to read "§ 1343. Civil rights and elective franchise."

(b) Delete the period at the end of paragraph (3) and insert in lieu thereof a semicolon.

(c) Add a paragraph, as follows:

"(4) To recover damages or to secure equitable or other relief under any act of Congress providing for the protection of civil rights, including the right to vote."

Mr. RUSSELL. Mr. President, any lawyer who is interested in all the legal ramifications will be interested in reading all of the present section 1985 of title 42 of the United States Code. It is one of the old reconstruction laws. Its criminal counterpart was declared unconstitutional by the Supreme Court decision, stating that the law was enacted by an impassioned Congress operating on the theory that the Southern States were conquered provinces.

To explain more easily what this bill seeks, I now read the pertinent part of the already existing law which the bill seeks to amend. I shall omit, and the asterisks will indicate the omission of any redundant or immaterial language which is likely to confuse the explanation. This is the existing law which part III seeks to amend:

SUBSEC. 3. If two or more persons in any State * * * conspire * * * for the purpose of depriving either directly or indirectly any person or class of persons of the equal protection of the laws or of equal privileges and immunities under the law * * * in any case of conspiracy set forth in this section if one or more persons engaged therein do or cause to be done any act in furtherance of the object of such conspiracy whereby another is * * * deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such * * * deprivation against any one or more of the conspirators.

It will be seen that this section of existing law, which the bill seeks to amend, establishes the right of any individual

citizen injured under the terms of the statute to sue other individuals for damages in the courts.

Let me point out that there are a number of criminal laws or statutes which deal with any interferences with the rights of any citizen and make subject to criminal prosecution anyone who interferes with those rights.

Mr. President, I ask unanimous consent to have incorporated in the RECORD two illustrations of existing statutes which deal with crimes in this category which are made liable to suits for damages in the law which I have read. They are found in title 18, sections 241 and 242 of the code, and I ask that they be printed in the RECORD without my reading them.

There being no objection, the sections of the code were ordered to be printed in the RECORD, as follows:

Title 18, United States Code, section 241:

CONSPIRACY AGAINST RIGHTS OF CITIZENS

If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

They shall be fined not more than $5,000 or imprisoned not more than 10 years, or both (June 25, 1948, ch. 645, sec. 1, 62 Stat. 696).

Title 18, United States Code, section 242:

DEPRIVATION OF RIGHTS UNDER COLOR OF LAW

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any inhabitant of any State, Territory, or district to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both (June 25, 1948, ch. 645, sec. 1, 62 Stat. 696).

Mr. RUSSELL. Mr. President, the Attorney General of the United States does not ordinarily participate in civil suits for damages between individual citizens of the United States. His primary duty is to enforce the penal or criminal laws passed by the Congress. In studying this matter, I was greatly puzzled by the fact that this proposed new law, which gave the Attorney General the power to sue, in the name of the United States, at the expense of the American taxpayer, in civil actions should have been included in and made a part of the old law defining a tort action or a suit for damages when there were so many criminal statutes available.

I of course apprehended that the bill would be far-reaching in its effects. This bill would authorize the Attorney General to bring suits whether the aggrieved party wished him to sue or not. It has always been the duty of the Attorney General to prosecute for criminal violations whether the aggrieved party desired a prosecution to be entered or not, but it is unusual for him to seek powers under a damage suit law when there were so many other clearer statutes, including criminal statutes, available for use in seeking civil injunctions if that should be a necessary or proper proceeding.

I knew that under the clever wording of this section injunction suits could result in the jailing of American citizens for an indeterminate period without the benefit of jury trial. I soon found that the proposed act struck down all Federal and State administrative or other remedies that must ordinarily be pursued by private citizens.

But it was difficult to dig out the purpose of the draftsman in using this particular law, which defines not a crime, but a cause of action or case for damages as the base for this far-reaching bill.

Mr. President, I now undertake to show that the real purpose of this bill is to enforce judicial law dealing with separation of the races in the Southern States. Let me explain that judicial law is law that is written by the courts rather than by the Congress.

We have had an unusual spate of judicial law recently. The present Supreme Court is writing more judicial law than the Congress is making through the ordinary process of legislation.

I shall resist the temptation to deal with some of the recent excursions of the Supreme Court into the legislative field which we had heretofore considered as reserved to the Congress.

For the purposes of this exposé, I must say that we can expect the present occupants of the marble building constructed to house a Supreme Court of the United States to go to any requested length to make the white people of the Southern States conform to their psychologically inspired and supported decisions as to what the social order of the South should be.

With this I return to the subtle cunning of the draftsman of this act in seeking to use a law authorizing a suit for damages between individual Americans as a vehicle to vest these vast powers in the Attorney General. I assert, Mr. President, that this bill was specifically drawn in this peculiar fashion so as to authorize the use of the military forces of the United States against the white people of the South to compel them, if necessary at bayonet point, to do away with any separation of the races in any phase of public life. To prove that assertion to any fair-minded man, I shall now read the provisions of section 1993 of title 42 of the United States Code, as follows:

Title 42, United States Code, section 1993:

AID OF MILITARY AND NAVAL FORCES

It shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as may be necessary to aid in the execution of judicial process issued under sections 1981–1983 or 1985–1992 of this title, or as shall be necessary to prevent the violation and enforce the due execution of the provisions of sections 1981–1983, and 1985–1994 of this title (Revised Statutes, sec. 1989).

Mark well, Mr. President, that section 1985, the old reconstruction law creating the right to sue for damages, is specifically mentioned in this authorization of the use of military forces, whereas it is not mentioned in any of the other statutes describing a crime or any civil action that might lie in a case of this kind. None of these other statutes on which the Attorney General would ordinarily rely are mentioned in this section of the code, providing for the use of military forces. The devious purpose in undertaking to have the Congress legislate by reference and cross reference, and by numbers of references to sections of the code, was to tie this whole proposition into a law authorizing the use of troops to integrate southern schools, and not for the purpose of assuring the right of any citizen of this country to vote.

I might point out that the voting section of the code is not tied in with the use of military forces, whereas that section which will be utilized to force the mixing of the races in the schools and in the public places of amusement is tied in with the statute authorizing the use of military forces.

Mr. President, if the Supreme Court so determines—and who can doubt their intent—that the separate hotels, eating places, and places of amusement for the two races in the South constitute a denial of equal privileges and immunities under the old law, this great power can be applied throughout the South.

I say, Mr. President, that no one, certainly, would doubt that the Supreme Court would make that holding, particularly in view of their holding in the Stephen Girard will case. Girard had left a will leaving money for the education of white orphan children, but the Court, in effect exhuming a man who had been dead for more than 100 years, went so far in that case as to say that because the trustees happened to be city trustees in Philadelphia that provision of the will not binding, without regard to his intent. Mr. Girard could not will his money as he wanted to, but it was necessary to admit Negro children to this private school because the trustees happened to be city officials in the city of Philadelphia.

All the public eating places, the swimming pools, and the hotels which operate in the Southern States hold licenses from either the State or the municipality. That gives the court a much firmer base for such a ruling than they had in the Girard case.

Under this bill, if the Attorney General should contend that separate eating places, places of amusement, and the like in the South, licensed by State or municipal law, constituted a denial of equal privileges and immunities, he could move in with all the vast powers of this bill, even if the person denied accommodation or admission did not request him to do so and was opposed to his taking that action. The white people who operated the places of amusement could be jailed without benefit of jury trial and kept in jail until they either rotted or until they conformed to the edict to integrate their places of business. There is no limit on

the punishment for contempt. A person convicted of contempt of court stays in jail until he purges himself of the contempt.

If a group of white people were to gather in front of the restaurant or theater or other place of amusement after its operators had been jailed, and there protested and resisted the commingling of the races in such places, the Attorney General could invoke the use of the military and naval forces of the United States to subdue, suppress, arrest, and jail every person who so gathered to protest and resist the commingling of races on the ground that they were guilty of conspiracy. That could be done if this bill should ever be enacted into law in its present form.

I have already said that the widely advertised voting section of the bill is not even remotely tied in with the use of military forces. The school enforcement section is. That affords a measure of the true importance of the voting right clause, as compared to the power sought to integrate the schools and destroy the separate system for the races on which the social order of the Southern States is built.

Who can doubt for a moment that some Attorney General, yielding to the demands of such organizations as the NAACP and the ADA, who have been most zealous in pushing this proposal, would move into the South to compel the communities to integrate white and Negro children in the schools?

If that were done, town meetings would be held, of the white citizens of those communities. They have already taxed or obligated themselves for bond issues to establish separate and equal schools for the children of the two races, as the law specifically provided for nearly 100 years.

At the outset of such a meeting the Attorney General and the courts might recognize the right of the participating citizens to peaceable assemblage, and to petition for the redress of grievances. However, it is certain that there would be many at the meeting who would advocate closing the schools rather than commingling their children.

What would happen then? If certain citizens should vote to close the schools, would they not all become subject to the conspiracy statute, and liable to being gathered up and jailed for violating the Attorney General's writ?

This purported moderate bill would give to the Attorney General the authority to apply these vast powers in the community, on his own volition and indiscriminately, even, as I have said, if all the people of both races residing in the community should oppose the use of Federal power and military might.

Part III is the heart, soul, and body of this so-called moderate measure. I assert that any fair-minded lawer who studies the cross references must conclude that it could result in placing many southern communities under martial law if they should fail to submit to what they regard as the destruction of their society at the time and in the manner demanded by whoever might be acting as Attorney General of the United States.

If this be a moderate bill, just what would be embraced within a drastic bill? I suppose some persons would regard it as a proper law to require all southern white people opposed to forcible race mixing to wear a tag, to declare all those tagged to be wild animals, and prescribe a year-round open season on such persons, with an annual bag limit of 24 white males and 12 white females.

I shall not elaborate at this time upon the policy which the bill proposes to establish, of saddling the American taxpayer with lawyers' fees and costs of litigation in innumerable cases between individual citizens.

Neither shall I deal today with the ingenious method employed in the proposed legislation to abolish the right of trial by jury.

I shall not dwell on the fact that the bill is a gratuitous insult to the integrity of every white southern citizen. Without exception, it indicts and convicts them all on the unsupported charge that southern jurors will not do their duty, but will forswear themselves in any case in which the rights of a Negro citizen are involved. Such indictment and conviction are without evidence to support them.

I should also like to note that this charge is most vigorously and frequently voiced by citizens who represent areas where there has admittedly been, within recent years, a complete breakdown of the processes of law and order. It has come from communities which have seen periods of domination by gangsters and racketeers, communities which have passed through the experience of having all their mediums of law enforcement and their public officials subservient to gang leaders.

What I say now is in no sense a threat. I speak in a spirit of great sadness. If Congress is driven to pass this bill in its present form, it will cause unspeakable confusion, bitterness, and bloodshed in a great section of our common country. If it is proposed to move into the South in this fashion, the concentration camps may as well be prepared now, because there will not be enough jails to hold the people of the South who will oppose the use of raw Federal power forcibly to commingle white and Negro children in the same schools and places of public entertainment.

I suppose that we may now expect to be told that President Eisenhower believes in moderation, and that he would not use the provisions of this bill to send the military forces into the Southern States to compel southern white people to conform to the views of the present Supreme Court and of other sections of the United States as to their social order, which, by custom and State law, has always required separate schools, eating places, swimming pools, hotels, and the like, for the two races.

I would be less than frank if I did not say that I doubt very much whether the full implications of the bill have ever been explained to President Eisenhower. I base that statement on my analysis of his answers to questions at press conferences relating to this measure. At first he apparently did not know that it would abolish the right of trial by jury. Someone must have referred him to a comment President Taft had made with respect to contempt of court. He used that comment in another press conference. Let me say in passing that I doubt whether any lawyer would insist on a jury trial for a contempt which was committed in the presence of the court.

Without regard to what may be contended as to the uses to which the bill, if enacted, might be put, this is supposed to be a government of law and not a government of men. Jefferson said:

> In questions of power, let no more be said of confidence in man.

Any idea of legislating and passing permanent statutes on the basis of the statement of intentions of any man, however great, fair, and just, who may happen to occupy the White House is wholly contrary to our entire system of government. I repeat that if this bill is used to the utmost, neither Sumner nor Stevens, in the persecution of the South in the 12 tragic years of reconstruction, ever cooked up any such devil's broth as is proposed in this misnamed civil-rights bill.

I make this statement today because I know that if any statement is made after a motion is made to proceed to the consideration of the bill, it will be clouded by cries of "Southern filibuster," which will ring throughout the land from the moment the motion is made.

Several years ago I was asked, with respect to a prolonged discussion on a certain bill, whether or not it constituted a filibuster. I think I coined the expression that it was "a lengthy educational campaign."

So far as this bill is concerned, in view of the campaign of misrepresentation which has been waged, it seems highly probable that we shall be largely confined to the CONGRESSIONAL RECORD as our medium to attempt to disseminate the truth about the measure. The circulation of the CONGRESSIONAL RECORD is limited, and we shall require a long time to get the facts across to the country. I hope that our colleagues will not be intolerant of us as we seek to discharge our duty to the American people of our States who have honored us by sending us here, even as the people of other States have honored other Senators.

I say to all the other Members of this body: If there should ever be presented here a bill which proposed to deal so harshly with the people of their States as this bill would deal with the people of my State, if they did not fight it to the very death, they would be unworthy of the people who sent them here.

If it is ever proposed to use the military forces of this Nation to compel the people represented by other Senators to conform their lives and social order to the views of the rest of the country, those Senators need not be afraid of the word filibuster or of attempting to exercise all their rights under the rules. I hope that no one who lives outside the South will ever be faced with the experience that lies before us. However, if there should ever be presented a measure which would deal so harshly with the people of other parts of our country as this bill deals with the people of the

South, and at the time I am a Member of the Senate, I hope Providence will give me the strength and the courage to stand by their side, even if the great majority of the people of my State should happen to favor a measure so unfair.

Mr. President, there are millions of God-fearing, law-abiding citizens in the Southern States who believe as strongly in their right to send their children to schools attended by children of their own race, as the victims of destroyed Lidice or the Hungarians who fell in the streets of Budapest believed in the rights for which they died.

The social order of the South, with the separation of the races in the South, was accepted and protected by the laws of the land for nearly a hundred years. It is the only system the present generation has ever known. It was overturned in the twinkling of an eye, not by an act of Congress, after debate and explanation, but by action of the Supreme Court in striking down long-established law.

Mr. President, it is a monstrous proposal to establish the power to bring the military forces of the United States to bear against the white South, to compel them to change at once a way of life long supported by law and the only one under which our people have ever lived.

It is a tragic fact that the misrepresentation of the South and the southern people should have assumed such proportions in this country. Nowhere in our history has any minority group in this country—with the possible exception of the persecution of the Mormons in the 19th century—been subject to a campaign which compares to that being waged against the white people of the South today.

We have become mere pawns in a game of power politics. Other minority groups have apparently convinced the leaders of both political parties that the presidential election of 1960 will go to the political party willing to go the furthest in the drive to humiliate and punish the white South.

I say, Mr. President, that the white people of the Southern States deserve better at the hands of their fellow Americans of all races than to be subjected to the treatment which will inevitably follow if the bill is enacted in its present form.

Since Appomattox, this country has engaged in four wars in which the sons of the South have sealed the compact of reunion with their blood. Nearly every conceivable charge has been brought against us except that we are a cowardly people. I thank God I have not heard that charge. I would not resort to invidious comparisons, but I refer the Senate to the list of those who have won the Congressional Medal of Honor, the Distinguished Service Cross, and all the other decorations which are given for bravery in action—yes; and to the casualty lists—for evidence that the South has done her part in the armed services of the United States when our common country has been threatened.

Mr. President, politicians may be stampeded into supporting proposed legislation of this type. Pressures may be brought to bear that can compel those who control radio and television to distort and misrepresent. But, Mr. President, I have an abiding faith in the sense of fairness of all the American people when they know the facts. Before the outrage possible in this bill is inflicted upon a helpless people, I shall demand an amendment which will submit this issue to the American people in a national referendum.

It may be said that there may not be any precedent for such action, but there is certainly no worthy precedent for the disasters that the enactment of this bill in its present form are certain to bring.

I concede that it will be difficult to get the facts about this bill to all the American people under present conditions, but we will undertake to do it by word of mouth, if we must, and if that is the only way available to us.

If they understand it, the American people will reject this proposition overwhelmingly at the polls in any fair plebiscite. Pressure groups cannot work both sides of the street where the whole people are involved, as they can when they deal in terms of the number of votes they can deliver in given wards, counties, and States to the holders of public office.

This is not a partisan question. It is not one to be decided in terms of who will be elected to Congress, or governor of a State, or even President of all these United States. It is a problem that goes to the peace and tranquillity of our whole land.

The South was finally freed of the bayonet rule of reconstruction days through the efforts of northern men. There was less bitterness and hate between the soldiers than between the civilians in the War Between the States. Northerners who had been subjected to the waving of the bloody shirt came South in the forces of occupation. They found the truth about the South, and their hearts were touched with compassion at the treatment accorded their late enemies during the reconstruction era. It was really the veterans of the war and those who served in the forces who occupied the South for 12 years who finally broke the chains forged for the South by Sumner and Stevens.

I am not afraid to have this issue submitted to the people of the North and West in a clearcut and fairly presented plebiscite. I shall appeal to my colleagues at the proper time to let the whole people of this country pass upon this question before millions of white people in the South are subjected to the outrageous and un-American treatment contemplated by this bill.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. STENNIS. Mr. President, first I wish to commend highly the Senator from Georgia for his very fine analysis of this complicated and far-reaching bill. I certainly agree with him that it was put together by a man who is well versed in the law and who is very, very clever. The arrangement of the sections exposes the very drastic and far-reaching terms in the bill, as contrasted with the wide publicity going forth throughout the land that it is a moderate bill, drawn honestly by men of good will.

About 2 months ago I heard a Member of the Senate, a very conservative man, not from the South, honestly tell a nationwide television audience that this was a very moderate bill. I am certain that when he reads the Senator's speech, he will change his mind, because his mind is open on other points the Senator from Georgia has raised.

I wish to comment especially upon what the Senator said with reference to the schools. The facts he has related and the conclusions he has drawn are most unfortunately true concerning the problem relating to our schools. I heard a distinguished Member of the Senate last evening, on a national television program, advocate Federal aid for public schools, and in the same breath very honestly state that he was backing the civil-rights bill about which the Senator from Georgia has spoken. With a great understanding of his sincerity, I thought it was tragic that our colleague did not realize that he was supporting a bill which would destroy the public schools in the South.

As the Senator from Georgia has pointed out, the social order and the habits of the people of the South—the only ones we know—are so embedded in their life, that to attempt to disrupt and change them through the medium of their schools, or in any other way, will destroy the instrumentalities of service to the people, rather than accomplish a desirable result.

So, with great appreciation and a thankful heart, I commend the Senator for his very clear way of bringing out this point in language that, as he said, a man on the street can and will understand. I believe the Senator's speech will be a landmark, a turning point, in connection with this very much agitated but greatly misunderstood national problem.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. ERVIN. I compliment the able and distinguished Senator from Georgia for pointing out in such a direct manner the fallacy which is being perpetrated upon the American people in reference to the so-called civil-rights bill, namely, that it is merely a voting rights bill. As the Senator from Georgia has so well demonstrated the bill covers every conceivable field of civil rights, including that of the integration of the schools.

I ask the Senator from Georgia if part III does not amend title 42, section 1985, subsection 3, which provides, among other things, that the Attorney General may bring suits under the bill in connection with any conspiracy, either consummated or nonconsummated, to deprive any person of the equal protection of the laws under the 14th amendment.

Mr. RUSSELL. I am not so much concerned about the equal protection to which the Senator refers as I am about the language that seeks to assure equal immunities and privileges. That is the language that will be used to strike down any semblance of separation of races in

public places, including places of entertainment, restaurants, hotels, and swimming pools, throughout the South, wherever the license is obtained from a municipality or a State.

Mr. ERVIN. I call the attention of the Senator from Georgia and of the Senate as a whole to the provision with reference to the equal protection of the laws clause. We are told daily by editorials, by columnists, by radio, and by television, that the bill is nothing except a simple voting rights bill. The extreme coverage of the one clause about equal protection of the laws is very well illustrated by the latest general treatise upon American law. I hold in my hand volume 16A of Corpus Juris Secundum.

I point out to the Senator from Georgia, to the Senate as a whole, and, if it is possible to do so, to the press and other communications media throughout the country, that this general treatise discusses in general terms what would be covered by one simple clause of the bill. It takes from page 296 through page 536 of this volume of this general treatise of the law merely to state in a general way the subjects concerning which the Attorney General would be empowered to litigate at the taxpayers' expense under one little clause of one of the statutes which the bill seeks to amend. In other words, 240 pages of small type are required merely to set forth in a most cursory fashion the hundreds of topics of the law which, under the bill, the Attorney General would have power to litigate at the expense of the taxpayers.

As I have said before, the bill would place in the hands of the Attorney General powers which would be appropriate, perhaps, for a commissar of justice in a totalitarian state, but which are wholly unfit for the chief law officer of a Republic which boasts that it is a government of laws rather than a government of man.

I thank the Senator from Georgia.

Mr. RUSSELL. I thank the distinguished Senator from North Carolina for his observations. I have been tremendously impressed by his knowledge of this subject. I consider the minority views which he filed when the bill was reported by the subcommittee of the Committee on the Judiciary to be the finest document of its kind I have seen during my tenure in the Senate. It is completely unanswerable.

Mr. ERVIN. I thank the able and distinguished Senator from Georgia for his generous remarks concerning the minority views.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. HOLLAND. I thank the distinguished Senator from Georgia. I should like to comment briefly, if I may, on two aspects of the able and splendid presentation which has just been made by the distinguished Senator from Georgia, and to congratulate him warmly upon his speech.

The first comment is with reference to the fact that, search as one might, it is almost impossible to find in the pages of the metropolitan press of the North and East any recognition at all of the fact that anything except voting rights and the proclaimed protection of voting rights is embraced within the bill.

I have scanned daily the pages of the New York Times and the New York Herald Tribune and have not found in the editorial comments of those two newspapers anything to indicate or give warning to the readers that anything more than voting rights and their protection is involved in the so-called civil-rights bill. But I did find one brief and fair news dispatch by a correspondent who, I think, is one of the most eminent assigned to Washington, namely, Mr. William S. White, of the New York Times.

In a special dispatch to the New York Times, Mr. White was fair enough, in stating the news, to give a story on the bill which I should like to read into the RECORD, because it is "the voice of one crying in the wilderness," so far as the reportorial staffs and the editorial staffs of these two great newspapers are concerned, insofar as the Senator from Florida has been able to discover from scanning them. This is what Mr. White said:

> The bill approved by the House would empower the Department of Justice to obtain injunctions from Federal judges against violations or threatened violations of civil rights—such as the right to vote or the right to attend a racially integrated school.
>
> Those refusing to obey such injunctions could be fined or imprisoned by the judge for contempt of court without a jury trial.

I hope the Senator from Georgia will not feel it is inappropriate for me to call attention to this one distinguished aberration from the rule of nonreporting which seems to have been so fully followed by most of the reporters and most of the editorialists in the two papers mentioned, and in general in the great and powerful newspapers of the North and the East.

Since Mr. White was frank enough to say, "Those refusing to obey such injunctions could be fined or imprisoned by the judge for contempt of court without a jury trial," and since just prior to that he had specially mentioned "the right to attend a racially integrated school," as one of the rights affected, I think it is appropriate to say, and I hope the press of this great area, the most populated area of the Nation, will be fair enough to cover it, that, in the opinion of many who have studied this question most carefully, there is just one perfectly legal, perfectly constitutional remedy which is available in the event the fight is carried far enough to force attendance at integrated schools. That last-ditch remedy is the abandonment by a State of the public-school system. I have not approved that particular step, drastic as it is.

The PRESIDING OFFICER (Mr. BIBLE in the chair). The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that Calendar No. 551, House bill 7665, making appropriations for the Department of Defense, for the fiscal year ending June 30, 1958, and for other purposes, be made the pending business.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, the point I am trying to make clear—a point well known to the distinguished Senator from Georgia [Mr. RUSSELL]—is that there is a perfect constitutional remedy against enforced public-school integration, drastic though that remedy may be, which is the abandonment of the public-school system. The point is, further, that various sovereign States of the area of the Nation that is so gravely affected by this problem have, through their legislatures, and in some instances by means of almost unanimous votes, taken that step, and have provided, in a perfectly constitutional, perfectly legal way, that if this bill is pushed upon them—that is to say, the bill which would integrate their schools—they will abandon their public-school systems.

I wonder whether the distinguished Senator from Georgia feels that sufficient prominence has been given to the fact that great sovereign States, thus clothed with a perfect constitutional remedy, have clearly pointed to the fact that that is the course they will follow, if they are forced to do so, in this great battle.

Mr. RUSSELL. Mr. President, my State happens to be one of those which have adopted in their constitutions provisions prohibiting the use of any State funds for a racially integrated school. But even if that provision were not in the constitution of my State, there would be very few communities in my State where a public school which was integrated would be permitted to operate.

I may say that on the day, I believe, when the Supreme Court handed down its decision, I stated then that that decision could well result in the destruction of the system of public education in many of the States. There is no question in my mind that throughout the South there are vast areas where the people would overwhelmingly prefer to have no public schools at all, rather than have integrated schools.

Mr. HOLLAND. Does the Senator from Georgia have in his mind any doubt at all as to the complete constitutionality of that course of action, if it were adopted by a State?

Mr. RUSSELL. Of course there is no doubt in my mind about its constitutionality; but in view of the great hue and cry to make the people of the South conform, there might be set up some military government or rule of martial law which would attempt to enforce such a system. However, I do not think such an attempt would contribute anything to the cause of public education.

Mr. HOLLAND. I have never felt that the present lack of sympathy and lack of understanding would ever go that far.

Mr. RUSSELL. The Senator from Florida has more confidence in the situation than I have. I have no doubt that if this bill in its present shape is enacted into law, it will be so utilized.

Mr. HOLLAND. My feeling is that, regardless of what may be planned by some in Government, the people of the United States would never permit anything so drastic to be done.

Mr. RUSSELL. That is why I state that I insist that this question be submitted to a referendum of all the American people.

Mr. HOLLAND. I think the Senator from Georgia is very wise in his demand in this matter.

The next thing I wish to ask the Senator from Georgia is this: In the event the public schools are abandoned—as I think they can be abandoned, without question—then, because of that fact, those who have sufficient means will be able to send their children to private schools. But other people of both colors—those who do not have sufficient means—will be forced to accept some inferior form of education, or none at all, for their children. Can the distinguished Senator from Georgia think of anything in the world which would be more disruptive of unity in the country and would be more calculated to create class consciousness and class strife than to have the children of parents who were able to provide them with a private-school education more or less the only group of children to be given any substantial educational opportunities?

Mr. RUSSELL. Of course, I agree with the Senator from Florida in making that statement. The saddest aspect of this entire matter has been the fact that this decision has, almost overnight, destroyed the vast reservoir of understanding and good will which had been patiently built up between the people of the two races in the South, who emerged from a state of two races, one in slavery and the other free, to a state of emancipation.

We in the Southern States have passed through an experience which I sometimes doubt very much that many of our colleagues understand. Eighty years seems to be a lifetime, in the life of one man; but it is but a day in the life of a great country or in the building of great civilizations. In that period of time, no other similar races have made so much progress in being able to live together and understand each other, and in undertaking to support each other and help each other. But I say with great sadness that much of that desirable relationship, which had been patiently constructed over a long period of time, has now been stricken down; and we have almost reached a situation where the avenues of communication between those of good will in both races are practically closed.

Mr. HOLLAND. I certainly agree with the distinguished Senator from Georgia.

I should like to make a further point, if I may: Those who prate about how the proposed law will do away with the inequity in voting, overlook the fact that the greatest group of both white and colored citizens now prevented from voting is so prevented by the poll-tax laws of only five States. There is no approach whatever, in the measure now proposed, to the correction of that situation.

The Senator from Georgia knows, of course, that over a period of years the Senator from Florida, sometimes joined by as many as 11 other Senators from the South, has been trying to submit to the States an amendment to the Federal Constitution under which the requirement of the payment of a poll tax as a prerequisite for voting for Federal officials—for President, Vice President, Senators, and Representatives—would be forever prohibited. One of the blind spots—and it is a very large blind spot—that seems to be almost a disease on the part of those who are sponsoring the legislation now proposed is, it seems to me, that they fail to see that it makes no effort at all to approach the freeing from that situation of hundreds of thousands of citizens, both white and colored, in the five States where that requirement still prevails.

The State of Georgia, so ably represented, in part, by the distinguished senior Senator from Georgia, is not one of those States, because some years ago, of its own volition, it took the step which did away with the poll-tax requirement, not only in connection with voting for Federal officials, but also in connection with voting for all types of officials, down to the local level.

Does not the Senator from Georgia think that those who claim that this bill is a great potent piece of proposed legislation to protect voting rights, must have their tongues in their cheeks, when they know, and have had it called frequently to their attention, that there are those who are trying to approach the problem directly, legally, and constitutionally, and in accord, for instance, with the provisions of a recent Republican national platform, by presenting a proposed constitutional amendment on the question I have described?

Mr. RUSSELL. Mr. President, I am very happy to bear testimony, from personal knowledge, to the great diligence and the earnest efforts of the distinguished senior Senator from Florida [Mr. HOLLAND] to secure the presentation to the States of a constitutional amendment which would forever wipe out the poll tax. He has labored on that well, both in season and out of season.

Mr. HOLLAND. Mr. President, I certainly appreciate that expression by the Senator from Georgia.

I should like to ask him an additional question, if I may. Do those who sponsor this measure upon the ground that it will protect voting rights, approach the question in any such way as to give improved voting rights to those who are unable to pay their poll taxes, in the States which still require the payment of the poll tax?

Mr. RUSSELL. Mr. President, I cannot answer that question as to every community in all the States, but as for my own State I know that the percentage of the Negroes of my State who voted increased tremendously after the abolition of the poll tax, and the registration records of the State will reflect that fact.

Mr. HOLLAND. Is it not true that that remedial legislation released many, many thousands of white people to participate in voting in the State so ably represented by the distinguished Senator?

Mr. RUSSELL. I will say, in all frankness, that was true to a lesser degree, because more white people kept up with their payments and were more interested in exercising their right of suffrage; but the passage of the law undoubtedly opened up the registration rolls and brought about an increase in the number of participants in our elections.

Mr. HOLLAND. I thank the Senator. That was our experience in Florida. Participation in elections became immediately greater on the part of both white and colored people upon the enactment of our State legislation, similar to that enacted in Georgia, to which the Senator from Georgia has already referred. It has been passing strange to think that in all this effort there has been no consideration whatever given to the fact that the proposed legislation does not touch the greatest pool of nonparticipating citizens, those who do not participate in elections, that we have anywhere, namely, those who are prohibited, under present poll tax laws, from voting for their President, Vice President, Senators, and Representatives.

I thank the Senator and compliment him warmly for his splendid and scholarly speech.

Mr. THURMOND and Mr. HILL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Georgia yield; and, if so, to whom?

Mr. RUSSELL. I yield first to the Senator from South Carolina. Then I shall yield to the Senator from Alabama.

Mr. THURMOND. I wish to commend the Senator from Georgia for the excellent address he has made, which has been a magnificent contribution to this subject. I hope every Member of the Senate will read it carefully.

Mr. HILL. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Alabama.

Mr. HILL. As the distinguished Senator from Georgia knows, he and I have served in this body for a good many years, and we have been priviliged to hear many able addresses, and some fine constitutional arguments delivered in this body. I unhesitatingly say that I have never heard a calmer, a more judicious, a more logically and cogently reasoned, and a more masterful exposé of any bill than the distinguished Senator from Georgia has made of House bill 6127 in the address he has delivered before the Senate this morning. He has demonstrated clearly and convincingly that this bill is not, as it has been represented throughout the country to be, a moderate piece of proposed legislation, but that it is most drastic, contrary to our long-established concept of the American Federal system, and repugnant to our great basic Anglo-Saxon jurisprudence and judicial procedures for which, down through the years, men have fought and suffered in order to preserve

the individual liberties and rights of citizens.

Mr. RUSSELL. I am most grateful to the distinguished Senator for his very complimentary references. I am even more grateful for the friendship which causes the Senator to look at me through eyes of bias and therefore to overvalue my efforts, but I thank the Senator.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll——

Mr. MANSFIELD. Mr. President, will the Senator withhold his request?

Mr. RUSSELL. Mr. President, I will withhold my request for a quorum until the Senator from Massachusetts is recognized, and then I shall renew my request.

The PRESIDING OFFICER. The Chair recognizes the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I yield for the purpose of permitting the Senator to suggest the absence of a quorum.

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 528. An act for the relief of Nicolaos Papathanasiou;

S. 1169. An act for the relief of Herbert C. Heller;

S. 1212. An act for the relief of Evangelos Demetre Kargiotis; and

S. 1352. An act to provide for the conveyance of certain real property of the United States to the Fairview Cemetery Association, Inc., Wahpeton, N. Dak.

The message also announced that the House had severally agreed to the amendment of the Senate to the following bills and joint resolution of the House:

H. R. 3558. An act for the relief of Ernest Hagler;

H. R. 4159. An act for the relief of Z. A. Hardee; and

H. J. Res. 288. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

The message further announced that the House had severally agreed to the amendments of the Senate to the following bill and joint resolutions of the House:

H. R. 5728. An act to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Development Corporation;

H. J. Res. 290. Joint resolution for the relief of certain aliens; and

H. J. Res. 307. Joint resolution for the relief of certain aliens.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 45. An act to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.;

S. 806. An act to authorize the Administrator of General Services to quitclaim all interest of the United States in and to a certain parcel of land in Indiana to the board of trustees for the Vincennes University, Vincennes, Ind.;

S. 886. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation;

S. 937. An act to amend section 4 of the Interstate Commerce Act, as amended;

S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from the Insurrectos during 1899–1903;

S. 1396. An act to amend section 6 of the act approved July 10, 1890 (26 Stat. 222), relating to the admission into the Union of the State of Wyoming by providing for the use of public lands granted to said State for the purpose of construction, reconstruction, repair, renovation, furnishing, equipment, or other permanent improvement of public buildings at the capital of said State;

S. 1412. An act to amend section 2 (b) of the Performance Rating Act of 1950, as amended;

S. 1794. An act to amend section 6 of the act approved July 3, 1890 (26 Stat. 215), relating to the admission into the Union of the State of Idaho by providing for the use of public lands granted therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvements of public buildings at the capital; and

S. 1806. An act to amend the Sockeye Salmon Fishery Act of 1947.

STATUS OF FORCES POLICY

Mr. JAVITS. Mr. President, will the Senator from Massachusetts yield to me briefly?

Mr. KENNEDY. I yield to the Senator from New York for 3 minutes. Then I shall yield to the Senator from Illinois for 3 minutes. Then I shall yield to the Senator from Arizona in order that he may make an insertion in the RECORD. Then I must say I shall not be able to yield further.

Mr. JAVITS. I thank the Senator.

Mr. President, I ask unanimous consent that the Senator from Massachusetts shall not lose the floor during the time he is yielding to me, the Senator from Illinois, and the Senator from Arizona.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, an effort by the United States to abrogate the Status of Forces agreements made by us with 54 friendly countries which is now threatened would be a serious reversal of our foreign policy and would seriously jeopardize our own security. This is a very vital and pertinent issue, since it will be considered by the other body of Congress shortly.

Should the United States abrogate such agreements, it would drastically reverse its Status of Forces policy by depriving foreign countries of criminal jurisdiction over military personnel, regardless of whether or not the crime was committed in the performance of official duty. I have been concerned with the impact which the Reynolds case in Formosa and the Girard case in Japan would have on public opinion and the possible demand for unrealistic and unjustifiable changes in our Status of Forces agreements.

Mr. President, we need to understand that these agreements maintain the essential objectives of our foreign policy and are but a recognition of the independence and dignity of friendly foreign nations within whose borders we station troops, not only for the added protection of such nations but equally for our own national security.

The line of distinction in jurisdiction should be kept clear, Mr. President, as between a member of the Armed Forces who is on a post or a station or on duty—he is answerable only to the United States—or being off duty in the civilian stream of a particular country—when he may be answerable for a crime to the host country provided his essential rights are safeguarded.

Mr. President, in the Girard case I feel this distinction was not maintained, but that the requirement of our treaty with Japan for negotiations on the subject where negotiations were not in order led us into a situation where public opinion in Japan was as strong for turning Girard over to the authorities there as our public opinion was against it. I have urged renegotiation of this agreement with Japan and I urge renegotiation of any similar agreement which can get us into that kind of a situation. But abrogation of these treaties would be a disservice to our foreign policy and would jeopardize our own security as well as that of the Free World. Abrogation of these treaties will not advance the cause that many well intentioned people see in such abrogation but will have just the opposite effect.

Mr. President, unusual cases should not be permitted to make bad law, and we should not strike a disastrous blow to our own status as a leading power in defense of the Free World.

Mr. President, we would be playing directly into the hands of the men in the Kremlin, whose prime article of faith is to get the United States out of these overseas bases were we to abrogate the Status of Forces Agreement. For years the men in the Kremlin have, in vain, threatened and cajoled the powers where these bases have been located, including threats of atomic bombardment, to get the United States out. It is our duty to resist this effort.

Our agreements call for the locating of troops in friendly countries, all with their consent and approval, and at their invitation. This is the very opposite of the system the Soviet Union uses in the military occupation of its satellites. How long can our arrangements last if we deny these countries jurisdiction over a

rape, a theft, or a hit-and-run auto accident committed by a United States soldier on leave? How long will their own local public opinion tolerate it?

Mr. President, if we wiped out the Status of Forces law instead of administering it with clarity and courage—which can avoid injustices or offense to United States sensibilities—we would be jeopardizing the continuance of our overseas bases. We would be playing directly into the hands of the men in the Kremlin whose prime article of faith is to get us out of such bases and who have vainly threatened and cajoled the powers where they have been located for years now—including threats of atomic bombardment. It is our duty to resist this well-nigh fatal error.

Our Status of Forces treaties and agreements with the 54 friendly countries call for locating our troops in these countries, all with their consent and approval, and at their invitation. How long can this last if we deny them jurisdiction over a rape, a theft, or a hit-and-run auto accident committed by a United States soldier on leave—how long will their own local public opinion tolerate it? Now let us look at how this jurisdiction has been used:

Since these treaties and agreements have been in effect, about 32,000 United States personnel have been charged with off-duty crimes abroad. In 23,000 of these cases, the foreign government waived their jurisdiction and the soldiers were turned over to United States authorities for discipline. About 9,000 have faced foreign courts since 1953. Of these, 305 have been sent to prison for crimes ranging from homicide and rape to manslaughter and hit-and-run accidents. Eighty-three were still in prison as of November 30, 1956. As aginst this, let us note that there were over 5,000 traffic accidents involving United States personnel in Europe alone in 1956.

What are safeguards of United States troops tried in foreign jurisdiction? When tried by local courts, United States troops have many protections: They include the right to a speedy trial, information on charges, the right to face accusers, the furnishing of interpreters, also the United States Government is on the defendant's side. It gets him a lawyer and pays the legal fees, stations United States representatives to observe the trial, and inspects conditions in the prison to which any American is sentenced.

Certainly, there is no neglect of American personnel nor turning them over wholesale to the tender mercies of any foreign court. This is again provided we can have the lines clear in terms of cases on posts or stations when on or off duty. I think it is very essential that the basic foreign policy involved be plain to all of us before there be some hasty, ill-advised action prejudicial to our foreign policy and our national security.

I thank the Senator for yielding to me.

Mr. KENNEDY. Mr. President, I yield 3 minutes to the Senator from Illinois [Mr. DOUGLAS].

THE CIVIL RIGHTS ACT OF 1957

Mr. DOUGLAS. Mr. President, I wish to thank the Senator from Massachusetts for yielding to me.

Mr. President, I think it is not necessary for me to emphasize my respect for the Senator from Georgia [Mr. RUSSELL] and my real friendship for the people of the South. The comments of the Senator from Georgia, however, do call for some immediate reply.

The Senator from Georgia very ably shifted the focus of his speech away from protection of the right to vote to the alleged horrible consequences which he declared might come from part III of the bill, H. R. 6127.

I think it is very important that we keep a proper sense of emphasis in this discussion of the proposed civil rights bill and realize that the primary purpose of those who are supporting this civil rights legislation is to throw added Federal protection around the right to vote. This is certainly one of the most fundamental of American rights. And this right is now denied over a considerable section of this country, primarily in the South, and denied not merely by the imposition of a poll tax, but by the striking of Negroes from voting registers on arbitrary grounds and the exercising of social, economic, and in some cases physical coercion against the exercise of voting rights by the Negroes.

What we are attempting to do in the civil rights bill is to give to the Attorney General and to the Department of Justice powers to bring civil actions to prevent such violations from occurring. We do this, of course, through the time-tried method of equity, the granting of injunctions by the courts if the facts support the injunctions, to restrain improper acts from being committed. That is about all there is to it.

Our primary aim is to prevent these deprivations of constitutional rights before they occur, rather than mete out punishment after the event.

So far as the argument of the Senator from Georgia against part III of the bill is concerned, may I say that no new rights are created by part III. Those rights dealt with in part III have already been granted by the Constitution and by previous acts of Congress, going back in some cases to 1871 and in other cases even prior to that.

All that is done to provide a new remedy for protecting those rights, to give to the Attorney General the power to bring suits to prevent these violations from occurring rather than to resort to criminal action after they have occurred.

So far as the use of Federal troops by the President is concerned, a subject which the Senator from Georgia brought into the discussion with such dire warnings, that power has existed in the United States by statute since 1795, at the time of the Whisky Rebellion, and since 1870, when the Force Act was passed. But that power has never been exercised by this Government, since 1877, and we pray God it never will be exercised.

It is not the intention or thought of those advocating this civil rights legislation to be unjust to the South. We believe in national unity. We welcome all the magnificent contributions which the people of the South have made, and we hope that we may all go forward in a spirit of unity together, to remove the real abuses which exist in American life.

I thank the Senator from Massachusetts for yielding to me.

Mr. KENNEDY. I yield a half minute to the Senator from Arizona.

ST. COLUMBAN NURSING NUNS IN KOREA

Mr. GOLDWATER. Mr. President, while it is my understanding that the Department of Defense has specifically ruled against the granting of APO privileges for commercial, benevolent, and religious organizations, my attention has been called to a situation involving the St. Columban nursing nuns in Korea, whose efforts, I believe, fully justify an exception to this policy, in order that they might receive the medical and drug supplies which they so urgently need in fulfillment of their work in caring for the sick at their hospital and leprosarium in Mokpo, Korea.

For the information of the Senate, and in order to acquaint my colleagues with the effort in which I am engaged in behalf of this deserving order, I ask unanimous consent that there be printed, at this point in my remarks, the text of a letter on this subject which I have addressed to the Secretary of Defense.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
Washington, D. C., June 27, 1957.

The Honorable CHARLES E. WILSON,
Secretary of Defense, Department of Defense, Washington, D. C.

DEAR MR. SECRETARY: While I am aware of the Defense Department's decision against the granting of APO privileges for commercial, benevolent, and religious organizations, I am nevertheless prompted to write to you concerning a case which I regard as extremely meritorious, and in the hope that it may be possible, in some way, to lift the ban on this privilege with respect to the St. Columban nursing nuns in Korea.

By way of background, the Most Reverend Harold W. Henry, Roman Catholic bishop of Kwangju, Korea, has set up and operates at Mokpo, Korea, a hospital and leprosarium, and at Chunchon, Korea, a dispensary, which facilities are available to people of all creeds.

In this work in Korea, Bishop Henry is assisted by 12 St. Columban nuns, 6 of whom are citizens of the United States. These nuns nurse the sick and lepers, and the bishop desires to obtain APO mailing addresses for them in order that they may receive from the United States medicines, surgical supplies, and related materials, by direct order or by gift. Bishop Henry has an APO mailing address, APO 102, San Francisco, for first-class mail only. This APO address is shared by the Sisters, but in order to receive the medical supplies which they so urgently need an extension of this privilege would have to be obtained.

Surely, in view of the nature of their medical work, these Sisters are invaluable to our country and to the entire Free World in the struggle against communism. These same Sisters gave medical care to General Doolittle's group, which first bombed Tokyo, in

their hospital at Nancheng, China. In retaliation, the Japanese destroyed all their buildings and confiscated and destroyed all their medical supplies and food. The Sisters have never asked for compensation and probably never will; but, in consideration of their sacrifice for members of the Armed Forces, the granting of this extremely minor privilege seems only just.

The Sisters of St. Columban require the use of an APO address for the receipt of critical drugs and medical supplies only. At times, with the hundreds of patients to whom they are giving courses of medication, they run short of these necessary drugs. Unavoidable delays and pilferage are experienced when shipment is via regular channels. These delays cause the stoppage of treatment for long periods of time, in some instances for months, thereby rendering ineffective previous treatments.

In view of the foregoing, I am certain that you will understand that the use of the APO privilege is a vital necessity, and I greatly hope that it will be possible for you to take the required steps to grant this privilege to these deserving Sisters.

With kindest regards, I am,

Sincerely,

BARRY GOLDWATER.

Mr. GOLDWATER. I thank the distinguished Senator from Massachusetts.

Mr. KENNEDY. I yield to the Senator from Illinois [Mr. DIRKSEN] for 1 minute.

THE CIVIL RIGHTS ACT OF 1957

Mr. DIRKSEN. Mr. President, I listened very attentively to the distinguished Senator from Georgia [Mr. RUSSELL]. Seldom in my long legislative experience have I seen within the frame of a single speech so many ghosts discovered under the same bed, but I am confident that if the civil rights bill is enacted the heavens will not be rent asunder, the waters will not part, the earth will not rock and roll, and we will go on, as we always have, and add to the course of our progress the protection and the safeguarding of the rights of citizens of the United States, because the 14th amendment to the Constitution makes all native born and naturalized citizens, and those subject to its jurisdiction, citizens not only of the State where they reside but citizens of the United States.

The civil rights bill, which will be under consideration soon, is concerned with only one thing, and that is the proper safeguarding of the citizens of our common country.

IMPERIALISM—THE ENEMY OF FREEDOM

Mr. KENNEDY. Mr. President, the most powerful single force in the world today is neither communism nor capitalism, neither the H-bomb nor the guided missile—it is man's eternal desire to be free and independent. The great enemy of that tremendous force of freedom is called, for want of a more precise term, imperialism—and today that means Soviet imperialism and, whether we like it or not, and though they are not to be equated, Western imperialism.

Thus the single most important test of American foreign policy today is how we meet the challenge of imperialism, what we do to further man's desire to be free. On this test more than any other, this Nation shall be critically judged by the uncommitted millions in Asia and Africa, and anxiously watched by the still hopeful lovers of freedom behind the Iron Curtain. If we fail to meet the challenge of either Soviet or Western imperialism, then no amount of foreign aid, no aggrandizement of armaments, no new pacts or doctrines or high-level conferences can prevent further setbacks to our course and to our security.

I am concerned today that we are failing to meet the challenge of imperialism—on both counts—and thus failing in our responsibilities to the Free World. I propose, therefore, as the Senate and the Nation prepare to commemorate the 181st anniversary of man's noblest expression against political repression, to begin a two-part series of speeches, examining America's role in the continuing struggles for independence that strain today against the forces of imperialism within both the Soviet and Western worlds. My intention is to talk not of general principles, but of specific cases—to propose not partisan criticisms but what I hope will be constructive solutions.

There are many cases of the clash between independence and imperialism in the Soviet world that demand our attention. One, above all the rest, is critically outstanding today—Poland.

The Secretary of State, in his morning news conference, speaking on this subject, suggested that, if people want to do something about the examples of colonialism, they should consider such examples as Soviet-ruled Lithuania and the satellite countries of Czechoslovakia, Poland, and others.

I agree with him. For that reason, within 2 weeks I hope to speak upon an issue which I think stands above all the others, namely, the country of Poland.

There are many cases of the clash between independence and imperialism in the Western World that demand our attention. But again, one, above all the rest, is critically outstanding today—Algeria.

I shall speak this afternoon of our failures and of our future in Algeria and North Africa—and I shall speak of Poland in a later address to this body.

I. ALGERIA, FRANCE, AND THE UNITED STATES

Mr. President, the war in Algeria confronts the United States with its most critical diplomatic impasse since the crisis in Indochina—and yet we have not only failed to meet the problem forthrightly and effectively, we have refused to even recognize that it is our problem at all. No issue poses a more difficult challenge to our foreign-policy makers—and no issue has been more woefully neglected. Though I am somewhat reluctant to undertake the kind of public review of this case which I had hoped—when I first began an intensive study of the problem 15 months ago—that the State Department might provide to the Congress and people, the Senate is, in my opinion, entitled to receive the answers to the basic questions involved in this crisis.

I am even more reluctant to appear critical of our oldest and first ally, whose assistance in our own war for independence will never be forgotten and whose role in the course of world events has traditionally been one of constructive leadership and cooperation. I do not want our policy to be anti-French any more than I want it to be anti-nationalist—and I am convinced that growing numbers of the French people, whose patience and endurance we must all salute, are coming to realize that the views expressed in this speech are, in the long run, in their own best interest.

I say nothing today that has not been said by responsible leaders of French opinion and by a growing number of the French people themselves.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield to the Senator from Montana.

Mr. MANSFIELD. The distinguished Senator from Massachusetts is making a speech which, I am quite certain, will receive a great deal of earnest and deliberate consideration. It will not be an easy speech, I am sure, but I think it will be a candid speech, and I hope it will be recognized in the spirit in which it is meant.

The Senator from Massachusetts is correct when he refers to France as our oldest and first ally. We all know that of all the major nations of the world, the one major nation with which we have not gone to war is the Republic of France. We know that there were more French soldiers than American with Washington's Army at Yorktown. We know that behind the Continental Army was the fleet of Admiral de Grasse, and behind the fleet of De Grasse was the French treasury. So we are indebted to the French for a great many things which they have done to help us. We are grateful for their enduring friendship down through the decades since independence.

I have examined a copy of the Senator's speech, with respect to which I hope to make comments from time to time, if the Senator will permit. At the very beginning, let me say that the Senator from Massachusetts is to be commended for laying the cards on the table and showing the picture as he sees it, in the hope that something constructive will be the result.

Mr. KENNEDY. I appreciate what the Senator from Montana has said. The basic theme which I shall attempt to develop is that unless the French are willing to make some concessions and adjustments in their basic policy toward Algeria today—and I hope they will do so—any hope that the French will occupy in North Africa a position of any real constructive value to France will, in my judgment, disappear.

So I believe that in the true sense of the word—at least, that is my intention—this is a speech from a friend of France, in what I consider to be the best interest of France as well as the best interest of the United States and Africa.

Mr. MANSFIELD. As I have said, it is a speech which is not easy to make.

Mr. KENNEDY. The Senator from Montana and I discussed a similar problem in the case of Indochina. As of today, it is my opinion that the best intests of both the French and the United

States will be served by speaking frankly on this question.

IS ALGERIA OF CONCERN TO THE UNITED STATES?

American and French diplomats, it must be noted at the outset, have joined in saying for several years that Algeria is not even a proper subject for American foreign policy debates or world consideration—that it is wholly a matter of internal French concern, a provincial uprising, a crisis which will respond satisfactorily to local anesthesia. But whatever the original truth of these clichés may have been, the blunt facts of the matter today are that the changing face of African nationalism, and the ever-widening byproducts of the growing crisis, have made Algeria a matter of international, and consequently American, concern.

The war in Algeria, engaging more than 400,000 French soldiers, has stripped the continental forces of NATO to the bone. It has dimmed Western hopes for a European common market, and seriously compromised the liberalizing reforms of OEEC, by causing France to impose new import restrictions under a wartime economy. It has repeatedly been appealed for discussion to the United Nations, where our equivocal remarks and opposition to its consideration have damaged our leadership and prestige in that body. It has undermined our relations with Tunisia and Morocco, who naturally have a sense of common cause with the aims of Algerian leaders, and who have felt proper grievance that our economic and military base settlements have heretofore required clearance with a French Government now taking economic reprisal for their assistance to Algerian nationalism.

It has diluted the effective strength of the Eisenhower doctrine for the Middle East, and our foreign aid and information programs. It has endangered the continuation of some of our most strategic airbases, and threatened our geographical advantages over the Communist orbit. It has affected our standing in the eyes of the Free World, our leadership in the fight to keep that world free, our prestige, and our security; as well as our moral leadership in the fight against Soviet imperialism in the countries behind the Iron Curtain. It has furnished powerful ammunition to anti-Western propagandists throughout Asia and the Middle East—and will be the most troublesome item facing the October conference in Accra of the free nations of Africa, who hope, by easing the transition to independence of other African colonies, to seek common paths by which that great continent can remain alined with the West.

Finally, the war in Algeria has steadily drained the manpower, the resources, and the spirit of one of our oldest and most important allies—a nation whose strength is absolutely vital to the Free World, but who has been forced by this exhausting conflict to postpone new reforms and social services at home, to choke important new plans for economic and political development in French West Africa, the Sahara, and in a united Europe, to face a consolidated domestic Communist movement at a time when communism is in retreat elsewhere in Europe, to stifle free journalism and criticism, and to release the anger and frustrations of its people in perpetual governmental instability and in a precipitous attack on Suez.

No, Algeria is no longer a problem for the French alone—nor will it ever be again. And though their sensitivity to its consideration by this Nation or the U. N. is understandable, a full and frank discussion of an issue so critical to our interests as well as theirs ought to be valued on both sides of an Atlantic alliance that has any real meaning and solidarity.

This is not to say that there is any value in the kind of discussion which has characterized earlier United States consideration of this and similar problems—tepid encouragement and moralizations to both sides, cautious neutrality on all real issues, and a restatement of our obvious dependence upon our European friends, our obvious dedication nevertheless to the principles of self-determination, and our obvious desire not to become involved. We have deceived ourselves into believing that we have thus pleased both sides and displeased no one with this head-in-the-sands policy—when, in truth, we have earned the suspicion of all.

IS AN EARLY RESOLUTION LIKELY WITHOUT UNITED STATES ACTION?

It is time, therefore, that we came to grips with the real issues which confront us in Algeria—the issues which can no longer be avoided in the U. N. or in NATO—issues which become more and more difficult of solution, as a bitter war seemingly without end destroys, one by one, the ever fewer bridgeheads of reasonable settlement that remain. With each month the situation becomes more taut, the extremists gain more and more power on both the French and Algerian sides. The government recently invested by the French Assembly is presided over by a Premier clearly identified with a policy of no valid or workable concessions; and his cabinet, though resting on a balance of parties similar to its predecessor, has been purged of all members associated in any way with a policy of negotiation in Algeria. The French Government, regardless of the personality of its leadership, seems welded to the same rigid formulas that have governed its actions in Algeria for so long; and the only sign of hope is a more articulate concern for a settlement among independent thinkers in France, a notable example being the well-reasoned volume recently published by M. Raymond Aron entitled "The Algerian Tragedy."

M. Aron, the leading political commentator of the conservative Le Figaro, urged the constitution of an Algerian state as the best choice of evils. But the prospects for such a settlement being offered or accepted by his own government are already remote, if the record of past failures at negotiation is any indication. In February 1956 Premier Mollet, pelted with tomatoes and bricks, bent to the fury of a French mob in Algiers and replaced the prospective French Resident Minister suspected of leaning toward an early settlement. Last fall, when Mollet himself authorized French emissaries to hold cease-fire discussions with the nationalists in Rome and elsewhere, and encouraged discussion on the matter between the rebels and the Tunisian and Moroccan Governments, key Algerian rebel leaders were taken captive by the French while in air transit between Rabat and Tunis during the course of these meetings. This step, taken on the apparent initiative of the French Minister of Defense and the Resident Minister, and, in fact, without even the knowledge of the Prime Minister, Mr. Mollet, himself, not only collapsed all hopes for a cease fire, but also had the most unfavorable repercussions for France in all the uncommitted world.

After the passions of Suez had subsided, Prime Minister Bourguiba, of Tunisia, again attempted to find some common ground; and with much effort persuaded nationalist representatives to accept the principle of internationally controlled elections, subject to safeguards, if the French would abide by the results. But again M. Mollett pulled the rug out from under these efforts; and more recently even M. Bourguiba has been alienated by the French action arbitrarily cutting off economic grants to Tunisia. Another violent demonstration has recently been promised if the present uncompromising Minister Resident, Robert Lacoste, is replaced with a moderate. An extremist French organization in Algiers which pillories M. Mendes-France and moderate reform advocates is actually subsidized by Lacoste and the Government. And French policy continues to insist that neither negotiations nor elections can take place until the hostilities have ceased—a commitment, as I shall discuss further in a moment, which only renders less likely both negotiations and the termination of hostilities, just as it did in Indochina.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. MANSFIELD. I note that in the course of the Senator's remarks he refers to a statement made by M. Aron, who urged the constitution of an Algerian state. Can the Senator tell us whether any offers, firm or otherwise, have been made in recent years by any French Government which would seek to bring about some sort of concordat between the Republic of France and Algeria in the form of a federation, confederation, or commonwealth?

Mr. KENNEDY. The Senator from Montana knows that at the meeting of the Socialist Party during the past weekend the Socialist Party, in whose membership there are strong minority feelings, nevertheless voted to support Guy Mollet's policy, which regards Algeria as an integral part of metropolitan France, and which calls for a cease fire and a disarmament of the rebels, and then a discussion of the problem.

The party refuses to agree with M. Aron and refuses, also, to recognize the facts of life; instead, it states that Algeria is an integral part of metropolitan France and that it should not be regarded as an independent entity.

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. KENNEDY. I yield.

Mr. MANSFIELD. Is it not true that some months ago, at any rate, perhaps not over a year ago, Marshal Juin himself had suggested that some sort of commonwealth or federation status should be set up in Algeria to govern its relations with France?

Mr. KENNEDY. There is no doubt that Marshal Juin, who was regarded at one time as an adamant opponent of Moroccan independence, has come to the realization that the present policy of the French Government in Algeria is bankrupt. On Monday the New York Times, in an article from Toulouse, France, in discussing the meeting of the French Socialists which was held there stated:

> Those who favored public recognition of Algeria's right to independence were in reality expressing the growing but still mostly private attitude of many Frenchmen who fear the political consequences of such a position if they were to assume it publicly.

It seems to me that public opinion in France is slowly moving toward recognition of the facts of life that Algeria is not realistically integral to France. Nevertheless, the party still follows the policy of M. Mollet, who regards Algeria as an integral part of metropolitan France.

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. KENNEDY. I yield.

Mr. MANSFIELD. There is, then, a continuation of that expensive policy. Speaking of expense, the Senator from Massachusetts mentioned the fact that France has in effect denuded its NATO commitments in order to maintain itself in Algeria to the extent of 400,000 men. Before Mr. Mollet resigned, he issued a statement—I wish I had a copy of it before me—to the effect that at one time there were 700,000 men in Algeria.

Again speaking of the expense, there is the matter of taxation on the French people at home.

Even while France was in undisputed control of Morocco, Tunisia, and Algeria, she had to spend large sums of money in order to keep going the economies of those three areas. Now, of course, she has to expend a great deal more because of the Algerian situation.

In France it now costs in excess of a dollar for a gallon of gasoline. The so-called luxury and excise taxes have been increased. Other commitments have been made which are a burden on the French people because of the adventure in which France has engaged in Algeria.

I do not wish to interrupt the Senator's speech further, although there are some questions I should like to ask him with regard to what he said about France regarding Algeria as an integral part of metropolitan France.

Mr. KENNEDY. I should like to quote further from the New York Times article, in referring to the policy of the Socialist Party of Mr. Mollet:

> The longstanding French offer of a cease-fire has been maintained, and as soon as calm is restored elections would be held. A definite statute would then be negotiated with elected representatives of the people of Algeria, which is considered part of metropolitan France.

The story then goes on to state:

> Until then a provisional statute giving the Moslems a greater voice in local, regional, and, later on, territorywide affairs would be put into effect. Independence is absolutely barred.

The story continues:

> The Government depends for its existence on the support and participation of the Socialists. If they had voted decisive changes in Algerian policy, the coalition of Socialists and radicals would have collapsed, precipitating a new governmental crisis.

In other words, this refusal to face the facts of life is considered essential to maintain the present governmental structure. All through the meeting of the Socialist Party during the past few days there were strong currents of feeling that a change was necessary.

The fact of the matter is that, although the French claim, on the one hand, that Algeria is an integral part of metropolitan France, the French have never truly recognized Algerians as French citizens. If they permitted all Algerians to vote as French citizens, over one-sixth of all the representatives in the French Assembly would be from Algeria. The fact is that of approximately 625 representatives, they have allowed to Algeria a total of 30. Furthermore, they have denied the Algerians the social, political, and economic benefits that accrue to citizens who live in metropolitan France.

In 1936, when Premier Leon Blum put forth his proposals to gradually integrate Algeria and give the Algerians French citizenship and French nationality, the French citizens of Algeria revolted. A reasonable compromise, which I am certain would have been accepted by the Algerians as far back as 1936, was rejected by the French who lived in Algeria. It is that attitude which prevents any really constructive policy from being developed today.

Mr. MANSFIELD. The Senator from Massachusetts anticipated one of my questions, namely, the agreement made by France that Algeria, as an integrated part of the metropolitan area, would obtain for its citizens the rights of French citizenship. Had that agreement been followed out—I believe it was De Gaulle who, in 1947, issued the latest decree to the effect that the Algerians should be considered as full French citizens—it would, as the Senator from Massachusetts has indicated, have meant the addition of between 100 and 120 deputies to the French Parliament. If, to these were added the other deputies from overseas this would prove to be a very strong bloc. The Communist deputies, in between, could well exercise a dominant influence. It would not be beyond reason to assume that, under certain conditions, metropolitan France itself could be governed by an assembly the majority of whom were overseas deputies. Is not that correct?

Mr. KENNEDY. The Senator is correct. Moreover, the French made some concessions in 1947 which provided for the setting up of a bicameral legislature based on two electorates in Algeria.

Although the French population is considered as being a million, if they were counted strictly the number might be found to be as low as 700,000. Equal voting rights have not been given to the whole Algerian population of more than 8 million. The Blum bill provided that full citizenship should be given to a slowly growing base, beginning with those who made special contributions to the state, in the army, for example. But it was agreed in the French colony in Algeria that even this would not be acceptable. All the French mayors of Algeria banded together and offered their collective resignations and made a formal protest. Seventy-five thousand out of a total population of 8 million were given French voting rights.

On the one hand, there is the French claim that its policies protect metropolitan France. On the other hand, the French in Algeria refuse to accept the responsibility which such a point of view entails.

It is for that reason I contend that France, as a practical matter, has, through these statements, recognized Algeria as an independent entity. In my opinion, the situation should be treated in that light, and France should carry on negotiations with the Nationalists on that basis. Until that is done, obviously the situation will continue to deteriorate.

WHAT IS THE AMERICAN RECORD ON ALGERIA?

This dismal recital is of particular importance to us in the Senate, and to the Foreign Relations Subcommittee on U. N. Affairs which I have the honor to serve as chairman, because of the attitude toward the Algerian question which has been adopted throughout this period by our spokesmen in Washington, Paris, and U. N. headquarters. Instead of contributing our efforts to a cease-fire and settlement, American military equipment—particularly helicopters, purchased in this country, which the natives especially fear and hate—has been used against the rebels. Instead of recognizing that Algeria is the greatest unsolved problem of Western diplomacy in North Africa today, our special emissary to that area this year, the distinguished Vice President, failed even to mention this sensitive issue in his report.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. CHAVEZ. I am glad that the Senator from Massachusetts is talking along the lines he is. I was somewhat annoyed when I could not go ahead with the defense appropriation bill. In that bill, which is now pending before the Senate, military aid is provided for France. I want that aid to be used for the purposes it is supposed to serve, but not for the purposes of killing Algerians in North Africa.

Mr. KENNEDY. As the Senator from New Mexico knows, because of the uprising in Algeria, the French have been forced to denude their NATO defenses and transfer nearly all of their men to Algeria, in order to maintain public order in Algeria, which represents a dissipation of NATO's strength and lessens the effectiveness of our help in building NATO strength.

Mr. CHAVEZ. I want the French to have wholehearted support in North Africa, but I do not want 1 penny of the millions of dollars appropriated in this bill to be used there in order to maintain colonialism in north Africa.

Mr. KENNEDY. I agree with the Senator.

Instead of recognizing France's refusal to bargain in good faith with nationalist leaders or to grant the reforms earlier promised, our Ambassador to the U. N., Mr. Lodge, in his statement this year as previously, and our former Ambassador to Paris, Mr. Dillon, in his statement last year apparently representing the highest administration policy, both expressed firm faith in the French Government's handling of the entire matter. I do not criticize them as individuals, because they were representing the highest administration policy.

In his statement Ambassador Dillon recalled with pride that "the United States has consistently supported France when North African subjects have been discussed in the United Nations"; and that American military equipment—particularly helicopters—had been made available for use against native groups in Algeria.

The United States—

Ambassador Dillon emphasized—

stands solemnly behind France in her search for a liberal and equitable solution of the problems in Algeria.

Our proud anticolonialist tradition, he said, does not place the Algerian problem in the same camp as Tunisia and Morocco.

Naturally the French were delighted with Ambassador Dillon's statement. Premier Mollet expressed his nation's pleasure at having the United States "at her side at this moment." Le Monde described it as "a victory of the pro-French camp in the State Department over the champions of anticolonialism and appeasement of the Arabs." But the leader of the national Algerian movement, under house arrest in France, expressed his dismay that the United States had departed from its democratic traditions to ally itself with French colonialism and to favor "the military reconquest of Algeria at the expense of the self-determination of peoples."

Similarly, when in 1955 the U. N. steering committee was asked to place the issue on the agenda of the General Assembly, and our Ambassador to the U. N. insisted that Algeria was so much an integral part of the French Republic that the matter could not properly be discussed by an international body, an Algerian spokesman commented that his people were "at a loss to understand why the United States should identify itself with a policy of colonial repression and bias contrary to American political traditions and interests."

The General Assembly, as the Senate will recall, overruled the committee's decision and placed the question of Algeria on the agenda, causing the French delegates to walk out of the Assembly, the United States again voting against discussion of the issue. Two months later, of course, the matter was dropped and the French returned. In the 1956–57 session the United States again labored to bring about a compromise resolution postponing U. N. consideration for at least a year until the French had settled the matter as they saw fit.

This is not a record to view with pride as Independence Day approaches. No matter how complex the problems posed by the Algerian issue may be, the record of the United States in this case is, as elsewhere, a retreat from the principles of independence and anticolonialism, regardless of what diplomatic niceties, legal technicalities, or even strategic considerations are offered in its defense. The record is even more dismal when put in the perspective of our consistent refusal over a period of several years to support U. N. consideration of the Tunisian and Moroccan questions.

HOW SERIOUS ARE THE OBSTACLES TO AN ALGERIAN SOLUTION?

I realize that no magic touchstone of "anticolonialism" can overcome the tremendous obstacles which must confront any early settlement giving to the Algerians the right of self-determination, and which must distinguish them from the Tunisians or Moroccans. But let us consider the long-range significance of these objections and obstacles, to determine whether our State Department should remain bound by them.

First. The first obstacle is the assertion that Algeria is legally an integral part of metropolitan France and could no more be cut loose than Texas could be severed from the United States, an argument used not only by France but by American spokesmen claiming concern over any U. N. precedent affecting our own internal affairs. But this objection has been largely defeated by the French themselves, as I shall discuss in a moment, as well as by the pace of developments which have forced Algeria to become an international issue, as I have already pointed out. I believe it will be the most important issue on the agenda of the United Nations this fall.

Second. The second hurdle is posed by the unusually large and justifiably alarmed French population in Algeria, who fear for their rights as French citizens, their property, and their lives, and who compare their situation to that of American colonists who drove back the native Indians. Their problem, in my opinion, is one deserving of special recognition in a final settlement in Algeria, but it does not reduce the necessity to move forward quickly toward such a settlement. On the contrary, the danger to their rights and safety increases the longer such a settlement—which in the end is inevitable—is postponed.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. MANSFIELD. I think the Senator from Massachusetts is very correct in pointing out the extremely large French population in Algeria. Am I correct in stating that many of those families go back more than four generations?

Mr. KENNEDY. The Senator is correct.

Mr. MANSFIELD. They have a vested interest, so to speak, because they have raised their children there. Some of the greatest leaders of France, both in the Assembly and in the army, and in the other branches of the government, as well, have come from Algeria. So there must be a recognition of the fact that there is an excess of 1 million French citizens, as such—although I believe many of them are Maltese, Italian, or Spanish, as well as French; but they have the right of French citizenship—who have rights there which must be considered and settled, in connection with any solution of the Algerian question.

Mr. KENNEDY. Yes; I do not believe that when the settlement is made, any French there should be driven out or should have their property expropriated. I believe their special status, as a minority, must be recognized—a minority which will become further diminished because of the steep Algerian birth rate.

Mr. MANSFIELD. Then the Senator from Massachusetts is saying that so long as the Algerian situation remains unsettled, the danger to the rights of those people substantially increases.

Mr. KENNEDY. Yes. I do not think there is any doubt about that, after World War II, had the French proposed a federal solution, it would have been acceptable even to the more extreme Algerian nationalists. But what was acceptable then is not acceptable today; and what is acceptable today will not be acceptable 2 years from now.

Third. The next objection most frequently raised is the aid and comfort which any reasonable settlement would give to the extremists, terrorists, and sabateurs that permeate the nationalist movement, to the Communist, Egyptian, and other outside antiwestern provocateurs that have clearly achieved some success in penetrating the movement. Terrorism must be combated, not condoned, it is said; it is not right to "negotiate with murderers." Yet once again this is a problem which neither postponement nor attempted conquest can solve. The fever chart of every successful revolution—including, of course, the French—reveals a rising temperature of terrorism and counterterrorism; but this does not of itself invalidate the legitimate goals that fired the original revolution. Most political revolutions—including our own—have been buoyed by outside aid in men, weapons, and ideas. Instead of abandoning African nationalism to the antiwestern agitators and Soviet agents who hope to capture its leadership, the United States, a product of political revolution, must redouble its efforts to earn the respect and friendship of nationalist leaders.

Fourth. Finally, objection is raised to negotiating with a nationalist movement that lacks a single cohesive point of leadership, focus, and direction, as the Tunisians had with Rabib Bourguiba, or as the Moroccans certainly had after the foolish and self-defeating deposition of Sultan Ben Youssef in 1953—now Mohammed V of Morocco. The lack, moreover, of complete racial homogeneity among the African Algerians has been reflected in cleavages in the nationalist forces. The Algerians are not yet ready

to rule their own country, it is said, on a genuine and permanent basis, without the trained leaders and experts every modern state requires. But these objections come with ill grace from a French Government that has deliberately stifled educational opportunities for Algerian natives, jailed, exiled or executed their leaders, and outlawed their political parties and activities. The same objections were heard in the cases of Tunisia and Morocco—where self-government has brought neither economic chaos, racial terrorism, or political anarchy; and the problem of the plural society, moreover is now the general, and not the exceptional, case in Africa.

Should we antagonize our French allies over Algeria? The most important reason we have sided with the French in Algeria and north Africa is our reluctance to antagonize a traditional friend and important ally in her hour of crisis. We have been understandingly troubled by France's alarmist responses to all prospects for negotiations, by her warning that the only possible consesquences are political and economic ruin, "the suitcase or the coffin."

Yet, did we not learn in Indochina, where we delayed action as the result of similar warnings, that we might have served both the French and our own causes infinitely better, had we taken a more firm stand much earlier than we did? Did that tragic episode not teach us that, whether France likes it or not, admits it or not, or has our support or not, their overseas territories are sooner or later, one by one, inevitably going to break free and look with suspicion on the Western nations who impeded their steps to independence? In the words of Turgot:

> Colonies are like fruit which cling to the tree only till they ripen.

I want to emphasize that I do not fail to appreciate the difficulties of our hard-pressed French allies. It staggers the imagination to realize that France is one nation that has been in a continuous state of war since 1939—against the Axis, then in Syria, in Indochina, in Morocco, in Tunisia, in Algeria. It has naturally not been easy for most Frenchmen to watch the successive withdrawals from Damascus, Hanoi, Saigon, Pondicherry, Tunis, and Rabat. With each departure a grand myth has been more and more deflated. But the problem is no longer to save a myth of French empire. The problem is to save the French nation, as well as free Africa.

Mr. JAVITS. Mr. President, at this point will the Senator from Massachusetts yield to me?

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Massachusetts yield to the Senator from New York?

Mr. KENNEDY. I yield.

Mr. JAVITS. I think the Senator from Massachusetts has put his finger on the critical point of this particular situation, in his forthright and well-documented speech. Yesterday I looked through an advance copy of his speech. I had the privilege of making the opening address at the Colgate Foreign Policy Forum in my own State, and there I discussed, in part, the same matter.

As a result, I should like to ask a question of the Senator from Massachusetts: Is it not a fact that the political realities in France appear to indicate that some means somewhere must be found to deal with a situation in which, apparently, the internal stresses in France are such that the government there seemingly cannot deal with it until such time as it may be too late to deal with it really effectively?

Mr. KENNEDY. The Senator from New York is correct. I believe that if 3 years ago the French had made a reasonable concession, there is no doubt that a reasonable solution could have been found, and would have protected French interests. I think such a solution could well have been found then, but it becomes more and more difficult to do so as the months pass.

Furthermore, the point will be made in the United Nations meeting this fall that the United States really put off the matter last February, because the French argued for further time. The fact is that the situation has deteriorated since the United Nations met, and therefore the United States will be met with a strong resolution proposing that the United States and the other members of the United Nations recognize the fact that Algeria is attempting to obtain the right of independent existence. I hope before that time the French will put forth a proposal; and I suggest that with the help of Habib Bourguiba and the Sultan of Morocco and the good offices of NATO, a solution recognizing the rights of both parties can be put forward.

Mr. JAVITS. One would get the feeling, if reading the Senator's speech with certain glasses, that there are overtones of criticism of the administration implied in it. Knowing, as both of us do, that the bipartisan foreign policy has had the greatest amount of success, will the Senator from Massachusetts agree with me that it is perfectly possible to lay that aside and to forget about criticizing anyone, and to ask the United States to take the position that, having tried and tried again and having played along with the French, on the theory that the United Nations which has been referred to should not have the matter under consideration, as being one of domestic jurisdiction, now the time has come when the United States cannot let the U. N. stand aside any longer. That can be the position of the United States—namely, that having done the best we could with an ally, by waiting and waiting, the United States now feels that in the overall interest of international peace, some mediation from an international body must ensue.

Mr. KENNEDY. I am suggesting that United States policy in this area is subject to criticism. But unfortunately that policy has been entrusted to this administration and this Secretary of State. But when I spoke in 1953 and 1954 in this body, in discussing the question of Indochina, I was extremely critical of the policy the Democratic administration had practiced on that question for a period of 7 years. Moreover, I also wish to state that the Democratic administration's position on Morocco, as the United States defined that position in the United Nations before 1953, was not altogether a happy one, either. So my criticisms are not meant to be partisan, but are meant only to indicate that United States policy in that area in the last 3 years had been unfortunate; and in that connection I am obliged to mention the names of Mr. Lodge, Mr. Dillon, and the Secretary of State. I have been critical of the position of the United States regarding this situation since 1946—particularly, the desire of the United States to maintain its friendship with the French, the Belgians, and the Portuguese, all of whom have colonial possessions, and at the same time to maintain friendship with the colonial peoples themselves. So my criticism is not meant to be a partisan one, but is meant only to indicate that I believe our policy has failed.

Mr. JAVITS. Let me state the matter affirmatively, Mr. President: Our Government needs—not to step backward—only to take the very honest position that now, having tried and tried to make progress along a certain line, now that the situation has become nearly impossible in terms of the maintenance of international peace, something else must be done.

I thank the Senator from Massachusetts for yielding to me.

Mr. KENNEDY. I thank the Senator from New York, and I appreciate what he has said.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. MANSFIELD. I think it ought to be emphasized that the Senator from Massachusetts has always been bipartisan in his discussions of foreign policy, and has never endeavored to use his speeches for partisan purposes. I think, however, that what he is calling to the Senate's attention today has been a perennial problem since the end of the Second World War. We are caught between our friends and allies on one side and colonial or semicolonial people on the other. In order to placate both and keep the friendship of both, we find ourselves in difficulty. On that basis, the Senator from Massachusetts this afternoon is performing a service in trying to cut a swath through the mist and haze surrounding this particular situation. I wish to commend him.

Mr. KENNEDY. I made mention of Mr. Dillon's speech of March 1956. I assume he was our agent, and he put us on the side of France. I quote him:

> Ever since I have been here in Paris my Government has loyally supported the French Government in its search for solutions to north African problems, solutions that will make possible long-term close cooperation between France and the Moslem communities of Tunisia, Morocco, and Algeria.
>
> The United States has consistently supported France when north African subjects have been discussed in the United Nations. The most recent instance was our strong support last fall of the position that Algeria is an internal French problem and therefore not appropriate for discussion by the United Nations.

In addition, when last year the important question of helicopters was brought to our attention we responded promptly and favorably to the requests of the French Government.

I feel that policy which these statements characterize is outdated. I do not want to be partisan or captious, but it is American policy; therefore I am criticizing it.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. JACKSON. I would like to associate myself with the comments made by the distinguished junior Senator from Montana. I remind him that the junior Senator from Massachusetts, as I recall, back in 1953, in the first year he was in the Senate, pointed very effectively to the failure of French policy in dealing with this same general problem, in Indochina. I recall that the counsel he gave to the Senate at that time proved to be wise counsel.

Mr. KENNEDY. I appreciate that statement.

Mr. JACKSON. What is regrettable is that we continue to make the same mistake over and over again. I realize, as the junior Senator from Montana pointed out so effectively a moment ago, that we are caught in a difficult situation.

As we approach July 4, it would be well for all Americans to bear in mind that this country had more friends, more allies, and better standing in the world when it exported only one thing, and that was freedom. This export started with our great Revolution of 1776. What the junior Senator from Massachusetts is saying today certainly underlines the importance of assisting all people who desire the very thing we desired in 1776. What the junior Senator from Massachusetts has to say is in the interest of our national security and in the interest of the preservation of the free countries of the world.

Mr. KENNEDY. I thank the Senator very much for his statement.

Mr. President, no amount of mutual politeness, wishful thinking, nostalgia, or regret should blind either France or the United States to the fact that, if France and the West at large are to have a continuing influence in North Africa—and I certainly favor a continuation of French influence in that area—then the essential first step is the independence of Algeria along the lines of Morocco and Tunisia. If concrete steps are taken in this direction, then there may yet be a French North Africa. Short of this step, there will inevitably only be a hollow memory and a desolate failure. As Mr. David Schoenbrun, in his recent excellent volume "As France Goes," cogently argues:

> France must either gamble on the friendship of a free North Africa or get out of North Africa completely. It should be evident after the Egyptian fiasco that France cannot impose her will upon some 22 million Africans indefinitely. Sooner or later the French will have to recognize the existence of an Algerian state. The sooner, the cheaper in terms of men, money, and a chance to salvage something from the wreckage of the French Union.

Indeed, the one ray of hope that emerges from this otherwise dark picture is the indication that the French have acknowledged the bankruptcy in their Algerian policy, however they may resent our saying so, by legislating extremely far-reaching and generous measures for greater self-government in French West Africa. Here, under the guidance of M. Felix Houphouet-Boigny, the first Negro cabinet minister in French history, the French Government took significant action by establishing a single college electoral system, which Algeria has never had, and, by providing universal suffrage, a wide measure of decentralized government, and internal self-control. Here realistic forward steps are being taken to fuse nationalist aspirations into a gradual and measurable evolution of political freedom.

WHAT HAVE WE LEARNED IN INDOCHINA, TUNISIA, AND MOROCCO?

Not only the French, however, needed to be convinced of the ultimate futility and cost of an Algerian-type struggle. The United States and other Western allies poured money and material into Indochina in a hopeless attempt to save for the French a land that did not want to be saved, in a war in which the enemy was both everywhere and nowhere at the same time, as I pointed out to the Congress on several occasions. We accepted for years the predictions that victory was just around the corner, the promises that Indochina would soon be set free, the arguments that this was a question for the French alone.

And even after we had witnessed the tragic consequences of our vacillation, in terms not only of Communist gains but the decimation of French military strength and political effectiveness, we still listened to the same predictions, the same promises, and the same arguments in Tunisia and Morocco. The strong prowestern bent in each of these countries today, despite beguiling offers from the Communist East, is a tribute to the leadership of such men as Prime Minister Bourguiba, whose years in French confinement never dimmed his appreciation of Western democratic values.

THE FRENCH RECORD IN TUNISIA AND MOROCCO

Certainly the French cannot claim sole credit for this pro-Western orientation. Although in Tunisia, and even more in Morocco, which has a far more diversified and flexible economy, the French left impressive testimony of economic achievement, the fruits of this progress were by no means equitably distributed through the native populations; and there was almost no parallel growth of educational and political opportunity. Though a nationalist political party—the Istiqlal in Morocco and the Neo-Destour in Tunisia—gathered force in each country, they were cramped by close French surveillance, by long periods of illegality, by the arrest, isolation, or imprisonment of almost every important political leader, and by a lack of opportunity to share real political responsibility. Trade unions, which in Africa provide one of the best pools of political experience, were given little freedom for development.

In the years after the Second World War a succession of military commanders and resident-generals in both Tunis and Rabat seemed to look upon their missions in North Africa as primarily concerned with public order, the suppression of dissent by force, and the plugging up of nationalist outlets. The Istiqlal Party was suppressed outright from 1952 to 1954, while no effective Moroccan press was allowed to publish outside of French and Spanish restraint. Literacy was as low as 10 percent among Moroccans, only somewhat higher among Tunisians.

Two years prior to the achievement of Moroccan independence, the French exiled the Sultan and replaced him with the puppet Ben Arafa, the mere creature of the French and of El Glaoui, the Pasha of Marrakesh, who had conspired with Marshal Juin to depose the Sultan. These crude steps, the attempt to impose a military solution on Morocco and the sabotage by the French Government and "colons" of the only genuine reform effort of Resident General Grandval in 1955, in fact insured the independence of Morocco. For opinion decisively rallied to the side of the exiled Sultan, and the French had increasing difficulty in dealing with the Moroccan Army of Liberation and the underground tactics of the Istiqlal Party.

In Tunisia the garrison policy of the French was not quite as vindictive and thorough—but no real concessions were made, and the leader of the Tunisian Neo-Destour Party, Bourguiba, was kept in isolation.

THE UNITED STATES RECORD ON TUNISIA AND MOROCCO

Unfortunately, the Tunisians and the Moroccans also know they owe little, if anything, to the United States for their new-found freedom. To be sure, we hedged our consistent backing of the French position with occasional pieties about ultimate self-government and hopes for just solutions. And, fortunately, our Government did not offer recognition to the French-sponsored Ben Arafa after the deposition of Sultan Ben Youssef, with whom President Roosevelt had conferred at the time of the Casablanca Conference. But in the series of discussions which began in 1951 in the United Nations over Morocco and Tunisia, the United States, in vote after vote, under both Democratic and Republican administrations, argued either that the U. N. had no real competence to deal with these issues, or, after this argument had petrified, that to do so would only inflame the situation. In short, on every single U. N. vote concerning the issues of Morocco and Tunisia, we failed to vote against the French and with the so-called anticolonial nations of Asia and Africa even once.

TUNISIA, MOROCCO, AND THE WEST TODAY

Fortunately for the United States and France, and in spite of—not because of—our past records, neither Tunisia nor Morocco has a natural proclivity toward either Moscow, Peking, or Cairo today. But it is apparent, nevertheless, that the latter constitute possible alternate magnets if the Western nations become too parental or tyrannical. In Tunisia, the political opposition to Premier Bourguiba, led by the self-exiled Salah Ben Youssef, is clearly seeking to mobilize the

support of the Egyptian and Russian Governments. In Morocco the more reactionary and traditionalist forces, which could come to power if the present Western-minded government fails, seems to be groping for support in Cairo, and probably Moscow as well, and we in this country are finally fully aware of the fact that Russia possesses an effective repertoire of economic inducements and political tricks; that Egypt appeals persuasively, in the name of African nationalism, for unity against the West; and that Red China offers nations emerging from a colonial state a ready answer on how to achieve quickly the transition from economic backwardness to economic strength.

United States policies in these areas—to provide an effective alternative to these forces, who aided Tunisian and Moroccan independence while we remained silent—cannot be tied any longer to the French, who seek to make their economic aid and political negotiations dependent upon the recipient's attitude toward Algeria. We cannot temporize as long as we did last year over emergency wheat to Tunisia. We cannot offer these struggling nations economic aid so far below their needs, so small a fraction of what we offered some of their less needy, less democratic, and less friendly neighbors that even so stanch a friend as Premier Bourguiba was forced to reject Ambassador Richards' original offer—just as he had rejected an offer of Soviet aid more than 30 times as great. In Morocco, too, our aid has fallen short of the new nation's basic needs.

We must, on the other hand, avoid the temptation to imitate the Communists by promising these new nations automatic remedies and quick cures for economic distress—which lead only too readily to gathering disillusionment. But we can realistically contribute to those programs which will generate genuine economic strength as well as give relief from famine, drought, and catastrophe. The further use of agricultural surpluses, and the new revolving loan fund making possible long-term planning and commitment, should be especially well-suited to the requirements of Morocco and Tunisia, which have moved beyond the point of most underdeveloped states but not yet attained the strength of most Western economies.

Another step which we can take immediately, of the highest priority yet small in cost, is to step up considerably the number of young people of North Africa who have so far come to the United States for higher education and technical training, and to increase our own educational and training missions in that area. The building up of a national civil service, a managerial talent, and a pool of skilled tradesmen and professionals is an immediate prerequisite for these countries—and the addition of even a few trained administrators, engineers, doctors, and educators will pay off many times over in progress, stability, and good will.

In these ways, we can help fulfill a great and promising opportunity to show the world that a new nation, with an Arab heritage, can establish itself in the Western tradition and successfully withstand both the pull toward Arab feudalism and fanaticism and the pull toward Communist authoritarianism.

WHAT ARE THE FRENCH ELEMENTS OF A SETTLEMENT IN ALGERIA?

The lessons of Tunisia and Morocco, like the lesson of Indochina before them, constitute, I hope, the final evidence of the futility of the present French course in Algeria and the danger of the present frozen American posture. Prompt settlement is an urgent necessity—for north Africa, for France, for the United States, NATO, and the Western World. Yet what are the elements of "settlement" put forward from time to time by the French, in which we have placed our faith? They are three: First, military reconquest or pacification; second, social and economic reform; and third, political union with France.

I respectfully suggest that these three elements represent no settlement at all, that the continual emphasis upon them is only postponing, not hastening, the day of final reckoning. Permit me to examine each point briefly.

First is the French insistence upon pacification of the area, in reality reconquest, before further talks proceed, a policy which only makes both settlement and a cease-fire less likely. For it encourages the Nationalists to assume that they can play a game of endurance in which the patience and tenacity of French politicians will finally snap as they did regarding Indochina in 1954. The so-called pacification policy of M. Lacoste does consist of more imaginative measures than simple military repression, since it attempts to combine the elimination of rebel and terrorist activity in individual localities with measures of social reform and reconstruction. But the rebellion is now too contagious to be treated by pacification methods, even if the French could afford to increase substantially the manpower already poured into the area, and despite the steady stream of optimistic French communiques.

For, as General Wingate wisely pointed out in the last war, "Given a population favorable to penetration, a thousand resolute and well-armed men can paralyze for an indefinite period the operations of a hundred thousand"; and this is precisely what has happened in Algeria. The French tend to look at the Algerian rebel problem in terms of a military chessboard, when in fact each identifiable rebel has behind him the silent or half-articulate support of many other Algerians. Thus, nearly half a million valiant French soldiers face an enemy with no organized forces, no acceptable strategy, no military installations, and no identifiable lines of supply. They themselves fight not with the zeal with which they defend their own liberty, but fight in vain—and it has throughout history been in vain to curb the liberty of another people.

The United States, contributing to French military strength and refusing to urge mediation of a cease-fire, has apparently swallowed the long series of counterstatements offered by the French suggesting why the war in Algeria did not end long ago. From time to time we have been told that the war was being kept alive only because of interference and meddling by Colonel Nasser, that the rebellion was active only to gain the attention of the United Nations, or because of help from Morocco and Tunisia, or because of unwarranted interference by American shirtsleeve diplomats and journalists, or finally because of Russian and Communist meddling in Algeria. None of these explanations which seek to make outsiders the real agents of the Algerian rebellion carries much conviction any longer, even to the French, as shown in the multiplicity of recent attempts to suppress local critical newspaper and public comment.

Second, the French have continued to tell the U. N. of their present and proposed economic and social reforms in Algeria, promising a better life for all if they can ever end the fighting. It is true that the French have finally opened up greater employment opportunities for the Moslems, have expropriated some land for redistribution, and have made some efforts to increase wages of agricultural workers. But the tardiness of these reforms, and the narrowmindedness of the French minority in Algeria which over more than 20 years defeated the reform efforts of the few liberal ministers, have permitted the wave of nationalism to move so far, and to take root so deeply, that these palliative efforts are too little and too late for a situation of now convulsive proportions. We must, I am afraid, accept the lesson of all nationalist movements that economic and social reforms, even if honestly sponsored and effectively administered, do not solve or satisfy the quest for freedom. Most peoples, in fact, appear willing to pay a price in economic progress in order to achieve political independence.

Third and finally, the French conception of settlement has stubbornly adhered to the concept of Algerian incorporation within France itself. This area, it should be recalled, was taken only by the French a little more than a century ago—the southern desert area has always been governed from Paris like a crown colony—and although the populous and fertile northern coastland was legally made a part of France in 1871, native Algerians were not made French citizens until 1947. Even then, that move was made to cement French control rather than to grant equality, for at the same time a system of electoral representation in the French National Assembly and Algerian Assembly was established giving equal power to 2 strictly separated electoral groups—1 consisting of over 7 million Algerians and the other consisting of some 1 million French colonials. Only 75,000 African Algerians had full voting rights—and only 30 seats from Algeria, mostly filled by French politicians, were elected to the French National Assembly. Even those seats are vacant now, of course, the 1956 elections not having been extended to crisis-torn Algeria.

The result of this gap between word and deed, and the continued reluctance of the French to permit more than spasmodic and slight reforms at the expense of vested interests in France and Algeria, has been to alienate most sections of Al-

gerian opinion so that assimilation is now a fruitless line of effort. There has been a progressive increase in the number of African Algerians, once committed to a program of integration with France, who have recanted and joined the movement of independence—the most notable instance being that of Ferhat Abbas, one of the ablest nationalist leaders, who long argued for the assimilationist approach and did not wholly despair of such a settlement until shortly before 1956, when he joined the National Liberation Front.

Had there been consistent progress in extending to all Algerians political equality and opportunity, so that over a realizable period of time there would have been a common standard of French citizenship, and had a steady effort been made to enlarge the political rights which were at least inherent in the 1947 statute for Algeria, it is possible that a responsible solution could have been reached. As late as 2 years ago a promise—with a specific date tag on it—that would have given genuinely equal voting rights to the French National Assembly, and at least parity in Algerian municipal government, might well have won general Moslem support. But the French were unwilling to see as many as 100 Moslem deputies in Parliament and to provide—at a cost no greater than the present Algerian war—common social services and education. And it is this failure on the part of the French to accept the consequences of their own conception that has closed the door forever on the possibility of a true French Union, and made Algeria irreversibly an aspect of the broader search for political independence in Africa. Moreover, nationalism in Africa cannot be evaluated purely in terms of the historical and legal niceties argued by the French, and thus far accepted by the State Department. National self-identification frequently takes place by quick combustion which the rain of repression simply cannot extinguish, especially in an area where there is a common Islamic heritage and where most people—including Algeria's closest neighbors in Tunisia, Morocco, and Libya—have all gained political independence. New nationhood is recorded in quick succession—Ghana yesterday, Nigeria perhaps tomorrow, and colonies in central Africa moving into dominion status. Whatever the history and lawbooks may say, we cannot evade the evidence of our own time especially we in the Americas whose own experiences furnish a model from which many of these new nations draw inspiration.

WHAT COURSE SHOULD THE UNITED STATES ADOPT IN ALGERIA?

And thus I return, Mr. President, to the point at which I began this analysis. The time has come when our Government must recognize, that this is no longer a French problem alone; and that the time has passed, where a series of piecemeal adjustments, or even a last attempt to incorporate Algeria fully within France, can succeed. The time has come for the United States to face the harsh realities of the situation and to fulfill its responsibilities as leader of the Free World—in the U. N., in NATO, in the administration of our aid programs and in the exercise of our diplomacy—in shaping a course toward political independence for Algeria.

It should not be the purpose of our Government to impose a solution on either side, but to make a contribution toward breaking the vicious circle in which the Algerian controversy whirls.

Nor do I insist that the cumbersome procedures of the U. N. are necessarily best adapted to the settlement of a dispute of this sort. But, direct United Nations recommendation and action would be preferable to the current lack of treatment the problem is receiving; and in any event, when the case appears on the U. N. agenda again, the United States must drastically revise the Dillon-Lodge position in which our policy has been corseted too long.

Moreover, though the resolution which was adopted at the last session in general gave backing to the French efforts to localize the dispute, there was nonetheless a proviso—a proviso which served to put France on a probationary status and warn that measurable progress would have to be shown by the next meeting of the Assembly. We have now come nearly to the halfway point of this interim period, and the situation has only further deteriorated. To prevent a still more difficult situation in the fall session, our State Department should now be seeking ways of breaking the present stalemate. And I am asking this body, as it has successfully done before in cases of Indonesia and Indochina, to offer guidance to the administration and leadership to the world on this crucial issue.

I am submitting today a resolution which I believe outlines the best hopes for peace and settlement in Algeria. It urges, in brief, that the President and Secretary of State be strongly encouraged to place the influence of the United States behind efforts, either through the North Atlantic Treaty Organization or good offices of the Prime Minister of Tunisia and the Sultan of Morocco, to achieve a solution which will recognize the independent personality of Algeria and establish the basis for a settlement interdependent with France and the neighboring nations.

This resolution conveys my conviction that it should not be impossible to break a deadlock in a matter of such close concern to NATO and to mediatory forces in the rest of North Africa. The Governments of Tunisia and Morocco, neither members of the Arab League and each concerned to continue Western connections, provide the best hope, and indeed, they furnished such help, as already noted, last summer and early fall. Two weeks ago M. Bourguiba again made an appeal for an Algerian solution within an overall French oriented north African federation. Even the Indian Government, often assumed to be spokesman of nationalism for nationalism's sake, offered last summer to act as a possible intermediary in a solution which would grant political independence to Algeria but confirm special protections for French citizens and to place Algeria in a special economic federation with France.

Neither reasonable mediators nor reasonable grounds for mediation are impossible to find. The problem in Algeria is to devise a framework of political independence which combines close economic interdependence with France. This is not an illusory goal. Algerian Nationalist leaders are mostly French speaking; Algeria has an inherent interest in continued economic and cultural ties with France as well as in Western aid generally. But these natural links with France will ebb away if a change is not soon made. Last November, when Algeria was under U. N. consideration, Premier Bourguiba expressed the anguish which afflicts the responsible nationalist of North Africa on the Algerian question:

> The vote of free Tunisia will be against France, but it would be a mistake to believe that we are happy about this conflict. I had hoped sincerely that Tunisia would be a bridge between the Occident and the Orient and that our first independent vote would have been in favor of France. Although that has proved to be impossible I still cannot bring myself to despair, for the first time in my life, of the wisdom of the French people and their government. The day may perhaps yet come, if the government of the Republic acts swiftly enough, when French civilization will be truly defended in world council by the leaders of a French North African confederation.

The United States must be prepared to lend all efforts to such a settlement, and to assist in the economic problems which will flow from it. This is not a burden which we lightly or gladly assume. But our efforts in no other endeavor are more important in terms of once again seizing the initiative in foreign affairs, demonstrating our adherence to the principles of national independence and winning the respect of those long suspicious of our negative and vacillating record on colonial issues.

It is particularly important, inasmuch as Hungary will be a primary issue at the United Nations meeting this fall, that the United States clear the air and take a clear position on this issue, on which we have been vulnerable in the past. And we must make it abundantly clear to the French as well as the North Africans that we seek no economic advantages for ourselves in that area, no opportunities to replace French economic ties or exploit African resources.

If we are to secure the friendship of the Arab, the African, and the Asian—and we must, despite what Mr. Dulles says about our not being in a popularity contest—we cannot hope to accomplish it solely by means of billion-dollar foreign aid programs. We cannot win their hearts by making them dependent upon our handouts. Nor can we keep them free by selling them free enterprise, by describing the perils of communism or the prosperity of the United States, or limiting our dealings to military pacts. No, the strength of our appeal to these key populations—and it is rightfully our appeal, and not that of the Communists—lies in our traditional and deeply felt philosophy of freedom and independence for all peoples everywhere.

Perhaps it is already too late for the United States to save the West from total catastrophe in Algeria. Perhaps it

is too late to abandon our negative policies on these issues, to repudiate the decades of anti-Western suspicion, to press firmly but boldly for a new generation of friendship among equal and independent states. But we dare not fail to make the effort.

Men's hearts wait upon us—

Said Woodrow Wilson in 1913—

Men's lives hang in the balance; men's hopes call upon us to say what we will do. Who shall live up to the great trust? Who dares fail to try?

Mr. President, I submit for appropriate reference a resolution on the subject which I have discussed today.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 153), submitted by Mr. KENNEDY, was referred to the Committee on Foreign Relations, as follows:

Resolved, That taking cognizance of the war in Algeria, its repression of legitimate nationalist aspirations, its growing contamination of good relations between the new states of North Africa and the West, its widening erosion of the effective strength of the North Atlantic Treaty Organization, the mounting international concern it has aroused in the United Nations, the President and Secretary of State be, and hereby are, strongly encouraged to place the influence of the United States behind efforts, either through the North Atlantic Treaty Organization or through the good offices of the Prime Minister of Tunisia and the Sultan of Morocco, to achieve a solution which will recognize the independent personality of Algeria and establish the basis for a settlement interdependent with France and the neighboring nations; and be it further

Resolved, That, if no substantial progress has been noted by the time of the next United Nations General Assembly session, the United States support an international effort to derive for Algeria the basis for an ordinary achievement of independence.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. MANSFIELD. I wish again to commend the distinguished Senator from Massachusetts for making both a candid and a courageous speech.

I was much impressed with one of his last paragraphs, which contains a sentence reading as follows:

And we must make it abundantly clear to the French as well as the North Africans that we seek no economic advantages for ourselves in that area, no opportunities to replace French economic ties or exploit African resources.

Previously the Senator had mentioned the fact that he hoped some sort of interdependent relationship between Algeria and France would develop. I am in full accord with the views of the distinguished Senator relative to interdependence between the two areas, and the fact that we have no economic aspirations in North Africa.

I point out that the Senator made his speech on the eve of our Independence Day, which comes on July 4. It may be coincidental, but the French Independence Day happens to come on July 14, Bastille Day. I hope the French Government and the French people will realize the spirit in which this speech was made, and become aware of the fact that we wish nothing for ourselves, but only a reasonable, decent, and lasting solution to the present French-Algerian crisis.

Mr. KENNEDY. I thank the Senator. I think he has said in a few sentences what I have been attempting to argue. He has touched the heart of the matter, and I appreciate what he has said.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. CARROLL. I wish to associate myself with the remarks of the distinguished Senator from Montana [Mr. MANSFIELD] in congratulating the junior Senator from Massachusetts [Mr. KENNEDY] for a very fine, thought-provoking speech.

All through the speech he emphasizes the importance—to use the words of the Senator from Massachusetts—of the principle that it is man's eternal desire to be free and independent. If we cannot understand that, we cannot understand the forces of social revolution which have been sweeping the world since the end of World War II.

Enormous sums of money have been spent to prevent Soviet economic, political, and military penetration. But we ourselves, as has been ably set forth by the distinguished Senator from Massachusetts, have a great task to perform.

I shall be very happy to join with the Senator from Massachusetts in helping to have his resolution adopted. Those of us who served in World War II in Africa could sense then—although we knew little about the history, customs, or traditions of the area—what the Algerians were thinking. They want to be free and independent, and we should help them to reach their goal without offending our great friends, the French. As the Senator has so ably pointed out, the French have strong ties with those people. I do not like to use the term "political bungling," but there has certainly been great political ineptness on our part in the solution of this most important problem.

Again I thank the Senator from Massachusetts for a very penetrating and thought-provoking speech. I hope it will be read by all Members of the Senate.

Mr. KENNEDY. I thank the Senator. I think this question affects France very vitally.

An article written by Jacques Jean Servan-Schreiber and published in L'Express, a French weekly paper, after he had concluded his military duty in Algeria, brought out the fact that the French policy in that area was endangering France's position in the whole of North Africa.

Particularly in view of the discovery of oil in the desert of Algeria, Africa will play an important part in national affairs in the next 10 years. It seems to me to be vitally important that France and the United States should clear the air and realize that this question will inevitably arise. If the freedom of those people is won against the consistent opposition of the United States we shall have no right to claim close ties with them in the future. We did not support Tunisia and Morocco, but we have been fortunate in that those governments have been prowestern

I think it is vitally important that we clarify our own position with respect to Algeria. French opinion is bubbling up under the artificial parliamentary situation. I think many French people realize the importance of redefining the Algerian question.

Mr. CARROLL. Can the Senator tell us what progress has been made in Tunisia and Morocco? How are they getting along?

Mr. KENNEDY. The Tunisians have recently broken off their economic aid ties with the French, because of what is happening in Algeria. As I have said, Prime Minister Bourguiba was the first Arab leader to support the Eisenhower doctrine. When Ambassador Richards went there he offered only $3 million, with certain limitations, on certain types of aid, for which the Tunisians asked. We were afraid of alienating the French.

This question involves the entire struggle against communism in that area. These countries are moving ahead. They desire cooperation with us. If we could grasp the nettle today, a moderate nationalist government could take over in Algeria. The longer the present situation continues, the easier it will be for the extremists to take over.

Every French soldier who goes to fight in Algeria is given a booklet. On the front of the booklet is a statement by an Algerian leader in the 1930's in which he affirmed his belief that Algeria was not entitled to independent nationality, but rather that Algerians were French citizens.

The situation deteriorates so fast that moderate people become extremists, extremists become revolutionaries, and revolutionaries become Communists. I think time is running out.

Mr. CARROLL. Mr. President, will the Senator yield further?

Mr. KENNEDY. I yield.

Mr. CARROLL. In view of the very excellent presentation made today by the Senator from Massachusetts, and based on our general knowledge of the situation, is there any doubt that we must make a complete reappraisal of the situation with reference to Algeria?

Mr. KENNEDY. That is particuarly true, I will say to the Senator from Colorado, when this question comes before the United Nations. At the time when we try to make our record on Hungary, we will be faced with this problem. How can we expect any recognition of our position on Hungary if we take an ambiguous position on Algeria?

Mr. CLARK. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. CLARK. I should like to join my colleagues in paying tribute to the distinguished Senator from Massachusetts for the splendid address he made this afternoon. I had an opportunity yesterday to read the text of his address, which he had made available to me, and thus to study it very carefully. I find myself in complete agreement with the points he has made. I would be happy to join him in supporting the resolution he has submitted.

I believe, also, it is high time that we had at the executive level a reappraisal of our relations with France on the question of Algeria. As the Senator has pointed out, we must remain on friendly terms with our allies, particularly with our oldest ally, the Republic of France. We know how important that friendship has been in the past and how important it will probably be in the future.

However, there comes a time when it is necessary to call a spade a spade. We have seen Indochina fall while we remained supine, or at least failed to give support to France when it was needed, although we offered support to France when it was no longer of any use to them.

I feel very strongly that the future of Algeria lies in political freedom, with some economic interdependence with France. So long as there is no political freedom, the present conditions will continue, which is not in the best interest of the United States or of the Free World.

Mr. KENNEDY. I thank the Senator from Pennsylvania. I was a bit disturbed that the Secretary of State should link the situation in Algeria with Soviet imperialism. Nevertheless, it is difficult to have our position in that regard recognized on a moral basis until we have cleared our position on this moral question.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. NEUBERGER. I should like to join the Senator from Pennsylvania in what he said to the Senator from Massachusetts. The Senator from Massachusetts was kind enough to send his colleagues advance copies of the text of his speech. I gained a great deal from it. I am a Member of the Senate who is concerned with committees which deal almost exclusively with domestic problems, such as natural resources, wildlife, agriculture, and so forth. When a Senator delivers an address such as the Senator from Massachusetts has delivered today, it is of special service to Senators like myself.

As I sat on the floor of the Senate and, for a part of the time, in the Presiding Officer's chair, during the course of the speech, I came to realize a situation which until now was rather vaguely and dimly known to me.

When the Senator from Massachusetts talks about our own traditions of freedom and the need of America to cast its influence on the side of freedom, he is stating a great truth. I have long supported closer union within the Atlantic community of democracies which share this tradition. But I do not see how we can support our allies—at least without our making known our position and exerting moral suasion upon them—in continuing outdated colonial policies if we wish to hold ourselves up to the world as an example of liberty and freedom. As the Senator from Massachusetts has correctly said, we must disassociate ourselves from colonialism.

In conclusion—and I should like to say to the Senator from Massachusetts that this thought came to me last night while I was reading his very effective and able address—I wonder if we in our country might not set an example to France to give self-government and freedom to Algeria by granting self-government this year to Alaska and Hawaii as equal States of the Union, and in that way show France and the world that America not only preaches democracy but practices democracy as well.

Mr. KENNEDY. I believe that would have a beneficial influence. However, I do not equate what is happening in Russia with what France is doing in Algeria. Neither do I equate the situation of Algeria with that of Alaska and Hawaii. I am sure the Senator does not do so either.

Mr. NEUBERGER. I do not. Nevertheless, all through the world there runs the search for freedom and liberty. It may be more evident in one place than in another, but it all concerns the great question of self-government. While it may be a matter of degree, wherever American influence is felt, either under its own flag, or in the form of indicating our views to those under other flags, that influence should be exercised on the side of self-government.

Mr. KENNEDY. Of course, the Alaskans and Hawaiians want to make their ties more intimate, which is not the situation with reference to the Algerians. Nevertheless, it is an expression of a people.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. COOPER. I should like to express appreciation of the important speech the Senator from Massachusetts has made. It was a clear exposition of a difficult problem. Although he has spoken of a specific situation, in doing so he has pointed out a dilemma of our country. It is the problem of maintaining unity with our allies in the crisis we have faced since World War II, and at the same time maintaining our traditional position against anticolonialism and for independence.

I know he would not want his speech to obscure the fine and magnificent record in its full perspective, of the United States against colonialism. In every situation in which our country had full power to act as in the case of the Philippines, Puerto Rico, and Cuba, its decision was against colonialism, and for independence and self-determination.

Further, I am sure the Senator will remember that since World War II, we have given our support to India and Indonesia and other countries in their struggle for independence. In the United Nations we have supported the gradual movement toward independence of former colonies—among them Libya and Eritrea. It is also fair to point out that even when other countries have claimed complete jurisdiction and asserted that any consideration by the United Nations of the claims of peoples under their governmental control, was an interference in their internal affairs, as in the case of the apartheid in South Africa, the United States and its representatives in the U. N. have spoken out. Nevertheless, the Senator from Massachusetts has pointed out the more difficult situation that obtains in respect of Algeria, because of the close relationship and friendship of the United States with France, and the common effort we have made against what we consider the greatest threat to freedom and self-determination by the people of the world, and at times we appear equivocal in our position against colonialism.

There is a policy of gradualism toward independence of course, which the United Nations has recognized, and followed in the case of the former Italian colonies. Former colonial countries agreed in that case, with gradualism. Great Britain pursues such policy of gradual development of its colonies toward independence. I would suggest to my distinguished friend that when we support the policy of gradualism our test ought to be, whether it is actually a process toward independence or a cloak to deny independence. I believe that the Senator is suggesting that we use our good office toward a solution of this problem before it passes beyond the possibility of solution.

Mr. KENNEDY. I think there is much in what the Senator says. Mr. Dillon and Mr. Lodge are in very difficult, sensitive positions, and are confronted with conflicting pressures.

We want to maintain our traditional policy of friendship with the people who are fighting for independence. At the same time, we have close ties upon which our military security depends, and we owe loyalty to those with whom we are allied. So if I have criticized them, it was not without full recognition of their problems and recognition of the fact that from 1945 to 1952, on the question of Indochina and other questions, American representatives, who were Democrats, faced the same problem and, in my opinion, did not at that time take a firm enough position. I criticize them, as I am criticizing the present leadership.

The only point I am attempting to make is that I do not think that, since the last United Nations meeting, the situation in Algeria has visibly moved forward toward a rational settlement. It seems to me that French policy in that area is almost stagnant, and I think substantial elements of French opinion recognize that fact.

I suggest that by the time of the United Nations meeting next fall this matter will confront us again. I think the situation is continuing to deteriorate. No progress has been made in the past year. Action was deferred before on the assumption that progress would be made. Since no progress has been made, what are we going to do? I am attempting to indicate that France and the United States will have to take a new look.

In March 1957 the New York Times quoted Robert Lacoste, the French Minister residing in Algeria as reporting to the French Cabinet that the rebellion-torn north African area would be pacified in 3 months. That was written in March of this year.

I could show the Senator headlines in the newspapers of 1947, 1948, 1949, and 1950 concerning Indochina. This situation will not end under present conditions. Mr. Lacoste has been recycling similar periodic predictions since he took

office early in 1956, and his predecessors did likewise.

Mr. COOPER. I was not bringing into question the facts the Senator has stated; I was simply trying to point out that on the whole our record throughout the years regarding colonialism, and the support of countries seeking independence has been good, and that our leaders and our representative in the United Nations deal with a sensitive issue regarding Algeria. I agree with the Senator that our past record does not relieve us from taking a new look and making new determinations of policy.

I know, as does the Senator from Massachusetts, that the movement toward independence throughout the world will never be stopped. It is necessary that this country associate itself with others in seeking constructive solutions in countries which move toward independence. I must say that I think this is an extremely difficult problem so far as Algeria is concerned.

Mr. KENNEDY. I thank the Senator from Kentucky. I think it is fortunate that independence is the strongest force, because ultimately the only force which will bring the Soviet Union down will be the desire of the people for independence, the desire not only of the people who live in the Soviet Union itself, but also the people who live under the control of the Soviet Government.

So recognizing independence as a force, I think we should turn it to our own advantage; and we can do that best, I think, by clarifying our own position.

I thank the Senator from Kentucky. I know of no Member of the Senate who has, during the past 10 years, under both Republican and Democratic administrations, taken a more objective, more experienced look at all of our foreign policy problems, or who has rendered more distinguished service in that field, than has the Senator from Kentucky.

Mr. COOPER. I thank the Senator. There is one other point which I think should be reiterated. The Senator from Massachusetts has stated it in principle. That is, our tradition of influence in the world depends upon our support of freedom and our belief in freedom at home as well as abroad. I think we will deny our tradition unless we continue to associate ourselves constructively with the great movement for independence which is now in progress throughout the world.

Mr. KENNEDY. I thank the Senator. I agree with him wholeheartedly.

Mr. DIRKSEN. Mr. President, I desire to make some reply to the statement of my distinguished friend from Massachusetts, but I understand that the Senator from Louisiana desires to make a 10-minute speech.

Mr. LONG. It will be approximately 10 minutes; yes.

Mr. DIRKSEN. I thank the Senator. Mr. President, I wish to make some response to the remarks of my distinguished friend, the Senator from Massachusetts [Mr. KENNEDY].

First, I pay him the honor of stating to him that I have read his speech twice before today, and I also listened to most of it when it was delivered today.

Mr. President, I suppose it can be accurately said that history seems to run either in cycles or in parallels. The address delivered by my distinguished friend, the Senator from Massachusetts, reminds me of what happened on the floor of the Senate almost 4 years ago to this very day. I recall rather vividly having been in the Orient, to visit such areas as Indochina and elsewhere, with another distinguished Member of this body, the Senator from Washington [Mr. MAGNUSON]. In those countries we made some sustained observations, and then returned to the United States, and reported to the President of the United States.

I recall the breakfast meeting at which the report was made. I said, "Mr. President, what they need in Cambodia, what they need particularly in Indochina"—now South Vietnam—"is independence, because it is only the fire of independence that so stirs people to fight for something in the nature of a homeland and for the freedom which is so dear to the human heart."

I think some representations were made at that time, rather informally, but when the foreign aid bill was considered—and I had some share in its preparation—I made a suggestion to my colleagues, which finally eventuated on the floor of the Senate in the form of an amendment. The interesting thing about it was that it was an amendment submitted finally by our distinguished friend from Massachusetts. The day was July 1, 1953, and the language of the amendment, which is to be found in the CONGRESSIONAL RECORD, volume 99, part 6, page 7787, read as follows:

Provided, That the expenditure and distribution of the funds, equipment, materials, and services authorized under this or any other section of this act on behalf of the Associated States of Cambodia, Laos, and Vietnam, to the extent that it is feasible and does not interfere with the achievement of the purposes set forth in this act, shall be administered in such a way as to encourage through all available means the freedom and the independence desired by the peoples of the Associated States, including the intensification of the military training of the Vietnamese.

It was 4 years ago yesterday that the amendment was offered on the Senate floor. The vote on it was 17 to 64. I shared the conviction and the zeal of my distinguished friend from Massachusetts. I was one of the 17 who voted for it. So I shall let the history books indicate how I felt about it, and, as a matter of fact, how I feel about it even now. But one of the things that made a deep impression 4 years ago yesterday was the address delivered by the former distinguished Senator from Georgia, Senator George. He is no longer a Member of this body, but I recall his eloquence, and I recall his persuasion, and I recall what a deep effect his statement had on this body, for when we got through on the Kennedy amendment, it had been defeated by a vote of 64 to 17. One of the first things Senator George said was this:

Much as I am concerned about what goes on in the East, and in the Far East, I am still concerned about what goes on in Western Europe. If France should not decline to accept further assistance, or if France should be forced to take a political action which she is not yet able to take because of the conditions which we would impose upon her by this or some similar amendment, then I think it would be very difficult to prevent the NATO organization from falling apart.

I recall the solicitude of the Senator from Georgia on that occasion, and how he expressed his interest in France, and how vital it was, not only to NATO but to the security of the United States of America. I think it is one of the first things we must keep in mind in connection with what I am sure the distinguished Senator from Massachusetts knows to be the delicate problem with which the Republic of France contends in Algeria.

Sometimes parallels are drawn between Algeria and Tunisia. I doubt whether they are parallel. In the case of Tunisia, there were leaders with whom we could work. There was the Bey of Tunis and the present Prime Minister Bourguiba, men of character and of intellectual resource, with whom we could deal, and who could act as a nucleus.

In the case of Morocco, we had the Sultan. In the case of Vietnam we had the Chief of Staff, Ngo Dinh Diem, a man of resolute purpose, character, and intellectual resource, who had much to do with keeping that country together, and with sponging out the divergent groups that menaced the peace of Vietnam, and so gave it stability and brought it into the sunlight of independence and freedom.

I think our record in this whole field is pretty good. Sometimes the diplomatic hand is not too apparent to the eye, but I think in the case of Tunisia, in the case of Vietnam, in the case of Cambodia, in the case of Laos, a great deal of work has been done. That, I think, is equally true in the case of the very delicate situation that prevails in Algeria at the present time.

I am rather concerned about the impact on the thinking in France. Do we worsen the situation or do we improve it if we adopt the resolution which has been offered by our distinguished friend from Massachusetts? I think I ought to read into the RECORD at least one paragraph of the resolution, because it contains this phrase. This is the salient paragraph:

The President and Secretary of State be and hereby are strongly encouraged to place the influence of the United States behind efforts, either through the North Atlantic Treaty Organization or through the good offices of the Prime Minister of Tunisia and the Sultan of Morocco, to achieve a solution which will recognize the independent personality of Algeria and establish the basis for a settlement interdependent with France and the neighboring nations; be it further

Resolved, That, if no substantial progress has been noted by the time of the next United Nations General Assembly session, the United States support an international effort to derive for Algeria the basis for an orderly achievement of independence.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. CHAVEZ. May I ask the Senator what is wrong with that?

Mr. DIRKSEN. There is nothing particularly wrong with it, except—and I

shall be very candid about it, Mr. President—I think that there is a disposition on the part of the United States Senate as a body ofttimes to move too far and to embarrass the efforts of the President and the Secretary of State and those engaged in diplomacy in this very field. Who can doubt the Secretary of State has gone far in this field already? He was in Paris in May, conferring with Mr. Mollet. Christian Pineau was before the United Nations General Assembly in January of this year. I am not prepared to say whether the suggestions which have been made about a cease-fire, about free elections, and so forth are sufficient, but I do say that this administration is not wanting in diligence and zeal in that field. While we do not always see the hand, while it is not always apparent what is being done, I must add this is the kind of work that is not necessarily effectuated with a brass band.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MORTON. The Senator has mentioned six countries that were either colonial countries or had a semicolonial status at the end of World War II. Five of those countries are now independent. That is a pretty good record. Tunisia, Morocco, Laos, Cambodia, and Vietnam have all achieved their independence.

Mr. DIRKSEN. That is true.

Mr. MORTON. The Senator has mentioned the fact that this kind of work is not always effectuated with a brass band. Certainly, our Department of State has been working, through diplomatic channels, with the French and with the people of the countries affected in an effort to achieve independence. I was an officer in the Department of State in the tragic times of the difficulties in southeast Asia. It was a matter of daily concern to the officers of that Department, from the Secretary on down, that the three countries in that area should achieve their independence. But in solving that problem it was felt we should not kick one of our strongest NATO allies in Europe out the window.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. KENNEDY. I should first like to point out to the Senator, with reference to the three leaders who have been mentioned—Diem, the Sultan of Morocco, and Bourguiba—that Bourguiba had been in a French jail several times; that the Sultan of Morocco was only brought back from forced exile only when the situation became intolerable and that Mr. Diem lived in this country for years, and when he returned in some obscurity, I think was quite properly supported by the United States even against the judgment of the French.

So I do not believe we have observed in those instances leaders who had the support of the French in their move to win independence. These people were brought in only when there was no other alternative.

I have no doubt that it is possible to find responsible leaders in Algeria, but the longer the problem persists the more difficult it will be to find responsible leaders in Algeria.

The Senator may remember that I thought we might adopt the amendment, in previous debate, until Senator GEORGE, with all his influence, "lowered the boom." The Senator will remember that in his speech Senator George said:

> If France is forced to withdraw from Indochina, or if she voluntarily withdraws from Indochina, what assurance have we that Indochina will not itself fall a victim to Red China?

In fact, because of the recognition of the rights of the people of those areas, I think, Indochina did not fall a victim to Red China. Both under the military diplomacy of Mendès-France and the defeat at Dienbienphu, the French were forced to withdraw, but if they had stayed there another year or two, I have no doubt in my mind that Ho Chi Minh, the Communist leader in the fight against France, would have dominated the entire country. We were fortunate that there was brought into play an unusual personality in the person of Diem.

I do not wish to be harsh or unfair, but I do not think we are moving ahead, or that the French are moving ahead. Since the United Nations meeting last winter there has not been appreciable progress. We are going to be faced with very difficult decisions. I would like to see the French, as well as the United States, use their time before the next U. N. debate in an effort to move to new ground, and to recognize the fact that Algeria is entitled to independence. If it were obtained I hope Algeria would continue to maintain constitutional ties, or at least close connections, with France.

I am aware of the fact that the prospects for the adoption of my resolution are rather dubious, but it indicates, at least in my judgment, the hope that the people of North Africa, the people involved, will realize that the people of the United States are interested in them. I hope this action will bring some attention to the matter from the people of France. There are many people in France, I think, who feel as I do, that the time has come for France to make a substantial change in its present policy. That is all I hope to accomplish, or to have an influence in accomplishing.

Mr. DIRKSEN. Mr. President, I wish to add one comment from the statement of Senator George, which I thought was particularly persuasive. He said:

> Mr. President, it is known in the State Department, it is known in the executive offices of this Government, it is known by all of us who have tried to keep abreast of what is going on in Indochina, that a great effort has been made to bring France herself to a decision which would obviate the necessity of this kind of amendment or resolution.

What Senator George meant to point out was that an effort was in progress, and that they were sensitive to the independence issue in Asia.

I observed the situation there. Anyone who visited with the leaders in Indochina, Cambodia, and elsewhere could not have failed to sense the feeling of the people. The distinguished Senator from Montana must have appreciated it when he was there.

As an "eager beaver" I came back to put some steam behind the effort in that regard. But I realize there is such a thing as patience in this field of endeavor, if we are going to accomplish the greatest amount of good.

In further comment on the observation which the Senator from Massachusetts made a moment ago, the strong leaders in Algeria have not yet come forward. If we suppose independence were granted tomorrow, would it eventuate in anarchy, in civil war and bloodshed? The resulting condition might be infinitely more aggravated than what obtains at the present time, bad as it is. I do not condone it. I do not apologize for it. I think it is a terrible thing, and that a solution ultimately must be forthcoming. But I do not believe there has been laches; I do not believe there has been negligence; I do not believe there has been a lack of diligence on the part of this Government or its official and responsible officers.

Mr. KENNEDY and Mr. MANSFIELD addressed the Chair.

Mr. DIRKSEN. After I have made one other comment I will yield.

I noticed in the Senator's statement the observation that the Vice President did not comment on this matter in his formal report. However, I can say to the Senator that the Vice President did comment at length in a confidential report which he made on this subject. He was exercising caution, and I think the necessary prudence, because of the delicacy of the situation that was involved.

I now yield to the Senator from Massachusetts.

Mr. KENNEDY. I will say to the Senator that one of the reasons why the amendment was defeated in 1953 was that the word was passed on the floor of the Senate that in about 2 weeks—it may have been July 6, but at least within 2 weeks—the French Government would come forward with substantial concessions to the Nationalists in Indochina. As I remember, in July, of 1953, they did make some proposals, which were completely inadequate to meet the situation.

I must say that when the Senator was younger, more youthful and vibrant——

Mr. DIRKSEN. I thank the Senator.

Mr. KENNEDY. He favored this type of amendment, but now the responsibility has sobered him.

Mr. DIRKSEN. The responsibility and 4 years have sobered me.

Mr. KENNEDY. I am not sure I might not argue the same way if I were the Senator from Illinois, but my view is that progress is never made unless there is some incentive, some pushing and goading toward progress.

I believe we should not let this fight go on simply among the Algerians, Tunisians, Moroccans, Egyptians, Communists, pro-Arab groups, and antiwestern groups. I think we in the United States should usefully join this debate. I think it will pay dividends to us in the years ahead, when Algeria ultimately receives independence, as I am confident it will. I believe Algeria will receive independence, whether the policy I have suggested is followed, or whether the policy

of the French Government is followed. Ultimately, Algeria will be independent. I hope they will look to the West with favor, and acknowledge us, because I trust we will take a strong stand in their favor.

I thank the Senator.

Mr. DIRKSEN. First, by way of comment, Mr. President, I should like to say to my distinguished friend from Boston that at his age I would have been a member of the Boston Tea Party, I am sure, and I am not so sure that I would not be today, even though a little older.

Now I should like to stress the importance of France in the NATO line and the importance of France to the security of the United States. If there is any doubt about it, all anyone has to do is to go there and count the air bases we use and all the facilities we have. France has been our oldest ally I think, and that merits consideration on our part, and a caution as to the delicacy of the problem which confronts France at the present time. She is wrestling with it.

I do not care to pass judgment on whether or not what is happening at the moment is right or wrong. At least France has come to grips with the problem; and so have we.

I think as responsible leadership develops in Algeria, as it has in Tunisia and in Morocco, swifter progress will be made. In view of the fact that representations have already been made to the United Nations, I think that situation must be taken into account.

So, Mr. President, what we deal with in a resolution of this kind is its impact upon the thinking of people in another country. We forget that so easily.

I remember introducing a bill in the House of Representatives to increase the quota for India under our naturalization acts, and when I went to Delhi, there was my name in 3-inch headlines on the front page of all the daily newspapers in India. It showed that they kept abreast of what was going on here.

Of course, at a time when they are wrestling with a complicated problem, I think we ought to be very careful not to step on their toes.

Also we should constantly emphasize the fact that the executive branch—the President, as the conductor of our foreign policy, and the Secretary of State as his right hand—are certainly not insensible of the problems which confront us.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. KENNEDY. I am reminded that the Senator and I cosponsored a resolution for freedom for a united Ireland, so I should like to know how the Senator squares that action with his opposition to the present resolution.

Mr. DIRKSEN. Nothing ever haunted me so much as did that resolution, because everyone thought I was an Irishman from County Kildare. I am afraid there is not a teaspoonful of Irish blood in me; yet I was the author of a resolution for an undivided Ireland.

My distinguished friend from Massachusetts joined me in that effort. We secured 17 sponsors and cosponsors—to correspond with the 17th of March which is the memorial day of the great patron saint of Ireland. So we carried on; and even though we received no sympathetic hearing on the part of the Foreign Relations Committee, we put our best foot forward.

I believe that those people have the right, under those circumstances, to determine their undivided destiny. All the counties of Ireland except six share in a certain type of independence. I believe it is up to them, by plebiscite, to determine whether or not the six counties should be taken into the Republic of Ireland.

I see my distinguished friend from Montana [Mr. MANSFIELD] smiling. As a good Irishman, he joined us in supporting the resolution to which reference has been made.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to my distinguished friend from New Mexico.

Mr. CHAVEZ. I am not Irish, but I am sympathetic to both South Ireland and North Ireland. What is the difference between obtaining freedom for North Ireland or South Ireland, and obtained freedom for Algeria?

Mr. DIRKSEN. From the standpoint of the people, there is not the slightest difference, whether they be Algerians or Irish, whether they be Orangemen in Belfast, or, for that matter, whether they be Negroes in our own country who are seeking full citizenship.

Mr. CHAVEZ. I go along with the Senator in that philosophy, but the resolution before us deals with the Algerians. Is the Senator against freedom for the Algerians, merely because the French wish to retain Algeria as a colony?

Mr. DIRKSEN. There is not a particle of difference. What I am trying to point out, in response to the able and well-reasoned speech of the Senator from Massachusetts, is that the Vice President, the President, the Secretary of State, and the State Department are not lacking in zeal in dealing with this question. We must always bear in mind the necessity for cautious prudence when we are dealing with a sovereign country like France, which insists that Algiers is a part of metropolitan France. I do not necessarily have to concede that argument, but the contention is made.

Mr. CHAVEZ. I am in favor of caution. I am in favor of the State Department, the President, and the Vice President being cautious. However, they come and go; but freedom must be forever.

Mr. DIRKSEN. That is true.

Mr. CHAVEZ. I have the greatest respect for the Secretary of State, for the President, and for the Vice President. But we are now discussing the question of freedom, which must be eternal. In this instance what is wrong with the resolution of the Senator from Massachusetts?

Mr. DIRKSEN. I read the resolution a moment ago. I shall reread the middle paragraph, because it is rather significant.

Mr. CHAVEZ. I may be a little dull——

Mr. DIRKSEN. My friend is just as sharp as a southwestern cactus.

Mr. CHAVEZ. And my friend is as sharp as an Illinois porcupine. [Laughter.]

Mr. DIRKSEN. I read the middle paragraph of the resolution:

> The President and Secretary of State be and hereby are authorized and strongly encouraged to place the influence of the United States behind efforts, either through the North Atlantic Treaty Organization or through the good offices of the Prime Minister of Tunisia and the Sultan of Morocco, to achieve a solution which will recognize the independent personality of Algeria and establish the basis for a settlement interdependent with France and the neighboring nations.

Suppose the Senator from New Mexico were a Frenchman, a French leader in Algeria. How would he feel, in view of the fact that there is no suggestion in the resolution that independence ought to be achieved through the Government of the Republic of France?

Mr. CHAVEZ. I would feel like Washington crossing the Delaware. I would feel exactly as did those who fought for the independence of this Nation as against the King of England. He thought everything was wrong, but the American colonists did not think so.

Mr. DIRKSEN. I am sure I do not know how George Washington felt when he was crossing the Delaware, except that it must have been cold.

Let me read the last paragraph of the resolution. If we fail to achieve freedom for Algeria through the North Atlantic Treaty Organization or through the good offices of the Prime Minister of Tunisia and the Sultan of Morocco, this is the alternative method:

> That, if no substantial progress has been noted by the time of the next United Nations General Assembly session, the United States support an international effort to derive for Algeria the basis for an orderly achievement of independence.

I am for independence, but we are dealing with another country.

Mr. CHAVEZ. I think it is good American policy to be for independence.

Mr. DIRKSEN. This territory is regarded as a part of metropolitan France. I do not wish to offend our French friends.

Mr. CHAVEZ. The French claim jurisdiction over this territory. However, theirs is the power of might, and not the power of liberty and freedom.

Mr. DIRKSEN. I share the conviction of my good friend from Massachusetts, but I believe that in this rather fitful and feverish world there should be caution on the part of this country in assuming additional grave responsibilities. These things must be accomplished in a proper way. The maximum of patience must be exercised when we are dealing with anything so explosive. We might inherit a condition of complete anarchy in Algeria. How might it be controlled? That is the point I seek to emphasize.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the distinguished former Assistant Secretary of State.

Mr. MORTON. I take this opportunity to commend the distinguished Senator from Massachusetts for bringing this subject before the Senate today. Undoubtedly it was a tremendous effort for him to prepare the address which he delivered today. I think it has been stimulating, and that it will be of great service.

I do not wish to take the time of the Senate at this point to comment in detail. I know that the Senator from New Mexico [Mr. CHAVEZ] wishes to make progress in the consideration of the defense appropriation bill.

I should like to make three brief observations. First, upon reading the address of the distinguished Senator from Massachusetts—and I read it before I heard it—I was impressed with the fact that there is a tendency to underestimate the difficulties which the French people face politically.

Second, I think there is perhaps some underemphasis of the serious efforts being made by the French Government, and especially by Guy Mollet, to bring this matter to some resolution.

Third, I am not sure in my own mind—and I assure the Senator from Massachusetts that I have an open mind—that the formula which he suggests would be the most helpful in this dilemma.

I thank the Senator from Illinois for yielding to me.

Mr. DIRKSEN. Mr. President, before yielding the floor, I salute my friend from Massachusetts for his able discourse in the interest of human freedom and independence, on the eve of our own great Independence Day, in the hope that we can move forward and help other people to achieve the same golden goal. At the same time, we should be mindful of the approach and the techniques which are necessary in order to achieve the objective at the earliest possible time, so that the situation will not be worsened and our responsibilities from here on aggravated.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. I think the discussion this afternoon has been helpful and beneficial.

I wish to commend the Senator from Massachusetts for making the speech he made today, not that I agree with every aspect of it; at least he laid the cards on the table, and they are there for all to see. I commend him for submitting the resolution. I do not know how far it will get, but I am quite certain that it will be given serious consideration in the Committee on Foreign Relations. If something does come out of the committee, it may be somewhat different from what he has offered.

We have been following a course of caution for a long time in this particular matter. I find no blame with the position of the State Department or the administration, because what is happening under the present administration also happened under previous Democratic administrations. We have been caught in the middle. We have friends on both sides. We have tried to placate both sides. We have tried to keep friendships on both sides.

Somebody had to say something. It is entirely proper that the distinguished Senator from Massachusetts should make the speech he has made this afternoon. I am very happy that the assistant minority leader, the Senator from Illinois [Mr. DIRKSEN] made his remarks, and that our friends, the senior and junior Senators from Kentucky, made their statements and expressed their feelings with respect to what the Senator from Massachusetts had to say.

Therefore I hope that on the basis of the candid and courageous statement made by the Senator from Massachusetts, his speech will be understood in its proper perspective. I am sure he is not trying to tell the French Government or the French people what to do.

Perhaps what he did this afternoon was something which the French people themselves have been unable to do, because of lack of decisiveness, and perhaps because of extreme caution, which has characterized the Government in recent years.

However I point out that perhaps it is not a question of independence for Algeria. The Senator from Massachusetts has stressed the idea of interdependence. One of the great generals of France, Marshal Juin, has come forth with the idea of a federation or a commonwealth status for Algeria. Although it is primarily a French-Algerian question, it is a question which, if not settled, is bound to affect the international relations of other parts of the world, and is something which is bound to affect us considerably. Therefore I hope that not only the Government of France and the people of France, but that the State Department and the administration also, will accept what the Senator from Massachusetts has stated in the spirit in which it was said, and I express the hope that out of this debate there may come a solution acceptable to all sides.

Mr. KENNEDY. I thank the Senator.

THE LOUISIANA DISASTER

Mr. LONG. Mr. President, on Thursday morning the most destructive hurricane in 30 years struck the Louisiana coast. The full fury of the blast struck the shore of Cameron Parish at 8 a. m., several hours before it had been anticipated. The tidal wave accompanying the blast was approximately 13 feet above sea level. In the city of Cameron, at an elevation of approximately 4 feet above sea level and located about 4 or 5 miles from the Gulf of Mexico, the surging current was about 9 feet deep.

In effect, the storm simply made the low marshland prairies a part of the Gulf of Mexico. Human bodies were washed as far as 18 miles inland.

At the time the storm struck, all communications with the coastal area were destroyed. Telephones and radio facilities at the coast were knocked out by power failure; radios in patrol cars were submerged; and radio towers further inland were destroyed.

It was more than 24 hours from the time the storm struck until contact was reestablished and relief was able to reach the coastal towns.

The press of the Nation has informed Americans of the devastation and suffering that accompanied this hurricane.

We are grieved and shocked by the tremendous loss of life and property that has resulted from these hurricane winds and the tidal wave that came in their wake.

For several days, now, our people, aided by civil defense and other emergency forces, have been seeking stranded survivors, treating their wounded, and accounting for their dead and missing in an area estimated to be 95 percent destroyed.

Deaths are estimated to exceed more than 500 in number and the number continues to rise as helicopters and airplanes search the marshlands for bodies.

For several days burials awaited the construction and arrival of caskets. Bodies have been preserved by refrigeration until proper funerals can be arranged. Stark human tragedies have been so tremendous that we have not yet attempted to assess our property damage.

The coastal towns of Cameron, Grand Chenier, Creole, and Pecan Island are practically destroyed. The total population of these towns was about 2,500. Latest estimates indicate that approximately 20 percent of their population is dead. Ohers are threatened with disease and aftereffects of the storm.

Reports of courage, valor, and personal sacrifices, as well as pitiful unsuccessful efforts to save loved ones—the types of things that reach the headlines of newspapers on ordinary days—were so commonplace that they were little noticed.

Cattle have perished by the tens of thousands. Livestock and poultry have been destroyed in untold quantities. Damage to homes and other structures has run into a great many millions of dollars. Rice fields have been flooded by ruinous salt water. The fresh water supply for these crops was cut off by destruction of the power supply for deep wells.

Other cities, towns, and villages have suffered major damage. In Lake Charles the majority of homes sustained damage. In the small city of Eunice, more than a million dollars of storm damage was sustained. In its first inventory, the oil industry assessed its damage in excess of $10 million. Considerable damage has been reported in Lafayette, Morgan City, Opelousas, and other cities and towns removed from the immediate vicinity of the tragedy-stricken area. Little has been said or printed about these inland property damages because of the overshadowing tragedies on the coast.

The hundreds of dead and missing, and the thousands of homeless, cause us to ask whether our Nation can render more effective and direct assistance to the victims of this tragedy.

The work of rehabilitation in Louisiana will be long and tortuous. Those on whom this hurricane struck with such

devastating force are frontiersmen who have struggled against the cruelest of the elements for a lifetime. Had it been otherwise, they would have been less reluctant to abandon their homes and their earthly possessions to seek greater personal safety, thus reducing the death toll.

They will again rebuild their homes and communities and make their contribution to the greatness of their nation. It is because they are such people that I urge this Government to exert every possible means in assisting the citizens of Cameron, Creole, Grand Chenier, Pecan Island, and nearby settlements during this initial period of almost complete helplessness.

Tomorrow, I will go into this area, and personally will attempt to assess the magnitude of the damages, and will confer with those who are in charge of rehabilitation, to see what can most effectively be done to restore these people to a normal way of life in the least possible time.

The National Guard, the Civil Defense Administration, and the Red Cross are providing emergency aid. The Small Business Administration and the Farmers Home Administration will lend money and, help on liberal terms, at low interest rates, to help persons rebuild their businesses and their homes. The Federal Housing Administration will also insure loans for rebuilding housing for as much as 100 percent of the cost of the homes.

The Department of Agriculture will make available surplus foodstuffs for human consumption, and also to help save the livestock.

The Army engineers, the General Services Administration, the Public Roads Administration, and others will help from the Federal level to bring order out of chaos.

Every department of our State government will assist wherever possible. Local citizens from nearby communities are volunteering generous aid.

In spite of all this, however, the survivors of the hurricane disaster will find themselves deeply in debt for many years to come, in order to regain their homes and property values that were lost in the storm on Thursday.

Already we have seen enough to agree upon the wisdom of the many provisions Congress has made to assist in this type of emergency. Few Members of this body or of the House of Representatives would care to backtrack on the established measures presently available. Obviously, more is needed.

A few days ago the House of Representatives eliminated from the budget funds for flood insurance, and today we see by the press that the Federal Flood Indemnity Administration closed shop without issuing a single policy. That penny-wise, pound-foolish m i s t a k e should be corrected as soon as possible. Thereafter, we should explore the possibility of direct Federal grants in situations where insurance fails to provide an adequate answer.

Furthermore, Federal activities in resisting beach erosion should be expanded to assist State and local governments to maintain the beaches of the Nation. This problem is beyond the ability of a single individual or any group of individuals acting together. Our beaches and shorelines are a great national asset. Properly developed, they furnish recreational facilities for the enjoyment and the benefit of the entire Nation. If we are to develop them properly and to protect those who live in the area, we must find ways of insuring their investment and to protect the shoreline from the encroachment of the sea. In these fields, much remains to be done.

Mr. BUSH. Mr. President, will the Senator from Louisiana yield to me?

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Does the Senator from Louisiana yield to the Senator from Connecticut?

Mr. LONG. I yield.

Mr. BUSH. I wish to say to the Senator from Louisiana that I have listened with great sympathy and understanding to the remarks he has made regarding the disaster which has occurred in Louisiana, because it was only 2 years ago that in the State of Connecticut and elsewhere in New England there was a similar, if not quite so severe, disaster. I have an especial interest in the matter, because at Eastertime I told the Senator from Louisiana that I was going to visit that area, and I did; and I went to Cameron, which was struck so severely; I visited Cameron because my son was in business there. The part of his business which was established in Cameron was completely washed out by the flood. However, that reference is purely incidental to the statement I wish to make to the Senator from Louisiana.

In addition to offering my own sympathy and the sympathy of all the people of my State, I should like to say to the Senator from Louisiana and to all those who may hear his statement today or who may read it in the press or elsewhere that the President of the United States has called upon the people of the country to respond to the appeal of the American National Red Cross for assistance in the face of this great disaster. From my own certain knowledge and my own observations and experience, I know that nothing else which can be done at present by persons not connected with the Government or not connected with the actual relief work on the ground can be so useful or so helpful as to support the appeal for funds by the President of the United States so as to enable the American National Red Cross to lend relief and comfort and assistance in the rehabilitation of stricken people in the State of Louisiana.

One is apt to think of the American National Red Cross as an organization which, when disaster strikes, takes to the stricken area a coffee wagon which serves coffee and doughnuts, and also establishes a first-aid station to distribute band-aids, and so forth. However, as a matter of fact, the initial work in dealing with an emergency or great disaster of this kind is but a very small part of the work the American National Red Cross does and has done during the years, in connection with great disasters in various localities. More than 90 percent of the money the Red Cross spends under these circumstances goes to what the Senator from Louisiana has called rehabilitation. The great problem before the people of Cameron and the surrounding area is not to bandage the wounds, but to try to rehabilitate the people, so that they can, as the Senator from Louisiana has said, rebuild their homes and rebuild their lives. That is what the disaster fund of the American National Red Cross must help them to do. It is the only grant-in-aid money which can be given today to the people in that disaster area.

The Senator from Louisiana has made a very fine presentation in recounting the agencies of the French Government which are available under these circumstances; and they will—as they have over the years, in various places—render very valuable service to the Senator's State. But in order for some of the persons in the disaster area to obtain loans, some equity money must be available; and the American National Red Cross is in a position to supply that money, as it has done in hundreds and hundreds of cases in the New England States and elsewhere in the Nation, as I particularly saw done in my own State in 1955.

So I join the Senator from Louisiana in appealing to the people of the United States for sympathy, understanding, and action in connection with the disaster; and I desire to state that the one thing anyone can do, if he wishes to be helpful at this stage of the game, is to contribute to the American National Red Cross.

Mr. LONG. I thank the Senator from Connecticut. As he well knows, the Red Cross is doing a very fine job and is assisting; and we are grateful for all the assistance it is able to render.

Mr. BUSH. I have made this comment because I happen to know that the Red Cross is nearly broke, insofar as funds for this kind of service are concerned. Those funds have been exhausted, due to the rather unusual number and extent of the disasters which have occurred in the past several years. Knowing that, and knowing the urgency of the need for free funds of that kind, which can be given away, I have taken the liberty of asking the Senator from Louisiana to yield to me on this occasion.

Mr. LONG. I certainly urge that those who can do so—and certainly I, myself, shall make a contribution to the Red Cross.

As I have stated, there is much more which can be done at the Government level, and I hope the Government will do all it can. I also hope the Congress will help improve the laws, so as to take care of such emergencies more adequately in the future.

Mr. CHAVEZ. Mr. President, I happen to be chairman of the Committee on Public Works. Many Senators speak about insurance or about what the Red Cross and other agencies should do. Of course such activities are entirely proper. All of us are sympathetic and all of us shed tears—as we should—because of the terrible disaster which has occurred in Louisiana. However, in many in-

stances such disasters should not occur. Instead of providing insurance or shedding tears of sympathy, the disasters should be prevented. The disaster which occurred in Connecticut or the disaster which occurred elsewhere in the New England area could have been prevented if the flood had been prevented.

In the case of the recent disaster in Louisiana, we sympathize very greatly. We wish to do the right thing, and we should contribute to the Red Cross or to any other agency which will help provide some kind of relief.

However, the principal thing is to prevent such occurrences in the future. That is the chief type of insurance we can provide. If we do that, I think we shall be doing the best we can, so far as the Government is concerned.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. LAUSCHE in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

DEFENSE DEPARTMENT APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CLARK in the chair). The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. O'MAHONEY. Mr. President, I desire to discuss an amendment which it is my intention to offer to the bill. The purpose of the amendment is to save a little money by carrying out the unification of the armed services as originally planned, at least with respect to the procurement functions of the Department of Defense.

The bill before the Senate provides appropriations in the amount of $34,534,229,000. I know the country is fully aware of what a billion dollars is. But sometimes I wonder whether Congress understands that a billion dollars is a thousand million dollars, and that $34 billion is 34 thousand million dollars.

If every person on the floor of the Senate this afternoon and every person in the gallery had a million dollars which he could contribute as a free gift to the Treasury of the United States to reduce the national debt, it would not make a dent in that debt.

DEBT WAS REDUCED AFTER WORLD WAR II

The debt of the United States is approximately $275 billion. It has been hovering around that figure ever since, at the conclusion of World War II, the then President of the United States ordered that the entire $20 billion which had been raised by the people of the United States to purchase the last war bond issue should be applied upon the payment of the national debt. That reduced the debt, at the end of World War II, from about $295 billion—almost $300 billion—to $275 billion. There it has stood year after year. Congress has from time to time passed temporary provisions allowing the Government to increase the debt above $275 billion, upon certain conditions that reductions should be made.

THIS IS LARGEST BUDGET EVER PRESENTED EXCEPT IN WARTIME

But this is the fact: We are dealing with a budget which is the largest budget ever presented to Congress by the Executive when the Nation was not involved in a shooting war. The amount provided in the Defense appropriation bill is as I have said, $34,534,229,000.

MUTUAL SECURITY AND DEFENSE COSTS TOTAL ABOUT $43 BILLION

When we shall have passed the appropriation bill to implement the Mutual Security Act, when that authorization law shall have been enacted, the total for mutual security and major defense will amount to about $43 billion. That will be more than 60 percent of the entire expenditures of the Government of the United States for all other purposes.

O'MAHONEY RIDER TO 1953 APPROPRIATIONS BILL WAS NOT ENFORCED

While the committee had the pending measure under consideration, I conferred with members of the task force of the Hoover Commission on the reorganization of the Government, and I read the speech of the majority leader in the House of Representatives, Representative MCCORMACK, of Massachusetts, about the lack of enforcement of a provision of law of which I was the author back in 1952, and which was designed to bring about the unification of the procurement activities for common use items by all of the Department of Defense. So I yielded to the suggestions which came from the Hoover Commission to seek to strengthen that section of the law.

I am referring to section 638 of the Defense Appropriation Act of 1953. The purpose of that section was to provide that the materials needed by each branch of the defense forces, and which were used by all of them, should be purchased noncompetitively by a single purchasing agent, and that the various branches of the Department of Defense should not be competing with one another.

This amendment is a modification of the 1953 rider endorsed by the Hoover Commission.

So the amendment which I offered to the Committee on Appropriations this year was a modification which was endorsed by the Hoover Commission. I gave notice yesterday that it would be my intention, on behalf of myself, of the Senator from Illinois [Mr. DOUGLAS], and of the Senator from Colorado [Mr. CARROLL], to offer that amendment today.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. CHAVEZ. The Senator from Wyoming knows well that I joined in offering the original amendment suggested by the Senator from Wyoming.

Mr. O'MAHONEY. The Senator from New Mexico was kind enough to do that. I know that the Senator from New Mexico gave his valuable aid and assistance to the consideration of that measure.

Mr. CHAVEZ. But I discovered then, as a practical proposition, that notwithstanding the fact that the committee was most anxious to cooperate and agree with the suggestion, it would be legislation on an appropriation bill.

Mr. O'MAHONEY. There is no doubt of that.

Mr. CHAVEZ. Yes, there is no doubt about it. So I suggest that the proposal be brought up through the proper standing committee of the Senate. I am most sympathetic with the Senator from Wyoming, and I would like to go along; but I regret, so far as the appropriation bill is concerned, I cannot do so.

Mr. O'MAHONEY. Mr. President, I can understand why the chairman of the Subcommittee on Defense Appropriations has reached that conclusion. But after the committee acted, there came to my attention two startling reports which indicate very clearly the need of reform in the purchasing activities of the various defense agencies; and I wish to call those facts to the attention of the entire Senate.

Mr. THYE. Mr. President, will the Senator from Wyoming yield to me?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Minnesota?

Mr. O'MAHONEY. I am glad to yield.

Mr. THYE. I hold in my hand a copy of the amendment proposed by the distinguished Senator from Wyoming, and cosponsored by the Senator from Illinois [Mr. DOUGLAS] and the Senator from Colorado [Mr. CARROLL]. I wonder how many additional persons the Department of Defense will employ if the amendment is enacted into law.

Mr. O'MAHONEY. I do not think there will be any real increase in the personnel of the Department of Defense. If the Senator from Minnesota will permit me to continue, before interrogating me about the details regarding the amendment, I wish to discuss the situation which exists. After I have done so, I think possibly he may be willing to concede that there is a real basis for calling the matter to the attention of the Senate at this time.

I am grateful to the Senator from Minnesota, because he was a member of the Defense Appropriations Subcommittee in 1952, when I offered the original

legislative rider, now known as section 638 of the Defense Appropriation Act of 1953; and he was one of those who helped to bring about its enactment. So I am grateful to him for that aid. If he will permit me to have an opportunity to lay before the Senate the additional facts which have come to my attention, I believe he may be willing to support the amendment at this time.

Mr. THYE. Mr. President, I do not wish to intrude——

Mr. O'MAHONEY. The Senator from Minnesota never intrudes.

Mr. THYE. But I should like to ask several questions.

Mr. O'MAHONEY. Will the Senator from Minnesota withhold his questions until I have presented the facts I have obtained?

Mr. THYE. Of course, I shall listen with interest to the presentation the Senator from Wyoming will make, just as—as a member of the Appropriations Subcommittee—I have attended quite a number of the sessions of the committee, in connection with the appropriations for the armed services. I am vitally interested in these matters.

The present amendment of the Senator from Wyoming, identified as "7–1–57–A," interests me very much, and I have tried to study it very carefully. I am alarmed at what we might find to be an additional appendix to an already huge Department of Defense; I believe that is what is likely to happen as a result of the amendment, if it is enacted into law. Certainly most additions of that sort are not needed; and I am afraid that the addition proposed in this case would be found to be a nuisance, rather than a service, to the Department of Defense.

Mr. O'MAHONEY. Mr. President, the Senator from Minnesota is disturbed about what he calls the appendix. I am disturbed about the cancer which is eating into the capital funds of the people of the United States, by means of the waste, extravagance, and competition among departments which should not be competing with one another. That process is resulting in the wasting of billions of dollars. I think I shall be able to demonstrate that to the Senator from Minnesota before I conclude my remarks. Perhaps then he will join me in attacking the cancer, instead of the appendix.

Mr. THYE. Mr. President, the distinguished Senator from Wyoming is most persuasive, but he is not sufficiently persuasive to convince me that there is a cancerous sore in the administrative functioning of the Department of Defense. I think the Department has been administered quite efficiently, under the direction of Charles Wilson and his civilian assistants. I believe there have been able civilian officials who have worked with the Joint Chiefs of Staff, as well. I do not know where we can find better heads for the various divisions of either the Navy, the Air Force, or the Army.

So I shall listen with interest to the presentation the Senator from Wyoming will make, just as I have attended many of the committee sessions.

Mr. O'MAHONEY. Mr. President, I am always happy to yield to the Senator from Minnesota, even when he announces his conclusion before he hears the evidence. [Laughter.]

Mr. President, I hold in my hand a report which was submitted to the House of Representatives on June 10 of this year. It is a report on the measure to continue in effect the provisions of title II of the First War Powers Act, 1941. That measure, which would extend for an additional year the provisions of title II of the First War Powers Act, came to the Senate only last week. It was referred to the Committee on the Judiciary, the committee which in the past has handled such measures. I was amazed when the chairman of the committee handed the report to me and ask me to submit to him an opinion regarding it.

In order to save time, I shall read only excerpts from the report. On the first page I read the following:

Under the provisions of title II, the President may authorize any department or agency of the Government exercising functions in connection with the prosecution of the national defense effort to enter into contracts and into amendments or modifications of contracts and to make advance, progress, and other payments thereon, without regard to the provisions of the law relating to the making, performance, amendment, or modification of contracts, whenever he deems such action would facilitate the national defense, subject, however, to the additional provisions set forth in title II.

WAR POWERS ACT WAS PASSED AS A WAR MEASURE

The original act was passed in 1941. Its purpose was to facilitate the prosecution of the Second World War, and it authorized the waiver of certain very essential housekeeping provisions to protect the money of the people of the United States and to prevent waste and extravagance in the various departments. When Congress passed that law, granting that waiver, it was guided by the belief that it was better to risk such waste and extravagance than to be too late in arming the Nation. But at the present time the United States is not engaged in a shooting war, and at present there is no need for the haste that was needed after the bombs fell on Pearl Harbor. At present there is no need for the sudden appropriation of huge sums of money or to allow the Department of Defense to have discretion regarding how the money will be spent wisely. Therefore, why should the Congress now do what the Department of Defense requests? The United States is not now engaged in war. Why should the Congress provide that the Department of Defense may enter into contracts and amendments or modifications of contracts now existing, and may make advance payments, progress payments, and other payments thereon, without regard to the provisions of the laws which require competitive bidding and require publication and notice with respect to all expenditures?

The requirement to obey those laws is forgiven, because, in the second paragraph of page 2 of the report we find the following language:

The continuation of the effectiveness of these emergency powers has been and will continue to be of important assistance to the authorized departments and agencies of the Government in the prosecution of the national mobilization program.

EMERGENCY POWERS ARE NOT NEEDED NOW

What mobilization program is meant? Why is emergency power needed? We are not in an emergency. The Secretary of the Treasury appears before the Finance Committee and says that under his administration the national debt has been decreased. It has not been decreased. The chairman of that committee, the Senator from Virginia [Mr. BYRD], made it clear, in his interrogation of the Secretary of the Treasury, that the national debt is not being reduced. Why is it necessary to have emergency powers in current procurement activities?

I read now from the report:

Under the act, executive departments and agencies are empowered to amend or modify Government contracts without additional consideration.

The contract has been made. The consideration has been fixed. The Department of Defense may modify the contract, increasing it without additional consideration to the Government of the United States. How can we defend the handling of the financial affairs of the United States in such a loose and extravagant manner? I read again from the report:

Mistakes and ambiguities in contracts may be rectified, and indemnity payments may be guaranteed for otherwise noninsurable risks.

WE MUST EXAMINE CAREFULLY EXPENDITURES OF FUNDS

When the Defense Department comes before the Congress and asks for the continuation of emergency powers dealing with the expenditure of funds which are necessary, it compels us to examine closely the manner in which expenditures are made.

The report continues:

Title II was reactivated for the Korean emergency by the act of January 12, 1951.

WAR POWERS ACT WAS NOT IN FORCE BETWEEN WORLD WAR II AND KOREAN WAR

Notice the word "reactivated." That means that prior to the Korean emergency the War Powers Act had come to an end, but because we were engaged in another shooting emergency, title II was reactivated. Then the report proceeds:

In each Congress thereafter it has been extended. This legislation provides for a 1-year extension of the automatic termination date to June 30, 1953. Of course, in addition to the termination date, there remains the possibility of title II terminating at any time Congress by concurrent resolution or the President designates.

NO HEARING WAS HELD IN ACT EXTENSION

In the same report, there is a letter addressed to the Speaker of the House of Representatives, Mr. RAYBURN, by Mr. W. B. Franke, Acting Secretary of the Navy. There is a copy of the bill to amend the act of January 12, 1951, as amended. We find a letter from Mr. Joseph Campbell, Comptroller General

of the United States, to the chairman of the House Judiciary Committee, Mr. CELLER. We find a letter from Wendell B. Barnes, Administrator of the General Services Administration, to the chairman of the House Committee on the Judiciary. We find another letter from the General Services Administration to the chairman of the House Committee on the Judiciary. All those letters are contained in the House report. They express no opposition to the extension of the act. But the significant thing is that no hearing was held by the Judiciary Committee of the House. Not a word of testimony was taken. Not a single question was asked by a Representative, and the extension of these emergency powers was approved in automatic fashion by the House of Representatives.

Mr. President, I ask unanimous consent that a copy of the report from which I have been reading be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

HÉBERT REPORT CITES WASTE AND EXTRAVAGANCE IN SPENDING

Mr. O'MAHONEY. I had scarcely read the report on the extension of the War Powers Act when all the New York and Washington Sunday papers carried the account of the report submitted by Representative F. EDWARD HÉBERT, of Louisiana, chairman of the Subcommittee for Special Investigations of the Committee on Armed Services of the House of Representatives. This is the same Representative HÉBERT who was head of one of the committees that made the studies which resulted in the adoption of what has been called the O'Mahoney rider in 1952, which has designed to bring about unification of the procurement services.

The Senator from Illinois [Mr. DOUGLAS] yesterday gave the Senate a very clear and extensive review of what has been reported to the Congress and the country by Representative HÉBERT's study. I shall not find it necessary to read further in extenso from the report, but there are several extracts which ought to be made a part of this RECORD.

I read from the first page of the study. It bears the page No. 639 in the subcommittee proceedings No. 3, under the authority of House Resolution 67. I recommend that every person who desires to have an understanding of how the money of the people is being expended wastefully and extravagantly secure a copy of this special report and read it with attention. I read this paragraph:

> On December 16, 1950, President Truman declared a national emergency because of Korean hostilities. Thereupon the Secretary of Defense directed the military departments procure by "negotiation" without regard to the provisions of the act relating to advertised sealed bidding or the other 16 exceptions in the act. Hostilities in Korea were terminated on July 27, 1953. But the Presidential proclamation of a national emergency has not been modified or revoked.

PEOPLE'S MONEY IS STILL BEING SPENT WASTEFULLY

The authority under which these emergency powers were granted has not been modified or revoked, and the money of the people of the United States is still being spent in the extravagant but necessary way that Congress felt could not be avoided during World War II.

On the second page of this document appears a table, to which the Senator from Illinois alluded, and I think inserted in the RECORD, yesterday. This table is a comparison of procurement by negotiation versus advertised competitive bidding during the period January 1, 1956, through September 1956, by dollar value and number of contracts under the Armed Services Procurement Act of 1947.

OVER 90 PERCENT OF OUR MILITARY CONTRACTS WERE NEGOTIATED, NOT ADVERTISED, IN 1956

The negotiated contracts during that period from January 1 to September 30, 1956, amounted in dollar value to $12,716,085,000. The advertised contracts amounted to only $1,111,727,000. In other words, the percentage of negotiated contracts, by dollar volume, was 91.96 percent as compared to 8.04 percent for advertised contracts under the normal law of the Government of the United States.

By number of contracts in the same period, the negotiated contracts numbered 2,731,151, and the advertised contracts numbered only 214,136. In other words, by number 92.73 percent were negotiated contracts and only 7.27 percent were advertised contracts.

RESULT IS CONCENTRATION OF CONTRACTS IN FEW LARGE COMPANIES

Is it any wonder that there is a concentration of Government contracts in the hands of a comparatively small number of large companies? Is it any wonder that small companies are finding it difficult to get contracts?

The contracts are not advertised, and after they have been awarded they can be changed until the 30th of June 1958, when the extension of the War Powers Act will expire. It remains to be seen what Congress at this session will do about that extension.

RECOMMENDS THAT ACT NOT BE EXTENDED

For my part, I submitted my report to the chairman of the Committee on the Judiciary of the Senate and recommended that the act should not be extended. Perhaps I should read that letter into the RECORD at this point. It is addressed to the Honorable JAMES O. EASTLAND, and is dated July 1, 1957.

> DEAR JIM: You will remember that on Friday last you requested me to look into the extension of title II of the First War Powers Act of 1941 which has passed the House and is now pending before the Judiciary Committee. Title II of the act is a broad delegation of authority to the President or any department or agency of the Government performing functions for the prosecution of the defense effort and should not, in my opinion, be approved by the Senate committee without a hearing.
>
> By Executive Order No. 10210 of February 2, 1951 (16 F. R. 1049), the powers granted by the act were delegated to the Secretary of Defense. Paragraph 4 of this order recites that the Department may "amend or settle claims under contracts heretofore or hereafter made, * * * may make advance, progress, and other payments upon such contracts of any per centum of the contract price—"

I ask Senators to note the words "any per centum."

I continue to read the letter:

> "and may enter into agreements with contractors or obligors, modifying or releasing accrued obligations of any sort."
>
> This latter grant of power is so broad that it is defined in the Executive order so as to include "accrued liquidated damages or liability under surety or other bonds."
>
> More than that, amendments and modifications of contracts may be made "with or without consideration."
>
> Equally important is the fact that paragraph 5 of the Executive order provides that advertising, competitive bidding, and bid, payments, performance, or other bonds or other forms of security need not be required.

Imagine! The Defense Department demands continued authority to make contracts without any obligation to require security and performance bonds.

> In a special report of the Subcommittee for Special Investigations of the House Committee on Armed Services, of which Congressman F. EDWARD HÉBERT, of Louisiana, is chairman, the charge is made that over 90 percent of the military business is now being conducted by secret negotiations without competitive bidding. It is stated that during 9 months of the year 1956 expenditures amounting to more than $5.3 billion were contracted on the basis of the Korean national emergency procurement of December 16, 1950, although this basis had been set aside by Armed Services Procurement Regulation 3-201.2 (b).

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a question?

Mr. O'MAHONEY. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. Is the Senator able to state whether or not the figure cited, of ninety-some percent of the procurement by negotiation, is limited to the procurement of supplies and weapons systems, or whether it includes construction?

Mr. O'MAHONEY. I think it applies to all expenditures.

Mr. CASE of South Dakota. I doubt that it applies to construction. I know, in working on the military construction items, we had some discussion of that point.

Mr. O'MAHONEY. Let me read what the report of the House committee said on that very point. It is very important. I know only what I read in the reports of Senate and House committees, and in the newspapers, what I hear on the radio, and what I see on television. I was not there when the report was written.

Mr. CASE of South Dakota. A paragraph is carried in the annual military construction bill which is directly on this point.

Mr. O'MAHONEY. I wish to read exactly what the House committee said.

Mr. CASE of South Dakota. There are some exceptions provided for, and I should like to know if the exception clause is used to such an extent that 90 percent is accomplished without competitive bidding. I will be surprised if that is true.

Mr. O'MAHONEY. I will read from the summary and conclusions drawn by the House committee, from page 683 of the report I have already mentioned. This is the paragraph from which I took the language that I put into the letter to the Senator from Mississippi [Mr. EASTLAND]:

In 9 months of 1956, notwithstanding the Armed Services Procurement Regulation 3-201.2 (b), 38.94 percent of Department of Defense dollars amounting to $5,312,515,000 was contracted for, using as the legal basis the Korean national emergency proclamation of December 16, 1950. That was 84,410 contracts. This action was taken after the information given to the committee in January 1956.

I invite the Senator's attention to this language, from page 682:

We note that the Armed Services Procurement Act became effective in May 1948, and was suspended in December 1950. It had a little over 2 years of actual usage. Since the suspension and the directive of the Department of Defense of October 28, 1955, effective January 1, 1956, adherence to the language of the act was enjoined and simulated by regulation. The reports which we have published herein show that this regulation has been wholly ineffective, that it is in fact being flouted, and that still more than 90 percent of the purchases are accomplished almost in defiance of the act.

That is the 90 percent to which I referred in my letter to the chairman of the Judiciary Committee, and it obviously relates to purchases, and probably does not involve construction.

I note that under the heading "table A" there is a table entitled "Construction Program, 2304 (c) Included," which lists the Corps of Engineers and the Bureau of Yards and Docks of the Navy. The table refers to construction. I am happy to be able to say to the Senator that, so far as the construction program is concerned, the negotiated contracts for both services amount to 28.67 percent, and the number of advertised contracts for construction to 71.33 percent. So while, with respect to purchases, the 90 percent plus figure applies, it does not apply with respect to construction.

However, I submit that when 28.67 percent of the construction program for both the Army and Navy is carried on by negotiated bids, there is reason for concern by the Congress. The amendment which I am offering, however, does not refer to construction. It refers to the procurement of items of common need in all the services of the Department of Defense.

Mr. CASE of South Dakota. I think a useful purpose has been served by having this point clarified.

Mr. O'MAHONEY. I think so.

Mr. CASE of South Dakota. I agree with the Senator that even if 28 percent of the contracts for construction are accomplished by negotiation, that, of itself, warrants concern. I mention the matter at this time because I note the presence in the Chamber of the chairman of the subcommittee, the distinguished Senator from Mississippi [Mr. STENNIS]. As he knows, yesterday afternoon when we were going over certain provisions in the military construction bill, we discussed this particular point. We were wondering if the language should not be tightened in order to restrict the exceptions which have been permitted under statutory law.

Mr. O'MAHONEY. I am glad the Senator has addressed these questions to me, because I think it is important that the committee should consider this subject.

Mr. CASE of South Dakota. I would have been shocked if the 90-percent figure could have been applied to construction.

Mr. O'MAHONEY. But is it not shocking that the figure of 90-percent plus is the figure for procurement of common use items?

Mr. CASE of South Dakota. It is certainly far too high. I hope the appropriate subcommittee of the Armed Services Committee will go into the subject, just as our subcommittee has gone into the subject of construction.

Mr. O'MAHONEY. I have been hoping that the Appropriations Committee, first, and then the Senate, would adopt my amendment, so that there would be opportunity to go into the subject now instead of later.

Mr. CASE of South Dakota. I think it is understandable that there may be certain instances in which we are dealing with construction, such as the Dew Line, or similar construction in a foreign country, with respect to which it might be found that negotiation would be the only way a contract could be accomplished. Even in that field, speaking on the basis of my own personal studies of this subject, going back to 1953, when our subcommittee inspected certain construction overseas, we thought there had been entirely too much negotiation of contracts.

Mr. O'MAHONEY. I know by experience how diligent the Senator from South Dakota has been in the examination of requests from the Department of Defense for appropriations.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the distinguished Senator from Mississippi.

Mr. STENNIS. Concerning the question raised by the distinguished Senator from South Dakota [Mr. CASE], with reference to military construction and whether or not there were competitive bids, let me say that we have before our subcommittee certain figures which were furnished quite recently by the Assistant Secretary of Defense, Mr. Bryant. I know that the figures were carefully collected, and I feel that they are correct.

Mr. Bryant made the statement in our hearing that, as of December 31, 1956, for the preceding calendar year contracts had been let for military construction totaling $1,169,066,300. We were informed that contracts representing 93 percent of that sum were formally let on competitive bids.

As the Senator from South Dakota has said, there is in the military construction bill a section providing that construction contracts must be let by competitive bids. That provision was carried in the bill last year, and it will be in the bill which will be presented in a few days.

There is also included the qualifying language "wherever practicable." We have been checking that feature since this subject was under discussion yesterday afternoon. I am told that that language covers only projects which, for security reasons, are on a secret basis, and that otherwise competitive bidding is used.

I furnish that information for the benefit of the Senator from Wyoming and the information of the Senate. I do not believe that the figures which I have given coincide with others which have been quoted. However, this information comes from the Assistant Secretary of Defense, and it covers construction. The information was given in his recent appearance before our committee.

Mr. O'MAHONEY. The figures which the Senator from Mississippi has just given, as he says, do not apply to the same period mentioned in the House committee report. In this report construction contracts issued during the 9-month period in 1956, from the first of January of that year to the end of September, amounted to $1,385,220,000 for the Corps of Engineers, and $510,859,000 for the Bureau of Yards and Docks of the Navy.

For the Corps of Engineers the percentages were 25.99 percent by negotiation, and 74.01 percent by advertising for bids. For the Navy, Bureau of Yards and Docks, 35.92 percent by negotiation, and 64.08 percent by advertising for bids. Again I call attention to the fact that the amendment which is now before the Senate does not deal with construction, but with procurement.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I am glad to yield.

Mr. CASE of South Dakota. Do those percentages apply to numbers of contracts or to dollar values?

Mr. O'MAHONEY. I gave both. I gave the percentages as to dollar value and as to numbers of contracts.

Before the Senator came on the floor I read the percentages by number of contracts. These appear on page 641 of the report of the Subcommittee for Special Investigations of the House. I recommend a copy of the report to the Senator. The total number of contracts issued during this period, the same 9-month period, was 2,945,287.

Negotiated were 2,731,151; advertised were only 214,136, a percentage of 92.73 percent for the negotiated contracts, and only 7.27 percent for the advertised contracts.

Mr. CASE of South Dakota. Of course, the Senator, in using the 90-percent figure, is going back to procurement purchases.

Mr. O'MAHONEY. Oh, yes; of course.

Mr. CASE of South Dakota. And the Senator is not dealing with construction.

Mr. O'MAHONEY. Oh, yes. In the same tables are figures for the construction program. There the total percentage for construction was 73.02 percent, for both the Army and the Navy, by negotiation, and the advertised portion was 26.98 percent.

The Senator will note that there is a great difference between what the Corps of Engineers was doing and what the

Bureau of Yards and Docks of the Navy was doing. With respect to the Corps of Engineers, 76.67 percent of their contracts were negotiated, and only 23.33 percent were advertised; whereas, with respect to the Navy, 22.24 percent were negotiated, and 77.76 percent were advertised.

Mr. CASE of South Dakota. I suppose, to follow that situation through, we ought to have a hearing at which the representatives would go into the nature of those contracts. The Bureau of Yards and Docks does have the responsibility of the construction for the Air Force in Spain. Normally our overseas construction has been done by the Corps of Army Engineers. However, following the experience we had in Africa, which was brought to the attention of the Senate in 1953, the Bureau of Yards and Docks of the Navy have been given the responsibility for the construction jobs in Spain.

NEGOTIATION IS NOT WAY TO TRANSACT PUBLIC BUSINESS

Mr. O'MAHONEY. I am not discussing the construction. I am discussing procurement. I wish to read from page 333 of the report a very interesting comment of the House subcommittee:

> The Deputy Director of Procurement for the Air Force calls negotiation "an art," where meaning may be "conveyed by the blinking of an eye or the shading of a statement."
>
> That is not the way—
>
> Says the committee—
>
> to transact the public business. We condemn excessive use of negotiation. We condemn it as a breeding place for suspicion and fraud. We condemn it as a shield for mischief. We accept it only when no other course is possible in order to make certain that which was before uncertain.

I do not believe anyone can disagree with that effective statement of the House special investigations committee.

Mr. CASE of South Dakota. I wish to associate myself with the Senator from Wyoming in saying that I am sure no Member of Congress defends negotiation where the obtaining of a bid is possible and practical.

Mr. THYE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. THYE. I, too, wish to be very emphatic in my statement that I do not condone entering into contracts by negotiation if competitive bids can be called for. I have always had the impression that the military operated under competitive bid system in all instances——

Mr. O'MAHONEY. The Senator sees the record now and realizes that that is not the case.

Mr. THYE. Yes. It has been my understanding that these contracts have always been subject to bids, unless it was a classified construction or something that involved classified matter.

NEGOTIATION HAS BECOME SUBSTITUTE FOR COMPETITIVE ADVERTISING BIDS

Mr. O'MAHONEY. I regret to say that the investigating subcommittee of the House has not come to that conclusion. It has come to the completely contrary conclusion, that purchasing is going on under the emergency proclamation made specifically for the Korean emergency, although the emergency does not exist, and that negotiation of construction and purchases has by far become a substitute for competitive advertising bids.

On page 683 the subcommittee stated:

> We call attention to the power delegated to Congress by the Constitution in section 8 of article I: "To make Rules for the Government and Regulation of the land and naval Forces;"
>
> Yet, today, there is in fact no law specifically dealing with the method of purchasing by the military departments as intended by the Congress when it passed the Armed Services Procurement Act of 1947.

HOUSE COMMITTEE UNANIMOUS IN REPORTING WASTEFUL PROCEDURES

That is the record before us. That is the reason why I have ventured to take the time of the Senate this afternoon to urge consideration of the amendment. It is a matter of paramount importance. We talk about balancing the budget. We talk about saving the money of the taxpayers. We talk about our desire to be careful in the use of the funds that belong to the people of the United States. Yet the cold facts before us are indisputable, with no contrary views by any minority of the committee. The whole committee joined in the report. Let me read the names of the members of the committee. There are no minority views. The Subcommittee for Special Investigations consisted of F. EDWARD HÉBERT, Louisiana, chairman; OVERTON BROOKS, Louisiana; L. MENDEL RIVERS, South Carolina; O. C. FISHER, Texas; PORTER HARDY, JR., Virginia; GEORGE P. MILLER, California; WILLIAM E. HESS, Ohio; LEON H. GAVIN, Pennsylvania; PAUL CUNNINGHAM, Iowa; WILLIAM H. BATES, Massachusetts; FRANK C. OSMERS, JR., New Jersey; ex officio, CARL VINSON, Georgia, and LESLIE C. ARENDS, Illinois.

UNIFORM REGULATIONS FOR PROCUREMENT NEEDED

On page 690, we find this quotation:

> In the course of this report, we have had occasion to comment upon the variety of regulations, instructions, and directives issued for the guidance of contracting officers. The Department of Defense, we feel, was charged with introducing harmony and consistency into the national defense system. Without laboring the point, it is our belief that the Secretary of Defense must, by law, be directed to undertake the establishment of uniform regulations dealing with the whole subject of procurement, and eliminate the confusing, overlapping, and unnecessary departmental directives, instructions, and regulations in so many fields.

AMENDMENT CALLS FOR FULLY INTEGRATED SUPPLY SYSTEM

That is precisely what the amendment offered by the Senator from Illinois [Mr. DOUGLAS], the Senator from Colorado [Mr. CARROLL], and myself would do. It would provide the following objectives.

The PRESIDING OFFICER. Does the Senator from Wyoming desire to call up his amendment?

Mr. O'MAHONEY. In a moment.

First, the amendment directs the Secretary of Defense to take action to achieve economy, efficiency, and effectiveness in the noncombatant areas within and among the agencies of the Department of Defense.

Second, the Secretary of Defense is given the authority to organize and reorganize the noncombat functions and operations so as to accomplish the purposes of the act.

Third, the Secretary is authorized to transfer such property, records, personnel, and funds, and so forth, as may be required to accomplish the purposes of the act. For example, the various stock fund operations may be merged where they duplicate or overlap.

Fourth, subsection (b) of the amendment deals specifically with the supply management area and is an expansion of my original amendment. It calls for a fully integrated supply system and requires the President to submit his recommendations to this effect to Congress within 180 days after the enactment of the act.

The proposal calls for a civilian-managed agency to be under the direction of the Secretary of Defense. The agency will not be a fourth department as such; it will serve all departments and should be in the Office of the Secretary of Defense and be responsive to the Secretary of Defense for supply and logistics.

PREFERMENT GIVEN TO BLACKLISTED CONTRACTOR

That, Mr. President, is the purpose of the amendment. I wish, however, to call attention to a statement which was issued by the able and distinguished senior Senator from Arkansas [Mr. MCCLELLAN], who is the chairman of the Permanent Subcommittee on Investigations, and also the chairman of the Committee on Government Operations. This is an extraordinary revelation of preferment given to a blacklisted contractor. I am reading, now, the words of the Senator from Arkansas in the release which he issued for Sunday morning, June 30, 1957:

> The staff of the Senate Permanent Subcommittee on Investigations has made a preliminary inquiry concerning the sale of demilitarized surplus combat vehicles by the Army to the United Auto Parts Co., Inc., of Kansas City, Mo., and its affiliate, the Texarkana Truck Parts Co., Texarkana, Tex., and the subsequent resale of those vehicles, remilitarized, to the Government of France by the purchaser at an exorbitant profit.
>
> In the spring of 1954, United Auto Parts Co., Inc., and its affiliate, Texarkana Truck Parts Co., purchased 379 of these surplus armored cars from the Army Ordnance at the Red River Arsenal, at Texarkana, Tex. They paid an average price of $375 per vehicle. At the time of the purchase of these vehicles, certain demilitarization provisions, as well as certain scrap warranties were stipulated in the contract of sale. The Army did in fact cut out a piece of the turret and remove part of the armor plate from these cars. United Auto Parts Co., Inc., rebuilt these light armored cars to military specifications despite the provisions in the contract. They then sold 350 rebuilt combat vehicles to the French Government at the average price of $3,675 per vehicle. They thus realized a total income of $1,286,250 from this sale to France. The original purchase price from the Army was approximately $140,000.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. DOUGLAS. The Senator from Wyoming has just read some shocking and scandalous figures.

Mr. O'MAHONEY. On the authority of the Senator from Arkansas [Mr. McCLELLAN].

Mr. DOUGLAS. If France needed those vehicles, as I assume France did, why should not those orders have been placed with the United States Government and the armored cars sent directly to France under military aid and mutual security?

Mr. O'MAHONEY. We have a law on the statute books providing for mutual security and providing for military grants and military aid. Of course it could be done. The Senate has already passed a new authorization bill for the same purpose. The House is about to act upon it. Of course it could be done. But instead of doing so, it appears from the rest of the statement that these contractors, who had been blacklisted because of a former performance——

Mr. DOUGLAS. That is, blacklisted by whom?

Mr. O'MAHONEY. By the Army.

Mr. DOUGLAS. And then the Army sold the cars to the contractor at a price of a little more than $300 a car, and the contractor immediately sold them to France for over $3,000 a car.

Mr. O'MAHONEY. The sales price to France was $3,576 each. The price at which the Government of the United States sold the cars to the United Auto Parts Co., Inc., was $375 a vehicle.

Mr. DOUGLAS. Does the Committee on Government Operations indicate who authorized that sale?

Mr. O'MAHONEY. The statement does not appear to contain that information. The concluding paragraph reads as follows:

As a result of the aforementioned transactions, many questions have arisen, the answers to which this subcommittee seeks. However, during the course of our preliminary inquiry, a civil complaint was filed by the Department of Justice in the United States District Court for the Western District of Missouri against United Auto Parts Co., Inc., and certain of its officers to recover double damages of $1,172,741.50 in connection with the sale of these particular remilitarized armored cars to France. This civil action embraces in essence the matters I have related. The subcommittee, not wishing to interfere with this action brought by the executive branch of the Government, has deferred its investigation until such time as the civil suit filed by the Department of Justice has been resolved.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I am glad to yield.

Mr. DOUGLAS. Must not the Army, when it sold the armored cars to this company, have known that the cars would be purchased only for resale? One does not buy armored cars in such quantities as this for domestic use. It was military equipment; is not that correct?

Mr. O'MAHONEY. I think it was the suspicion of the committee that that was known to the Department of the Army when the cars were declared surplus.

Mr. DOUGLAS. But instead of the cars being sold or given directly to our ally under mutual security, they were sold to a dealer who had been blacklisted for improper dealings with the Government, and the company resold them for ten times the purchase price and made more than a million dollars profit.

Mr. O'MAHONEY. Let me read to the Senator another paragraph from the statement:

In the fall of 1954, United Auto Parts Co., Inc., was placed on the suspended bidders list by the Department of the Army for a totally unrelated transaction. Since that time, all of its affiliates, including American Auto Parts Co., have been placed on the suspended list.

In the spring of 1956, application was made by the French Government for an export license to ship 350 of these remilitarized vehicles to Algiers, Algeria. The Department of Defense objected to granting of this license because United Auto Parts Co., Inc., had acquired these cars in a demilitarized state and rearming them would be contrary to the Department of Defense and Department of the Army directives.

Now listen to this:

STATE DEPARTMENT KNEW WHAT WAS GOING ON

The State Department at this time was well aware that this company was the seller of the cars to France and was on the suspended list. The Defense Department, at the specific request of the Department of State, removed its objection and the cars were shipped to Algeria.

In 1955, despite the fact that they were on the Army's suspended bidders list, United Auto Parts Co., Inc., was successfully awarded two contracts for miscellaneous truck parts by the Army at Red River Arsenal, Texarkana, Tex.

Mr. President, I ask unanimous consent that the entire statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SENATOR MCCLELLAN'S STATEMENT

Senator JOHN L. MCCLELLAN (Democrat, of Arkansas) chairman of the Senate Permanent Subcommittee on Investigations, announced:

"The staff of the Senate Permanent Subcommittee on Investigations has made a preliminary inquiry concerning the sale of demilitarized surplus combat vehicles by the Army to the United Auto Parts Co., Inc., Kansas City, Mo., and its affiliate, the Texarkana Truck Parts Co., Texarkana, Tex., and the subsequent resale of these vehicles, remilitarized, to the Government of France by the purchaser at an exorbitant profit.

"In the spring of 1954, United Auto Parts Co., Inc., and its affiliate, Texarkana Truck Parts Co., purchased 379 of these surplus armored cars from the Army Ordnance at the Red River Arsenal at Texarkana, Tex. They paid an average price of $375 per vehicle. At the time of the purchase of these vehicles, certain demilitarization provisions, as well as certain scrap warranties, were stipulated in the contract of sale. The Army did in fact cut out a piece of the turret and remove part of the armor plate from these cars. United Auto Parts Co., Inc., rebuilt these light armored cars to military specifications despite the provisions in the contract. They then sold 350 rebuilt combat vehicles to the French Government at the average price of $3,675 per vehicle. They thus realized a total income of $1,286,250 from this sale to France. The original purchase price from the Army was approximately $140,000.

"In the fall of 1954, United Auto Parts Co., Inc., was placed on the suspended bidders list by the Department of the Army for a totally unrelated transaction. Since that time, all of its affiliates, including American Auto Parts Co., have been placed on the suspended list.

"In the spring of 1956, application was made by the French Government for an export license to ship 350 of these remilitarized vehicles to Algiers, Algeria. The Department of Defense objected to granting of this license because United Auto Parts Co., Inc., had acquired these cars in a demilitarized state and rearming them would be contrary to the Department of Defense and Department of the Army directives. The State Department at this time was well aware that this company was the seller of the cars to France and was on the suspended list. The Defense Department, at the specific request of the Department of State, removed its objection and the cars were shipped to Algeria.

"In 1955, despite the fact that they were on the Army's suspended bidders list, United Auto Parts Co., Inc., was successfully awarded two contracts for miscellaneous truck parts by the Army at Red River Arsenal, Texarkana, Tex.

"On July 6, 1956, while on this suspended bidders list, American Auto Parts Co., an affiliate of United Auto Parts Co., Inc., was awarded a contract by General Services Administration for the purchase of a surplus armorplate plant at Gary, Ind. The amount of this transaction was $3,260,000.

"In July 1956, the manager of Texarkana Truck Parts Co., realizing his firm was on the suspended bidders list, sent his secretary to Red River Arsenal to submit a bid in her own name. The secretary was successful in purchasing two trucks which were paid for by the Texarkana Truck Parts Co.

"As a result of the aforementioned transactions, many questions have arisen, the answers to which this subcommittee seeks. However, during the course of our preliminary inquiry, a civil complaint was filed by the Department of Justice in the United States District Court for the Western District of Missouri against United Auto Parts Co., Inc., and certain of its officers to recover double damages of $1,172,741.50 in connection with the sale of these particular remilitarized armored cars to France. This civil action embraces in essence the matters I have related. The subcommittee, not wishing to interfere with this action brought by the executive branch of the Government, has deferred its investigation until such time as the civil suit filed by the Department of Justice has been resolved."

Mr. DOUGLAS. Mr. President, I am sure that the Senator from Wyoming agrees with me that apparently this is one of the most scandalous transactions of which American history has record.

SUCH SCANDALOUS TRANSACTIONS RESULT FROM NEGOTIATING PROCEDURE

Mr. O'MAHONEY. It is amazing beyond belief. But this is the sort of thing which occurs under the shield of secrecy which is afforded by the practice of negotiating contracts, instead of letting contracts openly, by competitive bidding, as the law requires. I am amazed at what has been revealed to me.

I say to the Senate this afternoon I have produced evidence regarding the request of the Department of Defense for an extension for another year of the provisions of title II of the First War Powers Act of 1941. Certainly there is no reason to do that except to provide the right to award negotiated contracts and to amend such contracts and to waive liquidated damages.

Mr. DOUGLAS. I hope the Senator from Wyoming will use his great influence both in the Judiciary Committee and in the Senate to prevent the extension of that act, thus preventing granting authority to negotiate contracts.

Mr. O'MAHONEY. I have already made that recommendation to the chairman of the Judiciary Committee. In that connection, Mr. President, I ask unanimous consent that my letter to him be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 1, 1957.

The Honorable JAMES O. EASTLAND,
Chairman, Judiciary Committee, United States Senate, Washington, D. C.

DEAR JIM: You will remember that on Friday last you requested me to look into the extension of title II of the First War Powers Act of 1941 which has passed the House and is now pending before the Judiciary Committee. Title II of the act is a broad delegation of authority to the President or any department or agency of the Government performing functions for the prosecution of the defense effort and should not, in my opinion, be approved by the Senate committee without a hearing.

By Executive Order No. 10210 of February 2, 1951 (16 F. R. 1049) the powers granted by the act were delegated to the Secretary of Defense. Paragraph 4 of this order recites that the Department may "amend or settle claims under contracts heretofore or hereafter made * * * may make advances, progress, and other payments upon such contracts of any percent of the contract price * * * and may enter into agreements with contractors or obligors, modifying or releasing accrued obligations of any sort."

This latter grant of power is so broad that it is defined in the Executive order so as to include "accrued liquidated damages or liability under surety or other bonds."

More than that, amendments and modifications of contracts may be made "with or without consideration."

Equally important is the fact that paragraph 5 of the Executive order provides that advertising, competitive bidding, and bid, payments, performance, of other bonds or other forms of security need not be required.

In a special report of the Subcommittee for Special Investigations of the House Committee on Armed Services, of which Congressman F. EDWARD HÉBERT, of Louisiana, is chairman, the charge is made that over 90 percent of the military business is now being conducted by secret negotiations without competitive bidding. It is stated that during 9 months of the year 1956 expenditures amounting to more than $5.3 billion were contracted on the basis of the Korean national emergency procurement of December 16, 1950, although this basis had been set aside by armed services procurement regulation 3-201.2 (b).

It would appear by this report that under the cover of secrecy favored contractors may be receiving substantial awards without competitive bidding which, of course, results in excluding many contractors from participation in the awards of the Department of Defense.

In the light of the report of the Subcommittee for Special Investigations of the House Armed Services Committee and in the light of the fact that no hearings were held in the Judiciary Committee of the House on the bill extending title II of the First War Powers Act of 1941, I most earnestly recommend that no action be taken by the Senate Judiciary Committee without hearings.

Sincerely yours,

JOSEPH C. O'MAHONEY.

EVIDENCE POINTS TO NEED FOR AMENDMENT

Mr. O'MAHONEY. Mr. President, I have called attention to the three items of solid proof of waste, extravagance, and recklessness in the handling of the property and the money of the people of the United States: First, in connection with the request for the extension of title II of the War Powers Emergency Act, when there is no emergency of such a character as would authorize the extension of those powers; and, second, I have called attention to the report of the special investigating committee of the House Armed Services Committee, on the waste in the procurement activities of the Department of Defense and the terrific favoritism which is extended in connection with the negotiation of contracts, instead of having the contracts subject to competitive bidding; and, finally, I have submitted the statement of the chairman of the Government Operations Committee with respect to the sale of military trucks to a purchaser who is on the suspended list, and who, after purchasing the trucks for $375 each, sold them to the Government of France for $3,675 each, after doing some work upon them.

Mr. President, it seems to me that this evidence makes it conclusive that the Senator who is in charge of the bill should at least take the amendment to conference.

FORMER PRESIDENT HOOVER ENDORSES AMENDMENT

I now walk amiably over to the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL], the acting minority leader. He is a member of the Appropriations Committee, and he is also a member of the Armed Services Committee. In my experience when I was a member of the Armed Services Committee, he was a diligent member of that committee, in seeking to save money for the people of the United States. I beg him now to join with the Hoover Commission in recommending the taking of the action I now propose. I now stand on the Republican side of the aisle. Mr. Hoover, who was once a Republican President, would, if he were a Member of the Senate, stand on this side of the aisle; and I tender to the Senator from Massachusetts the request of Herbert Hoover, formerly President of the United States, to do something about the enactment of this amendment.

SUPPORT COMES FROM INDUSTRY, BUSINESS, THE MILITARY, AND PROFESSIONS

I should like to read to the Members of the Senate from the list of persons who have endorsed this proposed legislation. It has awakened a great deal of interest on the part of persons who should know about this matter. This is a list of industrialists, business, military, and professional men from the membership of the task forces of the Hoover Commission who support a separate, integrated supply system for the Department of Defense, under civilian control, and reporting to the Secretary of Defense. That is what I propose. I now read from the list:

Joseph P. Binns, New York, executive; colonel, Army Air Force in World War II; chief of supply and service, ATC of the Army Air Force in Europe; now vice president, Hilton Hotels Corp.

George C. Brainard, Cleveland, Ohio, executive; served with Army Ordnance department in both world wars; later with Office of Production Management and War Production Board; now chairman of the executive committee, Addressograph-Multigraph Corp.

Howard Bruce, Baltimore, director of materiel, Army Service Forces, World War II; Deputy Administrator, Economic Cooperation Administration, chairman of the board, Worthington Corp., New York.

Michael DeBakey, Houston, Tex., surgeon; formerly surgeon in chief, Jefferson Davis Hospital and Methodist Hospital, Houston; consultant to Veterans' Administration; colonel, Medical Corps, United States Army, World War II, now chairman, department of surgery, Baylor University, College of Medicine.

Frank M. Folsom, New York, executive; formerly vice president and director, Montgomery Ward & Co.; during World War II served as member of National Defense Council and as special assistant to the Under Secretary of the Navy; formerly president and now chairman of the executive committee, Radio Corporation of America.

Paul Grady, New York, certified public accountant; served on various committees of the American Institute of Accountants; during World War II served in Navy Department in development of the Navy's Cost Inspection Service; now partner in firm of Price Waterhouse & Co.

Leroy D. Greene, Bethlehem, Pa.: executive; formerly with Bethlehem Steel Co.; member of Somervell mission to Europe on disposition of war scrap; also member of ECA missions in 1948 and 1949 looking into disposition of German scrap; consultant to Office of Defense Mobilization.

Joseph B. Hall, Cincinnati, Ohio; executive; member, Business Advisory Council, Department of Commerce; former chairman, Commercial Activities Advisory Committee on Fiscal Organization and Procedures, Department of Defense; now president of the Kroger Co.

Clifford E. Hicks, New York, civil engineer; former member, Munitions Board Storage and Handling Industry Advisory Committee, Now president, New York Dock Co. and New York Dock Railway.

Charles R. Hook, Middletown, Ohio, executive; chairman, ARMCO Steel Corp. Served in Department of Defense and other Government activities during World War II; member, Business Advisory Council, Department of Commerce.

Mervin J. Kelly, Short Mills, N. J., research engineer; formerly physicist with Western Electric Co.; served on various governmental committees; formerly physicist, now president, Bell Telephone Laboratories.

Arthur F. King, San Francisco, Calif., publisher; formerly with McGraw-Hill Publishing Co.; now president, King Publications.

John R. Lotz, New York, executive; former chairman of board, Stone & Webster Engineering Corp.; Industrial Advisory Committee for revision of reparations and dismantling plants in Germany; retained by Secretary of War to report on impact and reparations on Japan, and by Government of Iran to study necessity for and implementation of its 7-year development plan.

George Houk Mead, Dayton, Ohio, executive; member and chairman, Business Advisory Council, Department of Commerce; various Government boards and commissions during World War II; member, first Hoover Commission; now chairman of the board, Mead Corp.

Ben Moreell, Pittsburgh, Pa., civil engineer. Admiral United States Navy (retired); served in Navy from 1917 to 1947; during World War II, chief, Bureau of Yards and Docks, and employed in many other Government activities; now chairman of the board, Jones & Laughlin Steel Corp.

Mr. President, I shall not read further from the list; instead, I ask unanimous

consent that the entire list of these persons, who have endorsed this amendment, be printed at this point in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

INDUSTRIALISTS, BUSINESS, MILITARY, AND PROFESSIONAL MEN FROM THE MEMBERSHIP OF THE TASK FORCES OF THE HOOVER COMMISSION WHO SUPPORTED A SEPARATE INTEGRATED SUPPLY SYSTEM FOR THE DEPARTMENT OF DEFENSE—UNDER CIVILIAN CONTROL AND REPORTING TO THE SECRETARY OF DEFENSE

Joseph P. Binns,[1] New York, executive; colonel, Army Air Force in World War II; Chief of Supply and Service, ATC of the Army Air Force in Europe; now vice president, Hilton Hotels, Corp.

George C. Brainard, Cleveland, Ohio; executive; served with Army Ordnance Department in both World Wars; later with Office of Production Management and War Production Board; now chairman of the executive committee, Addressograph-Multigraph Corp.

Howard Bruce, Baltimore, director of materiel, Army Service Forces, World War II; Deputy Administrator, Economic Cooperation Administration; chairman of the board, Worthington Corp, New York.

Michael DeBakey, Houston, Tex., surgeon; formerly surgeon-in-chief, Jefferson Davis Hospital and Methodist Hospital, Houston; consultant to Veterans' Administration; colonel, Medical Corps, United States Army, World War II; now chairman, Department of Surgery, Baylor University, College of Medicine.

Frank M. Folsom, New York, executive; formerly vice president and director, Montgomery Ward & Co.; during World War II served as member of National Defense Council and as special Assistant to the Under Secretary of the Navy; formerly president and now chairman of the executive committee, Radio Corporation of America.

Paul Grady,[1] New York, certified public accountant; served on various committees of the American Institute of Accountants; during World War II served in Navy Department in development of the Navy's Cost Inspection Service; now partner in firm of Price Waterhouse & Co.

Leroy D. Greene, Bethlehem, Pa., executive; formerly with Bethlehem Steel Co.; member of Somervell Mission to Europe on disposition of war scrap; also member of ECA missions in 1948 and 1949 looking into disposition of German scrap; consultant to Office of Defense Mobilization.

Joseph B. Hall,[1] Cincinnati, Ohio, executive; member, Business Advisory Council, Department of Commerce; former Chairman, Commercial Activities Advisory Committee on Fiscal Organization and Procedures, Department of Defense; now president of the Kroger Co.

Clifford E. Hicks, New York, civil engineer; former member, Munitions Board Storage and Handling Industry Advisory Committee; now president, New York Dock Co., and New York Dock Railway.

Charles R. Hook,[1] Middletown, Ohio, executive; chairman, ARMCO Steel Corp.; served in Department of Defense and other Government activities during World War II; member, Business Advisory Council, Department of Commerce.

Mervin J. Kelly,[1] Short Hills, N. J., research engineer; formerly physicist with Western Electric Co.; served on various governmental committees; formerly physicist, now president, Bell Telephone Laboratories.

Arthur F. King, San Francisco, Calif., publisher; formerly with McGraw-Hill Publishing Co.; now president, King Publications.

John R. Lotz,[1] New York, executive; former chairman of board, Stone & Webster Engineering Corp.; Industrial Advisory Committee for revision of reparations and dismantling plants in Germany; retained by Secretary of War to report on impact of reparations on Japan, and by Government of Iran to study necessity for and implementation of its 7-year development plan.

George Houk Mead, Dayton, Ohio, executive; member and Chairman, Business Advisory Council, Department of Commerce; various Government boards and commissions during World War II; member, first Hoover Commission; now chairman of the board, Mead Corp.

Ben Moreell,[1] Pittsburgh, Pa., civil engineer; admiral United States Navy (retired); served in Navy from 1917 to 1947; during World War II, Chief, Bureau of Yards and Docks, and employed in many other Government activities; now chairman of the board, Jones & Laughlin Steel Corp.

Frank H. Neely, Atlanta, Ga., formerly with Westinghouse Electric & Manufacturing Co.; now chairman of the board of Rich's in Atlanta; chairman, Federal Reserve Bank of Atlanta.

Willard S. Paul, lieutenant general United States Army (retired); served in World War I; later Adjutant General's Department; World War II, commander 26th Infantry Division; Deputy Chief of Staff, European theater; assistant Chief of Staff, Director Personnel, General Staff; now president, Gettysburg College.

Thomas R. Reid,[1] executive; presently director of civic affairs, Ford Motor Co.; former Chairman, Surplus Manpower Committee, Office of Defense Mobilization.

Franz Schneider, New York, executive; formerly financial editor of New York Post. Served in the Army during World War I; was Deputy Administrator of War Shipping Administration during World War II; special advisor to the Director of the Office of War Mobilization. Now executive vice president of Newmont Mining Corp.

Perry M. Shoemaker,[1] Summit, N. J., railroad executive; with Pennsylvania, Erie and New Haven Railroads until 1941; now president, Lackawanna Railroad.

J. Harold Stewart,[1] Boston, Mass., certified public accountant; past president of Massachusetts Society of Certified Public Accountants and of American Institute of Accountants; during World War II, Chairman, Committee on Cost Principles, Joint Contract Termination Board, and later Assistant Director, Office of Contract Settlement.

Robert W. Wolcott,[1] Paoli, Pa., manufacturer; president, Lukens Steel Co., 1925–49; now, chairman of the board; director, American Iron & Steel Institute; member of the Industrial Committee, Iron and Steel Division, War Production Board, and also liaison representative, Department of Commerce during World War II.

Robert E. Wood,[1] Chicago, Ill., executive; director of Panama Railway and Chief Quartermaster General of the Army in construction of the Panamal Canal, 1905–15; Acting Quartermaster General, United States Army, during World War I; until recently, chairman of the board, Sears, Roebuck & Co.

[1] Task force chairman, second Hoover Commission.

Mr. LAUSCHE. Mr. President, will the Senator from Wyoming yield to me?

The PRESIDING OFFICER (Mr. COTTON in the chair). Does the Senator from Wyoming yield to the Senator from Ohio?

Mr. O'MAHONEY. I yield.

Mr. LAUSCHE. I wish to commend the Senator from Wyoming for his very forceful presentation of the various reasons why a reformation should be made in the purchasing program of the defense agencies of the United States.

I listened with interest to the names the Senator from Wyoming read from the list he held in his hand. The name of Charles Hook, president of Armco Steel Corporation, was mentioned. I think it is very significant that he has given his support to the recommendation of the Hoover Commission. May I point out that Charles Hook, of Ohio, was one of the leaders in the provision of funds for Members on the other side of the aisle who were running for election at the last election. I have in my hand a telegram from a Mr. Shoemaker, and I shall read it:

> This afternoon Senate will be considering amendment by O'MAHONEY to defense appropriation act, which would have the effect of encouraging integration of supply organizations under a plan presented by the President. This would be an encouraging step toward economy without affecting security. I urge your favorable support.
>
> (Signed) P. M. SHOEMAKER,
> *Vice Chairman of the Committee of Hoover Commission Task Force Members.*

I do not think it would be amiss if I mention to my colleagues that one of the cries throughout the country a few years ago, with tremendous applause being given to the effort everywhere, was that raised by those who wanted economy in Government that the recommendations of the Hoover Commission be adopted.

I attended a meeting in Cleveland at which former President Hoover spoke. That meeting had in attendance persons who did not subscribe to what was being done by the administration which was then in power, but wanted economy in Government. I was there as a sort of intruder, but I listened to the argument, and I subscribed to it. There had to be reformations made, and the proposal of the distinguished Senator deals with out of those recommendations.

If I may say a further word, I listened to the fine presentation made by the Senator from Illinois [Mr. DOUGLAS] yesterday, and I should like to add something to it. In the purchasing of material by Government, not only is honesty required, but, over and above that, there must be maintained an atmosphere of unimpeachability. Government purchases must be above reproach. It is not enough that there merely be honesty. Every circumstance which leads to suspicion must be removed.

May I ask my distinguished colleagues, Why has there been adopted a universal program throughout the 48 States, throughout every municipality in the country, requiring that the government be foreadvised, that there shall be advertising for competitive bids, and that the award shall be made to the lowest and best bidder? I humbly submit that is the distillate of many years of experience in Government, and out of it has come the declaration that any purchase made by the government must be under public competitive bidding.

Mr. O'MAHONEY. Purchases must be under public scrutiny all the time, or else the danger of corruption enters.

Mr. LAUSCHE. And it does enter. I need not mention to my colleagues who

[1] Task force chairman, second Hoover Commission.

are present the tremendous forces that operate upon purchasing agents. There are political bosses, there are contributors to political campaigns, there are friends of purchasing agents. Then we have purchasing agents who have become tired and sick and cynical.

Mr. O'MAHONEY. Then we have negotiated contracts.

Mr. LAUSCHE. Superimposed upon all that we have the evils that flow from negotiated contracts. This very morning I had a conference in the outer room regarding a complaint made by the Aeronca Aircraft Co., of Middletown, Ohio. A negotiated contract had been made. The company complained that it was discriminated against. When one begins to analyze a negotiated contract, one needs all of the wisdom of Solomon, for many nebulous reasons are given why a bid is denied, and those reasons cannot be traced to ascertain their soundness. There will be suspicion. I know from my own experience as Governor of Ohio that I wanted competitive bidding, not only to maintain unimpeachability, but I wanted it for my own protection.

I wish to say to my colleagues, with the prospect that nothing will come of this discussion, that we are going to pay the price, and there will be regret for the failure to recognize that the distillate which has come down to us from years and years of experience has now been repudiated.

I have respect for the President. I have respect for the men in charge of his departments. But I say to my colleagues, in fairness to them, the process of buying materials under negotiations ought to be brought to an end, and I will gladly give my support to the proposal made by the distinguished Senator from Wyoming who has been presenting his cause this afternoon.

Mr. O'MAHONEY. I very much appreciate the comments of the Senator from Ohio. He has made a distinguished career as Governor of the State of Ohio by observing the principles of probity and integrity in the administration of public funds. In his long career he has set an example which should be followed by the Department of Defense.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. DOUGLAS. Is not one of the most discouraging features of this whole matter the fact that in January, 1956, the Assistant Secretary for purchase told the Hébert committee that the Department of Defense intended to reduce the number of negotiated contracts to the lowest possible number, and the Hébert committee apparently thought the Department was going to do it; but when the committee checked into it, it found that in the 9 months following the promise, negotiated contracts formed 92 percent of the dollar value of the purchases and contracts obtained through competitive bids only 8 percent, whereas before the promise had been made the percentages were, respectively, 93 percent and 7 percent. In other words, this pledge of reform did not take place. The Department reformed in about the same way Rip Van Winkle reformed when he said, "We won't count this time." Then the Department went off on another round of purchases.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. CHAVEZ. The Senator from Wyoming [Mr. O'MAHONEY] is so correct. The Senator from Ohio [Mr. LAUSCHE] is so correct. The Senator from Illinois [Mr. DOUGLAS] is so correct.

The chairman of the committee which reported this bill to the Senate believes exactly as the three Senators I have mentioned believe, but we are faced with a situation. I wish we could reform the Department. As a matter of fact, 93 percent of the purchases made by the Department of Defense are under negotiated contracts. I think that is wrong. I personally believe we should have a system under which the Department would have to call for bids.

I will go beyond what the three Senators have said. I know, and I mean it when I say it, that some of those who make the purchases for the Government later go to work for those from whom they purchase, after they are retired. I do not like that.

Mr. DOUGLAS. The Senator is making a very interesting statement.

Mr. CHAVEZ. I make that statement.

Mr. DOUGLAS. Is the Senator saying that the procurement officers of the Department of Defense, when they resign or retire from the Department, go to work for the firms to whom they have let the contracts?

Mr. CHAVEZ. The Senator can investigate that and will find in many instances it is correct. They do. I do not like it. I wish I could do something about it.

Not only that, but I will tell the Senator from Illinois a little something different, to show him that I am on his side. A general or an admiral will retire from the military service, and as a civilian he will go to work for the Government, probably at a higher salary than before. I do not like that.

The Senator would be surprised to know how many admirals and how many generals are now working as civilian employees for the United States Government. I do not know what I can do about it. I am merely trying to present a bill to carry on a necessary function.

Mr. O'MAHONEY. Mr. President, may I say to the Senator, carrying on the development of this argument, that the Senator, every member of the Committee on Appropriations, and every other Member of the Senate can do something about the situation. Senators must realize that when so large a proportion of the defense contracts are let by negotiation it adds to inflation. This administration is against inflation. The Democrats are against inflation. The country is against inflation. Let us stop inflation, with regard to the expenditure of 60 percent of the total budget, by adapting the recommendation made by the Hoover Commission.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Delaware.

Mr. WILLIAMS. I wish to join the Senator from Wyoming in expressing the hope that we can insert a provision in this bill which will provide for competitive bidding. I am not sure the Senator does not have a point as to the establishment of the commission. After the Senator's amendment has been acted upon, I intend to offer an amendment which will be applicable to all the funds appropriated by the bill. My amendment will read:

Provided, however, That none of the funds appropriated in this act shall be used except that, so far as practicable, all contracts shall be awarded on a competitive basis to the lowest responsible bidder.

The phrase "so far as practicable" means to exempt only those contracts which it would not be in the interest of national defense to try to award on a competitive bid basis. There are certain instances as to which there is not a competitive supply of services or goods. In other instances, by and large, if there is a competitive supply of other goods or services and the amendment would provide that the contracts must go to the lowest responsible bidder. The word used is "shall."

Mr. O'MAHONEY. Mr. President, let me say to the Senator from Delaware that he is marching in the right direction, but he is carrying the wrong gun. The amendment which he intends to offer is not self-enforcing. The amendment we offer, with the support of the Hoover Commission, is self-enforcing, because it creates a central body under the Secretary of Defense which will have charge of the whole purchasing area.

Mr. WILLIAMS and Mr. CHAVEZ addressed the Chair.

Mr. O'MAHONEY. I yield to the Senator from Delaware.

Mr. WILLIAMS. What I am suggesting is this: Whether we establish a central buying authority or whether we do not———

Mr. O'MAHONEY. I do not wish to establish a commission. I merely wish to create a branch of the Office of the Secretary of Defense, made up of civilians, who will have the duty to conduct a central unified purchasing agency for all three branches of the military services.

Mr. WILLIAMS. I agree with the Senator from Wyoming that there is merit to that proposal, but the point I make is that, even with the establishment of such a procurement agency, I think it would also be well for the Congress to go on record that it is the intention of Congress that the Department should award contracts to the lowest responsible bidder as obtained on a competitive-bid basis.

Mr. O'MAHONEY. I wish to urge the Senator from Delaware to join me in securing the competitive bidding system by voting for the amendment we have offered for and on behalf of the Hoover Commission.

Mr. THYE and Mr. CHAVEZ addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Wyoming yield; and, if so, to whom?

Mr. O'MAHONEY. I decline to yield at the moment.

The PRESIDING OFFICER. The Senator from Wyoming declines to yield.

Mr. O'MAHONEY. I want to get this into the RECORD at the logical time.

I have here a letter written on the letterhead of Herbert Hoover, at the Mark Hopkins Hotel, San Francisco, Calif., June 19, 1957. He states:

MY DEAR SENATOR—

I wish to read the letter on the Republican side of the Chamber.

MY DEAR SENATOR: As the former Chairman of the Commission on Organization of the Executive Branch of the Government, I am happy that you have undertaken a renewed effort to secure the unification of what we call the "Common Use Business Services of the Department of Defense."

I welcome the glance of the Senator from Massachusetts [Mr. SALTONSTALL] over my shoulder, and I will point out to him the signature of his former President—my former President, also.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Let me finish the letter.

Mr. SALTONSTALL. I would not look over the Senator's shoulder if he were not sitting in my seat.

Mr. O'MAHONEY. I am standing. The Senator did look over my shoulder at my invitation.

The second paragraph reads:

Certainly the present setup is one of the most unjustifiable wastes in the executive department—and it has been the object of congressional action ever since the original unification law was enacted. I need not make any arguments for it with you.

Yours faithfully,

HERBERT HOOVER.

I do not know whom he had in mind when he said he did not have to argue with me about it. I know some Members of the Senate with whom it is necessary to argue in support of the amendment.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from New Mexico.

Mr. CHAVEZ. The Senator from Wyoming is not the only Senator who wishes to save money.

Mr. O'MAHONEY. I know that. The Senator from New Mexico, I think, has indicated that desire in his career.

Mr. CHAVEZ. The only proposition I wish to state is this: The Senator from Wyoming has read the letter from former President Hoover. I respect former President Hoover, too, but I did not vote for him in 1932.

Mr. O'MAHONEY. Neither did I.

Mr. CHAVEZ. I did not think the Senator from Wyoming did. I merely wanted to get that admission.

Mr. WILEY. Both Senators are taking guidance now, though.

Mr. CHAVEZ. I would answer that suggestion, if I did not like the Senator from Wisconsin so much.

At the moment we are trying to pass a bill to appropriate money for the Defense Department. Irrespective of my desire to do everything the Senator from Wyoming wishes to do—and I would like to do it—it cannot be done in this bill, and no one knows that better than does the Senator from Wyoming. I should like to do it, but it cannot be done.

If we want to do what the Senator from Wyoming wishes to do, why can we not introduce a legislative measure and do it as it should be done? I would be willing to be on his side. I know about the waste. By looking at yesterday's CONGRESSIONAL RECORD one can learn a great deal about waste. I know that my good friend from Wyoming will agree to that statement.

No one admires General Twining more than I do. He is a good man. He has contributed a lifetime of service to the defense of the country. He was retiring from the position of Chief of Staff of the Air Force, and a party was held for him at Andrews Field, at a cost of $4,300. No one begrudges him that; but we are talking about economy. Then it was necessary to put on an air show, at a cost of $400,000 for gasoline and oil. I would do anything for General Twining, but I think that was a waste. It is a waste when we think we must spend $400,000 or more for gasoline and fuel in order to pay our respects to a good citizen and a good soldier.

Mr. President, we are not trying General Twining. We want to save money. We want the Air Force to know it. The only reason I referred to those figures was that I wanted the Defense Department to realize that, even in paying respect to General Eisenhower, it would be wasteful to bring airplanes from the Pacific coast to fly over Andrews Field.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. DOUGLAS. Does the Senator from New Mexico know the cost of the big aerial review staged in honor of former Secretary Talbott, who was being forced out of the Air Force on good grounds, and who was then given what, up to that time, was the biggest review in the history of the armed services?

Mr. CHAVEZ. I am sorry to say that I cannot tell the Senator. However, I will say that if the Air Force ever had a friend, if the Air Force ever had someone who really believed in it, and I am not talking about dollars and cents, it was Secretary Talbott.

Mr. DOUGLAS. That reply is not quite responsive to the question.

Mr. CHAVEZ. If I were not ignorant of the amount spent, I would tell the Senator.

Mr. DOUGLAS. Was it not very close to the cost of the Twining review?

Mr. CHAVEZ. If it was, it was just as bad.

Mr. DOUGLAS. I am glad the Senator from New Mexico did not say it was just as good.

Mr. O'MAHONEY. Mr. President, the Senator from Wisconsin [Mr. WILEY], my able and genial friend and colleague on the Judiciary Committee, has asked me what the recommendations of the Hoover Commission were. I have before me the report of the Task Force on Food and Clothing, issued in April 1955. That is a very lengthy document, and too long, of course, to read at this point.

I have before me also House Report No. 2013, the report of the Commission on Organization of the Executive Branch of the Government, which filed its 15th intermediate report on April 18, 1956. In this document, on pages 2 and 3, there are set forth some of the recommendations of the Hoover Commission. They are extensive recommendations. However, I will say to the Senator that the amendment which I have offered on behalf of my colleagues and myself has been reviewed by the Hoover task force. As will be seen from the letter which I have read into the the RECORD, it has the endorsement of the former President himself.

There are many other remarks which might be made. I do not desire to occupy the floor further in setting forth the details. I have before me a general summary of the report.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. CARROLL. I wish to associate myself with the very fine statement made by the distinguished Senator from Wyoming. I am happy to be associated with him in support of this amendment, and also to support the arguments made by the junior Senator from Ohio [Mr. LAUSCHE].

The same thing is happening in Colorado that has been happening in Ohio. Study groups of businessmen have been examining the Hoover Commission reports. In Colorado there is a disinterested, nonpartisan group of men at work studying these problems. Their recommendations are along the lines of the amendment of the Senator from Wyoming.

Yesterday when I put a question to the chairman of the subcommittee, the distinguished senior Senator from New Mexico [Mr. CHAVEZ], I wished to ascertain the amount of money being appropriated. Of course, the reports disclose that. However, the purpose of my questioning was to find out what group in the Congress—whether it be the Appropriations Committees or the Armed Services Committees—should control expenditures by the military amounting to $35 billion. Do we confess to the people of the country that we have lost control of this enormous sum?

Mr. O'MAHONEY. We must, unless we take some action like this.

Mr. CARROLL. It seems to me that this is only the first step in a series of actions we in the Congress must take. Nevertheless it is a very important first step. The distinguished Senator from Wyoming made a statement about inflation. What could feed inflation more than a runaway segment of our budget amounting to $35 billion? Have we not lost control of one-half of the whole United States Government budget? And that's what the military budget amounts to, one-half of our whole budget. Furthermore it looks to me as though we have lost control of a great segment of our economy. That has caused an inflation in the military budget and hence has inflated our entire economy. I am speaking of the "administrated price" industries. The distinguished Senator from Wyoming has been chairman of a very important Senate subcommittee in-

vestigating the price raises by giant oil corporations of the Nation. During the investigation we found that giant United States corporations are not truly in a competitive market; they are in a market in which they themselves "administer", that is "arbitrarily fix" the prices. In other words, prices are not determined by consumer demand. They are "rigged." In this manner, by constant and unnecessary price increases on basic commodities like oil, chemicals and steel, the giant corporations fan the fires of inflation throughout the Nation. For example, during the investigation of the oil price increases we had the testimony of Admiral Lattu with respect to oil purchases by the United States Navy. We discussed Navy purchases of $1 billion worth of petroleum products. We were told that the recent price increases will cost the Government almost $100,000.

Mr. O'MAHONEY. The exact testimony of Admiral Lattu is, as I recall it, that the increase added to the budget for 1958 at least $84 million, which was not even contemplated for the purchase of oil products when the President sent his budget message to Congress.

Mr. CARROLL. That is correct. The other day a warning came to us, certainly not from a partisan source—the former Secretary of the Treasury—that the recent increase in the price of steel will set off another inflationary spiral, the effect of which cannot be gaged at this moment. Certainly it will affect the $35 billion military budget. It emphasizes more and more, I say to the distinguished Senator from Wyoming, the absolute necessity of having a central procurement agency to bring some kind of order and economy purchasing by the Government in the area where it spends the most money—the Defense Department.

It is absolutely essential that we have such an agency in the military established. Perhaps we cannot accomplish it with an amendment in this way, but we must at least make an attempt in this way. I believe this amendment can be properly included in the bill, although I know it is a little more difficult to do it in that fashion. Nevertheless, we must make the record. I commend the distinguished Senator from Wyoming and the distinguished Senator from Illinois for making this fight during the past 2 days in order to alert the people about what is going on in the Defense Establishment, and to alert the people with respect to the giant corporations of this country—oil, steel, chemical—as to what these corporations are doing and how they are wantonly and heedlessly fanning the fires of inflation in this Nation with indiscriminate and unwarranted rigged prices.

Mr. O'MAHONEY. I thank the Senator from Colorado for his statement, which is an accurate description of the situation in which we find ourselves.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. WILEY. I, too, have listened to the remarks of the Senator from Wyoming. As I understand the statute at the present time, the various departments are getting their equipment by way of competitive bidding. Is that correct?

Mr. O'MAHONEY. No. The normal law calls for competitive bidding, but that law was set aside by the War Powers Act of 1941. That War Powers Act expired on the 30th of June last. Unless it is renewed, the war powers that were granted will no longer be in effect.

Mr. WILEY. Then my statement is correct—that there is a requirement at the present time for competitive bidding.

Mr. O'MAHONEY. But there are various provisions otherwise which permit negotiated contracts.

Mr. WILEY. The Senator read from a pamphlet containing recommendations with relation to procurement by the armed services. Did the recommendation include anything to the effect that there should be established a procurement agency which would purchase equipment, such as airplanes, for example? I say that because I always approach a situation with stop, look, and listen in my mind. Would airplanes, for example, be included?

Mr. O'MAHONEY. Combat equipment is not included.

Mr. WILEY. Did the Hoover Commission make any recommendation with reference to combat equipment?

Mr. O'MAHONEY. No; it did not.

Mr. WILEY. But the Senator's amendment would cover such equipment?

Mr. O'MAHONEY. No. That part was stricken from the amendment, of which I gave notice yesterday that I would offer today. That was in the original print, but we eliminated it.

Mr. WILEY. Does it refer to equipment?

Mr. O'MAHONEY. We struck that language from the amendment.

Mr. WILEY. Then what would the agency supervise?

Mr. O'MAHONEY. Common use items, such as clothing, food, materials, pencils. There is a large catalog of such materials purchased by the Government and then sold as surplus. I have the catalog here.

Mr. WILEY. I am glad to take the Senator's word for it.

Mr. O'MAHONEY. I should like to have the Senator see the size of it. The Defense Department sets forth a list of surplus supplies. This is the volume for April 1957. I thumb it over for the Senator to see. It is an amazing list of items which have been declared surplus in April 1957.

Mr. WILEY. They are declared surplus, the Senator says. Does the Senator mean that the Departments are buying those supplies all over again?

Mr. O'MAHONEY. They are buying and buying and buying; and declaring surplus and declaring surplus and declaring surplus. That is what they are doing.

Mr. DOUGLAS. If the Senator from Wyoming will yield to me I should like to say that I can list some of the common supply items which would be purchased by the civilian management.

Mr. O'MAHONEY. I would be very happy to have the Senator do that. He has the list on his desk.

Mr. WILEY. I think it is a pretty good characterization, and I have no reason to go into it.

Mr. DOUGLAS. Clothing, equipment, subsistence, chemical supplies, engineer supplies, general quartermaster supplies, medical-dental supplies, signal supplies, photographic material, ships' repair parts, general stores, ships' stores, vehicular equipment parts, general property, possibly electronics parts, although this is not certain, and so forth.

Mr. WILEY. What I have in mind is this. It seems to me that we have heard a great deal on the floor of the Senate about the increased cost of equipment. It seems to me that those are the articles in connection with the purchase of which the Government should have the benefit of civilian brains, to see that the Government is not "taken for a ride." I wonder what protection is afforded by the Senator's amendment.

Mr. O'MAHONEY. It seemed to me that in the drafting of the amendment it would be going too far to take out of the hands of the military the purchasing of military items. The military officers have been educated and trained to do that sort of work. They know their job. They know about airplanes and they know about submarines. We do not want to take those things out of their hands. Therefore we drafted an amendment to deal with the simple things, the common items of supply, the items of common use.

Mr. WILEY. How much does it amount to?

Mr. CHAVEZ. It amounts to plenty.

Mr. WILEY. How much, in round figures, out of the total we have been speaking of?

Mr. SALTONSTALL. I shall be happy to give those figures, if the Senator will yield.

Mr. O'MAHONEY. I am glad to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. In 1956 the procurement for military functions in the Department of Defense totaled about $14 billion. Of the $14 billion, $12.7 billion was for the purchase of combat equipment; $1.3 billion was for noncombatant procurement. Thus, between 85 and 90 percent, in 1956, would not come within this amendment. This amendment would apply to approximately 10 percent of all the procurement in the Department of Defense.

Mr. CHAVEZ. When we speak about 10 percent of procurement which the Senator has in mind, that refers to operation and maintenance—to "groceries."

Mr. SALTONSTALL. The Senator is correct. It is for quartermaster supplies, such as clothing.

Mr. CHAVEZ. That is correct; it does not refer to the procurement of armament—military procurement.

Mr. SALTONSTALL. The Senator is correct. The Senator from Wyoming has just stated that. But the amendment would not apply to between 85 and 90 percent of the procurement.

So far as I am concerned—so far as everyone is concerned—we want the contracts to be negotiated just as rapidly as they can be. I was just as shocked at some of the revelations as the Senator

said he was. But the amendment of the Senator from Wyoming will not help that situation one iota.

Mr. DOUGLAS. I have made a hasty computation. I will not vouch for the precise accuracy of the figures. But I have taken the material which I placed in the RECORD yesterday at page 10631, which the Senator from Massachusetts can check.

The categories which I have read, which would be susceptible to common use purchases, comprise approximately half of the amounts which will be put into the so-called stock funds during the coming year.

Mr. WILEY. Mr. President, will the Senator yield on that very point?

Mr. DOUGLAS. I yield.

Mr. WILEY. Now I am beginning to get a little light. These are items as to which a civilian would be specifically informed and could provide guidance and undoubtedly get a better price than the ordinary military man.

Mr. DOUGLAS. That is correct.

Mr. WILEY. The items which were stricken from the amendment were the items on which military men would be experts.

Mr. DOUGLAS. That is correct—shells, munitions, rifles, guns, hand grenades, airplanes, submarines.

Mr. AIKEN. And gasoline and oil?

Mr. DOUGLAS. Are we going to say we should not go halfway simply because we do not go all the way?

Mr. WILEY. The Senator did not understand my question. Does not the Senator think that there should be some kind of overall supervision of the military personnel, who are in the habit of spending?

Mr. DOUGLAS. I agree.

Mr. WILEY. I have known of instances of those in the Department itself having been told to give a certain contract to so and so, instead of advertising for competitive bids. That involves military items, not simply foodstuffs and articles of that kind.

Mr. DOUGLAS. I think the Senator from Ohio, in the statement which he made earlier, indicated that there are a number of things which must be followed in connection with freely competitive bids. For example, the figures on the contracts must be stated in the simplest specifications.

Mr. LAUSCHE. May I supplement what I have said?

Mr. DOUGLAS. Certainly.

Mr. LAUSCHE. We now have a system under which the winds and caprices, the loves and the hatreds, and the political leanings of the purchasers are the law. What are needed are clearly defined laws and regulations which will control.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming has the floor. To whom does he yield?

Mr. O'MAHONEY. I yield to the Senator from Illinois, a cosponsor of my amendment.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. The Senator from Illinois was about to make a comment.

Mr. DOUGLAS. The Senator from Ohio has been correct in what he has been saying. There should be simple specifications, free and full advertising, public opening of written bids, and awards to the lowest responsible bidders.

Mr. LAUSCHE. Who can honestly oppose that?

Mr. DOUGLAS. Apparently the Department of Defense is opposing it. That is one of the shocking things which is taking place. They are fighting this proposal for reform every inch of the way.

Mr. O'MAHONEY. May I comment to the Senator now?

Mr. DOUGLAS. Certainly.

Mr. O'MAHONEY. During the pleasant interlude, in which other Senators have been discussing the question, I myself have been negotiating. I have been negotiating with the chairman of the subcommittee——

Mr. WILEY. Did the Senator get the lowest price?

Mr. O'MAHONEY. Yes, I have the lowest price.

Mr. AIKEN. Did the Senator try competitive bidding?

Mr. O'MAHONEY. I have consulted also with the able acting minority leader, the distinguished Senator from Massachusetts [Mr. SALTONSTALL], with whom I was associated for many years on the Committee on Appropriations.

I gave notice under rule 40 of my intention to submit this amendment today, because it contains, particularly in section 1, a legislative provision, namely, that which establishes an agency within the office of the Secretary of Defense.

I am advised by the Senator from New Mexico and the Senator from Massachusetts that if my sponsors and I will agree to drop the first section, and to modify our amendment, so as to insert, on page 2, line 9, at the proper place in the bill, a new section, which will be a modification and an expansion of section 638 of the Defense Appropriation Act of 1953, they will be agreeable to accepting the amendment.

This, I think, is substantial progress along the lines for which we have been battling. The Senator from New Mexico tells me that he will wage a fight for this expansion in the committee of conference. I am confident that with the reports which have been received and which have been published by the committee in the House, the amendment will be adopted by the House.

Mr. CHAVEZ. I was one of those who sponsored a provision along that line.

Mr. O'MAHONEY. The Senator from New Mexico was one of the effective sponsors.

Mr. CHAVEZ. But I know that legislation cannot be included in an appropriation bill. So I have agreed with the Senator that if he will strike the legislative part of the amendment and simply offer the rest of it, I will be glad to take the amendment to conference, and I assure the Senator that we will fight for that portion of it.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. O'MAHONEY. I yield to the Senator from Vermont.

Mr. AIKEN. If the first section of the amendment be deleted, what does the remainder of the amendment instruct the Secretary of Defense to do that he is not supposed to do anyway?

Mr. O'MAHONEY. It is a strengthening of the existing law.

Mr. AIKEN. It is a reminder; that is all; is it not? It simply reminds the Secretary that he is supposed to do what he ought to do.

Mr. O'MAHONEY. That is true; but it gives him authority which he did not have before the provision was originally adopted.

Mr. AIKEN. But it does not require competitive bidding.

Mr. O'MAHONEY. No, it does not go into that.

Mr. AIKEN. It does not set up any new agency to compete with General Services Administration, does it?

Mr. O'MAHONEY. It does not; no. It provides:

> Notwithstanding any other provision of law, the Secretary of Defense shall take such actions as are necessary to achieve economy, efficiency, and effectiveness in noncombatant services, activities, and operations through the elimination of overlapping, duplication, and waste within and among the agencies of the Department of Defense.

There is an explicit directive from Congress to the Secretary of Defense to eliminate conflict among the three departments under his jurisdiction.

Mr. AIKEN. He is supposed to do that anyway, is he not?

Mr. O'MAHONEY. Oh, no; not until the original O'Mahoney rider was adopted. This proposal is progress toward unification. The record already made this afternoon shows conclusively how the regulations which were adopted at the beginning were afterward abandoned. This amendment indicates Congressional intent.

Mr. AIKEN. I can see no special reason for opposing the amendment as modified. I could see a thoroughly good reason for opposing the original proposal of the Senator from Wyoming. In fact, I do not want to see emphasis put on competitive bidding and a tightening of the restrictions for the purchasing of pencils, while letting gasoline and oil go free. I think the large items should be subject to competitive bidding also.

Mr. O'MAHONEY. I think the Senator is correct.

Mr. AIKEN. I think we ought to obtain all items as cheaply as possible.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. SALTONSTALL. I am glad to join in accepting the amendment. If the Senator from Wyoming and his colleagues will strike out the first section, I will do all I can to secure the adoption of the amendment in the committee of conference. I say this because I joined with the Senator from Wyoming in 1952 in proposing the original section 638 as it now is.

I may say to the Senator that this section applies, as I have stated, to noncombatant goods and to about 15 percent of all the purchases.

Mr. O'MAHONEY. I think it applies to more than that.

Mr. SALTONSTALL. But we shall not debate that point now. I am just

as opposed as is the Senator from Wyoming to the improper practices to which reference has been made this afternoon.

Mr. O'MAHONEY. Of course I realize that.

Mr. SALTONSTALL. I favor competitive bidding.

I wish to point out that under the amendment of the Senator from Wyoming to the 1953 act, a number of things have been accomplished.

Mr. O'MAHONEY. I know it, and I am glad to have the Senator from Massachusetts state it for the record.

Mr. SALTONSTALL. The stock fund which was set up as a result of the amendment of the Senator from Wyoming, was provided with appropriated funds in the amount of $424 million. Since that time $1,770,000,000, largely generated through the sales of excess stocks not requiring replacement, has either been returned to the Treasury, or at the direction of the Congress, has been used to finance other activities of the Department of Defense.

Mr. O'MAHONEY. There has been just a little backsliding.

Mr. SALTONSTALL. Under the present system more than 3 million items have been listed in one way, so that each Department can understand the listing; and a single manager system has been established. It represents integration, in the area assigned, of both operations and organization. It includes many of the quartermaster supplies to which reference has been made. In addition there is the Interservice Supply Support arrangement, so that if the Air Force, let us say, has a jeep it does not need, and if the Army needs another jeep, the Air Force jeep can be supplied to the Army, and so forth.

I am informed that 18 commodity coordinating groups are established at the present time, under the Interservice Supply Support arrangement, and that another 13 are under study.

Finally, there is the procurement-assignment system. Under this program, one of the military departments, through its normal procurement system, purchases all of a given class of technical and commercial commodities for itself and for other services.

When the Senator from Wyoming was on the committee, we heard many times about that program.

For instance, meat is purchased by the Navy, and clothing is purchased by the Army, or vice versa, for all three of the services. So under the amendment of the Senator from Wyoming, which was section 638 of the 1953 act, those things have been accomplished; and more can be accomplished.

If the first section of the amendment the Senator from Wyoming now proposes is introduced as proposed legislation, it should be referred to the Armed Services Committee, and should be thoroughly studied in connection with the other arrangements which already have been made, so as to work it out in a proper legislative way.

But I understand that that section has now been eliminated from the amendment. Therefore, I am glad to support the modified amendment of the Senator from Wyoming.

Mr. O'MAHONEY. I thank the Senator from Massachusetts.

AMENDMENT IS MODIFIED

Mr. President, I announce that I am modifying my amendment by eliminating the first part; namely, all the langauge on page 1 and all the language at the top of page 2, through line 6. I now modify the amendment in that way; and the amendment, as modified, is submitted by me, on behalf of myself, the Senator from Illinois [Mr. DOUGLAS], and the Senator from Colorado [Mr. CARROLL]. In short, we now submit the remaining portions of the amendment, which is offered as a modification of the existing section 638 of the Defense Department Appropriation Act of 1953.

The PRESIDING OFFICER. The amendment as modified will be stated.

The CHIEF CLERK. At the proper place in the bill, it is proposed to insert the following new section.

SEC. 633. Section 638 of the Department of Defense Appropriation Act, 1953, is amended to read as follows:

"SEC. 638. (a) Notwithstanding any other provision of law, the Secretary of Defense shall take such actions as are necessary to achieve economy, efficiency, and effectiveness in noncombatant services, activities, and operations through the elimination of overlapping, duplication, and waste within and among the agencies of the Department of Defense.

"(b) The Secretary of Defense, in order to provide for the effective accomplishment of this section, is hereby authorized from time to time to transfer, combine, and coordinate noncombatant services, activities, and operations within the Department of Defense.

"(c) The Secretary of Defense is further authorized to transfer such property, records, and personnel and such unexpended balances (available or to be made available) of appropriations, allocations, and other funds of the military departments, as he deems necessary to carry out the provisions of this section."

Mr. AIKEN. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. AIKEN. I should like to ask whether paragraph (b), which provides that "the Secretary of Defense, in order to provide for the effective accomplishment of this section, is hereby authorized from time to time to transfer, combine, and coordinate noncombatant services, activities, and operations within the Department of Defense" gives to the Secretary of Defense the same powers which now are vested in the President of the United States.

Mr. O'MAHONEY. No. It is not intended to take away anything from the President. This appropriation gives the Secretary of Defense authority to do what was originally provided in the original section 638. Let me state that an example is the combination, under one agency, of the purchasing authority for petroleum and petroleum products. All that is handled now under the direction of Admiral Lattu. A similar combination can be made for all the departments which are buying common-use items.

Mr. AIKEN. Then it does not give to the Secretary of Defense powers which he does not have at the present time; is that correct?

Mr. O'MAHONEY. At the moment I do not have before me——

Mr. AIKEN. I mean does it vest in the Secretary of Defense powers which may now be vested solely in the President, for reorganization purposes?

Mr. SALTONSTALL. Mr. President, in that connection will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. SALTONSTALL. Examining very hastily title II of Public Law 253, 80th Congress, 1st session, which was Senate bill 758, and now is chapter 343, I find that section 202 deals with the Office of the Secretary of Defense; and the first item in section 202 (a) is—

(1) Establish general policies and programs for the National Military Establishment and for all of the departments and agencies therein.

Mr. AIKEN. Does the pending amendment conflict in any way with the powers which were given to the President, to enable him to reorganize the Government by legislation enacted by reason of the Hoover Commission recommendations referred to?

Mr. O'MAHONEY. No; it does not.

Mr. CURTIS. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. CURTIS. The amendment of the distinguished Senator from Wyoming grants to the Secretary of Defense broad power to transfer property, records, personnel, and funds, without any restrictions or limitations, as he may deem necessary in order to carry out the provisions of this section. One of the objectives of this section is to provide effectiveness.

Mr. O'MAHONEY. That is correct, and also to provide efficiency and economy.

Mr. CURTIS. Then if the Secretary of Defense says that a transfer of funds will make something more effective, he can make the transfer; is that correct?

Mr. O'MAHONEY. The purpose of the amendment is solely to provide unification, another step in the long process of progress since the 1947 defense bill was passed.

Mr. CURTIS. I understand that. But I wish to ask whether the authority of the Secretary of Defense to transfer funds is contingent upon a real and present possibility of saving money.

Mr. O'MAHONEY. Precisely, certainly.

Mr. CURTIS. And not on a theoretical saving which will occur at a future time; is that correct?

Mr. O'MAHONEY. Yes, that is correct. This has been the result of the studies made by at least five separate Congressional committees, and those finally made by the Hoover Commission.

Mr. CURTIS. I am aware of that. But, after all, the Secretary of Defense will be given rather broad authority to transfer anything he wishes to transfer.

Mr. O'MAHONEY. No; the amendment is limited to the noncombatant items, the items which have to do with common use by the departments. It is designed to do away with competition among various branches of the same agency.

Mr. CURTIS. But is it the intention that the Secretary cannot transfer funds unless it is done to carry out a real and immediate saving of money?

Mr. O'MAHONEY. There is no prohibition of that kind. The amendment is designed to give him the authority to bring about and to promote economy, and it is so stated. One must rely upon the integrity and intelligence of officials to carry out an instruction of Congress.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. CHAVEZ. I am looking now at page 2, line 17, of the amendment of the Senator, which reads:

> The Secretary of Defense, in order to provide for the effective accomplishment of this section is hereby authorized—

And so forth. Is not the word "authorized" permissive? Could not the Secretary do his own interpreting? Should not the word be "shall" instead of "authorized"?

Mr. O'MAHONEY. I suggest to the Senator that matter could well be taken up in the conference.

Mr. CHAVEZ. We could take it up in conference.

Mr. O'MAHONEY. If the Senator desires to change the word to "shall," I have no objection.

Mr. CHAVEZ. No. The only thing I have in mind is this. I think I follow what the Senator has in mind. However, when the word "authorized" is used, it makes it permissive.

Mr. O'MAHONEY. The Senator is quite right, but the first section reads:

> Notwithstanding any other provision of law, the Secretary of Defense shall take such actions as are necessary to achieve economy, efficiency, and effectiveness in noncombatant services—

And so forth; so that is the overriding provision.

Mr. CHAVEZ. But the provision is that in order to provide for the effective accomplishment, the Secretary is authorized. I was wondering if that would carry out the purposes the Senator has in mind?

Mr. O'MAHONEY. On the assumption that the Secretary of Defense would proceed in harmony with this directive of Congress.

Mr. CHAVEZ. I am willing to take the amendment to conference.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Minnesota.

Mr. HUMPHREY. First of all, I wish to associate myself with the efforts of the Senator from Wyoming on this splendid amendment. Some time ago, in the Committee on Government Operations, in the Subcommittee on Government Reorganization, which deals with Hoover Commission recommendations, the question of Defense Department procurement was gone into rather extensively. At that time we had difficulty with the Department of Defense on purchase items exclusive of the needs of the combat forces—that is, exclusive of military equipment. It had been hoped some of the purchasing might be placed in a central purchasing administration, but to no avail. Then we considered the possibility of more centralized purchasing in the Defense Department, which was tacitly agreed to, but it was found wanting in terms of accomplishment.

I am particularly impressed with section 638, which the Senator has just read, where the mandate is laid down that "the Secretary of Defense shall take such actions as are necessary to achieve economy, efficiency, and effectiveness in noncombatant services." That relates to the preceding paragraphs, which refers to duplication in procurement, and sometimes duplication in actual services.

If the proposal is properly administered, which we have hope it will be, it will result in substantial savings. I think this is the way to save, rather than to strike at the established system in the hope that substantial cuts in expenditures will be accomplished, because the truth is that the departments will request supplemental or additional appropriations.

I commend the Senator. I shall vote for the amendment. I think it is an effort to effect economy in Government, for which the Senator should be commended.

Mr. O'MAHONEY. I thank the Senator.

EXHIBIT 1

EXTENDING TITLE II, FIRST WAR POWERS ACT, 1941

Mr. FRAZIER, from the Committee on the Judiciary, submitted the following report:

The Committee on the Judiciary, to whom was referred the bill (H. R. 7536) to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 1, line 4, strike out "1267" and substitute "1257."

Page 1, line 5, strike out "1959" and substitute "1958."

AMENDMENTS

The amendments are to correct the statute citation and to limit the extension of title II to 1 year.

GENERAL STATEMENT

The purpose of this legislation is to extend the termination date of title II of the First War Powers Act of 1941 to June 30, 1958. Under present law title II would expire on June 30 of this year.

Under the provisions of title II, the President may authorize any department or agency of the Government exercising functions in connection with the prosecution of the national defense effort to enter into contracts and into amendments or modifications of contracts and to make advance, progress, and other payments thereon, without regard to the provisions of the law relating to the making, performance, amendment, or modification of contracts, whenever he deems such action would facilitate the national defense, subject, however, to the additional provisions set forth in title II. Pursuant thereto the President has conferred the powers authorized in title II upon the heads of a number of executive departments and agencies, including the Departments of Defense, Army, Navy, Air Force, Commerce, Agriculture, and Interior, the Atomic Energy Commission, the National Advisory Committee for Aeronautics, the Government Printing Office, the General Services Administration, the Tennessee Valley Authority, and the Federal Civil Defense Administrator.

The continuation of the effectiveness of these emergency powers has been and will continue to be of important assistance to the authorized departments and agencies of the Government in the prosecution of the national mobilization program, either in current procurement activities or as standby authority which may be exercised during a period of exigency arising out of the defense effort. Under the act, executive departments and agencies are empowered to amend or modify Government contracts without additional consideration, where, for example, an actual or threatened loss on a defense contract will impair the productive capacity of a contractor whose continued existence is needed for the national defense. Officials likewise may make advance payments on contracts to be executed in future or extend delivery dates where authorized. Mistakes and ambiguities in contracts may be rectified, and indemnity payments may be guaranteed for otherwise noninsurable risks. Without this authority, it would be impossible for the various procurement agencies to use the special procurement techniques required in situations of military or production urgency, which other permanent laws are not designed to afford.

Title II was reactivated for the Korean emergency by the act of January 12, 1951. In each Congress thereafter it has been extended. This legislation provides for a 1-year extension of the automatic termination date to June 30, 1958. Of course, in addition to the termination date there remains the possibility of title II terminating at any time Congress by concurrent resolution or the President designate.

The executive communication from the Department of the Navy and the departmental reports on the bill are here inserted and made a part of this report.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D. C., May 9, 1957.

Hon. SAM RAYBURN,
Speaker of the House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: There is enclosed a draft of legislation, to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941.

This proposal is a part of the Department of Defense legislative program for 1957, and the Bureau of the Budget has advised that there would be no objection to its transmittal to the Congress for consideration. The Department of the Navy has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The proposed legislation would amend section 2 of the act of January 12, 1951 (64 Stat. 1257; 50 U. S. C. App. 611, Note), as amended, so as to continue in effect title II of the First War Powers Act, 1941, for the duration of the national emergency proclaimed by the President on December 16, 1950, or until June 30, 1959, whichever is earlier. Since reactivation of the basic law in 1951, title II thereof relating to contracts has been successively extended by the Congress to June 30, 1953 (Public Law 426, 82d Cong.), June 30, 1954 (Public Law 97, 83d Cong.), June 30, 1955 (Public Law 443, 83d Cong.) and June 30, 1957 (Public Law 58, 84th Cong.). These extensions were in recognition of the need for such emergency authority during periods of continued international unrest.

Under the provisions of the expiring law the President may authorize any Department or agency of the Government exercising functions in connection with the prosecution of the national defense effort to enter into contracts and into amendments or modifications of contracts and to make advance progress, and other payments thereon, without

regard to other provisions of law relating to contracts whenever he deems such action would facilitate the national defense, subject however to the additional provisions which are set forth in title II of the First War Powers Act, 1941. Also by the authority of that title, the Department of Defense is empowered to amend contracts without consideration. This includes the extension of the time of performance of contracts and the waiver of liquidated damages and performance bonds by the United States.

The exercise of title II authority permits defense agencies to make the necessary adjustments to assure the continued availability of essential productive capacity. Without this authority, it will be impossible to use the special procurement techniques necessary and proper in situations of military or production urgency, which other permanent laws are not designed to afford. By virtue of title II of the First War Powers Act, the Department of Defense is currently authorized to make advance payments on advertised contracts. Without the authority granted by title II, the Department of Defense could make advance payments only on negotiated contracts. This law is considered to be vitally necessary in order to supplement other contract authority and thus insure uninterrupted performance of contracts to facilitate the national defense.

The possibility of abuse of the powers granted by this law is greatly precluded by safeguards contained in the statute itself. Furthermore, the administration of the law has been marked by close adherence to its intended purposes. Within the Department of Defense, title II authority has been used only when "such action would facilitate the national defense" and where normal procurement methods and authority are deemed inadequate to meet the situation.

It is considered that the reasons necessitating past extensions of this authority prevail in no less degree today. The continued internal and international tensions in many parts of the globe, particularly the Middle East, and the importance of this law to the readiness of our defense forces are believed to well justify its extension as provided by this proposal.

COST AND BUDGET DATA

The enactment of this legislation would cause no apparent increase in budgetary requirements insofar as the Department of Defense is concerned.

Sincerely yours,

W. B. FRANKE,
Acting Secretary of the Navy.

"A bill to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941

"*Be it enacted*, etc., That section 2 of the act of January 12, 1951 (64 Stat. 1267), as amended, is further amended by striking out '1957' and inserting in lieu thereof '1959'."

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, May 23, 1957.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary, House of Representatives.

DEAR MR. CHAIRMAN: Further reference is made to your letter of May 20, 1957, requesting our views on H. R. 7536, a bill to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941.

Title II of the First War Powers Act gives the President power to authorize any agency of the Government which is exercising functions connected with the national defense to make or modify contracts without regard to other laws relating to Government contracts whenever such action will facilitate the national defense. Advance and progress payments to contractors are also authorized.

When the last extension of title II was being considered by the House Committee on the Judiciary we reported to you in our letter of March 16, 1955, B–100460, that in view of the intended purpose of the title II powers and the manner in which they were being administered, we had no objection to the extension. Since nothing has come to out attention to change our views in the matter, we likewise have no objection to its extension as now proposed in H. R. 7536.

The statute citation in the bill should be 64 Statute 1257 rather than 64 Statute 1267.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

SMALL BUSINESS ADMINISTRATION,
OFFICE OF THE ADMINISTRATOR,
Washington, D. C., June 5, 1957.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary, House of Representatives, Washington, D. C.

DEAR CONGRESSMAN CELLER: Further reference is made to your letter of May 20, 1957, requesting the views of this agency on H. R. 7536, a bill to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941.

Title II of the First War Powers Act, 1941, authorizes Government agencies exercising functions in connection with the national defense "to enter into contracts and into amendments or modifications of contracts * * * without regard to provisions of law relating to the making, performance, amendment or modification of contracts whenever * * * such action would facilitate the national defense." This legislation authorizes, among other things, modification of contracts without additional consideration and thereby grants to the procurement agencies a degree of flexibility in national defense procurement activities which is said to be necessary in the efficient as well as equitable administration of a defense procurement program.

H. R. 7536 would extend title II of the First War Powers Act for a period of 2 years. The Small Business Administration does not oppose such an extension.

The Bureau of the Budget has no objection to the submission of this report.

Sincerely yours,

WENDELL B. BARNES,
Administrator.

GENERAL SERVICES ADMINISTRATION,
Washington, D. C., June 5, 1957.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary, House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: By letter dated May 20, 1957, you requested the views of the General Services Administration on H. R. 7536, to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941. It is noted that the citation on lines 3 and 4 of the bill should read "(64 Stat. 1257)."

In connection with the national defense programs of this administration, we consider that the authority provided by title II of the First War Powers Act, 1941, as amended, is essential to meet the varying situations where more normal procurement methods and authority are found to be inadequate. The proposal to have this authority continued through June 30, 1959, is both logical and desirable and is, therefore, recommended.

No estimate of the probable cost of the bill is available, but it is anticipated that the enactment of this legislation would cause no increase in the budget requirements of this administration.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

FRANKLIN G. FLOETE,
Administrator.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the House of Representatives, there is printed below in roman type without brackets existing law in which no change is proposed by enactment of the bill as introduced; present provisions proposed to be stricken by the bill as introduced are enclosed in black brackets, and new provisions proposed to be inserted are shown in italic:

"ACT OF JANUARY 12, 1951 (PUBLIC LAW 921, 81ST CONG. (64 STAT. 1257), AS AMENDED

* * * * * *

"SEC. 2. Title II of such act, as amended, shall remain in force during the national emergency proclaimed by the President, December 16, 1950, or until such earlier time as the Congress by concurrent resolution or the President may designate but in no event beyond June 30, [1957] *1958*."

Mr. DOUGLAS. Mr. President, before the final vote is taken on the revised form of the O'Mahoney amendment, I think I should add a word of warning. The proposed wording is somewhat similar to the O'Mahoney amendment of 1952. It does broaden the directive given to the Secretary of Defense, but it apparently does not make it mandatory upon the Secretary of Defense to install a system of centralized purchase and storage of common-use items. It merely gives a general directive to the Secretary which he may carry out or may disregard as he chooses. While the amendment is an improvement over the amendment offered in 1952, I am afraid that on the basis of the experience which we have had since 1952 it will be relatively ineffective.

We have had this general language now for 5 years, and the Secretary of Defense has chosen to disregard it. It is obvious that the opposition to the O'Mahoney amendment as originally proposed this afternoon has come from the Department of Defense, and that the Senator from Wyoming, in order to salvage something, has chosen to get as much as he could. However, I think in its final form the amendment is so watered down that it can be—and I am afraid it will be—disregarded by the Department of Defense, and that next year we will find ourselves in almost precisely the same situation we are in this year.

I wish to congratulate the Senator from Wyoming for the gallant fight which he has made. I think he has been compelled, largely by force of circumstances, to retreat from the field.

I hope the Department of Defense—I know their representatives are here in the gallery—will note the debate which has occurred and report to their superiors the clear opinion of the Senate in this matter, and that we will get some action. If we do not get action next year, I think the temper of the Senate will be such that when the Senator from Wyoming offers a strong amendment again neither the gates of hell, the opposition of the Defense Department, nor points of order will prevail against it.

Mr. O'MAHONEY. Mr. President, I ask that the amendment be submitted to the judgment of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment offered by the Senator from Wyoming [Mr. O'MAHONEY] for himself and other Senators.

The amendment, as modified, was agreed to.

Mr. WILLIAMS. Mr. President, I send an amendment to the desk, and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed to insert at the proper place the following:

Provided, however, That none of the funds appropriated in this act shall be used except that, so far as practicable, all contracts shall be awarded on a competitive basis to the lowest responsible bidder.

Mr. WILLIAMS. Mr. President, the purpose of the amendment is to require that in all instances in the procurement of goods or services under this act the Secretary of Defense shall use the procedure of soliciting and accepting the lowest responsible bid in all instances where it would be practicable.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. CURTIS. Who would determine whether it would be practicable?

Mr. WILLIAMS. The Secretary of Defense.

Mr. CURTIS. It is not the intention of the Senator that such authority shall be vested in a lower official who is actually making the purchase; is it?

Mr. WILLIAMS. No; it would be determined by the Secretary of Defense.

The reason the provision granting some discretionary authority is included is that it is recognized that in the procurement of certain items it would not be practicable to solicit competitive bids. Secret weapons might be involved which it would not be desirable to advertise. There might also be certain goods desired to be purchased of which there would not be a competitive supply. But where there is a competitive supply, either of services or of goods, the purpose of the amendment, if adopted, would be to instruct the Secretary of Defense that it was the will of the Congress that he should use the competitive bid basis for awarding the contracts and that the contracts should go to the lowest responsible bidders.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. AIKEN. Would the adoption of the amendment preclude the placing of orders for any commodity in areas of high unemployment, such as has been the practice in the past few years?

Mr. WILLIAMS. The adoption of the amendment would mean that the contract must go to the lowest responsible bidder except as the Secretary of Defense——

Mr. SALTONSTALL. Mr. President, if the Senator will yield, I interpret the Senator's amendment to read as far as practicable, but as not changing the present law with respect to defense areas and other matters of that character. I understand the Senator's amendment to mean that a contract shall go to the lowest bidder wherever that is practicable in the Secretary's opinion. The law is very clear on that point. Some commodities can be negotiated for, as was brought out this afternoon. A small amount in the defense area in a certain technical way, is negotiated for. There is a bill now in Congress to end that, anyway. The other contracts would be let by competitive bidding.

Mr. WILLIAMS. The Senator is correct. I have had several contractors point out to me instances where they have bid on goods or supplies which have been in competitive supply, and there were likewise instances in which contractors were bidding on certain services to be rendered wherein the Department of Defense would solicit bids and then negotiate with a contractor who had one of the higher bids and then award the contract on a negotiated basis. This amendment provides that if goods or services are in competitive supply, the Department shall solicit competitive bids and then award the contract to the lowest responsible bidder. If the Department wants to reject all bids, it should do so, but then it should allow all bidders to submit new bids. And then award the contract to the lowest responsible bidder.

Mr. CHAVEZ. Mr. President, I was willing to accept the amendment a few minutes ago. I accept the amendment.

Mr. AIKEN. Mr. President, I expected the amendment to be accepted. I should like to have the record show that I do not approve or accept it, so far as changing the present law is concerned, so that it would preclude the placing of orders in some areas where there is much unemployment, even in these prosperous days.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, I call up my amendments 7–1–57–C, as modified this morning, and ask to have the amendments considered en bloc as amendments to the proposed Senate bill.

The PRESIDING OFFICER. Without objection, the amendments will be printed in the RECORD.

The amendments submitted by Mr. DOUGLAS and ordered to be printed in the RECORD, are as follows:

On page 5, line 17, strike out "$3,123,000,000" and insert in lieu thereof "$3,113,000,000."

On page 8, line 4, strike out "$3,291,356,000" and insert in lieu thereof "$3,145,200,000."

On page 8, line 21, strike out "$217,000,000" and insert in lieu thereof "$197,000,000."

On page 10, line 2, strike out "$360,000,000" and insert in lieu thereof "$320,000,000."

On page 10, line 12, strike out "$400,000,000" and insert in lieu thereof "$392,000,000."

On page 10, lines 22 and 23, strike out "$300,000" and insert in lieu thereof "$225,000."

On page 11, line 6, strike out "$5,500,000" and insert in lieu thereof "$5,000,000."

On page 12, lines 17 and 18, strike out "$2,307,000,000" and insert in lieu thereof "$2,295,000,000."

On page 14, line 3, strike out "$88,000,000" and insert in lieu thereof "$87,000,000."

On page 14, lines 12 and 13, strike out "$634,600,000" and insert in lieu thereof "$630,000,000."

On page 14, lines 19 and 20, strike out "$23,500,000" and insert in lieu thereof "$23,200,000."

On page 15, line 18, strike out "$182,500,000" and insert in lieu thereof "$178,000,000."

On page 16, line 6, strike out "$1,912,000,000" and insert in lieu thereof "$1,812,000,000."

On page 16, line 16, strike out "$868,500,000" and insert in lieu thereof "$853,500,000."

On page 17, line 12, strike out "$1,609,000,000" and insert in lieu thereof "$1,534,000,000."

On page 18, line 1, strike out "$823,000,000" and insert in lieu thereof "$820,000,000."

On page 18, line 20, strike out "$211,000,000" and insert in lieu thereof "$176,000,000."

On page 19, line 6, strike out "$166,000,000" and insert in lieu thereof "$164,000,000."

On page 19, line 15, strike out "$86,700,000" and insert in lieu thereof "$85,200,000."

On page 20, line 2, strike out "$136,630,000" and insert in lieu thereof "$134,630,000."

On page 20, line 7, strike out "$505,000,000" and insert in lieu thereof "$495,000,000."

On page 20, line 21, strike out "$306,000,000" and insert in lieu thereof "$300,000,000."

On page 21, line 12, strike out "$108,000,000" and insert in lieu thereof "$107,000,000."

On page 22, line 8, strike out "$6,126,000,000" and insert in lieu thereof "$5,864,000,000."

On page 22, line 16, strike out "$1,264,500,000" and insert in lieu thereof "$1,146,500,000."

On page 23, line 1, strike out "$661,000,000" and insert in lieu thereof "$649,000,000."

On page 25, line 2, strike out "$4,193,993,000" and insert in lieu thereof "$4,062,120,000."

On page 26, line 16, strike out "$3,836,600,000" and insert in lieu thereof "$3,801,600,000."

On page 26, line 25, strike out "$57,000,000" and insert in lieu thereof "$55,000,000."

On page 8, between lines 11 and 12 insert the following:

"COMBAT UNITS

"For expenses incident to the arming, equipping, and supporting two or more combat divisions of the Army utilizing nonnuclear firepower; $425,000,000."

On page 14, between lines 13 and 14, insert the following:

"COMBAT UNITS, MARINE CORPS

"For expenses incident to the arming, equipping, and supporting of additional combat units of the Marine Corps utilizing nonnuclear firepower; $75,000,000."

Mr. DOUGLAS. I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois [Mr. DOUGLAS] that the amendments be considered en bloc? The Chair hears none, and the amendments will be considered en bloc.

Mr. DOUGLAS. Mr. President, I hope we will have the yeas and nays on this amendment. I do not see the distinguished acting majority leader in the Chamber, but I hope we may have the yeas and nays, and I now ask for them.

The PRESIDING OFFICER. The Senator from Illinois asks for the yeas and nays on his amendment.

The yeas and nays were ordered.

Mr. DOUGLAS. I thank the Presiding Officer, and I thank my colleagues.

Mr. President, I am not going to argue this amendment at any great length this afternoon, because I spoke for some 3 hours on it yesterday, and filled 35 pages of the CONGRESSIONAL RECORD, and this material has been available today for study by the Members of the Senate.

I think the material which was introduced into the RECORD yesterday and today proves very clearly that there are enormous wastes in the Department of Defense, wastes which far from having been reduced in the last few years have probably been increased. These are wastes, as we pointed out, in an excessive accumulation of stocks—$111 billion worth of personal property scattered all over the world, and supplies accumulating in central depots running close to $51 billion, with additional supplies distributed to units in the field. There is a huge wastage of material, gradually moving towards obsolescence, which, when it finally has to be sold, sells for only a few cents on the dollar.

We can and should draw on the existing stocks, instead of acting like a group of pack rats and still further filling up depots.

In this connection, Mr. President, I should like to invite the attention of the Senate to what the Deputy Under Secretary of the Army, Mr. Pearson, said in 1953, where he is quoted on page 70 of the hearings of the Subcommittee of the Committee on Government Operations of the House of Representatives:

> We spend $940 million a year operating depots, pushing dead ducks around, instead of using personnel in their capacities and abilities to handle live things and control things in the way they should be controlled.

That was the statement made merely for the Army. It could be duplicated for the Air Force, for the Navy, and to some degree, although to a lesser one, for the Marine Corps. That was 4 years ago. During these last 4 years conditions have not improved; they have grown worse. There is an enormous waste in the accumulation of surplus supplies.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. DOUGLAS. I yield.

Mr. SALTONSTALL. I should like to ask the Senator if my understanding is correct as to what the Senator said yesterday, that his amendments, considered en bloc, would reduce the amount to be appropriated in the bill by $1,058,504,000, subject to a $500 million increase in the Army and the Marine Corps for combat units.

Mr. DOUGLAS. In order to clear up the uncertainty for the Senator from Massachusetts, let me say that these amendments would reduce the specified appropriations to the amounts finally approved by the House, or $971 million less than the amounts recommended by the Senate Appropriations Committee. We do not restore the Army and Marine procurement items which the Senate committee cut out. Then of that $971 million saving on individual items, $500 million would be appropriated for the equipping and furnishing of additional combat units, to be divided between the Army and the Marine Corps in the approximate ratio of their present combat strength.

Really, the proposal is a very simple one. It proposes to cut the total appropriations by approximately $500 million or, to be precise, by $471 million. Then, of the $34 billion which would be appropriated, $500 million would be earmarked for the equipping of additional combat units to provide added protection against the danger which is likely to occur in the peripheral areas of the world where the Communists will probably start probing operations and where the war will be of a limited and not a total character.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield.

Mr. LAUSCHE. To make certain that I understand the net result of the amendment, if adopted the amendment will restore the funds approved by the House but add thereto $500 million, to be assigned in equal proportions to the Army and the Marine Corps for the implementation of our forces to meet limited warfare?

Mr. DOUGLAS. The Senator is correct. Instead of being an arithmetically equal distribution between the Army and the Marine Corps, it would be in proportion to the existing combat strength; 17 Army divisions and 3 Marine divisions.

Mr. President, that is the amendment which I am proposing, and I submit that it is justified by the facts concerning waste—waste of supplies, waste in negotiated contracts, and waste in improper items which are let under contracts, many of which I referred to yesterday, including the celebrated diaper service, which apparently we are furnishing for certain Army personnel at Government expense. There are many other wasteful and absurd items. In addition, there is a fact that the Air Force could certainly draw in its horns in connection with MATS and administrative aircraft.

Fundamentally, what I am trying to do is to effect economies and increase national security at the same time. I am attempting to take the $1 billion out of waste, as a saving, and give half of it to the taxpayers, and half of it to increased national security. It is as simple as that.

I see the representatives of the military in the galleries smiling and laughing at my efforts. I suppose that it their attitude as they look down upon mere mortals here on the floor from their lofty Olympian heights. That is their privilege. There is no law against the military laughing. But I say this to them in all sincerity, and with no malice in my heart: You should get into the game yourselves, and try to produce more efficiency and security instead of championing waste and luxury. It is, however, no laughing matter when attempts are made both to economize and to increase the armed strength of the United States. Let the people ultimately be the judges.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CARROLL. I should like to address a question also to the attention of the distinguished Senator from Massachusetts [Mr. SALTONSTALL].

Yesterday I asked the chairman of the subcommittee, the distinguished Senator from New Mexico [Mr. CHAVEZ] about the amount of money——

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SALTONSTALL. Did the Senator from Illinois yield the floor?

Mr. DOUGLAS. I was ready to yield the floor when the Senator from Colorado asked me to yield. I do not wish to evade answering his question.

Mr. CARROLL. I believe that the question of the transfer of funds involves some $590 million. I wonder if the distinguished Senator from Illinois can tell me how much money is in those funds?

Mr. DOUGLAS. In the stock funds?

Mr. CARROLL. Yes; in the stock funds.

Mr. DOUGLAS. For the Army alone, there is almost $7 billion in stock funds; for the Navy, $1.4 billion; for the Marine Corps, $393 million; for the Air Force, $746 million. However, those are only the stock funds. Behind them stand enormous quantities of stock in a less preferred position. As I say, the total amount of all personal property is $111 billion, and the appropriated fund inventories amount to $41.2 billion for all services, plus the stock fund inventories of $51 billion in all.

Mr. CARROLL. I understood the distinguished Senator's remarks with reference to that enormous sum. That is why I wished to address my remarks also to the attention of the distinguished Senator from Massachusetts. The distinguished Senator from Illinois may not have the figures at his finger tips.

How much money is there in unobligated funds, money that is available to the Military Establishment? Does the Senator from Massachusetts have that information?

Mr. SALTONSTALL. I did not hear the question.

Mr. CARROLL. How much money is available to the Military Establishment in unobligated funds, above the budget we are now considering?

Mr. SALTONSTALL. The Senator asks a very difficult question. The budget presented by the committee would call for appropriations of approximately $34,534,000,000.

Mr. CARROLL. I understand that.

Mr. SALTONSTALL. There are certain funds carried over. The total obligation availability will be $49,900,000,000, including military construction. The Department will apportion during the fiscal year 1958, for its program in 1958, approximately $46 billion, of which there will be carried over approximately $8 billion. I do not vouch for the accuracy of those figures, but I think they are reasonably accurate.

Mr. CARROLL. If I correctly understand what we are doing, an appropriation of about $34 billion or $35 billion is asked for.

Mr. SALTONSTALL. That is correct.

Mr. CARROLL. But there is another pool of about $49 billion.

Mr. SALTONSTALL. No. That includes the $34 billion.

Mr. CARROLL. Those are obligated funds. Is there another fund called the unobligated fund?

Mr. SALTONSTALL. No; that figure of $49.9 billion includes the unobligated funds of $10.9 billion carried over into fiscal year 1958. They will be used during the fiscal year 1958, and there will be certain unobligated funds carried over into 1959.

The Senator was formerly a Member of the House. The House would not stand for the principle of contract authorization, so the House eliminated that provision, in the exercise of its power as the senior appropriating body. What we do now is to say, "If you build an aircraft carrier, that will require 4 or 5 years. We will appropriate the entire sum, $200 million, the first year." That money is carried over as unexpended balances, but that does not mean that it is not planned for. The plans are all made, but the contracts are not let until the time comes to let them. That may be the third year after the original appropriation. That is what is meant by unobligated balances. So an unobligated balance is not an unplanned balance. The Department knows where the money is to go, but it is not yet contracted for.

Mr. CARROLL. I thank the distinguished Senator from Massachusetts. I understand the situation generally to be this:

If we appropriate the sum of $34 billion or $35 billion, the sum total available for expenditure will be about $49 billion, and the actual expenditure for the next fiscal year will be approximately $46 billion.

Mr. SALTONSTALL. For the fiscal year 1958 there will be a total obligation availability of $49,900,000,000.

Mr. CARROLL. But the obligation in the next fiscal year——

Mr. SALTONSTALL. The total planned program for the fiscal year 1958 will amount to $46,684,000,000 leaving a carryover or unobligated balance to 1959 of $8 billion. There is a carryover this year of $10.9 billion. In other words the Department will use almost $3 billion of the unobligated balances during the fiscal year 1958.

Mr. CARROLL. I thank the distinguished Senator from Massachusetts.

Mr. President I think the amendment offered by the distinguished Senator from Illinois cannot possibly be misconstrued by anyone who wishes a strong national security because the evidence now is clear that with this appropriation with even the small cut the Senator from Illinois suggests to this body there would still be $48.5 billion available; and I am confident that the report of the distinguished Senator from Massachusetts is accurate. Notwithstanding a planned obligation in this fiscal year of some $46 billion there will still be a surplus—we can call it an unobligated surplus—of $3 billion.

No one claims that such a cut as that proposed by the Senator from Illinois will injure national security. It is true—and I am speaking now for myself—that I do not want to put myself in the position of saying that I know more than the President of the United States or the great military experts, but it seems to me that there comes a time when we must say to the military, who are negotiating contracts and spending great wealth and revenue, "Take another look. You can absorb the $437 million."

We are not adopting the full House cut. We want to eliminate waste and overlapping and duplication. All we want the military to do is to eliminate some of the plush programs. From the debate this afternoon it should be clear to all concerned that the military will no longer call the turn for Congress. We must have economy. If security is in the national interest so is economy in the national interest. It has been said that one of the most terrible problems we faced 20 years ago was the problem of unemployment. Today the counterpart to that problem in our economy is inflation. For 10 consecutive months we have had an inflationary spiral moving upward. I said to the distinguished Senator from Wyoming only a few minutes ago that we saw what the giant oil corporations have been doing. With just one little increase in the price of crude oil they have added fuel to the fires of inflation, which will have a billion-dollar inflationary effect upon our economy.

The other day the United States Steel Corp. increased the ton price of steel. That will have a chain reaction throughout the Nation's economy, like the chain reaction which was triggered by the giant oil corporations when they raised the price of crude oil. We are facing a very serious problem, the problem of inflation.

I therefore intend to support the amendment, not because I substitute my judgment for the judgment of the military, but because the time has come when we must begin to manifest some desire for economy and the curbing of wasteful expenditures in the Government. The Senator's amendment stands as an example of what we can do to fight inflation without injuring the national security. I congratulate the Senator from Illinois on the work he has done.

Mr. DOUGLAS. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments offered by the Senator from Illinois.

Mr. CHAVEZ. Mr. President, the amendments of the Senator from Illinois would reduce the bill by $971 million, subject to a $500 million increase in the Army and Marine Corps for combat units.

It would cut under the House bill by $87 million. The amendment would wipe out all the increases which the Secretary of Defense, the Joint Chiefs of Staff, and the military leaders have testified are necessary to the security of our Nation. The amendment would cut the National Guard from 425,000 to 368,000.

It would cut the organized Reserve by 20,000 6-month trainees. It would cut the flight pay for Army aviator training.

It would reduce necessary research and development in the three services. It would cut out 11,000 Navy military personnel, or defer the promotion of 45,000 qualified personnel. It would reduce the Navy aircraft procurement program. It would eliminate two needed Navy ships. It would stop the procurement of influenza vaccine. We have been reading a great deal recently about the influenza epidemic in the Far East. The Douglas amendment would stop the procurement of influenza vaccine. It would cut the procurement of spare parts for Air Force aircraft. It would stretch out the guided missile development program. B–52's would be deprived of their support equipment. Of course eventually guided missiles will do the job, but until they are available we will still need the B–52's. The amendment would also eliminate the repair of crash-damaged aircraft. It would also probably reduce the Air Force from 925,000 to 910,000.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. DOUGLAS. The dire consequences the distinguished Senator from New Mexico has read off—and I am sure this is not intentional on his part—are the usual tactics of Government bureaus when an appropriation is reduced. They threaten to reduce services, rather than to eliminate waste.

Is it not true, as the Senator from Massachusetts has stated, that there are reserve stocks of $50 billion unobligated and unexpended? What the Senator from Illinois is proposing is really only a reduction of $471 million, or 1 percent of this.

Is the Senator from New Mexico saying that a reduction of 1 percent in the available supplies which are now on hand, not obligated and not expended, will endanger the security of the United States?

I think we are having this afternoon a repetition of the Summerfield tactics, a refusal to reduce waste and, instead, a threat to reduce security, when waste can be eliminated by the simple device of pulling down these vast accumulating stocks by 1 percent. It is the usual threat that the departments make to Congress.

Mr. CHAVEZ. I will tell the Senator from Illinois what I think. In all sincerity, I may say that I am not on Summerfield's side. However, I believe, so far as I am concerned, that the items provided for in the bill are necessary for national security.

Mr. DOUGLAS. But those items would not have to be eliminated. That is just the point.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I shall yield in a moment. Does the Senator from Illinois have something else to add?

Mr. DOUGLAS. That is all.

Mr. CHAVEZ. I stand by the figures in the committee's report.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. SALTONSTALL. I agree with the Senator from New Mexico. I make merely one addition to what he has so ably pointed out. First, the figures he has read concerning the reductions, if I am correctly informed, were the work of our staff in the Committee on Appropriations, who were asked to analyze the bill and the effect of the reductions proposed by the amendments.

Second, what the Senator from New Mexico has said has a cumulative effect. The amendments eliminate what we have been trying to do for the National Guard and the Reserves; but, above all, they unbalance the system of Army operation. They add to the number of combat units, but reduce the maintenance and operation funds with which the additional combat units can operate.

The Senator from Illinois was a very distinguished marine. I have the utmost respect for his combat service and his other abilities. I am certain that when I make the statement that more than 60 percent of our Army today is composed of combat troops, he will agree that that is a figure which is seldom reached in peacetime, or has never before been reached, I believe, in peacetime.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I have finished my statement. The Senator from New Mexico has the floor.

Mr. DOUGLAS. Mr. President, will the Senator from New Mexico permit me to reply to the Senator from Massachusetts?

Mr. CHAVEZ. Yes, I will; but before the Senator does so, I wish him to bear in mind that if his amendments are agreed to, they will cut the National Guard from 425,000 to 368,000. If the Senator wants to have that done, it is all right with me.

Mr. THYE. Mr. President, will the Senator yield?

Mr. CHAVEZ. In a moment. The organized Reserve would be cut by 20,000 6-month troops. If the Senator wants to do that, it is perfectly all right with the Senator from New Mexico. His amendment would cut the flight pay for aviator training. If the Senator from Illinois wants to do that, that is perfectly all right with me, too.

I now yield to the Senator from Minnesota.

Mr. THYE. Mr. President, on the subject of the National Guard, in the committee we studied that question most thoroughly. We obtained all the information it was possible to get from the National Guard Association as well as from the individual officers of the National Guard.

Mr. CHAVEZ. And also from the Pentagon.

Mr. THYE. And from the Pentagon. We increased the appropriation by $40 million. If we had not increased it, it was a positive, proven fact that a reduction in the National Guard would be made from a possible 400,000 to a lower figure. It was for that reason that the subcommittee increased the amount for the National Guard, and the full committee supported the subcommittee when the question was put before the full committee.

Mr. CHAVEZ. That is why this item is before the Senate.

Mr. THYE. The greatest military strength at the lowest cost can be had and can be maintained with the least amount of disruption to the normal life of the youth through the National Guard.

Mr. CHAVEZ. That is correct.

Mr. THYE. For that reason, I believe it would be a serious mistake to reduce the amount provided in the bill as an appropriation for the National Guard.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. DOUGLAS. May I ask the Senator from New Mexico if it is not true that the Secretary of Defense has in practice exercised broad powers not only to freeze funds which have been appropriated, but also to distribute funds within a given service?

Mr. CHAVEZ. I do not understand the Senator's question.

Mr. DOUGLAS. Has not the Secretary of Defense exercised the power not merely to freeze funds which Congress has appropriated, but has also reapportioned and reallocated funds within a service or department?

Mr. CHAVEZ. He has no power whatsoever to transfer funds appropriated for the National Guard.

Mr. DOUGLAS. He has exercised similar powers in the past in transferring funds from one purpose to another. It is very strange that now it is suddenly discovered he cannot do so.

Mr. CHAVEZ. No; I do not think he has the power or the authority.

Mr. DOUGLAS. Has he not done so?

Mr. CHAVEZ. I have seen Government officials do so many things that I would not be surprised if he has.

Mr. DOUGLAS. Exactly so. I do not wish to prolong the debate, but the point was raised by my good friend from Massachusetts, whom we all love and respect, that the amendment would unbalance the military forces because it would increase combat forces and diminish the funds for operation and maintenance, and deserves to be answered.

The Department of Defense has already unbalanced the situation by devoting too much of the funds for operation and maintenance and not enough funds for combat. An alteration of the distribution of those funds would distinctly help the national defense. How ridiculous to say we are unbalancing national defense by increasing combat strength.

Mr. CHAVEZ. The Senator from Illinois is a peaceful man.

Mr. DOUGLAS. At times I am peaceful; but at times I am bellicose when I see public funds wasted and national security sacrificed.

Mr. CHAVEZ. I understand national origins, so I accept it. We can be peaceful or otherwise. Nevertheless, we are supposedly at peace, and not at war.

We are providing, or are trying to provide, in the best of faith, armed services appropriations which will meet the demands in case of an emergency. If an emergency were to occur, the appropriations would not be half enough. But we are trying to provide for the security of the country as things are now.

Mr. DOUGLAS. I do not wish to prolong the discussion and with this last remark, I will stop. I agree that we are in for a hard pull. But I submit that the Nation needs combat troops more than it needs diaper service for Army personnel; more than it needs swimming pools; more than it needs $500,000 messhalls; more than it needs free riders on MATS; more than it needs $50 billion worth of idle goods in the warehouses.

We should trim down to be a little leaner. We should strip down more than we are doing, and we should give up some of the luxuries which apparently the Pentagon holds more dear than combat effectiveness. We should strive instead for greater combat strength.

Mr. CHAVEZ. I assure the Senator from Illinois that, so far as I am concerned, as the chairman of the subcommittee which handles the Defense Department appropriation, I am not for diaper service. I am for combat service.

Mr. DOUGLAS. We are paying for diaper service now. I am proposing that we turn some of the diaper money into bullets.

Mr. CHAVEZ. I prefer bullets to diapers.

Mr. President, I suggest that the Senate vote.

Mr. SALTONSTALL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Without objection, it is so ordered.

The question is on agreeing en bloc to the amendments of the Senator from Illinois [Mr. DOUGLAS]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the Senator from Missouri [Mr. SYMINGTON]. If the Senator from Missouri were present, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island [Mr. GREEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Texas [Mr. JOHNSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oregon [Mr. MORSE], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

I also announce that the Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Arkansas [Mr. FULBRIGHT]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Arkansas would vote "nay."

The Senator from Texas [Mr. JOHNSON] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from Texas would vote "nay," and the Senator from Oregon would vote "yea."

The Senator from Montana [Mr. MURRAY] is paired with the Senator from West Virginia [Mr. NEELY]. If present and voting, the Senator from Montana would vote "yea," and the Senator from West Virginia would vote "nay."

I also anounce that, if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Oklahoma [Mr. MONRONEY] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Indiana [Mr. JENNER] and the Senator from Kansas [Mr. SCHOEPPEL] are necessarily absent.

The Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

If present and voting, the Senator from Maine [Mr. PAYNE] would vote "nay."

The Senator from Nevada [Mr. MALONE] is paired with the Senator from Kansas [Mr. SCHOEPPEL]. If present and voting, the Senator from Nevada would vote "yea," and the Senator from Kansas would vote "nay."

The result was announced—yeas 7, nays 65, as follows:

YEAS—7

Carroll	Johnston, S. C.	Smathers
Douglas	Lausche	
Frear	O'Mahoney	

NAYS—65

Aiken	Flanders	Mundt
Allott	Goldwater	Neuberger
Barrett	Gore	Pastore
Beall	Hayden	Potter
Bennett	Hickenlooper	Purtell
Bible	Hill	Revercomb
Bricker	Holland	Robertson
Bush	Hruska	Russell
Butler	Humphrey	Saltonstall
Capehart	Jackson	Scott
Carlson	Javits	Smith, Maine
Case, N. J.	Kefauver	Smith, N. J.
Case, S. Dak.	Kerr	Sparkman
Chavez	Knowland	Stennis
Clark	Kuchel	Talmadge
Cooper	Long	Thurmond
Cotton	Magnuson	Thye
Curtis	Martin, Iowa	Watkins
Dirksen	Martin, Pa.	Wiley
Dworshak	McClellan	Williams
Ellender	McNamara	Yarborough
Ervin	Morton	

NOT VOTING—23

Anderson	Fulbright	Johnson, Tex.
Bridges	Green	Kennedy
Byrd	Hennings	Langer
Church	Ives	Malone
Eastland	Jenner	Mansfield
Monroney	Neely	Symington
Morse	Payne	Young
Murray	Schoeppel	

So the amendments of Mr. DOUGLAS were rejected en bloc.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. POTTER. Mr. President, I send to the desk an amendment, and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 40, line 8, it is proposed to strike out "$3,300,000," and insert in lieu thereof "$3,000,000."

Mr. POTTER. Mr. President, in discussing the amendment now before the Senate, I should also like to discuss a couple of other items in the bill, to which I shall not seek to offer amendments, but I think, for the benefit of the Senate, they should be discussed for a few moments.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. POTTER. I yield.

Mr. CHAVEZ. Can we not first take action on the first amendment, and then have the Senator follow with the others?

Mr. POTTER. It is my intention to discuss the amendment, which will take only a few moments, and then have the Senate vote on the amendment, if it cares to.

I think there is no Member of the Senate who wants to cut down on the amount of hardware for the fighting forces of our Nation or on the number of those who serve in our fighting forces.

I am confident that every Senator who has ever been in a military installation, or who has ever served in one of the branches of our armed services, must realize that the nature of our defense structure tends to be wasteful. There is a tendency on the part of our military leaders, because of the nature of their profession and character of their training, to be, let us say, lax with the American dollar.

The amendment I propose is a minor one. Actually, it will not save one nickel in the appropriation bill. However, I have here a list of the public relations people working in our Defense Department in the Washington area, which I think is of interest in connection with the amendment.

This proposal has nothing to do with the various public relations people throughout the world who are connected with the Department of Defense, but refers only to those within the Washington area. Let me cite these figures. In the Department of Defense, there is an Assistant Secretary in charge of public affairs. Under him there are 32 civilian professional personnel and 32 clerical personnel. The military personnel, under the Department of Defense in the field of public relations, consist of 37 professional personnel and 11 clerical.

The civilian personnel public relations people in the Department of the Army are listed as 21 clerical. The military personnel in the Department of the Army, in the public relations field, are listed as 15 professional and 8 clerical.

I could go down the list, Mr. President, and cite example after example of what is, to me, a growing tendency on the part of the military to expand its noncombatant forces.

I would be the first to admit that a public relations division in the Army and the other services, or in the Department of Defense, might be desirable. However, when there are, in the Washington area alone, nearly 150 public relations people who are assigned to that duty, to say nothing of the many hundreds who are engaged in public relations work but are not assigned to that duty on behalf of the various services, I think in their stead we could support almost a division of men, and those men could be used to a much better purpose in a military assignment, which would be more beneficial to the Nation.

What does my amendment propose? Instead of a limitation of $3.3 million, it would reduce that limitation by $300,000 to $3 million.

I have discussed this proposal with the ranking minority member of the Subcommittee on Appropriations which considered this bill, and I have discussed it in the committee. I hope the chairman of the committee, with his usual graciousness, will see fit to accept this amendment. However, before I relinquish the floor, if the chairman will do that, there is another item which I should like to bring to the attention of the Senate.

Mr. President, in the House report on this bill there are minority views presented by my colleague, Representative GERALD FORD, a member of the Subcommittee on Department of Defense Appropriations on the other side of the Capitol. In his minority views Representative FORD cited an example of two hospitals, one in the State of Massachusetts and one in the State of Arkansas. It is stated that the Department of the Army has twice said it could not use these hospitals. Since that time the Murphy Army Hospital in Massachusetts has been transferred for other use, but the Army-Navy Hospital at Hot Springs, Ark., has not. In the pending bill there is a proviso on page 8 which states that the Army shall not abandon the Army-Navy Hospital at Hot Springs, Ark.

This is a small item, and I am most reluctant to bring it to the attention of the Senate, particularly because of my good friend, a distinguished Member of this body, the Senator from Arkansas [Mr. MCCLELLAN], who has shown a great deal of interest in the hospital. It is, as the Senator states, one of the better Army hospitals in the country.

The fact remains, Mr. President, that the Army has not used the hospital, which now costs, according to the testimony of the Army, approximately a half million dollars a year to maintain. We could save a half million dollars if this hospital were closed.

I am confident that this proviso could be knocked out of the bill on a point of order, as legislation on an appropriation bill. I have discussed this matter personally with the distinguished Senator from Arkansas, and I agree with him that the military will be coming here probably within a few weeks to present

to the Congress a bill to provide for construction of new hospitals all over the country. If the Army cannot use this hospital, then I think that the other services, as well as the Army, when they come before the committee—I believe the chairman of the committee is the Senator from Mississippi [Mr. STENNIS]—asking for new construction, should be informed that every effort should be made to utilize the hospital at Hot Springs.

Because of the fact that the committee under the chairmanship of the Senator from Mississippi has not acted as yet, and because this matter will be coming before the Senate, I shall not at this time make the point of order. However, I would be remiss in my duty if I did not point out to the Senate that if this item is allowed to stand, and the same conditions prevail this year as prevailed last year, it will cost the taxpayers a half million dollars, which the Army claims is not needed.

So in all deference, not wishing to take more time of the Senate, I shall not raise the point of order at this time.

I ask the distinguished chairman of the subcommittee [Mr. CHAVEZ] if he would like to have me yield to him now, so that action may be taken on my amendment? If he would, I shall be happy to do so.

Mr. CHAVEZ. I will be delighted to have action taken on the amendment.

First, let me say to the Senator from Michigan that I appreciate the fact that he is not raising the point of order on the provision relating to the hospital at Hot Springs. It is true that it affects directly the two Senators from Arkansas. I do not represent the State of Arkansas. However, I have been following this particular item for many years, and I am most happy that the Senator from Michigan is not raising a point of order.

With reference to the other item, a reduction of $300,000 is involved in the limitation figure carried in the bill. The Senator from Michigan is a member of the subcommittee. He participated in the hearings. The Senator knows what happened, just as well as do other Senators who participated. In view of the overwhelming report of the subcommittee to the full committee, and the report of the full committee to the Senate, I hope that the amendment of the Senator from Michigan will be rejected.

Mr. SALTONSTALL. Mr. President, I agree with what the Senator from New Mexico has said. I should like to add—and I hope he will agree with me—that this amendment represents a cutback on a limitation. It is not a cutback on money, but a cutback on a limitation.

Mr. CHAVEZ. That is correct.

Mr. SALTONSTALL. The essential thing is to make certain that the Department of Defense itself has an appropriation of $450,000 to spend, and that the proposed cut will be divided among the 3 services. If it is done in that way, I can see no harm in taking the amendment to conference. However, I hope the item in the appropriation for the Department of Defense itself will not be cut.

Mr. CHAVEZ. Mr. President, I do not mind trying to agree, and I am usually very agreeable, especially where the Senator from Massachusetts is concerned.

Mr. SALTONSTALL. I thank the Senator.

Mr. CHAVEZ. However, I do not like to do anything contrary to the expressed will of the full committee.

Mr. POTTER. Mr. President, I do not wish the impression to remain that I did not bring the question up in committee when the bill was being marked up before the full committee. As a matter of fact, my amendment lost in committee by only 1 or 2 votes. The vote was close.

Mr. CHAVEZ. No. As I recollect, the vote was 9 to 5. I may be mistaken.

Mr. POTTER. Mr. President, this amendment would not take away one nickel from the appropriation bill. The only thing it would do would be to take $300,000 out of a $3,300,000 limitation. It would reduce the limitation from $3,300,000 to $3,000,000. I most respectfully say that in my judgment we do not win wars with the vast propaganda machine which we have in the Pentagon. The figures which I read, as to the personnel assigned to the public-relations field in the Pentagon for this area alone, are astounding. I thought I was being very cautious in seeking to reduce the limitation by $300,000. As a matter of fact, I would have preferred a much deeper cut than that.

I sincerely hope that the chairman of the subcommittee will accept my amendment and take it to conference.

Mr. CHAVEZ. Being an "easy mark," I shall do so.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. POTTER].

The amendment was agreed to.

Mr. CLARK. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Pennsylvania will be stated.

The CHIEF CLERK. On page 45, after line 2, it is proposed to insert a new section, as follows:

SEC. 633. The Secretary of Defense shall, insofar as practical and taking into consideration the relative costs of various modes of transportation, provide for the procurement on an equitable basis of commercial transportation services financed with funds appropriated in this act.

Mr. CHAVEZ. Mr. President, I believe that the language in the bill would carry out the purposes of the amendment of the Senator from Pennsylvania. Nevertheless, in order to be sure that the purposes he has in mind will be carried out, the chairman of the subcommittee, with the consent of the Senator from Massachusetts, will accept the amendment.

Mr. SALTONSTALL. Mr. President, I agree with what the Senator from New Mexico has said. The substantial language of the Senator's amendment is in the committee report. I do not object to the amendment being taken to conference.

Mr. CLARK. Mr. President, I thank my distinguished friends on the majority and minority sides of the aisle for agreeing to this amendment, which merely puts into legislative form what is already in the report of the committee, and will make it possible for the Department of Defense to negotiate with commercial carriers, so that some money can be saved for the general taxpayers.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. CLARK].

The amendment was agreed to.

Mr. DWORSHAK. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Idaho will be stated.

The CHIEF CLERK. On page 45, between lines 2 and 3, it is proposed to insert the following:

SEC. 633. Notwithstanding any other provision of this act, the total amount appropriated pursuant to this act shall not exceed $34,351,537,770. The Secretary of Defense is authorized and directed within 60 days after the enactment of this act to determine and to certify to the Secretary of the Treasury and the Director of the Bureau of the Budget which of the appropriation items shall be reduced, and the amount that each shall be reduced, in order to effectuate the reduction made by this act. Each appropriation item specified by the Secretary of Defense in his certification is hereby reduced by the amount of reduction specified by him with respect to such item in such certification; and the Secretary of the Treasury is authorized and directed to make the necessary entries on the books of the Treasury to reflect such reductions.

On page 45, line 3, it is proposed to strike out "633" and insert in lieu thereof "634."

Mr. DWORSHAK. Mr. President, we have had enlightening debate on the provisions of the defense budget for this fiscal year. Every Member of Congress realizes the need for maintaining a top Military Establishment at a time when there are many crucial developments throughout the world.

During this debate there has been some confusion, because we have been dealing with potential cuts and actual cuts from the budget was submitted by the President to Congress last January.

I point out that it is difficult to make recommendations for appropriations below the budget figures, because the President, after requesting a reexamination and reappraisal of the budget which he himself had submitted to the Congress, made a reduction. The House, in making its cut of more than $2.5 billion, provided for transfers from one fund to another, with a deferment of some of the programs from this year until next year, with the result that, while the report submitted by the Committee on Appropriations stated that the bill, as reported, was below the budget estimates by $1,593,771,000, the same report points out that the bill which is now before us provides for an actual reduction of $164,294,000 under appropriations for the fiscal year 1957.

Throughout this session there has been a very decisive economy drive, because Members realize that, as we face inflationary problems almost daily, every

effort must be made to reduce Federal spending; and that should be done on the basis that we should not impair any worthwhile services or objectives.

I had the staff of the Senate Committee on Appropriations prepare a statement, which I hold in my hand, showing an accurate report as to what has been saved in various bills which have already been acted upon by both Houses, or at least by the House of Representatives.

Mr. President, I ask unanimous consent to have the table printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparison of appropriations, fiscal years 1957 and 1958

	Appropriations, fiscal year 1957	Appropriations, fiscal year 1958	Increase (+) or decrease (−), 1958 compared with 1957	Percentage increase or decrease, 1957 and 1958
Agriculture	$2,026,689,968	[1] $3,668,972,157	+$1,642,282,189	+81.0
Commerce	768,535,136	597,790,225	−170,744,911	−22.2
Defense	34,698,523,000	[2] 34,534,229,000	−164,294,000	−0.5
District of Columbia	22,558,650	22,504,450	−54,200	−0.2
General Government matters	16,007,475	16,010,370	+2,895	(*)
Independent offices	5,990,841,826	5,373,877,800	−616,964,026	−10.3
Interior	463,187,700	456,189,600	−6,998,100	−1.5
Labor, Health, Education, and Welfare	2,884,858,181	2,871,182,781	−13,675,400	−0.5
Legislative	119,049,798	104,840,660	−14,209,138	−11.9
State, Justice, and judiciary	605,765,157	562,891,293	−42,873,864	−7.1
Treasury-Post Office	3,634,274,850	[3] 4,017,927,000	+383,652,150	+10.6
Public works	867,335,000	[4] 814,813,023	−52,521,977	−6.1

[1] Amount used is figure passed Senate since bill is still pending.
[2] Amount used is figure reported to Senate.
[3] Includes supplemental Post Office.
[4] Amount used is figure passed by House.

Mr. DWORSHAK. Mr. President, I call attention to the tabulation, which shows a comparison, not with the budget, but with the actual appropriations for fiscal year 1957, and the percentage of increase or decrease in the various appropriation bills for 1958, compared with 1957—appropriations, not the budget figures.

This is a very interesting document. It shows that, with the exception of the Department of Agriculture, where there is an increase of 81 percent, largely the result of the initiation of the soil-bank program and because of the tremendous expense involved in getting rid of the surplus commodities under Public Law 480 and other laws, and with the exception of the Treasury and Post Office appropriations—where there was an increase of 10.6 percent, largely because the Post Office is a service department and its appropriations are governed more or less by the requirements of the services that must be rendered, and which are outlined by the legislative branch—all the other departments show a reduction.

For instance, the Commerce Department appropriations are 22.2 percent under the appropriations for 1957. Independent offices show a reduction of 10.3 percent. Interior, 1.5 percent. Labor, Health, Education, and Welfare, where research funds were materially increased, show a reduction of one-half of 1 percent under the appropriations for fiscal 1957. Even the legislative appropriations show a reduction of 11.9 percent. State, Justice, and Judiciary appropriations show a reduction of 7.1 percent. Public Works appropriations, which have been acted upon by the House—and the House figures are used for this comparison purpose—show a reduction of 6.1 percent.

I am sure that everyone appreciates the need of maintaining an efficient Military Establishment. But that does not mean that the Congress should take any action which exempts from the economy crusade the Defense Department. During the debate we have heard many charges made that in procurement, largely on the basis of negotiation instead of on the basis of competitive bids, there has been great waste and inefficiency.

In the Washington Post of this morning there appeared an article with the headline "Procurement Scandal Reported Suppressed." I shall read only a few paragraphs from that article. I assume the facts are correct, and possibly the revelations will be made later. It reads:

> A report on profiteering by foreign suppliers of the United States military services has been suppressed here, it was learned yesterday.
>
> The reason for suppressing something of this much interest to taxpayers was not immediately determined.
>
> But it was possible that the lid was kept on this scandal in the hope of averting a discussion of it while the Defense Department appropriation bill and the foreign aid bill are still in the congressional hopper.

Mr. President, I am not charging that there has been any scandal. I am merely pointing out that as we are making this overall commitment for greater economy and greater efficiency within the operations of the executive branch of the Government—yes, even within the legislative branch—we should expect wholehearted cooperation on the part of the Defense Department. We are asking them to absorb a reduction of exactly 1 percent, as compared with appropriations made for the past fiscal year.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. DWORSHAK. I yield.

Mr. MUNDT. The Senator is making a very interesting and informative and, I might add, impressive presentation. I listened with a great deal of interest to the percentage reductions which we have been able to bring about through our efforts in the Committee on Appropriations and on the floor of the Senate and in the House of Representatives.

Do I understand the Senator correctly to state that if his amendment is adopted it would bring about a total reduction in the national defense appropriation, as against the budget requests, of 1 percent?

Mr. DWORSHAK. No; not with respect to the budget requests, but a reduction of 1 percent under the appropriations which were made a year ago for the fiscal year 1957.

Mr. MUNDT. Would the reduction be comparable with the other reductions made in respect to other departments of the Government?

Mr. DWORSHAK. The reductions for the Department of Defense would be much less.

Mr. MUNDT. Are these percentages also related to the actual expenditures?

Mr. DWORSHAK. Yes. The table from which I have been quoting the figures shows the appropriations for fiscal 1957, the appropriations for fiscal 1958, and, in the last column, the increase or decrease percentagewise.

The reason the comparison is not made with the budget figures is that the budget may have some questionable request contained in it, and may cover a great many items which are not bona fide in every respect. The Senator from Idaho has pointed out that the bill before us is one and a half billion dollars under the budget estimate for 1958. That of course, is more or less meaningless. The committee has done a fine job, and I know the chairman of the subcommittee, the senior Senator from New Mexico [Mr. CHAVEZ], and the ranking minority member, the senior Senator from Massachusetts, [Mr. SALTONSTALL], have done outstanding work.

On that basis I appeal to my colleagues to ask the Department of Defense to cooperate with Congress and with the President. The President himself has asked for a reappraisal of the spending program. Although some Members of the Senate have envisioned reductions in the 1958 budget of 4 or 5 or 6 billion dollars, it would appear now that we will be fortunate indeed if we can bring about a cut of approximately $3 billion so far as the budget is concerned.

I am not so much concerned about cutting the figures in the budget. I make the contention that if we are to have any worthwhile economy enforced on a logical basis for the fiscal year 1958, it is not unreasonable to expect the Department of Defense to reduce its appropriations by 1 percent during the next fiscal year. If that is unreasonable, I wish someone would point out to me in what way it is.

Mr. MUNDT. Speaking for myself only, I think it is a very reasonable request. I voted against the amendment offered by the senior Senator from Illinois [Mr. DOUGLAS], because it seemed to me that his proposed reduction was too great and because it seemed to me he had gone too far in reallocating the funds within the Department of Defense in a manner which is probably beyond the ability of anyone on the floor of the Senate to do wisely. However, I

understand that the Senator from Idaho would leave it to the discretion of the Department of Defense, through its Secretary, to determine where this small percentage reduction would actually be made and how it would be distributed.

Mr. DWORSHAK. Yes. The committee has already reduced the appropriations by a little less than one-half of 1 percent, and my amendment would result in another reduction of about $182 million, which, added to the cut already made, would total exactly 1 percent under the appropriations for fiscal 1957.

Mr. MUNDT. What the Senator from Idaho is actually proposing is something in the nature of a belt-tightening procedure, which would suggest, with the voice of Congress behind it, that the Department of Defense, along with all other departments of Government, try to get along with just a little less personnel here and there; avoid just a little duplication here and there; perhaps instead of sending 6 colonels to testify before the committee, riding in 6 automobiles, driven by 6 chauffeurs, that 3 colonels appear before the committee, driven by 3 chauffeurs, riding in 3 automobiles; and make a little modest cut here and elsewhere; and in that way come within the 1 percent overall reduction. Is that correct?

Mr. DWORSHAK. That is the objective of the amendment. It is on the basis that the Senator from Idaho recognizes the fact that the top officials, the Secretary of Defense and the policymakers in that Department, are willing to cooperate, and that these cuts can be made. If similar or larger reductions can be made in other departments of the executive branch of the Government, certainly it is reasonable to expect the Defense Department to absorb just 1 percent reduction in its appropriations during this fiscal year.

Mr. MUNDT. I certainly hope the Senator will request the yeas and nays on his amendment. I think it is an amendment which will go far beyond the amount of money saved by inducing the sort of economy and reexamination in the Pentagon which will be fruitful in the months and years ahead.

Mr. DWORSHAK. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. DWORSHAK. I yield.

Mr. ELLENDER. On the first page of the report I note that the Senate bill amounts to $34,534,229,000. How much is deducted from that sum under the Senator's amendment?

Mr. DWORSHAK. About $182 million.

Mr. ELLENDER. Is that amount to be in addition——

Mr. DWORSHAK. In addition to the $164 million cut by the committee and included in this bill.

Mr. ELLENDER. And the cut is to be applied to the various sections or portions of the military service, such as the military or armed services?

Mr. DWORSHAK. The amendment authorizes the Secretary of Defense within 60 days after the enactment of the bill to determine and certify to the Secretary of the Treasury and the Director of the Bureau of the Budget which of the appropriation items shall be reduced and the amount that each shall be reduced in order to effectuate the reduction made by this cut.

The purpose of that is to give the authority and discretionary power to the Secretary. I am positive that no meat-ax approach will be made, because on the basis that it is possible to absorb 1 percent, that can be done in an orderly manner.

Mr. ELLENDER. In other words, it would be up to the Army, the Navy, and the Air Force to apply the cut wherever they saw fit?

Mr. DWORSHAK. That is correct.

Mr. LONG. Mr. President, will the Senator yield?

Mr. DWORSHAK. I yield.

Mr. LONG. As I understand the situation, the Senate committee has restored $971,500,000 of the reduction made by the House.

Mr. DWORSHAK. That is correct.

Mr. LONG. After the Defense Department has made its plea to restore as much as possible and the committee has gone along with the Department wherever it could agree with them, the Senator is saying that out of that amount we could very well save $182 million, which is about one-half of 1 percent of the total amount in the bill.

Mr. DWORSHAK. That is correct.

Mr. LONG. By doing so, we would still have restored almost $800 million. Is that correct?

Mr. DWORSHAK. That is correct. It would be just under $800 million in excess of the amount in the House bill.

Mr. LONG. Then the Senator is saying that the Defense Department is to be instructed to look around to see how they can make it possible to stay within the extra $800 million.

Mr. DWORSHAK. That is the purpose.

Mr. LONG. I must say that anyone who is making any effort to do a real housekeeping job in the Pentagon could certainly see where that percentage could be saved.

Mr. DWORSHAK. If not, we are certainly talking in a futile manner about economy and efficiency.

Mr. CHAVEZ. Mr. President, irrespective of the remarks being made, I will accept the amendment of the Senator from Idaho and take it to conference.

Mr. DWORSHAK. Mr. President, like a good many of my colleagues, I voted against the amendment offered by the Senator from Illinois [Mr. DOUGLAS] because I thought it provided for too drastic a cut in the bill. On the basis of that, I question whether it is advisable to rescind the order for the yeas and nays at this time, because I think Senators want an opportunity to go on record for a reasonable reduction in the appropriation for the Department of Defense.

Mr. MANSFIELD. But the Senator from New Mexico has accepted the amendment.

Mr. SALTONSTALL. Mr. President, most respectfully, I cannot agree with the chairman of the subcommittee on this point. What the amendment does is to cut $182,691,230 from the budget. That may be only one-half of 1 percent; it is still a large sum of money. The committee has apportioned very carefully all the money to be appropriated. It has designated it to be applied where it was felt it would do the most good and where it would leave no one any discretion. The committee placed on Congress the responsibility for allocating the money.

Now it is proposed to give the Secretary of Defense discretion in absorbing the proposed cut. I respect the Secretary; I like him. I believe he does a very good job. But he has been very much criticized and we should not give him discretion to cut $182 million wherever he pleases. By this amendment, we would be giving the Secretary complete discretion over what he shall do in cutting back $182 million. I do not believe we ought to do that.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. STENNIS. Under the amendment, would it be possible to apply the $186 million to any single item?

Mr. SALTONSTALL. It would.

Mr. STENNIS. Or to wipe out an item of $50 million?

Mr. SALTONSTALL. It would.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. KNOWLAND. It would also be possible under the amendment, would it not, to strike out the item which has been included for the National Guard, or to strike out any other item?

Mr. SALTONSTALL. Certainly. The committee has done its job of allocating funds and cutting appropriations where it believes that should be done. We restored, as the Senator from California has said, the funds for the National Guard. We put back the funds for the Reserve. We put back funds for certain maintenance operations. We have cut out certain other items. As the Senator from Mississippi [Mr. STENNIS] has said, the Secretary could make this cut in one place, if he wanted to do so.

I have been a member of the Committee on Appropriations for 10 years. In no appropriation bill that I know of have we given authority to the head of a department to take a percentage of the funds and, in a perfectly indiscriminate way, to move the money around in the department. The committee has already apportioned the money not to exceed a certain amount.

Mr. DWORSHAK. Mr. President, in offering the amendment, I have demonstrated more confidence and faith in the integrity and fairness of the Secretary of Defense, because I recognize that it would be unreasonable and illogical to make a meat ax cut in one department.

The Senator from Idaho was very active in the committee, as the Senator from Massachusetts knows, in having

funds added for the Reserves and the National Guard.

Even after the application of the amendment, if 1 percent were to be cut from that increase, it would amount to only $800,000. Surely the Senator from Massachusetts will not stand here and tell the Senate that whoever is serving as Secretary of Defense would defy Congress by making ill-advised and indefensible cuts and disrupting the Department of Defense.

Mr. SALTONSTALL. We have not given so much discretion to any Secretary, in terms of dollars and cents, since I have been a member of the Committee on Appropriations; and, remember, we are talking about $182 million.

Mr. DWORSHAK. This amendment merely sets a ceiling which would provide an overall cut of 1 percent as compared with the appropriation made for the fiscal year 1957. When other departments are taking cuts up to 22 percent as compared with appropriations for 1957, then we are not unreasonable when we expect the Department of Defense to absorb only 1 percent.

Mr. SALTONSTALL. In reply to the Senator from Idaho, I may say that the House reduced the budget estimate $1,300,000,000, which reductions the President has accepted, and then cut $1,200,000,000 below that. What the Senate did was to restore a portion—$971 million—of the $1,200,000,000. So the net cut will be approximately $1,500,000,000.

Mr. DWORSHAK. Is it not true that if my amendment is agreed to and the 1 percent cut is made, the bill will still provide $770 million more than the amount contained in the House bill?

Mr. SALTONSTALL. It will contain $789 million more than the House bill.

Mr. THYE. Mr. President I must oppose the amendment for the reasons that the bill as reported to the Senate makes appropriations of $1,593,771,000 less than the amounts recommended by the Bureau of the Budget, or the amounts contained in the presidential budget transmitted to the Congress. The bill as reported to the Senate by the Appropriations Committee of the Senate calls for appropriations of $164,294,000 less than the appropriations made for the Department of Defense for the fiscal year 1957. No member of the Appropriations Committee has worked more diligently on this bill than has the chairman of the subcommittee, the senior Senator from New Mexico [Mr. CHAVEZ]. He sat in the committee room day after day, and took testimony from the representatives of every division of the Department of Defense. The Senator from Massachusetts [Mr. SALTONSTALL] made a complete study of every phase of this budget and of the military appropriations. There was no day when the Senator from Massachusetts and the Senator from New Mexico were not to be found sitting in the committee room, permitting every member of the subcommittee to interrogate any of the military officers who were there to testify or the civilian secretaries. Every item of the bill was examined most carefully by the committee staff. Both the subcommittee and the full committee have some of the most able staff members. Francis Hewitt and Leonard Edwards were the two regular members of the committee staff who were assigned to the subcommittee. They studied the bill from the very first day when the bill came before the subcommittee.

Therefore, Mr. President, I am unwilling to vote for the amendment, which provides a means of reducing the overall amount, and leaves that to the discretion or responsibility of one person. I must oppose the amendment, because, as I have stated, a most careful study has been made of every item in the bill.

At the time when the budget request came to the Congress, I stated that I believe it could be reduced by $1,500,000,000, after a very careful study of the carryover, the unobligated balances, and the requests on the part of the Military Establishment.

The total has now been reduced by the Senate committee by more than $1,500,000,000. In its recommendations to the full Senate, the committee has provided for economy.

I repeat that the chairman of the subcommittee, the senior Senator from New Mexico [Mr. CHAVEZ], has devoted day after day and week after week, from the early spring until now, to the consideration of the bill; and he has given every member of the subcommittee an opportunity to interrogate every witness who appeared before the committee. The Senator from Massachusetts [Mr. SALTONSTALL] is one of the most able members of the subcommittee, and he studied these budgetary requests in detail and dollarwise.

For those reasons, I must oppose the amendment.

Mr. JAVITS. Mr. President, will the Senator from Minnesota yield to me?

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Minnesota yield to the Senator from New York?

Mr. THYE. I am delighted to yield.

Mr. JAVITS. I should like to ask a question. Obviously the only effect of the amendment will be upon the conferees on the part of the Senate; it will reduce the ceiling within which they will negotiate with the conferees on the part of the other body.

Can we ascertain from the chairman or the ranking Republican member of the subcommittee, or from any other Senator who is likely to be a conferee, just what the amendment is likely to mean in the conference? I think we should ascertain that, so we may vote intelligently on the amendment.

Mr. THYE. In the first instance, the subcommittee worked for many, many weeks in the preparation of its recommendations to the full committee. The amount I have stated was recommended by the subcommittee to the full committee, based on the best ability of the members of the subcommittee. The full committee, after considerable study and consideration, decided on this amount; and I do not believe the Senate should now ask its conferees to go to conference with the responsibility of trying to reallocate very nearly $200 million, as involved in the amendment. I do not believe the conferees on the part of the Senate should be given that additional responsibility. As matters now stand, they will have sufficient responsibility.

Mr. President, I yield the floor.

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arizona will state it.

Mr. GOLDWATER. I wish to ask the Senator from New Mexico whether I am correct in remembering that he, as chairman of the subcommittee, agreed to accept the amendment.

Mr. CHAVEZ. I withdraw that. [Laughter.]

Mr. McCLELLAN obtained the floor.

Mr. CHAVEZ. Mr. President, will the Senator from Arkansas yield to me?

Mr. McCLELLAN. I yield.

Mr. CHAVEZ. Mr. President, I am an easy-going person. In order to try to get along with other Senators, all of whom are able, I did yield to the Senator from Idaho [Mr. DWORSHAK], my good friend, who is a member of the subcommittee handling this bill. The idea was to let him make his position clear.

Nevertheless, I still think the subcommittee and the full committee have reported to the Senate a good bill.

Mr. McCLELLAN. Mr. President, I desire to join the distinguished Senator from Minnesota [Mr. THYE] in what he has said regarding the distinguished chairman of the subcommittee and also regarding the senior Senator from Massachusetts [Mr. SALTONSTALL], the ranking Republican member, with respect to their patience, their diligence, and their fairness in their sincere effort to find the correct answers to the perplexing problem of determining how much money the Congress should appropriate for this agency of the Government.

Mr. President, I hope I am on the side of economy. I am sure I have voted that way many times, during the course of our deliberations with respect to the bill.

I did not vote for all the increases which go into the $971,540,000, which is the amount by which the Senate committee voted to increase the appropriations voted by the House of Representatives for the Department of Defense.

But there were many items for which I believed an increased amount should be provided, and as to which I believed an increase was justified. I took into account the practical fact, which is one of the realities with which we deal, that when the bill goes to conference, the conferees on the part of the House will wish to maintain the position previously taken by the House. Likewise, the conferees on the part of the Senate will argue in behalf of the position taken by the Senate. I know that the amounts reported from the conference will represent a compromise. No Member of the Senate expects the conferees on the part of the House to agree to all the increases voted by the Senate. By the time the conferees have worked out the conference report to the best of their ability, as a result of a process of give and take and the compromising of various views, more than the 1 percent will be saved. I have no doubt that when the conference report comes to us, it will provide for $180 million less.

So I think the objective the Senator from Idaho seeks to achieve is a worthy one; but I believe it will be achieved without having the Senate vote to delegate this power to one man, so as to enable him to eliminate any items he wishes to eliminate.

The amendment would have greater weight with me if it provided for a percentage cut all the way across the board. But I cannot go along with a proposal to permit the Secretary of Defense to eliminate anything he might wish to eliminate. He might decide to eliminate the very things which I would wish to fight for and defend.

So, I believe the amendment proposes the wrong way to go about the matter. However, I commend the Senator from Idaho for his objective.

Again I say that I think no Member needs to be apprehensive that the $180 million will not be saved, as a result of the conference report.

Mr. DIRKSEN. Mr. President, I propound a parliamentary inquiry. I understand the parliamentary situation is that the chairman of the subcommittee has accepted the amendment of the Senator from Idaho. The yeas and nays have been ordered. I am sure the order for the yeas and nays cannot be dispensed with except by unanimous consent.

The PRESIDING OFFICER. The chairman of the subcommittee has not accepted the amendment.

Mr. DIRKSEN. I thought I heard him say he had accepted the amendment.

Mr. CHAVEZ. I withdrew it.

Mr. DIRKSEN. Oh, the Senator withdrew it.

Mr. MUNDT. Mr. President, I am a little bit surprised at the trend that this argument has taken, from the standpoint of those who feel that this 1 percent reduction should not be put in the Defense Department appropriation, and I question their argument on both major points. The first point is that this cut would repose too much confidence in the Secretary of Defense. If this is going to be a vote of confidence in the Secretary of Defense, I am going to vote in the affirmative. I have confidence in him. I have confidence that the administration of the cut of $182 million will be wise, just as I have confidence in his capacity to administer the multibillion-dollar appropriation we are making available to him.

I cannot even conceivably imagine that Charlie Wilson, or anybody else in that position, is going to engage in any frivolous or capricious use of this right to economize to the extent of 1 percent by slapping Congress on the wrist or picking out for a reduction some particular service or agency with respect to which he knows the Congress has consistently supported additional funds.

If this is going to be a vote of confidence, I am for it. I am as confident that he will administer wisely a cut of $182 million as I am confident that he will administer well the spending of multibillion dollar appropriation we are providing for him.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. BARRETT. Is it not a fact that the cut proposed by the Senator from Idaho is only one-half of 1 percent?

Mr. MUNDT. That is correct. The other one-half of 1 percent reduction was made by the committee.

As to the other argument which has been implied, although not frankly stated, that the amount proposed has been hiked a little bit beyond what the committee normally would have provided, because it had to go $800 million above the House figure, and it is thought the House will be adamant, and the conferees want some bargaining power, I recognize that the Senate must face that possibility.

However, I also think we have the responsibility of voting as to whether this is the exact amount, to the dime or dollar, which should be appropriated, or whether, as individual Senators, we feel that perhaps a total cut in the defense appropriation of 1 penny out of $1, $1 out of $100, is justified. We talk about and complain about and criticize the Defense Department, and ask for a greater unification in procurement and speak for more economy. I concur in what the Senator from Wyoming has been saying about that. By following such a policy, we could perhaps economize to the extent of 3 percent, instead of 1 percent. If we are going to back our speeches up with some kind of convincing action, then I think this inches along in the direction in which the Senate should be walking; we should take a little responsibility and authority, and insist on some economy in government including every section of our Government.

I am not going to vote, on a rollcall, for more money than apparently some Senators feel the Defense Department should have, so the Senate can bargain with the House Members. Maybe the House Members will not be in a bargaining mood. Maybe they will yield. I do not want to delegate my interest in economy to the conference committee nor to the House of Representatives.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. LAUSCHE. What is the source of the Senator's information that the committe deliberately lifted the amount of its recommendation in order to place itself in a favorable position for bargaining?

Mr. MUNDT. The source of my information is the colloquies which have been participated in by Members on the floor of the Senate tonight, some of which were engaged in by some very dear friends of mine. I heard them. The Senator from Ohio heard them. That is the conclusion I arrived at. If the Senator from Ohio did not arrive at the same conclusion, that is his privilege.

Mr. LONG. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. LONG. The statement has been made that the Secretary of Defense could make this cut applicable with regard to any particular item. Is it not also true that he does not have to spend any money at all? Does the Senator not remember the amendment of the Senator from Missouri [Mr. SYMINGTON] providing $46 million for the Marine Corps? That money was not spent. During the Truman administration Congress voted an extra $5 billion for the Air Force. The Secretary of Defense impounded the money and declined to spend it. Congress cannot make the Secretary of Defense spend anything.

Mr. MUNDT. Of course, that is true, and we would not force him to spend it if we could. Certainly nobody would want to put the Secretary of Defense in chains and say that he had to spend whatever we provided, even though the weapons in question might be obsolescent. We have to have confidence in our Secretary of Defense. We have confidence in his ability to spend billions of dollars. I think we should have confidence in him with regard to the item of saving $182 million in this bill.

Mr. KNOWLAND. Mr. President, I think we ought to take a good look at what we are doing. Unless my figures are inaccurate, the bill as reported to the Senate by the Appropriations Committee, with the restoration which the committee in its judgment recommended after hearing testimony, and which was less than the restoration asked for by the executive branch of the Government, is still under the budget request by $1,593,000,000, which is in the neighborhood of 3½ to 4 percent under the budget estimate.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. CHAVEZ. The actual figure is 4.4 percent under the budget.

Mr. KNOWLAND. I thank the Senator. I had made a rather rapid calculation. I thought the figure was somewhere between 3½ and 4 percent. I will take the Senator's figure. I assume the staff has checked it. We have recommended a bill which is 4.4 percent under the budget estimate.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. DWORSHAK. Does the Senator from California concede that when the bill was before the Senate Appropriations Committee the Department of Defense asked for a restoration of only $1,220 million, although the House had cut the budget figure by $2,565 million. No restoration of about $1,300 million was asked for because it was admitted that deferments could be made until the next fiscal year, and that at least $1,300 million did not reflect what might be called bona fide reductions?

Mr. KNOWLAND. I think it is fair to say and for this I think Congress is to be commended—that the executive branch of the Government understood the feeling in both the House and the Senate, that items which they would like to have had, and which in their original recommendation they believed were desirable and necessary in our defense picture, would have to be postponed. Consequently, the Department adhered to those items which they felt had a priority of essentiality. Even then we did not give them all the very high priority items, but cut some of them rather substantially.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Idaho.

Mr. DWORSHAK. The Senator from California is correct in that regard, as to the amount which was not requested to be restored.

Is not the failure to ask for the full restoration a result largely of a carryover? I am not sure exactly how much the carryover is. It could be $6 billion, $7 billion, or $8 billion. On that basis, it was not necessary to ask for the full restoration.

Mr. KNOWLAND. Of course, we can get into a discussion of the carryover problem, and we have discussed it. Actually, as the able and distinguished member of the committee knows, the Senate Appropriations Committee has made a little different approach from that taken by our colleagues in the House. Nevertheless, the fact remains that with the procedure which the Congress has followed, the carryover funds are committed. There are items on order in the pipeline.

I think we all agree that with the new missiles and with the new planes the costs of defense have gone up greatly from what they were even in World War II. Items which we could purchase for $1 million may today cost $2 million, or perhaps even $3 million. It is possibly true they are not precisely the same items, because we need different equipment and faster equipment, but nevertheless the rough comparison of the situation shows that item after item for defense has gone up greatly in cost.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. SALTONSTALL. I wish to supplement what the Senator from California has stated. $516 million in Army procurement was put in the budget roughly 18 months ago. When the time came this spring for that expenditure, the Army found it would not need the $516 million, because the production lines in those items were not ready. Those production lines had not come forward as fast as they had expected them to. Therefore, considering the money they had on hand, they did not need the $516 million, because they could not manufacture those goods as planned.

Mr. THYE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Minnesota.

Mr. THYE. Mr. President, I rose to make practically the same statement as that so ably made by the Senator from Massachusetts [Mr. SALTONSTALL], which was that the President recommended a revision of his budget request as submitted to Congress, to reduce it by $516 million, just the same as was done when the President came forth with a reduced recommendation in the mutual security or foreign-aid program.

The President has studied the budgetary requests, which he has submitted to Congress, monthly, and of course we all know that the Bureau of the Budget recommendation is developed some 18 months in advance. In fact, the administration is making studies for the 1958 budget request at the present time.

I think this administration, therefore—the President and the Bureau of the Budget—have been most diligent in their efforts to help Congress revise the budget in view of the world situation and the development of guided missiles, which have permitted a review of our air strength to determine what might be saved in that particular portion of the Department of Defense.

Mr. KNOWLAND. I wish to thank the Senator for his remarks.

Mr. HAYDEN and Mr. JAVITS addressed the Chair.

Mr. KNOWLAND. I yield first to the Senator from Arizona [Mr. HAYDEN], and then I shall yield to the Senator from New York [Mr. JAVITS].

Mr. HAYDEN. Mr. President, I asked the Senator from California to yield for the purpose of suggesting a point of order. I have examined the amendment, and it appears to me the amendment imposes conditions which are legislative in character and not justified in an appropriation bill. If such is the case, it is my duty, as chairman of the Committee on Appropriations, to make a point of order, and I do so.

I should like to have a ruling from the Chair.

The PRESIDING OFFICER. The Chair is ready to rule.

This amendment grants authority to and directs the Secretary of Defense to reduce the appropriations in the bill. The imposition of additional duties or conferring of authority upon an official which he does not under the law possess constitutes legislation on an appropriation bill, and the Chair, therefore, sustains the point of order.

The bill is open to further amendment.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the final passage of the bill.

The yeas and nays were ordered.

Mr. DWORSHAK. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 45, between lines 2 and 3, to insert the following:

SEC. 633. Notwithstanding any other provision of this act, the total amount appropriated pursuant to this act shall not exceed $34,351,537,770.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Idaho [Mr. DWORSHAK].

Mr. DWORSHAK. Mr. President, the amendment has the same ceiling, and provides for the same overall cut of one-half percent in addition to that already made, which would be an overall cut of 1 percent under the appropriations for fiscal year 1957. The amendment deletes that portion of the previous amendment which was ruled out of order.

Mr. CURTIS. Mr. President, will the Senator yield so that I may make a unanimous-consent request?

Mr. DWORSHAK. I yield.

Mr. CURTIS. Mr. President, I ask for the yeas and nays on this amendment.

The yeas and nays were not ordered.

Mr. MUNDT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MUNDT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Without objection, it is so ordered.

Mr. MUNDT. Mr. President, I ask for the yeas and nays on the amendment offered by the Senator from Idaho [Mr. DWORSHAK].

The yeas and nays were ordered.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. JAVITS. Mr. President, I shall take only a minute. I had not intended to participate in this debate, but the way in which this matter has come before us brings me to my feet, for this reason: We either have respect for this bill and its integrity or else it is wanting. If we make this very small cut, we send our conferees into conference with the feeling they should stand by everything they have found by way of facts, borne out by all the evidence they have taken, but there are some small doubts. That is what this action would mean.

Everyone knows very well that this bill is going to be cut before it comes back to us by $180 million, but this action would indicate we have some small doubts as to what we have done. Speaking for myself, it seems to me that the position of the negotiators would be strengthened, and integrity given to them, by showing that we have no doubts and that we feel their findings of fact are correct. If they have to make compromises, that is the fact of life.

Mr. DWORSHAK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Idaho.

Mr. JAVITS. I will yield in a moment.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. JAVITS. This action represents a doubt on our part. That is the way this amendment appears to me.

Many of those who are defending this budget have talked about "meat-ax cuts." I should like to know what the definition of a meat-ax cut is, if it is not an across-the-board reduction, regardless of where it comes from or what it affects.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. DWORSHAK. The sponsor of the amendment did not have in mind casting any reflection on his associates on the Senate Committee on Appropriations. I attended many of the hearings and studied the bill. I am not at liberty to disclose what took place in executive session.

When a Senator proposes that a total overall reduction of 1 percent be made, certainly the Senator from New York is

not justified in making the claim that a meat-ax approach is being made.

As the Senator from South Dakota [Mr. MUNDT] pointed out a few minutes ago, this amendment is an expression of confidence in the Secretary of Defense and would accord to him the opportunity to absorb a small overall reduction, without jeopardizing or impairing in the least any particular program within the Department of Defense.

Mr. JAVITS. Let me say to the Senator that I am a lawyer, and I choose my words very carefully. In the expressions I used, the words "moral integrity" would have been very handy, but I did not use them. I used the word "integrity." I understand exactly what it means, and I think the conferees do too.

The word "integrity" as distinguished from the expression "moral integrity" means that the members of the committee had no mental reservations. I thoroughly agree with my colleague that they did not. I am confident they did not. What it means is that we sustain their findings upon the facts. That is what I understand to be the meaning of the word "integrity." By voting against the amendment, we enable the conferees to go into conference, and say, "We believe in every one of these proposals we are putting forward. We have no doubts on the question. We are not soft. Therefore, if we must negotiate, we negotiate from strength."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Idaho [Mr. DWORSHAK].

Mr. LAUSCHE. Mr. President, I should like to ask the Senator from Idaho a question.

The amount of the bill as it passed the House was $33,562,725,000. If the amendment of the Senator from Idaho were adopted, what would be the difference between the bill accepted by the Senate and the version accepted by the House?

Mr. DWORSHAK. If this amendment were adopted, it would restore between $775 million and $800 million of the cut made by the House.

Answering the question in another way, it would reduce the total in the bill as reported by the committee by approximately $182 million, or one-half of 1 percent under the appropriations for the fiscal year 1957.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Idaho [Mr. DWORSHAK]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the Senator from Missouri [Mr. SYMINGTON]. I am informed that if he were present and voting he would vote "nay." If I were at liberty to vote I would vote "yea." Therefore I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island [Mr. GREEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Texas [Mr. JOHNSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oregon [Mr. MORSE], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], and the Senator from Missouri, [Mr. SYMINGTON], are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

I also announce that the Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

On this vote the Senator from Virginia [Mr. BYRD] is paired with the Senator from Texas [Mr. JOHNSON]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Texas would vote "nay."

I also announce, if present and voting, the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island, [Mr. GREEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Montana [Mr. MURRAY], and the Senator from West Virginia [Mr. NEELY] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Indiana [Mr. JENNER], and the Senator from Kansas [Mr. SCHOEPPEL] are necessarily absent.

The Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from Vermont [Mr. FLANDERS] is detained on official business.

If present and voting, the Senator from Kansas [Mr. SCHOEPPEL], would vote "yea."

The Senator from Nevada [Mr. MALONE] is paired with the Senator from Maine [Mr. PAYNE]. If present and voting, the Senator from Nevada would vote "yea," and the Senator from Maine would vote "nay."

The result was announced—yeas 24, nays 49, as follows:

YEAS—24

Allott	Ellender	Robertson
Barrett	Goldwater	Smathers
Bricker	Hruska	Smith, Maine
Butler	Johnston, S. C.	Thurmond
Carroll	Kefauver	Watkins
Curtis	Lausche	Williams
Douglas	Long	Yarborough
Dworshak	Mundt	Young

NAYS—49

Aiken	Gore	Neuberger
Beall	Hayden	O'Mahoney
Bennett	Hickenlooper	Pastore
Bible	Hill	Potter
Bush	Holland	Purtell
Capehart	Humphrey	Revercomb
Carlson	Jackson	Russell
Case, N. J.	Javits	Saltonstall
Case, S. Dak.	Kerr	Scott
Chavez	Knowland	Smith, N. J.
Church	Kuchel	Sparkman
Clark	Magnuson	Stennis
Cooper	Martin, Iowa	Talmadge
Cotton	Martin, Pa.	Thye
Dirksen	McClellan	Wiley
Ervin	McNamara	
Frear	Morton	

NOT VOTING—22

Anderson	Ives	Morse
Bridges	Jenner	Murray
Byrd	Johnson, Tex.	Neely
Eastland	Kennedy	Payne
Flanders	Langer	Schoeppel
Fulbright	Malone	Symington
Green	Mansfield	
Hennings	Monroney	

So Mr. DWORSHAK's amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there are no further amendments to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

Mr. ELLENDER. Mr. President, the amendment which has just been offered was a very modest one, and I am sorry that it failed of adoption. I voted against the Douglas amendment because in my opinion it eliminated much that was necessary and added almost a half billion dollars which was not essential.

The "economy wave," which engulfed Capitol Hill since the President submitted to Congress the highest peacetime budget in our history has apparently dwindled to a faint ripple. Any thought that this Congress was economy-minded disappeared when the Senate Appropriations Committee acted on the Defense bill for fiscal year 1958.

The committee restored $971,504,000 out of a possible requested restoration of $1,220,171,000. The greatest amount of money was added to the procurement appropriations of the armed services, which is the area in which the greatest waste has occurred, and I submit, will continue to occur.

In increasing the appropriations for Operations and Maintenance, I feel that the committee acted wisely since all three services pointed up the urgency of their needs for funds for this purpose. Had the committee acted otherwise, it would have amounted to a substitution of the committee's judgment for the judgment of our military leaders. This would be dangerous. However, that qualification does not hold true for the restorations made in the procurement appropriations.

For procurement in the armed services the President submitted a budget request aggregating $11,950,000,000. This amount, added to the unobligated balances available at the beginning of fiscal year 1958—balances which aggregate approximately $10.9 billion—would have given the Defense Department almost $23 billion available for procurement in the ensuing and subsequent fiscal years. The services estimate that they will be able to obligate approximately $14 billion of this amount in fiscal year 1958. Therefore, they will carry over an estimated $9 billion for use in fiscal year 1959.

Almost before the ink on the budget document could completely dry, and while the House was conducting its hearings, the President advised Congress that it could reduce the amount requested for procurement in the armed services by $596 million.

He pointed out that this reduction could be specifically applied as follows:

Procurement and Production, for Army, $516 million, and for Marine Corps, $80 million.

The House, in marking up its bill, not only complied with the President's desire and made the cut he suggested, it also proceeded to make some reductions of its own. The House applied cuts in the procurement appropriations amounting to $774 million, as follows:

Procurement of ordnance and ammunition, Navy	$80,000,000
Aircraft and related procurement, Navy	120,000,000
Shipbuilding and conversion	120,000,000
Aircraft and related procurement, Air Force	354,000,000
Procurement other than aircraft, Air Force	100,000,000
	774,000,000

These reductions, made by the House, were not made haphazardly. There was no meat ax approach applied to the procurement appropriations. Every reduction made by the House was justified. The deductions were only made after a careful study of the justifications and the available evidence.

In the appropriation, procurement of ordnance and ammunition—Navy, the House cut $80 million.

This cut was based on the fact that the Navy failed to consider a $10 million reimbursement it would obtain from MDAP—Military Defense Assistance Procurement—and further, that the Navy had underestimated the amount of unobligated balances it would carry over into fiscal 1959. Even if the Navy had been correct in its estimate, it would still have an unobligated balance in this appropriation of $39.5 billion as of July 1, 1958.

In the appropriation, aircraft and related procurement, Navy, the House reduced the budget request by $120 million. In making this reduction, two reasons were advanced by the House:

First, the Navy, in determining its financing requirements for fiscal year 1958, estimated it would have recoupments in this appropriation, as a result of repricings and deletions of items, aggregating $165 million. Based on past experiences the House felt that this amount was underestimated by $70 million.

Secondly, it was discovered in the Navy's justifications that funds were requested for the procurement of the F4H1 and the F8U3, two all-weather fighters. Both of these craft accomplish the same mission, and therefore, it was felt that the Navy should make a choice and keep only one in production while dropping the other, thereby reducing the requirements for funds.

In the appropriation, shipbuilding and conversion—Navy, the House reduction from the budget request amounted to $120 million. Basing its decision on past experience, the House was of the opinion that as a result of repricing, recoupments would be realized amounting to $100 million. In addition to the savings of $100 million, it was felt that some economy could be effected in the administrative expenses of this appropriation.

The greatest reductions made by the House in the procurement area took place in the Air Force appropriations. Between the two appropriations—aircraft and related procurement and procurement other than aircraft—a total of $454 million was cut from the budget request.

In the appropriation, Aircraft and Related Procurement, the Air Force estimated that it would have recoupments resulting from repricings and deletions of items amounting to $1,060,600,000. Just as in other appropriations of this nature, the House was of the opinion that this estimate was too low. It was determined by the House that this amount would approximate $1,414,600,000, or $354 million more than the amount calculated by the Air Force. From 1957 and prior years, the Air Force had already recouped an amount approximating $2.4 billion, and considering this past experience, it would appear that the House calculation is more likely to be correct.

From the appropriation, procurement other than aircraft in the Air Force, the House reduced the budget request by $100 million. This reduction was tied in with the reduction made in the appropriation, aircraft and related procurement. The House felt, and rightly so, that since there was going to be a lengthening of the B–52 program, it should follow that the need for support equipment would be correspondingly reduced. Also, there would be some recoupments during fiscal year 1958 which would reduce the need for new obligational authority.

It cannot be too strongly emphasized that the reductions made by the House in the procurement appropriations could not and would not have any effect on our national security. As was pointed out earlier, the Armed Forces will have a "kitty" amounting to $22 billion dollars, even if the House reductions were permitted to stand as reported. Notwithstanding this fact the Senate Appropriations Committee saw fit to restore a total of $590 million or almost 80 percent of the House cut, and thereby augment a bank account that is already bulging at the seams.

On the afternoon of June 20, Secretary Douglas of the Air Force made a second appearance before the Senate Appropriations subcommittee and put forth a special plea for the restoration of the operation and maintenance funds that had been cut by the House. He pointed out that this item had top priority and that if nothing else was restored, the funds for operating and maintaining the existing Air Force should be provided. He proceeded to rank, on a priority basis, his requests for restoration, and, out of the five appropriations available to the Air Force, he gave the lowest priority to the appropriation—Aircraft and Related Procurement. In fact, the feelings of the Secretary were expressed in an article that appeared in the Washington Post on the morning of June 21, 1957, the morning after the Secretary appeared before the Defense Subcommittee of the Senate Appropriations Committee and made a special plea for the restoration of funds for operation and maintenance.

I ask unanimous consent to have the article printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AIR FORCE SECRETARY DOUGLAS WARNS PLANE BUILDERS OF CUTBACKS

Leaders of the Nation's aircraft industry were called to the Pentagon yesterday and given some bad news about the future.

Air Force Secretary James H. Douglas bluntly told the plane builders that drastic economy measures are coming and they will have to "produce improved hardware at less cost."

That means, he warned, that some plants will be closed, industry payrolls will be reduced and some types of aircraft in development and production must be dropped.

Pentagon officials did not say so, but the executives left the meeting with the distinct impression that some of their companies would not survive the coming cutbacks.

Over 100 representatives of the major aircraft and allied industries came here at Douglas' call for a face-to-face talk on the problems brought about by rising costs and new spending ceilings imposed on the Armed Forces. Included were the presidents of the biggest aircraft manufacturing companies.

They already knew of the overall situation, but Air Force chiefs took this means to lay the problem before them, dramatize the need for change and ask for full cooperation.

"We have been in a period in which we could do almost everything in development and procurement that was desirable," said Douglas. "In the future we must be more highly selective. • • •

"We are not at a point where we must exercise a great deal of ingenuity in order to continue certain essential programs at a relatively lower rate without unit cost being unacceptably high."

Douglas, Assistant Air Force Secretary for Materiel Dudley C. Sharp, Lt. Gen. Clarence S. Irvine, deputy chief of staff for materiel, and Maj. Gen. David H. Baker, director of procurement and production, Air Materiel Command, spoke behind closed doors and then answered questions. The Air Force released a summary of events afterward.

Answering a question from the floor, Douglas said that the effects of a directive from Defense Secretary Charles E. Wilson, banning "installment buying" of aircraft will not be anywhere near as drastic as at first feared.

Earlier Douglas had told Congress that some $4 billion in plane contracts would be rescinded or stretched out under the order. But yesterday, he said that Pentagon chiefs have placed a different interpretation on it and relaxed it somewhat.

Nevertheless, the Air Force didn't mince words in warning that belts must be tightened in the future. Douglas said that the problem stems from imposing missile programs on top of the aircraft modernization program and the incresing cost of both.

Government spending ceilings to prevent expanding costs from continuing have produced a "severe dollar pinch," he said. Industry must cooperate in "getting more dollar value out of the funds now available," he added.

None of the Air Force officials, it was said, mentioned specific plants to be closed, nor plane types to be dropped. But Sharp declared that these steps will be taken:

Overtime costs must be further reduced, despite arguments that this sometimes produces greater efficiency.

Reduction and "streamlining" of engineering staffs. Some companies have built duplicate design staffs where they have several plants building planes.

Planes must be simplified and parts standardized.

Mr. ELLENDER. Mr. President, the Secretary of the Air Force had every

reason to believe from the evidence presented to both the Senate and House Appropriations Committees that restorations in the aircraft and related procurement appropriation could not be expected. That is one reason why he advised the aircraft companies to tighten their belts. He was cognizant of the fact that instead of the Air Force position being strengthened before the Senate subcommittee, it had actually been weakened by the testimony developed there, on the recoupments made in the Air Force.

In an endeavor to determine the necessity for the large amount of unobligated carryovers in the procurement appropriations of the armed services, the staff of the Senate Appropriations Committee learned that for fiscal years 1956 and 1957 the Air Force had made recoupments amounting to 17.3 percent of its procurement program. When questioned about this matter, the Air Force testified that anticipated recoupments in fiscal year 1958 would not be greater than 7 percent. Nevertheless, a 7-percent recoupment out of the 1958 program was not considered by the Air Force in determining its financing requirements for fiscal year 1958.

If the anticipated recoupment for fiscal year 1958 had been considered by the Air Force, there could have been a reduction of $525 million over and above the $354 million already deducted by the House, which was concerned only with recoupments from fiscal year 1957 and prior years. If recoupments in the other procurement appropriations had been fully considered, the Senate could have reduced the total House allowance by an additional amount approximating $600 million.

Notwithstanding the evidence included in the House hearings and report, the priority ranking by the Secretary of the Air Force of the appropriation, aircraft and related procurement, and the evidence advanced at our Senate hearings, our own Senate Appropriations Committee was undaunted in its restoration of a total of $590 million in the procurement accounts. Certainly, this is no more than a contribution to more waste, more duplication, and even more triplication in the armed services. That is what prompts me to say, Mr. President, that it appears that the economy wave which threatened to engulf us has now subsided, perhaps not to return in the near future.

When the bill was under discussion, I endeavored to cut it $3½ billion. I said it could be cut by that amount without in any way affecting the programs of the three services, or our national security.

During the last week I made every effort before the committee and before the subcommittee to reduce the bill by almost a billion dollars under the House figure.

Soon after the committee acted I went to my office and started to prepare a few amendments in order to carry out the views I had expressed before the committee. I worked for about an hour and then said to myself, "What's the use?"

The Senate demonstrated just a few minutes ago that I was correct.

When we tried to cut one-half of 1 percent from an appropriation bill of $34 billion, the Senate voted in the negative, by a vote of 2 to 1.

I was justified in not presenting the amendments. The armed services in their testimony before us stated that by the end of next fiscal year they will have on hand, unobligated, $8,700,000,000. Every effort I made in committee, to reduce this amount, failed.

I predict that at the end of fiscal year 1958 there will be over $10 billion in unobligated funds, or $1,300,000,000 more than the Defense Department's estimate.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. The question I should like to ask the Senator is of great importance, because it will place in the proper perspective the fiscal situation which will prevail within the defense forces at the conclusion of this day's work. If the Senator from Louisiana will look at the hearings at page 378, in columns 4, 5, and 6 under "Total Estimated Obligational Availability," he will see that there will be available $51,712,000,000 for use by the defense forces in the next fiscal year. Does the Senator from Louisiana have the page to which I have referred?

Mr. ELLENDER. I have.

Mr. LAUSCHE. There is an asterisk there which suggests that one should look at the footnotes at the end of the table on page 383. It is asterisk No. 7. The footnote under that asterisk shows that undercharges between the different division of the Defense Department cover the sum of $1,200,000,000. That means that there will be available for expenditure in the next fiscal year $51,712,000,000, less $1,200,000. The total of the bill as reported to the Senate by the committee is $34,534,000,000. That means, if the figures which I have quoted are correct, that $15 billion of unobligated money will be available to the defense forces.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. SALTONSTALL. I most respectfully call the Senator's attention to the fact that the figures he is using are for fiscal 1957, which is the year that has just gone by.

Mr. LAUSCHE. I may say to the Senator from Massachusetts that I picked up this column in accord with answers which he gave this afternoon to questions put to him when other Senators were not able to answer. A young women was sitting at his side, aiding him in answering, and he said the figure was $49 billion.

Mr. SALTONSTALL. That is correct; $49 billion for the fiscal year 1958; and there was an unobligated balance at the start of this fiscal year—which was yesterday—of $10,900,000,000. At the end of this fiscal year—1 year from now—there will be an unobligated balance of $8 billion.

Mr. ELLENDER. The precise estimate is $8,700,000,000. I am sure the Senator remembers Secretary Wilson's memorandum of May 22, which had the effect of withholding $500 million from obligation in fiscal year 1957, thereby increasing the unobligated balances for fiscal year 1958 by that amount.

Mr. SALTONSTALL. Withheld $500 million; the Senator is correct.

Mr. LAUSCHE. I submit to my colleagues that they cannot lightly disregard the fact of the unobligated sum which passes into the year 1958 from the year 1957. Many Senators who have voted against the recommendations will be charged with hampering the efforts of our country. I may be one who will be so charged. I have no fear about the charge. I have had some contact with the military. I respect them. They have given of themselves liberally for the defense of the country. But, with due respect, I believe I can say, and can have the subscription of many who have been in contact with the military, that their use of the dollar in war is carried over into the semipeace period and into the absolute peace period. Mr. President, we can cut this budget.

I suggest, further, although I have not asked the question, as a culmination of all the discussions had today, that it appears to me as though we are going to approve more than the committee recommended. Am I correct in that understanding?

Mr. ELLENDER. No. The total amount which will be appropriated by the Senate, if this bill passes without amendment, is $34,534,229,000.

Mr. LAUSCHE. What is the present status of the figures? Can the Senator from Massachusetts answer that question?

Mr. ELLENDER. Nothing has been taken away thus far.

Mr. CHAVEZ. Not a dime has been added by the Senate.

Mr. ELLENDER. And not a dime has been taken off.

Mr. CHAVEZ. No.

Mr. LAUSCHE. In conclusion, I subscribe to the words of the Senator from Louisiana. We are accepting in full faith every word uttered to us by the military. I have faith in them, but not such faith that I would dismiss from my own mind my own reason and my own experience in dealing with the National Guard of Ohio, and generally with the military. I give my support to the statements made by the Senator from Louisiana.

The PRESIDING OFFICER. Are there further amendments to the bill? If not, the question is on the third reading of the bill.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arkansas will state it.

Mr. McCLELLAN. Has the committee amendment on page 8 been adopted?

The PRESIDING OFFICER. All committee amendments have been adopted except the amendment on page 8, beginning with line 8 and ending with line 11. That amendment was rejected, according to the information given to the Chair by the Parliamentarian.

Mr. McCLELLAN. May I inquire about the amendment beginning with

line 4, page 8, and extending through line 7?

The PRESIDING OFFICER. The amendment beginning on line 4 and continuing through line 7 was agreed to.

Mr. McCLELLAN. I thank the Chair. I do not wish to argue the amendment; but since some remarks were made in opposition to the amendment this afternoon, I simply wish to place in the RECORD some documentary facts in support of the amendment, since it may go to conference.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a telegram I received yesterday from Colonel Westervelt, commanding the Army-Navy Hospital at Hot Springs, Ark.; a telegram I received yesterday from Dr. Goode, manager of the Veterans Hospital at Little Rock; and a telegram I received yesterday from the commanding officer of the Little Rock Air Force Base.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

HOT SPRINGS, ARK., *July 1, 1957.*

Hon. JOHN L. MCCLELLAN,
United States Senate,
Washington, D. C.:

In answer to your telephonic request there are 94 patients in Army-Navy Hospital today. Of these 60 are active duty Army personnel; 11 are active duty Air Force personnel, of whom 10 are from Little Rock Air Base; 7 retired Army personnel; 2 retired United States Navy Marine Corps; 14 dependents of military personnel. Little Rock Air Force Base has averaged approximately 7 active-duty patients this hospital during past year. Little Rock Air Force Base is sending some patients to Veterans' Administration facility in Little Rock and is sending a considerable number of patients to various Air Force Hospitals, among them probably Barksdale Air Force Base, Shreveport, La., and Sheppard Air Force Base, Wichita Falls, Tex.

WESTERVELT,
Commanding, Army-Navy Hospital.

LITTLE ROCK, ARK., *July 1, 1957.*

Hon. JOHN L. MCCLELLAN,
Senate Office Building,
Washington, D. C.

Since the activation of the Jacksonville Air Force Base we have admitted 712 of their servicemen as patients. An additional 1,234 have received treatment on an outpatient basis. Our average daily patient load is 423.

DELMAR GOODE, M. D.
Manager.

WASHINGTON, D. C., *July 1, 1957.*

Senator JOHN L. MCCLELLAN,
United States Senate,
Washington, D. C.

Priority 012240Z, action Senator JOHN L. MCCLELLAN, care of Senate Chambers, United States Senate, Washington, D. C., Information Director of Legislative Liaison, Office of Secretary of the Air Force, Washington, D. C., CINCSAC, OFFUTT, AFB, Nebr., COM AF 2, Barksdale AFB, La., unclas C-5818, attn., Chief of Staff, Barksdale: Reference your conversation with Colonel Strauss this date. Medical records of this installation are incomplete prior to January 1, 1956, disposition of patients during period from January 1, 1956, to this date was as follows: To Veterans' Administration Hospital, Little Rock, Ark., 374; to Army and Navy Hospital, Hot Springs, Ark., 179; to Sheppard AFB, Tex., 61; to Lackland AFB, San Antonio, Tex., 33; to Barksdale AFB, La., 0; to Memphis, Tenn., 0; to Wolters AFB, Tex., 0; to other hospitals for specialized treatment such as tubercular cases, etc., TIM of 2,089 patients this station, 705 were assigned to hospitals as indicated in foregoing with the remaining 1,384 patients being treated at our station dispensary.

COMADIV 825,
Little Rock AFB, Ark.

Mr. McCLELLAN. Mr. President, I call attention to the fact that while an effort is being made to close the hospital at Hot Springs, the Air Force Base at Little Rock sent more than 700 patients to the veterans' hospital at Little Rock, instead of using the Army-Navy hospital, and paid $17.50 a day per patient for that service.

It has bypassed the hospital at Hot Springs and has sent 61 patients to Sheppard Air Force Base, Tex., 350 miles away.

It has sent 33 patients to Lackland Air Force Base, 510 miles away. There is a request now before Congress to increase the facilities at that base by 500 beds.

I do not like to ask a favor for my State, and I am not; but there is a request from the Army for 9 new installations or additions to hospital installations, estimated to cost $56,383,000.

From the Department of the Air Force, there is a request for 12 new additions to installations in the United States and 1 overseas. Those in the United States total 1,790 beds, at a cost of $41,809,000.

There are pending before the Congress requests from the Veterans' Administration for 17 new facilities or additions to facilities, to provide 10,970 beds. I do not know the cost involved; but with the two increases I have stated, there are before the Congress requests for over $150 million for the construction of new hospital facilities for these agencies and services.

The hospital at Hot Springs, Ark., so Senators will be told, when the witnesses are pressed about the matter—and I asked General Hays this question, and he admitted it—is the best facility in continental United States; only one better one is owned by the Government, and it is in Hawaii. The patients being sent to hospitals by the Veterans' Administration could very well be sent to a hospital only 60 miles away. But that hospital is being bypassed, and the veterans are being sent 350 miles away or more than 500 miles away.

When this measure is referred to as an economy measure, I point out that the economical way to proceed is to make the agency use the existing facilities, and to stop the construction of more.

Mr. CHAVEZ. Mr. President, I think I know the subject to which the Senator from Arkansas has been referring. Although I do not come from Arkansas, I ask why a new hospital should be built, if an existing hospital is already available.

In other words, I am in favor of the amendment to which the Senator from Arkansas has referred.

Mr. McCLELLAN. Mr. President, the witnesses were asked what they wished to do with that hospital. They wish to close it and put it in mothballs. Then what will be done with it? It will be declared to be surplus. Then what will happen to it? The Air Force and the Army and the Navy and the Veterans' Administration will say they do not want it. Then what will be done with it? It will be turned into a bat roost. What will happen to it then? An effort will be made to sell it. Who will wish to pay anything for it?

I say that unless the hospital is operated as it should be, instead of being turned into a bat roost, the Federal Government should deed it to the State of Arkansas, and let the State of Arkansas see what it can do with it, and thus insure that the taxpayers who paid for the construction of the hospital and paid to equip it will get some benefit from it.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. HUMPHREY. Mr. President, before the final vote on the bill is taken, let me say that in the light of the arguments I have heard about the necessity for economy, I should like to ask one of the members of the Appropriations Committee what the final vote was in the committee on the bill, as reported by the committee to the Senate. Will the Senator from New Mexico please reply?

Mr. CHAVEZ. I shall be glad to reply. There was not a vote against it.

Mr. HUMPHREY. Mr. President, when the Senate has before it a bill with hearings comprising 1,574 pages; and when, according to the statement of the chairman of the subcommittee, no votes were cast against the bill in the committee, it appears to me that the arguments which have been made in favor of the bill must be rather valid.

I am not saying there cannot be differences of point of view regarding the bill. Indeed there can be, and such differences in point of view have been expressed.

In the case of a bill involving more than $34 billion and the subject of hearings which comprise more than 1,500 pages, and when the bill involves the security of the country, I think it fair to say that one should resolve his doubts in favor of the action taken by the committee.

The PRESIDING OFICER. The bill having been read the third time, the question now is, Shall the bill pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Mississippi [Mr. EASTLAND], the Senator from Rhode Island [Mr. GREEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Texas [Mr. JOHNSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oregon [Mr. MORSE], the Senator from Montana [Mr. MURRAY],

the Senator from West Virginia [Mr. NEELY], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

The Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

I also announce, if present and voting, all of the above listed Senators would vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Indiana [Mr. JENNER] and the Senator from Kansas [Mr. SCHOEPPEL] are necessarily absent.

The Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from Maryland [Mr. BUTLER] and the Senator from Vermont [Mr. FLANDERS] are detained on official business.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], the Senator from Vermont [Mr. FLANDERS], the Senator from New York [Mr. IVES], the Senator from Nevada [Mr. MALONE], the Senator from Maine [Mr. PAYNE], and the Senator from Kansas [Mr. SCHOEPPEL] would each vote "yea."

The result was announced—yeas 74, nays 0, as follows:

YEAS—74

Aiken	Fulbright	Mundt
Allott	Goldwater	Neuberger
Barrett	Gore	O'Mahoney
Beall	Hayden	Pastore
Bennett	Hickenlooper	Potter
Bible	Hill	Purtell
Bricker	Holland	Revercomb
Bush	Hruska	Robertson
Capehart	Humphrey	Russell
Carlson	Jackson	Saltonstall
Carroll	Javits	Scott
Case, N. J.	Johnston, S. C.	Smathers
Case, S. Dak.	Kefauver	Smith, Maine
Chavez	Kerr	Smith, N. J.
Church	Knowland	Sparkman
Clark	Kuchel	Stennis
Cooper	Lausche	Talmadge
Cotton	Long	Thurmond
Curtis	Magnuson	Thye
Dirksen	Mansfield	Watkins
Douglas	Martin, Iowa	Wiley
Dworshak	Martin, Pa.	Williams
Ellender	McClellan	Yarborough
Ervin	McNamara	Young
Frear	Morton	

NOT VOTING—21

Anderson	Hennings	Monroney
Bridges	Ives	Morse
Butler	Jenner	Murray
Byrd	Johnson, Tex.	Neely
Eastland	Kennedy	Payne
Flanders	Langer	Schoeppel
Green	Malone	Symington

So the bill (H. R. 7665) was passed.

Mr. MANSFIELD. Mr. President, I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CHAVEZ, Mr. HAYDEN, Mr. RUSSELL, Mr. HILL, Mr. BYRD, Mr. SALTONSTALL, Mr. BRIDGES, and Mr. YOUNG conferees on the part of the Senate.

ORDER FOR ADJOURNMENT TO NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns tonight it adjourn to meet at 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM WEDNESDAY TO FRIDAY AND FROM FRIDAY TO MONDAY

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish to announce that the Senate will meet at 12 o'clock noon tomorrow, and the next meeting will be on Friday. When the Senate meets on Friday, it will convene and adjourn. There will be no speeches and no insertions in the RECORD.

So at this time I ask unanimous consent that on Wednesday, July 3, 1957, at the conclusion of its business on that day the Senate adjourn until 12 o'clock noon on Friday, July 5, 1957, and that immediately upon the convening of the Senate on that day the Presiding Officer shall, without the transaction of any business or debate, declare the Senate adjourned until Monday, July 8, 1957, at 12 o'clock noon.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

LEGISLATIVE PROGRAM

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HICKENLOOPER. The Senator did not announce what the business for tomorrow will be.

Mr. MANSFIELD. I am coming to that.

For tomorrow, in addition to the announcements made last night, the Senate will consider Calendar No. 462, H. R. 6191, amending the Social Security Act relative to disability applications; and Calendar No. 341, S. 943, to amend section 218 (a) of the Interstate Commerce Act.

The Senate may consider Calendar No. 576, S. 1386, relating to power brakes on trains.

DELETION OF REQUIREMENT FOR REPORTS FROM CERTAIN PERSONS RELATING TO COLLECTION AND PUBLICATION OF PEANUT STATISTICS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 609) to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirements for reports from persons owning or operating peanut picking or threshing machines, and for other purposes, which was, to strike out all after the enacting clause and insert:

That the last sentence of section 1 of the act of June 24, 1936 (ch. 745, 49 Stat. 1898; 7 U. S. C. 951), is amended to read as follows: "All reports shall be submitted monthly in each year, except as otherwise prescribed by the Secretary."

SEC. 2. Section 2 of said act, as amended (49 Stat. 1899; 52 Stat. 349; 7 U. S. C. 952), is repealed.

SEC. 3. Section 3 of said act, as amended (49 Stat. 1899; 52 Stat. 349; 7 U. S. C. 953), is amended to read as follows:

"It shall be the duty of each warehouseman, broker, cleaner, sheller, dealer, growers' cooperative association, crusher, salter, manufacturer of peanut products, and owner other than the original producer of peanuts to furnish reports, complete and correct to the best of his knowledge, on the quantity of peanuts and peanut oil received, processed, shipped, and owned by him or in his possession. Such reports, when and as requested by the Secretary, shall be furnished within the time prescribed and in accordance with forms provided by him for the purpose. Any person required by this act, or the regulations promulgated thereunder, to furnish reports or information, and any officer, agent, or employee thereof, who shall refuse to give such reports or information or shall willfully give answers that are false and misleading, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than $300 nor more than $1,000, or imprisoned not more than 1 year, or be subject to both such fine and imprisonment."

Mr. ELLENDER. Mr. President, I have discussed the House amendment with the distinguished majority leader and with the distinguished minority leader. They have no objection to the immediate consideration of the amendment. The House amendment is technical only. It eliminates the renumbering of sections, which I understand will make the job of the compilers of the United States Code easier. The House proposal is satisfactory to both the State of Virginia and the State of Georgia.

I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to.

EXTENSION OF TIME FOR CONSTRUCTION OF TOLL BRIDGE ACROSS RAINY RIVER NEAR BAUDETTE, MINN.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1054) to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn., which was, after line 12, to insert:

SEC. 2. The amendments made by the first section of this act shall take effect as of June 15, 1957.

Mr. THYE. Mr. President, the bill would extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn. The amendment of the House would make the bill retroactive to June 15, 1957. The majority leader and the minority leader are agreeable, and I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to.

CONSTRUCTION OF BRIDGES OVER THE POTOMAC RIVER

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes.

ADDITIONAL COSPONSORS OF SENATE BILLS 2375 AND 2376

Mr. WATKINS. Mr. President, my colleague, the Senator from Utah [Mr. BENNETT] and I hereby request unanimous consent to add the names of several Senators as cosponsors of S. 2375 and S. 2376, bills to implement the President's long-range minerals program.

Colleagues who have indicated their desire to join as cosponsors of S. 2375 include Senators ALLOTT, BIBLE, CARLSON, CHURCH, GOLDWATER, KNOWLAND, KUCHEL, MAGNUSON, MALONE, and MURRAY.

Senators desiring to join as cosponsors of S. 2376 include: Senators ALLOTT, BIBLE, CARLSON, CHURCH, GOLDWATER, KNOWLAND, KUCHEL, MAGNUSON, MALONE, MONRONEY, and MURRAY.

We are gratified at this display of bipartisan interest in this proposed legislation, and invite any other of our colleagues who are interested to support this highly desirable legislation and to join us in urging expeditious action upon it by the Congress.

The PRESIDING OFFICER. Without objection, the names of the Senators indicated will be placed on the bills as cosponsors.

NEED FOR STABILIZING LEGISLATION FOR DOMESTIC MINERALS INDUSTRY

Mr. WATKINS. Mr. President, the urgency of the need for stabilizing legislation for our domestic minerals industry was strongly pointed up in an article in the financial pages of this morning's newspapers.

An Associated Press dispatch carried in the Washington Post announced a further reduction in the prices of copper and zinc at the custom smelters.

The price of copper was reduced one-half cent a pound to 28½ cents, and the price of zinc was cut the same amount to the distressingly low price of 10 cents a pound. As the article points out, this zinc price is some 3½ cents below the 13½-cent price that was held from early 1956 until the decline started some 2 months ago.

Members of Congress from minerals-producing States on both sides of the aisle have petitioned the House Ways and Means Committee to schedule hearings on the lead-zinc import tax proposal, in an effort to assist this industry before widespread unemployment is created in several producing sections of the country. I sincerely hope that the House committee can find a place in its admittedly crowded calendar to schedule these hearings and get this legislative action underway while there is still an opportunity to render first aid to ailing domestic industry.

I ask unanimous consent to have the article from the Washington Post of July 2 printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COPPER, ZINC PRICES REDUCED

NEW YORK, July 1.—Nonferrous metal prices weakened again today with reductions of one-half cent a pound in custom smelters' prices for copper and zinc.

The dip in copper to 28½ cents a pound came after the Rhodesian Selection Trust announced a lowering of its price by 1¼ cents a pound to 27½ cents. This brings the RST fixed price about in line with fluctuations on the London Metal Exchange.

Major producers in this country held to their recently established price of 29¼ cents a pound for copper.

The cut in zinc brought that metal's price to 10 cents a pound, some 3½ cents below the 13½-cent price that lasted from early 1956 until about 2 months ago. Other zinc sellers were expected to follow the smelter action.

AGREEMENT FOR COOPERATION WITH THE FEDERAL REPUBLIC OF GERMANY, IN ACCORDANCE WITH SECTION 125 OF THE ATOMIC ENERGY ACT

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD an agreement for cooperation with the Federal Republic of Germany on behalf of Berlin, together with the accompanying correspondence. This agreement was signed on June 28, 1957, and was received at the Joint Committee on Atomic Energy on July 1. It is a standard research agreement which provides for the lease of up to 6 kilograms of uranium 235 contained in uranium and enriched up to the maximum of 20 percent of U–235.

This agreement is entered into in accordance with section 125 of the Atomic Energy Act, which was passed by the Congress earlier this year, and signed by the President on April 12 as Public Law 18 of the 85th Congress. In accordance with the provisions of that public law, the statutory guaranties are made by the Senat of Berlin and are approved by the British, French, and American commandants.

There being no objection, the agreement and accompanying correspondence were ordered to be printed in the RECORD, as follows:

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., June 28, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. DURHAM: In accordance with sections 123c and 125 of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

1. An executed "Agreement for cooperation between the Government of the United States of America and the Federal Republic of Germany on behalf of Berlin concerning civil uses of atomic energy" together with an annex signed by the Berlin Senat containing all of the guaranties prescribed by the act.

2. A copy of the letter from the Allied Commandants (Kommandatura) to the Berlin Senat expressing nonobjection to the Senate's signing of the annex containing all of the guaranties prescribed by the act. The Department of State has informed us that this is the normal procedure by which the commandants register approval to the actions of the Berlin Senat.

3. A letter dated June 25, 1957, from the Commission to the President recommending approval of the agreement.

4. A letter dated June 27, 1957, from the President containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security, approving the agreement, and authorizing its execution.

In accordance with section 125 of the act, Berlin is defined as the areas of Berlin over which the Berlin Senat exercises jurisdiction (the French, British, and American sectors). This agreement, as executed, makes cooperation possible between the United States and Berlin on the design, construction, and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, and agriculture and industry. Berlin, if it desires to do so, will be able to engage United States companies to construct research reactors, and private industry in the United States will be permitted within the limits of the agreement, to render other assistance to Berlin. No restricted data will be communicated under this agreement. The Atomic Energy Commission will be able to lease to the Senat of Berlin up to 6 kilograms of contained U–235 at any one time, plus additional quantity as, in the opinion of the Commission is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in Berlin or while fuel elements are in transit.

You will note that article V of the agreement provides for the transfer of limited amounts of special nuclear materials including U–235, U–233, and plutonium for defined research projects related to the peaceful uses of atomic energy.

Article VIII of the proposed agreement records the obligations undertaken by Berlin to safeguard the special nuclear material to be transferred by the Commission, and article IX of the agreement and the annex to the agreement contain the guaranties prescribed by sections 123 and 125 of the Atomic Energy Act of 1954, as amended.

The agreement will enter into force when the Governments of the United States and the Federal Republic of Germany acting on behalf of Berlin have exchanged notifications that the necessary statutory and constitutional requirements have been fulfilled.

Sincerely,

LEWIS STRAUSS, *Chairman.*

(Enclosures: 1. Agreement for cooperation with the Government of the Federal Republic of Germany on behalf of Berlin (3 certified copies). 2. Letter from Allied Commandant to Berlin Senat (3 certified copies) 3, Letter from President to Commission (3 certified copies). 4. Letter from Commission to President (3 certified copies).)

JUNE 25, 1957.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed Agreement entitled "Agreement for Cooperation between the Government of the United States of America and the Government of the Federal Republic of Germany on Behalf of Berlin Concerning Civil Uses of Atomic Energy," and authorize

its execution. For purposes of the Agreement, Berlin is defined as the areas of Berlin over which the Berlin Senat exercises jurisdiction (the French, British and American sectors).

The Agreement has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, and is, in the opinion of the Commission an important and desirable step in advancing the development of the peaceful uses of atomic energy in Berlin in accordance with the policy which you have established. The Agreement would permit cooperation between the United States and Berlin with respect to the design, construction and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, agriculture and industry. As provided in section 125 of the Atomic Energy Act as amended, the Berlin Senat, with the approval of the Allied Commandants, has made all of the guaranties prescribed by this Act, and these guaranties are contained in the Agreement and the Annex thereto.

No Restricted Data would be communicated under this Agreement. The Commission is authorized to lease to the Senat of Berlin up to 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235 for use as reactor fuel. You will note that article V of the agreement would permit the Commission to transfer limited quantities of special nuclear materials, including U–235, U–233 and plutonium, for defined research projects related to the peaceful uses of atomic energy. The Senat of Berlin, if it desires to do so, may engage United States companies to construct research reactors, and private industry in the United States will be able, under the agreement, to render other assistance to the Senat of Berlin.

Following your approval and subject to the authorization requested the Agreement will be formally executed by the appropriate authorities of the Government of the Federal Republic of Germany acting on behalf of Berlin, and the United States and then placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954.

Respectfully,

LEWIS L. STRAUSS, *Chairman.*

THE WHITE HOUSE,
Washington, D. C.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission,
Washington, D. C.

DEAR MR. STRAUSS: Under date of June 25, 1957, you informed me that the Atomic Energy Commission has recommended that I approve the proposed "Agreement for Cooperation Between the Government of the United States of America and the Government of the Federal Republic of Germany on Behalf of Berlin Concerning Civil Uses of Atomic Energy," and authorize its execution. For purposes of the agreement, Berlin is defined as those areas of Berlin over which the Berlin Senat exercises jurisdiction (the French, British, and American sectors). The agreement recites that Berlin desires to pursue a research and development program looking toward the realization of the peaceful and humanitarian uses of atomic energy and desires to obtain assistance from the Government of the United States and United States industry with respect to this program.

The recommended agreement has been reviewed. It calls for cooperation between the Government of the United States and the Senat of Berlin with respect to the design, construction and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, agriculture, and industry. The agreement and annex thereto contain all of the guaranties prescribed by the Atomic Energy Act of 1954, as amended. No restricted data would be communicated under the agreement. The Commission is authorized to lease to the Senat of Berlin up to 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235 for use as reactor fuel. In addition, article V of the agreement would permit the Commission to transfer limited quantities of special nuclear materials, including U–235, U–233 and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Pursuant to the provision of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby—

1. Determine that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and

2. Approve the proposed agreement for cooperation between the Government of the United States and the Government of the Federal Republic of Germany on behalf of Berlin enclosed with your letter of June 25, 1957; and

3. Authorize the execution of the proposed agreement for the Government of the United States by appropriate authorities of the Atomic Energy Commission and the Department of State.

It is my hope that this agreement will mark the beginning of a very productive program of cooperation between the United States and Berlin in the peaceful uses of atomic energy.

Sincerely,

DWIGHT D. EISENHOWER.

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY ON BEHALF OF BERLIN CONCERNING CIVIL USES OF ATOMIC ENERGY

Whereas the peaceful uses of atomic energy hold great promise for all mankind; and

Whereas the Government of the United States of America desires to cooperate with Berlin in the development of such peaceful uses of atomic energy; and

Whereas the design and development of several types of research reactors are well advanced; and

Whereas research reactors are useful in the production of research quantities of radioisotopes, in medical therapy and in numerous other research activities and at the same time are a means of affording valuable training and experience in nuclear science and engineering useful in the development of other peaceful uses of atomic energy including civilian nuclear power; and

Whereas Berlin desires to pursue a research and development program looking toward the realization of the peaceful and humanitarian uses of atomic energy and desires to obtain assistance from the Government of the United States of America and United States industry with respect to this program; and

Whereas the Government of the United States of America, acting through the United States Atomic Energy Commission, desires to assist Berlin in such a program; and

Whereas the Government of the Federal Republic of Germany, as a party to this agreement, is acting on behalf of Berlin;

The parties agree as follows:

ARTICLE I

For the purposes of this agreement:

(a) "Commission" means the United States Atomic Energy Commission or its duly authorized representatives.

(b) "Berlin" means those areas of Berlin over which the Berlin Senat exercises jurisdiction (the French, British, and American sectors).

(c) "Equipment and devices" means any instrument or apparatus and includes research reactors, as defined herein, and their component parts.

(d) "Research reactor" means a reactor which is designed for the production of neutrons and other radiations for general research and development purposes, medical therapy, or training in nuclear science and engineering. The term does not cover power reactors, power demonstration reactors, or reactors designed primarily for the production of special nuclear materials.

(e) The terms "restricted data," "atomic weapon," and "special nuclear material" are used in this agreement as defined in the United States Atomic Energy Act of 1954.

ARTICLE II

Restricted data shall not be communicated under this agreement, and no materials or equipment and devices shall be transferred and no services shall be furnished under this agreement to the Senat of Berlin or authorized persons under its jurisdiction if the transfer of any such materials or equipment and devices or the furnishing of any such services involves the communication of restricted data.

ARTICLE III

1. Subject to the provisions of article II, the Commission and the Senat of Berlin will exchange information in the following fields:

(a) Design, construction, and operation of research reactors and their use as research, development, and engineering tools and in medical therapy.

(b) Health and safety problems related to the operation and use of research reactors.

(c) The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

2. The application or use of any information or data of any kind whatsoever, including design drawings and specifications, exchanged under this agreement shall be the responsibility of the party which receives and uses such information or data, and it is understood that the other cooperating party does not warrant the accuracy, completeness, or suitability of such information or data for any particular use or application.

ARTICLE IV

1. The Commission will lease to the Senat of Berlin uranium enriched in the isotope U–235, subject to the terms and conditions provided herein, as may be required as initial and replacement fuel in the operation of research reactors which the Senat of Berlin, in consultation with the Commission, decides to construct and as required in the agreed experiments related thereto. Also, the Commission will lease to the Senat of Berlin uranium enriched in the isotope U–235, subject to the terms and conditions provided herein, as may be required as initial and replacement fuel in the operation of such research reactors as the Senat of Berlin may, in consultation with the Commission, decide to authorize private individuals or private organizations under its jurisdiction to construct and operate, provided the Senat of Berlin shall at all times maintain sufficient control of the material and the operation of the reactor to enable the Senat of Berlin to comply with the provisions of this agreement and the applicable provisions of the lease arrangement.

2. The quantity of uranium enriched in the isotope U–235 transferred by the Commission under this article and in the custody of the Senat of Berlin shall not at any time be in excess of 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235, plus such additional quantity as, in the opinion of the

Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in Berlin or while fuel elements are in transit, it being the intent of the Commission to make possible the maximum usefulness of the 6 kilograms of said material.

3. When any fuel elements containing U–235 leased by the Commission require replacement, they shall be returned to the Commission and, except as may be agreed, the form and content of the irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the Commission.

4. The lease of uranium enriched in the isotope U–235 under this article shall be at such charges and on such terms and conditions with respect to shipment and delivery as may be mutually agreed and under the conditions stated in articles VIII and IX.

ARTICLE V

Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy undertaken by the Senat of Berlin, or persons under its jurisdiction, including source materials, special nuclear materials, byproduct material, other radioisotopes, and stable isotopes will be sold or otherwise transferred to the Senat of Berlin by the Commission for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of the Senat of Berlin, by reason of transfer of this article, be, at any one time, in excess of 100 grams of contained U–235, 10 grams of plutonium, and 10 grams of U–233.

ARTICLE VI

Subject to the availability of supply and as may be mutually agreed, the Commission will sell or lease, through such means as it deems appropriate, to the Senat of Berlin or authorized persons under its jurisdiction such reactor materials, other than special nuclear materials, as are not obtainable on the commercial market and which are required in the construction and operation of research reactors in Berlin. The sale or lease of these materials shall be on such terms as may be agreed.

ARTICLE VII

It is contemplated that, as provided in this article, private individuals and private organizations in either the United States of America or Berlin may deal directly with private individuals and private organizations in other countries. Accordingly, with respect to the subjects of agreed exchange of information as provided in article III, the Government of the United States of America will permit persons under its jurisdiction to transfer and export materials, including equipment and devices, to and perform services for the Senat of Berlin and such persons under its jurisdiction as are authorized by the Senat of Berlin to receive and possess such materials and utilize such services, subject to:

(a) The provisions of article II.

(b) Applicable laws, regulations, and license requirements of the Government of the United States and the Senat of Berlin.

ARTICLE VIII

1. The Senat of Berlin will maintain such safeguards as are necessary to assure that the special nuclear materials received from the Commission shall be used solely for the purposes agreed in accordance with this agreement and to assure the safekeeping of this material.

2. The Senat of Berlin will maintain such safeguards as are necessary to assure that all other reactor materials, including equipment and devices, purchased in the United States of America under this agreement by the Senat of Berlin or authorized persons under its jurisdiction shall be used solely for the design, construction, and operation of research reactors which the Senat of Berlin decides to construct and operate and for research in connection therewith, except as may otherwise be agreed.

3. In regard to research reactors constructed pursuant to this agreement, the Senat of Berlin will maintain records relating to power levels of operation and burnup of reactor fuels and will make annual reports to the Commission on these subjects. If the Commission requests, the Senat of Berlin will permit Commission representatives to observe from time to time the condition and use of any leased material and to observe the performance of the reactor in which the material is used.

4. Some atomic energy materials which the Senat of Berlin may request the Commission to provide in accordance with this arrangement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Senat of Berlin, the Senat of Berlin shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Senat of Berlin or to any private individual or private organization under its jurisdiction, the Senat of Berlin shall indemnify and save harmless the Government of the United States of America against any and all liability (including third-party liability) from any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Senat of Berlin or to any authorized private individual or private organization under its jurisdiction.

ARTICLE IX

The Senat of Berlin guarantees, as provided in the annex hereto, that:

(a) Safeguards provided in article VIII shall be maintained.

(b) No material, including equipment and devices, transferred to the Senat of Berlin or authorized persons under its jurisdiction, pursuant to this agreement, by lease, sale, or otherwise, will be used for atomic weapons or for research on or development of atomic weapons or for any other military purposes, and that no such material, including equipment and devices, will be transferred to unauthorized persons or beyond the jurisdiction of the Senat of Berlin except as the Commission may agree to such transfer to a nation and then only if, in the opinion of the Commission, such transfer falls within the scope of an agreement for cooperation between the United States and such nation.

ARTICLE X

At the expiration of this agreement or of any extension thereof the Senat of Berlin shall deliver to the United States of America all fuel elements containing reactor fuels leased by the Commission and any other fuel materials leased by the Commission. Such fuel elements and such fuel materials shall be delivered to the Commission at the expense of the Senat of Berlin and such delivery shall be made under appropriate safeguards against radiation hazards while in transit.

ARTICLE XI

This agreement shall enter into force on the date on which the Government of the United States of America and the Government of the Federal Republic of Germany have advised each other in writing that they have complied with all statutory and constitutional requirements for the entry into force of such agreement and shall remain in force for a period of 5 years. Such advice from the Government of the Federal Republic of Germany shall include a notification that the Senat of Berlin has adopted the provisions of this agreement and has made the guaranties specified in article IX above, as provided in the annex hereto, with the approval of the Allied Commandants (Kommandatura).

In witness whereof, the parties hereto have caused this agreement to be executed pursuant to duly constituted authority.

Done at Washington, in duplicate, in the English and German languages, both texts being equally authentic, this 28th day of June 1957.

For the Government of the United States of America:

C. BURKE ELBRICK,
LEWIS L. STRAUSS.

For the Government of the Federal Republic of Germany:

HEINZ L. KREKELER.

ANNEX TO THE AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY ON BEHALF OF BERLIN CONCERNING CIVIL USES OF ATOMIC ENERGY

With regard to the agreement for cooperation between the Government of the United States of America and the Government of the Federal Republic of Germany on behalf of Berlin concerning civil uses of atomic energy, signed

The Senat of Berlin accepts the provisions of the agreement and makes the following guaranties:

(a) The safeguards provided in article VIII thereof shall be maintained.

(b) No material, including equipment and devices, transferred to the Senat of Berlin or authorized persons under its jurisdiction, pursuant to this agreement, by lease, sale, or otherwise will be used for atomic weapons or for research on or development of atomic weapons or for any other military purposes, and no such material, including equipment and devices, will be transferred to unauthorized persons or beyond Berlin, except as the Commission may agree to such transfer to a nation and then only if in the opinion of the Commission such transfer falls within the scope of an agreement for cooperation between the United States and such nation.

In witness whereof, the Senat of Berlin has caused this annex to be executed pursuant to duly constituted authority.

Done at Berlin, this 4th day of June 1957.

THE SENAT OF BERLIN,
OTTO SUHR,
Dr. KLEIN.

ALLIED KOMMANDATURA BERLIN,
June 15, 1957.

Subject: Draft of a supplementary agreement to be concluded between the Government of the United States of America and the Government of the German Federal Republic (acting on behalf of Berlin) with a view to cooperation in the field of peaceful use of atomic energy. Declaration of Guaranties by the Berlin Senat.

To: The governing mayor, Berlin.

Reference. BK/L(57)17 of June 4, 1957.

DEAR MR. MAYOR: I have the honor to inform you that the Allied Kommandatura has no objection to the implementation of the above-mentioned agreement, presented in the Senat's letter of May 16, 1957 (reference Bund 2898–60–02), with the amendments mentioned in the Senat's letter of June 12, 1957 (reference Bund 2898–60–02).

The Allied Kommandatura reaffirms its approval of the Declaration of Guaranties executed by the Berlin Senat.

The Allied Kommandatura also wishes to remind you of the terms of BK/L(57)7, dated January 26, 1957.

Yours sincerely,

G. DMITRIEFF,
Chairman Secretary.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

JOINT RESOLUTIONS OF ILLINOIS LEGISLATURE

Mr. DIRKSEN. Mr. President, I present a joint resolution adopted by the Illinois Legislature on May 1, 1957, urging the enactment of legislation to bring about a modification of the provisions of the NATO status of forces treaties and other agreements under which the criminal jurisdiction over United States servicemen, civilians, and dependents is presently surrendered to foreign nations. I ask unanimous consent that the joint resolution be printed in the RECORD and appropriately referred.

There being no objection, the joint resolution was referred to the Committee on Foreign Relations, and, under the rule, ordered to be printed in the RECORD, as follows:

Senate Joint Resolution 22

Whereas the members of our Armed Forces serving abroad, their civilian components and the dependents of each, are now subject to the criminal jurisdiction of more than 50 countries in which they may be on duty, by reason of the NATO Status of Forces Treaty, the Administrative Agreement with Japan and Executive agreements with other nations; and

Whereas these agreements penalize our servicemen for foreign service by depriving them of many of the rights granted by our Constitution, which they are sworn to defend; and

Whereas it is impossible for any serviceman accused of transgression in a foreign country to receive a fair and impartial trial because of the varying systems of jurisprudence which make it impossible for him to receive the protection of all of the rights and guaranties which our Constitution gives to every citizen and because of the prejudice and animosity sometimes existing against members of our Armed Forces; and

Whereas legislation has been introduced in both the Senate and the House of Representatives of the United States to direct the President to seek a modification of all such agreements so that the United States may regain exclusive jurisdiction over the members of its Armed Forces for all purposes, or if such a modification is refused, then to terminate or denounce the agreements according to the terms of each; Therefore be it

Resolved, By the Senate of the 70th General Assembly of the State of Illinois (the House of Representatives concurring herein), That the members of this general assembly deplore the arrangements now existing which make service in our Armed Forces abroad a hazard by depriving our servicemen, their civilian components and dependents of each, of the rights and guaranties of our Constitution when they are stationed in other lands; that it is the sentiment of this general assembly that all United States service personnel stationed abroad should be tried by United States military tribunals under the Uniform Code of Military Justice for any offense committed on foreign soil; and be it further

Resolved, That we respectfully request and urge the President of the United States, by negotiation, and the Senate and House of Representatives of the United States, by enacting the legislation now pending or similar legislation directing such negotiation, to secure a modification or denunciation of the provisions of the NATO Status of Forces Treaty and all other agreements which surrender to foreign nations criminal jurisdiction over the United States Armed Forces, their civilian components and the dependents of each; and be it further

Resolved, That a suitable copy of this preamble and resolution be forwarded by the secretary of state to the President of the United States and to the Members of the United States Senate and House of Representatives from Illinois.

Mr. DIRKSEN. Mr. President, I also present a joint resolution adopted by the 70th General Assembly of the State of Illinois with reference to the definition of children in the Social Security Act, and the impact of this definition of benefits available for children in those States like Illinois which do not recognize the validity of common-law marriages. I ask unanimous consent that the joint resolution be printed in the RECORD and appropriately referred.

There being no objection, the joint resolution was referred to the Committee on Finance, and, under the rule, ordered to be printed in the RECORD, as follows:

House Joint Resolution 29

Whereas the Social Security Act so defines the term "children" that in Illinois and many other States which do not recognize the validity of common-law marriages, social-security survivorship benefits are denied to children of a deceased father, who is a party to a common-law marriage, although it can be established that the father had lived with the children, supported them, acknowledged parentage on birth certificates, claimed them for income-tax purposes, and in other ways formally and informally acknowledged paternity of such children; and

Whereas there is a substantial number of these children in this and other States who are being deprived of benefits to which they should be entitled; and

Whereas in many cases the public aid and assistance agencies of the State must provide and care for these children at a cost to the States of millions of dollars; and

Whereas the definition of "children" in the Social Security Act should be so amended as to prevent further injustice and financial loss to these children, to enable them to receive the social-security survivorship benefits to which they are entitled and to relieve part of the financial burden which has been placed on this and other States: Therefore be it

Resolved by the House of Representatives of the 70th General Assembly of the State of Illinois (the Senate concurring herein), That this general assembly respectfully request the Senate and House of Representatives of the United States to enact legislation which will redefine the definition of "children" in the Social Security Act so that children of common-law marriages may be permitted to obtain survivorship benefits under the Social Security Act upon the death of the father of such children; and be it further

Resolved, That a suitable copy of this preamble and resolution be forwarded by the secretary of state to every Member of the United States Senate and House of Represenatives from Illinois.

ADDITIONAL BILLS INTRODUCED

Additional bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HUMPHREY:

S. 2454. A bill to provide that the Secretary of Agriculture shall convey certain land to the village of New Richland, Minn.; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. HICKENLOOPER:

S. 2455. A bill for the relief of Sari Rothmann;

S. 2456. A bill for the relief of Michael Carlyle Erickson;

S. 2457. A bill for the relief of Lucy Irene Henning; and

S. 2458. A bill for the relief of Victoria V. F. Farhat; to the Committee on the Judiciary.

By Mr. BRICKER (for himself and Mr. MAGNUSON):

S. 2459. A bill to amend section 402 of the Civil Aeronautics Act of 1938; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. BRICKER when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS:

S. 2460. A bill to authorize the transfer of certain housing projects to the city of Decatur, Ill., or to the Decatur Housing Authority; to the Committee on Banking and Currency.

By Mr. JACKSON (for himself and Mr. MCCLELLAN):

S. 2461. A bill to prohibit the unauthorized disclosure of certain information by members, officers, and employees of regulatory agencies of the Government; to the Committee on the Judiciary.

By Mr. JACKSON (for himself, Mr. MCCLELLAN, and Mr. YARBOROUGH):

S. 2462. A bill to prohibit certain communications with respect to adjudicatory matters pending before Government agencies; to the Committee on the Judiciary.

(See the remarks of Mr. JACKSON when he introduced the above bills, which appear under a separate heading.)

CONVEYANCE OF CERTAIN LAND TO VILLAGE OF NEW RICHLAND, MINN.

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a bill which provides that the Secretary of Agriculture shall convey certain land to the village of New Richland, Minn. This bill is a companion to H. R. 8385 introduced last week by Representative ANDRESEN of Minnesota.

The village officials of New Richland have requested legislation of this kind so that the village may acquire from the Federal Government an old hemp-mill plant contiguous to the village.

Mr. President, I earnestly hope the bill may receive favorable action during the present session of Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2454) to provide that the Secretary of Agriculture shall convey certain land to the village of New Richland, Minn., introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

AMENDMENT OF CIVIL AERONAUTICS ACT OF 1938

Mr. BRICKER. Mr. President, on behalf of myself, and the Senator from Washington [Mr. MAGNUSON], I introduce, for appropriate reference, a bill to amend section 402 of the Civil Aeronautics Act of 1938. I ask unanimous consent that a statement, prepared by me, relating to the bill, may be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 2459) to amend section 402 of the Civil Aeronautics Act of 1938, introduced by Mr. BRICKER (for himself and Mr. BRICKER), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The statement presented by Mr. BRICKER is as follows:

STATEMENT BY SENATOR BRICKER

I have introduced, for appropriate reference, a bill to amend section 402 of the Civil Aeronautics Act of 1938.

This bill sets forth the principles which should govern the granting of air routes to foreign airlines.

The bill also directs the Civil Aeronautics Board to review annually the operations of foreign airlines in order to assure itself that these operations conform to the principles set forth.

This proposed legislation is necessary because Congressional policy appears not to have been followed by the Department of State. The Congress stated in the Air Commerce Act of 1926 and the Civil Aeronautics Act of 1938 the principles that should govern the grant of air transport rights to foreign airlines, but these have not governed in recent agreements with Germany and the Netherlands.

These grants have not only ignored the principles announced by Congress in the legislation referred to above, but they have also ignored the principles which have been stated by the executive branch as governing these aviation agreements. In 1946 the executive branch entered an agreement with the United Kingdom which set forth principles to govern the operation of foreign airlines to this country, known as the Bermuda agreement. Several of the routes granted to the Dutch and the Germans, I am informed, can be operated only in violation of those principles.

The Congress of the United States has constitutional responsibilities for the development of an air transport system adequate to the needs of foreign commerce, of the postal service and of the national defense. The Congress has relied on assurances by the executive branch that it has followed principles adopted in the statutes and in past agreements, but recent activities of the Department of State lead us to the reluctant conclusion that the Congress must again spell out its intent.

There is nothing new in the principles that are here stated because they are the substance of what has been written in more than 45 bilateral agreements with foreign countries since the Bermuda Agreement in 1946. The purpose of this bill, however, is to write them into the statute to make unmistakably clear the intention of the Congress that this policy be carried out in the award of air-route permits to foreign air carriers. The United States, as the leader of the Free World, has a duty both to itself and to others to maintain a strong international air-transportation system, at the lowest possible cost to the taxpayer. Under the American system, this should be accomplished by private-enterprise companies which pay salaries and wages commensurate with the American standard of living. The United States is committed to the Bermuda principles and no feasible substitute has been suggested, so this bill provides a means by which the Civil Aeronautics Board can give them effect.

Having committed itself to the Bermuda principles, the United States should see to it that they are adhered to. The second section of the bill gives the Civil Aeronautics Board additional tools to do the job. After foreign airlines have been awarded a permit to operate to the United States, some of them are able to exploit the United States traffic and thus gain advantages not contemplated in the agreement under which they have been admitted. Since these airlines do not file data with the Civil Aeronautics Board, the scope of their gains cannot readily be detected. Even when it becomes apparent, the Civil Aeronautics Board and State Department do not feel obligated to take action under the agreement.

The governments of foreign countries have enforced the Bermuda principles to restrict United States airlines; but, to my knowledge, in no instance has our Government enforced these principles.

Section 2 of the bill would require the Board to review "from time to time and at least annually * * *" all operations of foreign airlines to determine whether such operations accord with the principles set forth in section 1, and report to the President and the Congress "the conclusion reached by it on all such reviews and the action taken or proposed to be taken in consequence thereof." The Board is authorized to require foreign airlines to furnish such records and statistics as will enable the Board to carry out its duties under the bill.

This bill is the result of study and analysis begun 2 years ago when new routes were granted to the German airline. The disapproval expressed by members and committees of Congress at that time was ignored. In the past several months, further disregard of Congressional policy has made it imperative that the Congress take further steps to carry out its duties to promote an American air-transportation system adequate to the needs of our flag. This bill is offered to start the further hearings and investigations which are necessitated by the unjustified generosity of the State Department in granting air-transport routes.

PROHIBITION OF UNAUTHORIZED DISCLOSURE OF INFORMATION IN ADJUDICATORY PROCEEDINGS OF REGULATORY AGENCIES OF THE GOVERNMENT

Mr. JACKSON. Mr. President, in May and June of this year the Senate Permanent Subcommittee on Investigations held a number of hearings concerning a leak from the Civil Aeronautics Board which resulted in abnormal stock activity in Northeast Airlines on August 3, 1956. The members of the Civil Aeronautics Board met on the evening of August 2, 1956, and voted to award the New York-Florida run to Northeast Airlines. The decision was a secret one. On August 3, 1956, some 24,000 shares of Northeast stock were traded, whereas on the average day approximately 500 shares were traded. This Subcommittee ascertained that there were at least two leaks concerning this secret decision. One witness, a lawyer for Delta Airlines, testified that he had received an anonymous telephone call advising him of the vote. This call was received late in the evening of August 2. He related the news of this award to certain people. As a result, stock was purchased early on August 3. The subcommittee had evidence that another probable leak was the Executive Director of the CAB.

The hearings demonstrated a need for legislation in two distinct areas; one prohibiting the unauthorized disclosure of certain information by employees of these agencies in any adjudicatory proceeding, and the other, allowing the members of the Board freedom from influence in making decisions in any adjudication.

There is no criminal penalty relating to the willful disclosure of certain information by an employee of the CAB. They do have an agency regulation which prohibits the disclosure of such information by any officer or employee. James Durfee, the Chairman of the Civil Aeronautics Board, testified that, despite this regulation, leaks have been a great source of trouble to his Board, and he felt that this was a very serious reflection upon the integrity of his agency. It is very interesting to note that, while the subcommittee was in the process of investigating the leaks concerning the award of August 2, 1956, another leak occurred in CAB in December of 1956, involving an audit of Pan-American Airways.

In connection with our investigation, we heard testimony from Board members of the Interstate Commerce Commission, the Federal Communications Commission, the Securities and Exchange Commission, the Federal Trade Commission, and the Federal Power Commission. It developed that all of these agencies have some administrative rule or regulation prohibiting the disclosure of certain information.

However, only one of these quasi-judicial agencies—the Federal Trade Commission—has a criminal provision for improper disclosure of certain information. Significantly, testimony from officials of the Federal Trade Commission indicated that they felt that this criminal penalty had a very salutatory effect in preventing leaks.

I feel very strongly that the rules and regulations in these various agencies are not adequate. As a matter of fact, all of the agency representatives, who appeared before us, voiced no objection to legislation in this area, and some of the witnesses felt that it would be most beneficial. I am, therefore, introducing two bills. The first bill would prohibit the unauthorized disclosure of certain information in any adjudicatory proceeding by members, officers, and employees of regulatory agencies of the Government.

Regarding the second bill, this subcommittee ascertained by investigation that there are no criminal penalties protecting the commissioners from attempts to influence decisions in adjudicatory matters. There are various agency rules in existence which attempt to prohibit an individual from engaging in such tactics.

I feel that, in the exercise of their judicial functions, the members of the boards of these regulatory agencies are

entitled to the same immunity which, by long-established custom and tradition, is given to the judiciary. This immunity will provide a better climate for these officers in reaching fair and just decisions.

Once again, the representatives of the various agencies, who testified before this subcommittee, voiced no objection to legislation in this area.

The second bill I am introducing merely prohibits anyone, with intent to influence any adjudication, from making any oral or written presentation on any question of law or fact to any member, officer, or employee, without giving notice to all interested parties. The bill in no way curtails any interested party from presenting his views to the Commission and to the board, providing that all parties are first advised. It is only fair and just because it relieves the commissioners from undue influence.

Mr. President, I send the bills to the desk for appropriate reference and I ask unanimous consent they lie on the table until Monday next, so that any Member of the Senate desiring to join as a cosponsor of the bills may have the opportunity to do so before that time.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will lie on the desk until Monday next, as requested by the Senator from Washington.

The bills, introduced by Mr. JACKSON, were received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

By Mr. JACKSON (for himself and Mr. MCCLELLAN):

S. 2461. A bill to prohibit the unauthorized disclosure of certain information by members, officers, and employees of regulatory agencies of the Government.

By Mr. JACKSON (for himself, Mr. MCCLELLAN, and Mr. YARBOROUGH):

S. 2462. A bill to prohibit certain communications with respect to adjudicatory matters pending before Government agencies.

AMENDMENT OF CHAPTER 223, TITLE 18, UNITED STATES CODE, RELATING TO PRODUCTION OF STATEMENTS AND REPORTS OF WITNESSES—AMENDMENT

Mr. BRICKER submitted an amendment, intended to be proposed by him, to the bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses, which was ordered to lie on the table and to be printed.

ADM. FELIX B. STUMP

Mr. REVERCOMB. Mr. President, it is gratifying to me, as I am sure it is to many citizens, to learn that this Nation's entire Far East military forces have been placed under the command of Adm. Felix B. Stump. Admiral Stump is a native of the State of West Virginia. Members of his family live there, and we of our State take a natural pride in the high position attained by him and in the patriotic service he performs.

The importance of the new responsibility which rests upon Admiral Stump is clearly evident from the fact that this change places the Army, the Air Force, and the naval forces in both the Asian and Pacific theaters under the command of one man. Thus Honolulu becomes the command post of nearly one-half million United States servicemen, more than 7,000 planes, and 400 ships, on guard between American and Communist coasts.

Admiral Stump's command covers 75 million square miles. It is bordered by 8,000 miles of Communist coastline—about 4 times the length of the Iron Curtain in Europe. It takes in several of the world's most potentially explosive areas, including Red China, Korea, and Vietnam. It embraces such friendly areas as Japan, Formosa, and the Philippines.

In addition to commanding United States forces in this vast area, Admiral Stump will also direct the American military advisory groups which handle training for some 1.7 million troops of friendly Pacific nations. He is also top United States military advisor in the seven-nation Southeast Asia Treaty Organization.

I have been acquainted with this outstanding West Virginian over a long period of years, Mr. President, and I know that our Pacific and Far Eastern forces are in capable hands. Admiral Stump is a plain-spoken American of rare ability and sterling character. He is not only one of the Nation's outstanding military men; he is also a diplomat of fine ability. I have the utmost confidence in his leadership in this strategic position of grave responsibility.

Upon assuming this new command, Admiral Stump was quoted by the press as saying:

We have the forces now to contain an attack that occurs anywhere in the world.

Knowing Admiral Stump as I do, I feel that the American people can take a large measure of comfort in that statement. We hope and pray that this country will never have occasion to use this huge military force to resist aggression, but if forced to do so to protect our land from enemy domination, we can know that our Armed Forces, now under the command of one man in that area, are in capable hands.

TWO-PRICE WHEAT PLAN TO REPLACE ACREAGE RESERVE OF SOIL BANK

Mr. NEUBERGER. Mr. President, as many of my constituents realize, I have had grave misgivings for a considerable length of time about the acreage-reserve feature of the soil-bank program. Although I support the conservation-reserve phase of the program—with its emphasis on grasses and trees and ponds and other strengthening forces—I have regretfully concluded that the acreage reserve has not had a beneficial result.

Now this is confirmed by an illuminating article in the New York Times of June 16, 1957, by J. H. Carmical, agricultural expert for that great newspaper.

Mr. Carmical emphasizes that by taking many acres of wheat out of production, the Government not only has failed to control surpluses but, in addition, numerous rural trading centers in wheatgrowing areas have suffered a drastic decline in trade and business. All of this leads me to the conclusion that, more than ever, a genuine trial is merited for the two-price plan for wheat, under which domestic wheat for human consumption would have a supported price while the rest of the crop would seek its own level in the world market. Many Oregon wheatgrowers support this proposal.

I ask unanimous consent that the full text of the article by Mr. Carmical appear in the body of the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOIL BANK PROVES COSTLY IN WHEAT

(By J. H. Carmical)

The difficulty of holding down the production of wheat through the soil bank was illustrated in the June 1 report of the Department of Agriculture.

Despite the fact that a little more than one-fifth of the national allotment of 55 million acres for this year's wheat crop was withdrawn from cultivation by the soil bank, the prospective yield was put at 971 million bushels, or only 2.7 percent less than the 997,207,000 bushels harvested in 1956.

Reflecting largely the plentiful moisture in the last 2 months, the yield from the winter-wheat crop may be even greater than last year's, despite the much smaller acreage. The total yield was forecast on June 1 at 735,720,000 bushels, and the average yield at 23.6 bushels an acre. Last year, winter-wheat production amounted to 734,995,000 bushels, and the acre-yield was 20.6 bushels.

BANK GOT THE POORER LAND

Another factor in the high acre-yield is that generally farmers reserved their most fertile land for growing wheat and placed their less productive acres in the soil bank.

Based on June 1 conditions, the spring-wheat crop is estimated at 234,813,000 bushels, compared with 262,212,000 bushels last year. The acreage is down almost 20 percent from a year ago, but the crop is off to a good start. Moisture is ample, and if conditions continue favorable, many in the trade believe that the yield may prove even greater than now indicated.

Heavy rains, particularly in Kansas, may hold back the winter-wheat harvest, and some of it may be damaged by the excessive moisture. But chances are that any losses there will be more than offset by an improvement in the spring crop. In fact, the next report, as of July 1, may show some gain in the total wheat estimate.

In an effort to prevent the further accumulation of surpluses, the Department of Agriculture has contracted to pay farmers some $231 million for withdrawing about 12 million acres allotted to them for growing wheat. With the crop now forecast at only 26 million bushels below last year's, the cost to the Government may be figured at nearly $9 for every bushel of wheat held off the market through the soil bank. Of course the crop might have been much larger than last year's had it not been for the soil bank.

But the indirect cost to the economy of the wheat belt is even more. In addition to the loss in wheat proceeds from the land placed in the soil bank, the growers bought in their trading centers less of the equipment and supplies necessary to the production of wheat.

The money paid by the Government went to the landowner and not to the farmer who may have rented the land in the past or the laborer who may have seeded or harvested it.

The prospects of a normal crop and a decline in export demand already has resulted in a drop in the price of wheat to nearly 30 cents a bushel below the loan level. Unless there is a sharp rise in prices within the next few weeks, growers are bound to put wheat into the Government loan at a high rate. This would mean additional expenditures by the Government, but the losses would be small compared with the cost of the reduction in surplus through the soil bank.

The loan level on this year's crop is about $2 a bushel at the farm, or $2.32 at Chicago. The difference covers transportation costs. However, recently the Department of Agriculture announced the 1958 loan rate at about 22 cents a bushel below the present rate, or at 75 percent of parity, which is the lowest permissible under the law.

UNITED STATES DUE TO GET MORE

Because of the large surplus of wheat, the price in the open market generally has held just below the loan level in recent years. Now, with a reduction likely for the 1958 loan, lower rather than higher prices in the open market seem likely for next year. Under such circumstances, it is quite likely that farmers this year will take full advantage of the loan, and that by the next harvest virtually all the surplus wheat will be controlled by the Government.

This would mean a tight market situation from time to time, but plenty of wheat should be available at or near the loan level both from the growers, who may find it to their advantage to redeem their cereal, and from the Government, which may dispose of some of its huge holdings.

At present, there seems little likelihood of any drastic change in the farm laws. Recently, the House of Representatives approved a bill aimed at eliminating the soil-bank program for next year, but the Senate last week voted to restore it. The matter now must be ironed out in conference, and the belief is that the program will be continued.

REFERENDUM COMING UP

The national referendum to decide whether the wheat growers want marketing quotas next year is to be held this Thursday.

If marketing quotas are approved, as they have been in the last 4 years, the price support for the 1958 crop will be at a $1.78 a bushel to producers who do not exceed their farm acreage allotments. If the quotas are turned down, price support will be available only 50 percent of parity, or $1.18 a bushel.

Many farmers are dissatisfied with the low support price and many in the trade believe that the vote favoring marketing quotas will not be as high as in past years. However, the assurance of $1.78 a bushel is so much better than $1.18, that the growers are expected to produce the necessary two-thirds vote.

If farmers should reject marketing quotas a rather serious price disturbance probably would ensue. The carryover from previous crops on July 1 is expected to be about 950 million bushels, with all except about 75 million bushels held by the Government.

Some of this wheat has been held for 2 years or more, and deterioration normally is heavy after such a period. If wheat or any other commodity held by the Government is in danger of deteriorating rapidly, it may be sold in the domestic market below the loan level.

In addition to the huge carryover, the present crop will be in excess of requirements. The domestic consumption in a season, July 1 to the following June 30, is about 600 million bushels. Exports for the coming season are not expected to be more than 350 million bushels—probably less because of the increase of production in Europe. France is expected to reenter the export market after being a large importer this season.

Exports of wheat from the United States this season are expected to be around 526 million bushels, the largest on record. This stems in part from the poor yield in Europe in 1956 and stockpiling by many countries as a result of the Suez crisis.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 2, 1957, he presented to the President of the United States the following enrolled bills:

S. 45. An act to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.;

S. 806. An act to authorize the Administrator of General Services to quitclaim all interest of the United States in and to a certain parcel of land in Indiana to the board of trustees for the Vincennes University, Vincennes, Ind.;

S. 886. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation;

S. 937. An act to amend section 4 of the Interstate Commerce Act, as amended;

S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from the insurrectos during 1899–1903;

S. 1396. An act to amend section 6 of the act approved July 10, 1890 (26 Stat. 222), relating to the admission into the Union of the State of Wyoming by providing for the use of public lands granted to said State for the purpose of construction, reconstruction, repair, renovation, furnishing equipment, or other permanent improvement of public buildings at the capital of said State;

S. 1412. An act to amend section 2 (b) of the Performance Rating Act of 1950, as amended;

S. 1794. An act to amend section 6 of the act approved July 3, 1890 (26 Stat. 215), relating to the admission into the Union of the State of Idaho by providing for the use of public lands granted therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvements of public buildings at the capital; and

S. 1806. An act to amend the Sockeye Salmon Fishery Act of 1947.

ADJOURNMENT

Mr. WATKINS. Mr. President, pursuant to the order previously entered, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 9 o'clock and 25 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Wednesday, July 3, 1957, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 2, 1957:

DEPARTMENT OF AGRICULTURE

Don Paarlberg, of Indiana, to be an Assistant Secretary of Agriculture, vice Earl L. Butz, resigned.

FEDERAL COMMUNICATIONS COMMISSION

Frederick W. Ford, of West Virginia, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1957, vice George C. McConnaughey, term expired.

UNITED STATES DISTRICT JUDGE

Alfred A. Arraj, of Colorado, to be United States district judge for the district of Colorado, vice Jean Sala Breitenstein, elevated.

UNITED STATES ATTORNEYS

The following-named persons to the positions indicated:

Frank D. McSherry, of Oklahoma, to be United States attorney for the eastern district of Oklahoma for a term of 4 years. (Reappointment.)

William M. Steger, of Texas, to be United States attorney for the eastern district of Texas for a term of 4 years. (Reappointment.)

James L. Guilmartin, of Florida, to be United States attorney for the southern district of Florida for a term of 4 years. (Reappointment.)

Charles W. Atkinson, of Arkansas, to be United States attorney for the western district of Arkansas for a term of 4 years. (Reappointment.)

UNITED STATES MARSHAL

Emerson Ferrell Ridgeway, of Florida, to be United States marshal for the northern district of Florida for a term of 4 years. He is now serving in this office under an appointment which expires July 31, 1957.

COLLECTOR OF CUSTOMS

Chester R. MacPhee, of California, to be collector of customs in customs collection district No. 28, with headquarters at San Francisco, Calif. Reappointment.

Charles F. Brown, Jr., of Louisville, Ky., to be collector of customs in customs collections district No. 42, with headquarters at Louisville, Ky. (Reappointment.)

Frank Abelman, of Marquette, Mich., to be collector of customs in customs collection district No. 38, with headquarters at Detroit, Mich. (Reappointment.)

POSTMASTERS

The following-named persons to be postmasters:

ARKANSAS

Ferrell S. Tucker, Caraway, Ark., in place of Lee Rea, deceased.

Alvin M. Bridwell, Dumas, Ark., in place of W. I. Fish, retired.

Elouise H. Craig, Proctor, Ark., in place of M. T. Akin, deceased.

CALIFORNIA

Arthur R. Olson, Hilmar, Calif., in place of A. N. Renshaw, resigned.

George R. Jahnel, Lodi, Calif., in place of J. W. Koenig, deceased.

Clarence W. Needham, Plymouth, Calif., in place of C. G. Nance, removed.

CONNECTICUT

Walter A. Rollinson, Dayville, Conn., in place of John Welsh, retired.

Willard C. Huntley, Old Lyme, Conn., in place of N. C. Clark, resigned.

GEORGIA

Mary M. Pitts, Rabun Gap, Ga., in place of Miriam Dickerson, retired.

Edward J. Snow, Sr., Rebecca, Ga., in place of C. S. Young, retired.

HAWAII

Irene R. Afflerback, Spreckelsville, Hawaii, in place of E. J. Freitas, retired.

ILLINOIS

Wayne W. Bird, Galatia, Ill., in place of L. L. Riegel, retired.

Robert C. Peterson, Lynn Center, Ill., in place of R. L. Peterson, retired.

Charles R. Simmons, Venice, Ill., in place of D. J. Hallissey, deceased.

INDIANA

Harlan C. Pedlow, Bridgeport, Ind., in place of L. L. Locke, retired.

Raymond P. Steele, Connersville, Ind., in place of R. E. Nelson, deceased.

Paul R. Wadsworth, Rising Sun, Ind., in place of C. E. Pendry, resigned.

Gerald J. McCarty, Union Mills, Ind., in place of H. P. Childers, retired.

KANSAS

Hubert C. Holloway, Greensburg, Kans., in place of H. V. Luginbill, deceased.

MASSACHUSETTS

Russell G. McPhee, East Orleans, Mass., in place of G. F. Mayo, retired.

MINNESOTA

Lawrence D. Murphy, Circle Pines, Minn., in place of F. S. Petersen, resigned.

MONTANA

John W. Loughnane, Belgrade, Mont., in place of J. L. Weaver, deceased.

NEBRASKA

Paul O. Davidson, Alexandria, Nebr., in place of M. A. Brinegar, deceased.

Donald E. Adams, Cody, Nebr., in place of M. S. Yancey, retired.

Lester E. Murrell, Oshkosh, Nebr., in place of H. M. Morris, removed.

NEW JERSEY

Alexander Peter Campbell, Alpine, N. J., in place of V. M. Burkhardt, resigned.

Caroline K. Sheets, Bloomsbury, N. J., in place of S. E. Bellis, removed.

Robert Crater DeRemer, Glen Gardner, N. J., in place of Nellie Potter, resigned.

Ralph B. Speier, Seaside Heights, N. J., in place of A. W. Raymond, resigned.

Marjorie E. Houghtaling, Vernon, N. J., in place of A. E. Baldsin, deceased.

NEW YORK

Dorris S. Beaney, Hamlin, N. Y., in place of E. M. Martin, removed.

Charles P. Stephenson, Morristown, N. Y., in place of C. E. Scott, retired.

NORTH CAROLINA

Wallace K. Crawford, Hayesville, N. C., in place of F. R. Jones, retired.

Wilton McRae, Maxton, N. C., in place of C. B. Williams, retired.

OHIO

Lawrence R. Hazen, Ashland, Ohio, in place of C. L. D. Hartsel, retired.

Alice R. Smith, Parkman, Ohio, in place of H. P. Olmstead, retired.

OKLAHOMA

Lulu M. Klein, Butler, Okla., in place of J. E. Gwinn, transferred.

PENNSYLVANIA

Harry O. Campsey, Jr., Claysville, Pa., in place of M. D. Blayney, retired.

William J. Hlavats, Glassport, Pa., in place of P. E. Hutton, retired.

Claude B. Faust, Macungie, Pa., in place of F. E. Neumeyer, removed.

Henry L. Haines, Maytown, Pa., in place of M. E. Culp, retired.

Edward J. Miller, Newry, Pa., in place of Adam Hoover, retired.

Harold J. Niemeyer, Newtown Square, Pa., in place of S. S. Broadbelt, retired.

Claude B. Arnold, Rome, Pa., in place of R. K. Valentine, retired.

RHODE ISLAND

Richard M. Stanton, Wood River Junction, R. I., in place of E. A. Hill, removed.

SOUTH DAKOTA

Robert G. Chase, Parker, S. Dak., in place of G. L. Egan, retired.

TENNESSEE

Lee N. Ruch, Belvidere, Tenn., in place of Clyde Zimmerman, transferred.

Charles Edwin Graves, Knoxville, Tenn., in place of A. S. Garrett, retired.

TEXAS

Ernest H. Butts, Annona, Tex., in place of M. E. Russell, resigned.

John Sleeper, Sr., Elm Mott, Tex., in place of T. P. Gassaway, retired.

Herman S. Gray, Somerset, Tex., in place of Walter Kurz, retired.

VERMONT

Glenn T. Foster, Weston, Vt., in place of Raymond Taylor, retired.

VIRGINIA

Owen K. Blackburne, Lynchburg, Va., in place of J. H. Coleman, retired.

WASHINGTON

Theodore H. Biermann, Lind, Wash., in place of C. E. Schutz, retired.

WEST VIRGINIA

Emil E. Frye, Chapmanville, W. Va., in place of D. R. Toney, removed.

Mary Virginia Earman, Harpers Ferry, W. Va., in place of M. E. Marquette, retired.

Elner F. Stutler, West Union, W. Va., in place of Oma Corder, removed.

WISCONSIN

Charles A. Hall, Gresham, Wis., in place of L. C. Mader, deceased.

Roger W. Most, Prescott, Wis., in place of F. J. French, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 2, 1957:

DEPARTMENT OF THE TREASURY

Robert Bernerd Anderson, of New York, to be Secretary of the Treasury.

COLLECTOR OF CUSTOMS

Albina R. Cermak, of Cleveland, Ohio, to be collector of customs in customs collection district No. 41, with headquarters at Cleveland, Ohio.

COMPTROLLER OF CUSTOMS

Albert Cole, of Massachusetts, to be Comptroller of Customs, with headquarters at Boston, Mass.

WITHDRAWALS

Executive nominations withdrawn from the Senate, July 2, 1957:

POSTMASTERS

William W. Boyd, Sherrodsville, in the State of Ohio.

Franklin B. Spriggs, Arnold, in the State of Maryland.

Edith M. Casey, New Caney, in the State of Texas.

Wesley D. Banks, St. Matthews, in the State of South Carolina.

Jackson T. Potter, Winnabow, in the State of North Carolina.

Blaine E. Moyer, Kreamer, in the State of Pennsylvania.

Ted M. Anderson, Batesville, in the State of Arkansas.

Evelyn R. Howard, Montmorenci, in the State of Indiana.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 2, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou eternal and gracious spirit, we know that for guidance and understanding, for patience and perseverance, for joy and peace, we need the wisdom and strength of the Lord God Almighty.

Grant that daily, in this Chamber, we may bear witness that we are coveting and cultivating earnestly those ideals and principles which are curative and creative in the building of a nobler civilization,

Give us a glorious vision of the kingdom of truth and righteousness and may we make its consummation and fulfillment the object of all our hopes and labors.

Hear us in the name of the Captain of our salvation. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McBride, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2420. An act to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5728. An act to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Development Corporation.

COLOMBIA'S STORY

Mr. PORTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, a nation of 12 million inhabitants last May emerged from 8 years of dictatorship and is now on the road to democracy. This nation, Colombia, from which I lately returned, needs and deserves the full and enthusiastic support of the United States.

During the dictatorship, 200,000 Colombians were killed. Yet the Conservative and Liberal Parties united last March to organize passive resistance to the dictator, Rojas Pinilla, and force his downfall with a minimum of bloodshed. Great credit must also be given to the Colombian Catholic clergymen, especially to the courageous and distinguished Cardinal Luque, who dared publicly to speak out against the dictator's crimes.

The dictator is gone. The press, including the great El Tiempo, is again free. The political parties have agreed to lay aside partisanship during the transition period. The military junta has declared itself to be only an interim government and has pledged that free elections will be held in due course.

Dr. Eduardo Santos, former President of Colombia and the owner of El Tiempo, asked me to tell Colombia's story in the United States, this story of a fine people emerging from the degradation of dictatorship into the dignity and decency of democracy.

Mr. Speaker, it is in our best interest and in conformity with our oldest traditions to foster democracy all over the world. Certainly, in this crucial period of transition in Colombia, we should make haste to provide generous support: moral, intellectual, and financial.

THE FARM PARITY PROGRAM

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, in last Friday's issue of the CONGRESSIONAL RECORD, my distinguished colleague from South Dakota [Mr. BERRY], whom I had notified I would speak today, charged that the Democratic Congress, rather than the Secretary of Agriculture, is responsible for the current crisis in agriculture. Said Mr. BERRY:

> If the Democratic Party really wants a program of farm supports at 90 percent of parity, they can pass a law providing supports at that level, and the Secretary of Agriculture has no alternative, except to put that law into effect.

Now, Mr. Speaker, there can be no doubt of my South Dakota colleague's knowledge of Secretary Benson's activities. Within the last 60 days the administrative assistants of two members of my State's congressional delegation, including Mr. BERRY's assistant, have joined Mr. Benson's personal staff. I do not, therefore, question our colleague's ability to defend Mr. Benson, but I do question his interpretations of who is responsible for the failure of the 90 percent of parity farm bill. It is difficult to understand how our colleague could have forgotten that only a year ago the Democratic Congress passed a 90 percent of parity farm bill.

Unfortunately, the President vetoed that bill in spite of his 1952 pledge at Brookings, S. Dak., that he would continue the Democratic 90 percent of parity farm program. Now I am wondering if our colleague can give us any reason at all to think that the President has had a change of heart and would now sign farm legislation of the type he vetoed last year. Just to keep the record straight, it should be pointed out that the Secretary of Agriculture is now authorized by the Congress to set farm price supports at 90 percent of parity.

METALS CRISIS DEEPENS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, today's edition of the Wall Street Journal carries news of continued worsening of the already grave metals price situation confronting our Nation's miners, a situation which daily adds to the long list of mine shutdowns across the Nation.

According to the Journal article, the domestic price for zinc in this country has now fallen to 10 cents a pound, the lowest price on zinc since May of 1954.

Significantly, zinc prices in this country have fallen the disastrous total of 3½ cents since May 6 of this year, one of the most precipitous price declines in history.

At the same time, and indicating the scope of the problem, copper prices both here and abroad have fallen to the lowest point in 4 years.

The Wall Street Journal says the zinc price emergency stems from several causes:

First. World overproduction.

Second. Sharply curtailed demand.

Third. Reduced Government purchases of zinc through its domestic buying program and its barter deals for foreign origin zinc and lead in return for surplus agricultural products.

An additional factor within the United States, not mentioned in the Journal, is the continued heavy volume of imported zinc appearing upon the United States market, which has been coming into our country at a record-breaking rate for many months.

This is a problem on which representatives of mining States are urgently requesting consideration by the House Ways and Means Committee, which has before it a number of bills aimed at metal import control or reduction.

Unless some action is taken soon, by either the Congress or the administration, this Nation may soon be a world power without a domestic metal mining industry, and no world power in that condition has ever survived as a world power.

THE LATE GENERAL PIERRE JACOBSEN

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, it is my sad duty to inform the House of the sudden, tragic death of a great international public official, Gen. Pierre Jacobsen, Deputy Director of the Intergovernmental Committee for European Migration, who was killed yesterday in Geneva, Switzerland, when a train struck his car at a grade crossing.

Many Members of the House knew well Pierre Jacobsen and many of us who had the privilege of working with him since 1947 had become not only fond of him but learned to admire his unusual capabilities and his devotion to the high office with which many nations had unanimously entrusted him.

Pierre Jacobsen was a native of Denmark, where he was born in 1917. He acquired French citizenship and served with General de Gaulle's resistance forces with courage that became legendary in the famous French Maquis. He was raised to the rank of a General of the French Army, the youngest Frenchman ever to attain that rank.

At the end of the war, Pierre Jacobsen joined the International Refugee Organization serving first in Germany and then in Geneva, Switzerland. His great heart and his enlightened humanitarianism was placed at the disposal of the suffering masses of people known to the world as displaced persons.

When we created the Intergovernmental Committee for European Migration in Brussels, Belgium, in 1951, we were fortunate indeed to obtain the services of Pierre Jacobsen. The 27 nations which are now banded together in the ICEM mourn the death of their great servant and the refugees and migrants of the whole world realize well what a terrible loss they have suffered.

We, the Members of Congress who have been associated with the international migration movements realize that we have lost not only a wonderful friend and a great international official, but also a human being whose departure will deprive the world of a man who knew what international cooperation is and what are its responsibilities.

I wish to express my deepest sympathy to the bereaved family of Pierre, and to France and Denmark alike, two countries which have lost a son and an adopted son, respectively, a son who has added to the glory of both countries.

Mr. HYDE. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Maryland.

Mr. HYDE. Mr. Speaker, I should like to join with the gentleman from Pennsylvania in his expression of sympathy to the family of Pierre Jacobsen and the expression of deep regret at his loss. His loss is not only a great one to his country but to the world. I had the opportunity to meet Mr. Jacobsen on several occasions. I was greatly impressed with his ability and devotion to duty. In these troublesome times the world can ill afford to lose a statesman of his character.

COMMITTEE ON RULES

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ADJOURNMENT TO FRIDAY AND MONDAY NEXT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Friday next, and that when the House meets on Friday next it adjourn to meet the following Monday.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

FACILITATE THE PAYMENT OF GOVERNMENT CHECKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1799) to facilitate the payment of Government checks, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, an identical bill, with the exception of one amendment, passed the House on yesterday under suspension of the rules. I was not aware at the time that a similar Senate bill was on the Speaker's desk, and that is the reason for this action. I move to strike out all after the enacting clause of the Senate bill and to substitute therefor the text of the House bill (H. R. 8195) as it passed the House on yesterday.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out all after the enacting clause of S. 1799 and insert the text of H. R. 8195 as passed by the House.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5728) to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Development Corporation, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, lines 1 and 2, strike out "two sentences" and insert "sentence."

Page 3, lines 8 and 9, strike out "If the Secretary of the Treasury approves, the interest on such bonds may be deferred." and insert "The interest payments on such bonds may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest after June 30, 1960."

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FOR THE RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the resolution (H. J. Res. 290) for the relief of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the resolution.

The Clerk read the Senate amendments, as follows:

Page 1, line 7, after "Loucacos", insert "and."

Page 1, lines 7 and 8, strike out "Evangelos Demetre Kargiotis, and Hsun-Tiao Yang."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

IMMIGRATION AND NATIONALITY ACT

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the resolution (H. J. Res. 288) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the resolution.

The Clerk read the Senate amendment, as follows:

Page 2, line 17, strike out "Carapia Gaytin" and insert "Carapia-Gaytan."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H. J. Res. 307) for the relief of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 4, after line 16, insert:

"SEC. 7. For the purposes of the Immigration and Nationality Act, Kerttu Poutiainen Mayblom shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee."

Page 4, after line 16, insert:

"SEC. 8. For the purposes of the Immigration and Nationality Act, Paolina Toscano shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 18, 1925, upon payment of the required visa fee."

Page 4, after line 16, insert:

"SEC. 9. The Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bonds, which may have issued in the cases of John William Forbes Petch and Mrs. Tsuma Ueda. From and after the date of the enactment of this act, the said persons shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FOR THE RELIEF OF ERNEST HAGLER

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3558) for the relief of Ernest Hagler, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 2, strike out "for" and insert "or so much thereof as may be necessary for the."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

Z. A. HARDEE

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4159) for the relief of Z. A. Hardee, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That notwithstanding any period of limitations or lapse of time, claims for credit or refund of overpayments of income taxes for the taxable years 1945 through 1948 made by Z. A. Hardee, of Enfield, N. C., may be filed at any time within 1 year after the date of the enactment of this act. The provisions of sections 322 (b) 3774, and 3775 of the Internal Revenue Code of 1939 shall not apply to the refund or credit of any overpayment of tax for which a claim for credit or refund is filed under the authority of this act within such 1-year period."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AUTHORITY TO DECLARE RECESS TO RECEIVE THE PRIME MINISTER OF PAKISTAN

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order at any time on July 11, 1957, for the Speaker to declare a recess for the purpose of receiving the Prime Minister of Pakistan.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

PETER V. BOSCH

The Clerk called the bill (S. 189) for the relief of Peter V. Bosch.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. AVERY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

PHYLLIS L. WARE

The Clerk called the bill (H. R. 2302) for the relief of Phyllis L. Ware.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

RAMON TAVAREZ

The Clerk called the bill (H. R. 4335) for the relief of Ramon Tavarez.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $25,000 to Ramon Tavarez, of 25 Monument Walk, Fort Greene Project, Brooklyn, New York City, N. Y., in full settlement of all claims against the United States for personal injuries, and all expenses incident thereto sustained as a result of the shooting of the said Ramon Tavarez by a guard on the United States naval base (known as Ensenada Honda), Geiba, Puerto Rico, on April 18, 1948. Such claim is not cognizable under the Federal Tort Claims Act: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

ORVILLE G. EVERETT AND MRS. AGNES H. EVERETT

The Clerk called the bill (H. R. 5288) for the relief of Orville G. Everett and Mrs. Agnes H. Everett.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Orville G. Everett and Mrs. Agnes H. Everett, Vincennes, Ind., the sum of $5,000. Payment of such sum shall be in full settlement of all claims of the said Orville G. Everett and Mrs. Agnes H. Everett on account of the death of their son, Robert V. Everett, who was killed in the course of his duties as a flight instructor at Riddle-McCay Training Field, Union City, Tenn., on January 22, 1943, while instructing an aviation cadet: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN ALIENS

The Clerk called the joint resolution (H. J. Res. 339) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Pietro Rosa and Mrs. Elisabeth Ottilie Trout, nee Zirkenbach, may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 2. Notwithstanding the provisions of section 212 (a) (9), (17), (19), and (31) of the Immigration and Nationality Act, Francisco Ponce-Cruz may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 3. Notwithstanding the provisions of section 212 (a) (1) and (4) of the Immigration and Nationality Act, Peter Walsh may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 4. Notwithstanding the provisions of section 212 (a) (9), (12), (17), and (19), of the Immigration and Nationality Act, Mrs. Alicia Romero de Ramirez may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

SEC. 5. Notwithstanding the provisions of section 212 (a) (9) and (31) of the Immigration and Nationality Act, Juan Perez-Ramirez may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 6. Notwithstanding the provisions of section 212 (a) (9) and (17) of the Immigration and Nationality Act, Gerard Phillip Dunn may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 7. The exemptions provided for in this act shall apply only to grounds for exclusion of which the Departments of State and Justice had knowledge prior to the enactment of this act.

With the following committee amendments:

On page 1, line 4, after the name "Pietro Rosa" insert the following: "Fiorindo Francesco Nappo, Anthony Bauer, Leslie A. Stuart, Antoine Hagenaars."

On page 1, line 10, after "(a)" strike out "(9)."

On page 2, after line 11, insert new sections 4, 5, 6, and 7, to read as follows:

"SEC. 4. Notwithstanding the provision of section 212 (a) (19) of the Immigration and Nationality Act, Gumaro Rubalcava-Quezada (also known as Gumero Rubalcava-Quezada and Gelasio Juaregi-Lopez) may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

"SEC. 5. Notwithstanding the provisions of section 212 (a) (9) and (19) of the Immigration and Nationality Act, Mrs. Maria Guadalupe Aguilar-Buenrostro de Montano (also known as Victoria Rosas de Montano) and Eva Magalhaes y Aguirre (also known as Eva Pugliese) may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

"SEC. 6. Notwithstanding the provisions of section 212 (a) (9) and (23) of the Immigration and Nationality Act, Maria Leister De Angelo may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

"SEC. 7. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Gisela Ilse Beyer may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That her marriage to her United States citizen fiance, Sgt. Alber M. Braga, shall have occurred within 6 months after the enactment of this act."

On page 2, line 12, renumber "SEC. 4" to read "SEC. 8."

On page 2, line 18, renumber "SEC. 5" to read "SEC. 9."

On page 2, line 23, renumber "SEC. 6" to read "SEC. 10."

On page 3, after line 2, add a new section 11 to read as follows:

"SEC. 11. Notwithstanding the provisions of section 212 (a) (17) and (31) of the Immigration and Nationality Act, Antonio Hernandez-Gomez may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act."

On page 3, line 3, renumber "SEC. 7." to read "SEC. 12."

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HERBERT C. HELLER

The Clerk called the bill (S. 1169) for the relief of Herbert C. Heller.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Civil Service Commission is authorized and directed to pay, out of the civil-service retirement and disability fund, to Herbert C. Heller, of Wilton, Conn., an amount equal to interest at 3 percent per annum compounded annually, on the refund of retirement deductions which was due him upon his separation from Government service, from the date of such separation to the date of payment of such refund, such payment having been delayed for a period of approximately 11 years because of an error in the computation of the length of his allowable service.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MALOWNEY REAL ESTATE CO., INC.

The Clerk called the bill (H. R. 1339) for the relief of the Malowney Real Estate Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Malowney Real Estate Co., Inc., of Springfield, Ohio, the sum of $14,425.26: *Provided*, That no interest shall be paid on such sum. Payment of such sum shall be in full settlement of all claims of the Malowney Real Estate Co., Inc., against the United States, for income taxes erroneously collected for the years 1944 and 1945: *Provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. WALTER. Mr. Speaker, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. WALTER: On page 2, line 1, strike out "in excess of 10 per centum thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK A. SIMMONS

The Clerk called the bill (H. R. 2752) for the relief of Frank A. Simmons.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Frank A. Simmons, chief boatswain, United States Navy, retired 326805, is hereby relieved of all liability to refund to the United States the sum of $1,242.09. Such sum represents the aggregate amount of overpayments of retired pay by the United States to the said Frank A. Simmons, contrary to law but without fault on his part, for the period from November 1, 1954, to April 19, 1955, both dates inclusive, by reason of his receipt, in good faith, of compensation incident to his civilian employment at the Memorial Golf Course, Marine Corps Air Station, El Toro (Santa Ana), Calif., while in a retired status. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be allowed for all amounts for which liability is relieved by this section.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Frank A. Simmons, a sum equal to the aggregate of all amounts which have been repaid by him to the United States, or which have been withheld by the United States from amounts otherwise due him from the United States, by reason of the liability of which he is relieved by the first section of this act: *Provided*, That no part of the amount appropriated in this section in excess of 10 per centum thereof shal be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KENNETH F. AILES

The Clerk called the bill (H. R. 3344) for the relief of Kenneth F. Ailes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 15 to 20 of the Federal Employees' Compensation Act are hereby waived in favor of Kenneth F. Ailes, Vallejo, Calif., and his claim for compensation for personal injuries alleged to have been sustained in or about February or March 1947 while he was employed as a sheet-metal worker by the Department of the Navy at the naval operating base, Guam (now naval base, Marianas), shall be acted upon under the remaining provisions of such act in the same manner as if such claim had been timely filed, if such claim is filed within 60 days after the date of the enactment of this act: *Provided*, That no benefits shall accrue by reason of the enactment of this act for any period prior to its enactment, except in the case of such medical or hospitalization expenditures which may be deemed reimbursable.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERT B. PETERMAN

The Clerk called the bill (H. R. 5365) for the relief of Robert B. Peterman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Robert B. Peterman, master sergeant, United States Army, retired (Army serial No. R-691177), the sum of $77.55. The payment of such sum shall be in full settlement of all claims of the said Robert B. Peterman against the United States on account of additional retired pay due him for the period beginning June 1, 1942, and ending August 31, 1943, both dates inclusive, his claim therefor having been disallowed because not received in the General Accounting Office within 10 full years after such claim first accrued: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 4, strike out "in excess of 10 percent thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MICHAEL S. TILIMON

The Clerk called the bill (H. R. 6166) for the relief of Michael S. Tilimon.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

ARTHUR L. BORNSTEIN

The Clerk called the bill (H. R. 6530) for the relief of Arthur L. Bornstein.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arthur L. Bornstein, 25 Powellton Road, Dorchester, Mass., the sum of $1,764.93. Such sum represents reimbursement to the said Arthur L. Bornstein for paying out of his own funds judgments rendered against him in courts of Massachusetts, under date of August 3, 1956, arising out of an accident occurring when he was performing his duties as a motor vehicle operator in the post office motor vehicle service at Boston, Mass.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RAYMOND R. SANDERS VAN SERVICE

The Clerk called the bill (H. R. 6664) for the relief of Raymond R. Sanders Van Service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $150.50 to Raymond R. Sanders Van Service, of Springfield, Mo., in full settlement of all claims against the United States. Such sum represents the cost of transportation charges for the moving of the household goods of Alfred Wayne Chittenden, United States Army, bill of lading WQ 16050777 from Springfield, Mo., to Oklahoma City, Okla., on November 23, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemd guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 2, line 2, strike out "in excess of 10 percent thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WALTER H. BERRY

The Clerk called the bill (H. R. 6961) for the relief of Walter H. Berry.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walter H. Berry, of Washington, Ind., the sum of $1,097.30, in full satisfaction of his claim against the United States for salary for the period May 10, 1947, to September 2, 1947, during which he was erroneously separated from his CAF–7 civil-service position at the United States Naval Ammunition Depot, Crane, Ind.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 11, strike out "in excess of 10 per centum thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NICOLAOS PAPATHANASIOU

The Clerk called the bill (S. 528) for the relief of Nicolaos Papathanasiou.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act Nicolaos Papathanasiou shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUTFIE KALIL NOMA

The Clerk called the bill (S. 749) for the relief of Loutfie Kalil Noma (also known as Loutfie Slemon Noma or Loutfie Noama).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Loutfie Kalil Noma (also known as Loutfie Slemon Noma or Loutfie Noama) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Mr. WALTER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALTER: Strike out the period at the end of the bill, substituting a colon therefor, and add the following: "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EVANGELOS DEMETRE KARGIOTIS

The Clerk called the bill (S. 1212) for the relief of Evangelos Demetre Kargiotis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Evangelos Demetre Kargiotis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RICHARDSON CORP.

The Clerk called the bill (H. R. 1473) for the relief of Richardson Corp.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,601.10 to Richardson Corp., of Rochester, N. Y., in full settlement of all claims against the United States. Such sum represents drawback of tax on the distilled spirits alleged to have been used in the manufacture of nonbeverage products during the quarter April 1 to June 30, 1955: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRY N. DUFF

The Clerk called the bill (H. R. 1695) for the relief of Harry N. Duff.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, notwithstanding the statute of limitation, jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment upon the claim of Harry N. Duff, of Denver, Colo., for injuries sustained as the result of military service, and his eligibility for retirement for physical disability. The court shall have such jurisdiction if suit is instituted within one year after the date of the enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CARL J. WARNEKE

The Clerk called the bill (H. R. 3720) for the relief of Carl J. Warneke.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any statute of limitation, jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment upon the claim of Carl J. Warneke, of Chicago, Ill., for disabilities sustained as the result of exposure to mercury and arsenic contact while working with the War Production Board, Chicago, Ill., during 1944. Such suit may be instituted at any time within 6 months after the date of enactment of this act: *Provided*, That proceedings for the determination of such claim, and appeal from, and payment thereon, shall be in the same manner as in the case of claims over which the Court of Claims has jurisdiction as now provided by law.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the able.

REAL PROPERTY IN SAN JACINTO, TEX.

The Clerk called the bill (H. R. 4768) to quiet title and possession with respect to certain real property in the county of San Jacinto, Tex., and authorizing named parties to bring suit for title and possession of same.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States hereby release, remises, and quitclaims all right, title, and interest of the United States in and to the following described tracts of land situated in the county of San Jacinto, Tex., to the person or persons who would, except for any claim of right, title, and interest in and to such land on the part of the United States, be entitled thereto under the laws of the State of Texas: *Provided, however*, That if such persons are unable to agree with the United States as to the title to, and possession of, and the description of the property to be quitclaimed by the United States, jurisdiction is hereby conferred on the United States District Court for the Southern District of Texas, Houston Division, to adjudicate such controversies, and the parties hereinafter named in groups 1 through 6, respectively, are hereby granted permission and authorized to bring suit or suits in said court against the United States of America for the title and possession of, and for damages to, the following described tracts of land, numbered 1 through 6, respectively, in the corresponding numerical order:

GROUP ONE

G. A. Ott, F. M. (Marion) Ott, James E. Faulkner, and Jeff Cochran.

GROUP TWO

T. R. (Tom) Bowen and wife, Mrs. T. R. (Tom) Bowen, Sylvester Bowen, and James E. Faulkner.

GROUP THREE

Elizabeth McMurrey, a feme sole, individually and as administratrix of the Estate of V. W. McMurrey, deceased, and James E. Faulkner.

GROUP FOUR

W. G. Mizell and wife, Mrs. W. G. Mizell, and James E. Faulkner.

GROUP FIVE

Rachel Faulkner, James E. Faulkner, and Elgin Matthews.

GROUP SIX

Bevel Enloe, Ben Brown, Minnie Cherry and husband, Manuel Cherry, B. E. Whitton, J. F. Whitton, C. E. O'Briant, Barney O'Briant, James Whitton, T. V. Yeager, Wilmer Yeager, Cassie Yeager, Gladys Lilley and husband Alvin Lilley, George Enloe, Jim Enloe, Ed Enloe, T. F. Enloe, Carrie Vickery and husband J. A. Vickery, Della Ott and husband G. A. Ott, Ernestine Puckett and husband Floyd Puckett, Lucille Mosely and husband Thosmas Mosely, Ethel Thomas and husband Bruce Thomas, Helen Lilley and husband Jamie Lilley, Birtie Lilley, a feme sole, Udell McIlvain, Robbie Alvin (Mickey) McIlvain, Celestia Fowler and husband J. C. Fowler, Sidney Whitmire, Clyde Whitmire, Claude Whitmire, Dolly Grimme and husband H. A. Grimme, Bonita Perdon and husband Earl Perdon, R. L. Whitmire, Rose McMillan, Lee McMillan, Odis Matthews, Ruby Plander, George H. Plander, Dorothy Plander, Eddie Plander, L. C. Matthews, Trulee Matthews, Arvil Matthews, Jermina Blicham and husband Robert Gene Blicham, Mrs. Dorothy Matthews, a feme sole, Bobby Jean Matthews, David Matthews, Jewell Edna Matthews, Annie Mae Shean, L. D. Shean, Clareed Taylor, F. W. Taylor, Pauline Taylor, W. H. Taylor, Ruth Driver, Billey Driver, Margaret Simmons, W. F. Simmons, J. V. Hickman, Elmer Hickman, Ernest Hickman, and James E. Faulkner.

TRACT ONE

Being an undivided one-half interest in that certain 160 acres of land, more or less, in and a part of the James W. Robinson league or survey, situated in San Jacinto County, Tex., described in a deed from H. W. C. Bittick and wife A. B. (Bell) Bittick to I. I. Ott, bearing date of October 7, 1897, and recorded in volume Z, page 545, Deed Records of San Jacinto County, Tex., and also that land described in a deed from J. N. Bittick and Alma Bittick to Clara Ott, dated November 2, 1903, and recorded in volume Z, page 546, Deed Records of San Jacinto County, Tex., and also that land described in a deed recorded in volume Z, page 544, Deed Records of San Jacinto County, Tex., and in an instrument of conveyance from G. A. Ott to James E. Faulkner and Jeff Cochran, dated April 12, 1950, and recorded in volume 55, pages 483, et seq., Deed Records of San Jacinto County, Tex., to which deeds, instruments and records reference is here made for a full and complete description of said land and for all purposes, such land being more particularly described by metes and bounds as follows, to wit:

Beginning on the south boundary line of said Robinson league 707 vrs from the southeast corner of same, it being the southwest corner of the J. S. (A) Finn survey established by retracing the boundaries originally marked on the ground, a pine mkd X brs S 44 W 6 vrs, a sweet gum brs W 84 vrs;

Thence S 49½ W 750 vrs to a stake from which a magnolia brs S 25 E 4.2 vrs; another brs N 41 W 5.4 vrs;

Thence north 40½ W 920 vrs to a stake from which a pin oak 20 in in dia brs S. 53 E 3.2 vrs another 16 in in dia brs S 27 W 3.2 vrs;

Thence north 49½ E 530 vrs to west bank of Winters Bayou a stake from which a sycamore 6 in in dia brs S 70 W 5.8 vrs another brs W 20 E 7.4 vrs:

Thence down and with the meanderings of said bayou, general course S 84½ E 633 vrs to a stake from which a sweet gum 18 in in dia brs N 63 E 4.8 vrs and a magnolia 15 in in dia brs S 69 E 8.6 vrs to a stake;

Thence S 66 E at 622 vrs intersected said league line a stake from which an ash 16 in in dia brs S 53 W 5 vrs and a red oak 10 in in dia brs northwest 7.6 vrs;

Thence S 49½ W with said Robinson league or survey line to the place of beginning, containing 160 acres of land, more or less.

TRACT TWO

That certain tract of land composing thirty-two and one-tenth acres of land, being a part of the L. A. Gosse six hundred and forty-acre survey situated in San Jacinto County, Texas, in the New Hope community about sixteen miles south of Coldsprings, Texas, more particularly described by metes and bounds as follows, to-wit:

Beginning at the southwest corner of said L. A. Gosse survey, same being common with the southeast corner of the William Dobie survey on the north boundary line of the D. M. Bullock survey, an iron car axle stake for corner from which a pine 3 in in dia mkd X brs S. 9 W. 1.6 vrs, a sweet gum 3 in in dia mkd X brs N. 62 W 2.1 vrs, a sweet gum 6 in in dia mkd X brs N 18 E 2.5 vrs and a pine 6 in in dia mkd X brs E 3.9 vrs;

Thence N 2 W 204 vrs to a 1" X 3" iron bar stake painted red for corner, from which a 50-inch black gum brs N 80 W. 4.3 vrs a white oak 20 in in dia brs N 30 W 8 vrs and a pine 4 in in dia brs S 52 E 3.3 vrs;

Thence N 88 E along an old fence row at 889 vrs a stake for corner from which a 2 in iron pipe painted red brs N 83 E 4.3 vrs, a white oak 14 in in dia mkd X in fence corner brs S 86 E 5.4 vrs, a ½ inch iron pine brs S 85 E 6 vrs, a 3 inch pine brs N 24 E 2.3 vrs;

Thence S 2 E 207 vrs to a stake for corner on the south boundary line of said L. A. Gosse survey on the north boundary line of the James Patterson survey (abstract No. 243), from which a sweet gum 20 in in dia mkd X brs S 10 W 2.7 vrs;

Thence West with said Gosse south boundary line, same being also the north boundary line of said Patterson survey 97.2 vrs to the common corner of the David M. Bullock survey and the James Patterson survey on the South Gosse boundary line (same being the NEC of said Bullock survey and the NWC of said Patterson survey) a stake for such common corner from which a pine 3 in in dia mkd X brs N 48½ W 1 vr; a double Fork Pin Oak mkd XX brs S 79 E 5 vrs and a pin oak 3 in in dia mkd X brs S 1 W 1.4 vrs (old original witness and bearing trees gone);

Thence continuing with said L. A. Gosse South boundary line, same being common with the David M. Bullock survey North boundary line S 88 W 793 vrs to the place of beginning, containing 32.1 acres of land.

TRACT THREE

Those certain tracts of land situated in the BBB & C RR Co. Survey (Abst. No. 82) and the George Taylor League or Survey (Abst. No. 292) and being the same lands conveyed to Jim McMurrey by G. I. Turnley, by deeds dated July 9, 1917, March 1, 1918, and March 6, 1918, respectively, and recorded in Volume 12, pages 247, 248, and 311, respectively, of the Deed Records of San Jacinto County, Texas;

Those two certain tracts conveyed to Jim McMurrey by J. M. Hansbro under dates of March 2, 1918, and April 13, 1918, recorded in Volume 12, pages 251 and 241, respectively, of the Deed Records of San Jacinto County, Texas;

That certain tract of land described in a deed of February 26, 1918, from L. T. Sloan to Jim McMurrey, recorded in Volume 12, page 246, Deed Records of San Jacinto County, Texas;

That certain tract of land described in a deed of March 25, 1918, from C. W. Robinson to Jim McMurrey, recorded in Volume 12, page 346, Deed Records of San Jacinto County, Texas;

That certain tract of land described in a deed of April 2, 1918, from J. W. Merrell et al. to Jim McMurrey, recorded in Volume 12, page 344, Deed Records of San Jacinto County, Texas;

That certain tract of land described in a deed of record in Volume 12, page 401, Deed Records of San Jacinto County, Texas, from Helen M. Jessup et al. to Jim McMurrey.

Reference to above deeds and the records thereof being here now made for a full and complete description of said land(s) and for all legal purposes.

TRACT FOUR

Being 11.3 acres, more or less, out and a part of the Wm. R. Goode League or Survey (Abstract No. 136), more particularly described by metes and bounds as follows, to-wit:

Beginning at the Southwest corner of the James Youngblood or what is known as the Boyd or James Youngblood 180 acre tract out of and a part of said Wm. R. Goode Survey, and which corner is West 150 vrs and North 75 vrs from the Northeast corner of the L. R. Pearson 953 acre tract, and which

is also an "L" corner of the Wm. R. Goode Survey, said corner being in an old field;

Thence north following the West line of said 180 acre tract at 319 vrs pass the southeast corner of said Youngblood 50 acre tract, and the northeast corner of the Hiram Purkerson 50 acre tract out of the said 180 acre tract, and continuing north at 849 vrs pass the northeast corner of the Youngblood 50 acre tract at 1100 vrs to the old original corner of the Boyd or James Youngblood 180 acre tract, a stake from which a gum 22 in in dia brs S 40 E 12 vrs this point and corner being the beginning point or corner of the 11.3 acres involved and described in Clause No. 3701, styled "Foster Lumber Company vs. W. G. Mizell" in the District Court of San Jacinto County, Texas, and therein decreed to the said W. G. Mizell;

Thence north 77 vrs to a stake from which a pine 5 inches in diameter brs N 82 W 2 vrs and a pine 5 in in dia brs S 75 E 3.3 vrs, this point being 149 vrs south of the south line of the P. H. Cannon 963 acre tract out of said Goode Survey;

Thence east along and following the old divisional line through the Goode survey to a stake for corner on the West bank of the San Jacinto River, from which a pin oak 20 in in dia brs S 35 W 6 vrs, this distance being 829½ vrs;

Thence south along the following the meanders of said River to the northeast corner of the old original Boyd or Youngblood 180 acre tract, a corner on the Bank of the old River at the northeast corner of an old field;

Thence west along and following the old original north line of said Boyd or Youngblood 180 acre tract 829 vrs to the place of beginning, containing 11.3 acres of land, more or less, and being the same land awarded and decreed to the said W. G. Mizell and described in a judgment rendered and entered in cause No. 3701, styled "Foster Lumber Company vs. W. G. Mizell" on the 16th day of February, 1926, by the district court of San Jacinto County, Texas, recorded in Volume J, pages 332, et seq., minutes of the said District Court, reference to which is here now made for all purposes.

TRACT FIVE

Being 49.4 acres of land, more or less, of the Watson Estate, a part of the Vital Flores League or Survey (Abst No. 14) situated about 8 miles southwest of Coldsprings, Texas, bounded on the Northwest by the Grover Ellisor Estate (formerly the old John Henry Kirby Tract), on the northeast by the old R. D. Denson and Santa Fe Tie & Lbr Co. (U. S. A.) tract, on the south and southeast by the U. S. A. forest lands, and on the west and southwest by the paved farm-to-market road leading from Evergreen to Cleveland, Texas farm road No. 2025, and more particularly described by metes and bounds as follows, to-wit:

Beginning at corner No. 7 of a 267 acre (more or less) U. S. A. forest tract known as said government's tract "J13" being the most northern corner of land formerly owned by Lila Cochran and H. S. Lilley, a 1" iron pipe stake for corner witnessed by marked and blazed bearing trees; (said corner being on the common boundary line between said Vital Flores and the James Rankin, Jr., surveys);

Thence north 50 W with said Common boundary line of and between said Flores and Rankin surveys, it being the line, 723 vrs to the stake for corner from which a 20 in sweet gum mkd X brs S. 31 W 10 vrs, and a 10 in sweet gum mkd X brs S 83 W 6 vrs, and a 20 in forked pine mkd X brs N 77 E 3 vrs, said corner being common with the most eastern or northeastern corner of said old Kirby (Ellisor) tract;

Thence S 40 W 415 vrs with the southeast boundary line of said old Kirby (Ellisor) tract, it being the line to stake for corner in the right-of-way of said Paved farm road, same being a northern corner of the old J. O. H. Bennett tract;

Thence S 36 E with and down said Farm Road, it being the line 345 vrs to a stake for corner in the northwest boundary line of said U. S. A. forest tract where same intersects said road, said corner being N 77 E 240 vrs from corner 6 of said U. S. A. "J13" tract, said stake and corner being witnessed by mkd and blazed bearing trees;

Thence N 77 E with the Northwest boundary line of said U. S. A. tract "J13" it being the line 630 vrs to the place of beginning, containing 49.4 acres, more or less.

TRACT SIX

An undivided one-half interest in the following 80 acres of land, more or less, being a part of the James W. Robinson League or survey, Abstract No. 45, situated in San Jacinto County, Texas, more particularly described by metes and bounds as follows:

Beginning at the southwest corner of a 32 acre tract owned or formerly owned by A. J. Bruner, said corner being a 20 in black gum mkd X;

Thence S 16 deg 54' West along the southerly projection of the West line of the said Bruner 32 acre tract, a distance of 473 vrs to a point for the southwest corner of the herein described tract;

Thence south 77 deg 52' East 953.3 vrs to a point for corner;

Thence north 17 deg East 473 vrs to the Southeast corner of the P. L. Robberson 32 acre tract, being a concrete monument marked J–364 (or J–365) from which monument a 6" Pin Oak mkd U. S. B. T. brs South 6 West 12.1 vrs and a 9" pine mkd U. S. B. T. brs S 72 W 20 vrs;

Thence north 72 deg 44' West with the south line of the said Robberson 32 acre tract, 385.4 vrs to the southwest corner of same, being the southeast corner of the W. A. Johnson 16 acre tract;

Thence north 78 deg 01' West with the south line of said W. A. Johnson 16 acre tract and the south line of the aforesaid Bruner 32 acre tract, a total distance of 568.7 vrs to the place of beginning, containing 80 acres of land, more or less.

With the following committee amendment:

Strike the language contained in lines 3 to 9, inclusive, on page 1, and lines 1 through 13 on page 2 of the bill and insert: "That jurisdiction is hereby conferred notwithstanding the lapse of time, laches, or statutes of limitation, on the United States District Court for the Southern District of Texas, Houston Division, to hear, determine, and render judgment on the claims and controversies of the parties hereinafter named in groups 1 through 6, respectively, concerning the title and possession of, and for damages to the land included within the following described tracts of land, numbered 1 through 6, respectively, in corresponding numerical order; and those parties are hereby granted permission and are authorized to bring suit or suits in said court against the United States of America for the title and possession of, and for damages to the land included within the tracts described herein."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FILOMENA AND EMIL FERRARA

The Clerk called the bill (H. R. 4174) for the relief of Filomena and Emil Ferrara.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

MAJ. HAROLD J. O'CONNELL

The Clerk called the bill (H. R. 6492) for the relief of Maj. Harold J. O'Connell.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

WIDOW AND CHILDREN OF JOHN E. DONAHUE

The Clerk called the bill (H. R. 4986) for the relief of the widow and children of John E. Donahue.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the Civil Service Retirement Act of May 29, 1930 (as in effect on June 24, 1954), John E. Donahue, deceased, former employee of the Department of Agriculture, shall be deemed to have been retired on June 24, 1954, pursuant to section 6 of such act, and to have elected at such time, pursuant to section 4 (b) of such act, to receive a reduced annuity and an annuity after death payable to his widow, Mary E. Donahue. The benefits payable to the widow and children of John E. Donahue shall not be paid unless an amount equal to the amount paid from the civil service retirement and disability fund pursuant to section 12 (f) of the Civil Service Retirement Act of May 29, 1930 (as in effect on June 24, 1954), on account of the death of John E. Donahue, is redeposited in such fund within 6 months from the date of enactment of this act with interest thereon at the rate of 3 percent per annum for the period beginning on the date on which such amount was paid from such fund and ending on the date on which such redeposit is made.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. LYMAN C. MURPHEY

The Clerk called the bill (H. R. 6528) for the relief of Mrs. Lyman C. Murphey.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Lyman C. Murphey, Avondale Estates, Ga., the widow of Lyman C. Murphey (Veterans' Administration claim No. XC3862082), a sum equal to the amount which would have been paid to, or on behalf of, the two minor children of the said veteran for the period beginning January 25, 1945, and ending March 8, 1953, both dates inclusive, if a claim for pension, by or on behalf of such minor children, had

been filed with the Administrator of Veterans' Affairs within 1 year after the death of the said Lyman C. Murphey, and had been allowed: *Provided*, That no part of the amount paid under this section in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SEC. 2. The Administrator of Veterans' Affairs shall certify to the Secretary of the Treasury the sum which is to be paid to Mrs. Lyman C. Murphey under the first section of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAND CONVEYANCE IN PRAIRIE COUNTY, ARK.

The Clerk called the bill (H. R. 2259) to provide for the conveyance of all right, title, and interest of the United States to certain real property in Prairie County, Ark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized and directed, upon payment to the United States of the sum of $175, to convey to Clayton F. Ames and Maxine R. Ames, his wife, of West Memphis, Ark., all right, title, and interest of the United States in and to the real property part of the southeast quarter of the southeast quarter of the northwest quarter, section 17, township 4 north, range 4 west, of the fifth principal meridian, in the northern district of Prairie County, Ark., more particularly described as follows:

Commencing at the quarter corner on the north line of said section 17, which point is the intersection of centerlines of an east and west county road and a county road bearing south 00 degrees 50 minutes west, run thence south 00 degrees 50 minutes west along the centerline of said county road a distance of 2,170.2 feet to the point of beginning; run thence south 77 degrees 21 minutes west a distance of 311.2 feet to the northeast bank of Spring Lake; thence following the meander line of the northeast bank of Spring Lake in a southerly direction to the point of intersection with the south line of the southeast quarter of the southeast quarter of the northwest quarter of said section 17; thence run easterly on the south line of the southeast quarter of the southeast quarter of the northwest quarter of said section 17 to a point at the southeast corner of the northwest quarter of said section 17; thence run north on the east line of the southeast quarter of the southeast quarter of the northwest quarter of said section 17 to the point of beginning.

With the following committee amendment:

Page 1, line 4, after the word "directed", insert "upon payment to the United States of the sum of $175."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GRANTING OF THE STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

The Clerk called the resolution (H. Con. Res. 194) approving the granting of the status of permanent residence to certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Congress approves the granting of the status of permanent residence in the case of each alien hereinafter named, in which case the Attorney General has determined that such alien is qualified under the provisions of section 6 of the Refugee Relief Act of 1953, as amended (67 Stat. 403; 68 Stat. 1044):

A-8155735, Aikler, Mirko alias Emilio Federico Aikler.
A-10170961, Apanowicz, Boleslaw.
A-10035418, Baldois, Marija.
A-9825049, Bonk, Pawel Frank or Paul Bonk.
0300-462272, Chang, George Teh-Lai.
A-8888549, Chang, Sen Dou.
A-9694446, Chang, You Ding also known as Ah Za Wang.
A-8205758, Chao, Beatrice Jung-Chuan.
A-6694109, Chen, Chi Ta.
A-6851660, Chen, Joseph Yeh also known as Chang Bao Chen.
A-7202753, Cheng, Liang.
A-8103705, Chi, Li.
A-6457533, Chin, Ming Liang.
V-184674, Choy, Shih Hung.
A-7439685, Choy, Shew Ming Elp.
A-7835335, Ding, Joan Jo-An.
A-7274682, Dunn, Sally Sung-Lih.
A-8933695, Gay, Ng Seow or Manuel Kaua.
A-7388015, Hildeshaim, Mojsze.
A-8846028, Hildeshaim, Ita.
A-8938343, Huang, May Sze-Chin.
E-094444, Kai, Choung.
A-6954733, Kao, Hsiang-Sung.
A-8960635, Kao, Li-Nan Kwan.
A-9694263, Kilt, Low Ah.
A-6026549, King, Hsien Tsu.
T-1613805, King, Eosin Chu.
T-1613806, King, Linda.
A-10170902, Kolumbic, Vjekoslav.
A-10170901, Kolumbic, Stanislav.
A-7366623, Ku, Feng Shen.
A-9804796, Lau, Foo Kwai.
A-2201853, Lee, John Koo.
A-8891582, Lee, Ronald Shao Nan, also known as Shao Nan Lee.
A-10130368, Li, Thomas Chang-Jen.
1300-128711, Low, James, also known as Lau, Yuk.
A-9709772, Low, You, or Low Yow, or Low Cheu.
A-8301804, Lusik, Valev Valentin.
0300-301304, Maerz, Alla.
E-094647, Nee, Fred, also known as Nee Kao Hong.
A-8956186, Pettersson, Sing Ye, also known as Sadie Sing Yee Pettersson (nee Romahn), (nee Wong), Sing Yee.
A-9562348, Que, Cheng Sim.
A-9825046, Reichel, Stefan.
A-9542507, Siew, Wong.
A-8055441, Stark, Simon.
A-10052787, Sun, Chi Fong Tyen.
A-1006432, Sun, Eeh-John.
A-7243268, Svagna, Silvo.
0300-457385, Tan, Annie Hsu.
A-7277350, Tang, Edward Yau Chien, formerly Wau Chien Tang.
A-7143030, Tawil, Esther.
A-6694206, Teng, Celia, or Celia Hsi-Lee Tseng, or Celia Marie Teng.
A-7462147, Wu, Edith Hsiu-Hwei.
A-6699876, Wu, Irene Hsueh.
A6986541, Yu, Alex Shih-Ge.
A-10465773, Yung, Nee Shu.
A-10465771, Ming, Wen Lyna Hsu.
A-7882493, Yung, Richard Chih Shin.
E-084466, Chang, Ming Wah.
A-7174560, Chen, Ming Li.
A-7274978, Chu, David Bao-Shan.
A-10436781, Chu, Foong Nan.
A-7141139, Hsu, Immanuel C. Y. also known as Chung Yueh Hsu.
A-7118843, Huang, Siu-Lien.
0300-401127, Kai, Chan.
A-9562508, Kwee, Wah Kia.
A-7837182, Liu, Hsing Yueh (Fred).
A-6848619, Sun, Hen Teh.
A-6967368, Tao, Samuel Shao also known as Shao Ming Tao.
A-7096300, Tso, Chih Hui or Sister Mary Evangelist Tso.
A-6848002, Wang, Julia (nee Julia Chin Yun Ho).
A-7356395, Geng, George Yuen-Hsioh.
A-10085249, Hsia, Chen.
173/427, Keung, Liu Chung.
A-8996626, Kolumbic, Kresimir.
173/426, Liu, Suey Har Lee.
173/428, Liu, Boy Foon (Betty).
173/429, Liu, Dung Koon (John).
173/430, Liu, Dung Non (Billy).
0300-288731, Liao, Suzanne also known as Liao Kia-Pao.
A-10060260, Libe, Kalju.
A-7279631, Paszternak, Riza.
A-8000633, Shannir, Kasim Ismail.
0300-467737, Tsing, Min-Ye.
0300-346587, Tsing, Su-Tsen.
A-6258475, Wang, James Chia-Fang.
0300-458459, Yang, Helen Cheng Chao.
0300-468334, Yen, Grace Chuin Ying.
0300-468332, Yen, Alice Hua Ying.
A-0946127, Yen, Yang-Chu James.
0300-459487, Behrs, Amalie formerly Amalie Kiviranna (nee Amalie Pavel).
A-10087975, Chien, Pien Kiang.
A-9783058, Chin, Chi Tien.
A-1693463, Fan, Paul Hsiu Tsu.
A-1003405, Fan, Joyce Sik-Ho Wang.
A-7396740, Hsu, David Pin.
A-7444631, Lee, Lester Shin Pei.
0300-462434, Liang, Maisie Mei-Hsi.
A-6703208, Lin, Sping.
A-7606419, Liu (Vera), Hsi Yen (nee Wong-Quincey).
A-6271443, Liu, Vi Cheng.
A-9825070, Luzny, George.
A-7286973, Mui, Daniel Fook Kee.
A-9825053, Pustulka, Boleslaw.
A-7805943, Shane, Catherine Yen (nee Shih-Ping Yen).
A-10401836, Sheng, Hung Tao.
A-9825073, Sokolowski, Witold Stanislaw.
A-7967355, Sung, Zei Ling.
A-8038957, Sung, Chi Wha (Gladys).
A-8038959, Sung, Chi Ming (Mary).
A-8038960, Sung, Chi Chang (John).
A-8132662, Sung, Chi Tak (James).
A-8038958, Sung, Chi Ching (Thomas).
A-10188700, Sung, Chi Kwan (William).
A-9825136, Trykowski, Jan Zygmunt.
A-8285563, Wai, Angli.
E-118826, Wai, Fong Yok also known as Yok Wai Fong, Fong Yok Square.
A-9669272, Wee, Foo Kia.
A-8190602, Wee, Lee Sung.
A-7417146, Yang, Ah Poa.
A-10237804, Yee, Lee.
A-10088693, Yip, Kiu or Pip Kiu also known as Wing Yip.
A-6940537, Bailey, Flower also known as Te Ling Chang and Chank Te Ling.
A-7190921, Cerny, Helena.
0300-371967, Chao, Tsung-Hu Lee also known as Polly Tsung-Hu Lee Chao.
0300-381266, Chao, Grace Yao-Ping.
0300-371975, Chao, Faith Yao-Yu.
0300-371968, Chao, George Yao-Tung.
A-8103763, Cheng, Helen formerly Helen Mien-Mien Yu.
A-6847996, Cheng, Lu I.
A-7952707, Genger, Josef.
A-6503242, Grabie, Majer.
A-7292660, Grabie, Mariasza or Masha.
A-7292661, Grabie, Morris or Mojsze Towia.
A-6405954, Hsu, Eugene (Ting Chen).
A-7057890, Hsu, Kenneth Jing-Hwa.

A-7092721, Laing, Yung also known as Laing Yung.
A-10073320, Lee, Dong Sep.
V-1505818, Ng, Seid Young also known as Wu, Seid Young also known as Wu, Chung Poh.
A-10138853, Sang, Mon Loy alias Wen Lai Sung.
A-9015504, Seng, Foo Ah.
A-9094621, Sung, Woo Chen.
A-6848699, Tang, Philip Jen-Chien.
0300-461961, Wang, Eleanor Bei-Lee.
A-7386139, Wang, Samuel Chia-Cheng.
A-9634988, Wee, Lee Sung.
A-6500397, Berger, Herman also known as Mikulas Federweisz.
A-7367968, Berger, Kalman.
A-6396664, Chen, Wen-Chao.
A-6845070, Chen, Mary Lilia (Ch'un Jen), (nee Chao).
A-9634307, Juat, Tan Chin.
A-6953077, Langer, Abraham Leopold.
V-885058, Li, Hsien-Kuan Hugo.
V-885059, King, Wei-Lien.
T-357493, Lee, Barbara (Bei Bei).
0300-469349, Li, Tsung Jen.
A-10245429, Li, Teh-Chieh Kuo also known as Tah-Chieh Kuo.
A-10245428, Li, Jackson also known as Jee Sen Li.
A-6848144, Loh, Yu-Cheng also known as Eugene Lch.
A-8015357, Moh, Jim or James Chin.
A-10210252, Pao, Peter Sien-Kwei or Sien Kwei Pao.
A-2023266, Suksdorf, Juri Johannes.
A-6404843, Tsai, Wu.
A-9825090, Witkowski, Stanislaw.
0300-376850, Yen, Flora Chow.
A-7248479, Ching, Tao Pu.
A-9825103, Cielenkiewicz, Ryszard Emil.
A-10077721, Hop, Leung or Long Hop.
A-4949822, Ing, Wen Pei.
A-6171332, Mo, Sung Shen.
A-6448785, Mo, Chen Wei.
E-094520, Ng, Hing also known as Wu Yu Wah.
A-8091377, Pyn, Lee also known as Lee Ping.
A-8893285, Yen, Esther Kwang Tzu.
A-6806304, Yu, Shih-Cheng also known as Michael Shih-Cheng Yu.
A-6806306, Yu, Ya-Ming (nee Chai), also known as Lucia Ya-Ming Yu.
A-10625693, Chang, Fu Yun.
A-6848003, Chen, Yun Chieh or James Y. Chen.
A-7805944, Dao, Therese Tsu-Yin.
A-8055411, Dembitzer, David.
0400-58439, Huang, Yu-Kuan (Chen Ching Chen).
A-7988129, Jakobovits, Victor.
A-10130803, Kung, Edward Yen Chung.
A-7364794, Lee, William Wei-Yen (Li, Wei-Yen).
A10075777, Liu, Ah Fong or Liu Ah Fong.
A-6847867, Loo, Shu Hsin or Mary Agnes Loo or Agnes Shu-Hsin Jen.
0300-461048, Lu, Nora Ellen.
0300-458294, Sze, Wu Fook.
A-6847791, Tung, Charles Pao-Chun also known as Tung Pao-Chun.
0300-78518, Wu, Lily also known as Yu Sue Wu also known as Oij Eng.
A-7028494, Wu, Judith also known as Teh Jean Wu.
A-8106443, Chao, Yung Lai.
A-8955828, Chu, Hai-Chou.
0300-433720, Huang, Wen Shan.
0300-456285, Huang, Lun Kun (nee Cheng).
0300-456286, Huang, Yen Fu.
A-10237798, Kalnins, Arvids Bruno.
A-6712043, Lam, Jean Lu.
A-7897506, Lebovits, Laszlo.
A-7274352, Lin, Chun Chia.
A-9825066, Lojewski, Czeslaw Bogdan.
A-7955278, Sun, Zee Ah.
A-10060602, Tsing, Jan Sing.
A-7418206, Yang, Sam Yuan-Chen.
A-7805945, Wang, Helen, also known as Mary Helen Therese Want.
A-6624719, Wang, Shou Ling also known as Daniel Wang.
A-7835259, Wu, Grace Ho-Lan or Grace Wu.
A-10035417, Balodis, Paulis Voldemars.
A-10073947, Behrsin, Roman.
A-10353028, Chang, Ta-Chung.
A-6848442, Chen, Shee-Ming or Chen Shee Ming.
A-7286660, Chung, Lynn.
A-8065296, Gabor, Robert alias Robert Goldstein.
A-8065297, Gabor, Elizabeth nee Fischer.
A-9825108, Jurkiewicz, Jerry formerly Jan Jerzy Jurkiewicz.
A-7560713, Koo, Hai-Chang Benjamin presently known as Benjamin Koo.
A-10075053, Lee, Esther Pei-Cheng Lim formerly known as Esther Pei-Cheng Lim.
A-6967296, Ma, Chen-Luan.
A-9825075, Ptaszynski, Kazimierz.
0300-466218, Sing, Charles also known as Wang Kao Chee also known as Wong Go Pse.
A-7319016, Stein, Stanley Marian.
E-118715, Taw, Ngiam Seng.
A-6448797, Wang, Philip Iching.
A-6975581, Yang, Thaddeus Wen-Hsien.
A-6855648, Yang, Grace Kwei-Ying (nee Liu.)
A-7228327, Yung, Lydia Chih-Jui or Lydia Yung.
A-8847641, Dan, John Si-Kiang.
A-6142220, Hsu, Charlotte Chien.
A-8845236, Loo, Jen Wan (Marie) (nee Lee).
A-6818128, Lorincz, Jeno Eugene.
A-7364796, Muna, Nadeem Mitri.
A-10075751, Yin, Jen Ching or Charles Yin.
A-6967530, Zee, Chong Hung.
A-6224481, King, Gloria Euyang.
A-6958561, Fu, Florence Luan-Fei.
A-6849456, Hwang, Ming Chao.
A-8094862, Janoyan, Hagop Apraham.
A-6142216, Lieu, Tse-Hsien.
0300-425930, Modzelewska, Jadwiga.
A-8106741, Modzelewski, Sgmunt Jan.
A-9029161, Nicolaou, Ion Dimitrios or John Nicolau.
A-9541479, Tani, Johannes.
A-10416361, Weinberg, Hersel formerly Zvi Weinberg.
A-9765919, Cecco, Frank or Francesco Cecco.
A-6986579, Yi, Shu Ping.
0300-426380, You, Wong.
A-8102693, Anabtawi, Samir Nazmi.
A-11048303, Chu, Ting Chi.
A-10237098, Chu, Grace Hsi.
A-7983212, Chu, Rosalind.
A-10394745, Chu, Constance Pamela.
A-10237100, Chu, Kay.
A-10257554, Kovacs, Imre.
A-10259309, Zmurek, Andre Michael.
A-8217527, Zmurkowa, Irena Helena nee Wasilkowska.

With the following committee amendment:

Page 3, line 10, strike out all of line 10.

The committee amendment was agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SYLVIA OTTILA TENYI

The Clerk called the bill (H. R. 1424) for the relief of Sylvia Ottila Tenyi.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of section 205 (a) and section 203 (a) (3) of the Immigration and Nationality Act, Sylvia Ottila Tenyi shall be held and considered to be the child of Irene Tenyi Petercsak as such term is defined in section 101 (b) (1) (A) of the said act.

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert "That, for the purposes of sections 203 (a) (3) and 205 of the Immigration and Nationality Act, Sylvia Ottila Tenyi shall be held and considered to be the child of Irene Tenyi Petercsak, a lawfully resident alien of the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GILBERT B. MAR

The Clerk called the bill (H. R. 1677) for the relief of Gilbert B. Mar.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 316 of the Immigration and Nationality Act relating to the required periods of residence and physical presence within the United States, Gilbert B. Mar may be naturalized at any time after the date of the enactment of this act if he is otherwise eligible for naturalization under the Immigration and Nationality Act.

With the following committee amendment:

Page 1, line 3, strike out all after the enacting clause and insert "That, for the purposes of the Immigration and Nationality Act, Gilbert B. Mar shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 22, 1948."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMISSION IN THE UNITED STATES OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 373) to facilitate the admission into the United States of certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That, for the purposes of section 101 (a) (27) (B) of the Immigration and Nationality Act, Clelia Cusano Puglia, Magoji Nakashima, and Eiju Nakashima shall be held to be classifiable as returning resident aliens.

SEC. 2. For the purposes of the Immigration and Nationality Act, Yotsu Yusawa Heim shall be deemed to be a nonquota immigrant.

SEC. 3. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Zmirah Mittelman shall be held and considered to be the minor alien child of Haim Mittelman, a citizen of the United States.

SEC. 4. In the administration of the Immigration and Nationality Act, Anna Marie Deutch, the fiancée of Edgar F. Sill, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Anna Marie Deutch is coming to the United States with a bona fide intention of

being married to the said Edgar F. Still and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Anna Marie Deutch, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Anna Marie Deutch, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Anna Marie Deutch as of the date of the payment by her of the required visa fee.

SEC. 5. For the purposes of sections 203 (a) (2) and 205 of the Immigration and Nationality Act, Anna Rossetti shall be held and considered to be the mother of Mrs. Leroy R. Kohne, a citizen of the United States.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 368) for the relief of certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That, for the purposes of the Immigration and Nationality Act, Guillermina Peralta Anderson, Rodrigo Eulalio Santa Ana-Alvarado, Rose Hannah Cox Fransone (nee Garbutt), and Heleene Garbut shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees.

SEC. 2. For the purposes of the Immigration and Nationality Act, Juan Ysais-Martinez and Mrs. Inge Johnson shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees, and upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare may deem necessary to impose: *Provided*, That, except in the case of beneficiaries entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

SEC. 3. For the purposes of the Immigration and Nationality Act, Purificacion de Peralta, Orietta Giardino, Irma Flora Bissessar, Bessie Yu (nee Huang), Mohamed Abdul Kerim, and Hans J. Bernick shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act in the case of Irma Flora Bissessar. Upon the granting of permanent residence to each alien as provided for in this section of this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

SEC. 4. The Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrant of arrest, and bonds, which may have issued in the case of Ludwik Kwasniewski. From and after the date of the enactment of this act, the said Ludwik Kwasniewski shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WAVING CERTAIN PROVISIONS OF SECTION 212 (A) OF THE IMMIGRATION AND NATIONALITY ACT IN BEHALF OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 367) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That, notwithstanding the provision of section 212 (a) (1) of the Immigration and Nationality Act, Eva Glockner may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 2. Notwithstanding the provisions of section 212 (a) (9) and (17) of the Immigration and Nationality Act, Hjalmar Johansen may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 3. Notwithstanding the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, Josefa Kujawa may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

SEC. 4. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Emmy B. Heinrichmeier, the fiancée of Sgt. James W. Goetsch, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Emmy B. Heinrichmeier is coming to the United States with a bona fide intention of being married to the said Sgt. James W. Goetsch and that she is otherwise admissible under the provisions of that act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Emmy B. Heinrichmeier, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Emmy B. Heinrichmeier, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Emmy B. Heinrichmeier as of the date of the payment by her of the required visa fee.

SEC. 5. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Willem Fransen and Stefanie Emilie Geiger Conrad may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 6. Notwithstanding the provisions of section 212 (a) (9), (17), and (19) of the Immigration and Nationality Act, Maria de Jesus Alfaro de Martinez may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

SEC. 7. The exemptions provided for in this act shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

With the following committee amendments:

On page 2, line 7, after the word "act", insert the following: "Christa Riblet (nee Friese) and."

On page 2, line 7, after the words "may be issued", strike out the words "a visa" and insert in lieu therof "visas."

On page 2, line 8, after the words "residence if", strike out "she is" and insert in lieu thereof "they are."

On page 3, line 10, after the name "Fransen", insert a comma and strike out the word "and."

On page 3, line 10, after the name "Conrad", insert the following: "and Bastiaan Van Leeuwen."

The committee amendments were agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN REAL PROPERTY OF THE UNITED STATES TO THE FAIRVIEW CEMETERY ASSOCIATION, INC., WAHPETON, N. DAK.

The Clerk called the bill (S. 1352) to provide for the conveyance of certain real property of the United States to the Fairview Cemetery Association, Inc., Wahpeton, N. Dak.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior shall convey to the Fairview Cemetery Association, Inc., Wahpeton, N. Dak., all right, title, and interest of the United States in and to the real property described in section 2, together with all improvements thereon upon payment by such association to the United States of the fair market value of the property as determined by the Secretary of the Interior.

SEC. 2. The real property referred to in the first section of this act is situated in the county of Richland, State of North Dakota, and is more particularly described as follows:

North half of the southeast quarter of the southeast quarter of section 6, township 132 north, range 47 west, fifth principal meridian, comprising 20 acres.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF CERTAIN LANDS OF THE UNITED STATES IN WYOMING TO BUD E. BURNAUGH

The Clerk called the bill (H. R. 1826) to authorize the sale of certain lands of

the United States in Wyoming to Bud E. Burnaugh.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Bud E. Burnaugh, of Green River, Wyo., is hereby granted the right to purchase the south half of the southeast quarter of the southeast quarter of the northeast quarter, section 8, township 18 north, range 107 west, sixth principal meridian, Wyoming, for a period of 1 year beginning on the date of enactment of this act. The sale authorized by this act shall be made in accordance with the applicable provisions of the act entitled "An act to provide for the purchase of public lands for home and other sites," approved June 1, 1938, as amended (43 U. S. C., sec. 682a, and the following).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLEARING TITLE TO CERTAIN INDIAN LAND

The Clerk called the bill (H. R. 1259) to clear the title to certain Indian land.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States hereby disclaims on behalf of itself and any Indian allottee, or his heirs or devisees, any interest in the eighty-six and eight one-hundredths acres of land in Miami County, Kans., the title to which was quieted by judgment of the district court of Miami County, Kans., in the case of Rutherford and others against Wah-Pon-Ge-Quah and others (No. 15734).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MORRIS B. WALLACH

Mr. HYDE. Mr. Speaker, I ask unanimous consent to return to the bill (H. R. 2674) for the relief of Morris B. Wallach, and ask unanimous consent for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor is hereby authorized and directed to credit to the annual leave account of Morris B. Wallach, in addition any annual leave to which he is entitled, 83 hours of annual leave to remain available until used. Such amount of annual leave is equal to so much of the annual leave accumulated by Morris B. Wallach as an employee of the Department of Labor in an overseas position as was lost to him as the result of a ruling of the Comptroller General.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEAUTHORIZATION OF CERTAIN RIVERS AND HARBORS AND FLOOD-CONTROL PROJECTS

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McGREGOR. Mr. Speaker, I have today introduced a bill to deauthorize rivers and harbors and flood-control projects which have been authorized prior to 1946. This deauthorization would apply only to those projects which have not been started, funds have not been granted for either survey or construction. The total estimated cost for this group of projects is $4.9 billion, broken down according to project classification as follows:

Classification	Number of projects or units	Total estimated cost
Active	223	$2,500,471,000
Deferred	156	1,316,351,000
Inactive	422	1,043,219,000
Total	801	4,920,041,000

The projects covered in the tabulation were all authorized in 1946 and prior years and have not been placed in a construction status.

The Corps of Engineers has classified the active projects as projects which have some merit but no funds have been appropriated to initiate construction. Projects classified as deferred are the ones where conditions have materially changed and a restudy would be necessary to establish their need and economic justification under present conditions. Projects classified inactive are due to changed conditions affecting their engineering feasibility or economic justification, all of which are very doubtful.

You will note the total number of projects is 801, estimated cost $4,920,041,000. If at any time these projects are deemed to be necessary it would be very easy to have them reauthorized providing the benefits of the cost ratio are adequate and they are proven necessary. The bill reads as follows:

That any authorization by the Congress for the construction or planning of a project for flood control or river and harbor improvements under the jurisdiction of the Secretary of the Army shall expire (1) at the end of the 10-year period beginning on the date such construction or modification was authorized by the Congress, or (2) on the date of the enactment of this act, whichever is later, unless, before the expiration of such 10-year period, or before the date of the enactment of this act, whichever is applicable, funds are appropriated by the Congress for the planning or construction of such project.

If we of the Congress are sincere in our attempt to stop spending we should recognize that money cannot be appropriated for expenditures unless it has been authorized. We should stop authorizing new projects unless they are absolutely necessary and essential and deauthorize those which are not needed.

BACK TO THE CONSTITUTION

The SPEAKER. Under the previous order of the House the gentleman from California [Mr. ROOSEVELT] is recognized for 60 minutes.

Mr. ROOSEVELT. Mr. Speaker, if Congress is going to properly consider the questions raised by the Supreme Court in its recent decisions, legislation which has been indicated by the Supreme Court as necessary for definiteness of purpose and as a guide to the judiciary should be enacted and undoubtedly will be. However, in our hurry to act, we should not overlook the fundamental principles touched by these decisions. The problem is to achieve needed national security without trampling on the rights of individuals—rights which so clearly mark democracy with the stamp of freedom.

Because one's own thoughts are often better expressed by others, I am going to ask unanimous consent at this point to include in the RECORD the full reproduction of an editorial published in the Christian Science Monitor on Wednesday, June 19, 1957. It embodies my own thoughts and I cannot help but feel that as we go forward to implement these historic decisions of the Supreme Court, we will all need the guidance of these basic principles. Definite action is necessary and desirable. Ill-considered and unsound legislation will only raise serious and more difficult problems for the future.

The SPEAKER. Without objection, the gentleman may extend the editorial referred to.

There was no objection.

(The editorial referred to follows:)

BACK TO THE CONSTITUTION

I. IN REGARD FOR INDIVIDUAL RIGHTS

One great concern of the framers of the United States Constitution was that in setting up a government strong enough to unite and protect the people they should not create an oppressor. For extra surety they added the Bill of Rights to guard the citizen against official tyranny. The latest Supreme Court decisions remind us that to be effective their work requires continued support by the people and the courts.

Three major rulings announced Monday have one common denominator—they uphold individual rights against all branches of the Federal Government. Thorough understanding of this should halt hasty misconceptions that the Court is being "soft on Communists" or is moving "further along the New Deal road." While liberals will hail the Court's action, its opinions are basically and soundly conservative. For they mark an emphatic return to constitutional guaranties of liberty.

The Court has restored a balance which had been upset in recent years by the cold war and popular fears for national security. It was necessary to erect defenses against subversion. But some of the weapons hurriedly shaped or recklessly wielded to save America from communism were perilously similar to totalitarian measures for enforcing conformity. Emphasis on individual rights is a fundamental opposition to totalitarian emphasis on the supremacy of the state.

The Court is only saying that freedom can be defended by methods of freedom—even if that means granting new trials to Reds. Public opinion in America has largely recovered from a period of hysteria, but the Court is restoring the balance formally and legally by going back to the Bill of Rights.

Similarly, it is plain that this latest expression of judicial leadership has no kinship with New Deal federalism. For where that

was all in the direction of extending Federal powers these latest decisions limit and censure official interference with individuals. They do not throw down New Deal social legislation. They simply say that civil liberties must be safeguarded.

In a fourth decision the Court struck at a State legislature's delegating general and sweeping powers to investigate subversion. But the main force of this striking series of decisions is directed at Federal authorities.

The rulings are drawing some criticism as crippling the Nation's defenses against communism. But justice and freedom are their own best bulwarks against Red tyranny. And success of the free-enterprise system is the basic defense against communistic economic theories. The FBI and the courts can deal effectively with espionage.

Congress retains investigating authority fully adequate for legislation. And some of the Congressmen who object to the decisions might well reexamine their own aims in supporting abuses which did not begin or end with the McCarthy censure. Of course, no branch of government takes kindly to curtailment of its powers. But to set some limits on usurpation is one reason constitutional checks and balances exist. The Court's most recent action will cause many an American to be grateful that it has the independence and the courage to call Congress and a former Secretary of State to book.

Jefferson, chief advocate of adding a "declaration of rights," declared that this would give the Court a base for resisting not only legislative or executive usurpation but also mob pressures. The public in a hurry can be very annoyed with the brakes the Court supplies, as when it threw down 12 New Deal projects in 3 years. Some portions of the public have recently attacked the Court as being an uncontrolled usurper itself, declaring it has legislated States rights out the window. But historically there is no evidence that the Court long thwarts the people's will. It does, as in these cases, act as a brake and balance wheel, and as a necessary guardian of the Constitution.

II. IN THE LEGISLATIVE AND JUDICIAL

"Congress shall make no law * * * abridging the freedom of speech or of the press; or the right of the people peaceably to assemble." So in part reads the first amendment.

How this amendment might apply to the rights of the individual as against the concern of society with Communist conspiracy has been a question to which only the Supreme Court could give a conclusive answer. It has now done so—with respect to legislative investigations and to the Court's application of legislation, the Smith Act in particular.

John T. Watkins, labor leader, had been cited for contempt by the House Committee on Un-American Activities for refusing to name former associates who, he was convinced, had severed communistic contacts.

In reversing his conviction the High Court took account of the broad powers inherent in investigation as a part of the legislative process. But those powers are not unlimited. Congress, it declares, has no power to expose for exposure's sake. Investigations conducted to punish are indefensible. Any probing into the private affairs of individuals must be clearly justified solely as an adjunct to the legislative process.

The first amendment, says the Court, can be invoked where such justification is lacking. But Congress by exercising a measure of added care can get the information it needs. That, says the tribunal, is a small price to pay for preserving constitutional government.

In ordering retrials of nine Communist leaders and freeing five others the Supreme Court helpfully sharpened the distinction between advocacy as mere abstract doctrine and advocacy which incites to illegal actions. The first, says the Court, is within the free speech protection of the first amendment; as is the second, it refers to its 1950 ruling upholding conviction of the 11 top Communist leaders.

It will be recalled the Court then pointed out that the defendants' advocacy was coupled with their leadership of a highly organized conspiracy, with rigidly disciplined members subject to call * * * The lower courts, it finds, in these latter cases did not sufficiently differentiate for the jury which kind of advocacy is forbidden by the law.

Thus as regards lawmaking and law-interpreting the High Court has drawn clearer lines around this area of freedom.

III. IN THE EXECUTIVE BRANCH

The Court's ruling that Asian expert John Stewart Service was wrongfully discharged from the State Department in 1951 hinges on a technical point. But implicit in it is a warning to the executive branch of the Government not to be swayed by the temper of the moment to ignore rules it has set up to safeguard the rights of its employees.

The Service case itself goes beyond the narrow point of law to which the Justices limited their 8 to 0 decision.

Before being dismissed by Secretary of State Dean Acheson, Mr. Service had undergone what amounted to septuple jeopardy. In 1945 he was accused of violating the Espionage Act in giving information to the editor of Amerasia magazine. A grand jury refused to indict him. Six times thereafter he was cleared of risk charges, three times by the State Department itself, three times by the Loyalty Security Board of the Department. Then the Loyalty Review Board of the Civil Service Commission reversed the last Loyalty Security Board clearance, finding "reasonable doubt" of loyalty and recommending dismissal. Mr. Acheson immediately complied.

A Federal district court opinion on another case subsequently cut much of the ground from under the Secretary of State's action by ordering wiped from the record the review board finding—which was Mr. Acheson's sole basis for dismissal.

But despite the reason for firing having been expunged, the firing itself stood valid until the current Supreme Court decision. In this, Justice Harlan found that according to the State Department's own rules the Secretary of State might not countermand a decision of the loyalty board which had been upheld by the Deputy Under Secretary of State.

Civil service regulations prevent the firing of a Government servant on narrow political grounds. The current Court decision backs up the protection of a job special departmental rules. Beyond this, the Service case shows the need for what might be called crisp executive procedures to assure that security cases are given an impeccable initial probe which either leads to discharge of an employee or assurance against further interference short of the introduction of new evidence.

THE PROBLEM OF RETAINING SKILLED MILITARY PERSONNEL

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, throughout history many nations have built mighty armies and naval armadas. This country is no exception. But traditionally during peacetime the United States has maintained small military forces and then mobilized as rapidly as possible during periods of tension.

The rumbling of the Russian bear—underscored by radioactive particles drifting out of Siberia—has changed our outlook. Advancing technology has changed the very nature of global strategy. The vapor trails left by supersonic planes high over the polar icecap have changed the timetable. Time and space factors have been reduced sharply.

Concurrent with the dramatic changes in technology, this country's role in the world political scene has changed. The events of almost two decades of war have catapulted this Nation into an inescapable position as the leader of one-half of a divided world.

The keystone of the defense of the Free World now rests on the ideological, moral, economic, and military power of this country. The defense forces of the United States have assumed a new and vital significance in world affairs.

It is now clearly apparent, or should be, to everyone that the level of our defense capability must be maintained on a high plateau indefinitely. In doing so, our military forces must evolve rapidly with—and often provide the incentive for—the phenomenal technological pace of the age.

It should not, therefore, be any surprise that recent defense costs are unparalleled in our peacetime history. In a rapidly rising economy the cost of defense has increased geometrically.

The demands of this order of defense on our national resources are enormous. Obviously, if military capability of this order must be maintained, then there must be devoted to the task a full measure of talent for efficiency and economy in its creation and employment.

We must, at any given moment, be able to secure the maximum output from the weapons in the arsenal. Equally important, this Nation cannot afford to get less than the most for its defense dollar.

Today we are not getting a full dollar's worth of defense for each dollar invested, and we are not getting—and cannot get—maximum output from the weapons on hand.

At a time when we should be leading from a strong position, and at a time when we should be keeping our guard up, that guard is slipping dangerously low. It is slipping because we just do not have the proper balance between the high-quality and fantastically complex weapons, on the one hand, and the qualitatively outstanding manpower required to maintain and operate that equipment, on the other.

Let me cite the situation in just one of our tremendously important elements of defense: the Strategic Air Command.

The situation was outlined for my benefit on several of my visits to SAC Headquarters in Omaha last year. At that time, I was fully informed of the gravity of the situation with respect to SAC's manpower problem, which has been recently emphasized by Gen. Curtis E. LeMay, commander of the Strategic Air Command, in a memorandum to his key officers. In it he said he wanted to

make sure that there was no misunderstanding about what his and his command's problem was.

General LeMay said, "I consider the most challenging and important problem in the command today to be our failure to retain our skilled personnel."

This is why General LeMay is so worried.

He knows that the Strategic Air Command must be ready to go, at any time. And I emphasize—at any time. SAC's crews must be ready and able to retaliate on a moment's notice. That means that they must be fully capable of around-the-clock operation. It also means that they must be capable of operating their equipment under any extreme of climatic conditions, as the time and requirements may dictate.

He also knows that his ability to perform that mission is fading. He knows it is fading, rather than increasing, because the quality of the combat crew force is regressing.

Here are the facts of this tragic situation:

SAC's current requirement for officers totals 29,500. The command now is short 2,000 of those officers. This is a pure quantitative shortage.

On the quality side—of the officers now assigned to SAC—only 56 percent are fully qualified to do their jobs.

This is the twofold officer problem in SAC. First, a pure numerical shortage; and, second, critical qualitative shortcomings. This is the situation which is causing SAC's combat capability to slip rather than increase as it should be doing with the delivery of increasingly effective weapons.

In the combat crew force, one-fourth of all the crews are not combat ready. They are not ready because of inexperience resulting from instability. There just are not enough career-minded young officers willing to remain in the military service long enough to attain the qualitative standards required.

More than half of the combat crews in SAC have at least one member who has a fixed expected date of separation. General LeMay is extremely concerned because 1,230 of his vitally important combat crews have officer members who may soon leave the service.

He knows from experience that unless there is an early and drastic change for the better, he is going to lose the combat capability of 923 crews by the end of this year.

Specifically, SAC expects to lose 1,134 combat B–47 pilots and 688 observer-navigators from its B–47 strike force by the end of December 1958.

Mr. Speaker, I ask every Member of this Congress to reflect seriously on this important question. How can we logically authorize vast sums of money for new, more effective and more complex bombers, tankers—and, soon, missiles—for the Strategic Air Command, without also giving General LeMay and the military leadership the kinds of management tools they must have to develop the human element of defense on a par with the weapons?

There is more than the B–47 force involved here. With the B–47, SAC must maintain an aerial refueling capability to get the intercontinental range they need. Even the B–52 requires tanker support.

In the SAC tanker force today, there are 739 KC–97 tanker pilots who will be lost during the next 2 years. Nearly 1,000 navigators/radar observers will be completing their trip on the training treadmill during that same period. These latter experts are the men who must first guide the tankers to a pinpoint location on the globe—and then guide the fuel-thirsty bombers to that point and arrange for the contact to transmit the range-giving fuel.

The impact of this mass exodus of highly skilled and potentially career-motivated group of officers on the ability of SAC—our power-packed retaliatory force—should be clear. It is crippling.

But there is another factor here which must be reckoned with. What is all of this costing the American taxpayer?

Between January and the end of October of this year, SAC will have 3,033 officers eligible for separation. It is important to note that some 88 regular Air Force officers, who will, based on previous experience, resign their commissions, are included in that total. Eighty-eight officers who have worked hard, and who have indicated their desire to devote their lives to this important task, will be driven from the service.

In addition, 320 career Reserve officers are expected to leave. The remaining 2,625 are young, vigorous, capable officers who will not stay in uniform 1 day longer than is required by law.

SAC estimates that it costs $200,000 to train an individual pilot or navigator. This cost does not include the training received after assignment to a SAC crew.

That means that by October of this year $346 million worth of trained officers will leave SAC, which means that the taxpayers of this Nation will be spending another $346 million to train their replacements.

Now, I want to emphasize that I have been talking about just one command of the Air Force—just one component of the military forces of the Nation—and only about the officers in that command.

Geared together as a hard-hitting, power-for-peace team, the global strike force of the Air Force, the airborne pentomic divisions of the Army, the nuclear-powered submarines and supercarriers of the Navy, the vertical envelopment concepts of the Marine Corps, give this Nation a military might such as we have never known before. Never before has any nation dedicated such overwhelming strength so sincerely and expressly for peace as has the United States.

To be effective, these forces must have nothing less than qualitatively superior management. In the military, that management comes from the officer corps. The examples of what is happening in SAC could be repeated almost verbatim for every command in every service.

Mr. Speaker, we now have an opportunity to do something about this grave national problem. We now have an opportunity to stop the tragic slippage in our military preparedness program and simultaneously conserve billions of the dollars now being wasted.

I am referring, of course, to the recommendations of the Defense Advisory Committee on Professional and Technical Compensation, commonly called the Cordiner Committee. I am also referring to H. R. 7574, which I have introduced to enact the modernized compensation system, which is one part of the Cordiner Committee's recommended plan.

There seems to be a general belief that this bill provides a general, across-the-board pay raise for military personnel. In connection with that belief, here is what Mr. Cordiner said during his press conference in Washington, D. C., on March 26:

> Because of inadequate information, many people have been led to believe that the Committee's recommendations are nothing more than a general pay raise for military personnel, adding still more to the oppressive costs of national defense and to the current forces of inflation. Nothing could be further from the truth, and nothing could be further from the Committee objectives.

In support of Mr. Cordiner's statement, I have determined that only slightly more than one-third of the members of the military services—or those with technical backgrounds—will realize an immediate pay raise from this law. The remaining two-thirds—composed of nontechnical personnel—would not change. In fact, approximately 22 percent of the military people would get a pay cut if it were not for the traditional saved-pay provision written into all military pay laws.

Increases in pay which will accrue in coming years under this law would go to people who qualify for new and higher rates of pay on the basis of outstanding performance. Most certainly, these increases for deserving people will be more than offset by the resultant savings in materiel, operating and training costs, and the numbers of people required to achieve a given level of national security.

If the recommendations of the committee and the legislation which would enact the compensation portions of the program are not in fact a pay raise, then what are they?

The recommendations of the Cordiner Committee, though dealing to a great extent with compensation, in reality constitute the basis for sweeping changes in the management and development of personnel in the military services. These recommendations constitute a fundamental design for putting the Defense Establishment on a sound business footing—on a modernized basis so as to provide for markedly improved productivity in the form of increased defense capability—with fewer people and at considerably less cost.

It is my personal opinion that the compensation recommendation advanced by the Committee did not go far enough. By the Committee's own admission, there was no effort whatsoever to make overall adjustments in pay for military personnel to reflect the increases in living costs.

The Committee's effort was devoted to the task of overhauling the basis on

which pay is awarded so that subsequent actions might be taken intelligently to make proper adjustments in the general levels of compensation.

In his speech here in Washington on Armed Forces Day, Mr. Cordiner said:

While I am personally convinced that any human undertaking can be kept manageable through proper organization and leadership, I realize that the problems of national defense pose unusual challenges to managerial skill, both in the size of the operation and in the number of factors that must be considered. This has not been fully recognized by the public or by the Government, because the top officers who must provide leadership in this great operation—here in Washington and in the field—are perhaps the most underpaid executives in the Nation. This must be obvious to everyone who stops to think of the difficulty, scope, and responsibility of their work.

Mr. Speaker, my purpose here today has been to focus attention on this important responsibility. I have endeavored to point out the seriousness of the manpower situation in one of our most important defense commands, the Strategic Air Command, and to emphasize how this problem is damaging our capacity to defend the Free World and, at the same time, is causing defense costs to be considerably higher than necessary. My purpose here today is to urge once again, as I have urged repeatedly before, that early and earnest consideration be given to this aggravating and dangerous situation with a view toward enacting the proposed legislation, H. R. 7574, as soon as possible since it is the first step in providing the kind of modernized management tools required to build an improved National Defense Establishment at a reduced cost to the Nation.

H. R. 6017

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HENDERSON. Mr. Speaker, some months ago I introduced H. R. 6017, a bill designed to provide more jobs for persons past middle age by offering employers a tax incentive to employ more than the normal amount of persons past that critical age.

I should like to bring to the attention of the House the extreme importance of this legislation and the critical need for some positive action to be taken. The current issue of Readers Digest contains a very excellent article on the subject of "Forty-Plus," the problems of employment faced by persons past middle age.

The discouragement, frustration, and helplessness of our older unemployed is one of the greatest social evils facing American civilization. It is responsible for the swollen unemployment and relief rolls which we face in an era of prosperity.

I should like to urge that hearings be commenced on H. R. 6017 at the earliest possible date.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ABERNETHY, for 30 minutes, on Friday next.

Mrs. ROGERS of Massachusetts, for 5 minutes today, and if the time is not used, to have her remarks extended in the RECORD.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. KEE.

Mr. WALTER and to include an article from the U. S. News & World Report.

Mr. DAGUE.

Mr. SAYLOR.

Mr. GRIFFIN.

Mr. MILLER of Nebraska.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2420. An act to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes; to the Committee on Armed Services.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 45. An act to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, New Mexico;

S. 806. An act to authorize the Administrator of General Services to quitclaim all interest of the United States in and to a certain parcel of land in Indiana to the board of trustees for the Vincennes University, Vincennes, Ind.;

S. 886. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska in the continental United States, either directly or via a foreign port, or for any part of the transportation;

S. 937. An act to amend section 4 of the Interstate Commerce Act, as amended;

S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from the insurrectors during 1899–1903;

S. 1396. An act to amend section 6 of the act approved July 10, 1890 (26 Stat. 222), relating to the admission into the Union of the State of Wyoming by providing for the use of public lands granted to said State for the purpose of construction, reconstruction, repair, renovation, furnishing equipment, or other permanent improvement of public buildings at the capital of said State;

S. 1412. An act to amend section 2 (b) of the Performance Rating Act of 1950, as amended;

S. 1794. An act to amend section 6 of the act approved July 3, 1890 (6 Stat. 15), relating to the admission into the Union of the State of Idaho by providing for the use of public lands granted therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvements of public buildings at the capital; and

S. 1806. An act to amend the Sockeye Salmon Fishery Act of 1947.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to. Accordingly (at 12 o'clock and 33 minutes p. m.) the House, pursuant to its previous order, adjourned until Friday, July 5, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1004. A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation entitled "A bill to authorize the disposal of certain uncompleted vessels"; to the Committee on Armed Services.

1005. A letter from the Director, International Cooperation Administration, transmitting an interim report for the fiscal year 1957 on major changes in the mutual-security program as required by section 513 of Public Law 665, 83d Congress, pursuant to rule XL of the Rules of the House of Representatives; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TRIMBLE: Committee on Rules. House Resolution 308. Resolution for consideration of H. R. 4520, a bill to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating between the United States and Alaska; without amendment (Rept. No. 679). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 309. Resolution for consideration of H. R. 8240, a bill to authorize certain construction at military installations, and for other purposes; without amendment (Rept. No. 680). Referred to the House Calendar.

Mr. TRIMBLE: Committee on Rules. House Resolution 310. Resolution for consideration of H. R. 8364, a bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959; without amendment (Rept. No. 681). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT:

H. R. 8504. A bill to transfer certain property and functions of the Housing and Home Finance Administrator to the Secretary of the Interior, and for other purposes; to the Committee on Banking and Currency.

By Mr. BROWN of Georgia:

H. R. 8505. A bill to amend title II of the Social Security Act so as to permit the State of Georgia to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Ways and Means.

By Mr. KEAN:

H. R. 8506. A bill to amend title II of the Social Security Act to include the Delaware River Port Authority and the Delaware River Joint Toll Bridge Commission, corporate instrumentalities of the States of Pennsylvania and New Jersey, and the Port of New York Authority, a corporate instrumentality of the States of New Jersey and New York; to the Committee on Ways and Means.

By Mr. KEOGH:

H. R. 8507. A bill to amend title II of the Social Security Act to include the Delaware River Port Authority and the Delaware River Joint Toll Bridge Commission, corporate instrumentalities of the States of Pennsylvania and New Jersey, and the Port of New York Authority, a corporate instrumentality of the States of New Jersey and New York; to the Committee on Ways and Means.

By Mrs. KNUTSON:

H. R. 8508. A bill to provide that there shall be two county committees elected under the Soil Conservation and Domestic Allotment Act for certain counties; to the Committee on Agriculture.

By Mr. McGREGOR:

H. R. 8509. A bill to provide for the expiration of certain authorizations by the Congress for projects for flood control or river and harbor improvements; to the Committee on Public Works.

By Mr. McINTIRE:

H. R. 8510. A bill to provide flexibility in the operation of marketing agreement programs; to the Committee on Agriculture.

By Mr. MURRAY:

H. R. 8511. A bill to make uniform the termination date for the use of official franks by former Members of Congress, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PATTERSON:

H. R. 8512. A bill to amend section 510 of the Mutual Security Act of 1954 to provide for procurement of commodities under that act within the United States; to the Committee on Foreign Affairs.

By Mr. TEAGUE of Texas:

H. R. 8513. A bill to authorize the preparation of plans and specifications for the construction of a building for a National Air Museum for the Smithsonian Institution, and all other work incidental thereto; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURNS of Hawaii:

H. R. 8514. A bill for the relief of Hiroshi Sato and his wife, Tari Sato; to the Committee on the Judiciary.

By Mr. DAGUE:

H. R. 8515. A bill for the relief of Mrs. Masako Witmer; to the Committee on the Judiciary.

By Mr. KILBURN:

H. R. 8516. A bill for the relief of Roukous Salimon Roukous; to the Committee on the Judiciary.

By Mr. MACHROWICZ:

H. R. 8517. A bill for the relief of Armand Tchilinguirian; to the Committee on the Judiciary.

By Mr. MERROW:

H. R. 8518. A bill for the relief of Mrs. Celinda Shephard; to the Committee on the Judiciary.

By Mr. REECE of Tennessee:

H. R. 8519. A bill for the relief of the law firm of Frazier & Frazier; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H. R. 8520. A bill for the relief of Mara Zorich; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

European Shoot Moth Infestation

EXTENSION OF REMARKS
OF
HON. ROBERT P. GRIFFIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 2, 1957

Mr. GRIFFIN. Mr. Speaker, an emergency condition now exists in National, State, and private forests of lower Michigan, and particularly in several counties of the Ninth Congressional District.

I bring this situation to the attention of Members of the House not only as a call for assistance, but also as a warning, because the European shoot moth which is threatening the northern Michigan forests also poses a threat, according to the United States Department of Agriculture, throughout the general area from Massachusetts south to Virginia, and west to Illinois and Michigan, and Nova Scotia, southern Ontario, and British Columbia.

Seriousness of the problem in my district is evidenced by the following resolution which I have just received from the board of supervisors of Wexford County:

Whereas the European shoot moth infestation has developed into a serious menace to the pine trees of northern Michigan and has ruined hundreds of acres of plantations; and

Whereas the menace has got beyond the control of counties and individuals: Therefore be it

Resolved, That the Federal share-the-cost programs of ASCC and the soil-bank program in the planting of pine trees plantations be discontinued until such time as there is control of the European shoot moth and that all other possible funds be made available for the control of this menace; further be it

Resolved, That the Federal Government, State government, and State highway department make an all-out effort in the control of said European shoot moth in their respective plantations; and further be it

Resolved, That a copy of this resolution be sent to Hon. ROBERT P. GRIFFIN, United States Representative; Hon. Charles A. Boyer, State representative; Hon. John Minnema, State senator, 27th District; and to the several counties of the State of Michigan, asking that they get behind this movement before it is too late.

At a regular meeting of the Wexford County Board of Supervisors the above resolution was adopted by the following vote: Yes 21; Absent 2.

WALTER H. EDWARDS,
Wexford County Clerk.

Mr. Speaker, I have learned from Dr. Richard E. McArdle, Chief of the Forest Service of the United States Department of Agriculture, that the European pine shoot moth, an insect native to Europe was introduced into the United States accidentally and was first found in damaging numbers affecting Scotch pine plantations on Long Island about 50 years ago.

Unusual habits of this shoot moth make control of the pest very difficult. The larvae are concealed within the tips of the lateral twigs on the trees and are vulnerable to insecticidal sprays only for a short period in any given year. Time of vulnerability in Michigan is right now.

Studies of methods and materials for effective control of the shoot moth have been under way by several of the States and by the Federal Government for the past several years. In recognition of the exceptional severity of the pest infestation in lower Michigan, the Forest Service of the United States Department of Agriculture is at present making a study of the problem in the Cadillac area.

Findings from this study will be utilized in planning for control of the European shoot moth throughout the widespread area which it has infected.

In view of the seriousness of this situation, and the threat to thousands of acres of national, State, and local forest lands, I plan to return home for a personal inspection, with regional officials of National and State forestry departments of the infected area.

Mr. Speaker, I believe that the European shoot moth is so severe a threat to this Nation's great forests that all possible action should be taken to stamp it out immediately.

Veterans' Administration Benefits Claims May Need Judicial Court or Review Action

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 2, 1957

Mr. SAYLOR. Mr. Speaker, there is legislation pending before the Committee on Veterans' Affairs on which I have the good fortune to serve as a member, which would provide for the determination through judicial proceedings of claims for compensation resulting from disease or injury incurred in or aggravated while serving in the active military or naval service. I refer to H. R. 1006.

Similar to this bill in purpose is H. R. 834 and H. R. 4746. The first bill would confer jurisdiction upon the Court of Claims to review claims for benefits under laws administered by the Veterans' Administration; the second bill would confer jurisdiction upon the United

States Court of Appeals for the District of Columbia to review decisions for veterans' benefits. Both of these proposals are pending before the Judiciary Committee and during the last Congress hearings were held on similar measures.

I fear that unless we can experience better decisions from the Board of Veterans' Appeals, it will be necessary to take action to pass one of these measures and provide judicial court or review of decisions of the Veterans' Administration.

Of course, I realize that this would place quite a burden on the courts and it might be necessary to set up a special court comparable to the Tax Court. I am sure that all Members of Congress realize that such a step might have to be taken if more equitable decisions are not forthcoming from the Veterans' Administration.

Keenotes

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 2, 1957

Mrs. KEE. Mr. Speaker, while the rest of the country welcomes vacation time, the only official indications of summer's arrival in Washington are the weekend sunburns decorating distinguished noses at Monday session of the Congress—they have usually faded from view by Wednesday or thereabouts—and the heat and humidity for which the Nation's Capital is noted. Nor does the warmth occasionally generated under the Capitol dome help the outdoor temperature very much, as Members of Congress wrestle with national and international problems in a world grown stranger and stranger.

If that elusive individual, the so-called average citizen—to whom politicians and statisticians are so fond of referring, but whom I have still to meet—begins to feel more and more like Lewis Carroll's famed Alice in Wonderland, in that things keep getting curiouser and curiouser—small wonder.

Today, the business executive and the labor leader are being exhorted—according to the President's latest press conference—to serve as statesmen while Government officials and Members of Congress are called upon to act like business executives and members of the board of directors.

Times are so good, we are told, that inflation has become an alarming threat to the national economy and the individual's pocketbook. Some Government policies, it is acknowledged, are at fault in bringing about this upward flight of price pressures, but this is in part due, the President is quoted, to the "deliberate policy to bring the farmer his own share of the national income."

Mr. Speaker, I am not certain that I care too much for this explanation for it would seem to me that our farmers have enough of their own troubles without having to shoulder any of the blame for our present runaway cost of living. Based upon returns for the first quarter of this year projected at the annual rate, total net farm income will reach $11.7 billion in 1957. This represents a very slight improvement over 1956, when it was $11.6 billion, but is still a far cry from the $16.1 billion reached in 1951 or the $15.1 billion total of 1952.

Moreover, it is to be noted that the Secretary of Agriculture, in a recent speech delivered in Knoxville, Tenn., is quoted as still urging low-income farm people to seek income opportunities off the land.

A dollar—

Mr. Benson is quoted as stating—

will buy just as much health, just as much education, just as much good living if it is earned in off-farm employment as if it is earned growing crops or livestock.

This is like the old-fashioned recipe for rabbit stew: "First catch the rabbit." These people have still to earn that dollar in the highly skilled labor market demanded today.

The Secretary should have added: "That is, provided the skills used in making the land produce on a farm can be converted to making a machine produce in a factory."

Entirely aside from the moot question of whether we wish to see the Nation's agriculture turned from the hands of the small and independent farmer and over to big business, General Motors-type commercial propositions, it would seem that either the farmer is being blamed unjustifiably for our price rises, or the administration's efforts to help him are resulting in extremely costly failures for the whole country.

On the other hand, is it not barely possible, as businessmen in the Fifth District of West Virginia have pointed out, and as I duly reported in last week's Keenotes, that, with interest payments on the national debt more than double what they were prior to 1953, and interest rates on short-term Government bonds up from 1 to 3 percent in the same period, it is the administration itself which is doing everything that will tend to promote inflation?

One thing is certain. The average citizen—whoever he is and wherever he may be—and I strongly suspect he is every one of us—is finding it more and more difficult to accept as fact the statement that he is enjoying his rightful share in the general national prosperity.

Mr. Speaker, I have never been one for statistics. Indeed, I have a tendency to regard them with strong suspicion. I know that if my net income is $50 per week, while that of my right-hand neighbor is $100 and my left-hand neighbor is $150, the average net income for all three of us is $100. But this does not give me an extra $50 a week to spend, nor does it stretch the dollars that are in my pocket to meet the higher prices I must pay for the necessities of life my family must have to live.

Consequently, it is very difficult to convince me that because the national personal disposable income has increased more than $32 billion since 1954, this has put an extra dime in my pocket. No more has it benefited the retired worker living on his OASI benefits, the retired civil-service worker struggling along on a pension geared to pre-World War II prices, the white collar employee working on a fixed salary, the factory worker who does not have a cost-of-living escalator clause in his union contract, or the small-business man who has to raise his retail prices to take care of his inflated overhead costs.

Mr. Speaker, somewhere along the line of our complex economic structure, some of the cogs are not meshing as they should. I am neither an economist nor a statistician—and I only wish that I were a financial wizard. But I do know that the problem of halting inflation is not one to be put upon the shoulders of the business community or labor. The business executive has a responsibility to his stockholders and investors to show as high a profit sheet as he can. The labor leader has a duty to his union members to secure for them the highest wages he can procure at the bargaining table.

It is Government, both the executive and legislative branches, which has the great responsibility to look out for and to promote the general welfare of all the people and which, hence, must find the means to establish a stable economy—to check inflation—as it has the means to prevent depression. Surely, we have not lost our native ingenuity, our inventiveness, and our foresight to the extent that we cannot cope with this problem without passing the responsibility, the burdent or the hardship along to any segment of our people.

Dulles Declares Our Independence

EXTENSION OF REMARKS
OF
HON. PAUL B. DAGUE
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 2, 1957

Mr. DAGUE. Mr. Speaker, nothing could have been more reassuring to Americans who cherish the sacred principles upon which our Nation is built than is Secretary Dulles' declaration that we will have no traffic—commercial or ideological—with the gangster nation which is Communist China. And coming on the eve of our National Day of Independence, it serves to reaffirm our basic renunciation of tyranny and our independence of those other nations of the so-called Western bloc who are prepared to sell their birthright for the temporary and nebulous benefit of trade with Peiping.

Our naivete and our unfamiliarity at the time with communistic disregard for truth and honor may explain away our recognition of Communist Russia in 1933. After almost 25 years, however, of lies and equivocation and with thousands of our own boys lying dead, and millions of other free peoples either dead or enslaved, as the result of Communist savagery, we cannot longer plead ignorance of their aims and philosophy.

In the first instance, it was only through connivance on the part of Communist sympthizers in our own Government that the Chinese Reds were elevated to a place of dominance over Chiang Kai-shek. And it was in Korea that we saw the fiendish brutality and utter ruthlessness of a murderous regime that now seeks to do business with honest people and through that avenue worm its way into a place in the United Nations.

We do not have to stretch our memory very far to recall when it was thought to be socially smart to traffic with bootleggers and gangsters during the prohibition era. Today it would appear that there are those who like to think of themselves as internationalists or one-worlders who see nothing immoral in trafficking with a group of international gangsters who deny all Divine authority and whose word is not worth the time it takes to utter it. Indeed, Pope's Essay on Man gives us the best possible summation of the attitude currently displayed by some people who should know better:

> Vice is a monster of so frightful mien,
> As to be hated needs but to be seen;
> Yet seen too oft, familiar with her face,
> We first endure, then pity, then embrace.

Secretary Dulles has struck exactly the right note for July 4, 1957. We declared our independence of tyrants in 1776, and it is just as well that we reaffirm our independence of some of our so-called allies and let them know that our honor is not an item that fluctuates with the various winds—I repeat, winds—of international economics.

As a matter of fact, I wish the Secretary had gone one step further and served notice on the world that when Communist China takes her seat in the United Nations she can have the seat which will on that instant be vacated by the United States.

Discussion on Hells Canyon

EXTENSION OF REMARKS
OF
HON. A. L. MILLER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 2, 1957

Mr. MILLER of Nebraska. Mr. Speaker, the Hells Canyon project has been before the Congress since 1950. It was defeated in the Senate last year by a vote of 51 to 41. It passed the Senate on June 21, 1957 by 45 to 38. The bill has been heard several times before the subcommittee in the House. In the 82d Congress, controlled by the Democrats, there was almost unanimous vote in the committee to indefinitely postpone the bill. During the 83d Congress, when I was chairman of the Interior and Insular Affairs Committee, there was no request for a hearing. In the 84th Congress there were rather lengthy hearings. The printed record shows 523 pages. The subcommittee finished hearings in the 85th Congress on July 2 and voted, 15 to 12, to strike the enacting clause. I believe the full committee will sustain this action.

FEDERAL POWER COMMISSION

The Federal Power Commission, which is an arm of the Congress, held hearings of more than 1 year's duration, covering some 20,000 pages of testimony, on the question of a high Hells Canyon Dam. There has been much complaint about the FPC and its action. The committee should remember that the FPC—Federal Power Commission—is a body created by the Congress. The five members are appointed by the President on a bipartisan basis and they must be approved by the Senate.

There has been much spleen vented against Mr. Kuykendall, a member of the Commission. Some people blame him for everything that has happened. I would remind my colleagues that he is but one member of this bipartisan board that made the unanimous decision on Hells Canyon.

Mr. Speaker, the FPC engineering staff made a 44,000 man-hour study of the entire Hells Canyon problem. The findings were presented to the Commission by the engineers with numerous supporting exhibits. It seems to me there is no agency in Government which is in a better position to give a fair and impartial judgment, on all the questions raised, than the FPC. The five members are a bipartisan group. They have no ax to grind. Their only job is to consider, under the Federal Power Act, which is the best plan for development.

No committee of Congress would have the time or patience to hold such exhaustive hearings. It should be remembered that after the board made its ruling that the Idaho Power Co. should have a license to build three dams on the Snake River, those who opposed the license appealed to the Supreme Court to overrule that decision. The courts, after reviewing all of the evidence and facts surrounding the case, ruled against those who favor a high dam. The courts upheld the right of the Federal Power Commission to issue these licenses.

The FPC found the three dams licensed by the Commission to the Idaho Power Co. will produce 767,000 dependable kilowatts. This figure compares to 785,000 kilowatts for the proposed Government dam. The Commission said, "the ratio of power benefits to power costs of the 3-dam plan is greater than that of the 1-dam plan."

The Idaho Power Co. has gone forward under its license with the construction of the Brownlee and Oxbow Dams and will be producing power late in 1958. They have spent or contracted to spend up to this date about $50 million. Cancel their permits and the Government would be liable and this would be added to the cost of the high dam.

The Idaho Power Co. will do certain things under the Hells Canyon scheme at no expense to the United States. They will not be reimbursed or will there be an actual Federal tax loss. There are funds for fish protection facilities. There will be a million acre-feet of flood control at no cost to the Government. The Idaho Power Co. has gone ahead in good faith and spent nearly $50 million. The people of the area are desperately in need of power. They will be paying taxes to the Federal Government over a 50-year period of about $283,126,300. The States of Idaho and Oregon over the same time will receive $200 million in taxes.

SIZE OF DAMS

If the Congress authorizes the high Federal dam, certainly the Idaho Power Co. would be in the Court of Claims for damages.

Mr. Speaker, every Member of Congress has received mail stating that the Idaho Power Co. would be building three runt or pygmy dams that would not serve the purpose and use wisely the water of the Snake River.

Well, let us look at these so-called runt dams. The Brownlee that is now nearly half completed is 395 feet high. That is 107 feet higher than the Capitol dome. The Oxbow which will be constructed next will be 205 feet high. That is twice as high as the Bonneville Dam. Hells Canyon, which is to be built on about the same site as the proposed Federal Hells Canyon, will be 320 feet high and that is about twice the height of Niagara Falls. In fact, Mr. Speaker, the so-called hydroelectric heads of the high dam and the three proposed dams, according to the engineers is 602 feet. They are exactly the same.

The three dams will produce about the same amount of power as that produced by the one federally constructed dam. These are electric power projects. There is little or no irrigation or flood control water in either the high dam or the three-dam proposal.

TAX WRITEOFFS

There have been some harsh words said about the so-called tax-write off provisions given to the Idaho Power Co. Personnally I have always been opposed to these so-called "tax writeoffs." However, there have been more than 21,000 such certificates issued in the last 10 years; 927 of the certificates were in the power field. Every State has had tax writeoffs except one. There is nothing illegal, dishonest, or immoral about the procedure. Indeed, if I were a stockholder in the Idaho Power Co. and the president and the board failed to take advantage of the tax writeoffs, I would want to get a new set of officers. This tax writeoff has been blown up all out of proportion. Quite a number of these tax writeoffs were in the States of Oregon and Washington. I did not hear either the junior or senior Members of the other body from Oregon complain about the writeoffs in their own States. It seems to be wrong only when it comes to the State of Idaho. There certificates were granted as a matter of public policy. The policy was established by the Congress itself. If the law is wrong it should be corrected. The Congress is responsible for that correction.

THE STORY OF LICENSES

There has been nothing sudden about the granting of this license to the Idaho Power Co. The first plans were made in 1946. They applied for permits in 1947. That was 10 years ago. All of this was

done up and above board. They made formal application for a license, the first in 1950 and again in 1953. Then, after the longest hearings in history a bipartisan board issued the license. The Commission said this when they issued the license:

Most of what we have already said indicates that the applicant's three-dam proposal is best adapted to a comprehensive plan of development as required by section 10 (a) of the Federal Power Act.

That was the Commission's findings. It was in the public interest.

COURT DECISIONS

The opponents went to the United States Court of Appeals twice and were rejected. They carried their appeal to the Supreme Court of the United States on two occasions. Each time the courts, after reviewing all of the evidence, held that the licenses issued to the Idaho Power Co. were valid. The company under these court decisions have proceeded and will have the Brownlee Dam completed and producing power in 1958. The Oxbow Dam will be completed in 1960 and, under their license provisions, Hells Canyon should be completed in 1962.

COST OF DAMS

It has been estimated that the cost of one high Federal dam would be about $356 million. When the smaller dams and power lines that must be built downstream to firm up the power are built, the total cost would be $700 to $800 million. Four of the downstream dams have not been authorized. The cost of the three dams by the Idaho Power Co. is about $133 million. They will produce about the same amount of power.

My colleagues should understand that the Pacific Northwest, in the last 20 years, has received about one-fifth of all moneys appropriated for reclamation. I cannot believe that now we should make available another $100 million each year for 7 or 8 years to complete this high Federal dam particularly so when there is a private enterprise group now constructing the needed power facilities.

PRIVATE VERSUS FEDERAL POWER

Some people seem to have the idea that all electric power should be generated by the Government. That is a mistaken idea. Public power should be generated by the Government in areas where private capital is not available. There is no reason for the Government to develop power projects unless those projects are too big for the people to handle.

Now let me state my policy so there will be no misunderstanding. I am from Nebraska, the only completely public power State in the country. I believe in public power where public power is necessary.

I know there are many sincere people in the United States who feel that the Federal Government should develop all of the power sites now existing on the rivers. They have a feeling that these power sites and the water belong to the people; that the Government ought to build power units and then let private power companies come and get the power. There are other sincere people who feel the Government should go so far as to build transmission lines for the power. I respect their views. I would point out, however, that if the Federal Government should do this for power, why not for steel, build the locomotives, control the food, and all other private enterprise systems now existing in the United States. This would be socialism in full swing.

In my opinion there is room enough in this country for both private and public power systems. Our America became great because free men and women were able to go ahead and do the things they want to do with a minimum amount of Government interference. In my humble opinion, our America cannot remain great and strong by expecting the Government to do so many things for people that they could do for themselves.

I did support the great power network on the Missouri and Colorado Rivers because private enterprise was not able to develop these water sites. That is not true of the Snake River. The Hells Canyon is far different than the Colorado or Missouri Rivers. I would say that if private capital were not available, then the Government should step in.

Again I say I believe in free enterprise, one of the foundations of our American way of life. I believe that people should do things for themselves when it can be done. I believe the Government should aid the people in projects which the people cannot handle alone.

In Nebraska it would have been impossible to construct the farflung network of powerlines without Federal aid. We have a great power system. The REA's have extended lines throughout the rural areas so that practically every farmer who wants power can have it. This was done through Federal funds which are now being repaid to the Government over a period of years.

However, private capital is available in the Hells Canyon case. In fact, private capital is now being used in the construction of the first of three dams. There is, then no concrete reason for the Government to step in and furnish Federal funds in competition with free enterprise.

I believe in projects which are an investment in the future of America. I have endorsed and voted for many public-power projects, irrigation projects, flood-control projects, and others where help from the Government is needed.

The high dam would take 6 to 8 years for completion. What will the people of the Northwest do for power in the interim?

The Hells Canyon case should be resolved, once and for all time. There is no sense in this continuing controversy which is wasting time and inflaming tempers. We have heard the arguments—pro and con. The time has come for decision.

Are we going to uphold the studied decision of the Federal Power Commission? Do we believe in free enterprise or are we going to demand the right to socialize every segment of society? Why should we spend $700 million of the people's money when there is private money to do the job?

Mr. Speaker, the Christian Science Monitor of June 25 in an editorial entitled "Beyond the Bonds of Reason," said in part:

The Senators—many of them milling around excitedly, shaking hands, slapping backs, and otherwise congratulating each other on a splendid victory they had just won. And what was this great achievement 40 Democrats and 5 Republicans were so proud of? They had just voted to spend a great deal of the taxpayer's money to do a job already under way at no taxpayer's expense. Specifically, they had voted to build a Federal dam at Hells Canyon, thereby flaunting the considered opinion of the administration, the Federal Power Commission, and indeed, of the Senate itself last year. In the process they would wash out the 3 dam sites, 2 for which the Idaho Power Co. has already spent $18 million.

A few weeks ago the country listened to Nikita Khrushchev, the Russian dictator, who remarked that our grandchildren would be living in a state of socialism. The actions of the 40 Democrats and 5 Republicans in their vote on Hells Canyon must have given the Russian dictator a wry smile for here was socialism in full action. If the Government is to supply the electric energy for people why not the automobiles, steel, coal, and our food. That would be Rusisa and that would be socialism.

COST AND SELLING PRICE OF FEDERAL POWER

Mr. Speaker, another unfortunate feature in the Pacific Northwest, and I have studied this problem for several years, is the fact that all Federal dams are selling about half of their electric energy at less than the cost of production. Many of these contracts were entered into under the Truman-Chapman-Strauss regime. They are long-term contracts with no right to the preference customer.

The sale of the Bonneville Power Administration for the fiscal year 1955–1956 were as follows:

Total sales, 1955, 21,828,500,000 kilowatt-hours at an average per kilowatt-hour of 2.34 mills.

In 1956, the total sales amounted to 25,973,700,000 kilowatt-hours at 2.32 mills.

The power developed at the high dam will be sold at a cost to every State and taxpayer in the Union. It will be a form of subsidy. It is cheap Federal power paying no taxes. The power will be sold at less than the cost of production. This 4-mill power will be fed into the Bonneville system where it is sold at an average rate of about 2.4 mills.

In conclusion, Mr. Speaker, to put a stop to this hydroelectric construction now under way, which would develop more than one-half million kilowatts of power, and add 1 million acre-feet of flood control storage would be disastrous to the Northwest. Much of this power will be on the line in 1958. There is a real shortage of power. Some of the defense plants last year and even early in this year, were closed down because of a shortage of power. This additional power is desperately needed now. It will take from 6 to 8 years for any power to develop out of the Federal high Hells Canyon Dam.

LACK OF ELECTRIC POWER

What will those who favor the Federal dam say to the farmers when they lack power for pumping or for running their farms? What will they say to the laboring group when the factories are shut down because they lack sufficient power? Do they want to impose a shutdown on this industrial and farm growth making a delay of 6 to 8 years before Federal power could possibly come on the line? What will they say about the great tax loss? These are a few of the problems that the proponents of the high dam should answer. They should also tell the REA's and farmers under the Chapman-Strauss regime why long term contracts were let to private concerns at less than the cost of production with no preference or withdrawal clause for the power when needed by the REA.

Mr. Speaker, I have gone into considerable detail on the pros and cons of the development of power on the Snake River. In the past there has been much emotion in trying to solve the problem. I hope my colleagues will look at the facts in cold, hard logic. When that is done, there is little doubt but what they and the country will come to the conclusion that the three dams to be built by the Idaho Power Co. will best serve the interests of the Pacific Northwest.

Labor Answers Your Questions

EXTENSION OF REMARKS
OF
HON. PAUL H. DOUGLAS
OF ILLINOIS
IN THE SENATE OF THE UNITED STATES
Tuesday, July 2, 1957

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of a radio dialog between Mr. A. J. Hayes, AFL–CIO vice president, and the Senator from Oregon [Mr. MORSE] and myself.

There being no objection, the dialog was ordered to be printed in the RECORD, as follows:

LABOR ANSWERS YOUR QUESTIONS

(An AFL–CIO public service radio series, program No. 9, Labor's New Broom, No. 1. Guest, A. J. Hayes, chairman of the AFL–CIO ethical practices committee, AFL–CIO vice president, and president of the International Association of Machinists. Panel, Senator PAUL DOUGLAS, of Illinois; Senator WAYNE MORSE, of Oregon. Moderator, Harry W. Flannery. Running time, 13:30)

Mr. FLANNERY. Labor answers your questions.

Labor is front-page news these days because of racketeering within the ranks of labor. People are asking questions. They want to know whether the Congressional investigations help to clean out the racketeers. They want to know whether many labor officials are among the offenders. They want to know what labor itself is doing about it.

In this program, labor answers your questions. Here to discuss the situation is the chairman of the AFL–CIO ethical practices committee and two Members of the United States Senate who have been active in Congressional investigation procedures. The chairman of the AFL–CIO Ethical Practices Committee is Al J. Hayes, who is also an AFL–CIO vice president and the president of the International Association of Machinists. The Senators are PAUL DOUGLAS, of Illinois, and WAYNE MORSE, of Oregon.

The broadcast comes from the office of Senator DOUGLAS in the Senate Office Building here in Washington.

Mr. Hayes, will you begin by saying whether Congressional investigations are helpful or not helpful in carrying out the AFL–CIO Ethical Practices Codes.

Mr. HAYES. Well, of course, Mr. Flannery, in connection with Congressional investigations, organized labor is for democracy and we are, therefore, for Congressional investigations.

And we are no more opposed to Congressional investigations in connection with the affairs of labor unions than we are in connection with any other matters that Congress should properly investigate. With regard to the investigation of practices in the labor movement, we feel that the investigations thus far have been of material assistance to us. We're convinced that even the ethical practices committee and the AFL–CIO council could not have brought out all of the things that have been disclosed so far by the Douglas committee and by the McClellan committee.

I say that with some reservations, however, where we are opposed to inquisitions. We are opposed to investigations that are not objective, that are conducted for the purpose of punitive legislation.

Mr. FLANNERY. Senator Douglas?

Senator DOUGLAS. Well, I'm very glad to have Mr. Hayes say this because a Congressional committee has two powers that a voluntary organization cannot have, namely, it has the power of subpena, and it has the power to put witnesses under oath; these are great advantages. We found them to be very helpful in our investigation of health and welfare funds.

I do want to say, however, that any Congressional committee should be very careful of the rights of individuals whom they summon before them or who are reflected upon. We followed the practice of sifting all evidence in executive hearings before they were brought out in public so that there would not be indiscriminate name dropping and indiscriminate smearing.

Secondly, if we found that someone was going to be adversely reflected upon by the testimony of another witness, we notified him in advance that this was going to happen, and gave him a cordial invitation to appear with the right of making a statement immediately following any adverse reflection upon him. All witnesses were given the right of counsel. And counsel were permitted not merely to advise the witnesses, but also to make statements in their own behalf.

We've tried to make it possible for witnesses who might be put on the spot to get their story across to the public at the same time that our questioning got across to the public, so that both sides would have the right of equal access to public opinion.

Mr. FLANNERY. Senator Morse, I think you've been rather active in connection with procedures of these committees?

Senator MORSE. Yes; I have, but before I discuss that point I want to say something personally to Al Hayes on this program. I want to say that Al, you and George Meany and the other officials of your great labor organization, have performed some great acts of labor statesmanship in recent weeks in connection with the house cleaning that you are carrying on within the ranks of labor.

Senator DOUGLAS, Wayne, I want to join in that and say that it is one of the most encouraging developments in American life, and I only wish that other groups would evidence the same desire for the good name of their organizations and their professions that the AFL–CIO has done.

Senator MORSE. I know you share that view, Paul, but I have said so many times on the floor of the Senate and elsewhere in America—that the democratic processes of the American labor movement will take care of the racketeering and the communism and the crooks within the labor field—but that we, the Congress, have the duty to help strengthen your arm. And that's why I think these Congressional hearings are so important. I'm glad to have you, Al, go on this program and say to the American people that labor welcomes these Congressional investigations. I knew that was your position, but I agree with Paul and I agree with you they should be conducted with fair procedure.

Now I want to make this point very quickly: For 10 years I have been urging some reforms in procedures of Congressional investigations, along the line of procedures that PAUL DOUGLAS in his investigation work has voluntarily applied. But I think that they ought to be required as a matter of Senate rules.

And here they are very quickly:

Whenever a Senate committee brings a charge against any person that involves an allegation of crime, then, I think, certain basic procedural guaranties should automatically attach themselves to that hearing:

1 (as Paul indicated). The right to be represented by counsel.

2. The right to have a bill of particulars, or in other words, an indictment; that somebody not be hailed before a Senate committee for example and not know what he's in there for until he gets in the committee room.

3. The right to put on your case in your defense in an orderly way with the assistance of counsel, and not be interrupted by a Senator when he sees he doesn't like the answer he's getting, and stop you in the middle of a sentence and not even let you complete your sentence. He should have the right to put on—as we lawyers say—a case in brief in an orderly fashion. And

4. The right to be confronted by your accusers and cross-examine them.

Now that's been my criticisms of Congressional committee hearings and investigations when charges of crime have been involved. And I'm going to continue to fight for that kind of reform.

Now having said that, I want to say that at the beginning of the McClellan committee hearings I said let's have a thorough going investigation of corruption in American unionism, and let the chips fall where they may, but let me quickly add I also pointed out when you get into any of these charges, whether its racketeering or bribery or any of the others, you've got to have two people for racketeering and bribery; you've got to have an employer on one side of the deal, and a crooked labor leader on the other side of the deal. And I've been urging an equal investigation of the collusive activities of crooked employers along with crooked labor leaders.

Mr. FLANNERY. Mr. Hayes?

Mr. HAYES. Well, Senators, first of all let me express my appreciation for the nice things that you have said about the federation and some of us in the federation; we certainly appreciate that. But I think that I ought to add that while we are the first to admit hat we need the aid and assistance of investigating committees in order to ferret out the things that are wrong in the trade-union movement, I don't think we ought to mislead the American public to believe that because of the disclosures thus far in the Douglas investigation and the Mc-

Clellan committee investigations, that the entire labor movement is corrupt.

Senator DOUGLAS. No; no.

Mr. HAYES. That is not true. The fact of the matter is that only a very, very small segment of some of the leadership in the trade-union movement is currupt. Unfortunately, the publicity that the disclosures have received thus far has misled many of the people and the public who have no other source of knowledge to believe that most of the trade-union movement is corrupt. And that isn't true. The publicity has not been balanced off with information from the other side of organized labor's ledger; organized labor has made a great contribution to our society.

Senator MORSE. But I would like to comment on something else that Al Hayes said earlier when you pointed out that only a small percentage of labor leaders are in the corrupt class, just as only a small percentage of employer representatives are. I have said so many times that 99 percent of labor leaders and employer representatives are dedicated men and women.

I want to say a word now to representatives of other groups listening to this program—if you are a lawyer, if you are a doctor, if you are a teacher, or farmer, businessman, consumer generally. I'd have you always remember that your standard of living that you enjoy today wouldn't be what it is if we hadn't had the great, free American labor movement through our history; because the right of free men and women to organize and bargain collectively for better wages, hours and working conditions, in my judgment, has been fundamental in the raising of America's standard of living to what it is today; because when you don't have that kind of organization, you have exploitation of the workers because of the frailty of human nature that creeps into employers. It's just to be expected and, therefore, in spite of all this castigation labor is getting these days, I am going to raise my voice again in warning the American people—watch out for an antilabor drive in this country because it is not against labor alone, it is against you no matter what economic group you belong to.

Mr. HAYES. I might comment in connection with the statement that I made, and that you just repeated, about not all labor being corrupt, that the American public probably doesn't know what these statistics are: There are 136 unions affiliated with the AFL–CIO, and those 136 national and international unions have 16,000 full-time paid officers. In addition to that, there are more than 60,000 officers of local unions, and of this number, that does not include some 500,000 shop committeemen and stewards and local representatives, but of this entire number in the Douglas committee hearings and the McClellan hearings thus far, testimony has been submitted to indicate that 13 may be guilty of some wrongdoing. I am sure that there are more than 13; but assuming there are more, the significance is that the 13 that have thus far had testimony presented against them which indicates they may be guilty, and the additional number that there may be, is still a very, very small percentage of the total number of representatives of the trade-union movement.

Senator MORSE. Oh, I was just going to talk with Paul on this program about the code of ethical practices Al Hayes has laid in front of us here this morning. I am going to put them in the CONGRESSIONAL RECORD today, but I wish every American citizen could read your own proposals, Al, for a code of ethical practices, because it is clear proof of what Paul and I have been saying: labor itself will do a great housecleaning job once these facts are brought to light.

Mr. FLANNERY. Thank you, gentlemen. Because of time, we shall have to continue this discussion in another program. We shall again present Al J. Hayes, president of the International Association of Machinists, vice president of the AFL–CIO, and chairman of the AFL–CIO ethical practices committee; and Senators Wayne Morse, of Oregon, and Paul Douglas, of Illinois. Next week, we will discuss the AFL–CIO ethical practices codes themselves. Copies of the AFL–CIO ethical practices codes, now six in number, will be mailed free to any interested listener. Just write "codes" together with your name and address on one side of a postal card and mail to AFL–CIO Radio, Washington, D. C. That's AFL–CIO Radio, Washington, D. C.

Remember, next week, Mr. Hayes and Senators Morse and Douglas discuss the AFL–CIO's "new broom"—the ethical practices codes.

This is Harry W. Flannery speaking for the American Federation of Labor and inviting you to be with us next week at this same time to continue this discussion on labor's "new broom" in the public service series, presented with the cooperation of this station, Labor Answers Your Questions.

Freedom of the Press

EXTENSION OF REMARKS

OF

HON. RALPH W. YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Tuesday, July 2, 1957

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that I may have printed in the CONGRESSIONAL RECORD an address delivered by me to the Texas Press Association State Convention at San Antonio, Tex., on June 29, 1957.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

FREEDOM OF THE PRESS

(Address by Senator RALPH YARBOROUGH, delivered to the Texas Press Association State convention at San Antonio, Tex., June 29, 1957)

Members of the fourth estate, fellow Texans, I am very pleased that you asked me to meet and talk with you here today. I want you to share that pleasure, so let me say, right here at the beginning, that I didn't use to be in the newspaper game, myself. This ought to give you relief, if not a pleasurable feeling. I understand from my friends in your profession that this makes me a rare specimen, if not a unique one.

I do plead guilty to having earned my first dollar turning an old Washington hand press on the Chandler Times for my old friend and your former president, R. T. Craig, of Athens. But your profession requires men of special training and I was never able to qualify as a newspaperman.

I've been in Washington less than 60 days but I've learned some new procedures and had some old truths reaffirmed. Among these old truths is the fact that Texas is fortunate in having a Speaker in the chair of the National House of Representatives. This Texas Speaker is no ordinary Speaker; he is longest in point of service of any of the Speakers who have graced that chair. In my opinion, Speaker SAM RAYBURN is the greatest Speaker of the House of Representatives in the entire history of this Nation. This is not merely the verdict of partisan politics. Impartial historians approve this verdict.

Historians have pronounced him the ablest legislator ever developed by the American legislative system. SAM RAYBURN is always on the side of the people. His service to Texas and the Nation would fill volumes and in time these volumes will be written by a grateful people.

And in the majority leader of the Senate, LYNDON JOHNSON, Texas has as able a parliamentary leader as has ever represented this State there. Energetic, astute, and resourceful, he seems to be everywhere in the Senate Chamber at the same time.

Texas is fortunate in having the leaders of both Houses of Congress from this State.

I am especially pleased to be here with you today, because you are meeting in San Antonio. This lovely city is to me, as it is to all Texans, a dear and special shrine. Here, we Texans lost a battle, but won the time to win freedom. From the ashes of the devoted dead of the Alamo, a new flame of liberty fired the hearts that won liberty for Texas.

Freedom is a curious commodity. It must be preserved over and over again—and in many ways. Won at an Alamo, a San Jacinto, a Yorktown on this day, it must be resaved at a Marne, an Iwo Jima, a Normandy beach, a 38th parallel on the next. And freedom must also be secured over again every day, in a thousand and one ways in a thousand and one places—mostly in ways far less spectacular than in battles and wars.

Now I do not believe that freedom for all is something distinct from freedom of the press. Rather, I believe that the ramparts of freedom are continuous, and that a breach anywhere is a threat to the whole citadel.

But I do believe, with Thomas Jefferson, who said, "our liberty depends on freedom of the press, and that cannot be limited without being lost," that the press has a special function in the defense of freedom that has to be exercised earlier and oftener than the average citizen is called upon to exercise his.

As I see it, the press' theater of war for the preservation of freedom is within the hearts and minds of the people. It is not the press' function to fight the conventional battles and wars, though it does much to assure victory in them. Rather, the press' function becomes supercritical—to use an adjective of the bombmakers of the atomic age—precisely at the moment when the artillery falls silent, the cruisers slip in to their moorings and the bombers come in to their landing places.

Because this is true, freedom of the press is always under attack. Those who would take away all our freedoms have read Jefferson, too; they, also, have learned that the place to begin to destroy our freedom is by seeking to limit freedom of the press. Our history is studded with examples:

You are all familiar with the martyrdom of John Peter Zenger. You know that it was not until 1721, when James Franklin successfully launched the independent Hartford Courant, that a newspaper could be printed without being licensed by the Government and carrying on its masthead the words: "Published by authority."

You know that in 1798 the Federalists in the Congress, angered by independent reporting of their activities, passed the Sedition Act, sending many a newsman to prison for the free exercise of his profession.

Yes, as newspaper men and women, you all know all of the historic attempts at limiting freedom of the press. But did you also know that on June 21, 1957—a week ago yesterday—a presidential commission recommended to the President and to the Congress, legislation which, in my opinion, is a dangerous to press freedom as the Sedition Act?

Buried in the 800-page report of the President's Commission on Government Security—the Wright Commission—is this recommendation to Congress:

"That Congress enact legislation making it a crime for any person willfully to disclose without proper authorization, for any purpose whatsoever, information classified 'secret,' 'top secret,' knowing, or having reasonable grounds to believe, such information to have been so classified."

The proposed bill would make disclosure a felony punishable by up to 5 years in prison and by a fine up to $10,000. These penalties would apply to any person disclosing information—the bill does not specifically mention writers or editors or publishers—even though his intentions are to help, rather than to harm, his country.

The only test under the proposed bill is whether the disclosed document had been classified by a Government official.

Why did the Commission recommend this bill? There already are laws under which newspapers can be prosecuted for knowingly publishing information harmful to the Nation. The test of these existing laws is whether there is intent to do harm to the country, not whether a bureaucrat somewhere has decided a document should be classified.

In my opinion, the proposed bill is an extension of a dangerous threat to freedom of the press contained in a letter written on May 17, 1954 by President Eisenhower to Defense Secretary Charles Wilson.

This letter, which I thought the press never protested strongly enough, was written during the Army-McCarthy hearings. Its aim was to prevent Army Counsel John Adams from testifying as to conversations with Deputy Attorney General William P. Rogers and Assistant to the President Sherman Adams.

The letter was couched in very broad terms and talked of the rights of the executive branch of our Government to keep certain things confidential. This was the place where danger to the press lurked. Almost immediately after the letter was written, executive department agency heads in our Federal Government began applying the precedent set by the letter.

Budget Director Rowland Hughes, using the precedent, refused to allow witnesses to be questioned and certain papers to be produced in connection with handling of the now-famed Dixon-Yates contract. Hughes, citing the letter, said records and conversations involved in reaching decisions within his department were confidential.

Logically extended, the Eisenhower-Wilson letter gave to the head of every executive agency, and those acting for him, a precedent for making confidential anything they pleased to cover up.

Here was a parasol under which Government heads could stand any time an information seeking reporter or, for that matter, a congressional investigating committee, asked him questions.

Many times since the letter was written, reporters and congressional investigators have heard this phrase: "We consider that information to be confidential under the President's May 17, 1954, letter to Defense Secretary Wilson." Bureaucrats using this phrase and its variations have not pleaded that the Nation's security is involved or that information-seekers were after loyalty files, or diplomatic papers or so-called raw investigative files. They simply and arbitrarily said: "Confidential."

This has caused a slowdown in the ability of the Congress to secure information pertinent to its necessary investigations. And gentlemen, I believe you must face the fact that when the power of the Congress to investigate is limited, so is the power of the press to get answers to the questions it asks.

No question of the intent of President Eisenhower is involved here. He stated that the letter he wrote to Wilson would not be used to cover up improper acts. But what about our next President and the next and the next?

No all-out fight was made by either the press or the Congress to outlaw the precedent set in the Eisenhower-Wilson letter, although such a fight should have been made, on a purely nonpartisan, nonpolitical basis.

And now, we are faced with the recommendation of the Wright "Commission on Government Security" of June 21, 1957.

Let us assume that no fight is made against this proposal, either. Let's assume that it has long been the law of our land. What would have happened in the past few years, had such a law been on our statute books?

Here are but a few of the stories of critical national interest which you could never have printed:

The story of the late Bert Andrews, of the New York Herald Tribune, that President Franklin Roosevelt had agreed at Yalta to allow entrance of the Ukraine and Bylorussia to the United Nations. This story was published and no one has ever questioned but that its publication was in the Nation's best interests.

The series of stories by Paul Anderson of the St. Louis Post-Dispatch which led to the full disclosure of the infamous Teapot Dome scandals could not have been published, had this proposal been our law.

Arthur Krock of the New York Times in the early 1930's could not have printed stories informing this Nation that its Government intended to go off the gold standard and to initiate the NRA.

The New York Times in 1945 printed a series detailing the plans of the United States, the Soviet Union, Great Britain and France to form the United Nations. It could not have done so, had this new proposal been law.

I have already mentioned Dixon-Yates. Had the new proposal been law, the Dixon-Yates scandal would never have seen the light of day. And there are many, many others which I could cite. Had this recommendation been law, the tax writeoff granted Idaho Power Co. in the Hells Canyon cases would have been completely hidden from the public.

At this point, I should like to make it clear that I am not condemning the whole report of the Commission on Security. Many of its recommendations are admirable, notably a prosal that henceforth persons accused shall have the right to be confronted by their accusers.

But the proposal that would allow bureaucrats to cover their tracks—even their illegal acts—by the simple process of stamping "classified" on a document, cannot be condemned strongly enough. It is dangerous, not alone to the press, but to all of us because it strikes at the basic right of our citizens to know what their Government is doing. If enacted into law, it would form perfect protection for a series of Dixon-Yates and Idaho Power Co. deals—the sky would be the limit and the people, the press and our democratic way of life would be the losers.

This is a proposal that must be fought—and that fight must be led by men like yourselves. It is a primary duty of newspapers to seek always for access to information about our Government. The burden of proof should always be on the Government to prove why information should not be made public. The press should never be forced to prove why it is entitled to have information about the Government. If the press is ever forced into a position of having to prove its right to access to information, the press will be throttled—and so will the rest of us.

May I now for a moment look at the other side of the press coin, the face of the coin that is responsibility—responsibility to exercise freedom?

Often, to us outside your profession, it appears that editors and publishers in their zeal to defend press freedom often overlook abuses of that freedom.

From the outside, it seems that the mantle of press freedom has been stretched rather wide at times. But, happily, I think, most of the press is itself aware of these shortcomings. I remember reading a speech made by Henry Luce, publisher of Time-Life-Fortune. He said: "That freedom which we so uncritically demand is often nothing more than freedom to pander. If we pander to sensuality that is bad enough. But there may be an even greater danger in the fact that freedom of the press is also freedom to pander to ignorance, to pander to mediocrity, to pander to group passions and prejudices, to pander to hatred and meanness, to pander to all that is unlovely in a democracy."

I know that you, yourselves, are aware of the ease with which the trust that is freedom of the press can be abused. The selection of news to be included or omitted, the treatment of facts in a news story, the headlines given that story, the twist applied by the choice of descriptive adjectives or descriptive phrases—all these offer opportunities for distortion of the truth by the press.

Perhaps this distortion is not always a sin of commission. It may be the result of ignorance or simply of carelessness, but the result is the same. Sometimes it seems to us who must read as we run that the traditional slogan, "all the news that's fit to print" has been altered to "all the news that fits."

I said at the beginning of this talk that I believed the place where the press must fight for the liberty of all of us is within the hearts and minds of the people. I wish to repeat this here, because I do not think that this nation will perish when it loses its fleets and its armies, but only when it loses its certainty that its high mission and destiny is linked with freedom and liberty—the freedom and liberty for which Travis and Bowie and their little band died not so very far from this spot. If we lose that certainty, that is the moment when we shall surrender, not to Russian or Chinese invaders, but to self-destructive panic.

To buttress this Nation against this danger is the noble call of the journalist, the lawyer, the statesman, the industrialists, the theologian, the educator—all of us—doctor, lawyer, merchant, chief.

There is no single repository of the people's liberties; these liberties are not dependent upon one class or one occupation, but upon a general climate of opinion, what the late Justice Holmes called: "a brooding omnipresence in the sky" which is everywhere and nowhere. These liberties are wrapped up in the beliefs and hopes of all of us, sometimes vague and shapeless, sometimes clearly understood, always called forth when, in Lincoln's words, "the mystic chords of memory" call them forth, and appeal to our better natures.

You here are the opinion-makers and therefore must act always when freedom and liberty is in peril—and not just your freedom and liberty.

The press and the people will be free together or they will be enslaved and destroyed together, for liberty like ours is indivisible. Texas is a land of outspoken men, typified in the press by men like H. M. Baggerly, Elton Miller, Ernest Joinex, and Archer Fullingham. I do not believe the Texas press will see this muzzle clamped over its sources of news without protest. Yours is the opportunity to strike new blows for liberty in this generation.

Address by Hon. Chapman Revercomb, of West Virginia, Before State Convention, Veterans of Foreign Wars, Clarksburg, W. Va.

EXTENSION OF REMARKS
OF
HON. CHAPMAN REVERCOMB
OF WEST VIRGINIA
IN THE SENATE OF THE UNITED STATES
Tuesday, July 2, 1957

Mr. REVERCOMB. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of an address delivered by me before the State convention of the Veterans of Foreign Wars at Clarksburg, W. Va., on June 21, 1957.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR REVERCOMB BEFORE STATE CONVENTION OF THE VETERANS OF FOREIGN WARS, AT CLARKSBURG, W. VA., JUNE 21, 1957

I consider it a distinct honor to be invited to meet with you on the occasion of your 35th convention. The Veterans of Foreign Wars has a long and distinguished record of supporting those American principles we all hold high. I congratulate you on the significant part you have played in public affairs. I applaud your labors for improvements to your communities, your State, and your Nation.

I speak to you today on a subject which I consider of primary importance—America's security in the nuclear age.

There is no question in my mind but that the Nation's security is still the No. 1 problem facing the Government at this time. I need not remind this audience of the grave responsibility that rests upon the United States for I know of no group of American citizens more deeply conscious of the need for strong defenses than those who are assembled here. That responsibility is thrust upon America because of our high concern for the preservation of the kind of life which has been our heritage and which you yourselves have defended so valiantly.

The one question uppermost in our minds today is: How can we best assure security for ourselves and conditions that will lead to peace in the world?

Disarmament talks are much in the news and we all hope that something constructive will come from these discussions. The United States may well explore sound ways to slow down the world armaments build-up—but I say to you in all earnestness that any agreements to this end can be achieved only if all nations that may be arrayed against each other willingly and sincerely agree to limitations. Moreover, any such agreements must carry assurance of a foolproof inspection.

I feel that such ironclad safeguards are imperative for our own security. We cannot afford to rob ourselves of the power to deter aggression so long as there exists in the world the present danger of destruction by an enemy.

Much is being made today of the danger of radiation fallout from nuclear explosions. It is generally conceded, however, that explosions up to this time have resulted in little danger. I think the scientists are warning us of what may happen if there are too many of these explosions. If such explosions occur to a point where the atmosphere would be saturated with fallout, unquestionably there would be terrible danger, maybe destruction, to the human race. This we must prevent.

At the same time, we must consider the danger of annihilation by an enemy using nuclear weapons. Suppose this country were to end all H-bomb tests. Could we have any assurance whatsoever that a country which has violated agreement after agreement in the past would abide by an atomic limitation treaty unless there be an ironclad system of international inspection?

We must seek every possible means of averting war—but to stop further H-bomb tests without assurance of controlled and inspected disarmament could well spell disaster.

I also call your attention to the proposal being advanced in some quarters that this country relax its present trade restrictions with Communist China. This proposal, to my mind, is a dangerous move and could have serious consequences in southeast Asia and the Far East.

The Chinese Communists have not shown the slightest sign of becoming peaceful. Therefore, to add to their war potential by enabling them to industrialize rapidly would not only be a breach of faith with friendly Asian countries which are resisting Communist domination, but it would also strengthen a country whose Government is unfriendly to us.

It is my conviction that our best assurance of preventing a catastrophic war in the years ahead lies in a strong defense force and real military alliances with friendly nations. If the United States took any other course, I fear we would see one friendly nation after another fall. And we know quite well that, left standing alone, this counry, with all its power, resources, and industrial potential, would have an exhausting experience to try to remain a free nation for long. This, I submit, is a harsh reality that must be faced, for we cannot close our eyes to the fact that this threat exists today.

Nearly every American is convinced, I believe, that the leaders of this country are dedicated to the task of achieving conditions in the world that will lead to peace. In his second inaugural address, President Eisenhower said it is our firm purpose to build a peace with justice in a world where moral law prevails. I quote his words:

"The building of such a peace is a bold and solemn purpose. To proclaim it is easy; to serve it will be hard, and to attain it we must be aware of its full meaning and be ready to pay its full price."

The price we are paying for today's peace is high. More than 60 percent of the Federal budget is for our protection. But the price of war is many times higher. Not only in dollars but in a far more priceless possession—the lives of Americans. I say to you in all sincerity that we must not lessen our efforts at a time when the Western World is growing stronger and the danger of war seems to be receding.

Our defense dollars, let us remember, are being spent not only for our present protection but for insurance for the future. We must think of them as buying time—time to work toward easing the international tensions, time to establish a more certain and secure peace. But as long as there is loose in the world a country or a power that would destroy us we must remain geared to meet it with force if need be. If we falter at this point, or lessen our efforts, we run a grave risk of losing everything we hold dear.

Therefore, in the interest of our own security and self-preservation, we must continue military alliances with friendly nations. We should, I believe, out of necessity, continue military aid to our allies but the time has come when economic aid must be placed on a loan basis.

It is heartening to me—and I know it must be satisfying to you—to know that the new Mutual Security Act passed by the Senate provides for a development loan fund for development assistance to those friendly nations in need of economic help.

I have urged time and time again that economic aid, when necessary to other lands, be in the form of sound business loans—and it must come as heartening news to Americans throughout the length and breadth of this land to know that at last Congress is recognizing the fact that while we want security, we also have a regard for our own people, their property, and their money.

Direct military aid to allies will continue, but loans to friendly nations requiring economic development aid is far better than grants, handouts, or giveaways. This is far better for the American people, and it is far better for the people receiving such assistance. There is still contained in the bill direct gifts in some instances—but a new and wholesome step has at last been taken—and I hope to see soon all economic help abroad upon a secure and sound basis as we now provide for development operations in the present bill.

There is increasing evidence, that together with our present allies, we are growing stronger all the time and may soon reach the point where would-be aggressors will not dare risk war.

This is the whole aim of our foreign policy. As to defense measures, I believe it to be a sound one. It has kept this country out of a shooting war for more than 4 years, it has undoubtedly kept some of our allies from falling to communism.

And as the anti-Communist alliance grows stronger, as the danger of war recedes, we all look forward to the time when the billions we are now spending for defense can be diverted to internal improvements in our own country, or turned back to the people in the form of tax relief.

I am convinced, however, that the best way to avert war during this fateful era of uncertain peace is to maintain strong defenses and firm military alliances until international tensions have eased and the threat of aggression has diminished. Any other course could well lead to our downfall.

Together, we continue to stand for a strong country, where a free people may be secure and left alone to make their way and make their contributions to mankind's betterment.

The Administration's Civil Rights Program

EXTENSION OF REMARKS
OF
HON. THOMAS H. KUCHEL
OF CALIFORNIA
IN THE SENATE OF THE UNITED STATES
Tuesday, July 2, 1957

Mr. KUCHEL. Mr. President, I ask unanimous consent that there be printed in the CONGRESSIONAL RECORD a letter to me from the Attorney General dated May 31, 1957, relating to the proposed civil-rights legislation.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., May 31, 1957.

Hon. THOMAS H. KUCHEL,
United States Senate,
Washington, D. C.

DEAR SENATOR: Thank you for the letter of May 15 signed by you and Senator CASE requesting the comments of the Department of Justice relative to the minority report filed

by Senators ERVIN and JOHNSTON in opposition to S. 83 (the administration's civil-rights program) and particularly to their discussion of their jury trial amendment. In addition to the comments which follow, may I particularly call to your attention the statement of the American Civil Liberties Union opposing such an amendment to require jury trial in contempt proceedings arising under the proposed civil-rights legislation. This statement was reprinted in the CONGRESSIONAL RECORD for May 22, 1957, at pages 7369–7371.

The proposed legislation seeks merely to apply long-established civil procedures for enforcing Federal laws to civil-rights cases where experience has shown the need for civil remedies. In urging Congress to authorize the Government to institute civil suits for preventive relief in civil-rights cases we are requesting the right to use procedures long available to the Government as a means of enforcing other types of Federal laws. Ever since the adoption of the Sherman Act in 1890 the Department of Justice has been empowered to institute proceedings in equity to prevent and restrain civil violations of the antitrust laws, as well as to bring criminal prosecutions. The Department of Labor uses the injunctive process as a means of enforcing the Fair Labor Standards Act. The Interstate Commerce Commission, the Civil Aeronautics Board, the Securities and Exchange Commission, the National Labor Relations Board, the Atomic Energy Commission, and other Government agencies have similar authority to use civil remedies in addition to criminal prosecutions. In none of these fields are jury trials required in contempt cases.

There are valid reasons for the ever-increasing use of civil suits for preventive relief as a means of enforcing Federal law. Judicial determination of the validity of a course of conduct in advance aids the Government in its primary purpose of preventing violation of law. It also aids the defendant since he can litigate the legality of his proposed conduct without the necessity of taking action at the risk of a criminal conviction if he guesses incorrectly.

All of these reasons exist in the civil rights field, particularly in connection with the protection of the right to vote. The primary interest of the Government is in making it possible for all citizens to vote without discrimination based upon race, creed, or color, not in punishing local officials for denying such rights. Often it is not clear whether the particular conduct of a registrar of voters, for example, does constitute a violation of Federal law. Under present law the Government can only wait until the harm has been done—the rights to vote denied—and then proceed with a criminal prosecution as a means of testing the validity of the registrar's action. The registrar himself is often caught between community pressures to discriminate and the fear of Federal criminal prosecution with no way to resolve the issue in advance. With civil remedies authorized, the Government will often be able to obtain a judicial ruling in advance of the election which will determine the legality of the proposed conduct of the registrar, removing from him the necessity of risking criminal prosecution and effectively protecting the constitutionally guaranteed right of citizens to vote without discrimination based on race, creed, or color.

Suits for preventive relief under the proposed legislation will be governed by the traditional rules of procedure which have always applied to such suits. The Government seeks no new or radical procedures to govern in junction suits in civil rights cases. Under the proposed legislation the rules of procedure which have traditionally governed equitable suits in the Federal courts would apply in the same manner and to the same extent that they now apply to other suits by the Government for preventive relief. The defendant in an injunction suit in a civil rights case will have the same rights that the defendant now enjoys in a similar suit under the antitrust laws, the Fair Labor Standards Act, or any other one of the Federal laws mentioned above.

These procedural protections are ample to protect all legitimate rights of the defendant. He gets a full hearing before the court on the question whether his conduct violates Federal law and hence should be enjoined. If he disagrees with the determination of the court, he may appeal the ruling for full consideration by the appellate courts. In most cases this is the end of the matter. The defendant obeys the court order and the public interest in the enforcement of the Federal law has been vindicated. But if the defendant chooses to ignore or defy the court order he may be subjected to punishment for contempt of court. Again he is entitled to a full hearing before the court. He is presumed to be innocent, his guilt must be established beyond a reasonable doubt, and he cannot be compelled to testify against himself. If he is found guilty, he again may appeal. And an examination of the cases in recent years demonstrates that the appellate courts are alert to protect defendants against any possible unfairness in contempt proceedings.

It is true that wherever the Government is authorized to sue for preventive relief the defendant is not entitled to a jury trial in contempt proceedings. The Constitution of the United States recognizes the traditional differences between the procedures of courts of law and courts of equity and does not require jury trial in equitable proceedings. As long ago as 1890 the Supreme Court of the United States said: "It has always been one of the attributes—one of the powers necessarily incident to a court of justice—that it should have this power (the contempt power) of vindicating its dignity, of enforcing its orders, of protecting itself from insult, without the necessity of calling upon a jury to assist it in the exercise of this power." In 1914 Congress passed a statute (now 18 U. S. C. 3691) extending the right to jury trial in criminal contempt cases where the acts constituting the contempt also constitute criminal offenses under Federal or local law. This statute expressly excepted contempts arising out of disobedience to court orders entered in suits brought in the name of the United States. Since criminal contempt proceedings are not often sought in private litigation (the Clinton, Tenn., case is one of the few instances of its use), this statute has had little impact upon the enforcement of Federal court orders. In 1932 in the Norris-La Guardia Act, Congress, after removing almost all of the jurisdiction of the Federal courts to issue injunctions in labor dispute cases, provided for jury trial in contempt proceedings arising under the act. It was only with the enactment of the Taft-Hartley Act in 1947 that the Government was given jurisdiction to seek injunctions in any substantial number of labor dispute cases and that act expressly provided that the jury trial requirement of the Norris-La Guardia Act should not apply to it. Hence it is probable that the statute which appears to grant jury trial in contempt proceedings for violation of injunctions issued in labor dispute cases (18 U. S. C. 3692) has no application to injunction suits brought by the Government under Taft-Hartley, which are, for all practical purposes, the only type of injunction suits (private or governmental) in labor dispute cases over which the Federal courts have jurisdiction. (See *United States* v. *United Mine Workers of America*, 330 U. S. 258.)

With reference to jury trial, then, the procedure under the proposed legislation would be the same as that which has always governed suits by the Government for preventive relief. This procedure appears at the present time to be effective and satisfactory. I am aware neither of abuse nor of serious complaint of abuse by the Federal courts in contempt proceedings instituted for the purpose of enforcing injunctions issued in governmental litigation. I foresee no reason why this procedure should not be equally satisfactory in civil rights cases.

Enactment of legislation providing for jury trial in contempt cases arising out of governmental litigation would undermine the authority of the Federal courts by seriously weakening their power to enforce their lawful orders. The effect of adopting current proposals for jury trial would be to weaken and undermine the authority of the Federal courts by making their every order, even when issued after due hearing and affirmed on appeal, reviewable by a local jury. Referring to proposals similar to those now advanced, President (and later Chief Justice) Taft said in 1908: "The administration of justice lies at the foundation of government. The maintenance of the authority of the courts is essential unless we are prepared to embrace anarchy. Never in the history of the country has there been such an insidious attack upon the judicial system as the proposal to interject a jury trial between all orders of the court made after full hearing and the enforcement of such orders."

Furthermore, the proposed amendment to existing procedures that is being advocated under the innocuous slogan of "jury trial" would permit practical nullification of the effectiveness of the proposed civil rights legislation. The enforcement of any court order may require prompt and vigorous action if it is to be effective. Prompt action will often be vital in civil rights cases, especially election cases where the registration period or the election may pass while enforcement is delayed. The injection of a jury trial between an order of a court enjoining discrimination against Negroes in an election and the enforcement of that order would provide numerous opportunities for delay beyond the time when the order could have practical effect.

I hope that the foregoing statement provides the information requested by you. If I can be of further assistance, do not hesitate to call upon me.

Sincerely,

HERBERT BROWNELL, Jr.,
Attorney General.

Disarmament and Relief of International Tensions

EXTENSION OF REMARKS
OF
HON. CLIFFORD P. CASE
OF NEW JERSEY
IN THE SENATE OF THE UNITED STATES
Tuesday, July 2, 1957

Mr. CASE of New Jersey. Mr. President, it is important, at a time when the United States is engaged in disarmament negotiations, that we remain mindful of the pressing political problems which are yet to be resolved. In an address delivered to the Colgate University Conference on American Foreign Policy at Hamilton, N. Y., on July 1, 1957, the distinguished junior Senator from New York [Mr. JAVITS] ably pointed out this need. I ask unanimous consent that his remarks be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR JAVITS BEFORE COLGATE UNIVERSITY CONFERENCE ON AMERICAN FOREIGN POLICY, HAMILTON, N. Y., JULY 1, 1957

The most important phase of foreign policy which dominates the world scene is disarmament and specifically the current London negotiations. The most striking development in these negotiations is that the United States is seemingly moving toward falling in with what has been the basic foreign policy position of the Soviet Union since at least the Geneva Conference in 1955—that disarmament had to precede political settlements.

Until January 1957, the United States had strongly maintained that political settlements had to precede or accompany disarmament. In fact, until January 1957 we had insisted that free elections to unite West and East Germany was the essential preliminary to any real disarmament arrangement. Since that time, however, congressional hearings on atomic fallout and the national debate on fallout dangers have made many, in and out of Government, believe that a public climate has been created requiring us to conclude disarmament agreement and to yield ground on what had been the key position of our international policy up to the beginning of this year.

No one can overstate the horrible consequences of a hydrogen bomb and atomic war. Hence, a disarmament agreement, even a "first step" agreement, dealing largely with atomic bomb tests and some inspection machinery, is worth considering to keep the masters in the Kremlin from being backed into an intolerable corner by pyramiding armament expenditure until they feel they can do nothing but launch an atomic war. If we do this, however, we need not and should not completely adopt the Russian thesis that disarmament must precede political settlements, but we should insist on some progress in political settlements, too. I believe that this is the most likely and capable of attainment through making, as part of the present disarmament negotiations, a proposal for strengthening the peace maintenance machinery of the U. N., and it is this which I recommend to our Government.

Accordingly, I urge that our Government in the disarmament negotiations for a first step agreement include as one of the conditions at least the strengthening of the peace enforcement machinery of the United Nations. In this respect, I suggest the following four items as worthy of inclusion and practicably attainable:

1. The establishment of a permanent United Nations peace force analogous to the UNEF now stationed in the Middle East with duties to implement the peace maintenance machinery of the United Nations.

2. To end the use of the veto in questions of membership, measures for the pacific settlement of disputes, and on the distinction between considering procedural and substantive questions.

3. To improve the jurisdiction of the International Court of Justice.

4. To improve the jurisdiction of the United Nations to consider threats to the peace arising from conflicts between nonself-governing or administered areas and the administering power.

Each of these items has an immediate and pressing applicability to world affairs. They could probably be accomplished substantially by interpretations agreed to to be placed on the charter rather than amendment.

It is well known that the tinderbox of the world right now is the Middle East. Establishing a permanent United Nations peace force will help to solve the problem of how long the United Nations emergency force will remain in being between Israel and Egypt in the effort to bring some stability and permanent cessation of fedayeen raids or other hostilities in that area. Removal of the veto for the pacific settlement of disputes may urgently be needed for example in the test of the Eisenhower doctrine for the Middle East which may come if Colonel Nasser uses his newly acquired Communist Russian submarines to disrupt peaceful commerce in the Gulf of Aqaba. It may also be very important if tension in Korea is brought nearer the boiling point by the recent decision to permit the Communists no longer to take advantage of us through the modern rearmament of their forces in North Korea. Improvement of the jurisdiction of the International Court of Justice can serve us very well in order to test out the validity and legality of the way in which Egypt controls traffic through the Suez Canal. Strengthening of United Nations jurisdiction in conflicts between administering powers and non-self-governing peoples or administered areas is especially important in the Algerian question which will actually arise again in the next session of the United Nations General Assembly, and again face the argument of the domestic jurisdiction section of the charter.

Here are practical, definitive, and effective as well as minimal actions to deal with the real causes for the armaments race, which should be made a part of even a first step disarmament agreement, if we are to be realistic and faithful to our own judgment as to the best interests of the Free World.

We should not be compromised out of our basic foreign policy convictions by domestic pressures with respect to the dangers of atomic fallout. Our people are adult enough to recognize that in a negotiation such as the one in which we are now engaged on disarmament, the attitude of an agreement at any price is fatal.

The major political issues in the world between the Soviet Union and the United States are the underlying cause of international tension and breed the basic mistrust as to the use of weapons. These are the issues poisoning the world scene. These issues include the division of Germany, Korea, and Vietnam maintained by the Soviet Union and Communist China respectively; the pressure on Japan and Formosa by the Communist bloc; the entry of the Soviet Union into the Mideast as the backer of an Arab hegemony under Communist domination being promoted by Egypt's Colonel Nasser; and the pressure of subversion upon existing governments in these and other areas of the world.

That the Russian thesis is that disarmament shall precede any effort at political settlement is clear from the test of the Soviet disarmament proposals introduced in the U. N. disarmament committee subcommittee as late as April 30, 1957. This document states, "The Charter of the U. N. places an obligation on states to resolve their international disputes by peaceful means and to refrain from the threat of force or the use of force in their international relations. Therefore, the existence of outstanding international issues or disputes cannot be imputed as a justification for the maintenance by states of large armed forces, or as a justification for the armaments race."

In the United States and the Free World generally focusing on disarmament while passing over the political issues may increase, not reduce, anxieties and fears. The best example is the impact upon the German Federal Republic already recorded of the current disarmament negotiations in the course of which Chancellor Adenauer's political opponents were charging German unification would be seriously prejudiced by the contemplated disarmament agreement.

On the other hand, a first step disarmament settlement agreement passing over political settlements could, within the U. S. S. R., relieve serious economic pressures attributable to rising armament expenditures, reduce the urgency for political settlements and make more acceptable to the Russian people the iron-fisted control and military occupation of satellites practiced by the occupants of the Kremlin.

We have a right to recall as an object lesson the widely heralded Washington Conference of 1922, which resulted in the scrapping by the United States of 28 capital and other ships, by Britain of 24, and by Japan of 16. In connection with this agreement, we pledged ourselves not to add to the existing fortifications on Guam, Tutuila, the Aleutians, and the Philippines. We surrendered our power to act in the Far East not only to preserve the "open door" and the territorial integrity of China, but to protect our own outlying possessions. We soon found out that it was the new air power which profoundly altered military strategy, that the naval race was transferred from capital ships to aircraft carriers, cruisers, destroyers, and submarines. In 1934, Japan denounced the treaty. We ended up with the loss of the Philippines, Guam, and Wake after Pearl Harbor, at least in part because of the way in which our defenses there had been let down.

Speech by Hon. Joseph P. O'Hara Before Minnesota State Bar Association, Duluth, Minn., June 20, 1957

EXTENSION OF REMARKS
OF
HON. FRANCIS E. WALTER
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 2, 1957

Mr. WALTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address:

SPEECH BY HON. JOSEPH P. O'HARA BEFORE MINNESOTA STATE BAR ASSOCIATION, DULUTH, MINN., JUNE 20, 1957

Mr. Chairman, this has been a privilege and a pleasant incident to me to be invited to speak to you on a subject broad enough to permit all the freedom and latitude that could be hoped for by a speaker. For many years I have had a deep interest in and affection for and have been a member of the Minnesota State Bar and American Bar Associations. My greatest concern is that what I may say to you will be of as much pleasure and interest to you as your gracious invitation has been to me.

In the summer of 1940 I was honored by being elected vice president of this association. In the fall of 1940 I was elected a Member of Congress from the Second Congressional District. It is now 16 years since I was on my way back to attend the State bar convention at Duluth, when I was taken ill on the train and spent the following month in the hospital in Chicago. One of my deep personal regrets is that I, therefore, did not have the opportunity of the honor of being president of your great association.

Permit me to say that nine consecutive terms in Congress have in no manner diminished my first love, that of the law, and I have earnestly tried so far as possible to keep advised not only of the decisions of our State supreme court, but of the success and

activities of individual members of the bar and of our State bar association.

I used to think that I worked rather hard as a country lawyer, where the week usually consisted of no limit of hours and sometimes no limitation on days. I frankly confess to you that I did not know what hard work was until I went to Congress and found the demands on one's time exceeded the demands on a fairly busy country lawyer. In candor I say to you that I know of no harder working group of people anywhere than the Members of Congress. The demands and responsibilities upon them exceed anything that I know of in any walk of life.

You will often hear it said, "Why do not Members of the House initiate action to have their terms lengthened from 2 years to 4 years?" Permit me to say that if any attempt is ever made to attack the wisdom of our forefathers of keeping the House of Representatives responsive to the people, I hope that you will oppose such action. The longer I stay in Congress, the more I am impressed with the fact that the House of Representatives should at all times be the most responsive to the wishes of our people, and those who seek that office should every 2 years face their constituents and their constituency for election.

The demands made upon a Member of Congress are fantastic in their scope and number, and a Congressman who is asked to pull strings to keep his constituents happy sometimes pulls a bucket of cold water down on his head.

Not so long ago one of my colleagues had an experience similar to one which I have had. It seems that a prospective mother-in-law wrote him, saying that the Navy would not let a young man off his ship, anchored in San Diego Harbor, to marry her daughter. It appeared the prospective bride and prospective mother-in-law were waiting at the wharf for him to land and complete the nuptials. The Congressman promptly contacted the captain of the ship to find out why he was so vilely blighting romance. It wasn't long until he had a reply from the captain saying he had contacted the sailor but was told the sailor had not asked for leave. Shortly thereafter the Congressman had a note from the sailor himself, asking the Congressman why he did not mind his own business.

On Tuesday of this week the House of Representatives completed debate upon a bill commonly known as the civil-rights bill, recommended by the Attorney General of the United States and substantially reported by the House Judiciary Committee as recommended by the Attorney General.

Under existing Federal statutes existing civil rights consist of two parts. There is a criminal law by which a person for violation of civil rights may be indicted and tried by jury, and then there is the civil damage suit in a separate statute. Under that the person aggrieved may bring his suit under civil action and the trial is a trial by jury.

The new civil rights bill provides that the same acts as are now subject to civil suit by the person aggrieved may be also brought by the Attorney General in equity for special equitable relief, and further provides that the Attorney General where he under the present law must bring a criminal action, can now invoke equity jurisdiction. On the face of it this seems a rather harmless change in procedure from criminal to equity, but the net result of it was that it eliminated the right of trial by jury under either the civil or criminal provisions of the Federal statutes, and of course in the event of a violation of the criminal statute the defendant would be subject to the same penalties of fine and imprisonment without benefit of a trial by jury.

The long debate upon the bill was filled with both high and low points.

While there were those from the South who violently disagreed with the need for such legislation, the strongest fight was on the amendment to reinstate the jury trial proviso, which cut across party lines, and Runr mede, the Magna Carta and the background of our Anglo-Saxon law versus the right to vote equation was an interesting one. As most of you know, the final result was that the right to trial by jury was denied—which caused many who wanted to vote for the bill to vote against it.

The bill is a perfect example of what can happen to a very fundamental issue under stress of emotionalism and political expediency. Interestingly enough, of the 435 Members of the House, 235 are qualified as lawyers, who are either practicing attorneys now or were practicing attorneys before entering Congress.

I hope the alleged title to my speech will be no presumptuous reflection upon the State of the Union message which the President delivers to the Congress, in which he conveys his views as to world affairs, national affairs, and his recommendations generally for legislation. Recognizing that you are as interested as other citizens in the general conditions of our country, I could perhaps make a very general summation of affairs, but all of which you are perhaps generally as familiar with as am I.

During the time I have been in Congress I have noted that from time to time we have passed legislation setting aside decisions of our Supreme Court. Also, from time to time I have noted that our United States Supreme Court has reversed itself in whole or in part.

1. The effects of *United States* v. *South Eastern Underwriters Association* ((1944) 322 U. S. 533) which held that insurance was subject to Federal control under the commerce clause were for all intents and purposes, abrogated by the McCarran Act of March 9, 1945 (59 Stat. 33), as amended by the act of July 25, 1947 (61 Stat. 448). This act recognizing that the regulation and taxation of insurance by the States are in the public interests subjected such business to State law and provided that after June 30, 1948, the Sherman Act, as amended; the Clayton Act; the Federal Trade Commission Act, as amended; and the Robinson-Patman Antidiscrimination Act; should be applicable to the insurance business to the extent that it was not regulated by State law.

2. The case of *Dobson* v. *Commissioner* ((1943) 320 U. S. 489) which established the principle that no appellate court could reverse a holding of the Tax Court except for a clear-cut error of law was set aside by the act of June 25, 1948 (62 Stat. 991), which provided that the circuit courts of appeals should have exclusive jurisdiction to review Tax Court decisions in the same manner as decisions of the district courts in civil actions tried without a jury.

3. The rule of decision of *Anderson* v. *Mt. Clemens Pottery Co.* ((1946) 328 U. S. 680) holding that an employee was entitled to compensation for the time spent in punching time clocks and walking through the plant to his place of work regardless of contrary custom or contract, was set aside by Congress in the enactment of the Portal-to-Portal Pay Act of May 14, 1947 (61 Stat. 84), on the basis that the Fair Labor Standards Act of 1938, as amended, had been interpreted judicially in disregard of long-established customs and practices and of contracts between employers and employees. The decision was further circumscribed by the act of October 26, 1949 (63 Stat. 910), by amending section 3 of the Fair Labor Standards Act to exclude any time spent in changing clothes or washing at the beginning or ending of each workday, which was excluded from measured working time during the week involved by the express terms of a contract or under the custom or practice of the trade under a bona fide collective bargaining agreement, applicable to the particular employers and employees.

4. The case of the *United States* v. *State of Wyoming and the Ohio Oil Co.* ((1947) 331 U. S. 440) a suit by the United States to establish title to lands leased by Wyoming to the oil company which lands both Wyoming and the oil company in good faith had believed to be vested in Wyoming as a part of the State school land grants, was decided adversely to the State. The decision in effect divesting Wyoming of these school lands after she had exercised and assumed jurisdiction for almost 60 years upon the premise that Congress by the enabling act had granted the lands, was overruled by the act of July 2, 1948 (62 Stat. 1233), which was a directive to the Secretary of the Interior to issue a patent to the State of Wyoming, subject to existing leases, for such land with a proviso that such land should be considered to have vested in the State of Wyoming on July 10, 1890.

5. The case of *Wong Yang Sung* v. *McGrath* ((1950) 339 U. S. 33), which held that deportation proceedings were controlled by the Administrative Procedure Act was overruled in effect by a rider to the Department of Justice appropriations bill dated September 27, 1950 (64 Stat. 1040, 1048), which provided that proceedings on the law relating to the exclusion or expulsion of aliens shall hereafter be without regard to the provision of the Administrative Procedure Act.

6. The case of *Schwegmann* v. *Calvert Distillers Corp.* ((1951) 341 U. S. 384) which held that the exemption from the Sherman Act provided by the Miller-Tydings Act (57 Stat. 643) applied only to parties to contracts or agreements under State Fair Trade Acts for minimum prices for the resale of trademarked commodities and did not apply to resales by nonsigners, was in effect overruled by the McGuire Act, July 14, 1952 (66 Stat. 631) which provided that willfully and knowingly advertising for sale trademarked commodities covered by a Fair Trade Agreement contract at a price less than prescribed by such contract shall constitute actionable unfair competition whether the person is a party to the contract or not.

7. The decisions in the three cases of *United States* v. *California* ((1947) 332 U. S. 19), *United States* v. *Louisiana* ((1950) 339 U. S. 699), and *United States* v. *Texas* ((1950) 339 U. S. 707), upset titles to lands that had up to that time been considered vested in the respective States. Congress considering the long period of time and good faith administration of these lands by the States and the equities involved confirmed and established the titles of the States to these lands beneath navigable waters by the act of May 22, 1953 (67 Stat. 29).

8. The decision in *Federal Power Commission* v. *East Ohio Gas. Co.* ((1950) 338 U. S. 464), held that there was no language in the Natural Gas Act of June 21, 1938 (52 Stat. 821) which indicated that Congress meant to create an exception for companies transporting interstate gas in only one State. To make the intention of granting such exemption crystal clear, Congress, by act of March 27, 1954 (68 Stat. 36), added a new subsection to section 1 of the Natural Gas Act, which established exemption from regulation, of persons engaged in transportation in interstate commerce of natural gas, who receive from other persons within the State natural gas which is all ultimately consumed within the State, if there is a State commission regulating the rate of service and facilities of such person.

9. The holding of *United States* v. *Wunderlich* ((1951) 342 U. S. 98), that the finality clause of the standard form of Government contract controlled in the absence of fraud or such gross mistakes as would necessarily

imply bad faith was set aside by the act of May 11, 1954, (68 Stat. 81), by prohibiting the pleading of such a clause as a limitation on judicial review and by prohibiting Government contracts containing a provision that an administrative decision should be final on a question of law.

I call your attention to the fact that these 9 cases do not include the so-called Phillips case, wherein the Supreme Court held that Congress in passing the 1938 Natural Gas Act had intended to include the independent producers and gatherers of natural gas, notwithstanding that Congress in the Act itself and in the debate thereon had specifically said, in as clear and as plain language as could be stated, that it was not the intention of Congress to include the independent producers and gatherers of natural gas.

Twice Congress has passed through the Congress bills correcting this decision which have been vetoed respectively by Presidents Truman and Eisenhower.

B. Since 1941 there have been approximately 30 cases which have overruled previous decisions in whole or part. Fifteen cases covering points of general interest are set forth below.

For a list from 1789 through 1956, of such cases see CONGRESSIONAL RECORD, March 2, 1957, pages 2935–2936.

1. *United States* v. *Darby* ((1941) 312 U. S. 100), predicated upon the plenary power of Congress over interstate commerce, overruled the decision in *Hammer* v. *Dagenhart* ((1918) 247 U. S. 251), which had held that Congress was without power to exclude the products of child labor from interstate commerce on the basis that the Congressional power to prohibit articles entering interstate commerce was limited to articles which in themselves possess some harmful or deleterious properties.

2. *Nye* v. *United States* ((1941) 313 U. S. 33), overruled the "reasonable tendency" rule of *Toledo Newspaper Co.* v. *United States* ((1918) 247 U. S. 402), and returned to the thesis that the words "so near thereto" contained in the power granted the Federal courts to punish for contempt set forth in Sec. 268 of the Judicial Code have a geographical connotation.

3. *California* v. *Thompson* ((1941) 313 U. S. 109), grounded on the theory that in the absence of pertinent Congressional legislation there is constitutional power in the States to regulate commerce that does not affect the free flow of commerce, overruled *DiSanto* v. *Pennsylvania* ((1927) 273 U. S. 34), which had held that a Pennsylvania statute requiring other than railroad or steamship companies that engage in interstate sales of steamship tickets of orders of transportation to or from foreign countries to procure a license an infringement of the commerce clause.

4. *Olson* v. *Nebraska* ((1941) 313 U. S. 236), overruled *Ribnik* v. *McBride* ((1928) 277 U. S. 350), which had held that the business of an employment agent is not affected by a public interest so as to enable a State to fix the charges made for services rendered, on the ground that the standards of public interest in the Ribnik case were not controlling as to the constitutionality of the economic and social programs of the States.

5. *Alabama* v. *King & Boozer* ((1941) 314 U. S. 1), overruled *Panhandle Oil Co.* v. *Knox* ((1928) 277 U. S. 218), and *Graves* v. *Texas* ((1936) 298 U. S. 393), in so far as these cases had held that a State tax imposed on a person doing business with the Government is an economic burden which falls upon the Federal Government and therefore may not constitutionally be imposed.

6. *State Tax Commisioner* v. *Aldrion* ((1942) 316 U. S. 174), overruled *First National Bank* v *Maine* ((1932) 284 U. S. 312), which had read into the 14th amendment a rule of immunity from taxation of intangibles by more than one State, by holding that the power of the tax is an incident of sovereignty and is coextensive with that to which it is incident.

7. *Williams* v. *North Carolina* ((1942) 317 U. S. 287), holding that the full faith and credit clause of the Federal Constitution requires extraterritorial recognition of the validity of a divorce decree obtained in accordance with the requirement of procedural due process in a State by a spouse who under the law of such State had acquired a bona fide domicile, overruled *Haddock* v. *Haddock* ((1906) 201 U. S. 562), which had held that the mere domicile in a State of one party to a marriage does not give the courts of that State jurisdiction to render a decree of divorce enforceable in all the other States by virtue of the full faith and credit clause of the Federal Constitution against a nonresident who did not appear and who was only constructively served with notice of the pendency of the action.

8. *Board of Education* v. *Barnette* ((1943) 319 U. S. 624), holding a West Virginia law requiring public school pupils to salute the flag of the United States while reciting the Pledge of Allegiance unconstitutional, overruled *Minerville School District* v. *Gobitis* ((1940) 310 U. S. 586), which had held that such a State law was constitutional.

9. *Mercoid Corp.* v. *Midcontinent Co.* ((1944) 320 U. S. 661), overruled *Leeds and Catlin Co.* v. *Victor Talking Machine Co.* ((No. 2) (1909) 213 U. S. 325), which had held that a person who had sold an unpatentable part of a combination patent for use in the assembled machine may be guilty of contributory infringement.

10. *Smith* v. *Allwright* ((1944) 321 U. S. 649), overruled *Grovey* v. *Townsend* ((1935) 295 U. S. 45), which had held that the denial of a vote in a primary was a mere refusal of membership to a person by a political party and therefore not unconstitutional.

11. *Girouard* v. *United States* ((1946) 328 U. S. 61), overruled *United States* v. *Schwimmer* ((1929) 279 U. S. 644), *United States* v. *McIntosh* ((1931) 283 U. S. 605), and *United States* v. *Bland* ((1931) 283 U. S. 630), which had established the general rule, that an alien who refuses to bear arms will not be admitted to citizenship.

12. *Commissioner* v. *Church* ((1949) 335 U. S. 632), overruled *May* v. *Heiner* ((1930) 281 U. S. 238), which had held that the corpus of a trust transfer need not be included in the settlor's estate, even though the settlor retained for himself a life income from the corpus.

13. *Oklahoma Tax Commission* v. *Texas Co.* ((1949) 336 U. S. 342), overruled *Choctaw and G. R. Co.* v. *Harrison* ((1914) 235 U. S. 292), *Indian Territorial Illuminating Oil Co.* v. *Oklahoma* ((1916) 240 U. S. 522), *Howard* v. *Gypsy Oil Co.* ((1918) 247 U. S. 503), *Large Oil* v. *Howard* ((1919) 248 U. S. 549), and *Oklahoma* v. *Barnsdall Corp.* ((1936) 296 U. S. 521), cases which had granted tax immunities or exemptions to persons doing business with the Government on the theory that taxation of such business was an interference with governmental functions.

14. *United States* v. *Rabinowitz* ((1950) 339 U. S. 56), holding that reasonableness under all the circumstances of a search is controlling of its legality, thus overruling *Trupiano* v. *United States* ((1948) 334 U. S. 669), which had held that the legality of a search depended upon the practicability of securing a warrant.

15. *Joseph Burstyn Inc.* v. *Wilson* ((1952) 343 U. S. 495), holding that motion pictures are within the aegis of the first amendment, overruled that part of the case of *Mutual Film Corp.* v. *Industrial Commission of Ohio* ((1915) 236 U. S. 230), which had held that the principles of free speech and press did not apply to motion pictures.

NOTE.—The newspapers of June 11, 1957, carried an account of the Supreme Court, upon rehearing of *Kinsella* v. *Krueger* ((1956) 351 U. S. 470) and *Reid* v. *Covert* ((1956) 351 U. S. 487), overruling its decisions that civilian military dependents with the Armed Forces outside the country might be held by military tribunals.

As one who has always entertained the deepest and highest respect for all of the courts of our land, I have always been most guarded and careful in my statements as to any court, including the United States Supreme Court.

I do not think that any supreme court—State or Federal—has any right to legislate in its decisions. Under our check and balance system of the legislative, the executive, and the judiciary, each has its responsibilities. Under the doctrine of stare decisis I do not see how you lawyers can now advise your clients, in matters of important decisions, as to what the decision of the United States Supreme Court is going to be upon any given proposition of law.

It is to be expected that under our form of government of check and balance that at times there will be a clash between the legislative and the executive, but in my lifetime I have never heard so much criticism between the legislative and the judiciary as in the last 20 years.

On Monday of this week a number of decisions were handed down by our United States Supreme Court. I hold in my hand newspaper reports of bitter criticism of several of these decisions and their interpretation of legislative act and the right of investigation by Congress.

The nine instances I have called to your attention, in which Congress has legislated to overcome Supreme Court decisions in the past 16 years, speak for themselves.

It is certainly my opinion that the Justices of our great United States Supreme Court should be judges learned in the law. If we are going to have a disposition on the part of those Justices from time to time to substitute their personal notions for the law, then we should provide that the Supreme Court should consist of nine sociologists in black robes to decide what is fitting in the way of legislation, as well as what should be their final notions as to the supreme law of the land.

I have also noted two additional disturbing decisions, the effects of which are so far reaching that I cannot envision what may follow.

The first of these was the so-called Pennsylvania sedition case wherein Steve Nelson, a Communist convicted under the sedition laws of the State of Pennsylvania was—so our United States Supreme Court held—illegally convicted because the Smith Sedition Act passed by Congress was alleged to have preempted the field of sedition and deprived the States of all jurisdiction in that field. This decision affected 32 States and nullified their laws on sedition.

The other case, also decided this spring by our Supreme Court, was the Girard College case. From your law student days, most of you here will remember the old Girard case as one of the early cases which went to the Supreme Court on the question of wills. As I recall, we usually had the ancient Girard case under "Wills and Trusts." The present Girard case—formally known as *Pennsylvania* v. *Board of City Trusts of Philadelphia*—involved the terms of the will of Stephen Girard, who died in 1831, leaving about $6 million for the education of "poor white orphan boys." The city of Philadelphia set up a body known as the board of city trusts to administer the fund, which currently amounts to nearly $100 million. The assumption has been that the job of the board of city trusts was to administer the fund as Girard decreed in his will, just as any trust company would be required to do if it had been given charge of the Girard bequest.

The Girard will has in recent years been under fire by Negro politicians who have made the point that the founder of the college had no right to make a will which provided for racial discrimination contrary to

the terms of the 14th amendment of which Stephen Girard never heard tell.

This argument got nowhere in Pennsylvania—at any rate in the State's law courts—for the Pennsylvania Supreme Court turned it down on what most people would describe as the reasonable ground that the late Mr. Girard had a right to will away his money as he chose, and that you couldn't safely go around upsetting wills simply because they didn't suit pressure groups which turned up a hundred years after the wills were made.

That seemed to settle it to the satisfaction of all except a group of ambitious politicians.

This group took the Girard case into the Federal courts and it is painful to record that the mayor of Philadelphia and the Governor of Pennsylvania, far from resisting the efforts to upset a will of which they were supposed to be trustees, actually joined the movement to set it aside.

The real question, of course, was and is—"If a trustee happens to be an official of a city or State, when he acts as a trustee is he acting as the agent of the maker of the trust or is he acting as the agent of the State?" When one considers that no public funds were involved in the Girard College case, but the entire $100 million now in the fund are private funds, it seems that the answer to the question should be obvious.

A few miles down the pike from Girard in Pennsylvania is little Haverford College, a 125-year-old Quaker school. Haverford has been wrestling with the problem of whether or not to accept a grant of Defense Department funds for research in organic chemistry. However, Haverford discriminates. It discriminates on the basis of sex and, to a degree, religion.

So the question is, If Haverford accepts Federal money for research, does the Government—on the theory of public interest similar to the Girard case—have the power to stop any discrimination in favor of male Quaker students?

Such well-known private schools as Harvard, Yale, Princeton, Dartmouth, Notre Dame, California Institute of Technology, Case Institute of Cleveland, and others are further examples of schools outside the Deep South which practice some degree of discrimination based on either sex or religion, and which are apt to have formal relationships with Government from time to time.

Are their scholastic and administrative policies subject to the 14th amendment?

Then there is Tuskegee Institute, founded in 1880 by that great Negro leader, Booker T. Washington, for Negroes, not to mention Hampton Institute, founded in 1868 by the American Missionary Society for Negroes and Indians.

There are hundreds of privately endowed colleges, universities, charitable organizations, and foundations which include public officials on their board of trustees, ex officio; many are wholly or partially exempt from taxation. Would not a home for aged and infirm Baptists ipso facto discriminate against aged and infirm Episcopalians, and on religious grounds to boot?

Here is another facet to the Girard ruling: Could it be extended to private institutions or services other than educational ones? Could it, for example, be extended to cases where the State licenses an essential service such as those provided by doctors, lawyers, pharmacists, architects, engineers, etc.?

Maybe this sounds remote. However, in a California lawsuit decided a few weeks ago, a Negro brought a suit against a Los Angeles dentist who had refused to treat him because of his race. The plaintiff had argued that the dentist, as a publicly licensed practitioner of an essential service, was prohibited by constitutional principles from refusing to accept him as a patient.

While the California court ruled for the dentist, it did so at least partly in deference to the traditional reluctance of the courts to interfere with the doctor-patient relationship.

The point is that the question has been raised and has actually gone to court. The argument has been made. In future cases of this kind, the apparent public interest doctrine of the Girard College case might be advanced in an effort to strengthen that argument.

I have no doubt that Girard College will welcome Negro boys since it is required to accept them. But when courts undertake to decide issues which ought to be decided by the people and their elected representatives, confusion and conflict are inevitable.

If it is necessary to imperil the whole institution of inheritance in order to accommodate perhaps two dozen Negro boys in a privately endowed school, why not let the State legislature do it? In such circumstances the citizens would at least have an opportunity to learn what the issue was. If they decided to go ahead with the wrecking anyway, nobody could say, as a good many people are beginning to say, that the threat to our institutions is less from the Communists than from a Supreme Court so dedicated to sociology as to be startlingly indifferent to constitutional tradition.

Under our Constitution, our forefathers most wisely provided in substance that, except as specifically provided, the powers of the sovereignty of the States were reserved to the States.

The question which I would like to leave with you is, "How far, and what is the purpose, of some of these decisions which would destroy the sovereignty of our States and set up in place of our historical system of divided sovereignty a monolithic omnipotent central government?"

Hitler said that his first 2 years in office were consumed in breaking down the power of the separate German States so that Germany could be governed effectively from Berlin to establish national socialism.

There is much justifiable concern that the original American constitutional system has been impaired in three ways:

1. By Executive usurpation of power.
2. By congressional abdication of power.
3. By decisions of the Supreme Court which alter the meaning of the Constitution.

Day before yesterday I was visiting with a former president of the American Bar Association. Of course I was proud to advise him that I was going to speak to the lawyers of Minnesota today. When I gave him a brief outline of what I was going to talk about, he said, "I hope you will tell the lawyers of Minnesota of my own concern over the trend of the decisions of our United States Supreme Court."

He said further, "I hope you will tell the lawyers of Minnesota that I am fearful of the weakness of lawyers in not standing up for what are important principles, not only of our Constitution but the matter of appointment of judges."

For example, he said, "I will say to a member of the bar 'are you in favor of so-and-so for a Federal judgeship?' The lawyers will say, 'Heavens no.' Then I will say, 'Well, come along with me and oppose the appointment.' The lawyer will usually say, 'Oh, I can't do that, I may have a case before him.' And the man gets the appointment."

It is trite to say that eternal vigilance is the price of liberty.

The right is one which rests with every citizen—it is not just the responsibility of Congress or the executive or the judiciary. It is as inherent in the individual and the collective membership of this bar association. If you are vacillating, indifferent, or without courage, then the greatest Republic in the history of the world will fall, not from its enemies without but from its enemies within.

SENATE

WEDNESDAY, JULY 3, 1957

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Lord God, who knowest the burdens we bear, the tasks we face, and the problems which confront us: Grant us, we pray, the royalty of inward content which comes only from uncompromising personal integrity and the calm composure which is the reward of doing always the things which please Thee. So let the spirit of joyous service dwell in our hearts, that we may carry about the infection of a good courage, meeting all life's tests with gallant-hearted devotion and dedication to the highest. As in Thy name we contend against the vile treacheries which today foul the earth and enslave Thy children, make us the kind of persons fit to be the defenders of the regal and precious things which ennoble life and crown it with glory. In the Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Tuesday, July 2, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 749. An act for the relief of Loutfie Kalil Noma (also known as Loutfie Siemon Noma or Loutfie Noama); and

S. 1799. An act to facilitate the payment of Government checks, and for other purposes.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 1259. An act to clear the title to certain Indian land;

H. R. 1339. An act for the relief of the Malowney Real Estate Co., Inc.;

H. R. 1424. An act for the relief of Sylvia Ottila Tenyi;

H. R. 1473. An act for the relief of Richardson Corp.;

H. R. 1677. An act for the relief of Gilbert B. Mar;

H. R. 1695. An act for the relief of Harry N. Duff;

H. R. 1626. An act to authorize the sale of certain lands of the United States in Wyoming to Bud E. Burnaugh;

H. R. 2259. An act to provide for the conveyance of all right, title, and interest of the United States to certain real property in Prairie County, Ark.;

H. R. 2674. An act for the relief of Morris B. Wallach;

H. R. 2752. An act for the relief of Frank A. Simmons;

H. R. 3344. An act for the relief of Kenneth F. Aieles;

H. R. 3720. An act for the relief of Carl J. Warneke;

H. R. 4335. An act for the relief of Ramon Tavarez;

H. R. 4768. An act to quiet title and possession with respect to certain real property in the county of San Jacinto, Tex., and authorizing named parties to bring suit for title and possession of same;

H. R. 4986. An act for the relief of the widow and children of John E. Donahue;

H. R. 5288. An act for the relief of Orville G. Everett and Mrs. Agnes H. Everett;

H. R. 5365. An act for the relief of Robert B. Peterman;

H. R. 6528. An act for the relief of Mrs. Lyman C. Murphey;

H. R. 6530. An act for the relief of Arthur L. Bornstein;

H. R. 6664. An act for the relief of Raymond R. Sanders Van Service;

H. R. 6961. An act for the relief of Walter H. Berry;

H. J. Res. 339. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 367. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 368. Joint resolution for the relief of certain aliens; and

H. J. Res. 373. Joint resolution to facilitate the admission into the United States of certain aliens.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 194) granting permanent residence to certain aliens, in which it requested the concurrence of the Senate.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred, as indicated:

H. R. 1259. An act to clear the title to certain Indian land; and

H. R. 1826. An act to authorize the sale of certain lands of the United States in Wyoming to Bud E. Burnaugh; to the Committee on Interior and Insular Affairs.

H. R. 1339. An act for the relief of the Malowney Real Estate Co., Inc.;

H. R. 1424. An act for the relief of Sylvia Ottila Tenyi;

H. R. 1473. An act for the relief of Richardson Corp.;

H. R. 1677. An act for the relief of Gilbert B. Mar;

H. R. 1695. An act for the relief of Harry N. Duff;

H. R. 2674. An act for the relief of Morris B. Wallach;

H. R. 2752. An act for the relief of Frank A. Simmons;

H. R. 3344. An act for the relief of Kenneth F. Ailes;

H. R. 3720. An act for the relief of Carl J. Warneke;

H. R. 4335. An act for the relief of Ramon Taverez;

H. R. 4768. An act to quiet title and possession with respect to certain real property in the county of San Jacinto, Tex., and authorizing named parties to bring suit for title and possession of same;

H. R. 5288. An act for the relief of Orville G. Everett and Mrs. Agnes H. Everett;

H. R. 5365. An act for the relief of Robert B. Peterman;

H. R. 6528. An act for the relief of Mrs. Lyman C. Murphey;

H. R. 6530. An act for the relief of Arthur L. Bornstein;

H. R. 6664. An act for the relief of Raymond R. Sanders Van Service;

H. R. 6961. An act for the relief of Walter H. Berry;

H. J. Res. 339. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 367. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 368. Joint resolution for the relief of certain aliens; and

H. J. Res. 373. Joint resolution to facilitate the admission into the United States of certain aliens; to the Committee on the Judiciary.

H. R. 2259. An act to provide for the conveyance of all right, title, and interest of the United States to certain real property in Prairie County, Ark.; to the Committee on Agriculture and Forestry.

H. R. 4986. An act for the relief of the widow and children of John E. Donahue; to the Committee on Post Office and Civil Service.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 194) granting permanent residence to certain aliens, was referred to the Committee on the Judiciary, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Congress approve the granting of the status of permanent residence in the case of each alien hereinafter named, in which case the Attorney General has determined that such alien is qualified under the provisions of section 6 of the Refugee Relief Act of 1953, as amended (67 Stat. 403; 68 Stat. 1044):

A-8155735, Aikler, Mirko alias Emilio Federico Aikler.
A-10170961, Apanowicz, Boleslaw.
A-10035418, Balodis, Marija.
A-9825049, Bonk, Pawel Frank or Paul Bonk.
0300-462272, Chang, George Teh-Lai.
A-8888549, Chang, Sen Dou.
A-9694446, Chang, You Ding also known as Ah Za Wang.
A-8205758, Chao, Beatrice Jung-Chuan.
A-6694109, Chen, Chi Ta.
A-6851660, Chen, Joseph Yeh also known as Chang Bao Chen.
A-7202753, Cheng, Liang.
A-8103705, Chi, Li.
A-6457533, Chin, Ming Liang.
V-184674, Choy, Shih Hung.
A-7439685, Choy, Shew Ming Eip.
A-7835335, Ding, Joan Jo-An.
A-7274682, Dunn, Sally Sung-Lih.
A-8933695, Gay, Ng Seow or Manuel Kaua.
A-7388015, Hildeshaim, Mojsze.
A-8846028, Hildeshaim, Ita.
A-8938343, Huang, May Sze-Chin.
E-094444, Kai, Choung.
A-6954733, Kao, Hsiang-Sung.
A-8960635, Kao, Li-Nan Kwan.
A-9694263, Kilt, Low Ah.
A-6026549, King, Hsien Tsu.
T-1613805, King, Eosin Chu.
T-1613806, King, Linda.
A-10170902, Kolumbic, Vjekoslav.
A-10170901, Kolumbic, Stanislav.
A-7366623, Ku, Feng Shen.
A-9804796, Lau, Foo Kwai.
A-2201853, Lee, John Koo.
A-8891582, Lee, Ronald Shao Nan, also known as Shao Nan Lee.
A-10130368, Li, Thomas Chang-Jen.
A-9709772, Low, You, or Low Yow, or Low Cheu.
A-8310804, Lusik, Valev Valentin.
0300-301304, Maerz, Alla.
E-094647, Nee, Fred, also known as Nee Kao Hong.
A-8956186, Pettersson, Sing Ye, also known as Sadie Sing Yee Pettersson (nee Romahn), (nee Wong), Sing Yee.
A-9562348, Que, Cheng Sim.
A-9825046, Reichel, Stefan.
A-9542507, Siew, Wong.
A-8055441, Stark, Simon.
A-10052787, Sun, Chi Fong Tyen.
A-10060432, Sun, Eeh-John.
A-7243268, Svagna, Silvo.
0300-457385, Tan, Annie Hsu.
A-7277350, Tang, Edward Yau Chien, formerly Wau Chien Tang.
A-7143030, Tawil, Esther.
A-6694206, Teng, Celia, or Celia Hsi-Lee Tseng, or Celia Marie Teng.
A-7462147, Wu, Edith Hsiu-Hwei.
A-6699876, Wu, Irene Hsueh.
A-6986541, Yu, Alex Shih-Ge.
A-10465773, Yung, Nee Shu.
A-10465771, Ming, Wen Lyna Hsu.
A-7882493, Yung, Richard Chih Shin.
E-084466, Chang, Ming Wah.
A-7174560, Chen, Ming Li.
A-7274978, Chu, David Bao-Shan.
A-10436781, Chu, Foong Nan.
A-7141139, Hsu, Immanuel C. Y. also known as Chung Yueh Hsu.
A-7118843, Huang, Siu-Lien.
0300-401127, Kai, Chan.
A-9562508, Kwee, Wah Kia.
A-7837182,Liu, Hsing Yueh (Fred).
A-6848619, Sun, Hen Teh.
A-6967368, Tao, Samuel Shao also known as Shao Ming Tao.
A-7096300, Tso, Chih Hui or Sister Mary Evangelist Tso.
A-6848002, Wang, Julia (nee Julia Chin Yun Ho).
A-7356395, Geng, George Yuen-Hsioh.
A-10085249, Hsia, Chen.
173/427, Keung, Liu Chung.
A-8996626, Kolumbic, Kresimir.
173/426, Liu, Suey Har Lee.
173/428, Liu, Boy Foon (Betty).
173/429, Liu, Dung Koon (John).
173/430, Liu, Dung Non (Billy).
0300-288731, Liao, Suzanne also known as Liao Kia-Pao.
A-10060260, Libe, Kalju.
A-7279631, Paszternak, Riza.
A-8000633, Shannir, Kasim Ismail.
0300-467737, Tsing, Min-Ye.
0300-346587, Tsing, Su-Tsen.
A-6258475, Wang, James Chia-Fang.
0300-458459, Yang, Helen Cheng Chao.
0300-468334, Yen, Grace Chuin Ying.
0300-468322, Yen, Alice Hua Ying.
A-0946127, Yen, Yang-Chu James.
0300-459487, Behrs, Amalie formerly Amalie Kiviranna (nee Amalie Pavel).
A-10087975, Chien, Pien Kiang.
A-9783058, Chin, Chi Tien.
A-1693463, Fan, Paul Hsiu Tsu.
A-1003405, Fan, Joyce Sik-Ho Wang.
A-7396740, Hsu, David Pin.
A-7444631, Lee, Lester Shin Pei.
0300-462434, Liang, Maisie Mei-Hsi.
A-6703208, Lin, Sping.
A-7606419, Liu (Vera), Hsi Yen (nee Wong-Quincey).
A-6271443, Liu, Vi Cheng.
A-9825070, Luzny, George.
A-7286973, Mui, Daniel Fook Kee.
A-9825053, Pustulka, Boleslaw.
A-7805943, Shane, Catherine Yen (nee Shih-Ping Yen).
A-10401836, Sheng, Hung Tao.
A-9825073, Sokolowski, Witold Stanislaw.
A-7967355, Sung, Zei Ling.
A-9038957, Sung, Chi Wha (Gladys).

A-8038959, Sung, Chi Ming (Mary).
A-8038960, Sung, Chi Chang (John).
A-8132662, Sung, Chi Tak (James).
A-8038958, Sung, Chi Ching (Thomas).
A-10188700, Sung, Chi Kwan (William).
A-9825136, Trykowski, Jan Zygmunt.
A-828556, Wai, Angli.
E-118826, Wai, Fong Yok also known as Yok Wai Fong, Fong Yok Square.
A-9669272, Wee, Foo Kia.
A-8190602, Wee, Lee Sung.
A-7417146, Yang, Ah Poa.
A-10237804, Yee, Lee.
A-10088693, Yip, Kiu or Yip Kiu also known as Wing Yip.
A-6940537, Bailey, Flower also known as Te Ling Chang and Chang Te Ling.
A-7190921, Cerny, Helena.
0300-371967, Chao, Tsung-Hu Lee also known as Polly Tsung-Hu Lee Chao.
0300-381266, Chao, Grace Yao-Ping.
0300-371975, Chao, Faith Yao-Yu.
0300-371968, Chao, George Yao-Tung.
A-8103763, Cheng, Helen formerly Helen Mien-Mien Yu.
A6847996, Cheng, Lu I.
A-7952707, Genger, Josef.
A-6503242, Grabie, Majer.
A-7292660, Grabie, Mariasza or Masha.
A-7292661, Grabie, Morris or Mojsze Towia.
A-6405954, Hsu, Eugene (Ting Chen).
A-7057890, Hsu, Kenneth Jing-Hwa.
A-7092721, Laing, Yung also known as Laing Yung.
A-10073320, Lee, Dong Sep.
V-1505818, Ng, Seid Young also known as Wu, Seid Young also known as Wu, Chung Poh.
A-10138853, Sang, Mon Loy alias Wen Lai Sung.
A-9015504, Seng, Foo Ah.
A-9094621, Sung, Woo Chen.
A-6848699, Tang, Philip Jen-Chien.
0300-461961, Wang, Eleanor Bei-Lee.
A-7386139, Wang, Samuel Chia-Cheng.
A-9634988, Wee, Lee Sung.
A-6500397, Berger, Herman also known as Mikulas Federweisz.
A-7367968, Berger, Kalman.
A-6396664, Chen, Wen-Chao.
A-6845070, Chen, Mary Lilia (Ch'un Jen), (nee Chao).
A-9634307, Juat, Tan Chin.
A-6953077, Langer, Abraham Leopold.
V-885058, Li, Hsien-Kuan Hugo.
V-885059, King, Wei-Lien.
T-357493, Lee, Barbara (Bei Bei).
0300-469349, Li, Tsung Jen.
A-10245429, Li, Teh-Chieh Kuo also known as Tah-Chieh Kuo.
A-10245428, Li, Jackson also known as Jee Sen Li.
A-6848144, Loh, Yu-Cheng also known as Eugene Loh.
A-8015357, Moh, Jim or James Chin.
A-10210252, Pao, Peter Sien-Kwei or Sien Kwei Pao.
A-2023266, Suksdorf, Juri Johannes.
A-6404843, Tsai, Wu.
A-9825090, Witkowski, Stanislaw.
0300-376850, Yen, Flora Chow.
A-7248479, Ching, Tao Pu.
A-9825103, Cielenkiewicz, Ryszard Emil.
A-10077721, Hop, Leung or Long Hop.
A-4949822, Ing, Wen Pei.
A-6171332, Mo, Sung Shen.
A-6448785, Mo, Chen Wei.
E-094520, Ng, Hing also known as Wu Yu Wah.
A-8091377, Pyn, Lee also known as Lee Ping.
A-8893285, Yen, Esther Kwang Tzu.
A-6806304, Yu, Shih-Cheng also known as Michael Shih-Cheng Yu.
A-6806306, Yu, Ya-Ming (nee Chai), also known as Lucia Ya-Ming Yu.
A-10625693, Chang, Fu Yun.
A-6848003, Chen, Yun Chieh or James Y. Chen.
A-7805944, Dao, Therese Tsu-Yin.
A-8055411, Dembitzer, David.
0400-58439, Huang, Yu-Kuan (Chen Ching Chen).
A-7988129, Jakobovits, Victor.
A-10130803, Kung, Edward Yen Chung.
A-7364794, Lee, William Wei-Yen (Li, Wei-Yen).
A-10075777, Liu, Ah Fong or Liu Ah Fong.
A-6847867, Loo, Shu Hsin or Mary Agnes Loo or Agnes Shu-Hsin Jen.
0300-461048, Lu, Nora Ellen.
0300-458294, Sze, Wu Fook.
A-6847791, Tung, Charles Pao-Chun also known as Tung Pao-Chun.
0300-78518, Wu, Lily also known as Yu Sue Wu also known as Oij Eng.
A-7028494, Wu, Judith also known as Teh Jean Wu.
A-8106443, Chao, Yung Lai.
A-8955828, Chu, Hai-Chou.
0300-433720, Huang, Wen Shan.
0300-456285, Huang, Lun Kun (nee Cheng).
0300-456286, Huang, Yen Fu.
A-10237798, Kalnins, Arvids Bruno.
A-6712043, Lam, Jean Lu.
A-7897506, Lebovits, Laszlo.
A-7274352, Lin, Chun Chia.
A-9825066, Lojewski, Czeslaw Bogdan.
A-7955278, Sun Zee Ah.
A-10060602, Tsing, Jan Sing.
A-7418206, Yang, Sam Yuan-Chen.
A-7805945, Wang, Helen, also known as Mary Helen Therese Want.
A-6624719, Wang, Shou Ling also known as Daniel Wang.
A-7835259, Wu, Grace Ho-Lan or Grace Wu.
A-10035417, Balodis, Paulis Voldemars.
A-10073947, Behrsin, Roman.
A-10353028, Chang Ta-Chung.
A-6848442, Chen, Shee-Ming or Chen Shee Ming.
A-7286660, Chung, Lynn.
A-8065296, Gabor, Robert alias Robert Goldstein.
A-8065297, Gabor, Elizabeth nee Fischer.
A-9825108, Jurkiewicz, Jerry formerly Jan Jerzy Jurkiewicz.
A-7560713, Koo, Hai-Chang Benjamin presently known as Benjamin Koo.
A-10075053, Lee, Esther Pei-Cheng Lim formerly known as Esther Pei-Cheng Lim.
A-6967296, Ma, Chen-Luan.
A-9825075, Ptaszynski, Kazimierz.
0300-466218, Sing, Charles also known as Wang Kao Chee also known as Wong Go Pse.
A-7319016, Stein, Stanley Marian.
E-118715, Taw, Ngiam Seng.
A-6448797, Wang, Philip Iching.
A-6975581, Yang, Thaddeus Wen-Hsien.
A-6855648, Yang, Grace Kwei-Ying (nee Liu).
A-7228327, Yung, Lydia Chih-Jui or Lydia Yung.
A-8847641, Dan, John Si-Kiang.
A-6142220, Hsu, Charlotte Chien.
A-8845236, Loo, Jen Wan (Marie) (nee Lee).
A-6818128, Lorincz, Jeno Eugene.
A-7364796, Muna, Nadeem Mitri.
A-10075751, Yin, Jen Ching or Charles Yin.
A-6967530, Zee, Chong Hung.
A-6224481, King, Gloria Euyang.
A-6958561, Fu, Florence Luan-Fei.
A-6849456, Hwang, Ming Chao.
A-8094862, Janoyan, Hagop Apraham.
A-6142216, Liu, Tse-Hsien.
0300-425930, Modzelewska, Jadwiga.
A-8106741, Modzelewski, Sgmunt Jan.
A-9029161, Nicolaou, Ion Dimitrios or John Nicolau.
A-9541479, Tani, Johannes.
A-10416361, Weinberg, Hersel formerly Zvi Weinberg.
A-9765919, Cecco, Frank or Francesco Cecco.
A-6986579, Yi, Shu Ping.
0300-426380, You, Wong.
A-8102693, Anabtawi, Samir Nazmi.
A-11048303, Chu, Ting Chi.
A-10237098, Chu, Grace Hsi.
A-7983212, Chu, Rosalind.
A-10394745, Chu, Constance Pamela.
A-10237100, Chu, Kay.
A-10257554, Kovacs, Imre.
A-10259309, Zmurek, Andre Michael.
A-8217527, Zmurkowa, Irena Helena nee Wasilkowska.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Permanent Subcommittee on Internal Security of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, under the rule there will be the usual morning hour, for the introduction of bills and the transaction of other routine business. In that connection, I ask unanimous consent that statements be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nominations of Mrs. Doris B. Duncan, to be postmaster at Skippers, Va., and Marjorie C. Mossman, to be postmaster at Hamburg, Ill., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The VICE PRESIDENT. If there be no reports of committees, the nominations on the calendar will be stated.

UNITED NATIONS

The Chief Clerk read the nomination of Neil H. Jacoby, of California, to be representative of the United States of America on the Economic and Social Council of the United Nations.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

COUNCIL OF THE NORTH ATLANTIC TREATY ORGANIZATION

The Chief Clerk read the nomination of W. Randolph Burgess, of Maryland, to be United States permanent representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk read the nomination of Vinton Chapin, of New Hampshire,

to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Maxwell H. Gluck, of Kentucky, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ceylon.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Three letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

Two joint resolutions of the Legislature of the State of Alabama; to the Committee on the Judiciary:

"Senate Joint Resolution 45

"Whereas the right of jury trial is subject to serious limitations in the district courts of the United States because the judges of such courts under present law may withdraw a case from the consideration of the jury upon a substantial evidence standard rather than upon the scintilla evidence standard of the common law and because the judges of such courts are free to comment to the jury upon the evidence in any case coming before them: Now, therefore, be it

"*Resolved by the Senate of the State of Alabama (the House of Representatives concurring)*, That the Congress of the United States is hereby memorialized to enact legislation to prohibit the judges of the district courts of the United States from commenting on the evidence in cases coming before them, and to enact legislation allowing the Federal judges of the district courts of the United States to direct verdicts in jury cases only in accordance with the scintilla evidence rule of the common law.

"The secretary of the senate is directed to transmit a copy of this resolution to the Presiding Officer of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Alabama delegation in Congress.

"I hereby certify the above is a true, correct, and accurate copy of Senate Joint Resolution 45, by Mr. Davis (Pickens), adopted unanimously by the Legislature of Alabama, June 28, 1957.

"J. E. SPEIGHT,
"*Secretary of Senate.*"

"Senate Joint Resolution 47

"*Be it resolved by the Senate of the Legislature of Alabama (the House of Representatives concurring)*—

"1. That the Legislature of Alabama hereby petitions and memorializes the Congress of the United States to call a convention, pursuant to article V of the Constitution of the United States, for the purpose of proposing amendments to section 2, article II, and section 1, article III, of the United States Constitution, which would alter the method of selecting Federal judges and fix for such judges a definite term of office.

"2. That the legislature of each of our sister States is urged to give the most serious consideration to the problems arising from the present method of selecting and tenure of office of Federal judges, and to petition the Congress of the United States to call a convention for the purpose of proposing amendments to section 2, article II, and section 1, article III, of the Constitution of the United States, so as to alter the present method of selecting Federal judges and to fix for such judges a definite term of office.

"3. That the secretary of the senate transmit duly authenticated copies of this resolution to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Alabama delegation in Congress, and to the executive authority of each of our sister States for transmittal to its legislature.

"I hereby certify the above is a true, correct, and accurate copy of Senate Joint Resolution No. 47 by Mr. Davis (Pickens), adopted by the Legislature of Alabama, June 28, 1957.

"J. E. SPEIGHT,
"*Secretary of Senate.*"

The petition of Julius Bauer, of Chicago, Ill., relating to governmental economy; to the Committee on Finance.

JOINT RESOLUTION OF OHIO LEGISLATURE

Mr. BRICKER. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a joint resolution adopted on May 24, 1957, by the Ohio General Assembly, under which the Eastern Orthodox Church would be recognized as a major faith in the State of Ohio.

There being no objection, the joint resolution was referred to the Committee on the Judiciary, and, under the rule, ordered to be printed in the RECORD, as follows:

Joint resolution to recognize the Eastern Orthodox Church as a major faith in the State of Ohio

Whereas it has come to the attention of the members of the 102d General Assembly of Ohio that, whenever anything is said concerning the major faiths, usually only Protestants, Catholics, and Jews are referred to; and

Whereas the Eastern Orthodox Church is a major faith in the State of Ohio; and

Whereas the Eastern Orthodox Church, by reason of its long and illustrious history, should be included in the meaning of any reference to the major faiths: Therefore be it

Resolved, That the Eastern Orthodox Church is hereby recognized as a major faith in the State of Ohio, and all references to the major faiths by all media of communication shall be deemed to include the Eastern Orthodox Church; and be it further

Resolved, That the members of the 102d General Assembly of Ohio hereby adopt this resolution and cause a copy thereof to be spread upon the journal, and that the clerk of the senate transmit duly authenticated copies of this resolution to the Most Reverend Bishop Polyefktos of the sixth diocese, Greek archdiocese of North and South America, Rev. John Papdopoulos, Rev. George Hadjis, and Reverend Pappas, all of the Eastern Orthodox Church.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HENNINGS, from the Committee on Rules and Administration, without amendment:

S. J. Res. 103. Joint resolution to provide for the permanent preservation and proper display of the flag of liberation.

By Mr. HENNINGS, from the Committee on Rules and Administration, with amendments:

S. 2150. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes.

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

S. 1773. A bill to validate a certain conveyance heretofore made by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, to the State of Nevada, involving certain portions of right-of-way in the city of Reno, county of Washoe, State of Nevada, acquired by the Central Pacific Co. under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356) (Rept. No. 577).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with amendments.

S. 556. A bill to provide for the conveyance of certain real property of the United States situated in Clark County, Nev., to the Nevada State Board of Fish and Game Commissioners (Rept. No. 578); and

S. 1645. A bill to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road-widening purposes (Rept. No. 579).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, with amendments.

S. 2069. A bill to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain (Rept. No. 576).

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, without amendment:

H. R. 632. An act to amend the Federal Crop Insurance Act, as amended (Rept. No. 580).

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, with an amendment:

H. R. 1045. An act to amend the Soil Conservation and Domestic Allotment Act, as amended (Rept. No. 581).

ADDITIONAL REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL EMPLOYMENT AND PAY

Mr. BYRD. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit an additional report on Federal employment and pay for the month of May 1957. In accordance with the practice of several years' standing, I ask unanimous consent to have the report printed in the RECORD, together with a statement prepared by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

PERSONNEL AND PAY SUMMARY

(See table I)

Information in monthly personnel reports for May 1957, submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures is summarized as follows:

Total and major categories	Civilian personnel in executive branch			Payroll (in thousands) in executive branch		
	In May numbered—	In April numbered—	Increase (+) or decrease (−)	In April was—	In March was—	Increase (+) or decrease (−)
Total [1]	2,393,292	2,395,764	−2,472	$903,746	$899,686	+$4,060
Agencies exclusive of Department of Defense	1,232,753	1,230,972	+1,781	445,799	455,999	−10,200
Department of Defense	1,160,539	1,164,792	−4,253	457,947	443,687	+14,260
Inside continental United States	2,187,795	2,190,505	−2,710			
Outside continental United States	205,497	205,259	+238			
Industrial employment	655,194	656,456	−1,262			
Foreign nationals	269,745	270,219	−474	30,139	27,415	+2,724

[1] Exclusive of foreign nationals shown in the last line of this summary.

Table I, below, breaks down the above figures on employment and pay by agencies.

Table II breaks down the above employment figures to show the number inside continental United States by agencies.

Table III breaks down the above employment figures to show the number outside continental United States by agencies.

Table IV breaks down the above employment figures to show the number in industrial-type activities by agencies.

Table V shows foreign nationals by agencies not included in tables I, II, III, and IV.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during May 1957, and comparison with April 1957, and pay for April 1957, and comparison with March 1957*

Department or agency	Personnel				Pay (in thousands)			
	May	April	Increase	Decrease	April	March	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture	87,147	85,417	1,730		$29,669	$27,567	$2,102	
Commerce [1]	49,965	49,305	660		21,616	20,824	792	
Health, Education, and Welfare	51,735	51,607	128		22,462	20,803	1,659	
Interior	52,409	51,269	1,140		20,992	20,117	875	
Justice	30,231	30,452		221	15,156	14,480	676	
Labor	5,974	5,928	46		2,777	2,607	170	
Post Office	524,807	524,265	542		106,366	[2] 192,736		$24,370
State [3]	33,642	33,568	74		12,615	12,030	585	
Treasury	82,529	83,857		1,328	35,487	33,683	1,804	
Executive Office of the President:								
White House Office	386	389		3	232	222	10	
Bureau of the Budget	447	444	3		301	286	15	
Council of Economic Advisers	30	30			22	21	1	
Executive Mansion and Grounds	70	70			21	26		5
National Security Council [4]	27	28		1	19	18	1	
Office of Defense Mobilization	260	261		1	160	156	4	
President's Advisory Committee on Government Organization	6	6			3	3		
Independent agencies:								
Advisory Committee on Weather Control	9	16		7	6	7		1
Alexander Hamilton Bicentennial Commission	9	11		2	7	6	1	
American Battle Monuments Commission	637	618	19		95	89	6	
Atomic Energy Commission	6,724	6,711	13		3,583	3,422	161	
Board of Governors of the Federal Reserve System	583	583			310	293	17	
Boston National Historic Sites Commission	5	5			1	1		
Civil Aeronautics Board	594	597		3	346	325	21	
Civil Service Commission	4,420	4,410	10		2,020	1,957	63	
Commission of Fine Arts	4	4			2	2		
Corregidor Bataan Memorial Commission	1	2		1	2	1	1	
District of Columbia Auditorium Commission	18	18			1	1		
Export-Import Bank of Washington	187	186	1		118	113	5	
Farm Credit Administration	944	954		10	500	477	23	
Federal Civil Defense Administration	1,193	1,169	24		659	626	33	
Federal Coal Mine Safety Board of Review	7	7			3	3		
Federal Communications Commission	1,180	1,167	13		620	597	23	
Federal Deposit Insurance Corporation	1,135	1,133	2		576	535	41	
Federal Home Loan Bank Board	729	725	4		356	334	22	
Federal Mediation and Conciliation Service	334	332	2		238	228	10	
Federal Power Commission	713	713			396	372	24	
Federal Trade Commission	747	747			427	407	20	
Foreign Claims Settlement Commission	116	118		2	59	60		1
General Accounting Office	5,344	5,346		2	2,553	2,428	125	
General Services Administration	27,401	27,463		62	10,103	9,583	520	
Government Contract Committee	18	16	2		12	10	2	
Government Printing Office	6,449	6,468		19	3,010	2,848	162	
Housing and Home Finance Agency	9,998	10,018		20	4,928	4,662	266	
Indian Claims Commission	14	14			11	11		
Interstate Commerce Commission	2,170	2,159	11		1,099	1,057	42	
Jamestown-Williamsburg-Yorktown Celebration Commission	5	5			3	2	1	
National Advisory Committee for Aeronautics	7,722	7,720	2		3,941	3,751	190	
National Capital Housing Authority	252	251	1		97	94	3	
National Capital Planning Commission	33	27	6		20	18	2	
National Gallery of Art	328	332		4	109	102	7	
National Labor Relations Board	1,125	1,128		3	650	618	32	

[1] May figure includes 415 seamen on the rolls of the Maritime Administration and their pay.

[2] Revised on basis of later information.

[3] May figure includes 11,275 employees of the International Cooperation Administration as compared with 11,141 in April and their pay. These ICA figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The May figure includes 2,736 of these trust fund employees and the April figure includes 2,681.

[4] Excludes personnel and pay of the Central Intelligence Agency.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during May 1957, and comparison with April 1957, and pay for April 1957, and comparison with March 1957*—Continued

Department or agency	Personnel				Pay (in thousands)			
	May	April	Increase	Decrease	April	March	Increase	Decrease
Independent Agencies—continued								
National Mediation Board	110	110			$90	$76	$14	
National Science Foundation	300	290	10		153	153		
National Security Training Commission	5	5			2	2		
Panama Canal	14,141	14,124	17		3,589	3,616		27
Railroad Retirement Board	2,361	2,395		34	964	913	51	
Renegotiation Board	383	414		31	271	263	8	
St. Lawrence Seaway Development Corporation	37	38		1	24	24		
Securities and Exchange Commission	782	789		7	441	418	23	
Selective Service System	6,963	6,994		31	1,788	1,703	85	
Small Business Administration	1,111	1,074	37		587	538	49	
Smithsonian Institution	784	772	12		298	284	14	
Soldiers' Home	1,025	1,018	7		245	235	10	
Subversive Activities Control Board	36	36			26	26		
Tariff Commission	213	215		2	126	120	6	
Tax Court of the United States	143	141	2		90	90		
Tennessee Valley Authority	15,423	15,345	78		7,208	6,769	439	
Theodore Roosevelt Centennial Commission	8	6	2		3	2	1	
United States Information Agency	11,916	11,887	29		3,382	3,250	132	
Veterans' Administration	176,195	177,246		1,051	59,751	56,896	2,855	
Woodrow Wilson Centennial Celebration Commission	4	4			2	2		
Total, excluding Department of Defense	1,232,753	1,230,972	4,627	2,846	445,799	455,999	14,204	$24,404
Net change, excluding Department of Defense			1,781				10,200	
Department of Defense:								
Office of the Secretary of Defense	1,690	1,679	11		1,054	991	63	
Department of the Army	428,310	428,015	295		164,283	158,511	5,772	
Department of the Navy	389,022	390,895		1,873	162,528	159,056	3,472	
Department of the Air Force	341,517	344,203		2,686	130,082	125,129	4,953	
Total, Department of Defense	1,160,539	1,164,792	306	4,559	457,947	443,687	14,260	
Net change, Department of Defense			4,253				14,260	
Grand total, including Department of Defense	2,393,292	2,395,764	4,933	7,405	903,746	899,686	28,464	24,404
Net change, including Department of Defense			2,472				4,060	

TABLE II.—*Federal personnel inside continental United States employed by the executive agencies during May 1957, and comparison with April 1957*

Department or agency	May	April	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	85,762	84,046	1,716	
Commerce [1]	45,886	45,501	385	
Health, Education, and Welfare	49,919	[2] 49,828	91	
Interior	48,191	46,978	1,213	
Justice	29,690	29,917		227
Labor	5,838	5,812	26	
Post Office	522,340	521,792	548	
State [3]	8,499	8,602		103
Treasury	81,514	82,845		1,331
Executive Office of the President:				
White House Office	386	389		3
Bureau of the Budget	447	444	3	
Council of Economic Advisors	30	30		
Executive Mansion and Grounds	70	70		
National Security Council [4]	27	28		1
Office of Defense Mobilization	260	261		1
President's Advisory Committee on Government Organization	6	6		
Independent agencies:				
Advisory Committee on Weather Control	9	16		7
Alexander Hamilton Bicentennial Commission	9	11		2
American Battle Monuments Commission	19	18	1	
Atomic Energy Commission	6,704	6,692	12	
Board of Governors of the Federal Reserve System	583	583		
Boston National Historic Sites Commission	5	5		
Civil Aeronautics Board	590	593		3
Civil Service Commission	4,405	4,394	11	
Commission of Fine Arts	4	4		
Corregidor-Bataan Memorial Commission	1	2		1
District of Columbia Auditorium Commission	18	18		
Export-Import Bank of Washington	187	186	1	
Farm Credit Administration	934	945		11
Federal Civil Defense Administration	1,193	1,169	24	
Federal Coal Mine Safety Board of Review	7	7		
Federal Communications Commission	1,154	1,140	14	
Federal Deposit Insurance Corporation	1,133	1,131	2	
Federal Home Loan Bank Board	729	725	4	
Federal Mediation and Conciliation Service	334	332	2	
Federal Power Commission	713	713		
Federal Trade Commission	747	747		
Foreign Claims Settlement Commission	116	118		2
General Accounting Office	5,269	5,272		3
General Services Administration	27,301	27,361		60
Government Contract Committee	18	16	2	
Government Printing Office	6,449	6,468		19
Housing and Home Finance Agency	9,832	9,849		17
Indian Claims Commission	14	14		
Interstate Commerce Commission	2,170	2,159	11	
Jamestown-Williamsburg-Yorktown Celebration Commission	5	5		
National Advisory Committee for Aeronautics	7,722	7,720	2	
National Capital Housing Authority	252	251	1	
National Capital Planning Commission	33	27	6	
National Gallery of Art	328	332		4
National Labor Relations Board	1,107	1,110		3
National Mediation Board	110	110		
National Science Foundation	300	290	10	
National Security Training Commission	5	5		
Panama Canal	406	397	9	
Railroad Retirement Board	2,361	2,395		34
Renegotiation Board	383	414		31
St. Lawrence Seaway Development Corporation	37	38		1
Securities and Exchange Commission	782	789		7
Selective Service System	6,770	6,802		32
Small Business Administration	1,101	1,064	37	
Smithsonian Institution	782	770	12	
Soldiers' Home	1,025	1,018	7	
Subversive Activities Control Board	36	36		
Tariff Commission	213	215		2
Tax Court of the United States	143	141	2	
Tennessee Valley Authority	15,423	15,345	78	
Theodore Roosevelt Centennial Commission	8	6	2	
United States Information Agency	2,774	2,756	18	
Veterans' Administration	174,957	175,997		1,040
Woodrow Wilson Centennial Celebration Commission	4	4		
Total, excluding Department of Defense	1,166,579	1,165,274	4,250	2,945
Net increase, excluding Department of Defense			1,305	
Department of Defense:				
Office of the Secretary of Defense	1,645	1,633	12	
Department of the Army	365,197	364,662	535	
Department of the Navy	355,880	357,630		1,750
Department of the Air Force	298,494	301,306		2,812
Total, Department of Defense	1,021,216	1,025,131	547	4,562
Net decrease, Department of Defense			4,015	
Grand total, including Department of Defense	2,187,795	2,190,505	4,797	7,507
Net decrease, including Department of Defense			2,710	

[1] May figure includes 415 seamen on the rolls of the Maritime Administration.
[2] Revised on basis of later information.
[3] May figure includes 1,731 employees of the International Cooperation Administration as compared with 1,744 in April.
[4] Exclusive of personnel of the Central Intelligence Agency.

TABLE III.—*Federal personnel outside continental United States employed by the executive agencies during May 1957, and comparison with April 1957*

Department or agency	May	April	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	1,385	1,371	14	
Commerce	4,079	3,804	275	
Health, Education, and Welfare	1,816	[1] 1,779	37	
Interior	4,218	4,291		73
Justice	541	535	6	
Labor	136	116	20	
Post Office	2,467	2,473		6
State [2]	25,143	24,966	177	
Treasury	1,015	1,012	3	
Independent agencies:				
American Battle Monuments Commission	618	600	18	
Atomic Energy Commission	20	19	1	
Civil Aeronautics Board	4	4		
Civil Service Commission	15	16		1
Farm Credit Administration	10	9	1	
Federal Communications Commission	26	27		1
Federal Deposit Insurance Corporation	2	2		
General Accounting Office	75	74	1	
General Services Administration	100	102		2
Housing and Home Finance Agency	166	169		3
National Labor Relations Board	18	18		
Panama Canal	13,735	13,727	8	
Independent agencies—continued				
Selective Service System	193	192	1	
Small Busines Administration	10	10		
Smithsonian Institution	2	2		
United States Information Agency	9,142	9,131	11	
Veterans' Administration	1,238	1,249		11
Total, excluding Department of Defense	66,174	65,698	573	97
Net increase, excluding Department of Defense			476	
Department of Defense:				
Office of the Secretary of Defense	45	46		1
Department of the Army	63,113	63,353		240
Department of the Navy	33,142	33,265		123
Department of the Air Force	43,023	42,897	126	
Total, Department of Defense	139,323	139,561	126	364
Net decrease, Department of Defense			238	
Grand total, including Department of Defense	205,497	205,259	699	461
Net increase, including Department of Defense			238	

[1] Revised on basis of later information.

[2] May figure includes 9,544 employees of the International Cooperation Administration as compared with 9,397 in April. These ICA figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The May figure includes 2,736 of these trust fund employees and the April figure includes 2,681.

TABLE IV.—*Industrial employees of the Federal Government inside and outside continental United States employed by the executive agencies during May 1957, and comparison with April 1957*

Department or agency	May	April	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	3,220	3,162	58	
Commerce	2,729	2,716	13	
Interior	7,876	8,200		324
Treasury	5,583	5,619		36
Independent agencies:				
Atomic Energy Commission	145	146		1
Federal Communications Commission	41	41		
General Services Administration	1,095	[1] 1,089	6	
Government Printing Office	6,449	6,468		19
National Advisory Committee for Aeronautics	7,722	7,720	2	
Panama Canal	7,278	7,254	24	
Tennessee Valley Authority	12,589	12,531	58	
Total, excluding Department of Defense	54,700	54,919	161	380
Net decrease, excluding Department of Defense			219	
Department of Defense:				
Department of the Army:				
Inside continental United States	[1] 181,000	[2] 180,572	428	
Outside continental United States	[1] 23,800	[2] 23,881		81
Department of the Navy:				
Inside continental United States	218,759	219,657		898
Outside continental United States	5,886	5,958		72
Department of the Air Force:				
Inside continental United States	164,437	164,818		381
Outside continental United States	6,612	6,651		39
Total, Department of Defense	600,494	601,537	428	1,471
Net decrease, Department of Defense			1,043	
Grand total, including Department of Defense	655,194	656,456	589	1,851
Net decrease, including Department of Defense			1,262	

[1] Subject to revision.

[2] Revised on basis of later information.

TABLE V.—*Foreign nationals working under United States agencies overseas, excluded from tables I through IV of this report, whose services are provided by contractual agreement between the United States and foreign governments, or because of the nature of their work or the source of funds from which they are paid, as of May 1957 and comparison with April 1957*

Country	Total		Army		Navy		Air Force	
	May	April	May	April	May	April	May	April
Belgium	6	6					6	6
Denmark	1	1					1	1
England	7,149	7,221			37	37	7,112	7,184
France	25,163	25,592	17,678	17,873			7,485	7,719
French Morocco	5,705	5,791	156	156	957	950	4,592	4,685
Germany	98,307	98,234	82,321	82,127	421	565	15,565	15,542
Japan	127,806	127,839	66,603	[1] 66,245	19,172	19,252	42,031	42,342
Korea	4,881	4,804	4,881	4,804				
Malta	116	115			116	115		
Netherlands	41	42					41	42
Norway	23	24					23	24
Trinidad	547	550			547	550		
Total	269,745	270,219	171,639	171,205	21,250	21,469	76,856	77,345

[1] Revised on the basis of later information.

NOTE.—The Germans are paid from funds provided by German Governments. The French and English reported by the Army and Air Force are paid from funds appropriated for personal services. All others are paid from funds appropriated for other contractual services.

STATEMENT BY SENATOR BYRD

EMPLOYEES

Executive agencies of the Federal Government reported regular civilian employment in the month of May totaling 2,393,292. This was a net decrease of 2,472 as compared with employment reported in the preceding month of April.

Civilian employment reported by the executive agencies of the Federal Government, by months in fiscal year 1957, which began July 1, 1956, follow:

Month	Employment	Increase	Decrease
July	2,398,673	14,250	
August	2,400,493	1,820	
September	2,388,854		11,639
October	2,396,163	7,309	
November	2,394,324		1,839
December	2,389,788		4,536
January 1957	2,387,015		2,773
February	2,390,517	3,502	
March	2,392,987	2,470	
April	2,395,764	2,777	
May	2,393,292		2,472

Inside continental United States civilian employment decreased 2,710 and outside continental United States civilian employment increased 238. Industrial employment by the Federal agencies in May totaled 655,194, a decrease of 1,262.

Civilian agencies

Total civilian employment in civilian agencies during the month of May was 1,232,753, an increase of 1,781, as compared with the April total of 1,230,972.

Civilian agencies reporting the major increases were Agriculture Department, with 1,730; Interior Department, with 1,140; Department of Health, Education, and Welfare, with 660; and Post Office Department, with 542. The increases in the Departments of Agriculture and Interior were largely seasonal. Major decreases were reported by the Treasury Department, with 1,328, and the Veterans' Administration, with 1,051.

Military agencies

Total civilian employment in the military agencies in May was 1,160,539, a decrease of 4,253, as compared with 1,164,792 in April.

In the Department of Defense decreases in civilian employment were reported by the Department of the Air Force, with 2,686, and the Department of the Navy, with 1,873. The Department of the Army reported an increase of 295.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures.

FOREIGN NATIONALS

The total of 2,393,292 civilian employees certified to the committee by executive agencies in their regular monthly personnel reports includes some foreign nationals employed in United States Government activities abroad, but in addition to these there were 269,745 foreign nationals working for United States military agencies during May who were not counted in the usual personnel report. The number in April was 270,219. A breakdown of this employment for May follows:

Country	Total	Army	Navy	Air Force
Belgium	6			6
Denmark	1			1
England	7,149		37	7,112
France	25,163	17,678		7,485
French Morocco	5,705	156	957	4,592
Germany	98,307	82,321	421	15,565
Japan	127,806	66,603	19,172	42,031
Korea	4,881	4,881		
Malta	116		116	
Netherlands	41			41
Norway	23			23
Trinidad	547		547	
Total	269,745	171,639	21,250	76,856

PAYROLL

The regular monthly Federal civilian payroll in April totaled $903,746,000, United States pay for foreign nationals working under Federal agencies abroad totaled $20,562,000. The total April payroll for agencies of the executive branch of the Federal Government, $924,308,000.

These figures for the month were certified by executive agencies to the Joint Committee on Reduction of Nonessential Federal Expenditures. Payroll figures are on an actual basis and necessarily lag 1 month behind the personnel count.

Payroll for the first 10 months of fiscal year 1957, including United States funds for foreign nationals not on regular rolls, totaled $9.3 billion. This was a monthly average of $933 million, since fiscal year 1957 started July 1, 1956.

These payroll figures by months follow:

[In millions]

Month	Regular payrolls	Foreign nationals not on regular rolls, United States funds	Total
July	$907	$17	$923
August	950	17	967
September	846	17	863
October	947	17	964
November	931	17	948
December	933	18	951
January 1957	990	17	1,006
February	848	16	864
March	900	19	919
April	904	21	924
Total, 10 months	9,155	176	9,330

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRICKER:

S. 2463. A bill for the relief of Richard M. Taylor and Lydia Taylor; and

S. 2464. A bill for the relief of Hope Whang (Hope Whang Faust) and Arden Whang (Arden Whang Faust); to the Committee on the Judiciary.

By Mr. MURRAY:

S. 2465. A bill to stimulate the investment of venture capital in the production of strategic and critical metals or minerals; to the Committee on Finance.

By Mr. MURRAY (for himself, Mr. NEUBERGER, Mr. HUMPHREY, Mr. SCOTT, and Mr. MORSE):

S. 2466. A bill to repeal the Sustained Yield Act of March 29, 1944 (58 Stat. 132), and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. MURRAY when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE of South Dakota (for himself and Mr. MUNDT):

S. 2467. A bill to authorize the Administrator of Veterans' Affairs to negotiate a new contract with the city of Sturgis, S. Dak., with respect to the use of the sewage facilities of such city by the Fort Meade Veterans' Hospital, Sturgis, S. Dak.; to the Committee on Labor and Public Welfare.

By Mr. BUTLER:

S. 2468. A bill to amend section 2410 of title 28, United States Code, with respect to the sale of real or personal property upon which the United States has a lien; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 2469. A bill for the relief of Dr. Brant Bonner; to the Commitete on the Judiciary.

By Mr. SALTONSTALL:

S. 2470. A bill for the relief of William L. Morris; to the Committee on the Judiciary.

By Mr. COOPER:

S. 2471. A bill to amend Veterans' Regulation No. 10 to provide that the term "child" shall include a child of a veteran who is a member of the veteran's household and who becomes permanently incapable of self-support; to the Committee on Finance.

S. 2472. A bill for the relief of Michael Parvaresh; to the Committee on the Judiciary.

By Mr. CARROLL:

S. 2473. A bill for the relief of Charlene Nalani Franklin (Joo Bok Ja); to the Committee on the Judiciary.

By Mr. BYRD (for himself and Mr. ROBERTSON):

S. 2474. A bill directing the Secretary of the Navy to convey certain land situated in the State of Virginia to the Board of Supervisors of York County, Va.; to the Committee on Armed Services.

By Mr. CHAVEZ:

S. 2475. A bill for the relief of Ma Bong Ching; to the Committee on the Judiciary.

CONCURRENT RESOLUTIONS

RECOGNITION OF BASEBALL HALL OF FAME

Mr. JAVITS. Mr. President, on behalf of myself and the senior Senator from New York [Mr. IVES], I submit a concurrent resolution providing for the recognition by Congress of the Baseball Hall of Fame at Cooperstown, N. Y. I understand an identical resolution is being submitted in the House of Representatives by Representative BERNARD W. KEARNEY, of Lake Pleasant, N. Y.

The Baseball Hall of Fame is a national institute of a game which is our national pastime, which fosters the highest ideals of sportsmanship and fair play, and the competitive spirit. New York is proud to call itself the home of baseball and the Baseball Hall of Fame, and this is a deserving memorial. I could think of no better day to do this than the day before the Fourth of July.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 37) favoring Congressional recognition of the Baseball Hall of Fame, located at Cooperstown, N. Y., submitted by Mr. JAVITS (for himself and Mr. IVES), was referred to the Committee on Rules and Administration, as follows:

Whereas baseball is universally recognized as the American national sport, a sport that in the more than 100 years of its existence has captured the imagination and zeal of most of our youth and has spread to other lands; and

Whereas millions of Americans have participated either as players or spectators in countless school, college, community, or professional leagues since Abner Doubleday conceived the first game of town ball in 1839 in Cooperstown, N. Y.; and

Whereas modern American baseball teams have achieved wide acclaim in exhibition tours in foreign lands and have been generally accepted as among our finest good-will ambassadors abroad; and

Whereas baseball epitomizes our highest ideals of sportsmanship and fair play; and

Whereas there was established in 1938 at Cooperstown, near the site of the first game, the Baseball Hall of Fame; and

Whereas the Baseball Hall of Fame is the shrine of the game's immortals whose exploits are there preserved for the inspiration of future generations: Therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby recognizes the Baseball Hall of Fame at Cooperstown, N. Y., as a memorial to individuals who have made outstanding contributions to the sport of baseball and as a fitting and valuable institution for the collection and preservation of famous tokens and other evidences and data relating to our national game.

WAIVER OF PRIMARY RIGHT TO JURISDICTION OVER MEMBERS OF ARMED FORCES UNDER STATUS OF FORCES TREATY

Mr. THURMOND. Mr. President, I submit for appropriate reference, a concurrent resolution to advise the officials of the executive branch who deal with our status of forces treaties and agreements that the Congress does not approve of the United States waiving the primary right to jurisdiction, when the right to jurisdiction is held by the United States, with reference to any member of our Armed Forces serving overseas.

Article VII of the Status of Forces Treaty, which was ratified by the Senate on July 15, 1953, contains the definitions of jurisdiction. Section 3 (a) (ii) contains the pertinent part of the treaty for the purpose of this resolution. It reads as follows:

(a) The military authorities of the sending state shall have the primary right to exercise jurisdiction over a member of a force * * * in relation to—

(ii) offenses arising out of any act or omission done in the performance of official duty.

The material I have just quoted from the status of forces treaties specifies that the United States, in sending members of the Armed Forces to countries where the status of forces treaties prevail, shall have authority—or the primary right—to try our men for criminal acts committed in those countries when such acts are committed in the performance of official duty.

However, part (c) of section 3 of the same article provides that—

> The authorities of the state having the primary right shall give sympathetic consideration to a request from the authorities of the other state for a waiver of its right in cases where that other state considers such waiver to be of particular importance.

That is the point which concerns me. The best illustration of what can happen when the United States waives the primary right to jurisdiction over a member of our Armed Forces is the Girard case, which is now pending before the Supreme Court. I anticipate that, under the waiver provision, the Court will permit Girard to be turned over to the Japanese for trial.

When this country sends fighting men overseas, the least we can do is to protect the best interests of the men by providing them trial by courts-martial for acts done when they are on duty. When our officials waive the right actually held under the treaties to provide our men with such protection, I believe the Congress should take action to remedy the situation.

This concurrent resolution would make clear to the executive branch that the Congress expects all of its officials to exercise jurisdiction over our Armed Forces, when a right to such jurisdiction is held under the treaties.

Mr. President, I hope that early action can be taken on this resolution.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 38), submitted by Mr. THURMOND, was referred to the Committee on Foreign Relations, as follows:

> *Resolved, etc.*, That it is the sense of the Congress that whenever any member of any Armed Force of the United States is charged with any criminal offense alleged to have been committed by him in any foreign country, and under the terms of any treaty or other agreement with such foreign country the United States has primary jurisdiction to try such member for such alleged offense, the United States should exercise its right to try such individual by court-martial, and should not waive such jurisdiction or surrender such member to any authority of such foreign country for trial.
>
> SEC. 2. Copies of this resolution shall be transmitted to the President, the Secretary of State, the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force.

PRINTING AS A SENATE DOCUMENT THE REPORT OF COMMISSION ON GOVERNMENT SECURITY—ADDITIONAL COPIES

Mr. MANSFIELD. Mr. President, I submit a concurrent resolution providing for the printing as a Senate document and for additional copies of the report of the Commission on Government Security, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. The concurrent resolution will be read for the information of the Senate.

The concurrent resolution (S. Con. Res. 39) was read as follows:

> *Resolved by the Senate (the House of Representatives concurring)*, That there shall be printed as a Senate document the Report of the Commission on Government Security, submitted to the Congress June 21, 1957, pursuant to Public Law 304 of the 84th Congress, as amended; and that there shall be printed 5,000 additional copies, of which 2,500 shall be for the use of the Senate and 2,500 for the use of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

Mr. MANSFIELD. Mr. President, this matter was cleared with the minority leader, the Senator from California, and it was brought to our attention by the Senator from Mississippi [Mr. STENNIS]. Because of the widespread public interest in the report of the Commission on Government Security, the supply of which has been depleted, it is felt that additional copies are needed. Because implementation of the legislative recommendations is important business now in both Houses of Congress, the Senator from Mississippi brought to our attention the concurrent resolution before us, for the printing of 5,000 copies of this report as a Senate document, 2,500 to be available for the use of the House and 2,500 to be available for the use of the Senate.

The staff of the Committee on Rules and Administration advises me that the Government Printing Office's estimate of the cost of this printing is $3,960.05.

I urge the adoption of the concurrent resolution.

The VICE PRESIDENT. The question is on agreement to the concurrent resolution.

The concurrent resolution was agreed to.

RESOLUTIONS

ADDITIONAL EXPENDITURES BY COMMITTEE ON APPROPRIATIONS

Mr. HAYDEN submitted the following resolution (S. Res. 154), which was referred to the Committee on Rules and Administration:

> *Resolved*, That the Committee on Appropriations hereby is authorized to expend from the contingent fund of the Senate, during the 85th Congress, $10,000, in addition to the amounts, and for the same purposes, specified in section 134 (a) of the Legislative Reorganization Act, approved August 2, 1946.

CONSTITUTIONAL ISSUES INVOLVED IN STATUS OF FORCES AGREEMENT PROCEDURES

Mr. SMATHERS. Mr. President, many of us in the Congress are deeply concerned with the constitutional issues involved in connection with the procedures being followed by the executive branch of the Government in carrying out the provisions of the Status of Forces Agreement, and administrative agreements of a similar nature entered into between the United States and foreign governments.

Because of the interpretation being given to the provisions of these agreements, and the manner in which they are being carried out, proposals have been made by Members of this body designed to abrogate, rescind, or modify them.

The precedent established in the Girard case has focused considerable attention and concern on this problem. It is a precedent which is not only vitally important to more than a million American Armed Forces personnel who are presently stationed in foreign countries, but a precedent of equal importance to millions of others in the armed services who might be called upon to perform duty in a foreign country. It is a precedent which also affects to an equal degree of importance millions of the youth of this Nation who will in the future be called upon to perform military duty. Widespread and deep-rooted concern is therefore justified.

We know that the United States District Court for the District of Columbia has enjoined the Government from turning Private Girard over to Japanese courts for trial. This decision was predicated on the fact that to do so would violate the protection given him under the Constitution of the United States. The case is now on appeal before the Supreme Court of the United States, and a decision will undoubtedly be made within the next few weeks. All of us, I am sure, are anxiously awaiting the decision of the Supreme Court.

My position on the Status of Forces Agreement is clear. I voted against Senate ratification of the agreement. It is not my purpose at this time to engage in recrimination or argumentation as to the wisdom of the Status of Forces Agreement, and other administrative agreements of a similar nature which have been made. However, I feel that it can be accurately stated that it was never the intention of any Member of the United States Senate in voting to ratify the Status of Forces Agreement to permit the waiver of any of the constitutional safeguards of members of the Armed Forces on overseas duty.

As a nation we have entered into these agreements. In my opinion, we are not going to violate our pledge nor back out of basic commitments, though many of us in the United States Senate believe that it was unwise to have given such a pledge and commitments in the first instance.

I was interested in reading last night in the Washington Star that Secretary of Defense Wilson had stated that the "practical effect" of a Congressional resolution to end foreign trials of GI's "would be the withdrawal of United States forces from all over the world."

"This result is not imaginary," Wilson told Chairman GORDON, Democrat, of Illinois, of the House Foreign Affairs Committee. Mr. Wilson stated further:

> It would be the inevitable consequence of forcing the Presidents to denounce the status of forces agreements throughout the world.

The end result, he added, would be to force this country to shift from its global alliance strategy to "a fortress America concept for the defense of the continental United States."

On that point I agree with the Secretary. We probably should not have entered into such agreements, but having entered into them, we are in a position from which we cannot very well back out.

The question then arises, How can we best deal with the situation which now confronts us, and eliminate in the future the fundamental cause of the Girard incident? There is no doubt that American citizens are entitled to their constitutional guaranties and to be assured the protection of these guaranties wherever they might be. At the same time, we, as a nation are expected to live up to international obligations which we have freely assumed.

In considering both of these questions, it is my purpose to try to discover a mechanism whereby we can fully protect the rights of American citizens abroad, or members of the Armed Forces, or the civilian components thereof, and at the same time honor the agreements which we have made. I believe I have a suggestion worthy of prompt consideration.

Both the Status of Forces Agreement and the administrative agreement entered into between the United States and Japan contain a specific provision that the United States shall exercise primary jurisdiction over members of the United States Armed Forces, or the civilian components with respect to offenses committed arising out of any act or omission done in the performance of official duty.

It is my firm conviction that at the time the Status of Forces Agreement was ratified the American people believed that the United States Government would exercise jurisdiction in criminal cases involving members of our Armed Forces in foreign countries when the immediate superior of the person involved in the alleged offense certified that such person was on a duty status at the time of the alleged offense. What we believed to be a fact, however, seems to be a matter of interpretation by administrative officials of the executive branch of the Government exercising discretion in each individual case.

The rights guaranteed the individual under the Constitution of the United States are inviolate. Under no circumstances can or should they be waived. This is true regardless of how emotionally tense an international situation may become.

In my opinion a repetition of the Girard incident can be prevented, the constitutional guaranties protected, and the executive department of our Government saved from embarrassment by the adoption of a Senate resolution which I am submitting at this time. It reads as follows:

Resolved, That it is the sense of the Senate, that the President of the United States as soon as is practicable take such action as may be necessary, with respect to any treaty or international agreement to which the United States is a party and which contains provisions permitting foreign countries by waiver or otherwise to exercise criminal jurisdiction over members of the Armed Forces of the United States stationed within their boundaries, to modify such provisions to insure that criminal jurisdiction shall not be conferred upon or exercised by a foreign country when the alleged criminal act or omission of a member of the Armed Forces occurs during a time when he is determined by his immediate commanding officer to be in the performance of his official duty.

I sincerely trust that the committee to which this resolution is referred will act promptly and favorably on it. Its adoption by the Senate will bolster and reaffirm what was unquestionably in the minds of the Members of the Senate at the time it ratified the Status of Forces Agreement.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. POTTER. First, I should like to commend the Senator from Florida for submitting his resolution.

It is my understanding that in the Girard case, which has caused so much concern not only in the United States, but in Japan, under an executive agreement, the commanding officer did state that Girard was on official duty. As I understand the Senator's resolution, he would amend any other similar executive agreements which we might have. The host government can appeal the decision of the commanding officer when the commanding officer says the man was on official duty. That decision by the commanding officer should represent the sole jurisdiction in such a case.

Mr. SMATHERS. I thank the able Senator. He is correct.

What happened was that the commanding officer of Girard did say that he was on official duty, and in the performance of his duty. However, there is another provision in the agreement which allows our country or the other country to waive jurisdiction. Apparently the emotional situation became so tense that it was determined to be in the best interests of the United States—certainly not of Girard—that we waive the right which we had, under the previous paragraph, to try the boy.

What is sought by my resolution is to have the President contact each of the countries with which we have entered into status of forces agreements or administrative executive agreements, and say that in the future, with respect to waiver, whenever the commanding officer of a member of the Armed Forces says that the person in question was on official duty, we cannot waive jurisdiction, and the person involved shall be tried under the procedures of the United States Government.

Mr. POTTER. It is my understanding that under the Status of Forces Treaty, when the commanding officer states that the act of omission or commission was committed while the person was on official duty, the commanding officer's decision holds, unless it is changed by negotiation between the two governments.

Mr. SMATHERS. The Senator is correct.

Mr. POTTER. But in this case there was a protocol to an executive agreement. It so happened that in the Girard case there was a provision which was not in our Status of Forces Treaty. Apparently an appeal is allowed from the decision of a commanding officer to a review board representing the United States Government and the Japanese Government, in this case, which takes the man out of the jurisdiction of the Army—in this case—and places him under the jurisdiction of the host government, irrespective of the decision of the commanding officer.

Mr. SMATHERS. The Senator is correct.

Mr. POTTER. I think the Senator's resolution should receive very careful consideration.

The resolution (S. Res. 155), submitted by Mr. Smathers, was referred to the Committee on Foreign Relations, as follows:

Resolved, That it is the sense of the Senate, that the President of the United States as soon as is practicable take such action as may be necessary, with respect to any treaty or international agreement to which the United States is a party and which contains provisions permitting foreign countries by waiver or otherwise to exercise criminal jurisdiction over members of the Armed Forces of the United States stationed within their boundaries, to modify such provisions to insure that criminal jurisdiction shall not be conferred upon or exercised by a foreign country when the alleged criminal act or omission of a member of the Armed Forces occurs during a time when he is determined by his immediate commanding officer to be in the performance of his official duty.

ADDITIONAL FUNDS FOR SENATE OFFICIAL REPORTERS OF DEBATES

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 156) to provide additional funds for the Senate Official Reporters of Debates.

(See resolution printed in full, which appears under a separate heading.)

MARGARET BURNS RAYMOND

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 157) to pay a gratuity to Margaret Burns Raymond, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Margaret Burns Raymond, widow of Allen Raymond, an employee of the Senate at the time of his death, a sum equal to 3 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

MILDRED M. BINNICKER

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 158) to pay a gratuity to Mildred M. Binnicker, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to

Mrs. Mildred M. Binnicker, sister and administratrix of the estate of Byron C. Wanger, an employee of the Senate at the time of his death, a sum equal to 5 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

DAVID JOHN BRENNAN AND JOHN F. BRENNAN

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 159) to pay a gratuity to David John Brennan and John F. Brennan, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to David John Brennan and John F. Brennan, brothers of William M. Brennan, an employee of the Senate at the time of his death, a sum to each equal to 4¾ months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

REPEAL OF SUSTAINED YIELD ACT OF MARCH 29, 1944

Mr. MURRAY. Mr. President, on behalf of myself, the junior Senator from Oregon [Mr. NEUBERGER], the Senator from Minnesota [Mr. HUMPHREY], the Senator from North Carolina [Mr. SCOTT], and the senior Senator from Oregon [Mr. MORSE], I introduce, for appropriate reference a bill to repeal the act of March 29, 1944.

In 1956, the Senate Interior and Insular Affairs Committee and the House Government Operations Committee issued a Joint Report on Federal Timber Sales Policies. The committees called upon the Secretaries of Agriculture and the Interior to review the operation of the 1944 act and to report thereon. The statute under review gave the Secretaries discretionary power to award timber upon the public domain, Indian lands, and the national forests to particular companies or communities.

This law has been applied on the western public domain national forests in Washington, Oregon, California, Arizona, and New Mexico. In the 13 years since this law has been on the books, the Department of Agriculture has created only 5 units which committed national forest timber to selected localities, and only 1 has been created which pooled national forest and private land for the benefit of 1 company.

I should also like the RECORD to show that there are approximately 700 national forest areas where these units could have been created, and on only 6 of them do Federal units or cooperative agreements exist today. In addition, the Forest Service has had a total of 3 applications for pooling private timber with Federal timber; and a public hearing was held on only one of the three. It has received four other applications for the creation of Federal units; hearings have been held on three; and all three were turned down. Thus, I think that it is clear that this law had only limited applicability, when we consider the number of times it has been invoked in the 13 years since its enactment.

The Secretary of the Interior has never created any units under this act. However, he did set up marketing restrictions on the Oregon and California revested lands; but this was done under the O. & C. Act. This year he abolished those marketing restrictions, after holding appropriate public hearings.

When the Secretary of Agriculture made his report to the Congress, he advised me that he would not object to the repeal of the 1944 authority. I, in turn, requested that he send me a bill to accomplish this purpose; and this is the bill I introduce today. I wish to call attention to the fact that the Bureau of the Budget also favors the repeal of this act. The repeal of this act would rescind the authority to create new Federal units or cooperative agreements, but it would permit the continuation of existing units. The Department of Agriculture has advised me that it plans to review the Federal units, to consider whether it will continue them. Apparently it does not plan such a review of the one cooperative agreement that it has.

This one cooperative agreement embraces over 4 billion feet of national forest timber and about 1 billion feet of private timber. The Federal timber is on 111,000 acres, while the private timber is on about 200,000 acres. The one cooperative agreement is a contractual agreement which runs for 100 years, until the year 2046.

There is no time limit on a Federal unit, and it embraces only national forest timber. Furthermore, in a Federal unit there is no contractual relationship between the Government and the community.

It would be sound public policy for the Congress, in considering the repeal of this legislation, to review whether it is desirable to continue either Federal units for an indefinite period or this one cooperative agreement until the year 2046.

I ask unanimous consent that the reports of May 29 and June 24 by the Secretary of Agriculture be printed in the RECORD, in order that the basis for the Department's position may be known to all Members of Congress.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the reports will be printed in the RECORD.

The bill (S. 2466) to repeal the Sustained Yield Act of March 29, 1944 (58 Stat. 132), and for other purposes, introduced by Mr. MURRAY (for himself, Mr. NEUBERGER, Mr. HUMPHREY, Mr. SCOTT, and Mr. MORSE), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The reports presented by Mr. MURRAY are as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D. C., May 29, 1957.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, United States Senate.

DEAR MR. MURRAY: This letter is in response to recommendation G–7 in the report on Federal timber-sale policies of the Subcommittee on the Legislative Oversight Function of the Senate Committee on Interior and Insular Affairs for a report on the results of a review and a recommendation of this Department on Federal and cooperative sustained yield units.

In respect to Federal sustained yield units, your subcommittee specifically requested answers to the following two questions:

1. What in the experience of the agencies has been their actual effect, if any, in practice?

2. Whether these restrictions serve any useful purpose at this time, and if so, in what way.

Specific accomplishments or developments in each of the five established Federal units are:

Vallecitos Federal unit, Carson National Forest, N. Mex.: Established January 21, 1948; contains 74,000 acres with allowable cut of 3.5 million board-feet annually. Establishment of this unit resulted in installation of a modern sawmill at Vallecitos. The standard of living has been raised in this depressed and overpopulated community. Maintenance of restriction on point of manufacture is needed to insure continuance of needed employment in this community.

Flagstaff Federal unit, Coconino National Forest, Ariz.: Established May 6, 1949, contains 900,000 acres with allowable cut of 56.8 million board-feet annually. Sawmill capacity has been maintained and a small pulp mill has been established at Flagstaff. This mill is now being enlarged from 20 to around 80 tons per day capacity. Chips from the major sawmill at Flagstaff will be a substantial raw material source for the 250-ton-per-day pulp plant to be constructed at Snowflake.

Both of these pulp plant developments have been facilitated by the assurance of timber supply provided by the Flagstaff Federal sustained yield unit. Continuance of this unit will assure the availability of raw materials for these two pulp mill developments which for the first time provide for utilization in the southwest of sawmill waste and substantial markets for thinnings and other nonsawlog uses of ponderosa pine and associated species.

Gray's Harbor Federal Unit, Olympic National Forest, Wash.: Established November 2, 1949; contains 117,000 acres with allowable cut of 78 million board-feet. Need for this timber in Gray's Harbor area is clearly shown by the strenuous competitive bidding in this unit. Competition among operators within the unit has resulted in stumpage rates which are comparable to those received in areas outside the unit. Assurance that this backlog of 78 million feet will be available for local use has undoubtedly helped in encouraging maintenance and modernization of the established wood-using industries in his area.

Big Valley Federal Unit, Modoc National Forest, Calif.: Established January 27, 1950; contains 82,000 acres with allowable cut of 8 million board-feet. Timber in this unit has been bid in at appraised prices by one operator, while there has been lively competitive bidding for comparable timber outside of this unit. The steady flow of timber has helped to maintain the principal Big Valley community at about the same level as before establishment of the unit.

Lakeview Federal Unit, Fremont National Forest, Oreg.: Established October 10, 1950; contains 488,000 acres with allowable cut of 53 million board-feet. There has been virtually no competition within the unit since establishment. Since 1950, the lumber industries in the unit have expended about $1,500,000 to improve their manufacturing and remanufacturing facilities. These local mills are exceeding minimum man-hour requirements for lumber refinement and remanufacture established for the unit. The community has shown sound growth and development since establishment of the unit,

although developments there are perhaps no more outstanding than in some other comparable communities which do not have the benefit of a Federal unit designation.

Conditions, problems, and results are different for each of these units but may be summarized as follows:

1. The units have contributed to the stabilization of the communities they were designed to support. There are, however, comparable communities which are in about as good condition without Federal units.

2. The sawmill at Vallecitos, the small pulpmill at Flagstaff and the larger pulpmill planned nearby are specific examples of improvements and projected improvements of manufacturing facilities based on utilization of national forest timber in units. Development on the other units is about the same as incomparable communities without such designation.

3. The degree of timber utilization within Federal units is substantially the same as on comparable national forest areas where no units have been established.

4. With one outstanding exception (Gray's Harbor), there has been virtually no competitive bidding for timber within the Federal units. Stumpage revenues realized by the Government have been less than amounts realized for comparable timber which has been sold without restrictions as to where primary processing must be provided.

The five Federal units now in existence, widely scattered in five different States, were established during the 3-year period 1948 through 1950. No Federal unit has been established since 1950. Public hearings were held since that date on proposed units in Oregon, Idaho, and Texas but in each case the decision was that the proposal did not justify establishment of a unit under the terms of the 1944 act. Proposals for hearings on other Federal units have been denied because they did not qualify under the terms of the act. The five Federal units were established to attain long-term objectives. They have functioned with varying degrees of effectiveness, but have not been in operation long enough to demonstrate their full potentialities. Accordingly, the existing units will be continued, subject to periodic review and reexamination to determine for each unit whether the purposes of the act are being realized. Before any major changes are made in any Federal unit the community concerned will be given opportunity for presentation of views at a public hearing. From consideration of results from established units and experience gained in recent hearings and investigations of proposed units, this Department has concluded that further establishment of Federal units is inadvisable in the foreseeable future.

With respect to cooperative sustained yield agreements, the only established cooperative sustained yield unit is for the Shelton area in western Washington. It was established in December 1946. One other public hearing on a proposal to establish a cooperative sustained yield unit in the Woodleaf area in California was held in 1948. Widespread objection to this proposal, particularly from the local people living within the area, resulted in a decision by the Forest Service not to establish the unit.

Proposals for establishment of cooperative sustained yield units have proven to be highly controversial. They have generally been opposed by the local timber operators other than the potential cooperator and by affected communities other than the one where the timber from the proposed unit would be processed. Operators who have little, if any, backlog of private timber, including even those who might be remotely affected by a proposed withdrawal of national forest timber from competitive bidding, have been particularly active in opposing cooperative units. Most of these objectors have relatively smaller sized operations but larger operators who want to purchase national forest timber have also expressed strong opposition. Organized labor also has opposed cooperative units because such units eliminate competitive bidding and tend to limit employment opportunities in the vicinity of cooperative units to a single employer.

For a number of reasons there has been a significant decrease in the number of timberland owners who desire to commit their lands to this form of cooperative management. In addition, the Forest Service estimates that there are now very few situations which conceivably might qualify for cooperative sustained yield units under the requirements of the 1944 act.

The economic advantages held by a firm which has an assured permanent supply of timber which can be purchased noncompetitively over one which must obtain public timber through competitive bidding have increased many fold since passage of the act in 1944 and establishment of the Shelton unit in 1946. It would not be wise under present intense demands to establish a few selected preferences for noncompetitive purchase of national forest timber. The Department is therefore terminating consideration of further establishment of cooperative sustained yield units in the foreseeable future.

The first 10 years of operation of the Shelton cooperative sustained yield unit were completed last December. This unit has been operated in close conformity to the plan established 10 years ago. The cooperative agreement with the Simpson Logging Co. is a contractual commitment of the United States which runs until the year 2046. The Simpson Logging Co. has acquired an additional approximately 50,000 acres of cutover and second growth timber, which it has committed to the cooperative agreement. Continuance of this contractual arrangement will insure that the more than 200,000 acres of the Simpson Co. land will be cut under sustaining yield limitations during the next 90-year period. This assures stabilized support for communities of Shelton and McCleary. Since the establishment of this cooperative sustained yield unit there has been progressive development of community facilities at both Shelton and McCleary, which, for their size and circumstances, can be rated as superior communities.

It is believed that even the critics of the Shelton cooperative sustained-yield agreement would agree that operations and development are proceeding in a highly satisfactory manner in respect to conditions in the woods and in the dependent communities. The one criticism which has been raised results from the fact that in recent years there have been substantial differences between appraised and bid prices on the rest of the Olympic Forest and the presumption that if the timber in the unit had been sold competitively similar increases over appraised prices would have been obtained. A considerable reduction in the difference between bid and advertised stumpage prices on the Olympic Forest has been obtained during the last 12 months, and we expect to effect further reduction of this difference. It should be borne in mind that through the commitment of the cooperator's lands for a century to this cooperative agreement the Government has been enabled to increase the rate of harvest and regrowth on its lands over the rates which would otherwise have been possible under sound sustained-yield management. The only feasible way to have obtained such a commitment from the cooperator was for the Government to agree to sell its timber noncompetitively as authorized by the act of March 29, 1944. Since enactment of the law and establishment of this unit in 1946, competition for national forest timber in western Washington has increased in an unprecedented and unforeseen manner. On the other hand, incentives to liquidate private timber while the good markets and attractive profit opportunities of the last decade prevailed also increased substantially. Establishment of this cooperative sustained yield unit has and will continue to prevent over-rapid liquidation or undesirable cutting practices in the Shelton area.

In summary, it has been determined to discontinue, for the foreseeable future, further establishment of both Federal and cooperative sustained yield units under the act of March 29, 1944. The contractual rights and obligations of the United States in the cooperative agreement with the Simpson Lumber Co. for the Shelton sustained yield unit will be continued. The five established Federal units will be continued for the present. The desirability of their further continuance will be examined from time to time and not less frequently than at 5-year intervals. Subsequent decisions on continuance of any Federal unit will be based on investigations and on information presented at public hearings.

If, in view of the great changes in conditions since 1944, the administrative experience gained in the application of the Sustained Yield Unit Act as reviewed herein and the lack of opportunities or need to establish additional units, the Congress decides to revoke the authority contained in the act of March 29, 1944, this Department would not object provided that provision is made for the continued administration of established units.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., June 24, 1957.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, United States Senate.

DEAR SENATOR MURRAY: Reference is made to your letter of June 4 requesting a draft of legislation which would revoke the Federal unit and cooperative sustained-yield unit authority of the act of March 29, 1944.

Attached is a draft bill which would repeal those authorities but would not affect the sustained-yield units heretofore established under the act.

You inquired as to authority for cooperative agreements between Federal departments. The draft bill makes no exception with respect to the authority under section 4 of the act (16 U. S. C. 583c) regarding interagency agreements. This is because (a) the interagency authority under section 4 pertains only to land-management plans authorized by the March 29, 1944, act and (b) other authority to cooperate with Federal agencies is considered to be ample.

We would have no objection to the enactment of this bill.

The Bureau of the Budget advises that there is no objection to the submission of this draft bill.

Sincerely yours,

E. T. BENSON,
Secretary.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. GORE:

Statement by Senator MONRONEY entitled "Oklahoma Today."

By Mr. DOUGLAS:

Radio panel discussion entitled "Labor Answers Your Questions" on the subject

Labor's New Broom, No. 2, among Al J. Hayes, chairman of the AFL-CIO ethical practices committee, AFL-CIO; Senator DOUGLAS; and Senator MORSE.

By Mr. ROBERTSON:

Messages from Representative BROOKS HAYS, president of Southern Baptist Convention, and Gov. Thomas B. Stanley, of Virginia, on the occasion of the laying of the cornerstone of the Quaker Baptist Church; a list of contents of cornerstone box; and a chronology of the Quaker Baptist Church.

By Mr. ALLOTT:

Statement entitled "Baseball and the Antitrust Laws," prepared by Spencer M. Beresford.

By Mr. WILEY:

Article entitled "Window on Asia Is Still Murky," written by Malvina Lindsay, published in the Washington Post and Times Herald of July 1, 1957.

NOTICE OF CONSIDERATION OF NOMINATIONS BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, the Senate received today a list of 100 names of persons for appointment and promotion in the Foreign Service, and consular and/or diplomatic appointments for Foreign Service officers, staff officers, and Reserve officers.

I desire to give notice that these nominations will be eligible for consideration by the Committee on Foreign Relations at the expiration of 6 days, in accordance with the committee rule. The list will be found elsewhere in the proceedings of the Senate today.

THE UNITED STATES AND THE MIDDLE EAST

Mr. SMITH of New Jersey. Mr. President, in 8 short months, United States concern with the Middle East has helped in bringing about a number of significant successes for the forces of stability and law in that critical area. Our entrance into the Middle East was prompted by the realization of its vast importance in the struggle between the free nations and communism. We have assumed a responsibility of high magnitude which will necessitate that constant exercise on our part of wisdom, patience, fairness, and statesmanship.

Our underlying endeavor is to assist the Middle East nations to attain economic self-sufficiency, independence, and self-determination. United States policy will be vindicated in proportion as the nations of that area make gains toward these ends.

Already, Mr. President, results are being secured under the aegis of the American doctrine. The recent election victory of the pro-Western government in Lebanon and the growing strength of the government of King Hussein in Jordan are manifestations of the beneficial implementation of American policy.

The surface has barely been scratched, as we all recognize; and a vast effort lies ahead. However, it is heartening to witness these initial successes for the forces of freedom. The New York Times of July 2, called attention to these achievements in an editorial entitled "Middle East Gains"; and I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MIDDLE EAST GAINS

The Eisenhower doctrine for the protection of the Middle East against Communist aggression has scored two further successes which increase its value as a stabliizing factor in this explosive area.

One of these successes is the smashing victory of the prowestern Government of Lebanon in a national election which was in effect a plebiscite on the doctrine. After completion of the fourth and last round in the election, the Government, which accepted and espoused the doctrine, has won 50 out of a total of 66 seats in the new Parliament and on foreign policy can also count on the support of 3 prowestern independents. The opposition, which denounced the doctrine, with open backing by Soviet and Egyptian fifth columns, could capture only 13 seats. Where the issue was dramatized by such a well-known prowestern personality as Foreign Minister Malik, Lebanon's long-time representative in the United Nations, the Government policy won by nearly 50 to 1.

The other success is the consolidation of Jordan's anti-Communist government under King Hussein to the point that it can now dare what it could not dare before—to accept American military and economic aid. This aid will replace both the former British subsidy, which King Hussein was forced to renounce, and the promised assistance on which Egypt and Syria welshed. Supplemented by aid from friendly Saudi Arabia and Iraq, and possibly by British loans, it should keep Jordan from going bankrupt.

It will, however, scarcely solve the impoverished kingdom's long-term problem. That can be achieved only by large-scale development involving both the utilization of the Jordan River waters and the resettlement of the refugees who constitute a large and unstable element in Jordan's population. The present realignment of forces in the Middle East should facilitate at least a start toward a solution of these problems, which are the real keys to final peace for the whole area.

ENDORSEMENT BY THE KALISPELL CHAMBER OF COMMERCE OF FEDERAL AID TO EDUCATION

Mr. MURRAY. Mr. President, I rise to commend the national affairs committee of the Kalispell, Mont., Chamber of Commerce. This committee has concluded, and has so advised me, that Federal aid to education is needed, and that, specifically, H. R. 1, the Kelly bill, as approved by the House Education and Labor Committee, should be passed.

It is noteworthy when a local chamber of commerce group endorses Federal aid to education. The national chamber of commerce opposes this needed aid for schoolroom construction. Many of the local chambers, without making their own independent survey, parrot the line of the national organization. Some of the local chamber members in Montana, I may add, reconsider their flat stand against all Federal aid to education when they are reminded of the aid that is going to ther own communities under the 81 existing programs of Federal aid to education.

Mr. President, I ask unanimous consent to insert in the RECORD immediately following these remarks the pertinent portion of the letter I received from D. J. Korn, chairman of the national affairs committee of the Kalispell chamber.

May the action of these Montanans bestir other members of chambers of commerce to study educational needs and to help enact, rather than to oppose, the proposals for providing desperately needed facilities for this Nation's schoolchildren.

There being no objection the excerpt from the letter was ordered to be printed in the RECORD, as follows:

DEAR SENATOR MURRAY: The national affairs committee of the Kalispell Chamber of Commerce is composed of 25 respective members of the community of both political parties. The subcommittee chairman on the various subjects assigned to the national affairs committee include such men as D. Gordon Rognlien, J. H. Hawkins, Matt Himsl, and E. B. Foot. The report of the national affairs committee, made to the board of directors from time to time, is based upon the specific findings of its subcommittees. At several recent meetings of the board of directors, these findings were presented to the full board, discussed at length in open meeting, and the board has authorized and instructed the national affairs committee of the chamber to notify our Senators and Representatives in Congress of the following action taken by the board of directors on the various topics considered, as follows:

1. Education:

That there are many areas where schools are sorely needed to meet some particular circumstance where the tax base is such that money is not available for school purposes, and that Federal money is the only source which can provide the needed building program.

That H. R. 1, having received bipartisan support in its amended form of $300 million per year for construction purposes and without Federal controls, should be supported and passed. * * *

Very truly yours,

KALISPELL CHAMBER OF COMMERCE,
D. J. KORN,
Chairman, National Affairs Committee.

PROPOSED REFERENDUM ON CIVIL-RIGHTS LEGISLATION

Mr. NEUBERGER. Mr. President, on July 2 the distinguished senior Senator from Georgia [Mr. RUSSELL] proposed that the pending civil-rights legislation be submitted to a referendum of the people.

As one rank-and-file supporter of such legislation, I would be willing to accept that suggestion. I propose that the voters of all 48 States be permitted to have a plebiscite at the ballot box on the civil-rights bill now on the Senate Calendar—the bill which passed the House of Representatives in June.

I am completely, entirely, and wholly willing to abide by the results of such a referendum. If the people of the country, by majority vote, either reject or accept the civil-rights proposal, that verdict will be determining with me.

I wonder if this is the kind of national referendum which the senior Senator from Georgia had in mind. I certainly hope this is the case, and that the test can occur just as soon as possible.

Of course, Mr. President, in announcing that I am willing to abide by the outcome of such a plebiscite, I am speaking for myself only, and not for my

fellow sponsors of civil-rights legislation; for I am not authorized to speak for them.

As one of the Senators from Oregon, which was the first State ever to adopt the initiative and referendum, I am particularly in favor of the proposal of the distinguished Senator from Georgia. Incidentally, Mr. President, it is significant that our fine Southern States, which now urge a referendum on civil rights, have not seen fit to put into effect at their own State levels the initiative and referendum machinery which Oregon first adopted over half a century ago, back in 1902.

SONIC BLASTS

Mr. KUCHEL. Mr. President, my office has received a considerable number of complaints alleging damage, fright, and discomfort by reason of the activity of supersonic military aircraft in southern California as they pass the so-called sound barrier. We can all remember the tragedy that occurred in the southern part of my State a number of weeks ago at the community of Pacoima, where, by reason of a collision in the skies above that area, many schoolchildren were killed and maimed by the falling wreckage of colliding planes.

This question of supersonic military aircraft, Mr. President, creating what is called a sonic boom, presents a dangerous problem to populous areas over which military aircraft are conducting flight operations.

The Los Angeles City Council on two occasions has adopted resolutions asking the Federal Government, and particularly the Military Establishment, to eliminate this continuing hazard. I have engaged in a number of conferences, and I have reduced to writing the views I have upon the subject. I ask unanimous consent that a copy of the letter which I recently wrote to the Civil Aeronautics Administration and a copy of the letter which the Secretary of Commerce wrote to the Secretary of Defense, by reason of my comments, be incorporated in my remarks at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JUNE 7, 1957.

Mr. WILLIAM B. DAVIS,
Deputy Administrator, Civil Aeronautics Administration, Department of Commerce, Washington, D. C.

DEAR MR. DAVIS: As I explained during our telephone conversation yesterday, the repetition of so-called sonic blasts in the Los Angeles metropolitan area and in suburban communities has become a problem of grave proportions and no little significance.

I am gratified to learn that the Civil Aeronautics Administration is cognizant of the feeling of residents of the area where such blasts have occurred. At the same time, I feel strongly that more vigorous steps must be taken to prevent recurrences of such instances as those which have prompted the Los Angeles City Council on two occasions to adopt resolutions calling upon appropriate authorities to impose and enforce stringent restrictions against the type of flying which results in such blasts.

The people of the Los Angeles metropolitan area have been assured on a number of occasions that regulatory measures would be or were being taken to limit experimental flying over the heavy-populated sections of this portion of southern California. Despite such assurances, they continue to be alarmed and on occasions made the victims of property damage by aircraft which apparently set up strong shock waves by flying at sonic speeds. In my estimation, property owners, residents, and others in the cities and towns where such blasts have been experienced are thoroughly justified in showing apprehension and in demanding more drastic action to restrain pilots and limit aircraft which are capable of producing such effects as broken windows and cracked plaster.

I do not know exactly what course might be followed to solve this problem. But I am convinced that the exercise of regulatory and police powers delegated to the Civil Aeronautics Administration is warranted to safeguard the civilian population residing and working in these areas. I earnestly hope that the CAA can find a means of giving a greater sense of security to these people and of bringing quickly to an end the disturbances which from time to time have caused real fright as well as considerable discomfort and disturbance.

I am grateful for your letter of May 8, in which you express confidence that "much progress has been made toward solving this problem." At the same time, I must share the feeling of residents of the Los Angeles area that recent experiences offer little reason for confidence that there will be "continued improvement toward eliminating the inadvertent sonic blast" through the measures so far taken.

I am taking the liberty of sending a copy of this communication to the Secretary of the Air Force in the hope it will prompt that branch of the armed services to consider again the possibility of taking action to supplement any further efforts the CAA may initiate.

With kind regards,
Sincerely,

THOMAS H. KUCHEL,
United States Senator.

THE SECRETARY OF COMMERCE,
Washington, D. C.

The honorable the SECRETARY OF DEFENSE,
Washington, D. C.

DEAR MR. SECRETARY: During the past 6 months, there has been a sharp increase in the number of complaints received by the Civil Aeronautics Administration of this Department from citizens and Members of Congress about the noise of so-called sonic blasts and actual property damage claimed.

The majority of these complaints so far have been coming from the greater Los Angeles metropolitan area, but we have received others from the east coast and the Middle West. It would seem that this problem is on the increase with the placing of more and more supersonic aircraft in military tactical squadrons. As you would expect, the identification of aircraft causing the blasts has so far been impossible because of the altitude and speed of the operation.

These sonic blasts are caused by highly compressed shock waves of air coming off the aircraft's leading and trailing wing edges when the speed of sound is exceeded. It is very difficult for the engineers to predict exactly how or in what maneuvering position the aircraft must be for the shock waves to reach the ground. It can happen in level flight under certain air conditions, but it is their belief that such shock waves usually reach the ground when the aircraft is in a diving attitude.

We have determined that many military commands have designated a specific area for the practice of maneuvers at supersonic speeds that would most likely cause sonic blasts to reach the earth. This, of course, has done much to alleviate the problem, but it still exists over large metropolitan areas. Our Los Angeles CAA office has held several meetings with factory and military command representatives, as well as with city officials, in an effort to put a stop to this annoying phenomenon, but so far they have only been able to improve it. We have explained to the citizens and the Congressmen the difficulties in determining the precise aircraft that have repeatedly caused damage. However, as might be expected, a person who has suffered actual property damage or frightening annoyance is not satisfied with anything but controlling action.

I am writing this letter to you because the only aircraft in use today in the United States capable of causing sonic blasts are operated by the various military services. As far as we can determine, there has been no incident of this sort that involved an actual violation of any of the civil air regulations, which makes it difficult for us to take any positive action. I would appreciate, and I am sure the citizens affected will also appreciate, any action you can take to call the attention of the various military commands to this problem, urging them to do everything in their power to correct it.

I am enclosing a copy of a recent letter from Senator KUCHEL, of California which outlines rather well the feelings of his constituents in the Los Angeles area.

Sincerely yours,

———,
Secretary of Commerce.

Mr. KUCHEL. Mr. President, I am grateful to the Department of Commerce for recognizing the problem involved and for urging the Defense Department, by regulation and otherwise, to give civilians protection from the activities of aircraft in this supersonic age, when, by reason of passing the sound barrier, people in homes suffer various kinds of damages, discomfort, and fright.

THE HELLS CANYON DAM

Mr. MURRAY. Mr. President, the Washington Post and Times Herald this morning carried an editorial commenting on the action of a subcommittee of the House Committee on Interior and Insular Affairs yesterday which was adverse to the proposed high Hells Canyon Dam.

Foes of the dam have said this subcommittee action kills the high dam as "dead as a dodo bird."

The Washington Post comments that if that is true "it will rise from its ashes and plague the Republicans who killed it."

Mr. President, it will rise from its ashes to haunt and plague not only the power trust's subservient political party, it will rise from its ashes to plague the power trust, and the great eastern financial institutions who manipulate it, as well.

There is a tremendous waste of resource potential involved in construction of three little runt dams instead of giant Hells Canyon Dam in the Snake River Canyon. Half the power potential will be lost. Millions of acre-feet of flood control storage capacity will be lost. Economic development in the West will be retarded by the waste of low-cost power potential. Human lives may be the price of wasted flood control possibilities.

These losses, and these ultimate costs, are the price the Nation will have to pay

to satiate the greedy appetite of the power trust and the great eastern financial institutions who are the largest stockholders in the operating companies.

It is too great a price to pay, and one day the American people will retire from office—as the Western States have retired from office—all those officials who have backed such a giveaway, and again deal with the excessive greed of these private interests as it had to do in the Insull days.

It is my hope that the full House Committee on Interior and Insular Affairs will reverse the action of its subcommittee and report the Hells Canyon bill to the House for passage. It is my hope that there will be some sober second thoughts about high Hells Canyon and the excessive price the Nation will have to pay if it is not built.

Mr. President, I ask unanimous consent to have the Washington Post editorial printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OVER THE DAM

The Hells Canyon Dam project may be, as Representative SAYLOR put it yesterday, as dead as the dodo bird; but we are inclined to think that, like the phoenix, it will rise from its ashes to haunt and plague the Republicans who killed it. The death of this project means that the choicest undeveloped dam site on the North American Continent will go to waste. It means that the Northwest region of the United States will not get the full power potential it needs for the realization of its industrial capacities. It means that the Snake River will not be harnessed and developed as wisely as prudent engineering would permit in terms of irrigation, flood control, and power potentialities. This may be a victory for private power over public power. But it is a defeat for sound development of the Nation's natural resources.

Of course the real mischief was done when previous Congresses rejected this project long before any license had been issued for construction of the Idaho Power Co.'s lesser dams. Some members of the House subcommittee which rejected the Senate-passed bill may have concluded that, after large sums have been spent on the private dams, it was too late for Congress to change its mind. The outcome ought to be a reminder to Congress that, though opportunity may knock more than once, it does not necessarily keep pounding on the door forever.

PROPOSED SENATE COMMITTEE ON VETERANS' AFFAIRS

Mr. POTTER. Mr. President, the United States Senate has sometimes been called the cave of the winds because of a certain amount of talk that swirls about in this Chamber.

Today I shall add a few metaphors of my own to those deliberative breezes. If the metaphors are jagged and scrape the shins of certain distinguished Members, they should remember that this is done as a last resort. I have tried everything else to get action on my resolution, Senate Resolution 36, which now reposes in the Committee on Rules and Administration.

The resolution provides that Senate rule XXV shall be amended to establish a standing Committee on Veterans' Affairs in the Senate. It has been pigeonholed for 5 months.

Hardly a day goes by, Mr. President, that I do not receive complaints from men and women who have served in the United States Armed Forces. As individuals and through their veterans' organizations, they are seriously questioning this state of affairs.

Pigeonholing, of course, is an old technique. It has been applied to a succession of previous resolutions for a Veterans' Affairs Committee. First, the resolutions are permitted to gather dust, then they take on the musty odor of old paper. By now, I should think, the document files of the Committee on Rules and Administration would smell like a morgue, for there lie the moldering corpses of resolutions providing for a Veterans' Affairs Committee.

Mr. President, tomorrow is the Fourth of July. It is the day on which this Nation will pay tribute to the spirit of freedom embodied in the Declaration of Independence. Almost two centuries ago a small band of brave men met to sign their names to a document which was to become the rock upon which our Nation has built a shining edifice of freedom.

Tomorrow many of us will return to our own States to make Independence Day speeches. Every word of the Declaration of Independence will be recalled with emotion. I should like to read one sentence from that historic document today:

> And for the support of this declaration, with a firm reliance on the protection of divine providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

"We pledge our lives," the Founding Fathers said. Mr. President, of our millions of men and women, which group of Americans has been called upon to fulfill this great pledge? Which group has gone into the valley of the shadow for the principles of the Declaration of Independence?

The American veteran has done so. It is in his behalf that I speak today. He is being short-changed.

A Senate veterans committee was first proposed in 1946. At that time the joint committee on the reorganization of Congress made provision for a veterans affairs committee in the Senate. It was stricken from the final bill, however, because the two-committee limitation would have deprived the new group of the long experience in veterans' affairs possessed by Finance Committee members, who then held exclusive jurisdiction in these matters. Former Senator La Follette observed at the time that a veterans committee would become a necessity in the near future, if only to relieve the Finance Committee of an overwhelming burden.

Shortly afterward, responsibility for handling veterans' problems was divided between the Finance Committee and the Labor and Public Welfare Committee. And there lie our veterans' problems today, gathering dust beneath hundreds of other bills on which these committees place a higher priority.

Since that time, Mr. President, former Senator Ferguson made an attempt to pass such a resolution. He was supported by a bipartisan coalition of 34 Senators. But nothing came of their efforts. Later, in 1953, Senator Ferguson made another try. And last year the Senator from Oregon [Mr. MORSE] and the Senator from Idaho [Mr. DWORSHAK] submitted resolutions similar to my own.

Today there are 22 million veterans in the United States. Together with their dependents, they represent almost half the population of the United States.

Surely the most fitting way the United States Senate could observe Independence Day, 1957, would be to establish a committee empowered to give proper attention to veterans' matters.

We owe these patriotic men and women undivided and full consideration of their special problems. This demands top priority. It is my understanding that this proposal has the support of the American Legion, Veterans of Foreign Wars, AMVETS, and Disabled American Veterans. I shall continue to work with these groups to make a Senate veterans committee a reality.

The interests of this group probably are more specialized than any other one segment of the American people. And yet their affairs continue to be tossed into the overloaded hamper of two committees, Finance and Labor and Public Welfare, which right now have enough work for half a dozen committees.

The standing committee I propose would consider proposed legislation covering pensions, life insurance, compensation, vocational rehabilitation, education, veterans' hospitals, medical care, civil relief, and readjustment of servicemen to civil life, housing, and all other matters relating to veterans.

If it were true in 1946 that the Finance Committee carried a tremendous burden, it is 12 times truer today. Our growing population is adding to their burden every day and veterans' affairs have piled up. According to my mail, our war veterans are becoming more and more disillusioned with the Senate. Where do they channel their inquiries? Not to the Senate of the United States, but to the House of Representatives. This single fact should shame the Senate into action. These men and women who have served their Nation in time of war, Mr. President, avoid the Senate. They go to the House of Representatives because that body had the wisdom to organize a committee specially designated to handle veterans' affairs.

The veterans are not asking for backstairs influence.

They are not asking anyone to pull strings.

They do not want any more stalls or flimsy stories about veterans' affairs already receiving adequate treatment in the Senate, or letters dishing them paragraphs of gobbledygook.

They want a committee.

Mr. MORSE subsequently said: Mr. President, I noted that earlier today the Senator from Michigan [Mr. POTTER] made a comment regarding his bill for the creation of a standing Senate Committee on Veterans' Affairs.

As he knows, for some time I have supported the same proposal. I wish him to know that I completely agree with the observations he made today.

As the CONGRESSIONAL RECORD will show, I have discussed this question a number of times. In my campaign last fall, I pledged to the veterans' organizations in my State that I would do all I could to have established a standing Senate committee on veterans' problems. So I desire to associate myself with the Senator from Michigan, in connection with this matter.

I wish to say now—as he said more eloquently earlier today than I could—that I think such a change in the Senate committee rules is long overdue. The veterans' organizations in the United States are entitled to have a standing Senate Committee on Veterans' Affairs created, so the veterans will not be pushed around from committee to committee, with no Senate committee having sole jurisdiction over their affairs. The matter is so important that I would be perfectly willing to support a motion to discharge the Committee on Rules and Administration from the further consideration of the Senator's resolution and to bring it to the floor of the Senate, if we cannot get some action taken by the Committee on Rules and Administration on the requests by innumerable veterans' organizations for prompt consideration of the proposal to establish a standing Senate Committee on Veterans' Affairs.

I hope my support does not shock my friend, the Senator from Michigan. I want him to know that on this issue we stand together.

Mr. POTTER. Mr. President, let me say that I appreciate the remarks of the distinguished senior Senator from Oregon. In my statement I pointed out that he has long been a supporter of the proposal I have advocated.

As the Senator from Oregon has pointed out, the veterans run into a frustrating situation in connection with the consideration of their problems by Senate committees. Whereas the House of Representatives has a standing Committee on Veterans' Affairs, no standing Senate committee has, as one of its assignments, major concern for such problems.

So I welcome the support of the Senator from Oregon. I know that with his enthusiastic support there soon will be established a standing Senate Committee on Veterans' Affairs.

Mr. NEUBERGER. Mr. President, I should like to say that today there occurred in the Senate an episode which I believe illustrates the validity of the point of the Senator from Michigan and the senior Senator from Oregon. A bill was passed by the House of Representatives dealing with social security and veterans' benefits, which provided that a veteran who had been disabled in military service, and later also had been totally disabled at a civilian job, could draw social-security benefits and also receive compensation from the Veterans' Administration. This seemed to me certainly fair and justifiable. But under the Senate version of the bill—and the bill was not considered by a committee dealing directly and exclusively with veterans' affairs—that privilege was denied to veterans. It is my hope such examples as this will serve to demonstrate the cogency of the argument made by the Senator from Michigan earlier today and by the Senator from Oregon at this time.

INFLATION IN UNITED STATES AND STATEMENTS OF THE PRESIDENT THEREON

Mr. NEUBERGER. Mr. President, last Wednesday at a White House press conference President Eisenhower was asked for his appraisal of "just how serious the threat of inflation is now." In answering this question the President declared that "a very considerable amount" of the rise in the cost of living is due to "the deliberate policy to bring to the farmer his own proper share of national income."

Because President Eisenhower's reply represents such an astonishing example of political buckpassing and erroneous economic conclusions, I would like to read to the Senate that portion which relates to his charges against the American farmer:

> Well, you have had the beginnings of a type of inflation, because, after having been successful over a period of almost 4 years in keeping the cost of living from rising more than a percent or two—I've forgotten exactly—within the past year, we now have it going up more rapidly, and that becomes alarming, because the curve bends upward.
>
> Now, part of that, of course, is due to the deliberate policy to bring to the farmer his own proper share of national income. We say "proper share"—and I am not exactly sure what that means—but, as you know, they have taken certain years to be representative of justice in this matter, and have tried to approach that through all sorts of laws.
>
> We are still—the whole country is still—experimenting with laws in that question.
>
> But that has accounted for a very considerable amount of this increase in cost.

At the outset, I might nudge the President's lagging memory by pointing out that in December 1952 the Consumer Price Index stood at 114.1. The Labor Department reported last week that the cost of living rose three-tenths of 1 percent in May to 119.6—its ninth consecutive record high and 3.6 points above a year ago.

Before blaming the United States farmer and Federal farm programs for the current inflationary trend, the President should recall these facts:

First. Programs designed to stabilize farm prices and income represent only a small portion of total Federal expenditures, and could hardly be classed as major causes of inflation. Of the President's budget for fiscal year 1957 only 3 percent was allocated to such programs while interest on the Government debt accounted for 10 percent, veterans services for 7.4 percent and national security for over 61 percent.

Second. In recent years total farm income has shrunk rather than expanded as prices paid farmers declined. This certainly cannot be regarded as an inflation-promoting tendency.

Using the 1947–49 economic base, we find that by the end of 1956, net farm income from all sources, including net changes in inventories, had decreased 10.8 percent, while prices paid by farmers for commodities, services, interest, taxes and wage rates increased 14.4 percent. During this same period corporate profits increased 47 percent and corporate dividends 69 percent.

These statistics become even more significant when we consider that in 1956 farm income rose about 4 percent, the first improvement since 1951 and reversal of a trend that pushed the average of farm prices down almost 23 percent in 5 years, while corporate earnings in 1956 declined approximately 1.6 percent from the peak year of 1955. In other words, even though agriculture made its first real gain in 5 years and industry slipped slightly over the previous year, farmers are receiving less than they did in 1947–49 while corporation earnings have increased nearly 50 percent.

Yet President Eisenhower declares, apparently on the basis of this tiny increase in farm income during 1956, that our agricultural industry is a principal cause of inflation.

In his discussion of inflation, President Eisenhower referred to policies to provide the farmer with his proper share of national income and confessed his ignorance of what such a phrase means. I would like to indicate very briefly, but I believe graphically, the problem faced by America's farmers.

In 1953 average net per capita income of the farm population was $930–$665 from farm sources and $265 from nonfarm sources. National per capita income of the nonfarm populace of the United States in 1956 was $1,875. In 1956 per capita income of the farm population was $889—$599 from farm sources and $290 from nonfarm sources. National per capita income for the nonfarm populace in 1956 was $2,010.

Thus from 1953 to 1956 net per capita income of the farm population decreased $41 while per capita income of the nonfarm population rose by $135.

I would also draw to the President's attention a report issued by the House Agriculture Committee this spring which showed that the average worker's family paid 5 percent more and farmers received 17 percent less in 1956 for the same kinds and quantities of food purchased in 1947.

This is what we are talking of when we discuss methods of insuring that our farmers receive their proper share of the national income. Judging by the President's knowledge of this problem as evidenced by his remarks last Wednesday, it will be a long time before we reach this goal for American agriculture if we rely on the present administration to lead us.

DEPORTATION OF HUNGARIAN REFUGEES

Mr. THYE. Mr. President, on June 14, 1957, I placed in the CONGRESSIONAL RECORD a newspaper article referring to three Hungarian refugees who were found to be penniless and homesick in

the State of Minnesota after they had been arrested on a traffic violation charge. I placed that article in the RECORD for the specific purpose of calling attention to some very unfortunate people. At the same time I made known to Congress that I was asking General Swing, Director of the Immigration and Naturalization Service, to grant a 2-week deferment in the hearing which was scheduled to be held in St. Paul to determine the disposition of the case of these unfortunate Hungarians.

General Swing granted the deferment. I received a communication from him, together with a complete report referring to the case. The subject is of sufficient importance that I should read the letter and report from General Swing:

JULY 1, 1957.

Hon. EDWARD J. THYE,
United States Senate,
Washington, D. C.

DEAR SENATOR THYE: Attached for your information is a brief résumé of developments to date in the cases of Bela Kutasy, Sr., Bela Kutasy, Jr., and Josef Nagyar, the Hungarian refugees who recently illegally entered the United States across the Canadian border.

Sincerely,

——— ———, *Commissioner.*

Following the apprehension of the three Hungarian refugees who had illegally entered the United States by crossing the Canadian border, the Immigration and Naturalization Service issued orders to show cause why they should not be required to leave the United States. The refugees were released from custody promptly upon the posting of bond in their behalf in the sum of $500, and a hearing was scheduled for June 14.

Because of the possible unfavorable international implications and for the purpose of affording more time to study the matter, the Immigration and Naturalization Service upon the request of Senator EDWARD J. THYE postponed the scheduled hearing for 2 weeks.

The Immigration and Naturalization Service promptly began negotiations with the Canadian immigration authorities regarding the status of these refugees and their resettlement in Canada. At the same time, conferences were held between officers of the Immigration and Naturalization Service and the attorney for the refugees, as well as representatives of religious and civic groups.

These discussions brought out the fact that one of the refugees had a distant relative residing in Montreal, and that this, coupled with possibly more favorable employment opportunities in the Montreal area, would be conducive to satisfactory adjustment in Montreal rather than in the Alberta area where the refugees had left. The refugees, and all others concerned, were in agreement that they should return to Canada and settle in Montreal.

The Canadian authorities were most sympathetic and cooperative in working out a solution, and gave assurances that the refugees would be accepted into Canada and assisted in reaching their destination. It is understood that the Canadian immigration officials have volunteered to assume the costs of transporting the refugees from Winnipeg to Montreal. The Catholic diocese in the St. Paul area has been most active in seeking a solution in this matter and has also undertaken to pay the fares to Montreal.

Pursuant to these understandings, the refugees agreed to voluntarily return to Canada as soon as transportation arrangements have been made. This has been done, and they are scheduled to depart today on Northwest Airlines at 8:35 a. m. for Winnipeg, where they will be met by representatives of the Catholic diocese and assisted in completing their journey to, and resettlement in Montreal.

Mr. President, I am happy that the ending of the unhappy experience of these unfortunate refugees has been pleasant and satisfactory to the refugees. I am confident that they will start their new life in a new country under much happier circumstances than they thought possible when they crossed the border from Canada to Minnesota and found themselves involved in a minor highway incident.

NEED FOR MODERATE-INCOME HOUSING

Mr. CLARK. Mr. President, 2 days ago, during the discussion of the conference report on the housing bill, I had occasion to refer to an article published in the Philadelphia Inquirer pointing out that pay increases have put thousands of moderate-income families out of public housing, and that many of them had to return to the slum conditions from which they had moved into public housing.

I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PAY RISES PUT THOUSANDS OUT OF PUBLIC HOUSING HERE

(By Saul Kohler)

More than 1,000 Philadelphia families have been evicted from public housing developments and told to shift for themselves—even if it means a return to slum living—the Inquirer learned yesterday. They were forced to move because their incomes were above the prescribed limit for living in a development. Although the difference between public and private rentals is at least 20 percent, a 1-percent income rise can put a family on the street.

The difference is accentuated by the fact that public housing rents include all utilities, while private rentals generally do not.

GOT EVICTION NOTICES

In the past 5 years, a total of 1,010 families were given eviction notices, an Inquirer survey shows. Here is the breakdown:

1952	428
1953	221
1954	86
1955	101
1956	128
1957 (first quarter)	46

Each year, the Philadelphia Housing Authority examines the incomes of 11,000 families living in 19 developments. As soon as a figure goes above the prescribed maximum, the ax falls. The family gets 6 months to move and, if it fails to do so, eviction proceedings are started in the common pleas court.

NO AID GIVEN

The family gets no help in finding new quarters. Some are fortunate and can use their savings for a downpayment on a home. But with mortgage rates what they are today, most of them are left to the mercy of private housing.

The jump in salary may be minute—the jump in rents may be terrific. And many of the families, unable to buy homes and unable to pay the high rents for a decent place to live, return to the substandard housing they occupied before they were given clean, modern quarters in a development.

Walter E. Alessandroni, executive director of the Housing Authority, said the law does not provide for help in finding another place to live.

"The Redevelopment Authority and local real estate agents cooperate with us by posting available places," he said. "But after that, these people have to shift for themselves."

Alessandroni said it is unfortunate that the line must be drawn so rigidly. But the limits are set down by Federal law and, except for deductions such as union dues, uniforms and tools, they must be observed.

"These 'borderline' people are the ones we need as tenants in public housing," Alessandroni said. "Believe me, it doesn't make us happy to evict them to heaven knows what. These are the people who have the 'oomph.' They are the leaders, they are the ones most able to better themselves. From this group, you get the scout leaders and the Sunday school teachers.

"The Government's theory is that these are the people who should be evicted because they have the spirit to go ahead. Yet it doesn't always work that way and some of them end up back where they came from."

Here are the income limits for the dwellings which range in gross rent from $25 to $65 a month, depending on income and size of family:

Size of family	Admission		Continued occupancy
	Regular	Special	
1 or 2 persons	$3,200	$3,800	$4,000
3 or 4 persons	3,300	3,950	4,100
5 or 6 persons	3,500	4,200	4,350
7 or more persons	3,700	4,400	4,600

The special limit on admission applies only to those families whose private dwellings have been taken from them by public action—to make way for a highway or bridge approach or to be redeveloped.

MAY LAND IN STREET

For example, a man and wife with 2 children may not have an income of more than $3,300 (including a $100 exemption for each child and the allowable deductions) when they apply for admission to a development. If their home is to be razed for a bridge approach, their income may reach $3,950 on application. Once they move in, they may earn no more than $4,100. If the salary hits $4,200, the family runs the risk of finding its furniture on the street.

Such a family pays $56 for a two-bedroom apartment. The rent includes light, gas for cooking, heat, water, and janitor service, in a modern, light, airy building equipped with an elevator. The Housing Authority estimates that a similar apartment would rent for $70 to $80, plus utilities, on the private market.

PAY, RENTS COMPARED

At intervals of 2 to 5 years, the Federal Government orders a revision of the rents and salary limits. The last revision was completed 2 years ago. The Housing Authority must take a survey of comparability by checking the average of low-income salaries in Philadelphia industry and rents in comparable living quarters on the private market.

Should the salary limits be raised now?

Alessandroni thinks not. He cites the fact that there is a waiting list of 5,000 families who desperately need decent, low-rent quarters. Instead, he has proposed that a small percentage of ineligibles be retained in housing project—at private rental rates—to provide the leadership and add some "class." He said the plan had been rejected "because you cannot lay out a pattern that won't hurt someone."

The problem, then, rests in the class of people who earn too much to live in develop-

ments and too little to rent decent quarters elsewhere. Development Coordinator William L. Rafsky thinks more should be done for these people.

"Public housing should still aim at the families that need it the most, those earning less than $3,500," he said. "But the question is: Do you make public housing a device to care for the lowest strata and then let them shift for themselves when they go up?"

Mayor Richardson Dilworth has taken a similar position. Dilworth also has advocated that smaller developments be scattered throughout the city to minimize problems, such as minority groups.

Mr. CLARK. Mr. President, the end result is that new emphasis is given to the need for moderate-income housing such as proposed by the Senator from Alabama [Mr. SPARKMAN] but which was rejected during the conference. I hope that the measure can be resuscitated in the Senate.

THE JENCKS CASE: PROPOSED AMENDMENT TO S. 2377

Mr. MORSE. Mr. President, on Monday, July 1, the Committee on the Judiciary reported S. 2377, designed to regularize the procedure declared by the Supreme Court to be essential to due process in the Jencks decision of June 3, 1957.

The report on the bill declares:

> The proposed legislation, as reported, is not designed to nullify, or to curb, or to limit the decision of the Supreme Court insofar as due process is concerned.

Despite this statement, I fear that the bill, based upon the draft of the Department of Justice, would, in its present form, do what the committee report states is not intended. So far as the committee is concerned this result appears to be inadvertent.

Therefore, I am submitting an amendment for myself and Senators NEUBERGER, MURRAY, CLARK, HENNINGS, and LANGER, in the hope that the committee and the Senate will study the proposal before the bill is called up for consideration. When debate is held, I shall discuss this defect, and other questions that cause me grave concern, in greater detail. When the Senate deals with guaranties of due process and fair procedure it is vital that it do so with care and deliberation. I understand that the committee acted with speed from a desire to provide procedures which would prevent abuse of the rights declared in the Jencks decision and the uncertainty, of some at least, as to how far the decision reaches.

I digress from my prepared statement momentarily to say that I even have serious doubt as to whether any legislation at all is needed or is desirable, because under our system of Government Congress ought to be very slow and careful and thoughtful before it seeks to set itself up as a super Supreme Court to tell the Supreme Court how it should interpret the Constitution of the United States.

Basically, we have to consider the precious issue of due process and the right to a fair trial on the part of anyone who is accused of crime in America. In a very real sense, our liberties stem from due process under the Constitution. I am always very slow to conclude that the Supreme Court, with the solemn obligation it has to protect the American people and their constitutional rights by judicial process, has made some gross mistake which threatens the administration of justice from the standpoint of law enforcement, as so many of the critics are saying these days about the Supreme Court.

I suggest, first, that many of the critics give more evidence that they have even read the Jencks decision and more evidence that they have read the supporting precedents upon which the Jencks decision is based.

But if we are to have legislation, then I respectfully submit that the amendment I am offering today is very much needed in order to protect what I consider to be some very precious rights of Americans in the whole field of fair trial.

Furthermore, I think the amendment is needed if the bill which the Committee on the Judiciary has reported will itself subsequently stand the test of Supreme Court review, because, let us not forget, we can pass all the legislation we wish to in the Senate; but if in the legislation we transgress upon constitutional guaranties, thank God there still is in America a Supreme Court to check the Senate, if necessary, and the House of Representatives, too, when it comes to the guaranty of due process.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CLARK. I should like to indicate my agreement with the suggestion of the distinguished Senator from Oregon that the proposed legislation is hastily conceived and, in all likelihood, is unnecessary. I have cosponsored the Senator's amendment, but in the hope very much that the Senate will proceed with all deliberate speed in connection with the matter because, in my judgment, if the bill were held over until the 2d session of the 85th Congress, it would never be passed at all, because it would have become abundantly apparent that there was no need for it.

I think the Senate should be very hesitant, indeed, to intervene in questions of Federal judicial procedure. We should not be panicked into action because, in a hurry, the Attorney General comes forward and asks, on a scare basis, for a piece of legislation designed to accomplish a purpose which, in my judgment, could be far better accomplished, so far as the objectives are concerned, by the orderly procedures of the Federal courts.

Mr. MORSE. I completely agree with the observations of my colleague from Pennsylvania. I appreciate his cooperation with me as one of the cosponsors of the amendment, if we are to have any legislation at all.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The time of the senior Senator from Oregon, under the limitation during the morning hour, has expired.

Mr. MORSE. I wonder if my colleagues, in the interest of saving time, would give me 5 more minutes in order to finish my statement.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and the Senator may proceed.

Mr. MORSE. For my part, I would not have the Court's decision used as a pretext for fishing expeditions into FBI files on matters unrelated to the testimony of Government witnesses. The Court's opinion does not seem to me to carry such a threat. However, I can conceive of problems of administering the decision which Congress can help avoid by enacting a procedure to assure defendants' rights, and at the same time protect data in FBI files from inspection by defendants which is unrelated to their case. These are the desirable aims of such legislation, and we should not be rushed into sacrificing either.

The Supreme Court held, in the Jencks case, that defendants in a criminal prosecution brought by the United States should have access to earlier statements and reports of Government witnesses. And rightly so, because, let me stress, it would be a police-state tactic if we ever embedded in our system of justice in the United States any power in the Government to keep from a defendant information to which he is entitled in order to have a fair trial. I do not care whether the information is in the files of the FBI or in any other Government files. There is no place in America for a police-state tactic which keeps locked up from free men and women charged with crime, information which, under due process, they are entitled to have if they are to have a fair trial.

I do not intend to allow FBI files to be made a sacred cow in our system of government when it comes to the application of the due-process clause of the Constitution of the United States.

So the Supreme Court, in the Jencks case, issued a long-overdue warning in the administration of criminal justice in America when it said:

> We now hold that the petitioner was entitled to an order directing the Government to produce for inspection all reports of Matusow and Ford in its possession, written and, when orally made, as recorded by the FBI, touching the events and activities as to which they testified at the trial.

> The bill, as reported, would limit the inspection to reports or statements of the witness in the possession of the United States as are signed by the witness, or otherwise adopted or approved by him as correct relating to the subject matter as to which he has testified.

I say that is a point of inadvertency on the part of the Judiciary Committee. I do not think they have stopped to analyze the procedure which is followed in collecting these statements.

A comparison of the language of the Court and the bill's provision shows that the bill includes conditions not contemplated by the Court.

In practice, most prospective witnesses interviewed by the FBI or other Government investigatory agents are not given the opportunity to see the summary of their interviews.

How many Senators have ever seen a summary of an interview with the FBI? How many Senators, when they have been interviewed by the FBI, have ever

signed the FBI summary of interview? That is not the way the FBI collects a great deal of its information. One major catch in the bill concerns signed statements or statements approved by the witness.

In effect, then, the bill contains a condition which in the vast majority of cases would not and could not be met in practice.

Indeed, the condition of the bill leaves it up to the FBI and other agencies to change their procedures so as to avoid completely the duties imposed and the rights declared in the Jencks case. This can be accomplished by the simple expedient of discontinuing written reports in the few cases in which informants have given their information in that form.

It would be a very easy thing for the FBI to do. A new rule could be issued as to the collection of information, in order to get around the decision of the Supreme Court.

It is to this defect of the bill that the amendment is addressed. It would strike out the passage quoted, namely:

> Reports or statements of the witness in the possession of the United States as are signed by the witness, or otherwise adopted or approved by him as correct relating to the subject matter as to which he has testified.

And substitute:

> Any record in the possession of the United States which contains a recitation or the substance of any oral or written statement previously made by the witness touching upon the substance of the testimony of that witness.

The amendment thus made would preserve the intent of the Jencks decision that summaries of information given by the witness be available to the defense for purposes of impeachment of the witness.

POWER OF THE COURTS

The bill, as reported, further provides that it is up to the judge to decide what in the Government document is relevant; and only that portion of a witness' prior statements or reports, or summary thereof, shall be made available to the defendant.

Mr. President, this is a serious defect. In the United States, a judge cannot be substituted for a defendant's counsel. The defendant's counsel has the duty of protecting the rights of the defendant, insofar as the preparation and presentation of his defense is concerned; and the Congress has no right by legislation to seek to make the court the counsel for the defendant. The court has the duty of passing on the evidence, and the court must not be given the assignment of determining the form of the defense of the defendant.

I submit that to follow such a process is not due process.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Under the 3-minute rule, the time available to the Senator from Oregon has expired.

Mr. MORSE. Mr. President, I have left a page and one-half of manuscript. I am willing to resume later. However, I see that my good friend, the Senator from Kentucky, who is seeking the floor, indicates that he is willing to accommodate me.

Mr. KNOWLAND. Mr. President, I have no objection to having the Senator from Oregon proceed for an additional 5 minutes during the morning hour.

Mr. MORSE. I shall not need that much time. I thank my friend, the Senator from California, for his courtesy.

The PRESIDING OFFICER. Without objection, the Senator from Oregon may proceed.

Mr. MORSE. Mr. President, in my judgment there is something to be said for giving the court some control over what shall be made available for inspection. The FBI, for example, should be protected from producing for inspection all of a document which relates in part to the witness' testimony, but also relates to other crimes by the defendant or other persons still under investigation.

The FBI should not have to show all the documents; and the court should have the power to make perfectly clear that the defendant and his counsel shall be limited, in examining the file, to the information dealing with the witness, in connection with the crime for which the defendant has been indicted. But as to that material, no judge should have the power to deny the defendant or his lawyer access to it, because it is vital to the defense; and there cannot be a fair trial if a defendant is denied access to the material which bears on the offense with which he is charged.

However, in my view, the burden should be on the Government to show that its activities would be impeded in dealing with investigations other than those involved in the case being tried, and only that material should be withheld. Any material which deals with the alleged crime for which the defendant is being tried should not be withheld.

The Supreme Court said:

> We hold, further, that the petitioner is entitled to inspect the reports to decide whether to use them in his defense. Because only the defense is adequately equipped to determine the effective use for purpose of discrediting the Government's witness and thereby furthering the accused's defense, the defense must initially be entitled to see them to determine what use may be made of them. Justice requires no less."

Mr. President, I say to my constitutional lawyer friends in the Senate that they should mark well that language in the Jencks case, because in my judgment it deals directly with the due process clause.

Mr. President, the Congress cannot permit a trial judge to make such a decision for the defendant. The defendant must be allowed to prepare his own defense.

If the bill in its present form, as reported from the Committee on the Judiciary, were enacted into law, I would not be at all surprised to find that it would run directly into the due process clause, because in my judgment the Supreme Court would say, in effect, "You are seeking to interfere with the right of the defendant to pass judgment upon what evidence shall be available to him, from Government files, in his own protection, for his own defense."

Mr. President, anyone who has tried a case knows the truth of what the Court said. The judge cannot know the potential relevance of all parts of a prior statement to the evidence given by a witness to the extent, at least, that a defendant can.

If the judge is to perform a function in superintending discovery and inspection of statements or summaries in Government files, he must do so to protect both the defendant and the Government.

The bill, as reported, does not do this. It gives the trial judge authority which the Supreme Court said he should not have. Indeed, the provision of the bill may be a fatal defect under the Supreme Court's decision.

At the least, the committee should clarify the intent of this provision of the bill.

Better yet, the committee should propose an amendment to cure the apparent deficiency of the latter part of present subsection (b).

If it should not do either, there is a possibility verging on probability that the bill would not withstand attack before the courts, even if it should withstand the attack in the Senate which I know would come.

Mr. President, I close with a fervent plea on my lips that the Senate will study the Jencks case, because I respectfully submit that here we are dealing in too much haste with a precious right in criminal jurisprudence which should accrue to all defendants the right to make sure that their Government does not withhold from them a single piece of paper which bears on their case, and which they might need in preparing their defense. If we do not keep sacred that protection, once again we shall run the danger of establishing another tactic of a police state; and in the great temple of democracy there is no room for even a vestige of police state procedure.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

THE SITUATION IN ALGERIA

Mr. MORTON. Mr. President, I ask unanimous consent that I may address the Senate for 5 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? Without objection, the Senator from Kentucky may proceed for 5 minutes.

Mr. MORTON. Mr. President, on yesterday we were privileged to hear a very thought-provoking address, by the distinguished Senator from Massachusetts [Mr. KENNEDY], dealing with one of the most tragic and critical situations which exists in the world today. His remarks show a thorough knowledge of the key factors involved in the Algerian-French struggle. It is clear that he gave careful thought and study to the preparation of his address. His speech was made in the spirit of trying to be helpful in solving this most complex problem. I am sure that what he had to say will arouse great interest in the Congress of the United States, the executive branch,

among the people of this country, and among the people of France and Algeria.

While I was deeply impressed with much the distinguished Senator from Massachusetts had to say, I do not believe, frankly, that his description of the present situation was in full perspective. I do not think that all aspects of the problem were fully portrayed. As I pointed out yesterday, it seems to me that he has underestimated the difficulties involved in finding a solution. Moreover, I do not think he has given full expression and importance to the efforts made by the French Government in endeavoring to resolve the conflict. Finally, I am not sure in my own mind that the formula he has proposed would be really helpful in working out a solution.

The Senator from Massachusetts has only touched on the problem of the existence of over 1 million Frenchmen permanently residing in Algeria. These are not all vast landowners or "colons," as they are commonly termed. These largely consist of small farmers, shopkeepers, and professional people. They have lived in Algeria for generations. They are more Algerian than French. They have no place to go in France, should they be driven out of Algeria or otherwise dispossessed. These people are naturally concerned by the prospect of an independent Algeria, where they would become a minority, and possibly an oppressed minority, in a country whose religion, laws, and customs might become completely different from their own.

It is the existence of these people that makes Algeria unique, and makes the Algerian problem quite different from the usual colonial problem. In no place in the world have we ever had a situation quite comparable. Neither in India, Morocco, nor any other country which has recently gained full independence has the European population composed one-ninth of the total. It is thus clear that the French Government has before it an agonizing problem.

Moreover, the pressures generated as a result of this special situation create a political atmosphere in which it is extremely difficult for the French Government to chart a purely objective course. All one has to do in order to get an idea of the political problems now confronting the French Government is to suppose that more than 3 million Americans were residing, as a minority, in an area which was demanding independence. The political pressures which such a situation would create in the Congress can well be imagined.

The Senator mentioned only briefly the policies enunciated by the French Government, and the impression was given that French policy is still aiming toward complete integration of Algeria with France. I do not think that this is an accurate description of recent developments. As enunciated by former Premier Guy Mollet on January 9 of this year, the French Government has come out completely in favor of elections by universal suffrage throughout all of Algeria. That is to say, the French Government is pledged to give each Moslem equal voting rights with the French, which would accordingly do away with the former system, which gave greater weight to the Frenchman's vote.

However, before holding fair elections, it is obvious that peace and order must first be restored. The French have offered, with no strings attached, a cease-fire to the Algerian rebels. No retaliation would be undertaken against those who had until now carried arms against France. Ninety days after restoration of order, elections would be held. Guy Mollet further pledged that the French Government would then undertake to work out with such duly elected Algerian representatives a new statute providing a large measure of autonomy for Algeria.

The Front of National Liberation, the leading rebel organization, has so for rejected the French offer, insisting that the French Government first recognize Algerian right to independence and the Front of National Liberation as the provisional Algerian Government. It is evident that no French Government could survive if it accepted such terms.

Nor would the turning over of the future Algeria to a small fanatical force, supported by Colonel Nasser, be necessarily in the interests of the Algerian people or in the Western interest in general. The present French Government has maintained Mollet's cease-fire offer, and pending acceptance of this program, has decided to go ahead decentralizing the Algerian administration, holding elections where possible, and thereby building up gradually a structure of self-government.

I do not wish to imply that I think French policies have been forthright and liberal in every instance. Nor am I insensitive to the well-justified demands of the Moslem people of Algeria for greater self-government. Moreover, any contribution to the solution of the tragic conflict should certainly be most welcome.

I seriously wonder, however, whether it would be particularly helpful for the United States to inject itself directly into such a complicated issue. I am sure this body would not be appreciative if a foreign congress proposed a formula for resolving an issue which touched so closely the American people. I strongly suspect that the type of action which the Senator from Massachusetts contemplates will tend to stiffen the Franch position, hamper the efforts of French liberal elements, and thereby jeopardize the prospect for the French coming forth themselves with liberal solutions. It does not seem to me, therefore, that the action proposed is really helpful or capable of contributing to a peaceful settlement of the Algerian conflict, which is certainly what we all desire, including both the Algerians and the French.

Let us bear in mind that France has been at war almost constantly for the past 18 years. The French people have faced some very difficult political and economic problems. Since World War II five independent nations have been established from former French colonies. They are Vietnam, Cambodia, Laos, Tunisia, and Morocco. The French still are faced with the problem of meeting the aspirations of the Algerian people for freedom. I believe that a solution of the problem can be found. I know from my own experience in the Department of State that those who are entrusted with the conduct of our foreign affairs are interested in helping the French and the Algerians in resolving peacefully and justly the bitter conflict. I also know from personal experience that this Government did use its good offices when the question of self-government for the five nations mentioned above was a burning issue both in France and the nations involved.

I certainly think, Mr. President, that our country should be found on the side of liberty and freedom for all peoples. I think history proves that in all cases where the determination was properly ours we have acted in conformity with our own great tradition of freedom. Both inside and outside the United Nations the record of the United States in regard to colonialism is a good record. I do not mean to imply that we as a nation can be content merely to stand on the record. We must continue the active championship of liberty and freedom. New policies must be formulated and implemented from time to time. However, such new policies must be carefully considered in the light of all factors concerned; else our efforts might retard the very goals we seek.

ADOPTION OF KOREAN ORPHANS

Mr. MORSE. Mr. President, on January 25, 1957, I cosponsored, with my very able colleague, the present Presiding Officer, the junior Senator from Oregon [Mr. NEUBERGER], Senate bill 866, which seeks to expedite the procedures for bringing into this country Korean orphans whom American families wish to adopt.

As we pointed out, a good many of these orphans were fathered by American servicemen and they are illegitimate children. I think the only moral thing to do is seek to make it as easy as possible for American families that wish to adopt those children to proceed to do so. There can be no question about the fact that those children are suffering greatly in Korea. They are in orphanages which in many instances are not the most desirable. I think there ought to be hearings and early action on S. 866, but it has been languishing in the Judiciary Committee of the Senate. It has not even been scheduled for hearings.

I felt, Mr. President, without any reflection upon the Judiciary Committee, that it became my duty to formally request the Judiciary Committee for action on the bill. Therefore, I sent to the chairman of the Judiciary Committee, the Senator from Mississippi [Mr. EASTLAND], a letter in which I courteously and respectfully asked for early hearings on the bill, so it could be reported and placed on the calendar and the Senate could pass upon the bill, as I think it is our humanitarian duty to do.

I therefore ask unanimous consent that there be printed in the RECORD at this point in my remarks a copy of the letter I sent to the chairman of the Senate Judiciary Committee.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 2, 1957.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary, United States Senate.

DEAR MR. CHAIRMAN: Upon calling the Subcommittee on Immigration this morning I was very much distressed to learn that S. 866, which was introduced on January 25, 1957, by Senator NEUBERGER and myself, is still pending in the subcommittee, apparently with no action planned or hearings scheduled.

This does not seem to be in keeping with the views you expressed on the floor of the Senate on June 19, 1957, when you said, in replying to Senator NEUBERGER: "I think that such a bill as that referred to by the Senator (S. 866) will soon be on the Senate Calendar. I hope so. I may say, as chairman of the subcommittee, I favor such a bill." Nor does this lack of action by the subcommittee seem to be in keeping with the high humanitarian purpose of the bill to admit to this country for adoption young and helpless orphans who are victims of war and its aftereffects. Many of these children, who were fathered by our servicemen in Korea and other parts of the Far East, are badly mistreated in the country of their birth and most of them are underfed, undernourished, and therefore susceptible to disease.

In this country there are many wonderful people who are not only willing but eager to adopt these children and give them every opportunity to grow into fine, upstanding, and useful American citizens. However, because there are no visas available for the children to be united with their adoptive parents they must continue to languish in the inadequate orphanage facilities provided for them until S. 866 is passed and enacted into law.

Both Senator NEUBERGER and I have introduced a number of individual private bills for the more urgent of these cases, but it seems to me that this is unnecessarily burdensome to your committee and the process could be obviated by passage of one bill, S. 866.

I hope you and your committee will feel that our bill can be reported out favorably in the very near future.

Sincerely,

WAYNE MORSE.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, is morning business concluded?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

DISPOSAL OF FEDERALLY OWNED PROPERTY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 539, Senate bill 1520.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1520) to amend an act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. REVERCOMB. Mr. President, I wish to thank the distinguished acting majority leader, the Senator from Montana [Mr. MANSFIELD] for calling up this bill. It is a bill dealing with the restoration of a dam on the Little Kanawha River in West Virginia.

In 1956 the Congress passed an act to provide for the disposal of federally owned property at obsolescent canalized waterways, and for other purposes. Among the properties affected were some five dams on the Little Kanawha River. At one time that was a navigable stream and carried a great deal of commerce. Over the years the situation has changed, and the stream is no longer used for navigation, because the principal product and the principal article of commerce was oil, which has ceased to be produced in the quantities it once was. Other methods of transportation have also been used.

Among the dams which were abandoned and disposed of was one known as dam No. 3. I am advised, Mr. President, that in 1956—and perhaps while the bill was under consideration—dam No. 3 washed out, with the result that the water level was lowered for a considerable distance. The effect of that was to injure and destroy the banks, causing them to fall into the water and recede. However, the most damaging result was the lowering of the water level in that area. The people obtain their water in large part from wells. The wells dried up.

The water supply of the town of Elizabeth was affected, and the water supply for the homes of many people who lived up and down the river was affected.

It is felt, Mr. President, that if the Government is to turn back this dam, originally built in 1874, more than 75 years ago, it should be returned and restored in a permanently safe condition, and that it should not be returned to the people in its destroyed condition, with the resulting damage which will continue.

The purpose of this bill is to amend the previous act. I think there is ample justification for the action proposed whereby dam No. 3 will be restored, at a cost not to exceed $150,000. If the cost should be greater than that, the local people will have to defray it.

I believe that is a complete explanation of the bill, and I appreciate being given the opportunity to make this statement to the Senate.

The PRESIDING OFFICER (Mr. MORSE in the chair). The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 2 of the act approved August 6, 1956, entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways and for other purposes," Public Law 996, 84th Congress, 2d session, is hereby amended by adding the following: "*And provided further*, That in lieu of preparing dam No. 3 on the Little Kanawha, W. Va., for abandoning, such funds may be expended for modification of the lock and restoration for said dam either as a movable or fixed type dam, but not to exceed $150,000, contingent upon local interests furnishing such additional funds as may be necessary and agreeing to accept the property and take over operation and maintenance of said structure."

INCREASED EXPENDITURES BY COMMITTEE ON FOREIGN RELATIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Resolution 152, a resolution reported by the Committee on Rules and Administration this morning, which deals with appropriations for the Committee on Foreign Relations.

The PRESIDING OFFICER. The clerk will state the resolution.

The legislative clerk read the resolution (S. Res. 152), as follows:

Resolved, That the Committee on Foreign Relations is authorized to expend from the contingent fund of the Senate, during the 85th Congress, for the purposes specified in section 134 (a) of the Legislative Reorganization Act of 1946, $10,000 in addition to the amount authorized in such section.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, this resolution was reported unanimously. It is the usual procedure followed by the committee. I urge the adoption of the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

ADDITIONAL FUNDS FOR SENATE OFFICIAL REPORTERS OF DEBATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the resolution reported by the Committee on Rules and Administration having to do with the proposed payment for additional reporters.

The PRESIDING OFFICER. The clerk will state the resolution.

The legislative clerk read the resolution (S. Res. 156), as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate, to the Official Reporters of the Senate debates and proceedings, during the period July 1, 1957, to December 31, 1957, so much as may be necessary, not to exceed $20,000, for the employment of additional office personnel.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

RATES OR CHARGES FOR TRANSPORTATION SERVICES BY CONTRACT MOTOR-VEHICLE CARRIERS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate

proceed to the consideration of Calendar No. 341, S. 943.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 943) to amend section 218 (a) of the Interstate Commerce Act, as amended, to require contract carriers by motor vehicles to file with the Interstate Commerce Commission their actual rates or charges for transportation services.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (S. 943) to amend section 218 (a) of the Interstate Commerce Act, as amended, to require contract carriers by motor vehicles to file with the Interstate Commerce Commission their actual rates or charges for transportation services, which had been reported from the Committee on Interstate and Foreign Commerce with amendments on page 2, after line 3, to strike out:

(3) By changing the second word in the fourth sentence from "reduction" to "change"; and

And, in lieu thereof, to insert:

(3) By striking out the fourth sentence up to the semicolon and inserting in lieu thereof the following: "Nothing herein provided shall be so construed as to require such carriers to maintain the same rates, rules, and regulations for the same services for all shippers served. No reduction shall be made in any such charge either directly or by means of any change in any rule, regulation, or practice affecting such charge or the value of the service thereunder, nor shall any new charge be established, except after 30 days' notice of the proposed change or new charge filed in the aforesaid form and manner."

On line 21, after the word, "or", to insert "less than", and

On page 3, line 2, after the word "or", to insert "less than"; so as to make the bill read:

Be it enacted, etc., That section 218 (a) of the Interstate Commerce Act, as amended (49 U. S. C. 318 (a)), is further amended as follows:

(1) By striking from the second sentence thereof the words "the minimum rates or charges of such carrier actually maintained and charged" and substituting therefor the words "the actual rates or charges of such carrier";.

(2) By striking from the third sentence the words "minimum charges" and substituting in lieu thereof the words "actual rates or charges";

(3) By striking out the fourth sentence up to the semicolon and inserting in lieu thereof the following: "Nothing herein provided shall be so construed as to require such carriers to maintain the same rates, rules, and regulations for the same services for all shippers served. No reduction shall be made in any such charge either directly or by means of any change in any rule, regulation, or practice affecting such charge or the value of the service thereunder, nor shall any new charge be established, except after 30 days' notice of the proposed change or new charge filed in the aforesaid form and manner".

(4) By changing the sixth sentence up to the proviso to read as follows: "No such carrier shall demand, charge, or collect compensation for such transportation different from the charges filed in accordance with this paragraph, as affected by any rule, regulation, or practice so filed, or less than the minimum rate or charge as may be prescribed by the Commission from time to time, and it shall be unlawful for any such carrier, by the furnishing of special services, facilities, or privileges, or by any other device whatsoever, to charge, accept, or receive compensation different from the actual rates and charges so filed, or less than the minimum charges so prescribed:"

Mr. SMATHERS. Mr. President, this is a bill requested by the Interstate Commerce Commission. It proposes to amend the Interstate Commerce Act so as to require that in the future actual rates shall be filed instead of minimum rates, as has been the case heretofore.

The subcommittee of which I am chairman held hearings on the bill. Many witnesses appeared. As a result of the hearings we prepared an amendment. The Senator from Oklahoma [Mr. MONRONEY] proposed an amendment, which subsequently had to be amended by an additional amendment offered by the Senator from Ohio [Mr. BRICKER].

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

Mr. SMATHERS. Mr. President, at this time I should like to offer an amendment and have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, at the end of line 9, it is proposed to insert the following: "and by striking out the period at the end of such sentence and inserting in lieu thereof a colon and the following: *'Provided*, That any contract carrier serving but one shipper having rendered continuous service to such shipper for not less than 1 year may file reasonable minimum rates and charges unless the Commission in any individual case, after hearing, finds it in the public interest to require the filing of actual rates and charges.'"

Mr. SMATHERS. Mr. President, I urge the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida.

The amendment was agreed to.

Mr. SMATHERS. Mr. President, I urge the passage of the bill, as amended. There was no objection to it by any person who appeared before the committee.

The PRESIDING OFFICER (Mr. MORTON in the chair). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. SMATHERS. Mr. President, I ask unanimous consent that I may have printed in the RECORD a statement in connection with the bill just passed.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON S. 943

The proposed amendment would add a provision to the law which would relieve contract carriers serving only one shipper from filing their actual rates or charges. Under the language of this amendment the contract carrier must have rendered continuous services to the shipper for a period of at least 1 year. Having so served, the contract carrier would then qualify under this amendment and be relieved from filing their actual rates and charges.

The amendment reads as follows: *"Provided*, That any contract carrier serving but one shipper having rendered continuous service to such shipper for not less than 1 year may file reasonable minimum rates and charges unless the Commission in any individual case, after hearing, finds it in the public interest to require the filing of actual rates and charges."

One reason advanced for this suggested amendment is that a number of contract carriers provide services that are not competitive with common carriers; consequently, there is no reason to require disclosure of actual rates. Contract carriers who now serve but one shipper are required, under existing law, to file schedules on minimum rates and charges actually maintained and charged. The courts, in *Auto Transports, Inc.* v. *United States*, affirmed per curiam (343 U. S. 923 (1952)), have held under the existing statute providing for filing "minimum rates and charges actually maintained and charged" that a contract carrier serving a single shipper must file actual rates. Enactment of S. 943 with Senator MONRONEY'S amendment would change the present law, as decided in the Auto Transports, Inc. case. This amendment would, in effect, provide a measure of relief for legitimate contract carriers and give greater stability to our contract carriers.

I should like to add that this amendment has been cleared by Senator BRICKER, the ranking Republican member of our committee, and I believe this provision has great merit. I earnestly urge its adoption.

CONSTRUCTION OF BRIDGES OVER THE POTOMAC RIVER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

WORLDWIDE BAN ON NUCLEAR TESTS

Mr. MANSFIELD. Mr. President, before the unfinished business is discussed, I should like to make a few remarks relative to the present situation with regard to "clean" and "dirty" bombs.

Mr. President, the desirability of a test ban on big nuclear tests is the most controversial issue that confronts the nations of the world today. There are many proposals coming from the capitals of the world and from many prominent individuals. These proposals differ largely in matters of degree. The Soviet Union has made a number of attempts to seize the initiative in promoting a worldwide ban on nuclear tests. Propaganda or not, we must admit that these Soviet proposals have put the nations of the Free World on the defensive. It is time that the United States forcefully reassumes its leadership.

As I have stated on previous occasions, I feel that a multilateral ban on the testing of nuclear weapons of one megaton or more in strength would be in the best interest of the peoples of the world, both from a defense and humanitarian point of view.

My views on this subject are known, as are the views of many of my colleagues here in the Senate. Many scientists and lay people have expressed their thoughts on this topic. What disturbs me greatly is whether this country, as the most powerful nation in the world, has a firm policy on this, the greatest of all issues. I really do not know, and from all public sources of information I am forced to assume that the President, his associates and his advisers in the administration are not unified in the formulation of a firm policy on the continued testing of nuclear weapons.

In November of 1956, President Eisenhower stated that he opposed a ban of any kind on the continued testing of nuclear weapons. On the eve of the 1956 presidential election, Dr. Edward Teller and Dr. Ernest Lawrence, of the University of California Radiation Center, issued a statement that "the radioactivity produced by the testing program is insignificant." This statement, though disputed by some, had considerable effect on the thinking of many people at that time.

In the months that have passed since the presidential election, the growing support for some kind of test ban has become very vocal, and President Eisenhower has come to look more favorably upon the desirability of a nuclear test ban. Just recently, Dr. Teller and Dr. Lawrence joined with the Chairman of the Atomic Energy Commission in reporting to the President that this country now knew a way of making virtually clean superbombs in which the radioactive fallout could be cut down by 96 percent. Prior to this announcement the administration had committed itself to a ban on nuclear tests under stringent conditions as a part of an overall disarmament program.

Now, however, the President has said, that while he would still stand by the heavily conditioned United States offer to join in a ban on atomic tests, he thought there was much to be said for continuing tests in order to eliminate the fallout dangers to the fullest possible degree.

Let me say at this point that regardless of the source of scientific information, it would seem unreasonable to depend on only one source on such a vital issue. Advice from other learned scientists should also be considered. During the course of the recent Joint Atomic Energy Committee hearings, AEC scientist Dr. Alvin C. Graves testified that complete cleanliness in hydrogen bombs was impossible.

In recent weeks the clean bomb has been used as a major argument favoring the continued testing of large hydrogen weapons. Let us consider for a moment the various ramifications of a clean versus the dirty bomb.

I think the first important consideration is to recognize that if it is possible for this country to perfect a clean bomb, the question arises as to whether we can be assured that Great Britain, the Soviet Union, and any other nation which would become a nuclear power would also be able to perfect clean bombs. We must remember that our nuclear test explosions are not the only ones which spawn radioactive particles into the atmosphere. Are we willing to give our formula to the Soviet Union so that she can continue her tests without contaminating the atmosphere?

Another point we must consider is that if we do perfect a bomb that is 95 or 96 percent clean, the percentage that is still dirty in one of these bombs in the megaton range would still release more fallout than the atomic bomb dropped on Hiroshima.

Proponents of the clean bomb say that such bombs could be used tactically in battlefield operations without unnecessarily injuring civilians with fallout and without contaminating the ground so that invading troops could not enter. Conversely, it could be argued that the dirty bomb is more desirable because it would contaminate an area for a long period of time, making it inaccessible.

Because of the tremendous force embodied in a megaton bomb that is, in terms of millions of tons of TNT, the initial destruction from the explosion and the heat creates total destruction over areas covering several miles. It would seem difficult to limit a target to a specific military installation without bringing death and destruction to hundreds of thousands of innocent people.

I am not at all convinced that the use of a clean bomb would automatically displace the use of hydrogen weapons which would spread radioactive fallout over a large area.

We, as Americans, may not use dirty bombs, but who is to say that the aggressor will do likewise? I feel that this yen to perfect clean bombs is leading us to an unattainable goal of perfection in war.

It is time for realism. The advantages and disadvantages of clean and dirty bombs will be cast to the winds if, God forbid, the world should become embroiled in another world war.

I feel that the greatest contribution to a worldwide disarmament program would be a multilateral agreement among the nuclear powers to end the testing of large hydrogen weapons of one megaton or more in strength. Such an agreement is enforcible because, from all information available, it would be impossible for any nation to test such a large weapon without being detected.

This, I feel, can be the first step in any sound disarmament program. It is virtually impossible to bring about a complete disarmament agreement among the major powers without approaching it on a step-by-step basis. The administration is to be commended for proposing at the current Disarmament Conference in London a ban on nuclear tests for a 10-month period if, at the same time, the Soviet Union will agree to stop the manufacture of such weapons. I express the hope that should our proposal fail, because of an "all or nothing, take it or leave it" basis, negotiations would be continued in the hope that some small step-by-step agreement could be reached in this difficult and delicate field.

I wish to make it clear that I do not suggest that we discontinue the testing and perfection of small tactical nuclear weapons. This is very necessary to maintain our military strength in the atomic age until there is an ironclad disarmanent agreement.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article entitled "The So-Called Clean Bomb," written by William H. Stringer, chief of the Washington Bureau of the Christian Science Monitor, and published in the July 1, 1957, edition of that newspaper.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SO-CALLED CLEAN BOMB

(By William H. Stringer)

WASHINGTON.—The prospect that a clean hydrogen bomb can be developed—that is, one which produces a negligible fallout—undeniably has altered the disarmament picture.

All of the great and compelling reasons for disarmament still remain—and most of the reasons for reaching a limited first-step agreement at the London disarmament talks. But to the other arguments which have been made to President Eisenhower for proceeding cautiously, and for insisting on a first-step package deal which would include almost everything under the disarmament sun, there now is added the argument that further testing for 4 or 5 years would yield a fairly clean bomb.

Since the United States ultimately will embrace disarmament because it is to its own self-interest and safety and not because of some global demand for halting bomb tests, this concept of the clean bomb and what it may mean to weapons policy and armaments is worth examining.

First of all, the clean bomb means that a nation could launch a nuclear war which would not, because of deadly radioactive fallout drifting down on all alike in the months following, threaten the aggressor as well as the victim with annihilation. This is a crucial consideration.

It means that if an aggressor could launch a sneak attack he might conceivably get away with it. He would not himself be punished by the backfire of fallout. This kind of bomb actually makes nuclear war less unthinkable to a desperate dictator. And by that very fact it makes disarmament all the more imperative. For to a small degree that deterrent of mutual terror is alleviated by the clean bomb.

Secondly, the clean bomb gives added flexibility and efficiency to small nuclear weapons—the kind on which Washington is relying for defense against limited wars and nibbling aggression. As one nuclear scientist puts it, a small nuclear weapon without fallout is more like a supercharge of TNT. A Korean aggression could be repelled—perhaps made impossible—with a few small nuclear bombs hurled by plane, cannon, or rocket. Defense is accorded a real chance in brush-fire wars.

Ernest O. Lawrence and Edward Teller—the Government's own brand of atomic special pleaders who were brought to the White House by Lewis L. Strauss, chairman of the Atomic Energy Commission, to see President Eisenhower last week—argued that the AEC needed more time to perfect these smaller tactical weapons. Tactical nuclear weapons, and particularly those whose scatter-blast effect is lessened because fallout is vastly curtailed, could provide at least a partial answer and deterrent to the massed man-

power capabilities of the Soviet Union and Communist China. In any showdown it would be massed firepower countering massed manpower.

Finally, bombs without fallout can be more readily used over a nation's own cities in defense against enemy aircraft or even, conceivably, against enemy guided missiles. It seems fantastic to believe that any barrage of nuclear explosives could intercept a shower of intercontinental guided missiles raining down at far beyond the speed of sound, but this is one of the ultimate, and perhaps unrealistic, objectives of the nuclear weapons experts.

Most immediately, of course, the idea that clean bombs can be perfected removes the desperate urgency from the proposal to ban bomb tests. If worried nations and peoples can be persuaded—and this is a big "if" in these days of powerful propaganda—that future testing will yield relatively negligible amounts of fallout, then testing of nuclear devices per se would not loom as any more dangerous, or any less dangerous, than testing, say, of guided missiles.

But here we come right back to the initial compulsions which have kept the disarmament talks in being these many long postwar years. Nuclear warfare, even with fallout largely omitted, would be devastating to whole nations, perhaps continents. Once a nuclear attack were launched, and several nations started hurling their big weapons, it would be despairingly proved that, as President Eisenhower told a recent press conference, "there can be no such thing as a victorious side" in a global nuclear war.

The need for ultimate disarmament is just as powerful now as before Messrs. Lawrence and Teller went on their neatly timed mission to the White House. There is the global cost, the tension, the mounting burden of the arms race.

But what happens now? At London the United States, feeling less urgency, has added to its package deal on disarmament various conditions which Moscow is not likely to accept—certainly not very soon. Prospects for a quick deal are dim. Whether the achievement of a clean bomb is worth the long postponement of disarmament hopes is something with which Mr. Eisenhower and his advisers are evidently still wresting.

AMENDMENT OF PUBLIC ASSISTANCE PROVISIONS OF SOCIAL SECURITY ACT—CONFERENCE REPORT

Mr. FREAR. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

On page 2, of the Senate engrossed amendments, strike out lines 14, 15, and 16; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

HARRY F. BYRD,
ROBT. S. KERR,
C. ALLEN FREAR, Jr.,
EDWARD MARTIN,
JOHN J. WILLIAMS,
Managers on the part of the Senate.

JERE COOPER,
W. D. MILLS,
NOBLE J. GREGORY,
DANIEL A. REED,
THOMAS A. JENKINS,
Managers on the part of the House.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

CONSTRUCTION OF BRIDGES OVER THE POTOMAC RIVER

The Senate resumed the consideration of the bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

The PRESIDING OFFICER. The committee amendment will be stated.

The committee amendment was, on page 2, line 11, after the word "the," to strike out "National Fine Arts Commission" and insert "Commission of Fine Arts," so as to make the bill read:

Be it enacted, etc., That title I of the act of August 30, 1954 (68 Stat. 961), is amended to read as follows:

"TITLE I—TUNNEL IN VICINITY OF CONSTITUTION AVENUE

"SEC. 101. That the Secretary of the Interior is authorized and directed to construct, maintain, and operate a four-lane tunnel across the Potomac River from the vicinity of Constitution Avenue in the District of Columbia to the Virginia side of the Potomac River, such tunnel to be constructed north of the Arlington Memorial Bridge and south of, or under, Theodore Roosevelt Memorial Island, together with approaches and roads connecting such tunnel and approach ramps with streets and park roads in the District of Columbia and with streets and park roads on the Virginia side of the Potomac River: *Provided*, That in planning such approach ramps and connecting roads, in the District of Columbia and the Commonwealth of Virginia, the Secretary of the Interior shall consult with the National Capital Planning Commission, the Commission of Fine Arts, the Commissioners of the District of Columbia, and the Bureau of Public Roads, Department of Commerce: *Provided further*, That the tunnel, approach ramps, interchanges, and connecting roads at both ends of the tunnel shall be constructed with a view to retaining as far as possible the memorial setting and the artistic design of the Lincoln Memorial, the Arlington Memorial Bridge, Theodore Roosevelt National Monument, the Marine Memorial to the Dead of All Wars, the Arlington National Cemetery, and other monumental structures, properties, and park lands of national significance in the general area.

"SEC. 102. Lands and facilities under the jurisdiction of other Federal agencies, may be used for the approach ramps, related structures, and connecting roads. The closing, obliteration, construction, or relocation of facilities, including roads as a result of the use of the aforesaid Federal lands for the purposes of this act shall be accomplished in accordance with plans and procedures satisfactory to the head of the department having administrative jurisdiction over such properties.

"SEC. 103. The Secretary of the Interior is authorized to enter into an agreement or agreements with Arlington County and the State Highway Commission of Virginia, acting for and on behalf of the Commonwealth of Virginia, for the purpose of providing for cooperation by Arlington County and the State Highway Commission of Virginia, to such an extent as the Secretary of the Interior shall deem necessary in the construction of connecting roads, temporary or permanent closing of existing roads, and any other matters relating to the construction of said tunnel which the Secretary of the Interior shall consider appropriate.

"SEC. 104. The Secretary of the Interior is authorized and directed to route and reroute and to cause the routing and rerouting of traffic on, and to close or cause to be closed roads, streets, and highways under the jurisdiction of the Commissioners of the District of Columbia, by agreement or agreements with the Board of Commissioners of the District of Columbia to such an extent as the Secretary of the Interior shall deem necessary and appropriate.

"SEC. 105. The cost of construction, reconstruction, relocations, obliteration, and repair of all facilities and related works, including streets, if any, and park roads, which are changed or made necessary incident to the construction of said tunnel, approach ramps, and connecting roads, shall be paid out of funds allotted and made available for construction of said tunnel, approach ramps, and connecting roads: *Provided further*, That the cost of all necessary regrading and landscaping resulting upon the completion of said tunnel, approaches, and connecting roads also shall be paid out of funds allotted and made available for the purposes of this act.

"SEC. 106. There is authorized to be appropriated the sum of $25,500,000 to carry out the provisions of this act."

The amendment was agreed to.

Mr. CARLSON. May I inquire whether the Senator from Nevada is about to discuss the bill, which deals with bridges over the Potomac River?

Mr. BIBLE. The Senator is correct.

Mr. CARLSON. I have no objection, but I know that minority views have been filed, and I wonder whether we should have a quorum call at this time.

Mr. BIBLE. I believe all the Senators who are interested in the minority views are on the floor at the present time. Certainly as the discussion of the bill proceeds I shall be very happy to yield for the purpose of suggesting the absence of a quorum.

AMENDMENT OF SOCIAL SECURITY ACT, AS AMENDED

Mr. BYRD. Mr. President, there is a bill which has been reported unanimously by the Committee on Finance, and which has an expiration date of July 1. I therefore ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 462, H. R. 6191.

Mr. CARLSON. May I inquire to what the bill relates?

Mr. BYRD. It relates to social security payments to veterans.

The PRESIDING OFFICER. The clerk will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 6191) to amend title II of the Social Security Act, as amended, to extent the period during which an application for a disability determination is granted full retroactivity, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of the bill (H. R. 6191)?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendment on page 1, after line 6, to strike out:

SEC. 2. (a) Section 224 (e) of the Social Security Act is amended by adding at the end thereof the following new sentence: "For the purposes of this section, the term 'periodic benefit' does not include compensation paid to any individual under laws administered by the Veterans' Administration on account of such individual's service-connected disability."

And, on page 2, after line 3, to strike out:

(b) The amendment made by subsection (a) shall apply only with respect to monthly benefits under title II of the Social Security Act for months after June 1957.

Mr. BYRD. Mr. President, H. R. 6191 would amend title II of the Social Security Act, as amended, to extend for 1 year—through June 30, 1958—the time within which disabled workers can file applications which would permit the beginning of a period of disability to be established as early as the actual onset of disablement, provided the other requirements of the law are met. Under present law if an application to establish a period of disability is filed by a disabled worker after June 30, 1957, any period of disability that is established for him cannot begin earlier than 1 year before the application is filed.

It is now clear that many people who have been disabled for some time and who would be eligible for the freeze will not make the necessary application before July of this year because they are not aware of the existence of the freeze provisions. While this is understandable in view of the newness of the disability features of the old-age and survivors insurance program, your committee is concerned that many persons who became disabled some time ago will, if they fail to file applications before July 1, 1957, lose all their protection under the old-age and survivors insurance program—retirement and survivor, as well as disability protection.

The committee believes that it is only fair to give workers now disabled a further opportunity to avoid loss of these valuable rights by extending through June 30, 1958, the period for filing an application which will make the freeze effective for eligible workers for the entire period of their total disability.

Without prejudice as to the merit of the proposal, the committee did not include in its reported bill section 2 of the House-approved bill which would modify the disability-benefit offset provision of the Social Security Act so that an individual's disability-insurance benefit under old-age and survivors insurance would not be reduced, because of disability compensation he receives from the Veterans' Administration. The purpose in deferring action on this provision was to allow the Social Security Administration sufficient time to endeavor to work out appropriate language to enable the service-connected disabled veteran to draw full social-security disability benefits in the event he is disabled in employment or his employment aggravates his veterans' disability to such an extent that he can no longer be gainfully employed. In other words, the committee is in complete sympathy with the objective insofar as the service-connected disabled veteran is concerned but distinctly disapproves the duplication or unwarranted pyramiding of disability benefits received under other Federal plans.

After studying the problem further the Social Security Administration subsequently reported that the suggested committee amendment was administratively infeasible; thus, the committee reconsidered and approved the House amendment. I, therefore, ask the Senate to disapprove the committee amendment, thereby restoring section 2 to the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was rejected.

Mr. BYRD. The rejection of the committee amendment restores the bill to the form in which it passed the House. It is a very desirable bill. The amendment proposed by the Committee on Finance would have disallowed veterans certain benefits under social security. The purpose of rejecting the amendment is to give to the service-connected disabled veteran full benefits under social security, in addition to his veteran's disability compensation, as provided in the House bill.

Mr. CARLSON. As I understand, the bill now is exactly the same as it was passed by the House, H. R. 6191. Is that correct?

Mr. BYRD. The Senator is correct.

Mr. CARLSON. Section 2 is restored to the bill, and that section provides that disabled veterans shall be able to secure benefits under both old-age and survivors insurance and pension benefits. Is that correct?

Mr. BYRD. The Senator is correct.

Mr. CARLSON. I think it is a worthy bill, and I sincerely hope it will be passed.

The PRESIDING OFFICER. The Chair announces that the parliamentary situation as it stands now is that the committee amendment has been rejected. Its rejection restores the bill to the form in which it passed the House.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. BARRETT. Do I understand correctly that the amendment which has been rejected restores section 2 of the House bill?

Mr. BYRD. It does. The Senate has rejected the committee amendment. The effect is to restore section 2 of the bill. The amendment resulted from a suggestion of the administration that certain details had to be worked out. The details were worked out, and were included in the House bill, and the rejection of the committee amendment restores the House provision to the bill. Therefore the bill now before the Senate is exactly the same bill that passed the House.

Mr. BARRETT. As the situation stands now, a veteran with service-connected disability may also obtain disability benefits under social security. Is that correct?

Mr. BYRD. Such benefits may be paid to the veterans; yes.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. POTTER. I had intended to offer an amendment to the pending bill to allow Michigan, one of the States to qualify under the legislation, along with other States which also qualify, to include firemen and policemen under the provisions. However, it is my understanding that such a provision will be submitted as separate legislation. I should like to ask the chairman if it is the intention of the Committee on Finance to take up such proposed legislation in a separate bill. I realize that the chairman would like to have the bill passed in its present form, so that it would not be necessary to have it go to conference.

Mr. BYRD. As soon as the House sends to the Senate such a bill as that referred to by the Senator from Michigan, I feel certain that there will be no objection to the adoption of an amendment in line with the Senator's suggestion. The bill before the Senate has a time limit of July 1, and to add an amendment to it would require the bill to go to conference.

Mr. POTTER. But it is the view of the chairman, is it, that other bills dealing with the Social Security Act will come before this session of Congress, and that an amendment could be either offered on the floor or referred to the committee at that time?

Mr. BYRD. The Senator is correct. I suggest that he offer an amendment and have it referred to the Committee on Finance, to be applied to any bill to which it would be proper to attach it.

Mr. POTTER. With that understanding, I will not offer the amendment at this time. I thank the Senator from Virginia.

Mr. BYRD. I thank the Senator from Michigan.

Mr. O'MAHONEY. Mr. President, I desire to ask the Senator from Virginia a question. My understanding of what has been said by the distinguished chairman of the Committee on Finance is that if the bill is now enacted, after the rejection of the original amendment suggested by the Committee on Finance, and now withdrawn, the bill will read as follows. It is a short bill, and it will not take long to read it:

Be it enacted, etc., That paragraph (4) of section 216 (i) of the Social Security Act is amended by striking out "July 1957" and inserting in lieu thereof "July 1958", and by striking out "July 1956" and inserting in lieu thereof "July 1957."

SEC. 2. (a) Section 224 (c) of the Social Security Act is amended by adding at the

end thereof the following new sentence: "For the purposes of this section, the term 'periodic benefit' does not include compensation paid to any individual under laws administered by the Veterans' Administration on account of such individual's service-connected disability."

(b) The amendment made by subsection (a) shall apply only with respect to monthly benefits under title II of the Social Security Act for months after June 1957.

The result of the action which has been taken as I understand, is to strike from the bill the restrictive language which was suggested by the committee, excluding from the meaning of the words "periodic disability" service-connected disability allowances for the individual, so that a veteran will be entitled to all the benefits provided in section 1.

Mr. BYRD. The Senator is correct. The rejection of the committee amendment leaves the bill in the form it passed the House.

Mr. O'MAHONEY. The House bill does not restrict the veteran.

Mr. BYRD. It does not restrict him.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

Mr. JAVITS subsequently said: Mr. President, I was not in the Chamber when the debate took place on Calendar No. 462, H. R. 6191. I wish to be recorded in connection with the deliberations on that bill.

I am very much pleased that the Committee on Finance has seen fit to report a bill which accords with the views of the American Legion, the Veterans of Foreign Wars, and other distinguished veterans' organizations in the State of New York, who feel very keenly about the opportunity for veterans to receive their service-connected compensation payments as well as social-security benefits. The committee has done that under the chairmanship of the distinguished senior Senator from Virginia [Mr. BYRD], by restoring the House language in section 2.

CONSTRUCTION OF BRIDGES OVER THE POTOMAC RIVER

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 486, Senate bill 944.

The PRESIDING OFFICER. That bill is the unfinished business. It will come before the Senate automatically.

The Senate resumed the consideration of the bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

Mr. BIBLE. Mr. President, the bill now before the Senate is probably better described as the bill which brings into focus the crossing of the Potomac River in the vicinity of Constitution Avenue, whether that crossing is to be a 6-lane bridge crossing or a 4-lane tunnel crossing.

By direction of the Committee on the District of Columbia, a report has been filed, a copy of which is on the desk of each Senator. Likewise a copy of the hearings held before the Subcommittee on Fiscal Affairs of the Committee on the District of Columbia and a copy of Senate bill 1707 also are on the desk of each Senator.

Senate bill 1707 provides for a six-lane, fixed span bridge across the Potomac River in the vicinity of Constitution Avenue.

Extended hearings were held by the subcommittee on these two pieces of proposed legislation. The Subcommittee on Fiscal Affairs, by a vote of 2 to 1, reported the bridge bill to the full committee. By a vote of 5 to 3, the full committee reported the tunnel bill to the Senate, and it is that bill S. 944 to which I am now addressing my attention.

The minority views filed in the report were those represented by the chairman of the committee, the Senator from West Virginia [Mr. NEELY], the Senator from Delaware [Mr. FREAR], and myself. The decision which we reached, as I shall point out in the opening statement, was one which was made after considering the important factors of cost, need, and capacity.

The proposal before the Senate today is not a new one. During the 83d Congress, when the question was considered for the first time, Public Law 704, which was approved August 30, 1954, was enacted and is the law at the present time. It authorizes the Commissioners of the District of Columbia to construct a low-level span bridge over the Potomac River in the vicinity of Constitution Avenue north of Memorial Bridge and south of the southern portion of Theodore Roosevelt Island.

For the benefit of Senators who are interested in examining the various existing crossings of the Potomac and those proposed not only by Public Law 704 but also by both S. 944 and S. 1707, as well as the bill which was before the Senate last year, a map has been mounted on an easel at the rear of the Senate Chamber which clearly delineates the various crossings.

It is interesting to note that the distance from the present Memorial Bridge to the bridge proposed in the 6-lane bridge bill, taking the District of Columbia side, is 1,900 feet; taking the center line, it is 2,200 feet; and taking the Virginia side, it is 2,500 feet.

The distance from the present Memorial Bridge to the bridge already authorized by law is in the neighborhood of 1,300 feet. So the pending proposed legislation in effect moves the bridge upstream varying distances, between 550 feet on the District of Columbia side, 930 feet in the center line, and 1,200 feet on the Virginia side.

I make special comment on that because it is significant to me that new legislation was introduced in the 84th Congress to move the proposed bridge upstream the short distance I have just indicated in order to minimize the impact on the Lincoln Memorial area. At that time the District Commissioners agreed, at the request of the Commission on Fine Arts, the Department of the Interior, the Theodore Roosevelt Association, and others, that there would be some advantage in moving the bridge slightly upstream, as I have indicated.

The location as presently provided in S. 1707 is controlled at both ends of the bridge by physical considerations. On the Virginia side, Arlington Towers and the Marine Corps Memorial fix the alinement of the bridge. On the District side, the connections to Constitution Avenue and the inner loop fixed that end of the bridge.

The last control was in establishing the crossing of the main Potomac River channel on the east side of Theodore Roosevelt Island and the crossing of Little River on the west side of Theodore Roosevelt Island, as nearly as possible to a right angle with the flow of the river. This means that the new location for the bridge will be the short distances upstream that I have already indicated.

I emphasize that the bill before the Senate today is identical with the bill which the Senate passed at the last session of Congress. Today we are passing upon the same proposed legislation for the third time.

I likewise call the attention of the Senate to the fact that under the authority of the existing law the Commissioners could proceed today with the construction of a six-lane, fixed-span bridge at a location just a short distance south, downstream, from the location proposed in the bill before the Senate. The Commissioners testified before the committee that they were completely satisfied with the authorization contained in that act and would be quite happy to receive an indication from Congress to proceed under that act without the passage of a new bridge bill for this location.

The Commissioners also indicated that they recognized some question and disagreement in Congress as to the advisability of a fixed-span bridge versus a tunnel, and that, naturally, they would defer any action until they had some final expression, and, it was hoped, a very clear-cut, final expression, from Congress, at least before the adjournment of this session.

It is significant that, as a matter of fact, under the legislation I have described, the Congress in 1955 appropriated $200,000 for the project; in 1956, $1,500,000; in 1957, $3 million; and, in 1958, $350,000. Of the total amount appropriated to build the bridge, which has already been authorized under existing law, the sum of approximately $50,000 has been expended for consultant service.

The District of Columbia has the authority and the money needed to proceed with the bridge, as I have just stated. In addition to the appropriations already mentioned, this is a Federal-aid to highway project. It seems to me the Congress should today give to the District of Columbia government some indication about its feelings regarding this important matter, in order to help the District of Columbia government alleviate the pressing need for a crossing in this central area.

There are, in fact, absolutely no changes of the facts as to the need, and no changes of the facts as to the esthetics, and no changes of the facts as to the navigation requirements. Today they

are the same as they were when the act was passed a short 3 years ago.

The Federal Highway Act of 1956, which the Congress passed last year, sets forth the following in section 108 (i):

(i) Standards: The geometric and construction standards to be adopted for the Interstate System shall be those approved by the Secretary of Commerce in cooperation with the State highway departments. Such standards shall be adequate to accommodate the types and volumes of traffic forecast for the year 1975. The right-of-way width of the Interstate System shall be adequate to permit construction of projects on the Interstate System up to such standards. The Secretary of Commerce shall apply such standards uniformly throughout the States. Such standards shall be adopted by the Secretary of Commerce in cooperation with the State highway departments as soon as practicable after the enactment of this act.

Those are the provisions of the Federal Highway Act of 1956, enacted last year, which governs the requirements for the Interstate Highway System. The Department of Highways of the District of Columbia has consulted—as it is required to do under this act—the Bureau of Public Roads of the Department of Commerce, and they have reached the conclusion that a 4-lane tunnel or any 4-lane facility at this location would not adequately serve those needs, based upon a 1975 traffic capacity, and that the Bureau would be unable to approve a project for a 4-lane facility if it were submitted by the District of Columbia. Traffic studies show conclusively that any 4-lane facility would be operating at capacity on the day when such a facility was opened to accommodate traffic. One can easily picture traffic backed up for great distances at both approaches to the tunnel, for this reason alone.

On the Virginia side, Route 50 is to be enlarged from a 4-lane to a 6-lane facility. On the District of Columbia side, Constitution Avenue, as all Senators probably know already, is an 8-lane facility; and the Inner Loop Highway, when completed, will be an 8-lane facility. It is impossible to visualize that any 4-lane crossing would take care of traffic needs, considering alone these approaches to a tunnel.

The expert testimony given before the Fiscal Affairs Subcommittee indicated that the practical capacity in one direction for a 6-lane, fixed span bridge is 4,500 vehicles an hour, whereas a 4-lane tunnel would have a capacity in the neighborhood of 2,200 vehicles an hour.

There are filed with our report the figures for the various costs relative to the pending proposal; and I should like to comment on them.

The 4-lane tunnel proposal, under the estimates given to us by the Department of the Interior, would cost in the neighborhood of $25,482,000. The estimates of the Department of the Interior for such a tunnel, plus rights-of-way and present channel clearance estimates made by the Highway Department, are somewhat higher, namely, $29,382,000. It seemed to be clear and uncontradicted that the cost of maintenance of a 4-lane tunnel would, in any event, be in the neighborhood of $125,000 a year.

The estimates for the construction of a 6-lane tunnel as given to the committee by the experts who appeared before the committee, varied considerably. The estimate given by the Interior Department was in the neighborhood of $37,500,000 for a 6-lane tunnel facility, whereas the estimates by the Highway Department ranged to as high as $47,842,000. I am frank to confess that there was a wide variance between the figures submitted by the Highway Department and those submitted by the Interior Department. Suffice it to say that even taking the lower figure, which is given by the proponents themselves—namely, $37,500,000—it is almost $20 million higher than the cost of a 6-lane, fixed span bridge to have comparable traffic capacity at this particular crossing.

The estimate for a fixed span, 6-lane, prestressed concrete bridge was $15,500,000; and the estimate for annual operation and maintenance was $10,000. The estimate by the Highway Department for a steel bridge was $18,699,000; and the estimate for annual operation and maintenance was $14,000.

If a draw span were to be authorized—and again I stress that the pending bill is for a fixed span bridge—the cost would be increased by approximately $1,900,000.

I am very well aware of the fact that a great deal of testimony before our committee was on the question of the esthetics. That point was thoroughly considered by those of us who felt that the six-lane, fixed-span bridge is the correct answer to this problem. The bridge bill, S. 1707, contains the following language as to that—

Provided further, That the bridge hereby authorized to be constructed may cross such portion of either of the two islands comprising the said Theodore Roosevelt Memorial Island as may be agreed upon between the Theodore Roosevelt Association and the Commissioners. The general plan and profile of the bridge structure shall be subject to the approval of the Fine Arts Commission. The general location of the bridge, approaches, interchanges, and connecting roads on lands under the jurisdiction of the Secretary of the Interior shall be subject to his approval. The bridge, approaches, interchanges, and connecting roads at both ends of the bridge shall be constructed with a view to retaining so far as possible the monumental setting and the artistic design of the Lincoln Memorial, the Arlington Memorial Bridge, and other monumental structures, properties, and park lands in the general area.

The bill further contains a proviso—

That the Secretary of the Interior shall retain control and jurisdiction over all park lands in the vicinity of the bridge other than such lands as may be required for the actual bridge structure and other than the surface of the approach roads and streets between curbs, which shall be the responsibility of the government of the District of Columbia.

So, Mr. President, one of the very purposes of S. 1707 is to change the location of the bridge authorized to be constructed by Public Law 704 of the 83d Congress, and move it to a location upstream from the presently authorized by such law, so as to minimize the impact of the bridge on the memorial area.

I am convinced, and I share the views of the Commissioners of the District of Columbia, that it is possible to design a bridge which will result in the enhancement of the appearance of the area and will be an asset to the monumental location, and will have the advantage of not plunging those who use the crossing into a tunnel as they approach these monumental structures, and then bringing them to the surface after they have passed them.

Mr. President, to my colleagues who are on the floor at this time, and who are interested in the proposed design of the bridge, as conceived by the architect, let me state that we have had placed at the rear of the Senate Chamber a picture of the proposed Constitution Avenue Bridge. We think it is architecturally beautiful.

The record of the hearings shows that there have been 5 independent traffic studies made since 1952, all of which demonstrate the need for a 6-lane structure to accommodate the traffic that demands a crossing in this vicinity.

The first survey was made in July 1952, by the firm of Modjeski & Masters, of Harrisburg, Pa., in its report to the Commissioners it recommended a new 6-lane bridge in the vicinity of Constitution Avenue, and estimated that had a bridge been in place at the time the report was submitted, it would have carried an average daily volume of 48,500 vehicles. This was an immediate traffic assignment to an immediately needed project back in 1952.

A second traffic study was made in February 1954 by the Regional Highway Planning Committee. It established a traffic count in the vicinity of Constitution Avenue and estimated that had a facility been available at that time, it would have carried in excess of 43,000 vehicles per day. The Regional Planning Committee report, like the Modjeski & Masters report, did not forecast future volumes, but indicated a 6-lane bridge to allow for the normal growth of traffic.

A third study was made in 1954 by the Department of Highways, District of Columbia, which indicated that there was a crossing demand for 47,000 vehicles a day. The Highway Department projected their data, and found that in 1970 this demand would increase to 65,000 daily; and in 1980 to 75,000 vehicles daily.

A fourth study was made in 1955, which indicated that in 1980 a Constitution Avenue Bridge would carry an average daily load of 75,000 vehicles.

The latest study, also made in 1955, forecast that 75,000 vehicles a day would cross a Constitution Avenue bridge by 1970.

To summarize, the evidence gathered by these 5 groups, all working independently, arrived at the same conclusion, based upon traffic demand, that a traffic facility constructed at or in the vicinity of Constitution Avenue must contain 6 traffic lanes.

Before concluding, I wish to emphasize again that the bridge has been approved by the Bureau of Public Roads as a part of the Interstate Highway System. I would not venture to say, because I simply do not know, what the construction of a four-lane tunnel would do to other Bureau-approved plans in Virginia and the District. It seems to me it might very well call for a complete readjustment of the Bureau's approved plans.

Those of us who are advocating a bridge felt that the need and capacity and cost data all indicated that a 6-lane fixed-span bridge, as approved by the District of Columbia government, the Secretary of the Army, and the Bureau of Public Roads, would be far superior at this location to a 4-lane tunnel, and would even be superior to a 6-lane tunnel. For all those reasons, we favor the construction of a bridge.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. BYRD. What are the comparative costs as between a tunnel and a bridge?

Mr. BIBLE. The cost of the steel bridge was estimated at $18,500,000. The cost of a 6-lane tunnel was estimated by the advocates of the tunnel at $37,500,000, and that was the lowest estimate we received, I will say to the Senator from Virginia. Taking the proponents' figures as presented to us, there is a differential of $19 million.

Mr. BYRD. Would they have the same carrying capacity?

Mr. BIBLE. They would not have the same carrying capacity. There was considerable dispute before the committee on that point. The carrying capacity of a 6-lane bridge was estimated to be 4,500 vehicles an hour. The testimony was that a 4-lane tunnel would have a carrying capacity of 2,200 vehicles an hour. There was a disparity in the testimony of those before the committee. I think it is safe to say a 6-lane tunnel would not carry the same number of people that a 6-lane bridge would, but would carry a lesser number.

Mr. BYRD. The investigation of the committee unquestionably indicated a great need for either a bridge or a tunnel. Is that correct?

Mr. BIBLE. I may say it has been a great pleasure to work with the Senator from Maryland [Mr. BEALL], the second senior member of the District of Columbia Committee. If there was one thing on which we were in complete agreement, it was that there was a great need for a crossing in the vicinity of Constitution Avenue, be that crossing a bridge or a tunnel.

Mr. BYRD. Was the committee unanimously in favor of a bridge?

Mr. BIBLE. It was not. As I pointed out previously, the subcommittee voted for a bridge by a vote of 2 to 1. The full committee voted for a tunnel by a vote of 5 to 3. The tunnel proposal is before the Senate as a result of a favorable report of the District of Columbia Committee by a vote of 5 to 3.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BIBLE. I am delighted to yield.

Mr. O'MAHONEY. I think perhaps the Senator from Virginia would like to know that the bill providing for a tunnel was introduced by the present speaker as Vice Chairman of the Theodore Roosevelt Centennial Commission. The Theodore Roosevelt Centennial Commission authorization likewise fosters the bill which was introduced. I have only the highest confidence in the Senator from Nevada, who finds himself in the unusual position of being the chairman of the subcommittee of the District of Columbia Committee which conducted hearings on the bill, and nevertheless being the author of the minority views. He finds himself in the difficult task of submitting a favorable report for a tunnel, while he himself was the minority representative leading the battle in the committee for a bridge instead of a tunnel.

The Senator from Maryland [Mr. BEALL], the ranking Republican member on the District of Columbia Committee, I think, is an ardent advocate of a tunnel. I want to compliment the Senator from Nevada, because he has been eminently fair in presenting the matter. I think, however, in presenting the favorable report he has been irresistably compelled by his own predilections to make an argument for the minority instead of for the majority of the committee.

Mr. BIBLE. I may say to my friend from Wyoming that I know of his interest in the tunnel bill. He acquainted me concerning his interest very enthusiastically. I certainly intended to yield to my friend and colleague from the State of Maryland [Mr. BEALL], because I know he is now a strong advocate of a tunnel, as he was a strong advocate of it in committee. It was my intention to yield to him so he could present his views.

I will say the chairman of the Fiscal Affairs Subcommittee found himself in the majority until the bill reached the full committee. We were 2 to 1 ahead until then. Notwithstanding that fact, I have filed minority views. I am sure the Senator from Maryland [Mr. BEALL] will develop the position of those who advocate a tunnel.

Mr. President, before yielding to the Senator from Maryland in order to place before the Senate and square up the question as to a bill providing for a tunnel or for a bridge, I should like to move that all after the enacting clause of Senate bill 944, which is the tunnel bill, be stricken, and that the contents——

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. O'MAHONEY. I suggest to the Senator that perhaps it might be a courtesy to those of us who are supporting the majority report that he withhold his motion.

Mr. BIBLE. I have no intention of asking that the motion be put now. I was going to yield first to the Senator from Maryland, and then yield the floor.

Mr. O'MAHONEY. I merely ask the Senator if he will not be good enough to withhold the motion until after the advocates of the bill as reported by the Committee on the District of Columbia have had a chance to explain their position.

Mr. BIBLE. I had no intention of precluding that type of discussion or debate.

Mr. O'MAHONEY. I understand.

Mr. BIBLE. I simply wish to put the advocates of the bill on notice that I intend to make the motion to substitute the bridge bill for the tunnel bill so as to get an expression from the Senate as to a tunnel or a bridge.

Mr. O'MAHONEY. I understand.

Mr. BIBLE. I had no intention of making the motion until the discussion had been completed.

Mr. BEALL. Mr. President, I certainly want to thank and congratulate the Senator from Nevada, the chairman of the subcommittee, with whom I had the pleasure of working for many days and many months as to river crossings, for his fairness in presenting his report. Factually, I would say he was very fair in his presentation, and I thank him for that.

Mr. President, I do not intend to discuss this matter at length, since the plan has been so ably explained by the chairman of the subcommittee; but I wish to reiterate that for many months there has been almost constant discussion of the question of providing an additional crossing over the Potomac River. In the last Congress there was enacted a law providing for a permanent span bridge, but no action looking to its construction has been taken. We know the same fate will face such a bill this year.

The question arises, Mr. President, Do we want to provide for another crossing of the Potomac River at this location? If so, we will have to find some way to do it other than by a bridge; and so a tunnel is the answer.

Mr. President, many organizations, groups, and individuals in the District of Columbia, with the exception of the District Commissioners, are in favor of a tunnel. I should like to read a list of some of the persons and organizations who testified before the committee in favor of it. They are:

General U. S. Grant, of the Federal City Committee of 100.

Mr. Harland Bartholomew, the chairman of the National Capital Planning Commission.

Mr. Conrad Wirth, of the National Capital Parks.

Mr. Horace M. Albright, of the American Smelting & Refining Co.

Mr. Oscar S. Straus, of the Theodore Roosevelt Association.

Mrs. Fleetwood L. Guthrie, of the General Federation of Womens Clubs.

Mr. Fred E. Howe, of the Sons of Union Veterans.

The Honorable Fred A. Seaton, Secretary of the Interior, who filed a statement.

Colonel Arthur Hanson, of the Marine Corps War Memorial Foundation.

The National Monument Commission.

The American Society of Landscape Architects.

The Freedom Shrine, Inc.

The American Institute of Architects.

The American Scenic and Historic Preservation Society.

All the groups mentioned testified for a tunnel, because they felt it was the best way to preserve the natural beauty of this Potomac area, without interfering with the historic monuments that are located there. The tunnel built at the particular location that is under consideration here would accomplish this.

The costs, to which the Senator from Nevada has referred, are debatable. The Senator used some figures in his statement. At the moment I do not have the other figures, but the fact is that the

bridge bill, S. 1707, asks an authorization of only $900,000 less than the tunnel bill, S. 944.

I think, if we wish to have a crossing of the river, the main thing we must work out is a bill which will be approved by both bodies of Congress. The proposal must be acceptable to everybody.

I think the striking thing is that every known historical society, and all the planning organizations, with the exception of the District Commissioners themselves, favor the tunnel. They have all advocated a four-lane tunnel. The figures presented in the committee hearings showed that a tunnel of this size would carry the traffic at this time and at this particular location.

Mr. President, we should provide for a tunnel. I am not going to take up any more time of the Senate, because the acting majority leader wishes to proceed with the consideration of the bill. So I yield to the Senator from Wyoming, the author of the bill, who I believe desires to make a statement.

Mr. O'MAHONEY. Mr. President, I have in my hand a pamphlet showing the type of architectural development which has been planned for the area over which it is proposed to construct the bridge. The Freedom Foundation is proposing to construct a beautiful architectural memorial on the Virginia side of the Potomac River.

I should like to have my friend, the Senator from Pennsylvania [Mr. CLARK], take a look at the beautiful structure which is proposed to be constructed as a memorial to freedom on the very area where the photograph shows the direct east and west line of the Capitol of the United States, the Mall, the Washington Monument, and the Lincoln Memorial. Near there stands Roosevelt Island, which was turned over to the Federal Government by the Theodore Roosevelt Association, in the belief that the island would be kept in its virgin state as a memorial to one of the great Presidents of our country.

The proposed bridge, which the Senator from Nevada favors having constructed instead of the tunnel, would mar the scenic beauty of this area. It would pass over the island.

More than that, Mr. President, the land which would be needed for the construction of the bridge is the property of the Federal Government. The Federal Government has been endeavoring to make this region of the Potomac River, embracing the Capitol, the Washington Monument, the Lincoln Memorial, the Jefferson Memorial, and the Arlington Cemetery, a scenic center for the people of the United States. Many thousands of visitors from all over the land come to Washington every day. Members of the Senate and Members of the House of Representatives see these visitors traversing the halls and corridors and lobbies, I may say, of the Capitol of the United States. These visitors go to their homes bearing with them the thrill they have acquired from observing what they believe to be a government of the people in operation.

Life magazine for July 8, 1957, contained an article entitled "Pilgrims of the United States of America Visit Their Capital." I ask unanimous consent that this article be printed in the RECORD as a part of my remarks, together with certain captions descriptive of the pictures.

There being no objection, the article and captions were ordered to be printed in the RECORD, as follows:

PILGRIMS OF THE UNITED STATES OF AMERICA VISITING THEIR CAPITAL

Coatless against the Washington heat, cameras at hand, the visitors shuffle indefatigably through the marble shrines to a nation's past and through the great buildings where the Nation's future is shaped. In a land of travelers, only New York City draws more visitors than the 5.5 million who came to Washington last year. But the trip to Washington is something special to Americans—part tour, part civics lesson, and most of all, a pilgrimage to the well-spring of their democracy. Recently Henri Cartier-Bresson, a Frenchman who is one of the world's great photographers, joined the city's visitors.

The visitors come all year round to sightsee, to convene, to visit their Congressmen. With spring the great influx of students arrives—the senior classes from Winfield, Kans., Paoli, Ind., or Dahlonega, Ga., making graduation trips to the Capital. For 3 to 5 exhausting days they walk and see and store up impressions—the glistening immensity of the Capitol Building, the firearms at the FBI, the money rolling out at the Bureau of Engraving.

Cartier-Bresson caught the city's familiar tourist landmarks and an aspect—the fashionable lawn parties and unhurried beauty—that most tourists miss. But, as his pictures show, he found himself entranced as much by his fellow sightseers as by what they saw.

History becomes palpable for some young students as they touch the nose and shoulder of Gutzon Borglum's massive marble bust of Lincoln in the Capitol rotunda.

Leaning from the bus which brought his class from Winfield, Kans., a senior takes a picture of the Capitol as the tour leaves.

Amid the endless exhibits of the Smithsonian Institution, visitors aim cameras at a plastic replica of the statue that tops the Capitol.

Coming to see their Congressman, Watson Totus and Eagle Seelatsee of the Yakima tribal council stride through the Capitol.

Quiet amid the marble grandeur, a high school tour descends the great staircase of the Library of Congress. They had just looked at Jefferson's draft of the Declaration of Independence and a copy of the Gettysburg Address in Lincoln's handwriting.

Suspended from the ceiling of the Smithsonian Institution are Lindberg's "Spirit of St. Louis" and, behind it, the Wright brothers' original plane.

Footsore and art-weary, students sink onto benches beneath Renoir's "Diana" to summon strength for the rest of the National Gallery of Art.

On the long, broad greensward that sweeps down from the Washington Monument, some local boys shag a few flies. Around the base of the monument sit the cars of some of the 5,500 tourists who come to visit it each day.

In the warm afternoon, the city's twice-daily tide begins to flow as office workers from the Navy and Atomic Energy Commission buildings queue up for the buses that will start them on their way home. Of Washington's half million workers, one-third work in Government and it is a city uniquely attuned to the office-worker's punctual pulse. Many of the civil servants live in Maryland or Virginia and their days begin and end with a monstrous traffic jam they have long since learned to endure.

Across the still Tidal Basin, the Jefferson Memorial glistens in the sunlight. In cherry blossom season, tourists would swarm through the area. Now, later in the season, two young boys can unhurriedly poke ripples in the water.

Mr. O'MAHONEY. I cannot use the pictures which accompany the article, but I shall pass the magazine around so that as many Senators as possible may take a glance at the scenes which are depicted here in the Capital—scenes which are duplicated almost every day as a result of the activity of the Government in fostering and preserving the beauty of all construction in this area. My point is that this beauty would be spoiled by the proposed bridge.

Mr. FREAR. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I shall be glad to yield in a moment.

I wish to read into the RECORD at this point a letter from Secretary of the Interior Seaton to the Director of the National Park Service, dated March 27, 1957. The letter reads as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., March 27, 1957.

To Director, National Park Service.
From Secretary of the Interior.
Subject: Transriver trafficway in the vicinity of the Arlington Memorial Bridge.

I have been following with considerable interest the discussions that have appeared in the press concerning an appropriate transriver trafficway in the vicinity of the Arlington Memorial Bridge. I am, of course, vitally interested in this problem and am anxious that it be resolved in the total public interest.

As custodian of our national shrines, monuments, and memorials, which would be affected by either a tunnel or a bridge in the location now being considered, I wish you to know that you have the full support of the Department in pursuing the objectives of constructing a tunnel in the general vicinity of Constitution Avenue extended.

Since the Department has not been requested to report on the legislation now being considered, I should like you to advise the committees of the House and the Senate who may be designated to consider this problem, that the Department of the Interior is opposed to a bridge trafficway in this vicinity and that it supports the concept of a tunnel.

FRED A. SEATON,
Secretary of the Interior.

Mr. BIBLE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. The Senator from Delaware has asked me to yield.

Mr. FREAR. Mr. President, the Senator from Wyoming was speaking of the beauty of some of the buildings in Washington. I wonder if the Senator believes that the beauty of a tunnel would equal that of a bridge.

SHED OVER RIVER

Mr. O'MAHONEY. Yes. I think the bridges which are contemplated would result eventually in the building of a shed over the Potomac, which would completely conceal the attractive waters of the Potomac.

Mr. FREAR. The beautiful waters of the Potomac.

Mr. O'MAHONEY. I notice a chart which was brought into the Chamber by the minority who are opposing the tunnel. It is not the making of the Department of the Interior. It is not the making of the majority of the District Committee. It is not the making of the

advocates of the tunnel. It is the making of the advocates of a bridge.

The legend on the map shows in black existing bridge locations. There are three of these in the immediate area of the Theodore Roosevelt Island.

The proposed bridges are marked in red. There are three of those.

Possible future locations are marked in green.

Reports which have come to us indicate that traffic experts say that at least 14 lanes would be needed to handle growing traffic. It is perfectly clear that, at the place at which the tunnel would be built, the proposed bridge would not only span Theodore Roosevelt Island, but would span the Potomac at a point where all the land involved is under the jurisdiction of the Government, through the Department of the Interior, which land is dedicated to beautifying this area of the Capital of the United States, probably the greatest capital in the world.

It is obvious from this chart that the construction of multiple bridges over the Potomac River at this point would not serve to enhance the beauty of the area, but would serve rather to destroy its beauty. What we propose to do is to build a tunnel, which would not require an embankment on the Virginia side, and which would not destroy the beauty on the District of Columbia side.

Moreover, I wish to point out to the advocates of the bridge that the President of the United States, who will have to act upon any bill which is passed, in signing the bridge authorization bill in the previous session, issued a statement from the White House, dated August 30, 1954. In this message, after approving the authorization for a bridge, the President said:

> Trucks should be prohibited on the bridge and its approaches, and all passenger-carrying buses now utilizing the Arlington Memorial Bridge should be required to use the new bridge upon its completion.

This is an indication, it seems to me, that the President of the United States would not prefer the bridge to a tunnel which would carry the traffic.

Mr. FREAR. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. FREAR. What was the date of that message from the President?

Mr. O'MAHONEY. August 30, 1954.

Mr. FREAR. Does the Senator think the President is still of the same mind today as he was in 1954?

Mr. O'MAHONEY. I have no reason to believe that he has changed his mind.

Mr. FREAR. If the proponent of the tunnel will indulge me for a moment before I ask him a question——

RECOMMENDATION FOR TUNNEL

Mr. O'MAHONEY. Before the Senator asks the question perhaps he will permit me to give a quotation from another authority which will have a bearing on this question.

Wilbur Smith & Associates are reputedly the Nation's leading traffic consultants. One of the most significant things, it seems to me, is that the best consultants in the country are on record as approving a four-lane tunnel facility at Constitution Avenue.

The same group were of the opinion that if two new bridges, for which the authorization legislation has already been introduced, are built in the immediate future, that will make it more certain that there ought to be a tunnel rather than a bridge at this point.

The following are the words which were used by Wilbur Smith & Associates. They were called upon by the National Capital Planning Commission to express their point of view:

> We believe that it may not be necessary, or even desirable, to provide a six-lane capacity at the Constitution Avenue location, and that more thought might be given to the dispersal rather than the concentration of transriver crossings in order to better solve the approach road problem.

In other words, the best advice the National Capital Planning Commission could obtain was to the effect that bridges should not be concentrated in this area, but that the tunnel should be built instead.

As the report of the majority shows, there has been endorsement by the following agencies or organizations of the tunnel proposal recommended by the District Committee:

> Department of the Interior.
> Commission of Fine Arts.
> Theodore Roosevelt Centennial Commission.
> Theodore Roosevelt Association.
> National Monument Commission.
> Committee of One Hundred for the Federal City.
> Marine Corps War Memorial Foundation.
> American Society of Landscape Architects.
> American Scenic and Historic Preservation Society.
> Freedom Shrine, Inc.
> Sons of Union Veterans.

Mr. FREAR. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. FREAR. There are some very worthwhile arguments being presented in favor of a tunnel, including the arguments made by the distinguished Senator from Wyoming. However, I wonder if the commissions and foundations he has mentioned would consent to underwrite the difference in cost between a tunnel and a bridge.

Mr. O'MAHONEY. I think the cost of a tunnel or of a bridge is not set forth in any of the statements contained in the minority views. The Department of the Interior challenged the estimates of the advocates of the bridge.

Mr. FREAR. Does the Senator from Wyoming indicate that the cost of a tunnel would not be more than the cost of a bridge, either 4-lane or 6-lane?

Mr. O'MAHONEY. I believe the cost of a bridge such as is being planned, of 6 lanes, or perhaps even 10 lanes, would be much greater.

Mr. FREAR. Does the Senator think a 4-lane tunnel would carry as much traffic as a 6-, or 8-, or 10-lane bridge?

Mr. O'MAHONEY. I believe that a four-lane tunnel would carry much more traffic per square foot than any bridge which was ever built.

Mr. FREAR. The Senator does not answer my question. My question was, Does the Senator believe——

Mr. O'MAHONEY. The overriding issue and the overriding consideration is that we should not commercialize the scenic value of the Potomac River, the memorial center of Washington.

Mr. FREAR. But the Senator is concentrating——

Mr. O'MAHONEY. It is much more desirable to construct even a more expensive tunnel than to destroy the beauty of the memorial center of Washington.

Mr. FREAR. The Senator is concentrating on his own views.

Mr. O'MAHONEY. Of course; and the Senator from Delaware is concentrating on his views.

Mr. FREAR. The difference is that the Senator from Delaware is attempting to do so; whereas the Senator from Wyoming is not agreeing with the Senator from Delaware. Will the Senator yield further?

Mr. O'MAHONEY. I yield.

Mr. FREAR. I agree with the views expressed by the Senator from Nevada [Mr. BIBLE], the distinguished chairman of the subcommittee. He has given a message to the Senate which it should heed.

The Senator from Wyoming has displayed his usual ability in portraying the beauty of Washington, and in making other arguments. He always does an outstanding job. However, I ask Members of the Senate to analyze the cost involved in the construction of a tunnel or a bridge before they cast their vote with the Senator from Wyoming. Of course I would much prefer that Senators cast their vote with the Senator from Nevada and the Senator from Delaware.

Mr. O'MAHONEY. The Senator has not asked me a question. Therefore, I shall close my argument by asking unanimous consent, in order to save time of the Members of the Senate, who I know are eager to go to other activities, that there be printed in the RECORD at this point the text of a prepared statement on this subject which I had intended to deliver, but which I shall not deliver at this time.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

POTOMAC RIVER TUNNEL

Traffic demands along the Potomac River have engendered a spate of proposals for new river crossings. One of the several proposals contemplates a new crossing at the Constitution Avenue corridor. There is full agreement that a new crossing is in urgent demand. There is no argument over the type at other sites but the unique cultural and historic locale near Constitution Avenue has prompted the proposal of a tunnel in place of a bridge at this site.

The Potomac River tunnel envisioned by S. 944 was designed by Ole Singstad, one of the world's leading authorities on tunnel design and construction. As designed by Mr. Singstad, the tunnel will cost $25,482,000 to construct. It will be a 4-lane tunnel capable of moving 55,000 to 60,000 vehicles per day, a number comparable to the number now crossing the Arlington Memorial Bridge.

A careful check of records shows that other great tunnels of the land, e. g., the Holland and Lincoln Tunnels in New York have proved capable of moving as much traffic as the great bridges. For example, Lincoln Tunnel in New York has been clocked in highest recorded day of moving 17,246 vehicles per lane while the George Washington Bridge carried 18,043 vehicles on its record

day. The Holland Tunnel during its highest recorded day carried 17,847 vehicles per lane.

ADEQUACY OF FOUR LANES

In the hearings there has been a great deal of discussion over the need for a 6-lane facility at Constitution Avenue. And there are those who feel keenly the need for a 6-lane crossing. However, Wilbur Smith & Associates, one of the Nation's leading traffic consulting firms, has reported that a 4-lane crossing at Constitution Avenue is wholly adequate if 2 more bridges, one at Roaches Run and the other above the Key Bridge, were to be constructed in the immediate future. Senator CASE, of South Dakota, has introduced a bill to provide for the construction of these 2 bridges. If the Congress will authorize these 2 bridges, we have the assurance of leading traffic experts that a 4-lane tunnel at Constitution Avenue will move the necessary traffic.

There is much to suggest that it would not be desirable to introduce any more traffic into downtown Washington than that contemplated by the tunnel. In the hearings there was a great deal of testimony to the effect that a 6-lane crossing, preferably a bridge would be needed and that the necessary dispersal arteries would be available to handle the volume. These estimates were all predicated upon the use of E Street channeling traffic north past the White House and the use of a nonexistent park drive on the north side of the Reflecting Pool, an arterial drive which cannot be built until the Navy and Munitions Buildings are demolished. The estimates also presuppose the construction of the inner loop.

The statement in the minority report which asserts that "All agencies which have made a study of traffic demands in the area have approved the need for a six-lane crossing at Constitution Avenue," does not take into account the Wilbur Smith & Associates recommendation.

There are a good many figures in the discussion but the Senate Committee on the District of Columbia has accepted the following figures:

Costs of proposals

TUNNEL, 2,870 FEET LONG

4 lanes:	
Estimates by Interior	$25,482,000
Estimates by Interior plus rights-of-way and present channel clearance estimates by Highway Department	29,382,000
Operation and maintenance per year, $125,000.	
6 lanes:	
Estimates by Interior	37,500,000
Estimates by Highway Department	47,842,000
Operation and maintenance per year, $310,000.	

BRIDGE

Fixed span, 6 lanes:	
Estimates by Highway Department: Prestressed concrete	15,550,000
Operation and maintenance per year, $10,000.	
Estimates by Highway Department: Steel	18,699,000
Operation and maintenance per year, $14,000.	
Draw span, 6 lanes:	
Estimates by Highway Department: Prestressed concrete	17,450,000
Operation and maintenance per year, $56,000.	
Estimates by Highway Department: Steel	20,599,000
Operation and maintenance per year, $60,000.	

MATTHEW M. NEELY.
ALAN BIBLE.
J. ALLEN FREAR, Jr.

NEED FOR STUDY

Like a good many figures they must be studied closely if their true import is to be understood. The first figure, the $25,482,000 figure, is a firm one. It is the figure at which Ole Singstad, the tunnel authority, arrived at when he designed the tunnel. It has been audited, and contractors have studied it and reported that they could build a tunnel for the figure. Past this point the figures must be studied carefully. For example, in the next figure, an allowance has been made, not by the Department of the Interior but by the District Subcommittee for Land Acquisition and Channel Maintenance. But one of the beauties of the tunnel is that it will be built solely upon Federal land. There need be no money appropriated for land acquisition. There need be no more money for maintenance. The channel is now maintained exactly as it will be when the tunnel is built. In fact, a statutory authorization to maintain the channel at its present width, instead of the larger one provided by law, will reduce the cost of the tunnel, for the tubes will not have to be sunk so low into the river.

The bridge estimates are preliminary ones which have not been checked and rechecked. Despite public testimony from the Department of Highways of the District of Columbia the fixed steel bridge, which is the only one seriously contemplated, will actually cost $20 million as some officials of the Department of Highways have acknowledged, not the $18,699,000 listed in this report. The 6-lane draw span will cost $22 million.

The bridge-maintenance figures seem strangely low. The District of Columbia Highway Department reports that it will cost $14,000 a year for maintenance and repair of the steel bridge, which is the one which the highway department really intends to build, if it is granted the authority. This is strange estimate when it is known that the highway department has estimated $55,000 each for the two new 14th Street bridges, that the District Highway Department's one-third of the yearly maintenance of the authorized Jones Point Bridge is $20,000, when it is understood that the Department of the Interior spends $60,000 to $70,000 per year to maintain the Arlington Memorial Bridge.

TUNNEL BENEFITS

In any arrangement of these figures the tunnel will cost more to build than a bridge. These increased costs must be balanced against the benefits from the tunnel. The Federal Government has an investment, actual and contemplated, of $66,200,000 in the immediate vicinity of the crossing site. (This does not include the White House, the Washington Monument, the Arlington National Cemetery, and the proposed National Cultural Center.) The Federal investment is figured on cost, not replacement value.

The extra money for the tunnel will procure:

The preservation of the planned beauty of the Washington Mall and the projected National Memorial on the Virginia shore;

The beauty of an intact river line;

The maintenance of Roosevelt Island as the site for a national memorial to President Theodore Roosevelt without the complications of a bridge;

A facility which will not add to the flood level during high water and will permit unobstructed navigation.

It is also possible that the tunnel costs can be lowered if a narrower navigation channel is authorized in the Potomac. The Army engineers maintain a channel 200 feet wide in this reach of the river. The statutory authorization permits a 400-foot channel and the tunnel plans are based upon this width. If the statutory authority authorization is decreased to the 200 feet now maintained the tunnel plans can be changed. This would be a saving of about $1 million.

H. R. 6763, a similar bill which has been recommended by the House Subcommittee on Police, Firemen, and Traffic contains the language needed to narrow the channel to its maintained width.

THREAT TO FEDERAL CONTROL

Construction of a medium level bridge at Constitution Avenue, besides obstructing views in this particularly monumental area, would be an intrusion of the District of Columbia into an area which for many decades has been owned and carefully administered by the Federal Government. The tunnel will be built in its entirety upon Federal land. The Washington Mall, the Arlington Cemetery and Roosevelt Island have all been placed under the ownership and administration of the Federal Government chiefly to preserve, maintain, and enrich the monumental testimony to free government which these few acres are. There are no other sites, as those within a 1-mile radius of this crossing, as intimately connected with the development of free government in a new continent. To despoil them for the sake of saving $2,500,000 seems penny wisdom and pound foolishness.

This is particularly so in the light of the many millions which have been spent, which will be spent to make this immediate locale and other areas not far distant the most beautiful capital in the world. These are some of the sums which have been authorized by the Congress for the development of the Capital in line with the hopes of Thomas Jefferson and the other Founding Fathers who envisioned, in the principle, the great city devoted solely to the government of a free people which has risen on the banks of the Potomac. In the past several years Congress has appropriated these sums for the planned development of this city and its approaches:

George Washington Parkway	$11,000,000
Little Falls Dam	15,000,000
New State Department Building	45,000,000
Four new Government office buildings	90,000,000
New Smithsonian Building	50,000,000
New CIA Building	45,000,000
New Senate Office Building	25,000,000
New 14th St. bridge	10,000,000
New Jones Point bridge	15,000,000

MINORITY REPORT

The minority report needs to be read with close scrutiny. Its view seems to be an expression of agencies whose only concern is traffic. Many of the assumptions of the report are based upon plans for an interloop and other rearrangements of the arterial highway system not yet out of the planning stage. They will not be built for many years. The traffic studies upon which the minority reports rely all focus on traffic counts at this single point without reference to the need and desirability of dispersing traffic as recommended by Wilbur Smith & Associates nor to the possibility of the construction of other bridges.

Actually the addition of two lanes to Highway 50 on the Virginia shore will not tax the tunnel. The present 4 lanes of Highway 50 channel traffic to the Arlington Memorial Bridge. With the addition of 2 lanes and the construction of a tunnel this traffic will have 2 choices instead of 1. While there was testimony that the tunnel would be operating at full capacity as soon as completed it was not conclusive and seemed to envision the strange occurrence that as soon as the tunnel was completed no other traffic would use the Arlington bridge.

The arguments in paragraph 2 of the minority report are irrelevant in that the Bureau of Roads will not be asked to pass upon any of these funds. The funds will be appropriated to the Department of the Interior which now administers the land upon which the tunnel will be built. The tunnel will be

built under the direction of the Secretary of the Interior and administered by him as part of the National Capital Parks system.

While the minority report asserts that the aspect of esthetics "was thoroughly considered by those us who are opposed to the construction of a tunnel" the plain fact is that the commissions and organizations charged particularly with preserving the esthetic values of this area have opposed the bridge and favor the tunnel. These include the Commission of Fine Arts, the National Monument Commission, the Committee of One Hundred for the Federal City, the American Society of Landscape Architects, the American Society of Professional Engineers.

The minority report stresses the fact that the tunnel would not solve the controversy between fixed-span and movable-span proponents. Selection of the tunnel would certainly solve this controversy as far as the Constitution Avenue is concerned. It is true that the Senate District Committee has voted a fixed span at 14th Street but it does not follow that the House will accept a fixed span. A tunnel, however, at Constitution Avenue definitely solves the dilemma.

The traffic figures of paragraph 6 just don't match the figures attested by numerous bridge and tunnel authorities throughout the Nation. By testimony from the Port of New York Authority the one-way traffic capability of the tunnel should easily be 3,000 vehicles per hour instead of 2,000 suggested by the minority.

Construction of the bridge would jeopardize the creation of the national monument on the Virginia shore. A nonprofit organization of citizens have worked out plans for a great national monument to the freedoms of the Bill of Rights. The high embankments of a bridge would block the view from this monument across the river. Legislation will shortly be considered to incorporate this nonprofit organization which will build the monument by public subscription. If the bridge is passed, however, the planners have indicated, they will not wish to press for the creation of the monument. It would be pointless from their standpoint if the bridge destroys the symmetry of the locale.

Mr. BIBLE. Mr. President, I merely wish to close the discussion with a few observations. It behooves all Members of the Senate to bear in mind that if a four-lane tunnel is built at the proposed Constitution Avenue crossing, the expert testimony is to the effect that from the day the tunnel is constructed it will be packed to capacity. I sound that warning, because the uncontradicted testimony is to the effect that a four-lane tunnel is insufficient for that area in view of the foreseeable growth of the District of Columbia.

Mr. BEALL. Mr. President, will the Senator yield?

Mr. BIBLE. I yield to my distinguished friend.

Mr. BEALL. The statement that the tunnel would be packed to capacity from the day it opened is debatable, I believe, because expert witnesses were very much divided with respect to the question of the capacity of the tunnel versus the capacity of a bridge.

Mr. BIBLE. There was some division among the experts, but there was no division about the volume of traffic a tunnel could carry as compared with the volume a bridge could carry. Therefore, Mr. President, I close my argument with that note of warning. Furthermore, it should be borne in mind that the additional cost of the construction of a tunnel would be $7 million or $8 million. From the standpoint of traffic capacity, of course, there is obviously no comparison. As to the question of beauty, I sincerely feel that the construction of a bridge would not in any way damage the beauty of the monumental area, as has been indicated.

In accordance with my earlier statement, I now offer an amendment to strike out all after the enacting clause of S. 944, the pending bill, and to insert in lieu thereof the text of S. 1707. The purpose of the amendment is to place before the Senate the question of the six-lane fixed-span bridge.

The PRESIDING OFFICER (Mr. STENNIS in the chair). Without objection, the text of the amendment will be printed in the RECORD.

The amendment was to strike out all after the enacting clause and insert the following:

That subsection (a) of the first section of title I of the act entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes," approved August 30, 1954 (68 Stat. 961) is amended, (a) by inserting immediately after the phrase "Potomac River," where it first appears, the phrase "to be known as the Theodore Roosevelt Bridge,"; and (b) by striking the period at the end of said subsection and adding the following: ": *Provided further*, That the bridge hereby authorized to be constructed may cross such portion of either of the two islands comprising the said Theodore Roosevelt Memorial Island as may be agreed upon between the Theodore Roosevelt Association and the Commissioners. The general plan and profile of the bridge structure shall be subject to the approval of the Fine Arts Commission. The general location of the bridge, approaches, interchanges, and connecting roads on lands under the jurisdiction of the Secretary of the Interior shall be subject to his approval. The bridge, approaches, interchanges, and connecting roads at both ends of the bridge shall be constructed with a view to retaining so far as possible the monumental setting and the artistic design of the Lincoln Memorial, the Arlington Memorial Bridge, and other monumental structures, properties, and park lands in the general area."

SEC. 2. Section 102 of said act approved August 30, 1954, is amended by striking the period at the end thereof and adding the following: ": *Provided*, That the Secretary of the Interior shall retain control and jurisdiction over all park lands in the vicinity of the bridge other than such lands as may be required for the actual bridge structure and other than the surface of the approach roads and streets between curbs, which shall be the responsibility of the government of the District of Columbia."

Mr. BIBLE. Mr. President, I suggest the absence of a quorum.

Mr. O'MAHONEY. Will the Senator withhold that suggestion of the absence of a quorum?

Mr. BIBLE. I withhold it.

Mr. O'MAHONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. O'MAHONEY. The result of the adoption of the amendment offered by the Senator from Nevada would be to reverse the action of the Committee on the District of Columbia, to repudiate the recommendation of the Department of the Interior, to violate the recommendation of the Fine Arts Commission, and other bodies, and to kill the tunnel.

Mr. BIBLE. Mr. President, I should like to make a similar parliamentary inquiry. If the amendment is agreed to, it would sustain the views of the minority and the views of the Commissioners of the District of Columbia, and sustain the Bureau of Public Roads and the Bureau of Highways, and the American Automobile Association.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BIBLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair requests those who are in the Chamber under the rules which give them the privilege of the floor to please respect that privilege by being quiet, so that the Senate may transact its business. Persons having no active business on the floor might well view the proceedings from the gallery.

The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Nevada [Mr. BIBLE].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDINGS PROJECTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 548, S. 2261.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2261) to amend and extend the Public Buildings Purchase Contract Act of 1954, as amended, the Post Office Department Property Act of 1954, as amended, and to require certain distribution and approval of new public building projects, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. CHAVEZ. Mr. President, the bill, which was reported by the Committee on Public Works, is a simple bill. The term of jurisdiction of the General Services Administration under the Lease-Purchase Act will expire on July 22, 1957. The bill provides only that the act be extended until June 30, 1960.

I could speak at length, but I do not desire to take the time of the Senate to do so. Therefore, I ask unanimous consent that a statement I have prepared concerning the bill be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CHAVES

The purpose of this bill, S. 2261, is to amend and extend the Public Buildings Purchase Contract Act of 1954 and the Post Office Department Property Act of 1954. It extends the period for approving projects under Public Law 519, 83d Congress, for a period of approximately 3 years, or until June 30, 1960, and recommends changes in the funding and financial aspects of the act to alleviate problems encountered in carrying out the implementation of the program, provide greater flexibility in its operation, and permit the program to proceed in an orderly manner, in order to provide the much-needed space for carrying out the many functions of the Federal Government.

The committee does not feel that budgetary conditions at the present time would permit the appropriation of the large sums that would be required to meet the existing space needs by direct construction. It believes that continuation of the lease-purchase program will assist in providing the much-needed space for governmental activities, and by reducing the use of the straight leasing method, will result in an overall saving. The committee therefore recommends that the lease-purchase program be extended, with amendments to the existing law that will permit its more effective operation and workability. Senate bill 2261 is a committee bill, sponsored by 11 of the 13 members of the committee.

The committee considered the information presented at the hearings and the amendments to the Lease-Purchase Act that were proposed. It was the opinion of the committee that the program should be extended, and other amendments adopted, particularly those with respect to the funding and financing aspects of the program. This would provide a flexible and workable law and alleviate many of the problems encountered in carrying out the program. While the program has not been entirely successful, the committee still believes it to be a good law, that it can be made to work, that it is the only vehicle for obtaining Federal buildings at the present time, and that the Federal agencies should be given the necessary tools to permit operation under the law.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 411 of the Public Buildings Act of 1949, as amended, 63 Stat. 176, as added by the act approved July 22, 1954, 68 Stat. 518, as amended, is hereby amended as follows:

(a) The proviso at the end of subsection (a) reading *"Provided,* That prior to July 1, 1955, a limitation of not to exceed $5 million is hereby established for such purposes." is hereby deleted and the following added in lieu thereof: *"Provided,* That subject to the foregoing restrictions on total annual payments, any such purchase contract may provide for payments at such intervals as the Administrator may deem necessary and, without regard to the foregoing requirement for equal annual payments, for partial payments during construction to cover interest on and amortization of the earned portion of the purchase price."

(b) By inserting in subsection (c) thereof, immediately after the words "any person, copartnership, corporation,", the words "Federal lending agency, public corporation."

(c) The colon after the word "States" in the fifth line of subsection (d) is changed to a period and the remainder of the sentence reading *"Provided,* That no such agreement may provide for the payment by the United States in pursuance of the terms thereof of moneys in an aggregate annual amount in excess of 15 percent of the appraised fair market value of the property at the date of the purchase contract, or in the case of property where construction shall not have been completed at that date in excess of 15 percent of the fair market value at the date of completion of such construction." is deleted.

(d) By striking from subsection (e) the words "within 3 years after the date of enactment of this act" and inserting in lieu thereof "on or before June 30, 1960."

(e) By striking out the semicolon at the end of item (2) of subsection (e) and inserting in lieu thereof a colon and the following: *"Provided,* That the maximum cost set forth in any prospectus for any project may be exceeded by an amount equal to the percentage increase, if any, as determined by the Administrator of General Services, in construction costs dating from the time of transmittal of such project to such committees, but in no event shall such increase exceed 7 percent of the maximum costs set forth in the prospectus without approval of such committee."

(f) By striking item (3) of subsection (e) and inserting in lieu thereof "(3) a comprehensive plan for providing space for all Government employees in the locality of the proposed project, having due regard for suitable space which may continue to be available in existing Government-owned buildings and in rented buildings."

(g) By striking the word "and" following the semicolon in item (7) of subsection (e), by changing such semicolon to a period and by striking item (8) of subsection (e).

(h) By changing the period at the end of subsection (h) to a colon and adding the following: *"Provided,* That the Administrator of General Services is authorized to enter into agreements with any State, county, municipality, or any subdivision thereof providing for reduction in the amount of or for exemption from taxes otherwise payable under this subsection."

(i) A new subsection (k) to read as follows is added:

"(k) The faith of the United States is solemnly pledged to the payment of all annual payments contracted for under purchase contracts entered into pursuant to this section and there is hereby authorized to be appropriated in each fiscal year, out of any money in the Treasury not otherwise appropriated, the amounts necessary to provide for such annual payments. Payments under purchase contracts entered into pursuant to this section shall be pledged, if the Administrator of General Services so requires, as security for any loans obtained by a contractor to assist in the financing of the construction of the projects to which the purchase contracts relate."

(j) A new subsection (l) is added to read as follows:

"(l) Wherever, in this section, the Administrator of General Services is authorized to enter into 'purchase contracts' or a 'purchase contract', such authorization shall be deemed to include any contract or series or group of contracts, including but not limited to contracts covering acquisition of sites, preparation of plans and specifications, financial arrangements and construction which the Administrator of General Services deems necessary to effectuate any of the purposes of this section."

(k) A new subsection (m) is added to read as follows:

"(m) Notwithstanding the provisions of the Assignment of Claims Act of 1940, as amended (31 U. S. C. 203, 41 U. S. C. 15), assignment of moneys due or to become due from the United States under any purchase contract entered into pursuant to the provisions of this section may be assigned to any bank, trust company, trust, insurance company, pension fund, other financing institution including a Federal lending agency, or any other individual, firm, or organization, or any public corporation or other public or private entity, providing the financing in connection with any approved project, whether acting as principal or trustee."

SEC. 2. Subsection (g) of section 202 of the Post Office Department Property Act of 1954, as amended (39 U. S. C. 902 (g)), is further amended—

(a) By striking the words "within 3 years after the date of enactment of this act" and inserting in lieu thereof "on or before June 30, 1960";

(b) By striking the word "and" following the semicolon in item (7) thereof and by changing the semicolon to a period, and by striking item (8) thereof.

(c) By changing the period at the end of subsection (h) to a colon and adding the following: *"Provided,* That the Postmaster General is authorized to enter into agreement with any State, county, municipality, or any subdivision thereof providing for reduction in the amount of or for exemption from taxes otherwise payable under this subsection."

SEC. 3. The first section of the act entitled "An act to provide for the construction of certain public buildings, and for other purposes", approved May 25, 1926, as amended (40 U. S. C. 341), is further amended by striking out "That, to enable" and inserting "That (a) to enable," and by adding at the end thereof the following new subsections:

"(b) No appropriation shall be made to carry out the purposes of this act for any project (1) until the expiration of 30 calendar days of continuous session of the Congress following the date on which the Administrator of General Services has submitted to the Committees on Public Works of the Senate and House of Representatives a prospectus of the proposed project, or (2) where a resolution has been adopted by either committee, during such period, stating in substance that such committee does not approve of such a project. For the purposes of this subsection continuity of session shall be considered as broken only by an adjournment of the Congress sine die, but in the computation of the 30-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days to a day certain.

"(c) The prospectus of the proposed project shall include (but not be limited to)—

"(1) a brief description of the building located or to be erected at a given location;

"(2) an estimate of the maximum cost of the site and building: *Provided,* That the maximum cost set forth in any prospectus for any project may be exceeded by an amount equal to the percentage increase, if any, as determined by the Administrator of General Services, in construction costs dating from the time of transmittal of such project to such committees, but in no event shall such increase exceed 7 percent of the maximum cost set forth in the prospectus without approval of such committee;

"(3) a comprehensive plan for providing space for all Government employees in the locality of the proposed project, having due regard for suitable space which may continue to be available in existing Government-owned buildings and in rented buildings;

"(4) a statement by the Administrator of General Services that suitable space owned by the Government is not available and that suitable rental space is not available at a

price commensurate with that to be afforded through the proposed action; and

"(5) a statement of rents and other housing costs currently being paid by the Government for agencies to be housed in the building to be constructed, enlarged, remodeled, extended, or purchased.

"(d) The Administrator of General Services shall submit to the Congress promptly after the convening of each new Congress, a report showing the location, space, cost, and status of each project submitted under this act and uncompleted as of the date of any prior report under this act."

SEC. 4. The prospectuses required by section 1 (b) of the aforesaid act approved May 25, 1926, as added by section 3 of this act shall supersede the reports required by section 4 of the said act approved May 25, 1926, and section 409 of the Public Buildings Act of 1949, as amended (40 U. S. C. 355), and said section 409 is hereby repealed.

SEC. 5. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this act.

DEATH OF KNOX T. HUTCHINSON, FORMER ASSISTANT SECRETARY OF AGRICULTURE

Mr. KEFAUVER. Mr. President, I know that my colleagues in the Senate share the grief of many in Tennessee who knew him well at the death of Knox T. Hutchinson, a very distinguished citizen of my State, who served as Assistant Secretary of Agriculture from 1949 to 1953.

Mr. Hutchinson worked well and effectively on farm programs which have been of great benefit to farmers all over the United States. He was one of the early proponents of rural electrification. Mr. Hutchinson began to organize rural electric cooperatives in 1935 in Tennessee after buying a farm at Murfreesboro. He was a past president of the Tennessee Rural Electric Cooperative Association and of the Middle Tennessee Electric Membership Cooperative.

Always active in farm groups trying to improve the lot of the farmers of the Nation, Mr. Hutchinson was a former chairman of the Tennessee State Grange. He served as vice president of the Mid-South Cotton Growers Association, and as a member of the Tobacco Advisory Committee, Research, and Marketing Administration.

He was a former member of the Tennessee Senate.

After leaving the Department of Agriculture, Mr. Hutchinson returned to his 650-acre farm, which he planned and developed himself, near Murfreesboro, Tenn.

He was a source of sound advice and counsel to me on agricultural matters during my service both in the United States House of Representatives and in the Senate. He will be sorely missed.

Mr. President——

The PRESIDING OFFICER. The Senator from Tennessee.

UNITED STATES CHAMBER OF COMMERCE DINNER TO DISCUSS MONOPOLY

Mr. KEFAUVER. Mr. President, some of our friends in the newspaper business have been receiving letters signed by Earl B. Steele, manager of the news and information department of the United States Chamber of Commerce. The letters say that a private, informal dinner is being arranged for a select group of the press for next Tuesday evening. The purpose is stated as being an off-the-record discussion of several phases of the broad subject of monopoly.

As you know—

The invitation states—

the forthcoming Kefauver subcommittee report and a recent Supreme Court ruling lend timeliness to the subject.

The letter states that the following business spokesmen will be on hand to answer questions concerning four areas of the problem:

Mergers: Richard Wagner, chairman and chief executive officer, Champlin Oil & Refinery Co., Chicago, Ill.

Antitrust laws: Mark S. Massel, Belle, Boyd, Marshall & Lloyd, attorneys, Chicago, Ill.

Measuring concentration: Lester S. Kellogg, economist, Deere & Co., Moline, Ill.

Bigness: B. Druster Jennings, chairman of board, Socony Mobile Oil Co., New York, N. Y.

The letter also states:

There will be no speeches, just free-swinging conversation. The discussion will be at 5:30 p. m. in the South American Room of the Statler Hotel. Cocktails will be served at 7:15 p. m. Dinner at 7:45.

It is intended that the discussion will continue through the dinner hour. Others present, in addition to the press and participants will be a few chamber staff specialists who are concerned with the question in monopoly.

I am delighted at this evidence of interest in the problem of monopoly, which has been proceeding headlong for so long, by representatives of the United States Chamber of Commerce.

Previous reports of the the monopoly subcommittee, prior to my chairmanship, have pointed out that we are now in the midst of the third great merger movement in the history of our country. Many smaller firms, which were members of the chamber of commerce, have been swallowed by larger rivals, since our subcommittee began to concern itself with the problem. It is indeed gratifying, therefore, that the chamber itself has become concerned. My only regret is that the meeting is private and off the record. We need more free-swinging conversation on this topic on the record.

I hope that other organizations, including small-business groups, labor organizations, and farm organizations, will enter into the discussions being inaugurated by this chamber of commerce private, informal dinner, which thus far is limited to a select group of the press.

I have always believed in the fullest possible discussion of great, overriding problems, such as this one, so that our free-enterprise economy can be preserved intact and functioning, undominated by either government or any concentrated economic group or interest.

AVAILABILITY TO VETERANS OF DISABILITY PROVISIONS OF THE SOCIAL SECURITY ACT

Mr. NEUBERGER. Mr. President, I am concerned by the amendment reported by the Senate Finance Committee on H. R. 6191, which would deny to veterans with service-connected disabilities protection of the disability provisions of the Social Security Act.

Section 2 of the House-passed bill provides that—

The Social Security Act is amended by adding at the end thereof the following new sentence: "For the purposes of this section, the term 'periodic benefit' does not include compensation to any individual under laws administered by the Veterans' Administration on account of such individual's service-connected disability."

This section was removed by the Senate Finance Committee.

A veteran, wounded in defense of our country, could be drawing service-connected disability compensation from the Veterans' Administration, and, after his return to civilian life, and while in civilian employment, could suffer a total and permanent disability, and could meet the requirements for disability compensation from the Social Security Administration. Such a veteran would be penalized and would be unable to receive the social security disability compensation. Yet there would be two separate injuries, and the veteran would not be drawing disability compensation twice for the same injury.

I do not think it is at all fair to penalize our veterans who were disabled while in active military service defending their country. I strongly urge that the provisions of section 2 of H. R. 6191, as passed by the House of Representatives, be restored.

The House Ways and Means Committee, in its report on H. R. 6191, felt that—

Persons who are receiving compensation for disability incurred or aggravated as a result of service to their country in the Armed Forces should not be required to give up all or part of the disability insurance benefits which they have earned under the contributory social-security system.

I fully agree with the House committee on this matter.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD telegrams I have received from Mr. Don Eva, department commander, and Mr. Joseph P. McDonald, department adjutant, of the American Legion, Department of Oregon; Mrs. Grover Francis, department secretary, and Mrs. Clarence B. Grund, department president, American Legion Auxiliary, Department of Oregon; and Mrs. E. A. Funk, department legislative chairman, American Legion Auxiliary, Department of Oregon.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

PORTLAND, OREG., *June 28, 1957.*

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

Your support of restoration of the provisions of section 2 of H. R. 6191 when it comes to floor of the Senate urgently requested. The American Legion feels that each veteran is entitled to both his service-connected compensation payments and his social-security payments which were deducted from his paycheck while in civilian employment. Depriving veterans of either of these payments places families in jeopardy of

foregoing necessities of life. Close scrutiny of H. R. 6191, section 2, by our Senators of Oregon will be appreciated by all veterans in the State of Oregon and in our great United States.

DON EVA,
Department Commander, American Legion.
JOSEPH P. MCDONALD,
The Department Adjutant.

PORTLAND, OREG., *June 27, 1957.*
Senator RICHARD L. NEUBERGER,
United States Senate Building,
Washington, D. C.:

Please give your attention and support to the restoration of the provisions of section 2 of H. R. 6191 when it comes on the floor of the Senate. We feel that each veteran is entitled to both his service-connected compensation payments and also his social security payments which he helped to pay for while in civilian employment. If both are not paid it will deprive many veteran families of real necessities of life. Your close attention to H. R. 6191, section 2, will be appreciated by all veterans and their needy families, and we expect your approval of section 2 being restored to the measure.

Mrs. GROVER FRANCIS,
Department Secretary.
Mrs. CLARENCE B. GRUND,
Department President, American Legion Auxiliary.

ATHENA, OREG., *June 26, 1957.*
Senator RICHARD NEUBERGER,
United States Senate,
Washington, D. C.:

We want section 2 restored to H. R. 6191. Please approve this measure.

Mrs. E. A. FUNK,
Department Legislative Chairman of Oregon American Legion Auxiliary.

PAYMENT TO GOVERNMENT OF DENMARK

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 581, S. 2448.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2448) to authorize a payment to the Government of Denmark.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, the purpose of the pending bill is to provide a definitive settlement of the claims of certain Danish shipowners whose vessels were requisitioned by the United States Government in 1941. These claims have been the occasion for protracted negotiations between the United States and the Danish Government for the past 14 years. They have constituted a continuing, and I may add, wholly unnecessary, source of irritation between our two governments.

Mr. President, I should like to summarize very briefly for Members of the Senate, some of the background which finally gave rise to the present bill, a bill which has been before the Congress in various forms since 1941.

During the early black days of World War II, 40 vessels of Danish ownership were lying in United States ports. Denmark had been overrun by the German Army, and its Government was under Nazi domination. In disregard of orders from his country, the Danish Minister, Henrik de Kauffmann, who is presently Denmark's Ambassador to the United States, offered to cooperate with the United States, and courageously assumed responsibility for the taking of the 40 vessels in question.

I remember those circumstances very clearly. Shipping was becoming scarce, and these vessels were badly needed. At the time they were requisitioned, it was the understanding of the Danish Minister, as well as of the Department of State, that the Danish owners would receive the same just compensation as was provided for American citizens—in other words, that they would benefit by equal treatment. For reasons which it is unnecessary to develop here, the Danish owners never received the equal compensation to which they believed they were entitled. They brought suits before the United States Court of Claims, but the stipulated judgments entered in their favor provided much less than the compensation which they believed was their due. So far as the domestic law of the United States is concerned, the legal issues involved in the determination of just compensation for the vessels taken over by the United States have been disposed of. But there still remains the question of an equitable settlement of those claims under the law of nations.

Twenty-four of the vessels here involved were sunk during the war. The remaining 16 were returned to their owners. There is no question that adequate and prompt compensation for the use and loss of those ships should have been made by the United States long ago. The Danish Government contends it has not received such compensation, even though it appears to be reasonably clear from the records that the Danes were entitled to equal treatment with our own citizens. Unfortunately, one administrative complication after another, involving differing views between United States agencies as to the basis of compensation to be made for the ships, has delayed fulfilling the promise made to the Danish Government. Finally, an arrangement has been reached between the two Governments which is satisfactory. No opposition is offered by any agency of the United States to the settlement contained in this bill.

Payments made by the United States thus far, under contractual settlements and the stipulated judgments referred to, total $35,432,350. It has been the position of the Danish Government that, under the principle of equal treatment, the shipowners are entitled to an additional $11,950,000. However, in the interest of settling this irritating controversy, the Danes have agreed to accept the compromise sum of $5,296,302 as a final solution of the issue. The Committee on Foreign Relations believes this settlement to be a fair one under all the circumstances inherent in the case.

Mr. President, I think I should call the attention of the Senate to the fact that if the pending bill is not approved, there is nothing to prevent the Government of Denmark from having recourse to the jurisdiction of an international court or tribunal. And before that tribunal, the issue would be whether the amounts awarded in the Court of Claims judgments were such as to satisfy the obligations of the United States toward Denmark under international law. The outcome of such litigation might well be considerably more disadvantageous for the United States than the present settlement.

It is my conviction, Mr. President, that the compensation provided for in this bill would rectify the failure on our part to do justice to a small nation whose friendship we prize, and which is one of our stanchest and most resolute partners in NATO.

I therefore urge the Members of the Senate to give their approval to this bill.

The bill was reported unanimously by the Foreign Relations Committee. I have cleared it with the minority leader. So far as I know, there is no opposition to it.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2448) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to pay to the Government of Denmark the sum of $5,296,302. The payment of such sum shall constitute full satisfaction and settlement in connection with the requisitioning in 1941 and the use and/or loss of 40 Danish vessels during World War II by the United States.

SEC. 2. There is hereby authorized to be appropriated the sum of $5,296,302 to carry out the purpose of this act.

LOUTFIE KALIL NOMA (ALSO KNOWN AS LOUTFIE SLEMON NOMA OR LOUTFIE NOAMA)

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 749) for the relief of Loutfie Kalil Noma (also known as Loutfie Slemon Noma or Loutfie Noama), which was, on page 2, line 2, after "able", to insert ": *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act."

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the amendment of the House to S. 749.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

AMENDMENT OF VOCATIONAL REHABILITATION ACT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 546, S. 1971.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1971) to amend sections 4 (a) and 7 (a) of the Vocational Rehabilitation Act.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. HILL. Mr. President, the bill was introduced, at the request of the Department of Health, Education, and Welfare, by the distinguished Senator from New Jersey [Mr. SMITH] and the distinguished Senator from Connecticut [Mr. PURTELL]. It was unanimously reported by the Committee on Labor and Public Welfare. It simply extends the time for training doctors, under the Vocational Rehabilitation Act, from 2 to 3 years. All of the other categories of training are kept under the 2-year ceiling. The evidence showed very positively a doctor needs 3 years of training rather than 2 years. That is the purpose of the bill. It does not authorize any more expenditures of money.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1971) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the second sentence of section 4 (a) of the Vocational Rehabilitation Act (29 U. S. C. 34 (a)) is amended by adding the following immediately before the period: ", except that, in the case of a course of study in physical medicine and rehabilitation, such period may not be in excess of 3 years."

SEC. 2. Clause (3) of section 7 (a) of such act (29 U. S. C. 37 (a)) is amended by striking out "for any one course of study for a period in excess of 2 years" and inserting in lieu thereof "for any one course of study, other than a course of study in physical medicine and rehabilitation, for a period in excess of 2 years, or for a course of study in physical medicine and rehabilitation for a period in excess of 3 years."

SEC. 3. The amendments made by this act shall become effective July 1, 1957.

RANK OF WARRANT OFFICERS ON RETIREMENT IN COAST GUARD

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 537, S. 1489.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1489) to amend title 14, United States Code, entitled "Coast Guard," with respect to warrant officers rank on retirement, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. SMATHERS. Mr. President, the bill is designed to correct an oversight in the enactment of the Warrant Officer Act of 1954. The bill would enable warrant officers to be restored to the right which they had prior to the passage of that act, and would allow them to retire at the highest rate in which they served, and receive corresponding retirement pay.

The bill was reported unanimously by the Committee on Interstate and Foreign Commerce. There was no objection to it. It was indicated the expense in connection with the bill would not exceed two or three thousand dollars a year. I hope the Senate will see fit to pass the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 1489) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 243 of title 14, United States Code, entitled "Coast Guard", be amended to read as follows:

"§ 243. Retirement in cases where higher grade has been held

"(a) Any commissioned officer, other than a commissioned warrant officer, who is retired under any provision of section 230, 231, 232, or 234 of this title, or that provision of section 235 of this title which provides for retirement of officers after 30 years' service, shall be retired from active service with the highest grade held by him while on active duty in which, as determined by the Secretary, his performance of duty was satisfactory, but not lower than his permanent grade, with retired pay of the grade with which retired.

"(b) Any commissioned warrant officer who is retired under any provision of section 564, 1263, 1293, or 1305 of title 10, shall be retired from active service with the highest commissioned grade above chief warrant officer, W–4, held by him on active duty in which, as determined by the Secretary, his performance of duty was satisfactory, with retired pay of the grade with which retired. However, when the rate of pay of such highest grade is less than the pay of the warrant grade with which the officer would otherwise be retired under section 1371 of title 10, the retired pay shall be based on the higher rate of pay."

SEC. 2. (a) Title 14, United States Code, is amended by inserting the following new section after section 312:

"313a. Retirement in cases where higher grade has been held

"Any warrant officer, W–1, who is retired under any provisions of section 564, 1263, 1293, or 1305 of title 10 shall be retired with the highest commissioned grade above chief warrant officer, W–4, held by him on active duty in which, as determined by the Secretary, his performance of duty was satisfactory, with retired pay of the grade with which retired. However, when the rate of pay of such highest grade is less than the pay of the warrant grade with which the officer would otherwise be retired under section 1371 of title 10, the retired pay shall be based on the higher rate of pay."

(b) The analysis of chapter 11, title 14, United States Code, is amended by inserting the following item:

"313a. Retirement in cases where higher grade has been held."

SEC. 3. The analysis of chapter 11, title 14, United States Code, is amended by deleting the following items:

"303. Compulsory retirement at age 62.",
"304. Voluntary retirement after 30 years' service.",
"305. Voluntary retirement after 20 years' service.",
"307. Retirement upon recommendation of Personnel Board.",
"308. Pay upon involuntary retirement after 30 years' service," and
"313. Retirement in cases where higher grade has been held."

CONSTRUCTION OF TWO SURVEYING SHIPS

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 538, S. 2250.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2250) to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. SMATHERS. Mr. President, the purpose of the bill is to increase the authorization for the cost of 2 vessels from $3,700,000 to $6,793,243. The original authorization was made in 1955.

It was the opinion of the committee that these ships should be built, but, by reason of inflated costs, it was necessary to increase the authorization. That is the purpose of the bill.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. SMATHERS. Mr. President, I ask unanimous consent, on behalf of the distinguished junior Senator from Maine [Mr. PAYNE], that a statement prepared by him in reference to Senate bill 2250, to increase the authorized construction cost of two surveying ships for the United States Coast and Geodetic Survey, be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR PAYNE

The bill presently under consideration by the Senate would amend Public Law 251, 84th Congress, by increasing the authorized cost of construction of two surveying ships. It will be recalled that Public Law 251, which was the result of a bill that I introduced, authorized the construction of two ships for the United States Coast and Geodetic Survey. The bill established a limit of $3,700,000 on the cost per vessel. Apparently, as set forth in the committee report on S. 2250, the departmental cost estimate on which this figure was based was in error. Since that time it also appears that ship-construction costs have increased appreciably which, taken with the original low estimate, necessitates a substantial increase in the authorized cost limits for construction of these vessels. It is now reliably established that the vessels will cost $6,793,243 each and S. 2250 would amend Public Law 251 to substitute this new figure for the original one.

At the time the legislation, which became Public Law 251, was under consideration the hearings clearly established the urgent need for the two vessels called for by the act. The degree of need for these vessels today is, if anything, greater than it was 2 years ago. The Survey presently operates five vessels of the type provided for in Public Law 251. Two of these are overage, while a third, a former Navy vessel, is approaching obsolescence.

With this inadequate equipment the Coast and Geodetic Survey must discharge its responsibility for surveying and charting the 90,000 miles of shoreline of the United States and its possessions as well as the 2,317,000 square miles of adjacent waters. Adequate

nautical charts are imperative to guard our commercial and military shipping against disaster, but over 60 percent of the 2,317,000 square miles cited are still inadequately charted or entirely unsurveyed.

The two vessels authorized by Public Law 251 would be specifically designed for Alaskan service where the Survey is engaged in highly important work for the Department of Defense. They would permit the release of a vessel now in Alaska for assignment to the Atlantic coast to conduct much-needed survey work. The oldest of the Survey's present vessels, the *Surveyor* (40 years old), which is none too seaworthy would be scrapped while the 27-year-old *Hydrographer* would be retired.

Although no one is happy about the increased cost of these vessels there can be absolutely no question about the necessity for placing them in service at the earliest possible date. It should be remembered that the loss of 1 ship because of inadequate charts could well cost as much or more than the total combined cost of these 2 surveying vessels. It is my hope that the Senate will approve the bill now under consideration without delay.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2250) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1 of the act of August 5, 1955, chapter 577 (69 Stat. 537, 538) is amended by deleting the figures "$3,700,000" and inserting in lieu thereof the figures "$6,793,243" and by striking out "January 1, 1955" and inserting in lieu thereof "April 4, 1957."

AMENDMENT OF INTERSTATE COMMERCE ACT

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 540, S. 1461.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1461) to amend section 212 (a) of the Interstate Commerce Act, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. SMATHERS. Mr. President, the purpose of the bill is to amend section 212 (a) of the Interstate Commerce Act. It is in three parts. First, to make motor carrier operating authorities subject to suspension, change, or revocation for willful failure to comply with any rule or regulation lawfully promulgated by the Interstate Commerce Commission. The Interstate Commerce Commission advises it does not now have that authority.

Second, to make the revocation procedure prescribed in section 212 (a) for motor carriers conform to the procedure provided in section 410 (f) of the Interstate Commerce Act applicable to freight forwarders by eliminating the term "willfully" in the first proviso of section 212 (a).

Third, to provide that the Commission may, upon reasonable notice, suspend motor carrier operating authorities for failure to comply with insurance regulations issued by the Commission pursuant to section 215 of the act.

The bill was unanimously reported by the Surface Transportation Subcommittee and unanimously reported by the full Interstate and Foreign Commerce Committee.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 1461) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsection (a) of section 212 of the Interstate Commerce Act, as amended (49 U. S. C. 312 (a)), is amended as follows:

(1) By striking out in the second sentence the words "of the Commission promulgated thereunder" and substituting in lieu thereof the words "lawfully promulgated by the Commission,"

(2) By deleting the word "willfully" in the first proviso, and

(3) By inserting the figure "215," between the figures "211 (c)," and "217 (a)" in the second proviso.

OBTAINING OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY BY FREIGHT FORWARDERS

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 550, S. 1383.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1383) to amend section 410 of the Interstate Commerce Act, to require freight forwarders to obtain certificates of public convenience and necessity.

The PRESIDING OFFICER. The question is on the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment to strike out all after the enacting clause and insert:

That subsection (d) of section 410 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(d) The Commission shall not deny authority to engage in the whole or any part of the proposed service covered by any application made under this section by a corporation controlled by, or under common control with, a common carrier subject to part I of this act solely on the ground that such service will be in competition with the service subject to this part performed by any other freight forwarder or freight forwarders."

Mr. SMATHERS. Mr. President, under the present law freight forwarders are not required to obtain a certificate from the Interstate Commerce Commission. The bill, as introduced, would amend the law to provide that such a certificate should be required for freight forwarders. In its amended form as reported, the bill would merely tighten up the requirements for obtaining a permit. That is all the bill proposes to do.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill amending section 410 of the Interstate Commerce Act, to change the requirements for obtaining a freight-forwarder permit."

SUSPENSION OF APPLICATION OF EXCESS-LAND PROVISIONS IN THE EAST BENCH UNIT, MISSOURI RIVER BASIN

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 583, Senate bill 977.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 977) to suspend and to modify the application of the excess-land provisions of the Federal reclamation laws to lands in the east bench unit of the Missouri River Basin project.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 977) to suspend and to modify the application of the excess land provisions or the Federal reclamation laws to lands in the East Bench Unit of the Missouri River Basin project, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 1, line 3, after the word "That", to insert "except as provided in section 2 of this Act", and on page 2, line 4, after "Sec. 2.", to strike out "That waters appropriated by the United States for use in connection with the East Bench unit of the Missouri River Basin project, Montana, shall not be furnished to individual water users in quantities greater than the amount required for a full supply for the irrigation of 160 acres of land as determined by the Secretary of the Interior, excepting users' irrigating units containing class 3 lands who may be furnished water for the irrigation of an acreage equivalent to 130 acres of class 1 lands, as determined by the Secretary of the Interior: *Provided, however*, That water may be furnished for the irrigation of lands owned in excess of the above limitations if the owners thereof execute valid recordable contracts, such as are provided for in the third sentence of section 46 of the act of May 25, 1926 (44 Stat. 649–650)", and insert "Any lands of East Branch unit which are held in private ownership by a person whose holdings of bench lands alone or of bench and valley lands combined exceed the equivalent of 130 acres of class 1 lands shall, to the extent they exceed that acreage, be deemed excess lands. No water shall be furnished to such excess lands from, through, or by means of East Bench unit works unless (1) the owner's total holdings do not exceed 160 irrigable acres or (2) said owner shall have executed a valid recordable contract with respect to the excess in like manner as provided in the third sentence of section 46 of the act of May 25,

1926 (44 Stat. 636, 649, 43 U. S. C., sec. 423e)." In computing "the equivalent of 130 acres of class 1 land" under the first sentence of this section, each acre of class 2 land shall be counted as thirteen-fourteenths of an acre if in the valley and as thirteen-sixteenths of an acre if on the bench, each acre of class 3 land shall be counted as thirteen-seventeenths of an acre if in the valley and as thirteen twenty-seconds of an acre if on the bench, and each acre of class 4–P land shall be counted as thirteen forty-fourths of an acre", so as to make the bill read:

Be it enacted, etc., That, except as provided in section 2 of this act, the excess land provisions of the Federal reclamation laws shall not apply to lands in the Beaverhead Valley, Mont., lying below the proposed Clark Canyon Dam of the East Bench unit of the Missouri River Basin project, authorized in section 9 (a) of Public Law 534, 78th Congress, approved December 22, 1944 (58 Stat. 887), that are irrigated under existing State water rights, whether the waters used for their irrigation are passed through, regulated by, or stored in the Clark Canyon Reservoir by the United States.

SEC. 2. Any lands of the East Bench unit which are held in private ownership by a person whose holdings of bench lands alone or of bench and valley lands combined exceed the equivalent of 130 acres of class 1 lands shall, to the extent they exceed that acreage, be deemed excess lands. No water shall be furnished to such excess lands from, through, or by means of East Bench unit works unless (1) the owner's total holdings do not exceed 160 irrigable acres or (2) said owner shall have executed a valid recordable contract with respect to the excess in like manner as provided in the third sentence of section 46 of the act of May 25, 1926 (44 Stat. 636, 649, 43 U. S. C., sec. 423e). In computing "the equivalent of 130 acres of class 1 land" under the first sentence of this section, each acre of class 2 land shall be counted as thirteen-fourteenths of an acre if in the valley and as thirteen-sixteenths of an acre if on the bench, each acre of class 3 land shall be counted as thirteen-seventeenths of an acre if in the valley and as thirteen twenty-seconds of an acre if on the bench, and each acre of class 4–P land shall be counted as thirteen forty-fourths of an acre.

Mr. MANSFIELD. Mr. President, this bill applies to the East Bench area in the Beaverhead county of southwestern Montana. The main purpose is to permit the establishment on the East Bench unit of irrigation farms which will be of adequate size to provide suitable family livelihood and to meet the cost of water service pursuant to contract with the United States.

The bill is sponsored by my colleague, the senior Senator from Montana [Mr. MURRAY], and I have joined him in sponsorship of the measure. It will apply solely to the East Bench unit located in Montana. It will not affect in any degree application of the 160-acre limitation to other reclamation projects.

Because of the special circumstances of high altitude, climate, and soil conditions, as well as the preexisting established irrigation of the valley lands, this proposed legislation would hardly be a precedent for any other area.

It is my understanding that this bill was reported from the committee with the unanimous approval of all the members.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill (S. 977) was ordered to be engrossed for a third reading, read the third time, and passed.

IMPLEMENTATION OF TREATY WITH REPUBLIC OF PANAMA

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 488, S. 1730, a bill to implement a treaty and agreement with the Republic of Panama.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill S. (1730) to implement a treaty and agreement with the Republic of Panama, and for other purposes.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

TRADE WITH COMMUNIST CHINA—A FATEFUL DECISION

Mr. POTTER. Mr. President, there has been considerable discussion lately about relaxing our controls over trade with Communist China, much of it apparently triggered by England's recent decision to put its trade with the Chinese Reds on the same basis as its trade with the Russians.

There are those in high places who have suggested that a reappraisal of our own trade policy regarding Red China is in order. Some of my colleagues have quite frankly suggested that we should ease our present embargo against the Chinese Communists. Strong pressures are expected to be exerted by certain interests to ease the controls.

The thinking seems to be in certain quarters that if other nations of the Free World embark upon trade with Red China, the United States would be foolish not to "get in the swim" and get its share of the expected profits. It is claimed that trade with Communist China would provide a new and expanding market for United States products—that China needs and will continue to need for years to come large quantities of capital goods, and that the United States is one of the nations which can best supply the need. The United States, it is claimed, should remove the embargo because the people of Red China will get a chance to see how much better goods are produced in the United States. Arguments are made that should the United States provide Communist China with capital goods for a few years, the consequent improvement in the standard of living of the Chinese people will result in a market for many of our consumer goods.

Naturally, these economic arguments in favor of trade hold a powerful fascination for those whose paramount interest in any case is always economic in nature. These individuals would trade with Communist China just for the sake of the trade, and would totally disregard the diplomatic, moral, and political implications of such trade.

Those who are not primarily interested in the economics of the situation advance political arguments in favor of trade with Red China. One of the more popular arguments is that such trade would wean Red China away from the Soviet bloc—that the United States should agree to concessions in order to hold together the western alliance. It is believed by some that this trade would pave the way for a long-range adjustment of Asian problems. Some people see trade as a tool for opening China policy to new inspection. Restrictions on trade, it is said, have hurt the United States relations with its allies more than they have harmed Red China. One individual who recently visited Red China reportedly had the following to say on the subject:

> Thus far, policies aimed at ostracizing and blockading China have, without undermining the regime, forced it to rely almost exclusively on the Soviet Union.

One of our historians claims there is a bare possibility that the restrictions have forced the Soviets to produce certain items that they may have found easier to purchase abroad. If this be true, he says, the Russians would find themselves less dependent on the outside world if war did come and our restrictions would have defeated the very purpose of their being.

Mr. President, I submit that in any reappraisal of our trade policy with Communist China, numerous and fateful questions must be thoroughly explored and satisfactorily answered. I do not believe we can afford to take a calculated risk on trade with Red China—the stakes are too high—the dangers too great.

As a practical matter we already know the answers to most of these questions if we choose to view them objectively and logically, and if we will remember certain lessons of history.

For example, exactly what effect would trade with Red China have on our present policy of not recognizing her diplomatically and opposing her admission to the United Nations? As my colleagues well know, our records are replete with expressions by both the House and the Senate holding that the Chinese Communists are not entitled to represent China in the United Nations and should not be recognized. As I recall, not one of my colleagues voted against the last such resolution. Indeed, until a few weeks ago not even the least realistic politico would have suggested trading with Red China.

In my judgment, it would be paradoxical, even ludicrous, to withhold diplomatic recognition from Red China and at the same time trade with her. As a matter of fact, it would be highly impractical and tremendously dangerous. We could well win a diplomatic victory and lose a possible future war through such illogical and shortsighted tactics. Trade with Red China would bring strong and unflagging pressures for diplomatic recognition, certainly a tragedy for the United States and the other free nations of the world.

WHY DOES COMMUNIST CHINA WANT TO TRADE WITH THE UNITED STATES AND OTHER NATIONS OF THE WORLD?

Certainly any child knows the answer to this question. As Secretary Dulles stated in his recent address:

> The primary desire of that regime is for machine tools, electronic equipment, and in general, what will help it produce tanks, planes, ammunition, and other military items.

Anyone who believes we can trade with Communist China to any appreciable degree in any type of goods without augmenting her war potential is simply deluding himself—it cannot be done.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. POTTER. I am delighted to yield to the Senator from California.

Mr. KNOWLAND. In view of the situation which prevails does not the distinguished Senator from Michigan feel that the sending of strategic materials to Communist China would be as shortsighted as the action of those who, from the United States and elsewhere, shipped scrap iron and oil to the Japanese war lords, a good deal of which came back at us on December 7, 1941?

Mr. POTTER. The Senator is absolutely correct. The Senator knows that the Chinese Communists are having a most difficult time in the economic field. They need the machine tools and the electronic equipment which we can produce. It would be a worse trade than trading a horse for a rabbit if we should start to trade with Communist China. In other words, the gain to their economy would mean much more to them than any slight benefit which we might derive would mean to us.

The lessons of history should shed some light on this delusion. The scrap metal that was sent to Japan, the oil that went to Italy, and the trade with Germany all helped to prepare these nations for World War II. Those who call for expanded trade with Communist China evidently have forgotten these tragic lessons. They apparently still believe that one can safely do business with tyranny—that somehow we can weaken the forces that threaten our freedom by strengthening them economically and diplomatically.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. POTTER. I yield.

Mr. KNOWLAND. The Senator recalls, does he not, that there were a good many people, including some of our allies, who, prior to World War II in Europe felt that they could do business with Hitler; and in doing business with him, they strengthened his warmaking potential to the point where he overran most of Europe, and he and his allies overran a good deal of the Pacific.

Mr. POTTER. Yes. History is replete with examples which show that, by means of trade, we helped to build up the economic strength of a tyrant, who abused the economic well-being which we helped to develop by turning against us. The same result would ensue in this case.

WHAT EFFECT WOULD TRADE WITH COMMUNIST CHINA, CARRYING WITH IT OUR IMPLIED APPROVAL OF ITS TYRANNICAL REGIME, HAVE ON THE FREE PEOPLES OF ASIA AND THEIR FERVENT DESIRE FOR FREEDOM?

I contend that it would be regarded by them as appeasement, and a giant step on our part toward their abandonment. Our influence on these peoples who trust us would be seriously impaired. Certainly they would be disillusioned. The vast sums we have expended, the good work we have done to win these peoples would go down the drain.

WOULD NOT TRADE RELIEVE THE MOUNTING ECONOMIC CRISIS THE CHINESE COMMUNIST REGIME IS FACING ON THE MAINLAND?

Reliable sources indicate that an unprecedented economic crisis is mounting on the mainland. It is caused principally by the refusal of the Chinese peasants and workers to produce, and by the excessive exports of foodstuffs. The refusal of the Chinese peasants to produce has already resulted in the failures of the regime's 5-year industrialization and agricultural plans. These failures have created economic chaos and wide dissatisfaction, which have not been quieted by Communist murders of millions of Chinese. Should we rush into the breach with trade to save the Peiping regime? To do so will aid that regime in eliminating whatever vestiges of anticommunism that are left.

WOULD TRADE WITH COMMUNIST CHINA BE AS PROFITABLE AS SOME CONTEND?

The evidence at hand indicates otherwise. More than 80 percent of all Red China's trade is now with the Soviet bloc, and there is no reason to expect this will materially change. While the United States has a potential, if not actual, abundance of the things Red China desires, that country has comparatively little to offer in trade that we need or desire. China's principal exports are hog bristles, tung oil, litchi nuts, grass mats, tea, silk, and soya sauce. As Congressman BYRD recently stated on the floor of the House, speaking on this same subject:

> My personal view is that the world demand for soya sauce has now reached the saturation point.

Trade to be beneficial to both parties must have the quality of mutuality. This is not possible with the Peiping regime. Our trade would not be with businessmen of China—it would be with the regime. As Secretary Dulles says:

> Trade with Communist China is not a free trade. It does not provide one country with what its people want, but cannot well produce for themselves, in exchange for what other people want, but cannot well produce for themselves. Trade with Communist China is wholly controlled by an official apparatus and its limited amounts of foreign exchange are used to develop as rapidly as possible a formidable military establishment and a heavy industry to support it.

Mr. KNOWLAND. Mr. President, will the Senator further yield?

Mr. POTTER. I yield.

Mr. KNOWLAND. Does not the Senator also believe that, once the trade in strategic materials was established, in addition to bolstering the warmaking potential of Communist China, with the threats which she makes to move into southeast Asia, Korea, Formosa, and elsewhere, we would be bolstering her economic and political system? Once the trade was started, some of the traders would look to the Government to finance the trade; and we would find the American people, in effect, financing the stability of a regime devoted to aggression in the Far East.

Mr. POTTER. The Senator is absolutely correct. The trade apparatus in Red China would be a part of their overall objective, which is to build a war machine to make gains in Asia; and we would be abetting their effort by trading with them, and giving them the materials which they so much desire.

Mr. KNOWLAND. The Senator will recall that in his television speech of June 2 Khrushchev, who is considered to be the leading figure in the Kremlin at the present time, predicted that our grandchildren would be living under Marxian socialism. I believe he is wrong. I believe that, in any fair test of the free system and the Communist system of tyranny, the Free World will win. But I have some doubts only when I find proposals being made by which the Government and the people of the United States, as well as other peoples of the Free World, would bolster the Communist regimes and make them workable. In fact, such a course would make the slaves more content with their Communist masters.

Mr. POTTER. The Senator is absolutely correct. The Senator from California is one of the greatest students of the Asiatic problem in the Senate, or even in the United States. He well knows that today the Chinese Communists have a very difficult and serious domestic problem on their hands. The clamor to expand and liberalize trade with Communist China did not happen overnight. It is a part of their policy. They want to trade with the United States.

They are not seeking such trade because of their love for us as a people or as a nation. They are doing it because they hope, by so doing, they will bolster their economy, and relieve themselves of some of the domestic economic pressure they are experiencing among their own people.

I do not believe that we can liberalize our trade with Red China without eventually—and perhaps much sooner than would seem possible today—recognizing Red China as the government of China in the United Nations, and according that regime diplomatic recognition here.

Trade would be the first step. Are we in a position now to say to the anti-Communist peoples of Asia, "We are selling down the river the National Chinese Government"?

Are we ready to say to the people of Vietnam, the people of South Korea, or even our friends in the Philippines, that we are not too serious about communism, that we consider it only a bugaboo, and that we are ready to appease the Communists by trading with them?

How are the people of the Free World to maintain a strong anti-Communist posture in every critical area of the

world if they see the great United States trying to liberalize her trade with Red China?

Mr. KNOWLAND. Mr. President, will the Senator yield further?

Mr. POTTER. I gladly yield.

Mr. KNOWLAND. I believe that the sequence of events which the Senator has mentioned is certainly a very great possibility. It may not be a probability, but certainly it bears upon the chain of events which would occur; namely, trade; then appeals for setting up economic missions; then appeals for setting up diplomatic missions; then recognition by the Government of the United States; then appeals for admission to the United Nations.

Mr. POTTER. The nose would be under the tent.

Mr. KNOWLAND. The camel's nose would be under the tent flap. However, when we come to consider that point, it is not merely the admission of another country, albeit Communist, to membership in an organization now comprised of 80 members, which would in itself be not so serious—although I believe it would not be wise—but, because of the nature of the Charter of the United Nations, in accordance with which China is regarded as a charter member, and is a member of the Security Council, the admission of Communist China would mean the expulsion of free China. That would mean that Communist China would be a member of the Security Council.

Once Red China gets on the Security Council, it means a very fundamental constitutional change in the organization of the United Nations. I refer to article 20, paragraph 3, which reads as follows:

> Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members, including the concurring votes of the permanent members: *Provided*, That in decisions under chapter VI and under paragraph 3 of article 52 a party to a dispute shall abstain from voting.

Let us consider that an act of aggression might be committed by the Soviet Union. An appeal could be made under that section that the Soviet Union was not entitled to exercise its veto power because it was a party to a dispute. That parliamentary situation could then be thrashed out. However, once Communist China was made a member of the Security Council, Communist China could say, in effect, to the Soviet Union, "If you commit an act of aggression, and if you are challenged under this provision of the charter, you may abstain from voting, and we will exercise the veto for you."

That would change the whole concept and destroy the last opportunity we would have of overcoming a Soviet veto in the face of an aggression committed by it.

In other words, the Soviet Union could scratch Red China's back and Red China could scratch the Soviet Union's back.

Mr. POTTER. Mr. President, I thank the Senator for his observation. In other words, as I understand the Senator's statement, if this chain of events should be allowed to get under way, Communist China would eventually wind up as a member of the Security Council of the United Nations. There it could have a backscratching arrangement with the Soviet Union. One nation could become involved, and the other nation could remain innocent and in that way protect its partner. It is a point we should consider before we permit this first effort, this first link in the chain reaction, to take place. I am sure that would happen.

Mr. President, I think it would develop that the expected benefits from trade with Communist China are illusions and at best they would be extremely transitory. The rich China market is largely a myth used for pro-Communist propaganda. Foreign trade in Communist China is a state monopoly and it is used as a major political instrument, not for mutual benefits.

Under any circumstances, do we want to trade with Communist China as long as the Peiping regime is in power?

Can we so quickly forget Korea? Can we so quickly forget our firm resolutions against the admission of Communist China to the United Nations? The American people have not forgotten the treatment of American prisoners by Communist China, nor have they forgotten that American prisoners still are held illegally by Communist China.

Mr. President, Communist China is an outlaw nation because of her past actions. Her aims for world conquest, just as those of the Soviet Union, have not changed in the slightest degree. I am convinced that to embark on trade with Red China would be to help her and the Soviet Union obtain their objectives. How could we possibly be so foolish and inconsistent?

Mr. President, I have touched briefly on this serious subject of such importance to our country and it is my intention to pursue it more thoroughly at appropriate times in the future.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, as I understand, the pending business before the Senate is Calendar No. 488, S. 1730, to implement a treaty and agreement with the Republic of Panama.

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. For the information of the Senate, it is the hope of the leadership that the Senate will consider not only that bill on Monday, but also, conditions permitting, Calendar No. 547, S. 2406, to authorize the construction of certain works of improvement in the Niagara River for power and other purposes; and Calendar No. 584, S. 1869, to amend the Tennessee Valley Authority Act.

DISARMAMENT NEGOTIATIONS AT LONDON

Mr. COOPER. Mr. President, the proposal yesterday of the United States, the United Kingdom, Canada, and France to the Soviet Union represents a most encouraging development in the current disarmament negotiations at London toward a first-step agreement between the West and the Soviet Union.

The United States suggestion of a 10-month suspension of tests of nuclear weapons, joined with a cessation of the production of fissionable material, provides a practicable basis for a first-step agreement, especially when viewed in the light of Soviet acceptance of the requirement for scientific inspection posts to detect and control the nuclear testing.

No disarmament agreement at whatever stage of the proceedings, however limited, will be free of risks. But I suggest that the delegations of the United States and the other Western Powers have demonstrated an accurate assessment of the risks and the alternative—the continued danger of nuclear war—and have recognized the overriding benefits of a first-step agreement.

In recent weeks, extensive criticism has been directed at the administration for its purported failure to take the initiative in offering constructive proposals toward disarmament.

I recall that I discussed this question with the Senator from Montana [Mr. MANSFIELD] in connection with a very able speech made by him on this subject on June 17 of this year.

I suggest today that the developments in London yesterday have demonstrated clearly that this administration has indeed taken the initiative in advancing serious, constructive proposals before the Disarmament Committee; that our Government is not seeking an "all or nothing at all" agreement; but is, on the contrary, patiently seeking agreement on workable, step-by-step approaches to world disarmament.

The proposal of the United States, if accepted, will represent a partial acceptance, at least with respect to nuclear tests, of the principle of inspection, the base of all United States disarmament proposals; and second, will assure the substance, rather than the form, of disarmament by insisting that any suspension of nuclear tests shall be tied to further agreement to control the production of nuclear weapons and fissionable material. It is an effort to secure the substance of disarmament, rather than the appearance.

I think no one will disagree with the statement that a guaranteed disarmament agreement would be the most important achievement of our time. With such a goal before us, and with definite steps and initiative having been taken, I urge that Congress and the American people support the President, the Secretary of State, and Mr. Stassen in their efforts.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. MANSFIELD. I may say to my good friend, the Senator from Kentucky, for whom I have the greatest respect and admiration, that earlier today, on the floor, I commended the administration for showing the initiative it did in suggesting a proposal which could lead toward disarmament, both in the testing and the manufacturing of nuclear weapons.

I expressed the hope today, however, as I did a week or so ago, that the proposal was not being submitted on an all-or-nothing, take-it-or-leave-it basis, because I felt that even if our proposal, for which I think the administration should be commended, is rejected by the Soviet Union, then we ought to try the next step, even though it is a small one, and we ought to keep on trying to work out something in the way of a disarmament agreement which would be beneficial to the peoples of both countries and of the whole world.

Mr. COOPER. I am sorry I did not hear the earlier statement of the distinguished Senator from Montana. I know that his interest has been to secure some kind of first step toward disarmament.

Mr. MANSFIELD. I always appreciate what the distinguished Senator from Kentucky has to say, because I have great admiration for him. I am fully aware of his objectivity and fairmindedness.

Mr. COOPER. I value the Senator's statement. I have believed, as have many others, that this administration, including the Secretary of State and Mr. Stassen, have been patiently working to find some approach, some first step, toward disarmament. I have felt that it was not an all-or-nothing proposal which was made by the administration.

AUTHORIZATION FOR COMMITTEE ON BANKING AND CURRENCY TO SUBMIT A REPORT DURING ADJOURNMENT — SUPPLEMENTAL VIEWS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Banking and Currency be permitted to file a report extending the Small Business Administration following the adjournment of the Senate today or on Friday, next.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I also ask unanimous consent that the Senator from Arkansas [Mr. FULBRIGHT], or any other member of the Committee on Banking and Currency be permitted to file supplemental views following the adjournment of the Senate today or on Friday, next.

The PRESIDING OFFICER. Without objection, it is so ordered.

COST SHARING PRACTICES UNDER AGRICULTURAL CONSERVATION PROGRAM

Mr. COOPER. Mr. President, I have just learned that the Department of Agriculture is considering eliminating or changing several of the cost-sharing practices under the agricultural conservation program. I am particularly concerned about practice A–4, entitled "Initial Treatment of Farmland To Permit the Use of Legumes and Grasses for Soil Improvement and Protection." This is the practice under which the Government shares with farmers the cost of applying lime, rock phosphate, and gypsum to their fields.

This has been one of the most important contributions of our soil conservation work up to this time. In 1955, 15 million tons of lime were applied under the ACP program. Hundreds of thousands of small farmers have greatly benefitted from this practice, which in a great many areas is fundamental to maintaining and improving soil fertility and productivity. Between 1936 and 1955, 348 million tons of lime were used in this way. As my colleagues know, every soil test first establishes the acidity of the soil in order to determine how much lime may be needed to sweeten the earth so that the farmer's crops will flourish.

I would be very much concerned if the Department were to eliminate or seriously limit this practice, which means so much to so many small farmers. In 1955, 51,290 Kentucky farmers participated in the cost-sharing agricultural conservation programs. Kentucky farmers used 1,215,000 tons of lime under this program that year. They paid 32 percent of the cost, or about $1.59 a ton. Kentucky's share of the $32 million cost of this conservation practice was $1,937,000. For all minerals, including lime, it was $3,203,000. No less than 7½ million acres of Kentucky farmland were enrolled in ACP approved practices. I am sure this practice has been followed widely in other States. It is one of the most helpful of our farm programs for the small farmer, who may not benefit proportionately from many of our other farm programs.

Among the other cost-sharing practices which I understand are being questioned at D–1, D–2, and D–3—establishing cover crops for winter or for summer protection from erosion, or for green manure. These are also important.

In approving the 1958 program, which may take place in a few days, possibly as soon as Congress finally approves the agricultural appropriation bill. I hope the Secretary will give every consideration to the value of these practices and the importance of continuing them.

ANNOUNCEMENT RELATIVE TO CIVIL-RIGHTS BILL

Mr. KNOWLAND. Mr. President, while the distinguished Senator from Georgia and the distinguished acting majority leader are in the Chamber, and in conformity with previous statements which have been made on the floor that no procedure would be taken in the Senate until Monday, July 8, relative to the proposed civil-rights legislation, I feel it is only fair to the Senate, especially to the distinguished Senator from Georgia and other Senators who are interested, on both sides of the question, to state that it will be my intention on Monday next, following the morning hour, and when the unfinished business has been laid before the Senate, to move that the Senate proceed to the consideration of the civil-rights bill which is now on the Senate calendar.

Mr. RUSSELL. Mr. President, I appreciate the candor and the spirit of fairness which impels the distinguished minority leader to make the statement which he has just made to the Senate.

It would have been expecting too much, of course, to hope that this cup would not be pressed to our lips. But it is consistent with the spirit of fairness which the Senator from California always displays to advise us as to the time and the manner in which we will be expected to drink this potion. I appreciate his fairness and can assure him that some of us will be on the floor at that time on Monday to discuss the motion.

Mr. KNOWLAND. I appreciate the statement made by the distinguished Senator from Georgia. There is no Member of the Senate who is more respected, on both sides of the aisle, than is the Senator from Georgia.

I am very hopeful that after a reasonable consideration of the motion to take up the bill, we may have the measure actually before the Senate, so that as a deliberative legislative body we can consider the merits or, as the Senator from Georgia might put it, the lack of merits of the particular bill. We might consider amendments which would be proposed from both sides of the aisle. We might be able to debate them and the great constitutional questions and legal problems which are involved, together with the many other questions which are of concern to the Senate.

As a personal observation, I may say that I believe the predominant feeling in the Senate is that the membership does not have closed minds on the subject. I think Senators are prepared to listen to, to discuss, and ultimately to pass judgment upon the various suggestions which may be made. I think it is fitting and proper that the Senate should proceed in that way.

I merely seek, at a reasonably early date, to have the proposed legislation actually before the Senate, so that the arguments of the distinguished Senator from Georgia, his colleagues, and others who are interested may be presented to the Senate. Then we may decide the basic questions of policy and the constitutional problems which are involved.

I may say to the Senator from Georgia that, as one Member of the Senate, I shall listen to the arguments with an open mind and try to seek what I think and hope will be an equitable solution for all sections of the country.

Mr. RUSSELL. Mr. President, I likewise wish to thank the distinguished Senator from California for his statement.

At this time I am not prepared to fix any specific time when any specific action will be taken on the bill. One who is in a minority, at least as to the overall aspects of this measure, must of necessity deal with the facts as they are presented, and must take action or decline to take action as the circumstances dictate.

However, I can assure the distinguished Senator from California that, so far as the early discussion of the bill is concerned, on the motion to proceed to its consideration, the speeches will be of no greater length than those ordi-

narily made on the floor of the Senate, in order to make a record of the position of those who oppose the bill. Different Senators will address themselves at not unusual length to different aspects of the measure, in order that it may be clearly understood.

I am grateful to the Senator from California for his statement. I must say that from his side of the fence, it is an eminently fair statement.

I hope that as the debate progresses in the Senate Chamber, we may arrive at some meeting of the minds, at least as to the portions of the bill which I regard as being most objectionable and most vicious; and that the time may come when, after full and fair debate, the Senate may proceed to vote on amendments to the bill.

ADJOURNMENT TO FRIDAY

Mr. MANSFIELD. Mr. President, under the agreement previously entered, I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 2 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, to Friday, July 5, 1957, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 3, 1957:

DIPLOMATIC AND FOREIGN SERVICE

The following-named Foreign Service officers for promotion from class 1 to the class of career minister:

Cecil Wayne Gray, of Tennessee.
Hervé J. L'Heureux, of New Hampshire.
Henry E. Stebbins, of Massachusetts.
Walter N. Walmsley, Jr., of Maryland.

Avery F. Peterson, of Idaho, now a Foreign Service officer of class 1 and a secretary in the diplomatic service, to be also a consul general of the United States of America:

The following-named persons, now Foreign Service officers of class 2 and secretaries in the diplomatic service, to be also consuls general of the United States of America:

H. Francis Cunningham, Jr., of Nebraska.
Leo G. Cyr, of Maine.
Albert B. Franklin, of Massachusetts.

William L. Wight, Jr., of Virginia, now a Foreign Service officer of class 3 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

Ernest J. Colantonio, of Massachusetts, for appointment as a Foreign Service officer of class 3, a consul, and a secretary in the diplomatic service of the United States of America.

Albert N. Abajian, of New York, for appointment as a Foreign Service officer of class 4, a consul, and a secretary in the diplomatic service of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 5, consuls, and secretaries in the diplomatic service of the United States of America:

J. Fred Doyle, Jr., of Colorado.
Arthur A. Hartman, of New Jersey.
Roswell M. Parrott, of New York.

The following-named persons, now Foreign Service officers of class 6 and secretaries in the diplomatic service, to be also consuls of the United States of America:

Henry E. Dumas, of California.
E. Paul Taylor, of California.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Miss Helene A. Batjer, of Nevada.
Miss Joan M. Clark, of New York.
Theodore T. Franzen, of New Jersey.
Grenfall L. Penhollow, of Nebraska.
J. Leopoldo Romero, of California.
Alfred Schelp, of Missouri.
Michael Smolik, of Oregon.
John Quincy White, of Minnesota.

The following-named persons for appointment as Foreign Service officers of class 8, vice consuls of career, and secretaries in the Diplomatic Service of the United States of America:

Madison M. Adams, Jr., of Florida.
Dexter Anderson, of New Jersey.
Stanley Baldinger, of Minnesota.
Edward C. Bittner, of Pennsylvania.
Richard C. Bialock, of Oklahoma.
James E. Briggs, of North Carolina.
Clive Chandler, of Washington.
Vincent J. Cherry of New York.
Paul M. Cleveland, of Virginia.
William M. Clevenger, of New Jersey.
Raymond C. Collins, Jr., of New Jersey.
James F. Coovelis, of California.
Miss Winifred Dana, of California.
Miss Claudette Ann Dartsch, of Illinois.
Robert E. Doran III, of New York.
Ernest A. Duff, of Virginia.
Charles E. Duffy, of Iowa.
James M. Ealum, of Oklahoma.
Miss Mary L. Eysenbach, of Connecticut.
Charles E. Finan, of Washington.
Richard H. Flanagan, of Massachusetts.
Jay R. Goldberg, of New York.
John M. Gregory, Jr., of New York.
Miss Ange Belle Hassinger, of Louisiana.
Richard S. Hawley, of Michigan.
John P. Heimann, of Illinois.
Sean M. Holly, of New York.
John W. Holmes, of Massachusetts.
Harold E. Horan, of Texas.
Alton L. Jenkens, of Massachusetts.
Warren Mark Johnson, of California.
Peter E. Juge, of Louisiana.
George L. Kinter, of New York.
Donald A. Kruse, of Pennsylvania.
Robert Kurlander, of New York.
John J. LaMazza, of New York.
Girard C. Lane, of New York.
George Q. Lumsden, Jr., of New Jersey
John D. McAlpine, of Illinois.
Donald F. Meyers, of Wisconsin.
Herbert T. Mitchell, Jr., of North Carolina.
John H. Moore, of Tennessee.
Donald R. Morris, of New York.
Robert B. Oakley, of Louisiana.
Daniel A. O'Donohue, of Michigan.
Miss Martha Ann Orahood, of Ohio.
Sydney E. Paulson, of Michigan.
Gerald S. Pierce, of Oklahoma.
Dale M. Povenmire, of Ohio.
Henry E. Powell, Jr., of Virginia.
Miss Rozanne L. Ridgway, of Minnesota.
Edward G. Ruoff, of Virginia.
James Sartorius, of New Jersey.
Leslie Andrew Scott, of New York.
Robert S. Steven, Jr., of Rhode Island.
Louis A. Tananbaum, of Colorado.
Thomas A. Thoreson, of Illinois.
Ronald A. Webb, of California.
Kenneth D. Whitehead, of Utah.
Thomas F. Wilson, of Michigan.
Edward C. Woltman, Jr., of Indiana.
Michael van Breda Yohn, of Connecticut.

The following-named Foreign Service staff officers to be consuls of the United States of America:

Leland C. Altaffer, of Ohio.
William S. Harrington, of Florida.
Albert W. Hennig, of Massachusetts.

Daniel J. Herget, of Maryland, a Foreign Service staff officer to be a consul of the United States of America.

(This nomination is submitted for the purpose of correcting an error in the nomination as submitted to the Senate on May 23, 1957, and confirmed by the Senate on June 3, 1957.)

The following-named Foreign Service reserve officers to be consuls of the United States of America:

Keith E. Adamson, of Kansas.
Robert T. Shaw, of Virginia.

The following-named Foreign Service reserve officers to be vice consuls of the United States of America:

Robert C. Pierson, Jr., of West Virginia.

Graham D. Renner, of the District of Columbia.

The following-named Foreign Service reserve officers to be secretaries in the diplomatic service of the United States of America:

Richard H. Dale, of the District of Columbia.

Grant A. Fielden, of Michigan.
Charles T. Katsainos, of Massachusetts.
Harry A. Rositzke, of Virginia.
Winston M. Scott, of Virginia.
Richard H. Webster, of Virginia.

SECURITIES AND EXCHANGE COMMISSION

Edward N. Gadsby, of Massachusetts, to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1958, vice J. Sinclair Armstrong, resigned.

IN THE ARMY

The following-named officers for appointment as chaplains in the Regular Army of the United States, in the grades specified under the provisions of Public Law 737, 84th Congress, subject to physical examination required by law:

To be major

Adams, Rowland Chrisler, O317852.
Bartholomew, Lisle, O406248.
Betzold, John Wistar, O928364.
Fitzgerald, William Robert, O543296.
Frain, Joseph Edward Xavier, O931365.
Reardon, David Morriss, O502235.

To be captain

Benner, Herman Nathaniel, O552868.
Gefell, Joseph Gerard, O930921.
Griffin, Johnson Linwood, O549048.
Hunt, Frederick Olen, Jr., O1101506.
Krug, Clement Peter Joseph, O522387.
Lam, Alfred P., O434979.
McNally, Carl Patrick, O997366.

To be first lieutenant

Brady, Lawrence Kennedy, O997021.
Cronin, Edward Thomas, O2269693.
Hayes, James Raymond, O2272033.
Hulme, John Wesley, O2273307.

The following-named officers for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, section 3311, and Public Law 737, 84th Congress, subject to physical examination required by law:

To be major

Brecht, Helen Frances, WAC, L705117.

To be captain

Bates, Roy Leslie, MSC, O2055437.
Benke, Clyde Willard, MSC, O1686290.
Berg, Frances, WAC, L1020579.
Cooney, Henry Francis, MSC, O2049205.
Knowlton, Homer Clay, MSC, O967638.
Roos, Phyllis, WAC, L803504.
Weatherall, Richard Thomas, MSC, O454176.
Wolfe, Barbara Jane, WAC, L1010600.
Wheeler, Leigh Franklin, Sr., MSC, O1547204.

To be first lieutenant

Allen, Julian Bernard, MSC, O1930091.
Allen, Mary Frances, WAC, L1020152.

Alluisi, Earl Arthur, MSC, O981206.
Borchardt, Kenneth Andrew, MSC, O2271115.
Brissee, John Aldin, MSC, O4013501.
Buell, Leonard Keith, MSC, O4019426.
Burris, Carshal Allen, Jr., MSC, O999096.
Fraser, Betty Rose, WAC, L1010401.
Gregory, Charles William, MSC, O1933649.
Hatfield, Jimmy Lew, MSC, O4007039.
Jefferies, Vashti Volina, WAC, L1010594.
Jones, Evan E., Jr., MSC, O4006608.
Piacitelli, John Daniel, MSC, O2270675.
Thomas, Evan Thomas, MSC, O2271058.
Watson, Dorothy Lea, WAC, L1010364.
Welch, Billy Edward, MSC, O2274205.
Williams, Mary Ruth, WAC, L1010743.

To be second lieutenant

Albright, Ruth Marie, WAC, L1010819.
Allen, Turman Earl, Jr., MSC, O4043295.
Beach, Douglas Johnstone, MSC, O2276857.
Burns, Daniel Ellsworth, MSC, O4018121.
Chapin, George Edgar, Jr., MSC, O1923139.
Chiei, Dante Antonio, MSC, O1924217.
Graff, Norman Howard, MSC, O1876444.
Green, Bruce Edward, MSC, O1937444.
Hahn, Jerry Dean, MSC, O4025204.
Hunt, Kenneth Francis, MSC, O2279269.
Kelly, Peter Charles, MSC, O4033283.
Michael, Patricia Ann, WAC, L1010849.
Musante, John Gustin, MSC, O2275942.
Paul, Hinton Groves, Jr., MSC, O4042948.
Pitchford, Thomas Lew, MSC, O4031625.
Sato, Irving Shigeo, MSC, O4058417.
Shippee, Audrey Bancroft, WAC, L1010843.
Smith, Creed Delaney, MSC, O2284225.
Stoltz, Richard Byford, MSC, O1920432.
Viering, Lois Shulder, WAC, L1010855.
Wait, Wayne Perry, MSC, O4018270.

The following-named officers for appointment in the Regular Army of the United States in the grades specified, under the provisions of Public Law 737, 84th Congress, subject to physical examination required by law:

To be major

Bremer, Ernest Kern, O379612.
Carlan, Ulysses Grant, O378949.
Ferriter, Richard Herrick, O1283397.
Gardner, Hamilton Bonnett, O1644352.
Greer, Henry Bryan, O377192.
Jackson, Robert James, O1822010.
Kenworthy, Max Ronald, O373063.
Rigg, Robert Benjamin, O405863.
Schlotzhauer, Walter Scott, Jr., O328531.
Smee, James Coleman, O363665.
Warren, Robert Eugene, O333975.
Wignall, Kenneth Knowles, O375999.

To be captain

Anderson, Ellis Franklin, O1636920.
Bailey, Gordon Woodrow, O397245.
Barker, Irving Oscar, O1317138.
Barnhill, Gervase Lindsay, O387901.
Benson, James William, O439819.
Brouse, Marion Dale, O947629.
Cadenhead, Charles Robert, O829159.
Cahill, George Thomas, Jr., O1323662.
Calenberg, Harry Douglas, O2017806.
Calhoun, James Robert, O571173.
Cash, Carl Vernon, O588944.
Chapin, Russell Dorsey, O1281354.
Cheatham, Jesse Richard, O413226.
Chrzanowski, John Joseph, O2033277.
Cook, William Byron, Jr., O1280709.
Copeland, Edward Allen, O1638913.
Dale, John Harbert, O422631.
Daskevich, Anthony Frank, O1692601.
Del Mar, Henry Richard, O1305553.
Diaz, Victor Fernandez, O1341081.
Dieleman, William Kearns, O2055141.
Diggs, Jack Franklin, O1173217.
Doeppner, Thomas Walter, O1651813.
Donahue, James J., Jr., O1169084.
Dye, Harold Anthony, O391324.
Ellett, Charles Crittendon, O2035304.
Ellis, Richard Edward, O1104143.
Emerson, John Emory, Jr., O1289711.
Fimiani, Joseph Charles, O1043941.
Gardner, George Milton, O1102250.
Gardner, Richard Marshall, O423242.
Gertie, Raymond Joseph, O1020245.
Greksa, Paul, O1634825.
Grimland, Neal Gideon, O2007495.
Hales, William McKinley, Jr., O405742.
Hardenbergh, Henry Hall, O407498.
Haynes, Thomas Edison, O394443.
Howland, Frederick Paul, O1321413.
Hutchison, Robert Franklin, O445352.
Hutto, Charles Lee, O1950377.
Hylander, Walter Raymond, Jr., O2274100.
Jones, David Leland, O468490.
Kavanaugh, Martin James, O1328704.
Knight, John Newton, O1339880.
Lynch, Eugene Michael, O2011622.
Maddox, William Johnston, Jr., O549455.
Maher, John Ralph, Jr., O1994472.
McElhenny, John Francis, O1997996.
McKinney, John Bradley, O1639652.
Meadows, Byron Dunfee, O1058074.
Michau, Herbert John, O1299605.
Moore, Walter Nathaniel, Jr., O1176439.
Morris, Edward Leroy, O887897.
Murphy, Daniel Joseph, O1645234.
Musser, Robert Howard, O386786.
Norris, Charles Reed, O1559956.
O'Brient, Lex Eugene, O1017420.
Parsons, Thomas Reed, O964660.
Patterson, James Henry, O1286698.
Payne, Francis Edwin, O2033319.
Peck, James Mason, O1047288.
Prost, Louis Joseph, O1326110.
Regn, Elmer Martin, O453700.
Reitan, Robert Vernon, O1167172.
Riordan, Frank Joseph, Jr., O465451.
Robinson, Ralph Charles, O2033273.
Roth, Theodore Robert, O1050063.
Sacra, Sam Warren, O1020500.
Schira, Pedro Ivan, O2280089.
Scoggins, Ruel Prentis, O1823947.
Sills, Gerald Herbert, O444780.
Smith, Chester Ray, O1577859.
Stevenson, Leland Lewis, O1597289.
Tate, Roy Askew, O376759.
Taylor, Porcher Lengle, Jr., O2205742.
Taylor, Raleigh Ogle, O1324961.
Thomas, James Dudley, O1053108.
Tobiason, Orville LeRoy, O1172694.
Turner, Leo Dalton, O1336572.
Vohs, Ralph Herman, O1313002.
Walker, John Wilbur, O460495.
Walsh, Joseph Anthony, O1950060.
Webb, George Kenneth, O535946.
Western, George Edwin, O1017861.
Whitlock, Harold Sherrod, O976941.
Whittier, Harold Walter, O1995537.

To be first lieutenant

Abercrombie, Edward Lee, O4011954.
Adams, Basil Royden, Jr., O1875706.
Adessa, Anthony John, O4012222.
Allen, Leverne Elwood, O1925625.
Alvey, Everett Lynn, O2021302.
Anderson, George Brooks, O4019152.
Andrew, Donald George, O1930610.
Back, Arthur Ryan, O4013349.
Baddaker, William Lawrence, O4001392.
Bailey, Ronald Owen, O4016368.
Baker, James Goodwin, Jr., O2097684.
Ballard, Graydon Lee, Jr., O1930262.
Bamford, Charles Frank, 2d, O1927575.
Barton, Jack Lewis, O4001558.
Beatty, Robert Dunn, O1893132.
Beckwith, Charlie Alvin, O1886972.
Bell, Frederick Dawson, Jr., O4000434.
Bell, Wiley Wayne, O1915871.
Bennett, Raymond Gordon, O995614.
Bilderback, Gerald Wayne, O4009396.
Black, James Ansel, Jr., O4012973.
Bole, Albert Cleaver, Jr., O1875493.
Bollinger, Walter William, O1892227.
Bonomo, Reno Joseph, O1939952.
Borzumato, Paul Lawrence, O1875331.
Bowden, John Charles, Jr., O1916167.
Boyd, David Theo, O4023722.
Boyle, Dennis Mathew, O4023425.
Brady, James Pope, O4012904.
Branch, William Edgar, O4013356.
Brandt, Leo Max, O4003694.
Brown, Herman Dale, O1880412.
Browne, Robert Theodore, O1939487.
Brownlee, Emory William, O4012851.
Brumley, William Booth, O2104789.
Bryant, Deewitt Talmadge, Jr., O1879546.
Buchanan, Elton Eugene, O1935922.
Bukoski, James Richard, O1883283.
Burghardt, Charles Allen, O1937358.
Campbell, Laurence Alexander, O4019615.
Carson, David Lee, O1940180.
Cassidy, John James, O1925781.
Chandler, Victor Earl, O1916342.
Chaney, Otto Preston, Jr., O4012859.
Childress, Gerald, O1892123.
Choat, Buddy Jack, O1879168.
Cioffi, William George, O1936016.
Clapp, Max Albert, O1926323.
Clark, Allison Paul, O2264697.
Clark, Donald Olson, O1939701.
Cleghorn, Leonard Vincent, O1939447.
Clingempeel, William Donald, O1877421.
Cole, Raymond Franklin, O4012206.
Coleman, Edward Rolland, O4009131.
Conover, Robert Lloyd, O1882899.
Cooper, Robert Gerald, O4011851.
Coye, Roger Herbert, O1875526.
Culver, James Volk, O2097680.
Cunha, Fredrick Robert, O4021253.
Cunningham, Walter Douglas, O1939449.
Currey, Charles Elmore, O1890399.
Darivoff, Irvin, O4021290.
Davis, Roger Herring, O1880973.
DeLorenzo, William Alfred, O1875875.
Deming, Roger McPetree, O4012297.
Dismore, William Elvin, Jr., O2104527.
Dixon, John Burton, O1880384.
Dobbs, Frederick Herbert, O1938661.
Doby, Robert Floyd, O1940485.
Dodds, Charles Frost, O4009602.
Downey, Allan Norton, O1889275.
Doyle, David Kyte, O1930803.
Doyle, William Patrick, O4004262.
Echols, Herald Vincent, O1915978.
Edmonds, Maurice Owen, O4011567.
Eldred, Marshall Stuart, O2269737.
Elliott, Richard Lorne, O4002778.
Ellis, Donald Douglas, O1890113.
Ellis, William Thomas, O1883679.
Estep, Glenn Richter, O1933308.
Eyman, Robert Franklin, O1889548.
Falk, Dale Robert, O998042.
Fenech, Paul Michael, O1915511.
Ferguson, James Harrison, O4000576.
Field, Nathaniel Armstrong, Jr., O1931542.
Fincham, Jack Emertt, O1892130.
Fischer, Arthur Frank, O1926031.
Fischer, Richard Leo, O1890607.
Fisher, Clyde, Jr., O1929398.
Forbes, Barney Hubbard, O4023505.
Forbes, Stanley Ray, O1872995.
Fowler, Thomas Ross, O4023506.
Francis, Phillip Meyrick, O403322.
Franklin, Charles Dale, O1930282.
Franklin, James Albert, O2004749.
Gabardi, David Lee, O1877598.
Gernon, Thomas Elmo, 3d, O1939983.
Gillespie, John William, O984553.
Good, James Arthur, O4002109.
Green, Albert Francis, O1925061.
Green, William Thomas, O4009352.
Gregerson, William Edward, O4019599.
Griffith, Joseph Kenneth, O2263002.
Gustaveson, Melburn Le Roy, O2211960.
Gutschenritter, Earl John, O1925919.
Hall, Harry Edward, O1929786.
Haller, Douglas Leon, O4002586.
Hancock, Jack Logan, O1877609.
Hannum, David Bentley, Jr., O4009756.
Harmon, Tommy Jay, O1881099.
Harrer, Lee John, O1888168.
Haswell, Peter Russell, O4019937.
Hathaway, Warren Arthur, O4014980.
Heiss, Richard Walter, O1883768.
Hellmuth, Harry Edward, Jr., O4016482.
Hertel, Robert Gene, O1926276.
Hibbs, Joseph Guy, O1889291.
Hillman, John Kenneth, O1884032.

Holihen, Joseph Markham, O1890025.
Howard, William Clarke, O2262442.
Hutchins, Charles Franklin, O1862153.
Hyde, Darwin Spencer, O1889426.
Janssen, Arlo Dean, O1881148.
Jeffers, Sam Eve, Jr., O1939461.
Jensen, William Charles, O1893888.
Johnson, Joseph Edward, O1891422.
Jones, Charles Lee, O1887474.
Jones, Charles Roy, O4003789.
Jones, Richard Allen, O4014074.
Jones, Thomas Michael, O1888140.
Judge, Richard Francis, O1894134.
Kavanaugh, William Walstrum, Jr. O4003274.
Keller, Theodore Reeve, O1927978.
Kelly, Clifford Brian, O1940269.
Kent, John Forrest, O4015550.
Kirkland, Faris Russell, O4020664.
Kitchin, James William, O1885821.
Klingenfus, Emil John O1929416.
Klippel, Kenneth Leroy, O4019032.
Kniffin, Arnold Dean, O1880086.
Kobata, Katsuji, O1927750.
Koehler, William Frederick, O4002030.
Kros, William John, Jr., O1929754.
Krueger, William Henri, O1930311.
Kwasigroch, John Frank, O1888891.
Lacy, James Frederick, O4012389.
Lambert, Richard Thomas, O4004096.
Lander, Robert Benjamin, O2028716.
Lanier, Albert Barnes, Jr., O4012514.
Lanphere, Robert Francis, O4017025.
Larsen, John William, O1929914.
Lawson, James Christopher, O1937379.
Lax, Joseph Oppenheim, Jr., O4013010.
Layne, Leslie Alexander, O1926889.
Leathers, Billy Joe, O4023374.
Le Clair, William James, O4017062.
Ledford, William Valentine, O4005968.
Lees, Robert Edward, O4014815.
Leese, Donald Albert, O4000978.
Leland, David Paul, O4015551.
Lewis, John Potter, O4006671.
Light, Allen H., Jr., O1933629.
Lindsey, Tommy Gene, O1879638.
Lodge, Thomas Carroll, O1926067.
Lowe, Orin Hewitt, O4014983.
Lowery, Carlton Merle, O4014984.
Lucas, Warren Jacob, O1935053.
Ludwig, Donald Joseph, O4020709.
Luepnitz, Carl Adolph, O4015783.
Maga, Fred Dominic, O1940733.
Mallo, Harry Richard, O4002606.
Mallonee, John Brice, Jr., O4009709.
Malmgren, Alfred Charles, O1888093.
Mann, Everett Edward, O1889498.
Marker, Robert Herman, O1928093.
Martellini, Carmen Richard, O4015555.
Matthews, Paul Doran, Jr., O2208036.
Mays, George Glover, O1879801.
McClean, Raymond James, O2104429.
McCrea, J. Hollis Victor, Jr., O4019440.
McDonald, Gerald Lee, O1939324.
McGahee, Mack Milo, O1886933.
McGarity, John Floyd, O4023806.
McGee, Charles Franklin, O1885716.
McGinn, Harry Laurance, O1889651.
McIver, James Clarence, O1888942.
McMahon, John Francis, O1890346.
McNally, John William, O1935372.
McTigue, Donald Hugh, O4006215.
Michael, Lloyd Donald, O4005128.
Miller, Clarence Allen, Jr., O1915281.
Miller, George Franklin, O4020908.
Miller, Glen Robert, O4019098.
Miller, Harvey Fisher, O1939465.
Miller, Kenneth Merrill, O4003186.
Modica, Donald, O4002486.
Moeller, Selmer Eugene, O2264561.
Monroe, Charles Arthur, O4000681.
Mooney, Harley Floyd, Jr., O1341181.
Moran, Conrad Vincent, O1875970.
Morrill, George Henry, O4016181.
Morris, Robert William, O2210607.
Moss, Robert Eugene, O2104613.
Moulthrop, Robert Moss, O2097523.
Munn, Frank Oldham, O4006087.
Munn, William Richard, O4020976.
Murphy, Alvin Frank, O4009425.
Murray, Roger, Jr., O4003478.
Mustain, James Clarence, O1940316.
Nabell, Eugene Victor, C2204840.
Neff, Owen Bates, O1916189.
Negris, Rocco, O4014823.
Niemann, Thomas Eugene, O4007067.
Nolet, Robert Adelard, O1937784.
Norcross, John Cleo, O1879483.
Nunn, Thomas Calvin, O1916053.
Odekirk, Carl John, O2102185.
Oliver, Henry McCarty, O4003652.
Partridge, Charles Cater, O4023837.
Passano, John Dyer, O1935365.
Perry, Richard Arlen, O1880358.
Peters, Billy, O4024040.
Peters, Perry Earl O1888866.
Petterson, Charles William, O1933338.
Phillips, James Vester, O2265085.
Phillips, Ted Nathaniel, O4011659.
Pledger, Walter Robert, O1938640.
Poel, David Jay, O4015929.
Pope, William Aubry, O4019822.
Potter, Russell Calvin, O1883708.
Power, Arthur Vincent, O1341364.
Prevatt, Richard Montgomery, Jr. O1887328.
Price, Francis Kingsley, Jr., O4005929.
Proctor, Lawrence Bert, Jr., O4012663.
Prokopowich, Lucien Rufian, O4015155.
Pugh, Hilton Edward, O1887509.
Pugliese, Nicholas Rudolph, O1938490.
Pursell, Alfred Burton, O1938662.
Quast, Lorus Lamar, O1889407.
Radke, Galen Wayne, O4005716.
Ragano, Frank Paul, O1690985.
Ramos, Domingo, O1886121.
Ramsey, LeRoy Springs, Jr., O1887331.
Ray, William Eugene, O1934962.
Reum, James LeRoy, O1930662.
Rhodes, Cephus Syrason, O1890951.
Rhodes, Robert Howard, O2004672.
Richards, Howard Charles, O4019865.
Richardson, Ronald Ray, O1888261.
Ridgway, John Joseph, Jr., O4009215.
Robbins, William Curtis, O2003844.
Rogers, Clare Roy John, O4020629.
Rothwell, John Cowell, O1887668.
Routh, Harry Mourice, O4002240.
Saltus, William Thomas, O4003585.
Sanders, Bobby Lee, O4021211.
Sandstrom, Theodore Frederick, Jr., O4002901.
Schiffman, Donald Bernard, O1937135.
Schneider, George John, O4020601.
Schweitzer, Robert Laurence, O2266455.
Segrest, William D., O4005847.
Sewell, William Pierce, O4011979.
Shay, Patrick Earl, O1879875.
Shellenbaum, Glen Earl, O1883293.
Shields, George Duncan, O4019513.
Shields, Maynard Earl, O1887338.
Simmons, John Edwards, O1875409.
Sims, Roy Donald, O4001284.
Skanchy, Rex Karren, O1927333.
Slater, Burt Evans, O4006643.
Smith, Albert Joseph, O1881075.
Smith, George Ellis, O4009586.
Snyder, Clinton Willis, O4000339.
Somers, Charles Edwin, Jr., O1703721.
Spang, Allan Gordon, O1876217.
Sperow, Charles Conrad, O1889880.
Spilker, Wayne Eugene, O1887687.
Spradlin, Glenn Doyne, O1939514.
Stanton, Martin Paul, O4009788.
Staum, Vernon Eldeen, O2104816.
Stephenson, Lamar Voyles, O1880833.
Stewart, Dennie William, Jr., O4001536.
Story, Billy Lorenza, O4011700.
Stromgren, Kenneth Gustave, O1876054.
Strouse, William Richard, O2104223.
Sullivant, Harold Truett, O1886149.
Swisher, Robert Keim, O2210252.
Thorpe, John Clifton, O4009729.
Tonsager, James Richard, O1940290.
Treece, Frank LaRue, O1936733.
Troutman, Gregory Lee, O4011665.
Tucker, Charles Eugene, O1939601.
Turnage, Preston Bryon, Jr., O1936945.
Underhill, Victor Sherwood, Jr., O4021156.
van Sickle, James Patrick, O4006172.
Visscher, Robert Edmund, O4013474.
Wallace, John Claud, Jr., O1894059.
Walton, Ben Lee, O4009538.
Weathersby, Russell Allison, O4011839.
Weinstein, Kenneth, O4015195.
Wells, Don Russell, O1928646.
Westall, Bynum Porter, O2263768.
Westmoreland, Richard Lee, O1887366.
Williams, Thomas Paul, O4023758.
Willmann, William James, O1939480.
Wilson, Robert Drake, O4015644.
Wilson, Walter C., Jr., O1881998.
Witt, John Richard, O1929567.
Wong, Alfred Mun Kong, O1930631.
Wordal, Clifford Milton, O1889336.
Young, Robert Lewis, O1880914.
Ziek, Thomas George, O1935316.

To be second lieutenant

Adair, Billy Roy, O1940831.
Adams, Bruce Eugene, O4041039.
Ainsworth, Willie James, O4025051.
Allen, Wilbur Roper, O4044606.
Almy, Donald Chester, O4039235.
Anderson, Bruce David, O4029644.
Anderson, John Alfred, O4029634.
Anderson, Lee Earl, O4010640.
Anderson, Richard Leon, O4018516.
Andrews, Donald George, O4029127.
Arciero, Robert Gaetano, O4038246.
Austin, Kenneth Blaine, O4026902.
Awtery, Sherry Eugene, O4023707.
Axnix, Eugene Joseph, O4029863.
Baeten, Harold John, O4041575.
Bailey, George Arthur, O4039392.
Bailey, William Robert, Jr., O4031804.
Bails, James Robert, O4041788.
Baker, Jack Eugene, O1930261.
Bare, Frank Lee, O4040469.
Barge, Beverly Lake, O4063185.
Barkate, Joseph George, O1941120.
Bausler, Donald Ray, O4010345.
Berg, Roland Elliott, O4030035.
Berschauer, Walter L., O4050385.
Bjorn, Edward Douglas, O4030881.
Blake, Richard James, O4010500.
Blow, James Lee, O4058977.
Boling, Douglas Lowell, O4016523.
Bowden, Robert Cecil, O4042954.
Bowdoin, William Ralph, Jr., O4024508.
Bozymski, Valentine Walter, O4000961.
Bracewell, Roland Allen, O4034150.
Bradberry, William N., Jr., O4033535.
Bradbury, William Delph, Jr., O4023784.
Bradford, James Carrow, O4031672.
Bramlett, James Timothy, O4029472.
Brandon, Claude Eugene, O4041977.
Brandt, Ronald Stirling, O4057027.
Brennan, William Bernard, O2276217.
Brown, Arnold Kaywood, Jr., O4053454.
Browning, Robert Abner, O4018181.
Bruder, Robert Willard, O4029734.
Bryan, Thomas Francis, O1887398.
Buchanan, Paul Joseph, O4041931.
Bunyard, Jerry Max, O1941318.
Burckes, Melvin Stearns, O4028817.
Burkard, Danny Joseph, O4024723.
Burke, Thomas Benjamin, O1940874.
Burns, Harris, Jr., O4028714.
Burt, Woodruff Arthur, O4057144.
Bush, Charles Edward, O2105117.
Caine, Thomas William, O4028982.
Caldart, Donald Edward, O4018417.
Callaway, Charles Patrick, O4043148.
Cameron, Duane Greer, O4032552.
Cameron, Frank Norman, O4051454.
Campbell, Frank Donald, O4044414.
Campbell, Robert James, O2282540.
Caprio, Daniel William, O4042789.
Cardwell, Kenneth Edward, O4027730.
Carlson, Gustaf Raymond, O4016230.
Carpenter, Herbert D., O4042005.
Carpenter, Jake Allen, O4049788.
Carroll, George Francis, Jr., O4010576.
Casson, John Cotterell, O1874998.
Caswell, Philip Preston, O4038532.
Cathcart, James Elton, O4044621.
Chapin, Gordon Richard, O4030271.

Chick, Robert Lamont, O4060055.
Chillcott, Dewey Arthur, Jr., O4035966.
Chisolm, Patrick Donald, Jr., O4058559.
Cholak, Barry Stanley, O4048627.
Christenson, John Martin, O4010333.
Cipriano, Alexander William, O4037856.
Clark, William Lee, O4028156.
Clarke, Gordon Howe, O4027130.
Click, Edwin Francis, O4031733.
Cline, Ellis Franklin, O4035500.
Closs, William Roorebach, O4027845.
Cloutier, Joseph Arthur, Jr., O4037482.
Coast, Albert Frank, O4026212.
Coker, Walter Richard, O4058731.
Cole, Donald Joe, O4040400.
Collins, Billy Charles, O4045250.
Colson, Keith Quentin, O4017587.
Comer, Winston Lee, O4048422.
Concilla, Joseph Anthony, O4004427.
Conlin, Leonard Morgan, O4052412.
Cooley, Edward Eugene, O4009975.
Coon, David Perkins, O4034918.
Cornell, Robert King, O1940853.
Cosby, Lloyd Neale, O4035180.
Costino, Michel, O4017727.
Courey, Charles Jerome, O4041513.
Cowart, William Franklin, O4044591.
Cowden, Carl, Jr., O4030724.
Crawford, William Roy, O4042749.
Crawley, Paul Kimpleton, O4030893.
Creley, Thomas John, O4029857.
Crosby, Richard Dudley, Jr., O2282856.
Dail, Robert Bourne, O4010947.
Dal Corobbo, Bruno Valentino, O4061384.
D'Amico, John Francis, O4037352.
Dareos, Pete John, O4048238.
Darling, Allan Lewis, O4017839.
Darrah, Robert Finley, O4040864.
Davis, Dwight Andrew, O4037794.
DeWitt, William Weldon, O2021987.
Dedyo, John, O4015594.
Demmons, William Herbert, O4027948.
Denton, Eugene Harold, O4042029.
Devers, John Patrick, O4045220.
Dickinson, William George, O4004325.
Dill, Bobby Mendel, O4042877.
Dillon, Richard Emmett, O4053338.
Dirmeyer, Robert Pinckney, O4024860.
Dismukes, James Russell, O4044721.
Dixon, Allen Cloar, Jr., O4010114.
Doane, Colin Robertson, O4053464.
Dobbs, Herbert Hotaling, O4030032.
Dorey, Fred Orwin, Jr., O4036094.
Dorsey, Don Stuart, O4050303.
Dreher, Henry Edward, O4037871.
Droite, James Elmer, O4041325.
Drury, Peter Francis, Jr., O4038236.
Dukes, William Carlyle, O4036793.
Dull, Harry Lloyd, Jr., O4050162.
Edgeman, Ronald Winfred, O4027941.
Edwards, Donald Marvin, O4006996.
Ehrmann, Edward Joseph, Jr., O4010618.
Elliott, Francis William, O4034200.
Elliott, Joseph Morris, O4033319.
Ellison, James Roy, O4048767.
Erickson, Roland Spencer, O4010116.
Falbo, John Joseph, O4034208.
Fallon, Thomas Francis, O4036917.
Farrow, James Harris, O4044468.
Felker, Dale Richard, O4017429.
Ferguson, Charles Hicklen, O4059090.
Fernander, Bobbie Bernard, O4029331.
Few, Henry Theron, O4045116.
Fickett, William Alden, O4020840.
Finehout, Arthur William, O4014757.
Fitzgerald, Walter Jack, O4000580.
Flood, John Joseph, O4035620.
Folta, Russell John, O4039050.
Fotinos, George Chris, O4040712.
Fralinger, Albert Augustin, Jr., O4042834.
Fratt, Charles Kennedy Poe, O4020098.
Frazer, Rex Lloyd, O4018105.
Fuellhart, Joseph Marsh, O4010250.
Fuqua, Raymond Louis, Jr., O1927823.
Gabrielli, Robert Joseph, O4041268.
Garner, James Edward, O4057778.
Garvais, Donald Francis, O4014940.
Gautier, Augusto Rafael, O4037983.
George, Robert Gerald, O4027074.
Gibbs, Frank James, O4029542.
Giggey, Robert Lincoln, O4052689.
Gilliam, John Joseph, O4050509.
Gminder, Russell, O998868.
Goldberg, Daniel John, O4027693.
Gontarski, Joseph Walter, O4038720.
Gorey, Paul John, O4038251.
Gosney, Robert Russell, O4024422.
Gould, James Louis, O4049806.
Graham, Richard William, O4032038.
Graham, Robert Lester, O4010971.
Grant, Gordon Ellis, O4041394.
Grant, John Clark, O4037440.
Gray, Donald Alva, O4010649.
Green, Donald James, O4018116.
Grens, Walter Brown, O4027633.
Gugel, Donald Neil, O2104724.
Gunsell, Richard Myron, O4056737.
Haendle, Karl Victor, O4044639.
Hair, Eddy Ra, O4037355.
Hally, John Edward, Jr., O4039084.
Hambrick, Jackson Westmoreland, O4045120.
Hammond, Donald Paul, A4045189.
Hampel, Victor Hugo, O1940541.
Hanmer, Stephen Read, Jr., O4046853.
Harl, Neil Eugene, O4056539.
Harms, Norman Dale, O1936112.
Harper, Joshua Allen, Jr., O4032060.
Harris, Robert William, O4030583.
Harrison, William Hardin, O4031230.
Hartrick, William Lee, O4037372.
Harvey, Philip Schuyler, Jr., O4051662.
Hawkins, John Owen, O4058927.
Heath, Edward Wyman, O4017951.
Heinsoo, Heino, O4030813.
Heiss, John Louis, 3d, O4009614.
Henderson, James Morris, O4029412.
Herold, Ernest Joseph, O4010718.
Hess, Carl Holmes, O4037061.
Hesse, Richard Paul, O4042038.
Heuschkel, Donald Gene, O4040382.
Highfill, James Kenneth, O4029816.
Hilbert, Donald Eugene, O4029090.
Hilton, Maynard E., O4037443.
Hinkin, Paul Edwin, O4040852.
Hisey, Jack Edward, O4028082.
Hobbs, Harry Vincent, O1941079.
Hock, Robert Conrad, O4004860.
Hoffert, Charles Edward, O4004235.
Hogan, Joseph Harrie, 3d, O4051769.
Hoglan, Curtis Francis, O4026306.
Holdridge, Gerald Raphael, O4057336.
Holland, John Joseph, O4017530.
Holt, Roscoe Lee, O4026004.
Horn, Joey Ray, O4048139.
Hornish, William Eugene, O4018374.
Hosmer, Calvin, 3d, O4052703.
Hough, Henry Albert, O2211380.
Hove, James Norman, O4040542.
Howe, Robert Hampton, O4045056.
Howell, William Henry, O4028781.
Hudson, Samuel Rice, O4012735.
Huff, Don Burton, O4030737.
Huff, Richard Austin, O4010503.
Hulse, John Edward, O4057857.
Hunt, Forrest Clayton, O4030059.
Hurd, Chetwin, Merrill, O4034491.
Hutchings, John Edward, O4041011.
Hutter, James Lyle, O4048775.
Imholz, Robert Emerson, O4024427.
Irby, Joseph Mettauer Hurt, O4036076.
Irving, Conrad James, O4056426.
Islin, John Alexander, O4035917.
Jackemeyer, Robert Raymond, O4041252.
Jackson, Donald, O4042676.
Jackson, Tracy Howard, O4029238.
Janert, Alfred Charles, Jr., O4024884.
Jarrett, Richard Stanley, O4040951.
Jenkins, Quentin Arthur Lot, O4010156.
Johnson, Carl Nathan, Jr., O4024849.
Johnson, David Straub, O4045609.
Johnson, Jack Oliver, O4017437.
Johnson, John James, O4044876.
Johnson, Sherlock Adolph, O1930552.
Johnson, William Vance, O4048741.
Johnston, Frederick Curtis, O4038927.
Jones, Burten Duane, O4029702.
Jones, Herbert Lewis, O4035981.
Jones, Robert Edwin, O4035189.
Jordon, Horace Edward, O4004363.
Justiss, Robert Earl, O1941132.
Kanamine, Theodore Shigeru, O4017608.
Keane, John Richard, O4003025.
Keasbey, Robert Bruce, O4050126.
Keeling, Edgar R., Jr., O4024497.
Kelley, Victor Bruce, O2207572.
Kelly, Edward John, 3d, O4032389.
Kelly, Thomas Lee, O4025959.
Kelly, William Hyland, O4044179.
Kennedy, Billie Joe, O4041758.
Kennedy, Bruce, O4019948.
Kennedy, Ralph Pollock, Jr., O4045543.
Key, James Leslie, O4025450.
Keyes, William G., O4037109.
Kiefer, Paul Ellsworth, O4050510.
King, Robert Thomas, O4036675.
King, Robert Cotton, O4040917.
Kinz, Richard Allen, O4027618.
Knapp, John Williams, O4032503.
Kolditz, Walter, O4010122.
Konkle, Carl Henry, O4040448.
Kraak, Charles Frederick, O4018048.
Krebs, James Max, O4009488.
Kyle, Norman Richard, O4045011.
Lampe, William James Richard, O4052912.
Langa, John Matthew, O4050265.
Lansdell, Jesse Willard, O4058870.
Large, Ulysses S., Jr., O4044733.
Larson, Raymond Kent, O4029555.
Lasker, Paul Edwin, O4027742.
Lay, Gilbert Richard, O1939501.
Lecklider, Courtney Alan, O4056589.
Lee, Curtis Don, O4057802.
Lee, Quillon Curtis, Jr., O4028897.
Leehane, Daniel Joseph, O4050365.
Lewis, Richard Roland, O4050146.
Libassi, Jerome Joseph, O4051852.
Light, Thomas Mack, O4050131.
Lindgren, Theodore Dean, O4056614.
Little, Robert Pierce, O4036678.
Lloyd, Joseph Walker, O4040973.
Lloyd, Luther Richard, O4029963.
Lockwood, Ronald Duane, O4041861.
Loeffler, John Francis, O4010703.
Lopez, Ramon Reyes, O4030921.
Lorigan, Robert Eugene, O4004793.
Love, Harold Max, O4010899.
Lovelace, Richard Sanders, O4017850.
Luecker, James Frederick, O4056406.
Lund, Robert Everett, Jr., O4042861.
Lundwall, Walter R., O4034927.
Lutz, Clarence Albert, O4056548.
Lyles, Jesse Don, O1941071.
MacDonald, John, O4057825.
MacDonnell, Thomas Aquinas, O4037104.
MacLeod, John Richard, O4032266.
MacManus, Frederick O'Neill, O4025320.
Magrath, Claude Peter, O4052047.
Mahoney, Patrick James, O4052146.
Main, Robert Gail, O4018141.
Mait, Martin Benjamin, O4033991.
Manhan, Robert David, O4010662.
Manzo, John Matthew, O4035627.
Mapes, John Burdick, Jr., O4065620.
Marshall, Thomas Worth, 3d, O4030585.
May, Robert Morris, O4059014.
McBrady, Daniel John, Jr., O4048645.
McBride, David Myers, O4032375.
McCann, John R., O4050300.
McDaniel, Cecil Douglas, Jr., O4044652.
McDonald, Kenneth George, O4049758.
McDonald, Vincent Paul, O4052443.
McFall, Thomas Neel, O4045274.
McGee, Lester Earl, Jr., O4043135.
McGraw, Kenneth Eugene, O4017751.
McGreevy, Daniel Edward, O4050486.
McGruder, Beverly Lettelle, O4036140.
McHugh, Thomas Edwin, O4038924.
McKalp, Homer Diehl, O4036489.
McKee, Robert Wesley, O4045167.
McKellips, John Lee, O1880173.
McNair, Jeptha Isaiah, Jr., O4010513.
McNall, Jack Glenn, O4045933.
Meara, John Joseph, O4035009.
Merrill, Richard Glen, O4019066.
Michehl, Edward Helmuth, Jr., O4030754.
Miller, Richard Earl, O4038355.

Miluszusky, Raymond Jr., O4010261.
Mink, Oscar Gorton, O1926300.
Misajon, Herman Gerald, O4030676.
Mitchell, Stanley Joseph, Jr., O2276722.
Moir, Raymond Charles, O4030323.
Monteith, Gerald Eugene, O4042042.
Moody, John Fleetwood, O4045072.
Moore, David Russell, O4044535.
Moreau, Thaddee Fernand, O4037496.
Morgan, Robert Thompson, O4025538.
Morley, William John, O4042491.
Moses, Thomas Edwin, O1888097.
Murphy, Patrick Joseph, O4049821.
Myers, Bobby Lee, O1939507.
Nagy, William Joseph, O4032988.
Neal, James William, O4034215.
Nelson, Ronald Andrew, O4028223.
Nice, Duane Ray, O4037698.
Nolan, Donald Grant, O4063108.
Nolan, John William, O4059339.
Novak, Andrew Michael, O4044450.
Nugent, Edward Joseph, O4031346.
Nye, Jack Glenn, O4033458.
O'Toole, Hubert Joseph, O4052299.
Oakes, Norman Lee, O4035343.
Oakley, Howard Hughes, O4042304.
O'Brien, John Lydon, O4033006.
Oglesby, John Mohler, O1915144.
O'Leary, Arthur John, O4030520.
O'Leary, Francis Daniel, O4025416.
Oliver, Mahatha Marshall, O4044971.
O'Neil, William Robert, O4042308.
Orkand, Robert Edward, O4031167.
Osborn, Phillip Carrol, O4024638.
Owens, Frank Enos, O4004994.
Pacelli, Vincent Anthony, O4037530.
Padget, Herber Nathaniel, O4028918.
Painter, Brookman Endler, O4052736.
Parham, Paul Biery, O4010595.
Pastor, Paul Anthony, O4052151.
Pece, Henry W., Jr., O4043157.
Penney, Hubert Francis, O4015633.
Perschetz, Gerald, O4029570.
Pershing, Jay Wesley, O4017863.
Pettibone, Clifford Alan, O4040623.
Philbrook, Wilbur Woodbury, Jr., O4039246.
Picillo, Angelo Paul, O4046364.
Pratt, Wills Goyne, O4004337.
Prescott, Warren Thomas, O4013235.
Prigge, Robert Wallace, O4015585.
Prothero, Ronald Percy, O4033211.
Przedpelski, Zygmunt Jan, O4029683.
Pugh, George Monroe, O4045278.
Pulliam, Nathan McGarity, O4031177.
Pybus, Fred Rayner, III, O4047934.
Quest, Joseph William, O4051984.
Ralles, Gordon Corey, Jr., O4019224.
Randolph, James Willis, O4044544.
Rapkoch, James Michael, O1940720.
Reddell, Gerald William, O4025584.
Reed, Donald Stuart, O4050466.
Regan, John Paul, O4038870.
Register, Benjamin Franklin, Jr., O1873902.
Reid, Robert Leonard, Jr., O4042200.
Reither, Wayne Casimir, O4010633.
Rendine, Alfred John, O4035543.
Rhode, Michael, Jr., O4029377.
Rhodes, Lonnie Dale, O4025938.
Rice, Harley Eugene, O4032412.
Richardson, William Travis, O4058874.
Rider, Archie Allen, O4024702.
Rider, James Dennis, O4025585.
Ripple, Larry Melvin, O1940547.
Robb, James Frederick, O4027533.
Rogner, Emil Albert, O4039006.
Rooker, James Alan, O4040641.
Roop, John Ronald Coleman, O4023456.
Rop, Richard Forrest, O4058854.
Rosin, Roy Rembert, O4040687.
Ross, Joseph Lamond, Jr., O4048654.
Roth, Bernard Jacob, O4039009.
Rowe, Alvin George, O4058031.
Rowe, Richard Herbert, O1937134.
Rowell, Robert Grady, O4042867.
Russell, Benjamin Bradbury, O4038441.
Rutledge, Howard Lilbern, O4042623.
Salley, Ernest Meres, O4013230.
Sanders, MacDwain, O4048605.
Sato, Irving Katsumi, O4040128.
Schaefer, Robert Roy, O4050367.
Schaefer, Rolland Milton, O4017164.
Schick, Robert Lee, O4039267.
Schilling, William Alfred, Jr., O4033290.
Schmitz, Robert Paul, O4057315.
Schneider, Finis Earl, O1885199.
Schoenstein, Herbert Joseph, O4027083.
Schreiber, Anthony John, Jr., O4036511.
Schull, Dunell Vernon, O4018627.
Scoggins, Larry Elmer, O4058616.
Scribner, Edwin Grant, O4040854.
Seago, Pierce Turner, Jr., O4059190.
Sessions, Jerrald Maynard, O4015732.
Seward, John Mason, O4032834.
Shaw, George William, O4037498.
Sheehan, Stephen Anthony, O4051407.
Shelton, Samuel William, Jr., O1873267.
Sherk, Kenneth John, O4056484.
Shufelt, James Wade, O4035606.
Silva, Edward Henry, O4036703.
Simons, John David, Jr., O4047870.
Slingo, James Frederick, O4052749.
Sliva, Norman Eugene, O4025601.
Smalley, Kenneth Lee, O4024652.
Smith, Alfred Leon, Jr., O4025827.
Smith, John Edward, O4042783.
Smith, Richard Ruel, O4032741.
Smith, Robert Severin, O4039011.
Somerville, William Alan, O4059472.
Spring, Ronald Dee, O4032440.
Springman, Robert Wayne, O4019805.
Springstead, Bertin Walker, O4046888.
St. Peter, Robert Eugene, O4057709.
Stapleton, John Ruskin, O4030950.
Stein, Albert Edward, O4027480.
Stempel, Robert Carl, O4053310.
Stengel, Robert Miller, O4053506.
Stewart, Frank Shaw, Jr., O4049787.
Stewart, Harold Lloyd, O4075239.
Stewart, William Allen, Jr., O1931586.
Stimeare, Robert Ray, O4004734.
Stires, Buell Wilson, O4047758.
Stone, Leon Haynes, Jr., O4028642.
Storm, Forest Clyde, O4057263.
Strom, Roy Malcolm, O4030548.
Stroup, Glenn Allen, O4059062.
Studer, Richard Edward, O4038875.
Sullivan, Noel Edward, O4027797.
Sullivan, Roy Franklin, O4024407.
Sumner, Brice Saunders, O1889779.
Swartwout, Donald Clayton, O4028635.
Sweetwood, Dale Richard, O4057266.
Taylor, Emmett Kirk, Jr., O4058588.
Taylor, Francis Carroll, O4045094.
Taylor, James Oliver, O4040356.
Taylor, Joseph Wayne, O4058682.
Taylor, Terry Arthur, O4026293.
Terry, Clifford Frank, O4017240.
Terzopoulos, Nicholas, O4010184.
Thayer, Henry Jerome, O4044676.
Thomas, Charles Reid, O4045096.
Thomasson, William Cloud, Jr., O4042837.
Thompson, Albert Garrison, O4025992.
Thompson, John Ulysses, O4024914.
Thompson, Robert Summers, O2264946.
Thompson, Thomas P., O4028086.
Thorson, Albert Sheron, O4049978.
Tigh, Leland Frederick, Jr., O4027203.
Toner, Francis Joseph, O4033135.
Torbett, William Cleburne, 3d, O4025593.
Towle, Thomas Joseph, O4038884.
Trent, Warren Thomas, Jr., O4024064.
Troeltzsch, Lloyd Alvin, O4017970.
Troknya, Robert James, O4032138.
Tucker, Tye Bright, O4044901.
Tutwiler, James Douglas, O4049941.
Tyler, Thomas Hardy, O4031123.
Ueltschi, Donald Richard, O4042209.
Valli, Louis Angelo, O4004948.
Valz, Darwin Kenneth, O4036788.
Valz, Donald Joseph, O4030851.
Van Houten, William, 3d, O4042668.
VanPool, Jack Lavern, O4025482.
Vandenberghe, Henry Emil, O4010536.
Vanderschaaf, John Nolan, O4030286.
VonGortler, Frederick Carl, 3d, O4028173.
Vosbein, Henry Michael, Jr., O1940977.
Walker, Mickey Arthur, O4044851.
Wallin, Spencer Dean, O4053415.
Wallington, Edward Hugh, O1890081.
Walsh, Clayton Dean, O4041352.
Walsh, Patrick Dana, O4046177.
Walter, John Stanislaus, O4031800.
Walton, John Carroll, Jr., O4025969.
Ward, Stanley Dustin, O4033356.
Wasko, Frank John, Jr., O4010714.
Waters, William Hugh, O4039453.
Watford, John Hardin, O4040730.
Watson, Velvin Richard, O4026421.
Watzling, John Keith, O4027538.
Weinert, Phillip Darden, O4049397.
Welsch, Hanno Fritz, Jr., O1939517.
Wendelken, William Henry, O4032255.
Whipple, Winthrop, Jr., O4037424.
White, Charles Elliott, O4028931.
White, Frederick Basford, O4025394.
Whitten, James Austin, O4026186.
Wiggers, Ralph Garrett, O4017486.
Wiles, James Malcolm, O4057968.
Williams, James Mercer, Jr., O4043015.
Williams, Sylvanus Johnson, 3d, O4025349.
Williamson, Rayburn Leroy, O4017897.
Wilt, Duane Chester, O4033922.
Winkelman, Barry Alan, O4035373.
Winship, Edwin Carroll, O4035320.
Winston, Neil Countess, O4025738.
Wintermute, Edwin Hampton, 4th, O4056709.
Wintz, Edward Kenna, O4027623.
Witte, James Ray, O4026010.
Witter, Robert Anthony, O4032019.
Woliver, Clarence Hugh, Jr., O4024549.
Wollan, Gary Byron, O4030082.
Wolterstorff, Jerrold David, O4040536.
Wood, David Heyer, O4037957.
Woods, Eugene Ray, O4027854.
Woods, James Joseph, O4031853.
Worthington, Howard Leslie, Jr., O2033923.
Yore, Joseph Alexander, O4037990.
Young, William Worsley, 3d, O4024447.
Zane, Thomas Leeds, O4058818.
Zimmerman, Charles Vernon, O4032142.
Zisk, Edward Joseph, O4038969.
Zurbriggen, Donald John, O4017798.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 3, 1957:

United Nations

Neil H. Jacoby, of California, to be representative of the United States of America on the Economic and Social Council of the United Nations.

The North Atlantic Treaty Organization

W. Randolph Burgess, of Maryland, to be United States permanent representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

Diplomatic and Foreign Service

Vinton Chapin, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

Maxwell H. Gluck, of Kentucky, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ceylon.

WITHDRAWALS

Executive nominations withdrawn from the Senate July 3, 1957:

Postmasters

Doris B. Duncan, Skippers, in the State of Virginia.

Marjorie C. Mossman, Hamburg, in the State of Illinois.

EXTENSIONS OF REMARKS

Oklahoma Today—Statement by Hon. A. S. Mike Monroney, of Oklahoma

EXTENSION OF REMARKS
OF
HON. ALBERT GORE
OF TENNESSEE
IN THE SENATE OF THE UNITED STATES
Wednesday, July 3, 1957

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement the Senator from Oklahoma [Mr. MONRONEY] has prepared concerning the Oklahoma State magazine.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

OKLAHOMA TODAY

The semicentennial souvenir edition of Oklahoma Today has just come to my attention. I am proud to report that, with this edition, our State magazine has come of age. I believe we are catching up with Arizona Highways and the New Mexico magazine, which for many years have had a well-deserved popularity inside and outside those States.

Two outstanding examples of contemporary Indian painting from originals in Tulsa's famous Gilcrease Museum are used for the front and back covers of this issue of the Oklahoma State magazine. The front cover is Blackbear Bosin's very spirited painting, "Eagle Dancer," while the back cover picture, "Bending Willows Setting About the Care of Motherhood," by Woody Crumbo, portrays a peaceful scene.

The land, the people, and the spirit of Oklahoma—all these compel the readers' attention in story and picture. "Oklahoma Family of Man" is particularly interesting. Between the covers, in one way or another, the saga of our State is told from before it was born to the present, with significant looks into the future.

Perhaps one reason I like this issue of Oklahoma Today so much is that the 8 color photographs printed for framing are dramatic proof of some of my contentions through the years—such as my claim that there is nothing in the world quite like an Oklahoma sunset, whether it silhouettes an oil derrick or a barbed wire fence. The photographers, whose work is shown, are Cliff King, Ross Cummings, Jesse A. Brewer, Kazimir Petrauskas, Edith Hogan, Mel Woodbury, and Paul E. LeFebvre, who is the art director. All of the photos are superb.

Congratulations also are in order for the magazine's editor, Dave Loye; the editorial board, composed of Gov. Raymond Gary, Dr. Randall T. Klemme, C. A. Stoldt, Kelly Debusk, and Dave Ware; contributing editors Jeff Griffin, Carl Held, and Miss Juanita Mahaffey; and writers Bill Thomas, Bill Burchardt, and Gladys Jeffords.

The schedule of activities listed by Oklahoma Today as a handbook for visitors to Oklahoma this year gives a comprehensive picture of the State, past and present. The following calendar for July and August records the enthusiasm and variety with which many communities in the State are celebrating the 50th anniversary of Oklahoma's first half century as a State:

JULY EVENTS

1–8. Homecoming, rodeo, beauty pageant, oldtimers picnic, band concerts, fireworks display, Sapulpa.
1–4. First annual Kiowa Indian powwow, Carnegie.
2–4. Rodeo, Wright City.
2–6. Annual Will Rogers Roundup Club Rodeo, R. C. A., Claremore.
3–4. Annual reunion and free hometown carnival in beautiful Redbud Park, Marlow.
3–5. Perkins semicentennial Fourth of July celebration.
3–5. Rodeo, Purcell.
3–5. Indian stomp dance, Miami.
3–6. Picken's intertribal powwow, seventh day for Indians only, Madill.
4. Annual fireworks display, Pryor.
4. Annual carnival, Frederick.
4. Fourth of July celebration, Pawnee.
4. American Legion fireworks display, Boise City.
4. Woods County Day, Freedom.
4. Play Day, Woodward.
4. Fourth of July celebration, Prague.
4–6. Roundup Club Rodeo, Drumright.
6. Dramatization of David and Saul at Holy City, Lawton.
8–10. Twenty-seventh annual Kiwanis Rodeo, Hinton.
4–6. Roundup Club Rodeo, Drumright.
11–14. Junior chamber of commerce rodeo, Miami.
11–14. Twelfth annual Pawnee Indian homecoming powwow—no admission, Pawnee.
12. Old Greer County pioneers reunion, pageant, and parade, Mangum.
16–19. Semicentennial rodeo, R. C. A., Chickasha.
17–20. Rodeo, Pryor.
20. Tulsa Indian powwow dances, Reserve Armory, Tulsa.
21. Fishing boat relay race open to all boats 16 feet and under with outboard motors, Fort Gibson Lake, Wagoner.
24. Tulsa League all-star baseball game, Tulsa.
24–27. Oklahoma quarter horse show and race meet, Enid.
25. Seventh annual street square dance festival, Pawhuska.
26–28. Eleventh annual international Roundup Club's Cavalcade—world's largest amateur rodeo, Pawhuska.
28. Ardmore's birthday celebration, Ardmore.
31–Aug. 1–2. Golden Jubilee Championship Rodeo, R. C. A., Duncan.

AUGUST EVENTS

1–3. Jaycee Rodeo, Broken Bow.
2–3. Junior Rodeo (Quarterback Club), Talihina.
2–6. Rodeo, R. C. A., Lawton.
2–4. All-Colored Rodeo, Drumright.
4–6. Reenactment of Kiowa-Comanche Indian land drawing (actual drawing for a small tract of land), El Reno.
6. Lawton's birthday celebration, Lawton.
8. Watermelon festival, Rush Springs.
13–17. Twenty-second annual rodeo, R. C. A. Stock to be furnished by Gene Autry & Associates, Ada.
13. All-State high-school baseball game, Tulsa.
13. All-State high-school basketball game, Tulsa.
15. All-State high-school football game, Tulsa.
17. Tulsa Indian powwow dances, Tulsa.
18. Runabout cruiser race (for cruisers 21 feet and under), Fort Gibson Lake, Wagoner.
18–24. The Will Rogers country pageant, Claremore.
19–24. American Indian Exposition, Anadarko.
22–23. Annual rodeo, Madill.
22–24. Cimarron Cowhand Reunion and Rodeo, Freedom.
24–25. Ozark Singers Association convention, Miami.
26–30. Sooner State dairy show, Enid.
28–Sept. 1. Will Rogers Memorial Rodeo, R. C. A. (4 nights and Sunday afternoon), Vinita.
29–Sept. 1. National hot-rod races, fairgrounds, Oklahoma City.
29–Sept. 1. Elk's Rodeo, toughest of 'em all, Woodward.
29–Sept. 2. Ponca Indian powwow, Ponca City.
30–31. Roundup Club rodeo, Tahlequah.
31. Sucker Day, Wetumka.

Labor's New Broom, No. 2

EXTENSION OF REMARKS
OF
HON. PAUL H. DOUGLAS
OF ILLINOIS
IN THE SENATE OF THE UNITED STATES
Wednesday, July 3, 1957

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have the second part of the radio panel discussion on the program Labor Answers Your Questions printed in the CONGRESSIONAL RECORD.

There being no objection, the discussion was ordered to be printed in the RECORD, as follows:

LABOR ANSWERS YOUR QUESTIONS

(An AFL–CIO public service radio series, program No. 10, Labor's New Broom, No. 2. Guest, Al J. Hayes, chairman of the AFL–CIO ethical practices committee, AFL–CIO vice president, and president of the International Association of Machinists. Panel, Senator PAUL H. DOUGLAS, of Illinois; Senator WAYNE MORSE, of Oregon. Moderator, Harry W. Flannery.)

Mr. FLANNERY. Labor answers your question.

You have been reading stories about the investigation of improper activities in labor by the select Senate committee whose chairman is Arkansas Senator JOHN MCCLELLAN. You probably have questions in mind. Perhaps you want to know what labor itself is doing to help clean racketeers and other corrupt persons from its ranks.

Last week, we began to take up this subject in a discussion with the chairman of the AFL–CIO ethical practices committee, Al J. Hayes, who is also an AFL–CIO vice president, and president of the International Association of Machinists. Mr. Hayes was heard as he talked with two United States Senators who have been active in Congressional investigations and procedures: PAUL DOUGLAS, of Illinois, and WAYNE MORSE, of Oregon.

In this program, Labor's New Broom, we continue the discussion as broadcast from the office of Senator DOUGLAS in the Senate Office Building here in Washington.

Senator DOUGLAS. Now, Mr. Hayes, since I was chairman of the committee which conducted the investigations into health and welfare funds, I wondered if you would say a few words about the standards which you believe to be proper, in connection with these funds?

Mr. HAYES. Well, of course, I think that our code on health and welfare funds actually answers that question. We are in favor of the strictest type of regulation of health and welfare funds.

Senator DOUGLAS. I have your code before me, and that very clearly states as a matter of self-discipline, that no union official is to profit, either directly or indirectly, from the funds; and that, also, he is not to have his relatives profit as insurance agents and so on.

Mr. HAYES. Actually, the code prohibits anyone connected with the union, receiving a salary from the union, from collecting any supplemental salary from a health and welfare fund—even if he performs a service for the fund—as a trustee or an administrator or health and welfare representative.

Senator DOUGLAS. Now, after studying this matter for some time, I came to the conclusion that what the Government should do would be to require full reporting of all the details of these funds to a public agency, and then, disclosure to the beneficiaries and to the public of these facts, so that the white light of publicity would always beat in upon them. And we believe that this would be a great deterrent.

Now, we have found great reinforcement from your movement, in advocating full disclosure. And I want to pay tribute to you for doing this. I wonder if you have any comments that you would like to make on this principle of full reporting and full disclosure?

Mr. HAYES. Well, the only comment I have, Senator Douglas, is that we are in favor of it. We're in full accord with your bill in that regard. However, we feel that this should apply to any type of health and welfare funds.

Senator DOUGLAS. Oh, that is in my bill, not merely to union-managed funds or jointly administered funds, but to employer funds. And I personally have been pained to find that the National Association of Manufacturers, which is urging strict regulations of union and jointly administered funds, are, nevertheless, claiming exemption for employer funds.

Mr. FLANNERY. Senator, I want to ask you in connection with these health and welfare funds, how many of them are union administered?

Senator DOUGLAS. Well, only about 2 percent, Mr. Flannery, 8 percent are jointly administered by the unions and the employers, but 90 percent are employer administered; so that if you merely regulate union or union and jointly administered plans, you are only regulating the tail of the dog. The real dog consists of the employer-administered plans, and these are the plans which have the major resources, amounting now to almost $40 billion.

Mr. FLANNERY. The bill which has been sponsored by yourself, by Senator MORSE and others, would provide for the covering of all of these funds as far as the law is concerned?

Senator DOUGLAS. That is correct. And the NAM would confine the plan to the 8 or 10 percent only.

Senator MORSE. Well, PAUL DOUGLAS, I want to say that I'm proud to be a cosponsor of your bill, because I think you're completely on the right track; you're doing a great service to the American people as well as labor and employers. I, too, regret that we have the opposition of great employer groups to a thorough-going analysis and disclosure of welfare funds. It's interesting also that some of the great insurance companies seem to want to take a hands-off policy when it comes to welfare funds.

Senator DOUGLAS. Mr. Hayes, I wonder if you'd say a word or two about the codes that you've adopted, notably the one on union financial practices and then on union democracy.

Mr. HAYES. It might be well to mention all of the codes, at least identify them, and also other policy statements that are related to the codes. First of all, the federation has adopted a code with regard to local union charters. This code prohibits the granting of local union charters to any individuals that are not qualified to become members of the unions, and are not qualified to be union officials.

The second code is with regard to administration of health and welfare funds, which we've already discussed.

The third code deals generally with racketeers, crooks, Communists, and Fascists in the labor movement, and prohibits any union from aiding and abetting such elements.

The fourth code deals with conflicts of interest, and in substance or in a general way, prohibits a trade union official to have any interest that conflicts with his primary responsibility to the membership of his union.

Then the fifth code, recently adopted, has to do with all of the phases of financial practices in a labor union.

Senator DOUGLAS. I notice that there you require an audited statement which will be made available to the membership.

Mr. HAYES. Yes. Made available to all local unions and to every individual member of the union, periodically.

Senator DOUGLAS. And you believe, and I think this is correct, that if the audit has to be made by an outside agency, that this will lead not only to greater efficiency and economy, but it will also be a deterrent and protection against possible temptation.

Mr. HAYES. Yes, and it might be well to mention that this financial code applies to the local unions as well as to the national and international unions.

Senator DOUGLAS. And I wonder if you'd say a word about this last code that you've adopted, namely, about union democracy.

Mr. HAYES. The last code deals with union democratic procedures, and assures to the membership—to the rank and file membership of the union—the opportunity to decide how its union is going to be operated.

Senator MORSE. I want to stress that because I think it's one of the great public demands. The public is so misinformed about it; the public seems to think that labor runs an oligarchy or a dictatorship in the handling of union affairs. The public doesn't realize that almost all unions—some exceptions—but almost all unions are just little democratic states, really, as far as their own procedures are concerned.

Senator DOUGLAS. This isn't true of all unions.

Senator MORSE. No—I say most of them; some of them are not. But a great majority of them are certainly democratic states where the delegates from the local union level on up, really under democratic processes control and determine union policy.

Mr. HAYES. Well, Senator MORSE, I said in some recent speeches that I've been making at colleges that the machinists union which is typical of approximately 90 percent of unions, insofar as our procedures were concerned. And in our organization, all of the laws that govern the organization were adopted by the membership in a referendum vote; these laws can be changed only in a referendum vote. Even the delegates at convention are not empowered to change the laws. The officers of the organization are nominated and elected by the membership, and not by convention delegates. I say that more than 90 percent of the unions in the federation are as democratic in their procedures as are the machinists union. And this is not commonly known to the American public.

Senator DOUGLAS. I notice that you provide that union officials should hold office not to exceed 4 years, and should be elected by democratic methods either by referendum or by the vote of a delegate body which is itself elected by a referendum or at union meetings.

Mr. HAYES. That's correct.

Senator DOUGLAS. And also that all conventions should be open to the public.

Mr. FLANNERY. What is the procedure, Mr. Hayes, in case of violation of these codes? What happens?

Mr. HAYES. In case of violation of the code, of course, the ethical practices committee is duty bound to investigate all of the reasons for the violations and the extent of the violations, and submit——

Mr. FLANNERY. How does the violation come to the attention of the ethical practices committee?

Mr. HAYES. In many ways—either it can be reported to the executive officers of the federation who then refer the matter to the ethical practices committee, or it is reported directly to the ethical practices committee. And the ethical practices committee then, on its own motion or by direction of the counsel of the federation or the executive officers, can conduct a formal investigation to determine whether or not there has been a violation of any of the codes of policies or laws of the federation, and the extent of the violations. Then after the investigation has been conducted, the ethical practices committee submits it reports, its findings and recommendations to the executive council. And then the executive council takes action on the report of the ethical practices committee.

Mr. FLANNERY. Senator DOUGLAS, would you believe from your experience, your knowledge of unions, and so forth, your study of these particular codes, that there is hope of labor being able, along with Congressional committees cooperating, to be able to do its job in cleaning house definitely?

Senator DOUGLAS. Oh, yes. I think the formulation of these very carefully worked out codes will be of great help, and then the fact that a committee has been set up to carry them into effect will be a real advantage. Now, in all these matters eternal vigilance is the price of liberty, and we need to work at this. But I do want to say that I think the labor movement has stepped out ahead of industry and business in these matters, and I would like to see industry and business adopt similar codes.

Mr. FLANNERY. Is there a final word you'd like to say, Mr. Hayes?

Mr. HAYES. Yes, Mr. Flannery, I think that organized labor needs the help of Government, needs the help of industry, needs the help of business, and others—in first of all minimizing whatever may be wrong within the trade union movement and ultimately eliminating this wrong.

I think, however, that help must come from people who are sincerely dedicated to helping the trade union movement, and not hurting the trade union movement. And we certainly solicit that help—from Congressional committees, from State legislature committees, from industry, and from business.

Mr. FLANNERY. Thank you very much. Very good indeed.

Thank you, gentlemen. You have just heard a discussion on Labor's New Broom, the AFL–CIO ethical practices code, with Al J. Hayes, chairman of the AFL–CIO ethical practices committee, and two United States Senators, PAUL DOUGLAS, of Illinois, and WAYNE MORSE, of Oregon. Mr. Hayes is also an AFL–CIO vice president and president of the International Association of Machinists.

For copies of the codes, address AFL–CIO Radio, Washington, D. C.

For further answers to your questions on labor today, you are invited to be with us next week at this same time. This is Harry W. Flannery speaking for the American Federation of Labor and Congress of Industrial Organizations, which has presented this program as a public service in cooperation with this station. Next week, same time, same station, labor answers your questions.

The Importance of Foreign Students in the United States, and of United States Students Abroad

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Wednesday, July 3, 1957

Mr. WILEY. Mr. President, one of the most significant factors in international relations today and tomorrow is the welcome presence in this country of 40,666 foreign students and the presence abroad of 9,887 American students.

No one can now foresee the tremendous role which these youngsters will be playing in the years ahead, in communicating to others what they have studied, seen, heard, and lived in the course of their studies in a different land.

That is why it is always a particular pleasure for me to visit with foreign student groups here in our land.

It is why I welcome the important work of the Institute of International Education, the work of International Student Houses here and in other cities, and the work of the vast variety of other American groups and centers which contribute in many ways to the hospitality of foreign students in our land.

CONSTRUCTIVE WORK OF EMBASSIES

Foreign governments in turn are keenly aware of the opportunities and challenges of this subject. Here in Washington, one of the principal tasks of many of the embassies is to contribute to and facilitate the studies of the large foreign student contingents in our country. The embassies rightly regard this as one of their most important tasks.

I know that this is the case with our friends in the Indian, the Korean, the Iranian, and other Embassies.

Moreover, many of the ambassadors, the minister counselors, and cultural counselors make numerous speeches before American college audiences in order to help familiarize folks on the campuses with the background of the countries which they represent.

UNIVERSITY OF WISCONSIN HAS MANY FOREIGN STUDENTS

In Madison, the University of Wisconsin has been host to a vast assembly of students from abroad. We are proud of this heavy foreign contingent, and I know that Madison is playing an extremely effective role in foreign policy in this respect.

But what it does for these foreign students, it does spontaneously, because it regards the student, whatever his nationality, as a seeker of truth. It welcomes the student, whatever his origin, into all activities of academic and campus life.

ANSWERING MISINTERPRETATIONS

Madison recognizes, as does every college town, that when foreign students come here, they can see with their own eyes, and hear with their own ears, the "real America."

In turn, when our youngsters study abroad, they can get a better idea of the truth in foreign countries.

Each student, in turn, can help to answer misinterpretations and misunderstandings.

Each can, in friendly, frank exchanges, discuss the viewpoints of the respective countries.

We are all aware that there are, unfortunately, a tremendous amount of misunderstandings. We do not know enough about foreign lands, and foreigners do not know enough about us.

WE MUST LEARN MORE ABOUT THE EAST

We have an especially great deal to learn about the East, about the countries of Asia and the Middle East, and Africa, as well.

These Asian-African lands are coming into their own. If we are to have the fullest friendship with them, then we must understand the facts about them, and they about us. That was one of the points brought out in various meetings of the Washington Educational and Cultural Attachés. This is a fine group, to which I have previously referred in the RECORD.

I send to the desk now the text of an article on the theme of minimizing misunderstandings. It was written by Malvina Lindsay, in the July 1 issue of the Washington Post and Times Herald. Its title is, "Window on Asia is Still Murky." I ask unanimous consent that the article be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WINDOW ON ASIA IS STILL MURKY

(By Malvina Lindsay)

Americans increasingly find themselves in a goldfish bowl in which they are being observed by the world's youth. But, like goldfish, they are seemingly neglecting to observe their observers.

Thirty years ago students throughout the world flocked to Western Europe to study. But today, according to a National Science Foundation report, there are annually as many students of other nations in the United States as there are foreign students in all the universities of Western Europe.

A majority of the 36,500 foreign students here are from Asian countries. Excepting Canada, the largest number is from India.

Yet knowledge here of India, indeed of all Asia, is meager and distorted. One reason is that American culture has its roots in Europe. Also Europe is first choice with Americans who go abroad to study. And American tourists make Europe their stamping ground.

Much light is thrown on American misconceptions of India—the world's largest Republic in point of population—by a study, What American Students Think About India, made by Dr. Palayam M. Balasundarum, visiting scholar at Columbia University.

Four hundred students at 12 leading northeastern colleges were questioned in the survey. In general the results were encouraging. Most of the students were objective in their judgments, aware of their ignorance, eager to improve their understanding of a country so important to the democratic world.

In some colleges where there had been contacts with sister colleges in India, or where Asian area studies were included in curriculums, much accurate knowledge of India's political and social development was manifested. But the misconceptions that existed among students in 12 of the country's highest ranking colleges scholastically were a clue to the far greater amount of ignorance concerning India that must exist among citizens generally.

Many an American concept of India was expressed by a Princeton senior who, when asked what associations came to him with the word "India," replied, "It is exotic; people are poor for the most part; it has a lot of tigers."

The highest number of students questioned associated Gandhi and Nehru with India. The second ranking image was of India's social and religious institutions. Yet only 2 percent of the students mentioned Indian villages, although 8 out of 10 Indians live on the land and depend on agriculture.

The students were slightly more favorable than unfavorable to India's foreign policy—those with the most factual information being the most favorable. Two hundred and fifty-four did not object to intermarriage. Those who did object did so chiefly on difficulties of cultural adjustment rather than racial grounds.

The survey revealed great desire by the students to improve their knowledge of India. A Cornell student said, "As the future leaders of our country, it is appalling to think that we are so poorly informed on such a vital subject as India."

Dr. Balasundarum feels that one of the chief gaps in American knowledge of India that the survey revealed was that concerning India's rural community development, which is an integral part of the first and second 5-year plans. For on this depends largely the raising of Indian standards of living and the nation's future destiny.

In his conclusions Dr. Balasundarum says that mass media information concerning India that goes beyond the spot-news level or personality coverage is greatly needed in this country. Also needed is more accurate teaching about India in grade and high schools, as well as in colleges. Especially recommended is more social and cultural contact of Americans with the Indian students here.

Such contacts between East and West need to be increased in every college and in every community in which there are Asian students. Social get-togethers are helpful, but also needed are cultural meetings in which discussions can reach a deeper level.

Laying of Cornerstone of the Quaker Baptist Church

EXTENSION OF REMARKS
OF
HON. A. WILLIS ROBERTSON
OF VIRGINIA
IN THE SENATE OF THE UNITED STATES
Wednesday, July 3, 1957

Mr. ROBERTSON. Mr. President, last Sunday, June 30, ceremonies were held in Bedford County, Va., at one of the oldest sites of worship in Piedmont Virginia, in connection with the laying of the cornerstone of the Quaker Baptist Church.

The program included reading of messages from Representative BROOKS HAYS, of Arkansas, president of the Southern Baptist Convention, and from Gov. Thomas B. Stanley, of Virginia, and the placing of a cornerstone box containing an interesting collection of mementoes gathered by Kenneth E. Crouch, of the

staff of the Bedford Democrat. Participants in the ceremony included the Reverend L. C. Coffman, Raymond J. Dowdy, and Roy Burnette, who placed the cornerstone; Dr. Wesley N. Laing, who gave the invocation; the Reverend A. W. Connelly, who read the scripture lesson; the Reverend Tearle P. Brown, who gave the dedicatory message; and the Reverend L. Preston Brown, who gave the benediction at the morning service; the pastor of the church, John Layton, who gave the invocation at the afternoon service; the Reverend Fred Harcum, who read the Scripture lesson; W. Curtis English, moderator of the Baptist General Association of Virginia; and the Reverend Floy W. Cox, Jr., moderator of the Strawberry Baptist Association, who brought greetings from those organizations; and the Reverend Charlie M. Shelton, who gave the message.

I ask unanimous consent, Mr. President, to have printed in the CONGRESSIONAL RECORD the texts of the messages of Representative HAYS and Governor Stanley, a list of contents of the cornerstone box, and a brief chronology of the Quaker Baptist Church.

There being no objection, the messages, list of contents, and chronology were ordered to be printed in the RECORD, as follows:

MESSAGE FROM REPRESENTATIVE BROOKS HAYS, OF ARKANSAS, PRESIDENT OF THE SOUTHERN BAPTIST CONVENTION

I am very pleased to extend my best wishes to you on the dedication of your new Quaker Baptist Church building. I think it is wonderful to have continued worship on this same site since 1757, when the Society of Friends held their first service there. The relationship with the Quaker heritage reflects a great sense of brotherhood and a real contribution to the spirit of religious tolerance in America and in Virginia. As president of the Southern Baptist Convention, I wish you and your congregation many years of continued success in preserving this historic landmark and furthering the cause of our great Baptist faith.

MESSAGE FROM GOV. THOMAS B. STANLEY, OF VIRGINIA

I would like to take this opportunity to extend my congratulations to the congregation of the Quaker Baptist Church in Bedford County on its 200th anniversary.

The foundation of this Nation was laid by men and women who believed in God and His influence in human affairs, and from the earliest years these spiritual aspirations have been a vital force in American life,

We give thanks for the religious beliefs of our Founding Fathers for their contribution to the creation of this land of freedom.

The heart of America's greatness still springs from its belief that only through religious faith can men hold firm and uncompromised their spiritual heritages of freedom and the right to live with hope.

CONTENTS OF CORNERSTONE BOX

(Collected by Kenneth E. Crouch)

History of Lower Goose Creek Meeting and Quaker Baptist Church, 1754–1957 with 1880 (earliest on record) and 1957 church membership and all officers since 1757.

Parts of cornerstones from churches built in 1789 and 1957.

Blueprint of church built in 1957.

Church constitution adopted in 1957.

First budget adopted by church in 1955.

Nineteen hundred fifty-seven Strawberry Baptist Association minutes.

"Peeping and spying" law passed by 1956 session of General Assembly of Virginia.

Messages from Gov. Thomas B. Stanley, of Virginia, and Representative BROOKS HAYS, of Arkansas, president of Southern Baptist Convention.

Song, The Old Rugged Cross, autographed by the Reverend George Bennard, author-composer.

Song, Beautiful Bedford.

Folder, What You Should Know About Your Church.

Book, The History of Bedford County, Va.

Bedford County 1954 Bicentennial Program.

Folder of Bedford Chamber of Commerce on Bedford and Bedford County.

Nineteen hundred fifty-four Bedford County bicentennial wooden nickel and 1862 Bedford County paper currency.

Rock and soil from First Baptist Church in Providence, R. I., built in 1638 and oldest Baptist church in America.

Rock and soil from Mill Swamp Baptist Church in Isle of Wight County, in 1714 and oldest Baptist church in Virginia.

Fragments of stones from the birthplace of Christ in Bethlehem, the Garden of Gethsemane, the Cenacle (the upper room in which the Last Supper was eaten), Mount Calvary, and the Church of the Holy Sepulchre at the site of the crucifixion.

Programs of 1953 pastorium dedication, 1955 Easter sunrise service, 1956 groundbreaking service, 1957 first worship service in new church, and 1957 dedication service.

Pictures of 1789 deed, cornerstone of church built in 1789, Dr. J. T. Kincannon, church built in 1899, interior of church built in 1899, pastorium, route 24 marker, artists drawing of church built in 1957, 1956 groundbreaking service, 1899 baptising in Body Camp Creek west of church, 1957 auction sale of church built in 1899, and churches built in 1899 and 1957.

Copies of the Fincastle (Va.) Herald, the Religious Herald (Richmond, Va.), the Bedford (Va.) Democrat, and Ambassador Life (Birmingham, Ala.).

Editorial page of the Roanoke (Va.) Times of March 31, 1957, with column by Dr. Goodridge A. Wilson on oldest churches in southwest Virginia.

CHRONOLOGY OF QUAKER BAPTIST CHURCH

October 9, 1756: Petition presented to have Lower Goose Creek meeting organized by Society of Friends (Quakers).

September 15, 1757: First session of Lower Goose Creek meeting in new house.

1775: Difficult Creek Baptist Church organized.

November 11, 1788: Meeting officially established and named Bedford meeting.

July 27, 1789: Deed recorded for Lower Goose Creek meeting; meetinghouse built same year.

1805: Difficult Creek Baptist Church admitted to Strawberry Baptist Association.

1810: Difficult Creek Baptist Church officially planted by the Reverend Alderson Weeks.

July 1824: Society of Friends release Lower Goose Creek meeting property to Baptists.

1899: New church built.

August 13, 1899: First sermon preached in new church by Dr. J. T. Kincannon.

August 26–27, 1899: Dedication service for new church; Rev. W. S. Royall, speaker.

August 4–6, 1903: Strawberry Baptist Association met at church.

January 7, 1939: Name changed from Difficult Creek Baptist Church to Quaker Baptist Church.

August 1–6, 1949: Historic marker erected by Virginia State Conservation and Development Commission on Route 24.

November 28, 1951: Deed recorded for pastorium at intersection of Routes 24 and 43.

October 25, 1953: Pastorium dedicated; Rev. Wesley N. Laing, speaker.

March 2, 1956: General Assembly of Virginia passed peeping and spying law as a result of case originating at pastorium and in Bedford County courts.

May 27, 1956: Groundbreaking for new church.

October 31, 1956: Actual construction begun on new church.

May 19, 1957: Sunday school and evening worship service held in new church.

May 20, 1957: First sermon preached in new church by the Reverend Floy W. Cox.

June 1, 1957: Old church sold at public auction, purchased by Woodson Tuck for $150.

Baseball and the Antitrust Laws

EXTENSION OF REMARKS

OF

HON. GORDON ALLOTT

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Wednesday, July 3, 1957

Mr. ALLOTT. Mr. President, recent Supreme Court decisions have expressly indicated that legislation is needed with respect to the application of antitrust laws to professional sports. As a part of my study of this matter, I have asked the Library of Congress to prepare an analysis of the legal and practical issues involved. Mr. Spencer M. Beresford, of the American Law Division of the Library, has been of very great assistance in preparing the comprehensive analysis which I here submit so that it may be available to the many other Congressmen and the committees of both the Senate and the House now working on this complicated and difficult subject.

I have not yet completed my consideration of this problem, and consequently am unable to recommend a specific approach for its solution. It seems clear to me that either complete coverage under the antitrust laws or complete exemption from them is unworkable. The solution requires a sound, flexible, and reasonable application of the antimonopoly regulations in such a manner as to allow the continuance of these great American pastimes within the framework of our laws. This requires reconciling our longstanding policy against monopolies and unfair competition with the peculiar economic requirements of organized baseball and other professional team sports.

This study sets forth the basic problem, and suggests some solutions which I believe to be worth further consideration in our search for the best means of protecting the public interest and the rights of the players and the clubowners.

Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the statement, Baseball and the Antitrust Laws, which was prepared by Mr. Spencer M. Beresford.

I am informed by the Public Printer that the statement is estimated to make 3¼ pages of the RECORD, at a cost of $250.25.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

BASEBALL AND THE ANTITRUST LAWS

This report advances suggestions for preserving professional baseball, and other team sports, while at the same time protecting the players and the public from the usual adverse effects of monopoly.

I. CONCLUSION

There is a large body of literature on this subject, including the series of hearings conducted by the House Antitrust Subcommittee. An attempt has been made to summarize the salient data and opinions contained in this literature, indicating disagreement wherever it exists, and stating reasons on both sides whenever a choice is made between conflicting views.

The conclusion reached in this report is that legislation is needed to amend the Federal antitrust laws so that they will apply to organized professional baseball and other team sports (football, basketball, and hockey), with the following exceptions:

A. Playing rules and the scheduling of games.

B. The organization of leagues and associations, provided that they are reasonably responsive to demand (e. g., in geographic distribution) and that unreasonable barriers are not raised against entry by potential competitors.

C. Reasonable agreements and practices restricting the rights of clubs, leagues, or associations to operate within specified geographic areas.

D. Reasonable agreements and practices restricting the employment of players—provided, however, that farming, blacklisting, and the drafting of a player or the assignment of a player's contract without his consent shall not be excepted.

These exceptions are believed to be justified by the peculiar business conditions of professional team sports. They, nonetheless, are limited by the requirement that they must be reasonable, because they would otherwise be open to abuse. Any other monopolistic practice, such as a restrictive broadcasting agreement, would be an antitrust violation per se. Whether a given practice or agreement was reasonable would be decided ultimately by the courts.

Legislation rather than judicial decision is needed, not only because the courts have already taken the position that baseball is wholly exempt from the Federal antitrust laws and that other professional team sports are not exempt at all, but also because judicial decision would necessarily be retroactive in its practical effects.

II. BACKGROUND

A. Organized baseball

Organized baseball denotes a vast entity consisting of nearly 400 professional baseball clubs divided into 2 major and about 50 minor leagues. This entity is governed by certain agreements and a set of rules administered by a so-called commissioner. The principal agreements are the major league agreement, the national association agreement (minor leagues), and the major-minor league agreement. (The texts of these agreements along with related rules and other matters can be found in the Baseball Blue Books published by the Heilbroner Baseball Bureau.)

The economic importance of organized baseball is impressive. Total receipts are on the order of $100 million a year. This is more than the receipts of all other professional team sports combined. (The major leagues account for more than half the receipts of organized baseball.) Nearly 10,000 players engage in approximately 30,000 games a year before more than 50 million spectators.

Although the restrictive economic practices of organized baseball are numerous and complex, their principal features can be described fairly concisely.

1. Organized baseball has cornered the market for skilled ballplayers by means of the uniform player contract and the player lists (including blacklists). The result has been accurately stigmatized as monopsony in manpower (62 Yale Law Journal 576).

Clubs are forbidden to hire any player unless he signs the uniform player contract. This is a 1-year employment contract with a renewal clause enabling the club to renew the contract unilaterally for another year. The renewal clause is widely known as the reserve clause (because the club reserves the right of renewal). Since the renewed contract will be identical with the old one, it will also contain a reserve clause, and can in turn be renewed, and so ad infinitum. (In practice, it appears, a player normally signs a new contract containing a reserve clause every year.)

By signing the uniform contract, a player agrees to recognize the authority of the commissioner, and abide by the rules of organized baseball.

The uniform contract may be unilaterally terminated or assigned by the club, but not by the player. The player cannot play for any other club unless his contract has been assigned or he has been released. (Major league rules 3 (a) and 3 (d); major-minor league rules 3 (a) and 3 (d); national association agreement, secs. 15.01 and 15.04.)

It is fairly generally agreed that this system of employment eliminates effective competition for the services of players already under contract. Critics of the system have stated that there is complete absence of equality in bargaining position between clubs and players. Certainly a player under such a contract has little freedom to change or to bargain with his employer (club), and is doubtlessly paid substantially less than he would be paid in a free labor market.

On the other hand, it is probably true that the reserve clause enables the poorer clubs to keep in the running. Uniform player contracts were adopted, in 1879, for the avowed purpose of equalizing the playing abilities of the different clubs. If the reserve clause were abolished, it is probable that the playing abilities of the clubs would become more unequal, the richer clubs getting a higher proportion of the better players; and that players' salaries, while generally increasing, would also become more unequal. Some clubs, especially in the minor leagues, would probably be put out of business.

2. Player lists are submitted annually by each club to the commissioner, and includes the names of players who are ineligible for employment in organized baseball (e. g., for "jumping" their reserve clauses). Other clubs are forbidden by the rules even to participate in any game or exhibition in which any blacklisted player also participates. (Major league rule 4 (a); major-minor league rule 4 (a); national association agreement, sec. 16.01.)

3. The "farm system" supplements the unform player contract and the backlists through a vertical integration of the labor supply, enabling the major-league clubs to control most (allegedly over 90 percent) of the Nation's ballplayers. A "farm" is simply a club in a lower league which is owned or otherwise controlled by a major-league club. The purpose of the farm system is to give the major-league club more scope in acquiring and disposing of skilled players.

Critics of the farm system have said that the reserve clause is most pernicious on the "farms," where players can be kept indefinitely.

Without the reserve clause (or some similar device), the farm system would collapse, because it would have lost its reason for existing.

4. These restraints on the labor market are somewhat mitigated by the so-called "waiver" and "draft" rules. The waiver rule provides that a player may not be assigned to a lower league till the other clubs in his league have had a chance to "buy" him. (Major league rule 10 (b); national association agreement, sec. 23.02 (a).)

The draft rule enables any club to compel clubs in lower leagues to sell their player contracts for a fixed price. The effect of this rule is very slight, however, because of the limitation that only one player per year may be drafted from a class A or higher club. (Major league rule 5; major-minor league rule 5; national association agreement, sec. 27.)

5. Apart from labor restraints, the restrictive economic practices of organized baseball consist chiefly in (a) territorial agreements and the division of markets, (b) restrictions on entry into the baseball business by potential competitors, and (c) restrictive agreements with respect to radio and television broadcasts and other promotional activities.

These practices are considered as serious in their economic effects as the labor restraints, but simpler and easier to control in practice. Hence, though their importance is emphasized, they will be discussed only briefly.

Since restrictive broadcasting agreements have been suspended since 1951, we need not consider them here except to note that they are monopolistic by universal admission.

(a) Territorial agreements and the division of markets are also clear-cut monopolistic practices. The geographic distribution of major-league clubs, for example, does not conform even roughly (if it ever did) to the distribution of population or income. Los Angeles, the third city in the country, has no major-league club, and Detroit, the fifth city, has only one. Yet Boston and St. Louis until very recently had two apiece. The present maldistribution of franchises is not only uneconomic but is harmful to baseball as a game. It is the main cause of existing inequalities in the playing abilities of the different clubs, and tends to perpetuate and increase these inequalities by favoring the clubs in the wealthier and more populous cities.

(b) It is not practicable to establish new major-league clubs. The number of clubs in each league is fixed at eight—having been chosen for convenience after considerable trial and error. An entire new league would be prohibitively expensive to establish, and would be greatly hampered by the tight control which the present leagues exercise over the supply of ballplayers. Nor can existing franchises be moved, except under extraordinary circumstances; for major-league rule 1 (c) provides that major-league circuits shall not be changed without unanimous consent of the clubs in the same league and approval by a majority of clubs in the other league.

Potential competitors not only find it virtually impossible to join organized baseball; they cannot even play against clubs that are already in it. All clubs in organized baseball are forbidden to participate in any contest or exhibition in which any outside participant appears. (This is rule 1. Major-league rule 1; major-minor league rule 1; national association agreement, secs. 10.06-.08 and 30.03 (a).)

6. During the past 10 years, various concessions have been made by organized baseball under duress—notably under the threat

of competition from the Mexican League, and under pressure from the Justice Department. Concession to players include a salary minimum (major leagues only), a limitation on salary cuts, pensions, and a player-representation plan.

On October 8, 1951, the major leagues rescinded their agreements restricting competition in the sale of radio and television rights. The old rule (major league rule 1 (d) (2)) reads as follows:

"No major-league club shall consent to or authorize a broadcast or telecast (including rebroadcast or network broadcast) of any of its games to be made from a station outside its home territory and within the home territory of any other baseball club, major or minor, without the consent of such other baseball club."

Home territory extended 50 miles from the center of the ball park.

In recent years some flexibility has been shown in the geographic distribution of franchises. Clubs have moved from Philadelphia to Kansas City, from St. Louis to Baltimore, and from Boston to Milwaukee. Nevertheless, over the period of roughly 60 years since the major leagues were formed, their geographic pattern has proved to be very rigid.

The concessions which organized baseball has thus made, though substantial, have been granted as matters of grace, were self-imposed, and are terminable at pleasure.

B. Judicial decisions

1. Baseball

(a) The parent case is *Federal Baseball Club of Baltimore* v. *National League of Professional Baseball Clubs* (259 U. S. 200 (1922)), in which Justice Holmes held for a unanimous Court that organized baseball is not subject to the Federal antitrust laws because (1) a baseball game is a local affair, and hence not interstate, (2) "personal effort, not related to production, is not a subject of commerce" (p. 209).

These are evidently alternative reasons and would be separately sufficient.

Both reasons given by the Court have since been completely undermined.

A baseball game may be local to those who look only at the ball park. But the promotional activities of organized baseball (notably broadcasting and motion pictures) have grown to such proportions as to make it unmistakably interstate. There are many other interstate features—e. g., the nationwide market for baseball players.

Furthermore, the "interstate" concept has been greatly broadened by the courts since the Federal Baseball case was decided; e. g., *Mandeville Island Farms, Inc.* v. *American Crystal Sugar Co.* (334 U. S. 219 (1948)) (agreement by local sugar refiners to pay uniform prices to local beet growers held violation of Sherman Act).

The Court's second reason, that services to ultimate consumers are not "commerce," has also been overturned by later decisions; e. g., *U. S.* v. *South-Eastern Underwriters Ass'n* (322 U. S. 533 (1944)) (holding that insurance is "commerce" within the meaning of the Federal antitrust laws).

Thus, the foundations on which the Federal Baseball decision was explicitly based have long since been destroyed. Although other legal objections could be raised today against the subjection of organized baseball to the Sherman Act in its present form, they do not seem substantial. Specifically, it could be argued that the restrictive practices of organized baseball do not raise prices to ultimate consumers, and are not monopolistic at all but merely monopsonistic restraints on labor (baseball players). But, in addition to labor monopsony, a number of truly monopolistic practices are involved—e. g., the division of markets, restrictive broadcasting agreements. Artificial barriers are raised to entry into the business by a new club or league. The supply of baseball games is artificially limited, and the unit cost to the ultimate consumer is increased. Besides, the common-law concept of "restraint of trade" included restraints on employment. The United States courts have adopted this view. (*U. S.* v. *American Medical Ass'n.*, (110 F. (2d) 703 (D. C., D. C., 1940), cert. den. 310 U. S. 644 (1940)).)

Restrictive labor practices closely similar to these prevalent in organized baseball were involved in *Anderson* v. *Shipowners Ass'n. of the Pacific Coast* (272 U. S. 359 (1926)) (employers who refused in concert to deal with prospective employee held liable under Sherman Act). In that case, a combination of Pacific coast shipowners allegedly fixed the wages of seamen, assigned them to particular ships, and blacklisted those who disobeyed its rules. The Court's decision that such practices violate the Sherman Act would seem to apply with equal force to the labor monopsony in organized baseball.

It is nonetheless arguable that the Federal Baseball decision was at least partly justified for practical reasons because of the peculiar economic conditions of the baseball business.

(b) The Federal Baseball decision was not directly challenged until 1949. Then organized baseball was jolted by the related cases of Gardella and Martin, who dared to play for higher bidders. Gardella was blacklisted for 5 years, for playing with the Mexican League. The district court dismissed his complaint, following the *Federal Baseball* case (79 F. S. 260 (D. C., N. Y., 1948)). But the Second Circuit Court of Appeals reversed and remanded (*Gardella* v. *Chandler* (172 F. (2d) 402 C. C. A. 2, 1949)); see also *Martin* v. *National League Baseball Club* (174 F. (2d) 917 (C. C. A. 2, 1949)).

In the Gardella case, Judge Learned Hand took the view that the radio and television aspects of organized baseball may "mark the business as a whole" sufficiently to justify antitrust regulation (p. 408). Judge Frank agreed, pointing out that the precedents on which the Federal Baseball case relied had since been overruled (pp. 408, 409). Judge Frank called the reserve clause monopolistic; Judge Hand refrained from passing on it, but said that he did not mean to disagree on this point.

The Gardella and Martin cases were both settled out of court.

(c) The next major development involved three baseball-player cases which were all dismissed by the lower courts, on the authority of the Federal Baseball case: *Toolson* v. *N. Y. Yankees* (200 F. (2d) 198 (C. C. A. 9, 1952)), *Corbett* v. *Chandler* (202 F. (2d) 428 (C. C. A. 6, 1953)), *Kowalski* v. *Chandler* (202 F. (2d) 413 (C. C. A. 6, 1953)).

The Supreme Court disposed of all three together in *Toolson* v. *N. Y. Yankees* (346 U. S. 356 (1953), rehearing denied, 346 U. S. 917 (1953)), in the following words:

"Without reexamination of the underlying issues, the judgments below are affirmed on the authority of Federal baseball * * * so far as the decision determines that Congress had no intention of including the business of baseball within the scope of the Federal antitrust laws" (p. 357).

Justices Burton and Reed dissented, urging that the popularity of organized baseball "increases, rather than diminishes, the importance of its compliance with standards of reasonableness comparable with those now required by law of interstate trade or commerce" (p. 365).

Considerably greater light was thrown on this decision by the opinion handed down 2 years later in *Radovich* v. *National Football League* (25 L. W. 4152 (U. S. 1957)). The Court distinguished and explained the Toolson case as follows:

"In Toolson we continued to hold the umbrella over baseball that was placed there some 31 years earlier by Federal baseball. The Court did this because it was concluded that more harm would be done in overruling Federal baseball than in upholding a ruling which at best was of dubious validity. Vast efforts had gone into the development and organization of baseball since that decision and enormous capital had been invested in reliance on its permanence. All this, combined with the flood of litigation that would follow its repudiation, the harassment that would ensue, and the retroactive effect of such a decision, led the Court to the practical result that it should sustain the unequivocal line of authority stretching over many years" (p. 4153).

But "were we considering the question of baseball for the first time upon a clean slate we would have no doubts" (i. e., that organized baseball is within the scope of the Federal antitrust laws) (p. 4154).

At last the exemption of organized baseball from the Federal antitrust laws was explicitly justified on practical grounds alone, and admitted to be an anomaly in the law.

2. Other Professional Team Sports

Baseball is widely regarded as the most monopolistic of professional team sports. Hockey is probably second, being organized much like baseball and having a farm system and player contracts with reserve clauses. Football and basketball are relatively competitive.

Although at the present time baseball alone is exempt from the Federal antitrust laws, no reason is known or appears to have been advanced for any difference in treatment between baseball and other professional team sports.

The courts might well have held all professional sports exempt from the Federal antitrust laws, either on the reasoning of the Federal baseball case that they are local affairs not involving the production of goods, or conceivably on the ground of congressional intent advanced in the Toolson case. In fact, they treated baseball as unique. In cases involving other professinal sports, they were less concerned to explain why those sports were subject to the Federal antitrust laws than to explain why baseball was not.

In *U. S.* v. *International Boxing Commission* (348 U. S. 236 (1955)), the Supreme Court reversed a decision based upon the Federal Baseball and Toolson cases, and held that those cases apply to baseball only. Professional boxing was held to be within the scope of the Federal antitrust laws because of its promotional activities (notably the fact that a substantial part of its revenue was derived from the interstate sale of radio, television, and motion-picture rights).

It seems to follow from this decision that the promotional restraints of all professional sports, including baseball, should be subject to the Federal antitrust laws. It does not necessarily follow, however, that the player-contract restrictions of professional team sports should also be subject to those laws; different treatment for team sports could be justified on the ground that they require some limitation of playing competition among clubs and leagues.

But, in *Radovich* v. *National Football League*, supra, the Supreme Court held that professional football was within the scope of the Federal antitrust laws. (Radovich, who had been under contract to a National League football club, was blacklisted for playing with a club outside the league.)

III. DISCUSSION

The problem is to reconcile the general policy against monopolies and unfair competition with the peculiar economic requirements of organized baseball and other professional team sports.

A. It is generally acknowledged that the present organization, agreements, and practices of organized baseball lead to the usual undesirable consequences of monopoly, both for the players and for the consuming public. In particular, they tend to produce the following results:

1. Reduce and equalize competition among clubs for players already under contract.

2. Deprive each player already under contract of freedom to choose his employer or his place of work.

3. Reduce and equalize players' salaries. (Although the median major-league player is paid a good salary ($10,000 to $15,000 a year), his minor-league counterparts are not (roughly $2,000 a year in class D leagues)).

4. Freeze the present geographic maldistribution of club franchises.

5. Prevent the entry into the baseball business of new leagues, clubs, etc.

6. Reduce the supply of baseball games, and raise the prices paid by spectators.

B. On the other hand, there is fairly general agreement that some restraints on competition are justified by the peculiar economic conditions of professional team sports. The blanket application of the Federal antitrust laws to organized baseball would probably wreck it. Cooperation among competitors is required to produce a marketable product.

Note that this reasoning does not apply to individual sports such as golf or boxing. Nor does it apply to any restraints on competition which do not promote strictly necessary cooperation or equality of playing ability among different clubs.

C. The problem is complicated by contradictions between baseball as a business and baseball as a game. Restrictive territorial agreements, for example, are not strictly necessary forms of cooperation, nor do they promote equality of playing ability among different clubs (in fact, quite the contrary). Yet it is arguable that they should be permitted, within reasonable limits, because of public loyalty to hometown clubs and players and public belief in the loyalty of players to their clubs.

D. Similar considerations as to public loyalties and beliefs support restrictions on the employment of players. Such restrictions are independently justifiable, since they promote equality of playing ability among different clubs. The point here is that they also bind a given player to a given club, and so help to preserve public confidence in baseball as a game. It is concluded that they should be allowed within reasonable limits. In determining what limits are reasonable, the public (spectator) interest should be balanced against the liberties and economic interests of the players. Everyone would probably agree that players should be paid (roughly) in proportion to their services, should have reasonable opportunities for advancement, and should be treated fairly (i. e., without discrimination). It follows that the waiver and draft rules shall be permitted if universal, at least if no draft or waiver prices are charged, but that "farming" and "blacklisting" should be prohibited, and that no player should be drafted, or his contract assigned, without his consent.

E. If restrictive employment practices in organized baseball are thus relaxed, one result will admittedly be a tendency for the richer clubs to get a higher proportion of the better ballpayers. This undesirable tendency will be partly counteracted by limitations on territorial agreements and on the division of markets. In addition, it will probably be necessary to make compensatory changes in the employment conditions of ballplayers. Universal waiver and draft rules and the abolition of waiver and draft prices have already been suggested. Bonuses for new players should probably be prohibited too; and both minimum and maximum salaries should be set by agreement in each league. Other modifications will no doubt be worked out by trial and error. For example, the unionization of ballplayers would facilitate the setting of salaries, and would probably improve the players' employment conditions in other ways. (However, it offers no general solution for the problems of baseball, since it would probably have no effect, for example, on the maldistribution of club franchises. Furthermore, unionization is considered a rather unlikely development, in view of players' attitudes toward it in the past.) Player contracts of more than a year might be adopted. An impartial board of arbitration might be established, to set salaries and perhaps even to assign franchises. Sealed competitive bids for players' services might be submitted annually, for acceptance or rejection by the players themselves. In short, while it is impossible to foresee or prescribe all the specific modifications of employment practices in organized baseball which could and should be adopted under freer and more competitive conditions, it is evident that a number of suitable devices are available to accomplish all the desired results.

IV. OTHER POSSIBLE SOLUTIONS

In arriving at the conclusion set forth at the beginning of this report, it was necessary to consider other possible solutions. These will now be briefly discussed, in the interests of clarity and convenience:

A. Subjecting professional baseball (and other team sports) to the antitrust laws without any exemptions was rejected at an early stage, since there is widespread agreement, among apparently disinterested observers as well as industry spokesmen, that the result would be to spoil the game and wreck the business. It was, therefore, concluded that some restraints on competition were justified by the peculiar economic conditions of professional team sports. This conclusion is borne out both by theoretical considerations and by the historical experiences of American baseball which led to the adoption of uniform player contracts and other restrictive practices.

B. Exempting professional baseball (and other team sports) from the Federal antitrust laws altogether was also quickly rejected, since a blanket exemption would condone a number of restrictive practices which are almost universally condemned as abuses. (The most flagrant are the division of markets, the exclusion of potential competitors, restrictive broadcasting agreements, and player blacklisting.) This "solution" also seemed contrary to the long-standing policy of establishing either competition or governmental control as the ruling principle of each area in the American economic system.

C. The intermediate solution of qualified or limited exemption from the Federal antitrust laws was therefore adopted. This left open the questions of scope—i. e., what specific practices should be exempted—and of means:

1. As to scope, it was decided that the Federal antitrust laws should apply generally to professional team sports, except for such reasonable agreements and practices as were necessary either to promote equality of playing ability among different clubs or to maintain public loyalty and confidence. The specific results of applying this general principle are spelled out in the "Discussion" section of this report.

2. As to means, three main alternatives have been proposed in previous discussions of this subject:

(a) A comprehensive and detailed statutory code of conduct. This was considered impractical. Such a code would require superhuman foresight and would necessarily be extremely long and detailed. Furthermore, in the absence of superhuman foresight, it would need to be revised continually.

(b) A Federal regulatory commission. Although a formally acceptable solution, this was soon rejected in view of probable administrative difficulties and the almost universal expectation of strong public disapproval.

(c) The third alternative of a statute couched in relatively general terms, to be applied by the courts, was therefore adopted. Within this framework, specific types of restraint were classified as wholly exempt, exempt unless unreasonable, or violations per se—in accordance with their tendency to lessen competition, on the one hand, against their contribution to necessary cooperation, equality of playing ability, and public loyalty and confidence.

V. PENDING LEGISLATION

Under H. R. 6876 (Mr. KEATING) and H. R. 6877 (Mr. BYRNES), the Federal antitrust laws would be amended so as to apply to organized professional baseball, football, basketball, and hockey, except with respect to the playing rules of the game, the organization of leagues and associations, contracts between leagues and between clubs fixing their rights to operate within specified geographical areas, and the employment of players. (Note that these matters would be wholly exempt.) Section 2 of each bill expressly preserves the rights of players to bargain collectively.

H. R. 5307 (Mr. HILLINGS) and H. R. 5319 (Mr. CELLER) would amend the Sherman Act alone, by adding a new section 9 as follows:

"The words 'trade or commerce' as used in any provision of the antitrust laws shall include the interstate business of organized professional baseball."

H. R. 5393 (Mr. HARRIS) would amend the Federal antitrust laws so that they would not apply to organized professional baseball, football, basketball, or hockey.

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SPENCER M. BERESFORD,
American Law Division.

JUNE 10, 1957.

SENATE

FRIDAY, JULY 5, 1957

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., July 5, 1957.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. MIKE MANSFIELD, a Senator from the State of Montana, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. MANSFIELD thereupon took the chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. Pursuant to the order of Tuesday last, the Senate will stand adjourned until noon on Monday.

Thereupon (at 12 o'clock and 12 seconds p. m.) the Senate adjourned, the adjournment being, under the order previously entered, to Monday, July 8, 1957, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

FRIDAY, JULY 5, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, we rejoice that Thou art always seeking to draw us within the compass and circuit of Thy divine love.

May the assurance of Thy gracious providence and the memory of Thy goodness hallow all the hours of this new day.

Grant that our beloved country, conceived in sacrifice and dedicated to liberty, may be faithful in its glorious mission of safeguarding the principles of democracy.

Inspire us with a faith that is strong and steadfast as we strive to preserve and perpetuate those freedoms and human rights which our forefathers fought so bravely to win.

Hear us in the name of the Prince of Peace. Amen.

The Journal of the proceedings of Tuesday, July 2, 1957, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 6191. An act to amend title II of the Social Security Act, as amended, to extend the period during which an application for a disability determination is granted full retroactivity, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7665. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CHAVEZ, Mr. HAYDEN, Mr. RUSSELL, Mr. HILL, Mr. BYRD, Mr. SALTONSTALL, Mr. BRIDGES, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7238) entitled "An act to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 943. An act to amend section 218 (a) of the Interstate Commerce Act, as amended, to require contract carriers by motor vehicle to file with the Interstate Commerce Commission their actual rates or charges for transportation service;

S. 944. An act to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes";

S. 977. An act to suspend and modify the application of the excess land provisions of the Federal reclamation laws to lands in the East Bench unit of the Missouri River Basin project;

S. 1383. An act amending section 410 of the Interstate Commerce Act, to change the requirements for obtaining a freight forwarder permit;

S. 1461. An act to amend section 212 (a) of the Interstate Commerce Act, as amended;

S. 1489. An act to amend title 14, United States Code, entitled "Coast Guard," with respect to warrant officers' rank on retirement, and for other purposes;

S. 1520. An act to amend an act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways and for other purposes";

S. 1971. An act to amend sections 4 (a) and 7 (a) of the Vocational Rehabilitation Act;

S. 2250. An act to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes;

S. 2261. An act to amend and extend the Public Buildings Purchase Contract Act of 1954, as amended, and the Post Office Department Property Act of 1954, as amended, and to require certain distribution and approval of new public building projects, and for other purposes;

S. 2448. An act to authorize payment to the Government of Denmark; and

S. Con. Res. 39. Concurrent resolution providing for the printing as a Senate document and for additional copies of the report of the Commission on Government Security.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 609. An act to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut-picking or threshing machines, and for other purposes.

S. 749. An act for the relief of Loutfie Kalil Noma (also known as Loutfie Slemon Noma or Loutfie Noama); and

S. 1054. An act to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.

SAN ANGELO FEDERAL RECLAMATION PROJECT—MINORITY VIEWS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] be permitted to submit minority views on the bill (H. R. 2147) to provide for the construction by the Secretary of the Interior of the San Angelo Federal reclamation project, Texas, and for other purposes, to be printed as part 2 of House Report No. 664.

The SPEAKER. Is there objection? There was no objection.

DEPARTMENT OF AGRICULTURE AND FARM CREDIT ADMINISTRATION APPROPRIATION BILL—CONFERENCE REPORT

Mr. WHITTEN submitted a conference report and statement on the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes.

EXTENDING AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. GATHINGS submitted a conference report and statement on the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

PUBLIC ASSISTANCE MEDICAL CARE PROVISIONS

Mr. COOPER submitted a conference report and statement on the bill (H. R. 7238) to amend the public-assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care.

HELLS CANYON DAM

Mrs. PFOST. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Idaho?

There was no objection.

Mrs. PFOST. Mr. Speaker, I rise to call the attention of the House to an

editorial from the New York Times of Sunday, June 30, which clearly spells out the issues involved in the Hells Canyon controversy. It is most heartening to me that this influential eastern newspaper makes such a strong and clear case for the enactment of legislation to authorize the high dam. The editorial is entitled "Hells Canyon: Last Call." It states:

The 10-year fight for a high Federal multipurpose dam at Hells Canyon on the Snake River is nearing its climax. Reversing its negative action of a year ago, the Senate has by a narrow margin now authorized Government construction of this project on the Idaho-Oregon border, and its proponents in the House are moving ahead rapidly to bring it to a vote there.

While the political aspects of the Hells Canyon battle are of gerat interest and played an important role in the strongly partisan Senate vote last week, this question ought to be decided on its merits, not on its politics. It involves several hundred millions of dollars in Federal expenditure as against considerably less in private funds. It involves a fully integrated Federal development of probably the finest dam site still available in the United States as against a private-power operation that almost certainly would produce fewer kilowatts at higher cost per kilowatt to the consumer. It involves the question of whether this major river resource should be retained in the hands of all the people, at the expense of all the people, or whether it should be turned over to private exploitation, at private cost and private profit. It also involves protection of incomparable scenic and natural-resource areas nearby that would be threatened by the need for finding additional water-storage sites unless the high Federal dam, with its greater scope and capacity, were erected.

We favor a Federal dam at Hells Canyon because on the evidence it appears to us that the Federal plan would be more comprehensive, would more fully take advantage of the potential resources in water and power, and would lead to maximum benefits to the public—first of all to the public of the Northwest but in the long run to the public of all America. The success of the earlier dams in the Columbia River Basin (of which the Snake forms a part) is too well known to repeat here; Hells Canyon would be the final large-scale member of this vital system. It is too valuable a resource to develop partially, inadequately, or haphazardly. That, in the long run, would be the most expensive kind of development for the public.

LEAD AND ZINC PRICES

Mr. METCALF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. METCALF. Mr. Speaker, the price of zinc has fallen 3 cents a pound in the last 2 months. The continuous decline in lead and zinc prices has worsened the already desperate crisis confronting the lead and zinc and particularly the zinc producers of this country. The other day Anaconda's Darwin mine in California was closed down. Mr. Fred E. Tong, the manager of Darwin Mines, in a letter to his employees announcing the shutdown, cited the constant decline in lead and zinc prices as the primary factor in closing.

The closure of the Darwin mine in California was followed by the announcement of the American Smelting & Refining Co. that the Keystone mine at Crested Butte, Colo., was scheduled for shutdown. In addition it was also announced that plans were being made to close the Northport mine at Colville, Wash., and the Groundhog mine at Vanadium, N. Mex. Operation of the mill at Deming, N. Mex., where the Groundhog ores are processed, will also be suspended.

All over the West the story repeats itself. Mines and smelters are suspending operation, because the present price of lead and zinc is considerably below the domestic costs of production. At the same time imports of zinc in ores and concentrates continue to rise. Congress must soon choose whether we are going to assist our domestic lead and zinc industry or whether we are going to depend entirely on foreign imports to the detriment of American producers and wage earners. The situation is so critical that much more inaction will result in total paralysis of our domestic industry, and it will be too late to save many producers.

THE DEPARTMENT OF DEFENSE

Mr. BENNETT of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT of Florida. Mr. Speaker, the Hoover Commission has made many excellent suggestions for making the Department of Defense more efficient and economical. I recently introduced a bill, H. R. 8091, to carry out some of these recommendations. In this I join others who have also introduced similar legislation in a joint cooperative effort.

My bill proposed reforms in the field of civilian-military relationships. This general problem will always confront the Department of Defense, because the Nation will never permit the Department to be completely military run, and military science makes complete civilian staffing impossible. At present two divergent personnel systems are operating together with no clear delineation of relative roles. One important result of the ineffective division of responsibility between military and civilian personnel is duplicate staffing, under which 2 individuals, 1 military, the other civilian, carry out the same responsibility. The Hoover Commission found duplicate military-civilian personnel in 16,000 defense-support assignments, representing an unnecessary payroll cost of $110 million annually.

The best solution to the confusion, inefficiency, and waste resulting from dual staffing is for the Secretary of Defense clearly to delineate the jobs which should be filled by military officers from those which should be filled by civilians. H. R. 8091 authorizes and directs such delineation and specifies criteria upon which this delineation should be based. According to the criteria in the bill, civilians would be employed in positions which require skills which are usual to the civilian economy, in which continuity of management and experience can be more readily provided by civilians, and which do not require the exercise of military command over tactical forces. Military personnel would be given assignments in combat related support activities, and in organizations immediately in support of operational forces exposed to potential enemy action, and in supplier related support activities necessary for the training of officers for combat related support, and in those activities which are necessary to provide military experience to supplier related support.

Besides directing the delineation necessary for preventing wasteful dual staffing, H. R. 8091 provides other means for making military and civilian personnel more effective in their respective spheres of defense support activities. It directs the Secretary to provide longer assignments for military personnel in support activities, to improve the career outlook for officers given such assignments, to confine the rotation of military personnel in such positions to specialized support areas, and to discontinue the assignment of tactical officers to positions in the support activities for reasons of rotational convenience.

To make civilians more effective in their sphere, the bill directs the Secretary to provide civilians the same career development and promotion opportunities which are provided military personnel. The Secretary would set up a civilian management personnel reserve for quick expansion in times of emergency.

Mr. Speaker, it behooves us here in Congress to give our closest and most careful attention to this and other proposals for effecting permanent economies which can save the bent-backed American taxpayers substantial sums year after year. I commend H. R. 8091 to the serious consideration of my colleagues in the House.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, the legislative program for next week will be as follows:

On Monday, the bill H. R. 8240, construction, military installations authorization bill, will be taken up. Any record votes on Monday or Tuesday will go over until Wednesday of next week.

On Tuesday, and the balance of the week, the following bills will be considered:

H. R. 7441, conference report on the Agricultural appropriation bill for 1958.

H. R. 6814, poultry and poultry products, compulsory inspection bill.

House Joint Resolution 16, status of forces agreements. The latter resolution will be programed for consideration

on Wednesday if a rule is reported. Following that the following bills will be considered:

H. R. 7390, utilization of advisory committees.

H. R. 8364, extending plans of Reorganization Act of 1949.

H. R. 72, veterans, guardians, gratuities.

H. R. 4520, certification of Alaska air carriers.

H. R. 3753, agriculture, homesteaders, and desertland entryman.

If the bill is reported and a rule granted, Mr. Speaker, the bill S. 2130, the Mutual Security Act of 1957, will be taken up.

The bills listed above may not necessarily be called in the order in which announced.

I desire to advise the House also that on Thursday next, at 12:30 p. m., the Prime Minister of Pakistan will address the House. This will not be a joint session.

Any further program will be announced later, and conference reports may be called up for consideration at any time.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Iowa.

Mr. GROSS. I believe the gentleman stated that these bills might not be taken up in the order announced.

Mr. ALBERT. The gentleman is correct.

Mr. GROSS. Is there any possibility that the foreign dole bill will come up early in the week?

Mr. ALBERT. If the gentleman refers to the Mutual Security Act of 1957, I should say it would be very unlikely for the bill to be taken up early in the week.

Mr. GROSS. I will say to the gentleman that I tried before the 4th of July to get a copy of the bill and the report, but could not do so. This is a multi-billion-dollar program and I would like to know something about it. I hope the leadership on the other side of the aisle will bring the bill up late in the week, if it has to come up next week at all, so that Members may have an opportunity to at least have a working knowledge of what it contains.

Mr. ALBERT. I think we will be able to accommodate the gentleman.

CALENDAR WEDNESDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

JONES-DAVIS BILLS FOR FINANCING TVA POWER FACILITIES

The SPEAKER. Under previous order of the House, the gentleman from Mississippi [Mr. ABERNETHY] is recognized for 30 minutes.

Mr. ABERNETHY. Mr. Speaker, the Tennessee Valley Authority is the wholesale power supplier for 98 municipal electric systems and 51 rural cooperatives. The TVA is their only source of power. The territory served by TVA will move forward or fall backward depending upon the ability of TVA to meet the power needs.

If progress in the valley is to keep step, if a shortage of power is to be avoided, then it is absolutely essential that increased generating facilities be put under construction at an early date. A day of a serious power shortage is rapidly approaching.

It has now been several years since Federal funds were invested in expanded generating facilities for TVA. It has been the judgment of this administration that the method of financing TVA's power expansion, in effect since the advent of the authority, should be ended. The will of the administration has prevailed. Action must not end there. Some other method of financing must be substituted.

In substitution it has been agreed by those on both sides of the issue that TVA should be empowered to finance its own power expansion facilities by way of revenue bonds. It is imperative that such authority be granted by this Congress. The bills, H. R. 3236, by Mr. JONES of Alabama, and H. R. 4266, by Mr. DAVIS of Tennessee, are designed to confer the appropriate authority and meet the emergency.

A simple issue is presented by these bills. Shall TVA, an agency created by the Congress, be permitted to continue successfully to administer a program authorized by Congress to achieve objectives laid down by Congress in its statute. It can do so if H. R. 3236 or H. R. 4266 is enacted into law. Failure to approve the legislation presents the unthinkable alternative. Then Congress would be seen ready to repudiate the decisions of prior Congresses, to disregard a magnificent record of achievement extending over more than two decades, to ignore the desires of the region concerned, and by default cause this great enterprise to fail. That must not happen. Enactment of this legislation is vital to a great area of the country and to the Nation.

The bills introduced by Representatives DAVIS and JONES will authorize TVA to issue bonds to finance the capacity additions required to meet the growing loads of the area served by TVA. They will be revenue bonds, and the power consumers of the area will provide the revenues needed to carry and to retire them. Annual appropriations by the Congress will no longer be required for investment in added power capacity to serve the people of the area.

A great partnership urges enactment of this legislation. In a time when new types of partnership are promoted it is good to point to this unique example of a partnership which has been tested. It works. The partnership which exists between TVA, an agency of the Federal Government, and the more than 150 local agencies which carry power to the ultimate consumers has been cemented over almost a quarter of a century. It is based on an act of Congress, the act creating TVA adopted in 1933. Then Congress first authorized the TVA to enter into contracts with local agencies and on November 9, 1933, TVA's first municipal power contract was signed.

That first partner was the city of Tupelo in Mississippi in the district I have the honor now to represent. The partnership was strengthened by an amendment to the TVA Act adopted by the Congress in 1939. Under that legislation TVA was authorized to issue bonds, to purchase the generating and transmission facilities of certain private companies operating in the area. When that amendment was approved and the purchase was concluded, TVA became the sole source of power supply for the area it served. By authority of the Congress it accepted the basic responsibility of every power supplier—the responsibility of providing capacity adequate to meet the people's expanding requirements for electric energy.

At the same time, and as a part of the same transaction, municipalities and rural cooperatives in the region bought the distribution systems of the private power companies. They entered into contracts for power supply with TVA. They agreed to carry out the policies Congress had outlined in the statute. They became true partners, accepting a share of the responsibility, a share of the risk, in trying out the promotional marketing policies Congress had directed the Board of TVA to promote. They extended lines to the farms and to residential customers which the private companies had refused to serve. They offered service at lower rates than the region had known before. Over the years they have demonstrated what will happen to any power supplier when rates are lowered and the increasing volume of sales is relied upon to provide the earnings required to cover the costs of service. That demonstration has helped the private power companies to do a better job. It has helped the farmer in areas far removed from TVA. Now that REA cooperatives cover the country it is easy to forget that the Alcorn County Electric Power Association in my district was the forerunner of them all, and that from the beginning the cooperatives in the TVA area have been the pacesetters for the country. This partnership has been a stirring thing to watch, a vital experiment in the democratic process.

The issue now presented to the Congress is whether that partnership is to continue. Today the distribution systems which have contracts with TVA have invested more than half a billion dollars in their locally owned facilities. They are prepared to make further investments in new facilities, to improve their service, to develop new ways of power utilization, to provide the earnings which will permit TVA to add to the facilities of generation and transmission required to serve them. The nine municipal systems and the dozen cooperatives which serve my district are all prepared to carry out the partnership obligations. They are ready all over the region. They are waiting for the adoption of this legislation they all approve to make their plans for the future. Our industries are waiting. Over 5 million people, the economic future of a whole

region, vast private investment—the future of all these is involved in the decision of the Congress on this question.

It seems to me that the Government, the owner of this system, ought to be rejoicing that the management of TVA has been able to do this development job so effectively that it can project a future where the system's earnings will be adequate to finance the additional capacity required. I think it is an amazing tribute to the validity of the theories Congress directed TVA to try out in this region. It is a tribute to the management of TVA and to the people of the area that TVA can continue to achieve the same objectives as it moves to accept the burden of additional costs imposed by private financing. I am astounded that such an occasion should be seized by some not as an opportunity to applaud and approve and encourage TVA, but to threaten, to criticize, and to endeavor to hamstring the agency.

The need for authorizing TVA to issue bonds seems to be fairly generally recognized, except, of course, among groups like the Edison Electric Institute or the National Chamber of Commerce, which have fought TVA from the beginning and would like to liquidate it now. It is natural, perhaps, that private power companies should look with greedy eyes at the market developed by TVA and its distributors, a market they neglected all the years they had the responsibility of service. It is natural, perhaps, that they and their allies feel a deep resentment toward the people who have demonstrated how wrong their estimates and their policies were, how inadequately they met their obligations. It is natural, perhaps, that the complacent managements of private companies resent pressures to do a better job for their consumers.

The opposition of such self-serving spokesmen is probably to be expected. I know their hostility will not prevail in the Congress. I am more troubled by the opposition of others who give lipservice to the importance of the enactment of bond-authorization legislation for TVA, but who for one reason or another suggest changes and alterations in the bills proposed. I am concerned by those who express fears and doubts as a reason for this and that amendment, the total impact of which would be to prevent TVA from continuing to do a good job. It would be a disaster if this Congress were to add provisions to these bills which would smother and strangle the agency, which would, in fact, guarantee the failure opponents have been predicting for 24 years. That self-induced failure, if it occurred, could then be used as an argument for the liquidation of TVA and the destruction of this partnership against the wishes of the people of the region and in violation of any decent standard of responsibility on the part of the Congress.

I would urge the most careful study of the various amendments which will be suggested. These bills embody a plan developed after long study, a plan under which the responsible management of TVA pledges to the Congress a continuance of the program so magnificently administered thus far. I would urge, for example, the most meticulous examination of the position of the Bureau of the Budget which, when the legislation was first introduced 2 years ago, presented an amazingly complicated list of amendments which would have combined to destroy TVA. This year, as I understand it, the Bureau has contented itself with a letter to the chairman of this committee, under date of April 11, a letter which argues that these bills are faulty because they do not incorporate four principles which, in the opinion of the Budget, should be embodied in whatever legislation is passed. It seems to me very easy to demonstrate that the Bureau's criticisms are without validity, and I would like for a few moments to examine the principles which the Bureau states are not embodied in H. R. 3236 and H. R. 4266.

First, the Bureau says, the authorizing legislation "should provide for executive and legislative review, as now applies to all wholly owned Government corporations under the terms of the Government Corporation Control Act, of proposed expenditure plans for new or expanded power facilities." As a matter of fact, no provision of H. R. 3236 and H. R. 4266 repeals or modifies existing law with respect to title I of the Government Corporation Control Act, so the "principle" enunciated is met. I think the truth is that what the Bureau really wants is more authority over TVA than afforded by the present Government Corporation Control Act or any other statute. I think the Bureau wants to run TVA, in order to destroy it. What the Bureau proposed in its own draft of legislation submitted 2 years ago was something that went way beyond the provisions of title I of the Government Corporation Control Act. They wanted to make sure, beyond all doubt, that TVA would be required to seek and obtain affirmative approval by the Bureau itself before a single kilowatt could be added to the TVA system. The Bureau now has the authority to decide how much capacity will be added by the use of appropriations, and in the last 4 years only 360,000 kilowatts have been added. The Bureau's approval is not required to add units to existing plants, from revenues, and today over a million kilowatts are being added, over the spiteful opposition of the Budget. Now they want total control, over revenues current and future. What the Bureau wants is a transfer of control and management from the Board of Directors, who administer the TVA statute under oath and who are accountable to Congress, to the Bureau of the Budget. The Bureau wishes to substitute itself for the Board. No recommendation could be made to Congress unless the Bureau approved it. No information would come to Congress unless the Bureau approved it. This would be the end of TVA. The people of the region, the power consumers, would have no appeal from the secret decisions of unaccountable bureaucrats in Washington. The Congress would have no information on which to base its judgment. The basic provisions of the TVA statute would be nullified. TVA would no longer be run by a responsible nonpolitical management located in the region, accountable to the Congress, visible to the people. It would be run by the Bureau of the Budget.

Second, the Bureau's letter states that legislation "should provide both for payment of interest on, and the orderly retirement of, the existing appropriation investment in Tennessee Valley Authority power facilities." Here the Bureau seems to forget that the Government owns this power system, that it is not in the position of a banker demanding interest and retirement of money he has loaned. There is no question about the payment in cash to the Treasury of an adequate return on the appropriation investment in power facilities. H. R. 3236 and H. R. 4266 specifically provide for such a return, measured by the Government's own current cost of money. But it makes no sense for the owner of an enterprise, and one incidentally which is itself using more than half that enterprise's product, to insist on withdrawing its capital investment at the same time that the enterprise must expand its facilities by borrowing money in the bond market. The result would be ultimately to leave the TVA power system financed 100 percent with bonds while the Federal Government, with no equity investment, continued to exercise all the rights and powers of an owner. No private utility would ever be permitted to function on such a basis, and it is not reasonable that a Government-owned project should be expected to do so.

Third, says the Bureau, legislation "should be so drawn as to limit the maximum amount of bonds that may be outstanding at any one time, so that the Congress will be enabled to make a review of the effect of revenue bond financing after a reasonable period of time in operation." This statement is a classic among non sequiturs. Since when, may I ask, has Congress ever been unable to review the operations of any Federal agency whenever it may choose to do so? Why would it require a ceiling on the amount of bonds to review the effects of TVA revenue bond financing? The answers are obvious. No such limitation is necessary to enable Congress to review the results of TVA bond financing whenever it wishes. The only effect of such a limitation would be to create continued uncertainty as to TVA's ability to finance needed future power capacity. The only effect would be to frighten off investors, to add to interest costs. The only effect would be to jeopardize the success of a bond financing program.

Finally, says the Bureau, the legislation "should be limited to Tennessee Valley Authority's financing problems and should not alter Tennessee Valley Authority's presently authorized basic functions." There is nothing in H. R. 3236 or H. R. 4266 which would change TVA's presently authorized basic functions. Congress, in 1939, made TVA the sole power supplier in the region it serves, and H. R. 3236 and H. R. 4266 would simply permit it to discharge this responsibility.

The Bureau is trying hard to find a basis for opposition to these bills. It is time for Congress to say to the Bu-

reau—we created TVA. It has done a fine job. We want it to continue.

Mr. Speaker, this is a most pressing matter. Power consumption in the valley is growing by the hour. With each passing day a power shortage looms nearer. People of the valley are anxiously awaiting action by the Congress.

Passage this year of the self-financing plan as outlined in the Jones-Davis bill is essential. The cooperation and assistance of this administration is respectfully invited.

STRONG FORCES CONTINUE EFFORTS TO ELIMINATE INDEPENDENTS

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 15 minutes.

Mr. PATMAN. Mr. Speaker, every Member of Congress is interested in the preservation of independent banking. In view of this interest, I commend to the House membership an interesting, informative, and factual address by Mr. Harry J. Harding, president of the First National Bank of Pleasanton, Calif., and honorary president of the Independent Bankers Association of the 12th Federal Reserve District, before the 23d annual convention of the Independent Bankers Association at Miami Beach, Fla., in April of this year, entitled "Strong Forces Continue Efforts To Eliminate Independents." This address was carried in the July 1957 issue of the Independent Banker.

Mr. Harding, an independent banker himself, has long, diligently, and effectively worked to secure legislation for the benefit of independent bankers, including the Bank Holding Company Act of 1956. He is one of the best informed persons in the Nation on the subject of banking. His analysis of the problems facing independent banking and his suggestions for remedial legislation are well worth the time of any Member to consider.

The address follows:

STRONG FORCES CONTINUE EFFORTS TO ELIMINATE INDEPENDENTS

(Address by Harry J. Harding)

Although the title of my talk appears on your program as "The Single, Dual and Triple Banking Systems Reexamined," I will approach this by discussing "The Three 'F. T. F.'s' of Independent Banking."

These F. T. F.'s are: Face the Facts of Independent Banking, First Things First in Independent Banking, and Finish the Fight for Independent Banking.

What are some of the facts of independent banking today?

Fact No. 1 is that independent banking is under attack.

We do not hear anyone advocate the destruction of our system of independent banking and the substitution therefor of the Canadian or the European systems of nationwide branch banking—with only half a dozen or so banks—at least not openly and directly. Such an effort quickly would be buried in an avalanche of opposition.

WHITTLING PROCESS

The effort to accomplish the elimination of independent banks is more subtle. It takes form largely in a whittling process, a constant nicking away at diffused control of banking on the one hand, and a building up of public acceptance of absentee ownership and management.

Among other things, these undermining efforts take the form of the recurrent urging that control over the reserves of all banks be placed in the hands of the Federal Reserve Board—or increasing the powers of the Federal Deposit Insurance Corporation—or to expand the powers in the hands of the other Federal supervisory agencies.

The State comptroller of the State in which we are now meeting, addressing the Florida Bankers Association a few weeks ago, warned that the continued invasion of the rights of the States by the Federal Government and its agencies, in the field of banking, could result in the disappearance of State chartered and State supervised banks.

So, fact No. 1 that we should face is that our system of independent banking is under strong undermining attack.

Fact No. 2 is the threat of holding company expansion within a State.

The Bank Holding Company Act of 1956 falls short of the objectives of your organization. While it prohibits further interstate expansion, it leaves the door wide open in most States for the expansion of bank holding companies within a State regardless of what the branch banking laws of such State might be. It placed a responsibility upon each of the States to enact its own legislation if it wishes to regulate the expansion of such companies within its borders.

A rather startling idea, which certainly seemed aimed at furthering the purposes of a proposed New York State bank holding company, was the publication by a well-known and highly respected bank stock analyst, claiming that Congress, by enacting the Banking Holding Company Act had given its blessing to a new triple banking system.

NEW TERM FOR EVADING

Completely misunderstanding the legislative history and the restraining purposes of the act, he enthusiastically hailed what he believed to be Congressional approval of the pole vaulting of the State's branch banking laws. (Let me add that pole vaulting is a polite way of saying evading).

This authority on bank stock says: "The announcement of plans for a new bank holding company. First National Corporation, marks the opening of a new era of banking in New York State, and, inevitably, the Nation."

He also stated: "The proposed bank holding company * * * now shows the way to leap across every wall from New York City to Plattsburg and from Albany to Buffalo. Indeed, the proposed first little jump has suddenly revealed greener pastures that have already forced other bankers and their stockholders to look to their own jumping shoes."

PREMATURE EXULTATION

That expert on bank stocks spoke a little too soon. He hadn't dreamed that in addition to Mississippi, Illinois, and Georgia, which States already had laws on their books, other States would be enacting legislation to clip the wings of any holding-company movement.

Indiana and Kansas recently enacted laws that ban holding companies. Pennsylvania, New Jersey, Minnesota, and Massachusetts have had bills in the hopper.

Most surprising of all, probably, to the stock expert, was the action of New York State, as follows:

First in the anti-holding-company position taken by Governor Harriman and George A. Mooney, superintendent of banks.

Second, the enactment of a stopgap law aimed at preventing the proposed First National City Bank holding company from acquiring a bank in a district in which it could not legally operate branches.

Third, extension to this stopgap measure to keep it in effect until May 1, 1958.

No; we are far from developing this so-called triple system of banking, thanks to the work that the independent bankers have done over the years and are still doing to fight this threat. But the inadequacy of present bank holding-company laws is fact No. 2 that we must keep in sight.

CONCENTRATION BY MERGER

Fact No. 3 is the concentration of banking control through the mergers of banks. This merger trend has been accelerated in recent years.

Last year alone 103 banks absorbed 143 other banks—almost 1½ banks gobbled up by each of the surviving banks.

In the 20-year period from December 31, 1936, to December 31, 1956, according to the FDIC, the number of banks in this country decreased from 15,679 to 14,166—a shrinkage of 1,513 banks, though approximately 1,000 new banks were organized in this period.

This year-by-year shrinkage in the number of banks, in the opinion of the ABA, is nothing to be alarmed at. The ABA, to which we all belong, bitterly opposed the Celler bank merger bill in 1955 as not needed. It declared "that the number of individual banks in operation since 1939 has remained relatively stable; that this stable level in the number of operating institutions has adequately supplied the banking needs of the country essential to the enormous economic growth of the country during this period."

A decline of about 10 percent in the number of banks in 20 years, the ABA regards as relatively stable, notwithstanding an enormous economic growth.

WHAT LAW SAYS

The Financial Institutions Act of 1957, as approved by the Senate, declares that in addition to other factors, the respective Federal supervisory agencies in considering proposed mergers shall, and I quote:

"In the case of a merger, consolidation, etc., take into consideration whether the effect thereof may be to lessen competition unduly or to tend unduly to create a monopoly, and, in the interests of uniform standards, it shall not take action as to any such transaction without first seeking the views of each of the other two banking agencies referred to herein with respect to such question; and in such case, the appropriate agency may also request the opinion of the Attorney General with respect to such question."

Let me discuss this a little. You will note that there is no outright prohibition of any merger, merely the requirement the appropriate agency shall take into consideration competitive and monopolistic aspects and in the interest of uniform standards shall first seek the views of the other two banking agencies.

The appropriate Federal agency at its discretion may also request the opinion of the Attorney General with respect to such question. What is the question? Whether the effect of a specific merger may be to lessen competition unduly or to tend unduly to create a monopoly? Does that mean monopoly is O. K. as long as it does not tend unduly to create a monopoly?

How would you define "unduly"? In the existing antitrust legislation, such as the Sherman Act and the Clayton Act, the word "unduly" does not appear.

The word "substantially" has been passed upon as to meaning by the courts in a number of cases. It is safe to say that it will be years before the meaning of the word "unduly" can be determined. There will have to be a number of court decisions on this point.

You will also note that the provision which we have quoted does not say a word about any approval of any merger by the State supervisor of banks where a State bank is

concerned. Here again the termite of Federal control continues to eat away at the vitals of our dual banking system.

FDIC MERGER STAND

The FDIC, in a letter signed by its General Counsel, addressed to the Honorable STROM THURMOND, United States Senator from the State of South Carolina, has given assurance that it will not consent to any transaction under the merger section involving a State bank without the prior approval of the State banking authority, if such approval is required by State law.

While this is a recognition the State supervisor should have the authority to disapprove a merger, this is not enough to preserve the prerogatives of the State supervisory authorities and to maintain the autonomy of the States over banking. This policy of the Federal Deposit Insurance Corporation can be changed by the board of directors at any time. The personnel of the board does change. We learned with sorrow of the passing of Maple Harl, former Chairman and a director of the FDIC. This brings home more than ever that boards do change.

I strongly believe that neither the Federal Reserve Board, nor the Comptroller of the Currency, nor the FDIC should have any additional powers over the mergers of State banks, and I hope that the House of Representatives will amend the Senate bill in this regard.

Certainly the record of the States as to the maintenance of competition among banks is as good as that of any Federal agency. However, inasmuch as banks have been held to be engaged in interstate commerce and since existing Federal antitrust laws apply to concerns engaged in interstate commerce, it does not seem realistic to permit each State to establish its own standards to apply to monopolistic tendencies, either for banking or for any other line of business. Therefore, I believe the enforcement of all antitrust and monopoly laws, including those affecting banking monopoly, should rest with the Federal Government, that is, the Attorney General.

Those who argue that the Federal supervisory agencies alone should have anything to say over banks and banking are forgetting that, by reason of being engaged in interstate commerce, banks come under a whole flock of laws that are administered by agencies other than the Federal supervisory agencies. Among these laws are the Fair Labor Standards Act (wages and hours law, as we usually refer to it), the Labor-Management Act of 1947 (Wagner Act), Social Security Act, the Clayton Act, and the Sherman Act.

PERMISSIVE WORDING

The merger provisions in the proposed Financial Institutions Act which I have quoted state that the respective Federal agencies may request the opinion of the Attorney General. Why? Presumably because the Attorney General's opinion should be helpful. Then why under the sun shouldn't the respective Federal agencies take advantage of that help? They will, if the wording of the act is changed from "may" to "shall."

The independent bankers consistently have held there is danger in the economic power inherent in the concentration of control over banking. Monopoly, in the ordinary sense, the destruction of competition, always has been second to this danger.

It was not so much the fear there would be no competition to the Second Bank of the United States, that led Andrew Jackson to fight for a system of diffused control over banking, as it was the fear of the economic power that centralized control would beget.

Congressman CELLER has presented some arresting figures on the concentration of banking, figures that are startling in showing how far down the road to the European system of banking we have traveled. I also will shock you with some figures from an area with which I happen to be pretty well acquainted and where I saw it happen.

At the end of 1935, there were in California 275 banks, of which 236 were unit banks; 39 branch systems. At the end of last year, there were only 139 banks, of which 87 were unit banks and 52 branch systems.

At the end of 1935, the bank assets held by branch banking systems amounted to 83.6 percent of the total. Twenty-one years later, at the end of last year, the branch systems held 97.8 percent of the total bank assets, largely concentrated in 7 branch banks.

In Washington, at the end of 1935, there were 188 banks, of which 180 were unit banks. By the end of 1956, the number of banks had decreased to 97 with unit banks numbering 74 and branch bank systems 23. The percentage of bank assets held by the branch banking systems in the 20-year period increased from 52.9 percent to 89.3 percent, largely concentrated in the 5 large branch bank systems.

In Oregon, at the end of 1935, there were 97 banks, of which 94 were unit banks. At the end of 1956, the number of banks had dwindled to 52, of which 41 were unit banks and 11 branch bank systems. In the 20 year period, the percentage of bank assets held by the branch bank systems increased from 69.1 percent to 91.5 percent, practically held about equally by two chains.

ARIZONA: TWO INDEPENDENTS

At the end of 1935, there were 9 banks in Arizona, of which 6 were unit banks; 3 branch systems. By the end of 1956, the number of banks remained the same, but the unit banks had decreased to three. Now there are only two. Think of it—only two small independent banks in the entire State of Arizona.

Whereas in 1935 the percentage of bank assets in Arizona held by the branch systems was 77.2 percent, but the end of 1956 this had increased to 96.5 percent. But, as a matter of fact, two holding companies hold practically all of the assets as shown by the branch banking systems just mentioned.

Certainly, in Oregon and in Arizona, where 2 organizations alone in each State hold practically all the bank deposits, there is competition between these 2 organizations. But we would like to ask the Comptroller of the Currency, the Federal Reserve Board, and the Department of Justice, as well as the ABA, has a tendency toward monopoly developed in the States that I have just quoted? Or, at what point does this tendency toward monopoly begin?

MUST CHECK MERGERS

As so ably pointed out by Congressman CELLER, unless the merger movement is speedily checked we will wake up one day to find that these mergers, repeated and multiplied over and over again throughout the country, will have brought about a new situation like the European system where a few banks completely dominate our banking structure. That is fact No. 3 on our list of facts we must face.

Fact No. 4 is the extension of branch banking. The destruction of legal restrictions on branching is perhaps the most serious of all threats to independent banking.

Branch banking proponents argue that independent banks and branch banks can exist together. The history of no country supports their claims. No, the history of Europe and Canada, as well as of some American States, overwhelmingly demonstrates the fact that branch banking drives out unit banking.

PATTERN IN CALIFORNIA

Let's take another look at California. The Bank of America started in 1904. By the end of 1922, when I located in California, it had 61 banking offices in 42 communities and deposits amounted to $229 million. By the end of 1956, the Bank of America branches had reached the 600 mark and deposits amounted to $8,993,000,000 about 44.5 percent of the State's banking resources. There is no ceiling.

There are half a dozen other large branch systems in California trying to overtake each other in opening branches. There are now 1,304 branch bank offices in California and only 87 unit banks.

There are some branch bank operators in California who very frankly admit they are afraid of the situation. They are opposed to any octopus system and they want competition, instead of monopoly by themselves or any other bank.

Because they cannot restrain the ambitions of their competitor branch bank operators—and as these competitors reach out and surround them with branches, they feel forced, in defense of existing business, to expand themselves. Thus the pressure continues, ever spiraling toward greater and greater concentration.

RECORD SHOWS ATTRITION

In our own country, the history of those States where branch banking is permitted, even though limited to cities or counties, shows in almost every case a steady attrition in the ranks of independent banks and a constant increase in the number of branches.

Of 7,957 branch offices as of December 31, last, 3,336 were in the 18 States that permit statewide branches, and 4,403 are located in the 18 States that limit branches to cities, counties, or other areas.

In 20 years, there has been a gain of about two and one-half times in the areas in which branching is limited, as against a gain of two and one-fifth times for the statewide States. In States where branching is limited in area, the concentration of bank assets in a few institutions is just as marked as it is in States permitting statewide branching, sometimes more so.

No, the argument that branch banks and unit banks can live side by side on a basis of equality is a fallacy.

Fact No. 5 is the lack of public interest. In my opinion a great many people care very little whether a bank is a unit bank, a branch bank, or a subsidiary of a holding company. Most people care very little whether a bank's policies are laid down locally or by an absentee management located a long distance away. The public's primary concern is as to the safety of its funds, and it looks to the Government to provide this protection.

That is why Carter Glass, after nearly 32 years as a member of the House and Senate Banking and Currency Committees, was able to say he had never heard a merchant or businessman protest against branch banking.

Happily, there are people who understand the difference between independent and other banking. It is this percentage who prefer independent banking that accounts for the slightly better growth in unit banks as compared with other systems. Nevertheless, the public apathy is fact No. 5 we must consider.

Fact No. 6 is internal weaknesses. Certainly, faulty building helps create the "termite problem." We might say that we ourselves are guilty of faulty building when we do not properly provide for management succession, when we fail to build up our invested capital as our business grows, and when we get careless about providing adequate services for the public as conditions and ways of doing business change.

There are other problems that confront us, such as competition of pseudo-banks and various lending organizations. But these problems your association has been studying and we are hopeful there will be devised a treatment necessary to meet these situations.

The facts that face us, then, are:

Independent banking is under attack.

Holding company expansion within a State regardless of branch bank laws, is undermining independent banking.

The concentration of control of banking by the merger method is another threat to independent banking.

The spread of branch banking.

The public is disinterested.

Internal weaknesses in our banks must be corrected.

WHAT TO DO

With these facts before us, let us take a second look and determine which of these undermining influences presents the most urgent problems to be tackled.

I think we will pretty much agree the most serious threats are from the three channels through which concentration of banking control is taking place: merging, branching, and holding company intrastate expansion, and these need to be tackled simultaneously.

Let's begin with the merger threat.

For quite a number of years the House Judiciary Committee and the Senate Select Committee on Small Business, particularly, have called attention to the dangerous trend of banking concentration and have sought to cure this tendency.

In my opinion, none of the proposed bank merger bills go far enough. Preston Delano, then Comptroller of the Currency, in testifying before the Senate Committee on Banking and Currency in 1950 on S. 2318, a bank holding company bill which had been drafted by the Federal Reserve Board, declared, "It has also been suggested that it would be wise to have a definite ceiling beyond which bank holding companies could not expand. A suitable test might be a specified percentage of the banking offices or bank resources within defined areas."

I seem to be in good company, then, when I suggest a somewhat similar provision be added to the bank merger bill. You may wonder why we had not endorsed this principle at the time Preston Delano made the suggestion. We, however, took the position and have steadfastly maintained it, that the bank holding company device had been used to evade the Nation's banking laws, and we oppose legalizing such evasion in any degree. The matter of law evasion does not apply to branch bank legislation.

SUGGESTED STANDARDS

So that we may have something to shoot at, let me suggest an addition to any bank merger bill, along the following lines:

No merger shall be approved under this act, in cities of 10,000 or less population, when the result will be two or less banks located in the city in which the merging bank is located; nor in cities of more than 10,000 population up to 25,000 population when the result will be three or less banks located in the city in which the merging bank is located; nor in cities of over 25,000 population to 100,000 population when the result will be four or less banks located in the city in which the merging bank is located; nor in cities of over 100,000 in population when the result will be five or less banks located in the city in which the merging bank is located. In each case, the population figures will be those of the last Federal census.

Nor shall any merger be approved under this act when the result will be that the merging bank will hold more than 30 percent of the total banking deposits of the area in which the merging bank has offices.

Let's kick this around for awhile. I don't want you to say you are for this or that you are opposed. I would like to have you think of the arguments both for and against such a proposal, so that we may carefully study and weigh them.

You may feel that the criteria specified in this suggestion are not realistic, but can you think of better yardsticks than the ones suggested? Do you think that we ought to have any yardsticks other than the discretion of some Federal agency? Have you any reason to believe the Federal agencies would?

The yardsticks I have suggested are no more arbitrary than the existing requirements as to the capital necessary for the establishment of a new bank, or of a merging bank. The prevention of undue concentration of banking control is just as much in the public interest as the limitations on the loans that a bank can make. As to the argument that mergers should be left to the discretion of a supervisory agency, this, in my opinion, could apply equally as well as to the capital requirements for a new bank.

SEES OBJECTION

I know the supervisory agencies will immediately howl that the merger door must be kept open so that without hindrance they can merge a failing bank, a bank that is not properly managed, or a bank that is undercapitalized, with another good bank, regardless of its monopolistic tendencies.

If such an emergency escape hatch needs to be kept open, that can be provided, of course, but I wonder if merging a weak bank is the one and only solution that the FDIC or any other supervisory agency can think of. If so, why do not the laws say something affirmatively giving the power to compel the merger of a bank under such circumstances, to the supervisory agencies? Or is this a method they themselves have seized upon without Congressional sanction?

You will note what we have proposed places no limitations on size, nor does it in any way hinder normal growth. It merely restricts canabalism.

Let's not say it can't be done, but rather ask ourselves, should this be done? I am convinced we must have a ceiling on concentration of control over banking or face destruction to our independent banking system.

Second: What can be done to overcome the threat of envelopment by branch banking?

Every effort must be made to hold existing restrictions on branching in the various States. This should be done by study and discussion of branch banking and its tendency to drive out independent banking, a tendency that is just as inexorable as the workings of Gresham's law.

While each State will have to solve its own problems, your organization must be prepared to give help and guidance to State groups, profiting by the experience and success achieved in other States. This means a certain amount of public education also.

PUBLIC HEARINGS NEEDED

There is no provision in the National Bank Act, nor in the Financial Institutions Act of 1957, for public hearings on national bank branch applications. I fail to see any valid reason why such applications should be made and passed on in secrecy.

What we want to know is: Wherein is it detrimental to the public interest to have it known when an application for a branch has been made? I hope that the House of Representatives will amend the Financial Institutions Act to provide for such public hearings. Your association is on record in favor of such a provision.

The Comptroller of the Currency should be restricted by statute in his authority to approve branches of national banks, in addition to the geographical limits in which State banks can have branches, as at present, so that limitations a State may place on drive-in or tellers' windows would have to apply to similar stations or offices of national banks in those States.

Likewise, I am of the opinion that the ceiling in percentage of deposits of a city or area, such as I have suggested for mergers, that is, 30 percent, should apply in the case of de novo branches; in other words, no bank holding 30 percent of the deposits of the area in which it is authorized to operate should be permitted to establish a new branch.

Now let us look at the third important threat, holding-company expansion within its home State. One difficulty in securing enactment of the Bank Holding Company Act of 1956 in the form it was originally overwhelmingly approved by the House of Representatives was the intensive effort on the part of the ABA and the Federal Reserve Board to convince the Senate Banking and Currency Committee that holding-company banking was not essentially branch banking.

THE SAME, COURTS SAY

The ABA particularly testified at length as to the differences between a branch bank and a separately incorporated bank controlled by a holding company. The representatives of the Independent Bankers Association held that these differences were mainly in form and not in substance.

In the March issue of Banking, there appeared an item stating that a court in the State of Georgia held that holding company banking and branch banking were the same. Courts in several other States have held the same thing. Had the American Bankers Association recognized the obvious, that the holding company was a mechanism for evading the law of the States relative to branches of banks, I am quite sure we would have gotten the House-approved Spence bill, substantially in its original form.

We realized after successfully having the Douglas amendment prohibiting interstate expansion by bank holding companies adopted by the Senate, the bill was all we could hope for at the time. Striving for the ideal might have meant that legislation would have been delayed as our opponents counted on doing and thereby we would have been defeated.

REVIEW PROVISION

We knew if we kept well organized, and, as experience proved the need, the act could be amended. In fact, the act provides that within 2 years after the enactment, the board of governors shall report to the Congress the results of the administration of the act, stating, what, if any, substantial difficulties that have been encountered in carrying out the purposes of the act, and any recommendations as to the changes in the law which in the opinion of the board would be desirable.

I think we can expect the holding companies will make every effort to bring about a softening of the law. We must be ready ourselves, at the proper time, to support amendments that will strengthen the act.

SUGGESTED AMENDMENTS

The first of these amendments would be a definite restriction on the evasion of the State branch banking laws through the holding company device, such as was recently attempted in New York State. This would mean adding a provision essentially similar to the one deleted from the House-approved Spence bill, as follows:

"Nor will it be lawful for any bank holding company or subsidiary thereof to acquire, directly or indirectly, any shares in a bank in any area within its home State except in the same geographical area in which a bank located in the same city in which the bank holding company has its principal place of business could lawfully establish a branch of such bank."

A second amendment, in my opinion, would be a provision to restore the requirement which also was in the House-sponsored Spence bill, that the Federal Reserve Board would have to accept as final any disapproval by the State supervisory authority as to the acquisition of stock in a State bank, and by the Comptroller of the Currency as to the acquisition of stock in a national bank.

I am not saying these are the only changes in the Bank Holding Company Act of 1956 that should be advocated, but these are the ones that primarily are necessary to prevent

the further evasion of branch banking restrictions and for the preservation of independent banking.

Now we come to the third FTF: Finish the Fight for Independent Banking.

To my way of thinking, we are fighting on 3 fronts, and all 3 fronts, we need to act and act quickly:

At the national level we need Congressional action on merger legislation and Bank Holding Company Act amendments.

At the State level we must hold the line against extension of branch-banking areas and secure enactment of State merger and holding company laws.

At the banking level, we need more intensive organization.

NEED MORE BANKING

Not that I minimize our strength. This organization has proved its strength and has established its standing. But, our first problem is to arouse all independent bankers. There are 5,000 more banks that should be in this fight. With strong representation in a State, it will be a lot easier to secure enactment of State laws to regulate mergers and bank holding companies. With effective State laws on the books, it will be easier to get Congressional action.

No job is hard when we can break it down into small parts. To double the membership merely means that each member should undertake to secure one new member, that's all, just one new member. If those present today will do this it will add substantial strength to your organization. If there's the will, it can be done.

Don't fool ourselves. We've got to face these undermining attacks on independent banking with our eyes wide open. We've got to make decisions like grownup men, men who are confident that what we represent is in the public interest, that the business in which we are engaged has been a mighty factor in the growth and prosperity of our country, and can continue to be so. We are not playing for marbles. The future of free enterprise and our independent banking system is at stake.

You bankers are the leaders in independent banking. If you were not interested, you would not be here. But the passive gentle sort of an interest will not win this battle. Every bit of support, every bit of strength you gave to the independents' fight to secure bank holding company legislation needs to be doubled and tripled. Remember, the best defense is a strong offense.

Let's face the facts, tackle first things first, and finish the fight for independent banking.

SPANISH-AMERICAN WAR WIDOWS

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. O'HARA] is recognized for 15 minutes.

Mr. O'HARA of Illinois. Mr. Speaker, it is now almost six decades since the commencement of the war with Spain that started our country on the way to its present position of world responsibility. Our Regular Army at that time numbered less than 25,000. Volunteers filled in the ranks, and in the Pacific and the Atlantic raw but inspired troops won victory after victory that laid the foundation of our world power. But for this and the world reshaping events that the war with Spain triggered, Dwight Eisenhower in all probability today would not be President of the United States. In all probability he would be an unknown and unsung junior officer, possibly a retired lieutenant or a captain.

But today the name, the power, and the prestige of President Eisenhower are being used in an attempt to crush from the few remaining widows of Spanish War veterans whose ages run from 75 to 90 years their last hope of sustenance. I wish to be fair to the President of the United States. From the bottom of my heart I hope that he will be able to find the time, in the pressure of his Presidential duties, to inquire into the use of his name by the Bureau of the Budget.

I might remind the President that it was the Bureau of the Budget that gave him a budget that shocked the people of the United States, that even the President himself on examination said was excessive, and that the House of Representatives already has cut over $4 billion with 2 appropriation bills still to come. But what I am referring to today, and what I am branding as infamous is the communication of June 21, 1957, to the Chairman of the Committee on Finance of the other body on the subject of increased pensions for widows of the Spanish-American War. I quote from the final paragraph of this communication:

> Accordingly, enactment of S. 1926 or H. R. 358 would not be in accord with the program of the President.

I trust that the President will take prompt action, and perhaps the editor of the National Tribune will be permitted to attend the President's next press conference to ask the President if it is really in his heart that a handful of aged women, 75 to 90 years of age, should go on trying to keep body and soul together on $54.18 a month. Frankly, I do not believe that the Bureau of the Budget ever discussed this matter with the President. But as the Bureau of the Budget has put the President of the United States fairly in the center and has pinned upon him, as being contrary to his program, the giving of this relief to these aged women, the President now will have to speak for himself or take the blame that the Bureau of the Budget has pinned on him.

H. R. 358 is a bill that three times was passed by unanimous vote of this House. It was supported by the leadership on both sides, championed both by Democrats and Republicans, including the best political friends the President has in all the world. Now comes the Bureau of the Budget, without taking the trouble even to get and to state accurately the facts, saying that the decent thing that the House of Representatives did on three occasions was contrary to the President's program.

Mr. AVERY. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I am happy to yield to the distinguished gentleman from Kansas.

Mr. AVERY. I would like to point out to the House at this time that I know of no one in the House who has done any more work or has any more interest in the widows of the Spanish-American veterans than the gentleman from Illinois [Mr. O'HARA].

I was a member of the Committee on Veterans' Affairs in the 84th Congress, and he introduced legislation to raise the annuity to these widows. As I recall, the House passed that bill under suspension of the rules in the closing days of the 84th Congress. Is that correct?

Mr. O'HARA of Illinois. The House passed it unanimously three times, and the Spanish War veterans and the widows, now trying to exist on $54.16 a month, have not forgotten that the gentleman from Kansas supported the bill both in committee and on the floor of the House.

Mr. AVERY. And it is now pending in the Senate, if my memory serves me correctly.

Mr. O'HARA of Illinois. Yes.

Mr. AVERY. The point I wanted to bring up at this time is, I did not know that the Finance Committee of the other body was so entirely dependent upon the views of the Bureau of the Budget and the President. There would be nothing to preclude the other body taking that bill up and acting on it, because the gentleman's party is in control of the Senate now, and if they so desired they could take the bill up. Is that not correct?

Mr. O'HARA of Illinois. I would say to the gentleman that there is nothing partisan in this bill. In the House every Republican and every Democrat voted for the bill three times. I would be the last to say there is anything partisan in it. That I was selected to introduce the bill is due entirely to the circumstance that I am the only Spanish War veteran left in this body, and it would have been the same regardless of the political party with which I was affiliated.

My thought in bringing the matter up today is that I do not think the President was consulted by the Bureau of the Budget when it sent in a report that is inaccurate, unfair and puts the President of the United States in a false position.

Let me call your attention to this: The report says that the present pension of Spanish War widows is from $67.73 to $54.18. This clearly would give the impression that many of these widows are getting $67.73. The fact is that the widows who receive $67.73 were married to the veterans prior to or during the period of the Spanish-American War. That being almost six decades ago, the distinguished gentleman from Kansas knows how few are now living. The others, most of whom were married shortly after the war when the soldiers returned are getting $54.18 a month, and that is all they have. I know what a good heart the President has, and I know if he were consulted he would say, with the Members of the House, certainly this is a good bill.

Mr. AVERY. I do not think the gentleman meant to leave the impression with the House that the action in the other body was entirely dependent upon the Bureau of the Budget or the White House, because they very frequently take whatever action they desire.

Mr. O'HARA of Illinois. Yes, that is true. I think they have always shown independence, and the responsibility is on each and every Member to account for his own vote. But in fairness to the President, who is the President of all the people, the attempt to put him in a posi-

tion that reflects neither the President's mind nor heart should not be permitted to go unnoticed. I for one refuse to accept, or at least until he personally has verified it, the statement that to rescue a few aged women from the hopelessness of eking out existence on $54.18 a month is contrary to his program. The situation of these aged widows is too tragic. They have no social security. All they have is $54.18 a month. It is a terrible situation.

Why cannot the Bureau of the Budget take the same care in ascertaining accurately the facts, and in presenting them objectively, as do the committees and the professional staffs of the House? Why did not the Bureau of the Budget consult the great chairman and members of the Committee on Veterans' Affairs before making the infamous statement that the widows of the Spanish War veterans already were in a privileged class. I presume the Bureau of the Budget meant they were privileged to live luxuriously on $54.18 a month, and if they could not quite make it they were privileged to die.

The fact is that there were no records kept in the Spanish War period, there was little in the way of medicine, and the food, with the exception of "sow belly" and Civil War hardtack, was unfit to eat. For this and other good and valid reasons, all of which are well known to every member of the Committee on Veterans' Affairs, the term "non-service-connected" has never been applied to the Spanish War group. The presumption under the circumstances that prevailed at the time, and which actually is factual, is that all physical afflictions were service connected. The Bureau of the Budget easily could have obtained this information.

Mr. Speaker, I am glad to have had the opportunity today, the day after our national holiday, of bringing to the attention of the House a communication from the Bureau of the Budget that challenges the very spirit of the Fourth of July and makes a mockery of the sacred heritage of our country.

FBI FILES AND SUPREME COURT DECISIONS INVESTIGATIVE COMMITTEE

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. CRAMER] is recognized for 10 minutes.

Mr. CRAMER. Mr. Speaker, I was utterly appalled to read in this morning's newspaper a damnable condemnation of the entire Judiciary Committee, and by implication, of the whole Congress, by one of the Nation's columnists in which he implied that H. R. 7915, similar to H. R. 8388 which I introduced, which was reported out of the Judiciary Committee Tuesday and had as its effect, relating to the admissibility in evidence of certain public or FBI records in any criminal proceeding, as determined to be relevant to the defendant's case by the judge, and in an effort to clarify while fully recognizing rights of the defendant the limits set up by the Jencks case—to clarify that case and prevent from being made available for a fishing expedition by the defendant the entire raw and unverified FBI files including matter irrelevant to evidence introduced in the case which would, in my opinion, result in the complete breakdown of our criminal law enforcement system as developed and practiced in America.

I was appalled that in his column, and I have it at hand—with the headline "The Supreme Court Is Put Below the FBI"—he implied the bill was passed hurriedly, with no member of the Committee on the Judiciary having read the Jencks case, with the threat of the FBI secret files on each Member of Congress hanging over the heads of the committees, and with the effect that the bill voted out places the Supreme Court below the FBI.

I am a member of that Judiciary Committee and the ranking minority member of the special subcommittee created on the same day for the purpose of investigating questions raised by certain decisions of the Supreme Court as handed down during the last session of that Court. I cannot let such a damnable condemnation go unchallenged. I for one had fully digested the Supreme Court's decision and I know many others of the committee had also done so.

In the first place, let me review what was done by the Committee on the Judiciary.

Mr. AVERY. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Kansas.

Mr. AVERY. I think the gentleman is bringing a very important matter before the House. However, he has not thus far indicated what columnist he refers to and I think the RECORD should show that.

Mr. CRAMER. I think most people could guess what columnist it was. It was Drew Pearson.

The first step arose out of the Jencks case which in some instances has been interpreted in a manner by the lower courts that could substantially jeopardize our criminal law enforcement system. It was an effort to clarify the decision within the constitutional limitations set out by the Court. It is, in my opinion, and apparently the opinion of the Judiciary Committee, "must" and "emergency" legislation and it was approached from a calm and deliberate standpoint as a reading of the bill reported will show. It resulted from lengthy and careful study by a standing committee of the Committee on the Judiciary and after consideration of its report by the full committee. It was fully debated by the whole committee on Tuesday after lengthy interrogation of and testimony by the Attorney General, the Honorable Herbert Brownell, and counsel for the Treasury, David Kendall.

The bill that was reported out, I am sure when it and the report is read and filed, will clearly show its approach was made in a calm and dispassionate manner within the limitations, again I stress within the constitutional limitations, as set up in the Jencks case.

It can be well noted that the bill as reported out by the full committee was far less broad than that proposed by the subcommittee giving less discretion to the Attorney General. This, obviously, would be contrary to the wishes of the FBI and conclusively disproves the implication of the Pearson article. It further demonstrates what little factual information he had when writing his story.

The columnist, apparently, did not take time out to clearly absorb the Jencks case at all, because the decision and conclusion of the Court itself is self-explanatory and gives rise to broad interpretations, and I quote from the decision on page 15, the holding which was:

> We hold that the criminal action must be dismissed when the Government, on the ground of privilege, elects not to comply with an order to produce, for the accused's inspection and for admission in evidence, relevant statements or reports in its possession of Government witnesses touching the subject matter of their testimony at the trial.

I quote further on pages 11 and 12:

> We now hold that the petitioner was entitled to an order directing the Government to produce for inspection all reports of Matusow and Ford in its possession, written and, when orally made, as recorded by the FBI, touching the events and activities as to which they testified at the trial. We hold, further, that the petitioner is entitled to inspect the reports to decide whether to use them in his defense. Because only the defense is adequately equipped to determine the effective use for purpose of discrediting the Government's witness and thereby furthering the accused's defense, the defense must initially be entitled to see them to determine what use may be made of them. Justice requires no less.
>
> The practice of producing Government documents to the trial judge for his determination of relevancy and materiality, without hearing the accused, is disapproved. Relevancy and materiality for the purposes of production and inspection, with a view to use on cross-examination, are established when the reports are shown to relate to the testimony of the witness. Only after inspection of the reports by the accused must the trial judge determine admissibility—e. g., evidentiary questions of inconsistency, materiality, and relevancy—of the contents and the method to be employed for the elimination of parts immaterial or irrelevant.

In other words, the question of what in the file can be inspected and the relevancy thereof is completely left open; according to the Supreme Court's decision the determination of what in the files can be inspected is made not by the trial judge but by the defendant upon inspection of the full FBI files or by the Government in withholding certain matters in the file. The bill as reported out puts that determination where it should be, in the hands of the judge, to determine, first, what is relevant, what is necessary, and then the defendant is thus entitled to inspect in a case while recognizing all rights to which a defendant is entitled.

Why is this so essential? Why is this emergency legislation? Why did the committee vote it out immediately, as it was requested to do, on an emergency basis?

Let me review here briefly why it is so essential that irrelevent portions of the entire report on FBI cases be withheld from the defendent's scrutiny. Practically all of our criminal law enforcement is based upon the files of some

investigative authority, be it the Treasury Department, the Customs Department, or the FBI. The reports of the FBI are all inclusive and cover every phase of the investigation of a case and it includes not only interviews with possible witnesses but information received from confidential sources as well as voluntary statements and all the action that has been taken from the start of the investigation to the preparation of the case for trial.

The reading of an FBI report by a defendant would often enable him to learn the identity of confidential informants. Frequently the information such informants furnish is of such a nature that its very disclosure will identify its source. The uncovering of confidential informants, particularly in the internal security field, would cut off intelligency sources, and in some instances endanger the lives of the informants.

The FBI reports may contain information gathered by other intelligence investigative agencies, including those of friendly allied countries exchanging information on a cooperative basis under this Government's commitment that their identities will not be disclosed without prior consultation.

Investigative reports necessarily include the raw material of unverified complaints, allegations, and information which is checked out only if it bears upon the investigation. In some investigations it is necessary to secure the most intimate details of the personal life of a victim of a crime to aid in the identification of the wrongdoer. Thus, in the early stages of any big extortion or kidnaping case, the enemies, both real and imaginary, of a family are frequently identified to the FBI.

This personal information may subsequently prove to be wholly irrelevant in the ultimate outcome of the investigation. Nevertheless, it is in the reports, and properly so, because the FBI investigation must record all information received, whether relevant or not and whether verified or not.

These are some examples of why it would be destructive of our criminal law agencies' necessary practices and procedures to make all of this information, whether relevant or not, available to the defendant. It is certainly not justified under our present established rules of evidence.

Now, here is the crux of the problem. Here is some of the evidence which the committee had before it at the time the decision was made. Here are some of the proven, practical effects of this Jencks decision I read, which is just a few weeks old. These are facts which Pearson failed to acknowledge.

For instance, in a narcotics case in Pittsburgh shortly after the Jencks decision, defense counsel sought the production and inspection of the entire Narcotics Bureau report after the Government agent had testified. The report covered all of the investigation of the case. The judge ordered the production of the entire report based upon the Jencks case. In that case the court dismissed the case.

And, I am sure if the columnist reads the Jencks case, he will see sufficient dicta in it and sufficient statements in the opinion itself in addition to the holding, as it relates to relevancy, that those judges who want to construe it in a broad fashion, as they have done in some of these instances by broadly construing the opinion come to this conclusion, and that is the committee's concern.

In an antitrust case, also tried in the western district of Pennsylvania, the Government was required to dispense with material testimony of FBI agents because of the court's ruling that if the agents testified, their entire reports would have to be given the defense and I hasten to add without any question of determining what portion of those files were relevant or otherwise.

In a narcotics case in Georgia, trial of which was actually in progress on the day of the decision, the defense attorney immediately asked for the production of any statements that that Government witness was testifying from and any intelligence reports submitted to the Government in the investigation carried on in connection with this case.

The report by the investigator consisted of summarizations of the numerous interviews with police, drug company employees, and others. The investigator was on the stand and had testified that he had prepared the report. Two other witnesses, whose oral statements to the agents were paraphrased and summarized in his report, had already testified. The court ordered that the Government produce for inspection by the defense any of the reports relating to the events and activities about which either of the witnesses had testified or is expected to testify. The United States attorney assured the court there were no written statements by the witness but declined to produce the entire report or the summarizations of the oral statements of the witnesses to the agent which had not been read to or by the witness nor did they in any way adopt or approve these statements as correct. The agent had dictated his report after his interviews and, at best, his report was a summary of the interview, obviously hearsay evidence. The court, without further discussion, dismissed the case.

In a criminal income tax case, likewise tried in Georgia, the court dismissed the case because the Government declined to produce unauthenticated summaries of interviews with witnesses.

The Jencks case is also being interpreted to permit new trials in those cases where defendants have already been convicted.

On June 21 a defendant who had already been convicted in a criminal tax evasion case in Rhode Island moved the court to order production and handing over to the defense of the complete reports of the special agent and the revenue agent who had investigated and prepared the case. The court stated that although the defendant had not requested these reports during the trial, the court immediately entered an order granting the motion. In that case the court stated:

> In the light of the pronouncements of the majority of the Supreme Court in the Jencks case, I think there is a clear mandate to permit the defendant to examine these reports. It may well be that the result of the examination of these reports will produce material of an evidentiary value to be used in support of a motion for a new trial.

Then on June 27 the Justice Department received notice that four defendants who were convicted on May 29 of a kidnaping in Rhode Island, have filed with the same Court a motion to have turned over to them all the reports of the FBI relating to the "alleged kidnaping" as well as any statements "oral or written" made to the FBI agents by the parents of the victim. That motion will be heard on July 8.

I could go through numerous other cases showing the effect of the Jencks case.

The second problem arises from the fact that in the Jencks case, the Court ordered the Government to produce reports orally made by the witness, and the effort of this bill, H. R. 7915, is to clarify that situation. Obviously, the credibility of a witness cannot be impeached by using a statement that the witness has never seen, approved, or prepared.

A third problem arises from an interpretation of the decision which would possibly require pretrial production of such statements and reports and perhaps even minutes of grand jury proceedings, certainly a broadening of the rules of evidence never previously acknowledged by the courts.

Now, that is some of the evidence which the committee had before it, and I was reading largely from the statement of Attorney General Herbert Brownell, at the time this bill was voted out. And, I think that anyone in reviewing the Jencks decision itself and the broad interpretation given it and its dicta, can clearly see the absolute necessity of emergency legislation that in some manner will clarify the decision, in order that these cases in the future not be dismissed, because obviously the FBI cannot make available, in fairness not only to the Government but to the defendant as well, all the raw, unverified, and irrelevant records of every FBI file.

Mr. HIESTAND. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from California.

Mr. HIESTAND. I very much appreciate the profound and well-expressed statement of the gentleman from Florida. Not being a lawyer, it was especially illuminating to me. I hope that everyone studies the report. This is a very, very valuable and convincing statement, and I congratulate the gentleman.

Mr. CRAMER. I thank the gentleman. And, I would not have taken the time of the House today, Mr. Speaker, if it had not been for the fact that I rose this morning and had my breakfast ruined by Drew Pearson, who in his column carelessly and recklessly stated:

> It also pays a Congressman to be friendly to the FBI. For it has a complete rundown

on every Congressman, his private life, and his family. Furthermore, no Congressman, if defeated or desirous of another Government job, can become a judge or hold Government office without clearance from the FBI.

And, he concludes:

And the mystery is how the FBI has reached the point where it has more influence with Congress than perhaps any agency in Government.

I, for one, do not feel, not only as a member of the Committee on the Judiciary but also as a Member of this House, that a statement of that nature can be permitted to stand on the record without the people of America knowing what the facts are.

It is careless, reckless, and inexcusable for anyone, even including Pearson, to plant in the minds of the people of this country the thought that Members of Congress fear the FBI or are in any way subservient to it merely because it keeps records. It is equally obnoxious to me, and I am sure to all the Members of this body, that from this fallacious premise the conclusion is reached that because this purely fictional club is held over the heads of Members of Congress the Members do the bidding of the FBI and give the FBI special consideration or favored treatment—citing the FBI files case bill, H. R. 7915, as an example. Nothing could be further from the truth than the premise used and conclusion reached. I am sure the Members, as did the Judiciary Committee, will recognize the merit of the FBI files bill and will pass it overwhelmingly—on its merits alone—despite the unsubstantiated sniping from such columnists.

Mr. HIESTAND. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield.

Mr. HIESTAND. The columnist refers to a certain lobbyist of the FBI. I have been here 5 years, and as far as I know I have never seen that lobbyist, and I certainly do not know who he is.

Mr. CRAMER. Well, he refers to a lot of things that I disagree with and for which I can find no substantiation. He implies that members of the Judiciary Committee did not even read the Jencks case before they passed the legislation, not even the subcommittee that considered the case. I think such an accusation cannot be permitted to stand. I, for one, read the case, as I am sure many other members did, and the committee was thoroughly briefed on it.

One other subject. On the same day the special subcommittee of five, of which I have the privilege of being a member, was appointed for the purpose of looking into the matter of certain present Supreme Court decisions. I have been asked by many what is its authority; and, for the dual purpose of, first, informing the people of America and in order to inform the House what the committee is authorized to do, and, second, in the hopes of perhaps avoiding possible impact of the Watkins case limiting congressional investigations, although I do not believe the House is willing to accept that case and I do not want my statement to be so interpreted; in order that those who may be called as witnesses before the committee will be on notice as to what the committee's investigative authority is and thereby not be able to claim that they do not believe the questions asked are relevant and that they do not have the responsibility of answering under the first amendment, I want to submit in the RECORD the resolution as passed by the House. I read it:

Resolved, That a special subcommittee, consisting of five members of the Committee on the Judiciary, be constituted and authorized as a matter of the highest urgency to conduct an inquiry, take evidence, and make findings and recommendations, legislative or otherwise, to this committee at the earliest practicable date, with reference to those questions raised by decisions of the Supreme Court, handed down at the last session of the Court, which affect (1) the power of Congress to investigate, (2) Federal laws relating to subversive activities, and (3) the enforcement of Federal criminal laws.

That is the jurisdictional authority of the committee. I am sure that many Members of the House will agree that some of these decisions rendered in the past few months deserve to have complete and thorough investigation and study. Such cases as the release of a convicted rapist in the Mallory case, the release of 5 Communists convicted under the Smith Act and resulting also in new trials for 9 others, and the refusal of the right of Congress to investigate thoroughly and exhaustively into the activities of those who are supporting the overthrow of our Government in the Watkins case. I am sure this committee is going to promptly go about its activities as instructed by the full committee, it being of the highest urgency that it be done. I am further convinced our committee will act not only with dispatch but also with calm deliberation in a dispassionate frame of mind, and with complete realization of the seriousness of the task assigned to us.

CIVIL AERONAUTICS ADMINISTRATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MACK] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MACK of Illinois. Mr. Speaker, under our present laws the Civil Aeronautics Administration may issue a pilot's license to an alien living in the United States. The Communications Act of 1934, however, prohibits issuance of a radio operator's license or a radio station license to anyone who is not a citizen of the United States.

Thus, one agency of our Government tells an alien, "Yes, it's all right for you to fly an airplane," while another agency says to the alien, "No, you can't operate an aircraft radio and, if you own a private plane, you can't have a radio installed in that plane."

Is this not a ridiculous situation? If we can permit an alien to fly an airplane, would there be any greater risk to the national security to allow him to operate a radio on that plane for the sake of his own safety, the safety of his passengers, and the safety of other planes in the sky?

Mr. Speaker, I have today introduced a bill to correct this absurdity in the law that guides the Federal Communications Commission.

My proposed amendment to the Communications Act of 1934 would permit the FCC to waive the citizenship requirement in order to issue radio licenses to aliens holding pilot's certificates issued by the CAA.

If my bill is enacted, an alien who has a CAA pilot's license could get a license to operate a radio in someone else's plane. He also could be granted a license for a radio in his own plane.

Radio is one of the most valuable safety aids that a flyer has. Let us not deny this aid to any pilot licensed by the United States Government.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN for 15 minutes today and to revise and extend his remarks and include extraneous material.

Mr. O'HARA of Illinois for 15 minutes today.

Mr. VURSELL for 20 minutes on Wednesday next.

Mr. CRAMER for 10 minutes today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. PORTER in two instances and include extraneous matter.

Mr. PATMAN in three instances and include extraneous matter.

SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 943. An act to amend section 218 (a) of the Interstate Commerce Act, as amended, to require contract carriers by motor vehicle to file with the Interstate Commerce Commission their actual rates or charges for transportation service; to the Committee on Interstate and Foreign Commerce.

S. 944. An act to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes"; to the Committee on the District of Columbia.

S. 977. An act to suspend and modify the application of the excess land provisions of the Federal reclamation laws to lands in the East Bench unit of the Missouri River Basin project; to the Committee on Interior and Insular Affairs.

S. 1383. An act amending section 410 of the Interstate Commerce Act, to change the requirements for obtaining a freight forwarder permit; to the Committee on Interstate and Foreign Commerce.

S. 1461. An act to amend section 212 (a) of the Interstate Commerce Act, as amended; to the Committee on Interstate and Foreign Commerce.

S. 1489. An act to amend title 14, United States Code, entitled "Coast Guard," with respect to warrant officers' rank on retirement, and for other purposes; to the Committee on Merchant Marine and Fisheries.

S. 1520. An act to amend an act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways and for other purposes"; to the Committee on Public Works.

S. 1971. An act to amend sections 4 (a) and 7 (a) of the Vocational Rehabilitation Act; to the Committee on Education and Labor.

S. 2250. An act to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes; to the Committee on Merchant Marine and Fisheries.

S. 2261. An act to amend and extend the Public Building Purchase Contract Act of 1954, as amended, and the Post Office Department Property Act of 1954, as amended, and to require certain distribution and approval of new public building projects, and for other purposes; to the Committee on Public Works.

S. 2448. An act to authorize payment to the Government of Denmark; to the Committee on Foreign Affairs.

S. Con. Res. 39. Concurrent resolution providing for the printing as a Senate document and for additional copies of the report of the Commission on Government Security; to the Committee on House Administration.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on July 1, 1957, present to the President, for his aproval, bills and a joint resolution of the House of the following titles:

H. R. 5189. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes;

H. R. 6659. An act to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes; and

H. J. Res. 391. An act making temporary appropriations for the fiscal year 1958, and for other purposes.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 40 minutes p. m.), under its previous order, the House adjourned until Monday, July 8, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1006. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to authorize the appointment of Robert Wesley Colglazier, Jr., as permanent brigadier general of the Regular Army"; to the Committee on Armed Services.

1007. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to authorize the appointment of Philip Ferdinand Lindeman as permanent colonel of the Regular Army"; to the Committee on Armed Services.

1008. A letter from the liaison assistant, Theodore Roosevelt Centennial Commission, transmitting the interim report of the Theodore Roosevelt Centennial Commission, pursuant to Public Law 183, 84th Congress; to the Committee on the Judiciary.

1009. A letter from the Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to promote the interests of national defense through the advancement of the scientific and professional research and development program of the Department of Defense, to improve the management and administration of the activities of such Department, and for other purposes"; to the Committee on Post Office and Civil Service.

1010. A letter from the Executive Secretary, National Advisory Committee for Aeronautics, transmitting a draft of proposed legislation entitled "A bill to promote the interests of national defense through the advancement of the aeronautical research programs of the National Advisory Committee for Aeronautics"; to the Committee on Post Office and Civil Service.

1011. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (1)); to the Committee on the Judiciary.

1012. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of the orders granting the applications for permanent residence filed by the subjects, pursuant to the Refugee Relief Act of 1953; to the Committee on the Judiciary.

1013. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to Public Law 863, 80th Congress; to the Committee on the Judiciary.

1014. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (5)); to the Committee on the Judiciary.

1015. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 9, 1957, submitting a report, together with accompanying papers and an illustration, on a review of reports on Bar Harbor, Maine, requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted May 10, 1945; to the Committee on Public Works.

1016. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 21, 1957, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Hacks Creek, Northumberland County, Va., authorized by the River and Harbor Act approved June 30, 1948; to the Committee on Public Works.

1017. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 17, 1957, submitting a report, together with accompanying papers and an illustration, on a review of reports on the Ohio River at Evansville, Ind. (Pigeon Creek), requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 29, 1955; to the Committee on Public Works.

1018. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 2, 1957, submitting a report, together with accompanying papers on a letter report on Eufaula Reservoir, Okla., authorized by the Flood Control Act, approved June 22, 1936; to the Committee on Public Works.

1019. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 8, 1957, submitting a report, together with accompanying papers and an illustration, on a letter report on Dirty Creek, Okla., authorized by Flood Control Act, approved August 11, 1939; to the Committee on Public Works.

1020. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 8, 1957, submitting a report, together with accompanying papers and an illustration, on a letter report on Arkansas River, Ark. (Grand Prairie), authorized by the River and Harbor Act approved July 24, 1946; to the Committee on Public Works.

1021. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 10, 1957, submitting a report, together with accompanying papers and an illustration on a review of report on Siuslaw River and Bar, Oreg., requested by a resolution of the Committee on Commerce, United States Senate, adopted May 16, 1939, and authorized by the River and Harbor Act approved July 24, 1946 (H. Doc. No. 204); to the Committee on Public Works and ordered to be printed with one illustration.

1022. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend section 69 of the Hawaiian Organic Act", to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RHODES of Arizona: Committee on Interior and Insular Affairs. Part 2: Minority Views on H. R. 2147. A bill to provide for the construction by the Secretary of the Interior of the San Angelo Federal reclamation project, Texas, and for other purposes (Rept. No. 664). Referred to the Committee of the Whole House on the State of the Union.

Mr. WHITTEN: Committee of conference. H. R. 7441. A bill making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 682). Ordered to be printed.

Mr. COOLEY: Committee of conference. S. 1314. An act to extend the agricultural Trade Development and Assistance Act of 1954, and for other purposes (Rept. No. 683). Ordered to be printed.

Mr. COOPER: Committee of conference. H. R. 7238. A bill to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care (Rept. No. 684). Ordered to be printed.

Mr. FRAZIER: Committee on the Judiciary. House Joint Resolution 354. Joint resolution to authorize the designation of October 19, 1957, as National Olympic Day; without amendment (Rept. No. 685). Referred to the House Calendar.

Mr. FRAZIER: Committee on the Judiciary. House Joint Resolution 378. Joint resolution designating the week beginning June 30, 1957, as National Safe Boating Week;

with amendment (Rept. No. 686). Referred to the House Calendar.

Mr. BLATNIK: Committee on Public Works. S. 1361. An act to revive and reenact the act entitled "An act authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River"; without amendment (Rept. No. 688). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee on Armed Services. S. 2420. An act to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes; without amendment (Rept. No. 689). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. H. R. 912. A bill to amend the Navy ration statute so as to provide for the serving oleomargarine or margarine; with amendment (Rept. No. 690). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARDY: Committee on Armed Services. H. R. 5382. A bill to amend section 301 of the Servicemen's and Veterans' Survivor Benefits Act to provide for expeditious payment of the death gratuity by the military departments; with amendment (Rept. No. 691). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS of Louisiana: Committee on Armed Services. H. R. 6078. A bill to provide for the erection of suitable markers at Fort Myer, Va., to commemorate the first flight of an airplane on an Army installation, and for other purposes; without amendment (Rept. No. 692). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ST. GEORGE: Committee on Armed Services. H. R. 7140. A bill to amend title 10, United States Code, to authorize a registrar at the United States Military Academy, and for other purposes, without amendment (Rept. No. 693). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Committee on Armed Services. H. R. 7576. A bill to further amend the Federal Civil Defense Act of 1950, as amended, and for other purposes; without amendment (Rept. No. 694). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS of Louisiana: Committee on Armed Services. H. R. 7696. A bill to authorize certain persons to wear the uniform of a Reserve officers' training corps; without amendment (Rept. No. 695). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS of Louisiana: Committee on Armed Services. H. R. 7697. A bill to provide additional facilities necessary for the administration and training of units of the Reserve components of the Armed Forces of the United States; with amendment (Rept. No. 696). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATTERSON: Committee on Armed Services. H. R. 7912. A bill to authorize, in case of the death of a member of the uniformed services, certain transportation expenses for his dependents; without amendment (Rept. No. 697). Referred to the Committee of the Whole House on the State of the Union.

Mr. REECE of Tennessee: Committee on Armed Services. H. R. 7914. A bill to amend the Career Compensation Act of 1949 to provide incentive pay for human test subjects; without amendment (Rept. No. 698). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee on Armed Services. H. R. 8121. A bill to establish the Office of the Deputy Judge Advocate General of the Navy, and for other purposes; with amendment (Rept. No. 699). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALTER: Committee on the Judiciary. H. R. 7915. A bill to amend section 1733 of title 28, United States Code; with amendment (Rept. No. 700). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KILDAY: Committee on Armed Services. H. R. 7198. A bill for the relief of Col. Russell King Alspach; without amendment (Rept. No. 687). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER:

H. R. 8521. A bill to provide that certain confessions and other statements shall be admissible in evidence in the courts of the United States; to the Committee on the Judiciary.

By Mr. ARENDS:

H. R. 8522. A bill to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes; to the Committee on Armed Services.

By Mr. BAUMHART:

H. R. 8523. A bill to amend the Internal Revenue Code of 1954 so as to permit the payment of the estate tax in installments; to the Committee on Ways and Means.

By Mr. BELCHER:

H. R. 8524. A bill to authorize the preparation of a roll of persons of Indian blood whose ancestors were members of the Otoe and Missouri Tribe of Indians and to provide for per capita distribution of funds arising from a judgment in favor of such Indians; to the Committee on Interior and Insular Affairs.

By Mr. HARRIS:

H. R. 8525. A bill to amend the Natural Gas Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. O'HARA of Minnesota:

H. R. 8526. A bill to amend the Natural Gas Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BERRY:

H. R. 8527. A bill to authorize the Administrator of Veterans' Affairs to negotiate a new contract with the city of Sturgis, S. Dak., with respect to the use of the sewage facilities of such city by the Fort Meade Veterans' Hospital, Sturgis, S. Dak.; to the Committee on Veterans' Affairs.

By Mr. BLATNIK:

H. R. 8528. A bill to provide that there shall be two county committees elected under the Soil Conservation and Domestic Allotment Act for certain counties; to the Committee on Agriculture.

By Mr. BOYKIN:

H. R. 8529. A bill to amend the Federal-Aid Highway Act of 1956 with respect to its application to toll bridges and tunnels on the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. BRAY:

H. R. 8530. A bill to permit farmers in areas affected by excessive rainfall and flooded conditions to include acreage in the acreage reserve program up to July 31, 1957; to the Committee on Agriculture.

By Mr. BROOKS of Louisiana:

H. R. 8531. A bill to provide an interim system for appointment of cadets to the United States Air Force Academy for an additional period of 4 years; to the Committee on Armed Services.

By Mr. BURNS of Hawaii:

H. R. 8532. A bill to amend the Hawaiian Organic Act with respect to interim appointments by the Governor; to the Committee on Interior and Insular Affairs.

By Mr. COOPER:

H. R. 8533. A bill to amend title II of the Social Security Act to include Tennessee among the States which may obtain social-security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

By Mr. CRAMER:

H. R. 8534. A bill to amend section 239 of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. CUNNINGHAM of Iowa:

H. R. 8535. A bill to amend title 10, United States Code, to provide for the readiness of industrial capacity for defense production or mobilization reserve purposes; to the Committee on Armed Services.

By Mr. DIXON:

H. R. 8536. A bill to amend the Packers and Stockyards Act, 1921, to clarify the jurisdiction of the Secretary of Agriculture thereunder, and for other purposes; to the Committee on Agriculture.

By Mr. EBERHARTER:

H. R. 8537. A bill to amend title II of the Social Security Act to include the Delaware River Port Authority and the Delaware River Joint Toll Bridge Commission, corporate instrumentalities of the States of Pennsylvania and New Jersey, and the Port of New York Authority, a corporate instrumentality of the States of New Jersey and New York, with the States which are permitted to divide their retirement systems into two parts so as to obtain social-security coverage, under agreement, for only those employees of the Delaware River Port Authority, of the Delaware River Joint Toll Bridge Commission and of the Port of New York Authority who desire such coverage; to the Committee on Ways and Means.

By Mr. HARRIS:

H. R. 8538. A bill to amend section 402 of the Civil Aeronautics Act of 1938; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRISON of Nebraska:

H. R. 8539. A bill to create an Agricultural Research and Industrial Board; to define its powers and duties; and for other purposes; to the Committee on Agriculture.

By Mr. KILGORE:

H. R. 8540. A bill authorizing Gus A. Guerra, his heirs, legal representatives, and assigns, to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.; to the Committee on Foreign Affairs.

By Mr. McGOVERN:

H. R. 8541. A bill to provide that certain lands shall be held in trust for the Crow Creek Sioux Tribe in South Dakota; to the Committee on Interior and Insular Affairs.

H. R. 8542. A bill to provide that the United States shall take title to certain lands in trust for Indian tribes, bands, or groups; to the Committee on Interior and Insular Affairs.

By Mr. MACK of Illinois:

H. R. 8543. A bill to amend the Communications Act of 1934 to authorize, in certain cases, the issuance of licenses to noncitizens for radio stations on aircraft and for the operation thereof; to the Committee on Interstate and Foreign Commerce.

By Mr. METCALF:

H. R. 8544. A bill to provide for the restoration to tribal ownership of all vacant and undisposed of ceded lands on certain Indian

reservations, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MORRIS:

H. R. 8545. A bill to amend title 10, United States Code, with respect to agreements for length of service of graduates of the United States Military, Naval, and Air Force Academies, and for other purposes; to the Committee on Armed Services.

By Mr. PATTERSON:

H. R. 8546. A bill to regulate the foreign commerce of the United States by establishing quantitative restrictions on the importation of plumbing brass goods; to the Committee on Ways and Means.

By Mr. VINSON:

H. R. 8547. A bill to authorize the disposal of certain uncompleted vessels; to the Committee on Armed Services.

By Mr. SIKES:

H. J. Res. 394. Joint resolution proposing an amendment to the Constitution of the United States relating to the powers reserved to the States by the 10th amendment to the Constitution; to the Committee on the Judiciary.

H. J. Res. 395. Joint resolution proposing an amendment to the Constitution of the United States vesting the Senate of the United States with certain appellate court functions; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Alabama, memorializing the President and the Congress of the United States to enact legislation allowing the Federal judges of the district courts of the United States to direct verdicts in jury cases only in accordance with the scintilla evidence rule of the common law; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Alabama, memorializing the President and the Congress of the United States relative to proposing amendments to the Constitution of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H. R. 8548. A bill for the relief of Candida Giovanna Pirecca Nardi and Vito Pirecca Nardi; to the Committee on the Judiciary.

By Mr. BALDWIN:

H. R. 8549. A bill for the relief of Teresa M. Reyes; to the Committee on the Judiciary.

By Mr. BOSCH:

H. R. 8550. A bill for the relief of Ernst Windmeier; to the Committee on the Judiciary.

H. R. 8551. A bill for the relief of Alfonso De Martino; to the Committee on the Judiciary.

By Mr. DAWSON of Utah:

H. R. 8552. A bill for the relief of Michael Prevedourakis; to the Committee on the Judiciary.

By Mr. FISHER:

H. R. 8553. A bill for the relief of Stewart Chiu Hao Wu and Virginia Wu; to the Committee on the Judiciary.

By Mrs. KELLY of New York:

H. R. 8554. A bill for the relief of Charles and Aida Rosen; to the Committee on the Judiciary.

By Mr. SIKES:

H. R. 8555. A bill for the relief of Sussanne Leiminger McDonald and Kathe Rita Leiminger McDonald; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H. R. 8556. A bill for the relief of Mrs. Maria Richter Cornell and her minor daughters, Irene Theopile Richter and Beatriz Isabel Richter; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Questions and Answers on H. R. 11, an Amendment to Robinson-Patman Act

EXTENSION OF REMARKS

OF

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 5, 1957

Mr. PATMAN. Mr. Speaker, during recent days the Members have referred to me questions received by them regarding H. R. 11. Effort has been made to supply answers to the Members who referred to questions. However, some questions have been repeated a number of times. Therefore, for the benefit of Members and others I shall insert in the RECORD at this point answers I have made to a number of those questions. The questions and answers are as follows:

1. Question. Why do we have Federal laws against price discrimination?

Answer. Congress conducted extensive investigations respecting the practice of price discrimination during the periods of 1875–90, 1912–14, and 1935–36, and so did the Bureau of Corporations during the period 1903–14 and its successor, the Federal Trade Commission, during the period 1928–34. Each of those investigations uncovered an abundance of evidence demonstrating that the practice of price discrimination was used widely by large sellers with the effect and result of destroying competition and creating monopolies. Therefore, Congress acted to curb the practice of price discrimination because it had been found to be a monopolistic practice.

2. Question. Why is H. R. 11 needed?

Answer. The Federal Trade Commission in its official formal report on H. R. 11 to the Committee on the Judiciary, House of Representatives, March 12, 1957, in effect stated that the decision by the Supreme Court of the United States in the case of the *Standard Oil Company of Indiana* v. *Federal Trade Commission* (340 U. S. 231) and other recent decisions in similar cases have made it clear that notwithstanding Federal legislation against price discrimination a large seller may now discriminate in price even where the effect may be to substantially lessen competition and tend to create a monopoly. Therefore, the Commission stated that it is of the opinion that the objectives of H. R. 11 * * * are of sufficient importance to the effective operation of the Clayton Act that such legislation should be enacted without awaiting further case by case development.

In the light of those circumstances it appears that it is time for each of us to reexamine our position on the question of whether we are for a free and competitive enterprise system or for a system of monopoly. When that is done, I am confident that a majority will be found who are still opposed to a substantial lessening of competition and a tendency to monopoly and are therefore in favor of H. R. 11, the equality of opportunity bill. It is a bill against monopolies.

3. Question. Would the law as amended by H. R. 11 apply to local sales by retail stores?

Answer. No. The law applies only to interstate sales and shipments.

4. Question. Would the law as amended by H. R. 11 apply to local sales by wholesalers?

Answer. It would apply only to interstate sales and shipments. Therefore, since wholesalers and jobbers ordinarily sell only in a single State it would not apply to such sales. On March 18, 1957, I made a statement outlining in detail how the equality of opportunity bill, H. R. 11, would and would not apply to independent oil jobbers. That statement appears in the RECORD commencing at page 3875 of March 18, 1957.

5. Question. How will H. R. 11 affect freight absorption?

Answer. The bill will not prevent freight absorption. In the RECORD of March 18, 1957, page 3892, I inserted a statement outlining why it is considered that H. R. 11 will not prevent freight absorption. I refer to that statement for the benefit of those who wish to review more material dealing with that point.

6. Question. Will the law as amended by H. R. 11 prevent sellers from reducing prices to meet competition?

Answer. No. There is nothing in the Clayton Act, the Robinson-Patman Act, or in H. R. 11 forbidding price reductions. Under those provisions of law any seller would remain free to lower his price to any level he chooses to meet competition or for any other purpose. Those provisions of the law do not deal with the question of price reductions. They deal only with the practice of price discrimination.

7. Question. Describe a situation in which the law could be applied if it were amended by H. R. 11.

Answer. Under date of March 8, 1957, the Armstrong Creamery Co., of Wichita, Kans., wrote a letter to Members of Congress and to Members of the Senate in which price discrimination practices of the National Dairy Products Corp. were outlined. That up-to-date instance of price discrimination was described by the Armstrong Creamery Co. as follows:

"Recently the National Dairies Division (Sealtest) at Kansas City lowered the price of ice cream 25 cents per gallon throughout this area. Discounts and all other factors considered, this new price is lower than 97 percent of the sales volume in the area before Sealtest lowered the price. This low price makes it impossible for any dairy to sell ice cream at a profit, and if continued very long will force a number of independent plants out of business. At the same time Sealtest has been raising prices in other areas where competitive situations are as bad, or worse, than they are here.

"The plain fact is that through ineptness and mismanagement, Sealtest has lost a lot of volume in the past few years and has taken this method of regaining their position. Right now they can use the excuse that they are meeting the price of the 3 percent of the volume which was sold at a cutthroat figure (and which will always be sold that way).

"Of course, Sealtest's profits in other areas will more than carry the losses they will take in this one."

The letter of the Armstrong Creamery Co. concluded as have many others I have received from small and independent business concerns in a plea for the passage of H. R. 11. The closing words of that letter were: "It is the only salvation for a great number of independent businesses."

8. Question. Since H. R. 11 is designed to eliminate destructive price discriminations which substantially lessen the competition and tend to create monopoly, who are those opposing it and why?

Answer. Most big business concerns such as National Dairy Products Corp. and the giant major oil companies are opposed to the passage of H. R. 11. Need we discuss the details of why when we have before us examples of the practice of price discrimination such as the one outlined by the Armstrong Creamery Co., of Wichita, Kans.?

The Most Serious Default of Leadership

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Friday, July 5, 1957

Mr. PORTER. Mr. Speaker, President Eisenhower's default of leadership has its most serious consequences in connection with our nuclear weapons policies. The following exchange of letters illustrates this point. If we had any basis for believing that appropriate consideration meant anything or that even consideration was being given to these problems relating to the survival of human life on this globe, we might have more cause for encouragement.

Under leave to extend my remarks in the RECORD, I include the following correspondence:

JUNE 7, 1957.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: We, the undersigned Members of Congress, respectfully and urgently call on you to support five steps in the direction of survival in the face of the awesome peril arising from the development of nuclear weapons.

You have repeatedly pointed out the terrifying proportions of the present situation. "Humanity," you said in your September 19, 1956, broadcast, "has now achieved, for the first time in its history, the power to end its history."

Humanity's history may in fact end in the space of a few hours. Three nations have the means to end it. An accident could trip the mechanism of retaliation. A limited war could spiral out of control. The U. S. S. R. could coldly calculate that time is on the side of the Free World and that it could win an all-out war even with its back broken by our counterattacks.

We realize that these thoughts are not new to you, Mr. President. You recognize your duty and we recognize ours. We surely agree both on the magnitude and the imminence of the nuclear danger. Here indeed is a brink on which we and all the world teeter. Contemplating the abyss need only occupy a moment. Then our efforts must turn toward regaining our balance and moving to solid ground.

Our long term goal of arriving on this solid ground safely away from the nuclear abyss is of course a workable disarmament agreement and we are encouraged by the vigor of your policies in this area. But results here are too far in the future and today we do not dare rely solely on our enemy's fear of massive retaliation. Fear of mutual destruction is a flimsy basis for balance at the brink of the abyss.

We most earnestly ask that you place your full official and personal weight behind the following five measures, all of which are, in our opinion, likely to aid in the survival of mankind, whether of not nuclear war comes.

1. A National Radiation Institute of Health, with sufficient funds to conduct a large-scale research program: There is apparently no scientific doubt that the worldwide radiation generated in an all-out war of H-bombs would be a hazard to life over the whole globe. Scientists also seem to be agreed that the testing of H-bombs involves at least a certain risk. The issue is over the immediacy of the radiation danger—that is, just how many tests the different nations may conduct before the cancer threshold is crossed. This must be measured against the contribution tests make to our military security.

Without now judging this question, however, we feel that the potential danger alone justifies a much greater effort to explore the possibilities for the treatment or, hopefully, prevention of radiation-induced cancer, leukemia, and cell degeneration.

2. Vigorous reassertion of your support of an international Atomic Energy Agency: We believe that the vast majority of the American people are fully behind your dramatic effort to develop peaceful uses of the atom through the United Nations. As Congressmen, we are anxious for the momentum behind these proposals to be sustained.

The exercise of your prestige and leadership will not only insure the passage of the appropriate legislation it will also present the proper image of the United States as a nation devoted to using the atom to build a better world.

3. A national shelter program: The policy of mass evacuation, on which the United States planned to rely in a war of atom bombs, is now outmoded by the vastly more powerful H-bombs. A 50-megaton H-bomb can incinerate all life within a radius of 15 miles of the explosion. Within a few days the people who live in the downwind area of fallout will also sicken and die.

Under these circumstances, it appears prudent and imperative to provide some form of shelter for our people at the places where they live and work.

Our capacity to take a blow and keep on fighting is just as important as our ability to deliver one. An adequate system of shelters will therefore give pause to a potential aggressor and make a formidable contribution to our policy of deterrence.

4. Your appointment of a Special Advisory Committee to the AEC vested with authority to declassify data on radiation: We recognize that secrecy about some kinds of data on radiation may be vital to our national security. On the other hand, official silence or even reassurances have on several occasions in the past been followed by contrary evidence from independent scientific sources, for example, the Japanese physicists who analyzed the fallout from our Pacific tests.

Such incidents breed suspicion and an emotional approach toward the tests, making it difficult for the American people to reach a fair judgment. We are convinced that the public has the right to judge the issue for itself. Consistent with security, the people should be given the information they need to do so.

5. Increased emphasis on military formations capable of fighting limited or brushfire engagements: As you have cogently observed, concentration upon massive weapons in the fields of research and delivery can lead to a dead end in strategic thinking.

The enemy is too likely to calculate that we would permit him to retain a modest conquest rather than invoke a nuclear exchange. The only successful counter to this kind of limited attack is the capacity to meet the attack at the spot where it occurs.

To have this capacity we would need very flexible forces armed with both conventional and atomic weapons. We would also need many more troop-carrying airplanes than we now have on hand.

We as Members of Congress want to do our part in averting the suicide of the human race. Each of us whose name is signed below believes that this issue transcends partisanship. We respectfully request your personal attention to these proposals and stand ready to provide additional information.

Sincerely,

CHARLES O. PORTER
(*And Six Other Members of Congress*).

THE WHITE HOUSE,
Washington, June 12, 1957.

The Honorable CHARLES O. PORTER,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN PORTER: The President has asked me to thank you sincerely for your June 7 letter, cosigned by 7 of your colleagues, urging him to "place (his) full official and personal weight" behind 5 specific measures which relate to atomic warfare and health hazards and to the character of our Armed Forces. The President asked me to assure you that he will continue his efforts to deal effectively with each of the problems mentioned. He, of course, welcomes the close attention you and your colleagues have devoted to these crucial problems facing our country.

With best wishes.

Sincerely yours,

WILTON B. PERSONS,
The Deputy Assistant to the President.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 22, 1957.

The PRESIDENT,
The White House.

DEAR MR. EISENHOWER: I have received General Persons' letter of June 12, replying to my letter of June 7, cosigned by 7 of my colleagues, and I am now writing to ask that you undertake the comment specifically on each of the 5 specific measures set forth in the letter.

I do not need to be assured that you will continue to attempt to do your best to deal effectively with each of these problems and, of course, I know you welcome the close attention of Congress to such problems.

I recognize very well the immense demand of your job and it seems quite appropriate to ask that you take a definite stand on each of these five matters since they are intimately related to human survival in the face of imminent peril.

I hope that you will see fit to reply specifically to my June 7 letter.

Sincerely yours,

CHARLES O. PORTER,
Member of Congress.

THE WHITE HOUSE,
Washington, June 26, 1957.

The Honorable CHARLES O. PORTER,
House of Representatives,
Washington, D. C.

DEAR MR. PORTER: Further respecting your June 7 letter, my June 12 reply, and your June 22 request for supplementary comments, I have been requested to advise you in respect to the questions raised in the June 7 letter that: (1) The suggested National Radiation Institute of Health will receive appropriate consideration; (2) the International Atomic Energy Agency Treaty has

just been ratified by the Senate; (3) Presidential views respecting civil defense needs are reflected in legislation recently considered by the House Armed Services Committee, on which administration witnesses have testified at length; (4) the suggested Special Advisory Committee will likewise receive appropriate consideration; and (5) recent executive branch testimony on the pending defense appropriation and mutual security legislation presents Presidential concepts and programs respecting conventional and nuclear weapons and all other major aspects of our defense efforts.

Your further interest in these matters is appreciated.

With best wishes.

Sincerely yours,

WILTON B. PERSONS,
The Deputy Assistant to the President.

Two Questions About H. R. 11: Interstate Commerce and Suppliers' Price Cuts To Help Retailers Meet Local Competition

EXTENSION OF REMARKS
OF
HON. WRIGHT PATMAN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, July 5, 1957

Mr. PATMAN. Mr. Speaker, I have a letter of March 14 from the San Francisco Petroleum Retailers Association, Inc., which asks two quite specific questions about the equality of opportunity bill, H. R. 11. Believing that other small-business people, as well as Members, may be interested in these questions and my answers, I am offering for the RECORD the letter from the San Francisco Petroleum Retailers Association, Inc., together with my reply, both of which follow:

SAN FRANCISCO PETROLEUM
RETAILERS ASSOCIATION, INC.,
San Francisco, Calif., March 14, 1957.

Hon. WRIGHT PATMAN,
House of Representatives, House Office, Building, Washington, D. C.

DEAR SIR: In order to aid us in combating the propaganda that the oil companies are putting out to their dealers to get them to oppose H. R. 11, we would like an answer from you that we can use in our letters, bulletins, and press releases.

Specifically the statements have been made that H. R. 11 would not apply to California, and also that in the event of an independent dropping his price in an area, the major supplier would not be able to help their dealer in that area. The two statements are, of course, incongruous, but are typical of the steps that are being taken to defeat this legislation.

Our legal counsel has advised us that naturally H. R. 11 would apply in California, and we are going on that premise.

As I mentioned above, we would like a complete explanation from you as to the ramifications that H. R. 11 would have if passed, and your permission to use this information to the fullest.

The board of directors of the San Francisco Petroleum Retailers have voted in favor of supporting this bill, and we will contact all the Members of Congress from this State to that effect.

Thank you for your courtesy, and the best of luck for a winning battle.

Yours truly,

SAN FRANCISCO PETROLEUM
RETAILERS ASSOCIATION.

MARCH 19, 1957.

Mr. WALLACE E. PETTIGREW,
San Francisco Petroleum Retailers Association, San Francisco, Calif.

DEAR MR. PETTIGREW: I am glad to have your letter of March 14 asking me for statements which will explain what the equality of opportunity bill, H. R. 11, would do.

I am enclosing pages from the CONGRESSIONAL RECORD which contain statements by me, explaining both the purpose of the bill and how it would work.

To give brief answers to your specific questions, however, they are as follows:

First, you ask whether H. R. 11 would apply in the State of California. The answer is that it would apply in all States and in the District of Columbia. However, since the bill involves Federal law, and not a State law, it would apply only to those companies that are in interstate commerce. The question of whether a company is in interstate commerce is, in some instances, a rather technical one, but in general it means that the company must be in business in more than one State, or that it sells its products in more than one State. As a general rule, the bill would not apply to sales made by a single store retailer, although it would give protection to such a retailer from the discriminatory selling practices of a company which is in interstate commerce.

Your second question is whether a major oil company from which you purchase supplies would be able to drop its price to you, in order to help you meet local competition. The answer is that the oil company could drop its price to you, within certain limitations. The limitations are that the bill would create a strong tendency to require the major oil company, if it drops the price to you, to drop the price also to its other dealers who are in competition with you. I use the phrase "strong tendency" for this reason: The bill does not require the supplier to accord absolutely fair and equal treatment to its competing dealers; but it does forbid the supplier to discriminate among its dealers to such a serious extent that the effect may be, in the language of the bill, "substantially to lessen competition or tend to create a monopoly."

In other words, it is this key language which I have quoted above which would determine whether or not your supplier's discriminatory selling practice is illegal. This is the same language which defines an illegal merger of corporations, under section 7 of the act; and it is the same language which defines an illegal exclusive-dealing agreement and an illegal tie-in sales agreement under section 3 of the act.

I hope that these remarks and my enclosed statements will clarify all of the issues for you.

I am

Sincerely yours,

WRIGHT PATMAN.

Democrats' Dilemma: Civil Rights

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Friday, July 5, 1957

Mr. PORTER. Mr. Speaker, the civil-rights discussions now being launched in the other body can result in grievous hurt to the Democratic Party and to the cause of liberalism in the United States. It is a tribute to the character of the Democrats in this House that no such wounds occurred when the legislation was before us.

An acute and timely analysis of the dilemma facing us Democrats appears in the New York Times magazine section for July 7, 1957. It is written by my good friend and distinguished fellow Oregonian, RICHARD L. NEUBERGER, the junior Senator from Oregon. As always he writes without pulling his punches and on a solid basis of pertinent facts. I am glad to associate myself with his views on this crucial matter.

The article follows:

WASHINGTON.—Can the Democratic Party of today actually be regarded as the majority party in the Nation?

This is what many of its partisans claim, and this is what might be assumed from the fact that the Democrats have held numerical superiority in both branches of Congress during most of President Eisenhower's residency at the White House.

It is my belief that this supremacy is far more illusory than real. In truth, the Democratic Party now confronts its greatest crisis in modern times. If the crisis is not successfully weathered, the result could be banishment for the Democrats for many decades from the executive branch of Government. Conversely, mastery of the crisis by the Democrats might mean a return to the political glories of the New Deal, for the Republicans are likewise not without their grave and serious problems.

In the 2½ years that I have been a Member of the United States Senate, a pair of situations have surprised me more than any others. One is the depth and even grimness of the feeling against granting equality to the Negro on the part of many southern Democrats. The other is the hostility of most Republican Senators—and this includes even some of the so-called modern Republicans—toward the mildest kind of social and economic reform.

These two circumstances pose both the sternest challenge to the Democratic Party and its principal opportunity. Of the existence of the challenge there can be no doubt, for the political timbers of the Democratic party have not required such propping and sheathing since the Hoover landslide of 30 years ago.

Although it has won five comparatively recent presidential elections, nevertheless the share of the popular vote collected by the Democratic Party throughout the Nation has declined steadily ever since 1944—and this is particularly true in the teeming metropolitan areas where most Americans live. And, while some Democrats unquestionably derive satisfaction from the party's continued statistical preponderance in both Chambers of Congress, the very nature of this advantage should afford some concern to those who trust that the Democratic Party soon will return to national office.

While the influence of the South in party affairs is doubtless a factor contributing to the dwindling proportions of the Democratic vote in the strategic urban counties of the East, it is a harsh reality that the Democrats would be far outnumbered in the Senate and the House were it not for their nearly unanimous congressional victories in the States which lie below the Mason and Dixon line.

The statistics in this respect are both decisive and startling. They emphasize that the Democratic dominance in the Nation outside the South is a myth. In the 1956 elections, the Democrats nationally polled 1,160,000 more votes than the Republicans in contests for House seats, and 1,500,000 more votes where Senatorial desks were at stake. But what occurs when the single-party South is removed from this compilation? The Democrats then become 2,600,000 votes shy of their Republican rivals in House con-

tests and 1,300,000 votes wanting in contested engagements for Senate seats.

The inevitable conclusion from all this is that the Democrats, in addition to their stunning defeats for the Presidency in 1952 and again in 1956, are definitely a minority party in the States where actual battles are waged over Senate and House positions. For example, the Democrats now hold a margin of 49 to 46 in the Senate, with 1 place vacant since the death of Senator McCarthy. A similar margin prevailed in the last Congress. Yet even this slim majority is founded completely on 22 safely Democratic seats from 11 Southern States, where senatorial elections go to the Democrats practically by default. If these southern seats were split equally between the parties, the result would be decisive Republican rule in the Senate by an edge of at least 58 to 38.

Thus the Democratic Party is in the anomalous position of being dependent for its Congressional majorities on an element that is a liability nationally—the Southerners who oppose civil-rights legislation. It is this question that threatens the party's future. Virtually all southern Democrats oppose Federal legislation guaranteeing the Negro his voting privileges and civil liberties. With any matter even remotely touching the race question at issue, earnest southern liberals like LISTER HILL and JOHN SPARKMAN of Alabama must take the same essential position—albeit not so flamboyantly—as JAMES O. EASTLAND of Mississippi and RICHARD RUSSELL of Georgia. Some of the political realities ruling the South were demonstrated in 1956 when the elderly Senator Walter F. George of Georgia, himself a longtime foe of civil-rights legislation, had to give way before a young challenger who differed from Senator George only by adopting a more strident attitude toward this problem.

When even Democrats with the liberal reputation of J. W. FULBRIGHT, of Arkansas, and ALBERT GORE, of Tennessee, stand against resolutions to limit debate so the Senate can finally vote on civil-rights proposals, this becomes a heavy burden for their colleagues to carry in Northern States. Indeed, I believe his allegedly "moderate" posture on civil rights was Adlai Stevenson's greatest single liability during the recent Presidential campaign. The civil-rights dilemma loads down the Democrats in the North, as the Old Man of the Sea sat athwart the shoulders of Sindbad the Sailor.

The assumption has been made that this liability prevails only among Negro voters. I doubt if any conclusion could be more fallacious. During the 1956 campaign my wife and I delivered more than 350 speeches urging the reelection of Senator WAYNE MORSE. We were continually confronted with the charge that a vote for Senator MORSE, the Democrat, was a vote to continue Senator EASTLAND as chairman of the Senate Judiciary Committee, where civil-rights legislation normally originates. This contention could not have come predominantly from Negroes, for less than 2 percent of Oregon's population is colored.

Furthermore, Senator MORSE himself had protested the accession of Senator EASTLAND to the Judiciary chairmanship, while Mrs. Neuberger and I, as State legislators, had been sponsors of Oregon's own Fair Employment Practices Act and State civil-rights bill. Yet we still were kept on the defensive over the hostility to civil rights on the part of many of my southern colleagues.

Of course, the charge has hurt the party with Negro citizens, too. After his narrow defeat for reelection in Kentucky, Senator Earle Clements told me that he had been sharply attacked because, as assistant Democratic floor leader, he had performed the purely automatic task of presenting Senator EASTLAND'S name for chairman of the Judiciary Committee, a promotion governed by the long-enduring seniority system. This was used effectively among the not inconsiderable colored vote in Louisville, although Senator Clements had been a backer of legislation to safeguard civil rights.

Nor, at the national level, can Democrats ignore the facts highlighted by Richard L. Lyons of the Washington Post and Times Herald, when he wrote last November: "Election returns made it evident there had been a significant Negro Presidential voting switch away from the Democratic Party standard bearers, with whom they had been allied since Franklin D. Roosevelt's day * * *. In every city surveyed, President Eisenhower won a larger percentage of the Negro vote then he did in 1952."

What are the chances of healing the Democratic cleavage over this burning issue? And, barring a thorough rapport within the party, how can the Democrats recover politically from a breach that has widened ever since the Supreme Court verdict in the school-segregation cases?

I believe these events are necessary in order to attain such results:

1. Civil-rights legislation must be enacted. Without this basic prerequisite, the controversy will smolder indefinitely within the halls of Congress—and particularly inside the Democratic Party. Southern Democrats, while expressing to the full their legitimate views, must refrain from using a filibuster to prevent perpetually a vote in the Senate on civil rights. Not only is this legislation needed and merited, but unless Southern Senators are willing to forego stalling tactics and interminable debate, the Democratic Party eventually could be wracked to pieces.

2. Northern Democrats—at least until their numbers in the Senate are appreciably greater than at present—must accept gracefully as leader of the party in the upper chamber someone like LYNDON B. JOHNSON, of Texas, who represents a composite of Democratic Senators and who is close to the southerners on the issues which move them most emotionally. Insistence by some northerners on a Senate leader farther to the left, while perhaps not as divisive a force as the adamant southern antagonism to civil rights, nevertheless contains real elements of peril for a united and cohesive party.

3. Northern and southern Democrats alike, once the breach is even slightly closed, must dramatize for the country that there never would have been substantial economic gains either for Negroes or for whites if Republican policies on social welfare had dominated the Nation during the past quarter of a century.

The first two of these proposals require a certain modest degree of accommodation by both sides to the simmering strife over civil rights and related matters in the Democratic Party. Yet I think the compromises involved are reasonable.

As for the Democratic liberals—on one recent intraparty division along liberal-conservative lines, we liberals from both North and South could muster only 20 of the 49 Democratic Members of the Senate. When our Members are considerably less than half of the total, how valid a right do we have to object to a leader who symbolizes more of a cross section of party membership in the Chamber? I would calculate that LYNDON JOHNSON stands quite a few notches closer on the political spectrum to Senator PAUL H. DOUGLAS than to Senator EASTLAND, and I doubt if we liberals have a bona fide case at present against a Senate leader who thus synthesizes the views of the men from whom his authority stems.

But suppose the southern Democrats do not consider this northern concession a sufficient quid pro quo for abandoning their right to filibuster civil-rights legislation? The northern Democratic Senators are not helpless; they hold some trump cards, too. I always have felt they could announce to their southern colleagues that an opportunity to ballot unimpeded on effective civil-rights legislation was going to be the consideration for continued northern support of a Senate organized by the Democratic Party.

After all, under the inexorable seniority rule, most of the committee chairmanships belong to southerners when the Democrats form a majority of the Senate's membership. They have the choice seats at the head of the green felt tables, control of the selection of committee staffs and the scheduling of bills, the gleaming limousines and the other perquisites. They would lose these emoluments if the northern Democrats abstained from contributing the votes necessary to Democratic control of the Senate.

It is one of the political ironies of our era that the Democrats from the North must wage the most desperate battles against their generously financed Republican foes, but to the Democrats from the one-party South go the chairmanships and the prestige posts in the Upper Chamber. While it may be presumptuous for a Senate tyro to voice such a prediction, I prophesy there might be a rollcall vote at last on civil rights if the northern Democrats sought this in return for supplying the numerical strength to make possible continued Democratic titular supremacy when the Senate is organized.

Nor do I regard such a bargain as improper. No southern Senator would be asked to surrender his honest convictions and beliefs, but merely to forego the use of essentially undemocratic Senate rules which block majority action on civil-rights legislation.

My third proposal was that northern and southern Democrats must join in dramatizing Democratic liberalism. One of the main reasons the Democratic Party is in trouble nationally is a widely held belief that, under its current leadership, it is losing out on liberal issues to the Eisenhower Republicans. Many of my constitutents have recently expressed the disgruntled viewpoint that the Senate Democratic spokesmen are to the right of the political figures who describe themselves as modern Republicans. This notion, prevalent though it may be, is far from the actual truth—but I must confess that we Democrats have done an ineffective job of countering propaganda about so-called modern Republicanism.

In fact, on many basic domestic issues—expansion of social security, custodianship of natural resources and taxation predicated on ability to pay, to name only three—the supposedly conservative Senate leadership of the Democratic Party has been markedly more liberal than prominent symbols of "modern" Republicanism on the other side of the aisle. On almost all issues except those embodying the general problem of civil rights, the vast majority of Democrats in the Senate are conspicuously to the left of the Eisenhower Republicans. This does not mean all such Democrats are invariably liberal per se, but rather than they are favored greatly by the contrast in economic outlook between themselves and most of their GOP colleagues. Whatever may be the faults of the Democratic Party, they are trivial when compared with the indifference of its principal competitor to the continuing need for fairness and justice in our social and economic structure.

It is for this compelling reason that I believe the Democratic Party must not crack apart into a Northern and a Southern faction. Such a break would only surrender the Government of the United States to the Republicans, virtually by default, for far into the future. The opposing forces in the civil-rights controversy must resist the temptation to go their separate ways.

As a Northern liberal, I often feel that I would prefer to be in a separate party in the Senate, rather than anchored in any fashion

to fellow party members who are so stubbornly determined to block civil-rights laws. Perhaps my Southern colleagues—equally rooted in their differing views—may occasionally harbor similar thoughts. But then I peer across the center aisle at our Republican rivals: people sincerely convinced of the rightness of their attitudes, but militantly against the legislative correctives and palliatives which are so necessary to help the less favored and less fortunate in an economic system such as ours. And I realize that both the Democratic North and South will have to give ground so that the political party can endure which conquered the depresssion, mobilized the victorious war against the Axis and took the heroic but politically hazardous steps in Korea to curb aggressive communism.

If it is to fulfill its challenging mission of advancing liberalism, the Democratic party must overcome the civil-rights crisis which has cost it so dear in recent elections. Failure to accomplish this could be fatal to the party and, more important, lastingly detrimental to the Nation.

H. R. 11 Would Operate Against Monopolization of Oil Industry by International Oil Combines

EXTENSION OF REMARKS
OF
HON. WRIGHT PATMAN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, July 5, 1957

Mr. PATMAN. Mr. Speaker, heretofore I have referred to propaganda distributed by representatives of the international oil combines in opposition to H. R. 11. On January 28 I placed in the CONGRESSIONAL RECORD at page 1034, on January 29 at page 1219, and again on February 5 at page 1570, quotations from and citations to documentary evidence of a false front lobbying campaign which had been planned and organized by the international oil combines against H. R. 11. Since then the Antitrust Subcommittee of the Committee on the Judiciary, United States Senate, has held extensive hearings dealing with that subject and has more fully documented the evidence on that point.

Until we analyze the situation, it is difficult to understand the reasons why the international oil combines and other major oil companies associated directly with them have gone to such lengths in their opposition to H. R. 11. However, once we look into the matter, then their reasons are perfectly clear. They want to gain a complete monopoly control over our domestic oil industry as they have gained monopoly control over the international oil trade. Standing in the way of that accomplishment are the independent producers, refiners, and distributors in our great American petroleum industry.

There is a means by which these giant international oil combines can destroy the independent producers, refiners, and distributors of our domestic petroleum industry. That means is the use of the practice of price discrimination. H. R. 11 would curb the practice of price discrimination. Therefore, the giant international oil combines oppose it.

Recently I wrote Mr. Gordon M. Robb, of Houston, Tex., a letter in which I pointed out the dangers in allowing these giant international oil combines and those associated with them to continue the practice of price discrimination. I believe that the Members may be interested in reading the letter I wrote to Mr. Robb because in it I have tried to dispel some of the misinformation and clear up some of the misunderstandings about H. R. 11. That letter is as follows:

APRIL 29, 1957.

Mr. GORDON M. ROBB,
Houston, Tex.

DEAR MR. ROBB: I thank you for writing me on April 22, 1957, about H. R. 11 to amend section 2 (b) of the Robinson-Patman Act.

Your interest in this proposed legislation is appreciated. It does appear, however, that someone has misinformed you concerning the possible effects of this proposed legislation on various methods of doing business.

Enclosed is a copy of H. R. 11. It is a simple and modest proposal. You will note that it provides that the "good faith" meeting of competition shall be a complete defense to a charge that a seller has unlawfully discriminated in price unless the effect of the discrimination would be to substantially lessen competition or tend to create a monopoly.

The reason why we must have a law to curb price discrimination is that without such a curb big competitors destroy small competitors without respect to efficiency or other merits, and the result is that all business tends to end up in a monopoly.

By discriminating in price, a big seller may destroy his smaller competitors even when all competitors receive their supplies at the same price and have the same unit operating cost. But when discrimination is a gefteral practice in business, the bigger competitors receive another unearned advantage in the price they pay for supplies, and they almost inevitably use this advantage to destroy smaller competitors.

Some of us thought that we had solved this problem and had placed some reasonable limits on price discrimination by passage of the Robinson-Patman Act in 1936. But the majority opinion of the Supreme Court in the Standard Oil (Indiana) case drove a serious loophole into the law. According to this opinion, a seller is justified in discriminating in price as between his competing customers, when he is meeting the price offered by a competitor to one of those customers no matter to what extent competition may be destroyed.

H. R. 11 simply says that such discriminations will not be permitted where the effect may be, in the language of the bill, "substantially to lessen competition or tend to create a monopoly."

If we do not have effective laws against monopoly and against unfair methods of creating monopoly, countless small businesses will be needlessly destroyed, and, in fact, the whole country will be hurt by high prices, low production, unemployment, and slow progress.

The fully integrated major oil companies with international connections and facilities are among the worst offenders against our antitrust laws. They, as the Standard Oil Company of Indiana, have utilized the practice of price discrimination to eliminate independent oil producers, refiners, and distributors.

Recently I had some research done regarding the decline in the number of active and inactive oil refining companies in the United States. In that connection it was found that in 1920 the number of such companies totaled 274. In 1950 the total number of active and inactive small refining companies had dropped to 193. I am informed that at the end of 1955 the total number of refinery companies stood at 179. Included in that are the 30 major integrated, international oil combines. Thus, the total of independent refinery companies in the United States at the end of 1955 stood at 149. That number is growing smaller.

Thus, you can see that if the trend to monopoly based on monopolistic practices such as price discrimination and other factors continues, it will not be long before independent oil producers will have no independent oil refineries as markets for their products. The international major oil companies will constitute the only markets. Then the prices the independent oil producers will receive will be the prices the international oil companies decide they wish to pay.

In view of these circumstances I am not surprised that the opposition to H. R. 11 and to other proposals to strengthen the laws against monopolistic price discriminations has been led by the major oil companies. I have made some speeches on the floor of the House about this. Enclosed for your information is a reprint of some of these recent statements.

I trust that this information will be found to be responsive to your inquiry of April 22.

With best wishes and kind regards, I am,

Sincerely yours,

WRIGHT PATMAN.

SENATE

MONDAY, JULY 8, 1957

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God, our Father, Thou searcher of men's hearts, from whom no secrets are hid: At this beginning of a new week of counsel, help Thy servants in the ministry of public affairs to draw near to Thee in tranquillity, in humility, and sincerity. With Thy benediction upon them, may they face the thorny problems of our national life with honest dealing and clear thinking, and with hatred of all hypocrisy, deceit, and sham.

Save us from lowering the shield of national solidarity by divisive policies in a perilous hour. May we close our national ranks in a new unity, as powers without pity or conscience seek to destroy the birthright of our liberty of worship and speech and the sanctity of the individual. In all our thinking, help us to keep step in the ranks of those who do justly, love mercy, and walk humbly with Thee, our God. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Wednesday, July 3, and Friday, July 5, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that

on July 3, 1957, the President had approved and signed the following acts:

S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from insurrectos during 1899–1903;

S. 1264. An act to exempt from taxation certain property of the National Trust for Historic Preservation in the United States in the District of Columbia;

S. 1576. An act to exempt the sale of materials for certain war memorials in the District of Columbia from the District of Columbia Sales Tax Act;

S. 1586. An act to eliminate the financial limitation on real and personal estate holdings of the American Historical Association in the District of Columbia;

S. 1794. An act to amend section 6 of the act approved July 3, 1890 (26 Stat. 215), relating to the admission into the Union of the State of Idaho by providing for the use of public lands granted therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvements of public buildings at the capital; and

S. 2243. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the President pro tempore:

S. 528. An act for the relief of Nicolaos Papathanasiou;

S. 609. An act to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes;

S. 749. An act for the relief of Loutfie Kalil Noma (also known as Loutfie Siemon Noma or Loutfie Noama);

S. 1054. An act to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.;

S. 1169. An act for the relief of Herbert C. Heller;

S. 1212. An act for the relief of Evangelos Demetre Kargiotis;

S. 1352. An act to provide for the conveyance of certain real property of the United States to the Fairview Cemetery Association, Inc., Wahpeton, N. Dak.;

H. R. 3558. An act for the relief of Ernest Hagler;

H. R. 4159. An act for the relief of Z. A. Hardee;

H. R. 5728. An act to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings, of the St. Lawrence Seaway Development Corporation;

H. R. 6191. An act to amend title II of the Social Security Act, as amended, to extend the period during which an application for a disability determination is granted full retroactivity, and for other purposes;

H. J. Res. 288. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 290. Joint resolution for the relief of certain aliens; and

H. J. Res. 307. Joint resolution for the relief of certain aliens.

LEAVE OF ABSENCE

On request of Mr. JOHNSON of Texas, and by unanimous consent, Mr. HENNINGS was excused from attendance on the session of the Senate today because of illness.

HANDLING THE PROBLEMS CONNECTED WITH FLOODS AND DROUGHTS

Mr. JOHNSON of Texas. Mr. President, I have just returned from spending a few days in my home State of Texas.

I have seen for myself some of the damage done by the devastating floods that closed out 8 years of grinding drought. I have talked with men and women who suffered through the floods—and who also had suffered through the drought.

Both the drought and the floods have cost Texas heavily in human misery and loss of human life; in tremendous property damage; and in serious loss of income, during the disaster period and in the future.

THIS WILL NOT CHANGE

The wide variation in the cycle of Texas climate—from drought to flood, and back again to drought—is our recorded history. It is a circumstance that probably will not change. Rather, we shall have to adapt ourselves to it more effectively than in the past.

Mr. President, effective adaptation to this circumstance is both possible and feasible.

We can lessen the harmful effects of rainfall extremes. We can do this through realistic programs for the control and utilization of surface waters. The future of Texas and of other Southwestern and Western States depends to an almost absolute degree upon how effectively we regulate our surface waters.

This year's floods in Texas spotlighted the need for many more reservoirs containing many additional millions of acre-feet of water to help carry us over the dry years that inevitably will recur. Flood control is important simply for the sake of flood control. It has a further importance—a vast importance—in connection with water supply requirements.

I have for some years supported a far-reaching investigation by the Bureau of Reclamation to determine the current and long-range water-supply problems. I asked the Bureau to propose a master plan of what could logically be done by the Federal Government to help meet this problem, once it was fully defined.

Mr. President, I have given strong and consistent support to the survey and construction programs of the Corps of Engineers. It now appears, in the light of this year's experience, that we have not done enough. Accordingly, I am urgently advocating an intensified program for the Corps of Engineers.

Studies by the Bureau of Reclamation have been aimed primarily at water supply for all needs. Significantly, however, these studies have produced a stronger justification for authorized, but as yet unbuilt, corps reservoirs in Texas.

MUST WORK TOGETHER

Mr. President, it is vitally necessary that the Corps of Engineers and the Bureau of Reclamation work closely together. I hope both of them will take notice of this statement. They must coordinate their respective programs. Such collaboration of effort is essential to insure that the water-development program will follow a pattern designed to guarantee steady, orderly, economical expansion.

Final commitment of remaining dam sites in the Southwest can properly be made only after a careful decision has been reached regarding every purpose each future reservoir must serve.

We are dedicating the last of our dam sites, the last of our water supplies. These commitments must stand the test of time, for they control the economic future of Texas.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

PROMOTION OF CERTAIN OFFICERS IN THE REGULAR ARMY

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize the appointment of Robert Wesley Colglazier, Jr., as permanent brigadier general of the Regular Army (with an accompanying paper); to the Committee on Armed Services.

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize the appointment of Philip Ferdinand Lindeman as permanent colonel of of the Regular Army (with an accompanying paper); to the Committee on Armed Services.

AMENDMENT OF SECTION 69 OF HAWAIIAN ORGANIC ACT

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend section 69 of the Hawaiian Organic Act (with an accompanying paper); to the Committee on Interior and Insular Affairs.

IMPROVEMENT OF ADMINISTRATION OF DEPARTMENT OF DEFENSE

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to promote the interests of national defense through the advancement of the scientific and professional research and development program of the Department of Defense, to improve the management of the administration of the activities of such Department, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

ADVANCEMENT OF AERONAUTICAL RESEARCH PROGRAMS

A letter from the executive secretary, National Advisory Committee for Aeronautics, Washington, D. C., transmitting a draft of

proposed legislation to promote the interests of national defense through the advancement of the aeronautical research programs of the National Advisory Committee for Aeronautics (with an accompanying paper); to the Committee on Post Office and Civil Service.

INCREASED COMPENSATION FOR CERTAIN EXECUTIVES OF ATOMIC ENERGY COMMISSION

A letter from the Chairman, Atomic Energy Commission, Washington, D. C., transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes (with an accompanying paper); to the Joint Committee on Atomic Energy.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A letter, in the nature of a petition, from the Pineapple Research Institute of Hawaii, Honolulu, T. H., signed by R. L. Cushing, director, favoring the enactment of House bill 7341, providing for the construction of a geophysics institute in Hawaii; to the Committee on Appropriations.

A resolution adopted by the Oil Heat Institute of Long Island, Inc., New York, favoring the enactment of legislation to decontrol natural gas at the wellhead; to the Committee on Interstate and Foreign Commerce.

RESOLUTION OF CITY COUNCIL OF MILWAUKEE (WIS.), RELATING TO WHOLESALE MARKET FACILITIES

Mr. WILEY. Mr. President, I have received from Stanley Witkowski, city clerk of Milwaukee, a resolution favoring the enactment of House bill 4504, introduced by Representative COOLEY, chairman of the House Agriculture Committee. This bill is known as the Marketing Facilities Improvement Act. It would provide a system of mortgage insurance to municipal and other State subdivisions, to be administered by the Secretary of Agriculture, for the purpose of expanding public wholesale market facilities for perishable agricultural commodities.

The basis for the legislation is that such facilities are sadly lacking in many of the leading municipalities of our country.

I present the resolution, and ask unanimous consent that it be printed in the RECORD, and be thereafter referred to the Committee on Agriculture and Forestry.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

RESOLUTION REQUESTING CONGRESS TO ENACT BILL KNOWN AS H. R. 4504 WHICH WOULD PROVIDE A METHOD OF FINANCING WHOLESALE MARKET FACILITIES WITHOUT ANY GRANT OF FEDERAL FUNDS

Whereas the city of Milwaukee presently has outmoded and inefficient wholesale produce market facilities; and

Whereas the buildings in which such facilities are housed are in deteriorated condition and badly located; and

Whereas one of the reasons that the wholesale produce industry in Milwaukee has been unable to modernize its facilities has been its difficulties in obtaining adequate financing for new facilities; and

Whereas the bill presently before Congress known as H. R. 4504 would provide for a means of financing a new wholesale produce terminal: Therefore be it

Resolved, That the common council and the mayor do herewith earnestly request Congress to enact bill known as H. R. 4504 which would provide a method of financing for such wholesale market facilities without any grant of Federal funds; further be it

Resolved, That the city clerk is instructed to send copies of this resolution to all Members of Congress in both the House and Senate from the State of Wisconsin.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PAYNE, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 1866. A bill to amend the act entitled "An act to require the inspection and certification of certain vessels carrying passengers," approved May 10, 1956, in order to provide adequate time for the formulation and consideration of rules and regulations to be prescribed under such act (Rept. No. 582).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 441. A bill for the relief of Jose Ramirez-Moreno (Rept. No. 584);

S. 1365. A bill for the relief of Milenko Krnjajich (Rept. No. 585);

S. 1815. A bill for the relief of Nicholas Dilles (Rept. No. 586); and

S. 1896. A bill for the relief of Maria West (Rept. No. 587).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 1227. A bill for the relief of Stavros Georgas (Rept. No. 588);

S. 1370. A bill for the relief of Wanda Wawrzyczek (Rept. No. 589);

S. 1767. A bill for the relief of Eileen Sheila Dhanda (Rept. No. 590);

S. 2009. A bill for the relief of Mrs. Jytte Starel Synodis (Rept. No. 591); and

H. J. Res. 323. Joint resolution to facilitate the admission into the United States of certain aliens (Rept. No. 596).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 366. A bill for the relief of certain Korean war orphans (Rept. No. 592);

S. 1387. A bill for the relief of Rebecca Jean Lundy (Helen Choy) (Rept. No. 593);

S. 1685. A bill for the relief of Sic Gun Chau (Tse) and Hing Man Chau (Rept. No. 594); and

S. 1736. A bill for the relief of Rosa Sigl (Rept. No. 595).

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Mr. EASTLAND. Mr. President, from the Committee on the Judiciary, I report an original concurrent resolution, favoring the suspension of deportation in the cases of certain aliens, and I submit a report (No. 583) thereon.

THE PRESIDENT pro tempore. The report will be received, and the concurrent resolution will be placed on the calendar.

The concurrent resolution (S. Con. Res. 40) was placed on the calendar, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which the case the Attorney General has suspended deportation for more than 6 months:

A-1750750, Ali, Mohamid.
A-6678456, Alvear, Leonicia Garcia De.
A-9764546, Baizer, Herbert Paul.
A-5554927, Bliznakoff, Vasil.
A-3124105, Cassimis, John.
A-5886946, Cho, Tse.
A-8057140, Chu, Lek.
A-10255258, Chu, Li Yih Ai.
A-5993801, Li, Sue Ling.
A-10255250, Li, Sue Loo.
A-10255047, Li, Ruth Wu.
A-5531810, Darmanin, John.
A-6921218, Epstein, Zofia.
A-6958010, Escobar-Gonzalez, Victor Manuel.
A-9527785, Fong, Wong.
A-3049549, Gama-Reyes, Manuel.
A-4590908, Glick, Adolf.
A-1432407, Hahn, Soon Kyo.
0900-57150, Hahn, Tai Chin.
A-4359142, Herraja-Jiminez, Samuel.
A-9726671, Hidick, Massoad Abdul.
A-7356652, Hroncich, Leonardo.
A-2678095, Hsu, Rose Fung.
A-3667758, Kepraios, Stavros Stelianos.
A-1551550, Khan, Ali.
A-10255537, Kwan, Kwang Pei.
A-3209149, Lee, Poo.
A-8259493, Liadis, Panagiotis Dimitriou.
A-8189299, Liu, Tsong Won.
A-5449221, Lottrup, Jorgen S.
A-9770877, Mahmoud, Mohamed.
A-4043565, Maillet, Andre Pierre.
A-5148487, Mann, Mina.
A-1121179, Messina, Stellario G.
A-9709248, Nam, Tsu Hau.
A-4421186, Napoli, Michael.
A-9511407, On, Lee.
A-6242520, Ortiz-Zamorano, Rosendo.
A-4067578, Papagiarnis, John.
A-10139255, Rodriguez, Camelia Dreyfous.
A-10255544, Rodriguez, Manuel Joaquim.
A-4543718, Aurin, Dietrich.
A-7544210, Chu, Chen-Fu.
A-5970130, Contreras, Pablo.
A-7301220, Epstein, Zalman.
A-7866953, Herrera-Melquiades, Adalberto.
A-4962216, Gonzales, Eluteria.
A-9647871, Jung, Kai.
A-9654171, Lefas, Zacharias.
A-1961443, Roknich, Daniel.
A-9777001, Ryan, Michael.
A-6062026, Salazar-Gallegos, Roberto.
A-3429897, Sanchez-Poveda, Candido.
A-1177218, Secondo, Michele.
A-5877615, Sztulman, Berek.
A-9777191, Trillo, Manuel.
A-6933837, Tsai, Juin-Ping.
A-10139010, Tsai, Shuenn, Jeou.
A-8890267, Vasquez, Carlos.
A-10060080, Way, Tow.
A-10236971, Wing, Chin.
A-6708345, Wood, Jim Varley.
A-7388556, Yong, Sun Shin.
A-6817533, Greenhalgh, Richard James.
A-1239918, Kouyios, Nikitas.
A-6733979, Gerber, Golda.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Charles P. Moriarty, of Washington, to be United States attorney for the western district of Washington;

Thomas J. Lunney, of New York, to be United States marshal for the southern district of New York;

George Harrold Carswell, of Florida, to be United States attorney for the northern district of Florida; and

Dallas A. Gardner, Jr., of South Carolina, to be United States marshal for the eastern district of South Carolina, vice Alfred L. Plowden, Jr.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Texas:

S. 2476. A bill to amend section 124 (c) of title 28 of the United States Code so as to transfer Shelby County from the Beaumont to the Tyler division of the eastern district of Texas; to the Committee on the Judiciary.

S. 2477. A bill to organize and microfilm the papers of Presidents of the United States in the collections of the Library of Congress; to the Committee on Rules and Administration.

(See the remarks of Mr. JOHNSON of Texas when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. LANGER:

S. 2478. A bill to establish a system for the classification and compensation of scientific and professional positions in the Government and for other purposes; to the Committee on Post Office and Civil Service.

S. 2479. A bill to amend the Internal Revenue Code of 1954 so as to allow a deduction for certain expenses paid by a taxpayer in obtaining a college education or in providing a college education for his spouse or dependents; to the Committee on Finance.

S. 2480. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

S. 2481. A bill to prohibit experiments upon living dogs in the District of Columbia and providing a penalty for violation thereof; to the Committee on the District of Columbia.

S. 2482. A bill for the relief of George Barsam; to the Committee on the Judiciary.

By Mr. LANGER (for himself and Mr. YOUNG):

S. 2483. A bill to provide for a preliminary examination and survey of the Missouri River between Garrison Dam in North Dakota and Sioux City, Iowa, for the purpose of determining the advisability of improving such river for navigation between such points; to the Committee on Public Works.

By Mr. MUNDT:

S. 2484. A bill for the relief of Margo Diann Wallace (Demetra); to the Committee on the Judiciary.

By Mr. POTTER:

S. 2485. A bill for the relief of Kwang Jin Chun; to the Committee on the Judiciary.

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2486. A bill for the relief of Wanda Carlene Boll (Lee Sook Ja);

S. 2487. A bill for the relief of Yu, Sang Koo; and

S. 2488. A bill for the relief of Kim, Hyun Suck; to the Committee on the Judiciary.

By Mr. NEUBERGER (for himself, Mr. HUMPHREY, and Mr. KEFAUVER):

S. 2489. A bill to require the use of humane methods of trapping animals and birds on lands and waterways under the jurisdiction of the United States; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY:

S. 2490. A bill to provide for the control of noxious weeds on land under the control or jurisdiction of the Federal Government; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. THYE:

S. 2491. A bill for the relief of Matthew Schmidt (Kim Kunoh), and Juliann Schmidt (Cho Young Sook); to the Committee on the Judiciary.

By Mr. PURTELL:

S. 2492. A bill for the relief of the East Coast Ship & Yacht Corp., of Noank, Conn.; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 2493. A bill for the relief of Maria G. Aslanis; and

S. 2494. A bill for the relief of Mohammed Ali Halim; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 2495. A bill for the relief of Lt. Col. John T. Collier; to the Committee on Armed Services.

By Mr. WATKINS:

S. 2496. A bill to amend the act entitled "An act to promote the conservation of wildlife, fish, and game, and for other purposes," approved March 10, 1934, as amended, known as the Coordination Act; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. WATKINS when he introduced the above bill, which appear under a separate heading.)

By Mr. MUNDT:

S. J. Res. 117. Joint resolution to authorize the Secretary of the Interior to make loans to the Crazy Horse Memorial Foundation, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MUNDT when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. HUMPHREY:

S. J. Res. 118. Joint resolution opposing distinction by foreign nations against United States citizens because of individual religious affiliations; to the Committee on Foreign Relations.

(See the remarks of Mr. HUMPHREY when he introduced the above joint resolution, which appear under a separate heading.)

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original concurrent resolution (S. Con. Res. 40) favoring the suspension of deportation in the cases of certain aliens, which was placed on the calendar.

(See concurrent resolution printed in full, where it appears under the heading "Reports of Committees.")

MICROFILMING OF PAPERS OF FORMER PRESIDENTS

Mr. JOHNSON of Texas. Mr. President, I introduce, for appropriate reference, a bill to organize and microfilm the papers of Presidents of the United States now held in the collections of the Library of Congress.

On Saturday of last week I participated in a very pleasant and historic event. It was the dedication of the Harry S. Truman Library in Independence, Mo.

I wish to express my appreciation to the distinguished Chief Justice of the United States, the distinguished minority leader of the Senate [Mr. KNOWLAND], the distinguished assistant minority leader of the House of Representatives, and to my colleagues in both bodies, for their participation in that event. I thought it was a display of consideration, patriotism, and service to country rarely equaled.

Former President Truman has displayed great foresight and historical appreciation in preserving for all time the valuable documents and other materials related to his tenure of office as President of the United States.

We cannot today take action to emulate the constructive and timely steps that have been taken with respect to the Truman papers for the earlier Presidents of our country. We can, however, with a relatively small expenditure of money, insure that the papers which have come down to us from these great men of the past be organized and preserved in a useful fashion for now and the future.

This is the purpose of this proposed legislation, which has previously been introduced in the House of Representatives by Democratic Leader JOHN MCCORMACK, of Massachusetts. We should delay no longer in taking these necessary steps to guarantee against loss and waste of these valuable materials which remain from the papers of the Presidents of earlier years.

I am hopeful that the Congress can act favorably upon this proposed legislation during this session.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2477) to organize and microfilm the papers of Presidents of the United States in the collections of the Library of Congress, introduced by Mr. JOHNSON of Texas, was received, read twice by its title, and referred to the Committee on Rules and Administration.

USE OF HUMANE METHODS OF TRAPPING ANIMALS AND BIRDS ON CERTAIN LANDS

Mr. NEUBERGER. Mr. President, I introduce, for appropriate reference, a bill to prohibit the use of inhumane traps for the capture of animals or birds on the lands and waters belonging to, or under the jurisdiction of, the United States. I am happy to have as my cosponsors the able junior Senator from Minnesota [Mr. HUMPHREY] and the able senior Senator from Tennessee [Mr. KEFAUVER].

I need take only a few words to explain my proposal.

The trapping of birds and animals, particularly fur-bearing animals, no longer holds the important role it played in the earlier history of our country, and particularly in the Pacific Northwest. But a substantial amount of trapping still is carried on. I believe that, with the advances of modern technology and civilization, there is no reason why trapping has to be done in a manner which causes needless pain and suffering to the wild animals which are its victims and its commercial justification.

I believe there is no argument about the cruelty inherent in many of the existing traps and trapping practices now in use. Animals are caught in iron jaws which frequently fracture a leg or other bone. They are held in that position, struggling to the point of exhaustion, for many hours or even several days before being found and killed. I, myself, have walked a trapline, on snowshoes, Mr. President, accompanying a

trapper who was inspecting and collecting his catch. I have seen wild animals exhausted from trying to tear themselves to pieces, in pain and terror of the relentless irons which held them. It is not an unusual story for such an animal to try to chew off its fettered limb, so as to escape. As I say, the brutality inherent in such traps is beyond debate; the only question is what value we are to place on a matter as intangible, in material terms, as the suffering of an animal. Is such a matter worth the attention of the Congress of the United States? In Oregon recently, a terrified beaver dragged a trap in agony for over 4 days before life at last left the bleeding body of the animal.

Mr. President, I believe that a people's attitude toward the animals and other living things, with which it shares a common world, is one significant measure of that people's civilization. I have had occasion to say this in cosponsoring a humane-slaughter bill in the Senate, and it applies equally to wildlife. Two centuries ago, there were few human beings on this continent, compared with the millions of wild animals; and even sheer survival in the wilderness beyond the eastern seaboard was a difficult challenge. Today, the situation is exactly reversed. It is the wild animals which find survival difficult among 170 million industrialized, motorized, urbanized people. We maintain careful limits on the quantity and seasons of hunting, to try to keep them alive.

The primitive, cruel trapping practices of the last century are an anachronism today. With modern technology, such civilized requirements as humane slaughter or humane trapping do not stand between us and the food we need, or the furs; they become, at most, matters of cost. My bill proposes only the requirements that traps used within the jurisdiction of the United States must either capture animals painlessly or kill them instantaneously, and that they must be inspected and emptied at least once a day. Traps designed to meet these standards are already available; and they are in use, for example, by the personnel of Government conservation departments. My bill would vest in the Secretary of the Interior authority to conduct the necessary tests and promulgate the necessary standards and regulations, to give specific application to the objectives of the bill. Violations would be punishable as misdemeanors, with fines up to $500 or prison sentences up to six months, or both.

Mr. President, my proposal is consistent with American moral standards and with good conservation practices. I hope it will win the approval of the Congress. In conclusion, I ask that the text of the bill be printed in the CONGRESSIONAL RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2489) to require the use of humane methods of trapping animals and birds on lands and waterways under the jurisdiction of the United States, introduced by Mr. NEUBERGER (for himself, Mr. HUMPHREY, and Mr. KEFAUVER), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 41 of title 18 of the United States Code is amended by placing the prefix "(a)" before the present section, and by adding at the end thereof the following new subsection:

"(b) (1) Any person who, upon any land or waters owned by or under the jurisdiction of the United States, places or causes to be placed any trap, snare, net, or other device designed to trap or capture any animal or bird in any manner by which the animal or bird is not either captured painlessly or killed instantly, or who, having placed a trap, snare, net, or other device, fails to inspect and empty it at least once every 24 hours, shall be fined not more than $500 or imprisoned not more than 6 months, or both.

"(2) The Secretary of the Interior is authorized to conduct such tests and to promulgate such standards, rules, and regulations as he may deem necessary to the execution of this subsection.

"(3) No provision of this subsection shall apply in any case in which its application would be contrary to any treaty obligation of the United States to any Indian in effect on the date of enactment of this section."

SEC. 2. The provisions of this act shall become effective on January 1, 1958.

CONTROL OF NOXIOUS WEEDS ON FEDERAL LANDS

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a bill to provide for the control of noxious weeds on land under the control or jurisdiction of the Federal Government.

Mr. President this bill would aid in making State weed-control programs effective by giving the States authority to require removal of noxious weeds from Federal lands, with the expense to be borne by the Federal agencies controlling such lands.

Approximately 4 million acres of tax-exempt land in Minnesota is under control of the Federal Government, such as Indian lands, conservation land, or forest areas, islands, and so forth.

Minnesota has a very effective weed law, enforced by the commissioner of agriculture through the director of the division of plant industry, with the services of 10 district weed and seed inspectors and county inspectors in all of the counties, and also the 3 supervisors in each of the 1,841 townships for a total of 5,523 township inspectors, and the mayors of the 805 villages and cities.

In carrying out the weed-control program of our State, these inspectors find it very difficult to ask our farmers to control their weeds when weeds on State and Federal lands could not be controlled due to a lack of funds allocated for this purpose. Some 6 years ago the Minnesota Legislature appropriated $10,000 annually for the control of weeds on tax-exempt lands, and as a result all complaints as to weeds on State lands have been taken care of. However, much of the problem on Federal lands still remains.

In the past, in order to avoid a general breakdown of the program, it has been necessary to spend some of the State fund for weed control on Federal lands, such as the control of leafy spurge on the Forget-Me-Not Island near Lake Park in Becker County and Canadian thistle on the Indian reservation in Yellow Medicine County.

To date, no funds have been provided for the control of weeds on Federal lands by the Federal Government. It is only reasonable and just that this situation should be corrected, as it does not seem logical that the farmers of our State should be required to destroy their weeds and, on the other hand, the Federal Government not be required to keep the weeds on lands under their supervision under control.

While I have outlined this problem from the standpoint of Minnesota, the same situation applies in other States.

The regulatory, extension, industrial, and research people of the 14 Midwestern States and 4 provinces of Canada have an organization known as the North Central Weed Control Conference, which meets annually for the discussion of weed control. Minnesota is a member, and plays an important part in the functions of this organization. The North Central Weed Control Conference has passed resolutions requesting the Federal Government to provide funds for such a purpose, and the organization has asked Minnesota to take the lead in bringing this about.

The commissioners and secretaries of agriculture of the States have also made similar requests.

The amount involved is not large. We estimate that an appropriation of $10,000 annually will be sufficient for taking care of the weeds on Federal lands in Minnesota.

All this bill would do would authorize such expenditures by Federal agencies supervising these lands, making them responsible for complying with State weed laws on the same basis as owners of privately owned lands.

If the Federal department, agency or independent establishment involved has failed to comply with weed-control procedures under State law, this bill would authorize State commissioners of agriculture, or other proper agencies, of any State which has in effect such a program to enter upon Federal land, with permission of the head of the appropriate Federal agency, to destroy by appropriate methods noxious weeds growing on such lands. It further provides that States shall be reimbursed by the Federal agency involved for any expenses incurred in such weed removal, provided the Federal agency left it up to the State agencies to remove the weeds rather than do it themselves.

I urge active support for this measure, particularly from other Midwestern States confronted with a similar problem.

These noxious weeds cause a severe economic loss annually to agriculture unless they are controlled, and it is unfair to expect farmers to wipe out weeds on their own property, at their own expense, if seeds from similar weeds are blown all over the State from patches of noxious weeds on federally owned property.

I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately

referred, and, without objection, the bill will be printed in the RECORD.

The bill (S. 2490) to provide for the control of noxious weeds on land under the control or jurisdiction of the Federal Government, introduced by Mr. HUMPHREY, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the Commissioner of Agriculture or other proper agency of any State in which there is in effect a program for the control of noxious weeds may enter upon any land in such State under the control or jurisdiction of a department, agency, or independent establishment of the executive branch of the Federal Government, with the permission of the head of such department, agency, or independent establishment, and destroy by appropriate methods noxious weeds growing on such land if—

(1) The same procedure required by the State program with respect to privately owned land has been followed; and

(2) The department, agency, or independent establishment involved has failed to comply with the requirements of such program.

SEC. 2. Any State incurring expenses pursuant to the first section of this act shall be reimbursed, upon presentation of an itemized account of such expenses, by the head of the department, agency, or independent establishment of the executive branch of the Federal Government having control or jurisdiction of the land with respect to which such expenses were incurred.

CONSERVATION OF WILDLIFE, FISH, AND GAME

Mr. WATKINS. Mr. President, I introduce for appropriate reference, a bill to amend the Coordination Act of March 10, 1934, as amended.

This bill, if enacted, will effect some changes, sought by conservation groups throughout the country, in the 1934 act to promote more effective planning, development, maintenance and coordination of wildlife conservation and rehabilitation.

My interest in introducing the measure at this time is that it was warmly supported by a recent resolution of the Western Association of State Game and Fish Commissioners, one of the most active and effective conservation groups in the western part of the country. This group accurately pointed out that this proposal has been subjected to considerable analysis throughout the country and merits Congressional review this session. I am hopeful that early hearings will be scheduled on this measure so that all persons interested in fish and wildlife preservation and water resource development will have an adequate opportunity to contribute to sound long-range legislation.

The bill extends provisions of the Coordination Act to proposed water resource projects, as well as to authorized projects. It also gives the United States Fish and Wildlife Service an opportunity to review proposed drainage and channel modification projects, which were not specifically covered in the 1934 and 1946 legislation.

I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2496) to amend the act entitled "An act to promote the conservation of wildlife, fish, and game, and for other purposes," approved March 10, 1934, as amended, known as the Coordination Act introduced by Mr. WATKINS, was received, read twice by its title, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That sections 1 to 3, inclusive, of the act entitled "An act to promote the conservation of wildlife, fish, and game, and for other purposes," approved March 10, 1934, as amended (16 U. S. C. 661, 662, and 663), are amended to read as follows:

"That, in order to promote effectual planning, development, maintenance, and coordination of wildlife conservation and rehabilitation in the United States, its Territories and possessions, the Secretary of the Interior, through the United States Fish and Wildlife Service, is authorized (a) to provide assistance to, and cooperate with, Federal, State, and public or private agencies and organizations in the development, protection, rearing, and stocking of all species of wildlife, resources thereof, and their habitat, in controlling losses of the same from disease or other causes, in minimizing damages from overabundant species, in providing public shooting areas, and in carrying out other measures necessary to effectuate the purpose of this act; (b) to make surveys and investigations of the wildlife of the public domain, including lands and waters or interests therein acquired or controlled by any agency of the United States; and (c) to accept donations of land and contributions of funds in furtherance of the purposes of this act.

"SEC. 2. Whenever the waters of any stream or other body of water are proposed or authorized to be impounded, diverted, the channel deepened, or the stream or other body of water otherwise controlled or modified for any purpose whatever, including navigation and drainage, by any department or agency of the United States, or by any public or private agency under Federal permit or with Federal financial or technical assistance, such department or agency first shall consult with the United States Fish and Wildlife Service and the head of the agency exercising administration over the wildlife resources of the State wherein the impoundment, diversion, or other control facility is to be constructed with a view to preventing loss of any damage to wildlife resources, and with a view to providing for the development and improvement of wildlife resources in connection with such water resource development.

"In furtherance of the aforesaid purposes, the reports of the United States Fish and Wildlife Service relating to such water resource developments, together with any recommendations thereon by the Secretary of the Interior and any report of the head of the State agency exercising administration over the wildlife resources of the State, based on surveys and investigations conducted by such Federal and State agencies for the purpose of determining the possible damage to wildlife resources and for the purpose of determining the most desirable means and measures that should be adopted in the public interest to prevent the loss of or damage to such wildlife resources, as well as to provide concurrently for the development and improvement of such resources, shall be made an integral part of any report prepared in or submitted by any agency of the Federal Government responsible for engineering surveys and construction of such projects when such reports are presented to the Congress or to any agency or person having the authority or the power, by administrative action, or otherwise, (a) to authorize the construction of water resources development projects or (b) to approve a report on the modification or supplementation of plans for previously authorized projects, to which this act applies.

"The cost of planning for and the construction or installation and maintenance of such means and measures adopted to carry out the aforesaid purposes of this section, to prevent the loss of and damage to wildlife resources, and to provide for the development and improvement thereof, shall constitute an integral part of the costs of such projects: *Provided*, That, in the case of projects hereafter authorized to be constructed, operated, and maintained in accordance with the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto), the Secretary of the Interior shall, in addition to allocations to be made under section 9 of the Reclamation Project Act of 1939 (53 Stat. 1187), make findings on the part of the estimated cost of the project which can properly be allocated to the prevention of damage to, and to the development and improvement of wildlife, and costs allocated pursuant to such findings shall not be reimbursable. In the case of construction or the provision of financial or technical assistance by a Federal agency for such construction, that agency shall transfer to the United States Fish and Wildlife Service, out of appropriations or other funds made available for investigations, engineering, or construction, such funds as may be necessary to conduct the investigations required to carry out the purposes of this section.

"SEC. 3. Whenever the waters of any stream or other body of water are impounded, diverted, the channel deepened, or the stream or other body of water otherwise controlled or modified for any purpose whatever, including navigation and drainage, by any department or agency of the United States, or when such purposes are to be accomplished with Federal financial or technical assistance or under Federal permit, adequate provision consistent with the primary purposes of such impoundment, diversion, or other control shall be made for the use thereof, together with any areas of land, or interest therein, acquired or administered by a Federal agency in connection therewith, for the conservation, maintenance, and management of wildlife, resources thereof, and its habitat thereon, as well as for the development and improvement of such wildlife resources pursuant to the provisions of section 2 of this act, as amended. When consistent with reports prepared in accordance with the provisions of section 2 of this act by the United States Fish and Wildlife Service and when approved by the Secretary of the Interior, the acquisition of land and interests therein by Federal construction agencies is authorized for the purposes of this act. In accordance with general plans, covering the use of such waters and other interests for these purposes, approved jointly by the head of the department or agency exercising primary administration thereof, the Secretary of the Interior, and the head of the agency exercising administration over the wildlife resources of the State wherein the waters and areas lie, such waters and other interests shall be made available without cost for administration (a) by such State agency, if the management thereof for the conservation of wildlife relates to other than migratory birds; (b) by the Secretary of the Interior, if the waters and other interests have particular value in carrying out the national migratory bird management program."

SEC. 2. The provisions of such act of March 10, 1934, as amended, shall be applicable

hereafter with respect to any project for the control or use of water as prescribed in section 2 of such act, as amended by this act, or any unit of such project, hereafter authorized for planning or construction and to any project or unit thereof authorized heretofore if the construction of the particular project or unit thereof has not been completed.

LOANS TO CRAZY HORSE MEMORIAL FOUNDATION

Mr. MUNDT. Mr. President, I introduce, for appropriate reference, a joint resolution to provide a loan of $250,000 to the Crazy Horse Memorial Commission to finance the completion of the monument being carved by the renowned sculptor, Korczak Ziolkowski, to the memory of the great Sioux chief, Crazy Horse.

I should like first to underscore the fact that the amount provided in the resolution is a loan, to be repaid to the Federal Government with 4-percent interest from the gate receipts and contributions received by the Crazy Horse Memorial Foundation.

It will be noted that the proposed 4-percent interest rate is a higher rate of interest than the Government must pay in procuring the money. We wish particularly to point out that fact. This is a business proposition. It is neither a gift nor charity.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. MUNDT. I am happy to yield to my colleague.

Mr. CASE of South Dakota. I merely wish to say that it has been my privilege to know of this proposal since its inception. The original idea was proposed by Chief Henry Standing Bear. It was felt to be unfortunate that the American people thought of the End of the Trail statue as expressive of the American Indian. He wanted a representation which stood for hope, rather than despair. Therefore, he conceived the idea of a memorial to Crazy Horse, which should be an inspiration to all Americans.

The sculptor, Mr. Ziolkowski, has given splendid interpretation to this very worthy concept, and it should be completed within the lifetime of the sculptor. The proposal now being presented to the Senate is one way of getting it done.

Mr. MUNDT. The sculptor, Mr. Ziolkowski, has been working with his own resources since 1948 to create this work for the ages. It is feared, however, that at his present rate, relying as he has been on his own finances and modest private contributions, Mr. Ziolkowski will be unable to complete the work during his normal life span. In a story in the current issue of Time magazine, which I shall have printed in the RECORD following my remarks, Mr. Ziolkowski is quoted as saying he will not accept a Government loan, even if it is made available to him.

However, at the urging of many of Mr. Ziolkowski's friends, Indian and white, and citizens serving on the Crazy Horse Memorial Foundation, I am introducing a joint resolution providing a loan so that the project may be completed during the lifetime of the artist who first envisaged this great monument to the original American.

To indicate local support and interest in this undertaking I am asking unanimous consent that a petition bearing the names of 152 individuals of Custer, S. Dak., be printed in the RECORD following my remarks on this subject. Custer is the community which is located closest to the site of the monument.

It should be noted that the joint resolution does not contemplate the loaning of funds directly to the artist, but to the Crazy Horse Memorial Foundation, and that neither Mr. Ziolkowski nor any member of his family will be serving as a member of the foundation. Disbursement of funds will be made only by presentation of properly certified vouchers. Another fact worth noting is that none of the moneys proposed are to be used as compensation for the sculptor, Mr. Ziolkowski, who insists on contributing his own talents.

Among Indians, Crazy Horse is an immortal hero. He was a fighting chief, who honestly sought peace but rose magnificently in battle only in the defense of his people; to protect them, their lands, and their culture.

American cavalrymen rated him the Indians' greatest tactician. Interestingly enough, when I visited the President one day, our present Chief Executive said to me that as a young cadet at West Point he studied the military tactics of Crazy Horse as one of the items in the rule book indicating good cavalry tactics.

The nephew of Crazy Horse, Chief Henry Standing Bear, in writing to Korczak Ziolkowski, pleaded with him to "Caress a mountain so the white man will know that a red man had heroes, too."

When the work is finally completed on Thunderhead Mountain in our beautiful Black Hills of South Dakota, Crazy Horse will be depicted in full relief astride a stallion whose head will be 219 feet from ears to nose. The monument will be an equestrian statue 563 feet high, 641 feet long. The head of Crazy Horse will be 87 feet high, topped by a 44 foot feather. His arm as it points out across the horse's head will be 263 feet long.

When completed the Crazy Horse Memorial will dwarf such other great monuments as the pyramids of Egypt and will be a true tribute to our first Americans. It will be the world's largest monument dedicated to a great race—our original Americans.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the article published in Time magazine to which I have referred, and the petition from Custer that I have mentioned.

There being no objection, the article and petition, with the signature attached, were ordered to be printed in the RECORD, as follows:

THE MOUNTAIN CARVER

Boston-born Korczak Ziolkowski likes to do things on a big scale. A brawny 6-footer who wears a full-blown 8-inch beard, he can still, at 48, lift a 500-pound weight off the floor. His name itself (approximate pronunciation: Kor-chak Jule-kuff-ski) is so big a mouthful that even old friends avoid using it so they won't mispronounce it. But the biggest thing about Ziolkowski is his ambition. It is to carve the most mountainous piece of manmade sculpture in recorded history. He is working on a piece of material that is to the measure of his ambition—a mountain.

Sculptor Ziolkowski's subject is Crazy Horse, the Sioux chief who was captured and killed in 1877, after the slaughter at the Battle of the Little Big Horn, where Custer made his last stand. In 1939 Crazy Horse's nephew, Henry Standing Bear, who knew that Ziolkowski had done some work on South Dakota's Mount Rushmore, asked him to carve a Crazy Horse memorial. Said Standing Bear, after a long look at the faces of the Presidents on Mount Rushmore: "We want the white man to know that the Indian had heroes, too."

MAN WITH AN AX

His sympathy for the underdog aroused, Ziolkowski closed his studio at Hartford, Conn., went to the Black Hills of South Dakota to build his monument as a symbol of the downtrodden of the earth. But the late terrible-tempered Harold Ickes, then Secretary of the Interior, snapped at him: "I won't permit you to carve up my mountains." That was not enough to stop Ziolkowski; he bought a mountain all his own.

Ziolkowski quickly showed that he had the energy to go with his size and ambition. Ax on shoulder, he went into the woods, felled and milled timber, and built with his own hands a house at the foot of the mountain and a 700-foot ladder up its side. For 2 years, until he rigged a makeshift cable hoist and then built a road to the top, he lugged lumber and equipment up the mountain, piece by piece, on his back. He made a model and set out to carve out of the rock mountain the figure of Crazy Horse mounted on a plunging steed. To the derisive question of the white man, "Where are your lands now?" his figure of Crazy Horse points its tragic answer with a 300-foot arm, "My lands are where my dead lie buried." The figure has been outlined with paint (143 gallons), and is to stand in the round on the majestic scale of 563 feet in height by 641 feet in length. Standing Bear touched off the first charge of dynamite on June 3, 1948 (each blast removes about 200 tons of rock), and the sculpting has been going on ever since. So have arguments.

In the nearby town of Custer, S. Dak. (population 3,000), Ziolkowski became a center of controversy. At the Gold Pan Tavern and Flyspeck Billy's along Custer's main street, just 4 miles from Crazy Horse, sentiment ran high. More than half the town was behind Ziolkowski, but some of the people thought that Crazy Korczak would be a better name for the venture. Financing the work with his own money, contributions and tourist admissions, Ziolkowski has not got on as fast as some of his boosters would like. They persuaded him to seek a Federal loan, but when his critics objected that public funds should not be used for so tenuous a venture, Ziolkowski balked. Last week he said with a loud tone of finality: "It was not the white man that asked me to come out here, it was the Indians. Even if the Government does lend me the money, I won't accept it."

FINISHED AT 117?

To feed his large-scale family (Ziolkowski and his wife Ruth have six children, are expecting a seventh) and to help finance his dream, he bought cows and established a successful dairy farm, bought and successfully operated a sawmill. He and his wife milk the cows (by machine), manage the sawmill, shepherd the tourists, and keep digging at the mountain. At times they startle visitors by coming in from work in mountain-and-barn clothes and appearing for dinner a few minutes later in formal dress.

So far most of the sculpting has been done by dynamite and bulldozer, but Ziolkowski hopes to get within 6 inches of the lines of the face by the end of this summer. Then he can get down to detailed carving with jackhammer, and finally with mallet and chisel. On top of his mountain he can see far into the future. "There is where the university will be," he says, "and over here the medical center. The series of lakes will run down that meadow. There will be an airstrip, 7,200 feet long, out there by the highway."

When he began the job 9 years ago, Ziolkowski reckoned that he could finish it in 30 years. He has removed about 765,000 tons of rock and still has about 5,235,000 tons to go, is 5 years behind his 30-year schedule. A local supporter has told Ziolkowski that at the rate he is going he will finish at about the age of 117. "You're a good man," the friend said, "but not that good." Retorts Ziolkowski: "I came out here to carve a mountain, and I'm going to get it done."

We the undersigned citizens of Custer, S. Dak., favor the $250,000 proposed legislation for a Government loan to the Crazy Horse Commission. This will enable the carving of this great memorial to the North American Indian to become a certainty. The bill provides that all moneys spent must be for actual labor and supplies for carving the memorial. The Federal Government will name the depository, the money must be budgeted and the Commission will maintain a strict and businesslike management over the expenditure of all funds.

Clarence J. Chedes, Walter W. Black, Lorene C. Young, Rollie W. Pettit, George Pepper, Paul Kenzy, Lela Lane, S. B. Addis, R. L. Thomas, K. E. McColley, John M. Haines, Rose and Bill Triplett, Robert McRobbie, R. E. Scheinost, Marion Flatt, Leonard Roudebush, Fay G. Fletcher, James R. Webb, Bill Sager, Bernie Tennyson, W. A. Mayhew, J. B. Webber, Robert E. Pointer, L. M. Lest, Carl J. Boe, H. R. McLaughlin, Theo. F. Wordford, Harold Knight, A. Q. Freeland, D. Tripet, A. Tripet, Marion Aabreth, Garnet Burke, James Moyer, Mrs. Wm. Reise, Albert Stoller, O. T. Whitley, L. J. Thebo, Bert E. Kasthaus, John F. Naugle, Custer, S. Dak.

Eric Heidepriem, Fred G. Heidepriem, Raymond Fox, Louis Canedy, Vincent E. Anderson, Eunice I. Rice, Maude Burron, Erwin H. Carter, Will Carter, C. C. Nelson, Earl C. Larson, Bernard A. Gira, Margaret Curran, C. I. Taunsley, Paul Hagenlock, Edna M. Larson, Wendelin Thomas, James G. Kennedy, R. W. Evans, D. L. Bennett, W. M. Lee, J. P. Calvird, L. H. Stender, Norman Borgen, Oscar Boettcher, Bob's Cafe, S. L. Stedman, Edlen Edsall, George Campbell, B. M. Dilley, John Waletish, June Leveaus, Amy C. Scott, Robert C. Debsepell, Paul D. Holmes, Wm. Andre, W. L. Kubler, Marie da Keyser, Fred Edwards, Melvin J. Gibbs, Custer, S. Dak.

B. J. Baldwin, J. A. Wallace, Frank Baker, Darrel Parlin, H. P. Reedy, L. D. Naiman, Luella Naiman, B. L. Solom, Caroline Solom, Delbert McKenna, Albert Best, Rose Best, Charles Best, John Dyury, William R. Stiles, P. H. Brennan, William Campbell, Alvis Walker, George L. Monser, Magner Monser, Edward Campbell, Harold E. Varim, Don Gabel, Alta Gabel, Emil's Repair Shop, Mrs. S. A. Wallace, Leo Harbach, F. G. O'Connor, Lee Burrow, Evelyn Moye, Olive Thompson, Clarence G. Olson, Custer, S. Dak.; Glen W. Burdine, Ada Burdine, Rapid City, S. Dak.; Everett Seeger, Kenneth Voorhees, Gene L. Phillips, John C. Miller, Mrs. John Miller, Owen W. Baldwin, E. R. Huston, Charley A. Conger, R. P. Cooper, C. M. Jenniger, Custer, S. Dak.

R. J. McKuinen, Harvey L. Jones, John L. Kidwell, Jack C. Hall, Robert E. Leyson, Frank Stiles, Custer, S. Dak.; James C. Quinn, Rapid City, S. Dak.; Arnold A. Vieth, Robert B. Davis, Bercha L. Davis, Rose Morris, Irma Newberg, Walt Johnson, Chandler R. Young, Vera Jane Gibson, Edwin Schmitt, B. F. Schuink, Mrs. Isak Larson, R. F. Peck, John J. Maier, Linwood Dillon, James G. Kennedy, Andy Svoboda, Hugh Farley, Ron Decker, Erma Ferris, R. A. Wyland, Custer S. Dak.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 117) to authorize the Secretary of the Interior to make loans to the Crazy Horse Memorial Foundation, and for other purposes, introduced by Mr. MUNDT, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

DISCRIMINATION BY FOREIGN GOVERNMENTS AGAINST CERTAIN UNITED STATES CITIZENS

Mr. HUMPHREY. Mr. President, on June 13, I took the Senate floor to renew my protests over the State Department's failure to pursue Senate Resolution 323, of the 84th Congress, in its negotiations with Saudi Arabia. That resolution placed the Senate firmly on record opposing the discrimination imposed by foreign governments against United States citizens.

The American Jewish Congress has just released an excellent pamphlet summarizing the whole case history of Saudi Arabia's discrimination against American Jewish citizens. This account is entitled "What Price Bias—The Dhahran Airfield." The distinguished former Secretary of the Air Force, the Honorable Thomas K. Finletter, has written the introduction. I ask unanimous consent that this document, including Mr. Finletter's introduction, be printed at this point in my remarks.

There being no objection, the pamphlet was ordered to be printed in the RECORD, as follows:

WHAT PRICE BIAS: THE DHAHRAN AIRFIELD

FOREWORD

Foreign policy and the security of the United States frequently involve a difficult balance of expediency and principle. A distinguished characteristic of our country in all its history has been our insistence on maintaining our standards and principles as a democratic nation in all our dealings in the field of international relations. It has been a precept of our country that expediency must not displace integrity and that it is not necessary to our security that it should.

The practice of discrimination by the Saudi Arabian Government against American military personnel at the Dhahran air base in that country dramatically confronts us with the question whether we should sacrifice American principles to expediency. The United States is now assisting Saudi Arabia in its discriminatory practices by screening American military personnel assigned to service at Dhahran to comply with the Saudi Arabian regulation that no Americans of Jewish faith shall be included among our Armed Forces to be stationed in Saudi Arabia. This seems to me a state of affairs which should not be accepted and should be stopped. If the United States permits foreign countries to make distinctions among American citizens because of their religion we are not far from making such distinctions ourselves. As President Truman has pointed out, the exclusionary clauses in the original Dhahran air base lease were conventional clauses designed to bar objectionable individuals and not entire religious groups.

There has been much unfounded talk about the "vital" necessity of the Dhahran Airfield to the interests of the United States. I think I am reasonably aware of the importance of the base structure of our Air Force and I cannot agree with the idea that any one base such as Dhahran is vital. I happen to believe that our base structure should be strengthened well beyond its present state but there are other than Dhahran where a substitute base for Dhahran and the additional bases which are needed could be located. I do not believe that the need for the Dhahran Airbase in any way requires us to sacrifice the principles in which the American people believe. I think, in short, that the value of the Dhahran base is relatively small and that it can be replaced, but that the value of the principle involved is high and cannot be replaced.

I believe our country has much to gain in its domestic and international affairs by standing firm upon the great principles of freedom of worship and equality of the rights of the individual, which are keystones of the American creed.

THOMAS K. FINLETTER.

JUNE 6, 1957.

BACKGROUND OF THE DHAHRAN AIRFIELD

In 1943, in the midst of the Second World War, Col. Harry R. Snyder first conceived the plan for an American airfield on the western shore of the Persion Gulf to facilitate the movement of United States forces between Europe and the Far East.[1] Despite British opposition to such a project on the ground that no military necessity for the airfield existed, the United States Government by agreement with Saudi Arabia acquired a base at Dhahran, Saudi Arabia, on a tract of land located approximately 3½ miles from the installations of Aramco—the Arabian American Oil Co.[2] The airfield is on the western shore of the Persian Gulf.

Begun in the summer of 1945, the airfield was completed in March 1946. Between August 15, 1945, and the latter date, approximately $3,500,000 was spent to equip the field which can accommodate the largest type of aircraft.[3] The total cost of constructing the Dhahran facilities has been estimated to be in the neighborhood of $50 million.[4] Dhahran has two 7,000-foot runways, more than adequate hangar and repair facilities and is considered the best airport in the Persian Gulf area. Equidistant from Cairo and Karachi, it is a center for air communications and as many as a thousand military and nonmilitary airplanes have put down there in 1 month.[5]

The airfield was obtained originally to create a stopping-off place for flights supplying American troops and installations in India and Southeast Asia. The airfield is currently not militarized; the airmen there are completely unarmed and neither target practice nor any other kind of military exercises are permitted to the Americans.[6] No tactical military aircraft are now at Dhahran. According to the terms of the 1951 Dhahran

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[1] K. S. Twitchell and Edward J. Jurji, Saudi Arabia (2d edition, Princeton University Press, 1953), p. 202.

[2] S. Rept. 440, pt. 5, p. 17, 80th Cong., 2d sess. (1948).

[3] Ibid.

[4] New York Times, July 27, 1956.

[5] Richard H. Sanger, The Arabian Peninsula (Cornell University Press, 1954), pp. 114–115.

[6] New York Times, July 27, 1956; Washington Post, February 11, 1957.

agreement, "United States aircraft are permitted to use the Saudi Arabian Government Airport at Dhahran (only) to land and take off for refueling and other technical services such as maintenance and repair."[7] It has been reported that Air Force commanders "regard it as being too close to Russia to risk staffing it with modern aircraft. * * *"[8] Consequently, from the strictly military viewpoint, it is a "'standby' base in every sense of the word".[9]

If Dharhan has an immediate military value, it is as a military transport center and as a focal point in America's system of worldwide air communications. Some 2 or 3 large military transport planes from the Far East land at Dhahran each week; almost 1 airplane a day arrives from the United States. In addition, three local military air services use Dhahran as a terminus. There is one service from Dhahran to Teheran, another across Saudi Arabia to Asmara in Eritrea and on to Addis Ababa, and a third one connecting with Beirut, Adana (Turkey) and Athens.[9]

It may well be that the existence of the Dhahran airfield is a far greater boon to commercial airlines than it is to American military aviation. In fact, "testimony at the [special Congressional] committee [investigating the national defense program in 1948] revealed that Aramco is the principal beneficiary of this field."[10] In addition to Aramco, Dhahran is used regularly by TWA, KLM-Royal Dutch Airlines, and Saudi Arabian Airways, the contract for whose operation and maintenance was given to TWA late in 1946.[11] These companies pay landing fees directly to the Saudi Arabian Government.[12]

UNITED STATES-SAUDI ARABIAN AGREEMENTS

The 1945 negotiations between King Ibn Saud and the American Minister to Saudi Arabia resulted in an agreement permitting the United States to build the airfield at its own expense and then to lease it for a 3-year period. It is important to note that under this first arrangement all fixed installations and other property used in operation and maintenance of the airfield reverted to the Saudi Arabian Government in 1949.[13] On June 23 of that year the Saudi Arabian King renewed the lease for 6 months, and similar brief extensions were obtained until 1951, when the United States began to press for a new and more comprehensive agreement.[14]

On June 18, 1951, Saudi Arabia and the United States exchanged diplomatic notes, the basic provisions of which are given below, extending the Dhahran leasehold for 5 years. Following discussions at Washington last January between King Saud and President Eisenhower, the 1951 arrangement was renewed on April 8, 1957, for an additional 5-year period. Since these arrangements on Dhahran were concluded as executive agreements rather than as treaties, none of them has ever been submitted to the Senate for ratification.

The 1951 agreement provided for the continued use of facilities and services at Dhahran Airfield by the transient and supporting aircraft of the Government of the United States in exchange for the stationing at Dhahran of an American mission to train Saudi Arabian nationals and to organize the airport's technical operations.[15] Moreover, the American mission agreed to make available its weather services, radio communications, air rescue and aircraft operation services for the use of civilian aircraft * * * authorized by the Saudi Arabian Government to use Dhahran Airfield.[16]

Among provisions specifically advantageous to Saudi Arabia were the following: (1) All new "installations and constructions * * * become * * * the property of the Saudi Arabian Government," as do all existing fixed properties.[17] (2) Civil aviation operations were under the administration and responsibility of Saudi Arabia.[18] (3) The United States mission undertook to train, both in Saudi Arabia and at United States Air Force schools in this country, groups of Saudi Arabians in airfield operation and maintenance.[19] The principal specific advantage of Dhahran to United States military and civilian interests is the availability of a modern air terminus in the heart of our Middle East oil resources, relatively close to the borders of the U. S. S. R. and 1,000 miles south of its Baku oilfields.

The 1957 agreement,[20] which is embodied in a letter from Deputy Under Secretary of State Robert Murphy to the Saudi Arabian Ambassador in Washington, renews the Dhahran lease until 1962. The United States agreed to supply $50 million worth of military equipment,[21] to construct new facilities at the airbase, to institute a training program for the Saudi Arabian Air Force, to augment its present advisory program for the Saudi Arabian Army, to train naval personnel for the desert kingdom and to help in the expansion of the port of Damman. All that Saudi Arabia has ever given in return is the temporary use of some acres of desert land.

SAUDI ARABIAN RESTRICTIONS

The principal restrictions by Saudi Arabia upon the Government and citizens of the United States, as stipulated in the 1951 agreement, are:

2. (b) The number of the members of the [United States] mission will be determined by request of the head of the mission and approval thereof by the Saudi Arabian Minister of Defense.

2. (d) It is provided that there must not be among members of the mission or among the other employees any individual who is objectionable to the Saudi Arabian Government, and that the Government of the United States will submit a detailed list of the names and identity of these personnel and employees.

2. (e) If the Saudi Arabian Government requests the mission to send out or replace any of its personnel or employees whom the Saudi Arabian Government does not desire to remain in the country, the mission will carry out such request promptly.

3. (d) The number of aircraft which will be permitted to be based at Dhahran Airfield and which will be used for air rescue and other authorized operations will be determined by request of the United States mission and approval of the Saudi Arabian Minister of Defense.

11. The members of the mission, its personnel and employees may carry on any social activities on condition that they will take into account the local customs and laws in effect in Saudi Arabia.

18. The mission is permitted to contract for any construction work at Dhahran Airfield authorized by this agreement without restriction as to choice of contractor provided that the contracting firm or the people working with it will not be unacceptable to the Saudi Arabian Government.[22]

The practical effect of these clauses, as interpreted by Saudi Arabia with the acquiescence of the United States, is that American Christians at Dhahran are restricted in the practice of their religion and American Jews are totally excluded from the country. In March 1956, Dr. Marion J. Creeger, director of the General Commission on Chaplains, an interdenominational Protestant organization, revealed that on a recent trip to Dhahran, two Catholic priests accompanying him were compelled to don open-necked sport shirts and civilian clothes. Dr. Creeger added that chaplains do not wear insignia and that religious services are held behind closed doors.[23] A few weeks later, Dr. Glenn L. Archer, executive secretary of Protestants and Other Americans United for Separation of Church and State, wired President Eisenhower and Secretary Dulles that the latter had admitted to the Senate that detailed lists, including religious designations of United States personnel scheduled for assignment to the airbase are regularly submitted to Saudi Arabian authorities. * * * Further, Dr. Archer noted that "United States chaplains refrain from wearing * * * crosses indicating their Christian faith, and conduct services for American personnel with as much secrecy as possible, while Catholic prelates substitute lay attire for their usual religious garb in order to avoid incidents."[24]

The only legal justification for the restrictions against Jews is a conventional clause intended to bar objectionable individuals, not entire ethnic groups. The Department of State has confirmed that Saudi Arabia excludes public identifications and practices of other religions, prohibiting the public display of Christian insignia by American chaplains and publicly held Christian religious services.[25]

In an official statement, dated October 18, 1956, the State Department's Public Services Division confirmed the existence of Saudi Arabian regulations barring the entrance or transit of persons of the Jewish faith * * * thus leaving no doubt that these regulations have been faithfully adhered to by the United States. No American Jews are permitted to be employed by Aramco[26] or any

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[7] U. S. Treaties and Other International Acts Series, No. 2290, p. 10. Cited hereafter as T. I. A. S. 2290.

[8] U. S. News & World Report, July 13, 1956, p. 102.

[9] Testimony by George Wadsworth, United States Ambassador to Saudi Arabia, on February 6, 1957, Hearings Before the Committee on Foreign Relations and the Committee on Armed Services, U. S. Senate, on S. J. Res. 19 and H. J. Res. 117, 85th Cong., 1st sess., pt. 2, p. 656. See New York Times, Report on the Middle East: A Vital Region in Upheaval, April 2, 1957, p. ME–1.

[10] S. Rept. No. 440, pt. 5, p. 17, 80th Cong., 2d sess. (1948).

[11] Sanger, The Arabian Peninsula, p. 114; and J. C. Hurewitz, Middle East Dilemmas: The Background of United States Policy (Council on Foreign Relations and Harper & Bros., 1953), p. 137.

[12] Testimony by Adm. Arthur W. Radford, Chairman, Joint Chiefs of Staff, on January 30, 1957, hearings * * * on S. J. Res. 19 and H. J. Res. 117, pt. 1, p. 424, 85th Cong., 1st sess.

[13] See T. I. A. S. 2290, p. 10.

[14] Hurewitz, Middle East Dilemmas, p. 129; and Hurewitz, Diplomacy in the Near and Middle East: A Documentary Record, 1914–56 (D. Van Nostrand Co., Inc., 1956), II, 323.

[15] T. I. A. S. 2290, p. 9.

[16] Ibid., p. 15.

[17] Ibid., p. 12.

[18] Ibid., p. 11.

[19] Ibid., pp. 15–17.

[20] The text is reprinted in the New York Times, April 19, 1957.

[21] Reported by Dana Adams Schmidt, New York Times, April 9, 1957.

[22] T. I. A. S. 2290, pp. 9–10, 13, 16.

[23] Religious News Service, March 30, 1956.

[24] Quoted in ibid., April 17, 1956.

[25] Letter from Fraser Wilkens, Director, Office of Near Eastern Affairs, to Reuben Kaminsky, national commander of the Jewish War Veterans of the United States, April 6, 1956.

[26] In 1950, the New York State Commission Against Discrimination reported that it was informed by the Arabian American Oil Co. that the [Saudi] Arabian Government does not issue visas to persons of the Jewish faith. The company advised that it had an understanding with the Arabian Government to screen all prospective employees for work

other private American establishment, nor are Jewish military personnel, regardless of their qualifications and the need for their services, ever assigned to Saudi Arabia. A good case in point is that of Lt. Col. Hyman Wilensky, of the United States Air Force Reserve. On January 26, 1957, in a letter to the New York Daily News, he wrote:

"In 1945, I, holding the rank of major in the United States Army, as Chief of the Theater Claims Service of the African-Middle East Theater, had my request for temporary duty in Saudi Arabia to investigate a claim filed by the Arabian American Oil Co. denied. The reason for the denial—not on the record, of course—was that I was of the Jewish faith and so persona non grata to that Government. And all of this before the birth of the State of Israel."

American acquiescence in these regulations has been explained by the State Department in these terms: "International law and practice recognize the fundamental right of a sovereign state to determine whether and under what conditions aliens may enter its territory." [27] But the 1951 agreement with Saudi Arabia was concluded by the Truman administration and, consequently, Mr. Truman's interpretation of its restrictive clauses should be binding on the State Department. He has insisted that the agreement was "not intended to bar American Jews or any other Americans" and that Saudi Arabia had the right to exclude persons from Dhahran only "on an individual and not on a race or creed basis." [28]

UNITED STATES ACQUIESCENCE IN ANTI-JEWISH RESTRICTIONS

During the last several years various departments of the Government have publicly acknowledged and to a large extent acquiesced in the discriminatory practices of Saudi Arabia against United States citizens. Examples of these statements are cited in chronological order:

1. A United States Air Force Manual, published in June 1953, stated: "Individuals of Jewish faith or descent are strictly barred entrance to or transit of Saudi Arabia. Further, any passport containing an Israeli visa will not be honored." [29] Although this sentence in the manual has since been deleted, the policy that it describes still remains in effect and American Jews are simply not posted for duty in Saudi Arabia.

2. In a letter, dated June 20, 1955, to Senator Herbert H. Lehman, Harold E. Talbott, then Secretary of the Air Force, wrote:

"The countries of Saudi Arabia and Jordan for purposes of internal security will not issue a visa for persons of the Hebrew race. This restriction is not only applicable to American citizens, but applies to Jewish people of all nations. * * *

"These restrictions are promulgated and enforced by the Arabic countries and are not within the prerogative of the State Department or the military to change."

Essentially, this view was repeated to Mr. Lehman by Secretary Talbott in his letter of July 20, 1955, in which he wrote: "The Air Force is cognizant of the situation concerning restriction of travel to members of the Jewish faith to Saudi Arabia. * * * However, it must be recognized that we are dealing with a tradition of long standing.

3. In the same vein, Secretary of State John Foster Dulles told the Senate Foreign Relations Committee on February 24, 1956, that, in regard to the exclusion of American service personnel of the Jewish faith at Dhahran, "we, perforce, accommodate ourselves to certain practices they have which we do not like." [30]

4. On May 22, 1956, the State Department sought to justify the existing situation and issued a public statement from which the following excerpts are taken:

"The restrictions practiced by certain Arab states against persons of Jewish faith and firms having connections with such persons arise both from feelings generated by the Arab-Israel dispute and from certain historical traditions.

"Saudi Arabia presents a special problem. The policy in effect of prohibiting the entrance or transit of persons of the Jewish faith has existed since the early days of Islam, many centuries ago. Relations with Saudi Arabia have for many years been of importance to the United States. The United States has made no agreement concerning the assignment of military personnel of the Jewish faith to Saudi Arabia, although the assignment of such persons is presently prohibited by Saudi Arabian visa regulations.

"International law and practice recognize the fundamental right of a sovereign state to determine whether and under what conditions aliens may enter its territory. We believe that American citizens should enjoy all the rights and privileges in a foreign country which we allow the nationals of that country in the United States. However, we are obliged to recognize that any attempt by this country to force our views on a foreign nation would be considered intervention in the domestic affairs of that nation and therefore greatly resented." [31]

5. On October 8, 1956, Robert Tripp Ross, then Assistant Secretary of Defense for Legislative and Public Affairs, in reply to a letter of Senator James H. Duff, noted inter alia that: "The restrictive provision governing the admission of United States military personnel into Saudi Arabia was contained, upon the insistence of the Government of Saudi Arabia, in the bilateral agreement * * * which was entered into on June 18, 1951." [32]

"The Department of State * * * has advised that it will * * * continue to exert every effort to obtain a rescission of the general restrictions imposed by the Government of Saudi Arabia with respect to the entry of American citizens of the Jewish faith. You may be assured that the Department of Defense will support this endeavor in every manner possible.

"In making assignments of military personnel, however, the military departments must avoid those which might be likely to make an individual subject to embarrassment or to place him in jeopardy; therefore, the assignment to Saudi Arabia of military personnel will have to remain contingent upon our success in persuading the government of that country to accede to our wishes in this matter."

6. On November 6, 1956, Mr. Ross wrote to Dr. Israel Goldstein, president of the American Jewish Congress:

"The restriction which has resulted in the nonadmission of military personnel of Jewish faith to Saudi Arabia does not represent a policy of the United States Government nor has this Government ever endorsed or condoned it. It is a restriction which has been imposed by the Government of Saudi Arabia pursuant to a national policy * * * of excluding all Jewish personnel, regardless of nationality or military status."

The Secretary also took the occasion to stress that "the extension of the base rights [at Dhahran] is an essential part of the overall security of a part of the world where the retention of United States influence * * * is vital to us." He therefore implied that the question of discrimination at Dhahran must give way to other considerations.

7. On April 20, 1957, Senator JACOB K. JAVITS made public an exchange of letters between himself and Robert C. Hill, Assistant Secretary of State, in which the latter wrote that during the discussions on the renewal of the Dhahran agreement the United States had expressed "our special concern over restrictions on the admission of persons of the Jewish faith into Saudi Arabia." Mr. Hill added, however, that "the representatives of Saudi Arabia explained that their regulations were not intended to discriminate against the citizens of another country on the basis of religion, but were related to the tensions arising from the Arab-Israel dispute." [33]

8. Most recently, when Secretary Dulles was asked at a news conference on April 23, 1957, what steps had been taken to have Saudi Arabia allow American airmen of the Jewish religion to serve at Dhahran, he replied: "We brought up the matter * * * during the talks that took place when King Saud was here. I did not find his attitude at that moment very receptive, largely perhaps * * * because of the fact that he felt that he had not been given nondiscriminatory treatment himself in the city of New York." [34]

9. On May 17, 1957, Assistant Secretary of State Robert C. Hill informed Senator WILLIAM F. KNOWLAND by letter:

"I can assure you we are concerned over practices of foreign governments which are contrary to basic American principles, and we have brought our concern to the attention of foreign governments, including that of Saudi Arabia. Saudi Arabia visa practices which discriminate against the entry of American citizens of the Jewish faith have been related by the Saudis to tensions arising from the Arab-Israel dispute. We do not agree with this association but it nonetheless is an element in any discusison of the problem with nations in the area, including Saudi Arabia. We shall continue to work for the acceptance of American principles by foreign governments in the treatment of American citizens, and specifically for the amelioration of the problem arising from the Saudi Arabian Government's visa regulations."

As will be shown, the State Department's policy surrenders principle to obtain a dubious advantage, not essential to our security. Regardless of Saudi Arabia's right to control its domestic affairs, the United States is not compelled to make deals with a country that discriminates against American citizens. Furthermore, there is every reason to believe that a show of firmness by the United States would compel Saudi Arabia to retreat from a position so hostile to American tradition.

SENATE RESOLUTION OPPOSING DISCRIMINATION

This attitude of the State and Defense Departments toward discrimination in Saudi Arabia has not gone unchallenged. On June 27, 1956, a bipartisan group of 25 Senators introduced Senate Resolution 298 which asked the President to notify the world that the United States would tolerate no distinctions on religious grounds among American citizens and would not enter into any diplomatic arrangements that sanctioned such distinctions. Modified and reintroduced as Senate Resolution 323, the resolution was

in Arabia before they applied for Arabian visas for the purpose of excluding persons of the Jewish faith to whom visas will not be granted. New York State Commission Against Discrimination, 1950 Progress Report, pp. 47–48.

[27] Statement of the Public Services Division, May 22, 1956.

[28] Quoted in the New York Times, March 4, 1956.

[29] U. S. Air Forces Europe (USAFE) Manual, 30–1.

[30] Situation in the Middle East: Hearing before the Committee on Foreign Relations, U. S. Senate, p. 45, 84th Cong., 2d sess.

[31] Statement of the Public Services Division.

[32] This agreement has since been renewed.

[33] Quoted in the New York Times, April 21, 1957.

[34] Quoted in the New York Times, April 24, 1957, p. 14. This is in reference to the refusal of the mayor of New York to extend official courtesies to the visiting Saudi Arabian monarch.

adopted unanimously on July 26, 1956. Specifically, it notes:

"It is a primary principle of our Nation that there shall be no distinction among United States citizens based on their individual religious affiliations * * * any attempt by foreign nations to create such distinctions among our citizens in the granting of personal or commercial access or any other rights otherwise available to United States citizens generally is inconsistent with our principles."

Further, the resolution urges: "In all our negotiations between the United States and any foreign state every reasonable effort should be made to maintain" the principles that "any distinctions directed against United States citizens * * * [are] incompatible with the relations that should exist among friendly nations."

Ironically, the United States Government has relied upon certain language in Senate Resolution 323 to explain its continuing inability to effect a change in the discriminatory practices of Saudi Arabia. Thus Assistant Secretary of Defense Robert Tripp Ross wrote to Dr. Israel Goldstein, president of the American Jewish Congress:

"The fact that our Government cannot dictate the terms of negotiated agreements with other sovereign governments is recognized by Senate Resolution 323 itself, wherein it states 'that in all negotiations between the United States and any foreign state [every reasonable effort should be made] to maintain this principle.'"[35]

OTHER PUBLIC PROTESTS

At their national conventions last summer, each of the two major political parties in this country adopted planks opposing discrimination by foreign governments against American citizens. The Republican Party platform stated:

"We approve appropriate action to oppose the imposition by foreign governments of discrimination against United States citizens, based on their religion or race."

The platform of the Democratic Party read:

"We oppose, as contrary to American principles, the practices of any government which discriminates against American citizens on grounds of race or religion. We will not countenance any [arrangement or treaty with any government which by its terms or in its practical application would sanction such practices]."[36]

The American Jewish Congress brought the situation to the attention of the President's Committee on Government Employment Policy and the President's Committee on Government Contracts, and both agencies appreciated its seriousness. In the fall of 1956 a delegation from the two committees met with high officials of the State Department, emphasizing "the gravity of the discriminatory practices" and urgently requesting the Department "to intensify its efforts to resolve these problems." At the same time, the President's Committee on Government Contracts reviewed with officers of the Department of Defense "the nondiscriminatory policy in connection with their contracts in Saudi Arabia. * * *"[37] Furthermore, on October 24, 1956, Maxwell Abbell, chairman of the President's Committee on Government Employment Policy, wrote to Secretary of State Dulles saying:

"I strongly urge you to take definite action to correct this unwholesome and morally untenable position. Every foreign government as well as every American citizen must be assured that the United States Government makes no distinction between its citizens and that it will uphold to the fullest extent the right of every American citizen to be assured an American passport granting him equal privileges with every other American citizen and the right of every American citizen, regardless of faith, creed or color, to serve in the American Armed Forces in every country abroad, to work on Government contracts in every foreign country and to serve the Federal Government as an employee in any and every foreign country."

AMERICAN BASES IN SPAIN

In connection with the airbase agreement that the United States and Spain concluded on September 26, 1953, United States military officials entered into negotiations with the Spanish Government on matters relating to the marriage of American military personnel stationed in Spain. The proposed arrangement, publicized at the end of December 1954, provided inter alia that if two Americans, one of whom was a Catholic, wished to be married by a United States chaplain, they could do so only if the Catholic had received permission from the Spanish Catholic Church.[38] But as a result of mounting criticism here at home, on the ground that the projected arrangement violated established American principle and practice with regard to religious liberty,[39] all plans to regulate the marriage of Americans in Spain were ultimately dropped. On June 26, 1956 the State Department informed the American Jewish Congress as follows:

"After a period of discussion on the above subject with the appropriate Spanish authorities, it was decided that any formal agreement on such matters as the marriage and church attendance of United States military personnel in Spain was not appropriate. * * * To the knowledge of the Department, there have been no difficulties with regard to the activities of United States military chaplains at base facilities in Spain and they have been performing their usual functions."

In contrast to our attitude toward a similar set of circumstances in Saudi Arabia, the Spanish experience illustrates the refusal of the United States to join in the abrogation or abridgement of the rights of American citizens serving abroad. This is particularly significant inasmuch as American facilities in Spain are much more extensive and costly[40] than those at Dhahran and the Spanish restrictions may be considered relatively more reasonable than what is demanded by Saudi Arabia. Yet the United States resisted the former's and has yielded to the latter's demands.

OIL AND THE DHAHRAN AIRFIELD

One cannot be unmindful of the relationship between the Dhahran installation and Saudi Arabia's positon as one of the world's leading repositories of petroleum. As is known, the concession to exploit the oil reserves of that country has been given to an American company: the Arabian American Oil Co. (Aramco), whose shares are held by the Standard Oil Company of New Jersey (30 percent) the Texas Co. (30 percent), the Standard Oil Company of California (30 percent), and the Socony Mobil Oil Co. (10 percent).[41]

Undoubtedly, the existence of oil in Saudi Arabia, as well as Aramco's special position there, influenced the decision of the United States to acquire leasing rights at Dhahran and to accommodate itself to the prejudices of Saudi Arabia. In so doing, the Government has apparently failed to appreciate that "the Arab oil-producing countries are much more desperately in need of the income the West can give them for their oil and of the latter's ability to transport, use and market it than the West, as a whole, is in need of Middle East oil."[42] In 1955, Saudi Arabia received almost $260 million, or approximately 71 percent of its governmental budget, in oil royalties from Aramco.[43] It is therefore difficult to conceive that Saudi Arabia would interfere with the Aramco concession because of our insistence upon nondiscriminatory treatment of our citizens in Saudi Arabia.

If experience is any indication of future action, it is worth recalling that neither after the United States support of the Palestine partition resolution nor after our diplomatic recognition of Israel did Saudi Arabia stop the flow of oil to the West. In fact, on February 27, 1948, a correspondent of the New York Herald-Tribune reported from Dhahran that despite Arab bitterness against the United States for supporting the creation of a Jewish state (the late) King Ibn Saud had assured Aramco that its oil concession in Saudi Arabia would not be canceled. If it did not take such a drastic step in these situations, it is unlikely that Saudi Arabia would cancel the Aramco concession if we were firmly to insist upon the right to station at Dhahran American servicemen of the Jewish faith, a situation which, unlike our support of Palestine partition and our recognition of Israel, would in no way benefit Israel.

RESISTANCE TO ARAB INTRANSIGENCE

Our Government's acquiescence in Saudi Arabian discrimination against American citizens often produces the impression that Arab intransigence is so intense that absolutely nothing can be done to alter it in any way. Events, however, prove that the Arabs will abandon their intransigence and threats whenever they are faced with unyielding determination on the part of other countries.

The German-Israel reparations agreement, offers an excellent illustration. During the negotiation of this agreement, which obligates West Germany to pay Israel some $822 million in goods and services over a 14-year period, Arab diplomats and propagandists did everything possible to prevent the signing and then the ratification of this treaty. The principal Arab weapon was a threat to boycott West Germany and to close the expanding Middle East markets to German exports.[44]

Notwithstanding this threat, the Bonn Government proceeded to ratify the agreement in March 1953. Yet German exports to the Arab countries as a whole have increased rather than decreased. For example, in 1953, the dollar value of German exports to Egypt, Iraq, Jordan, Lebanon, Saudi Arabia and Syria amount to $94,929,000. In 1955, the

[35] The bracketed matter is in Mr. Ross' letter, dated November 6, 1956.

[36] Matter in brackets added.

[37] Letter from John A. Howard, executive vice chairman of the President's Committee on Government Contracts, to Dr. Goldstein, October 9, 1956.

[38] New York Times, December 28, 1954.

[39] See, for example, Religious News Service, December 29, 1954; January 3, 1955; January 31, 1955; March 11, 1955; and the New York Times, December 27, 1954.

[40] Five major airbases are about half built and some 25 other installations are "in various stages of selection, construction, or completion." Approximately $245 million worth of contracts have already been let. New York Times, May 12, 1957.

[41] J. H. Carmical, "Oil From the Middle East: How the Concessions Operate," New York Times, February 17, 1957.

[42] Benjamin Shwadran, "Oil in the Middle East Crisis," Middle Eastern Affairs, April 1957.

[43] J. H. Carmical in the New York Times, November 18, 1956.

[44] Kurt R. Grossmann, Germany's Moral Debt: The German-Israel Agreement (Public Affairs Press, 1954), pp. 27–29.

dollar value of German exports to these same six Arab countries increased to $123,862,000.[45]

Certain reactions to the Arab boycott of Israel give additional strength to the conclusion that the Arabs will modify their intransigence or abandon it altogether when they encounter strong resistance or are faced by adverse effects upon their economies. Thus, cruise ships carrying tourists are allowed to stop at Arab ports even though they may have called previously at Tel Aviv or Haifa. Although American Export Lines maintains a shipping service to Israel and an office in Israel, it is still doing business with the Arab countries. Despite the fact that Imperial Chemical Industries owns 20 percent of Israel's fertilizer and chemical industry, this firm's name "is conspicuously absent from the [Arab] blacklist."[46] It is also interesting to note that German firms which ship goods to Israel under the German-Israel reparations agreement are not considered by the Arabs to be trading with Israel and these companies are not blacklisted in the Arab countries.[47]

These examples of successful defiance of Arab threats can be multiplied. The important point is not the multiplicity of examples but the fact that Arab intrasigence can be successfully resisted when there is a will to do so.

CONCLUSION

As Mr. Finletter, Secretary of the Air Force in 1951 when the lease of the airfield at Dhahran was renewed, points out in his foreword, the significance of the Dhahran airfield has been greatly exaggerated. It is not the only base available to us in the Middle East. America has airbases in Morocco, at Wheelus Field in Libya, and at Adana in Turkey (which is no farther from the Soviet Union than Dhahran). There is also no doubt that the existence of the airfield is of equal if not greater significance to Saudi Arabia, a fact often overlooked. But the overriding question is the principle involved: the principle that there shall be no invidious distinctions made or tolerated among Americans based on their religion or race. Is it proper that the price for American airfields abroad must be the curtailment of the constitutional rights of a group of Americans? Senator HENRY M. JACKSON has well stated the issue in his letter to Secretary Dulles of June 28, 1956:

"As a member of the Armed Services Committee, I am fully aware of the importance of the Dhahran Air Base. However, the question of principle involved in this case is so basic that it must take precedence over any military advantage to be gained through acceptance of the Saudi Arabian position."

It is unthinkable that the present discrimination, violating as it does the most fundamental principles of the American heritage, shall be permitted to continue. An eminent American student of the Middle East has asked "whether the American ideals of democracy * * * have not too often been subordinated to expediency, thus robbing American policy of the moral advantage that it once possessed and that it might well try to regain in the present revolutionary era in the non-Western World."[48] Certainly, the righting of the existing discriminatory policies in Saudi Arabia would put us a long step forward on the road toward regaining our national morality.

[45] Figures supplied by the German Consulate-General in New York, June 5, 1957.

[46] "Firms Producing Goods Needed by Arabs Dodge Economic Boycott on Israel," Business International, May 31, 1957, p. 7.

[47] "Arabs Make Climate Uncomfortable for Firms with Interests in Israel," ibid., May 17, 1957, p. 3.

[48] George Lenczowski, quoted in the American Political Science Review, March 1957.

Mr. HUMPHREY. Mr. President, I do not want the fact that Senate Resolution 323 was adopted in the 84th Congress to signify any lessening of interest on this matter by the 85th Congress. One would hope and assume that adoption of a resolution unanimously by the United States Senate would produce more interest and activity on the part of the State Department than this particular resolution did. Consequently, as one method of reemphasizing the importance which the Senate attaches to this issue, and being aware of a similar interest on the part of Members of the House of Representatives, I am today reintroducing Senate Resolution 323 as a joint resolution. I ask unanimous consent that the text of this joint resolution be printed at this point in my remarks.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

Resolved, etc.,

Whereas the protection of the integrity of United States citizenship and of the proper rights of United States citizens in their pursuit of lawful trade, travel, and other activities abroad is a principle of United States sovereignty; and

Whereas it is a primary principle of our Nation that there shall be no distinction among United States citizens based on their individual religious affiliations and since any attempt by foreign nations to create such distinctions among our citizens in the granting of personal or commercial access or any other rights otherwise available to United States citizens generally is inconsistent with our principles: Now, therefore, be it

Resolved, That it is the sense of the Congress that it regards any such distinctions directed against United States citizens as incompatible with the relations that should exist among friendly nations, and that in all negotiations between the United States and any foreign state every reasonable effort should be made to maintain this principle.

Mr. HUMPHREY. I intend to be unrelenting on this question, Mr. President; and I have further ideas as to what may be done to demonstrate senatorial interest in this issue—ideas which I shall develop publicly in a short time. In the meantime, as chairman of the Subcommittee on the Middle East and North Africa, of the Senate Committee on Foreign Relations, it is my intention to make an intensive inquiry into this broad subject matter.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 118) opposing distinction by foreign nations against United States citizens because of individual religious affiliations, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Foreign Relations.

CIVIL RIGHTS—AMENDMENT

Mr. JOHNSTON of South Carolina submitted an amendment, intended to be proposed by him, to the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, which was ordered to lie on the table and to be printed.

TECHNICAL CHANGES IN FEDERAL EXCISE TAX LAWS—AMENDMENT

Mr. BIBLE submitted an amendment, intended to be proposed by him, to the bill (H. R. 7125) to make technical changes in the Federal excise tax laws, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

MRS. THEODORE (NICOLE XANTHO) ROUSSEAU

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its action on the amendment of the Senate to House bill 1359, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
June 18, 1957.

Resolved, That the House agree to the amendment of the Senate to the bill (H. R. 1359) entitled "An act for the relief of Mrs. Theodore (Nicole Xantho) Rousseau," with an amendment, as follows:

Delete the period at the end of the Senate amendment, substitute a comma therefore and add the following: "and to have had no nationality other than Rumanian prior to her naturalization as a United States citizen."

Mr. JOHNSON of Texas. Mr. President, on June 12, 1957, the Senate passed H. R. 1359 with an amendment suggested by the Department of State. Subsequent to passage, a letter was received from the Immigration and Naturalization Service indicating that some clarification of the language of the bill would be desirable. Pursuant to this suggestion, on June 18, 1957, the House of Representatives concurred in the Senate amendment with a further amendment. The additional language added by the concurring amendment does not change the original purpose of the bill.

I move that the Senate concur in the House amendment to the Senate amendment to H. R. 1359.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Texas.

The motion was agreed to.

SAM P. GRIFFIN, HEAD DOORKEEPER OF THE SENATE

Mr. JOHNSON of Texas. Mr. President, it is with deep sorrow that we learn of the death of Sam P. Griffin, head Doorkeeper of the Senate.

Mr. Griffin has served as an employee of the Capitol for 41 years. He is a veteran of the Senate—one of the faithful employees who do so much to help us over the difficult times.

Our hearts are with the surviving members of his family. To them we send our deepest condolences and our gratitude for the services that Sam P. Griffin performed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MARTIN of Pennsylvania:

Address delivered by him at Independence Day celebration sponsored by Pennsylvania Chapter, Colonial Daughters of the 17th Century, at Valley Forge, July 4, 1957.

By Mr. WILEY:

Article entitled "Tractors To Tour Antarctica's Ice," written by Walter Sullivan and published in the New York Times of July 7, 1957.

DEATH OF FORMER REPRESENTATIVE EARL C. MICHENER

Mr. CASE of South Dakota. Mr. President, I rise to pay my personal tribute to the memory of a very distinguished legislator, who died in the State of Michigan last Friday, the Honorable Earl C. Michener. Mr. Michener served in the House of Representatives for 30 years. During 14 of those years it was my privilege to regard him as a personal friend and as a mentor.

Mr. Michener was truly a great legislator. He was a student of the rules of the House of Representatives. He was a member of the Judiciary Committee. He was regarded as an outstanding authority on constitutional law. But I suppose in instances like this we remember such friends for what they stood for as a matter of principle. Earl Michener was truly a great patriot. He retired from Congress finally, at the end of 30 years because, he said, of his wife's health. It is one of those little tragedies of life that his wife should have passed away a little more than a week ago. The fact that Representative Michener's death came so shortly afterward suggests that probably his sense of personal loss had something to do with it.

Those of us who had the privilege of serving with him will remember him as a great friend of new Members, freshmen Members of the House of Representatives. He always took them under his wing and helped them to learn how to operate in the House of Representatives.

Mr. President, I ask unanimous consent that the account of the life of Representative Michener which appeared in the Washington Post and Times Herald of Saturday, July 6, 1957, be printed in the RECORD following my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of July 6, 1957]

EX-LEGISLATOR MICHENER DEAD

Former Representative Earl C. Michener, Republican, of Michigan, 80, who was called watchdog of the Treasury during his 30 years as Representative of Michigan's Second District, died yesterday in his Lenawee Hotel room in Adrian, Mich.

Mr. Michener was a Congressman from 1919 to 1923 and from 1935 until his retirement in 1951. He retired because of the illness of his wife, the former Bell Strandler, whom he married in 1902. She died last week.

He was chairman of the House Rules Committee from 1925 to 1933 and 1935 until his retirement and served on the House Judiciary Committee, where he was noted for his sharp checks on Government spending.

Mr. Michener's single defeat was in the Roosevelt landslide of 1932 when he lost to Democrat John C. Lehr, but was reelected the following term. Mr. Michener was succeded by Representative GEORGE MEADER, Republican, who still holds the seat.

Born in Attica, Ohio, he was the son of Valentine A. and Sarah Adelia Cory Michener. He attended the University of Michigan and received his law degree from Columbian College.

He practiced law in Adrian in 1903 and was assistant prosecuting attorney, then prosecuting attorney from 1911 to 1914 in Lenawee County, Mich.

In 1925 he was recommended for a Federal judgeship but withdrew his name, saying he preferred to serve in Congress.

A veteran of the Spanish-American War, during which he served with the 31st Michigan Volunteer Infantry, he belonged to Phi Sigma Kappa fraternity, Sons of the American Revolution, Masons, Elks, and the Rotary Adrian, and Lenawee Country Clubs.

Mr. KEFAUVER. Mr. President, I wish to join my colleagues from Michigan, the Senator from South Dakota [Mr. CASE], and other Senators in paying high tribute to former Representative Earl C. Michener, of Michigan, who passed away a few days ago. I had the privilege of serving in the House of Representatives with Mr. Michener for almost 10 years. He was always a hard, thorough worker, who gave a great deal of attention to all bills, regardless of their importance. He was always fair and open-minded in connection with legislative proposals, and was helpful to new Members of Congress, regardless of their political affiliation. I considered Mr. Michener one of the ablest Members of the House of Representatives, a real statesman in the finest sense of the word.

Mr. POTTER. Mr. President, I wish to join my colleagues in paying tribute to former Representative Earl C. Michener, who died last Friday, July 5. All the people of Michigan, I know, were saddened to learn of his untimely death.

Mr. Michener was one of Michigan's most distinguished citizens. He served in the House of Representatives for 30 years. He was chairman of the House Committee on the Judiciary for a period of time, and the ranking Republican on that committee for some time. He was well known for his judicious mind.

When I first became a Member of the House of Representatives Mr. Michener was one of the deans of the House. At that time he acted much like a father to me. I know the guidance he gave me as a then new Member of Congress was greatly appreciated and most helpful.

Mr. CURTIS. Mr. President, I, too, should like to express a word of sorrow at the passing of Earl Michener. He was one of America's great men. He was a diligent legislator, a thorough student, extremely conscientious and exceedingly patriotic.

Like the distinguished Senator from Michigan [Mr. POTTER], I also served with Earl Michener in the House of Representatives. Mr. Michener acted as a father, so to speak, to many young Members who served in the House of Representatives. He provided not only time and advice, but he set an example which impressed a great many. I regret his passing, and I am sure that our country, his State and community have suffered a great loss.

Mr. JAVITS. Mr. President, I, too, served in the other body with Earl Michener, a fine gentleman, a loving soul, a delighted spirit, and a great legislator. I join with my colleagues, and particularly with his colleague from Michigan, in offering condolences to his family, and in expressing my deepest sympathy and my deep sense of personal loss at his passing.

Mr. POTTER. I thank the Senator from New York.

Mr. CASE of New Jersey. Mr. President, I was a member of the House Committee on the Judiciary when Earl Michener was chairmam of that committee in the House.

I cannot express too strongly my deep appreciation of the service Mr. Michener rendered to me as a young Member of the House, while he was chairman of the committee, and also his personal efforts in acting as a guide, a wise and kind helper, to all the younger Members of the House, including myself.

The world was better because Earl Michener was in it. The Congress was better. We shall all miss him.

I join with my colleague from Michigan in expressing the deepest sympathy to the members of his family.

Mr. POTTER. I thank the Senator from New Jersey.

Mr. MUNDT. I should like to associate myself with the remarks of solicitude and tribute paid in connection with the passing of Earl Michener.

I recall that Earl was one of the first Representatives with whom I conferred and consulted when I first became a Member of the House of Representatives in the 76th Congress. He was kind, gracious, thoughtful, and unselfish; and he was an exceedingly wise legislator. As I recall, it was Earl Michener who was the author of the two-term presidential limitation amendment, which was overwhelmingly ratified by the people of the United States, and which, I feel, is very likely to remain on the constitutional books, despite some recent tendenices to criticize that amendment.

Mr. POTTER. I thank the Senator from South Dakota.

TRANSATLANTIC AIRLINE FARES

Mr. SCHOEPPEL. Mr. President, I ask unanimous consent that I may proceed for approximately 3½ to 4 minutes.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Kansas may proceed.

Mr. SCHOEPPEL. Mr. President, during these summer months more Americans than ever before are crossing the Atlantic for European vacations. Such rewarding activity formerly was a pleasure for those in the upper income brackets. In recent years international travel has come within the reach of almost every average American.

Transatlantic plane fares are subject to the approval of the Civil Aeronautics Board, but the Board's authority is limited to approval or disapproval only. It cannot specifically set international airline fares.

This spring all the international airlines which fly the Atlantic proposed a 5 percent emergency increase in transoceanic fares. They said the additional revenue was essential to meet rising costs. This proposal was submitted by the International Air Transport Association to each government concerned for its approval.

Today the American Government, specifically the Civil Aeronautics Board, finds itself alone in exercising a veto of this proposal. Its philosophy over the years, which has been consistently endorsed by the Congress, is to use every means available to keep fares low enough so that a maximum number of persons may take advantage of this form of travel without, of course, jeopardizing the financial soundness of the transatlantic carriers.

It has now come to my attention that pressures are being brought against the Civil Aeronautics Board to soften its policy to hold the line on these fares. The American Aviation Daily has reported that European governments are "fuming." Certain communications have been forwarded from American diplomatic posts in Europe to the Department of State reporting foreign government displeasure over the Civil Aeronautics Board's action.

Our Government, unlike others, does not own and operate airlines. Its role in regulation of air transportation is to consider always the American public's interest. The Civil Aeronautics Board has tried to see that the American tourist's pocket is not picked, and at the same time has done nothing, in my opinion, to jeopardize the air transportation industry's financial position. On May 28, when the Board turned down the so-called "emergency" fare increase proposition, it made clear that no data whatsoever had been furnished by the airlines to show any real need. The Board is not blind to the fact that costs have risen in air transportation as in many other activities. But, the Board said, the information which it has, showing the tremendous increase in the number of transatlantic passengers, proves that the unit cost of carrying each of them has in fact gone down.

North Atlantic fares already exceed domestic fares about 70 percent. Last fall the Civil Aeronautics Board tried to talk the transatlantic carriers into increasing their seating densities, which up till now do not come near utilizing their aircraft to the best advantage as our domestic airlines do. This appeal by the Civil Aeronautics Board to the international carriers to help themselves rather than to levy additional charges on travelers has been largely ignored.

I think it is timely for us to remind ourselves, as well as the foreign governments, that the Civil Aeronautics Board continues to do an outstanding job in insisting upon and promoting low-cost international travel for the benefit of all concerned.

AMENDMENT OF MISSING PERSONS ACT

Mr. MANSFIELD. Mr. President, I should like to have the attention of the distinguished chairman of the Armed Services Committee and ask him a question. I note that Senate bill 2249, which was reported by the chairman of the Armed Services Committee, is listed for consideration at an appropriate time. I should like to ask the distinguished Senator if S. 1239, a bill to amend section 2 of the Missing Persons Act so as to provide that benefits thereunder shall be available to certain members of the Philippine Scouts, will be considered shortly.

As the Senator knows, I have appeared before his committee in support of this measure, and I seek further information.

Mr. RUSSELL. Mr. President, the bill to which the Senator refers, S. 1239, is embraced likewise in a House bill which has passed the House of Representatives. It provides for the extension of the Missing Persons Act, and as well deals with the question whether Philippine Scouts should be entitled to the benefits of that act. We had undertaken to have committee consideration of that bill to include the provisions which relate to the Philippine Scouts. Unfortunately, we were unable to secure a quorum of the committee in time to take intelligent action on all the ramifications of the bill—which, I may say incidentally, is opposed by the Department of the Army—before the 1st of July. The Missing Persons Act expired then. The bill S. 2449 provides for extending the act only until April 1, 1958.

Concurrently with reporting the bill, I referred to a subcommittee, for hearings and consideration, the bill S. 1239, to which the Senator from Montana has referred, and likewise the House bill, which also contains provisions pertaining to Philippine Scouts. I am sure the subcommittee will proceed to conclude hearings and take action on that bill as expeditiously as possible.

Mr. MANSFIELD. I thank the Senator.

SUPREME COURT DECISION IN THE JENCKS CASE

Mr. MORSE. Mr. President, I was very pleased to read in this morning's Washington Post and Times Herald an editorial entitled "Why the Haste?" I consider it to be a very scholarly discussion of the so-called Jencks case, involving the Supreme Court decision on that case.

The editorial sets forth in some detail a good many of the same points by way of criticism of the bill under consideration by the Congress which I made in a speech in the Senate last Thursday.

I am glad to find one editorial writer in the Washington Post and Times Herald who agrees with me about something. I wish to recommend this editorial to the reading of Senators. The last paragraph states:

> These defects in the bill demand scrutiny. Nothing will be lost by taking a little time for study. The Senate is supposed to be a deliberative body, and this is a problem which calls for the most careful consideration.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHY THE HASTE?

Congress has been in such a hurry to advance a bill aimed at modifying the impact of the Supreme Court's decision in the Jencks case that it has not even found time to grant a hearing to opponents of the bill. Yet there is serious opposition from men of high repute and great legal learning who see no need for such legislation. Dean Erwin N. Griswold of the Harvard Law School, for example, says: "There is absolutely nothing in the (Jencks) opinion giving the public access to secret files of the FBI. It simply blueprints procedures used right here in Boston and every criminal court."

Other authorities believe that legislation is necessary, and their contention is buttressed by the varying interpretations of the Jencks decisions by judges of the lower courts. The subject is highly controversial, and that is the strongest argument for hearing both sides before legislation is brought to a vote.

The Court said in the Jencks case that when the Government chooses to put a witness on the stand in prosecuting an American citizen, it must make available to the defense earlier secret statements or reports made by that witness touching on his testimony at the trial. The purpose of this requirement is to give the defense a fair chance to look for contradictions which could be used to impeach the credibility of the Government witness. As Dean Griswold points out, this has long been standard procedure in American courts. It evokes a hullabaloo now only because the Supreme Court has applied it—in limited terms—to the FBI's secret files. No indiscriminate fishing expedition was authorized. But as the Court observed, "It is unconscionable to allow it (the Government) to undertake prosecution and then invoke its governmental privileges to deprive the accused of anything which might be material to the defense."

Sponsors of the bill accept this principle, but point out that its application is not automatic. They believe that confusion and unnecessary interference with law enforcement can be avoided only by authorizing the trial judge to determine what portion of the FBI reports requested by the defense relate to the testimony given. The bill would allow the judge to excise from such reports the portions not relating to the subject before they could be released to the defense counsel.

Going beyond this, however, the bill provides that "no statement or report of any prospective witness or person other than a defendant which is in the possession of the United States shall be the subject of subpena, discovery, or inspection," except as subsequently provided in the bill. The terms of this would apply to all sorts of tax and antitrust cases where pretrial disclosure of relevant material in the Government's possession has always been a matter of course. Why should the bill apply not only to a "prospective witness" but in addition to any "person other than a defendant?" This appears to be either a concealed attempt to make a drastic and mischievous change in the established rules of criminal procedure or an extremely sloppy piece of draftsmanship.

The bill would modify the Supreme Court ruling by making available to the defense only "such reports or statements of the witness in the possession of the United States as are signed by the witness, or otherwise adopted or approved by him as correct." This limitation would enable the Government to avoid its obligation to produce reports by the easy device of having informants

leave them unsigned and unapproved. Whatever reports the Government may have from a witness touching on his trial testimony ought to be given to the defense as a matter of elementary fairness.

The bill provides that previous reports by witnesses shall be made available to the defense only "after a witness called by the United States has testified on direct examination." The prosecution knows in advance of trial what its witnesses are going to testify on direct examination and, for the sake of orderly procedure, ought to produce relevant reports prior to the trial. Lacking these, the defense cannot prepare its case effectively.

The bill provides that if the Government declines to comply with a court order to produce reports, "the court shall strike from the record the testimony of the witness and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared." This has raised some serious questions. It is impossible to strike from the minds of jurors testimony they have heard. If the Government does not wish to produce relevant reports, it should not use witnesses who made those reports.

These defects in the bill demand scrutiny. Nothing will be lost by taking a little time for study. The Senate is supposed to be a deliberative body, and this is a problem which calls for the most careful deliberation.

HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, I also wish to invite the attention of the Senate to another editorial published in the Washington Post and Times Herald of this morning entitled "Division on Home Rule." I ask that it be printed in the RECORD at this point in my remarks, to be followed, Mr. President, by a prepared statement in the form of testimony which I gave this morning before the Senate Committee on the District of Columbia, in opposition to the administration's so-called home rule bill. My testimony is my answer to the Washington Post editorial.

There being no objection, the editorial and statement were ordered to be printed in the RECORD, as follows:

DIVISION ON HOME RULE

It is extremely unfortunate that the question of home rule for the District has seemingly become embroiled in national party politics. Until this year, the bills to restore suffrage to Washington, if they have not enjoyed any other sign of congressional interest, have at least commanded sufficient indifference to permit of bipartisan sponsorship. Now two of the ablest and stanchest supporters of the cause, Senators NEELY and MORSE, have declared they will actively oppose the Eisenhower administration's version of the home-rule bill and support their own.

Considering that only the earliest and most intense efforts will suffice to give any home rule bill a chance of passage in the House—where the District Committee keeps all such measures securely bottled up—this division of home rule forces in the Senate virtually foredooms the movement to another defeat. The difference between the Democratic bill and the one favored by the President, might be important in other circumstances. The President favors an appointed District governor and an elected assembly; the other version calls for an elected mayor and an elected council. Either system would constitute so enormous a gain for the civil rights of disfranchised Washingtonians that it seems a real pity to risk everything in a debate over these alternatives.

STATEMENT OF SENATOR MORSE, ON JULY 8, 1957, BEFORE THE SUBCOMMITTEE ON JUDICIARY OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA ON S. 1289 AND S. 1846, BILLS PERTAINING TO THE ESTABLISHMENT OF HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. Chairman and members of the subcommittee, it is with mingled feelings that I appear before you to speak on behalf of S. 1289, the home rule bill introduced by Senator MATTHEW M. NEELY of West Virginia, which I have had the honor of cosponsoring, and in opposition to the administration bill, S. 1846.

I recall the fate of S. 669 and that of S. 999, home rule bills of previous sessions of the Congress with a certain sadness that is tempered however, with pride rightfully taken in the great fight for principle that was then made. I anticipate with hopefulness the eventual recognition that will be the portion of those District citizens who have for so long struggled to obtain for themselves, their children, and their neighbors the full measure of true home rule.

Before I enter into the detailed presentation of my position on the two bills now pending before the subcommittee, I ask indulgence of its chairman in permitting me to make a few brief introductory comments. I should like to compliment the chairman for the splendid work that he has been doing in preparing for this hearing today. He and his staff have been for some time most diligent in analyzing the bills being considered, obtaining the advice of very well qualified experts in the field of municipal charter legislation upon the many highly technical aspects of city financing with which the bills are concerned, and in bringing to bear upon the problem his own excellent background of experience as the elected leader of a great metropolis. I venture to predict, that despite whatever fate may lie in store for the particular bills before the subcommittee today, the result of these hearings will make a record in scope of treatment that will be of inestimable value to students of municipal organization for many years to come. In this connection, I wish to make it perfectly clear, that with respect to many of the minor administrative provisions of S. 1289, I will welcome the perfecting amendments that I feel sure the subcommittee on the basis of the evidence, will wish to make.

Mr. Chairman, the heart and essence of the difference between the two bills under consideration, is whether we in the Congress are willing to grant home rule, by which I mean the right of the citizens of the District of Columbia to determine their political destinies through the procedure of freely electing their representatives, or whether, as proposed by the administration bill, we are willing only to grant the false front of elected representation which hides the underlying harsh reality of appointive authority.

The administration bill provides for an organizational structure subservient to the power, not of a freely chosen representative of the people of the District, but rather of a politically appointed representative of the executive branch. It is because of this political hypocrisy that the administration bill can well be characterized as a phony home-rule bill. I know that many well-intentioned citizens have taken, and will continue to take before the subcommittee in these hearings, the position that all the Congress and the President will permit the District to have is the mess of pottage that the so-called territorial form of governmental organization represents, and that therefore, limited though it is, the administration bill is better than nothing at all.

This belief and counsel of despair, Mr. Chairman, is appealing in many ways, but it is a concession to expediency that will, in the future, rise to plague its proponents. It were better, Mr. Chairman, and I say this in all sincerity, and with all the conviction that I can, to forego for now, the illusion of home rule, in order that at a later date the substance of home rule may be truly attained.

To document the statements that I have just made, I ask the subcommittee to consider with me now certain of the provisions of the administration bill and to contrast them with the provisions of the bill, S. 1289, that proudly bears as sponsor the name of that great liberal and fighting humanitarian who is chairman of the Senate Committee on the District of Columbia, Senator MATTHEW M. NEELY, of West Virginia.

The preamble to each of the bills set forth succinctly the major difference that I wish to stress this morning. S. 1289 provides for an elected mayor, an elected city council, an elected school board, and an elected nonvoting delegate to the House of Representatives. S. 1846 provides for an appointed governor, and an appointed lieutenant governor, permitting only the election of the legislative assembly and the nonvoting delegate to the House.

I call to your attention the fact that S. 1289 provides for an elected chief magistrate and that the administration bill does not do so. If the principle of home rule is a valid one, and it has worked throughout all of our history, and throughout the history of England before us for towns and cities, then the fiction that the city of Washington, D. C., is a territory and thus that the territorial form of organization ought properly to be used, stands revealed in its nakedness as a device to circumvent the most precious civic right enjoyed by urban citizens, the right to exercise the ultimate check of a democracy—the right to throw the rascals out. Let us be perfectly clear about the matter. The plain truth is that S. 1289 permits the citizens of the city of Washington, D. C., to choose and to retire the chief magistrate, while the administration bill does not give them that elemental civic right. To the extent that a citizen is deprived by the administration bill of that basic right, to that extent I hold that the administration bill violates the concept of home rule, and to that extent the bill is fraudulent in its attempt to masquerade as a home-rule bill.

One other point in this connection, Mr. Chairman, I commend to the attention of the subcommittee. S. 1289 provides for an elected school board, while S. 1846 leaves this most important segment of our community life to such disposition as the legislative assembly may determine. The autonomy of the school system, as it is presently established in the city, is by the administration bill abolished. Its role in the future could easily be that of a subordinate political entity, one on a par with that of the Department of Sanitary Engineering. Mr. Chairman, this point, in my judgment, is a crucial one. Do we wish to follow the philosophy of downgrading our educational system by placing it in departmental competition for funds with all other municipal functions? Is it not preferable that the school system be retained as an autonomous agency in a planetary system of governmental organization, responsible to the voter? The point gains added urgency, when it is remembered that we have today pending before the Subcommittee on Public Health, Education, Welfare, and Safety, measures which would permit a capital expenditure for school construction of $70 million derived from borrowing. This measure bears the strong endorsement of the Board of Education. The Board, although not elected, is autonomous. The proposal of the politically appointed Board of Commissioners, I am informed will be that substantially recommended by their appointed Public Works Program Review Committee an amount only

of $54,384,700. Thus, under S. 1846, if the past is an indication of the future, there is the grave risk that the school authorities could be muzzled administratively and prevented from presenting their needs to the community. This is but one example of the consequences that might flow from the enactment of S. 1846, the administration bill, but it is an example that should give us pause.

The assertion is made by the proponents of the administration bill that the problems of Washington are so complex that a territorial form of government is better suited to the situation than is a municipal form. The logic of this position escapes me completely. I would ask the proponents of S. 1846, in what respects does the city of Washington differ from its metropolitan neighbors of New York City, Philadelphia, Boston, Chicago, Baltimore, or, indeed, San Francisco? Urban problems are urban problems no matter where they are encountered in this country. Since I assume that the proponents of the territorial form do not go the whole road in their argument and suggest the wholly unconstitutional proposal that the city of Washington is to be prepared for statehood, and by that token ought to undergo territorial tutelage, I suggest that the territorial device is but a facade of fraud. To argue that Washington ought to be a Territory to negotiate as an equal with the surrounding States on matters of common concern, is to ignore the splendid record made in the analogous situation of New York City and the State of New Jersey in the creation of a port authority to serve that area. Since the city of Washington, D. C., no matter what form, territorial or municipal, is adopted, will still remain the Capital of our country, and by constitutional provision, the Congress will retain full rights as sovereign, the negotiation rationalization falls of its own weight. Certainly the Congress of the United States is sufficiently powerful to negotiate with the sovereign States of Maryland and Virginia as, at the very least, an equal.

At this point, Mr. Chairman, I should like to dispose of one other point that may be made by the proponents. This is the fallacious argument that the territorial form of organization would better preserve the unique interest that the Federal Government has in the Capital City. Unless my memory fails, it occurs to me that the Constitution of the United States in section 8, clause 17, makes provision for the Congress to have exclusive legislation in all cases whatsoever, over such District. Certainly the wording of this provision is broad enough to permit the Congress adequately to protect the Federal interest. It is possible that the proponents of S. 1846 are worried not about the Federal interest but about a far different thing, the executive interest. I would have them in that case remember that the Founding Fathers did not see fit to include explicitly any provision for the interest of the President over the District, and for this reason among others I question a territorial form under the model suggested by the administration bill.

There is a difference between the two bills with regard to the size of the legislative arm. S. 1289 provides for a council of 9 members; S. 1846 provides an assembly of 15 members. To perform the legislative functions of a city council it can be argued that the smaller number contemplated by S. 1289 might be able to perform their duties more expeditiously, it is certainly true that from the standpoint of economy the smaller number is to be preferred. S. 1846 provides for the office of lieutenant governor, to my way of thinking a decorative fifth wheel, albeit a costly one, whose rationale must stand upon the validity of the territorial argument. To be frank about the matter, it would provide the administration with a sinecure for patronage purposes, and it does provide a gilded ornament to adorn the false front of the territorial structure. It may be noted in passing that S. 1289 provides that the elected council fill a vacancy in the mayoral office until a general election can be held.

I cannot resist making at this juncture an admittedly minor point, but one which, nevertheless, helps to expose the inconsistency of the territorial fiction of the administration bill. Why, if the territorial form is appropriate to the District, do the proponents of S. 1846 balk at including under the appointive governor the Armory Board and the National Guard of the District of Columbia? Surely these agencies are appropriate to a territorial form. So too, for that matter is the Public Utilities Commission. That they are specifically excluded by the language of section 324 (a), pages 12 and 13, casts some doubt upon the territorial argument. In passing, Mr. Chairman, I should like to contrast the tenderness with which these excluded agencies are treated, by reminding the subcommittee that the school board is given no such special consideration in the administration bill. Actually the question of whether or not such agencies as the National Capitol Housing Agency and the Redevelopment Land Agency ought to be brought under the control of the municipal authorities as a matter of sound organizational structure, is one that has many ramifications. I feel confident that the subcommittee in its deliberations will carefully weigh the matter and decide the question on the basis of the technical arguments that ought to be controlling.

I do view with some concern, Mr. Chairman, the glaring omission in the administration bill of the specific provisions of S. 1289 on page 12, lines 1 and 2, prohibiting lotteries and gambling. In my view, this is a fit subject to include in a charter. I hold that gambling is against the public interest and that, especially here in the capital city of the Nation we ought to make sure that this vice is given no color of sanction by omitting it from the charter statute.

The provisions for a presidential veto contained in the administration bill, are but another example of the desire to protect the executive interest, and an additional illustration of the distrust of the home rule principle. One might almost say, Mr. Chairman, that it illustrates a basic distrust of the democratic process itself. If this provision originated at the White House, as some have intimated in the press, all I can say, with Shakespeare is that indeed they "seek to make assurance doubly sure and take a bond of fate." (Sec. 324 (d), p. 15, lines 16 through 24 and p. 16, lines 1 through 6.)

I turn now to section 401 (b), subpart (2) (b) and (4) which may be found on page 22 of S. 1846. The language reads (lines 17 through 25):

"(b) No person shall hold the office of Governor or of Lieutenant Governor, unless he * * * (2) is domiciled and resides in the District and * * * and (b) has not voted in any election (other than in the District) for any candidate for public office, * * *"; and "(4) holds no other appointive office for which compensation is provided out of District or Federal funds."

It seems to me to be rather odd that an individual who has exercised his right as an American citizen to cast an absentee ballot in the State of his origin, should be thus penalized. Equally strange to me is the philosophy which would deprive from chance of appointment to office the entire class of Federal employees. This would have the effect of barring from consideration such well qualified and devoted public servants as General Lane, whose transfer to Ft. Leonard Wood was recently announced, as well as those of his able predecessors who over the years have served as Engineer Commissioner. Certainly, in the Federal service we have a magnificent source of highly qualified executives who could, and who I feel would, shed lustre on the mayoral office. Why should we deny by statute our access to this reservoir of talent? Under S. 1289 no such bar exists. If such a devoted career employee were to be nominated and elected, he would simply take leave of absence from his position during the time of his campaign and incumbency, and return to it upon completion of his civic service. It is my hope that the subcommittee will consider this point with great care during the markup session.

Mr. Chairman, S. 1846 grants in section 402 subparts (10) and (14) on pages 27 and 28, powers to the Governor that merit careful scrutiny, the sections read:

"(10) He (i e., the Governor) may delegate any of his functions (other than the function of approving contracts between the District and the Federal Government under section 901) to any officer, employee, or agency of the executive office of the Governor, or to any director of an executive department who may, with the approval of the Governor, make a further delegation of all or a part of such functions to subordinates under his jurisdiction."

"(14) He is authorized and directed to promulgate, adopt, and enforce such rules and regulations not inconsistent with any act of the Congress or any act of the assembly as are necessary to carry out his functions and duties."

These two sections of S. 1846, Mr. Chairman, constitute a very broad grant of authority that could be exercised, through delegation and redelegation, by minor officials of the District government. If the assembly or the Congress has not acted in a certain field, the Governor has free reign. Should an abuse of this authority occur, the assembly could, through injudicious use of the double veto power contained in the bill in other places, find itself powerless, and the matter then would have to come before the Congress. This seems to me, Mr. Chairman, to be in contravention of our doctrine of the separation of powers. I call attention, by contrast, to the moderate provisions of S. 1289. There section 402 (8) permits delegation of mayoral power under two safeguards. First, it may be done only with the consent of the council, and second, delegations may be made only to the department head level. S. 1289 does not contain the rule making powers of S. 1846, because it was felt that legislation belongs properly to the legislative arm, and should be delegated to the executive arm only under proper safeguards and with review and recapture language written into the delegation. By granting these powers in the charter statute, Mr. Chairman, we are tying the hands of the assembly with respect to these important legislative checks. To say that the assembly or the Congress could enter into the picture by positive legislation while true, might as I have previously shown be difficult, and in any event it misses the essential point that cooperation between the legislative and executive branches may be better insured, and greater heed be given to the wishes of the legislature, if the structure of the relationship sets forth clearly the primacy of the legislative arm in these matters.

I move now, Mr. Chairman, to section 1601 of S. 1846 (p. 79), and the corresponding section of S. 1289, section 1701 (p. 76). I note that the administration bill, consistent with its philosophy of distrust of the home-rule principle, requires that 25 percent of the voters must request a referendum. S. 1289 requires only 10 percent of the registered voters for this purpose. I would not object to striking the word "registered" from S. 1289, since I can appreciate the administrative difficulties that might arise in attempting, after the fact, to determine whether or not a specific registered voter, for example, was still

living on election day. I do object, however, to the philosophy which would require such a large percentage of voters to protest as is contemplated by S. 1846. I commend to the subcommittee my suggestion that the 10-percent figure be retained and that the word "registered" be deleted. I have a strong interest in this matter because of the pride that I have, as an Oregonian, in the Oregon system of initiative and referendum. These devices, particularly the referendum, have served my State well over the years. They constitute, in my judgment, a most healthy check by the people on legislative action. It is for this reason that I view with question the language of S. 1846 in section 1603 on page 80, lines 22 through 24. I am reminded that in my own State the voters have on a number of occasions halted the action of the legislature when it sought to impose a sales tax. Whether the sales tax is right or wrong—and in my judgment it is a regressive tax and one that ought not be imposed on food especially, and in this I am sure that Senator JAVITS would concur—the inescapable fact is that the voters of my State just plain don't want to have a tax of this type imposed.

I am not moved, therefore, by arguments that revenue acts might be held up by this procedure. If they are, then alternative methods of obtaining the necessary money must be explored. To attempt to circumscribe to the point of invalidating a franchise right is, to my way of thinking, the same thing as denying that right but being unwilling to do it honestly. I ask the subcommittee to view this language carefully, and I earnestly counsel them not to replace the mandatory shall of S. 1289 with the permissive may of S. 1846.

This concludes, Mr. Chairman, my review of the specific provisions of the two bills. In summation, I ask only that you and your colleagues think carefully on the principles that underlie these bills. Let me refocus attention on the salient differences. S. 1846 under the pseudo-structure of a territorial facade provides for an appointive head, a politically appointed governor with very broad powers, a double veto that is an extension of presidential power, a restriction on referendum procedures that is almost a nullification of the right, and no protection for the autonomy of the school system while it carefully exempts from popular control the Public Utilities Commission and the District National Guard. S. 1289, on the contrary, provides for a freely elected mayor, an elected council and an elected school board.

I hold that S. 1289 is in the grand tradition of American local self-government, and I urge its favorable consideration by the subcommittee. Thank you very much for permitting me to testify today before you.

Mr. MORSE. Mr. President, as I said at the hearing this morning, there is no home rule connected with the administration bill, because it is a travesty on the very definition of home rule. There cannot be home rule, Mr. President, unless the citizens of the District of Columbia have the right to use the ballot box in electing a mayor of the District of Columbia, and exercise the voting privilege at the ballot box, as I testified this morning in checking the trend in this country toward executive government. The danger of executive government is very well epitomized and symbolized, I say respectfully, Mr. President, in the administration's so-called home rule bill. All the bill would do would be to strengthen the further exercise of executive power in America, and the American people had better be on guard against such a trend.

Mr. President——

The PRESIDENT pro tempore. The Senator from Oregon.

JOHN DAY DAM

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed as a part of my remarks in the body of the RECORD a letter from Ken Billington, the executive secretary of the Washington Public Utility Districts' Association, Seattle, entitled "Little Brown Hen."

I wish to associate myself with the observations Mr. Billington makes in that letter.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LITTLE BROWN HEN

To the EDITOR: While Thomas W. Delzell, chief executive officer of the Portland General Electric Co., tries to stampede the people of Oregon into a fight with the people of Washington over allocation of Federal power, he is one of the reasons behind a news story in your newspaper of May 30, which indicates that the House Subcommittee on Appropriations will not grant a new Federal start at John Day Dam this year.

On May 20, we of public power appeared before that Appropriations Subcommittee and went all out for a new Federal start at John Day. This has been the consistent position of the Washington PUD's. We had been led to believe that the Pacific Northwest Utilities Conference Committee, which is dominated by the private power companies, including Mr. Delzell's, had also agreed to support a new Federal start at John Day. Their written statement indicated this.

We were astounded to be hit in the face by the minority leadership on that committee who stated "representatives of the private utilities appeared before the committee last week and they said private utilities would build the John Day Dam if given the opportunity with their own money."

Later this was checked by a Washington Congressman and it was found the reference was to the verbal testimony of Mr. Delzell before the committee.

It's the same old problem. While Mr. Delzell argues for Federal power for Oregon people (which, in effect, actually means Federal power for his own company to sell to the Oregon people) he turns right around and sabotages Northwest efforts to get more low-cost Federal power.

It is remindful of the little brown hen story, whereby everybody wanted to eat the cake but nobody wanted to help grow the wheat or get it baked. If the people of the States of Oregon and Washington get pushed into an argument over allocation of Federal power, they will be the losers—not the private utility company which Mr. Delzell represents.

KEN BILLINGTON,
Executive Secretary, Washington Public Utility Districts' Association, Seattle.

UNITED STATES RELATIONS WITH BOLIVIA

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the body of the RECORD an editorial from a Bolivian newspaper entitled "Mr. Holland Again."

I wish to say, as chairman of the subcommittee of the Senate Committee on Foreign Relations which deals with Latin American affairs, that I think the members of my subcommittee, as well as of the full committee, should pay a great deal of attention to Mr. Holland's activities in South America, many of which cause me to raise my eyebrows in suspicion.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MR. HOLLAND AGAIN

(Translation from El Diario, La Paz, Bolivia, May 20, 1957)

When the arrival of Mr. Henry Holland was made public a few weeks past to coincide with the fifth anniversary of the Revolution of April 9, 1952, the general assumption was that Mr. Holland merely intended to demonstrate a spontaneous gesture of affection for Bolivia. While Assistant Under Secretary of State for Latin American Affairs of the United States of America State Department, he had, during a previous visit to Bolivia, associated himself publicly as a member of the National Revolutionary Movement, which declaration had dumbfounded even the leaders of this party. When greeted vociferously by the minions of the MNR party upon his arrival, Holland hastily explained that he now came to Bolivia in a private capacity, as a Texas lawyer to negotiate oil contracts. However, with well-known Texan verbosity, he pointed out clearly his past official relationship to the United States Government and the Bolivian Government as well as his deep affection for the latter. It appears that the deal which brought him to Bolivia progressed handsomely, because he negotiated at a level to which he was accustomed in his previous duties, although now in a private capacity. His new status did not prevent him from enjoying the special privileges accorded to him before, but even fostered them.

Mr. Holland is again visiting us—whether to conclude the previous deal or to present new proposals, we do not know. Public opinion—surprisingly lenient in Bolivia—is, however, unable to reconcile the moral compatibility of a former Under Secretary of State with so many previous ties in Bolivia due to his official position, now exercising the profitable activities of a private lawyer amongst us. It seems to indicate contempt for public opinion in Bolivia.

The high standing commonly associated with the Government officials of the great North American country—decent men, never mixed up in shady deals—would have made it desirable that we should always remember Mr. Holland as a generous friend, free from hidden motivations. We would have liked to recall him with the respectful gratitude felt in Europe for General Marshall, due to his economic aid plan. This high esteem would have been lost—with serious damage to his prestige and that of his country's—if General Marshall would have been found to be a partner or agent of the large industrial companies whose economic recovery was furthered by his plan. The world needs from time to time heart-warming examples, such as that of General Marshall, to keep its faith in high, human values.

Besides, the transfer of oil concessions and the benefits derived from them can be advantageously negotiated by any Bolivian lawyer. Such is the method usually followed in Venezuela and Colombia in similar cases, where local professionals are preferred to foreign ones. To allow such negotiations to be conducted by foreign experts alone is a serious mistake; the application for a concession and the succeeding negotiations should not be the exclusive task of foreigners, but should be entrusted to native professionals in order to increase their economic welfare. On the other hand, the great hopes raised by the potential oil wealth of Bolivia, as well as the generosity of the Petroleum Code, so liberal as to border on extravagance,

are able to attract foreign investors by themselves, making the activities of propaganda agents quite superfluous.

ARMANDO SOTELO BELTRAN.

DEDICATION OF HARRY S. TRUMAN LIBRARY AT INDEPENDENCE, MO.

Mr. SYMINGTON. Mr. President, Saturday, July 6, was a day we of Missouri will never forget.

Many thousands of people wended their way to the pioneer town of Independence in order to participate in the perpetuation of the words and actions of Missouri's first citizen.

This was done through the dedication of the Harry S. Truman Library.

On that day also this library was presented to, and accepted by, the United States Government as a permanent memorial.

This library will be by far the most authentic source for the records of executive action taken during 8 of the most important years of the history of the United States.

The distinguished citizens who gathered for the testimonial to a great American President not only included such leaders of his own party as Speaker Sam Rayburn, of the House of Representatives; and majority leader of the Senate, Lyndon Johnson; along with the distinguished junior Senator from New Mexico, Mr. Anderson; the distinguished senior Senator from Oregon, Mr. Morse; and the distinguished junior Senator from Texas, Mr. Yarborough; but also including former President Hoover; the Chief Justice of the Supreme Court, the Honorable Earl Warren; the minority leader of the Senate, Mr. Knowland; and the assistant minority leader of the House, Mr. Halleck.

I have not at hand the fine remarks of President Hoover, but at this time, Mr. President, ask unanimous consent that the addresses made by the Chief Justice, the Senate minority leader, and Representative HALLECK be inserted at this point in the RECORD.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

ADDRESS BY THE HONORABLE EARL WARREN, CHIEF JUSTICE OF THE UNITED STATES SUPREME COURT, AT THE DEDICATION CEREMONY OF THE TRUMAN LIBRARY, INDEPENDENCE, MO., ON JULY 6, 1957

This is an important event in the life of the Nation and I am happy to participate in it. The library which we dedicate is destined to become a Midwestern center of study and research, not only for the period of Mr. Truman's Presidency, but also for the whole complex picture of events surrounding it. The impetus it provides for extending the research resources of this great section which has meant so much to the development of the Nation as a whole, represents a milestone in American history.

The casual observer would have difficulty in appreciating the dynamic part this quiet home city of Independence has already played in the growth of our country. Used as the hunting grounds of the Indians before and after the arrival in America of Europeans, this area was once part of the colonial empire of France and Spain. It was acquired by the United States in the Louisiana Purchase of 1803. Independence soon become a frontier settlement, the jumping-off place for those hardy pioneers, who gave forceful character to the Midwest and the Far West. It helped to impart to those great regions the spirit of the famous explorer Daniel Boone, whose son, Daniel Morgan Boone, is said to have been the first white man to visit this region. As more and more permanent settlers established themselves, Independence flourished as a trading post and outfitting point for the Oregon, Santa Fe, and California trails. The various chains of events started in motion here in those days of the Argonauts, are among the most colorful and heroic of our entire history. The Mormons came here to make their home in 1831, but, after two turbulent years, they moved on. After long wandering and, at a site a thousand miles westward, they finally established their Zion and founded the great State of Utah. The growth of Independence was given a tremendous impetus by the 1849 gold rush which brought many prospectors to purchase supplies for their journey to California. They were a hardy and adventurous lot spurred on by the lure of gold. Thousands of them, in their prairie schooners or on horseback wended their way across plains, mountains and desert to the Pacific Coast. Of them it has been said that "The timid never started and the weak died on the way." Mr. Truman's grandfather owned one of these outfitting stores, and eventually himself succumbed to the gold fever. He made the trek to California and acquired a ranch at our capital city of Sacramento. Independence, now a typical community, seems far removed from those days when it served as a western outpost.

Mr. Truman's Presidency naturally reflected this daring spirit of pioneer days as well as his own character as a man of action: Tireless, fearless, and decisive. Let me say that I personally came to appreciate his dynamic fighting qualities, perhaps earlier and more fully than some other people, in the fall of 1948, before he reached midpoint of his administration. The Truman era is already recognized as one of the most momentous periods in the history of our country and of the world. The demands then made upon the President were as diverse and breathtaking as they were ponderous. Complicated events crowded upon one another giving Mr. Truman little or no time to sit, ponder, and mull over historical precedents. He was, like Grover Cleveland, confronted with conditions, not theories. Repeatedly he was called upon to act with promptitude and resolution. His response always was action; even split-second action in matters of the gravest importance. The best evidence of the magnitude of the office he held, of the considerations basic to his decisions, of the methods he adopted to meet new and pressing problems will be found in the Truman papers housed in this library. Without them, the world would never fully understand his courage and stamina in responding in the vigorous and effective way he did to crises such as few other Executives have had to face.

Toward the close of World War II, and within a few weeks after he assumed the Presidency, Mr. Truman was host to representatives of the peoples of the world who met in America to form a world organization dedicated to maintaining and enforcing peace. During his administration, the headquarters of the United Nations were established in this country, we are entitled to believe, largely by reason of his leadership, the hospitality extended by our people, and the manifest desire for universal order in the soul of every American. While the United Nations was as yet young and untried, and while we were engaged in making a profound adjustment to a peacetime economy—demobilizing our armies, putting the ships of our fleet in mothballs, dismantling aircraft, reconverting industries, creating jobs, and developing human relations in and out of this country—the whole process had to be reversed by the outbreak of hostilities in Korea. There, at the instance of Mr. Truman, troops of many nations, for the first time in history, fought solely to restore peace with freedom under an international banner. Aggression was repelled. The war was successfully contained. Arrogance was frustrated as had previously been done in Europe with the Berlin airlift.

Again, it was during Mr. Truman's administration, with the experience of the Second World War behind us, that an end was put to any possibility that the United States could ever return to a policy of isolation and self-sufficiency. Out of that conflict had come the discovery of nuclear fission with implications for future good or evil and posing a grave challenge to the human family. Although we did not seek it, worldwide responsibility was thrust upon us. The obligation of this responsibility was accepted in an open-spirited way. We engaged to undergird the defenses of the Free World. A daring new policy of international cooperation and assistance designed to reconstruct the world and to aid backward areas through economic and technical assistance was then promulgated and has since been continued.

Colleges and universities whose faculties and students will reap the greatest benefit from their use of the Truman Library were among the institutions that experienced conspicuous changes during the Truman administration. The United States Government financed, in large part, the education of its veterans. The return to school of many thousands of serious and studious men, under the GI bill of Rights Act, doubled the registrations in institutions of higher learning. In this period, more than ever before, we recognized the need for college-trained citizens and we began to wrestle boldly with our educational problems. It became national policy that our veterans, educationally speaking, must not become a lost generation. Since then, because of the war-inflated birth rate, the size of elementary schools has doubled and now our high schools are feeling the effect of greatly increased enrollment. Shortly, the colleges and universities will have to double in size again. It is fortunate that the Truman Library is to become a part of our vast and growing educational system—that it can be a major influence in the process of training an ever-growing number of research students.

Prof. John D. Hicks of the University of California has aptly spoken of history as "an endless procession of human experience marching toward the present and the future. But the only way this procession can reach the current scene is through our recent past. The years just fading from our memories constitute, in a sense, the bridge over which the contributions of earlier ages must pass to make contact with the world of today and tomorrow."

The Truman papers will furnish substantial material "to keep this bridge in order." From them we are able to take inventory, to discover where we came from, how we got here, and, perhaps, to chart our future route more intelligently. People from the universities and colleges of this country and from foreign countries will beat paths leading to and from Independence reminding us of those of the 19th century. These new trails will be kept open because there will be sustained use of the Truman papers by future generations of writers, biographers, historians, political scientists, and others. The traveler following these new trails will explore the background which the Truman Library will provide for a more complete understanding of the contributions made by his administration. Independence will become even more distinguished as a center for the cultural development of our country than it was for its geographical expansion.

Again to quote the historian, the former preoccupation of that profession with the distant past had the effect "that the darkest age, historically speaking, was likely to be the age just gone by." Mr. Truman, the private citizen, now back at home, continues to dedicate his life to the public good—to make certain that the years of his administration will not be such a dark age. Today he performs a characteristic service in giving both his time and his substance to do that which in this instance only he can do. He is providing the people of America and the people of the world with the means to form their own estimate of his public service. Mr. Truman, who has an abiding interest in our national history, has arranged for the preservation of his papers in this library in such manner that his administration will be one of the clearest ages of history. It is in compliance with his public-spirited generosity that I dedicate this building as a museum and a library to safeguard, exhibit, and facilitate the use of its valuable resources that the American people, and, all the peoples of this earth, may gain by their wide and wise use understanding of ourselves and our times, and wisdom to choose the right paths in the years that lie ahead.

In doing so I share with all Americans the hope that Mr. Truman will live long to see the results of his work and to be accorded recognition that the future of mankind will be richer because of his having passed this way.

STATEMENT OF UNITED STATES SENATOR WILLIAM F. KNOWLAND, DEDICATION CEREMONIES OF TRUMAN LIBRARY, INDEPENDENCE, MO., JULY 6

President and Mrs. Truman, President Hoover, Governor Blair, distinguished guests, ladies, and gentlemen, we meet here today as Americans and not as partisans. We are here to help dedicate a library and its contents made available by the gifts of the American people and the generosity and interest of former President Truman. This collection will be of tremendous value to present and future generations of Americans.

As minority leader of the Senate and I know voicing the sentiments of the majority leader as well who was here this morning but had to return to Washington this afternoon, we bring the greetings and best wishes of the Senate of the United States in which Mr. Truman ably served as a Senator from the State of Missouri.

While there are many matters on which there are differences of opinion from a partisan or a geographic background there is a unanimity among us as Americans that we will work shoulder to shoulder together to preserve our Republic and to help maintain a free world of free men.

REMARKS OF CHARLES A. HALLECK, REPUBLICAN, OF INDIANA, INDEPENDENCE, MO., AT DEDICATION OF TRUMAN MEMORIAL LIBRARY, JULY 6, 1957

This is a magnificent occasion and I am happy and proud to be a part of it.

Let me also say that it was most gracious of President Truman to invite me out to participate in this ceremony.

Everyone familiar with the political scene of the past 10 years is well aware that Mr. Truman and I have not seen eye to eye—to put it mildly—on many things. You might even say that we have, in our political relationship, upheld the highest traditions of the Hatfields and the McCoys.

But whatever our differences may have been in the past—and I doubt that there were any hatchets buried in that cornerstone this morning—there has never been, to my knowledge, anything of personal bitterness between us. Nor will there ever be, I am certain.

I am here at the kind invitation of our host probably because it was my privilege to play a part, as House majority leader in a Congress which had a role in many of the momentous events whose history is recorded in the institution we are dedicating today.

It seems to me the inherent strength of our great two-party system was strikingly demonstrated during that period.

Certainly the times were difficult enough to provide an acid test of any system and the men upholding it.

The long years of World War II had subjected our own economy to severe stresses and strains. The grim question facing the Free World was whether, for the devastated nations which had fought as allies, we had won a Pyrrhic victory on the battlefield that would cost us the very freedom we had sought to preserve.

Having exerted our might to win the war, America now faced the burden of leadership in winning the peace.

Any illusion that the wartime alliance with Russia had been anything but a marriage of convenience had been shattered by Soviet maneuvers to capitalize on the weakness of small nations exhausted by the conflict.

Communism was on the march, in the Middle East, in Europe, and in Asia.

The records within the walls of this library will document how well the leadership of America, in the executive and legislative branches, met its responsibility to the cause of freedom.

In this solemn obligation—the obligation to resist communism and to prevent its domination over liberty-loving people everywhere—a Democrat President and a Republican Congress found common ground.

I believe history will confirm that what was done at that time did save Europe from communism.

In April of 1947, at the request of President Truman, Congress passed legislation providing aid for war-devastated countries. We had served notice to the Kremlin that on this issue Republicans and Democrats were standing together as Americans.

We enacted a second measure, again at the President's request, this time aimed at keeping Greece and Turkey out of the Communist orbit.

I don't pretend there wasn't opposition in the Congress to these programs—opposition from both sides of the aisle. But a vast majority of Members in both the House and Senate recognized that the United States was the only power on earth capable of stopping Russia, and that our own national security demanded action.

That conviction was reflected in the title of an interim aid bill for France and Italy, which set out the purpose of this third piece of major legislation as follows:

"To promote world peace and the general welfare, national interest, and foreign policy of the United States by providing aid to certain foreign countries."

These actions were forerunners of the comprehensive, multibillion dollar Foreign Assistance Act of 1948, otherwise known as the European Recovery Act, a one-package bill to implement the Marshall plan, called for by the Secretary of State and the President.

Now the march of history has given the nation a Republican President and a Democrat Congress.

And still the free nations have not won the struggle for a just and lasting peace in a world where tyranny is no longer a threat.

I know that President Eisenhower will receive as great a measure of cooperation in his efforts to win the peace for mankind as as was accorded his predecessor.

Meanwhile, we meet here to dedicate a structure that will house papers which record a significant chapter in our history.

I commend President Truman for his enterprise in this most worthy project, a project whose value to the Nation speaks for itself.

It has been a pleasure to be here and to take part in this dedication.

Mr. SYMINGTON. Those of us on this side of the aisle do not always agree with the distinguished Senator from California, but there is no Member of this body for whom we have greater respect and affection.

One reason for this is well illustrated by the visit he and his lovely wife made to this ceremony in Independence last week, and the kind and gracious words he said, and I thank him in the name of all the people of Missouri.

Those of us who take pride in the accomplishments of that former member of this body who went on to become President of the United States are also especially pleased and grateful for the magnificent tribute paid Mr. Truman by another outstanding public servant who has risen to the highest judicial position in this land.

Mr. President, at this point in the RECORD I ask unanimous consent that a few remarks made by me at the luncheon held on that great day in the auditorium of the Reorganized Church of Jesus Christ of the Latter-day Saints be inserted at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS AT LUNCHEON BY SENATOR STUART SYMINGTON, HARRY S. TRUMAN LIBRARY DEDICATION, INDEPENDENCE, MO.

President Truman, President Hoover, Mr. Speaker, Mr. Chief Justice, Mrs. Truman, Mrs. Roosevelt, Senator Johnson, Senator Knowland, Representative Halleck, distinguished guests, ladies, and gentlemen, it is a very great pleasure for me to welcome here today, to this historic city, all these friends of the No. 1 citizen of Missouri.

This week, to all Americans, is a week of reassertion—reassertion of our abiding faith in our independence and our way of life.

It is therefore a fitting week in which to dedicate, to the eternal glory of Missouri and the Nation, a library that will perpetuate the thoughts, the writings, and the actions of the man of Independence.

Not many years ago, according to his mother, this young man plowed a straight furrow, the straightest furrow in Jackson County—and those of us who know him, know also that that ability was to become the outstanding characteristic of his life.

In the heart and soul of this youth there grew knowledge of the concrete beauty of America—its rolling fields, its mountains, and its strong running rivers. And also knowledge of the abstract beauty which makes up this scene—the traditions of our family life, of our church, and of our form of government.

Men who stay close to the land drink deep of the desire to serve.

And so it was near here that his character was moulded, aided always by the wise and gracious lady who became his wife.

We are honored to have with us today that beloved Texan, SAM RAYBURN. It was Mr. RAYBURN who said to me many years ago, "When men come to Washington, they just swell, or they grow."

Those of us who know our honored guest know also that his career exemplifies steady and continuous growth.

This fact is well illustrated by the thinking behind the building we dedicate this afternoon. God having blessed our honored guest with a rich and full life, he himself

then determined to return as much of the evidence and rewards of his work as possible to those who had checked him to highest office.

If I may paraphrase a part of one of the world's great speeches, here in this library will be a record of the men, living and dead, who for some 8 years worked and fought bravely with him to preserve this Nation.

Six years from now we will commemorate the centennial of that battle which caused this immortal address.

One hundred and six years from now scholars and students from all over the world will be walking through these halls, dedicating themselves with increased devotion to the great tasks of those days to come.

And what an inspiring opportunity they will have.

Here they will view the priceless records of the first practical efforts after World War II to resist the growing might of atheistic communism: the Marshall Plan, the Truman Doctrine itself, the Berlin Airlift, the North Atlantic Treaty Organization, the courage of Korea.

Here, for all to see, will be much of the eternal record of man's greatest single effort toward permanent world peace—the United Nations.

These visitors will view the record of this man of quiet courage, who rose to meet and conquer every challenge to his country; and who, at the same time, gave the people of his Nation the highest standard of living any people have ever known in the history of the world.

One characteristic these members of our future generations will not be able to see, however, is the innate modesty of him to whom this library is being dedicated.

As illustration, last week in Washington we had lunch together. I asked, "How do you feel?" He replied, "This has been a great day for me. When I was walking through the Senate corridor a few minutes ago, a woman touched her husband's arm and said, 'Look, there goes Margaret's father.'"

And so, Mr. President, thank you for again exhibiting your quiet determination, this time by bringing home the records of your administration. In the years to come Independence will be a shrine for those who seek the truth.

We of Missouri thank all you visitors for honoring us with your presence today.

When you return to your homes, I am sure you will give an eyewitness report to your friends and neighbors. You will tell them of this enduring testimonial to the hard work, the courage, and the wisdom of our honored guest; a great President, a great Missourian, and a great American—Harry S. Truman.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Missouri yield to me?

Mr. SYMINGTON. I am glad to yield to the distinguished majority leader, who was very kind in earlier remarks about the occasion in question.

Mr. JOHNSON of Texas. I wish to express my personal thanks to the distinguished junior Senator from Missouri for the hospitality and courtesy which he and other distinguished citizens of his State accorded visitors upon the occasion of the dedication of the Truman Memorial Library.

It was a fine tribute to former President Truman that such distinguished citizens as Chief Justice Warren, the distinguished minority leader [Mr. KNOWLAND], the distinguished assistant minority leader of the House [Mr. HALLECK], and many other Members of both the House and Senate were in attendance upon that occasion.

I believe all Members of the Senate appreciate the great contribution which the junior Senator from Missouri has made in connection with our visit to Missouri to attend the ceremonies incident to the dedication of this historic library. Former President Truman once again has earned the Nation's gratitude for his unselfishness and generosity in making available to us, to our children, and to our childrens' children, such a valuable collection. It will serve as a permanent monument to all the men who have occupied the role of Chief Executive of our Nation.

For a long time I have held a warm spot in my heart for the great State of Missouri. I must say that after having visited there again on Saturday, it occupies a place in my affection second only to Texas.

Mr. SYMINGTON. I thank the distinguished majority leader for his kind remarks. He has countless friends in my State. Former President Truman was very grateful that the able majority leader graced the dedication of this great library by the occasion of his presence, and made that much more eventful.

Mr. YARBOROUGH. Mr. President, I commend the distinguished junior Senator from Missouri for his very appropriate remarks here today. It was my privilege to attend the dedication of the Harry S. Truman Library at Independence, Mo., last Saturday. President Truman is due the thanks and gratitude of the American people for his generous action in giving to the people of the United States his presidential papers, and also the personal gifts bestowed upon him while serving as President. It is a type of patriotism in keeping with the highest traditions of our people. It follows the example of Washington in donating his services to this country in the Revolution.

President Truman's call on the people and Government of the United States to collect and preserve the papers of all the Presidents is but another evidence of that farsighted patriotism which has distinguished his public service at so many times and places.

The laying of the cornerstone of the library last Saturday morning, the noon lunch, the afternoon dedication, and the final reception tendered the guests by former President and Mrs. Truman, all were events which fill one with pride and humility at the greatness of our Nation, her people, and that public servant who did so much to advance human liberty.

I join in this tribute to President Truman, and in the wish that all the papers of all our Presidents might be preserved as a great reservoir of historical knowledge.

Mr. SYMINGTON. Mr. President, I thank the junior Senator from Texas for his statement.

ADDITIONAL EVIDENCE OF EXCELLENT WORK OF COMMITTEES OF PEOPLE-TO-PEOPLE PROGRAM

Mr. WILEY. Mr. President, as my colleagues may recall, it has been by pleasure on several occasions in the past to point up the wonderfully constructive role which is being played by the People-to-People Program, Inc. This is the fine organization which is fulfilling the worthy mandate conveyed by the President of the United States at the White House Conference which he had called.

During the past several weeks, it has been my good fortune to be in contact with many of the 42 chairmen of the committees of the people-to-people program—as well as with Mr. Charles E. Wilson, its distinguished president, and Mr. George V. Denny, Jr., vice president.

I now send to the desk extracts from a few of the additional messages which I have received from these various committee chairmen who are carrying out the people-to-people program in all fields of American endeavor.

This particular compilation includes comments which were made in reports and letters to me from Col. John Slezak, former Undersecretary of the Army and now cochairman of the nationalities division; from the Honorable William J. Donovan chairman of the fraternal activities committee; Mr. James C. Evans, staff director of the armed services committee; Mr. Arthur A. Schuck, who is the chief Scout executive of the National Council, Boy Scouts of America, Inc., and who serves as chairman of the youth activities committee; Mr. Theodore S. Repplier, chairman of the advertising organization committee; and Mrs. Katherine D. Moore, staff administrator of the music committee.

I am of course very grateful for the generous comments which have been made by these and other committee chairmen and staff members in letters and visits to me.

I believe that these comments will be of interest to my colleagues, and I ask unanimous consent that a brief statement which I have prepared, including various quotations from the committees, be printed in the RECORD at this point.

There being no objection, the material referred to was ordered to be printed in the RECORD, as follows:

THE NATIONALITIES DIVISION OF THE PEOPLE-TO-PEOPLE PROGRAM

Of interest to 35 million Americans of first and second generation—foreign extraction—is the work of the nationalities division.

Cochairmen of this division are Col. John Slezak, American industrialist, and former Under Secretary of the Army, and Judge Juvenal Marchisio, who is national chairman of the American Committee on Italian Migration.

An outstanding group of various American leaders of foreign ancestries serve as members of the executive board of the committee, and in other capacities.

There follows a press release which lists some of these eminent Americans:

"MEN OF MANY ORIGINS LEAD THE NATIONALITIES COMMITTEE OF THE PEOPLE-TO-PEOPLE PROGRAM

"The executive board of the nationalities committee of the people-to-people program recently held its first meeting in New York City, presided over by Col. John Slezak and Judge Juvenal Marchisio, the national cochairmen.

"Appointed national vice chairmen are: Col. Sigurd Arnesen, former United States military attaché to Stockholm and publisher

of the Norwegian newspaper Nordisk Tidende; Charles Rozmarek, president of the giant fraternal Polish National Alliance and of the Polish-American Congress; August Steuer, well-known sportsman and publisher of the New Yorker Staats-Zeitung und Herold.

"Members of the newly constituted board are: Celestino T. Alfafara, grand master of the Filipino order Caballeros de Dimas Alang from San Francisco, Calif.; Valdimar Bjornson, noted newspaperman of Icelandic origin and now treasurer of the State of Minnesota; Julio Garzon, editor in chief of La Prensa in New York City; Read Lewis, executive director of the Common Council for American Unity; Dr. Joseph L. Lichten of the Antidefamation League of B'nai B'rith; S. T. Kotelly, well-known Albanian leader and assistant district attorney of Detroit, Mich.; V. I. Mandich, president of the Croatian Fraternal Union, Pittsburgh; and Andrew J. Valuchek of the newspapers New Yorksky Dennik and the New Yorske Listy, and the president of the Slovak Gymnastic Union Sokol, Perth Amboy.

"Mr. Valuchek was elected secretary of the executive board, and Mr. Andrew P. Maloney, vice president of Bankers Trust Co., accepted the post of treasurer.

"Associate director of the common council, Yaroslav J. Chyz, formerly editor of a Ukrainian-American newspaper, was appointed executive director of the nationalities committee, and Mr. Joseph Jordan was appointed public relations consultant.

"The nationalities committee of the people-to-people program has set up temporary offices with the People-to-People Foundation, Inc. in the Carnegie Hall Building, 881 Seventh Avenue, New York, N. Y."

ACTIVITIES OF THE NATIONALITIES COMMITTEE

The purpose of the Nationalities Committee is to stimulate people-to-people activities among the foreign-born and those of their descendants who identify themselves with those groups.

1. STATISTICAL DATA

According to the United States census of 1950, there were 10,161,168 foreign-born whites in the United States, and 23,589,485 native whites of foreign or mixed parentage. Besides these figures, there were 569,637 persons of Chinese, Japanese, Filipino, and other nonwhite but not Negro origins. Out of these approximately 35 million persons, close to 25 million were natives or descendants of natives of free countries in America, Asia, and Europe. About 9 million were natives or descendants of natives from countries behind the Iron Curtain in Europe and Asia.

The largest among them, according to the same census, were those of British Commonwealth origin (about 8 million, including about 750,000 French Canadians); of German origin (more than 4,700,000); Italian origin (over 4,650,000); and of Polish (2,800,000); U. S. S. R. (more than 2,500,000); Mexican (1,300,000), and Swedish (1,200,000) origins; and 10 other groups number a quarter of a million or more persons each.

Since the census was made by countries of origin or birth, and not by nationalities, many large groups, such as Jewish, Croatian, Slovak, Ukranian, and others, are not mentioned and are submerged in figures for U. S. S. R., Poland, Austria, Yugoslavia, etc.

2. MEDIA

Press: The non-English-speaking groups maintain a press, which comprises 833 publications in 39 languages, with close to 4,800,000 circulation. Of these, 77 are dailies, 279 semiweeklies and weeklies, 357 semimonthlies and monthlies, and the rest of lesser frequency.

Radio: Through 578 radio stations in 43 States, 1,195 broadcasts are beamed in 38 languages, the largest of them being Spanish (269), Italian (162), and Polish (158).

Organizations: The members of the nationality groups are organized in over 900 national and regional associations of various types: Religious bodies (142—about 35,000 parishes and congregations), fraternal organizations (185—31,000 lodges or branches), civic-social (181), political (121), cultural-educational (167), and others. Probably 100,000 or more local clubs and societies are not affiliated with national bodies.

Letterwriting: Out of some 297 million letters mailed from the United States during the fiscal year 1954–55, the majority, if not three-quarters of them, were to relatives and friends of Americans of foreign origin.

Mr. WILEY. The activities of the nationalities committee are summed up in the following extracts from several of its statements:

Travel: According to official statistics for the year 1954, out of 452,049 passports issued during that year, 159,911 were issued to naturalized, i. e., foreign-born citizens. It is safe to assume that probably a similar number were issued to second-generation Americans.

Exchange of persons: Several nationality groups, such as the Belgian, Dutch, German, Polish, and Scandinavian (Danish, Finnish, Norwegian, and Swedish), have organizations which help, on a rather modest scale, to educate students and trainees in American schools, hospitals, and industrial enterprises.

WHAT YOU CAN DO NOW

Since the inception of the people-to-people program in the fall of 1956, chiefly preparatory and organizational work of the various committees has been in progress. During this period, however, there has been considerable publicity regarding the program, and many Americans in every walk of life have shown a keen desire to participate.

"What, specifically, can I as an individual do to better international understanding?" This is the question being asked by people in increasing numbers, every day.

The nationalities committee is preparing a booklet, which will give in detailed form the many projects that nationality groups throughout the country can initiate. In the meantime, however, we give the following brief outline of some of the activities so that those people who are anxious to start the ball rolling may do so.

Here are some of the ways by which the people-to-people program can be promoted:

1. Letters: Continue, and enlarge, correspondence with friends, relatives, and even unknowns, abroad, and help other Americans to correspond with people of the country of your ancestors.

2. Printed matter: Send books, magazines, newspapers, periodicals, depicting American life in the true light, to individuals, schools, libraries, etc., in the country of your origin. Send publications in your language to your friends abroad and organize the exchange of these publications with newspapers abroad.

3. Students: Promote and organize help to students of your group to obtain scholarships for study abroad and bring students from your country of origin to study here.

4. Travel: See that members of your group, while traveling abroad, remember every traveler—an ambassador of good will. Write to us for the booklet, What Should I Know When I Travel Abroad?

5. Hospitality: Individual or group visitors from abroad should be shown the traditional American hospitality so that they may carry back with them a true picture of the character of the American people. This activity should be a part of the program of women's organizations in each group.

6. Information for Americans: Assist lecturers from abroad to get American audiences. Encourage the study and use of foreign languages, and the dissemination of books on your country of origin to make them accessible to Americans in libraries, schools, and so forth.

7. Town affiliations: The "twinning" of towns can be a very effective means of communication. An American town or city can find its counterpart, because of a community of interest, in your native country and then establish contact for exchange in every field, such as arts, music, business, visits of officials, etc.

8. Youth: Nationality youth organizations, such as Scouts, junior social, fraternal, religious, sports, and other associations, choirs and dancing groups should join in people-to-people activities either with their elders or through the general American youth movement, directed by the youth committee.

These are but a few of the things which can be started immediately. It is understood, of course, that each group must use its judgment as to what activities most suit them. Groups whose countries of origin are behind the Iron Curtain should be especially cautious in planning their work in order not to hurt their friends abroad.

MESSAGE FROM HON. WILLIAM J. DONOVAN, CHAIRMAN, FRATERNAL ACTIVITIES COMMITTEE

One of America's outstanding wartime leaders and heroes and one of its leading citizens in peacetime is Gen. William J. Donovan.

I was naturally most pleased, therefore, to hear from this outstanding American in the course of my various contacts with the committee chairmen, and with the foundation itself, since General Donovan is its chairman, as well.

The following is the text of his letter of June 17 to me:

LAW OFFICES OF
DONOVAN, LEISURE, NEWTON & IRVINE,
New York, N. Y., June 17, 1957.

Hon. ALEXANDER WILEY,
United States Senate,
Washington, D. C.

DEAR SENATOR WILEY: Your remarks in the Senate concerning the People-to-People Foundation have been brought to my attention. I want you to know how much we appreciate your support and continued interest in this project which promises so much for international peace and understanding. Your awareness of the goals of this project is but another manifestation of your vision and leadership in the field of foreign affairs.

Sincerely yours,

WILLIAM J. DONOVAN.

ARMED SERVICES COMMITTEE ENCOURAGES PEOPLE-TO-PEOPLE PARTNERSHIPS

With vast numbers of Americans in uniform, stationed throughout the world, inevitably one of the most important jobs which can be performed is the mission of each member of the Armed Forces who serves his country in one of our outer ramparts of defense.

I was pleased, therefore, to look through a booklet entitled "People-to-People Partnerships and How the Armed Forces Participate." This booklet is No. 7 in what is entitled "Manpower Awareness Series," as published by the Office of the Assistant Secretary of Defense for Manpower, Personnel, and Reserve.

The booklet points out the many ways in which members of the Army, Navy, Air Force, and Marine Corps deployed abroad, together with members of their families, can and do strengthen ties of good will and understanding between ourselves and foreign peoples.

The following are extracts from this booklet, as conveyed to me by Mr. James

C. Evans, staff director of the Armed Services Committee:

RESOURCES AND FACILITIES AVAILABLE TO THE SERVICES FOR PEOPLE-TO-PEOPLE CONTACTS

MANPOWER RESOURCES

Approximately 800,000 American servicemen are stationed overseas.

Approximately 450,000 dependents of active duty military personnel are living overseas (wives, children, parents).

Approximately 58,000 United States citizens—civilian employees—are working overseas.

These human resources are widespread throughout many lands—Far East, central and southwest Pacific, Europe, Africa, Mediterranean, Middle East, and South America. Each has his or her job to do—but many have additional talents and training that could be used effectively to further our friendship with other peoples.

INFORMATION MATERIALS PREPARED BY OAFIE FOR USE BY THE SERVICES

DOD pamphlets: (Armed Forces talk) (Armed Forces information pamphlet).

Illustrated pamphlets providing information giving the service personnel an understanding of, and a living belief in, our democratic form of government and American ideals.

Fact sheets

Are used in emergencies, when it is necessary to get factual information to service personnel in certain geographical areas.

Pocket guides

Are illustrated factual booklets about countries overseas where service personnel are stationed or will visit frequently.

Special pamphlets

Are prepared as required to furnish Armed Forces personnel with information on subjects of general interest such as voting, survivor benefits.

Posters

Produced when required for special projects.

Films

Armed Forcess information films and Armed Forces screen magazine films are available in 16-mm. size in film libraries of all the services.

Armed Forces clip sheets

Are furnished weekly to approved service newspapers on request by the Armed Forces Press Service, New York. It consists of two sheets of news and art materials with precut stencils and mats of the art.

STARS AND STRIPES, OVERSEAS NEWSPAPER

News photographs to overseas service newspapers are available.

Stars and Stripes—overseas newspaper: Daily—local newspaper overseas—authorized in areas where services of such newspapers are not available.

EACH SERVICE DEVELOPS MATERIALS ON SUBJECTS PECULIAR TO ITS OWN REQUESTS

Information materials, base newspapers, posters, and educational materials.

ARMED FORCES RADIO AND TELEVISION FACILITIES

Transcriptions, program material, etc., are provided weekly by the Armed Forces Radio and Television Service to 177 outlets overseas. Weekly radio decommercialized broadcasts originating in the United States are furnished these stations. Decommercialized information and education shows, religious shows, and entertainment shows are furnished.

Areas served by Armed Forces radio: Alaska, Canada, Caribbean, Europe, Italy, England, France, Pacific, north Africa, North Atlantic, Middle East, and the Far East.

Areas served by 20 Armed Forces TV stations: Maine; Libya; Iceland; Greenland; Okinawa; Luzon, Philippine Islands; Azores; Saudi Arabia; Bermuda; Eritrea; Cuba; Newfoundland; Marshall Islands; Alaska; Canal Zone; and Goose Bay, Labrador.

In addition to this service, there is a shortwave schedule of 13½ hours daily for the Pacific area (news, sports, special interests, political) and 5¾ hours daily for the Atlantic and South Atlantic area. TV stations receive approximately 50 hours per week of filmed programs.

Radio and TV stations produce live programs, utilizing local talent in the country where the station is located. TV stations in the Azores and Libya are producing programs in the language of the local foreign nationals.

Within the very near future some TV stations will be presenting films of civilian educators lecturing on a variety of academic subjects. Other educational and cultural materials are also available upon request.

WORK OF THE PEOPLE-TO-PEOPLE YOUTH ACTIVITIES COMMITTEE

The newspapers report that Valley Forge, Pa., will once more ring with the welcome voices of tens of thousands of Boy Scouts from the four corners of the Nation.

It is naturally most appropriate that the chief Scout executive of the Boy Scouts, Mr. Arthur A. Schuck, serves as chairman of the youth activities committee.

One of the most interesting projects of this committee was the gathering of the results of a questionnaire which was filled out by 26 youth-serving organizations.

The answers on this questionnaire demonstrate the very considerable extent to which these groups are even now carrying on various types of contacts with young people's groups throughout the world.

Current projects include not only direct person-to-person contacts, but exchange of knowledge and skills through publications, scrapbooks, visual aids, film recordings, and a broad variety of other activities.

There follows now a list of the 26 organizations which contributed to the answering of this important questionnaire prepared by the youth activities committee:

REPORTING ORGANIZATIONS

1. American Camping Association, Inc., Bradford Woods, Martinsville, Ind.
2. American Field Service, 113 East 30th Street, New York, N. Y.
3. American Friends Service Committee, Inc., 20 South 12th Street, Philadelphia, Pa.
4. American Jewish Committee, 386 Fourth Avenue, New York, N. Y.
5. American Youth Hostels, Inc., 14 West Eighth Street, New York, N. Y.
6. The American National Red Cross, National Headquarters, Washington, D. C.
7. Big Brothers of America, Inc., 1347 Suburban Station Building, Philadelphia, Pa.
8. Boys' Clubs of America, 381 Fourth Avenue, New York, N. Y.
9. Boy Scouts of America, New Brunswick, N. J.
10. Camp Fire Girls, Inc., 16 East 48th Street, New York, N. Y.
11. Children's International Summer Villages, Inc., 634 Dixie Terminal Building, Cincinnati, Ohio
12. The Experiment in International Living, Putney, Vt.
13. Future Farmers of America, Department of Health, Education, and Welfare, Office of Education, Washington, D. C.
14. Girl Scouts of the United States of America, 155 East 44th Street, New York, N. Y.
15. Huckleberry Mountain Workshop—Camp Hendersonville, N. C.
16. The International Recreation Association, 345 East 46th Street, New York, N. Y.
17. Junior Achievement, Inc., 345 Madison Avenue, New York, N. Y.
18. Koinonia Foundation, Pikesville Box 5744, Baltimore, Md.
19. National Association of Student Councils, 1201 Sixteenth Street, NW., Washington, D. C.
20. National Catholic Welfare Conference, 1312 Massachusetts Avenue, NW., Washington, D. C.
21. National Jewish Welfare Board, 145 East 32d Street, New York, N. Y.
22. The Salvation Army, 120–130 West 14th Street, New York, N. Y.
23. United States Committee for UNICEF, United Nations, N. Y.
24. United States Department of Agriculture, Federal Extension Service, Washington, D. C.
25. Young Men's Christian Association, 291 Broadway, New York, N. Y.
26. Young Women's Christian Association, 600 Lexington Avenue, New York, N. Y.

THE WORK OF THE ADVERTISING ORGANIZATIONS COMMITTEE

It is estimated that $10 billion is being spent in advertising in America at the present time. And even this huge figure is scheduled to be topped in the years up ahead.

Advertising has become a profound force in strengthening the free-enterprise system, in maintaining supply and demand in balance, and in improving our standard of living.

It is only natural, therefore, that the Advertising Organizations Committee should occupy a leading role in the people-to-people program.

The following is therefore a report which I have received from Mr. Theodore S. Repplier, president of the Advertising Council, Inc.:

REPORT OF THE ADVERTISING ORGANIZATIONS COMMITTEE

The general purpose of the Advertising Organizations Committee is to provide a means by which various aspects of the American advertising profession can be brought to bear on the purpose of the people-to-people program, which is, in turn, to strengthen understanding among peoples by broadening direct communications between them.

Representatives from the following organizations are serving on the Advertising Organizations Committee:

Brand Names Foundation, Associated Business Publications, Outdoor Advertising Association of America, Advertising Federation of America, Magazine Advertising Bureau, Direct Mail Advertising Association, National Association of Transportation Advertising, Association of National Advertisers, Advertising Age magazine, National Industrial Advertisers Association, American Association of Advertising Agencies, Advertising Association of the West, National Business Publications, Advertising Research Foundation, Point of Purchase Advertising Institute, International Advertising Association, Association of International Advertising Agencies, the Advertising Council, Inc.

The committee has gradually settled on a list of specific projects that seem both appropriate and promising. These projects are now in various stages of development. They are:

(a) Advertising fellowships for advertising people from other countries.

(b) Production of a film on anti-American propaganda and the need to correct it.

(c) Hospitality to foreign visitors by local advertising clubs.

(d) Preparation of a comprehensive exhibit on American advertising to be sent overseas.

(e) Possible drive to collect American books specially desired overseas.

(f) Advertising services to the People-to-People Foundation and people-to-people committees.

MUSIC COMMITTEE HELPS TO OVERCOME INTERNATIONAL BARRIERS

My colleagues will recall the correspondence which I have had with various members of the Diplomatic Corps here in Washington concerning the role which can be played by the arts in overcoming barriers between peoples.

Music—the international language—is a particularly wonderful instrument for encouraging understanding.

I was pleased, therefore, to receive from Mrs. Katherine D. Moore, staff administrator of the music committee, a fine booklet which shows specifically how a member of any of the musical organizations of the United States can cooperate with the people-to-people program.

I urge musically interested Americans to get in touch with this committee.

It, itself, is fortunate to have an outstanding array of musical leaders in its roster. There follows now a list of these leaders:

MUSIC COMMITTEE OF THE PEOPLE-TO-PEOPLE PROGRAM OF THE UNITED STATES OF AMERICA

Eugene Ormandy, chairman, music director, Philadelphia Orchestra.

Mrs. Helen M. Thompson, executive vice chairman, executive secretary, American Symphony Orchestra League.

EXECUTIVE COMMITTEE

John S. Edwards, manager, Pittsburgh Symphony; Ronald Eyer, editor, Musical America; Jack Ferentz, American Federation of Musicians; Goddard Lieberson, president, Columbia Records, Inc.; William Schuman, president, Juilliard School of Music; Dr. Grace Spofford, music chairman, National Council of Women of the United States.

PLANNING COMMITTEE OF THE MUSIC COMMITTEE

Emily Coleman, Newsweek magazine; Oliver Daniel, Broadcast Music, Inc.; Gerald Deakin, American Society of Composers, Authors and Publishers; Mrs. Ronald A. Dougar, president, National Federation of Music Clubs; Alfred V. Frankenstein, Music critic, San Francisco Chronicle; Miss Martha Graham, dancer; Howard Hanson, president, National Music Council; Arthur Judson, director, Columbia Artist Management, Inc.; Miss Vanett Lawler, executive secretary, Music Educators National Conference; James C. Petrillo, president, American Federation of Musicians; Gregor Piatigorsky, cellist; Emanuel Sacks, vice president, RCA Victor Records; Thomas B. Sherman, music critic, St. Louis Post-Dispatch; Dr. Carleton Sprague Smith, chief, music division, New York Public Library; Isaac Stern, violinist; Howard Taubman, music editor, New York Times; Luben Vichey, president, National Artists Corp.; Gid W. Waldrop, editor, Musical Courier; William Warfield, basso.

CONCLUSION

These extracts have been presented as samples of what can be done, is being done, and should be done in the future.

President Eisenhower, as honorary chairman, General Donovan, chairman, and Mr. Wilson, president, have all stressed this basic fact: The success of the people-to-people program naturally depends upon the participation by millions of grassroots Americans in its efforts.

I am satisfied that this program is making splendid progress.

It can and will make still more progress, especially if sufficient funds are made available to it.

That is why I am hoping that some of the great foundations in America will help carry the financial load of this unique undertaking.

It is why I urge Americans in all walks of life to have their own particular organizations get in contact with the people-to-people program in the Carnegie Hall Building in New York.

As for myself, it will be my pleasure to render continued service to this fine organization.

RELIEF OF HUNGARIAN AND EGYPTIAN REFUGEES

Mr. JAVITS. Mr. President, on Friday last, 10 Senators transmitted to the chairman of the Committee on the Judiciary of the Senate an urgent request for hearings on immigration bills, particularly those relating to refugees and escapees. There are some 23,000 Hungarian refugees in this country alone, who are awaiting regularization of their status. Hungarian teen-agers who fought for freedom in Hungary are languishing in Austria and other places in Europe, without a fair opportunity for us to take our fair share.

We feel very strongly that to implement the resolution adopted by this body only last week, calling for action on the United Nations Special Report on Hungary, we need to do something, and to do it at this session. The need is urgent, and we should do something immediately, upon this immigration subject.

I should like to read at this point the last paragraph of the statement sent to the chairman of the Committee on the Judiciary by the 10 Senators to whom I have referred:

As the Hungarian refugee situation remains unresolved and as the peoples of the world look to the representatives of the people of the United States, the Congress, for action, the necessity for enactment of the pending legislation becomes more urgent. We believe that the time has come for your committee to take affirmative action if any progress is to be made on this vital problem at this session of the Congress, as we are deeply convinced it must be in the national interest.

I point out that this situation affects also refugees from the Nasser dictatorship in Egypt, as well as refugees from the Hungarian terror of the Communists. I know of nothing which could remind the world more effectively of what humanitarism really means than our action in again recalling to the world the heroic example set by the great Hungarian people by admitting some of these heroic refugees.

The decks are now cleared for the Committee on the Judiciary. We will be considering the subject of civil rights in the Senate, and I hope very much that the committee will take this time for the purpose of considering this urgently essential immigration legislation.

CIVIL USES OF ATOMIC ENERGY—AGREEMENTS FOR COOPERATION WITH CERTAIN FOREIGN COUNTRIES

Mr. PASTORE. Mr. President, on July 3, four more agreements for cooperation were both signed and filed with the Joint Committee on Atomic Energy. As has been my practice, I ask unanimous consent to have these agreements for cooperation printed in full in the RECORD. These agreements for cooperation are, in my own opinion, extremely important since some of them call for the transfer of far larger amounts of special nuclear materials than have been authorized in any agreement for cooperation in the past.

The four agreements are: First, an amendment to the agreement with Netherlands which would provide for the transfer of 500 kilograms of contained U–235; second, an agreement with the Italian Republic which would provide for the transfer of 7,000 kilograms of contained U–235; third, an agreement with France which would provide for the transfer of 2,500 kilograms of contained U–235; and fourth, an agreement with the Republic of Germany which would provide for the transfer of 2,500 kilograms of contained U–235.

I am planning on having a meeting of the Subcommittee on Agreements for Cooperation very shortly on these agreements, together with other agreements, which are expected to come before the Joint Committee in the very near future.

There being no objection, the agreements were ordered to be printed in the RECORD, as follows:

UNITED STATES ATOMIC ENERGY COMMISSION,
Washington, D. C., July 3, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy,
Congress of the United States.

DEAR MR. DURHAM: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

1. Three copies of an amendment to the Agreement for Cooperation with the Government of the Netherlands which was signed on June 22, 1956;

2. Three copies of a letter from the Commission to the President recommending approval of the proposed amendment;

3. Three copies of a letter from the President to the Commission approving the amendment, containing his determination that it will promote and will not constitute an unreasonable risk to the common defense; and his authorization to execute the proposed amendment.

The Agreement for Cooperation which the amendment would modify was signed by the Netherlands and the United States on June 22, 1956, and was designed to supersede an earlier Agreement for Cooperation which was signed on July 18, 1955. This earlier agreement provided for the lease of fuel from the Commission to the Government of the Netherlands for use in research reactors. The superseding agreement signed on June 22, 1956, provided for the transfer from the Commission to the Government of the Netherlands of fuel for use in research, experimental, demonstration power, and power reactors exclusively by means of sale. Article I of the proposed amendment would permit the Commission to sell or lease fuel as may be agreed for use in research reactors and sell fuel for use in experimental, demonstration power, and power reactors to the

Government of the Netherlands. The proposed amendment would therefore incorporate into the superseding agreement, signed on June 22, 1956, the provision of the earlier agreement signed on July 18, 1955, permitting lease of fuel for use in research reactors.

Article II of the proposed amendment would save harmless the Government of the United States of America against any and all liability (including third-party liability) arising out of the production of fabrication, the ownership, the lease, and the possession and use of special nuclear materials or fuel elements leased by the Commission to the Government of the Netherlands.

The amendment will enter into force when the two Governments have exchanged written notification that their respective statutory and constitutional requirements have been fulfilled.

Sincerely,

LEWIS L. STRAUSS,
Chairman.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed "Amendment to Agreement for Cooperation between the Government of the United States of America and the Government of the Netherlands Concerning Civil Uses of Atomic Energy" and authorize its execution.

The amendment has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended. The agreement for cooperation which the amendment would modify was signed by the Government of the United States of America and the Government of the Netherlands on June 22, 1956, and was designed to supersede the earlier agreement for cooperation which was signed on July 18, 1955. This earlier agreement provided for the transfer of fuel from the Commission to the Government of the Netherlands for use in research reactors exclusively by means of lease. The superseding agreement signed on June 22, 1956, provided for the transfer from the Commission to the Government of the Netherlands of fuel for use in research, experimental, demonstration power and power reactors exclusively by means of sale. Article I of the proposed amendment would permit the Commission to sell or lease fuel as may be agreed for use in research reactors and sell fuel for use in experimental, demonstration power and power reactors to the Government of the Netherlands. The proposed amendment would therefore incorporate into the superseding agreement, signed on June 26, 1956, the provision of the earlier agreement signed on July 18, 1955, permitting lease of fuel for use in research reactors.

Article II of the proposed amendment would save harmless the Government of the United States of America against any and all liability (including third party liability) arising out of the production or fabrication, the ownership, the lease, and the possession and use of special nuclear materials or fuel elements leased by the Commission to the Government of the Netherlands.

Following your approval and subject to the authorization requested, the agreement will be formally executed by the appropriate authorities of the Government of the Netherlands and the Government of the United States of America and then placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954, as amended.

Respectfully,

LEWIS L. STRAUSS,
Chairman.

Certified as a true copy of the original:
HAROLD D. BRUZELDORF,
Division of International Affairs, United States Atomic Energy Commission.

THE WHITE HOUSE,
Washington, July 2, 1957.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission.

DEAR MR. STRAUSS: Under date of July 1, you informed me that the Atomic Energy Commission had recommended that I approve the proposed Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Netherlands Concerning Civil Uses of Atomic Energy and authorize its execution.

The recommended amendment has been reviewed. It will permit the Commission to sell or lease fuel as may be agreed for use in research reactors and sell fuel for use in experimental, demonstration power, and power reactors to the Government of the Netherlands. The amendment would thereby incorporate into the Agreement for Cooperation Between the Government of the United States of America and the Government of the Netherlands Concerning Civil Uses of Atomic Energy signed on June 22, 1956, the provision of an earlier Agreement for Cooperation signed on July 18, 1955, which it superseded and which permitted the lease of fuel for use in research reactors.

I note that article II of the proposed amendment would save harmless the Government of the United States against any and all liability (including third party liability) arising out of the production or fabrication, the ownership, the lease, and the possession and use of special nuclear materials or fuel elements leased by the Commission to the Government of the Netherlands.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby (1) determine that the performance of the proposed amendment will promote and will not constitute an unreasonable risk to the common defense and security of the United States, (2) approve the proposed Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Netherlands Concerning Civil Uses of Atomic Energy enclosed with your letter of July 1, and (3) authorize the execution of the proposed amendment for the Government of the United States of America by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

Certified to be a true copy of the original.
JOHN P. TREVITHICK,
Division of International Affairs, United States Atomic Energy Commission.

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE NETHERLANDS CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of the Netherlands;

Desiring to amend the Agreement for Cooperation Concerning Civil Uses of Atomic Energy between the Government of the United States of America and the Government of the Netherlands, signed at Washington, June 22, 1956 (hereinafter referred to as the "Agreement for Cooperation");

Have agreed as follows:

ARTICLE I

Article VII of the Agreement for Cooperation is amended to read as follows:

"A. During the period of this agreement, the United States Commission will sell or lease as may be agreed for use in research reactors and sell for use in experimental, demonstration power and power reactors to the Government of the Netherlands uranium enriched in the istopes U–235 in a net amount not to exceed 500 kilograms of contained U–235 in uranium. This net amount shall be the gross quantity of contained U–235 in uranium sold or leased to the Government of the Netherlan's less the quantity of contained U–235 in recoverable uranium which has been resold or otherwise returned to the United States of America in accordance with this agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America in accordance with this agreement. This material may not be enriched above 20 percent U–235 except as hereinafter provided. Such material will be sold or leased subject to the terms and conditions of this article and the other provisions of this agreement as and when required as initial and replacement fuel in the operation of defined research, and experimental, demonstration power and power reactors which the Government of the Netherlands in consultation with the United States Commission decides to construct or authorize private organizations to construct in the Netherlands and as required in experiments related thereto. The United States Commission may, upon request and in its discretion, make a portion of the foreging 500 kilograms available as material enriched up to 90 percent for use in a materials testing reactor, capable of operating with a fuel load not to exceed 6 kilograms of contained U–235 in uranium.

"B. The quantity of uranium enriched in the isotope U–235 transferred by the United States Commission under this article and in the custody of the Government of the Netherlands shall not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project which the Government of the Netherlands or persons under its jurisdiction decide to construct as provided herein, plus such additional quantity as, in the opinion of the United States Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in the Netherlands or while fuel elements are in transit, it being the intent of the United States Commission to make possible the maximum usefulness of the material so transferred.

"C. Each sale or lease of uranium enriched in the isotope U–235 shall be subject to the agreement of the parties as to the schedule of deliveries, the form of material to be delivered, charges therefor and the amount of material to be delivered consistent with the quantity limitations established in paragraph B. It is understood and agreed that although the Government of the Netherlands will distribute uranium enriched in the isotope U–235 to authorized users in the Netherlands, the Government of the Netherlands will retain title to any uranium enriched in the isotope U–235 which is purchased from the United States Commission at least until such time as private users in the United States of America are permitted to acquire title in the United States of America to uranium enriched in the isotope U–235.

"D. It is agreed that when any source or special nuclear materials received from the United States of America require reprocessing, such reprocessing shall be performed at the discretion of the United States Commission in either United States Commission facilities or facilities acceptable to the United States Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the United States Commission or the facilities acceptable to the United States Commission for reprocessing.

"E. With respect to any special nuclear material not owned by the Government of the United States of America produced in reactors fueled with materials obtained from the United States of America which are in excess of the need of the Government of the Netherlands for such materials in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted:

"(a) A first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an Agreement for Cooperation with the Government of the United States of America; and

"(b) The right to approve the transfer of such material to any other nation or international organization in the event the option to purchase is not exercised."

ARTICLE II

Article XIV of the Agreement for Cooperation is amended by inserting "A." before the present paragraph thereof and adding the following new paragraph:

"B. With respect to any special nuclear materials or fuel elements which the United States Commission may, pursuant to this agreement, lease to the Government of the Netherlands or to any private individual or private organization under its jurisdiction, the Government of the Netherlands shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) from any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after transfer by the United States Commission to the Government of the Netherlands or to any authorized private individual or private organization under its jurisdiction."

ARTICLE III

This amendment shall enter into force on the date on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such amendment and shall remain in force for the period of the Agreement for Cooperation.

In witness whereof, the undersigned, duly authorized, have signed this amendment.

Done at Washington, in duplicate, this 3d day of July.

For the Government of the United States of America:

JOHN WESLEY JONES,
LEWIS L. STRAUSS.

For the Government of the Netherlands:
S. G. N. VAN VOORST TOT VOORST.

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., July 3, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. DURHAM: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

1. Three copies of an agreement for cooperation with the Government of the Italian Republic.

2. Three copies of a letter from the Commission to the President recommending approval of the proposed agreement.

3. Three copies of a letter from the President to the Commission approving the agreement, containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security; and his authorization to execute the proposed agreement.

The agreement for cooperation submitted with this letter will incorporate and supersede the agreement for cooperation concerning civil uses of atomic energy which was signed on July 28, 1955, between the two Governments, and will remain in force for a period of 20 years. It will broaden the scope of cooperation on matters relating to the development, design, construction, operation, and use of research, experimental power, demonstration power, and power reactors; by providing for cooperation on health and safety problems related to the operation and use of such reactors; and by providing for cooperation on the use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry. No restricted data will be exchanged under the agreement.

Article II of the agreement recognizes that the Government of the Italian Republic has signed the treaty constituting the European community for atomic energy (EURATOM) and, accordingly, provides that the European community may assume the rights and obligations of the Italian Republic under the agreement provided a cooperative arrangement is executed between the community and the Government of the United States of America and provided the community can, in the judgment of the United States, effectively and securely carry out the undertakings of the enclosed agreement for cooperation.

Article VIII of the agreement will permit the Commission to sell or lease, as may be agreed, to the Government of the Italian Republic uranium, enriched up to a maximum of 20 percent in the isotope U–235, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Italian Republic: *Provided, however,* That the net amount of any uranium sold or leased during the period of the agreement does not exceed 7,000 kilograms of contained U–235. The Commission at its discretion may make a portion of the foregoing 7,000 kilograms available as material enriched up to 90 percent for use in a materials testing reactor capable of operating with a fuel load not to exceed 6 kilograms of contained U–235 in uranium. At the present time it is expected that the U–235 to be transferred to the Italian Republic will be employed in two large-scale power reactors and several research reactors. As in the case of sale transactions, the agreement, in the event of lease, would permit the retention by the Government of the Italian Republic of special nuclear materials produced in fuel elements obtained from the United States. The quantity of uranium enriched in the isotope U–235 transferred to the Government of the Italian Republic for use as fuel in reactors will not at any time be in excess of the amount of material necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in the Italian Republic or while fuel elements are in transit.

Article VI would permit the transfer of limited amounts of special nuclear materials, including U–235, U–233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

The agreement provides that when any source of special nuclear material received from the United States requires reprocessing, such reprocessing will be performed by the Atomic Energy Commission in either Commission facilities or in facilities acceptable to the Commission. In addition, article X of the agreement incorporates provisions designed to minimize the possibility that material or equipment transferred under the agreement would be diverted to nonpeaceful purposes. In article XII the parties affirm their common interest in the establishment of an international atomic energy agency to foster the peaceful uses of atomic energy and express their intention to reappraise the agreement in the event such an agency is established.

The agreement will enter into force when the two Governments have exchanged written notification that their respective statutory and constitutional requirements have been fulfilled.

Sincerely yours,

LEWIS L. STRAUSS,
Chairman.

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed agreement for cooperation between the Government of the United States of America and the Government of the Italian Republic concerning civil uses of atomic energy and authorize its execution.

The agreement has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, and is, in the opinion of the Commission, an important and desirable step in advancing the development of the peaceful uses of atomic energy in the Italian Republic in accordance with the policy which you have established. The proposed agreement will incorporate and supersede the agreement for cooperation concerning civil uses of atomic energy which was entered into on July 28, 1955, between the 2 governments and will extend for a period of 20 years. The new agreement will broaden the scope of cooperation between the Italian Republic and the United States in fields related to the peaceful utilization of atomic energy by providing for cooperation on matters relating to the development, design, construction, operation, and use of experimental power, demonstration power, and power reactors, as well as research reactors. It is expected that the parties will exchange information in other unclassified areas including health and safety problems related to the operation and use of such reactors; and the use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry.

The Italian Republic, if it desires to do so, may engage United States companies to construct research, experimental power, demonstration power, and power reactors, and private industry in the United States will be able, under the agreement, to provide other assistance to the Italian Republic. The agreement contains all of the guaranties prescribed by the Atomic Energy Act of 1954, as amended. No restricted data would be communicated under the agreement.

Article II of the agreement recognizes that the Government of the Italian Republic has signed the Treaty Constituting the European Community for Atomic Energy (EURATOM) and accordingly provides that the European Community for Atomic Energy may assume the rights and obligations of the Italian Republic under the agreement provided a cooperative arrangement is executed between the European community and the Government of the United States of America and provided the community can, in the judgment of the United States, effectively and securely carry out the undertakings of the enclosed agreement for cooperation.

The agreement will permit the Commission to sell or lease, as may be agreed, to the Government of the Italian Republic uranium enriched up to a maximum of 20 percent in the isotope U–235, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Italian Republic provided, however, that the net amount of any uranium sold or leased during the period of the agreement does not exceed 7,000 kilograms of contained U–235.

At the present time it is expected that the U-235 to be transferred to the Italian Republic will be employed in two large-scale power reactors and several research reactors. The Commission at its discretion may make a portion of the foregoing 7,000 kilograms available as material enriched up to 90 percent for use in a materials-testing reactor capable of operating with a fuel load not to exceed 6 kilograms of contained U-235 in uranium. As in the case of sale transactions, in the event of lease, the agreement would permit the retention by the Government of the Italian Republic of special nuclear materials produced in fuel elements obtained from the United States.

The quantity of uranium enriched in the isotope U-235 transferred to the Government of the Italian Republic for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling or, subject to Commission approval, are being reprocessed in the Italian Republic.

Article VI of the agreement would permit the transfer of limited amounts of special nuclear materials, including U-235, U-233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Article VIII provides that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed either in Commission facilities or in facilities acceptable to the Commission.

Article X of the agreement incorporates several provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to nonpeaceful purposes.

In article XII the parties affirm their common interest in the establishment of an international atomic energy agency to foster the peaceful uses of atomic energy and express their intention to reappraise the agreement in the event such an agency is established.

Following your approval and subject to the authorization requested, the agreement will be formally executed by the appropriate authorities of the Government of the Italian Republic and the Government of the United States of America and placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954.

Respectfully,

LEWIS L. STRAUSS,
Chairman.

Certified to be a true copy of the original:

HAROLD D. BENGELSDORF,
Division of International Affairs, United States Atomic Energy Commission.

THE WHITE HOUSE,
Washington, July 2, 1957.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission.

DEAR MR. STRAUSS: Under date of July 1 the Atomic Energy Commission recommended that I approve a proposed agreement for cooperation between the Government of the United States of America and the Government of the Italian Republic concerning civil uses of atomic energy.

The recommended amendment has been reviewed. It will incorporate and supercede the agreement of cooperation concerning civil uses of atomic energy which was entered into on July 28, 1955, between the two governments and will continue for a period of 20 years. No restricted data will be communicated under the proposed agreement.

The new agreement will broaden the scope of cooperation between the Italian Republic and the United States in fields related to the peaceful utilization of atomic energy by providing for cooperation on matters relating to the development, design, construction, operation, and use of experimental power, demonstration power and power reactors, as well as research reactors. I note that it is planned that the parties will exchange information in other unclassified areas including health and safety problems related to the operation and use of such reactors, and the use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry.

The Italian Republic, if it desires to do so, may engage United States companies to construct research, experimental power, demonstration power, and power reactors, and private industry in the United States will be able, under the agreement, to provide other assistance to the Italian Republic. Article II of the agreement recognizes that the Government of the Italian Republic has signed the treaty constituting the European community for atomic energy (EURATOM) and accordingly, provides that the European Community for Atomic Energy may assume the rights and obligations of the Italian Republic under the agreement provided a cooperative arrangement is executed between the European Community and the Government of the United States of America and provided the Community can, in the judgment of the United States, effectively and securely carry out the undertakings of the enclosed agreement for cooperation.

The agreement will permit the Commission to sell or lease, as may be agreed, to the Government of the Italian Republic uranium enriched up to a maximum of 20 percent in the isotope U-235, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Italian Republic; provided, however, that the net amount of any uranium sold or leased during the period of the agreement does not exceed 7,000 kilograms of contained U-235. I understand that it is expected that the U-235 to be transferred to the Italian Republic will be employed in two power reactors and several research reactors. The Commission, at its discretion, may make a portion of the foregoing 7,000 kilograms available as material enriched up to 90 percent for use in a materials-testing reactor capable of operating whti a fuel load not to exceed 6 kilograms of contained U-235 in uranium. As in the case of sale transactions, in the event of lease, the agreement would permit the retention by the Government of the Italian Republic of special nuclear materials produced in fuel elements obtained from the United States.

The quantity of uranium enriched in the isotope U-235 transferred to the Government of the Italian Republic for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling or, subject to Commission approval, are being reprocessed in the Italian Republic.

Article VI of the agreement would permit the transfer of limited amounts of special nuclear materials, including U-235, U-233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

I note that article X of the agreement incorporates several provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to nonpeaceful purposes. In addition, article VIII provides that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed by the Atomic Energy Commission in Commission facilities, or in facilities acceptable to the Commission.

In article XII the parties affirm their common interest in the establishment of an international atomic energy agency to foster the peaceful uses of atomic energy and express their intention to reappraise the agreement in the event such an agency is established.

The Commission has expressed its belief that the proposed agreement will be an important and desirable step in advancing the peaceful uses of atomic energy in the Italian Republic and I note that the agreement contains all the guaranties prescribed by the Atomic Energy Act of 1954, as amended.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby

(1) Determine that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States.

(2) Approve the proposed agreement for cooperation between the Government of the United States of America and the Government of the Italian Republic enclosed with your letter of July 1st, and

(3) Authorize the execution of the proposed agreement for the Government of the United States of America by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

Certified to be a true copy of the original.

JOHN P. TREVITHICK,
Division of International Affairs, United States Atomic Energy Commission.

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE ITALIAN REPUBLIC CONCERNING THE CIVIL USES OF ATOMIC ENERGY

Whereas the Government of the United States of America and the Government of the Italian Republic on July 28, 1955, signed an Agreement for Cooperation Concerning Civil Uses of Atomic Energy; and

Whereas such agreement provides that it is the hope and expectation of the parties that the initial Agreement for Cooperation will extend to considerations of further cooperation extending to the design, construction, and operation of power-producing reactors; and

Whereas the Government of the Italian Republic has advised the Government of the United States of America of its desire to pursue a research and development program looking toward the realization of peaceful and humanitarian uses of atomic energy including the design, construction, and operation of power-producing reactors; and

Whereas the Government of the United States of America desires to cooperate with the Government of the Italian Republic in such a program as hereinafter provided; and

Whereas the parties desire to supersede the Agreement for Cooperation signed on July 28, 1955, with this agreement which includes the new areas of cooperation;

The parties agree as follows:

ARTICLE I

A. The Agreement for Cooperation signed on July 28, 1955, is superseded in its entirety on the day this agreement enters into force.

This agreement shall enter into force on the day on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such agreement and shall remain in force for a period of twenty (20) years.

ARTICLE II

It is recognized that article 106 of the treaty constituting the European Community for Atomic Energy (EURATOM) which the Government of the Italian Republic signed on March 25, 1957, in Rome, contemplates that member states of the community will seek a renegotiation of existing agreements in the field of atomic energy with third countries once the treaty comes into force. If the treaty comes into force and if a cooperative arrangement is executed between the European Community for Atomic Energy and the Government of the United States of America, the Government of the United States of America would be prepared to arrange for the European Community for Atomic Energy to assume the rights and obligations of the Italian Republic under this agreement provided the European Community for Atomic Energy could, in the judgment of the Government of the United States of America, effectively and securely carry out the undertakings of this agreement.

ARTICLE III

A. Restricted data shall not be communicated under this agreement, and no materials or equipment and devices shall be transferred and no services shall be furnished under this agreement if the transfer of any such materials or equipment and devices or the furnishing of any such service involves the communication of restricted data.

B. Subject to the provisions of this agreement, the availability of personnel and material, and the applicable laws, regulations, and license requirements in force in their respective countries, the parties shall assist each other in the achievement of the use of atomic energy for peaceful purposes.

C. This agreement shall not require the exchange of any information which the parties are not permitted to communicate because the information is privately owned or has been received from another government.

ARTICLE IV

Subject to the provisions of article III unclassified information including information in the specific fields set out below shall be exchanged between the parties with respect to the application of atomic energy to peaceful uses, including research and development relating to such uses, and problems of health and safety connected therewith:

(a) The development, design, construction, operation, and use of research, experimental power, demonstration power, and power reactors.

(b) Health and safety problems related to the operation and use of research, experimental power, demonstration power, and power reactors.

(c) The use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry.

ARTICLE V

The application or use of any information (including design drawings and specifications) and any material, equipment, and devices, exchanged or transferred between the parties under this agreement, shall be the responsibility of the party receiving it, and the other party does not warrant the accuracy or completeness of such information and does not warrant the suitability of such information, materials, equipment, and devices for any particular use or application.

ARTICLE VI

A. Research materials: Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy as provided by article IV and under the limitations set forth in article III, including source materials, special nuclear materials, byproduct materials, other radioisotopes, and stable isotopes will be exchanged for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of either party, by reason of transfer under this article, be, at any one time, in excess of 100 grams of contained U–235, 10 grams of plutonium, and 10 grams of U–233.

B. Research facilities: Subject to the provisions of article III, and under such terms and conditions as may be agreed, and to the extent as may be agreed, specialized research facilities and reactor materials testing facilities of the parties shall be made available for mutual use consistent with the limits of space, facilities, and personnel conveniently available, when such facilities are not commercially available.

ARTICLE VII

It is contemplated that, as provided in this article, private individuals and private organizations in either the United States of America or the Italian Republic may deal directly with private individuals and private organizations in the other country. Accordingly, with respect to the subjects of agreed exchange of information as provided in artivle IV, persons under the jurisdiction of either the Government of the United States of America or the Government of the Italian Republic will be permitted to make arrangements to transfer and export materials, including equipment and devices, to and perform services for the other Government and such persons under its jurisdiction as are authorized by the other Government to receive and possess such materials and utilize such services, subject to:

(a) The limitations in article III.

(b) Applicable laws, regulations, and license requirements of the Government of the United States of America and the Govment of the Italian Republic.

ARTICLE VIII

A. The Commission will sell or lease, as may be agreed, to the Government of the Italian Republic uranium enriched up to 20 percent in the isotope U–235, except as otherwise provided in paragraph C of this article, in such quantities as may be agreed in accordance with the terms, conditions, and delivery schedules set forth in contracts for fueling defined research, experimental power, demonstration power, and power reactors which the Government of the Italian Republic in consultation with the Commission, decides to construct or authorize private organizations to construct in the Italian Republic and as required in experiments related thereto: *Provided, however*, That the net amount of any uranium sold or leased hereunder during the period of this agreement shall not exceed 7,000 kilograms of contained U–235. This net amount shall be the gross quantity of contained U–235 in uranium sold or leased to the Government of the Italian Republic during the period of this agreement less the quantity of contained U–235 in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America.

B. Within the limitations contained in paragraph A of this article, the quantity of uranium enriched in the isotope U–235 transferred by the Commission under this article and in the custody of the Government of the Italian Republic shall not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project which the Government of the Italian Republic or persons under its jurisdiction decide to construct and fuel with United States fuel, as provided herein, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of such reactor or reactors while replaced fuel elements are radioactively cooling or, subject to the provisions of paragraph E, are being reprocessed in the Italian Republic, it being the intent of the Commission to make possible the maximum usefulness of the material so transferred.

C. The Commission may, upon request and in its discretion, make a portion of the foregoing special nuclear material available as material enriched up to 90 percent for use in a materials testing reactor, capable of operating with a fuel load not to exceed 6 kilograms of contained U–235 in uranium.

D. It is understood and agreed that although the Government of the Italian Republic may distribute uranium enriched in the isotope U–235 to authorized users in the Italian Republic, the Government of the Italian Republic will retain title to any uranium enriched in the isotope U–235 which is purchased from the Commission at least until such time as private users in the United States of America are permitted to acquire title in the United States of America to uranium enriched in the isotope U–235.

E. It is agreed that when any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing.

F. With respect to any special nuclear material not owned by the Government of the United States of America produced in reactors fueled with materials obtained from the United States of America which is in excess of the need of the Italian Republic for such materials in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an agreement for cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or international organization in the event the option to purchase is not exercised.

G. Special nuclear material produced in any part of fuel leased hereunder as a result of irradiation processes shall be for the account of the Government of the Republic of Italy and after reprocessing as provided in paragraph E hereof shall be returned to the Government of the Republic of Italy, at which time title to such material shall be transferred to that government, unless the Government of the United States of America shall exercise the option, which is hereby accorded, to retain, with appropriate credit to the Government of the Republic of Italy, any such special nuclear material which is in excess of the needs of the Government of the Republic of Italy for such material in its program for the peaceful uses of atomic energy.

H. Some atomic energy materials which the Government of the Italian Republic may request the Commission to provide in accordance with this agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of the Italian Republic, the Government of the Italian Republic shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to

any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Government of the Italian Republic or to any private individual or private organization under its jurisdiction, the Government of the Italian Republic shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Government of the Italian Republic or to any authorized private individual or private organization under its jurisdiction.

ARTICLE IX

As may be necessary and as may be mutually agreed in connection with the subjects of agreed exchange of information as provided in article IV, and under the limitations set forth in article III, and under such terms and conditions as may be mutually agreed, specific arrangements may be made from time to time between the parties for lease, or sale and purchase, of quantities of materials, other than special nuclear material, greater than those required for research, when such materials are not available commercially.

ARTICLE X

A. The Government of the United States of America and the Government of the Italian Republic emphasize their common interest in assuring that any material, equipment, or device made available to the Government of the Italian Republic pursuant to the agreement shall be used solely for civil purposes.

B. Except to the extent that the safeguards provided for in this agreement are supplanted, by agreement of the parties as provided in article XII, by safeguards of the proposed International Atomic Energy Agency, the Government of the United States of America, notwithstanding any other provisions of this agreement, shall have the following rights:

1. With the objective of assuring design and operation for civil purposes and permitting effective application of safeguards, to review the design of any (i) reactor and (ii) other equipment and devices the design of which the Commission determines to be relevant to the effective applicaton of safeguards, which are to be made available to the Government of the Italian Republic or persons under its jurisdiction by the Government of the United States of America or any person under its jurisdiction, or which are to use, fabricate, or process any of the following materials so made available: source material, special nuclear material, moderator material, or other material designated by the Commission.

2. With respect to any source or special nuclear material made available to the Government of the Italian Republic or any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction and any source or special nuclear material utilized in, recovered from, or produced as a result of the use of any of the following materials, equipment, or device so made available: (i) source material, special nuclear material, moderator material or other material designated by the Commission, (ii) reactors, (iii) any other equipment or device designated by the Commission as an item to be made available on condition that the provision of this subparagraph B 2 will apply, (a) to require the maintenance and production of operating records and to request and receive reports for the purpose of assisting in insuring accountability for such materials; and (b) to require that any such material in the custody of the Government of the Italian Republic or any person under its jurisdiction be subject to all of the safeguards provided for in this article and the guaranties set forth in article XI.

3. To require the deposit in storage facilities designated by the Commission of any of the special nuclear material referred to in subparagraph B 2 of this article which is not currently utilized for civil purposes in the Italian Republic and which is not purchased or retained by the Government of the United States of America pursuant to article VIII of this agreement, transferred pursuant to article VIII, paragraph F (b) of this agreement, or otherwise disposed of pursuant to an arrangement mutually acceptable to the parties.

4. To designate, after consultation with the Government of the Italian Republic, personnel who, accompanied, if either party so requests, by personnel designated by the Government of the Italian Republic, shall have access in the Italian Republic to all places and data necessary to account for the source and special nuclear materials which are subject to subparagraph B 2 of this article to determine whether there is compliance with this agreement and to make such independent measurements as may be deemed necessary.

5. In the event of noncompliance with the provisions of this article, or the guaranties set forth in article XI, and the failure of the Government of the Italian Republic to carry out the provisions of this article within a reasonable time, to suspend or terminate this agreement and require the return of any materials, equipment, and devices referred to in subparagraph B 2 of this article.

6. To consult with the Government of the Italian Republic in the matter of health and safety.

C. The Government of the Italian Republic undertakes to facilitate the application of the safeguards provided for in this article.

ARTICLE XI

The Government of the Italian Republic guarantees that:

(a) Safeguards provided in article X shall be maintained.

(b) No material, including equipment and devices, transferred to the Government of the Italian Republic or authorized persons under its jurisdiction pursuant to this agreement, by lease, sale, or otherwise, will be used for atomic weapons or for research on or development of atomic weapons or for any other military purposes, and that no such material, including equipment and devices, will be transferred to unauthorized persons or beyond the jurisdiction of the Government of the Italian Republic except as the Commission may agree to such transfer to another nation or an international organization and then only if in the opinion of the Commission such transfers falls within the scope of an agreement for cooperation between the United States of America and the other nation or international organization.

ARTICLE XII

The Government of the United States of America and the Government of the Italian Republic affirm their common interest in the establishment of an international atomic energy agency to foster the peaceful uses of atomic energy. In the event such an international agency is created:

(a) The parties will consult with each other to determine in what respects, if any, they desire to modify the provisions of this agreement for cooperation. In particular, the parties will consult with each other to determine in what respects and to what extent they desire to arrange for the administration by the international agency of those conditions, controls, and safeguards including those relating to health and safety standards required by the international agency in connection with similar assistance rendered to a cooperating nation under the aegis of the international agency.

(b) In the event the parties do not reach a mutually satisfactory agreement following the consultation provided for in paragraph (a) of this article, either party may by notification terminate this agreement. In the event this agreement is so terminated, the Government of the Italian Republic shall return to the Commission all source and special nuclear materials received pursuant to this agreement and in its possession or in the possession of persons under its jurisdiction.

ARTICLE XIII

For purposes of this agreement:

(a) "Commission" means the United States Atomic Energy Commission.

(b) "Equipment and devices" and "equipment or device" means any instrument, apparatus, or facility and includes any facility, except an atomic weapon, capable of making use of or producing special nuclear material, and component parts thereof.

(c) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, Government agency, or Government corporation, but does not include the parties to this agreement.

(d) "Reactor" means an apparatus, other than an atomic weapon, in which a self-supporting fission chain reaction is maintained by utilizing uranium, plutonium, or thorium, or any combination of uranium, plutonium, or thorium.

(e) "Restricted data" means all data concerning (1) design, manufacture, or utilization of atomic weapons; (2) the production of special nuclear materials; or (3) the use of special nuclear material in the production of energy, but shall not include data declassified or removed from the category of restricted data by the appropriate authority.

(f) "Atomic weapon" means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and divisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device.

(g) "Special nuclear material" means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Commission determines to be special nuclear material; or (2) any material artificially enriched by any of the foregoing.

(h) "Source material" means (1) uranium, thorium, or any other material which is determined by either party to be source material; or (2) ores containing one or more of the foregoing materials, in such concentration as the Government of the Italian Republic or the Commission may determine from time to time.

(i) "Parties" means the Government of the United States of America and the Government of the Italian Republic, including the Commission on behalf of the Government of the United States of America and the National Committee for Nuclear Research on behalf of the Government of the Italian Republic. "Party" means one of the abovementioned parties.

In witness whereof, the parties hereto have caused this agreement to be executed pursuant to duly constituted authority.

Done at Washington, in duplicate, in the English and Italian languages, both texts being equally authentic, this 3rd day of July 1957.

In fede di che le Parti hanno concluso il presente Accordo in buona e dovuta forma in virtù dei poteri debitamente conferiti a tale scopo.

Fatto in Washington, in duplice copia nelle lingue inglese ed italiana, ciascúna facente ugualmente fede, il giorno 3 luglio 1957.

For the Government of the United States of America:

Per il Governo Degli Stati Uniti D'America:
CHRISTIAN A. HERTER.
LEWIS L. STRAUSS.

For the Government of the Italian Republic:

Per il Governo Della Repubblica Italiana:
MANLIO BROSIO.

This is a certified copy of the signed original.

ELEANOR C. McDOWELL,
Treaty Adviser, Department of State.

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., July 3, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy,
Congress of the United States.

DEAR MR. DURHAM: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

1. Three copies of an amendment to the Agreement for Cooperation With the Government of the Republic of France which was signed on June 19, 1956.

2. Three copies of a letter from the Commission to the President recommending approval of the amendment.

3. Three copies of a letter from the President to the Commission approving the amendment, containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security; and his authorization to execute the proposed amendment.

Article I of the amendment recognizes that the Government of the Republic of France has signed the Treaty Constituting the European Community for Atomic Energy (EURATOM) and accordingly provides that the community may assume the rights and obligations of the Republic of France under the agreement which was signed by the parties on June 19, 1956, provided a cooperative arrangement is executed between the European Community and the Government of the United States of America and provided the community can, in the judgment of the United States, effectively and securely carry out the undertakings of the agreement for cooperation.

Article II of the amendment replaces article VIII of the agreement for cooperation which was signed by the 2 Governments on June 19, 1956. As you will note it will permit the Commission to sell or lease, as may be agreed, to the Government of the Republic of France uranium enriched up to a maximum of 20 percent in the isotope U–235, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Republic of France; provided, however, that the net amount of any uranium sold or leased during the period of the agreement does not exceed 2,500 kilograms of contained U–235. The Commission at its discretion may make a portion of the foregoing 2,500 kilograms available as material enriched up to 90 percent for use in a materials-testing reactor capable of operating with a fuel load not to exceed 6 kilograms of contained U–235 in uranium. At the present time it is expected that the U–235 to be transferred to the Republic of France will be employed in several prototype and large-scale power reactors, in a materials-testing reactor and in several research reactors.

As in the case of sale transactions, the agreement, in the event of lease, would permit the retention by the Government of the Republic of France of special nuclear materials produced in fuel elements obtained from the United States. The quantity of uranium enriched in the isotopye U–235 transferred to the Government of the Republic of France for use as fuel in reactors will not at any time be in excess of the amount of material necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in the Republic of France or while fuel elements are in transit.

The agreement will enter into force when the two governments have exchanged written notification that their respective statutory and constitutional requirements have been fulfilled.

Sincerely yours,
LEWIS L. STRAUSS,
Chairman.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the proposed enclosed amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of France Concerning Civil Uses of Atomic Energy and authorize its execution.

The amendment has been negotiated by the Atomic Energy Commission and the Department of State, as amended, and is, in the opinion of the Commission an important and desirable step in advancing the development of the peaceful uses of atomic energy in the Republic of France in accordance with the policy which you have established.

Article I of the amendment recognizes that the Government of the Republic of France has signed the Treaty Constituting the European Community for Atomic Energy (EURATOM) and accordingly provides that the European Community for Atomic Energy may assume the rights and obligations of the Republic of France under the agreement for cooperation provided a cooperative arrangement is executed between the European community and the Government of the United States of America and provided the Community can in the judgment of the United States, effectively and securely carry out the undertakings of the agreement for cooperation which was signed by the parties on June 19, 1956.

As you will recall article VIII of the agreement for cooperation provides that the Commission may transfer to the Government of the Republic of France up to 40 kilograms of uranium enriched in the isotope U–235. These transfers were to be made exclusively on the basis of sale. Article II of the amendment replaces article VIII of the agreement and will permit the Commission to sell or lease, as may be agreed, to the Government of the Republic of France uranium enriched up to a maximum of 20 percent with the isotope U–235, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Republic of France provided; however that the net amount of any uranium sold or leased during the period of the agreement does not exceed 2,500 kilograms of contained U–235. The Commission at its discretion, may make a portion of the foregoing 2,500 kilograms available as material enriched up to 90 percent for use in a materials testing reactor capable of operating with a fuel load not to exceed 6 kilograms of contained U–235 in uranium. As in the case of sale transactions, in the event of lease, the agreement would permit the retention by the Government of the Republic of France of special nuclear materials produced in fuel elements obtained from the United States.

It is expected that the material to be transferred to the Government of the Republic of France will be employed in several prototype and large-scale power reactors, in a materials-testing reactor, and in several research reactors.

The quantity of uranium enriched in the isotope U–235 transferred to the Government of the Republic of France for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling or, subject to Commission approval, are being reprocessed in the Republic of France.

Following your approval and subject to the authorization requested, the amendment will be formally executed by the appropriate authorities of the Government of the Republic of France and the Government of the United States of America and placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954, as amended.

Respectfully,
LEWIS L. STRAUSS,
Chairman.

Certified as a true copy of the original:
HAROLD D. BEUFELSDORF,
Division of International Affairs, United States Atomic Energy Commission.

THE WHITE HOUSE,
Washington, July 2, 1957.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission.

DEAR MR. STRAUSS: Under date of July 1, 1957, the Atomic Energy Commission recommended that I approve a proposed amendment to agreement for cooperation between the Government of the United States of America and the Republic of France concerning civil uses of atomic energy.

The recommended amendment has been reviewed. It will broaden the scope of cooperation between the Republic of France and the United States in fields related to the peaceful utilization of atomic energy by providing the basis under which an increased amount of U–235 may be transferred to the Government of France for use in defined research, experimental power, demonstration power, and power reactors to be constructed in the Republic of France.

Article I of the amendment recognizes that the Government of the Republic of France has signed the treaty constituting the European Community for Atomic Energy (EURATOM) and accordingly provides that the European Community for Atomic Energy may assume the rights and obligations of the Republic of France under the agreement provided a cooperative arrangement is executed between the European community and the Government of the United States of America and provided the community can in the judgment of the United States, effectively and securely carry out the undertakings of the enclosed agreement for cooperation.

I note that article VIII of the agreement which was signed by the parties on June 19, 1956, provides that the Commission may transfer at any one time to the Government of the Republic of France up to 40 kilograms of contained U–235 in uranium.

These transfers were to be made exclusively on the basis of sale. Article II of the amendment replaces article VIII of the agreement and will permit the Commission to sell or lease, as may be agreed, to the Government of the Republic of France uranium enriched up to a maximum of 20 percent in the isotope U–235, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Republic of France provided, however, that the net amount of any uranium sold or leased during the period of the agreement does not exceed 2,500 kilograms of contained U–235. The Commission at its discretion, may make a portion of the foregoing 2,500 kilograms available as material enriched up to 90 percent for use in a materials-testing reactor capable of operating with a fuel load not to exceed 6 kilograms of contained U–235 in

uranium. As in the case of sale transactions, in the event of lease, the agreement would permit the retention by the Government of the Republic of France of special nuclear materials produced in fuel elements obtained from the United States.

The quantity of uranium enriched in the isotope U-235 transferred to the Government of the Republic of France for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling or, subject to Commission approval, are being reprocessed in the Republic of France.

It is expected that the material to be transferred to the Government of the Republic of France will be employed in several prototype and large-scale power reactors, in a materials-testing reactor, and in several research reactors.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby (1) determine that the performance of the proposed amendment will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and (2) approve the proposed amendment to agreement for cooperation between the Government of the United States of America and the Government of the Republic of France concerning civil uses of atomic energy enclosed with your letter of July 1, 1957, and (3) authorize the execution of the proposed amendment for the Government of the United States of America by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

Certified to be a true copy of the original.

JOHN P. TREVITHICK,
Division of International Affairs,
United States Atomic Energy Commission.

AMENDMENT TO AGREEMENT FOR COOPERATION CONCERNING THE CIVIL USES OF ATOMIC ENERGY BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF FRANCE

The Government of the United States of America and the Government of the Republic of France, desiring to broaden in certain respects the Agreement for Cooperation on the Civil Uses of Atomic Energy (hereinafter referred to as the "Agreement for Cooperation") signed between them at Washington on June 19, 1956, have agreed as follows:

ARTICLE I

Article XII B of the Agreement for Cooperation is deleted and the following is substituted in lieu thereof:

"B. It is recognized that Article 106 of the Treaty Constituting the European Community for Atomic Energy (EURATOM) which the Government of the Republic of France signed on March 25, 1957, in Rome, contemplates that member states of the Community will seek a renegotiation of existing agreements in the field of atomic energy with third countries once the treaty comes into force. If the treaty comes into force, and if a cooperative arrangement is executed between the European Community for Atomic Energy and the Government of the United States of America, the Government of the United States of America would be prepared to arrange for the European Community for Atomic Energy to assume the rights and obligations of the Republic of France under this agreement provided the European Community for Atomic Energy could, in the judgment of the Government of the United States of America, effectively and securely carry out the undertakings of this agreement."

ARTICLE II

Article VIII of the Agreement for Cooperation is deleted and the following is substituted in lieu thereof:

"A. The Commission will sell or lease as may be agreed to the Government of the Republic of France uranium enriched up to 20 percent in the isotope U-235, except as otherwise provided in paragraph C of this article, in such quantities as may be agreed in accordance with the terms, conditions, and delivery schedules set forth in contracts for fueling defined research, experimental power, demonstration power, and power reactors which the Government of the Republic of France, in consultation with the Commission, decides to construct or authorize private organizations to construct in the Republic of France and as required in experiments related thereto: *Provided, However,* That the net amount of any uranium sold or leased hereunder during the period of this agreement shall not exceed 2,500 kilograms of contained U-235. This net amount shall be the gross quantity of contained U-235 in uranium sold or leased to the Government of the Republic of France during the period of this agreement less the quantity of contained U-235 in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America.

"B. Within the limitations contained in paragraph A of this article, the quantity of uranium enriched in the isotope U-235 transferred by the Commission under this article and in the custody of the Government of the Republic of France shall not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project which the Government of the Republic of France or persons under its jurisdiction decide to construct and fuel with United States fuel, as provided herein, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of such reactor or reactors while replaced fuel elements are radioactively cooling or, subject to the provisions of paragraph E, are being reprocessed in the Republic of France, it being the intent of the Commission to make possible the maximum usefulness of the material so transferred.

"C. The Commission may, upon request and in its discretion, make a portion of the foregoing special nuclear material available as material enriched up to 90 percent for use in a materials-testing reactor, capable of operating with a fuel load not to exceed 6 kilograms of contained U-235 in uranium.

"D. It is understood and agreed that although the Government of the Republic of France may distribute uranium enriched in the isotope U-235 to authorized users in the Republic of France, the Government of the Republic of France will retain title to any uranium enriched in the isotope U-235 which is purchased from the Commission at least until such time as private users in the United States of America are permitted to acquire title in the United States of America to uranium enriched in the isotope U-235.

"E. It is agreed that when any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing.

"F. With respect to any special nuclear material not owned by the Government of the United States of America produced in reactors fueled with materials obtained from the United States of America which is in excess of the need of the Republic of France for such materials in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an agreement for cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or international organization in the event the option to purchase is not exercised.

"G. Special nuclear material produced in any part of fuel leased hereunder as a result of irradiation processes shall be for the account of the Government of the Republic of France and after reprocessing as provided in paragraph E hereof shall be returned to the Government of the Republic of France, at which time title to such material shall be transferred to that Government, unless the Government of the United States of America shall exercise the option, which is hereby accorded, to retain, with appropriate credit to the Government of the Republic of France, any such special nuclear material which is in excess of the needs of the Government of the Republic of France for such material in its program for the peaceful uses of atomic energy.

"H. Some atomic energy materials which the Government of the Republic of France may request the Commission to provide in accordance with this agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of the Republic of France, the Government of the Republic of France shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Government of the Republic of France or to any private individual or private organization under its jurisdiction, the Government of the Republic of France shall indemnify and save harmless the Government of the United States of America against any and all liability (including third-party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Government of the Republic of France or to any authorized private individual or private organization under its jurisdiction."

ARTICLE III

Article X, paragraph A-3, of the agreement for cooperation, is amended by deleting the letter "E" wherever appearing in this paragraph and substituting in lieu of each such deletion the letter "F."

ARTICLE IV

This amendment, which shall be regarded as an integral part of the agreement for cooperation, shall enter into force on the day on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such amendment.

In witness whereof, the parties hereto have caused this agreement to be executed pursuant to duly constituted authority.

Done at Washington, in duplicate, in the English and French languages, both texts being equally authentic, this 3d day of July 1957.

For the Government of the United States of America:

CHRISTIAN A. HERTER.
LEWIS L. STRAUSS.

For the Government of the Republic of France:

HERVÉ ALPHAND.

This is a certified copy of the signed original.

ELEANOR C. McDOWELL,
Treaty Adviser, Department of State.

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., July 3, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. DURHAM: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

1. Three copies of an Agreement for Cooperation with the Government of the Federal Republic of Germany;

2. Three copies of a letter from the Commission to the President recommending approval of the proposed agreement;

3. Three copies of a letter from the President to the Commission approving the agreement, containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security; and his authorization to execute the proposed agreement.

The Agreement for Cooperation submitted with this letter will incorporate and supersede the Agreement for Cooperation Concerning Civil Uses of Atomic Energy which was signed on February 13, 1956, between the two governments. It will broaden the scope of cooperation between the two countries by providing for cooperation on matters relating to the development, design, construction, operation, and use of research, experimental power, demonstration power and power reactors; by providing for cooperation on health and safety problems related to the operation and use of such reactors; and by providing for cooperation on the use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry. No restricted data will be exchanged under the agreement.

Article II of the agreement recognizes that the Government of the Federal Republic of Germany has signed the Treaty Constituting the European Community for Atomic Energy (EURATOM) and accordingly provides that the European Community for Atomic Energy may assume the rights and obligations of the Federal Republic of Germany under the agreement provided a cooperative arrangement is executed between the European Community and the Government of the United States of America and provided the community can, in the judgment of the United States, effectively and securely carry out the undertakings of the enclosed Agreement for Cooperation.

Article VIII of the agreement will permit the Commission to sell or lease, as may be agreed, to the Government of the Federal Republic of Germany uranium enriched up to a maximum of 20 percent in the isotope U–235, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Federal Republic of Germany: Provided, however, That the net amount of any uranium sold or leased during the period of the agreement does not exceed 2,500 kilograms of contained U–235. The Commission at its discretion may make a portion of the foregoing 2,500 kilograms available as material enriched up to 90 percent for use in a materials testing reactor capable of operating with a fuel load not to exceed six (6) kilograms of contained U–235 in uranium. At the present time it is expected that the U–235 to be transferred to the Federal Republic of Germany will be employed in 2 power demonstration reactors, 1 large-scale power reactor, and several research reactors. As in the case of sale transactions, the agreement, in the event of lease, would permit the retention by the Government of the Federal Republic of Germany of special nuclear materials produced in fuel elements obtained from the United States. The quantity of uranium enriched in the isotope U–235 transferred to the Government of the Federal Republic of Germany for use as fuel in reactors will not at any time be in excess of the amount of material necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in the Federal Republic of Germany or while fuel elements are in transit.

Article VI would permit the transfer of limited amounts of special nuclear materials, including U–235, U–233 and plutonium, for defined research projects related to the peaceful uses of atomic energy.

The agreement provides that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed by the Atomic Energy Commission in either Commission facilities, or in facilities acceptable to the Commission. In addition, article X of the agreement incorporates provisions designed to minimize the possibility that material or equipment transferred under the agreement would be diverted to nonpeaceful purposes.

In article XII the parties affirm their common interest in the establishment of an international atomic energy agency to foster the peaceful uses of atomic energy and express their intention to reappraise the agreement in the event such an agency is established.

The agreement will enter into force when the two Governments have exchanged written notification that their respective statutory and constitutional requirements have been fulfilled.

Sincerely yours,

LEWIS L. STRAUSS,
Chairman.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed agreement for cooperation between the Government of the United States of America and the Government of the Federal Republic of Germany concerning civil uses of atomic energy and authorize its execution.

The agreement has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, and is, in the opinion of the Commission, an important and desirable step in advancing the development of the peaceful uses of atomic energy in the Federal Republic of Germany in accordance with the policy which you have established. The proposed agreement will incorporate and supersede the agreement for cooperation concerning civil uses of atomic energy which was entered into on February 13, 1956, between the two Governments. The new agreement will broaden the scope of cooperation between the Federal Republic of Germany and the United States in fields related to the peaceful utilization of atomic energy by providing for cooperation on matters relating to the development, design, construction, operation, and use of experimental power, demonstration power and power reactors, as well as research reactors. It is expected that the parties will exchange information in other unclassified areas including health and safety problems related to the operation and use of such reactors; and the use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry.

The Federal Republic of Germany, if it desires to do so, may engage United States companies to construct research, experimental power, demonstration power, and power reactors; and private industry in the United States will be able, under the agreement, to provide other assistance to the Federal Republic of Germany. The agreement contains all the guaranties prescribed by the Atomic Energy Act of 1954, as amended. No restricted data would be communicated under the agreement.

Article II of the agreement recognizes that the Government of the Federal Republic of Germany has signed the treaty constituting the European Community for Atomic Energy (EURATOM) and accordingly provides that the European Community for Atomic Energy may assume the rights and obligations of the Federal Republic of Germany under the agreement provided a cooperative arrangement is executed between the European community and the Government of the United States of America and provided the community can in the judgment of the United States, effectively and securely carry out the undertakings of the enclosed agreement for cooperation.

The agreement will permit the Commission to sell or lease, as may be agreed, to the Government of the Federal Republic of Germany uranium enriched up to a maximum of 20 percent in the isotope U–235, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Federal Republic of Germany; provided, however, that the net amount of any uranium sold or leased during the period of the agreement does not exceed 2,500 kilograms of contained U–235. At the present time it is expected that the U–235 to be transferred to the Federal Republic of Germany will be employed in 2 power demonstration reactors, 1 large-scale power reactor, and several research reactors. The Commission at its discretion, may make a portion of the foregoing 2,500 kilograms available as material enriched up to 90 percent for use in a materials testing reactor capable of operating with a fuel load not to exceed 6 kilograms of contained U–235 in uranium. As in the case of sale transactions, in the event of lease, the agreement would permit the retention by the Government of the Federal Republic of Germany of special nuclear materials produced in fuel elements obtained from the United States.

The quantity of uranium enriched in the isotope U–235 transferred to the Government of the Federal Republic of Germany for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling or, subject to Commission approval, are being reprocessed in the Federal Republic of Germany.

Article VI of the agreement would permit the transfer of limited amounts of special nuclear materials, including U–235, U–233 and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Article VIII provides that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed either in Commission facilities, or in facilities acceptable to the Commission. In addition, article X

of the agreement incorporates several provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to non-peaceful purposes.

In article XII the parties affirm their common interest in the establishment of an international atomic energy agency to foster the peaceful uses of atomic energy and express their intention to reappraise the agreement in the event such an agency is established.

Following your approval and subject to the authorization requested, the agreement will be formally executed by the appropriate authorities of the Government of the Federal Republic of Germany and the Government of the United States of America and placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954, as amended.

Respectfully,

LEWIS L. STRAUSS,
Chairman.

Certified as a true copy of the original:

HAROLD D. BENFELDER,
Division of International Affairs,
United States Atomic Energy Commission.

THE WHITE HOUSE,
Washington, July 2, 1957.

The Honorable LEWIS L. STRAUSS,
Chairman, the Atomic Energy Commission, Washington, D. C.

DEAR MR. STRAUSS: Under date of July 1, 1957 the Atomic Energy Commission recommended that I approve a proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the Federal Republic of Germany Concerning Civil Uses of Atomic Energy.

The recommended agreement has been reviewed. It will incorporate and supersede the Agreement of Cooperation Concerning Civil Uses of Atomic Energy which was entered into on Febraury 13, 1956, between the two Governments. No restricted data will be communicated under the proposed Agreement.

The new agreement will broaden the scope of cooperation between the Federal Republic of Germany and the United States in fields related to the peaceful utilization of atomic energy by providing for cooperation on matters relating to the development, design, construction, operation, and use of experimental power, demonstration power, and power reactors, as well as research reactors. I note that it is planned that the Parties will exchange information in other unclassified areas including health and safety problems related to the operation and use of such reactors, and the use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture and industry.

The Federal Republic of Germany, if it desires to do so, may engaged United States companies to construct research, experimental power, demonstration power, and power reactors, and private industry in the United States will be able, under the agreement, to provide other assistance to the Federal Republic of Germany.

Article II of the agreement recognizes that the Government of the Federal Republic of Germany has signed the Treaty Constituting the European Community for Atomic Energy (EURATOM) and accordingly provides that the European Community for Atomic Energy may assume the rights and obligations of the Federal Republic of Germany under the agreement provided a cooperative arrangement is executed between the European Community and the Government of the United States of America and provided the Community can in the judgment of the United States, effectively and securely carry out the undertakings of the enclosed agreement for cooperation.

The agreement will permit the Commission to sell or lease, as may be agreed, to the Government of the Federal Republic of Germany uranium enriched up to a maximum of 20 percent in the istope U–235, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Federal Republic of Germany; provided, however, that the net amount of any uranium sold or leased during the period of the agreement does not exceed 2,500 kilograms of contained U–235. I understand that it is expected that the U–235 to be transferred to the Federal Republic of Germany will be employed in 2 power demonstration reactors, 1 large-scale power reactor and several research reactors. The Commission at its discretion, may make a portion of the foregoing 2,500 kilograms available as material enriched up to 90 percent for use in a materials testing reactor capable of operating with a fuel load not to exceed 6 kilograms of contained U–235 in uranium. As in the case of sale transactions, in the event of lease, the agreement would permit the retention by the Government of the Federal Republic of Germany of special nuclear materials produced in fuel elements obtained from the United States.

The quantity of uranium enriched in the isotope U–235 transferred to the Government of the Federal Republic of Germany for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling or, subject to Commission approval, are being reprocessed in the Federal Republic of Germany.

Article VI of the agreement would permit the transfer of limited amounts of special nuclear materials, including U–235, U–233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

I note that article X of the agreement incorporates several provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to nonpeaceful purposes. In addition, article VIII provides that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed by the Atomic Energy Commission in Commission facilities, or in facilities acceptable to the Commission.

In article XII the parties affirm their common interest in the establishment of an International atomic energy Agency to foster the peaceful uses of atomic energy and express their intention to reappraise the agreement in the event such an Agency is established.

Lastly, the Commission has expressed its belief that the proposed agreement will be an important and desirable step in advancing the peaceful uses of atomic energy in the Federal Republic of Germany and I note that the agreement contains all the guaranties prescribed by the Atomic Energy Act of 1954, as amended.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby (1) determine that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and (2) approve the proposed agreement for cooperation between the Government of the United States of America and the Government of the Federal Republic of Germany enclosed with your letter of July 1, 1957; and (3) authorize the execution of the proposed agreement for the Government of the United States of America by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

Certified to be a true copy of the original.

JOHN P. TREVITHICK,
Division of International Affairs,
United States Atomic Energy Commission.

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING CIVIL USES OF ATOMIC ENERGY

Whereas the Government of the United States of America and the Government of the Federal Republic of Germany, on February 13, 1956, signed an Agreement for Cooperation concerning civil uses of atomic energy; and

Whereas such agreement provides that it is the hope and expectation of the parties that the initial agreement for cooperation will extend to consideration of further cooperation extending to the design, construction, and operation of power-producing reactors; and

Whereas the Government of the Federal Republic of Germany has advised the Government of the United States of America of its desire to pursue a research and development program looking toward the realization of peaceful and humanitarian uses of atomic energy including the design, construction, and operation of power-producing reactors; and

Whereas the Government of the United States of America desires to cooperate with the Government of the Federal Republic of Germany in such a program as hereinafter provided; and

Whereas the parties desire to supersede the Agreement for Cooperation signed on February 13, 1956, as amended, with this agreement which includes the new areas of cooperation:

The parties agree as follows:

ARTICLE I

A. The Agreement for Cooperation signed on February 13, 1956, as amended, is superseded in its entirety on the day this agreement enters into force.

B. This agreement shall enter into force on the day on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such agreement and shall remain in force for a period of 10 years.

ARTICLE II

It is recognized that article 106 of the Treaty Constituting the European Community for Atomic Energy (EURATOM) which the Government of the Federal Republic of Germany signed in Rome on March 25, 1957, contemplates that member states of the community will seek a renegotiation of existing agreements in the field of atomic energy with third countries once the treaty comes into force. If the treaty comes into force and if a cooperative arrangement is executed between the European Community for Atomic Energy and the Government of the United States of America, the Government of the United States of America would be prepared to arrange for the European Community for Atomic Energy to assume the rights and obligations of the Federal Republic of Germany under this agreement provided the European Community for Atomic Energy could, in the judgment of the Government of the United States of America, effectively and securely carry out the undertakings of this agreement.

ARTICLE III

A. Restricted data shall not be communicated under this agreement, and no materials or equipment and devices shall be transferred, and no services shall be furnished under this agreement, if the transfer of any such materials or equipment and devices or the furnishing of any such service involves the communication of restricted data.

B. Subject to the provisions of this agreement, the availability of personnel and material, and the applicable laws, regulations, and license requirements in force in their respective countries, the parties shall assist each other in the achievement of the use of atomc energy for peaceful purposes.

C. This agreement shall not require the exchange of any information which the parties are not permitted to communicate because the information is privately owned or has been received from another government.

ARTICLE IV

Subject to the provisions of article III, unclassified information including information in the specific fields set out below shall be exchanged between the parties with respect to the application of atomic energy to peaceful uses, including research and development relating to such uses, and problems of health and safety connected therewith:

(a) The development, design, construction, operation, and use of research, demonstration power, experimental power, and power reactors;

(b) Health and safety problems related to the operation and use of research, demonstration power, experimental power, and power reactors;

(c) The use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry.

ARTICLE V

The application or use of any information (including design drawings and specifications) and any material, equipment, and devices, exchanged or transferred between the parties under this agreement, shall be the responsibility of the party receiving it, and the other party does not warrant the accuracy or completeness of such information and does not warrant the suitability of such information, materials, equipment, and devices for any particular use or application.

ARTICLE VI

A. Research materials: Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy as provided by article IV and under the limitations set forth in article III, including source materials, special nuclear materials, byproduct material, other radioisotopes, and stable isotopes will be exchanged for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of either party, by reason of transfer under this article, be, at any one time, in excess of 100 grams of contained U–235, 10 grams of plutonium, and 10 grams of U–233.

B. Research facilities: Subject to the provisions of article III, and under such terms and conditions as may be agreed, and to the extent as may be agreed, specialized research facilities and reactor materials testing facilities of the parties shall be made available for mutual use consistent with the limits of space, facilities, and personnel conveniently available, when such facilities are not commercially available.

ARTICLE VII

It is contemplated that, as provided in this article, private individuals and private organizations in either the United States of America or the Federal Republic of Germany may deal directly with private individuals and private organizations in the other country. Accordingly, with respect to the subjects of agreed exchange of information as provided in article IV, persons under the jurisdiction of either the Government of the United States of America or the Government of the Federal Republic of Germany will be permitted to make arrangements to transfer and export materials, including equipment and devices, to and perform services for the other Government and such persons under its jurisdiction as are authorized by the other Government to receive and possess such materials and utilize such services, subject to: (a) The limitation in article III; (b) applicable laws, regulations, and license requirements of the Government of the United States of America and the Government of the Federal Republic of Germany.

ARTICLE VIII

A. The Commission will sell or lease, as may be agreed, to the Government of the Federal Republic of Germany uranium enriched up to 20 percent in the isotope U–235, except as otherwise provided in paragraph C of this article, in such quantities as may be agreed in accordance with the terms, conditions, and delivery schedules set forth in contracts for fueling defined research, experimental power, demonstration power, and power reactors which the Government of the Federal Republic of Germany, in consultation with the Commission, decides to construct or authorize private organizations to construct in the Federal Republic of Germany and as required in experiments related thereto; provided, however, that the net amount of any uranium sold or leased hereunder during the period of this agreement shall not exceed 2,500 kilograms of contained U–235. This net amount shall be the gross quantity of contained U–235 in uranium sold or leased to the Government of the Federal Republic of Germany during the period of this agreement less the quantity of contained U–235 in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America.

B. Within the limitations contained in paragraph A of this article, the quantity of uranium enriched in the isotope U–235 transferred by the Commission under this article and in the custody of the Government of the Federal Republic of Germany shall not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project which the Government of the Federal Republic of Germany or persons under its jurisdiction decide to construct and fuel with United States fuel, as provided herein, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of such reactor or reactors while replaced fuel elements are radioactively cooling or, subject to the provisions of paragraph E, are being reprocessed in the Federal Republic of Germany, it being the intent of the Commission to make possible the maximum usefulness of the material so transferred.

C. The Commission may, upon request and in its discretion, make a portion of the foregoing special nuclear material available as material enriched up to 90 percent for use in a materials-testing reactor, capable of operating with a fuel load not to exceed 6 kilograms of contained U–235 in uranium.

D. It is understood and agreed that although the Government of the Federal Republic of Germany may distribute uranium enriched in the isotope U–235 to authorized users in the Federal Republic of Germany, the Government of the Federal Republic of Germany will retain title to any uranium enriched in the isotope U–235 which is purchased from the Commission at least until such time as private users in the United States of America are permitted to acquire title in the United States of America to uranium enriched in the isotope U–235.

E. It is agreed that when any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing.

F. With respect to any special nuclear material not owned by the Government of the United States of America produced in reactors fueled with materials obtained from the United States of America which is in excess of the need of the Federal Republic of Germany for such materials in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an agreement for cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or international organization in the event the option to purchase is not exercised.

G. Special nuclear material produced in any part of fuel leased hereunder as a result of irradiation processes shall be for the account of the Government of the Federal Republic of Germany and after reprocessing as provided in paragraph E hereof shall be returned to the Government of the Federal Republic of Germany, at which time title to such material shall be transferred to that Government, unless the Government of the United States of America shall exercise the option, which is hereby accorded, to retain, with appropriate credit to the Government of the Federal Republic of Germany, any such special nuclear material which is in excess of the needs of the Government of the Federal Republic of Germany for such material in its program for the peaceful uses of atomic energy.

H. Some atomic energy materials which the Government of the Federal Republic of Germany may request the Commission to provide in accordance with this agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of the Federal Republic of Germany the Government of the Federal Republic of Germany shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Government of the Federal Republic of Germany or to any private individual or private organization under its jurisdiction, the Government of the Federal Republic of Germany shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Government of the Federal Republic of Germany or to any authorized private in-

dividual or private organization under its jurisdiction.

ARTICLE IX

As may be necessary and as may be mutually agreed in connection with the subjects of agreed exchange of information as provided in article IV, and under the limitations set forth in article III, and under such terms and conditions as may be mutually agreed, specific arrangements may be made from time to time between the parties for lease, or sale and purchase, of quantities of materials, other than special nuclear material, greater than those required for research, when such materials are not available commercially.

ARTICLE X

A. The Government of the United States of America and the Government of the Federal Republic of Germany emphasize their common interest in assuring that any material, equipment, or device made available to the Government of the Federal Republic of Germany pursuant to this agreement shall be used solely for civil purposes.

B. Except to the extent that the safeguards provided for in this agreement are supplanted, by agreement of the parties as provided in article XII, by safeguards of the proposed international atomic-energy agency, the Government of the United States of America, notwithstanding any other provisions of this agreement, shall have the following rights:

1. With the objective of assuring design and operation for civil purposes and permitting effective application of safeguards, to review the design of any (i) reactor and (ii) other equipment and devices the design of which the Commission determines to be relevant to the effective application of safeguards, which are to be made available to the Government of the Federal Republic of Germany or persons under its jurisdiction by the Government of the United States of America or any person under its jurisdiction, or which are to use, fabricate, or process any of the following materials so made available: source material, special nuclear material, moderator material, or other material designated by the Commission;

2. With respect to any source or special nuclear material made available to the Government of the Federal Republic of Germany or any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction and any source or special nuclear material utilized in, recovered from, or produced as a result of the use of any of the following materials, equipment, or device so made available: (i) Source material, special nuclear material, moderator material, or other material designated by the Commission, (ii) reactors, (iii) any other equipment or device designated by the Commission as an item to be made available on the condition that the provision of this subparagraph B 2 will apply, (a) to require the maintenance and production of operating records and to request and receive reports for the purpose of assisting in insuring accountability for such materials; and (b) to require that any such material in the custody of the Government of the Federal Republic of Germany or any person under its jurisdiction be subject to all of the safeguards provided for in this article and the guaranties set forth in article XI;

3. To require the deposit in storage facilities designated by the Commission of any of the special nuclear material referred to in subparagraph B 2 of this article which is not currently utilized for civil purposes in the Federal Republic of Germany and which is not purchased or retained by the Government of the United States of America pursuant to article VIII of this agreement, transferred pursuant to article VIII, paragraph F (b) of this agreement, or otherwise disposed of pursuant to an arrangement mutually acceptable to the parties;

4. To designate, after consultation with the Government of the Federal Republic of Germany, personnel who, accompanied, if either party so requests, by personnel designated by the Government of the Federal Republic of Germany, shall have access in the Federal Republic of Germany to all places and data necessary to account for the source and special nuclear materials which are subject to subparagraph B 2 of this article to determine whether there is compliance with this agreement and to make such independent measurements as may be deemed necessary;

5. In the event of noncompliance with the provisions of this article, or the guaranties set forth in article XI, and the failure of the Government of the Federal Republic of Germany to carry out the provisions of this article within a reasonable time, to suspend or terminate this agreement and require the return of any materials, equipment, and devices referred to in subparagraph B 2 of this article;

6. To consult with the Government of the Federal Republic of Germany in the matter of health and safety.

C. The Government of the Federal Republic of Germany undertakes to facilitate the application of the safeguards provided for in this article.

ARTICLE XI

The Government of the Federal Republic of Germany guarantees that:

(a) Safeguards provided in article X shall be maintained.

(b) No material, including equipment and devices, transferred to the Government of the Federal Republic of Germany or authorized persons under its jurisdiction pursuant to this agreement, by lease, sale, or otherwise, will be used for atomic weapons or for research on or development of atomic weapons or for any other military purposes, and that no such material, including equipment and devices, will be transferred to unauthorized persons or beyond the jurisdiction of the Government of the Federal Republic of Germany except as the Commission may agree to such transfer to another nation or an international organization, and then only if in the opinion of the Commission such transfer falls within the scope of an agreement for cooperation between the United States of American and the other nation or international organization.

ARTICLE XII

The Government of the United States of America and the Government of the Federal Republic of Germany affirm their common interest in the establishment of an international atomic energy agency to foster the peaceful uses of atomic energy. In the event such an international agency is created:

(a) The parties will consult with each other to determine in what respects, if any, they desire to modify the provisions of this agreement for cooperation. In particular, the parties will consult with each other to determine in what respects and to what extent they desire to arrange for the administration by the international agency of those conditions, controls, and safeguards including those relating to health and safety standards required by the international agency in connection with similar assistance rendered to a cooperating nation under the aegis of the international agency.

(b) In the event the parties do not reach a mutually satisfactory agreement following the consultation provided in paragraph (a) of this article, either party may by notification terminate this agreement. In the event this agreement is so terminated, the Government of the Federal Republic of Germany shall return to the Commission all source and special nuclear materials received pursuant to this agreement and in its possession or in the possession of persons under its jurisdiction.

ARTICLE XIII

For purposes of this agreement:

(a) "Commission" means the United States Atomic Energy Commission.

(b) "Equipment and devices" and "equipment or device" means any instrument, apparatus, or facility and includes any facility, except an atomic weapon, capable of making use of or producing special nuclear material, and component parts thereof.

(c) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, government agency, or government corporation but does not include the parties to this agreement.

(d) "Reactor" means an apparatus, other than an atomic weapon, in which a self-supporting fission chain reaction is maintained by utilizing uranium, plutonium, or thorium, or any combination of uranium, plutonium, or thorium.

(e) "Restricted data" means all data concerning (1) design, manufacture, or utilization of atomic weapons; (2) the production of special nuclear materials; or (3) the use of special nuclear material in the production of energy, but shall not include data declassified or removed from the category of restricted data by the appropriate authority.

(f) "Atomic weapon" means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and divisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device.

(g) "Special nuclear material" means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Commission determines to be special nuclear material; or (2) any material artificially enriched by any of the foregoing.

(h) "Source material" means (1) uranium, thorium, or any other material which is determined by either party to be source material; or (2) ores containing one or more of the foregoing materials, in such concentration as either party may determine from time to time.

(i) Parties means the Government of the United States of America and the Government of the Federal Republic of Germany, including the Commission on behalf of the Government of the United States of America. Party means one of the above-mentioned parties.

In witness whereof, the parties hereto have caused this agreement to be executed pursuant to duly constituted authority.

Done at Washington, in duplicate, in the English and German languages, both texts being equally authentic, this 3d day of July 1957.

For the Government of the United States of America:

CHRISTIAN A. HERTER.
LEWIS L. STRAUSS.

For the Government of the Federal Republic of Germany:

HEINZ L. KREKELER.

This is a certified copy of the signed original.

ELEANOR C. McDOWELL,
Treaty Adviser, Department of State.

IMPROVEMENT OF THE NIAGARA RIVER

Mr. JOHNSON OF Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 547, S. 2406, the Niagara River power bill. I wish to make it the pending business.

The PRESIDENT pro tempore. The Secretary will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2406) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JAVITS subsequently said: Mr. President, some of us could not hear the distinguished Senator from Texas. Do I understand correctly that the pending business is the Niagara power bill?

Mr. JOHNSON of Texas. The Senator is correct. The Niagara power bill is a very important measure. The Committee on Public Works has reported it, and it is now the pending business before the Senate. I might say, in view of certain announcements which I have read in the newspapers, I do not anticipate action will be taken on the bill today, or perhaps for the next few days. But it is the pending business of the Senate until it becomes displaced by motion.

Mr. JAVITS. I may say that the people of the State of New York welcome its being made the pending business.

UNANIMOUS-CONSENT AGREEMENT RELATING TO THE CALL OF THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that on the call of the calendar today, pursuant to rule VII, only measures to which there is no objection be considered, beginning with the first bill on the calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I should like to announce that, at the conclusion of the call of the calendar, if we can conclude it before the hour of 2 o'clock, the Senate will proceed to the consideration of Calendar No. 488, S. 1730, to implement a treaty and agreement with the Republic of Panama, and for other purposes.

I have an agreement with the distinguished minority leader and with the distinguished majority whip that if we can conclude the call of the calendar, and if we can consider that bill and conclude it before 2 o'clock, that would be done.

Mr. KNOWLAND. The Senator is correct.

CRITICAL SITUATION IN THE FEDERAL COURTS OF ARKANSAS

Mr. FULBRIGHT. Mr. President, a critical situation is rapidly developing in the Federal courts in Arkansas as a result of procrastination and delay by the Department of Justice in filling a vacant Federal judgeship in the eastern district—1 of a total of 3 Federal judges in the entire State.

More than a year ago Judge Thomas C. Trimble made it known that he planned to step down from the bench giving local court officials and Republican leaders ample notice that plans should be initiated for the appointment of his successor. In January, Judge Trimble announced his formal retirement but agreed to handle a few important cases until his successor was confirmed. When June arrived with the Department of Justice not having submitted a nomination to the Senate, Judge Trimble stepped out entirely and his place is now vacant.

Judge Harry J. Lemley has sought to handle some of the important cases in the eastern district but, unfortunately, he has been busy with his own cases in addition to being handicapped by illness. Furthermore, Chief Judge Archibald K. Gardner of the eighth circuit court of appeals has said that he has no available trial judge to send to Arkansas.

The docket of the Federal court has, as a result, become loaded with a variety of cases all of which are important to the individuals involved and many of which are suits involving the Federal Government. I am informed that there is a backlog of 111 damage suits on file involving a total of $1,870,000, about 40 other civil suits, and more than 20 criminal cases. It has been estimated by an officer of the court that it will take a new judge—if and when he is appointed—2 years to clean up the old cases.

Mr. President, this appointment is the first vacancy on the Federal bench since the present administration took office in 1953. I am not privy to the inner affairs of the Republican Party either in Arkansas or in Washington and cannot report the reasons why a decision has not been made. I do feel, however, that as Senator from the State I should be concerned about the plight of the Federal court. Accordingly, I have written to the Attorney General asking that he act with haste in filling the vacant judgeship.

I ask unanimous consent to have printed in the RECORD immediately following my remarks the text of my letter to the Attorney General and also an editorial and two news articles published in the Arkansas Gazette on this subject.

There being no objection, the letter, editorial, and articles were ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON BANKING AND CURRENCY,
July 6, 1957.

The HONORABLE HERBERT BROWNELL, JR.,
The Attorney General, Department of Justice,
Washington, D. C.

DEAR MR. ATTORNEY GENERAL: During the past few weeks there has been increasing concern on the part of members of the Arkansas bar over the backlog of cases accumulating in the Federal district courts in Arkansas. This situation has become so acute that the Arkansas Gazette has stated editorially that it is rapidly become intolerable.

I believe that the Department of Justice must assume full responsibility for the plight of the Federal district court in Arkansas due to the procrastination in filling the vacant Federal judgeship in the eastern district. It has been known for almost a year that Judge Thomas C. Trimble planned to retire, and formal announcement of his retirement was made in January of this year. Judge Trimble continued to serve on a part-time basis, but on June 1 found it necessary to stop handling any cases. Obviously, the two other Federal judges in Arkansas cannot take the full load of work from the eastern district, and the chief judge of the Eighth Circuit Court of Appeals has indicated that he has no available trial judge in the circuit to assign temporarily to Arkansas.

The Eastern District Court is a vital part of my State, including the State capital of Little Rock where there are a number of district and regional offices of Federal agencies. Included in the backlog of 111 damage suits, 40 other civil cases, and more than 20 criminal cases, are several suits involving the Federal Government—income-tax cases, alleged violations of the Fair Labor Standards Act, land condemnation suits, patent infringement suits, and so forth. I am informed that the court has pending claims totaling $1,875,000 in personal injury cases. It goes without saying that delay in the handling of such cases in the Federal courts works a hardship on the individuals involved as well as upon the attorneys who represent them.

As you know, I have made no recommendation regarding the filling of the vacancy on the Federal bench, and I have no candidate to suggest at this time. I do feel, however, that I should urge you in the strongest possible terms to move with utmost speed in recommending to President Eisenhower that he submit the nomination of a qualified person for the Federal judgeship. I should think that you would wish to select an attorney from the eastern district and certainly one who is a member of the Arkansas bar.

It is important that a decision be made promptly if the Senate is to be given an opportunity to act upon a nomination for this vacancy during the present session. Since the vacancy has existed more than 30 days during this Senate session, I am informed that a recess appointee may not be paid from the Treasury. This would mean that the Federal bench in Arkansas would likely continue to be understaffed at least until Congress reconvenes in January 1958. The Department has had ample time to consider this matter, and I do not see how continued delay and procrastination can be justified.

With kind regards, I am,

Yours truly,

J. W. FULBRIGHT.

[From the Arkansas Gazette of June 29, 1957]

THE VACANCY ON THE FEDERAL BENCH

The vacant Federal judgeship in Arkansas is properly a matter of Republican patronage, and no Democrat quarrels with the right of Arkansas' Republican leaders to nominate one of their own for the post.

It is precisely for this reason that the Republican Party must bear the responsibility for what is rapidly becoming an intolerable situation. The local GOP leaders have known for more than a year that Judge Thomas C. Trimble planned to vacate the bench. In January he formally announced his retirement, but agreed to stay on for a few months to handle some of the caseload in the eastern district. On June 1 Judge Trimble stepped out entirely.

Judge Harry J. Lemley, of the western district, has handled some of the more urgent cases, but says he cannot take on any additional load. And Chief Judge Archibald K. Gardner, of the Eighth Circuit Court of Appeals, has said that he has no available trial judge in the circuit to assign temporarily to the district.

The result is that some 111 damage suits, 40 other civil cases, and more than 20 crim-

inal cases have already piled up in the eastern district. In addition a heavy workload of pretrial conferences and the like is going untended. And more cases are being filed every week. One court official estimates that as things now stand it will take Judge Trimble's successor 2 years to clean up the backlog of pending litigation.

Yet the latest word from Washington is that there is no immediate prospect of an appointment. The reason is that the Department of Justice has been, and presumably will continue to be, unwilling to nominate for Presidential consideration any one of the three persons whose names were submitted by the Arkansas Republican patronage committee. In accordance with its standing practice—which is eminently sound—the Department will not act without the approval of the Standing Committee of Federal Judiciary of the American Bar Association. The committee, after extensive investigation, has been unwilling to approve any of the three Republican nominees.

Who the judge shall be—assuming that he is qualified—is, as we say, Republican business. But it is obviously public business that the vacancy be filled without delay. The only answer, apparently, is for the Republicans to expand their list of nominees.

[From the Arkansas Gazette of June 27, 1957]

UNITED STATES JUDGESHIP VACANT—AND IT MAY BE FOR AWHILE

(By Elizabeth Carpenter)

WASHINGTON, June 26.—The Arkansas Federal judgeship for the eastern district—the highest vacancy to occur in the State under the Eisenhower administration—is still wide open after 6 months.

Reliable sources said today that the Department of Justice had received no affirmative reports from the judicial groups asked to investigate the three candidates approved by the Arkansas Republican patronage committee for the $22,500-a-year position.

The three are Osro Cobb, district attorney at Little Rock; Charles F. Cole, of Batesville; and D. Fred Taylor, Jr., of Osceola.

The gist of the reports is that none has the exact legal experience for a trial judge position.

One of the most extensive investigations was made by the Standing Committee of the Federal Judiciary of the American Bar Association. It even dispatched Roy E. Willy, its eighth circuit member from Sioux Falls, S. D., to Little Rock to make an on-the-spot survey.

His visit did not alter the negative report of the committee.

While the Justice Department is not bound to make its appointment on the basis of the bar association's report, the past attitude of Attorney General Herbert Brownell has been to follow the bars' recommendations.

Wallace Townsend, of Little Rock, Republican national committeeman, Cole and Taylor said yesterday they had not heard of any Justice Department decision on the appointment. Cobb said he did not want to discuss the matter.

Townsend said he understood that the bar association had completed its investigation of the candidates but that it had not submitted its report to the Department of Justice.

"I have no reason, up to now, to feel that any of the men we've submitted will be rejected," he added.

"I know nothing whatsoever about it," Cole said.

"I hadn't heard a thing about it," Taylor said. "But any such decision wouldn't come direct to me—it would come through the Republican organization."

Whether the Department has already asked or will soon ask the Arkansas Republican patronage committee to submit new names is not known. But there are indications here that the Department would welcome some.

Already there are other names before the Department, including Richard C. Butler of Little Rock, a Republican, and William R. Penix of Jonesboro, a Democrat.

The Department has not yet asked the ABA committee to make reports on the two though.

Unless the Department decides and President Eisenhower sends a name to Congress before it adjourns, the whole matter will have to wait until January when Congress comes back.

The President can make no interim appointment unless the vacancy occurs within 30 days before Congress adjourns. This post was vacated when Judge Thomas C. Trimble announced his retirement last January, although he remained on until June 1, hoping some appointment would be made.

From all appearances, Arkansas will be without a judge for a long time.

[From the Arkansas Gazette of June 23, 1957]

TRIMBLE'S REPLACEMENT TO FACE LOADED DOCKET IN FEDERAL DISTRICT COURT

The new Federal judge for the eastern district of Arkansas will have his work cut out for him.

A check at the Federal district clerk's office at Little Rock yesterday revealed that:

There are 111 damage suits on file involving a total of more than $1,875,000, about 40 other civil suits pending in the district's Jonesboro division, and more than 20 criminal cases in the eastern district at Little Rock which haven't been disposed of.

A spokesman at the clerk's office pointed out that some of the civil suits would be settled out of Federal district court—but the settlements still will require the judge's approval. Many cases have reached the stage where they're ready to be heard in court.

But they'll have to wait for trial until a new judge—the replacement for Judge Thomas C. Trimble of Lonoke, who retired June 1—takes over.

The new judge not only will have to take care of the 111 cases on file now but he also will have jurisdiction in additional cases which will have piled up by the time he is appointed.

The clerk's office said seven new cases had been filed so far this month.

TWO-YEAR TASK SEEN

"It may take the judge a couple of years to clean out the backlog of old cases," a spokesman said. "And he'll also have quite a time of it at Jonesboro, because we haven't held court there in quite a while."

A few of the civil cases on the books are old ones which have been argued back and forth several years and are now in need of pretrial conferences or judicial rulings on motions, requests, or points of law.

The list includes several suits against the Government asking for recovery of income taxes, plus assorted actions involving alleged violations of the Fair Labor Standards Act, about 15 land condemnation suits, 2 patent infringement suits, and several personal injury suits.

Most of the $1,875,000 in damage claims resulted from personal injury complaints—suits filed in connection with accidents of one kind or another. Several plaintiffs are suing for $100,000 or more.

CRIMINAL CASES INVOLVED

Many of the criminal cases are not, for one reason or another, ready for trial yet. In a few, defendants are undergoing mental examinations. Medical opinions must be submitted before the court can act. In others, defendants are in jail elsewhere on other charges and will have to complete sentences before they can be brought to Little Rock to face complaints, information, or indictments filed against them in the eastern district of Arkansas. Some of the defendants have not been apprehended.

The list of criminal cases on file includes 10 of alleged unlawful interstate transportation of stolen cars, 3 cases of interstate transportation of forged checks, 2 of mail theft cases, 2 income-tax evasion cases and single cases of liquor law violation, forgery and uttering of Government checks, post-office burglary, filing a false change of address card, and fraud.

LEMLEY UNDER HANDICAP

Federal Judge Harry J. Lemley of Hope, chief judge for the western district of Arkansas, is assigned to hear one-third of the civil cases and one-fourth of the criminal cases in the eastern district. But he is ill and, although he is handling his share of eastern district matters plus the caseload in his own district, he probably won't be able to take on for some time any of the additional work that has piled up.

It has been reported that Judge Trimble asked Chief Judge Archibald K. Gardner, of the Eighth Circuit Court of Appeals at St. Louis to assign a judge to help ease the case burden in the eastern district. But Judge Gardner reportedly said he didn't have anyone available.

Wallace Townsend, of Little Rock, Republican National Committee member, said yesterday that he heard nothing from Washington about the selection of Judge Trimble's replacement.

"The last I heard was that Washington was busy selecting a new Supreme Court Justice and didn't have the time to devote to filling district court vacancies," Townsend said.

United States District Attorney Osro Cobb, of Little Rock and attorneys Charles F. Cole, of Batesville, and D. Fred Taylor, Jr., of Osceola, have been recommended for the job by the State GOP patronage committee.

Cobb appears to have the inside track because of his many years of service to the Republican Party (he formerly was the GOP State committee chairman) and his record as district attorney. But indications are that he may have opposition from somewhere within the GOP ranks.

The Department of Justice will make recommendations for Judge Trimble's replacement to President Eisenhower, who may reject any of the candidates. His choice would be subject to confirmation by the Senate.

The FBI must investigate the background of the candidates. The judicial selection committee of the American Bar Association also has a voice in the selection. Both the FBI and the association apparently have completed their work.

Another question the new judge must answer is whether United States District Clerk Grady Miller, a Democrat, and his staff and the court probation officers will keep their jobs.

CIVIL RIGHTS—COMMENT BY ARTHUR KROCK

Mr. FULBRIGHT. Mr. President, Mr. Arthur Krock, one of the wisest and ablest of the observers of our governmental problems, has once again written one of the most penetrating analyses of a very difficult problem. His comments on the speech by the distinguished senior Senator from Georgia [Mr. RUSSELL] should be read by every citizen who is interested in good government.

No problem is more difficult to consider objectively and dispassionately than that of civil rights. Mr. Krock manages to do that effectively.

I ask unanimous consent to have printed at this point in the RECORD Mr.

Krock's article, entitled "A Fitting Fourth of July Issue," published in the New York Times of July 5, 1957.

A FITTING FOURTH OF JULY ISSUE

(By Arthur Krock)

WASHINGTON, July 4.—The administration's civil-rights bill that the House has passed and is before the Senate, has now been analyzed by Senator RUSSELL with the seriousness and in the detail that the subject deserves. It is characteristic of the President that he was impressed by the potentialities the Senator found in the measure which the President and the public have been led to think of solely as an instrument to prevent infringement of the voting rights of Negroes in the South.

It can achieve that purpose by the authority it gives the Attorney General to seek, and the Federal courts to grant, injunctions against persons who have "engaged in or [it can be asserted to the court on mere suspicion] are about to engage in" activities to keep Negroes from the polls, with penalty of jail sentences for contempt of court after trial without jury. And these persons can be held in jail until the sentencing Federal judge decides they have purged themselves of the contempt finding. For, though the actions will be brought under the civil, as contrasted with the criminal, code, a prison is a prison.

But section 4 of the administration bill, which is concerned with assuring the right to vote, was drafted minus a link with item 1993 of title 42 of the United States Code, whereby the President is authorized to use the Armed Forces and the militia "to aid in the execution of judicial process" (contempt growing out of injunctions, etc.). On the other hand, this link with title 42 is carefully forged in section 3, which can be used to enforce Supreme Court decisions ordering racial integration in schools, recreation, and amusement centers, and so on.

Commenting on this aspect of the bill, Senator RUSSELL said it affords "a measure of the true importance of the voting right clause, as compared to the power sought to integrate the schools and [otherwise] destroy the separate system of the races on which the social order of the Southern States is built."

"Who can doubt * * * [he inquired] that some Attorney General, yielding to the demands of such organizations as the NAACP and the ADD * * * would move into the South to compel the communities to integrate. * * * [And] this Attorney General could invoke the use of the military and naval forces of the United States to subdue, suppress, arrest, and jail every person who * * * protested and resisted the commingling of races, on the grounds that [such persons] were guilty of conspiracy."

STRESSED FOR THE FIRST TIME

The overwhelming probability that this would never be done by the present administration does not remove Senator RUSSELL'S contention that it could be done under the authority of the bill now before the Senate. Either this point had been omitted as without merit in the analysis of the measure that was made for the President, or it had been dismissed as a mere legal technicality; and hence, not until Senator RUSSELL stressed the contrast between the drafting of section 4 and section 3, did the President realize that anyone of the Senator's stature had found it valid.

That would be understandable in one who is not a lawyer, or in a lawyer who had not closely analyzed the bill. And as far as the public is concerned, the voting rights section has been represented as the primary purpose of the bill. Senator HENNINGS, an advocate, did concede to Senator ERVIN in debate that under certain conditions section 3 could empower the Attorney General to bring suits at the expense of the taxpayers to compel the integration of schools. And W. S. White has reported this fact more than once in our Washington correspondence. But the Armed Forces potential in the special draftsmanship of the legislation received its first stress from Senator RUSSELL.

It is, of course, only one lawyer's interpretation, and other lawyers can be expected to dispute it. Attorney General Brownell may be among them. And if he assures the President that the Russell analysis has no substance, the President presumably will accept that, as he has accepted the provision that denies jury trials to those charged with contempt by Federal courts in the area of activity covered by the bill.

But if the administration reply to RUSSELL is that, while the measure could be enforced by the military, this regime will never do it, that will pose an issue which merits the serious attention of a people who today are observing an anniversary of the great proclamation of evenhanded civil liberty for them all. For that reply would assert the philosophy of government by men and not by laws, and, said Jefferson: "In questions of power, let no more be said of confidence in men."

ALGERIA

Mr. KENNEDY. Mr. President, I wish to reply briefly to the criticisms of my recent speech on Algeria delivered yesterday by the French Minister for Algeria, Robert LaCoste, and by others who have joined in that new criticism. I might say at the outset that I was fully aware, when preparing my speech of last Tuesday, of the disfavor with which it would be regarded by our Department of State, the French Government, and others; but I felt nevertheless that the facts set forth by me needed to be stated fully and frankly.

The reaction to my remarks both at home and abroad has further strengthened my conviction that the situation in Algeria is drifting dangerously, with the French authorities reluctant to seek a fresh approach, and our American authorities refusing to recognize the grave international implications of this impasse. No amount of hopeful assertions that France will handle the problem alone, no amount of cautious warnings that these are matters best left unmentioned in public, and no amount of charges against the motives or methods of those of us seeking a peaceful solution can obscure the fact that the Algerians will someday be free. Then, to whom will they turn—to the West, which has seemingly ignored their plea for independence; to the Americans, whom they may feel have rejected the issue as none of our affair while at the same time furnishing arms that help crush them; or to Moscow, to Cairo, to Peiping, the pretended champions of nationalism and independence?

And who, by that time, will be leading the Algerians—the moderates with a prowestern orientation with whom negotiations might still be conducted now, or the extremists, terrorists, and outside provocateurs who inevitably capture such a movement as the conflict drags on? Finally, what will such a settlement in Algeria at some distant date mean to France then? Will it not mean the loss of all her economic, political, and cultural ties in north Africa which could still be salvaged in a settlement today? Will it not mean that France will have suffered a weakened economy, a decimated army and a series of unstable governments only to learn once again—as she learned too late in Indochina, Tunisia, and Morocco—that man's desire to be free and independent is the most powerful force in the world today?

Of course Algeria is a complicated problem. Of course, we should not assume full responsibility for that problem's solution in France's stead. And, of course, the Soviet Union is guilty of far worse examples of imperialism. But we cannot long ignore as being none of our business, or as a French internal problem, a struggle for independence that has been and will be a major issue before the U. N., that has denuded NATO of its armies, drained the resources of our French allies, threatened the continuation of western influence and bases in north Africa and bitterly split the Free World we claim to be leading.

The Algerian situation is a deadly time bomb steadily ticking toward the day when another disaster to the Free World—worse than Indochina—might explode.

When the roll is called on Algeria this fall in the United Nations, as it must inevitably, we in this Nation will be forced to face this issue publicly. If no reasonable proposal for settlement has by then been put forward by the French and encouraged by the West, will we be able to say to the General Assembly in all sincerity that progress has been made? Will we again vote against the anticolonial bloc that controls the world balance of power? Or will we finally take back from the Soviets the leadership that is rightfully ours of the worldwide movement for freedom and independence?

I repeat my opening observations of last Tuesday: We dare not overlook, in our concern over legal and diplomatic niceties, the powerful force of man's eternal desire to be free and independent. The worldwide struggle against imperialism, the sweep of nationalism, is the most potent factor in foreign affairs today. We can resist it or ignore it, but only for a little while; we can see it exploited by the Soviets, with grave consequences; or we in this country can give it hope and leadership, and thus improve immeasurably our standing and our security.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. HUMPHREY. I was unable to be present in the Senate at the time the distinguished Senator from Massachusetts made his original statement on Algeria. However, I have read it and have discussed it privately with the Senator from Massachusetts. I feel he has performed a service to the cause of American foreign policy, of human freedom, and national independence for peoples who long for it and are looking forward to that eventful day.

The fact that the Senator from Massachusetts has received criticism from some quarters is indicative of the qual-

ity, soundness, and persuasiveness of his remarks. I am happy to associate myself with the endeavors of the Senator from Massachusetts. The people of France can find no better friends than the United States Senate or the United States of America. We admire and respect our faithful and trusted friend and ally, the Republic of France. Our views are expressed not as anti-French, but as a recognition of what is taking place in the 20th century. It is to the benefit of the people of France and to the free peoples everywhere that there be free and open discussion of these delicate and complex issues of foreign policy. We seek to cooperate not dominate. In the spirit of friendship to France we seek to advise not chastise. However, Americans and Frenchmen alike, both believing in liberty, equality, and fraternity, cannot honorably and logically deny or resist the legitimate aspiration of people for self-determination, freedom, and independence.

Mr. KENNEDY. I thank the Senator from Minnesota. He knows from his experience in the United Nations, when we adopted the Hungarian resolution, we sought power to condemn Soviet imperialism. What will be the decision of the United States when a resolution relating to Algerian independence is put forward, as it inevitably will be? We cannot vote "yea" in one instance and abstain from voting "yea" in another.

BASEBALL AND THE ANTITRUST LAWS

Mr. ALLOTT. Mr. President, on July 3, 1957, I placed in the CONGRESSIONAL RECORD a report prepared at my request by the Legislative Reference Service of the Library of Congress on Baseball and the Antitrust Laws. In view of the newspaper accounts, I wish to make it clear that the Library, following its usual practice, took no position and made no recommendations of its own, but developed and amplified a case in accordance with my specific request. The report was responsive to my request to draft a study looking toward a flexible and reasonable application of the antitrust laws to baseball and other professional team sports, so as to preserve the games as we know them, while at the same time protecting the rights of players and the public.

I do not want the Legislative Reference Service of the Library of Congress to be placed in a position of embarassment by erroneous headlines. Therefore, I have made this statement for the RECORD today.

CONTROL AND REDUCTION OF ARMAMENTS—PREFACE TO STAFF STUDY NO. 9

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a preface to Staff Study No. 9, of the Subcommittee on Disarmament, of the Committee on Foreign Relations, on the subject Disarmament and Security in Eastern and Southern Asia. The preface was written by me, as chairman of the subcommittee. The preface does not necessarily reflect the views of any other member or of a majority of the members of the Senate subcommittee. I also note for the RECORD that individual members of the subcommittee do not necessarily subscribe to the views of the staff study. We do feel, however, that these studies make a distinct contribution to the understanding and knowledge of the subject of the control and reduction of armaments.

There being no objection, the preface was ordered to be printed in the RECORD, as follows:

PREFACE

(By HUBERT H. HUMPHREY, chairman)

The security of the free nations of eastern and southern Asia rests upon many factors—economic, political, and military. In every one of these categories concrete steps toward disarmament can have a salutary impact. Many of the Asian States, because of the possibility of Communist aggression, must maintain military and police forces which constitute a heavy burden upon their near subsistence economies. Thus, any headway that can be made toward lifting the weigth of Asian armed forces and armaments can free resources for strengthening the material foundations of their liberty and independence. Steps toward disarmament can also lighten the heavy economic burdens of the people of the United States and other countries and enable them to channel more of their energies into constructive measures for peace.

Many of the Asian peoples are at a political crossroads, hoping that the atomic age will bring them peace and plenty, rather than misery and destruction. Thus, as pointed out in this study, they have a deep dread of the further development of atomic explosives, a dread that has been intensified by the holding of nuclear tests in regions relatively close—Siberia and the Pacific Ocean. Any initiative by the United States that can ameliorate this dread should make a profound impression on the Asian people. While promoting throughout the world the peaceful uses of atomic energy, we should strenuously endeavor to prevent the spread of nuclear-weapon capability to nations not now possessing it, for this would multiply manifold the chances of an outbreak of a nuclear war. The three present nuclear powers—the United States, the Soviet Union, and Great Britain—cannot expect, however, other nations to deny themselves the military instruments of an atomic age unless they themselves are willing to curb their own development and testing of nuclear explosives. The benefits that all nations, both great and small, would derive from a general limitation on nuclear arms development would be so farreaching that no nation can now afford to ignore the possibility of such an agreement.

Unsolved political problems are also contributing causes of the arms burdens sustained by both the Communist and the non-Communist states in Asia. The problem of Communist China, after being stalled on dead center for half a dozen years, is now approaching a decisive juncture. The issue of political prisoners, on which negotiations between the United States and Red China have been deadlocked for many months at Geneva, is slowly melting away as the prisoners are gradually released. At this time six are still being held. Surely the rulers in Peiping should realize that release of those imprisoned would help to lessen tensions in the area. The release of these Americans should open the gate to negotiations on other differences, the resolution of which would help dissipate ill-afforded arms burdens now weighing upon Red China, the nations of south and southeastern Asia, as well as other countries.

New forces are astir on the Chinese mainland that indicate the political situation may be evolving toward greater independence of action and less adherence to Soviet domination. While I do not think these developments should be exaggerated, nevertheless in my estimation the time has come to take a fresh look at our policy toward Peiping.

We should certainly encourage American newsmen to visit Red China, in order to report what is happening in that country, and to enable news about the United States to penetrate through the bamboo curtain to the Chinese people. We should consider modifying other barriers, such as the trade embargo, which force China into ever closer relations with the Soviet bloc. Finally, it is essential that Communist China be brought into any disarmament system at an early stage. As long as there are no armament controls on Communist China, that country will be free to continue to strengthen its large military machine. Moreover, until Communist China is included in a disarmament system, it will provide a loophole which the Soviet Union might use to violate obligations undertaken as a result of a disarmament agreement.

Another urgent question in eastern Asia today, as indicated in this study, is that of Korea. Here is another example where the lack of a political settlement results in the maintenance of large armies, separated only by a narrow demilitarized zone. The armistice negotiated in 1953 has become extremely tenuous because violations by the Communists have necessitated the suspension of key provisions on arms control. Only recently the United Nations Command announced that, in view of the reinforcement of North Korean forces, modern weapons would be sent to the United Nations forces in South Korea.

The danger of an arms competition between North and South Korea has convinced me that we should now take a further step. Before the armistice agreement breaks down entirely, we should amend the agreement to make it conform with the latest trends in United Nations disarmament negotiations. The United Nations Command should be authorized to offer to negotiate with the Communist command new military arrangements providing for a thinning out of armed forces and armaments on both sides of the armistice lines, and for effective mutual inspection. This study gives ample evidence that the past inspection system in Korea has been woefully inadequate. However, with mutual aerial and ground inspection of the type that both the United States and the Soviet Union have already accepted in principle, we would know whether a new limitation on armaments was being observed. Such an agreement would ameliorate a dangerous situation in Korea and perhaps pave the way for a political settlement. It would also provide an excellent pilot area for mutual air and ground inspection. Such a pilot project might also be applied to Vietnam, which may work to facilitate a political settlement of problems afflicting that divided nation.

It is my belief that Staff Study No. 9 on Disarmament and Security in eastern and southern Asia is a valuable aid in understanding the complex problems of disarmament and security. It was prepared by Ellen C. Collier and Charles Gellner, on assignment to the subcommittee staff by the Legislative Reference Service of the Library of Congress. It does not necessarily reflect the views of the Disarmament Subcommittee or any of its members.

EFFECTS OF THE TIGHT MONEY POLICY

Mr. HUMPHREY. Mr. President, in the June 22 issue Business Week magazine, there appeared a very interesting article on tight money. In the article it

is stated that most market authorities see the worst to come, and many Wall Street men fear a blowoff ahead.

The last two paragraphs are particularly of interest:

Many Wall Street men feel that whether or not the Federal moves (to boost the discount rate), the money market is headed for a climatic blowoff. As they see it, the Treasury will be forced to pay a great deal more than current rates for the cash it needs, and this will not only mean higher rates all around but will cut down on the amount available to the rest of the market. The result could make the squeeze so tight it would precipitate the kind of crisis that existed in early June 1953, when borrowers were unable to get funds at any price. If that happened, the Federal certainly would have to relax its tight money policy—and might be forced to swing toward easier money.

The Federal says it would like to avoid any severe trouble in the market. But observers point out that the market is already undergoing a lot of stress and strain. "It will only take a little more pressure," says one underwriter, "to bring on real troubles."

I ask unanimous consent, Mr. President, that this article from Business Week be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MONEY GETS NEW ARM TWISTING

The squeeze on money approached a climax this week as the cost of borrowing jumped perpendicularly all along the line.

All sectors of the money market felt the pinch. And though there was a general expectation that this week's squeeze would temporarily ease somewhat for technical reasons, market authorities were almost unanimous in predicting that the worst was yet to come.

This is because the Nation's monetary managers in Washington are intent on maintaining their restrictive credit policy. In a statement before Congress, Federal Reserve Board Chairman William McC. Martin made clear this week that economic conditions do not call for relaxation in efforts to curb inflationary pressures.

Martin's statement was consistent with current Federal policy. Last week, for example, the Nation's banks were forced into debt with the Federal to the tune of $570 million, up $124 million from the previous week. But the Federal made no attempt to ease pressure, although clearly the banks were being faced with an upsurge of demand from corporations borrowing to pay taxes.

These indications of the Federal's aggressive attitude—coming at a time of heavy tax borrowing—convinced the market that though conditions might show some slight improvement once the tax date passed, the squeeze itself would get worse.

In fact, the market was not only concerned about the high cost of money, but even its availability.

EVERYBODY CAUGHT

There was no doubt this week about the trend to higher rates. Borrowers of all kinds, public and private, short term and long term, were caught by the squeeze:

The United States Treasury paid 3.4 percent on its weekly issue of 91-day bills, the highest yield since the bank holiday of 1933.

The major finance companies upped their rates on borrowings for the second time in less than a week—to 3⅜ percent for 5- to 29-day paper, 4 percent for 6-month money. Commercial paper dealers also raised their rates, with the result that big corporate borrowers will have to pay 3⅞ percent for 4- to 6-month money, while smaller firms will pay 4¼ percent.

In the long-term market, Southern Bell Telephone & Telegraph Co., a top-rated utility that sold a $60 million issue at 3.9 percent last October, this week borrowed $70 million at 4.9 percent, the highest it has had to pay since 1929. Moreover, it had to sweeten its offering by agreeing not to refund any of the issue for 5 years.

Companies that did not command best terms paid even higher costs and had to swallow stiffer terms. For example, Michigan Consolidated Gas Co. this week paid 6.1 percent on an offering of $30 million first-mortgage bonds. In November 1955, it had paid slightly less than 3.4 percent.

PULLING BACK

Faced with these conditions, some companies changed their plans for borrowing. Last week, New York Central Railroad decided against paying the rates demanded by underwriters for a public offering, and sought to make a private placement. This week, Public Service Electric & Gas Co. postponed an offering of $25 million in preferred stock because of "unsettled conditions," and Associates Investment Co. drew back a $20 million debenture issue due to "the disorganized condition of the market." Kerr-McGee Oil Industries, Inc., delayed a public offering while it sweetened the terms.

STABILIZATION HOPE

According to some market experts, the new high level of rates represents an attempt to achieve a supply-demand equilibrium in the interest rate structure. As one underwriter put it, "We've now reached a point where rates are realistic enough to tempt investors."

The United States Government securities market is also undergoing a full-scale adjustment. Normally, interest rates on governments are about one-half of 1 percent below the top corporate issues. But as the yields on corporates rose this spring, the margin widened. However, in the past 2 weeks, prices of governments have declined sharply, in many cases reaching record lows. For example, the famous "Humphrey-Dumpty" 3¼-percent bonds selling below 94 now yield almost 3¾ percent.

The Federal Reserve hopes that the broad adjustment in rates carried through this week will stabilize the market. But Federal officials admit that they are not sure. The fact is that the Treasury will be in the market, both for new cash and refinancing, fairly constantly this summer. If corporate demand remains strong, then interest rates will probably surge higher.

Certainly the money managers feel that as long as the demand for funds by both Government and business continues, they must maintain a tight rein on the money supply. As they see it, any relaxation in their credit policy would serve to provide new stimulus to the wage-price spiral. The Federal considers that higher rates are inevitable at this stage in the capital boom.

DISCOUNT RATE DEBATE

Actually there is now a strong minority in the Board and at the regional banks who want another hike in the discount rate, which has been at 3 percent since August. They argue that it would merely confirm the overall rise in interest rates. From this point of view, a hike in the discount rate would not be an indication of increased tightness, but merely be a recognition of the current state of the market.

This viewpoint, which has adherents in many of the regional Federal banks as well as in the Board itself, does not claim a majority. Those officials who are resisting a new move claim that though the interest rate structure has made an upward adjustment, a rise in the discount rate would insure a further climb. In particular, they say, it would automatically lead to a hike in the prime rate that commercial banks charge their top accounts.

It is rumored that at least 2 Federal banks have had their applications for an increase in the discount rate turned down by the 7-man Board of Governors, which has the authority to approve or reject all moves on the discount rate. The New York Federal, which is in the heart of the money market, is resisting any overt move most strongly. According to one of its top officials, any new sign of tightness might bring on a crisis in the money market.

The Federal will probably hold off any move until the Treasury gets through the financing operation it has coming up within 2 weeks. But the market has no assurance that the majority now against a move will still exist later in the summer.

BLOWOFF AHEAD

Many Wall Street men feel that whether or not the Federal moves, the money market is headed for a climatic blowoff. As they see it, the Treasury will be forced to pay a great deal more than current rates for the cash it needs, and this will not only mean higher rates all around but will cut down on the amount available to the rest of the market. The result could make the squeeze so tight that it would precipitate the kind of crisis that existed in early June 1953, when borrowers were unable to get funds at any price. If that happened, the Federal certainly would have to relax its tight money policy—and might be forced to swing toward easier money.

The Federal says it would like to avoid any severe trouble in the market. But observers point out that the market is already undergoing a lot of stress and strain. "It will only take a little more pressure," says one underwriter, "to bring on real troubles."

POLICIES AND OPERATIONS OF THE FOREIGN TRADE DEVELOPMENT ACT—STATEMENT BY SENATOR COOPER

Mr. HUMPHREY. Mr. President, I wish to have printed in the RECORD a statement by one of our distinguished colleagues, the Senator from Kentucky [Mr. COOPER]. His statement was presented before the Senate Committee on Agriculture and Forestry, in connection with the committee's study of the policies and operations of the Foreign Trade Development Act, Public Law 480, of the 83d Congress. I asked the Senator from Kentucky for the privilege of requesting that his statement be printed in the body of the RECORD. It is one of the most concise and persuasive arguments in behalf of the extension and continuation of Public Law 480 that I have ever read or heard. Therefore, Mr. President, I ask unanimous consent that the statement of the Senator from Kentucky be printed in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

Mr. Chairman, Senator HUMPHREY, and members of the committee, I appreciate very much the opportunity you have given me to express my views on the importance of Public Law 480, the Foreign Agricultural Trade Development and Assistance Act of 1954. I had the opportunity to vote for its enactment in 1954, and since that time to see its practical application in one country, India. I believed at the time of its enactment in its purposes, and I now view it as one of the

most valuable programs of our Government and people.

Today, I want to direct my remarks particularly to the sale of surplus agricultural commodities to other countries for their local currencies. I need not tell this committee that the uses of at least a portion of foreign currencies, for which we sell surplus agricultural products, can be of immediate and direct value to our country. In report No. 188, from the Senate Committee on Agriculture and Forestry, on the extension of Public Law 480, March 26, 1957, your committee indicates some of these uses. Among them are the development of markets with the United States, payment of United States obligations overseas, and procurement of strategic materials. All of these represent returns to the United States which can be ascertained in terms of repayment in dollars.

But at this hearing, I would like to speak briefly of other results of this program which I believe are of great benefit to the countries receiving our surplus food and of tremendous value to the immediate and long-range purposes of United States foreign and domestic policy. Today I may illustrate from time to time from my experience in India, but I point out that I consider the statements that I make applicable to many other Asian countries, and to Middle Eastern, African, and Latin American countries as well.

I do not believe that the operation, purposes, and accomplishments of the Public Law 480 programs are fully enough or widely enough understood by the people of our country. Beyond the return to the United States in goods and services, which I have mentioned, I suggest that we are doing these things under Public Law 480:

1. We help supply the basic human needs of people for food and for the fibrous material from which clothing is made.

It is a common experience with newly independent countries that their people, upon achieving political independence, demand and expect an immediate increase in the supply of food and clothing. This need, of course, existed long before, when independence was denied by colonialism, but now political freedom has made it possible for the people to demand more insistently that this need be met.

The first problem of the governments of newly independent countries is to provide more food and more fiber (especially for clothing) for their people. The need is very real and urgent—for an improved and more adequate diet, for a more uniform supply of food throughout the country, and from one season of the year to the next, to raise the health level of the population, and to take care of the dietary needs of the children. If the democratic governments of these countries cannot meet this first need, their people may in time look for other systems of government, and they might not be democratic systems.

The urgent nature of this need for a larger and more stable supply of food can be seen by comparing standards in such industrially advanced countries as our own with those of a representative country like India. Americans, with an average annual income of about $2,000, consume an average of 3,200 calories every day. Indians, on the other hand, have an average annual income of $55 and an average daily consumption of 1,700 calories per person.

Consequently, emphasis must be placed on the development of the country's agricultural economy. Through our point 4 program, we are endeavoring to help by supplying technical agricultural assistance, farming tools and supplies, and expert farm personnel, all of which is designed to help increase the quality and quantity of a country's agricultural production. The United Nations also has its point 4 program, to which we contribute. But it is a slow process; our point 4 assistance, while important, is a minor factor. The chief effort for agricultural development rests with each country itself, and many of them, like India, have made great and heroic progress.

In the meantime, however, while agricultural production is developing, many of these countries have been faced with an immediate and critical need for large supplies of food and fiber. It is here that our broadly conceived Public Law 480 programs have been of great help, and I hope will continue on an expanded basis to be of critical assistance. They fill the gap in part as a country makes its great effort to improve agricultural production.

2. A second point is that under Public Law 480 we are helping to prevent runaway inflation in countries beginning industrial expansion.

As the committee knows, nearly every country in the world is engaged in an all-out effort to raise the living standards of their people. They seek to accomplish this through increased agricultural production and increased industrial production. As this development progresses more people go to work and more income is produced. And the first use of new income is for food and cloth. It could not be used for much else. An advance in individual income of $2 to $5 per year can only go to basic needs—food and clothing.

However, unless agricultural production keeps up with the increased purchasing power made available through industrial development, the old and bitter cycle of inflation takes over. Thus, slightly increased income is more than consumed by the artificially higher prices paid for food and clothing. And this can result in the people being no better off, and sometimes far worse off, than before the development program started. At least, it can endanger the chance of progress in a country striving to advance.

By supplying needed amounts of food, Public Law 480 compensates for part of the lag in agricultural production and helps supply the food and clothing the people want to buy with their increased income. It is a valuable instrument in the fight against inflation.

3. The public Law 480 programs help finance the agricultural and industrial development efforts of underdeveloped countries.

This is best understood by describing the actual operation of the program. The United States sells food and fiber to the government of countries being aided, agreeing to repayment in their local currencies. The government, in turn, sells these commodities to its people for local currency—in Indian rupees, for example.

The income from the sale of Public Law 480 supplies becomes a part of the disposable national income of the country to which we transfer our surplus crops. And, rather than require the government to pay for the commodities immediately, the United States agrees to lend back to the government for a term of years the local currencies it has received from the sale of our surplus crops to its people, and which it owes to the United States. Thus, this income becomes a fund from which countries are able to finance economic development projects, projects which the recipient country and the United States work our mutually, but which the recipient country initiates and completes. It is their work and their program.

All of us know that investment for industrial expansion depends on savings. The tremendous expansion taking place in this country today is financed by the private savings of our people. Yet we hardly consider this fact—this necessity—we are so accustomed to it. But in countries whose people barely live above survival, there is very little scope for private savings. Compare the average income of an individual in the United States of over $2,000 per year with an individual's income in India where 380 million people earn an average of $55–$57 per year, and 95 percent of their people have incomes of less than $300 per year. There is very little scope for providing private savings for investment. Funds for development must be provided chiefly from taxes; but Public Law 480 provides a new source of funds for local investment, sales to the people. And, at the same time, it increases potential savings for development purposes by holding back the savings-depleting impact of inflation.

And of great psychological importance, it provides a means whereby the whole nation, all its people, contribute directly to the development efforts of its government—by realizing that the money they spend for necessities of life will, in turn, help stimulate greater agricultural and industrial production and further advance the country's standard of living.

4. And related to this development effort, the Public Law 480 programs accomplish another purpose: They enable the recipient country to save a part of its scarce supply of foreign currencies, for the purchase of capital goods which can be supplied only from outside the country, and without which it cannot develop industrially.

This fact is especially significant since one of the major obstacles to economic development in such new nations is the great difficulty in accumulating supplies of foreign currency and savings from its own people. A country may develop local funds to pay its labor, to purchase local material, and build plants with local materials, but unless it can place in the plants the tools, machinery, steel, etc., that are only obtainable in other countries, it cannot advance. And it must have foreign currency to purchase such necessary supplies of capital goods abroad.

In this respect, Public Law 480 works this way—

(a) It permits a country to supply a part of its increased food and fiber needs without purchasing supplies on the world market—for which it would have to pay in foreign currency;

(b) It permits the country to shepherd its reserves of foreign currency and to use these reserves in the most effective way to buy wealth-producing capital goods on the world markets.

One aspect of the great opportunity the United States has by reason of its Public Law 480 program can be best appreciated when we contrast our operations under the program with the operations of Soviet Russia's foreign aid. Russia can and does (a) make loans to countries seeking industrial progress, on easy terms; (b) supply a certain amount of capital goods for development purposes; and (c) train personnel in technological processes, both on the spot and in factories in the Soviet Union.

The United States can do and has done all these things. And we began to assist many of these countries in a time of real need—at the time they had attained political independence—an independence to which we had given our sympathy, and in many cases, our assistance. And at that time the Soviets were denouncing many of the governments and leaders of these countries as reactionary and counter-revolutionary.

But in addition, we can do something Russia cannot do. We can help supply the most basic need of peoples—food—in large quantities. We can give food and fiber and support liberty. And by supplying the most fundamental requirement of countries struggling for development throughout the world, we can accomplish the subsidiary and important assistance I have described in this statement, an assistance which otherwise might lose much of its value through famine and inflation.

I have not attempted to relate my statement too prominently toward our foreign policy. I will say, however, that one of the

prime objectives of United States foreign policy is that democratic countries throughout the world may be able to maintain their sovereignty and independence. The newly independent countries of the world have chosen the democratic system and its institutions, but it will be difficult for them to maintain their integrity and to secure the respect of their peoples for their democratic governments, unless they can maintain economic stability and advance the living standards of the people. I point out again that food is the first requirement and that the United States is the only country in the world with the capacity to supply the food that is needed.

I would not want to close without paying a tribute to the independent agencies and the churches, which in programs of their own, distribute surplus food in areas of great need or famine. Theirs is a work inspired by the noblest purposes and to meet the most immediate need of human beings.

Also, I am not ashamed to say that the people of our country, with all its abundance of food, have some moral and spiritual obligation to make available at least a part of its riches to those who need, and those who struggle to advance themselves. I express my admiration to you, Senator HUMPHREY, Senator AIKEN, and the members of this committee, for the effort you are making to improve and to expand, if necessary, the programs which came into operation under Public Law 480. I express my conviction that they are making a great contribution to the peace and well-being of the world, and to the success of our best objectives in foreign policy. I hope that this important program can be expanded and developed to make even greater contributions in the future. We are in the unique position of being able to say to the peoples of the world struggling to achieve equality and freedom: "There can be both freedom and food."

INCREASE IN STEEL PRICES

Mr. HUMPHREY. Mr. President, on June 27 the United States Steel Co. announced that it was raising its steel prices an average of $6 a ton. United States Steel maintained that the reason for the increase was higher wages and fringe benefits. It pointed to the workers of the industry as being the villains, and to the poor, little, old United States Steel as just not having any choice but to raise its rates.

I do not hesitate to state, Mr. President, that the American public is not being told the whole truth by the steel industry. Take for example the argument of United States Steel that wages and fringe benefits are increasing by 6 percent, while steel prices are being raised only 4 percent. In other words, United States Steel argues that it should be increasing its prices even more than it has. This line of argument would hold water only if labor costs were the major portion of the total costs in the steel industry. This is not the case, however. According to an article by McClellan Smith, in the Magazine of Wall Street of February 16 of this year, labor costs as a percentage of sales in the steel industry averaged 32 percent as of 1955; United States Steel's labor costs were 39 percent of sales.

I also call attention to some very pertinent statistics which were presented to the Joint Economic Committee on January 31, 1957, by Mr. Otis Brubaker, director of the United Steelworkers of America.

Profits before taxes of the 25 leading steel companies in 1956 totaled about $2 billion, despite the steel strike in the third quarter, only a little below the record profits of 1955, and 76 percent higher than the 1954 profits, 188 percent higher than the 1947 profits, and 1,168 percent higher than the 1939 profits.

Net profits tell the same rosy picture. Last year, despite the steel strike, these 25 top companies in the industry reaped $1 billion net. This is on a par with 1955, 70 percent higher than 1954, 154 percent higher than 1947, and 691 percent higher than 1939.

Profit margins in the steel industry have been widening sharply in recent years. For all manufacturing industries, however, they have been narrowing. Profits per dollar of sales of the 22 leading steel firms rose from 6.2 cents in 1947, to 7.9 cents in 1955 and the first half of 1956. Net profits per dollar sales in all manufacturing declined from 5.7 cents in 1947, to 4 cents in 1955, and to 4.3 cents in early 1956.

Net profits as a rate of return on net worth rose in the steel industry from 10.5 percent in 1947, to 13.8 percent in 1955, and 16.1 percent in the first half of 1956. In all manufacturing fields, however, net profits as a rate of return on net worth dropped from 15.1 percent in 1947, to 12.6 percent in 1955, and 12 percent in the first 3 quarters of 1956.

In the payments of dividends, the situation is the same. Steel industry dividends are up, compared with those of other industries: an increase of 229 percent from 1947 to 1956, as compared with an increase of only 86 percent for all corporations.

Not including the price boost or the wage increases effective July 1, we find that since 1945, for every dollar increase in labor costs, the steel industry has gotten more than $3 in added revenue. Here are the figures, measured in terms of 1956 operations, for the entire steel industry:

	Million
Additional revenues	$6,572.2
Additional labor costs	2,027.9
Total gain	4,544.3

I also note that United States Steel enjoyed during the first 3 months of this year the highest net earnings for any quarter in its history. Let me read the figures from the company's quarterly financial statement. Its net income after taxes for the first quarter of 1957 totaled $115,478,109; in the first quarter of 1956, its net earnings were $104,160,945; and in the first quarter of 1955 its net earnings were $72,652,402.

I say, Mr. President, that these facts and figures show that United States Steel had no need to boost its steel prices $6 a ton at a time when we are desperately trying to hold down the cost of living.

At this juncture, I should like to point out that the steel price increases follow closely upon President Eisenhower's plea of last week for voluntary action by industry and labor to check inflationary pressures. In this light, it would appear that the steel industry was either ignorant of, or was callously indifferent to, a legitimate request of the President of the United States. Inasmuch as radio and TV newscasts and the Nation's press gave full coverage to the President's request, I feel that the latter alternative must be accepted as correct.

In flouting the President's plea for self-restraint, the leadership of the steel industry has demonstrated an economic arrogance that is indeed shocking to the general public. It cannot be denied that, implicit in the rise in steel prices at this time, is a willful refusal by the industry's leadership to assume the social responsibilities concomitant with economic power and prestige. In my judgment, the steel industry's entire course of action in this matter presents a discouraging commentary upon the caliber of statesmanship practiced by a very important segment of our economy.

By increasing prices at a time when the President is advising selfrestraint in such matters, the steel industry has joined a select group. As will be recalled, the petroleum industry raised prices in January of this year shortly after the President had counseled in his state of the Union address:

> Business leaders must, in the national interest, studiously avoid those price rises that are possible only because of vital or unusual needs of the whole Nation.

I also note that even the Secretary of the Treasury, George Humphrey, admitted before the Senate Finance Committee on Monday that steel price increases will contribute to increased costs over a large area of the economy.

Mr. Robert B. Anderson, who will soon succeed Secretary Humphrey, told the Finance Committee of the Senate that he wished the steel price rises had not taken place. He voiced agreement with the Senator from Tennessee [Mr. GORE] that this price boost would add to inflationary pressures.

It may well be that business leaders, seemingly unaffected by the threat of inflation and indifferent to the pleas of the President, need to be reminded of some hard facts. They appear to have been unduly influenced by the President's expressed reluctance to impose price and wage controls at this time. Of course, Government controls in peacetime are anathema to all of us who believe in a free and competitive system of private enterprise. At the same time, however, irresponsible price boosts cannot and will not be indefinitely tolerated. On this point, I can add I have received a number of letters and telegrams proposing a program of Government controls. Business leaders should understand that, in failing to meet their social responsibilities, they are issuing an invitation for Government intervention—and action I hope will not be necessitated.

I have learned that the Senate Antitrust and Monopoly Subcommittee, under the able chairmanship of the Senator from Tennessee [Mr. KEFAUVER] has decided to investigate the steel price increases. This is good news. The talents and energies of the Senator from Tennessee will be needed in discovering what application the law of supply and demand has in an industry where prices are boosted at a time when only 80 percent of ingot capacity is being utilized.

In addition to the investigation of the Senator from Tennessee of the competitive aspects of the steel price increases, I suggest a broadscale inquiry into the inflationary aspects of the matter. Such a study would be most appropriate for the Joint Committee on the Economic Report. In the study, testimony could be received from representatives of Government, business, labor, and the general public. Through such an inquiry would come an objective and well-balanced assessment of all factors contributing to the current inflationary spiral. At long last, economic facts could be substituted for opinions and theories.

I ask unanimous consent that an article from the July 1 issue of the Wall Street Journal be printed in the RECORD. In this article it is predicted that the steel price boosts will spur increases in a host of steel products—in some cases even greater proportionately than the steel hike itself.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal of July 1, 1957]

ANOTHER ROUND?—MANY STEEL USERS SAY THEY'LL BOOST PRICES TO OFFSET STEEL'S RISE—BUT IMPACT MAY BE UNEVEN AS COMPETITION, BUYERS' REACTIONS WORRY SOME—A PUMPMAKER ROUNDS OFF

Steel price boosts, effective today, will spur increases on a host of steel products—in some cases even greater proportionately than the steel hike itself.

This latest inflationary spurt comes while influential lawmakers are pondering the perils of generally advancing prices. Today, Treasury Secretary Humphrey, soon to become chairman of National Steel Corp., may be questioned about the steel price increases when he again faces the Senate Finance Committee. Another Senate study of steel price boosts is likely later this month by Chairman KEFAUVER's Senate Antitrust Subcommittee. Less than a week ago President Eisenhower called on business and labor alike for statesmanlike action to hold price lines.

Most steel users, including fabricators, furniture makers, auto manufacturers, and appliance firms, indicated in a nationwide survey that they plan to pass on to the consumer the average $6-a-ton increase on steel announced late last week by United States Steel Corp., the Nation's largest producer.

Other leading steelmakers, including Republic Steel Corp., National Steel Corp., and Youngstown Sheet & Tube, quickly followed United States Steel's lead and posted higher prices.

MOST AND MAYBE MORE

Although many steel users said market conditions and the action of competitors on the steel rise would influence their pricing policies, few left any doubt that they would attempt to pass most, if not all or more, of the price increase. Of more than half a hundred steel users in a broad industrial cross-section, only seven reported they did not intend to increase their prices.

The 4-percent steel hike, of course, was not unexpected. Under a 3-year contract with the United Steelworkers which was signed last fall, some 700,000 steel-company employees will get a boost in pay and fringe benefits beginning today. The steelworkers figure the pay package will cost the company 12.5 cents an hour more per employee but the industry put the extra cost at 20 cents or more. Steel companies contend the steel price boost will only partly offset these added labor costs.

The immediate effect of the steel price increase is apt to be uneven. On some big jobs—construction projects and railroad cars, for example—manufacturers have steel escalator clauses in their contracts. That means the steel price hike automatically will be tacked onto the customer's final costs. Other producers, though anxious to raise prices, say they want to hold off a bit to see what other companies in their industry will do. In some cases, therefore, the full impact of the steel change won't be felt for several months.

AUTOMAKERS AT ODDS

Auto manufacturers are at odds about how much, if any, of the steel price increase will be packed into prices of 1958 models. A spokesman for one of the Big Three companies said he doubted the increase would affect car prices at all. But another major car maker, relying on an industry rule of thumb based on 1.5 tons of steel in the average auto, figured car prices would be up about $10 on each new model because of the steel increase.

"It is going to be inevitable that we will have to raise prices," says a spokesman for Philco Corp., in Philadelphia. White goods—refrigerators, gas ranges, and such—almost certainly will go up because of the steel increase, he says, and television sets may be boosted, too.

Whirlpool Corp., another heavy user of steel in major appliances, is scheduling a meeting of officers today in its St. Joseph, Mich., headquarters, to consider the effect of the price hike, an official reports. In Columbus, Ind., Yandell C. Cline, vice president of Arvin Industries, Inc., voices a typical reaction of manufacturers:

"NO ALTERNATIVE

"We're reluctant to do anything which would increase the price spiral that we don't like and Eisenhower doesn't like. But ours is a close-margin business; we have no alternative but to adjust our prices up."

Mr. Cline says Arvin's fall line of radios, auto parts, electric heaters and auto heaters probably will show an increase. "Some seasonal products such as outdoor furniture, barbecue grills and window fans won't reflect the increase until next year, though," he adds.

Some steel users report they're raising prices even more than the percentage increase on raw steel.

"Our entire line of pumps will go up 5 percent to 7 percent," says Fritz F. Stadelhofer, treasurer of Berkeley Pump Co., of Berkeley, Calif. "Steel is just the beginning," he explains. "Pretty soon, all our suppliers will begin raising their prices to us to reflect the steel price increase in their products."

Mr. Stadelhofer pulls out a pricelist and points to one of the 150 pumps that Berkeley manufacturers. "Here is a centrifugal irrigation pump now retailing for $700," he notes. "It will go up to $735 or $742. But we always round off the figure to our favor so it will probably end up at $750."

A Philadelphia steel warehouseman plans to pass the $6 per ton increase along to customers and says his markup will probably be hiked, too, "We shoot for around 30 percent on markup," he notes. "If the price is raised, the markup will have to be, too, to stay at that 30 percent level."

Some manufacturers, especially in the appliance field where retail sales this year have been sluggish, are taking a wait-and-see approach.

"Industry conditions, during the next 30 to 45 days are the key to whether we'll pass on the effect of higher costs or hold the line," comments Judson S. Sayre, president of the Norge division of Borg-Warner Corp.

A big Chicago appliance maker says it will take "several weeks" before his company can set a new pricing policy and that changes will be spotty. A slow moving appliance, for example, may not be increased in price but a more popular one might, he says.

ABSORBING IT

Many fabricators and manufacturers say they may have to absorb at least part of the steel increase.

An executive of a Birmingham, Ala., fabricating and warehousing company reports that his firm has been figuring on a price increase and in quoting bids on future jobs has been adding $6 a ton. "But," he adds, "because of the competitive situation, we've had to shave our profit margin so much that we're not getting the $6."

"I presume we can pass on an increase," says William H. Wilkerson, president of Auto-Nailer Co., Atlanta maker of automatic fastening machines for the furniture and other woodworking industries. "We won't attempt to make anything on the increase and we hope we won't lose anything."

Adds a spokesman for Salem-Brosius, Inc., manufacturer of industrial furnaces and materials-handling equipment in Carnegia, Pa.: "We'll get clipped on some of our short-term contracts, but the company has escalator clauses in some of its long-term agreements."

LITTLE RELUCTANCE

Many steel users indicated little reluctance to add the new steel costs into their prices—and saw no reason why they should be hesitant.

Summing up this attitude is a statement by Herman T. Pott, chairman of St. Louis Shipbuilding & Steel Co., maker of river boats and barges.

"We're not going to take a steel price increase out of our own pockets unless business gets lousy."

The last major increase in steel prices came in August 1956, after the 36-day nationwide strike. It averaged $8.50 a ton. Since then, prices have been advanced an additional $5 or so, mostly through adjustments on extras, the charges paid by customers over and above base prices for special processing of the steel.

Demand for steel, though considered good by the industry, is not at the boom levels of a year ago. Actual production through March, April, May, and June has been below year-ago levels.

Mr. HUMPHREY. Mr. President, the July issue of Steel Labor, the journal of the United States Steelworkers of America, has some other interesting statistics bearing on the new steel price increase. In that issue, Mr. David J. McDonald, president of the United States Steelworkers points out:

Since the postwar period—that is, 1945—there have been 21 rounds of steel price increases. There have been nine rounds of wage increases. These price increases have yielded the industry more than $3 in revenue for each $1 of wage increases. Remembering this three-for-one formula and noting the fantastic growth of profits per employee hour which accompany these prices, only one conclusion is possible. Wage increases in steel have not caused a single price increase.

The whole issue, Mr. President, is very carefully considered by Mr. Stanley H. Ruttenberg, director of research of the AFL–CIO, in an important letter which he sent to the New York Times and which was printed in that paper Friday, June 28, 1957.

I ask unanimous consent that the text of this letter be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 28, 1957]

PRICE-WAGE LINK EXAMINED—STEEL INDUSTRY DECLARED EXAMPLE OF WIDENING MARGIN OF PROFIT

To the EDITOR OF THE NEW YORK TIMES:

The current discussion of rising prices and the attempt to link price boosts to wage increases is almost always based on vague generalities. If this discussion is ever to become a meaningful one it will have to deal with economic realities—with administered price structures in most of the economy's key industries and with the price-profit-investment policies of the Nation's major firms, as well as with wage rates and unit labor costs.

Let us look at the steel industry, a basic industry whose price movements affect the general level of prices. According to informed newspaper accounts this industry is preparing to install its next semiannual increase of steel prices on or about July 1.

Officials of the United States Steel Corp., the industry's dominant firm and price leader, have been attempting to prepare the ground for the price boost by saying that increased labor costs will necessitate higher prices. The record of United States Steel profits, however, clearly indicate that the corporation can absorb the cost of improvements in the wages and fringe benefits of its employees without a price increase at all.

In 1939 United States Steel's profits before taxes were equal to 13 cents for each hour worked by each employee. In 1940 this profit was doubled to 26 cents. The following year, in 1941, profits per man-hour climbed to 38.8 cents. By 1947 it reached 42.6 cents. In the recession year of 1949 it went to 60.3 cents. In 1950 it was 85.4 cents.

In 1955 another new record was established when profits per man-hour hit $1.38. Last year, despite a strike, it was $1.345.

CURRENT RATE OF PROFIT

And in its most recent report for the first 3 months of 1957 United States Steel revealed that its profits were at an annual rate or $1.80 for each hour worked by each employee. This represents an increase of 30 percent over its previous record profit per man-hour in 1955 and a fabulous increase of 1,284 percent since 1939.

United States Steel's net profits (after taxes) per man-hour reveal a similar spectacular rise from 10 cents in 1939 to an annual rate of 89.8 cents in the first quarter of 1957, an increase equal to 13 percent a year, compounded annually from 1939 to 1957.

The upward movement of steel prices through the years has been caused by the steel industry's determination to widen its profit margin by a consistent policy of imposing even higher prices on customers and, eventually, consumers of steel, who are helpless to resist, as David J. McDonald, president of the United Steelworkers of America, declared in an address recently.

With United States Steel's annual profit rate of $1.80 per man-hour—and the industry's rising productivity—how can the expected steel-price boost on or about July 1 be justified on the basis of labor costs?

Some people have argued that a recent report by the Bureau of Labor Statistics proves that wage increases have been a primary cause of rising prices. The report itself, which covers the years 1947–56, declares that the index for unit labor costs was lower than the price index for every year prior to 1956. In other words, nonfarm prices were rising faster than nonfarm unit labor costs in the period covered except in the 1 year, 1956.

LABOR COSTS

In its report on this Bureau of Labor Statistics study, the June 1 issue of Business Week states: "One obvious way of trying to determine which caused which would be to measure whether labor costs or prices moved up first. Subjected to this test unit labor costs seem to have followed prices uphill through most of the postwar years—and particularly in those years when the inflationary heat was most intense."

The record of recent months indicates that labor cost-price-profit relationships are back to the 1947–1955 trend. Payrolls for production and maintenance workers in manufacturing industries declined almost 4 percent between September 1956 and last May, according to the Bureau of Labor Statistics, while the physical output of manufacturing industries declined only somewhat more than one-half of 1 percent.

Unit labor costs of factory production and maintenance workers actually declined 3.3 percent in those 8 months, but wholesale prices of industrial goods continued to move up by almost 2 percent.

Corporate profits in the past 6 to 8 months have been at alltime record annual peaks, despite a leveling off of economic activities.

These types of specific issues, rather than vague generalities, must be considered by those who are interested in the continued growth and stability of our economy.

STANLEY H. RUTTENBERG,
Director, Department of Research, AFL–CIO.

WASHINGTON, *June 25, 1957.*

Mr. HUMPHREY. Likewise, Mr. President, Mr. Walter P. Reuther, chairman of the economic policy committee of the AFL–CIO, issued a statement on the steel price increase. I ask unanimous consent that this statement, too, be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STATEMENT OF WALTER P. REUTHER, CHAIRMAN OF THE ECONOMIC POLICY COMMITTEE OF THE AFL–CIO AND PRESIDENT OF THE UAW

The price increase announced by the United States Steel Corp. is unjustifiable, socially irresponsible, and dangerously inflationary.

It is big business' contemptuous and defiant response to the appeal of President Eisenhower only last Wednesday for restraint by industry in initiating price increases.

The facts on steel prices and steel wages prove conclusively that United States Steel's effort to blame the price increase on increased labor costs is completely false and that this price increase, as other price increases in steel, autos, and other industries in the postwar years are nothing more than an unconscionable and greedy grab for higher and higher profits at the expense of American consumers.

This is further proof that the crushing burden of inflation imposed on American consumers by the steel and other key, price-setting industries is a rigged inflation arbitrarily fixed by industrial management. It does not grow out of the free interplay of normal economic forces.

Clifford E. Hood, United States Steel president, could well take a leaf out of the book of C. E. Wilson, now Secretary of Defense, who said in 1952, when he was president of General Motors: "I contend that we should not say the 'wage-price spiral.' We should say the 'price-wage spiral.' For it is not primarily wages that push up prices. It is primarily prices that pull up wages."

It is particularly significant, in view of this announced steel price increase, that the steel industry, along with other price-pacing industries, and the NAM and United States Chamber of Commerce, have consistently and vigorously fought tooth and nail against a Congressional investigation into the wage-price-profit relationship, which the AFL–CIO and many of its affiliates have proposed and urged.

Such an investigation would reveal that this present and other postwar price increases by the steel industry and by other industries are completely unwarranted and cannot be justified by increased labor costs. That is why these industries fear and fight against such an investigation. Labor has no fear of what such an investigation would reveal.

A simple and brief recital of the profit figures of three of these price-administered industries prove the point that blaming price increases on labor costs is propaganda rather than economic reality. They prove that such increases in labor costs, if any, which are not offset by increased productivity, can easily be absorbed out of profits and still leave these corporations and industries with record or near-record profits.

United States Steel is an admirable example. In 1939, United States Steel's profits per man-hour worked by each employee was 13 cents. In seven-league boot strides, this profit has advanced through the years, despite wage increases and other economic benefits to steelworkers, to an annual rate in the first 3 months of 1957 of $1.80 for each hour worked by each employee—a fabulous increase since 1939 of 1,284 percent. And these profit rates include not only hourly rated workers, but supervisory, clerical, and executive personnel as well.

General Motors raised its prices in 1955, using as an excuse a 20-cent-an-hour wage and fringe benefit package won by its employees in collective bargaining that year. This action was taken during the first 9 months of the year after the benefits won by workers had gone into effect and during which period GM earned $2.93 in profits before taxes for every hour worked by each of its hourly rated employees. For the whole year of 1955, GM made more than $2½ billion profit before taxes, highest in the history of any company in the world, representing a 79-percent return on investment. In the first 3 months of this year, which has been a comparatively bad period for GM because of a slump in sales, the company made $2.80 in profits before taxes for each hour worked by each hourly rated employee.

The spiraling profits of the oil industry is another example which deserves Presidential and congressional attention. Standard Oil of New Jersey's profits are not readily broken down into profit per man-hour, but its net total profit after taxes show the following rate of progression:

1954	$584,793,000
1955	709,310,000
1956	808,535,000

And in the first 3 months of the current year, this same company is making net profits after taxes at the rate of $948 million—a 17-percent increase over last year.

If President Eisenhower is truly concerned about inflation and unwarranted price increases, and I believe he is, he should turn his attention, not to workers whose economic gains increase mass purchasing power to the benefit of the country as a whole, but to such corporations and their managements as those listed above and make his appeal to reason and social responsibility to them.

The classical reasons for inflation are not present in this situation. There is no excess of demand over production or capacity to produce. In fact, in the last 2 years the automobile industry, the largest single consumer of steel, has suffered a decline in sales. It is currently operating at about 60 percent of capacity—despite a need for new automobiles and trucks.

The steel industry is operating at less than capacity.

The electrical-appliance industry, the textile industry, and other basic industries are operating at well below capacity and the

workers in these industries have been suffering unemployment and underemployment.

There is a desire and need for these products but the great mass of consumers do not have the purchasing power to buy what they want and need.

The present inflation is artificial because it has been artificially rigged by a few corporations which, because of their dominant positions in industry, set the price of their products without any relation to the laws of supply and demand.

A continuation of the propaganda contest between management and labor, in which each tries to pin the responsibility for rising prices on the other, will not stop the inflationary spiral nor will it protect the American consumer against higher prices.

Both management and labor ought to be prepared to present all the facts before a congressional committee so that the American public will know all the facts and in turn fix the economic and moral responsibility for inflationary pressures which are forcing up the cost of living.

The American labor movement will continue to press for such an investigation.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that an article by Nate White, the business and financial editor of the Christian Science Monitor, be printed at this point in my remarks. Mr. White's article in the June 28 issue of his paper demonstrates quite clearly that the victims of this new price increase in steel are going to be American consumers, homes, schools, highway construction projects, new plant and equipment expansion, and fundamental economic growth.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STEEL COST PUSH JOLTS CONSUMER

(By Nate White)

BOSTON.—Direct victims of the announced increase of $6 a ton in the basic price of steel are the American consumers, homes, schools, highway construction projects, new plant and equipment expansion, and fundamental economic growth.

This is the single controversy-free, crystal-clear meaning for every American consumer, individually or collectively, already faced with a cost-of-living rise of 3.6 percent a year, of the United States Steel Corp.'s price increase effective July 1 when costly wage increases and employee benefits, agreed upon after a 34-day strike last summer, begin.

The price increase was expected. Industry leaders would liked to have seen it put at $10 to $12 a ton to cover their increased costs. Many expressed irritation with United States Steel for putting the increase so low. The corporation argued it was concerned about inflation.

PRICES PROPELLED

The United Steelworkers Union has argued that enormous profits in the steel industry would have enabled the companies to absorb the increased costs.

Following by only 2 days President Eisenhower's appeal to industry and labor to exercise restraint in order to curb inflation, the news of the price increase made it clear that more than public policy pronouncements will be needed to halt inflation in the United States.

Actually the price increases in steel were set before the President made his appeal, because the strike of last summer had already written the new costs into the making of steel. Neither the White House nor consumers had the power to offset the new round of prices which will now begin in every industry dependent on steel.

If Americans have wondered about the whys and wherefores of their new cost-push inflation the steel situation graphically illustrates it for them.

Labor, material, shipping, and equipment costs of making steel are going up. These costs push up prices. It's as simple as that.

The price of a baby carriage or a refrigerator, of next year's automobile and next year's new house, of the new school, the new office building, have also gone up behind the scenes in the price change in steel.

WAGE COSTS TRACED

This year marks the 10th since the end of World War II that prices of basic steel have been marked up following across-the-board wage increases. In 1949 and 1951, one a recession year and the second a year of war, no changes occurred.

The hourly wage in minimums paid steelworkers has ranged from 96½ cents in 1946 to $1.89 in 1957. Higher skills, of course, command higher hourly schedules. Clifford F. Hood, United States Steel president, estimated that the new pay adjustments would bring the corporation's average hourly employment cost for wage employees engaged in steel production to about $3.52 an hour.

Steel price increases each year beginning with $5 in 1946 have averaged $5.86 a year, although individual years have varied, $9.34 in 1948, $3 in 1954, $8.50 last summer, and $6 this summer.

EFFECTS STUDIED

Careful observers of the problem are convinced that no real solution to the problem will be found until the fight on inflation becomes as much of a crusade in the United States from the White House to the village store as was the fight on depression in the 1930's.

Since last year the cost of living has increased at a rate midway between 3 and 4 percent. This increase reflected a loss, as estimated by the Federal Reserve Board, of $2.5 billion for each percentage point, indicating a dollar loss to the American people in the past year of between $9 billion and $10 billion.

This is cost-push inflation.

Mr. HUMPHREY. I also ask unanimous consent that an article from the July 3 issue of the New York Herald Tribune be inserted in the RECORD at this point. This article points out that the three largest steel companies have in the past 10 years increased their sales by 105 percent and increased their net earnings after taxes by 186 percent. The big three also increased their operating profit ratio in 10 years from 9.4 percent to 20 percent.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune of July 3, 1957]

BEHIND STEEL'S RISE: EXPANSION NEEDS

One of the reasons why steelmakers have been raising prices in the face of increasing wage demands is to keep profit margins firm enough to provide for new plant and expanding demand.

Seemingly, since 1947 they have managed to do just that—and then some. Over the last decade combined sales of the big three—U. S. Steel, Bethlehem and Republic—have moved from $3,750,000,000 to $7,700,000,000, a gain of 105 percent.

Operating profits over the same span have shot from $355 million to $1,600,000,000—a gain of 305 percent—while net earnings have increased 186 percent.

The prime reason for the difference between operating profit and net profit performances lies in depreciation—charges made against wear and tear of equipment.

Much of the new plant installed since the Korean war was put in place with the help of accelerated amortization. This had the effect of increasing the steelmakers' internal cash flow and minimizing taxes and reported earnings.

Generally, the trend of the steelmakers' operating profit margins has been up. In 1947 combined operating profit ratio of the big three averaged 9.4 percent. By 1951 this had climbed to 16 percent and last year stood at 20 percent.

Profit profile of steel's Big Three, 1947–56 (combined: United States, Bethlehem, Republic)

[In millions]

	Sales	Operating profit [1]	Net income	Depreciation	Funded debt	Dividends
1947	3,750	$355	$200	$154	$277	$75
1948	4,600	469	266	198	262	94
1949	4,300	538	310	170	292	97
1950	5,180	838	402	208	275	157
1951	6,300	1,020	345	210	416	141
1952	5,720	511	279	193	525	140
1953	6,900	1,010	413	210	370	143
1954	5,650	752	381	199	568	170
1955	7,300	1,300	636	223	666	231
1956	7,700	1,600	599	225	564	268

[1] Profits after all costs except depreciation and taxes.

Mr. LAUSCHE. Mr. President, I wish to supplement the remarks made by the Senator from Minnesota. It is highly regrettable that the steel industry did not give heed to the plea made by the President of the United States that there be some self-imposed restraints in the lifting of prices. In my judgment, arguments are constantly being flaunted before the minds of the public by labor leaders and business leaders, respectively, labor claiming that it is obliged to make demands for increased wages because of increased prices, and then business making the argument that they must raise prices because wages have been increased. I do not care which of the two is exactly right. I know one thing—that both are indifferent to the great plight confronting the people of America with respect to constantly rising prices.

I say to those members of the citizenry who are in the galleries, if you are the possessor of an annuity, if you have money in the bank, if you are receiving retirement payments from the Government, if you have Liberty bonds, all appearances are that next year your savings will probably be worth $5 less for each $100 of their present value.

I was hopeful, when the President delivered his message last January, and repeated it last week, that all Americans would become cognizant of the fact that

each one of us has a job to do in fighting inflation. I was hopeful that the Congress would quit feeding fat into the fire of inflation that we would stop giving encouragement to credit buying and credit building. We might as well recognize that, while international problems are grave, we have confronting us at home in our own household an attitude of indifference of the parent to the plight of the child.

If inflation continues for another period of 4 or 5 years, I respectfully ask my colleagues, What will be the value of the American dollar? The prospects are grim. In the next 5 years, unless some effective action is taken, the value of the dollar will probably drop by 25 cents. We shall then have something to worry about. We shall see inflation running with speed, trying to keep from stumbling. Its speed will increase until the time when it will be so fast that it will not be able to stop the stumbling, and there will be a "bust."

I have great respect for what steel has done for our country. I recognize the need for independence in free enterprise. I have fought in its behalf on the floor of the Senate. But I join in the remarks made by the Senator from Minnesota. In my judgment, this action is tantamount to a brazen indifference to the plight of the economy of Americans.

Mr. MANSFIELD. Mr. President, I join the Senator from Minnesota in what he has just said. The steel industry has shown an arrogance for which there is no justification. Personally, I think the two greatest dangers which the country faces at the present time are communism from abroad and here at home, and the possibility of inflation. I should like to call the attention of my colleagues to the fact that the American dollar today, based on the 1947–49 average, is worth approximately 45 cents.

I should like to suggest that the administration reconsider its so far adamant opposition to the possibility of reimposing regulation W, because I think our credit systems have run wild. The American public at the present time has in excess of $40 billion tied up in credit buying. We can go only so far. We cannot delude ourselves; we are in a period of inflation. It is a serious inflation. I hope the Congress of the United States and the President will both recognize it and seek to take some action to curb it.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Without objection, it is so ordered.

ORDER FOR RECESS UNTIL 12 NOON TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberation today it stand in recess until 12 o'clock noon tomorrow. Before consent is given, I should like to inform Members that it is the plan of the leadership to ask consent that the Senate recess each day when it concludes its deliberations, and that it meet at 12 o'clock tomorrow, but beginning on Wednesday we shall ask consent that the Senate meet at 11 o'clock, a. m.

Mr. JOHNSTON of South Carolina and Mr. KENNEDY addressed the Chair.

Mr. JOHNSON of Texas. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Is the Senator from Texas asking consent for each day in the future?

Mr. JOHNSON of Texas. No. I am asking unanimous consent that when the Senate concludes its deliberations today it stand in recess until 12 o'clock noon tomorrow.

Mr. JOHNSTON of South Carolina. Only tomorrow?

Mr. JOHNSON of Texas. Only tomorrow. But I am making an announcement that on tomorrow the leadership will suggest that the Senate meet the following day at 11 o'clock, a. m. If the Senate supports the leadership, we will do that.

Mr. President, I should like also to give notice that we plan to have a Saturday session.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

IMPLEMENTATION OF TREATY AND AGREEMENT WITH THE REPUBLIC OF PANAMA

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Order No. 488, Senate bill 1730, a bill to implement a treaty and agreement with the Republic of Panama, and for other purposes; and that at the conclusion of action on that bill the Senate revert to the consideration of the pending business, the Niagara power bill.

I understand there is no controversy in connection with this bill, S. 1730. It is an important and essential bill and should be passed. I hope the Senate will act on it promptly.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1730) to implement a treaty and agreement with the Republic of Panama, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I was informed by my associates that there was no opposition to this bill.

Mr. MANSFIELD. That is correct. That was the information I had.

Mr. JOHNSON of Texas. I understand, however, that the Senator from Oregon [Mr. MORSE] has a series of amendments he desires to propose.

Mr. MANSFIELD. If that be the case, Mr. President, I suggest that the request be withdrawn.

Mr. JOHNSON of Texas. Is that the case?

Mr. MORSE. Mr. President, I do have some amendments to propose.

Mr. MANSFIELD. I may say to the Senator, that I understood last week, from a conversation with the Senator from Florida [Mr. SMATHERS], that the Senator from Oregon [Mr. MORSE] had no objection, but that the Senator from Ohio [Mr. LAUSCHE] had an objection, which had been met. It was my understanding there was no controversy about the bill.

Mr. MORSE. Mr. President, it will not take long for me to explain my proposed amendments. I hope we at least will be able to have a conference on the bill. This bill is of vital concern to the transportation industry of my State, and I believe of the whole Pacific coast. In my opinion, the enactment of the bill would inflict a great injury upon the shippers of the west coast, for reasons I desire to set forth, which, for me, will be in an exceedingly brief speech.

Mr. JOHNSON of Texas. Mr. President, I withdraw my request, in the light of the Senator's interest. I desire to see his rights protected.

It was previously announced that there would be a call of the Calendar. I would not wish to keep other Senators, who are interested in having all the bills on the calendar called, from having them called because of a dispute over one bill. In the event we conclude the call of the calendar in time, then I shall renew the request with reference to the Republic of Panama bill.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Pennsylvania.

Mr. MARTIN of Pennsylvania. Mr. President, it is extremely important that the Niagara power bill be enacted into law, but I also wish to announce that I have an amendment which I desire to offer when it comes before the Senate for consideration.

Mr. JOHNSON of Texas. I thank the Senator. We were discussing the Republic of Panama bill at this time.

Mr. MARTIN of Pennsylvania. I am sorry.

Mr. CASE of New Jersey rose.

Mr. JOHNSON of Texas. I yield to my friend, the Senator from New Jersey.

Mr. CASE of New Jersey. I thought the bill mentioned by the Senator from Pennsylvania, the Niagara power bill, was the one under discussion.

CALL OF THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I suggest that the Senate proceed with the call of the calendar.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and the Senate will proceed to the call of the calendar. The clerk will state the first measure on the calendar.

RESOLUTIONS AND BILLS PASSED OVER

The concurrent resolution (S. Con. Res. 2) to create a joint congressional committee to make a full and complete study and investigation of all matters connected with the election, succession, and duties of the President and Vice

President was announced as first in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The concurrent resolution will be passed over.

The resolution (S. Res. 24) to amend rule XIV of the Standing Rules of the Senate was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 913) to provide permanent authority for the Postmaster General to establish postal stations at camps, posts, or stations of the Armed Forces, and at defense or other strategic installations and for other purposes, was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 4815) to provide permanent authority for the Postmaster General to establish postal stations at camps, posts, or stations of the Armed Forces, and at defense or other strategic installations, and for other purposes, was announced as next in order.

Mr. CLARK. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The concurrent resolution (S. Con. Res. 20) authorizing an investigation by the Federal Trade Commission into the activities and practices of companies engaged in the production, distribution, or sale of newsprint in interstate commerce was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 495) to authorize the acquisition of the remaining property in square 725 in the District of Columbia and the construction thereon of additional facilities for the United States Senate was announced as next in order.

Mr. CLARK. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 728) to authorize the acquisition of the remaining property in squares 725 and 724 in the District of Columbia for the purpose of extension of the site of the additional office building for the United States Senate was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1164) to make the evaluation of recreational benefits resulting from the construction of any flood-control, navigation, or reclamation project an integral part of project planning, and for other purposes, was announced as next in order.

Mr. BARRETT. Over, Mr. President.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1639) to provide for the suspension of the vesting of alien property and the liquidation of vested property, under the Trading With the Enemy Act, was announced as next in order.

Mr. CLARK. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 864) to provide for the transfer of certain lands to the State of Minnesota was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2051) to amend the Atomic Energy Act of 1954, as amended, and for other purposes, was announced as next in order.

Mr. CLARK. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 377) to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act was announced as next in order.

Mr. CLARK. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 25) relating to effective dates of increases in compensation granted to wage board employees was announced as next in order.

Mr. BARRETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 931) to provide for the reorganization of the safety functions of the Federal Government and for other purposes was announced as next in order.

Mr. BARRETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1873) to amend sec. 104 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating between the United States and Alaska was announced as next in order.

Mr. BARRETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The concurrent resolution (S. Con. Res. 28) to print a compilation of materials relating to the development of the water resources of the Columbia River and its tributaries was announced as next in order.

Mr. BARRETT. Over, Mr. President.

The PRESIDING OFFICER. The concurrent resolution will be passed over.

The bill (S. 1310) for the relief of certain aliens was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

Mr. BARRETT. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 4602) to encourage new residential construction for veterans' housing in rural areas by raising the maximum amount in which direct loans may be made, and for other purposes, was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

Mr. BARRETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 98) to provide for the establishment and operation of a mining and metallurgical research establishment in the State of Minnesota was announced as next in order.

Mr. BARRETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1730) to implement a treaty and agreement with the Republic of Panama, and for other purposes, was announced as next in order.

Mr. BARRETT. Over, Mr. President.

Mr. MANSFIELD. Just a moment, Mr. President.

Mr. CLARK. Just a minute, with regard to Calendar No. 488, Senate bill 1730.

Mr. MORSE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

ELEANOR FRENCH CALDWELL

The bill (H. R. 1754) for the relief of Eleanor French Caldwell was considered, ordered to a third reading, read the third time, and passed.

MRS. THOMAS L. DAVIDSON

The bill (H. R. 4342) for the relief of Mrs. Thomas L. Davidson was considered, ordered to a third reading, read the third time, and passed.

JACKSON SCHOOL TOWNSHIP, IND.— BILL PASSED OVER

The bill (S. 807) for the relief of Jackson School Township, Ind., was announced as next in order.

Mr. BARRETT. Mr. President, may we have an explanation of the bill?

Mr. TALMADGE. Is the Senator from Indiana present?

Mr. BARRETT. Mr. President, I ask unanimous consent that the bill go to the foot of the calendar.

Mr. KNOWLAND. Mr. President, I think the Senator from Mississippi [Mr. EASTLAND] is ready to explain the bill.

Mr. BARRETT. I shall be delighted to have it explained.

Mr. EASTLAND. Mr. President, this bill authorizes the payment of $275,000 to Jackson School Township, of Cass County, Ind., as compensation for the loss of utility of its elementary school at Lincoln, Ind., and for future costs to be incurred in relocating such school to a site remote from the noise and danger caused by military aircraft flights to and from Bunker Hill Air Base.

The bill as originally introduced provided for a contribution on the part of the United States of $300,000, which has been reduced by the committee to $275,000, and the committee has further provided that such payment will be subject to a conveyance to the United States by the school authorities of the school site, which has been rendered useless for school and other public assembly purposes.

Testimony taken by a subcommittee from school officials and Members of Congress as well as the Department of the Air Force and the Office of Education of the Department of Health, Education, and Welfare developed that, so far as is known at present, only three schools in the United States have been so affected, in that the impairment of the existing school facilities amounts virtually to confiscation of the property by the United States.

Mr. BARRETT. Mr. President, I thank the Senator for his explanation. I withdraw my reservation of objection.

Mr. TALMADGE. Mr. President, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED OVER

The bill (S. 2406) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes was announced as next in order.

Mr. BARRETT. Over.

The PRESIDING OFFICER. The bill will be passed over.

HIDEKO TAKIGUCHI PULASKI

The bill (S. 562) for the relief of Hideko Takiguchi Pulaski was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Hideko Takiguchi Pulaski, shall be held and considered to be the natural-born alien child of Sfc. John Pulaski, a citizen of the United States.

SANDRA ANN SCOTT

The bill (S. 1335) for the relief of Sandra Ann Scott was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Sandra Ann Scott, shall be held and considered to be the natural-born alien child of David W. Scott, a citizen of the United States.

MRS. MARION HUGGINS

The Senate proceeded to consider the bill (S. 294) for the relief of Mrs. Marion Huggins, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Mrs. Marion Huggins shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SEOL BONG RYU

The Senate proceeded to consider the bill (S. 591) for the relief of Seol Bong Ryu, which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "natural-born," to insert "alien," so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Seol Bong Ryu, shall be held and considered to be the natural-born alien child of Brooks Doran and Violet Risley Anderson, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DON Q. GEE

The Senate proceeded to consider the bill (S. 1268) for the relief of Don Q. Gee, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Don Q. Gee shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JUNKO MATSUOKA ECKRICH

The Senate proceeded to consider the bill (S. 1321) for the relief of Junko Matsuoka Eckrich, which had been reported from the Committee on the Judiciary, with an amendment, in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That notwithstanding the provisions of paragraph (12) of section 212 (a) of the Immigration and Nationality Act, Junko Matsuoka Eckrich may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AYAKO YOSHIDA

The Senate proceeded to consider the bill (S. 1353) for the relief of Ayako Yoshida, which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 5, after the word "of", to insert "sections 242 and 243", so as to make the bill read:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Ayako Yoshida, the fiancée of James R. Beasley, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months, if the administrative authorities find (1) that the said Ayako Yoshida is coming to the United States with a bona fide intention of being married to the said James R. Beasley and (2) that she is otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Ayako Yoshida she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Ayako Yoshida the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Ayako Yoshida as of the date of the payment by her of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANCESCA MARIA ARRIA

The Senate proceeded to consider the bill (S. 1452) for the relief of Francesca Maria Arria, which had been reported from the Committee on the Judiciary, with an amendment in line 6, after the word "of", to insert "Mrs. Maria Arria,", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 203 (a) (3) and 205 of the Immigration and Nationality Act, Francesca Maria Arria shall be held and considered to be the minor natural-born child of Mrs. Maria Arria, an alien lawfully admitted to the United States for permanent residence.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NICOLETA P. PANTELAKIS

The Senate proceeded to consider the bill (S. 1496) for the relief of Nicoleta P. Pantelakis, which had been reported from the Committee on the Judiciary, with an amendment in line 6, after the word "natural-born", to insert "alien", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Nicoleta P. Pantelakis, shall be held and considered to be the natural-born alien child of Mr. and Mrs. S. L. Lamprose, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ERIKA OTTO

The Senate proceeded to consider the bill (S. 1502) for the relief of Erika Otto, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Erika Otto, the fiance of M. Sgt. Daniel Mobray O'Neill, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Erika Otto is coming to the United

States with a bona fide intention of being married to the said M. Sgt. Daniel Mobray O'Neill and that she is found admissible under all of the provisions of the Immigration and Nationality Act, other than section 212 (a) (9): *Provided further,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Erika Otto, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Erika Otto, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Erika Otto as of the date of the payment by her of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ARTHUR GREEN

The Senate proceeded to consider the bill (S. 1528) for the relief of Arthur Green, which had been reported from the Committee on the Judiciary, with an amendment, in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (19) of section 212 (a) of the Immigration and Nationality Act, Arthur Green may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

YONG JA LEE

The Senate proceeded to consider the bill (S. 1641) for the relief of Yong Ja Lee, which had been reported from the Committee on the Judiciary, with an amendment on page 2, line 8, after the word "act", to insert a colon and *"And provided further,* That the exemption granted herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Yong Ja Lee (Mina Kuhrt), shall be held and considered to be the natural-born alien child of Mr. and Mrs. Wesley A. Kuhrt, citizens of the United States.

SEC. 2. That, notwithstanding the provision of section 212 (a) (6) of the said act, the said Yong Ja Lee (Mina Kuhrt) may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *And provided further,* That the exemption granted herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of his act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RANDOLPH STEPHAN WALKER

The Senate proceeded to consider the bill (S. 1783) for the relief of Randolph Stephan Walker, which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "natural-born", to insert "alien", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Randolph Stephan Walker, shall be held and considered to be the natural-born alien child of Robert and Charlotte Ann Walker, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DAVID MARK STERLING AND JUDITH KOBUDEH STERLING

The Senate proceeded to consider the bill (S. 1071) for the relief of David Mark Sterling and Judith Kobudeh Sterling, which had been reported from the Committee on the Judiciary, with amendments, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, David Mark Sterling shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of David Mark Sterling."

EMILIO VALLE DUARTE

The Senate proceeded to consider the bill (S. 1276) for the relief of Emilio Valle Duarte, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 6, after the word "be", to insert "issued a visa and be", and in line 10, after the word "States", to insert "Public Health Service, Department of Health, Education, and Welfare," so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Emilio Valle Duarte may, if he is found to be otherwise admissible under the provisions of such act, be issued a visa and be admitted to the United States for permanent resident under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, deems necessary to impose: *Provided,* That a suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Emilio Valle Duarte in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act: *Provided further,* That this act shall apply only to grounds for exclusion under paragraph (6) of section 212 (a) of such act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TRAINTAFILIA ANTUL

The Senate proceeded to consider the bill (S. 1472) for the relief of Traintafilia Antul, which had been reported from the Committee on the Judiciary, with amendments, in line 4, after the word act", to strike out "the minor child,"; in line 6, after the word "natural-born", to insert "minor", and, in the same line, after the word "alien", to strike out "minor", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Traintafilia Antul, shall be held and considered to be the natural-born minor alien child of Mr. and Mrs. Charles Antul, citizens of the United States.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KLARA FRITZSCHE

The Senate proceeded to consider the bill (S. 1478) for the relief of Klara Fritzsche, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 6, after the word "be", to insert "issued a visa and be", and in line 10, after the word "States", to insert "Public Health Service, Department of Health, Education, and Welfare", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Klara Fritzsche may, if she is found to be otherwise admissible under the provisions of such act, be issued a visa and be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States, Public Health Service, Department of Health, Education, and Welfare, deems necessary to impose. A suitable or proper bond or undertaking, approved by the Attorney

General, shall be given by or on behalf of the said Klara Fritzsche in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act. This act shall apply only to grounds for exclusion under paragraph (6) of section 212 (a) of such act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FUMIKO BIGELOW

The Senate proceeded to consider the bill (S. 1509) for the relief of Fumiko Bigelow, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 3, after the word "paragraph," to strike out "(9)" and insert "(3)"; in line 5, after the word "be", to insert "issued a visa and be", and in line 7, after the word "act", to insert a colon and *"Provided*, That if the said Fumiko Bigelow is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act. This"; so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (3) of section 212 (a) of the Immigration and Nationality Act, Fumiko Bigelow may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That if the said Fumiko Bigelow is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JULIA FODOR

The Senate proceeded to consider the bill (S. 1570) for the relief of Julia Fodor, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 3, after the numerals "212", to strike out "(2)" and insert "(a)", and on page 2, line 3, after the word "act", to insert a colon and *"And provided further*, That the exemption granted herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (6) of the Immigration and Nationality Act, Mrs. Julia Fodor may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *And provided further*, That the exemption granted herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The joint resolution (H. J. Res. 316) for the relief of certain aliens was considered, ordered to a third reading, read the third time, and passed.

JOINT RESOLUTION PASSED OVER

The joint resolution (H. J. Res. 322) for the relief of certain aliens was announced as next in order.

Mr. BARRETT. Over.

The PRESIDING OFFICER. The joint resolution will be passed over.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 324) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, which had been reported from the Committee on the Judiciary with amendments, on page 1, at the beginning of line 3, to strike out:

That, in the administration of the Immigration and Nationality Act, Mrs. Christa Ernst, the fiance of Sfc. Lester F. Druse, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Mrs. Christa Ernst is coming to the United States with a bona fide intention of being married to the said Sfc. Lester F. Druse and that she is found to be otherwise admissible under all of the provisions of the Immigration and Nationality Act other than section 212 (a) (9) and (12) of that act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Mrs. Christa Ernst, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Mrs. Christa Ernst, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Mrs. Christa Ernst as of the date of the payment by her of the required visa fee.

On page 2, at the beginning of line 15, to strike out "SEC. 2. Notwithstanding" and insert "That, notwithstanding"; on page 3, after line 3, to strike out:

SEC. 4. Notwithstanding the provisions of section 212 (a) (9) and (19) of the Immigration and Nationality Act, Andres Amadeo Macha may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

At the beginning of line 9, to change the section number from "5" to "3"; at the beginning of line 23, to change the section number from "6" to "4"; on page 4, line 1, after the initial "M.", to strike out "Herrera" and insert "Herrera-Medina", and at the beginning of line 5, to change the section number from "7" to "5."

Mr. JOHNSTON of South Carolina. Mr. President, may we have an explanation of the joint resolution?

Mr. EASTLAND. Mr. President, House Joint Resolution 324 waives various excluding provisions of existing law in behalf of four persons who are the spouses or close relatives of United States citizens. Without the waivers provided for in the joint resolution, the beneficiaries will be unable to join their families in the United States.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time and passed.

MRS. RHEA SILVERS

The Senate proceeded to consider the bill (H. R. 2070) for the relief of Mrs. Rhea Silvers, which had been reported from the Committee on the Judiciary, with an amendment on page 2, line 3, after the word "act", to strike out "in excess of 10 percent thereof".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

JUDGESHIP FOR THE DISTRICT OF SOUTH DAKOTA

The bill (S. 2413) to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President is authorized to appoint, by and with the advice and consent of the Senate an additional district judge for the district of South Dakota as authorized by paragraph (3) of section 2 (b) of the act of February 10, 1954. The second sentence of such paragraph, which prohibits the filling of the first vacancy occurring in the office of district judge for said district, is hereby repealed. In order that the table contained in section 133 of title 28 of the United States Code will reflect the change made by this act in the number of permanent judgeships for the district of South Dakota, such table is amended to read as follows with respect to said district:

"Districts	Judges
• • • • •	
South Dakota	2
• • • • •	."

Mr. EASTLAND subsequently said: Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. EASTLAND. Did Order No. 575, S. 2413, go over, or was it passed?

The PRESIDING OFFICER. S. 2413 was passed.

BILLS PASSED OVER

The bill (S. 1386) to authorize the Interstate Commerce Commission to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of power on train brakes was announced as next in order.

Mr. BARRETT. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses, was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 4830) to authorize revision of the tribal roll of the Eastern Band of Cherokee Indians, North Carolina, and for other purposes was announced as next in order.

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7383) to amend the Atomic Energy Act of 1954, as amended, and for other purposes was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

COMPUTATION OF ANNUAL INCOME FOR PAYMENT OF PENSION FOR NON-SERVICE-CONNECTED DISABILITY

The Senate proceeded to consider the bill (S. 2080) relating to the computation of annual income for the purpose of payment of pension for non-service-connected disability or death in certain cases, which had been reported from the Committee on Finance, with amendments, on page 2, after line 4, to strike out:

SEC. 2. This act shall take effect on the date its enactment.

And insert:

SEC. 2. Section 1 of this act shall take effect on the date of its enactment and shall cease to be in effect on January 1, 1958.

After line 9, to insert:

SEC. 3. Section 403 of the Veterans' Benefits Act of 1957, Public Law 85–56, is amended by deleting the word "and" immediately preceding item (5); by substituting a semicolon followed by the word "and" at the end of section (5); and by adding the following new section:

"(6) payments of bonus or similar cash gratuity by any State, Territory, possession, or Commonwealth of the United States, or the District of Columbia, based on military, naval, or air service."

So as to make the bill read:

Be it enacted, etc., That in determining "annual income" under the provisions of paragraph II (a) of part III, Veterans Regulation No. 1 (a), as amended (38 U. S. C., ch. 12A), and section 1 (c) of the act of June 28, 1934, as added by section 1 of the act of July 19, 1939 (53 Stat. 1068), and as amended (38 U. S. C. 503 (c)), payment of a bonus or similar cash gratuity to a veteran or his survivors by any State based on service in the Armed Forces of the United States shall not be considered. The term "State" means each of the several States, Territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

SEC. 2. Section 1 of this act shall take effect on the date of its enactment and shall cease to be in effect on January 1, 1958.

SEC. 3. Section 403 of the Veterans' Benefits Act of 1957, Public Law 85–56, is amended by deleting the word "and" immediately preceding item (5); by substituting a semicolon followed by the word "and" at the end of section (5); and by adding the following new section:

"(6) payments of bonus or similar cash gratuity by any State, Territory, possession, or Commonwealth of the United States, or the District of Columbia, based on military, naval, or air service."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSION OF EFFECTIVENESS OF MISSING PERSONS ACT

The bill (S. 2449) to continue the effectiveness of the Missing Persons Act, as extended until April 1, 1958, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 15, Missing Persons Act (56 Stat. 147, 1093), as amended, is further amended by deleting "July 1, 1957" and inserting in lieu thereof "April 1, 1958".

Mr. CASE of South Dakota subsequently said: Mr. President, what happened to Calendar No. 582, S. 2449?

The PRESIDING OFFICER. The bill (S. 2449) was passed.

BILLS PASSED OVER

The bill (S. 1869) to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes, was announced as next in order.

Mr. BARRETT. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2150) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BARRETT. Over.

The PRESIDING OFFICER. The bill will be passed over.

PAYMENT OF GRATUITY TO MARGARET BURNS RAYMOND

The resolution (S. Res. 157) to pay a gratuity to Margaret Burns Raymond was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Margaret Burns Raymond, widow of Allen Raymond, an employee of the Senate at the time of his death, a sum equal to 3 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

PAYMENT OF GRATUITY TO MILDRED M. BENNICKER

The resolution (S. Res. 158) to pay a gratuity to Mildred M. Bennicker was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Mrs. Mildred M. Bennicker, sister and administratrix of the estate of Byron C. Wagner, an employee of the Senate at the time of his death, a sum equal to 5 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

PAYMENT OF GRATUITY TO DAVID JOHN BRENNAN AND JOHN F. BRENNAN

The resolution (S. Res. 159) to pay a gratuity to David John Brennan and John F. Brennan was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to David John Brennan and John F. Brennan, brothers of William M. Brennan, an employee of the Senate at the time of his death, a sum to each equal to 4¾ months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

DISPLAY OF THE "FLAG OF LIBERATION"

The joint resolution (S. J. Res. 103) to provide for the permanent preservation and display of the "Flag of Liberation" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the Architect of the Capitol is hereby directed to transfer said flag to the custody of the National Archives.

SEC. 2. The Archivist of the United States is hereby directed to suitably display said flag where it shall be available for viewing by the public and to permanently preserve it as the "Flag of Liberation" and the symbol of hope.

VALIDATION OF CONVEYANCE BY CENTRAL PACIFIC RAILWAY CO. TO THE STATE OF NEVADA

The Senate proceeded to consider the bill (S. 1773) to validate a certain conveyance made by Central Pacific Railway Co. to the State of Nevada.

Mr. MORSE. Mr. President, the bill would authorize the validation of a conveyance made by quitclaim deed from the Central Pacific Railway Co. to the State of Nevada in 1953.

The quitclaim covered approximately 2½ acres of railroad right-of-way lands, and was issued pursuant to a land-exchange agreement whereby the railroad received, in 1902, certain lands of

the Nevada State Hospital for relocation of its right-of-way.

Congressional approval is required because, under existing law, such an exchange is not one of the purposes for which a railroad right-of-way may be granted pursuant to Federal law.

In view of the fact that in 1902 the railroad received land from the State of Nevada for relocation purposes, without consideration, such exchanged land was in substitution for land to which the railroad would have been entitled to receive from the Federal Government under the laws relating to Federal railroad grants.

Therefore, no violation of the Morse formula is involved.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the conveyance in the form of a quitclaim deed executed by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, as grantors, to the State of Nevada, as grantee, under date of January 12, 1953, for the use and benefit of the Nevada State Hospital for Mental Diseases, and recorded in the office of the county recorder of Washoe County, State of Nevada, on the 21st day of March 1953, book No. 316 of deeds, page 300, official records of said county, involving certain lands or interests therein in the city of Reno, county of Washoe, State of Nevada, and forming a part of the right-of-way of said Central Pacific Railway Co. granted by the Government of the United States of America by an act of Congress approved July 1, 1862, entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean and to secure to the Government the use of the same for postal, military, and other purposes" (12 Stat. L. 489), and by said act as amended by act of Congress approved July 2, 1864, entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes,' approved July 1, 1862" (13 Stat. L. 356), is hereby legalized, validated, and confirmed with the same force and effect as if the land involved therein had been held at the time of such conveyance by the above-named grantors making the same under absolute fee-simple title: *Provided,* That such legislation, validation, and confirmation shall not diminish said right-of-way to a width less than 50 feet on either side of the center of the main track or tracks of said Central Pacific Railway Co. as now established: *Provided further,* That nothing herein contained is intended or shall be construed to legalize, validate, or confirm any rights, titles, or interests based upon or arising out of adverse possession, prescription, or abandonment, and not confirmed by conveyance heretofore made by Central Pacific Railway Co., and its lessee, Southern Pacific Co.: *And provided further,* That there shall be reserved to the United States all oil, coal, or other minerals in the land, and the right to prospect for, mine, and remove the same under such rules and regulations as the Secretary of the Interior may prescribe.

CONVEYANCE OF CERTAIN REAL PROPERTY TO THE NEVADA STATE BOARD OF FISH AND GAME COMMISSIONERS

The bill (S. 556) to provide for the conveyance of certain real property to the Nevada State Board of Fish and Game Commissioners was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, at the beginning of line 4, to insert "State of Nevada for the use of the", and after line 8, to strike out:

Township 20 south, range 61 east, Mount Diablo base and meridian: In section 30, beginning at a point in the centerline of Vegas Drive from which the northwest corner of section 30 bears south 89 degrees 23 minutes 45 seconds west 675.93 feet, and proceeding south 00 degrees 47 minutes 30 seconds east 30 feet to northwest corner of property; thence south 00 degrees 47 minutes 30 seconds east 477.0 feet; thence north 89 degrees 23 minutes 45 seconds east 100.35 feet; thence north 13 degrees 41 minutes 00 seconds east, 492.19 feet; thence south 89 degrees 23 minutes 45 seconds west, 223.38 feet to the northwest property corner; north 00 degrees 47 minutes 30 seconds west 30 feet to point of beginning, containing 1.772 acres of land, more or less.

And insert:

Township 20 south, range 61 east, Mount Diablo meridian: In section 30, that part of lot 1 bounded as described as follows:

Beginning at corner 1, a point in the centerline of Vegas Drive, from which point the northwest corner of said section 30 bears south 89 degrees 23 minutes 45 second west 675.93 feet distant; thence south 00 degrees 47 minutes 30 second east, 507.00 feet to corner 2; thence north 89 degrees 23 minutes 45 seconds east, 100.35 feet to corner 3; thence north 13 degrees 41 minutes 00 seconds east, 523.15 feet to corner 4, a point in the centerline of Vegas Drive; thence with said centerline south 89 degrees 23 minutes 45 seconds west, 231.12 feet to the place of beginning;

Bounded on the north by the centerline of Vegas Drive; on the east and south by land of the city of Las Vegas; and on the west by land of the United States; containing 1.98 acres, be the same more or less.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior shall convey, to the State of Nevada for the use of the Nevada State Board of Fish and Game Commissioners, all right, title, and interest of the United States in and to the real property situated in Clark County, Nev., which is more particularly described as follows:

Township 20 south, range 61 east, Mount Diablo meridian: In section 30, that part of lot 1 bounded as described as follows:

Beginning at corner 1, a point in the centerline of Vegas Drive, from which point the northwest corner of said section 30 bears south 89 degrees 23 minutes 45 seconds west 675.93 feet distant; thence south 00 degrees 47 minutes 30 seconds east, 507.00 feet to corner 2; thence north 89 degrees 23 minutes 45 seconds east, 100.35 feet to corner 3; thence north 13 degrees 41 minutes 00 seconds east, 523.15 feet to corner 4, a point in the centerline of Vegas Drive; thence with said centerline south 89 degrees 23 minutes 45 seconds west, 231.12 feet to the place of beginning;

Bounded on the north by the centerline of Vegas Drive; on the east and south by land of the city of Las Vegas; and on the west by land of the United States; containing 1.93 acres, be the same more or less.

Mr. MORSE. Mr. President, this bill would authorize the conveyance from the Federal Government, without consideration, of a 2-acre tract to the State of Nevada.

The 2 acres are a portion of 60 acres originally donated to the Federal Government by the city of Las Vegas for use as a Fish and Wildlife Service fish-culture station.

The original conveyance contained a clause providing for reversion to Las Vegas if the Federal Government did not use the land for fish-culture purposes.

The tract covered by the bill is surplus to the needs of the Federal Government.

Since the original deed contains a reversionary clause in favor of the city, there is some question as to why this bill, calling for conveyance to the State, is necessary. The report is silent on that subject.

However, since the original conveyance was gratuitous and the tract is surplus to the needs of the Federal Government, no violation of the Morse formula would be involved in the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the conveyance of certain real property of the United States situated in Clark County, Nev., to the State of Nevada for the use of the Nevada State Board of Fish and Game Commissioners."

GRANTING OF EASEMENT IN CERTAIN LANDS TO THE CITY OF LAS VEGAS, NEV.

The bill (S. 1645) to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road widening purposes was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with amendments on page 2, at the beginning of line 1, to strike out:

TRACT NUMBERED 1

The east 45 feet of the west 75 feet of the north 507 feet of the northwest quarter of the northwest quarter of section 30, township 20 south, range 61 east, Mount Diablo meridian; save and except the north 40 feet thereof.

After line 10, to insert:

TRACT NUMBERED 2

The south 10 feet of the north 40 feet of the west 675.93 feet of the northwest quarter of the northwest quarter of section 30, township 20 south, range 61 east, Mount Diablo meridian; save and except the west 30 feet thereof.

After line 10, to insert:

PARCEL NUMBERED 1

The east 45 feet of the west 75 feet of the north 507 feet of the northwest quarter of the northwest quarter of section 30, township 20 south, range 61 east, Mount Diablo meridian; save and except the north 40 feet thereof.

After line 15, to insert:

PARCEL NUMBERED 2

A strip of land 10 feet wide in the northwest quarter northwest quarter of said section 30 having for its beginning corner a point 30 feet east and 30 feet south of the northwest corner of said section; thence north 89 degrees 23 minutes 45 seconds east with a line 30 feet south of and parallel with the north line of said section a distance of 869.42 feet (approximately) to the east line of the aforesaid land of the United States; thence south 13 degrees 41 minutes west 10.32 feet (approximately) to the southeast corner or said 10-foot strip herein described; thence south 89 degrees 23 minutes 45 seconds west with a line 40 feet south of and parallel with the north section line 866.87 feet (approximately) to a point 30 feet east and 40 feet south of the northwest section corner; thence north 10 feet to the beginning.

And, on page 3, after line 6, to insert:

The above-described 2 parcels contain 0.68 acre, more or less.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to grant and convey to the city of Las Vegas, Nev., without consideration, and subject to such conditions as the Secretary may deem necessary, perpetual easements for road widening purposes in two small strips of land in the city of Las Vegas, Nev., owned by the United States (under the jurisdiction of the Fish and Wildlife Service, Department of the Interior), described as follows:

PARCEL NUMBERED 1

The east 45 feet of the west 75 feet of the north 507 feet of northwest quarter of the northwest quarter of section 30, township 20 south, range 61 east, Mount Diablo meridian; save and except the north 40 feet thereof.

PARCEL NUMBERED 2

A strip of land 10 feet wide in the northwest quarter northwest quarter of said section 30 having for its beginning corner a point 30 feet east and 30 feet south of the northwest corner of said section; thence north 89 degrees 23 minutes 45 seconds east with a line 30 feet south of and parallel with the north line of said section a distance of 869.42 feet (approximately) to the east line of the aforesaid land of the United States; thence south 13 degrees 41 minutes west 10.32 feet (approximately) to the southeast corner of said 10-foot strip herein described; thence south 89 degrees 23 minutes 45 seconds west with a line 40 feet south of and parallel with the north section line 866.87 feet (approximately) to a point 30 feet east and 40 feet south of the northwest section corner; thence north 10 feet to the beginning.

The above-described two parcels contain 0.68 acre, more or less.

Mr. MORSE. Mr. President, this bill would authorize the Secretary of the Interior to convey to Las Vegas, without consideration, perpetual easements for road widening purposes. The land consists of approximately one-half acre.

The land in question was granted to the United States by the city in 1937, without consideration, for use by the Fish and Wildlife Service.

The report—No. 579—says the United States has no need for the one-half acre, and that the highway improvement would be beneficial to the Fish and Wildlife Service.

In view of the original gratuitous conveyance to the United States, the lack of need for the one-half acre by the Federal Government, and the benefit to the Fish and Wildlife Service through the highway improvement, it appears no violation of the Morse formula is involved.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DEVELOPMENT OF COAL ON THE PUBLIC DOMAIN

The bill (S. 2069) to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 2, at the beginning of line 3, to insert "after public hearing"; in the same line, after the word "that", to strike out "(1)"; and, in the same line, after the word "is", to insert "in the public interest and"; in line 4, after the word "necessary", to strike out "to enable" and insert "for"; at the beginning of line 5, to insert "in order"; and, in the same line, after the word "economically", to strike out "or (2) such person, association, or corporation is carrying on mining operations—including developments in furtherance or incidental thereto—under any such lease in such State or is commencing such operations, may permit such person, association, or corporation to take or hold coal leases or permits for an additional aggregate of ten thousand two hundred and forty acres in such State." and insert "may, under such regulations as he may prescribe, permit such person, association, or corporation to hold additional coal leases or permits in multiples of forty acres each not to exceed a total of five thousand one hundred and twenty acres in such State.", and after line 16, to insert:

SEC. 2. Subsection (c) of section 2 of such act of February 25, 1920, as amended (30 U. S. C. 202), is repealed.

So as to make the bill read:

Be it enacted, etc., That section 27 of the act of February 25, 1920, as amended (41 Stat. 448, 30 U. S. C. 184), is further amended by deleting from the first sentence thereof the words "coal or" and "for each of said minerals," and inserting at the beginning of said section the following:

"No person, association, or corporation, except as herein provided, shall take or hold coal leases or permits during the life of such lease in any one State, exceeding in the aggregate acreage 10,240 acres, except that the Secretary of the Interior, where he finds, after public hearing, that it is in the public interest and necessary for a person, association, or corporation in order to carry on business economically, may, under such regulations as he may prescribe, permit such person, association, or corporation to hold additional coal leases or permits in multiples of 40 acres each not to exceed a total of 5,120 acres in such State."

SEC. 2. Subsection (c) of section 2 of such act of February 25, 1920, as amended (30 U. S. C. 202), is repealed.

Mr. BARRETT. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement in explanation of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BARRETT

The bill, S. 2069, was introduced by my colleague, Senator O'MAHONEY, and myself. The bill has two objectives: (1) to increase the maximum acreage which may be held under a coal lease or permit under the Mineral Leasing Act from 5,120 acres to 10,240 acres, with a provision that after public hearing and upon proper showing, the Secretary of the Interior in his discretion may grant an additional lease of not to exceed 5,120 acres, and (2) to repeal the provisions of section 2 (c) of the Mineral Leasing Act which requires that a railroad company can use coal produced under a Federal lease solely for the operation of its railroad.

The Secretary of the Interior submitted a favorable report on the bill. The Bureau of the Budget concurred in the views expressed by the Secretary and reported that it had no objection to the enactment of the bill. The bill was reported unanimously by our Senate Interior Committee. Many witnesses appeared at the hearing before the committee in support of the bill and no one appeared in opposition thereto.

Wyoming is blessed with an abundance of coal. Coal deposits have been found in every county in Wyoming. The Federal Government owns the coal under 70 percent of the area of our State. The Federal lands are estimated to contain 84 billion tons of coal. Coal is one of Wyoming's greatest natural resources. In 1940 there were 126 commercial and 11 captive, making a total of 137 coal mines in operation in our State. In 1956 only 20 commercial and 4 captive, making a total of 24 mines in operation. The average number of men employed in coal mining in Wyoming has decreased from 4,321 in 1940 to 1,016 in 1956.

If this bill is passed we have every reason to believe that several large power installations will be constructed at different points in our State that will use and develop our coal resources and give employment to many of our people.

Secretary Seaton in his favorable report on the bill stated the case in this fashion: "An increase in the maximum acreage which may be held under a coal lease or permit now appears necessary if the Federal Government is to permit the more complete utilization of

low and medium grade coal deposits under the more modern methods of mechanized mining. * * * There are in the Western States extensive coal deposits amenable to strip mining which could provide a low-cost source of coal supply and could be utilized for power production to firm up hydroelectric power. Thus, an increase in acreage limitation would tend to provide energy sources which are demanded by our expanding economy and would be in the national interest."

The bill will make it possible for widespread development of our coal resources and the conversion of the coal into low-cost power to meet the expanding industrial needs of Wyoming. In addition, the bill will enable the Union Pacific Railroad Co. to expand its present coal mining business under its proposed dual operation of extracting synthetic fuels and tars and using the char for the purpose of generating electric power and thereafter using the power to process iron ore from its tremendous iron ore holdings at Iron Mountain, northwest of Cheyenne, Wyo.

The coal reserves of Wyoming have been estimated at 121 billion tons, of which 13 billion tons is butuminous coal and 108 is sub-bituminous coal. This bill will, in my judgment, make possible a revival of the coal mining industry in our State.

I am confident that not only Wyoming but many other western coal states will be benefited by this legislation and that the bill will add materially to the economic growth and development of all of the mountain West.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF FEDERAL CROP INSURANCE ACT

The bill (H. R. 632) to amend the Federal Crop Insurance Act, as amended, was considered, ordered to a third reading, read the third time, and passed.

Mr. ELLENDER subsequently said: Mr. President, I ask unanimous consent that a statement in explanation of H. R. 632 be printed in the RECORD at the point in the RECORD where the bill was passed.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ELLENDER

This bill would authorize the Federal Crop Insurance Corporation to reinsure crop insurance issued by the Commonwealth of Puerto Rico. Such reinsurance would be provided only under terms and conditions consistent with sound reinsurance principles, and then only if private reinsurance should become unavailable. The bill's purpose is to provide a safeguard for the Puerto Rican coffee crop insurance program, if private reinsurance contracts should suddenly be terminated; and no cost to the Government is contemplated.

AMENDMENT OF SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

The Senate proceeded to consider the bill (H. R. 1045) to amend the Soil Conservation and Domestic Allotment Act, as amended, which had been reported from the Committee on Agriculture with an amendment to strike out all after the enacting clause and insert:

That section 8 of the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590h), is amended by striking out of subsection (a) "January 1, 1959" and "December 31, 1958", wherever they appear therein, and inserting in lieu thereof "January 1, 1963" and "December 31, 1962", respectively.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. ELLENDER subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD at the point where H. R. 1045 was passed, a statement in explanation of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ELLENDER

This bill would extend the Secretary of Agriculture's authority to administer the agricultural conservation payment program pending the approval of State plans. When the program was authorized in 1936, it was contemplated that it would be carried out by the States with the aid of Federal grants. In order to give the States an opportunity to pass authorizing legislation and submit appropriate plans, the Secretary of Agriculture was given authority to administer the program for 2 years. The Secretary's authority has since been extended from time to time, and the latest extension is effective until December 31, 1958. Only 24 States now have authorizing legislation and it is not likely that the States will assume administration of the program in the near future, although the bill still provides for State administration.

As passed by the House, the bill would have extended the Secretary's authority indefinitely, so long as State plans are not approved. The Senate Commitee on Agriculture and Forestry has recommended that the bill be extended only for 4 years, until December 31, 1962, provided, of course, that State plans are not approved in the meantime. The committee felt that this program is one for which the authorizing legislation should be reviewed by Congress from time to time, and the committee substitute consequently would limit the extension to 4 years.

The PRESIDING OFFICER. That concludes the call of the calendar.

STATUS OF APPROPRIATION BILLS AS OF JULY 8, 1957

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry. The——

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. What is the pending business?

The PRESIDING OFFICER. The pending business is the Niagara power bill.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement relative to the status of appropriation bills as of July 8, 1957.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Status of appropriation bills as of July 8, 1957

Bill	Subcommittee chairman	Passed House	Status
2d urgent deficiency, 1957	Hayden	Apr. 15	Passed Senate Apr. 16, approved Apr. 16, Public Law 15.
Additional deficiency, 1957	do	Apr. 17	Passed Senate Apr. 18, approved Apr. 20, Public Law 19.
Treasury-Post Office	Robertson	Feb. 20	Passed Senate May 13, approved May 28, Public Law 37.
General Government matters	Magnuson	Mar. 13	Passed Senate May 22, approved June 5, Public Law 48.
State-Justice-Judiciary-USIA	Johnson	Apr. 17	Passed Senate May 15, approved June 11, Public Law 49.
Commerce	Holland	Apr. 9	Passed Senate May 17, approved June 13, Public Law 52.
3d supplemental, 1957	Hayden	May 7	Passed Senate May 20, approved June 21, Public Law 58.
District of Columbia	Pastore	Apr. 8	Passed Senate June 11, approved June 27, Public Law 61.
Labor-Health, Education, and Welfare	Hill	Apr. 4	Passed Senate June 12, approved June 29, Public Law 67.
Independent offices	Magnuson	Mar. 20	Passed Senate June 12, approved June 29, Public Law 69.
Legislative	Stennis	May 23	Passed Senate June 27, approved July 1, Public Law 75.
Interior	Hayden	Feb. 26	Passed Senate June 24, approved July 1, Public Law 77.
Agriculture	Russell	May 15	Passed Senate June 12; conference report to be filed July 8.
Defense	Chavez	May 29	Passed Senate July 2; conference, week of July 8.
Public works	Ellender	June 19	Subcommittee markup July 9.
Mutual security	Hayden	----------	House holding hearings; Senate hearings, week of July 15.
Supplemental, 1958	Full committee	----------	

Mr. JOHNSON of Texas. Mr. President, the statement shows that the Senate has acted on 14 of the 17 appropriation bills, and that 12 of them have been sent to the President. The agricultural and defense appropriation bills are still to be acted on in conference. The public works appropriation bill, which passed the House on June 19, will be marked up tomorrow. The mutual security appropriation bill has not been acted upon, because the House has not acted on the authorization bill, although the Senate passed the authorization bill some time ago.

Of course we shall also have to consider the final supplemental appropriation bill, which has not been submitted as yet.

The PRESIDING OFFICER. What is the pleasure of the Senate?

SENATE LEGISLATIVE ACTIVITY THROUGH JUNE 30, 1957

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement on the legislative activity of the Senate for the 1st sessions of the 80th through the 85th Congress. I may say that I shall bring the table up to date after the call of the calendar today.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Senate legislative activity through June 30

	80th Cong., 1st sess.	81st Cong., 1st sess.	82d Cong., 1st sess.	83d Cong., 1st sess.	84th Cong., 1st sess.	85th Cong., 1st sess.
Days in session	106	109	101	98	84	87
Hours	575:12	644:29	545:36	542:55	414:38	477:29
Total measures passed by Senate	391	522	485	419	700	546
Senate bills	140	205	186	184	346	301
House bills	128	101	161	113	239	85
Senate joint resolutions	29	16	9	15	15	14
House joint resolutions	21	18	12	8	10	22
Senate concurrent resolutions	5	22	16	13	16	17
House concurrent resolutions	9	10	10	10	8	17
Senate resolutions	59	60	91	76	66	90
Public laws	145	154	69	100	111	74
Confirmations	25, 627	47, 805	21, 141	21, 309	36, 748	30, 179

Mr. JOHNSON of Texas. The table shows that in the first session of the 80th Congress the Senate was in session 575 hours and that it passed 391 measures. In the first session of the 81st Congress it was in session 644 hours and passed 522 bills. In the first session of the 82d Congress the Senate was in session 545 hours and passed 485 measures. In the first session of the 83d Congress the Senate was in session 542 hours, and passed 419 measures. In the first session of the 84th Congress it was in session 414 hours and passed 700 measures. In the first session of the 85th Congress the Senate has been in session 477 hours and has passed 546 measures.

Thus far this session we have passed, as of today, 84 public laws, the last one being signed on July 3.

I might add that the Senate has also confirmed 30,179 nominations thus far this year.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I am informed that at 2 o'clock the distinguished minority leader will make a motion. It is my information, which I have obtained from Members of the Senate, as agents of the Senate, that the minority leader and other Members of the Senate, after the motion is made, will object to proceeding to the consideration of any other proposed legislation except such as may be of an extreme emergency nature, or legislation that all Members of the Senate can agree should be acted upon by unanimous consent.

I should like to inform all my colleagues that the minority leader, in his usual gracious and courteous manner, has told me that, after he makes the motion he is expected to make, except for emergency measures or for unanimous-consent measures, he and those who support him will resist any motion to proceed to other business or any request to proceed to the consideration of other business except by unanimous consent in connection with a measure of an urgent and emergency nature.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. MANSFIELD. Can the majority leader tell us if a long session is anticipated today?

Mr. JOHNSON of Texas. It is expected that the Senate will remain in session through the afternoon and into the evening. I would not want to foreclose any Senator who is ready to speak and desires to speak today from doing so. I want to be considerate and rational about the procedure. I do not want to tie myself to any definite hour; but it would be my suggestion that the Senate try to operate as it usually does and remain in session until 6, 6:30, or 7 o'clock. I hope that will meet with the approval of the other Members of the Senate. This is merely the view of the Senator from Texas. I think the minority leader concurs in it.

Mr. KNOWLAND. Yes.

Mr. KERR. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. KERR. Is the Senator from Oklahoma correct in his understanding that S. 2406 is the pending business?

Mr. JOHNSON of Texas. Is that the Niagara power bill?

Mr. KERR. That is the bill which authorizes the construction of certain works and improvements in the Niagara River for power and other purposes.

Mr. JOHNSON of Texas. That is the pending business, and will be, I think, for some time. I would not want to calculate just how long it will be the pending business, but it is now.

Mr. KERR. Has the distinguished majority leader given consideration to a unanimous consent request for limited debate on that bill and then to the consideration of its passage?

Mr. JOHNSON of Texas. I have not. I do not think the Senate could pass it in the next 7 minutes. I think in 7 minutes we shall be confronted with another motion which will occupy the attention of the Senate for some time.

Mr. KERR. I may say to the distinguished Senator from Texas and to the other Members of the Senate that, in my judgment, a most critical situation has arisen because of the water washing out the foundation of the powerplant at Niagara and tumbling it into the river.

The Committee on Public Works spent days—in fact, months—in drafting a bill which is in the form of a very justifiable compromise, in the opinion of the Senator from Oklahoma. In view of the extreme emergency which exists at that location, as it affects the people and the cities in that area, I urge upon the distinguished majority leader the consideration of a unanimous consent request which will enable the Senate, in a relatively short time, in my judgment, to act on and dispose of the bill before it gets behind what might be an interminable logjam.

Mr. JOHNSON of Texas. I may state that I am in hearty agreement with the statement of the Senator from Oklahoma. I favor the bill. I think it is a very desirable proposal. The distinguished Governor of New York has discussed it with the majority leader on several occasions. I am very happy to know that the Senator from Oklahoma has thoroughly considered the bill, and that the committee has reported it. It will be the purpose of the majority leader to bring the bill to the attention of the Senate at the earliest possible date, although I must say, for the information of all Senators, that I have been informed that after the motion is made at 2 o'clock, unless unanimous consent can be obtained, no other bill, unless it is of an emergency nature, will be acted upon. I do not think the bill to which the Senator from Oklahoma refers will receive unanimous consent.

Mr. KERR. I shall make one more brief comment. In the opinion of the Senator from Oklahoma and of the Committee on Public Works, there are two bills on the calendar which are of an emergency nature. One has to do with the authorization of the Power Authority of the State of New York to construct and continue in operation the power project at Niagara. The other bill enables the Tennessee Valley Authority Board of Directors to issue self-liquidating revenue bonds to meet the absolute necessity for expanding facilities in the present service area of the Tennessee Valley Authority.

Both bills are regarded as being of an extreme emergency in the areas which they affect. I urge upon Senators who will determine the course of action of the Senate their very serious and equitable consideration of the emergency nature of both the Niagara bill and the Tennessee Valley Authority bill, because I feel that if Senators will give them the consideration to which their emergency status entitles them, arrangements will be made for their consideration and action upon them by the Senate.

Mr. JOHNSON of Texas. I deeply appreciate the suggestion of my able friend from Oklahoma. The majority leader will explore the matter with the minority leader and other Senators interested in the proposed legislation. I am deeply interested in early action on both bills. I consider them to be meritorious measures. The Committee on Public Works has been very diligent and very considerate. I applaud them for reporting the two bills. I am certain the Senate, before it adjourns sine die, will want to take action upon both of them. However, I do

not have much hope that agreements can be obtained to pass upon the bills during the consideration of the civil rights question. But when the civil rights matter has been concluded, I shall be glad to see if it will not be possible for the Senate to pass both the bills to which the Senator from Oklahoma has referred. If they can be brought up by unanimous consent, I will so notify the Senator from Oklahoma.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. O'MAHONEY. On July 1 I had the honor to report from the Committee on the Judiciary a bill to amend chapter 223 of title 18 of the United States Code, to provide for the production of statements and reports of witnesses. The measure was regarded by the Committee on the Judiciary as a measure of an emergency nature, because its purpose is to do away with certain confusion and misinterpretations of the decision of the Supreme Court in the Jencks case.

The Department of Justice has found itself obliged to forego the prosecution of narcotics law offenders of a very grievous character because the courts, the newspapers, and the commentators on television and radio have not clearly understood the meaning of that decision.

As I stated at the hearing on the bill, the Supreme Court is not regarded as being on trial; but the Jencks case decision contained language that led to a misinterpretation and to confusion. The committee sought to correct that. Several amendments to the bill were offered, one by the distinguished Senator from Ohio [Mr. BRICKER], and one by the distinguished Senator from Oregon [Mr. MORSE]. Other Members of the Senate have spoken to me about those amendments and about other defects in the bill.

I want the Senate to understand that we have been authorized by the subcommittee which was given the authority by the full committee to make adjustments with respect to the amendments that have been suggested. An amendment will be offered to protect the right of discovery, a right which is, of course, recognized by the rules of procedure.

An amendment will be offered which, it is believed, will combine the objectives of both the amendments of the Senator from Oregon and the Senator from Ohio. In other words, we believe that the work covered by the bill can be done, and we believe it is of an emergency nature. I spoke to the distinguished minority leader about it this morning, and my understanding is that by motion that bill can be brought up.

Mr. JOHNSON of Texas. Any bill can be brought up on motion if a majority of the Senate votes to bring it up. But I seriously doubt that any bill will be brought up after the Senator from California has made his motion, unless it meets the standards which we have been discussing. Obviously it cannot be brought up now, during the morning hour.

Mr. O'MAHONEY. No, it cannot.

Mr. JOHNSON of Texas. As in the case of some of the other important measures which have been mentioned, I am sure the Senate will wish to consider all of them prior to sine die adjournment.

Mr. O'MAHONEY. But is the Senator willing to say now that the emergency nature of this measure is such that a motion to take it up will be received?

Mr. JOHNSON of Texas. I will say that it will be, but I do not think the time can be determined at this moment.

Mr. O'MAHONEY subsequently said: Mr. President, during the morning hour I engaged in a colloquy with respect to a measure reported by me from the Judiciary Committee, namely, S. 2377, to amend chapter 223 of title 18 of the United States Code to provide for the production of statements and reports of witnesses. This is the bill which was introduced for the purpose of clarifying some misunderstandings of the ruling handed down by the Supreme Court in the Jencks case.

I was hoping this measure could be passed before the civil-rights bill became the pending business of the Senate, but it was stated to me by the leadership this morning, during the colloquy, that it seemed to be impossible to expect that at this time. I announced that the Senator from Illinois [Mr. DIRKSEN] and I, being members of the subcommittee, had worked out amendments which we felt had met the objections of the Senator from Ohio [Mr. BRICKER] and the Senator from Oregon [Mr. MORSE], both of whom had presented amendments from the floor, and that it also did away with the fears of some of those who thought perhaps the right of discovery would be impaired by such legislation.

In order to make it clear that is not the case, I ask unanimous consent to have printed in the RECORD, as well as to have printed and lie on the table, certain amendments which accomplish the results I have mentioned, and which I shall propose when the occasion arises. I am sending forth two copies of each amendment, one to go to the Government Printing Office for printing as amendments, and one to appear in the body of the RECORD at the close of the colloquy this morning with the Senators from Texas and California, so that those who read the RECORD tomorrow may understand what is being done.

The PRESIDING OFFICER. Without objection, the amendments will be received, printed, printed in the RECORD, and lie on the table.

The amendments intended to be proposed by Mr. O'MAHONEY to Senate bill 2377 are as follows:

On page 1, lines 8 and 9, strike the words "any rule of court or procedure to the contrary notwithstanding."

On page 1, beginning in line 9, strike the words "any prospective witness or person other than a defendant" and insert in lieu thereof "a prospective witness."

On page 2, beginning in line 2, strike the words "paragraph (b) of this section" and insert in lieu thereof "the Federal Rules of Criminal Procedure, or as provided in paragraph (b) of this section."

On page 2, beginning in line 6, strike the words "the inspection of the court in camera" and insert in lieu thereof "delivery directly to the defendant, for use in cross-examination, any relevant portions of."

On page 2, beginning in line 8, strike the words "are signed by the witness, or otherwise adopted or approved by him as correct relating to the subject matter as to which he has testified" and insert in lieu thereof "contain a recitation or the substance of any oral or written statement previously made by the witness which directly relate to the substance of the testimony of that witness. In the event that the United States claims that the reports or statements ordered to be delivered to the defendant contain privileged information, the disclosure of which would be prejudicial to the public interest or national security, the court shall order the United States to produce such reports or statements for the inspection of the court, in camera".

On page 2, beginning in line 11, strike the words "then determine what portions, if any, of said reports or statements relate to the subject matter as to which the witness has testified and shall direct delivery to the defendant, for use in cross-examination, such portions, if any, of said reports or statements as the court has determined relate to the subject matter as to which the witness has testified. The court shall excise from such reports and statements to be delivered to the defendant any portion thereof which the court has determined do not relate to the subject matter as to which the witness has testified." and insert in lieu thereof "excise the portions, if any, of said reports or statements which contain information not relating to the subject matter as to which the witness has testified. With such information excised, the court shall then direct delivery of such reports and statements to the defendant for use in cross-examination."

On page 2, in lines 21 and 22, strike the word "determination" and insert in lieu thereof the word "procedure".

Mr. O'MAHONEY. Mr. President, I make this additional request for unanimous consent, namely, that the text of the bill as reported be printed in the RECORD at this point, showing how it will read with these amendments adopted, so that everybody will know exactly what is proposed.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

SEC. 3500. Demands for production of statements and reports of witnesses.

(a) In any criminal prosecution brought by the United States, no statement or report of a prospective witness which is in the possession of the United States shall be the subject of subpena, discovery, or inspection, except as provided in the Federal Rules of Criminal Procedure, or as provided in paragraph (b) of this section.

(b) After a witness called by the United States has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce for delivery directly to the defendant, for use in cross-examination, any relevant portions of such reports or statements of the witness in the possession of the United States as contain a recitation or the substance of any oral or written statement previously made by the witness which directly relate to the substance of the testimony of that witness. In the event that the United States claims that the reports or statements ordered to be delivered to the defendant contain privileged information, the disclosure of which would be prejudicial to the public interest or national security, the court shall order the United States to produce such reports or statements for the inspection of the court, in camera. Upon such production, the court shall excise the portions, if any, of said reports or statements which contain information not relating to the subject matter as to which the witness has testified. With such information excised, the court shall then direct delivery of such reports and statements to the defendant for use in cross-

examination. If, pursuant to such procedure, any portion of such reports or statements is withheld from the defendant, and the trial is continued to an adjudication of the guilt of the defendant, the entire reports or statements shall be preserved by the United States and, in the event the defendant shall appeal, shall be made available to the appellate court at its request for the purpose of determining the correctness of the ruling of the trial judge.

(c) In the event that the United States elects not to comply with an order of the court under paragraph (b) thereof to deliver to the defendant any report or statement or such portion thereof as the court may direct, the court shall strike from the record the testimony of the witness and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared.

(d) The analysis of such chapter is amended by adding at the end thereof the following:

"Sec. 3500. Demands for production of statements and reports of witnesses."

Mr. WILEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. WILEY. I understood from the distinguished Senator he had submitted these amendments to the Senator from Oregon [Mr. MORSE], and that he had agreed to them.

Mr. O'MAHONEY. No; I have not had his agreement yet; I have talked with him. Nor have I had time to discuss them with the Senator from Ohio [Mr. BRICKER], but I want them to be available to those who may read the RECORD in the morning.

Mr. WILEY. The original bill was proposed by the Attorney General's office to us. Has the Senator submitted these amendments to the Attorney General?

Mr. O'MAHONEY. I submitted some of them to the Attorney General, and the Attorney General was not willing last week to announce what his conclusion was; but in view of the situation in which we find ourselves, I want to have the material available to everybody concerned.

Mr. WILEY. I appreciate that.

IMPLEMENTATION OF TREATY WITH THE REPUBLIC OF PANAMA

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A bill (S. 1730) to implement a treaty and agreement with the Republic of Panama, and for other purposes.

CONSTRUCTION OF CERTAIN WORKS OF IMPROVEMENT IN THE NIAGARA RIVER

Mr. JOHNSON of Texas. Mr. President, I thought the Niagara bill had been taken up.

The PRESIDENT pro tempore. It was taken up by unanimous consent during the morning hour, prior to the call of the calendar.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of the Niagara power bill. If that motion is passed, I shall yield then to the Senator from New York [Mr. IVES].

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

Mr. IVES. Mr. President, reserving the right to object—and I shall not object by any means—I wish to take this opportunity to emphasize what the distinguished Senator from Oklahoma [Mr. KERR] just said about the Niagara bill. It relates to a dire emergency in the Northeast. No piece of proposed legislation which will be before the Senate during this session will be of a more emergent nature than this measure is right now. The Niagara frontier is without adequate power. Business will have to cease there in some instances. Unemployment will increase. There will be a dire situation there in a very short time unless this redevelopment is begun this year. That means that this bill must be passed, not alone by the Senate, but also by the House of Representatives.

At this time I wish to pay tribute to the great chairman of the subcommittee of the Public Works Committee, the distinguished Senator from Oklahoma [Mr. KERR], who has done such a magnificent job in getting Members together in regard to this measure.

Mr. President, I must emphasize to the two leaders of the Senate that this measure must have the right-of-way just as soon as it is possible to give it that right-of-way.

Mr. JOHNSON of Texas. Mr. President, the Senator from New York understands, I am sure, that I heartily favor the bill. I shall do what I can to have it brought to a vote in this body as soon as possible.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill (S. 2406) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes.

Mr. JAVITS. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. JAVITS. I should like to join my colleague from New York [Mr. IVES] in the statement he has made about the emergency character of this bill. I also wish to join him in expressing our feeling that the chairman of the subcommittee, the Senator from Oklahoma [Mr. KERR], has done a really outstanding job in trying to reconcile the different points of view. I should like to make it clear—while both the majority leader and the minority leader are on their feet—that there is no doubt about the fact that by agreement between both of them, before there is a sine die adjournment, action on this bill will be taken. That statement was made by the majority leader, and I understand it was concurred in by the minority leader.

Mr. KNOWLAND. Yes, I did concur.

Mr. JOHNSON of Texas. Mr. President, I did not say the Senate will act on it; but action can be taken under the motion which I assume the Senator from California will make. I intend to bring the bill before the Senate before adjournment.

Mr. CLARK. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. CLARK. Mr. President, while I share the views which have been expressed by the Senators from New York about the hard work and infinite pains the distinguished Senator from Oklahoma has given to the Niagara power bill, there are in this body those of us who are not in accord with the committee report which has been submitted. The junior Senator from Ohio [Mr. LAUSCHE], the junior Senator from Oregon [Mr. NEUBERGER], and myself have certain amendments which we believe are in the interest of common justice for the people of Ohio and Pennsylvania. The senior Senator from Pennsylvania, who takes a third view, has an amendment which he has submitted to the bill.

Although it is important to have the bill brought up, and perhaps it is important to have the bill passed at this session, I hope we shall not be placed in a situation where our friends on the other side of the aisle will endeavor to have the bill passed by unanimous consent, because, frankly, unanimous consent will not be forthcoming unless the views of those of us on this side of the aisle regarding the bill are met to a greater extent than thus far has been the case.

Mr. JOHNSON of Texas. Mr. President, the minority leader has pointed out that he does not intend to have other proposed legislation brought before the Senate except measures of an extreme emergency nature, which can be agreed upon by unanimous consent. That is the decision of the minority leader, and, I assume, of this administration. They will have to accept the responsibility for it. I have heard today of many emergency measures. I assume that a substantial number of Members of the Senate believe that the motion about to be made by the Senator from California is of an emergency nature. The Senate will have ample opportunity to discuss the wisdom of the motion. I do not wish to cause further delay at this time.

Mr. GORE. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I yield now to my friend, the Senator from Tennessee, who has asked me to do so.

Mr. GORE. Mr. President, I wish to join the distinguished Senators from New York in the generous tribute they have paid to the very able and distinguished senior Senator from Oklahoma [Mr. KERR], who, although he lives in, and represents, a State hundreds of miles from both the Niagara River and the valley of the Tennessee, has given generously of his time and ability and has brought to substantial agreement the controverting forces on two vital pending issues. He is entitled to tribute rendered at greater length.

I wish to say, in addition, that the bill authorizing the Tennesseee Valley Authority to issue self-financing, self-liquidating revenue bonds for the provision of power in that area is of an emergency nature equal to that of the Niagara power bill.

I participated in the development of the compromise and the understanding

and in the writing and reporting of the Niagara power bill. I join wholeheartedly in the statement that it is urgent that it be considered.

But I wish to urge upon the distinguished majority leader and the distinguished minority leader the emergency character of the Tennessee Valley Authority self-financing bill, as well; and I desire to express the hope that it will be considered before the Senate adjourns.

Mr. JOHNSON of Texas. I thank the Senator from Tennessee. I assure him that I shall urge the Senate at the appropriate time to give consideration to the Tennessee Valley bill, in which he is so deeply interested. I share his great admiration for the distinguished senior Senator from Oklahoma, than whom there is no better.

Mr. MUNDT. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. MUNDT. I should like to refer to the very significant statement made by the Senator from Wyoming [Mr. O'MAHONEY] about some very urgent proposed legislation. In this instance, I refer to a measure in connection with the Supreme Court's decision depriving the FBI of the power it requires if it is to continue to function to protect America against criminals and against Communists. It seems to me that in line with the responsibility of the Senate to put first things first, before the Senate enters into a prolonged debate—no matter how meritorious the subject of the debate may be—about protecting the rights of certain Americans in certain areas of the country, the Senate should consider the proposed legislation, recommended by the Judiciary Committee, in connection with the decision of the Supreme Court to which I have referred. This matter relates to protection of the rights of all Americans in every section of the country.

The Senate may engage in prolonged debate about the right of certain persons in certain areas, and perhaps corrective steps should be taken. But in the meantime, the courts of the United States continue to function; and in the meantime congressional committees continue to function, and in the meantime the Communists, crooks, kidnapers, and cheaters continue to function. I do not think the Senate can expect the parade of history to stand still while the Senate listens to prolonged debate, no matter how interesting it may be.

I urge upon our respective leaders, in their very important positions, consideration of the importance of having the Senate take up first the correction of situations growing out of the misunderstandings resulting from the recent decisions of the Supreme Court.

Mr. JOHNSON of Texas. I thank the Senator from South Dakota for his suggestion. Of course, whenever he is prepared to indicate to me that a majority of the Members of the Senate share his view, the Senator from Texas will be glad to join with him. However, the Senator from Texas is aware of the practical situation which exists; and the minority leader has given notice of his desire to make a motion, and he has now been delayed approximately 10 minutes in making it.

I shall certainly seriously consider the suggestion the Senator from South Dakota has made and any other suggestions made by any other of my colleagues concerning measures of an emergency nature. I can assure all of them that the majority leader will look with sympathy upon early action upon these measures.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I shall be glad to yield to the Senator from Tennessee.

Mr. KEFAUVER. I appreciate that. Is the Senator withholding his motion?

Mr. KNOWLAND. Yes.

Mr. KEFAUVER. I had understood the tentative order of business to be recommended by the majority leader was the Niagara bill and then the self-financing bill for the TVA, which the Public Works Committee, under the chairmanship of the subcommittee headed by the Senator from Oklahoma [Mr. KERR], has worked out so well.

Mr. JOHNSON of Texas. I will say to the Senator the majority leader did not make that statement. It is the intention of the majority leader to urge the policy committee, and, if they act favorably, in turn the Senate, to act on the TVA bill at the earliest possible date. The committee has previously considered the Niagara bill. I hope the two of them may come along together at the appropriate time.

Mr. KNOWLAND. Mr. President——

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. CHAVEZ. Mr. President, the Niagara bill and the Tennessee Valley funding bill were reported by the Public Works Committee. I appreciate the importance of the bill that is now about to come under consideration, but I feel the Senate could do more for the country by passing the Niagara bill and the Tennessee Valley funding bill than it could by passing the bill about to come under consideration. That is only an opinion. I have my own views about the measure to be brought before the Senate. I hope both the majority leader and the minority leader will let the American people get the benefits of the Niagara bill and the Tennessee Valley funding bill.

Mr. JOHNSON of Texas. So far as the majority leader is concerned, he is prepared to proceed to the consideration of the Niagara bill and get the earliest possible decision on it. Every Senator can determine, by a vote on the motion of the Senator from California, what he desires to do.

Mr. CHAVEZ. I am trying to appeal to the reasonableness of the majority leader and the minority leader.

Mr. JOHNSON of Texas. This is no longer a question for the majority leader and the minority leader to determine. It is a question for the Senate to determine.

Mr. CHAVEZ. I know how I am going to vote. [Laughter.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAHON, Mr. SHEPPARD, Mr. SIKES, Mr. NORRELL, Mr. WHITTEN, Mr. ANDREWS, Mr. RILEY, Mr. FLOOD, Mr. CANNON, Mr. WIGGLESWORTH, Mr. SCRIVNER, Mr. FORD, Mr. MILLER of Maryland, Mr. OSTERTAG, and Mr. TABER were appointed managers on the part of the House at the conference.

CIVIL RIGHTS

Mr. KNOWLAND. Mr. President, the motion I am about to make is to enable the Senate of the United States to perform its legislative function to consider, debate, and vote upon such amendments as may be offered and upon H. R. 6127, otherwise known as the civil-rights bill.

I ask unanimous consent to have printed as a part of my remarks a copy of the bill at this point in the RECORD.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KNOWLAND. Yes.

Mr. RUSSELL. Did the Senator ask to have printed the bill which was messaged over from the House?

Mr. KNOWLAND. A star print of the bill.

Mr. RUSSELL. I shall not object to having it printed in the RECORD, but the bill the Senator has offered for printing in the RECORD is not the bill which has been read twice before the Senate. It is a different text. I am sure the Senator will concede it is a different text.

Mr. KNOWLAND. I will say I have been informed that in sending over to the Senate the original bill an error was made in the print. The print has been corrected, as is the customary practice under procedures of this kind, and a star print is available to all Senators.

Mr. RUSSELL. If the Senator will indulge me, a star print may be available, but the point I wish to make, and it will become more important as time goes on, is that the bill which the Senator from California requested to have printed in the RECORD is not the bill which was read twice and placed on the calendar. It is a different bill. At the proper time that matter will be developed. I am glad the Senator, with his characteristic fairness, has admitted the bill to which he refers as the star print is not the bill which was sent to the Senate, read twice, and placed on the calendar.

Mr. KNOWLAND. At the proper time, this whole discussion can take place. It is the bill as passed by the House of Representatives. The star print shows the bill as passed by the House.

Mr. RUSSELL. Will the Senator indulge me for one more question?

Mr. KNOWLAND. Yes.

Mr. RUSSELL. Does the Senator know who prepared the star print? How did it come into being? I am referring to the bill messaged over from the House. Where did the star print come from?

Mr. KNOWLAND. I assume it was prepared under the normal procedures in the House. In the enrolling process in the House, when the error in the original print was discovered, it was corrected.

There being no objection, the star print of H. R. 6127 was ordered to be printed in the RECORD, as follows:

PART I—ESTABLISHMENT OF THE COMMISSION ON CIVIL RIGHTS

SEC. 101. (a) There is created in the executive branch of the Government a Commission on Civil Rights (hereinafter called the "Commission").

(b) The Commission shall be composed of six members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than three of the members shall at any one time be of the same political party.

(c) The President shall designate one of the members of the Commission as Chairman and one as Vice Chairman. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman, or in the event of a vacancy in that office.

(d) Any vacancy in the Commission shall not affect its powers and shall be filled in the same manner, and subject to the same limitation with respect to party affiliations as the original appointment was made.

(e) Four members of the Commission shall constitute a quorum.

Rules of procedure of the Commission

SEC. 102. (a) The Chairman or one designated by him to act as Chairman at a hearing of the Commission shall announce in an opening statement the subject of the hearing.

(b) A copy of the Commission's rules shall be made available to the witness before the Commission.

(c) Witnesses at the hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(d) The Chairman or Acting Chairman may punish breaches of order and decorum and unprofessional ethics on the part of counsel, by censure and exclusion from the hearings.

(e) If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall (1) receive such evidence or testimony in executive session; (2) afford such person an opportunity voluntarily to appear as a witness; and (3) receive and dispose of requests from such person to subpena additional witnesses.

(f) Except as provided in sections 102 and 105 (f) of this act, the Chairman shall receive and the Commission shall dispose of requests to subpena additional witnesses.

(g) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than $1,000, or imprisoned for not more than 1 year.

(h) In the discretion of the Commission, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Commission is the sole judge of the pertinency of testimony and evidence adduced at its hearings.

(i) Upon payment of the cost thereof, a witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Commission.

(j) A witness attending any session of the Commission shall receive $4 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 8 cents per mile for going from and returning to his place of residence. Witnesses who attend at points so far removed from their respective residences as to prohibit return thereto from day to day shall be entitled to an additional allowance of $12 per day for expenses of subsistence, including the time necessarily occupied in going to and returning from the place of attendance. Mileage payments shall be tendered to the witness upon service of a subpena issued on behalf of the Commission or any subcommittee thereof.

(k) The Commission shall not issue any subpena for the attendance and testimony of witnesses or for the production of written or other matter which would require the presence of the party subpenaed at a hearing to be held outside of the State, wherein the witness is found or resides or transacts business.

Compensation of members of the Commission

SEC. 103. (a) Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive the sum of $50 per day for each day spent in the work of the Commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

(b) Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

Duties of the Commission

SEC. 104. (a) The Commission shall—

(1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based.

(2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

(3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

(b) The Commission shall submit interim reports to the President at such times as either the Commission or the President shall deem desirable, and shall submit to the President a final and comprehensive report of its activities, findings, and recommendations not later than 2 years from the date of the enactment of this act.

(c) Sixty days after the submission of its final report and recommendations the Commission shall cease to exist.

Powers of the Commission

SEC. 105. (a) Within the limitations of its appropriations, the Commission may appoint a full-time staff director and such other personnel as it deems advisable, in accordance with the civil service and classification laws, and may procure services as authorized by section 15 of the act of August 2, 1946 (60 Stat. 810; 5 U. S. C. 55a), but at rates for individuals not in excess of $50 per diem.

(b) The Commission may accept and utilize services of voluntary and uncompensated personnel and pay any such personnel actual and necessary traveling and subsistence expenses incurred while engaged in the work of the Commission (or, in lieu of subsistence, a per diem allowance at a rate not in excess of $12). Not more than 15 persons as authorized by this subsection shall be utilized at any one time.

(c) The Commission may constitute such advisory committees and may consult with governors, attorneys general, and other representatives of State and local governments, and private organizations, as it deems advisable.

(d) Members of the Commission, voluntary and uncompensated personnel whose services are accepted pursuant to subsection (b) of this section, and members of advisory committees constituted pursuant to subsection (c) of this section, shall be exempt from the operation of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U. S. C. 99).

(e) All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties.

(f) The Commission, or on the authorization of the Commission any subcommittee of 2 or more members, at least 1 of whom shall be of each major political party, may, for the purpose of carrying out the provisions of this act, hold such hearings and act at such times and places as the Commission or such authorized subcommittee may deem advisable. Subpenas for the attendance and testimony of witnesses or the production of written or other matter may be issued in accordance with the rules of the Commission as contained in section 102 (j) and (k) of this act, over the signature of the Chairman of the Commission or of such subcommittee, and may be served by any person designated by such Chairman.

(g) In case of contumacy or refusal to obey a subpena, any district court of the United States or the United States court of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

Appropriations

SEC. 106. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this act.

PART II—TO PROVIDE FOR AN ADDITIONAL ASSISTANT ATTORNEY GENERAL

SEC. 111. There shall be in the Department of Justice one additional Assistant Attorney General, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall assist the Attorney General in the performance of his duties, and who shall receive compensation at the rate prescribed by law for other Assistant Attorneys General.

PART III—TO STRENGTHEN THE CIVIL RIGHTS STATUTES, AND FOR OTHER PURPOSES

SEC. 121. Section 1980 of the Revised Statutes (42 U. S. C. 1985) is amended by adding thereto two paragraphs to be designated "Fourth" and "Fifth" and to read as follows:

"Fourth. Whenever any persons have engaged or there are reasonable grounds to believe that any persons are about to engage in any acts or practices which would give rise

to a cause of action pursuant to paragraphs First, Second, or Third, the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

SEC. 122. Section 1343 of title 28, United States Code, is amended as follows:

(a) Amend the catchline of said section to read, "§ 1343. Civil rights and elective franchise."

(b) Delete the period at the end of paragraph (3) and insert in lieu thereof a semicolon.

(c) Add a paragraph as follows:

"(4) To recover damages or to secure equitable or other relief under any act of Congress providing for the protection of civil rights, including the right to vote."

PART IV—TO PROVIDE MEANS OF FURTHER SECURING AND PROTECTING THE RIGHT TO VOTE

SEC. 131. Section 2004 of the Revised Statutes (42 U. S. C. 1971), is amended as follows:

(a) Amend the catchline of said section to read, "Voting rights."

(b) Designate its present text with the subsection symbol "(a)."

(c) Add, immediately following the present text, three new subsections to read as follows:

"(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates, or Commissioners from the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

"(c) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"(d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

"(e) Provided, that any person cited for an alleged contempt under this act shall be allowed to make his full defense by counsel learned in the law; and the court before which he is cited or tried, or some judge thereof, shall immediately, upon his request, assign to him such counsel, not exceeding two, as he may desire, who shall have free access to him at all reasonable hours. He shall be allowed, in his defense to make any proof that he can produce by lawful witnesses, and shall have the like process of the court to compel his witnesses to appear at his trial or hearing, as is usually granted to compel witnesses to appear on behalf of the prosecution. If such person shall be found by the court to be financially unable to provide for such counsel, it shall be the duty of the court to provide such counsel."

SEC. 141. This act may be cited as the "Civil Rights Act of 1957."

Mr. KNOWLAND. I hope that within this week the Senate of the United States will be allowed to vote on the motion to proceed to the consideration of this important bill.

I feel certain that the Members of this body are both reasonable and fair. If the opponents of the proposed legislation will argue the merits of their case on the bill itself and on the amendments when the bill is before the Senate, they will find that we who favor the Senate's functioning as a legislative body will not be unfair in our judgments or unreasonable in our actions.

The mere fact that a majority may favor bringing this bill up for consideration will not cause us to depart from a procedure of parliamentary conduct that we would consider fair and equitable if applied to us if we were in the minority on this or any similar measure.

Again I appeal to my colleagues to permit the Senate as a part of a coordinate branch of the Government of the United States, to function under section 1, article I of the Constitution, which reads as follows:

> All legislative power herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Mr. President, I move that the Senate now proceed to the consideration of Calendar No. 485, H. R. 6127.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from California.

Mr. DOUGLAS. Mr. President, what the Senator from California has moved is merely that the Senate proceed to consider the civil rights bill. He is not, at this time, moving its passage. He is simply trying to bring the issue up before the Senate, so that we may then have the chance to discuss and to vote on it.

If the motion of the Senator from California prevails, then, and only then, will it be germane for us to debate the merits of the bill itself and to consider such amendments as may be proposed. But for the present, all that is before us is that we take a prior step and clear the decks so that we can thereafter consider the all-important question of civil rights.

This very simple parliamentary fact creates two guides for action. First, that to filibuster against such a preliminary step as deciding that we will later consider the bill would be a purely negative and obstructive act. The second consequence is equally clear. Until this motion is adopted, it is inappropriate and premature to discuss at any length either the merits of the bill or to consider any amendments thereto. All this will properly come later. But for the moment, all we are contending for is the right of the Senate to take the earlier step, which is logically prior to the discussion of amendments.

Let this immediate issue be crystal clear, and let it be not confused by a deluge of words and a multitude of false leads. It should not need any argument on our part.

Since the motives of those who are supporting this proposed legislation have, however, been called into question, it may be proper if we briefly restate our purpose. What we are trying to do is to make effective in actual life the constitutional rights of all citizens—regardless of race and color—primarily the right to vote. As we all know, this right is guaranteed by the 15th amendment in the following words:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> The Congress shall have the power to enforce this article by appropriate legislation.

Not only does Congress have the power, but it also has the duty to protect this right to vote against interference by State officials under not only the 15th but also the "equal protection of the laws" clause of the 14th amendment.

Furthermore, the Supreme Court has held (*U. S. v. Classic* (313 U. S. 299)) that this right to vote in Federal elections is also guaranteed by article I, section 2 of the Constitution, and can be protected by the Federal Government against infringement by individuals as well as by State or local bodies.

All of us know—and this knowledge is supported by statistics and press accounts—that the right to vote is denied to vast numbers of Negroes, particularly in those areas where they are found in large numbers, namely the Southern States. Frequently, this is done by legal and procedural subterfuge, often by social pressure, sometimes by economic pressure, and—upon occasion—by outright coercion. The net effect of all these methods is the practical disenfranchisement of the vast proportion of potential Negro voters of the South.

We believe this to be a denial not only of constitutional rights, but also of the principles of true religion and of the ideals upon which our Republic was founded. We seek to realize those ideals not by criminal prosecutions after the fact, but by the preventive use of injunctions to prevent such abuses from occurring. All that is asked is that officials and citizens should conform to the law and to the Constitution. If this is done, nothing else need follow, since our aim is prevention, not punishment.

We are concentrating our efforts upon making the right to vote effective, because if this right is guaranteed then many other abuses which are now practiced upon the disenfranchised will be self-correcting. Once the Negroes vote in any appreciable proportion, "race

baiting" by politicians for electoral advantage will largely cease. It will do so for the simple reason that it will not pay. Similarly, inequalities in health and educational opportunities will be lessened. In short, once a group possesses political rights, the competition of candidates and parties will provide a lever for improvement.

And all this will take place through the democratic process and will be a peaceful and reconciling alternative to the pattern of suppression and violence, prosecution, and punishment.

In the 18th century, it was an inspired group of southerners—Jefferson, Madison, and George Mason—who caused the new Republic to emphasize the right of all men to pursue happiness and to be guaranteed the protection of the laws. While those ideals were imperfectly realized at the time, they were held out as a goal which we might increasingly approach. These ideals have spread around the world and constitute America's noblest contribution to the thought and practice of mankind. Now in the 20th century, we have the chance to help our beloved country to take a further step forward. In so doing, we will be living up to the better standards of our Nation and will help to make the face of our country shine more gloriously in the sight of men everywhere.

This morning in preparation for this session, I read some passages from Albert Schweitzer, and I was struck with these remarks which I hope Senators will permit me to quote:

> Once it was considered folly to assume that men of color were really men and ought to be treated as such, but the folly has become an accepted fact. * * * All the principles, dispositions, and ideals which make their appearance amongst us we measure, in their showy pedantry, with a rule on which the measures are given by the absolute ethic of reverence for life. We allow currency only to what is consistent with the claims of humanity. We bring into honor again regard for life and for the happiness of the individual. Sacred human rights we again hold high, not those which political rulers exalt at banquets and tread underfoot in their actions, but the true ones. We call once more for justice, not that which purblind authorities have elaborated in a legal scholasticism nor that about which demagogs of all shades of color shout themselves hoarse, but that which is filled to the full with the value of each human existence. The foundation of law and right is humanity.

It is for those ends that we struggle. It is by that spirit that we shall try to be guided.

Mr. RUSSELL. Mr. President, I feel that it is appropriate that I make a brief observation relative to the two statements which have been made by those on both sides of the aisle who are most active in pressing the consideration of the proposed legislation known as the civil-rights bill.

The Senator from California [Mr. KNOWLAND] has appealed to the Senate to act with a sense of responsibility. I wish to say, Mr. President, that those of us who are unfaltering in our opposition to this measure have acted as men of responsibility since the session of Congress convened in January. We have worked from day to day on a legislative program brought forth by the present administration. Many of us serve as chairmen of important committees. We have expedited the consideration of that proposed legislation, and the record will show that in many—indeed, in most—instances we have supported it. We have done so, Mr. President, with the sword dangling over our heads by a thin hair every day the Senate has been in session, and we have not been unaware of that fact.

We have felt the urge—indeed, we have heard the demand—since the very outset of the session to slow down the wheels of the Senate, to start lengthy debate on every bill, including all the appropriation bills which are brought before this body. We have lived up to a sense of responsibility, Mr. President, which I assert is as great as is shown by those who are attempting to press this bitter cup to our lips today, or greater.

I leave to the record whether we have not demeaned ourselves as men of responsibility, as men of patriotism, though we have known every waking moment of every day that this hour was being prepared for us.

Mr. President, we have tried to help. We have tried to expedite. And we have been responsible men. We do not provoke the issue which is brought into the Senate now. We do not instigate it. We did not time it.

For my part, I refuse to accept any responsibility for what ensues. Senators may talk about emergency legislation, Mr. President—and there is a great deal of emergency legislation on the calendar. Senators may talk about situations in local areas which need to be remedied. I have great sympathy with some of those needs, and I should like to assist in remedying them.

But I speak, Mr. President, for about 40 million American citizens who are confronted with an emergency when a motion is made to bring this type of force legislation before the Senate, and it is said:

"Like it or not, we are going to compel the people of the South to take it, by the most unusual judicial procedures ever devised. If that does not suffice, we will bring the Army and the Navy in and occupy your peaceful land."

That is the real emergency in this country today, Mr. President. I say again that we assume no responsibility for what ensues. We did not provoke or bring this issue forward. We shall be reasonable men in the course of this debate, insofar as we are permitted to be reasonable. We are lectured here today and told that it is highly inappropriate to urge one word on the merits of the proposed legislation in connection with the pending motion to proceed to its consideration. That is followed by a lengthy debate on the merits of the bill by the same Senator as a reason why the bill should be enacted. Some of us know our rights. What is sauce for the goose will be sauce for the gander until this country understands the full purport of the proposed legislation.

We are trying to be reasonable men. We are embarked on a program of undertaking to explain the bill, not only to the country but to the Senate. We are justified in discussing it on its merits, at every opportunity we get to discuss it, until every Member of this body, dealing justly in the sight of his Maker, can look at himself in the mirror and say to himself in all candor, "I understand the full implications of this bill. I know what it will do; and on my responsibility, and not because of political motives, I am willing to commit myself to this course of action."

If that be an unreasonable position for us to take, the Senate must make the most of it. I deem it to be a highly reasonable position.

We are here today in an unusual position. The bill has been placed on the calendar. Even the distinguished minority leader admits that the bill which has been read twice in the Senate is not the bill which it is desired to take up. It is not the bill which he has had printed in the RECORD.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the bill which was messaged to the Senate from the House of Representatives. I invite comparison of it with the so-called star print, of dubious parentage, even after the Senator from California spoke. He said he assumed that the trouble had been straightened out in the enrolling room. So, at best, the bill is of dubious parentage; yet we are supposed to sit here, with vital threats to our people, their lives, their happiness, their peace, and their welfare, and not resist, even when we are confronted with a situation of that kind. If we did not resist, we would not be worthy to be called men.

The PRESIDENT pro tempore. Without objection, the bill may be printed in the RECORD, as requested.

(See exhibit 1.)

Mr. RUSSELL. Mr. President, we will resist. We will explain and discuss the issues which are embraced in the bill on the motion to take up the bill until we are convinced that each and every Member of the Senate fully understands them in all their implications.

I did not intend to say anything here today, but I felt called upon to make this statement. Senators may call it a filibuster if they wish. If there were a sense of fairness throughout the whole Nation, and a desire to deal justly with a great patriotic area of this land, it would not be called a filibuster at this stage of the proceedings.

We are handicapped in getting our case to the country. I shall not refer again to the fact that the great media which influence public opinion in this land—especially television—have been slanted in favor of the bill, and have not fully presented its terms. I hope that some Member on our side of the fight, on the appropriate committee, will demand an investigation to determine just where that campaign originated, and what was the motive power which caused the views of those of us who are opposing the bill to be so completely obscured by talk of its being a simple right-to-vote bill.

If it dealt with any other section of the country, if it dealt with any other issue of half this importance, an investigation would already be in progress. The South, the political whipping boy

of the Nation, receives this kind of treatment. Our opponents undertake to have us dealt with from the outset like a badgered animal. As we undertake to protect the rights of the people who honored us, who are blood of our blood and flesh of our flesh, we are placed in such a position as to make us feel like a bear chained to a pole, with a man poking a pitchfork at him all the time to make him dance. We will not do it. God give us strength that each and every one of us will acquit himself as a man, as our people expect us to do as this cause proceeds.

EXHIBIT 1

House bill 6127 as messaged to the Senate:

"Be it enacted, etc.—

"PART I—ESTABLISHMENT OF THE COMMISSION ON CIVIL RIGHTS

"SEC. 101. (a) There is created in the executive branch of the Government a Commission on Civil Rights (hereinafter called the 'Commission').

"(b) The Commission shall be composed of six members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than three of the members shall at any one time be of the same political party.

"(c) The President shall designate one of the members of the Commission as Chairman and one as Vice Chairman. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman, or in the event of a vacancy in that office.

"(d) Any vacancy in the Commission shall not affect its powers and shall be filled in the same manner, and subject to the same limitation with respect to party affiliations as the original appointment was made.

"(e) Four members of the Commission shall constitute a quorum.

"Rules of procedure of the Commission

"SEC. 102. (a) The Chairman or one designated by him to act as Chairman at a hearing of the Commission shall announce in an opening statement the subject of the hearing.

"(b) A copy of the Commission's rules shall be made available to the witness before the Commission.

"(c) Witnesses at the hearing may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

"(d) The Chairman or Acting Chairman may punish breaches of order and decorum and unprofessional ethics on the part of counsel, by censure and exclusion from the hearings.

"(e) If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall (1) receive such evidence or testimony in executive session; (2) afford such person an opportunity voluntarily to appear as a witness; and (3) receive and dispose of requests from such person to subpena additional witnesses.

"(f) Except as provided in sections 102 and 105 (f) of this act, the Chairman shall receive and the Commission shall dispose of requests to subpena additional witnesses.

"(g) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than $1,000, or imprisoned for not more than 1 year.

"(h) In the discretion of the Commission, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Commission is the sole judge for the pertinency of the testimony and evidence adduced at its hearings.

"(i) Upon payment of the cost thereof, a witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Commission.

"(j) A witness attending any session of the Commission shall receive $4 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 8 cents per mile for going from and returning to his place of residence. Witnesses who attend at points so far removed from their respective residences as to prohibit return thereto from day to day shall be entitled to an additional allowance of $12 per day for expenses of subsistence, including the time necessarily occupied in going to and returning from the place of attendance. Mileage payments shall be tendered to the witness upon service of a subpena issued on behalf of the Commission or any subcommittee thereon.

"(k) The Commission shall not issue any subpena for the attendance and testimony of witnesses or for the production of written or other matter which would require the presence of the party subpenaed at a hearing to be held outside of the State wherein the witness is found or resides or transacts business.

"Compensation of members of the Commisison

"SEC. 103. (a) Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive the sum of $50 per day for each day spent in the work of the Commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

"(2) Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

"Duties of the Commission

"SEC. 104. (a) The Commission shall—

"(1) invetigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based;

"(2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

"(3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

"(b) The Commission shall submit interim reports to the President at such times as either the Commission or the President shall deem desirable, and shall submit to the President a final and comprehensive report of its activities, findings, and recommendations not later than 2 years from the date of the enactment of this act.

"(c) Sixty days after the submission of its final report and recommendations the Commission shall cease to exist.

"Powers of the Commission

"SEC. 105. (a) Within the limitations of its appropriations, the Commission may appoint a full-time staff director and such other personnel as it deems advisable, in accordance with the civil service and classification laws, and may procure services as authorized by section 15 of the act of August 2, 1946 (60 Stat. 810; 5 U. S. C. 55a), but at rates for individuals not in excess of $50 per diem.

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"(c) The Commission may constitute such advisory committees and may consult with governors, attorneys general, and other representatives of State and local governments, and private organizations, as it deems advisable.

"(d) Members of the Commission, voluntary and uncompensated personnel whose services are accepted pursuant to subsection (b) of this section, and members of advisory committees constituted pursuant to subsection (c) of this section, shall be exempt from the operation of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U. S. C. 99).

"(e) All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties.

"(f) The Commission, or on the authorization of the Commission any subcommittee of two or more members, at least one of whom shall be of each major political party, may, for the purpose of carrying out the provisions of this act, hold such hearings and act at such times and places as the Commission or such authorized subcommittee may deem advisable. Subpenas for the attendance and testimony of witnesses or the production of written or other matter may be issued in accordance with the rules of the Commission as contained in section 102 (j) and (k) of this act, over the signature of the Chairman of the Commission or of such subcommittee, and may be served by any person designated by such Chairman.

"(g) In case of contumacy or refusal to obey a subpena, any district court of the United States or the United States court of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof: *Provided*, That any person cited for an alleged contempt under this act shall be allowed to make his full defense by counsel learned in the law; and the court before which he is cited or tried, or some judge thereof, shall immediately, upon his request, assign to him such counsel, not exceeding two, as he may desire, who shall have free access to him at all reasonable hours. He shall be allowed, in his defense to make any proof that he can produce by lawful witnesses, and shall have the like process of the court to compel his witnesses to appear at his trial or hearing, as is usually granted to compel witnesses to appear on behalf of the prosecution. If such person shall be found by the court to be financially unable to provide for such counsel, it shall be the duty of the court to provide such counsel.

"*Appropriations*

"SEC. 106. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this act.

"PART II—TO PROVIDE FOR AN ADDITIONAL ASSISTANT ATTORNEY GENERAL

"SEC. 111. There shall be in the Department of Justice one additional Assistant Attorney General, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall assist the Attorney General in the performance of his duties, and who shall receive compensation at the rate prescribed by law for other Assistant Attorneys General.

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"SEC. 121. Section 1980 of the Revised Statutes (42 U. S. C. 1985) is amended by adding thereto two paragraphs to be designated "Fourth" and "Fifth" and to read as follows:

"'Fourth. Whenever any persons have engaged or there are reasonable grounds to believe that any persons are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs First, Second, or Third, the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"'Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.'

"SEC. 122. Section 1343 of title 28, United States Code, is amended as follows:

"(a) Amend the catch line of said section to read,

"'§ 1343. Civil rights and elective franchise'

"(b) Delete the period at the end of paragraph (3) and insert in lieu thereof a semicolon.

"(c) Add a paragraph as follows:

"'(4) To recover damages or to secure equitable or other relief under any Act of Congress providing for the protection of civil rights, including the right to vote.'

"PART IV—TO PROVIDE MEANS OF FURTHER SECURING AND PROTECTING THE RIGHT TO VOTE

"SEC. 131. Section 2004 of the Revised Statutes (42 U. S. C. 1971), is amended as follows:

"(a) Amend the catch line of said section to read, 'Voting rights.'

"(b) Designate its present text with the subsection symbol '(a).'

"(c) Add, immediately following the present text, three new subsections to read as follows:

"'(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

"'(c) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"'(d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.'

"SEC. 141. This act may be cited as the 'Civil Rights Act of 1957'."

Mr. ERVIN. Mr. President, inasmuch as I desire to complete my statement without interruption, I shall postpone yielding to other Senators until I shall have concluded my remarks.

Mr. MORSE. Mr. President, will the Senator yield on a procedural matter?

Mr. ERVIN. I will yield to the distinguished Senator from Oregon for a procedural matter, with the understanding that I shall not lose the floor by so doing.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MORSE. I shall require only half a minute, or a minute at the most.

I merely wish to serve notice as to a procedural course of action which I shall follow, giving the Senate an opportunity to follow me in it if it cares to do so.

As Senators know, I think a great parliamentary mistake was made in not sending the House civil-rights bill to the Senate Committee on the Judiciary in the first instance. We discover today that we have read twice in the Senate a bill quite different from the star-print bill. This parliamentary blunder is another illustration of how sound I think I was in my insistence as a matter of sound procedure that the House bill be referred to the Senate Committee on the Judiciary for review. It is interesting to note that many people in and out of the Senate have expressed approval of the stand I took in the Senate in opposition to putting the House bill directly on the Senate Calendar.

In order that the Senate may know of the procedural step which I intend to place before it, I have checked with the Parliamentarian, and he says that the motion of the Senator from California [Mr. KNOWLAND] must first be disposed of. In other words, the Senate must vote first to take up the House bill.

I serve notice that, upon the approval of that motion—and I think we can take judicial notice that it will be approved—I shall then make a motion that the House civil-rights bill be referred to the Senate Committee on the Judiciary, with instructions that the committee return a civil-rights bill to the Senate within 2 weeks—either this bill with or without amendments, or a substitute bill, or a Senate bill.

We have heard much discussion today of emergency legislation pending on the calendar. There is no doubt that we have more legislative work than we can do within the next 2 weeks in connection with emergency legislation. If the Senate Judiciary Committee carries out the instructions of the Senate, pursuant to my motion, I am ready to remain here until the snow flies, or until we pass what we consider to be fair civil-rights legislation. I yield to no one in the Senate in devoted dedication to the cause of guaranteeing first-class citizenship to all of our citizens. However, I am opposed to adopting an end justifies the means doctrine adopted by those who have put this bill on the Senate calendar in violation of historic committee procedure and justice.

This is the last opportunity we shall have to defend what I consider to be sound committee procedure in the Senate on this issue. I believe that this bill should go to the Senate Judiciary Committee, with instructions to report a bill on civil rights within 2 weeks. Such is a fair and proper way of handling this great issue. My proposal will give the Senate plenty of time to handle other bills of emergency legislation and then give us all fall if necessary to handle civil-rights legislation. It will also remove a blot on the record of the Senate which the majority smudged into Senate history a few days ago when it forgot that procedural fairness is essential to legislative justice.

Mr. ERVIN. Mr. President, I rise in opposition to the motion of the able and distinguished minority leader. I do this because I know that the greatest blessing which could befall the United States at this particular time would be for further action on the civil-rights bill to be postponed until Congress reconvenes in January. If such postponement were had, it would afford the President, the Senate, the American bench and bar, and the American people an opportunity to discover what a queer concoction of constitutional and legal sins masquerades under the beguiling name of civil rights in this cunningly conceived and deviously worded bill.

At a news conference several weeks ago, a reporter put to President Eisenhower, who is not a lawyer, a question relating to the provisions of the civil rights bill. The President gave the reporter a characteristically honest answer. He said he did not understand what he called the legal quirks in the bill. The President made a somewhat similar confession at his news conference last week when he stated that he had been reading the bill and did not understand all of its language.

I have repeatedly asserted during recent weeks that President Eisenhower would not favor the civil-rights bill if he understood its provisions and implications.

I knew that President Eisenhower did not understand the legal quirks in the civil rights bill. Had he done so, he would never have described it as a moderate legislative proposal.

I based my assertion that President Eisenhower would not favor the civil-rights bill if he understood its provisions and implications upon this abiding conviction: President Eisenhower is an honest man, and he meant exactly what he said when he declared, in substance, at

New Orleans on October 13, 1952, and at Houston on October 14, 1952, that he deplored and would always resist Federal encroachment upon the rights and affairs of the States and that an all-powerful Washington bureaucracy will rob us one by one of the whole bundle of our liberties unless we preserve to our States, our counties, and our hometowns the power to administer affairs which are primarily local in nature.

As one who has spent the major portion of his days and energies in the study of constitutional and legal principles, I can readily appreciate why President Eisenhower or any other person finds it difficult to understand the legal quirks in the civil rights bill.

Incidentally, the term "legal quirk" is fittingly used in connection with the bill. According to the dictionary, a "quirk" is a deviation from the regular course.

The civil-rights bill is certainly a deviation from the regular course. It is so conceived and so worded as to conceal rather than reveal its provisions and implications. Consequently, no one can obtain any reliable notion as to the significance of the legal quirks in the bill simply by reading it. To do this, one must spend weeks studying constitutional and legal history, legal rules, equitable principles, Congressional enactments, and court decisions.

When one studies the civil-rights bill in the light of these things, he discovers that its provisions and implications are utterly repugnant to the American constitutional and legal systems.

I oppose the civil-rights bill. My opposition to it does not arise out of any matter of race. As a member of the school board in my hometown and as a representative from my county in the North Carolina Legislature, I have always done everything within my power to secure adequate educational opportunity for all of North Carolina's children of all races. As a lawyer, legislator, and judge, I have always done everything within my power to make it certain that all men stand equal before the law. As a private citizen and public official, I have always maintained that all qualified citizens of all races are entitled to vote.

I oppose the civil rights bill simply because I love our constitutional and legal systems, and desire above all things to preserve them for the benefit of all Americans of all races and all generations.

I know from my study of the civil-rights bill that this will not be done if the bill or any substantial provisions in it are enacted into law. Diligent efforts are made to present the bill in the guise of a meritorious and mild bill.

It is said, for example, that the bill is simply designed to secure voting rights for Negroes in Southern States. I am going to say this bluntly, and I will say it plainly, so that he who runs may read and not err in so doing: There is not a scintilla of truth in the oft-repeated assertion that the bill is simply designed to secure voting rights to Negroes in Southern States. The bill proposes to confer upon the Attorney General of the United States the power to bring suit to suppress any of the practices specified in section 1985, title 42, of the United States Code. This section contains three subsections, and each of these subsections has many clauses. I call attention to one clause alone. It contains a provision authorizing the Attorney General to bring suit at the expense of the taxpayers in the name of the United States in cases where there are any conspiracies threatening or consummated to deprive any person of the equal protection of the law under the 14th amendment.

Under that clause alone the Attorney General can bring suit in behalf of any citizens of any race, any aliens of any race, and any private corporations within the territorial jurisdiction of the United States upon the allegation that they have been discriminated against by any statute of any State or any application of State law to them on the part of any State or local officials. When we consider the fact that the term "State law" includes ordinances of municipalities, we get some idea of the breadth of the power which the Attorney General would have under this one clause.

Mr. President, I hold in my hand volume 16A of Corpus Juris Secundum. I invite the attention of the Senate to the provisions of pages 269 to 536, inclusive, of this volume. These 240 pages are required merely to state in the most general way the number of subjects concerning which the Attorney General could litigate, at the expense of private taxpayers, on behalf of citizens, aliens, and private corporations under this one clause of subsection 3, section 1985, title 42 of the United States Code.

The Attorney General, under part III of the proposed law, would be empowered to bring literally hundreds upon hundreds of different types of cases, in addition to cases to secure voting rights and to compel the integration of public schools. Mr. President, in every one of those cases the President would have the authority, under section 1993, of title 42, to call out the Army, the Navy, or the militia to enforce the decrees entered in any one of those hundreds upon hundreds of cases.

The civil-rights bill is, in truth, as drastic and indefensible a legislative proposal as was ever submitted to any legislative body in this country.

When all is said, it is not surprising that this is so. The bill is presented to Congress at a time when never-ending agitation on racial subjects by both designing and sincere men impairs our national sanity, and diminishes in substantial measure the capacity of our public men to see the United States steady and to see it whole.

The bill is based on the strange thesis that the best way to promote the civil rights of some Americans is to rob other Americans of civil rights equally as precious and to reduce the supposedly sovereign States to meaningless zeros on the Nation's map.

The only reason advanced by the proponents of the bill for urging its enactment is, in essence, an insulting and insupportable indictment of a whole people. They say that southern officials and southern people are generally faithless to their oaths as public officers and jurors, and for that reason can be justifiably denied the right to invoke for their protection in courts of justice the constitutional and legal safeguards erected in times past by the Founding Fathers and Congress to protcet all Americans from governmental tyranny.

When all is said, the bill, if enacted, would make the constitutional and legal status of Southern State officials and southern local officials inferior to that of murderers, rapists, counterfeiters, smugglers, dope peddlers, and parties to the Communist conspiracy.

Congress would do well to pause and ponder this indisputable fact: The provisions of the bill are far broader than the reasons assigned for urging its enactment. I say to my friends who champion the bill that if these provisions can be used today to make legal pariahs and second-class litigants out of southerners involved in civil-right cases, they can be used with equal facility tomorrow to reduce other Americans involved in countless other cases to the like status.

The drastic provisions of the bill are even more surprising than the thesis of its proponents or the reason given by them for urging its enactment. They ignore the primary lesson taught by history, that is, that no man is fit to be trusted with unlimited governmental power.

If the bill should be enacted by Congress and successfully run the constitutional gauntlet, it would vest in a single fallible human being; namely, the temporary occupant of the Office of Attorney General, regardless of his character or qualifications, autocratic, and despotic powers, which have no counterpart in American history, and which are repugnant to the basic concepts underlying and supporting the American constitutional and legal systems.

When one studies the bill, he finds, to his utter consternation, that it undertakes to delegate to the Attorney General of the United States the power, at his uncontrolled election, to nullify State statutes prescribing administrative remedies duly enacted by State legislatures in the undoubted exercise of the legislative powers reserved to the States by the 10th amendment. If that provision of the bill can be sustained from the standpoint of the Constitution, then our Constitution has become a rope of sand, affording no protection to the States or the people of the Nation.

Our ancestors appraised at its full value the everlasting truth embodied in Daniel Webster's assertion that "whatever government is not a government of laws is a despotism, let it be called what it may."

Consequently, they based the governmental and legal systems of America upon these fundamental concepts:

First, that our Government should be a government by law and not a government by men—a government in which laws should have authority over men, not men over laws.

Second, that our courts should administer equal and exact justice according to certain and uniform laws applying in like manner to all men in like situations.

Parts III and IV of the civil-rights bill provide, in substance, that "the Attorney General may institute for the United States, or in the name of the United States," a new civil action or proceeding to enforce or vindicate certain supposed civil rights of private citizens.

By these words, the bill proposes to do these two things: First, to establish a new procedure for the enforcement or vindication of certain supposed civil rights of private persons at the expense of the taxpayers; and second, to confer upon one fallible human being, namely, the temporary occupant of the office of Attorney General, whoever he may be, the despotic power to grant the benefit of the new procedure to some persons and to withhold it from others.

The proposed law is not to be operative at all unless the Attorney General, acting either with or without reason, so wills. This is not government by law. This is not even government by men. This is government by the whim and caprice of the Attorney General.

It is to be noted, moreover, that the new procedure to be authorized by the bill is to be used for and against such persons only as the Attorney General may select. This being true, the bill is utterly repugnant to the fundamental concept that courts are created to administer equal and exact justice in compliance with certain and uniform laws applying in like manner to all men in like circumstances.

When all is said on this phase of the matter, Congress is asked to enact the civil-rights bill as a public law, and, at the same time, to make the public law the private possession of the temporary occupant of the office of the Attorney General, whoever he may be. The bill does not give civil rights to anybody. It does not give anybody any rights, except the Attorney General of the United States; and it says that he is to have complete authority over the law.

I am somewhat surprised that some of my Democratic colleagues show a disposition to place so much confidence in the occupant of the office of Attorney General. I am unwilling to repose so much confidence in any human being who ever trod earth's surface. I would never vote to pass a public law and make it the private possession of the occupant of any office, especially in the case of an office whose occupant is ordinarily appointed to it because of his political acumen rather than his legal ability.

If one is to understand the laws and institutions of today, he must know the events of yesterday which gave them birth. For this reason, I deem it necessary to consider the origins of relevant constitutional and legal safeguards.

The founders of our Government were wise men.

They knew that tyranny uses the forms of law to crush those who oppose her will.

They knew that the right of trial by jury is the best security of the people against governmental oppression.

They knew that the surest test of a witness is had when he is confronted on cross-examination by counsel for the adverse party.

They knew the history of the long struggle of the English people to secure and preserve such basic legal safeguards as the right of trial by jury and the right to confront and cross-examine adverse witnesses.

They knew the history of the repeated efforts of tyrannical kings and subservient parliaments to deprive the English people of the benefit of such legal safeguards.

They knew the history of the Court of Star Chamber, and rightly deducted from it "that the rights and liberties of the people will not long survive in any country where the administration of the law is committed exclusively to a caste endowed with boundless discretion and a long term of office, no matter how learned, able, and honest its members may be."

They knew the history of Chief Justice Jeffreys and his bloody assizes, and rightly inferred from it that tyranny on the bench is as objectionable as tyranny on the throne.

They knew that it is abhorrent to justice to punish any man twice for the same offense.

They knew that in 1764 and 1765 the British Parliament, at the instigation of King George III and his ministers, enacted the Sugar Act, the Stamp Act, and other measures, whereby they deprived American colonists of the right of trial by jury in cases arising under the revenue and trade laws by a device astoundingly similar to that invoked by the civil-rights bill, namely, "by extending beyond its ancient limits the jurisdiction of the courts of admiralty" in which trial by jury was not available.

They knew that the Stamp Act Congress, which was attended by delegates from nine of the Thirteen Colonies, forthwith met in New York, and adopted the Colonial Declaration of Rights of October 19, 1765, condemning this action of Parliament on the ground "that trial by jury is the inherent and invaluable right of every British subject in these Colonies."

They knew that in 1768 the British Parliament, at the urging of King George III and his ministers, enacted the statute known as 8 George III, chapter 22, whereby they deprived American colonists of the right of trial by jury in cases arising under the laws relating to trade and revenue by a repetition of the device resembling that invoked by the civil-rights bill, namely, "by extending beyond their ancient limits the powers of the courts of admiralty" in which trial by jury was not available.

They knew that the First Continental Congress adopted the Declaration of October 14, 1774, denouncing this action of the British Parliament on the ground that American colonists were entitled to the common law of England, and more especially to the great and inestimable privilege of being tried by their peers of the vicinage according to the course of that law.

They knew that the Declaration of Independence assigned the fact that American colonists had been deprived in many cases of the benefits of trial by jury as one of the injuries and usurpations requiring the American colonists to dissolve their political bands with England.

They knew that tranquillity was not to be always anticipated in a republic; that strife would rise between classes and sections, and even civil war might come; and that in such times judges themselves might not be safely trusted in criminal cases, especially in prosecutions for political offenses, where the whole power of the executive is arrayed against the accused party.

They knew that what was done in the past might be attempted in the future, and that troublous times would arise, when rulers and people would become restive under restraint, and seek by sharp and decisive methods to accomplish ends deemed just and proper and that the principles of constitutional liberty would be in peril, unless established by irrepealable law.

They knew that the best part of the inheritance of America from England was the right of trial by jury, both in criminal cases and in suits at common law. For these reasons, the founders of our Government enshrined these guaranties in the Constitution:

That "the trial of all crimes, except in cases of impeachment, shall be by jury."—article III, section 2.

That "no person shall be held to answer for a capital, or otherwise infamous offense, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb"—amendment 5.

That "in all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed * * * and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense"—amendment 6.

That "in suits at common law, where the value in controversy shall exceed $20, the right of trial by jury shall be preserved"—amendment 7.

Americans in general and Senators in particular will do well to pause and ponder the statement made a few days ago by a great Pennsylvania lawyer, David F. Maxwell, the retiring president of the American Bar Association, before the State bar of Texas, in an accurate and eloquent answer to the charge that trial by jury is an outmoded, time-consuming process which can be replaced by more efficient legal procedure. After pointing out the truth that a group of average citizens sitting as jurors can mete out more even justice than can the most competent and experienced judge, Mr. Maxwell said:

> Let us in this country take warning; the jury alone is able to function as the thin wedge of reserved power that separates our system of law from the monolithic, totalitarian despotism behind the Iron and Bamboo Curtains.

At the time of the ratification of the Constitution, courts of equity existed in the several States, either in conjunction

with, or independent of, the courts of law. The basis of the jurisdiction then exercised by courts of equity, which historically function without juries, was the protection of private rights of property.

In stating that courts of equity historicially function without juries, I do not overlook the circumstance that the chancellor or judge of such a court has discretionary authority to call an advisory jury to his aid. An advisory jury is not a jury, however, in the real sense of the term, because the chancellor or judge is at liberty to reject its verdict and act solely on his own findings.

In some of the cases cognizable by them at the time of the ratification of the Constitution, courts of equity used restraining orders and temporary and permanent injunctions. The role of the restraining order and the temporary injunction was to preserve the status quo in respect to property in dispute until the conflicting claims to it could be determined in a trial on the merits, and the role of the permanent injunction was to secure the enjoyment of the property by the person adjudged its owner in the trial on the merits. Restraining orders and injunctions did not issue to inhibit criminal acts except in cases where such acts threatened irreparable injury to property rights.

In urging the ratification of the Constitution, Alexander Hamilton made a statement, which appears in essay No. 80, in the Federalist, concerning the jurisdiction of courts of equity at that time. The statement reads as follows:

> It has also been asked, what need of the word "equity"? What equitable causes can grow out of the Constitution and laws of the United States? There is hardly a subject of litigation between individuals, which may not involve those ingredients of fraud, accident, trust, or hardship, which would render the matter an object of equitable rather than of legal jurisdiction, as the distinction is known and established in several of the States. It is the peculiar province, for instance, of a court of equity to relieve against what are called hard bargains: these are contracts in which, though there may have been no direct fraud or deceit, sufficient to invalidate them in a court of law, yet there may have been some undue and unconscionable advantage taken of the necessities or misfortunes of one of the parties, which a court of equity would not tolerate. In such cases, where foreigners were concerned on either side, it would be impossible for the Federal judicatories to do justice without an equitable as well as a legal jurisdiction. Agreements to convey lands claimed under the grants of different States, may afford another example of the necessity of an equitable jurisdiction in the Federal courts. This reasoning may not be so palpable in those States where the formal and technical distinction between law and equity is not maintained, as in this State, where it is exemplified by every day's practice.

I read Alexander Hamilton's statement concerning equity jurisdiction as it existed at the time of the ratification of the Constitution, to point out the fact that all claims that this bill provides for a customary use of equity process, is wholly without foundation in fact as well as in equity.

Courts of equity punished disobedience to restraining orders and injunctions by fines or imprisonment in proceedings for contempt conducted by chancellors or judges without juries.

It seems appropriate to note at this point changes occurring in the field of equity since the ratification of the Constitution. Since that time many States have extended the right of trial by jury to issues of fact arising in actions of an equitable nature. As this has not been done on the Federal level, actions of an equitable nature are still triable on the merits by judges without juries in district courts of the United States.

Beginning with the Interstate Commerce Commission Act of 1887, Congress has adopted 28 statutes creating new public rights and corresponding new public wrongs. The new public rights are enforcible by injunctive process as rights of the United States in its capacity as a sovereign nation in actions brought by the United States or specified Federal officials or agencies. The new public wrongs are punishable in the manner prescribed by law for other crimes. A painstaking analysis makes it obvious that each of the 28 statutes is clearly distinguishable from the civil-rights bill. In consequence, I refrain from further comment upon them.

The injunctive process is susceptible to abuse. This is particularly true when its use is extended beyond its ancient limits to the field occupied by criminal law.

Some of the objections to the use of the injunctive process in this field are well stated by a legal writer in these words:

> The objections to criminal equity are that it deprives defendant of his jury trial; that it deprives him of the protection of the higher burden of proof required in criminal prosecutions; that after imprisonment and fine for violation of an equity injunction, defendant may be subjected under the criminal law to punishment for the same acts; that it substitutes for the definite penalties fixed by the legislature whatever punishment for contempt a particular judge may see fit to exact; that it is often no more than an attempt to overcome by circumvention the supposed shortcomings of jurors; and that it may result, or induce the public to believe that it results, in the arbitrary exercise of power or in government by injunction. (43 C. J. S., Injunctions, sec. 150.)

Happily, the use of the injunctive process was confined in large measure to its ancient limits during the first century of our national existence.

Unhappily, however, its susceptibility to abuse was clearly revealed at the end of that period, when courts of equity, acting on the allegations of employers that such action was necessary to protect their property rights from irreparable injury, converted the extraordinary writ of injunction to ordinary and wholesale use to defeat the efforts of labor to secure fair wages and reasonable working conditions.

The most shameful story in the judicial annals of America was written during the ensuing years, when courts of equity robbed labor of its right to trial by jury, its right to freedom of the press, and its right to freedom of speech by substituting government by injunction for government by law.

Space and time preclude a review of the numerous episodes in this shameful story. Consequently we must content ourselves with calling attention to only one of them—the one recorded in the case of *Gompers* v. *the United States* (233 U. S. 604).

In that case Samuel Gompers, one of the wisest and most patriotic labor leaders of America of all time, was charged with contempt of court because of his alleged disobedience to an injunction issued by a Federal court of the District of Columbia on the application of Bucks Stove & Range Co., which undertook to defeat by the injunctive process the demands of its striking employees for better working conditions.

A Federal judge sitting without a jury adjudged Gompers guilty of contempt and sentenced him to jail for disobedience of the injunction because he had truthfully stated orally and in print that no law compelled his hearers and readers to buy a stove manufactured by Bucks Stove & Range Co.

Gompers managed to escape actual service of the jail sentence merely because the Supreme Court held on his appeal that the contempt proceedings had not been initiated within 3 years after the violations alleged, and in consequence the trial judge had lost his power to punish Gompers for contempt under the 3-year statute of limitations.

The abuse of the injunctive and contempt processes in industrial controversies prompted Congress to enact in 1914 as a section of the Clayton Act a statutory provision extending the right of trial by jury under certain circumstances to respondents in proceedings to punish violations of injunctions as indirect contempts of court. An indirect contempt is one committed outside the presence of the court.

This statutory provision is now embodied in somewhat altered phraseology in sections 402 and 3691 of title 18 of the United States Code.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point, as a part of my remarks, the two sections of the code referred to.

There being no objection, the code sections were ordered to be printed in the RECORD, as follows:

CONTEMPTS—18 U. S. C. A. 402—CONTEMPTS CONSTITUTING CRIMES

> Any person, corporation or association willfully disobeying any lawful writ, process, order, rule, decree, or command of any district court of the United States or any court of the District of Columbia, by doing any act or thing therein, or thereby forbidden, if the act or thing so done be of such character as to constitute also a criminal offense under any statute of the United States or under the laws of any State in which the act was committed, shall be prosecuted for such contempt as provided in section 3691 of this title and shall be punished by fine or imprisonment, or both.
>
> Such fine shall be paid to the United States or to the complainant or other party injured by the act constituting the contempt, or may where more than one is so damaged, be divided or apportioned among them as the court may direct, but in no case shall the fine to be paid to the United States exceed, in case the accused is a natural person, the sum of $1,000, nor shall such imprisonment exceed the term of 6 months.

This section shall not be construed to relate to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States, but the same, and all other cases of contempt not specifically embraced in this section may be punished in conformity to the prevailing usages at law. (June 25, 1948, ch. 645, No. 1, 62 Stat. 701; May 24, 1949, ch. 139, No. 8 (c), 63 Stat. 90.)

CONTEMPTS—18 U. S. C. A. 3691—JURY TRIAL OF CRIMINAL CONTEMPTS

Whenever a contempt charged shall consist in willful disobedience of any lawful writ, process, order, rule, decree, or command of any district court of the United States by doing or omitting any act or thing in violation thereof, and the act or thing done or omitted also constitutes a criminal offense under any Act of Congress, or under the laws of any State in which it was done or omitted, the accused, upon demand therefor, shall be entitled to trial by a jury, which shall conform as near as may be to the practice, in other criminal cases.

This section shall not apply to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States. (June 25, 1948, ch. 645, No. 1, 62 Stat. 844.)

Mr. ERVIN. Mr. President, under these sections, a respondent, whether a natural person or a corporation, charged with an indirect contempt for violation of an injunction is entitled to a jury trial if the act charged as a violation of the injunction is also a crime under an act of Congress or the laws of the State in which it was committed. It is noted, in passing, that virtually all violations of the civil rights of others constitute crimes under both Federal and State laws.

Sections 402 and 3691 of title 18 of the United States Code confer another substantial right upon a respondent who is a natural person in case he is convicted. While they provide that he may be "punished by fine or imprisonment or both," they set definite limits to his punishment by specifying that he cannot be required to pay a fine to the United States in excess of $1,000 or subjected to imprisonment for a term in excess of 6 months.

Sections 402 and 3691 of title 18 of the United States Code stipulate in express terms that their salutary provisions do not apply "to contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States."

I say and charge here and now, without fear of successful contradiction, that the only reason this bill provides that these proposed actions shall be brought in the name of the United States is so that those involved in civil-rights cases can be robbed of their right to trial by jury and their right to limited punishment under the Clayton Act.

Those who say this is a moderate bill ought to weigh the fact that if the bill shall be enacted, it will substitute for a limited punishment of 6 months' imprisonment a punishment which can last for years and years, and which has no limit whatever except the limitation implied in the nebulous provision of the eighth amendment prohibiting cruel and unusual punishments. The serious nature of this fact is obvious when we realize that nobody really knows what the eighth amendment means on that subject.

I very frequently hear persons who profess to be liberals say they intend to vote for this bill, which will deny the right of trial by jury. I wish to say that I do not care how liberal a person may be in other respects, anybody who will vote for a bill which denies any man the right to trial by jury is as reactionary as King John was before Runnymede, in that particular area of our life.

I wish to note that when the Clayton Act was before Congress and the question was whether a person should have the right of trial by jury when charged with contempt of court in cases where the alleged contemptuous action constituted a crime under either Federal or State law, all the liberals of that day voted for a provision securing the right of trial by jury. Among them were Borah of Idaho, Norris of Nebraska, and Walsh of Montana. They all favored extending the right of trial by jury to all persons charged with indirect contempts arising out of alleged violations of injunctions.

In a magnificent speech pointing out that such right was secured to the people by constitutional or statutory provisions in a number of States, Walsh declared that—

The most perfect judicial systems ever known are those of which the jury forms an essential part.

That—

Trial by jury * * * is the greatest school in self-government ever devised by the ingenuity of man.

That—

Jefferson * * * maintained all his life that cases in chancery should be tried before a jury.

That—

There is not an argument that can be advanced or thought of in opposition to trial by jury in contempt cases that is not equally an argument against the jury as we now know it.

And that—

Instead of being an attack on the court, the proposal to submit to trial by jury alleged contempts not committed in the presence of the court is a plan to restore to the Federal courts the confidence and good will which the people ought to bear toward them, but which, unfortunately, by a liberal and sometimes inconsiderate exercise of the power to issue injunctions and to punish as for contempt, has, among certain classes of citizens, been all but forfeited.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Texas?

Mr. ERVIN. I am glad to yield.

Mr. JOHNSON of Texas. Mr. President, I wonder if the distinguished Senator, who is making a very able speech and who has spent weeks in studying the matter with which the motion concerns itself, will yield to me for the purpose of suggesting the absence of a quorum, so that we can get some of our colleagues to come into the Chamber to hear him make his address.

Mr. ERVIN. Mr. President, I take it to be implied by the question that I can so yield without losing the floor.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator may do so, without losing the floor.

The PRESIDING OFFICER. The Senator from Texas asks unanimous consent that the Senator from North Carolina may yield to him for the purpose of suggesting the absence of a quorum, the Senator from North Carolina to continue to hold the floor, and not to have it counted as a speech against him. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, I was discussing the fact that in 1914 Congress was prompted to enact, as a section of the Clayton Act, a statutory provision extending the right of trial by jury under certain circumstances to respondents in proceedings to punish violations of injunctions as indirect contempts of court. Under that section a respondent, whether a natural person or a corporation, charged with an indirect contempt for violation of an injunction is entitled to a jury trial if the act charged as a violation of the injunction is also a crime under an act of Congress or the laws of the State in which it was committed. I noted, in passing, that virtually all violations of the civil rights of others constitute crimes under both Federal and State laws. Senators Borah, Norris, Walsh, and all the other great liberal Senators of that day supported that provision of the Clayton Act, and took the position that all persons charged with indirect contempt should be accorded the right of trial by jury.

Borah denounced with rare eloquence the provisions now embodied in sections 402 and 3691 of title 18 of the United States Code denying the right of trial by jury and the protection of limited punishment to persons charged with "contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States."

In offering an amendment to strike out this provision, Borah said that—

> The effect of this amendment is to provide for jury trial in contempt cases in actions brought by the Government the same as when actions are brought by private individuals.

That—

> Every argument * * * in favor of the right of trial by jury upon the part of one citizen of the United States is equally applicable to the right of trial by jury upon the part of every other citizen of the United States.

That—

> The right of the citizen to have his guilt or innocence determined by his peers * * * cannot be changed by reason of the fact that a particular party happens to be a plaintiff in one case and another party a plaintiff in another case.

And that the provision denying persons charged with indirect contempts trial by jury in case the injunction alleged to have been violated was issued in a suit brought by the United States "offends every sense of justice and every principle of free institutions and equal rights."

Reed, of Missouri, made these trenchant remarks in support of the Borah amendment:

> I believe that if it is right to submit questions involving the right of life to a jury it is not dangerous to submit to a jury a mere question of contempt. If we can safely repose in a jury the power to try all questions of property, all questions affecting the honor of the citizen, all questions affecting the liberty of the citizen * * * there is nothing unsafe in submitting to the same kind of tribunal, summoned in the same way, the simple question of fact has this corporation or that individual violated the order of the Court * * *. So, Mr. President, I feel that it is safe, that it is proper, to support the amendment offered by the Senator from Idaho. I believe that the dignity and authority of the courts will remain unimpaired. At the same time judges inclined to tyrannical practices or who are influenced by prejudice or passion will find a wholesome check has been placed upon unjust and arbitrary punishment.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. ERVIN. I yield to the Senator from Virginia.

Mr. ROBERTSON. Is it not a fact that the views cited by the distinguished Senator from North Carolina were held by two outstanding constitutional lawyers in the Senate at that time, and were echoed on the House side by the present chairman of the Committee on the Judiciary of the House of Representatives who, in support of trial by jury in the La Guardia amendment, said that he had been shocked by some of the decisions of the Court in injunction cases, and that by every concept of justice and of freedom the accused persons were entitled to trial by jury?

Mr. ERVIN. I answer that question in the affirmative, and say that the chairman of the House Committee on the Judiciary took a very fine and gallant and sensible stand in favor of the fundamental principles of Americanism, and supported the jury trial provision in the Norris-La Guardia Act.

The Borah amendment was rejected by the narrow margin of three votes. The amendment to the Clayton Act did not suffice to end many of the abuses of the injunctive and contempt processes in industrial controversies. This was due in large part to the failure of the amendment to extend the benefits of jury trials and limited punishments to persons charged with indirect contempts based on supposed violations of injunctions issued in actions brought "in the name of, or on behalf of, the United States," and to persons charged with indirect contempts based on supposed violations of injunctions enjoining acts themselves not illegal under Federal or State laws.

I should like to say at this point that historically whenever the Government sought to litigate, the Government was required to make out its case by the same procedure whereby private parties had to make out their cases.

It was not until the Clayton Act was enacted that this wise rule was altered. Under no circumstances should legislative bodies be so foolish as to give loaded legal dice to Government lawyers to enable them to try their lawsuits on a preferential basis. If there is any excuse for any difference in procedure, it should be the other way, because the whole power of the Government is arrayed against little citizens. If there is to be any discrimination on procedural matters, it ought to be in favor of the little citizens rather than in favor of the powerful Government.

Congress undertook to remedy these defects insofar as labor was concerned by the Norris-La Guardia Act, adopted in 1932. One of the salient provisions of this act is now embodied in changed phraseology in section 3692 of title 18 of the United States Code which reads as follows:

> In all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any case involving or growing out of a labor dispute, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed. This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court.

I respectfully submit that if persons involved in labor controversies are entitled to jury trials, when they are charged with indirect contempt of court, every other citizen of the United States is entitled to the same privilege. There should not be one kind of law for a redheaded man and another kind of law for a black-headed man. There should not be one kind of law for one man because of his profession, and another kind of law for another man because he is engaged in a different profession. On the contrary, every American ought to stand equal in respect to procedural matters and be fed out of the same legal spoon under the same circumstances. Any other system of law makes a mockery of justice.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. ROBERTSON. Mr. President, as a former member of the North Carolina State supreme court, the Senator from North Carolina will recall that the Slaughterhouse case arose over the application of a man of foreign birth to operate a slaughterhouse near the city of New Orleans. The decision in that case constituted a landmark, for it analyzed the whole spectrum, so to speak, of civil rights. The laws that were to be enforced by the Federal Government were put on one side, so to speak, and those that belonged in the realm of State enforcement were put on the other side.

The decision in that case, concerning the rights that were reserved to the States, has never been repealed, although they have been obliquely attacked by the Supreme Court in a number of so-called due-process-of-law cases. Of course in due-process-of-law cases, the Court can go as far as it pleases in stating what it means.

What the Senator from Viriginia would like to ask the Senator from North Carolina is this: Is it not a fact that Mr. Justice Miller, who wrote the famous decision in the Slaughterhouse case, after he left the bench, said:

> I am going to give the public some benefit of my observation in the conference room when justices meet to reconcile the conflicting views concerning the law and the evidence.

He said:

> After 9 years on the Court, I have found that there was no difficulty in agreeing as to what the law was. However, the greatest difficulty was on agreeing as to what the facts were. Therefore it is my considered opinion that the average layman is in a better position than the judge, just one man, to decide the facts; hence it is very much better that we keep our English system of trial by jury.

Mr. ERVIN. I agree with the views of Justice Miller. I also state to the distinguished Senator that I have called attention to the statement made the other day before the State bar of Texas by the retiring president of the American Bar Association, David F. Maxwell, of Pennsylvania. He said that the jury is the thin wedge of reserved power which separates our legal system from the monolithic totalitarian system of justice which prevails behind the Iron and Bamboo Curtains.

Mr. President, Senator George W. Norris persuaded the Senate to pass a bill which gave everyone the right of trial by jury in indirect contempt cases. That bill went to the House of Representatives. At that time, the 18th amendment and the Volstead law were in effect, and Senator Norris was compelled to compromise his bill to meet the demands, as he said, of the wet and dry fanatics, and to restrict it to labor controversies. However, Senator Norris took the position throughout the debate on the Norris-La Guardia Act that there should be the right of trial by jury by Congressional enactment in every case of indirect

contempt of court, and he made this statement in connection with it:

I agree, that any man charged with contempt in any court of the United States, • • • in any case, no matter what it is, ought to have a jury trial.

It is no answer to say that there will sometimes be juries which will not convict. That is a charge which can be made against our jury system. Every man who has tried law suits before juries, every man who has ever presided in court and heard jury trials, knows that juries makes mistakes, as all other human beings do, and they sometimes render verdicts which seem almost obnoxious. But it is the best system I know of. I would not have it abolished; and when I see how juries will really do justice when a biased and prejudiced judge is trying to lead them astray I am confirmed in my opinion that after all, our jury system is one which the American people, who believe in liberty and justice, will not dare to surrender. I like to have trial by jury preserved in all kinds of cases where there is a dispute of facts.

That statement was made by Senator Norris in advocating the passage of a bill which would secure the right of trial by jury before a man could be fined or jailed for contempt of court for disobedience of an injunction.

Mr. President, the truth is that no sound reason whatever exists for enacting the provisions of the civil-rights bill into law. This is true because the existing Federal statutes afford ample remedies for the protection or vindication of all civil rights created by the Constitution or laws of the United States by means of criminal prosecutions by the United States, private actions at law for damages by the party aggrieved, and private suits in equity for injunctive relief by the party aggrieved.

To be sure, the defendants in the criminal prosecutions are accorded the right of indictment by grand jury, the right of trial by petit jury, the right to confront and cross-examine adverse witnesses, and the right not to be twice put in jeopardy for the same offense, guaranteed to them by article III and the fifth and sixth amendments; the defendants in the private cases at law for damages are accorded the right of trial by jury, guaranteed them by the seventh amendment; and the defendants in the private suits in equity for injunctive relief are accorded the benefits of jury trials and limited punishments, secured to them by sections 402 and 3691 of title 18 of the United States Code in the event they are charged with contemptuous acts which are also crimes under the Federal or State law.

Surely, no one who loves the American constitutional and legal systems ought to object to these things.

Our friends who support the civil-rights bill erect for themselves a straw man, so that they can knock him down. They say that southerners ought to be reduced to a constitutional and legal status inferior to that of murderers, rapists, robbers, thieves, smugglers, counterfeiters, dope peddlers, and parties to the Communist conspiracy, because they fear that some of our juries might acquit someone who is charged with a violation of civil rights.

In my State there are three Federal districts. Prosecutions for violations of civil rights are brought in the Federal district courts. There are 100 counties in my State of North Carolina. On an average, the Federal districts in my State comprise 30 to 34 counties.

Jurors for the Federal courts are selected, as a practical matter, from jury boxes prepared by the clerks of the Federal courts, which contain the names of the outstanding citizens of the counties in each division in the district. A man charged with a violation of a civil-rights statute would be tried in a Federal court, and the chances are that the trial would be held anywhere from 50 to 75 or 100 miles from his home. He would be tried by jurors who come from areas other than his home. He would be tried in a case presided over by a judge who had a right, under the law, to express his opinion on the facts.

I have spent a large part of my life trying jury cases in my State of North Carolina. For 7 years I had the privilege of acting as trial judge in courts of general jurisdiction. As such, I tried cases in about 50 of the 100 counties of my State, from the mountains to the sea. I have an abiding conviction that North Carolina juries are just as honest and just as honorable as are the juries in any other State of the Union. There is no basis for saying that North Carolina juries will not render verdicts based on the evidence given when they sit in the Federal courts. I say that this contention on the part of the supporters of the civil-rights bill is a straw man which has been erected to be knocked down.

Many insupportable charges are made against the South. Let me illustrate. I conducted most of the hearings before the Subcommittee on Constitutional Rights on the companion Senate civil-rights bill, and I shall tell the Senate what happened. The hearings were stopped as of a certain date, and witnesses were allowed to place material in the record up until a certain time thereafter. The representatives of an organization which professes to be working to uplift mankind—I have forgotten its name—appeared on the last day, when the committee had no opportunity to cross-examine them, and placed in the record a complaint brought by a colored man in North Carolina, who alleged that he had been wrongfully denied his right to vote. The representatives of the organization neglected to insert in the record the answer denying the allegations. Also, they omitted, by inadvertence, of course, the verdict of the jury finding that the plaintiff did not have a cause of action. That jury, incidentally, was composed of 9 white persons and 3 Negroes; and under the law of North Carolina, the jury could not have returned a verdict without the unanimous agreement of the 12 jurors. Also, the representatives of the organization omitted the judgment of the court, adjudging that the plaintiff had no meritorious cause of action.

Mr. President, that illustrates some of the propaganda used to back up the civil-rights bill.

I had read, before the Senate convened for this session, about a man named Gus T. Courts, of Belzoni, Miss., who, it was alleged, had been shot through the window of his store. It was asserted in press dispatches throughout the United States that he was compelled to flee Mississippi for his life, and to leave behind him a $15,000-a-year grocery business.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. EASTLAND. Does the distinguished Senator from North Carolina know that the person who said he was shot at through the window of the store and was forced to leave Mississippi is the person about whom the most prominent Negro newspaper editor in Mississippi stated in a front-page editorial that he called on the person in the hospital after he alleged he had been shot, and that person was lying in bed laughing and saying, "I'm going to get rich out of this"?

Mr. ERVIN. Yes; the statement of that very highly reputable Negro newspaper editor was inserted in the RECORD. The statement also said that if those who were backing the civil-rights bill wanted to bring witnesses before the committee, they ought to bring witnesses who would tell the truth. Courts, who alleged he had been shot, came before the committee and testified. I present this illustration to show the kind of propaganda which was circulated in the press throughout the Nation. When he testified before the committee, Courts presented a prepared statement in which he said that he had been compelled to flee Mississippi for his life and to leave behind him a $15,000 a year grocery business. He further stated that many Negroes had been murdered and that their bodies had been thrown into the rivers of Mississippi, simply because they wanted to vote.

I cross-examined him. I asked him how many dependents he had. I knew that a man who had a $15,000 a year grocery business ought to pay a considerable amount of income tax to the Federal Government. He said he had a wife and two children, as I recall.

I asked him, "How much Federal income tax did you pay in 1955?" That was the year when he ceased doing business.

He said, "I did not pay any then, because my business was going down."

I asked him, "When did you go into the grocery business?"

He replied, "In 1947."

Then I asked him, "How much Federal income tax did you pay in 1947?"

He replied, "Oh, I didn't pay any in that year; my business was just getting started."

Then I asked, "To make a long question short, how much Federal income tax did you ever pay while you were in the grocery business at Belzoni, Miss.?"

He said, "I never paid any Federal income tax, but I paid the State income tax."

I did not have available at that time the figures needed in order to cross-examine the man.

So then I asked him about the many Negroes he said in his statement had been murdered, and their bodies thrown into the rivers of Mississippi, merely because they wanted to vote. The only one he could name was the Till boy, who, as the witness admitted, was a 'teen-age boy who had been visiting there from Chicago, and was not seeking the right to vote in Mississippi. The witness could not name anyone else. But he said he saw the body of a Negro man, a schoolteacher, who had been murdered, and his body thrown into a lake near Indianola, Miss. Then he said he knew of a woman, but he did not know her name, who had been murdered, and her body thrown into another lake, near Glendora, Miss., because she wanted to vote.

I did not know anything about the facts in those cases; so I contacted the administrative assistant of one of the Senators from Mississippi, and asked him to call Mississippi by long-distance telephone and obtain information for me about those matters. He did so, and in that way I obtained the facts about those matters. I obtained them just as the committee was adjourning that afternoon. I asked the witness whether he could return the next day, to testify further. The witness said, "Yes." I asked the representative of the organization which had the witness there to testify whether the witness could come back without inconvenience, the next day. The representative said, "Yes," and asked me why I wanted the witness to come back. I said, "I have information from Mississippi." The witness had claimed he had an auditor who prepared his tax returns. I said, "I want to find out the name of that auditor, and I want to inquire of the witness about the persons he says were murdered and thrown into rivers in Mississippi."

We adjourned with the assurance that Courts would be back the next morning. But that night, under the cover of darkness, he fled Washington, and he has not returned since.

Subsequent evidence showed that Courts had never paid any income tax to Mississippi. He made only 2 returns; and in 1 of them he listed his net income as approximately $299 and some cents; and in the other, he listed it as approximately three hundred and some dollars. Yet he had been advertised all over the country as a man who had to flee Mississippi, leaving behind a $15,000-a-year grocery business.

As regards the two people he said had been murdered, and their bodies thrown into rivers in Mississippi, these are the facts: The colored man, who was a schoolteacher, drove to the edge of a lake in his wife's automobile, and wrote a suicide note. In it he said, in substance, that he was going to commit suicide, and that they would find his body in the lake. He entered the lake, leaving the suicide note in his wife's automobile which was parked beside the lake. The suicide note was later identified by his wife as being in his handwriting. His body was found in the lake. An autopsy was performed on the body by a competent surgeon and physician, who said there were no marks of external injury of any kind on the man, and that he had come to his death by drowning. A coroner's jury was impaneled; and the coroner's jury returned a verdict stating that the man had committed suicide by drowning. Yet the testimony to which I have referred was given by the witness in an obvious effort to blacken the good name of the State of Mississippi.

Mr. EASTLAND. Mr. President, at this point will the Senator from North Carolina yield to me?

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Mississippi?

Mr. ERVIN. I yield.

Mr. EASTLAND. Does the Senator from North Carolina know whether the wife of the suicide stated that her husband committed suicide because of bad health?

Mr. ERVIN. That is what the suicide note stated as the cause for the suicide.

Mr. EASTLAND. Yes.

Mr. ERVIN. In the case of the woman whom this man testified was murdered, and her body thrown into a lake in Mississippi, because she wanted to vote, the facts are these: She was driving beside the lake, with two small children in the automobile. She lost control of the automobile, and it ran into the lake. Some fishermen who happened to be nearby rescued the two children; but before they could extricate her from the automobile, when it was in the water, she was drowned. But the testimony of this witness illustrates some of the charges which are peddled about the country in an effort to damn the reputation and character of the people of the South.

Mr. ROBERTSON. Mr. President, will the Senator from North Carolina yield to me?

Mr. ERVIN. I yield.

Mr. ROBERTSON. I read all the debate on the House side, regarding the bill. I assume that my distinguished colleague, the Senator from North Carolina, did the same, because we were vitally interested in knowing what points were being developed and what arguments were being used. Is it not a fact that throughout that debate, on at least two occasions, and perhaps more often, a speaker said, "If there be any Member of this House who has personal knowledge of anyone having been denied the right to vote, I will yield to him, to have him tell us about it," but no one could cite a single instance. Did not that happen during the debate on the House side?

Mr. ERVIN. I have not read all of the debate which occurred there, and for that reason cannot answer the question.

Mr. ROBERTSON. I read the entire debate; and I was struck by the fact that three times, or perhaps more, the Member speaking called on the other Members, to inquire whether any of them knew of a single case. No one could testify of his own personal knowledge of a single instance.

Mr. LONG. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. Mr. President, I prefer to complete my statement before yielding further. After I have completed it, I shall be glad to yield to the distinguished Senator from Louisiana.

Mr. President, the civil-rights bill is deliberately designed to confer upon the Attorney General of the United States the autocratic power to rob State and local officials and other Americans involved in civil-rights disputes of these basic and invaluable safeguards created by the Founding Fathers and Congress to protect all Americans from bureaucratic and judicial tyranny, namely: The constitutional right of indictment by grand jury; the constitutional right of trial by petit jury; the constitutional right not to be twice put in jeopardy for the same offense; the statutory right of trial by jury in indirect contempt cases; and the statutory right to the benefit of limited punishment in indirect contempt cases.

Let me elaborate on these propositions.

The coverage of parts III and IV of the civil-rights bill extends to the civil rights defined either expressly or impliedly by sections 1971 and 1985 of title 42 of the United States Code. While section 1971 relates solely to the right to vote, section 1985 is concerned in general terms with all rights arising under "the privileges or immunities" and "the equal protection of the laws" clauses of the 14th amendment, and in specific terms with definite rights arising under "the due process of law" clause of the 14th amendment and other articles of the Constitution. These things being true, the bill covers in substantial measure the entire spectrum of civil rights.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, section 1985 of title 42 of the United States Code, so the Members of the Senate may be apprised of the tremendous breadth of the civil-rights bill.

There being no objection, the excerpt from the code was ordered to be printed in the RECORD, as follows:

CIVIL ACTION FOR DAMAGES—42 U. S. C. A. 1985—CONSPIRING TO INTERFERE WITH CIVIL RIGHTS

1. Preventing officer from performing duties: (1) If two or more persons in any State or Territory conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, district, or place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties.

2. Obstructing justice; intimidating party, witness, or juror: (2) If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully

assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;

3. Depriving persons of rights or privileges: (3) If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat any citizen who is lawfully entitled to vote from giving his support or advocacy in a legal manner toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States, or to injure any citizen in person or property on account of such support or advocacy, in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages, occasioned by such injury or deprivation, against any one or more of the conspirators.

Mr. ERVIN. Deprivations or violations of the civil rights defined either expressly or impliedly by sections 1971 and 1985 of title 42 of the United States Code are punishable as crimes under other Federal statutes in criminal prosecutions instituted by the Federal Government. This is true because some of the deprivations or violations constitute felonies under sections 241, 372, and 1503 of title 18, and the other deprivations or violations constitute misdemeanors under sections 242, 243, and 594 of title 18.

Parts III and IV of the civil-rights bill specify, in essence, that whenever any persons have engaged or are about to engage in the deprivation or violation of any civil right expressly or impliedly defined by section 1971 or section 1985 of title 42 of the United States Code—

The Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for redress, or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order.

When this legal verbiage is recast in simple words, it means this: The civil-rights bill proposes to confer upon the Attorney General the absolute power, at his uncontrolled discretion, to bring civil actions or proceedings of an equitable nature, in which juries are not available, to enforce or vindicate by injunctive and contempt processes the civil rights expressly or impliedly defined by sections 1971 and 1985 of title 42 of the United States Code.

The objective of the civil rights bill is to vest in the Attorney General the autocratic power, at his absolute discretion, to bypass, circumvent, and evade the constitutional rights of indictment by grand jury and trial by petit jury of State and local officials and other Americans in civil rights disputes arising under sections 1971 and 1985 of title 42 of the United States Code.

This objective is revealed with complete clarity by the statement made by Attorney General Brownell before the Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary on February 14, 1957, as well as by an analysis of the civil rights bill in the light of relevant constitutional and statutory provisions.

Defendants in civil rights cases will likewise often be deprived of their constitutional right to confront and cross-examine adverse witnesses if the civil rights bill is enacted by Congress. This is an inevitable consequence of the practice which prevails in actions for injunctive relief. Restraining orders and temporary injunctions are ordinarily issued by courts upon the most unsatisfactory evidence known to man, that is to say, ex parte affidavits or pleadings drafted by partisan lawyers and attested by partisan witnesses not subject to confrontation and cross-examination by the adverse party. When a restraining order or temporary injunction is issued upon ex parte affidavits or pleadings, and the main object of the action becomes a fact accomplished during the pendency of the action as a result of the coercive influence of the restraining order or temporary injunction, as is frequently the case, the court will thereafter refuse to try the action on its merits on the ground that the matter originally at issue has become moot, thereby rendering it impossible for the defendant to confront and cross-examine the adverse witnesses.

The provision that civil actions or proceedings are to be brought "for the United States, or in the name of the United States" is inserted in the civil rights bill for the deliberate purpose of depriving State and local officials and other Americans charged with indirect contempts for supposed violations of injunctions issued in civil rights cases, arising under sections 1971 and 1985 of title 42 of the United States Code, of the benefits of jury trials and limited punishments to which they would otherwise be entitled under sections 402 and 3691 of title 18 of the United States Code.

This purpose is revealed with complete clarity by the speech which Assistant Attorney General Olney made before the ninth annual conference of the national civil liberties clearing house on April 5, 1957, as well as by an analysis of the civil rights bill in the light of relevant judicial decisions and statutes.

I might add, incidentally, that in the course of his speech Mr. Olney made the most astounding statement I have known any American lawyer to make. He stated, in substance, that the object of the bill was to make it possible for a judge to keep a jury from acquitting a registrar. If the time ever comes when a judge can keep a jury from acquitting a person in court on any charge, at that precise moment liberty in America will be dead as a doornail.

If this purpose of depriving American citizens of the right of trial by jury should be consummated by the enactment of the civil-rights bill in its present form, State and local officials and other Americans charged with indirect contempts for supposed violations of injunctions in civil rights cases would be triable by judges without juries. Furthermore, they would be subject in such event to punishment, under section 401 of title 18 of the United States Code, by fines or imprisonments having no maximum limits whatsoever save those vague limits implied by the nebulous declarations of the eighth amendment that excessive fines shall not be imposed, nor cruel and unusual punishments inflicted.

A study of the Federal decisions, such as *Brown* v. *Lederer*, reported in 140 Federal (2d), *United States* v. *Green*, 140 Federal Supplement 117, and other Federal decisions, shows that the Federal courts have upheld the power of judges to sentence respondents to jail on trials without juries under section 401 of title 18 of the United States Code, for as much as 4 years.

So we would have a very astounding situation if the civil-rights bill should be enacted. If a man were tried and convicted criminally for a civil-rights violation constituting a misdemeanor, he could be sentenced to jail for only a year. Yet, under this bill, if it passes, instead of having the limited punishment prescribed by Congress of not more than 1 year, he could be sent to jail for the same offense as a contempt for any number of years, unless his sentence conflicted with vague and nebulous provisions of the eighth amendment. Not only would he be deprived of the protection even on the equity side, of the limited 6 months' punishment; he could be sentenced to jail for years and years and fined unlimited amounts of money on a trial by a judge without a jury, even though he denied his guilt.

In one of the cases I have mentioned, a man was tried for a violation of the Smith Act, was found guilty by a jury, and senteneed to 5 years' imprisonment on conviction. He appealed, the judgment was affirmed on appeal, and he was ordered to surrender at a certain time to begin his sentence. He failed to surrender, and was later convicted by a judge, on a trial without a jury, of contempt of court for so doing, and given 3 additional years for contempt of court.

As one contemplates the efforts of the proponents of the civil-rights bill to rob Americans involved in civil-rights disputes of such basic constitutional and legal safeguards as the right of trial by jury by a procedural device virtually identical with that employed by the British Parliament, at the urging of King George and his ministers, to rob American colonists of their right of trial by jury, he recalls observations made in the opinion in *Ex Parte Milligan* (4 Wall. 1, 120), where the Supreme Court vacated a sentence of death pronounced upon a civilian by a military commission in violation of the basic safeguards guaranteed by the Constitution.

After stating that the founders of our Government inserted the constitutional guaranties of indictment by grand jury, trial by jury and confrontation of adverse witnesses in the Constitution because wisdom and experience had demonstrated them to be necessary to protect those accused of crime from tyrannical rulers and "the clamor of an excited people," the Supreme Court said:

Time has proved the discernment of our ancestors; for even these provisions, expressed in such plain English words, that it would seem the ingenuity of man could not evade them, are now, after the lapse of more than 70 years, sought to be avoided. Those great and good men foresaw that troublous times would arise, when rulers and people would become restive under restraint, and seek by sharp and decisive measures to accomplish ends deemed just and proper; and that the principles of constitutional liberty would be in peril, unless established by irrepealable law. The history of the world had taught them that what was done in the past might be attempted in the future.

And, now, after the lapse of more than 90 additional years, history repeats itself. The proponents of the civil-rights bill attempt again "what was done in the past." They seek to avoid and evade in respect to State and local officials and other Americans involved in civil-rights disputes basic constitutional and legal safeguards "expressed in plain English words" for the security of all Americans.

The proponents of the civil rights bill justify their advocacy of its astounding provisions by laying to their souls the Machiavellian unction that the end they have in view excuses the evil they propose. They solicit the support of others for their proposal by these arguments: That the Federal Government is compelled by existing laws to depend solely on criminal prosecutions in cases involving alleged deprivations or violations of civil rights; that criminal prosecutions are cumbersome, slow, and often unduly harsh, that jurors are reluctant to indict and convict dependents in criminal prosecutions for alleged deprivations or violations of civil rights; that the civil-rights bill is merely designed to lodge in the Federal Government an additional power to bring civil actions of an equitable nature in which the comparatively mild injunctive process is to be employed to redress or prevent deprivations or violations of civil rights; and that the proposed injunctive process is superior to criminal laws because it would afford the Federal Government means of preventing the commission of crimes in the civil-rights field.

The argument that criminal prosecutions are often unduly harsh on defendants in civil-rights cases and that such defendants would be benefited by subjecting them to the comparatively mild injunctive process instead of criminal prosecution is rather intriguing because of its source. This argument is advanced by Government attorneys who confess their fear that they might lose some of the civil-rights cases they wish to win if they are required to convince jurors of the truth of their allegations by the oral testimony of cross-examined witnesses according to the practice prescribed by the Constitution of the United States.

Mr. ROBERTSON. Mr. President, will the Senator yield? I do not wish to interrupt the Senator, if he desires to complete his statement, but I have a thought to express in line with his comments.

Mr. ERVIN. I prefer to complete my statement, if the Senator does not mind.

Mr. President, Congress would do well to beware of Government attorneys when they profess to bear gifts to those they are obligated to prosecute.

The arguments that criminal prosecutions are cumbersome and slow, and that jurors are reluctant to indict and convict are identical with those given for the establishment of the Court of Star Chamber, the enactment of the acts of Parliament depriving American colonists of the right of trial by jury, and the congressional opposition of former days to the jury trial provisions of the Clayton and Norris-La Guardia Acts. Moreover, these arguments are likewise identical with the arguments of those who justify mob law upon the ground that the administration of criminal justice in the courts is slow and expensive and sometimes unsatisfactory in its results.

Happily for liberty and justice in America, the founders of our Government hated judicial tyranny more than they loved judicial haste, and for that reason spurned the argument that criminal prosecutions are cumbersome and slow.

Believing, as they did, that all persons ought to be weighed in the same legal balance, they likewise rejected the argument that Justice ought to descend from her pinnacle in particular cases for fear that jurors might acquit some persons who, in the opinion of Government lawyers, ought to be convicted and subjected to punishment.

The argument that the civil-rights bill is a comparatively mild bill is destitute of validity. Those who advance it are like Job. They multiply words without knowledge.

Let us weigh the argument of mildness in the light of what the civil-rights bill would empower the Attorney General and a one-man Federal court to do to defendants in civil rights cases. And let us, when so doing, remember that the overwhelming majority of these defendants will be State and local officials, who render essential governmental services at State and local levels for little or no compensation out of a sense of public duty, and who will be haled into court, in the final analysis, simply because their ideas as to how their public duties should be performed differ from those entertained by the Attorney General or his underlings.

Under the civil-rights bill, the defendants in all civil actions or proceedings instituted by the Attorney General for the avowed purpose of protecting or vindicating any supposed civil rights defined either expressly or impliedly by sections 1971 and 1985 of title 42 of the United States Code are to be automatically deprived by circumvention of these substantial and invaluable rights: First, their rights under the Constitution to indictment by grand jury and trial by petit jury on the charges made in the civil actions or proceedings; second, their right under the Clayton Act to trial by jury on indirect contempt charges in subsequent contempt proceedings arising out of alleged violations of restraining orders, temporary injunctions, or permanent injunctions issued in the civil actions or proceedings; and third, their rights under the Clayton Act and sections 241, 242, 243, 372, 594, and 1503 of title 18 of the United States Code to the benefit of the limited punishments prescribed by Congress for the acts and practices allegedly committed by them.

After the Attorney General robs the defendants of these constitutional and legal safeguards by the devious device of using civil actions or proceedings under the civil-rights bill instead of criminal prosecutions, the one-man Federal court, which convicts them of contempts on trials without juries, may punish them for the contempts by fines or prison sentences having no fixed or known limits whatever.

The legal woes of the defendants do not necessarily end when they have suffered all these things at the hands of the Attorney General and the one-man Federal court. Since the civil-rights bill does not remove their liability to criminal prosecution, they may still be subjected to punishment under the criminal law for the same acts. They could not plead double jeopardy in such event, because they would be punished in the contempt proceedings for disobeying injunctions not to violate the criminal law and in the criminal prosecutions for committing crimes.

This brings us to the argument that the injunctive process proposed by the civil-rights bill is superior to criminal laws because it would afford the Federal Government means of preventing the commission of crimes in the civil-rights field.

This argument is pressed with vigor by those who would deprive defendants in civil-rights cases of such basic rights and benefits as the right of trial by jury and the benefit of limited punishment.

The argument that it would give the Federal Government the power to prevent the commission of crime is lacking in intellectual strength. It rests solely upon the fallacy that courts of equity can prevent crimes in some manner other than by fear of the penalties attending the violations of injunctions.

The prohibition of the equity court adds nothing of a deterrent nature to the prohibition of the criminal laws. This is so because criminal laws and courts of equity have no preventive powers whatever except the fear of punishment. When all is said, criminal laws and injunctions undertake to prevent forbidden acts in exactly the same way, that is, by threatening to punish their commission by fine or imprisonment. There is no sound reason for believing that laymen, unversed in the niceties of contempt and criminal processes, would fear the sentence of a court of equity more than the sentence of a court of law.

The only use of the term "equity" in the Constitution is in the stipulation of article III, section 2, that the "judicial power shall extend to all cases, in law

or equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made under their authority."

While the founders of our Government were at pains to have the Constitution specify that criminal prosecutions and suits at common law are to be tried by jury, they did not insert in that instrument any express limitation upon courts of equity. Adequate reason existed for this omission.

At the time of the adoption of the Constitution, writs of injunction and other equitable remedies were used for the protection of property rights only. As was made clear by the commentary of Alexander Hamilton on the extent of the authority of the Federal judiciary, which has been preserved in the Federalist as Essay No. 80, and which I have caused to be inserted in the RECORD, the founders of our Government contemplated that the equitable jurisdiction of the Federal courts would be exercised within similar limits.

When they placed in article III, section 2, the emphatic and unambiguous declaration that "the trial of all crimes shall be by jury," the founders of our Government intended these plain English words to mean exactly what they said. They believed that this constitutional declaration possessed sufficient vigor to thwart the efforts of those who would convert courts of equity into courts of star chamber and rob Americans of their right of trial by jury by the devious device of extending the powers of equity beyond their ancient limits.

History makes this manifest: If they had dreamed that Americans could be constitutionally robbed of their right of trial by jury by perverting injunctions and contempt proceedings from their historical uses to the field of criminal law, the people of the United States would have rejected the Constitution out of hand. If one is tempted to question the validity of this assertion, let him read Judge Story's affirmation that the omission from the original Constitution of the guaranty of jury trial in suits at common law later embodied in the seventh amendment raised an objection to the Constitution which "was pressed with an urgency and zeal well nigh preventing its ratification."

I submit that the constitutional declaration "the trial of all crimes shall be by jury" does possess the vigor attributed to it by the founders of our Government, and that in consequence it necessarily invalidates by implication any proposal to rob Americans of their right of trial by jury by extending the injunction and contempt processes of equity to the criminal field. If this is not true, this solemn constitutional declaration is but an empty pledge expressed in idle and ironic words.

If power can be conferred upon Federal courts to suppress crime in the civil-rights field by injunctions and contempt proceedings in trials without juries, there is no sound reason why power cannot also be conferred upon such courts to suppress in like manner any and all crimes in the whole catalog of crimes.

In concluding this phase of my remarks, I quote from an article by Judge Henry Clay Caldwell, which appeared in the American Federationist for May 1910:

> These mandatory provisions of the Constitution are not obsolete, and are not to be evaded or nullified by mustering against them a little horde of equity maxims and obsolete precedents which had their origin in a monarchical government having no written constitution. No reasoning and no precedents can avail to deprive the citizen accused of crime of his right to a jury trial guaranteed to him by the provisions of the Constitution, "except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war, or of public danger." These exceptions serve to emphasize the right and to demonstrate that it is absolute and unqualified both in criminal and civil suits, save in the excepted cases. These constitutional guaranties are not to be swept aside by an equitable invention which turns crime into a contempt and confers on a judge the power to frame an extended criminal code of his own, making innocent acts crimes punishable by fine or imprisonment without limit, at his discretion (American Federationist, May 1910).

If the civil-rights bill should be enacted by Congress, and survive the test of constitutionality, it would commit the Federal Government for the first time in our history to the task of enforcing by injunctive process at the expense of the taxpayers the personal and political rights of private individuals. This would be a most dangerous thing, because it would establish government by injunction in the civil-rights field and eventually result in the extension of Government by injunction at public expense to every field involving pressure groups having substantial political strength.

The injunction ought to be restricted to the legal field in which it was designed to operate. It has no rightful place in the field of criminal law, especially when it is perverted to use as a subterfuge to rob Americans of their constitutional right to trial by jury.

If the constitutional and legal systems America has known and loved are to endure, we must compel the Government to remain in its proper field for the enforcement of law against individuals, that is, the criminal field.

Furthermore, if the constitutional and legal systems America has known and loved are to endure, the Senate must reject this monstrous proposal, called a civil-rights bill, which is designed solely and simply to sell constitutional truth to serve the political hour.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. STENNIS. I know that the entire membership of the Senate is indebted to the Senator from North Carolina for a very diligent study of the subject matter of this bill, and a masterly analysis from the standpoint of the fine legal mind, as well as the statesmanlike view of the Senator upon the entire subject matter. I am sorry there are not more Senators present to hear him. I am sure that on many fundamental points there will not be any who will be able to challenge him or to answer some of the fundamentals he has laid down.

I should like to call special attention to one phase of the subject which was touched on only lightly. I ask this question in view of the Senator's very careful study, extending over a 6-month period. Much has been said to the effect that the bill is merely to secure voting rights. I know the Senator has covered that point in his discussion of other subjects, but I should like to have him comment on the phrase that is so often heard and so many times repeated, that the bill is merely a measure to secure voting rights. Can the Senator from North Carolina give us an appraisal of that characterization?

Mr. ERVIN. I am glad to have the opportunity to do so. That statement has been iterated and reiterated. During the course of my speech I said I was going to state one proposition bluntly and plainly, so that he who runs may read and not err in so doing.

I have said there is not a scintilla of truth in the oft-repeated statement that this bill is simply designed to secure voting rights for Negroes in Southern States.

Under the bill, particularly under part 3, which gives the Attorney General the power to bring suit in the name of the United States at the expense of the taxpayers in all of the numerous cases that are to be covered by subsections 1, 2, and 3, of section 1985, of title 42, the Attorney General of the United States could bring suits virtually unlimited in number and nature.

Under one clause of subsection 3, the clause relating to the equal protection of the laws, the Attorney General could bring suit in the name of the United States and at the expense of the American taxpayers, in behalf of any citizen of any race, any alien of any race, and any private corporation, within the territorial jurisdiction of any of the 48 States, upon an allegation that such alien or citizen or private corporation had been discriminated against either by the wording of any State law or by the application to him or it by State officials or local officials of any State law or municipal ordinance.

Therefore, as a matter of fact, under that one clause, out of many clauses in section 1985 of title 42 of the United States Code, the Attorney General could bring suit, at the expense of the taxpayers and in the name of the United States, in every field in which the State or any of its political subdivisions is authorized by our system of government either to act or to legislate.

I cannot conceive of a broader power being given to one public official.

As I said, the Attorney General is given complete authority over this proposed law. He may withhold the benefit of this procedure from some persons and can accord it to other persons. He can use it against some, and refuse to use it against others. No other person in the United States—and I will go further and say in the whole universe—will have anything whatever to do with putting the proposed law into use except the Attorney General of the United States. I have never yet seen a human being who ought to be trusted with power so broad.

Mr. STENNIS. If the Senator will yield further, I should like to ask him one other question. I refer now to the recent Girard will case. I have in mind the carrying over of that power into the field of private property. Stephen Girard's will provided for the use of the services of public officials as trustees. Would it not be possible to extend the power the Senator mentioned to a case of that kind, which is primarily one dealing with private property?

Mr. ERVIN. There can be no question about it. I will say to the Senator from Mississippi that under this bill any person who claimed he had been discriminated against by the administration of the Girard trust by the public officials in charge of the administration of that private trust could ask the Attorney General to bring a suit at the expense of the taxpayers of the United States and in the name of the United States for his benefit. Of course, it would be up to the Attorney General then to say whether he would grant the request of that person.

Mr. STENNIS. I thank the Senator. I shall be brief in my further questioning of him. I should like to invite his attention to page 10, line 4, of the bill, which expressly confers jurisdiction on the district courts of the United States. It states:

> Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

As an experienced lawyer and judge, would the Senator from North Carolina comment expressly on the sweeping provisions in that provision of the bill?

Mr. ERVIN. That has reference primarily to statutes passed by States. As the distinguished Senator from Mississippi knows, there are Federal and State statutes prescribing remedies in virtually every case in which either the Federal Government or the State government has created a public board or commission to administer certain laws, or to regulate business clothed with the public interest. These administrative statutes are administered by men who are experienced in the fields covered by the laws. The statutes afford them an opportunity to correct any errors made by them, and result in the avoidance of a tremendous amount of unnecessary litigation.

Both in courts of law and courts of equity there is a fundamental rule that a person cannot seek judicial relief until he has utilized and exhausted the administrative remedies available to him.

This wise rule would be retained in every field except the civil rights field. Under the civil-rights bill, the Attorney General would have the uncontrolled discretion to strike down any State law prescribing an administrative remedy. The provision mentioned by the Senator from Mississippi would produce a peculiar situation. If the Attorney General should bring one of these suits under the bill, he would automatically nullify every State law prescribing an administrative remedy applicable in that particular case. But, on the contrary, if he were to refuse to bring a suit for a particular individual under the bill, the law prescribing the administrative remedy would remain in full force and effect, and that individual would have to comply with it before applying to the court for relief.

Our friends who support the bill say that it is ideally adapted to secure to everyone equal protection of the laws. However, equal protection of the laws in a procedural sense requires that all persons shall have the right to resort to court for redress without discrimination under the same rules. The bill would prevent that being the case.

Mr. STENNIS. Mr. President, will the Senator yield for one more question?

Mr. ERVIN. I yield.

Mr. STENNIS. I shall make this question very brief. I seldom ask a Senator to yield for more than one question. The Senator discussed the punishment for contempt, and said there would be no limitation on the punishment, and he discussed who would be the judge of the question whether the sentence had been completed or whether the person had purged himself. Will the Senator comment on that point?

Mr. ERVIN. As I construe the provisions of the Clayton Act, which are embodied in sections 402 and 3691 of title 18 of the United States Code, a person charged with indirect contempt in a civil-rights case is entitled to a jury trial. In such a case he also gets the benefit of the limited punishment of not over 6 months' imprisonment and a fine of not more than a thousand dollars to the Federal Government. Under the bill, he is deprived of both of those benefits, and he is subject, if he is tried by a judge, without benefit of a jury, to an unlimited prison sentence and an unlimited fine, save and except that he may not be subjected to excessive punishment under the 8th Amendment to the Constitution.

Mr. STENNIS. Who is the judge as to what the sentence should be?

Mr. ERVIN. It would ordinarily be the judge whose order is allegedly disobeyed.

Mr. STENNIS. I thank the Senator from North Carolina.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. O'MAHONEY. I do not want to deprive the Senator of the floor; I simply desire to make clear in the RECORD tonight that when the opportunity comes, I have an amendment which I desire to propose.

Mr. MANSFIELD. Mr. President, will the Senator from North Carolina yield for the purpose of my suggesting the absence of a quorum?

Mr. ERVIN. I yield.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

Mr. MORSE. Mr. President, will the Senator from Montana withhold his suggestion of the absence of a quorum to permit me to ask the Senator from North Carolina a question?

Mr. MANSFIELD. I prefer to have the quorum call now, and then to ask that it be rescinded later.

Mr. ERVIN. Mr. President, I ask unanimous consent that I may be permitted to yield to the Senator from Oregon without losing the floor.

Mr. MANSFIELD. Mr. President, I withhold my suggestion of the absence of a quorum.

Mr. ERVIN. After the Senator from Oregon has concluded, I shall yield to the distinguished acting majority leader for the purpose of suggesting the absence of a quorum.

Mr. MORSE. I shall study with great care the legal premises and thesis which the Senator from North Carolina has set forth in his speech this afternoon, but I wish to ask him a question based upon an assumption.

Let us assume that careful study proves that the Senator from North Carolina is completely correct in his argument that the bill gives unchecked discretionary power to the Attorney General. The Senator referred to the contention of some of our colleagues that they are insisting upon the bill in order to give equal protection of the laws to all citizens, irrespective of race, color, or creed.

Does the Senator from North Carolina agree with me that if his assumption is correct, and such arbitrary discretion is vested in the Attorney General, under the bill, then the bill is, in fact, a guaranty that there will not be equal protection of the law under the bill; because when unchecked discretionary power is given to any administrative officer, citizens are denied equal protection under the law, and their rights are determined entirely by the pleasure, the whim, and the caprice of the administrative officer who is given the unchecked power?

Mr. ERVIN. I agree absolutely with the distinguished Senator from Oregon. I say, in that connection, from my own convictions as a lawyer and a legislator, that courts are created to administer equal and exact justice according to certain and uniform laws which apply alike to all men in like circumstances. When law is applied by a public officer on a discretionary basis, the whim and caprice of the officer are the law.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. LAUSCHE. Do I understand correctly the statement of the Senator from North Carolna, that, in his opinion, the framers of the Constitution, when they attempted to outline the operation of the courts, considered the jurisdiction existing in the courts of law and the courts of equity in England; and based upon their knowledge of what the jurisdiction was then in equity, in civil actions in law, and in criminal actions in law, they concluded that there should always be trial by jury when the amount of money involved was $20 or more, and when imprisonment was the consequence of a finding of guilty?

Mr. ERVIN. I think there can be no question about that. In other words, Alexander Hamilton, who argued for the

ratification of the Constitution, stated, in effect, that equity was intended to operate in the future substantially as it had operated in the past.

Mr. LAUSCHE. Am I correct in my understanding that there was constantly applied to the consciences of the chancellors in the courts of equity of England a sort of unwritten prohibition, which was, "Do not take jurisdiction of any case where there exists an adequate remedy at law"?

Mr. ERVIN. Absolutely. That is the first rule of equity, I should say. The primary rule of equity is that where there is an adequate remedy at law, equity cannot be invoked

Mr. LAUSCHE. I think that is correct. I believe the chancellors of the English courts were especially careful never to assume jurisdiction when it appeared that there was an adequate remedy under the civil law.

If I may delve a bit further, somewhere I once read that to rely upon chancellors was a dangerous practice, that they ruled according to their whims and caprices.

It has been said that a chancellor searches his conscience and renders judgment accordingly. But one chancellor spoke up and said, "That is a dangerous rule. The consciences of chancellors vary just as do the sizes of their toes. Some have large consciences, and others have practically no conscience at all."

It was for that reason that an unwritten law applied; namely, "Chancellor, be careful before you take jurisdiction, because it is the purpose to have actions tried in law, where the procedure is outlined, the law declared, and the method of a finding of guilt is determined."

May I ask the Senator from North Carolina whether through the years from the time the Constitution was written there has not been an expansion, by legislation, of the jurisdiction of equity in transgression of the principles which originally were dominant?

Mr. ERVIN. There is no question that legislative bodies have authorized courts of equity to act in cases which are no more similar to the original fields than the Milky Way is to the sun, as I believe Judge Caldwell says. But we have never gone quite so far as this bill does in the wholesale evasion of the constitutional right and statutory right of trial by jury.

Mr. LAUSCHE. The fear of the Senator from North Carolina is that the ancient rules which protect the individual in a court of law, and which do not entrust his rights to the whims and caprices of the judge in equity, will be violated and will be circumvented by the expansion of the jurisdiction in equity.

Mr. ERVIN. That is true. If the people can be robbed of their right of trial by jury, by converting crimes in the field of civil rights into contempts of court, they can be robbed of their rights in every field of criminal law, and the solemn guaranties of the right of trial by jury and the right of indictment by grand jury will become mere empty pledges expressed in idle, ironic words.

Mr. LAUSCHE. I thank the Senator from North Carolina.

Mr. ERVIN. I appreciate the observations of the Senator from Ohio.

Mr. MANSFIELD. Mr. President, I again suggest the absence of a quorum.

Mr. ERVIN. Mr. President, I yield for that purpose.

The PRESIDENT pro tempore. Obviously a quorum is not present. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	Mundt
Allott	Green	Murray
Anderson	Hayden	Neuberger
Barrett	Hickenlooper	O'Mahoney
Beall	Hill	Pastore
Bennett	Holland	Payne
Bible	Hruska	Potter
Bricker	Humphrey	Purtell
Bush	Ives	Revercomb
Byrd	Javits	Robertson
Capehart	Jenner	Russell
Carlson	Johnson, Tex.	Saltonstall
Carroll	Johnston, S. C.	Schoeppel
Case, N. J.	Kefauver	Scott
Case, S. Dak.	Kennedy	Smathers
Chavez	Kerr	Smith, Maine
Church	Knowland	Smith, N. J.
Clark	Kuchel	Sparkman
Cooper	Langer	Stennis
Curtis	Lausche	Symington
Dirksen	Long	Talmadge
Douglas	Malone	Thurmond
Dworshak	Mansfield	Thye
Eastland	Martin, Iowa	Watkins
Ellender	Martin, Pa.	Wiley
Ervin	McClellan	Williams
Flanders	McNamara	Yarborough
Fulbright	Morse	Young
Goldwater	Morton	

Mr. MANSFIELD. I announce that the Senator from Delaware [Mr. FREAR], the Senator from Washington [Mr. JACKSON], the Senator from Washington [Mr. MAGNUSON], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Missouri [Mr. HENNINGS] is absent by leave of the Senate because of illness.

The Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The Senator from Maryland [Mr. BUTLER] and the Senator from New Hampshire [Mr. COTTON] are absent on official business.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). A quorum is present.

Mr. O'MAHONEY. Mr. President, legislation proceeds by compromise. I have been in the Senate now, with a slight leave of absence, since the first day of January 1934, and I have known that bill after bill which passes this body and the House of Representatives and finally becomes law is hammered cut upon the anvil of compromise. It is impossible for any person to stand before a legislative body in a free government and say, "I know what the law ought to be." In a free government those who propose legislation must be willing to compromise if they want to get results; and, Mr. President, I have no hesitation in expressing my view that there comes a time when, in the interest of the country itself and the progress of humanity, no minority should be in a position to prevent the enactment of necessary and essential legislation.

AMENDMENT IS A COMPROMISE

I rise this afternoon to speak upon this subject because I desire to suggest an amendment which, if this bill becomes the unfinished business of the Senate, I shall offer at an appropriate time. The amendment I intend to offer is in the nature of a compromise. It is designed to bring about a meeting of the minds, whereby those who are for a civil-rights measure and those who oppose it can unite in the firm belief that they are granting voting rights to the Negro population of the Nation, including the South. I know that in many parts of that area the right of the Negro to vote has already been recognized and protected.

These steps in expanding the right to vote are inevitable and they should be—I think they can be—completed now. In order to bring this about we should be willing here to make such compromises in the drafting of this bill as may accomplish the result we seek. As we approached the hour of 2 o'clock this afternoon several Members of the Senate, of whom I was one, arose to ask the majority and minority leaders if bills which they regarded as of some emergency character could be considered, and we were told that such consideration could not be granted in the circumstances that now exist.

WORLD FACES CRISIS TODAY

There is nobody within the sound of my voice, and certainly nobody in the United States, who does not know that the whole world is now involved in the greatest political and economic turbulence that ever existed. We have had wars in certain localities. We have had world wars; but never before have we been standing in such a perilous position as now. This is indicated by the fact that there are men of wisdom who predict a third world war may easily break upon us. We know that if it does, with nuclear fission having resulted in the production of the most destructive weapons that the imagination of man ever conceived, the result could easily be the destruction of civilization itself.

THIS COUNTRY MUST SAVE HUMAN RIGHTS

Civil rights will be of no value to anybody on either side if we should have a third world war, but the underlying fact which we must recognize is that the United States of America is the leader—the only effective leader in the whole world—to save for mankind equal rights, freedom of conscience, the dignity of man, the banishment of arbitrary power in whatever guise it appears.

If there is anything everybody must acknowledge about the Government of the United States—its Constitution and its form—it is that it was designed to make it possible for the people to rule themselves. Our Government was created to be an instrument of the people—and that meant all the people. It knew no division by race or creed or color.

The men who founded this Nation were thinking of the people that God Almighty created, and not about the divisions—the social divisions, the divisions of prejudice, and the divisions of

misunderstanding—that rise up to separate them.

I have prepared an amendment which I intend to propose if the civil-rights bill is taken up for consideration. I shall offer the amendment in the belief, or at least in the fond hope, that it can and will bring about a compromise. I shall read the amendment in a moment.

BILL WOULD ALLOW ATTORNEY GENERAL TO BRING SUIT FOR PRIVATE INDIVIDUALS

Senators should bear in mind, as has already been stated upon the floor by the distinguished Senator from Ohio [Mr. LAUSCHE], and the distinguished Senator from North Carolina [Mr. ERVIN], that the law of equity is a development of the ancient law of Britain which was known as the exercise of the conscience of the king. Equity was called into play when there was no opportunity to redress grievances in the courts of law. And certainly in our country it has always been the rule that a court of equity would not consider any plaintiff's case if the plaintiff had not sought administrative remedies provided by the laws of the State within which the plaintiff resided.

I do not know how many Members of the Senate have heard the facts which have been pointed out as to the provisions in the bill now on the calendar by vote of the Senate, which preferred not to allow the bill to go to the Committee on the Judiciary. There are two provisions which give the Attorney General the right to bring suit on behalf of the United States and on behalf of private litigants. I wish to invite attention to the fact that on page 9, in part III, which is entitled "To Strengthen the Civil Rights Statutes, and for Other Purposes," the Attorney General is given this power in these words:

Fourth. Whenever any persons have engaged or there are reasonable grounds to believe that any persons are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs first, second, or third, the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

Paragraph fourth which I have read is from the bill before the Senate. It is not a part of existing law. Any person seeking to determine what this paragraph provides must go elsewhere, beyond the pages of the bill, to find out what the provisions of the first, the second, and the third paragraphs of existing law are. How many people know that those provisions were written into law almost 100 years ago?

It was in 1861 that the Congress of the United States enacted the statutes which I hold in my hand. These are paragraphs 1, 2, and 3 of section 1985 of Title 42 of the United States Code. The volume I have in my hand is labeled "Property of the United States Senate Library."

The first of these paragraphs provides:

(1) Preventing officer from performing duties

If two or more persons in any State or Territory conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, district, or place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties;

Then there are recited paragraph 2 and paragraph 3.

Mr. President, I ask unanimous consent that they may be printed in the RECORD at this point without my reading them.

There being no objection, the paragraphs were ordered to be printed in the RECORD, as follows:

(2) Obstructing justice; intimidating party, witness, or juror.

If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;

(3) Depriving persons of rights or privileges

If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages, occasioned by such injury or deprivation, against any one or more of the conspirators.

FOR NEARLY A CENTURY CITIZENS HAVE HAD RIGHT TO SUE WHEN CIVIL RIGHTS INVADED

Mr. O'MAHONEY. The third paragraph ends with this clause—and remember, it refers to all the provisions of subsections 1, 2, and 3 of section 1985, Title 482, United States Code:

The party so injured or deprived may have an action for the recovery of damages, occasioned by such injury or deprivation, against any one or more of the conspirators.

That provision of law was written upon the statute books of the United States by the act of July 31, 1861. This was clear law giving to individuals who were injured by the invasion of their civil rights the personal right to bring an action for the recovery of damages.

I invite the attention of the Senator from North Carolina to the fact that this law was enacted in 1861, not 1871. The Senator from North Carolina thought I was 10 years off, but I have the facts before me.

This has been the law all through these racial fights, all through the struggle to bring equality of voting rights and civil rights to the Negro population of the United States.

Added to that section is the section I have just read from the bill, giving the Attorney General the right to bring the suit when the citizen does not act. That would have the effect, in turn, of bringing about a confusion of law and equity which could easily result in the very undermining of the Bill of Rights itself.

That is not the only section. There is another section. I refer to section 1971 of Chapter 20, Title 42, United States Code. I read from the same volume, on page 6214——

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. LAUSCHE. On what page of the bill before us is the section which the Senator contemplates reading to be found?

Mr. O'MAHONEY. The section which I read was on page 9, beginning in line 16. It is the fourth provision, a new provision to be added to the existing law of 1861. It would give the Attorney General the right to institute for the United States, or in the name of the United States, "a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order" on behalf of the citizens for whose benefit the law of 1861 was written.

The words do not in themselves spell out the meaning of the proposed new law so that he who runs may understand as well as read.

Those words mean that the Attorney General of the United States may bring a suit which a citizen of the United States who has been injured does not desire to bring.

Mr. LAUSCHE. Does the Senator contemplate reading another section.

Mr. O'MAHONEY. Yes.

Mr. LAUSCHE. On what page of the bill is the section which the Senator now contemplates reading to be found?

Mr. O'MAHONEY. It is to be found on page 10.

Mr. LAUSCHE. Under the heading "Part IV"?

RIGHT TO VOTE LAW HAS BEEN ON STATUTES SINCE 1870

Mr. O'MAHONEY. Part IV, beginning in line 21. It would be interesting to read all of this, because it illustrates how difficult it was to draft the bill. I read beginning in line 21:

SEC. 131. Section 2004 of the Revised Statutes (42 U. S. C. 1971), is amended as follows:

(a) Amend the catch line of said section to read, "Voting rights."

Then we proceed to page 10—

(b) Designate its present text with the subsection symbol "(a)."

I wish to read the subsection which becomes designated by the symbol "(a)."

It is existing law. I find it in Title 42, Chapter 20, section 1971:

All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other Territorial subdivision, shall be entitled and allowed to vote at all such elections without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any such State or Territory, or by or under its authority, to the contrary notwithstanding.

When was that law enacted? That comes from the act of May 31, 1870. It is Chapter 114, section 1, of the Session Laws, 16th Statute, page 140. That law has been on the statute books, granting the perfect right to vote to all citizens included within the 14th amendment, since the 31st day of May 1870.

RESTRICTING QUALIFICATIONS HAVE BEEN MAINTAINED

I have no doubt—in fact I know—that this law has been violated. I know that, in some places, Negroes have not been permitted to vote. I know that qualifications were established, such as the poll tax qualification. Sometimes there were cumulative taxes to be paid, designed for the purpose of preventing such voting. But I also know that when I first became a Member of the Senate there were at least 8 Southern States that had poll tax qualifications which were alleged to be used to prevent voting. But I know that at the same time there were poll tax qualifications in certain States in the New England area.

As a matter of fact, when the Constitution was adopted, no one in the State of Pennsylvania could vote unless he was a landowner. The poll tax was invented in Pennsylvania for the purpose of spreading the right of voting to the workingman, who had been denied the right to vote because he was not the owner of land.

THERE HAS BEEN GREAT PROGRESS IN CIVIL RIGHTS

When I first became interested in this matter as a member of the Committee on the Judiciary I found that there were about 8 States which still maintained the poll tax as a qualification for voting. Now I understand there are not more than three. I know there is not a Senator who would not be willing to appear in court before the former judge of the North Carolina Supreme Court, now Senator, SAM ERVIN, confident that in any case he might have in litigation before this man he would receive justice and fairness and equity.

We know our brethren of the South in the Senate. We deal with them constantly. We know they have made great progress in the program of building up racial relations. We in the United States from the North and East and West and Middle West and South and Southwest, or wherever we may come from, can take great pride in the fact that greater progress has been made with respect to social justice and civil rights among our colored brethren in this country than in south Africa, for example.

I do not hesitate to make the comparison, and I know that it is all in favor of those who constitute the governments of the Southern States.

But there are places where justice is not done. There are places in the South—not many of them—where justice is not done, and I have in mind particularly one case which has been getting some press notices in recent days, where the practice invented by Elbridge Gerry of Massachusetts, to gerrymander the districts, is threatened to be adopted. Gerrymandering is older than the Constitution of the United States. It is not distinctive to any Southern State.

ETHICAL AND SPIRITUAL PROGRESS RESULTS NOT FROM GOVERNMENT BUT FROM HIGH RELIGIOUS CONCEPTS

We know perfectly well, as intelligent men, that we are dealing with millions of human beings. We know that we are dealing with a deep social ailment. Certainly our experience has been such that we know that no government can control by law the habits, the desires, and the actions of individuals.

The improvement of ethical standards and the improvement of spiritual standards come not from adherence to forced laws or submission to forced laws, but from following the teachings of high religious concepts. We know perfectly well, those of us who believe in Almighty God, that God made men equal and that He made them free. We know that God Almighty could have prevented, if He had so desired, any force to guide the conduct of his sons upon earth. He could have prevented murder and rapine, and all other crimes, even those that are committed in the name of religion itself. However, God Almighty did not do that. He laid down the Ten Commandments as guides, because he wanted freemen to reach the great height from which the angels were banished because of their unwillingness to follow the high spiritual concepts in which we believe.

We know that an attempt was made to stop the consumption of intoxicating liquor by adopting a constitutional amendment, and that it resulted in the production of gangsterism, not in the production of prohibition.

God made men free, and no power in government can compel men to yield their freedom to any law.

That is the heart of free government. That is why this Government of ours was founded—to give the people an opportunity to rule and to make government the servant of the people, not the master.

BILL OF RIGHTS GUARANTEES PEOPLE'S LIBERTIES

I can understand why some of our colleagues of the South might feel that the proposal giving the Attorney General the authority to go into any State and bring suit on behalf of any citizen might result in suppressing the liberties guaranteed to men by the Constitution. The Bill of Rights was written by a gentlemen's agreement, not into the Constitution when it was drafted, but after that document had been submitted to the States, and when it became apparent that there were patriotic leaders who would not vote to ratify the Constitution unless an agreement were reached that a Bill of Rights would be added by the First Congress.

George Washington was the first President of the United States, and he had been President of the Constitutional Convention. He knew what was in the Constitution and what was not in it. In his message to the First Congress he recommended the adoption of a Bill of Rights, the purpose of which was to make sure that the new government would not be the master of the people.

That is what the Bill of Rights means, and nothing else.

PURPOSE OF AMENDMENT IS TO EFFECT MEETING OF MINDS

I do not go so far in my amendment as to attempt to make changes in the bill which I would have made had I been drafting it. I am presenting here today, for offering if the occasion arises, an amendment which I hope will have the effect of bringing about a meeting of minds among the Members of the Senate. I trust that my brothers of the South, who have already made so much progress in the field of social relations, will take another great step of progress in that direction, and grant complete voting rights to the Negroes, so that Negroes will not be intimidated and will not be coerced, and that their jobs will not be endangered if they present themselves to register, for example.

I should like to say to my friends from the South that I have honored and respected and admired them ever since I became a Member of the Senate. I know their ability; I know their gallantry; I know their readiness to serve the public. I say to them that the greatest issue before us today is the maintenance in the United States of such an example of freedom among its citizens that the peoples of the satellite nations, the peoples of Europe, the peoples of Africa, the peoples of Asia, will want to follow our leadership. We certainly know that if we fail because of the incitement to anger, hatred, and violence within the boundaries of the United States by an appeal to force, we will have raised the emotional stresses to a higher pitch. It will be like a cancer eating at our capacity to unite for the peace of the world.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

MR. LAUSCHE. The Senator a few moments ago quoted from section 131, section 2004, of the Revised Statutes——

Mr. O'MAHONEY. No; section 131 is the section of the bill.

Mr. LAUSCHE. Of the bill; yes.

Mr. O'MAHONEY. Section 2004 is the section of the Revised Statutes. That is the act of May 31, 1870.

Mr. LAUSCHE. Yes. The Senator read the law as it exists.

Mr. O'MAHONEY. That is correct.

Mr. LAUSCHE. Is the Senator in a position to explain what the bill will do concerning that law, forgetting for the moment the amendment which the Senator is about to offer?

Mr. O'MAHONEY. Oh, yes; I am very glad to do that, because the new proposals follow right along on page 11. An interesting mistake is revealed here, a mistake made by the legislative draftsmen. I call the Senator's attention to the last word in line 3.

Mr. LAUSCHE. On page 11?

Mr. O'MAHONEY. I read from page 11, line 3, as follows:

(c) Add, immediately following the present text, three new subsections to read as follows.

Then, if the Senator will observe, on page 11, line 5, there is subsection (b); on line 17, subsection (c); on page 12, line 5, subsection (d); and on page 12, line 10, subsection (e).

In other words, although they have said they were adding three new subsections, they in fact added four new subsections. Does the Senator from Ohio see those paragraphs to which I have pointed?

Mr. LAUSCHE. Yes.

Mr. O'MAHONEY. This is another case in which the Attorney General is given the right to institute a civil action, or rather a proper procedure for preventive relief, including an application for a permanent or a temporary injunction.

In order to lay the basis of a compromise, this is the amendment which I intend to propose, if it becomes essential.

Mr. WILEY. Has the amendment been printed?

Mr. O'MAHONEY. I am going to ask that it be printed.

At the end of the bill I propose to add the following:

PART V—JURY TRIALS IN CERTAIN CONTEMPT CASES

SEC. 151. In any proceeding for contempt of any injunction, restraining order, or other order issued in an action or proceeding instituted under the fourth paragraph of section 1980 of the Revised Statutes or under subsection (c) of section 2004 of the Revised Statutes, the court shall, if it appears that there are one or more questions of fact to be determined, order that such questions of fact shall be tried by a jury in a trial conducted according to the mode prescribed by law for suits coming within the purview of the seventh amendment to the Constitution of the United States.

JURY TRIAL WOULD BE REQUIRED ONLY WHEN THERE ARE FACTS TO BE PROVED

Let it be observed that the amendment applies only to proceedings for contempt of an order of the court. It applies only when the substantial rights of a citizen of the United States are threatened by an equitable action which gives to the judge the power of imprisoning the individual involved and does not relate to those cases where the facts are clear.

In other words, this is an attempt to apply the historic doctrine of the king's conscience where there is no remedy at law and no administrative remedy. It does not compel a court trial when the contempt is committed in the presence of the judge—certainly not. That would not be proper at all. It applies only, as to a jury trial, when third persons may be involved.

How is it possible, for example, to determine, without a jury, who are involved in the following cases recited in the present statute? I am now referring to section 1980 of the Revised Statutes, the act of July 31, 1861, paragraph 2.

Let me begin with paragraph 3:

(3) Depriving persons of rights or privileges: If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any cases of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages, occasioned by such injury or deprivation, against any one or more of the conspirators. (Revised Statutes, sec. 1980.)

These are cases which obviously may easily involve third persons, fourth persons, or fifth persons who are not before the court at all. It is not at all clear that the persons charged may have been the persons who were in disguise in fact.

On the contrary, consider the case of voting. If a voter appears before the board of registry and is denied the right to vote, and if that case is taken before the court, and the court orders, by injunction, the board of registrars to register the voter, the judge is free. He does not have to call a jury in that instance, because the registrars are those who are named by law. If the officially elected registrars of a county decline to register a Negro voter, then the court can put the whole board of registry in jail for contempt without a trial by jury.

So I believe I have presented to the Senate an amendment—a jury trial amendment—which is unlike anything which was presented in the House; an amendment which is based upon fundamental American principles.

Mr. President, I ask that the amendment be printed and lie on the table.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). The amendment will be received, printed, and lie on the table.

Mr. O'MAHONEY. I do this in order that the amendment may be in the hands of every Senator for further consideration as we engage in this great debate—and it is a great debate.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. LAUSCHE. The Senator from Wyoming quoted from two sections. One concerns the interference with a public official in the performance of his duty. The other deals with the denial to a citizen of the right to vote.

My recollection is that in describing the remedy, the Senator from Wyoming said there was existent an action for damages at law. My question is this: Is any other remedy provided, if and when those laws are violated? Perhaps the Senator from North Carolina [Mr. ERVIN] can help in answering the question.

Mr. O'MAHONEY. I have not made a canvass of all the laws of the various States upon this matter. I have been dealing only with the law of the United States. I shall be very happy to have the Senator from North Carolina respond to the question.

Mr. ERVIN. In answer to the question of the distinguished Senator from Ohio, I would say I have made what I regard as a thorough study of all the statutes dealing with civil rights. In my judgment as a lawyer, there is a Federal statute which makes a crime of every act dealt with by every clause of either one of the sections of Title 42 which is proposed to be amended by the bill.

Mr. LAUSCHE. That answers my question.

Am I correct in understanding that under the laws to which reference has been made and the laws which deal with remedies, provision is made for an action at civil law for damages and an action at criminal law for punishment of the transgression?

Mr. ERVIN. That is correct. In other words, every one of the civil rights defined in either of those sections is now enforceable in either of three ways: either by a criminal prosecution by the Government, or by a private suit for damages by the party aggrieved, or by a private suit for equitable relief by the party aggrieved.

Mr. O'MAHONEY. Mr. President, perhaps the Senator from Ohio may find the answer to his question further spelled out in section 1988 of Title 42 of the United States Code, on page 6216. The section is entitled "Proceeding in Vindication of Civil Rights." It is Revised Statutes, section 772. It was adopted on April 9, 1866, and is Chapter

31, section 33 of 14 statutes, at page 27. It was amended on May 31, 1870, Chapter 114, section 18, which is recorded as 16 statutes 144.

Mr. HOLLAND. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. HOLLAND. First, as one humble southerner, I wish to express my very deep appreciation of the understanding and the Christian tolerance displayed by a distinguished Senator—the Senator from Wyoming [Mr. O'MAHONEY]—for whom I have very deep affection. I know his statements today stem from a very warm heart, to which I wish to pay my meed of tribute.

Mr. O'MAHONEY. The Senator from Florida is very, very kind.

Mr. HOLLAND. Second, Mr. President—because I have made some study of the subject—I should like to refer, in connection with the general figures the distinguished Senator from Wyoming has given relative to the poll tax situation in the Southern States in recent years, to a more or less correct-to-the-hour compilation, if I may do so with his approval.

Beginning with the list of 11 Southern States at the commencement of the current change in this situation—to which the distinguished Senator from Wyoming has so warmly referred—the States which banned the poll-tax requirement as a prerequisite for voting in all elections, whether for Federal officials or for State or local officials, are as follows:

North Carolina led the way some years ago, followed by Louisiana. I am glad to see present at this time the senior Senator from North Carolina [Mr. ERVIN] and the junior Senator from Louisiana [Mr. LONG].

I believe my own State of Florida followed, being the 3d of the 11. It happened to be my honor to be a member of the State Senate of the State of Florida when that change was made.

Georgia was the fourth.

South Carolina was the fifth.

Tennessee—so ably represented here by both the splendid Senators from that State [Mr. KEFAUVER and Mr. GORE]—was the sixth.

The five States which continue to have a poll-tax requirement of some kind or another, in almost every instance have ameliorated that requirement either by providing that persons beyond a certain age shall not be liable to pay, or by providing that persons engaged in military training shall not be required to pay, or by providing that persons with certain kinds of physical handicaps shall not be required to pay. There has been such scant enforcement of that law in some of those States as to bring about a much more salutary condition—that is to say, salutary from the standpoint of the Senator from Florida—as compared with the condition existing some years ago.

So I think the distinguished Senator from Wyoming is thoroughly within his rights and within the facts when he calls attention on the RECORD to the fact that the Southern States have made vast progress in this regard. I appreciate his having done so.

I hope the distinguished Senator from Wyoming will also share with me the feeling that a big blind spot in the proposed law, in connection with which the Senate is engaging in debate on the question of proceeding to its consideration—arises from the failure of the authors of the proposed law to realize that they fail to touch or affect or in any way ameliorate the condition of some hundreds of thousands of citizens, both white and colored, in the five States which still require the payment of a poll tax; they fail to give them any consideration whatsoever under the provisions of the bill. They do so by basing the bill—which I am sure they regard as a corrective proposed law—simply upon the number of persons, and the very persons, who are permitted to vote under the provisions of existing State laws.

Mr. O'MAHONEY. Mr. President, I dislike to interfere with the very nice, complimentary remarks of the Senator from Florida; but I wish to say that the President of the United States himself, the Honorable Dwight D. Eisenhower, has testified to his confidence in the leadership of the South. He selected the great Senator from Georgia, Walter George, to be his Ambassador to NATO. And when the problem of the Middle East came up, President Eisenhower selected a leading member of the House of Representatives, one from the State of South Carolina, Mr. Richards, to be his representative and his ambassador to the Middle East, in connection with the great battle to save that area from communism. So, Mr. President, all I ask my colleagues to do is to open their eyes and look at the great contributions the South has made, and to have some confidence in the ability of the South to make more contributions. Without regard to race or color, they will come; they will come through.

Mr. President, every night, on the television and the radio, and in the newspapers, in the magazines, and elsewhere, we hear of or see that the conquest of racial discrimination is occurring, and racial discrimination is being overcome. That does not mean integration in the sense of the mixing of the races. It merely means that the people of the United States recognize the fact that the Almighty created the men and women who populate the earth, and has given them a Teacher who has tried to lead them by their own free will, not compel them by the lash.

Mr. President, the time has come for those of us who serve in the Senate of the United States to find a way to work out a compromise which will enable all of us—white, black, red, or whatever color—to stand in unity for the preservation of free government in the world.

Mr. President, I yield the floor.

DISASTER RELIEF IN MINNESOTA

Mr. HUMPHREY. Mr. President, during the past week my assistant has been traveling through the most seriously flooded areas of the State of Minnesota, discussing with State and local officials and with farm leaders the problems caused by the severe rains and floods since mid-June.

Although the Federal Civil Defense Administration and the Small Business Administration have moved in promptly and effectively, the Department of Agriculture has, I regret to say, moved in many cases both belatedly and ineffectively to bring assistance to the farmers affected by the disaster.

Although I requested on June 21 that a coordinated effort be initiated in the State of Minnesota to administer a disaster-relief program, and although the Under Secretary of Agriculture informed me on June 27 that a State USDA disaster committee had been appointed, I determined last week that there was in fact no coordinated effort under way. Indeed, the committee designated had not even met.

Mr. President, today I sent to the Secretary of Agriculture a letter bringing these facts to the Secretary's attention, and requesting that specific dates be set up for the discussion of disaster relief between farm leaders and the State USDA disaster committee. I ask unanimous consent to have printed at this point in the RECORD the text of my letter to Secretary Benson.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 8, 1957.

The Honorable EZRA TAFT BENSON,
Secretary of Agriculture, United States Department of Agriculture, Washington, D. C.

DEAR MR. SECRETARY: In my letter of June 21, you will recall I expressed concern regarding lack of coordinated handling of flood disaster aid in Minnesota.

In a reply to me on June 27, Under Secretary Morse assured me that you had a coordinated flood-relief program embracing your various agencies, that you had a State USDA disaster committee in Minnesota which was doing this coordinating, that the State ASC chairman headed this group, and that the State civil-defense director was a member of the committee.

Under Secretary Morse repeated these assurances at the conferences held by the Minnesota Congressional delegation and other Senators with officials of your Department and other departments last Monday. At that time, I expressed the belief that much of the supposed coordination in reality did not exist, but rather appeared to be paper coordination.

I regret to report confirmation of that conclusion. Right after the Monday meeting, I sent one of my assistants to Minnesota to participate in conferences in the flooded area to which your Department sent representatives. On discussing this situation with Mr. Sjolander, the State ASC chairman, he indicated little more than vague knowledge about some kind of a disaster committee. He said he had received no instructions about acting in the present emergency. The supposed coordinating committee had never met. The State civil-defense director had never been informed of his supposed role as a member of that committee. In other words, while your Farmers Home Administration is functioning as an individual agency, the USDA is not functioning as a coordinated unit in handling the disaster. I went out to the State myself on Wednesday. I found further confirmation of this lack of coordination and no semblance of using the farmer committees in an organized way to provide

either estimates of losses or recommendations of what assistance is needed and what type of aid would be most effective.

For that reason, I would like to ask you to instruct the State USDA disaster committee chairman for Minnesota to call his committee together for a full meeting in Marshall, Minn., on July 16, and again at Oklee, Minn., on July 17, at open sessions at which farm spokesmen and local and State officials may discuss with the committee efforts to develop an overall relief program.

I understand this request is being conveyed to your ASC chairman both by the Natural Disaster Coordinator of Civil Defense, Mr. Edward George, and by State legislators from the major flooded areas.

I want to ask further that the county farmer committees in each flooded county be asked to submit recommendations of what they believe can and should be done to assist in meeting this emergency problem. I want also to be provided with copies of these recommendations, along with estimates of the amount of funds which might be required to carry out such programs.

In the meantime, because if it is to be effective, action must be taken during this week, I wish to urge that you permit farmers in the counties of Pennington, Red Lake, Clearwater, Polk, and Marshall to pasture their livestock on soil-bank acres or to take hay from these acres which have not been so badly flooded as to destroy the hay crop. There is a feed situation in this area which is critical, because delay of more than a week will cost the loss of much of the hay crop. Permitting farmers to use this pasture and feed, while still permitting the owner of the land to retain his soil-bank payments, would not cost the Government a dollar, and it would do much to keep many farmers going in this area until a more comprehensive program of assistance can be developed.

Sincerely yours,

HUBERT H. HUMPHREY.

Mr. HUMPHREY. Mr. President, at a meeting attended by my assistant last Friday evening, July 5, at Gully, Minn., more than 300 farmers from the counties of Red Lake, Pennington, Polk, Marshall, and Clearwater passed unanimously the following 3 resolutions calling on the Secretary of Agriculture to take specific action for the relief of farmers in the 5-county area who are been severely affected by the heavy rains and floods of recent weeks:

Resolved, That the Farmers Home Administration be requested to extend the time for repayment or to write off existing seed loans for those farmers hurt by the recent floods.

Resolved, That the Secretary of Agriculture institute a special agricultural conservation practices program to give payments to flooded-out farmers for conservation practices such as deep tillage, summer fallow, and green cover.

Resolved, That the Farmers Home Administration be requested to institute a program of 3-percent, 5-year loans for refinancing and consolidating existing debts and for operating expenses for farmers in the flood-damaged areas.

Mr. President, I am hopeful that the Secretary of Agriculture will see fit to take action yet in the case of our flooded-out Minnesota farmers, as in the case of farmers who have also lost so much of their 1957 crop in Louisiana, Oklahoma, Texas, Missouri, Arkansas, Indiana, and other States.

This disaster situation is a great challenge to the Secretary of Agriculture and to the Department of Agriculture. Let us hope that he rises to this challenge and institutes the kind of positive, effective program that is within his existing authority to undertake.

CIVIL RIGHTS

Mr. WILEY. Mr. President, I listened with profit to the fine discussion this afternoon of the Senator from Wyoming. I thought the Senator was extremely powerful in his logic as well as in his presentation. I always profit from listening to what the Senator has to say.

Mr. O'MAHONEY. The Senator from Wisconsin is overgenerous.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. RUSSELL. I was called off the floor and was not here when the distinguished Senator from Wyoming made his magnificent presentation in regard to the amendment he intends to propose to the bill which it is now sought to take up by motion. I merely wish to make this observation. If there has been a speech made in the great liberal tradition of the Senate in my time, it was the address of the Senator from Wyoming [Mr. O'MAHONEY]. Mr. President, if there is any one thing that those who are genuine, bona fide liberals completely believe in, it is the right of every American citizen to a jury trial in all appropriate cases; and the remarks of the Senator from Wyoming stamp him as being a true liberal and one who does not have to depend on a self-applied tag of liberalism.

Mr. O'MAHONEY. I thank the Senator.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. ERVIN. I should like to express to the able and distinguished Senator from Wyoming my deep personal appreciation of the exceedingly generous remarks he made in reference to me, and also to say that as a result of contacts I have had with him while serving in the Senate and serving on mutual assignments we had in Chicago, I have long since learned to admire the Senator from Wyoming for the great qualities of his head and to love him for the great qualities of his heart.

Mr. O'MAHONEY. Mr. President, the Senator from North Carolina [Mr. ERVIN] and the other Senators are most generous in their comments. I can say, having served with the Senator from North Carolina in Chicago—and I do not hesitate to name the place and the committee, which was the platform committee of the Democratic national convention—and having served with the Senator from North Carolina in the Committee on the Judiciary of the United States Senate, I have learned what a great mind he has and how eminently fair and just his purposes are. I do not hesitate to say that what I have remarked about him is the judgment of his colleagues who have had the pleasure of working with him. I am very grateful to him for his kind words.

Mr. JOHNSON of Texas. Mr. President, I wish to join my colleagues in commending the very able Senator from Wyoming [Mr. O'MAHONEY] for the great speech he has delivered in the Senate today. I have long admired him as a public servant.

Mr. President, I think the remarks made by the Senator from Wyoming should be read by every citizen of this land who loves his liberty and who treasures his freedom.

I believe, Mr. President, that we have had a very constructive day of debate in the Senate on this subject, which we all regard as a very complex and vital one. It will be my objective, in the days ahead, to make every effort to allow full and adequate opportunity for each Senator to express himself on this subject. I wish to be fair to every Member of the Senate. I feel sure that each Member of the Senate will sustain me in my effort to do that. Particularly it is my desire to see that full opportunities are accorded to the spokesmen of the various viewpoints in this controversy, especially the distinguished minority leader, the Senator from California [Mr. KNOWLAND], the distinguished senior Senator from Georgia [Mr. RUSSELL], the distinguished Senator from Illinois [Mr. DOUGLAS], and the distinguished Senator from North Carolina [Mr. ERVIN], all of whom have spent a great deal of time and have accumulated a great deal of information on this subject.

Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS TOMORROW

Mr. JOHNSON of Texas. Mr. President, it is my intention now to ask the Senate to take a recess until 12 o'clock tomorrow. I should like to ask that unanimous consent be given that immediately following the convening of the Senate tomorrow we have the usual morning hour for the introduction of bills, petitions, and memorials, and the transaction of other routine business, with a limitation of 3 minutes on statements.

I may say I have discussed this matter with the distinguished minority leader, and he is agreeable to this request. I should like to have the order entered now.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, as I previously announced, tomorrow I shall ask the Senate to take a recess, when it concludes its deliberations, until 11 o'clock on Wednesday. We shall on Wednesday have a full day, running until 6 or 6:30 o'clock in the evening, or as late as Members may care to address themselves on this subject.

I hope our sessions can be of reasonable length each day, long enough to accommodate the fair expression of viewpoints, but not so long as to tax the endurance of Members and their staffs.

I have already announced the intention, so far as the leadership is able to control it, of having a session of the

Senate next Saturday. I believe, if reason and fairness prevail, the Senate can accomplish its will in a manner of which we can be proud.

Mr. President, it is always my desire to be right in what I do, but I also always want to be fair. Since accuracy of judgment is such a fragile standard, I think it is equally as important to be fair as it is to be right. We can never be absolutely sure we are right in our judgments, but our consciences can always tell us when we are unfair or unjust.

I wish to express my very deep gratitude to the Members of the Senate for the very high plane on which they have conducted the debate on this, the first day.

I wish to invite the attention of all Senators who are present, and of those who may read the RECORD, to the fact that the rules and practices of the Senate provide for Members having the assistance of clerks on the floor when their presence is required. I am clearly mindful of the need for such assistance. I assume that no one has more need for staff assistants than the majority leader and the minority leader, and we are both served by very competent staffs.

But in many cases, Mr. President, we must forgo at times our staff assistants, because we recognize that their presence alone causes noise and commotion which interferes with the deliberations of the Senate. So I should like to announce at this stage of the proceedings that the majority leader requests the Sergeant at Arms to enforce the Senate rules in connection with the issuance of passes to staff assistants, so that only those assistants having essential business will be on the floor during this important debate.

I should like to suggest to the Sergeant at Arms that he make arrangements for space in the gallery, which will always be available to accommodate the clerks who would like to hear the debate, or whose Members desire to have them follow the course of the debate. I believe most of the time they will be able to hear the debate in the gallery better than they will be able to hear it on the floor, particularly if we have a flood of staff assistants here talking to each other. I believe in this manner, Mr. President, we can best expedite the business of the Senate and assure that every Member will have a full opportunity to follow the debate and have the benefit of the arguments made pro and con.

It is not my intention to deprive any Member of clerical assistance he feels he needs, in accordance with the rules of the Senate, when he is engaging in debate on pending legislation. Each Member, I am sure, will be able to control this, with appropriate care and with restraint, for himself. I merely call on all Members to cooperate with the leadership to insure that clerical assistants are not present on the floor when their purpose in being here can be served just as well by their sitting in the gallery, in order to follow the debate.

I ask that the Presiding Officer assist in the maintenance of quiet and order in the Chamber by requesting from time to time, as circumstances require, that clerks not needed on the floor leave the floor and go to the galleries. I realize that it is not only essential but very necessary at times for Senators to have a staff assistant present, and of course we expect them to do so. However, I desire to make this announcement in the early stages of the debate, so that as we proceed all Members will be on notice and can appeal to their staffs to please follow the rules of the Senate. I wish the Sergeant at Arms to be fully notified, so that he will be able to make proper arrangements for a section in the gallery for clerical assistants who may desire to follow the debate.

Now, Mr. President, if there are no other Members who desire to address the Senate——

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to my friend, the Senator from Colorado.

Mr. CARROLL. Mr. President, I should like to join in the commendation of the distinguished senior Senator from Wyoming [Mr. O'MAHONEY] for a very brilliant and thought-provoking speech. We in Colorado recognize the distinguished Senator from Wyoming as one of the great American statesmen and philosophers, a scholar, and a distinguished lawyer.

I am confident that the remarks he made this afternoon not only deserve, but will receive, the commendation of Members as they read the RECORD tomorrow. I thank the Senator for a very fine speech.

Mr. O'MAHONEY. The Senator is very gracious.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. STENNIS. I highly commend, as well as thank, the Senator from Wyoming for his very timely remarks, so full of logic and common sense.

I wish especially to thank him for standing on the floor and uttering some word of commendation for those in my area of the country who are faced with special problems, just as all other areas have their special problems. I thank the Senator from Wyoming for his understanding of those problems, and for pointing out possible ways in which they can be met. I respect him very highly as a lawyer. He is an experienced and most capable legislator. He is a Senator who gets results, and who is always at work. I thank him again for his very timely remarks, which I believe will be influential and will constitute a light shining in the right direction.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 8, 1957, he presented to the President of the United States the following enrolled bills:

S. 528. An act for the relief of Nicolaos Papathanasiou;

S. 609. An act to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes;

S. 749. An act for the relief of Loutfie Kalil Noma (also known as Loutfie Slemon Noma or Loutfie Noama);

S. 1054. An act to extend the times for commencing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.;

S. 1169. An act for the relief of Herbert C. Heller;

S. 1212. An act for the relief of Evangelos Demetre Kargiotis; and

S. 1352. An act to provide for the conveyance of certain real property of the United States to the Fairview Cemetery Association, Inc., Wahpeton, N. Dak.

RECESS

Mr. JOHNSON of Texas. Mr. President, if there are no other Senators who desire to address the Senate at this time, pursuant to the order previously entered, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 32 minutes p. m.) the Senate took a recess, the recess being under the order previously entered, until tomorrow, Tuesday, July 9, 1957, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 8, 1957:

UNITED STATES ATTORNEYS

John C. Crawford, Jr., of Tennessee, to be United States attorney for the eastern district of Tennessee for a term of 4 years. He is now serving in this office under an appointment which expires July 16, 1957.

Millsaps Fitzhugh, of Tennessee, to be United States attorney for the western district of Tennessee for a term of 4 years. He is now serving in this office under an appointment which expires July 16, 1957.

COLLECTORS OF CUSTOMS

Theodore H. Lyons, of New Orleans, La., to be collector of customs for customs collection district No. 20, with headquarters at New Orleans, La. (Reappointment.)

George F. Jameson, of Portland, Oreg., to be collector of customs for customs collection district No. 29, with headquarters at Portland, Oreg. (Reappointment.)

HOUSE OF REPRESENTATIVES

MONDAY, JULY 8, 1957

The House met at 12 o'clock noon.

Rev. Aaron L. Powers, Canterbury United Presbyterian Church, Pacoima, Calif., offered the following prayer:

Our Father in Heaven: We stand before Thee at the beginning of a new week of work and decisions.

As Thou hast called these men to govern and rule over others, may they be governed and ruled by Thee only.

Make them courageous in their obedience to Thee, and sensitively alert to the dangerous, baser drives of our human natures. Therefore, whatsoever things are true, whatsoever things are pure, whatsoever things are of good report, let us think on these things, and for all that is constructively accomplished each day, we shall give Thee the praise and the glory through Jesus Christ, forever. Amen.

The Journal of the proceedings of Friday, July 5, 1957, was read and approved.

DESIGNATION OF OCTOBER 19, 1957, AS NATIONAL OLYMPIC DAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 354 to authorize the designation of October 19, 1957, as National Olympic Day, and for its immediate consideration.

The Clerk read the House joint resolution, as follows:

Whereas the XVII Olympic Games of the modern era will be held in Rome, Italy, August 25 to September 11, 1960, with winter games to be held at Squaw Valley, Calif., February and March 1960; and

Whereas these games will afford an opportunity of bringing together young men and women representing more than 70 nations, of many races, creeds, and stations in life and possessing various habits and customs, all bound by the universal appeal of friendly athletic competition, governed by rules of sportsmanship and dedicated to the principle than the important thing is for each and every participant to do his very best to win in a manner that will reflect credit upon himself or herself, and the country represented; and

Whereas the peoples of the world in these trying times require above all else occasions for friendship and understanding, and among the most telling things which influence people of other countries are the acts of individuals and not those of governments; and

Whereas experiences afforded by the Olympic games make a unique contribution to common understanding and mutual respect among all peoples; and

Whereas previous Olympic games have proved that competitors and spectators alike have been imbued with ideals of friendship, chivalry, and comradeship and impressed with the fact that accomplishment is reward in itself; and

Whereas the United States Olympic Association is presently engaged in assuring maximum support for the teams representing the United States at Rome and Squaw Valley; and

Whereas a day set aside by this Nation for a rededication to the amateur ideal could accomplish great good in encouraging good will for these games: Therefore be it

Resolved, etc., That the President of the United States is authorized and requested to issue a proclamation designating the 19th of October 1957 as National Olympic Day and urging all citizens of our country to do all in their power to support the XVII Olympic Games and the winter games to be held in 1960 and to insure that the United States will be fully and adequately represented in these games.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CABLEGRAM FROM THE CHAMBER OF REPRESENTATIVES OF CUBA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that there may be incorporated at this point in the RECORD a cablegram received from the Chamber of Representatives of the Government of Cuba.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The cablegram referred to follows:

CUBAN GOVERNMENT,
Habana, Cuba, July 4.

To the SPEAKER OF THE HOUSE OF REPRESENTATIVES, *Washington, D. C.:*

In commemorating on this day the Proclamation of Independence of the United States of America, the Cuban House of Representatives [Deputies], through our intermediary, takes pleasure in sending an effusive congratulatory salute to the illustrious colleagues of your honorable legislative body, at the same time extending its best wishes for the increasing greatness and prosperity of the [much] admired friendly country and neighbor, the United States of America, which is the leader and safeguard of the western democracy. I am taking this happy occasion to reiterate to you the assurances of our highest esteem and personal consideration.

DR. ABELARDO VALDES ASTOLFI,
President, Chamber of Representatives [Deputies].
ANDRES PUPO SANCHEZ, *Secretary.*
EUGENIO CUSIDO TORRES, *Secretary.*

THE TECHNICAL AMENDMENTS ACT OF 1957

Mr. COOPER. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight tonight to file a report on the bill, H. R. 8381, the Technical Amendments Act of 1957.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

THE LATE EARL C. MICHENER

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, it is with the greatest degree of sadness that I announce to this Chamber the death of former Representative Earl C. Michener, of Michigan.

Mr. Michener served in this Chamber for 30 years. He was, as those who knew him could well testify, a quiet, an unassuming but nonetheless erudite, painstaking and most efficient legislator. He had served superbly as chairman of the Rules Committee and then served most admirably as chairman of the Committee on the Judiciary of this House.

I served with Mr. Michener on the latter committee for a great many years and came to have, indeed, an affectionate regard for him. Latterly his life was made rather sad. The week before his demise, his wife died. I knew him many a year, and I was proud always to call him a friend. He leaves behind a good name. May he partake of the everlasing life of futurity, as we read in the Holy Scriptures, the righteous shall inherit the eternal kingdom. Yes, he left a good name. He gained that good name because of his good deeds. He departed with that good name. Of him it is said "better is the fragrance of a good name than the perfume of precious oils." Yes, "better even is the day of death to a man of such stature than the day of birth." Yea, there is a future for Earl Michener where hope will not be cut off, for it is in the world to come that the righteous, like Earl Michener, will find complete reward.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New York.

Mr. KEATING. Mr. Speaker, I want to join the gentleman from New York in his beautiful tribute to our former distinguished colleague, Earl Michener. Earl served as the chairman of the Committee on the Judiciary in the 80th Congress. Prior to that he had spent many years of outstanding service in this body. He contributed in large measure to much important legislation which was before this House during the time that he served. He has made a great contribution to his district, to his State, and to his Nation. To all of his family I join in extending my deepest sympathy.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, I join with the gentleman from New York in expressing regret over the passing of a wonderful American, Earl Michener. When I first came to Congress he was one of the outstanding men here and a real leader. In many, many ways he helped me in my beginning years in the Congress as I know he helped other Members, giving us the benefit of his knowledge and experience. He was an outstanding American, an able legislator, and a shrewd parliamentarian. He served in Congress with a dedication to his district and the country, and I regretted when he voluntarily retired. Like countless others, I recognized his unusual ability demonstrated time and again in his service on the Committee on the Judiciary. He was not only a man of learning and ability. He was a man of character, who in his every word and deed exemplified the fine things of life. I join with his many colleagues in mourning the passing of this fine individual whom we were privileged to know and privileged to call a friend.

Mr. LECOMPTE. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Iowa.

Mr. LECOMPTE. Mr. Speaker, I became acquainted with Earl Michener when I first came to Congress in 1939. He and I were almost constant companions for 10 years. We rode to the Capitol together every morning, and back in the evening. We were living at the Wardman Park Hotel. Associated with us was the late Major Bulwinkle whom we remember with so much affection, and frequently Congressman Cox of Georgia, whom older Members will always hold in deep affection. Others associated with us at times but always there were we three, Michener, Bulwinkle, and LeCompte. Earl Michener was one of the finest legislators I have

ever known. He was an unusually careful legislator at all times. He studied bills and he discovered errors and he assisted in correcting errors in draftsmanship that might otherwise have slipped through unnoticed. Earl was conscientious in all things. He left the Congress only because of an invalid wife. He was a gallant soldier in the Spanish-American War, and his only son, I believe, lost his life in World War II. The older Members of the Congress will recall that Earl Michener was one of the outstanding Members of the Congress for a long period of years. He served as chairman of the Rules Committee in the twenties as the gentleman from New York has said. He wound up his career as a member of the Committee on the Judiciary, of which he was chairman in the 80th Congress. At all times he was a useful, faithful, conscientious Congressman, loyal to his party, but before his party came his country, always. We will not soon see his like again.

Mr. HILL. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Colorado.

Mr. HILL. Mr. Speaker, I wish to associate myself with the gentleman from New York [Mr. CELLER] in saying kind words about the great man with whom I served, Earl Michener, former Congressman from Michigan whose death was recently reported. As a freshman Congressman I received no finer instruction, assistance and advice than I received from Congressman Michener. At that time he was chairman of the Republican Conference, but he was not partisan. He was always broadminded. Whenever we had a problem of any kind I felt there was no one to whom I could talk, and who would give me the best possible assistance than Earl Michener. It was a great loss to this House when he decided to retire.

I am sure this House has never had a more conscientious, more diligent, more hard-working Congressman than Earl Michener. It is a sad day for each of us when we must say farewell to dear friends who have been of assistance to us in days gone. He was truly a great American.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Iowa.

Mr. HOEVEN. Mr. Speaker, I deeply regret the passing of Earl Michener. He was one of the great parliamentarians of the House of Representatives. He had an analytical mind and I never knew of anyone who could better analyze legislation so as to make it more understandable.

Earl Michener was a great help to new Members.

I recall how helpful he was to me when I first came to the House of Representatives. I always admired him for his honesty and his integrity and his great ability as a legislator.

In behalf of the Republican Conference, and I am sure I also speak for the entire membership of the House, let me say that we all deeply regret the passing of this great American.

Mr. HARVEY. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Indiana.

Mr. HARVEY. Mr. Speaker, in the passing of Congressman Earl Michener I feel that I have lost a great personal friend. As I recall this friend and colleague, the one characteristic which stands out in my mind is the great respect that he had for the House of Representatives. He consistently reminded the Members of their duties and obligations and pointed out the decorum that should prevail in the House so that the people of this country of ours would properly respect the greatest legislative body in the world. He was a fine example of the highest type of statesmanship and his influence will long prevail.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Mr. Speaker, while it was not my privilege to know Earl Michener except by reputation, that reputation entitles him to highest honor for the great service he rendered to the Congress, the Nation, and the State of Michigan. I take this opportunity to express, in common with my colleagues in the House who served with Earl Michener from the State of Michigan, my deep regret at his passing, and to join in tribute to him.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the distinguished Speaker.

Mr. RAYBURN. Mr. Speaker, in the passing of Earl Michener our country has lost one of the most capable legislators I have ever served with or known. Earl was a gentleman of the best type. He truly served his day and generation. He had a spotless soul.

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life and accomplishments of Earl C. Michener.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. AUCHINCLOSS. Mr. Speaker, the passing of Earl Michener is indeed sad news, especially to those of us who had the privilege of knowing him when he was a Member of the House of Representatives.

He was a man of great talent, modest and retiring, and in his quiet and friendly way commanded the respect and affection of all who came in contact with him. He took his job as a Congressman seriously and devoted his entire time and efforts to the responsibilities which were his. He was a distinguished lawyer in his own right and I have heard other members of the bar speak of his wisdom and his legal knowledge in terms of the highest respect and praise. He was especially kind and thoughtful to new Members of Congress as they came here and explained to them the rules and regulations under which we operate.

He always spoke well of people and was ready to listen to the other side of any argument and although he might not agree with you, when he so expressed himself it was with the greatest courtesy and in a spirit of warmth and friendship. It was a real privilege to know him and his wide circle of friends has suffered a severe loss.

Mr. WIGGLESWORTH. Mr. Speaker, I have learned with deep regret of the passing of Earl Michener.

He and I were close friends for many years during his service here in the House.

He was loved and admired on both sides of the aisle.

He made a fine contribution in life to his community, to his State, and to the Nation.

He served in the Army throughout the Spanish-American War. He served as a Member of the Congress for a full 30 years.

Those who served with him here will recall his outstanding ability as a legislator and as a parliamentarian, and his efficiency as a member and chairman of the House Committee on the Judiciary, and as a member of the powerful Rules Committee.

He retired after the 81st Congress because of the illness of his wife—who has also just died, only a few days before him.

I join in extending heartfelt sympathy to his daughter and to all those close to him.

Mr. FORD. Mr. Speaker, the passing of our former colleague, the Honorable Earl C. Michener, brings vividly to my mind the wonderful record he established in his long tenure as a Member of the House of Representatives. His accomplishments in the Congress will be long remembered. I know of no Member who was more respected or revered by his colleagues. His outstanding services should be a shining example to all new Members of this body. The pages of history will show his record to be the very best in all respects.

Earl Michener was a member of this body during my first term during the 81st Congress. He, during that 2-year period, taught me more than anyone else about the traditions, rules and practices of the House of Representatives. Furthermore he wisely counseled me on many issues and problems that came before us in 1949 and 1950. I owe him a tremendous debt of gratitude which can never be repaid except by following, to the best of my ability, his example and record.

Mr. Speaker, in closing may I say again Earl Michener's passing is very sad and takes from us one of the finest gentlemen I ever knew.

Mr. BENTLEY. Mr. Speaker, I was very sorry to learn of the recent passing of Earl C. Michener, who for many years ably represented the Second Congressional District of Michigan in the Congress. While it was never my pleasure to serve at the same time as Mr. Michener, I had met him, following his retirement, on various occasions in his home town of Adrian.

I understand that, during his many years of public service here in Washington, he compiled an outstanding reputation as a statesman, a parliamentarian and a keen and conscientious legislator.

His service as chairman of the two important House committees, Rules and Judiciary, shows the high esteem with which he was regarded by his colleagues.

I take this opportunity to express my sympathy to his daughter and other close relatives. Their loss has, of course, been made doubly hard by the recent passing of Mrs. Michener less than a month ago. They have my earnest prayers at this time of trial.

Mr. O'HARA of Minnesota. Mr. Speaker, it is my desire to join with the distinguished gentleman from Michigan [Mr. MEADER] to pay a tribute to our late colleague and friend, Earl Michener. It is with sadness that I learned that he had passed away at the page of 80 years.

One of the first friends that I made when I came to Congress was Earl Michener. He was an able and conscientious Member of the House, and certainly one of its ablest parliamentarians. I believe he is one of the few Members of the House who served both as a Member and chairman of both the Rules Committee and the Judiciary Committee.

He was always anxious and willing to be of assistance to new Members of Congress, and much of my early education of the rules of the House was from the advice of Mr. Michener.

Those of us who knew Mr. Michener know it was with the greatest reluctance that he reached his decision to retire, and that was largely due to the fact that his wife had been in poor health and he felt it was his duty to retire to be with her as much as possible.

Mr. Michener was a veteran of the Spanish-American War. He was a deeply patriotic citizen and honored and respected by everyone. To his daughter I extend my deep personal sympathy.

Mr. DINGELL. Mr. Speaker, it was with considerable sadness that I read in the paper the other day of the death of the Honorable Earl C. Michener who died at the age of 80 on July 5, 1957. Mr. Michener was a Member of this House from 1919 to 1933 and from 1935 until his retirement in 1951.

He was chairman of the House Rules Committee from 1925 to 1933 and from 1935 until his retirement he served as a member of the House Judiciary Committee. Mr. Michener is well remembered for his watchfulness over the Treasury and the taxpayers' money. He served his people long and with distinction. I had the pleasure of knowing him during my early boyhood and recall him as a kindly, gracious, and gentle man. He was much respected in Congress for his wisdom and for his decency and industry. When he retired because of his wife's illness, Congress lost a most able and conscientious man. The people of this country will miss a devoted public servant whom I know the good Lord will receive with mercy and kindness.

PARLIAMENTARY INQUIRY

Mr. SMITH of Virginia. Mr. Speaker, I desire to propound a parliamentary inquiry.

The SPEAKER. The gentleman will state the parliamentary inquiry.

Mr. SMITH of Virginia. Mr. Speaker, the bill, H. R. 6127, known as the civil rights bill, as it passed the House, contained an amendment, one amendment, which should have been printed on page 13 where it was adopted. By inadvertence an error was made in the Journal and in the printing of the bill, and the bill was printed so that the amendment appears at the bottom of page 8 of the bill instead of as a new section on page 13. It was so messaged to the other body in the erroneous form. In other words, the House sent to the other body a bill which is not in conformity with the action of the House. The bill was received by the other body and was read the first time and was then read the second time and it is now on the calendar of the other body. My parliamentary inquiry is whether it is not the proper procedure at this time to ask the other body to return the bill to the House for action to conform to what actually took place and to conform with the RECORD and the Journal of the House.

The SPEAKER. The Chair would ask the gentleman from Virginia to withhold his inquiry for the purpose of enabling the Chair to look further into the matter.

Mr. SMITH of Virginia. I thank the Speaker.

CONSTRUCTION AT MILITARY INSTALLATIONS

Mr. BOLLING. Mr. Speaker, I call up the resolution (H. Res. 309) providing for the consideration of H. R. 8240, a bill to authorize certain construction at military installations, and for other purposes, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8240) to authorize certain construction at military installations, and for other purposes, and all points of order against said bill are hereby waived, except that it shall be in order to make a point of order against section 411. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN] and now yield myself such time as I may require.

Mr. Speaker, House Resolution 309 provides for the consideration of H. R. 8240, authorizing construction for the military departments. The resolution provides for an open rule, 2 hours of general debate on the bill, and waives points of order against the bill, except for section 411.

The bill carries a total authorization of $1,676,662,000. Of this amount $297,714,000 is for the Army; and $391,095,000 is authorized for the Navy. Only one new activity is scheduled for the Navy and that is an air facility for the Naval Academy. The Air Force is authorized $727,764,000.

One hundred and eighty six million four hundred and ninety-nine thousand dollars of the total represents increases in prior authorities, $21,341,000 is authorized for the Air Force Academy at Colorado Springs, and $52,209,000 is authorized for 2,214 family housing units.

Some new provisions appear in the bill. The military departments are required to report twice yearly to the Congress on contracts awarded on other than a competitive basis to the lowest responsible bidder.

Unused authorities will be rescinded after a period of 4 years rather than 5, as now provided.

The authority for leasing of housing at tactical installations is extended for 1 more year, and 5,000 units are authorized.

Section 411 provides that prior to the termination or reduction in the operations of any commercial or industrial type activity which has been conducted for 5 or more years and requires the services of 10 or more civilian employees of the United States, the Secretary of Defense shall file a report with the President of the Senate and the Speaker of the House setting forth the details of the proposed termination or reduction. The section also provides that such termination or reduction shall not take effect until the expiration of 60 days of continuous session of Congress, and shall not take effect then if either House of Congress adopts a resolution which disapproves such termination or reduction. The Rules Committee provided that no points of order would be waived on this section so the House may have an opportunity to work its will on this controversial matter.

I urge the adoption of House Resolution 309 so the House may proceed to the consideration of H. R. 8240.

Mr. BROWN of Ohio. Mr. Speaker, as the gentleman from Missouri [Mr. BOLLING] has explained, House Resolution 309 makes in order the consideration of the bill H. R. 8240, the so-called military construction bill. It carries approximately $1,700,000,000 in new authorizations for military construction of different types and kinds, both in the continental United States, in our possessions, and abroad. It is the authorization bills, of course, which pave the way, as we all know, for future appropriations. Of course this is a highly technical bill. Perhaps only the membership of the Armed Services Committee know, of their own knowledge, the need for these different installations and for construction of the different facilities as set forth in the bill.

However, the measure also carries some other provisions, which I think are very important, in addition to the authorization for appropriations. It carries one provision that is very important, in connection with the letting of

contracts by the Armed Services and their different branches. In my opinion, as I heard the testimony given before the Committee on Rules, that particular provision is good, and one which should be of benefit to and give protection for the people of the United States and their tax funds.

Another section in this bill, however, section 411, is somewhat questionable, in my mind. Whether or not it is the part of wisdom to adopt such a particular provision into our law, is indeed doubtful. For that reason the Rules Committee saw fit, with the consent, I may add, of the chairman of the Armed Services Committee, to grant a rather peculiar rule which waives points of order on the bill, except as to section 411.

Section 411 would handicap, to a great extent, if not almost prevent entirely, the Secretary of Defense and other National Defense officials from eliminating many, if any, of the present business activities of the Defense Department which are in competition with private enterprise, unless and until Congress first gives its consent. I understand that perhaps a point of order may be made against section 411. I cannot pass on the parliamentary question as to whether such a point of order will prevail or will be overruled. But if section 411 remains in the bill, it is my understanding that there will be amendments offered to strike it from the measure.

I have made this explanation, Mr. Speaker, with the thought that my words may alert the membership of the House as to that particular situation, because I think it is one that must be debated and should be discussed rather fully on the floor.

I have no further requests for time, Mr. Speaker, and I, therefore, yield back the remainder of my time.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. VINSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 132]

Abbitt	Boggs	Colmer
Adair	Bonner	Cooley
Alexander	Bosch	Coudert
Alger	Bowler	Cunningham, Nebr.
Andersen, H. Carl	Boyle	Curtis, Mass.
Anderson, Mont.	Brown, Mo.	Davis, Tenn.
Anfuso	Brownson	Dawson, Ill.
Ashmore	Buckley	Dennison
Barden	Byrne, Ill.	Diggs
Barrett	Byrne, Pa.	Dingell
Bass, N. H.	Canfield	Dixon
Baumhart	Chelf	Dollinger
Beamer	Chiperfield	Donohue
Belcher	Christopher	Dorn, N. Y.
Bentley	Chudoff	Eberharter
Blitch	Clark	Fallon
Boland	Coad	Fino
Flood	McCormack	Richlman
Fogarty	McCulloch	Robeson, Va.
Forand	McMillan	Rodino
Frazier	Macdonald	Rogers, Mass.
Fulton	Machrowicz	Roosevelt
Gary	Madden	Santangelo
Gordon	Magnuson	Seely-Brown
Granahan	Mailliard	Sieminski
Green, Pa.	Martin	Staggers
Gregory	Meader	Stauffer
Griffiths	Merrow	Taylor
Hays, Ohio	Miller, N. Y.	Teller
Healey	Minshall	Tewes
Hess	Moore	Thompson, La.
Holtzman	Morano	Thomson, Wyo.
Ikard	Morgan	Thornberry
James	Morrison	Tuck
Jennings	Moulder	Udall
Jones, Mo.	Multer	Vanik
Kearns	Mumma	Van Pelt
Kelly, N. Y.	O'Konski	Vorys
Kilburn	O'Neill	Watts
Kluczynski	Osmers	Willis
Latham	Philbin	Wilson, Calif.
Lennon	Polk	Wilson, Ind.
Long	Powell	Yates
McCarthy	Prouty	Zelenko
McConnell	Rains	

The SPEAKER. On this rollcall 292 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AUTHORIZING CONSTRUCTION FOR THE MILITARY DEPARTMENTS

Mr. VINSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8240) to authorize certain construction at military installations, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 8240, with Mr. TRIMBLE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. VINSON. Mr. Chairman, I yield myself 18 minutes, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON. Mr. Chairman, this bill is known as the military construction authorization bill for fiscal year 1958.

Now, under the bill the following amounts will be granted the three services:

Army	$297,714,000
Navy	391,095,000
Air Force	727,764,000
Total	1,416,573,000

In addition to this authorization, $186,495,000 is authorized to correct deficiencies in authorizations of projects authorized under previous laws. This $186 million is broken down as follows:

Army	$28,885,000
Navy	42,648,000
Air Force	114,962,000
Total	186,495,000

Now, these 2 items amount to $1,603,072,000.

To this amount, we must add $21,341,000 for the Air Academy.

So, the correct total of authorization carried in this bill is $1,624,413,000.

There are over 400 named installations in this bill and about 4,000 individual line items.

When the program contained in this bill was being formulated in the first instance, the request from the field offices totalled over $5.5 billion.

As a result of careful surveys, the military departments reduced this amount down to $3.6 billion.

The Office of the Secretary of Defense, after a detailed study, further reduced it down to the amount of $1,742,394,000 which was submitted to the committee.

Now, I would like to talk briefly as to the extent to which the committee cut the bill, and I might say, that the committee made its cuts after 4 weeks of hearings in a most detailed study of the bill.

In the first place, the committee eliminated a little over $139 million from authorizations in titles I, II, and III. However, since the committee, for legislative purposes, moved the authority for the Air Force Academy from title III to the general provisions, the true cut is about $118 million. This is made up of two principal elements: $66 million in specific line item cuts in titles I, II, and III and $52 million in general housing authority.

This latter cut was done in this fashion: The departments already have on the books a large amount of authority to construct housing with appropriated funds—the reason for this excess authority in housing is the fact that the Capehart program came along and it was decided by the executive branch to use private money to construct family housing instead of appropriated funds.

The committee felt that old authority should be used up and thereby cut down on the new authorization.

AUTHORIZATIONS AND APPROPRIATIONS

Now, while we are on the subject of authorizations, I would like to draw your attention to page 3 of the report. There is set out there all the authorizations and appropriations which have been granted the three departments since 1948. This gives you the complete picture.

I would like to point out that at the time this bill was reported out, the appropriation request was $1,900,000,000. Shortly after the bill was reported, the President lowered his budget request to $1,665,500,000. For this reason, all of the appropriations figures set out in the table will change. I don't know, and I rather doubt whether anyone knows at this moment, exactly the way in which they will change. I would assume that the cuts which will result will be on a pro rata basis.

There is now, therefore, a total appropriation request of $1,665,500,000 against a total authorization in this bill of $1,676,000,000.

As you can see, this will leave unfunded authorization in the amount of a little over $2 billion still outstanding. It has been my purpose and the purpose of the Armed Services Committee over the past several years to cut down the difference between authorizations and

appropriations. I feel that the difference between them should be the minimum amount necessary for effective operation.

REPEAL OF OLD AUTHORITIES

A few years ago, we inserted a provision in the law which stated that any authorization over 5 years old was automatically repealed. This has worked quite well. However, feeling that this period could be cut even more, we inserted a provision in the bill this year which would automatically repeal all authorizations which are 4 years old. This is section 406 which begins on page 66 of the bill. At the time we put this provision in, we told the departments that next year we were going to move it down to 3 years. So, we are going to end up with only a minimum of difference between authorizations and appropriations.

DEFICIENCY AUTHORIZATIONS

At this point, I would like to speak about the deficiency authorization which you will find in each title of the bill. You will recall that I referred to those previously when giving the totals of each of the titles.

These deficiency authorizations are relatively new in military construction bills and reflect, for the most part, the steadily rising costs for construction. On page 30 of the report, the matter of deficiency authorizations is dealt with in some detail, but very briefly stated they are explained on two bases: First, poor cost estimates in the first instance, and second, rises in cost.

It should be understood that some of these items were designed and estimated as much as 4 or 5 years ago. In those days, there was no "advanced planning" authority. The effect of this was that many of the costs were grossly inaccurate, since they were not based on precise planning or design.

The second reason—increase in cost—is illustrated by the fact that during the past 2½ years, there has been a rise in construction costs of 13.4 percent.

In the case of the Air Force, another element is involved and that is building heavier runways, in place of lighter ones originally planned, in order that the heavy bombers may have a greater latitude of dispersal.

One concluding thought on the matter of deficiency authorizations. The increased authority does not represent a bigger barracks, larger hangar, or a longer pier. The barracks, the hangar, and the pier will be the same as originally authorized but simply will cost more than the authority originally granted.

LAND

A word about land. The report on the bill deals in detail with the lands already held by the military departments and the land planned for acquisition in this bill. This you will find on pages 27 through 29 of the report. This gives the complete picture of the land situation. Briefly stated, this bill will authorize land acquisitions as follows:

They total approximately 39,215 acres in fee, with the Army contemplating 942; the Navy, 29,444; and the Air Force, 9,140. The total cost of these lands will be about $15 million.

About 30,000 acres of easements also will be required, at a total cost of $9.5 million.

This is a total land expenditure of $24,639,000.

NEW BASES

I am always interested and I know you, Mr. Chairman, and the members of this committee are always interested in whether a bill of this kind authorizes the establishment of any new base. At the bottom of page 26 of the report is set out a discussion of the new bases.

Actually, there is only one new base planned by this bill, and that is Towers Field, which will be a training field for the midshipmen of the Naval Academy. The bill would authorize $3.2 million for land acquisition only for Towers Field.

I might say in this connection that there has been so much discussion and dissension about the establishment of this field that I appointed a subcommittee to look into the matter and keep tab on all matters relating to the location of the base. Personally, I feel that we should look very carefully at the possibility of using Andrews Air Force Base for this purpose.

BASIS OF THE PROGRAM

The construction program contained in this bill is, of course, based on the forces which we plan to have over the next several years. In the case of the Army, the program is based on 1 million men. In the case of the Navy, the program represents the shore establishment necessary for 980 ships. For the Air Force, we are building toward 118 wings.

I would now like to review briefly the major elements of the Army, Navy, and Air Force titles of the bill. If you wish, you can follow this discussion by referring to page 4 of the report where the breakdown of the Army program starts.

ARMY

Now, the Army would be authorized $297 million in this bill. This is about $25 million less than last year.

(a) Forty-four million eight hundred thousand dollars, or 15 percent, is for troop and family housing.

(b) One hundred and fifteen million dollars, or 38.6 percent, is for construction of facilities for the tactical defense of key cities, bases, and industrial centers in the United States. This represents construction for Nike, Hercules, and other defense missiles.

(c) Twenty million eight hundred thousand dollars, or 7 percent, is for construction in support of Army aviation at 17 installations.

(d) Twenty million eight hundred thousand dollars, representing 7 percent, is for the line of communications in France.

(e) The balance of the program, $68 million, or 22.8 percent, is for other essential construction of facilities, including $28 million for classified facilities both in the United States and overseas.

The Army's program, broken down by categories, will be found at the top of page 5. This is followed by a detailed breakdown of the program by technical service and continental armies. In each instance the mission of the technical service and the continental army is set out, as is the geographical area covered by the Army.

NAVY

The Navy would get $391 million under this bill.

Approximately 84 percent of the program, or $329 million, is for piers, runways, shops, and other operational facilities.

Twelve percent, or $46.6 million, is for barracks, batchelor officers quarters, messes, dispensaries, and other similiar facilities.

About 3 percent, or $9.9 million is for laboratories and similar research and development facilities.

The remaining 1 percent of the Navy's program, or $5.7 million, is for the acquisition of fee and easement interests.

You will note that starting at the bottom of page 12 of the report, the program is further broken down into shipyard facilities, fleet base facilities, aviation facilities, and so forth. In each instance, the purpose of the particular type of facilities is set out, as is the money amount and considerable detail as to the particular items which will be built.

AIR FORCE

The Air Force would be authorized $728 million under the bill.

You will find a breakdown by command on page 18 of the report. From that table, you will see that:

The Strategic Air Command gets $163 million or over 22 percent of the total.

The Air Defense Command is next with $107 million or almost 15 percent of the total.

The Air Training Command and the Air Materiel Command gets approximately the same amount—a little over 6 percent each.

Outside the United States, the Aircraft Control and Warning System receives the largest amount with $70 million which represents over 9 percent of the total. The Strategic Air Command is next with $64 million which is almost 9 percent of the total. The rest of the overseas construction follows those two items.

I might point out that $137,782,000 represents airfield payments alone.

In the material following the table which I have just referred to, you will find the various commands dealt with in detail. Not only is the amount of money set out but also the general areas of use to which the money will be put. And in each instance, the mission of the particular command is described.

GENERAL PROVISIONS

The general provision are for the most part similar to those which have appeared in previous years. They begin on page 64 of the bill and are described in the report starting on page 33.

Sections 401 through 405 are the same as they have been in previous years. They do not grant any new authority but merely set out totals in the bill, provide for 5 and 10 percent variations in the cost of projects, and other things of this nature.

Section 405 is essentially the same as in previous years. It provides that contracts for construction authorized by

this act will go to the lowest responsible bidders under virtually all circumstances. The military departments have a fine record on the basis of obtaining their construction through competitive bidding in that about 93 percent of all their contracts are awarded in this fashion.

The difference in section 405 appears as the second sentence of that section. You will note on page 66, starting on line 11, that semiannually the military departments will report to the Armed Services Committees with respect to any contracts which are let on a negotiated basis. Although there are very few of them, the committee felt that it should keep itself informed with respect to those instances where the contract is not let on a competitive-bid basis.

Section 406 is the section I referred to previously as the one rescinding authorities which have been in existence for some years. The bill as originally submitted had that period as 5 years. The committee now has changed this to 4 years, and, as I stated before, will change it to 3 years when the next bill is before us.

Section 407 merely modifies last year's law so that housing may be leased at NIKE sites and thereby save the money which would otherwise be expended in building houses for the troops which must be stationed at these important locations.

Sections 408 and 409 relate to housing and, generally, grants some more space to enlisted men with large families.

Section 410 has appeared in previous laws and relates to the use of funds generated by the sale of surplus commodities in foreign countries for the construction of housing for our military.

Section 411: To give some of the history of the philosophy behind section 411, I will go back to section 638 of the Defense Appropriation Act approved July 13, 1955. That section provided that:

SEC. 638. No part of the funds appropriated in this act may be used for the disposal or transfer by contract or otherwise of work that has been for a period of 3 years or more performed by civilian personnel of the Department of Defense unless justified to the Appropriations Committees of the Senate and House of Representatives, at least 90 days in advance of such disposal or transfer, that its discontinuance is economically sound and the work is capable of performance by a contractor without danger to the national security: *Provided*, That no such disposal or transfer shall be made if disapproved by either committee within the 90-day period by written notice to the Secretary of Defense.

This section, of course, provided that the Appropriations Committees would make the determination with respect to the disposal or transfer of the activity.

In May 1956 the appropriations bill was reported with language identical to section 638 and appeared this time as section 633.

Mr. ALLEN offered an amendment to strike section 633. There was a rollcall vote on the Allen amendment and the House approved his amendment by a vote of 222 yeas and 156 nays, a majority of 66 votes.

Later on that year, the Armed Services Committee reported its point-of-order bill, H. R. 7992. It contained a section 27 (a) which was substantially the same as section 411 of the bill we are now discussing. It read in part as follows:

SEC. 27. (a) Prior to the transfer by contract of any commercal or industrial-type operation which has been performed by the Department of Defense for a period of 3 consecutive years or more and in which more than 10 civilian personnel are employed at the specific activity concerned, the Secretary of Defense shall file with the President of the Senate and the Speaker of the House a report setting forth the details of the proposed transfer. Upon the expiration of 60 days of continuous session of the Congress following the filing of said report, the Secretary of Defense is authorized to proceed with the proposed transfer unless during such period either House shall adopt a resolution of disapproval, as hereinafter provided in this section, of the proposed transfer described in said report. For the purposes of this section, continuity of session shall be considered as broken only by adjournment of the Congress sine die; but in the computation of the 60-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days to a day certain.

That section 27 (a) appeared in the point-of-order bill as a committee amendment and a separate vote on that amendment was demanded. The amendment prevailed by a vote of 201 to 185, a majority of 16 votes.

So, the House has previously indicated its approval of a provision virtually identical to this section 411.

Now, that brings us up to date for the consideration of section 411 of this bill which, as I say, is almost identical to section 27 (a) in the point-of-order bill.

Section 412: This is a new section and is designed to get the Department of Defense back in the business of doing their procurement on open competitive bids and not by negotiation.

The section provides that the national emergency declared by the President on December 16, 1950, may not be used in the field of procurement as a basis for negotiation with four exceptions. The exceptions are contracts that do not involve more than $2,500; contracts for nonperishable subsistence supplies; research and development contracts not exceeding $100,000; and lastly, in connection with programs in furtherance of small business, labor surplus areas, and major disaster areas.

On page 34 of the report are some of the figures which the Armed Services Committee has obtained indicating the extent to which the departments have been performing their procurement through negotiation. You will see that funds spent by the Department of Defense under the authority of the Korean emergency proclamation of December 16, 1950, constituted over 94 percent of all Defense Department funds.

During a 9 month period in 1956, and notwithstanding corrective action which was supposed to have been taken by the Department, $5.3 billion was contracted for using the same emergency proclamation. This represented 38.94 percent of Department of Defense dollars.

Section 413 simply permits old housing authority to be used for the construction of the houses authorized in this act. This will cut down on old authorizations.

Section 414 raised the basic authorization for construction at the Air Force Academy from $126 million to $147 million.

Mr. Chairman, I feel that we have a tight bill which, you will recall, started at $5½ billion and now ends up at $1,624,000,000.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. VINSON. With pleasure.

Mr. GROSS. There seems to be in this bill a little, or even more than a little in some instances, for every State, led by California with $134 million.

Mr. VINSON. The gentleman is probably correct, except the State of West Virginia. West Virginia has an item in the bill, but it is classified, and it could not be dealt with in detail.

Mr. GROSS. Of course, the State of Iowa almost went out the window with only $284,000 out of a billion and a half.

Mr. VINSON. I may say to the gentleman that three is not one item in this bill for the Sixth Congressional District of Georgia, the district I have the privilege to serve.

Mr. GROSS. But, of course, the State of Georgia is in the bill to the tune of $37 million.

Mr. VINSON. That is not my district.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield.

Mr. HALLECK. The gentleman spoke of the effect of the declaration of emergency back in 1950. Does the gentleman not agree with me that it is about time that we put an end to this whole emergency business?

Mr. VINSON. Exactly.

Mr. HALLECK. If declaring an end to the emergency will have an adverse effect on certain laws and programs that should be continued, let us face the problem and take it up in the usual way.

Mr. VINSON. I certainly agree with the gentleman; and the Kilday amendment, as far as the Department of Defense is concerned, will accomplish that. As the gentleman from Ohio said in explaining the rule, that is a very important section of the bill and will help close the door on negotiated contracts.

Mr. ARENDS. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, first, I would like to place emphasis on the fact that this construction bill was reported out of the Armed Services Committee unanimously. I would like also to point out, however, that the committee was not unanimous with respect to one important element of the bill—and that is section 411. I will speak on this section somewhat later, when I move to strike said section from the bill.

The chairman of the committee has given an outline of the review to which this bill was subjected from the time of its original generation in the field offices of the military departments to the final product which we find in H. R. 8240.

A bill of this magnitude, containing as it does, over 400 named installations, and thousands of individual line items, is a difficult thing to grasp in its entirety without detailed study and consideration. Realizing this, the Armed

Services Committee approached the bill from three principal directions. The first of these was to get the overall policy which lies behind the bill and this we received from witnesses from the Office of the Secretary of Defense. Secondly, we required each of the military departments to break down their portion of the bill into what we called packages—and by this I mean how much was for barracks, how much was for Nike installations, how much was for airfield pavements, how much was for shipyard facilities, and so on?

The third approach was a detailed examination of the individual, specific line items which, in the last analysis, make up the whole bill.

It took us a month to do this and it is a hard, undramatic, unromantic job. But it is one we all know has to be done and has to be done well if we are to fulfill the responsibilities which we all have to our own constituents and to the whole country.

This bill contains authorities which will permit appropriations of $1,676,000,000.

Although this represents a huge program, the committee found that this amount actually represented the final results of the screening and rescreening review procedures which were carried out on this program within the Department of Defense. We found that the original requests from the three military departments to the Department of Defense amounted to $3.6 billion. After extensive review by the Secretary of Defense, this original request was reduced by over 40 percent down to a new total of $2.1 billion.

However, as this amount of construction work exceeded the monetary limitations within the Department of Defense fiscal year 1958 budget, this program was further screened down to less than 50 percent of what the 3 departments had originally asked the Secretary of Defense to approve.

This was not the final reduction—when this program was examined by the Bureau of the Budget, before its submittal to Congress, it was decided that the Department of Defense fiscal year 1958 construction funds would be reduced by $200 million. As a result, this program was finally cut down to $1,742,000,000 which was the amount initially requested in H. R. 7130, the predecessor bill to H. R. 8240. This amounts to only 43 percent of what the 3 departments requested in the first place, and is indicative of the extremely rigid review to which this bill was submitted before it was received by Congress. This review has achieved, I believe, utmost economy consistent with strong defense.

The testimony which we have received has repeatedly demonstrated that the items which survived both the Department of Defense review and the Bureau of the Budget reduction, represent fully verified requirements which are genuinely needed to support the missions which have been assigned to our Armed Forces.

We also found that the review procedures used within the Department of Defense were extremely thorough, and that each and every project was individually examined from the standpoint of need, cost, design, size, location, and sound engineering principles.

We also found that only those facilities needed to support long-term use were being requested, and that requests for many projects had been postponed so that the maximum possible use could be made of old structures left over from World War II.

Therefore, it seems very evident that the projects comprising H. R. 8240 represent a very tight and closely scrutinized military construction program that merits prompt passage, with 1 exception, and that is section 411.

Section 411 would, simply stated, require the Secretary of Defense to inform the Speaker and the President of the Senate whenever he intended to close down a commercial or industrial-type activity. If either of the Houses objected to the closing of the facility, then it could pass a resolution and require the activity to be continued.

This, of course, is not the first time we have had this concept before us. The idea managed to survive an appropriations act a few years ago, but was soundly defeated the next year. In the point of order bill, it survived by a very close margin, but I think that the vote at that time was not a considered one and may well have reflected a lack of complete understanding on the part of the House as to the implications that are inherent in legislation of this kind.

Historically, and most fundamentally, our Government is divided into three elements. It is our tradition—and, indeed, our law—that one of the constituent elements should not interfere with the activities of another. Each has its job to do and must be allowed to do it without interference from the other.

Here we have the legislative branch of our Government dipping into the day-by-day activities of the executive branch. We select officials to run the executive branch in whom we have confidence. We pick them for their proven ability in their particular fields. We place great responsibility upon them. And we give them our full confidence.

But what would we do under this section 411? We would say "We know you have an important job to do; we have almost full confidence in you, but we think we ought to be able to lend a paternal hand to your daily operations. We think we know better how to run your business than you do."

If good business sense dictates that a commercial or industrial activity should be deactivated and get out of business—and this decision is made by a responsible official in the Department of Defense and is approved by the Secretary of Defense—who are we to say that his decision is wrong?

Full and free business activity is our tradition. The very foundation of our country's economy is based on a free economy; one with a minimum of Government interference—one with a minimum of Government activity in fields which are essentially of a business nature.

In a word, if we can buy it from a private producer, then we shouldn't be in the business of making it ourselves. This is subject, of course, to some minor exceptions, but by and large, the Government's business is government, not manufacturing.

Section 411 is bad legislation and bad policy.

With the same strong feeling of sincerity that I ask that the construction authorization be passed, I will later on ask that section 411 be defeated.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from South Carolina.

Mr. RIVERS. The gentleman has said that under section 411 the Congress is dipping into the responsibility of the Executive and that, if I understood the distinguished gentleman correctly, the people whom we have selected to run the executive department have willed that these installations be cut out, in the event such an installation is sought to be disestablished. Now, to begin with, the military quite frequently does not want these establishments discontinued. It is some civilian down in the Department that wants to do it who does not have the comprehensive information that the military man would have. The gentleman says that we dip into the operation of the executive branch. I wish the gentleman would make it plain to the House that the Constitution—and a lot of us still believe in it—says that the Congress shall provide an Army and a Navy and that the President shall be Commander in Chief thereof. It does not say the Department of Justice; it does not say the Department of Commerce; it does not say the Department of the Interior, or some other department. It says the Congress shall provide a military. It does not single out any other department.

How can the gentleman say to the House that we are dipping into the Executive when the Constitution tells us to provide a military? How on earth can we do it if we do not know what is going on? So I respectfully submit to my distinguished friend that we are not dipping into the Executive. We are following our mandate when we provide a military. How can we provide a military with what they are entitled to have if somebody downtown takes this away, takes that away, and takes something else away, and gives it to some friend in industry?

Mr. ARENDS. If the gentleman from South Carolina will bide with me, when the motion is made to strike section 411 from the bill, I shall go into that in detail. I have some material that I should like to present at that time which I think will give the gentleman an answer to his question.

Mr. RIVERS. The gentleman will admit that the Constitution singles out the Congress to provide a military and the President to command it, and we have to provide that; the gentleman will agree with that?

Mr. ARENDS. I agree with the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Iowa.

Mr. GROSS. How does this proposed authorization compare with spending for

the same purpose last year? I do not seem to find that information in the report. Does this represent an increase or a decrease?

Mr. ARENDS. I think last year the amount was $2,200,000,000. This provides some reducton. I should like to say to the gentleman from Iowa that I know of no way we could have screened these requests any more closely, or given this proposal a more intelligent approach than we did. I recited the careful study made of each item resulting in reductions, and I think we have done a tremendously good job from the standpoint of how much economy we could bring into this proposal.

Mr. GROSS. I understand that it is proposed to withdraw a couple of divisions from Japan. If they are brought back are facilities adequate to take care of them without coming to Congress for additional construction?

Mr. ARENDS. I am sure there will be, yes.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, on page 17 of the report there is listed $65 million of the total of the Air Force appropriation as classified. Yet on only three pages of the bill, dealing with Air Force installations, I find approximately $217 million proposed to be expended at "various locations," without any further detail. Can the gentleman shed any light on this?

Mr. ARENDS. I think the gentleman will have to rely somewhat on the good judgment of the committee. We have some of this classified information, which we obtained in executive session, but for security reasons we cannot divulge it at this particular time.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Georgia, the chairman of the committee.

Mr. VINSON. To supplement what the gentleman has just said, the committee had full information on all of the expenditures for each of the classified projects referred to in the bill. We cannot come into the House, and we could not in the report go into detail on each of those. Had we done so, we would have had to reveal secret information. But I can assure the gentleman and the committee that the Armed Services Committee had an explanation of all of the classified projects.

Mr. GROSS. If the gentleman will yield again, the only point I was making is that at one place the report lists $65 million as being classified and yet the bill, only on three pages, shows $217 million to be expended at various and completely unspecified locations. Nor is there information as to the purpose.

Mr. ARENDS. Let me repeat to the gentleman from Iowa that I think he must rely on the judgment of the Armed Services Committee in what we are trying to do in this particular bill without divulging where our security is involved exactly what is proposed.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from New York.

Mr. COLE. The gentleman from Illinois has announced the intention of striking out section 411. The effect of section 411 is to prohibit the Defense Department from discontinuing any function, service, or manufacture of any item which the Defense Department feels can be provided to better advantage from private sources. It prevents them from discontinuing that service without prior consent of Congress. Can the gentleman cite a single instance, after his many years of experience and service on the Committee on Armed Services, where the Defense Department has been able to manufacture an item or to provide a service or promote a function at a cost less than it can obtain it from private sources?

Mr. ARENDS. Of course I cannot. We all know that.

Mr. McGREGOR. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Ohio.

Mr. McGREGOR. Getting back to the classified information, the gentleman from Ohio especially wants to thank the chairman and the entire membership of this committee for the courtesy and consideration shown him. There was a project that was determined classified. I am most happy to say that in my opinion there is one committee in Congress that does not allow the so-called brass or bureaucrats to tell them what to do. It has been proven to me beyond question of a doubt that this particular committee determines itself what is classified and does not take the ruling of someone regardless of how high his rank may be. The gentleman from Ohio greatly appreciates the consideration shown him in connection with a project that we determined ourselves was not worth while. I thank the committee for recognizing that fact.

Mr. ARENDS. We thank the gentleman. With all modesty, I must say we do have an extraordinarily good committee.

Mr. MACK of Washington. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield.

Mr. MACK of Washington. Are there any provisions in this bill for the acquisition of large land areas for Port Chicago, Calif.?

Mr. ARENDS. No, not at all. I do not think we took that into consideration at all.

Mr. VINSON. If the gentleman will yield, nothing in the bill relates to that. It remains status quo.

Mr. MACK of Washington. In other words, they are going to spend $723,000 for some small installations but no large-scale acquisitions?

Mr. VINSON. That is right.

Mr. MACK of Washington. If it is agreed later to make that installation, it will be located at Port Chicago or some other place that is satisfactory?

Mr. VINSON. We will take that up later, but there is nothing in here covering the buffer zone at Port Chicago.

Mr. MACK of Washington. I thank the gentleman.

Mr. O'HARA of Illinois. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield.

Mr. O'HARA of Illinois. I am addressing this question to the gentleman from Illinois because of the implication he made. I know that the wise and great committee has reason for it, but in the report I notice that the Fifth Army received only 2.9 percent of the total building program for the Army, the Fourth Army received 6.2 percent, and the Third Army 5.8. I presume there is good reason for that, but I know the gentleman from Illinois and the rest of us from Illinois when we get back to the Midwest will be questioned about that.

Mr. ARENDS. A lot of this is based on military priority needs, but I can say to my colleague from Illinois as a Member from Illinois that we were watching out for all these things from our particular area.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield.

Mr. CURTIS of Missouri. I was very much interested in reading the committee report pertaining to real estate. On page 27 and the immediately following pages there is an inventory for the first time, and I am happy to receive it, of the amount of real estate and improvements the military establishments now have. On page 28 it gives us what has been disposed of over the period of the past 10 years. It gives an item showing the cost. What I am interested in is knowing how much the Federal Treasury received in return for the disposition of this property and whether or not we had a net gain or a net loss. I should like to know what accounting is given of that.

Mr. VINSON. I will say, in answer to the question of the gentleman from Missouri, that the only agency which would have the information on that is the General Services Administration. We do not have the information. We go on the assumption that it is done in a good businesslike way and that no Government property is given away unless the Government receives its fair market value.

Mr. CURTIS of Missouri. If the gentleman will yield further to pursue further this line, certainly the Military Establishment has some idea as to how much it involves when it comes to the disposal of land.

Mr. VINSON. I would say "No." The military department, when it turns over to another agency of Government, the General Services Administration, any property for the other agency to dispose of, it naturally washes its hands of the property. And when another agency steps in and does dispose of the property, under the law, the military department would not normally attempt to keep track of it. They would have no information other than that which would be voluntarily sent to them. Their military interest is finished.

Mr. CURTIS of Missouri. I might suggest this: On the disposal of personal property, the figures seem to run at about $2 billion to $3 billion a year in excess property that the Military Establishment is disposing of, for which we get about 8 cents on the dollar. One of the best checks that we would have on our system, I might suggest, is to find out what is disposed of because it reveals to

us where the system is not operating properly. I think the Military Establishment ought to know and follow through in these instances where they have an inventory which shows us here that there is $3,780,000,000 worth of property and improvements; that is, the cost to the Government. Now, it would be very interesting to find out why over a period of 10 years we have had that amount of surplus generated, if there had been proper planning in the beginning.

Mr. VINSON. I would say to the gentleman from Missouri that as fast as the Committee on Armed Services can dispose of the legislation before us, and when we get a breathing spell and can get down to this question, we will be more than delighted to ask the General Services Administration to give us a report as to what amount of money it receives from the disposal of any real estate. We do not have that information today.

Mr. ARENDS. I think, Mr. Chairman, the gentleman makes a good point. It impresses me as a very good idea to try to get the information for him and all Members of the House.

Mr. CURTIS of Missouri. I want to thank the gentleman from Illinois and to add this one comment. The reason I bring this up here, of course, is that here we are generating considerable additional money. I like the way the Committee on Armed Services have gone ahead and have begun to dig into these things. But, I note on page 30 the committee makes this statement:

> The three departments admitted that a substantial number of projects for which increased authorization is necessary were poorly planned in the first instance and did not reflect anything but the most general estimates of cost.

I have felt that as a Member of Congress that that has been going on for some time. In spite of the words of reassurance that the gentleman has given me that this time it is different, I am still quite disturbed about it. But I do want to say that this looks like real progress and my suggestion of going into these things further is simply in the nature of making a suggestion as to how we can get on top of this matter.

Mr. ARENDS. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield.

Mr. GROSS. I just want to make this brief comment. The Truman Airport at Grandview, Mo., is still with us in this bill to the tune of a little better than $2 million.

Mr. ARENDS. I well recall the gentleman's interest in that matter.

The CHAIRMAN. The gentleman from Illinois [Mr. ARENDS] has consumed 24 minutes.

Mr. VINSON. Mr. Chairman, I yield 15 minutes to the distinguished gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS of Louisiana. Mr. Chairman, you have already heard from the chairman of the committee a description of the overall bill. You have been informed with respect to the highlights in the programs of each of the three departments and you have a description of the general provisions of the bill.

I think that every Member of the House now understands the magnitude and importance of H. R. 8240 and I will not, therefore, repeat any of the areas which have already been covered. I will devote my remarks to the Strategic Air Command.

The Strategic Air Command's ability to conduct offensive air operations on a global basis is recognized as the primary deterrent to enemy aggression. This Nation is always faced with the possibility that this powerful deterrent will be ignored by potential aggressors, if they believe our strategic forces are vulnerable to surprise attack.

We know that the Soviet Union has committed itself to work of creating a strong, modern, long-range offensive bomber force. It is readily apparent that this capability is a prime threat to our national security. Should this force be employed in a surprise attack against the United States, then the Strategic Air Command must immediately mount nuclear attacks designed to destroy the enemy's will and ability to wage war before overwhelming and irrevocable damage can be inflicted on the United States. This retaliation must be done quickly, to be effective, and in great weight to be decisive.

The major force within the Defense Establishment that has the potential to launch immediate attacks against critical Soviet targets is our Strategic Air Command. Through the immediate employment of this force, we can reach critical targets in sufficient time to minimize a Soviet air attack launched against ourselves or against our allies.

In giving meaning to our national policy of deterrence, the Department of the Air Force is taking action to continually improve the weapons systems of the Strategic Air Command, and provide it with the immediate reaction time required to employ the force under the circumstances which I have just outlined.

About 45 percent of the Air Force portion of the bill is directly related to improvement of the strike capability of the Strategic Air Command and the maintenance of SAC's constant readiness. These SAC operational and support projects include sites for strategic missiles; bases for dispersal of the heavy bomber squadrons; additional facilities required by the conversion from B–36's to B–52's; northern tanker bases; facilities and aviation fuel storage at overseas bases; housing and community facilities; and other essential base support items including aircraft maintenance facilities, ammunition storage, refueling facilities, mission training facilities, and unit operations buildings.

The intercontinental capability of the B–52 was dramatically demonstrated in the recent round-the-world flight with which you are familiar. You are also familiar with the concept of dispersal and the initial increment that was authorized in the 1957 Military Construction Program. The facilities provided by the Air Force's 1957 and 1958 military-construction program will, when completed, substantially reduce the vulnerability of the Strategic Air Command's Heavy Bombardment Force and will contribute greatly to its capability to react quickly and mount a significant retaliatory strike.

In recognition of the extreme high costs to disperse this force by providing completely new bases, the Air Force has, up until this time, dispersed the force within the existing inventory of bases, taking advantage of facilities already in place, to reduce the cost of this program.

Obviously, the deployment of bombardment units from existing bases to dispersal bases will do two things: First, in some instances it displaces units now in place at the dispersed locations; second, it creates facilitites at Strategic Air Command bases which cannot be used to capacity by the remaining Strategic Air Command's mission.

An immediate question arises: Are we, through dispersal, vacating facilities that are already in use at existing bases? To understand the answer—which is essentially "No"—we must look at the deployment of the entire force in the United States.

As you are aware, there has been some decline in the numbers of wings now programed for the Air Force. The 137-wing program has been reduced to a program of 128 wings, effective by the end of fiscal year 1958. We can expect further reduction in the future, as the combat power of Air Force units increases with improved weapons systems.

It is interesting to note that the force deployments in the United States remain substantially the same as under the 137-wing program. With this in mind, the Air Force has redeployed the force in the United States by placing units of other commands on Strategic Air Command bases to take advantage of the facilities made vacant by the dispersal of Strategic Air Command units. We must also consider that the heavy bombardment wings previously were composed of 30 B–36's with no requirement for air refueling squadrons. The heavy bombardment wing is now composed of 45 B–52 aircraft and 20 air refueling aircraft, so that instead of considering the dispersal of 30 B–36's, we must provide facilities for 65 large aircraft.

An example of this is at Ellsworth Air Force Base, S. Dak. Its current utilization is 30 B–36 aircraft, and a Strategic Air Support Squadron composed of 12 C–124 aircraft. The utilization at Ellsworth supported by the Air Force military construction program, after dispersal of the heavy bombardment squadrons, is 55 large aircraft. These require the same space as that previously required by the B–36 wing and the strategic support squadron.

A fighter wing is being placed at Briggs Air Force Base and a tactical reconnaissance wing is being placed at Walker Air Force Base to substantially use the facilities vacated when the squadrons disperse from these locations. These actions are illustrative of the scope of action being taken to utilize existing facilities.

The Air Force has given very serious consideration to the matter of dispersing this Strategic Air Command force and, at the same time, making maximum use of facilities by such dispersal. In my opinion, the deployments of the forces

in the United States, as supported by the Air Force 1958 military construction program, is sound, avoids new construction where possible, and makes maximum use of existing facilities.

I would like to conclude on a note which I think is of overriding importance. It has been the thought of many people that the day of the intercontinental ballistic missile is with us, that we had the absolute weapon—and the long-range bomber would soon become a thing of the past.

Perhaps this day will come—perhaps we all here on the floor of the House today will see that day. But, gentlemen, that day is not today nor is it any day in the reasonably foreseeable future.

The short-range missiles, it is true, have, in effect, taken the place of artillery pieces and have proved very successful. Nothing, however, is in existence today, or can be anticipated to be in existence for a considerable time to come, which will take the place of the long-range Strategic Air Command bomber. The SAC force is our first—our primary—and in some very real sense, our present current deterrent to aggression.

So, I believe that we can look forward to many, many more years of dependence on the long-range strategic bomber of the Strategic Air Command. It would be dangerous to my mind to let any feeling of complacency creep into our thinking—permit any feeling that a pushbutton type of defense or offense is with us today. It may come, but it is far off yet.

I have devoted my remarks to the Strategic Air Command of our great Air Force. I have done this because of my own strong interest in SAC and because of my own profound admiration for the people who have led SAC and are leading it today. Gen. Curtis LeMay, now Assistant Chief of Staff of the Air Force, has given his official life to the work of building up the SAC force and he has done a magnificient job.

I would not mean to imply, however, by the restriction of my remarks to this great element of the Air Force to indicate any lack of interest in or support of the other two services.

As the chairman of the committee has pointed out, we examined most closely the individual items which make up the programs of the Army, the Navy, the Air Force, and the Marine Corps. We found the program to be a close one, a tight one—one which had been obviously well thought out—well planned—and I might say, well presented by the witnesses of the three services who appeared before the committee.

Indeed, I wish to leave no impression whatsoever that the functions of the other services are not of great importance. The Army, the Navy, and the Air Force together form a team—each doing its own job—each complementing the other—and together forming a defensive, or if need be, an offensive force which is second to none in the world.

The bill is one more step toward insuring that our military forces remain second to none. I feel its passage is an absolute essential to this end.

Mr. ARENDS. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Chairman, I take this opportunity to compliment the distinguished gentleman from Georgia [Mr. VINSON], the chairman of our committee, a man who has served in the Congress of the United States some 43 years. To me he is one of the outstanding Americans of our day, a great civic patriot who has contributed the greater part of his life to his Nation. As chairman of the Armed Services Committee, he has the responsibility for the development of programs to build and maintain our great national defense to meet any emergency that may arise in a critical and chaotic world. By his work over a long period of years he has earned and deserves the hearty commendation of the membership on both sides of the aisle. I have been privileged as a member of the Armed Services Committee to have the opportunity to work with him for many years. He is conscientious and thorough in his work. He spends hours and days and weeks in scrutinizing every item in the defense program. His wise counsel and guidance and direction is eagerly sought on all programs of national defense. The soundness of this bill we have before us today is a tribute to the able leadership and direction of our very able chairman, the gentleman from Georgia [Mr. VINSON]. It is a program calling for some $1.6 billion, and it is legislation which has for its objective the strengthening and maintenance of our national defense. Now a word about the Department of the Army program.

The Army's construction program for fiscal year 1958 totals $297,714,000 in new authorization as contained in title I of H. R. 8240. The title would also permit reprograming of certain prior years' authorization for sorely needed family housing. I feel that the Army's request is both modest and minimal, when taking into consideration its stated construction requirement for fiscal year 1958 of approximately $919 million. Exhaustive reviews of this program within the Department of Defense, the Executive Office of the President, and the Congress have reduced the program to the bare minimum.

As you are all aware, the primary purpose of the Army is to provide a deterrent to war in conjunction with its sister services. A strong, combat-ready Army is an essential part of the deterrent forces needed for our national security. The Army provides a deterrent to general and local wars through its overseas deployments covering vital strategic areas, by its contribution to the continental air defense of the United States, by the presence of ready, highly mobile forces, and by its capability to apply measured force to varying situations.

Toward this end, the fiscal year 1958 construction program has been developed. Thirty-nine percent of the program is devoted to strengthening the Nike defense system in continental United States; 45 percent is for the construction of permanent plant to house and support our Army in continental United States and its Territories; and 16 percent of the total is for construction of shorter term requirements in continental United States and temporary base rights areas overseas.

For the air defense of the continental United States, this bill will provide additional construction totaling $115 million for tactical facilities, and an additional $8,500,000 for logistical support of this highly important mission.

The need for adequate air defense of the United States is absolutely vital. This is required to support the national policy of deterrence. Army surface-to-air guided missiles make the major contribution to the defense against the atomic air threat as it exists today and may exist in the foreseeable future.

In the field of land-based air defense, the Army has a demonstrated competence unmatched by any other service. This competence manifests itself in many ways, including the following: The existence of trained missile units deployed on site; completed training in missile skills for thousands of personnel; a major training establishment in being at Fort Bliss; the availability of a competent development base of Army agencies and contractors; and the presence of an experienced and operating logistical support system.

The Army's air defense tactical facilities program in fiscal year 1958 is a logical extension of the overall air defense development program initiated in 1951, revised continuously to reflect the rapidly advancing technology in the guided-missiles field. Thus, the present program will, by the introduction of the Army Nike-Hercules guided-missile system, provide the first air defense capable of firing atomics.

Fortunately, our present Nike sites are readily converted to accommodate these new atomic weapons. With reasonable modification and costs, the present Nike sites can accommodate new weapons—such as the atomic Nike Hercules, for long-term use.

In addition, this program introduces facilities for the first increment of a new low-altitude system—the Hawk.

The air defense tactical facilities program is a vital step toward assuring that the planned continental air defense posture will keep pace with any enemy's capability, and will deny him the ability to destroy the mobilization and retaliatory potential of the United States.

The Army will never be any better than the people who serve in it. The modern Army, with its complicated weapons and exacting leadership requirements, is striving to improve the quality of its personnel and the way in which they are utilized. While the Army is making encouraging progress in increasing the professional proportion of its strength, the basic problem is not merely the training of personnel to a higher level of professional ability but more particularly the retention of such personnel after they are trained.

The ability to retain trained, qualified personnel is dependent to a large measure upon the availability of suitable living accommodations for personnel and their dependents. A great many of our

soldiers are still living in outmoded, high-maintenance-cost World War II facilities, which for the most part have long passed their normal life expectancy. H. R. 8240 as drafted will partially alleviate these undesirable conditions by providing 13,504 permanent enlisted barracks spaces; 360 permanent bachelor officer quarters; and 415 units of appropriated fund family housing, at a total estimated cost of approximately $50 million.

The Army also is making considerable progress toward providing adequate facilities to support its mission in the field of light aviation. Last year the Army requested, and the Congress authorized, $14.4 million for the first major step forward in providing aviation facilities for the Army's aircraft. This year's bill will provide an additional $20.8 million in new authorization for construction at 17 permanent stations.

Organic Army aviation consists of fixed- and rotary-wing aircraft which the Army requires continually, within its units, for the discharge of Army missions incident to ground combat. These aircraft are characterized by capability of short takeoffs and landings on unprepared fields, and generally by relatively low performance in comparison to the aircraft of the Air Force. They are immediately available and responsive to the requirements of the ground units commanders. The functions for which these aircraft are provided in the combat zone—observation, airlift for troop movement, movement of supplies, mobility for land reconnaissance, command, liaison and communication, and aeromedical evacuation—do not duplicate those of the Air Force although there may be some overlap immediately forward of the area of contact.

Army aviation is capable of living in the field, but like the combat infantrymen who move out of the mud and into barracks during peacetime, its aircraft must have minimum adequate base facilities when not engaged in combat. Otherwise their operation would involve costs considerably higher than necessary, due to increased wear and tear and attrition losses, and because of the increased flying hazards associated with field operations.

In temporary base rights overseas areas, the Army has reduced its fiscal year 1958 construction requirements to an absolute minimum. Construction is limited basically to France, Korea, and Army Security Agency bases; $20,754,000 is proposed for authorization for further construction of the line of communications across France. The French line of communications is rapidly nearing completion, and consists primarily of a 12-inch petroleum pipeline and backup supply depots stocking critical combat materials, the very life's blood of our combat-ready troops now stationed in Germany.

In Korea further improvements to troop living and operating conditions will be provided at an estimated cost of $9 million. The Army has finally succeeded in getting troops out of tents and into low-cost prefabricated buildings in Korea. Although the construction in Korea is limited to the most austere, temporary-type facilities, they are most welcome to our troops in lieu of the field-tent camps occupied up to early 1956.

I have served as a member of the Armed Services Committee for many years. In this capacity I have become quite familiar with the Army's construction programs, and the methods of development used. The Army has used a proven system of master planning for its construction for over 10 years. This system, which is analogous to city planning, provides a sound, well-balanced annual program. The continual review processes of construction requirements effected at all echelons of Army command have gained my confidence, as well as yours I am sure, in the Army's ability to plan and execute its construction program. I feel that this year's program is a fine example of this ability.

The program is not large. It has been developed under austere budget guidance. It will provide only the Army's bare, minimum construction needs in fiscal year 1958, and is consistent with the Nation's economy.

Mr. VINSON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Chairman, the committee is complimented by the confidence which the other Members of the House have in the deliberations of our committee.

As our distinguished chairman has said, we worked on this bill about a month. Every line item came under our scrutiny, under the tireless leadership of the gentleman from Georgia [Mr. VINSON].

We approached this bill not with the assurance in mind that there would be any disarmament. We do not look for that at the moment. I do not care what is going on in London; we have seen the developments of the last week in Russia and what has emerged from the Politburo in Russia.

We see now who is the leader in Russia. We have heard from General Twining how those Russians carry on when they give a party. And Khrushchev is not a teetotaler. He is in charge of Russia. So we had better keep our bases in first-class condition and implement those which are necessary. That is what this bill does. We have no new bases, but those which we have are going to be in first-class shape. We do not want to wake up one morning and have one man in Russia declare war on this country out of the dark, or out of the blue.

Mr. Chairman, my remarks deal primarily with the Air Force. I could have taken any one of the other branches of the services. I have dealt with what is going on in the hardware of the Air Force and the need to keep the bases completely up to date with the newest type of hardware for the Air Force.

I commend this bill to the attention of the distinguished membership of the Committee.

The chairman of the committee, the gentleman from Georgia [Mr. VINSON] has given a fine picture of the whole program. Others have or will deal with particular elements of the program. Whenever any one of us on the Armed Services Committee picks a particular portion of the construction bill to talk about, it doesn't mean that we feel that other portions or other programs in the bill are of necessarily less importance. It means simply that we, as individuals, wish to give the House a reasonably well distributed series of remarks in order that all of the various portions of the Army, Navy, and Air Force programs can be presented in a somewhat more precise and understandable fashion.

If I were going to be completely personal in my remarks on this bill, I would find myself torn between our great Navy and our great Air Force. And by this I mean that my own experience, background, and day-to-day activity embraces many problems of these two services.

Other members of the committee find that their problems and area of activity are devoted to one of these services or to the Army. It is a natural tendency to speak on subjects which are most familiar to you. I have chosen today to speak on the Air Force. But I could just as well, and with just as strong feeling, have chosen the Navy.

Every fighting force is made up of three elements—men, weapons, and bases to fight from. This bill has one single purpose and that is to provide the bases which our forces can fight from.

The Air Force has a vital interest in the development of a modern base structure. In fact, it must be considered equal in importance to the development of aircraft and missiles with increased speed, range, and striking power, for the degree of development of airbases, missile sites, and radar stations determines the effectiveness of these weapons as instruments of defense. Continued progress in the construction and modernization of airbases is essential to maintaining the ready effective Air Force that our national security demands.

The Air Force installations program of the last several years has been aimed at providing airbase facilities required for the 137-wing Air Force that in 1953 was approved as the Air Force goal. The original goal of 137 combat wings by June 1957 now has been modified after a thorough review of the Air Force task and today's more modern and more powerful equipment and weapons.

In fiscal year 1958, the Air Force proposes to reduce the force to 128 wings. These changes are not arbitrary—but stem from a review of the task to be accomplished and the means at their disposal to get the job done, which include more modern equipment and more powerful weapons. Although the force is reducing in numbers, capability is being increased by virtue of tremendously increased striking capability and firepower.

No new aircraft operating bases will be initiated inside the United States under the Air Force construction program for fiscal year 1958. By virtue of effecting unit redeployments in combination with the reduced numbers of units, present base requirements for the forces will be satisfied by adaptation and utilization of existing bases.

I would like to refer briefly to the progress being made in the overall Air Force program, with particular reference to aircraft and weapons, because the characteristics of the aircraft and weapon systems used establish the pattern and type of operational facilities required on our air bases.

The last year saw production and assignment of the newest type aircraft to combat units. The Strategic Air Command has improved its capability by replacement of B–36's with B–25's with four of the heavy bomber wings scheduled for conversion by the end of this fiscal year. By the end of fiscal 1958, the B–36 wings will be down to 3 and the B–52 wings will be up to 8. In addition, each B–52 wing will be equipped with 45 planes as compared to the 30 planes in a B–36 wing.

In line with the overall modernization of the Air Force, all fighters now under procurement are of the supersonic 100 series—frequently called the Century Series. The capability of the Air National Guard and Air Reserve are being increased by receiving F–86 and F–84 equipment earlier than originally planned by reason of aircraft being made available through reduction in the number of active fighter units.

In the transport field, the first C–133 turboprop cargo plane, designed for about twice the payload capacity of the largest transports now in service, was flown last year. The turboprop C–130, a great advance over any troop carrier aircraft, is being assigned to Tactical Air Command medium troop carrier wings.

The integration of missiles into the Air Force weapons system continues to hold high priority. Already in use by the all-weather interceptor aircraft in operational units is the Falcon missile which is a dependable missile of high kill capability. The Air Force is also planning to use the Navy-developed Sidewinder air-to-air missile on certain day fighters.

To supplement the fighter interceptors, development of the Bomarc ground-to-air missile is being expedited. Once operational in effective numbers, it should reduce the requirement for short range, manned interceptors.

In offensive missiles, the first tactical missile in the Air Force is the Matador. One wing is equipped and is in position in Europe.

The Air Force has long range surface-to-surface missiles under development—both air breathing and ballistic. The ballistic missile development programs are substantially on the schedule established over a year ago. Excellent progress is being made in these projects and they are in various early stages of flight testing.

As to adequate control and warning systems, present warning lines are being improved and expanded. The main portion of the distant early warning line—DEW line—which provides the longer warning time necessary for timely launching of our retaliatory and air defense forces, is now nearing completion and will meet its scheduled operational date.

Eastern and western extensions to the main line are programed and partially funded.

The development, testing, and construction of SAGE our semiautomatic ground environment system which operates as a computing and control facility to control our advanced air defense weapons against multiple targets, is being continued.

Although significant progress has been made in the past several years in development of a base structure to support a modern Air Force, much remains to be done. The need for concurrent satisfaction of base requirements for new weapons systems and elimination of deficiencies at present bases requires that expenditures for Air Force military construction be maintained at a substantial level for several years to come.

We have no choice in this respect. We must continue to maintain the strongest possible military force and we cannot do this without meeting the constantly changing needs of our military services as modern developments themselves make these changes necessary.

We have built a great Air Force and we have already built a great base structure for it. But we will be back again next year for more essential construction to round out and render more perfect our operational facilities and, of almost equal importance, to provide personnel facilities which have for the past several years gone by the board in order that most of the authority and most of the funds could be devoted to the operating essentials.

The Armed Services Committee has reported out a sound bill. It has been pared and shaved down to a fine point. I would personally hesitate to go further than the executive branch and the committee has already gone. This bill represents a hard core and is a bill that every Member of this House should support wholeheartedly.

Mr. VINSON. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 133]

Abbitt	Byrne, Ill.	Forand
Adair	Byrne, Pa.	Frazier
Alexander	Canfield	Fulton
Alger	Chelf	Gary
Andersen, H. Carl	Chiperfield	Gordon
	Christopher	Granahan
Anderson, Mont.	Chudoff	Green, Pa.
	Coad	Griffiths
Anfuso	Coffin	Gubser
Ashmore	Colmer	Hays, Ohio
Barden	Cooley	Healey
Barrett	Cunningham, Nebr.	Hébert
Bass, N. H.		Hemphill
Baumhart	Curtin	Hess
Beamer	Curtis, Mass.	Holtzman
Bennett, Mich.	Davis, Tenn.	Ikard
Bentley	Dawson, Ill.	James
Blitch	Delaney	Jennings
Boggs	Diggs	Jones, Mo.
Bonner	Dingell	Kearns
Bosch	Dollinger	Keogh
Bowler	Donohue	Kilburn
Boyle	Dorn, N. Y.	Kluczynski
Breeding	Eberharter	Knutson
Brown, Mo.	Fallon	Lane
Brownson	Fino	Latham
Broyhill	Flood	Lennon
Buckley	Fogarty	McConnell
McCormack	O'Konski	Taylor
McCulloch	O'Neill	Teague, Tex.
Macdonald	Osmers	Teller
Machrowicz	Philbin	Thompson, La.
Mack, Ill.	Polk	Thomson, Wyo.
Madden	Powell	Thornberry
Magnuson	Prouty	Tuck
Mailliard	Radwan	Vanik
Meader	Rains	Van Pelt
Merrow	Riehlman	Vorys
Miller, N. Y.	Robeson, Va.	Vursell
Minshall	Rodino	Watts
Moore	Rogers, Mass.	Wharton
Morano	Roosevelt	Williams, N. Y.
Morgan	Santangelo	Willis
Morrison	Seely-Brown	Wilson, Calif.
Moulder	Shelley	Wilson, Ind.
Multer	Spence	Yates
Mumma	Staggers	Zelenko

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. TRIMBLE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H. R. 8240, and finding itself without a quorum, he had directed the roll to be called, when 288 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the journal.

The Committee resumed its sitting.

Mr. VINSON. Mr. Chairman, I yield 15 minutes to the distinguished gentleman from Texas [Mr. KILDAY].

Mr. KILDAY. Mr. Chairman, this bill contains approximately 400 installations. The chairman of our committee and the ranking minority member have explained the bill and the manner of its preparation. There has been every opportunity to make inquiry as to any individual line items, so I do not propose to go over line items at this time.

I do want to call attention, however, to Section 412 on page 71 of the bill. For many, many years, those who have had experience with public procurement have come to the conclusion that in order to keep procurement and public contracting fair and honest we must do our procuring by competitive bids after general advertising.

In 1947—that was during the 80th Congress—the Committee on Armed Services gave very careful consideration to the question of military procurement and at that time we again emphasized the fact that procurement was to be by competitive bids after general advertising. We then passed the Armed Services Uniform Procurement Act. It lays down the law that all contracts and all procurement shall be done by competitive bids after general advertising. However, we did include in that law a section which contained 17 exceptions, 17 instances in which competitive bidding would not be required. One of those was during a period of national emergency declared by the Congress or by the President. In 1950 President Truman, as an incident of the Korean conflict, declared a national emergency. That national emergency has never been terminated. The President does have the power to terminate it if he should see fit to do so, but he has never terminated it. Neither has Congress terminated it. In 1956 we brought in a bill from the Committee on Armed Services which would have terminated it as to military procurement. It passed this House but was never passed by the other body.

Section 412, included in this bill, provides simply that the national emergency declared on December 16, 1950, shall not be used as a basis of negotiation except in the four instances which we provide here. The original law provided that in any case of $1,000 or less competitive bids would not be necessary. Because of the increase in prices, we raised that to $2,500. Subsection 2 deals with purchases or contracts for nonperishable subsistence supplies. The third provides for purchases or contracts for property or services, for experimental, development, or research work, or making or furnishing property for experiment, test, development, or research, not exceeding $100,000. Then follows the provision for small business and labor distressed areas.

Hearings on this bill indicated that construction by the military has now been awarded on competitive bids to the extent of approximately 93 percent, but on other procurement the negotiated contract is being used about 93 percent and competitive bids only about 7 percent. Of course, that takes in every 1 of the 17 exceptions to competitive bidding. But because of the Korean emergency in 9 months last year the Defense Department acquired various supplies to the extent of $5,318,550,000, or 38.94 percent of dollar expenditures. All this was done by negotiation under the Korean emergency.

In addition, while the Department lists a tremendous amount of money that is expended without competitive bids but gives one of the other 16 exceptions as the basis for those contracts, it must be remembered that as long as this national emergency can be resorted to, then the Department just administratively determines that it comes under one or another exception, and they proceed to buy, whereas if we carry out what we propose in this bill, we will come back to our traditional system, what the Republican 80th Congress declared should be the law and what we wrote in the Armed Services Uniform Procurement Act. As several gentlemen have said, this is an excellent provision and should be enacted into law, and I am sure will be adopted.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman's proposal cover offshore procurements?

Mr. KILDAY. No. My recollection is that that would come within one of the 17 other provisions. Seven percent of construction that we have now by negotiated contract is practically all overseas. We do not find that procurement in other countries comes as easily under competitive bidding as procurement here in the United States.

Mr. GROSS. I can understand that, and I want to commend the gentleman for his proposal, but I hope some way can be devised to cover offshore procurement, at least some phases of it.

Mr. KILDAY. I am not sure that we are at this time in a position to write a law that would be applicable in foreign countries, with their different systems of doing business, with their different concepts of competitive bids and things of that kind. But, I think we are going a long way if we can get the procurement of our military supplies back under the general law, because anyone with experience in this subject knows that so long as you require competitive bids, with general advertising, you avoid favoritism, and the opportunity or temptations for dishonesty are reduced, if not eliminated. I am sure the professional officers of the military services who are engaged in procurement would much rather have competitive bidding so that their careers would not be endangered as they are now every day of the week.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Illinois.

Mr. PRICE. Mr. Chairman, I should like the debate to show, in the legislative history of the discussion of this matter, that it is the sense of the Congress that we are seeking open competitive bidding, not the type of bidding by invitation to a selected few, but by general advertising, which would be true open competitive bidding.

Mr. KILDAY. Of course, I know that a good amount of the bidding that is claimed to have been competitive bidding was competitive only in the sense that there were two or three or four concerns invited to bid and they bid in competition. But this provided for only very limited competition, only competition from those who had been invited. So that I have attempted to see to it that each time these contracts are required by law to be awarded upon competitive bids after general advertising.

Mr. PRICE. I certainly agree with the gentleman.

Mr. KILDAY. I thank the gentleman.

Mr. VINSON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Chairman, the chairman of this committee did such an excellent job of explaining this measure, as he usually does. I do not think I have ever seen him bring a bill to the floor of this House which was not well thought out and well explained.

My remarks will be in the nature of a brief statement on the Research and Development Command and the construction required in support of its test and development programs.

It is a great pleasure for me to do this because I believe that our future, possibly our very existence, as a Nation and as human beings depends in good measure upon the results of the efforts of research and development. My reasoning is this: It is an accepted fact that any future war with nuclear weapons will be catastrophic beyond comprehension. It is also an accepted fact that this Nation's airpower—Navy and Air Force—will constitute a great factor in preventing or winning any future war. Our Nation must have superior airpower.

Our basic philosophy has been that superior airpower, seapower and landpower are possible only with the right quality and quantity. We have, in our planning, based many of our major policy decisions on the premise that we will maintain qualitative superiority. We have depended heavily on the ability of this Nation to continue to develop superior weapons systems. We have constantly sought qualitative superiority rather than quantitative superiority and this effort must continue.

As you know, the primary source for maintaining this qualitative superiority is in the field of research and development. In this bill there are, in round numbers, items of research and development construction for each of the three services as follows:

Army	$11,000,000
Navy	9,000,000
Air Force	24,000,000

In this day of complicated weapon systems, a new device rarely comes into being as a result of accident or genius on the part of an individual, rather it is usually the result of thousands, sometimes million of hours of research and development effort. This is the organized approach. It is the mission of our research and development people to seek new basic knowledge; to develop new and improved devices, processes, and techniques; and to maintain qualitative superiority of material.

This bill will provide for the construction of facilities at the centers in support of research and development projects now under way or planned in the near future.

Due to the complexity of our current weapons in the aerodynamic, electronic, and mechanical fields, and because of the extremes of the operating conditions of these systems in both altitudes and speeds, the research and development plant grows more complex as the weapons themselves grow more complex.

The research and development facilities must continually be capable of providing an environment in which the development of our weapons can flourish. An example of this type of environment is the Air Force Missile Test Center located in Florida which has been constructed since the end of World War II to fulfill the demanding engineering requirements for research, development, and operational testing of our missile systems. It has the capability of pinpointing these missiles from the surface to an altitude of 450 miles and from Florida to the Ascensions in the South Atlantic, a distance of 5,000 miles. This center, as well as those of the Army and Navy, were developed in direct fulfillment of a research and development requirement and have greatly assisted in making possible our tremendous technical advances in all of the scientific fields.

Because of the foresight of this country in constructing, maintaining, and improving these types of experimental and testing facilities, the United States has maintained its lead in weapons superiority over any other country in the world. It is only through the continued improvement and modernization of these facilities as reflected in the current research and development construction program that we will be able to keep our research and development plant abreast of the technical requirements of our weapons systems.

I, of course, support this entire bill wholeheartedly, and I have stressed those portions relating to research and development only because of my intense personal interest in this field of activity.

Mr. VINSON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Massachusetts [Mr. BOLAND] and ask unanimous consent that he be permitted to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

MRS. GRACE GOODHUE COOLIDGE

Mr. BOLAND. Mr. Chairman, I take this time to announce to the House the death of Mrs. Calvin Coolidge, widow of the 30th President of the United States. Her death came quietly at 12:50 this morning in her beloved and beautiful adopted city of Northampton, Mass., the place she came to 55 years ago to teach the deaf and dumb and the place she met and married the man who climbed from small city lawyer to Governor of Massachusetts, to Vice President, and President of this great land.

That Grace Coolidge played a leading and important role in the meteoric rise of President Coolidge is acknowledged by all modern historians. The simplicity of her manner, her extreme graciousness and her enduring charm were attributes which overflowed from her great personality. She was a great woman. She was a good woman. She was possessed with a fine mind and a warm heart.

Her goodness and her warmness were nowhere better exemplified than in the career she entered upon graduating from the University of Vermont. For she came to Northhampton, Mass., to teach the deaf and the dumb—those unexplainable tragedies of society who are bereft of speech and hearing.

She never lost her interest in nor her love for the Clarke School for the Deaf and Dumb for she continued as a trustee to her death and frequently visited the school to rejoice in its advancement and the progress of its children.

Mrs. Coolidge's place as the First Lady of the Nation during her years in the White House was marked by the same simplicity and graciousness that had won friends and admirers wherever she set up house.

She understood people and she loved humanity. Human beings were her interest, her career. What a consolation and asset she was to her husband as he climbed the road of success from councilman, alderman, city solicitor, mayor of Northampton, State senator, lieutenant governor, governor, Vice President, and the crowning jewel of all, the Presidency of the United States.

I know that many of you, especially our elder statesmen, are aware that Mrs. Coolidge was not only a woman of extraordinary ability and humane instinct, but that she was also a person of great personal charm who presided over the social life and the White House with the dignity and graciousness of a perfect hostess.

She was a loyal wife who rejoiced in her husband's successes and encouraged him to overcome the obstacles that frequently stood in his path during his career. She consoled him in times of sorrow, especially in 1924 when death took their son, Calvin Coolidge, Jr., at the age of 17 and may I note in passing that her death occurred almost on the same date and the same hour of the 33d anniversary of the passing of Calvin, Jr., on whom she and her husband had set such great store.

I know that Northampton and the Nation will join me in mourning this truly great woman and expressing sympathy to her son, John. Mrs. Coolidge will be remembered not only for her striking personality but as a woman who lived her life with a sturdy faith in God, inherited from her rugged Vermont ancestors. She will be remembered as one who walked humbly all her days although destiny had raised her into the high and mighty places.

Mr. VINSON. Mr. Chairman, there are no further requests for time and I ask that the Clerk now read the bill.

The Clerk read as follows:

Be it enacted, etc.,

TITLE I

SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities and equipment, for the following projects:

Inside the United States

Technical Services Facilities

(Ordnance Corps)

Aberdeen Proving Ground, Md.: Troop housing, $2,288,000.

Anniston Ordnance Depot, Ala.: Utilities, $2,015,000.

Jet Propulsion Laboratory, Calif.: Utilities, $130,000.

Savanna Ordnance Depot, Ill.: Supply facilities, and utilities, $758,000.

Sioux Ordnance Depot, Nebr.: Maintenance facility, $249,000.

White Sands Proving Ground, N. Mex.: Operational and training facilities, maintenance facilities, research and development facilities, storage facilities, administrative facilities, troop housing, community facilities, and utilities, $16,530,000.

(Quartermaster Corps)

Atlanta General Depot, Ga.: Operational facility, land acquisition, and utilities, $595,000.

New Cumberland General Depot, Pa.: Operational facilities, and utilities, $464,000.

Fort Lee, Va.: Operational facility, storage facilities, hospital facility, troop housing, and utilities, $6,229,000.

Seattle Quartermaster Market Center, Wash.: Land acquisition, $40,000.

Sharpe General Depot, Calif.: Operational facilities, and utilities, $110,000.

Fort Worth General Depot, Tex.: Operational facility, and land acquisition, $95,000.

(Chemical Corps)

Fort Detrick, Md.: Utilities, $627,000.

Dugway Proving Ground, Utah: Troop housing, $54,000.

(Signal Corps)

Fort Huachuca, Ariz.: Troop housing, $1,936,000.

(Corps of Engineers)

Cold regions laboratory, Hanover, N. H.: Research and development facility, $2,496,000.

Fort Belvoir, Va.: Operational facilities, training facility, and maintenance facility, $1,654,000.

Granite City Engineer Depot, Ill.: Utilities, $765,000.

(Transportation Corps)

Brooklyn Army Base, N. Y.: Operational facilities, $1,169,000.

Charleston TC Depot, S. C.: Operational facilities, $306,000.

Fort Eustis, Va.: Operational facilities, troop housing, administrative facility, and utilities, $3,039,000.

Oakland Army Base, Calif.: Medical facility, $602,000.

(Medical Corps)

Fitzsimons Army Medical Center, Colo.: Troop housing, $937,000.

Walter Reed Medical Center, Washington, D. C.: Utilities, $1,920,000.

Field Forces Facilities

(First Army area)

Fort Devens, Mass.: Operational facilities, maintenance facilities, administrative facilities, troop housing, and utilities, $4,859,000.

Fort Dix, N. J.: Maintenance facilities, $303,000.

(Second Army area)

A. P. Hill Military Reservation, Va.: Troop housing, $153,000.

Fort Knox, Ky.: Operational facilities, maintenance facilities, storage facilities, and utilities, $4,205,000.

Fort George G. Meade, Md.: Administrative facility, troop housing and community facilities, $2,652,000.

Fort Ritchie, Md.: Troop housing, $820,000.

(Third Army area)

Fort Benning, Ga.: Operational facilities, and maintenance facilities, $1,583,000.

Fort Bragg, N. C.: Operational and maintenance facilities, $1,051,000.

Fort Campbell, Ky.: Operational facilities, maintenance facilities, ground improvements, and utilities, $5,117,000.

Fort Rucker, Ala.: Operational facilities, and troop housing, $5,703,000.

Fort Stewart, Ga.: Troop housing, $3,691,000.

(Fourth Army area)

Fort Bliss, Tex.: Operational facilities, training facilities, maintenance facilities, storage facilities, medical facility, administrative facilities, troop housing, community facilities, and utilities, $7,704,000.

Fort Hood, Tex.: Operational facilities, training facilities, administrative facility, maintenance facilities, community facility, and uitilities, $2,362,000.

Fort Polk, La.: Operational facilities, maintenance facilities, troop housing, and utilities, $7,734,000.

Fort Sam Houston, Tex.: Acquisition of land and improvements, $675,000.

(Fifth Army area)

Fort Carson, Colo.: Utilities, $1,049,000.

Fort Leavenworth, Kans.: Utilities, $336,000.

Fort Riley, Kans.: Operational facility, maintenance facility, and troop housing, $2,525,000.

Fort Leonard Wood, Mo.: Troop housing, $4,663,000.

(Sixth Army area)

Fort Lewis, Wash.: Operational facilities, maintenance facilities, administrative facilities, community facility, and utilities, $1,487,000.

Fort Ord, Calif.: Operational facilities, maintenance facilities, troop housing, and utilities, $5,231,000.

(Military Academy)

United States Military Academy, West Point, N. Y.: Utilities, $1,666,000.

(Armed Forces special weapons)

Various installations: Operational facility, community facilities, and utilities, $1,056,000.

(Tactical installations support facilities)

Various locations: Operational facility, maintenance facilities, administrative facilities, storage facilities, community facilities,

troop housing, family housing, and utilities $8,466,000.

Outside continental United States

(Alaskan area)

Alaska general, Eielson Air Force Base, Fort Greely, Ladd Air Force Base, Fort Richardson, and tactical installations: Operational facilities, maintenance facilities, administrative facilities, family housing, and utilities, $4,143,000.

(Pacific command area)

Tripler Army Hospital, Hawaii: Medical facilities, $154,000.

(Caribbean command area)

Fort Buchanan, P. R.: Community facility, and utilities, $273,000.

Fort Gulick, C. Z.: Community facility, $289,000.

(United States Army, Europe)

Various locations: Maintenance facilities, and storage facilities, $20,754,000.

(Army Forces Far East)

Various installations: Operational facilities, training facilities, maintenance facilities, storage facilities, troop housing, community facilities, administrative facilities, medical facilities, and utilities, $9,000,000.

SEC. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment, in a total amount of $143,002,000.

SEC. 103. The Secretary of the Army is authorized to purchase out of appropriations available for military construction family housing including necessary land at, or near, military tactical installations for assignment as public quarters to military personnel and their dependents. Not more than 300 units of such housing may be purchased under this section. Space limitations per unit will be in accordance with subsections (a), (b), and (c) of section 4774 of title 10, United States Code, and cost limitations as now or hereafter established for military housing constructed with appropriated funds.

SEC. 104. (a) Public Law 209, 83d Congress, is amended, under the heading "Continental United States" in section 101, as follows:

Under the subheading "Technical services facilities (Ordnance Corps)" with respect to Red River Arsenal, Tex., strike out "$1,808,000" and insert in place thereof "$2,212,000."

(b) Public Law 209, 83d Congress, as amended, is amended by striking out in clause (1) of section 502 the amounts "$44,003,000" and "$133,671,000" and inserting in place thereof "$44,407,000" and "$134,075,000," respectively.

SEC. 105. (a) Public Law 534, 83d Congress, as amended, is amended under the heading "Continental United States" in section 101, as follows:

Under the subheading "Technical Services Facilities (Signal Corps)" with respect to Department of the Army transmitting station, vicinity of Camp Detrick, Md., strike out "$2,360,000" and insert in place thereof "$3,137,000."

Under the subheading "Field Forces Facilities (Military Academy)" with respect to United States Military Academy, N. Y., strike out "$9,950,000" and insert in place thereof "$11,983,000."

(b) Public Law 534, 83d Congress, as amended, is amended by striking out in clause (1) of section 502 the amounts "$129,096,000" and "$236,060,000" and inserting in place thereof "$131,906,000" and "$238,870,000," respectively.

SEC. 106. (a) Public Law 161, 84th Congress, as amended, is amended under the heading "Continental United States" in section 101, as follows:

Under the subheading "Technical Services Facilities (Ordnance Corps)"—

(1) with respect to Aberdeen Proving Ground, Md., strike out "$1,736,000" and insert in place thereof "$2,039,000."

(2) with respect to Seneca Ordnance Depot, N. Y., strike out "$129,000" and insert in place thereof "$212,000."

Under the subheading "Technical Services Facilities (Quartermaster Corps)"—with respect to Fort Lee, Va., strike out "$8,589,000" and insert in place thereof "$9,874,000."

Under the subheading "Technical Services Facilities (Chemical Corps)"—

(1) with respect to Camp Detrick, Md., strike out "$452,000" and insert in place thereof "$525,000."

(2) with respect to Dugway Proving Ground, Utah, strike out "$1,129,000" and insert in place thereof "$1,491,000."

Under the subheading "Technical Services Facilities (Transportation Corps)"—

(1) with respect to Brooklyn Army Base, N. Y., strike out "$1,055,000" and insert in place thereof "$1,240,000."

(2) with respect to Fort Eustis, Va., strike out "$6,597,000" and insert in place thereof "$8,072,000."

Under the subheading "Technical Services (Medical Corps)"—

(1) with respect to Brooke Army Medical Center, Tex., strike out "$549,000" and insert in place thereof "$876,000."

(2) with respect to Madigan Army Hospital, Wash., strike out "$333,000" and insert in place thereof "$669,000."

(3) with respect to Walter Reed Army Medical Center, D. C., strike out "$3,557,000" and insert in place thereof "$4,472,000."

Under the subheading "Field Forces Facilities (Second Army Area)"—with respect to Fort Holabird, Md., strike out "$612,000" and insert in place thereof "$800,000."

Under the subheading "Field Forces Facilities (Third Army Area)"—with respect to Camp Jackson, S. C., strike out "$5,000,000" and insert in place thereof "$10,400,000."

Under the subheading "Field Forces Facilities (Fourth Army Area)"—with respect to Fort Hood, Tex., strike out "$12,922,000" and insert in place thereof "$14,283,000."

Under the subheading "Field Forces Facilities (Fifth Army Area)"—

(1) with respect to Fort Carson, Colo., strike out "$7,487,000" and insert in place thereof "$8,621,000."

(2) with respect to Fort Leavenworth, Kans., strike out "$8,615,000" and insert in place thereof "$9,893,000."

(3) with respect to Camp Lucas, Mich., strike out "$145,000" and insert in place thereof "$193,000."

Under the subheading "Field Forces Facilities (Armed Forces Special Weapons Project)"—with respect to various installations, strike out "$3,014,000" and insert in place thereof "$3,204,000."

(b) Public Law 161, 84th Congress, as amended, is amended under the heading "Outside Continental United States" in section 101 as follows:

Under the subheading "Alaskan Area"—with respect to Wildwood Station (Kenai) strike out "$469,000" and insert in place thereof "$559,000."

(c) Public Law 161, 84th Congress, as amended, is amended by striking out in clause (1) of section 502 the amounts "$225,277,000", "$74,984,000", and "$534,254,000" and inserting in place thereof "$240,220,000", "$75,074,000", and "$549,287,000", respectively.

SEC. 107. (a) Public Law 968, 84th Congress, is amended under the heading "Inside the United States" in section 101 as follows:

Under the subheading "Technical Services Facilities (Ordnance Corps)"—

(1) with respect to Seneca Ordnance Depot, New York, strike out "$88,000" and insert in place thereof "$136,000."

(2) with respect to Redstone Arsenal, Ala., strike out "$6,159,000" and insert in place thereof "$8,593,000."

Under the subheading "Technical Services Facilities (Quartermaster Corps)"—

(1) with respect to Atlanta General Depot, strike out "$832,000" and insert in place thereof "$984,000."

(2) with respect to Fort Worth General Depot, Texas, strike out "$1,285,000" and insert in place thereof "$1,847,000."

Under the subheading "Field Forces Facilities"—

(1) with respect to Fort Bliss, Tex., strike out "$5,301,000" and insert in place thereof "$8,293,000."

(2) with respect to Fort Sill, Okla., strike out "$4,173,000" and insert in place thereof "$5,798,000."

(3) with respect to Fort Leavenworth, Kans., strike out "$1,092,000" and insert in place thereof "$1,373,000."

(b) Public Law 968, 84th Congress, as amended, is amended by striking out in section 102, "$200,783,000" and inserting in place thereof "$203,331,000."

(c) Public Law 968, 84th Congress, as amended, is amended by striking out in clause (1) of section 402 the amounts "$86,916,000", "$200,783,000", and "$323,462,000" and inserting in place thereof "$95,010,000", "$203,331,000", and "$334,104,000", respectively.

TITLE II

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

Inside the United States

Shipyard Facilities

Naval Engineering Experiment Station, Annapolis, Md.: Development and test facilities, $618,000.

Naval Shipyard, Bremerton, Wash.: Drydock, $25,438,000.

Naval Shipyard, Brooklyn, N. Y.: Utilities, $1,452,000.

David Taylor Model Basin, Carderock, Md.: Utilities, $115,000.

Naval Shipyard, Long Beach, Calif.: Facilities for remedying effects of ground subsidence, $1,500,000.

Naval Submarine Base, New London, Conn.: Waterfront facilities, $2,966,000.

Naval Shipyard, Norfolk, Va.: Utilities, $2,998,000.

Naval Shipyard, Portsmouth, N. H.: Medical facilities, $391,000.

Fleet Base Facilities

Naval Station, Key West, Fla.: Troop housing, $1,326,000.

Naval Station, Long Beach, Calif.: Waterfront facilities, $544,000.

Naval Station, Newport, R. I.: Troop housing, community facilities, and utilities, $3,312,000.

Naval Base, Norfolk, Va.: Waterfront facilities, $7,808,000.

Aviation Facilities

(Naval air training stations)

Naval Auxiliary Air Station, Chase Field, Tex.: Operational facilities, $566,000.

Naval Air Station, Corpus Christi, Tex.: Operational facilities (optical landing system), $140,000.

Naval Air Station, Glynco, Ga.: Utilities, $293,000.

Naval Auxiliary Air Station, Kingsville, Tex.: Operational facilities (optical landing system), $160,000.

Navy Auxiliary Air Station, Meridian, Miss.: Operational facilities and maintenance facilities, $15,067,000.

Naval Auxiliary Air Station, New Iberia, La.: Operational facilities and maintenance facilities, $3,653,000.

Naval Air Station, Pensacola, Fla.: Operational facilities, waterfront facilities, and land acquisition, $6,225,000.

Navy Auxiliary Air Station, Saufley Field, Fla.: Operational facilities (tactical air navigation facility), $39,000.

(Fleet support air stations)

Naval Air Station, Alameda, Calif.: Operational facilities (guided missile support facilities), $185,000.

Naval Air Station, Brunswick, Maine: Operational facilities and land acquisition, $180,000.

Naval Air Station, Cecil Field.: Operational facilities, maintenance facilities, and land acquisition, $7,751,000.

Naval Auxiliary Landing Field, Crows Landing, Calif.: Operational facilities (tactical air navigation facility), $39,000.

Naval Auxiliary Air Station, Edenton, N. C.: Operational facilities, $199,000.

Naval Auxiliary Air Station, El Centro, Calif.: Operational facilities, messhall, and land acquisition, $4,774,000.

Naval Auxiliary Air Station, Fallon, Nev.: Operational facilities and land acquisition, $4,199,000.

Naval Seaplane Facility, Harvey Point, N. C.: Operational facilities, waterfront facilities, supply facilities, and utilities, $5,728,000.

Naval Air Station, Jacksonville, Fla.: Operational facilities (tactical air navigation facility), $39,000.

Naval Air Station, Key West, Fla.: Operational facilities (optional landing system), $130,000.

Naval Air Station, Lemoore, Calif.: Operational facilities, maintenance facilities, and utilities, $30,594,000.

Naval Auxiliary Air Station, Mayport, Fla.: Operational facilities, $384,000.

Naval Air Station, Miramar, Calif.: Operational facilities, $3,401,000.

Naval Air Station, Norfolk, Va.: Operational facilities and maintenance facilities, $5,467,000.

Naval Air Station, North Island, San Diego, Calif.: Maintenance facilities and supply facilities, $7,964,000.

Naval Air Station, Oceana, Va.; Operational and training facilities, maintenance facilities utilities and ground improvements, and land acquisition, $6,975,000.

Naval Air Station, Quonset Point, R. I.: Operational facilities (aircraft parking areas), $882,000.

Naval Auxiliary Landing Field, San Clemente Island, Calif.: Operational facilities, waterfront facilities, and utilities, $9,448,000.

Naval Air Station, Whidbey Island, Wash.: Operational facilities and land acquisition, $9,365,000.

(Marine Corps air stations)

Marine Corps Auxiliary Air Station, Beaufort, S. C.: Operational facilities, supply facilities, and administrative facilities, $2,632,000.

Marine Corps Air Station, Cherry Point, N. C.: Operational facilities, maintenance facilities, administrative facilites, supply facilities, and utilities and ground improvements, $6,503,000.

Marine Corps Air Station, El Toro, Calif.: Operational facilities $3,620,000.

Marine Corps Auxiliary Air Station, Mojave, Calif.: Land acquisition, $3,281,000.

Marine Corps Air Facility, New River, N. C.: Operational facilities and utilities, $132,000.

(Specal purpose air stations)

Naval Air Development Center, Johnsville, Pa.: Operational facilities, $39,000.

Naval Air Station, Patuxent River, Md.: Operational facilities, $2,209,000.

Naval Air Missile Test Center, Point Mugu, Calif.: Operational facilities (including operational facilities on San Nicolas Island), $3,479,000.

Naval Air Facility, John H. Towers Field (location to be determined): Land acquisition, $3,200,000.

Supply Facilities

Electronics Supply Office, Great Lakes, Ill.: Administrative facilities, $92,000.

Naval Ordnance Supply Office, Mechanicsburg, Pa.: Administrative facilities, $155,000.

Aviation Supply Office, Philadelphia, Pa.: Administrative facilities, $550,000.

Marine Corps Facilities

Marine Corps Supply Center, Albany, Ga.: Community facilities, $140,000.

Marine Corps Supply Center, Barstow, Calif.: Maintenance facilities, administrative facilities, troop housing, and utilities, $8,001,000.

Marine Corps Base, Camp Lejeune, N. C.: Operational and training facilities, troop housing, and utilities, $4,256,000.

Marine Corps Recruit Depot, Parris Island, S. C.: Training facilities, troop housing and community facilities, and utilities, $3,199,000.

Marine Corps Base, Camp Pendleton, Calif.: Operational facilities, and utilities, $1,469,000.

Marine Corps Schools, Quantico, Va.: Community facilities, development and test facilities, supply facilities, troop housing, and utilities, $2,213,000.

Marine Corps Recruit Depot, San Diego, Calif.: Training facilities, $116,000.

Marine Corps Training Center, Twentynine Palms, Calif.: Training facilities, maintenance facilities, administrative facilities, and community facilities, $2,331,000.

Ordnance Facilities

Naval Ammunition Depot, Bangor, Wash.: Utilities, $316,000.

Naval Ordnance Test Station, China Lake, Calif.: Supply facilities, $114,000.

Naval Ordnance Laboratory, Corona, Calif.: Research and development facilities, $494,000.

Ordnance Aerophysics Laboratory, Daingerfield, Tex.: Research and development facilities, $2,649,000.

Applied Physics Laboratory, Howard County, Md.: Research and development facilities, $1,452,000.

Naval Magazine, Port Chicago, Calif.: Maintenance facilities and utilities, $723,000.

Service School Facilities

Naval Academy, Annapolis, Md.: Dormitory foundations, $1,602,000.

Naval Receiving Station, Charleston, S. C.: Troop housing, $1,225,000.

Naval Training Center, Great Lakes, Ill.: Training facilities, and troop housing, $5,598,000.

Naval Training Center, San Diego, Calif.: Training facilities and troop housing, $5,375,000.

Communication Facilities

Naval Communication Station, Norfolk, Va.: Operational facilities, $443,000.

Naval Communication Station, Newport, R. I.: Operational facilities, $1,397,000.

Naval Communication Station, San Diego, Calif.: Operational facilities, $100,000.

Naval Communication Center, Stockton, Calif.: Operational facilities, and land acquisition, $460,000.

Naval Radio Station, Washington County, Maine: Operational facilities, and utilities, $13,982,000.

Office of Naval Research Facilities

Naval Research Laboratory, District of Columbia: Research and development facilities, $180,000.

Yards and Docks Facilities

Naval Shipyard, Brooklyn, N. Y.: Utilities, $332,000.

Public Works Center, Norfolk, Va.: Utilities, $3,244,000.

Naval Construction Battalion Center, Port Hueneme, Calif.: Supply facilities and administrative facilities, $759,000.

Outside the United States

Shipyard Facilities

Naval Shipyard, Pearl Harbor, Oahu, T. H.: Waterfront facilities and operational facilities, $6,076,000.

Naval Base, Subic Bay, Luzon, Philippine Islands: Maintenance facilities, hospital facilities, troop housing and community facilities, and utilities, $3,287,000.

Naval Station, Subic Bay, Luzon, Philippine Islands: Troop housing and community facilities, supply facilities, and ground improvements, $8,993,000.

Fleet Base Facilities

Naval Station, Adak, Alaska: Hospital facilities, community facilities, and family housing, $1,005,000.

Commander-in-Chief Pacific, Headquarters, Pearl Harbor, Oahu, T. H.: Administration facilities and utilities, $332,000.

Naval Station, Guantanamo Bay, Cuba: Utilities, $4,699,000.

Naval Station, San Juan, P. R.: Utilities, $190,000.

Aviation Facilities

Naval Air Station, Agana, Guam, Mariana Islands: Operational facilities (Guided missile support facilities), $428,000.

Naval Station, Argentia, Canada: Family housing and community facilities, $1,793,000.

Naval Air Station, Barber's Point, Oahu, T. H.: Operational facilities (aircraft parking areas), $2,088,000.

Naval Air Station, Cubi Point, Luzon, Philippine Islands: Operational facilities, and land acquisition, $149,000.

Naval Air Station, Guantanamo Bay, Cuba: Operational facilities, $5,730,000.

Marine Corps Air Station, Kaneohe Bay, Oahu, T. H.: Operational facilities, $249,000.

Naval Station, Kwajalein, Marshall Islands: Operational facilities (tactical air navigation facilities), $69,000.

Naval Station, Midway Islands, T. H.: Operational facilities (tactical air navigation facility), $69,000.

Naval Air Facility, Naha, Okinawa: Waterfront facilities at White Beach, $504,000.

Naval Air Station, Roosevelt Roads, P. R.: Operational facilities, maintenance facilities, troop housing, utilities, and land acquisition, $15,182,000.

Supply Facilities

Naval Station, Adak, Alaska: Supply facilities, $1,550,000.

Naval Station, Guam, Mariana Islands: Community facilities, $884,000.

Naval Supply Depot, Subic Bay, Luzon, Philippine Islands: Supply facilities and utilities, $2,098,000.

Ordnance Facilities

Naval Ammunition Depot, Oahu, T. H.: Maintenance facilities, utilities, and land acquisition, $904,000.

Communication Facilities

Naval communication station, Adak, Alaska: Troop housing, $1,053,000.

Naval station, Argentia, Canada: Operational facilities, and troop housing, $898,000.

Naval communication station, Finegayan, Guam, Mariana Islands: Troop housing, $594,000.

Naval security group activity, Istanbul, Turkey: Operational facilities, and troop housing, $130,000.

Naval security group activity, Sakata, Japan: Operational facilities, $69,000.

Naval security group activity, southern Japan: Operational facilities, housing, and utilities and ground improvements, $726,000.

Naval radio station, Wahiawa, Oahu, T. H.: Operation facilities, $4,392,000.

Public works center, Guantanamo Bay, Cuba: Utilities, $1,093,000.

Yards and Docks Facilities

Public works center, Subic Bay, Luzon, Philippine Islands: Maintenance facilities $393,000.

SEC. 202. The Secretary of the Navy may establish or develop classified naval installations and facilities by constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $65,091,000.

SEC. 203. (a) Public Law 534, 82d Congress, as amended, is amended under the heading "Continental United States" in section 201, as follows:

Under the subheading "Yards and Docks Facilities," with respect to "Various locations", strike out "$4,500,000" and insert in place thereof "$5,460,000."

(b) Public Law 534, 82d Congress, as amended, is amended by striking out in section 202, "$86,397,000" and inserting in place thereof "$95,489,000."

(c) Public Law 534, 82d Congress, as amended, is amended by striking out in clause (2) of section 402 the amounts "$138,183,000", "$86,397,000", and "$256,875,000" and inserting respectively in place thereof, "$139,143,000", "$95,489,000", and "$266,927,000."

SEC. 204. (a) Public Law 534, 83d Congress, as amended, is amended under the heading "Continental United States" in section 201 as follows:

Under the subheading "Aviation Facilities" with respect to the naval auxiliary air station, El Centro, Calif., strike out "$225,000" and insert in place thereof "$369,000"; with respect to the Marine Corps air station, El Toro, Calif., strike out "$1,675,000" and insert in place thereof "$2,030,000"; and with respect to the naval air station, Glenview, Ill., strike out "$70,000" and insert in place thereof "$170,000."

(b) Public Law 534, 83d Congress, as amended, is amended by striking out, in section 202, "$63,358,000" and inserting in place thereof "$70,656,000."

(c) Public Law 534, 83d Congress, as amended, is amended by striking out in clause (2) of section 502 the amounts "$102,956,000", "$63,358,000", "$202,807,000" and inserting respectively in place thereof "$103,555,000", "$70,656,000", and $210,704,000."

SEC. 205. (a) Public Law 161, 84th Congress, as amended, is amended under the heading "Continental United States" in section 201 as follows:

(1) Under the subheading "Shipyard Facilities," with respect to the naval repair facility, San Diego, Calif., strike out "$629,000" and insert in place thereof "$1,099,000."

(2) Under the subheading "Fleet Base Facilities," with respect to the naval station, Orange, Tex., strike out "$399,000" and insert in place thereof "$563,000."

(3) Under the subheading "Aviation Facilities (Naval Air Training Stations)," with respect to the naval auxiliary air station, Kingsville, Tex., strike out "$3,686,000" and insert in place thereof "$4,292,000"; and with respect to the naval auxiliary air station, New Iberia, La., strike out "$24,361,000" and insert in place thereof "$26,871,000."

(4) Under the subheading "Aviation Facilities (Fleet Support Air Stations)," with respect to the naval air station, Alameda, Calif., strike out "$3,729,000" and insert in place thereof "$4,217,000"; with respect to the naval air station, Moffett Field, Calif., strike out "$2,581,000" and insert in place thereof "$4,355,000"; and with respect to the outlying field, Whitehouse Field, Duval County, Fla., strike out "$1,087,000" and insert in place thereof "$1,587,000."

(5) Under the subheading "Aviation Facilities (Special Purpose Air Stations)," with respect to the naval air station, Lakehurst, N. J., strike out "$16,311,000" and insert in place thereof "$17,911,000."

(6) Under the subheading "Ordnance Facilities," with respect to the Naval Ordnance Aerophysics Laboratory, Daingerfield, Tex., strike out "$1,111,000" and insert in place thereof "$1,751,000"; and with respect to the naval ordnance test station, Inyokern, Calif., strike out "$375,000" and insert in place thereof "$475,000."

(7) Under the subheading "Service School Facilities" with respect to the Naval Powder Factory, Indian Head, Md., strike out "$780,000" and insert in place thereof "$879,000."

(b) Public Law 161, 84th Congress, as amended, is amended under the heading "Outside Continental United States" in section 201 as follows:

(1) Under the subheading "Aviation Facilities," with respect to the Naval Station, Kwajelein, Marshall Islands, strike out "$4,411,000" and insert in place thereof "$5,235,000."

(2) Under the subheading "Communication Facilities," with respect to the Naval Communication Facility, Port Lyautey, French Morocco, strike out "$2,848,600" and insert in place thereof "$3,198,600."

(c) Public Law 161, 84th Congress, as amended, is amended by striking out in section 202 "$151,342,400" and inserting in place thereof "$152,763,400."

(d) Public Law 161, 84th Congress, as amended, is amended by striking out in clause (2) of section 502 the amounts "$299,512,600," "$107,191,300," "$151,342,400," and "$564,046,300" and inserting respectively in place thereof "$308,463,600", "$108,365,300," "$152,763,400," and "$575,592,300."

SEC. 206. (a) Public Law 968, 84th Congress, is amended under the heading "Inside the United States" in section 201, as follows:

(1) Under the subheading "Shipyard Facilities" with respect to the Naval Shipyard, Charleston, S. C., strike out "$148,000" and insert in place thereof "$191,000"; and with respect to the Naval Shipyard, Long Beach, Calif., strike out "$5,984,000" and insert in place thereof "$8,169,000."

(2) Under the subheading "Fleet Base Facilities," with respect to the Naval Station, Long Beach, Calif., strike out "$2,256,000" and insert in place thereof "$2,623,000"; and with respect to the Naval Station, Norfolk, Va., strike out "$2,844,000" and insert in place thereof "$3,340,000."

(3) Under the subheading "Aviation Facilities (Fleet Support Air Stations)," with respect to the Naval Air Station, Miramar, Calif., strike out "$8,835,000" and insert in place thereof "$11,040,000."

(4) Under the subheading "Aviation Facilities (Special Purpose Air Stations)," with respect to the Naval Air Missile Test Center, Point Mugu, Calif., strike out "$1,682,000" and insert in place thereof "$2,010,000."

(5) Under the subheading "Service School Facilities" with respect to the Naval Academy, Annapolis, Md., strike out "$7,469,000" and insert in place thereof "$10,919,000."

(6) Under the subheading "Communications Facilities," with respect to the Naval Communication Station, San Francisco, Calif., strike out "$2,029,000" and insert in place thereof "$3,779,000."

(7) Under the subheading "Yards and Docks Facilities," with respect to the Public Works Center, Norfolk, Va., strike out "$443,000" and insert in place thereof "$500,000."

(b) Public Law 968, 84th Congress, is amended under the heading "Outside the United States" in section 201, as follows:

(1) Under the subheading "Aviation Facilities," with respect to the Naval Air Station, Atsugi, Japan, strike out "$1,961,000" and insert in place thereof "$2,337,000."

(c) Public Law 968, 84th Congress, is amended by striking out in section 203, "$84,043,000" and inserting in place thereof "$85,939,000."

(d) Public Law 968, 84th Congress, is amended by striking out in clause (2) of section 402 the amounts "$292,572,000," "$61,625,000," "$84,043,000," and "$438,240,000" and inserting respectively in place thereof "$303,453,000," "$62,001,000," "$85,939,000," and "$451,393,000."

TITLE III

SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for the following projects.

Inside the United States

Air Defense Command

Duluth Municipal Airport, Duluth, Minn.: Operational and training facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $4,499,000.

Ethan Allen Air Force Base, Winooski, Vt.: Operational and training facilities, maintenance facilities, supply facilities, and community facilities, $594,000.

Geiger Field, Spokane, Wash.: Maintenance facilities, hospital and medical facilities, community facilities, and land acquisition, $1,583,000.

Glasgow Air Force Base, Glasgow, Mont.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, troop housing, family housing, community facilities, and utilities and ground improvements, $2,048,000.

Grank Forks Air Force Base, Grank Forks, N. Dak.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, community facilities, and utilities and ground improvements, $4,466,000.

Grandview Air Force Base, Kansas City, Mo.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, community facilities, and utilities and ground improvements, $2,184,000.

Hamilton Air Force Base, San Rafael, Calif.: Operational and training facilities, troop housing, and utilities and ground improvements, $614,000.

Kinross Air Force Base, Sault Sainte Marie, Mich.: Family housing, community facilities, and utilities and ground improvements, $429,000.

K. I. Sawyer Municipal Airport, Marquette, Mich.: Operational and training facilities, maintenance facilities, community facilities, and utilities and ground improvements, $905,000.

Klamath Falls Municipal Airport, Klamath Falls, Oreg.: Maintenance facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $1,299,000.

McChord Air Force Base, Tacoma, Wash.: Operational and training facilities, supply facilities, and utilities and ground improvements, $2,103,000.

McGhee-Tyson Airport, Knoxville, Tenn.: Supply facilities and community facilities, $289,000.

Minot Air Force Base, Minot, N. Dak.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, hospital and medical facilities,

community facilities, and utilities and ground improvements, $6,804,000.

Niagara Falls Municipal Airport, Niagara Falls, N. Y.: Supply facilities, community facilities, and utilities and ground improvements, $974,000.

Otis Air Force Base, Falmouth, Mass.: Troop housing, family housing, community facilities, and utilities and ground improvements, $2,074,000.

Oxnard Air Force Base, Camarillo, Calif.: Maintenance facilities, supply facilities, administrative facilities, troop housing, community facilities, and utilities and ground improvements, $2,082,000.

Peterson Field, Colorado Springs, Colo.: Land acquisition, $136,000.

Portland International Airport, Portland, Oreg.: Operational and training facilities, maintenance facilities, supply facilities, and utilities and ground improvements, $4,328,000.

Presque Isle Air Force Base, Presque Isle, Maine: Community facilities, $244,000.

Richard Bong Air Force Base, Kansasville, Wis.: Operational and training facilities, supply facilities, and utilities and ground improvements, $7,804,000.

Selfridge Air Force Base, Mount Clemens, Mich.: Supply facilities, troop housing, community facilities, and utilities and ground improvements, $2,698,000.

Sioux City Municipal Airport, Sioux City, Iowa: Operational and training facilities and supply facilities, $248,000.

Stewart Air Force Base, Newburgh, N. Y.: Supply facilities, community facilities, utilities and ground improvements, and real estate improvement, $2,149,000.

Suffolk County Air Force Base, Westhampton Beach, N. Y.: Supply facilities, community facilities, utilities and ground improvements, and land acquisition, $1,144,000.

Truax Field, Madison, Wis.: Community facilities, utilities and ground improvements, land acquisition, and real estate improvements, $1,129,000.

Tyndall Air Force Base, Panama City, Fla.: Maintenance facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $3,186,000.

Wurtsmith Air Force Base, Oscoda, Mich.: Operational and training facilities, maintenance facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $2,909,000.

Youngstown Municipal Airport, Youngstown, Ohio: Community facilities, and utilities and ground improvements, $358,000.

Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, hospital and medical facilities, troop housing, community facilities, utilities and ground improvements, and land acquisition, $48,178,000.

Air Materiel Command

Brookley Air Force Base, Mobile, Ala.: Troop housing, $405,000.

Griffiss Air Force Base, Rome, N. Y.: Operational and training facilities, maintenance facilities, research, development, and test facilities, supply facilities, administrative facilities, troop housing, utilities and ground improvements, and land acquisition, $10,659,000.

Hill Air Force Base, Ogden, Utah: Operational and training facilities, and troop housing, $1,911,000.

Kelly Air Force Base, San Antonio, Tex.: Maintenance facilities, and utilities and ground improvements, $899,000.

Marietta Air Force Station, Marietta, Pa.: Utilities and ground improvements, $2,438,000.

McClellan Air Force Base, Sacramento, Calif.: Operational and training facilities, maintenance facilities, troop housing, community facilities, utilities and ground improvements, land acquisition, and real estate improvements, $5,133,000.

Olmstead Air Force Base, Middletown, Pa.: Maintenance facilities, and troop housing, $1,673,000.

Robins Air Force Base, Macon, Ga.: Operational and training facilities, maintenance facilities, supply facilities, troop housing, community facilities, utilities and ground improvements, and land acquisition, $20,507,000.

Rushmore Air Force Station, Rapid City, S. Dak.: Community facilities, $56,000.

Tinker Air Force Base, Oklahoma City, Okla.: Operational and training facilities, supply facilities, troop housing, and utilities and ground improvements, $2,674,000.

Wright-Patterson Air Force Base, Dayton, Ohio; Operational and training facilities, research, development, and test facilities, supply facilities, community facilities, utilities and ground improvements, and land acquisition, $2,077,000.

Air Proving Ground Command

Eglin Air Force Base, Valparaiso, Fla.: Research, development, and test facilities troop housing, community facilities, utilities and ground improvements, and land acquisition, $6,784,000.

Air Research and Development Command

Edwards Air Force Base, Muroc, Calif.: Operational and training facilities, research, development, and test facilities, community facilities, and utilities and ground improvements, $1,987,000.

Holloman Air Force Base, Alamogordo, N. Mex.: Operational and training facilities, research, development, and test facilities, troop housing, community facilities, and utilities and ground improvements, $11,869,000.

Indian Springs Air Force Base, Indian Springs, Nev.: Community facilities, $206,000.

Kirtland Air Force Base, Albuquerque, N. Mex.: Supply facilities, troop housing, community facilities, and utilities and ground improvements, $2,023,000.

Laurence G. Hanscom Field, Bedford, Mass.: Operational and training facilities, maintenance facilities, research, development, and test facilities, supply facilities, community facilities, utilities and ground improvements, and land acquisition, $4,029,000.

Patrick Air Force Base, Cocoa, Fla.: Operational and training facilities, research, development, and test facilities, troop housing, community facilities, utilities and ground improvements, and real estate improvements, $2,962,000.

Air Training Command

Amarillo Air Force Base, Amarillo, Tex.: Operational and training facilities, maintenance facilities, supply facilities, community facilities, utilities and ground improvements, and land acquisition, $4,785,000.

Craig Air Force Base, Selma, Ala.: Operational and training facilities, and land acquisition, $2,193,000.

Goodfellow Air Force Base, San Angelo, Tex.: Operational and training facilities, and community facilities, $489,000.

Harlingen Air Force Base, Harlingen, Tex.: Community facilities, and land acquisition, $424,000.

Keesler Air Force Base, Biloxi, Miss.: Operational and training facilities, troop housing, and community facilities, $2,209,000.

Luke Air Force Base, Phoenix, Ariz.: Maintenance facilities, supply facilities, community facilities, utilities and ground improvements, and land acquisition, $2,110,000.

Mather Air Force Base, Sacramento, Calif.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, troop housing, and land acquisition, $8,249,000.

McConnell Air Force Base, Wichita, Kans.: Troop housing, community facilities, utilities and ground improvements, and real estate improvements, $763,000.

Moody Air Force Base, Valdosta, Ga.: Operational and training facilities, maintenance facilities, supply facilities, and community facilities, $938,000.

Nellis Air Force Base, Las Vegas, Nev.: Community facilities, $436,000.

Perrin Air Force Base, Sherman, Tex.: Operational and training facilities, and land acquisition, $460,000.

Randolph Air Force Base, San Antonio, Tex.: Operational and training facilities, supply facilities, and utilities and ground improvements, $2,858,000.

Reese Air Force Base, Lubbock, Tex.: Operational and training facilities, supply facilities, and land acquisition, $5,909,000.

Scott Air Force Base, Belleville, Ill.: Utilities and ground improvements, land acquisition, and real estate improvements, $653,000.

Sheppard Air Force Base, Wichita Falls, Tex.: Operational and training facilities, maintenance facilities, supply facilities, community facilities, and real-estate improvement, $4,200,000.

Stead Air Force Base, Reno, Nev.: Troop housing, and community facilities, $1,915,000.

Vance Air Force Base, Enid, Okla.: Operational and training facilities, supply facilities, and land acquisition, $1,977,000.

Webb Air Force Base, Big Spring, Tex.: Operational and training facilities, maintenance facilities, supply facilities, community facilities, and utilities, and ground improvements, $4,118,000.

Williams Air Force Base, Chandler, Ariz.: Maintenance facilities, community facilities, and land acquisition, $865,000.

Air University

Maxwell Air Force Base, Montgomery, Ala.: Land acquisition, $50,000.

Continental Air Command

Brooks Air Force Base, San Antonio, Tex.: Medical facilities, $952,000.

Dobbins Air Force Base, Marietta, Ga.: Operational and training facilities, and family housing, $139,000.

Mitchel Air Force Base, Hempstead, N. Y.: Utilities and ground improvements, and land acquisition, $337,000.

Military Air Transport Service

Aeronautical chart and information center, St. Louis, Mo.: Utilities and ground improvements, $620,000.

Andrews Air Force Base, Camp Springs, Md.: Operational and training facilities, $920,000.

Charleston Air Force Base, Charleston, S. C.: Supply facilities, and utilities and ground improvements, $2,216,000.

Dover Air Force Base, Dover, Del.: Operational and training facilities, troop housing, and utilities and ground improvements, $2,069,000.

McGuire Air Force Base, Wrightstown, N. J.: Maintenance facilities, utilities and ground improvements, and land acquisition, $496,000.

Strategic Air Command

Altus Air Force Base, Altus, Okla.: Operational and training facilities, maintenance facilities, and community facilities, $848,000.

Barksdale Air Force Base, Shreveport, La.: Operational and training facilities, maintenance facilities, supply facilities, troop housing, and community facilities, $3,344,000.

Beale Air Force Base, Marysville, Calif.: Operational and training facilities, maintenance facilities, supply facilities, hospital and medical facilities, and utilities and ground improvements, $9,680,000.

Bergstrom Air Force Base, Austin, Tex.: Operational and training facilities, maintenance facilities, and supply facilities, $1,487,000.

Biggs Air Force Base, El Paso, Tex.: Operational and training facilities, supply facilities, and troop housing, $5,557,000.

Blytheville Air Force Base, Blytheville, Ark.: Operational and training facilities, troop housing, community facilities, and land acquisition, $11,510,000.

Bunker Hill Air Force Base, Peru, Ind.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, community facilities, and land acquisition, $9,584,000.

Carswell Air Force Base, Fort Worth, Tex.: Operational and training facilities, supply facilities, traap housing, land acquisition, and real-estate improvements, $2,059,000.

Castle Air Force Base, Merced, Calif.: Maintenance facilities, supply facilities, troop housing, utilities and ground improvements, land acquisition, and real-estate improvements, $2,976,000.

Clinton-Sherman Air Force Base, Clinton, Okla.: Operational and training facilities, supply facilities, and community facilities, $536,000.

Columbus Air Force Base, Columbus, Miss.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, community facilities, and utilities and ground improvements, $2,468,000.

Davis-Monthan Air Force Base, Tucson, Ariz.: Maintenance facilities, supply facilities, troop housing, community facilities, and land acquisition, $2,411,000.

Dow Air Force Base, Bangor, Maine: Operational and training facilities, maintenance facilities, supply facilities, community facilities, utilities and ground improvements, and land acquisition, $14,759,000.

Dyess Air Force Base, Abilene, Tex.: Community facilities, $100,000.

Ellsworth Air Force Base, Rapid City, S. Dak.: Operational and training facilities, supply facilities, and community facilities, $2,258,000.

Fairchild Air Force Base, Spokane, Wash.: Operational and training facilities, $1,480,000.

Forbes Air Force Base, Topeka, Kans.: Operational and training facilities, and supply facilities, $1,357,000.

Gray Air Force Base, Killeen, Texas: Community facilities, $34,000.

Greenville Air Force Base, Greenville, Miss.: Operational and training facilities, maintenance facilities, supply facilities, and land acquisition, $19,389,000.

Homestead Air Force Base, Homestead, Fla.: Maintenance facilities, $380,000.

Hunter Air Force Base, Savannah, Ga.: Troop housing and community facilities, $994,000.

Lake Charles Air Force Base, Lake Charles, La.: Real-estate improvements, $179,000.

Larson Air Force Base, Moses Lake, Wash.: Operational and training facilities, and community facilities, $13,112,000.

Laughlin Air Force Base, Del Rio, Tex.: Operational and training facilities, $250,000.

Lincoln Air Force Base, Lincoln, Nebr.: Land acquisition, $37,000.

Lockbourne Air Force Base, Columbus, Ohio: Operational and training facilities, supply facilities, and utilities and ground improvements, $2,364,000.

Loring Air Force Base, Limestone, Maine: Operational and training facilities, maintenance facilities, supply facilities, and utilities, and ground improvements, $7,322,000.

MacDill Air Force Base, Tampa, Fla.: Operational and training facilities, supply facilities, and utilities and ground improvements, $936,000.

Malmstrom Air Force Base, Great Falls, Mont.: Operational and training facilities, supply facilities, and utilities and ground improvements, $3,518,000.

March Air Force Base, Riverside, Calif.: Operational and training facilities, and troop housing, $2,347,000.

Mountain Home Air Force Base, Mountain Home, Idaho: Maintenance facilities, troop housing, community facilities, and utilities and ground improvements, $2,022,000.

Offutt Air Force Base, Omaha, Nebr.: Operational and training facilities, maintenance facilities, supply facilities, troop housing, community facilities, utilities and ground improvements, and land acquisition, $7,681,000.

Plattsburgh Air Force Base, Plattsburgh, N. Y.: Supply facilities, and utilities and ground improvements, $231,000.

Portsmouth Air Force Base, Portsmouth, N. H.: Supply facilities, community facilities, utilities and ground improvements, and land acquisition, $2,344,000.

Schilling Air Force Base, Salina, Kans.: Operational and training facilities, supply facilities, community facilities, utilities and ground improvements, and land acquisition, $3,892,000.

Travis Air Force Base, Fairfield, Calif.; Operational and training facilities, maintenance facilities, supply facilities, community facilities, and utilities and ground improvements, $3,528,000.

Turner Air Force Base, Albany, Ga.: Operational and training facilities, maintenance facilities, supply facilities, and land acquisition, $8,628,000.

Walker Air Force Base, Roswell, N. Mex.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, troop housing, community facilities, and utilities and ground improvements, $9,697,000.

Westover Air Force Base, Chicopee Falls, Mass.: Operational and training facilities, troop housing, community facilities, and utilities and ground improvements, $1,901,000.

Whiteman Air Force Base, Knobnoster, Mo.: Operational and training facilities, and community facilities, $235,000.

Tactical Air Command

Clovis Air Force Base, Clovis, N. Mex.: Maintenance facilities, administrative facilities, troop housing, community facilities, utilities and ground improvements, and land acquisition, $2,149,000.

Donaldson Air Force Base, Greeneville, S. C.: Operational and training facilities, troop housing and community facilities, $1,287,000.

England Air Force Base, Alexandria, La.: Troop housing, community facilities, and land acquisition, $1,558,000.

Foster Air Force Base, Victoria, Tex.: Community facilities, utilities and ground improvements, and land acquisition, $760,000.

George Air Force Base, Victorville, Calif.: Supply facilities and community facilities, $2,478,000.

Langley Air Force Base, Hampton, Va.: Supply facilities and utilities and ground improvements, $1,255,000.

Myrtle Beach Air Force Base, Myrtle Beach, S. C.: Maintenance facilities, troop housing, community facilities, land acquisition, and real-estate improvements, $1,204,000.

Sewart Air Force Base, Smyrna, Tenn.: Community facilities, $745,000.

Seymour Johnson Air Force Base, Goldsboro, N. C.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, community facilities, utilities and ground improvements, land acquisition, and real-estate improvements, $11,558,000.

Shaw Air Force Base, Sumter, S. C.: Troop housing and community facilities, $1,184,000.

Wendover Air Force Base, Wendover, Utah: Operational and training facilities and family housing, $2,035,000.

Special Facilities

Various locations: Operational and training facilities, $229,000.

Aircraft Control and Warning System

Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, hospital and medical facilities, troop housing, family housing, community facilities, utilities and ground improvements and land acquisition, $7,331,000.

Outside the United States

Alaskan Air Command

Elelson Air Force Base: Operational and training facilities, $430,000.

Elmendorf Air Force Base: Operation and training facilities, maintenance facilities, and community facilities, $4,742,000.

Galena Airfield: Operational and training facilities, $350,000.

Ladd Air Force Base: Community facilities, $1,630,000.

Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, hospital and medical facilities, troop housing, community facilities, utilities and ground improvements and land acquisition, $11,500,000.

Air Materiel Command

Various locations: Operational and training facilities, and community facilities, $1,366,000.

Caribbean Air Command

Howard Air Force Base, Canal Zone: Operational and training facilities, $1,400,000.

Far East Air Forces

Hickam Air Force Base, Honolulu, Hawaii: Operational and training facilities, troop housing, and community facilities, $2,642,000.

Various locations: Operational and training facilities, maintenance facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $12,738,000.

Military Air Transport Service

Various locations: Operational and training facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $15,006,000.

Strategic Air Command

Andersen Air Force Base, Guam: Community facilities, $820,000.

Ramey Air Force Base, Puerto Rico: Operational and training facilities, community facilities, utilities and ground improvements and land acquisition, $3,783,000.

Various locations: Operational and training facilities, maintenance facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $59,613,000.

United States Air Forces in Europe

Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, hospital and medical facilities, troop housing, community facilities, utilities and ground improvements, and real estate improvements, $39,217,000.

Special Facilities

Various locations: Operational and training facilities, $170,000.

Aircraft Control and Warning System

Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, hospital and medical facilities, troop housing, community facilities, and utilities and ground improvements, $70 million.

SEC. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities by acquiring, con-

structing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment in the total amount of $65 million.

SEC. 303. (a) Public Law 534, 83d Congress, as amended, is amended under the heading "Continental United States" in section 301, as follows:

Under the subheading "Air Defense Command"—with respect to Pescadero Consolan Station, Pescadero, Calif., strike out "$224,000" and insert in place thereof "$584,000".

Under the subheading "Strategic Air Command"—with respect to Clinton-Sherman Airport, Clinton, Okla., strike out "$11,393,000" and insert in place thereof "$12,686,000"; and strike out "$1,463,000" and insert in place thereof "$2,756,000."

Under the subheading "Continental Air Command"—with respect to Mitchel Air Force Base, Hempstead, N. Y., strike out "$729,000" and insert in place thereof "$929,000"; and strike out "$686,000" and insert in place thereof "$886,000."

Under the subheading "Research and Development Command"—with respect to Edwards Air Force Base, Muroc, Calif., strike out "$27,478,000" and insert in place thereof "$29,442,000"; and strike out "$16,192,000" and insert in place thereof "$18,156,000."

(b) Public Law 534, 83d Congress, as amended, is amended by striking out in clause (3) of section 502 so much as reads "$406,120,000" and "$415,949,000" and inserting in place thereof "$409,937,000" and "$419,766,000," respectively.

SEC. 304. (a) Public Law 161, 84th Congress, as amended, is amended, under the heading "Continental United States" in section 301, as follows:

Under the subheading "Air Defense Command"—

(1) with respect to Geiger Field, Spokane, Wash., strike out "$1,716,000" and insert in place thereof "$2,717,000";

(2) with respect to Grand Fork site, North Dakota, strike out "$7,709,000" and insert in place thereof "$9,220,000";

(3) with respect to Kinross Air Force Base, Sault Ste. Marie, Mich., strike out "$2,029,000 and insert in place thereof "$2,195,000";

(4) with respect to Minot site, North Dakota, strike out "$6,603,000" and insert in place thereof "$7,268,000";

(5) with respect to Oxnard Air Force Base, Oxnard, Calif., strike out "$2,445,000" and insert in place thereof "$2,935,000";

(6) with respect to Selfridge Air Force Base, Mount Clemens, Mich., strike out $5,526,000" and insert in place thereof "$6,445,000";

(7) with respect to Youngstown Municipal Airport, Youngstown, Ohio, strike out "$742,000" and insert in place thereof "$893,000";

(8) with respect to Yuma County Airport, Yuma, Ariz., strike out "$2,107,000" and insert in place thereof "$2,676,000."

Under the subheading "Air Materiel Command"—

(1) with respect to Brookley Air Force Base, Mobile, Ala., strike out "$4,170,000" and insert in place thereof "$4,728,000";

(2) with respect to Griffiss Air Force Base, Rome, N. Y., strike out "$15,803,000" and insert in place thereof "$16,654,000";

(3) with respect to McClellan Air Force Base, Sacramento, Calif., strike out "$9,522,000" and insert in place thereof "$11,970,000";

(4) with respect to Wright-Patterson Air Force Base, Dayton, Ohio, strike out "$12,001,000" and insert in place thereof "$14,508,000."

Under the subheading "Air Training Command"—

(1) with respect to Ellington Air Force Base, Houston, Tex., strike out "$3,438,000" and insert in place thereof "$3,876,000";

(2) with respect to Goodfellow Air Force Base, San Angelo, Tex., strike out "$4,081,000" and insert in place thereof "$5,088,000";

(3) with respect to Greenville Air Force Base, Greenville, Miss., strike out "$500,000" and insert in place thereof "$545,000";

(4) with respect to Harlingen Air Force Base, Harlingen, Tex., strike out "$446,000" and insert in place thereof "$529,000";

(5) with respect to James Connally Air Force Base, Waco, Tex., strike out "$883,000" and insert in place thereof "$1,129,000";

(6) with respect to Mather Air Force Base, Sacramento, Calif., strike out "$1,516,000" and insert in place thereof "$1,998,000";

(7) with respect to Reese Air Force Base, Lubbock, Tex., strike out "$1,076,000" and insert in place thereof "$1,304,000";

(8) with respect to Williams Air Force Base, Chandler, Ariz., strike out "$1,215,000" and insert in place thereof "$1,556,000."

Under the subheading "Headquarters Command"—with respect to Bolling Air Force Base, Washington, D. C., strike out "$520,000" and insert in place thereof "$325,000."

Under the subheading "Research and Development Command"—with respect to Indian Springs Air Force Base (Kirtland Auxiliary No. 1), Clark, Nev., strike out "$555,500" and insert in place thereof "$624,500."

Under the subheading "Strategic Air Command"—

(1) with respect to Carswell Air Force Base, Fort Worth, Tex., strike out "$5,929,000" and insert in place thereof "$7,363,000."

(2) with respect to Dow Air Force Base, Bangor, Maine, strike out "$11,155,000" and insert in place thereof "$12,218,000";

(3) with respect to Travis Air Force Base, Fairfield, Calif., strike out "$9,769,000" and insert in place thereof "$11,473,000";

(4) with respect to Walker Air Force Base, Roswell, N. Mex., strike out "$6,657,000" and insert in place thereof "$8,324,000."

Under the subheading "Tactical Air Command"—

(1) with respect to Alexandria Air Force Base, Alexandria, La., strike out "$2,684,000" and insert in place thereof "$3,527,000";

(2) with respect to Bunker Hill Air Force Base, Peru, Ind., strike out "$559,000" and insert in place thereof "$611,000";

(3) with respect to George Air Force Base, Victorville, Calif., strike out "$1,598,000" and insert in place thereof "$1,905,000";

(4) with respect to Larson Air Force Base, Moses Lake, Wash., strike out "$4,724,000" and insert in place thereof "$5,197,000";

(5) with respect to Sewart Air Force Base, Smyrna, Tenn., strike out "$3,589,000" and insert in place thereof "$4,010,000."

(b) Public Law 161, 84th Congress, as amended, is amended under the heading "Outside Continental United States" in section 301, as follows:

Under the heading "Alaska Air Command"—with respect to Galena Airfield, strike out "$518,000" and insert in place thereof "$735,000."

Under the subheading "area control navigational aids"—with respect to various locations, strike out "$526,000" and insert in place thereof "$1,394,000."

(c) Public Law 161, 84th Congress, as amended, is amended by striking out in clause (3) of section 502 the amounts "$801,256,000", "$532,454,000", and $1,339,060,000" and inserting in place thereof "$824,300,000", "$533,539,000", and "$1,363,189,000", respectively.

SEC. 305. (a) Public Law 968, 84th Congress, is amended, under the heading "Continental United States" in section 301, as follows:

Under the subheading "air defense command"—

(1) with respect to Duluth Municipal Airport, Duluth, Minn., strike out "$636,000" and insert in place thereof "$1,469,000";

(2) with respect to Geiger Field, Spokane, Wash., strike out "$2,827,000" and insert in place thereof "$3,079,000";

(3) with respect to Glasgow Air Force Base, Glasgow, Mont., strike out "$2,470,000" and insert in place thereof "$3,080,000."

(4) with respect to Grand Forks Air Force Base, Grand Forks, N. Dak., strike out "$18,969,000" and insert in place thereof $30,521,000";

(5) with respect to Grandview Air Force Base, Kansas City, Mo., strike out "$1,673,000" and insert in place thereof "$1,781,000";

(6) with respect to Kinross Air Force Base, Sault Sainte Marie, Mich., strike out "$2,156,000" and insert in place thereof "$2,336,000";

(7) with respect to Klamath Falls Municipal Airport, Klamath Falls, Oreg., strike out "$1,130,000" and insert in place thereof "$1,560,000";

(8) with respect to Minot Air Force Base, Minot, N. Dak., strike out "$21,215,000" and insert in place thereof "$27,035,000";

(9) with respect to Niagara Falls Municipal Airport, Niagara Falls, N. Y., strike out "$3,030,000" and insert in place thereof "$3,409,000";

(10) with respect to Oxnard Air Force Base, Camarillo, Calif., strike out "$2,392,000" and insert in place thereof "$2,779,000";

(11) with respect to Sioux City Municipal Airport, Sioux City, Iowa, strike out "$2,288,000" and insert in place thereof "$2,900,000";

(12) with respect to Truax Field, Madison, Wis., strike out "$4,876,000" and insert in place thereof "$8,726,000";

(13) with respect to Wurtsmith Air Force Base, Oscoda, Mich., strike out "$3,276,000" and insert in place thereof "$3,808,000";

(14) with respect to various locations, strike out "$21,510,000" and insert in place thereof "$26,201,000."

Under the subheading "air materiel command" —

(1) with respect to Griffiss Air Force Base, Rome, N. Y., strike out "$17,966,000" and insert in place thereof "$22,005,000";

(2) with respect to Searsport Fuel Storage Station, Searsport, Maine, strike out "$473,000" and insert in place thereof "$745,000";

(3) with respect to Tacoma Fuel Storage Station, Tacoma, Wash., strike out "$129,000" and insert in place thereof "$251,000";

(4) with respect to Tinker Air Force Base, Oklahoma City, Okla., strike out "$5,990,000" and insert in place thereof "$7,763,000."

Under the subheading "air training command"—

(1) with respect to Amarillo Air Force Base, Amarillo, Tex., strike out "$17,121,000" and insert in place thereof "$26,471,000";

(2) with respect to Craig Air Force Base, Selma, Ala., strike out "$18,000" and insert in place thereof "$22,000";

(3) with respect to Sheppard Air Force Base, Wichita Falls, Tex., strike out "$24,433,000" and insert in place thereof "$33,858,000";

(4) with respect to Stead Air Force Base, Reno, Nev., strike out "$2,221,000" and insert in place thereof "$3,063,000";

(5) with respect to Vance Air Force Base, Enid, Okla., strike out "$977,000" and insert in place thereof "$1,064,000."

Under the subheading "air university"—with respect to Maxwell Air Force Base, Montgomery, Ala., strike out "$215,000" and insert in place thereof "$311,000."

Under the subheading "continental air command"—

(1) with respect to Beale Air Force Base, Marysville, Calif., strike out "$13,395,000" and insert in place thereof "$15,993,000";

(2) with respect to Dobbins Air Force Base, Marietta, Ga., strike out "$345,000" and insert in place thereof "$500,000."

Under the subheading "research and development command"—

(1) with respect to Laurence G. Hanscom Field, Bedford, Mass., strike out "$6,939,000" and insert in place thereof "$7,530,000";

(2) with respect to Edwards Air Force Base, Muroc, Calif., strike out "$5,488,000" and insert in place thereof "$7,220,000."

Under the subheading "Strategic Air Command"—

(1) with respect to Biggs Air Force Base, El Paso, Tex., strike out "$922,000" and insert in place thereof "$1,190,000";

(2) with respect to Castle Air Force Base, Merced, Calif., strike out "$2,179,000" and insert in place thereof "$2,643,000";

(3) with respect to Columbus Air Force Base, Columbus, Miss., strike out "$14,518,000" and insert in place thereof "$15,322,000";

(4) with respect to Ellsworth Air Force Base, Rapid City, S. Dak., strike out "$943,000" and insert in place thereof "$1,075,000";

(5) with respect to Homestead Air Force Base, Homestead, Fla., strike out "$1,694,000" and insert in place thereof "$1,966,000";

(6) with respect to Lockbourne Air Force Base, Columbus, Ohio, strike out "$4,952,000" and insert in place thereof "$7,880,000";

(7) with respect to Malmstrom Air Force Base, Great Falls, Mont., strike out "$1,236,000" and insert in place thereof "$1,586,000";

(8) with respect to Mountain Home Air Force Base, Mountain Home, Idaho, strike out "$2,064,000" and insert in place thereof "$2,607,000";

(9) with respect to Offutt Air Force Base, Omaha, Nebr., strike out "$5,697,000" and insert in place thereof "$6,155,000";

(10) with respect to Plattsburgh Air Force Base, Plattsburgh, N. Y., strike out "$1,491,000" and insert in place thereof "$2,027,000";

(11) with respect to Portsmouth Air Force Base, Portsmouth, N. H., strike out "$661,000" and insert in place thereof "$720,000";

(12) with respect to Walker Air Force Base, Roswell, N. Mex., strike out "$2,791,000" and insert in place thereof "$3,181,000."

Under the subheading "Tactical Air Command"—with respect to Langley Air Force Base, Hampton, Va., strike out "$2,613,000" and insert in place thereof "$2,785,000."

(b) Public Law 968, 84th Congress, is amended under the heading "Outside the United States" as follows:

Under the subheading "Northeast Air Command"—with respect to various locations, strike out "$75,650,000" and insert in place thereof "$94,197,000."

(c) Public Law 968, 84th Congress, is amended by striking out in clause (3) of section 402 the amounts "$742,873,000", "$405,061,000", and "$1,360,934,000" and inserting in place thereof "$811,342,000", "$423,608,000", and "$1,447,950,000", respectively.

SEC. 306. Subsection (b) of section 302 of the act of August 3, 1956 (70 Stat. 991, 1012), is amended to read as follows:

"(b) Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions, new weapons developments, new and unforeseen research and development requirements, or improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $50,000,000: *Provided*, That the Secretary of the Air Force, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this subsection, including those real estate actions pertaining thereto."

TITLE IV

General provisions

SEC. 401. The Secretary of each military department may proceed to establish or develop installations and facilities under this act without regard to sections 3648 and 3734 of the Revised Statutes, as amended, and sections 4774 (d) and 9774 (d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended, and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 402. There are authorized to be appropriated such sums as may be necessary for the purposes of this act, but appropriations for public works projects authorized by titles I, II, and III shall not exceed—

(1) for title I: Inside the United States, $120,099,000; outside the United States, $34,613,000; section 102, $143,002,000; or a total of $297,714,000;

(2) for title II: Inside the United States, $260,377,000; outside the United States, $65,627,000; section 202, $65,091,000; or a total of $391,095,000; and

(3) for title III: Inside the United States, $437,357,000; outside the United States, $225,407,000; section 302, $65,000,000; or a total of $727,764,000.

SEC. 403. Any of the amounts named in title I, II, or III of this act may, in the discretion of the Secretary concerned, be increased by 5 percent for projects inside the United States and by 10 percent for projects outside the United States. However, the total cost of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

SEC. 404. Whenever—

(1) the President determines that compliance with section 2313 (b) of title 10, United States Code, for contracts made under this act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this act; and

(2) the Secretary of Defense and the Comptroller General have agreed upon alternative methods for adequately auditing those contracts; the President may exempt those contracts from the requirements of that section.

SEC. 405. Contracts made by the United States under this act shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code and section 15 of the act of August 9, 1955 (69 Stat. 547, 551). The Secretaries of the military departments shall report semiannually to the Armed Services Committees of the Senate and the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder.

SEC. 406. As of July 1, 1958, all authorizations for military public works to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, that are contained in acts approved before July 28, 1954, and not superseded or otherwise modified by a later authorization are repealed, except—

(1) authorizations for public works and for appropriations therefor that are set forth in those acts in the titles that contain the general provisions;

(2) the authorization for public works projects as to which appropriated funds have been obligated for construction contracts in whole or in part before July 1, 1958, and authorizations for appropriations therefor;

(3) the authorization for the rental guaranty for family housing in the amount of $100 million that is contained in section 802 of Public Law 534, 82d Congress;

(4) the authorizations for public works and the appropriation of funds that are contained in sections 2231–2238 of title 10, United States Code, as amended (50 U. S. C. 882, 883, 885, 886);

(5) the authorization for the development of the Line of Communications, France, in the amount of $60 million that is contained in title I, section 102, of Public Law 534, 82d Congress;

(6) Notwithstanding the provisions of section 410 of the act of August 3, 1956 (70 Stat. 991, 1016), the authorization for (a) development of classified facilities in the amount of $6,439,000 that is contained in title I, section 102, of the act of September 28, 1951 (65 Stat. 336, 343), and (b) development of classified facilities in the amount of $6,654,000 that is contained in title I, section 102 of the act of July 14, 1952 (66 Stat. 606, 609); and

(7) the authorization for public works and for the appropriations of funds that are contained in the act of April 1, 1954 (68 Stat. 47), as amended.

SEC. 407. Section 515 of the act of July 15, 1955 (69 Stat. 324, 352), as amended, is further amended to read as follows:

"SEC. 515. During the fiscal years 1957, 1958, and 1959, the Secretaries of the Army, Navy, and Air Force, respectively, are authorized to lease housing facilities at or near military tactical installations for assignment as public quarters to military personnel and their dependents, if any, without rental charge upon a determination by the Secretary of Defense, or his designee, that there is a lack of adequate housing facilities at or near such military tactical installations. Such housing facilities shall be leased on a family or individual unit basis and not more than 5,000 of such units may be so leased at any one time. Expenditures for the rental of such housing facilities may be made out of appropriations available for maintenance and operation but may not exceed $150 a month for any such unit."

SEC. 408. (a) Family quarters to be constructed under the authority of titles I, II, and III of the act of September 1, 1954 (63 Stat. 1119), shall be subject to the net floor area limitations respectively prescribed in sections 4774, 7574, and 9774 of title 10, United States Code.

(b) Section 404 of the act of September 1, 1954 (68 Stat. 1119, 1125), is hereby repealed.

SEC. 409. Title 10, United States Code, is amended as follows:

(a) Section 4774 is amended by adding the following new subsection at the end thereof:

"(f) Not more than 15 percent of the family quarters constructed from appropriated funds for enlisted members of the Army may be four-bedroom quarters having a net floor area of 1,250 square feet or less."

(b) Section 7574 is amended by adding the following new subsection at the end thereof:

"(d) Not more than 15 percent of the family quarters constructed from appropriated funds for enlisted members of the Navy may be four-bedroom quarters having a net floor area of 1,250 square feet or less."

(c) Section 9774 is amended by adding the following new subsection at the end thereof:

"(f) Not more than 15 percent of the family quarters constructed from appropriated funds for enlisted members of the

Air Force may be four-bedroom quarters having a net floor area of 1,250 square feet or less."

SEC. 410. The second paragraph of section 407 of the act of September 1, 1954 (68 Stat. 1119, 1125), as amended, is further amended to read as follows:

"The Department of Defense shall pay the Commodity Credit Corporation, from appropriations otherwise available for the payment of quarters allowances for military personnel and from appropriate allotments or rental charges for civilian personnel, amounts equal to the quarters allowances or allotments otherwise payable to or the rental charges collected from personnel occupying any housing constructed or acquired under authority of this section after deducting amounts chargeable for the maintenance and operation of such housing: *Provided*, That such payments shall not exceed the dollar equivalent of the value of the foreign currencies used for all such construction or acquisition."

SEC. 411. Prior to the termination of, or reduction in the operations of, any commercial or industrial-type activity being conducted on the date of enactment of this act within any of the 48 States or the District of Columbia (other than a nonappropriated fund activity), where such termination or reduction is for the purpose of having the supplies or services furnished by such activity furnished by other than civilian employees of the United States, and where such activity has been conducted for 5 or more years and requires the services of 10 or more civilian employees, the Secretary of Defense shall file with the President of the Senate and the Speaker of the House of Representatives a report setting forth the details of the proposed termination or reduction. Such proposed termination or reduction shall not take effect until the expiration of 60 days of continuous session of the Congress following the filing of such report, and shall not then take effect if, during such 60 days either House of the Congress has adopted a resolution which, in effect, disapproves the proposed termination or reduction described in such report. For the purposes of this section, continuity of session shall be considered as broken only by adjournment sine die; but in the computation of the 60-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days to a day certain.

SEC. 412. The authority granted by section 2304 (a) (1), title 10, United States Code, shall not be exercised during the national emergency declared by the President on December 16, 1950, except with respect to—

(1) purchases or contracts the aggregate amount of which does not involve more than $2,500;

(2) purchases or contracts for nonperishable subsistence supplies;

(3) purchases or contracts for property or services for experimental, developmental, or research work, or making or furnishing property for experiment, test, development, or research, not exceeding $100,000.

(4) when in furtherance of small business, labor surplus area, or major disaster area programs, the agency head determines that supplies or services are to be procured from small-business concerns, from concerns which will perform the contracts substantially within labor surplus areas as determined by the Secretary of Labor, or from concerns which will perform the contracts substantially within areas of major disaster.

SEC. 413. Any outstanding authority heretofore provided by the act of September 1, 1954 (68 Stat. 1119), the act of July 15, 1955 (69 Stat. 324), and the act of August 3, 1956 (70 Stat. 991) for the provision of family housing shall be available for the construction of family housing at any installations for which family housing is authorized to be constructed under titles I, II, and III of this act.

SEC. 414. Section 9 of the Air Force Academy Act, as amended (68 Stat. 49), is further amended by striking out in the first sentence the figure "$126,000,000" and inserting in place thereof the figure "$147,341,000."

Mr. VINSON (during the reading of the bill). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with and that the bill be printed at this point and be open to amendment at any point in the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment on page 15, line 8, strike out "$4,660,000" and insert "$1,500,000."

The committee amendment was agreed to.

Mr. VINSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VINSON: On page 66, lines 12 and 13, strike out the words "the Armed Services Committees of the Senate and the House of Representatives" and insert in lieu thereof "the President of the Senate and the Speaker of the House of Representatives."

The amendment was agreed to.

Mr. ARENDS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ARENDS: On page 70, strike out all of section 411 beginning on line 17 and extending through line 16 of page 71.

Mr. ARENDS. Mr. Chairman, this section vests veto power in either the Senate or House over decisions of the Secretary of Defense with respect to termination or reduction of any commercial or industrial-type activity which has been in existence 5 or more years and employs 10 or more civilians. My amendment would strike the entire section from the bill. It is the only section in the bill on which there was disagreement in our Committee on Armed Services.

To say the least, this provision is entirely irrelevant to subject matter of the bill. We have before us a multimillion dollar military public works measure, authorizing numerous new projects, and we find embodied in the same measure this superfluous section dealing with a different matter entirely.

It is a rider, so to speak. And what is its real purpose? I must frankly say that it could be interpreted as a political provision, whereby Members of Congress can stop the Secretary of Defense from closing, or even reducing, some manufacturing or some other commercial activity in their district or area. It is not a question whether such activity is actually needed. It is not a question as to how much it costs the taxpayers to operate it. It is not a question whether private enterprise can readily and at less cost supply the items or services involved.

The sole question is how to make certain the personnel operating the facilities do not lose their jobs and how to preserve the benefit for the community or area where the facility is located. That is the purpose of this section.

The Hoover Commission made an extensive study of the business enterprises in which the Federal Government is engaged. It reported that in the Defense Department alone there are more than 2,500, with a capital investment that exceeds $15 billion and involving 47 different categories of activities, such as paint manufacturing, rope manufacturing, coffee-roasting plants, various kinds of repair shops, dry-cleaning shops, laundries, and so on.

The Secretary of Defense initiated a program to eliminate these activities where found not essential to our national defense. When the same type of provision as this section 411 was embodied in the 1956 appropriation bill, the whole program was obstructed. With the repeal of that provision last year, the Secretary of Defense has curtailed or closed more than 500 business or industrial-type activities. It is now proposed to set up another roadblock to this program to take the Government out of competition with private enterprise.

Much is said here on the floor about the importance of small business, the problems with which small business is confronted, and we have sought ways and means to help in their solution. If we are really interested in helping small business we will strike this section from the bill. It is with small business that these commercial and industrial-type activities of the Government are in competition.

Much is said here on the floor about the size of the Federal budget, and we have been seeking ways to cut the cost of Government. By terminating or curtailing Government business-type activities, that rightfully belong to private enterprise, we can reduce Government costs. And yet it is proposed by this section to retard and obstruct such a program.

Except in a few instances, Government business-type activities pay no taxes, little or no interest on the capital invested, and generally the directing personnel is on the Government payroll. All this is paid for by the taxpayers. If, on the other hand, these activities were operated by private enterprise the Government would obtain tax revenue from the operation instead of defraying the cost.

Aside from these economic considerations, there is also a constitutional question which this section raises. By seeking to vest in ourselves veto power over executive action are we not violating the Constitution principle that the three branches of the Government are separate and coequal? President Eisenhower raised this question himself when he reluctantly signed the Defense appropriation bill for 1956 that contained this same general type of provision.

Mr. Chairman, this section may be good politics but it is unsound in every other respect. Let us here and now set political considerations aside and cast a

vote in the public interest by striking this section from the bill.

Mr. HARDY. Mr. Chairman, I rise in opposition to the amendment.

It grieves me to find a section so misunderstood and so misrepresented. I am sure that my friend, the gentleman from Illinois [Mr. ARENDS] did not intend to cast any particular aspersions or to mislead the House. I am equally sure that he did both.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield.

Mr. ARENDS. Certainly that was not my intention.

Mr. HARDY. I am sure of that.

Mr. ARENDS. You know I would not do that.

Mr. HARDY. I am absolutely sure of it, but I want to dispel several other points that were raised by the gentleman right in the very beginning. I believe this House knows me well enough to know that when I say there is no political motivation as far as I am concerned, I am telling the truth.

It happens that this section was generated in the committee by me. It has not the slightest bearing whatever on the question of maintaining the job of anybody; I am concerned only with the protection of the prerogatives of the Congress and in the satisfactory operation of our Department of Defense on an economical basis. I will say to my friend that I am perfectly happy to place the outcome of this matter on the question of what is needed by our Department of Defense from a security standpoint and on the question of economy. If those two criteria are not met, I shall certainly be in accord on going along with any proposal of the Department to close any business-type activity which does not meet them.

As to the question of relevancy, this is a relevant matter which ties also into the question of encroachment on the authority of the executive.

I think we ought to realize that every single one of these activities was authorized by the Congress generally in a line-item manner, that they were authorized and appropriated for. We authorized the construction of buildings, we authorized the purchase of equipment, we authorized and appropriated funds to pay the personnel, and they have been justified to this Congress year after year after year by the Defense Department. Having exercised our responsibility to authorize these functions we certainly must have been convinced they were needed when we did authorize them. Now, are we going to forget that and say to the Defense Department that some appointive official can come in and change everything we have done heretofore without our even having a chance of reviewing the matter?

This section does not require Congressional approval. The gentleman from New York [Mr. COLE], in general debate, made an erroneous statement that I am sure he did not intend to make: He said this section would require Congressional approval. That simply is not true. This section merely requires that the Department of Defense submit to the Congress its proposals. For a period of 60 days action is held in abeyance. During that period of time the Congress has the right to review a proposal, to pass a resolution denying the effectiveness of the proposal; and if the Congress does nothing then the action proposed by the Department takes place. Section 411 gives us only an opportunity to review and to pass by affirmative action a resolution denying that particular proposal; otherwise it becomes effective. To say that the section requires Congressional concurrence is strictly inaccurate.

Practically everything the Department of Defense does other than the actual deployment of the Army and the operation of ships and aircraft has a kinship to business operations. There is hardly anything on any military reservation that does not have some attributes of business and industry. The supply depots could all be handled by private industry; and yet who would suggest that we abolish all of our supply depots? There are a lot of smaller items necessary to the overall military activities on every installation that have to be performed which are in the nature of business operations.

It was my purpose in proposing this section to the committee simply to provide the Congress the right to review these actions and to consider what would happen to the facilities for which we have appropriated millions and millions of dollars before permitting some administrative official to act indiscriminately upon his own private judgment.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

(By unanimous consent (at the request of Mr. VINSON) Mr. HARDY was allowed to proceed for 5 additional minutes.)

Mr. HARDY. I am grateful to the gentleman from Georgia. Mr. Chairman, I want to call attention to the fact that this provision is not the same provision that we had in the appropriation bill; it is not the same provision that we had in the point of order bill. This is simple language to give the Congress a chance to review actions which the Defense Department proposes. Actually the agency can now effectively nullify what we have already done under our legislative authority.

I want to call attention to another aspect. This section relates not only to proposals involving procurements by contract, but it also would require the Department of Defense to report proposals for performing with military personnel of functions which are currently being performed by civilians. If anybody has any notion that it is more economical to perform industrial type activities with military personnel than it is with civilians, they certainly have another thought coming to them. Some of you might be surprised to learn that not so long ago there were a number of areas in which the Defense Department discontinued the use of civilians in business type activities but continued the operation of those facilities by military personnel. The cost of operation with military personnel in every case I ever heard of is far in excess of the cost when civilians are used.

As I said before, I am perfectly willing to put this determination on an economy basis and a basis of national security. I have no political ax to grind and, so far as I know, it will have no political significance to me one way or the other, but I do think we have a responsibility to pass on the future use of construction and equipment items which we have heretofore authorized and for which we have heretofore appropriated.

Mr. Chairman, I hope the Members will join me in opposing the pending amendment.

Mr. JONAS. Mr. Chairman, I rise in support of the pending amendment.

I had planned to offer a similar amendment to this section, but am very glad to support the amendment as offered by the gentleman from Illinois [Mr. ARENDS].

A few weeks ago when we had the Defense Department appropriation bill before the committee, many Members came down into the well and undertook to justify a cut of $2½ billion by claiming that the Secretary of Defense and the Secretaries of the different services could save vast amounts of money if they would just do it. What this section proposes is to nullify any substantial or real effort on the part of the Defense Department to get the Government out of competition with private business. A movement to get the Government out of competition with private enterprise would be a move in the direction of economy and in accordance with the pleas made by so many Members of this House just a few weeks ago.

If the amendment does not prevail and section 411 remains in the bill, it will mean that the Defense Department will not be able to terminate a commercial-type activity and procure the services terminated from private industry, if the service involves 10 or more employees, without filing a report of intention with both Houses of Congress and waiting on the expiration of 60 successive legislative days. It seems to me that that is an unreasonable requirement to be placed upon the Secretary of Defense and an unnecessary obligation to be imposed upon the Committees on Armed Services.

There are several reasons why this amendment is in my opinion necessary. First, it is an effort to cooperate with the Defense Department in practicing economy. Second, it is an effort to get the Government out of competition with private business. Third, most of the competing activities that would be involved are small business concerns in the localities where we have military installations. Many Members frequently proclaim their interest in small business, but this amendment will give all of us who wish to benefit and encourage small business enterprises an opportunity to strike a blow in their behalf. I believe a vote against this amendment will be a vote to obstruct the efforts of the Defense Department to get the Government out of competition with small business establishments in the areas of our country adjacent to military installations. Fourth, surely the Congress of the United States has more important duties to perform than to review every

decision of the Defense Department which involves the closing down of strictly commercial or industrial-type activities in which 10 or more civilian employees are engaged.

I think we should spend our time and energy seeking to encourage Government agencies to get out of the business of competing with private enterprise, in cooperating with the Secretary of Defense in his effort to benefit and promote the interests of small business enterprises which suffer from this Government competition in and near defense installations, and in seeking ways and means to bring about more economies in Government. In my humble judgment, and of course I speak only for myself and recognize the right of others to disagree with me, if we fail to adopt this amendment and leave section 411 in the bill, we will be putting roadblocks in the path of the Secretary of Defense as he undertakes to bring about a more efficient and economical administration of our Defense Establishment.

I submit to the members of the committee that this is an amendment which should prevail and I urge its adoption.

Mr. BALDWIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the amendment and in favor of section 411 as it stands in the bill. It has been mentioned by the gentleman from Virginia [Mr. HARDY] that this provision in the bill does not prevent the Defense Department from closing any activity but simply gives the Members of the Congress of the United States an opportunity to review the proposal to determine whether it meets with the approval of the Members of the Congress and, if it does, then the Defense Department can proceed.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from Virginia.

Mr. HARDY. I would just like to emphasize that point. Contrary to the impression of the gentleman from North Carolina [Mr. JONAS], a moment ago, it does not require Congressional review of the matter. The gentleman knows as well as I do that there are very, very few that would ever even be presented to any committee for a study, looking toward a resolution against it; is that not correct?

Mr. BALDWIN. I think the gentleman is absolutely correct.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from North Carolina.

Mr. JONAS. Well, it does require Congressional review by the committee if there is to be any veto.

Mr. HARDY. Mr. Chairman, will the gentleman yield on that point?

Mr. BALDWIN. I yield.

Mr. HARDY. That, of course, is correct, if there is to be a veto. But, this language does not contemplate that every one of them would be reviewed or that there would be any effort made to veto.

Mr. JONAS. There is no reason to submit it to the House if the House is not to review it, then.

Mr. HARDY. I will say to the gentleman they certainly should have an opportunity to review it if there is any reason that any Member knows that it should be reviewed.

Mr. JONAS. But we would not know that unless we reviewed it. How would you know that unless you reviewed every proposal?

Mr. BALDWIN. May I say further that last week the Defense Department announced the proposed closing of some 50 or 60 installations in the United States. None of those closed, which involve no transfer of activity to commercial enterprise, would be affected by this amendment. As long as the Defense Department proposes simply to close an installation, not transfer it to commercial enterprise or industry, this amendment would not even apply. The Defense Department could proceed to close such an installation. The only thing this section does is to provide that where the Defense Department says "We are going to close this activity at a military installation and transfer it to some industry or some business," that we, the Congress, want to have the opportunity to study this to determine for ourselves whether it is advisable, and if we do not take positive action, then after 60 legislative days it goes into effect.

Let me give you an example. During World War II the Navy Department had been searching for years and years to try to find an answer to the problem of having naval ships come into drydock at too frequent intervals in order to have barnacles and fouling and everything else cleared off the bottoms of those ships. For years the Navy Department tried to find a solution to the problem, and at Mare Island Navy Yard they set up a paint mixing facility for the primary purpose of trying to find a solution to this problem, to find some kind of satisfactory type of paint that would enable those ships to stay out at their posts or wherever the fleet might be for a much longer time. During World War II they made a breakthrough on that problem and they were actually able to develop a type of paint that made it possible for naval vessels during World War II, in the great military stresses of that time, to stay out at sea for a period twice as long as ever before.

The paint industry had all the opportunity in the world for the previous 100 years to develop that type of paint, but they did not. It was only under the stress of the war emergency that the naval paint-mixing plant, with naval civilian employees, developed an answer to the problem. It was something that the commercial industry had no equivalent for. And yet today, the Navy Department, because of pressure from the Department of Defense, states that it intends to close that particular facility and to transfer the patents, and everything else, to commercial enterprise, without even knowing whether at the present time those commercial facilities can produce this special type of paint at a cost comparable to that for which the Navy today can produce that paint.

The Federal Government by action of previous Congresses has appropriated over $1 million to build the facility, and yet, without even an opportunity for Congress to review the decision, the Department of Defense can simply say today that it is going to be closed down, that we are going to transfer the patents to commercial enterprise even though we do not know whether they can give us the product at comparable cost or not.

This will give us a chance to look at such a proposal before we allow it to be done.

Mr. VINSON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Chairman, the Hardy amendment only retains in the Congress the constitutional prerogative which is vested in the Congress to provide a military establishment. If we want to abdicate our constitutional mandate and responsibility, we can turn it over to the Department of Defense. No other branch of the Government is directed, as is the Congress, to provide a military establishment. That is in the Constitution. If you want to abdicate that, that is your responsibility. This amendment says, "We will review before we close an establishment and then decide whether or not it should be brought to the attention of you gentlemen." If you do not want that, that suits me all right. I have no manufacturing in my district. I went through my files to find out whether I did.

There is a navy yard in my town. There is an airbase in my town. In my district is Parris Island. I have this letter.

Some time ago, about a year and a half ago, somebody told me that they were closing up an ice-cream plant at Parris Island. Sometimes they have 20,000 recruits at Parris Island. Now, the most insatiable appetite on earth is a boot marine's appetite after 12 hours of drilling. He will eat anything that does not bite him first. Among those things is ice cream. They had an ice-cream plant down at Parris Island. Somebody in the Defense Department said, "Let's put it out of business. This ice-cream plant is ruining the Government. It's a shame the way the Marines at Parris Island are competing with the private ice-cream industry in making ice cream, and giving it to those recruits. We will put a stop to that." And they did. That was over a year ago.

So I wrote one of these oustanding defense officials in the Defense Department and he wrote me back. I have the letter and I can read it to you verbatim, punctuation and literatum. He said they could get ice cream delivered at all the places on the east coast for $1.10 a gallon. So they stopped it.

A little later on I was down at Parris Island and I saw Gen. Homer Litzenberg. I said, "General Litzenberg, what did it cost to make that ice cream you

used to make down here?" He wrote me a letter. I think he is reliable. He is now commanding the United States Marines in Korea. I believe he can be depended on. I think he can pass the security test. He said:

The cost of this product over a 6-month period, including overhead, was 62 cents per gallon.

This was made at Parris Island.

The depot is now purchasing ice cream which conforms to South Carolina standards—

And there are none better—

at a contract price of $1.35 per gallon.

He said they serve ice cream 2 or 3 times per week, compared to 5 or 7 servings a week before.

But they have got the Government out of business and the ice cream out of the stomachs of the Marines. That is the way they got the Government out of business. So, may I say to my great friend, the distinguished gentleman from New York [Mr. COLE], there is one of his specific instances where the Government was making something a little cheaper.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. RIVERS. May I ask the chairman of my committee, since he is not going to use his time, to give me a little time?

Mr. VINSON. I think the time is divided up.

Mr. RIVERS. I think the chairman has 3½ minutes. Is he going to use it?

Mr. VINSON. Do I have any time, Mr. Chairman?

The CHAIRMAN. Three and a half minutes.

Mr. VINSON. I yield it with pleasure to the gentleman from South Carolina.

Mr. RIVERS. I thank my distinguished chairman.

I represent Americans just as you do, and they are kind of conservative people. If you look at my record, I do not run out here on some of these wild goose chases. People just do not do business like that in my country.

We have the oldest New England society in the South in Charleston, S. C. A fellow by the name of Daniel Webster and Calvin Coolidge have spoken to it. We have the oldest chamber of commerce in America in Charleston, S. C. The same chamber of commerce that sent you people those letters about getting the Government out of business sent it to me, but when I explained it to them they understood. They knew whereof we spoke. You trust our committee. If this amendment is retained in this bill—you do not think CARL VINSON, at whose feet I have sat for 17 years, like St. Paul at the feet of Gamaliel, is the kind of man who spends the Government's money foolishly. Do you think Mr. VINSON would look at these things in a perfunctory sort of manner? Mr. VINSON does not do business like that. I do not think our committee would come in to you and say, "Keep one of these things in PORTER HARDY's district and MENDEL RIVERS' district. They are pretty good fellows." This committee we have just would not do business like that.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from North Carolina.

Mr. JONAS. No one in this House could fail to say the gentleman from South Carolina is a good fellow. I should like to echo what the gentleman said a minute ago. There is not a more conservative nor a more patriotic Member of the House than the gentleman from Charleston. I follow him usually on this floor, but I cannot follow him with respect to this amendment.

Mr. RIVERS. I am sorry.

We cannot afford to abdicate our constitutional responsibility. The military is the only branch of the Government where the Constitution says, "You provide it and the President will command it." If you want to abdicate your responsibility, that is your business. I am just not going to be counted among that group.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield.

Mr. PELLY. I, too, have a navy yard; and I checked one of these situations with reference to the substitution of private industry, so it was said, for historic military institutions. I found these substitutions were being made in the name of economy, but economy was not one of the factors which was used in the criteria.

Mr. RIVERS. That is correct. A lot of times it is favoritism. I am on a subcommittee that investigates all of the military, the Hébert committee. We find in these cost-plus and fixed-fee contracts, it costs much more—much more—many times more. If you want to talk about competition, we have a Boston Navy Yard and right close to them is the Bethlehem Steel Yard. Both yards build ships. If you do not need the Boston Navy Yard, then give the work to the Bethlehem Co. Close by at Portsmouth, N. H., we have the Electric Boat Co. We have the Bath Iron Works up in Maine. You can do the same thing there, if you want to get the Government out of business. But when the bullets start flying, you had better look to these military installations because there are no bargains in security. You have to have it. I say to you, you need the Hardy amendment. It will save your military installations for when you have to have them.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Chairman, 2 years ago following the enactment of the military appropriation bill for fiscal year 1955, the law provided that before the Department of Defense could dispose of any civilian-type activities, a report had to be made to the Defense Appropriations Subcommittee of the House and the comparable committee for the Senate. Under that law the two committees had to approve the proposed discontinuances. The Secretary of Defense submitted in the fiscal year, I think, about 60 proposals for the disposal of military civilian-type activities. Included were the Rope Walk up in Boston and a paint shop out in California. Those were fairly extensive and important installations. Also included in the list were a number of cobbler shops, pressing shops, laundries and comparable smaller installations. This group of 15 on the subcommittee then spent, as I recall, about 2 weeks determining whether the Department of Defense should get rid of the laundries, several cobbler shops or some of these minor installations involving a minimum number of employees. It was the greatest and most complete waste of time I have ever experienced on that subcommittee because under that procedure the subcommittee was called upon to hamper and hinder the Defense officials in their effort to economize and rid the military of activities which were competitive with private enterprise.

Under the provision of this act, section 411, if there is a cobbler shop in any military installations of 10 or more employees—imagine a cobbler shop with 10 or more employees—the Defense Department has to file a report with the Speaker and the Vice President, and that report is then submitted to the House and the Senate Committees on Armed Services to determine whether they can get rid of a cobbler shop with 10 employees. It is a most ridiculous provision and a most wasteful procedure, timewise and otherwise, for the Congress.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. FORD. I must of course yield to my distinguished friend and colleague.

Mr. SIKES. May I ask my distinguished friend if it is not true that the services should have some justification before they plan to close an installation and if they have that justification, all they have to do is to send it right over to the Congress. It is just one step more and it does not cost any more money.

Mr. FORD. May I say it seems to be on the verge of ridiculousness that such a report and such a study with recommendations has to be put together and then filed with the Vice President and with the Speaker of the House, and then has to be referred to the distinguished gentleman from Georgia and his counterpart in the other body. To involve ourselves the Congress as a whole in the determination of a civilian competitive type installation with 10 employees is beyond my comprehension. That is the prerogative and responsibility of the executive branch of the Government.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield.

Mr. BYRNES of Wisconsin. When they establish a project like this do they come to Congress and get justification for putting in a cobbler shop for instance?

Mr. FORD. I have never seen a line item in an authorization bill where they got authorization from the distinguished gentleman from Georgia, Mr. VINSON, to establish a cobbler shop in Fort Dix, Fort Devens, or any of the Navy or Air Force installations.

I urge the approval of this amendment.

The CHAIRMAN. The gentleman from Massachusetts [Mr. BOLAND] is recognized.

Mr. BOLAND. Mr. Chairman, I am opposed to the amendment that would strike out section 411 of this bill, H. R. 8240. Section 411 would require that prior to the termination of, or reduction in the operations of, any commercial or industrial-type activity being conducted on the date of the enactment of H. R. 8240, where such termination or reduction is for the purpose of having the supplies or services furnished by such activity furnished by other than civilian employees of the United States, and where such activity has been conducted for 5 or more years and requires the services of 10 or more civilian employees, the Secretary of Defense shall file with the President of the Senate and the Speaker of the House of Representatives a report setting forth the details of the proposed termination or reduction. The section also provides that any proposed termination or reduction shall not take effect until the expiration of 60 days of continuous session of the Congress following the filing of such report, and shall not then take effect if, during such 60 days either House of the Congress has adopted a resolution which, in effect, disapproves the proposed termination or reduction described in such report.

Mr. Chairman, I am more deeply concerned over this matter now than I was on May 12, 1955, when I took the floor in the first session of the 84th Congress to oppose a similar amendment that would strike section 639 from the Defense Appropriations bill for 1956, under consideration on that day.

My greater concern today stems from the fact that there seems to be a concerted effort on the part of some officials in the Department of the Defense and the Department of the Army to strip the Springfield Armory from its traditional role of rifle production for the Army and turn this production over to commercial industries who have neither the know-how nor the experience in this field.

As my colleagues know, the Army on May 1 last adopted the new M–14 rifle as its standard shoulder piece to replace the famous M–1 Garand rifle. Both of these rifles were developed at the Springfield Armory, one of the outstanding units in the Government's arsenal system. These are only two of the many rifles that have been developed and produced at the Springfield Armory since it was established by our first President, George Washington.

But now it appears that Defense Department policy will channel the M–14 rifle production into commercial plants, resulting in a loss to the country of highly trained and skilled personnel who have spent their lives developing and making rifles in the arsenal system. I have no problem with the Defense Department in this policy as it pertains to strictly commercial types activities. These should and are now being conducted by private enterprise. Cobbler shops, cleaning establishment, and a host of other commercial endeavors have been eliminated. This type of commercial or industrial activity is better done by private business and small business. My quarrel is with any effort that would take the Army out of its legitimate role of producing the small weapons it alone uses. I hope that this amendment is defeated.

The CHAIRMAN. The gentleman from New York [Mr. TABER] is recognized.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. NICHOLSON. That rope walk up in Boston was supposed to have been closed 4 years ago. Does the gentleman know why you did not close it?

Mr. TABER. I do not know. I understood they were doing nothing but experimental work up there now. I do not know anything more about it.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. HALLECK. I want to inquire of the gentleman from Michigan [Mr. FORD], whether or not it is not a fact that this provision as it has been inserted in the law has operated as a very effective bar against the Defense Department in attempting to get rid of some of these installations.

Mr. FORD. If the gentleman will yield, there is no doubt about it. It has slowed down the disposition of these installations and prevented small business from getting its share of the business.

Mr. TABER. I just want to go into this a moment. If the Secretary of Defense took a notion that he needed to close up one of these activities, no matter how small it was, as long as it had 10 employees, and he took a notion to do that on the 15th of August and Congress was in adjournment sine die, it would be impossible until the middle of March for the closing to take place. In other words, it would take a little over 6 months in that kind of a situation. It would mean that the Defense Department would have to be up before the Armed Services Committee almost every day on some such program as this. I do not know how the Armed Services Committee would enjoy it. Frankly, I am afraid that they would get a little more than they bargained for, because this is an item that is deliberately designed to prevent the armed services from saving money. God knows the United States of America and the Military Establishment needs to save money so that we can have what is necessary to maintain the defense of the United States.

I hope that this amendment will be agreed to.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. CANNON. Is not the purport of this amendment to keep the Government in business when the House and the Congress have repeatedly voted to take it out of business?

We should reach some stable position on this amendment and remain there rather than voting one way one session and the other way the next. Both the committee and our distinguished colleague, the gentleman from Georgia [Mr. VINSON] have been on both sides of the question. The last time this amendment was up, the gentleman from Georgia told the House he was opposed to it because it put the Government back in business.

Mr. TABER. That is correct. We have had that situation up here time after time during the past several years, and we know it is not the way to do business.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. JONAS. The gentleman referred to the amendment. He meant the section, I think.

Mr. TABER. That is right. He meant the language in the bill. I hope the amendment will be agreed to.

Mr. GRIFFIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GRIFFIN. Mr. Chairman, I rise to register my wholehearted support of the amendment to strike out section 411 as offered by the distinguished gentleman from Illinois [Mr. ARENDS].

This amendment, if adopted, will help to carry out the spirit as well as the letter of the Hoover Commission recommendations to get the Federal Government out of business activities competing with private enterprise whenever possible consistent with economy and national security.

The great majority of people of this Nation want economy. They want the elimination of waste and of needless expense wherever possible.

Adoption of the Arends amendment will enable the Defense Department to save thousands of dollars and will result in the transfer of civilian-type commercial activities to small business and to free enterprise.

The CHAIRMAN. The gentleman from California [Mr. MILLER] is recognized.

Mr. MILLER of California. Mr. Chairman, I think we are all talking to the same end, but are approaching it by different ways. I want to save some money for the taxpayers. That is why I think this amendment should be defeated. We have heard a lot about the limitation of 10 men, but no one has said it only applies to those facilities that have been in existence over 5 years or more by that time they certainly have proven their worth. I am not too certain, because I have not investigated the practices in other parts of the country, that the situation as delineated by the gentleman from South Carolina [Mr. RIVERS], has not existed as the result of trying to get the Government out of certain types of business that are essential to the armed services. I know it took place in the dry cleaning work in my district and the result is that the enlisted men and the officers are paying more for their dry cleaning and the Government is paying more for its laundry and dry cleaning today than they paid when the Government was doing it. If the Government can do the job better under any circumstances the Government is entitled to do the job in the interest of economy of government.

We have been through some of this; we know that it can be done cheaper. In the matter of the reference of these matters back to the committee, we have it in all real estate transactions no matter how small, even to the granting of a simple easement; such a transaction must come before the Armed Services Committee.

Mr. BENNETT of Florida. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield.

Mr. BENNETT of Florida. I congratulate the gentleman from California on his statement. I would like to emphasize that this same procedure is regularly called for in a number of matters, and so far as I know there has been no criticism of it.

Mr. MILLER of California. Not only that, but on the Committee on the Merchant Marine and Fisheries we require the submission of certain real estate transactions and their study by the committee in order to protect the Government's interest in wildlife refuges.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield.

Mr. SIKES. The gentleman from California is making a very good statement. I am sure the gentleman would agree with me that when any agency of Government spends over half the total budget the Congress should keep an eye on what is going on, should have a check on spending.

At the time when a similar provision was in effect the Department of Defense sent up to, at that time the Appropriations Committee, a proposal to discontinue 112 activities. The committee spent only a short time, as I recall, 2 or 3 days—maybe a little longer—screening that and allowed all but 4 of the recommendations of the Department of Defense to stand.

It is our position that by having it in effect the Government was much more careful in determining what could properly be permitted.

Mr. MILLER of California. Certainly. We cannot afford to tie the hands of the Government too tightly in these instances. May I say again: Those services the Government can render cheaper than private industry it should be allowed to do.

The CHAIRMAN. The time of the gentleman from California has expired, all time for debate has expired.

Mr. ARENDS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ARENDS. There has been a little confusion as to what the parliamentary situation is on this amendment. A vote in support of the amendment means to strike section 411 from the bill; an affirmative vote on the amendment means striking section 411 from the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

Mr. VINSON. Mr. Chairman, I ask for tellers.

Tellers were ordered and the Chair appointed as tellers Mr. ARENDS and Mr. HARDY.

The Committee divided, and the tellers reported that there were—ayes 81, noes 61.

So the amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. TRIMBLE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 8240) to authorize certain construction at military installations, and for other purposes, pursuant to House Resolution 309, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. HARDY. Mr. Speaker, I ask for a separate vote on the Arends amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them engross.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment upon which a separate vote is demanded.

The Clerk read as follows:

On page 70, line 17, strike out all of section 411, beginning line 17 on page 70, through line 16 on page 71.

The SPEAKER. The question is on the amendment.

The question was taken and the Speaker announced the ayes had it.

Mr. HARDY. Mr. Speaker, I object to the vote on the ground a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. If that is done, we will not have a vote on the amendment until Wednesday.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that further proceedings on this matter go over until Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

USURPATION OF LEGISLATIVE POWERS BY THE SUPREME COURT

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, we southerners have long recognized the increasing tendency of the United States Supreme Court to usurp the legislative powers of Congress. With growing alarm and distress, we have witnessed, time and again, the Court's overstepping its judicial authority and invading the legislative field. For years, the South's protests have gone unanswered and unheeded as mere voices in the wilderness. Now, the severity of this situation is finally coming to the attention of the American people. The entire Nation is awakening to the inherent dangers which our system of government now faces because of recent Supreme Court decisions.

Our American Government draws its strength from a system of checks and balances set up by the Constitution. This system is workable only when each of the three branches of Government—the executive, legislative, and judicial—has equal but separate powers. Obviously, any deviation tending to give one branch more authority than the others would result in a change in the very essence of our Government. This dire consequence was perhaps seen from the very beginning of our Government, for Washington warned in his Farewell Address: "But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed."

During the last 4 years the Court has handed down more than a score of decisions which usurp the power of the legislative branch to make the laws of the land. The school segregation cases of May 1954, the Steve Nelson sedition case of April 1956, and the recent decisions affecting Communists are cases in point. A cursory examination will indicate that these cases represent a gross invasion of the legislative authority vested in Congress by the Constitution and a usurpation of power on the part of the Supreme Court.

By successively limiting or denying the legislative powers of Congress, the Supreme Court has recently been taking over a lion's share of governmental functions and responsibility. This tendency did not cause widespread concern of a national nature until the present term of Court, when 16 far-reaching and provocative decisions have been handed down. While it is regrettable that the Court, in decision after decision, has been allowed to continue with this practice of usurpation of congressional authority, it is gratifying to see Representatives and Senators from all sections of the Nation aroused by the seriousness of the situation.

Four of the Supreme Court's most significant and alarming decisions came on the same day, June 17, 1957. At this same sitting, the Court:

First, in the California Communists cases, upheld the right of anyone to preach the overthrow of the Government "intellectually," so long as specific action is not advocated, thus drastically limiting the scope of the Smith Act, which, as you know, is a Federal law dealing with sedition;

Second, in the Watkins case, limited the power of congressional committees to investigate;

Third, in the Service case, restricted the power of Government officials to discharge employees for security reasons; and

Fourth, in the Sweezy case, limited the power of States to require witnesses to testify in investigations.

Just 2 weeks earlier, the Supreme Court denied a case which really lifted the lid. In upholding the appeal of

Clinton E. Jencks, New Mexico Communist, the Court ruled that reports to the Federal Bureau of Investigation and other Government agencies must be turned over to defendants in criminal trials if persons who made the reports are called as witnesses. It was this file-opening move which really stirred the American people to action.

This trend of decisions nullifying and vitiating the attempts of Congress to legislate is not new. The trend dates back several years. In the Steve Nelson case of last year, the Court held that State laws on sedition were invalid since the Smith Act, a Federal law dealing with the same subject, superseded any State law. In applying this preemption doctrine the Court wrote into the law certain provisions which, it is patent, were not intended by the Congress in enacting the law. The Court was thereby constituting itself as a legislative body in promulgating laws in violation of Article I of the Constitution. This article declares that Congress shall have "all legislative powers."

In the school segregation cases, the Court sought to give birth to an additional constitutional amendment without its first having been proposed by Congress and in violation of Article V of the Constitution. Article V provides that amendments to the Constitution shall be proposed by Congress. The law at the time of those decisions was well established that the doctrine of separate but equal educational facilities complied with the provisions of the 14th amendment. The Court, in ruling as it did in those cases, in effect adopted an additional amendment, for the decisions were contrary to the established law of over 100 years.

Congress was never intended to be subservient to the Supreme Court. The power of Congress to legislate cannot be hamstrung except in accordance with the provisions of the Constitution itself. It is becoming more and more evident that action must be taken in the Congress to correct these legislative abuses and usurpations.

Our only recourse is remedial legislation.

Last year, I introduced legislation which would reestablish and reaffirm the basic constitutional doctrine of the separation of powers between the executive, legislative and judicial branches of the Federal Government. My bill aroused considerable interest when it was introduced late in the last session. I have again introduced it in the 85th Congress as H. R. 692, which is now pending before the Committee on the Judiciary.

There can be no denying that a serious situation exists when the Supreme Court usurps the constitutional authority of Congress and exercises legislative functions through judicial decree. As Washington warned in his Farewell Address, any usurpation of power which goes unchallenged can become a weapon by which our Government may be destroyed.

It would certainly appear, Mr. Speaker, that these abuses by the Court can result only in sounding the death knell of our constitutional system of Government. It is high time that we members of the legislative branch of our Government enacted measures to counter this ominous threat. It is incumbent on us to serve notice on the Supreme Court that we wish them to confine their activities to the powers granted to them under Article III of the Constitution, that is, "The Judicial power of the United States shall be vested in one Supreme Court." We must make it plain that we intend for the Supreme Court to limit itself to the exercise of judicial powers only.

The bill which I have pending will serve this purpose. Constitutional authority for my legislation rests in the second paragraph of Section 2, Article III, of the Constitution:

> The Supreme Court shall have appellate jurisdiction both as to law and fact, with such exceptions and under such regulations as Congress shall make.

It is quite clear that Congress can limit the appellate jurisdiction of the Court.

In my bill, it is stated that:

> It is the purpose of this act to reestablish and reaffirm the basic constitutional doctrine of separation of powers between the executive, legislative, and judicial branches of the Government.

In implementing this statement of purpose, Section 2 affirms that the established law of the United States shall be revised, or changed, only by legislative enactments by Congress or by constitutional amendments. This section turns back to Congress the power of enacting legislation and of proposing amendments to the Constitution, thus, in effect, repudiating the action of the Court in the school segregation cases, the Steve Nelson case, and the more recent decisions.

Section 3 of the bill provides:

> That the courts of the United States of America and the courts of the several states of the United States shall not be bound by any decision of the Supreme Court of the United States which conflicts with the legal principle of adhering to prior decisions and which is clearly based upon considerations other than legal.

The import of this section is considerable. Under our constitutional power to limit the appellate jurisdiction of the Supreme Court, we are saying to the inferior United States courts and the courts of the various States that they will not be required to follow any decision of the Supreme Court which is not based upon the doctrine of stare decisis and which is decided counter to established law. In placing this limitation on the Supreme Court, we are instructing them, as is our constitutional right, that they must base their decisions upon prior decisions and upon legal considerations. It is hoped that we will be able to bring to a halt the practice of the Court to base its decisions on socio-psychological and other non-legal principles.

It is my considered opinion that this legislation is vitally needed to correct a gross abuse of power under our constitutional system.

Congress must reassert its powers and authority in our triumvirate of government. The Supreme Court's usurpation of legislative functions can no longer be tolerated.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1958

Mr. MAHON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. MAHON, SHEPPARD, SIKES, NORRELL, WHITTEN, ANDREWS, RILEY, FLOOD, CANNON, WIGGLESWORTH, SCRIVNER, FORD, MILLER of Maryland, OSTERTAG, and TABER.

PROGRAM FOR TOMORROW

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

Mr. SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time to inquire of the gentleman from Oklahoma [Mr. ALBERT] if he would kindly tell us what is anticipated for tomorrow.

Mr. ALBERT. I will advise the gentleman that there is no change in the program for tomorrow. H. R. 7441, conference report, agricultural appropriation bill, 1958, will be programed for tomorrow.

Mr. ARENDS. I thank the gentleman.

RESPONSIBILITY OF CONGRESS

Mr. BERRY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

Mr. SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, on Tuesday last my distinguished colleague from South Dakota [Mr. MCGOVERN] took the floor in an effort to link my name with the defense of the Secretary of Agriculture, Mr. Benson.

He indicated that he had notified me he would speak on that day. His secretary did call my secretary at about 12 o'clock. My secretary tried to contact me at the Interior Committee hearing, but was advised that the committee had adjourned and I had already left. The committee did, in fact, adjourn about 12 o'clock, and I went directly to the floor with 2 or 3 other members of that committee. Upon entering the Chamber, I was advised that my colleague had just finished speaking and had left the Chamber.

Since I did not learn in advance that the gentleman from South Dakota [Mr. McGOVERN] planned to make reference to me, I am impelled to comment on his remarks now since I had no opportunity to do so when he spoke.

Mr. Speaker, I know it is his desire, as it is my desire, to serve the best interests of the people of the State of South Dakota. South Dakota is primarily an agricultural State. Agricultural income is of prime importance to our economy. It has been my desire since coming to Congress to do everything in my power to assist in increasing agricultural income. I know it is his desire to do the same thing. Apparently our only difference of opinion is in how to bring that about.

My contention is that it is the duty and obligation of Congress, if a majority believes that a high support price is the best method of increasing farm income, to pass legislation which would establish the support price on agricultural commodities at a definite rate rather than to delegate Congressional authority to some administrator to do the job that Congress itself is obligated to do.

Each morning there are laid on my colleague's desk, as there are laid on my desk, 2 publications; 1 is the CONGRESSIONAL RECORD, the other is the Federal Register. Contained in the CONGRESSIONAL RECORD are the laws made by the Congress—the representatives of the people. Contained in the Federal Register are the laws made by the rules and regulations of the executive branch of the Federal Government. Such laws are passed, if you please, by the departments, the boards, and commissions of Government, but are made possible only because the Congress has delegated its lawmaking authority to such departments, boards, and commissions rather than be bothered with the detail of outlining how such legislation shall be administered.

It is this constant delegation of authority from the Congress to the administrative branch that has long worried me because when all Congressional authority has been delegated, the people of America will no longer have any direct representation in Government. Most of this delegation of authority, including the authority to fix farm prices, has been made by Democrat Congresses since 1933.

When, however, Congressional authority has been so delegated and the administrative branch, through government by regulation has legislated by an order or directive which is contrary to the will of the people, it is, as yet, the prerogative of the people to demand of their representatives that they withdraw the legislative authority by which such order or directive was issued. Such is not the privilege of Congress—it is the duty of Congress.

My freshman colleague overlooks the fact that he is a Member of the body authorized and directed by the Constitution to enact legislation affecting the people of these United States. He does not appear to appreciate that it is his obligation to legislate and not simply authorize some administrator to legislate.

My colleague does not seem to appreciate that when he took the oath of office as a Member of Congress, he was not only empowered, but at the same time charged with the serious responsibility of enacting legislation within the framework of the Constitution, which would be of benefit to the greatest number of people without, at the same time, jeopardizing the rights and the privileges of the minority. That is the duty of Congress, that is the obligation of Congress.

In his remarks of last Tuesday, my colleague said:

> Just to keep the record straight, it should be pointed out that the Secretary of Agriculture is now authorized by the Congress to set farm price supports at 90 percent of parity.

Certainly he is authorized, but there is no legislation directing to set supports at 90 percent of parity. If it were the wish of the majority of the majority party in Congress, you may be sure he would be directed to do so.

Congress is directed to legislate. Congress is directed to make the laws. Congress is directed to determine the policies. Congress alone is responsible to the people.

The gentleman from South Dakota [Mr. McGOVERN] is a member of the majority party in this body, and it is his obligation to help correct inequities, if any exist, and to do it by legislation instead of by the "delegation" of that authority to someone in the executive branch.

The Democratic Party has a majority of 34 Members in the House and 3 in the Senate. They control every committee in both bodies by a majority membership of from 1 to 3. They have complete control of the scheduling and consideration of all legislation. The responsibility for bringing legislation to the floor and then saving it from crippling amendments is theirs. If they fail in that responsibility, the farmers of America have a right to assume that they do not desire such legislation.

My colleague's statement:

> I do not, therefore, question our colleague's ability to defend Mr. Benson.

I might say here that this is the first time I have been accused from either side of the aisle of defending Mr. Benson, at least, so far as the support program is concerned. On the other hand, he says:

> But I do question his interpretations of who is responsible for the failure of the 90 percent of parity farm bill. It is difficult to understand how our colleague could have forgotten that only a year ago the Democratic Congress passed a 90 percent of parity farm bill.

Then he bemoans the fact that the President vetoed the bill.

My colleague's statement would infer that the bill vetoed by the President was a simple price support extension. Such was not, I am sorry to say, a fact. It contained everything in the book, including supports on cottonseed and soybeans, manufactured milk, the Hickenlooper corn amendment, the dual parity program for wheat and rice, the soil-bank program, and so forth. It was loaded down with provisions which not only set the consumer against the producer, but at the same time, set one group of farm production against the other group of farm consumption. The President had no alternative but to veto it. Since the President could not reject part and retain part, all of the provisions of the bill were vetoed.

Let me point out, however, that in spite of 2½ years of complete Democratic control of both Houses of Congress, no bill providing a simple extension of 90 percent of parity on the basic commodities has been permitted to come out of the Agriculture Committee of either House, nor has it been voted upon by either body, nor has it been sent to the White House for consideration.

Mr. Speaker, I would here venture a wager that no such bill will ever be passed and sent to the White House by this Democratic Congress. This support program is a far too good political issue to ruin by passing legislation which would put it into effect. I would suggest, however, that if it were passed, it would save the taxpayers thousands of dollars annually in printing costs of the CONGRESSIONAL RECORD alone.

This theory of "loading" legislation with amendments to guarantee its untimely demise, worked so well in the 84th Congress that it has again been adopted to kill all farm legislation in the 85th Congress. The majority party is using identically the same strategy this year.

When the administration's emergency farm bill came to the House floor, nearly every Member of the majority side scurried around to think up amendments which could be tacked on to make the bill such a monstrosity that if it did pass the Congress, the President would be forced to veto it.

Although the economy of the district of my colleagues is primarily dependent upon corn, they were having so much fun running up and down the teller aisle that even he became inspired and offered an amendment which would have forced a veto from even President Harry Truman. His amendment would have supported at 90 percent of parity everything from fried eggs to rice krispies and, according to the CONGRESSIONAL RECORD and dozens of news reports on speeches he has been making, his amendment lost by only four votes. Four votes more and he could have bragged to his farmers that he pitched the final forkful which buried the emergency corn legislation for 1957.

They used the same strategy on the extension of Public Law 480, which has done so much to remove farm surpluses. Every conceivable amendment was dragged out again. This time, surely, they could put the President on the spot. I was not surprised to once again see my colleague going through the teller line to load this farm bill down with all the cats and dogs they could find—just to embarrass the administration or force a veto, regardless of how it jeopardized the farmer and rancher.

I was, however, happy to see him in the teller line for agriculture once—that one time—when he voted for the soil-bank appropriation. But there were

enough of his Democrat colleagues on that side voting against this measure that again he found himself on the losing side, and again the cause of the farmer was tossed into the bog hole of politics.

Mr. Speaker, I have said before and I say again, under our form of government it is the Congress who is given the right, the responsibility, and the duty to legislate. If it delegates that authority to some administrator, commission, or board, and that administrator, commission, or board legislates by regulations which are in opposition to the wish of Congress, it is not the right, but the solemn duty, of Congress to withdraw that authority by legislation and in turn enact laws which do represent its desire. It is the Democratic Party this past quarter of a century that has specialized in delegating legislative authority to executive departments of government.

Again, I call upon the very distinguished and able chairman of the Committee on Agriculture in the House to bring a bill out of his committee providing a simple extension of price supports on the six basic commodities at 90 percent of parity, and I shall help him defend that bill on the floor from the membership of his own Democratic Party.

FEDERAL OWNERSHIP OF LANDS BRINGS PROGRESS AND PROBLEMS FOR FOUR KENTUCKY COUNTIES

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. NATCHER. Mr. Speaker, in 1941, 142 years after its discovery, Mammoth Cave became the country's 26th national park. On July 1 of this year the 16th birthday of Mammoth Cave National Park was appropriately celebrated.

Mammoth Cave, which is located in the Second Congressional District of Kentucky, has been attracting visitors for nearly a century and a half, and, at the present time, hundreds of thousands of persons go there each year. The national park, comprising 51,000 acres of land, is indeed one of the beauty spots of the world—abounding with trees, flowers, and wildlife. The forests cover 60 percent of the area inside the park on the Green and Nolin Rivers watersheds. On May 22, 1936, the Secretary of the Interior accepted deeds to something over 20,000 acres of land, for administration and protection, in accordance with Congressional authority. With the addition of other required land, the park was duly established July 1, 1941.

Though the Mammoth Cave National Park is a distinct asset to our national-park system, the State of Kentucky, and the entire United States, it has, in some respects, worked an extreme hardship on the citizens of Edmonson County. Of the 51,000 acres of land incorporated in the Mammoth Cave National Park area, 46,000 acres came from this one county of Edmonson. As a result of having this land taken off the tax rolls, Edmonson County has sustained severe losses economically, particularly with respect to its school system, its road system and all county governmental functions.

On June 14, 1957, the stockholders of the Kentucky Rock Asphalt Co. voted to dissolve that corporation. The Kentucky Rock Asphalt Co. is the only industry located in Edmonson County. By virtue of the liquidation of this company—caused mainly by its inability to price natural rock asphalt as low as asphalt obtained as a residue from petroleum—Edmonson County has lost its only source of mass employment, to say nothing of the resultant loss in taxes. The dissolution of the Kentucky Rock Asphalt Co. means that its former employees, who are Edmonson County citizens, will lose annual income amounting to one quarter of a million dollars. By reason of the loss of its only industry, and loss of the many acres of land acquired for the Mammoth Cave National Park, Edmonson County should be given all possible assistance, not only by the State, but by the Federal Government. Such assistance could well apply to the location of roads within the county.

It is an interesting fact that the Federal Government owns 405 million acres of land, which is 21.3 percent of the total land area in the United States. In a great many instances Federal ownership of this land has resulted in grave misfortune to towns and counties throughout the United States. Every effort should be made by the Federal Government to release as much of this land as possible which is not necessary for the security of our Nation.

In the Second Congressional District of Kentucky we have another instance of the Government acquiring a vast amount of land, namely that land on which Camp Breckinridge is located. In 1941 the Federal Government purchased 36,000 acres of rich farming land in Union, Henderson, and Webster Counties for this reservation. The purpose of this investment was to establish an infantry training center to be known as Camp Breckinridge. The camp was first occupied in 1942, and, upon termination of hostilities at the close of World War II, it was deactivated until 1948, at which time it was reopened for one year. The emergency created by the Korean War necessitated a second reactivation of the camp, which was effected in August 1950. Since September 1953, Camp Breckinridge has been retained on a standby basis. In the summer months it is used to drill units of the National Guard, but at other times it is under control of the caretakers.

As a result of the opening of Camp Breckinridge the entire economy of this portion of my Congressional district was completely changed, with facilities expanded to meet the demands of the population increase of military personnel. This expansion eventually affected practically all phases of economic life—restaurants, hotels, communications, transportation, housing facilities, and inevitably all media of entertainment. Before 1941 this section of my district had a rural economy, and the loss of 36,000 acres of its best farm land forced the people to become largely dependent upon their small business enterprises. Deactivating the camp has inflicted severe adversity on this section of Kentucky. The people of Kentucky, and especially this portion of my Congressional district, do not want this land returned to private ownership if it is essential to the security of our Nation, but they now feel that same is not essential and that the land should be returned to private ownership. If this supposition is not correct, then the camp should be completely reactivated, and placed in use.

From time to time during the past several years legislation has been introduced in the Congress of the United States to provide for payments in lieu of taxes to State tax authorities with respect to certain real property subject at the time of its acquisition by the United States to real property tax committed to the discharge of bonded indebtedness of any public improvement, and for the operation of the different governmental functions of the local taxing authority, including, of course, operation and maintenance of schools. At one time during the 2d session of the 84th Congress some 19 bills seeking to accomplish this purpose were pending. Careful consideration should be given to such legislation. Certainly the hardships occasioned by the loss of land in Union, Henderson, Webster, and Edmonson Counties in the State of Kentucky should, in some manner, be alleviated.

Edmonson County, Ky., is located in the Green River Valley which comprises 9,273 square miles. Since 1913 the people in this valley have suffered, by reason of 12 major floods, loss of lives, damage to property, and other calamities. Over 5 million tons of topsoil was lost each year. Because of the prevalent conditions, from 1940 to 1950 over 100,000 persons migrated from the Green River Valley. The valley abounds in natural resources. Coal deposits of 13,970,000,000 tons are located on a navigable stream—the Green River. Development of the Green River Valley and protection thereof through the construction of flood-control reservoirs will be of inestimable benefit. In 1938 the Nolin River Reservoir project was authorized. In 1955 I succeeded in having the Corps of Engineers recommend this project to the Bureau of the Budget for funds to be used for advance engineering and design. In appearing before the Bureau of the Budget, I stressed the importance of the Nolin River Reservoir project, not only to Edmonson County, the Green River Valley, but to the Ohio River Valley, as well as the Mississippi River Valley. It is an integral part of the overall flood-control plan for the Ohio River Valley, the Green River Valley, and the Mississippi River Valley. The 1957 budget contained a request for $50,000 for advance engineering and design on the Nolin River Reservoir project, and, as a member of the House Committee on Appropriations, I appeared before the Subcommittee on Public Works requesting that this amount be increased in order that the project could be con-

structed as soon as possible. The request was increased to $100,000 by the House Committee on Appropriations, and the 1958 budget contains a request for $138,000 to complete the advance engineering and design. After the President's budget message was delivered to the House of Representatives I contacted the Corps of Engineers to ascertain whether or not funds additional to the $138,000 could be used on this particular project, thus making a construction start. I was informed by the Corps of Engineers that no additional funds could be used during fiscal year 1958 on the Nolin River Reservoir project. For that reason it was impossible to get the project under construction during the fiscal year 1958. Construction will follow completion of advance engineering and design, and will be of great assistance to Edmonson County, the State of Kentucky, and the United States generally.

Civil-functions projects now under construction, and to be constructed in the future, will play a major role from the standpoint of development and protection of our country. Every effort should be made by the Government to bring benefits to our people and communities in the various States through the utilization of land. By such action the hardships occasioned as the result of the huge withdrawal of thousands of acres of land will be eliminated. The time has arrived for the Federal Government to make a recapitulation of the 405 million acres of land presently held to ascertain whether or not major portions can be returned to the taxpayers of this country, thereby accruing benefits to our people generally.

Mr. Speaker, Federal ownership of huge tracts of land in Edmonson, Union, Webster, and Henderson Counties has created problems which are now serious and require immediate attention. Reactivation of Camp Breckinridge or return of this land to private ownership will solve the problem confronting Union, Webster, and Henderson Counties. Construction of the Nolin River Reservoir; location of new State and Federal roads through Edmonson County; closer cooperation between the Mammoth Cave National Park officials and the citizens of Edmonson County—keeping in mind that this beautiful park is a great asset to Kentucky and the United States, but its creation has brought trouble and serious problems to this fine county—enactment of pending legislation providing payments in lieu of taxes to counties faced with problems such as Edmonson County, will assist in correcting a serious situation now existing in this county.

LEAD-ZINC LEGISLATION

Mr. TEAGUE of California. Mr. Speaker, I ask unanimous consent that the gentleman from Utah [Mr. DAWSON] may extend his remarks at this point in the RECORD and to include a letter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DAWSON of Utah. Mr. Speaker, I doubt that any of us would support a bill which was aimed at decimating an established American community which is the home and the roots of hundreds of families.

But I wonder whether we realize how we sometimes can do that very same thing by failing to act upon legislation vital to such a community.

At this minute, several mining towns already are undergoing depression and depopulation because of the drop in lead and zinc prices brought on by an oversupply of cheap foreign imports of those vital metals.

Their situation becomes worse with each day that we fail to act upon legislation which has been introduced to bolster lead and zinc prices by imposing a scale of excise taxes upon imports when prices drop to the point that our own mines must shut down and throw their miners out of work.

One such town is Park City, Utah. From a one-time permanent population of 5,000 persons, not more than 2,000 remain. Buildings stand empty, merchants struggle to stay in business.

An excellent picture of what happens in a mining town when the mines shut down is drawn in a letter to me from Mrs. Anne H. Brunyer, welfare director for Summit County, in which Park City is located. Certainly no one could be better placed to know intimately the human problems which arise when the miners come down the hill for the last time.

Mr. Speaker, I include as part of my remarks Mrs. Brunyer's penetrating letter:

PARK CITY, UTAH, *July 3, 1957.*

Hon. WILLIAM A. DAWSON,
Representative, Congress of the United States, House of Representatives, Washington, D. C.

DEAR REPRESENTATIVE DAWSON: We in Park City are again appealing to you for definite and immediate action on a long range metals bill. We have noted through newspaper items that you have given many long hours of time from your busy schedule and put forth much effort in bringing the plight of the mining industry before the different committees and Congress. You can be very certain that we are all very grateful for your efforts and hope that in the end you and all of us will be rewarded by some legislation more substantial and beneficial to our mining industry than we have had in the past.

We are, however, wondering why the delay on the part of Congress and why the inactivity on this subject at this time when immediate action is so urgently needed. We are faced here in Park City with the closure of our two mines. Many other mines have already shut down in Utah and other Western States as you already know. There are reports in the newspapers every day of more and more mines closing.

During the month of June our mines laid off 10 percent of their employees. This means a great deal to a community where there is already much insecurity and suffering from unemployment. The only employment we have in this community is provided by the mines. There is nothing else for our people.

There are those who would suggest that the miners get out of the mines and look for something else. That is exactly what is happening. Our young people who are such a vital and necessary part of every up and going community are leaving for more stable industry. But there are those older miners who cannot begin to obtain employment in other industries because of age limits and because of lack of experience for other skilled labor. They own their homes here and many have large families.

Because of the unstable condition of the mines and the shutdown periods since 1949 and even before that time it has been impossible for the miners and their families to save sufficient money to take care of these long periods of unemployment. A 12- or 13-month shutdown as we have experienced in the past is difficult to weather through even though there are a few fortunate ones who have been able to accumulate some savings.

It seems to us that there have been and there will be again critical periods of time when metals will be vitally needed by this country and they will have to be obtained in the quickest way possible and from the nearest resources. However, if these discouraging and unstable conditions continue to prevail in the mining industry miners are not going to be available when needed. This was proven during World War II when the greatest problem experienced by the mining companies was the lack of available miners.

Should the mines close again, our town, like many other mining communities, will become a ghost town. Homes which our miners have worked and sacrificed for during a good many years of hard work will be abandoned. Our city presented a very delapidated picture when the mines reopened just 3 years ago in the fall of 1954. The people in the community rebuilt and remodeled homes and repaired sidewalks and roads to bring the town back to some semblance of being lived in again—and what for? Just to face another shutdown within a very short 3 years from the time the mines reopened.

We just cannot conceive of a Congress or Government which will not take action for the good of its own American citizens. It seems that the first duty of every Member of Congress is toward the welfare and protection of the industries and people of the United States.

As director of welfare in Summit County I am very close to these people and to their problems and the heartbreaking days when they are forced to give up their homes and leave to seek employment in other places and in most cases only to return here as they are no longer needed in other industry because of age and experience.

All of us are eagerly urging the need of alleviating our long periods of distress by passage of a bill which will restore the metal prices on a long-range basis so that the mines can keep operating on a much more stable basis. We plead with you to pass the long-range metals bill which has been so widely publicized and we feel will be a solution to the plight of the mining industry and will restore a livelihood to our citizens.

We make this plea for immediate action not only for our own community but for all of the other mining communities in the United States which are faced with shutdowns and complete unemployment.

Very truly yours,
(Mrs.) ANNE H. BRUNYER,
Director, Summit County Department of Public Welfare.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ANDERSON of Montana, for July 8 through July 19, on account of attendance under Army orders at unit field training.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legisla-

tive program and any special orders heretofore entered, was granted to:

Mr. STEED, for 15 minutes, on Tuesday next.

Mr. HARVEY, for 10 minutes, on Thursday next.

Mr. JARMAN, for 30 minutes, on July 11.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. KEE and to include a newspaper article.

Mr. CELLER.

Mr. MULTER (at the request of Mr. CELLER) and to include extraneous matter.

Mr. BERRY in two instances and to include extraneous matter.

Mr. BURDICK in two instances.

Mr. MASON and to include a petition.

Mr. SAYLOR and to include extraneous matter.

Mr. MCCORMACK (at the request of Mr. ALBERT) and to include extraneous matter.

Mr. REED and to include extraneous matter.

Mr. DINGELL (at the request of Mr. ALBERT) and to include extraneous matter.

Mrs. SULLIVAN.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3558. An act for the relief of Ernest Hagler;

H. R. 4159. An act for the relief of Z. A. Hardee;

H. R. 5728. An act to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings, of the Saint Lawrence Seaway Development Corporation;

H. R. 6191. An act to amend title II of the Social Security Act, as amended, to extend the period during which an application for a disability determination is granted full retroactivity, and for other purposes;

H. J. Res. 288. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 290. Joint resolution for the relief of certain aliens; and

H. J. Res. 307. Joint resolution for the relief of certain aliens.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 528. An act for the relief of Nicolaos Papathanasiou;

S. 609. An act to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes;

S. 749. An act for the relief of Loutfie Kalil Noma (also known as Loutfie Siemon Noma or Loutfie Noama);

S. 1054. An act to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.;

S. 1169. An act for the relief of Herbert C. Heller;

S. 1212. An act for the relief of Evangelos Demetre Kargiotis; and

S. 1352. An act to provide for the conveyance of certain real property of the United States to the Fairview Cemetery Association, Inc., Wahpeton, N. Dak.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 3558. An act for the relief of Ernest Hagler;

H. R. 4159. An act for the relief of Z. A. Hardee;

H. R. 5728. An act to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings, of the Saint Lawrence Seaway Development Corporation;

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H. J. Res. 290. An act for the relief of certain aliens; and

H. J. Res. 307. An act for the relief of certain aliens.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 39 minutes p. m.), the House adjourned until tomorrow, Tuesday, July 9, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1023. A letter from the Chairman, United States Atomic Energy Commission, transmitting a draft of proposed legislation entitled "A bill to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes; to the Joint Committee on Atomic Energy.

1024. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Federal Home Loan Bank Board for the fiscal years ended June 30, 1955 and 1956 (H. Doc. No. 208); to the Committee on Government Operations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 7225. A bill to amend provisions of the Canal Zone Code relative to the handling of the excess funds of the Panama Canal Company, and for other purposes; with amendment (Rept. No. 701). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORRISON: Committee on Post Office and Civil Service. H. R. 2474. A bill to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department; with amendments (Rept. No. 702). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 8192. A bill to amend the act of August 5, 1955, authorizing the construction of 2 surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes; without amendment (Rept. No. 703). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 7974. A bill to amend the North Pacific Fisheries Act of 1954; without amendment (Rept. No. 704). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on Foreign Affairs. House Resolution 292. Resolution to express the sense of the House of Representatives with respect to the return of, or a satisfactory accounting for, the 450 American prisoners of war who were taken prisoner by the Communists; without amendment (Rept. No. 705). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of California:

H. R. 8557. A bill to promote boating safety on the navigable waters of the United States; to provide coordination and cooperation with the States in the interest of uniformity of boating laws, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BROOKS of Louisiana:

H. R. 8558. A bill to amend title 10, United States Code, to authorize additional cadets at the United States Military Academy and additional facilities to accommodate those cadets; to the Committee on Armed Services.

By Mrs. HARDEN:

H. R. 8559. A bill to permit farmers in areas affected by excessive rainfall and flooded conditions to include acreage in the acreage reserve program up to August 15, 1957; to the Committee on Agriculture.

By Mr. McCARTHY:

H. R. 8560. A bill to amend section 4141 of the Internal Revenue Code of 1954 for the purpose of repealing the manufacturers excise tax on children's phonograph records retailing for 25 cents or less; to the Committee on Ways and Means.

By Mr. REED:

H. R. 8561. A bill to amend paragraph 373 of the Tariff Act of 1930, as modified; to the Committee on Ways and Means.

By Mr. SIMPSON of Pennsylvania:

H. R. 8562. A bill to amend section 337 of the Internal Revenue Code of 1954 to make such section apply to certain partial liquidations; to the Committee on Ways and Means.

H. R. 8563. A bill relating to the income-tax treatment of gain resulting from the involuntary conversion of property; to the Committee on Ways and Means.

H. R. 8564. A bill to amend section 1231 of the Internal Revenue Code of 1954 relating to property used in the trade or business and involuntary conversions; to the Committee on Ways and Means.

H. R. 8565. A bill to amend paragraph 396 of the Tariff Act of 1930, as modified; to the Committee on Ways and Means.

H. R. 8566. A bill to amend paragraph 326 of the Tariff Act of 1930, as modified; to the Committee on Ways and Means.

By Mr. TOLLEFSON:

H. R. 8567. A bill to promote boating safety on the navigable waters of the United States; to provide coordination and cooperation with the States in the interest of uniformity of boating laws, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ULLMAN:

H. R. 8568. A bill to establish reciprocity between members of the Umatilla Indian Tribes and other Indian tribes in the matter of succession by will or inheritance to certain types of restricted or trust properties, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARING:

H. R. 8569. A bill to stabilize the domestic market prices of lead and zinc; to the Committee on Ways and Means.

By Mr. BOYKIN:

H. R. 8570. A bill to extend in certain cases the period during which tolls may be charged on Federal-aid highways; to the Committee on Public Works.

By Mr. LANE:

H. R. 8571. A bill to provide Federal insurance for loans made to science and engineering students for tuition; to the Committee on Education and Labor.

By Mr. MULTER:

H. R. 8572. A bill to provide for a dual banking system in the District of Columbia; to the Committee on the District of Columbia.

By Mr. SILER:

H. R. 8573. A bill to create a corporation to restore normal employment and produce industrial development in economically depressed areas; to the Committee on Banking and Currency.

By Mr. WALTER:

H. R. 8574. A bill to amend the Internal Security Act of 1950; to the Committee on Un-American Activities.

By Mr. FULTON:

H. J. Res. 396. Joint resolution proposing an amendment to the Constitution of the United States relative to disapproval and reduction of items in general appropriation bills; to the Committee on the Judiciary.

H. J. Res. 397. Joint resolution declaring Flag Day to be a legal holiday; to the Committee on the Judiciary.

By Mr. GRAY:

H. J. Res. 398. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

By Mr. O'HARA of Illinois:

H. J. Res. 399. Joint resolution to amend the act of Congress approved August 7, 1935 (Public Law 253), concerning United States contributions to the International Council of Scientific Unions and certain associated unions; to the Committee on Foreign Affairs.

By Mr. AUGUST H. ANDRESEN:

H. J. Res. 400. Joint resolution designating the week of November 22–28, 1957, as National Farm-City Week; to the Committee on the Judiciary.

By Mr. KEARNEY:

H. Con. Res. 213. Concurrent resolution recognizing the Baseball Hall of Fame at Cooperstown, N. Y., as a memorial to certain individuals; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. EVINS:

H. R. 8575. A bill to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes; to the Committee on Public Works.

By Mr. LOSER:

H. R. 8576. A bill to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes; to the Committee on Public Works.

By Mr. BASS of Tennessee:

H. R. 8577. A bill to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes; to the Committee on Public Works.

By Mr. ALLEN of California (by request):

H. R. 8578. A bill for the relief of Jose Simoes Maio; to the Committee on the Judiciary.

By Mr. CLARK:

H. R. 8579. A bill for the relief of Antonio Santilli; to the Committee on the Judiciary.

By Mr. DONOHUE:

H. R. 8580. A bill for the relief of Mrs. Aiko Azuma Taylor; to the Committee on the Judiciary.

By Mr. FORD:

H. R. 8581. A bill for the relief of Hendrik K. Harms; to the Committee on the Judiciary.

By Mr. FULTON:

H. R. 8582. A bill to authorize Ambassador Henry Cabot Lodge, Hon. William A. Barrett, and Hon. James G. Fulton, Members of the House of Representatives, to accept and wear the award of the Order "Al Merito della Repubblica Italiana" tendered by the Government of the Republic of Italy; to the Committee on Foreign Affairs.

H. R. 8583. A bill for the relief of Pando Traikofski; to the Committee on the Judiciary.

By Mr. GUBSER:

H. R. 8584. A bill for the relief of Shin Jung Ok; to the Committee on the Judiciary.

By Mr. KELLEY of Pennsylvania:

H. R. 8585. A bill for the relief of Selma Saliba (nee Achouh); to the Committee on the Judiciary.

By Mrs. KELLY of New York:

H. R. 8586. A bill for the relief of Pasquale Pratola; to the Committee on the Judiciary.

By Mr. MARTIN:

H. R. 8587. A bill for the relief of Raffaele Tenaglia; to the Committee on the Judiciary.

By Mr. NICHOLSON:

H. R. 8588. A bill for the relief of Ng Hap Woon and Ng Shee Woon; to the Committee on the Judiciary.

By Mr. POWELL:

H. R. 8589. A bill for the relief of Charles Dayan; to the Committee on the Judiciary.

H. R. 8590. A bill for the relief of Mrs. Lisa Kaspi and her minor children, Bat-Sheva Ita Kaspi and Natan Yaacov Kaspi; to the Committee on the Judiciary.

H. R. 8591. A bill for the relief of Armando Passeri; to the Committee on the Judiciary.

By Mr. RABAUT:

H. R. 8592. A bill for the relief of John Steczak; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H. R. 8593. A bill for the relief of Herman Sung; to the Committee on the Judiciary.

By Mr. BERRY:

H. J. Res. 401. Joint resolution to authorize the Secretary of the Interior to make loans to the Crazy Horse Memorial Foundation, and for other purposes; to the Committee on Interior and Insular Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII,

302. The SPEAKER presented a petition of president, Public Affairs Luncheon Club, Dallas, Tex., petitioning consideration of their resolution with reference to taking necessary action to curb the exercise of tyrannical power by the Supreme Court and make subject to impeachment proceedings its Justices who are guilty of the abuse of judicial power and who have violated their oath to uphold the Constitution of the United States, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Keenotes

EXTENSION OF REMARKS

OF

HON. ELIZABETH KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1957

Mrs. KEE. Mr. Speaker, under leave to extend my remarks, I am including herewith copy of my weekly newspaper column Keenotes which was released for publication today, as follows:

KEENOTES

(By Representative ELIZABETH KEE)

Secrecy has always been, to me, a word with unpleasant connotations. Webster's Dictionary defines it as the "quality or state of being secret; concealment; furtiveness in violation of a right, a law, a code or the like." Certainly, then, it is a word which, under any normal circumstances, should have no place in the democratic processes of government where the people's ability to govern themselves depends in large part upon the fullness and accuracy of the information available to them.

But these are not, unhappily, normal times as the United States and its allies, the free nations of the world, struggle to loosen the grip of the giant octopus, communism, whose bloody tentacles are today fastened about vast areas of the earth's surfaces and its peoples. Consequently, since World War II—and most especially since the

development of the atom bomb and nuclear weapons—the American people have patriotically relinquished more and more of their vital and essential right to know in the name of national security.

Tragically, however, throughout the world's history, it has been demonstrated time and again that powers once yielded to governmental bureaucracy are hardly ever redeemable and lead inevitably to the grasp for more power and to widespread abuses of the public confidence. And so it would seem to be in our time, where excessive use of the rubberstamp "Secret" in the conduct of national affairs has concealed much information that rightfully belongs in the public domain.

This is why the Congress, in 1955, recognizing the urgent need for an objective, nonpolitical and independent study of the innumerable laws, executive orders, regulations, programs, practices, and procedures intended for the protection of the national security moved to establish a Commission on Government Security. The functions of this Commission were to establish fair, uniform, effective, and realistic measures to safeguard both national security and the rights of the individual; to obtain to the greatest uniformity; to restore full public confidence in the Government's programs; and to protect the national security.

Sworn in on January 9, 1956, the Commission on Government Security consisted of 12 outstanding citizens, 4 appointed by the President, 4 by the Vice President, and 4 by the Speaker of the House. The Commission elected its own Chairman, Mr. Loyd Wright, a former president of the American Bar Association, and its own vice chairman, Senator JOHN STENNIS, of Mississippi.

Last week the Commission rendered its report and recommendations and the furore this has created in Washington threatens to be anything but a tempest in a teapot. The storm is not likely to blow over soon, nor, indeed, should it until there has been the widest possible public discussion of its implications.

The principal controversy centers about the Commission's recommendation for a law to prohibit unauthorized disclosure of secret documents jeopardizing national security. This has been generally interpreted by the press as being aimed at news-gathering agencies, the newspapers and news reporters, all of which represent the public's major source of knowledge about the Government's handling of domestic and foreign affairs.

In refuting the press' assumption, Chairman Wright has stated: "The Commission's proposed statute is not aimed at newspapermen. It would apply equally to every American citizen, no matter what his occupation. It would, for example, cover the person who works in a defense plant, making secret weapons for the Government, who reveals plans or technical data. It would cover a Senator or Congressman speaking outside the legislative halls. We do not believe that journalists will claim a special immunity over their fellow citizens."

I wholeheartedly agree with Chairman Wright's finding that a person who imperils the Nation's security by wilfully, knowingly, and deliberately releasing secret information should not be able to escape punishment by pleading that he believed no harm would result. It is not a matter on which he is free to speculate. He has no right to take the law, and the survival of the Nation, into his own hands.

Nor, I would point out, have any of us at any time and under any circumstances, the right to take the law into our own hands. This has always been a basic principle of organized society.

On the other hand, the Commission itself would seem to have run afoul of the very problem which caused the Congress to establish it in the first place. In attempting to justify its proposal for the enactment of a law to prohibit unauthorized disclosures, Chairman Wright sought to have released certain classified information about the occurrences which led to its findings—occurrences which involved the revealing of information vital to the national security. In his opinion, the Chairman stated, these occurrences no longer required secrecy.

His request was denied by the responsible official who evidently did not see eye to eye with Mr. Wright in this instance. So, in Chairman Wright's own words "The information is apparently entombed forever * * * in the bureaucratic graveyard of a maze of files, never to be disseminated to the American people who are entitled to know the full details of these dark chapters of betrayal."

On the surface, therefore, it would appear that the Commission on Government Security has failed in its principal objective, to find the means to safeguard our national security while at the same time preserving and maintaining the American people's vital and precious right to information.

Meanwhile, the Special Subcommittee on Government Information of the House Committee on Government Operations, under the skilled chairmanship of Representative JOHN MOSS of California, has for more than a year now, disclosed instance after instance of arbitrary and capricious suppression of Government activities and practices which it was in the public interest to be made known.

The problem of national security versus our inherent right to know what goes on within our Government will not be easily solved. In the end, it will, I feel, best be resolved when the conduct of our domestic and foreign affairs rests in the hands of public servants, divorced from politics and with the wisdom, discretion, good judgment, and intelligence to use well the authority and confidence imposed in them by the American people. The inflated egos of a bureaucracy swollen with a little power can be as dangerous to our national well-being from within our midst as can be the threat of communism from outside our borders.

Review of Inequitable Decisions Coming From the Board of Veterans Appeals

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1957

Mr. SAYLOR. Mr. Speaker, I spoke last week on the subject of the necessity of enactment of legislation to provide judicial review of decisions by the Veterans' Administration. This agency, needless to say, has always opposed legislation of this type and, in fact, has always favored the finality clause which is in all basic Veterans' Administration laws with two exceptions. Briefly stated, this provision means that once the Veterans' Administration has made a decision, no other body of the Government can review it or change it. This, of course, is contrary to our concept of law. All decisions should be subject to review and most agencies recognize the fact that a review would benefit all parties.

If the Administrative Procedures Act were in fact followed by the Veterans' Administration, perhaps we would have better decisions, but it is not.

When the Congress enacted Public Law 550—the so-called Korean GI bill of rights—it provided that the decisions under that act should not be final and it permitted the Veterans' Administration rules and regulations to be reviewed by the Comptroller General. The Veterans' Administration was vigorously opposed to this provision. But now that the act has been in effect for nearly 5 years, I am informed that the procedures work well and that the Veterans' Administration has, as might be expected, profited by having its proposed regulations reviewed by the General Accounting Office. The same procedure is provided for in the War Orphans' Educational Assistance Act, Public Law 634 of the 84th Congress.

Perhaps this is the solution to the problem which I have been calling to the attention of the House—namely, review of inequitable decisions which have been coming from the Board of Veterans Appeals. Perhaps if the General Accounting Office were given authority to review all the regulations applicable to compensation and pension claims and to even review decisions, it would result in more justice being given to the veterans of this country.

Many Commitments to Mental Institutions Are Unconstitutional

EXTENSION OF REMARKS
OF
HON. USHER L. BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1957

Mr. BURDICK. Mr. Speaker, on January 31, 1957, I introduced a bill in the House known as House Concurrent Resolution 98, which provides for a complete Congressional investigation into all ramifications of mental health legislative programs which are currently being promoted.

I am informed that many thousands of citizens of the United States are confined in asylums, many wrongfully and needlessly. Many of these inmates of State mental institutions were committed under State laws which violate several fundamental constitutional guaranties both in State and Federal Constitutions. The most flagrant of these violations are:

First. Denial of the right of trial by jury.

Second. Denial of the right of habeas corpus.

Third. The taking of the inmate's property without due process of law.

Fourth. The taking of the inmate's real or personal property without due legal notice to him of the proposed sale of such property.

The conventional format for the accomplishment of these illegal acts is to confer upon a State so-called court of equity the power to commit an individual upon the application of designing persons who frequently use this ruse to get control of the victim's property.

This situation as to possible illegal commitment of alleged mental incompetents was brought forcibly to attention by an article which appeared in the Washington Post of May 31, 1957, under an Annapolis, Md., date line. It appears that Judge William R. Horney ruled in Queen Annes County that a 1943 act of the Maryland Legislature violated the constitutional rights of William Easton, who had been declared mentally incompetent and was confined in a Maryland mental hospital.

An appeal from the decision of Judge Horney was argued in the Maryland court of appeals at Annapolis on May 30, 1957.

Prior to the 1943 Maryland act persons had been declared mentally incompetent only after a trial before a judge and jury. The 1943 Maryland act permitted a judge in equity court without a jury, first, to declare a person mentally incompetent on the advice of two physicians and, second, to order the person's property sold, or transferred to a guardian.

Judge Horney ruled that this act was unconstitutional and a nullity, as it violated constitutional guaranties of the alleged incompetent.

This decision raises the important issue as to whether other State statutes similarly phrased did not also deprive many alleged incompetents, committed to many State mental institutions, of fundamental constitutional rights by depriving them of their liberty without a jury trial and by depriving them of their property without due process of law.

It would appear that State statutes of the kind referred to may involve two serious denials of Federal constitutional guaranties, to wit, first, of the right to a jury trial and, second, of the right guaranteed by the 14th amendment against deprivation of liberty and property without due process of law.

That is why an investigation on the Congressional and national level is imperative where there are State violations of Federal constitutional guaranties.

Economy in Government

EXTENSION OF REMARKS
OF
HON. NOAH M. MASON
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1957

Mr. MASON. Mr. Speaker, I have today filed a petition signed by taxpayers from 43 different States urging Congress to:

(a) Reduce Federal expenditures;

(b) Cut Federal taxes; and

(c) Greatly reduce and soon eliminate foreign aid.

A similar petition has been filed in the other body by the chairman of the Senate Finance Committee.

These petitions were circulated by Taxpayers Educational Association, Inc., of Austin, Tex., a nonprofit organization.

The following is a copy of the petition that was circulated in 43 States, mostly among working men and their wives. After all, they are the people that pay 80 percent of all the Federal taxes collected. Hundreds of thousands of names have been collected and are still being collected on these petitions.

A PETITION TO MEMBERS OF CONGRESS OF THE UNITED STATES

(For petition, see CONGRESSIONAL RECORD for Wednesday, July 3, 1957. The petition was included in the remarks of Senator BYRD, Democrat, of Virginia, on that date.)

Returns on Questionnaire in Second Congressional District of South Dakota

EXTENSION OF REMARKS
OF
HON. E. Y. BERRY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1957

Mr. BERRY. Mr. Speaker, one of the most rewarding efforts I have made this session was the distribution of a questionnaire in my district. I was quite overwhelmed by the response received. Almost half of the individuals took the time to add personal comments on items of special interest to them, and all of them devoted a great deal of time and thought to their answers.

Because I believe the tabulation of the results reflects the general thinking in western South Dakota on these subjects, I thought they would be of special interest, and am, therefore, inserting the compilation in the CONGRESSIONAL RECORD where it may be studied by other Members of Congress.

It is my privilege to represent a district with diversified interests, including farming, ranching, mining, tourist, and small industry. It covers that part of South Dakota west of the Missouri River, including the lush grasslands of the plains, the beautiful and mineral-producing Black Hills with majestic Mount Rushmore, several of the largest Indian reservations in the country, and numerous friendly, active communities where the memories of pioneer days are still quite fresh in mind.

Recalling the struggle of those pioneer days, the people of the second district know the value of a dollar, and the satisfaction that comes from a hard day's work. It is foreign to their way of thinking to look to the Federal Government for help for every minor emergency. They are accustomed to taking care of themselves. At the same time, they resent the increasing tax burden, brought about by expanded Federal operations, that makes it more difficult to be independent and fulfill their own needs.

These conservative, energetic, freedom-loving sons and daughters of the pioneers who broke the prairie and opened the mines have a lot of commonsense ideas on the operation of our Government. I recommend their thinking to my colleagues.

The results of the questionnaire are as follows:

	Percentage	
	Yes	No
AGRICULTURE		
Do you approve of—		
1. The soil-bank program as presently operated?	41	59
2. The sale and barter of farm surpluses to Communist nations?	38	62
3. A food stamp plan by which needy persons could obtain surplus foods through normal commercial channels?	77	23
4. Higher support prices on wheat and corn?	23	77
BUSINESS		
Do you approve of—		
1. Federal control over the production of natural gas?	51	49
2. The continuation of the Small Business Administration and to liberalize its lending authority?	71	29
3. Tax reduction for small business?	76	24
DEFENSE		
Do you approve of—		
1. President Eisenhower's foreign policy in general?	69	31
2. Inviting to this country for conferences, the heads of foreign governments with whom we are not in agreement?	75	25
3. The exchange of atomic secrets with other countries?	19	81
4. Requiring all new National Guardsmen to take six months' training on active military duty?	73	27
IMMIGRATION		
Do you approve of—		
1. The admission of additional refugees to the United States from Hungary?	30	70
2. Admission of a greater number of immigrants from all countries?	14	86
POSTAL SERVICE		
Do you approve of—		
1. An increase in postal rates to meet the Department deficits?	64	36
2. Increased salaries and retirement benefits for postal employees?	32	68
LABOR		
Do you approve of—		
1. Regulation by law of labor union welfare funds?	92	8
2. The proposal to extend the present $1-an-hour Federal minimum wage to groups not presently covered, mainly retail and service employees?	53	47
3. The repeal of the Taft-Hartley law?	10	90
SCHOOL AID, FEDERAL		
Do you approve of—		
1. Federal assistance for a school building program?	51	49
2. Federal aid for school maintenance and operation?	33	67
TAXES		
Do you approve of—		
1. Reduction of Federal taxes even though it unbalances the budget?	22	78
2. Exemption of all pension and social-security benefits from income tax?	70	30
VETERANS		
Do you approve of—		
1. Increasing the maximum interest rate on VA-guaranteed home loans to secure more private funds for home construction or purchase?	52	48
2. Increasing disability, hospital, and survivor's benefits for veterans?	46	54

Recommendations on budget cuts were as follows: (1) Foreign aid; (2) number of Federal employees; (3) Federal aid to States,

municipalities, school districts, and local public agencies; (4) construction of public works (dams, airports, buildings, interstate roads, etc.); (5) Federal aid to agriculture; (6) Federal aid to small business; (7) national defense.

Address by Hon. Edward Martin, of Pennsylvania, at Independence Day Celebration, Valley Forge, July 4, 1957

EXTENSION OF REMARKS
OF
HON. EDWARD MARTIN
OF PENNSYLVANIA
IN THE SENATE OF THE UNITED STATES
Monday, July 8, 1957

Mr. MARTIN of Pennsylvania. Mr. President, last Thursday I had the honor of speaking at the historic Washington Memorial Chapel, located in a lovely, natural grove at Valley Forge, Pa. This is one of the most beautiful chapels in the Nation, and has been developed under the excellent leadership of Dr. John R. Hart. Every State in the Union is represented in this project.

The exercises were held under the auspices of the Colonial Daughters of the 17th Century and the Valley Forge Historic Society. The chairman is the dynamic Mrs. William C. Langston, of York, Pa., and she was assisted by a charming group of patriotic leaders who always place America first.

I ask unanimous consent that my address be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF UNITED STATES SENATOR EDWARD MARTIN, OF PENNSYLVANIA, AT THE INDEPENDENCE DAY CELEBRATION SPONSORED BY THE PENNSYLVANIA CHAPTER, COLONIAL DAUGHTERS OF THE SEVENTEENTH CENTURY, AT VALLEY FORGE, JULY 4, 1957

Madam Chairman and my fellow Americans, it is a great honor to address this fine assembly of patriots who have done so much to keep alive the spirit of America.

There is no place more fitting for the celebration of Independence Day than this serene and beautiful shrine, here at Valley Forge. There is no place in America where real patriotism was better exemplified.

We meet at this hallowed place of suffering and sacrifice to pledge anew our devotion to the ideals of liberty and independence.

In these ceremonies we honor the ragged Continentals who left their bloody footprints in the snow of Valley Forge.

We gain new inspiration from the immortal example of General Washington, kneeling here on the frozen ground, to ask Divine guidance and protection in the struggle for freedom.

Here at Valley Forge Washington's little army, poorly clothed, poorly equipped, poorly housed and with inadequate rations, gave the world its finest example of valiant courage under the most severe hardships.

In that dark and desperate winter of 1777–78 they learned to suffer and to obey as men, soldiers, and patriots, for they believed in their cause. They were fighting for their own ideals of political freedom.

At one time less than 5,000 men were fit for duty. But when spring came, the little army was drilled, trained, and organized into a great fighting force.

Yes, my fellow Americans; the Fourth of July is an anniversary to be celebrated with a great outpouring of patriotic fervor, for on this day we pay tribute to the memory of the courageous statesmen whom we honor and revere as the Founding Fathers of our Republic.

One hundred and eighty-one years ago today, in the City of Philadelphia, they set forth a new concept of human liberty and equal justice. For the first time there was brought into the world a plan of government based on the proposition that all men are created equal—that they are endowed by their Creator with certain inalienable rights—that among these rights are life, liberty, and the pursuit of happiness.

In those undying words they erected a great and enduring landmark of human progress. They created a nation based on the firm foundation that the people are supreme, and that government derives its just powers from the consent of the governed.

In these days, when so many of our people take our precious liberty for granted, it is well to look back to the Fourth of July in 1776 when the Liberty Bell rang out the tidings of independence, proclaiming to all the world that "these United Colonies are, and of right ought to be, free and independent States."

Eight years of terrible war were fought before the Colonies were made free and independent—eight years of crises, defeats, and discouragment—which culminated in glorious victory at Yorktown.

The war was won, but a great test of statesmanship remained before "we, the people" could form "a more perfect union."

That historic goal was reached when representatives of the States, meeting in Independence Hall in 1787, framed the Constitution of the United States. Regardless of the pessimism of many people and the gloomy prophecies of many statesmen of the world that is plan of government could not survive, that Constitution has met the test of time. Today it is the oldest written Constitution in the world.

Under that Constitution we have fought wars in defense of right, honor, and justice. We have overcome the threat of financial disaster.

We have seen the clearing of the forests, the breaking of the sod on the prairies, the development of our natural resources, the building of great transportation systems and the growth of our great cities. We have seen our Nation expand from the Atlantic to the Pacific.

Under our Constitution we have seen the American standard of living rise to the highest level the world have ever known. We have reached cultural and spiritual attainment unequalled in any other part of the world.

In a comparatively short space of time—less than 200 years—we have expanded into the greatest industrial and agricultural nation of all history.

What is the secret of our great progress and our unsurpassed development?

For the answer we must go back to the ideals of the Founding Fathers, who built the structure of American greatness on the solid foundation of freedom of the individual.

Out of their far-sighted vision and wisdom we have:

First, our plan of equal justice, equal opportunity, and equal right to work and succeed.

Second, our plan of free enterprise which gives each individual the right to possess and enjoy the fruit of his labor, resourcefulness and thrift.

Third, our plan of equal obligation to take part in Government. The call for military duty makes no distinction between rich or poor, creed, color or national origin. In the same manner our plan of Government calls for self-reliant citizens, depending upon their own initiative, to work for civic betterment and thus advance the welfare of all the people.

Fourth, our plan of Government was established on the deep religious convictions of our people. The spirit of religion guided the first settlers to the North American Continent. Firm reliance on the protection of divine providence is set forth in the Declaration of Independence. Benjamin Franklin suggested prayer for divine guidance in framing the Constitution. That practice continues today in our legislative halls. God is recognized in the constitutions of 47 States of the Union. In Government we depend upon God.

During all our history we have been confronted with grave dangers. The same is true today. What are some of the dangers we face?

1. Too much government. The Founding Fathers recognized that big government could in time become oppressive. Therefore, they sought to restrict the powers of government to those specifically granted by the people and enumerated in the Constitution. We have become careless of this limitation. As a result government has grown so big and so complex that it has encroached upon the liberties of the people.

2. Too much public and private debt. Excessive debt is one of the greatest dangers because it brings on inflation and robs the people of their savings. It is shocking to realize that public and private debt has reached the staggering total of $803 billion. That is an average of $4,700 for every man, woman and child in the United States. Never before in the history of the world have any people owed as much as we owe today.

3. Too much dependence upon government. It is most unfortunate that in this period of great prosperity 5½ million of our citizens are receiving some form of governmental help. About 8 million are now employed by the three levels of government.

4. Too much evasion of the law. Every student of history knows that great nations have gone down to destruction when the moral fiber of their people was undermined by greed and corruption.

5. Too little interest in government. Unfortunately there are too many misguided Americans who do not understand and do not appreciate the real meaning of America.

6. Failure to appreciate that we are truly a nation under God. A government dedicated to the ideals of individual freedom cannot long endure unless its people are imbued with the spiritual strength and courage that comes from faith in God.

There have been many definitions of the real meaning of America. One that I like best was expressed by one of the greatest Americans of our time, the distinguished former President of the United States, Herbert Hoover. On his 74th birthday, in an address at his birthplace, the little town of West Branch, Iowa, he said, and I quote:

"America means far more than a continent bounded by two oceans. It is more than pride of military power, glory in war, or in victory. It means more than the vast expanse of farms, of great factories or mines, magnificent cities, or millions of automobiles and radios. It is more even than the traditions of the great tide westward from Europe which pioneered the conquest of this continent. It is more than our literature, our music, our poetry. Other nations have these things also."

Then Mr. Hoover continued: "The meaning of our word America flows from one pure source. Within the soul of America is freedom of mind and spirit in man. Here alone

are the open windows through which pours the sunlight of the human spirit. Here alone is human dignity, not a dream, but an accomplishment. Perhaps it is not perfect, but it is more full in in realization here than any other place in the world."

With love of country in our hearts, and with loyalty to ideals for which the heroes of our independence suffered and died, we can defend and preserve the American Republic.

We can go forth from this meeting, strengthened by faith in God, to meet the problems of our day with wisdom, courage, and patriotism.

The Richard E. Byrd Antarctic Commission

EXTENSION OF REMARKS
OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Monday, July 8, 1957

Mr. WILEY. Mr. President, on May 31, of this year, it was my pleasure to introduce, with 22 cosponsors, S. 2189, to establish the Richard E. Byrd Antarctic Commission.

We are now awaiting reports from the various executive agencies which have this issue under study.

Time is, however, growing exceedingly short in the 1st session of the 85th Congress.

It is my earnest hope that the agencies will report, therefore, as soon as possible on this bill.

What must be borne in mind is this fact: To establish or just to continue an Antarctic expedition requires literally months and often years of planning.

If we do not establish such a commission this year, then we will have lost precious time not simply in 1957 but in the years up ahead.

It is my earnest hope, therefore, that the Wiley bill for the Byrd Antarctic Commission will be subject to hearing before the end of the 1st session, or no later than the commencement of the 2d session of the 85th Congress.

I invite attention to a significant article which was published in the May 13 CONGRESSIONAL RECORD. Congressman THOR C. TOLLEFSON, of Washington, introduced in the RECORD a Washington Daily News article of March 28 of this year by Jim G. Lucas, with the significant title "Looks Like the Reds Plan Long Antarctic Stay."

The article pointed out that there is strong reason to doubt whether the Russians regard their bases, which have been established for the International Geophysical Year, as only "temporary." The article reflects the concern of our Australian friends concerning the long-range Soviet plans for the Antarctic.

This morning's New York Times carries a dispatch by Mr. Walter Sullivan regarding the plans for seven American tractor parties to cross arcund 7,500 miles of the hinderland of the Antarctica.

While these valiant Americans are piercing the unknown in these freezing regions, surely the very least that we can do is to take action on legislation which will make sure that their work will be fully capitalized upon from a long-range standpoint.

Of course, their scientific findings will contribute to the "pool" of the International Geophysical Year.

But I am thinking now of even more direct benefits to the American people in terms of our own national interests.

These benefits can only be achieved through establishment of the Richard E. Byrd Anarctic Commission.

I am glad that there are many sources in the executive branch which are extremely sympathetic with the need for legislation of this type.

At the same time, I would be less than frank if I did not state candidly that there are some folks downtown who seem to be dragging their feet.

While I know these folks have a high regard for Antarctic exploration, they do not seem to realize that unless we fully coordinate work in this field we can never fully benefit from it.

These folks seem to fear the establishment of this small new agency. They seem to be more concerned with the minor costs that it would involve than they are with the tremendous national results which it would achieve.

I hope, however, that the reports which will come from the various Federal agencies to the Senate Labor Committee, which will soon be studying the Antarctic bill, will be favorable.

And I trust that this committee will report the legislation unanimously to us of the full Senate.

I hope, too, that there will be similar favorable action in the House of Representatives on the legislation.

Such action might well include, on both sides of the Hill, reference to all future Arctic, as well as Antarctic, work.

I ask unanimous consent that the text of the New York Times article be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRACTORS TO TOUR ANTARCTICA'S ICE—SEVEN UNITED STATES EXPEDITIONS TO STUDY 7,500 MILES OF FROZEN HINTERLAND FOR IGY

(By Walter Sullivan)

During the next 18 months, 7 American tractor parties are to cross about 7,500 miles of the little-explored hinterland of Antarctica.

The slow-moving vehicles will make a circuit comparable in distance to one from New York to Dallas to Los Angeles to Seattle and back to New York—without filling stations.

In most cases food and fuel will be delivered en route by aircraft.

This will not be possible on the 500-mile journey to be made from Wilkes Station this year. No planes are stationed there within reach. In an attempt to spot crevassed areas and other obstacles along this route, an intensive study is planned of aerial photos on file in Washington, D. C.

The pictures were taken by planes of United States Navy expeditions that discovered the region in 1947 and 1948.

DATA SOUGHT ON ICE SHEET

The program of tractor journeys was proposed by Albert P. Crary, the chief scientist at Little America. It has been approved by leaders of the United States program for the International Geophysical Year, an 18-month study of the earth that started last Sunday.

The purpose of the tractor trips is to find out more about the ice sheet that weighs heavily on the continent at the bottom of the world.

In addition to the journey from Wilkes Station, a tractor trip is planned for each of the next two seasons from three other American bases: Little America, Byrd Station in Marie Byrd Land, and Ellsworth Station on the Weddell Sea.

The treks will be made in October and November so that the vehicles can be back at their bases in time to help unload the relief ships. The longest will cover a 1,500-mile triangle on the Ross Ice Shelf—a floating extension of the continental ice sheet, roughly the size of France.

An additional project will be a study of the heavily contorted ice surrounding Roosevelt Island 50 miles south of Little America. The chaotic patterns of crevasses make this region almost impassable. It is planned to use helicopters to lift the scientists in a leapfrogging survey of the area.

TO BE STUDIED AS ROCK

Both sea ice and shelf ice will be treated as rock formations in this study. Some believe a better understanding of mountain-building and other phenomena of the earth's crust can be gained through examination of what happens when the flowing shelf ice, 700 feet thick, is twisted, bent, and split as it impinges on Roosevelt Island.

This study will be under James H. Zumberge, of the University of Michigan. Once or twice men flying over the 1,200-foot hump of Roosevelt Island have thought they saw bare land peeping through its icy mantle. An attempt will be made to find this spot and place a survey camp there.

Among the problems that scientists studying the ice shelf will try to resolve is whether the self grows on the bottom or dissolves there when the freshwater ice slips off the land and comes in contact with sea water.

Last season an examination of ice in a crevasse near Little America produced salt and algae, a form of plant that lives in the sea, from layers 20 feet or more above sea level.

This seemed to support the view that the ice had grown from the bottom. The subject is one that has been discussed by scientists since the British expeditions of early in the century.

AIRBORNE SURVEY WEIGHED

Another program under discussion is for an airborne survey of the ice sheet in the vicinity of the South Pole. A party would be landed at 50-mile intervals along a line extending along the meridians of 60° east and 120° west, with 4 stops in each direction from the pole.

At each point explosives would be used to determine the ice-sheet thickness by echo-sounding. Another line of soundings by airborne scientists has been proposed along the route followed by Capt. Robert F. Scott on his trek inland from the Ferrar Glacier in 1903.

The tractor journeys for the Antarctic summer of 1957–58—which coincides with the northern winter—are to be as follows:

1. From Little America to McMurdo Sound, passing south of Roosevelt Island, and then to Liv Glacier (where an aircraft-refueling depot was established by air last season) and back to Little America. A major obstacle on this route is the region of massed crevasses near 81 degrees south latitude, south of Little America. This blocked the tractors of the second Byrd Antarctic expedition in 1934.

2. From Byrd Station to the mountainous region near the coast, to the Sentinel Mountains and back.

3. From Ellsworth Station into Edith Ronne Land.

4. From Wilkes Station to the already established inland camp, then south to a point

192 trail miles from the coast, then to Mount Long, discovered by Navy planes and believed to be about 6,500 feet high, then to a fuel cache on the outbound route and from there back to Wilkes Station on a route skirting the coast.

CAUTION TO BE NEEDED

Because this party will not have aerial reconnaissance it will have to move cautiously near the mountains and coastline. It is to bring a dog team as well as two weasels, which are small tracked vehicles. The dogs can be used to scout suspicious areas. The fuel depot will be established in advance.

Journeys for the season of 1958–59 are planned as follows:

1. From Little America into western Marie Byrd Land.
2. From Byrd Station into the region south of Ellsworth Highland.
3. From Ellsworth Station into Coats Land.

Tractor journeys into other parts of the continent are planned by the Australian, British, French, New Zealand, and Soviet expeditions.

Hells Canyon Legislation

EXTENSION OF REMARKS
OF
HON. E. Y. BERRY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1957

Mr. BERRY. Mr. Speaker, under unanimous consent I insert in the RECORD a letter I have prepared outlining the facts with relation to the history of the Hells Canyon legislation as they have been presented to the Interior and Insular Affairs Committee. The statement is as follows:

The Hells Canyon bill may have been killed by another session of Congress, but Hells Canyon may not be dead. It has proven to be a too valuable political issue to be permitted to die.

In an effort to give you the unbiased facts as they have been presented to our commitee through the years, I shall go back to 1947, 10 years ago, when the Idaho Power Co. made application for a license for the first unit, and subsequently made application for all three dams, to use the falling water in the Snake River as it passes through the Hells Canyon Gorge, for the generation of power.

Their eventual proposal was for the construction of 3 dams: Brownlee Dam, 395 feet in height (half again as high as the Capitol Dome in Washington, D. C.), costing $63,594,000, Oxbow, farther downstream, with a height of 205 feet and costing $23,604,000; and Hells Canyon, with a height of 320 feet, costing $45,800,000. The 3 dams have a total dependable capacity of 767,000 kilowatts.

The first proposal for an alternate high dam to be constructed by the Federal Government came to Congress in 1948 when a bill sponsored by Senator Glen Taylor was introduced in the Senate. It was not voted on then, but in April 1950 it was defeated on the Senate floor.

The proposal has been before Congress each session since that time. In 1952 the Interior and Insular Affairs Committee in the House held hearings for 3½ weeks, including 2 hours each morning and many afternoon sessions. At the end of the hearings, the committee, with a membership of 12 Democrats and 9 Republicans, voted unanimously to indefinitely postpone further action on the measure.

The Federal Power Commission held continuous hearings for more than a year on the Idaho Power Co.'s application, and after making an exhaustive study with a transcript of more than 20,000 printed pages, this bipartisan, five-member Commission, upon the unanimous decision of all members, granted the power company's license in 1955.

Following the order of the Federal Power Commission, granting the license for construction to the Idaho Power Co., the Hells Canyon Association appealed to the circuit court of appeals. The circuit court of appeals in a unanimous decision upheld the order of the Federal Power Commission, granting the license to the Idaho Power Co.

The Hells Canyon Association appealed to the United States Supreme Court, which Court, on April 1, 1957, refused to grant a writ of certiorari by a vote of 8 to 1. The association then filed an application for a rehearing before the Supreme Court which was denied.

Immediately following final Supreme Court determination, on April 18, 1957, the Office of Defense Mobilization issued tax-amortization certificates to the Idaho Power Co. on an application made by the company back in 1953. This would mean that for the first 5 years after the project is finished the company would be entitled to a greater rate of depreciation and could depreciate the whole project in that period, which would lower the company's taxes for those years. Then, starting in the sixth year and thereafter, the company would have greater taxpayments for they would have used up all their depreciation credits beside having to set up a reserve for deferred taxes. Since 1950, when the law was passed, 926 similar tax amortizations have been granted to utility companies furnishing power to Government defense installations. Over 21,000 tax-amortization certificates identical to these have been issued since that time.

Returning to Congressional action, in each session during the past 10 years, bills have been introduced in both Houses of Congress to authorize Federal construction of a high Hells Canyon Dam. As I have previously indicated, in 1952 the bill was unanimously tabled. Following the decision of the circuit court of appeals in 1956, hearings were again held by the House committee, and the bill was reported to the House by a one-vote margin. It was blocked in a Democrat-controlled Rules Committee and failed to reach the House floor. In 1956 the Senate, by a vote of 51 to 41, rejected a similar bill.

Two weeks ago, it was brought to the Senate floor following consideration of the civil-rights motion, and in an apparent exchange of votes in that body, was passed by a vote of 45 to 38. Following their hearings, the House Subcommittee on Irrigation and Reclamation, by a three-vote margin, struck all after the enacting clause, emasculating, if not killing, the bill.

HIGH DAM

The proposed Federal dam would be 722 feet high with a capacity of 3,800,000 acre-feet of water. However, from 1927 to 1947, there were only 4 years during that 20-year period when there was sufficient water to fill a dam of that size. It would cost the taxpayers $525,500,000 to construct. This figure does not include interest on the investment during construction, and it does not include damage payment to the Idaho Power Co. for the flooding of their installations, which amounts to almost $58 million spent at this date, $1½ million more on obligation, and with one of their dams now over half constructed.

In order to have the high Federal dam constructed by 1964 (it requires 6¾ years to build), Congress would be required to appropriate this year $11,700,000. In 1961 an appropriation of $140,500,000 would be required, which is more than the entire appropriation for the Bureau of Reclamation. (The appropriation for Oahe, for instance, is $26 million, and for the entire upper Colorado project this year is $25 million.)

Congress has never appropriated as much as $100 million for any one project in any one year. Only once since 1940 has Congress appropriated over $50 million for a single project in any one session. That was $63.5 million for construction of The Dalles. And only twice in the same period of time has it provided as much as $60 million for area projects, as distinguished from single projects. This was for the Central Valley and Columbia Basin projects.

If the sponsors of the Federal dam are not successful in getting appropriations of $100 million per year and should they receive only $25 million per year, no power would be produced from the project until 1978—more than 20 years hence. The Idaho Power Co. will be producing power in 1958.

However, without any delays and with unlimited appropriations, no power will be available from the Federal dam until 1964 at the very earliest.

THREE DAMS

On the other hand, the power company now has the Brownlee Dam one-half completed, and the Oxbow is well under way. More than 1,250 men are employed on the construction; they have already spent to date $57,285,000. These plants will add more than one-half million kilowatts to the power product of the Pacific Northwest by 1958.

The three-dam plan, which was found to be the best plan of river development by the FPC, an agency of Congress itself, after 44,000 man-hours of engineering studies, 20,000 pages of hearings and more than 5 million words of testimony, would be destroyed by the Federal dam which the FPC said, "that the United States itself should not undertake the development of."

The overall three-dam project licensed by the FPC will: (a) Develop the same total head of 602 feet as the Federal dam; (b) produce approximately the same amount of average energy; (c) have a dependable capacity of 767,000 kilowatts—as compared with only 785,000 kilowatts for the Federal dam; (d) provide, without appropriations from the Federal Treasury, 1 million acre-feet of storage which is all the flood control storage justified at this point on the Snake River, with benefits appraised by the Army engineers at a million dollars annually, and also navigation benefits appraised at $100,000 annually; and (e) during the 50-year period the power company at the present tax scale will pay the following taxes: Federal, $289,505,450; to State of Oregon, $47,788,000; and to State of Idaho, $150,250,550. Because of this tax contribution to government, both State and Federal, the power company will of necessity receive a higher rate from the consumers of that area. The cost of production of the Federal project is 4 mills at the site, whereas the power company can deliver to the grid at from 4½ to 5 mills.

Much has been said about power to develop the phosphate beds located about 300 miles from these dam sites. At present, the Idaho Power Co. delivers power wholesale to the phosphate companies at from 4¼ to 4½ mills per kilowatt, which is about 1 mill less than Missouri River power costs South Dakota's REA's at the busbar.

It was brought out at the hearings that, in addition to the cost of the Federal power at the dam site, if the phosphate companies were required to pay the transportation cost on the public power from the dam site to the beds, the added charge would be 2.18 mills. It might also be of interest to mention that the Central Farmers Cooperative of Chicago has recently signed a contract with the Utah Power & Light Co. for power for their installation, and has just broken ground on their new $7 million plant. They need power in 1958, not in 1968.

With one exception, all farm organizations and canal companies in Idaho are very much opposed to the high Federal dam. They fear that the need for added water storage in such an impoundment will preempt their water use and deprive the 2½ million acres of irrigated farmland above the dam of sufficient water supply. The economy of Snake River Valley in Idaho is entirely dependent upon the use of these waters for irrigation. The farmers are dependent upon it—Idaho is dependent upon it.

The entire area is out of power and if the Federal project was ever to have been built, it should have been started in 1947 or 1948 and not in 1957 or 1958 with an optimistic completion and power production date of 1967 or 1968.

The Washington Star, in a well considered editorial on the subject, closed with this paragraph, "The issue may still be a football in 1958, but the House subcommittee has done its part, at least, to see that power rather than politics will be produced at Hells Canyon."

District of Columbia Banking Bill, H. R. 8572

EXTENSION OF REMARKS
OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1957

Mr. MULTER. Mr. Speaker, my bill, H. R. 8572, which I introduced today, would permit the District to have the same banking facilities as the other 48 States. The District of Columbia is the only jurisdiction in the continental United States in which one banking authority has sole and supreme jurisdiction over the granting of bank charters and the supervision of banks. In every other State of the Union there are two banking authorities, the State banking authority and the national banking authority. Each is a strong and vitally necessary safeguard against arbitrary exercise of authority by the other. This bill establishes a second banking authority for the District and ameliorates the tyrannical situation that now exists.

The sole banking official authorized to permit the organization of new banks in the District is the Comptroller of the Currency. There is no check on his powers except by court review, which is expensive and rarely desirable because of possible retaliation, even if successful in court. The policy of his office is not to grant any application for a new bank charter in the District of Columbia. If he cannot discourage the filing of an application for a charter for a new bank in the District, the Comptroller will disapprove it after it is filed.

The powers of the Comptroller of the Currency—those which have been granted him by law and those which he claims—are far too broad and absolute for the needs and progress of the District.

If the applicants for a bank charter in the District of Columbia feel that the Comptroller of the Currency is arbitrary in disapproving their application for a bank charter, they cannot make an application to any State authority for a State charter as can be done in every one of the 48 States and in each of the Territories. The Comptroller contends there is no appeal from his decision.

The Comptroller denies to applicants any right to a public hearing on their applications. He refuses them any right to know who may be objecting to their applications and the grounds for such objections.

The Comptroller of the Currency has not bothered to publish rules or standards which would inform the public what facts they must prove in order to justify a favorable ruling or decision on their applications. The Comptroller claims that he is not required to set forth in detail, or in any manner whatsoever, the facts on which he bases a decision on an application. In short, the situation, as it now stands, permits the Comptroller to be as arbitrary, discriminatory, and capricious as he wishes. He can dispense charters and other favors to those whom he deems should have them or withhold them as he pleases.

The present Comptroller's testimony before the House Judiciary Subcommittee on Bank Mergers reveals that he had a complete lack of understanding or comprehension of the monopolistic forces that are, and have been for some time, casting a bigger and bigger shadow over our banking system.

His sympathetic consideration of more and bigger mergers and consolidations has been repeatedly made evident.

I urge you to read the testimony of the man who has absolute power over banking institutions in the District. It is set forth in the transcript of the hearings before the Antitrust Subcommittee—Subcommittee No. 5—Committee on the Judiciary, 84th Congress, 1st session, on H. R. 5948, pages 70–78.

Concerning this testimony by the present Comptroller, the Antitrust Subcommittee made the following comment:

> It is doubtful that the Comptroller's office is aware of the purpose of antimerger legislation or of the dangers that mergers pose to the competitive banking structure. This conclusion is indicated by Mr. Gidney's testimony before the subcommittee that he would not say any banks have been eliminated from competition as a result of mergers that have occurred in recent years. In his view, even if a merger takes place between the only two banks in a community, "there is still competition in the community." (P. 36, Interim Report of the Antitrust Subcommitee (Subcommittee No. 5) of the Committee on the Judiciary, House of Representatives, 84th Cong., 1st sess.)

I do not pretend to be the final judge as to the needs of the District for new banks. However, I would like to point out that there were 29 banks remaining in operation in the District of Columbia after the banking crisis of the twenties and thirties had run its course. I assume there was a need for all of these banks and that they were operating soundly, or the Comptroller of the Currency would have closed them.

In 1933, these 29 banks had about $260 million in deposits.

At present, there are about 17 banks remaining, the other 12 having been absorbed by one or more of the remaining banks through merger, consolidation or purchase. Deposits in the intervening years have increased to $1.4 billion, or more than 5 times what they were when there were 29 banks operating in the District.

Yet the Comptroller of the Currency thinks that 17 banks are adequate for the District. He cites the number of branches as if these branch offices furnish bank credit competition. The fact of the matter is that the number of sources of bank credit in the District of Columbia has shrunk from 29 to 17 since 1933, a decline of more than 41 percent and will shrink further as the big banks continue to absorb the smaller ones.

There could be 1,000 branches of these 17 banks, and still there would be no further increase in the sources of bank credit. The branches, practically all of which are operated by the large institutions, only serve to increase the concentration of the power of the big banks' credit in the District. Needless to say, with the number of banks shrinking from 29 to 17 since 1933, no matter how many branches these 17 banks establish, there can be no increase in the sources of bank credit in the District of Columbia—for as the number of independent banking units decreases, the sources of credit decrease.

The sharp decrease in the number of bank units is juxtaposed against the sharp increase in the population of the District, which has just about doubled, being approximately 860,000 at present, according to the Bureau of the Census estimates. Bank clearings and bank debits, the latter a well-recognized indicator of economic activity, soared to unprecedented heights. Recently published figures on bank loans in the District have shown all of the banks to be loaned close to capacity. The profits of District of Columbia banks after taxes increased 9 percent in 1955. The profits of District of Columbia banks after taxes increased 4.3 percent in 1956.

H. R. 8572 would give to the people of the District of Columbia a voice in determining their banking needs. Before a bank can be chartered by the District Commissioners, there must be a hearing on the questions of whether the new bank will serve the public needs to advantage, whether it will have a reasonable chance of successful operation, the fitness of directors, and other pertinent facts.

Under H. R. 8572, before a bank for which a charter has been issued can commence operations, it must become a member of the Federal Reserve System or of the Federal Deposit Insurance Corporation. Regardless of which membership the organizers of the bank should decide to undertake, the agency in question—the Federal Reserve or the Federal Deposit Insurance Corporation—then must investigate and make a determination of the following factors set forth in section 6 of the Federal Deposit Insurance Act of 1950:

First. The convenience and needs of the community to be served by the bank.

Second. The adequacy of its capital structure.

Third. Its future earning prospects.

Fourth. The general character of its management.

Fifth. Whether its corporate powers are consistent with the Federal Deposit Insurance Act.

At this stage of the proceedings, the Comptroller of the Currency will have the opportunity to state his opinion as to whether the new bank should be insured by the Federal Deposit Insurance Corporation since he is a member of the Board of that Corporation. When the new bank makes an application to become a member of the Federal Deposit Insurance Corporation, the Comptroller of the Currency, who is a member of the Board of Directors of the Federal Deposit Insurance Corporation, will have the opportunity of voting against the new bank if he deems its existence to be contrary to the public interest. Thus, in every case of a new bank chartered under H. R. 8572, either of two Federal agencies will have the opportunity to pass on the question of need as well as the District authorities. This procedure for determination by a local agency in the first instance under a local law and a determination under Federal law by a Federal agency is identical to the procedure that is, and has been for many years, in operation in all the States. There is no sound reason why this procedure should not be established in the District of Columbia.

H. R. 8572 would also supplement home-rule legislation since it will give to the people of the District of Columbia a voice in determining their banking needs. For this reason, I hope that those who have been supporting the home-rule legislation will lend their support to this bill. Self-determination of the number of sources of bank credit is vital to the community. Unless there is some action taken to reverse the trend of the past 23 years, the present oligopoly in banking in the District of Columbia will be transformed into monopoly in every sense of the word, and the sources of bank credit in the District, already decreased 41 percent; will be further centralized into fewer hands.

My bill will eliminate the dictatorship in banking supervision and bank chartering that now exists in the District. When a new District bank charter is sought, the question of need will be determined by the District Commissioners and the Federal Reserve Board and the Federal Deposit Insurance Corporation. In the case of the action by the District of Columbia Commissioners, the decision will be made after a public hearing, and the rights of all parties and of the public interest will be safeguarded under the Administrative Procedure Act.

I hope to see early enactment of this measure.

Look Out for the Red Chinese

EXTENSION OF REMARKS
OF
HON. USHER L. BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1957

Mr. BURDICK. Mr. Speaker, the voices demanding a softer attitude toward Red China grow louder. It is difficult to understand why. Right now the Chinese Reds are fostering narcotics trade all over the world.

The United States narcotics commissioner, Harry J. Anslinger, is quoted in a recent Associated Press statement as saying Communist China is the only country in the world that is not trying to curb illegal use of narcotics.

"Year after year we produce incontrovertible evidence of quanities of narcotics leaving mainland China—we seize it on ships at the dock," said Mr. Anslinger.

Some of the people who would now turn soft on the Reds need to be reminded that the Communist China of today is the same outfit that helped murder our boys in Korea. If Red China has changed since the Korean war, it has not been for the better. Its activities in the drug traffic prove that.

Pay TV Trials Should Await Approval by Congress

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1957

Mr. CELLER. Mr. Speaker, under leave to extend my remarks, I wish to insert in the RECORD a letter which I forwarded to Federal Communications Commission Chairman John C. Doerfer on July 8, 1957, urging that the Commission refrain from conducting proposed field demonstrations of subscription television unless express approval is first obtained from Congress. The text of the letter follows:

JULY 8, 1957.

Hon. JOHN C. DOERFER,
Chairman, Federal Communications Commission, Washington, D. C.

DEAR MR. DOERFER: I have been following with great interest and some concern the progress of the Commission's current proceedings in docket No. 11279, looking to the introduction of subscription television. Although more effective use of television in the service of all the people is a worthy purpose, it is imperative that no expedient be adopted that will impair the traditionally free television system authorized by Congress.

Since the television spectrum is a limited natural resource belonging to all the people, the interest of the public in its exploitation must always be paramount. Now the Commission contemplates diversion of a portion of the spectrum frequencies hitherto devoted to free television to the service of television for a price. If it were reasonably clear that, as its proponents claim, subscription television would supply new financial resources and supplemental programing to support the present system, and that it would not withdraw broadcasting stations and spectrum frequencies from their present service in television (as might be the case if the new service were limited to newly constructed stations and unused channels), the proposed experiments would merit wholehearted support.

Present indications, however, militate against the achievement of these goals and give rise to the danger that improvident experimentation with subscription television may permanently frustrate existing national objectives for a nationwide and competitive free television service.

First, as the recent report of the House Antitrust Subcommittee found, critical television station shortage already contributes to the obstruction of these national objectives. The Commission itself has stressed the time-consuming character of allocations problems. These problems have not to date been solved. Second, restrictive industry practices leading to concentration, also noted by the Antitrust Subcommittee, remain to be corrected. Third, the Commission has not yet received the report of its own network study group with respect to television industry problems.

Introduction of subscription television, even on an experimental basis, before these problems are solved, must not only further delay their solution, but may bring in its train a number of disastrous consequences. Stations to which the television audience is accustomed to turn may be blacked out for those who cannot or do not wish to pay, thereby impairing the utility of viewer-owned receiving equipment; the best existing programs that the public is accustomed to receive without charge may be siphoned off; the trend, noted by the Antitrust Subcommittee, toward the monopolization of outstanding talent may be accelerated; the television audience may be divided along economic lines; and a method of broadcasting will be inaugurated, having such an unparalleled built-in profit potential that it may drive free network television as we know it from the airwaves.

These dangers, of which the Commission is well aware, contain such a grave threat to the public interest in television that no action authorizing even the experimental diversion of television frequencies to the use of subscription television should be taken without the express approval of Congress.

Fundamental questions of law and of public administration combine to dictate this result. In the first place, the communications act does not, of course, expressly authorize pay television. Rather, an underlying purpose of the act is regulation that will make communications systems available, so far as possible, to all the people. The expedient under consideration by the Commission would not only divide the public into economic classes with reference to their eligibility to enjoy the benefits derived from exploitation of a public resource, it would introduce a method of spectrum utilization for which Congress has provided no clue of approval nor any framework of regulation.

The perplexity of the problem as to the Commission's authority under existing law to authorize and regulate subscription television is highlighted in the Commission's Notice of Proposed Rulemaking of February 10, 1955, and in its Notice of Further Proceedings of May 23, 1957. In the earlier document, the Commission propounded the following questions of law:

"A. Whether the Commission has the authority under the Communications Act of 1934, as amended, to authorize and regulate subscription television operations.

"B. Whether subscription television constitutes broadcasting within the meaning of section 3 (o) of the Communications Act of 1934, as amended; and if it is not broadcasting whether subscription television constitutes a common carrier or other type of service, and whether the Commission has authority to permit subscription television to employ channels assigned to television broadcasting.

"C. If, under the Communications Act of 1934, as amended, the Commission does not have the authority to authorize and regulate subscription television, what amendments to

the act would be required in order to permit the Commission to authorize and regulate such a service?

"D. What rules and regulations of the Commission would have to be amended in order to permit the Commission to authorize and regulate subscription television operations?"

In reply the Commission received many briefs and statements of law, but these appear to have left the Commission uncertain as to the answers to a number of important questions. Thus, in addressing the NARTB convention in April 1957, former Chairman McConnaughey stated:

"We have difficulty in knowing just what it (subscription television) is; it's not quite a common carrier, yet it has many attributes of a public utility."

In its Notice of Further Proceedings the Commission declared its inability at this stage of the proceedings to classify subscription television under the Communications Act or to say whether it is broadcasting or something else.

Predictably, subscription television will not take the form of a common-carrier operation. Such classification would be inconsistent with broadcaster responsibility for programing and with the avowed object of producing superior programs.

Existing law provides no basis for regulation of a non-common-carrier public utility. No such enterprise was within the contemplation of Congress when it passed the Communications Act. Classification of subscription television as a public utility other than a common carrier would thus require first-hand Congressional consideration of such policy matters as rate and financing control and program responsibility.

These problems are not solved if subscription television is classified as broadcasting. The question then remains whether the Commission must permit subscription television to compete without limitation with existing broadcasting and, if so, whether this would stack the deck against the survival of the latter. A further question is whether the Commission's existing licensing authority alone is adequate to assure competition and program responsibility on the part of subscription television broadcasters. Past difficulties of the Commission in bringing network practices within the ambit of its regulatory influence, and the extensive litigation required to establish the authority of the Commission's chain broadcasting regulations are well remembered. Subscription television would subject added and more complex relationships to regulation under the Commission's already burdened licensing authority, namely, as the Commission has pointed out, relations between subscription program producers, distributors, community franchise holders, television stations, manufacturers, and distributors of encoding and decoding equipment, and the public.

In light of the complexities and basic departures from established practice inherent in the regulation of subscription television, the Commission's refusal prematurely to classify the proposed technique is prudent. The same cannot be said for the Commission's conclusion, stated in its notice of further proceedings that it does have the statutory authority to authorize the use of television broadcast frequencies for subscription television if it finds that it would be in the public interest to do so. The Commission states that it believes that this authority falls within the powers conferred on the Commission in the Communications Act for licensing the use of radio frequencies.

The statement of this far-reaching conclusion in the face of uncertainty as to the classification of subscription television under the act and without any indication as to why or how the Commission reached it is disturbing because the notice of further proceedings implies that the Commission is considering, or would, under circumstances satisfactory to it, consider embarking upon widespread authorization of the use of subscription television without seeking express Congressional approval.

For the Commission to make its authority to license frequencies the sole basis for authorizing so radical a departure from existing methods in television would be to stretch the licensing authority to its very limits, if not beyond them. Even if ultimately held to be legally sound, the Commission's conclusion would assuredly be subjected to judicial test. Avoidance of protracted litigation is thus an added reason for seeking Congressional sanction of such proposals as the Commission ultimately determines to be in the public interest, rather than embarking on a course that is likely to be fraught with waste and delay. Clarification by Congress in advance will not only assure a more accurate reflection of the desires of the people, but will also go far to avoid costly, time-consuming litigation and possibly corrective legislation.

These considerations apply as fully to experiments like the field demonstrations projected by the Commission as they do to full-scale nationwide authorization of subscription television operations. Such experiments involve the dilemma that if the trial is conducted on too narrow a basis it provides no information of value as to the ultimate effects of the method on trial, whereas if the demonstration is conducted on a basis broad enough to be meaningful, investments are made and interests tend to jell so that it becomes well nigh impossible to reverse the forces that have been set in motion.

Examples of such nonreversibility are readily found in the history of television. In its 1941 report on chain broadcasting, for instance, the Commission stated that it would oppose network ownership of stations if it were deciding the matter ab initio. More graphic and more apt is the experience of the Commission in attempting to remedy its 1952 error in authorizing UHF broadcasting on a basis which permitted intermixture with VHF stations having established receiver-set circulation. Over the past 5 years, the Commission's concern with this problem has not provided an effective solution, and UHF remains on the critical list—with the Nation's hopes for a truly nationwide and competitive television system hanging in the balance.

The Commission has expressed full awareness of the dilemma involved in the proposed demonstrations, but states that it may be poesible to avoid the objectionable results of either extreme. It is entirely proper for the Commission to pursue this happy mean, but it is necessary to recognize that experimentation on any meaningful scale will inevitably create interests and unleash pressures which, in comparable situations, the Commission has been unable to control. Such experimentation must therefore be regarded as potential commitment to a course from which there may be no return. The built-in profit potential of subscription television, arising from the fact that any charge for program reception would be many times greater than the present per set per program cost of program production, practically guarantees that an experiment that proves at all successful in terms of public acceptance will mean the withdrawal from free television of the channels and stations employed.

The potential effects of such withdrawal cannot be exaggerated. For example, one of the alternatives proposed in the Commission's Notice of Further Proceedings is that the demonstrations should be conducted in cities having four or more stations or services. On first impression this seems practical, but when it is recalled to what extent existing broadcasting depends upon the larger stations in the larger cities, the potential consequences of this proposal assume alarming significance. In 1955, 14 network-owned stations accounted for over 30 percent of all broadcast income before Federal tax of all television stations. The three network stations in New York City, alone, accounted for 15 percent of that income. The 9 network stations in the 3 cities (New York, Chicago, and Los Angeles) in which CBS, NBC, and ABC then each had a station accounted for 25 percent. Should experimental subscription television be inaugurated in one or more of these cities and prove successful, would not the networks become eager applicants for the privilege of using the new technique? Would the Commission have the capacity, or even a valid rationale, for denying their applications? Could networking as we know it survive the withdrawal of its most profitable stations? Such hypothetical examples could, of course, be multiplied.

In these circumstances, it is clear that the proposed demonstrations of subscription television involve a calculated risk of such magnitude and with such vital implications for the future of television broadcasting that the decision whether or not to embark on them should be made by Congress and not by the Commission.

Sincerely yours,

EMANUEL CELLER,
Chairman.

Huge Disparity Between Number of Needy Americans on Public Welfare and Number of Persons Receiving Surplus Food Under Present Distribution Program—Testimony by Congresswoman Sullivan Before Senate Committee on Agriculture

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EXTENSION OF REMARKS
OF
HON. LEONOR K. SULLIVAN
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1957

Mrs. SULLIVAN. Mr. Speaker, last month, when the House was considering extension of the Agricultural Trade Development and Assistance Act—Public Law 480—I attempted to amend the bill to provide for the establishment of a food-stamp plan for the orderly and regular distribution of some of this surplus food to our own needy in this country—to all of the more than 6 million on some form of public welfare, and to other deserving groups of needy. The amendment, unfortunately, was defeated on a teller vote, 89 to 128.

Some of those who opposed my amendment claimed it was introduced for the purpose of delaying or killing the Public Law 480 program for gifts and giveaway sales of surplus food abroad. Of course, that was not my purpose at all, but that charge was repeatedly leveled against my amendment and perhaps caused some Members to vote against it in that form.

Other opponents said the proposal should be considered separately, on its own merits, and not as part of Public Law 480 extension. And still others said the present program of distribution to

our needy is adequate and should not be changed or replaced with a food stamp plan such as I proposed.

I should like to urge all those who voted against my amendment on these particular grounds last month to read the statement which I delivered on June 28 before the Senate Committee on Agriculture in connection with hearings which Senator HUMPHREY has been conducting on possible changes or improvements in Public Law 480 in the future.

In this testimony, I went into some of the points of criticism which had been voiced on the House floor, including the claim that my food stamp plan is unnecessary because the present program of distribution of surplus food is adequate and goes far in helping to feed our hungry.

Under unanimous consent, I am inserting my full statement in the RECORD and I really believe the facts it contains will surprise many of the Members—particularly the information which I found on the huge disparity between the number of really needy persons in this country—those on public welfare—as compared with the number now receiving some of the surplus food under the present hit-and-miss distribution system.

The statement referred to is as follows:

TESTIMONY BY CONGRESSWOMAN LEONOR K. SULLIVAN, OF MISSOURI, BEFORE SENATE COMMITTEE ON AGRICULTURE CONSIDERING FUTURE CHANGES IN THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954 (PUBLIC LAW 480), URGING ADDITION OF A FOOD STAMP PLAN FOR DISTRIBUTION OF SURPLUS FOOD TO NEEDY AMERICANS, PARTICULARLY THOSE ON PUBLIC WELFARE, FRIDAY, JUNE 28, 1957

I appreciate very much this opportunity to testify before you as part of your hearings on future changes in the Agricultural Trade Development and Assistance Act of 1954, but frankly, I wish things had gone just a bit differently in the House last week so that you would have to consider my food stamp plan not as some future issue but as an immediate one to be settled in the next days or weeks.

While H. R. 6974 was before us in the House last week, I attempted to amend it to provide for the establishment of a food stamp plan as provided for in my own bill, H. R. 949. Unfortunately, I lost the attempt 89 to 128 on a teller vote under parliamentary circumstances which made it impossible for me to obtain a rollcall vote on the issue. I am sure—I am positive—that if it had gone to a rollcall under the recommit motion I later attempted to make, that it would have been approved and adopted.

ONLY SMALL PERCENTAGE OF NEEDY RECEIVES SURPLUS FOOD

I don't see how anyone could oppose a clear-cut plan for getting some of this surplus to those who need it most—to those on various forms of public assistance. Yet we know that under the present hit-and-miss system of the Department of Agriculture for distributing surpluses to our own needy, that only a small percentage of those who need this food is getting any of it at all.

Let me give you just a few figures which I think will come as a surprise and perhaps a shock to some of you. They came as a surprise and shock to me when I totaled them up from a variety of sources and then looked at the result.

Let's look at this first from the vantage point of the States represented on this committee of the United States Senate. Let's take some sample totals:

In Minnesota, which has 2 Senators on this committee, you have, according to the latest figures I have seen, something like 15,352 needy persons in your State receiving surplus food under the present hit-and-miss program operated by the Department of Agriculture. I don't know how much it costs your State or the localities which participate to store this food, transship it, package it, set up distribution points, investigate the degree of need of those who apply for it, and then get them an occasional pound of butter or sack of flour or some dried beans or powdered milk, or whatever, but I am sure the expense, the redtape, the delays, the mixups, and the aggravation and disillusion are all sizable. I am sure it is a headache in Minnesota, as it is in most States which participate in the present plan.

But, in any event, you do all these things and spend this money and go to all of this trouble to get some surplus commodities to 15,352 Minnesotans in need.

DISPARITY BETWEEN NUMBER HELPED AND NUMBER OF NEEDY

But let's look at some other figures: In Minnesota, there are three times as many people on old-age assistance—not social security old-age and survivors insurance but on old-age assistance—public welfare—3 times more than the 15,352 people getting surplus food. There are about 50,000 on old-age assistance; nearly 30,000 more on aid to dependent children; more than 1,000 receiving aid to the blind; more than 1,500 receiving aid for disability; and an estimated 22,000 on general assistance. In other words, you have a total of 102,876 persons in Minnesota who should—if anyone should—be getting some of this surplus food, because I am sure these 102,000 are not getting enough to eat of good nourishing food—I am sure they are going to bed hungry.

In contrast, only 15,000 Minnesotans got any of this free food, and there is no guaranty that all of these 15,000 are in as much need of it as the 102,000 on public welfare. There is no way I have of knowing how many of the 15,000 are themselves on welfare. They could be getting this food because they are on unemployment compensation, in a distress area or because of drought or disaster or one thing or another not related to long-range, day-in-and-day-out need—desperate need for more food to give them a basic, minimum diet.

In fairness to Senators HUMPHREY and THYE, I did not just single out Minnesota in this respect. South Carolina has 82,367 on various forms of public assistance, but only 200 people in the whole State have been getting surplus food, if Senator JOHNSTON would like to check my figures.

MANY STATES REFLECT HUGE GAP

Or Senator HOLLAND could check Florida's figures—170,175 persons on various forms of public assistance, and not a single one getting any surplus food.

In North Carolina, as Senator SCOTT knows, there are 160,308 persons on various forms of public assistance, but not a single one gets any of this surplus food as now distributed.

In my own and Senator SYMINGTON'S State of Missouri, we have 232,909 persons on public assistance—on relief—and only 10,366 persons in the whole State have gotten surplus food—and they are not, I believe, relief cases as such but drought emergency cases in one section of the State.

In Georgia, Senator TALMADGE will find 176,553 persons on various forms of assistance, but none getting any surplus food. In Senator AIKEN'S Vermont, 14,191 are on relief; but only 3,886 persons get surplus food—and, as I said in connection with other States, in this same situation, there is no way to be sure those who do get the food are necessarily in the relief categories. I do not mean to say that chiselers get it. I mean that, depending upon the basis of the State's own form of participation in the program, the food might go only to a particular county or area where there is drought or flood or emergency or a temporary dislocation, whereas throughout the State there are hungry people in every town, but they do not come in under this present program.

I don't want to bore you with a lot of statistics but I do think it is important to get this point across. Mr. Benson speaks of the millions of needy Americans now getting free food. He counts in all those getting it as inmates of institutions and he counts in the school-lunch program, and for a while over 1 million in Pennsylvania who got this food regularly. It is now down to about 600,000 in that one State. But there is no systematic national distribution of this food which seeks to make sure it goes to those who need it most.

For instance, as Senator WILLIAMS knows, Delaware has 9,498 on public assistance, but no surplus food goes to the needy in Delaware.

PENNSYLVANIA PARTICIPATES ON LARGE SCALE

Some States do better than others on this, I must concede that. I mentioned Pennsylvania. Pennsylvania has been getting this food to 3 and 4 times as many people as it has on relief. Many were in mining areas hard hit by falling production orders. Others were unemployed elsewhere during periods of recession. The whole State got into this and spent, I know, a huge amount of money to get some of this food to the needy. But the expense was such that most States felt the cost was not worth the value of food distributed. That would be true in Missouri.

But in Chairman ELLENDER'S State of Louisiana, 177,654 have been getting surplus food, which is almost as high a number as the total of those on various forms of assistance; in Senator EASTLAND'S State of Mississippi, which had 139,606 persons listed on the relief rolls, more than a quarter of a million persons are getting free food—257,869, in fact; in Senator HICKENLOOPER'S State of Iowa, with a total of about 73,000 persons on relief, a total of 83,730 gets free food at last count; in Senator MUNDT'S State of South Dakota, a similar situation—24,162 on relief, 31,912 getting free food. So comparatively they do much better in feeding the hungry, but I know the cost to their States is very high. I think that covers all the States represented on this committee.

There are several other States which distribute this food on a rather large scale—Alabama, Arkansas, Kentucky, Oklahoma, New Mexico, Puerto Rico—all of these give out food to more persons than the total on relief. I guess or assume that most of those on relief get some of it, since the distribution apparently is on a statewide basis in those States.

NO FOOD DISTRIBUTION IN 10 STATES

But Arizona, Delaware, Florida, Georgia, Hawaii, Idaho, Montana, Oregon, North Carolina, the Virgin Islands, the State of Washington, and up to now, the District of Columbia, all with rather large lists of relief cases, have not distributed any food; and other States with large relief caseloads have given out very little of it. For instance, Connecticut with 46,000 on relief gave out free food to 612 persons; California, with more than half a million persons on public assistance, got free food to 33,500 persons.

It is therefore a haphazard, crazy-quilt pattern of food distribution, yet we know we have all of these hungry people. I mean hungry; I don't mean going without sirloin steak and fresh oranges; I mean hungry. Just try to feed even 1 person, and pay rent, and keep body and soul together on $55 a

month. The cost of living has reached its ninth straight peak and food costs are up, and we have misery and poverty and hunger, and mountains of spoiling food. Why can't we get this food to those we know need it most?

I have thrown a lot of figures and statistics at you. Let me give you just one more: Nationally, we have about 3½ million people getting bits of this food, dribbles of it, an occasional package of flour or dried beans or whatever. But we have more than 6 million on relief; and millions more living on the thin edge of malnutrition. And the 3½ million are not necessarily all in the larger group.

REMOVING HIT-AND-MISS STANDARDS

Now is it possible that we can be complacent about such a situation, when the Commodity Credit Corporation groans with the burden of storing these vast hordes of food surpluses, and the farmer groans for lack of markets and loses his shirt because food sales do not expand to meet population expansion?

Perhaps I should not be emotional about this. But I just cannot help being heartsick over the contrast as between the food we have and can grow and the hunger we have in our midst.

But let's look at the practical aspects of this issue. I am asking that you consider favorably in your overall revision of Public Law 480 my plan, as proposed in H. R. 949 for a food stamp plan.

If you will look at H. R. 949, you will see that the eligibility requirements would remove the present hit-and-miss standards and replace them with clear-cut, direct, simple standards. Every person on any form of public assistance would automatically be eligible.

In addition, those who are considered by local welfare authorities to be in need of welfare assistance, but ineligible because of residence requirements or other State or local law—for instance, in Missouri, no matter how desperate your situation might be, you are not eligible for public assistance if you are employable—and that is no consolation in a recession or a factory shutdown or other situation where you just can't find work—but under my bill proven need cases would be included and would receive stamps.

HOW FOOD STAMPS WOULD BE ISSUED

The food stamps would be issued by the Secretary of Agriculture to the persons certified by the local authorities—the stamps could go out in the same envelope with the relief check. The stamps would be issued for specified varieties and quantities of surplus foods—one stamp for a pound of butter, a different stamp for cheese, or whatever was on the list. The Secretary of Agriculture would decide each month what was available for distribution and would issue the appropriate stamps.

What then? My bill permits the widest kind of flexibility on how the program shall actually operate. The Secretary can distribute through central depots, or through regular stores. He could redeem the stamps directly for a fee or through a store's supplier, replacing items from regular stocks if he so chooses. He could determine that for every pound of butter a store distributed to food stamp recipients, the store could get from its wholesaler or supplier a pound and a half or a pound and a third of butter—that is for the Secretary to work out. He can even set it up so that the stamps are redeemable through the Federal Reserve banks. I will do my best to get him whatever legislative authority he might need through the Banking and Currency Committee if he wants to do it that way.

WIDE DISCRETION PERMITTED SECRETARY

What I am trying to say to you is this: the actual mechanics of the plan cannot be written in a law. It must be worked out by the experts. It can be done and it should be done. It must be done. I don't want to see them tied up in knots by details written into the law.

That is why my bill says he shall put into operation a plan for distributing this food to the needy through a food stamp plan in which all those who are on public assistance can participate. I spell out a definition of needy people.

Then, from there, it is up to the Secretary of Agriculture, with help and advice from the Secretary of Labor and the Secretary of Health, Education, and Welfare, to work out details. He is to confer with the other Cabinet members I named not only on standards under the program, but on the problem of determining whether this should be expanded to cover additional groups—such as those on unemployment compensation, those on old age and survivor's insurance, those on other types of pensions, and so on.

INCLUDING ADDITIONAL GROUPS

But such people are not automatically needy people just by reason of low current income. That is my point in dividing these groups. Those on relief—on public welfare—are provably needy. They need more food to keep body and soul together. They are nearly all hungry people. They should come first in this program. After that—after we make sure we have a workable plan for getting extra food—and I emphasize that this is to be extra food and not in place of any present relief grants—but after we make sure all those on relief are getting some extra food out of this program, through a workable plan, then we can decide whether to expand it to other groups.

You will note that the Department of Agriculture itself acknowledges that there are perhaps 25 million people in this country who do not now receive an adequate diet because of low income, and that to put into operation a full-scale supplementary food stamp plan to get enough nutritious food to all of them in a way which would also have the effect of reducing or eliminating future surpluses would cost perhaps $2½ billion a year. Perhaps we can one day do that. Perhaps we should.

MAKING A PRACTICAL BEGINNING

But let's make a start—a dent—in this enormous need by taking a practical first step. The Department says a plan such as mine might cost as much as half a billion a year, perhaps $600 million. I doubt that. That figure is a guess, based on the assumption that we ought to provide an additional $100 worth of food per year per person for those at the lowest income level—in other words, this is what they say it would cost to provide that additional $100 per person in foodstuffs to the approximate 6 million persons on public welfare to assure them an adequate diet—that is, a minimum diet.

But I would like to point out that this is food we already own or food the Government will be purchasing in any event. So it is by no means a case of $600 million a year in new expenditures caused by this program. I think the total value of all of the food given out by the Department of Agriculture last year to needy persons in this country was only around $91 million, and yet this involved gifts of food to about 8½ million people.

Let me point out to you furthermore that we have donated three times as much of this food to needy persons abroad as to needy persons in this country. And in addition to the food we have donated abroad, to needy persons, through the charitable organizations and directly as an outright gift, we have also sold to foreign governments in return for their own currencies about $3 billion worth of food and frequently have paid the ocean transport costs. In return, we accepted foreign currencies to be spent in those countries, and the majority of it is to be spent and is being spent for economic development in those countries.

VAST SUMS SPENT IN OVERSEAS FOOD GIFTS

I think in the last 10 months or so, we have spent about $1 billion in disposing of this food overseas. I do not oppose the foreign giveaway sales and gifts, but I think we can afford to use some of this food to feed our own hungry as well. I think it is a fine thing—a fine and decent and noble thing—to get this food to needy children and needy families in other lands and we have a right to be proud of our charitable actions and also of the good we do at the same time in fighting communism by giving the poor of other lands a better share of life.

But how can we sit by and wring our hands over the supposedly or allegedly impossible financial burden of feeding our own hungry? Yet that is exactly what Mr. Benson has been doing in his opposition to this plan—saying we can't afford it.

I submit instead that we cannot afford to have hungry Americans when the food is coming out of our ears—causing a storage headache and a depressing effect upon agriculture.

Truly Alice in Wonderland would find this situation no less mystifying than those she discovered in the classic story by Lewis Carroll. Our Government seems to be saying we can't afford to feed our hungry because we have too much food.

The Second O'Mahoney Amendment

EXTENSION OF REMARKS

OF

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1957

Mr. McCORMACK. Mr. Speaker, under leave to revise and extend my remarks I wish to commend the sponsors of the second O'Mahoney amendment—section 633 of the Department of Defense Appropriation Act of 1958. This amendment was adopted unanimously by the Senate after 2 days' debate during which Senators O'MAHONEY, DOUGLAS, CARROLL, and LAUSCHE, and others, discussed the numerous examples of waste, overlapping, duplication, and inefficiency in procurement and other supply and service activities in the Department of Defense.

This is not a new subject to the Congress nor to the American people. On May 2, 1957, I spoke at some length upon the need for improvement in supply management in the Department of Defense, citing the huge personal property inventory of $111 billion with $51 billion in the supply systems. I also mentioned the overlapping and duplication in the stock fund corporations which have capitalization of some $12 billion. I also mentioned the fact that a step has been made toward supply management improvement through the establishment of the single manager, cross-servicing systems whereby some 45,000 items out of 3,295,000 have been included in the systems for clothing and textiles, medical supplies, petroleum products, and subsistence.

PROVISIONS OF THE SECOND O'MAHONEY AMENDMENT

The first O'Mahoney amendment—section 638 of the Department of Defense Appropriation Act of 1953—provided:

(a) Notwithstanding any other provision of law and for the purpose of achieving an efficient, economical and practical operation of an integrated supply system designed to meet the needs of the military departments without duplicating or overlapping of either operations or functions, no officer or agency in or under the Department of Defense, after the effective date of this section, shall obligate any funds for procurement, production, warehousing, distribution of supplies or equipment or related supply management functions, except in accordance with regulations issued by the Secretary of Defense.

(b) This section shall be effective 60 days after the approval of this act.

This provision gave great latitude to the Secretary of Defense to bring about economy, efficiency, and effectiveness in the supply systems of the military agencies. While a good start was made in the fall of 1952, there was a change of policy with the advent of Secretary Wilson's administration, and the services began a program of integrated supply within each service and abandoned the principles set forth in the O'Mahoney amendment of 1952, which was to develop an integrated supply system for the Department of Defense.

The second O'Mahoney amendment reads:

SEC. 633. Section 638 of the Department of Defense Appropriation Act, 1953, is amended to read as follows:

"SEC. 638. (a) Notwithstanding any other provision of law, the Secretary of Defense shall take such actions as are necessary to achieve economy, efficiency, and effectiveness in noncombatant services, activities, and operations through the elimination of overlapping, duplication, and waste within and among the agencies of the Department of Defense.

"(b) The Secretary of Defense, in order to provide for the effective accomplishment of this section, is hereby authorized from time to time to transfer, combine, and coordinate noncombatant services, activities, and operations within the Department of Defense.

"(c) The Secretary of Defense is further authorized to transfer such property, records, and personnel, and such unexpended balances (available or to be made available) of appropriations, allocations, and other funds of the military departments as he deems necessary to carry out the provisions of this section."

The new amendment requires that the Secretary of Defense shall eliminate overlapping, duplication, and waste not only in the supply systems within and among the departments, but also with respect to other noncombatant services, such as, for example, transportation service, commissary service, PS service, accounting service, engineering services, and so forth. The scope of the second O'Mahoney amendment is, therefore, much broader than the first and, in addition, is a directive to the Secretary of Defense.

While subsection (a) of the new O'Mahoney amendment makes it mandatory that the Secretary of Defense achieve economy, efficiency, and effectiveness through the elimination of overlapping, duplication and waste, the subsections (b) and (c) authorize him to implement the basic intent of subsection (a) by transferring, combining and coordinating noncombatant services, activities, and operations and such property, records, personnel, funds, and so forth, as are necessary to achieve the intent.

With respect to combatant functions, Secretary Lovett wrote to President Truman on November 18, 1952:

Another problem which will be referred to in more detail under the notes dealing with the Munitions Board, arises out of possible confusion in the act which provides that the three military departments shall be "separately administered," while at the same time providing that the Secretary of Defense shall be head of the Department of Defense which shall have within it the three military departments over which the Secretary of Defense shall have "direction, authority, and control." No great difficulties have been encountered because of this straddle, except in the field of supply, warehousing, and issue, where certain ardent separatists occasionally pop up with the suggestion that the Secretary of Defense play in his own back yard and not trespass on their separately administered preserves. I feel that the Secretary of Defense clearly has authority to step in where necessary in these fields, provided he does not transfer, reassign, abolish, or consolidate any of the "combatant functions assigned to the military services" by the act.

However, to avoid a waste of time in arguments, it would be well, I think, to have this clarified definitively and I believe that it could be simply done by following the procedure already favorably acted upon in the case of other executive agencies through adoption of the recommendation of the "Committee on Organization" looking toward correcting the present diffusion of authority and diffusion of responsibility in certain executive departments. Under reorganization plans previously submitted to the Congress by the President, all functions of all other offices of a department and all functions of all agencies and employees of a department are transferred to the Secretary of the Department with exceptions, if necessary. The application of this approved procedure to the three military departments or the Department of Defense could neatly cure such questions and I believe it should be considered.

It was the intent of Secretary Lovett and others that Reorganization Plan No. 6 of 1953 would clarify the Secretary's authority with respect to these matters. President Eisenhower's letter of April 30, 1953—House Document 136, 83d Congress, 1st session—states in part:

The first objective, toward which immediate actions already are being directed, is clarification of lines of authority within the Department of Defense so as to strengthen civilian responsibility.

I am convinced that the fundamental structure of our Department of Defense and its various component agencies as provided by the National Security Act, as amended, is sound. None of the changes I am proposing affects that basic structure, and this first objective can and will be attained without any legislative change.

With my full support, the Secretary of Defense must exercise over the Department of Defense the direction, authority, and control which are vested in him by the National Security Act. He should do so through the basic channels of responsibility and authority prescribed in that act—through the three civilian Secretaries of the Army, the Navy, and the Air Force, who are responsible to him for all aspects of the respective military departments (except for the legal responsibility of the Joint Chiefs of Staff to advise the President in military matters). No function in any part of the Department of Defense, or in any of its component agencies, should be performed independent of the direction, authority, and control of the Secretary of Defense. The Secretary is the accountable civilian head of the Department of Defense, and, under the law, my principal assistant in all matters relating to the Department. I want all to know that he has my full backing in that role.

I have noted that the Senate, in passing the amendment, omitted a section which would have required the President himself to have submitted to the Congress within 180 days a plan for the establishment of an efficient common supply service under a civilian managed agency for the Department of Defense.

To my mind the omission of a special section dealing exclusively with a presidential plan for supply does not weaken the general import of the bill. The President is still in a position to exercise his great influence in bringing about the necessary improvement in all of the supply and service activities under the amendment as passed by the Senate. He is the head of the executive branch and Commander in Chief of the Armed Forces and as Chairman GEORGE H. MAHON, of the Military Appropriation Subcommittee, stated on May 24, 1957:

We cannot get a dollar in value for a dollar spent with rivalry running riot.

The new weapons we are now perfecting and the weapons that are likely to be developed over the next decade will be fabulously expensive.

The country cannot afford to provide these new weapons and also support an outmoded military structure which promotes unwholesome interservice rivalry and duplication.

I may be oversimplifying the picture but it should be clear to all that the stakes are high and that the desperate struggle for power and position among the services is quite understandable, and real, and quite expensive and wasteful, I may add.

The vested interests of military personnel as reflected in our present departmental and military organization concepts must be set aside in the broader interests of all. But we must make it possible for our men in uniform to set aside their vested interests and be somewhat secure in their careers.

A part of the answer is a greater degree of unification instead of tension and disunity, something approaching a merger. People who do not think these tensions exist have not looked for months as some of us have into the faces of our military leaders who have earnestly pleaded for appropriations and discussed problems of defense.

President Eisenhower, for whom I have the profoundest respect, is the one man in our Nation who, by reason of position, prestige, experience, and ability, can step into this picture and bring order and effectiveness and a saving of tax dollars out of a situation which promises something approaching colossal waste and havoc generally.

I do believe that it is essential, however, that the President and the Secretary reach a common understanding with respect to this matter. On Wednesday, July 3, 1957, at the President's press conference he was asked the question: "Mr. President, would you care to give us your views on the proposal of Senator O'MAHONEY for a single agency for the

three services?" The President responded as follows:

Well, you are asking a question that, of course—on which there has been volumes, literally many volumes, written. I have always believed this, that there should be a very strong central official of the—in the Defense Department who could prevent duplication of effort, competition which drives up prices in the products of single factories or industries, and, in general, a very definite power within the Defense Secretary himself or his immediate subordinates to keep all procurement, distribution and supply, on a very efficient, economical basis. And, as long as we don't have that power in the Secretary of Defense, you are bound to have these duplications and these competitions that do run up prices to the public.

It is noted, however, in the Senate hearings on H. R. 7665 that Secretary of Defense Wilson is not in agreement with the President with respect to the need for unification nor does he believe as the President stated that the Secretary of Defense needs additional authority. For example, at page 16, Senate hearings on H. R. 7665, we have this discussion between Senator SALTONSTALL and Secretary Wilson:

Senator SALTONSTALL. You have all the authority then that you feel you should have or need as Secretary of the Defense Department?

Secretary WILSON. That is right, and in addition I understand our type of government. The President cannot do things without checking them with the Senate and the House and we all have to get into it together and know what is going on and be in reasonable agreement on it.

It is found that Secretary of the Army Brucker, who was previously General Counsel for Secretary Wilson, takes the same view as the discussion on page 128 of the Senate hearings bring forth.

It is also of concern to me that Secretary Wilson advised the Senate committee that he has not discussed the problem of unification with the President.

See the following excerpts from pages 56 and 57 of Senate hearings on H. R. 7665:

SAFEGUARDING NATIONAL SECURITY

Senator SYMINGTON. A statement was made some time back that—

"The national security is safeguarded only if the Security Establishment is trained and administered under a single direction by a single department."

Do you agree with that statement?

Secretary WILSON. Who made it?

Senator SYMINGTON. It was made in 1945 by the then General Eisenhower. Inasmuch as your opinion apparently has been changed at least somewhat on the Cordiner Committee report by him you properly call your "boss," I am wondering if you feel what you said this morning is in accordance with the way he felt at that time in 1945.

Secretary WILSON. I don't know what he thinks about it today. I have not talked to him about it. I know that there was a great deal of argument in the Congress when the Defense Department was set up. What I said this morning is my own personal analysis of it and belief. I see where nothing would be gained by giving the Chairman of the Joint Chiefs of Staff and the Secretary of Defense more power and authority and put it all in one great big organization. The pieces are already too big, in my opinion. And all the big businesses in my country have been struggling to decentralize and get away from the very thing that you are talkin about.

COMPARISON WITH GENERAL MOTORS

Senator SYMINGTON. You consistenly bring up the fact that, in effect, the Pentagon Building operation is comparable to the operation of General Motors. I know something about the organization of General Motors. I worked for it in supplying goods for many years. General Motors was and is a holding company that operates primarily for profit. A great many people get a bonus above their salary. This goes pretty far down the line, in each of the operating companies working under and for the holding company.

Based on my years in the Pentagon Building, the difference between that operation and the operation of the Pentagon was the difference between night and day. The people in the Defense Department do not have any profit motive. They operate on the basis of authority. Problems came up which, to my knowledge, were totally foreign to the operation of a business for profit.

UNIFICATION QUESTION

I was interested in your definite position on further unification or, rather, against further unification, because this committee, and the Congress are trying to give you the amount of money you think necessary to run the establishment, and at the same time not tax ourselves out of the free-enterprise system.

I will not read all the nine points that were made by General Eisenhower at that time.

Incidentally, the recent article appearing in the paper questioning the President only last week would seem to show that President Eisenhower feels the same way today that he did then.

I am sort of surprised that you never talked to him about it. Mr. Reston, of the Times, says in an article dated May 15:

"The President recalled this morning that he returned from World War II convinced that the day of the separate service was gone. He added that he encountered very fierce opposition then, that the law establishing the Defense Department did not meet with his desire. He wanted at that time a Chief of Staff for the President. He emphasized over and over again the main thing that was needed was the power of decision to settle inevitable differences among the services."

Then his last point that he made in his testimony before the Congress was this:

"Finally, there is no such thing as a separate land, sea, or air war. Therefore, we must recognize this fact by establishing a single Department of the Armed Forces to govern us all."

If there is a difference of opinion between the President and the Secretary of Defense with respect to the need for more unification in noncombatant areas or with respect to the authority of the Secretary of Defense to bring about needed unification in certain services in order to accomplish economy, efficiency, and effectiveness, the adoption of the second O'Mahoney amendment, which I fully endorse, should eliminate any doubt and confusion.

I have reviewed General Eisenhower's statements on the need for more unification in supply and service activities in 1945, 1946, 1947, 1949, while a candidate in 1952, and since he has been President. I cannot help but believe that his true position is that which he stated to the Woodrum committee on June 2, 1945, "efficiency must be obtained with maximum economy. This means expensive duplication must be ruthlessly eliminated."

GENERAL MARSHALL'S STATEMENT IN 1949

Mr. Speaker, I believe that General Marshall's prophetic statement before the House Armed Services Committee in 1949 requires some sober consideration on the need for further unification today. General Marshall stated that the day would come when the struggle for appropriations between the services would be very difficult to manage. He stated that "unity is absolutely mandatory, in my opinion, and it involves, of necessity, an approach to the subdivision of funds."

General Marshall realized that a continued heavy tax burden would eventually threaten our defense if unity were not secured and overlapping, duplication, and waste were not eliminated. General Marshall also stated in 1949, 8 years ago, "That, in a sense, is the view that I have always taken and which I hoped would have been smoothly worked out long ere this time."

General Marshall was, of course, correct in his statement that defense would be jeopardized by wasteful expenditures, and, as I pointed out in a letter to Secretary of Defense Wilson on October 24, 1955, large, excessive, and wasteful expenditures deprive our citizens of many other important services necessary for the general welfare such as schools, hospitals, roads, conservation of resources, and so forth, and also prevent tax cuts and reductions in the huge national debt.

Mr. Speaker, I commend Senators O'MAHONEY, DOUGLAS, and CARROLL for the amendment which passed the Senate on July 2, 1957. I sincerely hope that it will be given approval by the House and that the President and the Secretary of Defense and all his subordinates will enter into the spirit of the amendment and make it fully effective so that we shall not need to bring the matter up again next year and the next.

Inflation and Monetary Policy

EXTENSION OF REMARKS

OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1957

Mr. DINGELL. Mr. Speaker, financial difficulties have been brought to this Government by its own monetary policies twice during the last 4 years. In the most recent period, the Secretary of the Treasury has announced his resignation. Shortly thereafter he proudly presented to the Finance Committee of the Senate a report on the development of inflation and monetary policy during the last 4 years. The report does not hesitate to notice that the country is experiencing inflation. At the same time it stresses the comparatively slight increase in money supply, and the favorable balance between receipts and expenditures of the Federal Government in the last fiscal year and in the fiscal year now coming to a close. We are experiencing

inflation without an increase in the money supply, during the second of an anticipated 3 years of Federal budgetary surplus. But the monetary policy of the Treasury and the Federal Reserve Board is directed only at curbing the growth of the money supply and bringing a balanced Federal budget. The experience is that the policy does not stop inflation, nor bring success to efforts at financing the Government. However, that has not led the Secretary to declare misgivings about his policy.

In his report, the Secretary claims credit for a long-term increase in personal savings. Increased savings are described as a way to curb inflation. Yet inflation continues. Either the size or the significance of the increase has been magnified unduly. The Treasury apparently is unable to reach savings through bond issues at high rate of interest. Savings bonds sold and held have increased in total amount in the last 4 years, but not by as large an amount as during the previous 4 years. In May, an offering of notes and certificates in exchange for maturing securities resulted in 28 percent of the holders of the maturing securities preferring cash to new securities yielding 3½ and 3⅝ percent. The nominal guide in offering Treasury securities is the market rate of interest; but investors seem to be guided by other considerations. Under this administration the total debt has increased. Expenditures proposed by the administration are at new record levels for peacetime. Tax and expenditure policies have kept the Government dependent on borrowing, and its monetary policy has made borrowing more expensive and less successful.

In his report, the Secretary quotes with pride the estimate that $25 billion of spending power has been added by the 1954 tax reductions, and does not regard that is inflationary. However, it is said to be inflationary to make smaller additions to spending power through more housing loans at low rates, through more credit for new and small business, and through less costly credit for the school buildings, the highways, hospitals, and the other community improvements which are basic to the expansion of the Nation's economic productivity and to its advance in civilization.

The Secretary notices that increased costs of borrowing have added to the burdens of municipalities, individuals, and businesses, and says that (1) higher prices would have been more costly to them; (2) higher prices actually were more costly than higher interest rates; and (3) lots of people are investors and they are better off because of higher interest return. It is to be added that other investors who have sold bonds or other interest bearing investments have taken losses which offset the gain in interest income.

The policy of offering Federal securities at market rates of interest or higher; or adding to bank reserves and lending power only for brief, minor emergency periods; and of charging higher rates at the Federal Reserve banks for temporary borrowing of reserves, has not prevented increases in commodity prices. If higher interest rates had succeeded in stabilizing prices and costs, they might have proved economical. But they have not brought economy for the home buyer who must pay constantly higher prices for housing and then add 10 or 12 percent to the final total cost of his house because the interest rate on his mortgage has increased 1 percent. It has not brought economy to the local taxpayer who must pay for a higher priced school and also pay 10 or 12 percent more to meet a higher interest rate. It has not brought economy to the Federal taxpayer who has had to pay 30 percent higher prices for military goods, and then an additional billion dollars per year for interest on the debt. If present Federal interest rates of 3¼ to 3⅝ percent continue until all outstanding securities are replaced, the monetary policy of the administration will have added $3 or $4 billion per year to the Federal tax bill. And that cost will have to be borne over the many years, until the debt can be retired or converted into lower rate securities under another administration. The monetary policy has not brought savings. Higher prices and higher interest costs are not alternatives to each other. They accompany and reinforce each other.

The Secretary of the Treasury included in his report some computations to show that interest was not a large part of the cost of things produced and sold. Despite its small size, changes in that cost are the heart of the inflation-control policy of the administration and its Federal Reserve Board. Higher costs of borrowing have not prevented the growth of borrowing, business and municipalities and individuals being more in debt now than at any time in the past. Higher interest rates have changed the form and pattern of borrowing. It could be concluded from this change that the interest-rate policy restrains inflation, but I conclude that the policy has been harmful to production and strengthens the forces of inflation. The monetary policy has kept away from the banks the untried and currently weak competitors in business and municipalities and consumers. Potential borrowers are refused accommodation by banks and other lenders, or are offered loans at rates above those charged to established borrowers, with cost differentials that weaken their competition. The established and strong firms can get sufficient credit at preferential rates and have enough savings from profits to be able to pay or to bid higher prices for their supplies. The present monetary policy only makes it unnecessary for them to use the full extent of their power. The present monetary policy weeds out the financially weaker firms, rather than making the weeding out a result of competition for the consumers' patronage. Having failed to build competition through other means, the administration tries to avoid the full extent of the price increases which could result from that situation by making money unavailable to new competitors. The higher interest cost, therefore, brings a loss of business opportunity, higher prices, and lack of technical progress.

Higher interest costs stand in the way of technical progress. They lead to postponement of school construction because of local inability to meet the costs. Lack of school facilities impedes education, and this loss cannot be made up. Education is a continuous process, not amenable to crash programs such as for national defense. If more school buildings are going up than in earlier years, as Secretary Humphrey says is happening, that is no cause for complacency. The only proper standard is whether there are enough, not merely whether there are more than at some past time when the number being built was inadequate. Education is fundamental to technical advance. So also are other community facilities. Without them, communities cannot attract nor provide healthful living conditions for the employees of factories and mines and shops. And technical advance requires not merely research and knowledge, but also the application of knowledge through physical plant and equipment. Plant and equipment expenditures of corporations are at very high levels, but apparently corporations, like municipalities, have done some postponing, because investment has run below expectations. And most of the expansion has been planned only by the largest corporations.

The tight money policy has failed to curb inflation and in fact has contributed to it, for several reasons. First of all, it does not prevent an increase in bank loans to all businesses; it only leads the banks to dispose of Government bonds and lend the proceeds to business, and to big established firms, but not to small, new, or weaker firms. The movement of corporation funds into short-term Government securities—increasing by $4 billion or $5 billion in only a few years; and the funds tied up in credit to customers, have kept down corporate deposits in banks. The result is a limited growth in funds for lending, yet the total available has grown, and the total of loans has grown. The money supply as conventionally measured, currency plus bank deposits, has not increased, but the money available for spending has increased through bank lending. Trade credit has increased. Manufacturing corporations alone have extended about $3 billion additional trade credit to smaller corporations and individual businesses during the recent tight-money period. Monetary policy does not prevent an increase in credit; it changes the source of credit so that power becomes more concentrated in the large corporations. The financing of business activity becomes more subject to the will, and the liquidity, of large firms; and the banking system becomes relatively less important. If a widespread contraction of credit begins, the banks will not be in an immediate position to add the flexibility which will be needed.

The development of greater economic power where it already has been concentrated adds to inflation. Prices have not been going up throughout the economy; in textiles, farm products, and elsewhere, there have been declining prices. The push toward higher prices comes from those industries where strong unions bargain with strongly organized employing corporations. Higher wages lead at once to higher prices and profits; and a

tight money policy that intensifies concentration and the ability to raise prices makes further inflation inevitable.

The administration junked all the direct controls which are effective against inflation, and the Federal Reserve has not developed qualitative controls that would restrain credit extension where danger of inflation actually is to be found. We are left with an ineffective anti-inflation policy that leads to industrial weakness and to difficulties for programs at all levels of Government.

Address of Secretary of the Interior Fred A. Seaton, at Chautauqua Institution, Chautauqua, N. Y., July 8, 1957

EXTENSION OF REMARKS
OF
HON. DANIEL A. REED
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1957

Mr. REED. Mr. Speaker, under leave to extend heretofore granted to extend my remarks, and include extraneous matter, it affords me great pleasure to insert in the RECORD an address of the Secretary of the Interior, Hon. Fred A. Seaton, delivered before the 84th Annual Assembly of the Chautauqua Institution at Chautauqua, N. Y., on July 8, 1957.

This remarkable address should be read by every American because it bears out the injunction that where there is no vision the people perish. The importance of conservation to the future of this country is so great and so pressing that statesmanship requires a long look into the future.

Such a program as Secretary Seaton presents requires that all unnecessary expenditures of government should be reduced to the end that necessary expenditures such as he suggests may be met without creating an unbearable burden of taxation.

I am very proud to have had this fine address delivered by Secretary Seaton in my congressional district.

The address follows:

"There can be no greater issue than that of conservation in this country."

That was Theodore Roosevelt speaking in 1912.

At the outset let me make this emphatically clear: Conservation is still an issue of the first magnitude. It affects our lives, the lives of our children and grandchildren, the fate of freemen everywhere. It's a vital and a huge undertaking—so vital and so huge that it is the proper concern of all our people—and I do mean all.

It requires, of necessity, enormous Federal expenditures, totaling hundreds of millions of dollars every year.

It requires, of necessity, a galaxy of State and local works, public and private.

And it requires, of necessity, the widest possible public knowledge and understanding and support.

I am therefore delighted to join with you here. I applaud what Chautauqua is doing to widen public interest in, and support for, the wise management and use of our natural resources. This series is another magnificent accomplishment in a long line which, going back for more than 80 years, has brought Chautauqua its justly deserved fame.

Our responsibility in 1957 is unmistakable:

As was in the case with Alice in Through the Looking-Glass, we have to keep running just as hard as we can in order not to fall behind, if we are to have sufficient natural resources in the future.

Why is this so? One immediately apparent reason is the enormous growth in the American population. Only a few months ago we passed 170 million. By 1975 we shall number 221 million and probably more.

Really, though, the greatest reason is the inexorable appetite of our modern industry. Since 1900, our daily per capita use of water has nearly tripled. Since World War II our per capita electrical energy consumption has more than doubled.

Of all the oil and natural gas ever consumed in this country, half has been used since 1940. Of all the coal ever burned in this country, half has been burned since 1920. Year by year these consumptive totals go up and up.

As a nation, by 1975 we shall need about 453 billion gallons of water per day, nearly twice as much as we need now.

As a nation, by 1975 we shall need 321 million kilowatts of electrical generating capacity, nearly 3 times as much as we need now.

Have you ever turned the handle on a faucet and had nothing but a cough of air come out? That's a water shortage, right in your own home. Thousands and thousands of Americans have endured this experience in recent years.

Six to twelve months ago families in nearly 1,200 communities from coast to coast had experiences like that. Water use in those areas was curtailed, often to an alarming degree. The Southwest recently suffered under a severe drought of long duration. For a while, drinking water in Dallas sold for nearly three times the price of gasoline.

Today water is more plentiful. But can we be sure that our supply will continue to be adequate? Certainly not. Despite all our hopes, water shortages in certain areas will come again. And if we were so foolish as to lull ourselves into a false security, to stop our many water conservation efforts—like Alice, stop running—region after region throughout American would inevitably find itself short on water for baths, for lawns, for crops, for livestock, and for a host of industrial products from steel to plastics.

That's why the Corps of Army Engineers and the Bureau of Reclamation have to keep on building huge multiple-purpose dams, the scope of which is beyond the capability of non-Federal interests.

That's why, last year, in the biggest single piece of legislation ever enacted for such a purpose, the Congress of the United States authorized the upper Colorado project, a development which will bring water to 360,000 arid acres in the West.

That's why the Federal Government must continue to work in harness with municipalities, farmers, and local irrigation districts in protecting upstream watersheds and preventing devastating floods.

Such measures today are a matter of simple and incontrovertible necessity. Through them we capture an ever greater fraction of the water that falls from the skies and courses down our watersheds, from the Continental Divide to the oceans. Presently the 17 Western States put only 31 percent of their available fresh water to full beneficial use. The Eastern States use 12 percent.

As a people, we must continue in our determination to increase—unremittingly increase—these percentages. We can't afford this loss.

In the years ahead we must do even more. We must go to the sea itself and bring back from it fresh water to make life possible on the land.

Samuel Taylor Coleridge's Ancient Mariner saw plenty of water but not a drop to drink. Now scientists have long known how to make seawater drinkable. But the cost of the process has almost always prohibited its commercial application. As recently as 5 years ago, conversion cost $500 to $1,000 per acre-foot. But today, thanks largely to private research conducted under contract with the Department of the Interior, it is expected that this cost can be brought down to $200 an acre-foot, or 60 cents per thousand gallons, and even less in the near future.

In general, our expectation is this: In 5 to 15 years we shall have fresh water from the oceans at prices which some industries and municipalities can afford to pay.

Not all saline water is in the ocean, I remind you. There's lots of it under the soil of some of our Western States, brackish water which is now good for little or nothing. Someday farmers in these States will be pumping this water to the surface, running it through small household or cooperative conversion units, and then using it for at least limited agricultural purposes and for human consumption.

While we are looking ahead, let's consider another field, that of electric power. Great transformations are taking place here, too. And here again, teamwork—between the Federal Government, the States, local public interests, and private enterprise—is an absolute necessity if we are to win out.

We don't know, of course, how long our conventional sources of electricity will last. But they will certainly not be with us forever. New sites for hydroelectric power development are steadily decreasing in number and desirability. In the next 20 years falling water can provide only 8 percent of our new electric-generating capacity.

We have lots of coal. For many years it will be available for economical burning in electricity-producing steam plants. But the coal in our mines travels only one way, up. Every time we blast loose a ton, we reduce by that much a supply which is irreplaceable.

Yet our national need for power is steadily increasing; it will triple in 20 years.

What do these facts mean? Two things: First, if we are to keep on top of the rising demand, we are going to have to enlist every possible kind of cooperation. The Federal Government alone cannot, should not, and will not pay the nearly $100 billion for the new power-generating capacity we shall need within the next 20 years. Teamwork is the only answer.

Second, we must continue an unremitting search for new energy sources. Through teamwork with cooperatives, public power districts, and private industry, the Federal Government is doing just that in its nuclear power program.

On Labor Day of 1954 the President of the United States, out in Denver, closed a switch. Construction began on the United States first large-scale civilian atomic energy powerplant near Shippingport, Pa., outside Pittsburgh. By next Christmas the reactor in that plant should start to warm up. And early in 1958, commercial atomic electric power, from a generating capacity of 60,000 kilowatts, will go onto the transmission lines of the Duquesne Light Co., which will carry it to factories, homes, mines, and farms in and around Pittsburgh.

This is only the beginning. For example, right here in New York State, at Indian Point, just 60 miles north of Manhattan Island, a 275,000-kilowatt plant is being built. It is scheduled to be ready by 1960.

If these and 12 other projected plants are completed on time, by 1962 there should be about 1,300,000 kilowatts of nuclear generating capacity serving the cities and towns and rural areas of this country.

Now, I don't mean to exaggerate that figure: It represents less than 1 percent of our

estimated 1962 generating capacity. It does, however, provide a crystal-clear reflection of what the future will bring.

The cost of hydroelectric power and conventional steam power are continuing to go up—and that of atomic power is coming down. Although Shippingport electricity may initially cost 52 mills or more per kilowatt-hour, the Atomic Energy Commission estimates that by 1964 nuclear power costs will be down to 10 to 13 mills; by 1967 down to 9 to 11 mills; and by 1980 down to 6 to 7 mills. This generating cost is therefore expected gradually to compare favorably with that of conventional steam power generally ranging today from 4½ to 9 mills per kilowatt-hour.

America's commercial nuclear power industry and a child born yesterday may well grow to maturity together.

Nuclear power is almost competitive now with conventional steam power in much of Western Europe where coal is expensive or even lacking, oil is costly and its supply precarious, and hydroelectric sites are for the most part developed or nonexistent. So 6 European countries are now in the process of banding together to boost the Continent's production of nuclear energy; they hope for a generating capacity of 15 million kilowatts by 1967.

Here in America we are fortunate to have the time, because of our abundant coal and liquid and solid petroleum resources, to bring the costs down before we find it necessary to go into nuclear power on a large scale.

When we do, we shall have a virtually inexhaustible source of electrical energy. One pound of fissionable uranium, once we learn how to burn it completely, can produce as much heat as 2.7 million pounds of coal.

Every dollar that goes into our nuclear power program today is a dollar invested in a good life for our children tomorrow.

The good life is more than goods and services. It includes, of necessity, manifold opportunities for growth and fulfillment, in body, in mind, in heart, and in soul. Our children, and we ourselves, must know what it's like, again and again, to stand on a spot hallowed by history, to pass whole days on a lake or a stream, to set foot on wilderness trails, to view the world from a high mountain top.

Such experiences help set the spirit free.

The attainment of spiritual ends, however, often requires practical means. To assure the continuance of such opportunities we must act—now.

On our great scenic, wilderness, and historic areas, on our fish and wildlife resources, our immense national growth and way of life are having an unbelievable impact.

This state of affairs is not going to cure itself.

With more spare time and more and better highways, more and more people are coming to the national park areas. Thirty-three million came in 1950. In 1955 there were 51 million; in 1956, nearly 55 million. This year we may have 60 million visitors in the 181 areas of our national park system.

The meaning of this is unmistakable: Either we continue to be busy, now, to keep up with these demands, or we write off our national parks as we have known them. I'm happy to say the Eisenhower administration's response has been unhesitating and forceful; it bears the label of mission 66.

This is a $900 million, 10-year program scheduled for competion in 1966—the year of the golden anniversary of the National Park Service—when the number of national park visitors is expected to exceed 80 million.

There has been nothing like mission 66 in the 45 years since February of 1912, when President Taft sent a special message to the Congress earnestly recommending establishment of a Bureau of National Parks.

There is now before the Congress legislation, backed by the administration, to establish a National Outdoor Recreation Resources Review Commission. The establishment of such a commission will focus the thinking of many organizations—Federal, State, and local, public and private, on our recreational resources needs. It will enable us, all of us together, to plan ahead, to know clearly where we are going in the field of outdoor recreation.

Conservation decisions today have to be right. With every passing year, our growing population and our increasingly voracious technology shrink our time to plan and our room to err.

Yet the questions to be answered become more and more knotty.

Should we build a dam across a canyon and create a great artificial lake for flood control, water supply, irrigation, power, navigation, and fish and wildlife recreation, thereby perhaps impairing the natural beauties of the canyon?

Shall we provide for the permanent flow of water in the streams to preserve the fish and wildlife, at the possible expense of reducing water storage?

Should water once impounded be released for the manufacture of firm power or held back for the needs of irrigation?

What provision shall we make for public recreation around the reservoirs we build? Is that a Federal obligation, a State obligation, or a mixture of the two?

Should the reservoir be considered a national recreational area? Or is it a project which will be enjoyed mainly by residents of a relatively small area and which therefore should be paid for by the people who use it?

Each correct answer to such questions is a stone in the structure of America's future. If the structure is to endure, to stand strong and sure against the stresses and strains of the future, it can only rest on the bedrock of the enlightened cooperation and understanding and support of the entire American citizenry.

We have no choice but to so build it. Our hopes, and our children's hopes, for an ever-increasing economic abundance depend on the degree of our success. And so, in a large measure, does human freedom.

In a very real sense the United States is the bastion of the free world. Much of the physical strength of this mighty fortress is in its mines, its forests, its croplands, and its rushing rivers.

We, all of us in teamwork together, will not fail. We will pass on to our children and grandchildren something which they have every right to expect from us, a heritage unimpaired, and if possible even improved. Given this legacy, on this land but in their time they will be able to search out wider horizons than we have yet found, to discover new ways to better their lives, and to bear well their part in enlarging the scope of freedom and civilization and happiness around the globe.

SENATE

TUESDAY, JULY 9, 1957

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Father of mankind, to whom all souls are dear, at the altar of Thy grace we would turn from all pretense and prejudice to Thyself, where in Thy light alone the rampant confusions of today may be seen in their right perspective. In our search for truth, may we be willing to sit where others sit. To our fallible judgments may there come a wisdom not our own, as we give the best that is in us to master the tangled problems of human relationships that confront us in these overburdened times. Bestow, we pray, upon Thy servants in this body, the guardians of the sacred flame of a glorious heritage, the gifts of understanding, kindness, courtesy, and self-control.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Monday, July 8, 1957, was approved, and its reading was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a joint resolution (H. J. Res. 354) to authorize the designation of October 19, 1957, as National Olympic Day, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H. R. 1754. An act for the relief of Eleanor French Caldwell;

H. R. 4342. An act for the relief of Mrs. Thomas L. Davidson; and

H. J. Res. 316. Joint resolution for the relief of certain aliens.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 354) to authorize the designation of October 19, 1957, at National Olympic Day, was read twice by its title, and referred to the Committee on the Judiciary.

THE CIVIL-RIGHTS BILL

Mr. JOHNSON of Texas. Mr. President, the opening day of the debate on the motion made on yesterday by the distinguished minority leader, that the Senate proceed to consider the civil-rights bill (H. R. 6127), was a good omen for the future.

All of us are aware of the fact that many people throughout the country consider this issue to be a test of our democratic processes. Personally, I have complete confidence in the ability of the Senate to measure up to any reasonable test.

It is already apparent that there are important questions to be resolved—questions that at the present time are not fully understood by the country, and not even understood by the Senate. The Senate is not going to be stampeded into taking hasty action in advance of full understanding.

Feelings are very strong on this issue. There are sincere advocates on both sides. Obviously, both sides cannot be completely right, but they do have the complete right to present their viewpoints in full, so the Senate can work its will.

As far as I am concerned, the immediate objective is to insure fairness and thoroughness. So long as we are fair and thorough, I believe that ultimately we shall arrive at constructive achievement.

The majority had ample attendance on the floor yesterday throughout the entire debate, which ran until late in the afternoon. I hope and trust that as we proceed, the attendance of the Senate will increase, so that all Members of the Senate will be fully informed of the basic points that are being made.

Mr. SMITH of New Jersey. Mr. President, I wish to commend the Washington Post for a timely and well-reasoned editorial which appears in this morning's issue. I believe it has pointed up the fundamentally important aspects of the debate upon which the Senate is currently embarking. I fully concur in its statement that the issue ought to be thoroughly debated, and that—

> The Senate must satisfy itself not only that the measure has a worthy purpose but also that its specific provisions are well adapted to the accomplishment of this purpose.

There is one thing that this proposed legislation should stress, and that is the voting rights of every American citizen. As the Post's editorial stated:

> The important thing is not to force acceptance of the letter of the measure as it now stands, but, in the end, to pass a bill that will make the right to vote an actuality.

I feel confident that our southern colleagues will agree with us on this matter, and will be willing to join in such regulations as may be necessary. I sincerely hope that the Senate will not engage in a prolonged debate at the present time on the pending motion to consider H. R. 6127. There should be the fullest and most thorough debate of the bill, and I am anxious to hear the provisions of the bill debated and explored, and to participate in the debate. However, such debate should, logically, follow adoption of the motion to make the bill the pending business. I hope that the Senate will proceed in an orderly and reasonable way to consider this proposed legislation without making recourse to around-the-clock sessions necessary.

I commend the Washington Post editorial to all Senators for careful reading, and I ask unanimous consent that it be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post of July 9, 1957]

BIG DEBATE BEGINS

The Senate has begun what may become its most momentous filibuster. In proclaiming that they will fight the right-to-vote bill until they "fall in their tracks, if necessary," the southern Senators have laid down a challenge which the Senate as a whole must meet. The bill sailed through the House by a vote of 286 to 126. It seems to have the approval of an overwhelming majority of the American people. Every consideration of logic and democratic principle demands that at long last it be brought to a vote in the Senate.

Of course, the measure ought to be thoroughly debated, and this may require a couple of weeks. Despite the basic purpose of the bill, some of its provisions are controversial among legislators who thoroughly accept the principle behind it. The Senate must satisfy itself not only that the measure has a worthy purpose but also that its specific provisions are well adapted to the accomplishment of this purpose. Insofar as the debate is aimed at the elimination of defects and a tightening up of language, it should be welcomed.

At the outset, therefore, sponsors, of the bill would do well to clear up any misconceptions as to its meaning or intent. It has been repeatedly denounced as an instrument through which the Federal Government could enforce racial integration in the schools of the South. Undoubtedly this will be the focal point of the assault against it, although Attorney General Brownell has denied that it would have any bearing on the liquidation of segregation in the schools.

Senator WATKINS also has said that, in contributing to the drafting of the bill, the idea it might be used to enforce integration in the schools was farthest from his thought. The fact remains that one provision of the bill as it now stands can be reasonably interpreted as authorizing the Attorney General to bring suits for the enforcement of equal rights in the schools. If that was not the intention of its authors, the matter should certainly be clarified before several weeks of debate are wasted on mere semantics.

The Senators who are trying to avoid this inflammatory issue are not saying that the Supreme Court's ruling against segregation in the schools should not be enforced. Rather, they are saying that compliance with the High Court's ruling is being worked out by normal judicial processes and that that issue should not be injected unnecessarily into the new contest which centers in the right to vote. Something more than oral assurances will be needed, however, if the school issue is to be kept out of the controversy now before the Senate.

The debate may show that other changes in the bill are also desirable. The important thing is not to force acceptance of the letter of the measure as it now stands but, in the end, to pass a bill that will make the right to vote an actuality. To this end, we think the Senate should be prepared to hold night sessions, to remain in continuous session if necessary to break the filibuster and to modify its outmoded rule which requires 64 votes to limit debate.

The Senate ought to be mindful that the eyes of the world are upon it. Now that the showdown is at hand it cannot fail to meet this issue without gravely undercutting American prestige in all other countries. The spectacle of our Senate locked in futile combat for several months or indefinitely paralyzed in regard to so fundamental an issue as the right to vote would be a blow to the whole Free World. The debate should be conducted in the light of these potential repercussions and the issue should then be courageously faced with full understanding of the impact the Senate's action will have on the processes of government as well as on the rights of individual citizens.

MRS. GRACE GOODHUE COOLIDGE

Mr. AIKEN. Mr. President, it was with deep sorrow that the people of Vermont learned of the death of Mrs. Grace Goodhue Coolidge. Like her illustrious husband, the President, Mrs. Coolidge was a native Vermonter, and spent the early years of her life in her native State. She was an able exponent of Vermont womanhood. Her modest, homey character was typical of her State.

Her graciousness and tact as first lady of the land brought pride to the hearts of the people of her native State. After years in the White House in the bright glare of publicity, it bespoke the character of Mrs. Coolidge that she could come back to her native New England and resume the life of her earlier years unspoiled and unaffected by the honors, pomp, and ceremony which had been heaped upon her and her illustrious husband and fellow Vermonter, Calvin Coolidge.

Mr. President, Vermont mourns the passing of one of its most distinguished daughters.

Mr. SMITH of New Jersey. Mr. President, the morning newspapers reveal the passing of Mrs. Grace Goodhue Coolidge at her home in Northampton, Mass. I was not privileged to be counted among her close friends, but I wish to pay tribute to a gracious and charming woman.

As the Nation's First Lady from 1923 to 1929, she won the heart of the country with her wonderful friendliness and humaneness. Her lively wit and gracious bearing were beloved throughout America, and her deep interest in philanthropy assured her a warm reception wherever she went. The inherent nobility of her character was in marked contrast with the excesses of the "roaring twenties."

America was the beneficiary of the years she spent in Washington. Mrs. Smith and I extend our sincere sympathy to her son. We are proud to join in the well-deserved national tribute which Mrs. Coolidge has so richly inspired.

Mr. KENNEDY. Mr. President, I desire to associate myself with other Members of the Senate in expressing my sorrow at the death of Mrs. Coolidge. She was a distinguished citizen of my State, but she was particularly beloved in the city of Northampton, Mass.

I was a cosponsor with her of a drive to raise funds for the Clarke School for the Deaf, with which Mrs. Coolidge was intimately associated during much of her life. I visited the school with her last year, and saw something of the dedication and the affection which she put into this most important, humane, and significant work.

While she was noted throughout the country as the wife of a distinguished former President, in her own right, and particularly since the years of her husband's death, she had rendered magnificent service to a particular group of peo-

ple who were in great need of her services when her work began.

Mr. KNOWLAND. Mr. President, I wish to join with my other colleagues who have expressed their profound sorrow at the death of Grace Coolidge, the widow of the former President of the United States.

Calvin Coolidge, of course, as is known to all Americans, presided over this body when he was Vice President of the United States, and later occupied the high office of President. At that time Mrs. Coolidge was at his side, and was a very gracious hostess in the White House. She won for herself a place in the hearts of the American people during that entire period.

Mrs. Coolidge has lived a retired life since returning to her Vermont home. I know that citizens all over the United States, regardless of their partisan affiliations, will extend to her family their deepest sympathy at her passing.

Mr. JOHNSON of Texas. Mr. President, I wish to associate myself with the fine statement just made by the distinguished minority leader in connection with the passing of Mrs. Grace Coolidge, wife of the late President Calvin Coolidge.

Mrs. Coolidge graced the Executive Mansion with a calm dignity that earned for her the admiration of the country. She was admired everywhere for her conduct which was in the highest traditions of our history.

She has gone to join her husband and the heart of our country is with her grieving family. A lovely lady who played an important role on the national scene is no longer with us, but she will not soon be forgotten.

TRANSACTION OF ROUTINE BUSINESS

The VICE PRESIDENT. Under the unanimous-consent agreement of yesterday the transaction of routine morning business is now in order.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF PUBLIC UTILITIES COMMISSION OF THE DISTRICT OF COLUMBIA

A letter from the Chairman, Public Utilities Commission of the District of Columbia, Washington, D. C., transmitting, pursuant to law, a report of that Commission, for the year ended December 31, 1956 (with an accompanying report); to the Committee on the District of Columbia.

AUDIT REPORT ON FEDERAL HOME LOAN BANK BOARD

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal Home Loan Bank Board, for the fiscal years ended June 30, 1955 and 1956 (with an accompanying report); to the Committee on Government Operations.

AMENDMENT OF ALASKA PUBLIC WORKS ACT, RELATING TO CONVEYANCE OF CERTAIN FEDERALLY OWNED LAND

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the Alaska Public Works Act (63 Stat. 627, 48 U. S. C., sec. 486 et seq.) to clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works (with an accompany paper); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were presented and referred as indicated:

By Mr. LAUSCHE:

A resolution of the Senate of the State of Ohio; ordered to lie on the table:

"Senate Resolution 62

"A resolution extending congratulations to Mr. Alvin Silverman of the Cleveland Plain Dealer on his appointment as head of the Washington bureau of the Cleveland Plain Dealer

"Whereas Alvin Silverman, an able member of the Ohio Legislative Correspondents Association, has demonstrated outstanding ability over the years as sports writer, Columbus correspondent, political editor, and city editor. of the Cleveland Plain Dealer; and

"Whereas the members of the Ohio Senate take note that Mr. Silverman has been promoted to the position of head of the Washington bureau of the Cleveland Plain Dealer, a promotion which will allow Mr. Silverman much opportunity to add to his reputation as an astute political analyst; and

"Whereas the membership of the Ohio Senate is familiar with the forthright, accurate, and interesting reporting which has always characterized the work of Mr. Silverman, and feels that his promotion is richly deserved: Therefore be it

"*Resolved*, That the members of the Ohio Senate of the 102d general assembly adopt this resolution as an expression of congratulations to our friend, Mr. Alvin Silverman, on his promotion, and that we extend to him our best wishes in his new position as head of the Washington bureau of the Cleveland Plain Dealer; and be it further

"*Resolved*, That the clerk of the Ohio Senate transmit an authenticated copy of this resolution to Mr. Alvin Silverman and to the Cleveland Plain Dealer."

A resolution of the House of Representatives of the State of Ohio; ordered to lie on the table:

"House Resolution 115

"A resolution extending congratulations to Mr. Alvin Silverman of the Cleveland Plain Dealer on his appointment as head of the Washington bureau of the Cleveland Plain Dealer

"Whereas Alvin Silverman, an able member of the Ohio Legislative Correspondents Association, has demonstrated outstanding ability over the years as sports writer, Columbus correspondent, political editor, and city editor of the Cleveland Plain Dealer; and

"Whereas the members of the Ohio House of Representatives take note that Mr. Silverman has been promoted to the position of head of the Washington bureau of the Cleveland Plain Dealer, a promotion which will allow Mr. Silverman much opportunity to add to his reputation as an astute political analyst; and

"Whereas the membership of the Ohio House of Representatives is familiar with the forthright, accurate, and interesting reporting which has always characterized the work of Mr. Silverman, and feels that his promotion is richly deserved: Therefore be it

"*Resolved*, That the members of the house of representatives of the 102d general assembly adopt this resolution as an expression of congratulations to our friend, Mr. Alvin Silverman, on his promotion, and that we extend to him our best wishes in his new position as head of the Washington bureau of the Cleveland Plain Dealer; and be it further

"*Resolved*, That the clerk of the house of representatives transmit an authenticated copy of this resolution to Mr. Alvin Silverman and to the Cleveland Plain Dealer."

CONCURRENT RESOLUTION OF NEW HAMPSHIRE LEGISLATURE

Mr. COTTON. Mr. President, I have the honor to present, for appropriate reference, a concurrent resolution of the New Hampshire Legislature, with which I am in full sympathy, concerning the Status of Forces Treaty with other countries.

There being no objection, the concurrent resolution was referred to the Committee on Foreign Relations, and, under the rule, ordered to be printed in the RECORD, as follows:

Concurrent resolution concerning the Status of Forces Treaty

Whereas the members of our Armed Forces serving abroad in more than 50 countries, their civilian components and the dependents of each, are now subject in varying and confusing respects to the criminal jurisdiction of those countries by reason of the NATO Status of Forces Treaty, the administrative agreement with Japan, and executive agreements with other nations; and

Whereas these agreements in some instances penalize our servicemen for foreign service by depriving them of many of the rights granted by our Constitution, which they are sworn to defend; and

Whereas it is difficult for a serviceman accused of transgression in a foreign country to receive a fair and impartial trial because of the varying and confusing systems of jurisprudence which make it difficult and sometimes impossible for him to receive the protection of all the rights and guaranties of our Constitution, and further because of the prejudice and animosity sometimes existing against our men; and

Whereas legislation has been introduced in both the Senate and House of Representatives of the United States to direct the President to seek a modification of all such agreements: Now, therefore, be it

Resolved by the senate and house of representatives in general court convened, That we are deeply and gravely concerned by the possible deprivation of the basic constitutional rights of our servicemen by virtue of present arrangement and we urge the Congress of the United States to study this problem carefully and enact the legislation either now pending, or to be presented, to safeguard and secure the constitutional rights of our servicemen and their dependents while serving the United States in foreign countries: Now, therefore, be it further

Resolved, That the secretary of state be, and he hereby is, directed to send a duly certified copy of these resolutions to our Senators and Representatives in the United States Congress.

W. DOUGLAS SCAMMAN,
Speaker of the House of Representatives.
ERALSEY C. FERGUSON,
President of the Senate.

Passed July 1, 1957.
Attest:

HARRY E. JACKSON,
Secretary of State.

CHICAGO-ST. LAWRENCE SEAWAY CELEBRATION IN 1959—RESOLUTION

Mr. DOUGLAS. Mr. President, we in Chicago are planning to hold a St. Lawrence Seaway fair and celebration in

the year 1959, to commemorate the opening for traffic of that great sea thoroughfare and the role of the Great Lakes, and particularly Chicago, in this extraordinary new development.

I ask unanimous consent that a resolution adopted by the City Council of Chicago, supporting the fair and celebration, be printed at the conclusion of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas Chicago has long been the railroad center of the United States, the hub of its highway system and the world's busiest airport; and

Whereas, with the completion of the St. Lawrence Seaway scheduled for the spring of 1959, Chicago will take on added maritime preeminence as one of the great ports of the world; and

Whereas Chicago is fulfilling its destiny as the world's most exciting and magnificent city, and is on the threshold of momentous civic improvements encompassing every community to the benefit of every citizen; and

Whereas it is fitting and proper that in 1959 Chicago should hold a great year-around St. Lawrence Seaway celebration, a program of spectacular events including a World Trade Fair, symbolic of our ever-increasing importance as a center in world trade; festivals of the arts and sciences; a film festival; a "hemis-fair", to be participated in by the countries of the Americas, which would include Pan-American games if awarded Chicago; a carnival of the lakes, which would utilize our magnificent lake and lakefront for the presentation of spectacular water events; the institution of an annual harvest festival, which most appropriately should be held in Chicago, the food basket of the Nation; and dozens of other events which will reach into every neighborhood of our city: Now, therefore, be it

Resolved, That the mayor be authorized to appoint a citizens' commission representative of all Chicago to make plans, coordinate and supplement present plans, to recommend new facilities, to raise funds as needed from public and private sources, and to proceed with the conduct of a St. Lawrence Seaway celebration in 1959 which will, as did the Columbian Exposition and the A Century of Progress, bring to Chicago hundreds of thousands of visitors from all over the world and afford the opportunity for telling the true Chicago story.

RESOLUTIONS OF PAGE COUNTY, IOWA, BAR ASSOCIATION

Mr. HICKENLOOPER. Mr. President, the Bar Association of Page County, Iowa, met last week and adopted two resolutions. I ask unanimous consent that the resolutions be printed in the RECORD, together with the letter of transmittal sent by the Honorable Harold E. Davidson, judge of the 15th judicial district of Iowa.

There being no objection, the resolutions and letter were ordered to be printed in the RECORD, as follows:

DISTRICT COURT OF IOWA,
Clarinda, Iowa, July 2, 1957.

Hon. B. B. HICKENLOOPER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: The Page County Bar Association last week held a very interesting and spirited meeting and much was said about the apparent usurpation of powers by the Supreme Court of the United States that are not delegated to the Court by virtue of the Constitution and the statutes of this country.

As a result of this meeting and discussion, two resolutions were adopted and I am enclosing herewith for your information and such other use as you care to make of them the two resolutions.

One of them involves the Girard case and the other the Jenks case. Of course, you are familiar with these cases and it occurred to us perhaps an expression or resolution from our association would be of some value to you. I may say this was passed unanimously by about 23 lawyers without a dissenting vote in either instance and some very sharp and critical remarks were made.

I personally think, although this was not discussed at the meeting, that a statute limiting the Supreme Court in its jurisdiction and preventing the Supreme Court by statute from usurping powers that are reserved to the States and have not been delegated to the Federal Government would be a good safeguard against such cases as the Nelson case in Pennsylvania and the recent case in Ohio where the Supreme Court reversed the supreme court of both States because they said the Smith Act controlled and that the States were without authority to legislate or judicially determine such cases. Congress never intended the Court to indulge in such usurpation of power and a specific statute no doubt would be very helpful.

Always with personal regards, I am,

Sincerely yours,

HAROLD E. DAVIDSON.

RESOLUTION OF THE PAGE COUNTY, IOWA, BAR ASSOCIATION UNANIMOUSLY PASSED AND ADOPTED AT THE ANNUAL MEETING OF SAID ASSOCIATION HELD AT SHENANDOAH, IOWA, ON JUNE 27, 1957

Whereas it has been brought to the attention of our association that a Supreme Court decision in the case of the *United States* v. *Jencks* in substance held that the defendant was entitled to investigate and have supplied prior to trial all the files of the Federal Bureau of Investigation pertaining to the defendant; and

Whereas it would appear to this association that such a decision places a burden upon the prosecution in cases of this kind far beyond that required by the Constitution or the statutes of the United States, is unreasonable, arbitrary, and provides an unwarranted avenue of escape for Communists and all traitors as well as all other violators of Federal laws; and

Whereas it would also appear that the citizenry of the United States should be protected against the invasion of such foreign ideologies and criminal conduct by not permitting the sources of the material resulting from investigation to be kept inviolate by the Federal Bureau of Investigation for such honorable use and benefit as may reresult therefrom and that if what appears to be the holding of the Supreme Court of the United States in the Jencks case is to be followed in the future, it will have a strong tendency, if not actually, to contribute to the elements desiring to destroy the security, safety, and sovereignty of our country: Therefore be it

Resolved by our association in meeting assembled, That the Member of Congress from this Congressional district, HON. BEN F. JENSEN, and the United States Senators from Iowa, Hon. BOURKE B. HICKENLOOPER and Hon. THOMAS E. MARTIN, be forwarded a copy of this resolution to the end that legislation be introduced in both of the Houses of the Congress of the United States for the purpose of passing a statute to nullify the dire, disastrous results that may come from this Jencks opinion and we commend to these legislators their wholehearted support of any such legislation.

HAROLD E. DAVIDSON,
Chairman of Resolutions Committee.
EARL C. FISHBAUGH, Jr.,
KENT H. THORNELL,
Members of Said Committee.

RESOLUTION OF THE PAGE COUNTY, IOWA, BAR ASSOCIATION UNANIMOUSLY PASSED AND ADOPTED AT THE ANNUAL MEETING OF SAID ASSOCIATION HELD AT SHENANDOAH, IOWA, ON JUNE 27, 1957

Whereas William Girard, a member of the Armed Forces of the United States, while serving in Japan is charged with criminal conduct while on duty on a United States military post with said United States forces; and

Whereas by executive agreement with the Japanese Government it is apparent that said Japanese Government has thereby been given authority to try the said Girard for such offense under the laws of Japan and without consideration to the Constitution or other statutory laws of the United States; and

Whereas said bar association, having a high regard for the provisions of the Constitution of the United States and believing it to be the supreme law of this land and having been adopted by all of the States and, among other things, for the protection of American citizens regardless of their location and particularly when serving officially on behalf of this country; and

Whereas it now appears that the said William Girard is being deprived of what would appear as reasonably to be his constitutional right by being turned over by some executive agreement to a foreign land to be prosecuted under the laws of said foreign land and in a foreign court; and

Whereas Hon. Joseph C. McGarraghy, judge of the United States District Court for the District of Columbia, has recently held that such prosecution, if permitted by the United States Government to be held in Japanese courts under Japanese law, would be a violation of the constitutional rights of the said William Girard: It is therefore

Resolved by this association in meeting assembled, That the said Judge Joseph McGarraghy of the Federal district court should be and he is hereby commended for his forthright and correct decision in concluding that the constitutional rights of said William Girard as defendant are or will be violated, if such prosecution as apparently has been authorized should be permitted; it is further

Resolved, That a copy of this resolution be sent to Hon. Joseph McGarraghy as a reminder to him that some of the lawyers in the Midwest, and all of the lawyers belonging to this association, thoroughly approve of and acquiesce in what appears to us to be a profound decision and, too, if it does, to encourage him to continue the upholding of the constitutional rights of our citizens and of the rights of our citizens as distinguished from Federal control.

HAROLD E. DAVIDSON,
Chairman of Resolutions Committee.
EARL C. FISHBAUGH, Jr.,
KENT H. THORNELL,
Members of Resolutions Committee.

RESOLUTION OF EXECUTIVE COMMITTEE, NATIONAL CATHOLIC RURAL LIFE CONFERENCE, DES MOINES, IOWA

Mr. HUMPHREY. Mr. President, I have just received a copy of a policy resolution issued by the executive committee of the national Catholic rural life conference. The conference's distinguished executive director is Rt. Rev. Msgr. Liugi Ligutti.

I ask unanimous consent that the resolution be printed in the RECORD, and appropriately referred.

I note in particular that this resolution deals with the problem of agriculture and family-sized farms; also with

the administration of Public Law 480, concerning the use of our food and fiber, which is in such abundance in this country.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

RESOLUTIONS OF POLICY, EXECUTIVE COMMITTEE MEETING, NATIONAL CATHOLIC RURAL LIFE CONFERENCE, JUNE 25–26, 1957, DES MOINES, IOWA

The past two decades have been years of unprecedented prosperity in our Nation. During these years the farmer has discovered that economic security alone will not bring him peace of mind nor happiness. Now, more than ever before, he realizes that he must integrate his faith with his daily life and must reevaluate those cultural and social advantages which rural living makes possible. The National Catholic Rural Life Conference, in collaboration with rural pastors throughout the land, must teach, guide, and encourage the farmer in this tremendous task.

THE FARMER IN A CHANGING AGRICULTURE

We recognize and appreciate the fact that new techniques and equipment enable the American farmer to produce an abundance of food and fiber for all of us. We are concerned, however, about the impact this new technology is having on the farmer and his family. The cost of land and equipment is so great that an ever-increasing proportion of farmers are unable to own the land and tools they use. The complicated skills and specialized methods of modern agriculture are such that thousands of farmers will eventually seek employment or managerial services from a relatively few corporations and individuals.

In order to preserve as many of the traditions and ideals of farming as possible, we make the following recommendations:

1. We must teach in home, church, and school those virtues of thrift, diligence, prudence, and cooperation which are the safeguards of independent family farming.

2. We shall challenge and reject bigness of operation in those instances in which smaller units are equally economic.

3. We shall urge a continuous reexamination of the notion of efficiency, demanding that the effects of a particular technique upon religion, morality, health, and culture be kept in mind.

4. We shall not turn to large corporations nor to government for equipment or technical assistance which could be had through cooperation with relatives or neighbors.

NONAGRICULTURAL USES OF LAND

During the last 15 years many millions of acres of our most fertile lands have been converted to nonagricultural uses. These withdrawals are continuing at an increased rate. Within another 15 years, a total of 100 million acres once in cultivation will have been converted to nonagricultural uses.

Highways and developments accompanying them are fast becoming the principal users of agricultural lands, absorbing approximately 2 million acres per year. It is extremely important that the major portion of the land suitable for cultivation be protected and conserved for agricultural uses. Once covered with concrete or asphalt, these lands probably will never again be used to produce food and fiber. Moreover, land taken out of agricultural use causes a change in the hydrological pattern and increases runoff and flood hazards.

With the equipment now available for earth moving, we can afford to develop roads on poor lands and save the best lands for present and future agricultural uses.

Farmers and other local people alone cannot solve this problem. There is a State and national responsibility for wise use of land resources. A basic coordinated State and national policy is needed to properly allocate the amount and kinds of land to be used for highways and accompanying developments.

FOOD DISTRIBUTION

We urge a thorough reexamination of the food distribution system from producer to ultimate consumer. We believe that many of the intervening steps in processing, packaging, advertising, and transportation are neither essential nor useful, and often they are actually contributing factors to increasing prices and lowering nutritive values.

We commend the Congressional investigation efforts along this line, and we hope that demand will be regulated by sound and sensible knowledge of food values rather than by fancy packaging and imaginary values or false descriptions. We would like to see dietary specialists, home economists, and home economics teachers wage a campaign toward the formation of traditions and viewpoints in this regard. We believe that diet deficiencies and often, malnutrition are due in great measure to a poor understanding of what constitutes food values. This is not, indeed, offered as a solution to the surplus food problem, but it would contribute in part to the consumption of more and better food at a lower cost.

Another current problem and opportunity which deserves continued attention is the discovery of new agricultural products and of new and expanded uses of traditional crops. The recent report of the President's Commission on Increased Industrial Use of Agricultural Products indicates many promising avenues for research and development. The results already apparent of this Commission's work are most gratifying.

EMERGENCY PUBLIC HEALTH TRAINING ACT OF 1957—LETTER

Mr. HUMPHREY. Mr. President, recently I introduced Senate bill 2304, the Emergency Public Health Training Act of 1957. I have just received a letter from the president of the University of Minnesota, Dr. J. L. Morrill, endorsing legislation of this kind.

I ask unanimous consent that Dr. Morrill's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNIVERSITY OF MINNESOTA,
Minneapolis, July 1, 1957.

Hon. HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR HUMPHREY: My attention has been drawn to the bill recently introduced by you for aid to schools of public health as well as to a bill introduced in the House of Congressman RHODES (H. R. 6771), designed to accomplish the same purpose, though differing somewhat as to formula for allocation of funds.

The University of Minnesota is one of four State-supported universities accredited by the American Public Health Association for its graduate program in public health. During the academic year just completed, the school will have provided postgraduate professional training for 155 students in the general field of public health and 212 graduate nurses being given basic training for public health nursing responsibilities. Sixty-seven percent of the former and 50 percent of the latter were not residents of Minnesota, coming from 34 States and 19 foreign countries. Most of the foreign students were sent to the university by Federal agencies engaged in international work.

The University of Minnesota has wished to do everything possible to make its facilities available for this type of training but patently there must be a limit beyond which we cannot continue to expect the people of Minnesota, through legislative appropriations, to provide for the training of students from other States. The university is anxious to continue to meet the growing need for training of this character but feels that it must have some assistance beyond State appropriations if it is to continue to train and serve the increasing number of public health students from outside of the State.

I sincerely believe that Federal assistance is a logical means of distributing this financial burden for the training of persons for public service throughout the Nation. I earnestly hope that favorable consideration will be given to H. R. 6771 to this end. Dr. Harold S. Diehl, dean of medical sciences, and Dr. Gaylord W. Anderson, director of the School of Public Health, join me in urging your support of this legislation.

Sincerely,

J. L. MORRILL, *President.*

LETTERS FROM MINNESOTA AFL–CIO FEDERATION OF LABOR

Mr. HUMPHREY. Mr. President, I have just received two letters from the President of the Minnesota AFL–CIO Federation of Labor. Both deal with the difficult and complicated problems of Federal-State relations and the consequences of competition for standards among the 48 States.

The first letter deals with the fields of unemployment compensation and workmen's compensation. The second deals with the serious situation arising from jurisdictional declination of the NLRB over certain areas clearly conveyed by the legislative intent of Congress.

I ask unanimous consent that the two letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MINNESOTA AFL–CIO
FEDERATION OF LABOR,
St. Paul, Minn., July 3, 1957.

The Honorable HUBERT H. HUMPHREY,
The United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: The National Labor Relations Board has had a policy of declining jurisdiction in cases affecting interstate commerce unless the case meets the so-called jurisdictional standard of the NLRB. This has resulted in the peculiar situation where Congress has passed a law which was supposedly designed to cover representation cases and unfair labor practice cases affecting commerce, but the agency established to administer this law has declined to apply it unless jurisdictional standards higher than those established by the Congress obtain.

As a result, there has arisen the question of whether the State law will apply in cases where there is a question affecting interstate commerce, but the jurisdictional standards of the NLRB are not met, and the NLRB, therefore, refuses to act. In three recent cases, the United States Supreme Court has held that the State law does not apply (*Guss* v. *Utah Labor Relations Board* (32 Labor Cases 70,563); *Meat Cutters Local 427* v. *Fairlawn Meats, Inc.* (32 Labor Cases 70,564); *San Diego Building Trades Council* v. *Garmon* (32 Labor Cases 70,565)).

As a result, there is now a so-called no-man's land in this particular area. We have no doubt that many will urge that the remedy in this case is to cede to the States more and more jurisdiction, and that the States should enter into this vacuum which has been created. In our view, this is not the answer. It seems to us that only the Federal agency can administer national labor policy

and that where Congress has passed a law which is designed to establish national policy with respect to representation cases and unfair labor practice cases affecting interstate commerce, that there should be one agency administering that policy, and that the agency should administer the policy in accordance with the full coverage of the law as enacted by Congress.

It is, indeed strange that an agency can lessen its responsibilities by refusing jurisdiction over areas clearly covered by the legislative intent of the statute. We have always thought that Congress was the legislative body, and that the administrative agency was to apply the law as enacted by the Congress. Here, we have the peculiar result where the administrative agency is disregarding the standard established by Congress of matters "affecting commerce," and has set up entirely arbitrary administrative definitions, for the most part based on dollar volume of sales or purchases.

It would be our hope that the Congress would insure that the administrative agency would apply the law so as to eliminate the vacuum created by the administrative agency's own actions. If the agency needs more personnel to accomplish the task, then that request should be made of the Congress, and sufficient appropriations provided.

We sincerely hope that this will be the answer to the Congress to this "no-man's land" problem, and that the Congress will not, instead, decide to let 48 States set 48 policies with respect to labor relations affecting interstate commerce.

Very truly yours,

R. A. OLSON, *President.*

MINNESOTA AFL–CIO,
FEDERATION OF LABOR,
St. Paul, Minn., July 2, 1957.

Hon. HUBERT H. HUMPHREY,
The United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: The Minnesota State Legislature recently adjourned from its 1957 session.

The legislature made certain modest increases with respect to the unemployment compensation and workmen's compensation laws. The maximum weekly benefit under the unemployment compensation laws was increased from $33 to $38 per week; under the workmen's compensation law, the statutory maximum was increased from $40 to $45.

Keeping in mind that average weekly earnings in manufacturing are now approximately $84 per week, and in construction, approximately $120 per week, the statutory maximums in each of these laws is failing to keep in step with the purpose of the legislation, which in the case of workmen's compensation is that the injured worker should receive approximately 66⅔ percent of his weekly earnings, and in the case of unemployment compensation, that the unemployed person should receive about 50 percent of his regular earnings.

Many States, of course, are substantially behind Minnesota, which always makes our job much more difficult when we seek improvement. It is my conviction that the Federal Government should set minimum standards in each of these fields requiring the States to observe such standards. On unemployment compensation, for example, such minimum standards should embrace coverage, benefits, eligibility, and disqualifications.

On the basis of past performance, it appears that leaving these matters to the 48 States is not productive of legislation which will sufficiently protect the rights of employees. Provision for minimum standards will, however, permit those States which desire to do better than the minimum standards, to take such desired action.

We solicit your support for the introduction and passage of such legislation.

Very truly yours,

R. A. OLSON, *President.*

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 7522. An act to authorize the extension of certain rights to remove timber from lands acquired by the United States (Rept. No. 598).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with amendments:

H. R. 5341. An act for the relief of John J. Farrelly (Rept. No. 599).

EXTENSION OF SMALL BUSINESS ADMINISTRATION

Mr. CLARK. Mr. President, from the Committee on Banking and Currency, I report an original bill to extend the Small Business Administration for 1 year until July 31, 1958, and which would increase the authorization for business loans by $75 million—raising this fund from $230 million to $305 million, and I submit a report (No. 597) thereon.

Although the committee had extensive hearings on numerous bills concerned with changes in the programs of the Small Business Administration and with proposals to supplement existing sources of long-term credit and equity capital for small businesses the committee determined that it had insufficient time to consider thoroughly these proposals before the scheduled expiration date of the Small Business Administration on July 31 of this year.

That was done, of course, because of the business pending before the Senate, which would make it difficult, if not, indeed, impossible, to have a comprehensive bill discussed and adopted in the Senate before the Small Business Administration Act expired.

For this reason, the committee determined to take an emergency action and extend the agency for 1 year, with the understanding that the many other proposals on this subject now pending before the committee will be acted upon in the second session of this Congress.

I personally regret that it was necessary for the committee to forgo full consideration of the matter at this time. I feel that many of the proposals pending before the committee warrant favorable action by the Congress, and I am hopeful that such action will occur early in 1958.

Mr. President, I ask unanimous consent that following my remarks there be printed in the RECORD a letter on this subject dated July 8, 1957, addressed to Chairman FULBRIGHT, of the Banking and Currency Committee, by Chairman SPENCE, of the House Banking and Currency Committee.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON BANKING AND CURRENCY,
Washington, July 8, 1957.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Banking and Currency, United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: I am informed that the Senate Banking and Currency Committee has agreed to extend the Small Business Act for 1 year and to grant a corresponding increase in its business loan authority, and that this action was taken in the form of an amendment striking out all after the enacting clause of H. R. 7963.

This, of course, has the effect of killing the provisions of H. R. 7963, which was carefully worked out after extensive hearings by the House Banking and Currency Committee, and the House Small Business Subcommittee No. 2, and which passed the House by a vote of 392 to 2. Under the circumstances, I could not agree to accept the Senate amendment to the bill, and would have to ask for a conference with the Senate, and I would expect the House conferees to make a vigorous effort to preserve the provisions of the House bill.

I wonder if it would be possible for your committee to report a separate extension resolution, rather than amending H. R. 7963, thereby leaving H. R. 7963 before your committee for further consideration. I assure you that if the Senate passes such a resolution and sends it to the House, I will make every effort to obtain agreement to the resolution.

With kind regards, I am,

Very sincerely,

BRENT SPENCE.

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar.

The bill (S. 2504) to amend and extend the Small Business Act of 1953, as amended, reported by Mr. CLARK, from the Committee on Banking and Currency, was read twice by its title and placed on the calendar.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Banking and Currency:

Frank A. Southard, Jr., of New York, to be United States Executive Director of the International Monetary Fund;

Erle Cocke, Sr., of Georgia, to be a member of the Board of Directors of the Federal Deposit Insurance Corporation, vice Maple T. Harl; and

Edward N. Gadsby, of Massachusetts, to be a member of the Securities and Exchange Commission, vice J. Sinclair Armstrong.

By Mr. GREEN, from the Committee on Foreign Relations:

Cecil Wayne Gray, of Tennessee, and sundry other persons for promotion in the Foreign Service; and

Leland C. Altaffer, of Ohio, and sundry other persons for promotion in the Foreign Service.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by

unanimous consent, the second time, and referred as follows:

By Mr. SMITH of New Jersey:

S. 2497. A bill for the relief of Mrs. Hildegard Porkert;

S. 2498. A bill for the relief of Matthew M. Epstein; and

S. 2499. A bill for the relief of Ilona Agnes Ronay; to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina (by request):

S. 2500. A bill to make uniform the termination date for the use of official franks by former Members of Congress, and for other purposes; and

S. 2501. A bill to authorize the establishment of 88 positions for specially qualified scientific and professional personnel in the Department of Commerce at rates of compensation not to exceed the maximum rate payable under Public Law 313, 80th Congress, as amended, and Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

By Mr. LANGER:

S. 2502. A bill to provide for the establishment of the Geographic Center of the North American Continent National Monument; to the Committee on Interior and Insular Affairs.

S. 2503. A bill for the relief of Maria H. Aguas and Buena M. Castro; to the Committee on the Judiciary.

By Mr. CLARK:

S. 2504. A bill to amend and extend the Small Business Act of 1953, as amended; placed on the calendar.

(See the remarks of Mr. CLARK when he reported the above bill, which appear under the heading "Reports of Committees.")

By Mr. KENNEDY (by request):

S. 2505. A bill to provide graduate fellowships for certain veterans for study, leading to a career in teaching; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. KENNEDY when he introduced the above bill, which appear under a separate heading.)

By Mr. TALMADGE (for himself and Mr. RUSSELL):

S. 2506. A bill to amend title II of the Social Security Act so as to permit the State of Georgia to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Finance.

By Mr. DOUGLAS:

S. 2507. A bill to permit articles imported from foreign countries for the purpose of exhibition at the St. Lawrence Seaway celebration, to be held at Chicago, Ill., to be admitted without payment of tariff, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. DOUGLAS when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 2508. A bill to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. WATKINS:

S. 2509. A bill for the relief of Egriselda Toba de Quijada; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 2510. A bill for the relief of Dr. Brant Bonner; to the Committee on the Judiciary.

S. J. Res. 119. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the St. Lawrence Seaway celebration to be held in Chicago, Ill., from January 1, 1959, to December 31, 1959; to the Committee on the Judiciary.

(See the remarks of Mr. DOUGLAS when he introduced the above joint resolution, which appear under a separate heading.)

PROPOSED VETERANS' FELLOWSHIPS IN EDUCATION ACT OF 1957

Mr. KENNEDY. Mr. President, by request, I introduce, for appropriate reference, a bill which would offer an immediate remedy for one of the most urgent aspects of the teacher shortage in the United States. The bill proposes to utilize the reservoir of talent in our Armed Forces by retraining military personnel upon retirement to teach in public and nonprofit schools.

We are all aware of the tremendous need for teaching talent. In many States youngsters are going to school in shifts, getting only half-time education, or doubling up in classrooms. Sometimes this is caused by the lack of schoolrooms, but, just as importantly, it is caused by a shortage of qualified teachers. Education experts tell us that the shortage will grow worse, not better, in the next few years. Already there are an estimated 80,000 teachers with inadequate qualifications teaching on temporary permits.

Men who have served in the Armed Forces have benefited from training and education of the highest standards, particularly in the scientific fields—the very field of education in which the teacher shortage is most severe. They have been educated at great Federal expense. Yet upon retirement, many at quite an early age, their talent is either allowed to go unused or is snapped up by private industry.

This bill would encourage these persons to go into the teaching field by offering fellowships, providing not more than 11 months of study. The veteran, who must be under 59 years of age and have served at least 10 years, would receive $100 a month for subsistence, plus tuition expenses, with the total not to exceed $2,000. In return he would be obligated to teach for at least 3 years in a nonprofit school or college after completing the study provided by the fellowship.

A great many of our military men and women already hold college degrees and graduate degrees, or experience and military training equal to or greater than graduate study. All they need to convert their knowledge to the teaching profession is a teacher-training course. With such a combination, they would be able to offer not only the same qualifications a college graduate with a teaching degree can, but the age and wisdom which the young graduate cannot.

Not only would this program provide a number of teachers concentrated in the scientific and technical fields where the need is greatest, but it would increase the number of male teachers available.

Many of these retired military personnel would be willing to accept teaching jobs where others turn them down because of low salary. For in addition to their salaries as teachers they would still be receiving retirement benefits and thus could afford to remain in the teaching profession.

The cost to the Federal Government would not be great. The bill provides an appropriation of $17,500,000 to finance the fellowship program. But the benefits to our educational system could be immense.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2505) to provide graduate fellowships for certain veterans for study, leading to a career in teaching, introduced by Mr. KENNEDY, by request, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

THE ST. LAWRENCE SEAWAY CELEBRATION, 1959

Mr. DOUGLAS. Mr. President, I introduce, for appropriate reference, a bill and a joint resolution dealing with certain matters connected with the St. Lawrence Seaway celebration, to be held at Chicago, Ill., in 1959. I ask unanimous consent that the bill and joint resolution may be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. The bill and joint resolution will be received and appropriately referred; and, without objection, the bill and joint resolution will be printed in the RECORD.

The bill and joint resolution, introduced by Mr. DOUGLAS, were received, read twice by their titles, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Finance:

S. 2507. A bill to permit articles imported from foreign countries for the purpose of exhibition at the St. Lawrence Seaway celebration, to be held at Chicago, Ill., to be admitted without payment of tariff, and for other purposes:

"Be it enacted, etc., That any article which is imported from a foreign country for the purpose of exhibition at the St. Lawrence Seaway celebration (hereinafter in this act referred to as the celebration) to be held at Chicago, Ill., from January 1, 1959, to December 31, 1959, inclusive, by the St. Lawrence Seaway Celebration Commission, Inc., a corporation, or for use in constructing, installing, or maintaining foreign exhibits at the celebration, upon which article there is a tariff or customs duty, shall be admitted without payment of such tariff or customs duty or any fees or charges under such regulations as the Secretary of the Treasury shall prescribe.

"SEC. 2. It shall be lawful at any time during or within 3 months after the close of the celebration to sell within the area of the celebration any articles provided for in this act, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe. All such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles

which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry under this Act for consumption or entry under the general tariff law.

"SEC. 3. Imported articles provided for in this act shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States.

"SEC. 4. At any time during or within 3 months after the close of the celebration, any article entered under this act may be abandoned to the United States or destroyed under customs supervision, whereupon any duties on such articles shall be remitted.

"SEC. 5. Articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the celebration, under such regulations as the Secretary of the Treasury shall prescribe.

"SEC. 6. The St. Lawrence Seaway Celebration, Inc., shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under this act. The actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under this act, shall be reimbursed by the St. Lawrence Seaway Celebration, Inc., to the United States, under regulations to be prescribed by the Secretary of the Treasury. Receipts from such reimbursement shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524 of the Tariff Act of 1930, as amended (19 U. S. C. 1524)."

To the Committee on the Judiciary:

S. J. Res. 119. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the St. Lawrence Seaway celebration to be held in Chicago, Ill., from January 1, 1959, to December 31, 1959:

"Senate Joint Resolution 119

"*Resolved, etc.*, That the President of the United States is authorized by proclamation or in such other manner as he may deem proper, to invite the States of the Union and foreign countries to participate in the St. Lawrence Seaway celebration, to be held in Chicago, Ill., from January 1 to December 31, 1959, inclusive, for the purpose of promoting foreign and domestic commerce and of fostering good will among nations."

AMENDMENT OF CIVIL AERONAUTICS ACT OF 1938, AS AMENDED, RELATING TO CIVIL PENALTIES IN CERTAIN CASES

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions. I ask unanimous consent that a letter from the Chairman of the Civil Aeronautics Board, requesting the proposed legislation, together with a statement of its purpose and need, may be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter and statement will be printed in the RECORD.

The bill (S. 2508) to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions, introduced by Mr. MAGNUSON (by request), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter and statement presented by Mr. MAGNUSON are as follows:

CIVIL AERONAUTICS BOARD,
Washington, June 28, 1957.

Hon. RICHARD NIXON,
President of the Senate, United States Senate, Washington, D. C.

DEAR MR. PRESIDENT: The Civil Aeronautics Board recommends to the Congress for its consideration the enclosed draft of a proposed bill: "To amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions."

The Board has been advised by the Bureau of the Budget that there is no objection to the presentation of the draft bill to the Congress for its consideration.

Sincerely yours,

JAMES R. DURFEE,
Chairman.

STATEMENT OF PURPOSE AND NEED FOR PROPOSED LEGISLATION

A bill to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions

The purpose of that part of the proposed amendment which authorizes the imposition of civil penalties in certain cases is to provide a statutory tool for the more effective enforcement of the provisions of title IV of the Civil Aeronautics Act and of the Board's economic orders and regulations issued thereunder and under section 1002 (i) of the act. At the present time violations of these provisions are subject to criminal prosecution under section 902 (a) of the act. This sanction is an effective deterrent in serious cases involving knowing and willful violations. With respect to many cases of minor infractions, violations of a less serious nature, and actions falling short of knowing and willful misconduct, the conventional criminal proceedings are either too drastic, too cumbersome or altogether inappropriate. It is in acting upon these less serious but more numerous violations that the Board believes it could avail itself of the remedy of civil penalty in a constructive manner toward improving the enforcement program.

The availability of the remedy of civil penalty would enable the Board to attack violations speedily and avoid situations such as have existed in the past where offenders have been able to persist in violations during the time required to prosecute a formal proceeding or court action.

The availability of the remedy of civil penalty would afford an adequate remedy as a substitute for criminal action except in serious cases where willful and knowing violations involving the necessary degree of criminal responsibility may be established. Moreover, the imposition of civil penalty would, in many cases, have a salutary effect comparable to that of criminal penalties without subjecting the offender to the serious stigma which follows imposition of criminal penalties.

The modifications proposed in existing sections 901 (a) and 902 (a) of the act have been drafted primarily for the purpose of making available this additional sanction. The changes to section 901 (a), in addition, incorporate amendments effected by Reorganization Plan III and IV of 1940, and Reorganization Plan V of 1950. In regard to section 902 (a), such changes have been made to preserve the effectiveness and applicability of the criminal penalties as are made necessary in view of the amendment of section 901 (a).

It is also proposed (1) to add to section 901 (a) a provision, that if the violation is a continuing one, each day of the violation shall constitute a separate offense, and (2) to amend section 902 (a) to increase the monetary amount of fines which may be imposed thereunder.

The amendment of section 901 (a) to provide that each day of violation shall constitute a separate offense is believed desirable in the interest of effective enforcement of the civil penalty procedure. Section 902 (a) already contains such a provision with regard to criminal violations.

With respect to the proposal to increase the monetary amounts of the fines which may be imposed for violation of the criminal provisions, the Board feels that the current provisions are no longer adequate. Knowing and willful violations of the Civil Aeronautics Act are serious offenses for which there should be a more effective deterrent than the present maximum of $500 for the first offense. Likewise, it is suggested that repeated offenses should carry a higher penalty than the $2,000 fine now specified as the maximum, and that there should be a mandatory minimum fine in all cases.

Accordingly, the attached draft incorporates: (1) amendments to authorize the Board to impose civil penalties in additional cases, (2) amendment of section 901 (a) to provide that each day of violation shall constitute a separate offense, and (3) amendment of section 902 (a) to provide for the imposition of a mandatory minimum fine of $100, with a maximum of $5,000 both for the first offense and for each subsequent offense.

There is attached an analysis of the proposed amendments and a comparison of the proposed amendments with existing law.

ENTRANCE INTO UNITED STATES OF CERTAIN ALIEN CHILDREN—ADDITIONAL COSPONSOR OF BILL

Mr. KENNEDY. Mr. President, I ask unanimous consent that the name of the Senator from Oregon [Mr. NEUBERGER] may be added as a cosponsor of the bill (S. 2410) to facilitate the entry into the United States of certain immigrants, to authorize the adjustment of status of certain aliens in the United States, to provide for the issuance of special nonquota immigrant visas to certain refugees, and for other purposes, introduced by me, for myself and other Senators, on June 27, 1957. The Senator from Oregon has been a consistent supporter of this type of legislation.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were

ordered to be printed in the RECORD, as follows:

By Mr. KEFAUVER:

Letter dated July 3, 1957, addressed by him to the President concerning chronology in Idaho Power Co. fast-tax writeoff matter.

By Mr. CASE of South Dakota:

Weekly News Letter, written by him on the subject Electric Power at Hells Canyon, TVA, and Niagara.

By Mr. NEUBERGER:

Article written by him on the 85th anniversary of Popular Science Monthly.

By Mr. CLARK:

Address delivered by Senator CHURCH at Independence Hall, Philadelphia, Pa., on July 4, 1957.

By Mr. KENNEDY:

Letters from him and Senator PAYNE, published in the Washington Post and Times Herald of July 5, 1957.

By Mr. WILEY:

Article entitled "Nation's Crime Tab Set at $28 Billion," published in the Washington Post and Times Herald of June 14, 1957.

FEDERAL LOAN PROGRAMS—NOTICE OF PUBLIC HEARING ON S. 2427

Mr. FULBRIGHT. Mr. President, on behalf of the Committee on Banking and Currency, I desire to give notice that a public hearing has been scheduled for Monday, July 22, 1957, at 10 a. m., in room 301, Senate Office Building, on S. 2427, to insure greater consistency among Federal loan programs, to avoid hidden subsidies, and to achieve more effective coordination between Federal loan programs and the fiscal and credit policies of the Federal Government.

All persons who desire to appear and testify at the hearings are requested to notify Mr. J. H. Yingling, chief clerk, Committee on Banking and Currency, room 303, Senate Office Building, telephone National 8-3120, extension 865, as soon as possible.

In order to make sure that all persons who may be affected by this bill will receive full notice I ask unanimous consent that the bill be printed in full in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That notwithstanding any other provision of law (1) the interest rate on any loan hereafter made by the Treasury to any department or agency of the Federal Government to finance loans made by such department or agency shall be fixed by the Secretary of the Treasury, taking into consideration the current average market yields of outstanding marketable obligations of the United States having maturities comparable to the loans made by the department or agency, and (2) the interest rate on any loan hereafter made by any department or agency shall not be less than the rate the department or agency making the loan would pay if it borrowed from the Treasury at the time the interest rate on the loan is fixed, plus an additional amount deemed adequate to cover administrative expenses and probable losses to the extent consistent with the purposes of the loan program.

PRESERVATION OF MONTANA WILDERNESS AREAS

Mr. MANSFIELD. Mr. President, the State of Montana has varied topography, and in the western part of the State we are blessed with some of the finest mountain regions in the country. These mountains provide wonderful protection for a number of wild game—elk, deer, mountain goats and sheep, and bears. In addition, this wilderness area provides hunting and fishing difficult to find today.

One of the finest of these areas is the Bob Marshall wilderness area, which stretches some 60 miles north and south along the Continental Divide in the Flathead and Lewis and Clark National Forests.

This mountainous region has all the ideal conditions for the protection of wildlife and the preservation of scenic beauties, wonders, and recreational resources as Mother Nature originally created them. These wilderness areas are becoming fewer as the Nation's population grows and new areas are exploited. These few remaining wilderness areas ought to be protected.

Tom Deckert, of Billings, Mont., vice president of the Montana Wildlife Federation, has prepared a very fine article in defense of these primitive regions against the encroachment of man and the construction of dams, reservoirs, and flood-control projects which will not be any great benefit to man.

I ask unanimous consent that this feature article from the June 30 issue of the Billings Gazette be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONSERVATION FORCES OPPOSE DAM PROJECT ON NORTH FORK OF SUN RIVER—SPOKESMAN SAYS PLAN WOULD DESTROY VALUE OF PRIMITIVE REGION

Montana conservationist forces have reaffirmed their opposition to a North Fork Sun River Dam after a horseback trip in the rugged wilderness area near Augusta, an official of the Montana Wildlife Federation said Saturday.

The consensus is that the area should be kept in its present state of primitiveness, Thomas H. Deckert of Billings, an MWF vice president, reported.

Deckert, said the tour party included livestock interests and representatives of the Montana Wildlife Federation, United States Forest Service, Montana Fish and Game Department, Wilderness Society, Dude Ranchers Association, Guides and Outfitters and the Sun River Conservation Committee.

The wildlife federation spokesman said conservationists have been aroused by the Corps of Engineers, hearing in Augusta last April 9 to discuss the possibilities of a flood control project and protection plan along the lower Sun River and the city of Great Falls.

Deckert said the plan as explained at the hearing would not jeopardize fish and game to any great extent as long as it did not involve storage above Augusta.

"However," he said, "the mere mention of flood control in the upper Sun River, irrespective of who would build the project, is a matter of grave concern to the invaluable recreational resources."

The Sun River drainage comprises about one-third of the Bob Marshall wilderness area, wintering ground for one of the State's largest elk herds. Members of the recent tour observed about 400 elk, 14 bands of mountain sheep and whitetail and mule deer, Deckert said.

"When viewing areas such as this and looking into the vast heavens, a man cannot help but realize how insignificant his contributions to earthly affairs really are," Deckert said.

"I wonder if the cost of maintaining and preserving such areas as the Bob Marshall wilderness is too great a problem for our Government when such benefits are appreciated by so many of our people."

WARNING GIVEN

Deckert cited a warning from Robert F. Cooney, coordinator of the State fish and game department wildlife restoration division, that the proposed Sun River Butte Dam would destroy upstream fishing and ruin part of the elk range.

Cooney also contends the dam would block mountain passes to the department's Sun River elk preserve.

Proponents of the dam say it would provide irrigation water and at least 100,000 acre-feet of flood control, minimizing danger of damaging floods such as occurred in 1953. The present Gibson irrigation dam on the Sun River, they maintain, offers no flood protection.

The fish and game department official asserts the Sun River Butte Dam cannot be both an irrigation and flood-control project.

"If the dam would be constructed to store water for irrigation," Cooney told the April 9 hearing, "it would not be a flood-control measure. The impoundment would have to be filled by the spring runoff, or it does not answer the purpose for which it is built."

The Bob Marshall wilderness area stretches some 60 miles north and south along the Continental Divide in the Flathead and Lewis and Clark National Forests. It includes the Sun River on the east and the Flathead River on the west.

Elevations in the wilderness area range from 5,000 feet in the valley floor to more than 9,000 feet along the Continental Divide.

Its varied topography includes towering and precipitous ridge tops and gently sloping alpine meadows.

Established in 1931 and reclassified in 1940 under regulation U-1, the area consists of 950,000 acres, of which 710,000 are in the Flathead and 240,000 in the Lewis and Clark National Forests.

The area is considered extremely valuable for scientific investigation in all fields of natural science. Geological formations are basicly quartzite, argillite, and limestone which has yielded trilobite fossilization indicating the formation to be hundreds of millions of years old.

Glaciers have carved broad valleys and many of the principal lakes in the area, and many smaller lakes lie in the shadow of giant peaks.

Forest cover is characterized by open, parklike stands of ponderosa pine, denser thickets of lodgepole pine, mixtures of western larch and Douglas-fir and the shorter alpine species at higher elevations.

GAME IS ABUNDANT

Besides one of the largest native elk herds in the northern Rockies, the wilderness area boasts large numbers of deer, mountain goats, mountain sheep, black and brown bear and the mighty grizzly bear.

For this reason the region is prized by big-game hunters throughout the Nation.

Small-game animals, birds and predators also are common in the area. Lakes and streams provide excellent fishing for native cutthroat, rainbow, Dolly Varden and brook trout.

An outstanding feature of special interest to all visitors is a 25-mile-long limestone reef on the crest of the Continental Divide. This obstruction, rarely broken by a mountain pass, has been appropriately dubbed the Chinese Wall because of its vertical face rising more than 1,000 feet.

Hundreds of miles of Forest Service trails enable horseback travelers and hikers to roam at will through the area, however.

"It is a paradise of nature's wonders," Deckert said. "Many think of it as God's gift

to man. It should be forever cherished and never impaired. Its cleanliness and awe-inspiring beauty and wonders should be preserved at all cost."

"The Bob Marshall wilderness area, the Sun River game preserve, and the State fish and game department's big-game winter-range located and fenced to collect wildlife from their established migration routes, comprise a combination of the most ideal conditions," Deckert said.

"The management of this native herd is considered to be the best in our country. Since these ideal conditions prevail, little controversy exists between farmers, ranchers and wildlife interests.

"If other migration routes were to be established by the elk because of the Sun Butte Reservoir, a large part of the winter range would be useless. The time, hard work and the large investment would be wasted.

"Wildlife interests would have a huge problem with private interests to try and solve differences all over again.

"The future of America's outdoor recreation depends upon how many of these unspoiled, well-managed areas that might be saved from exploitation. There is evidence that the Sun Butte Dam and impoundment would not solve the flood problem of the lower Sun River.

"Even with every precaution and control measures, it is doubtful that the 18.79 inches of rainfall in the 11-day period in 1953 could have been completely checked without serious damage. The 5.41 inches of rain that fell in the Sun Butte area during this storm could not have added very much to the overall picture.

"Poorly constructed and neglected canals always play a big part in floods; road construction, overgrazed lands, and overcut timber lands are responsible to some extent.

"With surplus crops in sight for many years, and with one Federal department trying to take land out of cultivation and another department trying to put more land under cultivation, the people are subsidizing both ends and the middle."

CITES VALUE OF FISHING

Pointing to the economic importance of fishing and hunting to Montana, Deckert said 1 out of every 3 persons in Montana are fishermen; 235,450 fishing licenses were sold in 1956. Since 1940, nonresident fishing licenses have increased almost 400 percent. During 1956, 200,910 resident hunting licenses were sold and nonresident hunters have doubled in number since 1950.

Expenditures for hunting and fishing in Montana each year exceed $50 million.

"Add the hundred-million-dollar tourist business, and this gives us some idea of what our scenic beauties, wonders, and recreational resources are actually worth," the conservationist said.

"Industry and many in our Government have recognized the value of the great outdoors. They have and are encouraging their employees to participate whenever possible, and it has paid dividends.

"The people have demonstrated how they appreciate the outdoors by their tremendous increased usage.

"By proper planning, by all interests on a give-and-take basis without selfishness or greed, there must be a way to solve differences in some way other than what has been done in the past, or we are failing to uphold the principles of democracy."

Continuing, Deckert said, "The outdoor people are trying to understand and take a broad concept of the problem involved when destruction of areas of major importance is at stake.

"We endeavor to enter into controversial issues with a wide-open mind and weigh the true resource values at what they are actually worth today and for the future—not for a quick dollar that destroys $100."

According to Cooney, Montana's opposition to a dam at Sun Butte site, a short distance from the head of Gibson Lake, "is based upon the very serious detrimental effects such a structure would have on irreplaceable wildlife and recreational resources of the area."

He said the Sun River elk herd, consisting of somewhat over 3,000 animals, presents one of the most valuable groups of this big game species on the continent.

"The present balance between the State-owned winter range in the foothills, and the spring, summer, and fall range on national forest lands to the west, represents an almost ideal condition. The acquisition and development of approximately 20,000 acres making up the winter elk range represented an investment for Montana sportsmen of approximately $200,000. Its continued use by a majority of the Sun River herd presents one of the most important factors in the future successful management of elk in the area."

A dam at the Sun Butte site or elsewhere in that general locality would, in Cooney's opinion, disrupt the present ideal pattern of game use. Due to the precipitous reef-type cliffs found throughout the Sun River range, elk migration trails are restricted to low passes by which the main herd moves east onto the winter game range in the foothills.

WOULD OBSTRUCT MIGRATION

The proposed dam and resulting impoundment would obstruct the main migration trail to the foothills. Such an obstruction would undoubtedly cause elk to scatter widely in attempting to find other passes, thus causing them to emerge from the mountains long distances either north or south of the presently provided game range.

This would cause serious problems of damage to private lands and virtually eliminate the present benefits of the State-owned game range.

A dam at the Sun Butte site would flood approximately 2,565 acres of vitally needed calving ground, he said. Elk have been found to be very specific in their choice of calving range. It is therefore probable that this major loss of spring range would present a serious limiting factor in the production of this major game herd.

"The present back country type of highly valued hunting opportunity would be lost by the presence of access roads penetrating the construction area. It is quite probable that undesirable 'firing line' type hunting would result," Cooney said.

Construction and operation of the Sun Butte Reservoir would flood and thus eliminate somewhat in excess of 7 miles of valuable stream fishing on the North Fork of the Sun River.

"This loss would be particularly important as the Sun River drainage above Gibson Reservoir now represents some of the relatively few trout waters in the United States which have not been altered materially. A careful qualitative appraisal of this area ranks the upper portion of the Sun River Basin as one of the outstanding trout fishing areas of the Nation.

"This rare and natural type of stream fishery, which would be inundated by the proposed reservoir, could never be replaced."

Cooney pointed out the proposed impoundment would back water approximately 7 miles into this Bob Marshall wilderness area; it would seriously jeopardize the present wilderness aspect which is recognized as of national significance.

"From a wildlife point of view alone, the wilderness habitat now afforded presents an environment highly valuable in the perpetuation and survival of several rare game species. Wilderness type hunting and fishing is becoming increasingly difficult to find and is, therefore, considered of inestimable value," Cooney concluded.

ADDRESS BY POPE PIUS XII TO A DELEGATION OF THE AMERICAN JEWISH COMMITTEE

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by Pope Pius XII to a delegation of the American Jewish Committee in Rome on June 28, 1957. Pope Pius urged the governments of the world to resettle refugees driven out of their native countries by the "evil blight" of racial persecution, and condemned anti-Semitism and racial discrimination in any form as a "violation of fundamental rights inherent in a human person." This address appeared in the New York Times on Tuesday, July 2, 1957.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

The American Jewish Committee, which you honorable gentlemen represent, has just rounded out 50 years of service in behalf of the right and status of those of your race who, with other minority groups, have been subjected to the violation of fundamental rights inherent in the human person.

Forced to forsake the land of their birth and seek on far-off unfamiliar shores a refuge where they might begin anew a family life, how many have then had to experience the almost desperate situation added to their miseries of not being welcome where they had hoped for hospitality.

Your desire to visit us this morning is a testimony to your confidence in the interest we have in the sad plight of the peoples just described.

Again and again, as did our predecessor of happy memory (Pope Pius XI) before us, we have strongly urged that the fundamental principles of justice and charity and the long-recognized practice of offering asylum to those not guilty of crime be the norm of government conduct today.

It is a consolation to our paternal heart to know that our appeal has been generously heeded in many countries; and we like to cherish the hope that so long as that evil blight endures, states will not be lacking in their obligation to succor those who have been forced to emigrate.

We have been happy to welcome you gentlemen and our heart goes out in a fervent prayer to God that in His bounteous goodness He have pity on those who are suffering injustice and enlighten those who are perpetrating evil.

A PERMANENT SOLUTION NEEDED FOR THE FARM PROBLEM

Mr. MUNDT. Mr. President, in my opinion the major domestic problem in the calendar year 1958 will be to evolve and legislate a long-term solution of the farm problem. It seems unlikely we will succeed in that achievement during the congressional session of 1957, but I can think of nothing to which we should more earnestly devote our concentrated efforts in the next calendar year than to find a permanent solution to this very serious domestic problem.

During the course of the past few years we have tried fixed high price supports, and have found them to be inadequate to give the farmer the parity of income to which he is entitled.

We have also tried, in the past few years, flexible price supports, and have also found them to be inadequate to give the farmer the parity of income to which he is entitled.

We are now operating primarily under the soil bank program. While it is still too new a program to evaluate completely, I do not believe anyone holds that it will prove to be a total and permanent solution of the farm problem.

Concurrently, we have a stepped-up program of foreign utilization of farm products under Public Law 480 and other export programs, which are very commendable, but they have not proved to be a solution of the farm problem, and it has not provided the farmer with the parity of income to which he is so richly entitled.

We have before us a number of challenging and constructive new suggestions for the utilization by industry of farm products. The Senate committee on Agriculture expects to hold hearings, I hope this year, on some of the great opportunities which these new programs provide.

However, none of the programs operating as of this time give the farm population of the United States the equity, the parity, and the justice to which it is entitled as a very significant segment of the American body politic. We need constructive action on new programs at the earliest possible time.

One of the reasons why we have not succeeded, Mr. President, is that the great farm organizations of America have been unable to get together, pool their thinking, and agree on even the general outlines of a long-term farm program. There are 5, 6, 7 or 8 great farm organizations, some of them general in nature and some of them representing specific producers. If, as, and when those great farm organizations can come before Congress with a concentration of ideas and with a singleness of purpose, such as the labor organizations of America, for example, have been able to demonstrate for labor, I am confident they will carry us a great big Trojan step forward toward the ultimate goal of giving parity to the American farmer.

In that connection, Mr. President, I was highly gratified to read an editorial in a great newspaper published in South Dakota, the Daily Plainsman, which serves some of the best agricultural areas of the United States. The Daily Plainsman is published in Huron, S. Dak., the seat of our great State fair.

This editorial is entitled "Farm Meeting Step in Right Direction," and reports a most encouraging development which I hope Senators will watch and which I hope Senators will encourage in every way they can. The beginning of the editorial states:

National farm organizations finally are going to try to get together to restore unity to a badly disorganized agriculture.

A meeting will be held in Washington, D. C., in August to draft programs to meet the needs of the individual farm commodities. The purpose, of course, is to stabilize prices and income at levels satisfactory to producers.

Mr. President, I should state that the editorial goes on to say:

Promoting this attempt to develop new farm programs is the National Milk Producers' Federation, a major dairy organization.

I wish to commend the National Milk Producers' Federation for its leadership and vision in trying to bring together around one table the great farm organizations of this country, so that we may cease to have the bickering and the fighting among farm organizations and among producers which is demonstrated so lamentably, for example, in connection with the proposed self-help bill for livestock. The livestock organizations favor it. Some of the general farm organizations oppose it. The result has been costly inaction, acrimony, and conflict.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. MUNDT. I ask unanimous consent, Mr. President, that there may be printed in the RECORD at this point, as a part of my remarks, the stimulating editorial from the Daily Plainsman to which I have referred concerning what may be a great forward step in agriculture.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FARM MEETING STEP IN RIGHT DIRECTION

National farm organizations finally are going to try to get together to restore unity to a badly disorganized agriculture.

A meeting will be held in Washington, D. C., in August to draft programs to meet the needs of the individual farm commodities. The purpose, of course, is to stabilize prices and income at levels satisfactory to producers.

Promoting this attempt to develop new farm programs is the National Milk Producers' Federation, a major dairy organization. The federation said it was stepping into the general farm legislation field because the Grange, the Farm Bureau, the Farmers Union and the Council of Farmer Cooperatives have been unable to arrive at any general agreement on a national farm program.

The federation feels the difference between these groups have brought about the clashing views in Congress and have resulted in defeat for efforts to bring about changes in the Federal farm laws.

Under the coalition plan as offered through the federation, each commodity group will develop its own program. Once these individual commodity programs are developed, all will join hands to push each program through Congress.

Although we applaud this effort toward unity, we doubt that the approach is sound. It would be difficult, for instance, for the livestock producer who wants cheap feed to support a program which would raise his feed costs—yet feed growers will be after the highest possible price in any program which they might evolve.

That's only one example of conflict. There are other instances in which what is good for one commodity group is disadvantageous to another. Some farm groups are protectionists in the matter of foreign trade, for instance, while others oppose rigid trade barriers for different economic reasons.

Even among meat producers there are differences which arise from the competition for the housewives' dollars just as corn and wheat growers are competitors for the stock feeders' dollars.

Because of these differences—which are basic and have resulted in emotional attitudes toward what should be factual problems—it will be most difficult, if not impossible, for individual planning by commodity groups to bring about the necessary unity. The various commodity groups will have to meet jointly to work out compromises. Each will have to give a little.

Furthermore, any program which is planned piecemeal isn't going to be coordinated as a whole. A workable farm program will depend upon harmonious economic relationships between its various parts. There are complicated patterns of interdependence between the various groups which must be considered if a workable total program is to be evolved.

There is another difficulty, too. Some segments of the farm economy aren't organized on the national basis. These segments aren't just splinter groups either as is amply demonstrated by the fact that the corngrowers aren't organized.

However, despite the fact that the prospect for any immediate results is dim, the August meeting certainly will be a step in the right direction. It will focus attention on the desperate need for farm unity and will help stimulate thinking which possibly could bring about the desired results sometime in the future.

Certainly it will demonstrate to those unorganized commodity groups the need for joint action. Corngrowers certainly would want some voice in any movement such as the one proposed by the milk producers.

And certainly the meeting will spawn ideas. For instance, why not organize a National Farm Congress at which each community group would send representatives with the number of delegates based on the number of farmers raising the commodities? There could even be a senate, too, with equal representation from each commodity group. Wouldn't a delegation such as this, representing all segments of the economy, be likely to come up with a fair, workable farm program which would meet the main objectives which is to raise the general level of farm prices?

This is just one idea. There must be many more. The main consideration now is to put ideas to work. The National Milk Producers' Federation has provided the spark. It is up to the farmers at the grassroots to fan that spark into a flame.

ISRAEL'S ARAB CITIZENS

Mr. JAVITS. Mr. President, the renewed interest in the most nettling problem of the Near East, that of the Palestine Arab refugees, is long overdue. I welcome the suggestion of my friend and colleague, the Senator from Minnesota [Mr. HUMPHREY], concerning this very great and important subject, and for perceiving, as he obviously does, its critical influence on the effort to bring about peace and stability in that great area; I came to exactly the conclusion expressed by the Senator from Minnesota.

The Senator knows I have a very deep interest in the area and in its problems, and that I have constantly tried to get something done. I can think of no finer advocate in the Senate for the solution of the problems of this region than the distinguished Senator from Minnesota, and I welcome the initiative he has demonstrated.

Mr. President, by way of contribution to that discussion, there is a very interesting report in the New York Times of June 20, written by its correspondent in Israel, Seth S. King, on the position of the 200,000 Arab citizens of that country and how they have fared since 1948. The report is written objectively, as will be seen from the fact that it contains criticism, as well as some commendation. I think it is of great value in the effort to bring about a balanced understanding

of the situation, and I therefore ask unanimous consent, Mr. President, that the article may be printed in the RECORD as a part of my remarks.

Mr. King points out that there is no discrimination or animosity against these Arab citizens. He reports that Israel has made it possible for its Arab citizens to have better schools, better health and welfare services, and far greater prosperity. They enjoy free speech and a free press. They have the right to joint the Histadrut—the general labor federation—and to enjoy all its social and health benefits. They also have the right to vote and they are represented in the Knesset—Israel's parliament—by eight members of their own choice. The report does not minimize the restrictive measures under which the Israel Arab must live and which are necessitated by the continuing expressed hostility against Israel by Arab states surrounding it. Mr. King, however, attributes the basic difficulty in integrating the Arab citizen to the refusal of many to accept western progress and industrialization. Despite all the benefits of political and economic democracy which Israel makes available, many of Israel's Arabs apparently still hope for the liquidation of the Israeli state. The obstacles which Mr. King reports that Israel officials are trying to overcome are so great as to lend great weight to Israel's belief that large-scale repatriation of Arab refugees is impossible in the interests of the security of Israel.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARABS IN ISRAEL STILL A PROBLEM—MANY EXPECT A SECOND CONFLICT—DESPITE GAINS UNDER JEWISH REGIME, MOSLEM RESIDENTS STILL BELIEVE THEY ARE SECOND-CLASS CITIZENS

(By Seth S. King)

NAZARETH, ISRAEL, June 12.—In the spring of 1949, when a tenuous peace had settled over Israel, 145,000 Arabs suddenly became citizens of a new state made up largely of Jews.

Almost overnight the Arabs ceased to be a majority and became a minority. They began living under people they had just been fighting. These people were different in background, religion, and language, and until then had themselves always been the minority.

Today, after 8 years, Israel's Arabs still consider themselves second-class citizens.

They still are not fully—or officially—trusted. There is no evidence that they are any closer to accepting Israel as a permanent entity. Many of them admittedly still are waiting for a second round, when they hope the armies of the Arab States will come back and push the Jews into the sea.

There still is just as much emotion present today in any consideration of their problems. It still is just as difficult to find a true neutral who can fairly assess their position.

Everyone concerned with them admits that under the Israeli Government these Arabs are physically far better off now than in the days of the British mandate over Palestine.

Their numbers have risen to more than 200,000. By natural growth they now are adding 7,000 each year. Since the fighting stopped in 1949, more than 33,000 who had fled to adjoining states have been reunited with their families in Israel through the machinery of the United Nations.

EIGHT ARABS IN PARLIAMENT

They now have better schools and better health and welfare services and, in many instances, they are making more money and living in much better houses.

Politically they are free to say nearly anything they please. They also are free to vote for whom they choose. Eight of the 120 members of Israel's Knesset (Parliament) are Arabs.

But if an Israeli Arab lives, as most of them do, in one of the three special military government zones opposite the borders, he must carry a special identity card at all times. He cannot leave his assigned area without getting a special permit to travel. In theory this law must apply to anyone living or visiting in these zones, whether he be Jew or Arab. But in practice it is applied only to the Arabs.

If an Arab once owned land in certain areas and fled from that land to another part of Israel, it is unlikely that he has been permitted to return to it.

Unless he is a Druse, his children will not be conscripted into the military forces, as all other Israeli youth are. If he is a Christian, they might be allowed to volunteer. In most cases, if he is a Moslem, they cannot even do that.

An Arab is allowed to join a labor union in the Histadrut, the powerful general federation of labor. He is entitled to all social and health benefits of the federation. But he cannot hold an office in its central committee. Nor can his children join the federation's special youth branch.

For all these restrictive measures the Government has an explanation.

Israel is surrounded by Arab countries that still threaten to destroy her. Many Israeli Arabs have relatives and close friends in those countries. Despite the efforts of the border police, there still are numerous illegal crossings of the boundary line. Without the permit system, the Government says, there would be no check on or control over the movements of local Arabs, nor would there be any way of knowing how many outsiders had infiltrated into Israel.

Many Arabs have not been allowed to return to their land because it now is part of some Israeli agricultural settlement. But these Arabs were offered other nearby land in exchange. If this was not enough, they were offered additional cash payments.

DRUSES LOYAL TO ISRAEL

If they disagreed with these terms, they could challenge them in the civil courts. Many Arabs eligible for this compensation have refused it. This, the Government says, is not its fault.

The Druses, members of a small Arab group with a religion of its own, have been conscripted because they always have been loyal to Israel. They fought on the Israeli side in 1948.

The basic cause of friction between the Arabs and the Jews, many observers believe, is the head-on clash of a western culture that is energetic pragmatic and determined with an eastern culture that considers itself older and wiser.

There are few persons here who accuse the Israeli majority of deliberate discrimination or animosity toward the Arabs. The greatest difficulty appears to lie in the deep reluctance of the Arabs to be integrated into a society they have historically opposed and toward which they have no sympathy.

Nazareth, the largest Arab community in Israel, offers a good example.

For many years this sleepy mountain town has been a center of Christian shrines. It has not been an economically sound unit. There is no solid industry. It is overpopulated and many of its residents are unemployed.

Early this winter the first units of a modernistic housing project for Jewish immigrants were completed. Eventually 550 Jewish families will live in it. A chocolate factory and a textile plant soon will be built to provide work for them.

In addition, within the next year, the Government expects to move its regional offices from Tiberias to Nazareth.

These projects, the Government says, will mean new business activity for Nazareth and possibly some new jobs for its Arab residents. For these reasons, the Government says, all this should be welcomed.

But Nazareth's Arabs say they probably will be shut out of the better employment. They think, instead, that the projects will mean only that a large Jewish population will descend upon them and eventually take over their community.

THE ARABS REMAIN WARY

In many other Arab areas of Israel the Government has sponsored projects to improve living standards. The Arabs have contributed to the cost of these projects. But in most instances the Government has had great difficulty persuading them to accept help of any kind. They have feared that there would be political strings attached to this aid, and that by accepting it they would compromise themselves for the future.

For those who hoped Israel would prove that the Jew and Arab could live together in peace, the progress to date has been disappointing.

A neutral European, who has spent several years in Nazareth, said recently: "I'm afraid these people still cannot accept the State of Israel. They are certainly better off now than they were before. But they've sold themselves on the idea that they are second-class citizens and are likely to remain that way until there is another round to the fighting."

The Government specialists, all Jews, who supervise affairs of the minority group have no illusions about the future. But they do not share the Europeans' pessimism.

One of them recently stated the Government's attitude in this way:

"For us it has been 8 years since the armistice. For the Arabs it has been 8 days. They still cannot get used to the idea that the Jews now run this state.

"We know they don't like us and we don't expect them to. We are not trying to force them into integration.

"What we are trying to do is to give them every advantage we can. We also have tried to give them better schools and make it easier for them to live. In this way we hope it will be difficult for them to translate their feelings against us into action.

"We believe we are making some headway. You can say that one of our biggest objectives is to get every Arab boy and girl to go as far as he can in school. We hope to teach them to be proud enough to become leaders of their own people—and realistic enough to accept the State of Israel."

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JAVITS. I am glad to yield to the Senator from Minnesota.

Mr. HUMPHREY. I wish to thank the distinguished Senator from New York for his generous and kindly comments. I know of the Senator's keen interest in these problems—not only his interest, but his understanding, and his great contribution toward their settlement.

I believe the report to which the Senator from New York alludes is the report of Seth King.

Mr. JAVITS. The Senator is correct.

Mr. HUMPHREY. I met Mr. King while I was in Palestine. I have known him for some time. He is an extremely competent and most distinguished reporter.

The PRESIDING OFFICER. The Chair must inform the Senator from New York that under the procedure adopted for the session this morning the time the Senator is yielding is running against his 3 minutes.

Mr. HUMPHREY. Mr. President, I merely wish to associate myself with the comments of the Senator from New York, and I wish to thank him.

Mr. JAVITS. I thank the Senator from Minnesota.

Mr. President, I ask unanimous consent that I may be permitted time to introduce two other items.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York?

Mr. JOHNSON of Texas. Mr. President, reserving the right to object—and I shall not object—I should like to have the Senator be definite as to the amount of time he is requesting.

Mr. JAVITS. I ask for 2 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none and the Senator from New York is recognized for 2 minutes.

Mr. JAVITS. I thank the Chair.

ANNOUNCEMENT AS TO QUORUM CALLS AND PRESENCE OF STAFF MEMBERS

Mr. JOHNSON of Texas. Mr. President, I have an announcement of importance to all Senators.

It is my desire that during the debate on the pending issue there be the fullest possible attendance of Senators on the floor of the Senate at all times. Each Senator should know—and I now serve notice to that effect—that I think it is unlikely that during this debate consent will be given to rescind an order for a quorum call. Therefore, every Member should assume that every quorum call will be completed, and completed in the shortest possible time. I urge each Member to make every effort, when the quorum call bells are sounded, to come to the Chamber as quickly as possible after he hears the quorum bell. It is my hope that we can constructively use all the time during which the Senate will be in session for debate on the issue before us.

I wish further to announce that beginning July 9, 1957, there will be set aside at all times 4 rows, with 56 seats, in gallery No. 3, which is the gallery just to the right of the clock which I am facing. Those 56 seats will be reserved for members of the staffs of Senators, and members of committee staffs. Admission will be by identification cards which have been issued by the Sergeant at Arms. Guests of staff members will not be admitted.

Of course, we realize that from time to time it will be necessary for Senators, under the rule, to have members of their staff present with them when they are addressing the Senate or when they are participating in the debate. It may be necessary, on occasion, for a Senator to have two staff members present. I know that certain Senators will wish members of their staffs to follow the debate closely. For that reason, in order to keep at a bare minimum the number of staff members present on the floor of the Senate, we have arranged with the Sergeant at Arms to make it possible for a special section of the gallery to be occupied by those whose presence on the floor is not essential to Senators for whom they work.

Therefore I hope Senators, in accordance with the announcement made last evening, will follow the rules of the Senate and cooperate in order that the debate may be conducted in the minimum time, and in order that all Senators may have an opportunity to be heard.

SUPPORT FOR THE CIVIL RIGHTS BILL

Mr. HUMPHREY. Mr. President, I have just received a letter from the United Steelworkers of America, Local 1028, of Duluth, Minn., asking my support for the civil-rights bill. Needless to say that support will be forthcoming.

I ask unanimous consent that the text of the letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STEELWORKERS OF AMERICA,
Duluth, Minn., July 6, 1957.

Hon. HUBERT H. HUMPHREY,
United States Senator, Senate Office Building, Washington, D. C.

DEAR SENATOR HUMPHREY: Local Union, No. 1028, United Steelworkers of America have gone on record supporting H. R. 6127, civil-rights bill.

We urge you to do everything within your power to support this bill without any crippling amendments.

Sincerely yours,

EDWARD E. SKARP,
Secretary, Local Union, No. 1028, United Steelworkers of America.

NEED FOR INCREASED SUPPORT FOR RESEARCH AND TRAINING IN THE SOCIAL SCIENCES

Mr. HUMPHREY. Mr. President, the distinguished vice president of the University of Minnesota, Dr. Malcolm M. Willey, has recently directed my attention to the growing urgency of increased support for research and training in the social sciences. He notes with gratification the establishment by the National Science Foundation of a small program that supports projects in these all-important fields. However, he is impressed by the very smallness of this program, in view of the fact that the needs for research are far greater than are now being met through grants for research assistance and for fellowships in the social sciences. Most of our great universities, the University of Minnesota among them, would derive numerous benefits from an expanding National Science Foundation program of social science grants and fellowships.

I was one of the original sponsors of the National Science Foundation's program. I have always watched over it in every session of Congress—working for increased appropriations in order that its activities could be properly developed and expanded. I have paid particular attention to the Foundation's expanding social science program and have looked forward to the time that an adequate amount of its funds would be allocated to support research grants and fellowships in the social sciences.

I was therefore gratified to learn from the statement inserted in the RECORD on June 12, 1957 by the senior Senator from Oregon [Mr. MORSE] that he and the distinguished Senator from Washington [Mr. MAGNUSON] are agreed that it would be appropriate and desirable for the National Science Foundation to spend $1 million of the $40 million appropriated for fiscal year 1958, or only 2½ percent, for research grants and fellowships in the social sciences.

I should like to express my unqualified endorsement of the views of my able colleagues and to add my own voice to theirs in support of expanding the social science programs of the National Science Foundation. There can be no question of the importance and urgency of the matter. I assume that the Director of the Foundation and the National Science Board will proceed immediately and directly to the implementation of the suggestion of my colleagues, with respect to both research grants and fellowships, and that they will prepare the groundwork for an even more extensive social science program in the years to come.

My recent experience in the Middle East has impressed upon me more than ever the urgency of getting on in the social sciences. There is immediate and crying need for trained and knowledgeable personnel to deal intelligently and rationally with a variety of social science problems. For example, the question of equitable distribution of agricultural surpluses, the need for better understanding of the obstacles and impediments to reasonable interpersonal and intergovernmental relations in the area, and insight into the mentalities and personalities of the individuals and masses with whom we have to deal. The effectiveness of our various assistance programs depends in large measure upon having reliable information about, and understanding of, the hopes, aspirations, motivations, and expectations of the peoples involved. In so many different ways there was impressed upon me the tremendous benefits which would accrue to us as a Nation from having available a well-trained corps of social-science technicians and experts.

I deem it essential, therefore, that the National Science Foundation set about with dispatch to broaden its research and fellowship programs in the social sciences. The needs are considerable, but the program levels recommended by my colleagues from Oregon and Washington provide at least a reasonable minimum effort upon which a stronger and broader program can be developed in the future. As stated in the RECORD of June 3, 1957:

> The imperative necessities of the current social crisis suggest that excessive timidity is a luxury we cannot afford.

My distinguished colleague from Oregon has remarked that curtailment of funds in this area will prove not to represent economy but a very expensive reduction. I agree with him and trust that

the Foundation will overcome its unwarranted reluctance to move forward in the social sciences.

It is gratifying to note the increasing evidence of a general recognition of the importance of basic scientific studies of human social behavior. The unequivocal position of the Senate's Subcommittee on Juvenile Delinquency of the Committee on the Judiciary is a case in point. On several occasions the subcommittee urged the National Science Foundation to expand its work in the social sciences and in its final report the subcommittee stated:

> The subcommittee strongly recommends that ample funds be made available for the next fiscal year to permit the National Science Foundation to embark upon a program of social science support on a reasonable scale. The Foundation already possesses legislative authority to undertake programs in the social-science fields. The subcommittee believes that such a program would clearly be in the national interest and would provide for meeting an important national need. (S. Rept. 130, 1957, 85th Cong., 1st sess., p. 128.)

It is inconceivable to me that the National Science Board and the staff of the Foundation will fail to give proper attention to this serious recommendation of an able group of Senators. I am confident that the director of the Foundation and the Board, by virtue of their concern with promoting the national interest and national welfare, will not long delay in adopting and carrying out the wise suggestions of Senators MORSE and MAGNUSON, and of the members of the Subcommittee on Juvenile Delinquency, regarding the development of an expanded program of research grants and fellowships in the social sciences. It seems to me that the suggested allocation of $1 million for this purpose is the very least we can spend for this important national program.

HURRICANE AUDREY DAMAGE IN TEXAS

Mr. JOHNSON of Texas. Mr. President, a portion of Texas was hard hit by the recent hurricane Audrey, although we did not suffer the appalling loss of life that came in our neighboring State of Louisiana.

But I am told that we might be less fortunate if another such hurricane should strike in the same area.

I have received a telegram signed by the mayors of five cities and towns in the Port Arthur area that gives a needed warning.

These city officials suggest that Federal assistance in projects designed to prevent loss of human life and property loss from floods or tidal waves will be most effective if it is rendered before rather than after disaster strikes.

Mr. President, I agree.

The mayors who sent me the telegram were speaking specifically of a seawall that needs to be repaired and extended. The city officials called for new dredging in the Sabine-Neches Canal so that the seawall will not be undermined in the future, as it has been in the past.

If this area loses its seawall—

The five mayors said in their telegram to me—

and if the seawall is not extended to protect the city of Groves, the Cameron disaster may be repeated here.

Mr. President, I submit that there has been too much hindsight, not enough foresight, in our planning for flood control and water conservation projects.

We have not done enough.

What we have done, we have not done fast enough.

Whenever we spend a Federal dollar for these projects, we are making a sound investment. We will get the dollar back, and more.

We must go forward with a vast program of developing our water resources. We must move faster than we have been moving.

The telegram I received from the 5 Texas mayors is evidence from just 1 section of just 1 State of the need that exists. I ask unanimous consent that the telegram be appended to my remarks in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

PORT ARTHUR, TEX.

Hon. LYNDON B. JOHNSON,
United States Senate,
Washington, D. C.:

Thank you for your telegram offering Federal relief should it be needed in consequence of Hurricane Audrey. Because of seawall, levee was still intact (despite, it seems, undermined in five locations by dredging in and by erosion of the Sabine Neches Canal), area of the city of Port Arthur, Pear Ridge, Lakeview, and Griffin Park were not flooded by Audrey. However, at one point only 4 feet of the undermined levee remained intact; had the dredging undermining eaten away this section, serious flooding damage probably would have occurred. The city of Groves with no seawall protection and subject to being flooded by the tidewater was spared on this particular occasion. Once again it is requested that the Federal Government take immediate steps to repair the seawall damage caused by erosion and by dredging in the Sabine Neches Canal to aid in the extension of the seawall and to plan new dredging so that the seawall will not be undermined in the future. If this area loses its seawall and if the seawall is not extended to protect the city of Groves the Cameron disaster may be repeated here. The undersigned city officials suggest that Federal assistance will be of greater good if it is rendered before rather than after disaster strikes.

Z. Q. JOHNSON,
Mayor of the City of Port Arthur.
C. B. DRAPER,
Mayor, City of Groves.
DAIL BEACH, Jr.,
Mayor of the City of Lakeview.
L. R. VAN DEVENDER,
Mayor, Town of Pear Ridge.
J. C. RAYBUCK,
Mayor, Town of Griffin Park.

THE PROJECTED FOREIGN POLICY SPEECH BY SENATOR MANSFIELD ON SATURDAY

Mr. MANSFIELD. Mr. President, I should like to ask a question of the distinguished majority leader. For some time I have been working on a speech dealing with the subject of foreign policy. I do not wish to become involved in what might be termed a filibuster during this week or next week or the weeks following. However, I should like to know if during the course of the debate this week, perhaps on Saturday, I could be given the opportunity to make the speech and to have the speech interpreted in its own right and in its own capacity.

Mr. JOHNSON of Texas. I am sure the Senator from Montana will have the opportunity he desires at any time he cares to address the Chair and to seek recognition. I know of no Member of the Senate who would wish to silence any other Senator or require him to discuss any specific subject. We all know the Senator's interest in the field of foreign relations, and we all look to him for advice and counsel in that field. I should be delighted to hear the Senator at any time he chooses to address himself to the Chair and can get recognition.

Mr. RUSSELL. Mr. President, I should like to take this opportunity to assure the Senator from Montana of my complete cooperation in his effort to secure the floor so that he may make his speech, which I know will be a well-reasoned and thoughtful speech on the very important subject of our foreign policy.

I should like to assure him that he will not become involved in a filibuster, but I have no way of giving him that assurance, and therefore I cannot extend it to him.

Mr. MANSFIELD. I appreciate the words of both the Senator from Georgia and the majority leader. I have been working on the speech for some months now. I do not wish to become involved in what may happen on the floor this week or next week. I wish it to be clearly understood that the speech which I intend to make is on a subject entirely apart from the question being considered by the Senate, and is not to be construed in any shape or form as a filibuster of any kind.

Mr. JOHNSON of Texas. The Senator from Montana may be assured of the full cooperation of the leadership. All of us recognize his leadership in the field of foreign policy and his sincerity, and all of us look forward to hearing him. He may be sure of the full cooperation of the leadership in his desire to address himself to a subject which is not under discussion before the Senate.

Mr. MANSFIELD. If I may respond briefly to the distinguished majority leader, it is my hope and anticipation that I will be recognized on Saturday to make the speech, which I have been in process of preparing for some time.

Mr. JOHNSON of Texas. If the Senate follows the leadership of the Senator from Texas, there will be a session on Saturday. If the past can be used as any criterion for the future, I believe the Senator from Montana will have ample opportunity on Saturday to address himself to his subject.

THE PRESIDENT'S PROPOSAL THAT STATES TAKE OVER SOME OF THE FUNCTIONS NOW ADMINISTERED BY THE FEDERAL GOVERNMENT

Mr. NEUBERGER. Mr. President, I ask unanimous consent to include in the body of the CONGRESSIONAL RECORD a thoughtful and effective editorial from the Oregon Statesman of Salem, Oreg., for June 27, 1957, entitled "States Not Eager To Relieve Uncle Sam." This editorial, which is written by a former distinguished Governor of Oregon, Charles A. Sprague, editor of the Statesman, punctures the notion that State governments are sincerely and conscientiously interested in taking over many of the responsibilities now incumbent upon government at the Federal level.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

STATES NOT EAGER TO RELIEVE UNCLE SAM

President Eisenhower's proposal that States take over some of the functions now administered by the Federal Government drew a mixed reception at the governors' conference at Williamsburg, Va. Most of the governors are fresh from struggling with legislatures over balancing their present budgets. The prospect of taking on additional burdens gives them the shivers, and audible groans were heard from some of them. Governor Harriman, of New York, made some political hay by calling attention to the fact that President Eisenhower is increasing rather than diminishing the area of Federal responsibility. He underscored his point by referring to the President's program of aid to education, expansion of Federal aid for highways, increased urban renewal and introduction of disaster relief.

Truth to tell, States and local governments have been busier than the Federal Government in expanding their spending programs. The following table shows changes at intervals since 1946. Federal expenditures, of course, were affected by continued war spending in 1946 and by renewed spending for the military through the Korean and cold wars.

Government expenditures

[In billions]

	Federal	State	Local
1946	$60.9	$6.2	$7.0
1950	40.8	12.6	12.7
1954	71.5	15.8	17.8
1956	72.5	20.0	21.6

The important fact for John Taxpayer is that he has to provide the sinews of war for all the taxing units. A shift of functions from one unit to another will not lighten his burden unless some economy results. The assumption is general that State administration is less costly than Federal, and this is probably true. The great reason for Federal expansion is the reluctance or unwillingness of States and local governments to take on the extra burdens which are demanded. It is much easier for advocates of new programs to center their pressures on the Federal Government than on the governments of 48 States and several thousand local units of government.

Nothing will come of the President's suggestion. States and local governments will continue expanding their services, and so will the Federal Government, though more slowly. A few years ago the President set up a commission to study relations of Federal and State-local government. After its first chairman, Dean Manion, resigned (on request) the commission under Meyer Kestnbaum as chairman worked and turned in a report. But nothing came of it. The States still are irked because the Federal Government collects gasoline taxes; but all are on hand to get a bigger chunk of Federal highway funds which are derived in part at least from such revenues.

On one thing we are all agreed: the American people are getting a lot of government these days; also a lot out of government; also they are paying a lot to government.

FEDERAL AID TO SCHOOLS

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a hard-hitting editorial from the St. Louis Post-Dispatch of July 5, 1957, entitled "School Aid Runout." This editorial emphasizes the extremely pallid and unenthusiastic nature of the support which Federal aid to education is receiving from the Eisenhower administration. In effect, the administration seems to damn Federal aid with faint praise. I was particularly disturbed when the Vice President of the United States told the 100th anniversary meeting of the National Education Association that school aid has only a 50–50 chance of passage. The next night in Philadelphia, I told the Future Teachers banquet that if the administration would push Federal aid to schools with all the vigor and zeal that it has pushed the claims of the Idaho Power Co. to Hells Canyon, that Federal aid to schools would be enacted. The full text of the editorial from the St. Louis Post-Dispatch will be of interest to all Senators who favor Federal aid to schools.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SCHOOL AND RUNOUT

Speaker RAYBURN wields a great deal of power in the House, and he ought to use as much of it as necessary to obtain clearance from the Rules Committee for the school-construction bill. The signs are multiplying that the Eisenhower administration is not seriously interested in getting the bill passed. It is essential that a rollcall vote of the whole House shall be held, so that the responsibility for success or failure of the measure will be clearly fixed.

Republican Leader JOSEPH W. MARTIN, JR., says it is very doubtful that school-aid legislation can get clearance from the Rules Committee. The chances are that it can do so if Speaker RAYBURN impresses upon the majority Members his view that it must.

Entirely too many Congressmen, both Republicans and conservative Democrats, would be too easily let off the hook if the Rules Committee buried the bill. All should be required to go on record individually so that their constituents will know where every one of them stands.

Vice President NIXON did the cause little good by telling the National Education Association that school aid has only a 50–50 chance of passage in the House and none at all in the Senate. It is not up to such a high leader in the Eisenhower administration to utter public forecasts of defeat for a measure the administration is supposed to be sponsoring.

His job should be to work with Senators and House Members, especially those of his own party, to see to it that the bill passes. When the Vice President can take a curiously detached attitude, as if he were only a spectator at the contest, the evidence is persuasive that the administration is not throwing its full weight behind school aid.

INCREASED FUNDS FOR CANCER RESEARCH AND OTHER HEALTH NEEDS

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an excellent and effective editorial from the Denver Post editorial page of July 4, entitled "The Battle Goes On." This editorial, appearing in a newspaper which has demonstrated great leadership in the realm of health legislation, commends several Senators in general and the distinguished senior Senator from Alabama [Mr. HILL] in particular for the courage and resourcefulness recently demonstrated in increasing appropriations for vital phases of the National Institutes of Health.

Having just returned from Boston, Mass., where I visited the famous "Jimmy Fund" Hospital for children who are cancer victims, under the guidance of the great director of that hospital, Dr. Sidney Farber, I think I can testify vividly and fervently to the urgency of the program which the Denver Post supports in this outstanding editorial. I urge that all my colleagues read it carefully.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE BATTLE GOES ON

The Senate, refusing to economize at the expense of the Nation's health, has voted a $38.4 million increase in House-approved funds for medical research and training programs. Now the bill goes to a conference committee where the increase is expected to be accepted—and should be.

The bulk of the Senate increase will finance stepped-up attacks on cancer, mental ailments, arthritis, heart disease, nervous disorders, and blindness. While the Senate Appropriations Subcommittee noted significant advances have recently been made in these fields, it added:

"To increase and sustain momentum in medical research, two general objectives appear to be clear and imperative. The first is that training for medical science should be further strengthened. The second is that research on the massive problems generated by the major diseases should not be limited by lack of money."

Of the $38.4 million increase, nearly one-third—or $11.6 million—was earmarked for cancer research, particularly into possible relationship between viruses and cancer, and into cancer chemotherapy under Government contracts with private drug firms.

Other increases are: $8.8 million for expanded mental health training programs, to develop the full potential of tranquilizers which have reduced mental patients in the Nation's public hospitals by 7,000 in 1 year; $5.7 million for fundamental research in metabolism, endocrinology and biochemistry toward the ultimate prevention and cure of arthritis and metabolic diseases such as diabetes, ulcerative colitis, hepatitis, and peptic ulcers; $5.3 million for intensified heart disease studies and training, primarily in the fields of hypertension and arteriosclerosis; and $5.2 million for a full scale effort to learn the extent to which prenatal

influences are responsible for nervous and blinding diseases among children.

If the Senate figures stand, the Federal Government in the coming year will spend $58.5 million on cancer, $39.4 million on mental health, $38.8 million on heart disease, $23.5 million on arthritis, and $24 million on nervous disorders—all major increases over administration recommendations.

In hiking administration requests by $32 million and last year's funds by $33 million the Senate Appropriations Subcommittee took cognizance of strong signs that the world of medicine appears to be on the verge of a series of disease breakthroughs.

"Cancer of the cervix, the subcommittee said, is technically a problem which is on the brink of solution * * * developments in heart surgery have been spectacular * * * a new technique has been developed for detecting the precise location of most brain tumors without opening the skull * * * a diagnostic method has been developed for the early detection and treatment of a virulent form of uveitis, a blinding disease."

But throughout the subcommittee report ran disturbing references to delays, neglected areas of study, and limitations imposed on research progress by personnel shortages. Too often these perennial weaknesses have been obscured by the rapid strides medicine has managed to make in spite of them.

Senator LISTER HILL (Democrat), of Alabama, the man who put through the Senate increases with valuable assists from Senators RICHARD NEUBERGER (Democrat), of Oregon, and MARGARET CHASE SMITH (Republican) of Maine, observed:

"Every 2 minutes during which we have been considering this bill, a man, woman, or child in this country has died from cancer. More people die each year from diseases of the heart and circulatory system than from all other causes combined. More than 50 percent of the hospital beds of the country today are occupied by people suffering from some form of mental illness.

"We have made progress, but the battle must continue."

COMMITTEE MEETINGS

Mr. KEFAUVER. Mr. President, I should like to ask a question of the distinguished majority leader and of the acting minority leader on the subject of procedure.

The Subcommittee on Antitrust and Monopoly Legislation of the Committee on the Judiciary this morning began hearings on the question of prices, particularly as that subject relates to inflation, which is causing us a great deal of concern at the present time. It was our hope to have a number of economists testify this week.

I understand that the Senate will convene tomorrow at 11 o'clock in the morning. I was hopeful that we might be able to secure permission of the Senate to hold brief sessions of the subcommittee during the time the Senate is in session. I wish to inquire, therefore, whether any policy has been determined as to subcommittee meetings under those circumstances.

Mr. JOHNSON of Texas. I wonder whether my good friend from Tennessee has read in the RECORD the comments I made yesterday in connection with the transaction of other Senate business during the time the present matter is pending before the Senate.

I do not believe it would be possible to obtain unanimous-consent agreements for committees to meet during the time when the Senate is in session. The majority leader made an announcement earlier this morning in which he expressed the hope that all Senators would be in attendance during the course of the debate. I think that if that hope can be realized, perhaps at an early date a solution can be found to the problem which confronts us all.

I have been informed by the minority leader and by other Senators that they do not wish to have proposed legislation considered, except measures of a highly emergency nature which can be considered by unanimous consent. That is a decision which was made by the Senator from California, and he took it into consideration before he made his motion which is now pending.

I have been informed by other Senators that they have committee duties which they cannot perform and be on the floor at the same time; they cannot be in two places at once. If an exception is made for one committee, then all the committees will feel that they should have the same privilege.

I shall be glad to talk to the Senator from Tennessee in an attempt to work out a program with him, because I realize the importance of the work he is doing. I commend him for his diligence in this field. The Senator knows that only yesterday I discussed with him the work of his committee and the hopes which I have for it.

It may be that it will become necessary for committee sessions to be scheduled earlier in the morning than is customary. It may be that committees can meet at 8:30 or 9 o'clock.

I hope it will not be necessary to ask the Senate to convene earlier than 11 o'clock during this week, and that the time lost in the morning can be added at the end of the day. Yesterday the Senate remained in session until about 6:30. I would be prepared to have the Senate continue in session until 7 or 7:30 o'clock today, if Senators desire to address themselves to the motion under consideration or to any other subjects which they feel are important.

The majority leader is not going to screen the speeches, he is not going to censor comments, and he is not going to prevent Senators from exercising the rights which they have. There are some Senators who will want to make statements on other subjects, as the Senator from Montana [Mr. MANSFIELD] has indicated this morning he wishes to do. He has prepared a speech on foreign relations on which he has been working for many weeks. It is not of great length, but it cannot be made under the 3-minute rule.

I hope the Senator from Tennessee will confer with me privately, to see if we cannot make some arrangement whereby his committee sessions may be scheduled ahead of the sessions of the Senate, because I do not think it will be possible to hold committee meetings during sessions of the Senate, or to consider other business, whether executive business, or other legislative measures, except measures of the highest emergency, until the civil rights matter is disposed of. I think that view is shared by a great many Members of the Senate.

Mr. KEFAUVER. I appreciate the cooperation of the majority leader.

THE FORCES OF COMMUNISM

Mr. HUMPHREY. Mr. President, may I ask the Senator from Montana if we are still in the morning hour.

Mr. MANSFIELD. I so understand.

Mr. HUMPHREY. I have a brief statement to make.

Mr. President, I ask unanimous consent that I may speak for not more than 5 minutes. I understand that I am entitled to only 3 minutes under the rule during the morning hour.

Mr. MANSFIELD. That is correct.

The PRESIDING OFFICER (Mr. KERR in the chair). Is there objection to the request of the Senator from Minnesota? The Chair hears none, and the Senator is recognized for 5 minutes.

Mr. HUMPHREY. Mr. President, I wish to direct my remarks to an aspect of the international scene which I feel has not been given appropriate attention.

In the fast moving international situation which confronts us, it is unfortunate but nevertheless understandable that occasionally great events can happen without gaining the notice and attention they deserve. For some time past and for a long time in the future the great East-West conflict will continue. The stakes in this conflict are immensely high. What is involved is the survival of the Free World and the preservation of the freedoms which we cherish.

The forces of communism are using many weapons. We would indeed be strategically nearsighted, historically ignorant, and grossly uninformed as to the tactics of communism if we do not recognize that the men in the Kremlin are astute, and, from the standpoint of their position, willing and eager to use every weapon and device that will further their efforts to make further gains against the Free World.

Only recently we have learned of the shakeup in the Kremlin; of the conflict or contest between the forces of Khrushchev and Bulganin versus those of Molotov, Kaganovich, and Malenkov, the latter having been purged by the first secretary of the Communist Party, Mr. Khrushchev. To some persons, this action indicates weakness in the Soviet Union. I think it is fair to say, certainly, that there is an indication of instability, but it should be remembered that in a period of so-called instability in the Soviet Union her policies internationally have become more intransigent and more dangerous.

I happen to believe that this is one of the reasons why the disarmament negotiations at London have taken a turn for the worse. It is not because the Soviet Union has basically changed its policy, but because of the instability at home she has a tendency to become more flexible and more arrogant abroad. This is a paradoxical situation, but one which history reveals to be true.

Furthermore, Mr. President, with the forces of Khrushchev and Bulganin in the ascendancy in the Soviet Union, there is reason to believe that our task in the days to come may be even more difficult. The forces of Khrushchev are presently directing their attention to competition with the West in the political, the economic, and the cultural

areas. I happen to believe that in the days to come the Soviet will be a more sinister, more adroit, and more subtle in its activities on the international front than at the present time. We must be prepared to compete and win in each of these areas.

But, Mr. President, another event needs to be noted. Recently, there occurred on the military front an event which I firmly believe constitutes the most significant development in the East-West controversy in recent years. On June 20, the sleek, new Soviet cruiser, *Katuzov*, passed through the Turkish straits, and entered Mediterranean waters. Accompanying her were two modern destroyers. Only a few days prior to the *Katuzov's* entrance into the Mediterranean, she was preceded into those waters by three Russian submarines, which apparently were destined for Egypt.

These Russian naval forces have not been slow to show the Soviet flag and to make their presence felt in the Mediterranean. Within the last few days, according to news reports, two Soviet destroyers escorted a Soviet tanker through the Suez Canal.

On June 24, the cruiser *Katuzov* and her destroyer escorts steamed through the Mediterranean waters where NATO naval forces were scheduled to begin maneuvers.

This emergency of Soviet seapower in the Mediterranean has implications of incalculable magnitude. No longer does the Western World enjoy a seapower monopoly in the Mediterranean.

The Communist leaders have, in this case, keenly appraised the strategy of the Mediterranean world. They know that the Mediterranean is a seapower theater. The peoples of its littoral have for centuries been sensitized to naval power.

The sailing of the Soviet task force into the Mediterranean underlines the dogged determination with which Russia—Czarist or Communist—has pursued the goals of her aggressive imperialism. The Mediterranean world has, from the days of Russia's Varangian kings, been a major target of Russian expansion. The policy of western European governments for centuries has been to prevent Russia from exercising maritime power in the Mediterranean. That was a goal of Napoleon's Dardanelles policy. While the real causes of the Crimean War are involved and obscure, the fact remains that the then growing threat of Russian influence in the Mediterranean was a fundamental and underlying reason for combined action of Western European Powers to block Russian pressure against the eastern Mediterranean world.

On January 7, 1957, I invited the attention of the Senate to the alarming growth of Soviet seapower and its limitless consequences.

What now has happened is that we are beginning to see some of the tangible results of the vast buildup of Soviet naval power that has taken place since the end of World War II. With the passage of the Soviet task force through the Dardanelles into the Mediterranean, the Western World has been brought face to face with a great strategic reality of our time. With this new *Sverdlov*-class cruiser and her escorts steaming in the Mediterranean, the Western World can no longer view the rise of Soviet Russian seapower merely as an interesting academic development.

Today, Soviet men-of-war are showing the hammer and sickle in the same Mediterranean waters where, in the late 18th century, the Imperial Russian squadrons under Orlov threatened the Dardanelles, and gave the Western Powers a fright that was long remembered.

As members of the Senate may recall, it was my privilege to visit the Mediterranean area and Middle East shortly after the Suez crisis, and during the Jordanian developments. I am firmly convinced that the presence and prompt use of our 6th Fleet, with its carriers and Marine landing forces, restrained those who sought to destroy the Jordanian Government and, with it, United States and Western prestige in that area. The dramatic and meaningful sailing of the 6th Fleet to the eastern Mediterranean once again underlined the inescapable fact that balanced seapower is undoubtedly a necessary and useful instrument of national policy in the troubled age in which we live.

The Soviet Union recognizes the importance of modern seapower. With her growing naval forces, which, numerically, have now permitted Russia to supersede Great Britain as a ranking world seapower, the Soviet Union has turned the Baltic into a Russian lake. From the Far East we hear periodic reports of the movement of Soviet surface and submarine forces southward along the China coast. Thus, in the western Pacific, too, our seapower monopoly has been challenged by the rising Russian seapower.

Now Soviet seapower moves into the Mediterranean. Until now, the presence of the United States 6th Fleet in those waters was a wise and strategically sound policy. From the moment that the *Katuzov* and her escorts appeared in the Mediterranean, the maintenance of the 6th Fleet, with its carriers and Marine landing forces, in the Mediterranean became an inescapable necessity.

The issue for control of the Mediterranean world has now been joined on the most fundamental strategic level. Soviet naval access to, and use of, Mediterranean waters signals a new and alarming phase of the East-West conflict. It underlines the long-range determination of the Communist world. It serves notice on the United States that, even more than in recent years, our Nation must shoulder the burden of seapower primacy, only a few years ago relinquished by Great Britain.

If we do not assume that burden, and if we do not assure the continuation of our naval superiority, the Soviet Union, with her rising tide of seapower, which within the last few days has flowed into the Mediterranean, will eagerly grasp seapower leadership and all the prestige and decisive strategic advantages that go with it.

Mr. President, I believe that this matter is of such great importance that we should consider it within the context of the total developments which are taking place in the Soviet Union and her probing actions on both the political and the military fronts throughout the world. An effective foreign policy requires a clearcut understanding of our objectives, our commitments, and our capacity to achieve and fulfill those objectives and commitments. The political, economic, and military strength of the United States and her allies are being tested and challenged. We must not ignore or underestimate the power or the ruthlessness of the Soviet.

CALL OF THE ROLL

The PRESIDING OFFICER. Is there further morning business?

Mr. JOHNSON of Texas. Mr. President, before the morning hour is concluded, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	Morton
Allott	Green	Mundt
Anderson	Hayden	Murray
Barrett	Hickenlooper	Neuberger
Beall	Hill	O'Mahoney
Bennett	Holland	Pastore
Bible	Hruska	Payne
Bricker	Humphrey	Potter
Bush	Ives	Purtell
Byrd	Javits	Revercomb
Capehart	Jenner	Robertson
Carlson	Johnson, Tex.	Russell
Carroll	Johnston, S. C.	Saltonstall
Case, N. J.	Kefauver	Schoeppel
Case, S. Dak.	Kennedy	Scott
Church	Kerr	Smathers
Clark	Knowland	Smith, Maine
Cooper	Kuchel	Smith, N. J.
Cotton	Langer	Sparkman
Curtis	Lausche	Stennis
Dirksen	Long	Symington
Douglas	Magnuson	Talmadge
Dworshak	Malone	Thurmond
Eastland	Mansfield	Thye
Ellender	Martin, Iowa	Watkins
Ervin	Martin, Pa.	Wiley
Flanders	McClellan	Williams
Fulbright	McNamara	Yarborough
Goldwater	Morse	Young

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Delaware [Mr. FREAR], the Senator from Washington [Mr. JACKSON], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Missouri [Mr. HENNINGS] is absent by leave of the Senate because of illness.

Mr. DIRKSON. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The Senator from Maryland [Mr. BUTLER] is absent on official business.

The PRESIDING OFFICER. A quorum is present.

Are there further items for the morning hour?

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

Mr. JOHNSON of Texas. The quorum seems to have disappeared. [Laughter.]

Mr. President, I desire to accommodate all my colleagues, but I do not want to ask Senators to address themselves to the all-important question now engaging the attention of the Senate when there are so few Senators present. My colleagues on the minority side have a very important policy meeting to attend. We have some very important policy decisions to be made here on the floor. I do not want to interfere with their meeting. I was not aware that a minority policy committee meeting was being held until I suggested the absence of a quorum; but since we have, as the pending business, the motion of the distinguished minority leader, and since we are going to discuss the wisdom of adopting that motion, I do want Members of the Senate to have an opportunity to be heard by their colleagues.

Therefore, I ask unanimous consent that the Senate stand in recess until 2:15.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Mr. President, I think that under the circumstances, and because of the gravity of the question, so well described by the majority leader, it would be infinitely better to have another quorum call rather than have the Senate take a recess.

Mr. JOHNSON of Texas. Of course, I will do that if that is what my friend insists on. We have just wasted the time of the staff and Members of the Senate, including the leaders, while we had a quorum call. We wound up with a net loss on this side of the aisle. There is only one member of the minority present. There are some 10 or 12 of the majority.

I apologize to the acting minority leader for taking him away from his policy committee, because it is necessary to have meetings of that kind. I do not know what policy discussion they are engaged in. I do not want to make an issue of it. But I think that if we had a quorum call there would not be any more Senators present, since the policy committee is meeting. I think the best thing to do is notify all Senators that the Senate will resume its deliberations at 2:15, and run a little later this evening.

Mr. DIRKSEN. This is a regrettable matter. It will catch the Members somewhere between the soup and the chicken, or the salad and dessert.

Mr. JOHNSON of Texas. I do not want to have them called to the Senate again, immediately, and I ask unanimous consent that the Senate stand in recess until 2 o'clock. Then the Senators will have a chance to finish their meeting, and all of them will be on notice that there is a very important speech to be delivered by the Senator from Arkansas [Mr. FULBRIGHT].

The PRESIDING OFFICER. If there is no objection, the Senate will stand in recess——

Mr. DIRKSEN. Mr. President, reserving the right to object, I should like to ask the Senator from Arkansas if he particularly wants a full attendance on the Senate floor.

Mr. FULBRIGHT. I will say to the Senator from Illinois I am accustomed to speaking when very few Senators are in attendance. It is not a personal matter with me, but I wish to follow the suggestion of the majority leader. I think his point is well taken.

RECESS TO 2 P. M.

The PRESIDING OFFICER. Without objection, the Senate will stand in recess until 2 o'clock p. m.

Thereupon, at 1 o'clock and 19 minutes p. m., the Senate took a recess until 2 o'clock p. m.

On the expiration of the recess, the Senate reassembled, and was called to order by the President pro tempore.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes; that the House receded from its disagreement to the amendment of the Senate No. 12 to the bill, and concurred therein, and that the House receded from its disagreement to the amendment of the Senate No. 24 to the bill, and concurred therein, with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 1359) for the relief of Mrs. Theodore (Nicole Xantho) Rousseau, and it was signed by the President pro tempore.

FEDERAL-STATE-LOCAL COOPERATION ON TORNADO AND FLOOD DISASTERS IN MISSOURI

Mr. SYMINGTON. Mr. President, the value of close Federal-State relations is never more evident than in a time of emergency. Recent floods and tornadoes in Missouri emphasize this value.

At approximately 7:45 p. m., Monday evening, May 20, a tornado, in which 38 persons lost their lives, struck in Missouri, south of Kansas City, and traveled in a northeasterly direction across Jackson County. This tornado struck Martin City, Grandview, Hickman Mills, Ruskin Heights, and finally blew itself out at the Missouri River, near Sibley.

Gov. James T. Blair, Jr., of Missouri, immediately upon learning of the disaster, ordered the 110th Engineer Battalion and the 205th Medical Battalion of the Missouri State National Guard, all State highway patrol posts in the vicinity of Kansas City, and personnel and equipment from the State highway department to report to the devastated areas and to provide all possible assistance in rescue work, immediate debris clearing, and necessary police action in guarding and protecting the property of the stricken population.

Although most of the devastation was in new suburban housing developments south of the Kansas City limits, Mayor H. Roe Bartle, of Kansas City, was at the scene within the hour, and worked throughout the night, in cooperation with county and State officials.

Kansas City police and fire detachments were soon joined by similar units from 20 other nearby communities. These were augmented by the enlisted and officer personnel of the Richards-Gebaur Air Force Base, under the command of Maj. Gen. Jarred V. Crabb. In the words of Mayor Bartle, "Air corps men literally dug dead and injured out of the debris with their bare hands."

The same night, Federal Civil Defense Officials made an initial survey of the damaged areas. They determined that 600 residences and 115 business establishments were destroyed or received major damage. In addition, five school buildings were destroyed. The total estimated damage was over $10 million.

The next day, May 21, Governor Blair made a personal inspection of the damage along the tornado path, and then sent to President Dwight D. Eisenhower a telegram requesting Federal assistance to supplement State and local efforts.

At the same time, the Kansas City Red Cross Chapter and the Salvation Army mobilized their resources, and sent first-aid teams and mobile feeding stations into the area. The citizens of Kansas City subsequently raised over $750,000 for the Red Cross to cover the expenses it incurred in this relief work.

As of June 21 the Red Cross had spent about $640,000 of the $1 million allotment for relief work in the area. Indeed, it seems that the citizens of greater Kansas City, the heart of America, have contributed enough money to cover the heavy expenses of the Red Cross in Jackson County, a record almost unique in the annals of that heroic organization.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter, dated May 28, 1957, from Mayor H. Roe Bartle, of Kansas City, together with the mayor's account of that first crisis-ridden day.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

CITY OF KANSAS CITY, MO.,
May 28, 1957.

The Honorable THOMAS C. HENNINGS, JR.,
The Honorable STUART SYMINGTON,
Washington, D. C.

MY DEAR SENATORS AND BELOVED FRIENDS: Please know that I am deeply and profoundly grateful for the magnificent help I have received from the offices of both of you fine Senators of Missouri. You have undoubtedly read the issues of the Kansas City Star which have proclaimed fully the devastation which was wrought by the recent disaster in suburban Kansas City and Jackson County as well as in Spring Hill, Johnson County, Kans.

Your telegraphic information that the President of the United States had declared the Greater Kansas City area as a major disaster area was appreciated greatly, and the way in which you vigorously prosecuted this matter will not be soon forgotten by me or by those who have been close to this problem extraordinary.

Frank O. Starr, regional director of civil defense, has been on the job. He has coordinated the Federal agencies magnificently and if the opportunity presents itself I wish you would commend him to his superiors for his forthright and intelligent approach to the problem and the dispatch with which it was effectively handled.

Governor Blair was with me for a day and a half and as a result thereof has intimate knowledge of all of the trials, tribulations, and perplexing personal problems and has full information as to the magnitude of the disaster.

Again, my heartiest and sincerest thanks. Pardon this hasty note but the pressure is terrific, as you may well appreciate.

Faithfully yours,

H. ROE BARTLE, *Mayor.*

A little chat with Mayor H. Roe Bartle relative to the recent tornado in this community, dictated Monday morning, May 27, 1957, at 10:25 a. m., in the office of the mayor, city hall, Kansas City, Mo.:

"In view of the fact that literally hundreds of letters have come to me expressing sympathy in the great disaster which has visited the suburban area of Kansas City, Mo., I am taking a fleeting moment from the pressure of the hour to dictate a short, concise statement of facts as they relate themselves to the disaster. I am personalizing this statement, as many of my friends have inquired as to the relationship of the mayor of Kansas City to this unfortunate disaster."

On Monday evening, May 20, 1957, at 7:50, a police officer came to the table where I was sitting in the colonial ballroom of the Hotel Muehlebach, and informed me that 10 minutes earlier a vicious tornado had hit Ruskin Heights, Hickman Mills, Grandview, and Martin City, in Missouri, and Spring Hill, in Johnson County, Kans. I was attending the annual meeting of the Midwest Research Institute, which I proudly serve as a trustee. Mr. J. W. (Twink) Starr, my friend of long standing, was sitting next to me, and I asked him to join me. My car was in front of the hotel. The minute that I started for the scene of the disaster the police radio in my car indicated the gravity of the situation. Our police dispatchers were calm and deliberate, but the messages that they were transmitting as related to ambulances, doctors, and nurses disturbed me terrifically.

All of the territory involved is outside of Kansas City, Mo. When I was 3 or 4 miles from the scene the roads were completely blocked. I used my 3-way radio, and before arriving at the scene called for about 80 percent of the on-duty police officers to move immediately to the scene. Because my car is equipped with siren and emergency red lights and the like, I arrived at Ruskin Heights at 8:30. I saw hysteria in its worst form, and no bombed area in any section of the world could have been more chaotic. Within 2 minutes after I had arrived at Ruskin Heights my trusted friends, Col. Lyman Field, police commissioner, and Chief of Police Bernard C. Brannon, were by my side. We immediately designated Maj. Donald Bishop, who had arrived at the scene, as officer in charge, and I called for all off-duty police officers, all off-duty firefighters, and all off-duty municipal employees from the public works, park, and water departments to report as quickly as possible.

The complete lack of lights made the situation doubly horrifying. Fathers were looking for children, mothers were looking for their husbands and families, men and women both were digging with their hands in the debris in hundreds of homes looking for those who were injured or dead. With Chief Brannon and Colonel Field, we moved with great speed and rapidity to Hickman Mills, Grandview, and Martin City. At 9:50 I called His Excellency Gov. James T. Blair, Jr., in Jefferson City. I spent but a fleeting moment describing the situation and called upon the Governor to declare the distressed area as being under martial law. The Governor heeded my request and asked me to wait 5 minutes before calling National Guard units to action and instructed me to proclaim martial law in the name of the Commonwealth of Missouri.

Colonel Howard of the 110th Engineers had 90 percent of their personnel on the scene of action by 11 o'clock and other units moved rapidly as did the State highway patrol. Maj. Gen. Jimmie Crabb, who is my personal friend, who serves as commanding officer of the Richards-Gebaur Air Base (which is the Central Air Defense Command headquarters) turned out 98 percent of the enlisted personnel and the officers of the base, which is located only a few miles from the communities visited by the tornado. The Air Force was invaluable. We immediately set up roadblocks as the curiosity seekers came by the tens of thousands.

The trio of Field, Brannon, and Bartle moved from one sector to the other all night long checking on the progress made and coordinating the efforts of the good neighbors who had arrived to be of assistance. Certainly county lines and State lines meant nothing. We had firefighting apparatus and police officers from at least two dozen communities across the State line in Kansas. Likewise, the adjacent communities in Missouri responded faithfully and nobly. The Salvation Army and the Red Cross canteens moved in with dispatch and all night long I saw men of faith, courage, and valor in action. Monday night our first effort was to get the casualties to hospitals. We did not pause for identification but kept ambulances moving to every hospital in the area. As we worked through the night and all through the next day, late on Tuesday afternoon we began to put together the casualty list and by midnight Tuesday night we had a roster of the known dead and those severely injured.

This whole week has been nothing but a nightmare which I sincerely wish I could blot out of my memory. There has been little or no sleep for the whole week and I am exceedingly tired and very, very weary this morning, but I am happy to tell you that the complete situation is well in hand. I wish that you might have been with me on Saturday afternoon at the hour of 2 when we had all of the governmental agencies represented, such as the FHA, Veterans' Administration, Small Business Loan Corporation, and others, 12 in number, and had a meeting of all of the residents in the territory which is designated a disaster area.

It was Tuesday afternoon at the hour of 3 when Governor Blair joined with me in asking President Dwight D. Eisenhower to designate the affected areas as being eligible for disaster relief. The President responded momentarily with a positive affirmative answer.

The meeting on Saturday afternoon indicated to me the character of the people involved. Most of the homes were owned by GI's of World War II and the Korean conflict. They were youngsters who had just started building their families and all of their worldly goods were involved in their homes and their cars. There was not a single car that was not completely demolished by this vicious tornado which had terrific power and swept a path some 70 miles long and about 1,000 feet wide. At the meeting Saturday afternoon those youngsters who had only a hole in the ground to call their home possessed a sense of humor and had courage in their hearts to rebuild, and the only thing that disturbed the meeting was the loss of life on the part of their neighbors and the more than 200 who still remain in hospitals in Kansas City, some of them still in a very critical condition.

Yesterday morning I was in the services of the Presbyterian congregation whose church had just been completed and dedicated a few months before but yesterday morning it was a mere pile of rubble. The congregation met with debris all about them and the minister, who had lost everything that he possessed in his home and had only the clothes on his back, kindled faith extraordinary in the hearts and minds of the disaster victims. Immediately following that service I attended a pontificial mass celebrated by His Excellency, the Most Reverend James P. Cody, bishop of the diocese of Kansas City-St. Joseph, as held at St. Catherine's Parish in Hickman Mills. It was a requiem high mass for the dead and a mass of thanksgiving for the living.

The Red Cross is doing a herculean job. The Salvation Army, God bless them, is on the job and will so remain. The various churches are responding nobly on a denominational basis and rehabilitating the citizens of their fellowship. The American Legion and the Elks Clubs are in the harness, as you might expect. The streets have been cleared of all debris by the public works department of Kansas City even though the area is beyond our territorial concern. Our fire department is stationed about the afflicted area. Our police department has remained on duty throughout and will continue until the homes have been rebuilt and we get back to normalcy. The entire business sections of Ruskin Heights, Hickman Mills, and Martin City were destroyed. No churches and only one schoolhouse remains.

I could ramble on here at length, but we still need dynamic action in its best form. I can assure you that the needs of hundreds of families are really great and yesterday afternoon I pledged my fellow Kansas Citians to a gift of a million dollars within the week to the tornado disaster fund of the Red Cross.

Out of a terrific disaster of this type come cooperation and helpfulness in their finest and best form which indicates that the American people are fundamentally Christian insofar as their acts of charity are concerned and their willingness to love their fellowman. My appreciation is herein conveyed to you and others who have written me conveying sympathy for the disaster victims. I would like to acknowledge personally, but this communication will have to suffice.

Gratefully yours,

H. ROE BARTLE, *Mayor.*

Mr. SYMINGTON. Mr. President, on Tuesday afternoon, May 21, at approximately 4:30 p. m. central standard time, several other tornadoes struck in the southeastern section of Missouri, at Fremont and Van Buren, in Carter County, and at Desloge and Cantwell, in St. Francois County, causing extensive damage to both public and private property.

A total of 13 people lost their lives as a result of the May 21 tornadoes. These areas were also included in President Eisenhower's declaration of major disaster areas. The declaration was later extended to include flooded disaster areas, particularly in southeast Missouri.

Representatives from the Federal civil defense regional office were dispatched to all the stricken areas, to make damage surveys, and to report on any Federal assistance needed in the areas.

Following President Eisenhower's declaration, which qualified the affected areas in Missouri for Federal assistance, a meeting of all the Federal agencies which would be involved in providing the

required aid was held in Kansas City, to assure coordination of their efforts.

The Federal agency representatives reviewed their actions to date, and plans were formulated for providing further assistance under their broadened authorities with the President's declaration that the affected areas qualified for Federal assistance under Public Law 875.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article of June 3, 1957, from the Kansas City Times, recounting an inspection, by myself and other public officials, of the disaster-struck area immediately south of Kansas City.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Kansas City (Mo.) Times of June 3, 1957]

AMIDST RUINS, PLEDGE OF HELP—SYMINGTON TOURS AREA AND PROMISES TO AID IN GETTING FEDERAL ASSISTANCE—VICTIMS' SPIRIT NOTED—SENATOR IS AMAZED AT THEIR DETERMINATION DESPITE THE DESTRUCTION

Speed in obtaining Federal assistance for the rehabilitation of the Ruskin Heights-Hickman Mills-Grandview area was promised by Senator STUART SYMINGTON after he toured the tornado-devastated areas yesterday.

"The spirit of these victims is absolutely amazing and it is one of the most impressive things about the tragedy to me," Senator SYMINGTON said. "They are not bitter or despondent. They are alert and ready to go again at getting themselves back in business.

PROMISES SPEEDY HELP

"You can bet that I will do everything I can to see that they get any assistance they need from the Federal Government. Plans have been made for rebuilding these homes and getting everything reestablished. The job now is to get this thing finished."

Senator SYMINGTON toured the areas street by street, stopping here and there to get a closer look at the debris. His motorcade wound past row after row of battered and destroyed homes in the late morning and early afternoon.

"I know a lot of other people have said it, but you just can't picture this damage until you actually see it," the senator said, "I have seen newspaper, magazine and television pictures of the disaster but somehow your mind doesn't grasp the extent of it all."

ACCOMPANIED ON TOUR

Accompanying SYMINGTON on the tour were Mayor H. Roe Bartle; Arvid Owsley, Jackson County sheriff; Ray G. Cowan, presiding judge of the county court and disaster area coordinator; Joseph Stewart, board member of the American Red Cross; Sen. Floyd Gibson of Independence; Judge Marcus Kirtley of the circuit court, and Glen Gerred, Bill Wall and Russ Millin, members of the Hickman Mills school district board.

Paul Winckler, natural disaster coordinator for the Federal Civil Defense Agency, Battle Creek, Mich., conferred with SYMINGTON at the trailers set up at the entrance to Ruskin Heights for use by the Red Cross, insurance firms, county police and other agencies.

Winckler gave SYMINGTON a detailed report of what Federal agencies have done in the disaster area.

Winckler said the FCDA representatives would meet this morning with Jackson County representatives on the cost of clearing debris and litter from county roads and highways and assisting residents in moving debris from their home areas.

"For instance, a completed bridge on a country road was blown out by the tornado," Winckler said. "It was a 35-foot span of concrete and steel and had an 18-foot roadway. We will participate in rebuilding that."

AT 103D AND OLIVER

The bridge is located at 103d and Oliver Streets north of the Ruskin Heights area and south of Bannister Road.

Winckler also gave SYMINGTON this rundown on other Federal assistance being given:

Department of Agriculture: A representative of the Farm Home Administration has surveyed the area assisted by the Jackson County extension service agent. A temporary field office has been established for the processing of loans at Ruskin Heights.

Department of Health, Education, and Welfare: Representatives of the Public Health Service and the Food and Drug Administration were ordered on the night of the tornado to coordinate with their State and county counterparts in taking necessary actions on sanitation, water, and food. Food and Drug representatives condemned approximately $80,000 worth of foodstuffs in damaged areas and it was disposed of by the land-fill method. Water was tested and found drinkable. Federal, State, and county officials cooperated in spraying the area to control pests to protect the health of persons in the area.

Federal Housing Administration, Small Business Administration, and Veterans' Administration: Each has established temporary field offices at the disaster site. They are aiding tornado victims in getting reestablished.

At the Ruskin Heights High School, SYMINGTON got out with other officials and walked among the pieces of wreckage. Steel girders were crumpled like paper. Aluminum letters which had spelled "Ruskin Heights" dangled from a part of a brick wall. Great wooden arches, however, still stood in place over the wreckage.

"You wouldn't think the wind could do this, would you?" SYMINGTON asked.

The motorcade moved on past still more wrecked houses. Finally, it stopped at what had been a house at 7509 East 109 Street Terrace. It was now just a pile of wreckage. Millin, one of the school board members, walked up to it.

"This used to be my house, Senator," Millin said. "My wife and four children were down there in that basement. Luckily, they got out of there without a scratch after it was over."

CANTEEN UNITS WITHDRAWN

Red Cross and Salvation Army mobile canteen units were withdrawn from the disaster areas last night after serving the evening meal. Red Cross disaster centers in five areas remained open to process applications for gifts for rebuilding homes or replacing home furnishings.

The contributions to the Red Cross disaster relief fund stand at $527,643.55, the total reached Saturday morning. No mail deliveries were received at the chapter house yesterday, but Red Cross officials were hopeful that a new surge of contributions would arrive this morning.

Mr. SYMINGTON. Mr. President, on June 6, the President approved the allocation of $2 million, from funds appropriated under Public Law 875, 81st Congress, for assistance to the tornado-damaged schools in Missouri.

Exactly 1 month after the first Missouri tornado, on June 20, 1957, flash floods hit the St. Louis area, and resulted in at least five deaths and several injured. Over 3,000 persons were evacuated from flooded homes, and at one time 135,000 homes were without electric power. Linemen were borrowed from cities as far away as Cleveland and Chicago. The Coast Guard had a rescue unit on hand, and the Red Cross set up emergency shelters.

Late that day, Gov. James T. Blair, Jr., sent to President Eisenhower a telegram asking that the eastern Missouri flooded area be designated as a disaster area, and stating that $500,000 in emergency funds was needed. In keeping with this request, the President, on June 22, declared the St. Louis and east-central Missouri area a major disaster area under Public Law 875.

Since the first tornado in Missouri this spring, there have been several minor misunderstandings as to procedure and extent of Federal assistance available, but, in each case, these difficulties have been worked out speedily when we have called them to the attention of the Federal Civil Defense Administration and the other agencies responsible.

The flood damage in the seven southeast Missouri counties, in the loss of agricultural production alone, is now estimated at $56 million.

On several occasions, the Department of Agriculture has been asked to study the possibility and advisability of extending the acreage reserve signup time, so that these stricken farmers might put their damaged lands into the soil bank. Department spokesmen have repeatedly said this could not be done.

With incomes reduced, both by flood and by lower prices, credit needs in this area have been estimated at as much as $43 million.

During the conference on disaster assistance, called by the junior Senator of Minnesota [Mr. HUMPHREY] on July 1, True D. Morse, Under Secretary of Agriculture, and Kermit Hansen, Director of the Farmers' Home Administration, assured us that the Department of Agriculture would be sympathetic in meeting the credit needs of these people later this summer and fall.

In order that the problems may be worked out to the best advantage possible, Representative PAUL JONES, of Missouri's 10th District, banking and farm leaders of southeast Missouri, and officials from the agricultural credit agencies, both private and governmental, are arranging a conference to be held there later this month.

Based on our experience in Missouri and in other disaster areas this spring, we agree with Senator HUMPHREY that some improvement can be made in the procedure in getting the help to the people who need it, in accordance with the intent of Congress. In preparing for the future, it is good that these procedures are to be reviewed by the Senate Subcommittee on Reorganization of the Committee on Government Operations.

However, as to the tornado and flood emergencies in Missouri this year, Mr. President, there is real satisfaction in recounting this story of Federal-State-local cooperation.

In times of crisis, all of our agencies, public and private, not only should, but in the best American tradition can, and do, cut through redtape and get help on its way in the shortest possible time.

Mr. President, I ask unanimous consent to have included at this point in the RECORD a résumé, prepared by the civil-defense officials, of actions taken by Federal agencies to provide relief and assistance to areas affected by the recent disasters in Missouri; a letter from Gen. Alfred M. Gruenther, president of the American Red Cross, dated May 24, 1957; a letter from Hon. James T. Blair, Jr., Governor of the State of Missouri, dated May 29, 1957; a letter from Mayor H. Roe Bartle, of Kansas City, Mo., dated June 7, 1957; and an exchange of correspondence between my office and the Honorable Val Peterson, Federal Civil Defense Administrator, dated June 13, 1957.

There being no objection, the résumé, letters, and exchange of correspondence were ordered to be printed in the RECORD, as follows:

BRIEF RÉSUMÉ OF THE ACTIONS WHICH HAVE BEEN TAKEN BY VARIOUS FEDERAL AGENCIES IN PROVIDING ASSISTANCE

SMALL BUSINESS ADMINISTRATION

On Tuesday, May 21, 1957, with the recommendation of Regional Director C. I. Moyer, the disaster-struck cities and counties in Missouri were proclaimed major disaster areas, which thereby enabled this Administration to make 3-percent loans to businesses and private individuals in accordance with their existing rules and regulations.

FEDERAL HOUSING ADMINISTRATION

District Director Herb E. Studer immediately ordered Federal housing inspectors to the disaster area with instructions to furnish a written copy of a damage report for each of the homes that had previously been purchased with an FHA-guaranteed loan. He also made these inspectors available for intermediate inspections during and upon completion of reconstruction of the homes. These actions assured the homeowners that their replaced or repaired houses would be equivalent to that destroyed. Under their broadened powers, emergency loans at 5 percent interest rates, 30 years, no downpayment, could be made where needed.

VETERANS' ADMINISTRATION

Authority from the Washington office was obtained to provide for inspections by approved inspectors prior to and during reconstruction.

Field offices with representatives from the above three agencies were established in the disaster areas to provide advice and guidance to all affected persons, and to expedite the processing of new emergency loans.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Regional Director James Doarn on the night of the disaster received a report from representatives of the Public Health Service and the Food and Drug Administration who, working with their State and local counterparts, took necessary actions concerning the provision of emergency sanitation measures and inspection of the food and water supplies to protect the health of the people involved in the disaster and those in the immediate vicinity. On a later inspection, it was found necessary to spray the stricken areas as a public-health measure.

This Department, in conjunction with General Services Administration and the Missouri State surplus property director immediately surveyed all available surplus property warehouses and began processing applications for many different types of equipment requested. No delays were experienced in receiving this equipment in areas where requests originated.

Personnel were also furnished from the Office of Education to provide information relative to required temporary replacement space for the destroyed schools.

HOUSING AND HOME FINANCE ADMINISTRATION

This Administration furnished engineers who were experienced in estimating costs for temporary structures to replace the destroyed school facilities.

FARMERS' HOME ADMINISTRATION

Representatives surveyed all of the stricken areas and established offices where necessary to give advice and guidance to the disaster victims and for the rapid processing of emergency loans to affected persons in the rural areas.

BUREAU OF PUBLIC ROADS

The regional engineer, Mr. W. V. Buck, made available engineers who assisted in making damage surveys in the flooded counties in southwest and southeast Missouri.

The damage from flooding in certain counties of Missouri was principally confined to crop destruction. However, some counties have experienced considerable highway damage. Surveys are still in progress to assure that all of the Federal assistance that is needed to the flood-stricken areas will be provided.

Project applications are now being reviewed at the State and Federal regional level with most of the applications expected to be submitted by the eligible applicants during the month of June or early July 1957.

THE AMERICAN NATIONAL RED CROSS,
NATIONAL HEADQUARTERS,
Washington, D. C., May 24, 1957.

The Honorable STUART SYMINGTON,
United States Senate,
Washington, D. C.

DEAR SENATOR SYMINGTON: I want to share with you our latest report on tornadoes that hit your State. This tragic news came with the opening of our convention and I extend not only my own sympathy but also that of the other officers and delegates.

Our local chapters acted immediately to render emergency aid. The Jackson County Chapter at Kansas City, Mo., immediately sent first-aid teams into their suburban areas and mobilized additional personnel to help the hospitals care for the 100 hospitalized. Mobile and other feeding stations were operated around the clock. In another hard-hit community, Desloge, Mo., the St. Louis Chapter sent disaster workers to help the Desloge community. The people from the almost destroyed town of Freemont were evacuated, sheltered, and fed by volunteers from Winona, Poplar Bluff, and West Plains. These reports of mutual aid and volunteer service again inspired our delegates in their devotion to volunteer service principle of Red Cross.

Kansas and Missouri operations will be administered by a field office at Kansas City, Mo. Each county affected has one or more local disaster relief offices where victims are served. These offices will plan with those families in need and who apply to us for assistance in reestablishing themselves. Mr. Robert C. Edson, our national director of disaster services, is in Kansas City now completing these arrangements.

Surveys in Lewis, Cape Girardeau, Madison, St. Francois, Carter, Douglas, and Jackson Counties in Missouri reveal the following damage—45 killed, 265 injured, 1,068 families affected with 445 of their homes destroyed.

I am sure you are aware that Red Cross disaster reserves have been depleted by the unusually heavy disasters of the past 22 months. Red Cross disaster relief during this time has amounted to over $50 million. Despite this drain and the fact that our resources are lower than at any time since 1940, I want to assure you that the Red Cross will stay on the job in Missouri until all those who need Red Cross assistance have been started on the road to recovery.

Sincerely,
ALFRED M. GRUENTHER.

P. S.—And Stu, will you please pray for no more floods or tornadoes. We are in real financial difficulty.

EXECUTIVE OFFICE,
STATE OF MISSOURI,
Jefferson City, May 29, 1957.

Hon. STUART SYMINGTON,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR STU: Thank you so much for the telegram in regard to the fact that Missouri is now eligible for emergency credit.

I am greatly pleased over the manner in which the Federal Government has cooperated with us here in Missouri in time of need and I know, Stu, that much of the credit for this aid has been through your efforts. I deeply appreciate what you have done and I also greatly appreciate your keeping me advised as to the effectiveness of your efforts back in Washington.

Sincerely,
JAMES T. BLAIR, Jr.

CITY OF KANSAS CITY, MO.,
June 7, 1957.

The Honorable STUART SYMINGTON,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR SYMINGTON: As you well know, the territory south of the corporate limits of Kansas City, Mo., was hit by a tornado and as a result thereof the disaster is unquestionably the worst in the history of the State of Missouri.

There were many individuals who contributed much in caring for the needs of the unfortunate citizens who were hit by this devastating tornado. Within a period of 30 minutes after the tornado had hit I was on the scene of action and as you are possibly well aware, it was I who called His Excellency, the Governor of Missouri, to declare martial law.

Very frankly I do not know what would have happened if it had not been for Maj. Gen. Jarred Crabb, the commanding officer of Richards-Gebaur Air Force Base, who moved with such speed and unusual effectiveness in making available both officers and enlisted personnel from the Richards-Gebaur base. All of the equipment that was essential and necessary, such as ambulances, medical and hospital corpsmen, firefighting equipment, and literally hundreds of personnel who served as protectors of property, moved to the scene with dispatch.

The base is located only a few miles from the communities of Grandview, Hickman Mills, Martin City, and Ruskin Heights, where the disaster was at its worst. Air Corps men literally dug dead and injured out of the debris with their bare hands. Their conduct reflected the very finest in the way of discipline and the spirit of both enlisted personnel and officers indicated their most earnest desire to cooperate fully and completely with all of the energy and talents at their command.

It would be impossible for the citizens of this great city and our neighbors in the environs to adequately express appreciation to the Air Force and its personnel for the matchless service which was rendered so valiantly and efficiently.

May I humbly and most sincerely beg and beseech you to see that the proper authorities are given due credit for their valiant service to the citizenry of our Republic, who reside in the suburban territory of Kansas City.

With deep and abiding respect, please know me always as

Faithfully yours,

H. ROE BARTLE, *Mayor.*

JUNE 13, 1957.

Hon. VAL PETERSON,
Administrator, Federal Civil Defense Administration, Washington, D. C.

DEAR GOVERNOR: We of Missouri are very grateful to you and your staff for the effective work done by Civil Defense in effort to meet the need as the result of the recent tornadoes and floods in Missouri.

Mr. Frank O. Starr, Regional Director for that area, has been particularly helpful in coordinating the work of the various Federal agencies with the State and local efforts.

On May 25, Mr. Starr met me in St. Louis, reporting on the civil-defense work in the State up to that time. On June 2, during a tour of the tornado disaster area south of Kansas City, your special representative, Mr. Winkler, reported on the work in that section.

The President's initial allocation of $2 million for disaster assistance in Missouri will help a great deal as a start toward meeting the needs of our schools that were destroyed by tornadoes.

We of Missouri also deeply appreciate the fact your representatives are continuing to meet with and advise our local leaders in regard to additional assistance which may be available under Public Law 875.

Many thanks again to you and your fine staff.

Sincerely,

STUART SYMINGTON.

FEDERAL CIVIL DEFENSE ADMINISTRATION,
Washington.

Hon. STUART SYMINGTON,
United States Senate,
Washington, D. C.

DEAR SENATOR SYMINGTON: It is gratifying to me that you have found Mr. Starr, our Regional Director, and members of his staff helpful in the recent disasters in your State. I am taking the liberty of sending a copy of your letter on to them.

You can be sure every member of the Federal Civil Defense Administration staff will continue to be of all assistance possible.

Kindest regards.

Sincerely,

VAL PETERSON.

CALL OF THE ROLL

The PRESIDENT pro tempore. Is there further morning business?

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The LEGISLATIVE CLERK called the roll, and the following Senators answered to their names:

Aiken	Dirksen	Johnson, Tex.
Allott	Douglas	Johnston, S. C.
Anderson	Dworshak	Kefauver
Barrett	Eastland	Kennedy
Beall	Ellender	Kerr
Bennett	Ervin	Knowland
Bible	Flanders	Kuchel
Bricker	Fulbright	Langer
Bush	Goldwater	Lausche
Byrd	Gore	Long
Capehart	Green	Magnuson
Carlson	Hayden	Malone
Carroll	Hickenlooper	Mansfield
Case, N. J.	Hill	Martin, Iowa
Case, S. Dak.	Holland	Martin, Pa.
Church	Hruska	McClellan
Clark	Humphrey	McNamara
Cooper	Ives	Morse
Cotton	Javits	Morton
Curtis	Jenner	Mundt
Murray	Russell	Symington
Neuberger	Saltonstall	Talmadge
O'Mahoney	Schoeppel	Thurmond
Pastore	Scott	Thye
Payne	Smathers	Watkins
Potter	Smith, Maine	Wiley
Purtell	Smith, N. J.	Williams
Revercomb	Sparkman	Yarborough
Robertson	Stennis	Young

The PRESIDING OFFICER (Mr. SCOTT in the chair). A quorum is present.

Is there further morning business? If not, morning business is closed.

Mr. FULBRIGHT obtained the floor.

CIVIL RIGHTS

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California [Mr. KNOWLAND], that the Senate proceed to the consideration of H. R. 6127, the Civil Rights Act of 1957.

Mr. FULBRIGHT. Mr. President, I wish to thank the majority leader for requesting the quorum call and for having asked for the recess, in order to help to get some Senators present on the floor.

Mr. JOHNSON of Texas. Mr. President, may we have order, so that we can hear the Senator; and will the Senator speak a little louder, please?

Mr. FULBRIGHT. I observe some 15 of the minority party, and about the same number of the majority party, present for this debate.

I say that because of the importance of this particular issue. I am encouraged to believe, after having observed the reaction of the President of the United States——

Mr. JOHNSON of Texas. Mr. President, will the Chair ask the pages to take their seats, and ask the Members to take their seats?

The PRESIDING OFFICER. The pages will please take their seats. The Chair also asks Members to take their seats.

Mr. FULBRIGHT. Mr. President, I am encouraged to believe, after having observed the reaction of the President of the United States to the very fine speech of the senior Senator from Georgia [Mr. RUSSELL] the other day, as a result of which the President observed, in his press conference, that there were some aspects of this proposed legislation which perhaps he did not understand completely, together with the change in the point of view of the editorials of the Washington Post and Times Herald, that perhaps these debates on the floor of the Senate do actually serve a very good and effective educational purpose.

I am encouraged to believe by the editorial in this morning's Washington Post and Times Herald that there has been a change of heart. When I say "change of heart" I do not mean that the Post has done an about face and now opposes the proposed legislation but it has materially changed its point of view toward it and is now admitting that it is very possible amendments are justified.

I invite the attention of the Senate to the attitude in the principal editorial of April 7, 1957, which was entitled, "Question of Jury Trials." This editorial was published in the Washington Post and Times Herald shortly after the proposed legislation was brought up in the House and in the committee of the Senate. I should like to quote 2 or 3 sentences, and then compare them with the attitude expressed in the editorial of this morning's edition, simply to draw attention to the difference in attitude which I believe is due to the debates and serious discussions by Members of the Senate, such as the Senator from Georgia [Mr. RUSSELL], the Senator from North Carolina [Mr. ERVIN] who also delivered a very informative speech, and the Senator from Wyoming [Mr. O'MAHONEY], who made a speech on yesterday, discussing the significance of jury trials.

The following statement, among others, appeared in the Washington Post and Times Herald of April 7:

> Along with many other southern Senators, the chairman of the Senate Judiciary Committee is trying to defeat the administration's civil-rights bill by the pretense that it would encroach upon the sacred right of every accused person to a jury trial. This argument has collided with the fact that there is no right of trial by jury for persons who are accused of disobeying court orders, except in limited categories of cases.

I read another item appearing a little later in the editorial:

> The whole concept of equity in our judicial system grew up because there were many situations that could not be handled properly by criminal prosecutions or by regular lawsuits. Equity proceedings permit the issuance of court injunctions as a means of protecting the rights of the parties before the court. These injunctions are enforced through the power of the courts to inflict punishment for contempt.

Mr. President, I ask unanimous consent that the entire editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From Washington Post and Times Herald of April 4, 1957]

QUESTION OF JURY TRIALS

Senator EASTLAND has launched a crafty flanking movement with his bill to grant jury trials to persons accused of contempt for disobeying Federal court orders or injunctions. Along with many other southern Senators, the chairman of the Senate Judiciary Committee is trying to defeat the administration's civil-rights bill by the pretense that it would encroach upon the sacred right of every accused person to a jury trial. This argument has collided with the fact that there is no right of trial by jury for persons who are accused of disobeying court orders, except in limited categories of cases. So Senator EASTLAND, with the support of Senators BYRD and THURMOND, is seeking to overcome that deficiency by means of new legislation.

Much confusion surrounds the subject because of the popular belief that every accused person has the right to trial by jury. Actually, the Constitution guarantees trial by jury in only criminal prosecutions and civil actions at law for money damages in excess of a certain amount. In addition Congress has required jury trials in some equity proceedings, notably some labor disputes, but these are very limited.

Sponsors of the Eastland bill seem to regard these limitations on jury trials as an oversight. Of course, they were not. The whole concept of equity in our judicial system grew up because there were many situations that could not be handled properly by criminal prosecutions or by regular lawsuits. Equity proceedings permit

the issuance of court injunctions as a means of protecting the rights of the parties before the court. These injunctions are enforced through the power of the courts to inflict punishment for contempt.

Many critics of the bill buttressing the right to vote have feared that it involves an arbitrary swing away from jury trials because of the reluctance of southern juries to convict anyone of civil rights offenses. But this ignores the general practice of not requiring juries in contempt cases. The reason for this practice is that, under a government of laws, the courts must be obeyed, unless reversed on appeal. If a person could defy the courts, relying on a friendly jury to prevent his punishment, law and order would suffer a perilous blow. And if the Federal Government, having obtained an injunction against a person threatening to make a mockery of the law, had to rely upon a jury trial to enforce such an injunction, many of its operations would be crippled in different parts of the country.

The present law does provide for jury trials in some cases where the willful disobedience of a court order also constitutes a criminal offense. But the same statute also expressly provides that jury trials shall not be required in case of contempt in disobedience to court orders in any action brought by the United States. Senator EASTLAND would sweep away this safeguard and leave the courts at the mercy of juries to enforce their orders, whether or not the action had been brought by the United States.

Enactment of this bill would not protect the right of trial by jury but would gravely impair the right of effective government. It is an ill-conceived assault on our judicial system. The right of trial by jury is indeed a sacred right wherever it is properly applicable—a right that must be upheld and protected; but it is not enhanced by projecting it into situations where it is not appropriate.

The real question at issue in the civil-rights bill is whether the Government may institute civil proceedings (as well as criminal prosecutions) to protect the right of citizens to vote. Wherever criminal prosecutions may be resorted to, trials would be by jury. But if civil proceedings should result in injunctions, those injunctions should be enforced by the established and traditional means now in use. Certainly the country cannot permit Senator EASTLAND and his colleagues to destroy these time-tested procedures in their effort to make any civil-rights legislation meaningless in the South.

Mr. FULBRIGHT. The import of that editorial is that there was nothing to be done about the civil-rights bill, that the questions raised regarding jury trials were purely a pretense and the whole argument was dismissed as of little consequence.

This morning, some 2 or 3 months later, I read an editorial in the same newspaper entitled "Big Debate Begins," in which it is stated:

Despite the basic purpose of the bill, some of its provisions are controversial among legislators who thoroughly accept the principle behind it. The Senate must satisfy itself not only that the measure has a worthy purpose, but also that its specific provisions are well adapted to the accomplishment of this purpose. Insofar as the debate is aimed at the elimination of defects and a tightening up of language, it should be welcomed.

I submit that is a very substantial change in attitude toward the bill on the part of the Washington Post. They now recognize that there may be something wrong with the method which is being used to accomplish a worthy purpose, as they put it, and that is exactly the point which I shall seek to develop in the course of my remarks.

Mr. President, I also ask unanimous consent that this entire editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of July 9, 1957]

BIG DEBATE BEGINS

The Senate has begun what may become its most momentous filibuster. In proclaiming that they will fight the right-to-vote bill until they "fall in their tracks, if necessary," the southern Senators have laid down a challenge which the Senate as a whole must meet. The bill sailed through the House by a vote of 286 to 126. It seems to have the approval of an overwhelming majority of the American people. Every consideration of logic and of democratic principle demands that at long last it be brought to a vote in the Senate.

Of course, the measure ought to be thoroughly debated, and this may require a couple of weeks. Despite the basic purpose of the bill, some of its provisions are controversial among legislators who thoroughly accept the principle behind it. The Senate must satisfy itself not only that the measure has a worthy purpose but also that its specific provisions are well adapted to the accomplishment of this purpose. Insofar as the debate is aimed at the elimination of defects and a tightening up of language, it should be welcomed.

At the outset, therefore, sponsors of the bill would do well to clear up any misconceptions as to its meaning or intent. It has been repeatedly denounced as an instrument through which the Federal Government could enforce racial integration in the schools of the South. Undoubtedly this will be the focal point of the assault against it, although Attorney General Brownell has denied that it would have any bearing on the liquidation of segregation in the schools.

Senator WATKINS also has said that, in contributing to the drafting of the bill, the idea it might be used to enforce integration in the schools was farthest from his thought. The fact remains that one provisions of the bill as it now stands can be reasonably interpreted as authorizing the Attorney General to bring suits for the enforcement of equal rights in the schools. If that was not the intention of its authors, the matter should certainly be clarified before several weeks of debate are wasted on mere semantics.

The Senators who are trying to avoid this inflammatory issue are not saying that the Supreme Court's ruling against segregation in the schools should not be enforced. Rather, they are saying that compliance with the High Court's ruling is being worked out by normal judicial processes and that that issue should not be injected unnecessarily into the new contest which centers in the right to vote. Something more than oral assurances will be needed, however, if the school issue is to be kept out of the controversy now before the Senate.

The debate may show that other changes in the bill are also desirable. The important thing is not to force acceptance of the letter of the measure as it now stands but, in the end, to pass a bill that will make the right to vote an actuality. To this end, we think the Senate should be prepared to hold night sessions, to remain in continuous session if necessary to break the filibuster and to modify its outmoded rule which requires 64 votes to limit debate.

The Senate ought to be mindful that the eyes of the world are upon it. Now that the showdown is at hand it cannot fail to meet this issue without gravely undercutting American prestige in all other countries. The spectacle of our Senate locked in futile combat for several months or indefinitely paralyzed in regard to so fundamental an issue as the right to vote would be a blow to the whole Free World. The debate should be conducted in the light of these potential repercussions and the issue should then be courageously faced with full understanding of the impact the Senate's action will have on the processes of government as well as on the rights of individual citizens.

Mr. FULBRIGHT. I should like to read one further statement from this editorial:

The Senators who are trying to avoid this inflammatory issue are not saying that the Supreme Court's ruling against segregation in the schools should not be enforced. Rather, they are saying that compliance with the High Court's ruling is being worked out by normal judicial processes and that that issue should not be injected unnecessarily into the new contest which centers in the right to vote. Something more than oral assurances will be needed, however, if the school issue is to be kept out of the controversy now before the Senate.

The debate may show that other changes in the bill are also desirable.

Again, it is admitted that other changes in the bill may be desirable.

The important thing is not to force acceptance of the letter of the measure as it now stands but, in the end, to pass a bill that will make the right to vote an actuality.

Again, this editorial writer of the Washington Post and Times Herald evidently has also discovered something in the bill which he did not know about when he wrote the first editorial. That something, in my opinion, has arisen from a study of the speeches by the Senator from Georgia [Mr. RUSSELL], the Senator from North Carolina [Mr. ERVIN], and the Senator from Wyoming [Mr. O'MAHONEY].

I confess that I do not feel capable of making any comparable contribution to the enlightenment either of the Washington Post, the President, or the Senate on this subject. I have not served on the committee, and I do not pretend to be an expert in this field. The three Senators I have mentioned are clearly experts—the best experts, I believe, in this body on the subject. However, there are certain aspects of the problem which I should like to develop.

Mr. President, I should like briefly to recall some of the circumstances and some of the reasons which accompanied the foundation of our country. I believe it may give all of us a little better perspective if for a moment we refresh our memories about the origin of our governmental institutions.

The earliest settlers came to this country seeking freedom from oppression by temporal as well as by religious authority. Of course, there were other considerations involved, but the dominant desire of the great majority was that of personal freedom—freedom from being pushed around, told what to think or not to think, and how to act under any and all circumstances. They were sick and tired of self-righteous people who presumed to have a private pipeline to God, who knew how everyone should

act and think, and who insisted on conformity in every respect to the way they thought and acted.

Our forefathers wanted to be free from the arbitrary tutelage of the king, or any religious leader, just as the Hungarians want to be free from the domination of the Kremlin—domination of their political institutions as well as of their thoughts and their views about religion or personal conduct.

One of the principal protections to the freedom which our forefathers wanted and in search of which they came to this country, was the right of trial by jury. The Constitution is the basic charter of the freedom which our forefathers desired, and which we still retain. The Bill of Rights is the essence of that charter.

These rights were the indispensable ingredients without which there would have been no United States of America, and without which there could have been no Federal Union.

In the Bill of Rights, the sixth and seventh amendments expressly and unequivocally guarantee the right of trial by jury.

The trial by jury, of one's peers, of course, has its origins far back in history, so far back that I shall not attempt to review its history at this time, other than to remind my colleagues that in 1215 when King John was called to account by the barons at Runnymede a trial by jury was one of the chief items of interest to the barons. Even at that early date it was considered an important element in the freedom of the individual from oppression by an arbitrary executive.

Since King John's day, a trial by jury has become so well established that most of us have taken it for granted, without appreciating how important it is to our basic fredom from arbitrary governmental oppression.

One trouble with our present generation is that, having taken for granted the trial by jury, when unexpectedly it comes under attack few of us are prepared to defend it—We did not fight it—we inherited it from our forefathers and many of us do not seem to understand its significance.

The Constitution as originally written, including the Bill of Rights, expressly and in no uncertain terms guarantees the right to a jury.

I wish to read four references, in four different places in the Constitution, which I think should be reiterated on every suitable occasion, to draw attention to the significance and importance which the Founding Fathers attached to the right to trial by jury, as contrasted with some of the other rights under consideration here.

The sixth amendment to the Constitution provides as follows:

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

I ask Senators, Does anyone believe that that amendment should be lightly set aside by a play on words which amounts to saying that we now should give jurisdiction to a court of equity to enjoin all crime? If that be true, this amendment means nothing. If, as the bill attempts to do to a limited degree, we can turn the acts which have traditionally been considered crimes, and were considered crimes when this provision was written, into acts which may be enjoined, as the bill attempts to do, we shall have effectively negated the sixth amendment.

The seventh amendment to the Constitution provides as follows:

> In suits at common law, where the value in controversy shall exceed $20, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

The fifth amendment to the Constitution provides as follows:

> No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Article III, section 2, provides as follows:

> The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

Thus, in four different places in the Constitution and the Bill of Rights we find a specific guaranty of the right to trial by jury. In four places in the Constitution the Founding Fathers sought to insure and retain the right to trial by jury, which right would be impaired by the proposed legislation.

The Constitution does not provide in any place that every citizen shall have the right to vote. The truth of the matter is that during the early days of this Republic few if any responsible leaders of the country believed in universal suffrage. The percentage of the population entitled to vote under the laws in existence at the time of Washington and Jefferson was quite small. The idea that in some mysterious way vast masses of voters possess a wisdom and a sanctity superior to that of a more restricted electorate gained its greatest momentum under Hitler and Mussolini, in rather recent days. It will be recalled that Hitler used to poll 99.44 percent of all the votes of all the people. He made them all vote, and he received virtually all the votes. That was a wonderful example of mass voting. I leave it to Senators to judge the relative merits of the two systems, namely, the unanimous vote under the system once in vogue in Germany, and the vote under our own system.

Personally I have no objection to universal suffrage, although it certainly is not a panacea. In Arkansas in recent years there has been increasing participation by the Negro population in voting, to the point where, I dare say, today almost as high a percentage of the eligible Negro population vote in our elections as is the case with the white population.

It is true that not all of them vote. However, whatever the fact may be as to that, the truth of the matter is that in the Constitution, in the beginning, there was no guaranty that every citizen should have the right tc vote. On the contrary, later on, amendments such as the 15th amendment, with regard to discrimination on account of race, color, or previous condition of servitude were added, and in those amendments—certainly in the 15th amendment—there is implicit the fact that there may be other qualifications for voting. But it is forbidden by reason of this amendment to deny the vote to anyone simply because of his race, color, or previous condition of servitude. Therefore, there are many other reasons why the vote may be restricted. In fact, it can still be restricted under the Constitution for appropriate reasons. Insane people, criminals, and minors under 21, or 18 years of age in some cases, are not permitted to vote.

The point I wish to make is that we are faced with a bill which, in a sense, requires the Senate and the people of the country to give up the right of trial by jury in order to accord to a limited number of people the right to vote. It is, therefore, being assumed, apparently, that the right to vote is of far superior worth than the right to trial by jury. I submit that that is an erroneous and false assumption.

There is one other point I should like to make before I pass on to another subject. It deals with a rather curious aspect of the question of the right to vote. The 14th amendment, as all of us know, has been considered one of the most important amendments with regard to individual rights. I wonder whether my colleagues have often thought of this part of that amendment. I read section 2:

> SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being 21 years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

The clear implication of that provision of the 14th amendment is that there are

perfectly proper grounds on which male citizens of 21 years or over may be denied the right to vote. It merely says that when they are denied the right to vote—perhaps for educational reasons, or by reason of other standards, which would bear a reasonable relationship to the function of voting—the representation of that State in Congress shall be reduced proportionately. It clearly contemplates that it is constitutional that such restriction may be placed upon the right to vote.

I emphasize that point, not because I wish to belittle the significance of the right to vote as such, but because I wish to emphasize the relative importance of the right to trial by jury, which in four places in the Constitution was mentioned by the Founding Fathers, and which provisions are of course still contained in the Constitution.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I am glad to yield to the Senator from Florida.

Mr. SMATHERS. When the Founding Fathers, as he has so well expressed it, provided the right to trial by jury in four instances in the Constitution, so that every burglar, rapist, Communist, and thief, is guaranteed the right of trial by jury, does the Senator have any explanation of the reason why the sponsors of the bill should want to take away the right of trial by jury from a limited number of people, most of whom live in the South? Can the Senator account for it? Can he give a reason why the proponents of the bill should want to do that?

Mr. FULBRIGHT. I will say to the Senator from Florida that later in my remarks I shall go into that particular aspect of the question in greater detail. At the moment I should like to say, however, that the only explanation I can think of is a political explanation. The principal sponsors of the bill feel that this particular issue has developed through the years into a potent political issue in certain of the great metropolitan areas. It is rather curious, perhaps, and I do not think it is wholly coincidental, that the primary sponsors and the most enthusiastic supporters of the measure come from Chicago, New York, Philadelphia, and San Francisco.

Mr. SMATHERS. Does not the Senator agree that that is a most dangerous method of seeking to gain what may be obviously a temporary political advantage, in that the sponsors and the supporters of the bill would erode away a basic protection provided not only by the Founding Fathers but by decisions of the Court? In other words, is it not true that they would take away that basic protection, and that, if they were to succeed in their effort, we would eventually see other protections eroded away? Furthermore, in time, those who had obtained a personal or political advantage would finally wind up with a great disadvantage and would cause a great disservice to all Americans?

Mr. FULBRIGHT. The Senator is entirely correct. The principal point I am seeking to make in emphasizing the importance of the right to trial by jury is that it would not be wise to give up the right or begin the process of relinquishing the right to trial by jury in return for the right to vote on the part of a few people.

It has already been pointed out by the distinguished Senator from Georgia [Mr. RUSSELL] that the right to vote is more or less a smokescreen for other powers within the bill which also remove the right to trial by jury, in the guise of using the injunction power of equity courts.

However, the primary excuse on which the proposed legislation is based is the right to vote. Therefore I was seeking to emphasize the shallowness of the reasoning which supports giving up the right to trial by jury in order to enable some people to vote.

So far as voting is concerned in my own State within the past 10 years there has been a tremendous increase in the participation of the Negro population in voting. I certainly know of no concerted effort to prevent them from voting. It is always dangerous to say that not a single man has ever been prevented from voting by an arbitrary interference on the part of someone, either in official life or in private life, and I cannot say that any more than I can stand here and say that there has not been a single murder or any other crime committed in my State.

Of course misdeeds take place in all fields of life. But, no one has cited any wholesale restrictions as a result of which groups of persons have been denied the right to vote. Certainly I say that I know of no such cases having occurred in my own State. I cannot speak for other sections of the country, but I do important. But the voters must be free have not come to my attention.

I do not wish to suggest that the right to vote is an unimportant right or an unnecessary function in a democratic society. Of course the right to vote is important. But the voters must be free men for the vote to be significant.

If the right to vote is to be meaningful, then the right to trial by jury as one of the principal attributes of retaining the freedom of the voters must be retained. If there is not to be the right of trial by jury, if there is not to be freedom on the part of the individuals who are doing the voting, then there will be nothing but an empty gesture, such as we witnessed in Germany, where 94 percent of the people all voted alike—for Mr. Hitler. There was in that period the right to vote in Germany—not only the right but the compelling duty; otherwise the people would have been thrown into jail, but I ask, What good was that kind of voting?

I should say the right to trial by jury, which is a symbol of free men, is the essential ingredient for making the right to vote of any significance. If we disassociate the right to vote from the freedom which trial by jury insures, I think we will have nothing but an empty symbol.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. EASTLAND. I am certain the distinguished Senator from Arkansas knows that Winston Churchill, in his great work, English Speaking Peoples, said that trial by jury constitutes the charter of liberty of every Englishman; it "constitutes the charter of every self-respecting man at any time, in any land. Trial by jury of equals, only for offenses known to the law, if maintained, makes the difference between bond and free."

The bill provides for the injunction process. It would legalize what was done at Clinton, Tenn., where acts, even though innocent, would have violated the injunction. An act committed on one day would not violate the injunction; an act on another day would be in violation of the injunction, and the man would be tried without a jury.

Does the bill not violate that which is fundamental in the American system of government, namely, that no man shall be imprisoned for any crime except that which is written in the law and is legally enacted?

Mr. FULBRIGHT. I think the Senator is absolutely correct. Logically, if we carry out the basic theory of section 3 of the bill, we could go a step further and give the court the authority to enjoin all citizens of the United States from committing murder. Any time anyone committed murder, all the court would have to do would be to exercise the contempt power, throw him in jail and keep him there without a trial by jury, simply because the person violated the court's order. That would be the ultimate development of such a theory. It would violate completely the whole concept of justice, as the Senator from Mississippi has just said.

Mr. EASTLAND. We might go one step further. The bill provides "if the Attorney General has reasonable grounds to believe." Every principle of criminal law is evaded. He could say that someone told him that he had reasonable grounds to believe that a certain person was going to deprive a man of equal protection of the laws. Then that person would be enjoined. He could be put in jail. He would not even have the benefit of being proved guilty beyond every reasonable doubt and to a moral certainty, as is provided by the law.

Mr. FULBRIGHT. There is no doubt that that is exactly what could happen under the bill, especially under title III, which is very broad and vague. The law which this section amends is still so uncertain that no one knows how broadly that title could be interpreted.

Mr. EASTLAND. Two remedies are provided under section 3. First, the court could issue an attachment against one charged with violating an injunction, and he could be sentenced to jail for contempt. The second is that the President himself, or by delegation to some minor official, could send in the Armed Forces to implement an injunction. Is not that correct?

Mr. FULBRIGHT. That is certainly correct. If there were disobedience of a court order, and there were no other way to assure obedience, I suppose it would be the duty of the Executive to do that. Defiance of constituted authority should not be permitted. It would be our responsibility, the responsibility of Congress, if such a situation were created to place the Executive under the

duty of taking such action. We should not create such a situation.

Mr. EASTLAND. Specific standards upon which soldiers could be sent into an area are not written into the law; but the power of injunction is very broad. In fact, at Clinton, Tenn., it was used for intimidating and coercing the people there. A man who was sitting on the runningboard of a car and who saw a fight was arrested. He had heart trouble, and had just got out of bed, and he later went to the police station and offered to make bond. He was picked up and was thrown into jail.

The assumed power to issue injunctions would include, even the prohibiting of children from wearing badges or carrying signs. It would even prohibit meetings and the right of free speech in a county. To enforce that kind of injunction, that kind of tyranny, the bill provides that the armed services may go into such areas in order to implement and carry out the law.

Can the distinguished Senator from Arkansas think of anything which is more far reaching, more deadly, more destructive of the basic principles of this Government than the powers contained in section 3?

Mr. FULBRIGHT. No. I agree with the Senator from Mississippi. I think it is a very evil section, and that a very evil theory is sought to be carried out in the bill. I see no excuse for it. The Government has not produced, and I do not think it can demonstrate, any kind of emergency or any set of facts which would justify anything like the powers which are contained in the bill. As a matter of fact, anything less than a wartime invasion or an emergency in which the security of the Nation is involved should not, I think, justify the granting of these unusual powers to a court of equity to be imposed upon the citizens of the United States.

Mr. EASTLAND. As the distinguished Senator knows, there is no such thing as criminal equity.

Mr. FULBRIGHT. I was very much impressed by the change of attitude—even though it was a slight change—on the part of the Washington Post and Times Herald from its first editorial on the subject, which seemed to assume that the use of an equity court in this field was a matter of course, and that advocacy of the retention of the right of jury trial was a pretense under which we who opposed the bill were acting. But now it is seen that the right to trial by jury is not some pretense. It is a real, fundamental protection of the liberty of the individual. To that extent, I was encouraged by the change in attitude on the part of the Washington Post and Times Herald. They are beginning to see that the matter of enforcing criminal laws in a court of equity is phony; that it is a fraud. Equity courts were never intended to play any such role in our judicial system.

Mr. EASTLAND. The purpose of equity courts, primarily in the United States courts, was to preserve the status quo of property until a final decision could be made. What is sought to be done by the bill is to take criminal acts which constitute a violation of the criminal code of the Federal Government and of the States and to bring them into an equity court. That is a perversion of equity. It is also a perversion of the American system of government.

Mr. FULBRIGHT. I certainly agree with the Senator that it is exactly that. It is certainly a perversion of the constitutional basis for our liberty.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. SPARKMAN. I must say it has been a long time since I have had a very close contact with the law except in the making of it, as we do here; but as I remember my first studies in law, equity was originally devised as a means of reaching cases where manifest wrong, as between parties, existed, when the wrong could not be reached by a writ of the King.

Mr. EASTLAND. That is correct. But the primary purpose of the injunction—a moment ago, when I used the word "equity," I meant "injunction"—was simply to maintain the status quo of property until the court could render a final decision.

Mr. SPARKMAN. As I understand the reasoning of those who wish to have the Senate proceed to the consideration of this bill, it is that such matters should be handled as equity matters. I certainly agree with what the distinguished Senator from Arkansas and the distinguished Senator from Mississippi have said, namely, that equity never was intended to have any application to crimes or criminal offenses. Equity was originally devised for the purpose of reaching cases in which otherwise there would result a manifest injury to which a writ of the King could not be addressed. But in the lawbooks there is no crime that cannot be reached by a writ; and historically that has been true at all times. Therefore, to attempt to deal in this manner with equity is to attempt to bring about a perversion of the very fundamentals of the law.

Mr. FULBRIGHT. Mr. President, I appreciate the contribution the Senator from Alabama has made. He has expressed the matter very simply and clearly.

Mr. LAUSCHE. Mr. President, will the Senator from Arkansas yield to me for a question?

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Arkansas yield to the Senator from Ohio?

Mr. FULBRIGHT. I yield.

Mr. LAUSCHE. I should like to hear the views of the Senator from Arkansas about what the reaction might have been in the case of those who wrote the Constitution, if someone had raised the point that throughout the years the original jurisdiction in equity was to be expanded so as to cover actions which historically in England found their relief in a court of law.

Of course, I know there was a very clear division between the jurisdiction of a court of law and the jurisdiction of a court of equity. Let me say that, regrettably, throughout the country it is not generally understood that there are in the United States two types of courts. I believe it is only in New Jersey that there is still a chancellor in equity and a judge in law.

Mr. FULBRIGHT. Arkansas has the same system.

Mr. EASTLAND. So does Mississippi.

Mr. LAUSCHE. In Ohio, we have the common pleas court, with a judge sitting at times in equity, and at other times in law. The average citizen does not understand the difference between the two jurisdictions.

We know that historically there were specific writs in law to which the complaint of the petitioner had to be fitted; and frequently the petitioner found that in a court of law there was no writ which would provide him with relief. My best recollection of the problem is of the lady who wrote to the King, "I am a poor Mary, a servant in the Lord's house. My rights have been abused. I have gone to a court of law but cannot get relief. I, therefore, ask you, the King, to provide poor Mary with relief."

The King referred the complaint to the Chancellor, the possessor of the King's conscience. If the Chancellor found that there had been committed a wrong for which there was no remedy at law, he said, "Equity will provide the relief for you."

The difference between the two was that in the court of common law, the trials were by jury; whereas in the court of equity, the trials were by judge.

My question of the Senator from Arkansas is this: What would have happened if, at any time when the Constitution was being written, someone had asked, "What will be the situation if, by legislative action, efforts are made to convert what is now an action in law into an action in equity?" What can the Senator from Arkansas say about the right of trial by jury in those instances?

Mr. FULBRIGHT. Mr. President, before the Senator from Ohio entered the Chamber, I referred to four different places in the Constitution where a trial by jury is guaranteed. I think that without any question there would not today be a Constitution or a United States of America if the Bill of Rights, including the sixth and seventh amendments, had not been adopted and if the leading citizens, we may say, of the country at that time had not been assured that the Bill of Rights would be adopted. Those two instances are the most specific ones, although in two other places in the Constitution there is a guaranty of the right of trial by jury.

Before the Senator from Ohio entered the Chamber, I was trying to contrast the difference between the importance the Founding Fathers attributed to the right of trial by jury and the importance they attributed to the right to vote. Nowhere in the Constitution is there a provision that every citizen of the United States shall vote. The right to vote is referred to only in later amendments to the Constitution. Specifically, the 15th amendment provides, in part, that—

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account

of race, color, or previous condition of servitude.

But not even there is it said that a person shall not for any reason be denied the right to vote.

On the other hand, there is no exception to the guaranty of the right of trial by jury, except in the specific cases mentioned—for instance, as set forth in the fifth amendment:

Except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger—

Or, in the case of the seventh amendment, in the suits at common law, where the value in controversy is $20 or less.

However, those are unusual cases, and certainly they are not the ones involved in the present instance.

I think the Senator from Ohio has described quite graphically, Mr. President, what we might call the origin of the concept of equity. Equity was to reach cases in which there was no adequate remedy at law. It was an appeal to the keeper of the King's conscience.

The bill being considered specifically undertakes to eliminate from the law the requirement that the remedies in the regular procedures of the courts be exhausted. That is the usual requirement. Instead, the bill provides that recourse may be had immediately to equity, without any reference whatever to the established law courts.

Mr. SPARKMAN. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. I yield.

Mr. SPARKMAN. In reference to the question of the Senator from Ohio as to what the Founding Fathers would have thought about the matter of denying the right of trial by jury, of course it will be recalled that in the Declaration of Independence one of the principal charges made against King George III was "for depriving us in many cases of the benefits of trial by jury."

The right of trial by jury has been one of the basic attributes of our Government, from its very beginning.

Mr. FULBRIGHT. Yes.

In the very fine speech the Senator from North Carolina [Mr. ERVIN] made yesterday, he pointed out that, when the bill denies the right of trial by jury, in a sense it attempts to give the same kind of jurisdiction that was given to the admiralty court—in which there was no trial by jury—in the cases under the Stamp Act.

Mr. EASTLAND. Mr. President, will the Senator from Arkansas yield for a further question?

Mr. FULBRIGHT. I yield.

Mr. EASTLAND. The Senator from Arkansas knows that section 3 of the bill by implication amends section 1985 and 1986.

Mr. FULBRIGHT. Yes.

Mr. EASTLAND. Let us consider this circumstance: Is it not correct that if a newspaper man, while gathering the news, obtains information that some people are conspiring and that there is about to be committed an overt act to carry out the conspiracy, under the provisions of the bill if he has reasonable grounds to believe that that might occur, and if he neglects to tell the Attorney General and the wrong occurs, then, under section 1986—the compulsory informant statute—a damage suit may be filed against him and against his newspaper, because of his failure to inform?

Mr. FULBRIGHT. I think that could possibly be the effect of that provision of the bill.

Mr. EASTLAND. In fact, that would provide the power of intimidation over the press. If that power were provided, politicians would have the power to attempt to intimidate the press of the country.

Does the Senator further know that, because there is a sly, devious scheme here, to amend by reference, if a judgment is obtained against a newspaper, then, under this bill, the Armed Forces of the country—its soldiers—can be sent to collect the judgment against the newspaper? Yet the Judiciary Committee is criticized because it has been studying this bill to work out "bugs" like that.

Mr. FULBRIGHT. I think the Senator may well be correct. Of course, the Senator knows I did not approve, and do not now approve, the procedure by which the bill was placed on the calendar without being subjected to study by the committee. Nevertheless, it is here. Therefore, we have tried to study it as best we could on the floor of the Senate. But I think what the Senator has just said about it is most likely true.

I should like also to agree with what the Senator from Alabama stated in answer to the question of the Senator from Ohio. I do not think the Founding Fathers for a moment would have entertained such a proposal as this bill. They would have been shocked indeed by a proposal to deny trial by jury in cases of this kind.

Mr. EASTLAND. We say that one of the worst forms of the Russian tyranny is the practice in that country of inducing children to tell on their parents. Does not the Senator realize that, under section 3 of this bill, if a child hears his parents plan to picket a school or to deny to some other person the right guaranteed under section 1985, and does not immediately tell the Attorney General of the United States and give him that information about his parents, the child is liable to a suit in damages?

Mr. FULBRIGHT. The interpretation could be stretched to include that.

Mr. EASTLAND. I am not stretching it. It is very plain in the bill. It would force a person who did not tell on his neighbor to become liable in damages.

Mr. FULBRIGHT. What I should like to stress is that the language of sections 1985 and 1986 is very broad. I am informed it has received very little interpretation. I think it is so vague that almost any kind of coercion, such as the Senator has mentioned, could very well be read into the language.

Mr. EASTLAND. Let me tell the distinguished Senator I intend to speak at length on those features of the bill, which I think are very, very plain.

Mr. FULBRIGHT. I hope the Senator will. I think what has already been said by members of the committee and the Senator from Georgia [Mr. RUSSELL] has opened the eyes of many of us already to the implications of the proposed legislation.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. BUSH. Perhaps the Senator intends to come to this point later in his address. If so, I shall defer my question until that time, but I think somebody should point it out to us so that we can understand it. I am not a lawyer; perhaps that is the reason I have not been able to find the provision; or it may be implicit in the bill; but what I should like to know is, Where is the threat of the use of the Armed Forces contained in this bill? A great point was made of that by the Senator from Georgia [Mr. RUSSELL] when he first spoke on the bill a day or two ago. I was very much surprised to hear that there was something in the bill that seemed to make it clear that the Armed Forces of the United States might possibly be used under the provisions or the authority contained in the bill in enforcing a decision of the courts in any State in the South. I have examined the bill, and I do not find in it the danger which has been pointed out in that respect. I should like to have it stated for the RECORD, and I myself would like to know where that danger exists in the bill.

Mr. EASTLAND. Does the Senator refer to the Armed Forces?

Mr. BUSH. Yes.

Mr. FULBRIGHT. I shall yield to the Senator from Mississippi, so that he may comment on that point. All I can say, while the Senator from Mississippi is getting ready to answer the Senator from Connecticut, is that one of the evils of this bill is that it itself does not set forth the terms; it incorporates by reference section 1985 of title 42 of the United States Code. If the Senator has the volume on his desk, he will find it on page 6215.

On page 9 of the bill there is a very involved incorporation by reference. It is an amendment of that section. The penalties, by way of use of force, are provided in connection with the other sections. It is true that is not set forth in the bill itself. Yet, by incorporating the existing law into the section, it is done. It is vague, but I think the real danger in that technical point should be explained. I am not an expert on it.

Mr. EASTLAND. Let us take a school integration case. The Brown case in 1954 held that a child has a right to attend a nonsegregated school. To deny that right is a violation of section 1985. According to the Attorney General's testimony, what is proposed by the bill is the granting of certain additional remedies to protect such rights. What he would do would be to bring suit for an injunction under section 1985 of title 42 of the Code. He would get a decree to integrate the school and give the child the right to attend a nonsegregated school. If the decree were violated, he would have two remedies. First, the person who violated it could be brought into court under an attachment, tried without a jury, and put in jail for criminal contempt. But under section 1993 of title 42 of the United States Code the President of the United States can use

the Armed Forces to enforce judgments rendered under section 1985.

Mr. BUSH. The bill does not refer to that. Can the Senator show me where the bill refers to that, or is he saying it is implicit in the bill?

Mr. EASTLAND. I shall get that information for the Senator and put it in the RECORD.

Mr. BUSH. I would appreciate it, not only for myself, but there has been a good deal of discussion about the use of the Armed Forces, and it is a very important matter.

Mr. EASTLAND. Of course it is an important matter.

Mr. FULBRIGHT. If the Senator will permit me, this is normally the type of question which should be explained in a report of a committee on a bill. The great tragedy of the situation is that we have no report. I sympathize with the Senator. I am not on the committee. I have a passing knowledge of some of these items, but I would say the great tragedy of the bill and the reason why it should not be taken up at this time by the adoption of the pending motion, is that, as has been pointed out, there ought to be a written report on the bill prepared by experts in the field, by members of the Judiciary Committee and their very large, efficient staff, explaining in detail the point the Senator has raised.

Mr. BUSH. I feel this is such an important matter that, in view of the fact that the Senate is discussing it and has declined to refer the bill to the Judiciary Committee, the opponents of the bill should inform those of us who are not lawyers, and discuss the matter with reference to the use of the Armed Forces of the United States. That is one of the important charges that has been made against the bill.

Mr. EASTLAND. There can be no question about that. The question was raised at the hearings when the Attorney General of the United States was testifying. He did not deny it. He refused to discuss it.

Mr. BUSH. What I am asking the Senator to do is to point out to us by what authority, either in the existing law or in the provisions of the bill, the Armed Forces could be used.

Mr. EASTLAND. As I told the Senator, I am going to get the specific references and place them in the RECORD. I think the Senator has asked a very frank question on a specific item, and one which the RECORD should certainly reflect.

Mr. BUSH. Mr. President, may I say to the Senator from Mississippi and to my friend, the Senator from Arkansas, that I asked this question in all good faith and not in a frivolous way.

Mr. EASTLAND. I think the Senator did.

Mr. BUSH. We are entitled to know what is the basis of this charge, and where the language is in the bill that makes it right or possible, even, for the President of the United States to send the Armed Forces to any place in the South to enforce a decree of the court or anything else in connection with this whole issue.

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. BUSH. I do not have the floor.

Mr. FULBRIGHT. First, I should like to compliment the Senator from Connecticut for raising this point in the way he has, because he emphasizes in this discussion that it is all important that such questions be cleared up.

I certainly do not wish to leave the impression that the Senator from Connecticut was being frivolous. This is a very serious matter. I think there can be no more serious question than the question of the right to trial by jury, with regard to the long-term freedom of the people of the United States.

The larger and more complex this country becomes, the more important it is to preserve the constitutional protections of individual freedom. When one looks over the world, one finds that all the large totalitarian countries have become impatient with individual freedom and have largely subjected such freedom to the convenience of the state. That is what the Attorney General is seeking to do here in this bill—make easy and certain, the process of controlling the people of the South. That trial by jury and the freedom of all people may be put in jeopardy thereby apparently does not concern him.

This is the only great country where individual freedom prevails—I should not say it is the only great country, but the countries behind the Iron Curtain have no semblance of the kind of protection of the individual which we enjoy; and we ought to be slow to destroy it.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator from New York.

Mr. JAVITS. Regardless of which side of the argument we are on in this issue, I think we all wish to be precise. I thoroughly agree that the distinguished Senator from Arkansas has a very distinguished record in his effort to be precise.

May I ask the Senator from Arkansas a question? I refer to section 1993 of title 42 of the United States Code. Is it not a fact that whatever the President can do with respect to the Armed Forces of the United States, to enforce the process of the courts, is already provided in the law and that such power would not be added to by this bill? I think that is the central point.

Mr. FULBRIGHT. Ah——

Mr. JAVITS. May I finish?

Mr. FULBRIGHT. Yes.

Mr. JAVITS. As I understand, that is the central point of what the Senator from Connecticut wants to ascertain. Is or is not that authority put into the law by the provisions of this bill?

Mr. EASTLAND rose.

Mr. FULBRIGHT. Does the Senator from Mississippi [Mr. EASTLAND] wish to answer that question?

Mr. EASTLAND. Yes.

Mr. FULBRIGHT. I think I know the answer, but I would rather have the chairman of the Committee on the Judiciary answer the question, because he has been studying this subject far more than I.

Mr. EASTLAND. Section 1985 of title 42 of the United States Code, as amended, sets up some new remedies, injunctive remedies, and the remedies set up in the bill are the heart of the matter. There is an additional remedy under section 1993 to use the Armed Forces to implement section 1985 including the injunctive orders issued under this bill.

Mr. JAVITS. Mr. President, if the Senator from Arkansas will yield further, and I assume he will, is it not a fact—which is what we maintain—that whatever is in the law is there, it is not added to and it is not repealed by the provisions of this bill? The law now states, in section 1993, that the President may use the Armed Forces of the United States to enforce judicial process. That authority is in the law. That authority is not being added to by this bill.

Mr. FULBRIGHT. But the present law does not entitle one to use the injunction process against the particular activities mentioned in the bill.

Mr. JAVITS. I am sorry, but if the Senator will forgive me, I will state that the present law—the Brown case, to which the distinguished chairman of the Committee on the Judiciary referred—is the law, too.

As I say, I am very anxious to be precise. The only difference is that under this bill the Attorney General would be given the right to go into court and seek to require a public body, an agency of a State, to do what the Supreme Court says it should do. The only difference is that instead of Joe Jones, who is a citizen of the particular area and a taxpayer to the school board, doing it, the Attorney General would have the power to do it. That is provided by this bill.

Mr. ERVIN rose.

Mr. FULBRIGHT. The Senator from North Carolina [Mr. ERVIN] has studied this matter at great length. I should like to yield to him for his comments on the Senator's question.

Mr. JAVITS. The Senator from North Carolina and I have debated this question, I will say.

Mr. ERVIN. The answer to the question is that title 42, section 1985, in its present form, merely provides for the private person aggrieved to bring a suit for damages. It is inconceivable that a President would ever call out the Army, the Navy, or the militia to collect a judgment for a few dollars.

But if section 1985 of title 42 should be amended, as it is proposed to be amended by this bill, the Attorney General would be made the dictator of all the Southern States, and could bring suits to integrate schools or to do anything that is covered by the equal protection of the laws clause of the 14th amendment. It is quite conceivable that a political party, which is willing to introduce and sponsor a bill which would give to the Attorney General such dictatorial and autocratic powers, would not hesitate to call out the Army, the Navy, and the militia to enforce decrees obtained by him.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Before we go too far from this subject, since I do not wish

to interrupt that train of thought, the Senator from Connecticut [Mr. BUSH] asked a moment ago about the use of military and naval forces. Has the Senator looked at section 1993?

Mr. BUSH. No, sir.

Mr. FULBRIGHT. If the Senator has the Code before him, will he look at section 1993, which refers specifically to that matter.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. ERVIN. Furthermore, under section 1985 of title 42 in its present form, the defendant in the suit for damages by the aggrieved individual, would have the right of trial by jury.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. BUSH. Mr. President, will the Senator permit the section to be read? The Senator from New York [Mr. JAVITS] has his finger on it. The Senator from Arkansas asked me to read it.

Mr. FULBRIGHT. Section 1993?

Mr. JAVITS. Yes.

Mr. FULBRIGHT. If the Senator from New York wishes to read it, that is agreeable.

Mr. JAVITS. Section 1993 reads:

AID OF MILITARY AND NAVAL FORCES

It shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as may be necessary to aid in the execution of judicial process issued under sections 1981–1983 or 1985–1992 of this title, or as shall be necessary to prevent the violation and enforce the due execution of the provisions of sections 1981–1983 and 1985–1994 of this title.

Mr. President, I should like to ask one further question of the Senator from Arkansas, which of course he can have any one of his colleagues answer if he chooses. Is it not a fact, therefore, that the section which I have just read would be equally applicable to section 1981, which guarantees equal rights under the law, to wit, the right to vote, and that this proposal does not represent money damages but represents an inalienable and fundamental right of every American, the right to vote?

Mr. FULBRIGHT. The last statement of the Senator, to be taken in reverse, I think is without justification. I know of nothing in the Constitution or in the law which says the right to vote is an inalienable right of every American. The Constitution certainly makes no such statement. Why does the Senator bring that in?

Mr. EASTLAND. May I say to the distinguished Senator that what we were discussing and what the Senator from Connecticut was talking about was the power to use the Armed Forces to integrate the schools.

Mr. FULBRIGHT. Let me come back again to this question——

Mr. EASTLAND. That power is implicit in the bill. The Attorney General now cannot bring suit under section 1985 to integrate a school. It is proposed to give him such power under this bill. At present he has not the right to use the Armed Forces of the country for such a purpose.

Mr. FULBRIGHT. Let me answer the question of the Senator from Connecticut. Under the existing law there would be the right to trial by jury. It is sought, by the proposed legislation, to give to the Attorney General the right to seek an injunction, without a trial by jury, and to deal with violations of the injunction by the use of the Armed Forces. Under existing law, if Mr. Jones goes to court to enforce his civil rights, those charged with violation of his rights have the right to trial by jury. That is what we are really talking about. It is proposed to take away that right. Under the proposed legislation, such a defendant would have no right to a trial by jury. The Attorney General would seek an injunction. He would say, "I have reason to believe that there may be a violation of these rights, and I want an injunction." The injunction might be violated; and, if it were violated, the Army and the Navy might be called in to compel compliance with the order of a court of equity.

The Senator from North Carolina has just pointed out that it is true that at present, if there were trial by jury, and if the right could not be enforced, the President would have authority, under section 1993 to employ the Armed Forces. But it is so clearly unnecessary that such authority has never been used, and it is not likely to be used. At the time this provision was written, of course, there was no authority whatever to integrate schools, if we wish to use that example as a specific—and to us objectionable—procedure, although many other things are involved.

Does not the Senator from New York see that there is a great difference between an individual who is accused of certain violations having the right to trial by jury, and an individual who has no such right, but who can be subjected to arbitrary procedure of a court?

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. JAVITS. It seems to me that the Senator has pinpointed admirably two fundamental points in connection with the use of the Armed Forces. We have read the pertinent section. The section referred to is now in the law, and the fact that it has not been used during all these years should certainly be some evidence as to whether or not it will be used in the future, because, after all, these laws have been on the statute books for some time. That is the main burden of our argument; namely, that we seek to import nothing new into the law.

Second, on the question of trial by jury, again the same situation exists. It is a fact that without the proposed legislation—and the proposed legislation has nothing to do with the question—when the United States is a party plaintiff in a contempt proceeding there is no jury trial. That situation would not be created by the proposed legislation.

What is being argued is that that provision should be included in the law, despite the fact that the United States is the plaintiff in the proceeding; and very importantly—and I argued this question out with our distinguished colleague from North Carolina [Mr. ERVIN]—we are not leaving a defendant defenseless and at the mercy of some autocratic judge. We have a circuit court of appeals and a Supreme Court. We have an established body of law and equity which was in existence long before this country was formed.

This is the fundamental point of the argument to which I wish to return: These are not new provisions which we are seeking to place in the law. They have been in the law. We have had generations of experience with them. That is why so many of us say that the idea that they will be suddenly misused is only a hobgoblin in the closet.

Mr. FULBRIGHT. The Senator can argue in his own time his interpretation of the bill, and the question as to whether it would be wise to do away with jury trials and have a purely judicial administration of the law. That is a matter for argument. What we are trying to pinpoint, for the information of Members of the Senate, is the question, What does the bill do?

The Senator from New York is entitled to approve the bill if he so desires. The people in Russia, in the Kremlin, approve this kind of procedure. It was approved in Germany.

Mr. JAVITS. Mr. President, this is not going to improve the argument.

Mr. FULBRIGHT. In those countries the people have not the same respect for jury trials and the traditions of justice which we inherited from our forefathers.

The Senator from New York makes statements about the inalienable right of every American to vote. That is nonsense. There is no such inalienable right; and I challenge him to find anything in the Constitution which provides that every American shall have the right to vote.

There are four places in the Constitution where it is provided that a man shall have the right to trial by jury in the circumstances set out.

Mr. JAVITS. Mr. President, will the Senator yield? The Senator challenged me.

Mr. FULBRIGHT. I do not yield further to the Senator from New York. He is not seeking to enlighten the Senate as to what the bill provides. He is merely arguing whether or not it is a good bill, which he is entitled to do on his own time.

Mr. JAVITS. I regret that the Senator has come to that conclusion.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. EASTLAND. The distinguished Senator from Arkansas heard the statement of the Senator from New York on the floor of the Senate that the provision with respect to use of the Armed Forces was already in the law, and that the law would not be changed in any way by the proposed legislation. It is perfectly plain that it is sought to give the Attorney General the right to bring suits to force school integration, and to give him the right to use the Armed Forces for that purpose. There can be no question about that.

Mr. FULBRIGHT. I think the Senator is quite correct. Let me go further. The issue relates not only to school integration. That is the present probability as to the purpose for which the power would be used. However, the issue is much broader than that.

Mr. EASTLAND. Under the Girard College case, such authority would extend to swimming pools, and many other things.

Mr. FULBRIGHT. It goes much further than has been indicated. The essential thing is that the procedure by which the right to trial by jury comes into being would be eliminated.

Mr. EASTLAND. We are on the high road to dictatorship, when we go to military government and government by bayonets.

Mr. FULBRIGHT. Of course, the Senator is quite correct.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. SPARKMAN. The Senator from Mississippi mentioned a couple of proposed changes. There is another change which would be made under this proposal, which is quite material. A judge could impose a penalty without a defendant ever having had the right to have the facts determined by a jury of his peers.

Mr. EASTLAND. Certainly he would be deprived of the guaranty against double jeopardy. He would be deprived of the right to have the Government assume the burden of proof. In fact, this bill would violate and bypass the Bill of Rights. It is a slick, devious scheme to circumvent the Bill of Rights. That is all anyone can make of it.

Mr. FULBRIGHT. I certainly believe that the bill would bypass the Bill of Rights in the respects which have been mentioned, especially in connection with amendments Nos. 6 and 7.

Mr. ERVIN. Mr. President, will the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I yield.

Mr. ERVIN. The Senator from New York has talked about the right of a person to appeal to higher courts. I will ask if the Senator from Arkansas does not know that virtually all the cases which would be brought by the Attorney General under the provisions of the bill, if it were enacted into law, would be brought against local officials who perform essential governmental services at the local level, either without pay or with very limited pay; and if it would not be practically impossible for such officials to undergo the terrible expense incident to appeals? I ask the Senator if the idea that these poor local officials can protect themselves by appealing to remote Federal courts is not just about as sensible as the observation of the Frenchman who said that a certain law was impartial because it prohibited the rich as well as the poor from sleeping under bridges and in parks, and searching garbage cans for food.

I ask the Senator further if the history of the United States does not show that a Republican Congress actually sent troops into the South, and if they were not garrisoned in many places in the South, including my hometown?

Mr. FULBRIGHT. That was certainly true during reconstruction days.

Mr. ERVIN. I ask the Senator if the statute to which reference has been made, which authorizes the President to call out the Army, the Navy, and the militia, was not enacted at a time when it was officially accepted by the Republican Party in control of Congress that the Southern States were conquered provinces.

Mr. FULBRIGHT. The Senator is quite correct. Section 1993 was enacted in 1866. So I say to the Senator from Connecticut that the origin of the provision of which he is interested was the Civil War. It was a part of the reconstruction legislation, under which, as he knows, the object was punishment of the conquered territory commonly called the Southern States.

Mr. President, I should now like to bring the argument a little more into focus. The point I was trying to make is that the bill, in order to insure, as it says, a certain right on the part of some unknown people, who are not specified, we should give up the right of trial by jury. I say the people are not specified, but, of course, from common knowledge, we believe the sponsors of the legislation have reference to some of the Negroes in some of the Southern States. I have already mentioned that, so far as my State is concerned, I do not believe it is a critical matter at all. There is no evidence that I know of which indicates any wholesale deprivation of the right to vote on the part of any people in my State, any more than, I may say, in New York City or Chicago there is a wholesale deprivation of the right to live because there are numerous murders committed there. I believe there were about 6,000 murders committed in the three leading cities of the Nation, New York, Chicago, and Washington, during the past 10 years. However, no one has come forward and said, "Let us do away with the criminal statutes and make all crimes subject to injunction. Let us issue an injunction against every criminal in these three cities, and provide that henceforth there shall be no more trial by jury, and let us provide also that anyone who is even suspected of committing a crime shall be thrown into jail for contempt of court."

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I will yield, certainly, but I am really not as expert in this field as is the Senator from Mississippi, who ought to be making these points himself. However, I will yield to him.

Mr. EASTLAND. Let us assume that an injunction is issued under the bill and that an attachment is issued, and that a man is charged with violating the injunction. The judge will then sit as a legislature and define what acts are in violation of the injunction, will he not?

Mr. FULBRIGHT. That is correct.

Mr. EASTLAND. The judge then will cite the man for contempt. Is that correct? He will be the prosecutor, in other words.

Mr. FULBRIGHT. The Senator is correct. He is the whole thing.

Mr. EASTLAND. Then he is a judge.

Mr. FULBRIGHT. Yes.

Mr. EASTLAND. Then he makes the decision, does he not?

Mr. FULBRIGHT. The Senator is correct.

Mr. EASTLAND. In that way he would be bypassing the statute that says any criminal contempt may be punished with not more than 6 months in jail. If the bill is passed, we would be bypassing that provision of law, and providing, instead, that such a man may be confined by the judge who convicts him, for any length of time within his discretion, as long as he does not violate the very broad provisions of the eighth amendment. In other words, he can give the man 3 years. There has been a case, I understand in which a man was given 5 years. In other words, we would have one man acting as legislature, as prosecutor, as judge, and as jury. My question is this: What civilized country anywhere in the world, except the Soviet Union, would countenance such a system of jurisprudence?

Mr. FULBRIGHT. I certainly know that that is not in accordance with our traditions or the English system of justice. Neither do I believe it is in accordance with the French system of jurisprudence, or with Roman law.

Mr. EASTLAND. Does the Senator from Arkansas believe that there is a civilized country anywhere in the world which would permit such a system of jurisprudence within its borders except the Soviet Union, with its peoples' courts?

Mr. FULBRIGHT. I agree with the Senator. It is a wholly unjustifiable extension of the arbitrary power of the injunctive process. I see no excuse for it.

I am not saying that there may not be some interference with the rights of individuals, as there are interferences with the right to life, as I have mentioned, and many other rights in other activities in fields that involve the criminal law. However, there is no emergency to the situation that I know of. In fact, everything indicates that there has been a great improvement in recent years. To suggest that we need this kind of drastic alteration of our traditional system of justice, it seems to me, is to act without any justification whatever.

I should now like to conclude my remarks. It is clear that the right to a trial by jury has been considered by our Founding Fathers and by all the leading statesmen of our system, political and judicial, as one of the most important rights. It would be a very bad bargain, indeed to sacrifice or even limit in a serious way the right to trial by jury in return for the right to vote for a limited number of people.

The right to a trial by jury was considered by our Founding Fathers more essential to their freedom, more basic to the dignity of the individual than the right to vote. The right to vote without freedom from intimidation is an empty, useless right. The jury trial is

the chief safeguard against intimidation by the Government.

Therefore, I urge Senators who are weighing the two rights in the balance not to sacrifice the right to a trial by jury of their peers, for the right to vote. It would be a poor bargain indeed. Especially would it be a poor bargain for all Senators who represent the smaller States in the West and the Southwest and in New England.

Only a trial by jury will protect their people from the arbitrary exercise of Government power.

To some of my colleagues from the small States of the West, with 3 or 4 or even 6 or 7 electoral votes, I say that there was a time, and there may come another time, when their men will not occupy the White House or the office of Attorney General.

The vagaries of history and of political fortune strongly suggest to me that they should not give up the safeguards to their liberty based upon centuries of experience, simply because their man will administer the law.

Mr. President, the bill not only in itself provides for a radical departure from established procedure, but the manner in which the bill has been brought to consideration by this body itself represents another radical departure from established procedure. I refer to the recent action of the majority of the Senate in refusing to refer the bill to the committee. It is an interesting subject for speculation that all those who are so anxious to destroy the traditions and procedures of the Senate and the Constitution come from the metropolitan areas. It seems to me that there must be some connection with the dynamism that has arisen from the terrific and unprecedented extension of our great centers of population which makes them impatient and intolerant of the traditional safeguards to our liberties, many of which, of course, entail some delay in the administration of justice.

Mr. President, all of us should pause in this mad rush to reform the South, and consider how the majority of the Senate is threatening to destroy the traditional safeguards to the freedom of all of us.

Here within the space of a few weeks we have violated our usual procedure of referral of all bills to committees. Now we are asked to violate our usual procedure of referring the commission of crimes to juries. I should like to remind the Senate of the danger of following such a procedure.

Mr. President, entirely aside from the merits or the demerits of the civil rights issue, there are two parts of the pending bill which should give deep cause for concern to all Americans:

First. The proposition that one section of the country cannot be trusted to dispense justice through the time-honored concept of the jury.

Second. The proposition that there should be a broad and sweeping grant of power to use novel methods for the enforcement of a series of statutes which are vaguely defined, rarely applied, and never adequately construed.

Those who are advocating that white southerners be deprived of the right to a jury trial are opening up dangerous grounds. They are stating, in effect, that a murderer, rapist, pederast, narcotics peddler, kidnaper or traitor is entitled to a basic right which will be withheld from a southerner. This is a difficult position to defend.

Furthermore, there is no assurance that the right withheld from the South today will be maintained for other sections of the country tomorrow. If such a precedent had been on the statute books there would have been a wild clamor to withhold jury trials:

First. From the Middle West during the depression when farmers were banning together to prevent fully legal foreclosures on farms by eastern banking and insurance interests.

Second. From Illinois during the period when Al Capone—vice lord and beer baron—allegedly had complete control over Burnham, Stickney, and Cicero, and partial control over Chicago itself.

Third. From Michigan during the depression period when labor unions were staging "sitdown strikes" and physically occupying factories.

If in those instances there had been in effect the law which is here proposed, I have no doubt that there would have been a great clamor for the adoption of similar procedures in those areas.

The sitdown strike analogy also raises an interesting point. The basic thesis of the Norris-La Guardia Act hailed as the measure which brought freedom to labor—was that workingmen were entitled to trial by jury rather than coercion by injunction. Now the Senate is told that freedom for minorities requires that trial by jury be abolished. Those sponsoring this legislation cannot have it both ways. If the jury trial is a charter of freedom—as in the Norris-La Guardia Act—it cannot now be condemned as the stumbling block to freedom.

But the advocates of this bill have not limited themselves to eliminating trial by jury on the right-to-vote issue alone. They have gone beyond that point and added it to a series of broad and sweeping reconstruction statutes which no one fully understands or at least which no one has fully explained.

The Senate is helpless to fully assess the effects of section 1985 because it has not had the benefit of a careful committee study. But certain things are obvious:

First. Section 1985 has nothing to do with the right to vote because voting rights are fully covered in title IV of the bill. If the sole purpose of the measure is to protect voting rights—something that has been widely advertised—then section 1985 is unnecessary.

Second. As presently written, section 1985 carries with it only civil penalties for violation. As amended by the pending bill, section 1985 would carry with it the full force and power of the Federal Government including the use of the Army and the Navy.

Third. Section 1985 is so broad that apparently it covers every phase of life defined as a civil-rights issue. The very least the Senate can do is to insist upon a definition of limitations before voting upon such a stringent measure.

This is a country which boasts that it has a government of laws; not of men. But no country can truthfully make such a claim unless its legislators have a clear and specific definition of the measures they are passing upon. It is not a legitimate argument to say that if powers are too sweeping, a moderate administration like the present one would not make use of them. The real point is why they should be granted in the first place.

It is axiomatic that no government is truly democratic unless the people have a clear understanding of the laws under which they are governed. Can anyone claim that the people of this country truly understand title III of section 1985? Under the circumstances, it might have been well to number this section 1984 in memory of George Orwell's famous novel.

At the present time, passage of this measure would represent a blow at the South only. But it would be a precedent under which the liberties of the whole Nation would be taken away—a bit at a time. It would require every courthouse to redefine justice under the law into a two-part code:

First. Justice for white southerners—to be dispensed by handpicked Federal judges who can define not only the punishment but the crime itself.

Second. Justice for rapists, pederasts, murderers, traitors and kidnapers—to be dispensed by juries of their peers upon the basis of clearly defined and strictly construed statutes.

Mr. President, I wish to quote a short statement from a recent book, The Price of Union, written by one of the great authors of this country, Herbert Agar:

> If the majority demands its way too harshly the Federal principle is broken, for the essence of federalism is the power of regional minorities to protect their interests.

Thus, in one sentence of his book, Mr. Agar has summarized the basic issue involved in this debate. In this instance, in this proposed legislation, the majority is indeed making harsh demands and has tampered with what I believe to be the keystone of the Federal system which has served this Nation so well for the last 168 years.

It always amazes me when the sponsors of such radical legislation profess to reconcile it with the obvious success of the Federal system which we now enjoy.

I am not alone in my belief that the genius of the American system is that it limits all power, including the power of the majority. Several years ago—in 1949, in fact—Walter Lippmann, one of the wisest commentators we have, stated the principle of federalism simply and clearly. As Senators will recall, this body at that time had under consideration the proposed change in rule XXII. Mr. Lippmann's comments were appropriate on that occasion and are even more so at this time, since the proponents of H. R. 6127 not only seek to limit debate, but have brought this measure before the Senate, by an unusual procedure which might well lead to a breakdown of our committee system.

Mr. Lippmann was writing in connection with the threat of the majority to change rule XXII. Here we have also the same majority that was involved in that threat seeking to impose upon us the bill which is now under discussion:

I quote Mr. Lippmann's comments on the question which I believe to be the most significant one involved in the present debate:

The American idea of a democratic decision has always been that important minorities must not be coerced. When there is strong opposition, it is neither wise nor practical to force a decision. It is necessary and it is better to postpone the decision—to respect the opposition and then to accept the burden of trying to persuade it.

For a decision which has to be enforced against the determined opposition of large communities and regions of the country will, as Americans have long realized, almost never produce the results it is supposed to produce. The opposition and the resistance, having been overridden, will not disappear. They will merely find some other way of avoiding, evading, obstructing, or nullifying the decision.

For that reason it is a cardinal principle of the American democracy that great decisions on issues that men regard as vital shall not be taken by vote of the majority until the consent of the minority has been obtained. Where the consent of the minority has been lacking, as for example in the case of the prohibition amendment, the democratic decision has produced hypocrisy and lawlessness.

This is the issue in the Senate. It is not whether there shall be unlimited debates. The right of unlimited debates is merely a device, rather an awkward and tiresome device, to prevent large and determined communities from being coerced.

The issue is whether the fundamental principle of American democratic decision—that strong minorities must be persuaded and not coerced—shall be altered radically, not by constitutional amendment but by a subtle change in the rules of the Senate.

Mr. President, I think it is very appropriate that the words "not by constitutional amendment, but by a subtle change in the rules of the Senate" are used.

This bill is a subtle one. It proposes a subtle change in existing law.

The Senator from New York [Mr. JAVITS] pretends the bill proposes a very simple little thing, and nothing new, and that it would not change very much. However, Mr. President, all the bill does is to abolish trial by jury—a constitutional right which the Founding Fathers thought so important that at four different places in the Constitution or in the amendments thereto they included a provision guaranteeing to the people of the United States the right of trial by jury. I think no one would venture to deny that if those guarantees of individual liberty had not been incorporated in the Constitution, there never would have been a Constitution of the United States. I do not think there is the slightest doubt that if the gentleman's agreement had not been made with the leading citizens of Virginia, the Constitution would never have been ratified; and some of the principal points at issue were the sixth and seventh amendments.

The statement that it does not change matters very much if the right of trial by jury is abolished, in my opinion is a most deceptive way to present the bill. This is a tremendous and an ominous change in our judicial system.

I agree that the bill is a very subtle one. It is very difficult to interpret it properly, without reading the provisions of the bill in conjunction with various existing statutes, some of them very old. So it is very difficult to understand just what the bill provides. Mr. President, if ever there has come before this body a bill which should be subjected to the most careful scrutiny by a committee and its staff experts, who then would develop a thorough explanation of the bill, this is that bill. I know of no other measure in recent years which has been more difficult to understand by reading its text.

This bill must be read in conjunction with many other acts of Congress, passed years ago, during and shortly after the Civil War.

Mr. President, It surely cannot be seriously believed that it is purely accidental that Americans, composed of all the races of Europe, plus a sprinkling of several others, have been so successful in living together in peace and harmony and freedom. I know that it is comforting and personally satisfying to think that, somehow, we as a people possess some mysterious virtue that other peoples do not possess; that, somehow, we are superior and unique; that our personal excellence accounts for our success. There are occasions in our public life when it is appropriate to take that view, but neither science nor reason will support it.

It is my belief that what virtue we possess as a community is to a great extent due to our Federal system of government, and that the most unique and significant parts of that system are the Senate of the United States, as it has been constituted and regulated by its own rules of conduct, and our system of constitutional law which guarantees, among other things, the right of trial by jury. If we are to abandon the basic concept of the Federal-State system, and if we are to adopt a completely centralized system—one which we have seen fail in Europe and in Asia—then there is no need to be concerned about the Senate and its tradition or to be concerned about the Constitution.

Mr. President, before I conclude, I should like to address a very special appeal to the news-gathering agencies of the country. I say to them that in this particular instance they owe to the people of the United States a very special duty to elucidate the effects of the bill, as they are set forth during this debate. The special circumstance which warrants this appeal is the fact that the bill has not gone to a committee, and we shall not have available to us a report, such as that which usually accompanies a bill of this kind, in order to explain what the bill does and to give the answers to questions such as the one the Senator from Connecticut asked a moment ago—a matter in which every Member of the Senate may well be interested. Just what does this bill mean?

Mr. President, I began my remarks by making a reference to an editorial published in the Washington Post, one of the three great newspapers published in the city of Washington, D. C. Previously I had printed in the CONGRESSIONAL RECORD an editorial which was published in that newspaper several months ago. Today, we find that the Washington Post has changed its view, inasmuch as the editorial published this morning in the Washington Post accepts the idea that possibly the bill does need revision, and that it should be debated.

The bill is now being debated on the floor of the Senate, under circumstances which are not well designed for careful consideration of technical provisions. The Senate is trying to understand the bill and, I hope, to rewrite it.

Therefore, Mr. President, I appeal to the members of the press that if ever they had a duty to report a debate fully, impartially, and clearly, this is that debate. However clumsy those of us who are not on the committee may be in our discussion of the bill, I believe it is the duty of the press to try to present the points developed during the debate, so that everyone in the country may understand them and may understand the full implications of the bill.

I would remind the members of the press that, due to their cooperation with the Senate, on two or three occasions great mistakes, I believe, were prevented. One which comes to my mind was the Court-packing plan of my own party, or, at least, proposed by the leader of my own party, in the late 1930's, when the Senate delayed long enough to enable the members of the press to enlighten the people of the country, as a result of which there arose a great feeling of revulsion against the proposal, with the result that the plan was dropped. I think that was an excellent demonstration of what I have in mind and what I believe will occur if the people of the country understand that under this proposal they will be giving up one of the most vital protections of their personal freedom to be found in the Constitution.

I also recall the proposal to draft into the Army the railroad workers—a proposal made during a period of considerable internal tension. I believe it was an ill-advised proposal. But because the Senate was able to delay it and because during the period of delay the members of the press were able to inform the people of the country about it, that proposal also was defeated.

So I appeal to the press in this case, because we do not have the benefit of a committee study, and we do not have the benefit of a thorough report which would enlighten everyone as to just what the bill means. Therefore, I hope the press will report the debate on the bill in an accurate and unusually careful manner. Of course I do not confine my appeal to the representatives of the daily newspapers and periodicals; I also appeal to the members of the fourth estate who provide television and radio coverage. I hope they will do likewise.

Mr. President, I yield the floor.

Mr. KNOWLAND. Mr. President, I desire to propound a parliamentary inquiry. However, before doing so, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	Morton
Allott	Green	Mundt
Anderson	Hayden	Murray
Barrett	Hickenlooper	Neuberger
Beall	Hill	O'Mahoney
Bennett	Holland	Pastore
Bible	Hruska	Payne
Bricker	Humphrey	Potter
Bush	Ives	Revercomb
Byrd	Javits	Robertson
Capehart	Jenner	Russell
Carlson	Johnson, Tex.	Saltonstall
Carroll	Johnston, S. C.	Schoeppel
Case, N. J.	Kefauver	Scott
Case, S. Dak.	Kennedy	Smathers
Church	Kerr	Smith, Maine
Clark	Knowland	Smith, N. J.
Cooper	Kuchel	Sparkman
Cotton	Langer	Stennis
Curtis	Lausche	Symington
Dirksen	Long	Talmadge
Douglas	Magnuson	Thurmond
Dworshak	Malone	Thye
Eastland	Mansfield	Watkins
Ellender	Martin, Iowa	Wiley
Ervin	Martin, Pa.	Williams
Flanders	McClellan	Yarborough
Fulbright	McNamara	Young
Goldwater	Morse	

The VICE PRESIDENT. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

CIVIL RIGHTS

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from California [Mr. KNOWLAND] that the Senate proceed to the consideration of House bill 6127.

Mr. KNOWLAND. Mr. President, on yesterday the Senator from Georgia [Mr. RUSSELL] stated that the star-print bill which is now proposed to be taken up upon my motion is not the same bill which was heretofore read twice and ordered to be placed on the calendar. This colloquy appears on pages 10986–10987 of the RECORD of July 8, 1957. It was stated that the star-print bill had not been read twice.

I desire to submit a parliamentary inquiry, as to whether, if my motion prevails, the bill then before the Senate will be the engrossed bill, star print, and as to whether the validity of any proceedings the Senate may now or hereafter take on the star-print bill may be questioned.

The VICE PRESIDENT. A study of the precedents indicates that the question as to the validity of a star print has not been previously raised in the Senate, and that the Presiding Officer of the Senate, therefore, has not previously made a ruling. However, the Chair has asked the Parliamentarian to make a study of the use of such prints in the past, and on the basis of information furnished by the Parliamentarian the Chair replies to the parliamentary inquiry of the Senator from California [Mr. KNOWLAND] in this manner:

A star print, so called, of an engrossed bill, whether it is either a House or Senate bill, is simply a bill that has been reprinted for the purpose of correcting an error or errors, usually of a clerical or typographical nature, made by some person whose duty it was to see that such bill, when printed, was in conformity in all respects with and truly and accurately reflected the action of the particular House in its passage. It is designed to substitute for a bill in which an error has been discovered a reprinted bill correcting such error or errors and showing the exact form in which such bill was actually passed by the original House. The practice of star printing bills has been followed by both Houses of Congress, in a more or less routine manner, for a long period of time. The Parliamentarian has found instances going back almost 50 years ago. It is somewhat analogous to the method of correcting by a concurrent resolution errors discovered in an enrolled bill after it has passed through the legislative processes beyond the stage of amendment; indeed, in some cases, after an enrolled bill has been signed by the two presiding officers and presented to the President, it is recalled, the errors are corrected, and the bill again signed and presented to the President for his action thereon.

An engrossed bill is attested, in the Senate by the Secretary, and in the House by the Clerk, and transmitted to the other body by message. If an error in such a bill is not discovered until after its receipt by the other House, the usual procedure is for the enrolling clerk of the first House to have a star print made correcting such error and it is delivered to the enrolling clerk of the second House, who delivers to the first House the original signed bill containing the error. In such a case, a star print is made by the enrolling clerk of the second House of the bill on white paper showing the bill in its correct form, with the same action indicated thereon as appears on the original bill. All the original copies of the bill are withdrawn from the files and the star-print copies substituted therefor, whether the bill was referred to a committee or placed on the calendar.

The error in the engrossed bill H. R. 6127, the Civil Rights Act of 1957, was not discovered until after it had been transmitted by message to the Senate, read twice, and placed upon the calendar.

During the consideration of the bill in the House on June 17, 1957, as shown on pages 9378–9384 of the CONGRESSIONAL RECORD, Mr. WHITENER, of North Carolina, offered an amendment embracing the language of the proviso shown in the original engrossed bill beginning on page 8, line 19, and extending down to and including line 9, page 9. A point of order was made and sustained by the Chairman, Mr. FORAND, that it was not germane specifically to the section to which it was offered, but it was stated by the Chairman that it would be germane to the bill as a separate section. Mr. WHITENER then obtained unanimous consent that he might offer it as an amendment in the form of a separate section, to be known as subsection (e) of section 131, and to be inserted immediately following line 13, on page 12. An amendment to the amendment was offered by Mr. HOFFMAN, of Michigan, which was ruled out on a point of order as not being germane to Mr. WHITENER's amendment. Mr. WHITENER, by unanimous consent, then made a slight modification of his amendment, and the amendment as modified was agreed to. By inadvertence, the amendment as adopted was inserted in the bill at the same point where it was originally offered instead of at the place where it was offered the second time.

When the error was discovered, the enrolling clerk of the House had a star print made of the engrossed bill, in which the language of the amendment was transposed from the erroneous place in the bill to the place specifically indicated by him when he offered the amendment the second time, which now appears on page 12, as lines 10 to 23, inclusive, of the Senate Calendar print of the bill.

It was simply a transposition of the language of the amendment to the correct and proper place, as indicated by the proceedings in the CONGRESSIONAL RECORD. No word was changed in this transposition. It was placed in the star printed bill in exactly the same language as proposed and adopted by the House.

The transposition necessitated a change in the pages and lines of the star print after the place in which the amendment was incorrectly inserted, and it was therefore necessary to have a star print made in the Senate of the original calendar print, in view of the fact that any amendment offered after page 8, line 19, would not correspond to the language in the star printed engrossed bill.

When this star print was delivered to the Secretary's Office of the Senate, following the custom, undeviated from, the original erroneous engrossed bill was returned to the enrolling clerk of the House, and a copy of the Senate Calendar print of the bill was sent to the Government Printing Office for a star print.

The proceedings in connection with the star printing of the bill in the Senate followed the usual routine procedure customary in the correction of errors in engrossed bills.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. RUSSELL. The Chair did not so state specifically, but I understood the distinguished Senator from California to propound a parliamentary inquiry as to the validity of this procedure. Did I correctly understand the Chair to rule that this remarkable procedure was valid under rule XIV?

The VICE PRESIDENT. The Chair did so rule.

Mr. RUSSELL. Mr. President, I feel constrained to submit a point of order in connection with that ruling.

We have a situation in which the Senate took the unusual step of bypassing a

committee to place a bill upon the calendar. After a long controversy the bill was read twice. Indeed, under the demand of the Senator from South Carolina [Mr. JOHNSTON], we resorted to the unusual procedure that the bill be read in full, and not only by title. According to the records of the Senate, it was read a second time, and placed upon the calendar.

Now we are told that, though the bill which was read the second time, is not the bill which is the star print bill, we can consider the star print, thereby not only bypassing committees, but bypassing all of rule XIV, which requires, in three separate places, that all bills shall be read three times, on separate days, under demand, before the Senate may take action upon them.

I was greatly interested in that part of the Chair's ruling that "this procedure is somewhat analogous"—and I am quoting from the ruling—"to the method of correcting, by a concurrent resolution, errors discovered in an enrolled bill after it has passed through the legislative processes—indeed, in some cases, after an enrolled bill has been signed by the two presiding officers and presented to the President, it is recalled," and errors are corrected. Indeed they are, but they are corrected by action of the Senate and House of Representatives, through a joint resolution and not by an enrolling clerk.

In this case it is said that the action of an enrolling clerk—not a clerk of the United States Senate, but a clerk of the other body—binds the Senate, and that his action is analogous to the solemn legislative action of Senators elected from 48 States and sworn to uphold the Constitution of the United States in adopting a concurrent resolution.

Mr. President, I assert that that is the most remarkable analogy that has ever come to my attention. What would have happened if, in passing the bill, the House had been dealing with the recodification of the statutes of the United States, and it dealt with a section having to do with murder on Federal lands. Suppose it had written that such murder should be punishable by hanging. Suppose there was another section providing for the punishment by fine of any person found guilty of spitting on the sidewalks in Federal lands. Suppose, through the error of the enrolling clerk, it came about that punishment of the person guilty of murder should be a fine of $15, and that the person spitting on the sidewalk should be hanged. Would that act of an enrolling clerk be valid? It is as remarkable as that one should take the position that an enrolling clerk could override the action of the House, or, by placing certain language in the bill, could commit the Senate to two readings of the bill that was not the bill the Senate would be asked to consider.

Has the Chair ruled that this bill has been read twice, under rule XIV?

The VICE PRESIDENT. The Chair so rules.

Mr. RUSSELL. Mr. President, I think I know something about the atmosphere under which we have been proceeding since this bill was first brought up. I have little hope of any of the aspects of usual consideration under the rules of the Senate. But, Mr. President, it is a remarkable rule to declare that an enrolling clerk of the House can take action which is equal to that which must be corrected by a concurrent resolution adopted by both Houses of Congress, as is necessary in the analogies which are given.

This was not the usual case. This was not a case in which "a" was used instead of "the" or "it," instead of "them." This was a case in which a bill was sent to the Senate with the provision in question, important as it is, appended to the "Commission" provision, or Part I of the bill, when it should have been appended to Part IV as subsection (e), as the CONGRESSIONAL RECORD will show.

It is evident that the rule which requires reading of the bill means nothing under this ruling if an enrolling clerk of the House changes the bill and then sends another bill to the Senate in the form of a so-called star print. Such action defeats the Senate rule and denies the rights of Senators.

This shows the difficulties we get into when we deviate from the regular, fixed procedures of the Senate. Almost always when we resort to an expediency to achieve a quick end we find, before we are through, that we are driven to expediency after expediency, until we tear down the whole structure of the law which is supposed to guide the Senate.

I might understand how the enrolling clerk of the Senate could take some action which would affect rule XIV, relating to two readings of the bill in the Senate; but it passes my comprehension how the Senate, even in its haste to get along with the bill, and to follow unusual procedures, could take the position that the enrolling clerk of the House of Representatives could intrude himself into the Senate and avoid two readings of the bill, as required by the rule.

You may rule; and you may ride roughshod. However, the fact remains that the bill, which it is now sought to bring up by motion has not been read even one time in the Senate; and the cold record of proceedings as set forth in the ruling which the Chair has made will completely sustain that statement.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from North Carolina.

Mr. ERVIN. I should like to ask the able and distinguished Senator from Georgia if he will also ask the Chair to make a parliamentary ruling on the following situation:

In the star print of the bill, at the top of page 11, we have something to which the distinguished Senator from Wyoming [Mr. O'MAHONEY] called attention yesterday. We find the following language:

(c) Add, immediately following the present text, three new subsections to read as follows:

Then there are set forth subsections (b), (c), (d), and (e), making four new subsections. I think we are entitled to a parliamentary ruling on the point. Since subsection (d) is not added or recognized by the language of the bill, it seems to me that it has no part in the star print bill.

Mr. RUSSELL. This procedure is completely analogous, of course, to the procedures outlined in the bill itself. I hope to appeal to some Senators who may favor even the extreme provisions of the bill, but who would still like to see the Senate at least follow some reasonable course calculated to maintain its self-respect and independence.

I shall not labor this question. I know that any effort that is made here to remind the Senate of the rules of the Senate when we get into a situation such as that in which we find ourselves today excites very little interest on the part of Senators.

I feel that I have a duty to the Senate. I love the Senate. I have respect for the Senate; and at least I should like to have it appear in the RECORD of the Senate that the point remains, that the bill which is sought to be brought before the Senate for consideration on motion has not been read even one time; and the distinguished Senator from California yesterday was honest enough to admit that this is not the bill which was read on two occasions and then sent to the calendar instead of to committee.

That is the position we are in. I do not know what further unusual tactics will be resorted to. I hope we will not undertake to pass the bill as prepared by enrolling clerk of the House of Representatives, or accept the statement of someone not connected with the Government, perhaps someone walking down the street, who may have an opinion about it, and who would transmit to the Senate, a demand that the roll be called immediately on the bill and that no Senator from South be permitted to vote.

Mr. President, in the course of the discussion on the parliamentary situation which obtained when the bill was placed on the calendar, instead of pursuing the normal committee course, I said that the suggested course of action would bring up troubles that would confound and confuse the Senate.

Ordinarily, the discovery and correction of errors is one of the important functions of a committee. Instead of letting the committee do it, we find that we will not be permitted to even let the Senate do it with an ordinary concurrent resolution. Instead, it is proposed that we do it by an action taken by an enrolling clerk of the House of Representatives. We are getting into a rather sad situation in the United States Senate when we resort to such rulings.

Mr. KNOWLAND. Mr. President, I am not sure of the parliamentary situation. Has the Senator from Georgia taken an appeal from the ruling?

Mr. RUSSELL. I have made a point of order against it. If the Chair overrules it, I may appeal from his decision. I shall not subject the Senate to a debate that will be charged as a filibuster by continuing this discussion at greater length. If I appeal I shall ask the Senate for a yea-and-nay vote. When we are following such procedures in the Senate. I believe we should make a record of it, so that when we have gone

back into the oblivion from which we sprang, the record of our action will be left behind us.

The VICE PRESIDENT. May the Chair inquire whether the point of order is to the effect that the bill has not been read the second time?

Mr. RUSSELL. It has not been read the second time. I say the action of the enrolling clerk of the House of Representatives in preparing a new print is no substitute for action by the Senate as prescribed in the rules.

Mr. President, in order to refresh the recollection of my colleagues, I should like to read again from rule XIV. I have read often from that rule within the past few weeks.

I read from rule XIV, as follows:

2. Every bill and joint resolution shall receive three readings previous to its passage, which readings shall be on three different days, unless the Senate unanimously direct otherwise; and the Presiding Officer shall give notice at each reading whether it be the first, second, or third: *Provided*, That the first or second reading of each bill may be by title only, unless the Senate in any case shall otherwise order.

I point out to my colleagues that that paragraph does not say anything about the enrolling clerk of the House of Representatives substituting for the Senate. It does not say anything about the enrolling clerk of the House of Representatives substituting for the Presiding Officer. It does not say anything about the enrolling clerk of the House of Representatives being able to determine what the Senate shall do or what the Senate shall not do to conform to this rule. It says that the Senate may determine not even the leadership. Any Senator has that right, not the leadership or any employee of the other body, to have the identical bill read on different days.

I read further from rule XIV:

3. No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee; bills and joint resolutions introduced on leave, and bills and joint resolutions from the House of Representatives, shall be read once, and may be read twice, on the same day, if not objected to, for reference, but shall not be considered on that day nor debated, except for reference, unless by unanimous consent.

I had always thought that the words "unless by unanimous consent" referred to the unanimous consent of the Senate, not to the determination of the enrolling clerk of the House of Representatives.

I read further from rule XIV:

4. Every bill and joint resolution reported from a committee, not having previously been read, shall be read once, and twice, if not objected to, on the same day, and placed on the calendar in the order in which the same may be reported; and every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

Mr. President, it does not provide that the Senate is subject to the errors of the enrolling clerk of the House of Representatives. If we are subject to his errors, we are, under this kind of procedure, bound by his whims and fancies.

Mr. President, this is not routine business. I know, of course, that there have been errors made and corrected with respect to minor points. This is a bill over which a controversy raged as to whether rule XXV required that it go to committee.

We wiped out rule XXV by utilizing rule XIV. We now propose to wipe out rule XIV and say that the enrolling clerk of the House of Representatives can bypass that rule by changing a bill that has been sent to the Senate.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I thought I had the floor.

Mr. SPARKMAN. Will the Senator from California yield so I may ask a question of the Senator from Georgia?

Mr. KNOWLAND. I gladly yield.

Mr. SPARKMAN. Mr. President, I wonder, under the ruling which has been made by the Chair, at what point in the proceedings the control of the enrolling clerk of the House ceases to exist. Surely there must be a stopping point. Does the Senator know where it is?

Mr. RUSSELL. I do not know. If a star print No. 2 were to be sent to the Senate, and if by some conceivable means the bill could be read twice, as the rule requires, I suppose the action of the enrolling clerk would be binding on us. We have stricken down rule XXV and substituted rule XIV by bypassing the committee. Now we are wiping out rule XIV at one fell swoop and substituting the action of the enrolling clerk of the House of Representatives.

Mr. KNOWLAND. Mr. President, the language of the bill (H. R. 6127) is precisely the same, although inadvertently in the first print placed by the clerks of the House on page 8 beginning in line 19, instead of on page 12, beginning in line 10 as appears in the star print. The language is the same. That fact is not disputed.

The fact is that the star print which is now being discussed before the Senate would be before the Senate if my motion prevails, as it is the bill which was passed by the House of Representatives according to the Journal of the House and according to the CONGRESSIONAL RECORD.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I shall be glad to yield in a moment. The distinguished Senator from Georgia indicates that this is unusual. I hold in my hand a copy of H. R. 7665, which is an act making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes. It is a bill which was recently on the floor of the Senate. The distinguished Senator from Georgia [Mr. RUSSELL] was a member of the subcommittee which reported the bill.

This is a star print. I suppose that the clerks found a typographical error in the enrolled bill. As the Chair has pointed out, the Parliamentarian has found, going back for more than 50 years, that star prints have come to the Senate. It is a customary procedure. I submit that no damage has been done in any sense of the word. No words have been added. No section has been added. We are merely trying to get a bill before the Senate so that the Senate may act as a legislative body. I submit there is nothing unusual in the procedure, and I believe that the decision of the Chair is in keeping with the practice and the customs of the Senate and of the House.

Mr. RUSSELL. The Senator knows, of course, that the procedure in connection with this particular bill has not been usual from the outset. Very unusual procedures have been resorted to. It makes a great deal of difference as to where certain provisions appear in the bill. I undertook to illustrate that by the offenses of spitting on the sidewalk and of murder. Where the penalties for those offenses were placed in the law would have a great deal to do with the question. If the penalties were transposed in the law, a man might be fined $15 for murder, but he might be hanged for spitting on the sidewalk. So it would make a great deal of difference where the language appeared in the law.

As the Senator from California knows, the pending bill has taken an unusual course. When will this bill be read the first and second times in the terms in which it passed the House, if the star print is a corrected print?

Mr. KNOWLAND. I think the bill has been read the first and second times.

Mr. RUSSELL. Not the star print.

Mr. KNOWLAND. Yes. H. R. 6127 is before the Senate in precisely the way in which it passed the House of Representatives.

Mr. RUSSELL. But it has not been read in the Senate in precisely the terms in which it passed the House of Representatives.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. DIRKSEN. As the Senator from California has pointed out, not a word has been added to the text; not a word has been taken away. When the distinguished Senator from South Carolina asked for a reading of the bill at length when it first came to the Senate, everything which is in the bill was read at that time, because nothing has been added to it and nothing has been subtracted from it.

Now I respond to the curious argument made by the Senator from Georgia. I conferred with the Parliamentarian of the House of Representatives and with the Parliamentarian of the Senate and gave some time to the matter. I have been advised that these inadvertencies—engrossing errors, not enrolling errors—are made as often as 100 times in the course of every session of Congress. It is not unusual for such errors to occur. As a consequence, it has become a simple practice, so long as there is no modification in the substance of the bill, to correct such errors, not made by the enrolling clerk, but by the journal clerk in the House of Representatives, as I understand the procedure.

So the very bill which is before us is the very bill which in its substance was read, word for word, at length, when the bill was first taken up.

Mr. KNOWLAND. I thank the Senator from Illinois.

Mr. RUSSELL. I realize where the power lies in this matter. I do not, however, wish to accept, for any logical reason, the argument of the Senator from Illinois that if the language is the same, it makes no difference where it appears. To have a section appear out of order, in a different place from where it belongs, can change the entire characteristics of the bill. My own analogy as to the difference in punishment which could be imposed is not an extreme one. There could be the same language, but a greatly different result. That is somewhat in keeping with the whole atmosphere of the situation.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. SPARKMAN. Is it not true that the particular amendment which has been transferred appears in connection with an entirely different title from the one in which it was included when the bill was presented to the Senate originally?

Mr. RUSSELL. I think the Senator is correct. It was originally in part I.

Mr. SPARKMAN. Now it is in title III.

Mr. RUSSELL. Part IV.

Mr. SPARKMAN. Is it not true that a title is virtually an act unto itself?

Mr. RUSSELL. It is. I merely wish to point out the dangers which we encounter when we embark on a course of expediency and adopt the philosophy that the end justifies the means.

Mr. ERVIN. Mr. President, I think this is a good illustration of the situations which develop when shortcuts are taken. The bill which came over from the House and was read the first and second times in the Senate and placed upon the calendar set forth the Whitener amendment as a part of part I, relating to the Commission.

Part I specifies, on page 6, subsection (c), on line 10:

> Sixty days after the submission of its final report and recommendations the Commission shall cease to exist.

The bill, which was read twice in the Senate and placed upon the calendar, provided that the Whitener amendment only applied when the Commission was acting, and the bill provides that the Commission shall cease to exist 60 days after it files its final report and recommendations.

The star print, which is now before us, puts the Whitener amendment in an entirely different part of the bill. It puts the amendment in the permanent part of the bill, a part of the bill which, if it becomes law, will remain in force until the last lingering echo of Gabriel's horn trembles into ultimate silence. Yet we hear the distinguished minority leader and the distinguished minority whip say there is no real difference between the prints; that they are exactly the same. But in the original print the Whitener amendment is in the temporary part; in the star print, it is in the permanent part.

Mr. President, this reminds me of the story about the country undertaker who was operating under a law which prohibited him from shipping by express the unembalmed body of a man who had died of a contagious disease.

A man died. His body was not embalmed. The doctor issued a death certificate which stated that the person had died of tuberculosis, a contagious disease. The undertaker was like some Members of the Senate—particularly those who are anxious to get a civil-rights bill passed quickly. He did not wish to be delayed in shipping the body by the death certificate. So the undertaker said, "This man may as well have died in one way as another, because he is dead, in any event."

The undertaker took out his pencil, struck out the statement in the death certificate that the man had died of tuberculosis, and wrote in its place that he died of heart failure.

That is precisely the situation which confronts us here. That which was in the temporary part of the bill as it came from the House and was read in the Senate and placed on the calendar has now been placed in the permanent part of the bill. As a consequence we are not going to be killed by a contagious disease; we are going to be killed by something else.

Mr. RUSSELL. Mr. President, I regret and I feel very deeply that the Senate has got itself into an unfortunate situation in making a precedent of this kind, but I defer to realities. I know that when what I have referred to as the Knowland-Douglas Axis springs into action, they have enough votes to rewrite the rules as they go along.

I do not agree that this is an incidental matter. The mere fact that the question has not been raised before does not appeal to me, because the issue that was made in sending the bill to the calendar and avoiding the committee is not common procedure in the Senate. But I do not like to see the Senate make rules in this kind of atmosphere, this legislative spirit, in the absence of any consideration of the rights of minorities. I shall not appeal this matter, because I do not want to see it made a precedent. But I hope the question will come up again in a calmer atmosphere, when the Senate is prepared to pass upon a similar matter on its merits, and determine whether the enrolling clerk of the House of Representatives can perform a task which is analogous to the combined actions of the House and Senate in passing a concurrent resolution.

The VICE PRESIDENT. Does the Senator from Georgia, then, desire to withdraw his point of order?

Mr. RUSSELL. No; the Chair overruled the point of order.

The VICE PRESIDENT. The Chair has not yet ruled; the Chair simply indicated how he would rule.

Mr. RUSSELL. I withdraw the point of order, because it is very clear how the Chair might rule, and I think an unfortunate precedent might be set. So I shall await a calmer day and a calmer atmosphere than that which prevails in the Senate today in order to raise this question.

Mr. CASE of South Dakota. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Dakota will state it.

Mr. CASE of South Dakota. What is the parliamentary situation in respect to the entire matter, as raised, first, by the distinguished minority leader, and, second, as commented on by the Senator from Georgia?

The VICE PRESIDENT. The Chair has answered the parliamentary inquiry, and the Senator from Georgia has withdrawn his point of order. The parliamentary situation is that the question before the Senate is on agreeing to the motion that the Senate proceed to the consideration of House bill 6127.

Mr. CASE of South Dakota. Mr. President, if the Senate will indulge me for a few minutes, I should like to make 1 or 2 observations.

First of all, in the final analysis, the Senate probably would not be depending upon the action taken by an employee of the House of Representatives. Any action which might be taken to recognize the correction of the bill would, in the final analysis, be to recognize a position taken by the Speaker of the House of Representatives.

By consulting the CONGRESSIONAL RECORD, it is evident that this matter was brought up yesterday in the House of Representatives, and the Speaker took it under advisement. I have been informally told that the parliamentarian of the House of Representatives would advise the Speaker of the House to the same effect as, apparently, the parliamentarian of the Senate has advised the Vice President.

Second, I wish to observe that if the Senator from Georgia had insisted upon consideration of his point of order, that of itself would have created a precedent which would have justified raising a question of that kind whenever a matter relating to a star print arose. If in one instance the use of the star-print method might be challenged, so might it be challenged in the case of every bill in connection with which it might arise. I think that would be an undesirable precedent to create, and the Senator from Georgia in withdrawing his point of order may have recognized that. In any event, I personally commend him for so doing.

Third, I would point out that if the Senator from Georgia had insisted upon consideration of his point of order, and if it had been sustained, the Senate still would have had before it the original printing of the bill, as it was on the calendar, and as it was read. Under those circumstances, if the motion to have the Senate proceed to consider the bill was agreed to, at that time or at any time thereafter a motion could be made to strike the paragraph in question from the place where it appeared in the original print of the bill, and to insert it at another place—for example, the place where it was inserted in the star print of the bill.

So it seems to me that the procedure which has been followed by the Senator from Georgia in withdrawing his point of order is well considered in the interest of preserving the possibility of orderly action in the Senate.

Mr. RUSSELL. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE of South Dakota. I am glad to yield.

Mr. RUSSELL. I think the Senator from South Dakota is correct when he says it is directed toward undertaking to secure orderly action in the Senate. But I can assure the Senator from South Dakota that it was for none of the reasons he has assigned.

Mr. SALTONSTALL. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE of South Dakota. I yield.

Mr. SALTONSTALL. Did the informal inquiry of the Senator from South Dakota determine the fact that the ruling of the Speaker of the House of Representatives was to the effect that the bill which was before the Senate and was properly sent to the Senate from the House of Representatives was the star print copy which was put into the RECORD?

Mr. CASE of South Dakota. In response to the question the Senator from Massachusetts has asked, let me say that reference to page 11011 of the CONGRESSIONAL RECORD for yesterday, July 8, 1957, indicates that when the question was raised by Representative SMITH of Virginia, the Speaker of the House of Representatives took it under advisement. The information I have received is purely informal—namely, that the parliamentarian of the House of Representatives would advise the Speaker along the line previously indicated.

Mr. RUSSELL. Mr. President, will the Senator from South Dakota yield again to me?

Mr. CASE of South Dakota. I yield.

Mr. RUSSELL. I can understand that the Senator from Massachusetts might be a little unhappy that the enrolling clerk of the House of Representatives would have such great authority as regards the Senate, and I can also understand that the Senator from Massachusetts would try to rest the authority at a somewhat higher level, namely, the Speaker of the House of Representatives. I have great respect for the Speaker of the House of Representatives, but I do not believe his rulings are binding upon the Senate of the United States.

Mr. CASE of South Dakota. Of course the rulings of the Speaker of the House of Representatives would not be binding upon the Senate, as to action of the Senate. However, the rulings of the Speaker would be binding insofar as setting forth the action of the House of Representatives itself. If the Speaker identified a bill in a certain form as the true form in which the bill was passed by the House of Representatives, that would be a record beyond which the Senate could not inquire.

Mr. HOLLAND. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE of South Dakota. I yield.

Mr. HOLLAND. I think the distinguished Senator from South Dakota may be overlooking one fact which I believe very vital to this matter, namely, that this is not a mere clerical error, but, instead, it represents the placing of an important amendment in a place in the bill where it does not belong, so that it will have a very greatly different meaning from the one it would have had if it had been placed in the proper place, the place it was in when the bill was passed by the House of Representatives.

I think the RECORD will show quite clearly that the Senator from North Carolina [Mr. ERVIN] stated the matter with complete correctness when he said that the bill, as it came to the Senate from the House of Representatives, and as it was read word for word, under the request made by the distinguished senior Senator from South Carolina, and as the bill was read and was understood by the Senate, and was subjected to the unusual treatment referred to—namely, being placed on the calendar, without reference to committee—showed at that time that particular amendment as attached to part I of the bill, and related solely to the proposed Commission and its functioning, which is new and different legislation. As a matter of statutory interpretation, without any question in the world, I believe that particular amendment, so placed, would have been held to apply only to persons guilty of contempt when they were summoned before the Commission or when at the request of the Commission they appeared to testify or to bring papers.

To the contrary, as now placed in the star print of the bill, that particular amendment—in the same words, without a change in the wording—is placed in part IV of the bill, where the bill proposes new legislation, as applied to an old statute. The first part of the bill is entirely a new statute or a new act. The fourth part, where the amendment is now placed, is an amendment of an old statute and of the code numbers by which the old statute now appears in the United States Code. Being so placed, it applies to the entire subject matter covered by that particular old statute and by those particular code numbers, and it has much more general application and, in fact, applies to all persons who fall within the toils of the proposed law, if it should become law, and to the person who may be guilty of contempt by refusing to abide by the terms of injunctions issued against them by Federal courts.

The meanings are so completely and entirely different in the two prints of the bill, that I think it is highly unfortunate that the distinguished Vice President, in making his rulings, would place this matter upon the same basis as a mere misplacement of a single word or a misspelling of a word. The present matter does not relate to such an error. Instead, the error goes to the meaning of the amendment; and the amendment had a completely different meaning when it was placed at the point in the bill at which it appeared on the evening when the bill was read, during the debate on the floor of the Senate.

I am distressed at the inability of Senators to distinguish what is so patent a fact upon the very face of the record, namely, that an attempt is made here to say that a very small clerical error was committed by a clerical assistant, when, to the contrary, the bill as it came to the Senate, with the amendment placed as it was then placed, had necessarily a very largely different meaning from its meaning in the star print of the bill.

I regret any ruling which would make it appear that under the rules governing this august body, Senators are not sufficiently perspicacious to be able to distinguish between two situations as different as those two are.

Mr. KNOWLAND. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE of South Dakota. I shall be glad to yield in a moment to the Senator from California.

First, Mr. President, let me say I do not dispute the fact that a material change was made, so far as the meaning of the bill is concerned. Personally, I would not contend that it was a typographical error or anything of the sort. I think the meaning of the bill would be materially changed by the different placing of the amendment.

However, I believe the interpretation the distinguished Senator from Florida has placed upon the Vice President's ruling, or possibly upon the comment which other Senators may have made, misses the point a little.

I do not know that I have heard any Senator contend that the meaning would not be changed by the different placement of the paragraph in the bill, but the ministerial act of the insertion of the amendment on one page rather than the other was a clerical error.

Mr. HOLLAND. Mr. President, will the Senator yield there?

Mr. CASE of South Dakota. In that respect it was an act which is commonly corrected, under the precedents of both bodies, by the use of the star printing of a corrected bill.

Mr. HOLLAND. Will the Senator yield there?

Mr. CASE of South Dakota. In that respect the mere reprinting of the bill was a ministerial act and nothing more than that. If, as, and when the Speaker of the House or any qualified officer of the House were to furnish a certification that the star print of the bill was the bill as it passed the House, and under that numbering, I do not know how we could go beyond that.

Mr. HOLLAND. Will the Senator yield there?

Mr. CASE of South Dakota. In a moment. Be that as it may, it seems to me it would be unfortunate for the Senate to say, "We will not observe the practice which has been followed for 50 years," according to the record cited, of using star prints to correct ministerial errors.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I should like to yield first to the Senator from California. Then I shall be glad to yield further to the Senator from Florida.

Mr. KNOWLAND. First of all, Mr. President, I should like to say this. The parliamentary inquiry was raised by the minority leader in the interest of clarification, so that this issue would be settled before we got to the point of a vote on my motion to proceed to the consideration of this bill. There is no

one in the Senate of the United States who does not have ample information and full information as to the text of the bill as passed by the House of Representatives. It has been pointed out that, through a clerical error, the particular language was placed on page 8, when the Journal and the RECORD show it should have gone on page 12. There is no other change so far as language is concerned. It was a clerical error, apparently, when the paragraph was placed on page 8 instead of page 12. However, the star print came over to the Senate, according to the custom that has been followed for the last 50 years. Indeed, I call attention to the bill providing appropriations for the armed services. I hold in my hand a star print of that bill to show it is not an unusual situation. A copy of the star print, which is the text of the bill as passed by the House of Representatives, is the bill pending at the desk, upon which my motion rests. The star print has been printed in the CONGRESSIONAL RECORD of yesterday.

We have not even gotten around to the point where the Senate may consider amendments. Rather than have the situation prevail where there might be confusion on the point, I felt it a part of my responsibility as minority leader that this point should be clarified now. Nobody is under a misconception as to what the bill is. We know the page and the line and the number to be amended, if and when amendments are offered. I think it is proper procedure. I think it is a customary procedure. I do not think it is in any sense out of order.

If the distinguished Senator from Florida believed that the ruling was not correct, he or any other Member had the right, as had the Senator from Georgia, to appeal from the decision of the Chair and get a decision of the Senate. I would invite such an appeal if the Senator feels strongly on the matter, because I think actually we have established a precedent by the ruling of the Chair in answer to my parliamentary inquiry. If we are not to throw a question on the ultimate legality of the bill itself, this is a matter that has to be determined at this point. I would think every Member of the Senate, whether he is for or against the bill, would want an obvious clerical error corrected.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield to the Senator from Florida.

Mr. HOLLAND. It seems that the Senator from California and the Senator from South Dakota have not yet understood my point. I do not think the Senate is refusing to recognize the action of the House of Representatives. I think we are perfectly willing to accept the star print bill as the actual bill that the House passed. The point I am calling attention to is that the bill as read is not the bill as shown by the star print. The Senator from South Dakota has so admitted, and everyone else, as I understand, has so admitted. Everyone knows that the bill was read word by word at the request of the Senator from South Carolina [Mr. JOHNSTON] the other night when we were acting upon the question. The point I am making is that it is straining at the actual facts to say that the bill which was read twice the other night is the bill which now comes to the Senate as the act of the House, because it is not.

Every Senator knows—I think there is not one who would deny it—that the meaning of the star print of the bill is not the same as the meaning of the bill upon which the Senate passed when it was read. I say it is a stultification of the practice of the Senate to hold that a bill has been read twice when the bill which was read twice does not have the same meaning as the star print of the bill. I say, with great respect, that I think we should take up the actual bill passed by the House as shown by the star print. Certainly we should give it full faith and credit. We should recognize it completely, but let us not "kid" ourselves or try to "kid" the people of the country by saying the bill has been read twice, when it has not been.

Mr. CASE of South Dakota. The Senator from Florida, of course, is entitled to his opinion in the matter. I think his argument goes more to the merits of the bill or the meaning of the bill as it would appear under one version or another. It is an argument which can be renewed at the time the bill itself is up for consideration, if the motion to make it the pending business is agreed to. I certainly do not dispute that the meaning of the bill is different, depending upon where the particular paragraph in question appears, but the Senate has had the practice of accepting star prints. And, for that matter, so has the House of Representatives. It seems to me to upset that practice would invite raising that question on every star print bill that comes before the Senate, and thereby bring into question the possible validity of such a bill once it had been passed unless supported by a concurrent resolution.

Mr. HUMPHREY. Mr. President, we are again engaged in one of these interesting, and I believe illuminating, arguments over Senate rules and the relationship between the two Houses of Congress. The action which is being taken today, as has been noted, will set a precedent. Therefore, I feel that it is most important that this RECORD be quite clear—manifestly clear—as to just exactly what transpired. It is very important that the CONGRESSIONAL RECORD reveal what actually happened when the bill, as messaged over by the House to the Senate, was read, and how the so-called star print reads and its meaning. I am concerned about the action of the House enrolling clerk in coming over to the Senate and taking back a bill already on the Senate Calendar. This action could establish dangerous precedent.

Let us go back just a few days and see what happened. As has been noted, the bill as messaged over by the House was requested to be read by the able senior Senator from South Carolina [Mr. JOHNSTON]. It was read. That same bill is in the star print, word for word. And, what is more, the subsection which has been discussed at length here, namely, subsection (e) on page 12 of the star print, and the proviso on page 8 of the original H. R. 6127 as messaged to the Senate by the House relates to the entire language, all the language, of the act—the act that is now being motioned up for consideration by the Senate—H. R. 6127.

The term or the words "the act" apply to H. R. 6127 and to nothing else—those words apply to all sections of the bill.

Mr. President, H. R. 6127 as discussed during the time we were considering the application of rule XXV or rule XIV contained a proviso, on page 8, relating to contempt proceedings; that is, those who are in contempt of a district court. That proviso reads:

> *Provided*, That any person cited for an alleged contempt under this act shall be allowed to make his full defense by counsel learned in the law; and the court before which he is cited or tried, or some judge thereof, shall immediately, upon his request, assign to him such counsel, not exceeding two, as he may desire, who shall have free access to him at all reasonable hours.

And so forth. Mr. President, I note that in the star print that same language refers to proceedings before the district court. In the section of this bill relating to the so-called Civil Rights Commission there is the power of subpena, and there is the possibility of rule of law by the court, the United States district court. If an individual is held in contempt of the court, the proviso which I read is there to protect that individual and his rights.

Mr. President, that same proviso applies in the case of an individual who is in apparent violation of a court order relating to the section of this bill or this act, when adopted, that refers to the so-called right to vote section. So, Mr. President, the provisions that we have been discussing, whether they were in the original bill or the star print, are provisions that apply to all sections of the Act which relate to contempt proceedings. All of this business of trying to confuse the thinking relating to this bill adds little or nothing to its understanding.

Mr. President, there is an old axiom of law, or saying by the Romans, "de minimis non curat lex," which means "the law does not concern itself with trifles." But apparently Senators do. Actually, Mr. President, this matter is a trifle, because the analogy which was used earlier by the able and distinguished Senator from Georgia [Mr. RUSSELL] simply does not apply. The analogy used was that if one took a penalty provision, and the penalty provision was one which was transferred from murder to spitting on the sidewalk, it would show there was a great difference in the application of the penalty for the degree of the crime. In other words, if one took the penalty of life imprisonment for murder and transposed or transferred it to the section of the bill which related to spitting on the sidewalk of course there would be a gross miscarriage of justice. Indeed. But, Mr. President, this measure before us has a proviso in it which relates to the right of the individual to have competent legal counsel provided for him at any time he is charged with being in contempt of court under any section,

any part, or any subsection of this entire act, period.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HUMPHREY. I say that one could place the proviso under the title of the bill, one could place the proviso as the last sentence in the bill, or one could place the proviso in the fourth paragraph of the bill, and it still would have the same effect, because it relates to "this act" and "this act" means H. R. 6127 when it is passed by both Houses of Congress and signed by the President of the United States.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Pennsylvania.

Mr. CLARK. I think it important that the RECORD show there are Senators on this side of the aisle, myself included, who are in complete agreement with the distinguished Senator from Minnesota in what he has stated. Whatever may be said technically with respect to the transposition of these sections, the argument concerns itself with a trifle and the more important thing is that nobody has been hurt, nobody's rights have suffered, and the cause of those who oppose this proposed legislation is just as strong as it was before.

I congratulate the Senator from Minnesota for making that so plain to his colleagues in the Senate.

Mr. HUMPHREY. I thank the Senator from Pennsylvania. May I say that I greatly respect his legal observations. He is a retained and learned lawyer of great competence and skill. I feel that his observations are surely worthy of the understanding and respect of his colleagues in the Senate.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Illinois.

Mr. DOUGLAS. I also wish to associate myself with the very able statement of the Senator from Minnesota, which I think goes to the very heart of the question.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. HUMPHREY. Mr. President, I have made my point. I am happy to yield to the Senator from Colorado for an observation, because I feel that the point has been well established now.

I now yield to the Senator from Colorado.

Mr. CARROLL. I wish to commend the Senator from Minnesota for clarifying this very important issue for the sake of the RECORD. If there were some great difference, or if there were some issue on a question of substance, there might be something to the contention of the opposition, but I think the statement made by the Senator from Minnesota has clarified the whole atmosphere.

A mistake was made. The mistake has been corrected. As the distinguished Senator from Pennsylvania [Mr. CLARK] remarked, every Senator in this body understands the issue and understands where the provision will be in the bill. Therefore, no harm has occurred, and therefore no loss under the law, nor can anyone be misguided.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. SPARKMAN. Mr. President, I wish to say that I recognize the keenness of the mind of the able Senator from Minnesota, but I am not able to agree with him in all the conclusions at which he arrived in deciding that the position of this amendment in the bill means nothing. I think it does mean something.

I believe that if the Senator from Minnesota will transpose the language to the first part and read it in connection with that part, remembering that when the court takes it up to read it the court will read it in connection with the place where it occurs in the bill, as following the intent of Congress, not because of some particular word that may be in it, the Senator will understand my position. The Senator must remember that the first section is new law. It sets up a Commission. I do not recall that it applies to any other section of the statutes at all.

Mr. HUMPHREY. The Senator is correct.

Mr. SPARKMAN. Whereas the next two parts, part II and part III, both amend existing statutes.

Mr. HUMPHREY. The Senator is correct.

Mr. SPARKMAN. And in essence or essentially, each one is a title within itself or unto its own self, and each one is essentially an act unto itself.

I believe that if the distinguished Senator from Minnesota were trying to uphold in the Supreme Court of the United States the viewpoint he has just expressed, assuming that the bill had been passed in the form in which it came before the Senate originally, he would find himself in great trouble indeed.

Mr. HUMPHREY. I have always had great respect, and continue to have the utmost respect, for the Senator from Alabama and his views and observations. I say to him, in the spirit of friendship, admiration, and respect to which I have referred, that the bill before us will become an act of Congress when and if passed by both Houses of the Congress and signed by the President, and that the amendments to the existing statute to which the Senator refers will become new law when and if enacted. The term "an act," according to my limited knowledge of the law, when used in a bill such as this, refers to an act which Congress is called upon to pass.

ORDER FOR RECESS UNTIL 11 A. M. TOMORROW AND FOR MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, will the Senator from Minnesota yield to me for the purpose of making a unanimous-consent request, with the understanding that he will not lose the floor?

Mr. HUMPHREY. I yield, with that understanding.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stand in recess until 11 o'clock a. m. tomorrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. I thank my friend, the Senator from Minnesota, and I ask that this appear at the conclusion of his remarks.

Mr. JOHNSON of Texas subsequently said: Mr. President, I ask unanimous consent that when the Senate convenes at 11 o'clock a. m. tomorrow there be the usual morning hour for the introduction of bills, the submission of petitions and memorials, and the transaction of routine business, with statements limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CIVIL RIGHTS

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. What is the business before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California [Mr. KNOWLAND], that the Senate proceed to the consideration of House bill 6127, the Civil Rights Act of 1957.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	Morton
Allott	Green	Mundt
Anderson	Hayden	Murray
Barrett	Hickenlooper	Neuberger
Beall	Hill	O'Mahoney
Bennett	Holland	Pastore
Bible	Hruska	Payne
Bricker	Humphrey	Potter
Bush	Ives	Revercomb
Byrd	Javits	Robertson
Capehart	Jenner	Russell
Carlson	Johnson, Tex.	Saltonstall
Carroll	Johnston, S. C.	Schoeppel
Case, N. J.	Kefauver	Scott
Case, S. Dak.	Kennedy	Smathers
Church	Kerr	Smith, Maine
Clark	Knowland	Smith, N. J.
Cooper	Kuchel	Sparkman
Cotton	Langer	Stennis
Curtis	Lausche	Symington
Dirksen	Long	Talmadge
Douglas	Magnuson	Thurmond
Dworshak	Malone	Thye
Eastland	Mansfield	Watkins
Ellender	Martin, Iowa	Wiley
Ervin	Martin, Pa.	Williams
Flanders	McClellan	Yarborough
Fulbright	McNamara	Young
Goldwater	Morse	

The PRESIDING OFFICER. A quorum is present.

Mr. JOHNSON of Texas. Mr. President, the distinguished Senator from Alabama [Mr. SPARKMAN] has a prepared speech which he desires to deliver to the Senate. He has been prepared to do so all day. However, we were unable to obtain the attendance of many Senators for a part of the day. Later in the evening we engaged in propounding parliamentary inquiries, which involved a ruling from the Chair, in an attempt to clear up the record. While

we had planned to sit until 6 or 6:30 or 7 o'clock this evening, I believe it is a little unfair at this early stage of the debate to ask the Senator from Alabama to deliver a major speech at this time of the evening.

I have agreed, willingly and gladly, to an order which will have the Senate convene at 11 o'clock tomorrow morning. I should be glad to have the Senator from Alabama recognized to make a brief statement regarding the motion, with the understanding that at the conclusion of the morning hour tomorrow he will be recognized to complete his statement.

I did say to him that, in view of the discussion which was taking place in connection with the parliamentary inquiry, I doubted he would be called upon to speak this evening.

I have said to other Senators that we planned to run until 6 or 6:30 or 7, and they have made their arrangements accordingly. I am hopeful that we will not try to get this whole job done during the first few days. If the Senate will be reasonable in these matters, we can run to perhaps 5:45 or 6 or 7 o'clock on some evenings when we have a Senator present who is ready to speak. I discouraged one Senator who said he desired to address himself to another subject, namely, the money question. I am trying to locate that Senator now. If I can locate him, he may be willing to speak for 30 or 40 minutes.

We had to accommodate Senators with a recess today for a period of time because Members were not in attendance during the noon hour. I hope Senators who are absent will be as considerate of their colleagues as we have been of them.

I should like to have the Senate recess at this time and convene tomorrow morning at 11 o'clock. If it suits the majority of the Senate, I shall be willing to stay an additional hour beyond the agreed upon hour tomorrow evening, perhaps until 7:30.

I hope this procedure will be agreeable to the minority leader.

Mr. KNOWLAND. Mr. President, I will say to the distinguished Senator that I shall not resist his motion that the Senate now take a recess. There is a quorum of the Senate present. It is only a quarter to six. I had hoped that we might run a little longer this evening, because there are a number of speeches of importance to be made, and we are trying to fit them into the program. Certainly this is a very important matter.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I shall be glad to yield in a moment. I had hoped that we might continue in session until 6:30 or 7 o'clock this evening. Certainly our relationships have been pleasant, and I am sure they will remain so.

At the same time, I do not think it would be advisable under the circumstances to contest tonight such a decision if the Senator from Alabama prefers not to proceed tonight, and if the majority leader supports him in his desire. I shall not object to the decision to go over until tomorrow.

I most respectfully say to the distinguished Senator—and I know he has announced that the Senate will meet tomorrow morning at 11 o'clock—that I hope I shall have a chance to confer with him on Thursday morning again and take a look at the situation for the remainder of the week, because it seems to me that we should endeavor to lengthen the sessions from Thursday on, and that Senators should at least be on notice of the possibility of running into the night. So far during the session there have been a number of occasions when we have sat until 9 or 10 o'clock at night.

We have been advised that a number of Senators desire to express themselves prior to a vote is had on the motion to take up the bill, and we should get in more speeches than we have thus far.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to my friend from Texas.

Mr. JOHNSON of Texas. First I should like to say to the Senator that we have already entered an order that the Senate shall meet tomorrow at 11 o'clock. I did agree with the Senator that there should be a session until 6 or 6:30 this evening. If a Senator desires to address himself to the subject or to any other subject, the majority leader is prepared to stay here. However, I think it is a little unfair to insist that a Senator go on with his speech at this time, particularly in view of the fact that an extraneous discussion took place and we had to recess because Senators who support the motion were not in attendance. In view of the fact that we had this unusual situation today, it would appear unfair to ask the Senator from Alabama to make his speech at this late hour.

I believe the Senator from California can appreciate the situation in which the Senator from Alabama finds himself. The Senator from California would not want to make a major speech on his motion at this time of day.

Mr. KNOWLAND. The Senator from California has made his speech on the motion. He would be prepared to vote on the motion tonight. Obviously, the distinguished Senators on the other side of the aisle, and perhaps some on this side of the aisle, are not prepared to speak. But I hope that the other Senators present will be prepared to adjust their calendars accordingly, so that beginning on Thursday we may have night sessions.

Mr. JOHNSON of Texas. There have been unofficial reports and schedules circulated to the effect that there may be lengthy sessions after Thursday. I have expressed the hope—to the Senator from California and others—that such procedures would not be followed this week. I think a great deal more headway can be made if the Senate will operate as it has been operating, but will convene a little earlier in the mornings and remain a little later in the evenings.

We are agreeable to a Saturday session. This is so even though I have had some difficulty during this session in getting an agreement from the other side of the aisle on Saturday sessions, and even on night sessions.

I shall not insist on having the Senate convene at 12 o'clock and conclude at 5 o'clock. But I shall insist that Senators have an adequate opportunity to present their views when other Senators can hear them.

I do not think it is in keeping with the customs which the Senate ordinarily follows to ask the Senator from Alabama, at this stage of the debate, to make a major speech at 6 o'clock in the evening. He will be prepared to speak at 11 o'clock tomorrow morning. I shall be prepared to see to it that the 30 minutes we may lose tonight will be made up tomorrow.

Mr. KNOWLAND. Mr. President, I may say to my genial friend from Texas, without wishing to prolong the discussion, that I am certain we will come to an agreement. But I wish to correct the RECORD. I do not consider that the parliamentary inquiry which the minority leader made was an extraneous matter. I think it was to the point; it was to clarify a parliamentary situation before the Senate. I think the question needed to be clarified at the time, so I did not consider it to be extraneous.

But as a matter of courtesy to the distinguished Senator from Alabama, and again expressing the hope that we may be prepared to continue in session later in the evening in the latter part of the week, I am prepared now, even though a quorum is present, to agree with the majority leader in having the Senate recess until tomorrow morning at 11 o'clock.

Mr. JOHNSON of Texas. I am glad to have the views of the Senator from California concerning the discussion which took place regarding the parliamentary inquiry. I meant no reflection. I simply meant it was not in connection with the subject under discussion, when the motion was pending before the Senate, or on the merits of the bill.

If the Senate will recess now and will convene tomorrow morning at 11 o'clock, I serve notice that the session tomorrow will run until at least 7 o'clock, if there are any Senators who can be prevailed upon to speak that late in the evening.

I shall speak to the Senator from California tomorrow concerning the schedule for the remainder of the week.

Mr. KNOWLAND. As a matter of clarification, there are on this side of the aisle a number of Senators who are prepared to discuss the merits of the bill and several sections of the bill when the bill is actually being considered by the Senate. But they feel it would be more appropriate to have the discussion at a time when the vehicle is before the Senate, so that the sections of the bill can be discussed and any corrective amendments which might be offered, or which have already been offered, can be considered.

We do not anticipate that any great number of speeches will be made on the motion now before the Senate, but we expect to have the subject adequately discussed when the bill is before the Senate, as I hope it will be, certainly, within a reasonably few days hence.

SMALL BUSINESS

Mr. CARROLL. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article entitled "Small Business Study," written by Sylvia Porter, and published in the Washington Evening Star of July 2, 1957.

I have never met Sylvia Porter, but she is a very skillful journalist and makes penetrating analyses of the subjects about which she writes, especially economic matters.

In this article she calls the attention both of Democrats and Republicans to their campaign pledges concerning small business. The article should be read by every Member of Congress, because we have an obligation to fulfill those pledges.

Mr. President, I take the opportunity at this time, also, to call attention to the outstanding work of the distinguished Senator from Alabama [Mr. SPARKMAN] and the distinguished Senator from Arkansas [Mr. FULBRIGHT] in this connection. We obtained 33 votes on one occasion for a bill to give some tax relief to small business. That was commendable, but there is still no action on this most important problem of what to do to aid small-business men.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YOUR MONEY'S WORTH

(By Sylvia Porter)

SMALL BUSINESS STUDY

Mr. Small Business Man, I have a modicum of good news for you:

There's going to be a fresh study of your financing problems, of the increasing difficulties you face when you must borrow long-term capital to keep you alive and allow you to grow—and, this time, the comprehensive survey is to be conducted by no less an authority than the Federal Reserve Board.

Your plight is now so apparent that even the cautious Chairman of the Federal Reserve Board of Governors, William McC. Martin, agrees there is an apparent gap in existing credit facilities for small-business firms.

Mr. Martin actually goes beyond this. He says a fresh study might not only confirm the existence of gaps but it also might yield important byproducts by the pointing out of potentially profitable opportunities (that) could stimulate private enterprise to fill the indicated gaps.

The Senate Banking Committee has asked the Federal Reserve to undertake the investigation; the Board has consented.

Of course, it'll be months before the study is completed; early next year is the target date.

Major move unlikely

Of course, this just about kills any chance for a major move by Congress during 1957 to begin to fill the small business financing gap. Pigeonholing almost surely will be the fate of a bill in the Senate now which would create a new system of privately financed institutions operating regionally and statewide to make loans and supply capital to small and growing businesses.

Apparently, there also is to be no special tax break for small business either. This once bright hope has been dimmed almost to extinction.

As for most of the other fairly important small-business measures so fervently pledged by both the Republicans and the Democrats during the election campaign that even cynics expected action to be taken in 1957—well * * * the Small Business Administration is to be made a permanent agency and is to get an increase in lending authority * * * the terms of its loans presumably are to be liberalized * * * talk about a mountain laboring and bringing forth a mouse.

I don't need any help from the heat to get hot-blooded about the foot-dragging done by this administration and this Congress on aid to the smaller business firms in our land.

Let's push aside the questions of competition on defense contracts, on research, all the rest. Let's just concentrate on an obvious and possibly the most crucial problem today—credit.

Banks not blamed

Banks and other financial institutions can't be condemned for not solving the problem by channeling long-term funds to all their smaller applicants as well as best customers during a tight-money period; they have just so much money to lend and their responsibility is to lend what they have most profitably and safely.

The fact is that under today's circumstances, top banking as well as business groups believe the solution lies in the creation of the new system of banks for small-business loans.

Nevertheless, we're going to have a fresh study and then we're going to start debating a bill all over again. In the meantime, if you can't get the cash you must have in time and at a rate you can afford to pay, you know your alternatives:

Fold up on your own or sell out.

FEDERAL HOUSING ADMINISTRATION

Mr. CARROLL. Mr. President I ask unanimous consent to have printed in the body of the RECORD an article entitled "Reactionary FHA," written by Sylvia Porter, and published in the Washington Evening Star of July 8, 1957. This is an excellent piece of journalism and concerns what is wrong in the FHA today.

Again, the distinguished Senator from Alabama [Mr. SPARKMAN] has had much to do with the proposed legislation. I know he is working hard on the matter.

I call this article to the attention of all Members of Congress, because the article is written in the public interest.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YOUR MONEY'S WORTH

(By Sylvia Porter)

REACTIONARY FHA

Twenty-three years ago the Federal Housing Administration came into being and gave this country for the first time a Federal program for insurance against housing risks—a program designed to soften the reactionary attitudes of private mortgage lenders at that time to help pull us out of our worst depression.

Today, it is not the Nation's private lenders who are most reactionary in their mortgage lending practices.

It is the FHA itself which has set up income requirements for FHA-insured home mortgages, particularly in the $15,000-and-over house range, that makes the requirements of most private lenders seem liberal in comparison. And $15,000 is now the average price of a new house.

Today, it is not the private lender who is so cautious that his losses on mortgages are virtually nil.

It is the FHA which has a record of losses so favorable—only 0.06 percent of loss on all home mortgage insurance since 1934—that, obviously, the agency is not taking even modest chances.

FHA structure

Today, it is not the private lender who is so strict that borrowers say "what's the use" and don't even bother applying.

It is the FHA which has achieved the dubious reputation of being so rigid about granting mortgage insurance that many private lenders say flatly, "We don't even bother sending an application over to an FHA office unless we are dead sure it will be accepted."

Today, it is not the private lender who is blindly following old rules of thumb on what income a buyer must have to afford a specific house and who is basing loans on records of the past rather than the present.

It is the FHA which is being trapped by its own low-paid men in the field—men who never have been properly orientated toward granting mortgage insurance on houses in the $15,000-and-up bracket.

If these were only my judgments, you well might suspect me of prejudice. But no! FHA Commissioner Norman P. Mason himself concedes that most or all of the criticisms can be justified.

This is why Mr. Mason last week called together some of the Nation's leading authorities on home mortgages for a first meeting of a new Industry Advisory Committee on Mortgage Credit.

Consensus of the conference was:

Just liberalization of the terms of the housing laws isn't the answer. The FHA is being stifled by its own outmoded, depression-orientated guides to judgment, by its own red tape and inadequately trained field staff.

The FHA is taking on new and potentially tremendous responsibilities, for the housing activities of the Veterans' Administration are being shifted to this agency.

I left the conference with the impression that Mr. Mason is laying the groundwork for a definite liberalization in the FHA's operations as it expands—meaning more help for the homebuyer.

And when and as this happens, it will be because the reactionaries of 1934 (the private lenders) needled the reactionary of 1957 (the FHA) into action. So does time catch up with yesterday's radicals.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. CARROLL. I yield.

Mr. SPARKMAN. I should like to comment upon the remarks made by the able and distinguished Senator from Colorado. I am delighted that he called the attention of the Senate to the articles written by Sylvia Porter. As the Senator has correctly stated, Miss Porter is one of the most skillful and thorough writers on economic matters.

I read the articles which she wrote on the subject of small business. They were excellent. I also read the articles which she wrote on the tight-money situation, especially the article in which she called attention to the trap in which the Treasury Department found itself or caught itself, a trap of its own making by reason of the high interest rates which it had incurred, interest rates which were the result of the tight-money market which certainly the Treasury had been pleased to see develop. But now the Treasury is faced with the tremendous problem of financing and refinancing many billions of dollars this year. It is confronted with performing a staggering and most difficult job, as the result of its own handiwork.

I do not know whether the Senator from Colorado saw those articles, but I thought of them in connection with his

placing in the RECORD the articles concerning small business and the FHA.

Mr. CARROLL. I have not had the pleasure or the privilege of meeting Miss Sylvia Porter. My only knowledge of her is from her writings. She is one reporter who is writing about the family life of America and on matters of interest to the consumers.

She has written about the tight-money policy and about the increase in the price of steel and its inflationary effect. She has written also, and most appropriately so, it seems to me, about small business. In substance, she said another study was to be made. The Senator from Alabama knows that this matter has been studied to death. What is needed now is action—action along the lines indicated by the Senator from Alabama.

Mr. SPARKMAN. Miss Porter's article concerning another study for business was of a rather sarcastic nature, because it came on the heels of study after study after study.

The Senator from Colorado may recall that during the spring, when we were fighting very hard—and certainly with his able assistance—to get some relief for small business, we were given the assurance, on the floor of the Senate, that before this session of Congress adjourned, the administration would propose a bill for the relief of small business. Later, I saw in the Wall Street Journal, and also in financial articles in the daily papers, statements to the effect that the administration had approved three of those bills, which I tried to have passed, with the assistance of the Senator from Colorado and many other Senators, when we had the tax bill on the floor of the Senate. The Senator from Colorado will recall that. Yet I have waited long and patiently—in fact, somewhat impatiently, let me say—for some word from downtown or from the distinguished minority leader—who, I know, would like to see something of this sort done—to the effect that some such proposed legislation would come before the Senate in time to be acted on during this session of Congress. I think the Senator from Colorado will agree with me that this session is getting—well, I shall not say close to the end, but certainly closer to it day by day; and not much more new business, I believe the Senator from Colorado will agree, stands a chance of getting through both Houses of Congress at this session.

Mr. CARROLL. Mr. President, will the Senator from Alabama yield further to me?

Mr. SPARKMAN. I yield.

Mr. CARROLL. It was one evening in the spring, almost at this time of day, when the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Alabama [Mr. SPARKMAN] were urging action by this body; and overnight we were able to get 33 Members of the Senate to fight for at least—if not the bill I wanted to vote for, because I wanted to vote for the bill of the distinguished Senator from Alabama—the bill to give some tax relief to small business. Every economist of the Nation has said this is one of the soft spots in the economy; the other has to do with the farm situation. But it is our information that at that time the White House put on pressure and defeated the small-business tax measure, which would have given some relief to small business. And today, as the distinguished Senator from Alabama has said, there is little likelihood that any effective action of that sort will be taken at this session of Congress.

Mr. SPARKMAN. Mr. President, I am sure the distinguished Senator from Colorado will recall that in the course of that debate, one of the sponsors of the amendment which was being debated—and a very fine friend of small business; I refer to the distinguished senior Senator from Minnesota [Mr. THYE]—announced on the floor of the Senate that he would vote against it, but that he had been assured by the administration—I do not remember whether he said the White House or Mr. Humphrey, the Secretary of the Treasury—but by the administration—that shortly there would be here a measure to give relief to small business on which Congress could act during this session.

Mr. CARROLL. I remember that conversation, and it was generally understood that the Senate would be given an opportunity to vote on an administration bill.

Let me say to the distinguished Senator from Alabama, in conclusion—because I know he wishes to proceed to discuss another matter—that we are now in the closing days of the session, and we have given a great deal of attention to many matters, but we have not given much attention to the economic matters which affect the family life of America. That is why I pay special tribute to Sylvia Porter for her writings, in which she constantly hammers at the things that affect the people at the grass roots. Other writers do likewise, but she has especially devoted her attention to the things which ought to have been given major attention by this body.

Of course, I recognize the very fine work done by the distinguished Senator from Alabama [Mr. SPARKMAN] and the other members of the Banking and Currency Committee, in the case of housing. But little has been done in the case of the other things which affect family life in America. It is true that the Senate has acted on large appropriations for the military and large appropriations for foreign aid, for matters abroad. But very little has been done in regard to the matters which affect the people who live in the United States of America.

I hope something can still be done at this session, although the prospects seem very dim, indeed.

Mr. SPARKMAN. I suppose the Senator from Colorado knows that there is now on the calendar a bill which, if enacted—as is planned—will provide a very fine and badly needed program for veterans' housing. But, of course, that bill is caught in the logjam behind the pending motion.

Mr. CARROLL. I understand, and I know there are many other such pieces of proposed legislation, let us say.

Mr. SPARKMAN. Unfortunately, that is true.

Mr. CARROLL. So we have been presented with a sort of patchwork, but not with anything which would get at the core of the economic problem, and would have a desirable effect upon our program either for the farmers or for small business, which all economists agree are the soft spots in the national economy.

We know what the difficulties are. But very little has been done in this field except the work done by the Senator from Alabama [Mr. SPARKMAN] and the other members of the Banking and Currency Committee. I congratulate him upon what he has done in this field.

Mr. SPARKMAN. Mr. President, I thank the Senator from Colorado.

ORDER FOR RECOGNITION OF SENATOR SPARKMAN AT THE CONCLUSION OF THE MORNING HOUR TOMORROW

Mr. JOHNSON of Texas. Mr. President, in a moment I shall have to leave the floor. Before doing so, I ask unanimous consent that on tomorrow, at the conclusion of the morning hour, the Senator from Alabama [Mr. SPARKMAN] be recognized.

The PRESIDING OFFICER. Is there objection?

Mr. KNOWLAND. Mr. President, reserving the right to object—although I shall not object, because the request is in conformity with the understanding and the discussion which has been had—let me say that I would not want the proposed order to be considered as establishing a precedent, because it could well be that as we get a little further into the debate on the civil-rights issue, if the opponents of the bill conclude in the evening, perhaps the proponents of the bill should have an opportunity to speak beginning on the following morning, and to have some balance as between the time allowed to both sides in the debate.

However, under the circumstances, and without establishing such a precedent in the future, I shall not object at this time.

Mr. JOHNSON of Texas. I thank my friend; and I assure him that I shall do everything I can to see to it that a balance or equal allowance is provided.

Mr. KNOWLAND. I assure the Senator from Texas that the proponents have no intention of using an equal amount of time, because, as one Senator said not long ago—I believe it was the senior Senator from Oregon—in that case we probably would be here until snow flies in the winter. But I think there will be times when we shall believe that the RECORD should be corrected in certain respects, and I want an opportunity to do so to be provided.

Mr. JOHNSON of Texas. Mr. President, at this stage I do not think any Senator can anticipate how much time the Senator from California and the other Senators associated with him will wish to have. I think that will depend upon the turn of events. I can foresee a possibility that, if certain amendments are agreed to, the Senator from California will be very anxious to have a certain amount of time allowed.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas? Without objection, it is so ordered.

ANNOUNCEMENT OF THE NUMBER OF SENATORS ANSWERING QUORUM CALLS

Mr. JOHNSON of Texas. Mr. President, earlier today I announced that during the debate on the civil-rights issue, it was most unlikely that unanimous consent would be granted for the withdrawal of any quorum call. I urged all Senators to cooperate to the utmost in responding quickly to each quorum call, on the assumption that it would be a completed call, and would be completed as quickly as possible.

Mr. President, in order that there can be no misunderstanding by anyone, I announce that henceforth I shall ask that the Vice President or Presiding Officer announce the number of Senators who have answered to a quorum call.

I have discussed with the distinguished minority leader, the senior Senator from California [Mr. KNOWLAND], the lack-of-attendance problem. Both of us believe that every Member of the Senate should be on the floor as much as possible while the motion of the Senator from California is under consideration. Senators will not be counted present unless they are physically present before the result of the quorum call is announced. Thereafter, no names of Senators will be added.

I desire to have the clerks and the attachés take note—and I ask them please to do so—of this statement. I ask them to notify each Senator as to the procedure which will be followed.

CIVIL RIGHTS

Mr. SPARKMAN. Mr. President, I have prepared a talk which I should think should not take more than an hour to present, provided there are no questions. We never know what may happen when we start making an address. I appreciate the fine cooperation on the part of the distinguished, able, and fair minority leader that I can simply be recognized tonight, and that tomorrow, following the morning hour, I may have the privilege of completing my talk.

ORDER FOR RECOGNITION OF SENATOR DIRKSEN FOLLOWING THE SPEECH OF SENATOR SPARKMAN TOMORROW

Mr. KNOWLAND. Mr. President, I should like to have the attention of the distinguished majority leader. I sent word that I should like to have him in the Chamber.

I am informed by the Senator from Illinois [Mr. DIRKSEN] that he should like to be recognized tomorrow following the speech of the Senator from Alabama. In view of the fact that the Senate is about to recess until tomorrow at 11 o'clock a. m., I was wondering if the distinguished majority leader would have any objection to such an order being entered.

Mr. JOHNSON of Texas. The Senator from Texas would not only not have any objection, but he would favor such an order. He appreciates very much the courtesies extended to him at all times by the minority leader and by Members of the minority, and he is certainly anxious to accommodate them whenever he can. There is no one the majority leader has a higher regard for than the Senator from Illinois. Any time the majority leader can suit his convenience, he wants to do so.

Mr. KNOWLAND. Mr. President, I make that unanimous-consent request.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from California? The Chair hears none, and it is so ordered.

CIVIL RIGHTS

Mr. SPARKMAN. I shall not start on my prepared text this evening, under the order which has been entered, but I wish to say it is my purpose to discuss the measure with particular emphasis on its impact on our judicial system, involving the jury system, the growth of the vicious practice of applying injunction and contempt proceedings in equity to acts which are essentially criminal, and the imposition of penalties which are criminal in nature.

I think the history of the jury system and the development of the injunction system and contempt proceedings can be shown in a very clear pattern that will uphold the viewpoint of those of us who see in this proposed legislation a real and a vicious attack upon something upon which we have always prided ourselves so much—that is, the finest judicial system in all the world, of which the right of trial by jury is the keystone, associated with the two other ideas of the presumption of innocence until actually proven guilty, and the right of a person accused to be confronted by the witnesses against him.

Now, Mr. President, if it is agreeable, I shall discontinue at this point and resume tomorrow following the morning hour.

RECESS UNTIL 11 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, pursuant to the order previously entered, I move that the Senate stand in recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 15 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Wednesday, July 10, 1957, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 9, 1957

The House met at 12 o'clock noon.

Father Donald Werr, O. F. M., executive assistant to the president, Quincy College, Quincy, Ill., offered the following prayer:

O God, who lovest truth and justice, pour forth Thy blessing upon the deliberations of Thy servants. As Thou didst stretch forth Thy hand to Peter as he walked upon the sea, we entreat Thee to watch over their minds and hearts during this important day.

Grant each Member to be so guided that his decisions will always benefit the people of our land, and will promulgate the greater glory of Thy name. By Thy wondrous power and supernatural grace, may Thy legislative body be a continued instrument of Thy peace and love. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H. R. 632. An act to amend the Federal Crop Insurance Act, as amended;

H. R. 1754. An act for the relief of Eleanor French Caldwell;

H. R. 4342. An act for the relief of Mrs. Thomas L. Davidson; and

H. J. Res. 316. Joint resolution for the relief of certain aliens.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 1045. An act to amend the Soil Conservation and Domestic Allotment Act, as amended;

H. R. 2070. An act for the relief of Mrs. Rhea Silvers; and

H. J. Res. 324. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

The message also announced that the Senate agrees to the amendment of the House to Senate amendment to H. R. 1359, entitled "An act for the relief of Mrs. Theodore (Nicole Xantho) Rousseau.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 294. An act for the relief of Mrs. Marion Huggins;

S. 556. An act to provide for the conveyance of certain real property of the United States situated in Clark County, Nev., to the State of Nevada for the use of the Nevada State Board of Fish and Game Commissioners;

S. 562. An act for the relief of Hideko Takiguchi Pulaski;

S. 591. An act for the relief of Seol Bong Ryu;

S. 1071. An act for the relief of David Mark Sterling;

S. 1268. An act for the relief of Don Q. Gee;

S. 1276. An act for the relief of Emilio Valle Duarte;

S. 1321. An act for the relief of Junko Matsuoka Ekrich;

S. 1335. An act for the relief of Sandra Ann Scott;

S. 1353. An act for the relief of Ayako Yoshida;

S. 1452. An act for the relief of Francesca Maria Arria;

S. 1472. An act for the relief of Trianta-filia Antul;

S. 1478. An act for the relief of Klara Fritzsche;

S. 1496. An act for the relief of Nicoleta P. Pantelakis;

S. 1502. An act for the relief of Erika Otto;

S. 1509. An act for the relief of Fumiko Bigelow;

S. 1528. An act for the relief of Arthur Green;

S. 1570. An act for the relief of Julia Fodor;

S. 1641. An act for the relief of Yong Ja Lee (Mina Kuhrt);

S. 1645. An act to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road-widening purposes;

S. 1773. An act to validate a certain conveyance heretofore made by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, to the State of Nevada, involving certain portions of right-of-way in the city of Reno, county of Washoe, State of Nevada, acquired by the Central Pacific Railway Co. under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356);

S. 1783. An act for the relief of Randolph Stephan Walker;

S. 2069. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain;

S. 2080. An act relating to the computation of annual income for the purpose of payment of pension for non-service-connected disability or death in certain cases;

S. 2413. An act to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district;

S. 2449. An act to extend the effectiveness of the Missing Persons Act, as extended, until April 1, 1958; and

S. J. Res. 103. Joint resolution to provide for the permanent preservation and proper display of the "Flag of Liberation."

AMERICAN PRISONERS OF WAR HELD BY COMMUNIST CHINA

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 292.

The Clerk read the resolution, as follows:

Whereas 450 American military personnel taken prisoner by the Communists during the Korean war have not been repatriated or otherwise accounted for since the cessation of hostilities in Korea; and

Whereas under the terms of the Korean armistice agreement all American prisoners of war should have been accounted for long before now; and

Whereas the United States of America has never acquiesced in actions by foreign nations which illegally deprive our citizens of their liberty; and

Whereas the historic policy of firmly supporting the rights of American citizens should be continued: Now, therefore, be it

Resolved by the House of Representatives, That it is the sense of the Congress that the President, through his own offices, and those of the Secretary of State and the Secretary of Defense, should continue to make the return of, or a satisfactory accounting for, the 450 American prisoners of war, a primary objective of the foreign policy of the United States.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

Mr. JUDD. Mr. Speaker, reserving the right to object—and, of course, I shall not object—I do think that the gentleman from Wisconsin, the chairman of the subcommittee, should advise the House briefly as to the reason for this resolution and what it provides.

Mr. ZABLOCKI. Mr. Speaker, the effect of this resolution is to serve notice on the Communists that their continued flouting of the elements of human decency and conduct, as well as their violation of all conventions dealing with the treatment of prisoners of war, are firmly condemned by the Representatives of the American people. Our Ambassador, U. Alexis Johnson, on July 11 will resume negotiations with the Communists and I think we should give him our strong arm, let it be known that the people of the United States, through their Congress, are determined to obtain the information as to what has happened to the 450 boys who are not accounted for.

Mr. JUDD. Should it not be made clear, for the sake of the relatives of these men, that we do not charge or expect that these 450 American prisoners of the Communists, or any substantial number of them, are still alive? We do know that at one time these men were in the hands of the Communists and alive. We have seen pictures of some. The Reds themselves broadcast over the radio statements allegedly made by some. The Communists forwarded letters to the families of some, written in their own handwriting. Their buddies who were released, have reported them as alive and well in Communist prison camps.

Now the Communists claim they do not know anything about them. They will not even admit they ever had them as prisoners. Any decent kind of government would at least give an accounting of the men—what happened to them, whether they are alive or dead, and the circumstances surrounding their fate.

Mr. ZABLOCKI. That is true. It is clear that most, if not all, of the 450 may be dead. But I believe we should demand an accounting as to how they died, where they died and where they are buried.

Mr. JUDD. Especially since the Communist Chinese are wanting to be accepted into civilized society under the pretense of being law abiding. One good way to show it would be at least to start abiding by the Geneva Convention on Prisoners of War. The world waits for one humane deed, not just protestations, from the Communists.

Mr. ZABLOCKI. Mr. Speaker, I feel very strongly about House Resolution 292 which is before us today, and I am confident that it will receive unanimous approval of the membership of this House.

The resolution expresses the sense of the Congress with respect to the 450 American prisoners of war taken prisoner by the Communists during the Korean conflict, and not accounted for, or released, to date.

The effect of this resolution is to serve notice on the Communists that their continued flouting of the elements of human decency and conduct, as well as their violation of all conventions dealing with the treatment of prisoners of war, are firmly condemned by the representatives of the American people.

The resolution goes further than that. It calls upon the Executive to continue to make the return of, or a satisfactory accounting for, these 450 men, a primary objective of the foreign policy of the United States.

Mr. Speaker, our unanimous approval of this resolution is the least we can do—we must do—in justice to these men. They met with cruel fate in the service of our country, while upholding the principles in which we believe against the evil tide of Communist barbarism. They fell into the hands of the Communists and, to date, we do not know how many of them are rotting in Communist prisons, and how many may have perished at the hands of their captors.

In this regard, I want to state that, personally, I am not at all convinced that our executive branch has pursued this matter with the vigor, determination, and energy it should have received. The fate of these men, even their numbers, have been kept quiet. It would almost appear as if the administration was more anxious to keep the news of Communist foul deeds away from the world, than to broadcast the fate of these men as a somber warning to the American people and to the free peoples everywhere.

The treatment accorded to these American prisoners of war by the Chinese Communists, and the blunt refusal of the Reds to account for these men even when they were faced with evidence showing that these American servicemen were in their hands, shows us what kind of an enemy we are faced with.

It negates the Communist pronouncements about peaceful coexistence, disarmament, and alleged good will and shows that we are dealing with an evil system—with a monstrous machine which will disregard any conventions, any agreements, almost as soon as they are made.

Under the terms of the armistice agreement entered into by the Communists, we have the right to demand an accounting for the missing American servicemen who we know have fallen into Communist hands during the Korean conflict.

We want an accounting for these men, and their release. This must be a primary objective of our foreign policy. We must pursue this objective in fairness to the parents of the servicemen, their wives and children, whose anguish has known no bounds since their disappearance.

We must pursue this objective in fairness to ourselves. We have spent billions of dollars in fighting Communism, in building strong forces against Communist advance. We have urged other nations, even demanded it of them, that they stand up to the Red menace and fight it with us.

How is it, then, that after all this sacrifice, all this determined effort, we can sit still and talk about trade with the Reds, coexistence, and disarmament, while 450 American soldiers have disappeared behind the Red Bamboo Curtain and have not been accounted for.

I do not mean to reflect in what I have said the efforts of the man who, during the last 2 years, has expended tremendous effort and exercised commendable patience in negotiating with the Communists, trying among other things to obtain an accounting for those 450 men. Ambassador U. Alexis Johnson has, I believe, done his best. The fact remains, however, that one man cannot do this job alone. He must be vigorously supported by the entire administration, armed with the moral indignation of the American people expressed by their Representatives in Congress assembled, and fortified by the pressure of world opinion.

Ambassador Johnson is scheduled to renew his conferences with the Communists on July 11. Let us arm him for the task which he faces by unanimously passing this resolution, and by calling upon the free world to demand the release, and an accounting for, of all of the men of the U. N. command in Korea who are still missing, and who have been reported to be in Communist hands.

We have fought bravely over the decades all over the globe for worthy causes in which we believed. Our men have died, have fallen prisoners of war, in those battles. We cannot forget them, consign them to oblivion whether they are still living or dead. We must expend our every effort to obtain an accounting for, and a release of, the 450 American men who were known to be in the hands of the Communists in the Far East. They have earned every right to their country's supreme effort on their behalf.

Mr. WRIGHT. Mr. Speaker, the 450 American military personnel taken prisoner by the Communists during the Korean war and neither repatriated nor accounted for by the Communists cannot and must not be forgotten by this Nation nor by the world.

The long, uncertain anguish of their families cries out not only for our sympathy but for our unremitting effort to secure an accounting of their fate.

For more than 4 agonizing years those who hold them dear, have sought in vain some word of their whereabouts, of their well-being, of whether they live, or lie in unmarked graves on some Chinese hillside, or linger in a subhuman state of semiawareness in a Red Chinese prison, the prey of brainwashing practitioners.

Reports of their having been seen alive in Chinese custody have filtered back through their repatriated buddies from the prisoner of war camps. That some of them lived, at least for a time, in the hands of their captors seems indisputable. Yet the ominous silence of the Chinese government is deafening.

That a government so patently unresponsive to human values should now be seeking respectability in the eyes of the world makes it the more imperative that we should renew our demands for a full accounting and for prompt repatriation of any of the 450 who live.

It once was said that, wherever an American goes on the earth, the American flag goes with him as a guaranty of his freedom and right treatment. That is one of the precious things of American citizenship. It must not be forsaken, nor must these 450 be forsaken or forgotten by their Government.

Mr. LANE. Mr. Speaker, I too, wish to associate myself with the members of the committee in their wholehearted support of this resolution offered today for our consideration.

In the first place, I wish to congratulate Congressman ZABLOCKI and his Subcommittee on the Far East and the Pacific for programing this matter for hearing before the committee on May 27. To me, this is a very important piece of legislation and one that merits the serious thoughts of the American people. I was privileged to appear before the subcommittee in behalf of my bill, House Concurrent Resolution 120, which is quite similar to the committee resolution, House Resolution 292.

I can only reiterate my remarks made at that important hearing in urging action in concentrating attention in liberating American hostages held captive by Red China.

From various reliable sources we piece together the tragedy of the hundreds of Americans taken prisoner during the Korean war, who are still held as captives by the Chinese Reds in cynical and contemptuous defiance of the Korean truce agreement.

The Communist mentality delights in crushing human rights, and in betraying its international agreements.

It tries, by a combination of confusion, mendacity, and exasperating delays, to "brainwash" individuals and governments into submission.

Quietly, but persistently, through the winding trails of international diplomacy, our Government is trying to effect the release of these men.

This is the traditional way of negotiation, that has its advantages and its pitfalls.

The unscrupulous Reds, schooled in the devious art of blackmail, are plainly trying to make a deal.

They may repatriate, or account for, some of these American prisoners, in exchange for concessions that would dishonor us before mankind.

That is the crux of the dilemma they have contrived.

They know that we will never rest until our fellow citizens are liberated. But they hope to wear us down so that we will abandon the moral position whereby we insist that these men be released because they are held illegally and, in securing their release by concessions, compromise ourselves beyond redemption.

What is the alternative?

There was a time when we were unafraid. In clear and explicit terms we would set a date by which these men must be released or else we would take positive action to free them.

With an eye to other dangers in the world of today, we practice caution.

We try, through the young and feeble influence of the United Nations, to reason with the Reds, and induce them to observe the standards of international law and order.

Meanwhile, our men are rotting in Communist compounds.

Perhaps the most oppressive punishment they are suffering is despair at the thought that their own Government may be only going through the motions on the merry-go-round of diplomatic notes and inconclusive conferences.

We soberly recognize the fact that the long-range hope of the world is an organization like the United Nations that will grow up to its responsibilities.

But how long will that take?

And what happens to American prisoners of war while the talks go on year after year?

I do not advocate an ultimatum to Red China demanding the release of these men and threatening to take military action if they fail to do so by a given date. I am sure that those most concerned, the relatives and friends of these unhappy prisoners would not expect us to take such drastic action even for a cause that is right and just.

But we are not satisfied with the results obtained to date.

Conferences and notes have bogged down in the weariness of routine. The Communists calculate that we will tire and forget. They see little mention of this issue in the American press. They believe that our moral imperatives will slacken, and end up in appeasement.

That is why I consider this resolution as essential to counteract certain false assumptions on the part of the Red Chinese regime.

I believe that it will strengthen the hand of our State Department by revealing through congressional action, the determination of the American people to press for the release of these men without shabby compromise.

Only on this firm moral basis, supported by American public opinion, can we convince the Chinese Reds that their policy of evasion, delay, and violation of the Korean armistice agreement, is bound to fail.

The United States of America has never acquiesced in actions by foreign nations which illegally deprive our citizens of their liberty.

And never will.

I am confident that the forthright and sustained adherence to these principles, as reiterated in this House resolution will help to break the present stalemate, and expedite the release of those Americans still held as prisoners of war by the Chinese Reds.

By serving notice on them by this resolution: "That it is the sense of the Congress that the President, through his own offices, and those of the Secretary of State and the Secretary of Defense, should continue to make the return of, or a satisfactory accounting for, the 450 American prisoners of war, a primary objective of the foreign policy of the United States."

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER. Without objection, the resolution is agreed to.

There was no objection.

A motion to reconsider was laid on the table.

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the resolution just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

DEPARTMENT OF AGRICULTURE AND FARM CREDIT ADMINISTRATION APPROPRIATION BILL, 1958

Mr. WHITTEN. Mr. Speaker, I call up the conference report on the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 682)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 10.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 14, 15, 17, 18, 19, 20, 23, and 25, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the figure stricken out and inserted by said amendment insert "4"; and the Senate agree to the same.

Amendment numbered 1a: That the House recede from its disagreement to the amendment of the Senate numbered 1a, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$57,794,890"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert: "*Provided*, That the limitations contained herein shall not apply to $1,955,000 for the construction, alteration, and repair of buildings, and acquisition of necessary land therefor by donation or exchange, or at a cost not to exceed $5,000 for each facility"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$29,853,708"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$30,353,708"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$49,220,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$50,715,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$14,116,700"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,002,300"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,660,660"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum of "$73,545,000" named in said amendment insert "$72,545,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum of "$1,500" named in said amendment insert "$2,500"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum of "$350,000,000" named in said amendment insert "$325,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 12 and 24.

JAMIE L. WHITTEN,
FRED MARSHALL,
(except as to amendment 24),
WILLIAM H. NATCHER,
CLARENCE CANNON,
H. CARL ANDERSEN,
WALT HORAN,
C. W. VURSELL,
Managers on the Part of the House.

RICHARD B. RUSSELL,
CARL HAYDEN,
LISTER HILL,
A. WILLIS ROBERTSON,
By R. B. R.
ALLEN J. ELLENDER,
MILTON R. YOUNG,
KARL E. MUNDT,
HENRY C. DWORSHAK,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

Amendment No. 1—Salaries and expenses: Limits building alterations to four percentum of the cost of the building, instead of three percentum as proposed by the House and five percentum as proposed by the Senate.

Amendment No. 1a—Research: Appropriates $57,794,890, instead of $48,994,890 as proposed by the House and $58,794,890 as proposed by the Senate. The amount agreed to provides an additional $1,000,000 for utilization research over the House bill.

Amendment No. 2—Research: Provides language for construction, alteration, and repair of buildings and acquisition of necessary lands therefor.

The laboratory in Mississippi is for work in the general field of hydraulic engineering with special emphasis on the entrainment, transportation, and disposition of sediment, shall be on the scale approved by the House, and shall be located as heretofore requested and justified before the Appropriations Committees of the House and Senate by the Department of Agriculture, to serve the needs of the Little Tallahatchie and Yazoo Watersheds, as well as the general research needs of the watershed treatment and flood-prevention programs of the Soil Conservation Service.

The conferees understand that such laboratory will be operated in cooperation with the University of Mississippi and Mississippi State College, in line with the general intent of the cooperative agreement entered into by the Department of Agriculture, the University of Mississippi, and Mississippi State College, which became effective August 1, 1956, for the operation of the present research project in this field.

The conferees agree that the laboratory designated for the Midwest in the Senate report should be constructed on the scale approved by the House and should be located in the Barnes-Aasted area of the North Central States as indicated in the House report and as supported by testimony of Department officials in subcommittee hearings held on September 24, 1956.

Amendment No. 3—Plant and animal disease and pest control: Appropriates $26,082,000 as proposed by the Senate instead of $25,682,000 as proposed by the House.

Amendment No. 4—Meat inspection: Appropriates $16,826,000 as proposed by the Senate instead of $16,586,000 as proposed by the House. The conferees direct that the additional funds agreed to be used to provide additional inspectors for new meatpacking plants.

Amendments Nos. 5 and 6—State experiment stations: Appropriate $30,353,708 instead of $29,503,708 as proposed by the House and $30,503,708 as proposed by the Senate.

Extension Service

Amendments Nos. 7 and 8—Payments to States, Hawaii, Alaska, and Puerto Rico: Appropriate $50,715,000 instead of $49,101,000 as proposed by the House and $50,865,000 as proposed by the Senate. The additional funds agreed to above the House figure should be used to expand the work of the regular extension agents. Not to exceed $250,000 of the increase should be used for the rural development program primarily in States which have not had such a program heretofore.

Agricultural Marketing Service

Amendment No. 9—Marketing research and agricultural estimates: Appropriates $14,116,700 instead of $14,041,700 as proposed by the House and $14,141,700 as proposed by the Senate. The conference committee directs that the additional work relative to the

weather crop reports and estimates of poultry laying flocks and egg production be performed within the funds approved.

Amendment No. 10—Marketing services: Appropriates $14,274,900 as proposed by the House instead of $14,324,900 as proposed by the Senate. The conferees are agreed that, since the livestock market at Sioux Falls, S. Dak., has recently been placed in category I, it deserves treatment similar to other markets in this category.

The conference committee has agreed that the reference in the Senate committee report was not intended to preclude research on truck transportation, but was intended to emphasize that care be exercised in the Department to make sure that research publications are impartial in dealing with the various methods of transportation, and to emphasize the need for a careful review of research projects undertaken as to essentiality and as to benefits to be derived therefrom by agricultural producers.

Foreign Agricultural Service

Amendment No. 11—Appropriates $4,002,300 instead of $3,902,300 as proposed by the House and $4,052,300 as proposed by the Senate. The conferees expect that the home-leave travel needs of this Service will be met within the total funds approved.

Amendment No. 12—Reported in disagreement.

Office of the Secretary

Amendment No. 13—Appropriates $2,660,660 instead of $2,640,660 as proposed by the House and $2,664,060 as proposed by the Senate.

Soil and water conservation

Amendment No. 14—Strikes House language establishing a combined appropriation for all soil and water conservation programs of the Department. Individual appropriations for all items involved are provided by amendments Nos. 15 through 22 which follow. The conferees are of the opinion that there are benefits to be derived from the consolidation of some or all of these appropriations, but feel that further consideration should be given to such a change. Accordingly, the Secretary is requested to study the matter and be prepared to discuss his findings with the House and Senate Appropriations Committees during consideration of the 1959 budget.

Soil Conservation Service

Amendment No. 15—Inserts heading.

Amendment No. 16—Conservation operations: Appropriates $72,545,000 instead of $73,545,000 as proposed by the Senate. The increase included in this amount is provided to furnish technical assistance to new soil conservation districts to be organized during the next year.

Amendment No. 17—Watershed protection: Appropriates $25,500,000 as proposed by the Senate.

Amendment No. 18—Flood prevention: Appropriates $13,220,000 as proposed by the Senate.

Amendment No. 19—Water conservation and utilization projects: Appropriates $350,000 as proposed by the Senate.

Great Plains program

Amendment No. 20—Appropriates $10,000,000 as proposed by the Senate.

Agricultural conservation program

Amendment No. 21—Appropriates $212,000,000 as proposed by the Senate, and limits amount to be received by any one participant to $2,500 as proposed by the House instead of $1,500 as proposed by the Senate. It is agreed by the conference committee that the change in this limitation should not affect present or future allocations under the basic formula governing the distribution of funds to States under this appropriation.

The amount appropriated, together with the balance of $38,000,000 available from the 1955 program, will provide the full $250,000,000 authorized for the 1957 program.

The conferees believe that the conservation reserve program should not be used to curtail existing programs, particularly the agricultural conservation program. It is understood from the Department's justifications and testimony that the 1958 agricultural conservation program will be continued on the same basis as the 1957 program. In agreeing to the funds for this purpose in the accompanying bill, the conferees direct that no changes will be made in the 1958 agricultural conservation program to restrict eligibility requirements or delete cost-sharing practices included in the 1957 program. Floods and drought conditions in much of the Nation make it imperative that all 1957 program practices be continued in 1958.

It is to be noted that the 1957 conservation reserve program is participated in by only 81,130 people at an estimated cost of $133,000,000, whereas the 1957 agricultural conservation program is participated in by 1,275,000 farmers at an estimated Federal cost of about $250,000,000.

The conferees recommend that the Department revise its method of securing recommendations for practices covered by the proposed advance authorization for the 1959 agricultural conservation program by securing recommendations for cost-sharing practices from county and State committees at the time the 1958 program is formulated. This should result in economy of program administration, more timely recommendations for formulation of a national agricultural conservation program for 1959, and should enable the Department to present any changes proposed in the 1959 program to the Congress during appropriation hearings next year.

Soil-bank programs

Amendment No. 22—Conservation reserve program: Appropriates $162,940,000 as proposed by the Senate and authorizes $325,000,000 for future programs instead of $250,000,000 as proposed by the House and $350,000,000 as proposed by the Senate. The conferees are of the opinion that, in determining individual payments, the Secretary should give careful consideration to the value of the land and the normal rental value as required by the Soil Bank Act.

Amendment No. 23—Changes heading.

Amendment No. 24—Acreage reserve program: Reported in disagreement. The managers on the part of the House intend to offer a motion to recede and concur with an amendment limiting payments to any one producer to $3,000 instead of $2,500 as proposed by the House and $5,000 as proposed by the Senate.

In the opinion of the conferees, acreage reserve contracts in 1958 should be limited to crops which would normally be planted on or before July 1, 1958, and all payments should be made on or before September 15, 1958. All contracts should require the participant farmer to cooperate in an effort to reduce his total production of the commodity or competitive commodity in the amount of the normal production of the acreage rented to the Government.

The Secretary is urged to reexamine the formula used to establish compensation rates paid to producers as provided by section 105 (a) of the Soil Bank Act to make certain that producer payments do not exceed fair and reasonable rates. The Secretary should provide State and county committees with clear-cut guides for setting local rates and should make certain that such rates are established in line with the intent of the act.

Commodity Credit Corporation

Amendment No. 25—Limitation on administrative expenses: Provides $35,398,000 as proposed by the Senate instead of $34,398,000 as proposed by the House. It is agreed by the conference committee that the additional $1,000,000 should be placed in reserve to be used under the same conditions as the 7-percent reserve already provided by the bill.

JAMIE L. WHITTEN,
FRED MARSHALL
(except as to amendment 24),
WILLIAM H. NATCHER,
CLARENCE CANNON,
H. CARL ANDERSEN,
WALT HORAN,
C. W. VURSELL,
Managers on the Part of the House.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman from Mississippi yield to me to ask a question of him at this point?

Mr. WHITTEN. I yield.

Mr. H. CARL ANDERSEN. Mr. Speaker, I would like to ask the chairman of our subcommittee a question or two to clarify some language in the conference report. I have reference to the language in the last paragraph on page 6 which has to do with the agricultural conservation program.

The wording of that paragraph appears to be quite restrictive and I hope that was not the intent. This is a farmer-administered program and the last thing we want to do, in my judgment, is to so legislate the program as to deny farmers the right they have always had to participate in the development of their own program. In addition, some of us are preparing to ask the Department to consider a program or practice change to meet the special conservation problems in the flood areas of Minnesota, Oklahoma, Arkansas, Texas, Louisiana, and other States. The door would be shut in our faces if this paragraph was interpreted to mean that the farmer-elected county committees and the Department of Agriculture could not deviate in any way from the 1957 program. Conservation needs change from year to year, and so do the practices. The flexibility of this program has been one of its most valuable assets and one which should not be impaired.

I hope this paragraph does not mean that the program is frozen, so to speak, for another year. That would be a bad thing for farm people and for American agriculture, and I would like the assurance of our chairman that this is not the case. I would like to ask the gentleman from Mississippi [Mr. WHITTEN] if it is not the intent of the conferees that no major or substantial changes be made in the 1957 program for the year 1958, but that we do leave sufficient flexibility and discretion in the hands of those administering the program so they can meet the demands of changing conditions.

Mr. WHITTEN. May I say to my colleague, the gentleman from Minnesota, that we certainly intend to retain to the farmers and to the local level, the right to make determinations within the overall catalog as to the practices which would apply to that section. The intent of the language is to announce that in the opinion of the conferees the same type of practices should be available to the States and at the local level in line with the justification before our respective committees and the prohibition is against the deletion at the Washington

level of certain practices. It does not in any way affect the right at the local and State levels to make determinations as to what practices suit their own purposes as they have had the right to determine in years past.

The gentleman from Minnesota is thoroughly familiar with the fact that each year we have a catalog of allowable practices issued by the Department. This directive in the report calls for a continuation of the program by the Department next year on the same basis as last year. It directs that the 1957 catalog be kept intact, but it in no way restricts farmers with respect to selection of local practices, from those included in the catalog.

In recent days there have been some reports that substantial deletions were planned in this program for 1958. It was to lead off deletions which came after our hearings were held that we put this language in the report. We were attempting to see that the program was kept available to farmers next year to the full extent it has been this year.

In the last paragraph we attempt to provide a procedure which, if followed, would prevent future misunderstandings from arising.

I thank the chairman.

Mr. BASS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield.

Mr. BASS of Tennessee. Is the gentleman familiar with a directive or memorandum from the Assistant Secretary, Mr. Peterson, directed to Mr. Paul Koger, administrator of the agricultural conservation program, which in effect deletes several of the soil conservation activities?

Mr. WHITTEN. I have heard of that directive, or what purported to be a directive, but I have not seen any official copy. I think that was written without knowledge on the part of the Department and the language which is in the conference report. I feel sure the conference report will have the support of the Department and that any such directive will be withheld.

Mr. BASS of Tennessee. Also the directive, according to the information I have, is in direct opposition to the stated practice or the proposed practice for 1958, as given to your committee by officials of the Department.

Mr. WHITTEN. It is, and as a result of the reported order, that language was included in our report.

Mr. BASS of Tennessee. Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD a list of the deletions in the program which would be brought about if this directive of Secretary Peterson is allowed to be put into effect. It would have the effect of deleting 84 percent of the soil conservation program for the State of Tennessee. I certainly hope that this report is strong enough to keep this directive from being put into effect by the Department of Agriculture.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

(The matter referred to follows:)

LIST OF CONSERVATION PRACTICES DELETED FROM THE 1958 AGRICULTURAL CONSERVATION PROGRAM BY ASSISTANT SECRETARY E. L. PETERSON'S MEMORANDUM OF JUNE 28 TO ACP ADMINISTRATOR PAUL KOGER

A-1: Initial establishment of a permanent vegetative cover in orchards and vineyards for control of erosion.

A-3: Establishment of additional acreages of vegetative cover in crop rotation to retard erosion and to improve soil structure, permeability, or water-holding capacity.

A-4: Initial treatment of farmland to permit the use of legumes and grasses for soil improvement and protection. (The basic liming practice.)

B-8: Installing pipelines for livestock water as a means of protecting vegetative cover.

C-3: Initial establishment of orchards, vineyards, bush fruits, strawberries, or perennial vegetables on the contour to prevent erosion.

C-13: Leveling land for more efficient use of irrigation water and to prevent erosion.

D-1: Establishment of vegetative cover for winter protection from erosion.

D-2: Establishment of vegetative cover for summer protection from erosion.

D-3: Establishment of vegetative cover for green manure and for protection from erosion.

The following conservation practices under the 1958 agricultural conservation program were to have various restrictions imposed upon them from the standards which had existed under the 1957 program.

A-2: Initial establishment of a permanent vegetative cover for soil protection or as a needed land-use adjustment.

A-7: Initial establishment of a stand of trees or shrubs on farmland for erosion control, watershed protection, or forestry purposes.

B-1: Improvement of an established vegetative cover for soil or watershed protection.

B-10: Improvement of a stand of forest trees for erosion control, watershed protection, or forestry purposes.

C-9: Constructing permanent open drainage systems to dispose of excess water.

C-12: Reorganizing irrigation systems to conserve water and prevent erosion.

F-2: County conservation practices.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield.

Mr. MAHON. I have been concerned about the soil bank program. I know the committee has had a very serious problem to consider here. As I understand it, you have a limitation on payments that can be made under the acreage reserve of $3,000?

Mr. WHITTEN. That is correct.

Mr. MAHON. There was no limitation for the 1957 crop year?

Mr. WHITTEN. That is my understanding insofar as the law is concerned.

CALL OF THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 134]

Abernethy	Diggs	Kluczynski
Adair	Donohue	McConnell
Allen, Calif.	Dorn, N. Y.	Madden
Anderson, Mont.	Fallon	Mailliard
Bass, N. H.	Fogarty	Meader
Beamer	Frazier	Miller, Md.
Blitch	Fulton	Miller, N. Y.
Bonner	Garmatz	Minshall
Bowler	Granahan	Montoya
Boyle	Gray	Multer
Brownson	Green, Pa.	O'Konski
Buckley	Griffiths	O'Neill
Byrne, Ill.	Gwinn	Philbin
Byrne, Pa.	Hardy	Polk
Celler	Harvey	Powell
Chelf	Hays, Ark.	Rains
Christopher	Healey	Robeson, Va.
Chudoff	Holifield	Shelley
Coad	Holtzman	Sieminski
Colmer	Hosmer	Taylor
Cunningham, Nebr.	Ikard	Teller
	Jennings	Thompson, La.
Davis, Tenn.	Jones, Mo.	Thornberry
Dawson, Ill.	Kearney	Tuck
Delaney	Kearns	Utt
Dennison	Kilburn	Willis
	Kirwan	Winstead

The SPEAKER. On this rollcall 351 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON EDUCATION AND LABOR

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that the Subcommittee on Education of the Committee on Education and Labor may sit this afternoon despite the fact that the House is in session, during general debate.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

DEPARTMENT OF AGRICULTURE AND FARM CREDIT ADMINISTRATION APPROPRIATION BILL, 1958

Mr. WHITTEN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12: Page 10, line 8, insert the following: "*Provided further*, That provisions of the act of August 1, 1956 (70 Stat. 890-892), and provisions of a similar nature in appropriation acts of the Department of State for the current and subsequent fiscal years which facilitate the work of the Foreign Service shall be applicable to funds available to the Foreign Agricultural Service."

Mr. WHITTEN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. WILSON].

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a memorandum.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, I would like to speak about a development in connection with the agricultural conservation program which disturbs me considerably. On June 28 Assistant Secretary of Agriculture E. L. Peterson directed a memorandum to Paul Koger, Administrator of the Agricultural Conservation Program Service, dealing with the proposed 1958 national agricultural conservation program. As the House knows, a national handbook for the ACP is published each year in the Federal Register just as soon as the President signs the Department of Agriculture appropriation bill in which funds are authorized for the program for the following year. The States then proceed to formulate their individual programs within the framework of the national program.

Through the years it has become customary for those in direct charge of the ACP to submit the docket to the Secretary of Agriculture based on the recommendations of the respective State committees within the overall policy limitations as outlined by the departmental officials before the House and Senate Appropriations Subcommittees handling the agricultural bill. According to the letter from Mr. Peterson to Mr. Koger, which I am inserting in the RECORD at the end of my comments, Mr. Koger submitted the 1958 ACP proposal to Mr. Peterson on June 6. I have been reliably informed that instead of telling Mr. Koger from June 6 until June 28 that his proposal was not in line with the departmental policies and therefore should be revised, Mr. Peterson summarily handed Mr. Koger on June 28 a lengthy memo with specific orders to make deletions and changes. The memo closed with:

> I will be glad to approve the proposed docket when amended to incorporate the suggestions set forth above.

While this in itself is peculiar administrative procedure and shows a strong lack of confidence by Secretary Peterson in Mr. Koger, it is not the point with which I am mostly concerned. Through the years there has been considerable controversy over the agricultural conservation program. We have had lengthy debate on this floor not only as to the merits of this program but as to the scope that should be authorized each year. While it originally started out at $500 million a year and at one time dropped to $150 million a year, the amount has recently been stabilized at $250 million a year. Furthermore, the program itself has had its scope fairly well stabilized in recent years. Although I was certain that there had been no indication of any controversy either as to the amount of funds or the scope of the program when the agricultural appropriation bill appeared before the full Appropriations Committee, of which I am privileged to be a member, I decided to review the hearings before the subcommittee. Both Mr. Peterson, the Assistant Secretary of Agriculture, who is in direct charge of the Department's conservation agencies, and Mr. Koger, Administrator for the ACP, indicated in their supporting statements for the President's budget request for $250 million for the 1958 agricultural conservation program that the program for 1958 would be continued without any basic change.

The following quote is taken from Mr. Peterson's statement which appears on page 1863 of the hearing:

> Mr. Chairman and members of the committee, it is a pleasure to discuss the budget request of the agricultural conservation program service. This program of cost sharing with land owners or operators for the application of practices to protect their soil resources is, we believe, an important one. * * * The farmer or rancher cannot, or will not, always be able to exercise the judgments required by considerations of conservation because of the more immediate impact upon him and his family of economic circumstances. * * * In all the many circumstances of land used there is, however, a public interest that the productive capacity of the land be retained and improved. Foreseeable needs for water, food, fiber, wood, and materials for industry place urgencies upon the application of conservation practices and uses to our land area, greater than are likely to be accomplished without public effort. ACP is a part of that effort which now covers a wide range of activity—education, research, technical assistance, credit and cost sharing.

Following Mr. Peterson's presentation ACP Administrator Koger explained the operations of the 1957 program and the proposals for 1958. At no time during any of the presentations by the United States Department of Agriculture officials was there any serious question concerning the present ACP. The report showed that over 1,140,000 farms throughout the Nation had participated in the 1955 ACP and that the efforts of the Department were being directed toward making the program more effective.

For example, Mr. Koger said:

> Most of the other changes are designed to provide greater authority for local adaptation of program and practice provisions, fully within the general program principles, including the establishment of rates of cost sharing considered necessary by State and county groups to get the desired level of performance of needed conservation.

At a later point Mr. Koger said:

> It is contemplated that the 1958 program will be continued at the same level and scope as the program authorized for 1957.

Similar statements were made before the Senate Appropriations Subcommittee on Agriculture with no indication of any kind being given that any major change would be made either in the practices or the payment rates. In view of these statements it is extremely difficult for me to understand how Assistant Secretary Peterson can now send a memorandum to the Administrator of the agricultural conservation program and ask him to delete nine of the soil building practices which have proven to be the most popular with the more than a million farmers who are participating in this program. This memorandum also drastically restricts several other practices.

According to the Department of Agriculture's participation figures for 1955, the last year for which the reports are available, the practices which Mr. Peterson directed Mr. Koger to eliminate from the 1958 agricultural conservation program were those used by Indiana farmers to earn 76 percent of their payments during that year.

In other words, Mr. Peterson would now eliminate 76 percent of the agricultural conservation program in the State of Indiana without giving us any warning, without consulting with the Indiana State Committee, without consulting with the democratically elected county committeemen in all Indiana's counties, and without advising Congress. I am reliably informed that between 50 and 60 percent of the present ACP program nationwide would have been eliminated if this memorandum were allowed to stand. For example, 83 percent of the program in Vermont would be eliminated, 92 percent in the State of Alabama, 82 percent in the State of Illinois, 62 percent in Minnesota, and so forth. I can not help wondering if the original plan to bring the agricultural appropriation bill before the House Friday, June 28, did not figure in Mr. Peterson's plan of not issuing his drastic memorandum to Mr. Koger until late that afternoon. If the Congress had passed the agricultural appropriation bill that day, it would have been extremely difficult to have prevented Mr. Peterson carrying out his plan to greatly restrict the agricultural conservation programs without clearing them with Congress.

It is indeed fortunate that copies of this secret memorandum were made available to the conferees early last week and that they were able to include in their report last Friday the language which precludes Mr. Peterson from carrying out his attempt to ruin the agricultural conservation program. I, for one, would like to raise the question as to whether Mr. Peterson's efforts not only to mislead Congress but to circumvent its wishes aren't sufficient justification to ask for his resignation. He seems to be totally incapable of understanding our democratic practices of government and apparently believes that any means to secure the executive branch's wishes are justifiable.

I want to compliment the conferees for seeing to it not only that Mr. Peterson's drastic changes in the 1958 program cannot be put into effect, but also for directing that any changes in connection with the 1959 program be presented to the Congress at the time the authorization for the 1959 program is justified.

PROPOSED 1958 NATIONAL AGRICULTURAL CONSERVATION PROGRAM

PAUL KOGER,
Administrator, Agricultural Conservation Program Service:

The proposed 1958 agricultural conservation program which you transmitted to this Office on June 6, 1957, has been carefully reviewed. I believe some revisions are desirable.

It is requested that you proceed immediately with the modifications as indicated herein. A number of changes are for the purposes of clarification of intent. Others

are substantive with respect to the practice and cost-sharing provisions of the proposal.

We have previously discussed those features of the program, such as drainage and irrigation, which would without limitations tend to result in new land being brought into production. I have concurred in principle, but with some modification in wording, with the limitation you have proposed. There were proposed, however, other practices largely of a temporary or recurring nature which resulted in the stimulation of agricultural production at a time when other programs of the Department are aimed at reducing the production of surplus crops. To be consistent with such program objectives, it is necessary to modify the 1958 agricultural conservation program. Further, it is not considered proper policy to provide cost sharing for practices which are normally a part of good farm or range management.

In keeping with this position, the comments hereafter are referenced to specific paragraphs of the proposal.

1101.901: General program principles, item (g). The last sentence of this paragraph should be changed to "the State and county programs shall specify the life span of eligible practices. Cost shares are not applicable after they are initially utilized to undertake a practice during the normal life span."

1101.903: County funds. This paragraph should be stated as follows: "The State committee will allocate the funds available for conservation practices among the counties within the State consistent with the needs for enduring conservation in the counties within the State and will give particular consideration to the furtherance of watershed conservation programs sponsored by local people and organizations."

1101.904: This section should be rewritten for clarification. Beginning with the second sentence, it should be stated substantially as follows: "The State AC program development group shall consist of (a) the State committee (including the State director of extension), (b) the State conservationist of the SCS, and (c) the Forest Service official having jurisdiction of farm forestry in the State. The State AC program development group shall invite participation of representatives of (a) president of the land-grant college, (b) the State director of the Farmers' Home Administration, (c) the State soil conservation committee (board or commission), (d) the State Agricultural Extension Service, and (e) representatives of other State and Federal agricultural agencies. The program for the State shall be that recommended by the State AC program development group and approved by the Administrator, ACPS, after obtaining the recommendations of the Soil Conservation Service and the Forest Service."

1101.905: This section should be rewritten consistent with 1101.904 as modified. Clarify and make specific as to committee references.

1101.906: The words "in the desired volume" should be stricken from the paragraph.

1101.907: Item (b). The phrase "consistent with recognized performance standards and program policies and requirements" should be rewritten to make clear its intent.

1101.908: Incorporate a proviso that eligible seeds or combination of seeds for vegetative practices shall include a legume or legumes where recommended by the State experiment station.

Does the term "where applicable" in item (b) mean "appropriate"? Wording should be clarified.

Reference to 1101.952 will need to be changed since practice A–4 is to be eliminated from the practice list.

1101.909: This section must be revised to provide that no lime or fertilizer will be eligible for cost sharing except as a component part of an authorized practice. Also, it must provide that no payment will be made for lime or fertilizer separately from other components of an authorized practice.

The term "State committee" as used in item (a) should be clarified as the State AC program development group.

Item (b). Make wording clear that liming materials except as a part of vegetative practice are not eligible for cost sharing. Delete the remainder of the sentence following the statement: "The application of manure will not qualify for Federal cost sharing."

1101.910: Item (a). There is to be added to the practices for which the Soil Conservation Service is responsible for the technical phases, practices A–8 and A–9 with appropriate paragraph references. References to other practices should be made consistent with the changes in the practice list as indicated herein.

A final sentence is to be added to this item, as follows: "The Soil Conservation Service will utilize to the full extent available resources of the State forestry agencies in carrying out its assigned responsibilities for practice A–8."

Item (b). The last sentence is to be changed by adding to it the following: "* * * but services of State forestry agencies will be utilized to the full extent if such services are available."

1101.911: Item (a) is to be revised essentially as follows: "The general rate of cost sharing shall not be in excess of 50 percent of the costs of performing any practice on the basis of average costs for the county. For stipulated practices of a permanent type the AC program development group may establish a higher rate of cost sharing, not to exceed 65 percent, where conservation benefits are found to be substantial, long lived, and economic benefits from the practice are remote or spread over a long period of years."

Item (b). Average rates of cost sharing are to be established on a county basis.

1101.914: Add two sentences to the end of the paragraph as follows: "No practice may be approved for cost sharing except as authorized by the National, State, or county program or in accordance with procedures incorporated therein. Available funds for cost sharing shall not be allocated on a farm or acreage-quota basis but shall be directed to the accomplishment of the most enduring conservation benefits attainable."

1101.915: This section is to be revised to provide that cost sharing will be available only for complete practices. No cost sharing is to be made available for components of practices.

1101.924: Revise the paragraph to provide that components are not eligible for cost sharing but that 1958 funds may be obligated for a practice to be completed in the 1959 program year if circumstances justify.

CONSERVATION PRACTICES

The following practices are, for reasons stated in this memorandum, to be deleted from the 1958 program: A–1, A–3, A–4, B–8, C–3, C–13, D–1, D–2, and D–3.

The following practices are to be modified as indicated:

A–2. Delete the provision for cost sharing for fences.

A–7. Change the title of the practice to "Initial establishment of a stand of trees or shrubs on farmland for other than agricultural purposes." Delete the provision for cost sharing for fences.

B–1. Delete the word "annual" from the third sentence.

B–2. Change the title to "Improvement of vegetative cover on rangeland by artificial reseeding of deferred grazing."

B–4, B–5, B–6. Combine into one practice with parts 1, 2, and 3.

B–10. Change the title of the practice to "Improvement of a stand of trees on farm or ranch lands for other than agricultural purposes." Delete the provision for cost sharing for fences.

C–9. Revise the third sentence as follows: "No Federal cost sharing will be allowed for ditches which are to drain land which was not devoted to the production of cultivated crops or tame hay during at least 2 of the 5 years preceding the year in which cost sharing is allowed, or for cleaning ditches, or for structures installed for crossings, or for other structures primarily for the convenience of the farm operator."

C–12. Revise the third sentence as follows: "No Federal cost sharing will be allowed for reorganizing an irrigation system which results in bringing new land into agricultural production or for reorganizing a system which was not in use during at least 2 of the preceding 5 years.

F–2. Add a sentence to this paragraph as follows: Approval by the Administrator, ACPS, of a practice for one county does not constitute authority for extending the practice to other counties without such approval.

The following practices are to be added as indicated:

A–8. Initial establishment of a stand of trees or shrubs on farm or ranch land for agricultural purposes. Agricultural purposes will include protecting farmlands from wind and water erosion by windbreaks, shelterbelts, stabilizing gullies and stream banks and other critical silt-source areas, improving wildlife habitat, and similar-type actions to protect soils of farmlands from deterioration.

A–9. Establishment of vegetative cover for the purpose of adjustments in the use of farmlands for production of farm commodities in association with wildlife habitat improvement.

I will be glad to approve the proposed docket when amended to incorporate the suggestions set forth above.

E. L. PETERSON,
Assistant Secretary.

The SPEAKER. The question is on the motion offered by the gentleman from Mississippi.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 24: Page 28, line 9, strike out "*Provided*, That no part of this appropriation shall be used to formulate and administer an acreage reserve program with respect to the 1958 crops, or in total compensation being paid to any one producer in excess of $2,500 with respect to the 1958 crops" and insert "*Provided*, That not to exceed $34,500,000 of the total sum provided under this head shall be available for administrative expenses: *Provided further*, That no part of this appropriation shall be used to formulate and administer an acreage reserve program which would result in total compensation being paid to producers in excess of $500,000,000 with respect to the 1958 crops, or in total compensation being paid to any one producer in excess of $5,000 with respect to the 1958 crops."

Mr. WHITTEN. Mr. Speaker, I offer a motion which is at the Clerk's desk.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 24, and concur therein with an amendment, as follows: In lieu of the sum of $5,000 proposed in said amendment insert "$3,000".

Mr. WHITTEN. Mr. Speaker, I would like to take a moment here to point out that in the report on page 5 in connection with the Extension Service, language appears to the effect that the increase above the House figure was to "expand" the

work of the regular extension agents. The intent of the conferees is that the word "expand" be interpreted to include the word "strengthen." In fact, "strengthen" was the original purpose. I would like for the purpose of clarification to say here that it is the intent of the conferees that the word "expand" be used to include strengthen.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Texas.

Mr, MAHON. Mr. Speaker, I would like to resume the colloquy I was having with the gentleman from Mississippi prior to the quorum call. No doubt there have been many abuses in the administration of the soil-bank law and I have no desire to defend these abuses. In fact it has become quite clear that the soil bank, while theoretically attractive, is not the answer to our agricultural problems.

I would like to discuss the pending provision for I am very much disturbed about the $3,000 limitation on the acreage reserve program. This will vitally affect many producers in various areas of the Nation, especially some of those in the area in which I live. I would just like to know if there has been any possibility that this restriction could have been omitted, leaving this matter up to the people who administer the program. The amount of the soil-bank payment should depend upon the facts and circumstances in each individual case and not upon some arbitrary dollar limitation. The program should be fair to both the small and the big producer.

Mr. WHITTEN. May I say to the gentleman from Texas that there was a limitation both in the House bill and in the Senate bill. In the House bill it was $2,500 and in the Senate bill it was $5,000. So, definitely the conferees were tied between those two levels. So far as the figure that appears here now, this figure, I think, and I refer to the general sentiment of the House and Senate, was based largely upon what happened in the last year in certain areas of the country. Apparently, the temper of the membership of both the Senate and the House was that a restriction should be placed on the total amount of any one payment. I may say to the gentleman that investigations are being made at the present time and, according to earlier reports, I think we will clearly see that in the interest of supporting a sound agriculture and a sound agricultural program for the future, a whole lot of things that have been going on should certainly be brought in line and certainly that is what this report attempts to do.

Mr. MAHON. I would like to ask the gentleman this further question, Mr. Speaker. The gentleman from Mississippi is the best informed man in the House in this field of agricultural appropriations. The people are making up their minds as to whether or not they want to see the soil bank continued. If the people in certain areas are confronted from here on out with a limitation of say $2,500 or $3,000 for acreage reserve payments, they may come to one conclusion. If the program is more elastic to fit varying conditions throughout the Nation, I think they might come to a different conclusion. My question to my friend from Mississippi is this: In his judgment, will the Congress and the country continue to support a limitation in the area of $3,000 or $4,000 for acreage reserve payments under the soil-bank program?

Mr. WHITTEN. I think the history of agricultural legislation shows that it does not take more than 2 or 3 years for limitations to get written into the agricultural program. The gentleman is familiar with the agricultural conservation program, in which it becomes more restricted year by year, until this year there was some recognition of the change. But, by and large, any time you have payments provided, you are going to have restrictions written, judging by the past. In actuality, I think the soil-bank program clearly requires that, because the general intent is that for the payments the farmer participants would reduce their production. The information before us is that last year a number of farmers rented some land and increased production on other lands and defeated the very purpose of the act, and we find the Government is out tremendous amounts of money. So I think any program of this nature will have restrictions, if I judge the temper of the Congress correctly.

Mr. MAHON. Can the gentleman state whether there is a growing sentiment within the committee, as far as he knows, for a limitation on loan amounts, under the loan program for supported crops? There has been some apprehension in certain quarters that limitations such as this might be placed on the loan program for wheat and corn and cotton.

Mr. WHITTEN. That would be more properly considered by the legislative committee, I should think. I know of no such sentiment in my own committee.

Mr. MAHON. I thank the gentleman.

Mr. BREEDING. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield.

Mr. BREEDING. Does this limitation of $3,000 apply to a landowner's holdings or to the producer on his land?

Mr. WHITTEN. The limitation is to any one producer; I believe that is the word that is used. That determination would be in line with the definition of producer in the basic act. Personally, I would be of the opinion that it had to do with normal operations on the farm. If a place had been in 2 divisions for some time, it likely would be held to be 2 producers. If on the other hand a big operator were to divide his property out, so as to have 10 people farming the same land that he did last year, I think that likely would be held to be for the purpose of defeating the restriction in the act and would not be proper.

Mr. BREEDING. I have one constituent who has 50 tenants. Does this landowner receive only $3,000, or would he receive a portion or payment, for each of those 50 tenant-operated farms?

Mr. WHITTEN. It would be my thought that he would be one producer and would get a limitation of $3,000, but I would not want my expression here to in any way change the general definition of "producer" under the basic act. But that would be my understanding of it.

Mr. BREEDING. I would like to make this further remark, that if we put this limitation on at $3,000, it will automatically cut out 40 percent of the operators in the summer fallow wheat producing area of the United States from participation in the soil bank.

Mr. WHITTEN. May I add that some of the examples that have been brought to our committee would lead to the belief that somebody should be cut out. It is very bad in some areas. We have evidence where land has been sold without any downpayment and then rented to the Government for much more than the land is worth, and the seller has required transfer or an assignment to him of two-thirds of the Government payment. So you wind up with the Government getting little or nothing and the seller gets about twice the value of his land. The tenant gets something because he was not out any downpayment to start with. These restrictions have come into this bill after we have had quite a bit of information with reference to the excesses both last year and this year.

Mr. BREEDING. I am sure that is true in many cases. I do not pretend to protect any one who is trying to defeat the intent of the Soil Bank Act, but I happen to come from an area in the United States where there are large operators.

Mr. WHITTEN. The House voted to cut out the soil bank after this year on a very close vote. The Senate provided a limitation of $5,000 and the House, $2,500, and then of course the House killed the program after this year. In view of those two actions by the Senate and the House, including this $5,000 limitation and the action of the House with $2,500 limitation, the conferees agreed on what appears to me to be a reasonable solution of the problem, at least as reasonable as we could agree upon.

Mr. BREEDING. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

WHEAT PROBLEM SHARPENED

Mr. BREEDING. Mr. Speaker and distinguished colleagues, I would like to make a few remarks here today about the conditions existing in Kansas pertaining to wheat production and the limitations of the soil-bank program as proposed by the conference committee.

The 1957 Kansas wheat crop is being estimated at between 60 and 90 million bushels.

One thing is overwhelmingly certain: No one has done more than the Kansas wheat farmer to solve the Government's wheat-surplus problem. Admittedly, he has not done it altogether deliberately, and the Lord deserves most of the credit. But the facts are there.

Just 5 years ago, the State produced over 300 million bushels of wheat. This year it is producing one-sixth as much.

If any other State in the Nation has had a five-sixths reduction in the output of its major industry in half a decade, I have yet to hear about it.

The spring rains threatened for awhile to ruin our record and give us a sizable crop. But Kansas weather took care of that. It rained too much.

So Kansas has done her part for the United States of America, raising less wheat as patriotically as she raised more wheat for the red, white and blue during World War II.

And what is to be our reward?

There is still a wheat surplus. Kansas cannot be blamed for it. But Kansas still will pay for it. Subsoil moisture has been restored. The seedbed for the 1958 wheat crop should be the best since 1951. But it will be a narrow bed. Acreage allotment for the State is virtually the same as for the past year.

To be sure, the Kansas farmer will be paid for wheat he does not plant, with soil-bank checks; but the payments will not look nearly as good in the face of a good wheat year, as they did against this year's drought prospects.

The legend, "The wheat State" on the license plates, will continue to look a little ironic.

AIM AT SCARCITY

The Government's agricultural program is based on a premise of overabundance. It has been aimed at making wheat scarce when it was already too scarce in Kansas. Now that the prospect is for wheat abundance in Kansas, the Government-imposed scarcity will, from all indications, continue.

Kansas must continue to fight for the right to raise more wheat—the crop it raises best. This was something of an academic problem in the past few years, when we could not raise much anyway, because of drought. But it is a real goal now.

There have been numerous suggestions for reaching the goal: The Wheat Commission's project to find more uses for wheat, thus increasing the demand; the elimination of the "15-acre wheat farmer"; the limiting of the commercial wheat producing area to regions like Kansas.

Whatever the answer, it needs to be pursued even more vigorously than before.

The end of the drought did not solve our problem; it merely sharpened it.

In the June 1, 1957, issue of Doane's Agricultural Digest is a page entitled "This Month in Washington." This article mentions, and I quote:

> Another point stressed was that large operators were receiving checks of from $25,000 to $40,000 for keeping land out of production. To guard against this the House wrote in a stipulation that Soil Bank checks will be limited to $2,500 per farm. Even if the acreage reserve is reinstated for 1958, you can expect this directive to stick. The big fat checks are a thing of the past.

If this becomes a true prediction, then the acreage reserve program for 1958 as I see it, will for all practical purposes of accomplishment be out in the summer fallow wheat belt in the United States, because a $3,000 limitation per farm, would prohibit over 40 percent of all operators from participating.

To put this limitation on our wheat farmers would remove all incentive to cut production in the summer fallow wheat area. I realize that during the debate on the acreage reserve program, much bitterness was displayed. Time and again my colleagues would point out how inequitable the program was. I think the main illustration used was that each New Hampshire farm received an average Soil Bank allocation of $1.37, while Kansas farms received an average allocation of $700 per farm. This, of course, is political thinking in the area where they had the vote.

For the purpose of explaining my position let me give you this true example:

Under the 1957 acreage reserve program, this company is owner of 300,000 acreas of wheatland, and allocated to this 300,000 acres was approximately 100,000 acres of 1957 wheat allotment. All of this land, of course, is rented to tenant operators on the basis of one-third or one-fourth of the crop delivered to market. Through their tenants, 80,555 acres of the 1957 allocated wheat allotment was placed in the acreage reserve. In other words, they were participating over 80 percent, and the heaviest participation is in the western part of Kansas and the eastern part of Colorado where these holdings are located, running as high as 97 percent in certain counties. This 300,000 acres was rented to approximately 500 tenants and consisted of approximately 650 units.

As I mentioned before, farm units in western Kansas and eastern Colorado are much larger than other parts of the United States, and more than 40 percent of the tenant operators and owner operators would be eliminated if the acreage reserve is limited to $3,000.

Also, as I mentioned before, with this limitation, it would be impossible for this company to participate in the program. They would have to take steps to see that their tenants did not sign up any of this land for the fall of 1958.

In this type of operation, in order to pay the taxes on the land, supervise and produce, there are expenses that must be met. If the total to be received under the soil bank for 80,555 acres were only $3,000 this company would soon go bankrupt. For example, their real estate taxes in Kansas and Colorado are approximately $100,000 and they will pay back to the Federal Government in income taxes better than 52 percent of any amount received.

My area of the country is particularly suited to large operations because of the contour of the land and the climatic conditions. It is not uncommon for one operator to farm 10 to 20 quarter-sections of land. If this provision of $3,000 per farm is retained I think it will defeat the farm program considerably. There would be more production than ever on the part of the large operators in the high plains area, not only in my State but in many surrounding States.

I am very much opposed to the $3,000 limitation, or any kind of a limitation. I realize that we get our production not from individual farmers, as this provision would make it mandatory, but our reduction comes from reducing production under acreage controls and should be kept on this basis rather than on a restricted individual basis.

It is my sincere hope that you remove any restrictions for individual farms. If you are unable to remove the limitation provision entirely I would suggest that you make the limitation more liberal.

Mr. VANIK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, I want to take the opportunity to oppose amendment No. 22 in the conference report accompanying H. R. 7441. This amendment appropriates $162,940,000 for the soil bank program and authorizes $325 million for future programs.

The soil bank program, as administered, has failed to make any substantial or worthwhile contribution to the increase or stability of farm income. This dole to the farmer will produce nothing more than a half-billion-dollar headache for the American taxpayer.

Mr. McGOVERN. Mr. Speaker, I am supporting the proposed Department of Agriculture and Farm Credit Administration appropriation bill, 1958, as modified in the conference report. I support this bill not because it meets with my approval on all counts but because it is probably the best bill that we can pass at this time.

I have believed from the very outset that those who view the soil bank as a complete answer to the farm problem are mistaken. Early in 1956 when the soil bank plan was being debated, I said publicly that it could not serve as a substitute for a farm parity support program. The experience of the past year has confirmed my earlier judgment.

I have always believed as I do now that the soil bank principle should be used as a supplement to the farm parity program, not as a substitute. Farmers must be assured of a fair price for their commodities before we can expect them to cooperate in any effective program of crop limitation.

I voted for the extension of the soil bank appropriation for 1958 when it was on the House floor some time ago. I vote for it again today. I do so with the determination to renew my efforts for a price-support program on farm commodities that will assure farmers at least 90 percent of parity.

I am proud of the fact that the overwhelming majority of the members of my party in the Congress joined together to pass just such parity legislation a year ago. It is regrettable that the President vetoed that legislation. It is equally regrettable that the Secretary of Agriculture has refused to use his authority to support farm commodities at the 90 percent of parity level. Nevertheless, the Congress should renew its efforts to pass such legislation again in the hope that the President may see fit this time to change his mind and sign such a measure into law. Any such program should, of course, be geared primarily to the needs of the family size farmer.

I intend to devote a great part of my time and effort in the Congress to the continuing fight for an improved farm program. It is ridiculous that at a time

of great national prosperity farmers should be experiencing economic hardship and painful insecurity.

During the balance of this session of Congress and again in 1958, I intend to bring the farm problem to the attention of the Congress in a series of weekly speeches until such time as this critical national problem is satisfactorily resolved.

Mr. STAGGERS. Mr. Speaker, I want to congratulate the conferees on their action in connection with H. R. 7441, the Department of Agriculture appropriation bill for the fiscal year ending June 30, 1958, and especially to commend the Honorable EARL WILSON, of Indiana, for his enlightening and comprehensive discussion of this very important bill. I hope that every farmer in West Virginia will read Mr. WILSON'S statement. Of particular interest to farmers in West Virginia who have been utilizing the agricultural conservation program to carry out soil-building and soil-conserving practices on their farms is the committee's action directing the Department of Agriculture not to make any change in the 1958 program from what it was in 1957.

Mr. Speaker, I was just as shocked as my colleagues who have spoken before me were when I received a copy of the secret memorandum from Assistant Secretary Peterson to ACP Administrator Koger deleting nine practices, which in essence have been the practices which the majority of farmers have utilized in their soil-improvement work, and restricting many others. It is a little hard to reconcile Mr. Peterson's action taking out these practices which comprised nearly 60 percent of the payments to the one-and-a-quarter million farmers participating in this program in 1955 with his statements before both the House and Senate Appropriations Subcommittees. According to the official hearings of these committees, he committed the Department of Agriculture to continue the 1958 program in the same general manner in which they proceeded in 1957. For him to issue this directive at this late date after Congressional action was nearly completed and in direct opposition to the specific recommendations received from the various committees throughout the Nation is questionable procedure. The recommendations from my State of West Virginia were that no major change be made in the 1958 program over the 1957, and I have been reliably informed that this was the pattern throughout the Nation.

This administration has tried repeatedly to drastically curtail this program ever since they have been in power. There has never been a national program which has reached so many farmers and received such universal support. There is no excuse for such action as Mr. Peterson has taken of trying to reduce by administrative directive what they have been unable to sell Congress to do legislatively in previous years.

I want to congratulate the conferees again and I am glad to have the assurances of the chairman that he feels that the Department will withhold this directive.

Mr. AVERY. Mr. Speaker, I should like to make a few observations with respect to soil and water conservation in the State of Kansas. The farmers of Kansas generally are becoming more concerned about conserving their soil and water resources. Weather conditions of recent years have forcefully brought home to them some fundamental facts, especially in regard to water conservation.

Farmers who have installed permanent soil and water conservation systems on their land have found that their conservation work has paid dividends in both dry weather and wet weather.

During the drought years they found that their permanent conservation measures helped to capture and hold the little rain that did fall. Consequently, crop yields were better and their land was less subject to damage from wind erosion.

In this year's wet weather they found that their conservation farming systems induced greater insoak of moisture and carried the excess water from heavy rains off of their fields in an orderly manner with less damage from water erosion.

Understanding of these basic facts in my home district has resulted in a tremendous interest in water conservation. There is more interest today than ever before in installing conservation farming systems on individual farms and upstream watershed protection for entire communities.

The soil and water conservation services available from the Department of Agriculture for helping farmers to install permanent conservation measures are a real help to the farmers in my district. They are receiving highly valuable technical assistance through local soil conservation districts. They see great potentials in the new upstream watershed protection program.

It was because of local need that I supported the amendments to the Hope-Aiken Act in the 84th Congress, and have introduced H. R. 7756, to further amend the Hope-Aiken Act in the 85th Congress, in order that the intent of Congress can be carried out for developing upstream flood prevention projects such as the Walnut Creek project in Brown County, Kans. They appreciate the fact that in Kansas our policy is to emphasize ACP cost-sharing practices directed toward the installation of permanent conservation farming systems and the treatment of small watersheds.

I want to pay tribute to a man down in the Department of Agriculture who has an important responsibility for the policies under which these services are administered. I am referring to Ervin L. Peterson, Assistant Secretary for Federal-States Relations. He has proved himself to be a national leader in soil and water conservation.

Since Mr. Peterson has been in office he has given intensive attention to conservation matters. He did something, that in my opinion, more administrators should do. Soon after he was appointed he went out over the country and talked with farmers about their soil conservation problems. He saw for himself the work that farmers are doing. He learned from farmers what they think of soil conservation and what they need in the way of help.

Kansas was one of the States that Mr. Peterson traveled thoroughly. I am proud of the permanent conservation work that he saw on the land in Kansas. And I know Kansas farmers are proud of it, too.

I know, too, that what Mr. Peterson learned from farmers around the country has been reflected in the soil and water conservation policies of the Department of Agriculture. Under those policies farmers are getting more help than ever before in installing permanent conservation systems.

On behalf of the farmers of Kansas, I am taking this occasion to commend Ervin L. Peterson for the outstanding leadership that he is giving to the soil and water conservation movement in the United States. I am only hopeful that comprehensive watershed development can proceed under the Hope-Aiken Act as was originally prescribed by Congress.

The SPEAKER. The question is on the motion of the gentleman from Mississippi.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERMISSION TO ACCEPT A FOREIGN DECORATION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 8594) to authorize the Honorable ALBERT P. MORANO, Member of Congress, to accept and wear the award of the Cross of Commander of the Royal Order of the Phoenix conferred upon him by His Majesty the King of the Hellenes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Honorable ALBERT P. MORANO, Member of Congress, is authorized to accept the award of the Cross of Commander of the Royal Order of the Phoenix conferred upon him by His Majesty the King of the Hellenes, together with any decorations and documents evidencing such award. The Secretary of State is authorized and directed to deliver to the Honorable ALBERT P. MORANO any decorations and documents evidencing such award.

SEC. 2. Notwithstanding the provisions of section 2 of the act of January 31, 1881 (5 U. S. C., sec. 114), or any other provision of law, the Honorable ALBERT P. MORANO may wear and display the decoration referred to in the first section of this act after acceptance thereof.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

INSPECTION OF POULTRY AND POULTRY PRODUCTS

Mr. TRIMBLE. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 304.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6814) to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products. After general debate which shall be confined to the bill and continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. TRIMBLE. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and yield myself such time as I may consume.

The SPEAKER. The gentleman is recognized.

Mr. TRIMBLE. Mr. Speaker, House Resolution 304 provides for the consideration of H. R. 6814. The resolution provides for an open rule and 2 hours of general debate on the bill.

H. R. 6814 establishes a compulsory inspection by the Federal Government of poultry and poultry products in interstate commerce and in major intrastate consuming areas designated by the Secretary of Agriculture.

The bill requires ante mortem inspection where and to the extent the Secretary deems necessary and requires post mortem inspection of each carcass in plants processing poultry and poultry products.

Sanitary regulations are to be set up by the Secretary for the purposes of the act, and inspection services will be refused processing plants failing to meet the requirements. Containers of poultry products inspected and found wholesome are to be labeled in accordance with the provisions of the bill.

H. R. 6814 does not regulate the handling, shipment, or sale of live poultry and does not apply to poultry processors engaged in intrastate commerce, except, as I have stated, in major consuming areas designated by the Secretary of Agriculture in accordance with the provisions of section 4 of the bill. Also, the bill does not apply to the processing or sale of egg or egg products or game birds. Exemptions are provided for producers who process their own poultry for sale direct to household consumers. The Secretary is also authorized to grant exemptions under certain circumstances to retailers and processors within certain urban areas, and poultry processed in accordance with religious dietary laws.

Prohibited acts are listed in the bill. It also provides for the imposing of injunctions to restrain violations, but does give the Secretary discretion to issue warnings in lieu of criminal or injunction proceedings.

If enacted, no person shall be subject to the act prior to January 1, 1959.

It is estimated that the cost of the program when fully in effect will be approximately $10 million annually.

I urge prompt adoption of this resolution so the House may proceed to the consideration of H. R. 6814.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as she may desire to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Speaker, in this day and age of fancy packaging and new marketing techniques, the American housewife can no longer use many of her old tried-and-true ways of determining the quality of the foods she buys. The packaging obscures the product. The new marketing techniques do not permit the little rule-of-the-thumb tests of the past.

This is especially true of poultry. The eviscerated chicken of today can look good and still have been diseased. The housewife needs some new way of telling whether the poultry in the grocery store or supermarket should go on her dinner table.

With red meat, we have found compulsory inspection by trained inspectors to be an effective and inexpensive way of assuring the housewife of clean and wholesome food. The same can and should be done with poultry.

H. R. 6814 will give the housewife the protection she wants and needs for her family. I urge the Congress to help her by enacting this legislation for compulsory poultry inspection.

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the gentleman from Arkansas [Mr. TRIMBLE] has explained this rule and the bill it makes in order. I understand there is some opposition to the bill although personally I feel it is a good one.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Kansas.

Mr. REES of Kansas. May I ask, Does the gentleman have any idea what the cost of this bill will be?

Mr. ALLEN of Illinois. I believe a little less than $5 million.

Mr. REES of Kansas. A year? I thought it would cost more.

Mr. ALLEN of Illinois. That is correct.

Mr. REES of Kansas. How many new inspectors will be necessary if the bill is approved?

Mr. ALLEN of Illinois. I think it would be best for the gentleman from Kansas to ask that of some member of the Committee on Agriculture.

Mr. REES of Kansas. I thank the gentleman.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 10 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, the two questions asked by the gentleman from Kansas are part of the reasons why I am taking the floor at this time to oppose this bill. I never like to find myself in disagreement with one of the legislative committees. An observation of the scene as it presently exists might indicate that the bill is going to pass, but it is not going to pass with my vote in the absence of any scientific, reasonable ground that I can discover to support this action to protect the health and welfare of the American people.

What you are really doing here, I might say in a brief sentence, answering the gentleman from Kansas and my other colleagues, is proposing to put from 2,000 to 3,000 more people on the Federal payroll. Is that what this Congress is dedicated to doing?

You are going to add an annual expenditure of from $10 to $20 million a year to Federal expenses. Is that a part of the economy drive of the Congress?

You are going to drive the small poultry processors out of business and concentrate the processing of poultry largely in the big plants in the large cities. Is this the way to encourage and preserve small business?

Finally, you are going to, in all probability, increase the spread between what the producer of the poultry gets for the chicken he raises and what the consumer pays for that chicken by something like 2 cents a pound and, looking into the future and to certain other things that develop, it could be much more than that.

Now, is that what we want to do in this Congress? Do we want to increase the spread and thereby the cost of living?

First of all, you should understand what this bill is going to provide for. It is going to require that a Federal inspector be in these poultry processing plants to look individually at the chickens as they are processed. The most conservative figure as to the number processed in this country each year is 2½ billion—not million, 2½ billion—and it runs up to 4 billion. Now, if they take very long to look at that many fowl, those inspectors are going to have to slow down a lot of lines, and it would seem to me it would take a small army to do the inspecting. That is the reason, as I say, that there undoubtedly will have to be some 2,000 or 3,000 inspectors.

Now, as to the cost. I have said that it will be from $10 million to $20 million a year. The bill specifically provides that the cost shall be paid by the Government, which means that it is a direct charge on the people of this country.

I have also referred to this proposal's impact on small business. I have here a letter from a poultry processor out in my district. When I found out about this bill, I got some copies and I sent them out there, because I rather wondered about it. This man has written his letter by hand. I know him personally. He writes:

DEAR CONGRESSMAN: I am writing to you concerning bill H. R. 6814, the Federal inspection bill.

Up to now this bill has not been brought to attention of small poultry dressers and processors, but if the bill goes through myself as well as some 15 other dressers in Jasper County—

That is my home county out in Indiana.

will have to close our small plants.

This is a vicious bill, and it not only concerns us but the public as well.

We are just as concerned about the health of the poultry we dress as this is the only thing we have to fight back at the big dressers with.

Mr. HALLECK, this bill is another rap at small business and will put the small operator that does custom work for farm freezers and local trade out of business.

Thanking you for considering this bill, I am * * *.

Now, why do I say that that is the way I think this is going to work? First of all, look at the jurisdiction that is here involved. It does not concern itself only with interstate shipments. It says that the Secretary shall determine where the major consuming areas are. I take it that would be the metropolitan areas. Then, because that is said to burden and affect interstate commerce, this compulsory inspection would be required even in intrastate commerce. Well, I think I know why the burden would be on interstate commerce. The little processor outside of the city of Chicago who took his poultry in and sold it in intrastate commerce, with the inspection service and the attendant cost of inspection, would be at a competitive disadvantage with the interstate commerce shipper. I think it is just that plain. I think the preamble of the bill recognizes that.

Now, what will that end result be? These little processors down my way, many of them, sell to stores and outlets in Lake County, Ind., Gary, Hammond, and so forth. That will undoubtedly be declared a consuming area, so the result will be that these little fellows, if they want to stay in business, are going to have to have an inspector in their plants. Now, can you have an inspector for every one of the 15 little plants in my county? I do not think so. The result will be, as I say, that they will go out of business, and the business will go to the big city plants with the inevitable increase in cost.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Well, that inspector has to stay in that particular plant all the time. As long as it is in production, you have to have an inspector in every plant, if you are going to be practical.

Mr. HALLECK. That is right. You will have to have an inspector at the plant before he would dare to ship his poultry; and, if he shipped his poultry and he did not have an inspector, he would be in trouble with the Government.

I have mentioned the increase in the cost spread. I think the experience with the voluntary inspection system we have had is conclusive proof that it will add to the cost to the consumer; either that or take the added cost out of the processor of the poultry, who already, as I say, is not getting near what he ought to get. Actually, the poultry business as it has been developed in this country has been one particular industry vital to agriculture where the spread between the producer and the consumer has been kept down to the absolute minimum.

The question I raise, and I do this in all good faith, is this: If you want to pass the bill, that is all right with me, but at least I wanted the record to show what I am convinced are the true facts in the situation. If we want to have that sort of a situation, then, of course, pass the bill.

Mr. DAWSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Utah.

Mr. DAWSON of Utah. I have heard no objection to the present system. I am wondering what is back of this bill, what is the reason for it?

Mr. HALLECK. I do not know, because I think anybody should be allowed to be for anything, in this country. They have that right. But the representative of the meatcutters union said that they had initiated the drive a long time ago and have pursued their efforts for this legislation. If you say, We want to put these people on the payroll; we want to add this cost to the Government; we do not care what happens to the small processors in the business; we do not care about the increase in spread from the producer to the consumer, then it seems to me you ought to say that there is a real reason for having it. And the thing that you would think of first of all, it seems to me, is that the health of the people is endangered by buying poultry that, somehow or other, infects the people who buy it and eat it. There is no scientific evidence to establish that fact.

Much has been made of something that starts with ornithosis in turkeys, but they tell me that you cannot discover that by a post mortem examination. You have got to discover it through an ante mortem examination. And secondly, the disease is not communicated to the people who eat the poultry, but to the ones who handle it.

In further substantiation of that matter, of the threat to the health of the people, Dr. Larrick, Commissioner of the Food and Drug Administration, was asked by members of the Appropriations Subcommittee this question:

What about these outbreaks of illness that I have heard about from eating chicken?

And Dr. Larrick replied:

We have not been able to establish any firm cases where a person contracted a contagious disease from the consumption of poultry.

If that is correct, then all I want to do here today is to point out what I think the impact of the enactment of this legislation will be. It just does not seem to me that a sufficient case has been made for the entry of the Federal Government into this business.

There is a voluntary inspection law, and some people have availed themselves of it. I think it was some sort of a sales gimmick; maybe the crate containing the poultry had on it "Government inspected" which they thought would make it sell more quickly. But as I have understood it, the experience is that that has not worked out that way.

Of course, those people who are paying for that voluntary inspection, if this bill passes, will transfer that cost to the Federal Government.

It has been with some reluctance that I have undertaken to speak here on what I think of this bill. But I could not find it in my conscience—and I have read only one of the many letters that I have had from my district on this matter—I could not find it in my conscience to sit idly by and not say what I think are the facts involved in this proposed legislation.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman.

Mr. REES of Kansas. Has the gentleman noticed, on page 12 of the bill, the penalties that may be inflicted in the event of a violation of this proposed legislation—6 months in jail and $3,000 fine?

Mr. HALLECK. It is a far-reaching bill. I have tried as best I could to find out what I could about the bill, who is for it and who is against it. Actually, when you begin to inquire who is for it, some people are listed in the report and I say to you on my word of honor, without mentioning names, that there are many of them who are very lukewarm. Sometimes we get started and are for something that we think will head off something worse. Then after a bit, what we started out with grows and grows and grows, like Topsy. I have found some of that in connection with some of the support of the bill.

Of course no one wants to do anything other than protect the safety and health and welfare of the American people, but I think there are other considerations that ought to be taken into account along with that.

Mr. TRIMBLE. Mr. Speaker, I yield 10 minutes to the gentleman from Kentucky [Mr. WATTS].

Mr. WATTS. Mr. Speaker, under the consideration of the rule, I want to primarily direct my remarks in answer to some of the points that were raised by the gentleman from Indiana. I regret very much that I find myself in disagreement with him in regard to what this bill is for, its cost, and what it attempts to do.

He wanted to know who was for the bill. We had hearings before our committee for 6 days. We heard everybody that wanted to testify. We had 78 witnesses before us, and every single one of them said that this bill was vitally needed.

Who were those witnesses?

There is L. H. Abbott, president of the Kentucky Poultry Federation.

Cliff Carpenter, president, Institute of American Poultry Industries.

Frank T. Wollney, Institute of American Poultry Industries.

Albert R. Gibson, Georgia Poultry Federation.

Charles D. Hawks, Arkansas Poultry Federation.

Chester C. Housh, president, National Poultry Federation, also National Turkey Federation.

And on, and on, and on, 78 of them. Not a single soul appeared before our committee to testify against the bill, and we invited everybody.

I do not know whether the gentleman from Indiana agrees with the Indiana

Poultry Processors Association, but I have a telegram from them that came to me this morning. It reads as follows:

Hon. JOHN C. WATTS,
House of Representatives,
Washington, D. C.:

The Indiana Poultry Processors Association urges your capable support of H. R. 6814 as presented by House Committee on Agriculture, and cost of such inspection should be borne by federally collected funds.

ROBERT MCFARLING,
President, Indiana Poultry Processors Association.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. WATTS. I will be delighted to yield to the gentleman from Indiana.

Mr. HALLECK. It has been my understanding that an earlier resolution by the Indiana Poultry Processors Association contained a provision that the cost would be borne by the industry. Can the gentleman tell me whether or not that is true?

Mr. WATTS. I had no knowledge of it. This is the only information I have regarding their position. It is possible, among these 78 witnesses who testified, there might have been some from Indiana. I can look through here, if the gentleman desires, an advise him.

We had not only unorganized representatives of the poultry processors, and I named you just a few of them, but we also had State and local health agencies from all over this country testify, such as these:

Dr. Lloyd Florio, manager, Department of Health and Hospitals, Denver, Colo.

Dr. Aaron H. Haskin, health officer, city of Newark, N. J.

And on down, one after the other.

In addition, we had the following Members of Congress appear before our committee:

Hon. FRANK M. COFFIN, Hon. MARTHA W. GRIFFITHS, Hon. HARRY G. HASKELL, Hon. BURR P. HARRISON, Hon. CHARLES B. HOEVEN, Hon. EUGENE J. MCCARTHY, Hon. THADDEUS M. MACHROWICZ, Hon. D. R. (BILLY) MATTHEWS, along with many others, and testified in behalf of the bill.

Also, representatives of the Department of Health, Education, and Welfare, and the Department of Agriculture of the Federal Government appeared in support of the bill. There was not one single witness who did not testify before our committee that it was essential that we have Federal inspection of poultry if the American housewife and the American consumer could rely on the quality of the product they were buying. Many of the people who represented the industry which the gentleman from Indiana [Mr. HALLECK] claims will be disrupted said that unless Federal inspection of poultry was put into effect, the consuming public was going to stop eating poultry and that it would adversely affect the industry from top to bottom.

Another point the gentleman raised about the major consuming areas was written in the bill for one specific purpose, and I will try to outline it to you. When this bill was initially brought up, it was to deal with the movement of poultry in interstate commerce. We recognized there would be times when independent merchants and local stores would be affected. We could pick one, as I did before the Committee on Rules in discussing this bill, in Richmond, Va. There will be poultry shipped in there from Maryland. That poultry will be federally inspected because it is moved in interstate commerce. I had a big chainstore man tell me that if he had two piles of poultry in his store—one bearing the Government shield of purity and inspection by the Government and the other without any shield on it, the consuming public and the housewife would buy only the inspected poultry even though it was 5 or 6 cents higher per pound than the poultry that did not bear the Federal shield of purity and inspection. So we undertook to do three things in this bill—one was to protect the consuming public. Second, to do it in a manner that would not discommode the processor any more than was necessary. Third, to make it broad enough so that every processor could come under it. Now let us go back to the Richmond, Va., situation. A man ships poultry there from Maryland and the store advertises, "I sell nothing but United States federally inspected poultry." That is in interstate commerce. There are a lot of little poultry processors around Richmond, Va. They would have to bring their poultry in and compete with the poultry that came from Maryland that is federally inspected. According to the information that the chainstore people and the soup company gave me, the fellow who did not have his poultry inspected was probably going to be out of luck because the housewife would buy the other poultry because she thought it was pure and clean. Now, with reference to this major consuming area, we provided that the governing authority of that city or the poultry processors around that city could petition the Department of Agriculture to hold a hearing and to determine whether Federal inspection should also be put into effect on all poultry that moved into Richmond, Va., whether in interstate or intrastate commerce. In the event Federal inspection was ordered, this would give the little processor the same opportunity to get his poultry inspection as the poultry shipped across the State line would have.

Mr. DAWSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. WATTS. I yield to the gentleman.

Mr. DAWSON of Utah. It seems to me the only justification for this bill would be the protection of the health and welfare of the people. Under the present system, have you had any cases where the health of the people has been endangered? What is the purpose of this bill?

Mr. WATTS. Under the present system, 26 percent to 30 percent of poultry is now inspected on a voluntary basis. Only the larger processing plants have been able to make a deal and put up the money to have it inspected. The smaller processors are practically shut out as far as inspection is concerned. Now to answer the gentleman's question. There have been hundreds of cases where people have been made sick and where they have lost time from work on account of ornithosis and other diseases communicated by poultry. I have a letter from John L. Harvey, Deputy Commissioner of the Department of Health, Education, and Welfare, in which he very strongly endorsed the bill and says that there are 24 diseases of poultry which may be transmitted from poultry to man. There have been many instances in which the disease has been communicated to man—the RECORD is replete with them.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. WATTS. I yield.

Mr. HOFFMAN. In addition to these diseases referred to in the RECORD, poultry has lice, too, and individuals can get those. Is there anything in the bill that protects that?

Mr. WATTS. Well, I do not know about the protection of lice, but, I do know that the consuming public needs protection and we are endeavoring to afford them this protection by proper inspection for wholesomeness. The evidence is irrefutable that a human can get disease from poultry. In addition, we had evidence before our committee that many times poultry that had died from some natural cause was dressed and sold. Perhaps a chicken would have a cancer on one side of it. That piece was cut off and thrown away and the rest was cut up and put in a package and sold to the consumer. Those instances were few, but it is like everything else in this country. About 5 percent of the people cause all the trouble.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. TRIMBLE. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. WATTS. This 5 percent of the people who will not do what is right is the reason we have to enact this bill.

We will have 2 hours of general debate if you adopt the rule. I will be glad to answer any questions about the bill. All I ask you is to adopt the rule and give us an opportunity to go into the merits of the bill.

The SPEAKER. The time of the gentleman from Kentucky has again expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, in addition to the reasons given by our colleague, the gentleman from Indiana [Mr. HALLECK], attention may be called to the fact that the hearings show that most of the people appearing in support of the bill were representatives of certain organizations. As the gentleman from Indiana [Mr. HALLECK] so correctly said, the effect of this bill, boiled down, is to increase the business of the larger operators, tend to create a monopoly in the poultry business, and to shut out the little fellow. There is no question but that will be the ultimate result.

Another effect of the bill, as the gentleman said, would be to create a horde of Federal employees. The departments and agencies send their agents, sometimes under one name, again under another, all over the country until today the average businessman does not see the back of one leaving until the nose of another is on the way in.

One of the things that our forefathers wrote into the Declaration of Independence—they were writing about the King—was:

He has created a multitude of new offices and sent hither swarms of officers to harass and eat out the substance of the people.

They rebelled. They fought and won a war to get out from under. We meekly submit that is what we are doing here today. There is not a week goes by that our people do not complain to us about inspections. About snooping—unnecessary and costly. About an ever-increasing number of Federal employees; unnecessary redtape.

I looked at the hearings a moment ago, and one of the witnesses referred to by the gentleman from Kentucky, who just preceded me [Mr. WATTS], was the president of a poultry association. You know, it is odd the way the association sought the opinion of its members. It sent out a questionnaire and asked the members all sorts of things. Here is the tail end of the questions they submitted: The last sentence:

In furtherance of this longstanding dedication—

That is, the Institute had paid for some inspections; then they add—

provided such programs are paid for from Federal and State funds.

That is, no cost to the individual whose opinion was asked.

Well, who does not want something that we can get some other fellow to pay for, something for nothing, even if he does not need it or want it?

But—here is what those of us who oppose this bill will run into, and it is a bad thing politically for us. I have had some experience with it. But these health agencies of the State and of the Federal Government will charge that those who vote—this is a rather frank expression—those who vote against the adoption of this resolution want the folks to eat diseased and decomposed poultry. That is what they will say. We have had it before earlier this session. You will recall one of the bills from the Department of Health, Education, and Welfare. Every time an argument was made on the floor, those who opposed that legislation were charged with wanting to not only make people suffer from disease, affliction from some sort of illness, but we were accused of wanting them to eat poisoned food which would kill them. A ridiculous charge but repeatedly made. Why not, as this debate runs on today, have just a little charity and let those who want this bill confine their arguments to what the bill will do and not charge those who oppose it with wanting to kill off our constituents?

This particular bill is devised, as the gentleman from Indiana [Mr. HALLECK] said, to promote monopoly, to squeeze out the small fellow, to make it impossible for the individual to do business if he is in the poultry business. The principal argument will be, as I said a moment ago, against those of us who oppose it: Oh, well, you want to put onto the market rotten poultry. That is not so. This bill is a bill to create new Federal employees at the taxpayers' expense. And what becomes of our economy program? The gentleman whose testimony I just referred to is a veterinarian. When I was home earlier this summer one of the companies which produced poultry and markets it, from the egg all the way through to the ultimate consumer of the dressed product—a very successful group of farmers—they asked: "Do you know what is the matter with this proposed legislation?" I said, "No, except the usual thing to establish a bigger and better bureaucracy and increase the number of employees." And this fellow said "Yes, and you cannot get inspectors there to do the job unless they are veterinarians, and a veterinarian gets five bucks an hour, when we can take a man from the plant itself and do the work just as efficiently and just as thoroughly for $2 an hour."

So the veterinarians have some interest in it.

We in almost all States now have sufficient regulations—clean good food products—this bill is just another expansion of Uncle Sam's domain—an unneeded expensive extension of snooping—of redtape.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. TRIMBLE. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I was not going to discuss the merits of the bill, but there is one feature of it that I called to the attention of the Committee on Agriculture when it was before the Rules Committee, and that I wish to call to the attention of the House because I think an amendment to the bill would be in order. That, however, is a matter I leave to the judgment of the committee, but I wish to call it to your attention this afternoon.

The Supreme Court has laid down what they call the preemption doctrine; that is when Congress has enacted any legislation on any subject that it preempts the field and thereby prohibits the State courts or the State authorities from exercising any jurisdiction of any character about it. It is illustrated well by a case, which would apply very much as this bill does, that arose in the State of Alabama. It was known as Alabama against the Cloverleaf Butter Co. That was a corporation that was renovating butter and shipping it into the State and also out of the State. The Federal Government apparently was not inspecting it. The State of Alabama feared that bad butter was being sold to their people and sent their inspectors to the plant to inspect it. The company refused to permit them to inspect on the ground that the Federal Congress had already passed the Pure Food and Drugs Act.

That case went to the Supreme Court, and the Supreme Court held that when the Congress passed a Pure Food and Drug Act it preempted the field of inspection of foods and that, therefore, the State could not inspect that food no matter how rotten it might be.

The same situation applies here. In none of your States could your State authorities under the Supreme Court decision inspect any poultry that was processed in your State, because the Federal Government preempted that field when it passed this bill.

Let me add one thing further, and this is something I have been trying in this House to get enacted for a number of years. I have not been able to get it out of the Judiciary Committee yet. I do hope that they will finally break down and let this bill come to the floor so that we can correct one of the worst evils that exists today in the whole of this country. The Supreme Court has held, and very recently held, that if the Congress does pass a law such as this and the Congress fails to implement that law by adequate inspection and the Federal Government does not do anything about it, the State government is still prohibited from doing anything about it. If that is the kind of situation you want to put on your people, it is all right with me, but I call it to your attention and I think the committee in charge of this bill ought to offer a simple amendment which would merely provide that while this law has been passed by the Congress it is not intended to revoke the rights of the States to have whatever supplemental inspection they desire.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Indiana.

Mr. HALLECK. I would like to say to the gentleman for whatever interest it may be to my colleagues that I have been disturbed, I was about to say as much as the gentleman from Virginia, maybe not as much but I have been very much disturbed, at this whole doctrine of preemption that has been developing in this country. I agree with the gentleman that something ought to be done about it.

In the measure before us not only does it provide for inspection but it provides for the Federal Government setting up regulations having to do with sanitation and various conditions in these processing plants. Many of the States presently have regulations and laws dealing with that very matter and great progress has been made in the States.

Mr. SMITH of Virginia. The gentleman is taking up my time, but I am glad to hear him come up and say that he is for doing something about this preemption doctrine because I have been trying for years to get him to say that. I have him on record now.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield? I heard the gentleman ask the President just last week to do something about that preemption proposition.

Mr. SMITH of Virginia. I am delighted to know that. I know he exerts a great influence at the White House and I believe he can do something about it.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Maine [Mr. MCINTIRE].

Mr. MCINTIRE. Mr. Speaker, I rise in the consideration of this rule to point out 2 or 3 facts which I think are appropriate in the consideration of this rule, statements already made by previous speakers. I want to say that I appreciate and respect a difference of opinion

on the part of anyone in relation to any legislation, but some statements have been made as to the number of people that would be involved under the legislation which we now have before us.

I can only rely on the basis of information obtained from the poultry branch of the Department of Agriculture. I would point out to you that in the Agricultural Marketing Act of 1946, provision was made for voluntary inspection of poultry. Since that time a program of inspection has been developed in part for the industry. At the present time there are 525 inspectors who are serving 320 processing plants. As I say, I can only rely on the figures of the Department of Agriculture. They have had experience in this field and I consider their figures are reasonably accurate. It is estimated by the Department that under this legislation it would require about a doubling of the inspection force, or approximately 1,100 inspectors. I would suggest that that figure be kept in mind in relation to the estimate of 2,500 or 3,000 inspectors stated by previous speakers.

A statement was also made that the voluntary inspection program now in effect was probably asked for by the processors as some type of a sales gimmick.

There are two States in the Union that have Federal-State agreements in relation to the inspection of poultry. Those States are North Dakota and my own State of Maine. I can assure you that on my information and familiarity with the poultry-processing industry in my own State the program of voluntary inspection is not a sales gimmick. It is entirely one whereby the processors are interested in putting onto the market a uniformly packaged and processed product that has been processed in plants which meet inspection requirements, and it is their interest in a wholesome product which has initiated their program of inspection along with, of course, the fact that it would carry a United States inspector's label.

I would also wish to point out to you in reply to a statement made that this program would require only qualified veterinarians to provide the inspection, that that is not in this legislation. The Secretary is authorized to employ qualified people, and the requirement is not that they be veterinarians, and that point should be very clearly understood, because to read it any other way is to be misinformed on the legislation.

Mr. Speaker, I think this legislation is deserving of our careful consideration. I want to say that the subcommittee, under the chairmanship of the gentleman from Kentucky [Mr. WATTS], has done a very thorough job. While there has been an interest in this legislation on the part of various groups, I would want to say for your information that the first draft of this legislation came to my attention through the interest of farm organizations, and because of that fact I think that the record stands that the farm organizations have been active over a period of 2 or 3 years in drawing up and consulting with the poultry industry the type of legislation which would best serve the industry in order that there can be put onto the market this fresh product in an inspected, wholesome manner.

In closing I want to pay a compliment to the poultry industry for the fine job it has done. My interest in this legislation is simply that, as we move out, as we are doing into a tremendous volume of fresh meat, this industry make sure, through a system of inspection, that it is putting its product onto the market in a most wholesome manner; that the birds themselves are wholesome, and that the processing plants in which they are handled meet uniform standards of sanitation.

Mr. Speaker, I urge favorable consideration of this rule.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee [Mr. REECE].

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. REECE of Tennessee. I yield to the gentleman from New York.

Mr. TABER. I do not know much about the bill, but I see in section 4, page 3, it provides that it shall be effective after an application to and passing upon the need for it by the Secretary of Agriculture, and on page 8, section 8, all sorts of things are prohibited, and they do not say anything about exempting those places where the Secretary has not made such a decree. Now, it looks to me like the bill is all mixed up.

Mr. REECE of Tennessee. I think myself that the bill is very much mixed up. And, carrying the gentleman's question a little further instead of answering it, I want to call the attention of the House to the fact that if a processer is engaged in both interstate and intrastate business, coming under the provisions of this act, he can ship in neither intrastate nor interstate until his product has been inspected; therefore he might be prohibited from shipping, if adequate inspection is not provided for both interstate and intrastate.

Mr. WATTS. Mr. Speaker, will the gentleman yield?

Mr. REECE of Tennessee. I yield to the gentleman from Kentucky.

Mr. WATTS. The bill covers all poultry and poultry products that are shipped in interstate commerce except that shipped in live form. The section that the gentleman refers to on page 3 provides for additional inspection of poultry that moves into large consuming areas. As I attempted to explain on the floor a few minutes ago, that was put in the bill on purpose so that a small processor who might be processing poultry outside of a large city and had to compete with interstate poultry they were shipping in with a Federal stamp on it could get the opportunity to have his plant inspected and his poultry inspected, with a United States inspection label attached to it, in order that he would not be put out of business by some store or some other large concern advertising United States inspected products.

Mr. REECE of Tennessee. Mr. Speaker, I cannot agree with the construction of the gentleman from Kentucky [Mr. WATTS] on this provision of the act. I think it is open to the opposite construction, as was indicated by the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. REECE of Tennessee. I yield.

Mr. HALLECK. As I pointed out, and as was indicated in the letter that I received from a little processor in my home county, he said there were 15 little processors there, and the matter of establishing inspectors there would be almost out of the question. And so, instead of keeping them in business, this would really put them out of business.

Mr. REECE of Tennessee. The effect of it will tend, regardless of what the intention is, to put the little processor out of business and to concentrate the poultry business in the hands of a few people. And when that is done, these plants are going to have such a tremendous volume of poultry on the assembly lines, that it will be impossible to make an adequate post mortem bird-by-bird inspection. An efficient operating plant at the present time produces some 4,000 to 5,000 birds an hour. I cannot envision how an inspection can possibly be provided, a post mortem bird-by-bird inspection, that will mean anything, so far as detecting disease or any of these other matters to which the advocates of the bill refer.

There are 2½ billion birds of all types produced and marketed in the United States each year, about 70 billion pounds. If you concentrate the processing of these birds in a few plants, you are going to have such a tremendous assembly-line operation that it will be completely impossible to have an inspection that means anything more than a stamp. And that is the very thing we want to avoid. As the gentleman from Michigan said a while ago, there is no serious health problem involved, so far as the public is aware, in connection with the poultry operation. There has been no outbreak, there has been no public discussion.

The original bill provided for inspection by the Secretary of Agriculture under regulations set up by him. That bill would have been satisfactory to all the industry, the large and the small alike. When the original hearings were held by the committee it was on that type of legislation. Now this is a compulsory inspection bill, a post mortem bird-by-bird inspection which, in my judgment, is not only completely impractical, but completely impossible so far as effective inspection is concerned. These people who now have voluntary inspection—and most of their product goes into soups and pies—find that the inspection costs about $3 million a year and, of course, they are going to put that cost on the Government. The total cost of this inspection will run somewhere between twelve and twenty million dollars a year. We will wind up with a bureaucracy in this division that will be not less than 5,000 employees. We are just opening up another floodgate to have inspectors and other employees in the Federal Government going over this country, not protecting the health of the people, because it is impossible to get effective action under the provisions of this bill, but interrupting the flow of poultry from the

farm to the market, with the result that there is going to be a backing up, there is going to be disaster in the poultry business from the farmer's standpoint.

Mr. TRIMBLE. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. WATTS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6814) to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 6814, with Mr. O'BRIEN of New York in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. WATTS. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, there has already been quite a bit of discussion about some of the features of this bill. Legislation of this type was introduced by some 7 or 8 Members of this body. It was sponsored by the Department of Agriculture. We held about 6 days of hearings and had 78 witnesses representing every segment of the poultry industry, including representatives of major food companies, consumer groups, labor groups, health groups, State groups, and the Department of Agriculture and the Department of Health, Education, and Welfare.

Every single person that testified before our committee said that for the welfare of the consuming public and for the long-term good of the producer compulsory Federal inspection of poultry was necessary. Not one single voice was raised in those 6 days by a single one of those witnesses, and they covered the farmer as well as the producer and the consumer and everybody, because the American Farm Bureau Federation, the National Farmers Union, and the Grange, all testified in behalf of this bill.

They all said they wanted the bill, but I am going to have to admit to you that some of them kind of fell out with one another as to what should go into it. Your committee had a number of executive sessions at which they brought in various people and undertook to reconcile the various views. This bill is a compromise bill. We took into consideration in reaching the compromise every single idea or thought that was expressed to us. We had in our mind our duty to the American consumer to see to it that good, clean, healthy, wholesome poultry was supplied to the housewives and the consumers of this country.

Testimony before our committee showed that about 25 percent of the meat consumed in this country today is poultry. It is being marketed in ever greater quantities and transported across many miles to distant parts of the country. No longer are poultry markets confined to the local area where raised.

Poultry is now cut up and put in chicken pies and turkey pies, the old days when the housewife could look the chicken over and dress her own chicken and see what was on the inside of it and see what its condition was has long passed. Frequently, what she gets today is a cut-up chicken in a box or in a pie. As I said, the testimony before our committee was such that it was not pleasant to listen to. Your committee was unanimous in its opinion that we should have this compulsory inspection bill. We felt that since it was being done for the protection of the public that the public should pay for it. The testimony before our committee showed that for the first year it would cost something like $4 million and that when it got in full swing, it was estimated to cost $10 million. That was the cardinal purpose. Our second objective in the subcommittee was to give the American public this wholesome poultry in a manner that would least discommode and disrupt the orderly processes of the poultry industry, and at the least expense to the Government. We have tried to do that. We did not entirely agree with any particular group. Labor wanted this and the processors wanted that—nobody is totally satisfied with this bill—what I mean is that nobody got exactly what they wanted. It was a compromise that we think everybody can live with. Our third objective in the committee was to make it possible for everybody who desired compulsory Federal inspection to secure it. We realize, as I stated a few moments ago, that you might find conditions where nonfederally inspected poultry had to compete with federally inspected poultry. One of the officials of the large chainstores told me that if he had federally inspected poultry on one shelf at 38 cents a pound and nonfederally inspected poultry on another shelf at 32 cents a pound, he would not sell any of the 32-cent poultry because the housewife, naturally, being used to seeing the Federal inspection stamp on red meat and relying on it would buy that kind of poultry and the little processor who had no opportunity to get Federal inspection might be put out of business.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. BARDEN. Does the gentleman have any objection to the type amendment suggested by the gentleman from Virginia [Mr. SMITH] relative to the preemption of the authority of the States?

Mr. WATTS. I have not had an opportunity to give it thorough consideration at this time. I would like to defer any answer to that until I get a chance to talk with counsel and other members on the committee.

Mr. Chairman, those were the 3 principles we had in mind when writing this bill. Now, some say that this will put the small producer out of business. I want to talk about that for just a little bit. I have a letter from True D. Morse, Under Secretary of Agriculture.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I am delighted to yield to the gentleman.

Mr. FORD. On page 1 of the committee report, you state as follows, and I quote:

> Specific exemptions are provided for producers who process their own poultry and sell it directly to household consumers.

As I understand it, under the exemptions which begin on page 13 of the bill and run through page 15, it is the intention of the committee that the Secretary of Agriculture shall issue certain regulations which would conform with that statement which I quoted in the committee report.

Mr. WATTS. That is right. May I say to the gentleman, in addition to that, I have an amendment which the committee has agreed to to section 15 which says the Secretary "shall."

Mr. FORD. That is exactly the amendment which I was going to suggest to the gentleman and which I hope the committee would accept. I think it is essential and necessary to conform to the committee's intention.

Mr. WATTS. In addition to that, on page 15, while I am at it, section 1 where it says poultry producers with respect to poultry of their own raising on their own farm which they sell directly to household consumers, we have added after that amendment language which would extend the exemption to restaurants or to hotels where they are consumed on those premises.

Mr. FORD. May I ask the gentleman one other question?

Mr. WATTS. Yes; indeed.

Mr. FORD. I have a large metropolitan area within my district, and surrounding it there is a very sizable poultry-producing area. A good share of the poultry produced in the area does not move in interstate commerce, and I feel that they could and would subscribe to the requirements under this legislation. But if this large metropolitan area is designated as a major consuming area, it is my understanding that under this legislation the poultry producers in this community, if they were to sell within that major consuming area but not within interstate commerce, would fall within the purview of this legislation.

Mr. WATTS. Provided they have asked the Secretary of Agriculture to hold a hearing and determine: First, whether or not that city should be considered a major consuming area and, second, whether or not the movement of intrastate poultry was in such volume as to burden the flow of interstate commerce and, as a result, put in that category.

Mr. FORD. Who acts?

Mr. WATTS. Well, the poultry producers could petition, or the city authorities could petition. We made it as broad as possible, because we did not want your producers with good healthy poultry to be kept out of the market because their product bore no Federal stamp. A large executive of a chainstore told me that under those circumstances the housewife would be inclined to buy that which had the Government stamp. So we wanted your men to get a stamp of approval.

Mr. FORD. Does the gentleman have any information as to whether such an

amendment would be acceptable by the other body?

Mr. WATTS. I have not. I am going back to the statement about putting the small producer out of business, and I want to read an excerpt from a letter from Hon. True D. Morse, Acting Secretary of Agriculture, dated June 27, 1957, which addresses itself to the furnishing of inspectors:

DEAR CONGRESSMAN WATTS: This is in reply to your request for comments from the Department of Agriculture concerning the administration of the compulsory poultry-inspection activity which would be required under H. R. 6814, as it applies to small poultry processors.

This legislation is designed to provide wholesome poultry to consumers where such poultry moves in interstate commerce. The United States Department of Agriculture would be obligated to furnish inspection to every poultry processor who is involved in interstate commerce, regardless of the size of operations, his location, or his type of operation.

Certainly I come from a community of small farmers and small producers. I do not have many poultry producers in my district. Along with other members of this committee I tried to approach this matter in a manner to do what is best for everybody. I would not be a party to any legislation that I thought for 1 moment would militate against the smaller producer.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. LANDRUM. In connection with the statement the gentleman has just read from Mr. True Morse, of the Department of Agriculture, I understood you to say that Mr. Morse recognized it was up to the Department of Agriculture to furnish inspectors for every processor, regardless of the size of that processor.

Mr. WATTS. That is right.

Mr. LANDRUM. In the committee report, on page 3, I find in the paragraph dealing with ante mortem and post mortem inspection and reinspection, two sentences which I would like to read.

The Department of Agriculture advises that the carcass of each bird processed is examined under the voluntary inspection program now in effect.

The bill provides, as I understand it, for a post mortem inspection of each carcass.

Mr. WATTS. That is right.

Mr. LANDRUM. And the report further says:

The committee in placing this requirement in the bill does so with the direction to the Secretary that he shall at all times provide sufficient inspectors and employ such procedures as will not slow down processing operations in the plants being inspected.

I wonder if the gentleman who has rendered, incidentally, such a magnificent job as chairman of this subcommittee, I wonder if the gentleman would comment upon the real intent of Congress as to the slowing down of this processing procedure in the plants?

Mr. WATTS. I shall be delighted to.

During the course of our hearings certain persons raised the same question that the gentleman from Tennessee did. I took it up with the Department, or we in the committee took it up with them. We mean for the Department of Agriculture to furnish enough inspectors to do the job without slowing down any of the processors.

Mr. REECE of Tennessee. Since the gentleman has made such an exhaustive study of the question let me ask him this: In the plant that has 4,000 or 5,000 chickens going over the assembly line per hour just how could an effective inspection be arranged without slowing down the operation? What would be the method and the procedure?

Mr. WATTS. Does the gentleman from Maine desire that I yield to him to answer the question?

Mr. McINTIRE. If the gentleman will yield I would be glad to answer.

Mr. WATTS. I yield to the gentleman.

Mr. McINTIRE. I would like to point out in respect to the question that has been raised by the gentleman from Tennessee that in plants in my home State which are now operating under the voluntary inspection program which, in fairness, is just as strong a program as the one would be under this legislation, I have personally seen lines operating at about 4,000 to 4,500 birds per hour where a thorough inspection is being made.

I am advised by the Department that sound inspection can be made by one inspector serving a single processing line on from 20 to 25 frying chickens per minute which would be approximately the same as broiler weights, and so forth. With larger birds it is a little more; but with four inspectors on the line, which is not uncommon where inspection service is being given under the voluntary program, they will handle from 80 to 105 birds of broiler size per minute, which calculates out to be between 4,000 and 5,000 birds per hour in those plants.

It is my sincere belief on the basis of my observation in dressing plants that this service can be accomplished effectively at that rate at least and possibly a little faster.

Mr. WATTS. I thank the gentleman from Maine, and I will ask the gentleman from Tennessee if that answers his question.

Mr. REECE of Tennessee. May I ask the gentleman from Kentucky whether the chickens in the plant to which he referred were going largely into the broiler market or into the soup and pie market?

Mr. WATTS. It just happens, I may say to the gentleman from Tennessee, that those chickens were moving into the broiler market.

Mr. DIXON. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from Utah, a member of the committee.

Mr. DIXON. There are two purposes of inspection, are there not? One is to inspect against disease, and the other is to guard against filth.

Mr. WATTS. Certainly. It is a fact that when you cook any kind of meat sufficiently long and sufficiently hard that there is very little likelihood that you could get any disease from it; but there are many things that you can cook that you might not want to eat. You could pick meat up out of the gutter and cook it long enough to make it harmless, but you would not want to eat it.

Mr. DIXON. The gentleman wants to guard against well-cooked garbage as well as poultry disease.

Mr. WATTS. I thank the gentleman for his inquiry and for his comment.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. PRICE. I think it is very doubtful if the inspection service contemplated under this bill would adversely affect the efficient operation of any poultry plant, but even if it did slow up assembly line production a little it is in the interest of the health of the people of the country to sacrifice perhaps a little time for the protection of the people's health.

Mr. WATTS. I agree with the gentleman entirely and thank him for his timely observation.

Mr. ELLIOTT. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. ELLIOTT. Do I understand from the inquiry of the gentleman from Kentucky that these small plants that oftentimes do not run a full 5-day week, but may run 1 or 2 days a week, or half a day 3 or 4 days a week, are going to have the benefit of this Federal inspection that the gentleman is discussing?

Mr. WATTS. They certainly are if the Department of Agriculture carries out the directive of this committee, provided they are shipping in interstate commerce or shipping into a major consuming area. We provide they may have cooperative arrangements with the States. They may use State employees, they may use part-time employees, they may use them by the hour. We realize there are a lot of little plants that cannot keep a man sitting around all day just to make an inspection involving an hour or so. But he can go out and inspect that plant while they are processing those birds. It is our intention to see to it that everybody gets the benefit of the inspection.

Mr. ELLIOTT. Does the bill provide any qualifications for the inspectors?

Mr. WATTS. It does. It does not set up the precise qualifications. It lets the Department of Agriculture do that.

Mr. ELLIOTT. Has the gentleman any statements in the hearing or otherwise as to what qualifications might be prescribed?

Mr. WATTS. I think there might be some general statement in the report, but I do not think we tried to tie them down. They are going to have to go to the far reaches of the United States. We have some language in our report. Of course, we realize that different-sized processing plants must have different types of regulation. You may have a plant processing 5,000 or 6,000 chickens and hour. Maybe one type of regulation might be put on for him. The other little fellow processes 50 or 70 and a different type of regulation has to be prescribed.

Mr. ELLIOTT. Did I understand the gentleman further to say that these inspectors definitely will not necessarily have to be veterinarians?

Mr. WATTS. That is right.

Mr. Chairman, I want to speak about a statement that the gentleman from Indiana made in reference to an increase in the cost of the poultry to the American housewife and the consumer. All the information that we were able to gather is that it would probably reduce the price because about 30 percent of the poultry now is moving under voluntary inspection where the processor is paying for it. When he is relieved of the burden of paying for the inspectors he can naturally put that poultry on the market a little cheaper. It will come out of the taxpayers, but all of our red meats are inspected and I do not believe anybody would want to go back to the old system. I have heard described many times the system that was in vogue around Chicago and other places. I am not the oldest fellow here, perhaps, but I can remember in my country that maybe a farmer would have cholera hogs and would run to the market with them before they died and get them to the consumer. But today with Federal inspection of meats that has stopped. I feel we have a good bill, a well balanced bill. It is a question for the Members of the House to make up their minds whether they want the housewife to be able to buy poultry with some assurance she will get good clean poultry.

Mr. HARRISON of Virginia. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from Virginia.

Mr. HARRISON of Virginia. The processors organization, the poultry organization, have they indicated their position?

Mr. WATTS. Yes; I think they have.

Mr. HARRISON of Virginia. Do they favor the bill?

Mr. WATTS. We had nobody who opposed it.

Mr. HARRISON of Virginia. How about the farmers associations?

Mr. WATTS. The American Farm Bureau, the Grange, and the Farmers Union are all strong for the legislation.

Mr. HARRISON of Virginia. They have favored the legislation?

Mr. WATTS. Yes.

Mr. HARRISON of Virginia. What about the feed people?

Mr. WATTS. I do not know whether we had any individual representatives of feed or not. They did not oppose it.

Mr. HARRISON of Virginia. What about the Department of Agriculture?

Mr. WATTS. They were very strong for it.

Mr. HARRISON of Virginia. What about the retailers that sell the birds to the public?

Mr. WATTS. Well, we had some representatives of some of their organizations and they were for it.

Mr. HARRISON of Virginia. What about the consumer organizations?

Mr. WATTS. The consumer groups were all for it.

Mr. HARRISON of Virginia. Then from the hatchery to the consumer, all of those organizations support the measure?

Mr. WATTS. We did not have a word against the bill.

Mr. HARRISON of Virginia. No appearance against the bill?

Mr. WATTS. Not one.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Who selects the inspectors and what qualifications must they have?

Mr. WATTS. The Department of Agriculture will select the inspectors and they will prescribe reasonable qualifications.

Mr. HOFFMAN. The law does not prescribe the qualifications of the inspectors?

Mr. WATTS. No.

Mr. HOFFMAN. That is up to the Secretary of Agriculture?

Mr. WATTS. Yes.

Mr. HOFFMAN. The gentleman is still willing to trust this to the Department of Agriculture?

Mr. WATTS. Yes. The Department of Agriculture has for some 50 years carried out a compulsory red-meat inspection program which has been very successful in guarding the consumer against unwholesome red meat.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from North Carolina.

Mr. JONAS. How many processing plants are there in the United States?

Mr. WATTS. I have forgotten the exact figure, but there are quite a number of them.

Mr. JONAS. Is that information available? It is not in the report.

Mr. WATTS. I can put it in the RECORD for the gentleman.

Mr. JONAS. Do you have an approximate idea?

Mr. WATTS. I can probably get the information for the gentleman.

Mr. JONAS. What does the committee contemplate would be the number of inspectors that would be required?

Mr. WATTS. Of course, they have a voluntary system now that is inspecting about 30 percent of the poultry that goes on the market; as a matter of fact, I think they inspect about 67 percent of the turkeys that go in the market. It is a little bit difficult to say the exact number, because some of them are going to be folks who service 5 or 6 plants, if they are located in one community, or, if not, they might work for an hour a day.

Mr. JONAS. They could not service 2 or 3 or more plants at the same time, though, could they?

Mr. WATTS. No.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, H. R. 6814 is a bill to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products. This bill would require that all poultry and poultry products which are processed for sale in interstate or foreign commerce be inspected by the United States Department of Agriculture. The bill also provides authority for the Secretary of Agriculture, after public hearings, to designate major consuming areas in which all poultry processed and sold must be inspected under the authority of this act even though a proportion of this poultry is involved only in intrastate commerce. The designation of major consuming areas by the Secretary of Agriculture is authorized after receipt of application to designate such areas from appropriate governing officials or bodies or upon application by an appropriate local poultry-industry group in the area.

The bill contains authority for the Secretary to perform an ante mortem inspection where and to the extent considered by him necessary, and requires a post mortem inspection of the carcass of each bird processed. The bill contains provisions relating to sanitation, facilities, and practices as are necessary to produce wholesome poultry.

The bill would prohibit the interstate sale of uninspected poultry and the interstate sale of poultry which has not been labeled in accordance with its provisions. It also would prohibit, first, the sale of any poultry product declared to be unwholesome or adulterated; second, the false making or issuing or altering or forging of official inspection marks, memorandums, and so forth; third, the use in commerce of a false or misleading label on poultry products; and, fourth, the delivering, receiving, transporting, selling, or offering for sale or transportation of poultry in so-called New York dressed form, except that the movement of such poultry in interstate commerce would be permitted when this poultry is destined for an official establishment where it will be processed into a poultry product.

All poultry products processed in official establishments operating under this bill would have to be processed in compliance with its requirements. The bill also provdes appropriate penalties for noncompliance with its provisions.

The poultry inspection bill would become effective upon enactment, but would not require inspection until January 1, 1959. However, poultry processing plants may apply for and receive inspection under the provisions of this bill any time following January 1, 1958.

There are four exemptions provided for in this bill: First, an exemption to poultry producers with respect to poultry of their own raising on their own farms which they sell directly to household consumers, restaurants, hotels or boarding houses; second, an exemption for retail dealers with respect to poultry products sold directly to consumers in individual retail stores providing that the only processing operation performed by such retailers is the cutting up of poultry; third, authority for the Secretary to exempt processors until July 1, 1960, when he determines that it would be impracticable to provide inspection and the exemption would aid in the effective administration of the act; and fourth, exemptions may be made as necessary to comply with recognized religious dietary laws.

Imports of poultry would be required to meet the same standards of wholesomeness as would be provided for domestically produced poultry.

The cost of inspection would be borne by Federal appropriations, except the cost of overtime.

This proposed legislation would provide the poultry meat industry with compulsory inspection on a basis similar to that which has been in effect for the red meat industry for better than 50 years. The only inspection for poultry at the present time and until this bill is enacted is provided in a voluntary program administered by the Department of Agriculture under the authority of the Agricultural Marketing Act of 1946. The poultry industry has demonstrated broad interest in providing consumers with wholesome poultry through the use of this voluntary service. I am told that this service program has met with increasing acceptance over recent years, to to point where now approximately 320 poultry processing plants operate under this service and process approximately 27 percent of the poultry which is sold off farms.

This legislation was developed after extensive House and Senate hearings in the 2d session of the 84th Congress and in the present session of the 85th Congress. At the hearings on H. R. 6814, approximately 80 different groups and individuals appeared, all of them in support of this legislation. These groups represented all of the national farm organizations; all of the regional and national poultry organizations representing both producer groups and marketing groups; representatives of public health groups and representatives of consumer groups. There were no representatives at any of the hearings in opposition to this legislation.

Estimated cost of poultry inspection bill: First year, $3,535,000; second year, $7,750,000; third year, $10 million.

Mr. Chairman, I yield such time as he may desire to the gentleman from Connecticut [Mr. MORANO].

Mr. MORANO. Mr. Chairman, it has long seemed to me to be an anachronism that we have had compulsory meat inspection, but we have had no mandatory inspection for poultry. Yet poultry is an everyday food item. It is on my family's dinner table every week. And I am certain it is on the dinner tables of millions of other Americans often.

There is no reason why poultry should not be a popular food. It is nutritious, tasty, and inexpensive. However, there is also no reason why the consumer who buys poultry in good faith should not be guaranteed to the maximum degree possible that the bird is of good quality and has been processed in a clean environment.

The United States Public Health Service blames poultry for an average of one-third of the food poisoning cases reported each year. Part of this abnormally high figure is due to spoilage, which no inspection can correct. But a good proportion—in fact the majority of food poisoning cases—will be prevented by the compulsory inspection for wholesomeness and cleanliness.

I am also greatly concerned about the health of poultry workers. During the hearings of the Committee on Agriculture, testimony was presented demonstrating the transmittal of poultry diseases to men and women in the poultry processing plant. The most dramatic of these illnesses is psittacosis, which in 1956 caused the deaths of 3 men and illness among 133 others.

Mr. Chairman, I believe it is high time for Congress to enact a mandatory poultry inspection law. Such a law is needed by consumers, farmers, processors, and workers.

I want to commend the Committee on Agriculture, and especially its Poultry and Egg Subcommittee, for their great work in developing this legislation. I would have liked to see the committee report a bill with stronger consumer-protective provisions. However, the committee has had to take a course designed to accommodate the many viewpoints which came before it, and I believe it has done that well.

H. R. 6814 may not be as strong as some of us would have liked. But, as it is written now, it has sufficient consumer-protective features to allow a good compulsory poultry inspection to be instituted.

I urge my colleagues to approve H. R. 6814 without any weakening amendments.

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. ANFUSO].

Mr. ANFUSO. Mr. Chairman, the House of Representatives will today be able to close one of the most dangerous loopholes in our food laws. By enacting H. R. 6814, we will be able to assure the consumer that poultry in interstate commerce and in designated areas will be free of filth and disease.

Unfortunately, that is not true today. The overwhelming majority of poultry processors do their utmost to put good quality poultry on the market. And they improve their plants, so that the maximum of sanitation is achieved. But some processors put profit above their responsibility to the public. It is these processors who make poultry inspection legislation necessary as protection not only to the consumer but also to the honest, responsible processors.

To demonstrate what we are trying to prevent, let me read to you excerpts from three of many affidavits taken from poultry workers. One affidavit states:

> When packing, there would be hundreds of chickens every day coming into the packing room that would be bruised, have sores on them, and the chest cavity would be covered with pus. Sometimes the skins of the chickens would have sores (sores that would have openings with hard gristly ring around them, others that would have scabs over the sores, and others with red pimples that looked like chicken pox), so that I would have to take the entire skin off. Some of the sores could be cut off. After taking the skin off or cutting the sores off, I would pack them in boxes and see them loaded on trucks to be taken to market.

Another poultry worker says in an affidavit:

> We killed some (chickens) on the line that were already dead, that is, we would attempt to kill them. The reason that I knew these chickens were already dead was because they would fail entirely to bleed when I cut their throats. I have killed some chickens which seemed to be affected by some kind of disease because streams of fluid and pus would be running out of their beaks and mouths.

A woman working in a poultry plant states in an affidavit:

> When splitting many of these chickens, pus spurted out. This caused me to vomit on several occasions. It was a vile and sickening odor coming from the insides of the chicken. Some days we would run chickens all day long that would be sick. Many of the chickens would be full of worms, long stiff wiry worms.

I apologize to my colleagues for bringing up these sickening facts. But I believe we should have a clear picture of what we are legislating about.

These conditions exist in some processing plants throughout the country. They are a danger to the consumer, to the workers in the plant and to the overwhelming majority of processors.

In both the 84th and the 85th Congresses, I introduced legislation to do something about this situation. These were bills for compulsory poultry inspection. As a member of the Poultry and Egg Subcommittee of the Committee on Agriculture, I took part in the hearings on this legislation both in this and in the last Congress. My experience with this legislation makes me certain that compulsory poultry inspection is one of the greatest legislative needs of consumers today.

Frankly, I preferred my bill, H. R. 5403. I thought it would provide greater consumer protection. But in H. R. 6814, the subcommittee has written a clean bill which provides adequate protection to the consumer. It is a good and meaningful compromise between the various bills which were before the committee and I want to congratulate the author, the distinguished chairman of the subcommittee, for his patience and fairness in all of the deliberations of the committee.

I urge that the House approve H. R. 6814 today. We must do so without any weakening amendments. This measure is already a compromise. If attempts are made to weaken it, then attempts must also be made to strengthen it.

We have a meaningful compromise now. If that compromise bill were weakened, we would be betraying the consumer. I, for one, will not be a party to that. I believe we would then have to reconsider the sections on ante mortem inspection, State inspection programs, agencies carrying out the inspection, and other provisions.

Instead of this, I urge that we enact H. R. 6814, as reported by an overwhelming vote from the Committee on Agriculture. The consumer needs this protection now and we must provide it now.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Chairman, H. R. 6814 is a sound and progressive legisla-

tive step which will provide needed protection for the consuming public, and will at the same time protect the good name of one of our finest agricultural groups, the poultry industry. There is no sound reason why poultry should be exempt from Federal inspection to which meat is subject.

This bill has the support of the Department of Agriculture and the Department of Health, Education, and Welfare—the two Federal agencies most directly concerned. It is also backed by all major farm organizations, as well as consumer groups, health officials, professional societies, and labor unions.

This morning I received a telegram from Stanley B. Smith, secretary of the New York State Poultry Council, urging support of H. R. 6814, and indicating it has the backing of the poultry industry.

It is gratifying to note the strong support for this measure among those who will be regulated, indicating clearly their good motives and willingness to serve the public in the best possible manner.

Mr. Chairman, I urge passage of H. R. 6314. Its enactment will provide added insurance for the happy and healthy tomorrow all Americans want.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield 5 minutes to the gentleman from Utah [Mr. DIXON].

Mr. DIXON. Mr. Chairman, the processors of poultry as well as the producers are to be complimented on taking the initiative in this movement. It is not just the consumers who have made a universal demand for compulsory inspection. It is the processors and the producers as well who want it. They all realize the situation. I certainly congratulate the processors for asking for this improvement as well as the producers, because it is in the interest of public welfare.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. Is it not also true that this legislation may in fact result in an increase in the consumption of poultry products by the public?

Mr. DIXON. Definitely. The question was, Will this result in an increased consumption of poultry? I believe the voluntary inspection program is to a considerable extent responsible for doubling the consumption of poultry since 1939. That is the best way to sell poultry, to have the housewife know that her food is clean, sanitary, and free from disease.

With regard to the question about the charge that inspection is impossible for so many small plants. I also have a letter from the Department of Agriculture in which they claim that they can provide this inspection and will be compelled to wherever it is necessary. Of course this bill is largely for poultry going into interstate commerce. The USDA testified before our committee that they used the inspectors frequently. All inspectors do not need to be veterinarians. The USDA also showed us that they have veterinarians employed on an hourly basis in nearly all sections of the country. They testified that they can meet this demand for qualified inspectors.

Of course the bill cannot become operative all at once. It will not become compulsory, as I understand, until 1959. As fast as the processors and poultry people themselves want to have the inspection they can ask for it, even before, any time now.

That brings me to the next commendable thing, and that is this voluntary poultry inspection movement paid by the processors and operated by USDA. In 1951 there were only 145 plants that had voluntary inspection. Now we have more than double that number which process now 28 percent of all poultry.

The testimony was uniform all through our hearings day after day that inspection is the finest thing that ever happened for the poultry grower himself as well as for the consumer; furthermore, that the United States Department of Agriculture has done a magnificent job in this voluntary inspection program. The Farmers Union, the Farm Bureau, the Grange, all of the organizations testified they were very much pleased with the voluntary inspection program as it has gone along. So this is not new, because the USDA voluntary inspection has paved the way.

Mr. REECE of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield.

Mr. REECE of Tennessee. If the voluntary program has been successful and the Department of Agriculture has done a good job of helping promote voluntary inspection, then why should it not be desirable to do as was originally contemplated, authorize the Department of Agriculture to install such inspection as in the Department's judgment would be necessary to safeguard the health of the people in all respects.

Mr. DIXON. Because there is universal demand on the part of the consumers for some protection. We have compulsory inspection of the red meats. Compulsory inspection has proved so indispensable for the red meats. Everybody wants it now for poultry. This is just the response to a universal demand for the same protection for poultry that we get for red meats.

Mr. REECE of Tennessee. There is a big difference between inspecting a 1200-pound steer carcass and a 2¼-pound fryer carcass. The inspection for the beef does not run to safeguard the health so much as it does to determine the quality of the beef so that the housewife will know the grade of beef she is buying when she buys it, being unschooled in many instances in how to determine the grade.

Mr. DIXON. I think it involves, too, health, because we have trichinosis in pork and inspection for that. We would not be without that inspection for anything in the world. There are 26 poultry diseases that are communicable to individuals.

Mr. SANTANGELO. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield.

Mr. SANTANGELO. I am in favor of the principle of this bill, but I am a little disturbed about it. As a young man I worked in a poultry market. I used to kill and clean chickens. I wonder whether under the terms of this bill inspectors will be assigned to the retail poultry markets. For example, in the city of New York which is a large consuming area, if inspectors are assigned to every retail poultry market, you would have a tremendous number of inspectors assigned to the retail markets selling poultry and they would be working from Monday through Saturday from 9 o'clock in the morning to about 8 o'clock at night.

Mr. WATTS. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to my honored chairman.

Mr. WATTS. The bill does not provide any type of inspection at a retail plant. It provides for inspection only in the processing plants.

Mr. SANTANGELO. As I read the provisions with regard to exemptions, it seems to me it applies to retail plants and that is why I am disturbed about it. The bill says that no such exemptions shall continue in effect beyond 1960.

Mr. WATTS. The exemption that you are talking about has to do with the cutting up of poultry and not with reference to a retail store.

Mr. SANTANGELO. That is another exemption. I am talking about the other exemption which the bill says shall not go beyond a certain date.

Mr. WATTS. There are three exemptions set out.

Mr. SANTANGELO. One exemption applies to where they cut up the poultry. Another applies to where they are selling processed poultry. Now a retail place which sells poultry in the city of New York, which is a large consuming area, would be processing and slaughtering poultry from morning until night from Monday through Saturday and if the bill provides for the assignment of an inspector to these little retail places in the city of New York you are going to have the Federal Government in every place and you would have a situation which would be very difficult to tolerate. If there is an exemption in such a case and the bill does not apply to that, I think the bill is a very good bill. I would like to be assured that this does not apply to each and every retail plant requiring an inspector to be there from Monday morning to Saturday night.

Mr. WATTS. I can give the gentleman that assurance.

Mr. SANTANGELO. I thank the gentleman.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield 5 minutes to the gentleman from Maine [Mr. MCINTIRE].

Mr. MCINTIRE. Mr. Chairman, this legislation is presented to the House of Representatives after careful consideration by the Poultry Subcommittee of the House Committee on Agriculture and the full Committee on Agriculture.

Legislation dealing with this subject matter—the compulsory inspection of poultry—was introduced in the 84th Congress, and although it was considered by the appropriate committees of both bodies, no legislation was enacted during that Congressional session.

At the inception of the 85th Congress, bills relating to the subject of compulsory inspection of poultry were introduced by numerous members of the House of Representatives, myself included. It is my opinion that full and adequate hearings were conducted by the subcommittee considering these bills, and I wish to commend my able colleague from Kentucky, the chairman of the subcommittee on poultry and eggs, for the thorough and objective manner in which this legislation was considered. After due discussion within the subcommittee and consideration of suggested amendments, a clean bill was drafted by the subcommittee chairman, considered by the full Committee on Agriculture, and referred to the House of Representatives for consideration today. It is my considered opinion that this bill has merit, and I urge its approval.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield?

Mr. McINTIRE. I yield.

Mr. SEELY-BROWN. The gentleman is very familiar with the problems which the New England poultry producers face. Does he see anything in this legislation which would be harmful either to the poultry producers or to the small cooperative processing plants who find their problems already difficult? Does this add a new problem to their operation?

Mr. McINTIRE. I may say to the gentleman it is my considered opinion that this bill will not seriously inconvenience the small processor in the areas with which we are both familiar, and that the inspection service will be made available to him on a basis which will be flexible enough to meet his usual production schedule through his processing plant. It may be pointed out that this bill deals only with processors, and the idea that it creates a problem to the producer is far out of the proper perspective of the bill.

Mr. HOFFMAN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Evidently no quorum is present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 135]

Adair	Cunningham, Nebr.	Jones, Mo.
Allen, Calif.	Curtis, Mass.	Kearney
Anderson, Mont.	Davis, Tenn.	Kearns
Ashley	Dawson, Ill.	Keeney
Barden	Delaney	Kelly, N. Y.
Barrett	Dennison	Kilburn
Bass, N. H.	Derounian	Kluczynski
Baumhart	Diggs	McConnell
Beamer	Donohue	Mailliard
Bentley	Dorn, N. Y.	Meader
Blitch	Eberharter	Miller, N. Y.
Bonner	Engle	Minshall
Bowler	Fallon	O'Konski
Boyle	Fogarty	O'Neill
Bray	Fulton	Ostertag
Brownson	Granahan	Philbin
Buckley	Green, Pa.	Polk
Byrne, Ill.	Gregory	Powell
Byrne, Pa.	Hardy	Prouty
Cederberg	Harvey	Radwan
Chelf	Hays, Ohio	Rains
Chiperfield	Healey	Riehlman
Christopher	Hillings	Robeson, Va.
Chudoff	Holtzman	Saund
Colmer	Ikard	Shelley
Coudert	Jennings	Smith, Kans.
Springer	Thornberry	Smith, Miss.
Taylor	Tuck	Wilson, Ind.
Teller	Widnall	Winstead
Thompson, La.	Willis	Withrow
		Younger

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'BRIEN of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6814) and finding itself without a quorum, he had directed the roll to be called, when 339 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. McINTIRE. Mr. Chairman, it should be said that a sincere effort was made to enable all parties having an interest in this legislation to be heard. As the record reveals, there were more than 70 witnesses who presented either testimony or statements. Testimony and/or statements were presented by 34 groups representing the poultry industry, 16 health officers, 12 representatives of labor unions, 6 general consumer organizations, representatives, and members of the major farm organizations—all of these supported some type of compulsory poultry inspection. Too, the Department of Agriculture and the Department of Health, Education, and Welfare have indicated their support of this legislation now before us.

H. R. 6814 is a compromise bill in many respects, differing only mildly with S. 1747, the Senate poultry bill passed by that body on April 8 of this year. H. R. 6814 does not thoroughly satisfy the interests of all parties advocating mandatory poultry inspection legislation—it does not fully accomplish all that has been requested by the labor unions; it does not entirely satisfy the representatives who spoke in behalf of the health groups; and it does not attain all of the objectives endorsed by the poultry producers. However, it does have eminently favorable features, for it is a timely piece of legislation that will aid—through a comprehensive and standardized program of inspection—in the progressive development of the poultry industry. It would also assure the consuming public that the poultry offered on the market would be wholesome in nature, having been processed in plants meeting uniform and high grade standards of sanitation.

I wish to pay tribute to poultry producers and processors, together with governmental agencies at the Federal and State level, for the excellent job that they have done in bringing to the American people very fine poultry products. I believe that this legislation will prove an assist in doing an even better job in providing palatable poultry, and that it will add confidence to the consuming public's interest in a food item which, because of its delicious nature, has today become a popular food requirement in our everyday diet.

I say "everyday diet" because chicken is no longer just a Sunday dinner, nor is turkey just for Thanksgiving and Christmas. Inasmuch as poultry has become so universally used—because of its perishable nature—handled fresh, I believe the time has come, as it did with red meats, for the public interest to be recognized—this to be accomplished through the establishment of high standards of sanitation and wholesomeness that are maintained through a program of compulsory inspection.

It is interesting to note that per capita consumption of poultry has grown from 22 pounds in 1940 to nearly 40 pounds in 1956, and production of poultry meat has now reached 6.6 billion pounds. With the development of refrigeration, frozen and precooked foods, and ready-to-cook packaging, the consumption and production of poultry meat has progressed very rapidly.

In effect, this is a very competitive industry today, one which often operates on very slim margins, and in the industry there are the careless and the unscrupulous. Many of these weaknesses presently evident in the industry can, in large degree, be substantially corrected or eliminated through an inspection system that requires sanitary facilities that will process only wholesome birds.

The Voluntary Poultry Grading and Inspection Service was started by the Poultry Branch of the Agricultural Marketing Service, under authority of the Agricultural Marketing Act of 1946. Under this provision it has been possible for a poultry processor to enter into agreement with the Poultry Branch of the Department of Agriculture and receive inspection, providing his plant is designed to meet requirements, and the processor pays all costs associated with this service. Two States—Maine and North Dakota—worked out Federal-State agreements for this service to processors in those States, and the processors pay the full cost of inspection service. At the present time, 28 percent of all classes of poultry are inspected at processing, and 68 percent of all turkeys.

At this point, I would like to commend the Maine poultry processors for the fine work they have done under this program, and for the high standards they have established for processing plants and for birds processed for market.

The poultry industry is now substantial in practically every State in the Union. The 10 leading States in 1956, in broiler production, were Georgia, Texas, Arkansas, North Carolina, Delaware, Alabama, Maryland, Virginia, California, and Maine, in that order. The 10 leading States in 1956 in the production of farm chickens were Iowa, Minnesota, Illinois, California, Missouri, Pennsylvania, Indiana, Wisconsin, Ohio, and Texas, in that order. The 10 leading States in turkey production in 1956 were California, Minnesota, Virginia, Iowa, Texas, Ohio, Missouri, Utah, Wisconsin, and Arkansas, in that order.

This legislation is of particular importance to the aforementioned States. It is also important to all other States where poultry is processed, because the inspection required will be applicable to processors that sell in interstate commerce and in intrastate commerce, where designated areas are involved.

You have had the separate provisions of the bill presented to you by previous

speakers, and in consideration of the fact that the committee staff has prepared a very thorough and concise report on the bill, I would like to point out briefly the requirements of H. R. 6814:

(a) Compulsory Federal inspection on all poultry and poultry products moving in interstate commerce and in major intrastate consuming areas.

(b) This is not a poultry grading bill, and it does not apply in any manner to the handling, shipment, or sale of live poultry; nor does it apply in any manner to the processing or sale of eggs or egg products or game birds.

(c) The legislation requires post mortem bird by bird inspection and ante mortem inspection, as the Secretary deems necessary.

(d) Sanitary practices are required by regulations of the Secretary.

(e) Labeling requirements are established.

(f) Penalties are established.

(g) Exemptions are provided.

(h) Provisions are made to enable the Secretary to cooperate with States in respect to inspection service and standards.

(i) Inspection costs are borne by the Federal Government through general appropriations.

It is my considered opinion that the marketing of poultry as a fresh meat product has attained proportions which—in the public interest—demand an inspection designed to assure uniform standards of wholesomeness; that any associated costs should—because they are in the public interest—be at public expense. Because this bill, in large measure, achieves these objectives, I sincerely believe it has merit.

I would like to add just one or two other points. One is to reemphasize that this bill does not apply to the producers. It applies to the processors. The question was asked—how many additional plants would be brought under inspection. May I add for the record and for the information of the Committee that approximately 700 additional plants would be brought under inspection as soon as they qualify under the inspection requirements.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McINTIRE. I yield.

Mr. HALLECK. Does that include the little processing plants which I know exist in my district? Does the Department know how many of them are out there?

Mr. McINTIRE. This figure was obtained from the Department of Agriculture, I will say to the gentleman from Indiana.

Mr. HALLECK. I feel constrained to say that if little processing plants such as are in my district are found in other places in the country, then that number, if they are to be inspected, and the gentleman has said that it would be provided to cover them, then the number will be many more than 700.

Mr. McINTIRE. This figure is one which I obtained from the Department and I base my statement on their information.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. McINTIRE. I yield.

Mr. COOLEY. It is contemplated by this program that if the Secretary cannot provide the necessary inspectors to carry out the program, he is authorized to exempt the little poultry slaughterhouses; is that not true?

Mr. McINTIRE. That is true, during the period in which the program is being built up for its full application.

Mr. COOLEY. And we think we have allowed sufficient time in the law to put the program into operation without causing any undue hardships.

Mr. McINTIRE. I might say to my chairman that that point was given very careful consideration by the subcommittee and the full committee, as the chairman will recall, and in consultation with the Department. We believe the effective date of this act is very fair.

Mr. COOLEY. The charge has been made that it is the purpose of this act to put the small producer out of business. I am sure the gentleman will agree with me that that is not the purpose of the law and no member of the committee had that in mind at the time we reported this bill.

Mr. McINTIRE. I would like to reply with reference to that point that as one member of this subcommittee that factor has been given very close consideration. I think we have endeavored, and quite successfully, to draft legislation which certainly did not have that objective as its purpose. We have done a diligent job to make sure that it does not work that way.

The CHAIRMAN. The time of the gentleman has expired.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Chairman, it is strange that a people as health conscious as we Americans are, have not yet provided for compulsory inspection of poultry.

Poultry is one of our major foods. More than 6 billion pounds of it are consumed in the United States each year—enough for 35 pounds for every man, woman, and child. And yet there are no adequate and compulsory safeguards concerning this food for the consumer.

This is despite the fact that veterinarians have testified before the Committee on Agriculture that 26 diseases are transmissible from poultry to man. Some of these diseases cause extreme illness and even death.

While much of food poisoning comes from improper handling of foods, the United States Public Health Service reports that in 1956 nearly 36 percent of the cases of food poisoning reported to it were caused by poultry or poultry products. This is extremely high—far higher than for any other food.

Mr. Chairman, I believe these statistics are alarming. I know that the responsible sections of the poultry industry—and that is the overwhelming majority of the industry—is doing all it can to prevent these dangers. Many firms in the industry even pay for an inspection program to assure the consumer clean and wholesome poultry.

But the majority of the industry cannot control the few who, in order to make a "fast buck," will put diseased and filthy poultry on the market. The consumer must be protected against these unscrupulous operators.

The best means of doing this is through a system of compulsory poultry inspection. Fifty years ago, the Nation learned that a good Federal inspection program could make the jungle which was then the meat industry into an excellent provider of a tasty, nutritious, and wholesome food.

We can assure the consumer the same type of protection with poultry by approving H. R. 6814 today. Enactment of this measure is an immediate and pressing necessity.

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. JOHNSON].

Mr. JOHNSON. Mr. Chairman, I wish to speak briefly in support of H. R. 6814, a bill to provide for the inspection of poultry and poultry products so as to prevent the movement in interstate or foreign commerce of poultry products which are unwholesome or otherwise unfit for human food. I think we can all agree with the purpose of the bill as set forth in the declaration of policy as most desirable and vital to the well-being of the consumer and producer.

It is not many years ago that the production of poultry was a sideline affair, and the consumption of poultry was more or less restricted to holidays and special occasions. That is no longer true. The production of poultry has become one of the major industries of this country, and consumption of poultry has increased by leaps and bounds to a point where 6.4 billion pounds of poultry were consumed last year as compared with 2.1 billion pounds in 1920. In this 46-year period, the consumption of poultry in this country has tripled while the consumption of red meat has just about doubled.

Yet the inspection of red meat has been in force since 1906 while poultry, at the present time, is still on a voluntary inspection basis with many areas of the country having no inspection at all.

In the 84th Congress, numerous versions of the mandatory inspection bill were introduced in both House and Senate. The Senate held hearings early in the second session of the 84th Congress, but the House held no hearings until July of 1956, close to the time of adjournment. At that time there was no unanimity of opinion among the various people concerned. And because unanimity could not be reached, it was decided to discuss the subject further and schedule hearings in the next session of Congress.

Early in March of this year, the House Agriculture Committee held further hearings and there were many bills before the committee. After the hearings were completed, H. R. 6814, the bill under discussion today, was introduced and passed out by the subcommittee. It is a compromise bill between the views of consumers, public health personnel, the Department of Agriculture, labor unions in the poultry field on one hand, and the poultry industry groups on the other

hand. Although all groups agreed on the need for adequate inspection to protect consumers and laborers in the processing plants, while at the same time not burdening the processor with extraordinary expense and redtape, there were many diverse points of view on how to achieve such an inspection program.

In the 83d Congress, there was one group which wanted the inspection functions vested in the Pure Food and Drug Administration of the Department of Health, Education, and Welfare. Another group thought they should be vested in the red-meat inspection branch of the Agricultural Research Service of the Department of Agriculture, which has handled red-meat inspection for 51 years. A third group thought it should be placed with the Poultry Division of the Agricultural Marketing Service, which has handled the voluntary inspection program for poultry for 30 years. When the House Agriculture Committee considered the matter this session, there were only two schools of thought.

One wanted the inspection performed by the Red-Meat Division of the Department of Agriculture and the other group thought it should be performed by the Poultry Division of the Agricultural Marketing Service. There were strong arguments for both positions.

H. R. 6814 places the inspection with the Department of Agriculture, but leaves it to the discretion of the Secretary of Agriculture whether the responsibility for poultry inspection shall be placed with the Red Meat Division or the Poultry Division of the Agricultural Marketing Service. If the Secretary of Agriculture decided to place this responsibility with the Marketing Service and, after a trial period, finds that it should be with the Red Meat Division, he has the authority to transfer the function.

Another point of disagreement was the question of antemortem inspection of each bird. One group felt that each bird should have antemortem inspection prior to slaughter, while another group thought the only inspection necessary was post mortem. H. R. 6814 provides for post mortem inspection of each bird and leaves it to the discretion of the Secretary of Agriculture to use antemortem inspection whenever he considers it necessary. This authority can be delegated to the individual inspector in the field, and if there are areas where antemortem inspections become necessary, they can be invoked.

The third point of disagreement between the various groups was the effective date of compliance under the mandatory inspection program. Only 35 percent of the poultry consumed at this time is subject to voluntary Federal inspection. Many processing plants will have to make necessary changes in order to come under the law. H. R. 6814 allows ample time for the poultry industry to get ready for inspection by making inspection available to plants which request it by January 1, 1958, and extending the time for mandatory inspection to January 1, 1959.

The fourth point of disagreement had to do with the enforcement of the act. One group advocated language which would require the Department of Agriculture to prove that a processor knowingly violates the law. The testimony of the representative of the Poultry Inspection Division was that this would make the law practically unenforceable, and he also stated that, in the many years voluntary poultry inspection has been in effect, violations have been very minor. H. R. 6814 compromises these points of difference by giving a reduced penalty for the first offense and dropping the word "knowingly" in the enforcing clause. Strong enforcement penalties are provided after the first offense. The objective of the poultry-inspection bill is to protect the consumer and the worker in the plant from unfit and diseased poultry and to protect the producer and processor from an unworkable inspection program that might drive them out of business.

To show the committee that various groups which have been at crossed points at the hearings now express their endorsement of H. R. 6814, I would like to state that a processor and turkey grower in my district who was one of the first to testify before the committee at that time strongly advocated the use of the word "knowingly" and was opposed to ante mortem inspection. He now favors H. R. 6814. I would also like to read you a letter from a processor in my district who endorses the provisions now contained in H. R. 6814.

WISCONSIN PRODUCE, INC.,
Eleva, Wis., March 4, 1957.

Congressman LESTER JOHNSON,
House Office Building,
Washington, D. C.

HONORABLE SIR: I am writing in regard to the mandatory poultry-inspection bill now up before Congress. There are several points which I feel should be included in this bill if small processors like ourselves are to survive.

First, the law should leave the inspection program in the hands of the Secretary of Agriculture. This will allow the Poultry Branch to function as it has in the past.

Second, the decision as to the use of ante mortem inspection should be left to the discretion of the Secretary of Agriculture and his advisers. Under no circumstances should it be legislated into law.

Third, a reasonable date for compliance should be allowed. The bill should not become effective before January 1, 1958.

We in the poultry industry realize the necessity for producing quality products; however, a costly or unworkable inspection program will sound the death knell for small processors like ourselves.

I sincerely hope you will do your utmost to include in any inspection program passed the three points listed above.

Sincerely yours,
WILLIAM J. WERNERSBACH,
General Manager.

I should also like to read you a letter from the Amalgamated Meat Cutters and Butcher Workmen of North America who were opposed to the stand taken by producers and processors at the time of the hearings and who now endorse H. R. 6814.

AMALGAMATED MEAT CUTTERS
AND BUTCHER WORKMEN
OF NORTH AMERICA,
Chicago, Ill., June 5, 1957.

The Honorable LESTER R. JOHNSON,
Member of Congress, United States House of Representatives, Washington, D. C.

DEAR CONGRESSMAN JOHNSON: During the past 3 years, we, on behalf of our union, have been writing to Members of Congress urging the enactment of legislation to provide the compulsory inspection of poultry. We have pointed out that the lack of inspection to guarantee wholesomeness and cleanliness posed serious dangers to consumers and poultry workers. A similar inspection program, as our organization suggested for poultry, has been in effect for red meats for more than half a century to the very great benefit of the entire Nation.

We are very happy to be able to say that the House of Representatives will soon vote on a compulsory inspection bill. The Senate has already passed such a measure.

The Committee on Agriculture recently reported H. R. 6814. This bill is a compromise between the views of the consumer, public health, women and labor groups on the one hand and poultry industry groups on the other. Quite frankly, H. R. 6814 does not have all the points we and other groups believed necessary, but we consider this bill to be a good compromise. This fact, and the great, immediate need for this legislation leads us to support H. R. 6814.

We respectfully urge that you support H. R. 6814 when it comes to the floor of the House of Representatives for a vote. It is very important consumer-protective and worker-protective legislation. It will provide the safeguards which groups, like our union, have so long sought against filth and disease in poultry processing.

Very truly yours,
EARL W. JIMERSON,
President.
PATRICK E. GORMAN,
Secretary-Treasurer.

Mr. WATTS. Mr. Chairman, I yield such time as she may desire to the gentlewoman from Minnesota [Mrs. KNUTSON].

Mrs. KNUTSON. Mr. Chairman, the legislation we are considering today will have a direct effect on virtually every household in America.

Our action today on compulsory poultry inspection, will decide whether housewives can go into the market with almost complete assurance that the poultry they buy is good and healthful for their families.

I have heard a number of the gentlemen here say that compulsory poultry inspection legislation is long overdue. Let me assure them that to the housewife this is a great understatement. The homemaker has believed—and many still do—that all poultry is now inspected for wholesomeness and sanitation. She believed that this is a natural consequence of meat inspection.

I know that I was surprised and shocked when I discovered that only a fraction of our poultry is currently being inspected and that the processor had to request and pay for this program.

Congress must provide the homemaker with what she has long thought we had already given her—a protective inspection program, which will allow only wholesome, clean and unadulterated poultry to come to the market. The homemaker has a right to this protection.

Decades ago, most of us bought our poultry live from a farmer. We would see the bird before slaughter. We would clean and prepare it ourselves. We had no complete guaranty against disease, but we had some idea of the health of the bird. And we definitely knew that the poultry was sanitarily processed.

Today, with the labor-saving processing operations, we no longer have these safeguards. We buy our poultry in a grocery store or supermarket already processed, and perhaps even cut up into parts. We have no idea of its condition nor how it was processed.

The looks of the poultry offers us no indication of its quality, for the processor who wants to sell unfit birds—and there are fortunately few such processors—know tricks to fool the unsuspecting housewife. A diseased bird can be made to look as much like a tempting morsel as a wholesome bird.

The housewife now needs the protection of experts. Under a compulsory poultry inspection program, as provided in H. R. 6814, the Department of Agriculture will put trained inspectors in each processing plant whenever poultry is being slaughtered and prepared. He will inspect a flock, coop or batch of poultry before slaughter and each carcass after slaughter. He will make certain that processing plant, facilities, and operations are clean and will not lead to any adulteration.

That is the type of protection the housewife needs. That is the type of protection she must have.

Since discovering the absence of any compulsory poultry inspection, I have not bought any poultry which did not bear the stamp of the Department of Agriculture's voluntary inspection program. I look forward to the day soon when I do not have to search carefully for that stamp—the day when all poultry sold in interstate commerce and in major consuming areas will be federally inspected, in accordance with law.

I appeal to the members of the House of Representatives to make certain that that day will come on January 1, 1959. We can do this by approving H. R. 6814 today.

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Chairman, I have been working for more than 3 years for the enactment of a compulsory poultry inspection bill, and while the bill now before us is not the perfect bill—while it does not quite dot every "i" or cross every "t"—nevertheless I am happy to say that I can go along with it. If properly administered—if it is administered with the same spirit which motivates the Department of Agriculture in administering the Meat Inspection Act—then I am sure it will protect the consumer fully, and we can foresee an end to these constantly recurring incidents of widespread infection, outbreaks of disease and epidemics attributable to bad or diseased or unwholesome poultry.

Perhaps it may still come as a surprise to some Members to know that at the present time, there is no assurance that when you go into the stores to buy poultry you are not being sold diseased or unwholesome poultry. If the poultry bears a stamp on it which says it has been inspected for wholesomeness by the United States Department of Agriculture—and only about a fourth of all the poultry sold bears such a stamp—then you know it is all right. But the present program under which poultry is inspected is a voluntary one, and not effective enough.

At present, the processing plant can subscribe to this inspection program if it wants to—and if it is willing to pay the cost of having the inspectors sent in by the Federal Government. And if some of the poultry in an inspected plant does not pass inspection, then, it can be sold anyway—although of course without the Federal stamp on it. But it can still be sold. Furthermore, most poultry now being sold is not inspected at all.

Obviously, this does not protect the consumer. As a result, the American public—which each year buys more than 6 billion pounds of poultry—has been victimized by being sold a lot of diseased, filthy, contaminated, unwholesome, unfit poultry, processed under unspeakable conditions, and sent out in the channels of trade to poison the unwary purchaser.

It is time that we put a stop to such shameful practices. This bill, I believe, will do that.

It will require processors selling poultry in interstate commerce to have their poultry inspected and approved, just as every meat packingplant for the past 51 years, under the Meat Inspection Act, has had to have every carcass inspected and approved before it can be shipped in interstate commerce.

Furthermore—and this is not in the Meat Inspection Act but will apply only to poultry—in consumer centers, such as the major cities, all poultry coming into such an area, both interstate and intrastate, will have to be inspected and approved under this bill certain conditions. That is, if the locality asks to come under the program and if the Secretary of Agriculture finds that the intrastate poultry sales into that city have an effect on or burden interstate commerce. This is not a new provision of law as it involves the concept of interstate commerce, but it is new in connection with any form of meat inspection legislation.

I might add that this provision was inserted primarily at the request of processors engaged in interstate commerce, so as to prevent unfair competition in the major city markets from producers within the same States. As long as the consequence of this is to provide more protection for the consumer, I am quite willing to accept and support this idea.

Now let me explain how the need for this poultry legislation has arisen. One might ask why we suddenly need poultry inspection laws when we have managed to get along for 51 years since the passage of the Meat Inspection Act without having poultry included along with the red meats—beef, pork, lamb—under a compulsory inspection system.

There are two answers to that question. One is that until food technology and refrigeration engineering made possible freezing and nationwide distribution of poultry by big firms, you usually bought a chicken or turkey raised not far from where you lived, and sold by a farmer from his truck or sold by a neighborhood storekeeper whom you knew had a good reliable supplier from a nearby farm.

But in recent years, poultry has gone bigtime and big business. The small farmer is not a factor. As a matter of fact, under this bill, the farmer can still raise his chickens and take them to town and sell them directly to the housewife without having to worry about inspection. But when you buy his poultry you know where that chicken comes from.

But most poultry sold in this country comes from major producing centers, from big processors who buy up or own whole flocks, and who may take this poultry and cut it up, freeze it, and send it half way or all the way across the country. Much of the poultry sold in St. Louis comes from Georgia. Georgia poultry, incidentally, also goes to California.

I am not picking on Georgia. I use the illustration only for geographical explanation. If I buy a Georgia-produced chicken in my St. Louis neighborhood store, or one from Illinois or Pennsylvania or anywhere else; however, I think I have a right as a consumer to expect that it be completely wholesome and fit for use—and that no bad parts were removed to give the impression a sick bird was a healthy one.

I have a right as a consumer to expect that when I buy a frozen turkey, it not be full of water "needled" into it before freezing to make it weigh more.

I have a right as a consumer to expect that when I buy cut-up poultry, the parts not be the healthy-looking legs or wings of a diseased and infected bird.

That is what this bill is intended to accomplish. Also, since we have periodically had outbreaks of epidemics in uninspected poultry-processing plants, causing not only sickness and hardship to employees but in many cases actually causing substantial numbers of deaths, we need this legislation to help and protect the worker, too. And since the greatest proportion of digestive ailments traced to food in this country have been traced to bad poultry, and since the sale of poultry is certain to decline if the consumer cannot have faith in the product he is buying, then the poultry industry itself must also have legislation of this kind.

I think these facts have been brought home to the poultry industry within the past few years. I know, Mr. Chairman, that the overwhelming majority of the industry is zealously trying to provide the consumer with wholesome and clean poultry, but there is a small minority which attempts to profit at the expense of the consumer's health. It is because of these unscrupulous operators we need this legislation.

When I first began working on legislation on this subject in 1954, it was bitterly opposed by people in the poultry-processing field and by some farm groups. That is now changed. This bill, I believe, has no organized opposition from the industry. As a matter of fact, since it is a compromise intended to meet industry fears as well as consumer needs, it is not as strong as I would want to make it, but I think, as I said, it can be used effectively to do the main job which must be done—and that

is protect the public from being poisoned by diseased and unfit poultry products.

I believe the gentleman from Kentucky [Mr. WATTS], who is chairman of the subcommittee which handled this legislation, has done a truly outstanding job in bringing together diverse viewpoints on this legislation and bringing about agreement on a compromise which the poultry industry believes is fair and which those of us primarily concerned with the consumer's needs can also accept. I should emphasize most strongly that this is a compromise. If we can pass it in this form, then all points of view will be treated fairly.

But I must warn that if the consumer protections which we have insisted on in this compromise are weakened, then the compromise would be upset. There would be an obligation upon us then to move to make the bill stronger. For I must point out that while this bill will have the effect of increasing poultry sales—by bolstering consumer faith and confidence in the purity of the poultry sold in the stores—it is primarily a consumer-protection bill, not a poultry-merchandizing one.

The poultry-merchandizing objectives will be enhanced, I can assure you, by assuring the consumer he is getting good food whenever he buys poultry.

It is my feeling that the objectives of a good inspection system could be achieved most simply and directly merely by amending the 51-year-old Meat Inspection Act to include poultry. My bill, H. R. 12, a successor to H. R. 11800 which I introduced in the previous Congress, would have approached it in that manner. However, the subcommittee felt it would be important to achieving the support and agreement of the poultry-processing industry and the farm groups if there was separate legislation on poultry, making it thus unlikely that poultry inspection would be made a subordinate stepchild of the Meat Inspection Branch dealing with red meats.

In line with that feeling, I agreed to submit a second bill along those lines, H. R. 5398, and thus both my bills were before the subcommittee. As we know, H. R. 6814, which is now before us, is a compromise of the provisions of my bills and of suggestions made by the industry groups, and was introduced by Mr. WATTS at the conclusion of the hearings. It incorporates many of the provisions of H. R. 5398 as well as the overall objectives of H. R. 12.

I have asked the Library of Congress Legislative Reference Service to provide me with a detailed table listing the differences as between the three bills—H. R. 12, to amend the Meat Inspection Act, H. R. 5398, which represented an ideal consumer approach in separate poultry-inspection legislation, and H. R. 6814, the compromise bill containing industry as well as consumer proposals. I include this excellent table at this point, Mr. Chairman:

Provisions of 3 poultry inspection bills

H. R. 12 by Mrs. SULLIVAN	H. R. 5398 by Mrs. SULLIVAN	H. R. 6814 by Mr. WATTS
Sec. 1. Finding by Congress that poultry and poultry products are being marketed without adequate inspection to insure wholesomeness and that amendments are hereby made to the Meat Inspection Act and the Tariff Act of 1930 to give the Secretary of Agriculture power to regulate shipments which (1) are in interstate and foreign commerce, or (2) burden, obstruct, or affect interstate or foreign commerce. The Meat Inspection Law has never been considered to apply to purely intrastate transactions. The act of 1942 (56 Stat. 351) which extended the inspection on a voluntary basis, to establishments in intrastate commerce was repealed in 1947 (61 Stat. 449, sec. 1).	Sec. 1. Title: Poultry Products Inspection Act. Sec. 2. Legislative finding: Makes a finding as to (1) the large quantities of poultry products that are in interstate commerce, and (2) the great volumes of poultry products used within certain large centers of population which directly affect poultry and poultry products in interstate commerce. According to the Department of Agriculture, in their comment on previous bills, the application of the act to market areas was requested by the poultry processors whose products are largely in interstate commerce and who feel that compliance would put them in an adverse competitive position in large market areas represented by big cities. It is based on the regulatory technique used by the Secretary of Agriculture under sec. 8c of the Agricultural Marketing Act which was upheld by the Supreme Court in *United States* v. *Wrightwood Dairy* (1941), 315 U. S. 110.	Sec. 1. Title: Poultry Products Inspection Act. Sec. 2. Identical to sec. 2 in H. R. 5398.
	Sec. 3. Declaration of policy—Congress therefore provides in this act for inspection of poultry and poultry products in interstate commerce, and in designated cities and areas.	Sec. 3. Same as in H. R. 5398.
Sec. 2. Proviso. Provides that the Secretary of Agriculture may regulate any shipments which directly burden, obstruct, or affect interstate and foreign commerce.	Sec. 4. Designation of inspection area. The procedure is as follows: (1) Application for regulation by the appropriate official or governing body of a city or area. (2) Public hearing by Secretary of Agriculture on whether regulation would effectuate provisions of act. (3) Order by Secretary placing city or area under regulation if the findings of fact at the hearing so warrant. (4) Designation goes into effect 6 months after publication in Federal Register.	Sec. 4. Designation: The procedure is as follows: (1) The Secretary is the motivating force. (2) A public hearing is conducted at his instance. (3) After the necessary finding of fact, he issues an order establishing regulation of the city or area. (4) Provided the city or area consents. This is equivalent to veto power. (5) The order establishing inspection goes into effect 6 months after publication in the Federal Register.
Sec. 2. The inspection process under H. R. 12 would be assimilated to the regulations governing meat inspection, or set up separately at the Secretary's discretion. The bill does require both ante mortem and post mortem inspection. In the regulations under the Meat Inspection Act (9 C. F. R. 21.1) the query on a suspicion of unwholesomeness is made "to the immediate superior." Does the word "appeal" in H. R. 5398 and H. R. 6814 permit the formulation of a less expeditious regulation?	Sec. 5. Inspection: The inspection process consists of— (1) compulsory ante mortem inspection whenever processing operations are being carried on, in such manner as is determined necessary. (2) post mortem inspection of the carcass of each bird processed. (3) Condemnation of all poultry, parts, or products found to be unwholesome, and unless an appeal is taken, destruction thereof. (4) Permission to appeal a condemnation, which appeal shall be paid for by the person making it, if it is found frivolous. (5) Compliance with proper sanitary regulations established under the act is required.	Sec. 5. Inspection: The inspection process consists of— (1) Discretionary ante mortem inspection, where and to the extent considered necessary. (2) Post mortem inspection provisions the same as in H. R. 5398. (3) Condemnation of all poultry, parts, or products found to be unwholesome, and, unless an appeal is taken, destruction thereof. Such carcasses, parts and products which may by reprocessing, be made not unwholesome and not adulterated, need not be so condemned and destroyed, if reprocessed under supervision of an inspector and thereafter found not to be unwholesome and not adulterated. (4) Compliance with proper sanitary standards under the act is required.
Sec. 7. Empowers the Secretary to establish regulations governing sanitary conditions.	Sec. 6. Sanitation, facilities, and practices: Grants authority to establish regulations effecting these.	Sec. 6. Sanitation, facilities, and practices: Same as H. R. 5398.
Sec. 16. The labeling provision governs the items inspected and passed. It does not refer to accompanying material, or false and misleading labels, other than those claiming an item has been "inspected and passed" which has not been. Violators are subject to criminal penalties only; not to injunction proceedings.	Sec. 7. Labeling: (1) Requires each "shipping" container of any inspected product to bear in legible form (a) official inspection mark (b) name of product (c) accurate weight, measure, or numerical count (d) name and address or approved plant number in which contents were processed. (2) Requires each "individual consumer" package to bear in legible form (a) name of product (b) statement of ingredients if made from 2 or more (c) net weight or other appropriate measure (d) name and address or approved plant number of establishment where contents were processed. However, the name and address of the distributor may be used if the approved plant number is employed also. (3) Prohibits false or misleading written, printed, or graphic matter; and the use of false or deceptive names for the products unless the Secretary finds such names	Sec. 7. Labeling: (1) Requires "shipping" containers to bear in legible form the official inspection mark and the approved plant number of the official establishment in which the products were processed. (2) Requires the "immediate" container to bear in legible form the same items of information as the "individual consumer" package under H. R. 5398. The provisions respecting name and address and plant numbers are not, however, in the alternative under H. R. 6814. (3) Provisions as to labeling are the same as under H. R. 5398.

Provisions of 3 poultry inspection bills—Continued

H. R. 12 by Mrs. SULLIVAN	H. R. 5398 by Mrs. SULLIVAN	H. R. 6814 by Mr. WATTS
	are legitimate trade names. The Secretary may require any label which is false or misleading in any particular to be modified. The person using the label may request a hearing; but use shall be withheld pending the hearing. Thereafter, if the finding is adverse to the use of the label, he may appeal to the United States circuit court of appeals in the circuit where he resides. Some factors under this section should be pointed out. Subsec. (a) has as its objective the proper identification of inspected poultry and poultry products and this is comparable to the labeling provision in the Meat Inspection Act (21 U. S. C. 75). Subsec. (b) in referring to "printed or graphic material" not only upon but also accompanying the inspected product, together with its prohibition against false and misleading labels borrows concepts from the misbranding provisions of the Food, Drug, and Cosmetic Act (21 U. S. C. 343) which is administered by the Department of Health, Education, and Welfare. The Meat Inspection Act subjects anyone violating its labeling provisions to criminal penalties. Under the Food, Drug and Cosmetic Act, items which have been misbranded are subject to seizure; the person (including firm) so doing is subject to injunction or criminal proceeding. As you may note, the libel for seizure has not been included in either of these bills.	
Sec. 9 and Sec. 10. Prohibit uninspected products, or improperly labeled products to be transported in interstate or foreign commerce.	Sec. 8. Prohibited Acts. There are 9 of these as follows: (1) Placing in interstate commerce or for sale, delivery, etc., of any poultry or poultry product unless it has been inspected and its container is properly marked. (2) Sale or other disposition for human food if any poultry or product thereof which has been found unwholesome or adulterated. (3) Forging or counterfeiting an official inspection mark. (4) Using a false or misleading label on any product. (5) The use of a container bearing an official inspection mark except for the products originally put in it. (6) Refusal to permit access to any authorized representative of the Secretary, at all reasonable times, to the premises of an establishment under this act engaged in processing poultry. (7) Refusal to permit access to and copying of records. (8) The use by any person, to his own advantage, of information acquired under this act. (9) Delivering, receiving, selling, etc., any poultry other than poultry under this act in commerce or a designated city or area.	Sec. 8. Prohibited Acts. Same as in H. R. 5398, except (9), below: (9) Contains a further clause permitting poultry to be transported between official establishments and to foreign countries subject to the regulations of the Secretary.
Sec. 8. H. R. 12 provides that inspections shall be made in the nighttime as well as the daytime, whenever slaughtering is being conducted at nighttime.	Sec. 9. Prohibits any establishment processing poultry or poultry products for commerce or for marketing in a designated city or area except in compliance with this act.	Sec. 9. Same as in H. R. 5398.
No comparable provision in H. R. 12	Sec. 10. Records of interstate shipment: Records coming under these provisions must be maintained for 2 years following each transaction, and be opened to the inspection of any duly authorized representative of the Secretary.	Sec. 10. Records of interstate transactions. Same as in H. R. 5398.
No comparable provision in H. R. 12	Sec. 11. Injunction proceedings: The district courts are empowered to issue injunctions both to enforce and to prevent and restrain violations under the act. The analogous provision in the Food, Drug, and Cosmetic Act allows only prohibitory injunctions to be brought (21 U. S. C. 332).	Sec. 11. Injunction proceedings. Same as in H. R. 5398.
Penalty for violation of the Meat Inspection Act, assimilated by H. R. 12 to poultry is conviction of a misdemeanor carrying a sentence of imprisonment for not more than 2 years and for a fine not exceeding $10,000.	Sec. 12. Penalties: Persons violating the provisions of this act shall be guilty of a misdemeanor. (1) For a 1st offense the penalty shall be imprisonment for 1 year and/or a fine of $5,000. (2) For a 2d offense, after a previous conviction has become final, the penalty shall be imprisonment for 2 years and/or a fine of $10,000. These bills do not carry penalty provision for those convicted of an attempt to defraud as does the Food, Drug and Cosmetics Act (21 U. S. C. 333 (b)). (b) Not carried in H. R. 5398.	Sec. 12. Penalties: Persons violating the provisions of this act shall be guilty of a misdemeanor. (1) For a 1st offense, the penalty shall be imprisonment for 6 months and/or a fine of not more than $3,000. (2) For a 2d offense, after a previous conviction has become final, the penalty shall be imprisonment for 1 year and/or a fine of not more than $5,000. (3) For any offense after the 2d, the penalty shall be imprisonment for not more than 2 years and/or a fine of not more than $10,000. (b) Carriers are not subject to the penalties of the act where their only act consisted of the carriage of poultry products. Carriers who violate the provision requiring records, whether or not with knowledge, shall be subject to the penalties of this section.
No comparable provision in H. R. 12.	Sec. 13. Requires a hearing before instigation of criminal proceedings, during which the defendant may state his side of the case, orally or in writing. The Secretary is authorized to overlook violations of this act. This provision is based on that in the Food, Drug and Cosmetic Act (21 U. S. C. 335). However, the penal provision of the bill (sec. 12), unlike the penal provision of the Food, Drug and Cosmetic Act does not explicitly note the defenses which could be raised (see 21 U. S. C. 333 (c)). The second sentence of this proviso is likewise based on a provision of the Food, Drug and Cosmetic Act (21 U. S. C. 336), but unlike that provision it does not limit to merely minor violations the Secretary's authority to overlook violations of the act.	Sec. 13. Similar to H. R. 5398.
Sec. 11. The Secretary of Agriculture is to appoint inspectors and make necessary regulations.	Sec. 14. The Secretary of Agriculture is empowered to establish necessary regulations.	Sec. 14. Same as in H. R. 5398.

Provisions of 3 poultry inspection bills—Continued

H. R. 12 by Mrs. SULLIVAN	H. R. 5398 by Mrs. SULLIVAN	H. R. 6814 by Mr. WATTS
Sec. 12. The Secretary of Agriculture may set volume limitations as the basis for exemption of certain poultry raisers, retail poultry butchers, and retail poultry dealers.	Sec. 15. Exemptions. 2 classes of persons are exempt: (1) Poultry producers raising their own poultry which they sell to household consumers only. (2) Retail dealers with respect to poultry products sold directly to consumers in individual retail stores.	Sec. 15. Exemptions. 4 classes of persons are exempt: (1) Same as in H. R. 5398. (2) Same as in H. R. 5398. (3) For such period of time as the Secretary determines would be necessary to so aid setting this Act into effect, those persons ordinarily subject to the act; but not beyond July 1, 1960. (4) Persons slaughtering, etc. poultry under religious dietary laws, to the extent the Secretary provides.
Sec. 12. Persons otherwise exempt are subject to imprisonment not in excess of 1 year and/or a fine not in excess of $1,000 for violations of the act.	Sec. 16. Violations by exempted persons: Persons otherwise exempt who sell, etc. unwholesome poultry products in commerce or in a designated area shall be subject to penalties of act.	Sec. 16. Violations by exempted persons: Here the element of scienter is required.
Sec. 15. The importation of diseased and unwholesome meats and poultry is prohibited.	Sec. 17. Imports: Prohibits imports of poultry, parts, or products thereof unless they are wholesome and comply with rules and regulations of the Secretary. Permits the Secretary to cooperate with other branches of the Government and State agencies.	Sec. 17. Imports: Same.
Sec. 14. Cost of inspection shall be borne by the United States except the cost of overtime.	Sec. 19. Cost of inspection. The Government is to bear the cost of inspection except for overtime.	Sec. 19. Cost of inspection. The Government is to bear the cost of inspection except for overtime and holiday work.
Sec. 13. Also includes this inspection under the permanent appropriation authority of the Meat Inspection Act.	Sec. 20. Authorizes necessary appropriations.	Sec. 20. Same as H. R. 5398.
No comparable provision in H. R. 12.	Sec. 21. Separability provision.	Sec. 21. Same as H. R. 5398.
No comparable provision in H. R. 12. Authority is implicit in the Secretary to make the necessary definitions in the regulations.	Sec. 22. Definitions. Generally similar to those in H. R. 6814, except that "inspection service" is definitely placed in the Agricultural Research Section of the Department of Agriculture.	Sec. 22. Definitions. Similar to H. R. 5398, except— (1) "Adulterated" is defined as not embracing any situation where the substance is not an added substance and is not present in such quantity as to be injurious to health. (2) "Inspector" specifically includes State employees authorized to make inspections by the Secretary of Agriculture.
Sec. 16. Effective date: 6 months after enactment.	Sec. 23. Effective date is set at July 1, 1958.	Sec. 23. Effective date: Jan. 1, 1959.

The record will show that H. R. 6814 allows discretion to the Secretary of Agriculture in the manner in which he will require inspection of poultry before slaughter, that is, ante mortem, and requires carcass-by-carcass inspection after slaughter.

If this legislation is administered with the same spirit with which the meat inspection law has been administered, we need have no fears as to its effectiveness in protecting us from diseased poultry.

Mr. Chairman, I do not want to take the time of the House for unnecessary further comment on this legislation. I think there is by now general understanding and agreement among the membership on the need for such legislation. The Senate has passed a somewhat similar bill, also a compromise, and if we enact this bill today, I am confident we can quickly reach agreement and send a final bill to the White House. It is urgent we have poultry inspection on a compulsory basis as soon as possible and practical.

I have, over a period of 3 years, invested a good bit of time and effort and research into this legislation, and some of it, I believe, would be useful in connection with the legislative history of the bill. However, rather than take the time of the House to go into it here, I intend to include for the RECORD, as part of and at the end of my remarks, a presentation I made in the House in June 1956, which included several public health studies on the transmissibility of disease from poultry to humans, the incidence of food poisoning from unfit poultry, and so on. This material also outlines the steps which I took toward the achievement of this goal of getting a good bill before the House.

Mr. Chairman, I shall consider it one of the proudest and most heartwarming occasions of my political career if this bill passes. While it does not bear my name, I like to feel that my efforts have had some substantial influence in the development of this bill, and I am grateful for the help I have received on it from so many of my colleagues.

Every Member on this House floor today can contribute everlastingly to the health and well-being and safety of the people in their districts by supporting this legislation.

The research material referred to above is as follows:

CLOSING THE LOOPHOLES IN THE MEAT INSPECTION LAWS TO PROTECT THE CONSUMER AGAINST DISEASED POULTRY—REMARKS BY CONGRESSWOMAN LEONOR K. SULLIVAN OF MISSOURI IN THE HOUSE OF REPRESENTATIVES, JUNE 18, 1956

The SPEAKER. Under the previous order of the House, the gentlewoman from Missouri [Mrs. SULLIVAN] is recognized for 30 minutes.

(Mrs. SULLIVAN asked and was given permission to revise and extend her remarks and include a report.)

Mrs. SULLIVAN. Mr. Speaker, I have asked for this time today in order to call to the attention of the House of Representatives a bill which I have just introduced this afternoon to close one of the most glaring loopholes in our pure-food laws.

It is a bill to require Federal inspection for wholesomeness of all poultry or poultry products in interstate commerce or which directly burden, obstruct, or affect interstate commerce.

My bill would accomplish this long-overdue reform by amending the Meat Inspection Act to include poultry and poultry products along with beef, pork, lamb, and the other red meats now covered by the terms of this law.

The bill states that Congress finds that poultry and poultry products are being marketed through the channels of interstate and foreign commerce without adequate inspection to protect the public against poultry and poultry products which are diseased, unsound, unhealthful, unwholesome, or otherwise unfit for human food.

OBJECTIVE: TO PROTECT THE PUBLIC

It further states as its objective: To protect the general consuming public, to protect the health of persons engaged in the processing and distribution of poultry and poultry products, to prevent the spread of disease through shipments in interstate and foreign commerce of unwholesome poultry and poultry products, and to promote the wider use of poultry through assurance to the consuming public of its wholesomeness and freedom from disease, thus assisting agriculture and the food-marketing industries in expanding their sales and augmenting their important contributions to our economic system, the following amendments are made to the Meat Inspection Act—34th United States Statutes at Large, page 1260, as amended—and the Tariff Act of 1930—46th United States Statutes at Large, page 689, section 306—giving the Secretary of Agriculture power to inspect, condemn, or regulate any shipments of poultry in interstate or foreign commerce, or any shipment thereof which directly burdens, obstructs, or affects interstate or foreign commerce in such commodity.

FIFTY YEARS OF MEAT INSPECTION

The Meat Inspection Act will be exactly 50 years old this month. During all of that time, we have had compulsory inspection for wholesomeness of all red meats shipped in interstate commerce. This law represented a great reform following the disclosures of the filth and complete lack of sanitation in the meat industry a half century ago. The law has worked fairly and well to protect the consumer. It has also been a great thing for the legitimate meat-packing industry.

The effectiveness of this program can be seen, Mr. Speaker, right in the bare figures and statistics of the Federal budget. We find on page 359 of the budget document for the coming fiscal year that in fiscal 1955, the year which ended last June 30, nearly 100 million meat animals were inspected by Federal meat inspectors, both before and after slaughter, to make sure the animals were healthy and the meat was wholesome. Out of this number, more than a quarter million carcasses were condemned as unfit for human consumption.

Just imagine how many illnesses those quarter million diseased or unfit steers, lambs, pigs, or other animals could have caused if the meat inspectors had not condemned the meat from them.

The budget shows that more than 16 billion pounds of processed meat and meat-food products were inspected by the Federal meat inspectors in that fiscal year, at a cost to the Federal Government of nearly $15 million that year. The estimate for meat-inspection work for the coming year is nearly $16 million, and it is money well spent—to protect our health.

NO COMPULSORY INSPECTION OF POULTRY

But while we have had compulsory inspection for wholesomeness of the red meats in interstate commerce, we have had no such requirement for poultry and poultry products. Consequently, we have been victimized as consumers many, many times by being sold poultry products which should have been condemned and destroyed. We have been defrauded by being sold products unfit for human food. We have been poisoned by the consumption of poultry products which carried disease. And, even more tragically, we have seen some employees in the poultry-processing industry die as a result of extremely serious disease transmitted to them by poultry which should have been detected as diseased before slaughter and thus never should have been brought in contact with the workers whose death they caused.

I have cited the consequences to consumers, to the general public, and to workers in the poultry-processing industry because we have not had adequate inspection of poultry and poultry products to insure that these foods are wholesome. Let me add an additional group which is being adversely affected—the poultry processors themselves and the food-distribution industry.

The spread of illness through sale of diseased poultry has caused many housewives to hesitate about buying poultry, particularly frozen poultry. A number of people in this line of business have told me that sales are adversely affected by the lack of confidence of many housewives in the wholesomeness of poultry products offered for sale. As they point out, this affects not only the fly-by-night or unscrupulous operator, but the legitimate concern as well. Firms which sell only the most wholesome commodities suffer from the lack of public confidence in the wholesomeness of poultry products generally.

IN BEST INTEREST OF PRODUCERS, TOO

So it is to the advantage of the consumer, then, the general public, the poultry processing plant worker, and to the poultry farmer and the poultry processor and the poultry distributor that we close this 50-year-old loophole in our meat-inspection laws and include poultry as well as the red meats under the terms of the Meat Inspection Act.

It may come as a shock to some Members, Mr. Speaker, to learn that the chicken or duck or turkey which you buy in the store could be shipped in interstate commerce without Federal inspection as to its wholesomeness—its purity—its fitness as human food. Do we not have laws to prohibit the sale in interstate commerce of food products unfit for human consumption? Of course we do.

We have the Food, Drug, and Cosmetic Act which prohibits the sale in interstate and foreign commerce of contaminated, unfit, filthy, adulterated foods. Since we have such a law on the books, we are inclined to sit back and be complacent in the belief that everything is nicely taken care of.

FOOD AND DRUG FUNDS INADEQUATE

As many of the Members know, I have been protesting ever since coming to Congress that we live in an atmosphere of false security about the purity of our foods, drugs, and cosmetics—despite a good law on the subject—because we treat the Food and Drug Administration like a stepchild. We starve out the agency responsible for protecting our own health against poisonous foods and drugs and cosmetics. It is a shortsighted and tragic thing.

The Food and Drug Administration hopes in this coming year—with the help of a very substantial increase in its appropriation—to expand back to the level of 1952 and have as many as 300 inspectors on its staff for food, drug, and cosmetic enforcement work.

It has been able to spare only about 7 or 10 men, at the outside, on a man-year basis, for poultry inspection. It has been able to send an inspector around to the various poultry processing plants engaged in interstate commerce about once every 3 or 4 years.

Yes; occasionally they do uncover a shipment of unfit, rotten poultry, which they then seize and remove from the channels of commerce. But this is hardly the kind of procedure which can assure the wholesomeness of the poultry we consume in this country.

Obviously, a visit every 3 or 4 years for a few hours by a food and drug inspector to a poultry-processing plant is not the answer.

PRESENT POULTRY INSPECTION ONLY PARTIAL PROGRAM

Well, then, do we not have Federal inspection of poultry by the Department of Agriculture? We do. Primarily such inspection was to protect the farmer and his poultry flock from diseased birds. It is illegal to ship diseased live poultry in interstate commerce and it is illegal to ship the carcasses of poultry which died from certain specified diseases.

But the loophole here is interesting. If the diseased birds suffering from such illnesses are slaughtered, the carcasses can be shipped, nonetheless, because they did not die of these specified diseases. Is that not, indeed, a ridiculous distinction?

The diseased poultry would not have been shipped live in violation of the act, nor would they actually have died of the disease from which they suffered.

Therefore, we cannot depend upon this particular statute to protect the consumer, or to protect the health of the poultry-processing plant worker, or to reassure the public as to the wholesomeness of the poultry they see offered in the stores.

Under the terms of another law, however, there is Federal inspection of poultry for wholesomeness. This is in the Agricultural Marketing Act of 1946, which provides for a voluntary inspection program, with the full cost of the service being paid for by the processors which use the service.

Hence, you can now find federally inspected poultry, certified as to its wholesomeness, in many stores today. When you see such poultry in the stores carrying the Department of Agriculture seal attesting that it has been inspected for wholesomeness, you can be sure this poultry is good—that it is wholesome. I am very pleased by the actions of so many food-merchandising companies in emphasizing in their advertising that they sell only United States inspected poultry, approved for wholesomeness. The customer should insist on this.

But, unfortunately, this voluntary program—which the processing industry must pay for—covers only a small proportion of our poultry supplies and is utterly inadequate in protecting the public.

Only about 25 percent of the Nation's poultry supply is inspected by the Federal Department of Agriculture for wholesomeness. The present Federal poultry inspection program, as I said, is purely voluntary on the part of the processors willing to participate under it, and willing to pay for the inspection service on a fee basis. That is why 75 percent of our poultry is not inspected by the Federal Government.

ILLNESS AND DEATH FROM DISEASED POULTRY

On the other hand, the Federal Government pays the full cost—now more than 15 million dollars a year—for inspection of the red meats for wholesomeness. When you stop to consider that we consume more than 6½ billion pounds of poultry a year, it is obvious there is a big gap in our machinery for protecting the consumer from unwholesome poultry products. We know that many diseases are transmitted from poultry to humans. We know that diseased poultry in the last few months in the Far West, and in the last few years in Texas and elsewhere has caused the death of a number of poultry processing workers and the serious illnesses of many workers—epidemics, for instance, of psittacosis. And we know that diseased, unfit poultry has caused an unusually high percentage of all food poisoning illnesses, particularly salmonellosis and gasteroenteritis.

I mentioned the Food and Drug Administration's efforts to combat this menace. Let me again point out that the Food and Drug Administration, with a total appropriation for all purposes of less than one-half of what we appropriate each year to the Federal Meat Inspection Service, cannot begin to do the job of protecting the public against all unsound, unhealthful, unwholesome poultry. There are 1,300 or more interstate poultry dressing, freezing, or canning establishments in the United States, and the Food and Drug Administration can visit them, as I said, only about once every 3 or 4 years.

Obviously, we need full-time inspectors to examine this poultry before it is killed—antemortem—and again after it is killed, exactly as it is done with the red meats.

MEATCUTTERS UNION HAS ALERTED PUBLIC

My attention first was called to this problem by the Amalgamated Meat Cutters and Butcher Workmen of North America, whose president, Mr. Earl W. Jimerson, and secretary-treasurer, Patrick E. Gorman, along with other officers and members, have been deeply concerned by the danger to the health of their fellow members from diseased poultry. Members of this union have sickened and, in some cases, died, from handling diseased poultry. Others have been made violently nauseous by the conditions in some of the plants, and by the unfit products—filthy products—they have had to process.

Two years ago, on June 15, 1954, after officials of this union called some of these matters to my attention in connection with my efforts to obtain higher appropriations for the Food and Drug Administration, I directed an inquiry to Mr. Charles W. Crawford, then Commissioner of the Food and Drug Administration, asking what was being done to overcome the menace to public health of diseased poultry being shipped in interstate commerce, and also asking of any instances known to his agency of the transmission of disease from poultry to humans. I received a most interesting answer from him on June 23, 1954. Subsequently, on July 26, 1954, I called this material to the attention of the House in the following statement in the CONGRESSIONAL RECORD:

"DISEASED AND 'NEEDLED' POULTRY ENDANGER AND CHEAT THE PUBLIC, AND OTHER RACKETS FLOURISH IN FOODS, DRUGS, AND COSMETICS, AS FOOD AND DRUG ADMINISTRATION APPROPRIATION AGAIN IS CUT

"(Extension of remarks of Hon. LEONOR K. SULLIVAN, of Missouri, in the House of Representatives, Monday, July 26, 1954)

"Mrs. SULLIVAN. Mr. Speaker, I hope that many Members of the Congress, and also officials of the administration, particularly those with policymaking responsibilities in

the field of health and welfare, read the excellent article in the Washington Evening Star on Wednesday, July 21, dealing with the Food and Drug Administration of the Department of Health, Education, and Welfare. The article was entitled 'Food and Drug Watchdogs Face Work With Less Funds.'

"I have tried during my tenure in the Congress to keep abreast of the work of the Food and Drug Administration and to do what I can to assure it adequate authority to do the work we expect of it, and also adequate funds. Last year, as a result of the Supreme Court decision, a loophole was disclosed in the basic authority of the Food and Drug Administration which prohibited inspectors of the agency to gain admission to factories preparing food, drug, or cosmetics preparations, except on the invitation of the operators of those factories. We succeeded in closing that loophole in the legislation. It was a great victory for the consumer, for it restored the right of our Government to inspect the conditions under which these products are prepared and processed, and to act against insanitary conditions threatening the health of the public.

"The fact remains, however, that the Food and Drug Administration has not been getting adequate funds to enable it to make the number of inspections it should make each year in preventing products which are dangerous to health, or which are fraudulently packaged, from getting into interstate commerce. The administration this year asked for only $5,200,000 for the appropriation of the Food and Drug Administration, as against the $5,600,000 appropriated under the Truman administration. The Congress then cut the administration's request by another $100,000, leaving the Food and Drug Administration only $5,100,000. That means a cut in the staff of this very essential Government agency by about 11 percent since 1952. Considering the work which the Food and Drug Administration does for all the people of the United States by seeking to eliminate poisoned, or adulterated, or mislabeled foods, drugs, and cosmetics from being sold to the public, I think this was one of the most shortsighted cuts ever made in an appropriation.

"The diseased poultry situation

"The work of the Food and Drug Administration has come in for renewed attention in recent months as a result of disclosures dealing with the sale in interstate commerce of diseased poulty and of frozen poultry which has been fraudulently weighted with water prior to freezing. Estimates on the extent of this dangerous and immoral racket have varied, but all the facts indicate that it has been an extensive problem. With its cut in funds in both last year's appropriation and this year's, the Food and Drug Administration has had to cut its enforcement work in this field by about 30 percent.

"Following disclosures of this diseased poultry racket, I wrote last month to Mr. Charles W. Crawford, Commissioner, of the Food and Drug Administration, asking for full information on the work of the FDA to protect the consumer against the sale of this diseased poultry, the time devoted to this work, the number of poultry processors in the country doing interstate business, the frequency with which they are inspected, etc. I also asked for any information he might have indicating transmission of diseases to humans as a result of the processing or consumption of diseased poultry. His reply, I believe, will be of extreme interest to every Member of the Congress concerned about protecting the health of the people of the United States and protecting them against fraud.

"With the unanimous consent of the House, Mr. Speaker, I include as part of my remarks the article Food and Drug Watchdogs Face Work With Less Funds, from the Washington Evening Star of July 21, and also an exchange of correspondence between myself and Commissioner Crawford, of the Food and Drug Administration, as follows:

"[From the Washington Star of July 21, 1954]

" 'FOOD AND DRUG WATCHDOGS FACE WORK WITH LESS FUNDS

" 'Housewives might do well to provide themselves with scales to check the weight of packages of food they buy.

" 'They would thus be taking over part of the work of the Food and Drug Administration. But that agency, its budget cut and its staff reduced, has assigned a low priority to the checking of the net weight of packaged food against the statement of weight on the label.

" 'Wallace F. Janssen, assistant to the Commissioner of the Food and Drug Administration, said he does not believe the housewife would find many packages not full weight. But it would provide a check the administration is not able to make.

" 'The budget of the agency has been trimmed steadily in the last 4 years. For fiscal 1952 Congress appropriated $5.64 million. The next year the appropriation was $5.6 million. Last year it was $5.2 million, and for this fiscal year, 1955, it is $5.1 million.

" 'Eleven percent cut since 1952

" 'The estimated number of the staff for this year is 815, an 11-percent reduction since 1952. That number includes laboratory scientists, administrators, clerical workers, and, finally, the frontline troops, the inspectors.

" 'There were only 230 inspectors in 1950, Last year the number was 195. These figures leave out about 170 persons employed in testing certain products as they are produced, with the manufacturer paying the salaries through fees.

" 'The head of the Food and Drug Administration is Charles W. Crawford, a career man with 37 years' experience. He has applied for retirement.

" 'The staff cuts have led the Agency to the conclusion that it is more important to direct its efforts toward activities that protect health rather than those that protect the pocketbook. Therefore, it has assigned lower priorities on checking weights of packaged goods, checking the contents of cans and packages to make sure their composition is what the label says, and proceeding against those who make extravagant claims for products unless danger to health is involved.

" 'Occasional cases on these grounds are made, it is true, but usually they are incidental to other activities.

" 'The Agency admits frankly it would take 200 inspectors 12½ years to make inspections of each of the 96,000 food and drug company plants and warehouses. Last year 8,650 plants and warehouses were inspected.

" 'Lacks followup facilities

" 'While the Agency is alert to cases in which public health is involved, it says it lacks the facilities to keep up with the testing of new products and materials which are being developed in increasing numbers. It cannot make followup investigations of the safety of new drugs after they are placed on the market. Important cases involving serious frauds have been delayed by a lack of medical and legal manpower.

" 'The Agency does continue to seize contaminated and spoiled foods in large amounts. It goes after medical devices and products which make false claims. It prosecutes druggists who sell barbiturates and other prescription drugs without a physician's prescription.

" 'After coffee prices went up the Agency decided it should check attempts by unethical dealers to take advantage of the higher prices. It seized a number of consignments of coffee.

" 'It was learned that chickpeas, imported for canning, had become infested with insects. The chickpeas were diverted to coffee roasters. Coffee shipped by some firms were found to contain, in addition to the chickpeas, spent coffee grounds, barley, chicory, and soybeans.

" 'Frozen food adds work

" 'The expanding market for frozen foods has added to the Administration's work. One plant producing frozen turkeys was found to operate with a water hose having a hypodermic needle as a nozzle. Water was injected into the turkeys before they were frozen.

" 'When one turkey was thawed 2 pounds of water seeped out. It was part of a lot of turkeys weighing 50,000 pounds. Taking the average weight of a turkey at 15 pounds, allowing for 1 pound of water per bird and taking the price at 75 cents a pound, the buyers were thus paying $2,500 for 3,300 pounds of water.

" 'May be political appointee

" 'With the retirement of Mr. Crawford pending, the agency has this question:

" 'Will the new administrator be a professional man, perhaps trained in the agency, or a person from some other category whose appointment is cleared with the Republican National Committee?

" 'When the Eisenhower administration directed that Government policymaking jobs be listed and that they be taken from under civil-service coverage, various trade associations in the food and drugs fields urged that politics be kept out of the Food and Drug Administration. Mr. Crawford was not replaced.

" 'With the prospect of his retirement the requests are being repeated. Carlos E. Campbell, secretary of the National Canners Association, said his organization has urged that the appointment be kept in the professional category. Other organizations have done the same.' "

JUNE 15, 1954.

Mr. CHARLES W. CRAWFORD,
Commissioner, Food and Drug Administration, Department of Health, Education, and Welfare, Washington, D. C.

DEAR MR. CRAWFORD: In view of the recent publicity given the sale of diseased poultry and the action of the AFL Meatcutters Union to try to bring about legislation to protect the American consumer against this menace, I would appreciate your sending me a statement on what the FDA is doing and intends to do to correct this situation. I would specifically like to have answers to the following questions, as well as any other information you can properly send me in connection with this problem.

What does the FDA do to protect the consumer against the sale of diseased poultry?

How much time is devoted to the inspection of that one particular item?

Are there any diseases of poultry that can be transmitted to humans through the consumption of diseased poultry being put up for sale?

If so, do you know of any instances where diseases of poultry have been transmitted to humans?

Do you know how many poultry processors there are in the country that do interstate business?

How often does the FDA inspect them?

I would appreciate it if you would send me your reply to these questions in quadruplicate.

Sincerely yours,

Mrs. JOHN B. (LEONOR) SULLIVAN,
Member of Congress.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
FOOD AND DRUG ADMINISTRATION,
Washington, D. C., June 23, 1954.

Hon. LEONOR SULLIVAN,
House of Representatives.

DEAR MRS. SULLIVAN: We have your letter of June 15 in which you ask several questions concerning our enforcement program on diseased poultry. We are answering your questions in the order in which you have asked them.

Under the Federal Food, Drug, and Cosmetic Act, a food is deemed to be adulterated if it is the product of a diseased animal or of an animal which died otherwise than by slaughter. This section of the act takes into account the basic objections of the consumer to the diseased product, whether or not actual danger to health can be demonstrated.

We have a carefully planned enforcement program under this section of the law, which includes inspection of poultry dressing and eviscerating plants and of other poultry processors, and sampling surveys in consumer markets to find diseased or otherwise unfit poultry. Under this program for fiscal 1953 and the first 11 months of fiscal 1954, we approved 106 seizure actions for the removal of unfit birds from the market, of which 64 actions included charges that the article was in whole or in part the product of a diseased animal. During the same period we also approved 33 criminal actions, 22 of which involved diseased poultry.

During fiscal 1953 we devoted 10 man-years to the poultry project, of which the work on diseased poultry is a part, along with work on filthy, decomposed or otherwise unfit poultry and poultry which has been "needed" or otherwise fraudulently watered to increase its weight. During fiscal 1954 this work has necessarily been reduced. We estimate, based on reports for the first 3 quarters, that 7 man-years will have been expended this year on this project.

The question of whether poultry diseases may be transmitted to man through the sale of diseased poultry cannot be answered with assurance. It is well established that certain poultry diseases are transmissible to man. These would include, for instance, psittacosis (parrot fever) and Newcastle disease. However, outbreaks of these diseases, so far as we know, have occurred only among persons handling live poultry or working in poultry dressing establishments. We do not know of any instances in which it has been proved that a specific disease was contracted through the consumption or preparation in the kitchen of a diseased bird. On the other hand, the possibility cannot be ruled out.

Several outbreaks of psittacosis have occurred recently among workers in turkey processing plants in Texas. In cooperation with the Public Health Service of this Department we are currently investigating these outbreaks to determine whether diseased birds have been shipped in interstate commerce and the degree of hazard, if any, to the purchaser of such birds.

There is another group of diseases common to poultry and to man and apparently caused by the same disease organism in both, in which definite transmission has not been established. However, it is believed that poultry may at least serve as a reservoir of human infection by routes still unknown. Certain types of encephalitis and meningitis, pseudotuberculosis, and pasturella infections are in this group.

In a closely related category are the food-poisoning illnesses—salmonellosis and gastroenteritis—which are attributed to poultry and poultry products or in which such products are suspected as the vehicle of infection. Poultry which are actively infected with salmonella or which are carriers of the organisms, though apparenly not diseased in the ordinary sense, undoubtedly are involved in many of these instances, and fecal contamination during processing may be a factor. For your further information on this phase of your inquiry, we are enclosing a mimeograph entitled "Poultry Diseases Transmissible to Man—Including Summary Report of Outbreaks," prepared by the Communicable Disease Center of the Public Health Service.

We estimate that there are approximately 1,300 interstate poultry dressing, freezing, or canning establishments in the United States. For the past 2 years we have made about 400 poultry-establishment inspections each year, of which we estimate that perhaps one-fourth represents reinspections of the same firms. Thus our program contemplates complete coverage of this industry about once every 3 or 4 years.

If we can be of further service, please do not hesitate to let us know.

Sincerely yours,

C. W. CRAWFORD,
Commissioner of Food and Drugs.

FULL REPORT ON TRANSMISSIBLE DISEASES

I did not, at that time, include in the RECORD the report which Mr. Crawford referred to—"Poultry Diseases Transmissible to Man Including Summary Report of Outbreaks"—but I believe it is relevant now in light of the bill which I have introduced and the goal I am trying to achieve. I therefore am including it today as part of my remarks, identified as exhibit A at the end of my discussion. It is rather long, and for that I apologize, but I do believe it is important enough to the legislative process—if we are to achieve the goal of assuring the wholesomeness of the poultry we buy and eat—to include it in the RECORD. I hope that Members will be able to find the time to read it and to note especially the many incidents of food poisoning in the 1951–52 period studied which were directly attributable to diseased poultry.

For 2 years, then, Mr. Speaker, I have been actively interested in this problem of diseased poultry, and finding a solution to it which would protect the consumer and the public generally. I think the bill which I have today introduced is the best approach which has yet been made to solving the problem.

I have mentioned the intense interest of the Amalgamated Meat Cutters Union in this whole field, and I am pleased to acknowledge their leadership in bringing the matter to public attention and in enlisting my help and the help of other Members of Congress in seeking a solution. Since the Amalgamated's proposed solution has been somewhat different from mine, although our objectives are identical, I think it only fair to point out the development of our respective legislative approaches.

CONGRESSIONAL INVESTIGATION SOUGHT

The meat cutters union at first sought to meet the increasing problem of diseased poultry in interstate commerce through the vehicle of a congressional investigation, and several bills were offered in the Congress calling for such investigations. Unfortunately, however, no action was taken on these bills last year in either House or Senate.

EXCELLENT ASSISTANCE FROM LIBRARY OF CONGRESS

Over the congressional recess, as I thought about this problem I turned to the Legislative Reference Service of the Library of Congress for some guidance and assistance on the best way to accomplish the goal of assuring the wholesomeness of poultry in interstate commerce. I want now to acknowledge the outstanding assistance I have received on this from Miss Margaret M. Conway, of the American Law Division, who in December submitted to me a comprehensive and truly excellent exposition of the legal aspects of the problem. Her report to me was as follows:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D. C., December 12, 1955.

To: Hon. LEONOR K. SULLIVAN.
(Attention: Mr. Holstein.)

From: American Law Division.

Subject: Suggestions as to legislation to require inspection of all poultry shipped in interstate commerce.

For your information, and to place the question in a proper perspective, we are reviewing here for you, first, the laws already on the books providing certain types of inspection of poultry, and also the meat inspection laws which require compulsory inspection of meat shipped in interstate commerce.

POULTRY INSPECTION

There are at present the following several laws in effect which permit agents of the Federal Government to inspect poultry. Each of them has certain limitations in its coverage which we point out below.

1. The act of February 7, 1928 (45 Stat. 49): This law included live poultry within the purview of several previous inspection acts administered by the Department of Agriculture. By it, live poultry was made subject to the provisions of the act of May 29, 1884, establishing the Bureau of Animal Industry (23 Stat. 31; 7 U. S. C. 391); of the act of February 2, 1903, enabling the Secretary of Agriculture to suppress and prevent the spread of contagious diseases among livestock (32 Stat. 791; 21 U. S. C. 111–121); and of the act of March 3, 1905, enabling the Secretary of Agriculture to maintain quarantine districts and regulate the movement of cattle and other livestock therefrom (33 Stat. 1264; 21 U. S. C. 123–130).

The regulations concerning poultry hereunder are incorporated in the Federal regulations concerning the interstate transportation of animals and poultry suffering from specified contagious diseases (9 C. F. R. 71.1 through 81.2. The sections concerning poultry are 9 C. F. R. 81.1 and 81.2). They prohibit the interstate transportation of "live chickens, turkeys, or geese affected with or directly exposed to the contagious disease known as European fowl pest or other similar contagious poultry disease, [or the] carcasses of such animals which have died from any such disease."

The regulatory power of the Secretary of Agriculture in this instance is compulsory (21 U. S. C. 111). The wording of the law states that he has power "to seize, quarantine, and dispose of any hay, straw, forage, or similar material, or any meats, hides, or other animal products coming from an infected foreign country * * * or from one State or Territory in the United States in transit to another." The regulation, in itself, however, is deficient, so far as the alleged practices of some of the modern poultry packers are concerned. Its wording is such that chickens, not yet dead but suffering from any of the prescribed diseases, could be slaughtered and packed within a State for interstate shipment. In such instances, the poultry would not be shipped live, nor would it actually have died from any such disease, so that the shipment of the carcasses would come under the prohibition.

2. The second act which provides for inspection of poultry is the Agricultural Marketing Act of 1946 (60 Stat. 1087; 67 Stat. 205; 7 U. S. C. 1622–1627). The aim of this act was to promote a scientific approach to marketing of agricultural products. In order to accomplish this, it was suggested that the various types of activity required, such as inspection, regulatory work, and other services, be done in cooperation with State

agencies and State departments of agriculture, and State bureaus and departments of markets.

The inspection and certification provision is contained in 7 U. S. C. 1622 (h):

"To inspect, certify, and identify the class, quality, quantity, and condition of agricultural products when shipped or received in interstate commerce, under such rules and regulations as the Secretary of Agriculture may prescribe, including assessment and collection of such fees as will be reasonable, and as nearly as may be to cover the cost of the service rendered, to the end that agricultural products may be marketed to the best advantage, that trading may be facilitated, and that consumers may be able to obtain the quality product which they desire, except that no person shall be required to use the service authorized by this subsection. Any official certificate issued under the authority of this subsection shall be received by all officers and all courts of the United States as prima facie evidence of the truth of the statements therein contained."

The regulations issued hereunder are contained in 7 C. F. R. 70.1 through 70.410. They make provision for three main inspection activities: (1) the grading of poultry; (2) the inspection of poultry; and (3) the inspection of sanitary standards. A certificate to be used in marketing the poultry is given showing the completion of one, or a combination, or all of the above services.

Without going into the regulations in detail, certain determinative statements therein are herewith pointed out.

(a) Definitions (7 C. F. R. 70.01):

"Grader" means any employee of the Department authorized by the Secretary, or any other individual to whom a license has been issued by the Secretary, to investigate and certify, in accordance with the regulations in this part, the class, quality, quantity, and condition of live poultry. By 7 C. F. R. 70.384, however, the grader is permitted to confine himself to the condition only, and the mark he then issues is a statement as to the sanitary standards of the handler, rather than a certification of the quality of the product.

"Inspector" means any graduate veterinarian or layman who is an employee of the USDA or of a State, who has been licensed by the Secretary of Agriculture to inspect (1) the condition and wholesomeness of dressed poultry; (2) the condition and wholesomeness of any edible product at any stage of the preparation of packaging thereof in the official plant where inspected and certified; (3) the condition and wholesomeness of any previously inspected and certified product which has not lost its identity; (4) the condition of dressed poultry. The comment on 7 C. F. R. 70.384, above, is also applicable here.

(b) Services performed (7 C. F. R. 70.3):

Grading and inspection services of the following types may be rendered: (1) grading of live poultry; (2) certification of dressed poultry produced under sanitary conditions in official plants; (3) grading of dressed poultry produced under sanitary coterminal markets and other receiving points; (4) inspecting of dressed poultry in official plants for processing as ready-to-cook poultry; (5) grading of ready-to-cook poultry, in an official plant, or at terminal markets and other receiving points; (6) inspection service in official canning plants.

Sanitary requirements are mandatory in official plants (7 C. F. R. 70.44). There is no similar regulation as to other places.

(c) Inspection (7 C. F. R. 70.151, 70.152, and 70.191):

The section outlining the Department of Agriculture inspection service states that ante mortem examination may be required by the Administrator. Both the Federal and the Federal-State cooperative services provide post mortem examination (9 C. F. R. 70.152, and 70.191).

(d) Fees and charges (7 C. F. R. 70.130):

Any person requesting grading or inspection service shall pay certain fees and charges; the fees for services by United States agents shall be payable to the Treasurer of the United States; and the fees for services performed under any cooperative agreement with a State shall be payable as provided for in the agreement.

(e) Marks placed on poultry (7 U. S. C. 70.380–70.384):

The facsimile marks contained in the regulations, and the accompanying explanatory material show that four types of markings are provided: (1) Grade mark (quality); (2) inspection mark (wholesomeness); (3) a combination of the above; (4) dressed poultry (graded and inspected for condition only—not for quality or wholesomeness).

3. Two laws which permit inspection of a very limited nature, and whose chief purpose is other than detection of diseased fowl or protection of the public health are:

(a) The Department of Agriculture Organic Act (58 Stat. 734, sec. 101 (b), amended and superseded by act of August 4, 1950 (64 Stat. 413). This made permanent an authorization carried in the appropriations acts of 1935 and subsequent, allowing the USDA to administer regulations for the voluntary program of improved poultry breeding, and incidentally to aid in eradicating a disease called pullorum. The regulations hereunder are contained in title 9, Code of Federal Regulations, section 145.1 through 145.30.

(b) The act of March 3, 1927 (44 Stat. 1355; 7 U. S. C. 491–497) which permitted inspection of poultry by the USDA on behalf of any person aggrieved by malicious dumping or destruction of his products by any handler in interstate commerce.

MEAT INSPECTION

Meat inspection is currently conducted under the authority of the Meat Inspection Acts, beginning with the temporary act of 1906, made permanent by the act of March 4, 1907 (34 Stat. 1260; 21 U. S. C. 71–91, 96) and the Imported Meat Act of June 17, 1930 (46 Stat. 689; 19 U. S. C. 1306). The regulations under these acts will be found in title 9, Code of Federal Regulations, section 1.1 through 28.1.

The three chief aspects of these laws are (1) the inspection extends only to cattle, sheep, swine, and goats, and meat and meat-food products made therefrom, (2) the inspection is mandatory except as to certain farmers and retailers under prescribed circumstances, and (3) the primary object of the inspection is to determine the wholesomeness of the meat for human consumption.

Paralleling the major provisions of the poultry-inspection service which we outlined above, the regulations for meat inspection provide the following:

(a) Definition (9 C. F. R. 1.1):

Limiting ourselves here to the qualifications for inspectors contained in the definitions, we find that inspectors and division employees are those "who are authorized by the director or chief of division to do any work or perform any duty in connection with meat inspection."

(b) Services performed (9 C. F. R. 9.1, 12.1, and 10.1):

Although an ante mortem examination by law is discretionary with the Secretary of Agriculture (21 U. S. C. 71), he has exercised his discretion to make it mandatory. (9 C. F. R. 9.1 and 12.1.) The post mortem examination is mandatory by law (21 U. S. C. 72) and also required by regulation. It must be conducted, except in emergencies, at the time of slaughter. (9 C. F. R. 10.1.)

(c) Inspection (9 C. F. R. 2.1 and 5.3):

In section 2.1 of the regulation, it is stated that "every establishment" in which cattle, sheep, swine, or goats are slaughtered, or their products processed, is subject to mandatory inspection. Further, as a concomitant of such inspection, section 5.3 requires that inspection "shall not be begun if the establishment is not in a sanitary condition." Part 8 of the regulations, i. e., section 8.1 through 8.15 govern standards of sanitation required.

(d) Fees and charges: None.

(e) Markings (9 C. F. R. 1.1):

(1) "Inspected and passed" or "U. S. inspected and passed" or "U. S. inspected and passed by USDA." This shall mean that at the time they were inspected, passed, and so marked, they were found to be sound, healthful, wholesome, and fit for human food.

(2) "U. S. passed for cooking." These have been passed on condition they be cooked, rendered, etc., before used for human consumption.

(3) "U. S. passed for refrigeration." These must be refrigerated, or handled as required in section 11.1 through 11.34, governing carcasses of animals suffering from specified diseases.

(4) "U. S. inspected and condemned," found unwholesome, and must be disposed of; "U. S. retained," there is some doubt and the carcass or meat product is held for further examination; "U. S. suspect," also held for further examination; and "U. S. condemned" where the live animal is found in a dying condition from a disease that would cause condemnation of its carcass.

An inspection service similar to that conducted with respect to poultry is also conducted with respect to meat under the authority of the Agricultural Marketing Act of 1946 (60 Stat. 1087; 67 Stat. 205; 7 U. S. C. 1622–1627). It provides grading service, for a fee, at any designated market or location. However, it states that products to be eligible for grading service must be prepared under Federal inspection (that is under the Meat Inspection Acts, above) or under other official inspection services. It also contains regulations governing this inspection, including a requirement of both ante mortem and post mortem inspection of each animal (7 C. F. R. 53.3). If the grading service is withdrawn, public notice must be given of the withdrawal (7 C. F. R. 53.5). This is the service which results in markings on meat and meat products of "prime," "choice," "commercial," etc.

SUGGESTIONS FOR DRAFT OF BILL

There are certain considerations which must be paramount in order to accomplish the objective of an effective inspection of poultry being shipped and marketed in interstate commerce. Among these we would suggest: (1) that the bill put inspection for wholesomeness on a mandatory basis, ahead of all other types of inspection service; (2) that the bill obviate the deficiency in the regulations under the act of February 7, 1928 (noted above) respecting ill fowl being slaughtered and then shipped in interstate commerce; (3) if possible, the continued operation of the grade classification services under the Agricultural Marketing Act of 1946 should not be unduly hampered; (4) such mandatory poultry inspection service should be able to be effectuated in the most expeditious manner possible; and (5) the bill should contain adequate penalty provisions to enforce the law.

Under point (4) above, there are two things we have not gone into: first, an estimate of the cost of a mandatory inspection service, and secondly, the marketing pattern for live and/or dismembered poultry. The appropriation for the present meat inspection service for fiscal 1956 was $14,325,000 (Public Law 40, 84th Cong.). The size and cost of an increased inspection force will undoubtedly depend on the marketing pattern. At present, live poultry dealers and handlers are licensed under the Packers and Stockyards

Act (7 U. S. C. 218), but this regulation extends chiefly to financial responsibility. It is indicative, however, of the market pattern.

The only two previous bills which we have been able to find were introduced in 1929 and 1930 respectively. They are S. 5376 of the 70th Congress, and S. 5371 of the 71st Congress.

S. 5376 of the 70th Congress was based upon provisions of the Meat Inspection Act. The bill, in our opinion, is deficient in the following respects:

(a) All the material after the first semicolon in Twenty-first United States Code, at page 71, dealing with separate slaughter of suspected animals (it would be poultry in the bill) is omitted.

(b) The language of the bill with respect to both the ante mortem and post mortem inspection is a permissive "may cause to be made." In the law (21 U. S. C. 72), the post mortem inspection is mandatory.

(c) The following several provisions of the Meat Inspection Act are not included (21 U. S. C. 73, 74, 75).

(d) Section 5 of the bill, which, of course, is dated 1929, completely exempts retailers and farmers from inspection. The Meat Inspection Act, on the other hand, was modified by the act of June 29, 1938 (52 Stat. 1235), to provide a limited supervision over farmers and retailers, plus a penalty provision for transporting unwholesome meat (poultry) in interstate commerce by either of these.

S. 5371, 71st Congress, would provide a mandatory inspection service for drawn poultry and on through all the other processing stages. This bill makes mandatory an inspection service starting with a post mortem inspection and following through all the other stages of preparation and handling under regulations of the Secretary of Agriculture. The principal defect of the bill is that it limits inspection of chicken and turkey.

We would suggest as the simplest and most effective method of accomplishing the objective of a mandatory inspection of poultry would be to make necessary changes in the Meat Inspection Act (34 Stat. 1260). This act itself is not divided into sections. For your convenience, the examples given are based on the section distribution in the code.

(a) Where the present phrase reads "meat and meat products", change it to "meat and poultry, and meat and poultry products" or "meat and poultry, and meat products and poultry products" (21 U. S. C. 71).

(b) Where the present phrase reads "cattle, sheep, swine, and goats", change it to "cattle, sheep, swine, goats, and poultry" (21 U. S. C. 71).

(c) Where the present phrase reads "any slaughtering, meat canning, salting, packing, rendering, or similar establishment", add the term "dismembering" or some other comprehensive term that would cover the ready-to-cook processors in the poultry industry (21 U. S. C. 72).

We would also suggest that in 21 U. S. C. 71 the phrase the "Secretary of Agriculture, at his discretion, may cause to be made" be changed to the "Secretary of Agriculture shall cause to be made" and thereby give him legislative support for the regulation he has already promulgated relating to mandatory ante mortem inspection of animals subject to inspection under the act. This, together with the fact that all the phraseology after the semicolon of that section would be applicable to poultry suspected of disease, should obviate the deficiencies under the current regulations. Since a parallel grade classification of meat is carried on at the same time as the mandatory meat inspection, the suggested amendment of the act to include poultry should not hinder the continuance of the grading service under the Agricultural Marketing Act of 1946. The Meat Inspection Act contains penalties which would then become applicable to poultry handlers and dealers. We also call your attention to the fact that the above-suggested changes in terminology are also applicable to the act of June 29, 1938 (52 Stat. 1235; 21 U. S. C. 91), governing sale of products by farmers and retailers.

MARGARET M. CONWAY,
American Law Division.

DECEMBER 15, 1955.

Subsequently, Mr. Speaker, I turned this report over to the House Legislative Council for actual drafting of a bill to carry out the suggestions made by Miss Conway and the American Law Division. The first draft of the bill which I received back was as follows:

"FIRST DRAFT OF THE BILL

"A bill to amend the Meat Inspection Act to provide for the inspection of poultry to be shipped in interstate or foreign commerce

"*Be it enacted, etc.*, That the portion of the act entitled 'An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908,' which appears after 'For meat inspection.' under the heading 'Bureau of Animal Industry' (21 U. S. C., sec. 71–93), is amended—

"(1) by striking out 'cattle, sheep, swine,' or 'cattle, swine, sheep,' each time either appears therein and inserting in lieu thereof 'cattle, poultry, sheep, swine,';

"(2) by striking out 'cattle, calves, sheep, lambs,' each time it appears therein and inserting in lieu thereof 'cattle, poultry, calves, sheep, lambs,';

"(3) by inserting 'or poultry' after 'animals' each time it appears therein;

"(4) by inserting 'dismembering', after 'rendering,' each time it appears therein;

"(5) by striking out of the first paragraph 'the Secretary of Agriculture, at his discretion, may cause to be made' and inserting in lieu thereof 'the Secretary of Agriculture shall cause to be made'; and

"(6) by inserting 'poultry' after 'beef' in the 15th paragraph thereof, beginning 'And no clearance shall be given'.

"SEC. 2. The amendments made by this act shall take effect ——— days after the date of its enactment."

AMALGAMATED PROPOSES INSPECTION BY FOOD AND DRUG ADMINISTRATION

Meanwhile, the top leadership of the meatcutters union was also working on the drafting of legislation, and came forward with bills which provided for compulsory poultry inspection by the Food and Drug Administration. When a draft of this legislation was brought to my attention, it was my view that it would be better to lodge this assignment with the Meat Inspection Branch of the Department of Agriculture because I knew the Food and Drug Administration is and has been terribly undermanned and is and has been unable to obtain sufficient funds to do the tremendous job we have already placed upon its shoulders.

As a result of this difference of opinion on the best way to proceed, I agreed to hold off on the introduction of my bill in order to give the union officials an opportunity to obtain legislative action on the bill which they had prepared and sponsored. The important thing, of course, is to get legislation enacted.

In recent weeks, the Food and Drug Administration has definitely gone on record against being given the powers to administer a compulsory poultry inspection law. The Department of Agriculture, meanwhile, has gone on record as promising effective administration of a compulsory poultry inspection law if one were to be enacted putting this responsibility on the Department of Agriculture.

I have consequently introduced my bill after very substantial changes and elaboration from the first draft provided me by the legislative counsel. Although I am not a lawyer, it seemed to me the first draft did not cover the ground completely.

The bill which I introduced today is as follows:

"H. R. 11800

"A bill to amend the Meat Inspection Act (34 Stat. 1260, as amended) and the Tariff Act of 1930 (46 Stat. 689, sec. 306) to require compulsory inspection for wholesomeness of poultry and poultry products

"*Be it enacted, etc.*, That the Congress of the United States finds that poultry and poultry products are being marketed through the channels of interstate and foreign commerce without adequate inspection to protect the public against poultry and poultry products which are diseased, unsound, unhealthful, unwholesome, or otherwise unfit for human food.

"To protect the general consuming public, to protect the health of persons engaged in the processing and distribution of poultry and poultry products, to prevent the spread of disease through shipments in interstate and foreign commerce of unwholesome poultry and poultry products, and to promote the wider use of poultry through assurance to the consuming public of its wholesomeness and freedom from disease, thus assisting agriculture and the food marketing industries in expanding their sales and augmenting their important contributions to our economic system, the following amendments are made to the Meat Inspection Act (34 Stat. 1260, as amended) and the Tariff Act of 1930 (43 Stat. 689, sec. 306) giving the Secretary of Agriculture power to inspect, condemn, or regulate any shipments of poultry in interstate or foreign commerce, or any shipment thereof which directly burdens, obstructs, or affects interstate or foreign commerce in such commodity.

"SEC. 2. The first paragraph of the act of March 4, 1907 (34 Stat. 1260; U. S. C. 71) authorizing inspection of cattle, sheep, swine, and goats before slaughter is amended to require such ante mortem inspection of cattle, sheep, swine, goats, and poultry, as follows:

"(a) by striking out the phrase 'meat or meat products' and inserting 'meat or poultry, and meat or poultry products';

"(b) by striking out the words 'at his discretion may' following the words 'Secretary of Agriculture' and inserting the word 'shall';

"(c) by striking out the phrase 'cattle, sheep, swine, and goats' wherever it appears, and inserting 'cattle, sheep, swine, goats, and poultry';

"(d) by adding to the phrase 'any slaughtering, packing, meat-canning, rendering, or similar establishment', the words 'or poultry processing plant';

"(e) By striking out the phrase 'the meat and meat food products thereof are to be used in interstate or foreign commerce' and inserting 'the meat or poultry or poultry pieces, and meat or poultry food products thereof are to be used in interstate and foreign commerce';

"(f) by adding at the end of said paragraph '*Provided*, That at his discretion the Secretary of Agriculture may also regulate any shipments of poultry or poultry products which directly burden, obstruct, or affect interstate or foreign commerce.'

"SEC. 3. The second paragraph of the act of March 4, 1907 (34 Stat. 1260; 21 U. S. C. 72) dealing with post mortem inspection of carcasses, labeling and marketing, destruction of condemned carcasses and reinspection, is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' wherever it appears, and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) by adding to the phrase 'any slaughtering, meat-canning, salting, packing,

rendering, or similar establishment', the words 'or poultry processing plant';

"(c) by adding after the words 'and carcasses and parts thereof of all such animals', wherever they appear, the words 'or poultry';

"(d) by adding 'or poultry processing plant' after the words 'any such establishment' and 'any establishment' in the clauses dealing with removal of inspectors from establishments failing to comply with requirements hereunder.

"SEC. 4. The third paragraph of the act of March 4, 1907 (34 Stat. 1261; 21 U. S. C. 73) dealing with the examination of carcasses brought into slaughtering or processing establishments, and meat-food products issued from and returned thereto, is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) by striking out the phrase 'meat or meat products' and inserting 'meat or poultry, or meat or poultry products';

"(c) by adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, the words 'or poultry processing plants';

"(d) by striking out the phrase 'treated and prepared for meat food products' and inserting 'treated and prepared for meat or poultry food products.'

"SEC. 5. The fourth paragraph of the act of March 4, 1907 (34 Stat. 1261; 21 U. S. C. 74) dealing with the powers of meat inspectors in approving sound, healthful, and wholesome products and in condemning and causing the destruction of unsound, unhealthful, and unwholesome products, is amended:

"(a) by striking out the phrase 'meat food products' wherever it appears and inserting 'meat or poultry food products';

"(b) by adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment' the words 'or poultry processing plant';

"(c) by striking out the phrase 'meat or meat food products' and inserting 'meat or poultry, or meat or poultry food products';

"(d) by striking out the phrase 'condemned meat food products' and inserting 'condemned meat or poultry food products.'

"SEC. 6. The fifth paragraph of the act of March 4, 1907 (34 Stat. 1261; 21 U. S. C. 75) dealing with labeling requirements, is amended:

"(a) by striking out the phrase 'meat or meat food products' in the four instances where it appears, and inserting 'meat or poultry, or meat or poultry food products.'

"SEC. 7. The sixth paragraph of the act of March 4, 1907 (34 Stat. 1262; 21 U. S. C. 76) governing sanitary inspection and regulation of the premises of slaughtering and packing establishments, and rejection of products of unsanitary establishments, is amended:

"(a) by adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment', the words 'or poultry processing plant';

"(b) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats and poultry';

"(c) by striking out the phrases 'meat and meat products' and 'meat or meat products' and inserting 'meat or poultry, or meat or poultry food products.'

"SEC. 8. The seventh paragraph of the act of March 4, 1907 (34 Stat. 1262; 21 U. S. C. 77) permitting inspections during the nighttime as well as during the daytime, when slaughtering is conducted during the nighttime, is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry.'

"SEC. 9. The eighth paragraph of the act of March 4, 1907 (34 Stat. 1262; 21 U. S. C. 78) dealing with transportation of carcasses, meat, or meat food products not properly inspected and marked, is amended:

"(a) by striking out the phrase 'meat or meat food products' and inserting 'meat or poultry, or meat or poultry food products';

"(b) by adding at the end of said paragraph '*Provided*, That nothing in this section shall preclude the Secretary of Agriculture from regulating shipments of poultry or poultry products which directly burden, obstruct, or affect interstate or foreign commerce.'

"SEC. 10. The 17th paragraph of the act of March 4, 1907 (34 Stat. 1264; 21 U. S. C. 87) dealing with transportation or sale of meat or meat food products not complying with the inspection laws, is amended:

"(a) by striking out the phrase 'meat or meat food products' wherever it appears, and inserting 'meat or poultry, or meat or poultry food products';

"(b) by adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment' the words 'or poultry processing plant.'

"SEC. 11. The 19th paragraph of the act of March 4, 1907 (34 Stat. 1264; 21 U. S. C. 89) dealing with the appointment, duties, and regulations governing inspectors, is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) by striking out the phrases 'meats and meat food products' and 'meat and meat food products' and inserting 'meat or poultry, or meat or poultry food products';

"(c) by striking out the words 'meat food products' wherever they appear and inserting 'meat or poultry food products.'

"SEC. 12. The 21st paragraph of the act of March 4, 1907, as amended (34 Stat. 1265, as amended by 52 Stat. 1235; 21 U. S. C. 91) exempting certain farmers, retail butchers and retail dealers from the inspection provisions of the Meat Inspection Act, is further amended by adding the following subsection thereto:

"(d) The Secretary of Agriculture is hereby authorized to establish the basis on which certain categories of poultry raisers, retail poultry butchers, and retail poultry dealers are exempted from the inspection requirements of this act: *Provided*, That these exemptions shall be based on maximum volume limitations which are fair and reasonable in relation to other exemptions in this section: *And provided further*, That such exempt poultry raisers, retail poultry butchers and retail poultry dealers shall be subject to the provisions of the second paragraph of subsection (c) above for violations of the requirements of this act.

"SEC. 13. The authorization included in the act of June 30, 1906 (34 Stat. 679, as amended by 48 Stat. 1225; 21 U. S. C. 95) is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) by striking out the phrase 'meat and meat food products' and inserting 'meat or poultry, and meat or poultry food products.'

"SEC. 14. The act of June 5, 1948 (62 Stat. 344; 21 U. S. C. 98) providing for payment of costs of the inspection service by the United States, is amended by striking out the phrase 'meat and meat food products' and inserting 'meat and poultry, and meat and poultry food products.'

"SEC. 15. Section 306 of the Tariff Act of 1930 (46 Stat. 689; 19 U. S. C. 1306) dealing with the importation of meat and meat products is amended:

"(a) by inserting the words 'or poultry' in subsection (b) thereof after the words 'meat' or 'meats' wherever they appear;

"(b) by striking out the phrase 'cattle, sheep, and other domestic ruminants, and swine' in subsection (c) thereof, and inserting 'cattle, sheep, and other domestic ruminants, poultry, and swine'; and in the same subsection (c) thereof, inserting after the word 'meats' the words 'or poultry.'

"SEC. 16. The compulsory poultry inspection provided for by this act shall commence on the first day of the sixth month after enactment hereof."

ANTE MORTEM INSPECTION MADE MANDATORY

It will be noted, Mr. Speaker, that my bill not only amends the Meat Inspection Act to include poultry and poultry products in the same way that cattle, sheep, swine, and goats are covered under that act, but that, in one particular, it also amends the act as it applies to those other meat animals. That is in section 2, which would make it mandatory to have ante mortem inspection not only of poultry but of the other animals as well.

The act presently says that the Secretary of Agriculture may at his discretion require such ante mortem inspection of cattle, sheep, swine, and goats. Actually, by regulation, he requires this type of examination before slaughter. In order to make it clear that it is the intent of Congress to require such ante mortem inspection of poultry, also, I have proposed in my bill this change in the basic statute to make ante mortem inspection mandatory for all of the meat varieties covered.

APPLICATION TO INTERSTATE SHIPMENTS

Another provision of my bill which involves more than merely including poultry along with beef, lamb, pork, and so on under the Meat Inspection Act, also contained in section 2 of my bill, would empower the Secretary of Agriculture to regulate certain shipments of poultry in intrastate commerce. These would be shipments which directly burden, obstruct, or affect interstate commerce.

The concept of including some intrastate as well as all interstate shipments of poultry under compulsory inspection laws has been suggested, as I understand it, by the poultry industry itself. The feeling on the part of some of the industry people, as it has been reported to me, is that where interstate and intrastate shipments are commingled in the same establishments, or where they directly compete in such way as to affect the interstate sales, that fairness requires all shipments be inspected.

While this raises legal issues I do not personally feel qualified to discuss, nevertheless I am informed by experts in the legal questions involved that the Supreme Court has upheld this concept as it applies to milk marketing and that it could, therefore, be applied to poultry. I have included this in my bill, because it is my understanding that there is widespread support within the poultry industry for compulsory inspection if it is fairly extended to all groups competing in the major market areas.

EXEMPTIONS

The Meat Inspection Act presently exempts farmers and certain categories of retail butchers and retail dealers, providing, of course, that they do not ship in interstate commerce products which are diseased or unfit in violation of the law. The exemptions for butchers and dealers are based on the number of animals or carcasses they ship per week. Having no means by which I could translate these standards into terms of chickens, ducks, or turkeys, for instance, I have instead provided that the Secretary of Agriculture should determine such exemption standards as they should apply to poultry raisers, butchers, or dealers. He would be expected to set standards which would be fair in relation to those now applying to butchers and dealers under the Meat Inspection Act.

PRIOR TO 1956, LAST SUCH BILL WAS IN 1930

The research material which I have received from the Library of Congress, and which I have inserted above, shows that up

to the time this memo was prepared for me in December, there had not been a bill introduced in the Congress dealing with this subject of compulsory inspection of poultry since 1930.

This year, we have seen the introduction of a number of bills, and I think all of us are pleased to see such interest in the serious problem of assuring wholesome poultry supplies.

My bill differs from the others in that it is the only one, I believe, which provides for compulsory inspection of poultry on exactly the same basis as we now inspect the other meats. The penalties are the same. The exemptions would be the same. The procedures would be exactly the same. The valuable enforcement history built up by the Meat Inspection Branch these past 50 years would now become available for the enforcement of poultry inspection. No elaborate new definitions, subject to endless litigation, would be necessary.

This has been the approach suggested to me by the research people in the American Law Division, and I think it is the best of the various approaches proposed to this important issue.

ADEQUATE APPROPRIATIONS WILL BE REQUIRED

Recently, a friend in St. Louis, Mr. August Gieseke, secretary-treasurer of the Meat Cutters Union Local 88, wrote to me on behalf of the local, urging my support for the bills which the international has sponsored on this subject. Our exchange of correspondence was as follows:

AMALGAMATED MEAT CUTTERS
AND BUTCHER WORKMEN
OF NORTH AMERICA,
AFL–CIO, LOCAL NO. 88,
St. Louis, Mo., March 9, 1956.

The Honorable Congresswoman Mrs. JOHN B. SULLIVAN,
House Office Building,
Washington, D. C.

DEAR MRS. SULLIVAN: Our union membership of 3,100 people, which consists of retail meatcutters and poultry workers who slaughter and dress poultry, are very much interested in bills H. R. 8599, H. R. 9006, and S. 3176, pertaining to Federal poultry inspection and industrial safety for poultry workers.

We are in a position to know firsthand that an inspection law is sadly needed to protect the consumer. Fowl is subject to tuberculosis and is also a disease carrier, same as any farm animal.

The consumer is not aware how dangerous it is to consume fowl which is not processed in a sanitary condition, especially diseased poultry.

We strongly urge you to support these bills for the public's protection.

Thanking you in advance for your favorable support, I am

Sincerely yours,

AUG. GIESEKE,
Secretary-Treasurer, Meat Cutters Union Local No. 88, AFL–CIO, St. Louis, Mo.

MARCH 14, 1956.

Mr. AUG. GIESEKE,
Secretary-Treasurer, Meat Cutters Union, Local 88, AFL–CIO, St. Louis, Mo.

DEAR MR. GIESEKE: I appreciated hearing from you in regard to the bills for the inspection of poultry, as urged by local 88 and also by the international officers of the Amalgamated Meat Cutters and Butcher Workmen. I am sure you know that this matter of diseased poultry being sold in interstate commerce is of very great concern to me as a Member of Congress interested in the consumer.

I have been in correspondence with the international officers of the Amalgamated on this question, and at their request I have held back on introducing a bill which I have had prepared. My bill would call for the inspection of poultry on exactly the same basis as beef and pork are inspected by the Department of Agriculture. However, the bills which the Amalgamated is sponsoring would place poultry inspection under the Food and Drug Administration.

We are in some disagreement as to the best basis for proceeding, but there is no disagreement between us as to the need for legislation. Because of the work the Amalgamated has done in bringing this matter to public attention, I am deferring to President Jimerson and the other officials of the Amalgamated on the question of strategy for the time being. So I am holding up on it for the time being, as I said.

Please be assured I will do everything I can to get legislation enacted for effective poultry inspection by the Federal Government. But even if we succeed in that, then there is the additional need for adequate appropriations. These are among my main objectives in Congress.

With kindest personal regards, I am,

Sincerely yours,

LEONOR K. (MRS. JOHN B.) SULLIVAN,
Member of Congress, Third District, Missouri.

As I pointed out to Mr. Gieseke, Mr. Speaker, our responsibility here is not only to enact laws which will require inspection of poultry for wholesomeness, but—wherever we put the authority or regardless of the type of bill we pass—we must make sure adequate funds are appropriated to carry on the work. That is where we have fallen down in the past in our handling of pure food and drug laws. We write laws providing for penalties for selling unsafe or unwholesome foods or drugs or cosmetics, but we have not given the Food and Drug Administration the money it needs to police these very excellent laws.

Mr. Speaker, in connection with the introduction today of my poultry inspection bill, H. R. 11800, and in connection with these remarks on the House floor, I have submitted some rather lengthy material for the CONGRESSIONAL RECORD. Normally, I do not like to load down the RECORD with extraneous material. In this instance, I think it serves a highly useful purpose in bringing together in one place the basic information available on this important issue. I am including one further document, as exhibit B following my remarks, in the form of a memorandum from the Amalgamated Meat Cutters Union going into the actual conditions under which poultry is now being marketed.

I have received and read a vast amount of material on this subject. Some of it has been so graphic, so shocking, that I have decided against using it here. But this memorandum is a calm and objective report which, I believe supplements the other document from the Public Health Service, and so I include them both. I hope, as I said, that the Members can find the time to read these reports. If so, I know we will act to stop this evil.

Mr. Speaker, Exhibit A: Poultry Diseases Transmissible to Man, is as follows:

"EXHIBIT A

"POULTRY DISEASES TRANSMISSIBLE TO MAN, INCLUDING SUMMARY REPORT OF OUTBREAKS

"(By Mildred M. Galton, bacteriologist, Communicable Disease Center, Public Health Service, Federal Security Agency, Atlanta, Ga., assigned to Bureau of Laboratories, Florida State Board of Health, Jacksonville, Fla., prepared for the Chief Veterinary, Public Health)

"The diseases of poultry to which man is also susceptible comprise a rather large group. In his excellent review Ingalls (1) lists 26 such diseases including those caused by bacteria viruses, fungi, and protozoa. It is apparent that some of these diseases constitute a considerable hazard to public health.

"In a more recent discussion of this subject, Brandly, C. A. B., (2) pointed out that interspecies infection cycles usually favor similar hosts, thus, a disease in animals generally would have a greater chance of thriving if transmitted to related species than to avian hosts. He emphasized, however, that this may not always be true and discussed the nature of the host-parasite relationship of certain diseases common to man and fowl. Earlier, these infections were discussed by Brandly, P. J., (3) from the standpoint of poultry inspection and public health. In the present report the current status as public health hazards of the following diseases common to man and fowl will be reviewed:

"Bacterial: Salmonellosis, paracolon infections, erysipelas, staphylococcosis, streptococcosis, tuberculosis, brucellosis, listeriosis, tularemia, pseudotuberculosis, and diphtheria.

"Viral: Equine encephalomyelitis, newcastle disease, psittacosis, and rabies.

"Fungal: Favus, thrush, and aspergillosis.

"Parasitic: Dermanyssus gallinae, Toxoplasmosis.

"Salmonellosis

"The role of fowl, swine, cattle, and many other animals as a source of outbreaks of salmonellosis in man has been established but only during the past decade has great emphasis been placed upon the public health significance of these reservoirs in the epidemiology of Salmonella infections. There have been numerous reports incriminating poultry or poultry products in outbreaks of the disease in man. The studies of Edwards, Bruner, and Moran (4) indicate that fowls are the largest single reservoir of Salmonella in this country. While S. pullorum and S. typhimurium are the most common types, these authors found a greater number of Salmonella types (60) in fowl than any other species except man. Of these at least 56 have been found in humans. As pointed out by Hinshaw and McNeil (5, 6) 'there may well be no truly avian nor truly human types; in fact such a description frequently means only priority in isolation.' They observed 7 cases of gastroenteritis among attendants on poultry farms caused by contact with acute outbreaks in poultry. Further evidence indicated the transmission of Salmonella to fowl by human carrier attendants on the ranch. All types are potentially pathogenic for man, animals, and fowls. In poultry as in man (8, 9) and other animals (4) Salmonella infection depends largely upon age and general resistance rather than upon the type of Salmonella, the young appearing most susceptible. S. pullorum until recently considered relatively nonpathogenic for man has been incriminated as the cause of one large outbreak of food poisoning (10) and several sporadic cases (11, 12). In Florida, S. pullorum has been isolated from cases of mild enteric fever and gastroenteritis in three individuals.

"Considerable evidence is accumulating concerning the presence of Salmonella in poultry meat. Cherry, Barnes, and Edwards (13) report the recovery of a nonmotile Salmonella from the skin of frozen turkeys. Galton, Mackel, and Haire (14) isolated anatum, from material appearing to be encysted egg yolk in a frozen chicken. Schneider and Gunderson (15) found 4 Salmonella types on the skin of 4.4 percent of 1,014 eviscerated chickens. They concluded that the customary methods of sanitation in the plant did not eliminate Salmonella. Most of these birds had been frozen and stored for some time. Browne (16) found that S. typhimurium survived for at least 13 months on the skin of frozen turkeys. It is thus apparent that freezing does not kill all of the Salmonella.

"More recently, attention has been given to the study of Salmonella in the environment of poultry processing plants. Browne (16) studied a turkey processing plant and isolated S. typhimurium from trays on which viscera were placed, pans in which cleaned giblets were stored, waste buckets and hands of eviscerators, trimmers, and inspectors. These organisms were also obtained from the loading platform, scalder chute, and floor, from the final wash trough, and even from dust on the rafters.

"During an extensive study of the bacteriology of commercial poultry processing, Kyle, McFadden, and Gunderson (17) isolated Salmonella from the hands of workers on the evisceration line, from the skin of birds ready for storage, from organs of the chickens, and other items on the evisceration line. Reports of outbreaks of food poisoning following the consumption of poultry meat are numerous as evidenced by the weekly reports of the National Office of Vital Statistics (see table 1).

"Reports implicating raw, frozen, or dried eggs as sources of Salmonella outbreaks appear frequently. Watt (18) reported such an outbreak attributed to raw eggs which contained S. montevideo. S. tennessee was isolated from frozen whole eggs and from powdered eggs by Schneider (19). Extensive studies on the occurrence of Salmonella types in dried egg powder have been reported by Schneider (20), Solowey (21) and associates, and the British investigators (22). Further studies on heat resistance and destruction by pasteurization of Salmonella organisms isolated from spray dried or liquid whole egg have been reported by Solowey et al. (23), Winter et al. (24, 25), and Goresline (26 et al.). The investigation carried out by Goresline et al. revealed that pasteurization can be used successfully, under processing-plant conditions, to produce liquid, frozen, and dried whole eggs free of Salmonella. They recommend flash heating the liquid whole egg to 140° F. and holding at that temperature for 3 minutes to kill any Salmonella present.

"That breaks in the pasteurization procedure do occur in large processing plants is indicated by a recent announcement in the Associated Press (November 28, 1952) in which the Food and Drug Administration issued a warning to the public to discontinue use of Swift & Co.'s canned dried egg yolk due to the presence of Salmonella organisms. This product had been pasteurized.

"McCullough and Eisele (27) were able to produce clinical salmonellosis in 32 human volunteers by experimental infection with strains of Salmonella meleagridis and Salmonella anatum derived from spray dried whole egg. Similar studies (28) with S. newport, S. derby, and S. bareilly resulted in clinical illness in 15 subjects, and with 4 strains of S. pullorum (29) there were 27 cases of human illness.

"It is thus obvious, as emphasized by Hinshaw and McNeil (5) that 'both from a poultry economic and public health standpoint, Salmonellosis is a hazard which should be eliminated.' These investigators present the following essentials for prevention of the disease in poultry: (1) 'elimination of known infected flocks as sources of replacements for breeding flocks (2) the use of separate hatching facilities for eggs from such flocks (3) the frequent use of diagnostic laboratories, to discover new outbreaks which may endanger future replacement sources (4) the recognition of numerous animal reservoirs of these diseases which must be controlled to prevent transmission (5) fly control, and (6) cooperation of growers, hatcheries, veterinarians and State agencies in securing replacements from salmonellosis-free sources.

"Paracolon infections

"The significance of the etiological relationship between paracolon organisms and enteric infections in man is difficult to determine due to the frequent recovery of some of these strains from the feces of apparently healthy persons and the lack of adequate methods of classification of different types. However, there have been numerous reports (8, 9, 30, 31) indicating pathogenicity of some types.

"Many of the paracolon organisms contain antigens common to the Salmonella and Shigella groups. This is particularly true of the Arizona group of paracolons which are closely related to the Salmonella. The excellent work of Edwards and his coworkers (32, 33, 34, 35) in establishing a satisfactory serologic classification for the Arizona group and presentation of epidemiological data leaves no doubt that these paracolon organisms are pathogenic for animals. The majority of cultures of this group that have been studied were isolated from fowls, egg powder, and reptiles. Many cultures were obtained by Hinshaw and McNeil (36, 37) during studies of infections among reptiles and turkeys. The symptoms and pathology in birds infected with these paracolon bacilli are comparable to those which occur in salmonellosis in fowls. The organisms have been isolated from heart blood, and all organs indicating a definite septicemia; young fowls, particularly poults, appear more susceptible. Mortality in flocks was comparable to that found in Salmonella infections. The spread of the infections by hatcheries and through eggs has been clearly established (35, 36).

"There have been scattered reports of the isolation of Arizona paracolon bacilli from man. Of 456 cultures studied by Edwards, West and Bruner (35) 5 were from human sources. All were from cases of enteric infection in which no other pathogenic organisms were recognized. Verder et al. (38) isolated a paracolon identified by Edwards as Ar. 1, 2:1, 2, 5 from 70 percent of patients cultured during an outbreak of gastroenteritis involving 51 student nurses. The organism was not obtained from 16 normal students cultured. Buttiaux and Kesteloot (39) reported the isolation of paracolon bacilli similar to the Arizona group from 6 patients, 3 with acute enteric disease, 2 with chronic colitis, and 1 with a typhoidlike fever. In 1950, Murphy and Morris (40) described 2 small outbreaks of gastroenteritis, both of which were associated with a member of the Arizona paracolon group. In both episodes, evidence relating to source of infection, incubation period and symptoms of individuals involved resembled the pattern observed in food infections due to Salmonella. Bacteriological findings indicated the paracolon bacillus was the etiologic agent.

"Thus, the necessity for the prevention and control of this infection is fowl is obvious.

"Erysipelas

"The occurrence of a septicemia associated with Erysipelothrix rhusiopathiae the causative agent of swine erysipelas and erysipeloid infection in man, has been reported in many species of birds. Fish though not susceptible carry the organism on the slime. The disease is relatively common in turkeys and ducks (41, 42, 43). It is characterized in acute cases by febrile symptoms and occasionally diarrhea; death may occur in 1 to 2 days; in chronic cases by loss of appetite, diarrhea and gradual emaciation (44). Diagnosis depends upon bacteriological examination as lesions are indefinite and not usually considered pathognomonic. The infection in man, first recognized by Rosenbach, in 1884, may occur as a mild, localized cutaneous lesion, sometimes accompanied by mild arthritic symptoms; as a diffuse or generalized cutaneous eruption, with arthritic symptoms and negative blood culture or as a septicemic form with endocarditis (45). Chronic cases of long duration have also been reported (46).

"Ersipeloid has long been recognized as an occupational disease of abattoir employees, veterinarians, butchers, kitchen workers and those handling poultry and fish (47). In a review of 100 cases Klauder (48) was able to obtain a history of contact with animals, animal products or fish. Stiles (41) reported cutaneous lesions and symptoms of erysipeloid in the owners of an infected turkey flock. Successful treatment of the disease in man with penicillin has been reported frequently (46, 49, 50). Stiles considered the public health significance of marketing possible infected turkeys and outlined the procedure followed in an outbreak in one flock. Apparently healthy fowls were marketed to a processing plant where they were subjected to Federal inspection. Questionable birds were rejected and the slaughtered birds were boned and sterilized by canning.

"According to Klauder (48), the virulence of E. rhusiopathiae varies in different species and in the same species. The organism has the capacity to change suddenly from a harmless saprophyte to a pathogenic parasite. Although man is relatively immune when the organism enters the gastro intestinal tract, cutaneous infections appear rather commonly. Skalova (51) in Yugoslavia has reported one fatal case of infection with E. rhusiopathiae.

"Staphylococcosis

"Staphylococci are widely distributed in nature but they may cause a variety of disease entities in man, domestic animals and fowl. Avian staphylococcosis has been reported in turkeys by Jungherr (52) Hinshaw and McNeil (53) and Hinshaw (54), in geese by Lucet (55), in ducks by Van Heelsbergen (56), and less frequently in chickens (57, 58). In fowl the infection occurs as an acute septicemia or chronic arthritis also known as bursitis, hock disease, ostitis or synovitis. In man, the most frequent manifestation is food poisoning, produced by an enterotoxin liberated by the growth of some staphylococcus strains in food prior to ingestion. Septicemia occurs occasionally in man. Althought no reports have been found concerning the transmission of fowl staphylococcosis to humans McNeil (59) states that they have isolated Micrococcus pyrogenes from boils on the hands of workers in poultry killing plants. This potential source of infection in man warrants further study.

"Streptococcosis

"Streptococcus infections occur in both man and birds. Ingalls (1) is of the opinion that the infection in poultry does not play a prominent part in human disease, however, he has observed that the handling, dressing or eating of infected birds may serve as a source of infection in man. Acute streptococcic septicemia in fowls was first observed in this country by Norgaard and Mohler, 1902 (60) and later by Hudson (61). The disease is highly fatal. A chonic infection of hens due to hemolytic streptococci (group C) was reported by Edwards and Hull (62). Buxton (63) in England reports an acute infection of poultry due to streptococcus zooepidemicus which became chronic after 4 weeks. Edwards (64) states that all streptococcal infections of poultry that he has encountered have been due to the so-called animal group C types. A search of the literature revealed no reports of infection of fowls due to group A streptococcus strains.

"Tuberculosis

"Avian tuberculosis is widely distributed in poultry throughout the central and north central sections of the United States. It frequently also infects swine, occasionally cattle and rarely man. It is most common in chickens and pigeons, although it does infect other species of fowl. Chickens are susceptible only to the avian type of the tubercle bacillus. The question of the pathogenicity of avian tubercle bacilli for man

has received much speculation. Feldman (65) has reviewed the literature up to 1938 and concluded that although human infection does occur, it is very rare. He further observed that many of the reported cases were inadequately or incompletely studied resulting in a questionable diagnosis of avian tuberculosis. Rich (66) reviewed the data available up to 1944 and 'noted that if progressive tuberculosis is ever produced in the human being by the avian tubercle bacillus it must be only rarely.'

"There have been a few confirmed cases, however, in which the organisms were identified. Bradbury and Younger (67) reported a case of pulmonary tuberculosis in a man from whom organisms were identified as the avian type on three occasions. This man had consumed 1 or more raw eggs a day for 30 years providing a possible source of infection. Avian tubercle bacilli were also isolated from a mediastinal lymph node from a man (68). A diagnosis of Hodgkin's disease had been made. Another isolation was reported from a case diagnosed as Boeck's sarcoid in a 50-year-old woman who had lived on a farm in Norway where tuberculosis of chickens was common (69).

"In chickens the disease is characterized by its chronicity and by lesions in the liver, spleen, kidneys, ovaries, intestines, and bone marrow. Large numbers of organisms are disseminated in fecal material. The bacilli are occasionally present in eggs from tuberculous hens.

"Feldman (70) makes the following statements concerning the suitability of tuberculous fowl for human consumption: 'When food markets are supplied from territories where tuberculosis is prevalent among chickens, the question of the suitability of the tuberculous fowl for human consumption is important. The problem is pertinent, not only because of the possible transmission of avian tuberculosis to human beings, but also because of the natural aversion of most people to food prepared from diseased animals. In the absence of a nationwide, efficient post mortem inspection of poultry, the only assurance to the consuming public that carcasses of dressed poultry represent healthy animals is the integrity of the merchant and the ability of the laity who dress fowl to recognize morbid processes.'

"Brucellosis

"Natural outbreaks of Brucella infection on poultry farms have been described in Italy by Fiorentine, in France by Dubois (71) and in the United States by Emmel (72). The symptoms in birds appear quite variable. In some, general debility, diarrhea, and paralysis are observed with high mortality; in other, no symptoms appear. Post mortem examination shows enlargement of spleen, degeneration of liver and kidney with necrotic foci and enteritis. Emmel and Huddleson (73, 74) were able to produce infection in fowl by feeding naturally infected milk, portions of an aborted fetus and cultures. They also reported the occurrence of natural infection in four flocks. Pagnini (75) attempted to infect chickens by giving them gelatin capsules containing Brucella. He succeeded only when employing large numbers of organisms and concluded that chickens were not of great significance in the spread of brucellosis. Pavlov (1938) (76) reported 5 of 7 rabbits placed with infected chickens became infected and died in 3 months. Brucella organisms were isolated from the rabbits. None of 3 normal chickens and 10 normal guinea pigs, placed with the infected chickens showed evidence of infection. Eggs from chickens infected witlf massive doses of Brucella were found to contain the organism only between the 4th and 14th day after infection.

"The experiments of Felsenfeld and his associates (77) showed that intramuscular, and intraperitoneal infections and feeding of Brucella, caused bacteriemia, fecal excretion of organisms and the appearance of significant serum agglutinin titers. They also observed cross reactions with Vibrio cholerae, Proteus OX-19 and S. pullorum antigens. Brucella were transmitted to normal chickens by feces from infected chickens. These investigators point out the possibility of misinterpreting pullorum disease in flocks of chickens with Brucella infection due to the cross reactions with pullorum antigens. They have observed also the difficulty in detecting infected chickens during inspection due to the frequent absence of significant pathology.

"Since birds can become infected with Brucella and may thus transmit the disease to other fowl, domestic animals and man, efforts to prevent the contact of poultry with infected mammals should be taken.

"Listeriosis

"Listeria monocytogenes is a causative agent of sporadic cases of meningitis in man and also has been isolated from the blood of patients with an infectious mononucleosis-like syndrome (78). In chickens it produces a specific septicemia with apparently few clinical symptoms. Necrotic lesions of the heart muscle and generalized edema may occur. Many other hosts are susceptible to spontaneous infection including the goat, sheep, cow, fox, guinea pig, and rabbit. It is noteworthy that the encephalitic symptoms, characteristic of listeriosis in domestic mammals have not been observed in naturally affected chickens.

"Distribution of the infection in man and animals appears to be worldwide (78, 79); in chickens outbreaks have been reported in many parts of the United States and England (80, 81, 82).

"Although no reports have been found to indicate direct transmission of Listeria infection from poultry to man the fact that both are susceptible warrants consideration of the situation from a public-health standpoint.

"Pasteurella

"Tularemia

"According to Burroughs (83) grouse, sage hen, quill, and horned owl have been found naturally infected with tularemia. At least two cases of tularemia (84, 85) have occurred in man where the source of infection was attributed to pheasants dressed by the individuals. Apparently the disease does not exist or is very rare in poultry since it is not referred to in Disease of Poultry edited by Biester and Schwarte in 1948.

"Pseudotuberculosis

"Pseudotuberculosis caused by Pasteurella pseudotuberculosis rodentium, is a disease occurring in birds, animals, and man (86, 87). It is characterized by an acute septicemia of short duration followed by a chronic focal infection which gives rise to tubercular lesions in various organs. In fowl, outbreaks have been reported chiefly in turkeys and rarely in ducks, pigeons, and chickens causing considerable losses in the former. In man it appears to be rare but highly fatal. Meyer (88) refers to reports of 14 human cases, 11 of which terminated fatally. According to Meyer the mode of transmission is not definitely known, but it is believed that P. pseudotuberculosis, widely distributed in nature and disseminated through infectious excretions of affected birds or rodents, attacks susceptible animals through the digestive tract. Usually the abdominal viscera are primarily diseased. Injuries of the skin may also serve as portals of entry. Direct or indirect contact may introduce the infection into a flock of birds. Hygienic conditions and prevention of exposure to infection are the usual prophylactic procedures.

"Pasteurella multocida, as the name indicates has more than one host. The many strains of this group change continuously in physiologic functions, antigenic structure, and pathogenic ability. The total range of susceptible animal species is wide, including man, rodents, herbivores, fowls and possibly carnivores but each host has its characteristic limitations beyond which it rarely goes in spontaneous disease. The first bacteriologically proved human case was reported by Brugnatelli (88) in 1913. Since that time human infections with P. multocida are being recognized more frequently.

"A review of the literature since 1930 by Schipper (90) revealed 21 bacteriologically proven cases from reports on 39 cases. Further evidence to support the occurrance of more frequent infection in man was presented by Needham (91). He isolated P. multocida from 11 patients of the Mayo Clinic during 1947. Later Olsen and Needham (92) reported the isolation of this organism from an additional 26 cases bringing the total to 37 cases observed at the Mayo Clinic during the period from October 1946 to July 1951. Twenty-seven of the thirty-seven patients were either farmers or members of a farmer's family. The source of material for bacteriologic study included bronchial secretion 17, sputum 15, empyema fluid 2, abscess of frontal sinus 1, appendiceal abscess 1, and purulent drainage from joint 1. All strains from these cases were found to be sensitive to low concentrations of penicillin. Although most of the patients had bronchiectasis, the authors consider P. multocida a probable "secondary invader." They emphasize, however, that the isolation of animal Pasteurella in cases of human disease has a definite significance. In view of the relative prevalence of human infection they recommended a more thorough search be made for this organism in infected material. Neter and associates (93, 94) have observed P. multocida wound infections in four children following bites by or contact with animals. These investigators (95) found aureomycin superior to terramycin treatment of P. multocida infection in mice.

"Numerous outbreaks of Pasturella infection (fowl cholera) in poultry have caused considerable losses. Murray (96) states that 'while man may generally consume without harm fowls that are suffering from the disease, it is advised that their meat should under no circumstances be used as human food.'

"Diphtheria

"Although there appears to be no evidence indicating that diphtheria in poultry is of public health significance, at least one human case has been reported in which evidence pointed to chickens as the source of infection. In a study of 256 cases of human diphtheria where contact with chickens was established, Litterer (97) reported 2 instances in which fowl harbored the virulent organisms. Identical organisms were isolated from a child in the family who owned the fowls. He was able to infect chickens with cultures obtained from infected children and chickens and concluded that fowl can transmit virulent diphtheria to man. According to Huyyra and Marek (44) the so-called fowl diphtheria or roup is caused by a virus and the disease is now known as the muco-membranous form of fowl pox.

"Virus diseases

"Eastern Equine Encephalomyelitis

"Eastern equine encephalomyelitis primarily a summer disease of equine and avian animals, is transmissible to man, in whom it is usually characterized by extensive inflammation and destruction of the central nervous system. It was first recovered from human CNS tissue by Fothergill et al (98), 1938; in the same year the first natural outbreak in birds was reported by Tyzzer, Sellers, and Bennett (99) who encountered fatal infection in ringnecked pheasants in Connecticut. Also in 1938 Fothergill et al (100) observed natural infection in pigeons in Massachusetts. Beaudette and Black (101)

have reported the appearance of natural outbreaks in pheasants in New Jersey from 1938 through 1946 except in 1940 and 1941.

"Davis (102) found that 6 species of Aedes mosquitoes were capable of transmitting the virus from infected birds to normal animals after a 9-day incubation period. Mosquitoes fed on infected birds transmitted virus to mice and birds; those fed on mice transmitted it to birds, mice, and guinea pigs.

"The symptoms reported in pheasants include paralysis, staggering, head drawn over back, and anorexia. Death occurred in 1 or 2 days or the birds recovered slowly. The infection has been produced experimentally in chickens and turkeys. After experimental inoculation, Ten Broeck (103) and Tyzzer (104), working independently, showed that chickens may develop a viremia without visible signs of infection.

"In man, children appear more susceptible. A mortality rate of 65–70 percent has been reported in the age group under 10 years.

"Western and St. Louis Encephalomyelitis

"The western and St. Louis types of encephalamyelitis are similar in many respects and although they are quite distinct from the eastern type, they also infect a wide range of hosts including equine animals and fowl. The extensive studies of Hammon have shown the important role that birds play in the epidemiology of these diseases. During the summer of 1941 Hammon et al. (105, 106) in the Yakima Valley, Wash., found that Culex tarsalis mosquitoes were infected with the viruses of western and St. Louis equine encephalitis, and that approximately 50 percent of the chickens of the area had specific antibodies for these viruses, but no chicken epizootic had been observed. Experimental infection with both viruses produced a viremia but no signs of illness. Evidence indicates that viremia of man and horses is of short duration. Virus isolations from blood are rare. These authors also observed that Culex tarsalis fed predominantly on birds. Recently (107, 108) the chicken mite Dermanyssus gallinae has been found infected with the St. Louis and western type viruses. These findings have focused even more attention on the chicken as an important source of mosquito infection. In further studies in the Yakima Valley, Hammon (109) examined 576 sera from mammals and wild and domestic birds by the neutralization test for antibodies against both viruses. Each of the viruses were positive in approximately 50 percent of sera from domestic fowl; 17–22 percent in wild birds, and only 8 percent from wild mammals.

"Japanese B Encephalitis

"Another of the summer encephalitides, chiefly prevalent in the Far East, is characterized by varied clinical symptoms, and caused by a virus similar in many ways to that of St. Louis encephalitis. According to Hammon less certainty is felt about the source of mosquito infection in this type, Hammon et al. (110) have demonstrated virus in mosquitoes caught in Japan. Thus the virus must be available in the blood of some animal. They have been able to detect small amounts of virus in the blood of inoculated chickens. More recent studies (111) have indicated wild birds as potentially important as a source of mosquito infection.

"Thus, it appears that poultry, especially chickens, may serve as an important source of infection with the eastern, western, and St. Louis encephalitis viruses and possibly also the Japanese B type.

"Newcastle Disease

"Newcastle disease (avian pneumoencephalitis) primarily a disease of world-wide distribution in fowls was first recognized in man in 1943, by Burnet (112) who isolated the virus from a case of conjunctivitis in a laboratory worker. Subsequently, reports have appeared of virus isolation from 8 cases of conjunctivitis in man (113, 117). Anderson (113), 1946 in Australia reported 2 laboratory infections. The remaining cases were in the United States. Ingalls (115) encountered 2 cases of natural infection; one in a broiler plant operator and the other in a veterinary student. Both cases were related to recent contact with NDV infected chickens. More recently, Nelson, et al. (118) have reported the occurrence of an outbreak of conjunctivitis in poultry plant workers. Of the 40 cases, virus isolation was successful in 4 of 10 acute cases. Specimens were obtained from the conjunctiva. They obtained a high SN index on specimens from employees in the plant showing no symptoms and observed that this may indicate resistance.

"In a recent study on food poisoning bacteria in poultry and poultry products, Kyle, MacFadden and Gunderson (17) isolated Newcastle disease from chicken livers and spleens collected on the evisceration line of a commercial poultry processing plant in Nebraska. The relative frequency of cases of conjunctivitis occurring in workers on the evisceration lines of poultry processing plants prompted this study. These investigators (17) studied 3 additional cases of conjunctivitis in humans from which Newcastle disease virus was isolated at the University of Nebraska Hospital. All patients had dressed chickens prior to onset of symptoms.

"An earlier report of an outbreak of conjunctivitis among kitchen workers handling poultry in an agricultural school in Israel was made by Yatom (119).

"It is obvious from the evidence presented that Newcastle disease of poultry is capable of infecting the mucous membrane of the human eye. Thompson (120) has observed that the high prevalence of the disease in poultry as compared with the scarcity and mildness of reported cases in man indicates that general alarm concerning human infection is not warranted. More recently, evidence obtained by several workers indicates that NDV is capable of causing systemic involvement in man. Mitchell and Walker (121) report a laboratory infection apparently acquired through the respiratory tract which produced an influenza-like attack lasting about 5 days. NDV was isolated from bronchial mucus. There was no evidence of conjunctivitis. A case of acute hemolytic anemia with autohemagglutinative vascular phenomena was reported by Moolten and Clark (122) in which NDV was isolated from the patient's blood shortly after the acute phase of illness had subsided. The isolation of the virus from 5 additional cases of human infection has been reported by Quinn, Hanson, Brown, and Brandly (123). These authors have noted the possibility of man to man transmission of the disease in view of the demonstration of virus in saliva, nasal discharge and conjunctival sac washings. In one of their cases NDV was isolated from the urine. Kyle, MacFadden and Gunderson (17) observed that due to the inherrent resistance and potential adaptability of the virus, it may well become a significant public health problem.

"Psittacosis

"Psittacosis (ornithosis), an apparent, or more frequently an inapparent, infection found in parrots, parakeets, canaries, pigeons, and many other birds is also communicable to man. The infection is caused by Miyagawanella psittaci, coccoid elementary bodies intermediate between Rickettsiae and true viruses. It was formerly thought to be contracted through association with psittacine birds, however, more recent reports have incriminated ducks (124), chickens (125), and turkeys (126), as the source of infection in man. Of great importance was the discovery that visibly healthy birds harbor the virus and as shedders or chronic carriers distribute the infective agent. Irons (126) has observed that the importance of common barnyard fowl in the spread of psittacosis frequently is overlooked.

"According to Meyer (127), the significance of the demonstration of psittacosis virus in the organs and intestinal contents of ducks to the duck-raising industry has not been assessed. He further states that there is evidence that the virus, present in approximately one-third of the bird population, occasionally infects workers on commercial farms, or persons who keep ducks as pets. In a study of the problem in ducks on Long Island, during a period when psittacosis occurred in man in the area, 38 percent of 115 ducks and ducklings on 9 different farms yielded psittacosis-like virus similar to the pigeon strain.

"A recent report by Irons (126) et al., described an outbreak of psittacosis in turkey dressers in a poultry plant in Texas. There were 22 cases and 3 deaths among 78 employees of the plant. All cases had been killing, picking feathers, or wrapping heads of turkeys. Few cases had been dressing chickens. It appeared that discharges from a group of turkeys was the source of the outbreak. Clinical findings varied widely in severity of illness, from mild influenza-like attacks to fatal illness.

"A recent communication from Dr. Irons stated that they have encountered a second outbreak of ornithosis in a Texas poultry and egg plant attributed to dressing turkeys for the 1952 Christmas market. In this outbreak psittacosis virus isolations were made.

"Pigeons have frequently been incriminated in outbreaks in man and in some instances chickens have been involved also. A human infection was traced to a chicken in New Jersey. Four of 31 birds examined harbored psittacosis virus resembling the pigeon strain. Study of 2 other human cases attributed to pigeons revealed that the infected birds were caged over a chicken pen; pigeon-psittacosis virus was recovered from the organs of 2 of the chickens. Determination of the extent of spontaneous psittacosis in chickens depends upon the development of a simple serological test for mass examination of barnyard fowl (127). A newly devised indirect complement-fixation-inhibition (128) test has improved detection of the disease in chickens.

"Mandel and Jordan (129) report the demonstration of psittacosis antibodies in serums from a poultry worker with pneumonitis, in serums from other poultry workers, and in sera from fowl slaughtered in local stores.

"A case of atypical pneumonia in a poultry dealer has been reported by Duncan, Thomas, and Tobin (130) in England. Virus of the ornithosis type was isolated from the throat washings. Ward and Birge (131) describe a case of psittacosis in the owner of a pheasant ranch. Complement fixation tests on the patient were performed by the Illinois State Department of Health. Indirect complement fixation test on the pheasant serums were performed by Dr. K. F. Meyer.

"The frequency with which psittacosis has been associated with poultry workers in recent years warrants its consideration as an occupational disease problem.

"Rabies

"Although fowl may be infected experimentally with the rabies virus, there is little evidence of spontaneous rabies in poultry. Remlinger and Bailey (132) reported transmission of the disease to the chicken by bites on the comb by a rabid dog. Thus it appears that chickens can, if bitten by a rabid animal, become infected and serve as a source of human infection.

"Fungus diseases

"Probably of less hazard to poultry workers are the mycotic infections of fowls. Those which deserve mention are aspergillosis, favus, and thrush. Although these infections are rare in man and frequently of a

mild nature they do occur. Emmons (133) states that fungus diseases of poultry are of little danger to man unless there is heavy exposure and the individual has other predisposing factors.

"Aspergillosis

"Aspergillus fumigatus is especially pathogenic for birds and occasionally causes aspergillosis in man. The disease is common enough in domestic birds, pigeons, chickens, and ducks to be of some economic imporance. In young chicks it frequently occurs in epidemic form and is known as brooder pneumonia (134). The disease may be localized or generalized but usually occurs in the lungs and air sacs.

"The infection appears to be acquired following inhalation of spores from moldy grain or litter. In man observations have indicated that infection also frequently follows exposure to air carrying many spores. Infections to the external ear have been attributed to aspergilius spores. However, the recent studies of Singer, Freeman, and Hardy (135) on otitis externa indicate that this fungus is of minor importance.

"According to a communication from Dr. W. L. Sippel, of the Georgia Coastal Plains Experiment Station they have encountered outbreaks of aspergilliosis in birds in south Georgia.

"Favus

"Favus is a type of ringwork caused by several species of the genus Trichophyton (Achorion). The agent of favus or white comb in poultry is Trichophyton gallinae. In his excellent review of mycotic diseases of animals Gordon (136) states that despite the numerous references to the disease in American literature, there have been only 2 instances that an organism has been cultured which could be identified as T. gallinae according to published reports. It has been isolated from a human infection in France (137) and on many occasions from fowl favus in Europe and South America.

"Thrush

"Thrush (candidiasis, moniliasis) is another fungus infection that has caused high mortality in poultry flocks, especially young birds. It is caused by the yeast-like organism Canadian albicans. The disease has been observed in chickens, pigeons, turkeys, pheasants and other birds, and in man. In poultry lesions are localized in the mucosa of the upper alimentary canal and appear as whitish ulcers or psuedo-membranes in the crop, and gizzard.

"In man (137) Candida albicans may cause infections of the mucous membranes of the mouth and vagina; infections of the skin and nails: systematic infections or a mild broncho-pulmonary infection.

"No reports have been found indicating transmission of the disease from infected fowl to man although this may occur.

"Parasites

"Infestation with Dermanyssus gallinae the poultry mite frequently causes irritation and an itching dermatitis in poultrymen.

"Toxoplasma

"According to Manwell et al. (138 toxoplasmosis is one of the least understood of human infections as well as one of the most recently recognized.

"It is still uncertain whether birds are naturally infected with any strain of toxoplasma infective for mammals. But Manwell et al. (138) found that certain species including the duck, chicken, pigeon, canary, and wild birds are highly susceptible to experimental infection with a toxoplasma strain of human origin.

"The uncertain knowledge of this disease in man and birds, for the present, obscures its significance.

"It should be mentioned that Ingalls (1) has pointed out one other disease, leptospirosis, as an occupational hazard to poultry dressing plant employees, although the birds are rarely, if ever, infected.

"The predominance of poultry workers among the first patients found to have leptospirosis in the Detroit area led Molner (139) to study the problem in poultry dressing plants. It was found that rats were commonly in and around the plants. By washing work tables with Ringer's solution in the morning after exposure to the rats at night and infecting guinea pigs with the washings a clinical picture of Weil's disease was produced. No mention is made of isolation of the organism. This probable source of infection could, however, be eliminated by adequate sanitation measures and rat control.

"Some of the diseases reviewed in this report are of interest chiefly from an academic standpoint, whereas others present a definite public health problem.

"Measures toward controlling the incidence of infections that man may acquire from poultry have been adequately summarized by Brandly (C. A.) 2 as follows: 'It may be emphasized that suppression and eventual eradication of transmissible diseases common to birds and man require, at the onset, thorough elucidation of epizootiology together with adequate and often needed improvements in detection and diagnostic methods. These knowledges and skills, supplemented by sound long-range perspectives and practices and abetted by persistent educational programs must inevitably lead to success against this costly and needless loss and waste. Now, and in the future, necessary safeguards must aim to reduce the "occupational hazards" both against established bird to man infection chains, and against the factors of contact and exposure which may favor adaptation of other infectious agents to man from birds, and vice versa. Finally, a sound and inclusive poultry inspection service based on established practices and under competent veterinary supervision must be our primary bulwark toward protecting both the health of the public and the integrity of one of our major sources of food.'

"TABLE 1.—*Reported outbreaks of salmonellosis attributed to poultry or poultry products reported by FSA (National Office of Vital Statistics) 1951–52*

Date of outbreak	Location	Number of persons involved	Type isolated	Probable vehicle	Type isolated from material
Jan. 13, 1951	California	11	S. anatum	Turkey	S. anatum.
May 19, 1951	Minnesota	10	S. typhimurium	Raw turkey eggs	Not stated.
June 9, 1951	Illinois	340	None	Egg white	S. montevideo.
Sept. 8, 1951	California	30	S. typhimurium	Duck eggs in ice cream	No ice cream examined.
Sept. 15, 1951	Washington	16		Roast turkey	Salmonella-like organism.
Nov. 24, 1951	California	31	S. typhimurium	Roast turkey sandwiches	Negative.
Dec. 22, 1951	do	33	do	do	Do.
Jan. 19, 1952	do	41	S. newport	Sliced turkey	S. newport.
May 17, 1952	do	14	S. typhimurium	Pudding with eggs, chicken and turkey fat	S. typhimurium.
June 28, 1952	do	10	S. montevideo	Eggs in homemade ice cream	S. montevideo from ice cream.
July 5, 1952	Massachusetts	84	S. typhimurium	Roast turkey	Not examined.
July 12, 1952	Illinois	11	do	Turkey dinner	Do.
July 26, 1952	California	27	S. newport	Chicken chili	Do.
Oct. 4, 1952	Maryland	7	Sal. Sp.	Eggnog	Do.
Nov. 15, 1952	New York	2	S. heidelberg	Turkey	None.
Dec. 20, 1952	14 States and District of Columbia	68	S. montevideo	Commercial canned powdered egg yolk	S. montevideo.
Dec. 20, 1952	Mississippi	14	S. oranienburg	Partly cooked turkey	Not examined.

"*Reported outbreaks of gastroenteritis in which poultry or poultry products were the suspected vehicle of infection, FSA (National Office of Vital Statistics), 1951–52*

Date	Location	Number of persons ill	History
June 16, 1951	Connecticut	65	Both reported in a private school. Onset 10 to 24 hours after eating turkey. Laboratory examination incomplete.
June 16, 1951	do	70	Do.
June 23, 1951	California	300	Poorly cooked turkey indicated as vehicle of infection.
July 7, 1951	Tennessee	[1] 247 [2] 27	Outbreak in State institution. Hemolytic Staph. aureus isolated from chicken salad.
Aug. 18, 1951	Maine	4	Commercially canned chicken and commercial mayonnaise probable vehicle of infection.
Aug. 25, 1951	California	9	Passengers on plane from San Francisco to Honolulu. Staph. aureus isolated from casserole diced ham and creamed boiled eggs.
Apr. 14, 1951	do	8	Chicken sandwiches suspected source of infection.
May 12, 1951	New York	21	Turkey dinner. Investigation incomplete.
June 2, 1951	Connecticut	94	Roast chicken in restaurant suspected source infection.
Sept. 22, 1951	California	7	Hemolytic Staph. aureus isolated from turkey dressing.
Sept. 29, 1951	Connecticut	19	Onset 7 to 18 hours after eating turkey. A paracolon organism isolated from turkey meat.
Oct. 6, 1951	Minnesota	110	Chicken loaf sandwiches. Bacteriological examination revealed gamma Streptococcus, E. freundii and A. Aerogenes.
Dec. 22, 1951	New York	40	Onset 2 to 5 hours after eating egg salad. Staphylococci, enterococci and coliform organisms isolated from egg salad.
Jan. 5, 1952	Maine	8	Cooked chicken eaten. No other information.
Jan. 19, 1952	Idaho	34	Onset 6 to 12 hours after eating creamed chicken. No laboratory examination reported.
June 24, 1952	California	4	Onset 3 hours after eating turkey a la king. Staph. aureus isolated from turkey.
July 12, 1952	do	6	Onset about 3 hours after eating roast chicken. A Staphylococcus organism isolated from chicken, ham, and cake.
Nov. 22, 1952	Washington	120	Onset 10 to 12 hours after eating chicken. A gram positive Micrococcus isolated from chicken.
Dec. 20, 1952	Arkansas	50	Turkey probable vehicle of infection. None available for laboratory examination.

[1] Patients.

[2] Employees.

"*Reported cases of psittacosis FSA (National Office of Vital Statistics), 1951–52*

Date	Location	Number persons ill	Laboratory findings	Contact with birds
Mar. 31, 1951	Chicago	2	Rise in complement fixation titer	Parakeet.
June 23, 1951	New York	1	do	Psittacine birds in home, 1 died. Psittacine virus isolated by Dr. K. F. Meyer.
Do	do	1	Unknown	Pigeons.
July 28, 1952	Minnesota	1	Complement fixation	Homing pigeons. Psittacine virus isolated.
Jan. 26, 1952	Chicago	1	Complement fixation positive	Parakeet and pigeons.
Feb. 16, 1952	Minnesota	2	do	Florida parakeet. Died.
Feb. 23, 1952	Connecticut	1	Incomplete	Florida parakeet. Psittacine virus isolated.
Mar. 1, 1952	Texas	29	Complement fixation positive virus isolated	Poultry packinghouse.
Mar. 8, 1952	Connecticut	1	Complement fixation positive	Lovebirds.
Do	Kentucky	2	do	Parakeet.
Do	Indiana	2	Not stated	Do.
Mar. 29, 1952	District of Columbia	1	do	Maryland parakeet. Psittacine virus isolated from bird at NIH.
Do	Connecticut	1	Complement fixation suggestive	None known.
Apr. 12, 1952	do	1	Complement fixation positive	Florida parakeet (mother of Connecticut case Feb. 23, 1952).
Do	Minnesota	1	Rise in complement fixation titer	Parakeet (local).
Apr. 19, 1952	Colorado	1	Rise plus in complement fixation titer	Exposed to Florida parakeets in Minnesota.
May 12, 1952	Missouri	2	Not stated	Parakeet in Kansas City pet shop.
May 10, 1952	New York	1	Rise plus in complement fixation titer	Florida parakeets.

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Mr. Speaker, exhibit B, Poultry Inspection and Health Hazards, is as follows:

"EXHIBIT B

"POULTRY INSPECTION AND HEALTH HAZARDS

"This memorandum seeks to present evidence concerning the need for compulsory Federal inspection of poultry for wholesomeness in interstate commerce.

"The data contained in this memo form the highlights and a summation of the findings made by the Amalgamated Meat Cutters and Butcher Workmen of North America, A. F. of L., during more than a year of study. The information is presented in the hope that you will interest yourself in the problem of bringing standards of wholesomeness and sanitation to the mushrooming poultry industry. You, thereby, can help end the flow of diseased and filthy poultry which is currently endangering the consumer and poultry worker.

"The Amalgamated Meat Cutters and Butcher Workmen, A. F. of L., has more than 300,000 members working in the poultry and meat industries. It has, therefore, become acutely aware of the shocking sanitary and health conditions presently existing in some sections of the poultry industry. The Amalgamated has made great strides in ending these practices in many plants, but the scope of its effectiveness is limited. It, therefore, looks to Congress to protect the health of poultry workers and of consumers, as a whole.

"Lack of poultry inspection

"The poultry industry stands alone among the major producers of food for the Nation in that it is not properly regulated to assure wholesomeness or freedom from disease. Unlike red meat, poultry can be, and is, sold filthy and diseased with immunity. No law exists on a national level to provide for the compulsory inspection of this much-eaten food.

"The phenomenal growth of the poultry industry in the past 20 years is responsible to a degree for the existence of this condition. In 1940 143 million broilers were raised commercially. In 1954 1,050,000,000 were raised. During the same period of time the production of turkeys increased from 34 million to 61 million birds.[1] This expansion has caused the poultry and egg industry to become the third largest source of agricultural income in the United States. The national poultry and egg income is estimated at $4.1 billion for 1954, and latest figures show it is still expanding at a rapid rate.

"An inspection service for sanitation and wholesomeness is maintained by the Production and Marketing Administration of the United States Department of Agriculture. However, inspection is purely voluntary. The processor is under no obligation whatsoever to have his product inspected. If he does seek the inspection, he must pay the full cost of it. In other words, not only can he get by without assuring the public of the wholesomeness of his product, but he is monetarily penalized if he seeks to provide that assurance.

"It should be noted that only 21 percent of the poultry in interstate commerce is inspected for wholesomeness and sanitation. In 1953 United States Department of Agriculture veterinary inspectors condemned as unfit almost 2 million (1,843,446) poultry carcasses. This figure does not take into account the many organs and parts condemned when the carcasses in whole or in part were certified as wholesome.[2]

"These sad facts do not tell the full story of the inadequateness and ineffectiveness of the permissive inspection by the Production and Marketing Administration. One of the major dangers is that Production and Marketing Administration often permits the owner of the poultry business or one of his employees to serve as official sanitarian and grader. Here, certainly is a tremendous conflict of interests, and the interest of the consuming public becomes secondary.

"This system does not meet the criterions laid down by Brig. Gen. Wayne O. Kester, Office of the Surgeon General, United States Air Force, who declared:

" 'An inspection agency, to be acceptable, must comply with four cardinal prerequisites for an adequate inspection system.

" 'First, the inspectors must be competent and qualified.

" 'Second, they must have tenure of office, so that no one may put pressure on them in connection with their duties.

" 'Third, the inspectors' agency or supervisors must be responsible and accountable to the consumer.

" 'Fourth, the inspector must have no financial interest or connection with anyone in the organization being inspected.'

"Ineffectiveness of PMA program

"Actually, it is little wonder that the Production and Marketing Administration has been ineffective in its inspection, for this service was not intended primarily to safeguard the public health. Instead, it was established to promote the marketing of poultry products.

"Many people believe mistakenly that the PMA inspection service was established to provide a form of inspection and regulation paralleling that of the Federal Meat Inspection Act. In reality, the Production and Marketing Administration initially provided only a grading service which was utilized in trading between dealers. At the request of certain processors, this service was extended to include inspection for wholesomeness and sanitation on a take-it-or-leave-it basis.

"But even when diseased poultry is rejected under the present system, the carcasses are not necessarily condemned. For example, there is the classic case of the 60,000 birds of a Brady, Tex., poultry plant. The Army rejected the turkeys because they had been hit by the 1954 Texas outbreak of ornithosis (psittacosis). But instead of disposing of the carcasses, the processors sold them for civilian consumption. Public health authorities traced them to east coast cities—many of them carrying live ornithosis (psittacosis) virus.

"There are even instances in which health officers of cities having rigid poultry inspection programs have excluded poultry that came from plants inspected by the Production and Marketing Administration. For example, Dr. Aaron H. Haskin, Health Officer of Newark, N. J., wrote on December 7, 1954, to Earl W. Jimerson, president of the Amalgamated Meat Cutters and Butcher Workmen of North America, A. F. of L.:

" 'About 1 month ago I excluded from sale in the city of Newark, N. J., the products of a poultry-processing plant which bore a USDA inspection legend. Meat inspectors from this office upon visiting the premises found numerous pertinent violations which had existed for a long time.'

"Limited activities of United States Food and Drug Administration

"The only Government agency responsible for preventing diseased and filthy poultry from coming to the market place is the United States Food and Drug Administration. Acting under the Federal Food, Drug, and Cosmetic Act, that agency has the right to seize any adulterated food, including poultry.

"However, the slashes in appropriations the Food and Drug Administration has suffered and the lack of a compulsory ante mortem, post mortem inspection law has made its job impossible.

"Thus, when Congresswoman LEONOR K. SULLIVAN, of Missouri, asked in September 1954 about the United States Food and Drug Administration's ability to police the poultry industry, then-Commissioner C. W. Crawford replied:

" 'We estimate that there are approximately 1,300 interstate poultry dressing, freezing, or canning establishments in the United States. For the past 2 years we have made about 400 poultry establishment inspections each year, of which we estimate that perhaps one-fourth represent reinspection of the same firms. Thus, our program contemplates complete coverage of this industry about once every 3 or 4 years.'

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[1] U. S. Department of Agriculture; Agricultural Marketing Service; outlook issue 1955; released October 4, 1955.

[2] Paper prepared and presented by Dr. Joe W. Atkinson, DVM, consultant, U. S. Public Health Service, to the 39th annual meeting of Central Atlantic States Association of Food and Drug Officials, June 5, 1955, Atlanta, Ga.

"His successor, the present Commissioner, George P. Larrick, went even further in an April 21, 1955, letter to Shirley W. Barker, director, Poultry Department, Amalgamated Meat Cutters and Butcher Workers of North America, A. F. of L., Mr. Larrick wrote:

" 'Your assumption is correct that our average rate of inspection coverage of the poultry-processing plants amounts to a spot check once every 3 or 4 years. One such inspection of one plant at one time requires, on the average, 5 or 6 hours of an inspector's time. It is also true, as you suggest, that such a spot check cannot guarantee the wholesomeness or the legality of products prepared at other times. However, lest this be misleading to you we must point out that in many instances reasonable valid conclusions with respect to the probability of diseased or otherwise illegal poultry being shipped from a plant can be drawn from the observation made during an inspection of this type, and conversations with employees.

" '* * * Although some lots of cull poultry are recognized as obviously diseased from the external appearance of the carcass, it is our view that not only post mortem but also ante mortem examination is essential to a full program of protection of the consumer from diseased poultry.'

"In other words, the present and the former head of the United States Food and Drug Administration bluntly state that their organization cannot, under present circumstances, guarantee protection against diseased poultry for the consumer. The present Commissioner adds that not only after-slaughter inspection is needed to protect the consumer, but also a before-slaughter inspection. Such a program can only be put into force by new legislation providing the compulsory inspection of poultry.

Industrial and consumer hazards

"There are many diseases of poultry transmissible to man which constitute a public health danger.[3] Dr. James Lieberman, DVM, MPH, consultant, Poultry Inspection and Sanitation, Milk and Food Branch, Division of Sanitation, United States Public Health Service, Washington, D. C., stated at the American Veterinary Medical Association, 19th annual meeting, Toronto, July 20–23, 1953:

" 'Veterinary investigations have concluded that there are over 25 diseases of poultry to which man is also susceptible. Some of these diseases, such as staphylococcosis, streptococcosis, and salmonellosis, cause food poisoning and, hence, constitute a threat to individual and public health. Others, such as psittacosis, Newcastle disease, and erysipelas, must be viewed from an occupational standpoint, since they affect primarily our poultry plant workers.'

"Only one of these diseases, psittacosis, has resulted in the following officially recorded cases listed by the National Office of Vital Statistics of the Department of Health, Education, and Welfare:

"Year:	*Deaths*	*Morbidity (illness)*
1940	3	--
1941	1	--
1942	4	23
1943	0	1
1944	2	6
1945	0	27
1946	2	26
1947	1	27
1948	0	32
1949	0	35
1950	0	26
1951	1	25
1952	5	135
1953	4	169
1954	3	445
1955 (Jan. 1, 1955, to July 16 1955)	0	168
Total	26	1,145

"These figures, however, do not tell the full story of lost man-hours, illnesses and deaths. The National Office of Vital Statistics lists no deaths and only 32 cases of illness due to psittacosis in 1948, but Dr. J. B. Irons, Director of Laboratories of the Texas State Department of Health, has reported 3 deaths and 22 cases occurring among turkey plant workers in Giddings, Tex. alone during that year. This situation emphasizes that public health authorities are not fully aware of the annual frequency of these diseases.

"The tremendous impact of more sanitary methods and control of diseases in poultry processing plants is well illustrated by W. Vic Pringle, of the Rockingham Marketing Cooperative, Inc., Broadway, Va. Speaking before the Outlook Workship of the Institute of American Poultry Industries, Kansas City, Mo., in 1955, he said:

" 'One firm I know saved $12,000 last year in compensation insurance, by controlling infections and skin rashes, thanks mainly to a better sanitation program throughout all parts of its plants. It is also a known fact that cleanup labor and supplies can be materially reduced when plants are constantly maintained in a sanitary manner versus the occasional thorough cleanup, with a hit-and-miss job most of the time. The preventive maintenance principle applies in any field.'

"As for the hazards to the consumer, while it is true that most of the disease organisms are killed by thorough cooking to allow diseased birds to be sold is somewhat like condoning the cooking of garbage for human consumption. Edible from a medical standpoint, but certainly not desirable.

"Let us look at an affidavit taken from an employee working on poultry processing without ante-mortem, post-mortem inspection:

" 'My job was to pull feathers and those who were on the job with me and I were the first ones to handle the chickens after they had passed through the scalding process and roughing machine. When the chickens reached me most of the feathers were off the bodies and I could see the skin of the birds very clearly. It was quite often that thousands of chickens would pass on the line with sores on their bodies. Thousands of them would have large swellings as large as a chicken egg on their bodies. These swellings were filled with a yellowish pus and the odor was very strong.'

"Or as a worker in another plant has said:

" 'I work on many different jobs on the line. During this time I saw lots of chickens with lumps on them and some were full of sores. Sometimes when the lumps were cut off or they would burst, they smelled awful bad. All of these chickens went right through with the other chickens for shipment.'

"Or as another employee states in an affidavit:

" 'When a lot of chickens were returned to our plant because the customer would not take them because they were not the quality he wanted, these chickens were cut up in pieces and frozen and shipped to another customer. Many times these chickens were in not very good condition when they came back to the plant.'

"These affidavits, taken from workers employed by national concerns who sell their products under reputable name brands, certainly bear out the statement 'somewhat like cooking garbage.' There is, however, a very real danger with present methods of cooking poultry—broiling and baking at low temperatures—that it might not be thoroughly cooked. This would make real hazards of many diseases, such as salmonellosis, tuberculosis, streptococcosis, brucellosis, staphylococcosis, and others. Food infections caused by poultry constitute a major public-health problem. This is illustrated by the findings of the United States Public Health Service showing that 1 out of 4 food poisoning cases studied were the result of poultry or poultry products.

"Dr. Joe W. Atkinson, DVM, consultant, Poultry Inspection and Sanitation, Milk, Food, and Shellfish Sanitation Program, Division of Sanitary Engineering Services, Bureau of State Services, Public Health Service, stated at the 38th annual meeting, Central Atlantic States Association of Food and Drug Officials, May 5, 1954, Baltimore, Md.:

" 'In 1948, a study of 8,832 cases of foodborne disease, as reported by the States, indicated that 2,492 (or 28.2 percent) were attributed to poultry or poultry dishes. Relatively many cases so reported each year since 1948 have similarly been attributed to poultry and poultry products. These figures indicate the relative importance of poultry among sources of food-borne disease.

" 'Research indicates that poultry constitutes one of the important reservoirs of disease organisms affecting man. Such diseases may be transmitted to man, either during the preparation of poultry for marketing, or through the consumption of poultry products.'

"A 1954 United States Public Health Report summarizing 'disease outbreaks' for the previous year reveals the following:

" 'In one-third of the (Salmonellosis) outbreaks, chicken or turkey was found to be the vehicle of infection. Considering the frequency with which these fowl are found with Salmonella infections, this cannot be considered an unusual finding.'

"Foreign resistance to United States poultry

"In 1907 when the Federal Meat Inspection Act was passed, the sale of poultry was largely a matter of selling surplus birds from a farm flock. The numbers sold were so insignificant, no records were kept. In most cases the prospective purchaser saw the bird alive, and was thereby assured that it was not visibly sick or emaciated. The processing was largely done at home where, if the fowl did not appear to be healthy or wholesome, it was thrown away.

"Historically, the American people have risen to protest against unclean, unsafe practices by any food industry. In fact, the peoples of the world have sought to protect themselves against the sale of diseased or unclean foodstuffs.

"The occurrences surrounding the passage of the Federal Meat Inspection Act in 1907 are indicative of this statement. When Upton Sinclair wrote The Jungle exposing the filth and diseases which were hazards to both workmen and the consuming public the legislative bodies of this country took appropriate action to correct this situation. Today more than 80 percent of all red meats sold are processed under Federal meat inspection surveillance.

"A contributing fact to the all-out support of the Federal Meat Inspection Act was also the embargo prior to 1907 by foreign lands against the meat products of this country. The Federal Meat Inspection Act covering movement of red meats in interstate and foreign commerce corrected this condition and met the standards demanded by the American public as well as the peoples of foreign lands. Some such appropriate action by the Congress of the United States is now needed to correct similar practices and similar hazards in the poultry processing industry.

"[3] Diseases and Public Health Dangers:

"1. The Public Health Aspects of Poultry Diseases by W. L. Ingalls, DVM, MSc.

"2. Poultry Diseases as Public Health Problems by C. A. Brandly.

"3. Isolation of the Virus of Newcastle Disease from Human Beings by W. L. Ingalls, DVM, and Ann Mahoney."

"In a recent report to the poultry industry, Mr. William D. Termohlen, former Chief of the Production and Marketing Administration, United States Department of Agriculture, stated that the United States had been unable to develop markets for the export of poultry products into Europe because of embargoes.[4] Mr. Termohlen wrote:

" 'The British importers' enthusiasm was in contrast to lack of interest by the National Farmers Union representatives and an attitude of caution on the part of British veterinarians who indicated they felt United States imports would in time cause poultry disease outbreaks among their flocks. * * *

" 'Since the United States is not reported free of Newcastle (disease) by the Paris organization (International Epizootic Organization), no encouragement by United Kingdom officials toward the importation of fresh or frozen poultry meat was forthcoming.'

"Government officials of other countries feel that in the absence of adequate controls by the United States, imports from this country present hazards to their consumers and poultry industry which they are not willing to permit. In the face of a shortage of food in foreign lands, it appears that the poultry industry of the United States presently is confronted by the same dilemma faced by the red-meat industry in 1907.

"Protest by public health and consumer groups

"Many organizations, medical men, health officers, and persons in important positions have expressed interest and alarm over the present situation in the poultry industry. A notable number of them have indicated their willingness to stand up and be counted as soon as a program which would result in correction, if offered to protect the worker and the consumer alike.

"At conference after conference of public health officers and veterinarians the lack of compulsory inspection in the poultry industry has been a subject of serious discussion and suggestions have been made to correct this condition.

"On June 5, 1955, for example, the Central Atlantic States Association of Food and Drug Officials, meeting in Atlanta, Ga., resolved unanimously:

" 'Whereas all meat that enters into interstate commerce may, under Federal regulations, emanate only from federally inspected slaughterhouses; and

" 'Whereas poultry that enters into interstate commerce need not be processed in federally inspected processing plants; and

" 'Whereas uniformity in the inspection of poultry for wholesomeness is most desirable and essential for the welfare of the consumer: Therefore be it

" '*Resolved*, That the Central Atlantic States Association urges that the Federal Government take the necessary measures to require that all poultry entering interstate commerce be inspected for wholesomeness by duly authorized representatives of a Federal agency.'

"The fourth annual conference of Public Health Veterinarians of the American Public Health Association, meeting in St. Louis on October 30, 1950, received from its committee on poultry inspection and sanitation a report which includes the following:

" 'The committee further felt that all poultry entering into interstate commerce, if killed, should be federally inspected. They (sic) felt that if there is a need for the interstate inspections of "red meats," there should be a Federal law requiring the interstate inspection of "poultry meats" and they recommend that this conference go on record as recommending such congressional action as would be needed.'

"The 91st annual meeting of the American Veterinary Medical Association, meeting in Seattle, Wash., August 23 to 26, 1954, resolved that:

" 'The American Veterinary Medical Association recommends that the Poultry Inspection Service be transferred and combined with the Federal Meat Inspection Service where adequate veterinary supervision can be provided to conduct an acceptable inspection program.'

"This transfer would automatically bring about compulsory ante mortem, post mortem inspection for wholesomeness and inspection for sanitation of all poultry processing plants.

"Not only public-health officials and veterinarians have viewed this situation with alarm. The Hoover Commission's Task Force on Federal Medical Service reported in February 1955:

" 'Federal inspection of meat contrasts in form as well as in cost with its inspection of poultry. Whereas about four-fifths of the Nation's meat is slaughtered and packed under compulsory meat inspection, Federal poultry inspection not only is voluntary but also is financed by fees from users of the service and covers less than one-fifth of the Nation's commercial poultry supply.

" 'The poultry industry has doubled in size since 1940 to become the third largest source of gross farm income. Diseases common to poultry and man—especially the salmonella infections—are almost as significant in number and severity as diseases common to animal and man. Poultry or poultry dishes cause about 1 out 4 cases of food-borne disease. Environmental sanitation and handling in poultry packing plants is, in many instances, deplorable.

" 'Both the United States Livestock Sanitary Association and the Conference of State and Territorial Health Officers have recommended that State and local governments strengthein their poultry inspection and sanitation programs. But, as yet, only a few States have compulsory poultry inspection. Especially, in view of the recent growth of the poultry industry, we do not believe we can expect the States alone to provide the needed controls.'

"Legislative suggestions

"The legal propriety of an effective Federal inspection in the poultry processing industry is well established. In fact, under existing Federal enactments, jurisdiction over the industry has long been asserted by the Food and Drug Administration of the United States Department of Health, Education, and Welfare and the Poultry Branch of the Production and Marketing Administration of the United States Department of Agriculture.

"The products of the poultry processing industry prepared for, or while in interstate commerce or at any time thereafter, as subject to the provisions of the Federal Food, Drug, and Cosmetic Act, which is administered by the Food and Drug Administration. In this connection, section 304A of that act provides the authority under which the Food and Drug Administration is empowered to seize adulterated food products. Definitions of adulteration in section 402 are broad indeed and provide an ample frame of legislative authority for the promulgation of codes prescribing standards of wholesomeness of poultry and poultry products. It should likewise be noted that the same Federal statute provides the legislative concepts concerning investigations necessary to conduct an effective inspection program.

"It is here suggested that the establishment of an effective program of inspection for wholesomeness in the poultry processing industry would not necessitate the establishment of a new Federal agency, nor would it establish any new era of Federal jurisdiction.

"Recognizing the inadequacy of current Federal inspection programs, the Public Health Service of the United States Department of Health, Education, and Welfare has prepared and promulgated a poultry ordinance, providing standards of sanitation requirements and is now in the process of preparing and promulgating a proposed poultry ordinance, providing standards of ante mortem and post mortem inspections. Such ordinances, when adopted by States, counties and municipalities, provide a vital uniformity in sanitation and wholesomeness regulations in the poultry processing industry throughout the United States. It should be borne in mind that if the essence of such ordinances and codes were to be enacted as Federal legislation to be enforced by the Food and Drug Administration, there would thus be established, a valuable uniformity in regulations promoting the public health throughout the United States in all parts of the industry operating in interstate or intrastate commerce.

"Significantly, adoption of such Federal legislation could not interfere with the operation of local poultry ordinances in view of the specific Federal jurisdictional definitions contained in section 304 of the Federal Food, Drug and Cosmetic Act.

"In addition to the Food and Drug Administration, jurisdiction over the poultry processing industry has been exercised by the United States Department of Agriculture under the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.). That law provides for inspection and grading programs for poultry and poultry products. Programs, however, are permissive and are financed by the payment of fees by the members of the industry. The various regulations are promulgtated by the poultry branch of the Production and Marketing Administration of the United States Department of Agriculture. In general, three separate programs are administered by the USDA under the 1946 act. They provide inspection for wholesomeness, grading for quality and inspection for plant sanitation. Under the programs, different labels are provided which signify that the cooperating industry member has complied with the standards established in the regulations. The programs are generally comparable to those covering red meat except that, as above stated, they are permissive and are performed on a fee basis.

"Those who have been actively concerned with the establishment of an adequate Federal poultry inspection program have considered the advisability of the compulsory application of the voluntary regulations promulgated by the Production and Marketing Administration. It is of interest to note that Herman I. Miller, Acting Director of the Poultry Division of the Agricultural Marketing Service of the USDA, in a letter dated August 9, 1954, stated as follows:

" 'The responsibility for regulating the interstate shipment of adulterated, unwholesome and misbranded product is vested in the Food and Drug Administration of the Department of Health, Education, and Welfare.'

"It has also been suggested that the problems herein considered can be adequately dealt with by the Bureau of Animal Industry in the Agricultural Research Administration of the United States Department of Agriculture if appropriate legislation is enacted. This bureau now administers the regulations governing meat inspection authorized under the Meat Inspection Act, as amended and extended (34 Stat. 1260; 21 U. S. C. 71; 21 U. S. C., sub. III, 71). Of course, the regulations governing meat inspection contained in the code of Federal regulations (Title 9: Animals and Animal Products) are thorough and all embracing. However, in this connection, it should be noted that such unit inspection, governing poultry and poultry products, could be inaugurated only after appropriate legislation amending the Meat Inspection Act (see above) as well as the Imported Meat Act (46 Stat. 689).

[4] Poultry and Eggs Weekly, Saturday, Apr. 16, 1955.

"This analysis of present laws and regulations indicates the existence of legal precedent for three separate methods of dealing with the problem of Federal poultry inspection. Various considerations to be developed during the course of legislative hearings will, of course, dictate which of the alternate methods should be pursued in effectuating an adequate inspection program in the poultry-processing industry, which will most effectively promote adequate public-health standards. In any event, it is significant to note that the promulgation and effectuation of an adequate Federal inspection program in the industry does not require any extension of existing Federal jurisdiction, nor will it necessitate experimentation with unknown or untried operational procedures."

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Chairman, I enthusiastically support the legislation before the Members of the House on the subject of poultry inspection, and I commend the subcommittee of the Committee on Agriculture for its work on this legislation.

It seems to me a very simple thing to say that we should have the same kind of governmental protection of the public to safeguard it from the marketing of diseased and unwholesome poultry, that for four decades has safeguarded it from the marketing of diseased or adulterated meat. I imagine that when those provisions were before the Congress in those days there was similar opposition to that legislation. I know how successfully the meat inspection program has worked. We know, also, it did not put any small processors out of business. Some may have fallen by the wayside in those four decades but it certainly was not because of the Federal meat inspection laws.

In both the 83d and the 84th Congresses, I joined other Members in introducing measures to provide for an investigation of the conditions under which poultry was sold to the general public. This year I felt the time was appropriate for introduction of a bill requiring Federal inspection of commercial poultry processors and prohibiting the movement of diseased or unhealthful poultry in commerce. My bill, H. R. 899, was designed solely for the protection of consumers from the unwitting purchase and use of unwholesome poultry and poultry products. The measure under consideration today has the same objective.

Investigation by the Congress, testimony from officials of the executive department and a mass of documentation from those who work in the poultry-processing and meat-processing industries has exposed the weakness of our present inspection services in poultry.

Mr. Chairman, this legislation is sorely needed, it is urgent legislation in the interest of the health of the consuming public of this country and I sincerely hope that the House this afternoon will approve the bill before us.

Consumers are simply not protected from the purchase of diseased chickens and turkeys in the same way that they are protected, by Department of Agriculture inspectors, from being unwittingly tempted to purchase diseased or unwholesome beef or lamb or pork. The so-called Federal inspection program involving poultry is wholly voluntary, rather than compulsory, and a Department of Agriculture stamp has certified merely that a commercial poultry plant is generally sanitary rather than that the particular food offered for sale is fit for human consumption.

Let us understand what is involved: Consumers today seldom see live poultry before they buy the product. In the stores and supermarkets they buy packaged poultry, the products of large-scale processors. And in March of 1955 it was estimated that less than 20 percent of all poultry was under even the weak regulation of the voluntary inspection program.

The Amalgamated Meat Cutters and Butcher Workmen, AFL–CIO, pointed out in 1955 that certain poultry diseases can be transmitted to man. Among these are psittacosis—parrot fever—which has been traced to turkeys, and a virus infection called Newcastle disease. The United States Public Health Service reported that in 1948 nearly 2,500 cases of food-borne disease were traced to poultry or poultry dishes.

Some poultry-processing plants handle hundreds of thousands of pounds of poultry a day. In all of 1952, the Food and Drug Administration seized only about 200,000 pounds of poultry as unfit for human consumption. The small budget the Food and Drug Administration has available for such tasks is no substitute for the same kind of continuous inspection the Department of Agriculture provides to protect the public from diseased or unhealthful meat.

The Amalgamated Meat Cutters and Butcher Workmen have submitted affidavits by their members, working in poultry-processing plants, about revolting conditions, about the processing and sale of diseased fowl, about the danger that diseased birds would contaminate the carcasses of poultry that was healthy when slaughtered through the contamination of assembly-line equipment.

What are we seeking? Simply, Federal Department of Agriculture inspection of poultry plants offering fowl for human consumption in the stream of commerce.

We propose no innovation in principle. Department of Agriculture inspection of meat-processing plants is well established. The people acknowledge it and would never dream of abandoning it.

We seek to extend the principle of inspection to poultry-processing plants, so that food produced commercially and offered for sale in commerce shall be watched and inspected and certified as fit all through the process.

We propose that a poultry inspection section shall be established in the Department of Agriculture and that all poultry or poultry products transported in commerce must be inspected and marked as inspected.

The individual farmer could be exempted by the Secretary of Agriculture. Time would be allowed—2 years—for establishment of the Poultry Inspection Service. But we provide penalties for violation and the process of injunction, granting any person accused of violation a right of trial by jury if requested.

The objective is to protect the people from consumption of unfit food produced commercially, and I believe that the proposals are sound and practical.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Chairman, I want to commend the gentleman from Illinois [Mr. PRICE] for his very forceful statement on this important bill.

This legislation may not be vital in small communities close to the source of poultry supplies, however, the people of large urban areas, the principal consumers of poultry produced in many sections of the country are entitled to assurance that the poultry which they consume meets essential standards of wholesomeness—that it is fit and suitable for human consumption.

I am pleased to support this legislation and urge its enactment without delay.

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Illinois.

Mr. GRAY. I would like to associate myself with the remarks of the distinguished gentleman in support of this legislation. Although the bill does not do everything desired, it is a step in the right direction to help control disease and insure the public of getting the best meat and poultry possible.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield 3 minutes to the gentleman from Nebraska [Mr. HARRISON].

Mr. HARRISON of Nebraska. Mr. Chairman, I rise only at this time to ask a question of the committee to make sure that we understand each other and that it is a matter of record, as to whether or not the provisions of this particular legislation are extended to the possessions and Territories and islands of the United States. Would it be the impression of the committee that this bill includes Hawaii, Puerto Rico, the Samoan Islands, and so forth?

Mr. WATTS. Mr. Chairman, if the gentleman will yield, I will say to the gentleman that I do not think there is any specific reference to Territories and islands.

Mr. HARRISON of Nebraska. I presume that these islands and Territories do produce chickens and turkeys and poultry of the kind that is sought to be protected by this legislation.

Mr. WATTS. I will have to correct that statement. On page 18 under "Definitions" it states:

For the purposes of this act—

(a) The term "commerce" means commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State or the District of Columbia, but through any place outside thereof; or within the District of Columbia.

So, I assume it does cover them.

Mr. HARRISON of Nebraska. So that it does cover possessions and Territories.

Now, if I may proceed for a moment. I do not want to appear to be opposed to

anything that affects the health and welfare of the people of the United States, and it has been stated here that we have been getting, in some instances, a type of poultry that is not healthful or wholesome at all. In spite of that claim, if it is true, the consumption of poultry has grown from a very meager start to some 6 billion pounds a year. Now, it appears to me at this time, since we have no particular examples of how the health has been impaired in this country of ours by the consumption of poultry, that we might effect a little economy. And, when I talk about economy, I think you will all agree with me that we want to, as far as possible, cut down on the number of Government employees.

Let me give you just a little example of how our Government has grown and grown. When I came to the Congress back in January 1952 there was the same urge to cut down on the number of Government employees; we wanted to cut down the number in the different departments. I know more about the Department of Agriculture than I do any of the other departments, but from 1952 until 1957 we added something over 16,000 employees. Now, this is just another example of adding more and more employees to our Government and thus increasing our taxes. I get letters every day from my constituents back home wanting us to effect economy here, and here, I think, is a good place to effect economy and in no way adversely affect the health of this Nation of ours.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Nebraska. I yield to the gentleman.

Mr. HALLECK. I stated in the remarks I made a little while ago, quoting Dr. Larrick, to the effect that so far as they can establish scientifically, no disease of poultry could be transmitted to a person eating that poultry. There has been reference here to 26 diseases to which poultry is susceptible and human beings are susceptible. I wish somebody who claims to be an expert on this would tell me first of all, are those diseases communicable, not by handling the poultry but by eating it, and particularly after it has been cooked? Are they such as could be determined in this post mortem inspection?

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. COOLEY. Mr. Chairman, I yield myself 1 minute and yield to the gentleman from Utah [Dr. DIXON], who referred to the communicable diseases, to the end that he might answer the inquiry propounded by the gentleman from Indiana.

Mr. DIXON. Mr. Chairman, we tried to find that information in the 1957 hearings, but it is in the 1956 hearings. I am referring to the data which are quoted.

Mr. HALLECK. The only thing that occurred to me is that there is a remarkably discrepancy in this very important matter, because my information is that these diseases you might find in poultry are not communicable to the people who eat the poultry after it has been cooked; and so far as I know everyone cooks a chicken before he eats it.

Mr. COOLEY. Is the gentleman taking the position that it is just as well to eat bad poultry as to eat good poultry?

Mr. HALLECK. Just a minute, Mr. Chairman. I am not taking the position that it is good for people to eat bad poultry. But if my wife buys a chicken, and it smells bad, or is deformed, she can detect that and does not need to have somebody inspect it to know it.

Mr. COOLEY. Mr. Chairman, I yield to the gentleman from Illinois 1 minute for an observation.

Mr. PRICE. Mr. Chairman, in 1948 the United States Public Health Service reported 2,500 cases of parrot fever due to poultry.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. COOLEY. Mr. Chairman, I yield myself 1 further minute and yield to Dr. DIXON to go further into this matter.

Mr. DIXON. Mr. Chairman, in reply to my colleague from Indiana [Mr. HALLECK] psittacosis is a disease confined largely to handlers of poultry. We have a record of 1,145 of those cases. There was an outbreak of it in the Northwest.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentleman. The handlers had that disease.

Mr. HALLECK. Of course, a postmortem inspection is not going to do any good in connection with ornithosis in turkeys and the psittacosis that results. It is just like tularemia in rabbits; you do not get it from eating the rabbit.

Mr. DIXON. This would protect the handlers and prevent epidemics because the bill gives the Secretary authority to make ante mortem inspections. But, Mr. Chairman, let us go further.

Poultry diseases communicable to humans are a public health hazard.

At least 26 diseases can be communicated to man through poultry.

In a report by Mildred M. Galton, bacteriologist, Communicable Disease Center, Public Health Service, Federal Security Agency, Atlanta, Ga., it was stated:

> The diseases of poultry to which man is also susceptible comprise a rather large group. In his excellent review Ingalls (W. L. Ingalls. The Public Health Aspects of Poultry Diseases. Proceedings American Veterinarians Medical Association; 87th annual meeting, August 1950, p. 282) lists 26 such diseases including these caused by bacteria viruses, fungi, and protozoa. It is apparent that some of these diseases constitute a considerable hazard to public health.

Disease statistics are incomplete, but they tell an important story.

Psittacosis affects poultry plant workers. The number of recorded cases from 1940 to July 16, 1955, was 1,145, including 26 deaths. These figures do not tell the full story of lost man-hours, illnesses and deaths. The National Office of Vital Statistics lists no deaths and only 32 cases of illness due to psittacosis in 1948, but Dr. J. B. Irons, director of laboratories of the Texas State Department of Health, has reported 3 deaths and 22 cases occurring among turkey plant workers in Giddings, Tex., alone during that year.

Limited figures on salmonellosis attributed to poultry or poultry products—F. S. A. National Office of Vital Statistics—show 749 cases between January 13, 1951 and December 20, 1952.

Similar figures on gastroenteritis attributable to poultry products show 1,243 cases between June 16, 1951 and December 20, 1952.

Findings of the United States Public Health Service show that 1 out of 4 food poisoning cases studied were the result of poultry or poultry products. It should be noted, however, that many of these came from the processing, but most from poultry handling after processing.

In addition to the prevention of disease, sanitation would be greatly improved.

While it is true that when poultry is thoroughly cooked most disease organisms are killed, the consumption of such poultry is like eating well-cooked garbage.

To illustrate the fact that eating some poultry is like eating well-cooked garbage, I would like to quote from some affidavits given in testimony before the Poultry and Eggs Subcommittee of which I am a member. These statements were furnished by Representative LEONOR K. SULLIVAN of Missouri.

(Hearings before Subcommittee on Poultry and Eggs. July 17 and 18, 1956, p. 41.)

"My job was to pull feathers and those who were on the job with me and I were the first ones to handle the chickens after they had passed through the scalding process and roughing machine. When the chickens reached me most of the feathers were off the bodies and I could see the skin of the birds very clearly. It was quite often that thousands of chickens would pass on the line with sores on their bodies. Thousands of them would have large swellings as large as a chicken egg on their bodies. These swellings were filled with a yellowish pus and the odor was very strong."

Or as a worker in another plant has said:

"I work on many different jobs on the line. During this time I saw lots of chickens with lumps on them and some were full of sores. Sometimes when the lumps were cut off or they would burst, they smelled awful bad. All of these chickens went right through with the other chickens for shipment."

Or as another employee states in an affidavit:

"When a lot of chickens were returned to our plant because the customer would not take them because they were not the quality he wanted, these chickens were cut up in pieces and frozen and shipped to another customer. Many times these chickens were in not very good condition when they came back to the plant."

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield 4 minutes to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Chairman, when I asked for this time it was for the purpose of asking a few questions, many of which have since been answered. So I shall not consume all of the 4 minutes.

I should like to ask the chairman of the subcommittee, however, a question or two in order to clarify some points in my mind that have not been resolved in the debate.

As I understand it, we now have a voluntary program which this proposed legislation will nullify; is that correct?

Mr. WATTS. That is right.

Mr. JONAS. This voluntary program is participated in by what proportion of the processing industry?

Mr. WATTS. Between 25 percent and 30 percent of the poultry that is processed. It is used mostly by the large processors, and I would assume on a numerical basis it is a much smaller percentage than 25 percent.

Mr. JONAS. But it is used principally by the large processors?

Mr. WATTS. That is right.

Mr. JONAS. Is it true that the concerns now under the voluntary program pay for the inspection?

Mr. WATTS. That is right.

Mr. JONAS. But they would be relieved of that obligation under this legislation and the taxpayers generally would assume the entire cost of the program?

Mr. WATTS. Yes. It was felt by the committee that it was a matter of national concern, and one which was addressed to the consuming of the poultry rather than the processing.

Mr. JONAS. Under this proposed legislation, how much will the big processors be relieved from paying which they are now paying under the voluntary program?

Mr. WATTS. I do not have the exact figures on that. They told us in the committee that when the program was in full operation it would cost about $10 million a year. If 30 percent of the poultry inspection is being paid for by voluntary processing at this time, I assume you would say that 30 percent of $10 million is what they are paying. I doubt, however, if it runs that high, because there are so many little plants that it is going to cost more per bird to inspect them than it will in the larger plants.

Mr. JONAS. It is true, is it not, that if we go into this program, and it is a new program, a new authorization, for which appropriations will have to be made hereafter from year to year to support it, if we begin the program we should be prepared to expand it as the country grows and additional processing plants are established?

Mr. WATTS. I would assume that, like everything else in this country, as the country grows it probably will grow.

Mr. JONAS. I think the Committee should realize that this is another one of the authorization bills that we frequently have before the Committee, and that the estimate is that it will cost $10 million a year. From the information gained from the questions asked here today, it would appear that, with respect to at least 30 percent of that money, this legislation will relieve the big processors of a considerable obligation they have heretofore assumed and passes that obligation on to the general taxpayers.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Indiana.

Mr. HALLECK. From the report itself having to do with the cost of the program I quote this statement by the Department:

> It is believed that the enactment of this proposed legislation would result in a need for $7,750,000 on an annual basis during the first year and an annual appropriation of approximately $10 million for each subsequent year. This amount would, of course, have to be increased to the extent that the act was applied to cities and areas as provided in section 4. A study would be made in the interim, before the legislation became fully effective, to serve as a basis for arriving at the cost of the program.

There is no question in my mind that the way this legislation is drafted practically all intrastate processors are going to have to arrange for this inspection if they expect to stay in business. When I estimated that the cost would be from $10 to $20 million a year, $10 million is the low limit and I think $20 million is a low high limit.

Mr. WATTS. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, I should like to ask the chairman of the committee one question in relation to this last discussion. Is it not true that at the present time the large processors are the only ones that can afford this inspection and, therefore, they in essence have preempted the field; and that by doing as proposed under this bill, the small processors would get an opportunity to get back into the market and get their fair share of the market?

Mr. WATTS. The gentleman is exactly right. The testimony before our committee and the statements of the Department would bear out what the gentleman has said. At the present time only the large processors are in a position to have the inspection done, and due to the advertising campaign that has been put on in many places the small processors are being hurt.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Indiana.

Mr. HALLECK. I do not know whether or not the gentleman was here when I spoke earlier, but I had a letter from a constituent of mine in my home county in Indiana who is in the wholesale processing business on a very small scale. He said in his letter there were 15 other small processors in that 1 county. I know a great many of them personally. Do I understand that they are going to be kept in business and that the Government somehow will arrange to have an inspector at these 15 little processing plants in 1 county in my district? If that is to be arranged, and if they are going to continue in business and have this inspection, all I can say is that it is going to require a lot more inspectors than anybody has been talking about up to this point—and remember we do not have these giant mechanized processors.

Mr. ROOSEVELT. I think that would be a proper question for the chairman to answer.

Mr. WATTS. In answer to the gentleman, I would like to suggest that this bill specifies that we may use State employees and that we may hire people by the hour or that arrangements may be made in your county or community where you do a small amount of processing. Further, where a small amount of processing is done, it probably is not done all in 1 day and probably 1 inspector can serve more than 1 plant. Further, a cooperative agreement may be entered into between the Federal Government and your State or county or other State agencies to perform the inspection service. Furthermore, there is a provision allowing the Secretary to grant an exemption until 1960 where it would be impracticable in the beginning of the program to provide inspection. I am frank to admit to the gentleman that we may run into a good many problems in the administration of this law, and certainly the Congress is going to be in session after this year; and after this thing starts, if we have bit off more than we can chew, I shall be the first to join with the gentleman to straighten the matter out.

Mr. REECE of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I am happy to yield to the gentleman from Tennessee.

Mr. REECE of Tennessee. Has the Director of the Budget approved this bill?

Mr. WATTS. Yes.

Mr. REECE of Tennessee. It does not say so in the report; does it?

Mr. WATTS. The Department of Agriculture will never submit a report to us favorably until the Bureau of the Budget gives them permission to do so, and that has been the procedure in the past.

Mr. REECE of Tennessee. My experience has been that, when it is submitted to the Director of the Budget, the report states that it has been so submitted to the Director and has been approved by him.

Mr. McINTIRE. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. McINTIRE. May I say to the gentleman from Tennessee that under date of March 6, 1957, in a communication addressed to the Honorable HAROLD D. COOLEY, chairman of our committee, signed by the Secretary of Agriculture Mr. Benson in the last paragraph, and I quote:

> The Bureau of the Budget advises that there is no objection to the submission of this report.

This is a favorable report in which some amendments are suggested by the Department.

Mr. WATTS. Mr. Chairman, I yield such time as he may require to the gentleman from Wisconsin [Mr. ZABLOCKI].

Mr. ZABLOCKI. Mr. Chairman, I want to join with my distinguished colleagues in urging prompt enactment of H. R. 6814, the bill to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products.

I have actively supported this proposal, and I am happy that it has reached the floor of this House so that we may debate it and approve it without further delay.

The enactment of this measure is vital to the health of the American people.

Most immediately, an effective, compulsory poultry inspection program is necessary to minimize the health dangers which face thousands of poultry workers in many plants. These dangers, which range from bothersome skin rashes and infections to killing psittacosis, have been recognized a long time ago by poultry workers and their organizations. It is to the credit of these organizations that they have consistently and energetically advocated the enactment of legislation to protect poultry workers against health hazards, and to safeguard public health.

A poultry inspection program along the lines oulined in the bill before us is equally important to the health of poultry consumers throughout the Nation. The scandalous practices by some individuals of the poultry industry which have jeopardized public health, must be ended.

The consumer must be assured of a clean and wholesome product, and this legislation would help to achieve that objective. For this reason, it deserves our prompt and wholehearted approval.

The report submitted by the Agriculture Committee on H. R. 6814 points out that this bill was drafted after the committee held extensive hearings on this proposal. In the course of the hearings, the committee received testimony from more than 70 witnesses, representing parts of the poultry industry, health officers and other representatives of States and cities, general consumer organizations, labor unions, and all of the major farm organizations.

Without exception, all of the witnesses expressed themselves in favor of some type of compulsory poultry inspection.

Their testimony alone shows the urgent need for the enactment of this legislation.

I sincerely hope that H. R. 6814 will receive our prompt approval. The program it proposes is badly needed in the interests of the consumers and of the poultry workers of our Nation. It should be enacted into law without delay.

Mr. WATTS. Mr. Chairman, I yield such time as he may require to the gentleman from California.

Mr. HAGEN. Mr. Chairman, this legislation was considered by our committee with very little controversy and to my knowledge there was no audible dissent when we passed it out. Oddly enough, this is one of the few bills that comes out of our committee which looks principally to the interest of the consumers of this country, the housewives. We rarely pass anything here for the benefit of the housewife. This is one of those items. Actually, in referring to the cost of inspection, you might as well argue that we should abolish the Food and Drug Administration if we are to make the relatively small cost involved here the controlling consideration because this is a program which is for the protection of everyone in their homes. If the private packer pays it, he passes it on to the consumer. So the housewife is going to pay for the bill in the long run anyway. To get a uniform impact in this kind of program, we need this kind of law.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, we have no further requests for time.

Mr. WATTS. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "Poultry Products Inspection Act."

LEGISLATIVE FINDING

SEC. 2. Wholesome poultry products are an important source of the Nation's total supply of food. Such products are consumed throughout the Nation and substantial quantities thereof move in interstate and foreign commerce. Unwholesome poultry products in the channels of interstate or foreign commerce are injurious to the public welfare, adversely affect the marketing of wholesome poultry products, result in sundry losses to producers, and destroy markets for wholesome poultry products. The marketing of wholesome poultry products is affected with the public interest and directly affects the welfare of the people. All poultry and poultry products which have or are required to have inspection under this act are either in the current of interstate or foreign commerce or directly affect such commerce. That part that enters directly into the current of interstate or foreign commerce cannot be effectively inspected and regulated without also inspecting and regulating all poultry and poultry products processed or handled in the same establishment.

The great volume of poultry products required as an article of food for the inhabitants of large centers of population directly affects the movement of poultry and poultry products in interstate commerce. To protect interstate commerce in poultry and poultry products inspected for wholesomeness, from being adversely burdened, obstructed, or affected by uninspected poultry or poultry products, the Secretary of Agriculture is authorized, pursuant to the provisions of this act, to designate major consuming areas where poultry or poultry products are handled or consumed in such volume as to affect the movement of inspected poultry or poultry products in interstate commerce.

DECLARATION OF POLICY

SEC. 3. It is hereby declared to be the policy of Congress to provide for the inspection of poultry and poultry products by the inspection service as herein provided to prevent the movement in interstate or foreign commerce or in a designated major consuming area of poultry products which are unwholesome or otherwise unfit for human food.

DESIGNATION

SEC. 4. Upon application by the appropriate governing official or body of a substantial portion of any major consuming area or upon application by an appropriate local poultry industry group in such an area, where the Secretary has reason to believe that poultry or poultry products are handled or consumed in such volume as to affect, burden, or obstruct the movement of inspected poultry products in interstate commerce, the Secretary shall conduct a public hearing to ascertain whether or not it will tend to effectuate the purposes of this act for such area to be subject to the provisions of this act. If after public hearing the Secretary finds that poultry or poultry products are handled or consumed in such volume as to affect, burden, or obstruct the movement of inspected poultry products in commerce and that the designation of such area will tend to effectuate the purposes of this act, he shall by order designate such area and prescribe the provisions of this act which shall be applicable thereto and grant such exemptions therefrom as he determines practicable. Such designation shall not become effective until 6 months after the notice thereof is published in the Federal Register. On and after the effective date of such designation, all poultry and poultry products processed, sold, received, or delivered in any such area shall be subject to the provisions of this act.

ANTE MORTEM AND POST MORTEM INSPECTION, REINSPECTION AND QUARANTINE

SEC. 5. (a) For the purpose of preventing the entry into or flow or movement in commerce or a designated major consuming area of any poultry product which is unwholesome or adulterated, the Secretary shall, where and to the extent considered by him necessary, cause to be made by inspectors ante mortem inspection of poultry in any official establishment processing poultry or poultry products for commerce or in, or for marketing in a designated city or area.

(b) The Secretary, whenever processing operations are being conducted, shall cause to be made by inspectors post mortem inspection of the carcass of each bird processed, and such quarantine, segregation, reinspection as he deems necessary of poultry and poultry products in each official establishment processing such poultry or poultry products for commerce or in, or for marketing in a designated city or area.

(c) All poultry carcasses and parts thereof and poultry products found to be unwholesome or adulterated shall be condemned and shall, if no appeal be taken from such determination of condemnation, be destroyed for human food purposes under the supervision of an inspector: *Provided*, That carcasses, parts, and products, which may by reprocessing be made not unwholesome and not adulterated, need not be so condemned and destroyed if so reprocessed under the supervision of an inspector and thereafter found to be not unwholesome and not adulterated. If an appeal be taken from such determination, the product shall be appropriately marked and segregated pending completion of an appeal inspection, which appeal shall be at the cost of the appellant if the Secretary determines that the appeal is frivolous. If the determination of condemnation is sustained the product shall be destroyed for human food purposes under the supervision of an inspector.

(d) The Secretary shall refuse to render inspection to any establishment whose premises, facilities, or equipment, or the operation thereof, fail to meet the requirements of section 6 of this act.

SANITATION, FACILITIES AND PRACTICES

SEC. 6. Each official establishment slaughtering poultry or processing poultry products for commerce or in or for marketing in a designated major consuming area shall have such premises, facilities, and equipment, and be operated in accordance with such sanitary practices, as are required and approved by the Secretary for the purpose of preventing the entry into or flow or movement in commerce or in a designated city or area, of poultry products which are unwholesome or adulterated.

LABELING

SEC. 7. (a) Each shipping container of any poultry product inspected under the authority of this act and found to be wholesome and not adulterated, shall at the time such product leaves the official establishment bear, in distinctly legible form, the official inspection mark and the approved plant number of the official establishment in which the contents were processed. Each immediate container of any poultry product inspected under the authority of this act and found to be wholesome and not adulterated shall at the time such product leaves the official establishment bear, in

addition to official inspection mark, in distinctly leigble form, the name of the product, a statement of ingredients if fabricated from two or more ingredients including a declaration as to artificial flavors, colors, or preservatives, if any, the net weight or other appropriate measure of the contents, the name and address of the processor and the approved plant number of the official establishment in which the contents were processed. The name and address of the distributor may be used in lieu of the name and address of the processor if the approved plant number is used to identify the official establishment in which the poultry product was prepared and packed.

(b) The use of any written, printed or graphic matter upon or accompanying any poultry product inspected or required to be inspected pursuant to the provisions of this act or the container thereof which is false or misleading is prohibited. No poultry products inspected or required to be inspected pursuant to the provisions of this act shall be sold or offered for sale by any person, firm, or corporation under any false or deceptive name; but established trade name or names which are usual to such products and which are not false and deceptive and which shall be approved by the Secretary are permitted. If the Secretary has reason to believe that any label in use or prepared for use is false, or misleading, he may direct that the use of the label be withheld unless it is modified in such manner as the Secretary may prescribe so that it will not be false or misleading. If the person using or proposing to use the label does not accept the determination of the Secretary, he may request a hearing, but the use of the label shall, if the Secretary so directs, be withheld pending hearing and final determination by the Secretary. Any such determination by the Secretary shall be conclusive unless within 30 days after the receipt of notice of such final determination the person adversely affected thereby appeals to the United States court of appeals for the circuit in which he has his principal place of business or to the United States Court of Appeals for the District of Columbia Circuit. The provisions of section 204 of the Packers and Stockyards Act of 1921, as amended, shall be applicable to appeals taken under this section.

PROHIBITED ACTS

SEC. 8. The following acts or the causing thereof are hereby prohibited:

(a) The processing, sale or offering for sale, transportation, or delivery or receiving for transportation, in commerce or in a designated major consuming area of any poultry product, unless such poultry product has been inspected for wholesomeness and unless the shipping container, if any, and the immediate container are marked in accordance with the provisions of this act.

(b) The sale or other disposition for human food of any poultry or poultry product which has been inspected and declared to be unwholesome or adulterated under this act.

(c) Falsely making or issuing, altering, forging, simulating, or counterfeiting any official inspection certificate, memorandum, mark, or other identification or device for making such mark or identification, used in connection with the inspection of poultry, or poultry products under this act, or causing, procuring, aiding, assisting in, or being a party to, such false making, issuing, altering, forging, simulating, or counterfeiting, or knowingly possessing, without promptly notifying the Secretary of Agriculture or his representative, uttering, publishing, or using as true, or causing to be uttered, published, or used as true, any such falsely made or issued, altered, forged, simulated, or counterfeited official inspection certificate, memorandum, mark, or other identification, or device for making such mark or identification, or representing that any poultry or poultry product has been officially inspected under the authority of this act when such poultry or poultry product has in fact not been so inspected.

(d) Using in commerce, or in a designated city or area, a false or misleading label on any poultry product.

(e) The use of any container bearing an official inspection mark except for the poultry product in the original form in which it was inspected and covered by said mark unless the mark is removed, obliterated, or otherwise destroyed.

(f) The refusal to permit access by any duly authorized representative of the Secretary, at all reasonable times, to the premises of an establishment engaged in processing poultry or poultry products for commerce, or in or for marketing in a designated city or area, upon presentation of appropriate credentials.

(g) The refusal to permit access to and the copying of any record as authorized by section 10 of this act.

(h) The using by any person to his own advantage, or revealing, other than to the authorized representatives of the Government in their official capacity, or to the courts when relevant in any judicial proceeding under this act, any information acquired under the authority of this act, concerning any matter which as a trade secret is entitled to protection.

(i) Delivering, receiving, transporting, selling, or offering for sale or transport for human consumption any slaughtered poultry or any part thereof, separately or in combination with other ingredients (other than poultry products as defined in this act), in commerce or from an official establishment or in a designated major consuming area, except that such poultry may be permitted to be transported between official establishments and to foreign countries pursuant to rules and regulations prescribed by the Secretary.

SEC. 9. No establishment processing poultry or poultry products for commerce or in or for marketing in a designated city or area shall process any poultry or poultry product except in compliance with the requirements of this act.

RECORDS OF INTERSTATE SHIPMENT

SEC. 10. For the purpose of enforcing the provisions of this act, persons engaged in the business of processing, transporting, shipping, or receiving poultry slaughtered for human consumption or poultry products in commerce or in a designated major consuming area, or holding such products so received shall maintain records showing, to the extent that they are concerned therewith, the receipt, delivery, sale, movement, or disposition of poultry and poultry products and shall, upon the request of a duly authorized representative of the Secretary, permit him at reasonable times to have access to and to copy all such records. Nothing in this section shall be construed as requiring the maintenance of a record for a period longer than 2 years after the transaction, which is the subject of such record, has taken place.

INJUNCTION PROCEEDINGS

SEC. 11. The district courts of the United States are vested with jurisdiction specifically to enforce, and to prevent and restrain violations of this act. The remedies provided for in this section shall be in addition to, and not exclusive of, any of the remedies or penalties provided for elsewhere in this act or now or hereafter existing at law or in equity.

PENALTIES

SEC. 12. (a) Any person who violates the provisions of section 8, 9, 10, or 17, shall be guilty of a misdemeanor and shall on conviction thereof be subject to imprisonment for not more than 6 months, or a fine of not more than $3,000, or both such imprisonment and fine; but if such violation is committed after 1 conviction of such person under this section has become final such person shall be subject to imprisonment for not more than 1 year, or a fine of not more than $5,000, or both such imprisonment and fine; but if such violation is committed after 2 or more convictions of such person under this section have become final such person shall be subject to imprisonment for not more than 2 years, or a fine of not more than $10,000, or both such imprisonment and fine. When construing or enforcing the provisions of said sections, the act, omission, or failure of any person acting for or employed by any individual, partnership, corporation, or association within the scope of his employment or office shall in every case be deemed the act, omission, or failure of such individual, partnership, corporation, or association, as well as of such person.

(b) No carrier shall be subject to the penalties of this section for a violation of the provisions of section 8 or 17 by reason of his receipt, carriage, holding or delivery, in the usual course of business as a carrier of slaughtered poultry or poultry products, owned by another person unless the carrier has knowledge, or is in possession of facts which would cause a reasonable person to believe that such slaughtered poultry or poultry products were not inspected or marked in accordance with the provisions of this act or were not eligible for transportation under this act. Any carrier who, with or without knowledge, violated section 10 of this act shall be subject to the penalties of this section.

SEC. 13. Before any violation of this act is reported by the Secretary to any United States attorney for institution of a criminal proceeding the person against whom such proceeding is contemplated shall be given reasonable notice of the alleged violation and opportunity to present his views orally or in writing with regard to such contemplated proceeding. Nothing in this act shall be construed as requiring the Secretary to report for criminal prosecution or for the institution of injunction proceedings violations of this act whenever he believes that the public interest will be adequately served and compliance with the act obtained by a suitable written notice or warning.

REGULATIONS

SEC. 14. The Secretary shall promulgate such rules and regulations as are necessary to carry out the provisions of this act.

EXEMPTIONS

SEC. 15. (a) The Secretary is authorized, by regulation and under such conditions as to sanitary standards, practices, and procedures as he may prescribe, to exempt from specific provisions of this act—

(1) poultry producers with respect to poultry of their own raising on their own farms which they sell directly to household consumers only: *Provided*, That such poultry producers do not engage in buying or selling poultry products other than those produced from poultry raised on their own farms;

(2) retail dealers with respect to poultry products sold directly to consumers in individual retail stores: *Provided*, That the only processing operation performed by such retail dealers is the cutting up of poultry products on the premises in which such sales to consumers are made;

(3) for such period of time as the Secretary determines that it would be impracticable to provide inspection and the exemption will aid in the effective administration of this act, any person engaged in the processing of poultry or poultry products for commerce and the poultry or poultry products processed by such person: *Provided, however*, That no such exemption shall continue in effect on and after July 1, 1960;

(4) persons slaughtering, processing, or otherwise handling poultry or poultry products which have been or are to be processed as required by recognized religious dietary laws, to the extent that the Secretary determines necessary to avoid conflict with such requirements while still effectuating the purposes of this act.

(b) The Secretary may by order suspend or terminate any exemption under this section with respect to any person whenever he finds that such action will aid in effectuating the purposes of this act.

VIOLATIONS BY EXEMPTED PERSONS

SEC. 16. Any person who sells, delivers, transports, or offers for sale or transportation in commerce or in a designated major consuming area any poultry products which are exempt under section 15, knowing that such products are unwholesome and are intended for human consumption, shall be guilty of a misdemeanor and shall on conviction thereof be subject to the penalties set forth in section 12.

IMPORTS

SEC. 17. (a) No slaughtered poultry, or parts or products thereof, of any kind shall be imported into the United States unless they are healthful, wholesome, and fit for human food, not adulterated, and contain no dye, chemical, preservative, or ingredient which renders them unhealthful, unwholesome, adulterated, or unfit for human food and unless they also comply with the rules and regulations made by the Secretary of Agriculture to assure that imported poultry or poultry products comply with the standards provided for in this act. All imported slaughtered poultry, or parts or products thereof, shall after entry into the United States in compliance with such rules and regulations be deemed and treated as domestic slaughtered poultry, or parts or products thereof, within the meaning and subject to the provisions of this act and the Federal Food, Drug, and Cosmetic Act, and acts amendatory of, supplemental to, or in substitution for such acts.

(b) The Secretary of Agriculture is authorized to make rules and regulations to carry out the purposes of this section and in such rules and regulations the Secretary of Agriculture may prescribe the terms and conditions for the destruction of all slaughtered poultry, or parts or products thereof, offered for entry and refused admission into the United States unless such slaughtered poultry, or parts or products thereof, be exported by the consignee within the time fixed therefor in such rules and regulations.

(c) All charges for storage, cartage, and labor with respect to any product which is refused admission pursuant to this section shall be paid by the owner or consignee, and in default of such payment shall constitute a lien against any other products imported thereafter by or for such owner or consignee.

GENERAL PROVISIONS

SEC. 18. (a) For the purpose of preventing and eliminating burdens on commerce in poultry and poultry products, the jurisdiction of the Secretary within the scope of this act shall be exclusive and poultry and poultry products shall be exempt from the provisions of the Federal Food, Drug, and Cosmetic Act, as amended, to the extent of the application or the extension thereto of the provisions of this act.

(b) In carrying out the provisions of this act, the Secretary may cooperate with other branches of government and with State agencies and may conduct such examinations, investigations, and inspections as he determines practicable through any officer or employee of a State commissioned by the Secretary for such purpose.

COST OF INSPECTION

SEC. 19. The cost of inspection rendered under the requirements of this act shall be borne by the United States. The Secretary of Agriculture is authorized in his discretion to pay employees of the Department of Agriculture, employed in establishments subject to the provisions of this act, for overtime or holiday work performed at such establishments at such rates as he may determine and to accept from such establishments wherein such premium pay work is performed reimbursement for any sums paid out by him for such work such reimbursement to be available without fiscal year limitation to carry out the purposes of this section.

APPROPRIATIONS

SEC. 20. There is hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this act.

SEPARABILITY OF PROVISIONS

SEC. 21. If any provision of this act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the act and of the application of such provision to other persons and circumstances shall not be affected thereby.

DEFINITIONS

SEC. 22. For the purposes of this act—

(a) The term "commerce" means commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State or the District of Columbia, but through any place outside thereof; or within the District of Columbia.

(b) The term "Secretary" means the Secretary of Agriculture.

(c) The term "person" means any individual, partnership, corporation, association, or any other business unit.

(d) The term "poultry" means any live or slaughtered domesticated bird.

(e) The term "poultry product" means any poultry which has been slaughtered for human food from which the blood, feathers, feet, head, and viscera have been removed in accordance with rules and regulations promulgated by the Secretary, any edible part of poultry, or, unless exempted by the Secretary, any human food product consisting of any edible part of poultry separately or in combination with other ingredients.

(f) The term "wholesome" means sound, healthful, clean, and otherwise fit for human food.

(g) The term "unwholesome" means:

(1) Unsound, injurious to health, or otherwise rendered unfit for human food.

(2) Consisting in whole or in part of any filthy, putrid, or decomposed substance.

(3) Processed, prepared, packed, or held under unsanitary conditions whereby a poultry carcass or parts thereof or any poultry product may have become contaminated with filth or whereby a poultry product may have been rendered injurious to health.

(4) Produce in whole or in part from poultry which has died otherwise than by slaughter.

(5) Packaged in a container composed of any poisonous or deleterious substance which may render the contents injurious to health.

(h) The term "adulterated" shall apply to poultry and poultry products under one or more of the following circumstances:

(1) If they bear or contain any poisonous or deleterious substance which may render them injurious to health; but in case the substance is not an added substance, such poultry and poultry products shall not be considered adulterated under this clause if the quantity of such substance in such poultry and poultry products does not ordinarily render them injurious to health.

(2) If they bear or contain any added poisonous or added deleterious substance, unless such substance is permitted in their production or unavoidable under good manufacturing practices as may be determined by rules and regulations hereunder prescribed by the Secretary or other provisions of Federal law limiting or tolerating the quantity of such added substance on or in such poultry and poultry products: *Provided*, That any quantity of such added substance exceeding the limits so fixed shall also be deemed to constitute adulteration.

(3) If any substance has been substituted, wholly or in part, therefor.

(4) If damage or inferiority has been concealed in any manner.

(5) If any valuable constituent has been in whole or in part omitted or abstracted therefrom.

(6) If any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is.

(i) The term "inspector" means:

(1) an employee or official of the United States Government authorized by the Secretary to inspect poultry and poultry products under the authority of this act, or

(2) any employee or official of any State government authorized by the Secretary to inspect poultry and poultry products under authority of this act, under an agreement entered into between the Secretary and the appropriate State agency.

(j) The term "official inspection mark" means the symbol, formulated pursuant to rules and regulations prescribed by the Secretary, stating that the product was inspected.

(k) The term "inspection service" means the official Government service within the Department of Agriculture, designated by the Secretary as having the responsibility for carrying out the provisions of this act.

(l) The term "container" or "package" include any box, can, tin, cloth, plastic, or any other receptable, wrapper, or cover.

(m) The term "official establishment" means any establishment as determined by the Secretary at which inspection of the slaughter of poultry, or the processing of poultry products, is maintained under the authority of this act.

(n) The term "label" means any written, printed, or graphic material on the shipping container, if any, or upon the immediate container, including but not limited to an individual consumer package, or the poultry product, or accompanying such product.

(o) The term "shipping container" means any container used or intended for use in packaging the product packed in an immediate container.

(p) The term "immediate container" includes any consumer package; or any carton, box, barrel, or other receptacle in which poultry carcasses or poultry products, not consumer packaged, are packed.

EFFECTIVE DATE

SEC. 23. This act shall take effect upon enactment, except that no person shall be subject to the provisions of this act prior to January 1, 1959, unless such person after January 1, 1958, applies for and receives inspection for poultry or poultry products in accordance with the provisions of this act and pursuant to regulations promulgated by the Secretary hereunder, in any establishment processing poultry or poultry products in commerce or in a designated major consuming area. Any person who voluntarily applies for and receives such inspection after January 1, 1958, shall be subject, on and after the date he commences to receive such inspection, to all of the provisions and penalties provided for in this act with respect to all poultry or poultry products handled in the establishment for which said application for inspection is made.

Mr. COOLEY (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill may be considered as read, be printed in the RECORD, and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WATTS. Mr. Chairman, I offer an amendment which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. WATTS: On page 11 strike out the heading to section 11 on line 16 and strike out all of section 11, renumbering subsequent sections to conform.

Mr. WATTS. Mr. Chairman, this merely deletes from the bill the section that the Department of Agriculture tells me would serve no useful purpose, and it is not needed.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. WATTS. Mr. Chairman, I offer an amendment which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. WATTS: In section 15, page 13, line 23, strike out the words "is authorized" and insert in lieu thereof the word "shall"; and on page 14, line 1, strike out the word "to."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. WATTS. Mr. Chairman, I offer an amendment which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. WATTS: In section 15, page 14, line 5, following the word "consumers" insert the following: "or restaurants, hotels and boarding houses for use in their own dining rooms in the preparation of meals for sales direct to consumers."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. MATTHEWS. Mr. Chairman, I offer an amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MATTHEWS: On page 3, line 9, after the word "application" insert the following: "by the appropriate State agency which has been given the responsibility for administering and enforcing poultry inspection laws, or in the absence of such an agency."

Mr. MATTHEWS. Mr. Chairman, first I want to congratulate the distinguished chairman of this subcommittee on the excellent work he has done. I have talked this matter over with him and he understands that this amendment is not intended at all as an insult to the work that he and his subcommittee have done for so many weeks on this particular bill.

When this bill was reported by our committee I had an abdominal distress and I had to be at Bethesda that morning, and when I returned the bill had been reported. I give that explanation so that again the gentleman from Kentucky [Mr. WATTS] will understand why I have to take this particular opportunity to present the amendment.

The poultry producers of Florida were particularly anxious for this amendment, and if you had a chance to read the hearings, you will read their sentiments about it.

In the State of Florida since 1933 we have had a State agency which has administered our poultry inspection laws. They have done a very commendable job. Those poultry producers in Florida feel that the State agency of Florida should be the appropriate agency to request the Department of Agriculture to have a public hearing to decide whether or not this law should take effect in a particular consuming area.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. COOLEY. Is it the purpose of the gentleman's amendment to prevent inspection in major consuming areas unless the Federal Government or an agency thereof is requested by the State agency to make the inspection?

Mr. MATTHEWS. What my amendment would do would be to insist that where there is an appropriate State agency administering the poultry inspection laws, that that agency would be the agency to request the Secretary of Agriculture to hold this hearing.

Mr. COOLEY. Now, assuming that there is an agency in a consuming area that the gentleman has in mind, unless that State agency requests the Secretary of Agriculture to provide inspection service in that area, no inspection service would be provided?

Mr. MATTHEWS. That is absolutely true, and I think it is a good idea.

We all have some concern about Congress, when it passes legislation preempting State laws. If my amendment were passed it would be a safeguard. If there is no appropriate State agency, the appropriate governing body or official of that area, or the local poultry industry in that area could then call upon the Secretary of Agriculture to hold this hearing and determine whether or not that particular area would come under the provisions of this bill.

Mr. Chairman, that is all there is to it. I am not going to take any more time, but I hope the amendment is carried.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. AUGUST H. ANDRESEN. I would like to understand the gentleman's amendment correctly. Does he mean by it that if it is approved the State of Florida would be exempt from the provisions of this act?

Mr. MATTHEWS. No; no, I do not mean that at all; I mean that the State agency of your great State, or of New York, or of California, if they have an appropriate State agency that is at the present time administering these poultry inspection laws, that that State agency would be the agency to call upon the Secretary of Agriculture to hold this public hearing. If they did not have such an agency then these other agencies would make the application.

Mr. AUGUST H. ANDRESEN. Then you want to keep the Federal Government in it, but you want to use the State agencies to make the application to the Secretary to send in Federal inspectors to handle the situation in Florida and in other States?

Mr. MATTHEWS. Of course, the State agency may decide that they do not want to do it; but I think they would be taking a good deal of responsibility if they did. I do feel, however, that it should be left with the local State agency.

Mr. AUGUST H. ANDRESEN. If they want to do it then they could call in the Federal Government; is that correct?

Mr. MATTHEWS. That is right. I think they will do it. In Florida we have a very fine inspection system.

Mr. AUGUST H. ANDRESEN. No doubt you have, as there are in other States, but I am rather interested in the gentleman's argument that he wants to take Florida out of the Federal Union.

Mr. MATTHEWS. No, sir; I just want the Florida poultry agency to be the adjudicating agency, which I think is not asking too much.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. HALLECK. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from Indiana.

Mr. HALLECK. I, too, would like to understand a little bit, if I can, just what is involved.

If I understand the gentleman's amendment correctly it would deal with that section of the bill which makes it possible for shipments which would otherwise be intrastate commerce to become in effect interstate commerce so as to make it controllable by the Federal Government; in other words, in creating these consuming areas or designating them, the Federal Government steps in and says that the Federal regulations shall apply even though otherwise it would be intrastate commerce. In other words, if beyond the city limits of Miami there are Florida producers who ship into Miami, which commerce ordinarily would be considered intrastate, yet under this bill it could be designated as a major consuming area and then the Federal Government could step in and control it as though it were interstate commerce.

As I understand the gentleman's amendment it would keep the Federal Government from coming in and controlling what otherwise would be completely intrastate commerce unless the State of Florida through its proper agency invited them to do it.

Mr. MATTHEWS. I think my amendment would cover that feature; yes.

Mr. HIESTAND. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. HIESTAND. Do I understand that if the gentleman's amendment is adopted the States will have authority to refuse to allow this Federal inspection in interstate commerce?

Mr. MATTHEWS. No, sir; no, it would not. If the gentleman has the bill before him he will see it applies to this section 4 which provides that upon application by the appropriate governing official or body of a substantial portion of any major consuming area or

upon application by the local poultry industry group in such area the Secretary may conduct public hearings to ascertain whether or not this act shall be in effect in that area.

My amendment would say that when you have an appropriate State agency administering poultry laws it shall be the one to make the application.

Mr. HIESTAND. In other words, it does not affect interstate commerce by itself?

Mr. MATTHEWS. No, sir.

Mr. WATTS. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, we discussed this amendment in our subcommittee at length and came to the conclusion that it would be ill advised to put the amendment in the bill for the following reason: We tried to make this bill as broad as we could in order that every little processor of poultry might have the opportunity, if he was shipping into a major consuming area, to come under the terms of the bill. We could very readily visualize a situation where the State government, the State health official or a State inspection official might fail to act, although favoring a program of this kind. But they might not be functioning as they should, and I am not saying that the agency mentioned by my good friend from Florida is not functioning very good. However, I guess he will agree with me that it lacks a lot of being perfect. If the State official said "No," then the entire State and every large city in that State or every consuming area in that State of any size, as well as every little processor that wanted to ship into one of those areas, would be completely deprived of the opportunity of getting Federal inspection. So we thought we would make it a little more democratic and instead of saying that the State shall have full authority, we would leave it up to each consuming area and the processors of that consuming area who wanted Federal inspection to ask the Secretary to call a hearing and determine whether or not it would be the feasible, possible and proper thing to do.

I am not going to stand up here and tell you it will not work in the way the gentleman has stated, but I am very much afraid if you agree to the gentleman's amendment, you will find that possibly through some arbitrary act—you would have a situation where somebody who wanted to come in under this act would be prohibited from doing so. Take up in New York or New Jersey, you do not know when you go out of one town into another. If the governor or the chief inspection official of any one of those States that is involved in that concentration of population had the authority to stop this for the whole of the area, you might find a situation that would work to the disadvantage of the whole area. The way we have drawn the bill provides that a majority of the governing authorities of a consuming area shall prevail, and we had that in mind when we drew the bill. There are places like New York City where they have 5 or 6 boroughs. We did not want to fix it so that one borough could deny the whole of the area the right of inspection. So we said that the majority of the authorities, or in the event the governing authorities did not do so, the processors of the poultry who ship into that area, could petition for a hearing.

I am fearful of the effect of my good friend's amendment and I request that the committee vote the amendment down.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from Indiana.

Mr. HALLECK. Is there any merit in the suggestion that has been made by some people that the reason for having this designated area arrangement in respect to what might otherwise be intrastate commerce, and what would continue to be intrastate, is that the local processors would be able to sell the poultry to the consuming public at a reduced price?

Mr. WATTS. No.

Mr. HALLECK. What is the burden on interstate commerce to which the gentleman refers in the act in several places, including the declaration?

Mr. WATTS. In cities like Louisville, Ky., and Indianapolis, Ind., there will be lots of poultry moved into both places—some of it will be shipped in interstate commerce and quite a bit will be shipped in from the surrounding territory around the two towns. Certainly, both types of poultry are going to be commingled and one is going to become a burden on the other. As I understand the law with reference to interstate commerce, any commodity that is declared to be a burden on interstate commerce can be regulated as though it were moving in interstate commerce. In all probability the Department of Agriculture could exercise its right under this bill to inspect such poultry even though we did not provide for it in the act. The language in the act dealing with designated consumer areas can be considered a limitation in that before the Department can exercise authority in such an area they must be petitioned by a majority of the governing officials of the area or by the poultry processors in the area.

Mr. Chairman, I ask that the pending amendment be defeated.

Mr. McINTIRE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I just have one or two observations to make. I would point out that in some of the bills introduced and considered by the committee, that the full jurisdiction in relation to the designation of these areas rested with the Secretary. It was felt that it should be broadened to include other factors which were involved within the area.

It seems to me that the bill as presented by the committee has broadened it sufficiently to bring in those local interests, and I believe a very substantial problem would be created in the amendment offered by the gentleman from Florida if we were to broaden it further. We have attempted to bring in the local interests, both the municipal and the city authorities and those concerned directly with the poultry industry. It is my opinion that this broadens it sufficiently to bring in those interests adequately, and we have provided for public hearings before the Secretary can proceed. I think it is broadened sufficiently to protect the local people and that the State does not necessarily need to be brought into this field.

Mr. Chairman, I urge the defeat of the amendment.

Mr. JACKSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, perhaps I obtained the floor under somewhat false pretenses, but I did want to ask several questions of the chairman of the committee and of the subcommittee.

I am not quite clear in my own mind as to what the situation would be in, let us say, the State of California, where an adequate State system of inspection exists. Would the gentleman elaborate briefly as to what the effect of this act would be upon the State agency which is properly constituted and, so far as we know, is doing a good job?

Mr. WATTS. Mr. Chairman, if the gentleman will yield, under the present setup we have voluntary poultry inspection. Of course, you have a right good system in California of inspection, but the biggest objection that we see to it—and it is not critical—is that the employees of the plant do the inspecting, whereas we felt that some employee of the Federal Government should do the inspecting. But, that is beside the point. We have in this bill a provision that the various States and the Federal Government should cooperate one with the other, and it is our information that the State of California is now cooperating thoroughly with the voluntary system and that wherever the poultry people have put in a voluntary Federal system that the State has recognized that as ample and sufficient. The Federal Government has always cooperated with the State. We have provided in here that the Federal Government, when this law becomes effective, may use State employees as inspectors, and we feel like we have erected sufficient safeguards to guarantee or assure that there will be a cooperative exchange of interests between the State and the Federal Government.

Mr. JACKSON. I thank the gentleman for the explanation.

There is, of course, grave and widespread concern over the constant expansion of the power of the Federal Government, and I am speaking now relating what I say to some of the decisions of the Court, the preemption theories in certain areas of the Federal domain in which they have extended those powers in the respective States overriding the agencies which are constituted to do certain things, preempting powers which were never delegated to them in the first instance by the Congress. This is a matter of grave concern to a great many of us, and we are concerned with any legislative devices which might further tend to give to the agencies of Government powers which are not intended to be exercised.

Mr. HAGEN. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from California.

Mr. HAGEN. Mr. Chairman, in answer to the gentleman's question, this legislation has the endorsement of the State Director of Agriculture in California. Actually their service is not really quite under way. That is, it is fairly recent. It is one of the few compulsory setups in the country. But they are heartily in accord with this proposed legislation, because this protects our own producers. A lot of this uninspected poultry has been coming into California and placing our own poultry producers at a disadvantage.

Mr. JACKSON. My request was merely for an explanation.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman.

Mr. HALLECK. I do not know whether the gentleman was here on the floor when the gentleman from Virginia [Mr. SMITH] spoke on the matter of preemption. If I understood him correctly, he pointed out that there could very well develop out of the passage of this bill an extension of the doctrine of preemption which would mean that the State operations in the field covered by this bill would be precluded after the passage of the bill or after the enactment of it.

Mr. JACKSON. That is what I sense to be a very dangerous part of the legislation presently under discussion.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman.

Mr. HOFFMAN. I have an amendment at the Clerk's desk which will correct the situation to which the gentleman has made reference.

Mr. JACKSON. I thank the gentleman. I shall probably support it.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman.

Mr. MASON. The gentleman from Virginia [Mr. SMITH] said that we should put into this bill as a precaution a provision which would say that "Nothing in this act shall preempt the field or shall diminish the authority of the State courts to act under the jurisdiction of their own laws." But we put that in the Smith Act. That very provision was in the Smith Act, and our Supreme Court ignored the intention of Congress. So if we put it into this bill it will be ignored again by the same Supreme Court. And that would be no protection at all.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. MATTHEWS].

The question was taken; and on a division (demanded by Mr. MATTHEWS) there were—ayes 27, noes 56.

So the amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 23, after line 11, insert a new section to read as follows:

"SEC. 24. This act shall not be construed as invalidating any provision of State law which could be valid in the absence of this act, unless there is a direct and positive conflict between an express provision of this act and such provision of State laws so that the two cannot be reconciled or consistently stand together."

Mr. HOFFMAN. Mr. Chairman, will the committee not accept this amendment? It carries out the intent of H. R. 3 introduced by the gentleman from Virginia [Mr. SMITH] and on which he has been unable to get action.

Mr. WATTS. Mr. Chairman, I should like to ask the gentleman a question or two about the amendment. The committee has not had very much opportunity to give it consideration.

Mr. HOFFMAN. Only for the last 10 or 15 minutes.

Mr. WATTS. If I understand the gentleman's amendment, it proposes that where the bill under consideration does not positively repeal some State law or does not run contrary to it, it would not repeal any State law.

Mr. HOFFMAN. If I understand the gentleman correctly, that is the purpose—that is, the adoption of this amendment is notice to the Supreme Court that by the enactment of this bill we do not repeal present State law nor prohibit consistent future State law.

Mr. WATTS. In other words, if there is a State law that can be reconciled with this bill, that State law shall remain in full force and effect. The only time this bill we are considering now would repeal a State law would be when there was a direct conflict between the two that is unreconcilable.

Mr. HOFFMAN. And the two could not be reconciled and be made to work together, that is correct. The purpose is, again, to call the attention of the Supreme Court to what Congress apparently failed to make clear to the Court in other legislation—that the Congress does not intend by the enactment of a bill to preempt the field so that the States are deprived of authority and opportunity to legislate in the same field.

Mr. WATTS. Under those circumstances, while I have not consulted the whole committee, I would have no objection to agreeing to the amendment.

Mr. AUGUST H. ANDRESEN. I have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, those of us who have been in this body for some years are acquainted with the history of this legislation and the effort in past years to have legislation along this line enacted into law.

The subcommittee is to be congratulated on the careful and exhaustive manner in which it conducted hearings and the very careful manner in which it considered the bill in executive session. It is to be congratulated on reporting this bill.

I have heard the argument made that this bill originated in the minds of certain meatcutters. I remember well the gentlewoman from Missouri [Mrs. SULLIVAN] fighting for legislation of this type as far back as 1954. I remember well an important statement she made at that time, that she was urging the passage of such legislation because it protected the consumers of our country.

The relationship between the person who toils on the soil and the one who toils in the factory is very close. I come from a city, and there is not a farm located in my district, but I have year in and year out talked about the importance of the relationship between the toiler on the soil and the toiler in the factory and their interdependence. It seems to me this bill is an illustration of that interdependence. I believe those who produce the poultry of America, and they are toilers on the soil, should be interested in seeing legislation of this kind enacted into law. This legislation protects the farmer. In protecting the consumer it also protects those who are engaged in this activity on the soil.

The committee has been very careful in seeing that the bill does not regulate in any manner the handling and shipment or sale of live poultry. As is stated in the report, it does not apply to poultry processors not engaged in interstate commerce unless the processor markets within an area designated by the Secretary under section 4. The bill does not apply in any manner to the processing or sale of eggs or egg products or game birds.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Indiana.

Mr. HALLECK. I certainly would not want to take anything away from the comment the gentleman has made about the gentlewoman from Missouri, whose interest in this legislation, we understand, is longstanding. I think the gentleman referred to 1954. I do not recall that I made any particular reference to the meatcutters.

Mr. McCORMACK. Did I mention the gentleman's name?

Mr. HALLECK. No, the gentleman did not. However, if he will refer to the hearings on page 182, containing the testimony of Mr. Barker, director of the Poultry Department, Amalgamated Meat Cutters and Butcher Workmen, he will find that Mr. Barker stated:

Our union began its campaign for compulsory poultry inspection in 1946.

Mr. McCORMACK. I do not challenge that statement and that statement does not challenge anything that I have said. Of course, the meatcutters have an interest, but that certainly is not the primary purpose of this legislation. The primary purpose of this legislation is for the protection of the consumers. As I said, the gentlewoman from Missouri [Mrs. SULLIVAN], in a speech as far back as 1954, which she made on the floor of the House in urging the passage of such legislation as this, based it primarily upon the premise that it is for the protection of the consumers. I do not think anyone can contradict that fact. This bill is an important bill. It is designed for the protection of the American people. It is a bill which should have been enacted into law before now. It was not done in the past, but the bill is before us now and I sincerely hope that the bill, as reported by the committee, will pass.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. HOFFMAN. Mr. Chairman, well if the bill is designed to protect the health of the people, of course, there must be an inspection before the poultry is killed. There is no way of telling whether a chicken has had the roup by inspecting the carcass after the head has been cut off. If the bill is to protect the consumers of food, there should be a provision requiring inspectors in the retail stores. The bill does not propose that. We all know that stores get poultry all through the week and they hold some of it over from Saturday until Monday of the next week. Some of us, and even I can when I get a chicken that has been cooked—I can tell whether it has been a little bit too long on the shelf even though it has been in the refrigerator, unless it has been frozen solid because it gets a certain taste along the upper part of the leg. You know that a chicken has been dead too long when you find a chicken that is cooked and it has a little bit too much dark meat where there should not be so much—you know it has not been bled properly. Another thing, the bill seems to show a lack of confidence in the Food and Drug Administration because it expressly takes away the jurisdiction of that Department and puts enforcement as well as administration under the jurisdiction of the Secretary of Agriculture.

I certainly like one thing in this bill. We all know there has been a lot of talk here on the floor from members of the Agriculture Committee, especially from some folks from the South and around in Texas, about the Secretary of Agriculture, Mr. Benson. He has been called most everything, cussed up hill and down. Well, here is a declaration of confidence in Secretary Benson, better late than never. Read the bill through page by page, paragraph by paragraph, and sentence by sentence. Then confess and repent. I know the gentleman from Texas [Mr. POAGE] will be interested and take notice as well as will the gentleman from North Carolina [Mr. COOLEY] in those provisions of this bill which they support and which so clearly expresses complete faith in the ability, the courage, the determination, the good faith of our Secretary of Agriculture—qualities which have been sometimes questioned but are now acknowledged to be his. Permit me to congratulate you two gentlemen and others upon having at last realized the greatness, the patriotism, the sincerity, and the ability of our Secretary of Agriculture and have by this bill conferred upon him. More he cannot ask and I hope he will call it to your attention when hereafter you venture to make complaints which I doubt you logically can do after the grant of authority carried in this bill.

Mr. ELLIOTT. Mr. Chairman, I rise in support of H. R. 6814, which provides for the compulsory inspection by the United States Department of Agriculture of poultry and certain poultry products.

I have recognized for some time that the consuming public is entitled to have an inspected chicken or broiler; and to that end, early in this session, I introduced H. R. 5463. Naturally, I feel that my bill is, in some respects, superior to the bill presently before us; but, realizing that all legislation of this type is the result of compromise, I am willing to accept this bill, together with such beneficial amendments as it carries, with the hope that any last-minute improvements indicated as being absolutely necessary can be effected by the conference between the House and Senate on the legislation. The Senate has already passed a bill providing for compulsory inspection.

If you accept the proposition that the American housewife is entitled to have the assurances of her Government that the poultry she buys has been inspected by her Government, and found to be clean and wholesome, then this bill or some reasonable approximation to it should be enacted. If inspection is to be compulsory, then it naturally follows in my mind that the cost of the inspection should be borne by the United States Government.

This bill provides that inspectors will be appointed by the United States Secretary of Agriculture, and I feel that he is given rather broad powers in this regard. However, I recognize the fact, especially in the early years when we are getting started with this inspection, that there should be great flexibility insofar as qualifications of the inspectors are concerned.

I have been assured by the hearings on this legislation, and by the debate this afternoon, that there is absolutely no intent on the part of this bill, or of any of its sponsors, to work an undue hardship upon any portion of the poultry industry. I am particularly interested to see that the small processors, those fellows who dress and process relatively a small number of birds, are not so burdened by redtape and regulation and undue requirements that they cannot continue to operate. I have been assured in this debate that there will be enough inspectors furnished by the United States Department of Agriculture, so that every poultry processing plant, however small or however irregular it operates, as long as it dresses or processes poultry for interstate commerce, will have the benefits of the poultry inspection service. This is as it should be. As a matter of fact, the bill provides a way whereby those processing plants that process for the intrastate trade, but are located in such a manner that their products constitute some burden to the interstate movement of poultry products, will have an opportunity, upon petition and hearing, to come within the purview of this law and be entitled to its inspection benefits, even though they process and dress poultry only for the intrastate demands.

There has been some suggestion in the debate here today that the passage of this bill will so slow down the operation of the processing plants as to cause the amount charged for dressed chicken to be unduly raised. However, I am informed by others, who have studied the matter, that perhaps most plants can be rearranged in such a manner that the slowdown caused by post mortem bird-by-bird inspection will not be too great. However that all may be, I feel, Mr. Chairman, the fact that the purchaser of chicken can be assured that his particular chicken was personally inspected, will be sufficient to increase the demand for poultry and poultry products sufficiently to overcome any deficiency occasioned by slowing down the lines in the processing plants. I am confident that eventually the matter can be worked out where there will be no real harmful effects.

Mr. Chairman, this bill should be passed. It is in the best interest of the consumer. It is, in the long run, in the best interest of the processor. It is in the best interest of the producer or grower of broilers.

Undoubtedly, inequities may appear as the operation of the bill gets underway, but I, for one, will be anxious to cooperate to iron out any inequities that may become apparent. I have the privilege of representing one of the largest poultry-producing areas of the country. The broiler and poultry industry is one of our large industries. There is being produced in the neighborhood of $4 billion worth of poultry a year in the United States. Under such forward-looking legislation as this, I believe the industry will grow in capacity, in strength, and in quality.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. O'BRIEN of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 6814) to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products, pursuant to House Resolution 304, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. REECE of Tennessee), there were—ayes 93, noes 23.

So the bill was passed.

A motion to reconsider was laid on the table.

Mr. WATTS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1747) an act to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products, strike out all after the enacting clause of the Senate bill, and insert the language of the bill H. R. 6814.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. WATTS]?

Mr. REECE of Tennessee. Mr. Speaker, I object.

GENERAL LEAVE TO EXTEND REMARKS

Mr. WATTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection?

There was no objection.

Mr. PORTER. Mr. Speaker, this House has before it today legislation which I consider vital to the health of this country. H. R. 6814 would provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products. The poultry industry in the State of Oregon is important to Oregon economy. The industry is important in many other areas.

On June 27, I received a letter from Dr. Harold M. Erickson, health officer for my State. Dr. Erickson reminded me of Oregon's recent experience with the hazards to human health in the processing of diseased poultry. For this very reason, the State health authorities had significant cause the examine carefully the various bills introduced in the House of Representatives relative to poultry inspection. He said that the health authorities, after carefully reviewing them, recommend H. R. 6814. The health authorities of Oregon believe this bill offers the most protection to human health without sacrifice of practicability.

Dr. Erickson and his staff share my concern and belief that there is a real need for compulsory poultry inspection. Therefore, at this time, I want to strongly urge the passage of this proposed legislation. I want also to commend the members of the Committee on Agriculture for their investigation into this matter and for the subsequent legislation now under consideration. It is my understanding that without exception witnesses at the hearing held by the committee expressed themselves in favor of some type of compulsory poultry inspection. I think this is indicative of its need.

I have received a considerable amount of correspondence concerning this bill, and, unlike many issues, there has not been a single letter opposing its passage. I believe H. R. 6814 is legislation which will provide safeguards which long have been needed in the poultry industry.

Mr. ANFUSO. Mr. Chairman, in passing the bill H. R. 6814, which provides for compulsory inspection by the Department of Agriculture of poultry and poultry products, it is of utmost importance that certain religious practices should not be overlooked.

It is my understanding, developed from the testimony at the hearings of the Committee on Agriculture, that recognized religious practices of the Jewish faith are accepted in the bill. For example, the laws of Kashruth require that kosher poultry be slaughtered by a shochet—religious slaughterer—that it cannot be defeathered with the use of steam or hot water, and that it must be offered to the consumer uneviscerated.

In order that these religious requirements should not be disturbed, poultry processed in accordance with religious dietary laws is to be exempt from the act.

I, therefore, call again these practices to the attention of the Secretary of Agriculture so that, in issuing the necessary rules and regulations pursuant to the act, he will make certain that they in no way interfere with these traditional processing requirements of the Jewish people.

EXTENSION OF AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. COOLEY. Mr. Speaker, I call up the conference report on the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. COOLEY]?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 683)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended as follows:

"(1) Sections 109 and 204 of such Act are amended by striking out '1957' and substituting in lieu thereof '1958.'

"(2) Section 103 (b) of such Act is amended by striking out '$3,000,000,000' and inserting in lieu thereof '$4,000,000,000.'

"(3) Section 203 of such Act is amended by striking out '$500,000,000' and inserting in lieu thereof '$800,000,000.'

"(4) Section 104 (e) of such Act is amended by striking out the semicolon at the end thereof and adding a comma and the following: 'for which purposes not more than 25 per centum of the currencies received pursuant to each such agreement shall be available through and under the procedures established by the Export-Import Bank for loans mutually agreeable to said bank and the country with which the agreement is made to United States business firms and branches, subsidiaries, or affiliates of such firms for business development and trade expansion in such countries and for loans to domestic or foreign firms for the establishment of facilities for aiding in the utilization, distribution, or otherwise increasing the consumption of, and markets for, United States agricultural products: *Provided, however,* That no such loans shall be made for the manufacture of any products to be exported to the United States in competition with products produced in the United States or for the manufacture or production of any commodity to be marketed in competition with United States agricultural commodities or the products thereof. Foreign currencies may be accepted in repayment of such loans.'

"(5) Within sixty days after any agreement is entered into for the use of any foreign currencies, a full report thereon shall be made to the Senate and the House of Representatives of the United States and to the Committees on Agriculture and Appropriations thereof.

"(6) Section 304 of such Act is amended to read as follows:

"'SEC. 304. (a) The President shall exercise the authority contained in title I of this Act (1) to assist friendly nations to be independent of trade with the Union of Soviet Socialist Republics and with nations dominated or controlled by the Union of Soviet Socialist Republics and (2) to assure that agricultural commodities sold or transferred thereunder do not result in increased availability of those or like commodities to unfriendly nations.

"'(b) Nothing in this Act shall be construed as authorizing transactions under title I or title III with the Union of Soviet Socialist Republics or any of the areas dominated or controlled by the Communist regime in China.'"

And the House agree to the same.

HAROLD D. COOLEY,
W. R. POAGE,
E. C. GATHINGS,
AUGUST H. ANDRESEN,
WILLIAM S. HILL,
Managers on the Part of the House.

ALLEN J. ELLENDER,
OLIN D. JOHNSTON,
SPESSARD L. HOLLAND,
JAMES O. EASTLAND,
HUBERT H. HUMPHREY,
GEORGE D. AIKEN,
MILTON R. YOUNG,
EDWARD J. THYE,
BOURKE D. HICKENLOOPER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing positions of the two Houses on S. 1314, to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The action of the House was on the bill H. R. 6974 and after adoption of this bill in the House the Senate bill was amended by striking out all after the enacting clause and substituting the provisions of the House bill.

As passed by the Senate, S. 1314 contained four provisions, three of which were identical with similar provisions in the House amendment.

MATTERS IN AGREEMENT

The three provisions with respect to which the Senate bill and the House amendment were identical are: (1) Extension of the termination date of titles I and II of the act from June 30, 1957, to June 30, 1958; (2) an increase of one billion dollars in authority to dispose of surplus commodities under title I of the act; and (3) an increase of three hundred million dollars in the allowable disposals for famine relief and other assistance under title II of the act. With respect to these three provisions, the compromise substitute agreed upon by the conferees and reported herewith is identical with the provisions of both the Senate bill and the House amendment.

BARTER WITH SATELLITE COUNTRIES

The fourth provision in the Senate bill was the repeal of section 304 of the act which

had been construed to prohibit barter transactions with the so-called satellite countries. The House bill contained no such provision.

With respect to this matter, the conference has agreed upon a compromise position which will permit barter transactions (but not sales for local currency) with the European satellite nations but which specifically prohibits barter transactions with the U. S. S. R. itself, with Communist China, or with any of the areas dominated or controlled by the Communist regime in China. It is to be noted that the existing provisions of title I of the act, in which no change is made, prohibit sales for foreign currency under title I to the U. S. S. R. or "any nation or area dominated or controlled by the foreign government or foreign organization controlling the world Communist movement."

ADDITIONAL APPROPRIATING AUTHORITY

The conference bill omits the provision of the House amendment which would have extended the appropriating authority of Congress to the financing of international educational exchange activities and the translation, publication, and distribution of books and periodicals with foreign currencies available pursuant to the provisions of the act. The committee of conference considered this point at length and the House conferees receded from the House amendment in this matter only after it was pointed out that the foreign currencies proposed to be used for these programs are budgeted several years in advance pursuant to agreements entered into with the respective foreign countries, that these budget estimates are submitted by the Bureau of the Budget to the Appropriations Committees, that the amount of foreign currency to be used for these programs is taken into consideration by the Appropriations Committees in making their dollar appropriations, and that, therefore, enactment of the House provision would add nothing to the real authority of the Appropriations Committees while it would seriously curtail the authority of the President to make agreements with other governments with respect to the sale of surplus commodities and with respect to these particular programs.

FOREIGN CURRENCY LOANS TO PRIVATE BUSINESS

The conference bill contains with some modification the provisions of the House amendment with respect to this matter. The modifications: (1) make is clear that loans for the establishment of facilities for aiding in the utilization, distribution, or otherwise increasing the consumption of, and markets for, United States agricultural products may be made to either foreign or domestic firms and (2) provide that loans may not be made for the manufacture or production of any commodity to be marketed in competition with United States agricultural commodities or the products thereof.

As agreed to by the committee of conference, this provision expresses a firm but general policy of the Congress that a substantial portion (25 percent unless there are compelling reasons for using a less amount) of the foreign currencies accruing under agreements hereafter entered into should be used for loans to assist the development and expansion of private business in the countries with which agreements are made under Public Law 480. These loans are to be of two types: (1) loans to United States business firms and their branches, subsidiaries, or affiliates for general business development and trade expansion, and (2) loans to either United States or foreign business firms for expanding markets for and consumption of American agricultural products abroad. The bill provides that such loans are to be made through and under the procedures of the Export-Import Bank and that they may be repaid in the foreign currency in which the loan is made. The detailed provisions as to the terms of the loans, the manner in which specific loans are to be made, and the method and time of repayment, are left to the determination of the President and will doubtless also be embodied to a mutually satisfactory extent in the agreements with foreign governments under this act. In this connection, the committee of conference points out that the approval and concurrence of the foreign government in this loan program is fully assured by the requirement that the loans negotiated by the Export-Import Bank must be "mutually agreeable" to the bank and to the nation involved.

REPORTS ON AGREEMENTS

The conference bill retains the House provision requiring that a full report on any agreement for the use of any foreign currencies be made to the Senate and House and to the Committees on Agriculture and Appropriations thereof within sixty days after any such agreement is entered into.

SURPLUS FOODS FOR STATE PENAL INSTITUTIONS

The conference bill does not contain the provision in the House amendment that would have made surplus food commodities available for contribution to State and local penal and correctional institutions. In this connection it was pointed out that there has been a substantial reduction in the past year in the stocks of surplus foods in the hands of the Commodity Credit Corporation and it appears at the present time that the existing list of eligible recipients of this food is entirely adequate to absorb the remaining stocks on hand and those which may reasonably be anticipated for the immediate future. While maintaining the soundness of its position in this matter, the House conferees felt that they should not insist on their position at this time.

BASIC OBJECTIVES OF THE ACT

The conferees take this occasion to specifically reaffirm the statements with respect to the basic objectives of Public Law 480 and the operations thereunder which were contained in the committee reports of the two Houses on this legislation. Specifically, the conference committee believes that the provisions of Public Law 480 should be utilized to the fullest to develop new and expanded markets abroad for the products of American agriculture. In this connection, the committee of conference expects that extra long staple cotton will be sold under the authority of this act, as is upland cotton, to any friendly nation without regard to the fact that this commodity may compete with a similar commodity produced outside the United States, and that all surplus agricultural commodities regardless of the kind, will be made available for sale under the act without the imposition of conditions which would prevent or tend to interfere with their sale. Rather than in any way seeking to discourage or impede the sales of such surplus commodities, their sales should be emphasized if it appears that by such sale under this act a future market for dollars, in the regular course of international trade, may be established for such commodities.

HAROLD D. COOLEY,
W. R. POAGE,
E. C. GATHINGS,
AUGUST H. ANDRESEN,
WILLIAM S. HILL,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

POLICIES WITH REGARD TO THE WATCH INDUSTRY

Mr. MACHROWICZ. Mr Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MACHROWICZ. Mr. Speaker, within the past 10 days, I have returned from Geneva, Switzerland, where I served as an adviser to the United States delegation at the conference on the General Agreement on Tariffs and Trade. I returned home reassured that significant accomplishments are being made in efforts by the free nations of the world to eliminate quotas and to minimize other barriers to international commerce.

I want to say to my colleagues that I was very impressed by the manner in which the United States representatives discharged their responsibilities under situations which required the greatest delicacy and skill.

At the same time, I feel compelled to call the attention of the House to an incident which took place in Switzerland a short time before the GATT conference opened and which could have undermined the positon of our representatives. The incident involves an official of the United States Department of Commerce who was visiting Switzerland and who requested a meeting with representatives of the Swiss watch industry.

At this meeting, I was reliably informed, the Commerce Department employee stated that he was an official representative of the United States Government. He then proceeded to disclose to the Swiss what he claimed will be the findings of the executive branch with regard to petitions which have been filed by the domestic watch manufacturing industry for relief from import competition under section 7 of the Trade Agreements Act.

Specifically, this Commerce Department employee informed the Swiss that the United States Government would soon reaffirm the defense essentiality of the domestic watch manufacturers and would impose quotas on watch imports unless the Swiss "voluntarily" agree to introduce quotas on exports to the United States.

Mr. Speaker, I can think of no more improper way for an employee of the executive branch to perform on an overseas trip. First, this man posed as an official spokesman for the American Government. Then, he predicted actions by the administration long before any official decisions have been made. So far as I am aware, action on the watch petitions is still in a preliminary stage, and neither the ODM nor the White House has reached any conclusions. And finally, at the very time that our GATT representatives were preparing to leave for Geneva to work on a program aimed at reducing trade barriers, he was pleading for the imposition of a quota system on Swiss watch exports.

As many of my colleagues are aware, I have long maintained that the 50 percent increase in tariffs on imported watch

movements, and other protectionist actions taken by the administration on behalf of the domestic watch manufacturers, were a serious mistake. It has been my belief that the so-called defense essentiality of the domestic watch manufacturers, which has been used to justify these trade barriers, is a myth—and it seems that the Defense Department shared this view at the time it filed a report with ODM recommending against Government assistance. This is the report, you will recall, which was prepared by the Defense Department in 1954, but was suppressed for many months in order to avoid embarrassment to the administration which had decided to yield to pressure—spearheaded by the Commerce Department—for a watch tariff increase.

Now it appears that the Commerce Department, or at least certain of its officials, is once again trying to take the lead in shaping policies at the Office of Defense Mobilization and the White House. Amazingly, these Commerce officials feel so confident that their protectionist views will prevail that they are informing the rest of the world in advance.

Mr. Speaker, I sincerely hope that these efforts by the Commerce Department to dictate the policies of the executive branch with regard to the watch industry will not succeed, and that ODM and the White House will, at long last, give this matter the objective study which it deserves. I am convinced that the President, who continually appeals to the Congress for enactment of liberal foreign-trade legislation, will recognize that actions speak louder than words, and that he cannot continue to allow the administrative departments and agencies to undermine the policies which he so ardently espouses. I believe the President will want to put an immediate end to this kind of mischievous behavior by Commerce Department officials and will line up the executive branch solidly behind his program of a gradual reduction in trade restrictions, including those in the watch industry.

For this reason, I have written the President a letter outlining the serious impropriety which I have described and emphasizing the fundamental problem that an unwarranted action of this kind raises for our Nation. I am, indeed, looking forward to the days ahead, to see whether the administration again bows to protectionist influences within the Commerce Department or whether the President will make his views prevail within his own official family.

Mr. Speaker, I submit here the text of the letter I have written to President Eisenhower to be included as part of this statement. I sincerely hope that my colleagues in the Congress will find the opportunity to give it their careful consideration.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., July 3, 1957.

Hon. DWIGHT D. EISENHOWER,
President of the United States,
The White House, Washington, D. C.

DEAR MR. PRESIDENT: I have just returned from GATT conferences at Geneva to which I was assigned by designation of Mr. SAM RAYBURN, Speaker of the House, and at the suggestion of our State Department to serve as an adviser to the United States delegation.

I found there that the United States representatives were faced with many tasks requiring the greatest delicacy and skill in negotiation, and I came to believe that they were discharging their responsibilities efficiently and intelligently.

One of the greatest problems confronting them is that of continuing to persuade the countries with whom we trade to abstain from the abuse of quotas, import restrictions, and other negative devices. I believe that unless our negotiators can be continuously successful in this respect, the entire structure of GATT can be rapidly undermined and the consequences will be seriously injurious to the trading and export position of the United States.

Under these circumstances, I am sure that you are fully in agreement with my feeling that American negotiators at GATT must obtain the fullest cooperation of all departments of our Government; and furthermore that great care must be exercised so that no department of our Government will be guilty of acts—either deliberate or inadvertent—which can have the effect of undermining the authority of our GATT delegation, or of creating confusion and doubt regarding the basic trade policies of the United States among our many trading partners.

I therefore feel that it is my obligation and duty to report to you what I believe was a flagrant misuse of authority by an official of the Department of Commerce, who, I learned during my visit, had come to Switzerland immediately before the GATT conference and conferred with officials of the Swiss watch industry.

On the basis of the most reliable available reports of this official's meeting with Swiss industry members, I learned that he represented himself as speaking directly for the Government of the United States. He advised the Swiss industry officials that our Government would soon again reaffirm the defense essentiality of the domestic, United States watch industry.

The principal points made by this Department of Commerce official, as reliably reported to me, are the following:

1. The United States Government will decide that the domestic watch industry should receive the full support of the Government because watch companies in the United States are vital to national defense and are seriously threatened by some imported Swiss watches.

2. The Swiss should take advantage of the pending time and should offer their own solution for this problem in order to avoid further unpleasant measures against them.

3. The Swiss industry should adopt a self-imposed quota on its watch exports to the United States; if they do not act in this fashion, the probable alternative will be quotas imposed by the United States Government.

You can understand that reports of this meeting created a considerable sensation within Switzerland. Here was an official of the United States Commerce Department purporting to offer advance information concerning the final decision which will be reached by the Office of Defense Mobilization on the petition filed by the United States watch manufacturing industry under section 7 of the Trade Agreements Extension Act; predicting the actions which the President will take to implement the ODM finding, and recommending a quota system on the part of the Swiss. Timed as it was immediately prior to the GATT conference, such a statement naturally led to expression of considerable doubt regarding American trade policy, American actions within GATT and the responsibility and trustworthiness of our negotiations.

I take a very serious view of this incident and I trust that you will also regard this as a matter of extreme importance. I therefore feel that it is within my province to call to your attention certain considerations and fundamental questions with respect to the action of this Department of Commerce official.

First, is it true, as this official maintained, that the executive branch of our Government has already reached final decisions with respect to the ODM investigation on watch imports, although the investigation has not yet been completed?

Second, how is it possible for the Government to reach such a decision when the Defense Mobilizer has not yet rendered his findings nor has the President undertaken an independent investigation as required by the statute?

Third, is the action taken by the Department of Commerce official a result of personal impropriety? Or does it represent a calculated effort by certain people within the executive branch to shape the conclusions of the Office of Defense Mobilization and the White House?

Fourth, is it proper for an official of the Commerce Department to pose as a spokesman for the United States Government and to urge the imposition of quotas on Swiss watch exports to the United States?

Fifth, and finally, if the Department of Commerce representative has acted wholly without authority and contrary to your personal wishes, will the executive department take steps so that (a) there can be no existing confusion or misapprehension regarding the United States trade policy in respect to quotas, and (b) there can be no further repetitions of such unfortunate and mischievous incidents?

I shall look forward to receiving your reply at your early convenience.

Yours sincerely,

THADDEUS M. MACHROWICZ,
Member of Congress.

U. N. IFICATION OF IRELAND

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, we have been waiting for a progress report from the United States delegation to the United Nations concerning its efforts to promote the unification of Ireland.

Have our representatives to the U. N. accomplished anything in this direction?

Are they consulting with the members of the British delegation, and with other delegates, as to ways and means for ending the unnatural division of this island into the agricultural south and the industrial north?

Millions of Americans who proudly trace their ancestry to Ireland have been patiently waiting for news of progress toward unification.

In this they are joined by every person in the free world who believes in right, and justice.

But there is no news.

Why?

We realize that the United Nations has to contend with many problems involving the defiance of its moral authority; the betrayal of the armistice agreement by the Chinese Reds and the North Koreans; the intransigence of Egypt under Colonel Nasser, and the

brutal conquest of Hungary by Soviet tanks. These and others.

The Republic of Eire rejects the use of force to unite Eire with the six northeastern counties of Ulster which, since the beginning of time, have been an integral part of Ireland. Where would the United States be today if it were divided into two nations by civil war; or had partition imposed on it by alien conquerors who, knowing that the people were winning their fight for independence, negotiated a peace treaty on the basis of temporary partition? How would we feel if the promise to adjust the problem of partition was delayed by Britain for over 36 years?

The Republic of Eire bases its claim for unification on reason and morality, because, in the court of world opinion, it is clearly in the right.

The Government of the United States knows this to be true.

But what is our Government doing, through its representatives in the United Nations to achieve the unification of Ireland?

There is so little news of our progress.

The silence is disturbing.

The inertia is perplexing.

There is no valid reason whatever to obstruct the unification of Ireland. Only the illusion of intolerance, a myth to which the British Government clings, stands in the way of a united Ireland. For Ireland was one, in language, in culture, and in geographical fact, long before it was occupied but never conquered by British imperialism. It is a sad reflection on the freedom-loving British people of today, who are anxious to rid their Government of the last vestiges of imperialism, that they acquiesce in the continued partition of their neighbor whose hills they can observe across the Irish Sea.

From Protestant Douglas Hyde, the first President of the Irish Republic, to Jewish Robert Briscoe, former lord mayor of Dublin; the people of Eire are a fine example to the world of democracy in action, where a man is respected or honored on his own merits and nothing else.

Millions of Americans admire the Republic of Eire and its warm-hearted people, who, incidentally, look for no handouts.

These Americans are bothered by the artificial division of Ireland against the will of the Irish people.

They insist that the moral obligation of the United States to use its good offices for the unification of Ireland, be taken out of the inactive file.

They ask for a progress report and for definite assurances that our representatives in the General Assembly of the United Nations will press for positive action to unite all of Ireland under one independent government of its own choice.

SENATOR WAYNE MORSE: FIGHTER FOR TVA

Mrs. Green of Oregon. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, as a Representative from the State of Oregon, I am proud of the senior Senator from my State—of his integrity of purpose, of his zeal in fighting on behalf of all of the people, and of his lionhearted courage abiding by his deep convictions that what benefits the people most will ultimately benefit America most.

It is therefore very gratifying to note that Senator MORSE's deeds do not go unnoticed beyond the borders of his own State but that the people of the Nation are also aware of the fact that he is exercising dynamic leadership in the United States Senate in attempting to secure the reversal of the power policies of the present administration and the substitution for them of a policy of utilizing fully our great natural resources for the greatest good of all the American people.

I was pleased, therefore, to note a letter sent to the editor of the Decatur Daily, published by Barrett Shelton, in Decatur, Ala., in which the writer, Mr. Bill Stewart, Jr., of Hartselle, Ala., points out the qualities which make the senior Senator from Oregon—WAYNE MORSE—a great Senator.

I include Mr. Stewart's letter to be printed in full in the CONGRESSIONAL RECORD:

Who has replaced the late, beloved Senator George W. Norris of Nebraska as the principal nonsouthern fighter for the Tennessee Valley Authority? In this writer's opinion the western author of the TVA Act and other far-reaching public service measures has been replaced by Oregon's vigilant Senator WAYNE MORSE. Although not popular in the South because of his civil-rights beliefs, it must be admitted that without a doubt our section would be in an even worse state without his support in the fight to keep TVA out of the hands of private business.

I had the pleasure of sitting in on a Senate debate when the principles of TVA were being debated on May 23. During a brief interlude in the educational tour taken by Hartselle's seniors, I learned that the TVA debate was going on so I caught a taxi to the Capitol Building. Despite the lack of Senators present, the temperature could not have been much hotter as Senator MORSE and Senator FRANK A. BARRETT, of Wyoming, a Republican, discussed very heatedly the issue of public versus private power.

Senator MORSE, always a severe critic of the administration's power policies, scored a direct hit every time the bewildered Senator BARRETT tried to defend President Eisenhower's views on TVA and other public-power units. As a part of the debate, the Senator from Oregon presented an editorial from the Denver Post which was entitled "So This Is Why Private Power Is Preferable to Public Power." This editorial, stated Senator MORSE, revealed very plainly the many advantages given the private power companies through Government subsidies, "fast tax writeoffs," and long-term low-interest loans.

Senator BARRETT tried but in vain to prove that the favors given the enemies of TVA were not favors at all but merely a use of the tax-amortization law. In a quick-fire debate, Senator MORSE shot back with more examples of malpractice by the present administration.

With a brief but fact-filled statement, MORSE informed the beguiled BARRETT that "Slowly but surely, there is unfolding the eye-opening story of a $23-billion concession" to the United States private power industry. He stated that private power companies like those attempting to take over the TVA system are saved millions in interest. But on the other hand he pointed out,-"Then the taxpayers are soaked because the Treasury must borrow money which it otherwise would have in its possession; and then it has to pay interest on the money."

With neither Senator SPARKMAN nor HILL in the Senate Chamber at the time of the unpublicized but highly significant debate, Senator WAYNE MORSE clearly drew the line between the proponents and the opponents of TVA.

The wrangle also showed that on the whole, the Democrats are the backers of TVA and the Republicans are against it in the United States Senate. Because of the poor attendance at the time of the debate Senator MORSE had only Senator PAUL DOUGLAS to back him up in his attacks. DOUGLAS joined in the drive against Senators BARRETT, HENRY DWORSHAK of Idaho, and EVERETT M. DIRKSEN of Illinois who defended President Eisenhower's policies.

Has a successor to Senator Norris been found? We believe he has in the person of Senator WAYNE MORSE, Democrat, of Oregon.

BILL STEWART, Jr.

HARTSELLE.

FBI FILES BILL

Mr. TEAGUE of California. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CRAMER. Mr. Speaker, on Friday, I addressed the House relative to the reckless remarks of Drew Pearson in Friday's newspaper column in which he discussed the FBI files bill voted out the preceding Tuesday by the Judiciary Committee of the House, of which I am a member. In commenting on the bill, Pearson made derogatory remarks about the committee as well as Members of the House. For instance, he implied that the only reason the bill was voted out was because of fear by Members of the FBI, due to certain records kept by that agency on all Members, and stated that thus the FBI always gets priority treatment by Congress. I refer my colleagues to my remarks starting on page 10922 of the RECORD which, I believe, illustrate how asinine Pearson's statements on this matter are.

Again, today, Pearson carries a column on the same FBI bill which has now cleared the Senate Judiciary Committee and is the same as H. R. 7915 as reported by the House. It is my opinion that his statements today are as reckless and unsubstantiated as were those of Friday. Apparently he is carrying on a campaign of smear against this bill in an effort to falsely arouse opposition to this much needed emergency legislation in the hope some of the Members of Congress will bite. Recognizing this and being a cointroducer of the bill, I feel it is my duty again to show how ill advised he is on this matter, how he fractures the

facts and relies on wholly uncorroborated statements to build his distorted case.

Pearson states in an effort to arouse southern Congressmen, of which I am proudly one, against the bill that it might limit the defendants' right to search FBI records in civil-rights cases which the FBI might investigate in the future if the civil-rights bill is passed.

His words were:

Defense lawyers now have the right under Supreme Court rulings to examine earlier statements made to the FBI in order to impeach the testimony of witnesses. The FBI bill would curtail that right.

This is just not true. The mere reading of H. R. 7951, which is corroborated in the report on the bill, disproves this. I set out the wording of the added section to title 18, United States Code, chapter 233, in order that all members can avail themselves of the text of this bill and for the purposes of clarifying this discussion:

§ 3500. Demands for production of statements and reports of witnesses.

(a) In any criminal prosecution brought by the United States, any rule of court or procedure to the contrary notwithstanding, no statement or report of any prospective witness or person other than a defendant which is in the possession of the United States shall be the subject of subpena, discovery, or inspection, except as provided in paragraph (b) of this section.

(b) After a witness called by the United States has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce for the inspection of the court in camera such reports or statements of the witness in the possession of the United States as are signed by the witness, or otherwise adopted or approved by him as correct relating to the subject matter as to which he has testified. Upon such production the court shall then determine what portions, if any, of said reports or statements relate to the subject matter as to which the witness has testified and shall direct delivery to the defendant, for use in cross-examination, such portions, if any, of said reports or statements as the court has determined relate to the subject matter as to which the witness has testified. The court shall excise from such reports and statements to be delivered to the defendant any portions thereof which the court has determined do not relate to the subject matter as to which the witness has testified. If, pursuant to such determination, any portion of such reports or statements is withheld from the defendant, and the trial is continued to an adjudication of the guilt of the defendant, the entire reports or statements shall be preserved by the United States and, in the event the defendant shall appeal, shall be made available to the appellate court at its request for the purpose of determining the correctness of the ruling of the trial judge.

(c) In the event that the United States elects not to comply with an order of the court under paragraph (b) hereof to deliver to the defendant any report or statement or such portion thereof as the court may direct, the court shall strike from the record the testimony of the witness and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared.

The committee report, in discussing the bill clearly shows that all the defendant's present rights are protected and quotes Justice Burton in the Jencks case who states what the defendant's rights have historically been in criminal cases and I quote from page 4 of the report:

It should be emphasized that this legislation in no way seeks to restrict or limit the decision of the Supreme Court insofar as constitutional due process of a defendant's rights is concerned. While defendant will be entitled to pertinent portions of the reports and statements of Government witnesses which the Government has in its files, he will not be entitled to rummage through confidential information containing matters of public interest, safety, welfare, and national security. He will be entitled to so much of the reports and statements as is relevant to a witness' testimony for the purpose of attacking the witness' credibility. The instant legislation, in securing this entitlement to defendant, authorizes the trial court to inspect the reports and statements and determine what portions thereof relate to the subject matter as to which the witness has testified and to direct delivery of those portions to defendant for his use in the cross-examination of the witness.

There is nothing novel or unfair about such procedure, as Mr. Justice Burton notes in his concurring opinion in the Jencks case. According to Wigmore, and as quoted by Justice Burton, such a procedure is customary:

"It is obviously not for the witness to withhold the documents upon his mere assertion that they are not relevant or that they are privileged. The question of relevancy is never one for the witness to concern himself with; nor is the applicability of a privilege to be left to his decision. It is his duty to bring what the court requires; and the court can then to its own satisfaction determine by inspection whether the documents produced are irrelevant or privileged. This does not deprive the witness of any rights of privacy, since the court's determination is made by his own inspection, without submitting the documents to the opponent's view." (VIII Wigmore, Evidence (3d ed. 1940), 117-118.)

Such provisions as this legislation contemplates effect a twofold beneficial purpose. It protects the legitimate public interest in safeguarding confidential governmental documents and at the same time it respects the interests of justice by permitting defendants to receive all information necessary to their defense.

As a matter of fact, upon recommendation of the Attorney General, the committee broadened the rules of evidence to the advantage of the defendant by accepting that portion of the Jencks case that held that a foundation of inconsistency between the testimony of the witness and the statement need not be established by the defendant before such a statement would be made available to the defendant, and thus statements which relate to the testimony of the witness must be made available to the defense without requiring that the defense first establish some inconsistency. Thus, the rights of the defendant are broadened over what they used to be by the omission from the FBI bill of language to upset this new rule of evidence, set out in the Jencks case, and, as the report states, the bill merely attempts to prevent the defendant from inspecting heresay, irrelevant, and unverified material in the files which under no previous rules of evidence were ever made available to the defendant, and in order to make sure that the Jencks case is not in the future, as in the past, too broadly construed. This disproves Mr. Pearson's first assertion. Pearson further states that:

Legal experts—

Without indicating who the so-called experts are—

now find the FBI bill would override not merely the Supreme Court but years of judicial procedure worked out by the courts and the American Bar Association to protect an individual from an oppressive Government.

And then he lists examples to support this opinion. The examples which I shall examine will clearly show how unexpert his expert advisors are—and they arouse my suspicions that he is his own expert—and that he doesn't mind fracturing a few more facts to reach certain preconceived ends so far as opposition to this bill is concerned. In each example a group of people he would like to stir up or scare into opposition to the bill are included, and I quote these examples he cites and refute them one by one.

First:

The National Association of Manufacturers: The FBI bill would permit a field day to the Government in antitrust prosecutions. General Motors, Du Pont, and any other corporation could be prosecuted without giving them the right to see the files of a competing firm on which the prosecution is based.

This is utterly false. Many such proceedings are civil in nature and the bill only applies to criminal cases. But, the report itself clearly states, and a reading of the bill substantiates this, that it has no effect whatsoever on books, records and evidence even in criminal cases other than statements of the witness. This is clearly pointed out in the report in the discussion of Rule 17 of the Federal Rules of Criminal Procedure in which it is correctly stated:

Rule 17 of the Federal Rules of Criminal Procedure relates to subpenas and subsection (c) provides among other things that "the court may direct that books, papers, documents, or objects designated in the subpena be produced before the court at a time prior to the trial or prior to the time when they are to be offered in evidence and may upon their production permit the books, papers, documents, or objects or portions thereof to be inspected by the parties and their attorneys." The Jencks decision did not involve this rule or any subpena issued thereunder. Rule 17 (c) relates to the production of documentary evidence and objects. The Jencks decision involves only prior statements made by witnesses which could only be used as evidence in the event the prior statement is in some way inconsistent with the testimony of the witness at the trial and in such case, as the court carefully pointed out, its only use would be for purposes of impeachment. H. R. 7915 does not in any way restrict the application of rule 17 (c) unless it be contended that it authorizes the issuance of the subpena in advance of trial for the production of statements of Government witnesses prior to their being called as witnesses. Such an application extends far beyond the purpose and language of rule 17 (c) and any such application of the rule to the statements of witnesses ought to be eliminated.

Thus, Mr. Pearson is proven wrong on his first example, not that he has ever

been the champion of the NAM. The second example he uses I quote:

Of interest to taxpayers—in tax cases against you, the Government could seize your files and financial statements and you would have no access to them.

This is utterly and ridiculously false. In the first place, this has never been the rule of evidence, because the defendant is always entitled to any records which he provides for the investigating officers and, secondly, for the same reason as stated in the first example, the bill only applies to statements of the witness, not to records and other documents. And of course, any statements of the defendant are always available to him, so, this entire "scare the taxpayer" example is fallacious. And certainly no "legal expert" would support this second example as a legal principle. The third example he uses and I quote:

Of interest to lawyers—

And now Mr. Pearson becomes a lawyer's lawyer—

the FBI bill wipes out rule 16 of the Federal Rules of Criminal Judicial Procedure, namely the right of discovery.

This is the poorest lawyer's lawyer advice I have gratuitously received in some time and of course just is not so. The bill retains all the present discovery procedures as the report states and I quote:

Suggestion has been made that H. R. 7915 would eliminate pretrial discovery and inspection as it presently exists in criminal cases. There is no merit to such suggestion. Rule 16 of the Federal Rules of Criminal Procedure cover the subject of discovery and inspection and provide that prior to trial and upon motions of the defendant the court may order the attorney for the Government to permit the defendant to inspect and copy "designated books, papers, documents, or tangible objects, obtained from or belonging to the defendant or obtained from others by seizure or by process, upon a showing that the items sought may be material to the preparation of his defense and that the request is reasonable." Rule 16 does not apply to written or other statements made by Government witnesses. Rule 16 was not involved in the Jencks decision and is not affected by H. R. 7915.

Thus, all three examples are unquestionably made up out of whole cloth in an effort to scare certain segments of our citizenry in an effort to stymie this much needed legislation.

Then to obscure the situation further and to make it appear that innocent people will suffer from trumped-up charges by the FBI if files are not opened to the defendant he gives as an example one case of obvious injustice to a Tom Mooney which preceded the establishment of rule 16. To imply that the FBI or any Government agency will fabricate charges is in itself—and particularly on the record of the FBI—untenable. But the example cited took place before the enactment of rule 16 and would be protected by that rule now, in that the bill does not in any way affect the right of discovery. Thus, this example is the use of most brazen scare techniques.

I would recommend to Mr. Pearson that in the future he might read the bill and the report thereon before he starts a scare campaign against it—especially when it involves such a vitally needed bill designed to prevent the breakdown of law enforcement and criminal procedures which would result in numerous criminal escapees from receiving their just punishment as a protection of the general welfare. Congress must act in the public interest when criminals are permitted to go scott free as the result of the Jencks case ruling, which has already been the proven effect in some cases as the report indicates.

As a southerner and as a cointroducer of the FBI bill I refuse to be scared by Mr. Pearson's smear tactics and I am sure the Members of Congress recognize them for what they are.

THE IMPACT OF IMPORTED FOREIGN OIL ON THE DOMESTIC OIL INDUSTRY

The SPEAKER. Under the previous order of the House the gentleman from Oklahoma [Mr. STEED] is recognized for 15 minutes.

Mr. STEED. Mr. Speaker, I have asked for this time today to again call attention of the Congress to a dangerous and appalling situation still confronting the Nation's domestic oil industry because of the continued growth of an undue quantity of imported foreign oil.

During the last several years I have served on a subcommittee which has studied the retailing of gasoline in America, and its many problems. Price wars continue to rage throughout the Nation and to anyone who will study the mass of testimony available, it ought to be apparent that the basic and fundamental reason for these price wars is the oversupply of gasoline that these foreign imports have imposed upon the country.

Tens of thousands of small independent gasoline retailers already have gone bankrupt, many of them direct victims of this import situation. Unless some relief is obtained, thousands more are condemned to the same misfortune in the months ahead.

In addition to this sideline of victims of big corporate greed, we know that the domestic oil industry represents a segment of our economy that is sick and that soon will include most of the small independent oil producers as further victims of this greed.

On this very day that I make this plea more than 1½ million barrels of foreign oil are being brought into the United States in competition with that domestic industry. These imports of oil no longer supplement domestic production as Congress intended when it passed the defense amendment to the Trade Agreements Extension Act in 1955. These 1½ million barrels of oil now supplant an equivalent amount of production from oilfields in Illinois, Arkansas, Louisiana, Texas, Oklahoma, and all other States where there is oil production.

There are many who would have you believe that this foreign oil is desperately needed—that the domestic industry is not capable of meeting our needs. However, that is not the case. The domestic oil-producing industry today has shut-in productive capacity of over 2 million barrels daily which could be produced if there was a market for the oil.

Crude oil production reached a peak of 7,717,000 barrels daily in March of this year. It has been reduced each month since then and, based on announced production allowables, will probably average no more than 6,900,000 barrels daily in July. While domestic production is being cut back month after month, imports continue to increase.

When Congress passed the defense amendment there were assurances that in regard to oil, any importation in excess of the ratio between imports and domestic crude production in 1954 would be considered a threat to the national security and actions taken to reduce imports to that level.

Yet, since the passage of the defense amendment, oil imports have continued at increasing rates to exceed that ratio—the maximum deemed safe for national security.

While the Nation's demand for crude oil has increased more than 7 percent since 1955, total well completions in the United States have dropped more than 10 percent. The number of rotary rigs active in fields across the Nation has dropped more than 11 percent and the primary phase of oil exploration, that of geophysical and core drilling crews, has dropped more than 15 percent since 1955.

These decreases come at a time when the domestic oil industry should be expanding its activities all across the country in its search for new reserves to provide the energy demands of our hungry economy.

The flood of foreign oil and its effect on every State of the Union is becoming more damaging every day.

Last week the Governor of Texas stated that when the Texas Railroad Commission cut oil-well production in that State to 13 days last month, it meant a loss of State revenue of nearly $50 million. This is revenue that would go to build more schools and would eventually have found its way into the tax coffers of other States through the construction purchases of Texas.

In my own State of Oklahoma, which was the first State to enact conservation legislation in order to protect the Nation in assuring a future supply of oil, the drilling activity has continued to go down as imports of foreign crude oil continue to rise. The number of rotary rigs active, for example, during the first half of 1957 averaged only 230, compared with 317 for the same period last year, a decline of 27 percent. Almost 1,200 fewer wells have been drilled than during the same period last year.

These are the effects of excessive imports on only two States of the Nation, but these effects will ultimately be felt by every other State. If Oklahoma and Texas oil revenues drop, then other industries must bear the brunt of an increased tax load to make up for the loss in oil revenues or if this is not done, vital programs planned for the welfare of the State must be postponed or abandoned.

While oil imports have been increasing, what has been done by the administration which promised you and me in 1955 that crude oil imports would be held within their 1954 ratio?

There have been studies, investigations, conferences with importers and testimony taken from the domestic industry as to the effects of these imports.

Yet not until our western allies faced an economic crisis due to the closure of the Suez Canal and the loss of Middle East oil, did these imports decrease one barrel.

Even then the importing companies, in order to maintain their import base in the United States, increased crude oil imports from Venezuela while Europe was crying for oil to fuel its factories and heat its homes.

This did not bother the importing companies, however, for they had to make sure that American industry never found out it could get along without imported oil.

During the Suez crisis the man responsible for keeping a checkrein on these importers told a Congressional committee that he was disappointed in the importing companies' attitude in regard to these Venezuelan imports.

In all this time while oil imports continue to soar and create havoc in the domestic industry and violate all national security standards, the administration has issued plea after plea for voluntary controls by the importing companies.

It is ridiculous to expect major American companies who are responsible to stockholders and boards of directors to carry out the national security policy of the United States Government. If the Government itself cannot carry out that policy, how can it expect a handful of international companies to do so?

On April 23 of this year the Director of the Office of Defense Mobilization certified to the President that crude oil imports threaten the national security.

Under the law the President is required to initiate his own study to determine if the ODM certification is correct.

Before making the certification to the President, ODM obtained from the importing companies their import schedules for the last half of 1957. These schedules indicated that the companies planned to import an average 1,260,000 barrels daily of crude oil alone—not considering products—during this period compared with an average of 656,000 barrels daily during the base year of 1954 considered to be the defense standard.

Despite this large scheduled increase in crude oil imports over the base year, the President waited 2 long months before appointing a committee to carry out this study. During this period crude oil imports increased from 906,000 barrels daily in April, to 1,025,000 in May and to 1,150,000 in June.

During this period the Director of ODM again appealed to the companies involved to voluntarily reduce their schedules for the last half of this year. He used a new tactic—personal conferences with each company—but the result was the same. Schedules filed just last week with the Texas Railroad Commission indicate that the importing companies still plan to bring in an unprecedented million and a quarter barrels daily of crude oil during the third quarter of this year.

In his statement announcing the formation of the new Committee the President urged the Committee to look at national security in "its broadest aspects."

This indicates a complete new study Cabinet Committee appointed last week mittee. If this is true, does it mean we will have 3 more years of delaying action by the administration with Mr. Gray pleading on the one hand with the importing companies to voluntarily reduce their imports and the importing companies blithely expanding their foreign production and importation into the United States on the other hand?

If this happens, the domestic oil industry, as we know it today, will no longer exist. The thousands of independent domestic producers, who incidentally drill almost 90 percent of all the wildcat wells drilled in the United States, will have to abandon their operations for lack of adequate funds from a proper share of the domestic market.

Thus, what is needed now from this Cabinet Committee appointed last week by the President is not more study of the oil imports problem but definite action to curtail imports within the 1954 ratio, a ratio which the administration itself has said is necessary to maintain a strong and dynamic oil industry to meet the energy needs of the United States in peace or in times of national emergency.

THE LATE MRS. GRACE COOLIDGE

The SPEAKER. Under the previous order of the House the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, yesterday I was deeply shocked and grieved by the passing of Grace Coolidge in her house at Northampton, the lovely and gracious widow of Calvin Coolidge, the 30th President of the United States. We in the Commonwealth of Massachusetts are inordinately proud. She will, I am sure, rank in history as one of the most wonderful wives who ever graced the White House: Lovely of character, gracious, gentle, handsome, a tower of strength, a great mother, a great wife, a great woman, a great lady. She had a tremendously big heart and in her work for the deaf which she was doing when she met Calvin Coolidge, a young struggling lawyer of Northampton, she was performing a wonderful service. She was greatly beloved by the students of the college for the deaf where she worked. Her associates said there had never been anyone like her and they doubted if there would be another like her because of the way she worked with the students.

I saw her in hospitals for our service men and women and I saw wan faces light up when she stopped and spoke. They knew her genuine interest and real sympathy—there never was any pretense about her.

I asked her once if she did not find it hard and depressing. She said, "Oh, no, the children are so wonderful and I feel I am helping them. They deserve everything that anyone can give them. They are entitled to a fuller and a happier life."

The last time I saw Grace Coolidge was in the lobby at the Ritz Carlton Hotel in Boston. She put her arms around my neck. She had just come from a baseball game. She was a tremendous fan and devoted to the great national sport of our country, as are thousands and thousands of others in the United States. She did much for baseball, she did much for everything she went into.

Grace Coolidge was a great worker in her church. She worked in every line of endeavor in the church. She was a very economical housewife and I wish, Mr. Speaker, that this country had men and women more like Calvin Coolidge and his wife, people who believe in paying their bills and who believe in living within their budget and who believe in a great and solid economy for our country. They had the simple, unpretentiousness of splendid character.

We cannot adequately measure what the Coolidge family did for the United States and for the world. Every diplomat who visited the White House spoke of Grace Coolidge's charm and friendliness. She was a most valuable ambassador of good will.

Calvin Coolidge was devoted to his wife, and he wrote the following about her:

> I have seen so much fiction written on this subject that I may be pardoned for relating the plain facts. We thought we were made for each other. For almost a quarter of a century she has borne with my infirmities and I have rejoiced in her graces.

He was a tremendous admirer of her beautiful traits of mind and heart. She was a devoted wife to him and a gay and understanding mother of their two sons. She had a lovely spirit, a zest for life and happiness. She was somewhat restrained when in the White House because she felt that Mr. Coolidge and the country might not approve. But those fortunate to attend their State dinners will never forget her gracious charm or his kindly courtesy.

Grace Coolidge kept the faith in every way. My deepest sympathy goes to her fine son and grandchildren and to all who knew and truly loved her.

I enclose an editorial and a brief biographical sketch from the New York Times of July 9:

> MRS. COOLIDGE DIES; WIDOW OF PRESIDENT
>
> NORTHAMPTON, MASS., July 8.—Mrs. Grace Goodhue Coolidge, widow of Calvin Coolidge, former President of the United States, died today at her home. Her age was 78.
>
> Mrs. Coolidge had been in failing health in recent years. She was suffering from a heart ailment, complicated by a kidney disorder. Several times she had left her home, Road Forks on the outskirts of town to enter the Cooley Dickinson Hospital for treatment. Her last stay was from February 25 to March 7.
>
> Her son, John Coolidge, of Farmington, Conn., was at his mother's bedside when death came at 12:50 a. m.
>
> Mrs. Coolidge's death reduces to three the number of living former First Ladies: Mrs. Woodrow Wilson, Mrs. Franklin D. Roosevelt, and Mrs. Harry S Truman.
>
> In Washington, President and Mrs. Eisenhower expressed their regret over Mrs. Coolidge's death.
>
> "Mrs. Eisenhower and I join with her many friends and admirers in expressing

our deep regrets and our sympathies to her family," the President said.

He named Senator LEVERETT SALTONSTALL, Republican, of Massachusetts, to represent him at the funeral.

Mrs. Coolidge will be buried Friday in Plymouth, Vt., beside her husband and their other son, Calvin, Jr., who died during his father's administration.

A POPULAR FAVORITE

Few chatelaines of the White House ever achieved popularity as universal as that accorded to Mrs. Coolidge. Her friends and admirers were legion, her enemies and critics, it seemed, nonexistent. Her utter simplicity, her femininity and dignity, and her radiant warmth of manner endeared her to the multitude and to individuals alike, and were balanced repeatedly in the public prints against her husband's habitual stiffness and terse conversation.

Americans generally found themselves approving and a little touched at the sincere tone of Mrs. Coolidge's reiteration of her reverence for the White House and for the role she filled temporarily as its mistress. Her pride in its past and her interest in her predecessors was a form of patriotic expression that lent her an unwonted solemnity in the performance of her official duties.

It was illustrative of her versatility that she could and did negotiate the elaborate receptions for such celebrities as Queen Marie of Rumania (first reigning sovereign ever to be received officially in the United States); the Prince of Wales (now the Duke of Windsor), and Charles A. Lindbergh, with cordiality and correctness, but that she initiated at the club meetings of Senators' wives an informality of routine that greatly popularized the sessions.

A daughter of a Vermont deacon, she was born on January 3, 1879, at Burlington, where she grew to young womanhood and was educated in the public schools. Her father, Capt. Andrew I. Goodhue, a steamboat inspector on Lake Champlain, holding office through appointment by Grover Cleveland, had a comfortable income, so that it was by choice and not by necessity that she sought a career after being graduated with the class of 1902 from the University of Vermont.

In college she was popular without being outstanding. She was active in dramatics and participated in several Shakespearean productions.

TAUGHT IN SCHOOL FOR DEAF

Until she left home to become a teacher in the Clarke School for the Deaf at Northampton, where she was to meet a rising young attorney named Calvin Coolidge, she had assisted her mother with the housework, since there was no maid in the Goodhue household. Her culinary achievements were only mediocre, as she admitted with amusement when asked to contribute to volumes of recipes by famous people.

On October 4, 1905, after 3 years on the faculty of the institution in which she retained an interest throughout her lifetime, she was married to Mr. Coolidge and began housekeeping in a home at Northampton. Throughout her husband's rise from mayor of the city to State senator and then to lieutenant governor, they maintained a home in one-half of a two-family frame house in that community.

When he was elected governor of Massachusetts and they went to Boston to occupy the executive mansion, their scale of living was expanded for the first time to include such luxuries as a family automobile.

Two sons were born—John, who like his father graduated from Amherst College, and Calvin, Jr.

Mr. Coolidge was inaugurated as Vice President of the United States in 1921, at which time they first took up residence in the National Capital. In an account of her experiences in Washington, written after her husband's retirement, Mrs. Coolidge named Mrs. Thomas Marshall as mentor and friend who inducted her into the ceremonial rites of social affairs at the Capital, preparing her for the position of White House mistress to which she succeeded after the death of President Warren G. Harding.

Extensive renovation of the upper floor of the Executive Mansion during their occupancy forced the Coolidges to move for a time to the Patterson House in Dupont Circle, Mrs. Coolidge, true to her domestic instincts, was greatly interested in the plans for enlarging the third floor, and, with the housekeeper, offered many suggestions that were incorporated into the plans.

Her only hobby during these years was knitting, at which she was so proficient that some of her handiwork was entered in national competitions and in at least one drew an honorable mention. She pursued quietly a special service to the hospitalized veterans of World War I in Walter Reed Hospital at Washington. Her visits there were frequent.

One of her recreations was walking—perhaps her favorite. Almost any morning she could be seen emerging from the White House grounds, a Secret Service agent accompanying her, for a brisk turn through the adjacent streets.

When Mr. Coolidge issued his famous pronouncement, "I do not choose to run," and Herbert Hoover followed him into office, the Coolidges returned to their home in Northampton and to private life. Not long afterward they purchased a wooded estate, the Beeches, where they lived while Mr. Coolidge resumed his law practice in Northampton. There, on January 5, 1933, she found her husband dead on the floor when she returned from a shopping tour.

An old friend, Mrs. Florence B. Adams, came to live with her at the Beeches. In the summer of 1936 the two women made an extensive tour of Europe, and during their absence most of the furnishings were disposed of and an auction held of the remaining articles. The estate was then put up for sale and Mrs. Coolidge went to share her friend's establishment in Northampton.

In 1940 she accepted the honorary chairmanship of the Northampton committee formed to collect money for the Queen Wilhelmina fund for the Dutch victims of the German invasion.

NOTED AS INTERVENTIONIST

Mrs. Coolidge, before the entry of the United States into World War II, showed that she was an interventionist. She became, in 1941, honorary chairman of the Hampshire County Fight for Freedom Committee. At a meeting of that body in Northampton she revealed that she had received "some protests for taking this position." One letter, she said, had likened her to an "old-age destroyer." She became, in the same year, a member of the new national women's organization of the National Fight for Freedom Committee.

Throughout her White House days and later Mrs. Coolidge showed great interest in early American furniture. In the White House she discovered several pieces of historic value, among them a chair that had been owned by Andrew Jackson, and had them renovated and displayed in the White House.

In the years after the death of her husband, many rumors arose concerning the former First Lady: It was said she might remarry, that she might accept one of many positions offered to her. None of the predictions came true, and Mrs. Coolidge remained as retiring as she had been in the White House.

In January 1943, she declined the position of head of the Massachusetts Women's Defense Corps, but she took a keen interest in the Waves who trained at Smith College in Northampton and lent her house to them rent-free for 2 years and moved into a neighbor's home. It was in that summer that the late Senator Carter Glass, of Virginia, introduced a resolution granting her an annual pension of $5,000. The measure passed readily.

One of the most surprising things about the mild-mannered Grace Coolidge was her interest in baseball; she was a fan during her White House days, even though President Coolidge was uninterested in the sport. For years afterward she was known as the No. 1 fan of the former Boston Braves.

Mrs. Coolidge's son, John Coolidge, is president of the Connecticut Manifold Forms Company of Hartford, and resides with his wife and 2 daughters, aged 18 and 13, in Farmington, a suburb.

THE MURPHY GENERAL HOSPITAL (MASSACHUSETTS)

Mrs. ROGERS of Massachusetts. Mr. Speaker, I was in New England over the weekend and I found a great and tremendous resentment, bitterness and unhappiness because of the possibility of the Murphy General Hospital up there being closed. They resent the fact that patients are being sent far out of State at present in order for Murphy to make a poor patient load. The Senate left out last Friday a certain provision that might have been helpful in keeping the hospital running, but the money is still in the bill. I understand that petitions with thousands and thousands of names are being sent to the Senators and to the Members of the House to keep that hospital open. We need it desperately and I am absolutely certain that if this hospital is closed we will all regret it. The Chelsea Naval Hospital would have a very great additional expense if they had to open a new building and staff it as contemplated if Murphy closes. No economy would be made there. The Fort Devens Hospital would have to have an additional staff. Many of its buildings are unsuitable.

Mr. Speaker, I urge Members of the House to help us in Massachusetts and in New England to keep that hospital open. I believe that if the conferees of the House and Senate Defense Appropriations Committee unite that it is the sense of the conferees that the Murphy General should be kept open. Then the hospital would continue to operate. It would be a tremendous tragedy to close it.

I do not understand why we are pretending to economize at the expense of our sick service men and women and our disabled veterans. The House has passed some legislation, but the other body has not passed any legislation that amounts to anything, affecting our disabled veterans during the past 2 years. Nothing has been done in the other body. We passed some beneficial legislation in the House but it failed in the Senate.

Mr. Speaker, we are giving billions and billions of dollars abroad; we are giving billions and billions of dollars for other activities in this country. Why Mr. Speaker, are our soldiers and veterans neglected? We must take care of four ex-service men and women. They should be our just responsibility. Without them we would have no freedom in America today.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ALLEN of California for July 9 and 10 on account of personal business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mrs. ROGERS of Massachusetts, twice, for 5 minutes each, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. SULLIVAN to include extraneous matter in her remarks on H. R. 6814.

Mr. JARMAN and to include extraneous matter.

Mr. ALGER.

Mr. BYRD.

Mr. HANDY.

Mr. ANFUSO (at the request of Mr. ALBERT) and to include extraneous matter.

Mr. WATTS.

Mr. SAYLOR and to include extraneous matter.

Mr. VANIK and include an article on civil-rights laws, notwithstanding it exceeds the limit and is estimated by the Public Printer to cost $192.50.

Mr. CANFIELD (at the request of Mr. TEAGUE of California).

Mr. WILLIAMS of Mississippi (at the request of Mr. MCCORMACK) and to include related matter.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 294. An act for the relief of Mrs. Marion Huggins; to the Committee on the Judiciary.

S. 556. An act to provide for the conveyance of certain real property of the United States situated in Clark County, Nev., to the State of Nevada for the use of the Nevada State Board of Fish and Game Commissioners; to the Committee on Interior and Insular Affairs.

S. 562. An act for the relief of Hideko Takiguchi Pulaski; to the Committee on the Judiciary.

S. 591. An act for the relief of Seol Bong Ryu; to the Committee on the Judiciary.

S. 1071. An act for the relief of David Mark Sterling; to the Committee on the Judiciary.

S. 1268. An act for the relief of Don Q. Gee; to the Committee on the Judiciary.

S. 1276. An act for the relief of Emilio Valle Duarte, to the Committee on the Judiciary.

S. 1321. An act for the relief of Junko Matsuoka Ekrich; to the Committee on the Judiciary.

S. 1335. An act for the relief of Sandra Ann Scott; to the Committee on the Judiciary.

S. 1353. An act for the relief of Ayako Yoshida; to the Committee on the Judiciary.

S. 1452. An act for the relief of Francesca Maria Arria; to the Committee on the Judiciary.

S. 1472. An act for the relief of Triantafilia Antul; to the Committee on the Judiciary.

S. 1478. An act for the relief of Klara Fritzsche; to the Committee on the Judiciary.

S. 1496. An act for the relief of Nicoleta P. Pantelakis; to the Committee on the Judiciary.

S. 1502. An act for the relief of Erika Otto; to the Committee on the Judiciary.

S. 1509. An act for the relief of Fumiko Bigelow; to the Committee on the Judiciary.

S. 1570. An act for the relief of Julia Fodor; to the Committee on the Judiciary.

S. 1641. An act for the relief of Yong Ja Lee (Mina Kuhrt); to the Committee on the Judiciary.

S. 1645. An act to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road widening purposes; to the Committee on Merchant Marine and Fisheries.

S. 1773. An act to validate a certain conveyance heretofore made by Central Pacific Railway Co., a corporation and its lessee, Southern Pacific Co., a corporation, to the State of Nevada, involving certain portions of right-of-way in the city of Reno, county of Washoe, State of Nevada, acquired by the Central Pacific Railway Co. under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356); to the Committee on Interior and Insular Affairs.

S. 1783. An act for the relief of Randolph Stephan Walker; to the Committee on the Judiciary.

S. 2069. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain; to the Committee on Interior and Insular Affairs.

S. 2080. An act relating to the computation of annual income for the purpose of payment of pension for non-service-connected disability or death in certain cases; to the Committee on Veterans' Affairs.

S. 2413. An act to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district; to the Committee on the Judiciary.

S. 2449. An act to extend the effectiveness of the Missing Persons Act, as extended, until April 1, 1958; to the Committee on Armed Services.

S. J. Res. 103. Joint resolution to provide for the permanent preservation and proper display of the "Flag of Liberation"; to the Committee on House Administration.

ENROLLED BILLS AND A JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1359. An act for the relief of Mrs. Theodore (Nicole Xantho) Rousseau;

H. R. 1754. An act for the relief of Eleanor French Caldwell;

H. R. 4342. An act for the relief of Mrs. Thomas L. Davidson; and

H. J. Res. 316. Joint resolution for the relief of certain aliens.

BILLS AND A JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 1754. An act for the relief of Eleanor French Caldwell;

H. R. 4342. An act for the relief of Mrs. Thomas L. Davidson; and

H. J. Res. 316. Joint resolution for the relief of certain aliens.

ADJOURNMENT

Mr. LOSER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 35 minutes p. m.) the House adjourned until tomorrow, Wednesday, July 10, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1025. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend the Alaska Public Works Act (63 Stat. 627, 48 U. S. C., sec. 486, et seq.) to clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works"; to the Committee on Interior and Insular Affairs.

1026. A letter from the Chairman, Public Utilities Commission of the District of Columbia, transmitting a report of its official proceedings for the year ended December 31, 1956, pursuant to paragraph 20 of section 8 of an act approved March 4, 1913, also balance sheets and other financial and statistical data, pursuant to paragraph 14 of section 8 of the above-mentioned act; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COOLEY: Committee on Agriculture. H. R. 8308. A bill to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes; with amendment (Rept. No. 706). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 6562. A bill relating to the north half of section 33, township 28 south, range 56 east, Copper River meridian, Alaska; with amendment (Rept. No. 773). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 8054. A bill to provide for the leasing of oil and gas deposits in lands beneath inland navigable waters in the Territory of Alaska; with amendment (Rept. No. 774). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOPER: Committee on Ways and Means. H. R. 8381. A bill to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes; without amendment (Rept. No. 775). Referred to the Committee of the Whole House on the State of the Union.

Mr. GORDON: Committee on Foreign Affairs. S. 2130. An act to amend further the Mutual Security Act of 1954, as amended, and for other purposes; with amendment (Rept. No. 776). Referred to the

Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 1244. A bill to provide for the development by the Secretary of the Interior of Independence National Historical Park, and for other purposes; with amendment (Rept. No. 777). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 6709. A bill to implement a treaty and agreement with the Republic of Panama, and for other purposes; with amendment (Rept. No. 778). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. S. 18. An act for the relief of Alessandro Renda; without amendment (Rept. No. 707). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 80. An act for the relief of Maria Adelaide Alessandroni; without amendment (Rept. No. 708). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 164. An act for the relief of John G. Michael; without amendment (Rept. No. 709). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 239. An act for the relief of Maria Parisi; without amendment (Rept. No. 710). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 249. An act for the relief of Theodora Hegeman; without amendment (Rept. No. 711). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 250. An act for the relief of Kyu Yawp Lee and his wife, Hyung Sook Lee; without amendment (Rept. No. 712). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 251. An act for the relief of Edith Elisabeth Wagner; without amendment (Rept. No. 713). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 255. An act for the relief of Fumiko Shikanuki; without amendment (Rept. No. 714). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 255. An act for the relief of Aristea Vitogianes; without amendment (Rept. No. 715). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 284. An act for the relief of Miyako Ueda Osgood; without amendment (Rept. No. 716). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 303. An act for the relief of Gaetano Mattioli Cicchini; without amendment (Rept. No. 717). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 307. An act for the relief of Noemi Maria Vida Williams and Maria Loretta Vida; without amendment (Rept. No. 718). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 308. An act for the relief of Maria Caccomo; without amendment (Rept. No. 719). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 368. An act for the relief of Jose Medina-Chavez (Joe Medina); without amendment (Rept. No. 720). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 525. An act for the relief of Rhoda Elizabeth Graubart; with amendment (Rept. No. 721). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 526. An act for the relief of Tikva Polsky; without amendment (Rept. No. 722). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 530. An act for the relief of Shun Wen Lung (also known as Van Long and Van S. Lung); without amendment (Rept. No. 723). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 560. An act for the relief of Alec Ernest Sales; without amendment (Rept. No. 724). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 583. An act for the relief of Stanislav Maglica; without amendment (Rept. No. 725). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 592. An act for the relief of Anton Revak; without amendment (Rept. No. 726). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 622. An act for the relief of Georgina Mercedes Liera; without amendment (Rept. No. 727). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 629. An act for the relief of John Eicherl; without amendment (Rept. No. 728). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 650. An act for the relief of Isabella Abrahams; with amendment (Rept. No. 729). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 653. An act for the relief of Mrs. Elsbe Hermine van Dam Hurst; without amendment (Rept. No. 730). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 701. An act for the relief of Karl Eigil Engedal Hansen and his wife, Else Viola Agnethe Hansen, and their minor child, Jessie Engedal Hansen; with amendment (Rept. No. 731). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 767. An act for the relief of Christo Pan Lycouras Mauroyenis (Maurogenis); without amendment (Rept. No. 732). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 785. An act for the relief of Helga Binder; without amendment (Rept. No. 733). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 788. An act for the relief of Thelma Margaret Hwang; without amendment (Rept. No. 734). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 804. An act for the relief of Georgios D. Christopoulos; without amendment (Rept. No. 735). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 827. An act for the relief of Guillermo B. Rigonan; with amendment (Rept. No. 736). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 833. An act for the relief of Vida Letitia Baker; with amendment (Rept. No. 737). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 874. An act for the relief of Cornelis Vander Hoek; with amendment (Rept. No. 738). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 904. An act for the relief of Chrisoula Antonios Chegaras; without amendment (Rept. No. 739). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 908. An act for the relief of Kuo York Chynn; without amendment (Rept. No. 740). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 973. An act for the relief of Yun Wha Yoon Holsman; without amendment (Rept. No. 741). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 987. An act for the relief of Leonardo Finelli; without amendment (Rept. No. 742). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 988. An act for the relief of Satoe Yamakage Langley; with amendments (Rept. No. 743). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1083. An act for the relief of Maria Maniates; without amendment (Rept. No. 744). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1112. An act for the relief of Matsue Harada; with amendment (Rept. No. 745). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1171. An act for the relief of Harry Siegbert Schmidt; with amendments (Rept. No. 746). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1192. An act for the relief of Irma B. Poellmann; without amendment (Rept. No. 747). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1251. An act for the relief of Florinda Mellone Garcia; with amendments (Rept. No. 748). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1360. An act for the relief of Mrs. Geraldine Elaine Sim; without amendment (Rept. No. 749). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1376. An act for the relief of Chong You How (also known as Edward Charles Yee), his wife, Eng Lai Pong, and his child, Chong Yim Keung; without amendment (Rept. No. 750). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1566. An act for the relief of Arthur Sew Sang, Kee Yin Sew Wong, Sew Ing Lin, Sew Ing Quay, and Sew Ing You; without amendment (Rept. No. 751). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1581. An act for the relief of Sheu Shei Lan and Chow Shong Yep; without amendment (Rept. No. 752). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1833. An act for the relief of Janos Schreiner; without amendment (Rept. No. 753). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 387. Joint resolution for the relief of certain spouses and minor children of citizens of the United States; with amendment (Rept. No. 754). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. House Joint Resolution 393. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain persons; with

amendment (Rept. No. 755). Referred to the Committee of the Whole House.

Mr. HILLINGS: Committee on the Judiciary. House Joint Resolution 374. Joint resolution for the relief of certain aliens; with amendment (Rept. No. 756). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H. R. 1741. A bill for the relief of Ikuko Morooka Mahoney; without amendment (Rept. No. 757). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H. R. 1797. A bill for the relief of Maria Sausa; with amendment (Rept. No. 758). Referred to the Committee of the Whole House.

Mr. HILLINGS: Committee on the Judiciary. H. R. 1868. A bill for the relief of Daniel Adamson; with amendment (Rept. No. 759). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. S. 615. An act for the relief of Josephine Ray; without amendment (Rept. No. 760). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H. R. 1595. A bill for the relief of Vanja Stipcic; with amendment (Rept. No. 761). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 1663. A bill for the relief of Dean E. Fosmoe; with amendment (Rept. No. 762). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 3583. A bill for the relief of Chandler R. Scott; with amendment (Rept. No. 763). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 4544. A bill for the relief of Louis S. Levenson; without amendment (Rept. No. 764). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 6527. A bill for the relief of Horace Collier; without amendment (Rept. No. 765). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 8280. A bill for the relief of Mrs. Alberta S. Rozanski; without amendment (Rept. No. 766). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 8281. A bill for the relief of Paul Nelson; without amendment (Rept. No. 767). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 8282. A bill for the relief of James E. Driscoll; without amendment (Rept. No. 768). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H. R. 1652. A bill for the relief of Rajka Markovic and Krunoslav Markovic; without amendment (Rept. No. 769). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. H. R. 5721. A bill for the relief of Marian Diane Delphine Sachs; without amendment (Rept. No. 770). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 392. Joint resolution for the relief of certain aliens; with amendments (Rept. No. 771). Referred to the Committee of the Whole House.

Mr. HILLINGS: Committee on the Judiciary. H. R. 1851. A bill for the relief of Dezrin Boswell Johnson; with amendments (Rept. No. 772). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H. R. 3920. A bill for the relief of Joseph E. Miller; without amendment (Rept. No. 779). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURNS of Hawaii:

H. R. 8595. A bill to provide a reduced rate for air parcel-post service between the United States and its Territories and possessions, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CRAMER:

H. R. 8596. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence so as to safeguard individual rights without hampering effective and intelligent law enforcement; to the Committee on the Judiciary.

By Mr. DORN of South Carolina:

H. R. 8597. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

By Mr. JONES of Alabama:

H. R. 8598. A bill to amend title II of the Social Security Act so as to permit the State of Alabama to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Ways and Means.

By Mr. KEAN:

H. R. 8599. A bill to amend title II of the Social Security Act so as to provide that the exception from "wages" made by section 209 (i) of such act is not applicable to payments to employees of a State or a political subdivision thereof for employment covered under voluntary agreements pursuant to section 218 of such act; to the Committee on Ways and Means.

By Mr. KEATING:

H. R. 8600. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence so as to safeguard individual rights without hampering effective and intelligent law enforcement; to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 8601. A bill to amend title II of the Social Security Act to permit employees of certain nonprofit organizations who are members of public retirement systems to be included under State agreements as State or local employees for purposes of social-security coverage; to the Committee on Ways and Means.

By Mr. LAIRD:

H. R. 8602. A bill to amend the provisions of the Social Security Act to consolidate the reporting of wages by employers for income-tax withholding and old-age, survivors, and disability-insurance purposes, and for other purposes; to the Committee on Ways and Means.

H. R. 8603. A bill to amend chapter 223 of title 18 relating to demands for production of statements and reports of witnesses; to the Committee on the Judiciary.

By Mr. McGOVERN:

H. R. 8604. A bill to create a Supply and Service Administration as a department in the Department of Defense, to provide that at least 25 percent of the procurement contracts by the Administration shall be let to small business, to protect the Government's interest in certain patent rights, and for other purposes; to the Committee on Armed Services.

By Mr. MASON:

H. R. 8605. A bill to amend the Internal Revenue Code of 1954 to repeal the taxes imposed on the transportation of persons and property; to the Committee on Ways and Means.

By Mr. MICHEL:

H. R. 8606. A bill to amend the Civil Service Retirement Act with respect to annuities of survivors of employees who are elected as Members of Congress; to the Committee on Post Office and Civil Service.

By Mr. SPRINGER:

H. R. 8607. A bill to authorize the transfer of certain housing projects to the city of Decatur, Ill., or to the Decatur Housing Authority; to the Committee on Banking and Currency.

By Mr. UDALL:

H. R. 8608. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on House Administration.

By Mr. BARING:

H. R. 8609. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States relating to the payment of pensions to veterans who are domiciled in a State veterans' home; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. McCORMACK:

H. R 8594. A bill to authorize Hon. ALBERT P. MORANO, Member of Congress, to accept and wear the award of the Cross of Commander of the Royal Order of the Phoenix conferred upon him by His Majesty the King of the Hellenes; considered and passed.

By Mr. BENTLEY:

H. R. 8610. A bill for the relief of Pasquale Furio; to the Committee on the Judiciary.

By Mrs. BOLTON:

H. R. 8611. A bill for the relief of Li-Chen Hsu; to the Committee on the Judiciary.

By Mr. DENNISON:

H. R. 8612. A bill for the relief of Janos (John) Kapka, wife, Edith, and children, Edith Rosemary, Georgette, Janos, Jr., Alice, Steven, and Mary Valery and mother-in-law, Antonia Majer; to the Committee on the Judiciary.

By Mr. DORN of South Carolina:

H. R. 8613. A bill for the relief of Mrs. Hedwig Thomason; to the Committee on the Judiciary.

By Mr. FASCELL:

H. R. 8614. A bill for the relief of George W. Davis, Mary Alma Knowles, and A. A. Whiticar & Sons; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H. R. 8615. A bill for the relief of Carlos Ochoa-Sanchez (also known as Carlos Lopez Sanchez); to the Committee on the Judiciary.

By Mr. LESINSKI:

H. R. 8616. A bill for the relief of Angja Nikolovska Stoyanovska; to the Committee on the Judiciary.

By Mr. NATCHER:

H. R. 8617. A bill for the relief of Nobuyuki Tamai; to the Committee on the Judiciary.

By Mr. POAGE:

H. R. 8618. A bill for the relief of Henry M. Lednicky; to the Committee on the Judiciary.

By Mr. SMITH of Wisconsin:

H. R. 8619. A bill for the relief of Mrs. Clare M. Ash; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H. R. 8620. A bill for the relief of Kinji House; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

303. By Mr. HALLECK: Petition of citizens of Lafayette, Ind., favoring legislation to prohibit the transportation of alcoholic beverage advertising in interstate commerce and its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

304. By the SPEAKER: Petition of president, Oil Heat Institute of Long Island, Inc., Long Island, N. Y., petitioning consideration of their resolution with reference to favoring decontrol of natural gas at the wellhead to permit a full and free competition among the various home-heating fuels, thus protecting the rights of the consumer, without unduly favoring any one fuel over the others; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Idaho Power Co. Fast Tax Writeoff—Chronology of Actions Taken

EXTENSION OF REMARKS
OF
HON. ESTES KEFAUVER
OF TENNESSEE
IN THE SENATE OF THE UNITED STATES
Tuesday, July 9, 1957

Mr. KEFAUVER. Mr. President, at the time the bill to authorize a high dam at Hells Canyon was under consideration, I suggested that it would be in the public interest, and certainly would be useful in the consideration of the matter, if the President directed the departments and the various agencies of the Government which had to do with the rapid tax writeoff benefit to the Idaho Power Co. to prepare a chronology of the events in connection with that action, along the same line as the chronology prepared in connection with the Dixon-Yates matter.

When he was asked about the suggestion at a press conference, the President stated that no request had been made directly to him for such a chronology.

On July 3, 1957, I wrote a letter to the President, suggesting that such a chronology would be helpful. I ask unanimous consent that the letter be printed in the CONGRESSIONAL RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MY DEAR MR. PRESIDENT: I note from a transcript of your press conference of today that in answer to a question from Mr. Robert Spivack, of the New York Post, as to whether you would ask all departments and agencies to get up a chronology of actions taken in regard to the Idaho Power Co. fast tax writeoff, you had this to say:

"I don't know. Senator KEFAUVER hasn't asked me. If he has said any such thing, he has said it for public consumption, and not to get any action, because he has not made any such request of me."

I made the statement on the floor of the United States Senate and it appears on page 9947 of the CONGRESSIONAL RECORD of June 21, 1957.

Frankly, Mr. President, I had thought that an official statement on the floor of the Senate, carried in the CONGRESSIONAL RECORD, was an official suggestion, and required no further direct communication with you. The only other time that I have had direct communication with you about such a topic was following your press conference on June 29, 1955, when in answer to a question about the role of Adolph Wenzell in the Dixon-Yates deal you said he was never called in or asked a single thing about the Dixon-Yates contract and that as quickly as the Dixon-Yates matter came up Mr. Wenzell resigned. I did feel constrained at that time to write you and inform you personally of the role played by Mr. Wenzell throughout the negotiations, a position similar to that which the Justice Department is now taking in defending the Government against the suit filed by Dixon-Yates.

In order that there may be no misunderstanding in this case, I do indeed think it would be a public service for you to order an official chronology, from all bureaus, agencies, and departments, in the Idaho Power tax writeoff, giving all conferences, all personnel attending the conferences, and making public all papers having to do with this deal.

As in the Dixon-Yates case, we have been met with the plea of privilege concerning the participation of White House staff members who were named in one of the documents we saw. Governor Pyle refused our invitation to appear before the committee. We have been met with the plea of privilege concerning memorandums. We learned about the position of Interior Secretary Seaton in opposing the writeoff only after we had originally been led by the testimony of Mr. Gordon Gray to believe that the Interior Department approved it.

As in the Dixon-Yates deal, we feel that we are not getting the full facts, and that perhaps you, too, have not been given the full facts. It was for these reasons that I made the statement that I did on the floor.

Looking forward to your cooperation, I am,

Yours sincerely,

ESTES KEFAUVER,
United States Senator.

House Postmaster Honored.

EXTENSION OF REMARKS
OF
HON. JOHN C. WATTS
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. WATTS. Mr. Speaker, it gives me a great deal of pleasure to bring to the attention of the Members that the Postmaster of the House of Representatives, Mr. H. H. Morris, was recently honored with the presentation by his fellow employees of a silver plaque commemorating his 25 years of service as an employee of the House of Representatives.

Although "H," as he is known by his many friends here on the Hill, hails from Henry County, New Castle, Ky., and is therefore technically a constituent of mine, I would not be presenting a true picture of the situation if I did not add that "H" is a real "constituent" of every Member. I say this because in his 25 years on the Hill "H" has won many friends on both sides of the aisle and has rendered faithful and competent service in the best tradition of an employee of the House of Representatives.

"H" came to the House in 1932 as an employee of the late Virgil Chapman—then a Representative from the Sixth District of Kentucky. In 1952, it was to my benefit and pleasure to have him serve as my secretary until he was elected to his present position as House Postmaster.

I consider it a real privilege to commend him at this time for his achievement and excellent service.

Eighty-fifth Anniversary of Popular Science Monthly

EXTENSION OF REMARKS
OF
HON. RICHARD L. NEUBERGER
OF OREGON
IN THE SENATE OF THE UNITED STATES
Tuesday, July 9, 1957

Mr. NEUBERGER. Mr. President, a magazine dedicated to informing the American public on scientific advancement is this year celebrating its 85th anniversary. I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement which I have issued in connection with the work of the magazine, Popular Science monthly.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

America is recognized and admired throughout the world for its technological leadership. This enviable situation has been brought about not only because of our outstanding scientists, teachers and technical schools, but also because of the hunger for knowledge of the American people.

This interest in technological matters, which is a main source of our industrial strength, is nurtured and encouraged by many springs of knowledge including the government, our fine schools and some outstanding American publications.

One of these publications, Popular Science monthly, celebrated its 85th anniversary in May of this year, and as a long-time reader and occasional contributor to Popular Science, I should like to call attention briefly to its role in reporting and interpreting science and mechanical advances for these many years. As an example of its treatment of important problems, the magazine has started an educational guidance series of articles on how gifted children should be prepared for college, how average students may be aided, how to help children who will not go to college and many other subjects which will be of great aid both to parents and educators. This series is aimed at building a better relationship between parents and educators.

But in addition to analyzing such current problems, Popular Science has also been alert to the advances of science, and the

magazine first reported such developments as telegraphic printing in 1872, the telephone in 1876, and the automobile in 1893.

This record of keeping the American people apprised of the progress of science reached a new level when Popular Science editors built a model of an artificial earth satellite.

The first model was placed on permanent exhibition in the halls of the Hayden Planetarium in New York City, a second model was presented to the United States Committee for the International Geophysical Year, and other models were loaned to the Chicago Museum of Science and Industry, the Buhl Planetarium in Pittsburgh and other similar institutions.

One model became a part of the American Dream Pageant, an exhibition of Americana that toured leading department stores throughout the country, where it was seen and studied by thousands.

This spirit of journalistic pioneering, scientific leadership and public service responsibility has helped to advance an understanding of the Nation's progress.

Military Construction Bill

EXTENSION OF REMARKS

OF

HON. PORTER HARDY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1957

Mr. HARDY. Mr. Speaker, the vote on final passage of the military construction bill is scheduled for Wednesday, July 10. Prior to that vote, action will have to be taken on the Arends amendment which proposes to strike out section 411. I want to reemphasize my conviction that the Arends amendment should be defeated and that section 411 should be retained.

This section is essential for retaining the congressional authority which is ours. If the Arends amendment is adopted, the effect will be not only to delegate congressional authority to the administration, but it will make administrative action final and will constitute blanket approval of administrative judgment before the decisions are made.

Some of the discussions of this matter have been confusing and have erroneously contended that section 411 affects the fundamental philosophy concerning the participation of Government in business-type activities. I subscribe wholeheartedly to the general objective of eliminating governmental business activities which compete with private enterprise. Section 411 is in complete consonance with that general objective because it is not concerned with philosophy, it is merely concerned with the exercise of judgment.

I believe section 411 is highly desirable and that it will preserve for the Congress the right to check on the judgment of administrative officials. This section in no way reflects upon any official. The Congress has heretofore authorized, in most cases on an individual line-item basis, all of the business-type activities conducted by the military departments. We have appropriated the funds to finance the construction of buildings occupied by these activities, to purchase the equipment and to pay the employees. Defense Department officials have justified these authorizations and these appropriations year after year with arguments supporting their continuance. It has always been our responsibility to approve the establishment and financing of these functions, and to be consistent we must retain the right to require that those which should be conducted in the public interest are continued. We have in the past, and we should in the future, refused to give the military departments blanket authority to establish business-type activities without approval by the Congress. Neither should we give them blanket authority to discontinue such activities and to dissipate the assets involved without at least retaining an opportunity for Congressional review.

I hope the Members of the House will join me in resounding defeat of the Arends amendment.

Government Bookkeeping

EXTENSION OF REMARKS

OF

HON. JOHN F. KENNEDY

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Tuesday, July 9, 1957

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an editorial and two letters which appeared in the Washington Post and Times Herald on July 5, 1957, in connection with S. 434, which I introduced, with 48 other Senators as cosponsors, and which recently passed the Senate unanimously, and is now under consideration in the House.

There being no objection, the editorial and letters were ordered to be printed in the RECORD, as follows:

STILL IN THE BLACK

The fiscal year for the Federal Government has ended, as expected, with the Treasury about $1 billion in the black. This is less than the President had forecast but about what the Joint Economic Committee of Congress predicted on the basis of more recent figures. The surplus, considering the size of the annual budget and of the debt, is hardly anything to write home about. But it does mark the first time in a quarter of a century that there have been two black-ink years in a row, and for this there will be general applause.

The outlook for fiscal 1958 is not at all clear. Prices continue to rise, and there are enough carryover appropriations on the books to allow deficit spending in this new fiscal year despite the cuts in new appropriations made by this Congress. It is anxiety over this prospect, of course, that lies at the root of the well-intentioned efforts of Senator KENNEDY and a number of his colleagues to put all appropriations on a year-by-year basis.

The Senator explains the proposal in a letter published elsewhere on this page today. We agree and have said that Congress ought to consider more carefully the long-range effects of appropriations that extend over more than 1 year. We certainly believe deficit spending is unjustified in the present circumstances. But we continue to have serious fears that important defense and other programs might be unduly hobbled by the kind of checkrein which Senator KENNEDY proposes. It would, in any case, be no guaranty of balanced budgeting. The pressure for tax cuts is so great that any sizable anticipated surplus will be quickly eliminated by a tax reduction, and a small budget surplus can become a deficit very readily if revenue estimates prove wrong.

CHANGING THE GOVERNMENT'S BOOKKEEPING

Your opposition in an editorial, A Dubious Reform, of June 26, to my bill for putting Government spending on an annual accrued expenditure basis is very surprising. The measure has received the almost unanimous support of the Senate, the House Committee on Government Operations, and top financial officials in the administration.

The measure was conceived by the Hoover Commission as its key proposal for restoring to Congress some of the control over the purse strings which has slipped away from its hands over the years.

The task force of the Hoover Commission, headed by J. Harold Stewart, of Boston, was composed of first-rank authorities on Government financial operations. They asserted that millions of dollars could be saved every year by requiring Congress to make appropriations each year on long-term projects, instead of appropriating the money all at once.

The fact is that under the present system these long-term projects are not adequately reviewed each year, and we currently have a carryover of $70 billion of unexpended appropriations—a sum almost as large as the entire budget for the coming year.

Fifty Senators, including the very economy-minded Senator BYRD, cosponsored the bill with me. It passed the Senate unanimously and has now been reported out unanimously by the House Government Operations Committee.

The only opposition in the Senate committee hearings came from representatives of the Department of Defense who raised technical objections about its administrative implementation by the Bureau of the Budget.

Your editorial stated that, under the annual accrued-expenditure method of stating appropriations requests, the departments would be obligated to pad their requests as a hedge against uncertainties. Since the contemplated projects would be contracted for at a fixed cost, the only uncertainty would be if deliveries on such items as defense equipment were made ahead of schedule so that a year's purchasing were completed in, say, 10 months.

In fact, the difficulty is almost always the other way—that deliveries are delayed. Moreover, padding the request would be futile since unexpended funds will automatically lapse at the end of the fiscal year.

Concomitantly, you state that funds might be recklessly spent to avoid the loss. This fails to take into consideration that, in the granting of an appropriation on the new basis, the agency must justify its request by revealing past costs and accomplishments.

Any reckless spending of an agency would be reflected in increased costs—a fact that would systematically and clearly come to the attention of Congress under this new system. And this is perhaps the central point—the agency would be required each year to justify what it has already spent and what it intends to spend on a long-term project.

The Congress' concern is not only to the long-range spending plans of the Government, but also with the year-by-year rate of spending. It is the latter which determines whether our budget is balanced or whether we have a surplus or deficit.

Everyone is looking for a way to streamline the Government functions to get rid of what Dostoevsky called "administrative

ecstasy." This is a measure which the financial experts agree will do this.

JOHN F. KENNEDY,
Senator from Massachusetts.

WASHINGTON.

The proposal embodied in S. 434, which Senator Kennedy and I introduced with 48 other Senators as cosponsors, is a logical follow-up of the vastly improved Federal budget and accounting procedures authorized by P. L. 863.

The basic theme of the editorial opposing S. 434 seems to be that if Congress were to only appropriate funds to be expended in a given year, it would result in needless red tape and confusion by requiring an annual review of long-lead-time programs which under the present system are for the most part considered only once.

As a matter of fact, appropriations for the civil functions of the Army Corps of Engineers, many of which are long-lead time projects, have been on a basis very similar to annual accrued expenditures for several years and the system of appropriating only those funds to be expended in the succeeding fiscal year has worked satisfactorily to all concerned.

Strict control should be maintained at all times over the expenditure of public funds. This was recognized by the Founding Fathers who wrote a provision into the Constitution that no money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

Yet the practice of appropriating funds in 1 year for expenditure as much as 10 years in the future has deprived both the executive and the Congress of any really effective control over the level of expenditure in a given fiscal year.

This year the accrued expenditure method of stating budget requests and appropriations has met with a more favorable reception in the House of Representatives and was recently favorably reported by the House Committee on Government Operations.

That committee added a provision to limit the authority contained in the bill to a 4-year period. In short, a trial period is proposed. If the proposal is as good as all of the experts firmly believe, it will amply demonstrate its value during this period.

FREDERICK G. PAYNE,
Senator from Maine.

WASHINGTON.

Decisions Emanating From the Board of Veterans' Appeals Make It Necessary That Legislation Be Enacted Clearly Defining Presumptive Periods

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EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. SAYLOR. Mr. Speaker, there are pending before the Committee on Veterans' Affairs two bills in which I am very much interested. I refer to H. R. 420 which provides for a presumptive period of 2 years for malignant tumors, and H. R. 924 which provides for a 3-year period.

Presumptive periods are well established in Veterans' Administration law. For example, World War I veterans had until January 1, 1925, to show that a tuberculosis or neuropsychiatric condition was service connected. The medical officials frown upon presumptive periods and I, as a general rule, do not favor them either. However, some of the decisions which are emanating from the Board of Veterans' Appeals make it necessary that some legislation along this line be enacted.

To deny that rigorous basic training in the Army, Navy, Marine Corps, or the Air Force could aggravate a cancerous tumor is to adopt a position which is ridiculous in the extreme. If decisions of this sort prevail, they will only result in the rankest sort of injustice to all veterans who have the misfortune to suffer from such condition.

I, for one, am willing to go ahead on such legislation and hope that the chairman of the full committee will shortly see fit to schedule action on these bills.

Independence Day Address by Hon. Frank Church, of Idaho

EXTENSION OF REMARKS
OF
HON. JOSEPH S. CLARK
OF PENNSYLVANIA
IN THE SENATE OF THE UNITED STATES
Tuesday, July 9, 1957

Mr. CLARK. Mr. President, on the 4th of July, at Independence Hall, Philadelphia, the people of eastern Pennsylvania had the opportunity to hear a most stimulating, eloquent, and thought-provoking address by the distinguished junior Senator from Idaho [Mr. CHURCH]. I ask unanimous consent that the address may be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF SENATOR FRANK CHURCH DELIVERED AT INDEPENDENCE HALL, PHILADELPHIA, PA., ON JULY 4, 1957

Mr. Chairman, distinguished guests, and fellow citizens, I am highly honored to be your speaker today. My home is in the distant West—the youngest part of our country. What a singular satisfaction it is for me to come to Independence Hall in Philadelphia, the birthplace of our country, and here take part in this observance of Independence Day.

Those of us fortunate enough to be here are privileged to commemorate this 4th of July at the shrine of American liberty. Yet, even as we gather here, a thousand bands are playing and veterans are marching, and countless flags are waving in every part of the land. Flashing fireworks will fill our skies tonight, and Americans will congregate in parks and public squares to give evidence of their loyalty to our great Republic. And many will speak of patriotism.

Patriotism is love of country. How should one love his country? One should love his country as he loves his own child—with a will to serve its inmost needs; to see it reach fulfillment; to dream its best dreams, to labor to make them come true.

As a child grows from infancy to maturity, so does a country. As a child's needs change with the passing years, so do those of a country, with the changing times. The true patriot, like the best parent, seeks to know his country's real needs and to learn how to serve them wisely and well.

In 1776 our utmost need was to secure liberty. George III of England had persistently refused to grant to the English colonists in the new world the rights of Englishmen in the old, hard-won from the days of the Magna Carta. Steadily the rule of the royal governors had grown more insufferable. Again and again the colonists had petitioned their king, but their grievances were ignored, and their entreaties rebuked.

So the day came when no recourse remained but to renounce the Crown. Men of high station, with their lives and fortunes to lose, assembled in this historic hall, to pen their names to a ringing Declaration of Independence, proclaiming to the world that the Colonies had severed the political bands that connected them with England, and had assumed the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them.

Every man who placed his signature upon our Declaration of Independence, on that Fourth of July in 1776, from Thomas Jefferson to John Hancock, writing largely so that the King himself might plainly see, knew full well the peril that now confronted them. It is said that Benjamin Franklin remarked, before signing his name, "We must, indeed, all hang together, or, most assuredly, we shall all hang separately."

The Revolutionary War was hardly a contest between equals. The Colonies were rural, lying out on the fringes of the world, and ill-equipped to wage war against a rich and powerful monarch. But the rebels fought for liberty, a cause that fired the hearts of men who would be free, and American patriots, with gallant determination, battled the Redcoats, from the woods of Lexington and Concord to the breastworks at Bunker Hill—through the wintry agonies at Valley Forge to the final victory at Yorktown.

Yes; in 1776, our utmost need was to secure liberty. By the Declaration of Independence we solemnly announced our purpose; by the waging of a Revolutionary War we painfully achieved our goal.

Today, nearly two centuries later, our utmost need is to preserve liberty. Again we should solemnly declare our purpose to the world. But the method we must now pursue to achieve our goal can no longer be the waging of war. It must be the waging of peace.

Let us see why this is so.

The age we live in is as different from the age of colonial America as a powder horn is different from a hydrogen bomb. War is no longer an instrument by which men can win a worthy goal. A thermonuclear war could utterly destroy its participants, leaving nothing but chaos, ruin, and anarchy in its wake. Liberty depends on life and order. Both can be consumed by the witchfire of atomic war, and liberty lost even to those who yearn to preserve it.

I pray that we shall continue to deter the coming of another global war. But if we must do so by living indefinitely in a state of expectant war; by remaining forever teetering on the brink; by carrying an ever-heavier shield above us, then we must awaken to the fact that our liberty itself is in danger of being stifled in the very cause of defending it.

The debt of past war, and the current costs of military defense, now account for two-thirds of the total expenditures of the Federal Government. Today's bomber costs us 20 times as much as yesterday's Flying Fortress. Tomorrow's weapons will dwarf the cost of those we buy today. If we must continue our present course indefinitely, it will matter not what party controls the national administra-

tion. Government will get bigger and taxes will grow larger. From this there is no escape.

As the threat of war becomes ever more important in the formulation of national policy and national budget, the Central Government must continue to expand its powers. The prerogatives of States and communities will further wither. Most importantly, the rights of free men will give way to the interests of a national security that will always elude the mounting frenzy with which we shall pursue it. Thus the foundations of liberty will be eroded, for if we must endlessly prepare for total war, we must be prepared, ultimately, for total government.

So I submit that our country's foremost need today, if liberty is to be preserved for the future, is the need to conquer war in the world at large. That can be accomplished only by waging peace with the same zeal and determination with which we have waged war.

The peace of which I speak is not the cold war in which we now live. Peace is something different than absence from war. An armed truce is not peace, although 20 years continued. A cold war, unless abated, can only end in a hot war.

The time has come to plan a grand strategy for peace; to commit ourselves to its battles, its Lexingtons and Concords; to be prepared to suffer its Valley Forge; and to pursue our goal with strong and abiding faith that we shall at last achieve a Yorktown victory over war itself.

Our forefathers, here at Independence Hall, appealed to the Supreme Judge of the world for the rectitude of their intentions, and solemnly published and declared their purposes, and in support of them pledged to each other their lives, their fortunes, and their sacred honor.

We could do no better.

In a new declaration of independence from war itself, we might list, as did Thomas Jefferson and his colleagues, the failures of the old order, but we must, as they did also, proclaim new objectives that will capture the minds and hearts of men.

Let us declare it to be our high purpose to recognize and promote the cause of colonial peoples who aspire, as we once aspired, to independence and self-government. Their force is crumpling empires. It is the inexorable force of our times. How greatly would be strengthen our moral leadership among free nations if we would honor and befriend the cause of colonial people. It is in our finest tradition that we do this. And such a course offers us our best hope for wresting them from imminent fall to the false and covetous lure of communism, and enlisting them to the cause of liberty and peace.

Let us declare our fixed and unremitting resolve to free the world from the threat of the silent dust of thermonuclear explosion, which could come to fill the air and settle impersonally upon the just and the unjust, and generations yet unborn. Let us lift the monstrous burden of armaments from the backs of men. We must find a way, lead the way, to enforceable disarmament so that tensions may be eased, unreasoning fears dissipated, and the energies of nations turned to the ending of want, hunger, and poverty.

Not least, let us move to the fore to improve and strengthen the United Nations, to make it more effective in its role as keeper of the peace, so that law may replace brute force in the solution of disputes among nations.

In 1776, the governmental principles stated here at Independence Hall were regarded as radical, mischievous, and foredoomed. Instead, they thrived and our Republic became an inspiration for all men who aspired to be free. In the years since, the clean structure of our liberty, like the form and shape of the liberty bell, has always been treasured in the spirit of the free.

If, in the days of our infancy, we could ignite a flame of freedom so bright as to shine like a beacon around the world, then now, in the days of our greatness, we must do no less.

Now is the time for us to recapture the spirit of our Revolution. Now is the time for us to be willing to venture and to dare, to espouse new methods—for the old have failed. Now is the time for bold and imaginative action—for proposals big enough to match and master the looming challenges of the atomic age.

Then let us hew the track for all men of high purpose and good will to follow—to the end that one day they might live in a world where freedom presides and peace endures.

Natural-Gas Legislation

EXTENSION OF REMARKS
OF
HON. JOHN JARMAN
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. JARMAN. Mr. Speaker, today the House Interstate and Foreign Commerce Committee favorably reported H. R. 6790. This is a compromise bill designed to eliminate some of the confusion and uncertainty now facing the natural-gas-producing industry, which is not only one of Oklahoma's greatest industries but one of vital importance to the whole Nation. Those of us who in the past have advocated natural-gas legislation and now support this bill have been forced to compromise in an effort to obtain some legislative relief for the independent producer now faced with regulation which threatens to stifle the incentive to explore and develop this resource. Congressional attempts to enact a more desirable law by completely removing the producer from these onerous and unneeded controls have been thwarted twice by Presidential veto and once by Supreme Court interpretation in the Phillips decision of 1954. H. R. 6790 is legislation actually providing for Federal control of certain producers' contracts.

It should be made clear in the beginning that it is still our belief that Federal control and price-fixing at the producing level of this or any other industry is contrary to the fundamental principles of our Constitution, contrary to the intent of past legislation, and contrary to the interests of our people and country as a whole. It is our belief that Federal control of this industry can only result in fewer natural-gas reserves, less gas for nonproducing States, and an eventual increase in cost to the consumer. Further, it is still our belief that natural gas is a commodity and its production has none of the characteristics of a utility service. Natural-gas producers are now under regulation by the Federal Power Commission. The Natural Gas Act of 1938 was designed to apply to the utility service aspects of the interstate movement of natural gas and not to the commodity itself, and, we believe that its present application is in error.

H. R. 6790 falls far short of this position, but as shown by testimony by industry spokesmen, administration officials, and Federal Power Commission representatives, the public utility formula of control is absolutely unworkable for this industry, which bears no resemblance to a utility. Something must be done to ameliorate the present confused situation. This bill tends to clarify the producers' status and to delimit the areas subject to regulation by the Federal Power Commission and eliminates many of the undesirable features of the present formula of control.

While not all we would ask for in natural-gas legislation, it is a bill which, if enacted into law, would tend to encourage the independent producer to explore, drill, and develop sufficient gas reserves to supply fuel to all States of the Union at reasonable prices. It is our belief that this Congress with the interests of the industry and consumers in mind must provide this encouragement.

Washington Report by Congressman Bruce Alger

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. ALGER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following July 6 newsletter to my constituents:

WASHINGTON REPORT, BY CONGRESSMAN BRUCE ALGER, FIFTH DISTRICT, TEXAS

A roundup of odds and ends seems appropriate for a light legislative week accompanying July 4. First, should Congress be televised? Yes, though its debatable. The pitiless eye of the kinescope and John and Jane Doe at home could straighten out some of our problems. True, grandstanding would be possible—and important unpublicized work by committees might be overlooked. But our government is based on informed public opinion. I'm for citizens knowing what's going on. That's why my extra effort in newsletters, questionnaires, radio, and television. (The 1957 questionnaires are pouring in. It is my hope that every recipient will express himself. The difficulty of "yes" and "no" answers is the same faced by a Congressman in his voting.)

Taxpayers should know how Congress appropriates (spends) their money. It's quite a system. For example, we have passed the conference report of the Departments of Labor, Health, Education, and Welfare appropriations bills for 1958 after the conferees of the House and Senate adjusted the differences between their respective bills. Let's examine the system, taking a specific item; for example, the salaries and expenses for the Bureau of Employment Security, one of the Labor Departments' many bureaus. Here's how it started:

Item: salaries, expenses, appropriated 1957, $5,558,000; budget estimate 1958, $6,358,000; recommended 1958, $6 million.

Bill compared with: Appropriated 1957, +$442,000; estimated 1958, —$358,000.

Let's review the steps. The House committee studied and held hearings on the budget estimate for $6,358,000, $800,000 more than 1957's appropriation. Responsibly, with "cut the budget" cries from constituents, the committee recommended to the House a total of $6 million, $358,000 below

the budget request, but still $442,000 above last year. The House then voted to cut this further to $5,558,000, the same amount as last year. Then the House bill went to the Senate. The Senate committee, too, started with the budget request of $6,358,000 and cut this to $6 million, which the Senate approved. Then the conference of several Senate and House representatives, the conferees, debated and compromised the $5,558,000 House figure and $6 million Senate figure at $5,958,000, which both House and Senate approved.

Now, note the results: 1. More money was appropriated than last year ($400,000) but everyone is on record for economy (both Senators and Representatives cut the figure with which they started). 2. Every Member when necessary can proclaim support for the Government program, but can equally proclaim he's for economy and cutting the budget. 3. The Senate usually adds money and shows less fiscal responsibility than the House. 4. Politicians can demagog and straddle the fence. 5. Politicians are this way because they can't or won't say "No" to constituents' demands for more and more Federal aid. 6. The situation won't change unless people change, both constituents and Congressmen. Such is the appropriation story.

Typical inconsistencies from constituents: 1. Economize, cut the budget, but not my project, pension, or special interest. 2. Get me a tax cut, but give me all (and more) the Government service that I've had in the past.

Floorwork inconsistencies include: 1. Government with a "heart" means a Federal solution with taxpayers' money for every problem—housing, food, employment, wages, financial security, floods, droughts, polio and sickness, charity, relief, countless business operations, etc.—Government has the money and the power, besides it's smart politics, it means votes. 2. A do-something versus do-nothing Congress is measured by the number of new laws passed (every law subtracts a measure of individual freedom)—we can correct anything with another resolution. 3. Everyone's for States rights in principle but not in practice. 4. A nameless vacuum exists into which either Federal or State Government must move—if the State won't, the Federal must (X amendment?). 5. To some in voting it's, "What's politically the right move?" or "My party, right or wrong, but my party." 6. This is just a temporary or emergency measure (this always just precedes its permanent adoption). 7. It may be a bad program, but we must spend this much more to protect what we've already spent. 8. You can't buy friendship, but let's keep trying (foreign aid). 9. Elimination of waste and duplication in government is good (Hoover Commission bills) but * * *? (No political sex appeal; bills are shelved.) One thing I know, the people of Dallas County will be told what's going on in their Government so far as I have the ability and strength. Can we expose and eliminate some of the inconsistencies? It's worth while, isn't it?

Reducing the Nation's Staggering Crime Toll

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Tuesday, July 9, 1957

Mr. WILEY. Mr. President, the morning newspapers report continuing leads developed by police authorities in investigating the underworld connections between gambling czar Frank Costello and various criminal sources, as well as "legitimate" enterprises.

We are reminded, as well, by the current investigation of racketeering being so ably conducted by the McClellan committee that there is a vast amount of illegal activity going on in this country which tarnishes our good name in the eyes of the world, and in the eyes of self-respecting people here at home.

Obviously, infinitely more must be done to clean up the conditions of crime in this country.

Last month, at a meeting of the Washington Criminal Justice Association, it was estimated that serious crime in our land is diverting no less than $28 billion a year from the national economy, and is infiltrating a wide degree of activities of civic and community life.

This was the estimate made by Mr. Aaron Kohn, president of the National Association of Citizens Crime Commissions.

As a former member of the Senate Crime Investigating Committee, I have, on many occasions, pointed out the invaluable role played by civic watchdogs like the Citizens Crime Commissions, the Washington Criminal Justice Association, and similiar groups across the Nation.

I ask my colleagues to think what an enormous amuont of tax revenue the Federal Government must be losing because of underworld evasion of its fair share of taxes.

I ask my colleagues to think how this country could use more profitably the $28 billion which is being diverted into the costs of crime in our midst.

I ask my colleagues to think of the implications of underworld infiltration of legitimate business.

Right now, for example, several of the States are reportedly investigating the extent to which one or more State-chartered insurance companies may have granted loans of a very dubious quality to gambling establishments, perhaps at the request of underworld figures.

I hope, therefore, that the States and the localities will recognize their responsibility to proceed full-speed ahead on investigations to clean up their own areas.

The Federal Government can and must fulfill its responsibilities, but it cannot and it must not usurp the basic responsibilities of the States and cities.

Here in Congress, however, I earnestly hope that the Senate Committee on Interstate Commerce will find it possible to review the anticrime bills which we, of the Senate Crime Committee, recommended to it way back in 1950 and 1951.

In the meanwhile, I wish continued success to the McClellan committee in its own vigorous pursuit of those who use violence in labor or industry to coerce American citizens.

I ask unanimous consent that an article which was published in the Washington Post and Times Herald of June 14, 1957, describing the $28 billion crime cost to our country, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NATION'S CRIME TAB SET AT $28 BILLION

Serious crime is diverting $28 billion a year from the national economy and is infiltrating civic and community life, Aaron Kohn, president of the National Associations of Citizens Crime Commission, told the Washington Criminal Justice Association yesterday.

Kohn spoke as the WCJA honored its outgoing president, Ralph D. Pittman, in its 21st annual luncheon meeting at the Ambassador Hotel.

Director of the New Oreleans Crime Commission and a former FBI agent, Kohn said there is an intense need for arousing public interest in citizens' crime commissions as a means of forming a united front for a war on the Nation's spiraling crime rate.

H. Holmes Vogel, vice president of the Chesapeake & Potomac Telephone Co., and new president of the Criminal Justice Association, called on John Remon, a WCJA past president, to present a plaque to Pittman at the luncheon.

The plaque expressed "deep appreciation" for Pittman's "splendid and unselfish performance of duty" during his 3 years as WCJA president.

"Your participation and accomplishments for the Washington Criminal Justice Association have resulted in an improved administration of criminal justice and better law enforcement for the District," the inscription said in part.

The Boy Scout Jamboree

EXTENSION OF REMARKS
OF
HON. GORDON CANFIELD
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. CANFIELD. Mr. Speaker, a youthful army in forest green shorts and multicolored neckerchiefs took over the Capitol yesterday and I for one was thrilled by its occupation.

The uniformed "invaders" were some of the 60,000 Boy Scouts from every State in the Union, the Territories of Alaska and Hawaii, Puerto Rico, and many foreign lands, who for the next 10 days will be camping in a city of 25,000 tents on the rolling hills of historic Valley Forge for the 1957 Boy Scout Jamboree. Many of these jamboree Scouts stopped off at this Capital City for a brief glimpse of their Government in action en route to the Valley Forge campsite while still others will be visiting us on their homeward journey.

I am told that the Scouts will be consuming some 509,000 eggs and more than 599,000 quarts of milk during the jamboree, and the 3,000 acre tent city that will house them, for the time of its occupation will be the 16th largest city in the Keystone State. I know that one of the major jamboree activities will be the swapping that goes on wherever Boy Scouts get together. There will be swapping of neckerchief slides, camporee badges, ceremonial gear and industrial samples from their respective areas, but even more important than this exchange of tangibles will be the swapping of ideas

and friendships, the swapping of folkways and colloquialisms of speech. And out of all this the development of deep and lasting understanding and acceptance of the many differences that blend and merge into the harmonious pattern of our American way of life.

I recall so well my visit to the 1950 jamboree at Valley Forge when my own son was one of that great army of American boyhood encamped on the sun-warmed hillsides. I heard the rollicking Scout songs echo from rise to rise and thought how those old hills must have rocked to the strains of Yankee Doodle and Let Tyrants Shake Their Iron Rod, as the ragged Revolutionary soldiers sang to forget the misery, the hunger, and the cold.

I remember that thrilling pageant in the huge amphitheater, where the Scouts heard an address by the President of the United States and another by the top military leader of the day, the man who now sits behind the President's desk in the White House. There was a never-to-be-forgotten climax to that 1950 jamboree program when every light on the vast field was extinguished and a blanket of soft darkness fell over the buzzing, wriggling body of boys, bringing down a hush that seemed somehow sacred. Then in a far corner of the field one Scout lighted a tiny candle, its yellow flame leaping up and cutting through the enveloping blackness. One after another the boys lighted their candles until the whole amphitheater was shining with light, a moving demonstration of the power of a single candle to pierce the dark.

I like to think of those boys out there, swapping experiences and inspirations on the green hills of Valley Forge, as the shining candles of hope in this dark and weary world. May the ideals of Scouting burn brightly through all their lives and may these days at Valley Forge help them to appreciate and cherish the precious heritage that has been placed in their young and eager hands.

United States Policy on H-Bomb Testing

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. ANFUSO. Mr. Speaker, on June 13, 1957, I addressed a letter to Secretary of State John Foster Dulles concerning H-bomb tests and the dangers of nuclear fallout. I have now received an official reply from the State Department which I believe is most interesting since it outlines American policy and thinking on this matter at the present time.

Briefly, I had proposed in my letter that the United States should issue a declaration to the world stating that this country will make no H-bomb tests for a period of 6 months regardless of what other countries do. In this declaration the United States is to state clearly that we are taking this action in the interests of safeguarding humanity and civilization against the mortal perils of nuclear fallout.

Furthermore, I proposed that the declaration is to call on Soviet Russia and Great Britain to follow our example in accepting "this brief moratorium or trial period for the suspension of nuclear tests," and that if this 6-month trial period proves a success on the part of all concerned then it can be extended for a longer period of time.

On July 8, 1957, the State Department addressed a reply to my letter, signed by John S. Hoghland II, Acting Assistant Secretary for Congressional Relations.

It is worth recalling at this point that at the disarmament conference, now going on in London, the United States recently proposed the suspension of H-bomb tests for a period of 10 months. I prefer to believe that my letter to Secretary Dulles had something to do with the formulation of the proposal made by our delegation at the London conference.

Mr. Speaker, for this reason I believe it will be worth while to insert into the RECORD the text of the State Department's reply and my original letter.

The letters follow:

JUNE 13, 1957.

Hon. JOHN FOSTER DULLES,
Secretary of State, Department of State, Washington, D. C.

DEAR MR. SECRETARY: I am writing to you not only in my capacity as a Member of Congress and as spokesman for the people of my district, but also as the father of five children. During these past few weeks I have given considerable thought, as millions of others have done, to the mortal perils of nuclear fallout—the perils for our own generation, but even more so for our children and grandchildren.

Scientists seem to be generally agreed that radioactive elements which were unleashed by A-bombs and H-bombs since 1945 are already damaging human health all over the world. There may be some debate as to the degree of such damage, but no one questions the danger involved. As more of these bombs are exploded the physical danger increases since the atmosphere becomes more polluted with radioactive material.

It has been suggested that the three major nations experimenting with nuclear weapons, the United States, Soviet Russia, and Great Britain, should agree to stop these experiments for the safety of the entire human race. Others have maintained that if we stop testing nuclear weapons, then we might face the danger of losing our position of leadership in this field and in due time the United States would assume an inferior position to Russia who would utilize it for its own selfish purposes.

If there is no imminent danger to the security of our Nation, I should like to propound this question: Could we continue our nuclear research without tests for a period of 6 months and yet not suffer to any material extent the loss of our present leadership position? Would we be in a vulnerable spot if we abstained from such tests for 6 months? If the answer to these questions is that we could continue our research without tests and yet not endanger our position, then I would like to suggest the following proposal:

Let the United States come forward with a flat declaration to the world that we have decided to make no further H-bomb tests for the next 6 months, regardless of what other countries do, because we earnestly believe it to be in the best interests of humanity and civilization. At the same time we will call on Russia and Britain to do likewise during the same trial period. In other words, declare a brief moratorium or trial period for the suspension of nuclear tests. I believe that public opinion throughout the world would force Russia and Great Britain to follow our example.

By our action, we would demonstrate to the world that the American people are taking the initiative to end the destruction of the human race. It would also show that the American people and their Government are sincerely and genuinely dedicated to world peace.

Naturally, if this 6-month trial period proves to be a successful experiment on the part of all nations concerned, it can then be extended for a longer period of time. In this way, perhaps, we can avert the threat to our own and to future generations. In this way, too, we can provide our children and grandchildren with an equal opportunity of coming into this world as normal human beings and with the hope of living a normal life free from the perils of radioactive fallout which are threatening them.

I believe, Mr. Secretary, that millions of people in this country and abroad would be most interested in your views regarding this proposal.

Sincerely yours,

VICTOR L. ANFUSO,
Member of Congress.

JULY 8, 1957.

Hon. VICTOR L. ANFUSO,
House of Representatives.

DEAR MR. ANFUSO: I refer to your letter of June 13, 1957, concerning fallout and a proposal that the United States halt nuclear tests for 6 months.

It is believed that a review of the testimony given at the recent fallout hearings of the Joint Committee on Atomic Energy would not bear out the statement, "scientists seem to be generally agreed that radioactive elements which were unleashed by A-bombs and H-bombs since 1945 are already damaging human health over all the world." The record will show that there is general agreement among scientists on the amount of fallout received and the amount of strontium 90 in the body. It is recognized that the extra radiation from the test fallout is a small fraction of the natural dosage individuals receive from their own bodies and surroundings and cosmic rays. Radiation from test fallout is very small when compared with the radiation produced by medical and dental X-rays to which many individuals are exposed. Dr. Libby, of the Atomic Energy Commission, you may recall, has pointed out that an individual may receive doses which far exceed those from fallout by living in a brick house or in the mountains.

The Committee on Genetic Effects of the NAS–NRC noted in its report released in June 1956 that "the fallout dose to date (and its continuing value if it is assumed that the weapons-testing program will not be substantially increased) is a small one as compared with the background radiation, or as compared with the average exposure in the United States to medical X-rays." The following excerpt is taken from its conclusions: "The fallout from weapons testing has, so far, led to considerably less irradiation of the population than have the medical uses—and has therefore been less detrimental. So long as the present level is not increased this will continue to be true; but there remains a proper concern to see to it that the fallout does not increase to more serious levels." At the recent fallout hearings Dr. H. Bentley Glass, who is a member of the committee, commented that no data have become available in the past year to warrant changing the earlier conclusion.

From the foregoing, one should not conclude that there is no risk to be taken in

connection with nuclear testing. There is a small risk; however, it is small in comparison with the ordinary risks that we take all the time. At the fallout hearings, Dr. Libby asked the following question, to which only an affirmative answer can be given: "Are we willing to take this very small and rigidly controlled risk, or would we prefer to run the risk of annihilation which might result if we surrendered the weapons which are so essential to our freedom and our actual survival?"

Regarding the advisability of a 6 months' unilateral suspension of nuclear testing, a detailed review of the entire disarmament problem (as it relates to nuclear weapons) has led to the conclusion that the heart of the nuclear threat is ever-increasing stockpiles of nuclear weapons. Accordingly, the United States has proposed that, under effective inspection, at a given date, all future production of fissionable materials for weapons purposes should cease and that transfers from past production to peaceful uses should begin. Within the framework of such an agreement it would be possible to undertake either a suspension or a complete elimination of all nuclear weapons testing. For these reasons, a unilateral move merely to suspend testing for a short period would appear not to attack the most important and potentially dangerous aspect of the nuclear threat. It might tend instead to give a misleading impression of progress toward a safeguarded disarmament agreement. It is the view of the Department of State that any agreement on testing should be a part of a first step in a general disarmament agreement that would include provisions for the cessation of production of fissionable materials for weapons purposes.

Sincerely yours,

JOHN S. HOGHLAND II,
Acting Assistant Secretary for Congressional Relations
(For the Secretary of State).

Statement of Hon. Robert C. Byrd to the Subcommittee on Civil Service Retirement, House Committee on Post Office and Civil Service

EXTENSION OF REMARKS
OF
HON. ROBERT C. BYRD
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. BYRD. Mr. Speaker, permit me to call to the attention of our colleagues the statement which I presented to the Subcommittee on Civil Service Retirement, House Committee on Post Office and Civil Service, in connection with the hearings on the proposed legislation to increase the annuities of civil-service employees who retired prior to October 1, 1956. The statement follows:

STATEMENT OF HON. ROBERT C. BYRD PRESENTED TO THE SUBCOMMITTEE ON CIVIL SERVICE RETIREMENT OF THE HOUSE COMMITTEE ON POST OFFICE AND CIVIL SERVICE, JULY 3, 1957

Mr. Chairman and honorable members of the Subcommittee on Civil Service Retirement, I am grateful for this opportunity to present my views in support of H. R. 4 and related bills, which would increase the annuities of civil-service employees who retired prior to October 1, 1956. The bill which I introduced on January 10, 1957, is similar to H. R. 4.

The proposed legislation will benefit some 240,000 retirees and about 80,000 surviving widows and dependent children. These employees did not share in the increased benefits which the 84th Congress granted under Public Law 854 to persons retiring on or after its effective date, October 1, 1956. General revisions increasing benefits under the civil-service retirement system were enacted in 1926, 1930, 1942, and 1948, and in each of those enactments benefits were also provided for persons already retired. These increases were paid from the civil-service retirement fund and did not call for special appropriations.

It is true that in the first session of the 84th Congress a token increase was provided for civil-service annuitants, but it is also true that that token increase was far below the proportionate increase in the cost of living. And, of course, that token increase was prior to the legislation of 1956, enacted for the benefit of future retirees. This fact, as well as the further fact that the cost of living has increased each month since the enactment of 1956 legislation, plainly points up the unfortunate economic situation in which retirees now find themselves.

Prior to the adjournment of the 84th Congress, the Senate passed the bill, S. 3725, to provide the necessary increases for annuitants; however, due to the approaching adjournment, the House was not able to act on the subject.

It is my understanding that about 70 percent of the beneficiaries are men and the balance women. Some 50,000 of these former Federal employees are today receiving approximately $50 a month. Another 50,000 receive between $50 and $100 a month, and still another 50,000 receive between $100 and $150 a month. In other words, 75 percent of our civil-service retirees receive less than $150 a month. The plight of their survivors is even more distressing. The average survivorship annuity is $50 a month. Do not these stark facts, then, amply demonstrate that Congress has the duty and the obligation to provide equitable and necessary improvement in its program of retirement and survivor benefits for former Government employees and their survivors?

No one denies the gross inadequacy of retirement benefits in meeting the present high cost of living. The urgency for remedial action, however, was graphically revealed in a special report published in the August 3, 1956, issue of the U. S. News & World Report. That report showed that civil service retirees were down 13 percent from the 1939 standard of living. On the other hand, the report showed that 35 major groups, representing 95 percent of our population of workers, enjoyed increases above that 1939 standard, ranging from 4 to 107 percent.

Many of the individuals who will be benefited by the increases proposed in the legislation here under consideration are wholly dependent upon their annuities. The inflationary spiral has hit hard. The shrinkage in the purchasing power of the "retirement dollar" cannot be ignored either.

The average age of the annuitants to be benefited by this legislation is 67.7 years. This fact, too, points up the necessity for immediate and favorable consideration of the proposed legislation. We recognize that retirees are at a great disadvantage because the dollars which they paid into the retirement fund have greatly decreased in value. The purpose of the proposed legislation is to compensate for this loss in purchasing power and to provide some equity to these former Government workers.

The Congress has a direct responsibility to these former employees to see to it that their benefits have a sound relationship to the cost of living. Let us not overlook the real problems with which these retirees are faced. They are confronted with reduced income, reduced health, reduced living standards, and in many cases with increased medical expenses. Legislative action to assist these senior citizens is overdue.

In view of the above, I hope it will be possible for the subcommittee to give favorable consideration to the legislation here under consideration.

Hells Canyon, TVA, and Niagara

EXTENSION OF REMARKS
OF
HON. FRANCIS CASE
OF SOUTH DAKOTA
IN THE SENATE OF THE UNITED STATES
Tuesday, July 9, 1957

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD one of my weekly newsletters which I send to the people of South Dakota. It deals with the subject of power at Hells Canyon, TVA, and Niagara.

There being no objection, the newsletter was ordered to be printed in the RECORD, as follows:

HELLS CANYON, TVA, AND NIAGARA

WASHINGTON, July 1, 1957.—It's time for plain speaking in South Dakota on power—public and private. Bills now pending in Congress point up the subject.

BILL NO. 1—HELLS CANYON

The Senate has passed a bill that would direct the Federal Government to build a high dam on the Snake River in Idaho

I voted against it. Why?

Because it will cost you your share of $500 million, possibly $600 million, plus damages to the private power company which has already spent about $20 million building some low dams under a license issued under President Roosevelt's 1936 Federal Power Act.

The issue was blurred by a tax amortization certificate that should not have been issued although the Idaho Power Co. was only getting what others have been getting since accelerated depreciation was resurrected with the Korean war. I did not like that—said so—introduced a resolution to stop it and stop all fast writeoffs.

Idaho Power then turned back its tax amortization certificate before the vote—but even if it had not, it does not make sense to make a $600 million mistake just because you've made an $18 million one.

Under either plan—there would be 750,000 kilowatts of firm power. A high dam might get 15,000 more. It might also get some dump power if you take water away from the upstream irrigators to fill a high dam. But I do not see using crop water to create dump power when the British are producing atomic power competitively.

So, I voted "No" which was to say, "Let the private company continue and let them put up the dough. We need lower, not higher, taxes."

BILL NO. 2—TVA

In the Senate Public Works Committee, I have helped to shape and report a bill that will let the Tennessee Valley Authority issue its own bonds up to $750 million to increase its facilities to meet growing power needs in its territory.

TVA is public power. My friends who think TVA is creeping socialism will probably themselves get the creeps on this one. And my REA friends who have been educated to think that one should be damned

politically and perhaps eternally if he did not vote for a publicly built Hells Canyon Dam may give me no credit for supporting TVA public power.

But you, my fairminded reader—don't let anybody poison your mind. FRANCIS CASE is neither under the control of the private power trust when it comes to Hells Canyon nor the Socialists when it comes to TVA. I simply think it makes sense to let the cost of these things fall somewhere else than on the backs of the taxpayer.

Since TVA, a proven operation, can sell bonds and finance its needed expansion, why do it by taxation or an increase in the national debt?

BILL NO. 3—NIAGARA

Another bill which I have helped to shape and report from Senate Public Works would let the State of New York, through its State Power Authority, develop the hydroelectric potential in the Niagara River. It will cost them $566 million.

Again, I'm in the middle. Between the folks who wanted the original Miller-Capehart bill that would turn Niagara's potential over to five private power companies and those who wanted the Lehman-Roosevelt bill to have Uncle Sam do it and pick up the check.

This will be public power—State public power—but the so-called public power people are unhappy because we did not tack on the full preference clause for public bodies and cooperatives.

I voted for modifying the preference clause because I think if New York State finances the job, the people of that State are entitled to at least 50 percent of the power in that State. And less than 5 percent of them are served by the so-called preference bodies.

Also, I respect the claim of New York to some of the power that will be produced from waters rising and dammed in their State. (You know I also think that for South Dakota, too.) New York, under Republican Gov. Charles Evans Hughes over 50 years ago asserted that claim and it has been continued through Democrat Franklin Delano Roosevelt, Republican Tom Dewey and present Democratic Gov. Averell Harriman. All have asserted the doctrine of our Western States that a State has certain rights in its waters.

So, I have never favored requiring New York to accept a Federal preference law that would require them to export their State-financed power from a State dam on waters rising partly at least in their State to cities and co-ops in Pennsylvania, Ohio and Indiana and deny it to the 95 percent of their own citizens who are served by private distributors.

Now if I seem to have written this a bit bluntly, it is because the time has come to call the turn on a tendency to damn or praise in terms of "public power" and "private power." We have both in the United States—and should.

Without the drive that men have when there is a prospect of making a profit from enterprise and hard work, this country would not do any better than Russia does with state enterprises exclusively; without the yardstick of TVA and the example of what people will do with abundant electric power when they can get it at rates they can afford, we would not be the country we are today.

Not in our generation would the farm homes of America be lighted and modernized as they are had there been no Rural Electrification Administration. It has meant more to improve rural living than any other farm legislation you can name.

And the simple existence of a TVA yardstick makes it safe to have private power development when private capital and enterprise are able and willing to undertake the venture.

In each of these three cases, FRANCIS CASE voted—not on a public-power or a private-power basis—but for the solution which appeared likely to get the job done with the most protection to the public purse and to you as a taxpayer. I would save on—

Hells Canyon—private power	$600,000,000
TVA—public power, private funds	750,000,000
Niagara—public power, New York funds	566,000,000
Total in 3 bills	1,916,000,000

That much power development for a growing United States without any demands on the Federal Treasury. Without any increase in your taxes.

That's the way I voted. But whether you will be saved that first $600 million depends on what happens to Hells Canyon in the House of Representatives or at the White House.

If you want to help pay for a high Hells Canyon Government-built dam, write your Congressman that you are willing to have the national debt increased or your income tax raised or your share of the tax cost hidden in the price of a new tractor, corn-picker, or TV set.

And if you'd like to have the full-preference clause tacked onto the Niagara bill, write your Congressman that you are willing to have the Niagara Dam built by the Federal Government. That's a sure way to pick up the tab New York State stands ready to accept.

And, if you want TVA to be public enterprise, pure and simple, tell us that you want all TVA growth financed by Federal appropriations instead of TVA bonds. That's a quick way to add $750 million to the Federal budget for the next 6 years.

Thanks for letting me report to you so frankly.

Pregnancies Grow in Washington Schools

EXTENSION OF REMARKS
OF
HON. JOHN BELL WILLIAMS
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. WILLIAMS of Mississippi. Mr. Speaker, the entire country has been following with interest the results of public-school integration in the District of Columbia. Because President Eisenhower had suggested that Washington's public school system should serve as a model of integration for other communities to follow, developments here have been carefully noted by the public.

Last fall, a subcommittee of the Committee on the District of Columbia conducted a thorough study of conditions in the newly integrated Washington schools, and the evidence presented to that subcommittee startled the entire Nation. I am quite sure that no fairminded person could close his eyes entirely to the disastrous effects that inevitably result from such wholesale integration if that person should take the time to read the transcript of hearings before that subcommittee.

In the current issue of U. S. News & World Report is to be found an enlightening article dealing with some of the problems brought about by integration of the District schools. The facts revealed in this article are shocking, to say the least, and should awaken even the most avid integrationists to the cold realities of life. Under leave to extend my remarks in the RECORD, I include the aforementioned article:

PREGNANCIES GROW IN WASHINGTON SCHOOLS

Pregnancy and vandalism are being pictured officially as twin problems in schools of the Capital of the Nation.

The number of pregnancies has multiplied. In one big section of the city, the health-clinic center has recorded a rise of 1,000 percent in pregnancies among junior-high-school girls, between 1948–49 and the present. The rate of rise is reported by officials as most rapid in the years since 1954, when separate schools for Negroes and whites were ended.

At the same time, vandalism in schools is described as a problem of serious proportions. Representative EARL WILSON, Republican, of Indiana, told Congress of an investigation of vandalism made by him at an elementary school newly constructed at a cost of $677,400. The story told by Representative WILSON is given in this article as it was printed in the CONGRESSIONAL RECORD.

JUNIOR MOTHERS

It is the problem of pregnancy among school children that is attracting special attention at this time. The problem is described in detail by a report made to the Youth Council of the city's administrative body, the District of Columbia Commissioners. The report was prepared by Dr. John R. Pate from school records and is entitled "Junior Mothers." Dr. Pate is director of the District's Bureau of Disease Control.

What follows is from the text of the report on pregnancy among pupils in junior high schools of Washington:

"The members of the Commissioners Youth Council, area M, have expressed concern over the increasing rise of illegitimacy among the early teenage group.

"A rise of over 1,000 percent in the number of such instances in comparison with 1948–49 school-year figures to that of 1956–57 has come to the attention of the Southwest Health Center clinic.

"In 1948–49, there were only seven illegitimate pregnancies in this age group (junior high school) that came to our attention. It is not expected that this large an increase would hold true throughout the city; but, because the statistics have risen so dramatically over a period of years, it was felt that a further study of this problem would be timely in order to bring to the attention of all concerned the seriousness of the situation, for the problem generally has increased.

"Further, many of these children being born out of wedlock are dependent solely on public-assistance funds for their support. This economic burden merely adds another complication to the emotional and moral one in the community.

"Alarming increase

"During the current school year there has been an alarming increase in the number of pregnant girls in the 7th, 8th, and 9th grades of the junior high schools of the city of Washington coming to the Southwest Health Center to have completed and properly signed physicians' certificates of pupils' inability to attend school. This problem has been increasing over the last 2 to 3 years, more than was noted in several years prior to 1954. The fact is that, during the current school year, our records show an increase of approximately 1,000 percent in the number of illegitimate pregnancies as compared to the 1948–49 school year in this age group.

"The purpose of this report is not to cast reflection on any particular group, for this situation is not confined to any one segment of the population. But it might be said that it is most prevalent in the group coming from the lower socio-economic status.

"Of the 23 junior high schools in the city of Washington, we have records on children

from 13 schools reporting to this health center for confirmation of pregnancy in order to be excused from school.

"The statistics of the public schools, included in this report, cover a period of 8 months. In practically every school the report is not completely accurate, falling short of the total number of pregnancies.

"Even the official certification of live birth kept by the Division of Vital Statistics does not always give the true picture as to illegitimacy, for the certification record, which is a legal record, does not necessarily indicate whether the child is legitimate or illegitimate. This is only found in the supplementary section which is recorded in confidential files.

"The overall figures for the District of Columbia in the year 1954, insofar as were obtainable, show 3 percent of the births to whites were illegitimate and 26.3 percent to nonwhites. This figure included births in the District of Columbia of nonresidents also, which further distorts the actual picture.

"Broken homes

"The statistics included in this report * * * are the actual numbers which the public schools have on record. In analyzing the case records (of pregnancies) available at the Southwest Health Center, we find of the 78 on hand that 61 come from broken homes. Two of this number are second pregnancies. Both of these girls, 14 years of age, had their first child at 13. Only one of the 78 is an only child. For the most part, they come from large families with a number of children, live in crowded conditions, with a history of separation of parents, common-law fathers or multicommon-law fathers in one family. Some of these junior mothers come from families where this pattern has existed from 2 to 3 generations.

"Example: One patient who was first seen at this clinic in 1948 as a frail, undernourished female early in her first pregnancy now is the mother of six living children, with several men involved. She is now living alone with these small children and is being given support with funds provided by the Department of Welfare. She readily admits the more children she has, the more income she expects to receive from this source and does not anticipate changing her pattern of living. (The present ceiling is $200 per month.)

"This pattern is repeated time and time again.

"Another example, whose child is now 9 months old, left junior high school in the ninth grade. The father of the child is a 17-year-old male who has continued in school. He does well in schoolwork and in school activities. In fact, so well that he was considered for a citizenship award which was to have been presented at graduation in June 1957. But the feeling of the principal is that we should not extend such a distinction to an individual who breaks the moral code of our way of life.

"PARENTAL COMPLACENCY

"It is tragic indeed to see these children present themselves as late as the second trimester of pregnancy or even the third trimester without ever having any prenatal care whatsoever. In the majority of instances, the mother of the patient is seen. In discussing the seriousness of the situation, the parents' reaction mostly is one of complacency. However, it has been our feeling that the parents have already experienced an emotional shock, and, while at the clinic, they seem to attempt to excuse the situation on the basis of the fact that it could not be helped and now it is too late.

"However, in a number of instances, these junior mothers have returned to the clinic within 3 or 4 months with no signs of pregnancy. It can only be concluded that an abortion has occurred. This, too, presents a very serious and alarming medical problem. This situation has been increasing in the last few months.

"According to the records of the Bureau of Vital Statistics for the calendar year 1955, [in the District] there were only 86 illegitimate live births to girls under 15 years of age. Certainly, from all indications, an alarming percentage of births in the District of Columbia are illegitimate.

"In the early part of the 1956–57 school year one school in southwest [Washington] reported over half of the 240 children enrolled were illegitimate. In the past few months, in the course of the redevelopment project, many of these families have moved. However, there still remain 40 illegitimate children out of an enrollment of 210.

"Boasts and bad examples

"It has been observed that, when children in the seventh, eighth, and ninth grades become premature mothers and then are required to return to a school setting, there has been a psychological change, as well as an enforced degree of maturity, which greatly, affects their ability to adjust to normal school activities. For the most part, these junior mothers simply do not do well in the classroom setting, and boast of their progeny. This creates curiosity and develops disrupting attitudes among other teen-agers.

"It may well be pointed out in one instance where a young teen-ager who had a baby kept showing snapshots of her offspring to her close personal friend, an eighth-grade pupil, until she created such a strong desire in this young girl, who had never been pregnant, that she determined to duplicate the feat of her friend. After having intercourse with a number of young males and not getting pregnant, she has developed a definite psychosis. This situation is serious and, in spite of all counseling, when these premature mothers return to school they boast of their child or children to their school friends. This serious reaction and conflict of standards is demoralizing to all of the children who are aware of the situation.

"Other cities, less trouble

"Inquiries were made of several cities regarding their problem and, with the exception of Baltimore, none of the other several cities seem to be having such a dramatic increase in illegitimacy as Washington. The city of Baltimore replied on December 6, 1956, which is quoted in part:

" 'There is a catastrophic lack of knowledge on illegitimacy, probably one of the most important problems in maternal health and subsequently in child health for cities like Washington and Baltimore.

" 'The number of illegitimate pregnancies cannot be established with finality. Of the total illegitimate babies, 50 percent occur among girls 18 years of age and lower.' In 1954 in the city of Baltimore, 36 percent of the total number of live births among the nonwhites were illegitimate. This was an increase of 6 percent over 1953 figures. There was no noticeable increase in illegitimacy among white teen-agers during this same period.

"In the city of New York there were 131 births to mothers under 15 years of age in 1955, and in 1956 there were 146 births to mothers in this age group. In 1956, 133 of these 146 were illegitimate or 91.1 percent. Of births occurring among young women between 16 and 19, there were a total of 12,074 live births. Of these, 2,687 could be identified as births out of wedlock or 22.3 percent. In New York City there has been a gradual increase in the overall proportion of illegitimate births since 1954. In that year it was 5.5 percent; 1955, 6.3 percent; 1956, 6.7 percent. These figures fall far short of those of the city of Washington, however.

"In the city of Philadelphia in 1955 there were only 98 illegitimate births to mothers under 15 years of age recorded; 7 white or 0.2 percent and 91 nonwhite or 0.7 percent.

"Special schools for mothers?

"It seems in a number of cases children have made an effort to become pregnant in order to stop school. This confession has been made by a number of pregnant girls. If the pregnancy occurs in the 13th or 14th year and they are forced to return to school against their desires, a number of these children have stated they have frankly made an effort to become pregnant again. It is felt that some form of training should be provided for these children regardless of their wishes, even if it requires the establishment of special schools for them. They should be taught how to care for their offspring and be given other forms of instruction which can be made of practical value.

"It seems that the problem of illegitimacy is more serious in Washington and Baltimore than in New York City, Philadelphia, or Richmond, Va. Since the increase in this city has been so noticeable during the 1956–57 school year as compared with several previous years, it seems that we are faced with an acute pattern that demands immediate and serious consideration.

"Within the last few days the junior-high-school nurses and counselors have again been contacted and the figures released from the Statistical Division of the Board of Education are lower than what now seems to be the facts. It can only be concluded that the problem is even more serious than our statistics reflect.

"Grade-school pregnancies

"Due to the regulation that children must attend school until they are 16 years of age, there are few figures for senior high school students since, by and large, these pupils have reached their 16th birthday and may discontinue school without having to have an official excuse. Consequently, no accurate figures are obtainable. This report is directed primarily toward junior high school students. However, there have been recorded in the elementary schools 8 pregnancies between September 10, 1956, and April 10, 1957. Seven of these girls were 11 years of age and 1 was 10 when she became pregnant.

"Further observation is that, in some schools the male teen-ager is responsible, while in others there seems to be a definite pattern of young adults, 20 to 30 years of age and even older, who are responsible. Some teen-age males have confessed to fathering 2 to 8 children.

"In several cases stepfathers and common-law husbands are responsible, and, in others, married men have been named as the responsible partner. Out of the total records of approximately 75 junior high school children seen, in only 2 cases has the girl become legally married to the father of her unborn child.

"To prevent calamity

"From the statistics included in this report and the accompanying narrative, it can be readily concluded that we are now faced with a serious juvenile problem which affects both girls and boys. The result is such an enormous moral and economic catastrophe that we cannot afford to look askance at the needs of these young people.

"Sex education in the home, the church, the schools, and other social agencies must be put into effect, as the atomic weapon for the prevention of illegitimacy, and sufficient social services instituted, as well as pupil guidance and every other means at our disposal put into full force to correct and prevent maladjustments which follow such experiences.

"Further, it is imperative that we join forces to circumvent this present calamity and that we instill in our teen-agers a proper code of conduct for school, church, home, and community.

"On the question of public assistance to these children, it might be assumed that it

will be the responsibility of the taxpayer for many years.

"Currently, in New York State the aid for children is catching up to the aid for the aging. It would be interesting in this city to learn the cost proportionately for financial aid to illegitimate children to that of the sick and aged.

"The proposals that have been submitted to Congress to help in the field of juvenile delinquency may have a great bearing on solving this problem when this measure is put into effect."

VANDALS AND HOODLUMS

Representative WILSON, who called attention to the school-vandalism problem, is a member of the House Appropriations Committee, which handles funds for the District. Congress provides about $5 million a year for new schools in the District, and it was abuse of one of these new schools that aroused Mr. WILSON.

The Wilson speech, as reported in the CONGRESSIONAL RECORD of June 27, 1957:

"Two years ago—May 13, 1955, to be exact—the District of Columbia, with financial aid of the taxpayers all over the United States, completed construction of a $677,400 elementary school building at East Capitol and 55th Streets NE. The property, including a well-equipped playground, covers an entire block.

"Known as the Marion P. Shadd School, it has 26 classrooms, auditoriums, cafeterias, and all modern facilities. There are 32 teachers in addition to clerical and maintenance workers. Students total about 1,300, ranging from kindergarten through the sixth grade. It is an all-colored school in an all-colored community of modern, spacious apartments and homes.

"This is one of the finest school plants in Washington or anywhere else. It is an architectural and cultural landmark, an institution of which the residents of that Negro community should be very proud.

"A school ripped to bits

"However, this beautiful edifice is being destroyed—literally ripped to bits by vandals and hoodlums—while people of the neighborhood stand by in apparent disinterest. The Marion P. Shadd School is rapidly becoming a landmark of shame to the very people it is intended to serve.

"I inspected this school a few days ago, Mr. Chairman. I found hundreds of windowpanes broken. Mud and filth have been hurled against the building. Empty beer cans are scattered about the premises, piles of filth lie in the doorways, outdoor electrical equipment and entrance lights broken and destroyed. Three or four windows at the cafeteria end of the building have been boarded up by the school authorities because vandals break windowglass as fast as it is replaced. Obscene words and crude drawings cover portions of the neat little frame annex used for kindergarten pupils.

"This has been going on since the school was opened, I was informed by the distressed principal, Mrs. Lillian S. Glascoe, who has been a teacher in the District of Columbia schools for 34 years. The cost of replacing broken windows and repairing other damage to the building already has run into thousands of dollars, she told me. She says she has vainly sought cooperation of adults in the area.

"Lack of adult interest

"I am bringing this matter to the attention of this Chamber, Mr. Chairman, because Washington, as the seat of government, is a Congressional responsibility. Perhaps some of my colleagues may have suggestions as to how this shameful situation might be corrected.

"My own background as a teacher and a school administrator convinces me that this is a shocking example of the lack of adult interest in the schools established for their children. The Negro people who live in this area are allowing their magnificent institution to be turned into a landmark of shame to them.

"If we look more penetratingly into the problems of juvenile delinquency, we can see that parental delinquency and disinterest are prime factors."

A PROBLEM IN WASHINGTON'S PUBLIC SCHOOLS

Pregnancies among schoolgirls under 16, based on physicians' certificates received during the period September 10, 1956, to April 10, 1957:

Total pregnancies reported	190
Among Negro girls	178
Among white girls	12
In high schools	53
In junior high schools	129
In elementary school (including 1 girl 10 years old)	8

Federal Judiciary Will Provide Fair Administration of Civil Rights Laws

EXTENSION OF REMARKS

OF

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1957

Mr. VANIK. Mr. Speaker, in connection with the civil-rights debate in the House of Representatives I took the occasion several times to oppose the jury trial amendment on the basis that the right of law-abiding citizens to vote without restraint is without doubt as important as the right of a wrongdoer to a jury trial. I also argued that since in most States the jury panels are selected from among the electors, the right to vote, therefore, is fundamental and essential to the conduct of fair jury trials. It is in the nature of things that some people who seek to interfere or restrain others in their right to vote must give up their right to jury trial under these circumstances so that others—equal Americans—may have the right to vote, from which all authority in our Government develops.

During the course of the argument on the floor, the opponents of the contempt provisions of the civil-rights legislation argued that the legislation constituted a mass indictment of the integrity of the entire southern populace of the country and that it would be irresponsible to charge that a whole people would be faithless to a solemn juror's oath.

I want to point out that the conduct of the contempt proceedings under the civil-rights bill as it passes the House of Representatives will in every case be conducted before distinguished jurists of the Federal bench who have lived and developed in their home communities. In every respect they are the products of the South and are familiar with its traditions and its culture.

Can those who oppose this legislation logically contend that these gentlemen, the judges of the Federal district courts in the southern districts, will ignore their obligation to comply with all corners of the law in passing upon the contempt charges which may be brought against their fellow men? Can it be contended that these are men who may be swayed by passion or prejudice or who will render arbitrary or indiscretionary judgments? I do not believe so.

Mr. Speaker, I am submitting a list of the Federal judges who sit in the United States Federal district courts of the Southern States. By and large they are gentlemen who were born and raised in the communities in which they now act and pass judgment as judges of the Federal district court. They are products of the schools of the South. Some were members of Congress and have served with distinction throughout their entire careers. There is no reason for anyone to suspect that the civil-rights legislation will not be administered in keeping with the highest traditions of American jurisprudence.

ALABAMA

Daniel H. Thomas, judge; born, Prattville, Ala.; bachelor of laws, University of Alabama, 1928; admitted to Alabama bar, 1929; law practice, Mobile, 1929–51; assistant solicitor, 13th judicial circuit, Alabama, 1932–39; partner, Lyons, Thomas & Pipes, 1943–51; appointed United States district judge, southern district of Alabama, 1951. Hore: 13 Dogwood Circle, Spring Hill. Office: Federal Building, Mobile, Ala.

Seybourn Harris Lynne, judge; born, Decatur, Ala.; B. S., Alabama Polytechnic Institute, 1927; bachelor of laws, University of Alabama, 1930; admitted to Alabama bar, 1930; general practice of law, Decatur, Ala., 1930–34; judge, Morgan County Court, 1934–41; judge, Eighth Judicial Circuit of Alabama, 1941–42; judge, United States District Court for the Northern District of Alabama since 1946. Home: 305 East Glenwood Drive, Birmingham. Office: Federal Building, Birmingham, Ala.

Harlan Hobart Grooms, judge; born, Jeffersonville, Ky.; bachelor of laws, University of Kentucky; admitted to bar, Kentucky and Alabama; practiced in Birmingham, Ala., 1926—; former member, Spain, Gillon, Grooms & Young; judge, United States District Court for the Northern District of Alabama, 1953—. Member, American, Alabama, Birmingham Bar Associations, Phi Alpha Delta, Omicron Delta Kappa, Scabbard and Blade, Pi Kappa Alpha. Home: 2624 Aberdeen Road. Office: Box 34, Birmingham, Ala.

Frank M. Johnson, Jr., judge; born, Haleyville, Ala.; graduate, Gulf Coast Military Academy, Gulfport, Miss., 1935, Massey Business College, Birmingham, 1937; bachelor of laws, University of Alabama, 1943, admitted to Alabama bar, 1943; private practice in Haleyville and Jasper since 1946; member of firm; Curtis, Maddox & Johnson, 1946–53; United States attorney, northern district of Alabama since 1953. Served as private to captain, Infantry, United States Army, 1943–46. Decorated, Purple Heart with Oak Leaf Cluster; Bronze Star. Home: 1100 Ninth Avenue, Jasper, Ala. Office: Federal Building, Birmingham, Ala.

ARKANSAS

Harry J. Lemley, judge; born Upperville, Va., student University of Virginia, 1901–03; bachelor of laws, Washington and Lee University, 1910, doctor of laws, University of Arkansas. Admitted to Arkansas bar, 1912, practiced at Hope, Ark., 1912–39; United States district judge, eastern and western districts, Arkansas, since 1939. Member Phi Delta Theta, Phi Delta Phi. Author and coauthor of papers on archeology of Arkansas. Home, Hope, Ark. Address, Texarkana, Ark.

John Elvis Miller, judge; born near Aid, Mo., student Southeast Missouri State Teachers College, Cape Girardeau, and Valparaiso

(Indiana University, bachelor of laws, University of Kentucky, 1912). In practice of law, Searcy, Ark., since 1912, member Miller & Yingling; prosecuting attorney, first judicial circuit, Arkansas, 1919–22; director Bank of Searcy. Member 72d to 75th Congresses (1931–39), 2d Arkansas District; resigned on election as United States Senator to fill vacancy caused by death of Joseph T. Robinson for term ending 1943; resigned from United States Senate (April 1, 1941) to become judge of the United States District Court for the Western District of Arkansas. Member Arkansas Bar Association. Home, Fort Smith, Ark.

FLORIDA

Dozier A. DeVane, judge; born near Lakeland, Fla., student Florida State College, Tallahassee, 1904–05; bachelor of laws, Washington and Lee University, Lexington, Va., 1908. Admitted to Florida bar 1908; practiced in Tampa, 1908–18; county attorney Hillsboro County, 1913–14; counsel to Florida Railroad Commission, 1918–20; rate attorney American Telephone & Telegraph Co., 1920–22; general counsel Chesapeake & Potomac Telephone Co., and associated companies, 1922–30; practiced law in District of Columbia 1930–33; solicitor, Federal Power Commission, Washington, D. C., 1933–38; reentered private practice Ordando, Fla., 1938; member DeVane, Andrews & Patterson; appointed United States district judge, northern and southern districts of Florida, 1943, northern district, 1947. Member Kappa Sigma O. D. K. Phi Beta Kappa. Home, Old St. Augustine Road; office, Federal Building, Tallahassee, Fla.

George W. Whitehurst, judge; born Wauchuta, Fla. Student, Stetson University; bachelor of laws, University of Florida; admitted to Florida bar; Florida State circuit judge; now United States district judge, Miami. Home: 301 Valencia Way, Fort Myers, Fla.; office: Post Office Box 1070, Miami, Fla.

William J. Barker, judge; born Marietta, Ga., bachelor of laws with highest honors, University of Georgia, 1916. Admitted to Florida bar, 1916, and began practice in Jacksonville; judge, circuit court of State of Florida, 1925–40; United States district judge, southern district of Florida, since 1940. Member, American and Florida Bar Associations. Home: 3305 Lykes Avenue; office: Federal Building, Tampa, Fla.

Bryan Simpson, judge; born Kissimmee, Fla., bachelor of laws, University of Florida, 1926. Admitted to Florida bar, 1926, and practiced in Jacksonville, 1926–39; assistant States attorney, fourth Florida circuit, 1933–37, judge, criminal court of record, Duval County, Fla., 1939–46; circuit judge fourth Florida circuit, 1946–50; United States district judge, southern district, Florida, 1950. Trustee Bolles School, Jacksonville; member State board Children's Home Society, Florida. Served as first lieutenant United States Army, 1943–45, 12 months ETO. Member American, Jacksonville Bar Associations, Florida bar.

Emett Clay Choate, United States judge; born Columbus, Ohio; bachelor of laws, University of Indiana, 1914; admitted to Indiana bar and Oklahoma bar, 1914, New York bar, 1922, Florida bar, 1925; practiced in Oklahoma City, 1917–21, New York City, 1922–25, Miami, 1925–54; United States judge southern district, Florida, 1954. Member Housing Authority, City of Miami, 1952; member national board, field advisers, Small Business Administration, 1954. Delegate Representative National Convention, 1952. Served as first lieutenant, Oklahoma Infantry, 1914–16; major, Field Artillery, United States Army, 1917–18. Member American Automobile Association, American, Florida, Dade County Bar Associations, Phi Delta Phi. Clubs: Kiwanis (Miami); home: 3306 Crystal, Miami, Fla.

GEORGIA

Frank Arthur Hooper, Federal judge; born in Americus, Ga.; student, Georgia Institute of Technology, Atlanta Law School, 1936, LL. M., 1937; secretary to judge, Georgia Court of Appeals, 1917, private practice, Atlanta, 1919–43; judge, Georgia Court of Appeals, 1933; instructor, Atlanta Law School, 1934–43; assistant city attorney, Atlanta, 1940–43; judge, superior court, Atlanta Judicial Circuit, 1943–49; United States district judge, Northern District of Georgia, 1949. Member, Georgia House of Representatives, 1925–28. Served as ensign, USNRF, 1919.

William B. Sloan, judge; born in Gainesville, Ga.; admitted to Georgia Bar, 1915; Representative, Georgia State General Assembly, 1927–31; assistant attorney general, Georgia, 1932; judge, city court, Hall County, Georgia, 1934–45; judge, superior courts, Northeast Judicial Circuit, Georgia, 1945–48; United States district court, Northern District, Georgia, since 1951. Member, American, Georgia State Bar Associations, American Judicature Society. Home: 1188 Cherokee Road. Office: Federal Building, Gainesville, Ga.

Thomas Hoyt Davis, United States district judge; born in Braselton, Ga.; bachelor of arts, Mercer University; admitted to Georgia Bar, 1916; in general practice, 1916–26; solicitor general, Cordele judicial circuit, Georgia, 1927–33; United States attorney, middle district, Georgia, 1933–45; United States district judge, middle district, Georgia, 1945. Member, Georgia Bar Association, Cordele Circuit Bar Association. Home: Vienna, Ga.

William Augustus Bootle, judge; born in Colleton County, S. C.; Mercer University, 1924, LL. B., 1925; admitted to Georgia Bar, 1925, since practiced at Macon; member, Carlisle & Bootle, 1933–54; United States district attorney, Middle Georgia District, 1929–33; acting dean, Mercer University Law School, 1933–37; part-time professor of law, 1926–37; judge, United States district court, Middle District, Georgia, 1954. Trustee, Mercer University, chairman, executive committee board, 1941–46, 1948–53. Member, Phi Delta Theta. Club: Civitan, president, 1936). Home: 196 Buckingham Place. Office: Post office, Macon, Ga.

Frank M. Scarlett, Federal judge; born in Brunswick, Ga.; 1898–08, Gordon College, Barnesville, Ga., 1908–10; bachelor of laws, University of Georgia, 1913; admitted to bar of Georgia, 1913; practiced law in Brunswick under name of Courtland Symmes & Scarlett, 1913–15; private practice, 1915–29; appointed solicitor of city court of Brunswick, 1919–29; entered partnership under name of Reese, Scarlett, Bennett & Highsmith, 1929–37, with Reese, Scarlett, Bennett & Gilbert, 1937–46; United States district judge since February 14, 1946; president, Brunswick Chamber of Commerce, 1936–38. Home: 902 Wright Square. Office: Federal Building, Brunswick, Ga.

LOUISIANA

Herbert William Christenberry, judge; born New Orleans, La. Student Soule College, New Orleans; bachelor of laws, Loyola University 1924, also student, New York University, 1927; private practice, 1924–33; assistant attorney, Board of Commissioners of Port New Orleans, 1933–35; deputy commissioner, Louisiana Debt Moratorium Commission, 1935; assistant district attorney, Parish of Orleans, 1935–57; assistant United States attorney, Eastern District of Louisiana, 1937–42, United States attorney, 1942–47; United States district judge since 1947; instructor, Loyola University of the South, School of Law. Member, Federal Bar Association, Louisiana State Bar Association, New Orleans Bar Association; home, 4300 St. Ann St.; office: 600 Camp Street, New Orleans.

James S. Wright, district judge; born New Orleans. Bachelor of philosophy, Loyola University, 1931. Bachelor of laws, 1934; high school teacher, 1931–35; lecturer, English history, Loyola University, 1936–37; assistant United States attorney, New Orleans, 1937–46; practice of law, Ingoldsby, Coles & Wright, Washington, 1946–48; United States attorney, Eastern District, Louisiana, 1948–49. Served as lieutenant commander, United States Coast Guard, 1942–46. Observer, United States State Department of International Fisheries Conference, London, 1943. Member, Louisiana State Bar Association (board of governors), Federal Bar Association (president, New Orleans chapter). District of Columbia Bar Association, New Orleans Bar Association, Alpha Delta Gamma (national president). Clubs: Army-Navy (New Orleans); Army-Navy Country (Washington); Home: 35 Newcomb Boulevard, New Orleans, 18; office: Post Office Building, New Orleans.

Ben C. Dawkins, Jr., judge; born Monroe, La., bachelor of arts, Tulane University, 1932; bachelor of laws, Louisiana State University, 1934; admitted to Louisiana bar, 1934, practiced in Monroe, 1934–35, Shreveport, 1935–53; member, firm, Blanchard, Goldstein, Walker & O'Quin, 1935–53; United States district judge, Western District, Louisiana since 1953. President, Shreveport Recreation Council, 1941; director Children's Service Bureau, 1947–51, Child Guidance Clinic, 1952. Member school board, Caddo Parish School, 1949–53, president, 1950–52. Served as lieutenant commander, air navigator, United States Naval Reserve, 1942–45. Member, America, Louisiana State (board of governors, 1950–52) Shreveport (vice president, 1941–42, secretary-treasurer, 1947–48; president, 1949–50), bar associations, Shreveport Chamber of Commerce (director 1949–52), Junior Chamber of Commerce (director 1941–42); American Legion, Veterans of Foreign Wars (post commander, 1946–47, judge advocate, Louisiana department, 1947–48), Delta Kappa Epsilon, Phi Delta Phi, Omicron Delta Kappa; Club: Shreveport Exchange (president, 1951). Home: 4054 Baltimore Street; office: Federal Building, Shreveport, La.

Edwin Ford Hunter, Jr., United States judge, born Alexandria, La. Student, Louisiana State University, 1930–33; bachelor of laws, George Washington University, 1938; admitted to Louisiana bar, 1938, member, Smith Hunter, Risinger & Shuey, Shreveport, 1940–53, member, Louisiana State Legislature, 1948–52; executive counsel, Governor, Louisiana, 1952; member, Louisiana State Mineral Board, 1952. Served as lieutenant, United States Naval Reserve, 1942–45, on U. S. S. *Saratoga*. Member American Bar Association (Louisiana State chairman, junior bar section, 1945), American Legion (post commander, 1945, judge advocate, Department Louisiana, 1948), Sigma Chi. Home: 1027 Ninth Street; office: Post Office Box 1339, Lake Charles, La.

MISSISSIPPI

Sidney Carr Mize, judge; born, Scott County, Miss.; bachelor or arts, Mississippi College, Clinton, 1908; bachelor of laws, University of Mississippi, 1911; admitted to Mississippi bar, 1911, forming law partnership with his brother, Joe H. Mize, to 1926; then firm changed to Mize, Thompson & Mize; served as special district attorney, special county judge, special chancery judge; United States judge for southern district of Mississippi since 1937. Member, Democratic State Executive Committee, 1931–37. Trustee, Gulfport municipal schools, 1930–38. Member, American, Mississippi State, and Harrison County bar associations; Phi Kappa Psi, Phi Delta Phi. Address: Gulfport, Miss.

NORTH CAROLINA

Wilson Warlick, judge; born, Newton, N. C.; bachelor of science, Catawba College; 1910 doctor of laws (honorary) 1936; bachelor of laws, University of North Carolina, 1913; admitted to North Carolina bar 1913, practiced law, Newton, N. C., 1913–30; judge, su-

perior court, 16th judicial district, 1930–49; United States district judge, western district, North Carolina, since 1949. Chairman, North Carolina Probation Commission since 1937. Served as lieutenant, G–2, American Expeditionary Forces, Adjutant General Department, World War I; member of S. A. R. American Legion, 40 et 8, Alpha Tau Omega. Office: Federal Building, Statesville, N. C.

Donnell Gilliam, judge; born, Tarboro, N. C.; student, University of North Carolina, 1905–10; admitted to North Carolina Bar, 1910; member, firm Gilliam & Bond, Tarboro, 1923–45; State district solicitor, 1923–45; United States district judge, eastern district of North Carolina since May 30, 1945. Chairman, Edgecombe County Democratic Executive Committee, 1910–45. Member, Delta Kappa Epsilon. Home: 302 Church St., Tarboro, N. C.

OKLAHOMA

Royce E. Savage, judge; born, Blance, Okla.; bachelor of arts, University of Oklahoma, 1925, bachelor of laws, 1927; assistant insurance commissioner, 1927–29; practiced law as member firm Monnet & Savage, Tulsa, 1929–38; Cantrell, Savage & McCloud, Oklahoma City, 1938–40; appointed United States district judge for northern district of Oklahoma, 1940. Member of Phi Delta Theta and Phi Delta Phi. Home: 2135 East 25th Street; office: Federal Building, Tulsa.

William R. Wallace, judge; born, Troy, Tex.; student, Indianola College (now University of Tulsa), 1901–05; University of Oklahoma, 1909–10; doctor of laws, Oklahoma Baptist University, 1947; admitted to Oklahoma Bar, 1910, practiced in Pauls Valley, Okla., 1910–25; county judge, Garvin County, 1913–17; attorney, Magnolia Petroleum Co. and Lone Star Gas Co., 1925–50; United States district judge for the northern, eastern, and western districts of Oklahoma since 1950. Served as member of Oklahoma State Legislature, 1909–23. Chairman of Oklahoma Public Welfare Commission, 1939–42; board of regents, University of Oklahoma, 1944–48; member of American and Oklahoma Bar Associations, Kappa Sigma. Clubs: Rotary, Men's Dinner. Home: 2419 North Harvey, Oklahoma City; office: Federal Building, Oklahoma City.

Eugene Rice, judge; born, Union City, Tenn., bachelor of science, Hall-Moody College, Martin, Tenn., 1910; bachelor of laws, Valparaiso University, 1917; taught in rural schools of Tennessee, 1910–13; admitted to Oklahoma bar, 1920, and practiced in Oklahoma; State district judge, 1930–37; former member of court of tax review, Oklahoma; appointed United States district judge, eastern district, Oklahoma, 1937. Served with United States Army and AEF, 1917–19. Member of American Bar Association, Oklahoma State Bar Association; honorary member of Phi Delta Phi. Home: 1521 Boston Street; office: Federal Building, Muskogee, Okla.

Stephen S. Chandler, judge; born, Blount County, Tenn.; student of University of Tennessee, 1917–18; bachelor of laws, University of Kansas, 1922; private law practice in Oklahome City, 1922–43; appointed United States district judge for the western district of Oklahoma, 1943. Member of Sigma Alpha Epsilon and Phi Delta Phi. Clubs: Oklahoma City Golf, Beacon, and Rotary.

Ross Rizley, judge; born, Beaver, Okla.; bachelor of laws, University of Kansas City, 1915; admitted to Okhaloma bar, 1915; actively practicing law since 1915; county attorney, Beaver County, Okla., 1919–20; State senator, first Oklahoma district, 1931–35; Member, 77th-80th Congresses (1941–49), 8th Oklahoma District; Solicitor, Post Office Department, March to December 1953; Assistant Secretary of Agriculture, 1953–54; Chairman, Civil Aeronautics Board, 1955; director, City National Bank, Guymon; member, Guymon Chamber of Commerce (former president, director). Member, Oklahoma State Bar and American Bar Associations; address: Guymon, Okla.; office: Department of Agriculture, Washington, D. C.

SOUTH CAROLINA

George B. Timmerman, judge; born, Edgefield County, S. C.; graduate, Patrick Military Institute, 1900; bachelor of laws, South Carolina College (now University of South Carolina) 1902; doctor of laws (honorary) 1952; general practice of law, 1902–42; appointed United States district judge for the eastern and western district of South Carolina, 1942; captain, South Carolina Militia, aide on brigade staff, 1905; solicitor, 5th judicial circuit, 1905–08; 11th judicial circuit, 1908–20; member, State of South Carolina Highway Commission, 1931–39, chairman, 1936–39; chairman, Lexington County (S. C.) Democratic Committee, 1914–16; Democratic State executive committeman, 1930–32, 1938–42; president, Democratic State convention, 1932; chairman, Ridge District Boy Scouts of America, 1940–43; vice president, central council, 1942–44; chairman, Batesburg-Leesville Park Commission, 1941–46; trustee, University of South Carolina, Columbia, S. C., 1941–47. Member, South Carolina and American Bar Associations, Phi Kappa Sigma, Omicron Delta Kappa. Home: Rutland Street, Batesburg, S. C.; office: United States Courthouse, Columbia, S. C.

Ashton H. Williams, judge; born, Lake City, S. C.; bachelor of arts, University of South Carolina, 1912; graduate law school; Georgetown University, 1915; admitted to South Carolina bar, 1914; since, practiced in South Carolina; member, Lake City Council, 1916–17; South Carolina State House of Representatives, 1921–22; senator, Florence County, 1923–26; member, Democratic National Executive Committee, South Carolina, 1948–49. Author (while in senate): Pay-as-You-Go Road Act, 1923; Coastal Highway Act; first act to tax gasoline for good roads; office, United States Courthouse, Charleston, S. C.

Charles C. Wyche, judge; born, Prosperity, S. C.; bachelor of science, The Citadel, Charleston, 1906; doctor of laws, 1952; Georgetown University, 1908–9; admitted to South Carolina bar in 1909, and practiced at Spartanburg; member, South Carolina House of Representatives, 1913–14; city attorney, Spartanburg County, 1919–33; United States district attorney, western district of South Carolina, 1933–37; appointed United States district judge western district of South Carolina, January 30, 1937; circuit judge, court common pleas, by special appointment, 1924; court of general sessions, 1924; associate justice, Supreme Court of South Carolina, by special appointment, 1929. Served in World War I, advancing from first lieutenant to major with AEF and Army of Occupation; member American and South Carolina State (president, 1931–32), Spartanburg County Bar Associations; American Law Institute; home: 268 Mills Avenue; office: Federal Building, Spartanburg, S. C.

TENNESSEE

William E. Miller, judge; born Johnson City, Tenn., bachelor of arts, University of Tennessee, 1930; bachelor of laws, Yale, 1933; admitted to Tennessee bar 1933; member, Cox, Epps, Miller & Weller, Johnson City, 1933–55; chancellor, first chancery division, Tennessee, 1939; United States district judge, middle district, Tennessee, 1955—. Member, Tri-Cities Airport Commission. Presidential elector, 1940; member, Constitutional Convention of Tennessee, 1953. Chairman, Washington County Chapter, American Red Cross, 1938–40; board of visitors, Emory and Henry College. Served as major, United States Air Force, World War II. Member, Johnson City Chamber of Commerce, American, Tennessee, Washington County (past president) bar associations; American Counsel Association; American Judicature Society; American Legion; Sigma Alpha Epsilon. Clubs: Executives, Kiwanis, Hurstleigh, Johnson City (Johnson City, Tenn.). Home: 228 Vaughan's Gap Road, Nashville. Office: Federal Building, Nashville.

Marion S. Boyd, judge; born 1900; graduate, University of Tennessee, 1921; judge, United States district court, western district of Tennessee since 1940. Office: Federal Building, Memphis, Tenn.

Leslie Rogers Darr, judge; born Jasper, Tenn.; student, Pryor Institute, Jasper, 1904–08; bachelor of laws, Cumberland University, 1909; admitted to Tennesseee bar, 1910; practiced law at Jasper, Tenn., 1910–26; judge, 16th circuit of Tennessee, 1926–39; United States district judge, eastern and middle districts of Tennessee since 1939. Home: 1506 Riverview Road, Chattanooga, Tenn.

TEXAS

Thomas W. Davidson, judge; born Harrison County, Tex.; special courses study, Columbia and University of Chicago; studied law privately; admitted to Texas bar, 1903; practiced in Marshall; city attorney, 1907; State senator, 1921; Lieutenant Governor of Texas, 1923; United States district judge, northern district of Texas, since February 1936. Member, Democratic National Convention, 1912–32. Member American, Texas (president, 1927), and Dallas Bar Associations; president, Harrison County Bar Association, 1916. Home: Maple Terrace, Maple Avenue. Office: Post Office Box 286, Dallas 1, Tex.

Joseph B. Dooley, Federal judge; born San Angelo, Tex.; practiced law, Amarillo, Tex., 1911–47; president, State Bar of Texas, 1944–45; United States district judge for northern district of Texas, 1957; member advisory committee, Supreme Court of Texas, 1940; member, American Bar Association, State Bar of Texas. Home: 3011 Hughes Street. Office: Federal Court Building, Amarillo, Tex.

Allen B. Hannay, judge; born Hempstead, Tex.; student Agricultural and Mechanical College of Texas, 1907–9; bachelor of laws, University of Texas, 1913; admitted to Texas bar, June 10, 1913; practiced law in Hempstead and Houston, Tex., 1913–30; Walter County, judge, 1915–17; appointed district judge, 113th district of Texas, March 30, 1930; United States district judge since 1942; member, committee on judicial statistics, United States courts; member, Texas Bar Association. Home: 4001 Ella Lee Lane. Address: 330 Post Office Building, Houston.

James V. Allred, judge; born Bowie, Tex.; admitted to Texas bar, 1921; bachelor of laws, Cumberland University, 1921, began practice at Wichita Falls; district attorney, same 1923–25; attorney general of Texas, two terms, 1931–35; Governor, State of Texas, 1935–39; United States district judge; southern district of Texas, 1939–42; engaged in practice of law; United States district judge, southern district of Texas, since 1951. Home: 4720 Bellaire. Office: Electric Building, Houston, Tex.

Ben C. Connally, judge; born Marlin, Tex.; bachelor of arts, University of Texas, 1930, bachelor of laws, 1933; master of laws, Harvard, 1934; admitted to bar, Texas 1933; practiced as member firm Sewell, Taylor, Morris & Connally, Houston, 1934–42; Butler & Binion, 1945–49; United States district judge, southern district of Texas, since 1949. Member American, Texas & Houston bar associations, American Legion, Houston Chamber of Commerce; Home: 244 Hedwig Road; Office: 416 Post Office Building, Houston.

Joe W. Sheehy, judge; born Saratogo, Tex.; student University of Texas, 1927–29; bachelor of laws, Baylor University, Waco, Tex., 1934; admitted to Texas bar, 1934, and since practiced in Tyler as member firm of Ramey, Calhoun, Marsh, Brelsford & Sheehy; assistant general Texas 1934; United States district judge for eastern district of Texas, Tyler, since 1951. Member American, Texas, and Smith County (pres. 1942) bar associations.

Home: 2312 S. Chilton Street; Office: Federal Building, Tyler, Tex.

Ben H. Rice, Jr., judge: born Marlin, Tex.; bachelor of laws, University of Texas, 1913; master of laws, 1914; admitted to Texas Bar, 1913; assistant county attorney, Falls County, Tex., 3 years; city attorney, Marlin, 9 years; elected chief justice 10th Court of Civil Appeals, 1940; Federal judge western district of Texas since 1950. Address: Federal Court House, San Antonio.

Robert E. Thomason, judge; born Shelbyville, Tenn.; B. S., Southwestern University, Georgetown, Tex., 1898; bachelor of laws, University of Texas, 1900; began practice of law, Gainesville, Tex., 1900; district attorney, Gainesville, 1902–6; practiced at El Paso, Tex.; since 1912; member Texas House of Representatives, 1917–21; speaker of house, 1920–21; mayor of El Paso, 1927–31; member 72d to 80th Congress, 1931–47, 16th Texas district; United States district judge, western district, Texas. Address: 1918 North Stanton Street; Office: Federal Building, El Paso, Tex.

Joe McDonald Ingraham, judge; born Pawnee County, Okla. Admitted to Oklahoma bar, 1927, District of Columbia bar, 1927, Texas bar, 1928; practiced in Stroud, Okla., 1927–28, Fort Worth, 1928–35; Houston, 1935–54; served as member United States House of Representatives, 1934–48; associate justice, Texas Supreme Court, 1936, 1938, 1940; judge, United States District Court, Southern District, Texas, 1954. Secretary Tarrant Co., representative executive committee, 1930–35, chairman, Harris Co., 1946–53, member Texas State executive commission, 1952—; presidential elector, 1932, alternate delegate national convention, 1940, delegate, 1948, 1952. Served as lieutenant colonel, United States Army Air Force, 1942–46. Member American Houston Bar Association, Texas State bar, S. A. R. (president, Texas, 1937–38.) American Legion. Club: Army and Navy Association (president, 1950). Home: 2341 Sunset Boulevard, Houston 5; Office: Post Office Building, Houston 2.

VIRGINIA

John Paul, judge; born Harrisonburg, Va.; graduate, Virginia Military Institute, Lexington, 1903; bachelor of laws, University of Virginia, 1906; admitted to Virginia bar, 1906, and practiced at Harrisonburg; member, Virginia State Senate, 1912–16, 1919–22; member, 67th Congress (1921–23), 7th Virginia District; special assistant to United States Attorney General, 1924–25; United States district attorney, western Virginia district, 1929–31. United States district judge since January 1932. Served as captain, Field Artillery, United States Army, 1917–19 with American Expeditionary Forces, May 1918–19. Member, Raven Society (University of Virginia), Kappa Alpha, Phi Delta Phi, Phi Beta Kappa. Home: R. F. D., Dayton, Va. Address: Federal Building, Harrisonburg, Va.

Alfred Dickinson Barksdale, judge; born Halifax, Va., educated Cluster Springs Academy, 1907–08; Virginia Military Institute, 1908–11, bachelor of science; University of Virginia, 1912–15, bachelor of laws; admitted to Virginia bar, August 13, 1915, and began practice in Lynchburg; judge, Sixth Judicial Circuit of Virginia, 1938–40; judge, United States District Court, Western District of Virginia, since January 1940. Member, Virginia Senate, 1924, 1926, 1927. Served as captain, 116th Infantry, United States Army with American Expeditionary Forces, World War I. Decorated Distinguished Service Cross, Chevalier Legion of Honor, Croix de Guerre. Trustee, Hollins College. Member, board of visitors, University of Virginia; member Lynchburg (Va.), State and American bar associations; Kappa Alpha, Phi Delta Phi, Phi Beta Kappa. Home: 2001 Link Road; Office: Post Office Box 877, Lynchburg, Va.

Albert B. Bryan, judge; born Alexandria, Va., bachelor of laws, University of Virginia, 1921; admitted to Virginia bar, 1921; practiced in Alexandria, 1921–47; city attorney, Alexandria, 1926–28; commonwealth's attorney, 1928–47; United States district judge, eastern district of Virginia, 1947—. Member, State board of corrections, Virginia, 1943–45; member, board of law examiners, 1944–47; member American, Virginia bar associations; American Law Institute; Phi Kappa Sigma, Phi Delta Phi. Home: 2826 King Street, Alexandria, Va. Office: United States Courthouse, Alexandria; also Norfolk, Va.

SENATE

WEDNESDAY, JULY 10, 1957

(Legislative day of Monday, July 8, 1957)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty and most merciful Father, whose power and whose love eternally work together for the protection and enrichment of Thy children, give us grace this day to live by faith in things unseen—the faith that Thou dost rule the world in truth and righteousness, the faith in the final coronation of Thy loving purposes for mankind, unfolding even in the social convulsions of these tense times, the faith that will make us calm and courageous in the face of risks and threats and dangers which will meet us in the faithful doing of our duty. Rid us, we beseech Thee, of all vain anxieties and paralyzing fears, and give us cheerful and buoyant spirits and abiding peace in seeking and following Thy will. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Tuesday, July 9, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Ratchford, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of David W. Edeen, to be postmaster at American Lake, Wash., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings).

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 6814. An act to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products; and

H. R. 8594. An act to authorize the Honorable ALBERT P. MORANO, Member of Congress, to accept and wear the award of the Cross of Commander of the Royal Order of the Phoenix conferred upon him by His Majesty the King of the Hellenes.

THE CIVIL RIGHTS BILL

Mr. JOHNSON of Texas. Mr. President, I have been following as closely as any other Member of the Senate the debate which has been taking place on the motion made by the distinguished minority leader [Mr. KNOWLAND]. It seems to me that the discussion thus far has produced two things:

First, a climate of reason within which the Senate can reach a meaningful conclusion.

Second, the need for some technical studies which can be used as a framework of reference.

In this instance, the Senate is operating without the benefit of a committee report, our normal source for reference material. Therefore, I am having some intensive studies made by some of the members of my staff, on some of the issues which have been raised by the discussions in the Senate.

I think we need basic information on the cases which have been decided under section 1985 of title 42 of the United States Code. That has reference, Mr. President, to part III of the bill.

I think we need basic information on the extent to which court decisions have already made law in the field of civil rights.

I wish to commend the Members of the Senate for the very high level of discussion which has taken place up to now. I appeal to them to continue in a spirit of reason and persuasion. I have no doubt that when action on this subject is completed, every citizen will have a right to be proud of the conduct of this great body.

ANNOUNCEMENT OF VISIT TO THE SENATE ON JULY 11 BY THE PRIME MINISTER OF PAKISTAN

Mr. JOHNSON of Texas. Mr. President, I should like to make an announcement in connection with the visit to the United States of the Prime Minister of Pakistan. By agreement with the minority leader and the Presiding Officer, at 3 o'clock on tomorrow, July 11, the Prime Minister will visit the Senate, and will be requested to make an address to the Senate at that time.

In this connection, Mr. President, I wish to say that the visit of Pakistan's Prime Minister, Husseyn S. Suhrawardy, to this country is a welcome occasion.

Pakistan is a nation which has a record of remarkable achievement under great difficulties. Its struggles to main-

tain itself have earned the respect of the world.

I ask unanimous consent that a very fine editorial from the Washington Post and Times Herald on Mr. Suhrawardy's visit be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PAKISTAN'S LEADER

In the 10 years since the partition of the Indo-Pakistan subcontinent, the role of Pakistan has been particularly difficult. This is a manufactured nation, divided into 2 sections 1,200 miles apart; the western portion has most of the area and the eastern has the great bulk of the population. Pakistan has experienced many of the economic woes of India and others besides, and the fact that it has been held together as an entity and emerged as a Western-oriented republic is no mean accomplishment.

Much of the credit for this accomplishment must be ascribed to the caliber of Pakistan's leadership—buttressed, one must mention, by considerable American aid. Perhaps the dominant figure in Pakistan has been that of Gen. Iskander Mirza, who first as Governor General and now as President has been a sort of symbol of the often elusive stability democratic forces have sought. Since last September Pakistan has found an additional kind of leadership in the skilled political performance of the Prime Minister, Husseyn S. Suhrawardy, who is an honored guest in Washington this week.

Mr. Suhrawardy is less a personal leader than an extremely accomplished politician. Schooled in what is now East Bengal, he brought to his national office the arts of persuasion and compromise. His Awami League Party holds only 11 of 80 seats in the National Assembly; yet he has consistently won support for his foreign and defense policies, and he has a sort of Rooseveltian flair for taking issues to the people. Mr. Suhrawardy has dedicated himself to the holding of general elections next March—Pakistan's first nationwide balloting, as contrasted with state elections and the indirect selection of constituent assemblies. In the April issue of Foreign Affairs Mr. Suhrawardy had some trenchant words about his goals:

"Warning voices sometimes tell me that Pakistan is not ready for the democratic process. I can only reply that then Pakistan is not ready at all; for there is no alternative way of bringing about rapport between authority and people, no other avenue to national fulfillment * * * Dictatorship would not combat corruption; it would erect corruption into principle * * * Politics is essential for the cohesion of the state and * * * the politicians are its servitors."

This is a useful and pragmatic political philosophy for an infant nation. Doubtless foreign affairs, rather than Pakistan domestic problems, will dominate the discussions between Mr. Suhrawardy and President Eisenhower and Secretary Dulles. Among the subjects, probably, will be the Middle East and the Baghdad and SEATO pacts, to which Pakistan lends strength; China, toward which Pakistan's leaders have exhibited more realism than the State Department; Arab-Asian influence in the United Nations; and Pakistan's relations with India. Mr. Suhrawardy has exercised real restraint over the festering Kashmir issue. The greatest contribution to stability in Pakistan, and India as well, would be some sort of compromise over Kashmir. Despite the past disappointments, there is still the hope that a formula can be evolved which will have a sympathetic response in New Delhi, and perhaps Mr. Suhrawardy's visit here can be fruitful to that end.

COMPARATIVE SUMMARY OF LEGISLATIVE ACTIVITIES OF THE SENATE IN THE 80TH THROUGH THE 85TH CONGRESSES

Mr. JOHNSON of Texas. Mr. President, I am submitting for the RECORD a comparative summary of the legislative activities of the Senate in the 80th through the 85th Congresses, through July 8 in the first session.

This summary includes a list of 26 more important bills—other than appropriations—upon which the Senate has acted during the first session of the 85th Congress. These measures were not selected in an effort to downgrade other legislation, but merely in an effort to set forth a representative compilation which would be available to those who may be interested.

I am well aware of the fact that reasonable men can differ in their judgment of a Senate. It is possible—by using various standards—to decide that a legislative body has both a very good and a very poor record.

It is my personal feeling that a Senate should be judged on the basis of what it has accomplished—rather than on the basis of what it has not done. By the standard of achievement, I think my colleagues—on both sides of the aisle—are entitled to congratulations.

The record of this Senate thus far can stand comparison with any other Senate in modern times.

I am aware of the fact that there is still much that the Senate must do. But I do not believe this session has reached the physical limits of achievement.

There is every reason to believe that this Senate will make responsible, constructive decisions on a number of legislative items before the end of the session.

Of course, we shall not satisfy everybody. No legislative body in the world could possibly act upon all the items which everyone considers most urgent and very pressing.

But even though we have disagreed on many items—and are disagreeing sharply upon one right now—a spirit of cooperation and reason has prevailed among all Members of the Senate. Every Member has played a significant role in shaping a legislative record of real accomplishment.

The Senate Appropriations Committee has acted with its usual efficiency and speed; and for its fine work a great deal of credit goes to the distinguished President pro tempore of the Senate, the chairman of the Appropriations Committee, the senior Senator from Arizona [Mr. HAYDEN]. I express to him my deep gratitude for the very fine leadership he has given that great committee.

There are only three major appropriation bills for the fiscal year 1958 which we have not received—Public Works, which on yesterday was marked up by the subcommittee; Mutual Security, which awaits action in the other body on the authorization act; and, of course, the first supplemental appropriation bill, which comes up after all the other appropriation bills have been passed. These are substantially on schedule in their progress through the committee.

Mr. President, in a Senate so evenly divided, progress is possible only when both parties are willing to cooperate in the transaction of business. I wish to express my gratitude to the distinguished minority leader, the senior Senator from California [Mr. KNOWLAND]; to the distinguished deputy minority leader, the Senator from Illinois [Mr. DIRKSEN]; and to all the ranking majority and minority members of the committees, for their complete cooperation in the achievements we have accomplished to date.

The summary which I am submitting is a real tribute to the cooperation which has taken place among all the Members.

Mr. President, I ask unanimous consent that the summary be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Senate legislative activity through July 8

	80th Cong., 1st sess.	81st Cong., 1st sess.	82d Cong., 1st sess.	83d Cong., 1st sess.	84th Cong., 1st sess.	85th Cong., 1st sess.
Days in session	110	114	104	103	88	92
Hours	600:55	668:17	557:45	576:13	426:20	506:16
Total measures passed by Senate	454	599	485	475	711	602
Senate bills	166	233	186	231	348	339
House bills	158	232	161	129	244	93
Senate joint resolutions	32	17	9	15	15	15
House joint resolutions	22	20	12	10	10	25
Senate concurrent resolutions	7	25	16	15	16	18
House concurrent resolutions	9	10	10	10	9	17
Senate resolutions	60	62	91	80	69	95
Public laws	162	160	73	105	134	84
Confirmations	25,915	47,834	21,142	21,388	36,748	36,002

The statistical summary, above, provides a brief review of the legislative activity of the Senate through July 8 of each Congress beginning with the 80th through the 85th.

Through July 8 the Senate has passed 602 measures, among which the following represent 26 of the more important bills acted on:

1. Middle East resolution: Authorizes the President to undertake economic and military cooperation with any nation or group of nations in the general area of the Middle East to strengthen the defense of their national independence. Public Law 7, approved March 9, 1957.

2. Foreign aid: Authorizes $3.6 billion for military, economic, and technical assistance to friendly nations; establishes a Development Loan Fund to be operated as a special unit within the International Cooperation Administration to make loans to promote the economic development of less developed countries; authorizes military assistance and defense support for a 2-year period instead of 1; and authorizes, for the first time, a program of malaria eradication to be financed out of technical cooperation and special assistance funds.

3. Housing Act of 1957: Authorizes $1.7 billion housing program; lowers downpayments on FHA sales housing and urban-renewal housing programs; and increases by $650 million FNMA's total borrowing authority under its secondary market operations which will permit FNMA to buy more FHA and GI mortgages from private lenders to ease the tight money market.

4. International Atomic Energy Agency: Establishes an International Atomic Energy Agency to advance the peacetime uses of atomic energy and to develop methods for its application to industry, agriculture, and medicine. Ratified June 18, 1957.

5. Hells Canyon: Authorizes Federal construction of Hells Canyon high-dam project on the Snake River in Idaho for hydroelectric power development and flood control.

6. Fryingpan-Arkansas: Authorizes Federal construction of Fryingpan-Arkansas project in Colorado, for reclamation, power, flood control and recreation.

7. Financial Institutions Act: Revises and modernizes all Federal laws governing national banks, savings and loan associations, and credit unions.

8. Deferred grazing program: Requires the Secretary of Agriculture to establish a 5-year program in the drought areas under which farmers and ranchers will receive payments for deferred grazing in disaster counties at rates equal to the fair rental value of their land during periods of adequate rainfall. Public Law 25, approved April 25, 1957.

9. Agricultural Trade Development Act: Extends to June 30, 1958, the Agricultural Trade Development and Assistance Act; increases to $4 billion (from $3 billion) the amount of surplus commodities for sale, and to $800 million (from $500 million) the amount for famine relief; and permits barter transactions with the European satellite nations but prohibits barter transactions with the U. S. S. R., with Communist China, or with any of the areas dominated or controlled by the Communist regime in China.

10. Export-Import Bank Act: Extends for 5 years to June 30, 1963, the loan authority of the Export-Import Bank. Public Law 55, approved June 17, 1957.

11. Small-business loan authority: Increases by $80 million (bringing to a total of $445 million) the lending authority of Small Business Administration. Public Law 4, approved February 11, 1957.

12. FNMA: Increases the borrowing authority of FNMA by $500 million to $1.6 billion to relieve the shortage of funds for home loans. Public Law 10, approved March 27, 1957.

13. FNMA: Increases by $50 million the present special assistance authorization of $200 million available to FNMA to purchase military housing and selected home mortgages.

14. Reorganization Plan No. 1: Abolishes Reconstruction Finance Corporation and transfers its functions to HHFA, GSA, SBA, and Secretary of Treasury. Effective June 30, 1957.

15. Airways Modernization Board: Establishes Airways Modernization Board to develop, test and evaluate systems and devices to meet the need for efficient control of civilian and military planes.

16. Social-security grants: Changes formula for computing social-security grants to States for medical and public assistance recipients to provide for more equitable distribution.

17. Excise-corporate income taxes: Extends to July 1, 1958, the present 52 percent corporate income tax, and the existing rates of excise taxes on alcoholic beverages, cigarettes, automobiles and parts and accessories.

Public Law 12, approved March 29, 1957.

18. Atomic reactors: Authorizes agreements for construction of atomic reactors in West Berlin.

Public Law 14, approved April 12, 1957.

19. Former Presidents: Provides $25,000 yearly allowance, clerical assistance, franking privilege, and $10,000 annuity for widows of Presidents.

20. Budget estimates: Requires Federal budget estimates to be submitted on annual accrued expenditure basis, rather than for expenditures in future fiscal years as is done at present.

21. Universal Military Training and Service Act: Extends to July 1, 1959, the President's authority to induct doctors, dentists, and other allied specialists into the Armed Forces with reserve commissions.

Public Law 62, approved June 27, 1957.

22. Anglo-American agreement: Approves amendment to the Anglo-American financial agreement to permit postponement of payments on the United States loan to the United Kingdom.

Public Law 21, approved April 20, 1957.

23. Extra long staple cotton: Fixes price-support for 1957 crop of extra long staple cotton at the 1956 level of 75 percent of parity.

Public Law 28, approved April 25, 1957.

24. Poultry inspections: Provides for compulsory inspection of poultry and poultry products. This compulsory inspection has long been in effect for meat and meat products.

25. Veterans Benefits Act of 1957: Consolidates and makes uniform laws governing compensation, pensions, medical and burial benefits administered by VA.

26. Executive agreements: Requires the Secretary of State to transmit to the Senate, within 60 days after execution, all international agreements other than treaties.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, it is my understanding that, under the order entered on yesterday, there will be the usual morning hour for the transaction of routine business, with a 3-minute limitation on statements.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF LAW RELATING TO MINING LEASES ON CERTAIN INDIAN AND FEDERAL LANDS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the law relating to mining leases on Indian lands and Federal lands within Indian reservations (with an accompanying paper); to the Committee on Interior and Insular Affairs.

GRANTING ADMISSION INTO THE UNITED STATES OF CERTAIN DEFECTOR ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

GRANTING TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

PETITIONS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

Two letters in the nature of petitions from the American Meteorological Society, of Boston, Mass., signed by Kenneth C. Spengler, executive secretary, and the New York University, of New York, N. Y., signed by Serge A. Korff, professor of physics, praying for the enactment of legislation to establish a geophysical institute in the Hawaiian Islands; to the Committee on Appropriations.

A resolution adopted at the 171st annual conference of the Church of the Brethren, held at Richmond, Va., favoring the enactment of legislation to revise the immigration laws, in order to admit more refugees into the United States; to the Committee on the Judiciary.

RESOLUTION OF SERTOMA CLUB, KANSAS CITY, KANS.

Mr. CARLSON. Mr. President, at a recent meeting of the Sertoma Club in Kansas City, Kans., they unanimously adopted a resolution urging that every consideration be given to a reduction in individual and corporate income taxes.

I ask unanimous consent that the resolution submitted by their secretary, Charles O. Couts, be printed in the RECORD, and referred to the Committee on Finance.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

RESOLUTION IN SUPPORT OF H. R. 6452

THE SERTOMA CLUB OF KANSAS CITY,
Kansas City, Kans.

Hon. FRANK CARLSON,
United States Senator,
Washington, D. C.:

Whereas the steeply progressive individual income tax rates which are clearly discriminatory, unfair, and unreasonable tend to destroy individual initiative to produce, accumulate, and invest; and

Whereas the corporate tax rates severely restrict the normal flow of funds into capital investment, so necessary for producing jobs for the citizens who are entering our labor force each year; and

Whereas a serious threat exists to our free enterprise system, our standard of living, and the stability of our employment, unless Federal spending is by the exercise of economies by Congress and the administration, and Federal revenues reduced through tax reduction: Now, therefore, be it

Resolved, That the Congress of the United States undertake immediate steps to guard against such an economic situation, by enacting into law a realistic program of forward scheduling of tax reductions for all income taxpayers as contained in the provisions of H. R. 6452 introduced by the Honorable ANTONI J. SADLAK, of Connecticut, a member of the Ways and Means Committee, on March 28, 1957;

It is believed that the steady growth of the economy and the population justify such reductions, and at the same time permit the balancing of the budget, with reduction in the national debt;

Furthermore, that this resolution, properly inscribed, be forwarded to the Congressional delegation.

Signed this 2d day of July 1957.

CHARLES O. COUTS,
Secretary.

THE GOVERNORS CONFERENCE OF 1957—RESOLUTIONS

Mr. CARLSON. Mr. President, the 49th annual governors conference was held recently in Williamsburg, Va. The distinguished Governor of Virginia, the Honorable Thomas B. Stanley, was not only chairman of the conference, but also the host governor.

The Council of State Governments has been fortunate in having as its executive director for many years Frank Bane, who has devoted his time and efforts in behalf of good government.

I have had an opportunity to visit with a number of people who were in attendance at the conference, and all spoke highly of the outstanding program arranged, and the true southern hospitality of the Old Dominion State of Virginia.

As there are 24 ex-governors serving in the United States Senate at the present time, I know that getting reports from a governors conference bring back many pleasant memories. The present Members of the Senate who have served as governors are:

GEORGE D. AIKEN, of Vermont; FRANK A. BARRETT, of Wyoming; JOHN W. BRICKER, of Ohio; STYLES BRIDGES, of New Hampshire; HARRY FLOOD BYRD, of Virginia; FRANK CARLSON, of Kansas; THEODORE FRANCIS GREEN, of Rhode Island; BOURKE B. HICKENLOOPER, of Iowa; SPESSARD L. HOLLAND, of Florida; OLIN JOHNSTON, of South Carolina; ROBERT S. KERR, of Oklahoma; WILLIAM LANGER, of North Dakota; FRANK J. LAUSCHE, of Ohio; EDWARD MARTIN, of Pennsylvania; MATTHEW M. NEELY, of West Virginia; JOHN O. PASTORE, of Rhode Island; FREDERICK G. PAYNE, of Maine; RICHARD RUSSELL, of Georgia; LEVERETT SALTONSTALL, of Massachusetts; ANDREW F. SCHOEPPEL, of Kansas; KERR W. SCOTT, of North Carolina; HERMAN E. TALMADGE, of Georgia; STROM THURMOND, of South Carolina, and EDWARD J. THYE, of Minnesota.

It was my privilege to serve as chairman of the governors conference in 1950, which was held at White Sulphur Springs, W. Va., and I can truly state it was one of the gratifying experiences of my public service. This year the conference elected the Honorable William G. Stratton, Governor of Illinois, as chairman for the ensuing year.

This session of the governors conference, as has every other session, adopted resolutions dealing with current problems affecting Federal-State relations. This year President Eisenhower personally appeared before the conference, and discussed and recommended that the conference join with the Federal administration in creating a joint committee to study and examine the possibility of clarifying functions which can be performed more effectively by particular levels of government, and the allocation of resources in relation to these functions. This committee is now being formed.

Those of us who have served in both the executive and legislative capacities of Federal and State Governments realize the need for a study of the problems of government which not only overlap, but which are becoming more complex as time goes on.

Resolutions were approved at the conference on highway safety, national security and many other subjects of vital interest.

I ask unanimous consent that the resolutions adopted at the governors conference be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

FEDERAL-STATE RELATIONS

Whereas the governors' conference has devoted extensive discussion over many years to the problems of achieving a sound relationship among Federal, State, and local governments; and

Whereas this conference has indicated on many occasions the need for clarifying functions which can be performed more effectively by particular levels of government and the allocation of resources in relation to these functions; and

Whereas the President of the United States, addressing the 49th annual governors' conference in Williamsburg, Va., recommended that this conference join with the Federal administration in creating a joint committee to examine this entire area and develop definite and specific programs for action: Now, therefore, be it

Resolved by the 49th annual meeting of the governors' conference, That the chairman of the executive committee be authorized to appoint a special committee to work with appropriate Federal officials appointed by the President from the executive branch to develop ways and means of attaining a sound relationship of functions and finances between the Federal Government and the States and to formulate definite proposals to these ends.

HIGHWAY SAFETY

Whereas during the first year of its operation, the governors' conference committee on highway safety has provided all of the States valuable information and assistance in the development of effective programs for the reduction of death and injury on public highways; and

Whereas as a direct result of this effort, many important forward strides already have been made in traffic safety legislation, administration, and enforcement; and

Whereas despite these encouraging gains, there still is a most urgent need to reduce the carnage on streets and highways which, unless checked, will claim half a million lives during the next decade: Now, therefore, be it

Resolved by the 49th annual meeting of the governors' conference, That the committee on highway safety be continued in existence, with the request that it also seek to develop recommendations for legislation requiring safety design features to be incorporated as standard equipment an all new automobiles; and be it further

Resolved, That this conference express appreciation to the committee for its fruitful work in this vital field, and pledge continued cooperation and support during the next year.

NATIONAL SECURITY

Whereas the Federal Bureau of Investigation has, over the years, earned a reputation for vigorous protection of the Nation's security; and

Whereas through its efforts the activities of many enemies of this country have been exposed and brought to a halt: Now, therefore, be it

Resolved, That the 49th annual meeting of the Governors' Conference bring to the attention of the various branches of our Government, our collective concern that the effectiveness of the Federal Bureau of Investigation will be continued and preserved and our hope that all possible avenues will be explored to protect the security of our Nation, while affording to its citizens all possible personal protection consistent with that security.

ARMED FORCES PAY

Whereas the Military Establishment is desperately in need of a means for attracting and retaining persons with scientific, professional, combat leadership, and management skills necessary to maintain a deterrent power; and

Whereas the Armed Forces do not presently have the means to compete for trained personnel urgently needed for the defense of this country, and a significant factor in their inability to do so is the inadequacy of the present compensation practices now in use; and

Whereas the proposed changes in the military pay structure are based on merit rather than longevity, will bring military pay more in line with the pay standards of industry and will offer greater reenlistment incentive for highly trained personnel: Now, therefore, be it

Resolved, That the 49th annual meeting of the Governors' Conference urge the Congress of the United States to take favorable action to revise the existing pay structure now in use in the Armed Forces, along the lines proposed by the Cordiner committee.

NATIONAL GUARD

The Department of the Army of the United States has instructed the National Guard commanders of the various States to carry on vigorous recruitment of young men for the new 6-month training program of the National Guard. This 6-month training program is an important modification of the draft law and procedure for building up the reserve strength of our Armed Forces.

The National Guard commanders have actively promoted the enlistment of young men into the guard for the 6-month program. Moreover, there exists a firm requirement for the construction of almost 1,000 additional Army National Guard armories to meet the demands of this needed training program.

On the other hand, the indicated amounts of money that are being made available for National Guard training and Army National Guard armories will fall considerably short of the minimum needs if we are to maintain the adequate strength of the Army National Guard and if we are to build sufficient armories for the training program.

Accordingly, the 49th annual meeting of the Governors' Conference strongly urges that adequate funds be appropriated by the Congress to meet the minimum Army National Guard training and armory requirements.

THEODORE ROOSEVELT

By a happy coincidence, 1958 will be the centennial year of the birth of an outstanding President of the United States and also the 50th anniversary of the convening by him of the first meeting of the Governors' Conference at the White House in 1908.

Accordingly, the 49th annual meeting of the Governors' Conference takes cognizance of the Theodore Roosevelt Centennial Commission, created pursuant to Public Law 183 of the 84th Congress, and to congratulate the Commission for its excellent work in commemorating the birth of a great American.

AIR POLLUTION

The Governor's Conference recognizes the great importance of air-pollution control,

particularly in metropolitan areas, and the need for a more intensive attack to be made on this problem.

Many air pollution problems affect large regions and they are often by their nature interstate in character. This does not mean that the Federal Government should assume jurisdiction, but rather that the States should by interstate action accomplish effective controls with the assistance of the Federal Government.

The 49th annual meeting of the Governors' Conference, therefore, requests that a committee be appointed to study the problem of air pollution, with the assistance of the staff of the Council of State Governments, and to report its conclusions to the States as to ways and means of developing an effective program on an interstate basis.

CIVIL DEFENSE—STATE GUARDS

The 49th annual meeting of the Governors' Conference reaffirms the recommendations in the 1956 report of its special committee on civil defense and again calls the attention of the Congress to this report in view of the inadequacy of the present Federal Civil Defense Act. The Governors' Conference also approves the 1957 report of said committee, which recommends that, in order to be prepared for a possible war emergency, all State governments should establish lines of succession for the executive branch of State governments and should develop plans for the assignment of State employees, facilities and equipment in case of attack.

In addition, as a parallel measure for improving the States' defense forces and for strengthening the Nation's ability to survive an enemy attack, the Governors' Conference urges that aid be available to State defense forces which the States have been authorized to organize and maintain, in addition to their National Guards, by Public Law 364 of the 84th Congress, approved August 11, 1955.

INTEREST RATES

As a result of expanded requirements, the State governments, the local governments and school districts are being pressed to make unprecedented capital expenditures. These accelerated needs for funds have resulted in the issuance of billions of dollars in bonds. These bonds have been floated at higher and higher interest rates, thus increasing amortization costs.

Therefore, the 49th annual meeting of the Governors' Conference suggests that the President of the United States and the Congress take cognizance of this additional burden on the taxpayers of America with a view to alleviating this burden.

GUESTS

The governors' conference is greatly indebted to the President of the United States and to the many members of his official family who have participated so fully and cooperatively in this 49th annual meeting.

APPRECIATION

The 49th annual meeting of the governors' conference is deeply appreciative of the gracious Virginia hospitality that has been extended to all the governors and their parties by the people of Virginia. Especially are we indebted to Governor and Mrs. Stanley and their aids and the members of the host committee for such unstinting devotion to our every need—this is truly a memorable meeting in the Old Dominion.

To the many donors of interesting gifts we express our thanks. We salute the magnificent contribution by the Virginia State Police and General Motors Corp. in providing us with not only efficient, but most comfortable, transportation, and services. The college of William and Mary and Vice Adm. Alvin D. Chandler, its president, have been most helpful to us in providing meeting facilities and in putting the new Phi Beta Kappa Memorial Hall entirely at our disposal.

We have been greatly impressed with the quality of reporting afforded by members of the press, radio, and television; and the telephone and telegraph companies have done nobly in supplying all needed equipment and personnel. For their outstanding leadership during the past year, we wish to express our sincere thanks to Governor Stanley, chairman, and all the members of the executive committee.

COLONIAL WILLIAMSBURG

The 49th annual meeting of the governors' conference wishes to express its gratitude to Mr. Winthrop Rockefeller, chairman of the board of Colonial Williamsburg, and to each one of the staff members of Colonial Williamsburg for the unsparing efforts to make our stay in historic Williamsburg a pleasant one.

We are grateful to Mr. and Mrs. John D. Rockefeller, Jr., for providing us with such a wonderful Knights of the Golden Horseshoe dinner and festival.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MORSE, from the Committee on the District of Columbia, with amendments:

S. 1908. A bill to amend the District of Columbia Hospital Center Act in order to extend the time and increase the authorization for appropriations for the purposes of such act, and to provide that grants under such act may be made to certain organizations organized to construct and operate hospital facilities in the District of Columbia (Rept. No. 601).

By Mr. GREEN, from the Committee on Foreign Relations, without amendment:

S. Con. Res. 36. Concurrent resolution authorizing the appointment of 4 Members each of the 2 Houses to attend the next general meeting of the Commonwealth Parliamentary Association to be held in India (Rept. No. 604).

By Mr. GREEN, from the Committee on Foreign Relations, with an amendment:

S. J. Res. 85. Joint resolution to amend the act of Congress approved August 7, 1935 (Public Law 253), concerning United States contributions to the International Council of Scientific Unions and certain associated unions (Rept. No. 602).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, with amendments:

S. 2120. A bill to authorize the Secretary of the Interior to construct, rehabilitate, operate, and maintain the lower Rio Grande rehabilitation project, Texas, Mercedes division (Rept. No. 603).

PARTICIPATION IN INTERPARLIAMENTARY UNION

Mr. GREEN. Mr. President, from the Committee on Foreign Relations, I report an original bill to amend the act of June 28, 1935, entitled "An act to authorize participation by the United States in the Interparliamentary Union," and I submit a report (No. 600) thereon.

The PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar.

The bill (S. 2515) to amend the act of June 28, 1935, entitled "An act to authorize participation by the United States in the Interparliamentary Union," was read twice by its title and placed on the calendar.

APPOINTMENT OF MEMBERS TO ATTEND GENERAL MEETING OF THE COMMONWEALTH PARLIAMENTARY ASSOCIATION IN INDIA

Mr. GREEN, from the Committee on Foreign Relations, reported an original resolution (S. Res. 160) authorizing the appointment of four Members of the Senate to attend the next general meeting of the Commonwealth Parliamentary Association to be held in India, and submitted a report (No. 604) thereon; which resolution was placed on the calendar, as follows:

Resolved, That the Vice President is authorized to appoint four Members of the Senate to attend the next general meeting of the Commonwealth Parliamentary Association to be held in India on the invitation of the Indian branch of the association and to designate the chairman of the delegation. The expenses incurred by the members of the delegation and staff appointed for the purpose of carrying out this resolution shall not exceed $15,000 and shall be reimbursed to them from the contingent fund of the Senate upon submission of vouchers approved by the chairman of the delegation.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports were submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

Henry Kearns, of California, to be an Assistant Secretary of Commerce, vice H. C. McClellan, resigned; and

Charles Pierce, of Washington, to be Assistant Director of the Coast and Geodetic Survey, vice Robert W. Knox.

By Mr. GREEN, from the Committee on Foreign Relations:

Executive D, 85th Congress, 1st session, Treaty of Friendship, Commerce, and Navigation between the United States and the Republic of Korea; without reservation (Ex. Rept. No. 5).

Executive L, 85th Congress, 1st session, protocol amending the International Sugar Agreement of 1953; without reservation (Ex. Rept. No. 6).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAVEZ:

S. 2511. A bill for the relief of Maria Garcia Aliaga; to the Committee on the Judiciary.

By Mr. MURRAY (for himself and Mr. MANSFIELD):

S. 2512. A bill to provide compensation to the Crow Tribe of Indians for certain ceded lands embraced within and otherwise required in connection with the Huntley reclamation project, Montana, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LANGER:

S. 2513. A bill for the relief of Sophie Gumuchdjian (also known as Sophie Calji); to the Committee on the Judiciary.

By Mr. THYE:

S. 2514. A bill to continue the election of two county committees for certain counties; to the Committee on Agriculture and Forestry.

By Mr. GREEN:

S. 2515. A bill to amend the act of June 28, 1935, entitled "An act to authorize participation by the United States in the Inter-

parliamentary Union"; placed on the calendar.

(See the remarks of Mr. GREEN when he reported the above bill, which appear under the heading "Reports of Committees.")

By Mr. BEALL:

S. 2516. A bill to increase the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia; to the Committee on the District of Columbia.

By Mr. WATKINS (for himself, Mr. GOLDWATER, and Mr. ALLOTT):

S. 2517. A bill to amend sections 2275 and 2276 of the Revised Statutes with respect to certain lands granted to States and Territories for public purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. WATKINS when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON of South Carolina (by request):

S. 2518. A bill to promote the interests of national defense through the advancement of the scientific and professional research and development program of the Department of Defense, to improve the management and administration of the activities of such department, and for other purposes; to the Committee on Post Office and Civil Service.

RESOLUTION

Mr. GREEN, from the Committee on Foreign Relations, reported an original resolution (S. Res. 160) authorizing the appointment of four Members of the Senate to attend the next general meeting of the Commonwealth Parliamentary Association to be held in India, which was placed on the calendar.

(See resolution printed in full when reported by Mr. GREEN, which appears under the heading "Reports of Committees.")

TECHNICAL CHANGES IN FEDERAL EXCISE-TAX LAWS — AMENDMENTS

Mr. KERR. Mr. President, I submit amendments, intended to be proposed by me to the bill (H. R. 7125) to make technical changes in the Federal excise-tax laws, and for other purposes. I ask unanimous consent that a statement, prepared by me relating to the amendments, be printed in the RECORD.

The PRESIDENT pro tempore. The amendments will be received, printed, and referred to the Committee on Finance and, without objection, the statement will be printed in the RECORD.

The statement presented by Mr. KERR is as follows:

STATEMENT BY SENATOR KERR

The Federal-Aid Highway Act of 1956 launched a big new roadbuilding program, and also established a trust fund with which to finance the program.

Among the taxes earmarked for this trust fund was a new tax of $1.50 per thousand pounds on any motor vehicle having a taxable gross weight of more than 26,000 pounds.

As is frequently the case, the practical application of this measure has indicated the need for clarifying amendments which will assure the carrying out of Congressional intent and correct apparent inequities.

It would appear that these amendments properly should be considered in conjunction with a variety of other excise-tax amendments contained in H. R. 7125, a bill which has passed the House and referred to the Senate Committee on Finance. H. R. 7125, known as the Excise Tax Technical Changes Act of 1957, provides for comprehensive revision of the technical and administrative provisions of the Internal Revenue Code of 1954 relating to Federal excise taxes.

The amendments which I am submitting are intended as additions to H. R. 7125. Aside from the necessary clerical amendments, the proposed amendments are four in number.

The first amendment is designed to assure that the tax of $1.50 per thousand pounds on motor vehicles having a taxable gross weight of more than 26,000 pounds is not applied to motor vehicles having an actual gross weight of less than 26,000 pounds.

Under the terms of the statute, the Internal Revenue Service was given broad authority to use "formulas or other methods for determining the taxable gross weight of vehicles by classes, specifications, or otherwise."

In promulgating its regulations, Internal Revenue Service elected to classify motor vehicles according to their empty weight, with each empty weight category assigned a taxable gross weight. Generally speaking, the result has been satisfactory, but in a couple of cases the result is inequitable and, I believe, contrary to the intent of Congress.

The first case involves motor vehicles which never have an actual gross weight of 26,000 pounds or more but which, by virtue of their empty weight, fall within one of the stipulated taxable categories.

It certainly was my intention, and I believe the intention of virtually everyone who had anything to do with this tax, that we were drawing a line at 26,000 pounds, with vehicles above that weight to pay the tax, and with no such tax against vehicles below that weight.

Therefore, one of the proposed amendments would add a new subsection to section 4483 of the Internal Revenue Code of 1954 to make it clear that no tax shall be assessed against any motor vehicle which does not exceed an actual gross weight of 26,000 pounds.

A second amendment is designed to correct an oversight in the statute. The due date for the annual tax with respect to a motor vehicle already in service is July 31. The law provides for prorating the tax with regard to any vehicle put into service for the first time after that date, as follows:

"If in any year the first use of the highway motor vehicle is after July 31, the tax shall be reckoned proportionately from the first day of the month in which such use occurs and including the 30th day of June following."

However, the law makes no provision for a credit or refund with respect to a vehicle which is permanently removed from service after the tax. In other words, the tax is prorated on a vehicle coming in, but not on a vehicle going out.

Thus, 24 hours after the tax is paid, a vehicle could be destroyed by fire or other means, and the tax payment is completely lost, and a new tax must be paid on the vehicle which replaces it. The result is double taxation and this should be corrected by a refund provision in the law covering vehicles which are destroyed or otherwise permanently removed from service.

To correct this situation, I am proposing an amendment which would add a new section to the Internal Revenue Code of 1954 providing that when a vehicle on which the tax has been paid is destroyed or otherwise permanently removed from service, a refund shall be allowed. Such refund shall be reckoned proportionately from the first day of the month following destruction or permanent removal from service to and including the 30th day of June following.

The third proposed amendment is designed to give the taxpayer the option of paying the tax in quarterly installments.

On July 31 each year the tax must be paid on each and every taxable vehicle owned by an individual or company. It is a substantial sum in every case, and in the case of a good-sized fleet it can run into thousands of dollars.

The trucking industry has asked the Internal Revenue Service to permit the taxpayer the option of paying this annual bill in quarterly installments much in the same manner of the income tax. It is my understanding that the Internal Revenue Service does not feel that it has the power to authorize this under the law as it now stands.

Therefore, my third proposed amendment would add a new section to the Internal Revenue Code of 1954 to authorize the payment of this tax in four equal quarterly installments.

The fourth proposed amendment is designed to correct inequitable application of the tax in the case of two specific classes of trucks used in the transportation of household goods and automobiles.

I explained earlier that under the regulations now in effect the empty weight of a vehicle determines whether a vehicle is taxable and the degree to which it is taxed. Each empty weight category is assigned a gross weight figure upon which the tax of $1.50 per 1,000 pounds must be paid.

This method has proved satisfactory, generally speaking, but has resulted in serious injustice to motor carriers of new automobiles and household goods. These two types of motor carriers, representing distinct and substantial segments of the trucking industry are penalized under the schedule, since the maximum loads they can carry are significantly below the gross weight categories to which they are assigned by virtue of their empty weight.

The gross-weight assignments in the tax schedule are based upon general freight averages. Both household goods and automobiles are low density freight, taking up a lot of space relative to weight. Thus, a trailer load of either household goods or automobiles weighs much less than a trailer load of the general run of freight. Under the existing schedule, however, they are required to pay the tax on the same gross weight basis as the carrier of general freight.

The great bulk of automobiles transported over the highways are carried by motor carriers which transport no other type of freight. The same is true with respect to transportation of household goods. For this reason, plus the fact that both types of carriers use distinctive and easily recognized types of trailers, they properly could be and should be placed in a special category and assigned gross weights more nearly in line with their actual operations.

Therefore, the fourth proposed amendment would add the following language to section 4482 (b) of the Internal Revenue Code of 1954: "Such regulations shall prescribe separate classifications for highway motor vehicles used exclusively in combination with semitrailers equipped with furniture van or automobile transporter bodies."

The four amendments that are proposed have very little significance from the standpoint of revenue. If any revenue is lost, it will be very small. Moreover, it will be revenue that never was intended to be collected and which was therefore not included in the advance estimates of revenue when the legislation was enacted.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were

ordered to be printed in the RECORD, as follows:

By Mr. CAPEHART:

Address delivered by him on July 5, 1957, at the launching of the *Philip Sporn*.

Editorial entitled "It Is Not Ours To Keep," published in the Easley (S. C.) Progress of July 2, 1957, relating to proposal for the return of assets seized from aliens.

By Mr. RUSSELL:

Transcript of interview with him on CBS News and Public Affairs Hour, Monday, July 8, 1957.

GRACE GOODHUE COOLIDGE

Mr. CASE of South Dakota. Mr. President, I desire to speak a few words in tribute to the memory of Mrs. Grace Goodhue Coolidge. The people of South Dakota, and particularly the people of my home community, at Custer, in the Black Hills of South Dakota, remember Mrs. Coolidge as a very gracious, friendly person. It was just 30 years ago this summer that the Coolidges came to South Dakota planning to stay for perhaps 2 weeks, but they remained all summer.

The State game lodge at which they lived while they were in Custer State Park became known as the summer White House of 1927.

The personalities of the Coolidges impressed themselves deeply upon the people of my home town and county.

They attended church in the little community church at Hermosa.

The stream where Mr. Coolidge fished had been known as Squaw Creek, but after the visit of the Coolidges, the State legislature changed the name of it to Grace Coolidge Creek, and it is so known today.

The name of Sheep Mountain, one of the large mountains in Custer State Park, was changed to Mount Coolidge.

Mrs. Coolidge entered into the life of the community during the 3 months which the Coolidges spent in our area. She was the person of honor at the dedication of a great community building there, built by the Custer Women's Civic Club. The people of the community remember her for many kindnesses and courtesies.

It was also typical of the personality of this lady that she was quick to remember the friendships established during those years. Some weeks ago, when Mrs. Coolidge's sickness became known, my wife was talking with Mrs. Norbeck, the widow of the late Senator Peter Norbeck. Mrs. Norbeck said to Mrs. Case, "I always owe Mrs. Coolidge a letter, for whenever I write her, she writes her reply the same day the letter is received."

So the people of my own community and the people of South Dakota would, I am sure, want me to join in the tributes which have been paid to the memory of this gracious lady who, 30 years ago this summer, was our neighbor.

HERVE J. L'HEUREUX

Mr. COTTON. Mr. President, it is with sorrow and distress that I call the attention of the Senate to the death of Herve J. L'Heureux, which occurred yesterday afternoon.

Mr. L'Heureux is known to many Members of the Senate. He served for some years as Chief of the Visa Office of the Department of State, and in that capacity he gained the high regard, respect, and affection of many Members of this body.

Mr. L'Heureux's life has been peculiarly associated with the Senate. He came to Washington from Manchester, N. H., on the patronage of the late Senator George H. Moses. At that time I was here as a clerk of Senator Moses' committee. Together, Mr. L'Heureux and I attended George Washington University Law School, while serving as attachés of this body.

He entered the Foreign Service in 1927, and in the 30 years following he became one of the most useful, skillful, and highly regarded of our Foreign Service officers.

He was serving before his death as consul general at Montreal, with the personal rank of minister. He was also widely known as the originator of the Pray for Peace Movement, which he proposed first in 1948.

His nomination for the rank of career minister was submitted to the Senate by the President on July 3, 1957, and was reported to the Senate yesterday by the Committee on Foreign Relations. Had the parliamentary situation been different, or had Mr. L'Heureux lived a few days more, his nomination to that rank would have been confirmed. It was a rank he fully deserved because of his long years of outstanding service.

Mr. President, while I would not suggest precipitate action, I suggest that the Senate confirm Mr. L'Heureux's nomination posthumously for the position which the President and the Secretary of State desired to confer on him, although they knew he was at that time on his deathbed. Such a tribute would be well deserved. If it can be done without establishing an unfortunate precedent, I hope it will be.

I take this opportunity to express my own profound sorrow at the death of a classmate, associate, and friend for many years from my State. I know if my colleague the senior Senator from New Hampshire [Mr. BRIDGES] were here today, he would certainly join me in these expressions. Other Senators, too, will join me in expressing deep and sincere sympathy to the members of Mr. L'Heureux's family.

CHOICE BY PRESIDENT EISENHOWER OF NEWPORT, R. I., AS BASE FOR HIS 1957 VACATION

Mr. PASTORE. Mr. President, Rhode Island rejoices in the word that President Eisenhower has chosen historic Newport as the base for his 1957 vacation. Our State is happy to welcome the first citizen of the United States to what is probably the first summer resort of America. Since 1725 the charms of the Rhode Island shore have lured those who seek rest and recreation in these festive months of the year. More than 400 miles of coastline dotted with sparkling beaches, unexcelled fishing and yachting, and the fresh water favorite spots of fishermen have grown all the more enticing with the centuries.

At Coaster's Harbor Island, our President will be in the central point of pleasure and of history as well. In Newport is the Old State House. Nearby is America's oldest synagogue, and now a national shrine. It is symbolic of our charter of 1663—"To hold forth a lively experiment that a most flourishing State may stand and best be maintained with full liberty in religious concernments."

Great names of American history come alive in Rhode Island's climate: Roger Williams, Gilbert Stuart, Ezek Hopkins, Oliver Hazard Perry, Nathaniel Greene.

The citizen of Gettysburg will live anew the stories of the revolution, and he will be living in the very heart of the naval installations of Narragansett Bay which are the pride of our State as well as of our Nation.

Newport, which played host to our first President, George Washington, will have a hearty welcome for our present President. May his stay with us be happy and may his days of diversion add to his health and strength against the truly heavy burdens of the Presidency.

Rhode Island welcomes President Eisenhower.

FINANCIAL POLICIES OF ADMINISTRATION

Mr. BUSH. Mr. President, during the discussion on the Senate floor relating to the investigation by the Senate Finance Committee into the policies of the Federal Reserve Board, as supported by the Treasury, attempts have been made to convince the Senate that the Wall Street Journal has been sympathetic with those who attack the policies of the Federal Reserve Board and the Treasury. I have watched the editorials in the Wall Street Journal affecting this matter, and I fail to understand how anyone could conclude that the Wall Street Journal had been in any way sympathetic with the advocates of loose money, but, rather, I conclude, from what I have read in the Wall Street Journal, that the publication strongly backs the advocates of sound money.

In today's issue of the Wall Street Journal there is an editorial entitled "The New Inflation." The editorial deals with the thought expressed by the attackers of the present policy that there is some kind of new inflation, or a new kind of inflation abroad in this land. The purpose of the editorial is to show that there is nothing new so far as inflation is concerned. The editorial shows that what the money managers are dealing with is not basically a new form of inflationary potential; it is an ancient one. The editorial concludes by pointing out that if there is criticism of the money managers' policies, it is not that they are too harsh, as the political inflationists contend, but that they may be too lenient.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal of July 7, 1957]

THE NEW INFLATION

Is the United States facing a new kind of inflation?

This question is rapidly blossoming into both a political and economic controversy. It keeps cropping up in the Senate Finance Committee's study of monetary policy. It is discussed by economic commentators. It underlies yet another probe which Senator KEFAUVER is about to undertake.

The political answer given by Senators KEFAUVER, KERR and others is that we are indeed facing a new kind of inflation for which the administration's and the Federal Reserve's current fiscal and monetary policies are the wrong remendy. In this view, the threatened inflation is characterized by price rises even in the absence of maximum demand; consequently the attempts to hold down demand by restraining credit miss the point.

Economically this is not a very serious argument. Whatever the demand for some goods, the demand for credit continues intense and this is the cause of the so-called high interest rates. It is not at all difficult to imagine what the inflationary impact would be if the Federal Reserve, as these politicians apparently want, were to pump up the money supply to the point that cheap money would be available to all and sundry.

An economically more sophisticated aspect of the controversy turns on whether the Government or the constant succession of wage increases is the prime source of the inflationary pressures. The cost-push theorists pin the main responsibility on the latter. The money supply, they note, has expanded only slightly in recent years, whereas wage rates have gone up considerably, outrunning productivity gains.

Unquestionably the constant advance of wage rates, reflecting both what is for practical purposes a "full employment" economy and the monopoly power of organized labor to enforce its demands, constitute a continual upward pressure on prices. Unquestionably such a spiral can be an inflationary influence.

But rising wages and prices are not automatically or by definition inflation. Unless there is inflation in the money supply the spiral cannot continue indefinitely; it will reach the ceiling of the money available.

So we get back to the money supply. It is true it has been expanding only modestly compared to earlier periods, but it grew tremendously under the inflationary policies of the war and initial postwar years. Consequently it is now a much greater money supply and even a "modest" expansion of it—say, 2 percent a year—could be too much to keep the inflationary dangers adequately checked.

For our part, we do not know that the present inflationary dangers are as great as some people fear. But we do know that it is nonsense to talk of inflation as though it were something that could somehow be divorced from the money supply. What the money managers are dealing with is not basically a "new" form of inflationary potential; it is the ancient one.

And if there is criticism of the money managers' policies it is not that they are too harsh, as the political inflationists contend, but that they may be too lenient.

MISSOURI RIVER BASIN DEVELOPMENT PROGRAM

Mr. YOUNG. Mr. President, for the past 10 years the Missouri River Basin has been experiencing a long dreamed of development of its resources.

Construction has gone forward on most of its key multiple-purpose dams under the Pick-Sloan plan. Since the inception of this plan, there has seemed to be substantial agreement in the basin as to the use of these vast water resources. Now it would appear that at least some interests in the valley are seeking to destroy the whole concept which made possible the development of this basin.

A recent editorial in the Omaha World-Herald is in point. I have always contended, and so stated in Senate committee hearings, that Garrison Dam would be a net loss to North Dakota if we were not able to secure a sizable irrigation project to compensate us for the more than 550,000 acres of good land lost because of the Garrison Reservoir.

Mr. President, editorials have appeared recently in the Bismarck Tribune and the Minot Daily News, both North Dakota newspapers, which very ably express the deep concern of all the people of North Dakota as a result of the editorial in the Omaha World-Herald. I ask unanimous consent that these two fine editorials be printed in the body of the RECORD as a part of my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Bismarck Tribune of July 6, 1957]

WATER DISPUTE IS IN THE OPEN

An editorial masquerading as a news story in the Omaha World-Herald may be the first salvo in a downriver fight to keep North Dakota and South Dakota from getting their fair share of the benefits from the Missouri River Basin development program.

It may signal the breakup of basin unity to bring this vast plan into being and may also help reinstigate the longstanding fight between river navigation interests on the one hand and reclamation interests on the other.

For North Dakota, South Dakota, Montana and any other States interested in irrigation and power for the many, as opposed to navigation subsidy for the few, it may also serve as a summons to stand together against predatory downriver interests.

Some weeks ago this newspaper warned editorially that a fight over Missouri River waters appeared to be in the making. It regretted the breakup of basin unity, and alerted upriver interests to the need to be prepared to defend themselves.

At that time the occasion for the alarm came from the Mississippi Valley Association, an organization which declares itself interested in all phases of river development but whose master is navigation.

Now the Omaha newspaper has launched the attack against irrigation and upriver States openly, questioning the feasibility of the Garrison diversion project in North Dakota with misleading statements calculated to arouse opposition where it is not understood.

It concludes its editorial-news story thusly:

"Other basin States are likely to raise objections to the project. Some are almost sure to question the practicability of such a costly diversion of water onto poor and mediocre soil in a latitude where the growing season is short."

This is the first serious indication that downriver States are considering repudiation of the agreement that was reached in 1944, when all States of the basin agreed to a sharing of water.

The terms of this agreement were simple. Below Sioux City, the needs of flood control and navigation were to be supplied. Above Sioux City, the needs of irrigation and municipal water were to be met. Hydroelectric power was to be generated at every dam where it was economical to do so.

Exhaustive studies of the river showed that there is enough water, if it is carefully stored and controlled, to provide for both navigation and irrigation. In order to get construction underway, both navigation and irrigation interests agreed to share the water supply.

Garrison Reservoir is built and filling. Oahe Reservoir will soon begin to fill. Mainstem storage of floodwater and main-stem control capable of giving the entire river flow to navigation is essentially complete.

And so, having gotten almost all they want out of the basin program, downriver navigation interests apparently are ready to repudiate their agreement and attempt to deprive the rest of the basin of its share of the benefits.

From the beginning, North Dakota has fought harder for river development than any of the other basin States.

It has given more to the program. Some 566,000 acres of productive, taxpaying North Dakota land have been given over to flooding by Garrison and Oahe Reservoirs.

South Dakota also has given heavily of its good land for the reservoirs above Oahe, Fort Randall, and Gavins Point Dams.

Are we now to learn that we have given half a million acres of good land just so that a few barges can be floated up and down the Missouri River for the personal profit of a few?

If, now that the Missouri River is harnessed so that it may serve fully the demands of navigation but nothing else, our one-time downriver friends desert us, we will have gained little here from Missouri River development.

But we will have a clearer understanding of the sort of people we joined in partnership back in 1944.

The Missouri Basin program was designed as a multipurpose program, intended to serve the entire basin and assist in the development of all the natural resources of this region.

The Congress of the United States did not spend billions of dollars in this basin to assist navigation only.

The Omaha newspaper has done a disservice in its distorted presentation of misinformation with respect to the upper basin portion of the program. It may have done a service, however, in bringing this opposition into the open, so the rest of the basin can know what confronts it.

If a few barge owners are more influential, and their right to water is more sacred than that of hundreds of thousands of people, now is the time to find it out.

With a multi-billion-dollar investment tied up in engineering works to control and conserve the Missouri River, it would be tragic indeed to see our longstanding interstate partnership break up merely because the navigation interests now have everything they want.

[From the Minot (N. Dak.) Daily News of July 6, 1957]

OMAHA WOULD WELSH

There has been something of a tradition of the West that anyone rating as a man, made his "word as good as his bond."

And that became a part of the heritage of communities and States.

Verbal or written, an agreement was something that was sacred to the extent that could never be broken.

The West regarded a man who broke an agreement as not fit company for man or beast.

Thirteen years ago the States in the Missouri River Basin entered into an agreement, blessed with the approval of Congress.

It was officially known as the Pick-Sloan plan for the Missouri Basin. Differences of the Corps of Engineers and the Bureau of Reclamation were adjusted. The two organizations were ordered to come forth with a unified plan, which was approved.

In that plan the South was to get flood control which had over the years cost Omaha, Kansas City and wide rural areas millions of dollars.

Navigation was also to benefit.

Flood control has been achieved 100 percent and navigation has been given the benefit of millions of acre-feet of water from Fort Peck and Garrison Reservoirs. There is every reason to believe navigation will benefit still further when reservoirs are completely filled.

For taking 566,000 acres of land from the tax rolls, much of which was rich river bottom, North Dakota was to have water for 1 million acres of farmland, plus municipal water for 41 communities.

South Dakota was in much the same category.

The power from all Missouri River dams would be utilized over a wide area. Garrison power is not for exclusive use in North Dakota. Far from it. As of today, there is a considerable flow of kilowatts across State lines.

In other words, the Garrison Dam would very easily be placed in the liability column by North Dakota except for irrigation and municipal water supply. Construction money went to out-of-State contractors and to a large extent the labor supply came from elsewhere.

Why recite facts well known in Minot, Sioux Falls, Omaha, and Kansas City?

Well, after having attained the objectives craved by Omaha and Kansas City, a movement has been started at Omaha, by the Omaha World-Herald to defeat North Dakota irrigation.

While Omaha is the headquarters of the Corps of Engineers for the Missouri Basin, it is unthinkable that this organization would become a party to violation of an agreement after one party has received its benefits in full and the other party has made great essential contributions and received no benefits.

The World-Herald contends the diversion will damage river navigation, divert water from power production, and cost a lot of money.

The World-Herald predicts "other Basin States are likely to raise objection to the project. Some are almost sure to question the practicability of such a costly diversion of water onto poor and mediocre soil in a latitude where the growing season is short."

Farmers of North Dakota, who raise hard, red spring wheat on the soil termed "poor and mediocre," to upgrade quality of winter wheat raised farther south in order that it can be made into a marketable product, will smile broadly at the slander that comes from ignorance.

It develops that Garrison diversion is a better project for flood control, navigation, and irrigation than were waters to be taken at Fort Peck.

The public has been advised time and again from the platform, through the press, and over radio that large-size benefits came with Garrison, including:

1. Cost $134 million less to build.
2. Cost $700,000 less each year to operate.
3. Save 500,000 acre-feet of water each year (17 percent) for additional power and navigation uses.
4. Use 100 million kilowatt-hours less electrical energy for pumping each year.
5. Generate 90 million kilowatt-hours per year more power when generating facilities are installed in power drops along the main diversion canal.

The News refuses to believe the Omaha paper speaks for any appreciable segment of downstream people. By and large we believe downstream folks are honorable and prize the fact their word is as good as their bond; that an agreement once made will never be broken—after one party has received everything and the other has sacrificed everything.

Members of Congress are well aware of the 1944 agreement which developed the Pick-Sloan pact.

It is well for friends of irrigation to realize that there is much to be done—in defending what has already been accomplished and securing congressional approval of the project report in the form of construction appropriations at the appropriate time.

It is no time to believe we can rest on laurels.

North Dakota has contributed more in educational and promotional work for the Missouri River development than any other single State.

And it is realized that the Missouri-Souris Projects Association has been the sparkplug in the promotional work. This organization is entitled to full support for the work that lies ahead.

FEDERAL ASSISTANCE TOWARD BILLBOARD CONTROL ALONG INTERSTATE HIGHWAY SYSTEM

Mr. NEUBERGER. Mr. President, on May 23, 1957, the Public Roads Subcommittee of the Committee on Public Works reported to the full committee an amended version of S. 963, the bill which I introduced to provide Federal assistance toward a measure of billboard control along the new 41,000-mile limited-access Interstate Highway System which the Congress authorized last year. In the coming months, highway departments all over the Nation will be going forward with acquisition of new rights-of-way, planning and engineering of the new roads, and actual construction of many projects. These new highways could and should provide millions of city-dwelling American travelers by car or by bus with a new view of America—mountains and prairies, farms and forests, the spectacular and the commonplace, but in any case, the land as it is today, before the roads are built. But if we fail to act in this 85th Congress, to offer some protection for the roadsides along this new interstate highway network, it will instead become a concrete spider web delivering a captive audience to the billboard industry.

Mr. President, I hope that the important debate in which the Senate is now engaged, and in which we shall be engaged for some time, will not prevent action during this session by the full Committee on Public Works, and by the Senate itself, on S. 963. We owe this protection to the traveling public on whom we have levied new taxes to pay for the Interstate Highway System. The Subcommittee on Public Roads, under the able and effective leadership of the junior Senator from Tennessee [Mr. GORE], held very extensive hearings and worked diligently to develop a formula for Federal assistance to roadside control by the States which would meet all objections except the complete, last-ditch opposition of the billboard industry itself.

Let me describe briefly how S. 963, as reported by the subcommittee, deals with the issues which have been raised by the drumbeaters of the opposition without any regard for the actual terms of the bill.

First. The phony States rights argument. This is the hoariest of all objections. It is invariably raised, by a sort of automatic reflex action, against any Federal proposal by those who want no regulation at all, Federal or State. Actually, under S. 963 the Federal Government could not act at all to control billboards. Only the individual States can act, which is exactly what the opponents say should be the case. All the Federal Government would do is to offer an additional three-quarter percent, above the 90 percent which it already contributes to the interstate highways, toward the cost of those highway projects with respect to which an individual State agrees to provide certain roadside protection, including billboard control.

Second. Advertising of off-highway facilities for travelers. The subcommittee has recognized that there is a legitimate interest, both on the part of highway travelers themselves and on the part of operators of motels, tourist resorts, garages, restaurants, and other facilities for travelers, in making information about these facilities available along the highway. In many instances, the new interstate highways will be relocated away from the roads along which these existing businesses have grown up. Their owners naturally want to be able to draw travelers from the new highways. From the point of view of the travelers, such information is in a different category from the familiar billboards advertising brand names of beer, automobiles, gasoline, tires, cigarettes, and other commercial products.

The subcommittee has made provision for permitting, on a proportion of the total highway mileage, informational signs concerning off-highway facilities of specific interest to highway travelers, subject to adequate standards of governing location, size, and other characteristics. Presumably such informational signs would be located within the last few miles before the exits from the limited-access highways.

Other objections are based on the destruction of valuable income and property interests of the billboard advertising industry itself and of farmers and other landowners. As to the latter, S. 963 does not affect their rights in any way. If a State wishes to exercise its power to prohibit the erection of signboards on land adjoining new highways, it can do so before the passage of S. 963 just as well as after its passage. If a State wishes to acquire advertising-control easements along with highway rights-of-way—which of course have little value before a road is built—it can do so now just as well as after passage of S. 963. S. 963 confers no authority on States that they do not have today.

BILLBOARD INDUSTRY WILL SURVIVE

As to the billboard industry itself, S. 963 does not restrict or limit it in any way as far as the hundreds and thou-

sands of miles of the present primary and secondary road systems are concerned. They are not within the terms of the bill. Professionals as they are in the arts of advertising and propaganda, the billboard lobbyists have pictured the destruction of their industry. What is actually at stake is whether or not they are to be handed, by the travelers and highway taxpayers themselves, a tremendous bonanza in the form of 41,000 miles of new roadside along what will be the greatest channels of traffic and travel in the Nation.

Mr. President, it would be unreasonable to expect the billboard industry to abandon the hope for such a bonanza voluntarily, without a fight. They have not done so. I shall place in the RECORD some recent press comments on their efforts. However, the Congress can recognize that in this fight, the billboard industry unquestionably opposes the desire of the vast majority of individual, unorganized Americans, who have no selfish interest in this legislation save the desire to see their own country from their own highways, uncluttered by the blatant aggressions of billboard salesmanship. Mr. President, even the Eisenhower administration, which constantly reiterates its devotion both to budgetary savings and to States' functions, favors the roadside protection provisions of S. 963. I ask unanimous consent that the section of the report of the Secretary of Commerce to the chairman of the Committee on Public Works which deals with these provisions of S. 963 be printed in the RECORD at this point.

There being no objection, the section of the report was ordered to be printed in the RECORD, as follows:

JUNE 28, 1957.

Hon. DENNIS CHAVEZ,
Chairman, Committee on Public Works, United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: This is in reply to your letter of June 20, 1957 requesting the views of this Department with respect to S. 963 (committee print, May 24, 1957), a bill

"To provide for the control of certain advertising on federally owned or controlled lands adjacent to the National System of Interstate and Defense Highways, and to encourage such control on other lands adjacent to such National System."

Title I of the bill entitled, "Control of Advertising," declares it to be in the public interest to encourage and assist the States in regulating the use and improvement of areas adjacent to the National System of Interstate and Defense Highways for safeguarding public travel, promoting interstate commerce, protecting the public investment, and preserving scenic beauty and points or shrines of historical significance, and directs the Secretary of Commerce to prepare and publish recommended standards for the regulation and control of signs within 660 feet of the paved surface of the main traveled roadway by limiting such signs to specified categories. The Secretary of Commerce would be authorized to enter into agreements with any State for the purpose of carrying out such policy with respect to any projects, or parts of projects when approved by him. The Federal share payable on account of any project, or parts of any project when approved by the Secretary exclusive of main bridges and tunnels, would be increased three-fourths of 1 percent of the total cost thereof if such an agreement between the Secretary and a State is entered into for a project prior to July 1, 1960, or prior to the end of the 2-year period following execution of the project agreement, whichever is later. Costs incurred in carrying out any such agreement would not be included in the Federal share payable on account of the project. The Secretary of Commerce would be required to provide for application of the standards established to federally owned or controlled lands on which the Interstate System is located.

This Department is in accord with the objectives of title I of the bill. As I stated in my testimony before your committee on March 18, 1957, we are convinced that Federal legislation for the control of advertising along the interstate system is necessary if the objective of the Federal Government to provide a system making for safe and relaxed driving and pleasing appearance is to be achieved. We are also convinced that the legislation which we submitted to the Congress on that date will accomplish this objective most effectively. In view of the fact, however, that such legislation has not been introduced in the Congress, this Department would not interpose any objection to the enactment of legislation containing provisions similar to those of title I of the bill.

In this connection, we call attention to the fact that title I provides for the application of controls on a project-by-project basis rather than on a statewide basis. This, of course, leaves the States free to choose the particular projects with respect to which they wish to apply the standards of the Secretary of Commerce and receive the additional three-fourths of 1 percent. They would be free, if they so chose, to restrict the application of the standards to a single project. We think that title I would be much more effective if it provided for the control of advertising on a statewide rather than project-by-project basis.

Mr. NEUBERGER. In conclusion, Mr. President, I also ask unanimous consent to have printed in the RECORD several short articles and editorials commenting on the opposition of the billboard lobby to S. 963, from the Christian Science Monitor of June 15, 1957, and the Washington Post and Times Herald of June 12 and June 23, 1957, followed by an excellent article from the Post of July 4, 1957, by Mr. Carroll Kilpatrick, called Sign Curb Bill Stalls in Congress. I hope and trust the Congress will disprove this ominous headline.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor of June 15, 1957]

CURB ON HIGHWAY BILLBOARDS SHRINKS

The quiet work of the lobbyists is defeating the efforts to ban billboards on the new highway system to be built with close to $40 billion of the taxpayers' money.

A bill to ban billboards has been approved by the Congress committee, but it is a watered-down version, providing that the Federal Government shall pay 90.75 percent of the total cost of a highway instead of 90 percent if a State agrees to keep billboards off a Federal highway project.

It's the old story of small groups of organized people against big groups of unorganized people. The outdoor advertising industry has its effective lobby, the oil companies want to fight their sales wars with big signs along the highways, the building trades and sign painters want to cash in on this new bonanza. And they have been working on individual Senators.

On the other side are the automobile associations, the garden clubs, sportsmen, and Audubon societies—and the vast majority of Americans. But they are ridiculed as esthetes for wanting to keep the new highways clear of unsightly signs. And Congress shows every sign of kowtowing to the organized lobbyists.

[From the Washington Post and Times Herald of June 12, 1957]

HIGHWAY EYEWASH

A pat argument used by Members of Congress opposed to billboard controls is that only esthetes—or, as one Senator so nobly puts it, "ass-thetes"—are concerned about turning the new 41,000 miles of Federal highway into a garish jungle of billboards and neon-lit hotdog eateries. Yet among the chief opponents of unregulated billboards are highway engineers—hardly known as an arty-arty group—who rightly point to certain safety hazards posed by confusing signs on a speedway. We further suspect that many a motorist whose closest approach to the fine arts is watching a wrestling match will take loud offense if he sees more soapflake placards than sunsets on his first vacation tour on the new highways.

Yet the sensible billboard bill proposed by Senators NEUBERGER and GORE is presently buried in the Senate Public Works Committee. This bill would provide an additional three-fourths of 1 percent in Federal highway funds to States agreeing to meet certain roadside standards. Participation is optional, hence it is hard to see how any objections based on States rights can be raised. The most vigorous opposition to this moderate measure comes from the groups who stand to profit by plastering the new highways with their advertising.

[From the Washington Post and Times Herald of June 23, 1957]

PASTEPOT PARADISE

It is becoming painfully obvious that the billboard lobby may win its battle by default. A moderate bill to limit roadside eyesores on the new 41,000-mile Federal highway system is currently bottled up in the Senate Public Works Committee and may never emerge for a vote. The bill provides that States agreeing to place some controls on billboards would get an additional three-quarters of 1 percent in Federal highway funds; participation would be optional. Clearly the voters have a right to know which Senators approve this sensible bill, and which Senators are indifferent to opening the highways to an endless ribbon of honkey-tonk and hucksterism. If the committee fails to report out a billboard bill, it will be interpreted—rightly or wrongly—as a shameful surrender to a lobby with a vested interest in glutting the roadway with toothpaste and hair-oil signs.

[From the Washington Post and Times Herald of July 4, 1957]

SIGN CURB BILL STALLS IN CONGRESS

(By Carroll Kilpatrick)

Advocates of Federal action to keep the 41,000-mile Interstate Highway System free of unsightly billboards say they must win their fight this year or face almost insurmountable difficulties—but they acknowledge that at the moment the billboard lobby has the upper hand.

Senator RICHARD L. NEUBERGER, Democrat, Oregon, author of the pending control bill, says it is a matter of an organized and effective minority against an unorganized and ineffective majority.

He is convinced that the overwhelming majority of the American people want the new Interstate System, which will cost more than $25 billion, kept free of unnecessary advertising signs. Public opinion polls support his contention.

But lined up against the Neuberger bill are some powerful business and labor groups, who know how to bring pressure on Congress.

"It's a difficult lobby to cope with," NEUBERGER says, "because it works both sides of the street—labor on some Senators and business on others."

Senator ALBERT GORE, Democrat, Tennessee, chairman of the Senate Public Works Subcommittee on Roads, says it is necessary to take action on the billboard bill promptly or it may be too late.

"The expense of billboard control would be very much larger later and the political difficulties more severe than they now are—and they are already rather severe," GORE says.

His subcommittee approved the Neuberger bill in May—after attaching, without discussion, an amendment by Senator FRANCIS CASE, Republican, South Dakota, to add 7,000 miles to the Interstate System.

Some persons have charged that the Case move was designed to kill the Neuberger bill. GORE denies this. NEUBERGER says he is not opposed to the Case proposal but thinks it has no business in his bill. In this year of economy, Congress is hardly likely to approve an addition to the already mammoth-sized highway bill.

Since the subcommittee reported the combined bills, the full committee has sat on them. Chairman DENNIS CHAVEZ, Democrat, New Mexico, denies that he is trying to bottle up the billboard measure. He says he may call a committee meeting sometime soon.

But unless he acts promptly the billboard measure will stand no chance in Congress this year. The House has been waiting on the Senate.

When Congress passed last year the bill providing for the Interstate System it was unable to agree on a billboard control measure, and left the problem entirely to the States. Two or three States have reasonably effective control, but the majority do not.

Antibillboard enthusiasts contend that the States will never take proper action unless prodded by the Federal Government, which is putting up 90 percent of the money for construction of the Interstate System.

Under last year's bill, the Federal Government is authorized to set all kinds of regulations and standards for bridges, curvature of the road, tunnels, access rights, width, etc., but the billboard supporters say it would be an invasion of States' rights for Uncle Sam to say there should be no billboards.

The Neuberger bill provides only that States which agree to limit highway advertising will receive a Federal contribution of 90¾ percent of the cost instead of 90 percent. The bill does not automatically ban billboard advertising; it says that States which agree to the standards set by the Secretary of Commerce will receive a larger Federal contribution on that part of the Interstate System covered by the agreement.

A State could agree to control advertising signs on part of a highway but not on another part. NEUBERGER admits that his measure as approved by the subcommittee is a weak one, but he says it was the best possible under the circumstances.

Highway advertising interests have drummed up much of the Congressional mail against the Neuberger measure. It has come in two batches, the first during the subcommittee hearings on the bill and the second in the last few days.

The anticontrol mail, according to NEUBERGER, has been from motor court operators, labor unions, farmers, outdoor-advertising firms, roadside businesses, and States rights advocates.

Supporters of the legislation include garden clubs, the National Federation of Women's Clubs, the Audubon Society, roadside councils, and the general public.

A. J. Mulholland, Jr., of Kalamazoo, Mich., wrote NEUBERGER 3 critical letters on May 31: 1 on his personal stationery, 1 on his stationery as city commissioner, and 1 on the stationery of the Mulholland Advertising Co.

Among the witnesses who testified against the bill were representatives of the American Motor Hotel Association, the Pennsylvania Hotels Association, the Advertising Federation of America, the National Outdoor Advertising Bureau, Inc., the Central Outdoor Advertising Co., Inc., the Brotherhood of Painters, Decorators, Paperhangers of America, AFL–CIO, the International Union of Sign Painters, Kansas City local, and the Roadside Business Association.

Former Senator Scott Lucas, Democrat, of Illinois, representing the Roadside Business Association, has led the attack on the bill in Washington. "The legislation by the States which will inevitably be necessary in order for the States to indicate that they wish to adopt the Federal standards, and the litigation which is inevitably the result of that type of legislation will consume years," he told the Public Roads Subcommittee.

"You will be faced with the double specter of a slowly moving (highway) program and the concomitant increases in costs which flow from those delays."

Neither GORE nor NEUBERGER has any idea how much money has been spent by the billboard lobby. It is perhaps more effective because it works primarily from back home rather than in Washington.

CHAVEZ put the Congressional dilemma in these words: "There's no question but that people want to clear up the highways, but it's hard to tell a farmer he can't put a billboard on his farm."

NEUBERGER thinks that if a few roads are billboard free the public will react with so much enthusiasm that it will be much easier to enforce antibillboard bans on additional mileage.

"Once the public sees how much difference it makes it will back effective control legislation," he says.

"In the short time we've been on this continent we've botched up more scenery than anyone else ever did. Switzerland built an enormous tourist industry because it knew people came to look at the scenery, and so it protected the scenery. It has complete control of road signs.

"It's now or never in this country for the Interstate System. Once the signboard operators come in and acquire rights to land we are sunk. We've got to act this year."

THE CONTEMPT TRIAL OF JOHN KASPER AT CLINTON, TENN.

Mr. STENNIS. Mr. President, in the morning hour and not as a speech on the pending question, the motion of the Senator from California [Mr. KNOWLAND], regarding the so-called civil-rights bill, I wish very briefly to refer to the proceedings in the Federal court before Federal District Judge Robert L. Taylor, wherein, among others, a man by the name of John Kasper is being tried for contempt.

This man Kasper is quoted in the press as having made a very bitter attack on the judge of that court. I am not trying to pass judgment on that case, except that I wish to point out such action is a direct contempt of court, if the alleged facts are true. It is certainly not the kind of contempt we are arguing about in the debate on the civil-rights bill. It is not the kind of contempt for which I shall urge there should be a jury trial. So far as I know, no opponent of this so-called civil-rights bill would limit the power of the court to punish summarily for direct contempt.

If the facts be accurate, I have no patience with, and certainly disapprove of, such conduct as this man is now engaging in by denouncing the court.

If I correctly understand the facts, this man is not interested in a solution of the school problem; he is not connected with the local school; and, personally, I know we do not need him or those of his stripe to help us out in our school matters and our school problems. I believe that is pretty much the sentiment of others concerned about our schools.

I point these facts out not to denounce this man, since I do not know the exact facts, but to make a clear distinction between this kind of case and the kind of activity in this field of litigation and in the school question, on the one hand, and, on the other hand, the position of our local people in the various communities, who really build the schools and who carry them on, and the trustees of those schools, who are confronted with the problem of maintenance of the public schools.

It is not this kind of contempt that Kasper seems to be guilty of to which I refer or to which any of us refer, I think, in our discussions of the highly important matter which confronts the Senate, and it is most important that this difference be emphasized.

Mr. ERVIN. Mr. President, as a part of the morning hour and not as a part of the debate on the pending question, the motion of the Senator from California [Mr. KNOWLAND], I should like to make an additional observation about the so-called Clinton, Tenn., case now pending before Judge Taylor and a jury in the district court at Knoxville, Tenn.

I am rather surprised to read or to hear every day that it will be necessary for the jury to convict all the people involved in that case if the Senate is to be satisfied that southern juries will convict guilty persons in civil-rights cases.

In an effort to put some limitations upon prosecutions for contempt for alleged violations of injunctions, there have been rules established by the Government to prescribe procedure in contempt cases of that nature in the Federal courts. The rules provide, among other things, that a person who is not a party to the proceeding in which the injunction was issued cannot be convicted of contempt unless he knew that the injunction was in force and unless he acted in concert with the party who was named in the injunction.

The point involved in this case, so far as the 15 persons other than Kasper are concerned, is, among other things, whether they were acting in concert with Kasper. If they were not acting in concert with Kasper, they cannot be convicted under the Federal rule.

All I know about the merits of the case is what I read in the newspapers; and, if what I read in the newspapers is correct, many of the acts alleged to have been committed by the 15 people occurred after Kasper had left that section of the country and, in my judgment, if that be true, they cannot be convicted,

rightly, of acting in concert with Kasper.

It is a peculiar thing that anybody should advance the notion that, notwithstanding the fact that everybody charged with criminal contempt is presumed to be innocent and cannot be convicted unless the Government establishes guilt beyond a reasonable doubt by testimony, the acquittal of any southerners in any case of contempt demonstrates that southern juries will not convict guilty persons in civil-rights cases.

Mr. DOUGLAS. Mr. President, I wish to commend the Senator from Mississippi [Mr. STENNIS] for the characteristically fine statement which he has made. In the arguments which he has advanced, the Senator from Mississippi has always conducted himself on the very highest level, with not the slightest appeal to passion or prejudice, and with the complete bearing of a gentleman.

While many of us disagree at times with the points of view which the Senator from Mississippi advances, and disagree with him on the bill now being discussed, I wish to affirm publicly what I have frequently said privately; namely, that there is no more just or generous or finer gentleman in public life than the Senator from Mississippi.

Mr. STENNIS. I thank the Senator from Illinois.

Mr. WILEY. Mr. President, I like this attitude of mind. Long ago the prophet said, "Come, let us reason together." Perhaps, following that process, we can settle not only the question now before the Senate, but perhaps some other questions.

Mr. President——

The PRESIDENT pro tempore. The Senator from Wisconsin.

THE INFLATIONARY, DANGEROUS NATURAL GAS BILL

Mr. WILEY. Mr. President, I wish to take a few moments of the time of the Senate to discuss what I think is a very dangerous condition; namely the inflationary situation. There are many causes. The increase of $6 a ton by the steel companies will add impetus to the inflationary trend. But I wish to speak from another angle.

Mr. President, 30 million American consumers were dealt a severe blow yesterday. The House Committee on Interstate and Foreign Commerce, by a vote of 15 to 13, unfortunately approved the gas rate increase bill. This bill is designed to eliminate effective regulation over gas going into interstate pipelines.

The legislative battle now shifts to the House Rules Committee, and thereafter will go to the floor of the House of Representatives.

My purpose in speaking today is once more to sound the alert to the American people.

In connection with the gas bill, there may be diversionary tactics. We may be diverted by the civil rights bill, and by other matters, so that we lose sight of one of the great dangers to our economic health.

Once more I wish to caution the American people the gas rate bill is undoubtedly the most inflationary single piece of legislation coming up for active voting in this first session of the 85th Congress.

Unfortunately, the American people to date, because of their preoccupation with other problems, have failed to recognize this danger.

Of course, the lobbying and propaganda forces of the natural gas industry have been concentrating 365 days a year on passing this proposed legislation. But, by contrast, there is not a single force in the United States which has devoted concentrated and continued attention to opposing this inflationary bill. The organization of mayors of the various cities and few consumer organizations have been able to give to this problem only the spottiest attention. As a result, the evil gas bill may win by default, unless the consumers of this country rise up and demand that it be defeated.

Let me point out that the American dollar is already losing more and more of its purchasing power. On the first day of every month, when 30 million consumers receive their gas rate utility bills, the consumers are going to find, if this inflationary bill shall be enacted, that their dollar will have lost still more purchasing power. So the time to act is now. This gas rate increase bill should not win by default. It must be defeated. The bill must be defeated, because its impact upon the inflationary cycle would be most dangerous to our economic health.

FUNERAL SERVICES FOR SAMUEL P. GRIFFIN

Mr. JOHNSON of Texas. Mr. Presirent, at 10 o'clock tomorrow morning there will be funeral services for the late Samuel P. Griffin, Assistant Doorkeeper of the Senate.

Mr. Griffin had been a Senate employee for more than 40 years. Many of the doorkeepers and employees of the Senate have asked me to make this announcement for the information of Senators.

DISARMAMENT AND COMMUNISM

Mr. CURTIS. Mr. President, I wish to speak on the subject of disarmament. It is true that recent press dispatches indicate that the current disarmament discussions may bog down. Nevertheless, the basic factors involved are of such importance to the long range welfare of our country that I feel duty bound to speak my convictions. I am disturbed over trends, and the actions taken by some of the representatives of our country who appear to be speaking for us in reference to disarmament. I am disturbed by the utterances of others who appear to support those actions.

The Communist threat of world domination is either true or it is nonexistent.

The long record of broken promises on the part of the Soviets is either true or it is false.

The accounts of Soviet outrages and butchery in Hungary are either true or they are false. Soviet threats in the Middle East are either genuine or they are not.

The accounts of slaughter of tens of thousands of Chinese by the Chinese Communists are either true or they are false.

Mr. President, we could go on at some length raising questions about the record of the Communists. I do not believe the answers to the questions that I have raised are debatable. The Communist conspiracy stands indicted before humanity as a cruel, aggressive, war making, murderous clique, seeking to dominate the world.

Mr. President, in support of the answers to questions I have raised I wish to have printed in the CONGRESSIONAL RECORD at this point an article dated July 3, 1957, by that great protector of our security J. Edgar Hoover, Director, Federal Bureau of Investigation, on the present day menace of communism. Also, I include some of the excerpts from the publication of the Committee To Investigate Un-American Activities of the House of Representatives dealing with the activities of the Communists in Hungary and China, and, lastly, excerpts from statements made by our distinguished minority leader, the Senator from California [Mr. KNOWLAND], in which the broken promises of Russia are tabulated up to the date of May 26, 1955.

There being no objection, the material referred to was ordered to be printed in the RECORD, as follows:

"KO" RED MENACE—IT'S EVERYBODY'S JOB

(EDITOR'S NOTE.—Victor Riesel is enjoying the Independence Day holiday. His guest columnist today is FBI Chief Hoover)

(By John Edgar Hoover, Director, Federal Bureau of Investigation)

WASHINGTON, D. C., July 3.—Men risked their lives to secure the freedom which we enjoy in this Republic. They did so deliberately and with full understanding of exactly what they risked. A wise leader had warned them as they emphasized their revolt against tyranny by signing the Declaration: "We must all hang together, or assuredly we shall all hang separately."

With each stroke of the pen, every man present knowingly put his life in jeopardy. Those men took the chance which gained us our freedom, yet no one knew better than the Founding Fathers that the winning of freedom was only a first step. They knew that the problem of maintaining freedom is complex and demanding and they dedicated themselves to its maintenance.

No one recognized more clearly than those early Americans that only by personal accountability could freedom be retained uncorrupted. The concept of government which they projected was based upon individual responsibility. That concept proclaims today, as it did then, "Freedom depends on you. You are accountable."

Public apathy is the sure way to national suicide—to death of individual freedom. Public apathy enabled Hitler's fifth columns to prepare Europe for each Nazi coup. Public apathy allowed the Communists to penetrate and make satellites of once free countries, and it is at present enabling them to honeycomb and weaken the structure of freedom in the remaining countries.

There is today a terrifying apathy on the part of Americans toward the deadliest danger which this Nation has ever faced. Some of that apathy is deliberately induced by elements which desire you to believe that the Communist Party, U. S. A., no longer represents a threat to America. You hear that domestic communism is reduced in

numbers, that it is divided, split, shattered. You read the proclamation of well-meaning, uninformed individuals who, from their mountain of ignorance, maintain Americans are too worried over domestic communism. They charge that citizens who consider the misguided aberrations of a handful of persons to be a danger to our security are mistaken.

The facts indicate the contrary. The Communist Party in the United States is not out of business. It is not dead. It is not even dormant. It is, however, well on its way to achieving its current objectives—which is to make you believe that it is shattered, ineffective, and dying.

When it has fully achieved this objective, it will then proceed inflexibly toward its final goal. And let no one for a moment forget that the Communist Party, U. S. A., is part and parcel of an international conspiracy whose goal is conquest of the world.

The Communist conspiracy will not halt its forward march by itself. It must be halted. We have succeeded for a brief moment in throwing alien-inspired domestic Communists off balance. We must keep them off balance. We must expose them. We must not let them regain the desperately sought cloak of repectability behind which protection they wrought such infinite damage to American security.

Is the Communist Party, U. S. A., small in numbers? So, likewise, it was in Russia when freedom died in that unhappy land. The informed do not measure the strength of the Communist conspiracy in numbers, but by the areas where it finds its support and by its ability to influence, to pull strings, and to wield control.

The United States today is the major bulwark of freedom. We who are aware of the many insidious moves to destroy that bulwark cannot be apathetic. We know the character of the Communist Party. We know it to be an active, effective adjunct of the international Communist conspiracy, and that those who try to minimize its danger either are uninformed or have a deadly ax to grind.

But apathy toward the danger of communism is not the only threat to freedom today. We have been apathetic in other areas. We have not held ourselves accountable. We have allowed men to get by with small violations of the law, and those small violations have suddenly become large violations. The record reflects a high of 2,563,150 major crimes committed during the year 1956. This is 13.3 percent above 1955 and the first total above the 2,500,000 mark.

And what are we doing about it? No one knows better than readers of this column what can happen when public apathy allows the development of a climate where the criminal mob can flourish. The war with the mob must not be left to one man to fight, or even a few men.

A President of the United States summed up the individual's responsibility in a message to Congress:

"It is the duty of a citizen not only to observe the law but to let it be known that he is opposed to its violation."

SYNOPSIS

Two leaders of the Hungarian revolution who are now in the United States testified before the staff of the Committee on Un-American Activities on March 20, 1957.

The witnesses, Sandor Kiss and Janos Horvath, fled from Hungary to escape arrest after Red army reinforcements crushed the uprising last November. Mr. Kiss is secretary general, and Mr. Horvath a member, of the executive committee of the newly formed Hungarian Revolutionary Council, comprised mainly of Hungarian freedom fighters.

Mr. Kiss and Mr. Horvath, both officials of the last free Hungarian Government, declared that Hungary today is in the grip of a "reign of terror imposed by the Red army and reconstituted Hungarian security troops."

"The present situation in Hungary is one of terror, of people being taken to prison and torture chambers and being executed virtually without a hearing," Mr. Horvath declared.

In addition, he said, the number of unemployed has risen to around 350,000 and many of these are actually starving. Mr. Horvath estimated "conservatively" that between forty and fifty thousand Hungarians had been deported to the Soviet Union after the suppression of the revolution.

Mr. Kiss estimated that between fifteen and twenty thousand people were killed in the uprising, in contrast to the official report of only 1,800 deaths.

"Most of these," Mr. Kiss added, "were people who gave themselves up with the understanding that they might be pardoned and then were ruthlessly murdered by the Hungarian Government and the Soviets."

"In the town of Miskolc in the northwestern part of Hungary," he said, "56 people were summarily executed for participation in the revolution. In nearby Eger, 23 were executed." The toll in some other towns, he said, included 17 in Salgotarjan; 19 in Pesterzsebet; 20 in the Bakony Forest, one of the resistance centers; and 11 in the mining district of Komlo. Similar executions were carried out in almost every town and village throughout the country by the Red army, he declared.

Most of the casualties of the fighting, Mr. Horvath declared, were "peaceful bystanders." Between five and six hundred people, he said, were killed in a period of a half hour as they watched a battle before the Parliament building in Budapest. Among them were a number of children.

"Actually," Mr. Kiss stated, "it is an error to consider the uprising and subsequent Soviet intervention an internal affair. In reality it was a 'Soviet-Hungarian war.'" He continued:

"On the 23d of October in a matter of 3 hours Hungary won its freedom. Ninety-nine percent of the people agreed that communism and Soviet domination must be ended * * * The heroism of the youth worked a modern miracle. The Hungarian people took up the fight and in 5 days from October 24 to 29 they conquered the Soviet Army that was arrayed against them."

Mr. Kiss and Mr. Horvath stated that the Soviets were originally prepared to recognize the regime established by Imre Nagy and decided to invade Hungary only when the "vacillation and inactivity of the U. N." indicated that they could do so without risking reprisal from the rest of the world.

"If the U. N. had succeeded in sending an observer team into Hungary and had championed the cause of the Hungarians, this would have been of great benefit because it would have meant that the U. N. and the Western World recognized Hungary's right to self-government, freedom and independence," Mr. Kiss declared.

The Hungarians today feel that the free countries of the world betrayed them, Mr. Horvath declared. "This is the feeling of the Hungarian people. That I want to emphasize."

Mr. Kiss asserted that it would have been "an extremely valuable step" if the United States and western governments had severed diplomatic relations with the Soviet Union and satellite nations upon the invasion of Hungary by the Red army.

"It is ironic," Mr. Horvath continued, "that fear of the Soviet Union is much greater outside of Hungary than inside the country.

"The Hungarian people themselves are not afraid of the Soviet Union but as you reach the border this feeling becomes progressively more intense. In other words, the fear of the Soviets seems much greater here in the West than it does in the countries behind the Iron Curtain."

The witnesses reported that despite the repressive measures imposed upon the Hungarians by the Soviets and puppet Kadar regime, the people of Hungary have not lost their hope.

Mr. Kiss concluded: "The quest for freedom and liberty has become a religion in Hungary. The people say that it is better to die than to live under such conditions. They are ready to do so."

SYNOPSIS OF TESTIMONY FEBRUARY 1, 1957

Dr. Chiu-Yuan Hu is an adviser to the Chinese mission of the General Assembly of the United Nations. He is a professor of modern history at the National University in Formosa. His testimony is based on an extensive system of contacts which he has been able to maintain with sources of information inside of Red China. Highlights of Dr. Hu's testimony follow:

That the Chinese Communists have physically exterminated 20 million human beings since they took over the mainland of China in 1948; that some 25 million more Chinese are in prison, brainwashing schools, or in slave-labor camps; that Chinese youth from kindergarten to the university are being taught to hate America by what is known as the three-look movement—look to America with hatred; look to America with contempt; look to America with superiority.

Dr. Hu also ridiculed the claim, often advanced by advocates of recognition of Red China, that the Communists had established "effective control" over the mainland. He said that the Chinese Reds themselves in their radio broadcasts, as well as printed material, quote statistics on hundreds of thousands of counterrevolutionary bandits" having been exterminated. Dr. Hu testified that this could only mean that there are military operations, guerrilla warfare, and widespread resistance in extensive areas throughout China.

Dr. Hu also testified that the annual export of narcotics from Red China is steadily increasing and is estimated at 1,500 tons for 1956. This tremendous amount of narcotics is sold all over the world, and the money realized is immediately converted within the same country into subversive channels, thus effectively removing from police detection the sources of funds used by local Communists.

Dr. Hu also ridiculed as wishful thinking the notion that the Chinese Red leadership might, at some time in the future, follow the example of Tito. He stated that all the leading Chinese Communists had been trained in Moscow and that the Chinese Communist Party is the only Communist Party which has never had a schism, split, or any serious deviation from the line as laid down by the Kremlin.

Dr. Hu estimated that there were some 50,000 Soviet advisers, technicians, and experts in Communist China today helping the Reds develop their industrialization and militarization programs. He also said that the Soviets had an iron grip on strategic resources, including oil and uranium in the provinces of Sinkiang, Mongolia, and Manchuria, and that Manchuria is being developed by Russia and Red China into a gigantic military buildup area for future use against South Korea and Japan.

Dr. Hu also testified that several billion dollars of American property invested in churches, hospitals, schools, and missions had all been seized by the Chinese Reds and converted to Communist use.

Dr. Hu concluded his testimony by warning Americans against the danger and fallacy of "coexistence with the Moscow gangsters." He also stated that admission of Red China to the United Nations, or United States recognition of Red China would mean the death knell of anti-Communist resist-

ance on the part of 500 million Chinese who historically and traditionally have been friendly to this country. Dr. Hu laid the blame for the loss of China to the Communists on "pseudo experts on the Far East" in this country.

RUSSIA'S RECORD: 52 AGREEMENTS, 50 BROKEN

"For the past quarter of a century the Soviet Union has violated 50 out of 52 international agreements," into which it has entered, warned Senator WILLIAM F. KNOWLAND, Republican, of California, in addresses made May 20 and May 16 in New York and Cleveland, Ohio.

"It would be the height of folly to let down our guard and allow the neutralization of our allies," he told the United States Conference of Mayors meeting in New York. He said that in view of the Russian record of violating international commitments, "one would have to be naive indeed to believe that the leopard has changed its spots."

In addressing the Cleveland Engineering Society, Senator KNOWLAND referred to a long list of treaties and agreements involving the United States and nearly every country in Europe and Asia, and dating back to the early 1930's.

MANY TREATIES BROKEN BY RUSSIA SINCE WORLD WAR II

"Among the treaties and agreements concluded with and broken by the Soviet Union since World War II are: Yalta Agreement; Potsdam Agreement, armistice agreement relating to the function of the Allied Control Commission in Hungary, Bulgaria, and Rumania; peace treaties with Hungary, Bulgaria, and Rumania; Cairo declaration, reaffirmed at Potsdam and subscribed to by the Soviet Union; the Soviet-Iranian Treaty of Friendship of 1921; Declaration of Teheran; Potsdam declaration defining terms for Japanese surrender; and the Sino-Soviet treaty and agreements of August 14, 1945."

The only two agreements kept by Russia involved its promise to enter the fighting against Japan in World War II—2 days after the United States dropped the first atom bomb on Japan, and the agreement to permit western allies aerial corridors to Berlin.

The magazine, U. S. News & World Report of May 20, 1955, observed that "If history is a guide, the chances are 25 to 1 that any agreement reached will be violated by the Soviet Union. Those odds favoring a violation go up to almost a sure thing if it appears to Russia that there is more to be gained than to be lost by violating the agreement." The magazine stated that an analysis of past treaties and agreement with Russia shows:

"Since 1933, on major issues, United States and Russia have come together in 3,400 meetings.

"In these meetings, negotiators have spoken 106.5 million words.

"All this talk has led to 52 major agreements.

"Of these: Russians have broken 50 agreements."

U. S. News & World Report showed that on issue by issue, talks with Russia had the following results:

"Control of atomic weapons: 8 years of talks, about 200 meetings. No results.

"Unifying Germany: 11 years of talks, about 1,200 meetings. No results.

"Lend-lease settlement: 7 years of talks, 85 meetings. No results.

"Disarmament: 7 years of talks, more than 100 meetings. No results.

"World peace: 8 years of talks, about 1,400 meetings. No results.

"Austrian Treaty: 9 years of talks, nearly 400 meetings. Agreement."

Senator KNOWLAND called attention to a House Foreign Affairs Committee report of August 25, 1950, entitled "Background Information on the Soviet Union in International Relations."

The House report lists seven agreements dealing with Austria made between 1945 and 1950 by the Soviet Union and the western allies. All of these agreements have been violated.

The same report, for example, also lists 14 agreements and treaties made between Russia and the western allies since 1944. Each agreement has been violated.

Mr. CURTIS. Just why then is the United States sitting down to discuss disarmament with such a group? Are we basing our actions on the belief that this time Communist Russia will keep her promises and abide by whatever treaty she may enter into? If it is our belief that Russia will live up to her agreements what then is a reasonable explanation of her past record?

What price do we pay for our mistakes if we rely on the Russian Communists to live up to their agreement and they fail to do so? Such an error could mean not only the defeat of the United States but disaster to civilization of peoples remaining free today.

Are we proceeding with the question of disarmament knowing that the Russian Communists are not truthful and that they do not live up to their commitments, but, nevertheless, believing that we can develop a rascal-proof system of inspection? I am not prepared to say that such a system of inspection can or cannot be perfected. I merely point out that if we should attempt it and fail, the results would be disastrous.

The question that arises, suppose the system of an inspection is effective and workable and that the Russian Communists do stop testing and building atomic and nuclear weapons and the United States, in turn, likewise stops the testing and building of atomic and nuclear weapons, what then?

It means then that communism and the free world are pitted against each other on the basis of hordes of manpower and conventional weapons. To be explicit, it means that the Russian Communists then have the advantage.

It is the predominance of the United States in these superior and advanced weapons that restrains the Russian Communists today. It is this superiority in weapons which gives to America, and to the fine men who must fight for her, a chance to win. Mr. President, if the course charted by those who would lead us into a disarmament commitment with Soviet Russia were to succeed, we would end up surrendering our advantage and being at a disadvantage in a contest with the most unholy, ungodly, cruel, and inhuman conspiracy that ever existed upon the earth.

Mr. President, I have much faith in the patriotism and inherent wisdom of the American people. In times of great danger they can sense what is right. I believe that they exercised such wisdom in reference to an issue put up to them in 1956.

An able and distinguished candidate for the Presidency of the United States advocated the ending of the testing of atomic and nuclear weapons. The rank and file of the American people are not scientifically trained. Yet they knew that this was striking a blow at the security of our country. The people knew that it would be foolish to manufacture rifles and never test them to see whether or not they would shoot, or that it would be foolish to manufacture airplanes and never test the engines. In other words, a ban on the testing of these superior weapons means the discarding of their manufacture and eliminating their readiness for the protection of our country. The American people knew that such a proposal would lead to the United States abandoning and surrendering its advantage in this contest for human liberty. The proposal advanced by this candidate was rejected by millions and millions of Americans. It was rejected by mothers and fathers whose sons would have to fight for this country if war comes. They did not want America's modern weapons to be discarded and our advantage given to those forces in the world which do not value human life and whose superior weapons constitute limitless hordes of manpower and conventional weapons.

By what right and upon what basis is the decision so recently made by the American people on this vital issue abandoned at this time?

By my foregoing remarks I do not mean to indicate that I believe the ultimate solution to the problems of mankind rests with brute force, weapons of destruction, and armaments. I reject that thesis. I believe the ultimate solution of the problems of mankind, both collectively and individually, will be reached only by a spiritual regeneration of the hearts and minds of all people and their leaders. In other words, our hope lies in the spreading of Christianity to all the earth. This is the ultimate goal that we must strive for if we would save ourselves from the burdens of armaments. Reliance upon an agreement with an evil conspirator with her record of barbarism and broken promises does not cause us to move any closer to the noble objective for which we strive. But, it can destroy the strength that we need to survive until that day comes.

Mr. President, I have grave doubts that the proposals for disarmament, including the cessation of testing weapons, has the support of America's leaders in the atomic field, the leaders among our military, or those who know communism best. I sincerely hope that this foolish course will be abandoned before we reach a point where we must go forward to fatal error.

FLOOD DISASTERS IN MINNESOTA

Mr. HUMPHREY. Mr. President, since the flood disasters in Minnesota began in the middle of June, the Governor of Minnesota and I have been doing everything possible to bring about coordinated, incisive action on the part of the Department of Agriculture to deal with the situation.

On Monday of this week, following a detailed tour of the flooded areas, I wrote to Secretary of Agriculture Benson requesting that his State USDA Disaster Committee meet for the first time to consider how best to deal with the very serious problems caused by the floods and heavy rains.

I was pleased to be informed last night that the State committee did meet yes-

terday, and that perhaps we are going to have some action at last.

At the same time, I have requested the Secretary of Agriculture to act on six specific programs for the relief of farm families badly hurt by the disaster. They are the following:

First. Immediate action in the northwestern flood area permitting farmers to ease emergency feed situation by grazing on soil-bank acres or taking hay from these acres, without penalizing the farmers who placed the acres in the soil bank by withdrawing their soil-bank payments. This would cost the Federal Government no money, and ought to be expedited this week while the hay crop is ripe for harvest.

Second. Urgent action to extend the emergency designation by the Secretary of Agriculture to all counties requested by the Governor of Minnesota, permitting FHA 3-percent emergency loans under Public Law 38. At week's end, only 4 counties had been designated, of the original 13 requested by Governor Freeman.

Third. Immediate action under title III, section 301, of Public Law 480, to make available Government-owned feed from Commodity Credit Corporation stocks. Also, immediate action under section 2 (D) of Public Law 38 to subsidize farmers in their hay needs for foundation herds of cattle to the extent of $7.50 per ton.

Fourth. A special ACP program to give payments to flooded-out farmers to restore the productivity of their land through conservation practices such as deep tillage, summer fallow, and green cover. Following the Missouri River floods, affected farmers received from $5 to $6 per acre under a similar program.

Fifth. Action to increase the intensity of the soil-conservation service programs in the counties which have suffered severe soil erosion and soil damage from the recent floods, particularly in the basin of the Redwood River.

Sixth. A liberal interpretation of the Public Law 38 regulations to permit the extension of 3-percent loans over a longer period than 12 to 18 months. The real credit needs of farmers in the area would be met by a 3-year repayment program. At the minimum, the regular 5-percent program should be liberalized to permit farmers already heavily in debt to survive this disastrous year, and to work their way back to a solvent position over the next 5 years.

Mr. President, this morning a telegram was delivered to me from the Governor of Minnesota indicating the request which he has made to the Secretary of Agriculture for immediate action along these lines. I ask unanimous consent to have printed at this point in the RECORD a telegram from the Honorable Orville L. Freeman, Governor of Minnesota.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

ST. PAUL, MINN.,
July 9, 1957.

Hon. HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.:

Following night letter sent to Benson tonight. The following counties have been designated as disaster areas pursuant to the provisions of Public Law 38, 81st Congress, as amended: Lyon, Yellow Medicine, Brown, Redwood; additional counties have been recommended for certification as disaster areas: Blue Earth, Nicollet, Lesueur, Sibley, Carver, Renville, Chippewa, Kandiyohi, Pipestone, Swift, Clearwater, Polk, Pennington, Red Lake, Kittson, Roseau, Marshall, Lincoln, Lac Qui Parle. I request that the following additional counties in Minnesota: Scott, Wright, Anoka, Beltrami, Stearns, Dakota be also certified as disaster areas. The following kinds of assistance within your authority are imperative for the agricultural producers involved:

1. Provisions for economic disaster loans:

(a) Direct loans, which, I'm informed, under section 2b of Public Law 115, 83d Congress, be made by the Department for an extended period of time at not more than 3 percent interest.

(b) Special emergency loans under Public Law 38. I would call to your attention reports from the Minnesota commissioner of banks which indicate that Minnesota banks have curtailed the availability of local credit services because of FHA insistence on the obtaining of prime security. This serves to limit rather than increase the amount of credit available to farmers.

2. Acreage conservation payments should be made for inundated and eroded acreage in the affected areas in Minnesota. These payments should cover removal of debris, gravel, repairing of private drainage facilities, green cover, and summer fallowing.

3. Review of Federal legislation leads us to the opinion that direct grants can be made. I am informed that such grants were made in the State of Missouri in 1951 and I request that such grants be made now to farmers in Minnesota.

4. Under the provision of the Soil Bank Act, I hereby request that Minnesota farmers be permitted to graze soil bank acreage and furthermore, that soil bank payments not be reduced because of such action. If you so desire, the State of Minnesota will be happy to work out a coordinated program whereby public authorities supervise and collect the hay and forage on soil bank acres and distribute them where needed.

I've been concerned about the apparent lack of coordination among Federal agricultural agencies in Minnesota during this emergency situation. Many complaints have been made to my office relative to confusing statements as to what benefits are available and what help the farmers can expect. For this reason, I have asked the State director of the farm home administration, his assistant and his chief counsel, together with the State chairman of the agricultural conservation and stabilization administration to meet with me in my office at 9 on Friday morning, July 12. I understand that Mr. Kermit Hansen, Federal Director of the FHA, is in Minnesota and I would appreciate your asking him to attend this meeting. I would appreciate by return wire your response to these questions so that they can be discussed at this meeting.

ORVILLE L. FREEMAN,
Governor of Minnesota.

Mr. HUMPHREY. Mr. President, this morning I formally requested the Secretary of Agriculture to take immediate action to relieve an emergency feed situation in the northwestern counties of the State of Minnesota. I am hopeful that the Secretary will act on this request, for it will cost the taxpayers nothing and will speedily ease the feed situation in those counties. I ask unanimous consent to have printed at this point in the RECORD my letter to Secretary Benson, dated July 10, 1957.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 10, 1957.

The Honorable EZRA TAFT BENSON,
Secretary of Agriculture, Department of Agriculture, Washington, D. C.

DEAR MR. SECRETARY: In a telephone conversation yesterday with the coordinator of your emergency feed program, Mr. James Browning, the emergency feed situation existing in the basin of the Clearwater and Lost Rivers and Ruffy Brook in northwestern Minnesota was brought to his attention. This area of five counties—Red Lake, Pennington, Polk, Clearwater, and Marshall—is suffering a severe feed shortage which can be at least partially met if there is action taken during the next 5 or 6 days to use the existing feed available on soil-bank acres fortunate enough to have been on higher and better-drained ground than most of the countryside.

Specifically, farm leaders in the area have requested, in a resolution unanimously passed by some 300 farm leaders of the area on Friday evening, July 5, 1957, that permission be granted to permit the taking of hay or the pasturing of livestock on soil-bank reserve acres—without the loss of $6 per acre to the farmer owning the acreage.

My suggestion is that some official agency, perhaps the local ASC committees, be permitted under Public Law 875 to oversee the harvesting of the hay on these soil-bank acres in the cited area, and its distribution to farmers who are suffering a critical shortage of feed and funds. If the hay standing on these acres is to be useful for animal consumption, it will have to be cut within the next several days, according to the estimates of farm leaders in the area.

I make this suggestion today, hoping that a decision might be made to proceed with the harvesting of those hay stocks this week, even before the State USDA Disaster Committee meets with farm leaders in the area on July 17.

Sincerely yours,

HUBERT H. HUMPHREY.

VISIT BY SENATOR HUMPHREY TO THE NEAR EAST AND AFRICA

Mr. HUMPHREY. Mr. President, since I returned from a visit to the Middle East in my capacity as chairman of the Senate Subcommittee on the Near East and Africa, I have prepared for publication several articles containing some of my impressions. One of these articles has just appeared in the new magazine Western World. The article is entitled "A Chance To Save the Middle East."

I ask unanimous consent that the text of this article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A CHANCE TO SAVE THE MIDDLE EAST

(By Senator HUBERT H. HUMPHREY) [1]

The outcome of the crisis in Jordan gives the United States an opportunity to embark

[1] Mr. HUMPHREY is a member of the powerful Senate Foreign Relations Committee, chairman of the Special Committee on Disarmament, chairman of the Foreign Relations Subcommittee on Far Eastern and African Affairs. He served as a delegate to the U. N. at the last meeting of the General Assembly. He has just returned from a fact-finding tour of the Middle East as an official representative of the Foreign Relations Committee.

upon a policy which, if wisely developed in cooperation with other North Atlantic Treaty Organization countries, has a chance of saving the Middle East—without further war, without further loss of essential oil supplies, and without any impairment of the State of Israel.

This policy will include the practical application of the vaguely worded Eisenhower doctrine offering United States military protection for anti-Communist purposes and economic aid to those Middle Eastern governments which ask for them. This doctrine—it should never be forgotten—is merely another local extension of the Truman doctrine of giving aid to countries menaced by Communist violence or subversion. The Jordan crisis enabled the United States administration to demonstrate that the United States still has both the will and strength to act to protect her vital interests. Sending the Sixth Fleet was no empty threat. I am convinced that this lesson has not been lost upon the Russians.

But military moves do not add to policy. In the Middle East, the United States is seeking to promote nothing but peace and the people's material development. In this task we do not have the handicap of historic domination over Arab peoples with which Britain and France, however justly or unjustly, are burdened.

Of course, one of the tragedies of recent months was the fact that the United States, in my judgment, shares responsibility for the unhappy Suez debacle. A properly functioning NATO might previously have evolved a common policy or at least have eliminated that element of surprise which was a chief cause of the sudden shattering of mutual confidence among NATO countries. That must never happen again.

In the development of a new Middle Eastern policy, the United States should nevertheless rely as much as possible upon other NATO countries, particularly upon Greece, Italy, and West Germany which have not lost credit with the Arab peoples. There should always be consultation and if possible coordination.

We should also utilize the resources of the United Nations wherever possible, and in giving economic aid, rely as much as possible upon private agencies.

CONDITIONS FOR STABILITY

Before the Suez seizure, CARE, that great, benevolent organization, was feeding every day no less than 3 million Egyptians. Now that number has dropped to a bare 100,000. Yet the U. N. continues to feed, at a daily cost per person of 27 American cents, almost a million Arab refugees. Of this sum the United States alone pays 75 to 80 percent.

An increased amount of outside aid, including food and medicaments, of private business investment and a regional development plan, plus a wise and prudent application of the Eisenhower doctrine—these together offer some promise of a stabilized Middle East.

I am not overlooking or minimizing the difficulties. I recognize that President Nasser of Egypt dislikes the West and distrusts America. He is apparently oblivious of the Soviet danger. He still nourishes his ambition of making Egypt the nucleus of a united Arab Empire extending from the Atlantic to the Indian Ocean. Peace demands that these dreams and ambitions either be renounced by Nasser or be thwarted. It appears that present policy is promoting the isolation of Nasser and the shrinkage of his influence. Both have already occurred in all Arab countries with the exception of Syria and Yemen. Hence the bitterness with which Nasser expressed to me personally his opposition to the Eisenhower doctrine and the Bagdad Pact, both of which he considers a limitation on his full freedom of action.

But his strong words did not alarm me overly. For Nasser is more vulnerable than his apparent victory in the Suez Canal affair led many to assume. His weakest spot is Egypt's undeveloped economy and incredible poverty.

EGYPTIANS RESTLESS

The Egyptians, even the Egyptian masses, are no longer quite so passive as they were. For they have heard Nasser's promises of a better life. They expect him to produce it. Unless he starts to deliver in the near future, he could expect internal troubles.

Moreover, I came away from a 3-hour interview with Nasser convinced that he would like to modernize Egypt, provided in the process he can both keep his personal position and further his dream of Pan-Arabism. But Nasser cannot expect a poverty-stricken Egypt to usurp Arab leadership from such comparatively rich countries as Iraq, Lebanon and Saudi Arabia after his defeat by Israel. To stage a comeback he desperately needs money—and progress at home.

Where can he get money? Possibly, of course, from Russia. But so far the Russians have given him little and I suspect they now consider him as a rather poor horse in any international race. Yet unless they speedily come to his assistance, Nasser must seek funds where he can get them. Already he is allowing British business interests to return quietly to some of their old positions. Responsible and reasonable operation of the Suez Canal is the price of any new aid from the West, as well as needed and satisfactory canal revenues. Therefore, I have the impression that Nasser will act reasonably provided he can do so without making public acknowledgment of his concession. Defeat by Israel—make no mistake—has cost him some of his previous high prestige with the other Arab governments. It has also facilitated the American policy of keeping him isolated so long as he, with his Syrian and Yemenite allies, persists in pursuing his anti-Western, pro-Soviet policy. And never forget that his (discovered) practice of using his military attachés in other Arab capitals as agents to overturn the local government has cost him official disfavor in Libya, Lebanon, and Jordan.

It therefore seems to me that Nasser can no longer successfully block a wise and generous policy of which American military protection and economic aid are the spearheads. These policies are encouraging Arab leaders to take a stand and resist not only communism but also Nasserism.

But what about Israel? Clearly, no Western or United States policy can hope to succeed anywhere in the area if the Arab-Israeli feud is permitted to explode into a third armed conflict. How in all fairness can such a new conflict be prevented?

Perhaps it cannot. But I have returned to Washington from my recent quick trip to four Middle Eastern countries more optimistic than when I left it. For I think I begin to see certain elements of what might be called not a real peace of course, but a truce of convenience. This, if it comes about, will be based upon certain new factors.

RESPECT FOR ISRAEL

The first new factor is the increased respect for Israel as the direct result of that country's blitz victory over Egyptian armies equipped with the best Russia could provide. If it dared to defy the other Arabs, Lebanon would long since have made peace with the Israelis, Iraq and Saudi Arabia will—perhaps must—maintain theoretical hostility to Israel, but even they seem for the first time ready to admit the political existence of that country. Syria and Egypt remain outwardly obdurate but both are weak—as is now apparent. Furthermore Nasser now gives indications of being less obstinate on certain issues relating to Israel's Egyptian relations, such as the Gulf of Aquaba and use of the Suez Canal.

And Israel is a strong, going state. This year it expects to welcome another hundred thousand Jewish immigrants, most of them not Oriental Jews of medieval outlook, but highly educated and efficient citizens from places like Poland. Premier Ben Gurion said to me:

"I suppose you think our greatest problem is Arab hostility. It is not. Our greatest problem is providing a living for all the new immigrants. But we shall do it."

To an American liberal, Israel is a marvelous country. A place without rich or poor, a free democracy. I spoke with a young Jew recently arrived from Yugoslavia:

"Here for the first time in my life," he said, "I feel like a whole person. Back in Yugoslavia, I disliked the monarchists because they were anti-Semitic. And I hated the subsequent Communist dictatorship. But here * * * wonderful."

Curiously enough, Israel has been kept in its present state of high efficiency precisely by those Arab pressures which were intended to destroy it as a nation. If, as Guy Wint wrote in the June number of Western World, Israel should become a "new sparta," (which I feel she will not) the Arabs alone will be responsible. Some of them are beginning to realize this. Here may lie the beginning of a truce of convenience that with time can become peace or even cooperation.

CONDITIONS FOR TRUCE

What are the conditions? In my opinion, something like these:

First, the United States, Britain, and France should renew the declaration of 1950 guaranteeing existing frontiers except so far as they may be modified by peaceful negotiation.

Second, they should support the UN Truce Supervision Commission in its efforts to prevent further embittering frontier incidents. I would also recommend the creation of a UN Good Offices Commission to seek any areas of cooperation.

The other NATO countries, along with other nations, should, with the United States, then create a Middle East Development Administration, perhaps tied in with the European common market and a new Mediterranean trade area. This development organization should not aid single countries but groups of countries, including both Arabs and Israelis. I have the impression that, despite past Arab objections, a beginning can soon be made on river control. Water is the life of the Middle East. If a beginning is made with Jordan water, other steps will follow.

The next concern should be the Arab refugees. Here Israel should take the initiative and announce that it will welcome back a certain number of the Arabs now rotting in camps along the borders, and compensate others, provided at the same time the Arab governments agree to resettle the remainder in Arab countries with American and UN help. Once Israel makes a reasonable offer, then it will be up to the Arabs. If they still insist on maintaining the camps as festering sores precisely because they are sores, then I as a United States Senator shall urge my Government privately and discreetly to let the Arab governments know that the United States will cease contributing to the refugees' upkeep and let the Arab governments look after them after a certain date. I certainly trust I shall never have to do this, but it might be necessary.

EGYPT RESIGNED TO ISRAEL TRAFFIC

But what of today's other "insoluble" differences? I refer particularly to the disputes over Israel's use of the Suez Canal and the Gulf of Aqaba. My impression is that the Arabs are resigned to seeing Israeli ships use the gulf and Israeli cargoes (if not ships) pass through the canal provided they are not

expected to make public acknowledgment of any change in their basic opposition. If the Israelis should send a test ship through the canal under their own flag, I dare hope that neither side will use violence and that the issue can be brought to the World Court for a decision. I did gain the impression from my visit with Nasser, that the Suez issue could and would be met peaceably.

If all this seems optimistic, please note that by the time I left Israel two or three tankers carrying Iranian oil had docked at Elath on the Gulf of Aqaba. The Iranians have said they would sell no oil to Israel (and perhaps they did not) and the Saudis had boasted that they would stop shipments. But there were the tankers. Others will follow—provided, as I said, that no Arab leader is asked publicly to swallow his previous boasts or to back down or explain.

All these little facts make me hopeful of a coming relaxation of Middle Eastern tensions. For I am convinced that a combination of firmness backed by military strength, generous economic aid and understandable face saving may accomplish what will look like a miracle.

To be sure, it may not. To most westerners, there is something baffling in the Arabs' passionate preference for nourishing a grudge rather than accepting a settlement from which they can only benefit. Why have the Syrians been perversely ready to forego the benefits of larger crops through irrigation rather than share the waters of Jordan with Israelis? Why are Arabs generally still indignant against westerners whose imperialism was only the reversal of former Arab and Asian conquests of parts of Europe? Why do they persist in the kind of anti-Israel policy which may end by driving the exasperated Israelis into exactly the type of territorial conquest which the Arabs claim most to fear—and lack the power to prevent?

Foreigners in Egypt offer an explanation in the form of an anecdote.

A scorpion, wishing to cross the Nile River and unable to swim, asked a passing frog for a ride.

"Certainly not," said the frog. "If I take you on my back you will sting me to death."

"No," said the scorpion, "for if I did you would drown and I should drown with you."

"True," agreed the frog. "Get on my back and here we go across."

But in the middle of the Nile the scorpion suddenly stung the frog.

"Why did you do that?" cried the unhappy frog. "Now I shall sink and you will go down with me. You are not logical."

"True," gulped the sinking scorpion, "but this is the Middle East."

That indeed is the way it has been. But things are changing. If we can avoid war and continue our restraining influence and tangible benefits, there is some hope of a more logical development.

Mr. HUMPHREY. Mr. President, I also prepared a series of four short articles concerning Israel. I ask unanimous consent that these, too, be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

ISRAEL: MIRACULOUS LAND OF COURAGE AND CONVICTION

(Following is the first of a series of four articles by Senator HUBERT H. HUMPHREY, Democrat, Minnesota, describing his impressions and observations during a tour of Israel as part of a foreign relations study mission into the Middle East.)

(By HUBERT H. HUMPHREY, United States Senator)

In one of the oldest areas of the world in terms of history, it is quite an experience to find perhaps the most youthful spirit of the 20th century. That is the paradox of Israel today. Israel is a country rich in tradition. Every mile of its land is like a chapter of ancient history. Yet, it is today a nation filled with dreams of tomorrow, motivated, strengthened and sustained by a centuries-old culture and faith.

Israel is a political and economic oasis in the Middle Eastern desert of feudalism, economic imbalance, and grave social inequities. Indeed, there is a most remarkable spirit of national unity in the State of Israel. There is a sense of pride in national accomplishments and confidence in the national ability to meet whatever the future may hold.

Among my many vivid impressions of Israel, etched deepest in my memory perhaps is the evident spirit of youth. Every place you see children, and in every walk of life young people are taking a decisive and important role. Coupled with the enthusiasm of youth, one notices the strength and steadiness of those who have found early maturity by the shouldering of responsibility.

In Israel the attention is upon people and water, rather than upon privilege and oil.

The Israelis have proven themselves skilled conservationists and excellent farmers. They have turned rock into soil, barren hills into forests. Water is regarded as a precious resource. There is an overall comprehensive nationwide plan to obtain maximum utilization of water resources. Pipeline construction, small dams, and well-drilling operations are pressed forward, particularly in the southern part of the country. Irrigation makes possible as many as three crops a year in some agricultural areas. The land is fertile and productive, when the life-giving water is made available.

I was tremendously impressed with what I saw—the terracing, the tree planting, the orchards, and the fields of grain. Upper and lower Galilee are very productive areas, and particularly beautiful. The hills of Judea are again being made fertile and productive.

One gets the feeling in Israel that everything is possible.

When the long-established Hebrew university was cut off from Israel by the armistice agreement of 1949, thereby leaving the Hebrew university in Old Jerusalem on the Jordanian side of the border, the Israelis determined to build a new university. Yes, a new Hebrew university is now under construction in the suburbs of New Jerusalem. It has a beautiful location, and will be one of the great centers of learning and culture in the Middle East. To those Americans who are the friends of Hebrew university, may I say that to see it is to be proud and pleased with the good work.

And then there is the new Hadassah Hospital, under construction on a towering hill overlooking the valley into the city of New Jerusalem. It is like a sentinel guarding the health and well-being of the people. Hadassah Hospital will be one of the greatest medical centers in all of Europe and Asia. It is well under construction. Knowing how much work and energy the ladies of Hadassah in the United States have given to raising funds for construction of the hospital, it made me feel warm and happy to see this magnificent health facility becoming a reality. It will be staffed with well-trained doctors, nurses, and technicians, giving medical care not only to those who need hospitalization but out-patient service as well.

I visited the new port of Elath. I saw the construction of the 8-inch pipeline from Elath to Beersheba—the building of docks and improvements in the harbor—yes, and the oil tank field at the head of the pipeline. I saw a freighter in the port from Africa. The day before there had been another oil tanker from Iran.

Elath has grown from a community of around 200 to 2,000 in the last 2 years—and is expanding rapidly. Everywhere there is building—homes, new roads, water, and modern sanitary facilities.

Israel plans to build two more pipelines—a 16-inch and a 32-inch line. Her problem is capital. The French have indicated an interest. Surely in light of the uncertainty of the Suez Canal, alternative facilities for the shipment of oil to Mediterranean ports for western Europe should be assured.

I saw the copper refinery which is being constructed near the site of the copper mines of King Solomon. This processing plant when completed will produce copper that will find a ready market in Europe, greatly strengthening Israel's economy.

It has taken vision and courage to make the necessary investment, and it takes imagination and great faith, plus physical stamina, just to build this copper processing plant. One can hardly comprehend the magnitude of the problems involved—the transportation of the necessary building materials, the recruitment of skilled labor, the incredible engineering problems in the construction of this modern refining facility.

But the Israelis are doing it—just as they have accomplished everything else they have undertaken.

Israel will need more capital if she is to continue her program of progress and development. But above all, she needs faith from people outside of Israel.

The people of Israel are convinced they have a great future. They already have a memorable history. What Israel needs now is the dedication and faith of her friends.

ISRAEL AND UNITED STATES HAVE MUCH IN COMMON

(The second in a series of four articles)

The spirit and story of 20th century Israel is reminiscent in many ways of the old American West.

One finds the same easy informality, the same feeling of self-reliance, and the same kind of courage and daring by which a pioneer people lives. Yes, even the topography reminds an American of our own west.

I covered Israel from the Lebanon border on the north to the Gulf of Aqaba in the south, and from the Mediterranean to the Jordanian border in the east. Even the remote area around the port of Elath is much like our own southwestern desert.

An American can feel very much at home in Israel—that is, an American who loves adventure, and who realizes that our own great country was once a little nation wedged between the sea and wilderness.

America and Israel have much in common. Both countries had to fight for independence. Both had powerful forces for many years alined against them. The people of both countries had to conquer a wilderness. Each people learned to sacrifice, and to share. In both nations, there is a spirit of equality which lends dignity to labor and strengthens the drive toward achievement and progress.

Is it any wonder, therefore, that Americans are sympathetic to the State of Israel? We Americans like people who dedicate their energies to building, creating, and developing the physical and human resources. We like people who can face adversity without fear. To be frank about it, we like people who are willing to stand up and fight for their rights. And, indeed, we have a high regard and respect for people who have learned and practiced the art of self-government—who believe in democratic institutions and principles. This is why there is a strong friendship between the United States and Israel.

Much of the dedication and drive and spirit of confidence so evident everywhere in Israel is exemplified in Prime Minister Ben-Gurion. In my earlier article, I commented on the spirit of youth so evident in Israel. That youthful spirit is not the exclusive possession of the young, as I quick-

ly found when I met and talked with the Prime Minister.

It was my privilege to have a 2-hour-long visit with this great leader. He is a student of history—a scholar in his own right. He speaks nine different languages—he is a student of law—he is a talented orator—and skilled in the democratic processes of parliamentary government. Yet with it all he has humility befitting a great leader. Ben-Gurion typifies his country: He is rugged, courageous, imaginative. Ben-Gurion seems to combine some of the qualities and characteristics of Andrew Jackson and Franklin D. Roosevelt, with a noticeable dash of Harry Truman. Seasoned by maturity and experience, he too is young in heart.

In that engaging 2-hour visit with Ben-Gurion, not once did he turn his attention and mind to the past. He spoke only of the present and the future. He spent little time on Israel's foreign troubles. His mind seemed concentrated upon Israel's internal development. He spoke of the great responsibility which would be Israel's this coming year in providing homes and jobs for better than a hundred thousand new immigrants. In fact, I gathered from my visit with Ben-Gurion that the task of absorbing a new stream of immigrants, rather than relations with Arab neighbors, may turn out to be the most crucial problem facing Israel.

Ben-Gurion spoke imaginatively and vigorously about Israel's growing economy, and particularly about plans for development of the Negev. There is no doubt in his mind that that great southern desert can be made productive through irrigation. In fact, it must be, if Israel is to absorb the increased population and its stream of immigrants. Ben-Gurion effectively dramatized the need for a great increase in agricultural and industrial production. Israel, he said, needs two things badly—tillable land and capital.

Israel is applying modern methods, both in political and economic problems that it faces. She is in tune with the times. It has always amazed me that Israel has been able to preserve representative government in these pressing and trying times. Others of lesser faith and moral stamina might have yielded to the temptations of political dictatorship.

A people and a government that have demonstrated their capacity not only to preserve but to develop representative government, to make new opportunities for people from many lands—such people and government are worthy of our confidence, friendship, and assistance.

Israel Welcomes Immigrants From 70 Nations

(The third in a series of four articles)

The population problem in this miraculous little country of Israel is not only one of numbers. It is also one of variety.

Most of the increase in Israeli population has come from immigraton, and the immigrants come from 70 countries. Slightly less than one-half of the people of Israel are from oriental backgrounds, slightly more than one-half from Europe. Their sheer numbers have made the task of resettlement an impressive social and economic challenge. This challenge has been met with astonishing success attributable partly to the spirit of the people themselves—their determination to get it done—and partly to imaginative yet prudent economic planning and development.

The immigration rate decreased substantially during 1953, but began increasing again 2½ years ago, first from North Africa and more recently from Eastern Europe. It is now estimated Israel will have over 100,000 new immigrants in 1957.

The problem of providing housing, subsistence, and jobs for these people is one that might stump people of less faith, or leaders of less determination. Fortunately, the current immigrants have a high proportion of skilled workers and technicians. But there are a great many of them, and capital to provide new jobs is limited.

The social, political, and cultural problems of immigration are even more complicated than the economic. The immigrants have ranged all the way from highly educated professional people from Western Europe to impoverished illiterates from the Orient. Hebrew is the official language, but not all the immigrants speak it. The variety of languages in this country is enormous. It will be a long time before this problem is wholly resolved. Yet, in the light of its complexity, great progress has been made.

But what about the Israel economic system? It can be described as a mixture of private enterprise, institutional ownership supported by contributions and assistance from outside sources, and indeed, substantial holdings of the Israeli labor movement known as the Histadrut.

Israel has the highest per capita income of any country in the area. And while Israel is regarded as a high labor-cost country there is tremendous effort being made by both labor and management to increase productivity. Vocational training schools are being established, and education is emphasized in every aspect of the Government's program.

Israel's policy is to establish a healthy balance between industry and agriculture. The Government encourages industrial development, and welcomes foreign investment. There has been a remarkable expansion of industry and a spectacular increase and growth in agriculture.

The National Jewish Fund has done a great job in buying up the land, reclaiming it, and then, in cooperation with the Government, settling people on the improved land. Liberal agricultural credit is extended to the new settlers. The United States and the United Nations technical assistance programs, along with the Israeli Government itself, the Jewish Agency, and the National Jewish Fund are sponsoring programs to increase agricultural productivity. The results are spectacularly impressive.

From surrounding hilltops in northern Israel I had explained to me what was being done through the Hulah project—the draining of swampland, the reclaiming of fertile farmland, and the harnessing of available water for irrigation purposes. It is the vision to tackle such undertakings that is remaking this land, and molding it to the needs of the Israeli people.

Israel Dependable Ally for Forces of Freedom in World

(The fourth and final in a series of articles)

Israel is a friend of the United States. There can be no doubt about this. She is a natural ally.

Without any formal treaty of alliance, we have in the people and Government of Israel a loyal and brave ally. This unwritten alliance is based upon mutual understanding and respect.

Our interests are closely alined.

Israel is not only anti-Communist, but she is profreedom. She is anti-Communist because many of her people already know what it has meant to live under dictatorship in other lands. She is anti-Communist because of her religious faith and cultural tradition. She is profreedom because the people of Israel are individualistic; the prophets of old taught them the meaning of human dignity. The history of Israel is one of fighting against oppression, seeking liberation and emancipation. Besides that, the people of Israel know and have proven that freedom affords the best opportunity for a productive society and general happiness.

The Israelis are prepared to defend that freedom. They have developed the strength in both economic and military terms to defend themselves. I am convinced that Israel now has the respect of her neighbors. But the people and leadership of Israel do not want to spend their resources and time on military matters; they seek to release themselves from the burden of patrolling the borders and paying the heavy costs of military equipment.

While Israel's army is the best in the Middle East, it should not be forgotten that their regular and standing army is, indeed, a very small one. The secret of Israel's military strength is her reserves, and the quick and efficient mobilization of those trained reserves. The young men and women of Israel are all trained to defend their country. And defend it they have and will, because they believe in it. It is their country. It belongs to the people. It is their hope for today, and their promise for tomorrow.

I saw and felt this spirit during the Independence Day parade in Tel-Aviv. Units of the Israeli armed forces passed us in review. There was no doubt as to the high morale, the strength, the health, and the vigor of these men and women. Added was the display of the Russian-made equipment that the Israelis captured from the Egyptians in the recent Sinai campaign. There was thunderous applause from better than 500,000 people who lined the parade route in Tel-Aviv. The Israelis are proud of their army, navy, and air force—and their record of valor and heroism.

But the people of Israel are not militarists; they seek to live in peace with their neighbors. They seek to find the answers to Arab-Israeli difficulties. Those difficulties include the adjustment of boundaries and borders, the Arab refugees, the boycott by the Arab nations of the Israeli commerce, and the denial to Israel by Egypt of use of the Suez Canal. There are other problems, but these are the main ones.

I talked to Prime Minister Ben-Gurion quite frankly about all these problems, and I found him understanding and longing for their solution.

He was not intransigent or obstinate on the refugee question. He is perfectly willing that Israel shall take back into its borders some of the refugees—and, indeed, already has—but he made it quite clear that it would be impossible to take them all back. To do so would threaten the very security of the state. He further indicated the desire of Israel to compensate those who had lost their lands. But he made it quite clear that most of the Arab refugees left Israel not because they were driven out, but because their leaders asked them to leave with the promise that the Israelis would be driven into the sea—and then the Arabs could come back and not only have their old lands, but more that would be taken away from the Israelis.

Of course, those Arab plans did not work out. The Israelis won the war, and the refugees were out of the country. This is not to say that there were no attacks upon Arabs, because there were by some of the extremist groups. However, the government of Israel had asked the Arabs to remain. Those that did stay live in peace within Israel today.

The question now, of course, is not just who was right or wrong. The point is that a solution must be found. There are elements that could lead to a solution; if the United States and the United Nations keep pressing for an answer—and that we ought to do.

The settlement of the Arab refugee problem must be given priority on the world's agenda.

The fact is that the Arab States have for 10 years used the Palestinian refugees as political hostages, in their struggle with

Israel. As a matter of concerted policy, these people have been kept penned up in the camps in conditions of wretched hopelessness in order to embarrass Israel before the eyes of the world. While Arab delegates in the United Nations have condemned the plight of their brothers in the refugee camps, nothing has been done to assist them lest political leverage over Israel be lost.

Human lives cannot be left to remain as mere political pawns; world opinion must force dispersal and resettlement of these refugees one way or another.

But above all else, my tour has reaffirmed my own deep conviction that the only realistic basis for any effective American policy toward the Middle East must rest first of all on the firm assumption that Israel is an integral part of the region—and there to stay.

Mr. HUMPHREY. Finally, Mr. President, as I have stressed on other occasions, I was deeply impressed on my Middle Eastern tour with the role which food and fiber can play in the development of our foreign policy. I have prepared an article entitled "Food for Freedom," which summarizes my views on this matter. I ask unanimous consent that this article also be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOOD FOR FREEDOM

(By Senator HUBERT H. HUMPHREY)

Food and fiber is a great potential force for freedom in the world today, an influential instrument with which we are blessed in abundance if we are only wise enough to use it for building toward friendship and peace.

That conclusion is inescapable after my tour of Italy, Egypt, Lebanon, Israel, Greece, and Spain.

Food is the common denominator of international life.

Lack of adequate food is the underlying factor in many of the economic and political problems bringing trouble to this area of the world.

The answer is in our hands. It rests in our own abundance, and our potential to produce in even more abundance if we have the vision and imagination to use it constructively for human good.

From my own personal observations, I am convinced that Government policy has been far too shortsighted about how powerful a factor sharing of our abundance of food and fiber can be in our foreign relations. A disservice has been done the American people by creating the impression our abundance was just an unwanted headache, a problem instead of a blessing.

We need to do an about face. We need to look upon our great agricultural production and productive capacity as a source of strength in the world scene. Instead of telling farm families to quit producing—or forcing them to do so by deliberately depressing farm prices and income to seek scarcity as a cold economic answer to a human problem—we as a nation should say "Thank God" for the farmers who have kept us from the deprivation and hunger facing vast areas of the world. We should see that our farm people are properly rewarded for making available to our Nation not only the means of visibly expressing our humanitarian concern for fellow mankind everywhere—but also giving us a tremendous bargaining power in the growing economic warfare against Communist Russia.

American food and fiber is vital to the very existence of millions of undernourished people—and the brightest ray of hope for building stronger economies and greater political stability in most of the countries I visited.

I wish every Minnesota farmer who has been told he must drastically cut down his production could have walked with me through the Palestinian refugee camps in Lebanon, the orphanages in Greece, or among the masses of unemployed huddled in shanty towns in Spain. I wish they could have seen the young hands outstretched for food, and heard the appeals for milk from haggard and worried mothers.

I wish they could have seen the warmth of spontaneous welcome, when interpreters explained I was from the United States, and from the State of Minnesota which was sending them some of its surplus dry milk.

I wish our farmers could have been with me in Italy to hear our own Embassy officials flatly declare that our country's most effective weapon against communism in that area had been the distribution of American food directly to the people by our church and other voluntary agencies.

I wish, too, they could have been along to hear Spanish officials explain how they had been trying in vain to buy 500,000 tons of wheat from America and now faced bread rationing as a result of our inaction. I wish all of you could have heard that story repeated in Israel, Greece, and other lands.

But most of all I wish someone could have been along to give me a better answer than I could provide to this question I encountered at every turn:

How can a great Nation like the United States justify spending a billion dollars paying farmers not to produce, and yet quibble about paying them to produce for our friends and allies who so urgently need that food?

No one who has walked in the midst of mass want and deprivation as I did, could ever face the American farmers and talk about surplus.

Believe me, there is no surplus—unless it is a surplus of people who need the life-giving benefits of the blessings of food we have in our possession to bestow.

It isn't a question of just a gigantic give-away.

Most of the food and fiber can be marketed for foreign currencies, if we expand and extend Public Law 480. Countries want to buy—but they lack American dollars.

We have uses for foreign currencies to finance economic development loans to other countries, to pay our own obligations abroad, for military procurement, and for many other purposes. We can do more for peace by using such funds obtained with American food to finance vocational education, for example, than we can by just shipping guns or handing over American dollars.

We can use our foods to form the foundation of an entire new foreign and economic trade policy for American business and industry—and achieve many of our foreign policy objectives at less cost.

We have had lots of lipservice to trade, not aid, but little concrete action. One of the objectives of our foreign policy has been to encourage American business and industry to invest abroad, to use its know-how to help build economies of other free countries—and to keep the Soviet orbit from making neutral countries dependent on them for industrial products.

Our business firms tell us they have problems borrowing foreign currencies for capital investments and operating expenses abroad. Why doesn't it make good sense to earmark a part of the funds received from sale of American farm products for loans to American business enterprises with branches or affiliates abroad?

Such a policy serves dual purposes: It broadens America's economic and trade influence in the world, and it throws the support of American business and industry behind a farm program based on abundance instead of scarcity.

I talked with American businessmen abroad, and with more since my return. They would welcome such a plan, and would vigorously support expansion of farm marketing for foreign currencies.

In effect, we would be turning our farm abundance, beyond our domestic needs and normal dollar exports, into a big revolving loan fund to finance most of our foreign-aid operations as well as American business expansion abroad. We would be loaning the money, and drawing interest on it, instead of giving outright dollar grants. The dollars we as a nation invested to create such a program would be going to American producers of farm products, but the benefits would be shared by everyone, at home and abroad.

On the humanitarian side, beyond food sales, we can and should do more to support the work of our great church and philanthropic agencies, such as CARE in their private people-to-people relief activities abroad through sharing part of our food abundance. It is a good investment in friendship, for it is people to people, instead of government to government. It can carry the message of America's real humanitarian spirit into areas where we might shun too much dealing with a government in power. But governments come and go, while the people remain.

Whether we give or sell our food abundance, let's not cheapen it by labeling it surplus, calling it a problem, and advertising to the world that we really do not care about hungry people; we just want to get rid of something we do not want.

Even Russia is smarter than that. After we had refused to sell Egypt any of our wheat, despite all our talk about surplus, they turned to Russia. At first, Moscow said they doubted they could do it; they needed all the wheat they had. Then they came back to the Egyptians saying, in effect, "Here, we haven't much, but we will share it with you." They sent a shipload or so of wheat, and ballyhooed it into a major propaganda victory.

We have allies overseas who we are depending upon, under NATO, to hold the line of freedom in event of another all-out war. Yet these are in food-deficit countries, where armies would collapse without continuing supplies of food from abroad. Our military commanders told us that weapons, not food, would have to take shipping priority in event of war, and both would risk submarine attacks.

It seems sensible to start thinking and planning about emergency food depots in which adequate reserves can be stored abroad, for ourselves and for our allies.

Everywhere you turn—among diplomats, among military leaders, among businessmen, among social and welfare workers—the answer comes back the same: food. Food can be a vital key to success or failure in our foreign relations.

Are we recognizing that fact at home?

CALL OF THE ROLL

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDENT pro tempore. If there be no further morning business——

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Carlson	Curtis
Allott	Carroll	Dirksen
Anderson	Case, N. J.	Douglas
Barrett	Chavez	Dworshak
Bricker	Church	Eastland
Bush	Clark	Ellender
Capehart	Cotton	Ervin

Flanders	Lausche	Schoeppel
Goldwater	Magnuson	Smathers
Green	Mansfield	Smith, Maine
Hayden	Martin, Iowa	Smith, N. J.
Hill	McClellan	Sparkman
Holland	McNamara	Stennis
Hruska	Morse	Symington
Ives	Morton	Talmadge
Jenner	Mundt	Thurmond
Johnson, Tex.	Murray	Thye
Johnston, S. C.	Neuberger	Watkins
Kefauver	Pastore	Wiley
Kerr	Potter	Williams
Kuchel	Revercomb	Yarborough
Langer	Robertson	Young

Mr. MANSFIELD. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Virginia [Mr. BYRD], the Senator from Delaware [Mr. FREAR], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Washington [Mr. JACKSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Louisiana [Mr. LONG], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Georgia [Mr. RUSSELL], and the Senator from North Carolina [Mr. SCOTT] are absent on official business.

The Senator from Missouri [Mr. HENNINGS] is absent by leave of the Senate because of illness.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Maryland [Mr. BUTLER], the Senator from New York [Mr. JAVITS], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from California [Mr. KNOWLAND] are absent on official business.

The Senator from Connecticut [Mr. PURTELL] is necessarily absent.

The Senator from Massachusetts [Mr. SALTONSTALL] is absent on official business attending the funeral of Mrs. Grace Coolidge as the personal representative of the President of the United States.

The Senator from Maryland [Mr. BEALL], the Senator from South Dakota [Mr. CASE], and the Senator from Kentucky [Mr. COOPER] are detained on official business.

The Senator from Utah [Mr. BENNETT], the Senator from Nevada [Mr. MALONE], and the Senator from Pennsylvania [Mr. MARTIN] are detained on official business attending hearings conducted by the Committee on Finance.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Sixty-six Senators having answered to their names, a quorum is present.

Is there further morning business?

Mr. JOHNSON of Texas. Mr. President, before the Senator from Alabama is recognized, I want all Senators to know that the morning hour is about to be concluded, in case they wish to make insertions in the RECORD.

CONSTRUCTION OF CERTAIN WORKS OF IMPROVEMENT IN THE NIAGARA RIVER FOR POWER AND OTHER PURPOSES

The PRESIDING OFFICER. Is there further morning business? If not, the Chair lays before the Senate the unfinished business, which the clerk will state by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 2406) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes.

CIVIL RIGHTS

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California that the Senate proceed to the consideration of H. R. 6127, a bill to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

Let the Senate be in order, so that the Senator from Alabama may be heard. Let everyone take his seat and refrain from audible conversation.

The Chair recognizes the Senator from Alabama.

Mr. SPARKMAN. Mr. President, while the question at present before the Senate is the motion to take up the bill, the debate revolves around proposed legislation which is extreme in form, harsh in purpose, and destructive in its ominous implications.

There is no device in American politics which so quickly divides friends and embitters debate. No other subject finds Senators so willing to damage one right to improve another, so willing to tamper with traditional rights in their emotional attacks on supposed wrongs.

I categorically oppose all provisions of the bill at issue. Yet if I were to choose any single feature of the bill which will do more damage than any other to the structure of government in this country, I would name at once the strange new provisions for injunction proceedings, with provision for criminal penalty under contempt proceedings without the benefit of a jury trial.

Of all the dangers in this bill, perhaps this is the least clearly understood. It has implications which go far beyond the purpose stated, and far beyond any intention of some of its supporters.

Some of those who have lent their aid to this bill apparently fail to understand how this legislation would cancel out a long history of bitter struggle to curb summary trial as a means of law enforcement in this country.

I shall list my objections to this injunction provision. As we all know, it would permit Federal agents to come into Federal courts, and obtain injunctions against county registrars, against school boards, or against any official standing in the way of the current administration policy.

It would permit a complete short-circuiting of longstanding and well-understood law.

This bill represents bad law: Bad, because it is rank subterfuge. Bad, because it uses doctrines developed for other purposes and perverts them to this cause in order to evade the American defendant's right to trial by jury.

The bill is bad because it will not do what its proponents claim it is intended to do. It is bad because it will have many dangerous effects that its authors have not foreseen.

The bill would not make for increased Negro voting. More Negroes will be at the polls as their general level of education rises under our present State-administered school systems. To try to force general registration will only disrupt the registration and voting process.

The bill would not solve any existing problems. Today we face no problem that has not been with us, in essence, since colonial days. No matter what extreme measures of law we pass here, these problems will not be solved in the immediate future. Their solution would be delayed, not facilitated, by this bill.

Instead, the more pressure is exerted to work radical political changes in the South, the more damage will be done to the political fabric of the South, or of any other section, and indeed of the whole Nation.

The law is a closely woven structure, and if we consciously vote to damage certain rights, we may later find that unconsciously we have voted away other rights of a quite different sort.

In debating this great issue, we would do well to remember the history of the jury as a legal concept and as an instrument of justice. Its growth parallels the rise of the law from a morass of medieval superstition and physical torture.

On the other hand, we must remember the history of the injunction, backed by the power of the court to make findings of fact and to convict without the benefit of a jury. This device, I shall demonstrate, made its appearance in modern form as a legal weapon of despotic English kings, frustrated in their attempts to secure unjust convictions of their political enemies in the regular courts.

The injunction was hammered out by the infamous Court of Star Chamber, and, about 1720, it began to creep into the usage of the common law courts.

It was part of the monumental struggle between the 18th century English kings and Parliament. The kings dreamed of the sway and prerogative enjoyed by their Stuart predecessors; Parliament fought to retain the rights won from the throne in the Glorious Revolution of 1688.

The jury, according to modern historians, stems from the medieval idea of trial by compurgators.

A defendant could be subjected to trial by mortal combat. Or he could be forced to undergo trial by ordeal.

Or he could take a third choice. He could recruit as many of his friends and neighbors as possible to come into court to swear to his virtue and character. The court's decision depended on who had the most character witnesses, the defendant or the plaintiff.

Because of this curious custom, in the early days there was confusion between what we now call the jury and what we now call the witnesses. In many cases, in medieval trials, these were the same people.

But gradually, as England began to develop the foundations of its mighty traditions of justice, the concept of an

independent accusing body, not a part of the court, began to take hold.

The accusing jury became the forerunner of the grand jury of our law. It was instituted by King Henry II in 1166.

Henry II required that in every county "12 men of every hundred, and 4 men of every township had to swear to make true answer to the question whether any man is reputed to have been guilty of murder, robbery, larceny, or of harboring criminals since the king's coronation. Those who were thus accused must go through the ordeal—that is, trial by the ordeal of fire or water—and even if successful there, that is to say, though the judgment of God is in their favor, they must abjure the realm."

This accusing jury preceded by nearly two centuries the petit jury, according to the historian, Walter Clark. Clark frowns upon the old tradition that jury trial comes from Magna Carta. Through an extensive reading of early records, he concludes that the grand jury is, as we have said, almost a century older than the rights given in Magna Carta, and the petit jury a century or so more recent.

Sir James Stevens, in his History of the Criminal Law, says this:

> The steps by which the jury ceased to be witnesses and became judges of the evidence given by others, cannot now be traced without an amount of labor out of proportion to the value of the result. * * * Trial by jury as we know it now was well established, at least so far as civil cases were concerned, in all its essential features, in the middle of the 15th century.

The institution had acquired its essential features, then, before the end of the Middle Ages.

Another legal historian, Macclachlan, uses these words:

> Introduced originally as a matter of favor and indulgence, the jury thus gained growth with advancing civilization, gradually supperseded the more ancient and barbarous customs of trial by battle, ordeal and wager of law, until it became both in civil and criminal cases, the ordinary mode of determining facts for judicial purposes.

Although it is difficult to give precise dates to the evolutionary stages of any concept so involved as this, it is nonetheless clear that the jury system in the modern sense was well established by the 17th century. The first colonists to America brought this institution with them, and made it the cornerstone of their legal systems.

In the following century, when German kings appeared on the English throne, bringing German ideas with them, a new phase in the ancient struggle between Crown and Parliament ensued.

The kings began to use, through their courts, a weapon developed with great effect by the star chamber of the Stuarts. Star chamber, hated and feared by the people of England, had been abolished in 1641, but the memory of its ruthlessness remained.

It is only after 1720 that we find examples of summary trial in which the judge himself convicted on grounds that his own order had been disobeyed or that his own dignity had been violated.

If this change in usage had a sharp effect in Britain, it was doubly sharp in the American colonies, which had been developing their own parallel institutions for generations.

Suddenly to be served with notice that the King's judges would and could avoid juries in cases of political necessity had an electric effect upon the colonies. The motive was all too clear. In cases touching political issues, let alone the ordinary run of court cases, the uncertainties of the juries' disposition was manifest. It represented an undependable element in the efficient and centralized system of rule that George I, George II, and George III envisioned.

There is no need to recite the history of the American Revolution in this chamber, but I shall note that the unrestrained use of injunctions and summary trials became one of the most powerful issues that impelled the colonists toward revolt.

We can summarize the matter in this way:

The jury was one of the fundamental institutions in the eight centuries during which our concept of justice evolved. The jury became a symbol of the emergence of law from medieval brutality and superstition.

On the other hand, the injunction began its modern career as the instrument of an ambitious and despotic throne, and in English history it has a fatal association with Star Chamber procedures. It was revived when later English kings began looking for the means to tighten their rules.

The injunction and summary trial, as much as any other course, led to the American Revolution. It is not by accident that the word "jury" appears through all the fundamental documents of our Nation.

The Declaration of Independence sets out reasons for the American revolt. Among these reasons, it charged:

The King "has combined with others to subject us to a jurisdiction foreign to our Constitution, and unacknowledged by our laws, giving his assent to their acts of pretended legislation."

The specific acts of false legislation are listed, and among them we see these:

> Depriving us, in many cases, of the benefits of trial by jury;
>
> Abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies;
>
> Taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments * * *.

This ringing accusation was the summation of a whole catalog of wrongs; one of the chief wrongs there represented was the use of the king's courts to solve the king's political problems through indiscriminate orders and summary trials.

When the Revolution was won at last, the men who drafted the Constitution remembered the jury issue.

Let me remind Senators of article III, section 2, of the Constitution, which reads in part:

> The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

The Bill of Rights has something to say on this matter. The Bill of Rights seems to be largely neglected in this debate, so I shall take the liberty of reading selected passages:

> Article V: No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger.
>
> Article VI: "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense."
>
> Article VII: "In suits at common law, where the value in controversy shall exceed $20 dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law."

Here stands our basic definition of justice. These words have largely been lost in the efforts of some to construct a legal mechanism to enforce the administration's policy.

These words were born in a revolution. Let us never forget why they were put into the Constitution.

As American law has developed, the concept of jury trial has collided more than once with the arbitrary use of injunction proceedings. This is a history of great complexity that I shall go into later.

It suffices for now that I have outlined the sources of the jury and the sources of the injunction. As we talk about these things, let us remember what their ancestry has been, and what each has represented throughout the history of our legal tradition. One has stood for justice under the law; the other for tyrannical evasion of the common law. One has representative government by law; the other, government by men. Ours from the very beginning has been a government by law. Certainly we should avoid most carefully every effort tending to make it a government by men.

Mr. DOUGLAS. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I am glad to yield.

Mr. DOUGLAS. I am trying to understand the argument of my good friend, the Senator from Alabama. I should like to ask whether he is taking the position that there should be a jury trial in civil contempt cases, as well as in criminal contempt cases.

Mr. SPARKMAN. I intend to develop that point later on; but let me say that I fully recognize the established fact that there are certain contempt cases which are properly handled by the judge. I shall develop that point further in my argument.

Mr. DOUGLAS. Everyone has agreed that contempt cases in the presence of

the court or derogatory comments about the judge should not be subject to jury trial.

Mr. SPARKMAN. That is correct.

Mr. DOUGLAS. My question is somewhat broader than that. Suppose injunctions issued by a court are disobeyed by a citizen, the enjoined person can always purge himself by conforming to the injunction which has been granted. Is the Senator from Alabama saying that there should be prior jury trials in those cases?

Mr. SPARKMAN. The Senator asked a question to which it is difficult to respond with a general answer, but let me say what my opinion is. I certainly except them from any general answer I will try to give. The narrower range of cases that deal with interfering with the conduct of the court proceedings themselves, such as an offense committed in the presence of the court, or near enough to interfere with the carrying on of the court, or the disobedience on the part of an officer of the court or of a party or of a witness before the court in a case then pending, since those particular cases have to do with the conduct of the court's business. But, generally speaking, this is the rule that is laid down: Where facts are to be determined, a jury ought to determine them. The business of the court is to decide and interpret the law, and not try the facts, unless the defendant is willing to have the judge do that. Running all through our Constitution and all through our legal texture is the rule that facts ought to be determined by juries and not by judges, unless a defendant is willing to have a judge determine the facts.

Mr. DOUGLAS. Mr. President, will the Senator yield for another question?

Mr. SPARKMAN. Yes.

Mr. DOUGLAS. As the Senator from Alabama is aware, there are some 28 already existing Federal statutes whose enforcement powers are identical with those outlined in the pending measure. Would the Senator say that in all of those existing statutes there should be a provision for jury trial on all matters of fact?

Mr. SPARKMAN. I will say to the Senator from Illinois that those different statutes have been added to our laws from time to time. I shall discuss them a little later in my remarks; but simply because a bad departure has already been made is no justification for going further in that direction.

Mr. DOUGLAS. No.

Mr. SPARKMAN. As a matter of fact, I think we have gone entirely too far. I believe we would have been better off if we had adhered to the good old rule our forefathers accepted—that is, to confine to a very narrow field cases in which contempt proceedings should lie, along the lines I suggested a few moments ago.

Mr. DOUGLAS. If the Senator from Alabama is saying there should be jury trials in virtually all cases of contempt which might arise under this bill, if it is enacted into law, must he not logically also say there should be similar jury trials under all other statutes where the remedy is identical? Why jury trials in this case, when in 28 other cases there is no such provision?

Mr. SPARKMAN. Had I been present when any of those statutes were proposed and the question had been presented as to whether or not a man should be denied the right of trial by jury, I certainly would have voted to preserve the right of trial by jury, regardless of what offense was involved.

Mr. DOUGLAS. Mr. President, will the Senator yield further?

Mr. SPARKMAN. Yes.

M. DOUGLAS. If an amendment is offered to provide for jury trials in such cases, should it not, by logic, be broad enough to provide jury trials in all contempt cases?

Mr. SPARKMAN. We are not legislating on the whole Code of the United States at the present time. I should like to see each statute examined on its own merits. I do not have any one of them in mind. I do know when the Clayton Act was originally considered this question was strongly debated in the Senate. I do know when, later on, the Norris-La G ardia Act was enacted it specifically contained a provision for jury trials in labor disputes. The question has been before the Congress many, many different times. If the Congress has in the past erroneously extended injunction procedures beyond the narrow field where I stated a few moments ago they ought to be applied, that certainly does not justify our going further in the wrong direction at this time.

Mr. DOUGLAS. Would the Senator suggest offering an amendment, which he apparently is advocating, which would provide jury trials in the case of the other 28 statutes?

Mr. SPARKMAN. Personally, I am not offering the amendment. As the Senator knows, the very able, fine constitutional lawyer, the distinguished Senator from Wyoming [Mr. O'MAHONEY], will offer the amendment. It seems to me the question of the Senator from Illinois might be addressed to the Senator from Wyoming; but the Senator from Illinois knows that we are dealing here with one specific type of legislation. Certainly, I should think it would be no place to offer a coverall amendment, trying to cover the entire Code of the United States. I personally would be glad if the Judiciary Committee would make a study of the matter to see if we have gone so far that we ought to retrace our steps.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. ERVIN. I will ask the able and distinguished Senator from Alabama if the patron saint of the party to which he and our beloved friend from Illinois and I belong, namely, Thomas Jefferson, did not always advocate that cases of all kinds should be tried by juries, regardless of whether they originated at the common law or in equity.

Mr. SPARKMAN. I think the Senator is correct. I have just read three provisions of the Bill of Rights. First, the guaranty of the right of trial by jury is contained in the Constitution itself. Then I read three different instances in the Bill of Rights where the guaranty of the right of trial by jury in all cases involving $20 and more is repeated over and over and over again. I suppose it was felt there would be a lot of small cases that would involve less than $20, and those cases were exempted from the right of trial by jury; but the Constitution, not once, not twice, not 3 times, but 4 times, states that every person shall have the right of trial by jury, and the only exceptions are military offenses and cases where the amount involved is less than $20.

Mr. ERVIN. Mr. President, will the Senator yield further?

Mr. SPARKMAN. I should like to say one word more before I get away from that subject? Let us always remember, too, that the Constitution of the United States would never have been adopted if it had not contained the provisions of the first 10 amendments. That was a foregone conclusion. It was agreed to. We know that Jefferson, Madison, and many of the other great statesmen of that day waged a vigorous campaign in order to convince the people of the several States that the Bill of Rights would be agreed to and would perfect the Constitution. The Constitution was imperfect because it did not contain such guaranties.

Another noticeable thing, which I do not believe is true about any other provision in the Bill of Rights, is that the right of trial by jury is stressed 3 different times in 3 different articles. I do not think that is true of any other single provision in the Bill of Rights.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. ROBERTSON. Did the junior Senator from Virginia understand his colleague from Illinois to say there are 28 Federal statutes that abolish jury trials in criminal cases?

Mr. SPARKMAN. There are 28 instances in the code which provide for contempt proceedings.

Mr. DOUGLAS. There are 28 statutes in which the legal remedy is provided through the injunctive process, and when the injunction is violated the judge sitting in equity can decide what enforcement procedures shall be adopted. Those statutes have been put into the RECORD time and time again.

Mr. ERVIN. Mr. President, I ask unanimous consent that the able and distinguished Senator from Alabama [Mr. SPARKMAN] be permitted to yield to me for the purpose of making a statement, without the Senator from Alabama losing the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina? The Chair hears none, and it is so ordered.

Mr. ERVIN. I should like to make this observation with respect to the 28 statutes mentioned: When Attorney General Brownell testified before the Subcommittee on Constitutional Rights and said there were 28 such statutes, I made the statement, in substance, to Attorney General Brownell, "I challenge you and every lawyer in the Department of Justice to point out a single one of those statutes which bears any substantial similarity to the civil-rights bill

which you are advocating that Congress should adopt."

I will state that that challenge was never met by the Attorney General or any of the lawyers in the Department of Justice, and that as a result I had to sit down and read those 28 statutes. Not wishing to rest solely on my perusal of them, I called upon the Library of Congress for an analysis of them.

I will say that not a single one of those statutes bears any substantial resemblance to the civil-rights bill. With the exception of 2 or 3 of them, they are statutes which authorize the United States, or some Federal officer or agency, to sue in equity for the vindication or enforcement of some right belonging to the Federal Government in its capacity as a sovereign nation. The ones which are exceptions to that rule merely substitute the injunctive process under such acts as the Workmen's Compensation Act and the Longshoremen's Act, for what we lawyers would call a common law execution.

In other words, in the 2 or 3 exceptional cases it is provided that after the appropriate board had made a money award, instead of issuing an execution to sell the property——

Mr. SPARKMAN. May I suggest to the Senator that the award is made after a hearing?

Mr. ERVIN. Yes. Instead of selling the property under a common law execution to enforce the judgment, there is merely an order that the judgment be paid.

The only one of these statutes in respect to which the Attorney General himself undertook to accept my challenge was the antitrust law. The antitrust law is undoubtedly a statute enacted by Congress for the benefit of the general public, and is not a statute, like the civil-rights bill would be, which would allow the Federal Government, for the first time in our history, to enter into the wholesale bringing of suits for the vindication of the personal and political rights of individuals.

There is one further thing I should like to say with reference to this subject. I agree with the Senator from Alabama in the observation he stresses, that this bill ought never to be passed because there is no reason in the world why Congress should give loaded legal dice to Government lawyers and allow them to prosecute cases against citizens on a preferential procedural basis. If there ought to be any distinction in matters of procedure, the distinction ought to be made in behalf of the weak citizens and not in behalf of the powerful government, which has all the Nation's legal and financial might on its side.

I also say to the Senator from Alabama that I will never vote to give the Government the right to make out cases by loaded legal dice against any individual. I would support a measure which would provide in these cases and all other equitable cases what has been done by the Constitution and the codes of many States, including my own State of North Carolina; that is, guarantee every person the right to a trial by jury of all issues of fact in all civil cases, regardless of whether they are suits arising at common law or suits in equity.

I thank the Senator.

Mr. SPARKMAN. Giving the defendant, of course, the right to waive that procedure.

Mr. ERVIN. That is correct. The defendant should be given the privilege to waive it, but he should have the right to demand it.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that I may be permitted to make a brief statement in reply to the Senator from North Carolina, without the Senator from Alabama's losing his right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

Mr. DOUGLAS. Mr. President, our good friend, the Senator from North Carolina, has said that the remedy provided in the bill being discussed is different from the other remedies, because the other 28 statutes address themselves to different subjects. Of course they address themselves to different subjects, but the method of enforcement which they provide is identical with the method provided in this bill, namely, that the legal representatives of the Government may go to the Federal courts, sitting in equity, and, if the courts approve, obtain injunctions restraining individuals and groups from committing acts in violation of the law. And if such injunctions are violated, and if the violation is persisted in, and is not removed by compliance, then whatever penalties are inflicted are inflicted by the judge without a trial by jury.

My only reason for bringing this point forward, since I had not intended to enter into this discussion at any length, is simply to indicate that this procedure is not something new which is being introduced into American jurisprudence. It is the time-honored method of proceeding in equity, and also the method which has been adopted over and over and over again by the Congress of the United States.

That is why I wanted to ask my good friend, the Senator from Alabama, whom I love as I do a brother, though he may not welcome that display of affection, whether he is proposing that there should be provided a trial by jury merely in these civil-rights cases, or whether he is going to be consistent and say the right to trial by jury should be accorded in all cases of contempt. I submit that, upon examination, the only logical thing for him to say is that we should abolish the present procedures and substitute a trial by jury in all cases of contempt.

If we were to do that, we would throw the legal system of the United States into a complete tailspin.

Mr. ROBERTSON. Mr. President, will the Senator from Alabama yield to me, with the understanding that he will not lose the floor?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Virginia, with the understanding that he will not lose the floor?

Mr. SPARKMAN. Mr. President, I shall be glad to yield to the Senator from Virginia, but as I understand, the Senator wishes to do more than ask a question. Therefore, I ask unanimous consent that I may yield to the Senator from Virginia without losing the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama? The Chair hears none, and, without objection, the Senator from Alabama yields to the Senator from Virginia for a statement.

Mr. ROBERTSON. Mr. President, I wish to say first, for the benefit of our distinguished colleague, the Senator from Illinois, that he has gotten outside of his special field, which is economics. He is now in the legal field, where, unfortunately, he has gone overboard. He is trying to present to us the theory that acts of the Congress, all of which relate to property, are no different from a bill which relates to criminal penalties. That is the issue.

It is true that in the antitrust laws there could be a penalty for violation. Seldom, in recent years, has it been enforced. But such laws deal primarily with property. Congress, in the antitrust laws as applied to labor unions, in the Norris-La Guardia Act, specifically provided that there should be a jury trial.

Everyone who is familiar with this bill knows that section 3 deals with so-called civil rights, aside from the right to vote, as they are specified either by statute or court decisions. Such provisions carry criminal penalties with them. Everyone knows that. Most of them are enacted by State laws which carry criminal penalties.

As pointed out by the distinguished Senator from North Carolina, a man might be subjected to double jeopardy. Under the terms of this bill he could be taken into a court of equity, a fine could be imposed upon him, and he would still be subject to the criminal penalty in the State court, or in a court under Federal jurisdiction, after indictment.

The Senator from North Carolina said something about setting up a strawman. Our distinguished colleague from Illinois has set up a strawman. He says, "If you are going to raise any question about the denial of jury trial under this bill in criminal cases, why do you not prohibit punishment in a court of equity for contempt which occurs in the presence of the court?"

I ask my distinguished friend from Alabama if it is not true that from time immemorial, under the common law of Great Britain, which became the common law of the Colonies, and still is our common law, except where changed by statute, there was a distinction between courts of law and courts of equity. Is it not a fact that one could not get into a court of equity if he had an adequate remedy at law?

Mr. SPARKMAN. Not only was that true, but it is true today. I suppose it is true in every State today.

Mr. ROBERTSON. Were not courts of equity set up primarily for the protection of property rights?

Mr. SPARKMAN. The Senator is correct.

Mr. ROBERTSON. And to enjoin irreparable damages to property rights, and things of that kind.

Mr. SPARKMAN. I would make the description a little broader than that.

Mr. ROBERTSON. Title to property is also involved.

Mr. SPARKMAN. The purpose was to provide a remedy where no remedy was provided in courts of law.

Mr. ROBERTSON. Exactly.

Mr. SPARKMAN. As was brought out yesterday, it was described as the operation of the King's conscience in the adjustment or wrongs between persons, with respect to which no remedy could be found in a court of law.

Mr. ROBERTSON. Is it not a fact that in Magna Carta, the first copy of which was wrested from King John at Runneymede in 1215, and in all subsequent magna cartas—and there were 3 of them—as well as in the statutes before the first settlement at Jamestown in 1607, there had been provisions for jury trials?

Mr. SPARKMAN. I may say to the Senator from Virginia that prior to his coming into the Chamber I had discussed the beginning of the jury system. As a matter of fact, the grand jury system preceded even the Magna Carta, in another way.

Mr. ROBERTSON. Because the nobles could not be indicted except by a jury of their peers—that is, other nobles. King John ignored that principle. The nobles wanted to have continued the system under which they could not be indicted except by their peers. Now every man is a king, as our late colleague from Louisiana, Senator Huey Long, used to say. So a peer is anyone who has the right of citizenship.

From the time before the days of King John, in 1215, down to the present time, all English-speaking people have cherished the right of trial by jury. We have held to the principle that if a contempt in a court of equity occurs in the presence of the judge, in order that justice may proceed, the judge may inflict summary punishment. Is that not a fact?

Mr. SPARKMAN. Yes. That principle is not limited to a court of equity.

Mr. ROBERTSON. But that is where it started. It is true of any court. That was recognized by the Constitutional Convention. It is recognized in all our State constitutions. And yet our distinguished colleague from Illinois says, "If you want to be consistent, do not stop at gagging over extending the right to trial by jury to criminal cases, but wipe out all procedures under which a judge can inflict a penalty."

I say that that is arguing against established jurisprudence, dating back to the time before we had a country. Is that not correct?

Mr. SPARKMAN. I think the Senator is correct. I was about to check my friend from Illinois with respect to one expression which he used a while ago. He referred to the practice in question as a well-established and time-honored practice. As a matter of fact, it is not.

There has been a struggle, as I brought out a while ago, and as I intend to develop further as I go along, ever since the tyrannical kings of Britain, to try to get this principle established. That was a great factor in our revolution. The practice complained of had been imposed on the Colonies to such an extent that our people insisted that before they would agree to the Constitution of the United States they must be assured that there would be written into it a bill of rights, in which there occurs not once, but in three different places, the guaranty of the right of trial by jury.

Mr. DOUGLAS rose.

Mr. SPARKMAN. Before I yield to my friend from Illinois again, I wish to say that I appreciate the compliment he paid me.

Mr. DOUGLAS. I hope it will not prove embarrassing.

Mr. SPARKMAN. It is not embarrassing. I welcome the friendship of the Senator from Illinois.

I remind the distinguished Senator from Illinois that he holds a commission today as a colonel in the Confederate Air Force; and I had the honor of presenting that commission to him. [Laughter.]

Mr. DOUGLAS. Mr. President, will the Senator yield to me with the understanding that he will not lose his right to the floor?

Mr. SPARKMAN. I yield.

Mr. DOUGLAS. Since the competence of the testimony of the Senator from Illinois as regards the 28 statutes referred to has been questioned, I think I should read into the RECORD at this point a list of the 28 statutes which authorize injunctive relief by the United States Government to prevent crime.

Antitrust laws, restraining violation (by United States attorney, under direction Attorney, General) (15 U. S. C. 4).

Associations engaged in catching and marketing aquatic products restrained from violating order to cease and desist monopolizing trade (by Department of Justice) (15 U. S. C. 522).

Association of producers of agricultural products from restraining trade (by Department of Justice) (7 U. S. C. 292).

Atomic Energy Act, enjoining violation of act or regulation (by Atomic Energy Commission) (by Attorney General) (42 U. S. C. 1816).

That is an extremely important act.

Bridges over navigable waters, injunction to enforce removal of bridge violating act as to alteration of bridges (by Attorney General) (33 U. S. C. 519).

Clayton Act, violation of enjoined (United States attorney, under direction of Attorney General) (15 U. S. C. 25).

That is an extremely important provision.

Electric utility companies, compliance with law enforced by injunctions (by Federal Power Commission) (16 U. S. C. 825m).

False advertisements, dissemination enjoined (by Federal Trade Commission) (15 U. S. C. 53).

Freight forwarders, enforcement of laws, orders, rules, etc., by injunctions (by Interstate Commerce Commission or Attorney General) (49 U. S. C. 1017).

Fur Products Labeling Act, to enjoin violation (by Federal Trade Commission) (15 U. S. C. 69g).

Enclosure of public lands, enjoining violation (by United States attorney) (43 U. S. C. 1062).

Investment advisers, violations of statute, rules, and regulations governing, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80b-9).

Gross misconduct or gross abuse of trust by investment companies, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a-35).

Use of misleading name or title by investment company, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a-34).

Violation of statute governing, or rules, regulations, or orders of SEC by investment companies, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a-41).

Another which is extremely important is—

Fair Labor Standards Act, enjoining of violations (by Administrator, Wage and Hour Division, Department of Labor, under direction of Attorney General, see 29 U. S. C. (204b)) (29 U. S. C. 216 (c), 217).

Longshoremen's and Harbor Workers' Compensation Act, enforcement of order by injunction (by United States attorney, see 29 U. S. C. 921a) (33 U. S. C. 921).

Import trade, prevention of restraint by injunction (by United States attorney, under direction of Attorney General) (15 U. S. C. 9).

Wool products, enjoining violation of Labeling Act (by Federal Trade Commission) (15 U. S. C. 68e).

Securities Act, actions to restrain violations (by Securities and Exchange Commission) (15 U. S. C. 77t).

Securities Exchange Act, restraint of violations (by Securities and Exchange Commission) (15 U. S. C. 78u).

Stockyards, injunction to enforce order of Secretary of Agriculture (by Attorney General) (7 U. S. C. 216).

Submarine cables, to enjoin landing or operation (by the United States) (47 U. S. C. 36).

Sugar quota, to restrain violations (by United States attorney under direction of Attorney General, see 7 U. S. C. 608 (7)) (7 U. S. C. 608a-6).

That act is extremely important to Louisiana, Colorado, Nebraska, Wyoming, and other States, as well as to consumers.

Water carriers in interstate and foreign commerce, injunctions for violations of orders of ICC (by ICC or Attorney General) (49 U. S. C. 916).

Flammable Fabrics Act, to enjoin violations (by Federal Trade Commission) (15 U. S. C. 1195).

National Housing Act, injunction against violation (by Attorney General) (12 U. S. C. 1731b).

Mr. President, I ask unanimous consent that the list, which I have taken from the testimony of Attorney General Brownell, be printed in the RECORD at this point in my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Mr. BROWNELL. So do I.

Senator ERVIN. And my objection to part 3 and part 4 of these amendments is that they take and pervert the use of equity from its accustomed filed in order to deprive American citizens of their constitutional rights of indictment by grand juries, of trial by jury, and of the right to confront and cross-examine their accusers.

Mr. BROWNELL. You may be interested to know, Senator, that if you take that position, you will be in favor of repealing 28 different laws that are already on the books, statutes which authorize injunctive relief by the United States Government in these cases to prevent crimes.

Now let me read them off, there are 28 of them:

"Antitrust laws, restrainng violation (by United States attorney, under direction of Attorney General) (15 U. S. C. 4).

"Associations engaged in catching and marketing aquatic products restained from violating order to cease and desist monopolizing trade (by Department of Justice) (15 U. S. C. 522).

"Association of producers of agricultural products from restraining trade (by Department of Justice) (7 U. S. C. 292).

"Atomic Energy Act, enjoining violation of act or regulation (by Atomic Energy Commission) (by Attorney General) (42 U. S. C. 1816).

"Bridges over navigable waters, injunction to enforce removal of bridge violating act as to alteration of bridges (by Attorney General) (33 U. S. C. 519).

"Clayton Act, violation of enjoined (United States attorney, under direction of Attorney General) (15 U. S. C. 25).

"Electric utility companies, compliance with law enforced by injunctions (by Federal Power Commission) (16 U. S. C. 825m).

"False advertisements, dissemination enjoined (by Federal Trade Commission) (15 U. S. C. 53).

"Freight forwarders, enforcement of laws, orders, rules, etc., by injunctions (by Interstate Commerce Commission or Attorney General) (49 U. S. C. 1017).

"Fur Products Labeling Act, to enjoin violation (by Federal Trade Commission) (15 U. S. C. 69g).

"Enclosure of public lands, enjoining violation (by U. S. attorney) (43 U. S. C. 1062).

"Investment advisers, violations of statute, rules and regulations governing, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80b–9).

"Gross misconduct or gross abuse of trust by investment companies, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a–35).

"Use of misleading name or title by investment company, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a–34).

"Violation of statute governing, or rules, regulations, or orders of SEC by investment companies, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a–41).

"Fair Labor Standards Act, enjoining of violations (by Administrator, Wage and Hour Division, Department of Labor, under direction of Attorney General, see 29 U. S. C. (204b)) (29 U. S. C. 216 (c), 217).

"Longshoremen's and Harbor Workers' Compensation Act, enforcement of order by injunction (by United States attorney, see 29 U. S. C. 921a) (33 U. S. C. 921).

"Import trade, prevention of restraint by injunction (by United States attorney, under direction of Attorney General) (15 U. S. C. 9).

"Wool products, enjoining violation of labeling act (by Federal Trade Commission) (15 U. S. C. 68e).

"Securities Act, actions to restrain violations (by Securities and Exchange Commission) (15 U. S. C. 77t).

"Securities Exchange Act, restraint of violations (by Securities and Exchange Commission) (15 U. S. C. 78u).

"Stockyards, injunction to enforce order of Secretary of Agriculture (by Attorney General) (7 U. S. C. 216).

"Submarine cables, to enjoin landing or operation (by the United States) (47 U. S. C. 36).

"Sugar quota, to restrain violations (by United States attorney under direction of Attorney General, see 7 U. S. C. 608 (7)) (7 U. S. C. 608a–6).

"Water carriers in interstate and foreign commerce, injunctions for violations of orders of ICC (by ICC or Attorney General) (49 U. S. C. 916).

"Flammable Fabrics Act, to enjoin violations (by Federal Trade Commission) (15 U. S. C. 1195).

"National Housing Act, injunction against violation (by Attorney General) (12 U. S. C. 1731b)."

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. ROBERTSON. All those statutes deal primarily with property rights.

Mr. DOUGLAS. The Fair Labor Standards Act deals with individuals.

Mr. ROBERTSON. If a man is accused of violating it in a criminal way, he gets a trial by jury. If an employer pays an improper wage and he is brought before the court on a criminal warrant, he may have a trial by jury.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. ERVIN. Mr. President, I ask the Senator from Alabama to yield without his losing the floor so that I may make a reply to the distinguished Senator from Illinois.

The PRESIDING OFFICER. Without objection the Senator from North Carolina may proceed.

Mr. ERVIN. Under the Fair Labor Standards Act the rights given to individuals are enforceable in trials by jury in the Federal courts. A person charged with a willful violation of the Fair Labor Standards Act has the right to trial by jury in the Federal court. That statute is unlike the bill in two respects.

In the first place, there is a provision in the Fair Labor Standards Act which expressly prohibits the Administrator from suing in equity to get an injunction to restrain violations of the act for the benefit of an individual.

In the second place, the Fair Labor Standards Act does have one provision which allows the Administrator to sue for wages due an individual if no issue of law is involved. However, the provision states that such a suit cannot be brought except at the written request of the individual. Under the civil-rights bill, the Attorney General may sue without the consent of the individual, and even against the will of the individual.

It seems to me that if there is any civil right which everyone ought to respect and honor under all circumstances, it is the civil right of an adult individual, in the full possession of his mental faculties, not to be involved in a lawsuit in the capacity of a supposed beneficiary without his consent or against his will.

Mr. SPARKMAN. Not only without his consent, but even without his knowledge.

Mr. ERVIN. Yes. Every one of the statutes mentioned by the Senator from Illinois, with the exception of those that substitute the injunctive process for common law execution, are statutes applying to rights belonging to the United States in its capacity as a sovereign Nation, not to the rights of an individual. I will say to the Senator, too, that I will support a statute which will give everyone the right to a trial by jury in all of those cases, and in every other equity case, because I think individuals are entitled to it.

Mr. SPARKMAN. When facts are involved.

Mr. ERVIN. Yes.

Mr. LAUSCHE. Mr. President, will the Senator yield so that I may ask a question of the Senator from North Carolina?

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Senator from Ohio may ask a question of the Senator from North Carolina, and that the Senator from North Carolina may reply, without my losing the floor.

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, I should like to know whether the Senator from North Carolina, or anyone else, has made an analysis of the 28 statutes, to ascertain whether basically there was a time when courts of equity did exercise jurisdiction because of the nature of the wrong. I look at the enumeration in the House report, and find that in a number of instances there are aspects of nuisances being in existence.

Mr. ERVIN. That is particularly true of the statute, for example, involving the construction of bridges over navigable streams. The United States has jurisdiction over navigable streams, and that statute, therefore, prevents the erection of bridges over navigable streams without the consent of the United States.

Mr. LAUSCHE. It would be extremely helpful and interesting to learn how many of the 28 statutes deal with actions which originally and genuinely were in law and never in equity in England.

Mr. ERVIN. I would say that most of the statutes deal with newly created rights belonging to the United States in its capacity as a sovereign Nation. None of the 28 statutes antedate 1887, when, as I recall, the Interstate Commerce Commission Act was passed. That was the first of such acts. Since then other acts have been passed, pursuant to the request of Government attorneys that they be given special procedural advantages over private citizens.

Mr. LAUSCHE. I also observe, from a rather cursory examination of the list, that in a number of instances the Federal Government, in attempting to give protection to the citizen in his working rights and to business organizations in their efforts to operate, had them voluntarily come within the provisions of the law and then exercise the power of injunction to enforce compliance. I have not analyzed them, but it would be very interesting to have such an analysis made.

Mr. ERVIN. Mr. President, I will say to the distinguished Senator from Ohio that I have had an analysis prepared by the American Law Division of the Library of Congress, which I shall put into the RECORD later. However, I will say, from studying these statutes myself, that not one of them bears any more resemblance to the civil-rights bills than any homely face bears to the beauteous countenance of Miss America.

Mr. LAUSCHE. Frankly, my approach to the problem is that when the Constitution declares we shall have courts of law and courts of equity, the Founding Fathers contemplated that to those respective courts shall be assigned various actions which historically in England were assigned, respectively, to courts of equity and courts of law.

If that be true, we have had possibly 28 departures from that practice. It may be, upon examination, that we would find in the list of 28 statutes some which could justifiably have gone into a court of equity, and some not.

Mr. ERVIN. That is true. For example, the one which refers to public lands, could fall into the first category because the protection of property rights historically belongs to a court of equity. The Senator from Ohio is eminently correct when he says that the Founding Fathers, when drafting the Constitution, in making reference to equity, contemplated that equity jurisdiction should be exercised in the same general area in which it then operated.

Mr. LAUSCHE. I thank the Senator.

Mr. SPARKMAN. The list to which the Senator from Ohio has referred, and which was placed in the RECORD by the Senator from Illinois [Mr. DOUGLAS], is to be found at pages 62 and 63 of the Senate hearings.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. SPARKMAN. I shall be happy to yield in a moment.

I may say to the Senator from Ohio that one thing to remember about the 28 statutes is that some of them do not come into effect unless or until the defendant has already had an opportunity to have his case heard. Some of them parallel the right to jury actions.

The Senator from North Carolina pointed out a few moments ago 2 or 3 different situations in which the defendant has a right to go into Federal court and have a trial by jury on the facts involved.

So I think it would be necessary to make a rather careful study of all 28 statutes to determine which are analogous. But, regardless of that, my argument is that we have departed too far already from proper procedure, and that this bill represents bad practice; it is a bad precedent to set. Because a mistake has already been made, we should not get farther off the track.

The Founding Fathers, who wrote the fundamental instrument of government under which we live today, took pains to point out that they were rebelling against the King because he had sought to change the system of the courts. He had sought to impose his will upon the people through insisting on the rights of the King, through the changing of the judges, through the changing of the established courts, and by denying the right of trial by jury. The latter was one of the great causes which justified the colonists in resorting to war. They said so in the Declaration of Independence.

When the Constitution was drafted there was written into it article III, section 2, guaranteeing the right of trial by jury in the case of all crimes except in cases of impeachment. But the people were not satisfied. They said the right was not stressed strongly enough. So an agreement was made to submit 10 amendments to the first session of Congress. Those 10 amendments were adopted before the people accepted the present charter of our Government, the Constitution.

Of the 10 amendments, 3 guarantee the right of trial by jury in all cases of crime, and in civil actions except where the amount of money involved is less than $20. That is the extent to which the writers of the Constitution went to make certain that the right of trial by jury would be preserved in our Government.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. CARROLL. I should like to propound a few questions to either the distinguished Senator from Alabama or the distinguished Senator from North Carolina.

Mr. SPARKMAN. In order to protect my position, the Senator's questions will have to be addressed to me, unless he obtains unanimous consent to address them to the Senator from North Carolina.

Mr. CARROLL. Mr. President, I ask unanimous consent that, without losing his right to the floor, the distinguished Senator from Alabama may yield to me so that I may propound questions to the distinguished Senator from North Carolina.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CARROLL. I ask these questions in all good faith, because as the debate has progressed, the questions have occurred to me.

Is it not true that the Federal Government has the power of injunction irrespective of statutes? For example, there is no Federal statute with reference to segregation. There is a Supreme Court decision. Cannot that decision, which is now effective and is the law of the land, be enforced by a private individual in any State simply by his going into a Federal district court and asking the court to enjoin those who interfere with that right?

Mr. ERVIN. I do not understand the Senator's question in the light of the premise concerning the Federal Government. The Senator started with a statement concerning the Federal Government and ended with a question about a private individual.

Mr. CARROLL. I have reference to a private individual going into a Federal court, seeking injunctive relief.

Mr. ERVIN. Under the existing civil-rights statutes, a private individual has the right to go into a Federal court to seek injunctive relief, but when he does so the defendant has the right, in the event he is charged with contempt of court, to two important benefits under sections 402 and 3691 of title 42 of the United States Code.

First, he has the right to trial by jury before he can be punished for contempt, because every violation or deprivation of civil rights is a crime under some Federal law.

Second, he has the benefit of the limited punishment provision under those statutes. He cannot be imprisoned for more than 6 months or compelled to pay a fine to the Federal Government of more than $1,000. If this civil-rights bill were passed, he would be deprived of the benefit of both of those rights.

Instead of being subject to imprisonment for only 6 months, he could be sent to prison for years. The Federal courts have upheld sentences for as much as 4 years in cases not covered by these two statutes. How many more years he could be imprisoned, no one knows, because the Federal courts have said that the only limitation on punishment in a case not coming under those two sections is the nebulous and vague prohibition of the eighth amendment prohibiting excessive fines and cruel and unusual punishment.

Mr. CARROLL. I desire to bring my questions down to specific cases. I will ask a specific question relating to a current example, namely, the case in Clinton, Tenn., which arose, as I understand, under the Supreme Court school integration decision. There is no statute on integration, but the Supreme Court of the United States, interpreting the Constitution, rendered such a decision. Arising therefrom is the Clinton case in Tennessee.

Let us see how this case arose. A private person went into a Federal court and asked the court to enter an injunction, and the court did so. Was not that injunction order based primarily on the Supreme Court decision?

Mr. ERVIN. There are civil-rights statutes which give a private individual the right to bring a suit for injunctive relief whenever he is denied the equal protection of the laws.

Until May 1954, the Supreme Court of the United States, State courts, the President, Congress, and the State legislatures said that the States had a right to segregate their children in the public schools on the basis of race. Therefore, for the 86 years next preceding May 1954, the Constitution permitted segregation in the public schools on the basis of race, according to the interpretation placed on it by the Supreme Court. In May 1954, the Supreme Court repudiated, on the basis of sociology and psychology, the holdings which had been made under the 14th amendment throughout the preceding 86 years, a period, incidentally, which was longer than that which elapsed between the ratification of the original Constitution and the adoption of the 14th amendment.

After the decision of 1954 became effective, the statutes giving an individual the right to go into a Federal court to prevent, by injunctive relief, any denial of the equal protection of the laws clause became applicable to the school cases.

Mr. SPARKMAN. As a matter of fact, I think the Senator from Colorado is in error in his understanding. In Clinton, Tenn., the board of trustees voted to integrate the schools, and it was in the effort of integration that the defendants in the present cases created disturbances.

Mr. CARROLL. The Senator from Colorado is not in error, because that is the point he wanted to make. It was a private person that went into the Federal court to seek relief.

Mr. SPARKMAN. The school board voted for it; and in the effort to carry out

the integration, there was a disturbance; and in that connection the defendants were arrested.

Mr. ERVIN. Let me state my understanding of what happened in the Clinton, Tenn., case. First, I should like to say that the Federal Government has no legal right in a school-integration case, under exisitng law.

In the Clinton, Tenn., case, the parents of certain colored children brought a suit against the school board of Clinton, to compel the admission of their children to the Clinton school. The court issued an injunction, ordering the school board to admit those children to the school; and they were admitted to the school by the school board pursuant to that injunction.

Mr. SPARKMAN. That is correct.

Mr. CARROLL. What was the basis of the injunction?

Mr. ERVIN. The basis of the injunction was that the children——

Mr. CARROLL. I ask what was the basis in law, not in fact. Was not the basis of the injunction the Supreme Court decision?

Mr. ERVIN. The basis of the injunction was the Supreme Court decision of May 1954, repudiating the rule which had prevailed during the preceding 86 years and holding to the contrary that the equal protection of the laws clause of the 14th amendment forbids segregation in public schools on the basis of race.

Mr. CARROLL. That is the point I was trying to make. The basis of the injunction was a judicial decision—which, as we lawyers know, is one of the ways of making laws, whether we agree with that or not. The courts by their decisions make laws; and the Congress makes laws by statute. This court practice has come down through the common law, following what we call the doctrine of stare decisis.

Mr. ERVIN. No; the Supreme Court decision is a repudiation of the doctrine of stare decisis.

Mr. SPARKMAN. Yes; a complete repudiation.

Mr. CARROLL. I understand that is the Senator's position. Of course, the Supreme Court desegregation decision overruled the decision in the case of Plessy against Ferguson, which had been the rule since 1856.

But my point is that the Supreme Court interpretation—whether or not you agree with it—gave rise to a right on the part of an individual or group of individuals to go into a Federal Court and obtain injunctive relief. They did so, and they got it—recently in Tennessee.

Mr. ERVIN. I will say to the distinguished Senator that the individuals were able to go into the Federal court and obtain relief on the theory that they had been denied the equal protection of the laws, under the 14th amendment. There were several statutes which gave them that power and conferred upon the Federal court jurisdiction to try cases of that nature.

Let me say that I disagree with the Senator in one respect. It is not the function of the courts to make laws. The lawmaking power of the Nation is vested in the Congress; and whenever the Supreme Court undertakes to make law, it is usurping the power of the Congress, and is exercising a power denied to it by the very Constitution which it professes to interpret.

Mr. CARROLL. Let me say to my friend, the Senator from North Carolina, that I do not want to debate that point now. I wish to follow through on the question of injunctive relief.

The situation in Clinton, Tenn., as I understand it, is that one man, who has violated the Federal court's injunction, has been sentenced, and I think he is out on appeal.

Mr. ERVIN. And the sentence imposed on him has been affirmed by the circuit court, and now he has appealed to the Supreme Court.

Mr. CARROLL. Therefore, we have the injunctive power, under the equity power of a Federal court, stemming from the civil-rights statutes, which in turn stem from a Supreme Court decision. The power has been exercised in this new field, if we wish to put it in that category.

But there is another category; a sweeping injunction was issued against perhaps the whole county, and some say against the whole State. That trial is underway now—a jury trial. Why? Because it involves some facts. Am I correct in my premise there? Is that a jury trial, based on the injunction?

Mr. ERVIN. Regardless of the origin of the matter, I agree with the Senator that under existing law, private individuals can go into Federal court and sue to obtain the admission of their children to a public school, when such children are allegedly barred from the school because of race.

I agree with the Senator that contempt charges arising in the Clinton, Tenn., case as now being heard in the United States District Court at Knoxville, and that a jury has been impaneled to try the case.

Mr. CARROLL. A jury has been impaneled to try what? To try a question of fact as to whether those persons knowingly violated the court's injunction.

Mr. ERVIN. That is correct.

Mr. CARROLL. Is that not the basic issue?

Mr. ERVIN. The jury has been impaneled to try two issues of fact. As the distinguished Senator from Colorado knows, some years ago there was a great deal of abuse of the contempt processes, particularly against newspapers which criticized court decisions. Under the Federal rules which have been developed in recent years, a person cannot be punished for contempt of court unless he was a party to the action in which the injunction was originally issued, or unless, as the distinguished Senator says, he has knowledge of the existence of the injunction. Furthermore, the Federal rule provides that he must not only have knowledge of the injunction, but he must act in concert with the party against whom the injunction was directed. So we have those two questions of fact.

As I understand it, the reason why there is a right of trial by jury in the Clinton case is the fact that under sections 402 and 3691 of title 42 of the United States Code, the contemptuous acts alleged against the defendants are acts which are also crimes.

Mr. CARROLL. And also in violation of State criminal statutes.

Mr. ERVIN. Yes.

Mr. CARROLL. Mr. President, I wish to thank both Senators for their answers to my questions. Their answers help me to clear my own thinking about this matter.

If the Senator from Alabama will permit me to do so, I wish to leave the matter of segregation for a moment, and to consider the right to vote.

Mr. ERVIN. Let me say that the only reason why the action at Clinton, Tenn., was brought originally by private persons against the school board—and, of course, Kasper was later brought into it—and the only reason why the Federal Government is involved at all is that traditionally, when one is prosecuted for criminal contempt of an order of a Federal court, it has been customary in times past for the prosecution to be conducted in the name of the Federal Government. That is the only reason why the Federal Government is in the Clinton, Tenn., case. Until this civil-rights bill is passed—if it is passed—the Federal Government will have no legal right of itself to go into these school cases.

Mr. CARROLL. I shall discuss that in a moment, because I think now we are getting down to the nub of these matters.

Actually, then, we have a situation where, by the exercise of a constitutional right, an individual sought an injunction; and that injunction—whether rightly or wrongly issued—was violated; and it was issued by a Federal court, in connection with a civil right.

As a result of the violation of that injunction—I do not know what the specific facts are, but they must be very clear to the court—the Federal court, in the exercise of its jurisdiction, imposed punishment of 1 year in jail, as I recall. Let me say that my information is gathered from the newspapers; and, therefore, I presume my information is reasonably reliable, but I cannot vouch for its entire accuracy.

But now we have a different situation. We have the same defendant, but with a larger group of persons, in a proceeding where facts must be determined. In this case, I think, under the Constitution they have a right to a trial by jury.

Now we come to what is really the crux of the whole discussion today. We have talked about a private individual in a segregation case having the right to go into Federal court.

What we now see, as I read the Judiciary Committee hearings—and I want the distinguished Senator from North Carolina to correct me if I am in error, because I read very carefully his very skillful—and I use that word in a very fine sense—and penetrating cross-examination of Attorney General Brownell: As I understand the whole matter, stated briefly it is that the Federal Government is now attempting to add to its powers the power to intervene and to institute

suit on behalf of the individual under the injunctive process, rather than to leave it to the private individual to institute suit on his own behalf.

Mr. ERVIN. And in order that the Federal Government may evade the two benefits which the defendants otherwise would have under sections 402 and 3691 of title 42 of the United States Code.

Mr. SPARKMAN. In other words, the right of trial by a jury and the limitation on the punishment.

Mr. CARROLL. I must say that whatever may be the right of trial by jury—regardless of what rights the Congress would give the Attorney General—the individual is still protected by the same constitutional safeguards that are being applied in Tennessee today—namely, that in certain cases where there is a question of fact there must be a right of trial by jury.

Under certain factual situations, they must have a right to trial by jury. A June 24, 1957 Supreme Court dissenting decision by Justice Brennan in the Times Book Shop case, which had to do with the obscenity statute of New York, argued in behalf of jury trials in certain equity causes. The majority opinion in this case is very important but I shall not discuss it at this time.

I should like to mention one more thing. Returning now to the right to vote, that is a right that has been recognized by Supreme Court decisions as a basic constitutional right also; is it not?

Mr. ERVIN. No; at least, I would not go that far. The Constitution of the United States has two provisions with reference to the right to vote. The first is contained in article I, in its relation to the qualifications of persons who are permitted to vote for Members of Congress. The other is contained in the 17th amendment and has reference to persons who can vote for Members of the Senate. These two constitutional provisions provide, in virtually identical language, that in order to have the right to vote for a Member of the House of Representatives or a Senator, a person must possess the qualifications prescribed for electors of the most numerous branch of the State legislature in the State in which he resides. This being true, the Constitution of the United States gives to the States the rights to prescribe qualifications of voters for candidates for the House of Representatives and the Senate, subject to two limitations. The first is the limitation of the 15th amendment, that the States cannot deny or abridge the right of any man to vote because of race, color, or previous condition of servitude. The other is the amendment on women's suffrage, the 19th amendment, which provides that the States shall not deny or abridge the right of any citizen to vote on account of sex.

Mr. CARROLL. May I put the question more simply? In the South or anywhere else in the Nation can any citizen go into a Federal court and ask for injunctive relief to protect him in his right to vote?

Mr. ERVIN. He can, after he has applied to the State authorities and has gone through his administrative remedies in that regard. When he has exhausted those remedies, he can go into a Federal court and sue individually for injunctive relief.

Mr. CARROLL. To protect his constitutional right?

Mr. ERVIN. Yes. In that case the statutory right of a trial by jury and the statutory limitation of punishment would apply in contempt cases.

Mr. CARROLL. The decision of Exparte Yarborough, which goes back to 1883, discusses article I of the Constitution. Just as the distinguished Senator from North Carolina has indicated, the case says that it is a fundamental and basic constitutional right. Therefore, from the remarks of the distinguished Senator from North Carolina, I assume he is saying that a citizen would have the right to injunctive relief if he exhausted his remedies in the State court.

Mr. ERVIN. I think the Senator from Colorado and I are in complete agreement thus far on what the law is at the present time.

Mr. CARROLL. Another question then arises. By virtue of numbers of Supreme Court decisions, interpreting the Constitution and the rights arising under the Constitution that is basic and fundamental—the right to vote—having exhausted his remedy in the State court, a private individual would have a right to go into a Federal court. Having the right to go into a Federal court, is it not true that the Federal court could exercise its equity power and enjoin, restrain, or give mandatory injunction?

Mr. ERVIN. The Federal court could exercise its power to restrain the State officials from denying the right of a person to vote on account of race or sex.

Mr. CARROLL. That would be so if there was issued an injunctive order, either restraining or mandatory. If that question resolved itself upon a question of fact, of course the individual going into court would have to make a showing, as the distinguished Senator from North Carolina so ably pointed out in committee. Most of such cases are ex parte hearings, but the party would have to make an affidavit, and the judge might say, "We will have a hearing on the merits right away." If the person enjoined violated the injunction, he would be subject to the penalty of the court and could be put in jail.

Mr. ERVIN. But he would have the benefit of the two statutory rights.

Mr. CARROLL. Where there is a violation of an injunction order which conflicts with or includes a State criminal statute, I think, under the Constitution, individuals are entitled to jury trials. Would the Senator not agree with that statement?

Mr. ERVIN. I would say that is my personal interpretation of the Constitution. But others interpret it differently. Those backing the bill think they can get around the constitutional right of trial by jury by resorting to equity proceedings. If the constitutional right of trial by jury can be bypassed by resorting to equity proceedings in civil-rights cases, then the constitutional right of trial by jury can be bypassed in all other cases by equity proceedings and the solemn constitutional guaranties of the right of trial by jury converted into empty phrases expressed in idle and ironic words.

Mr. CARROLL. I appreciate the patience of the distinguished Senator from Alabama, but I should like to ask just one or two more questions on this point. It seems to me this concerns again the right to vote. I put this question again, just as I put the question on segregation. What the Attorney General seeks to do is enlarge the power of the Federal Government to intervene in behalf of an individual or a State official or a group of individuals to guarantee the right to vote. The Federal Government seeks to enlarge and broaden its powers to move into this field.

Mr. ERVIN. The Attorney General seeks to obtain for himself complete authority over this proposed law, which he can use for the benefit of some people and refuse to use for the benefit of other people in like circumstances, and which he can use against some supposed offenders and refuse to use against other supposed offenders in like circumstances. The Attorney General has stated he wants the proposed law so he can avoid the right of trial by jury. That is what he frankly admits. He puts it in more polite language. He says juries may be reluctant to convict.

Mr. CARROLL. I think the Senator from North Carolina agrees with me that the purpose of the legislation is to provide the United States Government, through the Attorney General, injunctive powers which it does not now possess on the right-to-vote issue. Is that not true?

Mr. ERVIN. The purpose is to give that right, not to the United States but to the Attorney General.

Mr. CARROLL. He is an official of the United States. Is it not true the power of the Federal Government is sought to be enlarged?

Mr. ERVIN. I would say the Attorney General is seeking to enlarge his own power to the point where he will have private possession of a public law. If the civil-rights bill is passed, nobody in the United States can have anything to do with putting it into effect except the Attorney General. The bill seeks to give him complete authority over the proposed law. The Attorney General says, in effect, that the reason he wants the civil-rights law is that if he is required to establish allegations in civil-rights cases by the oral testimony of cross-examined witnesses to the satisfaction of a jury he might lose some of the cases he would like to win.

Mr. CARROLL. I will say to the Senator from Alabama that I do not wish to argue this question. I am not going to argue the Attorney General's case. I merely wanted to clarify the RECORD.

I shall conclude with a statement and an observation. It seems to me that in the two cases we have been discussing, as in all civil-rights cases, where the power exists, the individual himself, with certain limitations, may go into Federal court and gain the protection of the Federal court. An injunction can be issued, and if there is a violation a penalty can be imposed. Where the issue

is clear, and the penalty is clear, a sentence or a fine can be imposed immediately. Where there is a question of fact which involves the statute, a jury trial must constitutionally be given.

If that is true, there is nothing this Congress can do to broaden the power of the Attorney General, except to give him the right to intervene, which he does not now have. We can legislate, but we cannot change the basic constitutional concepts. That is something I leave for the Senator to think about.

This debate has been stimulating my thinking. I am deeply grateful to the distinguished Senator from Alabama and the distinguished Senator from North Carolina for permitting me to participate.

Mr. SPARKMAN. I thank the Senator.

Mr. ERVIN. Mr. President, will the Senator permit me to make one other observation?

Mr. SPARKMAN. Yes.

Mr. ERVIN. I will say to the distinguished Senator from Colorado that I think he and I are in accord on the law. We probably express it differently, but in substance we agree.

I agree with the Senator. I do not think we can circumvent the Constitution by any such process. But there are a lot of people who do, though. The Attorney General thinks he can, and that is why he wants this bill.

I will say two other things. As the distinguished Senator from Colorado knows, part III is far broader than simply the right to vote. It would cover every field in which a State is authorized either to act or to legislate under the clause of subsection 3 relating to the equal protection of the laws.

Another thing of importance is that this bill would empower the Attorney General, in any suit brought by him under it, automatically to nullify State laws prescribing remedies. I think that is as drastic as anything could be.

Mr. CARROLL. I will say to the Senator that I want the RECORD to be clear. While I have not defended the Attorney General in this matter, I have merely attempted to bring into focus two important points.

I do not deny the validity of the position of the Attorney General. But I may not go all the way with him. In either event I do not want to find myself in a position where I would be foreclosed; where somebody would have an opportunity to say, "You did not say that the other day; you are changing your position." In my own mind I am not so much alarmed about extending the injunctive process to the Attorney General concerning the right-to-vote issue, because I think there are constitutional safeguards which can protect citizens of Colorado or the South or the North, East or the West. There are certain additional powers we can give to the Attorney General, without depriving or taking away any constitutional rights.

I thank the Senator from Alabama.

Mr. SPARKMAN. I thank the Senator from Colorado and the Senator from North Carolina for the very fine and helpful discussion they have had.

Let me say that my own individual thinking is that since the right of trial by jury is safeguarded by the Constitution, why should we enact a piece of legislation which seeks to take away that right? There is one danger involved, and that is that the construction might be put upon the bill that it is an exercise of equity, and trial by jury would not be empowered.

Certainly, in my opinion, to give to the Attorney General of the United States a dictatorial power, without the right of intervention of a jury trial, would be preposterous.

I hope the Senator from Colorado will keep in mind something the Senator from North Carolina kept saying over and over, namely, that the passage of the bill would not mean giving this power merely to the United States Government, but would mean giving it to the Attorney General in person. It is a power to be given to a person. The Attorney General would have the right to act or not to act. He would become the sole controller of what is done.

Mr. CARROLL. May I say something further, if the Senator will yield?

Mr. SPARKMAN. Yes; I yield to the Senator from Colorado.

Mr. CARROLL. We must always remember that we should be chary and wary of placing too much power in the hands of any individual or in the hands of the Government itself. But there is always a balancing power. We have the Federal judges, who come from Southern States. I read the biography of the judge now sitting on the case in Tennessee. He comes from a southern family with a long and distinguished history. That judge understands the people of his area. That is one check.

There is another check. Whenever any Federal judge abuses his discretion and does not accord the people of the area their constitutional rights, a check is provided—the right of appeal.

We have a further check on the Attorney General. If he goes too far we can always impeach him. I realize that this is difficult to accomplish, but these checks and balances, I believe, can be brought into focus, and I think the point is well illustrated by what is going on in Tennessee today.

Mr. SPARKMAN. I hope the Senator from Colorado will never arrive at such a point that, regardless of what he thinks of the judges, he is willing to place in their hands the trial of facts in any case. Our forebears were not willing to do that.

I know Federal judges who are my close personal friends. I would risk anything with them, but, at the same time, the time-honored tradition of our system of justice is that a man who is accused of some criminal act is entitled to have a jury of his peers pass upon it. It is not referred to one man, but there must be a composite of the whole jury. There is a tremendous difference there.

By the way, because so much of my time has been taken, I am not going to read today, but I hope sometime in the course of this debate perhaps to speak again and to read at that time, an article which quotes a great many of our very finest people, the leaders back in the early days of our Government, great judges themselves, who expressed their implicit confidence in the jury system as being a superior system to any other system ever evolved.

Mr. CARROLL. If the Senator will yield further, I should like to say to him that I fully subscribe to that viewpoint. I have full confidence in the jury system. We in Colorado have such confidence in the jury system that there is a constant effort to improve it. In recent years women jurors are playing an important part in our jury system. We do not even permit the judges in the State courts to comment on the evidence in jury trials.

Mr. SPARKMAN. I hope the Senator will keep in mind that I have been trying to point out the grave danger of the tendency to get away from jury trials. It is not important only in regard to this case.

As a matter of fact, the president of the American Bar Association, who spoke in Texas a few days ago, felt called upon to make some comment on the matter. I am sorry I do not have the clipping here, but perhaps the Senator observed the article in the newspaper. The distinguished Senator from North Carolina, I believe, made reference to it on Monday. It can be found in the CONGRESSIONAL RECORD.

The president of the American Bar Association, who comes from a northern State—Pennsylvania, I believe—called attention to an apparent concerted drive in this country to lessen the utilization of the jury system, and he condemned it strongly. He gave good reasons why the jury system should be sustained.

I remember that old saying we were taught in the law school, dating back, I guess, to the days of Coke:

> It were better that 99 guilty should go free than that 1 innocent should be punished.

The jury system sometimes will make mistakes, undoubtedly, we believe, but it is the best system that has been found yet.

By the way, I should like to say also that while people talk about civil rights, the No. 1 civil right in this country today is the right of trial by jury. When one loses that right one has lost the keystone of his civil rights.

I, for one, am not going to participate in an assault on any part of that right. I believe in it. I believe we ought to maintain it. I do not believe we ought to be flirting with any such provision as is carried in this bill.

Mr. CARROLL. Mr. President, will the Senator yield further?

Mr. SPARKMAN. Yes; I yield.

Mr. CARROLL. It seems to me we have a conflict of constitutional rights. I fully subscribe to what the distinguished Senator from Alabama said about the jury system and its application to criminal acts. Of course, under the Constitution we must have jury trials in certain cases. The question of the right to trial by jury is a basic, fundamental, constitutional right, which comes down to us, as the distinguished Senator has said, through hundreds of years.

We also have many other constitutional rights. One of those fundamental rights is the right to vote. Almost every

Member of the Senate, and almost any American citizen anywhere, says, "Of course, the right to vote is fundamental." Why? Because under the Constitution the power is vested, not in the Supreme Court, or the Congress, not in the President, but in the American people. And in order to assert and exercise that power, the people everywhere in every State must have not only the right to vote but the opportunity of exercising their right.

Mr. SPARKMAN. But the Constitution did not give to the Federal Government the determination as to who should have the right to vote. It gave it to the States, in the very first article of the Constitution.

Mr. CARROLL. But there are many Supreme Court decisions——

Mr. SPARKMAN. I am talking about the Constitution of the United States.

Mr. CARROLL. So am I.

Mr. SPARKMAN. The Constitution gave that power to the States. The 15th amendment contains a provision—and most of the decisions the Senator speaks about have been based on the 15th amendment——

Mr. CARROLL. But the distinguished Senator from Alabama has heard the discussion with the Senator from North Carolina, has he not?

Mr. SPARKMAN. I heard it.

Mr. CARROLL. Supreme Court decisions under article I, section II, of the Constitution, discuss the inherent right, the basic right of the citizen to vote; and the Supreme Court says it must be protected.

Mr. SPARKMAN. But the Supreme Court has never taken away from the States, in any of its decisions, the right of the individual State to set the requirements for registration.

Mr. CARROLL. Of course not. I agree with the Senator. But the Supreme Court has said to certain States, "You may not set up standards which violate the constitutional right to vote."

Mr. SPARKMAN. Yes.

Mr. CARROLL. It has said, "You are interfering with the right to vote." That is why I asked the question of the distinguished Senator from North Carolina, as to whether the individual had a right to go into a Federal court to protect the constitutional right which exists. I think we are in agreement on that point.

Mr. SPARKMAN. I think we are, too.

I want the Senator from Colorado to remember that every question he put to the distinguished Senator from North Carolina about the expansion of these powers tied into the right of trial by jury.

In every one of these proceedings to date, under statutes relating to the right to vote, or relating to any criminal violation, the right of trial by jury is preserved. But the Attorney General is asking Congress to say that the right of trial by jury shall be taken away.

Mr. CARROLL. I think perhaps I oversimplified the situation. The Attorney General is asking for that power which exists now only in the hands of the private individual.

Mr. SPARKMAN. No. He is asking for more than that. That is what I am asking the Senator from Colorado to keep in mind. He is asking for the power which now vests in the hands of the individual citizen. He is asking to have the right to say whether that power shall be exercised. He is asking for the right to take it away from the individual citizen and exercise it in his own name, on behalf of the Government of the United States.

But he goes beyond that, and asks that he have that right to proceed, without the intervention of the jury. That is the point I want the Senator from Colorado to keep in mind.

Mr. CARROLL. Is it not true——

Mr. SPARKMAN. That if the individual started the action, there would not have to be a trial by jury?

Mr. CARROLL. Yes.

Mr. SPARKMAN. I cannot understand that at all.

Mr. CARROLL. That is my impression.

Mr. SPARKMAN. No. The defendant is assured of the right of trial by jury, and of a limitation on the amount of punishment. The Senator from North Carolina brought that out time after time. But this bill seeks to do away with all that.

Mr. CARROLL. If that is what the Senator from North Carolina has said, I am afraid that I did not understand that to be the situation.

Mr. SPARKMAN. Every time the Senator asked him the question, he would say, "Yes, that is true; but the defendant would have two rights assured to him, namely, the right of trial by jury and the right of limitation of punishment"—for example, not more than 6 months' imprisonment and not more than $1,000 fine.

Mr. CARROLL. If that is the situation, I disagree with that concept. Assuming that the individual had that right—and I think it is admitted he had—I thought I put the question to the Senator from North Carolina——

Mr. SPARKMAN. I cautioned the Senator from Colorado several times to keep in mind two things which the Senator from North Carolina was so careful to say—that the defendant in such a case as the Senator from Colorado described would have the right of trial by jury and the right of limitation of the penalty to be imposed.

Mr. CARROLL. Is the Senator from Alabama now saying that the private individual, proceeding under the particular civil-rights statutes, cannot go into Federal court and obtain an injunction?

Mr. SPARKMAN. No; I did not say that. However, I did say that if he did, the defendant against whom the proceeding developed would have the right of trial by jury.

Mr. CARROLL. In other words, as I understand, it is the contention that in in the protection of that right, if there were a violation of the injunction of the Federal judge, the judge could not punish without giving the defendant a jury trial.

Mr. SPARKMAN. Yes. That is what is going on down in Tennessee today.

Mr. CARROLL. That is the situation today, because statutes are involved. That was not what the Federal judge did to Kasper in connection with the first violation of the court's injunction order.

Mr. SPARKMAN. Because the case came within the narrow confines which I discussed in the early part of my remarks. Perhaps the Senator was not present at the time. This is historic. The judge can punish for contempt committed in the judge's presence, or so near as to interfere with the proceedings of the court.

Mr. CARROLL. I understand that. That is basic law.

Mr. SPARKMAN. It has been the law for a long time.

Mr. CARROLL. That is correct. It is my impression that in the Kasper case, in connection with the first injunction, there was a violation of an injunction order of the court, occurring not in its presence. Out of deference to the distinguished Senator from Alabama——

Mr. SPARKMAN. I shall refresh my recollection as to the facts in that case, and I invite the Senator from Colorado to do likewise.

Mr. CARROLL. I shall be happy to do so.

Mr. SPARKMAN. I think I am correct in what I have said.

Mr. CARROLL. I thank the Senator for the time he has given me.

Mr. SPARKMAN. The Senator from Colorado has made a very fine contribution to the argument.

Mr. President, I wish to move along.

The time has come for documented answer to an argument used by the men who have authored and supported the President's civil-rights bill.

The argument tells us that courts have an inherent right to inflict punishment through summary trials, wherever disobedience to an injunction may be involved.

The argument explains to us that Congress cannot limit the court's power to issue injunctions or to enforce them without benefit of juries.

This argument sets before us the constitutional doctrine of separation of powers. Congress, it declares, cannot invade the powers of the courts. It cannot limit in any way the powers of the courts.

This argument goes so far as to say that Congress cannot limit the courts' powers to legislate through injunctions.

The President's civil-rights bill would expand beyond all historical bounds the authority of courts to issue injunctions and to enforce them. Yet, ironically, its supporters tell us that any opposition to this intention would be a violation of the Constitution. Here the argument reaches absurdity indeed. It is time, according to this theory, that Congress, under the Constitution, cannot in any way amend or abridge the summary powers of the courts to enforce their own orders—in effect, to enforce their own legislation.

A very scholarly and forceful answer to this question was given 33 years ago. This answer was so sound and definitive that it has itself become a recognized part of American law.

This answer, written by two Harvard scholars who then were relatively unknown, was published in the Harvard

Law Review in 1924. Since that time both of these men have attained great eminence in the public life of this Nation. One of them, Felix Frankfurter, has since found his way to the Supreme Court. The other was James M. Landis, who, if I recall correctly, served as dean of the Harvard Law School, and occupied several governmental positions.

This is a northern answer, published by a northern law school, and at least one of the authors must be accepted by the civil-rights proponents as authoritative. I did not compose this answer. It is a northern answer, and one of its authors also collaborated in the Supreme Court's decision of May 17, 1954.

These authors wrote their answer during the controversy over the constitutionality of the Clayton Act of 1914. This great act gave the right of jury trial to defendants in labor-injunction cases. There were those who bitterly opposed the rising labor unions, and who charged that Congress, in the Clayton Act, had violated the separation of powers and the inherent powers of the courts and the immemorial usage of the common law.

Frankfurter and Landis, in a heavily documented article, showed how little substance this argument contained.

Now that another minority is defending its right to jury trials against a widely expanded injunctive power, we again hear the argument that Congress cannot constitutionally guarantee jury trial in contempt cases.

The argument was succinctly stated recently in a national magazine. The magazine wrote:

> SAM ERVIN's trial-by-jury slogan was taken up by southern newspapers. Indeed, the issue worried many who were otherwise friendly to civil rights. Yet the contempt citation is the judiciary's historic enforcement tool. Jury trials in contempt cases have absolutely no basis in equity or constitutional law and precious little legislative sanction. * * *
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> As early as 1894, the Supreme Court wrote: "Surely it cannot be supposed that the question of contempt of the authority of a court of the United States, committed by a disobedience of its orders, is triable, of right, by a jury."

That is the argument that is being made by some.

The answer, as written by Mr. Frankfurter and Mr. Landis, is found in the Harvard Law Review.

I shall not take the time to read the entire article at this time. I hope that in a later speech I may have the opportunity of reading the entire treatise, because it is one of the clearest I have seen which deals with this subject.

I wish to read an excerpt from it, which comments on the matter of contempt and contempt proceedings, and the abuse of the power of a judge to impose punishment for contempt. I wish to read the section which I think is of historic importance, and one which has a direct bearing on the subject before us. I read from page 1024 of the Harvard Law Review of June 1924:

> There was abuse. A succession of grievances against the exercise of arbitrary judicial power culminated in the proceedings of impeachment against James H. Peck, a judge of the Federal District Court for the District of Missouri. The dramatic outlines of the story are well known. But the significance of the case to the subsequent Federal law of contempt lies in the details of its history—the circumstances of the impeachment proceedings, the consideration given to the law of contempt in the course of the arguments at the trial, its repercussion upon the legislation of the country. Judge Peck imprisoned and disbarred a lawyer for publishing a detailed criticism of an opinion while an appeal from him was pending. After the fullest consideration, articles of impeachment were presented by the House of Representatives, and Judge Peck was put to trial before the Senate. Peck's conduct was defended chiefly upon his good faith in following what purported to be the stanch precedents of the common law. These were decisions which Lord Coleridge 15 years later thus characterized: "There are many cases in the older digests and abridgments on this subject, undoubtedly of a severe and stringent nature, and such as would ill bear to be applied in the present day." This defense, doubtless considerably reinforced by humane considerations, accentuated in this instance by the judge's age and blindness, saved the day for the judge. He was acquitted, but 21 out of 43 Senators pronounced him guilty.
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> In his closing argument Peck's chief counsel, the great William Wirt, told the Senate that "if the law [of contempt] as it stands be disapproved, it is in the power of Congress to change it." Peck was acquitted on January 31, 1831. The very next day, February 1, 1831, Congress set in motion the process to change it. On that day the House, without a division, directed its Committee on the Judiciary "to inquire into the expediency of defining, by statute, all offenses which may be punishable as contempts of the courts of the United States, and also to limit the punishment of the same." In compliance with this resolution the Committee on the Judiciary, through James Buchanan—

Who later became President of the United States—

> who had had charge of the prosecution against Peck, promptly, on February 10, brought in a bill, "declaratory of the law concerning contempts of court." On February 28 the bill passed the House. On March 2 it was reported by Webster from the Senate Committee on the Judiciary. On the same day the measure received its final form in both Houses, was approved by the President, and became law. The powerful legislative influence generated by Peck's trial did not exhaust itself in Congress. So deeply did the Peck case stir the country that State after State copied the new Federal law.

I shall not read the entire statute, but I wish to read the pertinent part at this time. It reads:

> That the power of the several courts of the United States to issue attachments and inflict summary punishments for contempts of court, shall not be construed to extend to any cases except the misbehavior of any person or persons in the presence of the said courts, or so near thereto as to obstruct the administration of justice, the misbehavior of any of the officers of the said courts in their official transactions, and the disobedience or resistance of any officer of the said courts, party, juror, witness, or any other person or persons, to any lawful writ, process, order, rule, decree, or command of the said courts.

In other words, what Congress was doing by formal action was to confine the exercise of punishment by the Federal courts of the United States for contempt to that small group of cases where the offenses were committed in the presence of the court or so near to it as to obstruct the administration of justice, and to misbehavior of an officer of the court, or disobedience on the part of an officer, party, juror or witness in an action pending before the court.

I submit that that is a good rule. If we have departed from it, it is bad, and certainly we ought not to depart further.

The article from which I have read is, in my opinion, the answer to the argument that Congress has no power to regulate the contempt powers of the courts. This argument was demolished when the Clayton Act of 1914 was held to be constitutional.

As we discuss the legal implications of this proposal, let us remember five clear truths.

First. The bill is an attempt to evade trial by jury. The bill is intended to avoid juries so that the results of prosecutions will conform with the political interests of the administration now in power.

The injunction has a long and honorable history as a means of enforcement, and we have written injunctive powers into many kinds of law.

But this is the first time in recent history, if not, indeed, in the history of the Nation, that the use of the injunction for the specific purpose of circumventing trial by jury has been seriously considered.

The injunction is a useful tool in certain closely defined circumstances. But it has never before been used to ensure convictions—to ensure that Americans will go to prison—because juries seemed undependable.

If we are to say by the bill that juries are not going to enforce the law, must we not conclude that juries will refuse to do their duty in any case? Is this not, in essence, a fundamental attack on the jury system?

If we have reached a point at which juries will not observe their oaths, then the whole concept of trial by jury is under question.

The Attorney General appears to be convinced, and some of the Senators here seem to be persuaded, that juries cannot always be relied upon to provide justice to our citizens in voting cases. I ask then: Whose justice?

In this country, our definition of justice itself is firmly founded upon the concept of a sworn jury with full discretion to convict or acquit, to hold liable or not liable for damages. If we are to say that justice does not reside in the jury, where then does it reside? In the Attorney General? In the President himself? This would seem an uncertain foundation indeed, and a dangerous reversion to very old and evil ideas that one person can tell the rest of his countrymen what is best for them, and what is right for them.

Whose justice shall we enforce? The justice that may be manufactured in haste upon the Senate floor, with one eye upon the next presidential election? Are we going to encourage one section of our country to produce justice for export—to develop law suitable to its own

conditions, and then to force the application of that law elsewhere?

If we wander from the jury trial, upon which all our system of prosecution is based, then we shall have done basic damage to our common inheritance of civil justice.

Let me ask Senators to consider another point. If juries will not enforce the law in voting cases, what reason is there to think that juries will support the law in any case? To be consistent, should we not introduce the fiction of civil proceedings and injunctions into the law of assault and murder?

In my State, and I am sure the same is true in other States, it sometimes happens that a crime is committed. In my State, some of the citizens are white and some of the citizens are colored. Consequently, sometimes there are crimes which involve both races. These crimes are then prosecuted before a jury.

Has our enforcement of the law been so weak, have our juries been so biased, in these cases, that Senators have concluded that we in Alabama do not keep the law? We know that this cannot be said.

The logical extension of the bill is to extend this fiction of civil action, with its injunctions based on the suspected intentions of the person enjoined, to all manner of crimes, so that no case need be brought before a jury.

If we begin to deprive the citizen of responsibility and duty in one area of criminal enforcement, we will hardly improve his ability to uphold his responsibility and duty in other areas. The law is all of a piece, and it cannot be damaged here without unwittingly damaging it there.

It took us and our English forebears many centuries to wring the right of jury trial out of a succession of despots. Now we are actually considering the enactment of a law to demolish a part of this right, merely because history is not moving in a manner which suits certain voters in certain wards of certain large Northern cities, expected to be important in future political elections.

My second point has to do with the long and bitter history of the injunction in our American law.

I intend to go into this history at some length, for it is sowed with incidents and with legal cases which seem to have been forgotten here. Before I begin this review, I wish to point out some of the lessons contained within it.

There has always been an area of overlap between acts punishable summarily as contempts, and acts indictable as crimes.

No one doubts that an American court has a right to punish contempts committed in the face of the court, where they interrupt the work of the court, as I have repeatedly said. Nor do I doubt that the court has a right to punish contempts committed outside the immediate vicinity of the court, where they constitute a threat—a clear and urgent threat, the courts have held—to the administration of justice.

But Congress, the courts, even the Supreme Court itself, has repeatedly condemned the practice of using injunctions to punish acts otherwise punishable through the regular processes of the criminal law.

When Congress first began writing laws, the danger of the "overlap" was not foreseen. Over the years, however, we have grown wiser. This wisdom, which sees injustice in any attempt to replace normal prosecutions with summary trials, has brought into being the contempt laws now in effect. It has caused the writing of many decisions in which the courts themselves have narrowly restricted the right of a judge to inflict summary punishment.

Here again, for the first time in the history of Congress, we are actually proposing to expand the area of "overlap." We are actually proposing to require the courts to punish summarily acts which, traditionally, have been criminal offenses in which the defendant has full access to his rights.

If a foreigner were to listen to all the oratory which has been produced in support of this bill, he would think that the United States had no laws to prevent tampering with voting lists.

Yet anyone who hears or reads what I say, knows that there is already great power at the disposal of the Attorney General to enforce justice at the polls. There are criminal statutes providing severe penalties for tampering with voting records, miscounting votes, and for unlawfully depriving citizens of their right to vote. These statutes are firmly founded upon the Constitution itself.

If our law already provides such powerful remedies for the alleged wrongs, why then is it necessary to introduce this peculiar injunction procedure?

Part of the reason, it seems, is that some who favor the bill appear to be more interested in effecting great change prior to the next election, rather than in the long-term prospect for mollification of our great nationwide race problem. This greedy impatience will do only damage to the legal limitations carefully built up around injunction proceedings, for here Congress will be running counter to its historic position. Congress, in the past, as I pointed out a few minutes ago, has always opposed the use of summary proceedings where the law provides jury trials. To break this tradition now might throw into great question the applications of these limitations against other misuses of the courts' summary powers.

In the past, Congress and the courts together have increasingly narrowed the area within which a judge may punish for contempt. They have steadily reduced the types of indictable crime which may be punished as contempt with none of the safeguards imposed in normal prosecutions.

The bill before us, if passed, would reverse this progress and would confuse principles which now are clear to court and defendant alike.

My third point also reflects a historic trend in the law of contempt in the United States.

The best scholars in this very complicated field have increasingly urged jury trials in some types of contempt, especially in those types loosely known as criminal contempts. The law upon this point is still unclear, but we can see this idea growing if we go back through the cases and the law review articles of the last several decades.

Throughout the history of American law, it has been the liberals in Congress who have led the way in restricting narrowly the court's powers to punish for contempt through summary trial. More recently, these liberals have led the battle toward requiring jury trials in certain kinds of contempt cases.

Now, at last, the scholars and indeed the courts themselves are beginning to question the wisdom of trying any criminal contempt cases without a jury.

I should have thought the libertarians among us would greet this new trend with great gratification.

But a rule of jury trials in contempt cases would threaten the legal steamroller which would be constructed under the bill to enforce a system of injunctions directed from Washington.

It is tragic to see our liberal friends in the position of supporting a bill which would contradict the traditional liberal position on summary handling of injunction cases. It is tragic that these local doctrines, supported by the great liberals of our history, now are imperiled by the bill which is proposed.

Do Senators not see the perilous confusion into which the bill would lead them?

In order to force one region of the Nation into conformity with their ideas of justice, and in order to enforce this conformity before the next presidential election, they are attacking principles of Federal law which were developed only with great difficulty over a period of many years.

Increasingly, we find judges and legal scholars referring to a need for a stated right of jury trial in criminal-contempt cases. Yet here, in this one careless bill, we would clearly express a Congressional intention that this right never be achieved.

We would demonstrate the will of Congress that the law of contempt be carried into fields where it was never designed to go, and that summary trial become the established weapon through which to punish those who do not agree with the racial views of whatever administration might be in power.

This leads me to a fourth point. Much of the law of contempt as it now stands, and most of the meaningful limitations on summary trial, come directly from two areas: labor strife and the publication of writings held to be in contempt of court.

Much contempt law also comes from fields like domestic relations, where alimony payments are involved, and much of it comes from liquor cases. I do not think that I need persuade very hard to show the Senate that this kind of case is very far afield from the bill now under debate.

It should be equally clear that the injunction in an antitrust case is not a precedent for an injunction in a civil-rights case. There has been a certain amount of argument that, because injunctions have proved useful in certain kinds of commercial regulation, they will solve all our most profound and emotional political issues.

Surely every Senator understands that it is specious reasoning to compare an antitrust case with the kind of action now being proposed.

To find a historical analogy for the kind of action contemplated here, we must go back to the labor cases of the late 19th and early 20th centuries. Only by remembering the bitterness and violence of labor strife in those years, and the fierce public resentment of the Federal courts and their injunctions and their summary trials, can we truly foresee the results of this bill.

It is strange to think that many Senators who stand up stoutly for the rights of labor, and who take great pride in the accomplishments of the labor movement, should take the other side in this situation which is legally so close a parallel.

It is strange to think that many Senators who stand up stoutly for the rights of free speech and a free press have had so little to say here. Surely those who are lawyers know how many cases of contempt by publication are on the books.

The contempt power of the judge in publication cases has been sharply reduced in the last two decades. Now he must find a clear and present danger to the administration of justice before he hales the offending editor or speaker into his courtroom. Yet there continue to be such cases; and in such a deep social question as the race issue, it will be easier for a judge to see such danger, perhaps, than in the ordinary run of equity suits.

When court injunctions get involved in the local registration of voters, the judge himself is going to get involved in local politics. The injunction will become an issue in our political campaign, and so will the purpose to which the injunction is put.

Yet, if a candidate criticizes that injunction, or the manner in which its author uses it, does not that candidate stand in contempt of court? If the criticism seems calculated to interfere with fulfillment of the injunction, could not the critic be committed to prison?

Politics is public policy, and there is no issue of public policy more important than that which some now propose to solve with Federal injunctions. Should this area of politics then be above criticism, because the dignity of a Federal judge lies behind the injunction?

The shadow of these injunctions will spread over all the processes of our local and State political systems.

If the injunction and the man who wields it become issues in a campaign, apparently we cannot criticize them without running the danger of finding ourselves haled before the bar of the court, on grounds that our writings and speeches constitute resistance to a lawful writ of the court.

Mr. HILL. Mr. President, at this point will my colleague yield to me?

The PRESIDING OFFICER (Mr. CARROLL in the chair). Does the Senator from Alabama yield to his colleague?

Mr. SPARKMAN. I am very glad to yield.

Mr. HILL. Under the bill, could not there be a situation in which the judge himself would make the law, so to speak, and then he would prosecute, and then he would construe and interpret the law, and then he would render the decision as to the guilt or innocence of the person involved, and then the judge would proceed to fix the punishment of the person whom he had found guilty?

Mr. SPARKMAN. The Senator is absolutely correct. No matter how able a judge may be, after all, he is human. My argument is that it is better to rely on our system of trial by jury.

Mr. HILL. Under the system of trial by jury, the judge has the benefit of the wisdom, experience, and sense of justice and fair play of the 12 members of the jury; is not that correct?

Mr. SPARKMAN. The Senator is absolutely correct; and I think he will agree with me, from his long experience and his long observation of court procedures, that the average judge would prefer to have a jury determine the facts. The judge discharges his responsibility by interpreting and applying the law; but the normal judge would want a jury in every case in which a question of fact was involved.

Mr. HILL. A jury which would determine the facts, and then would take the law as the judge would give it to them. Then the jury would make the application of the law to the facts, as the jury had found the facts to be.

Mr. SPARKMAN. Of course the Senator is correct.

Mr. ERVIN. Mr. President, will the Senator from Alabama yield to me?

Mr. SPARKMAN. I yield.

Mr. ERVIN. I wish to ask a question along the same line. In our law there is a fundamental rule that no man shall be the judge in his own case. I should like to point out that a procedure such as the one proposed by the bill would make the judge in a sense—as the senior Senator from Alabama has pointed out—the writer of the injunction, the interpreter of the injunction, the prosecutor, the jury, and the punisher of the person charged with disobeying the order issued by him. So I ask the Senator whether the bill does not, in spirit at least, violate the fundamental rule that no man shall be the judge in his own case?

Mr. SPARKMAN. The Senator from North Carolina is absolutely correct.

The bill, with all its implications, violates the very fundamentals of our system of justice, which has as its keystone—as I stated a little while ago—the right of trial by jury; and that is bolstered by two other rights, namely, the presumption of innocence until found guilty, beyond a reasonable doubt, by a jury of one's peers; and the right to be confronted by the witnesses who testify against the accused. I judge them to be the foundation stones of our judicial system. But this bill would do grave injury to all of them.

Mr. HILL. Mr. President, will my colleague yield further to me?

Mr. SPARKMAN. I yield.

Mr. HILL. Of course in the ordinary criminal case, under our judicial system, as we have known it, and as that system has been bought and paid for by the blood, struggles, and sacrifices of free men through the centuries, there is also the right first to be indicted by a grand jury and to have a grand jury consider the case.

Mr. SPARKMAN. Yes. As a matter of fact, I have made the point that the use of the grand jury predated the use of the petit jury by about a century before Runnymede.

Mr. HILL. The Senator has brought out that point very effectively in his remarks today. The grand jury came first.

Mr. SPARKMAN. Yes.

Mr. HILL. It was followed by the petit jury. First a person is charged by a grand jury, and then he is tried by a petit jury.

Mr. SPARKMAN. That is correct.

The proponents of the bill are trying to base it upon equity proceedings. However, equity did not develop until long afterward; and it developed to apply only to cases where no relief was to be found in law. But in the present case, every single one of the supposed offenses can find relief in law. There is a writ that goes to every one of them.

Mr. HILL. Is it not also true that the resort to equity was for the protection of property, and did not deal with the question of human rights?

Mr. SPARKMAN. Yes. It was, as has so often been said, an application of the king's conscience in adjusting wrongs which otherwise could not be adjusted in a court of law.

The threats to free speech, and to the right of a free press are so obvious that I am filled with wonder that my northern friends, ordinarily such jealous guardians of these rights, have not had anything to say on this matter.

Suppose the editor of any newspaper, however small or large, wishes to comment upon the way an injunction is being used in his city and county. I do not have to confine my comment to the editor of a newspaper; suppose a columnist or a newspaper reporter comments in his news item on the manner in which some matter has been handled by a judge, and suppose the comment is one which the judge does not like. Can the editor or columnist or reporter comment freely, as, according to our political ideals, he has the right and even duty to comment? Or must he walk warily, so as not to disturb the temper of the Federal judge of the district? I expect that the judge would not be in a very good temper to begin with, upon finding that Congress had passed a law promoting him to the high rank of precinct captain general for every precinct in his district.

If public debate is to become a matter of walking softly around a legal device, then a great change will necessarily take place in our political system; and that change will not be for the better.

There will also be a great change in the nature of Federal justice and the place occupied by our Federal judges.

My fifth point deals with this. It has been our custom in the United States, and a very good custom indeed, to let the law be the crystallization of the American consensus. Law is the formal expression, traditionally, of the social beliefs of our people.

Politics differs from law in that politics is the arena within which we hammer out the issues. Where we have reached consensus, we can enact laws

that will stand. Where we enact laws that are not the result of consensus, then inevitably we draw the judges into politics.

This has happened occasionally in the history of the country, and in every case it has damaged the effectiveness and dignity of the courts. Is there anyone who does not think that will happen should the present bill be enacted?

This bill does not represent the American consensus. It represents the efforts of one part of the Nation to enforce upon another a superficial view of justice, despite earnest warnings that it will work disastrous damage to the progress currently being made.

If the Federal judges are to be made the agents of this disruptive policy, the first result will be grievous damage to the judges' prestige as objective and disinterested arbiters. If Senators think I exaggerate, look again at the history of the great labor unions. Look at the effects of their struggles with Federal courts too deeply concerned with property rights and insufficiently concerned with any other kind of rights.

A judge cannot become the advance agent for a political party in one field of law, and hope to retain his stature as politically disinterested in other fields of law.

In this bill, the administration has chosen, for very good reason, to work through the only Federal officials who cannot be reached through the elective process.

Mr. HILL. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. HILL. Is it not also true that in acting through Federal officials who cannot be reached by the elective process, the Government would go beyond the State, county, municipal, and other local officials in one fell swoop, and would brush all of them out of government, so to speak, in order to use the services of one lifetime Federal judge?

Mr. SPARKMAN. The Senator is correct. I hope sometime in the course of the debate someone will deal with that particular subject, because it is a big subject within itself. The Senator from North Carolina, in the debate this morning, as I recall, brought out the point that every single one of the provisions embodied in the bill is already covered both by Federal law and by State law. The bill would sweep away the procedure of the present Federal statute. That is, it would expand them and make it unnecessary to carry out the two safeguards the Senator from North Carolina repeatedly stated—the right of trial by jury and the limitation on the penalty which can be imposed. It would sweep away completely the handling of these matters by the State and local governments.

Mr. HILL. Not only would the Federal courts handle matters which should be handled by the State and local governments, but the bill would also do away with what we know as the administrative processes. In the past the courts, and Congress, too, have wisely provided that administrative processes should be gone through before persons may resort to the courts.

Mr. SPARKMAN. That is correct.

Mr. HILL. There are many, many matters, as we know, which can be settled or adjudicated or worked out through administrative processes, without ever resorting to the courts.

Mr. SPARKMAN. The Senator is correct. That is the reason there has been maintained through the years the wise rule requiring a person who wants to resort to a higher court first to exhaust his remedies at a lower level.

Mr. HILL. That rule has been laid down not only by the courts themselves but by the Congress itself.

Mr. SPARKMAN. That is correct, by statute enacted and reenacted.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from North Carolina.

Mr. ERVIN. I wanted to ask a question on the point the senior Senator from Alabama has raised. The truth is that, under the procedures provided by the bill, which operate only through the Attorney General and one-man Federal district courts, the Federal district courts would be converted to all intents and purposes into branches of the executive department of the Federal Government for the purpose of acting as school boards and election boards and discharging other functions which are essentially local. Is that not correct?

Mr. SPARKMAN. Yes. I stated a few moments ago that the judge would become, in effect—I used a rather facetious title, but, nevertheless, I think it is apropos—the precinct captain general for the whole area of the district. He would get wrapped up into everything.

Mr. HILL. Mr. President, will the Senator yield further?

Mr. SPARKMAN. I yield.

Mr. HILL. What would become of the indestructible union of indestructible States?

Mr. SPARKMAN. That is one of the great troubles people forget. We have in this country a dual system of government, two sovereignties, each one supreme within its own sphere.

Mr. HILL. It is just as much the province and function of the Federal Constitution to protect and safeguard and insure the States in their sovereignty as it is to protect and safeguard the Federal Government in its sovereignty. Is that correct?

Mr. SPARKMAN. The Senator is certainly correct.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. EASTLAND. Is it not true that in reality what it is sought to do by the bill is nullify the laws of the States?

Mr. SPARKMAN. Yes.

Mr. EASTLAND. The enactment of the bill would be a nullification of State statutes. Is that correct?

Mr. SPARKMAN. Yes, and some of the procedures under Federal law.

Mr. EASTLAND. Surely. This whole bill is based on equal protection of the laws, is it not?

Mr. SPARKMAN. Supposedly.

Mr. EASTLAND. Supposedly. Under the bill we would give the Attorney General discretion to bring suit and nullify State laws for citizen A, but deny the protection of the law to citizen B and make him exhaust his administrative remedies. Is that correct?

Mr. SPARKMAN. Yes. Under the bill, we would vest that power in the Attorney General, not in the Government of the United States as such, but in the person of the Attorney General of the United States, to exercise his discretion as to whether citizen A would have his rights enforced and whether citizen B would not have those rights enforced.

Mr. EASTLAND. Where is the equal protection of the laws which is so loudly proclaimed as being the basis of the bill?

Mr. SPARKMAN. The question answers itself. It is not to be found.

Now, Mr. President, I am about to bring my statement to an end, but before I do so, I desire to comment on something the distinguished Senator from Arkansas [Mr. FULBRIGHT] discussed yesterday, when he placed in the CONGRESSIONAL RECORD, as a part of his remarks, two editorials from the Washington Post showing some change in its thinking.

I ask unanimous consent to have printed in the RECORD at this point in my remarks an editorial from the Washington Post of this morning.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

O'MAHONEY COMPROMISE

Senator O'MAHONEY offered his proposal for jury trials in some contempt cases arising under the civil-rights bill before the Senate had even agreed to take up the bill so that the proposal could be carefully studied. That action was wise, for the subject is extremely complex and the need to find the right answers is great. We hope that it will be scrutinized apart from the passions that are coloring the Senate's debate.

The O'Mahoney amendment would instruct judges sitting in civil-rights cases arising under the bill to order a jury trial for any person accused of violating an injunction or restraining order of the court "if it appears that there are one or more facts to be determined." The idea behind the amendment came from a recent article by Telford Taylor in the New York Times magazine. Some question arises, however, as to whether the amendment reflects what Mr. Taylor had in mind. He suggested jury trials in cases of this kind "where guilt or innocence of contempt involves substantial factual questions." Certainly this reference to substantial factual questions is a different criterion than one or more facts.

What Senator O'MAHONEY is trying to do, however, is to separate those cases in which the facts are clear—such as the refusal of a registrar to register a qualified voter—from those cases in which there may be a substantial dispute as to the facts. These latter may include charges that members of a masked mob had intimidated voters. There the question would be whether the persons restrained by the injunction or those taken before the court were actually the ones guilty of the offense. In our opinion, this is a valid and sensible distinction to make. There is a question as to whether a dividing line can be clearly drawn between the two types of cases. But no harm would be done by requiring juries in those contempt cases in which substantial issues of fact must be determined—with the judge deciding what is substantial.

Along with a study of this amendment should go scrutiny of the proposal made recently by Prof. Carl A. Auerbach of the University of Wisconsin. He thinks the bill should authorize the Government to bring civil contempt actions against alleged violators of civil-rights injunctions. Under civil contempt proceedings, a court could put any defiant registrar in jail until he complied with the court's order—but the defendant himself would hold the key. In other words, the contempt power would be used for a purely remedial purpose instead of a punitive purpose, as under criminal contempt proceedings. Civil contempt cases are always handled by the judge without a jury.

Here is another area in which it may be possible to soften the present bill without sacrificing its vital objectives. In our view, the Senate should weigh every compromise of this sort in the interest of devising a bill that will give minimum offense to the South even if southern legislators cannot bring themselves to vote for it.

Mr. SPARKMAN. Mr. President, I think it is most interesting to see what has happened in the three editorials from the Washington Post. The first one, as the Senator from Arkansas pointed out yesterday, said, in effect, we ought to take this bill and pass it as it is, without losing any time. I do not mean the editorial said that exactly, but that was it substantially. Now, after further consideration, the Washington Post, within the past few days, came out with a second editorial, which discussed the question of the right of trial by jury, and admitted that perhaps there was something to the argument on this point and that the bill ought to receive careful consideration.

In this morning's editorial, entitled "O'Mahoney Compromise," the editorial states the same thing. It pays a very high compliment to the Senator and his amendment, and says, in effect, if I interpret it rightly, that probably it ought to be adopted.

The editorial goes further and says:

Along with a study of this amendment should go scrutiny of the proposal made recently by Prof. Carl A. Auerbach of the University of Wisconsin. * * *

Here is another area in which it may be possible to soften the present bill without sacrificing its vital objectives. In our view, the Senate should weigh every compromise of this sort in the interest of devising a bill that will give minimum offense to the South even if southern legislators cannot bring themselves to vote for it.

I understand the editorial viewpoint of the Washington Post and Times Herald. Of course it favors this kind of legislation. But at least I think the editors are talking sense when they say that the Senate ought to study every angle of this bill, because perhaps it needs amending in other respects.

Frankly, I do not believe the bill could be amended so as to make a good bill. I think it is bad in its premise. However, I realize that there are a great many others who think differently. Certainly this editorial indicates that somebody writing editorials for the Washington Post has been doing a good bit of thinking about this matter and has made progress. I am delighted to see it.

Mr. President, along that line I should also like to have printed in the RECORD at this point an editorial from one of the great newspapers not only of this country but of the world, the Christian Science Monitor, of July 8, 1957. This editorial is entitled "Persuasion Versus Filibuster."

I think the editorial calls for careful reading. I take it that the editorial policy of this newspaper, likewise, would be favorable to civil-rights legislation, but at the same time it takes the view that such legislation ought to be carefully discussed, carefully studied, and thoroughly worked out, not in the hurried, haphazard manner such as the bill before us represents.

Mr. President, I ask unanimous consent that that editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PERSUASION VERSUS FILIBUSTER

Highly encouraging is Senator RUSSELL'S word that in the Senate debate on civil rights opening today the first purpose of southern opponents is to insure that proposed legislation is clearly understood. This purpose everyone believing in democratic discussion will endorse. It relies on persuasion rather than the sheer force of minority rule which is expressed in extreme examples of the filibuster.

No thoughtful person would condemn indiscriminatingly all measures to delay a vote. Where an issue has come up suddenly, debate—however protracted—which provides information and more time for public consideration still serves the purposes of debate. But when the essentials of an issue are widely grasped, the meaningless droning of irrelevant material becomes such an abuse of free discussion as to defeat the true purpose of discussion in a legislative body—clarification of thought to permit wise action.

So long as Senate debate of the civil-rights program provides such clarification it should be welcomed. Certainly clearer understanding is needed when such honest and intelligent men as the President and Senator RUSSELL can take such contradictory views of its meaning. Mr. Eisenhower sees it as a moderate instrument for protecting Negro voting rights. Mr. RUSSELL sees it as a tyrannical attempt to force the mixing of races which will produce disorder and bloodshed.

We are inclined to feel that the President is more nearly right than the Senator. But it is only candid to recognize that the more Negroes gain the vote the harder it will be for States and localities to enforce legal segregation. Yet that does not mean that individuals will not still be free to choose their associates in the vast majority of business and social contacts. Section 3 should be amended to remove any ground for Mr. RUSSELL'S fear that Federal troops may be used to force integration.

Senate debate should clarify the jury-trial issue raised in connection with the proposal for injunctions to halt the purging of Negroes from voting lists. It should be possible to fashion a reasonable compromise on this question.

In most contempt proceedings for violation of an injunction the circumstances might well be so clear that no reason would exist for a jury trial. But there could be cases where responsibility for intentional defiance of a court order was not clearly fixed and a determination of the facts by a jury would serve the ends of justice. Could not provisions be made for exceptions without defeating the whole purpose of the legislation?

We believe Congress and the American people are fairminded enough to listen to reason if sound arguments can be presented for modification of this program. But where debate goes beyond persuasion and becomes either unreasoning emotionalism or calculated obstruction, ears will begin to close and hearts to harden. Senator RUSSELL is wisely seeking to avoid adding public annoyance with the extremer forms of filibustering to existing public impatience with denial of rights.

Mr. President, I have 1 or 2 other matters and then I shall close.

When the civil-rights bill was under debate in the House of Representatives a very distinguished Member of that body, who comes from the State of Illinois, a Republican and one who has had long service there, who entered the House of Representatives at the same time I did, back in 1936, had some remarks to say on the civil-rights bill. I refer to Representative NOAH MASON, of Illinois. I desire to quote his words. Representative MASON said:

Habits, customs, and obligations are much more effective than any civil-rights program implemented by Federal laws. Custom is much more effective than any law because it polices itself. Laws are not particularly efficient. A law has little chance of being enforced if it does not have the approval of the majority of the people affected.

I may say, Mr. President, that we know from bitter experience during the days of prohibition the truth of the statement made there. We know it is true with reference to any law. Any law has to have the respect of the people if it is to be effective as a law.

But Representative MASON went on to say, referring to the civil-rights measure which it is proposed to bring before the Senate:

This bill denies certain fundamental rights guaranteed by the Constitution to both majority and minority groups—the right to own, manage, and enjoy property; the right of trial by jury; the right to be presumed innocent until proven guilty; the right of appeal; and the rights of the States or the people thereof under the 9th and 10th amendments.

Heretofore in America a defendant came to the bar of justice as an innocent man accused of a crime. Under this bill he will come to the bar presumed guilty under a prima facie finding, and he will remain guilty unless and until he can prove himself innocent.

In substance, the provisions of this bill constitute nothing more nor less than government by Federal injunction.

Mr. President, that statement is included in an editorial published in the Florence, Ala., Herald of July 4, entitled "Government by Injunction." I ask unanimous consent that the entire editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GOVERNMENT BY INJUNCTION

As the country, and particularly the South, awaits the expected move next week of backers of the civil-rights bill to force that legislation through the United States Senate, and thus make it the law of the land, more and more people are coming to recognize the dangers it holds.

One of the most critical of its opponents, and of the Supreme Court, which has of late rendered some amazing decisions, is Representative N. M. MASON, of the State of Illinois.

Pointing out that present members of the High Court are men socially, economically, and politically minded, rather than legally experienced and judicially inclined, Representative MASON says it is natural that their decisions are based upon their social, economic, and political convictions. Legal precedents are ignored by the Supreme Court, he declares.

"Nothing is sacred nor permanent under the present uncontrolled Supreme Court," Representative MASON says. "Century-old customs and previous Court rulings may now be overturned by a capricious Supreme Court, a majority of whose justices have sociological predilections that influence or dominate their opinions."

Of civil rights itself, the House Member from Illinois states: "Habits, customs, and obligations are much more effective than any civil-rights program implemented by Federal laws. Custom is much more effective than any law because it polices itself. Laws are not particularly efficient. A law has little chance of being enforced if it does not have the approval of the majority of the people affected.

"This bill (the civil-rights measure) denies certain fundamental rights guaranteed by the Constitution to both majority and minority groups—the right to own, manage, and enjoy property; the right of trial by jury; the right to be presumed innocent until proven guilty; the right of appeal; and the rights of the States or the people thereof under the 9th and 10th amendments.

"Heretofore in America a defendant came to the bar of justice as an innocent man accused of a crime. Under (this bill) he will come to the bar presumed guilty under a prima facie finding, and he will remain guilty unless and until he can prove himself innocent.

"In substance, the provisions of (this bill) constitute nothing more nor less than government by Federal injunction."

Mr. SPARKMAN. Mr. President, I shall not take the time to read, but I ask unanimous consent that there be printed in the RECORD at this point, a very fine editorial published in the Nashville Banner, of Nashville, Tenn. Incidentally, Mr. President, I will say that the Nashville Banner has long supported the Republican Party. It is not a Southern Democratic newspaper, but it is a longtime Republican newspaper. This is a very strong, forceful editorial on behalf of the continuance of our great traditional and constitutional right of trial by jury.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Is there objection?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BY CONSTITUTION, MR. PRESIDENT—JURY TRIAL VITAL PROVISION OF DUE PROCESS

A principle as fundamental as the right to trial by jury admits of no negative speculation. The issue endangering it is positive, and the President owes it to the country to be completely informed on it—and to venture no answer, as yesterday to a casual question, that can be misconstrued.

He said simply that the dignity of the Federal courts must be upheld, and with that point there can be no disagreement. The challenge lies in the evasion of this principle proposed by his Attorney General.

He expressed that view, without elaborating on it, with reference to inclusion of this protective amendment in the so-called civil-rights legislation. Regardless of sponsorship, the omission is indefensible.

It does not conform with what must be, otherwise, his respect for the principle of due process.

Regardless of his reliance on the advice of Attorney General Herbert Brownell, to whom he referred questioners, he must realize that his administration bears the responsibility for a piece of legislation so far-reaching; and he cannot lightly dismiss personal accounting for it on grounds that he is not schooled in law. It is his obligation to know the facts in the case before he lends such a measure even inferential endorsement.

The design of trial by jury is not to reflect upon, or derogate, any court. It does not detract from their dignity, or asperse their prestige as the judicial instrument. It does bind upon the system of justice a procedure historically related to responsibility of the judiciary in a government of law—and that binding was done most meticulously by the Founding Fathers through the Constitution itself.

Not judicial indignity, but freedom from oppression, was the aim of this provision—as three times spelled out in the organic law. It certainly is no less vital now, nor less valid, with legal confusion the more confounded by the legislative versus judicial struggle for the lawmaking function. In the present instance, emphasis understandably is laid upon it as a principle that must not be disestablished in behalf of a questionable force bill.

With regard to this project, which has aroused concern of the Constitution-minded throughout the Nation, the President obviously has been listening too closely to the United States Attorney General—who may be himself seeking a Supreme Court berth. He should be listening to some authorities who know the dangers of that drift from a basic point of law.

The idea of government by injunction—or intrusion on the fundamental right of trial by jury—or of the Justice Department in any of its divisions, old or new, superseding the principle of due process, is nowhere countenanced by the Constitution. They would constitute a bypass, and certainly could not be construed as enhancing the dignity of the court or the security of rights for which governments are instituted.

If the President will consult all the facts on due process, he cannot possibly back a suggestion so essentially and dangerously detrimental to it.

Mr. SPARKMAN. Mr. President, these, then, are my five reasons for opposing the injunction provisions of this bill; let me summarize them.

First. The bill represents an attempt to evade the defenses provided to defendants under our law, and subverts the concept of responsible juries.

Second. The bill attacks the doctrine that acts otherwise indictable as crimes ought not be punished by summary proceedings.

Third. The bill runs counter to the growing body of authoritative opinion that jury trial should be available to defendants in criminal contempt cases.

Fourth. The bill would have among its indirect effects a threat to free speech and a free press.

Fifth. The bill would, in its enforcement, do great damage to the Federal judicial system.

Mr. President, I believe it would be a mistake—a terrible mistake—to take this bill up and make it the pending business. It would create a terrific logjam to hold up badly needed proposed legislation which is already on the calendar. I hope that when question on the motion is finally put the Senate will decide against taking up this bill and making it the order of business.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. ERVIN. I wish to congratulate the Senator from Alabama for his magnificent exposition of the history of the right of trial by jury and the necessity for preserving that right. I wish particularly to commend his very complete refutation of the argument that it would encroach upon the inherent powers of Federal courts for Congress to allow the right of trial by jury in indirect contempt cases.

One of the greatest constitutional lawyers who ever sat in this body was Senator Walsh of Montana. During the course of the debates with respect to the Clayton Act in 1914, Senator Walsh made an unanswerable argument against the contention that allowing the right of trial by jury in indirect contempt cases would encroach upon inherent powers of the court. He pointed out that the only constitutional court we have is the Supreme Court of the United States, that all other Federal courts are creatures of Congress, and that it is absolutely absurd to say that the Congress could create a court, such as the district courts of the United States, which would have more power than the body which created them.

The Senator from Alabama is to be congratulated for making an argument equally as forceful on that point.

Mr. SPARKMAN. I certainly appreciate the remarks of the Senator from North Carolina. As a matter of fact, I was somewhat hesitant and dubious about presenting that argument here, because I thought it was so unnecessary. It was rather ridiculous, I thought, at first, but as I dug back into the history of the Clayton Act, for instance, and the cases of that kind, I found that the argument had been seriously made. There is a great national magazine editorializing to that effect now. Some persons make that argument. It shows the ridiculous lengths to which some people will go when driven by expediency to work for something which they contend will give the relief they desire.

Let me say to the Senator from North Carolina that, as I pointed out a while ago, I had intended, in connection with my remarks, to read a treatise by two then relatively unknown young men named Felix Frankfurter and James M. Landis. This treatise was published in 1924 in the Harvard Law Review. In that treatise they deal with the question which was raised, and demolish it with precedent, and with some of the finest documentation I have ever seen. If the Senator from North Carolina has not read it, I suggest that he obtain a copy of the Harvard Law Review for June 1924, and read the article, beginning on page 1010. It is entitled "Power of Congress Over Procedure in Criminal Contempts in 'Inferior' Federal Courts—A Study in Separation of Powers." It was provoked by the discussion in connection with the Clayton Act.

Mr. President, I yield the floor.

Mr. DIRKSEN. Mr. President, I have listened attentively, I think, to virtually all the discussion that has taken place thus far on the matter which now engages the attention of the Senate. As a member of the Committee on the Judiciary I have given great attention to the efforts to bring the bill to the calendar of the committee and ultimately to the calendar of the Senate.

In addition, I have been attentive on the hearings and the work of the subcommittee as a result of whose deliberations there was finally reported a bill to the full Committee on the Judiciary.

However, my interest in this whole general question of civil rights goes back a good many years. It is certainly more than 12 years ago that I first introduced a bill in the House of Representatives dealing with the subject of lynching. It was at about the same time that I introduced in the House of Representatives a bill dealing with the outlawing of the poll tax. I believe I was the first Member of the House of Representatives on my side of the aisle to introduce a bill in that body dealing with fair employment practices. Therefore, my record in that respect is not that of a Johnny Come Lately. I believe in all modesty that I have had a sustained and abiding interest in the matter which is presently before the Senate.

Furthermore, I was one of the authors, and in fact one of the sponsors, of the President's bill, which was Senate 83, and represented the administration's viewpoint. It is at present before the full Committee on the Judiciary, under the sponsorship of myself and the distinguished Senator from Missouri [Mr. HENNINGS], chairman of the subcommittee which considered it. I simply sketch in those items to indicate my sustained interest in the whole subject matter.

So, as I listen to the discussion which is taking place on the floor of the Senate, I think back to the general fact that the whole course of human destiny in this field has been a rather tortuous one. We have gone steadily forward, never in a straight line. The course has been up, and the course has been down. But is not unusual when we deal with the amelioration of the condition of the individual or of the mass of mankind.

Who can think, for instance, of the guaranty of life and the assurances of that right in the Declaration of Independence, and the high store which has been set upon it in the whole American system, without thinking back to how far we have come?

There come vividly to my mind my own studies of ancient history, going back to the days of Nero and Caligula, in ancient Rome, when life had no value whatsoever, and could be taken by the sovereign without any hesitation.

I think back to an incident which sticks in my mind, from a reading of long ago, when Peter the Great, of Russia, was touring in Poland. That was probably 250 years ago. Someone in Poland indicated to his Imperial Majesty that a new instrument, a torture wheel, had been invented, on which a body could be broken. Peter the Great asked for a demonstration. He was told that there was no one then in prison on whom this barbaric device could be used.

He said, "Oh, that is very well; just take one of my retinue, take one of my servants, and break his body on the wheel."

Human life had little value, little dignity, and little respect as recently as 250 years ago. But we have come a long way since then, and today the emphasis is on the dignity and the sanctity of human life.

Another incident which sticks in my mind is a luncheon which I had with General Eisenhower, when he was the Chief of Staff. On the wall of his office I saw a photograph of Zhukov, who is very much in the prints today.

I said, "General, is that Zhukov?"

He said, "Yes, sir."

I said, "Is he an able person?"

The General replied, "He is a very able, skilled military man. Of course, after the manner of the Soviet ideology, he places little value on human life."

Then General Eisenhower told me the story of one of the battles in Europe during World War II, when General Eisenhower indicated that before the troops went across a large open space of terrain, mine detectors first went in to remove whatever destructive devices were there, so that a minimum of human life would be required.

When they were discussing the subject, Zhukov simply said, "Human life? What is it? 1,000 lives? 10,000 lives? 100,000 lives? What are they? Nothing."

So we see that in the field of the sanctity and the dignity of human life, we have come a long way. Yes, even in the last 250 years we have come a long way in the field of human liberty.

It was only a few hundred years ago that a man could be put in jail for debt and be kept there until he could find a way to extricate himself from the burden. But that is unknown in the law today; certainly it is unknown in the law of our own country. But there were so many other things which served as restrictions upon liberty. Today we pride ourselves on the fact that our liberties are secure; and the voices of our people are traditionally raised whenever freedom in this country is jeopardized.

We have come a long way in the field of social amelioration. I draw on memory when I think of the wretched, impoverished serfs in the days of the Bourbon kings of France, particularly those peasants who eked out an existence on the soil. More often than not they subsisted on roots and berries. But the imperial majesty lived in pomp and splendor, and had little regard for how his subjects got along.

We need only consider agriculture. It is a far cry from the Bourbon kings to today, when there are farm credits, when there is rural electrification, when there are efforts to sustain the prices of farm products; when the Department of Agriculture is devoted to the business of making farming more efficient, and of finding cures for diseases of livestock and means of controlling pests which plague the farmers' crops. That is a long, long cry from conditions which have existed. Slowly but steadily we have walked up hill into the sunlight for the amelioration of the condition of our farmers and of our industrial workers, as well.

One need only to go back to the industrial revolution in England to get a rather ghastly and tragic understanding of how little value was placed upon human energy and human dignity. I see our distinguished friend from Michigan [Mr. MCNAMARA] sitting here; I am confident he is familiar with that situation. Back in 1788, and around that period, men and women were working in the sweatshops of England for as long as 80 or 90 hours a week. The working day was from sunrise to sunset, 6 days a week. When the workers had 1 day off, they were so exhausted that, more often than not, they could go only to the "pubs" and the other public places and there find what stimulating drink was available in order to drive away their fatigue and exhaustion, and thus carry on a miserable existence under a peculiar system.

To me it was astounding to learn that ministers of the Gospel used to stand in the pulpits on Sunday and say it was ordained that man should work from sunrise to sunset, so that when the day of rest came he would be so exhausted that he could not get into mischief.

But we have come a long way since then. We have today the 40-hour week and overtime; we have industral compensation; we have social securty; we have social and factory betterments. And the course is ever upward and onward.

Some force must have been operative at the time to drive mankind upward into a better way of living and a greater dignity.

We have gone further than that in the field of security. How much security was there when Cain, with his bloody hands, listened to the voice from the vaulted spaces and cried out, saying, "Am I my brother's keeper?" There was not any securty there.

There was not much security in Salem, Mass., in the days of Cotton Mather. When someone expressed an unorthodox view, the finger of suspicion was put upon him, and he was, more often than not, taken to the stake, tried first as a witch, and then burned. That was a pretty sad blot upon the escutcheon of this great country.

But we have come a long way in the field of security, not only for men, but for mothers and children, and for everybody else in this land.

It is a long cry from the days when there was a high illiteracy rate in the United States. But education became compulsive, and it has made a great contribution to the economy of the country, besides having made constant and steady progress.

Those things we see as we look down the long vista of time and know from whence mankind came in its movement toward a better destiny.

But I would be a little more particular and refer to some of the ghosts which are in the Chamber today, the ghosts of those who served here in the days before. I think, for instance, of Senator Robert Marion La Follette, who graced

this Chamber at the time when a great change was being discussed; namely, the direct election of United States Senators. Before the Constitution was amended, Senators were selected by the legislatures of the State. Senator La Follette made the point that government, in order to be responsive, had to go back to primary sources, and that Senators should be elected by the people, not selected by the legislatures. At that time, two Members of the Senate were the very eloquent George Frisbie Hoar, of Massachusetts, and Senator Foraker, of Ohio. How they thundered and intoned against Senator La Follette. They said the proposal was un-American and alien; and three Republican Senators, to show their contempt and disdain, walked from the Senate Chamber. It was on that occasion that Senator La Follette said, "The seats that are temporarily without an occupant will, one day, be permanently vacant." And they were.

But there had to be some force to carry that movement along against the eloquence of Senators and against the editorials and against all the hue and cry that that proposal was a departure and was not a part of the American system of government.

I think also of the income tax, and when it finally became a part of the Constitution in 1913. I thought of it the other day, as I stood with a young man from home, who was being admitted to the Supreme Court of the United States, because there I could envision—not in that chamber, but in this one—one of the great lawyers of America, Joseph H. Choate, who raised his voice against the income tax, in a case which was presented to the Supreme Court in 1895. That was the first time that I can find when the word "communism" was used in our history; Joseph Choate used it in the argument he made before the Supreme Court in 1895, when he said the income tax is a communistic device. But in due course it was embraced by President Taft, and in due time it was engrossed into the Constitution of the United States, notwithstanding the editorials, notwithstanding the arguments made in the Supreme Court, and notwithstanding the eloquence used both in this body and in the House of Representatives at the time, before the joint resolution was passed, and the proposed constitutional amendment was submitted to the States. What was the force that brought it about? There had to be something to carry it along until it was made a part of the American system.

Sometimes we decry the civil-service system because it denies to us some of the patronage to which we think we are entitled when we are elected. But I think of the civil-service system in terms of its history, when Roscoe Conkling, a distinguished Senator from New York, referred to everyone who was active in the cause of civil service as a carpet knight and as a man milliner. There was a civil-service convention in Chicago in 1880. Seven persons showed up. Then what happened? The assassin's bullet found President Garfield, in 1881; and within the space of 2 years the Pendleton Act was written upon the statute books of the country, and civil service became a reality. We began to go forward. I raise the rhetorical question, Why? What is the force that has carried us along that path, to the point where today civil service is so completely taken for granted?

I think of child labor. To me, it is one of the amazing things that a liberal such as Woodrow Wilson, when the first child-labor bill was introduced—I think it was the Keating-Owen Child Labor Act—said it was obviously absurd. But it remained for the distinguished Senator from Indiana, Albert J. Beveridge, to introduce a child-labor act. Today, not one Member of this body or of the House of Representatives would undertake to remove it from the statute books; instead, all of us would augment it and implement it, so that the trustees of the America of tomorrow may be adequately protected against the abuses of child labor. What is the force in that case? There has to be something that carries these changes along. I think of the editorials which were written and the speeches which were made—so many of them to the effect that the proposed change was an invasion of a property right. But all the speeches in the Senate or in the House of Representatives made no difference; that measure became a part of the law; and today no one would undertake to remove it from the law.

Mr. JOHNSTON of South Carolina. Mr. President——

Mr. DIRKSEN. Mr. President, I prefer not to yield at the moment.

Mr. JOHNSTON of South Carolina. The Senator from Illinois has referred to the civil-service law. I should like to refer to something in the bill, in that connection.

Mr. DIRKSEN. I prefer to have my colleague save his comment for the moment, please, and permit me to continue.

Mr. JOHNSTON of South Carolina. But the civil service is not protected by this bill.

Mr. DIRKSEN. Well, that is another matter. [Laughter.]

Mr. President, I think of the pure-food law. It comes to my mind particularly because of the fact that when I was chairman of a committee in the House of Representatives, a gracious lady used to attend the committee sessions; she was the wife of Dr. Harvey Wiley, who was the chief chemist of the Department of Agriculture; he was there at the time when William McKinley was President of the United States. It was about the time of the beef scandals, as I recall. It was Dr. Harvey Wiley who went to President McKinley and sold the President of the United States on the idea that there had to be a Food and Drug Act upon the statute books, in order to save the lives of the citizenry and protect their health.

Let us read the speeches made at that time on the floor of the United States Senate in connection with the Food and Drug Act. It will astound Senators to find that men who occupied the places which we now occupy would say, "This is an unjustifiable and an indefensible encroachment of the Federal Government upon a private property right." What they were saying was, in effect, that it was good to put sand in sugar, and sell it to consumers; it was good to adulterate food; and the long arm of the Government must not intervene to stop it.

But I was a Member of the other body when the Congress augmented that act to the point where today it is almost as tight as words can make it, and it is very effectively enforced. Why? In the interest of the health and well-being of the men, women, and children who are the citizens of this Republic. Think of all the words that were uttered; think of all the editorials which were written; think of all the speeches which were made—all in an attempt to stop it. But it was not stopped. A force was operating; it was moving on; it was constantly incubating; it was gathering strength and vitality. Ultimately that force expressed itself.

So, Mr. President, all these measures went upon the statute books of the country.

Let me also refer to women's suffrage; I do so because I think a moral issue is involved. There is not a young lawyer who does not remember his days in law school when there was reference to coverture—at a time when women had no rights; they could not own property; they were almost chattels, for almost all practical purposes. But that did not stop Susan B. Anthony, whose monument stands today in the Capitol Building. That did not stop Mrs. Catt; that did not stop the Pankhursts; that did not stop Amelia Bloomer. They occupied some of the best jails in the country; they undertook to vote when they could, and they were arrested for their pains. But they kept everlastingly at it, until the day came when there was written into the Constitution of the United States the amendment that the right to vote shall not be abridged because of sex.

There has to be a force behind all these developments. I could enumerate a good many more that were so firmly resisted from time to time; but I think the ones I have already enumerated will suffice to indicate, within the confines of this Chamber, the progress which has been made in almost every direction.

What is the force? There has to be a pervading conscience. If I did not believe history was the unfolding of a divine purpose, I would resign at once from the Senate; and that remark is no pleasantry. But I have a deep conviction that the whole unfolding is according to the great design and plan of the Great Architect. That is the way I interpret the history of our times. If that is a firm conviction and conclusion—and it is—then there has to be a great force behind that development.

William James, the philosopher, once used the term "the stubborn and irreducible facts." One can never escape them.

So, Mr. President, regardless of the speeches, what we are dealing with here today, will continue to roll into law, because a moral and ethical consideration is involved; and all the speeches, all the obstruction, all the effort to stop it, will not prevail, because we are dealing with human beings. Though their color is

black, I cannot imagine for a moment that they were not endowed with a spirit and a soul, just as is every other human being under the canopy of God's blue heaven.

So you see, Mr. President, we are dealing with something that is probably a divine force. It is not going to be stopped. It may be stopped now, but it will roll, because we are dealing with people, all the people of this country.

I become a little upset and a little emotional at times, I suppose, about some of the things I see and some of the speeches I read. I picked one up the other day which was printed in the CONGRESSIONAL RECORD. Maybe Senators will want to read it. It is the speech of the Honorable Hugh G. Grant, of Augusta, Ga., formerly United States Minister to Albania and Thailand, and an official of the State Department. If he had not been an official, perhaps this would not be so serious, but he could not become an official unless he held up his hand and took an oath to support the Constitution and the laws of the country. I shall read only a portion of what he said. I do not demean him. It probably is his conviction, but I indicate how far afield we go and how intemperate we can become in considering the problem.

He said:

A war is on in the United States of America, a racial revolution, involving our whole social structure.

A war. Imagine. Then he goes on and says:

Never in all the history of these United States has there been such a widespread and insidious propaganda campaign.

The racial revolutionists propose to achieve their objectives in the United States in practically every phase of human behavior through judicial fiat.

He continues and says:

Federal executive decree, and State legislation. They have stormed the citadel of the Nation's highest Court and have captured the 9 political judges of that heretofore august body.

All the judges are supposed to be political. I do not think it is strange that there have been reflections upon the United States Supreme Court. I may disagree with the Court, but I certainly do not reflect upon their integrity as judges. I say to Senators, such criticism is not anything new. What is happening here today is only a parallel of history, because I read a little something which appeared in the Boston Statesman of June 17, 1837. That is 120 years ago. Here is what that newspaper said:

The judiciary in this country are the most loose, usurping, and irresponsible of any branch of our Government; and any man who resists their encroachments should be looked upon as a public benefactor.

So you see, Mr. President, there have been other generations in the life of this Republic when exceptions have been taken to what the Supreme Court has done; but I find 1 or 2 to embellish the record. This happened in 1894. Articles appeared in the Brooklyn Daily Eagle and the New York World, and they read as follows:

Mr. Justice (blank) sits upon the bench. He will always taint it. Never before in the long and honorable history of the Supreme Court has such a scandal cast its shadow on it.

Then again:

Shall the purity of the judiciary be sacrificed to pay the political debts of the machine bosses?

Then again:

Why must they seek to reward a lawbreaker with the highest judgeship?

So you see, Mr. President, in those days they reflected on the Supreme Court, even as Mr. Grant did. I add one more quotation that appeared in 1907 in the New York Globe:

The President is doing what he can to make over the Supreme Court of the United States. The President would like to see the Supreme Court made up of men who, in a general way, are in line with his policies and in sympathy with them, and insofar as he makes appointments to the Supreme Court he will seek to select judges of this kind.

One cannot find a generation in the history of this country when there have not been attacks upon and criticisms of the Supreme Court; but I doubt very much whether they have gone quite so far as this criticism—I shall not call it an attack—from which I have read. But let me read a few more extracts. This is from the same speech by our former minister, Mr. Grant:

After 4 years of bitter fratricidal strife, constituting the great tragedy of the American scene, the South lay in ruins. * * * Not satisfied with their decisive military victory, the Republican politicians of the North now plotted the destruction of the white civilization of the South. This was to be accomplished through three amendments to the Constitution—the 13th, 14th, and 15th amendments. In the proposed 14th amendment, particularly, were the seeds of destruction.

The speech goes on and on in that fashion. It discusses the matter further.

Speeches of that kind have been made on every occasion in connection with issues which have had a more ethical background, but it did not stop the movement. I say such movements go on and on, even as they have before, and such progress has carried this country to a high state.

Now, the question before us is one of recognizing the United States citizenship of all the people of this country and protecting their rights under the Constitution of the United States.

I was somewhat distressed when it was intimated the other day that the bill which was before the Senate was cunningly contrived, that it was deliberate, that it was a design, that it was meant to force the commingling of schoolchildren in the South. I got no such idea about this bill. My name is on it. I have labored with it for a long time. I never had that in mind. None of the sponsors did. Certainly I do not have it in mind now. But that issue has been raised.

Let us go back to the bill and the question of civil rights and see where we are. When the 13th amendment was adopted and struck away slavery, the Supreme Court itself said, after surveying the scene, that it was not enough. Then came the 14th amendment. That conferred dual citizenship, and we so often forget it. The 14th amendment states that native-born and naturalized citizens of this country are citizens of the United States and the State where they reside. They have a twofold citizenship. What the Congress deals with is the capacity of a citizen as a citizen of the United States under the Constitution. Of course, that is the question which is before us.

The 15th amendment, of course, simply provided that the right of a United States citizen to vote shall not be abridged either by the United States or by any State, and in accordance with its terms, the Supreme Court struck down the grandfather clauses which were used at one time and another to prevent people from voting. There was one in the State of Maryland. I think the law read that if a person's grandfather or great grandfather could vote before 1868, then such a person could vote. How many citizens would be able to vote in that generation when such a law was in effect in the State of Maryland?

But all those impediments were brushed aside little by little, in order to make sure that the rights of a citizen of the United States, regardless of his color, merited and should have the protection of the force and of the sovereignty of the United States Government.

The progress in this field has been pretty slow—very slow, indeed. Sometimes I wonder whether or not we should confess our shame. I have traveled around the world 4 or 5 times, and I have seen some of the young men of color die. When I was a soldier, in World War I, I saw some of them die on the western front. Our colored citizens pay their taxes. Now, are we going to take their lives and their taxes, and not return something by way of protection, by way of safeguarding their rights under the Constitution of the United States, which is the supreme law?

That is not the attitude which the President of the United States took, and I know something about his attitude. In fact, I know a good deal about his attitude, because I was the chairman of the Subcommittee on Civil Rights at the Republican National Convention in San Francisco last year. I had some drafts of my own. They were a good deal stronger than the language we finally wrote into the platform; but it was the tempering effect of the President of the United States that finally accounted for the language we wrote into the platform and on which we went to the people of the United States, and said, "Here is our platform on the civil-rights issue, and we mean to carry it out if we can."

What did we say? It will bear reading into the RECORD today, and I shall read it slowly:

The Republican Party points to an impressive record of accomplishment in the field of civil rights and commits itself anew to advancing the rights of all our people, regardless of race, creed, color, or national origin.

We said "all our people," where civil rights were involved. Parenthetically, let me say that I do not believe one has to live in a Southern State in order to appreciate this problem. I am frank to say that, with the possible exception of the State of Georgia, and it may be of

New York, I believe there are more citizens of color in the State of Illinois than there are in any other State of the Union.

We probably have twice as many Negroes in Illinois as there are in the State of Arkansas, more than there are in Mississippi, and more than there are in Louisiana, if the most current figures are correct, because there are in the neighborhood of 1.2 million Negroes in the State of Illinois.

Now, do Senators not think that one gets some appreciation of this problem in a State like that, without having to live in a Southern State? I think I appreciate this problem and bring to it that degree of sympathy which is necessary in connection with whatever peculiar problem there may be in other States.

But let me continue reading the civil-rights platform:

In the area of exclusive Federal jurisdiction, more progress has been made in this field under the present Republican administration than in any similar period in the last 80 years.

The many Negroes who have been appointed to high public positions have played a significant part in the progress of this administration.

Segregation has been ended in the District of Columbia government and in the District public facilities, including public schools, restaurants, theaters, and playgrounds. The Eisenhower administration has eliminated discrimination in all Federal employment.

Great progress has been made in eliminating employment discrimination on the part of those who do business with the Federal Government and secure Federal contracts. This administration has impartially enforced Federal civil-rights statutes, and we pledge that we will continue to do so. We support the enactment of the civil-rights program already presented by the President to the 2d session of the 84th Congress.

Which was substantially the proposal that is presently before us.

The regulatory agencies under this administration have moved vigorously to end discrimination in interstate commerce. Segregation in the active Armed Forces of the United States has been ended. For the first time in our history there is no segregation in veterans' hospitals and among civilians on naval bases. This is an impressive record. We pledge ourselves to continued progress in this field.

The Republican Party has unequivocally recognized that the supreme law of the land is embodied in the Constitution, which guarantees to all people the blessings of liberty, due process, and equal protection of the laws. It confers upon all native-born and naturalized citizens not only citizenship in the State where the individual resides but citizenship of the United States as well. This is an unqualified right, regardless of race, creed, or color.

The Republican Party accepts the decision of the United States Supreme Court that racial discrimination in publicly supported schools must be progressively eliminated. We concur in the conclusion of the Supreme Court that its decision directing school desegregation should be accomplished with "all deliberate speed" locally through Federal district courts. The implementation order of the Supreme Court recognizes the complex and acutely emotional problems created by its decision in certain sections of our country where racial patterns have been developed in accordance with prior and long-standing decisions of the same tribunal.

We believe that true progress can be attained through intelligent study, understanding, education, and good will.

I ask Senators to listen to this language:

Use of force or violence by any group or agency will tend only to worsen the many problems inherent in the situation. This progress must be encouraged and the work of the courts supported in every legal manner by all branches of the Federal Government to the end that the constitutional ideal of equality before the law, regardless of race, creed, or color, will be steadily achieved.

Do Senators find anything there about bayonets? Do Senators find anything there about troops? Do Senators find anything there about force? Do Senators find anything there about a sumptuary effort on the part of the Attorney General or about the executive branch being arbitrary and capricious?

Mr. ERVIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. THURMOND in the chair). Does the Senator from Illinois yield to the Senator from North Carolina?

Mr. DIRKSEN. I would rather continue, if the Senator does not mind.

There is nothing there about force. There is nothing there about compulsion. We talk about good will and understanding, and carrying out our pledge on civil rights in that spirit.

I repeat:

Use of force or violence by any group or agency will tend only to worsen the many problems inherent in the situation.

That was the attitude of the President. That was the attitude of the Republican Party. I had something to do with the fashioning of that language, and I stand on it today, because I think in the spirit and in the context of that pledge to the American people we can go forward, and we should do so.

That civil-rights platform represents a commitment. I think we ought to carry out that commitment if we reasonably can, and that commitment is before us today in the form of the bill to consider which a motion has been made. I sincerely hope that the motion will be adopted at an early date, and that this bill will be made the order of business, so we can go ahead to discuss its merits.

I do not wish to be in the unhappy and awkward position of contributing to what might be styled a filibuster, although it really is not, but I think there are some things about the bill that ought to be discussed. I doubt whether I can get to part III, which seems to be the highly controversial section, today, but I want the record of this body to show that somebody lifted his voice with respect to this measure, so I wish at least to cover parts I, II, and IV, and probably, at a later period when the bill is before us, I shall go into part III.

Let us look at part I for a moment. It provides for a bipartisan commission to make an investigation in this field. Think of the things we have been investigating. The number is legion. In the last Congress, the 84th Congress, the Senate spent $4,400,000 on investigations, and there has been authorized in this session of the 85th Congress $2,900,000 for investigations. Nothing is sacred from the investigatory touch. We have investigated labor and labor racketeering. We are in the process of investigating business, and the concentration of industry. We are in the process of investigating monopoly. We are in the process of investigating mergers. We investigate un-American activities, to determine whether someone has departed from what we think is an adequate patriotic standard.

We have been investigating disarmament, and perhaps the television networks. We have been investigating foreign refugees. We have been investigating crimes. We have been investigating juvenile delinquency. We have been investigating nuclear energy. We have been investigating prices and rates. We investigate campaign spending.

Considering all the money we have expended for every investigatory purpose under the sun, is there any reason to suggest that we are going afield when we seek to establish a bipartisan commission, the members of which must be confirmed by this body, in order to investigate in this field?

What are the limits of the investigation? I shall not detail them too precisely, but, in general, they include allegations of the deprivation of the right to vote by American citizens who are given that right by the 15th amendment; the question of denial of equal protection of the laws under the Constitution; and the laws and policies relating to equal protection of the laws. Is it so heinous that we should investigate those things? The rights of citizens of the United States are involved. They are the peculiar domain of the Government of the United States; for if the sovereign Federal Government does not look after their interests and protect their rights, who will do it?

I think the House, in eliminating some of the phrases and delimiting the powers of the proposed commission, was probably on good ground. So what objection can there be to a bipartisan commission, with Senate confirmation of its members, making an adequate investigation in this field?

Second, the bill provides for an Assistant Attorney General. It does not designate his functions, because the practice has been, when we provide for an Assistant or Deputy Attorney General, to leave the assignment and the designation to the Attorney General himself.

At present there are six Assistant Attorneys General. One presides over the Tax Division. One presides over the Antitrust Division. One presides over the Lands Division. One presides over the Criminal Division. One presides over the Internal Security Division, and one presides over the Civil Division. However, civil rights come under the Criminal Division today. That is an improper place to put them. That division has a great deal of work to do. It deals with the Fair Labor Standards Act, and a great many other subjects. It seems to me most appropriate, because of the expansion of this domain, that there should be an additional Assistant Attorney General, and that the Attorney General himself, by administrative fiat, should designate a Civil Rights Division in the Department of Justice, to give

dignity to the work and to recognize its importance.

Is there any opposition to it? Can there by any exception to it? I doubt it very much. I have heard very little said on the floor in opposition to these two proposals.

Now we come to part 4, relating to the subject of securing and protecting the right to vote. When all is said and done, I suppose that is the very cornerstone of our country. This is a representative Government, and it is based, of course, upon the selection of people to operate the Government in the executive and legislative branches by the franchise and the suffrage of the people. If that right cannot be exercised, if it cannot be properly or honestly gained, the result makes a mockery of the very principle of representative government itself.

We have statutes on the books relating to denial of the right to vote under color of State law. I refer to title 42, sections 1971 and 1983. Those statutes give the right to sue for damages and for preventive relief.

Title 18 provides for dealing with private interference with the right to vote. That subject is covered in sections 241 and 594. There can be criminal prosecutions under those sections.

There are statutes covering deprivation of rights under color of law, because of race, religion, color, or national origin. Prosecutions would lie under the provisions of section 242, title 18.

The weakness, as the Attorney General pointed out, is that so often a criminal prosecution will touch a very respectable citizen in the community. The more important aspect of the question is that if we wait until the right is denied, and undertake to act after the fact, we cannot restore the right to the citizen who is aggrieved. We must then proceed with a criminal charge.

The hope of the President and of the Attorney General was to have the Congress grant the President augmented civil power, so that denial of the right could be prevented in the first instance, and a criminal prosecution would not be necessary.

It may be said that there is no denial of the right to vote. I think it would be appropriate at this time to refer to the testimony of the Attorney General on this question. It begins on page 3 of the hearings before the Senate committee. He said:

> First, let me refer to the situation which developed last year in Ouachita Parish, La.
>
> In March 1956, certain members and officers of the Citizens Council of Ouachita Parish commenced an examination of the register of the voters of Ouachita Parish. Thereafter, they filed approximately 3,420 documents purporting to be affidavits but which were not sworn to before either the registrar or deputy registrar, as required by law.

The committee counsel, Mr. Slayman, then asked:

> Mr. SLAYMAN. Excuse me, Mr. Attorney General, how many of those were there?
>
> Mr. BROWNELL. Three thousand four hundred and twenty.
>
> Mr. SLAYMAN. Three thousand?
>
> Mr. BROWNELL. Three thousand four hundred and twenty.
>
> Mr. SLAYMAN. Thank you.
>
> Mr. BROWNELL. In each purported affidavit it was alleged that the affiant had examined the records on file with the registrar, that the registrant named therein was believed to be illegally registered and that the purported affidavit was made for the purpose of challenging the registrant's right to remain on the roll of registered voters.
>
> Such affidavits were filed challenging every one of the 2,389 Negro voters in ward 10. None of the 4,054 white voters in that ward were challenged.
>
> Senator HENNINGS. General, in what part of the State is that parish?
>
> Mr. BROWNELL. Near Monroe, La.
>
> Senator HENNINGS. Near Monroe?
>
> Mr. BROWNELL. Yes.
>
> With respect to another ward, ward 3, such affidavits were filed challenging 1,008 of the 1,523 Negro voters.
>
> Only 23 of the white voters in ward 3 were challenged. The registrar accepted their affidavits even though she knew that each affiant had not examined the registration cards of each registered voter he was challenging.

Is it fair? I do not know. The Attorney General was investigating, through his staff, to determine whether the voting right had been denied.

> The registrar accepted their affidavits even though she knew that each affiant had not examined the registration cards of each registered voter he was challenging.

Never even examined the card, but challenged them notwithstanding.

> On the basis of these affidavits, citations were mailed out in large groups requiring the challenged voters to appear within 10 days to prove their qualifications. Registrants of the Negro race responded to these citations in large numbers. During the months of April and May large lines of Negro registrants seeking to prove their qualifications formed before the registrar's office, starting as early as 5 a. m.
>
> The registrar and her deputy refused to hear offers of proof of qualifications on behalf of any more than 50 challenged registrants per day. Consequently, most of the Negro registrants were turned away from the registrar's office and were denied any opportunity to establish their proper registration.

Is that fair?

> Thereafter, the registrar struck the names of such registrants from the rolls. With respect to those registrants who were lucky enough to gain admission to the registrar's office, the registrar imposed requirements in connection with meeting the challenge which were in violation of Louisiana law.
>
> The registrar refused to accept as witnesses, on behalf of challenged voters, registered voters of the parish who resided in a precinct other than the challenged voter or who had themselves been challenged or had already acted as witnesses for any other challenged voter.
>
> By these means the number of registered Negro voters in Ouachita Parish was reduced by October 6, 1956, from approximately 4,000 to 694.

They are citizens of the United States. They may also be citizens of Louisiana, and doubtless they are, but they are citizens of the United States. If I were running for the United States Senate there, I would want their votes cast and counted, because we owe it to them as citizens of the United States. If a similar situation were to prevail in the State of Illinois, I would raise my voice to high heaven, whether the voters were white or black or any other color, so long as they were citizens of the United States; and if the Federal Government refused to look after their interests and asked them only to die on the battlefield and to pay their taxes, but would not permit them to participate in our representative form of Government, then we would have come to a pretty pass indeed. That is all we seek to prevent by the voting section of the bill.

A great deal of noise has been made about jury trials. What we are proposing to do is to give to the Attorney General a civil preventive authority so that it will not be necessary to resort to criminal action.

I listened to the Senator from Alabama [Mr. SPARKMAN] with a great deal of interest. I got to wondering what the situation was in the States with respect to jury trials in contempt proceedings. The Library of Congress has prepared a tremendous document on the subject, and I should like to read from page 5 on the subject of jury trials. This has been compiled by the Law Section of the Library of Congress. It reads:

> Only a few States specifically grant the defendant a right to a jury trial in contempt proceedings, even if they be proceedings in criminal contempt.

That is the law. I did not get that up. It was gotten up by the Law Section of the Library of Congress, for which we appropriate millions of dollars every year to do research for Congress. The report lists a half dozen States, with certain qualifications. I reemphasize what the law is:

> Only a few States specifically grant the defendant a right to a jury trial in contempt proceedings, even if they be proceedings in criminal contempt.

It may be that others have a better answer—I do not know—but at least that comes from a pretty good source, and that is a very well documented report.

What we are asking for is authority in the hands of the Attorney General of the United States to exercise some civil authority, as a preventive measure in a case of voting, before the milk has been spilled and the election day has gone by. Otherwise, nothing can be done, and we must content ourselves with some kind of criminal action. It is very much better not to have to appear against respected citizens in various States, but, rather, to use the contempt remedy when it is available in civil proceedings, so that the intimidation and the coercion and the obstruction and the hinderance can be prevented; and nobody will get hurt in that kind of proceeding.

A bipartisan commission would be established. Since we have investigated nearly everything under the sun, it appears to me that this is an appropriate field in which a bipartisan commission, with its members confirmed by the Senate, can very properly make a limited investigation—and it is limited—in the interest of our whole economy.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. DIRKSEN. Will the Senator bear with me a little while longer? I shall not be too long.

Next, there would be provided an additional Assistant Attorney General. Then there would be safeguarded the right to vote. I had not planned to move into that chapter, particularly, and I shall not cover it in its entirety. However, there are some things that must be repeated, and I might as well do it now as at any other time. This relates to a question that has been discussed at the luncheon table, in the cloakrooms, and on the floor of the Senate. I know it is in the minds of all the Members of the Senate. I wish to be scrupulously fair about it. I refer to the question of the civil-rights bill and segregation in the field of education.

The charge that the major purpose of the civil-rights bill is to enable the Attorney General to force desegregation in the public schools in the South is simply without foundation. The position of the administration on this issue was made clear by the Attorney General himself when he appeared before the Subcommittee on Constitutional Rights of the Committee on the Judiciary. This is what he said:

As you all know, the Supreme Court recognized the many difficulties involved in making the transition from segregated to nonsegregated education. The Court said that "school authorities have primary responsibility of elucidating, assessing, and solving these problems; courts will have to consider whether the action of school authorities constitutes good-faith implementation of the governing constitutional principles."

That is from the Supreme Court's decision in the school cases. The Attorney General continued:

Civil suits brought by private individuals are bringing the school situation before Federal courts in increasing numbers. Because of the discretion vested in the district court in solving these questions, the Department has not become aware of any case in which the exercise of its existing criminal jurisdiction is warranted.

For similar reasons we should not expect often to be faced with the necessity of taking affirmative action in civil suits were the legislation now advocated by us enacted by Congress.

The Attorney General stated, however, that there was a role for the Federal Government to play in the school segregation situation. In the first place, he stated that the Department of Justice would be prepared to institute civil suits under this legislation for the purpose of preventing individuals from interfering with voluntary attempts by school boards and other local officials to comply with the Supreme Court decision to abolish enforced segregation.

Under title 42, United States Code, section 1985, as amended by part III of the bill, the Attorney General would have the authority to sue for preventive relief when it could be shown that there was a conspiracy "for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws."

This is what the Attorney General said further on the subject—and this is the crux of it:

There is, however, one type of situation in which these civil remedies might be useful in the school segregation area, illustrated perhaps by a case that arose in Hoxie, Ark.

There, you will remember that the school board, in compliance with the United States Supreme Court ruling and without waiting for a lawsuit to be brought to compel them to do so, went ahead and desegregated the school. They were proceeding peacefully with an unsegregated school, as is the case of course, in overwhelming areas of our country. Then outside individuals came in, as the record shows, threatened the superintendent and the members of the school board with violence, and threatened some of the parents with violence, in case the unsegregated school proceeded.

That raises a very interesting question. The school board and the superintendent of schools in Hoxie, Ark., said, in effect, "The high tribunal of the country has spoken. It is our duty to comply with the ruling." So without any nudging, without any inspiring from anybody else, they proceeded to desegregate the schools. They went along and paid attention to their own business.

What happened? Outsiders came in and threatened them. What shall we do when a local school agency undertakes to comply with the mandate of the highest court in the land? When the Supreme Court spoke, its decision became the law of the land, because it was an interpretation of a clause in the 14th amendment, which can be undone only if Congress undertakes to amend the Constitution of the United States and such amendment is ratified.

Shall we say to the superintendent of schools and the school board, "Well, we are sorry, but we must leave you to your devices. Work it out as best you can"?

Does the Supreme Court have a weapon with which to enforce the law? It has no weapon. In the separation of powers and in the structural setup of our Government, this body, together with its coordinate body at the other end of the Capitol, got the purse, because not a dollar can be taken out of the Federal Treasury except in pursuance of an appropriation made by law. So Congress got the purse.

The President of the United States got the sword, because the Constitution makes him the Commander in Chief of the military and naval forces of the country.

The Supreme Court of the United States, the third branch of our Government, got no weapon. It depends either upon moral persuasion or upon the executive branch and the law-enforcing authorities in order to carry out its mandates. I think the Supreme Court has done superb work. They have been inhibited and restrained, and have not undertaken at any time in sumptuary fashion to disturb the existing order; they have not undertaken to ram anything down the throat of any section of the country.

But when a peaceful situation arises in a town like Hoxie, what do we do? Do we say, "There must be words that can be contrived to be put upon the statute books, and there must be power to which we can resort"? There must be something we can do; there must be an authority we can create, in order to hold up their hands and to tell them to carry out the mandate of the Court; and we must make certain that they are not molested in so doing.

Is that too much to ask?

Mr. LONG. Mr. President, will the Senator yield?

Mr. DIRKSEN. I was trying to complete my remarks without interruption.

Mr. President, I wish to continue with the memorandum on the Hoxie school case. The Attorney General continued:

In that case the school superintendent and the members of the board filed a suit in the Federal district court seeking to restrain the defendants from interfering with the operation of the school in the district on an unsegregated basis.

An injunction was issued and on the appeal the Department of Justice came in as a friend of the court and filed a brief in support of the plaintiffs. The court of appeals upheld the district court and the school is now back on an unsegregated basis with everything proceeding peacefully.

The Attorney General continued:

The school board in the Hoxie case was courageous and forthright in taking the case into court. It may well develop other situations in which, after voluntary desegregation, the pressures placed upon the local school authorities are so great as to prevent their taking the initiative in instituting the legal action.

In this type of situation the Department under this legislation would be authorized to take the initiative in filing a suit for an injunction against any individuals seeking to interfere with the school authorities in their attempt to comply with the ruling of the Supreme Court.

What is wrong with that? Children are involved. A Supreme Court decree is involved. Do we leave them helpless, if they get no support or attention from State authorities? They are citizens of the United States. Do we abandon them? I cannot imagine it, under the 14th amendment, which provides that all these people, born and naturalized and subject to the jurisdiction of the country, are citizens of the State in which they reside and citizens of the United States of America. They deserve the protection of the Federal Government.

Once there was a theory—before it was struck down by the Supreme Court—that the only way a citizen could contact the Federal Government was through the intermediary of a State. But when, by the 14th amendment, he was made a citizen of the United States, he could hold up his head in the sunlight and could say, "I do not care what inhibitions there are. I have a direct contact with my government, as a citizen of the United States."

Mr. President, before I conclude, I wish to refer to the question of the use of troops. I can well understand how disconcerting that can be and how emotional we can become about it; and I think I understand the reasoning by means of which that conclusion was

reached and was stated on the floor of the Senate.

First of all, part III of the bill is in the form of an amendment to title 42, United States Code, section 1985. In the same title of the code, in section 1993, the following language appears:

It shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as may be necessary to aid in the execution of judicial process issued under sections 1981–1983 or 1985–1992 of this title—

Then there is a little word, but an important one—the word "or"; because then we find the following:

Or as shall be necessary to prevent the violation and enforce the due execution of the provisions of sections 1981–1983 and 1985–1994 of this title.

Part III of the bill is an amendment to section 1985; and the idea of the amendment was to use section 1993, which would make the military available for the enforcement of certain rights. But I think that thesis is completely without foundation.

Of course, it was asserted that that was drafted pretty much by design; that there was something deliberate about it, for the purpose of moving into the desegregation picture. As a matter of fact, there would be no need for it, because section 1993 of title 42 of the United States Code, as it now stands, gives the President ultimate authority to employ the land and naval forces to aid in the enforcement of desegregation decrees issued by Federal courts in any private suits which might be instituted under authority of that title of the code, and for the further purpose of desegregating the public schools.

But entirely apart from the sections being dealt with in the bill, the President may, under laws which were reenacted by Congress as late as last year, and which have been enacted and codified and recodified, going back to 1795, exercise that sort of power.

This is what the Congress provided in 1795:

That whenever the laws of the United States shall be opposed, or the execution thereof obstructed, in any State, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by this act, it shall be lawful for the President of the United States to call forth the militia of such State or of any other State or States, as may be necessary to suppress such combinations, and to cause the laws to be duly executed; and the use of militia so to be called forth may be continued, if necessary, until the expiration of 30 days after the commencement of the then next session of Congress.

That was in 1795, when a certain limited power was conferred upon the President. That was recodified and expanded, so as to authorize the use of the land and naval forces; that was done back in 1861, and it will be found in 12 United States Statutes 281. This statute has existed in substantially the same form since that time. It was first recodified in the 50th title of the United States Code, section 202, and was last reenacted by Congress in 1956.

Now let me read from the revised Armed Forces Act, which will be title 10 of the new code, when it comes out. This is section 332; and, as I recall, the Congress finished action on it in July of last year, and I believe it became effective in January of this year. It reads as follows:

Whenever the President considers that unlawful obstructions, combinations, or assemblages, or rebellion against the authority of the United States, make it impracticable to enforce the laws of the United States in any State or Territory by the ordinary course of judicial proceedings, he may call into Federal service such of the militia of any State, and use such of the Armed Forces, as he considers necessary to enforce those laws or to suppress the rebellion.

That is in effect now; that was done last year. Incidentally, that bill came out of the Armed Services Committee of the United States Senate.

But let us go a little further.

In 1871, Congress gave to the President even broader authority to use the land and naval forces to enforce the Federal laws and, in particular, to enforce the 14th amendment. In that connection, let us refer to 17 statutes 14. The statute was first codified as title 50, United States Code, section 203, and was last readopted by Congress in 1956, as section 333 of the new title 10 of the United States Code. It is the law today, and it has been the law.

Mr. WILEY. When did it become effective?

Mr. DIRKSEN. The Congress passed it last year, and it became effective in January 1957. It reads as follows:

The President, by using the militia or the Armed Forces, or both, or by any other means, shall take such measures as he considers necessary to suppress, in a State, any insurrection, domestic violence, unlawful combination, or conspiracy, if it—

(1) So hinders the execution of the laws of that State, and of the United States within the State, that any part or class of its people is deprived of a right, privilege, immunity, or protection named in the Constitution and secured by law, and the constituted authorities of that State are unable, fail, or refuse to protect that right, privilege, or immunity, or to give that protection; or

(2) Opposes or obstructs the execution of the laws of the United States or impedes the course of justice under these laws.

In any situation covered by clause (1), the State shall be considered to have denied the equal protection of the laws secured by the Constitution.

That is the law; the Congress enacted it very recently; it was less than a year ago that Congress passed on it and made it the law of the land; and it is the law today, and confers that authority upon the President of the United States.

It should also be noted that all the aforementioned statutes vest in the President, not in the Attorney General, the authority to use the troops. I think there has been some talk to the effect that the Attorney General might use the troops. However, there is in the code a section—title 18, United States Code, section 1385—which would make it a crime for anyone not specifically authorized to use the military forces, to do so. That section reads as follows:

Whoever, except in cases and under circumstances expressly authorized by the Constitution or act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than $10,000 or imprisoned not more than 2 years, or both. This section does not apply in Alaska.

But how could the Attorney General use troops, if anybody has the idea that he ever meant to do so? So far as the residual authority of the President is concerned, it goes back to 1795. It is for all broad purposes, and it has been carried forward, readopted, readapted, recodified, and, no later than last year, was made a part of the statutes of the country.

One last word should be said about the question of the use of troops. The ultimate authority to use military force to enforce Federal law whenever the normal judicial processes are insufficient has been vested in the President since 1795. Aside from the periods of actual civil war, Presidents have not found it necessary to resort to military force to enforce Federal law. There is no reason for assuming that it will be necessary to do so even to enforce Federal law in the civil-rights field. Respect for law is firmly ingrained in our people, and adequate power is now vested in the Federal courts to enforce decrees issued by them. To suggest that military force will be necessary to enforce civil-rights decrees is to suggest that there are areas in our country where the local citizens would be willing again to resort to civil war as a means of avoiding the impact of Federal law. We cannot believe that this is true. It is simply not imaginable.

That is the story. I know there is much more to be said. I shall probably again address myself to part 3 of the bill. I did want the RECORD to show what is involved in a broad way. Then, I wanted to show what my own conviction was—that we are laboring today with a great force that has had a sort of spiritual effect upon the unfolding of all history.

Go back 200 years and see where man was educationally, economically, socially, agriculturally, and politically. See what the rights of man were then. See what the restrictions were. Assess and praise and spell out the rather difficult and tortuous road that has been traveled over the last two centuries. Always the course has been upward and onward to something better, finer, and nobler.

So I simply say if we do not prevail in safeguarding and protecting the rights of citizens of the United States as defined and safeguarded by the Constitution of the United States, there will be another day, there will be another time, and there will be another generation that will be responsive to this irrepressible and irresistible force and get the job done, if we should fail.

I can understand the abiding interest of the President of the United States in this matter, and how anxious he is that the Congress do something on this score during the present session. The least I can do is lift my voice and to help him

as best I can to get this job done in whole or in part.

Mr. THYE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. THYE. I wish to commend the distinguished Senator from Illinois for his most impressive, intelligent, and informative statement. As I have listened to him, his statement has been a great enlightenment to me, and I know it will be to all those who read the RECORD.

Mr. DIRKSEN. I thank my friend from Minnesota.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. POTTER. I, too, wish to commend the Senator from Illinois for an outstanding presentation of this very delicate and complex subject. I should like to ask the distinguished Senator a question. Does he think that when Negro citizens in some cases are denied the right to vote, they should still be subject to selective service? Men are drafted irrespective of color. Nevertheless, some of them are denied the right to vote. When a criminal is sentenced to prison, although he loses his right to vote, he is not subjected to being drafted under selective service. While certain citizens are denied the right to vote in certain areas, at the same time we reach out and grab them for selective service, which I think is grossly unfair.

Mr. DIRKSEN. I thoroughly agree with the statement of the Senator from Michigan. I am always a little distressed about using words that seem rather sumptuary in meaning when we say we deny them the right to vote. Perhaps we had better put it on another ground and say it is made extremely difficult for them to vote, but the Senator is eminently correct.

Mr. POTTER. If the Senator will yield further, many of us served in the Armed Forces with Negro citizens during the war. I know the outstanding service they performed. There was certainly no discrimination at that time as to the missions to which they were assigned. To me the proposed civil-rights legislation, which would guarantee such citizens the right to vote, which right other citizens have, is long overdue, when we consider the fact that such citizens have to serve in time of war and pay taxes on the same tax structure on which other citizens pay taxes. Certainly the voting privilege should be extended equally to those citizens.

Mr. DIRKSEN. That is a part of the fabric of equality, and it will not be denied.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. CASE of New Jersey. Mr. President, I wish to join my colleagues in expressing my appreciation to the Senator from Illinois for speaking as he has this afternoon. As I think almost everyone knows, it had not been the intention of those of us who believe in this proposed legislation to participate in the discussion of the pending motion or to engage in extended debate upon the merits of the legislation. Yet, because of the debate by those in opposition to the bill has been on its merits, it has seemed to me, as it has to the Senator from Illinois, that, at least in the beginning, this discussion by the proponents of the bill was very much in order. The fact that there has not been more of it on our side is due solely to the reason I have set forth. I am sure the overwhelming majority of the Members of this body, as well as of the other body of Congress, feel as the Senator does.

I want to make one special point in relation to the remarks of the Senator from Illinois, particularly the concluding portion of his remarks. Contrary to the impression which has perhaps been created by those in opposition to the proposed legislation, that there was some kind of harm intended to American citizens by those who support the bill, and an intent to oppress them, the real situation is that we are attempting, in all humility and with no sense of superiority on our part, but in a desire to be helpful, to make it possible for millions of citizens who for so long have been held in an inferior status to begin to be full-fledged citizens and Americans. What we are talking about is an effort to stop certain persons from preventing those citizens from exercising their rights as Americans.

I wish to thank the Senator from Illinois for pointing out that it is a part of the long process of history, by which we have progressed from intolerable conditions, so far as humanity is concerned, to conditions somewhat more tolerable, and that it is time for us to take a step to remove this stain upon the escutcheon of our country.

I particularly desire to thank the Senator for making it possible for those in favor of this proposed legislation to introduce into the RECORD some of the reasons why we feel so deeply about it.

Mr. DIRKSEN. I am grateful to the distinguished Senator from New Jersey. Actually, I had no particular desire to intrude myself into the discussion of the bill, when we are dealing with the motion which is before the Senate, but rather than have someone misinterpret the attitude of Senators on this side of the aisle, I thought something ought to be said. Obviously, one does have to move into some of the merits of the bill and what it proposes to do in order to make a fair record that can be conveyed to the country.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the distinguished Senator from California.

Mr. KUCHEL. Mr. President, I wish to say that the distinguished Senator from Illinois [Mr. DIRKSEN] has performed an excellent and invaluable service here today in the powerful and persuasive address which he has just concluded.

I am delighted to associate myself with the other Senators who have saluted the efforts of the Senator from Illinois on this occasion.

I wish to ask the Senator from Illinois, Is it not true that basically what is sought to be achieved by those of us who have lent our names to similar legislation in the Senate, and, indeed, what is sought to be achieved by the President of the United States, is to give the adult American citizen, every American citizen wherever he may live in this country, the right to exercise his franchise and to vote?

Mr. DIRKSEN. Indeed so.

Mr. KUCHEL. Is it not true that the American constitutional guaranty of a right to vote is worth very little, if indeed it is worth anything at all, except on the day of election?

Mr. DIRKSEN. Yes; and the ballot must be counted on the day of election, also.

Mr. KUCHEL. Indeed, or otherwise it loses its value entirely. On election day the right to vote is the most precious right, under our Constitution, of Americans.

In that connection, Mr. President, I desire to ask the Senator from Illinois if he recalls, as I am sure he does, that portion of the letter which the Attorney General of the United States addressed to the Senator from New Jersey and to me a number of weeks ago, when he said in part:

> There are valid reasons for the ever-increasing use of civil suits for preventive relief as a means of enforcing Federal law. Judicial determination of the validity of a course of conduct in advance aids the Government in its primary purpose of preventing violation of law. It also aids the defendant since he can litigate the legality of his proposed conduct without the necessity of taking action at the risk of a criminal conviction if he guesses incorrectly.

Does the Senator not agree with that comment by the Attorney General?

Mr. DIRKSEN. Yes, and that is precisely the point the Attorney General emphasized at the very outset when he came before the committee to testify.

Mr. KUCHEL. I thank the Senator very much.

Mr. DIRKSEN. So he reemphasized the true situation.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. DIRKSEN. Mr. President, I yield with the greatest pleasure, delight, and relish to my old friend, the Senator from North Dakota, whom we are all glad to welcome back to the floor of the Senate.

Mr. LANGER. I merely want to make an observation and to ask a question.

Is it not true that the Republican Party is the party which has taken care of second-class citizens and has made them first-class citizens during all the years? Is it not true that the Indians all over the country were second-class citizens, until they were granted the right to vote under Calvin Coolidge, in 1924, when we passed the legislation in Congress providing that the Indians, no matter from what State, would have the right to vote?

Mr. DIRKSEN. Mr. President, I could make a most emphatic nonpartisan political answer to my distinguished friend, the Senator from North Dakota, except that I do not wish to inject any kind of partisanship into the discussion, because what we are dealing

with here is so important and so far transcends all partisanship and personal feelings that I do not want to have the issue clouded. But I can tell my distinguished friend, privately, how I feel.

Mr. LANGER. I should like to add that in the Northwest, in Montana, South Dakota, and North Dakota, and other Western States, we are very proud that the Indians have the right to vote. I agree with the Senator that this discussion should be entirely nonpartisan.

Mr. DIRKSEN. Of course my distinguished friend, the Senator from North Dakota, was a tower of strength in achieving that result.

Mr. LANGER. I helped a little.

Mr. DIRKSEN. Indeed, sir.

Mr. LANGER. I wish to associate myself with the very fine remarks which the Senator from Illinois has made this afternoon.

Mr. DIRKSEN. I am deeply grateful.

Mr. ERVIN rose.

Mr. DIRKSEN. I now yield to my very distinguished friend, the Senator from North Carolina.

Mr. ERVIN. I should like the very able and distinguished Senator from Illinois to tell me whether or not I misconstrued his remarks when I came to the conclusion that he admitted that if this bill were passed the President, under section 1993 of title 42 of the United States Code, could call out the Army, the Navy, or the militia to enforce the decrees which could be entered in the suits under title 42, section 1985, to be brought by the Attorney General.

Mr. DIRKSEN. Mr. President, what I said was that the President does not have to depend upon section 1993. He can go to the Revised Armed Forces Act, completed in August of last year, effective January 1, 1957, from which I read excerpts to show the power of the President.

Mr. ERVIN. The Senator from Illinois read excerpts from other statutes which I construe to be implementations of the constitutional provision that the President can send troops into States in case the States are in insurrection.

Let me ask the Senator this question——

Mr. DIRKSEN. Of course, before we get away from that point, that certainly is not my interpretation of the language which I have read into the RECORD this afternoon, language that goes back to 1795 and continues up to what will be title 10 of the new United States Code.

Mr. ERVIN. Under section 1993 of title 42 the President can call out the militia of the State.

Mr. DIRKSEN. Yes.

Mr. ERVIN. I ask the Senator if under section 1993, title 42, of the United States Code, the President cannot call out the Army, the Navy, or the militia merely to enforce a judgment.

Mr. DIRKSEN. Mr. President, if the President can call cut the troops under a half dozen different provisions in the statutes, what difference does it make whether it is section 1993 of title 42 or section 333 of title 10 of the new code? It makes no difference.

Mr. ERVIN. I submit that under the other statutes the situation has to be in a much more drastic condition. It practically must amount to an insurrection. In this instance the President can call the troops out to enforce the judgment in a case.

Mr. DIRKSEN. Not as I read the language of the statute.

Mr. ERVIN. May I invite the Senator's attention to section 1993 of title 42. Let me ask the distinguished Senator from Illinois this question: If we were to pass this bill and authorize the Attorney General to bring suits in cases authorized by title 42, section 1985, could the President not then call out the Army or the Navy or the militia to enforce the judgments entered in such cases?

Mr. DIRKSEN. I think the best answer, of course, is simply to read the language of the statute into the RECORD. That language has been bandied about on the floor so much that I shall simply merely read it for my own edification, as well as that of the other Members of the Senate.

The Senator is referring to section 1993?

Mr. ERVIN. Title 42, section 1993. The statute is very broad. I am merely asking for an interpretation.

Mr. DIRKSEN. Yes. The statute, in part, reads as follows:

AID OF MILITARY AND NAVAL FORCES

It shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as may be necessary to aid in the execution of judicial process issued under sections 1981–1983 or 1985–1992 of this title, or as shall be necessary to prevent the violation and enforce the due execution of the provisions of sections 1981–1983 and 1985–1994 of this title.

Does that differ from the other language?

Mr. ERVIN. I think it does, very substantially.

Mr. DIRKSEN. I do not think it does.

Mr. ERVIN. In one instance provision is made to call out troops to enforce a judgment. In the other case there must be practically a state of insurrection, as I construe it.

Mr. DIRKSEN. Let us re-read the language which I placed in the RECORD this afternoon. I will go all the way back. This is the new title 10 of the United States Code, referring to the Armed Services Act, section 332:

Whenever the President considers that unlawful obstructions, combinations, or assemblages, or rebellion against the authority of the United States, make it impracticable to enforce the laws of the United States in any State or Territory by the ordinary course of judicial proceedings, he may call into Federal service such of the militia of any State, and use such of the Armed Forces, as he considers necessary to enforce those laws or to suppress the rebellion.

If the Senator can think of broader language than that, I have never seen it.

Mr. ERVIN. That is exactly what I am talking about—"to suppress the rebellion."

Mr. DIRKSEN. The language is, "And use such of the Armed Forces, as he considers necessary to enforce those laws or"——

Mr. ERVIN. "Suppress the rebellion."

Mr. DIRKSEN. It does not say "and to suppress the rebellion." It says "or."

Mr. ERVIN. The conditions are described previous to that.

Mr. DIRKSEN. Let us look at the other language in the new statute.

Mr. ERVIN. Read the first part.

Mr. DIRKSEN. This section now reads as follows:

The President, by using the militia or the Armed Forces, or both, or by any other means, shall take such measures as he considers necessary to suppress, in a State, any insurrection, domestic violence, unlawful combination, or conspiracy, if it—

(1) so hinders the execution of the laws of that State, and of the United States within the State, that any part or class of its people is deprived of a right, privilege, immunity, or protection named in the Constitution and secured by law, and the constituted authorities of that State are unable, fail, or refuse to protect that right, privilege, or immunity, or to give that protection; or

(2) opposes or obstructs the execution of the laws of the United States or impedes the course of justice under those laws.

In any situation covered by clause (1), the State shall be considered to have denied the equal protection of the laws secured by the Constitution.

I can think of no broader language.

The Attorney General could have done it just as well, but we would still have the issue of the troops.

Mr. ERVIN. In that case, before he could use the troops, the people would have to engage in violence approximating rebellion.

Title 42 of the United States Code, section 1993, provides:

It shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as may be necessary to aid in the execution of judicial process issued under—

Various sections, including the section sought to be amended by part 3. In order for that power to exist, it would not be necessary for any "cain" to be raised.

Mr. DIRKSEN. Let me say to my distinguished friend from North Carolina that the point was made, with the greatest intensity and determination, that this language was cunningly designed and deliberately made an amendment to section 1985 for the purpose of compelling the commingling of children in schools, and so forth. I say that it was not. I think the record speaks for itself. The provision could have been placed in half a dozen places in the United States statutes, with the same effect. So there is no foundation for the charge that there was anything cunning or deliberate, or that this was done by design, in order to achieve a given effect.

Mr. ERVIN. A person could not read this bill, however, and discover that section 1993 of title 42 had any application to the bill, because it does not refer to title 42, section 1993. One has to go to title 42, section 1993, to find a reference to the section to which the bill refers.

Mr. DIRKSEN. Let me ask my gracious and distinguished friend, for whom

I have an abiding affection, whether, if an amendment were offered on the floor of the Senate to repeal section 1993 of title 42 of the Code, the Senator would then vote for the civil rights bill?

Mr. ERVIN. No; I would not vote for the civil-rights bill. However, I suggest to the distinguished Senator from Illinois that he offer such an amendment, or at least offer an amendment to provide that when the President does call out the Army, the Navy, and the militia under title 42, section 1993, they shall be restricted to the use of bayonets, and not be allowed to use nuclear weapons. [Laughter.]

Mr. DIRKSEN. If the Senator from Illinois were to offer such an amendment on the floor it would be almost frivolous. What would we do about section 332 of title 10 of the new Code on the Armed Services, which became effective on the first of January 1956, and which is broader than anything that has been written into the law before?

Mr. ERVIN. All that it would be necessary to do under title 42, section 1993, would be to obtain a judgment against me or my constituents under title 42, section 1985, but we would have to be in more or less of a state of insurrection before action could be taken under the other statutes. That would be the fundamental difference.

Mr. DIRKSEN. The provision does not require any insurrection at all. It deals with the execution of the laws.

Mr. ERVIN. I should like to ask one further question. The distinguished Senator from Illinois referred to the laws of the States with respect to contempt. I respectfully submit that that was an argument which might well be addressed to the legislators of the States. We are national legislators. I ask my distinguished friend if he does not know that under existing Federal law, namely, under sections 402 and 3691 of title 18 any person involved in a civil rights case now has the right of trial by jury when he is charged with an indirect contempt, and also has the benefit of limited punishment, which would be removed if this bill were passed.

Mr. DIRKSEN. Mr. President, I am grateful to my distinguished friend for raising that question, because I did not quite round out the remarks I intended to make.

We have heard a great deal of discussion to the effect that this proposal is a radical departure from an American tradition. Let us see what the score is. On page 62 of the hearings will be found a description of 28 different laws which are already on the books, statutes which authorize injunctive relief by the United States Government in certain cases to prevent crimes. The list was inserted in the hearings at the request, I believe, of my distinguished friend from North Carolina. Let me read the colloquy, beginning near the middle of page 62:

Senator ERVIN. I would rather have a man given an opportunity to have the spirit and the letter of his constitutional rights observed.

Mr. BROWNELL. And abolish the law of equity, that is what it amounts to.

Senator ERVIN. No; I am not abolishing the law of equity. I think that the law of equity ought to be confined to its proper sphere, and not be used as a device to deprive people of their basic constitutional rights.

Mr. BROWNELL. So do I.

Senator ERVIN. And my objection to part 3 and part 4 of these amendments is that they take and pervert the use of equity from its accustomed field in order to deprive American citizens of their constitional rights of indictment by grand juries, of trial by jury, and of the right to confront and cross-examine their accusers.

Mr. BROWNELL. You may be interested to know, Senator, that if you take that position, you will be in favor of repealing 28 different laws that are already on the books, statutes which authorize injunctive relief by the United States Government in these cases to prevent crimes.

Let me read them. The first is "antitrust laws, restraining violation"——

Mr. ERVIN. Of course the Senator from Illinois has the floor, but I respectfully submit that he is not responding to my question. My question was whether under sections 402 and 3691 of title 42 a man would not have the right of trial by jury and could not be locked up in jail, if convicted, for more than 6 months?

Mr. DIRKSEN. The whole purpose of invoking preventive remedies by the Attorney General is to avoid criminal proceedings.

Mr. ERVIN. But I will ask the Senator if the injunctive process does not operate on the principle that a man will be punished if he violates the injunction.

Mr. DIRKSEN. That is the whole reason for it. It is within the power of the court to impose punishment. It has been thus from the very beginning of the proceeding at King's Bench and Queen's Bench, when the writs were very rigid, and the result was that a subject had to go into an equity court so that he could get equity from his sovereign. From that day to this there has been an almost unending line of precedent with respect to civil suits.

Mr. ERVIN. Perhaps I can simplify this by saying——

Mr. DIRKSEN. There are very few States in which trial by jury is granted in civil-contempt cases.

Mr. ERVIN. We are Federal legislators. If we have a Federal law, as we do now, which gives a man the right to trial by jury and the right to limited punishment, as is given in sections 402 and 3691 of title 42, we ought to keep that good Federal law and not talk about bad State laws.

Mr. DIRKSEN. Of course, the colloquy between my friend from North Carolina and myself will not settle the matter, but I wish to read into the RECORD these 28 statutes.

Mr. ROBERTSON. The senior Senator from Illinois [Mr. DOUGLAS] put those statutes in the RECORD earlier in the day when he engaged in colloquy with the Senator from Alabama [Mr. SPARKMAN].

Mr. DIRKSEN. They are very short. I shall ask the Official Reporter to have them printed in the RECORD.

Mr. ROBERTSON. They deal primarily with property, and mostly with property of the United States. They deal with the general jurisdiction of the United States in interstate matters, such as the building of bridges over navigable streams.

Mr. DIRKSEN. I heard my distinguished friend make that argument earlier in the day. I say that they deal with people. Ordinarily we do not find property in contempt. We find people in contempt of court, for violating the law with respect to wool labeling, for instance, or for violating the Antitrust Act; we deal with human beings in such cases.

Mr. President, I ask unanimous consent to have the list of the 28 statutes printed in the RECORD at this point.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Antitrust laws, restraining violation (by United States attorney, under direction Attorney General) (115 U. S. C. 4).

Associations engaged in catching and marketing aquatic products restrained from violating order to cease and desist monopolizing trade (by Department of Justice) (15 U. S. C. 522).

Association of producers of agricultural products from restraining trade (by Department of Justice) (7 U. S. C. 292).

Atomic Energy Act, enjoining violation of act or regulation (by Atomic Energy Commission) (by Attorney General) (42 U. S. C. 1816).

Bridges over navigable waters, injunction to enforce removal of bridge violating act as to alteration of bridges (by Attorney General) (33 U. S. C. 519).

Clayton Act, violation of enjoined United States attorney, under direction of Attorney General) (15 U .S. C. 25).

Electric utility companies, compliance with law enforced by injunctions (by Federal Power Commission) (16 U. S. C. 825m).

False advertisements, dissemination enjoined (by Federal Trade Commission) (15 U. S. C. 53).

Freight forwarders, enforcement of laws, orders, rules, etc., by injunctions (by Interstate Commerce Commission or Attorney General) (49 U. S. C. 1017).

Fur Products Labeling Act, to enjoin violation (by Federal Trade Commission) (15 U. S. C. 69g).

Enclosure of public lands, enjoining violation (by United States attorney) (43 U. S. C. 1062).

Investment advisers, violations of statute, rules and regulations governing, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80b–9).

Gross misconduct or gross abuse of trust by investment companies, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a–35).

Use of misleading name or title by investment company, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a–34).

Violation of statute governing, or rules, regulations, or orders of SEC by investment companies, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a–41).

Fair Labor Standards Act, enjoining of violations (by Administrator, Wage and Hour Division, Department of Labor, under direction of Attorney General, see 29 U. S. C. (204b)) (29 U. S. C. 216 (c), 217).

Longshoremen's and Harbor Workers' Compensation Act, enforcement of order by injunction (by United States attorney, see 29 U. S. C. 921a) (33 U. S. C. 921).

Import trade, prevention of restraint by injunction (by United States attorney, under direction of Attorney General) (15 U. S. C. 9).

Wool products, enjoining violation of labeling act (by Federal Trade Commission) (15 U. S. C. 68e).

Securities Act, actions to restrain violations (by Securities and Exchange Commission) (15 U. S. C. 77t).

Securities Exchange Act, restraint of violations (by Securities and Exchange Commission) (15 U. S. C. 78u).

Stockyards, injunction to enforce order of Secretary of Agriculture (by Attorney General) (7 U. S. C. 216).

Submarine cables, to enjoin landing or operation (by the United States) (47 U. S. C. 36).

Sugar quota, to restrain violations (by United States attorney under direction of Attorney General, see 7 U. S. C. 608 (7)) (7 U. S. C. 608a–6).

Water carriers in interstate and foreign commerce, injunctions for violations of orders of ICC (by ICC or Attorney General) (49 U. S. C. 916).

Flammable Fabrics Act, to enjoin violations (by Federal Trade Commission) (15 U. S. C. 1195).

National Housing Act, injunction against violation (by Attorney General) (12 U. S. C. 1731b).

Mr. DIRKSEN. Mr. President, I yield the floor.

ORDER FOR RECESS TO 10:30 A. M. TOMORROW AND FOR TRANSACTION OF ROUTINE BUSINESS

During the delivery of Mr. DIRKSEN's speech,

Mr. JOHNSON of Texas. Mr. President, will the Senator from Illinois yield to permit me to make an announcement?

Mr. DIRKSEN. I will yield, provided I do not lose the floor.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Illinois may yield to me for the purpose of propounding a unanimous consent request, with the understanding that this interruption will appear at the conclusion of his remarks, and that the Senator from Illinois will not lose the floor by yielding.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today, it stand in recess until 10:30 a. m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I should like to have my colleagues on notice that it is planned to have the Senate remain in session until some time around 7 o'clock this evening, and that a later session tomorrow evening is contemplated. It is my hope that, since the Senate will convene at 10:30 tomorrow morning, we may perhaps run until 9 or 9:30 tomorrow evening, if speakers are available.

I want all of my colleagues to take notice of the order which has been entered, namely, that the Senate will convene at 10:30 tomorrow morning.

I ask unanimous consent that, following the convening of the Senate tomorrow morning, there be the usual morning hour for the transaction of routine business, including the introduction of bills, petitions, and memorials, and that statements be limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AWARD OF PRESIDENTIAL MEDAL OF HONOR TO HERMAN J. SCHAEFER FOR OUTSTANDING HEROISM

Mr. CAPEHART. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. Mr. President, I yield for a special purpose, with the understanding that I do not lose the floor.

Mr. CAPEHART. Mr. President, I ask unanimous consent that my remarks appear following the conclusion of the remarks of the Senator from Illinois.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CAPEHART. Mr. President, in 1905 Congress passed a law to award medals to persons who perform acts of extraordinary bravery. Since 1905 only 56 such awards have been made by the President under the law passed by Congress.

In the gallery this afternoon are Mr. Herman J. Schaefer and his wife and children, of Evansville, Ind.

Mr. Schaefer has just been awarded one of the 56 medals which have been awarded in 51 years for extraordinary bravery in connection with the saving of the life of a 3-year-old boy in Evansville.

Mr. Schaefer, a switchman for the Chicago & Eastern Illinois Railroad, was riding on the front of his locomotive, when a 3-year-old boy appeared in front of the moving engine. Mr. Schaefer saved the boy's life by leaning over and catching him.

An interesting commentary concerning this award is that the first award, made in 1905, was to Mr. George Poell, who likewise saved the life of a little boy. But in that instance Mr. Poell was very seriously injured and suffered the loss of one foot.

Mr. President, I should like to have Mr. Herman Schaefer and his wife and children stand and be greeted by the Senate.

[Mr. Schaefer and his family rose in their places in the gallery and were greeted with applause, Senators and the guests in the gallery rising.]

The PRESIDING OFFICER (Mr. THURMOND in the chair). The Chair desires to welcome Mr. Schaefer and his family, and to commend him for the outstanding heroism which he exhibited.

Mr. CAPEHART. Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks an explanation of this award.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Herman J. Schaefer, 34, 2709 North Sherman Avenue, Evansville, Ind., a switchman for the Chicago & Eastern Illinois Railroad, will be awarded the Presidential Medal of Honor by the Interstate Commerce Commission "for outstanding heroism in saving the life of a 3-year-old boy, March 29, 1954."

Schaefer, who has been with the Chicago & Eastern Illinois since September 29, 1950, will receive the award in Washington, D. C., July 10.

A tall, lean, handsome young man, Schaefer said he was amazed at the news that he would receive the coveted award.

"I don't know what to say," Schaefer said, "it all seems like a dream. I did just what anybody else would do if they had been there at the same time.

"The little boy was playing on the tracks and I thought of my own kids and simply had to get him out of the way of the train."

At the time, Schaefer was riding on the front of a diesel-powered switch engine in Evansville and saw young Timothy Roberson, then 3 years old, playing with a model train on the tracks in the rear of his home at 216 Eichel Avenue, Evansville.

Schaefer tried to shout to the other crew members that the child was in the tracks but no one heard him. Abandoning all thoughts of personal safety, Schaefer jumped down on the footboard, a violation of safety rules, grasped the handrail, leaned out, and swiftly picked the child out of the path of the onrushing train.

Shortly after the daring rescue the Chicago & Eastern Illinois rewarded Schaefer with a gold watch and a plaque testifying to his heroism and held a luncheon in his honor in Evansville.

Some time later, C. D. Blue, superintendent of safety for the Chicago & Eastern Illinois, submitted a report plus appropriate affidavits from other crew members who witnessed Schaefer's heroic act to the Interstate Commerce Commission.

The medal, given only 56 times in 50 years, is awarded for acts of heroism on the Nation's railroads.

Coincidentally, the first award given in 1905 to George Poell, a locomotive fireman for the St. Joseph & Grand Island Railway, closely parallels Schaefer's case.

Poell went on the pilot of his steam engine and picked up a child, also a small boy, playing in the middle of the tracks while the train was moving.

The child escaped injury in this case more than 50 years ago but both Poell's arms were broken and his foot had to be amputated because of his lifesaving action.

Schaefer and his wife, Ruth, have 4 children: Mike, 9; Pat, 6; Mary Beth, 3; and Joseph, 19 months.

The entire family will accompany Schaefer to Washington to receive the award.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 632) to amend the Federal Crop Insurance Act, as amended, and it was signed by the President pro tempore.

CIVIL RIGHTS

The Senate resumed the consideration of the motion of Mr. KNOWLAND that the Senate proceed to the consideration of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ellender	Monroney
Allott	Ervin	Morse
Anderson	Flanders	Mundt
Barrett	Frear	Murray
Beall	Fulbright	O'Mahoney
Bennett	Goldwater	Potter
Bible	Gore	Revercomb
Bricker	Hill	Robertson
Byrd	Holland	Russell
Carlson	Hruska	Scott
Carroll	Humphrey	Smith, Maine
Case, N. J.	Jenner	Smith, N. J.
Case, S. Dak.	Johnson, Tex.	Sparkman
Chavez	Johnston, S. C.	Stennis
Clark	Kerr	Talmadge
Cooper	Kuchel	Thurmond
Cotton	Long	Thye
Curtis	Mansfield	Watkins
Dirksen	Martin, Iowa	Wiley
Dworshak	McClellan	Yarborough
Eastland	McNamara	

The PRESIDING OFFICER (Mr. THURMOND in the chair). Sixty-two Senators having answered to their names, a quorum is present.

Mr. WATKINS. Mr. President, I do not intend to make a major speech on the matter now before the Senate; but I wish to call attention to some facts which will be of interest to the public generally and, in particular, to the Members of this body.

SPREAD OF THE NEGRO POPULATION IN AMERICA

Mr. President, it seems most unfortunate that in this matter of debate over the so-called civil-rights bill, Senators seem invariably to be drawn into rival lines of North and South.

Also, it seems to me that our friends from the Southern States sometimes assume that the problems that go with color and race are inherently their problems, and that we who come from Central and Northern portions of the country are but interlopers when we essay some interest, particularly in the Negro.

Historically and currently, it is true that the Negro was, and is, usually a resident of the South; but I think we need to bring our thinking up to date and to observe to what lengths and in what concentrations the Negro has spread throughout the Nation as a whole.

For example, while it is true that Georgia and North Carolina have more than 1 million Negroes, each, let it be remembered that New York has more than 900,000. Illinois and Pennsylvania have more Negroes, each, than either Florida or Tennessee, while Ohio, California, and Michigan have more Negroes, each, than Arkansas or Maryland.

New Jersey has more Negroes than either Missouri or Kentucky. Indiana has more than Oklahoma or West Virginia. And Massachusetts, Kansas, and Connecticut have more Negroes, each, than has Delaware.

Of the States having 25,000 or more Negroes—and these number 31—nearly half are not Southern States.

This is not to minimize the South's problems, as they deal with race. But it is to say this: If there is a Negro problem in Georgia, North Carolina, Mississippi, Alabama, Texas, Louisiana, South Carolina, Virginia, Florida, Tennessee, Arkansas, Maryland, Missouri, Kentucky, Oklahoma, West Virginia, and Delaware, then—in terms of numbers—there is a kindred problem in New York, Illinois, Pennsylvania, Ohio, California, Michigan, New Jersey, Indiana, Massachusetts, Kansas, and Connecticut.

What is even more important is this: I have based my figures for the above analysis on those contained in the 1950 Federal census. By 1960, when another such census is made, I am quite sure we shall find that the spread will be even greater.

As one of the sponsors of the administration's civil-rights bill, I became so from a matter of principle. It is true that my native State of Utah, which in 1950 ranked 38th among the States in population, also ranked 40th in its number of Negroes. But that does not mean that the civil-rights principle is alien to my State. In recent years the question there has been raised as to the right of Indians living on reservations to vote. It had previously been ruled that Indians not living on reservations have a right to vote. Fortunately, and yet only very recently, we have seen to it in Utah that Indians share our rights and duties as voting citizens. Also, in Utah we are very proud that we have either stood first or very near the top in national elections in the percentage of our eligible citizens who cast their ballots at the polls. To my way of thinking, in connection with the matter of civil rights here in debate, the principal question is the right to vote. On principle, I think that should be the inalienable right of every citizen of voting ability, and should not be obscured by condition or race.

Mr. President, as a part of my remarks, for introduction into the RECORD, I ask unanimous consent for the insertion of a brief table—drawn from the 1950 Federal census—listing the number of Negro residents in the various States.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Table I—Negro population by States (according to 1950 Federal census)

1 million or more:	
1. Georgia	1,062,762
2. North Carolina	1,047,353
900,000 or more:	
3. Mississippi	986,494
4. Alabama	979,617
5. Texas	977,458
6. New York	918,191
800,000 or more:	
7. Louisiana	882,428
8. South Carolina	822,077
700,000 or more: 9. Virginia	734,211
600,000 or more:	
10. Illinois	645,980
11. Pennsylvania	638,485
12. Florida	603,101
500,000 or more:	
13. Tennessee	530,603
14. Ohio	513,072
400,000 or more:	
15. California	462,172
16. Michigan	442,296
17. Arkansas	426,639
300,000 or more:	
18. Maryland	385,972
19. New Jersey	318,565
200,000 or more:	
20. Missouri	297,088
21. Kentucky	201,921
100,000 or more:	
22. Indiana	174,168
23. Oklahoma	145,503
24. West Virginia	114,867
50,000 or more:	
25. Massachusetts	73,171
26. Kansas	73,158
27. Connecticut	53,472
25,000 or more:	
28. Delaware	43,598
29. Washington	30,691
30. Wisconsin	28,182
31. Arizona	25,974
10,000 or more:	
32. Colorado	20,177
33. Iowa	19,692
34. Nebraska	19,234
35. Minnesota	14,022
36. Rhode Island	13,903
37. Oregon	11,529
5,000 or more: 38. New Mexico	8,408
1,000 or more:	
39. Nevada	4,302
40. Utah	2,729
41. Wyoming	2,557
42. Montana	1,232
43. Maine	1,221
44. Idaho	1,050
Less than 1,000:	
45. New Hampshire	731
46. South Dakota	727
47. Vermont	443
48. North Dakota	257

AMENDMENT OF SECTIONS 2275 AND 2276 OF REVISED STATUTES

Mr. WATKINS. Mr. President, on behalf of myself and the Senator from Arizona [Mr. GOLDWATER], I introduce, for appropriate reference, a bill to correct an injustice to the public schools of the Western States. The bill, drafted and approved by the Western Association of State Public Land Commissioners, authorizes States to select lands which are mineral in character, in lieu of designated school sections of public lands which have been preempted by homesteading or by other forms of permanent withdrawal from public entry.

In view of the western interest in this proposed legislation, I hereby request unanimous consent to have the bill lie on the table for 24 hours, during which the names of additional cosponsors can be added.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WATKINS. This bill is an extension of a bill which I and my colleague, Senator BENNETT, introduced during the the 84th Congress. The former bill, S. 2096, was not pushed at that time because a study of this problem was initiated by the Western Association of State Land Commissioners. The association's study resulted in the draft introduced today, and I can highly recommend it because it is the product of the country's outstanding authorities on public land uses. Our present, able Director of the Bureau of Land Management, Edward Woozley, was a former member of this organization, while serving as State land commissioner of my neighboring State of Idaho.

I have said that this bill is introduced to correct an injustice to the public schools of our Western States, and that is literally true.

When the Western public lands States were admitted to the Union, the highly commendable policy was adopted of allocating one or more sections of public lands within the new State's boundaries as a land endowment for the State's public-school system. Revenues from these lands or from the sale of them

were to be consigned to a permanent school endowment fund, the interest from which was to be used in support of State-administered public education. This is one of the greatest examples of permanent endowment of public education that I know about.

This program, worked out by the Congress a half century or more ago, in enabling legislation admitting new States to the Union, worked very well until a few years ago. Then, when petroleum and uranium prospectors began to range over the once little-regarded wastelands of the West, it was discovered that these permanent school funds were being deprived of much valuable land by the language of the statutes pertaining to transfers of such sections to the States upon completion of cadastral surveys. This resulted because the law had specified that land mineral in character could not be transferred to the States upon completion of the survey work. The effect of this wording was that oil or uranium discoveries on an assigned school section prevented its transfer to the State, and denied the permanent school funds valuable gas and oil royalties and leasing revenues, which often were the only real values the lands contained.

Passage of the act of April 22, 1954, 68 United States Statutes at Large, page 57, remedied this problem, by authorizing transfer of mineralized sections and providing that any mineral lease applying to a surveyed school section would pass to the State, along with the surface acreage of the section. This proposed legislation by itself undoubtedly will contribute millions of dollars to the permanent schools funds of the Western States, and carries out the real intent of the original enabling legislation.

The intensive study of school land status which prompted this legislative remedy also disclosed another legal problem. If a leased mineral occurs on a State school section, that acreage and the lease rights can now be assigned to the State affected without difficulty. However, if a State school section has been preempted by homsteading or other form of permanent withdrawal from public entry, then the State involved must make a selection of other public lands in lieu thereof.

Provisions for these so-called lieu selections are included in sections 851 and 852 of title 43, United States Code.

Unfortunately for the public land States, these sections provide that only equal acreage not mineral in character may be exchanged for such preempted school lands. This means that even if the preempted school section was underlain by rich uranium deposits or other nonleasable mineral wealth, the State would be required to select an equal acreage of open, nonmineral public lands, which now are of little worth for their surface values.

Under this wording of the law, a Western State which has much acreage of preempted school sections is faced with the prospect of losing very valuable lands, allocated by the Congress more than a half century ago, and accepting in lieu of a revenue-producing asset, equal acreage of virtually worthless land.

The top land officials of the Western States have now recognized this injustice, which was called to the attention of the Senate last session by S. 2096. In view of this very welcome support from a distinguished organization of State officials, I hereby urge the Congress to expedite action on this measure so that the revenue from these long-deferred land exchanges can be diverted into the respective State school endowment funds, where it rightfully belongs.

I also request unanimous consent to have printed at this point in my remarks the text of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2517) to amend sections 2275 and 2276 of the Revised Statutes with respect to certain lands granted to States and Territories for public purposes, introduced by Mr. WATKINS (for himself, and Mr. GOLDWATER), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 2275 of the Revised Statutes, as amended (43 U. S. C. 851), is amended to read as follows:

"SEC. 2275. Where settlements with a view to preemption or homestead have been, or shall hereafter be made, before the survey of the lands in the field, which are found to have been made on sections 2, 16, 32, or 36, those sections shall be subject to the claims of such settlers; and if such sections or any of them, have been or shall be granted, reserved, or pledged for the use of schools or colleges in the State or Territory in which they lie, other lands of equal acreage, whether or not known to be valuable for minerals, are hereby appropriated and granted, and may be selected by said State or Territory, in lieu of such as may be thus taken by preemption or homestead settlers. And other lands of equal acreage, whether or not known to be valuable for minerals, are also hereby appropriated and granted and may be selected by said State or Territory where sections 2, 16, 32, or 36 are mineral land and entry thereon has been made under the mining laws of the United States, or are included within any Indian, military, or other reservation, or are otherwise disposed of by the United States: *Provided*, Where any State is entitled to said sections 2, 16, 32, and 36, or any of them, or where said sections, or any of them, are reserved to any Territory, notwithstanding the same may be mineral land or embraced within a military, Indian, or other reservation, the selection of such lands in lieu thereof by said State or Territory shall be a waiver of its right to said sections. And other lands of equal acreage, whether or not known to be valuable for minerals, are also hereby appropriated and granted, and may be selected by said State or Territory to compensate deficiencies for school purposes, where sections 2, 16, 32, or 36 are fractional in quantity, or where one or more are wanting by reason of the township being fractional, or from any natural cause whatever. And it shall be the duty of the Secretary of the Interior, without awaiting the extension of the public surveys, to ascertain and determine, by protraction or otherwise, the number of townships that will be included within such Indian, military, or other reservations, and thereupon the State or Territory shall be entitled to select indemnity lands to the extent of section for section in lieu of sections therein which have been or shall be granted, reserved, or pledged; but such selections may not be made within the boundaries of said reservations. Notwithstanding the fact that there is outstanding on selected lieu or indemnity land, whether or not mineral in character, at the time of selection a mineral lease or leases entered into by the United States, or an application therefore shall not prevent the selection of such land by the State or Territory; but if such selection is made, the State or Territory shall succeed to the position of the United States as lessor under such lease or leases, and as used herein lease includes permit and lessor includes grantor: *Provided, however*, That nothing herein contained shall prevent any State or Territory from awaiting the extinguishment of any such military, Indian, or other reservation and the restoration of the lands therein embraced to the public domain and then taking the sections 2, 16, 32, and 36, or any of them, in place therein."

SEC. 2. Section 2276 of the Revised Statutes, as amended (43 U. S. C. 852), is amended by striking out "unappropriated, surveyed public lands, not mineral in character,", and inserting in lieu thereof "surveyed public lands."

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. ALLOTT. I wish to associate myself with the remarks of the able senior Senator from Utah, who has many times before brought to the attention of this body matters concerning many of the Western States which need immediate remedial attention. The situation of which the Senator speaks has long constituted a serious problem in the West, and has deprived the West of rights which it should have had many years ago. For that reason I wish to compliment him upon his remarks, associate myself with them, and ask unanimous consent that my name be included as a cosponsor of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WATKINS. I thank the distinguished Senator from Colorado for the statement he has made. I shall be very happy, indeed, to have him join as a cosponsor of the bill.

RELATIONSHIP BETWEEN FEDERAL AND STATE GOVERNMENTS

Mr. HUMPHREY. Mr. President, on Monday, June 24, the President of the United States addressed the Conference of State Governors at Williamsburg, Va. His basic theme was the relationship between the National and State Governments. His emphasis was upon what he considered to be the ever-increasing tendency of the National Government to assume the traditional responsibilities of the State governments.

In this connection, the President observed that "every State failure to meet a pressing public need has created the opportunity, developed the excuse, and fed the temptation for the National Government to poach on the States preserves. Year by year, responding to transient popular demands, the Congress has increased Federal functions. Slowly at first, but in recent times more and more rapidly, the pendulum of power has swung from our States to the Central Government." He conceded, however, that he has "found it necessary to urge Federal action in some areas traditional-

ly reserved to the States," and that "in each instance State inaction, or inadequate action, coupled with undeniable national need, has forced emergency Federal intervention."

The President also pointed out that in 1953 he obtained congressional authority to establish a Commission on Intergovernmental Relations which completed the "first official survey of our Federal system since the adoption of our Constitution 170 years ago," and "brought long-needed perspective and pointed the way to improvements in areas of mutual concern to the States and the Federal Government."

Continuing, President Eisenhower stated that he believed deeply in States rights; that the preservation of our States as vigorous, powerful governmental units is essential to permanent individual freedom and the growth of our national strength; and that it is idle to champion States rights without upholding States responsibilities. He stated further that he believed that "an objective reappraisal and reallocation of those responsibilities can lighten the hand of central authority, reinforce our State and local governments, and in the process strengthen all America."

The President concluded that barriers to effective and responsive government should be removed by overhauling taxing and fiscal systems, and by better cooperation between all echelons of government.

He proposed to accomplish this objective by means of a three-point program in which the Conference of State Governors would join with the Federal administration in creating a task force with the following responsibilities:

First. To designate functions which the States are ready and willing to assume and finance, functions that are now performed or financed wholly or in part by the Federal Government;

Second. To recommend the Federal and State revenue adjustments required to enable the States to assume such functions; and

Third. To identify functions and responsibilities likely to require State or Federal attention in the future and to recommend the level of State effort, or Federal effort, or both, that will be needed to assure effective action.

An examination of the President's remarks and proposals reveals that they are lofty and high-sounding, and are filled with generalities and fancy phrases. They offer nothing new, in the last analysis, but the creation of a new task force, composed of representatives of the national and State governments to study problems and make recommendations.

Mr. President, I submit that this subject has been studied and restudied.

During the past 20 years, the fiscal problems of local governments, the proper allocation of State and national functions and related phases of these matters, have been under continuous study by governmental, quasi-governmental, and private groups, which have produced numerous reports with recommendations.

The first of these was initiated by the President of the United States in 1935, when he appointed a committee consisting of the Secretary of the Treasury, the Attorney General, and the Acting Director of the Bureau of the Budget, and directed them to undertake a study of Federal ownership of real estate and of its bearing on State and local taxation. This committee made a brief study and submitted its report and recommendations to the President in 1938.

Following one of the recommendations of this committee, the President established a Federal Real Estate Board to study and make appropriate recommendations regarding the situation in different communities adversely affected by the loss of tax revenues on land acquired by the Federal Government. This Board submitted a 50-page report, with recommendations, to the President and the Congress in 1943. The Board continued in a quiescent state until 1951, when it was finally dissolved.

During much of this same period, the Treasury Department, through a special committee, was conducting a study of the entire subject of Federal-State and local fiscal relations.

In January 1948, the first Commission on Organization of the Executive Branch —Hoover Commission—retained the Council of State Governments to make a comprehensive study of the entire field of Federal-State relations. The Council submitted a 297-page report to the Commission in July 1948, which report was transmitted to the Congress in March 1949.

In April 1949, the Secretary of the Treasury invited representatives of State and local governments to a conference on intergovernmental tax problems, which requested the Bureau of the Budget to work out comprehensive recommendations. During the same month, the Treasury Department prepared a staff memorandum on the subject.

In September 1952, the Associate General Counsel, Housing and Home Finance Agency, prepared a 61-page study on the subject of payments to local governments in lieu of taxes, for the section on municipal law of the American Bar Association.

In May 1954, a detailed, comprehensive study of the whole subject of Federal land ownership and the public land laws was prepared for and issued by the Committee on Interior and Insular Affairs of the House of Representatives. This 133-page report contained a comprehensive analysis and factual presentation of virtually every phase of Federal-State-local relations as relates to Federal payment of taxes, or in lieu thereof to local governments, and contains all of the pertinent statutes on the subject.

In addition, numerous studies dealing with various phases of Federal-State relations have been prepared from time to time by State and local government associations.

Finally, in June 1955, the Commission on Intergovernmental Relations submitted a 311-page report, with recommendations, which was accompanied by 15 additional volumes of supporting study committee and staff reports, totaling in all approximately 2,200 pages. The basic report covered a wide area of Federal-State relations and included such matters as the origins of the Federal system; the forces which have influenced its growth and development; the place of the States and their political subdivisions in the Federal system and the factors, fiscal and nonfiscal, which limit their competence; the extent of the National Government's responsibilities and the conditions that justify national action; and the nature and operation of the many forms of National-State cooperation.

The first 118 pages of the basic report were devoted to the historical background, the role of the States, national responsibilities, and cooperative relations financial aspects of the Federal system, and Federal grants-in-aid. The balance of the report dealt with intergovernmental functional responsibilities, and included agriculture, civil aviation, civil defense, and urban vulnerability, education, employment security, highways, housing and urban renewal, natural-disaster relief, natural resources and conservation, public health, vocational rehabilitation and welfare.

Various views and specific recommendations were set forth throughout the volume, some of which were in accord with those of the study committees; others modified or expressly or impliedly disagreed. Numerous charts and statistical tables appeared throughout the report.

The 15 supporting volumes were devoted to the following subjects: Federal Aid to Agriculture; Federal Aid to Highways; Federal Aid to Public Health; Federal Aid to Welfare; Federal Responsibility in the Field of Education; Unemployment Compensation and Employment Service; Natural Resources and Conservation; Payments in Lieu of Taxes and Shared Revenues; Local Government; Natural Disaster Relief; Civil Defense and Urban Vulnerability; Federal Aid to Airports; a Description of 26 Grants-in-Aid Programs; Summaries of Survey Reports on the Administrative and Fiscal Impact of Federal Grants-in-Aid; and a Survey Report on the Impact of Federal Grants-in-Aid on the Structure and Functions of State and Local Governments.

In order to make readily available and accessible a large amount of valuable material contained in the Commission's report and supporting documents, the Committee on Government Operations, on which it has been my privilege to serve during the past 8 years, requested the Legislative Reference Service of the Library of Congress to prepare a detailed index to all of the Commission's reports, studies, and documents, which is now available as Senate Document No. 111, 84th Congress.

In the 81st, 82d, and 83d Congresses, I either sponsored or cosponsored legislation for the study of intergovernmental relations. The 83d Congress did enact legislation for the establishment of the Commission on Intergovernmental Relations.

Mr. President, it was my privilege to serve as a member of the Commission on Intergovernmental Relations and also as a member of its Study Committee on

Payments in Lieu of Taxes and Shared Revenues. I can attest, from personal experience, to the tremendous amount of work which went into the Commission's reports and studies.

The Commission and its study committees were manned by outstanding National, State, and local government officials from all over the United States; in addition, the Commission employed a professional staff of some 43 outstanding experts and an administrative staff of 33. All of these persons—Senators, Representatives, Federal Government officials, distinguished State and local government officials, and leading experts from virtually every State in the Union—worked for some 2 years, and submitted the most comprehensive study, with numerous recommendations, ever made, at a cost to the National Government of almost $1 million—$891,264.62.

The result of their labors is readily available and completely indexed. It constitutes a complete blueprint of what needs to be done. Of course, I was not able to agree with all of the conclusions and recommendations. But the basic material is there, and what we need now is action and not further study.

Added to all of this material are the results of a meeting of members of Congressional committees and governors, called for the purpose of studying Federal-State tax relations, held in Chicago on September 26–27, 1947. At this meeting, the Senate Committee on Government Operations—then the Committee on Expenditures in the Executive Departments—was designated to conduct a special study of the problems of coordination of Federal and State taxes, with the objective of strengthening the tax structures of local and State governments and compensating them for losses of revenue from former sources of taxation. In its report to the Senate, the committee placed stress on the importance of assuring that Federal, State, and local tax systems are adequate to the job assigned to them and on the need for determining whether they fit together into a combined tax system which is equitable, administratively efficient, and economically sound.

Mr. President, I submit that the foregoing review shows that we have an abundance of material available. And yet the President of the United States now proposes to establish a new task force to perform virtually the same job which has already been done by the Commission on Intergovernmental Relations and by its 15 study committees and task forces.

One need only compare the provisions of Public Law 109, 83d Congress, by which the Commission on Intergovernmental Relations was established and given its charter and responsibilities, in order to see clearly how identical its work has been with that proposed by the President.

Section 3 (a) of Public Law 109 directs the Commission to carry out the purposes of section 1 of the law. Section 1 makes the declaration of purposes:

Because any existing confusion and wasteful duplication of functions and administration pose a threat to the objectives of programs of the Federal Government shared in by the States, including their political subdivisions, because the activity of the Federal Government has been extended into many fields which, under our constitutional system, may be the primary interest and obligation of the several States and the subdivisions thereof, and because of the resulting complexity to intergovernmental relations, it is necessary to study the proper role of the Federal Government in relation to the States and their political subdivisions, with respect to such fields, to the end that these relations may be clearly defined and the functions concerned may be allocated to their proper jurisdiction. It is further necessary that intergovernmental fiscal relations be so adjusted that each level of Government discharges the functions which belong within its jurisdiction in a sound and effective manner.

Section 3 (b) provides:

The Commission shall study and investigate all of the present activities in which Federal aid is extended to State and local governments, the interrelationships of the financing of this aid, and the sources of the financing of governmental programs. The Commission shall determine and report whether there is justification for Federal aid in the various fields in which Federal aid is extended; whether there are other fields in which Federal aid should be extended; whether Federal control with respect to these activities should be limited, and, if so, to what extent; whether Federal aid should be limited to cases of need; and all other matters incident to such Federal aid, including the ability of the Federal Government and the States to finance activities of this nature.

Mr. President, I submit that the resolution authorizing the Commission on Intergovernmental Relations gave it a very wide scope, and I submit further that the Commission's reports and recommendations show clearly that the entire area now proposed to be the subject of a new study has already been carefully examined. So there we have it. With a million-dollar report in the hands of the administration for some 2 years, carefully blueprinting the action which needs to be taken, the President, who has done nothing to implement these recommendations, now proposes another study.

In my judgment, nothing can possibly come out of a new study, as proposed by the President, except perhaps proposals for the Federal Government to get out of the welfare field, turning the clock back 50 years and leaving the great majority of the people of this Nation without adequate consideration and without provision for their needs—needs which have come to be recognized as essential to a democratic way of life.

Mr. President, I am not exactly a newcomer to the field of Federal-State relations, having served as mayor of a large city and having served on the Intergovernmental Relations Commission and on the Committee on Government Operations, which has responsibility for legislation in this area. I can only conclude, after examining the President's remarks at Williamsburg in the light of the administration's record, and that what he is, in essence, proposing, is that the Federal Government should withdraw from the performance of activities and the participation in programs which have become an integral part of our way of life.

When President Eisenhower told the Governors Conference that "every State failure to meet a pressing public need has created the opportunity, developed the excuse and fed the temptation for the national Government to poach on the States preserves," he completely missed the point of the entire problem. What he neglected to acknowledge was the fact that our States, unfortunately, do not enjoy the same level of economic wealth; that they do not all have the same industry, resources, business, and so forth. Compare, if you will Mr. President, the State of Arkansas with the State of New York, or any other State. When the Federal Government steps in with its vital grant-in-aid and service programs, it is merely attempting to insure that the American people will enjoy the same standards, protections, and security, regardless of which of the 48 States they may reside in. What he apparently fails to realize is that the Federal Government's activities constitute not Federal intervention in the affairs of the States, but an attempt to equalize and redistribute the great wealth and resources of this Nation so that its citizens can share equally in its benefits.

Of what avail is this wealth and of what use are these resources if some States are unable to provide for minimum essentials because they lack the financial ability to provide them? The relinquishment of Federal taxes in some fields will no doubt result in the availability of more tax funds to the States. However, this would not mean that the States will be able to undertake programs on a comparable scale to meet and provide for the needs of their citizens.

Mr. President, the truth of the matter appears to be that this administration, after spending nearly $1 million on a comprehensive study of Federal-State relations, has done absolutely nothing with the results of that study.

I submit that if the President is so concerned about Federal-State relations, he should have his Budget Bureau prepare legislative proposals to implement the vast number of recommendations made by the Commission on Intergovernmental Relations. Let us use all of these studies which are now before us, instead of embarking on any new studies, entailing additional costs to the American taxpayers, and which can yield nothing but more recommendations for action.

The time to act is now. The material is available if the administration is willing to study it, make some decisions, and get to work.

Mr. President at this point I ask unanimous consent to have printed in the RECORD a United Press story written by Warren Duffee entitled "United States Gave States, Cities $80 Billion in 23 Years."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES GAVE STATES, CITIES $80 BILLION IN 23 YEARS

(By Warren Duffee)

A special House-Senate committee reported yesterday the Federal Government had

pumped $80,534,854,817 in Federal payments into the States and Territories since 1934 through 175 programs.

The figures were made public by the Joint Congressional Committee on Nonessential Federal Expenditures, headed by Senator HARRY F. BYRD (Democrat, of Virginia), in a 618-page report on Federal payments to State and local governments and individuals over the 23-year period from 1934 through 1956.

The figures, based mainly on information from the Treasury Department, showed New York State received the biggest total, $6,066,390,200. Delaware received the least, $142,715,463.

Maryland received $842,835,980 and Virginia $1,229,856,412.

Total payments into the combined States and Territories averaged $3.5 billion a year.

Payments to State and local governments totaled $31 billion, an annual average of about $1.3 billion.

Individuals received a yearly average of $2.2 billion. Total Federal payments through 69 programs were $49.6 billion.

The committee said Federal payments during 8 prewar years, 1934–41, totaled roughly $24.7 billion. They dropped to $10.4 billion in the 5 wartime years, 1942–46, but climbed to $45.4 billion for the 1947–56 postwar period.

California ran second to New York in total payments received with $5,396,218,159.

Pennsylvania was third with $4,610,093,751, Texas fourth with $4,508,805,405, and Illinois fifth with $4,031,388,374.

Nevada ran second to Delaware in the lowest receipts with $206,886,823. Vermont was third low with $220,163,186.

New Hampshire was fourth with $261,622,406 and Rhode Island, fifth with $369,026,765.

The committee reported that of the total of more than $80 billion, $59.8 billion was paid through domestic-civilian programs, an estimated $4.2 billion through national defense programs, and $16.5 billion through veterans' programs.

Mr. HUMPHREY. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point a story entitled "Earlier Plan on States Load Failed," written by Robert C. Albright, and published in the Washington Post and Times Herald of June 30, 1957. The story relates to President Eisenhower's speech at Williamsburg.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EARLIER PLAN ON STATES LOAD FAILED

(By Robert C. Albright)

If the Williamsburg conference of governors was something less than electrified by President Eisenhower's plan to resurvey Federal-State powers and tax sources, you can lay it at least in part to what happened after a similar experiment 10 years ago.

For the first time in history, representatives of the National Congress and the State governments came together in one meeting on September 26 and 27, 1947, for the purpose of developing understanding and a common approach to problems of taxation.

LITTLE CAME OF IT

This meeting in Chicago was described at the time as having "historic significance." It produced a unanimous statement of principles and objectives, as well as some specific recommendations for realining taxes and functions. But nothing really ever came of them. In February 1950, the House Ways and Means Committee took testimony on one of the proposals—a cutback in Federal admissions taxes, in favor of the States. But this was forgotten when the Korean war broke, June 25, 1950.

Few of the governors expect much more than a "study and report" to emerge from Mr. Eisenhower's proposed task force, either.

The reason for this skepticism is simply that there are two big hurdles to be taken even after a new task force should agree on a rollback of Federal powers: (1) Congress must get along with it, in whole or in part, and (2) State legislatures must assume the new functions and tax responsibilities turned back by the National Government.

These two stiff conditions never have been met yet. Some wary-eyed governors doubt they ever will be.

GOVERNORS' OWN PLANK

Having called for just such a rollback in Central Government powers year after year, there was nothing the governors could do but go along with the President's invitation to join in his plan. In a sense Mr. Eisenhower had picked up the governors' own States rights plank and walked off with it.

The so-called historic meeting in Chicago 10 years ago had just about all the attributes of a successful collaboration. Key members of four top Congressional units, the House Ways and Means Committee, the Senate Finance Committee, and the House and Senate Committees on Executive Expenditures, put their heads together with a special committee of 15 governors.

VIGOR AND DIRECTNESS

An article in the November 1947 issue of State Government, official publication of the Council of State Governments, wrote of the vigor and directness with which they tackled the problem.

"Nobody made a speech. Round-table discussion—hard-headed, practical, moving from point to point—began from the moment the meeting began," it said. "A final, notable aspect of the meeting was the stark realism of those present. They were not * * * contented with any easy statement of generality. There was rather the realization that the long-range objectives had to be supported by specific recommendations."

UNANIMOUS OBJECTIVES

In the end the Chicago conference came up with the following unanimous objectives:

That the Federal Government should reduce Federal excise taxes as soon as practicable (special consideration should be given to local telephone calls, intrastate electric energy, gasoline and admission taxes.

That the Federal Government should amend inheritance and estate taxes to provide more equitable division of this revenue between the Federal Government and the States.

That the Federal Government should relinquish to the State the Federal tax on employers levied to cover the administrative expenses of the State employment security programs, and the States will assume the responsibility for the administration of the unemployment compensation and employment-service programs.

That the Congress take the earliest possible action to correct by Federal law the income tax inequities existing between the community property and States.

That the States should avoid encroachment upon tax fields which are peculiarly adaptable to Federal uses.

COMMUNITY PROPERTY TAX

Eventually Congressional taxmakers did get around to correcting the community property imbalance in our income-tax laws. But that came about indirectly, and not as a direct offshoot of the report.

From Congress, however, and, for that matter, from the States themselves, there has come no implementing action. And the pendulum of authority has swung increasingly away from State governments.

Mr. Eisenhower, in proposing to the Governors his new "task force" attack on what he termed the Frankenstein-like powers of the Federal Government, followed pretty much the line taken in the 1955 Kestnbaum report.

The 311-page document, presented to Mr. Eisenhower 2 years ago by Meyer Kestnbaum, president of Hart Schaffner & Marx, recommended that the States themselves develop the capacity to handle a larger share of the total task of Government.

Mr. HUMPHREY. I know Mr. Albright in particular has reviewed the history of the Federal-State relationships and studies pertaining thereto. He has covered some of the ground I have covered in my remarks today. All it adds up to is that speeches before governors' conferences are no substitute for legislative and administrative action on the part of an administration that ought to act rather than simply make pronouncements.

Mr. President——

The PRESIDING OFFICER. The Senator from Minnesota.

BARTERING SURPLUS AGRICULTURAL COMMODITIES

Mr. HUMPHREY. Mr. President, several developments have occurred in recent weeks concerning administration policy as it regards barter techniques in reducing our agricultural commodity surplus, and I rise to speak on these matters.

As my colleagues know, during the past month I have been conducting public hearings dealing with an overall review of the operation of Public Law 480. A major directive of this law, under title III, is the exchange of surplus agricultural commodities for materials of a strategic and critical character or other material.

To set things in proper perspective and with as much clarity as possible, Mr. President, permit me to briefly review the provisions of Public Law 480.

In essence, title I of the law provides for the sale of agricultural surpluses by payment in foreign currencies. These currencies accrue to the credit of Commodity Credit Corporation and can be used for a variety of purposes stipulated in the act. Transactions under this title have a two-sided advantage, so to speak; namely, first, the disposal of agricultural surpluses which cannot be sold against payment in dollars; and, second, aiding the economy of the recipient countries.

The basic considerations behind title II of Public Law 480 are of a humanitarian nature, and, in its application, the law has served to bring relief to countries in emergency situations, which is eminently in the American tradition and of which, I believe, we can be justly proud. I do not think I need elaborate on this aspect.

Title III is usually referred to as the barter provision of the act and, generally speaking, enables the Commodity Credit Corporation to dispose of surpluses, taking in exchange strategic materials which are needed by the United States for stockpiling purposes, and which cost less in storage charges, and are less subject to deterioration and spoilage than

is the case with agricultural commodities.

Mr. President, I have in the past addressed the Senate on various aspects of Public Law 480, particularly the sale of the surplus commodities for foreign currencies, and the role of our truly great American voluntary agencies in using these abundances of ours.

The Senate Committee on Agriculture and Forestry next Tuesday, July 16, will hear from the officers in the Barter Division of the Department of Agriculture as public hearings on Public Law 480 resume. More than 2 weeks ago the committee heard the advocates of barter. And the committee heard strong criticisms concerning barter operations as employed by the Department of Agriculture. It will be our intention to clarify the arguments.

Mr. President, I want to make it very clear that the purpose of the committee study is not to prove somebody right or wrong. What we are trying to do is to examine the operation of Public Law 480 to see whether or not there are any improvements we can make in its administration—to examine, one might say, the substance of the law.

I think one of the points that needs to be looked into—and looked into carefully—is this barter program. Let the RECORD show that I am not an advocate one way or the other. From a cursory glance at statements made by the advocates, I can honestly say I seem to be quite strongly for it. Then I hear about some of the problems as advanced by the Department of Agriculture, and that causes me to have some doubts.

It is quite probable that there are sincere and honest differences of opinion as to what should have been done under this program. I think it is well worth while, Mr. President, that these differences be brought to light.

While I was in the Middle East recently on business for the Foreign Relations Committee, the Department of Agriculture called a halt to its barter business on grounds that it wanted to review the overall program to decide whether some major changes should be made in the program.

On my return I learned that the barter operations had been resumed, but under new, very restrictive regulations. The Department of Agriculture said the new operations were based on a study of conditions. I immediately requested the Secretary to provide me with a copy of the study. I received a classified memorandum, but have yet to see the study. It is my firm belief that this study and its findings should be made a part of the public record, and I can assure my colleagues that I shall press this matter with officials at next week's hearing.

Because of its direct bearing on the operation of Public Law 480, I believe the report should be made public so that everyone will understand why the Department of Agriculture has taken the stand that it has in regard to barter.

From the reaction to the Department's new regulations concerning barter, it would seem that the directive is contrary to the letter and spirit of presently effective legislative and executive pronouncements.

The Congress, apparently, is convinced that much good could be accomplished through programing such as provided under title III, or it would not have persisted in the legislation.

Congress directed the use of barter because it believed that this technique was a sound tool with which we could substantially build up the physical resources of our Nation. It appears sound business, Mr. President, to transfer ownership from high-risk, high-storage cost commodities, such as grains, to more stable materials, such as industrial diamonds, which have practically no storage costs.

I am certain that my colleagues understand that the transaction authorized in title III is not barter in the sense that agricultural commodities are exchanged in a given country for materials. While it is true that Agriculture gives agricultural commodities and receives materials, every other step of the transaction is handled in precisely the same way that other sales are handled in the world of trade and commerce.

That is, the surplus commodities that are used to obtain the strategic materials go into international trade, are sold through private channels, and the proceeds from these sales pay for the strategic or other materials which are then given to the Department of Agriculture.

Permit me, Mr. President, to cite an example. The Secretary of Agriculture has the authority to accept offers of a commodity such as platinum, at prices satisfactory to the Government, and give to the offerers of the platinum an equivalent value of surplus agricultural commodities at current market prices. These agricultural commodities are then sold through normal trade channels by the offerers of the platinum and the platinum is delivered to the Department of Agriculture.

Were this an actual case—and I hasten to add that it obviously does not apply to all commodities—about $3 million worth of platinum, which would occupy a space not larger than an average office desk, would have been exchanged for $3 million worth of grains which cost about 10 percent of its value to store: The platinum would not deteriorate. It would always be of value—either in peace or in war—and would cost roughly $125 a year to store.

On the other hand, the Department of Agriculture would have released surplus commodities which do deteriorate. A report by the Department which was filed with the committee for inclusion as part of the official records shows that so far this fiscal year, through April 30, loss due to deterioration, shrinkage or spoilage amounts to almost $15 million. In the fiscal year of 1956, the total loss was in excess of $25 million.

In other words, there would have been a saving in storage alone of about $300,000 a year had the platinum deal been a reality. In addition, the United States would have acquired an asset which in wartime would be priceless and which in any time is of great value.

Now this situation is not farfetched at all. During our hearings, Mr. Justice M. Chambers, Washington representative of M. Golodetz & Co., of New York, testified that his department on December 15, 1956, asked the Department of Agriculture to barter platinum for surplus commodities. It is my understanding that the company was offering the platinum at a considerable amount below market, which would have been greatly to the Government's advantage. Again, the value of the platinum offered was about $2½ million. The Department of Agriculture could have saved $250,000 annually in storage facilities in exchange for a metal which does not deteriorate and could be stored for about $125 a year.

The Barter Division refused the agreement after calling the Office of Defense Mobilization, which ruled that platinum was not on the strategic and critical list of materials. I think this merits serious consideration.

Mr. Norbert Blechner, vice president of Associated Metals & Minerals Corp., of New York City, said in a statement to the committee:

> This barter program makes much sense. Through it vast quantities of agricultural commodities which are surplus to our own needs and subject to deterioration in warehouses have been and are being replaced by strategic materials from abroad—materials which not only add to our defense, but which also save our country money by substituting permanent assets, with less expensive storage charges, for perishable agricultural items. In this way, basic resources with which nature has not endowed the United States are being secured in exchange for farm crops which the Lord has allowed us to grow in abundance every season.

Therefore, Mr. President, it would appear that bartering is a constructive attack upon United States surplus products. And it appears that it gives a boost to world trade as well, for barter under Public Law 480 is based on private initiative and private enterprise. Why is there opposition in the Department of Agriculture?

The basic legislation for barter goes back to the Agricultural Act of 1949. In section 416, the Commodity Credit Corporation is authorized "to barter or exchange such commodities for strategic or other materials as authorized by law."

The Commodity Credit Corporation Act, as amended on June 7, 1949, carried language under section 4, subsection (h), to once again encourage the use of barter. I ask unanimous consent that an excerpt from the Commodity Credit Corporation Charter Act, in which general powers are outlined, be printed at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

COMMODITY CREDIT CORPORATION CHARTER ACT

SEC. 4. General powers: The Corporation—

(h) May contract for the use, in accordance with the usual customs of trade and commerce, of plants and facilities for the physical handling, storage, processing, serving, and transportation of the agricultural commodities subject to its control. The Corporation shall have power to acquire personal property necessary to the conduct of its business but shall not have power to acquire real property or any interest therein except that it may (a) rent or lease office space necessary for the conduct of its business and (b) acquire real property or any interest therein for the purpose of providing storage adequate to carry out effectively and

efficiently any of the Corporation's programs, or of securing or discharging obligations owing to the Corporation, or of otherwise protecting the financial interests of the Corporation: *Provided*, That the authority contained in this subsection (h) shall not be utilized by the Corporation for the purpose of acquiring real property, or any interest therein, to provide storage facilities for any commodity unless the Corporation determines that existing privately owned storage facilities for such commodity in the area concerned are not adequate: *Provided further*, That no refrigerated cold-storage facilities shall be constructed or purchased except with funds specifically provided by Congress for that purpose: *And provided further*, That nothing contained in this subsection (h) shall limit the duty of the Corporation, to the maximum extent practicable consistent with the fulfillment of the Corporation's purposes and the effective and efficient conduct of its business, to utilize the usual and customary channels, facilities, and arrangements of trade and commerce in the warehousing of commodities: *And provided further*, That to encourage the storage of grain on farms, where it can be stored at the lowest cost, the Corporation shall make loans to graingrowers needing storage facilities when such growers shall apply to the Corporation for financing the construction or purchase of suitable storage, and these loans shall be deducted from the proceeds of price-support loans or purchase agreements made between the Corporation and the growers. Notwithstanding any other provision of law, the Commodity Credit Corporation is authorized, upon terms and conditions prescribed and approved by the Secretary of Agriculture, to accept strategic and critical materials produced abroad in exchange for agricultural commodities acquired by the Corporation. Insofar as practicable, in effecting such exchange of goods, normal commercial trade channels shall be utilized and priority shall be given to commodities easily storable and those which serve as prime incentive goods to stimulate production of critical and strategic materials. The determination of the quantities and qualities of such materials which are desirable for stockpiling and the determination of which materials are strategic and critical shall be made in the manner prescribed by section 2 of the Strategic and Critical Materials Stock Piling Act (60 Stat. 596). Strategic and critical materials acquired by Commodity Credit Corporation in exchange for agricultural commodities shall, to the extent approved by the Munitions Board of the Department of Defense, be transferred to the stockpile provided for by the Strategic and Critical Materials Stock Piling Act; and when transferred to the stockpile the Commodity Credit Corporation shall be reimbursed for the strategic and critical materials so transferred to the stockpile from the funds made available for the purpose of the Strategic and Critical Materials Stock Piling Act, in an amount equal to the fair market value, as determined by the Secretary of the Treasury, of the materials transferred to the stockpile.

Mr. HUMPHREY. Mr. President, were this not sufficient authorization and direction to the Secretary of Agriculture by Congress, the Secretary once again was directed to use barter in handling farm surplus commodities as part of title III of Public Law 480.

The Department of Agriculture, however, notwithstanding express legislative authorization, has failed to avail itself to any substantial extent of this technique to reduce the agricultural commodity surplus—and now has placed even tighter restrictions on its use.

During the 5-year period between 1949 and 1954, for instance, the Department of Agriculture used so little of its authorization in this field that it drew criticism for its negative policy in House Report 1776, dated June 9, 1954, which referred to the proposed Agricultural Trade Development and Assistance Act of 1954.

Mr. President, I ask unanimous consent that an excerpt from the House report be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954, HOUSE OF REPRESENTATIVES, REPORT NO. 1776, 83D CONGRESS, 2D SESSION

Section 303:

This section implements existing barter authority by establishing a policy of encouraging and assisting exchanges of surplus agricultural commodities for strategic materials when such an exchange will protect the funds and assets of the Commodity Credit Corporation. Most agricultural commodities, even those classified as "storageable" deteriorate measureably in storage. In addition, storage charges on most agricultural commodities are relatively high. Even in the case of grains, for example, the storage charges add up to the value of the commodity in 8 to 10 years. On many of the perishables, the rate is much higher. The Secretary of Agriculture reported to the committee that CCC is now spending more than $700,000 a day for the storage of its commodities.

It would seem to the committee, therefore, to make extremely good sense to take advantage of opportunities which might present themselves to exchange these commodities which are subject to deterioration and costly to store for strategic materials, most of which do not deteriorate and which cost relatively little to store.

Although barter of surplus agricultural commodities for critical and strategic materials is specifically contemplated and authorized by the Agricultural Act of 1949, and the Commodity Credit Corporation Charter Act, the Department of Agriculture has participated in relatively few such transactions, and, apparently, has taken an attitude discouraging, rather than encouraging, the making of such exchanges.

Among other deterrents to an effective barter program, the Department has maintained the policy of declining to accept in trade for its agricultural surplus any strategic materials that it did not have an immediate sale for to the appropriate Government agency. While not criticizing the Department for this attitude (since there was no legislative policy statement to guide it) the committee believes that the funds and assets of the CCC can be much better protected by exchanging, when the opportunity offers, some of its costly-to-store agricultural surplus for nondeteriorating, easily stored strategic materials, even though these may have to be held for some time as the property of the CCC. Indeed, to refuse to make such exchanges simply because no Government agency is in a position at the moment to buy the strategic materials from the CCC, is to negate the very reason for barter—which is an exchange of materials for materials when money with which to purchase such materials is unavailable or is less useful than materials. Since the disposal of any such strategic materials would be controlled by the provisions of the Strategic and Critical Materials Stockpiling Act, their possession by the CCC would create no marketing problems.

Mr. HUMPHREY. Mr. President, if this attitude is true today—and the information I get today persistently points to the fact that it is—then the attitude is antagonistic even to the express wishes of the President of the United States. For the President, in his annual budget message to Congress, delivered on January 16, 1957, said:

> Legislation should also be enacted authorizing the barter of nonstrategic Government-owned agricultural surpluses to the nations of Eastern Europe.

Mr. President, I submit that not only does the President of the United States advocate bartering, but bartering with unfriendly nations, so that the United States might have a potential economic weapon in fighting the so-called cold war.

According to presently available statistics, it appears that under title III, the barter title of Public Law 480, during fiscal year 1955, the Department of Agriculture entered into barter contracts totaling only $282 million, and in fiscal year 1956, about $315 million. Exports of surplus agricultural commodities under existing title III barter contracts were $124 million for 1955, $298 million for 1956, and $228 million for the first half of fiscal year 1957.

According to testimony offered the Senate Committee on Agriculture and Forestry, the experience of barter contractors during this period, who submitted substantial offers of materials to the Commodity Credit Corporation, has been that the Department of Agriculture discouraged the expansion of substantial barter operations. These same contractors have indicated that the annual barter potential is around $500 million.

I think it proper, Mr. President, to raise the question whether the reports are true that the Department of Agriculture has taken an attitude discouraging, rather than encouraging, the making of such exchanges. And if so, why?

It should be recognized that the basic intent of all authority for barter was to provide a method for the disposal of surplus agricultural commodities and a means of the CCC improving its assets by taking nondeteriorating and easy-to-store commodities.

As examples of possible barter programs, I am told that approximately $30 million worth of industrial diamonds are now available in foreign countries. Wheat from the huge surplus could be bartered for these diamonds with current market prices as exchange values. Industrial diamonds are vital to American industry.

Mr. Bernard Jolis, vice president of the United States Industrial Diamond Corporation of New York, testified:

> The cost of storing industrial diamonds is approximately one two-thousandths of the cost of storing wheat, not including losses due to deterioration and spoilage. Or, to put it another way, the barter of $30 million worth of surplus wheat for an equivalent value of industrial diamonds effects a saving to the United States Government in storage charges alone of about $3 million annually. In 10 years, the Government could save $30 million on just one such transaction. Actually, the Government has already saved many millions of dollars in storage charges

alone by reason of industrial diamond barter transactions consummated in 1954, 1955, and 1956. I estimate that the approximately $85 million worth of industrial diamonds acquired in exchange for surplus agricultural commodities have already resulted in saving to the United States to date of about $16 million.

Mr. President, it is almost unbelievable that the Department of Agriculture is not accepting industrial diamonds as a strategic material. Mr. Jolis further pointed out that because of the present status, many of these industrial diamonds are being lost to Iron Curtain countries. During the hearings, the industrial diamond trade stated they had been advised by the Office of Defense Mobilization that there is no prospect in the foreseeable future for any further barter transactions for industrial diamonds.

Yet, I think we all recognize that a constantly increasing requirement for industrial diamonds is apparent as industry expands. In use, the diamonds are expended and must be replaced constantly. In other words, an increasing potential market exists in peacetime as well as in wartime. Industrial diamonds represent only one of many similar materials not produced in this country.

An article appearing in the Journal of Commerce on May 8, 1957, carried the Department of Agriculture announcement that it was ending barter temporarily to make its study. Mr. President, I should like to quote from that article:

The general review has been undertaken to see if barter operations are "really adding anything" to the expansion of export outlets for United States farm products, an informed official said.

Specifically, there is growing concern that, like other Government-sponsored agricultural export programs, the barter operation has become a "substitute for cash sales" in that they displace foreign sales which might otherwise be made for dollars.

Another question that has arisen is whether barter operations are unnecessarily adding to the growing hoards of so-called strategic commodities now in Government stockpiles.

Is there any evidence that since bartered surpluses are sold abroad at competitive prices through commercial channels, the cash sales from the United States have reduced?

Opponents of the title III program allege that its operation has adversely affected dollar sales, and learned arguments have been made by those who support this point of view. They contend that the surplus commodities disposed of under title III have gone mainly to the north European countries where we normally sell our agricultural commodities for dollars. They take the position that if it were not for the so-called barter program, more cash sales would have been made.

This argument is somewhat contrary to testimony offered by advocates of the program before the Senate Committee on Agriculture, on Friday, June 21, 1957.

Exporters have reported to our committee that since the barter program started there has been a tremendous increase in commodities being moved abroad. Furthermore, it is quite possible that the nature of barter transactions which permit commodity handlers to offer a discount abroad may well have resulted in the combining of barter transactions with straight dollar sales. Instead of hurting the cash sales program, the contractors contend, the barter program may well have enhanced the dollar sales.

Mr. Charles A. Cogliandro, president of the Calabrian Co., Inc., of New York, and Mr. Samuel H. Sabin, vice president of the Continental Grain Co., concurred in their testimony that both cash sales and barter sales have substantially increased.

Cash sales for export have increased from $261 million in fiscal year 1954 to $497 million in fiscal year 1955 to $836 million in the first half of 1957. During the same period, barter exports rose from $27 million in fiscal year 1954 to $122 million in fiscal year 1955 to $298 million in fiscal year 1956, and $201 million in the first half of fiscal year 1957.

To support its contentions, the Continental Grain Co. asserted:

We do not share the opinion that the majority of sales of surplus grains under barter agreements have replaced sales for free dollars which would have been made in any event. The normal procedure has been for grain exporters to take on long positions of barter funds with their attendant obligations to sell and export surplus agricultural commodities, and their attendant market risk, which have had the effect of causing the exporter to become more aggressive abroad in order to liquidate these obligations and risks. Obviously, such an aggressive policy has resulted in sales of United States surplus agricultural commodities which, in today's existing buyer's market, might well have gone to other competing countries. The barter program would seem to be the only opportunity afforded the grain trade to retain and expand its free dollar markets for United States grains.

The statement was made to the committee that barter has accounted for more than $975 million of direct surplus disposal, and is responsible for substantial surplus disposal for cash, which, except for the impetus of barter, would not have occurred.

As regards the sales to north European countries which displace dollar sales to those nations, I should like to point out that of a total of $651 million worth of exports up to the first of the year, only $374 million went to the north European countries. Out of the $374 million, more than $118 million went to the United Kingdom. It is quite reasonable to assume that, if the United Kingdom had not taken this material under the barter agreements, they probably would have taken Canadian or Australian wheat instead of wheat from the United States. This might also apply to the Netherlands, West Germany, Belgium, and France, which received the balance of the larger shipments of wheat in north Europe.

A release from the United States Department of Agriculture, dated May 15, 1957, states that the Department has been making a detailed review of the barter operations, in light of changes in the overall foreign-trade situation. I am sure that Congress will be very much interested in these changes, and I hope to bring them out during the current hearings before the Senate Committee on Agriculture.

The release comments:

General developments prompted a restudy of safeguards against the substitution of barter transactions for dollar sales, without net gain in total export of agricultural surpluses.

Department officials say that the revised program for barter will have the objective of seeking to make sure that future barter contracts result in a net increase in exports of agricultural commodities.

If the barter advocates had one statement in common, Mr. President, it was this: Under the new directives, they have been unable to work barter transactions because of the restrictions now in the program.

The revised program contains the following restrictions: It requires that a specific commodity be designated; that the contractor satisfy CCC that the transaction will effect a net increase in United States exports of the commodity involved to the receiving country, if such receiving country is one of an inclusive list contained in the new directive; that the commodity will not be transshipped; that interest be paid to CCC even though letter of credit is furnished; and that barter contractors must prove in advance that a certain proposed transaction will mean a net increase in United States exports. These are among several others.

I want to have the record clear on barter operations, Mr. President, so permit me to once again show how it operates.

Surplus agricultural commodities, disposed of under title III, are sold at the published market value of the commodity at the time delivery is taken by the grain companies. The materials taken in exchange are almost inevitably purchased at below existing market prices. Such transactions are possible because deliveries under the contracts normally run from a year and a half to a maximum of 3 years. It is thereby possible for the traders handling these transactions to earn interest on the money engendered by the prompt sale of the agricultural commodities.

The international traders who are offering the materials to Agriculture must pay the grain companies a brokerage for handling the transactions. As a result, the grain companies have been in a position to offer small discounts, which have aided them in disposing of these materials.

As a result of these transactions, charges have arisen of windfall profits to barter contractors. Those who appeared before our committee unequivocally denied the charges.

Mr. Stanley S. Groggins, of the M. Golodetz Co., of New York, gave the committee an example of a transaction, which I think will be of interest to Senators. He said:

We will sell manganese or ferro chrome for delivery in a period of 24 months. We will then be required to lift the agricultural commodity. It may take as long as 6 months to dispose of it. Therefore, we will have the use of the funds for the balance of that

period or 18 months. We will have its free use for one-half of that time, because in the 24 months we will be making periodic and regular deliveries of the strategic material we have sold. So therefore, on a specific contract we will be able to have the free use of the money for 9 months, and if we are very good in our credit and backing and purchases, we will probably get about 3 and 3¼ percent for that money. That is what we have as against which we have given them a discount on the strategic material we sold. We have paid for the expense of disposing of the agricultural commodity. We have paid for the use of the letter of credit which our banks were required to put up to guarantee the performance of the contract, and if we end up with between one-half of 1 percent profit, we think we have done pretty well. That is the windfall I have heard some people refer to.

As regards the barter operation, Mr. President, a point has been raised by the contractors that the Department of Agriculture, in acquiring strategic and critical material, is using a list provided by the Office of Defense Mobilization which is unduly restrictive. The current list of strategic and critical materials has some 74 commodities designed to meet the requirements of a war. The list furnished Agriculture is, I am told, only a very small part of the list of items. It excludes those items where the ODM feels we have enough in the stockpile, or in the supplemental stockpile. The contractors argue that any of the items on the more extensive list of strategic materials should be permitted in barter if it meets the criteria in the law of being "strategic materials entailing less risk of loss through deterioration or substantially less storage charges."

The Department of Agriculture has testified that they continue with the ODM list because they do not set themselves as experts in the field, and therefore turn to those who would know strategic and critical materials—who are, so to speak, the experts.

Questions are being raised on all sides, Mr. President, and I think that this is ample reason to be concerned about the barter technique in the disposal of our agricultural surplus commodities. I hope that the Committee on Agriculture and Forestry, in its current hearings, will come up with the answers we need to carry forth a sound program in the disposal of our farm surpluses while at the same time contributing to our domestic and international policies.

Mr. President, I take this opportunity to invite Members of the Senate to the hearing next Tuesday morning when representatives of the Department of Agriculture will testify on barter.

A number of Senators have spoken to me privately about this, and a number of Senators have written to my office. I suggest that as they examine the CONGRESSIONAL RECORD for today, they may be interested in these observations on the program. I welcome their testimony and their participation in this study, and invite their attention again to the hearing scheduled for Tuesday morning of next week.

CALL OF THE ROLL

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allott	Flanders	Morse
Anderson	Frear	Morton
Barrett	Gore	Mundt
Bennett	Green	Pastore
Bricker	Hayden	Potter
Carlson	Hill	Revercomb
Carroll	Holland	Russell
Case, N. J.	Hruska	Scott
Case, S. Dak.	Humphrey	Smith, Maine
Chavez	Johnson, Tex.	Smith, N. J.
Church	Johnston, S. C.	Sparkman
Clark	Kefauver	Stennis
Cotton	Kerr	Talmadge
Curtis	Martin, Iowa	Thurmond
Dirksen	Martin, Pa.	Thye
Douglas	McClellan	Williams
Dworshak	McNamara	Yarborough
Ervin	Monroney	

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). Fifty-three Senators having answered to their names, a quorum is present.

JANE FOSTER ZLATOVSKI, AND SECURITY SAFEGUARDS IN THE GOVERNMENT

Mr. HRUSKA. Mr. President, the disclosure that Jane Foster Zlatovski, recently indicted in New York as a Soviet spy, was issued a passport by the State Department 2 years ago, after its objections were deemed inadequate by Federal District Court Judge Burnita Matthews, points out the folly of the present campaign against security safeguards in our Government.

I have verified the story and it is a sound instance of the contention that the Secretary of State should have some discretion in denying a passport to a suspect without having to put all the evidence and information supporting his decisions into the public record.

In the case of Mrs. Zlatovski, the Secretary was forced to choose between producing his evidence or issuing a passport. He could not prejudice the security involved in the surveillance then going on and had no alternative but to grant the passport.

As a consequence, a Communist suspect who has been indicted for espionage was able to move about in Europe for 2 additional years on an American passport and is now outside the jurisdiction of the United States. The passport of George Zlatovski was not renewed by the Department of State after 1954.

I hope that the French Government will extradite the Zlatovskis and that there will be an early trial so that the details of current Soviet espionage can be known to the American people.

Mr. MORTON. I commend the Senator from Nebraska for bringing this matter to the attention of the Senate. It so happened that as an officer of the Department of State, I was also the Chairman of the Passport Appeals Bureau. When this case came before us, Jane Zlatovski had come to this country from Paris to visit her mother in San Francisco, and her passport had expired. It was not renewed by the Department of State on recommendation of the Department of Justice. Mrs. Zlatovski took her appeal to the Passport Appeals Board.

The Department of Justice told us some of the circumstances of the case, but we were not given and did not want the information which was in the FBI files. We were told enough to assure us that it would be very dangerous to the security of this country if Mrs. Zlatovski were allowed to return to Paris.

When the Department of State rejected her appeal for a passport, she engaged the services of an attorney in New York and took the matter up in the United States district court there. We could not go into court with the evidence, because it was more important to the security of the United States that we keep the files confidential than it was that Mrs. Zlatovski should not return to Paris.

I had openly denied the passport on the ground that she had marched in a movement to picket the White House some years before, when she was a rather young person. Obviously, these were rather spurious grounds, but they were all that we could use.

We face a dilemma. This is something to which we must give careful attention. I certainly believe in the freedom of travel, as does every other American. Nevertheless, a time comes when the Secretary of State or the Attorney General, or someone else in the Government, must have the authority to deny a passport to those whose travels will be inimical to the security of the United States. That is the situation which developed in the present case.

Now our Government has asked the French Government to return this spy for trial in this country. I agree with the Senator from Nebraska. I hope the French Government will comply with our Government's request. I have no reason to feel that the French Government will do otherwise.

This is a problem to which we in Congress must, I think, give very serious thought.

ORDER OF BUSINESS

Mr. JOHNSTON of South Carolina obtained the floor.

Mr. JOHNSON of Texas. Mr. President, will the Senator from South Carolina yield, without losing his right to the floor?

Mr. JOHNSTON of South Carolina. I will yield provided I do not lose my right to the floor.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from South Carolina may yield to me for the purpose of propounding a unanimous consent request, without losing his right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. As I have previously informed the Senate, an order has been entered to convene tomorrow morning at 10:30, which is an hour and a half earlier than usual. I have previously announced that it is the plan of the leadership to have the Senate remain in session later than usual tomorrow, perhaps until 8:30, 9, or 9:30 in the evening, depending on whether there are speakers who desire to address themselves to this subject at that time. I

want all Senators to know this, so that they may be prepared in case there are quorum calls or in case their presence should be needed.

I plan to have the Senate continue in session until 7:30 or 8 o'clock this evening, if that will suit the convenience of the Senator from South Carolina, the distinguished minority leader, and other Senators.

Therefore, I ask unanimous consent that at the conclusion of the previously ordered morning hour tomorrow, the Senator from South Carolina may be recognized.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senator from South Carolina has the floor.

CIVIL RIGHTS

The Senate resumed the consideration of the motion of Mr. KNOWLAND that the Senate proceed to the consideration of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

Mr. JOHNSTON of South Carolina. Mr. President, there is much talk of a compromise on the civil-rights bill. There is a point I wish to make extremely clear here and now. I will have no part of any compromise on this bill. I cannot be an honest man and compromise on principles.

There is nothing compromisable in this bill, for it is all objectionable to me, and it violates all the principles which I adhere to and which the people I represent adhere to. I shall vote to amend the bill drastically; but as to any civil-rights bill, I could never vote or compromise on such a bill, and would not do so. I believe in every American having the right to vote regardless of race, color, or creed.

It might be informative for the Senate to know that South Carolina has abolished the law which requires voters to pay any taxes.

In my State of South Carolina the people of all races, colors, and creeds have the right to vote. The people of South Carolina have seen to that without Federal intervention, and I think every other State can see to it that every person has the right to vote without intervention by Congress.

I may state also that I have been working upon and dealing with a civil-rights bill in the Committee on the Judiciary for approximately 6 months. I have been working with a subcommittee of the full committee and have been holding hearings on the bill. At no time that I recollect was any criticism made of any other section of the country; neither were any allegations made concerning any section of the country except the South. Let that sink in. It will also be noted that on the floor of the Senate every Senator from what is known as the solid South opposes the bill.

I wish Senators would stop to meditate for a few minutes and give some serious consideration to the fact that a whole section of the United States takes the position which we in the South are taking. Do you think, Mr. President, that anyone who lives in Illinois, New York, or California knows the conditions in the South better than the South knows its conditions? Do you think they know better how to handle our problems than we know how to handle them?

Let us look at the administration's civil-rights bill, which it is sought to railroad through the United States Senate by Attorney General Brownell and other agents of the White House. It is one of the most devastating pieces of proposed legislation ever designed.

I should say it is more dangerous and more far-reaching than the old reconstruction era force bills that followed the War Between the States. This bill not only is aimed primarily for the moment at the South, but is designed so that it can be unilaterally imposed upon all kinds of groups and upon various sections of the country in matters other than simply civil rights. It sets a precedent of placing the Attorney General of the United States in the same position that Hitler was placed by similarly patterned encroaching legislation passed in Germany during the 1930's. The President of Germany became a figurehead and Der Fuhrer ran the country. So it will be if the proposed legislation is passed. The President will become a figurehead and the Attorney General will run the country.

The President is leaning heavily on the Attorney General to find out what is in the bill at this late date. But the President has been supporting the measure ever since January, and even sent a message to Congress concerning it. Did the Attorney General tell the President to support it, and did he write the President's message to Congress?

That is the Attorney General who is already running the country, but is simply urging the passage of the bill to legalize for us the manner of its operation.

The Senate of the United States is allowing itself to be propagandized and whipped into line behind this bill by pressure groups and agents of the race-hate crowd. The Senate is not considering the precedents being established by this bill. We have not had the benefit of the multiplicity of evidence gathered by the Senate Subcommittee on Constitutional Rights regarding similar proposed legislation now before the Senate Judiciary Committee. The Senate is not obtaining the benefit of a report from the Senate full committee, as it should do in order to be fully informed as to what this bill contains.

This bill was designed, in the scheming name of civil rights, to bait the vote hooks offered to so-called minority groups in the big cities. It is designed to perpetuate in office the leaders of the NAACP and similar groups by creating an issue. There are sincere people who sincerely believe that injustice is widespread in the South against Negroes. But I state emphatically that they have been misled in this matter by one of the most terrifying and well-laid propaganda campaigns in the history of the Nation. This campaign of hate, that organized with the NAACP and similar organizations, is having a terrible effect in the South. It is setting the South back 100 years in its racial relations. We in the South have spent billions of dollars on educational institutions for the Negroes and at every turn are providing and have provided equality of opportunity. I wish some of the Senators would drive through South Carolina and would have someone point out to them the beautiful, new schoolhouses which have been built during the last 10 or 15 years for the colored children. Senators will find that the schoolhouses built during recent years for the colored children far outnumber those built for the white children. South Carolina has spent approximately $75 million in building schools for colored children during the past 6, 8, or 10 years. Proposed legislation and movements of the present sort only set back such progress.

What is happening today is exactly what happened prior to the War Between the States.

In 1803 one of the first organizations for the abolition of slavery in America was founded in Charleston, S. C. I want to emphasize this fact, Mr. President. The first abolition movement in America began in the South, and was started by southerners in the South in 1803, many years before any such movement began in the North. Mr. President, it was not long afterward that other organizations for abolition of slavery in the South were formed, and leaders in the South were advocating abolition of slaves, and the South was moving rapidly and quietly toward an ideal that later was a major cause for splitting the Union and bringing on one of the most terrible wars in our history.

Mr. President, it so happens that abolition of slavery in the South was moving along so rapidly and so well that in my State of South Carolina a law had to be passed by the South Carolina General Assembly bringing a halt to abolition of slavery until an orderly procedure could be established. The reason for this was that slaveowners were turning slaves loose so fast that they were unable to get work, and were becoming wards of the State. In effect, the owners of the slaves were transferring the responsibility of feeding, clothing, and housing these former slaves from themselves to the entire populace of the State; thus creating a budgetary and tax problem in South Carolina. But the very existence of this problem points up the fact that abolition of slavery was well underway in the South long before the northern antagonists hit upon the idea of being humanitarians and of moving to abolish slavery.

What happened to the southern abolition movement is exactly what is happening today to race relations between the Negroes and whites of the South. Instead of allowing the people of the South, Negroes and whites, to work out mutual problems, the race haters and troublemakers of the North set out on a vast propaganda movement to stir up the issue and try to run the show from a thousand miles away.

The abolitionists of the North made no note of the southern movement toward solving the complex problem of slavery; and they lashed out at the South, stirring up in the Nation the most vicious hatreds ever created until that time. The hatred program emanating from the North set up a reaction against the support of abolition in the South, and the southern abolition organizations crumbled and fell apart at the seams as a result of dissenting public opinion.

Mr. President, the American people of any section cannot be forced to do something of this magnitude. They could not be forced then, and they cannot be forced now. The result of the hatred programs promoted in the North resulted in a civil war for this Nation. What will result from the hatred programs emanating from the North in the 1950's? I cannot answer that question as completely as the historian can state what happened as a result of the hatred programs of the 1850's. But I can warn that if this proposed legislation before us passes and it is enforced, then, Mr. President, the blood that may spill in this Nation of ours will be on the hands of every Member here who votes to pass this proposed legislation.

Mr. President, you cannot force people to integrate if they do not desire to do so. The people of the South do not want to integrate, and this bill is designed to do just that. Do not let anyone be fooled into thinking the bill is only to protect the right to vote. As my able colleague, Senator RICHARD RUSSELL from Georgia, stated on the floor of the United States Senate a short time ago, there will not be room enough in the jailhouses of the Nation to hold those who will violate the law if this bill becomes the law.

Mr. President, I go one step further. The jails will not hold them if they ever reach the jails, for I fear what will happen. First will come the violation, then will necessarily come the enforcement. By whom? The United States Armed Forces?

Senators, do you want to be responsible for a second reconstruction era or a second pillaging of the South? Do you want on your hands the blood of Americans who may forcefully resist enforcement of such a law? Do you want the world to laugh up its sleeve while we tear our own Nation apart and place an entire section of this country on its knees at bayonet point?

If you do this to the South, you will be doing in these United States what we have accused Russia of doing in Hungary, in Poland, and elsewhere behind the Iron Curtain.

Mr. President, I hope the United States Senate will not make the same mistake in 1957 as was made by those who went before us 100 years ago. If we pass this bill we will be fomenting the worst hatred this Nation has ever seen since the Civil War.

Mr. President, this bill is called the administration bill. Now, I want the Senate to understand fully what is in this bill. The Members of the Senate have never had a complete explanation of this measure, to my knowledge. This bill has several general faults:

There are technical deficiencies; substantive deficiencies, and matters of principle. For the sake of clarity, I shall discuss both technical and substantive deficiencies in chronological order; that is, starting at the front of the bill and going on through toward the back, and discussing it section by section. Before I do that, I have a few things to say about matters of principle.

At the beginning, I want to point out that Congress lacks the power to make laws to enforce prohibitions against the States. Section 10 of article I of the Constitution involves various prohibitions upon the States. I assume we are all familiar with the provisions of that section, but it can do no harm to read them so they will be fresh in mind, in detail. Section 10 of article I of the Constitution of the United States reads:

> No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.
>
> No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.
>
> No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

As I have said, that section of the Constitution involves a number of prohibitions upon the States. But the Congress is neither required nor authorized to enact legislation for the purpose of implementing these prohibitions. They are self-executing. A treaty entered into by a State is void. Letters of marque or reprisal issued by a State would not protect the holder. Money coined by a State would be worth only its intrinsic value. Bills of credit issued by a State could not be enforced in court. A State law purporting to make anything but gold and silver coin a tender in payment of debts would be void and unenforcible—even though Congress can make and has made such a law. A bill of attainder, ex post facto law, or a law impairing the obligation of contracts, enacted by a State legislature, would be declared void and unconstitutional without the necessity of the intervention of any act of Congress.

It would be ridiculous and redundant for Congress to pass a law saying the States may not enter into treaties, or to pass a law saying the States may not grant letters of marque and reprisal, or to pass a law saying the States may not coin money.

Similarly, the provisions of the 14th amendment to the Constitution that "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws" is a self-executing provision. It stands in exactly the same case as the provisions of section 10 of article I. It is to be enforced by the courts, not by acts of Congress. In discussing the whole question of so-called civil-rights bills, I think we should keep that point in mind.

Now, let me make another general comment. There is a lot in this bill about injunctions. We have all heard the phrase "enforcement by injunction." That is provided for in the bill.

There are a good many objections to this, not involving in any way any question of segregation of the races. Enforcement by injunction is bad in principle.

Let us consider the right of a citizen to vote. Illegal interference with that right is, by definition, a crime. To seek to prevent this crime by getting an injunction against the commission of it, and thereafter to punish the commission of the crime as contempt of court, rather than under a criminal statute, is a device which, if it is to be adopted at all, can be made applicable in the whole field of criminal law.

Once we adopt this policy, there may be no stopping until we have gone the whole way.

I want to warn the occupant of the chair [Mr. MCNAMARA] at this particular time. I know how he feels toward labor, but I warn him that if such legislation as this be passed then he can expect to have follow it a measure which will permit injunctions against labor organizations. I would not approve of that, and I know he would not approve of it.

Thus, we might have Federal court injunctions against the commission of murder within the District. We might have Federal court injunctions against robbery. We might even have Federal court injunctions against exceeding the lawful speed limit, or against driving on the wrong side of the road. Why not? Under the reasoning of this bill, if every person has a right to his share of the road, why should not the Federal Government enforce it by injunction? The bill ignores the basic principle of preservation of States rights, preservation of the power of a State over matters such as public order within the borders of the State. That is one of the great evils of this bill. It is a step, and a long step, toward complete federalism; toward statism, if one prefers to call it that; toward totalitarianism, if one is willing to give it that name, which it fully merits.

There should be no doubt in the mind of anyone about the fact that the purpose of this proposal for government by injunction is to avoid jury trials. That has been made very clear many times. Let me cite a few instances.

When I say I will cite a few instances, if Senators will but read the testimony they will find many, many people have testified along a similar line.

The purpose to avoid jury trial was clearly admitted by Mr. Clarence Mitchell, director of the Washington bureau of the National Association for the Advancement of Colored People, in his testimony before the Judiciary Committee on May 25, 1956. Mitchell said:

I think we ought to make it very clear on the record that everybody ought to know that our organization has been trying to get hearings and actions on this bill ever since the Congress started and many conversations have been held with various people trying to get action.

Further, he said:

I think there is enough glory to go around and blame to go around as to who is responsible. We don't want to fix blame. We don't want a half-loaf or three-quarters of a loaf; we want the whole thing.

We don't interpret S. 3718 as a half-loaf. The Attorney General made very clear the practical situation we are confronted with. He used the illustration of Mississippi where we have an airtight case of individuals being denied a right to a voting to a grand jury and you cannot get an indictment. If you get an indictment before a grand jury you can't get a conviction.

The Senator from Missouri [Mr. HENNINGS] interjected:

That is what I said to Mr. Wilkins, and he said he did not remember.

Mr. Mitchell continued:

Yes. This legislation as I understand it does not lack in strength because as I understand judicial procedures correctly if the Attorney General finds that there is a violation of the law and if a court duly constituted issues an injunction telling people to cease from interfering with the right to vote and they continue to do so, they may be convicted for contempt and there would not be the hurdle of these juries that refuse to convict and grand juries that refuse to indict.

There we have it. The purpose of this proposal for enforcement by injunction is to take away the power and jurisdiction of juries to try people for alleged offenses.

Let me give another example. The intention to circumvent juries was also shown by the testimony of Patrick Murphy Malin, executive director of the American Liberties Union. This testimony will be found at page 137 of the hearings before the Judiciary Committee in 1956.

Senators will note that much of this testimony was taken in 1956. We have been taking testimony for a long, long time, and we have a great deal of testimony. It would be very enlightening if at some time somebody could really have all the testimony read to some of the Senators so that they would know just what has taken place in the past.

Mr. Malin then said:

It's not astonishing that many local citizens, who compose even Federal grand and trial juries, regularly refuse to indict or convict their friends and neighbors—official or private—for offenses which they themselves at least condone. But no self-respecting government, constitutionally responsible for seeing that even its humblest citizens have equal protection of the laws, can let things rest there. Hence it would seem to serve both wisdom and conscience to have the Federal Government empowered to ask a Federal judge for the declaratory relief of an injunction against a threatened violation of a civil right.

If the injunction was disobeyed, the judge would cite the violator for contempt of court, whose punishment while not severe, is real.

I could multiply examples; but everybody knows that the purpose of this proposal for Government by injunction, for enforcement by injunction, is to derogate from the powers of juries, to take jurisdiction away from juries; in a word, to deny persons accused of crime the right to trial by jury. This is an objective which I shall never serve, which I shall always oppose. The Congress very recently passed legislation intended to strengthen and protect the jury system of the United States from attack; to preserve the integrity of the jury system. But if we pass this bill, we will be striking a greater blow at the jury system than any blow which has been struck since the adoption of the Constitution. I invite attention to the fact that the right of trial by jury is a constitutional right, just as much so as any of the rights protected by any of the amendments of the Constitution. The right of trial by jury is protected in section 2 of article III. The last paragraph of that section reads as follows:

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

The provisions of this bill with respect to enforcement by injunction fly directly in the face of that constitutional guarantee of the right of trial by jury. The offenses which it is proposed shall be punished by contempt judgments of Federal judges are offenses which constitute crimes under the law.

From my study of the law, and claims based upon grounds of equity, I have always found that if there is a remedy at law, it is necessary for the person coming into court seeking equity first to show to the court that he has already exercised or tried to obtain the remedy under the laws on the statute books, whether they be Federal or State laws. That is not so in this case. That procedure is waived, as I shall show by specific reference to the language of the bill.

It is no answer to say, as the executive director of the American Civil Liberties Union did, that punishment by injunction is not severe. I suppose he meant to imply that therefore it is all right to deny a man trial by jury, because the punishment is not going to be severe. But a judge can send a man to jail for contempt.

He can fine him and take away his money for contempt. That is punishment; make no mistake about it. And putting a man in jail is punishment. Make no mistake about that either, Federal judges are going to be inflicting those punishments, on citizens of the United States who have not had the right of trial, by jury which is guaranteed to them under the Constitution of the United States, if the bill now before us should be enacted into law.

Before we leave this matter of enforcement by injunction, let me make another point or two with respect to it.

First, I point out that the right which this bill would provide to the Attorney General to seek an injunction before the offense takes place is clearly premature. It is improper, certainly, for the United States to institute an action for the benefit of a private individual, without the consent of that private individual.

I ask this question: What do Senators think would happen if the Attorney General should receive a letter from someone requesting him to protect his rights, if the same individual, when the Attorney General started the action, should come to him and say, "No; I do not want you to go into court"? Under the terms of the bill the Attorney General could then put him in jail for interfering with the administration of justice. I believe that the consent of each private individual should be obtained.

The bill does not provide for this. Clearly the bill does not contemplate that such permission will be sought. This is wrong. Even assuming that preventive injunctions were desirable—which we cannot assume, and must not assume—but even if there were an assumption that preventive injunctions were desirable, the fear of danger or damage controlling the application for such an injunction should be the fear of the individual who claims he is in danger of being injured; not the fear of the Attorney General that somebody may be injured.

Does the injunctive-relief proposal intend to try individuals for violations of State law? If so, why not try them under State law, in State courts? If they are to be tried for violations of State law, they have a right to trial by jury.

Does the injunctive-relief proposal contemplate trial of persons for violation of Federal law? If so, why not try them under Federal law in a Federal court, after indictment? They have a right, a constitutional right, to trial by jury.

These questions show the fallacy of what is being attempted here. The bald fact is that what the proposal in this bill contemplates is trial of individuals in Federal courts for violation of rules laid down neither by Federal law nor by State law, but by some single judge, at the suggestion of the Attorney General. The Attorney General would probably draft the order, and the judge would sign it.

The Attorney General is going to file a paper in Federal court, and on the basis of that paper some judge is going to lay down rules of conduct. It may well be that the rules he lays down will be parallel with the laws of the State or States involved. It may be they will be more restrictive. But regardless of that, once the judge has laid down those rules, they are going to have the effect of superseding both State and Federal law in the area, and acts which otherwise would be punished, or at least tried, on the basis of applicable State or Federal laws, will thereafter be punished as contempts of the court; and thus the right of jury trial will have been taken away.

the provisions of section 2 of article III of the Constitution to the contrary notwithstanding.

It seems very clear to me that the Federal Government does not have a constitutional right to control and enforce civil rights. But if we are to assume that the Federal Government does have such a right, and if, in addition to that, we assume that it has been established additional laws are needed in this field, we still must admit that it is up to Congress and Congress alone to decide what laws are needed, and to pass those laws. The job should not and must not be delegated, by Congress or anyone else, to a single individual anywhere, whether or not he is a Federal judge.

Who is going to determine our public policy from here on—the Congress of the United States or the Attorney General?

If the Congress enacts laws prohibiting certain actions that might involve invasion of the civil rights of individuals, then Congress is determining public policy with respect to those matters.

But if the Attorney General goes into a court with an application for an injunction, and frames the order he asks the judge to sign, then the Attorney General is determining those matters of public policy. Mark my words, that is what will happen if the Congress enacts this proposed legislation.

As I have pointed out, the attempt at enforcement by injunction is an attempt to divest State juries of their jurisdiction, and it is an attempt to divest State courts of their authority and jurisdiction. I do not believe the Congress wants to do that. But if the Congress does want to do it, and if the Congress thinks it has the power, and wants to exercise such power, to divest the courts of our States of their authority and of their jurisdiction, then the Congress should do it directly instead of attempting to do it indirectly, as in this bill.

Let me say one thing more, before I leave, for the present at least, the question of the proposal for enforcement by injunction. We have heard much in the way of analogy to other statutes, such as the antitrust statutes. We have heard it said that there is already precedent for what this bill proposes to do, and in committee a witness told us that no one had ever been put in jail for violation of the antitrust laws. But the fact is that the antitrust laws and similar statutes which give the Federal Government the right to seek injunction relief, involve acts alleged to affect the national interest, and to contravene national public policy, and which are not amenable to State law. In the case of civil-rights injunctions, what is involved is action which is wholly amenable to State law. The difference is perfectly clear, and the injunction provisions in the antitrust laws and similar statutes are in no sense precedent for what this bill proposes to authorize in the way of enforcement by injunction.

Now let me turn to another general proposition. Did the 14th amendment repeal the 9th amendment and the 10th amendment to the Constitution?

The ninth amendment provides:

> The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

The 10th amendment to the Constitution provides:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The 14th amendment does not deprive the States of the right to control their own affairs: It only prohibits certain acts of a particular nature.

Furthermore, the 14th amendment is directed at the States, and intended to control the actions of the States within certain limits; and it is not applicable to the actions of individuals not purported to be done under color of State authority.

If a State has a law repugnant to the 14th amendment to the United States Constitution, that law can be voided by appropriate court action. It does not require an act of Congress to make that possible. But, if State laws which are not repugnant to the 14th amendment are violated or improperly administered within the State, that does not give a Federal right to go in and control the situation.

The Federal Government has no more right to step into a State and seek to divest the State of jurisdiction in a civil-rights case than it has in a murder case or any other case.

To contend that the 14th amendment authorizes this is to contend that the 14th amendment repeals the 9th amendment and the 10th amendment. That is, of course, absurd.

Now, still talking generally, let me discuss broadly the points in this bill. I ask Senators to bear in mind that this bill is intended to implement, and would implement, what has been referred to as the President's program for civil-rights legislation.

Point 1 in the President's program was:

> Creation of a bipartisan commission to investigate asserted violations of law in the field of civil rights, especially involving the right to vote, and to make recommendations.

The Chief Executive has a right to create a commission to investigate, for the purpose of helping him make recommendations, anytime he wants to do so. He doesn't need an act of Congress for the purpose. On the other hand, if Congress wants to investigate this matter, it can have its own committees do so, or create a special joint Congressional committee.

Investigation of crime should remain in the executive branch. Legislative investigation should remain under the Congress.

Point 2 in the President's program was:

> Creation of a Civil Rights Division in the Department of Justice in charge of a presidentially appointed Assistant Attorney General.

This can be done by Executive order. It does not take an act of Congress. No special law is necessary. Incidentally, let me call attention to the fact that this so-called administration bill does not provide in terms for creation of a Civil-Rights Division in the Department of Justice. It merely provides for an additional Assistant Attorney General. The Attorney General can do as he pleases with that man after he is authorized and appointed. If he wants him to head a Civil Rights Division, the President or the Attorney General will have to order that such a Division be created, and then the Assistant Attorney General will have to be assigned to head the Division. The Attorney General has nine Assistant Attorneys General now. If he considers it urgent that there be in his Department a Civil Rights Division headed by an Assistant Attorney General, he can create the Division and appoint one of those men to head it. It does not take an act of Congress.

When he came down here to discuss a provision of a bill which would in terms have created a Civil Rights Division in the Department of Justice, the Attorney General said he did not want that. He did not want Congress saying what was to be handled by that Division, or what its duties would be; he wanted to retain the flexibility of his organization, and make such decisions himself.

The third point in the President's program is:

> Enactment by the Congress of new laws to aid in the enforcement of voting rights.

This so-called administration bill does not have very much in the way of "new laws" by Congress to aid in the enforcement of voting rights; and what it does propose along that line is not sound legislation, as I shall demonstrate shortly, when I take up each provision of the bill in turn.

The fourth point in the President's program is:

> Amendment of the laws so as to permit the Federal Government to seek from the civil courts preventive relief in civil rights cases.

That is not an honest statement. It is not an accurate statement. It should read:

> Enactment of a law to permit the Federal Government to divest State courts of jurisdiction and make possible summary punishment in Federal courts, on the basis of standards fixed by a Federal judge and not by either Congress or legislature.

That is the real purpose of the bill.

Let me say another word about the proposed commission. There is a hidden objective here; but, unfortunately, the Attorney General has tipped us off as to what it is.

The Attorney General has pointed out that there is no agency in the executive branch of the Government having the authority to investigate general allegations of deprivations of civil rights. That, he says, is why the President wants a special commission. The word "general" is the key to the hidden objective in the plan for a special commission. What they have in mind is a body which will go out and attempt to prove the premise that there is serious deprivation of civil rights in the South. I doubt if all the proponents of the bill understand that. If they all did, I doubt that they would all be for the bill, as they are now.

But the hidden objective is there—although it is not so well hidden anymore, thanks to the Attorney General, if we will exercise our intelligence to understand what he has told us.

The people who really understand what the bill would do, and are still for it, are not satisfied to stand on particular cases, to investigate actual instances of either interference or threatened interference with civil rights; they want to go out and make a case, however and wherever they can make it. That is why they want a commission having the authority to investigate general allegations of deprivations of civil rights. They want to have a field day. How objective would any study be that started out with a purpose to prove a particular case? It will not be objective at all. But that is what the proposed commisison will be doing.

Let us turn to the bill and consider it section by section. There are other comments of a general nature which I could make, and other comments concerning matters of principle; but I do not want to draw out my comments unduly today.

Part I of the bill provides for the establishment of a Commisison on Civil Rights.

I am going to leave until another time an analysis of the proposed rules of procedure for the Commission. They appear to be the same as the rules proposed in the past for the control of Congressional committees. They are rules which were unsuited to that purpose, and they are at least equally unsuited to control the activities of such a Commission as is here proposed. From an administrative standpoint, it would be almost impossible for the Commission to operate under these rules. It would not be able to accomplish anything of importance. But I shall discuss that matter at another time. If we are not going to create such a Commission, we need not be concerned about rules for its procedure; and I do not think we should create such a Commission.

Perhaps I am old fashioned to look early at the cost of any proposal, but it is a habit I have. We cannot consider the cost of the proposed Commission, because no limit is fixed, and no estimates have been given to us. The proposed Commission certainly should not be set up without some estimate and some understanding of the probable cost. There seems every probability that the cost of such a Commission would run into millions of dollars annually, and it might well run into tens of millions. To create a juggernaut of such proportions, with a blanket authority for the appropriation of so much as may be necessary would be an improvident act, doubly censurable in a time when even the President is willing to admit that economy is important, though he is not willing to point out where and how it can be achieved.

This bill would give the proposed Commission investigative powers that should belong, and then only under most careful safeguards, in the regular department of the executive branch.

Creation of this Commission would increase the complexity of the Government, as well as increasing the Federal payroll.

Mr. President, I send to the desk five amendments to the bill, amendments which I propose to offer at the appropriate time, if that time is ever reached.

These amendments will require members of the President's Civil Rights Commission and their employees to conform with the civil-service rules and regulations and other provisions of law required of other Federal employees.

In addition, these amendments strike from the bill obvious unequal and dangerous employment practices and remove special treatment and privileges contained in the bill.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr JOHNSTON of South Carolina. I yield, provided I do not lose the floor.

Mr. HUMPHREY. I may say to my good friend from South Carolina that I was moved and inspired by the fact that the Senator was offering amendments to the bill.

Mr. JOHNSTON of South Carolina. Proposed amendments.

Mr. HUMPHREY. Proposed amendments to the bill. This caused me to feel that the Senator from South Carolina recognized that the bill should be brought up for consideration, so that these worthy amendments might be considered.

I am not familiar with what is contained in the amendments, but I have always believed that if a Senator wishes to offer amendments, he should have that privilege, and that the Senate should have the privilege of voting on the amendments.

The only way I can see for the Senate to vote on a trial-by-jury amendment or any other amendment is if the bill gets before the Senate. It is in that spirit, because I am so much interested in the amendments and want to see them given fair consideration, that I appeal to my fine, distinguished friend from South Carolina to join with us in bringing the bill before the Senate, so that we may have an opportunity to consider all the amendments. I am certain they are well drawn, that their meaning is clear and precise, and that their purpose corresponds with the objectives of the Senator from South Carolina.

The Senator from South Carolina feels that the Senate should work on the amendments, does he not?

Mr. JOHNSTON of South Carolina. Mr. President, the Senator from Minnesota has made a statement with which I would not agree fully. He said that I "should have that privilege." I am not seeking the privilege. I am hoping that whoever had the privilege of introducing the bill will see the light, and that the Senate will see the light, at the proper time, and that the Senate will never have to deal with all the amendments I am sending to the desk.

Mr. HUMPHREY. Mr. President, will the Senator from South Carolina yield further to me?

Mr. JOHNSTON of South Carolina. I yield, provided it is understood that I shall not thereby lose the floor.

Mr. HUMPHREY. Mr. President, let me say to the Senator from South Carolina that there has been a deluge of suggested amendments. Some amendments have actually been submitted; and in the case of others, there has been theoretical and hypothetical discussion; and now we have proposed amendments—all of which can only indicate, to me, that those who are opposing the bill, and even are opposing the effort of the Senate to consider the bill, have apparently arrived at the conclusion that it is likely that the bill will be considered by the Senate, and therefore they wish to have the amendments before the Members of the Senate, for their thoughtful meditation and in order to have the amendments receive the amount of attention which amendments of this character so justly deserve. Does the Senator from South Carolina agree with that observation?

Mr. JOHNSTON of South Carolina. I do not fully agree.

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). Let the Chair make an inquiry at this point.

Mr. JOHNSTON of South Carolina. Certainly.

The PRESIDING OFFICER. The Chair wishes to inquire whether the amendments which have been sent to the desk are to be printed in the RECORD?

Mr. JOHNSTON of South Carolina. I ask that they be printed, and that they lie over; and I hope they will never be used.

The PRESIDING OFFICER. The amendments will be received and printed, and will lie on the table.

Mr. HUMPHREY. Mr. President, will the Senator from South Carolina yield further to me?

Mr. JOHNSTON of South Carolina. I am happy to yield to the Senator from Minnesota.

Mr. HUMPHREY. Of course, I am not able to pass judgment on the amendments, inasmuch as I have not seen them. But I wish to say to the Senator from South Carolina that I think so much of him that I hope the Senate will have a chance to consider the amendments and to dispose of them in one way or another; and of course this situation gives the Senator from Minnesota an additional reason for urging that the bill be taken from the calendar, brought before the Senate, and considered by the Senate, so the Senate can hear the brilliant and illuminating arguments of Senators as to how the bill can be improved. I imagine there are amendments which can be made in that connection.

Mr. JOHNSTON of South Carolina. Mr. President, I am in favor of getting the bill off the calendar, but I am not——

Mr. HUMPHREY. And is the Senator from South Carolina in favor of having the bill brought before the Senate?

Mr. JOHNSTON of South Carolina. Well, Mr. President——

Mr. HUMPHREY. Mr. President, I imagine that the Senator from South Carolina and I have a difference of view at this point. He has been extremely

kind in yielding to me, and I shall not impose further upon his time.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to say this is one of the worst bills I have ever seen; and I shall have more amendments to submit, if the bill ever reaches the point of consideration by the Senate.

Mr. HUMPHREY. Mr. President, I gather that I should not ask the Senator from South Carolina to yield further to me. [Laughter.]

Mr. JOHNSTON of South Carolina. Mr. President, I am always glad to yield to my friend, the Senator from Minnesota. I am sure that whenever he asks me to yield to him, he does so because he wishes to inquire about important matters, regarding which he seeks information, or in order to enlighten someone else.

Mr. HUMPHREY. I thank the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, the proposed Commission would very likely be made permanent. I have seen commissions created for 2 or 3 years, and even Senate committees which have been established on a temporary basis; but all such temporary groups seem to go on and on; like the babbling brook, they never stop. I think that would be the case as regards the proposed Commission. Certainly there is every reason to anticipate pressure to make it permanent. There is no provision for terms of office for the Commissioners. There is, of course, a provision in the bill, as it stands now, that the Commission shall submit a final report to the President not later than 2 years from the date of enactment of the statute creating it; and that 60 days after the submission of its final report and recommendations, the Commission shall cease to exist. But I can visualize its going on and on. The provision regarding the proposed Commission is an unrealistic one. The proposed Commission will not be well underway for 6 months or more. It will turn lose upon the southern part of this Nation a horde of investigators, mostly of the voluntary variety. The reports and advice and suggestions which they will send back to Washington will pile up in tremendous volume. The pressure to give the Commission additional life, it seems to me, is not only certain to come, but is almost certain to carry the day. If we want to stop the creation of what may become a permanent, as well as a monstrous, institution of Government, the time to do so is now; and the way to do it is by not passing this bill.

Let us realize fully that this bill proposes the creation of a Commission which would have the duty of surveillance of State and local governments, as well as surveillance of the activities of private individuals and groups. The bill does not spell that out in the plainest of language; but the provisions respecting the duties of the Commission, as they will be found in section 104 (a), embrace exactly that.

When we arrive at the day when a Federal agency with subpena powers has the right and duty of constantly studying whatever its officials and investigators deem to be economic, social, and legal developments constituting a denial of equal protection of the laws in both State and local governments, we shall have drawn very close indeed to the day of the superstate, the totalitarianism which we dread and decry when we see it in other nations, but which we do not seem to be able to recognize as it creeps up on us in our own country.

I think I have referred to the fact that the provisions of the bill would give to an independent commission in the executive branch a function of the legislative branch, that is, the gathering and evaluation of information as a basis for legislation. Nothing less than this can be the purpose of the duty which would be imposed upon the commission by subsection 104 (a) (3), to "appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution." But this is exactly the kind of authority the Congress gives to its own committees. Such authority should never be given to an independent commission, much less to the executive branch. It rightfully belongs to the legislative branch.

Now let us look at subsection 105 (e). This subsection provides that—

> All Federal agencies shall cooperate fully with the commission to the end that it may effectively carry out its functions and duties.

Mr. President, all Federal agencies would have to obey the Commission; all of them would be put under the Commission, so to speak. This is an extremely dangerous provision. It might well be construed to mean that the Commission would be a sort of superagency with administrative powers over the regular departments.

This language might be construed as a mandate to all departments to do what the Commission told them to do. Suppose the Commission wanted the FBI to make investigations for it. Would a refusal by the Bureau to undertake such a job, so repugnant to its traditions, be considered an uncooperative act? If so, the Bureau would have to do what the Commission wanted, under the language of this subsection. Many other examples can be stated.

There are several respects in which the first subparagraph of section 104 (a) is too broad. I shall discuss them in a moment. Let me read that subparagraph:

> Investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based.

Mr. President, look at the phrase "allegations in writing." Nothing is said about whether these allegations need be verified, or even whether they need to be signed. As it stands, this language would require—not authorize, but require—the Commission to investigate anonymous letters. Surely the Congress does not want to approve a bill which will do that.

The allegations required should be under oath, or at least verified. And certainly, there should be some kind of a provision so that the Commission does not have to spend its time investigating anonymous letters.

While we are on the subject of this subparagraph, let me call attention to the fact that it might be held to refer only to illegal voting in a Federal election, since it does not specify that State elections are included and since illegal voting in a State election is a matter not properly a subject of Federal control, but, rather, punishable under the States police powers. I am perfectly well aware that what is intended here is an invasion of the rights of the States; but I want to point out to those who favor invading the rights of the States that this particular paragraph might be construed in such a way as not to accomplish their objective.

Let me call attention also to the fact that the allegations contemplated under this subparagraph almost certainly would involve acts that might be criminal under law. But surely, the investigation of criminal acts should be left to law-enforcement agencies. The proposed Commission would not be a law-enforcement agency. Why, therefore, should it be charged with investigating criminal acts?

Furthermore, some of the acts subject to allegations under this subparagraph might be acts prohibited by State law. Why should a Federal commission investigate violations of State law, if the paragraph is construed broadly enough to authorize this?

Now, let us come back to the question of how this subparagraph is too broad. I shall not exhaust this subject, but I want to give some instances.

It seems clear that the use of the words "certain persons" includes noncitizens. Thus, the commission would be required to investigate allegations, if made, respecting the treatment of alien immigrants. If the Commission received allegations that Mexicans brought into this country to do stoop-labor in the Western States were being subjected to unwarranted economic ostracism because of their national origin, it would have to investigate those allegations. In this instance as in others, examples could be multiplied, but I do not want to take the time now to stress the point any further.

Along the same line, but under the point of subjecting a person to unwarranted economic pressures by reason of religion, the Commission would be required to investigate allegations, if made, that Jewish bankers were discriminating against Arabs as loan applicants.

Now, let us look at subparagraph 2 of section 104 (a). This subparagraph opens a Pandora's box. What is meant by "legal developments constituting a denial of equal protection of the laws"? What is meant by "the policy of the Federal Government with respect to equal protection of the laws"?

Is the Commission going to have to study all economic, social, and legal developments to determine which of them

constitutes a denial of equal protection of the laws?

If not, who is going to decide what economic, social, and legal developments the Commission will study? Will the Commission determine in advance which developments constitute a denial of equal protection of the laws, and then study those developments?

Merely to ask these questions is to point out the absurdity of the purported standard which is here being fixed to guide the Commission's activities. It is a standard which cannot be met objectively. This is just another bit of evidence that the whole purpose here is to do a hatchet job on the South and on southern institutions.

Go on down to the third subparagraph under section 104 (a), which says that the Commission shall "appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution."

Use of the word "appraise" creates an ambiguity of great magnitude. If this section were intended only to give the Commission the duty to report on civil-rights conditions, it might be far less objectionable. "Appraisal" means passing judgment. Passing judgment on the laws enacted by the Congress is a job for the Congress, not for an executive commission.

This subparagraph mixes executive and legislative functions. Making the laws, as well as making the basic policies of the Federal Government, is a matter for the Congress. Carrying out the policies, as fixed by Congress, and making departmental, administrative, and executive policy, is for the executive branch. No good purpose can be served by mixing the two, and one bad purpose certainly will be served: To wit, diminution of the powers of the Congress.

Now let us look at subsection 105 (b). The provisions of this subsection, that the Commission "may accept and utilize services of voluntary and uncompensated personnel and pay any such personnel actual and necessary traveling and subsistence expenses incurred while engaged in the work of the Commission—or, in lieu of subsistence, a per diem allowance at a rate not in excess of $12"—would surely result in a horde of volunteer social workers and "do-gooders" descending upon the South, with all their travel expenses and subsistence expenses paid out of the Federal Treasury, while they sought to uncover or develop what they considered to be civil-rights cases. Incidentally, do not be fooled by that figure of $12. The way it is set into this subsection, it is not a limitation on how much may be paid a day for what the Commisison will deem "actual and necessary traveling and subsistence expenses incurred." It is only the limit of the per diem allowance which may be paid in lieu of subsistence. If one of the volunteer workers accepted and utilized by the Commission should see fit to travel by rented limousine and to eat $15 worth of food a day and to stay in $15 hotel rooms, the Commission certainly could, and probably would, approve all of those expenses and pay them. Certainly this is a provision which should be tightened up, whatever else we do, if this bill is to be approved.

Move on down to subsection (f) of section 105.

This subsection 105 (f) contains subpena powers for the Commission. Let me express my view that the grant of subpena powers to the proposed Commission would be extremely dangerous. The subpena powers which are proposed are virtually unlimited. Presumably the Commission could even subpena the governor of a sovereign State and require his testimony about his official acts. Such power should not be given to a body which is bound to be politically motivated, as this Commission is bound to be.

Mr. JOHNSON of Texas. Mr. President, will the distinguished Senator from South Carolina yield to me?

Mr. JOHNSTON of South Carolina. I will yield, with the understanding that I do not lose the floor.

Mr. JOHNSON of Texas. Mr. President, I wonder if it would suit the pleasure of the Senator from South Carolina if the Senate would recess at this point, pursuant to the order previously entered, with the understanding that at the conclusion of the morning hour tomorrow, as the Senate has previously agreed, the Senator from South Carolina will be recognized to resume his address.

Mr. JOHNSTON of South Carolina. I will agree to that, provided there is unanimous consent.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

RECESS TO 10:30 A. M. TOMORROW

Mr. JOHNSON of Texas. I want to express to the Senator from South Carolina [Mr. JOHNSTON] very sincere appreciation for his complete cooperation in the matter of the procedures of the Senate.

Mr. President, with that understanding, I want to give notice that the Senate will meet at 10:30 in the morning. We will have a morning hour in which statements will be limited to 3 minutes and then under the order previously entered, the distinguished Senator from South Carolina [Mr. JOHNSTON] will be recognized.

Mr. President, pursuant to the order previously entered, I now move that the Senate stand in recess until 10:30 a. m. tomorrow morning.

The motion was agreed to; and (at 7 o'clock and 21 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Thursday, July 11, 1957, at 10:30 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate July 10 (legislative day of July 8), 1957:

COMMODITY CREDIT CORPORATION

Don Paarlberg, of Indiana, to be a member of the Board of Directors of the Commodity Credit Corporation, vice Earl L. Butz, resigned.

IN THE AIR FORCE

The following-named officers for temporary appointment in the United States Air Force under the provisions of chapter 839, title 10, of the United States Code:

To be major general

Brig. Gen. Edward Willis Suarez, 633A, Regular Air Force.

Brig. Gen. Oliver Kunze Niess, 19022A, Regular Air Force, Medical.

Brig. Gen. Daniel Webster Jenkins, 528A, Regular Air Force.

Brig. Gen. Daniel Stone Campbell, 615A, Regular Air Force.

Brig. Gen. John Williams Persons, 418A, (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Thomas Ludwell Bryan, Jr., 452A, (colonel, Regular Air Force), United States Air Force.

Brig. Gen. John Jackson O'Hara, 463A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Pearl Harvey Robey, 473A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Norman Delbert Sillin, 501A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. John Hiett Ives, 544A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Alfred Frederick Kalberer, 607A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Thomas Connell Darcy, 629A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Eugene Porter Mussett, 632A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Romulus Wright Puryear, 637A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Harold Cooper Donnelly, 647A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Donald Robert Hutchinson, 664A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Charles Wesley Schott, 949A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Benjamin Jepson Webster, 974A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. William Taylor Thurman, 1034A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. James Clifford Jensen, 1042A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Joseph D. Croft Caldara, 1048A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. William Monte Canterbury, 1071A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Arno Herman Luehman, 1080A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Stanley Joseph Donovan, 1089A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Turner Clifton Rogers, 1232A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Augustus Maine Minton, 1301A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Bruce Keener Holloway, 1336A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Maurice Arthur Preston, 1337A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. John Spencer Hardy, 1502A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Thomas Alan Bennett, 1513A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. David Wade, 1582A (colonel, Regular Air Force), United States Air Force.

To be brigadier general

Col. George Eldridge Keeler, Jr., 466A, Regular Air Force.
Col. Travis Monroe Hetherington, 646A, Regular Air Force.
Col. Theodore Gourdin Kershaw, AO239295, United States Air Force.
Col. Frank Pickering Corbin, Jr., 929A, Regular Air Force.
Col. Paul Lawrence Barton, 1081A, Regular Air Force.
Col. John Knox Cullen, 19068A, Regular Air Force, Medical.
Col. Dwight Oliver Monteith, 1205A, Regular Air Force.
Col. Conrad Francis Necrason, 1246A, Regular Air Force.
Col. Bernard M. Wootton, 1253A, Regular Air Force.
Col. Homer Astley Boushey, 1269A, Regular Air Force.
Col. Sheldon Seymour Brownton, 19083A, Regular Air Force, Medical.
Col. Jack Norman Donohew, 1319A, Regular Air Force.
Col. Curtis Raymond Low, 1349A, Regular Air Force.
Col. Willard Wright Smith, 1374A, Regular Air Force.
Col. Robert Joseph Friedman, 1397A, Regular Air Force.
Col. Robert Allen Breitweiser, 1406A, Regular Air Force.
Col. William Kenneth Skaer, 1412A, Regular Air Force.
Col. Prescott Miner Spicer, 1413A, Regular Air Force.
Col. Virgil Lee Zoller, 1440A, Regular Air Force.
Col. Henry Garfield Thorne, Jr., 1514A, Regular Air Force.
Col. William Brewer Keese, 1531A, Regular Air Force.
Col. Frederick John Sutterlin, 1585A, Regular Air Force.
Col. Delmar Edmond Wilson, 1587A, Regular Air Force.
Col. Glen Robbins Birchard, 1623A, Regular Air Force.
Col. John Wilson Carpenter 3d, 1647A, Regular Air Force.
Col. John Brereton Bestic, 1682A, Regular Air Force.
Col. Jack Gordon Merrell, 1687A, Regular Air Force.
Col. George Benjamin Greene, Jr., 1736A, Regular Air Force.
Col. James Crawford McGehee, 1746A, Regular Air Force.
Col. Don Coupland, 1766A, Regular Air Force.
Col. Edgar Wade Hampton, 1805A, Regular Air Force.
Col. Philip Henry Greasley, 1821A, Regular Air Force.
Col. John Eugene Dougherty, 1852A, Regular Air Force.
Col. Charles Rankin Bond, Jr., 1937A, Regular Air Force.
Col. Charles Marion Eisenhart, 1957A, Regular Air Force.
Col. Austin James Russell, 1980A, Regular Air Force.
Col. Robert Hamilton Warren, 1987A, Regular Air Force.
Col. Francis Clare Gideon, 1993A, Regular Air Force.
Col. Theodore Ross Milton, 2026A, Regular Air Force.

IN THE NAVY

Adm. Arthur W. Radford, United States Navy, for appointment to the grade of admiral on the retired list of the Navy.

The following-named (Naval Reserve Officers' Training Corps) to be ensigns in the Navy, subject to qualifications therefor as provided by law:

David L. Armstrong
Walter W. Kroupa
Arthur F. Roubik

The following-named (civilian college graduates) to be lieutenants in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

William E. Sill, Jr.
Victor M. Holm

The following-named (Naval Reserve officers) to the grades indicated in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

To be commander

Harry C. Nordstrom

To be lieutenant commander

Robert E. Bass

To be lieutenant

Kenneth N. Bredesen	Thomas P. Moore
Charles R. Cotham	Fred C. Richardson
Martin H. Ellbogen	Thomas H. Voshell, Jr.
William A. Elliot	Norman E. Wenger
Raymond J. Gibbings	Frederick C. Wuest
William E. Kilgore	Ralph K. Zech

William J. Fouty (Naval Reserve officer) to be a lieutenant in the Medical Corps of the Navy in lieu of lieutenant (junior grade) as previously nominated and confirmed to correct grade, subject to qualifications therefor as provided by law.

The following-named officers to be promoted to the grades indicated in the Medical Corps of the Navy, when their line running mates are so promoted:

To be commander

George F. Bond

To be lieutenant commander

Stuart H. Martin

The following-named (Naval Reserve officers) to the grades indicated in the Dental Corps of the Navy, subject to qualifications therefor as provided by law:

To be lieutenant commander

William G. Hutchinson

To be lieutenant

Paul E. Barrow	Donald E. Meister
Charles E. Cowen, Jr.	John W. Pash, Jr.
Albert Herr	Nathan E. Wilson

Robert S. Jones, United States Navy retired officer, to be a lieutenant in the Navy, pursuant to title 10, United States Code, section 1211, subject to qualifications therefor as provided by law.

Guy E. Knod, United States Navy retired officer, to be a chief warrant officer, W-3, in the United States Navy, for temporary service, pursuant to title 10, United States Code, section 1211, subject to qualifications therefor as provided by law.

Clarence E. Laube (Naval Reserve officer) for permanent appointment to the grade of lieutenant (junior grade) and in the temporary grade of lieutenant in the line of the Navy (engineering duty), subject to qualifications therefor as provided by law.

The following-named (Naval Reserve officers) to be lieutenants in the line of the Navy, for temporary service, subject to qualifications therefor as provided by law:

Donald M. Metzler	John J. Scully
George A. Sawyer, Jr.	William J. E. Shafer

The following-named line officers of the Navy for transfer to and permanent appointment in the Supply Corps of the Navy in the permanent grade of lieutenant (junior grade) and the temporary grade of lieutenant:

Richard C. Burns	William M. Matthews
Wilfrid Devine	Lowry W. Norris
Howard R. Edwards, Jr.	George Postich
William K. Martin	William T. Ross, Jr.

Arthur D. Jesser, United States Navy, for transfer to and permanent appointment in the Supply Corps of the Navy in the grade of ensign.

Matthew J. Ott, United States Navy, for transfer to and permanent appointment in the Supply Corps of the Navy in the grade of lieutenant (junior grade).

The following-named line officers of the Navy for transfer to and permanent appointment in the Civil Engineer Corps of the Navy in the grade of ensign:

Robert L. Kramer
Phil M. Perry
John C. Sweeney

The following-named line officer of the Navy for temporary promotion to the grade of lieutenant, subject to qualification therefor as provided by law:

George D. Ellis, Jr.

The following-named line officer of the Navy for permanent promotion to the grade of lieutenant (junior grade) and temporary promotion to the grade of lieutenant, subject to qualification therefor as provided by law:

James H. Smith

The following-named officer of the Regular Navy for permanent promotion to the grade of commander.

MEDICAL CORPS

Robert C. Doolittle

The following-named officers of the Navy for permanent promotion to the grade of lieutenant (junior grade) in the line and staff corps as indicated, subject to qualification therefor as provided by law:

LINE

Abele, Bradford L.	Baker, Walter F.
Albert, James G.	Bale, Donald F.
Ables, Aubrey E.	Bales, Barbara L.
Ager, Snowden C.	Ballard, Gaylord B.
Agnew, Dwight M., Jr.	Ballow, Lawrence D.
Aguilar, Frank J.	Banfield, Thomas V.,
Akens, Robert J.	II
Albee, Thomas L., Jr.	Banta, Thomas A.
Alecxih, Peter C.	Barkley, James F.
Aletto, Harold E.	Barlow, James D.
Alexander, Jane C.	Barnes, Lee G.
Allen, George W.	Barrett, Michael M.
Allen, John S.	Bascom, Paul P.
Altman, Berel P.	Basford, Michael G.
Alvarado, Ramon C.	Bassett, Bradley A.
Alvey, John H.	Baty, Frank O.
Ammerman, Arthur J.	Bauman, James R.
Ammerman, Clell N.	Baumgardner, John F.
Amoruso, Alfred P.	Baxter, Robert H., III
Anderson, Arthur E.	Bayne, John P.
Anderson, Giles B.	Beal, Derald R.
Anderson, Eugene G.	Beck, Charles W., II
Anderson, Palvie B., Jr.	Beck, John L.
Anderson, Gustav N.	Beck, Walter R.
Anderson, Joe K.	Beckham, Paul M.
Anderson, Joseph F.	Beckmann, Archibald
Anderson, Stephen P.	B., Jr.
Anderson, Thomas F.	Beckwith, Gilbert H.
Anderson, Walter S.	Bedore, Robert L.
Anderson, William P.	Beers, Harold S., Jr.
Andrews, Reece L.	Beeson, Robert "O"
Anthony, Morris D.	Behrle, Walter F.
Appeddu, Peter A.	Belcher, Donald W.
Appleton, William G.,	Bell, James F.
Jr.	Benadik, Paul M.
Armstrong, Albert A.,	Bennett, Donald C.
Jr.	Berg, Robert L.
Armstrong, Richard W.	Berger, Ronald A.
Arnold, Coy H., II	Bergesen, John M.
Ascherfeld, Theodore	Berkhimer, Frank R.
F., Jr.	Bernier, George, Jr.
Ashton, Augustus T.,	Berthe, Charles J., Jr.
II	Beuris, Charles B.
Atwood, Henry C., Jr.	Biasi, Nestore G.
Aumick, William A.	Bibb, Benjamin O.
Austin, James F.	Biederman, Robert D.
Austin, James W.	Biggar, William
Austin, Robert C.	Billerbeck, Henry G.
Aut, Warren E.	Billeter, John L.
Avery, Billy J.	Bilyeu, Roland C.
Bacon, William M.	Bishop, Bert W.
Bailey, William M.	Bissel, Norman H.
Bain, Ralph V.	Black, Henry C., II
Baird, Thomas L.	Blaes, Richard W.

Bliss, William S., Jr.
Blount, Thomas S.
Bole, George T.
Bonar, David C.
Bond, John G.
Booth, Joseph K.
Bordone, Richard P.
Botshon, Morton
Boulos, Alfred J.
Bourassa, Roger J.
Bowen, Thomas J.
Boyd, John W., Jr.
Boyens, William R.
Boylson, Michael E.
Brackin, John D.
Bradley, James A., Jr.
Bradshaw, Frederick L.
Brame, Frank A., III
Brammeier, Charles L.
Brandon, Horace W.
Brasted, Kermont C.
Braun, Richard T., Jr.
Bravence, John, Jr.
Brennan, John S.
Brett, Robert W. J.
Brewin, Robert L.
Brewster, Rudi M.
Brierre, Roland T., Jr.
Brill, Gordon A., Jr.
Briner, Robert R.
Brinn, Walter K.
Brodd, Robert W.
Brooks, Phillip W.
Brown, Christopher H.
Brown, Donald D.
Brown, Harold R.
Brown, Julian, Jr.
Brown, Malcolm C.
Brown, Richard B.
Brown, Robert C., Jr.
Brown, Robert H.
Bruley, Kenneth C.
Brummett, Eugene P.
Brunell, James I.
Buc, Gerald G.
Buchanan, Edward O.
Buchholz, Philip P.
Bunce, Bayne H.
Bunger, Robert C.
Burke, Jenie L., III
Burkhardt, Lawrence, III
Burnett, William M.
Burnham, Don E.
Burns, Richard F.
Bursk, Edward C.
Burtis, Evenson M.
Busell, Lewis H.
Bush, Carl D.
Butler, William S.
Byington, Melvin R., Jr.
Byrd, Mark W.
Cabanillas, Jose C., II
Cabot, Alan S.
Caldwell, Hamlin A., Jr.
Calkin, Cecil R.
Cameron, Roderick A.
Camfield, Roland E., Jr.
Cammett, Haven P.
Campbell, Donald S., Jr.
Campbell, John D.
Campbell, John L.
Campbell, John F.
Cane, Guy
Cann, William A.
Cantella, Michael J.
Canter, Howard R.
Caplow, Stuart D.
Carlile, Clayton G.
Carlson, Don P.
Carson, Louis F., Jr.
Carson, James H., Jr.
Carter, Gerald M., Jr.
Case, Neil A.
Casimes, Theodore C.
Cavicke, Richard J.
Censky, Frederick F.
Chambers, Dudley S.
Chamberlain, James L.
Chapdelaine, Jerrold E.
Cheney, Donald A.
Chidley, Ralph E.
Chisholm, George E., II
Christensen, Stephen J.
Christopher, Allis L.
Clark, Richard G.
Clarke, Marjorie N.
Clay, James N.
Cleaver, Stephen
Cliff, Athol W., Jr.
Clifford, Donald J.
Coakley, Walter J., Jr.
Coe, Raymond P.
Cogswell, Charles E.
Colbus, Louis
Cole, Bennett O.
Cole, Leonard I., Jr.
Coleman, James F.
Coleman, Wade H., III
Coleman, Irvin L., Jr.
Coleman, Herman F.
Collier, Byron H.
Collins, William D.
Collins, Mary A.
Collins, Ferdinand I., Jr.
Colvin, William P.
Colwell, Lawrence S.
Comer, Patricia A.
Conaughton, Robert G.
Conboy, Thomas W.
Conklin, Robert B.
Conner, Henry W.
Conner, Lawrence O.
Connolly, Paul P.
Connor, Samuel R.
Conrad, Glenn T., Jr.
Conway, Paul B.
Cook, Russell A.
Cooley, Charles H.
Coor, Lawrence W.
Copeland, Edward C.
Corey, Marion W.
Cornell, Robert L.
Cottingham, Wayne R.
Couillard, James P.
Courtney, Charles H.
Couser, Rodney W.
Cowan, Daniel R.
Cowell, Russell S.
Coyne, James C.
Crabtree, Donald G.
Crane, Herbert C.
Cranwell, James L., Jr.
Craven, William D.
Crawford, George H.
Crawford, John W.
Crawford, Roderick P.
Crawford, William T.
Crayton, Render
Criss, John F.
Critz, Merrill E.
Croom, William H., Jr.
Crosson, Harry E.
Crotteau, Roger D.
Cryer, John P.
Culbertson, Robert D.
Cullen, James G.
Cumbie, Willie E., Jr.
Cummings, Joseph D.
Cunningham, Dale V.
Cunningham, Marshall E.
Currier, Richard A.
Curry, Thomas L.
Curtis, Robert E.
Cusick, Patrick J.
Cutler, Edward M.
Cutts, Robert L.
Czaja, Bernard F.
Dacus, Robert W.
Daigneault, Joseph J., Jr.
Dailey, Allen H.
Daley, Robert E.
Dallamura, Bart M., Jr.
Damico, Richard J.
Dancer, Jerry D.
Daniels, William D.
Daubenspeck, Richard E.
Davis, James G.
Davis, Kenneth F.
Davis, Ralph G.
Davis, Ramsey L., Jr.
Davis, Russell E.
Davis, Samuel H., Jr.
Dawson, Edward H., Jr.
Deam, Norman A.
Dean, Herbert J.
Deane, James D., Jr.
DeBoer, Jack "G"
DeHart, William
Delaney, John R.
DeLoach, John W.
Delvecchio, Frank V.
Demonbreum, James R.
Dempsey, John P.
Denlea, Leo E., Jr.
Derendinger, George L.
Deryckere, Archie G.
Desseyn, Maurice H.
Deuel, Jamieson K.
Devine, Clarence A.
Devine, Edward D., III
Devries, James H.
Diamond, Ray B.
DiCarlo, Vincent A.
Dickenson, Charles E., Jr.
Dickey, Leonard M.
Diehl, Ricky W.
Diley, Lewis E.
Dillon, Alfred J.
Dilweg, John C.
Dilworth, Edmond J., Jr.
Dombey, James R.
Donati, Alfred, Jr.
Doney, Robert G.
Donnell, Joseph S., III
Donovan, Daniel E.
Donovan, Philip C.
Dougherty, John E., Jr.
Douglass, Donald J.
Downey, Louis A.
Dozier, George W., Jr.
Drayton, Henry E., Jr.
Drenkard, Carl C.
Drumheller, Maxley W.
Drummey, Charles E.
DuBois, Arthur N.
DuBose, Charlie P.
Ducat, Julian A.
Ducharme, George W.
Duerr, Edwin C.
Dugan, Francis V.
Dugan, Richard F., Jr.
Dulke, Sylvester M.
Dunn, Alvan N.
Dunn, John F.
Dunning, James A.
Durant, Thomas W.
Durocher, Stephen F.
Dworsky, Alan J.
Dwyer, Henry W.
Dyer, Cromwell A., Jr.
Early, Joseph D.
Earnhart, Edgar A.
Easterling, Letson E.
Easton, Peter B.
Eberlein, Otto P.
Edgren, Donald H.
Edwards, Thomas G., Jr.
Eels, William R., Jr.
Ehl, James W.
Ehr, Richard L.
Eich, Robert W.
Elder, Ralph C.
Elliott, Donal W.
Ellis, David R.
Ellis, Eugene D.
Elsbree, Frank B.
Emerson, John R.
Engels, David A.
Erickson, Reuben E.
Eriksson, Roger V.
Esper, Ronald C.
Eubank, Franklin J.
Eubanks, Martha A.
Evans, Edwin D.
Evosevich, John N.
Evrard, William E.
Ewall, Thomas H.
Faddis, James W.
Fagan, Fredric G.
Fairfield, John M.
Fairley, Archie B., Jr.
Farwell, Warren E.
Faul, Alfred T.
Felter, John F.
Ferguson, David E.
Ferrer, Kenneth A.
Fiedler, Peter B., Jr.
Fields, William B.
Fillerup, Raymond M.
Fitzgerald, Arthur R.
Fitzgerald, Michael J.
Fitzmorris, Neil T.
Fitzsimmons, Robert J., Jr.
Fitzwilliam, David A.
Flaherty, Robert M.
Fletcher, William B., III
Fletcher, John G.
Foley, Paul R.
Forbes, Donald L.
Forsyth, James P.
Foster, Clifton G., Jr.
Foster, Scott R.
Fowkes, Conard C., Jr.
Fox, Henry J., IV
Frampton, James C., Jr.
Fraser, Robert B.
Frazier, John D.
Frentress, Bowheart "H," Jr.
Frick, Walter B.
Friddle, Frank R., Jr.
Fryberger, Elbert L., Jr.
Frye, Thomas A. W.
Fucigna, John P.
Fugate, Truman H.
Fuhrman, Glen F.
Fuller, Mark A., Jr.
Fuller, Vaughn D.
Gadberry, Roy K.
Gadolin, Ronald
Gallotta, Albert A., Jr.
Gard, Gerald I., Jr.
Gardner, Bennett
Garlitz, Jerry E.
Gaskill, Richard T.
Gates, Fred H., II
Gatley, Donald P.
Gatlin, Edwin F.
Gaul, John W.
Geary, Jack E.
Gehring, Donald H.
Geier, Edward A.
Geithner, Peter F.
Geoghegan, James C.
Gerard, Paul L.
Geronime, Eugene L.
Gibbins, Thomas A.
Gideon, William C., Jr.
Gilbert, Marguerite J.
Gilchrist, Donald W.
Gildea, John F.
Gill, Gerald W.
Gillam, Charles E.
Gillham, Richard D.
Gilliland, Richard F.
Gladstone, Sidney
Glassey, Charles R.
Glover, Albert K., Jr.
Glover, Dennis C.
Glovier, Harold A., Jr.
Glunt, David L., Jr.
Gobel, John C.
Goodwin, Francis M., Jr.
Gordon, Arva F.
Gorman, Paul T.
Graham, Robert F.
Graham, Thomas A.
Gray, Basil F., Jr.
Gray, Garold G.
Gray, John T., III
Gray, William C., Jr.
Greathead, Robert T.
Green, Stanley E.
Green, Terry S., III
Greene, Charles R., Jr.
Greenlaw, William C.
Greenlee, John W.
Greer, James A., II
Greer, William E., III
Greisen, Bernard R.
Gresham, Neal
Griffin, John J., Jr.
Griffiths, Rodney D.
Grobey, John H.
Grose, Robert H.
Gross, Edward B.
Grossgold, Melvin "J"
Grothe, Henry J.
Grouby, Edward A., Jr.
Grunwell, James G.
Guda, Harry E.
Guengerich, William H.
Guess, Malcolm N.
Guillickson, Grant G.
Gunion, Allan R.
Gunn, Max C., Jr.
Gunter, Jack R.
Hagen, Gunter
Hagerty, John F.
Hahn, Wilfred J.
Haines, Robert S.
Halkett, Alan N.
Hall, Charles F.
Hall, Howard L.
Hall, John C.
Hall, John V.
Halladay, Norman E.
Hallberg, Charles J., Jr.
Hallenbeck, Prentice W.
Halperin, Walter
Halpine, John D.
Hamel, Louis H., III
Hamelrath, Walter F.
Hamilton, Clyde E.
Hamilton, Jerry L.
Hamlin, Andrew L.
Hankins, Elton E.
Hannagan, James F., Jr.
Happersett, Paul F.
Hargrave, William W., Jr.
Hargrove, John Q., III
Harkins, Richard E.
Harman, Gordon S.
Harper, George T., Jr.
Harper, Robert P., Jr.
Harrell, Max A.
Harris, James E.
Hartley, Richard R.
Harvey, George H.
Hasse, Ronald A.
Hatfield, Robert L.
Hatheway, Darwin L.
Havicon, John W.
Hawkins, Charles W., III
Hay, James C.
Hayes, Francis X.
Hayes, James C.
Haynie, Fred H., Jr.
Hazlehurst, Harry, III
Heady, James F.
Healy, James V.
Hearne, Nancy L.
Heimbold, Charles A., Jr.
Helfrich, William P.
Helm, George N., Jr.
Helms, Raymond E., Jr.
Helper, Ralph E., Jr.
Hemings, Robert M., Jr.
Hendry, James D.
Henifin, Edward E.
Henry, Tom L.
Henson, George M.
Herman, George
Herren, Thomas C.
Herrmann, Walter T.
Herzer, Oscar A.
Hessman, James D.
Heydon, Robert M.
Heyward, Irvine K., IV
Hickey, Edward J., Jr.
Hicklin, William C., III
Higgins, George A., Jr.
Higgins, Richard G.
Higgins, John F.
Higgs, Robert H.
Hilder, Leonard O., Jr.
Hill, William W.
Hinkle, David R.
Hobbs, Allen, Jr.
Hocker, Walter B.
Hogan, Edward J., Jr.
Hogan, Thomas W., Jr.
Holden, William H., Jr.
Holland, Roy C.
Holland, Lee "M"
Holland, William G.
Hollenbach, Richard G.
Hollingworth, Roy M.
Hollingsworth, Robert L.
Holloman, William D.
Holman, William C.
Holmes, James W., Jr.
Holt, Henry C., IV
Holtz, William F.
Hooley, Thomas J.
Hope, Herbert A., Jr.
Hopkins, Benjamin T., II
Hopper, Thomas M.
Horn, Charles A., Jr.
Horn, Charles E.
Horn, Emile L.
Horner, John, Jr.
Horowitz, Charles L.
Hosking, Roy W.
Hoskins, James M.
Hovey, Gale K.
Howard, Maynard L.
Howatt, Gerald J.
Howells, William D., II
Howells, David A.
Hryskanich, Paul L.
Hubbell, Robert N.
Hudgins, Thomas B.
Huffer, Maurice W.
Huffman, William L., Jr.
Hukill, Robert P.
Hull, Fred A.
Hume, George A.
Hume, Kenneth E.
Humphrey, Morris L.
Hunter, John W., Jr.
Hunter, Charles B.
Hunter, William J.
Hunter, William G.
Hurt, Jonathan S.
Hussey, William T.
Huttinger, Theodore
Hyman, Arnold J.
Ike, Robert C.
Ilaria, Robert L.
Inman, John S.
Inman, Thomas S.
Ireland, Blair
Jackson, Thomas W.
Jauregui, Stephen, Jr.
Jermstad, Robert J., Jr.
Jobe, Gordon A.
Jobe, James E.
Johnson, Martin L.
Johnson, George P.
Johnson, Robert A.

Johnson, William J., Jr.
Johnson, David E.
Johnston, Fox H.
Joiner, Francis A.
Jolliff, James V.
Jonassen, Robert N.
Jones, Carroll S.
Jones, Ernest F.
Jones, James L.
Jones, Robert F., Jr.
Jones, William O.
Jongewaard, Larry L.
Jonovich, George J.
Jordan, Stephen W.
Joyce, Alan R.
Judy, Harold A.
Juergens, John G.
Jurgensen, Dale E.
Jurkowski, Joseph A.
Kaiser, Dale E.
Kaiser, Gilbert J.
Karabatsos, George T.
Kaufman, Robert H.
Kavanagh, Robert G.
Keane, John F.
Keating, John D.
Keating, John S., Jr.
Keele, Wayne, Jr.
Keely, Leroy B.
Keener, John I.
Keith, Clyde R.
Keith, Harold S.
Keith, John D.
Keller, Samuel F., Jr.
Kellogg, Edward S., III
Kelly, Richmond K., Jr.
Kenney, Robert W.
Kern, Thomas W., Jr.
Kiel, Kenneth L.
Kilty, Lawrence R.
Kimbrough, Harold S.
King, Donald J.
King, Edward L.
King, James E.
King, Richard B.
Kingsland, John M.
Kingsley, Stephen S.
Kinley, Frederic H. M.
Kinnaird, Charles R.
Kinne, Loren H.
Kinney, Leo D.
Kinney, Eugene P.
Kirbey, Russell W.
Kieffel, Walter H.
Klein, Donald E.
Klein, Verle W.
Kline, Arlington N.
Kneisl, John F.
Knepler, James L.
Knerr, Donald O.
Knight, Eugene T.
Knight, Cecil F.
Kohoutek, James G.
Kolimorgen, Frederick J.
Kooken, John F.
Kopacka, William F.
Korn, Donald L.
Kowalskey, Zygmont J., Jr.
Kracha, John K.
Krahn, Chris
Kramer, Frank A.
Kramer, Robert B.
Kratt, William J.
Kraus, Walter S.
Krikorian, Edwin G.
Krisciunas, John P.
Kruger, David S.
Krumwiede, Jerold L.
Kujawski, Theodore D.
Kuntz, Francis X.
Kunzel, Frederick K.
Kurth, Ronald J.
Kyle, Kenneth W.
Lacefield, Joe V.
Lacy, Robert G.
Lambert, Mary A.
Lambert, Walker W.
Lamken, Mark L.
Lamore, James F.
Land, Elwood W., Jr.
Lane, William J.
Langford, George M.
Langford, George R.
Langrind, Roy G.
Lanier, Henrietta R.
Lannon, Francis W.
Larson, Ralph S.
Lawson, Thomas J.
Learned, Charles W., Jr.
Learson, Harold W.
Lee, Thomas E.
Legett, Thomas R.
Lehr, Ronald F.
Lehto, Robert K.
Leonard, John D., Jr.
Leonhardi, Roger L.
Leslie, Richard
Letkemann, Herkus W. V., II
Levin, Herman
Levin, Jeremy I.
Lewert, Adam E.
Lewis, David E.
Lewis, Jesse W., Jr.
Lewis, John W.
Lewis, Martin E.
Lewis, Robert S.
Liatti, Lloyd A.
Lietzan, Ernest W., Jr.
Lima, John M.
Limroth, David F.
Lindsay, Thomas L.
Link, John G.
Lissy, Ernest I.
Litfin, Robert E.
Livingston, Daniel S.
Livingstone, Philip N.
Lochridge, Joe C.
Long, Charles L.
Lord, Frank J.
Lord, Waldon E.
Lutz, William R.
Lyding, John F.
Lykins, Noel R.
Lynch, Will T.
Lynne, Donald M.
Lyons, Philip
Mack, John
Mack, John O.
Mack, Robert E.
Mackie, Joan G.
MacLeod, William A. J.
Maddox, Iven J.
Mares, James A.
Markham, Allan W.
Marks, John A.
Marsh, Barry B.
Marshall, John T., Jr.
Marshall, John T., Jr.
Martin, Benjamin C., Jr.
Martin, Edward H.
Martin, James F.
Martin, Robert T.
Martineau, Roger J.
Marx, Thomas J.
Mason, Ralph S.
Massey, Roger A., Jr.
Master, Carl L., Jr.
Masterson, Kleber S., Jr.
Mathis, Harry L., II
Matthews, Paul C., Jr.
Maurer, Charles B.
McAllister, Jack D.
McArdle, James L.
McBride, Earl P.
McCaffree, Burnham C., Jr.
McCaffrey, Robert T.
McCall, Walter H.
McCarthy, Gerald D.
McCarthy, Paul F., Jr.
McCartney, Kenneth C.
McCarty, William H.
McCellan, Parker W.
McClenahan, Richard M.
McClure, William R.
McCollum, James B.
McConnell, Cyrus, Jr.
McCormack, Howard M.
McCormack, John F.
McCracken, John L.
McCullough, John A.
McDermott, John J.
McDevitt, Ronald F.
McDonough, Lida J.
McElroy, Guy A.
McGill, James F.
McGown, William A., Jr.
McGurk, Robert J.
McIntyre, James G.
McKay, Edward J., Jr.
McKay, Peter B.
McKee, George R., Jr.
McKenzie, James A., Jr.
McKinnon, George H.
McKinster, James W.
McKnight, Kent A.
McLean, Robert H.
McMahill, Gary A.
McMaster, Paul
McMillan, Thomas, Jr.
McMillin, George W.
McMullan, James P.
McNally, Stephen P.
McNamara, William L.
McNenny, Patrick "J" "S"
Meaney, Francis X.
Meek, David
Mehr, John A.
Melton, Arthur W.
Melville, Noel
Merkle, George W.
Merritt, Robert L.
Messinger, Marshall R.
Meyer, Donald J.
Michaels, John R.
Miglas, William
Milford, Dolores A.
Millar, Ralph A., Jr.
Millen, Thomas H.
Miller, Charles H., III
Miller, Chauncey S.
Miller, Glen "J"
Miller, John H.
Miller, Raleigh B., Jr.
Miller, Robert R.
Miller, Russell C.
Minetti, Bernard L.
Mintz, Donald E.
Miranne, Ernest J., Jr.
Mirsch, Marvin W.
Mitchell, Donald F.
Mobley, Arthur S.
Mode, Paul J.
Moebus, Louis F.
Montgomery, Kenneth
Montgomery, William J.
Montross, Robert W.
Moody, Frank L.
Mook, Joe
Moore, Bryon O.
Moore, Hugh A.
Moore, John R.
Moore, Percy J.
Moore, Robert E., III
Moore, Thomas W.
Moranville, Kendall E.
Morgan, Frank A., III
Morris, Charles H.
Morrow, Robert H.
Morse, Robert A.
Mortimer, Edward H., III
Morton, Theodore E.
Moss, Jack L.
Moye, William B., Jr.
Mudgett, Francis S.
Mulligan, John H.
Mulloney, Peter B.
Multer, Richard P.
Mulvany, George M.
Mundt, Werner F.
Muniz, John J.
Murphy, Arthur D.
Murphy, Charles W.
Murphy, Richard G.
Murray, Thomas F.
Murray, Philip F.
Murtha, Bruce E.
Musgrave, "R" "F"
Muth, Wayne A.
Myers, Richard C.
Nagel, Harold A., Jr.
Nash, Owen W.
Nash, Phyllis A.
Neel, William C.
Neel, William M.
Nelles, Merice T.
Nelowet, Wallace S.
Nelson, Theodore E.
Nelson, Jesse R.
Nelson, Floyd G.
Neuhauser, Daniel A.
Newton, John E.
Nix, Walter C.
Noblit, Charles L.
Noren, Rees E.
Nott, Edward C., Jr.
Oberg, Chester R.
Oberholtzer, William E., III
O'Brien, Kenneth A.
O'Brien, Kevin S.
O'Brien, John T.
O'Connell, William J.
O'Connell, Sally H.
O'Dell, Jean M.
Offrell, David W.
O'Halloran, Thomas A., Jr.
O'Hara, John J.
Olander, Darrell W
Oldmixon, William J.
Oleson, David E.
Oliver, Charles H.
Olsen, Charles F.
Olsen, Jerome J.
Olsen, Robert M.
Olson, Harold W., Jr.
Olson, Richard L.
O'Malia, Robert J.
O'Neill, Norbert W.
Orsik, Walter A.
Orsino, Leo A.
O'Shaughnessy, Robert J.
O'Toole, Arthur L., Jr.
Otto, Robert O.
Packard, John E., III
Paine, Lawrence A.
Palmer, Wilbur L.
Panas, Alex W.
Parise, Richard G.
Parker, Kenneth B., Jr.
Parker, Eugene H.
Parks, Richard E.
Parks, Walter P.
Parnell, Thomas A.
Parrish, Jon G.
Parsons, David E.
Pasztalaniec, Matthew F.
Patrick, Julian C.
Patten, Robert S.
Patterson, Lee R.
Patterson, William V.
Paulson, Allan G.
Pavia, Raymond F.
Pearson, John E.
Pearson, George W.
Pease, Floyd T.
Peery, William K.
Penegar, Kenneth L.
Perault, David J.
Perenyi, Ladislas J.
Perfetti, Richard C.
Perkins, Jack C.
Perry, Eugene C., Jr.
Peterman, Dewey D.
Peterson, Mell A., Jr.
Peterson, Alfred A.
Petit, Pierre A.
Pettigrew, Joseph H.
Peugh, Dighton "W"
Pfarrer, Charles P., Jr.
Phillips, Raymond C.
Phillips, Harry H.
Philpot, Marvin L.
Phoenix, David "A"
Pickard, Dallas, Jr.
Pierce, Robert K.
Pikell, Joseph V.
Pine, John D.
Pippin, William E.
Pitt, Donald F.
Pitts, David T.
Platner, Fredric W.
Polini, Eugene T., Jr.
Pollack, Harold I.
Pollak, Henry M.
Pollard, Charles E., Jr.
Polleys, William V., III
Polsin, Robert W.
Popham, Neal R.
Popp, John, Jr.
Popplewell, Lewis M.
Poreda, Charles P.
Post, George W.
Post, Jerome
Powers, Paul S.
Premo, Melvin C.
Price, Carroll R.
Priestley, Joseph R.
Primeau, Don G.
Prochaska, George E.
Prosser, Rudolph J.
Pruitt, Thomas J.
Pugliano, Ralph J.
Purtell, Joseph M.
Quigley, Robin L. C.
Quillin, Thomas E.
Quinn, Charles A.
Quinn, Walter J.
Quirk, Thomas A., Jr.
Rabstejnek, George J., Jr.
Raines, Julian L.
Ramos, Steve L.
Ramzy, James R.
Raper, Albert D.
Rathke, Lorenzo J.
Rauber, William S.
Raunig, David R.
Read, Richard R.
Reardon, John R.
Reasonover, Roger L., Jr.
Reed, Richard A.
Reeves, Alex D., Jr.
Register, Marvin O.
Reid, John A.
Reid, Rust E.
Reid, Wilson G.
Reilly, Frank J., Jr.
Reip, Robert W.
Reisinger, John E.
Reiss, Charles E.
Remsnyder, Duane C.
Rennell, Robert J.
Resek, John F.
Reynolds, James V.
Rhodes, Rodman D.
Rhodes, Thomas B.
Ribble, Lawrence F.
Rice, Alan H.
Rice, Donald K.
Richards, Walter E.
Richardson, William C.
Richter, Ronald P.
Richter, William J., Jr.
Riendeau, Arthur O., Jr.
Riester, John E.
Rigling, Robert F.
Ritchie, John K.
Robertson, Robert R., Jr.
Robey, George R., Jr.
Robinson, James V., II
Robinson, William N.
Rockefeller, Harry C. Jr.
Roderick, Daniel W.
Rodgers, Henry C.
Rodriguez, William P.
Rogers, Robert B.
Rogers, Thomas D.
Romaine, Henry S.
Romaine, Howard G.
Ropp, Philip C.
Rork, John K.
Rose, Charles B.
Rose, Charles C., Jr.
Rose, James S.
Rose, Rufus E., Jr.
Rose, William A.
Roth, Thomas F.
Rourke, Charles K.
Rowland, Charles M., Jr.
Ruggles, Kenneth W.
Rumsfeld, Donald H.
Russell, Kenneth B.
Russell, John H.
Rutherford, Charles F., Jr.
Sabol, Ernest J., Jr.
Sakats, Gerald
Salva, Fedor R., Jr.
Sample, Bertran E.
Samuels, William J.
Sanders, Wiley M.
Sandoval, Silvano F.
Santuae, Theodore A.
Sassi, Norman M.
Sauers, John F.
Sawyer, Kenneth R.
Scampini, Charles H.
Schell, Farrel L.
Schenck, James S., III
Schibel, Robert L.
Schlenzig, Robert E.
Schmidt, Gilbert E.
Schmidt, Don D.
Schnatterly, Lewis W.
Schnurr, William J.
Schoeckert, Robert D.
Schoeffel, Peter V.
Schoonover, Charles D.
Schrader, David M.
Schroats, Richard P.
Schultz, Earl E.
Scott, Lawrence A.
Scott, Robert W.
Scott, Thomas H.
Seabloom, James A.
Seacord, John M.
Sedlak, Richard K.
Seifert, Robert J.
Seigenthaler, Thomas U.
Selby, Paul F.
Sellers, John W.
Selsor, James Q.
Sesler, Ralph M.
Sewell, Robert L.
Shanaghan, John J.
Shannon, Edward R.
Shannon, Thomas A.
Shaw, Charles P., Jr.
Shaw, Walter B., Jr.
Shearer, Oliver V., Jr.
Shearer, Thomas D.
Sheehan, Robert K.
Shewchuk, William M.
Shields, Robert G.
Shimek, Paul, Jr.
Shinholser, Charles E.
Shirley, Milford E.
Shorey, Clark W.
Short, Warren J.
Shrader, Ebert F.
Shuey, Robert L.
Shumaker, Lawrence A.
Shuman, Edwin A., III
Shurtleff, John A.
Sifferd, Daniel W.
Sill, Harold W.

Simon, William L.
Sisson, Thomas U., Jr.
Skarlatos, Paul
Slattery, Francis A.
Slawson, Paul S.
Slocomb, Richard S.
Sloman, Jean P.
Smidt, Robert L.
Smith, Albert L.
Smith, Chester R.
Smith, David G.
Smith, Edward R.
Smith, Irvin L.
Smith, Leighton D.
Smith, Richard C.
Snider, Lloyd H.
Snyder, Edward C., Jr.
Snyder, Richard W.
Soczek, William
Soderholm, Richard C.
Soltys, Mitchel S.
Sorenson, Curtis A.
Sottak, Edward J.
Southworth, John V., Jr.
Sparagana, Gabriel P.
Speirer, Paul E., Jr.
Spencer, Donn N.
Spencer, Russell E.
Spidell, Gary P.
Sprague, Alden C.
Sprague, Arthur R., Jr.
Springston, William A.
Spurgeon, Edward V.
Spurrier, William W.
Stallworth, Lewis A., III
Stamm, Ernest A.
Starbuck, Thomas H.
Stark, Ronald A.
Starke, Clinton J.
Starr, Larry W.
Staten, George C., Jr.
Staton, John C.
Steel, Charles E.
Steele, Francis X.
Steele, James C.
Steele, Ted C., Jr.
Steeves, Earl S., Jr.
Stefferud, David R.
Stein, Henry L.
Steiner, James
Steinmann, Herbert H.
Stelter, Frederick C., III
Stephenson, Morris H., Jr.
Stern, Sydney V.
Stevens, Edward G., Jr.
Stevenson, Leeroy J.
Stevenson, Donald W.
Stickling, William R.
Stilwell, Charles H., Jr.
Stilwell, John Q.
Stoffel, Michael J.
Stone, Jack W., Jr.
Stoner, Thomas M.
Storck, Bernard F.
Storms, James G., III
Stovall, John C.
Strachan, John
Stroop, Paul D., Jr.
Stubbs, Campbell L., II
Sturm, Gerard M., Jr.
Sullivan, John B.
Sullivan, Russell J.
Suneson, Charlene I.
Sur, William K.
Sutherland, William P.
Sutherland, Terence B.
Sweeney, John H., III
Sweet, Harry J.
Sweet, William L.
Swenson, Loyd S., Jr.
Switzer, Anton R.
Swoyer, Vincent H.
Szpara, Thaddeus J.
Tanksley, Paul A.
Tanner, John P.
Tate, Charles E.
Tate, John F.
Taylor, Arthur C.
Taylor, David J.
Taylor, James D.
Taylor, Robert I.
Taylor, Timothy C.
Tedeschi, Edward T., Jr.
Tepe, Charles F.
Terry, Edgar R.
Terry, Robert C., Jr.
Teuscher, John J.
Thalman, Robert H.
Thie, Dean A., Jr.
Thompson, Richard L.
Thorburn, William B.
Thorne, Russell J.
Thornton, Reuben T., III
Thornton, Ray O.
Thorp, Chester A., Jr.
Thudium, Wayne E.
Thum, George J., Jr.
Thunman, Nils R.
Tibbetts, Herbert E.
Tingler, David S.
Tinker, Gordon E.
Tisdale, Albin A.
Todd, Robert C., Jr.
Tolg, Robert G., Jr.
Tom, Joseph
Tomonto, James R.
Tondora, Joseph E.
Townley, John L.
Townsley, Jesse M., Jr.
Tracey, John A.
Tracy, George W., II
Treagy, Paul E., Jr.
Trenham, Herbert D.
Trevors, George A.
Trone, Dennis R.
Trott, Edgar P., Jr.
Tuck, John, Jr.
Tucker, Eli L., Jr.
Tucker, Thomas A.
Turner, Ralph A., Jr.
Turner, William E., Jr.
Turner, William H.
Ulmer, Donald M.
Ulrich, Charles H.
Urband, Howard T.
Uthlaut, George E.
VanAntwerp, Richard D.
VanDeventer, John H., III
Varbedian, Alexander A., Jr.
Varnes, John D.
Vaughan, Evan J., Jr.
Vaughan, John L., Jr.
Vellella, George J.
Vellom, Lee S.
Viera, John J., Jr.
Vilett, John E.
Vogelberger, Peter J., Jr.
Vohden, Raymond A.
Vonklock, Robert N.
Voss, Frederick H.
Wade, Mercer A.
Walker, Charles
Walker, Crayton C.
Walker, Jack O.
Walker, William R.
Wallace, Dallas L.
Wallace, James D., Jr.
Wallace, John A.
Wallace, Richard M.
Walsh, Don
Walsh, Harvey T., Jr.
Walsh, Joseph A., Jr.
Ward, Robert J.
Wardell, Anthony W.
Watkins, David P.
Watkins, Howard B., Jr.
Watson, John
Watson, Robert "M"
Watson, Thomas C., Jr.
Watson, Thomas P.
Webb, Clifton R., Jr.
Webb, Haven N.
Weinhold, George B.
Weintraub, Daniel J.
Weitz, Paul J., Jr.
Welborn, William P.
Welch, Edwin C., Jr.
Welcome, Allan T.
Wells, John E.
Wells, Peter M.
Welsch, John W.
Welsh, Vincent F.
Weltner, Howard A.
Wensman, Linus B.
Wentz, Sidney F.
Werness, Maurice H.
Wessel, James E.
West, Denton W.
West, Douglas
West, William E.
Weston, Gustav R.
Wetzel, Weslie W.
Whaley, Daniel E., Jr.
Whealy, John F.
Wheeler, Charles G.
Whitaker, James E.
White, Charles E.
White, Donald J.
White, Irvin L.
White, William A.
Wiederspan, Harlan H.
Wight, Roy R.
Wildman, John B.
Wiley, James P.
Wilfert, Eugene N.
Wilford, Donald M.
Williams, Bobby J.
Williams, Thomas W., III
Williams, David L.
Williams, Joseph B.
Williams, Ronel J. D.
Williams, Edward O.
Willis, Arthur A., Jr.
Willis, James S., Jr.
Willmeroth, Earl R.
Wilmer, Robert R.
Wilson, James C., Jr.
Wilson, David G.
Winkowski, John R.
Wise, Richard T.
Wisniewski, Sylvester S.
Withers, Fred J.
Witucki, Gerard S.
Wojcik, Ermin S.
Wood, Frederic C., Jr.
Wood, Fred L.
Wood, Hal D.
Wood, Leon G., Jr.
Wood, Noel T.
Woodcock, Henry P., Jr.
Wooden, Bruce J.
Woods, Carl J.
Woodward, John L.
Woollard, Edwin F.
Wright, James R.
Wuebler, Robert J.
Wyckoff, Peter B.
Yapp, Rockford G., Jr.
Yarger, Luther D.
Yarwood, John O.
Yenowine, George H.
Young, Harold L.
Young, Paul F.
Zable, Joseph J.
Zelones, Vincent L.
Zettle, Harold
Zidbeck, William E.
Zook, Richard M.
Zulikoski, Ronald R.
Alexander, Adelore L.
Artz, Robert C.
Bastian, Donald L.
Bowling, Charles R.
Bozell, Rex K.
Brown, George C., Jr.
Brownsberger, Donald E.
Busey, James B., IV
Coleman, Thomas R.
Connolly, Timothy W.
Corey, Stuart M.
Cox, Floyd E.
Damon, Terry A.
Dearcot, Michael E.
Downs, James R.
Fech, Duane V.
Fields, James E.
Flatley, John E.
Gatterman, Raymond D.
Gilliamsen, Donald A.
Gilroy, John W., Jr.
Good, Robert C.
Grammer, William R.
Guidry, Rodney R.
Haggard, Marion Z.
Hartranft, Richard J.
Henriquez, Joseph S.
Herr, Arthur L., Jr.
Holman, Robert A., Jr.
Hubbard, Henry L.
Hughes, Ronald E.
Huisman, Roland K.
Jones, Jerry D.
Jones, Robert E.
Knies, George C.
Lane, Robert E.
Lee, Melvin R.
Mabe, James M.
Manheimer, Donald Z.
Marah, Alvin "F"
McKay, Robert W.
Miller, Bruce J.
Milliner, Clayton L.
Moore, Johnnie R.
Morris, John P.
Motes, Thomas L.
Murphy, George A.
Narowetz, Bruce A.
Nothwang, David R.
Olson, Gerard R.
Oslun, William J.
Petersen, Gordon S.
Pine, Gordon F.
Poitevent, Joe L.
Potosnak, Joseph E.
Pringle, Donald B.
Ralter, Richard F.
Reinhardt, Jerry B.
Rumelhart, Max R.
Ryan, Thomas J.
Sapp, Charles S.
Schlemmer, Robert M.
Schuman, Martin S.
Sinwell, Raymond J.
Sherrouse, James B.
Smith, Ralph W., Jr.
Southwick, Charles E.
Sterling, Kenneth L.
Stock, Merlyn L.
Stone, Ronald P.
Storm, Carroll F.
Taipale, Richard G.
Tanner, Charles N.
Taylor, Charles C.
Tise, Donald G.
Tonole, Joseph J., Jr.
Van Dyke, Willard H., Jr.
Veach, Everett K., Jr.
Walck, Claude W.
Walker, Raymond H., Jr.
Walters, Ralph E., Jr.
Wilson, Fred J.
Wise, George M.

CIVIL ENGINEER CORPS

Andersen, Charles P.
Auerbach, Ralph W., Jr.
Berdan, Maurice R.
Block, Norman G.
Curran, Robert A.
Daniel, William F., Jr.
Edson, Theodore M.
Gans, George M., Jr.
George, Roscoe D., Jr.
Gibboney, Lloyd H.
Hanlon, Mark Z., Jr.
Hauck, John W.
Jones, John P., Jr.
Melcher, Albert G.
Miller, William C.
Moger, Jack B.
Moore, Fred B.
Morton, Donald A.
Nicholls, William H., Jr.
Nystedt, Russell P.
Oscarson, Edward R.
Petzrick, Paul A.
Pitman, James B., Jr.
Ranieri, Joseph J.
Smila, William W.
Socha, Albert R., Jr.
Sweeney, John C.
Sylva, John P., Jr.
Tombarge, John W.
Wile, Dorwin B.
Williamson, Howard M.

MEDICAL SERVICE CORPS

Barrett, Neil K.
Beyer, Charles E.
Brandon, Daniel A.
Brannon, Joe F.
Brownlow, Wilfred J., Jr.
Carpenter, Arden R.
Curto, James C.
Dennis, "J" "M"
Derivera, Joseph M.
Devine, Leonard F.
Dietch, Michael M.
Dunbar, Edward S.
Gallaher, Robert E.
Gilbert, Richard S.
Goon, Melvin H.
Hartley, Robert L.
Holston, Charles A.
Janson, Harold J.
Jennings, William H., Jr.
Johnston, James F.
Keese, Robert C.
Long, William L.
McComb, Gordon S.
Miller, Harry P.
Morris, Carlton R.
Myers, John D.
Oleson, Russell H.
Oswald, Charles A., III
Reed, John R.
Richardson, James W.
Riser, Ellis W.
Sanborn, Warren R.
Schaffner, Leslie J.
Sloan, Marshall
Smout, Jay C.
Talley, Russel L.
Tatum, Raymond B.
Vanbuskirk, Floyd W.
Woodham, James T.

SUPPLY CORPS

Alderman, John M., Jr.
Anderson, Richard A.
Anglim, Matthew E., Jr.
Armitage, James H.
Ausbrook, Perry "C", Jr.
Babcock, Barry B.
Baglioni, Francis X.
Barczewski, Steven J.
Barnard, Harry W.
Barr, Robert S.
Bartholomew, Charles W.
Bechtelheimer, Robert R.
Blackshaw, Joseph R.
Brewer, Walter L.
Brooks, John E.
Brotherton, Curtis W.
Burgess, James E.
Burr, William E.
Byers, Austin L.
Campbell, Patrick J.
Casselberry, Lynn W., Jr.
Caverly, Michael K.
Chapman, Charles B., III
Chase, Kelsey D., Jr.
Christenson, Richard D.
Clark, Shelby V. T.
Cook, Gerald W.
Corcoran, Luke T., Jr.
Cornelius, Jack M.
Cotton, Robert E.
Cronk, Philip W.
Delleney, Jimmie S.
Deroulet, Philip H.
Derrico, Joseph A.
Dollard, Paul A.
Dusenberry, Frank J.
Erb, Richard T.
Ervin, Dean W.
Fachet, Robert F.
Farrell, James G.
Fekula, Theodore V.
Ferraro, Niel P.
Fuka, Otto J., Jr.
Futch, Franklyn P.
Gill, Leo S.
Gordon, Jerry M.
Graessle, Philip G.
Hall, Robert A.
Hanly, Joseph B.
Harkin, James W.
Harvilla, John A.
Hawkins, Charles A.
Hensley, Frank M.
Hochmuth, Alvin E., Jr.
Hollowell, Samuel T., Jr.
Horrigan, John W., Jr.
Jesser, Arthur D.
Johnson, Millard J.
Joseph, Mark R.
Kavanagh, Preston B., Jr.
Kela, Frederick H.
Kidd, Prentis H.
Klaren, John C.
Kutil, Donald H.
Lawrence, Robert W.
LeBlanc, George J., Jr.
Lewis, Brian K.
Long, Billie K.
Mankoff, Ronald M.
Mantlo, Glendon R.
McCarthy, Leonard D.
McCurdy, Bruce D.
McDougal, Lynn R.
Meyer, Jack A.
Michna, Stanley P.
Moore, James W.
Neal, Edward M.
Nolan, Frank R.
O'Connor, Robert W.
Odom, Mildred L.
Ostrom, Lester E.
Parent, Elias A., Jr.
Patton, Kenneth G.

Peek, Luther W.
Peterson, Kenneth A.
Pottinger, Ian G.
Ragan, Gilbert G.
Read, Farra L., Jr.
Rice, Harold A.
Richards, Walter T.
Riordan, William H.
Rogers, John R.
Rohman, Paul J., Jr.
Ross, Howard "T", Jr.
Sanders, John R.
Scarrah, George B.
Schrag, Edward "A", Jr.
Schulden, William H.
Settles, Robert B.
Sevier, Moses T.
Shipley, Maynard K.
Smith, Jay R., Jr.
Solinger, Jerard H.
Sterner, Norman G.
Stevenson, Ray H.
Stirratt, Avery, Jr.
Stokes, DeLeon E.
Strain, James J.
Strange, Geoffrey G.
Swenson, George E.
Topping, James F.
Velotas, Bill M.
Wagner, John E.
Walker, Edward K., Jr.
Warneke, Grover C.
Weishaar, Marvin J.
Weiss, Armand B.
White, Jack A.
Williams, Walter L.
Wilson, Kenneth B.
Wohl, Paul
Yeager, William J.
Young, Robert H.
Zeberlein, George V., Jr.

The following-named officers of the Navy for permanent promotion to the grade of chief warrant officer, W–4, subject to qualification therefor as provided by law:

Goodall, William W.
Saunders, George E.
Kisak, Valdimir
Carozza, Edward
Johnson, Orville A.
Cronk, Henry V.
Blaylock, James O.
Specht, Horace W.
Wood, Charles J.
Janas, Walter A.
Virostko, Joseph P.
Andre, James L.
Blackburn, Earl S.
Allen, Harvey S.
Bilbray, Hubert P.
Newey, Daniel
Knecht, John P., Jr.
Stein, William V., Jr.
Priest, Dean W.
Longtin, Finley J.
Woznick, Walter P.
Beatson, David C.
Hansen, Peter A.
Perry, Smith
Whited, Everest A.
Mitchell, Ralph
Foley, Lamar W.
King, William E.
George, Virgil M.
Bottorff, Nelson D.
Hiatt, Donald A.
Wood, Louis E.
Denson, John M., Jr.
Love, Walter B., Jr.
Lewis, Charles S.
Svahn, Albert R.
Tabor, John A.
Brofft, Beltran F.
Collins, Wilson L.
Hall, Vaness F.
Pauley, Arthur E.
Rainbolt, Darrell L.
Corbett, Theodore W.
Dozier, Walter H.
Allen, Albert F.
Willis, Alva C.
McCullough, Robert R.
Schmitt, Carl H.
Carlson, Carl A., Jr.
Miller, Roy
Wells, George B.
Smith, Walter C.
Bender, Merle D.
Gray, Adrow
Tolin, Robert E.
Hartlove, David G., Jr.
Nunnally, Charles H.
Bodine, Vernon H.
Jones, Merle V.
Leahy, Roger B.
Grant, Joe W.
Maloney, James D.
Therien, Robert B.
MacInnes, William H.
Windham, Woodrow D.
Murphy, Clarence A.
McDonald, Walter B.
Johnson, William P., Jr.
Moreau, Gilbert C.
Sunderland, Glenn O.
Ayotte, Orral D.
Davis, Ralph C.
Cooper, Joseph K.
Chartier, DeWayne J.
Golding, Russell W.
Denton, Durward W.
Konko, William F.
Cameron, Francis C.
Fluke, Sidney E.
Findley, Robert A.
Kolodziej, John C.
Lovell, Will D.
Jennings, Lee R.
Crowder, Edward W., Jr.
Keelan, Laurence O.
Griffin, James F.
Hall, Lewis J.
Stankaitis, John J.
Fry, Adam C.
Eberhart, Julian F.
Thresher, Earle E., Jr.
Ratchford, Fred T.
Moore, Thomas O.
Dote, Theodore K.
Logsdown, Ronald O., Jr.
Willard, Hugh W.
Sabin, Donald E.
Meeks, William D.
Schaub, Marion J.
Shimer, Harold J.
Villano, Louis P.
Hughes, Harrel D.
Stigler, Lyle V.
Little, Irving W.
Kidder, Francis R.
Scribner, Donald M.
Sylvester, Opal
Goodenough, Roscoe D.
Moore, Oliver A.
Stauffer, Frederick H.
Lomax, Jack I.
Hawkins, Henry P.
Atwood, Eugene E.
Pitzer, William B.
Isert, Raymond W.
Gorton, Charles W.
Dunn, Jack D.
Gomez, Mike
Mangels, Harold M.
Mercer, Lyle R.
Sauerbier, Francis W.
Gumber, Harold R.
Pierce, Robert M.
Harnden, Robert D., Jr.
Mullis, Fred W.
VanHorn, Edward
Butterworth, Chester
Frumerie, Walter E.
Annis, Alvin A.
Ripley, Frank L.
Freshwater, Duane C.
Potoky, Charles E., Jr.
Hill, Charles O.
McCray, James G.
Riley, William E.
Besancon, Victor C.
Keck, Truman W.

The following-named officers of the Navy for permanent promotion to the grade of chief warrant officer, W–3, subject to qualification therefor as provided by law:

Jackson, Wilfred R.
Peterson, Reginald
Jones, Vincent Y.
Palmer, Robert W.
Clarke, Wiot L.

The following-named line officers of the Navy for permanent promotion to the grade of lieutenant (junior grade), subject to qualification therefor as provided by law:

Ammann, Robert E.
Barker, William S.
Bernardin, Peter A.
Boland, Bruce R.
Caldwell, Charles B.
Cantwell, Richard B.
Case, Robert W.
Cisson, Arthur
Cole, Thomas T., Jr.
Cornell, Gordon C.
Coward, Alton A., Jr.
Daly, Paul S.
Davis, Richard C.
Diehm, William C., III
Dillon, John F.
Dobbs, William D.
Dziengielewski, Eugene L.
Eckerle, Charles R., Jr.
Erlewine, John W.
Evans, Thomas G.
Felling, Thomas A.
Florin, Donald E.
Gay, David E.
Glinn, John B., Jr.
Hamrick, Franklin G.
Hawkins, Cecil "B", Jr.
Howe, John E.
Johnson, Richard L.
Johnson, Robert A.
Keery, Jerry L.
Lehman, George W.
Lucken, Frank E.
McKean, Francis E.
Miller, Bryce N.
Morris, James I.
Noll, Rolf F.
O'Dell, Jerry T.
Potts, Bill H.
Segel, Norman
Shelly, Ronald G.
Terry, Virgil R.
Thompson, Richard G.
Van Dusen, Harold L.
Wardell, William L., Jr.
Wetzel, James F.
Wilson, David P.
Winton, Fred "B", Jr.
Witthoit, Ronald D.
Woolway, David J.
Wright, Murray H.
Yonke, William D.

The following-named officers of the Navy for permanent promotion to the grade of lieutenant:

To be lieutenant, line

Harld Feeney
Roy L. Judd
Wilmer E. Walker
Walter P. Schmidt
Jacob L. Van der Goore
James K. Berger
George E. Bein
William R. Knapp
George H. Waters
Frederick M. Hollen
John F. Elmore, Jr.
Douglas I. Smiley
Boyce "D" Evans
Harold L. Olsen
Robert D. Morris
Thomas M. Moran
Edward C. Fitzpatrick
Lynn R. Clark
Donald A. Langer
Walter J. Blasczak
Dion G. B. Debit
Fayne E. Curtis
Kermit E. Dearman
Alexis N. Charest
Harry E. Howell
John H. Larsen
Jack G. Belton
Arthur J. Meacham
Stanford E. Lichlyter
Edward V. English
Forrest J. Godfrey
Thomas G. Clinton
Edward K. Markley
Irvin R. Moss
Robert W. Goodreau
Leonard "C" Ash
Donald L. Alldredge
Ralph L. Gordon
Donald H. Dowds
Kenneth N. Holt
Henry L. Wittrock
William B. Latham
John S. Hoover
Clarence H. Smitter
Robert E. Kutzleb
Raymond B. Prell
William A. Meador
David H. Stewart
Robert C. Alexander
Merle E. Mills
Clovis K. McDonald
Joseph Pestcoe
Richard G. Rieken
John D. Thomas
Edmund F. Foley
William A. Bullock
James C. Schasteen
Virgil J. Lemmon
Andrew T. J. Nutter
Elbert R. Holland
Albert E. Ferguson
John J. Snee
Edwin B. Clark
Robert T. Check
William F. Wright, Jr.
Eugene A. Culver
Harry H. Williamson, Jr.
Jack M. Reid
William T. Dickson
Walter J. Davis
Gayle Ramsey
Charles F. Skillman
Leonard B. Crane, Jr.
Frederick E. Groenert
John A. O'Shea, Jr.
Grant "W" Miller
Allen W. Helmandollar
John C. Thomas
Albert Chisum, Jr.
John L. Preston
James W. Hodges, Jr.
Bernard A. Duffy
Billy D. Jamison
James H. Manion
Edward C. Walshe, Jr.
Harris E. Steinke
Joseph M. Callaghan
John R. Henley
Carroll K. Mitchell
Gordon F. Murphy
Paul F. Bodling, Jr.
James J. Holian
Charles N. Osborne
Robert J. Brunskill
Roy E. Lanphear
James B. Williams

To be lieutenant, Supply Corps

James L. Avary
Walter F. Merrick
Purnel L. Collicott
Bayard A. Taylor, Jr.
William I. Davidson
Delbert L. Faust
Alfred J. Furnweger
Lee Wood, Jr.

To be lieutenant, Civil Engineer Corps

William C. Pinch
Loney L. Blough
Oscar F. Parrish, Jr.

Richard T. Upton to be a temporary lieutenant in the Medical Corps of the Navy in lieu of a temporary lieutenant in the Dental Corps of the Navy as previously nominated and confirmed to correct corps, subject to qualification therefor as provided by law.

WITHDRAWAL

Executive nomination withdrawn from the Senate July 10 (legislative day of July 8) 1957:

POSTMASTER

David W. Edeen, postmaster at American Lake, in the State of Washington.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 10, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou gracious benefactor, whose heart always responds with love to every human need, we are engaging in prayer to invoke the benediction of Thy favor upon us during this day.

Guide us by Thy spirit as we seek ways and means of mediating to all mankind the blessings of health and happiness, of peace and good will.

We beseech Thee to manifest Thy grace unto our chosen representatives who are laboring faithfully and conscientiously to enrich and strengthen our national life.

Show us how we may lift humanity out of the lowlands of fear and frustration unto the lofty heights of courage and confidence, of faith and freedom.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

PUBLIC ASSISTANCE MEDICAL CARE PROVISIONS

Mr. COOPER. Mr. Speaker, I call up the conference report on the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care, and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

PUBLIC ASSISTANCE MEDICAL CARE PROVISIONS
(H. REPT. NO. 684)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: On page 2, of the Senate engrossed amendments, strike out lines 14, 15, and 16; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

JERE COOPER,
W. D. MILLS,
NOBLE J. GREGORY,
DANIEL A. REED,
THOMAS A. JENKINS,
Managers on the Part of the House.

HARRY F. BYRD,
By K.
ROBT. S. KERR,
J. ALLEN FREAR, JR.
EDWARD MARTIN,
JOHN J. WILLIAMS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Since the 1950 amendments to the Social Security Act, Federal financial participation in State expenditures for old-age assistance, aid to the blind, aid to dependent children, and aid to the permanently and totally disabled has been available with respect to unrestricted money payments made to needy recipients of assistance and with respect to payments made directly to suppliers of medical care (vendor payments) on behalf of such recipients. The Federal Government has not participated, however, in that part of the total assistance to an individual (including both the money payment to the individual and any medical care vendor payments made on his behalf for any month) which exceeded a specified maximum. Since October 1, 1956, under the provisions of the Social Security Amendments of 1956 (Public Law 880), this maximum has been $60 in all of the programs except aid to dependent children (to which different amounts apply).

The 1956 amendments also included (effective July 1, 1957) provisions for the separate matching of vendor payments for medical care and excluded vendor payments for medical care from the formulas applicable with respect to unrestricted money payments made to needy recipients. Under these separate matching provisions the total amount of vendor payments for medical care in which the Federal Government will participate is $6 times the number of adult recipients and $3 times the number of child recipients. The Federal Government's share within these limits is one-half. Thus, under the 1956 amendments, no State could receive in Federal funds more than an average of $3 per adult recipient and $1.50 per child recipient with respect to its vendor medical care payments.

H. R. 7238, as it passed the House, in effect, provided the same matching formulas as those provided by the 1956 amendments, except that the matching formulas applicable to money payments applied both to unrestricted money payments to recipients and to expenditures for medical care on their behalf. In determining the amount of the Federal contribution (under the bill as it passed the House) for any assistance program, expenditures for medical care (including expenditures for insurance premiums for such care or the cost thereof) could be taken into account (at the option of the State) (1) under the matching formula applicable to both unrestricted cash payments and medical care, (2) under the medical care matching formula, or (3) partly under one such formula and partly under the other formula.

Under the Senate amendment to the text of the bill each State has the option of (1) continuing to receive its Federal matching of vendor payments for medical care on behalf of public assistance recipients under the law in effect prior to July 1, 1957 (within the individual maximums on the money payments to and vendor medical care payments on behalf of the individual) or (2) receiving its Federal matching with respect to these vendor payments under the separate matching provisions of the 1956 amendments (which became effective on July 1, 1957), but not both. This choice can be made once a year, or less frequently, as the State desires, and with respect to each of its public assistance programs for which there is Federal financial participation.

The Senate amendment also amended section 218 (p) of the Social Security Act which contains certain special provisions under which coverage under the old-age, survivors, and disability insurance program may be extended, pursuant to agreements between the States and the Department of Health, Education, and Welfare, to policemen and firemen. Those special provisions now apply to five States. The Senate amendment would have made the provisions applicable also to Alabama.

The conference agreement adopts the Senate amendment to the text of the bill (with respect to public assistance vendor medical care payments) but with an amendment deleting the provisions relating to the coverage of policemen and firemen under the old-age, survivors, and disability insurance program. There presently is pending before the Committee on Ways and Means legislation to add a number of named States to the list of States contained in section 218 (p) of the Social Security Act, and also legislation pending to make the provisions contained in such section available generally to all the States. In view of this, it was considered more appropriate to deal with this problem at one time rather than through the addition at this time of a single State. It is the present intention of the Committee on Ways and Means to consider this legislation in the very near future.

JERE COOPER,
W. D. MILLS,
NOBLE J. GREGORY,
DANIEL A. REED,
THOMAS A. JENKINS,
Managers on the Part of the House.

Mr. COOPER. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point on the conference report just adopted; and I also ask unanimous consent that all Members of the House desiring to do so may extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COOPER. Mr. Speaker, as is explained more fully in the statement of the managers, the Senate amendment to the text of the bill was agreed to in conference. Under the version, each State has the option of, first, continuing to receive its Federal matching of vendor payments for medical care on behalf of public assistance recipients under the law in effect prior to July 1, 1957, within the individual maximums on the money payments to and vendor medical care payments on behalf of the individual; or second, receiving its Federal matching with respect to these vendor payments under the separate matching provisions of the 1956 amendments, which became effective on July 1, 1957, but not both. Additionally, the State has an option of making this choice once each year, or less frequently, as the State may desire.

The version which has been agreed to in conference is substantially the proposal which the administration made at the time your committee was considering the bill, except that one very notable improvement has been made which permits a State to elect each year the method which it will follow rather than being forced to make a single permanent election.

Under the House version States would have had an additional option over and above the two which are available in the amendments which have been agreed to.

The House conferees were successful in removing from the bill a Senate amendment which would have permitted addition of only one of several interested States to the list of States in which policemen and firemen may be extended social-security coverage. As indicated in the statement of the managers, your Committee on Ways and Means intends to take this matter up in the near future either in the form of general legislation for all States or by the addition of several specific States which have expressed a desire to be included.

I urge adoption of the conference report.

Mr. REED. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED. Mr. Speaker, I joined as a signatory to the conference report on H. R. 7238 relating to the medical care provisions of the public assistance titles of the Social Security Act. I regret the fact that the House conferees were unable in conference to sustain the House position on this legislation. I am convinced that the House-passed version of

this legislation was considerably more equitable. However, in the interest of obtaining timely legislative action on this important measure it was necessary to accept the Senate-passed version of these proposed amendments to the medical care provisions. Failure to pass legislation such as is proposed in H. R. 7238 would have a seriously adverse effect on the public-assistance programs in the States of Illinois, Minnesota, and New Hampshire.

In the case of my own State of New York, the House-passed version of this legislation would have meant a significant increase in the availability of Federal funds for public-assistance purposes. I believe the House bill was more equitable in that it would have provided more Federal funds either immediately or potentially in the future for those States from which is collected the greatest amount of the revenue paid into the general funds of the Treasury from which are derived the funds for public-assistance purposes. Also, it would have permitted a more liberal public-assistance program in those States which have a prevailing cost of living that is higher than that existing in the majority of the other States that are not affected by H. R. 7238.

During the conference on this legislation I supported the House version of H. R. 7238 and endeavored to have my fellow conferees join me in this regard. I regret that I was not successful in achieving this objective. However, the conference agreement on H. R. 7238 will in my judgment strengthen the national application of our public-assistance programs to the respective States in our great Nation.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the conference report just agreed to.

Mr. SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I am keenly disappointed that the House conferees were unable to prevail in conference on H. R. 7238. I am firmly convinced that it was the understanding of the Congress that the States were to have made available to them additional moneys for medical-care programs for public-assistance recipients in the social-security amendments of 1956. It developed, however, that not only were some States to receive no additional money, but some were to be penalized when the 1956 amendments became operative. It was for this reason that I introduced H. R. 7238, to provide additional moneys to the States and, at the same time, leave the States a completely free hand in determining how to run their medical-care programs.

I regret that the Department of Health, Education, and Welfare has been adamant in opposing my bill as it was originally introduced. The Department did admit that the 1956 amendments would have had an adverse effect on some States. However, it did not want to give the States the full advantage of the old law as well as the new provisions which were enacted in the 1956 amendments. The Senate amendment is somewhat an improvement over the original compromise suggested by the Department. However, it falls far short of my bill as introduced.

It is with great reluctance and in the interest of getting the uncertainty involved in this situation settled that I am going along with the conference report. I am advised by the conferees on the part of the House that under the circumstances it appeared that it was a matter of agreeing to the Senate amendment or getting no change at all made in present law.

SUBCOMMITTEE ON LABOR STANDARDS OF THE COMMITTEE ON EDUCATION AND LABOR

Mr. KELLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent that the Subcommittee on Labor Standards of the Committee on Education and Labor many have permission to sit this afternoon during general debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

STATEMENT BY THE HONORABLE FRANCIS E. WALTER ON THE TWO EX-UNITED STATES AIDS INDICTED AS SPIES BY A FEDERAL GRAND JURY IN NEW YORK

Mr. WALTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

Mr. SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, the July 9 newspapers throughout the United States carry the story of the actions by a Federal grand jury in returning espionage indictments against additional American citizens.

Those recently indicted are Jane Foster Zlatovski, who was born in San Francisco, Calif., on June 29, 1912, and George Michael Zlatovski, her husband, a naturalized American, born in Russia.

The indictment charged that since 1940, the Zlatovskis conspired with Russians in New York, Washington, Paris, Austria, and Switzerland to obtain United States defense data of interest to the Soviet Union. They were accused of stealing documents and photographs and with having turned over commercial, industrial, and political information, as well as information respecting the military with whom they were directly employed.

Jane Foster Zlatovski was issued a passport on March 13, 1947, which was renewed on March 18, 1949, at Paris, France. A new passport was issued at Paris, France, April 9, 1951. This passport was renewed on April 20, 1953. On December 3, 1954, her passport was taken up and withdrawn by the Department of State. The passport expired on April 20, 1955. She sought return of her passport and on January 19, 1955, she received an informal hearing. In this connection she executed an affidavit which denied that she was then or had ever been a member of the Communist Party, the Communist Political Association, the Young Communist League, or, to her knowledge, any other Communist organization. However, she admitted that during a brief period commencing in May 1941, and terminating in January 1942, she "embraced what I then conceived the Communist ideology with enthusiasm, attended all manner of meetings, particularly because my own abhorrence of war coincided with the then expressed views of those espousing the Communist cause."

Jane Zlatovski thereafter was accorded all of the procedures of appeal, including a hearing before the Board of Passport Appeals. On March 29, 1955, the Board of Passport Appeals recommended that a passport be denied to her. On March 30, 1955, the Secretary of State approved the recommendations of the Board of Passport Appeals and her application for a passport was disapproved.

The Passport Division, the Board of Passport Appeals, and the Secretary of State acted upon confidential information which had been received from agencies of the United States Government and mainly from the Federal Bureau of Investigation. This information, which was subsequently made public, was that Jane Zlatovski had attended Communist Party meetings in San Francisco in 1934 and 1935; that in June 1941 she picketed the White House for the American Peace Mobilization, an organization cited by the Attorney General; that she was a Communist Party member that she, in 1942, was reported to be in sympathy with the ideology of the Communist Party and to be a Communist; that she is married to one George Michael Zlatovski, a known Communist, who was born in Russia and who now resides in Paris; that she in 1942, prior to her marriage, lived in New York with people who conducted Communist meetings in their home; that she was associated with or in contact with or affiliated with several organizations, including the International Labor Defense in 1941, the Washington Book Shop in 1943, and the American Committee for the Protection of Foreign Born; that she publicly discussed her Communist Party membership in Washington, D. C., in 1942; that she worked for the Communist Party in the Dutch East Indies from 1936 to 1940, and also in San Francisco; that both she and her husband were doing Communist Party work in Europe in 1948 and that while employed by the O. S. S. she gave an interview to the Daily Peoples World, the official West Coast Communist publication, at which time she disclosed her connection with the O. S. S. Java mission, which disclosure amounted to a serious breach of security regulations of the O. S. S.

Thereafter, Jane Foster Zlatovski filed suit against the Secretary of State in the United States District Court for the District of Columbia. This action to force the Secretary of State to issue a passport was assigned to Judge Burnita S. Matthews.

On July 9, 1955, Jane Foster Zlatovski asked the court to issue a preliminary injunction enjoining the Department of State from withholding or denying a

passport during the pendency of the suit in order that she might return immediately to her husband in Paris.

On June 28, 1955, Judge Matthews ordered the Secretary of State to grant Mrs. Zlatovski a quasi-judicial hearing. The quasi-judicial hearing had been ruled in earlier decisions against the Secretary of State to be a hearing in which the applicant for a passport was faced by their accusers.

On August 3, 1955, the Secretary of State filed an affidavit in support of the Government's motion for a summary dismissal of the action. The Secretary's affidavit, which included the derogatory information set forth above, concluded, "I have again reviewed the file in the passport case of Mrs. Jane Foster Zlatovski, and based on all of the available information, I have reached the conclusion that it would not be in the interest of the United States to issue a passport to Mrs. Jane Foster Zlatovski to go abroad in that her return to France would be inimical to the security of the United States and to its relations with other countries."

The Secretary of State in reaching these findings had information which directly related to the espionage activities in which Jane Foster Zlatovski was engaged. The indictment of the Sobels and other indictments for espionage, which I am confident will grow out of the grand jury investigation now going on in New York, would have been impossible had the Secretary of State made available to Jane Foster Zlatovski, a member of the espionage organization, the information or a portion of the information, which was in the Secretary's possession.

After the affidavit by the Secretary of State was filed, Judge Matthews called into chambers Leonard Boudin, the attorney for Jane Zlatovski, and the attorney for the Secretary of State, and indicated that unless the Department possessed and divulged derogatory information in addition to that set forth above, and in particular derogatory information dated more recently than 1948, she would issue an order directing the issuance of a passport to Jane Foster Zlatovski, who was yesterday indicted for engaging in espionage against the United States.

The Secretary of State was therefore placed by the court in the untenable position of either divulging to a member of an espionage organization, the knowledge which the Secretary possessed of her espionage activities or of giving her a United States passport which would permit her to return to Europe and to engage in espionage in behalf of the Soviets against our free allies.

Mr. Speaker, this situation again points up the necessity for the Congress to assert its prerogatives as the lawmaking body of the National Government. Time and again, in hearings of the Committee on Un-American Activities, as well as hearings of a subcommittee of the Committee on the Judiciary, we have seen cases in which the security of this Nation is threatened by loose passport practices which are spearheaded by court decisions such as the decision in the instant case.

I call this to the attention of the House because I expect to press relentlessly for remedial legislation to the end that we may have a sound passport program.

AUTHORIZING CONSTRUCTION FOR THE MILITARY DEPARTMENTS

The SPEAKER. The unfinished business is the further consideration of the bill H. R. 8240, which the Clerk will report by title.

The Clerk read the title of the bill.

The SPEAKER. The question is on the amendment adopted in Committee of the Whole on which a separate vote was demanded.

Without objection, the Clerk will report the amendment.

The Clerk read the amendment as follows:

Amendment offered by Mr. ARENDS: On page 70, strike out all of section 411 beginning on line 17 and extending through line 16 of page 71.

Mr. TEWES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. TEWES. Mr. Speaker, we Members are frequently surprised by the inability of our constituents to understand the activities of Congress. It seems to me that a provision such as section 411 in this bill is a prime example of the kind of legislation which few people will understand. It is so patently contrary to the viewpoints of the average man that its passage will certainly leave him wondering.

Section 411 requires Congress to review every single attempt of the Defense Department to divest itself of a Government-operated business employing 10 or more people. The intent of the section is to give Members a veto in an administrative matter which conceivably could affect their district. It is intended to give Members a voice in a matter which can actually be handled much better by the Defense Department.

This section thereby opens the door to many considerations except the really important one of getting the Government out of private business. Moreover it serves not as only temporary bar to removing the Government from business, but it permanently stymies the whole program. Congressional review will certainly be filled with extraneous considerations, including politics. Under the proposals of this section the Defense Department is virtually stripped of authority urgently recommended by the Hoover Commission.

During the last political campaign and on the floor of the House there has been a great deal of oratory concerning the plight of the small-business man. Here is an opportunity to make good on campaign promises. It can be done by vigorously supporting the amendment to strike section 411.

It has been said that the section referred to is an economy measure. Whatever economy there may be in having a Government business which pays no taxes is economy at the expense of the small-business man. Furthermore, the small savings claimed would be more than offset by the ridiculous cost of 435 Members of Congress busily arguing whether a paint shop employing 10 people should be closed.

Mr. Speaker, the amendment to strike section 411 should be adopted because, first, it is an economy measure which helps to get the Government out of unnecessary activities; second, it cuts through the welter of administrative details which are really unworthy of the time of the House of Representatives; and, third, it aids small-business men by returning to them functions which they can better perform.

The SPEAKER. The question is on the amendment.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. ARENDS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 183, nays 230, not voting 20, as follows:

[Roll No. 136]

YEAS—183

Abbitt	Dooley	Mahon
Alger	Dowdy	Martin
Allen, Ill.	Dwyer	Mason
Andersen, H. Carl	Fenton	May
	Ford	Meader
Arends	Frelinghuysen	Michel
Auchincloss	Gary	Miller, Md.
Avery	Gavin	Miller, Nebr.
Ayres	George	Miller, N. Y.
Baker	Griffin	Minshall
Bass, N. H.	Gross	Moore
Baumhart	Gubser	Morano
Becker	Gwinn	Mumma
Belcher	Hale	Murray
Bennett, Mich.	Halleck	Neal
Bentley	Harden	Nicholson
Berry	Harrison, Nebr.	Nimtz
Betts	Harrison, Va.	Norblad
Bolton	Harvey	O'Hara, Minn.
Bow	Haskell	Osmers
Boyle	Henderson	Ostertag
Broomfield	Heselton	Patterson
Brown, Ohio	Hess	Pillion
Brownson	Hiestand	Poage
Budge	Hill	Poff
Bush	Hillings	Prouty
Byrne, Ill.	Hoeven	Radwan
Byrnes, Wis.	Hoffman	Ray
Canfield	Holt	Reece, Tenn.
Cannon	Horan	Reed
Carrigg	Jackson	Rees, Kans.
Cederberg	James	Rhodes, Ariz.
Chamberlain	Jarman	Riehlman
Chenoweth	Jenkins	Robeson, Va.
Chiperfield	Jensen	Sadlak
Church	Johansen	St. George
Clevenger	Jonas	Saylor
Cole	Judd	Schenck
Collier	Kean	Scherer
Corbett	Kearney	Scrivner
Cramer	Keating	Scudder
Cretella	Keeney	Seely-Brown
Cunningham, Iowa	Kilburn	Selden
	Knox	Sheehan
Cunningham, Nebr.	Krueger	Siler
	Laird	Simpson, Ill.
Curtin	Latham	Smith, Calif.
Curtis, Mo.	LeCompte	Smith, Kans.
Dague	Lipscomb	Smith, Va.
Dawson, Utah	McCulloch	Smith, Wis.
Dellay	McDonough	Springer
Dennison	McGregor	Stauffer
Derounian	McIntire	Taber
Devereux	McIntosh	Talle
Dies	McVey	Taylor
Dixon	Mack, Wash.	Tewes

Thomson, Wyo.	Vorys	Wharton
Tollefson	Vursell	Widnall
Tuck	Wainwright	Williams, N. Y.
Utt	Watts	Wilson, Ind.
Van Pelt	Weaver	Withrow
Van Zandt	Westland	Younger

NAYS—230

Abernethy	Fountain	Multer
Addonizio	Frazier	Natcher
Albert	Friedel	Norrell
Alexander	Fulton	O'Brien, Ill.
Andrews	Garmatz	O'Brien, N. Y.
Anfuso	Gathings	O'Hara, Ill.
Ashley	Gordon	O'Neill
Ashmore	Granahan	Passman
Aspinall	Grant	Patman
Bailey	Gray	Pelly
Baldwin	Green, Oreg.	Perkins
Barden	Green, Pa.	Pfost
Baring	Gregory	Philbin
Barrett	Griffiths	Pilcher
Bass, Tenn.	Hagen	Polk
Bates	Haley	Porter
Beckworth	Hardy	Preston
Bennett, Fla.	Harris	Price
Blatnik	Hays, Ark.	Rabaut
Boggs	Hays, Ohio	Rains
Boland	Healey	Reuss
Bolling	Hébert	Rhodes, Pa.
Bonner	Hemphill	Riley
Bosch	Herlong	Rivers
Bray	Holifield	Roberts
Breeding	Holland	Robsion, Ky.
Brooks, La.	Holmes	Rodino
Brooks, Tex.	Hosmer	Rogers, Colo.
Brown, Ga.	Huddleston	Rogers, Fla.
Brown, Mo.	Hull	Rogers, Mass.
Broyhill	Hyde	Rogers, Tex.
Buckley	Ikard	Rooney
Burdick	Jennings	Roosevelt
Burleson	Johnson	Rutherford
Byrd	Jones, Ala.	Santangelo
Byrne, Pa.	Jones, Mo.	Saund
Carnahan	Karsten	Schwengel
Celler	Kee	Scott, N. C.
Chelf	Kelley, Pa.	Scott, Pa.
Christopher	Kelly, N. Y.	Shelley
Chudoff	Keogh	Sheppard
Clark	Kilday	Shuford
Coad	Kilgore	Sieminski
Coffin	King	Sikes
Colmer	Kirwan	Sisk
Cooley	Kitchin	Smith, Miss.
Cooper	Kluczynski	Spence
Curtis, Mass.	Knutson	Staggers
Davis, Ga.	Landrum	Steed
Davis, Tenn.	Lane	Sullivan
Delaney	Lanham	Teague, Calif.
Dempsey	Lankford	Teague, Tex.
Denton	Lennon	Thomas
Diggs	Lesinski	Thompson, La.
Dingell	Long	Thompson, N. J.
Dollinger	Loser	Thompson, Tex.
Donohue	McCarthy	Trimble
Dorn, N. Y.	McCormack	Udall
Dorn, S. C.	McFall	Ullman
Doyle	McGovern	Vanik
Durham	McMillan	Vinson
Eberharter	Macdonald	Walter
Edmondson	Machrowicz	Whitener
Elliott	Mack, Ill.	Whitten
Engle	Madden	Wier
Evins	Magnuson	Wigglesworth
Fallon	Marshall	Williams, Miss.
Farbstein	Matthews	Willis
Fascell	Merrow	Wilson, Calif.
Feighan	Metcalf	Winstead
Fino	Miller, Calif.	Wolverton
Fisher	Mills	Wright
Flood	Montoya	Yates
Flynt	Morgan	Young
Fogarty	Morris	Zablocki
Forand	Morrison	Zelenko
Forrester	Moss	

NOT VOTING—20

Adair	Bowler	Moulder
Allen, Calif.	Boykin	O'Konski
Anderson, Mont.	Coudert	Powell
	Dawson, Ill.	Simpson, Pa.
Andresen, August H.	Holtzman	Teller
	Kearns	Thornberry
Beamer	McConnell	
Blitch	Mailliard	

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Coudert for, with Mr. Allen of California against.

Mr. Adair for, with Mr. Holtzman against.

Mr. Beamer for, with Mr. Dawson of Illinois against.

Mr. Simpson of Pennsylvania for, with Mr. Moulder against.

Mr. Kearns for, with Mr. Teller against.

Mr. McConnell for, with Mr. Powell against.

Until further notice:

Mr. Boykin with Mr. O'Konski.

Mr. Thornberry with Mr. August H. Andresen.

Mr. Anderson of Montana with Mr. Mailliard.

Mr. HOLIFIELD and Mr. TEAGUE of California changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

AMENDING THE ADMINISTRATIVE EXPENSES ACT OF 1946

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 296 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7390) to amend the Administrative Expenses Act of 1946, and for other purposes. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and yield myself at this time such time as I may consume.

Mr. Speaker, House Resolution 296 makes in order the consideration of H. R. 7390 to amend the Administrative Expenses Act of 1946. The resolution provides for an open rule and 2 hours of general debate on the bill.

The bill provides certain standards for the establishment and utilization of advisory committees within the Government. At the present time it is estimated that there are between seventeen and eighteen hundred advisory committees which would be subject to the provisions of this legislation.

Provision is made for a department to send written notice to the Speaker of the House and the President of the Senate 30 days prior to the establishment of an advisory committee or panel. The report must show the authority for the creation of the committee; that its establishment would be in the public interest; the number of members to serve and the area of interest each member will represent. Further, the report must show the members who will, and will not, receive compensation; what expenses will be paid by the Government, and how long it is expected the committee will function.

The bill requires that the agenda for a committee will be formulated, or approved, by full-time salaried officials of the Government; that the chairman shall be a full-time salaried official of the Government; full and complete minutes of the meetings must be kept, and the use of such committees is limited to purely advisory functions.

Finally, the President is authorized to issue regulations, consistent with the standards provided in the bill, which he deems necessary for the effective control and use of these committees, and also cause to be prepared annually a full report showing the membership of each committee used by each department, the functions of each committee and the extent to which the operations of each committee has complied with the above-listed standards.

The resolution provides ample time for a full discussion by the House of the provisions of the bill. I therefore urge the adoption of this resolution so the House may proceed to the bill, H. R. 7390.

Mr. ALLEN of Illinois. Mr. Speaker, after lengthy hearings before the Committee on Rules I am convinced that this is not a good bill and should be defeated. Nevertheless, I am not inclined to fight the rule.

Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, as the gentleman from Missouri [Mr. BOLLING] has explained, this bill deals with the advisory committees now in existence within the executive branch of the Government. It would amend the Administrative Expenses Act of 1946 so as to add certain new sections which would require the various agencies of Government establishing in the future advisory committees to so report to Congress and to furnish certain other information. The bill would further place upon the different agencies, branches and departments of the Government the responsibility of providing or furnishing the agenda for the meetings of these advisory committees, and would require that they be held either under the chairmanship of, or, as I shall offer an amendment, in the presence of, a representative and fulltime employee of the Government. In the past, as will be explained later in general debate, there have been some rather peculiar developments in the past showing that there has been a conflict of interest so far as the membership of some of these advisory committees is concerned. This legislation would give the Congress, and

its appropriate committees, an opportunity to know just what advisory committees we may have, and just what their duties and responsibilities may be, and to make available to the Congress, when necessary, the minutes of the meetings which are held by these advisory committees. I am sure you are going to be told, before this debate is over, that a number of agencies and departments of Government are opposed to this legislation. I think that is correct. If I recall the testimony before our committee correctly, there is one department of Government that has over 600 of these advisory groups. However, the Comptroller General's office, which is a branch of the Congress, and represents the Congress, in checking all different activities and expenditures of the Government, came out for and testified in favor of this bill. That office wants some opportunity to know just what these advisory committees are, and something of what they are doing, and how much money they are spending from the Federal taxpayers' purse, and to have such other information as will permit both the Congress and the President himself, to keep abreast of what is going on in these various advisory agencies.

I have gone over this bill rather carefully. I sat with the subcommittee and heard the testimony on it. I heard the testimony for and against the bill. I am going to propose 2 or 3 amendments—3, in fact, to the measure. If you will check with me, on page 3 at the end of line 5, where the bill now provides meetings are to be held by these advisory committees under the chairmanship of a representative of the Government, I will attempt to add the words "or conducted in the presence of" a representative and fulltime salaried officer and employee of the Federal Government—just so the Government itself knows or at least some responsible person in the employ of the Government knows what the advisory committee may be doing.

Then on the same page, page 3, line 8, at the beginning of that line, I will offer an amendment to delete the words "Full and complete" and to start the sentence there with the word "Minutes" so that the language will read:

Minutes of each meeting of such advisory committee shall be kept, which shall contain at a minimum, (A) the name of each member of such advisory committee attending such meeting, (B) a summary of the matters discussed in such meeting stating the viewpoints expressed—

And not by those individuals, because they do not have to do that—

and (C) the conclusions reached by the advisory committee.

Then on page 4 I shall offer an amendment to line 6, after the words "authorized by" to add the word "statutory", and on the next line, after the word "operative," to add the words "or other executive" so it will read "authorized by statutory law to perform administrative, operative, or other executive functions." That will be done so there can be no question in the mind of anyone that any committee, advisory committee, or group set up by the Congress, and given certain duties and responsibilities under the law, will be exempt from the provisions of this act.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Indiana.

Mr. HALLECK. I have been reading this report trying to make up my mind about this measure. I must say that many parts of it cause me great concern. The matters the gentleman has spoken of are among those that cause me concern. There is one other matter I wish the gentleman would comment on.

Mr. BROWN of Ohio. May I say, before you ask me to comment on that, that these amendments have been checked with a number of the affected advisory groups. Many of them serve a very splendid purpose. Seemingly these proposed amendments meet their needs.

Mr. HALLECK. In addition to that, of course, many of the objections coming from some of the departments went to these specific matters with which the gentleman seeks to deal.

Mr. BROWN of Ohio. That is right.

Mr. HALLECK. But there is one other objection that has been voiced, principally by the Defense Department, and that has to do with the 30-day notice of the convening of any one of these committees. The point is made, and I think it is a valid one, that a time might well arise with respect to the Defense Department when the very security of the Nation would indicate that there be no such preliminary requirement as that. What does the gentleman have to say about that?

Mr. BROWN of Ohio. I have had some question in my own mind as to the 30-day limitation provision. Perhaps an amendment should be offered to simply require that the Congress be advised, and not place a time limit on it, so that we be advised and will know such an advisory committee is in existence. I will be willing to accept such an amendment if the majority would accept.

Mr. HALLECK. Would the gentleman permit one further question?

Mr. BROWN of Ohio. Certainly.

Mr. HALLECK. The question arises in my mind as to just how broad this term "Advisory Committee" may be. Suppose that the Secretary of Labor has a matter that is of interest to his Department and he wants to call in half a dozen leaders of organized labor to consult with them; does he have to give 30 days' notice in that case?

Mr. BROWN of Ohio. No; in my opinion, I believe in the opinion of the committee, and as shown by the hearings, where an official seeks what one might call temporary advice, he can get advice from anybody he pleases; but when he establishes an advisory committee having the substance of law, the right to spend money, and perhaps receive per diem pay, and allowances for clerical hire and office space, a meeting place, and so forth and so on, so that is an established committee which will run for a considerable length of time, then the provisions set forth in this bill, if enacted into law, would become effective. But any agent of the Government, any Government official, has the right to seek advice where he pleases on what you might call a temporary basis.

Now, if he is going to have that same group in every month or so, and meet with him for certain purposes, such a meeting would come under the purview of this law.

Mr. HALLECK. I am glad to have the explanation of the gentleman and his conviction as to just how broad the term is.

Mr. BROWN of Ohio. I think that will be explained fully in the consideration of the bill.

Mr. HALLECK. Actually from a reading of the language I do not think you can find any such limitation as that. Certainly a broad interpretation would in my opinion, almost preclude soliciting advice from groups by a department of the Government; and to my mind that would be very destructive of the efficient functioning of Government agencies.

Mr. BROWN of Ohio. If the gentleman will read section 15 he will note that it refers to the case where such a committee is established on a more or less permanent basis. It is not just the calling in for one particular situation or another of either one individual or more than one.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. BROWN of Ohio. Mr. Speaker, the fact is an official may go out on the street, if he wants to, and ask a taxicab driver what he thinks he should do, and not constitute the taximan an advisory committee under the provisions of this act. If he sets up an advisory committee which is to be permanent, or semipermanent, in nature, one that is to meet time after time, it would come under this bill.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I think the gentleman's answer to the question of the gentleman from Indiana is correct. This relates to the establishment of a committee, the formal act of establishing. In that case there would be no establishment.

Mr. BROWN of Ohio. Creating an advisory committee that shall go on a more or less permanent basis.

Mr. McCORMACK. In subdivision 1, on page 3 there are the words "or approved" which means if some member of the established committee in relation to the agenda might feel he could not talk to any official in charge in connection with the formulation; so we put in the words "or approved" so there will be no misunderstanding about that. The gentleman from Ohio remembers the discussion we had on that.

Mr. BROWN of Ohio. I certainly do.

Mr. SADLAK. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Connecticut.

Mr. SADLAK. The gentleman has done outstanding work in connection with the formulation of the Hoover

Commission and in working with it. Is there anything in the way of implication in this legislation which would in any way affect the Hoover Commission recommendations?

Mr. BROWN of Ohio. This is not a specific recommendation of the Hoover Commission. The Hoover Commission recommended a general tightening up on the expenditure of public funds without the knowledge or consent of the Congress.

The General Accounting Office, responsible to the Congress for auditing and keeping track of expenditures in the executive branch of the Government, has requested the committee to enact legislation of this type so that it may be in a better position to keep track of the expenditure of these various advisory committees and groups, some of whom, as I said a moment ago, have a great many clerical employees on their payroll, some have offices, some receive per diem allowances for attending these meetings. To me, this bill sets up minimum standards of protection to be enacted by the Congress, notwithstanding the fact that some of the agencies affected do not like it. They do not want any control by Congress. Other agencies of the Government said they are now following these practices. Some have said they did not feel it is necessary for Congress to formulize them.

The experience of our committee has shown that in some instances there has been a conflict of interest between that of the Government, on the one hand, and the individuals who serve on the committees, on the other hand. This bill gives to the Congress of the United States certain information, and to the Accounting Office the authority it seemingly needs to go in and audit, and check the accounts of these advisory groups.

Mr. SADLAK. Do I properly deduce then that the gentleman much experienced in this field would be for this bill provided his amendments are accepted?

Mr. BROWN of Ohio. Yes, and if any other language is necessary to make certain my understanding of the legislation is correct, or is made correct, for instance, as brought up by the gentleman from Indiana, I will certainly support such amendment or amendments and, therefore, support the bill as amended.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

AMENDING THE REORGANIZATION ACT OF 1949, AS AMENDED

Mr. TRIMBLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 310 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8364) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959. After general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. TRIMBLE. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and yield myself such time as I may require.

Mr. Speaker, House Resolution 310 provides for the consideration of H. R. 8364, a bill to further amend the Reorganization Act of 1949, as amended. The resolution provides for an open rule and 1 hour of general debate on the bill.

The bill contains two amendments to the present act—it extends the period for transmitting reorganization plans for 2 years to June 1, 1959, and provides that plans transmitted to the Congress may be disapproved by a simple majority vote of those present and voting rather than by a majority of the authorized membership of either of the two Houses of Congress.

The Reorganization Act provides for a simplified procedure for improving the management of the executive branch of the Government. Since June 1949, when the Reorganization Act became law, 56 reorganization plans have been transmitted to the Congress, and 41 have become effective. At the present time one reorganization plan is pending before Congress.

The committee report complies with the Ramseyer rule, and I urge the adoption of House Resolution 310 so the House may proceed to the consideration of this measure which is recommended by the President and the Bureau of the Budget.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Speaker, I take this time to call the attention of the House to the minority views in the report on H. R. 8364 to extend the Reorganization Act of 1949, and also the hearings. I hold the hearings in my hand. They consumed 1 hour, and I say that a case for extending this unusual delegation of legislative power was not made in the hearings before the Committee on Government Operations.

The gentleman from Massachusetts [Mr. MCCORMACK], who presided at the hearings, asked Mr. Brundage, the Budget Director, the witness on behalf of the administration, just exactly what proposals on reorganization the executive branch of the Government expects to send up here, what was on the fire. And, he got the answer that there was nothing expected to be sent up as a reorganization plan this year.

Now, the Congress has been very generous in the past to give to the Executive the power to reorganize the executive branch of the Government under this unusual legislative authority, and any time there is something they need to reorganize, they can come to the Congress and get the power. But, at the moment they have made no case for an extension of this act.

It disturbs me that Congress so lightly continues this grant of legislative authority to the executive without careful consideration, and I just want to alert the membership of the House that we ought to consider this proposal and consider it carefully and require that a case be made before we continue this grant of legislature authority.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, this is a bill to extend the privilege granted the President to send down to us reorganization plans. The first one came up in 1932, in Hoover's time. Since then we have had the authority renewed from time to time. Always on each renewal the House apparently had some doubt about the wisdom of the legislation, because in the beginning the plan sent down by the President became law unless two-thirds, as I recall, of both Houses vetoed it within 60 days. Then they lessened the requirement and finally got down to a veto by one House. The present bill provides that the President can send down a reorganization plan, a bill, which would become law unless a simple majority of either House rejects it within 60 legislative days.

My objection to this type of legislation is that it is contrary to the methods prescribed by the Constitution for the enactment of legislation. Under the Constitution the House or the Congress proposes legislation, acts on it, and then the President if it has been approved by a majority of both Houses can veto it if he so desires, and if he does not, it becomes law, as it does if both House and Senate override the veto by a two-thirds vote. This bill reverses the procedure. It does not provide for a single thing that the President cannot do under the old system; that is to say, if he calls it a bill or a resolution, he can send down the same thing that he puts in a reorganization plan. That goes to the proper committee, then to the Congress. I have always been opposed to the new and unconstitutional procedure.

I notice the majority leader, the gentleman from Massachusetts [Mr. MCCORMACK] is going along. This ought to give him a rating of about 97½ percent support of the President in the Congressional Quarterly. I do not know what he will do on the next one. The first one that comes up here, H. R. 7390 the committee bill, the administration is opposed to that and I am waiting to see what the gentleman will do; because he may get a 100-percent mark in favor of the administration.

This bill is just a reversal of the constitutional method of enacting legislation.

I have a hunch—many people are making forecasts of what is going to happen, and I have an idea, although I have not any reason for it, just a hunch—that if this bill goes through this way, the President might veto it, because

it does not give him all he is said to desire.

Mr. MEADER. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman.

Mr. MEADER. I should like to ask the gentleman if it is not true that last year only two reorganization plans were sent up and the gentleman from Massachusetts [Mr. McCORMACK], opposed one of them on the ground that he introduced legislation to accomplish the same result and that it should have been done. Both reorganization plans sent up by the administration last year were voted down unanimously, without debate.

Mr. HOFFMAN. My reasons for opposing this bill are set forth in the report and read as follows:

ADDITIONAL VIEWS OF HON. CLARE E. HOFFMAN ON H. R. 8364

H. R. 8364 is but a further continuation of an attempt by the Congress to vest in the President the legislative power expressly given to the Congress by the Constitution.[1]

The Congress has no authority to delegate its legislative power to the President.[2]

Prior to the adoption of the Reorganization Acts,[3] the constitutional procedure and congressional practice followed was the introduction of a bill or legislation by a Member of Congress. The proposed legislation might be suggested either by the administration, through one of its executive departments, by an individual or group.

The proposed legislation was then referred to the appropriate committee where it was either pigeonholed or, after hearing, brought before the House by committee report or House petition. Somewhat similar procedure was followed in the Senate.

If the proposal received a simple majority of those voting in the House and Senate, the bill then went to the President. The President had authority to sign, permit the proposal to become law by inaction on his part, or to by veto reject it.[4]

Under the original Reorganization Act of 1949,[5] which disregarded the provisions of the Constitution which specifically stated the procedure for enactment of legislation, the President was authorized to submit a bill or a resolution to the Congress, a right and a privilege which in effect he always had and still has, but which bill or resolution the Reorganization Act provided should become the law of the land unless within a specified time it was vetoed—in the beginning by both House and Senate, by a majority vote of the elected Members of each; in this bill by a simple majority of those voting in either House.

Some of the reasons for opposition to this method of attempting to legislate through the submission of reorganization plans were pointed out at some length in the report of this committee on January 30, 1955, on H. R. 1976 (H. Rept. No. 6), 83d Congress, 1st session, amending the Reorganization Act of 1949. In accompanying views incorporated in that report a comparison was made of the provisions of the Reorganization Act with our Constitution. (See also additional views on H. Res. 534 (H. Rept. No. 2585), 84th Cong., 2d sess., filed July 3, 1956, and on H. Res. 541 (H. Rept. No. 2599), 84th Cong., 2d sess., filed July 3, 1956.)

The practical effect of this bill is to reverse the constitutional procedure which provides for the enactment of legislation.

Under the Constitution, proposed legislation was adopted by the House with the veto power vested in the President subject to the one exception—that the veto might be nullified by two-thirds vote of both Senate and House.

Under this bill, proposed legislation is written by the President; it becomes the law of the land unless vetoed by either Senate or House.

There is no evidence in any hearing, from the enactment of the original bill down to the present day, which indicates that the Congress would not, in the first instance, give consideration to any bill or resolution suggested by the President.

Apparently the proponents of the extension of the Reorganization Act of 1949 would have us believe that efficiency and economy in government are synonymous with the strengthening of the hand of the Executive. Legislation by reorganization plans minimizes the opportunities of the Congress for expressing its will.

If efficiency alone were the gage by which we measure forms of government, other things being equal, a dictatorship would be the most efficient form. At the opposite end of the scale of efficiency would be anarchy. Both are repressive of human rights. Somewhere in between is our form of representative government.

However, efficiency alone is not the hallmark of successful government. That government is best which strikes a proper balance between efficiency and certain basic human rights. Our present form of government has achieved that balance.

To advance further in the name of efficiency toward a stronger executive can only be in derogation of those basic rights. If strengthening the Executive is a means of achieving efficiency, it then follows that the less Congress is permitted to meddle in the affairs of state, the more efficiency there will be in government. However, even if we accept this proposition, the loss of basic rights is too high a price to pay for efficiency.

The fact that successive extensions of the authority first granted to the President have each time made it easier for a Congressional veto indicates that the original grant of authority to the President was excessive.

That fact, plus the fact that the record fails to show any inaction on the part of the Congress on a Presidential proposal, and the further fact that the bill gives the President authority to write legislation subject only to a veto of the Congress, which is clearly a direct reversal of legislative procedure, as provided in the Constitution, should cause H. R. 8364 to be rejected.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I have listened to some of these debates today in regard to this whole program of reorganization. I listened to them through the years, and I participated in some of them. I well understand the philosophy of the gentleman from Michigan, who feels that this whole procedure is a reversal of the proper responsibility, that these reorganizations should be accomplished by direct legislative action subject to the veto of the Chief Executive. However, that is a bridge that we crossed a long time ago. We crossed it, and I helped to cross it, because it seemed to be the prevailing view that if these reorganizations were to be accomplished and become effective this was the procedure that we would have to follow.

As far as I am concerned, the measure that is before us should have gone for the 4 years asked rather than the 2. I am not prepared seriously to question that. However, it does seem to me that the pattern that was established heretofore for other people who have been in the office of the Chief Executive of the United States, which required the constitutional majority before the plan could be turned down, should continue to be the rule and the law in respect to this legislation.

I cannot for the life of me see any reason why it should be changed at this juncture, and I would hope that when the matter is up for consideration in the committee an amendment may prevail that would turn the procedure back to what it was in the law heretofore.

Then subsequently, when we undertook to deal with the matter of reorganization, and I may say to the gentleman from Michigan, the first Hoover Commission was created during the 80th Congress, in which I was the majority leader, it made many recommendations that were adopted. As a part of that operation we arranged for this procedure of submission of plans, and then for the action that had to be taken to defeat the plan if it was submitted. Since that pattern was adopted, I have not deviated in my position one bit. I have kept the same position. I have thought it has

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[1] Sec. 1 of art. I of the Constitution of the United States reads:

"All legislative Power herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

Sec. 7 of art. I of the Constitution of the United States reads in part:

* * * * * *

"Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill."

The constitutional powers of Congress are specified in sec. 8 of art. I. (See also sec. 3 of art. III, secs. 1 and 3 of art. IV, and art. V.) The last clause of sec. 8 of art. I reads:

"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

The principle involved was reiterated as recently as June 6, 1955, when Mr. Justice Black, concurring in the opinion of the Court as delivered by Mr. Chief Justice Warren, stated:

"And, of course, the Constitution does not confer lawmaking power on the President" (*Peters* v. *Hobby*, 349 U. S. 331).

[2] Having in mind the provisions of our Constitution previously referred to, Attorney General Mitchell (37 Op. A. G. 56, 63) analyzed the constitutional question presented to him on the basis that, unless the function were executive, the delegation would be unconstitutional, and if the function were executive, the setting up of a method whereby one House of Congress could disapprove Executive action violated art. II, sec. 1.

The Constitution is violated when Congress attempts to transfer legislative powers to the President (*Schecter Poultry Corp.* v. *U. S.*, 295 U. S. 495; *Panama Refining Co.* v. *Ryan*, 293 U. S. 388; *Yakus* v. *U. S.*, 321 U. S. 414).

[3] Economy Act of 1932 (47 Stat. 382); Reorganization Act of 1939 (53 Stat. 561); Reorganization Act of 1945 (59 Stat. 613); Reorganization Act of 1949 (63 Stat. 203).

[4] If vetoed, the bill still became law if two-thirds of each House by vote so indicated.

[5] Reorganization Act of 1949 (63 Stat. 203).

been fairly effective. I have thought it has adequately protected the rights of the Congress of the United States as the legislative branch and at the same time under the plan we have brought about some reorganizations that have been helpful.

Mr. BASS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. BASS of Tennessee. This in effect, however, is legislation which makes it possible to pass laws by negative action?

Mr. HALLECK. If the gentleman wants to put it that way, I suppose there would be as reasonable ground to believe that that is the effect of it. No one has quarreled about that. On the other hand, as I say, through the years it has been a fairly effective way of bringing about some reorganizations. After all, they do not deal with the substantive body of the law with respect to which the Congress still must be the originator but they deal with organization in the executive branch of the Government. It is true that the recommendations could come from the executive department and then action affirmatively be had in the Congress, but experience through all of the years has proved that that just does not work, so the other arrangement has been taken.

Again, I say my one suggestion is that the arrangement we have had for legislative disapproval ought to be continued the way it has existed up to this time. I cannot for the life of me see any reason to change it at this time.

Mr. TRIMBLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

AMENDING THE ADMINISTRATIVE EXPENSES ACT OF 1946

Mr. FASCELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7390) to amend the Administrative Expenses Act of 1946, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 7390, with Mr. THOMAS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. FASCELL. Mr. Chairman, I yield myself such time as I may consume.

Mr. BASS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield.

Mr. BASS of Tennessee. I thank the gentleman. The reason I asked him to yield is that I want to make this statement about the resolution just adopted. I did not ask for a rollcall on the rule but I am opposed to the bill it makes in order and I said a loud "No" on the voice vote.

Mr. FASCELL. In answer to that, may I say that the bill we are now considering is not the one whose consideration was made possible by the adoption of the rule to which the gentleman refers.

Mr. BASS of Tennessee. I thank the gentleman. But I am talking about the rule which makes possible the consideration of the extension of the reorganization act.

Mr. FASCELL. That is another bill which the committee will take up at another time.

Mr. BASS of Tennessee. I understand that.

Mr. FASCELL. Mr. Chairman, the bill which is now before the Committee of the Whole House for our consideration amends the Administrative Expenses Act of 1946 and is a matter which has been under consideration by the Committee on Government Operations for several years past. I have a statement by the chairman of the full committee which is very short and which I would like to present at this time because of the press of business the chairman of the full committee is not able to be here at this moment:

> The bill provides certain minimum standards to be observed by all departments and agencies which seek or utilize advice or information from advisory committees, panels, or other groups composed wholly or partially of members who are not full-time salaried officials or employees of the Government.
>
> During the course of hearings held by this subcomimttee last year on the use of individual experts and consultants, we became aware of the vast number of these committees being used by the Government. These committees serve without compensation and to a large degree exercise the same type of advisory functions as those performed individually by WOC consultants. The individual consultant, however, usually has the status of a Government employee for most purposes and as such is subject to certain statutory and regulatory requirements as to employment, duties, and qualifications. Also, as employees of the United States, the individual consultants and experts are subject to the conflict of interest statutes and other laws and regulations governing the conduct and ethics of Government employees. On the other hand, our information indicates that members of advisory committees are not considered to be employees of the Government. They are not subject to any of the laws or regulations which restrict the activities of Goverment employees, and yet through their advisory functions they are often instrumental in guiding the formation of official Government policy.
>
> As a result of the information received many of the members of this subcommittee feel that the Congress should know more about what these advisory groups do, how they are constituted, and what use is made of their advice and suggestions. These groups have been operating for many years without any centralized control and to a great extent without specific statutory sanction.

Mr. Chairman, this in a nutshell covers the background and purposes and scope of this legislation, and sets forth very, very clearly why the legislation is needed. Specifically, what does this bill do? First of all, it sets off in the first subsection that if an advisory committee is to be created or established in the future—and I make the distinction that those committees which are now operating, now established, now created and which are now in existence are not affected by the provision which I am about to discuss—this provision applies only to those committees established, created or formed or organized in the future. This provision says that if such a committee is to be established in the future that then not less than 30 days before such advisory committee is established, the head of the department transmits to the Speaker of the House, pursuant to the rules, a brief report. Let us see what this report requires and let us see why the Congress should have this minimum information when these advisory committees are to be set up. The report requires that the statute which specifically authorizes the formation of the committee—and if there is no such statute the authority in law which is relied upon for the establishment of the committee together with the determination by the head of the department that the services of that committee are in the public interest and the reasons upon which such a determination is made.

The Committee on Government Operations all through the hearings which were held on this subject recognized and realized the tremendous value of the advisory committee as a managerial tool. We want to encourage in every way the use of that managerial tool to make available and possible to the various branches of Government the best possible advice they can get. As we discuss this proposal and go through it piece by piece I think you will be convinced, as we were, that these very basic minimum fundamental standards with which we seek to have these committees comply, will in no way injure the great value of the advisory function of the many committees working with the executive branch of the Government.

Furthermore, this report would simply state the number of members of the committee, the general area of interest with which they would deal, and whether they would serve with or without compensation, how long it would be anticipated that the committee would be active. This is the nature of the report that would be required for a new committee to be set up in the future.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield.

Mr. CELLER. These criteria or recommendations have been recommended by the Department of Justice. Am I correct?

Mr. FASCELL. Those in section (b) certainly have been recommended for a great many years, but as an administrative procedure. We will get into that question a little later.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield.

Mr. MORANO. Do these new requirements apply also to already established advisory committees that are in being?

Mr. FASCELL. The answer to that is Yes, the requirements of section (b) would apply to committees that are now in existence. They would have to meet these standards which we are about to discuss.

The bill sets up certain standards for the operation of advisory committees. These standards are standards which the

Department of Justice as far back I believe as 1950 suggested were the bare minimum requirements under which advisory committees ought to operate.

These are simple standards and I want you to consider carefully as we go over these standards whether or not you think they are unduly restrictive, because the committee feels that they are not.

First of all, the advisory committee ought to have an agenda, and the testimony is clear on that subject. That is so elemental that it does not even bear discussion. But we did in this bill require that they must have an agenda which has to be formulated by the Government department or at least approved by it. This gives them all the flexibility they need. I cannot imagine anybody saying that is not a reasonable requirement.

Two, the meetings of such advisory committee shall be at the call of and under the chairmanship of a full-time salaried officer or employee of the Government. This requirement the committee considered because we had testimony which indicated that these committees were self-perpetuating bodies in some cases. The Government agency which had called upon them for advice did not exercise adequate control over them; that they operated as a purely independent body. The quality of the advice which they give certainly has to be qualified by nature of the special business or interest field in which they may be.

So we felt that as a minimum we should have an employee or an officer of the agency that is seeking the advice, as chairman of the committee. I might as well tell you that this is one feature to which some objection has been raised and we will discuss that at the time the objection is made.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Ohio.

Mr. VORYS. Before the gentleman goes further into this, I wish he would describe what limits there are or what is meant by an "advisory committee or other advisory panel or group."

Mr. FASCELL. Where is the gentleman reading from?

Mr. VORYS. I am reading from section 15A on the first page of the bill.

Mr. FASCELL. In answer to that, may I say that the words themselves are explicit and I do not think they need any further interpretation.

Mr. VORYS. Does this legislation mean that if an administrative official wanted to call in a couple of fellows connected with a certain line of activity that was administered by his office, he could not call them in and say, "Gentlemen, here is a matter that involves your business and I have called in a couple of people, to have different factions represented, to find out what you think about this?" I imagine that sort of informal consultation goes on constantly because people who are administering the Government want to know how it works. Would that sort of group or panel come under this? Would it from now on be impossible for an official to call in such a group for advice?

Mr. FASCELL. The gentleman has asked me three or four questions and I will attempt to answer them all. This problem has been discussed many, many times.

The answer to question No. 1 is, it does not prohibit any Government official or the head of a department from getting any kind of advice he wants to any time he wants to and from any individual. However, when it involves more than one person and you seek to set up a group and it has some type of formality, and it is a group which is not now in existence but is a new group, it would fall within the purview of the requirements the gentleman is talking about. That is, the department head would have to serve notice and file a report. Let me add, this in no way stops the department head from getting the advice anyway, whether he does it by calling them as individuals or whether he calls them as a group or as a panel or as a committee. The bill in nowise prohibits him from getting the advice that he seeks. He can still get it. I wish to make that point very clear. The bill does not prohibit in any way the department head from getting the advice he seeks, either from an individual, a group, panel, or a committee at any time he wants to.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. I have in mind this situation: A few years ago we passed the so-called pesticide bill, of which I was the author. In that bill we provided for a scientific panel to decide certain technical questions as to the admissibility of pesticides and science was called upon to provide information in order to assist the Department of Health, Education, and Welfare as to whether certain pesticides would be permissible or not. Would those men be permitted to come in and form a panel or an advisory committee or panel, the evidence of whom could be used in court if they decided to go before a court for adjudication?

Mr. FASCELL. I believe that committee is a statutory committee and the bill now under consideration specifically excludes any committee which is authorized by law to perform an administrative or an operative function. If it is purley advisory, then it would have to comply with the minimum standards in this second section of the bill now under discussion.

Mr. MILLER of Nebraska. New bills that have been introduced on chemical additives improvement deal also with an advisory council, the same as the pesticide bill. Would this bill prohibit the establishment of an advisory council that could determine whether certain additives were proper in being added to our food stream?

Mr. FASCELL. No; not when a statute authorizes such a committee. This bill does not prohibit the establishment of such a committee, however, if the committee is purely an advisory one and has no administrative or operative function, then it would have to comply.

Mr. MILLER of Nebraska. They could be established and they could operate?

Mr. FASCELL. Yes.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman has been very generous and wants to be helpful, and I want to be helpful. Many times in legislative matters of this sort when terms are used, such as "advisory committee" or "advisory panel" or "group," the legislation contains a very precise definition of just what we mean by those terms. I cannot find any such definition in this bill, but it seeks to amend the basic act. Is there any such definition in the basic act?

Mr. FASCELL. I am not aware that there is any definition in the basic act, because, as I recall it, it was an omnibus bill bringing into one place all of the features of the law dealing with administrative expenses, and it is the committee's position that with respect to the words that exist in this bill no definition is required.

Mr. HALLECK. I just trust that the gentleman is correct about that, because I read in the report on page 10 the letter from the Defense Department in which they say:

> This Department daily conducts activities involving meetings with representatives of individual business, industrial, religious, social, community, and other groups. The scope of the Department's activities and the necessity for keeping abreast of technical and scientific advancements, the capacity of production facilities, and the availability of component or raw materials, as well as the necessity for obtaining up-to-date data relevant to procurement and production problems and a variety of other matters, requires many informal meetings with industry and other groups.
>
> While the procedures required by H. R. 3378 can be and are applied in many circumstances to the conduct of such meetings, in some circumstances they are neither practical nor desirable in the public interest. The nature of the problem and the functions of the committee necessarily will influence the procedures established.

Now, it seems clear to me from that that someone in the Defense Department believes that this sort of informal meeting that they have and must have, if they are to run the Defense Department correctly, would come within the definition contained in the language of the bill the gentleman proposes.

Mr. FASCELL. In answer to that, I will say to the gentleman that if an advisory committee is now in existence, or a panel or a group, there is no necessity for that group or that department head to comply with the provisions of the first section of this bill. There is nothing in this bill which would prohibit a department head from getting any advice or counsel from any individual he wants to, any time he wants to.

Mr. HALLECK. How about a group? How about the concern of the Defense Department in respect to these consultations that they constantly carry on with these groups?

Mr. FASCELL. If they would have told the committee specifically what new group they proposed to put into exis-

tence, I could give the answer. All I can say is that if the panel or the group or the committee is now in existence, they do not have to comply with the first section of the bill, but they do with the second section.

Mr. HALLECK. If I may say so, it seems to me that the very kind of groups they are talking about, industry group or labor group, it would not be in the category of some formalized advisory group or committee, but in general it seems to me it is a continuing process so far as the Defense Department is concerned of trying to keep abreast with the developments in the country, the situation in the country, that they must know about if they are to defend the country. Is their concern in that regard well founded or not?

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield at that point?

Mr. FASCELL. I yield.

Mr. BROWN of Ohio. Would not the answer to the question of the gentleman from Indiana depend entirely upon whether these conferences were of a temporary nature or whether they would be set up as panels to continue throughout a period of time, perhaps permanent or for a long period of time? In other words, nothing in this bill would interfere with the conducting of just now and then conferences.

Mr. FASCELL. "Intermittent" is the word, and that is a very fine point. I thank the gentleman for making it. The head of the department, under law now, on a temporary or intermittent basis, can hire consultants with or without pay. He has flexibility and latitude now. The only thing that we are trying to fix by this legislation is when a group is convened, for giving advice, and it is new, that is, not now in existence, then it must meet the provisions of subsection (a), that is, notice to Congress. On the other hand, all advisory panel groups or committees, old and new, would be required to meet the requirements of subsection (b).

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield for one further question?

Mr. FASCELL. I yield to the gentleman.

Mr. HOFFMAN. The gentleman from Indiana [Mr. HALLECK] said something about the Department of Defense making certain inquiries; and as I understood the gentleman from Florida, he replied that the committee would have been glad to have those suggestions. Did I understand correctly?

Mr. FASCELL. The gentleman understood incorrectly.

Mr. HOFFMAN. What did the gentleman say?

Mr. FASCELL. I said that if I knew specifically what the nature of the committee was and the facts surrounding its existence, I could answer specifically the question that the gentleman from Indiana asked me.

Mr. HOFFMAN. I thank the gentleman for the correction. Then this is true, is it not, that the witness for the Department of Defense was there, he was sworn, he testified in part, then he was to come back and was told there would be further hearings. Unfortunately, the gentleman from Illinois [Mr. DAWSON] became ill and went to the hospital. Later the witness was not given an opportunity to testify. That is the record, is it not?

Mr. FASCELL. With respect to the hearing at that particular time on that subject, the gentleman is correct.

Mr. HOFFMAN. When, if ever, was the Defense Department witness given an opportunity to appear and continue his testimony?

Mr. FASCELL. That particular person was not given the opportunity.

Mr. HOFFMAN. Then the Defense Department never was heard.

Mr. FASCELL. That is not quite true. We got plenty of testimony, plenty of evidence with respect to the matter, in writing and otherwise, dealing with the Department of Defense. The gentleman can drag up all the scarecrows he wants to but he cannot deny the reasonableness of this legislation and, furthermore, the flexibility of operation for the Department of Defense or anybody else under existing law or under this proposal.

Mr. HOFFMAN. Wait a moment——

Mr. FASCELL. Mr. Chairman, I refuse to yield further.

Mr. HOFFMAN. But the gentleman made a statement that is not in accord with the record, as shown by the hearings.

The CHAIRMAN. The gentleman refuses to yield.

Mr. FASCELL. I admitted the gentleman's point that at that time the witness from the Department of Defense was not given an opportunity to complete his testimony.

The next point deals with the keeping of minutes of these committees. Our committee felt that this was a very important point because we found in a great many cases that advisory committees were not keeping minutes of any kind. So, realizing that, the committee adopted the idea that we would have basic minimum requirements for these minutes. However, we do not intend a keeping of verbatim transcript of the meetings. All they would have to show was a minimum—of course, they could put in their minutes anything they wanted to beyond that, but as a minimum we suggested that at least the name of each member attending the meeting be put in the minutes. I do not think anybody can say that is unreasonable. And then a summary of the matters discussed at such meetings, stating the viewpoints expressed and the conclusions reached. Why are the summaries of the matters and the viewpoints expressed important? Mr. Chairman, let me say this. Over half of these committees now are following these requirements and they are not having any trouble with them. Some of the most important committees in Government that are meeting these requirements like them so well that they would not think of doing away with them.

But specifically, dealing with the question of minutes and including in them the different viewpoints, without identifying the specific individuals who were giving their viewpoint, the Rubber Advisory Committee got into a big question—and they have been operating under these standards, by the way, for some time—the Rubber Advisory Committee got into a difference of opinion as to the best policy to be followed by the Government and that opinion was pretty hotly divided. But they kept minutes and the conflicting viewpoints were expressed in summary in those minutes. As a result of that, when the matter went to the head of the department to make a decision, he was able to act intelligently, in the best interests of the Government. That is certainly not an unreasonable proposal.

Further, we find that the debt management advisory committees to the Treasurer of the United States—and certainly I cannot think of one that is more important; they fall in the category of some of the most important, at least—state that they keep the minutes and in all cases the minority view is expressed to the Secretary. You fight right here on this floor for the rights of the minority to be expressed, and you think it is worth while for the Congress and the American people to know what the minority view may be with respect to this report or to any other matter that is under consideration by the House. If it is important to you and to the Congress and the American people, it certainly ought to be important to the head of the department, who is trying to get the best possible advice out of the leaders of business, industry, and science in order to do the kind of job you want him to do.

The fourth requirement is so elemental. It says, "The functions of such advisory committee shall be purely advisory." Why did we put that in there? I will tell you why we put it in there.

Some committees are set up by statute and authorized to have an administrative function or an operative function. Congress specifically recognizes that. But when a committee under authority of law or under an inherent power of the department head is organized as an advisory committee we do not want that committee in any way, directly or indirectly, to usurp the function of the department head. We want him to exercise the judgment, the managerial capacity, the executive capability, and not the committee. Therefore, to make it clear to all of these people what we are talking about, we have provided in the law that the function of this committee shall be purely advisory.

Then the bill goes on to make certain other minor provisions with respect to allowing the President to set up some rules and regulations if he deems it advisable and necessary.

Finally, we have an exclusion in this bill which is a very important exclusion, and that is that the bill shall not apply to any advisory committee which consists entirely of full-time salaried officers or employees of the Government or which is authorized by law to perform administrative or operative functions. Mind you, under other law the head of a department now can get on a temporary or intermittent basis any expert or consultant advice he seeks either with or without compensation. This law does not in anyway affect that right, neither

does it affect the right if he brings these people in and composes an advisory committee, and they are composed of full-time salaried employees of the Government. This proposal does not affect that because it is an internal operation of the department, obviously.

Where you have a committee which is authorized to perform an administrative or operative function this law does not apply to them because Congress has specifically directed that committee to be organized and to operate in a certain way. I will give you a concrete example of what I am talking about right here.

Public Law 410 of the 78th Congress, approved on July 1, 1944, in section 301 states:

> The Surgeon General shall conduct in the Service, and encourage, cooperate with, and render assistance to other appropriate public authorities, scientific institutions, and scientists in the conduct of, and promote the coordination of, research * * * the Surgeon General is authorized to * * * make grants-in-aid to universities, hospitals, laboratories, and other public or private institutions, and to individuals for such research projects as are recommended by the National Advisory Health Council, or, with respect to cancer, recommended by the National Advisory Cancer Council.

Obviously, the Surgeon General, under that requirement of law, cannot make a grant to an individual or to an institution which has not been recommended by this council. Therefore, the council has an administrative or an operative function. Therefore, it is excluded from the purview of the legislation which is being presently considered. If they do not want to keep an agenda; if they do not want to have a Government employee as chairman; if they do not want to keep any minutes; if they do not want to give any advice—that is strictly their business, because it is excluded under the act. The same thing applies, in my opinion, to the hospital survey and construction advisory committee under the Hill-Burton Act. Other similar committees are not affected.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield.

Mr. CELLER. It would be interesting to have placed in the RECORD a letter addressed to the then Secretary of the Interior by the Department of Justice under date of February 16, 1951, by one of these advisory committees called the Petroleum Advisory Council. I will just read briefly from that letter. The Department of Justice said in that connection:

> With reference to the operation of the "committee system" under the Petroleum Administration for War during World War II, your letter states that to the best of your knowledge "no substantial question respecting violating of the antitrust laws or prejudice to the maintenance of our competitive economy has ever been successfully raised * * * with respect to the creation or operation of the council or committees that were advisory to the Petroleum Administration for War." In that connection, I must advise you that substantial questions of antitrust violations were raised as a result of the operation of these committees—

Meaning the petroleum advisory committees—

> As a result of these questions, the Department was concerned on a number of occasions with the intermingling of Government functions with those of industry advisory committees established by the Petroleum Administration for War. It is clear to us that during the operations of the committee system fundamental questions of basic policy were initially resolved by these committees and that resulting Government action amounted to no more than giving effect to decisions already made by such committees. This intermingling of Government functions with those of industry advisory committees resulted in complete delegation to such committees of functions which properly must reside exclusively in Government officials.

As I read the bill and the report, and being familiar with some of the operations of these advisory committees because the antitrust subcommittee of the Committee on the Judiciary, of which I am chairman, went deeply into the operations of these advisory committees. I am convinced that this bill setting up codes of conduct and standards will greatly diminish the dangers that were pointed out by this letter from the Department of Justice to the then Secretary of the Interior. I want to congratulate the gentleman and his colleagues on the committee for bringing in a bill of this character which would go a great way toward eliminating some of the abuses that we discovered to our dismay in the operations of these advisory committees.

Mr. FASCELL. I thank the gentleman for his observation. Certainly that is a very major point and a material point.

Our committee was deeply indebted to the tremendous study made by the antitrust subcommittee dealing with the question of the antitrust evasions and the abuses which were possible and which did arise in some cases. As a result, therefore, the Department of Justice for many years has suggested that these minimum standards be adopted by advisory committees throughout the Government. Our committee found situations where we had several thousand of these committees and only about 50 percent according to the Department of Justice were administratively adhering to these standards. We felt that that was so important from the standpoint of setting up a minimum control on this subject that this legislation is necessary and we are seeking its adoption.

The General Accounting Office felt, and here is the testimony from the Comptroller General in part:

> We believe the prescribing of such minimum standards by statute will not only minimize violation of the antitrust statutes, but will also tend to avoid conflict of interest. Certainly, if such a bill be enacted into law, there will be afforded some means of control of advisory groups composed of experts and consultants, particularly, where they are employed without compensation.

And the General Accounting Office says that they need the legislation if they are going to do an audit on these committees because there is some question as to whether or not they have the authority to go in and make an audit.

They say that they would revise their instructions and their regulations dealing with this subject if this actually becomes law.

So, in conclusion, I would submit, Mr. Chairman, that we have shown after thorough study over a period of years by two committees of Congress that abuses have existed; certainly many questions could arise that you have inherent in this setup where you have a man coming in from industry or some other group operating with a committee of Government that is probably going to act within his area of business; you certainly have a possibility of a built-in conflict of interest. Other speakers will bring this out specifically to show you what we are talking about. The Department of Justice for years has recommended that these standards be adopted. The Attorney General of the United States says in the interest of good management, and good government, we ought to have this minimal legislation. We submit that the legislation ought to be enacted.

The CHAIRMAN. The gentleman has consumed 37 minutes.

Mr. HOFFMAN. Mr. Chairman, I yield myself 15 minutes.

Mr. HOFFMAN. Mr. Chairman, about the first thing that should be done, at least in my judgment, is to correct some of the statements made by the gentleman from Florida. He gave the impression and could not yield at the time for a correction, that the Department of Justice was in favor of the enactment of this bill.

Mr. FASCELL. Mr. Chairman, will the gentleman yield now for a correction?

Mr. HOFFMAN. If the gentleman will yield me a couple of minutes time.

Mr. FASCELL. I will on my own time correct the gentleman.

Mr. HOFFMAN. Let me read from page 9 of the majority report, summarizing the views of the Department of Justice in its letter of March 27, 1957:

> The Department states that this bill embodies the substance of recommendations made by the Department several years ago to govern Federal use of so-called advisory committees, and that the Department still adheres to these recommended standards.
>
> In commenting on the proposed legislation, the Department relies upon the position taken by Judge Stanley N. Barnes in his testimony before this committee on May 15, 1956, in which he stated that he did not believe legislation was necessary in this field.

The foregoing goes to the statement made by the gentleman from New York [Mr. CELLER].

If that is an endorsement of this bill by the Department of Justice, then I do not know the meaning of words. That is a flat statement in contradiction of what the gentleman from Florida said—not intentionally inaccurate, just inadvertently not correct. It just shows that he does not have the knowledge, the complete knowledge at least, of what is in the bill, nor the Department's position.

Mr. FASCELL. Mr. Chairman, will the gentleman yield, having made a personal reference?

Mr. HOFFMAN. If the gentleman will yield me a couple of minutes time.

Mr. FASCELL. I will answer the gentleman on my own time.

Mr. HOFFMAN. In considering legislation, it is a pretty good idea to know what one is talking about.

The first bill on this subject was introduced on January 22, 1957. Hearings were held on March 28 and on April 30 before this same subcommittee.

On March 28, there were two witnesses, the gentleman from Florida [Mr. FASCELL] and Mr. C. P. Friend, legislative attorney of the General Accounting Office.

On April 30, there was testimony from Mr. E. H. Weaver, Commissioner of Defense Materials Service of the General Services Administration, and Mr. Frederick Nash, General Counsel, Department of Commerce, who was accompanied by three other representatives of that Department.

When the present hearings were held no one from the Department of Defense testified. A letter was sent up, but no testimony was taken from any representative of the Department of Defense. No opportunity was given for a witness to appear. That is the way I get it from the record. If I am wrong, I shall be glad to be corrected.

The hearing was adjourned with the statement "we will stand adjourned until further notice." You will find that on page 122 of the hearings.

Now, please get me straight, and I am sorry that more Members of the House are not here, because in considering a bill of this kind, it does seem to me that it should appear that the executive department, which is a coordinate branch of the Government, is entitled to a full and complete hearing.

The representatives of the Department of Defense and of the Post Office Department were not heard, although the latter was actually in attendance at the hearing on April 30.

The failure to give these two witnesses from the Departments a hearing, and they were not given a hearing, was due entirely to the fact that the gentleman from Illinois [Mr. DAWSON], unfortunately, was taken ill. He is chairman of the full committee. He went to the hospital and he did not get back. So the subcommittee went on subsequently without ever giving these two witnesses from these Departments, Post Office and Defense, an opportunity to be heard, a most unusual procedure.

Now, please get this straight. There is no criticism, direct or implied, because of the failure to hear those witnesses. But that was the unfortunate fact, it happened that way and they never have been heard and they wanted to be heard. They want to appear and testify. There is no reason why they cannot be heard. If the bill is recommitted to the committee with instructions to give a hearing, it can hold a hearing the latter part of this week or the early part of next week and get their views.

Let me make one other correction. The Members have been given to understand that no one is opposed to this bill, that is, no department. My understanding of the record is that the General Accounting Office, which is an arm of the Congress, is in favor of the bill because they think it will give them some additional authority to inquire into the expenditure of public funds. I have no particular fault to find with that.

The gentleman said that some of the departments were following this procedure. He nods his head now, sure. Then, why legislation? Is it just because we want to legislate? Is that it? Is it because we want to ride herd further on these advisory committees? Why is it? I can find no reason and I see none.

Back over the years, Justice advocated this type of legislation. What was the purpose? As suggested by the gentleman from New York [Mr. CELLER] the purpose at that time was to aid in preventing monopolistic practices. That is what it was for. However, the Department of Justice has indicated it is not in favor of the enactment of this legislation.

All other departments are against it. Permit me to summarize their views.

Agriculture, report, pages 7 and 8, unnecessary, undesirable.

Bureau of the Budget, unable to recommend favorable consideration, report, page 8.

Commerce strongly opposes.

Defense opposes, report, pages 9 and 10, also minority views, report, page 16.

Federal Civil Defense Administration reports requirement would add heavy administrative burden. Otherwise acceptable. Report, page 10.

Federal Reserve, unacceptable as written. Report, page 10.

General Accounting approves, report, pages 8 and 9.

General Services Administration objects; can be accomplished without new legislation. Report, page 9.

Department of Health, Education, and Welfare, recommends against enactment.

Housing and Home Finance, not necessary. Now uses same procedure. No objection, with its proposed amendments. Report, page 9.

Interior, opposes.

International Cooperation Administration, opposes, report, page 9.

Justice opposes, report, page 9. See also minority views, report, pages 12 and 13.

Labor considers undesirable and no need for enactment.

Office of Defense Mobilization, unnecessary. Report, page 11.

Post Office, strongly opposes. Report, pages 16–21.

Treasury opposes. Report, page 11.

Civil Service Commission—Commissioner F. J. Lawton not speaking for Commission but gives staff analysis.

Perhaps this is a matter that can best be handled administratively rather than by legislation. It may well be that the flexibility necessary for meeting the many different circumstances surrounding the use of advisory committees cannot be incorporated in legislation.

Well, now there you have the record. How can anyone come in here and say that there is no opposition in view of what is shown by the record? We know, those of us, I guess, who are familiar with the situation, that the administration is bitterly opposed to the enactment of this legislation. Its opposition is being overridden without a hearing by two Departments.

Now let me read, if I may, these letters, or excerpts from a couple of letters. This is from the General Counsel, Department of Defense, dated June 14, 1957, to Chairman DAWSON:

Because of your sudden illness, it was not possible for the subcommittee to hear me, although I understand that a copy of my prepared statement was made a part of the record on H. R. 3378. * * * For these reasons I urgently request—

Now listen, this letter is from the General Counsel of the Department of Defense, the top boy.

For these reasons, I urgently request an opportunity to present the views of the Department of Defense on H. R. 7390 to the Executive and Legislative Reorganization Subcommittee.

I see before me the majority leader, who is a member of the committee, the gentleman from Massachusetts [Mr. MCCORMACK]. I am not charging that he overlooked anything. Perhaps it never came to his attention. But, there is the representative of the Secretary of Defense making a written request of the chairman of the committee, who either at that time or shortly before was confined to the hospital, and no consideration whatever was given to that request from Counsel of a Cabinet officer.

In all fairness, as members of a coordinate branch of the Government, on a bill of this kind which attempts to set up legal standards for housekeeping in an executive department, should we not, out of just common courtesy, hear the General Counsel for the Department of Defense before we write rules and regulations which cover their everyday life and doings?

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Michigan.

Mr. JOHANSEN. I wonder what the gentleman's view would be as to the attitude of the supporters of this legislation toward a similar set of rules and standards to cover the legislative branch. I have in mind the fact that as a member of the House Post Office and Civil Service Committee, during the very extensive hearings on postal rates, those of us who favored increased postal rates were clubbed over the head repeatedly by the report of the so-called Citizens Advisory Council of the Post Office and Civil Service Committee of the other body, whose origin, whose meetings, whose activities were never disclosed to us, and which included in its membership representatives of the publishing interests and a representative of the letter carriers' union. I wonder if we ought not to practice the rule of "Physician heal thyself."

Mr. HOFFMAN. Well, it is always easy to set forth fully some particular line of conduct for someone else than for each of us to do the same thing. I think that comes from the Scripture, that last part, does it not? The gentleman, being a former minister, I am sure he is accurate about that.

Mr. JOHANSEN. As is always the case with the gentleman in reference to such quotations, he is correct.

Mr. HOFFMAN. I wish that was as true as the other statement. But I am willing to follow the Book the gentleman mentioned.

Here is a letter from Mr. Maurice H. Stans, Acting Postmaster General, dated June 14, 1957. That is the same date as the one from the Defense Counsel. Here is what he wrote. And I know we want to comply with the Postmaster General's recommendations, because recently we gave him more money when he made the request. We fussed around about it, but we finally gave it to him. We discovered that his judgment was right. Here is what the Acting Postmaster General wrote:

> It was with considerable surprise that we noted from the CONGRESSIONAL RECORD for June 13, 1957, that the Committee on Government Operations has ordered favorably reported H. R. 7390, to amend the Administrative Expenses Act of 1946.
>
> H. R. 7390 places certain limitations on advisory boards. * * * It is almost the same as the committee print bill which you sent to the Department with your letter of April 9, 1957, requesting comments. In that letter you advised that hearings would be conducted by the Executive and Legislative Reorganization Subcommittee on April 30, 1957, and requested the Department's statement on the committee print not later than Monday, April 29. Copies of the statement proposed to be delivered by the General Counsel were sent to the committee on April 29, and although the General Counsel was in attendance at the meeting on April 30, the committee did not hear his testimony on the bill.
>
> It is regretted that the committee ordered H. R. 7390 reported without receiving testimony from representatives of the Post Office Department.

That is the same question that I raised a moment ago. Should we not now, regardless of the merits of this particular bill we are considering, in common decency, ordinary courtesy, send the bill back to the committee with a request that they hear the representatives of these two departments?

We ask as much, we ask more. We have subcommittees of the Committee on Government Operations. Each of these subcommittees has a staff. I am not complaining about what they do, but staff members call up executive departments and ask for information and ask for files. And they are courteously answered by a production of what they want. I know of one case when they asked a Cabinet member to come up and see them.

When I want something, I go to the person and see him; I do not ask him to come and see me. Maybe that is not common courtesy, but I find a better reception if I go down and see him instead of asking him to come up and do me a favor.

So, in answer to the gentleman from Michigan [Mr. JOHANSEN] that is what some of our committees do.

Mr. JOHANSEN. If the gentleman will yield, I should like to say that the Committee on the Post Office, of which my very good friend the gentleman from Florida [Mr. FASCELL] was a member and an adornment, up until this year, we make it a point to be very sure that we hear both sides of issues before we act on proposed legislation.

Mr. HOFFMAN. As was said before, this unfortunate situation just happened. Nobody could have prevented it unless someone had been following the committee hearings minute-by-minute. It just happened and this is not in criticism of anyone. I just want to remedy the situation now, if we can, and we can if we wish.

Up until this moment I have been unable to ascertain either the need for or the desirability of the enactment of this bill. During the hearings on this legislation the witness from the Department of Commerce testified:

> I suppose that these bills would not be proposed unless it was felt by someone that accomplishment of these objectives was necessary to eliminate some aspects of the use of advisory committees that are considered sinister.

I should like to have the attention of the gentleman from Massachusetts [Mr. MCCORMACK], if I may, for just one moment. This was disputed by the distinguished majority leader at that time who objected to the use of the word "sinister" as being rather an extreme statement. He went on to say:

> The dictionary says wrong, dishonest, corrupt, and so forth. I do not know whether anyone has yet raised that question except you people, and I thought it was rather strange to be in a report from any department, and that the department itself should raise that issue against members of the committee, and in the absence of any evidence proving that, we assume the people are doing what they ought to do (hearings, pp. 99 and 100).

In this connection it is interesting to note in the additional views of the chairman of the Committee on Government Operations in House Report No. 576, to accompany H. R. 7390, the legislation is recommended because—

> It would protect the Government by making it difficult for representatives of special interests to insinuate themselves on advisory committees, and, under a veil of secrecy, gain a venal or flagitious advantage (rept. p. 22).

How does Webster define "venal" and "flagitious"? Venal is defined as "capable of being bought; open to corrupt influence, bribery; characterized by corrupt bargaining." Flagitious is defined as "shamefully criminal, grossly wicked, scandalous; guilty of enormities, villainous," and our majority leader thought that "sinister" was too strong a word to use in connection with this legislation.

It seems to me that what the committee is trying to charge is that these advisory committees are doing something terribly, terribly bad. As far as I have been able to read the record of the hearings, I have not been able to discover a single instance, and I will yield to the gentleman from Florida now if he cares to cite an instance, where anyone testified that one of these committees was doing something not only naughty but wicked; put it the other way, wicked or even naughty.

Mr. FASCELL. I appreciate the gentleman's giving us that opportunity, and I will yield to other distinguished Members of this body, who will be glad to point out specifically in detail and with great delight that which the gentleman seeks.

Mr. HOFFMAN. I do not care to yield to the other Members at this time. The gentleman can do that later on. But I know the gentleman from New York [Mr. CELLER], who is now after the baseball or football fellows, and who is always interested in this antimonopoly business, was on his feet, and I thought he was referring to something that happened in the past.

The House wrote legislation some time ago establishing advisory committees. There has been some criticism because there were too many of those committees. Perhaps that is true, but there never has been an administration that any Member of this House has ever heard of or had experience with that has not had advisory committees. The Government is just so big, the matters which come before the departments are so involved and so technical, that if we are to act intelligently we must have advisory committees.

That being true, are not those in charge of the executive departments able, intelligent, honest, and patriotic enough, have we not confidence enough in them, that we must now write legislation prescribing their daily tasks and how they should be conducted?

Write this legislation on the books, comply with this provision that every advisory committee meeting must have a stenographic report, as it does require, giving the names of those who appear, and the positions they take on proposed legislation, and who will be willing to testify? You might just as well insist that we do away with executive committee hearings when we are marking up a bill, that we do away with any secrecy whatever, wherever a confidential matter is up for discussion.

Advisory committee members are condemned before they hold a single hearing. Former advisory committee members have been accused of acting corruptly, in violation of Federal law.

The proposed legislation seeks to create the impression that the people and the Congress need protection from vicious, corrupt individuals; that this bill will aid in the accomplishment of that purpose.

That was the thought that was conveyed to Secretary of Commerce Weeks by the questionnaires put out by the committee. In his letter of April 29, 1957, to Chairman Dawson, among other things he wrote—hearings, pages 95–96:

> It is supposed that these bills would not be proposed unless it was felt by someone that accomplishment of these objectives was necessary to eliminate some aspects of the use of advisory committees that are considered sinister. The bills themselves are quite vague as to what evils they are intended to remedy. The committee print does not say anything on the subject. H. R. 3378 says it is offered "as a minimum safeguard against the use of any such group to influence public policy for the benefit of private interests." Whether or not this is a complete and accurate description of the purpose of the bill, it is quite clear that both bills are intended to protect the Government from some claimed sinister in-

fluence of advisory committees rather than to keep such committees from violating the antitrust laws.

When Mr. Nash, speaking for the Department, was before the subcommittee, he said—hearings, page 98:

I suppose that these bills would not be proposed unless it was felt by someone that accomplishment of these objectives was necessary to eliminate some aspects of the use of advisory committees that are considered sinister.

Almost immediately, the gentleman from Massachusetts [Mr. McCORMACK] challenged that statement and it was stated that no Member of Congress had any such idea—hearings, page 99.

The colloquy that then occurred seems strange indeed. The assertion then made was that no one was charging advisory committees with corrupt action when, in the debate here today, the charge is made; the need for the legislation is asserted to be protection of the people from evil men and specific instances are to be cited.

Proponents of this bill may deny that the bill is based largely on the charge that some advisory committees have acted corruptly, but the lack of any foundation for that denial is shown by the testimony just quoted.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. McCORMACK. Did the gentleman oppose this bill in committee?

Mr. HOFFMAN. Yes; I did. I wrote my minority views. They are on pages 12 to 21, inclusive, of the report.

Mr. McCORMACK. When the vote was taken; did the gentleman oppose the bill at that time? We know the gentleman writes minority views after the bill is reported out. That is nothing unusual.

Mr. HOFFMAN. That is customary if I am against it.

Mr. McCORMACK. That goes on all the time. I mean at the time the bill was reported out by the committee; did the gentleman vote against it then?

Mr. HOFFMAN. Sure.

Mr. McCORMACK. My recollection is otherwise.

Mr. HOFFMAN. Oh, I know, my recollection is just as good as that of the gentleman. I know how you operate. The question is put: All in favor of the bill say "Aye—aye—the ayes have it." You have seen it time and again and so have I. What good would it do for me to get up in committee when I am in the minority and shout? What good would it do me? I try to be sort of charitable but there is an expert operator over there.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. FASCELL. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, there is indeed a necessity for maintaining avenues by which responsible Government officials may secure the advice necessary for their effective administration. I do not think anybody denies that. But, there have crept into this advisory committee system many grave abuses and our subcommittee of the Committee on the Judiciary investigating this matter did ferret out a considerable number of abuses. The subcommittee recommended that there should be certain standards of conduct, and we followed the advice and counsel of the Department of Justice, as to what those canons of ethics should be. It is true that the Department of Justice does not necessarily take a position on the proposed statute; if I know the situation correctly, the Department has indeed recommended certain canons and certain standards of conduct for the members of the advisory committee. Insofar as some of the departments have refused to adopt these standards, it is essential to have some sort of statute to compel them to adopt these standards. Why should there be any objections to a minimum standard of conduct? This bill simply establishes such a minimum. The gentleman from Michigan asks and challenges anyone to indicate where there was any untoward conduct on the part of an advisory counsel.

Mr. HOFFMAN. In the record.

Mr. CELLER. I direct his attention to the Business Advisory Council of the Department of Commerce.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. HOFFMAN. What I asked was where in this record is there any instance of improper conduct on the part of an advisory committee?

Mr. CELLER. Well, perhaps, I was in error. I apparently did not hear correctly.

Mr. HOFFMAN. If you have it outside of the record, that is all right too.

Mr. CELLER. I will say, however, despite that—that there is untoward conduct on the part of what is known as the Business Advisory Council of the Department of Commerce. That council is composed of some one hundred-odd heads of the largest corporations of this country. They meet periodically at some of the swank country resorts. They have a suite of offices in the Department of Commerce. They operate under the imprimatur of approval of the Department of Commerce. They have a paid director who gets a salary of $25,000 a year. The members of this council—and mind you this is a business advisory council under the auspices of the Department of Commerce—the members are assessed dues every year. They have bank accounts in the city of Washington. They have a retirement fund for their director. I will read a part of the recommendation and the conclusions of our committee in that connection.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. FASCELL. Did your committee also find that the Secretary does not select the members of that committee and that is a self-perpetuating body?

Mr. CELLER. That is correct. There are many things that I could cover, but I cannot do it in 10 minutes. The BAC, that is, the Business Advisory Council, has a paid executive director, Walter White, who receives $25,000 a year from the council and he is not a Government employee. For the benefit of Walter White, the council has established a retirement fund of approximately $120,000 in lieu of civil-service benefits for which he is not eligible as a privately employed individual. In addition to that, the BAC hires consultants as needed in the activities of the subcommittee. Mr. White receives deposits and disburses funds of the BAC under no Government supervision. His accounts are not audited by the General Accounting Office. Certainly if BAC were a Government agency no such freedom of funds could exist.

In addition thereto the BAC affords interesting examples of the problems which arise when administration officials attempt to authorize a hybrid private-Government group to organize and advise the Government. Partaking of both governmental and private characteristics, the BAC is able on the one hand to claim all of the privileges and immunities of the executive departments. On the other hand, unencumbered by the rigid restrictions applicable to Government agencies, BAC is able to cut a wide swath across all areas of Government and business. Clearly, it would be remiss for the Government to spend sums approaching $20,000 a year for meetings at White Sulphur Springs, Hot Springs, or Pebble Beach under the guise of obtaining the advice of corporate executives. Expenditure of Government funds for lavish gifts for the Secretary of Commerce and for retiring chairmen of the council would certainly elicit criticism. Nor could the Secretary of Commerce, as a Government official, hire a John Gall to press BAC views upon another administrative official, notwithstanding the latter's rejection of the BAC and its tendered advices.

Any organization created by a Government official to assist him by furnishing advice and cooperation necessarily must be conceived in the context that the organization is to be a governmental body. Administrative officials have no authority to create private organizations or to vest attributes of their office in private organizations. And that is exactly what Secretary of Commerce Weeks has been doing and, incidentally, his Democratic predecessors had done the same thing. I level my criticism not only against the Republican Secretary of Commerce; I level my criticism also against the Democratic Secretaries of Commerce. It was done right through the administrations of President Roosevelt and Truman and Eisenhower. It is most reprehensible to have the help of men who privately designate themselves and their successors as the business advisory council under the imprimatur of approval of the Secretary of Commerce, have bank accounts which cannot be audited by the General Accounting Office, set up emergency funds, set up retirement funds, and then, on the other hand, claim all the immunities that are attached to an advisory council set up by a Government official.

When you have such a situation it is time to call a halt. At least let us shed the pitiless light of publicity upon the

activities of the Business Advisory Council.

Our committee asked the Secretary of Commerce to let us see the records of the Business Advisory Council. We were repeatedly refused those records. What has the Secretary to fear? Why should we not, Representatives and responsible Members of Congress, have the right to see what has transpired behind this curtain, as it were, set up by the Business Advisory Council?

This bill will not go all the way but it will go a good part of the way to remedy the situation and will force the business advisory councils at least to have a Government agent presiding over those meetings. They will not be able to set the agenda; the agenda would have to be set by a Government official, and then they could not get together to fix prices; they could not get together to allocate territories. The evidence is replete in our hearings that not only the Business Advisory Council but others of the advisory committees did just that, all in violation of the antitrust laws. For that reason it is hoped that we will have this modicum of relief as is embodied in this bill. I am very happy to make this slight contribution toward the passage of this much needed legislation.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Florida.

Mr. FASCELL. I want to thank the gentleman in behalf of the committee for the fine study and investigation that was made by his subcommittee because we found it invaluable in our considerations. I appreciate the very fine statement he has made in support of the bill.

Mr. HOFFMAN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Chairman, I have listened with great interest to the remarks of my friend from New York with reference to the report of the Antitrust Subcommittee of the Committee on the Judiciary relating to an investigation of the so-called WOC's and the advisory groups in the Department of Commerce.

I call attention to the fact that the report of the subcommittee to which he referred had a vigorous dissent from three Republicans, the gentleman from Ohio [Mr. MCCULLOCH], the gentleman from Pennsylvania [Mr. SCOTT], and myself.

It is not an accurate statement that the Department of Commerce declined to furnish their minutes to our committee. The fact is that on the 29th day of July 1955, the Department of Commerce, after receiving a request from our committee which required them to spend days and days of searching, did furnish the subcommittee all minutes of industry advisory groups which had been requested with but a single exception and that was declined on the ground that our national security was involved.

There were a few instances brought to our attention in the lengthy hearings of our committee which are referred to in the minority views where we in no sense condoned the action taken by certain personnel in the Department of Commerce. I do not recall whether they were during a previous administration or during this one, and I commend the chairman for his frankness in saying these conditions of which he complains have existed in previous administrations as well as in the present administration.

Of course, no one serving on an advisory committee should try to serve two masters. He should confine himself while he is in the Government employ to the service of the Government and he should have no other interest. There were only 2 or 3 isolated cases where we who signed the minority views felt that criticism could properly be leveled.

Several months before our hearings commenced, the Secretary of Commerce and his Department did change a number of their procedures. Then, during the hearings, an Executive order was issued making further changes. That is all reflected in this report of the minority. The situation in short is not as horrendous as the chairman of the Committee on the Judiciary would indicate by the remarks he has made. But the efforts by the Department to improve its procedures brought down on its head nothing but severe partisan criticism from our committee.

After all, most of these men come to Washington and perform—and did during World II and during the Korean emergency—a patriotic service for our country without a dollar of compensation. It will be a sad day for our country when we discourage men from coming here to volunteer their services in the interest of helping the country that they love just the same as you and I love it who are serving here in this body.

Perhaps this bill can be amended in proper shape so that it can have my support. I shall not support it in its present form. To pass this bill just in an effort to visit a punishment upon somebody in some Government department who is not kowtowing to every whim of a congressional committee would be a great mistake and would be beneath the dignity of this body. There are at least two Government departments, the Post Office Department and Defense Department, which expressed a desire to be heard, in opposition to this bill, but their request was ignored. What should be done here today, at the very least, is to send this bill back to the committee with instructions to take further evidence on its merits, and bring the bill back here again.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Would the gentleman agree with the proposition in regard to businessmen serving two masters, that the same principle ought to apply to magazine publishers and others who sit on legislative citizens advisory councils?

Mr. KEATING. It should apply to any group that serves in an advisory capacity. They should divorce themselves from any private interest whatsoever. For instance, no one should, under any circumstances, be in a position to pass upon a question of tax amorization certificates for a company with which he then or in the past had any connection. That is an illustration of the type of thing which I feel should be prohibited.

Mr. JOHANSEN. Would the gentleman agree that that applies also to the recommendations, in an official capacity, of a member of a legislative advisory council with respect to postal rates in which the person has a direct business interest?

Mr. KEATING. Yes. I think it applies throughout the Government. No one in an advisory capacity should have a personal interest, with this possible exception: It may be necessary, in an advisory committee, to have two points of view in order to get the full story. In that case it might be essential to have members selected who present both points of view. But, great care should be exercised and, I believe, in general has been exercised by the heads of the executive departments to be sure that the advice which they get takes into account all factors and is not one-sided in its character.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Michigan.

Mr. HOFFMAN. I read from page 22 of the report on this bill:

> It would protect the Government by making it difficult for representatives of special interests to insinuate themselves on advisory committees, and, under a veil of secrecy, gain a venal or flagitious advantage.

Now, the gentleman has been here for a long time. Does the gentleman know of anyone who ever came down here with that idea in mind?

Mr. KEATING. No; I do not.

Mr. HOFFMAN. Well, who is coming down here if that is the charge to be made when they get here? You are a crook, they say; come on down.

Mr. KEATING. This flagitious word intrigued me somewhat, and troubled me, so I went to the dictionary and I found it described as: "Disgracefully or shamefully criminal, grossly wicked, scandalous, guilty of or characterized by enormous crimes or scandalous vices, villainous, corrupt." And the synonym given is heinous or wicked.

I do not think that the author of that report would have felt free to use these more commonly used terms in describing the actions of these men. I regret extremely that this word "flagitious," whatever it is, was allowed to creep into this report, because I think it creates a completely wrong impression of what 99½ percent of these men are trying to do who come here to serve their country.

Mr. FASCELL. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from North Carolina [Mr. FOUNTAIN] who will now define the word in question.

Mr. FOUNTAIN. Mr. Chairman, ladies and gentleman of the Committee. I support H. R. 7390.

As chairman of the Government Operations subcommittee which has jurisdiction over activities of the Department of Agriculture and its related agencies, I have become reasonably familiar with problems involving the use of advisory committees. Advisory committees in the

Department of Agriculture are not new, nor are their operations necessarily subject to criticism. For example, a large number of advisory committees have been appointed under specific authority of the Research and Marketing Act of 1946 to assist the Department in such activities as plant and animal disease control and crop improvement.

Many of these advisory committees serve a very usual purpose. They are capable of performing a valuable public service when they are properly and wisely constituted and used.

The gentleman from Michigan [Mr. HOFFMAN] poses the question, Who wants this legislation, or why is it necessary?

I want to give this committee some reasons why this legislation is necessary—why it is badly needed.

Very definitely, there are areas in which the activities of advisory committees obviously require extremely close scrutiny. The Commodity Credit Corporation, a Government instrumentality which operates under the supervision of the Secretary of Agriculture, buys and sells billions of dollars worth of commodities annually. Its actions can easily have tremendous effect on the profits or losses of private concerns dealing in agricultural commodities, particularly those firms which transact business with the Commodity Credit Corporation.

In recent years, the Secretary of Agriculture and his subordinate officials have appointed many new advisory committees to advise the CCC on the acquisition, disposition, and storage of surplus agricultural commodities. Few, if any, of these committees have been specifically authorized by Congress. Almost without exception these new committees include representatives of companies which buy tremendous quantities of commodities from CCC.

A man who is asked to advise the CCC about selling the same commodities his company is buying from CCC occupies a position with a built-in conflict of interest.

The standards of operation recommended by the Justice Department for industry advisory committees would not eliminate the basic conflict of interest inherent in the use of advisory committees for certain functions; but such standards would help to lessen the danger that the public interest would be subordinated to private interests. However, there have been many instances in which the Department of Agriculture has failed to follow the recommendations of the Justice Department. Proper minutes often have not been kept; on occasion there has been neither specific statutory authority for the employment of an advisory committee nor an administrative finding that it is necessary to utilize such committees to perform statutory duties; there are instances in which industry representatives, rather than Government employees, have served as chairmen of committees.

Disregard of standards established by the Justice Department for the protection of the public interest would be bad enough in itself; it is particularly serious in the case of these advisory committees, because of the great opportunity for private profit at public expense, and because of the known abuses which have occurred.

For example, industry members of the Agriculture Department's Dairy Industry Task Committee recommended that the Commodity Credit Corporation adopt a plan for purchase of dairy products and simultaneous resale to the owner at a lower price. One of the men who made this recommendation was vice president of a firm which later received more than $700,000 from CCC in purchase-resale transactions. A total of more than $2 million was paid out in this and other similar transactions, which were held to be unauthorized and improper by the Comptroller General after an investigation by our Subcommittee on Intergovernmental Relations. Most of the money went to firms with representatives on Agriculture Department advisory committees. The Justice Department is now engaged in legal action to recover the improper payments and has been upheld by the courts in all cases tried to date, despite the vigorous and continued opposition of the Department of Agriculture.

In March 1956, three members of the Secretary's Cotton Export Advisory Committee were indicted by a Federal grand jury in New Orleans on charges that they had conspired to fix prices on the purchase of more than $20 million worth of cotton from CCC.

In October 1953, the CCC sold 15 million pounds of seed which had cost the Government more than $6 million to a syndicate composed of members of the Secretary's Seed Advisory Committee at less than one-third of its original cost. The syndicate was headed by the chairman of the advisory committee. The seed was sold by negotiation rather than competitive bids and not advertised in the usual way. Other buyers who might have been interested had no opportunity to participate.

In April 1953, CCC sold 77,000 tons of Austrian winter peas through a negotiated sale at a price $30 per ton below the last publicly advertised figure, and $20 a ton below the price being quoted to other buyers who made inquiry. The peas were sold to a three-member syndicate, represented by a man who had participated in an industry conference with CCC early in April at which sale of the peas was discussed.

The CCC included in the contract an extremely unusual provision by which it agreed to refrain from further sales of peas in the west-coast area for a full year.

Many of you, I am sure, remember the grain-mixing scandals which occurred 4 or 5 years ago. A number of grain companies obtained Canadian wheat imported at a low duty as unfit for human consumption, mixed it with American wheat and shipped it under Government programs and proceeded to illegally claim an export subsidy from the Department of Agriculture. A number of corporations and their officials were indicted for their actions in this affair. One of the men indicted is vice president of a firm which buys millions of dollars worth of commodities from the Department of Agriculture monthly. While under indictment for allegedly helping to defraud the Government in connection with grain exports, this man was also a member of the Department of Agriculture's Advisory Committee on Grain Exports. It is interesting to note, furthermore, that the Justice Department later dropped charges against this individual even though his company pleaded guilty.

Mr. Chairman, I think these examples give ample evidence of the need for careful regulation of advisory committee activities where the opportunity exists for private profit at public expense. This bill is not a drastic remedy, but it is a step in the right direction. It would simply give the force of law to standards already recommended by Attorneys General of both parties. In addition, it would require that the Congress be kept more fully informed concerning the nature and activities of advisory committees.

I strongly urge the passage of H. R. 8390 as a very definite step in the right direction.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FASCELL. Mr. Chairman, I yield 2 additional minutes to the gentleman.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. FOUNTAIN. I yield.

Mr. HOFFMAN. I think most of us are familiar at least with some of the cases to which you made reference. Just how will this bill stop that practice—not that practice, excuse me, but those incidents?

Mr. FOUNTAIN. I remind the gentleman from Michigan that the distinguished gentleman from Florida [Mr. FASCELL] did an excellent job of explaining this legislation. He very clearly told us the purpose of this legislation and how the standards and requirements therein contained might prevent abuses and practices such as those I have described. Surely, it is not a cure-all. It does not give us complete assurance, but it will cause the various agencies of Government to stop, look, and listen when they plan the formation of these advisory committees. They will, I sincerely believe, exercise more care and caution in the selection of the members of such advisory committees. In addition, there will be closer and better supervision over the activities of advisory committees. I think H. R. 7390 will put agency and department heads and all others affected by it on notice that the membership and activities of advisory committees will be closely examined. It is right and proper that this be done. I believe it will discourage appointments and/or improper activities of members who are actively associated with persons or companies regularly engaged in business with agencies of the Government, such as the Commodity Credit Corporation, where millions upon millions of dollars in purchase and sale transactions are regularly taking place.

Mr. HOFFMAN. Is it not true that ordinarily the average member of one of these advisory committees has had

experience in the business and has an interest in the subject discussed, a financial interest?

Mr. FOUNTAIN. I think that is quite often true. As has already been pointed out a department may still get the benefit of the counsel and factual information which any reliable person is willing to offer but this legislation will put all in places of public trust on notice that they must exercise every care and caution to avoid the pitfalls and dangers which may well follow transactions involving conflicts, or possible conflicts of interest.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FOUNTAIN. I might say, if they are requested, I have the names of the individuals and the companies involved in the situations I have described in support of this bill.

Mr. HOFFMAN. Mr. Chairman, I yield the gentleman 2 minutes. Will the gentleman yield for a question?

Mr. FOUNTAIN. I yield.

Mr. HOFFMAN. Do you not believe that if substantial and well-posted citizens in any industry are to be asked to come down here to act as members of an advisory committee; do you think they will come freely if we write these strict regulations and they come down under a cloud of suspicion?

Mr. FOUNTAIN. I think they will come. I do not think they should come if they come down here with an ulterior motive. Honest men have nothing to fear from this legislation.

Mr. HOFFMAN. Of course not.

Mr. FOUNTAIN. I think every effort should be made to eliminate that possibility, to prevent their serving if they have ulterior or selfish motives.

Mr. HOFFMAN. And no responsible, patriotic individual would ask them down if he had the slightest idea that they were coming here for an improper purpose.

Mr. FOUNTAIN. I would not think so either. I certainly hope not.

Mr. HOFFMAN. Do you think an average citizen who devotes his time at financial loss to himself is to be told every time he comes here that he is just down here to feather his own nest, that they will come? Where are you going to get these advisers with this kind of legislation? In your opinion, will it not discourage these individuals?

Mr. FOUNTAIN. I was amazed in reading the report, not being on the subcommittee, to find that this advisory committee device has increased in popularity to such an extent that the United States Government is now using over 35,000 committees of one kind or another. It seems to me that advisory committee bureaucracies are getting mighty numerous and that we, the Congress, ought to do something to eliminate the many dangers inherent in their growth, and especially the dangers which flow or can flow from obvious conflict of interests situations.

Mr. HOFFMAN. Being a small time individual, that seems a tremendous number to me, but it is big business, we are told.

Mr. FOUNTAIN. Yes, it is so big that the Congress has the definite responsibility of taking necessary steps to preclude such big business from working and operating to the detriment of the taxpayers we represent and in its own self interest.

Mr. HOFFMAN. Yesterday we passed the poultry inspection bill, yet the plants were doing it themselves and the States were dong it, but we had to come along and put another one on top.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. FOUNTAIN. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I well remember the testimony appearing on pages 48, 49, and 50 in respect to questions I asked Mr. Haskell of the General Services Administration, that the General Services Administration had pretty nearly been following this bill even before it was reported out of committee.

Mr. FOUNTAIN. That is right.

Mr. McCORMACK. We went over it requirement by requirement showing that the General Services and industry advisory committees were insisting that the committees operate under provisions that are included in this bill.

Mr. FOUNTAIN. I am happy to say that the situation has improved on a voluntary basis, but we have no assurance that these conditions have improved sufficiently to eliminate the necessity of this, what appears to me to be, reasonable legislation.

Again, I urge the passage of this bill.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Administrative Expenses Act of 1946 is amended by inserting immediately after section 15 thereof the following new section:

"SEC. 15A. (a) No advisory committee or other advisory panel or group (hereafter in this section referred to as an 'advisory committee') shall be established in a department unless, not less than 30 days before such advisory committee is established, the head of such department has transmitted to the Speaker of the House of Representatives and the President of the Senate (or if the Congress is not in session, to the Clerk of the House of Representatives and the Secretary of the Senate) a written report setting forth the following information:

"(1) If a statute specifically authorizes or requires such advisory committee to be established, the citation of such statute; or if there is no such statute, the authority in law which is relied upon for the establishment of such committee together with the administrative determination that the services of such advisory committee are in the public interest and the reasons upon which such determination is based; and——

Mr. HALLECK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HALLECK. Is the bill in one single section?

The CHAIRMAN. It is in one section.

Mr. HALLECK. So no amendments would be in order until the bill has been read in its entirety.

The CHAIRMAN. That is correct.

The Clerk read as follows:

"(2) (A) The number of members on such advisory committee and the area of interest which each member will represent, (B) those members of the advisory committee who will serve without compensation, and those who will receive compensation, (C) the expenses of the advisory committee, or its members, or both, to be paid by the United States, and (D) how long it is anticipated that such advisory committee will function.

"(b) Each advisory committee heretofore or hereafter established in any department shall be subject to the following minimum standards:

"(1) The agenda for such advisory committee shall be formulated by a full-time salaried officer or employee of the Government.

"(2) The meetings of such advisory committee shall be at the call of, and under the chairmanship of, a full-time salaried officer or employee of the Government.

"(3) Full and complete minutes of each meeting of such advisory committee shall be kept, which shall contain, at a minimum, (A) the name of each member of such advisory committee attending such meeting, (B) a summary of the matters discussed in such meeting, stating the viewpoints expressed, and (C) the conclusions reached by the advisory committee.

"(4) The functions of such advisory committee shall be purely advisory.

"(c) (1) The President is hereby authorized to issue such regulations, not inconsistent with the standards prescribed in subsection (b) or any other provision of law, as he may deem necessary for effective control of the use and activities of advisory committees in departments.

"(2) The President shall cause to be prepared annually a public report detailing the membership of each advisory committee used by each department; the functions of each such advisory committee; and the extent to which the operations of each such advisory committee have not complied with the standards prescribed in subsection (b).

"(d) This section shall not apply with respect to any advisory committee (1) which consists entirely of full-time salaried officers or employees of the Government, or (2) which is authorized by law to perform administrative or operative functions."

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, line 2, after the word "formulated", insert the words "or approved."

The committee amendment was agreed to.

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Ohio: On page 3, line 5, after the comma at the end of line 5, insert the words "or conducted in the presence of."

Mr. BROWN of Ohio. Mr. Chairman, this amendment, which has been discussed with other members of the committee, simply provides that instead of requiring at all times the chairman of one of these advisory groups to be a representative of the Government, that is, a salaried officer or employee, that the committee either be chairmaned by such an employee representing the Government, or that such a meeting be conducted in the presence of such an employee or official of the Government. I am very hopeful that the amendment may be accepted.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Florida.

Mr. FASCELL. The amendment is acceptable as far as the majority side is concerned.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. BROWN].

The amendment was agreed to.

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Ohio: On page 3, line 8, after the "(3)" strike out the words "Full and complete" and capitalize the word "minutes."

Mr. BROWN of Ohio. Mr. Chairman, this is a corrective amendment to make clear the meaning of this particular section, because, as printed in the bill, the requirement would be that full and complete minutes be kept in one portion of the paragraph, and, in another portion, minutes would be kept in substance. So striking out the words "full and complete" simply provides that minutes shall be kept of each meeting of such advisory committee, which will contain the name of each member of such advisory committee attending, and (b) a summary of the matters discussed in such meeting stating the viewpoints expressed, and (c) the conclusions reached by the advisory committee. This would end a conflict of language that now exists.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Florida.

Mr. FASCELL. It certainly was not the intention of the committee to require a verbatim transcript of the meetings, but I believe the gentleman will concur with my statement that it was the intention of the committee in setting up the requirement for summarization of the minutes that all viewpoints would be expressed.

Mr. BROWN of Ohio. That is still retained.

Mr. FASCELL. And divergent views, without identifying the particular individual who might have given them.

Mr. BROWN of Ohio. I think the language carries that thought already.

Mr. FASCELL. The purpose of putting in the words "full and complete" originally was with the idea of having a full and complete summarization; but in order to eliminate any misinterpretation that might come about, as, for example, to require a verbatim transcript of the minutes, the majority will accept the amendment of the gentleman.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. HOFFMAN. Mr. Chairman, we have now an illustration of what this bill is all about. The committee had considerable trouble with section (3). The bill reported by the committee—and I know the gentleman from Massachusetts will correct me if I am wrong—provided full and complete minutes. The basic objection all the time of the departments has been that they are required to keep a record of everything that is said at an advisory committee hearing. You might just as well keep a record of what happens in your family at home, then peddle it out to the neighbors, and hope to have a happy family and a happy neighborhood.

Take a look at this amendment. The bill says "full and complete minutes." The amendment limits it to "minutes." If you take minutes of anything, what do you take? Do you use sketchy language? Who determines what goes in and, when you have a stenographer or reporter, what goes in the record? This amendment is an excuse for voting for this bill and that is all right with me if you want to do it that way.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. If the gentleman will read the bill or the language of that particular provision of the bill, especially in view of striking out the words "full and complete," it sets forth that the minutes will show only a summary of the views expressed.

Mr. HOFFMAN. The name of each member of such committee, the summary of the discussion and the viewpoints expressed. If I am going to be a member of a committee like that I would like to have taken down what I said, not what some stenographer or clerk thinks I said. I do not want anyone summarizing for me. It is like saying, well, I am honest today, then I come along tomorrow and say, I am completely honest today. What is the difference? The amendment does not mean a thing. The purpose of the bill is to require minutes of everything that is said and done and then come back with "Mr. Jones attended. He was selling scrap and the Government bought the scrap." "Jones advocated selling and Jones sold to the Government." Some today throw out the inference on every occasion that a businessman who has been successful is in Government—he is crooked—corrupt.

A few may be but they have little influence and at the first hint, out they go on Ike's order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. BROWN].

The question was taken; and on a division (demanded by Mr. BROWN of Ohio) there were—ayes 77, noes 0.

So the amendment was agreed to.

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Ohio: Page 4, line 6, after the word "by", insert the word "statutory"; page 4, line 7, after the word "operative", add a comma and the words "or executive."

Mr. BROWN of Ohio. Mr. Chairman, this is simply for the purpose of clarifying the meaning of this section so as to make certain, in the bill and in the act, that statutory committees or advisory groups set up by law are exempt from any provisions of this bill, if it is enacted into law.

Mr. FASCELL. Mr. Chairman, I have an inclination that we might get together, except for the last statement of the gentleman of Ohio, and if the last statement is correct, I would have to rise in opposition to the amendment very strongly. As I understand, you seek to add the word "statutory" after the word "by" on line 6, page 4; is that correct?

Mr. BROWN of Ohio. That is correct.

Mr. FASCELL. That phase of it, I say very quickly, I personally would have no objection to. Now, on line 7, after the word "operative" you add the words "or executive."

Mr. BROWN of Ohio. Yes. I struck out the word "other", after my discussion with you earlier, and used the word "executive." In my opinion that was our understanding.

Mr. FASCELL. It is certainly not the intention of this committee by this legislation to include any committee which is set up by statutory law which has administrative or operative or executive functions, but if the committee is set up by statute and its function is purely advisory, it would still come within the purview of this bill, unless the statute setting up the committee otherwise dictates. Now, if in this colloquy we understand each other that by your amendment you do not exclude advisory committees set up by statute which are purely advisory in nature and do not have an administrative, operative, or executive function, then I say we are in agreement.

Mr. BROWN of Ohio. I think we have a meeting of minds. I had in mind, as a reason for offering this amendment, the situation that exists in the Department of Health, Education, and Welfare that the gentleman mentioned in general debate on the floor today, wherein certain duties and responsibilities are placed upon a committee that passes upon the need for hospitals under the Hill-Burton Act, for example.

Mr. FASCELL. I agree with the gentleman thoroughly.

Mr. BROWN of Ohio. And I think there was one committee or perhaps two in the Defense Department that come under this same category, and have to clear certain things from a scientific angle.

Mr. FASCELL. I will say to the gentleman that it certainly was the committee's intent and still is to exclude from the purview of this legislation any advisory committee set up by law which performs administrative or operative functions.

Mr. BROWN of Ohio. There was a feeling expressed to me on behalf of, for instance, the medical committee I just mentioned and 1 or 2 other committees in the Department of Defense, that the words "administrative and operative" were not sufficient, because they do have certain executive functions.

Mr. FASCELL. As long as we are clear that it does not exclude a committee set up by statute which is purely advisory in nature.

Mr. BROWN of Ohio. That is my interpretation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. BROWN].

The amendment was agreed to.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMS of Mississippi: On page 4, line 7, before the period, insert the following: "or (3) appointed to give scientific advice."

Mr. WILLIAMS of Mississippi. Mr. Chairman, in view of the colloquy between the gentleman from Ohio [Mr. BROWN] and the gentleman from Florida [Mr. FASCELL] just a moment ago, I am not quite certain whether it is intended by this legislation to exempt the operations of advisory committees set up by the Public Health Service, the Food and Drug Administration and other such agencies of the Department of Health, Education, and Welfare, whose duty it is to pass on the scientific aspects of various drugs and treatments.

Several days ago I made an inquiry of the Food and Drug Administration regarding their position on this legislation, and the effects that it might have upon their operations. In reply, I received a 2-page letter from Mr. Harvey, the Deputy Commissioner, in which he took exception to the provisions of this bill with respect to the 30-day notice, the keeping of records and several other phases.

At this point, Mr. Chairman, under permission previously granted me in the House, I submit a copy of this letter for the RECORD.

The matter referred to is as follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
FOOD AND DRUG ADMINISTRATION,
Washington, D. C., July 9, 1957.

Hon. JOHN BELL WILLIAMS,
House of Representatives.

DEAR MR. WILLIAMS: This complies with your request for a statement of the effect H. R. 7390 would have on our administration of the Federal Food, Drug, and Cosmetic Act were the proposed bill enacted.

Among other things, the bill would establish rigid standards for the organization and conduct of meetings of advisory committees, including the keeping of minutes. It would require a full-time salaried employee of the Government to form or approve the agenda for the advisory committee meeting. It would require meetings of the committee to be at the call of and under the chairmanship of a full-time salaried officer or employee of the Government. Additionally, under the bill, we would be prohibited from establishing an advisory committee until 30 days after giving advance notice of our intention to the Congress.

These procedures would interfere seriously with the present excellent arrangements the Food and Drug Administration has for securing informal advice from outstanding groups of scientists on matters that require immediate consideration. It would do so in a number of ways:

To require 30 days' advance notice of our need to consult a committee would make it difficult, if not impossible, to follow the practice heretofore employed of convening outstanding scientists to secure their advice when they are attending national or regional meetings of their professional societies or associations. A number of outstanding medical groups have formed committees that are advisory to the Food and Drug Administration.

It may become necessary on short notice to solicit the advice of one of these groups. For example, recently when we were considering a new-drug application for an oral preparation to be used in the treatment of certain types of diabetes, we felt it desirable to consult outstanding diabetes specialists of the Nation to determine whether in their opinion the safety of the new drug had been established so that it could be released for general medical use. The consultation had to be prompt because the Food, Drug, and Cosmetic Act provides a strict time limit within which we must act on new-drug applications. Consequently, we arranged to consult these experts at the same time they were attending the national meeting on diabetes. A 30-day delay would have foreclosed our opportunity of consulting these experts while they were assembled already and might well have closed the door to our opportunity of consulting them as a group within the time limit allowed for the reaching of a decision.

It would be contrary to sound policy and accepted scientific procedure for the Food and Drug Administration, when asking a technical question of a medical society, to insist that the committee formed to develop the answer be limited by the restrictions in the bill. It would in appearance, if not in fact, indicate a Government dictation of the conclusions reached by such groups which is exactly what we must avoid when we request their help.

The requirements of the proposed law that formal minutes be kept on committee meetings would necessarily restrict the scientific discussions that scientists must engage in in order to make sound recommendations. This is true because favorable opinions, no matter how well qualified, could give rise to false or premature hopes as to the efficacy of a medicine, and unfavorable comments could become a source of misunderstanding and unjust harm to the reputations of individuals and organizations engaged in experimental and developmental projects if such comments were made a matter of record before full evaluation of a drug had been completed.

Further, the proposed law would appear to be in substantial conflict with the provisions of the Pesticide Chemicals Amendment of the Federal Food, Drug, and Cosmetic Act (sec. 408; enacted as Public Law 518, 83d Cong.). This law provides specifically that members of committees appointed in accordance with its provisions to advise this Department with respect to petitions for tolerances for pesticide chemical residues shall be selected by the National Academy of Sciences. The legislative history of this provision shows that the Congress did not intend in authorizing such committees, to impair the basic flexibility and independence of action necessary to the proper functioning of a committee. To provide the above-mentioned restrictions of H. R. 7390, with respect to advisory committees on pesticide chemicals, would appear to nullify the letter and the intent of section 408 of the Food, Drug, and Cosmetic Act.

Sincerely yours,

JOHN L. HARVEY,
Deputy Commissioner.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I furnished the gentleman from Florida [Mr. FASCELL] with a copy of this letter from Mr. Harvey, and at this point I should like to yield to him for comment on it, if he will.

Mr. FASCELL. Mr. Chairman, the gentleman may be assured of this, following the colloquy just held between myself and the gentleman from Ohio [Mr. BROWN], that it is not the intention of this legislation to require any committee authorized by Congress which has an administrative, operative or an executive function as distinguished from a purely advisory function. The criteria is not what this committee may or may not do. It is not the nature of the advice that it seeks to give. The criteria is, is it purely advisory or does it have a function other than the giving of advice which has been delegated to it by Congress?

The reason for that is that we seek to eliminate the possibility of the executive functions being delegated to committees without the authority of Congress. That is the purpose of it.

I would assure the gentleman that we have considered this matter very, very carefully and seriously. The legislation still has to be considered in the other body. We believe that we have covered all aspects dealing with scientific, technical and defense information.

This document deals with the Department of Defense. They have over 500 committees. Each one of them is listed. We have considered the problem of committees to which Congress has delegated a function other than the giving of advice. Therefore, we arrive at the exclusion which is in this bill.

Furthermore, we would submit that even a purely advisory committee would not be unduly restricted by the requirements of keeping minutes or submitting an agenda and the flexibilities which we have just written in by amendments would amply take care of the difficulty that has been raised or the question that has been raised by the Department of HEW.

Mr. WILLIAMS of Mississippi. Then, as I understand it, the gentleman feels that this legislation does not go to the extent of hampering the operations of the Food and Drug Administration and these other health agencies?

Mr. FASCELL. We are convinced that it does not. We seek only to require purely advisory committees to meet these basic minimum requirements in the bill.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

(By unanimous consent, Mr. WILLIAMS of Mississippi was given permission to proceed for 5 additional minutes.)

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Mississippi. I yield to the gentleman from Rhode Island.

Mr. FOGARTY. I am interested in this colloquy between the chairman and the gentleman from Mississippi. Where in the bill do you make these allowances for these advisory committees and statutory committees?

Mr. FASCELL. That is right there on page 4, subsection (d):

This section—

Meaning the bill—

shall not apply with respect to any advisory committee (1) which consists entirely of fulltime salaried officers or employees of the Government, or (2) which is authorized by statutory law—

That is the way we have amended it now—

to perform administrative, operative, or executive functions.

So the bill clearly excludes those types of committees.

Mr. FOGARTY. What about these other administrative committees ap-

pointed by the Surgeon General or the Department of Health, Education, and Welfare on emergency problems like this Salk vaccine and like the recent problem of the Asiatic flu epidemic in this country? It seems to me this would prohibit the Surgeon General from appointing such a committee unless he advised Congress 30 days prior thereto.

Mr. FASCELL. I can assure the gentleman that this legislation does not prohibit the secretary of a department from getting the expert or the consultant advice he needs with respect to an emergency on any matter. He has that authority under other law. This section merely states that if he is going to set up a new committee which is purely advisory, which has not been authorized by Congress in law, then in that case he would have to provide Congress with a notice of the intention to set up that committee.

Mr. FOGARTY. I have been informed by the General Counsel's office of the Department of Health, Education, and Welfare that they think this would prevent them from setting up some of these advisory committees.

Mr. FASCELL. I would respectfully take issue with the gentleman on that. We feel this is a matter which has been thoroughly considered. However, if some new question has arisen which we have not considered, all I can assure the gentleman is that it will have every opportunity to be thoroughly considered in the other body.

Mr. FOGARTY. They seem to think it would be impossible for the appointing authority to act speedily in the establishment of an advisory committee when emergency or other considerations call for the establishment of such a committee within the 30-day period. That is their feeling on the bill as they have read it and as they interpret it.

Mr. FASCELL. If they are convening a committee which has not been authorized by law and it is a new committee which is not now in existence, and it is a committee which is purely advisory, then in that case they would have to comply with the provisions of this law if they formalize or establish such a committee, panel, or group; but I repeat to the gentleman that does not prevent the head of a department under other law from getting the temporary or intermittent services of experts or consultants at any time.

Mr. FOGARTY. What is the other law to which the gentleman refers?

Mr. FASCELL. Section 15 of the Administrative Expenses Act.

Mr. FOGARTY. Does this section also hold it down to whether or not Congress is in session?

Mr. FASCELL. No.

Mr. FOGARTY. It does not?

Mr. FASCELL. It does not. Section 15 does not have any restrictions with respect to Congress being in session or out of session.

Mr. FOGARTY. So if Congress is not in session, they have to give this 30-day notice anyway?

Mr. FASCELL. Under the provisions of this bill, the answer to that is yes, but by virtue of section 15 the head of a department can secure the services of an expert or consultant despite this.

Mr. FOGARTY. Why should they make a report to Congress when Congress is not in session?

Mr. FASCELL. The main reason this provision is included in the bill is because there was considerable agitation in the committee to write into this law that no advisory committee could be established unless the Congress authorized it. Therefore, realizing that an advisory committee is an excellent managerial tool and not wishing to go that far in this legislation in restricting the use of advisory committees, we compromised in this legislation by providing that the heads of the departments could make a determination that this committee was necessary under existing law or under some other law or for reasons he set forth, as provided in the bill, provided he notifies the Congress in advance. This eliminates the question of then legislating that every advisory committee would have to be authorized by statute.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I ask unanimous consent to proceed for 30 seconds.

Mr. CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection?

Mr. WILLIAMS of Mississippi. Mr. Chairman, in view of the explanation given by the gentleman from Florida, and assuming that if he is in error, the matter will be thoroughly explored and corrected by the other body, I ask unanimous consent that I may be permitted to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi that his amendment be withdrawn?

There was no objection.

Mr. HALLECK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HALLECK: On page 1, lines 9 and 10, strike out the words "not less than 30 days before such advisory committee is established."

Mr. HALLECK. Mr. Chairman, earlier in the debate on this measure, I indicated I had serious misgivings about it. As we have proceeded in the consideration of the bill, I must say that those misgivings have been heightened. Earlier it was developed that certain witnesses apparently wanted to be heard and were not heard. The majority report contains statements and recommendations from the departments raising objections here and there not only overall to the bill, but to specific provisions of the bill. Some of those have been corrected in part at least by some of the amendments that have been adopted. There are others that have not been so corrected. So I must say I am a little afraid that when we get through with this bill and, if it does become law, that all we will have done is to tie up a lot of people in the country who could be helpful and useful in the operation of the Government, with so much redtape and such rigid directives and regulations that we may find ourselves in a much worse position than we have been.

I think first of all I ought to say that it is my understanding that the President is against this measure. Referring to the statements of the departments, it is obvious that they are against it. As I said, they have made certain suggestions, not all of which have been followed. I think we tend sometimes, as we discuss a matter of this sort, to think about so-called business people coming down here to advise. Well, I suppose in the Department of Labor, the leaders of organized labor are called in by the Secretary of Labor to consult with him and to advise him. I know that to be true. I have no doubt but what the people running the Department of Defense are calling in people all the time. The report indicates that to be true. They do that because they need their advice. Why, we hear all the time that the Government seems to be too far from the people. I am a little afraid that this measure overall is going to remove the Government just that much farther away from the people. If that is the end result, then instead of bettering a situation, we are going to make it worse.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. McCORMACK. In connection with the amendment offered by the gentleman, your amendment would strike out "not less than 30 days before such advisory committee is established"; is that correct?

Mr. HALLECK. That is correct, yes.

Mr. McCORMACK. That means, of course, that the head of any agency before he could formally establish a committee would have to make a report to both branches of the Congress, as provided in the bill.

Mr. HALLECK. If that language is taken out, instead of notifying 30 days before he can establish it, he would have to notify or transmit to the Speaker and to the President of the Senate setting forth the information.

Mr. McCORMACK. But that would be before he made the actual appointment. That would be before the appointments were formally made; is that correct?

Mr. HALLECK. I would say yes, a reasonable time before.

Mr. McCORMACK. In other words, to report to the Speaker and to the President of the Senate are conditions precedent to actual establishment of the group.

Mr. HALLECK. That is right.

Mr. McCORMACK. I wanted to find out exactly what was in the gentleman's mind.

Mr. HALLECK. I might say, addressing myself to this particular amendment, that you will find in the report, both in the majority report and in the minority views, arguments and contentions having to do with this particular matter. Let us assume, and heaven forbid the day should come, that tomorrow we found ourselves in war; certainly every agency of Government and most of all the Defense Department would need

to be calling in from all over the country the leaders of labor, business, industry, and agriculture and every segment of our economy, every segment of our national effort to advise with them about what to do to meet the emergency. The automobile factories would have to be closed overnight. They would be the first people called in.

What sort of ridiculous arrangement is it that before any advisory people could be called in you have to give 30 days' notice? To me it just does not make sense. What is the reason why such preliminary 30 days' notice should be given. Is it contemplated that the 30 days' notice being given will result in avoiding an advisory committee? I do not understand that to be the purpose, because the whole purpose of the legislation it would seem to me is to have all of these committees wherever they are constituted operating in what might be called a goldfish bowl.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. McCORMACK. I do not think that the time is so important. I agree with the gentleman that perhaps the 30 days is some figure the subcommittee picked out of the air. We figured some particular time must elapse, that some notice must be given.

Let me ask the gentleman from Indiana if he would be willing to modify his amendment so far as the number of days is concerned? I would agree so long as there was notice prior to the actual formation of the committee. Strike out the words "not less than 30 days" and leave the rest of the language in the bill so it will read: "shall be established in a department unless before such advisory committee is established, the head of such department has transmitted," and so forth. That would accomplish what the gentleman has in mind as reflected in my previous colloquy with him.

Mr. HALLECK. Let me see; maybe I am a little dense, but it seemed to me that that was exactly the result that we would reach if the words "not less than 30 days before such advisory committee is established" were taken out. Then the notice still has to be given, but after the notice is given the advisory committee, or panel, or group, could be convened. That is all I am asking, I may say to the gentleman from Massachusetts.

Mr. McCORMACK. We have a meeting of minds; it is only a question of phraseology. Whether it is 30 days, 10 days, or 15 days, is immaterial to me. I think there should be prior notice. If the gentleman will modify his amendment to read "Strike out 'not less than 30 days' ", it would meet the situation as far as I am concerned and I would agree to it.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

(By unanimous consent, Mr. HALLECK was allowed to proceed for 3 additional minutes.)

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I will yield if it has a bearing upon the change of language I am interested in; but let me say before I yield to anybody that if the 30 days' requirement goes out then such committee could be convened after notice had been transmitted to the Speaker of the House of Representatives and the President of the Senate; and as far as I am concerned that is all I was undertaking to do, and unless somebody can point out something that is wrong about it I would be inclined to modify the amendment to comply with the suggestion of the majority leader.

Mr. FOGARTY. I just wanted to say that I agree with the gentleman and feel that such modification would take care of an emergency situation and that I think it would be more effective than having to wait 5, 10, or 15 days after the report is made.

Mr. HALLECK. Make the report, then start.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I think to clarify it, in line 1 of page 2 if you would add after the word "meant" the word "first", put in the word "first", that would clarify the matter.

Mr. HALLECK. I think that would do it, but the suggestion of the gentleman from Massachusetts handles it.

Mr. Chairman, I ask unanimous consent that my amendment be amended to read "Strike out not less than 30 days."

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN. The Clerk will report the modified amendment.

The Clerk read as follows:

Amendment offered by Mr. HALLECK: On page 1, line 9, strike out the words "not less than 30 days."

Mr. HALLECK. Mr. Chairman, in the time remaining I would like to say one thing further. The gentleman from New York [Mr. CELLER] made some remarks about what we have come to refer to through the years as the WOC's. I have known some of those people who have come down here. Some of them have come from my district. One of them I know very well. He is not a big-business man; he is a small-business man. He came down here for 6 months, he gave of his time, and he became expert in the field of communications. He is on call out there in Indiana now if trouble comes to get on down here to take up a job in communications, the most vital thing that we must have if we get into real serious trouble. So to indict all of these people who are in that category, and I say they are in the overwhelming majority of those who have come down here, to undertake to indict them as sinister people, selfish, dishonest, seeking by coming in through the back door to get some undue advantage in the Government is not just.

I must speak my word for those people.

In conclusion may I say again, it is apparent to me that the people who are most vitally interested in this measure have not been sufficiently heard, their views have not been given sufficient consideration and, to my mind, nothing could be better for the orderly progress of the affairs of Congress than to recommit this bill to the committee.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we have had a rather pleasant exhibition this afternoon. My dear friend from Indiana who opposed the poultry bill yesterday opposes this bill. He is getting in the light of being in opposition within his own party. The gentleman from Michigan has meandered around here, there, and everywhere else, mentally, of course, as he usually does.

The gentleman from Indiana talks about indicting everyone. Why, if my friend will read the hearings he will see we were very certain that Sinclair Weeks did not indict everyone. It was Sinclair in his letter to the committee that raised the sinister question and I resented it. It was my examination of the representatives of the Commerce Department that expressed my resentment and the resentment of the members of the subcommittee, both Democrats and Republicans. This bill came out of the committee without any opposition. Then it suddenly develops it all came from Sinclair Weeks. I like Sinclair personally. For years he has been one of the best assets the Democratic Party in Massachusetts has had. I like him, and when I meet him I say "Hello, Sinclair. How are you?" Sinclair represents the old stand-pat-ism. All of this opposition emanates from Sinclair; none of it in committee. I presided over the subcommittee when it was reported to the full committee and I presided over the full committee when it was reported out. We had a most harmonious and pleasant meeting on both occasions.

With reference to my dear friend from Michigan, I understand his pleasure in being consulted by the executive branch once in a while, and I am so happy when he is, and on this occasion I am very happy.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield for a correction?

Mr. McCORMACK. For a correction?

Mr. HOFFMAN. I am never consulted by anybody. Even the gentleman himself says that he has the least possible admiration for me.

Mr. McCORMACK. Now you raise another issue.

Mr. HOFFMAN. Well, it is the same old thing.

Mr. McCORMACK. You raise the issue of veracity.

Mr. HOFFMAN. Yes.

Mr. McCORMACK. Well, I did not want to say it, but did you not tell me after it was reported out that the White House had contacted you?

Mr. HOFFMAN. Contacted me?

Mr. McCORMACK. I did not want to say it, but you raised the question of veracity.

Mr. HOFFMAN. They would not contact me in a hundred years.

Mr. McCORMACK. Did anybody contact you?

Mr. HOFFMAN. Not that I know of.

Mr. McCORMACK. Did you not tell me that somebody in the White House had contacted you?

Mr. HOFFMAN. The only one I am trying to get past is St. Peter.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Wait until I get through with my friend from Michigan. This is a very pleasant afternoon. Did not the gentleman from Michigan tell me after the bill was reported out, when we were going to bring it up under suspension of the rules, that he did not want me to do it because he had been contacted?

Mr. HOFFMAN. So much, yes.

Mr. McCORMACK. Because he had been contacted?

Mr. HOFFMAN. Yes; as to suspension—no further.

Mr. McCORMACK. So I am right.

Mr. HOFFMAN. No. You have not gone to the tail end of the situation yet.

Mr. McCORMACK. An administrative assistant at the White House, somebody from the White House. I did not say the President.

Mr. HOFFMAN. You expressed your opinion to me long, long ago, it was accepted, and I am trying to reform.

Mr. McCORMACK. Of course, I cannot talk about political reform, but I can talk a little bit about spiritual reform.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Indiana.

Mr. HALLECK. We always appreciate hearing from our great majority leader, and I agree with him that we have gone along very well in the consideration of this measure.

Mr. McCORMACK. It has been very happy, and let it pass by a voice vote.

Mr. HALLECK. The gentleman has referred to our Secretary of Commerce, who is a longtime friend of mine. I would just like to say that I think he has made a great Secretary of Commerce and has done a good job down there, and a lot of people appreciate it.

Mr. McCORMACK. He ought to give you a lot of appointments now, and I hope he does.

Mr. HALLECK. When the gentleman, however, says that he seems to be the only person in opposition, a reading of the report, and beginning on page 7 under the heading "Agency Comments" we find here the Department of Agriculture complains of the bill; the Bureau of the Budget complains of it; the Department of Commerce; the General Accounting Office; General Services Administration.

Mr. McCORMACK. General Accounting Office? Why did you not read the hearings? The General Accounting Office suggested amendments, and then they were for it.

Mr. HALLECK. Department of the Interior. This is the majority committee report analyzing and summarizing what these agencies had to say.

Mr. McCORMACK. I heard the gentleman from Michigan make that speech.

Mr. HALLECK. The Department of Justice objected; the Department of Defense objected; the Federal Civil Defense Administration objected; the Department of Labor objected; the Post Office Department objected.

So, all I wanted to do was to have it understood that it just is not the Department of Commerce that expressed opposition and concern. Yes, and he suggested these improvements to protect all of the agencies of the Government who will have to live with this legislation.

Mr. McCORMACK. The gentleman from Indiana is not saying anything in contradiction to what I have said. What I said was it came out of the committee without opposition. Then I said the opposition developed afterward. Then I said the opposition developed from Sinclair Weeks. Of course, those Departments the gentleman mentioned, I know about their opposition, and I know the position of those Departments. You talk about the General Services Administration. Why, the General Services Administration testified that their advisory committees have been complying with the provisions of this bill prior to the committee reporting it out.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I thought that I had misread some of these reports myself after I listened to the statement just made, but I see on page 8 of the report what the General Accounting Office actually said in its letter of March 1, 1957. That is this:

> We believe the prescribing of such minimum standards by statute will not only minimize violation of the antitrust statutes, but will also tend to avoid conflicts of interest. Certainly, if such a bill be enacted into law, there will be afforded some means of control of advisory groups composed of experts and consultants, particularly, where they are employed without compensation.

That does not seem to me to be in opposition to the bill. To a lesser degree, the Bureau of the Budget, while they say they are not satisfied it is needed and feel perhaps it can be done by administrative reform, indicate that they believe such action as this should be taken by somebody.

Mr. McCORMACK. The only Department that appeared before the subcommittee and vigorously opposed the bill was the Department of Commerce. And the poor fellows who appeared were under pressure and came up with a chip on their shoulder. Some of us tried to get them to be a little bit more relaxed, so that they would not feel they were going to be cross-examined, and the hearings show that. I particularly mentioned it. I said, "You are coming up here with a chip on your shoulder. You do not have to do that." Does the gentleman remember that?

Mr. Chairman, this is for the benefit of all of us in Congress no matter what our party designation may be. It is well for us to have this information. It is not peculiar to any administration. These conditions are not peculiar. They might be a little more aggravated under some than others, and it might be more in this department than in some other department.

The General Accounting Office was giving full publicity. But the real significance of this bill is that it gives publicity and gives notice to Members of Congress upon which we can make reasonable inquiry if we desire to do so. So this bill is not partisan in nature. It is for the protection of ourselves, of Congress as such, and of each Member of both branches of the Congress without regard to political party.

The bill, as amended, is in very excellent shape, and I hope it will pass.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The amendment was agreed to.

Mr. MARTIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, while the amendments adopted have materially improved the legislation, I must inform the membership on our side of the House and to the Democrats as well, that the bill is not endorsed by the administration.

I feel that a measure of this sort should have had a wider hearing, more consideration than it has had. Two very important Departments of Government, the Department of Defense and the Post Office Department, were led to believe that they would have a hearing. They were not given that opportunity. I am not making any charges as to why they were not given the opportunity, because I think it was the result of an honest mistake which could happen to anyone. But they did not get the opportunity. I think they should be given that opportunity. I believe that the consideration of this now is premature. I believe the proper thing for us to do is to send the bill back to the committee on the motion that will be made by the gentleman from Michigan [Mr. HOFFMAN].

Mr. FASCELL. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I should like to address myself to some of the remarks that have been made. First of all, all the agencies in summary in the report on the bill have either used the requirements that are set forth in section (b) of this legislation or have said generally that the objectives of the legislation are all right, but they believe they ought to be achieved administratively.

While that sounds very good, the facts are on the record in the testimony that since 1950 only about 50 percent of these thousands of committees have condescended to follow the suggestion of the Department of Justice to meet these very simple and elemental requirements.

We have had ample hearings. The Committee on Government Operations has for some years gone into the question of the practices of the advisory committees, experts, and consultants. These 3 books alone represent the replies from the agencies and the departments. Various hearings we have held over a period of years. Consideration was given by the committee to the very

valuable hearings held by the Judiciary Committee, and the Intergovernmental Subcommittee of the Committee on Government Operations. They went into all of these cases of the abuses which certainly in my opinion were scandalous and gave every reason for us to put in this report the language that we did.

So I submit this legislation is a fair minimum. The requirements are flexible. It is not going to hobble anybody.

One important point: We recognize in this legislation the excellent managerial tool that is available through an advisory committee. Nowhere have you had heretofore recognition of an advisory committee as such, unless Congress specifically passed a statute setting up such a committee. This legislation recognizes such committees, gives the department heads the opportunity fairly and squarely without any equivocation or reservation to make use of this tool, and then sets up a fair minimum standard, which is reasonable under all concepts, by which they should operate.

I trust the Committee and the House will adopt the bill.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. THOMAS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 7390) to amend the Administrative Expenses Act of 1946, and for other purposes, pursuant to House Resolution 296, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. HOFFMAN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HOFFMAN. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HOFFMAN moves that the bill be recommitted to the Committee on Government Operations with instructions to receive further testimony thereon from the Department of Defense and the Post Office Department.

Mr. FASCELL. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the Chair was in doubt.

Mr. HOFFMAN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 183, nays 225, not voting 25, as follows:

[Roll No. 137]

YEAS—183

Adair	Fenton	Moore
Alger	Fino	Morano
Allen, Ill.	Ford	Mumma
Andersen, H. Carl	Frelinghuysen	Neal
Arends	Fulton	Nicholson
Auchincloss	Gavin	Nimtz
Avery	George	Norblad
Ayres	Griffin	O'Hara, Minn.
Baker	Gross	Osmers
Baldwin	Gubser	Ostertag
Bass, N. H.	Gwinn	Patterson
Bates	Hale	Pelly
Baumhart	Halleck	Pillion
Becker	Harden	Poff
Belcher	Harrison, Nebr.	Prouty
Bennett, Mich.	Harvey	Radwan
Bentley	Haskell	Ray
Berry	Henderson	Reed
Betts	Heselton	Rees, Kans.
Bolton	Hess	Rhodes, Ariz.
Bosch	Hiestand	Robsion, Ky.
Bow	Hill	Rogers, Mass.
Bray	Hillings	St. George
Broomfield	Hoeven	Saylor
Brownson	Hoffman	Schenck
Broyhill	Holmes	Scherer
Budge	Holt	Schwengel
Burdick	Horan	Scott, Pa.
Bush	Hosmer	Scrivner
Byrne, Ill.	Hyde	Scudder
Byrnes, Wis.	Jackson	Sheehan
Canfield	James	Siler
Carrigg	Jenkins	Simpson, Ill.
Cederberg	Jensen	Simpson, Pa.
Chamberlain	Johansen	Smith, Calif.
Chenoweth	Jonas	Smith, Kans.
Chiperfield	Judd	Smith, Wis.
Church	Kean	Springer
Clevenger	Kearney	Stauffer
Cole	Keating	Taber
Collier	Keeney	Talle
Corbett	Kilburn	Taylor
Cramer	Knox	Teague, Calif.
Cretella	Krueger	Tewes
Cunningham, Iowa	Laird	Thomson, Wyo.
Cunningham, Nebr.	Latham	Tollefson
Curtin	LeCompte	Utt
Curtis, Mass.	McCulloch	Van Pelt
Curtis, Mo.	McDonough	Van Zandt
Dague	McGregor	Vorys
Dawson, Utah	McIntire	Vursell
Dellay	McIntosh	Wainwright
Dennison	McVey	Weaver
Derounian	Mack, Wash.	Westland
Devereux	Martin	Wharton
Dixon	Mason	Widnall
Dooley	Meader	Wigglesworth
Dorn, N. Y.	Merrow	Williams, N. Y.
Dwyer	Miller, Md.	Wilson, Calif.
	Miller, Nebr.	Wilson, Ind.
	Miller, N. Y.	Withrow
	Minshall	Younger

NAYS—225

Abbitt	Celler	Flood
Abernethy	Chelf	Flynt
Addonizio	Christopher	Fogarty
Albert	Chudoff	Forand
Alexander	Clark	Forrester
Andrews	Coad	Fountain
Anfuso	Coffin	Frazier
Ashley	Colmer	Friedel
Ashmore	Cooley	Garmatz
Aspinall	Cooper	Gary
Barden	Davis, Ga.	Gathings
Baring	Davis, Tenn.	Gordon
Barrett	Delaney	Granahan
Bass, Tenn.	Dempsey	Grant
Beckworth	Denton	Gray
Bennett, Fla.	Dies	Green, Oreg.
Blatnik	Dingell	Green, Pa.
Boggs	Dollinger	Gregory
Boland	Donohue	Griffiths
Bolling	Dorn, S. C.	Hagen
Bonner	Dowdy	Haley
Boyle	Doyle	Hardy
Breeding	Durham	Harris
Brooks, Tex.	Eberharter	Harrison, Va.
Brown, Ga.	Edmondson	Hays, Ark.
Brown, Mo.	Elliott	Hays, Ohio
Brown, Ohio	Engle	Healey
Buckley	Evins	Hébert
Burleson	Fallon	Hemphill
Byrd	Farbstein	Herlong
Byrne, Pa.	Fascell	Holifield
Cannon	Feighan	Holland
Carnahan	Fisher	Huddleston
Hull	Metcalf	Roosevelt
Ikard	Michel	Rutherford
Jarman	Miller, Calif.	Sadlak
Jennings	Mills	Santangelo
Johnson	Montoya	Scott, N. C.
Jones, Ala.	Morgan	Seely-Brown
Jones, Mo.	Morris	Selden
Karsten	Moss	Shelley
Kee	Moulder	Sheppard
Kelley, Pa.	Multer	Shufford
Kelly, N. Y.	Murray	Sieminski
Keogh	Natcher	Sikes
Kilday	Norrell	Sisk
Kilgore	O'Brien, Ill.	Smith, Miss.
King	O'Brien, N. Y.	Smith, Va.
Kirwan	O'Hara, Ill.	Spence
Kitchin	O'Neill	Staggers
Kluczynski	Passman	Steed
Knutson	Patman	Sullivan
Landrum	Perkins	Teague, Tex.
Lane	Pfost	Thomas
Lanham	Philbin	Thompson, La.
Lankford	Pilcher	Thompson, Tex.
Lennon	Poage	Trimble
Lesinski	Polk	Tuck
Lipscomb	Porter	Udall
Long	Preston	Ullman
Loser	Price	Vanik
McCarthy	Rabaut	Vinson
McCormack	Rains	Walter
McFall	Reuss	Watts
McGovern	Rhodes, Pa.	Whitener
McMillan	Riehlman	Whitten
Macdonald	Riley	Wier
Machrowicz	Rivers	Williams, Miss.
Mack, Ill.	Roberts	Willis
Madden	Robeson, Va.	Winstead
Magnuson	Rodino	Wright
Mahon	Rogers, Colo.	Yates
Marshall	Rogers, Fla.	Young
Matthews	Rogers, Tex.	Zablocki
May	Rooney	Zelenko

NOT VOTING—25

Allen, Calif.	Boykin	Morrison
Anderson, Mont.	Brooks, La.	O'Konski
Andresen, August H.	Coudert	Powell
Bailey	Dawson, Ill.	Reece, Tenn.
Beamer	Diggs	Saund
Blitch	Holtzman	Teller
Bowler	Kearns	Thompson, N. J
	McConnell	Thornberry
	Mailliard	Wolverton

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Wolverton for, with Mr. Holtzman against.

Mr. Reece of Tennessee for, with Mrs. Blitch against.

Mr. Coudert for, with Mr. Teller against.

Mr. Allen of California for, with Mr. Bailey against.

Mr. Beamer for, with Mr. Thompson of New Jersey against.

Mr. Kearns for, with Mr. Dawson of Illinois against.

Mr. McConnell for, with Mr. Morrison against.

Mr. August H. Andresen for, with Mr. Powell against.

Mr. Mailliard for, with Mr. Thornberry against.

Until further notice:

Mr. Boykin with Mr. O'Konski.

Mr. JENKINS changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. BALDWIN. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were refused.

So the bill was passed.

A motion to reconsider was laid on the table.

DEEPENING OF THE DELAWARE RIVER CHANNEL

The SPEAKER. The Chair recognizes the gentleman from Missouri [Mr. CANNON] for 5 minutes.

Mr. CANNON. Mr. Speaker, as I have had occasion to say before, no private citizen renders a more valuable service to good government than our friend, Drew Pearson. He may not be infallible. But his batting average for accuracy is so impressive as to afford cause for credence in statements made in his daily column.

My only protest, if it may be called a protest, is that he does not always give opportunity for the traditional day in court—no opportunity to refute statements.

That is particularly true of his statement in this morning's column to the effect that the chairman of the Committee on Appropriations quietly pushed through an appropriation for a 40-foot channel in the Delaware River.

I am the last man on the committee of 50 members who could be charged with pushing that item through. And certainly there was nothing quiet about it.

It is not a new subject. And there could have been no element of surprise about it. Proponents of this project have been industriously building up this proposal for the last 3 years.

Authorization for a 40-foot channel in the upper Delaware River passed both the House and Senate and was signed by the President in 1954. A Senator appearing before the House committee said:

> In the Senate there was quite a controversy whether or not this would be a 40-foot channel. After extended debate the Senate approved the authorization by a more than 2-to-1 vote.

Under that authorization the President's budget for the fiscal year 1956 proposed $6 million for the 40-foot channel contingent on reaching an agreement with the local interests—United States Steel—to contribute at least $18 million. The Senate added it to the bill but the House managers threw it out in conference.

On June 16, 1955, when the bill was under consideration in the House an amendment was offered from the floor to include $18,500,000 for the purpose but after extended debate was rejected.

This year the budget for the fiscal year 1958 included $9 million for a 35-foot channel which the committee adopted with instructions to increase the depth to 40 feet.

At all times I have opposed this expenditure because it was apparently for the sole benefit of a few of the larger steel companies. A Member of the House in the course of debate characterized it as a proper bill for the Private Calendar and said it ought to be entitled "A Bill for the Relief of the United States Steel Corp." I opposed it because it would in effect constitute a Federal subsidy to a few of the larger steel companies thereby putting the Government in the position of supporting unfair competition; because the steel companies affected can easily solve their problems by locating their plants on deeper water or by using superbarges similar to those on the Great Lakes; because the larger channel will open up the river to heavier tides and storms increasing the maintenance problems of that area; because the cost of chiseling through 7 to 10 miles of solid rock is excessive; because as pointed out in House floor debate on the $18,500,000 amendment, the need for the deeper channel was originally occasioned by four steel ore boats being built in Japan with cheap foreign labor in competition with American labor; and again because President Eisenhower asked that the steel companies for which this 40-foot channel is to be provided, contribute $18 million as their fair portion.

And, Mr. Speaker, these proceedings were not had under a bushel. Extensive hearings were held. Two Senators and 12 Congressmen appeared before the committee in the hearings on the bill, as well as representatives of local business organizations opposed to the appropriation, and other interested citizens. The printed hearings were distributed to the press and were available for all who desired them.

Now, Mr. Speaker, like Mr. Pearson, I am not infallible. I may be entirely mistaken in my judgment in opposition to this appropriation. It is approved by many men wiser than I am. And they have given in the hearings and in debate here on the floor substantial reasons for their support of the appropriation. I have just been informed that the Senate committee has not only approved the item unanimously but has proposed an amendment adding $2 million to the amount passed in the House. It is quite possible that I may be entirely wrong about the matter.

But certainly I cannot be charged with pushing the appropriation and no one in the House has reason to be in doubt about my position on it.

Mr. Speaker, I herewith append the article referred to, and ask unanimous consent that it be included in my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The article referred to is as follows:

UNITED STATES STEEL ASKING COSTLY PROJECT

(By Drew Pearson)

While United States Steel was touching off a chain reaction of inflation which will hit everything from bobby pins to automobiles, it was simultaneously pulling wires for a 40-foot channel in the Upper Delaware River so bigger ore ships can reach its giant Fairless Works at Morrisville, Pa.

Deepening the channel will cost the taxpayers an estimated $91,738,000—a free gift to United States Steel because it is the only company planning to use super ore carriers on the Upper Delaware.

This costly project, benefiting one private company, was quietly pushed through the House Appropriations Committee by Chairman CLARENCE CANNON, Democrat, of Missouri. It is now being considered by a Senate Appropriations Subcommittee headed by Senator ALLEN ELLENDER, Democrat, of Louisiana.

Property owners along the Delaware claim a deeper channel will increase the flood menace. They point out that the last damaging flood in August 1955, was caused by hurricane-driven water forced up the Delaware. A 40-foot channel would permit more floodwater to be driven up the river. If the taxpayers have $91,738,000 to spare, they say, it should be spent on flood control for the benefit of all the property owners.

The White House is incensed over the way United States Steel thumbed its nose at President Eisenhower by hiking the price of steel 1 day after his appeal against inflation. It remains to be seen, however, whether the White House will oppose spending $91,738,000 to dredge a private, dead-end passageway up the Delaware for the same United States Steel. Observers note that in the past Ike has frequently rewarded his opponents in the field of big business; even appointed Ben Fairless, a backstage power in United States Steel, to a high advisory post in his administration.

UNITED STATES STEEL DIVIDENDS

Here's what a tough time United States Steel has had during the past 10 years. If you invested $10,000 in United States Steel in 1947, you will find its value today has shot up to $61,506. During that same 10-year period, it paid dividends of $12,774.

Thus the income and the value added together total $74,280. If you deduct your original investment of $10,000, you received a profit during the 10-year period of $64,280.

AMENDING REORGANIZATION ACT OF 1949

Mr. FASCELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8364) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H. R. 8364, with Mr. BLATNIK in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Florida [Mr. FASCELL] is recognized for 30 minutes, and the gentleman from Michigan [Mr. HOFFMAN] will be recognized for 30 minutes.

Mr. HOFFMAN. Mr. Chairman, I wish to state that the gentlewoman from Indiana [Mrs. HARDEN] will be in charge of the bill on this side.

Mr. FASCELL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we have before us the bill (H. R. 8364) which amends the Reorganization Act of 1949, as amended. It makes two amendments to that act. One is to authorize the President to submit reorganization plans up to June 1 of 1959 although they might become effective after that date, whereas without this legislation that authority would have expired.

Mr. Chairman, the bill also amends the act to provide that plans submitted to Congress may be disapproved by a majority vote of either the House or the

Senate instead of an authorized majority of either House as is the law at the present time. These are the two amendments that are made to the act in this bill. One extends the act, authorizes the President to submit plans to June 1, 1959. The reason we selected that date, of course, was to assure that there would be 60 days for consideration during June and July before Congress adjourned.

The original request of the President was for a 4-year extension. The committee, however, felt that since in 1953 and 1955 there were only 2-year extensions we also recommended an extension for this period of time. We would bring the expiration within the term of this administration and not extend over to the next administration. This would give the Congress the opportunity at that time to decide if it wanted the legislation further extended. We felt that a 2-year extension was ample.

There was some opposition with respect to extending this act at all and the fact that Congress would not be able to work its will on these matters. As a result of that type of discussion we proposed this other amendment in the bill which was to do away with the necessity for a majority of the authorized membership to disapprove any Presidential plan and proposed in the legislation that it would be by a simple majority of either the House or the Senate, making the act more flexible and making it easier for Congress to disapprove a Presidential proposal.

Mr. MORANO. If the gentleman will yield, does the gentleman by authorized majority mean a constitutional majority?

Mr. FASCELL. No. We provide in this amendment that it will take only a simple majority.

Under existing law, of course, a reorganization plan submitted by the President would take effect after 60 days unless within that time a resolution of disapproval has been passed by at least one branch of Congress. Under the old law it had to be passed by a majority of the authorized membership; under the proposed amendment it would be a simple majority.

There has been some discussion as to whether or not a case has been made for extending the act. In response to that I would say the administration thought it of sufficient importance to make a special request for the extension of the Reorganization Act. In addition to that we know Congress has already extended it from time to time and that under the Reorganization Act we have had a great many plans submitted and reorganizations effected. It is true that since January 1, 1955, only five reorganization plans have been submitted to the Congress. In 1956 both plans were rejected. There is one pending in 1957.

The testimony before the committee was that while they had no specific plans in mind at the present time, the administration did contemplate some changes of a major nature in the years to come and, therefore, felt it was vital and of importance for them to have an extension of this act. The committee's feeling in this regard was that we have had some very successful reorganizations and that certainly this administration should be extended the right to submit those plans to this Congress.

Those of us who are familiar with the act know there are limitations in the legislation, and thus despite the fact that some may consider it unconstitutional, some may not like to legislate negatively, the plain fact is, today we are here seeking to extend the act under which great improvements have been made. So I would say despite these objections which were raised in the committee, and are in the report, of unconstitutionality, and the fact that a strong enough case has not been made, the committee felt that with the amendment we have proposed to the act it would give Congress a degree of control greater than that which was requested by some of the opponents who would rather have Congress legislate directly on the subject of executive reorganization or give the right to have Congress amend the plans as they are presented by the President of the United States.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The gentleman from Florida has made a very frank statement as to the situation that exists in relation to this bill. In committee there was a danger as to whether or not the bill would be reported out of the committee. I am on the subcommittee that the bill was referred to and a member of that full committee. Probably I had considerable to do in connection with the bill being reported out of both the subcommittee and the full committee. I would like to have the attention of the Republican leadership just to give them some information which might be of some interest.

Personally, I favor the constitutional majority, but I am supporting the bill because this is a compromise and a fair, reasonable one within the committee, without which there might have been difficulty in getting any bill out of the committee. When I make an agreement in committee I go through with the agreement that I make. As I said, I personally favor the constitutional majority; in fact, I think I am the one who was mainly instrumental in putting it in the law and having it enacted into law several years ago.

We are faced with a very practical situation. My agreeing to this amendment enabled others who opposed the bill to harmonize their differences, our differences, so that the bill was reported out of the committee. All of us who favor the extension of the law suggest we not haggle over that, but be sure we pass the bill.

In practical operation the average vote on rollcall is about 400. That would mean there would have to be 201 to reject any reorganization plan. It is true that under the constitutional majority there would have to be 218, and I admit on occasions the necessity of getting that extra vote might be important; but, generally speaking, if you can get 201 you can get 218. Perhaps in rare cases you may not be able to do that.

I am suggesting to the gentlemen on the other side that my cooperating with them as I have means it might be well for those of us who support the bill not to get into a controversy over whether it is a constitutional or simple majority, but to adopt the recommendation of the committee and put the bill through as reported by the committee.

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Massachusetts.

Mr. MARTIN. If we adopt the amendment, we would be compelled to send the measure to the other branch, which under the present circumstances might tie the legislation up for some time. If we do not adopt the amendment, there would not be the necessity of waiting on the other branch, and the bill could go directly to the President.

Mr. McCORMACK. The Senate bill was a simple majority, I think, although I am not sure. If the bill passed the Senate with a simple majority it would go direct to the White House, but I am not sure it was a simple majority or a constitutional majority.

Mr. MARTIN. I understand it was a constitutional majority.

Mr. McCORMACK. My vague impression is it was a constitutional majority, too.

Mr. FASCELL. The gentleman is correct.

Mr. MARTIN. If we eliminated section 2, we would conform absolutely to the Senate bill and that would be the end of the controversy?

Mr. McCORMACK. That would eliminate the simple majority. I am backing up the committee. I do not know what will happen. There might be a reversal of opinion and you might be faced with a possible defeat of the bill. There are some on the gentleman's side who are opposed to the bill. We know of the difficulty through the years to get legislation of this kind enacted into law, and I, as majority leader, am conveying to my friends how much I cooperated with the administration and with your leader and my President in getting a bill out of the committee, and I would not want to see anything done that would make it more difficult for passage in the House.

Mr. MARTIN. I appreciate the generous spirit of the majority leader.

Mr. McCORMACK. Oh, it was very generous, I assure you.

Mr. MARTIN. I was hopeful you might be a little more generous and make sure that the bill was passed immediately. And I would further say you need not worry about the votes on this side.

Mr. McCORMACK. Well, I am not so sure.

Mr. MARTIN. Well, we are not so sure about anything in this world.

Mr. McCORMACK. That is true, but an ounce of prevention is worth a pound of cure. I do not care what the gentleman does, but, if you offer the amendment and it is adopted, I will vote against the bill, because I am going through with the promise I made in committee. And I keep my word. I do

not know how many others on my side will follow that.

Mr. FASCELL. I thank the distinguished majority leader for the observations concerning the legislation, and I would suggest to the minority leader that it would be a very simple matter, if the legislation is adopted, to get it over to the Senate so that they can act on it in a hurry.

Mr. Chairman, that concludes my presentation on this legislation. The committee believes, in all fairness, that the amendment of the simple majority that we have in the bill responds to a great many members who have objected to the extension of this act, because it is a delegation outside of the hands of the Congress. And, in doing so, we are acting in complete fairness for this administration to have the right to have this legislation which has been used by other administrations in effecting reorganization plans. And we submit, in all fairness, that that should be done, and that is why we adopted the 2-year provision.

Some 56 reorganization plans have been transmitted to the Congress. Forty-one have become effective. Fifteen reorganization plans were transmitted during the past 4 years and 12 were permitted to take effect. And, I repeat again, 2 were submitted last year, both rejected, and 1 is now pending. The administration says it has in the mill certain major recommendations for reorganizations that it would like to submit to the Congress in the next 2 years and therefore seeks the passage of this legislation.

Mrs. HARDEN. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Chairman, I wrote additional views in the report which you have before you on this bill which set forth my position on this legislation. I dislike to oppose the administration or the leadership on my side of the aisle, but I regard this as a fundamental matter.

One of my main objectives in my service in the Congress is to strengthen the Congress and let it assume the policy-making responsibilities which the Constitution placed in it. I am disturbed each time when authority over public affairs gravitates away from the elected representatives of the people and into the bureaus and agencies in the executive branch of Government. This piece of legislation is of that type, and it disturbs me that we so casually continue to vest this authority in the executive branch of the Government when no case has been made that would justify it.

Now, I voted for the two previous extensions of this legislation. I did so because both of those previous extensions occurred when we were receiving reforms recommended by the first Hoover Commission and the second Hoover Commission for streamlining the executive branch of the Government. The second Hoover Commission, however, issued its final report in December 1954, and in the last year, 1956, the administration only found two reorganizations to send up to the Congress.

One dealt with creating Assistant Secretaries for Research in the Department of Defense. The other dealt with separating the deposit insurance function from the Home Loan Bank Board. Both were ill-advised reorganizations. Both were defeated unanimously and without debate in the Committee on Government Operations. Both were defeated unanimously and without debate by the House of Representatives. Assistant Secretaries for Research were promptly created by legislation.

This year one plan has been sent up with respect to the Reconstruction Finance Corporation which has legally gone out of existence, on which there is no controversy. It has already taken effect.

The gentleman from Massachusetts [Mr. MCCORMACK], as I pointed out in the discussion under the rule, asked, "Just why do you need this power? What reorganizations do you plan?" And he could not get any answer that would justify continuation of this power.

What I am bothered about is that we lightly continue this delegation of legislative authority which was made many years ago, without adequate consideration. What has happened to us in our respect for our own responsibility and authority that our leadership would recommend that we continue a delegation of legislative power to the executive branch of the Government without even adequate discussion?

That is why I felt compelled to call the attention of Members of the House to what we are doing here. We have continued this authority so frequently that now we are numb and, as the gentleman from Florida already has argued, we crossed that bridge years ago. No longer do we regard ourselves as having the right to terminate this legislative power in the executive branch of the Government. I say that we ought to be very chary about delegating our constitutional power, and require the administration to come up and make out a case that they need it. Then I will be for granting it.

Mr. MCCORMACK. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Massachusetts.

Mr. MCCORMACK. The gentleman's position has always been clear through the years. So, also, has the position of the gentleman from Michigan [Mr. HOFFMAN] throughout the years. I think the gentleman will agree that the statement I made just a minute ago was a very frank one and a very honest one; was it not?

Mr. MEADER. I think the gentleman would find—and I have not attempted to take a poll of the Committee on Government Operations—a great many Members on both sides of the aisle who are disturbed about this light continuation of this grant of legislative power to the Executive.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman.

Mr. HARDY. I thank the gentleman. Mr. Chairman, I should like to associate myself with the gentleman in the general nature of the remarks which have been made by him. I have read his additional views in the committee report and I find myself in substantial agreement with them. I joined other members of the committee in voting to report this legislation out. I am frank to say that I would not have joined them if we had not had section 2 in the bill. If that were taken out I would vote against it because I do not think there is any real reason for a continuation of it in its present form.

Mr. MEADER. I thank the gentleman for his statement.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman.

Mr. HOFFMAN. If I understood the gentleman from Massachusetts [Mr. MCCORMACK] correctly, he was in favor of a bill which would require one House at least to express disapproval by a two-thirds constitutional majority, but that he had some sort of agreement with some member of the committee to take what we now have and that was his only reason for accepting this bill. I did not make any agreement with anybody about anything. I have always opposed this type of legislation because it is in conflict with the method prescribed by the Constitution.

Mr. MEADER. Mr. Chairman, with respect to the vote by which either House may reject a reorganization plan, my record is clear on that subject from the very first term that I served in Congress. I offered an amendment to the Emergency Reorganization Act that we had during the Korean war, which passed this body and provided that plans could be rejected by a simple majority. In subsequent Congresses I have introduced legislation to strike from the Reorganization Act the requirement that there be a vote of a majority of the authorized membership, in other words, 218 votes in the House, and 49 votes in the Senate.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Virginia.

Mr. HARDY. Actually this provision which we have set up for the President to reorganize does not really help very much. He can send the same thing down in legislation prepared at the White House or in the agencies for consideration by the committees. It would just have to be acted on on both sides. It would just take a little longer. Certainly if we give him the right to continue and then deny it by a simple majority, that is all anybody ought to want to give away of our own responsibilities. I think we ought to give back some of them. That is what I am trying to do.

Mr. MEADER. When this bill was first considered in the 83d Congress the committee was prepared to accept that voting procedure and the President was prepared to accept it, until some of the advisers in the bureaus or agencies said this would make it too easy for the Congress to turn down a plan. As you recall, here on the floor of the House we had

quite a debate over whether it should be a constitutional majority or simply a majority of a quorum. Certainly I would oppose striking section 2 of the bill. I believe Congress certainly ought to amend the law, if they are going to extend it, in order to make it possible for either House to defeat a reorganization plan.

The gentleman from Michigan [Mr. HOFFMAN] will recall the first reorganization plan of 1950, which abolished the Board of Directors of the Reconstruction Finance Corporation and provided for a single Administrator with unlimited term. The effect of that plan was to take away all of the safeguards and the checks that Congress had written into the Reconstruction Finance Corporation Act, under which billions of dollars of public money were handled, and invest all that power in one czar who never had to come before the Senate again to get their approval of the conduct of his office. He would be in office permanently with no limitation on his term. When that plan came before the House of Representatives it was voted against by 200 Members of the House of Representatives but 198 voted for it. Since we did not have 218 Members, the plan took effect, even though a majority of the House was opposed to it.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Michigan.

Mr. HOFFMAN. It is a little difficult for me to understand the position of my good friend from Virginia [Mr. HARDY] and some others on that side. They just finished putting a straitjacket on the executive branch downtown. Now they are crying because they want to put a little one on the administration and the administration does not want it.

Mr. HARDY. I would have to disagree with that thinking. In both cases it is entirely consistent. We are trying to keep in the Congress the authority which belongs to us.

Mr. HOFFMAN. All I am complaining about is the way you treat the executive departments and then complain because they hand a little bit back to us.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Iowa.

Mr. GROSS. What was the purpose of this backdoor method of legislation in the first place if it was not to produce efficiency and economy in Government?

Mr. MEADER. That is the purpose of it.

Mr. GROSS. Does the gentleman think it has accomplished that?

Mr. MEADER. I could hardly answer that in the short time I have remaining. I voted for the act when the recommendations for the first Hoover Commission were before us, because I thought the President could send up programs for streamlining and transferring functions within the executive branch of the Government as recommended by the Hoover Commission, and that they probably would get more speedy and effective consideration by this bobtailed method of adopting national policy. For the same reason I supported the second extension that has come up since I have been in Congress, because we had before us the recommendations of the second Hoover Commission. But my point is that enough time has elapsed after the studies of these two reorganization commissions to have set up any worthwhile plan. There is nothing on file showing a need for continuing this authority and to grant it when there is no reason for it, just shows me how lightly the Congress regards its constitutional prerogatives and responsibilities.

Mr. GROSS. The administration or any department of the Government can obtain consideration of any meritorious legislation that is sent to the Congress through regular procedure; is that not true?

Mr. MEADER. The administration has been very successful in getting favorable legislation through the committees and through both branches of the Congress. Let me say in that case, as is not the case under reorganization plans, the members of committees who may be thoroughly familiar with the field in which their committee legislates will have an opportunity to correct language and to mold and to shape the legislation. But, under a reorganization plan, which is not subject to amendment, it cannot be modified by the policymaking authority of this Congress. We must take it or leave it as it is written. We cannot even correct a typographical error in a reorganization plan.

Mr. GROSS. I just want to say I associate myself with and commend the gentleman's opposition to this bill. I am opposed to it with or without section 2.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Florida.

Mr. FASCELL. Will not the gentleman agree that section 2 makes an improvement in the bill from the standpoint of the gentleman?

Mr. MEADER. Yes, indeed, and I said so.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FASCELL. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. BASS.]

Mr. BASS of Tennessee. Mr. Chairman, this proposed legislation is one which is called the extension of the Reorganization Act. I think the real description of this bill or legislation can be found on the first line in the second paragraph on page 3 of the report where it says "proven tool." That is exactly what this business is. It is a proven tool used to implement legislation by negative action. I was surprised actually when I came to the Congress and found that this sort of law existed which allowed the Congress of the United States to abrogate its responsibility by a failure to function with reference to legislation which affects the entire Nation. These reorganization plans come before the Congress and they become the law. They become statutes. They are things that the people of the country have to live under. Yet, we, as Members of the Congress, fail to act on this legislation. It becomes law if we do not act. I made that statement before a group in my district about 2 months ago. The man who is chairman of the legislative committee for a chamber of commerce asked me a question about some of the Hoover Commission recommendations. I explained to him how this reorganization plan worked. He could not believe that the Congress of the United States would allow such a thing to go on. That you just put something before the Congress that is sent up by the executive department and, if it is not voted down, then it becomes the law without affirmative action.

I do not believe 1 person in 10,000 of the informed American public knows that such a situation as this exists in the lawmaking body of the United States of America. Let me go into a little bit of this Hoover Commission deal which this reorganization plan actually has affected more than anything else. The so-called Hoover Commission or the Commission on the Reorganization of the Executive Branch of the Government has gone over the country saying, "We have recommended this which would save $2 billion—this which would save $6 billion—and this which would save $12 billion." If you would add up all of the billions of dollars that Mr. Hoover and some of his spokesmen have said they would save if these plans were adopted, we would not have a $72 billion budget this year.

In fact, I think we could have operated the entire Government on $100,000 if we had saved all the money they said they had told us how to save, and yet they say the Congress of the United States was absolutely responsible for not saving this because all we have to do is just to fail to act and make all of this possible.

The advocates of the Hoover Commission tell you that the President has sent up all of the recommendations this commission has made, to both the Democratic President and the Republican President, when the fact of the matter is that the second Hoover Commission spent $2 million in making these investigations and only two of those proposals have been submitted by the executive branch of the present administration to the Congress, and neither one of them became effective. We spent $2 million for them only to find out we did not need them in the first place. I think that legislation which continues such an act as this should be defeated.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. BASS of Tennessee. I yield.

Mrs. CHURCH. Mr. Chairman, I am sure that the gentleman does not want to leave the House with the impression that the only recommendations that the second Hoover Commission made were the two, recently referred to, that were sent down to the Congress by the White House.

Mr. BASS of Tennessee. No; I said that the White House only sent two of the recommendations to Congress.

Mrs. CHURCH. But I call the gentleman's attention to the fact that a large portion of the Hoover recommendations did not need legislative enactment to become effective; and I am sure that

the gentleman would not want to overlook that fact.

Mr. BASS of Tennessee. I was referring to those which required negative legislative action. What I am saying and what I am advocating is that they should have legislative action instead of negative action.

Mrs. CHURCH. I would assure the gentleman that I am not rising at this time to dispute his statement in that regard, but rather to refute the implication that all the recommendations by the second Hoover Commission had been rejected by the House. As a matter of fact the recommendations of the second Hoover Commission fell into two classifications: those which did not require legislative action and those which did require legislative action. Of those which could be put into force by executive direction, a large majority have already been put into effect. It is the Congress which has so far largely failed in taking necessary action on those Hoover recommendations that need legislative approval.

Mr. BASS of Tennessee. I understand thoroughly the purported obligation and work of the Hoover Commission. But the cost of government has continued to grow and no savings have been affected. I think it was a waste of time, a waste of money, and a waste of a lot of space in newspapers all over the country in an effort to make the American people believe they were making some recommendations which were going to save America vast sums of money. Instead I say this commission should not have been established in the first place and I say this bill should be defeated.

Mrs. HARDEN. Mr. Chairman, I have no further requests for time.

Mr. FASCELL. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Georgia [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, I first came to this body in the 80th Congress and was assigned to the Committee on Expenditures in the Executive Departments, now the Committee on Government Operations. At that time the distinguished gentleman from Michigan [Mr. HOFFMAN] was chairman of that committee.

In passing, I want to say that I have never seen a fairer chairman of any legislative committee. He would begin the questioning with the very lowest man in seniority, with the lowest man on the Democratic side, and then he would proceed by stages to the top-ranking man on his own side. He was quite helpful to the freshmen members on that committee, and I enjoyed my service on that committee.

As a member of that committee I helped to set up the first Hoover Commission. I was very enthusiastic about the reports and recommendations of the first Hoover Commission, and joined with the committee and did my utmost to see that the Hoover Commission recommendations that were sent down in reorganization plans by the President were put into effect. I recall that I favored requiring both Houses of the Congress to disapprove the President's reorganization plans, else have them go into effect at the end of 60 days.

The gentleman from Michigan [Mr. HOFFMAN] opposed this procedure and I took him to task for his opposition. I see now that he was right and I was wrong. Previous speakers have sought to justify this bill by saying that we have already crossed the bridge by previous legislation which reversed the legislative process, as this bill does. I crossed this bridge with the gentleman from Indiana but I say to you now that I made a mistake. I am convinced that this is the wrong way to legislate. I am admitting my mistake in supporting such legislation and I am going to march back over that bridge and try to get back into the Congress the power to legislate. I agree with the gentleman from Michigan [Mr. MEADER] that this Congress has frittered away and given away its powers and authority. I am no longer going to be a party to that. We have divested ourselves of certain powers, we have tried to divest ourselves of the responsibility of writing our tariff laws and soon found out that we no longer have anything to say about the writing of our tariff laws and can bring no relief to our distressed industries. That is another illustration of the way this Congress has just given away its powers and what we have not given away ourselves the Supreme Court has assumed to exercise. Before you you know it, we are going to be nothing but a rubber stamp for the executive department. I want to see the process reversed, and I hope we will march back over this bridge, for fortunately we did not burn our bridges behind us. We went over it, we made a mistake when we went out into this uncharted territory, and I hope today we are going to recross it and make a beginning toward getting again for the Congress the powers and the rights—of course the responsibility is still ours—but we must get the powers back—that we have frittered away and given away and let the Chief Executive and the Supreme Court assume.

I am just hoping that we will defeat this bill today. Certainly the amendment improves it and if it has to be passed I hope the amendment will be kept in the bill.

The Hoover reports have, no doubt, done some good. They might have made some of our departments a little more efficient, but if they ever have saved a dime, I do not know it. I took part in the debate on all of these plans when they were sent down and did my utmost to see that they were adopted by this House, but I do not think they have done very much good and I do not know of a single dollar that has been saved by the adoption of these plans. But I am not here going to attack the Hoover Commission or its reports or recommendations. Mr. Hoover rendered a patriotic service, especially as Chairman of the first Hoover Commission. But the economies he predicted just have not materialized.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. FASCELL. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield to the gentleman from Indiana.

Mr. HALLECK. I would like to say for myself on the gentleman's time because our time over here has been yielded back, that I helped create both Hoover Commissions and I am one of those who believes their recommendations have been very helpful. They have been helpful to all the people. I believe that many that have been adopted have been worth while and in the public interest. Mr. Hoover in his work on that Commission has done another magnificent service for all the people of our country. I thank the gentleman for giving me this opportunity. I may say further, it is obvious from what has been said on the other side that section 2 which provides for the simple majority in this bill, because it has been advocated on the other side undoubtedly will remain in the bill. We must apparently be resigned to that.

Mr. LANHAM. Mr. Chairman, as I said a few moments ago, the Hoover Commission recommendations that have been put into effect have in some instances done some good. I do not think they have saved us a penny in money, and on the other hand in some respects they have weakened the influence of the Congress on the quasi-legislative boards and commissions set up by the Congress as its agents, through giving the President the right to name the chairmen of these various bodies. It gives the President domination over them by giving him the right to designate a chairman and by putting so much power in the chairmen. You have seen it at work in the Atomic Energy Commission, you have seen it in many of the other quasi-judicial or legislative organizations established by the Congress as arms of the Congress, yet now dominated by the Executive. I think the whole thing is very dangerous and that we ought to get back into our own hands these powers and we ought to retain the responsibilities the Constitution places upon the Congress, and discharge them ourselves instead of trying to delegate them to the Chief Executive.

Mr. FASCELL. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I rise in support of the committee bill. I believe that I have some background of knowledge of reorganization plans.

I notice on page 4 that 56 reorganization plans have been transmitted to the Congress and 41 have become effective. If my memory serves me right, I served as chairman of the reorganization subcommittee for 4 years, and I handled 45 of those Presidential reorganization plans, and 39 that I handled became law. I also served on the second Hoover Commission, and the gentleman from Michigan [Mr. MEADER], who spoke a few minutes ago, has taken a completely consistent position with that which he has taken all along in regard to the extension of the Reorganization Act. He has always been against it.

I took the other side of the position for many, many years, but I am beginning to also feel that the Congress should take back into its hands as much authority as it can in the field of policy.

I believe that in the delegation of authority by the Congress we are weakening the function of the Congress and therefore I think that this bill should be supported. It gives to the President the right to send up reorganization plans. As long as amendment No. 2, the amendment which provides for a simple majority rather than a constitutional majority stays in the bill, I am willing to go along with it, because this will give to the President the right to call to the attention of the Congress any important reorganization plan he wishes to make but at the same time it will in effect give back to the Congress the regular legislative power, the power of a majority vote of the Congress over that reorganization plan which the President may propose.

So, I am supporting the committee bill with this provision in it, because I think it is a step back toward giving the Congress the power that they should have, according to the responsibility which is placed upon the Congress.

There is one more comment I wish to make. After serving for some 18 or 19 months on the second Hoover Commission, I came to the conclusion—and I so stated in my concluding minority report—that the Congress should look with a great deal of caution upon the creating of commissions, particularly commissions which have the responsibility of formulating policy, because those commissions, regardless of how respectable the people are that are chosen, how widely they come from different fields of life, they still do not have a responsibility to the electorate. It is the Members of Congress in both branches that have the responsibility to the electorate. They are the ones that have to go back home every 2 years in this body and every 6 years in the other body and pass muster before the people of the districts as to whether the decisions they have made on policy are right or wrong. But, if the Congress appoints a commission, the commission serves its time, it renders its report, it has no responsibility, it either expires or the members resign, they have no responsibility except to their own prejudices or their own beliefs. They have no responsibility to the people, and therefore I think that any step toward giving back to the Congress the authority commensurate with the responsibility which the people expect us to exercise is a good step. Therefore if this amendment stays in the bill, I will support it, and if the amendment is stricken from the bill, I will vote against the bill.

Mr. HARVEY. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Indiana.

Mr. HARVEY. It was my privilege to serve with the very eminent gentleman from California on the subcommittee for reorganization that implemented the very many Hoover Commission recommendations. I first of all would like to say that I think the gentleman from California, serving as chairman of that subcommittee, did a very fine piece of work, and I was very much encouraged myself with the results of that effort.

I was a little astonished to hear my good friend from Georgia [Mr. LANHAM] state a moment ago that he felt that no economies, of any significance at least, had resulted from those reorganizations. I would like to ask the gentleman from California what his reaction is as to the results of those reorganizations.

Mr. HOLIFIELD. I would have to give my answer in two phases. I think that the recommendations of the first Hoover Commission which had to do with economy and efficiency in Government were on a solid basis, that we moved in many fields of legislation and that we did accomplish economy in certain of those fields and efficiency in some of those fields. I have no way of computing the amount in dollars. However, when the second Hoover Commission departed from trying to improve the structure and the function of government organizationwise, and got into the field of policy, it was my opinion, and I expressed it on several occasions in my minority reports, that they were at that time encroaching upon the area of responsibility which the Congress should exercise. I prophesied that no good results would come of most of the recommendations of the second Hoover Commission.

The President's failure to send to the Congress reorganization plans based on the second Hoover Commission's recommendations is proof that the President and his advisers either lacked confidence in the merit of the recommendations or they realized that they were encroachments on the policymaking function of the Congress.

The CHAIRMAN. The time of the gentleman from California has expired. All time has expired and the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That subsection (b) of section 5 of the Reorganization Act of 1949 (63 Stat. 205; 5 U. S. C. 133 z–3), as last amended by the act of March 25, 1955 (69 Stat. 14), is hereby further amended by striking out "June 1, 1957" and inserting in lieu thereof "June 1, 1959."

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 1, line 4, after "5 U. S. C." add "133."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 2. Subsection (a) of section 6 of the Reorganization Act of 1949 (63 Stat. 205; 5 U. S. C. 133 z–4) is amended by striking out "by the affirmative vote of a majority of the authorized membership of that House."

Mr. HALLECK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I said earlier in the debate that I have supported through the years the provision for constitutional majority action in the Congress. This measure as it comes before us now provides for a simple majority. It is apparent that probably that is the best that we can hope for in this extension. In any event, if that is the situation, I want it to be understood exactly what is before us.

I might say this further word. I voted for the arrangement for the constitutional majority when the President of the United States was of the party other than my own. So far as I am concerned, I would much prefer to grant that same consideration and authority to the President who is now of my party. Certainly I have no less confidence in him than I had in his predecessors. But as a matter of practicality, and that is what we are confronted with here at the moment, which is very obvious, I shall support this measure as it is written.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman.

Mr. FASCELL. I will state to the gentleman that it was not a question of lack of confidence that brought this about. It was a question of responding in some measure to those Members who felt that Congress should retain some form of control, as a matter of principle, without regard to who might be in the White House.

Mr. HALLECK. I trust that that is what it was. I certainly would not argue that anyone else felt any differently, because I certainly would not want to suggest that anyone on the gentleman's side of the aisle is exhibiting any less confidence in our present President than I exhibited in years past when I voted for the other arrangement. In any event, with these remarks, so far as I am concerned, I hope the measure passes.

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, it is late and I shall take only a minute.

I am intrigued by the statements made this afternoon by those who say that this procedure in the past was bad but with this simple majority provision it is a little less worse. That is what it amounts to. The procedure in the past was bad, no good, but this makes it a little more palatable. I am opposed to this procedure in toto and have opposed it ever since I have been a Member of Congress. Unlike the gentleman from Indiana, I hope the bill is defeated.

Certainly some of the Hoover Commission recommendations have been meritorious, but there is not a single one of them that could not have been handled in and through the normal processes of legislation.

This bill will extend a wholly unwarranted delegation of legislative power and to that I am opposed.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BLATNIK, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 8364) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959, pursuant to House Resolution 310, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. HOFFMAN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HOFFMAN. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HOFFMAN moves that the bill be recommitted to the Committee on Government Operations.

Mr. FASCELL. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. BASS of Tennessee. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 46, nays 337, not voting 50, as follows:

[Roll No. 138]

YEAS—46

Abernethy	Flynt	Passman
Alexander	Forrester	Pilcher
Alger	Gross	Poage
Ashmore	Hale	Riley
Barden	Hébert	Rivers
Bass, Tenn.	Hemphill	Robeson, Va.
Bennett, Mich.	Hoffman	St. George
Bosch	Johansen	Selden
Chelf	Kitchin	Shuford
Christopher	Landrum	Whitener
Cooley	Lanham	Whitten
Davis, Ga.	Lennon	Wier
Dies	McMillan	Williams, Miss.
Dorn, S. C.	Mason	Winstead
Dowdy	Matthews	
Evins	Meader	

NAYS—337

Abbitt	Betts	Carrigg
Adair	Blatnik	Cederberg
Addonizio	Boggs	Chamberlain
Albert	Bolling	Chenoweth
Allen, Ill.	Bolton	Chiperfield
Andersen, H. Carl	Bonner	Chudoff
	Bow	Church
Andresen, August H.	Boyle	Clark
	Bray	Clevenger
Andrews	Brooks, La.	Coad
Anfuso	Brooks, Tex.	Coffin
Arends	Broomfield	Cole
Ashley	Brown, Ga.	Collier
Aspinall	Brown, Mo.	Colmer
Auchincloss	Brown, Ohio	Cooper
Avery	Brownson	Corbett
Ayres	Broyhill	Cramer
Baldwin	Budge	Cretella
Baring	Burdick	Cunninghom, Iowa
Bass, N. H.	Burleson	
Bates	Bush	Cunningham, Nebr.
Baumhart	Byrd	
Becker	Byrne, Ill.	Curtin
Beckworth	Byrne, Pa.	Curtis, Mass.
Belcher	Byrnes, Wis.	Curtis, Mo.
Bennett, Fla.	Canfield	Dague
Bentley	Cannon	Dawson, Utah
Berry	Carnahan	Delaney
Dennison	Jones, Mo.	Rabaut
Denton	Judd	Radwan
Derounian	Karsten	Rains
Devereux	Kean	Ray
Dingell	Keating	Reece, Tenn.
Dixon	Kee	Rees, Kans.
Dollinger	Keeney	Reuss
Donohue	Kelley, Pa.	Rhodes, Ariz.
Dooley	Kelly, N. Y.	Rhodes, Pa.
Dorn, N. Y.	Keogh	Riehlman
Doyle	Kilburn	Roberts
Durham	Kilday	Robsion, Ky.
Dwyer	Kilgore	Rodino
Edmondson	King	Rogers, Colo.
Elliott	Knox	Rogers, Fla.
Engle	Krueger	Rogers, Mass.
Fallon	Laird	Rogers, Tex.
Farbstein	Lane	Rooney
Fascell	Lankford	Roosevelt
Feighan	Latham	Rutherford
Fenton	LeCompte	Sadlak
Fino	Lesinski	Santangelo
Fisher	Lipscomb	Saund
Flood	Long	Saylor
Fogarty	Loser	Schenck
Forand	McCarthy	Scherer
Ford	McCormack	Schwengel
Fountain	McCulloch	Scott, N. C.
Frazier	McDonough	Scott, Pa.
Frelinghuysen	McFall	Scudder
Friedel	McGovern	Seely-Brown
Fulton	McGregor	Sheehan
Garmatz	McIntire	Sheppard
Gary	McIntosh	Shelley
Gathings	McVey	Sieminski
Gavin	Macdonald	Sikes
George	Mack, Ill.	Siler
Granahan	Mack, Wash.	Simpson, Ill.
Grant	Madden	Simpson, Pa.
Gray	Magnuson	Sisk
Green, Oreg.	Mahon	Smith, Calif.
Green, Pa.	Marshall	Smith, Kans.
Griffin	Martin	Smith, Miss.
Griffiths	May	Smith, Wis.
Gubser	Merrow	Spence
Gwinn	Metcalf	Springer
Hagen	Michel	Staggers
Haley	Miller, Calif.	Stauffer
Halleck	Miller, Md.	Sullivan
Harden	Miller, Nebr.	Taber
Hardy	Miller, N. Y.	Talle
Harris	Mills	Teague, Calif.
Harrison, Nebr.	Minshall	Tewes
Harrison, Va.	Montoya	Thomas
Harvey	Moore	Thompson, La.
Haskell	Morano	Thomson, Wyo.
Hays, Ark.	Morgan	Tollefson
Hays, Ohio	Morris	Trimble
Healey	Moss	Tuck
Henderson	Moulder	Udall
Herlong	Mumma	Ullman
Heselton	Murray	Utt
Hess	Natcher	Vanik
Hiestand	Neal	Van Pelt
Hill	Nicholson	Van Zandt
Hillings	Nimtz	Vorys
Hoeven	Norblad	Vursell
Holifield	Norrell	Wainwright
Holland	O'Brien, Ill.	Walter
Holmes	O'Brien, N. Y.	Watts
Holt	O'Hara, Ill.	Weaver
Horan	O'Neill	Westland
Hosmer	Ostertag	Widnall
Huddleston	Patman	Wigglesworth
Hull	Patterson	Williams, N. Y.
Hyde	Pelly	Willis
Ikard	Perkins	Wilson, Calif.
Jackson	Pfost	Wilson, Ind.
James	Philbin	Withrow
Jarman	Pillion	Wright
Jenkins	Poff	Yates
Jennings	Polk	Young
Jensen	Porter	Younger
Johnson	Preston	Zablocki
Jonas	Price	Zelenko
Jones, Ala.	Prouty	

NOT VOTING—50

Allen, Calif.	Dellay	O'Hara, Minn.
Anderson, Mont.	Dempsey	O'Konski
	Diggs	Osmers
Bailey	Eberharter	Powell
Baker	Gordon	Reed
Barrett	Gregory	Scrivner
Beamer	Holtzman	Smith, Va.
Blitch	Kearney	Steed
Boland	Kearns	Taylor
Bowler	Kirwan	Teague, Tex.
Boykin	Kluczynski	Teller
Breeding	Knutson	Thompson, N. J.
Buckley	McConnell	Thompson, Tex.
Celler	Machrowicz	Thornberry
Coudert	Mailliard	Vinson
Davis, Tenn.	Morrison	Wharton
Dawson, Ill.	Multer	Wolverton

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Holtzman with Mr. Wolverton.
Mr. Dawson of Illinois with Mr. Taylor.
Mr. Teller with Mr. Kearns.
Mr. Thornberry with Mr. Coudert.
Mr. Bailey with Mr. McConnell.
Mrs. Blitch with Mr. Reed.
Mrs. Knutson with Mr. Dellay.
Mr. Celler with Mr. Mailliard.
Mr. Gordon with Mr. O'Hara of Minnesota.
Mr. Kirwan with Mr. Osmers.
Mr. Kluczynski with Mr. Scrivner.
Mr. Machrowicz with Mr. Kearney.
Mr. Morrison with Mr. Wharton.
Mr. Powell with Mr. O'Konski.
Mr. Barrett with Mr. Allen of California.
Mr. Boykin with Mr. Baker.
Mr. Boland with Mr. Beamer.

Mr. DAWSON of Utah changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1791) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959, which is similar to the bill just passed.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That subsection (b) of section 5 of the Reorganization Act of 1949 (63 Stat. 205), as amended by the act of February 11, 1953 (67 Stat. 4) and the act of March 25, 1955 (69 Stat. 14), is hereby further amended by striking out "June 1, 1957" and inserting in lieu thereof "June 1, 1959."

Mr. FASCELL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FASCELL: Strike out all after the enacting clause and insert the provisions of H. R. 8364 as it passed the House.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The proceedings by which the House bill (H. R. 8364) was passed were vacated, and that bill was laid on the table.

ATOMIC ENERGY COMMISSION

Mr. DURHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1918) to amend Public Law 31, 84th Congress, 1st session, to increase the authorization for appropriation to the Atomic Energy

Commission for the construction of a modern office building in or near the District of Columbia to serve as its principal office.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That Public Law 31, 84th Congress, 1st session, is hereby amended, by striking the figure "$10,000,000" and inserting in lieu thereof the figure "$13,300,000."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 6978) was laid on the table.

AUTHORIZATION TO ACCEPT AND WEAR CERTAIN AWARDS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8633) to authorize the Honorable WAYNE L. HAYS, the Honorable WALTER H. JUDD, the Honorable JOHN J. ROONEY, and the Honorable JOHN TABER, Members of the House of Representatives, to accept and wear the award of the Cross of Grand Commander of the Royal Order of the Phoenix, tendered by the Government of the Kingdom of Greece.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Honorable WAYNE L. HAYS, Representative from the State of Ohio, the Honorable WALTER H. JUDD, Representative from the State of Minnesota, the Honorable JOHN J. ROONEY, Representative from the State of New York, and the Honorable JOHN TABER, Representative from the State of New York, are authorized to accept the award of the Cross of Grand Commander of the Royal Order of the Phoenix, together with any decorations and documents evidencing such award. The Department of State is authorized to deliver to the Honorable WAYNE L. HAYS, the Honorable WALTER H. JUDD, the Honorable JOHN J. ROONEY, and the Honorable JOHN TABER any such decorations and documents evidencing such award.

SEC. 2. Notwithstanding section 2 of the act of January 31, 1881 (ch. 32, 21 Stat. 604; 5 U. S. C. 114), or other provision of law to the contrary, the named recipients may wear and display the aforementioned decoration after acceptance thereof.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PHILIPPINE INDEPENDENCE DAY

Mr. BROOKS of Texas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

Mr. SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS of Texas. Mr. Speaker, when the House approved S. 1141 on July 1 we had in mind a suggestion of Gen. Carlos P. Romulo, Philippine Ambassador to the United States, that Congress approve this legislation in time for the Filipino people's celebration of their own Independence Day—July 4.

General Romulo, in an extraordinary appearance before a congressional committee, testified at a hearing of the Subcommittee on General Government Activities that his people would appreciate the fact that the donation of the Philippine records mentioned in the bill coincided with the Independence Day celebrations of both our countries. The Independence of the Filipino people is commemorated on July 4, General Romulo stated, "in grateful recognition of the part played by the United States in giving the Filipino people the opportunity to earn their independence."

This gesture on our part was so well received in the Philippines that the President of our fellow democracy, His Excellency Carlos P. Garcia, sent the following radiogram of appreciation to the White House:

The Filipino people join me in conveying to Your Excellency and to the United States Congress our deepest appreciation for the legislation handing back valuable historical documents and records seized during the Philippine Insurrection of 1898. Its signing on the eve of the anniversary of our national independence will be cherished by the Filipino people, especially by our historians and scholars who are now provided with a veritable source of historical materials. This is indeed another manifestation of the cordial relations existing between our two countries.

In a second message sent by President Garcia on July 4—the 11th anniversary of Philippine independence—he said:

Cemented with such special kind of friendship which heretofore never existed between two nations, the American and Filipino peoples rise today in observance of their birth as free nationals to enjoy the blessings of democracy and freedom under which ideals they fought side by side in times of peace and war.

Mr. Speaker, from these two messages from the President of the Philippine Republic, we may all conclude that the Filipinos are a grateful people dedicated to the cause of freedom. And I believe it is also clearly apparent that their representative to the United States, General Romulo, has kept them well informed of our work and abiding interest in the Philippine Republic as well as doing a singularly outstanding job in conveying to us the sentiments of his people.

It is indeed fortunate for both our countries that we have such a splendid and able representative of the Philippines to speak for his people in the United States.

PROGRAM FOR TOMORROW

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

Mr. SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I have asked for this time in order to ask the majority leader about the program for tomorrow.

Mr. McCORMACK. The first order of business will be H. R. 4520, relating to the permanent certification of air carriers operating between the United States and Alaska.

The next order of business is the bill H. R. 72, in which the gentlewoman from Massachusetts is interested.

Mrs. ROGERS of Massachusetts. That is a bill about which I am greatly troubled. It would take away certain rights of fathers, mothers, grandchildren, brothers, and sisters, of certain veterans. I am very much worried about this bill.

Mr. McCORMACK. The next order of business is the bill H. R. 3753, extending loans to homesteaders and desertland entrymen.

I am glad to give the gentlewoman the information either as leader of the Republican Party or in her individual capacity.

Mrs. ROGERS of Massachusetts. I thank the gentleman. He is helpful as always.

CONGRESS AND THE COURTS

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

Mr. SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, Members of Congress and the general public are understandably concerned by certain recent decisions of the Supreme Court bearing upon Congressional investigations, the constitutionality of Congressional enactments directed against communism and subversion, the general power of Congress to legislate and conduct inquiries in vital areas of Government, and opening the files of the FBI in criminal cases.

Several decisions of the Court have given rise to sharp controversy, differences of opinion and anxiety, not only in Congress, but in the bar and other well informed segments of the American public. These decisions have also touched upon such extremely vital and crucial questions as the right of the several States to prohibit subversion, the right of local government agencies to select teachers in the public schools, the right of Congress to punish subversive activities in the Nation, and the right of Congress to investigate un-American, Communist activities. In the specific cases as decided, Congressional enactments were nullified or limited, Congressional investigations were criticized and checked, and the power of the States to legislate in certain fields heretofore recognized as legitimate subject matters for State legislative control was annulled. The FBI was allegedly shackled and the national security endangered.

I do not know of any Member of Congress who does not freely acknowledge the vital importance in our system of Government of the Supreme Court. As

one of the three great coordinate branches of the Government this august and distinguished body is vested by the Constitution and the law with clearly expressed powers to interpret the Constitution and the laws of the United States. Historically, it has been a court of great dignity and great importance. Time and time again since the beginning of the Government it has laid down broad principles of law, equity and justice which have served in innumerable cases to provide stability and continuity to the Government and to protect the most sacred rights of the individual and the rights of minority groups as well as majority groups.

The power of Congress to investigate for the purpose of taking remedial legislative action has never been successfully questioned. For the most part, it has been the methods and procedures followed by Congressional committees that the judicial branch had sought to check.

It is stated by the Court that "Congress has no power to expose for the sake of exposure", and I think no one would seriously challenge that statement. The point is that there is something more than exposing in these cases. Exposure is merely a necessary incident. There is, so Congress and the courts have found, a clear and present danger to the American system of government in the form of an intensive, well-organized, cleverly conducted scheme to destroy it, to replace it with Marxist communism. How in this situation can anyone contend that this Government does not have the power to protect itself from destruction, or that the Congress is prohibited, insofar as it can, from protecting the Government from destruction.

Informing the public is a necessary part of the legislative process, and that means exposing threatening national conditions to public scrutiny and examination so that public sentiment may be generated in support of appropriate remedial legislation. It is not possible for Congress or the American people to act intelligently on public questions without first being adequately informed as to the basis for changes in law or procedure necessary to cope with existing conditions. Some justification must be furnished for legislative and Congressional action, and there is no way by which this end can be achieved except by appropriate public inquiries by Congress designed not only to inform itself, but also to inform the American people.

As long ago as 1924, one of the most able and distinguished Justices of the present Supreme Court in an article entitled "Hands Off the Investigations" made out a strong case for "unfettered" Congressional inquiries challenging those who, at the time, were trying to cripple pending investigations of serious abuses and corruption in the oil industry involving high Government officials and prominent businessmen. This learned, scholarly Justice observed that, and I quote, "the condemnation of the most powerful is reserved for the exposers and not for the exposed." This pithy statement vividly describes the present attitude of some toward the investigation of communism. In the article, alluding to the fact that Congressional inquiry is a power which has been exercised since 1789, and inveighing against those who would urge curbs upon Congress, this very able, experienced Justice declared that—

> Never in the history of this country have Congressional investigators had to contend with such powerful odds.

The Justice stanchly defended the then investigating committees, being assailed for irrelevant, unfair, and unsubstantial charges and the character of some of the witnesses.

He stated further:

> This is the kind of hairsplitting that has for decades been attacked as a disgrace to American criminal procedure.

And that—

> Nothing in the experience of the Walsh-Wheeler investigations reveals the need of changing the process or confining the limits of congressional investigations. The proper scope and methods of procedure appropriate to congressional investigations depend on the conception of the part they play in enabling Congress to discharge its basic duties.

Quoting the great President Wilson on this point with approval, the learned Justice referred to the late President's statement as follows and the quotes are from President Wilson:

> It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice and to embody the wisdom and will of its constituents. Unless Congress have and use every means of acquainting itself with the acts and the disposition of the administrative agents of the Government, the country must be helpless to learn how it is being served; and unless Congress both scrutinze these things and sift them by every form of discussion, the country must remain in embarrassing, crippling ignorance of the very affairs which it is most important that it should understand and direct. The informing function of Congress should be preferred even to its legislative function.

I think it would probably be more accurate to state that the informing function of Congress is an essential part of its legislative function. If these statements and principles were properly applicable in that instance to the defense of property rights and exposure and punishment of those violating them by corruption and malfeasance, how much more pertinent they are in connection with our present urgent program to check, defend ourselves against by every available measure, and to punish, according to due process of law, the diabolical conspirators who are seeking to destroy the Government in the furtherance of the Marxist superstate.

The Justice's excellent article goes on to point out that "undoubtedly the names of people who have done nothing criminal or wrong have been mentioned in these investigations." And this statement is extremely pertinent in view of current charges of unfairness and impropriety, almost continuously leveled against our committees: The question is not whether people's feelings here and there may be hurt, or names dragged through the mud, as it is called. The real issue is whether the danger of abuses and the actual harm done are so clear and substantial that the grave risks of fettering free Congressional inquiry are to be incurred by artificial and technical limitations upon inquiries.

Quoting Wigmore to the effect that the system of rules of evidence used in trials before juries "is not applicable by historical precedent, or by sound practical policy to inquiries of fact determinable by administrative tribunals," he asserted it is still less applicable to inquiries by Congressional committees.

> Congressional inquiry—

The article continues—

> ought not to be fettered by advance rigidity * * * because such curtailment would make an effective investigation almost impossible.

The article proceeds:

> Taken in connection with the proposal to curb the investigating powers of Congress, what is urged, in effect, is that we abandon the technical limitations which have been established to protect men from being sent to jail too readily, but introduce them into a field where they have never been resorted to and where they are wholly out of place, namely, in the exercise of the informing function of Congress.

And there follows what I believe to be a most commendable statement:

> A good deal must be left to the standards which Congress imposes upon itself and its committees; a good deal must be left to the duty of newspapers to report fairly and not sensationally, and to interpret wisely; a good deal must be left to the good sense of people.
>
> In conclusion, there is no substantial basis for criticism of the investigation. Whatever inconveniences may have resulted are inseparable incidents of governmental power, and to talk about these incidents is to deflect attention from wrongdoing and its sources.
>
> The procedure of Congressional investigation should remain as it is. No limitation should be imposed by Congressional legislation or standing rules. The power of investigation should be left untrammeled, and the methods and form of each investigation should be left for determination of Congress and its committees, as each situation arises. The safeguards against abuse and folly are to be looked for in the forces of responsibility which are operating from within Congress, and are generated from without.

I think, Mr. Speaker, it would be very difficult for anyone to quarrel with the learned justice's admirable statement on the subject of Congressional investigations. It reflects to my mind the basic principles which should govern the Congress in conducting its investigations. I believe that these principles should be amplified to cover possible abuses in the investigatory process.

So long as human beings are possessed of the frailties of nature, mistakes of judgment will be made. This is true of Congressional committees and it is true of courts and it is true of everything else that human beings touch upon. Neither Congress, the courts nor the Executive are infallible. Our system of checks and balances exists to try to minimize these mistakes, and it has worked with better success than any other system. But doubtless it has also given rise to serious abuses and limitations.

I greatly deplore any mistakes that may have been made by our Congressional committees in violating the rights

of individuals hailed before Congressional inquiries. I think that we should literally and actually lean over backward, in order to insure such individuals full due process of the law and the protection of all their rights. Where we fail in this function, it is appropriate that the courts should intervene to insure justice. But we should not allow any individual to flaunt, defy, or make a mockery out of our duly constituted committees in the performance of their tasks, and as we all know that has happened time and time again, particularly since the onset of our intensive investigation of communism, subversion and un-American activities.

If any individual wants to take the fifth amendment and thus refuse to give his testimony on the ground that it would incriminate him, that is his undoubted right, and it should be scrupulously recognized by our committees. Every witness appearing should be granted a fair, impartial hearing. All his constitutional rights should be observed and recognized. He should not be subject to abuse, vilification, or oppressive treatment. At the same time he should be required to observe the rules of order and propriety that pertain to Congressional hearings and should never be allowed to heap insult, disparagement, or disrespect upon the committee or its members.

I believe this question of committee procedure merits our most careful attention in order to bring uniformity of rule as well as safeguards of individual rights into an area which is so vital to representative government. Unlike communism and the police state, our system and our Constitution recognize the individual, not the state itself, as the paramount concern of government. Let us continue to strengthen all those rights and safeguards that seek this indispensable end.

THE DANGER OF INFLATION

The SPEAKER. Under the previous order of the House, the gentleman from Illinois [Mr. VURSELL] is recognized for 20 minutes.

Mr. VURSELL. Mr. Speaker, no legislative body in the world is charged with so great a responsibility as is the Congress of the United States.

Our first obligation to our people, in cooperation with the executive department, is to maintain peace.

Our second responsibility is to maintain a strong and sound economy. In other words, our two great responsibilities are peace and prosperity.

Our executive department, under the able leadership of President Eisenhower, assisted by the tireless efforts and great ability of the Secretary of State, Mr. Dulles, and his well-informed officials in the State Department, have done over the past few years a tremendous job for peace at home and throughout the world. They have performed their work so well that it appears peace for our people and the people of the world becomes more hopeful with the passing months.

We have been able to maintain peace for our country for over 4 years, and the goal of world peace may become a reality sooner than we think if we continue to keep our domestic economy strong.

If we win the fight for world peace, it will be because we have given constant thought and attention and great effort to our foreign policy. It will be because we have followed the right policies and have paid the price in billions of dollars. We have spent billions of dollars in building the strongest military peacetime force in the world. We have spent billions of dollars through research in modernizing and adapting our military force to atomic warfare.

We have helped other free nations of the world build up their military and economic strength for the purpose of deterring Russia from starting another war, and to make certain of her quick defeat and destruction if she should.

In our present budget of approximately $71 billion, about 60 percent of it is to keep our military and the military and economic power of the free nations of the world in a strong posture for peace.

WHAT ABOUT OUR DOMESTIC ECONOMY—NOW THREATENED WITH INFLATION?

Mr. Speaker, while on the home front we have avoided a depression in our transition to an uneasy peacetime economy, and the Nation generally has enjoyed a rather buoyant prosperity, there are ominous signs of serious economic trouble in the near future unless this Congress and the executive department come to grip with the present creeping inflation that may rapidly gather speed and momentum unless we are able to stop it.

Most members of the Congress, in both bodies, know how dangerous and destructive inflation can be. We have seen its deadly effect on the economy of other nations in the recent past. We know it can destroy our present prosperity by further reducing the purchasing power of the dollar, and that it will, unless it is checked.

Mr. Speaker, I have talked with some able members of Congress who say inflation is a greater threat to our country at the present time than is Russia.

I take this time to raise the question: Why don't we in the Congress forget any and all political lines; get together to give serious consideration to this problem, and try to decide on a course of action that will combat this number one enemy to the economy of our Nation?

Mr. Speaker, it would seem that we should have been spending much of our time for the past few months in considering this question. Certainly it is more urgent and of much greater importance than many matters that have had our time and attention. I dislike seeing this Congress adjourn, and leave the country to the danger of increased inflation, until we meet here next January, without making an effort now to do something about it.

President Eisenhower, in one of his early messages to this Congress, pointed out the threat and danger of inflation by calling attention to it—urging the labor leaders and the business men of the country to hold the line on price and wage increases.

Mr. Speaker, the President again, at a recent press conference, called attention to the danger of inflation in the following words:

> There must be statesmanlike action both by business and labor. Frankly, I believe that bodies of directors of business or business organizations should take under the most serious consideration any thought of a price rise, and should approve it only when they can see that it is absolutely necessary to continue to get the kind of money they need for the expansion demanded in this country.

Continuing, he said:

> And at the same time, labor should demand wages, wage increases that conform roughly to the increase in productivity of the individual, and the only exception I think they ought to make to that, when there are demonstrable injustices existing in particular areas.

On July 3, the President in his press conference again referred to the danger of inflation when he replied to a question put to him, as follows:

> I do stand firmly upon the idea I advanced, which is that Government alone cannot keep a stable economy; the Government alone cannot preserve a sound dollar. There has got to be a free economy, statesmanlike action on the part of all business elements, businessmen and labor, or we are lost.

Secretary of the Treasury, Mr. Humphrey, has strongly warned against it, and, in cooperation with the officials of the Federal Reserve Board, has made a constant effort to slow down or check it. But it is apparent, their efforts and power alone are not sufficient to cope with the type of inflation that is slowly but steadily making inroads on the health of our economy.

Mr. Speaker, true, the Congress has cooperated to a considerable extent through its efforts to reduce Government spending, but that is not enough to cope with the type and cause of the present inflationary pressure that in recent months continues to force the cost of living higher, and lowers the purchasing power of the dollar.

HOW INFLATION HITS THE BUDGET

David Lawrence, who by many Members of Congress is recognized as one of the ablest financial writers of the Nation, and whose views are highly respected by business leaders generally is quoted from a recent article published in the New York Herald Tribune in the July issue of the Reader's Digest as follows:

> Out of the $62.7 billion by which the proposed budget exceeds the 1940 budget, $41.2 billion are the result of inflation.
>
> The economists of the economic division of the U. S. News and World Report, after a recent study of all the Federal budgets, found that in the purchasing power of the 1940 dollar, the present proposed budget would be only $30.9 billion instead of $71.8 billion.

Mr. Speaker, since 1939 and 1940, when the dollar bought 100 cents worth of merchandise, inflation has driven down its purchase power until today it is about 50 cents.

It certainly is the duty of the Congress and the executive department of government to combine forces in finding ways and means to prevent present inflationary trends from further reducing

the purchasing power of the dollar. Wages and prices should be stablized in an effort to arrest inflation rather than be permitted to increase.

In the years prior to 1953, when President Eisenhower came to office, the dollar had lost nearly half of its value. As a result of this inflation prices also increased nearly 100 percent; in fact during the last 4 years of the Truman administration, from December 1948 to December 1952, inflation drove prices upward, in that short time, 10.8 percent.

Due to the cessation of the Korean war, and for other reasons, inflationary pressures abated to a considerable extent. During the year 1953 we had only a seven-tenth of 1 percent increase.

With the threat of a depression in 1954, there was a decrease or a reduction in the cost of living of one-half of 1 percent.

In 1955, due to the increase and great expansion in business, the cost of living rose three-tenths of 1 percent.

Unfortunately, in 1956, there was an alarming inflationary increase of 2.9 percent, and there has been a small but constant increase in the cost of living each month to a total this year, through May, of 1.4 percent.

While the forces in the administration which have constantly combated inflation are to be commended for slowing it down, it is still apparent that other forces must be mobilized to stop its upward trend and stabilize prices and wages, and the purchasing power of the dollar at its present level.

There is no denying the fact that our policy over the past years, partly due to the dislocations of war, and the frequent rise of wages and salaries to keep up with the increase in the cost of living have been responsible, to a great extent, for its almost constant upward trend.

There are other factors also which have helped to accelerate inflation. If we are to stop inflation and the further devaluation of the dollar without again applying wage and price control legislation, which nobody wants if it can possibly be averted, it will take the power and influence of the President, the united efforts of the Congress, the power and influence of George Meany, Walter Reuther and other leading labor officials, and the united power and influence of the business organizations of our country, such as the National Association of Manufacturers and the National Association of Commerce; the cooperation of all of the State chambers of commerce, the representatives of the farm organizations, and the representatives of business generally.

I believe the American people with the type of leadership I have suggested can and will patriotically and voluntarily help stop this inflation when they understand its great danger, if they have the assurance that a mass movement led by the President, the Congress, influential labor leaders and the business interests were furnishing enthusiastic cooperation and leadership.

I have confidence that in a movement of this kind the responsible leaders of labor and business, in the interest of the members of their organizations, would want to stop the increase in the cost of living, and would accept and carry out the suggestions of the President to stop wage increases, unless within the range of very exceptional cases.

Certainly the business interests of the country would realize the gravity of the situation and in their own interest would seek to stabilize and reduce their prices whenever possible, and use their influence to reduce the cost of living.

Such voluntary action on the part of both business and labor would stop the deflation of the purchasing power of the dollar, and thereby help all of the people in every walk of life and hurt no one.

I have taken the time to briefly discuss this matter today in the hope that the leaders in the Congress, Republicans and Democrats, in both bodies, will join in a bipartisan spirit and combine their efforts in a program calling upon labor officials, business officials, and the people generally to join in a voluntary movement to stop the increase in the cost of living through inflation, and to stop the devaluation of the purchasing power of the dollar.

Possibly a resolution to this effect, unanimously endorsed by both bodies, might be most helpful.

THE FOREIGN-AID PROGRAM

The SPEAKER. Under the previous order of the House, the gentleman from Ohio [Mr. Bow] is recognized for 60 minutes.

Mr. BOW. Mr. Speaker, as many Members probably know, the Foreign Affairs Committee has voted out House Joint Resolution 16, by a vote of 18 to 8, which is pending now before the Rules Committee.

Inasmuch as certain members of the Foreign Affairs Committee filed minority views, I feel that it is proper that I address the House on the questions relating to those minority views, to explain my position in reference thereto.

This bill would direct the President to seek a modification of the NATO Status of Forces Treaty, and all other similar agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces stationed within their boundaries.

This resolution, or its identical predecessor, House Joint Resolution 309, has been before the committee since May 18, 1955.

Extensive hearings were held on House Joint Resolution 309 in the 84th Congress. The transcript thereof was available to the 32 members of the committee of the 85th Congress. The six new members of this committee had ample opportunity to familiarize themselves on matters of foreign policy and the constitutional and legal problems involved.

The committee apparently felt that no purpose would be served by hearing additional testimony from proponents of the resolution and similar resolutions, or from those opposed to the endeavor to secure modification of these agreements. However, the committee saw fit to include in its report certain communications from the Department of Defense, and the Department of State, expressing their alarm.

There is also a minority report submitted to you. Since apparently this report contains very little in support of the action of the committee, I find it necessary to answer the objections made by the executive departments, and particularly the objections made by the minority report. There are no new facts in this report. The arguments are familiar. They follow the pattern set by those who are still trying to justify the surrender of American rights to foreign nations—a giveaway program which followed our donation of money and other assistance to many nations throughout the world, and, of course, the scare argument is stressed by all opposed to my resolution.

MINORITY OBJECTIONS

For your convenience, if you have the minority report before you, let us consider the points which are endeavored to be made therein.

First, we learn that the signers of this report are opposed to the Bow resolution in its present form because it is untimely, unconstitutional, and if put into effect would endanger the security of the United States.

UNTIMELINESS

Now, if there is anything untimely about the presentation of this resolution, it results from the fact that the House Foreign Affairs Committee refused to report the resolution, or its predecessor, to the House for action earlier. All last Congress the committee kept House Joint Resolution 309 bottled up in spite of the fact that an amendment which I offered to the reserve bill on May 18, 1955, was adopted by a vote of 174 to 56. This amendment would have prevented the sending of servicemen enlisted, inducted, or ordered to duty after that date to countries which refused to waive criminal jurisdiction over our troops. The adoption of the amendment was an expression of the sentiment of the House and an indication that my resolution, House Joint Resolution 309, would be favored by the Members if they were given the opportunity to vote on it.

WAIT FOR COURT DECISIONS

When the committee filed its report last year on the Mutual Security Act of 1956 it endeavored to excuse its action in voting against bringing House Joint Resolution 309 to the floor, and one of the excuses was the same as is offered again by the minority members of the committee, that we must wait until the Supreme Court has handed down additional decisions on these matters. They listed in that report six cases, all of which are now decided. The decisions in several of those cases should be enough to answer all of their questions. But, since the answer is not to the liking of the minority group they now say we must wait for a decision in the Girard case. We should not wait to act in this matter for this decision. Regardless of the trend the decision may take, some modification of existing agreements by their termination, or replacement by new agreements, will be necessary.

AMERICANS AROUSED

There is no doubt that the Girard case has awakened the American people to

the true situation, which has existed for more than 4 years. Very few Americans, unless they had relatives or friends serving abroad who ran afoul of foreign laws, had heard about the NATO Status of Forces Agreement or the many other similar executive agreements. Even those who had some knowledge of their existence were lulled into an acceptance of them as necessary by misrepresentations of facts and of law made by those interested in putting them over and keeping them in force.

NO PROTECTION ON DUTY

The Girard case has merely brought to light that this committee, the Senate, the Senate Foreign Relations Committee and the American people were misinformed by the repeated assurance of executive departments that all these agreements protected a soldier on duty against foreign justice. It was fully revealed in various cases that actually the United States nowhere could be sure it had this right; that some of the NATO countries refused to admit that the right of the United States to say when one of its servicemen, accused of an offense, was, or was not, on duty. In fact, there are agreements which specifically give the foreign authority the right to determine this, and one of these now has been disclosed to be the agreement with Japan.

Now, the State Department and the Defense Department have well-organized propaganda machines, and ever since the decision was made to surrender Girard to Japanese justice these machines have been grinding out releases calculated to condition the American people to the idea that Girard exceeded his authority and intended to cover up the fact that our diplomats apparently had something put over on them in this Japanese agreement. The Justice Department has now carried this campaign into the Supreme Court in its effort to influence the decision.

I regret very much that the minority report, by inference, suggests that there is some question as to whether or not Girard was on duty, and that we have to wait for his trial in order to find this out. There is no question if you are an American and governed by American history and precedence but that Girard was on duty. There was no doubt in the mind of his commanding general, who made the certificate saying as much. There is only doubt in the minds of those who are so anxious to accept foreign standards for everything—for justice, for personal rights, for security.

THE CONSTITUTIONAL QUESTION

The minority report says that the Bow resolution is unconstitutional. Let us consider this, but first, let us consider the other constitutional questions involved which the committee blithely ignores. I remind the Members of the House, that the Constitution of the United States gives certain powers to the Congress: The power to raise and support armies—the power to provide and maintain a navy—the power to make rules for the government and regulation of the land and naval forces—the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.

All of these powers must be exercised in carrying out one of the purposes expressed in the preamble of the Constitution—to provide for the common defense.

The House of Representatives and the Senate, acting in concert, exercise these powers. They have followed through. We have land and naval and air forces. We have rules for their government and regulation. We have the Uniform Code of Military Justice adopted by Congress as part of these rules for government and regulation of our forces.

The provision of the Constitution which states that the President shall be Commander in Chief of the Army and Navy of the United States does not give him the right to make laws for the government of those forces. He has directive power only, similar to that exercised by generals and admirals, but over them. He would have no forces to direct if Congress did not provide them.

Although he has the power to make treaties, he cannot use this power to indirectly provide laws for the government of our Armed Forces, replacing the Uniform Code of Military Justice adopted by Congress. That is what these various status of forces agreements do.

This power to make rules to govern our armed forces given to Congress by the Constitution implies also the converse—that the land and naval forces have the right to be governed by the laws made by the Congress of the United States—not by any provisions of a treaty or executive agreement, and not by the provisions of any laws of a foreign country. The Code of Military Justice applies to all members of our armed forces everywhere.

These are the first constitutional questions which are involved—the right of Congress to make the laws governing the Armed Forces, and the right of a serviceman, under the Constitution, to be governed by the laws which the Congress has made. When the United States District Court for the District of Columbia said that this right which was in Girard had been violated, then the Court was recognizing the fact which I have repeatedly stated, that the NATO agreement and all similar status agreements ignore and flaunt the Constitutional power of Congress.

COVERT AND KRUEGER DECISIONS

In this connection I call your attention to the decision of the Supreme Court in two of the cases which the Foreign Affairs Committee listed last year. I refer to the two court-martial cases of Krueger against Kinsella and Covert against Reid, which were joined by the Supreme Court in one opinion. The Court in its opinion stated that there is nothing in article VI, the supremacy clause of the Constitution, which intends that treaties and laws enacted pursuant to them do not have to comply with the provisions of the Constitution. The Court said:

> It would be manifestly contrary to the objections of those who created the Constitution, as well as those who were responsible for the Bill of Rights—let alone alien to our entire constitutional history and tradition—to construe article VI as permitting the United States to exercise power under an international agreement without observing constitutional prohibitions. In effect, such construction would permit amendment of that document in a manner not sanctioned by article V. The prohibitions of the Constitution were designed to apply to all branches of the National Government and they cannot be nullified by the Executive or by the Executive and the Senate combined.

I think it is clear from this that the NATO Status of Forces Agreement and all of the executive agreements of like nature are unconstitutional.

I might add, in passing, that the majority opinion of the Court in this case also disposed of the statement frequently made that the Constitution can have no operation in another country. The Court said that this statement, for which the authority of In re Ross is claimed, has long since been directly repudiated by numerous cases.

PERSONAL RIGHTS LOST

Another personal loss of constitutional rights necessarily follows when any accused serviceman is turned over to foreign courts. I am not going to enumerate again all of these rights which are granted to every citizen of the United States by our Constitution. The Senate in its resolution giving advice and consent to the ratification of the NATO Status of Forces Treaty, recognized that servicemen might lose their rights in foreign courts. They directed that the Defense Department require Army commanders to study the laws of the foreign countries and to take action to protect the rights of our servicemen. Studies of the laws made by the Judge Advocate General disclose that certain rights are almost certain to be lost in every case. The direction of the Senate has not been explicitly followed, because for purposes of administration and political reasons, the Defense Department apparently has considered accused servicemen expendable. They also have succumbed to the comforting assumption that all accused servicemen are guilty and in the minds of the defender of these agreements should not have the protection of our Constitution.

The fact that foreign justice could sometimes be injustice was recognized by the makers of these agreements because they included certain so-called safeguards which were supposed to give the accused a minimum protection from such injustice. I think the fact that these provisions were included is eloquent testimony of the deficiencies of foreign justice. Our Attorney General told the Senate committee that these agreements represented "civilized standards of justice." That is a new concept of a system of laws. It is indirectly sneering at the whole system of our Government, bought and paid for by our forefathers, but sold very cheaply by our internationalists today.

Put a man in a position of power, or give an ambitious man an opportunity to advance himself by adopting the tenets of internationalism advocated by his superiors, and he can go far in our Government. You also find surprising conclusions reached for purposes of expediency. For instance, an Assistant

General Counsel of the Defense Department told the Senate Armed Services Committee that he could see nothing inherently wrong in the practice abroad of joining a civil action with a criminal charge, even though he knows it is contrary to our established system of jurisprudence.

This is one of the quirks of criminal procedure in foreign countries—that frequently a civil claim is joined with and prosecuted with a criminal charge. Actually, what hapens in that, in order to afford a foreign national an opportunity to prosecute his civil claim cheaply, a criminal charge is first filed against the accused. The Army commander in France has said this was a disturbing factor in the morale of his troops. The Air Force commander in Japan has made similar observations about Japanese charges of negligence. We know that in our system of jurisprudence less evidence is required to support a money judgment than a finding of guilt in a criminal proceeding. The prosecuting witness in these combined cases always has a financial stake in securing a conviction. One has to speculate as to how much protection the Department of Defense willingly gives to our servicemen. Even the General Counsel of the Department, ignoring the ethics of his profession, followed the line of trying to convict Girard by publicized derogatory statements.

The NATO agreement and all other status agreements deprive American citizens of rights given them by our Constitution, and no one in the Government of the United States, according to our Supreme Court, has that right.

CONSTITUTIONALITY OF RESOLUTION

The only constitutional question with which the minority of the committee have concerned themselves, however, is the question they raise as to my resolution. They say that it invades the treatymaking power of the President, requiring him either to renegotiate or to denounce the treaties. Well now, let me say there is only one treaty which is referred to in the resolution—that is the NATO treaty. All other agreements are purely executive agreements.

The Government in the Girard case briefs has even adopted a new word for them and called them arrangements, so that, so far as the Japanese agreement and some 40 or more other agreements are concerned, they are not treaties.

The argument of the minority seems to be that regardless of how the President may exercise his treatymaking power, that the people of the United States are precluded from ever objecting—they dare not say they do not like whatever arrangements the President has made with the foreign country. That is rather absurd.

PRECEDENTS FOR RESOLUTION

I call your attention to the fact that the Status of Forces Agreement contains provisions as to the means by which it may be modified or abrogated, and that House Joint Resolution 16 conforms strictly to the provisions of the agreement as to either right. It is not an enactment of a law of itself to modify or terminate an agreement. There is considerable authority for participation by the House in a resolution of this kind.

In 1846 Congress, by joint resolution, on April 27, authorized the President at his discretion, to notify the British Government of the abrogation of the convention of August 6, 1827, relative to the joint occupation of the Oregon Territory. President Polk had requested the resolution, thus supporting the theory that international conventions to which the United States is a party, even those terminable on notice, are terminable only by act of Congress.

In 1883 Congress, by a joint resolution, directed the President to give notice to Great Britain of the termination of articles 18 to 25 inclusive of the treaty of Washington of May 8, 1871. The resolution was in these terms:

Resolved, That in the judgment of Congress the provisions of articles 18 to 25, inclusive, and articles 30 of the treaty * * * ought to be terminated at the earliest possible time * * * ; and to this end the President be, and he hereby is, directed to give notice to (Britain) that the provisions of the articles aforesaid will terminate and be of no force on the expiration of 2 years next after the time of giving such notice.

2. That the President be, and hereby is, directed to give and communicate such notice of termination on July 1, 1883, or as soon thereafter as may be.

This resolution was limited entirely to the direction to the President to give the notice terminating the provisions in the treaty relating to Canadian fisheries and to coastal trading privileges. It was approved by President Chester A. Arthur, March 3, 1833—volume 22, Statutes at Large, page 641—and on July 2, 1883, he gave the required notice.

Instances of instruction by legislation are contained in the Payne-Aldrich Tariff Act of 1909 (36 Stat. 33) which contained this direction to terminate certain commercial agreements:

4. The President shall have power and it shall be his duty to give notice, within 10 days after the passage of this act, to all foreign countries with which commercial agreements have been negotiated * * * of the intention of the United States to terminate such agreements at a time specified in such notice, which time shall in no case * * * be longer than the period of time specified in such agreements respectively for notice for their termination.

When the French Government protested the receipt of a notice of termination from our Secretary of State, the following reply was forwarded:

As you are aware, the President of the United States, in giving the formal notice on August 7, 1909, has been obliged to follow implicitly the prescriptions of the new tariff act of the United States. (Foreign Relations of United States, 1909, pp. 46, 284, 270, 288, 389; John Mabry Mathews, American Foreign Relations (1938), p. 598; Green H. Hackworth, Digest of International Law (1943) (vols. 429–430).)

In the Seaman's Act of 1915 (38 Stat. 1164) Congress directed the President to terminate treaty provisions in conflict therewith:

16. In the judgment of Congress articles in treaties * * * insofar as they provide for the arrest and imprisonment of seamen deserting * * * merchant vessels of the United States in foreign countries * * * and other treaty provisions * * * in conflict with this act * * * ought to be terminated, and to this end the President * * * is hereby requested and directed, within 90 days after passage of this act, to give notice to the several Governments, respectively, that so much * * * of all such treaties * * * will terminate on the expiration of such periods after notices have been given as may be required in such treaties.

President Wilson gave the required notice—Samuel B. Crandall. Treaties: Their Making and Enforcement, second edition, 1916, page 460.

A direction to the President, contained in the Merchant Marine Act of 1920 (41 Stat. 1007) to terminate treaties restricting the right of the United States to impose documentary customs duties was not complied with by President Wilson because he stated that:

The treaties contained no provisions for their termination in the manner contemplated by Congress.

The point was made that the direction sought to terminate only so much of the treaty as imposed any restriction on the United States as to customs duties and tonnage dues and did not comprehend abrogation of the treaties in their entirety.

Earlier, in 1879, Congress enacted a bill forbidding any ship from bringing more than 15 Chinese immigrants to the United States on any one trip. President Hayes vetoed the bill on March 1, 1879, because the legislation would mean virtual exclusion of all Chinese and accordingly be in conflict with the Burlingame Treaty of 1868 which accorded the privilege of unlimited entry of Chinese. In his veto, President Hayes said:

The authority of Congress to terminate a treaty with a foreign power by expressing the will of the Nation no longer to adhere to it is as free from controversy under our Constitution as is the further proposition that the power of making new treaties or modifying existing treaties is not lodged by the Constitution in Congress, but in the President, by and with the advice and consent of the Senate.

As early as 1856, the Senate Foreign Relations Committee, in a report sustaining the validity of a Senate resolution authorizing transmission of a notice of termination, to be adopted in fulfillment of a Presidential request addressed to the Senate alone, explicitly acknowledged that other procedures, such as one involving adoption of an authorizing resolution by both Houses, would be equally appropriate. Similarly, the Supreme Court, which in a dictum set forth in an early decision, had intimated that the power to terminate was vested in the President, more recently has also acknowledged that no constitutional inadequacy attaches to denunciation of treaty provisions by Presidential notice of termination issued pursuant to direction contained in the Seamen's Act of 1915.

Perhaps the strongest claim of constitutional competence on behalf of participation by the House has been made by Edward S. Corwin who once asserted that—

Legislative precedent, which moreover is generally supported by the attitude of the Executive, sanctions the proposition that the power of terminating the international compacts to which the United States is

party belongs, as a prerogative of sovereignty, to Congress alone.

Concurring, though less emphatically, John Bassett Moore also observed that notice of termination "when given by the President usually has been given under the authority of a joint resolution of Congress."

From these precedents and assertions perhaps the only conclusion that safely may be drawn is that "history shows that treaties and executive agreements have been modified or abrogated as a result of various procedures which emphatically assert that alternative methods are even more characteristic of the unmaking of international acts than of their making", and that perhaps, "the choice of method would seem to depend either upon the importance of the international question or upon the preference of the executive"—*Charlton* v. *Kelly* ((1913) 229 U. S. 447, 476); *Van der Weyde* v. *Ocean Co.* ((1936) 297 U. S. 114, 117–118); Mr. Justice Iredall, in his concurring opinion in *Warve* v. *Hylton* ((1796) 3 Dall 199, 256, 260), also acknowledged the validity of joint action by the two Houses of Congress. Senate Report No. 97, 34th Congress, 1st session, as reproduced in Senate Document No. 231, 56th Congress, 2d session, part 8, pages 107–109, 111–112; see also CONGRESSIONAL RECORD, volume 14: page 2333. Edward S. Corwin, The President's Control of Foreign relations, 1917, page 115; Hackworth, in the works cited, page 319; Wallace M. McClure. International Executive Agreements, 1941, page 16; Mathews, in the works cited, page 616; Moore, in the works cited, page 322.

You will find that these precedents quite outweigh the citations given you by the minority in this report. In fact, the minority was guilty of only a half truth in quoting from the veto message by President Hayes referred to above.

The quotation which the minority has furnished you in the case of United States against Curtiss-Wright Export Corp., also only goes halfway. The Court further found, in that case, that the President, no matter how broad his power in foreign relations might be, could not ignore the limits imposed by our Constitution. On this point the Court said:

> It is important to bear in mind that we are here dealing not alone with an authority vested in the President by an exertion of legislative power, but with such an authority plus the very delicate, plenary, and exclusive power of the President as the sole organ of the Federal Government in the field of international relations—a power which does not require as a basis for its exercise an act of Congress, but which, of course, like every other governmental power, must be exercised in subordination to the applicable provisions of the Constitution.

I believe that the Congress in determining the constitutionality of this contemplated action may well give heed to the statement by Thomas H. Benton, who served in the United States Senate for 30 years, contained in his work entitled "Benton's 30 Years View":

> The boundaries between the treatymaking and the legislative departments of the Government became a subject of examination after the war (1812) and gave rise to questions deeply affecting the working of these two departments. A treaty is the supreme law of the land and as such it becomes obligatory on the House of Representatives to vote the money which it stipulates and to cooperate in forming the laws necessary to carry it into effect. That is the broad proposition. The qualification is in the question whether the treaty is confined to the business of treatymaking power? To the subjects which follow under its jurisdiction? And does not encroach upon the legislative power of Congress? This is the qualification and a vital one: for if the President and the Senate, by a treaty with a foreign power, or a tribe of Indians, could exercise ordinary legislation, and make it supreme, a double injury would have been done, and to the prejudice of that branch of the Government which lies closest to the people, and emanates most directly from them. Confinement to their separate jurisdiction is the duty of each; but if encroachments take place, which is to judge? If the President and Senate invade the legislative field of Congress, which is to judge?
>
> Or who is to judge between them? Or is each to judge for itself? The House of Representatives and the Senate in its legislative capacity, but especially the House, as the great constitutional depository of the legislative power, becomes its natural guardian and defender, and is entitled to deference, in the event of difference of opinion between the two branches of the Government. The discussions in Congress between 1815 and 1820 greatly elucidated this question; and while leaving unimpugned the obligations of the House to carry into effect a treaty duly made by the President and the Senate within the limits of the treatymaking power—upon matters subject to treaty negotiations—yet, it belongs to the House to judge when these limits have been transcended, and to preserve inviolate the field of legislation which the Constitution has entrusted to the immediate representatives of the people.

WILL OF THE PEOPLE

I have received thousands of letters in the past 2 years approving my efforts and decrying these agreements and asking who is responsible for them. I could count on one hand the letters which are critical of my efforts or which approve the surrender of our soldier's rights. I am confident that in the letters which other Members of this House and Members of the Senate have received from the folks back home, you will find the same overwhelming percentage of constituents against these agreements and demanding action.

The Members of the House and of the Senate are representatives of the people. Extraordinary confidence is placed in them by their constituents. The overwhelming sentiment in this Nation is that these agreements should never have been made and that they should be modified or terminated as soon as possible.

The people are entitled to have an expression of their will adopted by both Houses so that the President may be advised and the State Department be strengthened and have restored to it a national purpose instead of the international feeling that pervades our diplomatic corps.

SENSE RESOLUTION

The minority report several times refers to the Bow resolution "in its present form", and there is a suggestion that it could be amended to avoid the constitutional issue as to the President's powers. What these minority Members are looking to is some watered-down, weak-kneed expression of opinion commonly called a sense resolution which will have no effect.

OTHER CASES

The minority disposed of the constitutional rights of an American serviceman by saying that the United States serviceman has no constitutional rights to an American trial when he is off duty, citing the case of May against Wilson.

This is a rather broad interpretation of the court's opinion in that case. An opinion, incidentally, which was given verbally from the bench without too much consideration of the question involved.

Another case sometimes used by the Government is that of Cozart against Wilson, in which the decision was based on the first decision in the Krueger and Covert cases, which was subsequently repudiated by the Supreme Court. This case, therefore, seems to have little merit. In fact it was reversed by the Supreme Court on writ of certiorari and sent back to the district court to be dismissed for mootness.

ISSUE STATED BY MINORITY

We come now to the issue stated by the minority as being protection of the security of the United States as well as giving protection to United States troops stationed abroad.

Here again we find a misstatement of fact. We know now that status-of-forces agreements do not protect our servicemen in foreign countries on duty. There is the suggestion that we are unwilling to grant immunity to foreign soldiers for off-duty offenses. This is not true. The American Legion has long been on record and told the committee 2 years ago they favored giving jurisdiction over their troops to foreign countries if the United States had jurisdiction over its own.

It is a familiar argument that we do not want to give this right, and is based on hypothetical assumptions of rape, murder, arson, and heinous crimes by hordes of foreign troops.

Consider the percentage factor. Secretary Wilson told the Senate Foreign Relations Committee there might be a total during the year of 12,000 foreign servicemen in our country, but never at one time more than 4,000. We have a million men scattered around the world. When foreign troops are in this country in proportionate numbers they will be warring on us.

Of course we cannot protect our forces from all the hazards of service anywhere—here or abroad—but there is no reason why we should increase the hazards of foreign service and make second-class citizens of our soldiers in foreign countries.

CONSEQUENCES

These are the consequences that alarm the minority group in the committee.

First, there is the objection that the resolution now affords only 2 months in which negotiations for a change might be made, before the President is required to denounce the NATO Treaty. This is

the only question raised in the entire report which seems to bear discussion.

I want to say that even though the President denounces the treaty on August 23, 1957, it does not mean the immediate termination of the agreement. The denunciation cannot take effect for 1 year thereafter and I believe that during that year the President should be able to determine whether or not foreign governments feel that it is more important to them to have the right to prosecute and punish our servicemen for offenses, than it is to have the protection of those same troops.

I wish to point out further that there is no time limit imposed on the President to carry out his endeavor to modify the Japanese agreement and all other executive agreements. I have felt that probably some time limit should be put upon such efforts, because we know that the State Department could say that negotiations were pending and the present situation could continue for an interminable length of time.

Negotiations have been going on for 2 years to try to put the NATO Status of Forces Treaty in effect with Germany. Apparently foreign governments are too smart now to subject their troops to prosecution in neighboring countries. They know too much about each others' system of justice. So, if we are to avoid a dragging of feet in carrying out the provisions of this resolution, we probably should have some time limit upon the efforts to modify or to terminate the many executive agreements.

If it is the wish of Members of the House that the President be given more than 1 year from the date of denunciation in which to determine the future of our troops in Europe, then I would not object to a simple amendment of section 1 (b) which would strike out the word "at" immediately after the comma in line 8 on page 2, and insert instead the words "within 1 year after." That would afford an additional year for negotiation before denouncing the treaty.

Now the adoption of this resolution does not mean the loss of our bases overnight, if, indeed, ever. As I have just said, even though the President denounces the NATO Status of Forces Treaty on August 23, 1957, our troops would still be subject to the provisions of that treaty for another year, and again I say there is no limit to the time which might be consumed in trying to make new arrangements with other countries throughout the world.

YANKS, GO HOME

Now we come to the subtitle in the minority report—"Yanks, Go Home." Here we find a statement by the minority that the Soviet Union has been forced to give up the exclusive jurisdiction over its troops which it enjoyed until recently in all of its satellite countries. I question this. It is true that the Defense Department in making its annual glowing report to the Senate Armed Services Committee on the workings of the status agreements, told the committee that Russia had been negotiating agreements with several of its satellites reported to be similar to the NATO Status of Forces Treaty. However, the Department went a step further than the minority in its report. The Department said:

> There is reason to doubt, however, whether the Russians have, in fact, surrendered any substantial jurisdiction over their military personnel to the satellite countries.

The presence of our troops abroad will not be insured by a continuance of the existing arrangements, neither will a request for modification of the provision on criminal jurisdiction immediately cause the demand for withdrawal.

The committee, in its report last year on the Mutual Security Act, said:

> The bargaining power of the United States has diminished in important respects during recent years, particularly because economic aid has declined. In addition, international tension has lessened and none of our allies anticipates military aggression by the Soviet Union in the near future.

Further that—

> In nearly all of the countries where our troops are stationed, a speaker receives hearty applause if he speaks against the subservience to the United States and urges his government to follow an independent course.

All this came about in spite of the rights which foreign governments exercised in prosecuting and punishing our servicemen. We lost our bargaining power in spite of throwing billions of dollars into economic aid and military assistance. We built up the economy of Europe particularly. It would seem that money and the right to prosecute our servicemen has not made friends of our so-called allies. I can see no reason for continuing the rather absurd obsequiousness to foreign countries, which has controlled our approach in foreign policy.

MISREPRESENTATIONS

Another subtitle in the minority report is appropriate for use in referring to the misrepresentations of the executive departments which fill the pages of the hearings before Senate and House committees—misrepresentations to the public in press releases from these departments.

I know that 2 years ago some persons were concerned about the possibility of cruel and inhuman punishments. I do not believe, however, that anyone can find in any of my statements to the committee or in this House reference to chopping off of hands, or maiming, or flogging. The only reference I ever made to a beating was recounted in the story of a prisoner who served his time in Japan and was beaten by prison guards.

It has not been necessary for me to try to arouse public sentiment by such references. I resent the minority saying that criticism of these agreements has been based upon misrepresentation of the facts.

You do not need to suffer the loss of a hand or be flogged to receive cruel punishment. Consider the case of a marine who has served a sentence in Japan. The observers of his trial said:

> The United States representatives are of the opinion that the three accused were not afforded a fair trial. We are of the opinion further that the accused stand unjustly convicted.

These observers said that the testimony of the prosecuting witness was "not only preposterous and fantastic, it is in some respects patently impossible." General Hickman, in reporting to the Senate Armed Forces Committee, said that the defects of justice in this trial had not been cured after appeal to the highest court in Japan.

Now, if you are found guilty unjustly in a foreign court and imprisoned in a foreign prison under conditions which are worse than the worst prisons in this country, to my way of thinking you have received cruel punishment. It may not be unusual for the innocent to be imprisoned unjustly in Japan, but I may say that is unusual punishment in the United States.

It is obvious the minority did not read the reports of observers of trials in foreign countries which were filed with the committee by the Defense Department at my request. Many of the reports of trials were not furnished. The department did not send in the reports where they said appeals were pending—and we know that appeals were pending because justice had not been done. My examination of the reports showed a complete failure of interpreters in translating—proceedings dragging out over weeks or months—copies of charges not furnished to the accused until the opening day of trial—changes or substitution of judges during trial—convictions on written statements of witnesses taken before trial without cross-examination—and other items not countenanced in our jurisprudence.

The misrepresentations come in statements to the effect that "no reports of injustice or conviction of the innocent have ever been brought to light."

Foreign governments are always patted on the back in these reports, because presumably they have waived jurisdiction in about two-thirds of the cases. In its last report to a Senate committee, the Defense Department said waivers were given in 66.79 percent of cases during the last reporting period. These figures prove nothing. Particularly they do not prove that our soldiers are committing numerous serious crimes, or that foreign authorities have the quality of mercy unstrained. If there were any studies available anywhere which would show that in every case of a waiver the American military authorities found it necessary to court-martial the supposed culprit, then we might give more consideration to the figures employed. Until then we must assume that most of the arrests are very minor cases—perhaps many of them not offenses but only supposed offenses—spawned in the minds of foreign police.

THE EXHIBITS

Now, let us consider some of the statements of the executive departments which the committee has seen fit to attach to its report, particularly the letters of Secretary of Defense Wilson and appendixes thereto, and the letter and statement of the Department of State. Both Departments repeat the two fallacious premises which the makers of the agreement had to adopt to justify them.

One premise is that our troops are in foreign countries for our benefit and not for the foreign countries' benefit.

The other premise is that although our troops are friendly forces in a friendly country by consent, there is nothing in international law which would protect them from jurisdiction of all kinds by countries in which they are stationed.

Added to these contentions as a clincher is the scare argument that we might have to take our troops back home where they belong if we do not permit these countries to exercise jurisdiction.

Now, Mr. Wilson has learned a lot in his job since he appeared before the Senate Foreign Relations Committee in 1953. With all due respect to his executive ability, I fear that his knowledge of this subject and of the legal questions and constitutional questions involved, or even the practical questions, is not as broad as his letter seeks to indicate.

The scare arguments, of course, are used widely by the executive department in releases to condition the American people to the decision to surrender Girard and an acceptance of the agreements as a necessary evil.

I have already pointed out that the adoption of my resolution does not mean the withdrawal of our troops from foreign countries overnight. What my resolution tries to do is put some backbone in our diplomats who Mr. Wilson says have tried unsuccessfully to obtain exclusive jurisdiction since 1953 and have not succeeded. I am not surprised that they did not succeed. You have to have a will and a desire to succeed. These diplomats decided long since to treat our servicemen as pawns in a giveaway program, and they have not changed their minds. Perhaps the resolution will not change their minds. Perhaps what we need is a form of legislation which would give to foreign countries criminal jurisdiction over our diplomats. They might feel differently then about the rights of other Americans.

CONCERN FOR OUR SERVICEMEN

You know that the high brass in the Army are not affected by the Status of Forces agreements either. So it is easy for General Gruenther and General Norstad to have supported these agreements. From the high plane to which they have been elevated, just like Mr. Wilson, they can look down on our servicemen and say that they have great concern for their welfare.

Let us consider how much Secretary Wilson knew about the Girard case before I wired him a protest on May 17, 1957, when the decision was announced that Girard would be surrendered to the Japanese. I was told by reliable authority in the Defense Department that the Secretary had never heard of the case until he received my wire. Is that evidence of concern? It was not until 7 o'clock that evening that announcement was made that he had temporarily ordered Girard held in American custody until he could review the matter. Army Secretary Brucker apparently knew nothing about the case either. At least he expressed himself later against the surrender of Girard. These men cannot take a personal interest in the lowly serviceman. They may wish to do so, but it is hypocrisy for them to claim they can do so.

Consider General Norstad, who told this committee that during the 4 months preceding his appearance before the committee, he had visited all of the NATO capitals. He said he talked to the heads of government, to the members of government and to the parliaments of these countries. He said they had all been extremely friendly to him. He says these nations are friendly. Yet he seems to think they would immediately become hostile if we tried to secure full jurisdiction over our troops. Apparently he views them as potential enemies if we should withdraw our troops from the defense of their countries. He warns that we would have to sit here and defend the United States with all the powers or the rest of the world against us. The general makes the future security of the United States hang on the continued surrender of the constitutional rights of our servicemen to foreign countries. I dislike to admit that it is only in this way we can buy friends and allies and adulation for the general as he travels over his NATO domain.

It seems obvious that adverse reports on the status agreements do not percolate upward to the general's level. He contradicts the statement of the army commander in France about the morale of American troops, and of the Air Force commander in Japan who found that Japanese justice had a noticeable effect on the attitude and morale of his personnel.

The general also seems to have been misinformed about French laws. He told the Foreign Affairs Committee that the objection that French law was unfair to our people because it contained no presumption of innocence is "absolutely and incredibly wrong." In this case he contradicts the Judge Advocate General of the Army.

It is categorical statements such as these which make one question all of the general's statements.

Let us not be naive about his testimony. As supreme commander in NATO he is obliged to support the Status of Forces Treaty. He could not risk reporting anything derogatory in the workings of the treaty even if he was informed.

INTERNATIONAL LAW

Secretary Wilson points out that no country need allow any of our troops to enter its territory or to fly from airbases on its fields or to conduct maneuvers across its countryside or to allow American naval activities to be based at its seaports. This is an obvious statement. But, if a friendly nation consents that our forces shall enter its territory or construct airbases or hold maneuvers or send ships to its ports—then, it is a rule of international law that—Attorney General Brownell and State Department lawyers notwithstanding—we have jurisdiction over all members of our Armed Forces for all purposes. This is a right which is implied from the consent. It is not extraterritorial as some say.

ORIGIN OF NATO SOF AGREEMENT

The author of the Wilson letter would have it appear that foreign nations imposed conditions upon their consent and that the principal condition imposed was that such nations enjoy the right to prosecute and punish American servicemen.

I do not believe that.

Witnesses for the executive departments were asked at committee hearings who demanded this right. There has been no answer yet. No one has said France wanted it, Italy asked for it, Belgium demanded it, Great Britain would not consent otherwise, and so on.

The fact of the matter is we had representatives who wanted to act like big brothers to the world—they were distributing largess—largess amounting to billions. But they were afraid other countries might think we were superior, so they adopted a policy of abasement and depreciation of our people, our customs, our traditions, and our Constitution. Our servicemen became a sacrifice on the altar of appeasement.

Going back historically, the Brussels Treaty and a status agreement between the signatories, is blamed by the State Department as the origin of the NATO agreement. If you remember, the Brussels Treaty was brought about solely because we enacted laws to encourage foreign governments to take our money. In effect, we had said we would assist in the economic recovery of all nations that would organize for the purpose of economic cooperation. European countries were quick to take advantage of this. The United States Government was not a party to the Brussels Treaty. We did respond to the request for assistance.

It was easy for the nations banded together by the Brussels Treaty to make an agreement that if any one of them sent troops into another country that the host country would enjoy jurisdiction. None of the countries involved expected to send any forces to another. Ancient jealousies and recognition of each other's laws discouraged that.

Later it was just as easy for the NATO countries to accept the proposition of our representatives to give them jurisdiction on a reciprocal basis—because those countries knew that, practically speaking, their troops would not be subjected to the jurisdiction of our courts—or if they were, that our type of justice would insure them much greater protection than their laws gave to our servicemen.

ATTORNEY GENERAL'S OPINION

The author of the Wilson letter says:

> I am altogether persuaded by the opinion of the Attorney General that international law does not support an absolute immunity for our servicemen from the jurisdiction of foreign courts.

The aura that surrounds the position of Attorney General may blind people to the fact that he can be wrong. Attorneys General on many occasions have been wrong. This is because after all they are merely Government lawyers. The title does not alter the fact that it is their job to support a position taken by an Executive or executive department

when called upon to do so. Attorney General Brownell was obliged to support the NATO Status of Forces Treaty because it was an accomplished thing when he took office. He was not asked for an opinion, as a lawyer, before the treaty was negotiated. He was obliged to approve and espouse as his own a brief prepared by an employee whose position in the Justice Department was as obscure as some of the courts whose decisions were used to support the proposition that no rule of international law existed to protect visiting forces in a friendly country.

In a brief in the Girard case, Government lawyers now refer to writers of international law who have said there was a rule protecting visiting forces in friendly countries, as only theorists—implying that they are not to be relied upon. Even the majesty of the Department of Justice does not take the author of the Attorney General's brief out of the class of "theorists" merely because he may have much less reputation in the international field of law than those whom the Government derides.

Are we to assume now that the author of this brief of the Attorney General is omnipotent? Are his legal attainments greater than those of Chief Justice Marshall? Is he superior to the Members of the Supreme Court who have followed the Marshall decision in the exchange case and said:

> Foreign armies stationed in a friendly country by permission of its government are exempt from the civil and criminal jurisdiction of the place.

Does he know more international law than the Attorney General of Canada, who supported the position of the United States in 1943 in the Supreme Court of Canada, and agreed that we should have jurisdiction over our troops in that country?

Why does the author of this brief force the Attorney General now to turn his back upon the position taken by our Government for more than a century? Why repudiate now the position which we took in the Supreme Court of Canada, where in a brief filed by our Government we asserted our right to have jurisdiction over our troops in Canada. Why did the author of the brief ignore the statement which still appears today in the United States Manual of Courts-Martial of 1951, as follows:

> Under international law, jurisdiction over members of the Armed Forces of the United States or other sovereign who commit offenses in the territory of a friendly foreign state in which the visiting force is by consent quartered or in passage remains in the visiting sovereign.

Why does not the Attorney General advise the Department of Law of the United States Military Academy that it is wrong to instruct cadets that the jurisdiction of courts-martial is exclusive when the Army marches through a friendly country, or is stationed therein, and that the consent of the friendly government for exemption from its civil and criminal jurisdiction is assumed as a matter of course?

When the author prepared the memorandum which the Attorney General submitted to the Senate Foreign Relations Committee and which has since been used to support the proposition that Chief Justice Marshall was wrong, a Japanese court had not yet pronounced its opinion on the question. I think it is indicative that the author of the Attorney General's brief is wrong when you read the opinion of a Japanese court in May of 1956, which said:

> An armed force constitutes the fighting power of a country and is a symbol of its dignity. Consequently, it is a well established rule of international law that an armed force stationed in a foreign country in accordance with a treaty, is not subject to civil or criminal jurisdiction of the receiving state. Neither are members of the Armed Forces subject to the jurisdiction thereof for acts performed in furtherance of official duty, that is, the acts done in the performance of official duty whether such acts were done within the area of their station (barracks) or outside such area.

When a court in Japan will admit that, without the executive agreement Japan has, they could not exercise any jurisdiction over our troops—then I believe the brief the Attorney General is using is just an argument of expediency—not of law.

FRIENDLY FOREIGN ARMED FORCES ACT

The Wilson letter refers to something which I wish people would get straight—and that is the enactment by Congress in 1944 of the Friendly Foreign Armed Forces Act. The debate in consideration of this act in the Senate and an amendment presented thereto by Senator REVERCOMB, has been claimed to indicate that we did not recognize this rule of international law. Actually, the amendment offered by Senator REVERCOMB at that time which would have stated the right of foreign governments to exercise jurisdiction over their troops, was voted down because the Members in the Senate thought it was not necessary. It was not necessary because the visiting forces already, under international law, had jurisdiction.

Senator Connally, longtime chairman of the Senate Foreign Relations Committee, stated this clearly during debate:

> Mr. President, is not the whole question one of permission to the foreign force to be here? We can exclude them if we desire to do so, but does not our consent to their being here carry with it incidentals, and is not one of these incidentals that the force may exercise its discipline and its control, and punish infractions on the part of its members. That being the case, why is it necessary for us specifically to provide that they can exercise their jurisdiction here? It goes back to the fundamental question of whether we shall let them be here at all. We do not have to admit them. If we permit foreign troops and foreign naval officers and naval organizations to be within the United States, the implication and the natural inference is that they can exercise their normal functions.

The Friendly Forces Act was passed solely to help certain foreign governments to exercise their jurisdiction.

WHOSE BENEFIT?

I do not intend to say very much about the frequently repeated claim that our forces are abroad in the world for our benefit. No matter how many times it is repeated or asserted, you cannot change the facts. We are trying to defend the world.

The Security Treaty with Japan very clearly states that Japan wants the United States to keep forces in Japan for the protection of Japan. That is the reason our forces are there. That is the reason Girard is now in Japan awaiting the decision of the Supreme Court to decide his fate. The same is true of Europe. We were assisting the European countries to recover their economic independence. They were not able to support troops for their own protection. Even today many of these countries are relying on our protection and making no effort to finance their own defense.

France sent troops to Africa to sustain colonialism because we were providing her defense at home. Great Britain is changing her defense plans to leave more responsibility to the United States.

A truthful statement on this subject came from Deputy Under Secretary of State Robert Murphy, who told the House Foreign Affairs Committee in July 1955, that our allies want our troops to stay in Europe. He said:

> In military terms they represent a body of trained and skilled manpower for which no substitution from European sources is practical. They operate ports and airbases and other technical facilities which are vital to effective defense in modern warfare.

THE SIMPLE QUESTION

I was asked the other day by a radio commentator of considerable reputation this question:

> What does Secretary Wilson mean when he says that "foreign governments would probably insist on the withdrawal of our troops if we try to regain jurisdiction over them"; does the Secretary mean that these governments would rather be taken over by the Communists than to have American troops on their soil they can't prosecute?

That is a simplification of the whole problem.

If foreign governments, presumed to be allies and friends, would prefer to be without our protection and defense and lay themselves open to Communist conquest merely because we want to have jurisdiction over our troops, to which we are entitled by international law, then why do we expose our troops to the perils of foreign service?

As I have said before—it is time we found out who our real friends are in the world.

Over 300 American servicemen have now served or are serving sentences of imprisonment in foreign jails because of the status agreements. Our so-called allies are not our friends if they make the continuance of their jurisdiction the price we must pay to keep them from embracing communism.

It should be enough for us to donate money, services, equipment, and protection to other nations. We should not force our servicemen to also pay for the privilege.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to:

Mr. VINSON (at the request of Mr. MCCORMACK) for 10 days on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BAILEY, for 30 minutes, on Thursday.

Mr. HOLIFIELD, for 30 minutes, on Thursday and Friday next.

Mr. BOW, for 60 minutes, today.

Mr. AUCHINCLOSS (at the request of Mr. CANFIELD) for 15 minutes on Monday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DOYLE and to include material relating to the signers of the Declaration of Independence and the signers of the Constitution of the United States, notwithstanding that it will exceed 2 pages of the RECORD and is estimated by the Public Printer to cost $558.25.

Mr. SILER.

Mr. PORTER.

Mr. COLLIER.

Mr. DAWSON of Utah and to include extraneous matter.

Mr. HOFFMAN and to include extraneous matter.

Mr. FOGARTY (at the request of Mr. MCCORMACK).

Mr. WOLVERTON (at the request of Mr. MCCORMACK) and that Mr. WOLVERTON's remarks in the RECORD immediately follow the remarks of Mr. FOGARTY.

Mr. TUCK (at the request of Mr. MCCORMACK) and to include extraneous matter.

Mr. MCGOVERN (at the request of Mr. MCCORMACK).

Mr. VURSELL and to include extraneous matter.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1528. An act for the relief of Arthur Green; to the Committee on the Judiciary.

ADJOURNMENT

Mr. FASCELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 54 minutes p. m.) the House adjourned until tomorrow, Thursday, July 11, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1027. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend the law relating to mining leases on Indian lands and Federal lands within Indian reservations"; to the Committee on Interior and Insular Affairs.

1028. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases where the authority contained in section 212 (d) (3) of the Immigration and Nationality Act was exercised in behalf of such aliens, pursuant to the Immigration and Nationality Act; to the Committee on the Judiciary.

1029. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases of aliens who have been found admissible into the United States, pursuant to section 212 (a) (28) (I) (ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1030. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend the act entitled 'An act to authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes,' approved August 11, 1950"; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. A report pursuant to House Resolution 107, pertaining to Japanese agricultural workers; without amendment (Rept. No. 780). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. H. R. 2136. A bill to amend section 124 (c) of title 28 of the United States Code so as to transfer Shelby County from the Beaumont to the Tyler division of the eastern district of Texas; without amendment (Rept. No. 781). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. H. R. 7153. A bill giving the consent of Congress to a compact between the State of Oregon and the State of Washington establishing a boundary between those States; with amendments (Rept. No. 782). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 4410. A bill to suspend and to modify the application of the excess land provisions of the Federal reclamation laws to lands in the East Bench unit of the Missouri River Basin project; with amendment (Rept. No. 783). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. House Joint Resolution 2. Joint resolution to provide for transfer of right-of-way for Yellowtail Dam and Reservoir, Hardin unit, Missouri River Basin project and payment to Crow Indian Tribe in connection therewith, and for other purposes; with amendment (Rept. No. 784). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRAZIER: Committee on the Judiciary H. R. 106. A bill to amend the Bankruptcy Act to authorize courts of bankruptcy to determine the dischargeability or nondischargeability of provable debts; with amendment (Rept. No. 785). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HARRISON of Virginia:

H. R. 8621. A bill to provide that a statement of amounts expended by the United States for overseas travel or subsistence of Members of Congress and certain other Federal officers and employees shall be printed in the Federal Register; to the Committee on Government Operations.

By Mr. HERLONG:

H. R. 8622. A bill to amend the Internal Revenue Code of 1954 with respect to the basis (for determining gain or loss) of property acquired from a decedent; to the Committee on Ways and Means.

By Mr. MILLS:

H. R. 8623. A bill to amend the Internal Revenue Code of 1954 so as to provide accounting procedures whereby dealers in personal property may exclude from gross income amounts withheld by banks and finance companies on notes purchased from such dealers employing the accrual method of accounting; to the Committee on Ways and Means.

By Mr. POFF:

H. R. 8624. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence so as to safeguard individual rights without hampering effective and intelligent law enforcement; to the Committee on the Judiciary.

By Mr. PORTER:

H. R. 8625. A bill to repeal the Sustained Yield Act of March 29, 1944 (58 Stat. 132), and for other purposes; to the Committee on Agriculture.

By Mr. POWELL:

H. R. 8626. A bill making a permanent appropriation for the operation and maintenance of the Puerto Rico National Cemetery at San Juan, P. R., and for other purposes; to the Committee on Appropriations.

By Mr. ROBESON of Virginia:

H. R. 8627. A bill directing the Secretary of the Navy to convey certain land situated in the State of Virginia to the Board of Supervisors of York County, Va.; to the Committee on Armed Services.

By Mr. SADLAK:

H. R. 8628. A bill to amend section 1321 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. WOLVERTON:

H. R. 8629. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety; to the Committee on Interstate and Foreign Commerce.

By Mr. COAD:

H. R. 8630. A bill to extend the period for amortization of grain-storage facilities; to the Committee on Ways and Means.

By Mr. METCALF:

H. R. 8631. A bill to amend the act entitled "An act to promote the conservation of wildlife, fish, and game, and for other purposes," approved March 10, 1934, as amended, known as the Coordination Act; to the Committee on Merchant Marine and Fisheries.

By Mr. SIMPSON of Pennsylvania:

H. R. 8632. A bill to amend the Internal Revenue Code of 1954 so as to provide accounting procedures whereby dealers in personal property may exclude from gross income amounts withheld by banks and finance companies on notes purchased from such dealers employing the accrual method of accounting; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. McCORMACK:

H. R. 8633. A bill to authorize Hon. WAYNE L. HAYS, Hon. WALTER H. JUDD, Hon. JOHN J. ROONEY, and Hon. JOHN TABER, Members of the House of Representatives, to accept and wear the award of the Cross of Grand Commander of the Royal Order of the Phoenix, tendered by the Government of the Kingdom of Greece; considered and passed.

By Mr. BOSCH:

H. R. 8634. A bill for the relief of Dominico Orrino; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H. R. 8635. A bill for the relief of Mr. and Mrs. Zoltan Goldstein and son, Harry; to the Committee on the Judiciary.

By Mr. FULTON:

H. R. 8636. A bill for the relief of Maria Finfinis; to the Committee on the Judiciary.

By Mr. HEALEY:

H. R. 8637. A bill for the relief of Elba O. Selva; to the Committee on the Judiciary.

By Mr. JAMES:

H. R. 8638. A bill for the relief of Jozef Podlacki; to the Committee on the Judiciary.

By Mr. MACK of Washington:

H. R. 8639. A bill for the relief of Bianca Veronica Wolk; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H. R. 8640. A bill for the relief of Vojtech Rothman and his wife, Julie Grunwald Rothman; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H. R. 8641. A bill for the relief of Lt. Col. Francis E. Resta; to the Committee on Armed Services.

By Mr. WILSON of California:

H. R. 8642. A bill for the relief of Gordon E. Martin; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Address by Hon. Homer E. Capehart, of Indiana, at Launching of the "Philip Sporn"

EXTENSION OF REMARKS
OF

HON. HOMER E. CAPEHART

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 10, 1957

Mr. CAPEHART. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the remarks I made on July 5 at the launching of the *Philip Sporn*, a new Ohio River boat produced by the Jeffersonville Boat & Machine Co. under the direction of Mr. Pat Calhoun, president of the Jeffersonville company and of the American Barge Lines.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR CAPEHART

The rise of inland water transportation has been one of the most astonishing and encouraging stories of the past two decades.

A little less than 100 years ago inland water transportation was a dead letter. The very mode of transportation which helped build cities like Jeffersonville and Louisville no longer was a factor in our transportation picture. But today, I am happy to say, that picture has changed. Funds voted by Congress have made possible the long-range program of the Corps of Engineers for the modernization of the Ohio River—its locks, dams, and levees.

I have always been a stanch supporter of this program and not long ago, on May 10, in a statement before the Senate Appropriations Committee, I strongly urged the support of various navigation projects on the river. I told the committee that:

"The Ohio River is a primary source of materials basic to the national security. I believe it is important rapidly to complete this program designed for modern conditions and volume of traffic which would be required for our national defense."

These navigation projects, for which Congress has appropriated funds, are to my mind examples of what Congress can do to enable private enterprise to serve the public better and cheaper.

A great deal of the credit for the growth of river transportation and the resultant solid industrial growth of cities and towns on the river is due to two gentlemen who are here today. I would like to pay tribute to them individually.

Mr. Pat Calhoun, president of the Jeffersonville Boat & Machine Co. and of the American Barge Lines, has been active in efforts to rebuild our river transportation system since World War I. Jeffboat has been building river steamers and ferryboats for over a hundred years. But what a far cry is this fine, modern new boat—the *Philip Sporn*—from the wooden paddlewheelers of the old days. To see this modern towboat, one might think it was always so in the industry. But this is not the case.

Mr. Calhoun and I have been around for quite a few years now and I think both of us remember the twenties when Pat started in the industry. It needed a lot of courage and foresight to enter the river transportation industry then, when few people had faith in its success and fewer yet enough vision to see its growth potential. But he persevered in his efforts to reestablish this once great form of transportation and I think when we look around us today we can see the measure of his courage and foresight. And I think he can also be proud of the role these yards played in serving our Nation during the war—when the need for inland water transportation was so great.

Just a few weeks ago I learned that Mr. Calhoun and his company made another contribution to our economy and the promotion of trade with our great neighbors to the south. This was the launching of the first piggyback barges to be sent to Venezuela. Here is another example of what Indiana has done to link the United States with South America in the network of inter-American trade relations.

Mr. Philip Sporn, for whom this fine boat is named, is also a citizen of whom the people of the Ohio River can be proud. Ever since 1920 when he joined the American Gas & Electric Co., of which he is now president, he has worked toward the improvement of the electric utility industry. He has led his company's pioneering efforts in several fields of electric power generation, transmission, and distribution. These efforts have not only improved the general efficiency and economy of operation of the producers of electricity but have also served to keep down the cost of electricity to the 5 million people in this great area of ours.

I am not going to take the time to record the many achievements in Mr. Sporn's career, though I would gladly like to, but I would like to point out two things which I feel are of major importance.

Mr. Sporn has devoted a great deal of time and effort to the study of nuclear energy and particularly to the possibilities of its application in the field of power generation. I understand he is at present a member of the Edison Electric Institute's technical task force in nuclear power. This group is now evaluating various reactor types for recommendation to institute members.

The second service of Mr. Sporn and his associates to which I would also like to call attention is the creation of the Ohio Valley Electric Corp., of which he is also president. This $400 million enterprise was organized by 15 private electric utility companies of the Ohio Valley region to supply the electric power requirements of the Atomic Energy Commission's new $1½ billion diffusion plant in Pike County, Ohio.

To my mind these are two fine examples of what our utility industry is doing to insure that the utilities of our Nation rank second to none in service to national security and consumer benefit.

I would like also to point out that Mr. Calhoun, Mr. Sporn, and their associates have been successful in providing to the public, through their companies, efficiencies and economies of operation which have kept down costs during a period of constantly rising costs of virtually every phase of modern-day living. This is no mean achievement.

The value of inland water transportation is so far reaching that I imagine there are few people who can envision the tremendous contributions made by this mode of transportation to our country. Before I came down here, I refreshed my memory by looking at some of the statistics concerning this industry. I was again impressed—although I served for some time as ranking minority member of the Interstate Commerce Committee and was well acquainted with the subject—by the rapid strides made by this industry in so short a time. I think you might be interested in a few facts as to what the river—and its servant, the barge lines—is doing to serve the people of Indiana, Kentucky, and the 18 other States in our inland water empire.

Taking the valley as a whole, since 1950 more than $11 billion has been invested in new and expanded industrial and atomic plants along the main stream of the Ohio River and its navigable tributaries. The communities along the banks of the Ohio have a population of 3.2 percent of the Nation's total—but during the period from 1950 through 1955 they have been the site of 6.7 percent of the Nation's new investment in manufacturing and public utility plants.

In a recent tax and investment study made by the tax foundation, Mr. Ben Fairless, of the steel corporation, is quoted as saying that the average capital investment required to provide a job for one man in our present economy is $12,000. On this basis the industrial expansion of the Ohio Valley has provided almost 800,000 jobs. This is more employment than the combined number of jobs of Pittsburgh and Cincinnati.

This booming economy has also contributed a great tax flow into the Federal Treasury. Taking only the 6 States of Pennsylvania, West Virginia, Ohio, Kentucky, Indiana, and Illinois—which actually lie within the Ohio Valley—corporation taxes paid in 1954 amounted to $2½ billion. Social security and personal income taxes added another 4½ billion. This is more than $7 billion.

And how much money has been spent for navigation development of the Ohio River during the past years? From 1824 to 1954, inclusive, the total expenditures amounted to only $150 million—spread over 130 years. No investment of the Federal Government has ever benefited more people or provided a bigger return than this stake in the Ohio River navigation facilities.

Of particular note is the massive growth of electric utilities in the Ohio Valley. The increase in number and capacity of power stations and the increase in volume of electricity generated are looked upon as key measures of industrial progress. Along the main stream of the Ohio River the capacity of electric generating plants has grown more than twice as fast as in the United States as a whole. In 1941, it was 3 percent of the United States total and now is over 7 percent. Electricity generated along the main stream of the Ohio has shown an even more impressive growth. Plants along the Ohio generated 9 percent of the Nation's power in 1955 compared to 3.7 percent in 1939. When the navigable tributaries, other than the Tennessee and Cumberland, are included, the Ohio Valley now produces about 11 percent of the Nation's power.

The rollcall answered by new industries which have come to the Ohio Valley is much too long to list here. Along with the growth of heavy industry such as steel, oil, chemicals, and nonferrous metals have come a host of others such as rolling mills, fabricating plants, integrated chemical plants and many others.

It may be said of the Ohio—it is a river come alive.

What accounts for the rebirth of industry in the Ohio Valley, which for so long has been dormant? Certainly there are many factors which have contributed to this tremendous industrial growth. When we ask the companies who have been lured to the valley what factors attracted them, we get the same answer from them all. Directly or indirectly, most of them come back to the waterway itself. The most important of these are low-cost water transportation, a vast and growing concentration of electrical energy, an adequate supply of water, limitless coal deposits, and a sufficient and efficient supply of labor.

All of these companies and Ohio Valley industry in general are increasingly dependent on low-cost water transport. The vital relationship between the traffic on the river and the economic development of the region is demonstrated by the fact that while Ohio River traffic in ton-miles was increasing 582 percent from 1929 to 1950, per capita income in the Ohio Valley increased 221.8 percent as compared with an increase of 211.8 percent during the same period for the Nation as a whole.

The annual volume of barge traffic on the Ohio has grown phenomenally from 26 million tons in 1929 to a record of 72 million tons in 1955.

In ton-miles, traffic on the river increased more than 300 percent from 1946 through 1955; from 5 billion to 15 billion ton-miles. I have just received the latest figures in a report of July 1, which records still additional gains. These show that 76,376,633 tons of commercial traffic moved along the Ohio in 1956—nearly 5 million tons more than the previous year. Ton mileage increased to 15,999,404,994, a gain of over 5 billion from 1955.

The 1956 annual report of the TVA indicated that over 1½ billion ton-miles of commercial traffic moved on the Tennessee River during 1955, an increase of 24 percent over 1953, and almost 6 times as much as in 1945. The traffic for the first 6 months of 1956 was in tons, a 19-percent increase over the same period in 1955. The TVA report finally indicated that about three-quarters of the interchange river tonnage in 1954 was accounted for by the Ohio Valley region.

When these factors are added up, there is no predicting what peaks of development this valley may reach, or what needs for river-related uses it may require. About 4 years ago a trade journal raised the question of whether we might not some day see a 100 million tons of freight a year moving on the Ohio. Now I think it not unreasonable to look forward to 150 million tons as early as 1965.

Of course, I know that one of the chief concerns of all of you is to see that this phenomenal growth continues. I know that many of you are concerned that the practical limits of the capacity of many of the present locks will be reached in a few years. It is your feeling and I know it is shared by many others in this area, that a vigorous prosecution of the long-range program on the Ohio River is necessary for the continued economic development of the valley. There are many organizations in the area who are doing splendid work toward this goal, including, I understand, a newly formed group called the Inland Waterways Common Carriers Association of which American Barge Line is a charter member.

These are times for economy; but, as I have stated previously, I believe that the benefits to be obtained from new locks and dams should not be measured merely in the conventional manner of savings in transportation costs. The true measure of benefit lies rather in the expanded productivity, the improved standard of living for millions of people living in the Ohio Valley, the protection against disastrous floods, vastly increased revenues to local State and Federal treasuries—far in excess of the governmental costs involved—and the strengthening of national security which will stem from providing an efficient modern water highway in the industrial heart of our Nation.

You gentlemen here today have dedicated many years of your lives to the cause of water-resources development in the valley. I know that you will continue to bring to the people of the valley and the Nation a deeper understanding of the vast potential of economic growth inherent in this great river and of the problems and programs involved in the development of that potential.

I think it fitting that, in closing, I quote the words of President Hoover on the occasion of the dedication of the Ohio River canalization in 1929:

"A nation makes no loss by devotion of some of its current income to the improvement of its estate. This is an obligation we owe to our children and our grandchildren. I do not measure the future of America in terms of our lifetime. God has truly blessed us with great resources. It is our duty to make them available to the people."

This Is the Right Place

EXTENSION OF REMARKS
OF
HON. WILLIAM A. DAWSON
OF UTAH
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 1957

Mr. DAWSON of Utah. Mr. Speaker, this is a very special day for Utah and for Utahans wherever they may be. One hundred and ten years ago, on July 24, 1847, the main body of the first party of Mormon pioneers—143 men, 3 women, and 2 children—emerged from a nearly impenetrable mountain fastness into the then-barren valley of Great Salt Lake. What they, and the thousands who followed them, accomplished in that arid wilderness is too well known to need repetition here. By faith, energy, and determination they subdued the wilderness and made the desert bloom. I know of no epic to match it in American history.

Now, each July 24 is a Utah holiday during which Utahans of all faiths pause to celebrate this anniversary of pioneer settlement; to pay homage to these forebears of ours; to draw on accomplishments of the past for the inspiration for the future.

I invite my colleague to share with us the pride we feel in these Mormon pioneers who made such a contribution not only to their church but to their country. I am sure no one can ever visit that now-green valley without affirming the prophetic words of Brigham Young: "This is the right place."

Repealing a Misnamed Law

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 1957

Mr. PORTER. Mr. Speaker, I have today filed a bill to repeal the Sustained Yield Act of 1944, but I should like to point out that this is not only a misnomer but the act itself suffers considerable abuse and appears to favor a few major timber companies.

The Subcommittee on Public Works and Resources, in cooperation with a subcommittee of the Senate Interior and Insular Affairs Committee, held extensive field hearings in the fall of 1955 on Federal timber sales policies. These hearings revealed that there was considerable difference of opinion among the people in the lumber industry and in the Government agencies as to the effectiveness of a 1944 act of Congress which allowed the Secretaries of Agriculture and Interior to award timber to particular companies without the use of competitive bidding or with limitations on who could compete for the timber.

The committee found that in Oregon the Bureau of Land Management had created marketing areas under another act rather than through the use of this 1944 act. Communities were petitioning that these marketing restrictions either be eliminated or that they be changed so that certain areas that could not now bid for O & C timber would be permitted to do so. The committee also found that, in this same area where there is twice as much National Forest timber as there is O & C timber, the Forest Service had not set up any restrictions on who could bid for their timber.

Sustained yield, as such, is not only excellent planning but necessary. For 300 years, the people of America have gained an abundance of wood products, game, sports, and enjoyment from the

vast forests growing on this continent. Today, many of these forests still remain, carrying on their role as man's most versatile natural resource. It is important that they continue to serve the needs of present and future generations.

The principles of sustained yield forest management are well imbedded in the basic statutes which govern the operation of the various Federal forests.

Repeal of the act of March 29, 1944, will in no way jeopardize, influence, or affect the management of the National Forests or any other of the forest lands operated by the Government for sustained yield forestry purposes. The repeal of this act will remove the discretionary authority to grant Federal timber to individual companies or to companies in certain selected areas.

Political Chicanery Thwarts Economy

EXTENSION OF REMARKS
OF
CLARE E. HOFFMAN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 1957

Mr. HOFFMAN. Mr. Speaker, the deadline on payment of income taxes coming close on the heels of a $71 billion budget shocked our people into a realization that (a) their taxes were too high, (b) the Federal Government was spending altogether too much money, (c) national financial disaster was just around the corner. The result was an insistent demand that Congress cut appropriations. That the Congress proceeded to do.

But then came pressure from many groups insisting upon new legislation; additional appropriations of billions for foreign aid, other billions for national defense, millions for Federal aid to education, to name but three.

On top of those three—and there were others—came the politician's dream. A bill to protect civil rights. One purpose was to secure the Negro vote in the 1958 and 1960 elections.

The bill was wholly unnecessary. We have a statute—Revised Statutes, section 2004 and following—which makes it a criminal offense to deny to any person his right to vote at any election because of race, color, or previous condition of servitude. We have a crime-detecting organization, the FBI, unsurpassed. We have a Department of Justice with an Attorney General and United States district attorneys and district and appellate courts with authority and the means of enforcing that statute.

Nevertheless, though not needed, to curry favor with minority groups, along came this so-called civil-rights bill. It created a new Commission which was empowered to employ an Advisory Commission with authority to make investigations, subpena witnesses, hold hearings, and make recommendations. A new snooping agency. This though the regular standing committees of the Congress have like authority, and upon these standing committees is imposed the same duties delegated to the Commission.

The bill also authorized the appointment of a new Assistant Attorney General and provided authority to employ an unlimited number of assistants to the assistant. The Congress was given not even an estimate as to the cost which would be incurred by the Commission, its employees, the Assistant Attorney General and his assistants and employees, but the bill did contain a provision authorizing the appropriation of so much as may be necessary to carry out the provisions of this act.

The foregoing is an illustration of the way the Congress, under the guise of a worthy purpose, in my judgment, needlessly authorizes the wasteful expenditure of your tax dollars. It is an example of how an economy drive is halted.

To further insult the intelligence of the average citizen, the bill, while purporting to protect civil rights, took from the citizen his established constitutional right to a trial by jury when charged with a criminal offense.

I did not vote for the bill because (a) there is now on the books ample legislation to protect the right to vote; (b) we have an FBI second to no agency in the wide, wide world capable of detecting criminal activities; and (c) we have a United States Attorney General backed by able, vigorous United States district attorneys, plus United States district and appellate courts capable of seeing that the present law protecting the right to vote is enforced.

And because, most important of all, the bill deprived a citizen of his basic, fundamental, constitutional right to trial by jury.

Incidentally, it calls for additional unnecessary Federal employees and the needless spending of additional tax dollars.

Report of Congressman John E. Fogarty, a Congressional Adviser of the United States Delegation, at the 10th World Health Assembly, Held May 7 to May 24, 1957, at Geneva, Switzerland

EXTENSION OF REMARKS
OF
HON. JOHN E. FOGARTY
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 1957

Mr. FOGARTY. Mr. Speaker, the 10th World Health Assembly met at the headquarters of the World Health Organization in Geneva last May, and I had the privilege of attending part of the sessions as a member of the United States delegation. What I saw at the assembly confirms my belief that WHO is an important international agency, and that we have a real stake in it. It is fitting that Congress has authorized the appropriation of funds to hold the 11th World Health Assembly next year in the United States. In 1958 the World Health Organization will have been in existence for 10 years. The constitution of WHO was drawn up and signed in New York City. These considerations led to the action of Congress which made it possible for the United States to invite WHO to hold its next annual meeting in our country.

I was happy to have the opportunity to extend to WHO the invitation on behalf of the United States delegation, and to tell the Assembly that the United States Congress has shown by its actions its realization that improving world health conditions is a basic part of building a more peaceful and stable world. The World Health Assembly accepted the United States invitation. The 11th World Health Assembly will therefore be held in the United States next May, along with a 2-day 10th anniversary commemorative session to mark the special occasion.

The overwhelming vote—71 out of 75—by which the Assembly elected the United States to appoint a member of the WHO Executive Board dramatically indicates the general recognition of the contributions which the United States has made to WHO. These are contributions not only in financial terms, but also in leadership and technical knowledge. These contributions have repaid us several times over in good will and in better health for hundreds of millions of people.

There was considerable recognition at the Assembly also of the assistance which the International Cooperation Administration gives to health programs in many countries. Several delegations acknowledged in their Assembly speeches the great value of United States assistance. There was no feeling that ICA and WHO are in competition, but rather that they are working side by side constructively to help countries raise health levels.

This common objective of WHO and ICA was made even more clear by the United States delegation statements during the Assembly consideration of malaria eradication. These statements reviewed the contributions of ICA to malaria eradication and affirmed our confidence that with the leadership demonstrated by WHO a coordinated worldwide campaign against malaria will be successful. They referred also to the possibility of increased United States aid to eradicate malaria as proposed by the President. Malaria indirectly costs the American people hundreds of millions of dollars each year, and this campaign, therefore, has great significance for us in economic as well as other terms.

The United States delegation, in conversations with other delegations to the Assembly, found considerable mention of the value of medical research, especially in the United States. There is appreciation of the research work being done at the National Institutes of Health of the Public Health Service and at other centers. This applies both to research in tropical diseases, which still ravage many countries as well as indirectly burden the United States, and to research in chronic diseases, like heart diseases, poliomyelitis, and cancer.

The kind of massive scientific attack on disease which our NIH research represents is basic to our efforts in our

own country, and abroad through WHO and ICA, to help free man from disease.

The World Health Organization as an international agency with limited resources does not attempt large-scale research itself, but rightly limits its part to stimulating and promoting research, and correlating work and exchanging information between laboratories in various countries. The Director General of WHO reported to the Assembly that during 1956 the Organization maintained close collaboration with nearly 1,800 scientific institutions, particularly medical research laboratories all over the world. In line with this function of stimulating worldwide research attacks on major diseases, the Assembly unanimously adopted a resolution authorizing WHO and member countries to cooperate in a comparative study of the variations between cancer types in different countries and environments. This is expected to yield valuable clues to the origins of the disease.

In addition to reviewing and adopting a program and budget for WHO for the next year, the delegates to the World Health Assembly take the opportunity to engage in a specialized discussion of some important public health topic. This year the theme was The Role of the Hospital in the Public Health Program. The United States delegation was fortunate in having as a member the director of the American Hospital Association, who made a major contribution to the technical discussions and was one of the rapporteurs.

The delegation, in fact, was constituted so that it could capably represent American concepts of public health and medicine. In addition to a very able chairman, Dr. Leroy E. Burney, Surgeon General of the Public Health Service, and officials of the Department of Health, Education, and Welfare, the Public Health Service, and the Department of State, some of whom have been closely associated with WHO matters for many years, the delegation included a trustee of the AMA, deans of schools of public health and of dentistry, a member from the Department of Defense, a public member who has distinguished herself in work in voluntary health agencies, and public health workers from State and Territorial health departments. From the Congress, Mr. Wolverton and I served as advisers to the delegation. It was a pleasure to be associated with this delegation which represented the United States in a businesslike and effective way.

Attendance at the 10th World Health Assembly confirmed my belief, which I find that Mr. Wolverton shares, about the importance of the work of the World Health Organization. Its budget is small in comparison to the massive disease problems still facing the world, and the United States, yet who is spearheading strong international attacks on such problems. It has already helped to push back the ravages of diseases like malaria, yaws, and tuberculosis, and to lessen the appallingly high number of deaths among children in many areas, through whom, we and other nations are pooling resources so that they can be used most effectively to protect all of us against disease. I am proud of the part which the United States plays in the work of the World Health Organization, and of the support which we give to this agency for health.

Report of Congressman Charles A. Wolverton, a Congressional Adviser of the United States Delegation, at the 10th World Health Assembly, Held May 7 to May 24, 1957, at Geneva, Switzerland

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EXTENSION OF REMARKS

OF

HON. CHARLES A. WOLVERTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1957

Mr. WOLVERTON. Mr. Speaker, recently I had a most rewarding and revealing experience—that of serving as a member of the United States delegation to the 10th World Health Assembly, which met in Geneva May 7 to 24, 1957. Attending the Assembly gave me an unparalleled opportunity to appraise the character and work of the World Health Organization.

I wish that every Member of Congress—indeed every citizen of the United States—could have the close view of this great organization that I have had. No one could come away from such an experience without a sense of deep satisfaction in what we Americans are doing through this organization to relieve misery and suffering among hundreds of millions of our fellow men. And one could not help being astounded at how much is being accomplished with so little money. Hundreds and hundreds of important health projects are being carried out even in the remotest corners of the world under the stimulus and technical guidance of this organization. I know of no money that is being spent with greater effect than the small resources of the WHO. Truly, it is changing the world for the better, building a strong and more resourceful human race.

I was delighted with the refreshing atmosphere of warm good will and friendship that I found among the delegates, many of whom were old and true friends of long standing. Many, indeed, are loyal alumni of our own schools of public health. Dr. Ernest Stebbins, the dean of the Johns Hopkins School of Public Health and Hygiene, who was a member of our delegation, held an impromptu Hopkins reunion that was attended by a goodly number of delegates from all over the world. He was busy the whole 3 weeks talking with his former students.

It was clear at the assembly that health is a common denominator which brings all people together. Seventy-nine of the eighty-eight member countries sent delegations, consisting chiefly of physicians. Despite highly varied national and political backgrounds, these delegates spoke the same language on health matters. They all shared a determination to work through WHO to help all countries improve the health of their people, as human beings regardless of race, creed, color, or political belief.

The reason for this understanding became evident to me. Physicians and other health workers are traditionally dedicated to improving the lot of us all. They know instinctively that health is truly international, that disease knows no frontiers, and that for over half of all mankind poor health—sickness and suffering—is still the normal condition of everyday life. They know, too, that so long as major diseases exist anywhere they are a threat to people everywhere.

I am convinced after seeing the WHO at close range that it is of the greatest importance that the United States give vigorous and increasing support to WHO as it continues to grow in strength and influence. The organization provides a means through which the governments and people of nearly all countries work together on a constructive and friendly basis with the common aim of better health. The character of WHO is not nearly as well known as it should be, and in particular the fact that in this organization there is a degree of international understanding that, I believe, is unique. Over the years I am convinced that this aspect of WHO alone will make a major contribution to the building in all fields of the constructive and cooperative relations between countries which are essential for peace and even for survival.

The health programs of the World Health Organization also deserve to be much better known. They include worldwide services, such as rapid international reporting of disease outbreaks, promotion of uniform quarantine measures and of standards for drugs. Newsworthy of late has been the work of WHO in encouraging and coordinating international reporting and research into influenza epidemics, the viruses which cause them, and vaccines which may be effective against them. Its worldwide network of cooperating laboratories has been the world's watchdog as influenza has broken out in Asia and threatens to spread over the world.

WHO also provides a wide range of expert assistance and training to help countries build strong health programs of their own. It was brought out at the Assembly that in 1956 WHO assisted 700 projects in 120 countries and territories, and granted fellowships to 900 health workers for advanced training in the United States and other countries.

The 10th World Health Assembly looked into and discussed every aspect of the WHO programs, as carried out in 1956 and as projected for 1958. The examination of the work of WHO was not merely a formality, but gave real insight into the programs. This was due to the able reporting on the programs by the WHO Secretariat, and to the high caliber of the delegations from many of the countries.

The United States can be proud of the character and performance of our delegation at the World Health Assembly. The delegation was headed by Dr. Leroy

E. Burney, Surgeon General of the Public Health Service, and was broadly representative of public health and medicine in the United States, including such leaders as Dr. James Reuling, one of the trustees of the American Medical Association, Mr. Edward Crosby, director of the American Hospital Association, Dr. Lester Burket, dean of the Dental School of the University of Pennsylvania, and, representing the public, a charming lady from Brookline, Mass., Mrs. Viola Pinanski, who has played a prominent part in many voluntary health activities in her own community and across the Nation. The States and Territories were represented by Dr. Franklin Yoder, the health officer of Wyoming who is the president of the Association of State and Territorial Health Officers, Dr. Richard K. C. Lee, the president of the Board of Health of Hawaii, and by Mr. Blucher Poole, chief sanitary engineer of Indiana. The delegation included as well, experienced health officials of the Department of Health, Education, and Welfare and the Public Health Service, the Department of State, the International Cooperation Administration, and the Department of Defense. Mr. FOGARTY and I had the honor to serve on the delegation as Congressional advisers, and I felt proud, as I am sure Mr. FOGARTY did too, to be associated with such a group.

This delegation worked. It worked hard and effectively and was a credit to the United States in every way. Following a delegation meeting at 8:15 each morning, the delegation members participated actively not only in the formal sessions, but even more important, informally in establishing warm and friendly relationships with other delegates, and acquainting them with the United States positions on the various matters before the Assembly.

The esteem in which the United States is held in the World Health Assembly was shown when the 10th Assembly elected 6 states, each of which is entitled to designate 1 expert to fill a vacancy on the 18-man WHO Executive Board. The United States headed the list, with 71 votes out of 75 voting. I believe this vote of confidence in the United States is a tribute to the able farsighted men which the United States has placed on the annual Assembly delegations and on the Executive Board. As a result the United States has had a leading role in the sessions of the Assembly and Board.

Next year, 1958, marks the 10th anniversary of the coming into force of the constitution of the World Health Organization, which was originally drawn up and signed in New York City. The 10th World Health Assembly considered plans for the 10th anniversary, and approved the holding of a special commemorative session in conjunction with the 11th World Health Assembly, 1958. Last July the Congress declared by joint resolution—Senate Joint Resolution 183—that 1958 would be particularly appropriate for holding the World Health Assembly in the United States, and authorized an appropriation to pay the additional expenses of holding the 11th Assembly in our country. Speaking for the United States delegation, our colleague Representative FOGARTY informed the Assembly of the action of Congress and the invitation that had been sent to the Director General to hold the 1958 assembly in the United States. He affirmed the wish of our country to make the occasion an auspicious and successful one. The Assembly decided, without dissent, to accept the United States invitation. We have therefore secured a unique opportunity to demonstrate the continuing support of the United States for WHO and international cooperation in health. This will also provide the people of the United States a splendid opportunity to see the World Health Organization at close range.

At the recent Assembly the U. S. S. R. and three other Soviet States—Albania, Bulgaria, and Poland—sent delegations for the first time in 8 years, during which period they declined to support or share in the work of WHO. While delegates welcomed the return of these states, the Assembly did not give the U. S. S. R. sufficient votes to enable that country to designate a member of the executive board at this time. The statements of these states in the Assembly were in general moderate and unexceptional. Eight countries, including the United States and the U. S. S. R., joined in cosponsoring a resolution to promote worldwide cooperation through WHO in investigating the causes of cancer—an illustration of how common health interests may cut across ideological differences.

The World Health Assembly discussions made clear that malaria is still a major world problem. Each year malaria attacks over 200 million people—more than the population of the United States—and kills 2 million. Characteristic of the farsighted leadership which WHO exercises on health programs is its present drive to eradicate malaria from the world. Since mosquitoes and airplanes cross frontiers, malaria must be attacked on an international scale. WHO is able to provide technical guidance and the needed coordination of plans. In 2 years the voluntary special malaria eradication fund established in 1955 has received only $70,000, and the Assembly therefore urged countries to make voluntary contributions to this fund. The discussion on malaria came on the day following President Eisenhower's message to Congress on foreign aid, and the delegation was able to read to the Assembly the passage in the President's message in which he proposed that the United States increase our contributions to the attack against the world's No. 1 health problem. I hope that this program will receive the support it deserves. Malaria eradication will redound to the benefit of the United States through the improvement it will bring about in the economy of the underdeveloped countries. And further, there is no better way for us to show our friendship for that huge segment of the world's population that is heavily burdened by preventable disease.

The contributions which American scientists have made over the years in advancing the fight against malaria were signalized in the Assembly by the award to Dr. Paul F. Russell, the distinguished malariologist of the Rockefeller Foundation, of the Darling prize for outstanding achievements in malaria control. In accepting the prize, Dr. Russell described WHO as the "motivating mainspring in the global assault on malaria." Dr. Russell has been one of the architects of the President's malaria eradication proposals.

Of direct interest for all of us is the development of the peaceful uses of atomic energy. WHO has embarked on a constructive program to help countries develop the health and medical uses of radioisotopes and to promote protection against radiation hazards connected with the peaceful uses of atomic energy. The program includes exchange of information, training and seminars, and technical assistance. The Assembly with the strong support of the United States delegation endorsed the continuation and expansion of this program, in cooperation with the International Atomic Energy Agency when established. The United States delegation expressed gratification that WHO is recognizing its responsibilities in this field. A proposal by the delegation of India that the Assembly appeal for a ban on nuclear bomb tests was ruled out of order in committee, and the ruling upheld by committee vote. This was evidence of the determination of the WHO to proceed with its work without becoming involved in international political problems.

After considerable discussion, the Assembly adopted by vote of 50 to 10 a budget for 1958 of $13,500,000. This is a very small amount in relation to the job to be done. In my judgment, no international organization is accomplishing more for the welfare of mankind in relation to the funds which it expends. Every dollar we contribute to WHO, whether to the regular budget or to the Special Malaria Fund, is a gilt-edged investment.

The activities of the World Health Organization are almost universal in scope and respond to a universal human need. In the constitution of WHO, we have joined with other nations to declare that all peoples have the right to the highest possible level of health. WHO is helping them to achieve this rightful condition, and in so doing is bringing mankind closer together. Thus, it is directly serving the interests of the United States and of peace. It was a great personal pleasure for me to find, at first hand, what a great contribution we, as Americans, are making to build a better world through our participation in this splendid organization.

The United States of America was fortunate in having as delegates a very representative group of individuals, each of whom are actively engaged in promoting health, both in the United States and throughout the world.

The following is a list of members of the United States delegation who attended and actively participated in the proceedings of the 10th World Health Assembly:

Chief delegate: Dr. L. E. Burney, Surgeon General, United States Public Health Service, Department of Health, Education, and Welfare.

Delegates: Dr. H. van Zile Hyde, Chief, Division of International Health, Bureau of State Services, United States Public Health Service, Department of Health, Education, and Welfare; Dr. J. R. Reuling, American Medical Association.

Alternates: Mr. H. B. Calderwood, Office of International Economic and Social Affairs, Department of State; Dr. A. C. McGuinness, Special Assistant for Health and Medical Affairs, Department of Health, Education, and Welfare.

Congressional advisers: Mr. J. E. FOGARTY, House of Representatives, United States Congress; Mr. C. A. WOLVERTON, House of Representatives, United States Congress.

Advisers: Dr. L. W. Burket, dean, Dental School, University of Pennsylvania; Col. R. L. Callison, Office of the Surgeon General, Department of the Army; Dr. E. P. Campbell, Deputy Chief, Public Health Division, International Cooperation Administration; Dr. E. L. Crosby, director, American Hospital Association; Dr. R. K. C. Lee, president, Board of Health, Honolulu, T. H.; Mrs. V. R. Pinanski, consultant to the National Advisory Neurological Diseases and Blindness Council, National Institutes of Health, United States Public Health Service; Mr. B. A. Poole, chief, Bureau of Environmental Sanitation, State Board of Health, Indianapolis, Ind.; Mr. D. H. Popper, acting United States representative to international organizations, United States resident delegation and Consulate General, Geneva; Dr. E. L. Stebbins, director, School of Hygiene and Public Health, the Johns Hopkins University; Mr. R. Olaf Waring, Office of International Administration, Department of State; Mr. L. Wyatt, Division of International Health, Bureau of State Services, United States Public Health Service, Department of Health, Education, and Welfare; Dr. F. D. Yoder, president, Association of State and Territorial Health Officers, Cheyenne, Wyo.

A National Cowboy Hall of Fame

EXTENSION OF REMARKS
OF
HON. GEORGE S. McGOVERN
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 1957

Mr. McGOVERN. Mr. Speaker, for millions of Americans, the cowboy is a symbol of the development of the West. Certainly there was no figure on the American frontier any more colorful than the cowboy. Little wonder that every American boy has at one time or another played cowboy. Likewise, the cowboy is a prominent figure in our radio, television, and movie dramas. It is impossible to think about the frontier without recalling the dramatic role he has played.

The life of the cowboy was not always one of color and drama, however. His life consisted also of long hours of toil, drudgery, and hardship. He was called upon to serve in many ways that made possible the opening and development of the West.

It is entirely fitting that the rich heritage of the American cowboy should be preserved. That is why I add my support to the movement to establish a National Cowboy Hall of Fame and Museum.

Some time ago individuals from 17 Western States, particularly interested in preserving the literary and cultural heritage of the cowboy, joined together to launch at Oklahoma City, Okla., just such a hall of fame and museum. Construction of this project is underway. I am happy to say that South Dakota, which figured prominently in the cowboy era, has furnished two trustees who are giving of their excellent abilities to make this project a great national shrine to the cowboy. Mr. Bert Hall, of Kennebec, S. Dak., a distinguished author and rancher, and Mr. Ernest B. Ham, of Viewfield, S. Dak., who comes from a long line of western cattlemen, are both active in this splendid cause.

I want to urge the Members of Congress, Mr. Speaker, to give whatever support is possible to the successful completion of this worthwhile venture. I think it deserves our attention and our encouragement.

Why Steel Prices Went Up

EXTENSION OF REMARKS
OF
HON. CHARLES W. VURSELL
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 1957

Mr. VURSELL. Mr. Speaker, since United States Steel recently announced an increase of approximately $6 per ton, and since steel is one of the basic products of our industrial economy, I think it is important that the Members of Congress, who have such a great responsibility to the people of the Nation, know the basic facts, or reasons, for such increase in the price of steel. I think it is well to review the facts which briefly are as follows:

On August 3, 1956, a year ago, after the steel companies had suffered a loss of millions of dollars as a result of a 34-day strike, the United States Steel Corp. signed a 3-year labor agreement contract effective July 1, 1956, which provided a total increase each year of about 24 cents per hour annually, including a cost-of-living adjustment of about four cents an hour plus other benefits.

Under that agreement, which became effective July 1, 1956, the steel company to meet the increase in labor costs for the first year increased its prices about 7 6/10 percent.

At the beginning of this, the second year of the 3-year contract with the United Steel Workers, the steel company gave the employees their second increase in wages and employee benefits, which will amount to about 21 cents per hour from July 1, 1957, to July 1, 1958, which inclueds a cost-of-living adjustment of 4 cents per hour and various other benefits.

Mr. Hood, president of United States Steel, in announcing the signing of the second year contract, and in explaining its provisions, said:

> The new pay adjustments will bring the corporation's average hourly employment cost for wage employees engaged in steel production to about $3.52 per hour, a record high.

Mr. Hood called attention to the inflationary pressures on all other costs that have been accompanying wage increases in recent years. He made the statement that from 1940 through 1956 United States Steel's employment costs per employee-hour has risen 250 percent, which purchased goods and services, taxes, and other costs had risen 315 percent, or even more substantially. Thus United States Steel's total costs per employee-hour rose 284 percent over this period.

In contrast, the price of finished steel mill products, as measured by the Bureau of Labor Statistics, increased only 138 percent. The difference between this increase in total costs and the smaller increase in prices has been absorbed by United States Steel over the years through greater efficiency of operation, intensive cost reduction, the expenditure of billions of dollars on modernization and improvement of facilities, and partly by a decline in the profit rate.

In emerging from the depression, United States Steel made a profit in 1940 of 9½ cents on each dollar of sales, a figure exceeded in numerous predepression years, but never equaled for any year since 1940, Mr. Hood pointed out. The nearest approach to that was in 1955, when the corporation earned 9 cents on each dollar of sales. Last year it earned 8.2 cents on each dollar of sales.

The pay increases that are taking effect in United States Steel under the terms of the 1956 labor contract, which terminates June 30, 1959, and which provides for further increases in 1958, are these:

> 1. A general wage increase of 7 cents per hour for all hourly rated employees, plus an increase of two-tenths of 1 cent in the present differential of 6.3 cents per hour between each of United States Steel's 32 job classifications for its production and maintenance employees.
>
> OTHER BENEFITS
>
> 2. A cost-of-living increase of 4 cents per hour for all hourly rated employees. This brings to 7 cents an hour the total cost-of-living adjustments occurring under the 3-year labor agreement in the first year of its operation. The adjustments are governed by the consumer price index of the Bureau of Labor Statistics.
>
> 3. An increase to one and one-fifth times the regular rate of pay, from one and one-tenth times the regular rate, as the compensation for nonovertime work performed on Sunday.
>
> 4. An increase to double time and one-tenth, from double time, as the compensation for work performed on any of 7 specified holidays.

In addition to these increases in United States Steel's employment costs, other increases will result from similar and simultaneous adjustments in the pay of salaried employees who are cov-

ered by labor agreements signed last summer, as well as from appropriate increases to other salaried employees, Mr. Hood reported.

As of May 20, 1957, United States Steel Corp. for the first quarter announced a quarterly dividend of $1.75 per share on the preferred stock, and 75 cents per share on the common stock. The common stock is listed at a value of approximately $69 a share on today's market.

The following table shows earnings and some other costs of operating the steel business:

FOR THE YEAR 1956

Products and services sold	$4,228,900,000
Tax payments	427,000,000
Total net income after taxes	348,100,000
Employment labor costs	1,681,000,000
Dividends paid	170,100,000
Other employee benefits	*225,352,981

*The $225,352,981 in employee benefits which already exceeds dividends paid by over $55,000,000 does not include fringed costs paid to employees, which amount to an additional 50 to 60 percent, or about $120,000,000.

And may I say that under our tax system nearly all of these dividends the stockholders receive are subject to the regular income tax which greatly reduces the net amount.

A close look at the table above indicates that taxes paid by United States Steel are $78,900,000 more than the net earnings of $348,100,000 after taxes. Net earnings after taxes for 1956 were 8.2 percent.

The Need for Protecting FBI Files

EXTENSION OF REMARKS
OF
HON. HAROLD R. COLLIER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 1957

Mr. COLLIER. Mr. Speaker, I take this occasion to discuss H. R. 8341, a measure of utmost importance to the preservation of our Government.

This measure deals with the FBI files, which were in effect declared sitting ducks in an open hunting season by the Supreme Court of the United States in the now-famous Jencks case. The Court in that ruling has created and compounded confusion, not only among the law enforcement officers of the executive branch, but among the jurists of the lower courts as well. The Court, I submit, was not clear in its definitions or terminology and left much of what it intended to convey in doubt. But one fact remains inescapable through this ruling. The Court, in effect, told every criminal and his lawyer that they have the right to examine the files of the Federal Bureau of Investigation if they think that through such examination they can find documentary support for whatever nefarious position they choose to take. This, of course, to be accomplished before a presiding judge has a chance to examine the files to determine if the material is or is not pertinent to the case.

The Judiciary Committees of both the House and the other body have considered this bill and one like it with favor. In an appearance before one committee, the Attorney General, Mr. Herbert Brownell, Jr., pointed out some dangers inherent in the Court's decision. He noted that already persons accused in narcotics cases had been freed in Pennsylvania and Georgia and that convictions already won in the courts might be reversed in a kidnaping case in Rhode Island. In numerous other cases the criminals or their attorneys are now preparing to base appeals on this ruling.

I recognize, as every other Member of this House does, the need to protect the innocent and to provide the accused with every possible means of preparing his defense. This is the basic function of our legal system and one of the main differences between our own and totalitarian justice where the only defense is to throw yourself on the mercy of the court.

At the same time I recognize, as does every Member of this House, that one of the prime functions of Government is to protect itself and the citizens who depend on it for protection—protection not only against aggression from abroad and subversion from within, but also from those elements within our own society who prey on their fellow humans and who stalk the jungles of our underworld. To accomplish this protection, Government has at its disposal the Armed Forces to guard against aggression from without, and the FBI to guard society against those who would corrupt or communize it. The FBI, under the direction of that eminent public servant, J. Edgar Hoover, has done a remarkable job in this important field. Now the Court would have us destroy the efficiency of this organization and its ability to function not only as the discoverer of wrong-doing, but the protector of the innocent.

What are these mysterious FBI files?

They are simply the accumulation of a generation of evidence ferreted out by the agents themselves or brought to the attention of the FBI by private citizens. Much of the material is in the so-called raw files, that is, files which up to now have been open only to expert and experienced men to evaluate the evidence and to determine if it warranted further inquiry.

Much of the material in the files is unsubstantiated stuff which is better left locked up—material containing half true or completely false allegations. It would never, under the old procedure, have gone further. But under the new Court edict, this mass of material is open to the praying eyes of lawyers and outright criminals—men who could and would use it to their own advantage and without regard for those whom it might needlessly hurt.

Equally important, the files contain names of men, who through loyal service have uncovered the criminal plots against the Government, some of them paid counterintelligence agents. To open these files would be to expose these names and thus make them useless or, indeed, in some cases to make their very existence a hazard.

Also, the files contain clues as to which direction investigations may take, and to open them would be to announce to the world—and particularly to the shrewd and evil conspirators, where they should more carefully cover their tracks, where to go underground and what incriminating evidence to destroy.

In sum, the FBI files, if open to the wrong man or men, could do this Nation untold damage.

The purpose of H. R. 8341 and its companion bill in the other body, is to protect these files, while at the same time protecting the right of defendants to fair trial. It accomplishes this purpose by directing that such files or parts of files pertinent to the defense shall be open to the defendant—but only after examination by the trial judge. We are in this measure placing the responsibility on the shoulders of experienced and trained jurists and not at the discretion of possible Communists—or men who make their living at the beck and call of the criminal element.

The bill, I feel, accomplished the purpose of protecting the life of our Nation while at the same time guaranteeing every right to those accused of crimes, whatever those crimes may be.

Interview of Hon. Richard B. Russell, of Georgia, on CBS News and Public Affairs Hour

EXTENSION OF REMARKS
OF
HON. RICHARD B. RUSSELL
OF GEORGIA
IN THE SENATE OF THE UNITED STATES
Wednesday, July 10, 1957

Mr. RUSSELL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a transcript of the interview over the CBS News and Public Affairs Hour on Monday, July 8, the so-called Capitol Cloakroom broadcast, wherein I was interviewed by three of the news correspondents of the Columbia Broadcasting System.

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

CAPITOL CLOAKROOM

(Broadcast over the CBS Radio Network, July 8, 1957, 9:30 to 10 p. m.—guest: The Honorable Richard B. Russell, United States Senate, Democrat, of Georgia—CBS news correspondents: Griffing Bancroft, Bill Downs, Paul Niven—producer: Michael Marlow)

Mr. BANCROFT. Senator RUSSELL, will there be a real showdown on civil rights?

Mr. DOWNS. Senator, would this bill really punish the South?

Mr. NIVEN. Senator, would the South accept a compromise on civil rights?

Mr. BANCROFT. Senator RUSSELL, welcome to Capitol Cloakroom. One of the real veterans here, you have been in the United States Senate now for more than 24 years.

And right now you are the leader of the southern Senators in this current battle over civil rights. So let's start with that.

Do you think this time there will be a real showdown on civil rights?

Senator RUSSELL. Well, there is, of course, a very decided disposition to press this bill which is titled a civil-rights bill to a conclusion in this session of the Congress. Now we have a very attractive habit here of labeling bills, sometimes, when they don't always live up to their label.

But if you are referring to the bill that is now being discussed on the floor of the Senate, it is apparent that a very determined effort will be made to force a legislative conclusion on that measure.

Mr. BANCROFT. Well, we want to ask you what might happen on that, but first, you say whether this should properly be called a civil-rights bill.

If it is not a civil-rights bill, what is it?

Senator RUSSELL. Well, in some of its aspects it is more of a force bill aimed at the customs and laws of the South that were upheld for a hundred years than it is a civil-rights bill.

It has been presented to the public generally as being a bill to assure the right to vote. But as a matter of fact that is the mildest of all the provisions of the bill.

Mr. DOWNS. Well, Senator, there was a coalition of so-called liberal Republicans and liberal northern Democrats that got this bill to the floor in the first place.

What happens to the conservative coalition among southerners and conservative Republicans under these circumstances?

Senator RUSSELL. Well, I don't know just exactly what that term "coalition" implies. At times it seems to be used as a term of condemnation or derision.

In times past when some of the southern Democrats have voted with the Republicans not to move quite as fast in some areas as some of our Democratic Presidents would have had us to move, that's been called a coalition between southern Democrats—Mr. Reuther and his crowd always said Dixiecrats without regard to how loyal we had been to the Democratic Party—and the reactionary Republicans.

We do have a most unusual coalition this time in that the Republican leadership has joined hands with some of our very liberal friends, such as Senator DOUGLAS and Senator HUMPHREY and others to force this bill to a conclusion.

But, then, politics makes strange bedfellows. In this case we undoubtedly have a game where the South is a mere pawn on the political checkerboard. The minority groups have apparently convinced the leadership of both parties that the party that is willing to wage the furthest punitive expedition into the South will win the Presidency in 1960.

Mr. NIVEN. Senator, some Republicans have charged and northern Democrats have denied that there was a deal in the voting over the procedure of the civil-rights bill and the Hells Canyon bill.

Senator RUSSELL. Yes; I saw that in the press. If there is anything to that, I have no knowledge of it. I saw the article.

I happen to be one of the five Democrats who changed his vote on Hells Canyon. I did it because of the tax amortization feature which made it very apparent that the Federal Government was going to pay for the dam in any event. If we were going to pay for it, I thought we ought to have title to it.

Mr. NIVEN. But you did not offer and were not offered any kind of deal?

Senator RUSSELL. No; there was no deal in any sense I know of. I hope, however, such a thing as appreciation still exists even in the Senate of the United States where any Senator finds that he can out of his heart do so to vote to make this bill a tolerable bill or a reasonable bill and not a force bill, that they will vote for amendments.

I hope that the purpose of this charge was not to frighten the true liberals in the Senate who will support, for example, a jury-trial amendment.

We have a very anomalous situation when so-called liberals are trying to abolish the right of trial by jury, as is being done in this bill.

Mr. BANCROFT. Well, Senator RUSSELL, if there was a deal made, you apparently lost it anyway, because the bill went on the calendar over your objections.

Senator RUSSELL. Yes; and very frankly, when I saw the coalition that was there—that I called the Knowland-Douglas-Humphrey axis—I had very little hopes of getting a majority vote. I did make a fight because I believe in orderly procedure in the Senate, and I did not think that the procedure that was followed was orderly, and we are paying the penalty for it right now.

We put the bill on the calendar and it comes out later that there's been an error in the print of the bill that was sent over that they are undertaking to correct today.

When you get away from established precedents in the Senate, when you try to take shortcuts for temporary advantage, it nearly always brings a great deal of trouble.

Mr. BANCROFT. Well, now, coming back for just one moment to this bill, President Eisenhower, who claims that this is a moderate bill and who says at least his principle desire is to protect voting rights has expressed some surprise at your statement, I believe, about how far you think this bill could go.

And there was some talk that you might have a conference with the President to talk about this. Is there any conference now set for you at the White House?

Senator RUSSELL. Well, now you ought to go back to what you were talking about——

Mr. BANCROFT. All right.

Senator RUSSELL. Before you get down to that.

President Eisenhower also stated that he had gotten out the bill and tried to read it and had found some of its provisions very confusing.

Mr. BANCROFT. That is right.

Senator RUSSELL. And I may say that he has a great deal of company, because it is a very adroitly and cunningly drafted bill.

I have no comment to make on the other because I am of the old school, came up here at a time when Senators didn't go out and make an announcement they were trying to get down to the White House or were invited to the White House.

I would only say that I earnestly hope that I may have an opportunity to discuss this bill with President Eisenhower, either personally or with any legal adviser that he wants there, to show him that the right-to-vote provision in this bill is the least momentous of all its provisions.

Mr. DOWNS. Well, Senator, you said that in the case of jury trial, in demanding a jury trial in voting rights cases, for example, that this bill should contain that provision.

Senator RUSSELL. Yes.

Mr. DOWNS. Isn't it true, sir, that in the South, and hasn't it been proved in the South, that when you have an all-white jury voting on the rights of a Negro voter, that he doesn't have much of a chance of winning?

Senator RUSSELL. Well, that's one of the common slanders that's been repeated against the South without a word of evidence to substantiate it. You have got any number of criminal statutes on your books now where it is made a violation of criminal law, punishable by imprisonment and fine, to interfere with the voting rights of any citizen.

Now the South is entitled to have at least some proof brought forward of this charge that is repeatedly bandied that every southern white man is so irresponsible that he would forswear himself or perjure himself in a case involving a Negro citizen.

I practiced law for many years before I came into the Senate, and I did not find that to be true. And we were at least entitled, before a whole great section of this country was indicted as everyone of us being perjurers, we were at least entitled to have the Attorney General come out and say, "Here, I tried to get an indictment in this case before a grand jury for a violation of a right to vote, and I didn't get an indictment," or if "I did get an indictment," that the jury "didn't do justice."

They haven't done that; they have just gone on this wave of public sentiment, this antisouthern feeling that has been built up by just such charges as that, that the whole white South would just forswear themselves.

As a matter of fact, there is no great problem about the Negro voting in the South today. In my own State, and that's the only one I have personal knowledge of, there's no limitation or prohibition on the right of qualified Negroes to vote. Why in the city of Atlanta they elected a Negro over one white man to one of the most responsible of all the city positions, a member of the board of trustees for the schools. He was reelected within the past few months by white votes. And the Negroes vote there, they vote generally over the State. And this is just part of this campaign to make it appear that throughout the entire South that Negroes are denied the right to vote. It is certainly not the truth.

Mr. NIVEN. Senator, isn't there a good deal of social and economic pressure against Negroes to restrain them from voting?

Senator RUSSELL. I have heard that that was true in some areas. I was giving you what I know of my own knowledge in my own State. And there may be, I don't say there aren't, isolated instances where Negroes are denied the right to vote—in every State of this Union you've got wards and communities and counties where you have got so-called courthouse gangs, and they deny some white people as well as some Negroes the right to vote if they don't belong to that gang.

But we have got criminal statutes to punish that, and why doesn't the Attorney General invoke them before coming in here and making a blanket indictment of the South, "The white man in the South is so venomous against the Negro that he won't do justice." For that is not true.

The relations between the races in the South have been gravely disturbed in the last 2 or 3 years; but until that time there had never been any place in all the history of human civilization where two races so equal in number had started out with the disparity that there was between them—one coming out of slavery—and had made the progress over the period of 80 years that has been made in the South.

The white South should be commended for what they have done. They have taxed themselves even in the desolation of destruction following the Civil War to create schools. And for a hundred years, under the protection of the law, they have paid taxes and bonded themselves to build separate but equal schools for the white and colored people.

And that's the purpose of this bill, to forcibly commingle the white and Negro children of the South in the schools. This voting business is all a smokescreen for that vicious provision of the bill—and not only in the schools, but in all our places of public entertainment.

Mr. NIVEN. Well, Senator, you and other southern Democratic Senators are now emphasizing the segregation—this integration threat in the bill.

The bill was debated for about a week in the House and the southerners there did not place great emphasis on this, they seemed to debate the bill on its open merits.

Senator RUSSELL. Well, I of course don't know what took place over there. They perhaps were taken in by this campaign that

it was just a voting bill. I haven't read the debate in the House. I did read the bill here. I spent the better part of 3 days with about 40 law books running down this cunningly contrived bill. And I leave it up to you and your personal attorneys, right now, to take the remarks that I made in the Senate last Tuesday on this bill and take this bill and if he doesn't come up and tell you that it can be used as a force bill to bring the whole might of the United States Government to bear to integrate the schools of the South, why you'd better get you another lawyer.

It's very clear, when you run it down.

Mr. BANCROFT. Senator RUSSELL, it seems to me you go a little further than that. You say that not only can it do that, but that that was the intention of those who sponsored this bill.

Senator RUSSELL. Undoubtedly. This section, this part——

Mr. BANCROFT. Well then, whom do you——

Senator RUSSELL. I don't know who drafted this bill.

Mr. BANCROFT. Accuse of doing this? Do you think Attorney General Brownell——

Senator RUSSELL. I don't know whether——

Mr. BANCROFT. Deliberately brought in a bill that goes——

Senator RUSSELL. Mr. Brownell knew what was in this bill or not. I am confident he didn't draft it. But I would certainly like to meet the man who did draft it because it is a masterpiece of obscuring the purpose.

Mr. BANCROFT. If this is a deliberate plot, who do you think was——

Senator RUSSELL. I don't know who is responsible for it. But I assert unhesitatingly that this part 3 of this bill was drawn for the express purpose of obscuring a vast grant of power to destroy any system of separation of the races in the South.

And I will say that after the people of the South have known no other way of life, no other social order for a hundred years, this is a monstrous proposal to come in and to ask for any such grant of power as that over night.

This condition wasn't changed by an act of Congress, where it was debated, people had an opportunity to see what was said and discuss it themselves—it came through a decision of the Supreme Court, based on a book by the Swedish Socialist who said that our Constitution is a plot against the common people of the United States. And it came overnight—like that—with no preparation.

Mr. BANCROFT. This is the Supreme Court school segregation decision you are talking about?

Senator RUSSELL. Yes, this bill proposes to enforce judicial law, a law that has been written by the courts rather than legislative law, a law that's been written by the Congress, that's what it does.

Mr. DOWNS. Senator, you also expressed I think last week the fear or prediction that American troops could be used.

Senator RUSSELL. Why this bill is tied in with one of your old reconstruction statutes that was passed by Sumner and Stephens when they set out, as they said themselves, to put black heels on white necks in the South. The criminal counterpart of this civil statute was stricken down by the Supreme Court declaring that it was passed by an impassioned Congress at a time when the Southern States were being treated as conquered provinces.

And yet that is the law that it skillfully ties into without being apparent on its face. Why didn't they write out in this bill what they propose to do where we could read it, instead of saying "section 1895," and then having that section refer to section 1993, where it requires a lawyer who is a jigsaw puzzle expert to put it all together to see exactly what it does?

But you will see that the real lawyers of this Senate will not refute one iota of what I said when they have studied this bill, and I care not which side of it there're on. They may say "We don't intend to do it," but they won't say it can't be done.

Mr. NIVEN. Senator, can you imagine Federal troops actually being sent into the South?

Senator RUSSELL. I certainly can. I certainly can. When they can make such a political pawn out of the South, as has been done now, and where they can—when men are seeking political preferment, they make all kinds of commitments, and I can very readily see that Federal troops could be sent into the South to enforce—why we have had troops and tanks at two schoolhouses in the South already, without this law.

Mr. DOWNS. That was National Guard troops.

Senator RUSSELL. Yes, that's true. But you're just as dead if you're shot by a tank bullet from a National Guard man as if you were shot by a regular or a marine.

Mr. DOWNS. Senator RUSSELL, in answer to my question you said that you do believe, then, that this bill is really designed to punish the South?

Senator RUSSELL. I have no question about it. Now I don't know why they take such an admonitory attitude toward the South, as if we were a group of wild and uncivilized people. Some of them feel that they are doing a very meritorious thing, to resort to any means to force the South to conform to what the rest of the Nation thinks is the proper social order for the South.

Well, this is a great Nation of ours——

Mr. NIVEN. Senator, I want——

Senator RUSSELL. If a man wants to move from one State to another, if the southern people want their children in integrated schools, it's mighty easy to move to a State where they have them; they are not more than 300 miles away from anywhere in the South. If any other person preferred for his child to go to school with children of his own race, why, he might move to the South. Then he'd be safe for the time being, until this bill passes and is enforced.

Mr. DOWNS. Don't you believe, sir, that the social order in the South has changed and is changing?

Senator RUSSELL. Oh, of course, it has, and is. But it has happened through a process of evolution, and this proposes to enforce a revolution on the South and to drive men. There's a great deal of difference between leading and in driving or letting people themselves lead and drive.

We have made great progress in the South. Why, in the voting, not in my time have there been any restrictions on Negroes in general elections in the South, but we did have a law for a long time that they couldn't vote in the Democratic primaries. Now that's all been done away with, and they do vote; there's no longer a white primary. We have moved forward very rapidly when you consider the full impact of it.

It's all well and good for a man that lives in a State where it is 98 percent white and 2 percent Negro to say, "Why, where is this problem? There's nothing to it." Let him go to a State where they are nearly equal in numbers, where the races in communities are about equal in numbers, and then undertake to enforce overnight such a bill as this.

Mr. NIVEN. Senator, the colored leaders reply that, despite this evolution and this progress, large numbers of them are still denied a right which they have been guaranteed by the Constitution for 90 years.

Senator RUSSELL. You mean the right to be in integrated schools?

Mr. NIVEN. The right to vote.

Senator RUSSELL. Well, the Supreme Court said that for 90 years they had been denied the right that they were entitled to be in integrated schools. The Constitution hadn't changed; the complexion of the Court has changed.

And I deny that statement as to voting. At least, as far as the greater portion of the South is concerned, there is no real limitation or restriction on the right of qualified Negroes to vote.

Mr. DOWNS. Well, the qualifications, sir——

Senator RUSSELL. You can come to my State when they are having an election and see them; they are lined up there for blocks to go and vote, and their votes are counted just like anyone else.

Mr. NIVEN. Well, Senator, would you concede that qualification has been interpreted differently for white and colored persons?

Senator RUSSELL. I have heard that, but I don't concede it—no; I don't concede it, generally, in my State; no. There may be areas where it has been, small communities, it is probably true.

Mr. NIVEN. Well, why don't Negroes vote in larger numbers, then?

Senator RUSSELL. Well, they vote in—we have practically 225,000 registered in Georgia, and they vote. Perhaps in some of the elections they have a higher percentage voting than white people.

Oh, you pillory the South by giving the figures voting in a general election and saying only 45 percent of the people voted. But as a matter of fact we have had the one-party system in the South, and our people vote in the primaries. And you compare the vote in the primaries, when we really settle our election, and it's not too much behind the rest of the country. But we don't vote in the general election because everything has been settled in the primary.

But that's the figures they always give you, just 45 percent here in the general election.

Mr. NIVEN. But the percentage of Negro voting is not anywhere near as high as the percentage of whites voting; is it?

Senator RUSSELL. No; because there are a great many more white people in my State than there are Negroes. We have about 2,300,000 white people and about 1,200,000 Negroes.

Mr. NIVEN. Isn't that a proportionate basis?

Senator RUSSELL. Well, that may be slightly true. I concede that, because they haven't been voting long. They haven't been voting too long. We only abolished the poll tax in Georgia about 10, 11 years ago.

But where can the Attorney General come in and say, "In Georgia they violated the criminal law by denying this man, Bill Jones, the right to vote"? And he should do it and prove, "I tried to indict and I tried to convict before a jury," before you come in and indict the whole State of Georgia and say we have deprived the Negro of his right to vote illegally.

Mr. NIVEN. Sir, is it your case that until recently there were impediments in the way of the Negro voting?

Senator RUSSELL. Of course there were in voting in the primary. I explained that a while ago. They could vote in the general election, but it didn't mean anything because the man who was nominated in the primary was going to win the general election. That may be a mistake, we may have—should have been a two-party State. I sometimes think that we would have fared much better if we had been.

Mr. BANCROFT. Senator RUSSELL, I wonder if I could explore a moment what's apt to happen here on the floor of the Senate.

You are leading this strategy. And the motion made today, of course, is a motion to take up the bill.

Senator RUSSELL. Yes.

Mr. BANCROFT. Which, if it prevails, would of course be followed by the discussion and the motion to pass or to act on the bill and amendments. There has been some talk

that you might not filibuster or unduly prolong and defeat a vote on the motion to take up. How about that?

Senator RUSSELL. Well, Mr. Bancroft, I intend to act as each circumstance presents itself and as this matter unfolds in such a way that I think will cause us to be able to get our maximum strength for the amendments to this bill that will see that it is a right-to-vote bill instead of a punitive bill against the South.

Mr. BANCROFT. Well, now, on that, Senator RUSSELL, an amendment cannot be offered or acted upon——

Senator RUSSELL. Oh, no.

Mr. BANCROFT. Until after this motion to take up the bill acted on.

Senator RUSSELL. We are now debating this bill strictly on its merits. There is no part of this discussion that consists of reading long papers, the ordinary earmark of a filibuster.

Mr. BANCROFT. Well, I'm trying to find out if and when——

Senator RUSSELL. I'm not prepared to say just when we'll let the bill be made the unfinished business. We want to discuss it. We have found that there are a number of Senators who have been busy with other matters and didn't really understand the full impact of this bill.

I want the situation in the Senate to jell a little where we can see just where we are going with these different amendments.

Mr. BANCROFT. Well, then, after it has jelled a little, then presumably you will allow a vote to take place on the motion to take up?

Senator RUSSELL. Oh, I think the Senate will vote on amendments to this bill.

Mr. BANCROFT. On the motion to take up, first? And——

Senator RUSSELL. I think the Senate will vote on amendments to this bill.

Mr. BANCROFT. Then to vote on amendments?

Senator RUSSELL. Well, I'm not prepared to say just when, but I'm very confident that it will.

Mr. DOWNS. Senator, you indicated strongly that this is a political measure——

Senator RUSSELL. Yes; I feel that strongly.

Mr. DOWNS. Being presented by a coalition of Democrats and Republicans, and then——

Senator RUSSELL. I feel this——

Mr. DOWNS. Also you said perhaps it would be a good thing if the South did have a two-party system.

Do you think that your opposition to the bill, Democratic opposition to the bill might strengthen the Republican Party in the South?

Senator RUSSELL. No; not when the Republican Party is furnishing more votes for this particular bill than the Democratic Party is in the Senate. I don't think that it would. I was talking about we would have been in a better bargaining position if we had not all been tied up in what's called the Southern Democratic Group.

As it is now, the minority groups outside the South, though they are relatively small in numbers compared to the voting strength of the white South, they can go to the political leaders there and convince them that these elections depend on their action in these doubtful States.

And by having had strictly a one-party political system in the South, I think we have denied ourselves a similar bargaining power.

But the Republicans, of course, are going at it in a very poor way to improve their position by putting more votes behind this force bill than the Democratic side of the aisle, here in the Senate.

Mr. DOWNS. Well, what do you think the general outcome, say, in next year's elections will be as a result of this debate?

Senator RUSSELL. Well, I couldn't say—my crystal ball is not that good. I can't pass on what it will do.

I don't believe that the great mass of the American people favor extreme measures—we are all in favor of civil rights, everybody is in favor of civil rights.

The question is, Where do my rights end and where do yours intervene? That's the question that's involved here, wholly aside from this voting proposition and this separation of the races. And they put a tag on it and call it civil rights.

But if this bill were explained to the American people, there is no doubt in my mind that an appeal from the politicians to the people would be sustained and that the American people would vote down this bill in a referendum, because it is a very unfair piece of legislation.

Mr. NIVEN. Senator, can you project any kind of compromise on this bill that would be acceptable to you?

Senator RUSSELL. Well, I would have to see it. I would have to see it. I am perfectly willing to entertain any ideas that any responsible leader of those that are pressing this bill might care to discuss. I do resent this whole theory of the bill that the South needs a guardian in the person of the Attorney General.

Now if there is any one State where the Negro is denied the right to vote, you have got clauses in the Constitution guaranteeing a republican form of government. Apply that without coming in here and abolishing the right of jury trial and tying it into the force bills of reconstruction so you will have the power to bring the Armed Forces of the United States to bear on the southern people.

We—the country as a whole doesn't realize what we have gone through with in this whole period. We have been a very poor people. It was from 1940, 80 years after 1860, until the tax values of my State got back to where they were, prior to the great fratricidal war.

And we have taxed ourselves, taxed our poverty heavier proportionately than any other section of the country to try to carry on this separate but equal system of education. And you can get your statistics and you will see that the tax according to wealth has been heavier in the Southern States than anywhere else for education.

We don't like to be threatened with this kind of force legislation.

Mr. NIVEN. You may recall that a national poll a couple of years ago found that 55 percent of Southern whites expected that integration in public schools would eventually take place. Would you agree with that?

Senator RUSSELL. I didn't see it, but I am not in a position to challenge your statement because I don't know. I didn't understand your question.

Mr. NIVEN. Apart from your preferences in the matter, do you feel that school integration is inevitable in the long run?

Senator RUSSELL. Well, forever is a long time. In the foreseeable future I don't see any integration of the schools in my State, particularly with this force legislation, because you can badger and arrest and bait people until they get in a frame of mind to close down the schools before they will do it.

Mr. BANCROFT. Senator RUSSELL, you said that amendments, in your opinion, amendments to this bill would be voted on, and I——

Senator RUSSELL. Yes.

Mr. BANCROFT. Presume you think some would be accepted?

Senator RUSSELL. Well, I would certainly devoutly hope so. If it is not amended it will be the worst piece of legislation ever considered.

Mr. BANCROFT. Now I presume one would be the jury trial amendment, for example, the one that was defeated in the House?

Senator RUSSELL. Yes, and the one to strike part 3 of this bill, the force provision. It is not related to the right to vote.

Mr. BANCROFT. In other words, Senator, that would leave in it simply the provision for a civil-rights commission and a new division in the Department of Justice?

Senator RUSSELL. Yes. Of course, that's a rather unusual provision.

Mr. BANCROFT. Would you accept that much of the bill?

Senator RUSSELL. No; I wouldn't be prepared to vote for a bill that was such a reflection on the people of Georgia as I deem this one.

Mr. BANCROFT. In other words, no matter how many amendments are adopted you still won't vote for this bill?

Senator RUSSELL. Oh, I didn't say that, now. You just narrowed it down. You just narrowed it down to—in the first place, this bill is wrong in policy. Here you have got a proposal that you are going to establish an entirely new division in the Department of Justice to take up all these cases, whether a man wants it done or not, and do it at Government expense.

Now the National Colored People Association and their kindred organizations have had no difficulty at all in getting up money to bring all these lawsuits.

You are starting a new system there, and the next thing you are going to do is to have some system where labor will be able to have a division in the Department of Justice to enforce their rights on employers at the expense of the Government, or vice versa, and in other fields. I don't approve of that.

I could not support such a measure. I think it is wrong in policy where a man is able to hire a lawyer, to say because it is a certain kind of case that the Attorney General can proceed at the taxpayers' expense whether the man involved wants him to or not. I don't approve of that general philosophy.

Mr. BANCROFT. Well, I'm afraid that's all the time we have, and Senator RUSSELL, we want to thank you very, very much for being with us on Capitol Cloakroom, and we will watch with interest to see what happens down there on the floor of the Senate.

Thank you, sir.

Return of Seized Alien Property

EXTENSION OF REMARKS

OF

HON. HOMER E. CAPEHART

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 10, 1957

Mr. CAPEHART. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an editorial entitled "It Is Not Ours To Keep," which appeared in the Easley Progress of Tuesday, July 2, 1957, in Easley, S. C., and a statement by the Senator from South Carolina [Mr. JOHNSTON], concerning the Trading With the Enemy Act and proposals for the return of vested assets.

There being no objection, the editorial and statement were ordered to be printed in the RECORD, as follows:

[From the Easley (S. C.) Progress of July 2, 1957]

IT IS NOT OURS TO KEEP

From time to time we have noted in the press veiled suggestions of improper motive in legislation introduced by Senator OLIN D. JOHNSTON to restore the property of German nationals seized during the war. The criticism has all along seemed unfair. In the first place Senator JOHNSTON risked his life as an

active participant in the first war against Germany as an enlisted man. In the second place, being upon the Judiciary Committee of the Senate, he would not be so foolish as to introduce improper legislation in his official capacity. He would have no cause to do it in a private capacity. Because of the continued charges of persons unfriendly to him the Senator has released a full statement on the question of the return of enemy aliens' property, which we have found most interesting and clarifying. A little thought on the part of the citizen would bring him to the same conclusion that the long report leads to. The seized property held so long by the United States is not German Government property but that of citizens of Germany who happened to have it in the United States when the war began. We are of course entitled to keep spoils of war taken from the enemy government; but it is not our character and viewpoint to keep the property of individuals longer than our own safety requires. Many of these aliens were friendly to the United States. One who died in a Hitler concentration camp by his will left a large sum of money to our Rockefeller Foundation. But even though the alien was hostile, a peace treaty removes that barrier and if we keep his private property we are doing wrong. Some self-styled superpatriots can't see through that conclusion of commonsense, justice, and decency. They are the only ones who have been unfair to Senator JOHNSTON in introducing his Judiciary Committee bill to complete the adjustment of seized alien properties.

STATEMENT OF OLIN D. JOHNSTON, UNITED STATES SENATOR FROM SOUTH CAROLINA, CONCERNING THE TRADING WITH THE ENEMY ACT AND PROPOSALS FOR THE RETURN OF VESTED ASSETS

Because of a widespread misunderstanding of the responsibilities and functions of the subcommittee on the Trading With the Enemy Act of the Senate Committee on the Judiciary and pending bills affecting alien property, a statement may help to dissipate much of the confusion in the public mind with respect to such bills which provide for the return of the privately owned properties of our former German and Japanese enemies seized under the provisions of the Trading With the Enemy Act.

The Trading With the Enemy Act was enacted on October 6, 1917. Its principal purpose was (a) to immobilize the properties of enemy nationals in World War I; (b) to prevent commercial transactions between the merchants of the United States and Germany and her allies; and (c) to hold the properties in trusteeship for the ultimate disposition of such assets by the Congress. Confiscation of such properties was never in the mind of the Congress when the original statute was enacted.

In 1923, the Congress authorized by the Winslow Act the returning up to $10,000 in value of the vested properties seized during World War I. In the War Claims Settlement Act of 1928, Congress returned 80 percent in value of the seized properties; the remaining 20 percent was retained as security for the payment of American war-damage claims, costs of administration, etc. In 1934, because of the worldwide depression and the defaults of the Hitler Government, further returns of the balance of 20 percent were prohibited by the Harrison Act.

Shortly after the commencement of World War II, the provisions of the Trading With the Enemy Act were reactivated, enlarged by executive orders under the War Powers Act. Provision for the appointment of a Custodian of Alien Property was made.

In 1948 the War Claims Act was passed to provide payment of claims for the detention and ill-treatment of prisoners of war and on behalf of certain religious groups for property losses sustained by them as the result of the military action of the Japanese and German forces. As a ready and available source of funds necessitating no direct congressional appropriations, the Congress provided that no returns of the private properties be made and that the proceeds thereof be applied to the payment of those minor war claims. Two hundred and twenty-five million dollars of the estimated $612 millions in value of the seized properties have thus far been expended in the payments of that category of war claims. Since 1942 Congress has appropriated from the liquid assets about $52 million to the Custodian's office for his administrative expenses. That office has had an average of over 300 persons employed annually since 1942 with an annual payroll for them in excess of $3 million. That expense does not include the costs of administering the going concerns operated by the Office of Alien Property.

The properties of Japanese nationals were seized and vested up to the time of the Japanese Treaty on April 28, 1952. The President, by informal order on April 17, 1953, directed that no further seizures be made of the privately owned German properties. Thus it is apparent that much of the property was seized long after hostilities ceased and the necessity for seizures no longer existed.

The estimated values of the properties at the time of their seizures amounted to $390,808,000. The appreciation in values of the vested properties, the net income from them and other properties received through agreements with foreign governments have swelled the original total to a present estimated total of $629,701,000 as of June 30, 1956. As of that date the net value of all assets then being administered by the Department of Justice amounted to $271,879,000.

The estimated percentages of the values by countries of the vested assets are German—76.2 percent, Japanese 16.7 percent; the balance consists of properties of Italian, Hungarian, Rumanian, Bulgarian, and others.

As a result of the peace treaties with Italy, Hungary, and the others, provisions have been made for a return of the values of the properties of the nationals of those countries.

Only the properties of German and Japanese individuals and concerns controlled by them require the attention of the Congress. No governmental property of the former governments of Hitler or Tojo is included in any proposal now pending before the Congress. No return of any property will be made to any war criminal of either country.

Congress by several amendments to the Trading With the Enemy Act provided relief for American creditors against their German and Japanese debtors. Complaints arose with respect to the conduct of the business affairs of many of the properties, involving political favoritism, etc., inefficient procedures for the payment of and adjudication of conflicting title and debt claims, and also regarding the failure to make available to everyone the advances and discoveries in scientific and technical uses of a considerable part of the seized properties. As a result of these and other complaints, the Senate by resolution in 1952 created the Subcommittee on Trading With the Enemy Act to examine and review for it the administration of the Trading With the Enemy Act by the Office of Alien Property of the Department of Justice. Each succeeding Congress has extended the subcommittee.

The late Senator Willis Smith, of North Carolina, became the first chairman of this Judiciary Subcommittee. In the Republican-controlled 83d Congress, Senator EVERETT M. DIRKSEN was designated chairman. Since March 18, 1955, after the Democrats succeeded to the control of the Senate, I have served as chairman along with Senators McClellan, of Arkansas; Price Daniel, of Texas; O'Mahoney, of Wyoming; Dirksen, of Illinois; and Langer, of North Dakota, as subcommittee members.

Continuing studies, investigations, and reports have been issued as required by the Senate resolution creating and continuing the subcommittee. Extensive public hearings have been held on many bills which have been introduced affecting the provisions of the Trading With the Enemy Act. Recently, the subcommittee concluded its 25th day of public hearings. Over the years, over 3,300 pages—much in fine print—of evidence was presented to the subcommittee. Briefs, arguments, and written testimony were submitted, a preponderance of which contended that the private properties of our former enemies should not be confiscated, but should be returned either in kind or their reasonable value to their former owners. There was a considerable number who for varying reasons contended that no return should be made but that the private properties of some 40,000, more or less, German and Japanese owners should be held in lieu of reparations, due as from the Governments of Germany and Japan.

After most exhaustive and painstaking hearings and thorough consideration of the many factors involved, Senator DIRKSEN introduced S. 3423 on May 7, 1954. In brief, this bill provided for a full return, with certain exceptions, of all the privately owned properties of the former owners who were German and Japanese. The justification for such a return met with the approval of the Senate Judiciary Committee and the bill was favorably reported to the Senate. Congress adjourned in 1954 before S. 3423 had been considered.

The administration did not look with favor upon Senator DIRKSEN's bill. Among other reasons it was urged that no provision was made in it for the payment of American war damage claims.

As a result of the continued study and further public hearings, the subcommittee recommended and the full committee unanimously reported out favorably to the Senate my bill in the 84th Congress, known as S. 4205. This measure provided for a full return in kind or value of all privately owned properties which had been seized under the Trading With the Enemy Act and a full payment of all American war damage claims. These returns and payments were to be made progressively. Procedures and methods were adopted which permitted such a result without the necessity of any additional direct appropriations. Like S. 3423, S. 4205 failed of passage in 1956 by reason of the adjournment of Congress.

A modified version of S. 4205 was introduced by me on January 14, 1957, and is known as S. 600. This bill likewise directs a full return of all vested assets or their values and a full payment in installments of all American war damage claims not otherwise provided for by law. The bill contains provisions preventing a return of properties to war criminals of Germany or Japan, governmental properties, and properties to those residing in the Soviet-dominated countries.

There has been considerable criticism of these return bills and of me personally for authoring two of them. Much of that criticism may be traced to a lack of understanding of the reasons which prompted my action. I have long felt that a wider knowledge of the complex problems, the traditional American concepts of the human and property rights involved, and a fuller appreciation of our own national interests would dispel most, if not all, of the objections which reasonable persons could possibly entertain.

What are the reasons back of these full return bills? Why has OLIN D. JOHNSTON supported one and been the author of two others? What are some of the problems involved and the questions presented? How can it be in the interest of the people of the

United States to divest themselves of title to over $629 million worth of property?

So far as I am concerned, the answers are clear. My duty is plain. My responsibility with respect to the problems is not difficult to assume. What has been the American way of handling such problems?

Before our Constitution was adopted, John Adams said:

"The moment the idea is admitted into society, that property is not as sacred as the laws of God, and that there is not a force of law and public justice to protect it, anarchy and tyranny commence. If 'thou shalt not covet' and 'thou shalt not steal' were not commandments of Heaven, they must be made inviolable precepts in every society before it can be civilized or made free." (In Works of John Adams, by Charles Francis Adams, Boston, 1951, vol. 6, p. 9.)

There would have been no United States Constitution had the Bill of Rights (first 10 amendments) not been forthcoming as an integral part of it. While the fifth amendment provides protection for one against testifying against himself, it also contains very salient provisions which protect our property rights. Those provisions are:

"No person shall be * * * deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation."

The foundation of property rights originating in Holy Writ is inscribed as part of our basic constitutional rights. Our history and tradition as a free people are built upon them. The concept of our free society is founded upon them. The principle is clearly stated by a United States Senator in his testimony before the subcommittee recently when he said:

"The unpaid American war-damage claims should be paid. Private property or its reasonable value should be returned. Now, of all times, we who set the moral standards for the peoples and governments of the world must of all things adhere to them or be willing to pay in lives and our material fortune the unthinkable price involved in the savage doctrine of confiscation.

"Confiscation is the attribute of communism. Private ownership, the integrity of property rights, and contractual obligations, on the other hand, are the distinguishing characteristics and handmaidens of the free world. The issues involved are just that simple."

It is an historical fact that the United States has never practiced confiscation of its former enemies' properties. During the Revolutionary War several of the Colonies confiscated the property of the English Tories. This was compensated for in our first treaty—the Jay Treaty—with England in 1794. The formula set out in that treaty has been the uniform pattern for all of our subsequent treaties of commerce, friendship, and navigation with other foreign governments.

The language of the present Speaker of our House of Representatives which he used in 1923 in support of a full return of German properties after World War I has vital force today. He said in one of his official reports:

"From the days of Hamilton and Jefferson and Marshall down to now every man who had a reputation that extended beyond the community in which he lived * * * has looked upon the question of confiscating private property for the satisfaction of a public obligation with obloquy. That has been our policy. * * * the most savage doctrine ever announced by any people anywhere was that private property should be taken for the satisfaction of a public obligation."

Every Secretary of State of the United States without exception from Thomas Jefferson—our first Secretary—through Mr. Dulles, has opposed confiscation. Each has sought to maintain the doctrine of the inviolability of contractual rights and the sanctity of private property in time of war or national emergency.

World conditions have changed greatly since the Jay Treaty of 1794. In fact there exist today many more reasons than existed following World War I, why it is in our own national self-interest to return private property seized in time of war. A consideration of a few of those facts constitutes a compelling reason why privately owned properties should be returned and why as a Nation we should avoid the stigma of confiscation.

A most important fact to remember is that the United States today is the leading creditor Nation in the world. While no exact figures are available, we do know that Americans have private investments abroad in excess of $55 billion. As taxpayers, every American citizen has a direct interest and an investment at an initial cost of over $4 billion in over 900 of our defense installations scattered throughout the free world. As taxpayers, every American citizen has a direct interest and an investment now exceeding $4 billion in the loans made through our Export-Import Bank to private concerns and their governments abroad. These latter interests concern you and me directly because our money paid in the form of Federal taxes supports and maintains them.

Almost half of our high Federal tax burden is necessary each year for the support of our national-defense programs. We have spent over $35 billion annually for national defense since 1945. Our national-defense program is large because we seek by it to maintain our free way of life. The cornerstone of our free way of life is our right of ownership of private property. When property rights are destroyed, freedom and free government are lost. This truth is undeniable.

In addition to the direct interest so many Americans have in private investments abroad and the very large investments all Americans have in foreign countries, we have engaged in other programs since 1947 which have resulted in our people having to continue to pay heavy taxes. I refer to our foreign-aid programs. Every justification for any foreign-aid expenditure falls of its own weight when stripped of the reason that we spend this money abroad to support our free way of life and to preserve and extend American principles. Thus, it is argued that foreign-aid expenditures aggregating now almost $60 billion have been in our national self-interest. While I have not agreed with such contentions, others have agreed and they have prevailed. I do know I am taxed heavily for the support of that program.

Add these figures up and you can see a stupendous investment: $55 billion in private investments, $8 billion directly invested by all of us together with the $60 billion spent in foreign aid and the more than $35 billion each year for national defense. As the leader among the free nations of the world setting, as we must, the tone of morals in business and private conduct, for the world, can we afford the penalty of inflicting upon others any principle involving confiscation? Look at what is happening in the Middle East today. The Congress has just passed a $200 million special foreign-aid program (Eisenhower doctrine) for the ostensible purpose of keeping some of the countries in the Middle East as our allies in the struggle against communism. If, as a permanent policy, we are to confiscate these alien properties, as Egypt is confiscating the properties of the English, French, Israeli, and others, it requires little imagination to conclude that we stand to lose far more than all the rest of the world combined. Why? Because we have more at stake. It is a sad commentary on our laws that Egypt boasts in her press that she is following the provisions of the American Trading With the Enemy Act in what Nasser is now doing. Those news articles assert that if it is proper for the United States to confiscate the private property of its former enemies—the German and Japanese—then Egypt has every right to nationalize or confiscate British and other alien property in that country.

Not all of the properties whose original value at the time of vesting amounting to $390,808,000 belonged to our former enemies. Over 20 percent of that amount, namely $87,801,000 was American property. It originated in the United States. It helped our war effort through the taxes paid on it and by its owners. It is known as "estate and trust properties." Let me illustrate—an American citizen dies leaving an estate of $25,000 to his five relatives in Germany or Japan. These relatives have been denied their legacies because the Attorney General has vested these estates. Another illustration will help. An American veteran of German or Japanese origin, honorably discharged from service in the American Army dies. His social security and death benefits are seized and confiscated by the Department of Justice. His relatives are denied the right to inherit these benefits earned under American laws by American nationals. Another illustration proves how unseemly our vesting program has been constructed and administered. A young German student studying at Harvard University under the Fulbright scholarship program at your and my expense testified before the subcommittee. He was the legatee under a will of an American and entitled under that will to $2,500. This legacy has been confiscated. Think of one Department of the American Government educating this boy at the expense of all of us on one hand and another branch of our Government seizing and confiscating his private property earned and produced here on the other hand. Or, consider the case of a lady who testified before us. She married an American officer overseas. She is now an American citizen living here and rearing a family of three children. The Russians seized and confiscated her estate in East Germany. The United States seized and confiscated a substantial inheritance here in America which was left to her by an American relative. Our existing law needs to be changed to prevent these obvious injustices. These illustrations could be multiplied by the hundreds. They all go to show how wholly unnecessary and wrong it has been to so administer the Trading With the Enemy Act—a necessary war measure—but not needed in time of peace. They all go to show how essential it is for the Congress to pass corrective legislation as it did following World War I.

There is another consideration which has influenced my views respecting the necessity for the return of these private properties. It did not take us long after the close of the war to learn the bitter lesson that our real enemy is Russia and Russian communism. That country has no respect for the right of private property. We learned soon that if we could enlist the Germans in West Germany and the Japanese in the cause for free democratic representative governments, they would eventually become our stanchest and strongest allies. That effort of ours is an accomplished fact today. Thoughtful Americans realize that both Germany and Japan are our most reliable and trustworthy friends among the free nations of the world. It cost us many billions of dollars to achieve this result. We loaned and gave West Germany, consisting of about 60 million persons, over $3¾ billions. We did the same for 80 million Japanese at a cost of well over $2 billions. We made an outright gift of $2¾ billions in our settlement of post-war loans to these 60 million Germans. We are prepared to scale down the Japanese debts to its 80 million inhabitants in the same percentage of reductions. Who is there to say

that it is fair to make a gift of about $4 billions to a 140 million Germans and Japanese and retain and penalize from some 30 or 40 thousand of the same persons for the private property they either invested here or to which they are entitled by their inheritance? Such properties amounted to less than a half-billion dollars when it was first seized. If Germany and Japan owe the United States anything by way of war reparations that obligation should rest equally upon all Germans and Japanese alike. That burden should fall on all the millions of people in these countries, not on the few thousands who may benefit from small amount of properties in America.

Those Japanese and Germans who invested their properties here did so because they felt those properties were safe and secure under our constitutional protections. They felt their properties would be protected under our laws. Is it the right to deny to them the equal protection of our laws? Certainly, there can be little justification in law or morals to deny our German and Japanese friends the benefits of trust, estate, and guardianship properties originating here in the United States.

Now with respect to the payment of American war-damage claims, every sense of moral justice dictates an early payment of them. Every nation, except the United States, which engaged in World War II, has already made some provision to indemnify its nationals. We have done much, sometimes too much, for others and nothing for our own. Many civilian lives were lost, many suffered personal injuries, and there have been millions of dollars in losses in property damage. Except for the small prisoner-of-war claims and a few religious organizations operating chiefly in the Pacific area, no comprehensive war-damage claims act has been passed by the American Congress. I agree with many that this is a shameful neglect of our own. S. 600, which I introduced, makes ample provision for the payment of all proper American war-damage claims.

Notwithstanding the use of over $275 million of the vested assets by our own Government, the State Department opened an avenue for the payment of American war-damage claims and the return in value of all the vested assets. The payments may be financed through the remittances made to us by Germany and Japan in the settlement of our postwar loans and grants to those countries. This is advantageous to us for two reasons, namely, (a) it makes additional appropriations with a resulting increase in our tax burden unnecessary; and, (b) it will fix the exact amount of our total war damages so that when a peace treaty settlement is made with Germany, our negotiators will then know precisely how much in war damages is chargeable against Germany.

Such a method of payment of war claims and return of vested assets was initiated by the State and Justice Departments in presenting draft bill S. 2227, though payments in that bill were in each instance limited to $10,000. The concept employed by S. 2227 was extended in the provisions of S. 600 to provide for full return and to make full payments so that no fresh appropriations will be required.

To summarize a few of the important reasons why the United States should make a full return in kind or its reasonable value of all assets vested in wartime and subsequent vestings and also make full payment of American war-damage claims, I believe:

1. That our foreign-aid programs since the close of World War II will have been useless should we adopt a policy of confiscation which becomes a negation of the principles of the free world;

2. That our enormous national defense spending which bids fair to continue indefinitely at such an enormous rate with its crushing tax burden upon us all will have been useless unless basic and fundamental concepts of the free nations are continued unimpaired;

3. That our tremendous private and governmental investments abroad should not be subjected to or imperiled by our adoption of a policy of confiscation; hence it is essential in our own national self-interest to effectuate returns without delay;

4. That no reason in morals or justice exists why we should not finance the payments now of all legitimate American war-damage claims. No reason exists why the United States should provide funds for others and other nations so they may provide for their own, and we continue to neglect the rightful demands of our own nationals.

In conclusion the question can be asked, Why we have done all these things since the close of World War II? We have done them in the interest of a free way of life. We have done them in an effort to extend the principles of freedom, representative democracy, and the blessings of liberty to other nations and peoples. Confiscation is a barbaric relic of the Dark Ages. If we would have others do right by us, we must do right by them. Why, then, should we turn back the pages of history and embark now, at such peril to our own interests, upon a vicious program of confiscation? To me, enduring and fundamental principles are at stake.

My actions shall be charted to the only course I know to preserve those principles which have made us the greatest Nation on earth today. To do otherwise, I would betray the past, endanger the present, and imperil the future of my country. To do otherwise, I would "covet my neighbor's property," and history would convict me of violating the cherished commandment of "thou shalt not steal."

Seventy-fifth Anniversary of Dan River Mills, Inc.

EXTENSION OF REMARKS

OF

HON. WILLIAM M. TUCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1957

Mr. TUCK. Mr. Speaker, on July 2, 3, and 4, 1957, the Dan River Mills, Inc., of Danville, Va., observed its 75th anniversary. On Thursday, July 4, a celebration and party was held at the Danville fairgrounds which was attended by more than 30,000 people and was sponsored by Dan River Mills, of which Mr. W. J. Erwin is president.

The Dan River Mills is one of the largest textile organizations in the world and is the second largest employer in the Commonwealth of Virginia. Mr. Erwin and other officials of the mills are men of outstanding character and ability and they have surrounded themselves with employees of solid and dependable character. The relationship between officers and employees is wholesome and has stimulated a spirit of cooperation and fellowship in southside Virginia.

I do not believe we have any business organization which has contributed more to the enhancement of the cultural, educational, and economic development of southside Virginia than has Dan River Mills. We are all proud of their accomplishments and of what that organization has done to improve living conditions in our section.

At the celebration referred to above on July 4, Mr. W. J. Erwin, the able president of Dan River Mills, extended greetings to those attending the party, and the distinguished senior United States Senator from Virginia, the Honorable HARRY FLOOD BYRD, delivered a very timely and able and worthwhile address. Under leave heretofore granted me to extend my remarks in the RECORD, I am glad to include the addresses of President W. J. Erwin, of the Dan River Mills, and Senator HARRY FLOOD BYRD, of Virginia. They are as follows:

REMARKS BY W. J. ERWIN AT JULY 4 EMPLOYEES' PARTY

Senator BYRD, Congressman TUCK, fellow employees, and distinguished guests, we extend to you and your families a very warm and sincere welcome to this birthday party, which commemorates the 75th anniversary of the founding of Dan River Mills.

In planning for this anniversary year, it has always been our intention that this party for you and the members of your family would be a climax of the activities undertaken to commemorate the 75th anniversary. This party is an expression of appreciation to you for what you have done to make this company a success. We are proud of your performance and proud of what you have done for Dan River over the years.

At the same time we want to pay tribute to the many men and women who have preceded us and who contributed so much to the growth and welfare of our company.

On behalf of our entire management, I extend to all of you our thanks, our best wishes, and our hope that this will be a day you will remember pleasantly for a long, long time.

SPEECH BY SENATOR HARRY F. BYRD, DAN RIVER MILLS, INC., DANVILLE, VA., JULY 4, 1957

The Fourth of July is an anniversary of deep significance to all Americans, and it is an especial pleasure for me to observe it with the fine people of the Danville area in this year of 1957.

Here, in Virginia, we are now observing the 350th anniversary of the founding of the first permanent English settlement in Virginia, at Jamestown; the 181st anniversary of the signing of the Declaration of Independence, written by a Virginian, the great Thomas Jefferson, of Monticello; and the 75th anniversary of your great industrial institution, the Dan River Mills, which may properly be regarded as one of the finer fruits of the freedom for which the country was settled, our independence was won, and the sound progress for which Virginia has always stood.

It has been my privilege over the last few months to participate in several observances of the founding of Virginia at Jamestown, and on this day in Danville, I think it is fitting to recall that occasion, for when that small band of founders came ashore from their 3 little ships 350 years ago they set in motion a chain of events without comparison in human history.

With their faith in the future they marked one of the great moments in history. It was a moment of greatness because those men and their stanch followers began to build with such soundness and vision that a new world slowly but surely began to form. It was indeed a case of the infinitely small being infinitely great. These first settlers were great men in whom God and nature succeeded.

There at Jamestown respect for individual rights and responsibilities was established.

There the dignity of man was acknowledged.

There the rights of free enterprise and initiative were encouraged.

There, truth to God, and truth to self were practiced.

On this foundation was built the first representative government in the New World—the Virginia House of Burgesses, the predecessor of our State legislatures and the National Congress.

Material results are but the tardy sign of invisible activity. The courage to hope, and live, and build for a better world was the great legacy the founders bequeathed their descendants.

And from this later came the fortitude to fight for liberty when it was threatened, and to win the independence of a great nation.

Who among us does not have indelibly stamped in his heart and soul the great words of Jefferson as he penned them in the Declaration of Independence—the unanimous declaration of the Thirteen United States of America in the Congress, July 4, 1776, 181 years ago today.

And you remember the closing words—immortal and will live as long as the language exists:

"We, therefore, the Representatives of the United States of America, in general congress, assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do in the name and by authority of the good people of these Colonies, solemnly publish and declare, that these United Colonies are, and of right ought to be free and independent States; that they are absolved from all allegiance to the British Crown, and that all political connection between them and the state of Great Britain, is and ought to be totally dissolved; and that as free and independent States they have full power to levy war, conclude peace, contract alliances, establish commerce, and to all other acts and things which independent States may of right do.

"And for the support of this declaration, with a firm reliance on the protection of divine providence we mutually pledge to each other our lives, our fortunes, and our sacred honor."

Mark those last words, "We mutually pledge to each other our lives, our fortunes, and our sacred honor", and remember that our immortal Declaration of Independence was not written in a moment of victory. It was, itself, a record of uncertainty and peril—an oath taken in the most dangerous hour this country has ever known. George, the Third, regarded it as an act of treason, and the hangman's noose cast its shadow over those responsible.

Yet, Thomas Jefferson penned it, and John Hancock wrote his signature at twice its normal size so, he said, "John Bull could see it without his spectacles and double the price to be put on my head."

That great document, adopted by Congress 181 years ago today, is carefully preserved in Washington now for all to see. If you haven't seen it, please do not miss an opportunity. It is a source of great inspiration. It is the living evidence of men's hopes and courage. It expresses the fervent hope that the future may draw faith from its deep meaning.

This and the other American achievements leading to our revolution and independence were the immediate inspiration for the spread of democratic freedom in an ever-widening sphere. Today the United States stands as the beacon of hope in the world.

It is well for us today to recall these great historical developments, because they were wrought by great men with great minds, and great vision for sound progressive future. They made possible the greatness of our Nation today. They were building a great nation for us thought by thought, and deed by deed. Our institutions are the lengthened shadows of the men who conceived them and that applies to Dan River Mills.

It is on the firm foundation built by our forebears that Virginia has made its own environment; it is from them that we inherited our abiding belief in States rights, and sound principles. And it is upon these that we have built our State and local governments, and institutions.

Development comes with use, and use of our principles in Virginia has brought us out of the dark days of reconstruction into the light of sound progress.

Virginia today stands as a symbol for States rights, for the democratic principle of separate coordinate branches of government, and for unmortgaged future.

The people of our Commonwealth have been generous to me, and to them I shall always be grateful. It has been my unswerving purpose to serve them to the utmost of my ability in each of the positions of honor they have entrusted with me. I believe in the people of Virginia, and I trust in their judgment, and I stand firmly on Virginia traditions and Virginia principles.

In Virginia we regard experience as a guidepost—not a hitching post. Perhaps in these days of spiraling inflation it is still possible to get a few things for nothing—but experience is not one of them.

Our progress in Virginia is based on 350 years of experience. It is our purpose to be guided by that experience. Like the Dan River Mills long experience has served Virginia well. And as one citizen of Virginia I am proud of our record.

Virginia has its critics and I well know that no government is perfect, but governments are comparative and I want now to give you just a few instances of our modern-day progress.

First of all, Virginia is 1 of the 3 States completely free of State debt. And this is of significance when the Federal Government and nearly all the States have recklessly plunged themselves into indebtedness, the interest on which I predict will exceed many times the principals of the loans.

Virginia escapes this terrible burden of the annual and perhaps permanent interest charges.

Here are a few figures showing how Virginia is going ahead of other States.

In the past 25 years in population of 49 percent as compared to an increase of 33 percent in the country as a whole. Per capita income payments increased in Virginia by 253 percent as compared to the general increase of 163 percent.

Value of products manufactured in Virginia increased 328 percent as compared to general average of 282 percent.

Payroll in Virginia manufacturing increased 416 percent as compared to general average of 341 percent.

Retail sales in Virginia increased 426 percent and the general increase was 251 percent.

Deposits in Virginia banks increased 425 percent. The national average increased 269 percent.

Number of telephones in Virginia increased 360 percent. Average, 178 percent.

Motor-vehicle registrations increased 226 percent. Average 133 percent.

It is tommyrot to say Virginia is lagging behind.

We are making great progress all down the line.

We are doing this without debt and with sound governmental policies.

The Dan River Mills symbolize our sound progress in Virginia, and it is fitting that on Independence Day, 350 years after our founding at Jamestown, and 181 years after our Declaration of Independence we congratulate the institution on the occasion of its diamond anniversary.

Danville, the Danville area, and the southside of Virginia also is to be congratulated for its support of this great corporation which for 75 years has contributed so much to the community, the State and the better living of people at home and abroad.

Virginia is proud of this great leader of the textile industry. When this company was originated by the three brothers, Robert A., John H., and James H. Schoolfield, along with Thomas B. Fitzgerald, Benjamin F. Jefferson, and Dr. H. W. Cole, the country was only about 100 years old. Thomas Jefferson had been dead little more than 50 years. Virginia was still trying to rise from the the ashes of the War Between the States, the last of the military governors had been gone only 12 years.

With Virginia the Dan River Mills has grown in sound progress. Today it ranks among the great textile manufacturers of the world. In number of spindles it is a leader in the South. It ranks with the leaders in Virginia in the employment of our people. I am certain that its policy is to deliver the most value for the least cost. That means productive progress. Production is the source of wages. This is the American competitive system. This is the enemy of crippling inflation, and the source of higher living standards.

Under the sound and enlightened leadership of such men as W. J. Erwin, president, and Basil D. Browder, executive vice president, and Dan Daniels, Dan River Mills now is a corporation of more than 800,000 spindles, and more than 18,000 looms, owned by more than 9,500 stockholders, and operated by 18,000 employees, turning out useful products which sell for more than $120 million yearly.

This is truly the Virginia brand of progress represented in a great corporation operating for the profit of its owners and employees, and for the good of mankind who need and are able to use its products.

I take it that when a Member of Congress is among you, he is expected to say something about what goes on in Washington. If that is true I might say this:

The Washington Government is a place of vast and complex pressures. So many of them seem to be so foreign to the traditional concept of our form of government, under which this Nation has grown great, it is all too easy to regard them with an apathetic attitude in the belief that such things can't happen here—to my country, my State, my town—to me. But they do.

For instance, the Federal Government has been in the red for 20 of the last 25 years, yet since World War II we have given away nearly $60 billion in foreign aid spread around the globe. Millions of that money has gone to subsidize the textile industry abroad where they use cheap labor in competition with your own Dan River Mills.

You have in your midst a fine and patriotic citizen who has properly been honored by the American Legion, as their national leader. He is, of course, as you know, Dan Daniel. He is doing excellent and effective work with reference to foreign aid. Dan Daniel is a great American. He is going throughout the breadth of the land speaking against giveaway programs to foreign countries and for sound policies at home.

Sometimes as I listen to all the talk in Washington about aid for the underdeveloped areas, I wonder if the greatest underdeveloped area of all isn't under the hats of those who propose it.

Practically all of this foreign aid has been charged into our Federal debt, the interest on which, at this moment, is costing American taxpayers more than $7 billion a year. That is a full 10 percent of all Federal taxes collected. In other words, if it were not for this Federal debt, the Federal taxes you and I pay could be cut 10 percent across the board.

But this is not the only aspect of the debt. It is difficult to comprehend, but you know that all the debt in this country totals $800 billion. That is nearly $1 trillion. More

than $325 billion of it is in public debt which generally speaking is not productive debt. It is this tremendous debt—resulting from our unprecedented free-wheeling spending spree, largely encouraged by the Federal Government—that is causing the terrible inflation which even today is driving up the cost of living still more.

Yet, even in the face of renewed inflation, the President in January submitted to Congress the largest peacetime budget in history. It actually called for $8 billion more in expenditures by Federal spending agencies than they passed out just 2 years ago. Most of the increase was in domestic civilian programs, having nothing to do with military preparedness.

Think of this in terms of what you pay in taxes. All taxes collected this year in this country will total $110 billion.

That is the equivalent of nearly one-third of our national income.

It is no wonder that the people of the Nation have risen up this year in the greatest demand for reduction in Federal expenditures in all our history. But the spending is too entrenched, and the opposition of the administration was too great. Congress has done the best it could to reduce appropriations. But the result is not nearly enough.

I sincerely hope the people of the country will not be discouraged. They must keep up the demand next year, and for all the years necessary until we can get these expenditures under control, and reduce them to a point where we can reduce debt, stop inflation, and reduce taxes.

In Federal taxes alone, the Government is taking 20 percent of the workingman's salary at the lowest rate. In some cases, individuals are paying Federal taxes of more than 90 percent of what they make. Corporations are paying more than 50 percent before they begin to show a profit and put money aside to replace their machinery, and expand their plants. The average American is working one-third of his time to pay his taxes.

We need to cut taxes at all levels, at the lower levels, in the middle-income brackets where people are taking the worst tax licking, and even in the higher brackets. We need to reduce taxes for small business, and for larger businesses. In short, taxes are too high. They are virtually at a point of diminishing returns. They are killing incentive in both individuals and business.

Please believe me when I say the Members of Congress need your constant and continuing help in trying to get expenditures down so we can get the debt down, stop the inflation and get the taxes down.

This gigantic Federal spending serves to centralize Government, and that means more and more bureaucrats in Washington tell you in Danville, and me in Winchester what to do, when to do it, and how to do it, and how much to spend for it.

This is the greatest democracy in the history of the world. It has grown to this position in the brief span of 180 years, and with only 6 percent of the world's population. This could not have been achieved without the form of government bequeathed us as a sacred heritage by our forefathers.

Strike down the power of States to control their own affairs, and concentrate all power in Washington, and you strike at the heart of what makes this Nation great.

To me the decision of the Supreme Court abolishing segregation and compelling integration in States and local public school systems was a vicious and destructive invasion of States rights.

It set aside all previous decisions by the Supreme Court on the subject, including the 1928 decision by Chief Justice Taft, a great and learned man and a former President of the United States, who held segregation was constitutional if separate equal facilities were provided.

Bad enough before, when centralization was developing through Federal expenditures, but in more recent years Federal courts have gotten into the act. I mention just a few examples. In the recent Girard case it held that a man's money could not be spent after his death in accordance with his will.

In another case, just a couple weeks ago, it put down the police powers of State and local governments.

Time and time again it has usurped legislative powers, which, under the Constitution, are clearly segregated to the Congress as 1 of the 3 separate coordinated branches of Government.

More recently the Federal Court has even divested the Federal executive branch from its means of bringing Communists—enemies of democracy—to justice.

These are the things that the people at home must understand—understand what is happening to you. In this Nation you are the supreme voice of the land—not the Supreme Court, not the President, not the Congress—it is you.

I say these things to you on this Independence Day in the sincere hope that you, with all the citizens of this land, will rise up in massive resistance to Federal usurpation of individual and States rights, and assert your independence with an overwhelming demand for the return to the fundamental for which this Nation was founded and for which our independence was won and upon which we have built the greatest nation on earth.

Who Signed the Declaration of Independence?—Who Signed the Constitution of the United States?—A Short Biographical Sketch of Each Prepared by the Library of Congress for Congressman Clyde Doyle, of California

EXTENSION OF REMARKS
OF
HON. CLYDE DOYLE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 1957

Mr. DOYLE. Mr. Speaker, by reason of unanimous consent heretofore granted me so to do, I am pleased to present the following historical and biographical data regarding each of the signers of the Declaration of Independence. It seemed to me entirely appropriate that at this particular season of patriotic expression toward our beloved Nation's independence it would be appropriate for you and each of my distinguished colleagues to have before you this data compiled for me at my request by the Library of Congress. You will note therefrom that it was prepared for me on April 25, 1957, and I anticipated submitting it to your attention prior to July 4; but, Mr. Speaker, the information herein contained is always appropriate, informative, and inspiring.

And also, Mr. Speaker, at my request the Library of Congress prepared for me short biographical sketches of each of the signers of the United States Constitution. They would also seem especially appropriate for us to have before us at this time. Hence, I am pleased to also include the text thereof as furnished me by the Library of Congress:

THE SIGNERS OF THE DECLARATION OF INDEPENDENCE—SOME SALIENT FACTS

NEW HAMPSHIRE

Josiah Bartlett: He was born in Amesbury, Mass., on November 21, 1729, and died at Kingston, N. H., on May 19, 1795. At the age of 16, Bartlett began the study of medicine in the office of a practicing physician, and 5 years later began his own practice in his newly adopted home at Kingston. He was 47 years old when he signed the Declaration of Independence, and he has the distinction of being the first to give his vote in favor of the adoption of the Declaration. Although a layman, Bartlett, in 1779, was appointed chief justice of the New Hampshire court of common pleas. In 1782 he was elevated to the superior court, and in 1788 was appointed chief justice of that court. He served from 1790 as chief executive of his State with the title of president; and after June 1793, under the amended Constitution, he was elected the first governor of New Hampshire. While serving in the Continental Congress, he served on the important standing committees, and played an important part in shaping legislation. While serving on the bench in New Hampshire, he was a member and temporary chairman of the State convention called to ratify the proposed Constitution of the United States; and he contributed in no small way to the dissipation of the opposition of some of the smaller towns in the State to ratification of the Nation's premier charter. Bartlett is buried in the first cemetery at Kingston.

William Whipple: He was born in Kittery, Maine, on January 14, 1730, and died in Portsmouth, N. H., on November 28, 1785. Whipple was educated in the common schools. At an early age he went to sea, and, while in his early twenties, became master of a vessel. About 1760 he formed a partnership with his brother, Joseph, in the mercantile business in Portsmouth, continuing in this pursuit until 1775, when he gave up his share of the business to enter public affairs and work for independence. He was elected to the Continental Congress in 1775, and served until 1779. He was 47 years old when he affixed his signature to the Declaration. His service in Congress was interrupted for short periods, when he was participating in military campaigns during the war. He was commissioned brigadier general in 1777, and served in several battles, including the Saratoga and Rhode Island campaigns. He served in the State Assembly from 1780–84, and in 1782 was appointed an associate justice of the Superior Court of New Hampshire, a position which he held until his sudden death. Whipple is buried in the north cemetery at Portsmouth.

Matthew Thornton: He was born in Ireland in 1714, and died on June 24, 1803, at Newburyport, Mass., while visiting his daughter. Thornton came to America with his parents in 1718, settling first in Maine and then in Massachusetts. He received his early education in Massachusetts, and went on to study medicine, completing his program in 1740. He began his practice in Londonderry, N. H., where, at the same time, he became very active in public affairs. He served as under surgeon with the New Hampshire troops in the Louisbourg Expedition of 1745, and for some time held the rank of colonel in the State militia. He served as a member of the New Hampshire Assembly in 1758, 1760, and 1761. He was a delegate to the First Provincial Congress in 1775, and was elected president of that body; he also served as chairman of the committee of safety. In 1776, he was elected to the Continental Congress, and although he did not

arrive until November, he had the opportunity of affixing his signature to the Declaration of Independence. He was 62 years old when he signed that document. Thornton was appointed associate justice of the New Hampshire Superior Court and served until 1782. He served in the newly organized State senate from 1784 to 1786. His latter years were spent on his farm in Merrimack, N. H., where he devoted his time to writing. He is buried in Thornton's Ferry Cemetery, at Merrimack.

MASSACHUSETTS

John Hancock: He was born in Quincy, Norfolk County, Mass., on January 23, 1737, and died at Quincy, Mass., on October 8, 1793. When Hancock was a young boy, he was adopted by his uncle, Thomas Hancock, who was the richest merchant in Boston. He attended Harvard College and graduated in 1754. After completing his education, he entered his uncle's mercantile office; in 1763 he became a partner of Thomas Hancock & Company. When his uncle died in 1754, Hancock, a youth of twenty-seven, became the head of the leading mercantile house in Boston, and the heir to a large fortune. He was a member of the provincial legislature from 1766 to 1772, and served as president of the Provincial Congress in 1774. He was elected as a member to the Continental Congress in 1775, and served for several terms. From May 24, 1775 to October 29, 1777, he served as President of the Congress. He was the first to sign the Declaration and was 39 years of age at the time. He served as senior major general of the Massachusetts Militia during the war, and participated in the Rhode Island campaign. Hancock was elected the first governor of the State of Massachusetts in September 1780, and served until 1785, when he resigned because of ill health. In 1787 he was again elected governor and he died while serving in his ninth term. Hancock is buried in the Old Granary Burying Ground, at Boston.

Samuel Adams: He was born in Boston, Mass., on Sept. 27, 1722, and died at Boston on Oct. 2, 1803. No one had done more and perhaps no one else had done so much in behalf of American rights and liberties as Samuel Adams. He attended Harvard College and graduated in 1740. He found employment in the counting-house of Thomas Cushing, but stayed only a few months for he wished to establish his own business. After failing in his first business venture, he joined his father who operated a brewery. Not having a keen eye for business affairs, he soon dissipated his share of the family estate, and then entered the field of politics and public affairs, which was more to his liking. In the dispute with the mother country, Adams was at his best in firing the people for the cause of independence for the American colonies. He was chosen to draft the instructions of the town of Boston to its newly elected representatives concerning Lord Grenville's proposed stamp act in 1764. From 1765 to 1774 Adams served as a member of the Massachusetts General Court, and from 1774 to 1782 he served in the Continental Congress. He was 54 when he attached his signature to the Declaration. Adams served as a member of the State Constitutional Convention in 1779, and as president of the State senate in 1781. He served as Governor of Massachusetts from 1794 to 1797. He is buried in the Old Granary Burying Ground at Boston.

John Adams: He was born in Braintree (now Quincy), Mass., on October 19, 1735, and died at Quincy, on July 4, 1826, a few hours after Thomas Jefferson. After graduating from Harvard College in 1755, he taught school at Worcester for a short period, and later decided to take up law. He studied under James Putnam, and was admitted to the bar at Boston, on November 6, 1758. His law practice grew slowly, but he soon occupied a leading place at the bar. Although opposed to mob demonstrations, Adams' name was early connected with the patriotic cause by his efforts in defending the colonies on legal grounds. He was elected to serve as a delegate to the Continental Congress in 1774, and served until 1778. During the debates in Congress on the Declaration, Adams was dubbed the Atlas of American Independence. He was 41 years old when he signed the document. It was John Adams who proposed the name of George Washington, to serve as head of the American Army during the Revolution. Adams was appointed Commissioner, with Benjamin Franklin and Arthur Lee to the Court of France. He later served as Minister to Holland in 178[illegible], and was appointed to serve as the first Minister to England, serving from 1785 to 1788. In 1788, he was elected to serve as the first Vice President of the United States, and was reelected in 1792, serving from April 30, 1789, to March 3, 1797. He was elected President of the United States and served from March 4, 1797, to March 3, 1801. Adams is buried under the Old Congregational Church, at Quincy, Mass.

Robert Treat Paine: He was born in Boston on March 11, 1731, and died in the same city on May 12, 1814. He attended Harvard College and was graduated in 1749. He taught for a while and then turned to the study of theology. After a brief career in the ministry, he studied law and was admitted to the bar in 1757. Paine served as the associate prosecuting attorney in the Boston Massacre trial and thus became connected with the patriotic cause. He served several terms in the provincial assembly, and was elected to the Continental Congress, serving from 1774–78. He was 45 years old when he signed the Declaration. In 1777 Paine was elected the first attorney general of the State of Massachusetts, and served until 1790. In 1790 he was appointed to the State supreme court by John Hancock, and served until 1804. In 1780 he became a founder of the American Academy of Arts and Sciences. He is buried in the Old Granary Burying Ground at Boston.

Elbridge Gerry: He was born in Marblehead, Mass., on July 17, 1744, and died in Washington, D. C., on November 23, 1814. After graduating from Harvard College in 1762, Gerry entered his father's mercantile business. In May 1772 he was elected to the Massachusetts General Court, where he met Samuel Adams and became keenly interested in the cause for independence. In 1776, he was elected to the Continental Congress and served from 1776 to 1781, and from 1782 to 1785. He was 32 years old when he signed the Declaration. Gerry served in the first and second Congresses, from 1789 to 1793. In 1797 he was sent on a mission to France with Marshall and Pinckney (X. Y. Z. Affair). Gerry was elected Governor of the State of Massachusetts in 1810 and 1811. He was defeated for this office in 1801 and 1812. He was elected Vice President of the United States as a Democrat, and served from March 4, 1813, until his death. Gerry's name has been perpetuated in the term "gerrymander", which refers to the splitting up of election districts. He is buried in the Congressional Cemetery, at Washington, D. C.

RHODE ISLAND

Stephen Hopkins: He was born in what is now Providence, R. I., on March 7, 1707, and died there on July 13, 1785. After attending the public schools, he entered the mercantile business; at the same time he became a practical surveyor. From the age of 25 Hopkins served in public office. He was a member of the General Assembly from 1732 to 1752, and from 1770 to 1775; he served as Speaker of that body from 1738 to 1744, and also in 1749. He served as chief justice of the Rhode Island superior court from 1751 to 1754. Hopkins was elected to the Continental Congress in 1774, and he was 69 years old when he attached his signature to the Declaration. He served as Governor of Rhode Island in 1755, 1756, 1758 to 1761, 1763, 1764, and 1767. Despite his lack of formal education, Hopkins became the first chancelor of Rhode Island College. He is buried in the North Burial Ground, at Providence.

William Ellery: He was born in Newport, R. I., on December 22, 1727, and died there on February 15, 1820. After graduating from Harvard College in 1747, Ellery engaged in various undertakings. He was a merchant, served as a naval officer of the colony, served as clerk of the General Assembly, and after being out of college for 23 years, began the study of law, being admitted to the bar in 1770. He was elected to the Continental Congress in 1776 and served until 1781. He was 49 years old when he signed the Declaration. He served again in the Continental Congress from 1783 to 1785, and in 1785 was appointed Chief Justice of the Rhode Island Superior Court. In 1786 he was appointed by the Continental Congress to serve as Commissioner of the Continental Loan Office. He served as collector of the port of Newport from 1790 until his death. Because of his activities in the cause for independence, the British burned Ellery's property when they occupied Newport. With the exception of Charles Carroll, of Carrollton, Ellery was the longest lived of the signers of the Declaration. He is buried in the Old Cemetery, at Newport.

CONNECTICUT

Roger Sherman: He was born in Newton, Mass., on April 19, 1721, and died in New Haven, Conn., on July 23, 1793. Born under humble circumstances, Sherman attended the public schools, learned the cobbler's trade, and moved to New Milford. He studied law, and was admitted to the bar in 1754. Sherman served several terms in the State assembly, and served in the Connecticut State Senate from 1766 to 1785. He served as a member of the Connecticut Superior Court in 1766, 1767, and 1773 to 1788. Sherman is noted for the various public offices he held concurrently. While holding certain of the above offices, he also served in the Continental Congress from 1774 to 1781, and in 1783 and 1784. He was 55 years old when he signed the Declaration. He was a member of the committee appointed to draft the document, and was the only Member of the Continental Congress to sign all four great American State papers—the Declaration of 1774: the Declaration of Independence, the Articles of Confederation, and the Constitution of the United States. He served in the First Congress from 1789 to 1791, and served in the United States Senate from 1791 until his death. He is buried in the Grove Street Cemetery, at New Haven.

Oliver Wolcott: He was born in Windsor, Conn., on December 1, 1726, and died at Litchfield, Conn., on December 1, 1797. Graduating from Yale College, at the head of his class, in 1747, he was commissioned a captain by the Governor of New York. After the peace of Aix-la-Chapelle, Wolcott returned to Litchfield and studied medicine, but did not practice. He was elected sheriff of Litchfield County in 1751, and from 1774 to 1786 served as a member of the State council. He was elected to the Continental Congress in 1775, and served up to 1784, dividing his time between serving in the Army and serving in Congress. Wolcott was 50 years old when he signed the Declaration. He served as a major general in the militia, and commanded a brigade which took part in the defeat of General Burgoyne in 1777. Wolcott served as Lieutenant Governor of Connecticut from 1786 to 1796, and was elected Governor of the State, serving from 1796 until his death. He is buried in East Cemetery, at Litchfield.

William Williams: He was born in Lebanon, Conn., on April 28, 1731, and died there on

August 2, 1811. Williams graduated from Harvard College in 1751, studied theology for a short time, and then entered the mercantile business. He served in the State assembly for several years, serving as Speaker of that body in 1775 and again from 1781 to 1783. Williams served in the Continental Congress from 1776 to 1778, and in 1783 and 1784. He was 45 years old when he signed the Declaration. He served as judge of the county court of Windham from 1776 to 1804, and served as judge of probate for the Windham district from 1776 to 1808. He was a member of the Connecticut convention that ratified the Constitution of the United States in 1787. He is buried in the Old Cemetery, at Lebanon.

Samuel Huntington: He was born in Windham, Conn., on July 3, 1731, and died at Norwich, Conn., on January 5, 1796. He attended the common schools, served his apprenticeship in the cooper trade, later studied law, and was admitted to the bar in 1758. He was appointed crown attorney in 1765, and served as justice of the superior court from 1774 to 1784; he served as chief justice of the court in 1784. He was a Member of the Continental Congress from 1776 to 1784, and served as President of the Congress from 1779 to 1781. He was 45 years old when he signed the Declaration. Huntington served as Lieutenant Governor of Connecticut in 1785; and from 1786 until his death he served as governor. He is buried in Norwichtown Cemetery, at Norwich.

NEW YORK

Francis Lewis: He was born in Llandaff, Wales, in March 1713, and died in New York City, on December 30, 1803. He attended Westminster School in London, and then entered the countinghouse of a London merchant. He came to the United States in 1735, and established merchantile houses in New York and Philadelphia. Lewis served in the French and Indian War as an aide to General Mercer, was captured in Oswego, N. Y., and taken to France. He was a delegate to the Stamp Act Congress of 1765 which met in New York. He served in the Continental Congress from 1774 to 1889, and was 63 years old when he affixed his signature to the Declaration. He served as Commissioner of the Board of Admiralty in 1779. Lewis is the only signer of the Declaration buried in Manhattan, in an unidentified grave in Trinity Churchyard at Wall Street and Broadway.

Philip Livingston: He was born in Albany, N. Y., on January 15, 1716, and died at York, Pa., on June 12, 1778, while attending the sixth session of the Continental Congress. Livingston attended Yale College and graduated in 1737. He entered the mercantile business in New York City and took part in public affairs. He served on the board of aldermen from 1754 to 1762, was a member of the provincial house of representatives from 1763 to 1769, and served as Speaker in 1768. He was a delegate to the Stamp Act Congress in 1765. Livingston was a Member of the Continental Congress from 1774 to 1778, and he was 60 years old when he attached his signature to the Declaration. Livingston was one of the earliest advocates of the establishment of King's College, now Columbia University. He also aided in the organization of the New York Society Library. He is buried in Prospect Hill Cemetery, at York, Pa.

Lewis Morris: He was born in Morrisania, now a part of New York City, on April 8, 1726, and died there on January 22, 1798. He was graduated from Yale College in 1746, and engaged in agricultural pursuits. Although a country gentleman, and heir to a large estate, Morris associated himself with the patriotic cause. He was elected to the Colonial Assembly of New York in 1769, but did not qualify because of nonresidence. Morris served in the Continental Congress from 1775 to 1777, and was 50 years old when he signed the Declaration. He served in the State Senate from 1777 to 1781, and from 1784 to 1788. He was a delegate to the New York convention which adopted the Constitution of the United States. He served as a member of the first board of regents of the University of New York, in 1784, and served on the board until his death. He is buried in St. Anne's Episcopal Churchyard, in the Bronx, N. Y.

William Floyd: He was born in Brookhaven, N. Y., on December 17, 1734, and died in Westernville, N. Y., on August 4, 1821. Although coming from a wealthy family, Floyd achieved only a limited academic education. When only 18, he inherited his father's large estate. Floyd served as major general in the State Militia; and when the British made their first landing on Long Island, Floyd led a body of troops which drove them off. He served in the Continental Congress from 1774 to 1777, and from 1778 to 1783. He was 42 when he signed the Declaration. He served in the State senate in 1777 and 1778. He was elected to the first Congress and served from 1789 to 1791. He returned to the State senate, serving from 1784 to 1788, and again in 1808. He was a presidential elector in 1792, 1800, 1804, and 1820. He was a delegate to the State Constitutional Convention in 1801. He is buried in the Presbyterian Church Cemetery, at Westernville.

NEW JERSEY

John Hart: He was born in Stonington, Conn., about 1707, and died at Hopewell, N. J., on May 11, 1779. He received limited schooling, and then engaged in agriculture. He became an efficient farmer and soon acquired considerable property. He served in the New Jersey assembly from 1761 to 1771, and as judge of the Hunterdon County courts from 1768 to 1775. He served in Continental Congress from June 22 to August 30, 1776, and was about 69 years old when he signed the Declaration. He was elected to the first State general assembly under the State constitution in 1776, and reelected in 1777 and 1778. He served as speaker of that body from 1776 to 1778. His estate was devastated by the British troops when they landed in New Jersey. He is buried in the First Baptist Church Cemetery, at Hopewell, N. J.

John Witherspoon: He was born in Gifford, Haddingtonshire, Scotland, on February 5, 1723, and died on his farm, near Princeton, N. J., on November 15, 1794. Witherspoon was graduated from Edinburgh University in 1739, studied theology at the university, and was ordained minister of the parish of Beith in 1745. He at first declined the presidency of the College of New Jersey (now Princeton University), in 1766, but accepted the second invitation of that institution, and was inaugurated as president on August 17, 1768. He became a leader of the Presbyterians in America. He served in the Continental Congress in the years 1776 to 1779, 1780 to 1781, and again in 1782, He was the only clergyman in Congress, and was 54 when he attached his signature to the Declaration. After the War for Independence ended, Witherspoon returned to Princeton and continued his duties as president of the University. He is buried in the Witherspoon Street Graveyard, at Princeton.

Richard Stockton: He was born in Princeton, N. J., on October 1, 1730, and died there on February 28, 1781. Stockton graduated in the first class from Princeton College in 1748, studied law, and was admitted to the bar in 1754. He served as associate justice of the State supreme court, from 1774 to 1776. In June 1776, Stockton was elected to the Continental Congress, and was reelected in November of the same year, but declined the office. He was 46 years old when he signed the Declaration. Stockton served as chairman of a committee of Congress which inspected the northern army at Ticonderoga, and on November 30, 1776, he was captured by the Tories and held prisoner in New York City until December 29, 1776. He was elected chief justice of the State Supreme Court in August 1776, but declined this office in order to remain in Congress. Stockton was a successful lawyer, and as a trustee of Princeton College contributed much to that college and higher education in general in America by his successful mission to Scotland which resulted in John Witherspoon's coming to America to head Princeton College. He is buried in Quaker Cemetery, at Princeton.

Abraham Clark: He was born near Elizabeth, N. J., on February 15, 1726, and died at Rahway, N. J., on September 15, 1794. After attending private schools, he studied law but did not practice. He was a member of the New Jersey Provincial Congress from 1775 to 1776, and from October 9, 1775, served as assistant secretary of that body. Clark served in the Continental Congress from 1776 to 1778 and was reelected in 1779, but declined the office. He was 50 years old when he attached his signature to the Declaration. He served in the State Assembly in 1776, and from 1783 to 1785. He again served in the Continental Congress from 1779 to 1783 and from 1787 to 1789. He was elected to the 2d and 3d Congresses, serving from March 4, 1791, until his death. He is buried in the Rahway Cemetery, at Rahway.

Francis Hopkinson: He was born in Philadelphia, Pa., on September 21, 1737, and died there on May 9, 1791. Although Hopkinson served as a delegate from New Jersey, he is usually associated with Philadelphia, where he studied and practiced law. He was the first graduate of the College of Philadelphia, receiving his degree in 1757. He served as Collector of Customs of the Port of Salem, N. J., in 1763, and was a member of the Provincial Council of New Jersey from 1774 to 1776. He was admitted to practice law before the New Jersey State Supreme Court in 1775. He was elected an associate justice of the State supreme court in 1776, but did not accept the office. Hopkinson served in the Continental Congress in 1776, and was 39 at the time he signed the Declaration. From 1789 to 1791, he served as judge of the United States District Court for the Eastern District of Pennsylvania. He is said to have designed the American flag, in 1777, and his son Joseph wrote the anthem Hail Columbia. Hopkinson is buried in the Christ Church Burial Ground, at Philadelphia.

PENNSYLVANIA

Benjamin Franklin: He was born in Boston, Mass., on January 17, 1706, and died in Philadelphia, on April 17, 1790. Franklin was self-educated, acquiring most of his education while working in a printing shop. By the time Franklin was 42 years old, he was able to give up the management of his printing business and devote his time to public affairs and other interests. He had already established the Pennsylvania Gazette (1728), and had begun the publication of Poor Richard's Almanac (1732). Franklin served as deputy postmaster general of the British North American Colonies, from 1753 to 1774. He served as the agent for Pennsylvania in London from 1757 to 1762, and again 1764 to 1775. He served in the Continental Congress in 1775 and 1776, and was the oldest signer of the Declaration, being 70 years old at the time. Franklin served as diplomatic commissioner in France, and from 1776 to 1785 he served as Minister to France. He was a delegate to the Constitutional Convention in 1787. Franklin played an important role in the establishment of the first circulating library in America, and in founding the American Philosophical Society for the Promotion of Useful Knowledge. He is buried in Christ Church Burial Ground, at Philadelphia.

James Wilson: He was born in Carskerdo, near St. Andrews, Scotland, on September 14, 1742, and died in Edenton, N. C., on August 28, 1798. He came to America in 1765, lived in New York City, and later moved to Philadelphia. He studied law and was admitted to the bar in 1767. He served in the Continental Congress in 1775, 1776, and for scattered years up to 1787. He was the second youngest Pennsylvania signer of the declaration, being only 34 years old at the time. He served as associate justice of the United States Supreme Court from 1789 to 1798; and in 1790 he became the first professor of law in the College of Philadelphia. He was buried in the Johnston Burial Ground on the Hayes Plantation near Edenton, N. C., but his remains were reinterred in Christ Churchyard, at Philadelphia, in 1906.

Robert Morris: He was born in Liverpool, England, on January 20, 1734, and died in Philadelphia, Pa., on May 8, 1806. Morris came to America in 1747, and entered the mercantile business in Philadelphia in 1748. He served in the State Assembly from 1778 to 1780, and served as superintendent of finance from 1781 to 1784. At a very early age, Morris became a partner in the firm of Willing, Morris & Co. He served in the Continental Congress from 1776 to 1778, and was 42 years old when he signed the Declaration. He was a delegate to the Constitutional Convention in 1787; and from 1789 to 1795 he served in the United States Senate. President George Washington offered Morris the position of Secretary of the Treasury, but he declined the office. Because of his mastery of financial affairs, Morris was dubbed the "financier of the Revolution." In his later years, he lost his vast fortune in unsuccessful land speculation. He is buried in the family vault of William White in the Churchyard of Christ Church, in Philadelphia.

George Taylor: He was born in Ireland, in 1716, and died in Easton, Pa., on February 23, 1781. He came to America in 1736, and engaged in the manufacture of iron in Pennsylvania. He lived in Durham, Pa., in 1755, and served as justice of the peace there for 3 years. He was a member of the provincial assembly from 1764 to 1769, and served as judge of the Northampton County Court in 1770. He served as a colonel of the Pennsylvania Militia in 1775. He was elected to the Continental Congress in 1776 and 1777. He was 60 years old when he signed the Declaration. He served as a member of the First Supreme Executive Council in 1777. He was buried in St. John's Lutheran Church Cemetery, but his remains were reinterred in the Easton Cemetery, in Easton, Pa.

James Smith: He was born in Ireland in 1713, and came to America and settled in Pennsylvania in 1727. He attended Philadelphia Academy (University of Pennsylvania), studied law, and was admitted to the bar in 1745. He moved to York, and engaged in the iron business for a short time, but without success. In 1776 he organized the Pennsylvania Militia and the two regiments of the Flying Camp in Perth Amboy, N. J. He served as brigadier general of the State Militia. From 1776 to 1778 he was a member of the Continental Congress, and was 63 years old when he signed the Declaration. In 1780 he served in the State house of representatives; and from 1780 to 1781 he served as judge of the Pennsylvania High Court of Errors and Appeals. He was elected to Congress again in 1785, but he declined the office because of his age. From 1781 to 1801 he was chiefly engaged in the practice of law in York. He is buried in the First Presbyterian Churchyard, in York, Pa.

George Ross: He was born in New Castle, Del., on May 10, 1730, and died near Philadelphia, on July 14, 1779. He studied law and was admitted to the bar in 1750. He served as a member of the Colonial Assembly from 1768 to 1776, and was a delegate to the State convention in 1774. He served in the Continental Congress from 1774 to 1777, and was 46 years old when he signed the Declaration. He was noted for his wit and good humor, and his personal popularity was demonstrated by the fact that only Benjamin Franklin received a larger vote in the election for the Pennsylvania delegates to the Congress. He was appointed judge of the Court of Admiralty for Pennsylvania in April 1779, and served in that position until his death. He is buried in Christ Churchyard, in Philadelphia.

George Clymer: He was born in Philadelphia, Pa., on March 16, 1739, and died in Morrisville, Pa., on January 23, 1813. He was orphaned at a tender age, and was brought up by a prosperous merchant uncle, William Coleman. Clymer entered the mercantile business and became a partner in the firm of Merediths and Clymer. He served in the Continental Congress from 1776 to 1778, and from 1780 to 1783. He was 37 years old when he signed the Declaration. He was a member of the State house of representatives from 1785 to 1788, was a delegate to the Constitutional Convention, and was a signer of the Constitution. He served in the first Congress, from 1789 to 1791, and in the latter year was appointed by President Washington as collector of excise duties for Pennsylvania, but resigned after the Whisky Rebellion. His last public service was rendered as commissioner to the Cherokee and Creek Indians in Georgia, when he participated in negotiating a treaty with those Indians. Clymer is buried in Friends Graveyard, at Trenton, N. J.

Benjamin Rush: He was born near Philadelphia, Pa., on December 24, 1745, and died there on April 19, 1813. Rush graduated from Princeton College in 1760, and studied medicine in Philadelphia and abroad. He began practicing in 1769, and became the most famous American physician and medical teacher of his generation. He founded Pennsylvania Hospital in Philadelphia, and served as president of the Philadelphia Medical Society. He was one of the founders of the Philadelphia Bible Society, and was also a founder of Dickinson College in Carlisle, Pa. He received several awards from foreign rulers for his contributions to medical science. He served in the Continental Congress in 1776 and 1777, and was only 31 at the time he signed the Declaration. He served in the Army with the rank of physician general in 1777. He served as treasurer of the United States mint in Philadelphia from 1799 until his death. He is buried in Christ Church Cemetery, at Philadelphia.

John Morton: He was born in Ridley Township, Delaware County, Pa., in 1724, and died in Ridley Park, Pa., in April 1777. He attended the common schools for a very short time, but he was well educated at home by his stepfather. He became a land surveyor, and served as justice of the peace in 1757. He had served in the Colonial General Assembly since his early thirties, and from 1771 to 1755 he served as speaker of that body. In April 1774 Morton was appointed an associate justice of the Pennsylvania Supreme Court of Appeals. He served in the Continenal Congress from 1774 to 1777. He was 52 years old when he signed the Declaration. He cast the deciding vote to swing the Pennsylvania delegation over for the adoption of the Declaration of Independence. He was the first of the signers to die. He is buried in St. Paul's Churchyard, in Chester, Pa.

DELAWARE

Caesar Rodney: He was born in Dover, Del., on October 7, 1728, and died there on June 29, 1784. He obtained most of his educational training at home, and then engaged in agricultural pursuits. He served in several public offices, including those of superintendent of the printing of Delaware currency in 1759, member of the State assembly from 1762 to 1769, and associate justice of the Delaware Supreme Court from 1769 to 1777. He served in the Continental Congress from 1774 to 1776, and rode from his home, through the night and rain, to cast his vote for independence. He was 48 years old when he signed the Declaration. He was elected president of Delaware, and served from 1778 to 1782. He was buried on his farm, Byfield, but a century later his remains were reinterred in the Christ Episcopal Churchyard in Dover.

George Read: He was born in Cecil County, Md., on September 18, 1733, and died in New Castle, Del., on September 21, 1798. Read studied law, and was admitted to the bar in Delaware in 1752. He served as attorney general for lower Delaware in 1763. He was a Member of the Continental Congress from 1774 to 1777. He was 43 years old when he signed the Declaration. He served as president of the State constitutional convention in 1776, and was a delegate to the Federal Constitutional Convention. He served in the State assembly, and was elected to the United States Senate, serving from 1789 to 1793. In this latter year Read was appointed chief justice of the State of Delaware, and served until his death. He is buried in Immanuel Churchyard, in New Castle, Del.

Thomas McKean: He was born in New London, Pa., on March 19, 1734, and died in Philadelphia, Pa., on June 24, 1817. He studied law, was admitted to the bar, and began practicing in New Castle, Del., in 1755. He was appointed deputy attorney general for Sussex County, and served from 1756 to 1758. He served in the Delaware assembly from 1762 to 1775. He served as a Member of the Continental Congress from 1774 to 1783, and in 1781 he served as president of Congress. He was 42 years old in the summer of 1776, but it is unknown when he actually signed the Declaration. He served as president of the State of Delaware in 1777, was appointed chief justice of Pennsylvania in 1777 and served in that capacity until 1799. He was elected Governor of the State of Pennsylvania in 1799 and served until 1808, when he retired from public life. He is buried in Laurel Hill Cemetery, in Philadelphia.

MARYLAND

Charles Carroll of Carrollton: He was born in Annapolis, Md., on September 19, 1737, and died in Baltimore, Md., on November 14, 1832. He attended the Jesuits' College of Bohemia at Hermans Manor, Md., and studied civil and common law in England and France, returning to Maryland in 1765. Carroll, a landed gentleman, was one of the richest men in America. He served as a delegate to the revolutionary convention of Maryland in 1775, and was a member of the board of war from 1776 to 1777. He served in the Continental Congress in 1776 and again in 1777 and 1778. He was 39 years old when he signed the Declaration. Carroll served in the Maryland State senate from 1777 to 1800, and served in the United States Senate from 1789 until 1792, when he resigned, preferring to remain in the State senate. Carroll was the last surviving signer of the Declaration of Independence. He is buried in the chapel of Doughoregan Manor, near Ellicott City, Md.

William Paca: He was born near Abingdon, Md., on October 31, 1740, and died there on October 23, 1799. He graduated from Philadelphia College in 1759, studied law in Annapolis and in London, and was admitted to the bar in 1764. He served in the Provincial Assembly from 1771 to 1774, and served in the Continental Congress from 1774 to 1779. He was 36 years old when he signed the Declaration. He served in the State senate from 1777 to 1779, and was appointed chief judge of the Superior Court of Maryland in 1778, and served until 1780. He was elected governor of the State of Maryland,

and served 3 terms from 1782 to 1786. He was appointed by Washington to serve as judge of the United States Court for Maryland, and served from 1789 until his death. He is buried in the family burial ground in Queen Anne County, Md.

Samuel Chase: He was born in Princess Anne, in Somerset County, Md., on April 17, 1741, and died in Washington, D. C., on June 19, 1811. He was tutored in the classics by his father, an Anglican clergyman. He studied law and was admitted to the bar in 1761. He served in the State assembly from 1764 to 1784, and served in the Continental Congress from 1774 to 1778, and again in 1784 and 1785. He was 35 years old when he signed the Declaration. He was the most violent of the Maryland delegation, and because of his "fiery complexion" was given the name "Bacon face" in the Maryland court. He was appointed judge of the general court of Maryland in 1791, and in 1796 President Washington appointed him Associate Justice of the United States Supreme Court. Chase was impeached for malfeasance in office, tried by the Senate of the United States in 1805, but was acquitted of all charges. At the end of the trial he resumed his seat on the bench, and served until his death. He is buried in Old St. Paul's Cemetery, Baltimore, Md.

Thomas Stone: He was born in Charles County, Md., in 1743, and died in Alexandria, Va., on October 5, 1787. He studied law and was admitted to the bar in 1764. He served in the Maryland State Senate from 1779 to 1783. He served in the Continental Congress in 1775, and again in 1779, 1784, and 1785. He was 33 years old when he signed the Declaration. He declined to serve as a delegate to the Federal Constitutional Convention because of the illness of his wife. Stone died at the age of 44 while waiting for a ship to take him to England. He is buried in the Garden Cemetery, Havre de Venture, in Charles County, Md.

VIRGINIA

Richard Henry Lee: He was born at Stratford, in Westmoreland County, Va., on January 20, 1732, and died at his home Chantilly, in Westmoreland County, on June 19, 1794. After some private instruction, Lee attended Wakefield Academy in England, returning to this country in 1751. Lee served in the Virginia House of Burgesses from 1758 to 1775, and served in the Continental Congress from 1774 to 1780. He introduced the famous resolutions declaring "that these united Colonies are, and of right ought to be, free and independent States * * *," and which led to the Declaration of Independence. He was 45 years old at the time. He served in the Continental Congress again, from 1784 to 1787, and was the author of the first national Thanksgiving Day proclamation issued by Congress, October 31, 1777. He was elected to the United States Senate, and served from 1789 until he resigned in 1792. He is buried in the family burying ground, Mount Pleasant, near Hague, Westmoreland County, Va.

Thomas Jefferson: He was born in Old Shadwell, Va., on April 13, 1743, and died at Monticello, in Albermarle County, Va., on July 4, 1826, a few hours before John Adams. Jefferson graduated from William and Mary College in 1762, studied law, and was admitted to the bar in 1767. Jefferson served in the Virginia House of Burgesses from 1769 to 1774, and served in the Continental Congress in 1775 and 1776. He served as chairman of the committee appointed to prepare the Declaration of Independence and was the author of that document. He was 33 years old at the time. Jefferson served as Governor of Virginia from 1779 to 1781, and later resumed his service in the Continental Congress. He served as Minister to France for more than 3 years. In 1789 he was appointed the first Secretary of State of the United States under the Constitution, and served until 1793. Jefferson was elected Vice President of the United States, serving from 1797 to 1801. He was elected President of the United States for two terms, serving from 1801 to 1809. Jefferson took an active part in founding the University of Virginia. He is buried at Monticello.

Benjamin Harrison: He was born in Berkeley, Charles City County, Va., on April 5, 1726, and died in City Point, Prince George County, Va., on April 24, 1791. He attended William and Mary College. At an early age he was elected to the Virginia House of Burgesses, serving from 1749 to 1775. He served in the Continental Congress from 1774 to 1778; and as chairman of the Committee of the Whole House reported the resolution introduced by Richard Henry Lee declaring independence. He was 50 years old when he signed the Declaration. He served several terms in the State house of representatives after leaving the Continental Congress, serving as Speaker of that body in the years 1778 to 1782, 1785, and 1786. He served as Governor of Virginia from 1782 to 1784. One of Harrison's children, William Henry Harrison, became President of the United States. He is probably buried in Old Westover Church Cemetery, near famous Westover estate, on the James River, in Virginia.

George Wythe: He was born in Elizabeth City County, Va., in 1726, and died at Richmond, Va., on June 8, 1806. He attended William and Mary College, studied law, and was admitted to the bar in 1746. He served in the Virginia House of Burgesses from 1758 to 1768, and served as Clerk of the same body from 1768 to 1775. Wythe served as a member in the Continental Congress from 1775 to 1777. He was 50 years old when he signed the Declaration. He served as Judge of the Virginia Chancery Court in 1777; in 1778 he was appointed sole Chancellor of Virginia. He was professor of law at William and Mary College from 1779 until 1791, when he resigned. Afterward he established a private school in Richmond; and Thomas Jefferson, John Marshall, and Henry Clay, among others, studied under him. He was a member of the Federal Constitutional Convention in 1787. He is buried in St. John's Churchyard, at Richmond, Va.

Francis Lightfoot Lee: He was born at Stratford, in Westmoreland County, Va., on October 14, 1734, and died at his home, Menoken, in Richmond County, Va., on January 11, 1797. Lee pursued his studies under private tutoring, and became a member of the Virginia House of Burgesses at the age of 24, serving from 1758 to 1775. He signed the Westmoreland declaration against the Stamp Act. He served in the Continental Congress from 1775 to 1780. He was 42 years old when he signed the Declaration. He was the younger brother of Richard Henry Lee, who introduced the famous resolutions calling for independence. He served in the Virginia State senate from 1778 to 1782. He is buried in the family burying ground at Mount Airy, Richmond County, Va.

Carter Braxton: He was born at Newington, near King and Queen Court House, Virginia, on September 10, 1736, and died at Richmond, Va., on October 10, 1797. He graduated from William and Mary College in 1755, and then spent 3 years abroad, in England. He was elected to the Virginia House of Burgesses in 1761 and served until 1771, and again in 1775. He was elected to the Continental Congress in 1775 on the death of Peyton Randolph, and served until 1776. He was 40 years old at the time of the signing of the Declaration. In 1777 he was again elected to the Continental Congress, and served until 1783, and again in 1785. He was a member of the Virginia Council of State from 1786 to 1791, and again from 1794 until his death. He is buried on his estate, Chericoke, in King County, Va.

Thomas Nelson, Jr.: He was born in Yorktown, Va., on December 26, 1738, and died at his son's estate, Mont Air, in Hanover County, Va., on January 4, 1789. Nelson attended private schools, and in 1761 he was graduated from Trinity College in Cambridge, England. Although English-educated, Nelson was a stanch patriot, and never leaned toward loyalism. He was elected to the Virginia House of Burgesses in 1774, while en route home from England. He was a member of the Continental Congress from 1775 to 1777. He was 37 years old when he signed the Declaration. It was Nelson who carried the Virginia convention resolutions to Philadelphia, which in turn precipitated the action of Richard Henry Lee. Nelson served as the commander of the Virginia State forces from 1777 until 1781. Ill health brought about by his service in the field in the campaign against Cornwallis forced his retirement in 1781. He received the public thanks of General Washington and of the Congress for his services. He served as Governor of Virginia in 1781, and then retired from public service. He is buried in the Nelson Cemetery, at Yorktown, Va.

NORTH CAROLINA

Joseph Hewes: He was born in Kingston, N. J., on January 23, 1730, and died in Philadelphia, Pa., on November 10, 1779. He attended Princeton College, then entered business in Philadelphia. In 1756 he moved to North Carolina. He served in the North Carolina State house of commons from 1766 to 1775, and was a member of the committee of correspondence in 1773. He served in the Continental Congress from 1774 to 1777, and while in the Congress served as chairman of the Marine Committee. He was a friend of John Paul Jones, and was instrumental in acquiring a ship for the latter. He was 46 years old when he signed the Declaration. He served in the State house of commons again in 1778 and 1779, and in the latter year was again elected to the Continental Congress. He died while serving in the Congress. He is buried in Christ Churchyard, in Philadelphia, Pa.

John Penn: He was born near Port Royal, in Caroline County, Va., on May 17, 1741, and died near Williamsboro, N. C., on September 14, 1788. Penn was privately educated, studied law, and was admitted to the bar in 1762. He was a leader in the patriotic cause, served in the Provincial Congress in 1775, and in the same year was elected to the Continental Congress, serving until 1780. He was 35 years old at the time he signed the Declaration. He served as a member of the board of war in North Carolina in 1780, and in 1784 was receiver of taxes for that State. Afterward he returned to the practice of law, but was almost in complete retirement because of poor health. He was buried on his estate in Granville County, N. C., but his remains were reinterred in the Guilford Battle Grounds, near Greensboro, N. C.

William Hooper: He was born in Boston, Mass., on June 17, 1742, and died in Hillsboro, N. C., in October 1790. Hooper attended Harvard College, graduated in 1760, was admitted to the bar, and in 1767 moved to Wilmington, N. C. He served in the North Carolina colonial assembly from 1773 to 1776, and during this period penned a series of articles against the Crown which awakened the people to the issues. As a result, Hooper was disbarred for 1 year. He served in the Continental Congress from 1774 to 1777. He was 34 years old when he signed the Declaration. Hooper was a member of the boundary commission appointed to settle the dispute between Massachusetts and New York in 1786. He was buried in Hillsboro, but was reinterred in the Guilford Battle Grounds, near Greensboro, N. C.

SOUTH CAROLINA

Arthur Middleton: He was born at Middleton Place, near Charleston, S. C., on June 26, 1742, and died at The Oaks, near Charleston, on January 1, 1787. He attended St.

John's College, Cambridge University, and studied law at the Middle Temple in London. Middleton returned to South Carolina in 1763, and assisted his father in the management of his plantations. At the age of 23, Middleton served in the provincial house of commons, serving from 1765 to 1768. He went to Europe, traveled extensively, and returned to this country in 1771, and again served in the provincial house of commons until 1775. He served in the Continental Congress from 1776 to 1778, and from 1781 to 1783. He was 34 years old when he signed the Declaration. Middleton served as an officer in the State militia during the war, and along with his fellow signers, Rutledge and Heyward, was captured and held prisoner by the British after the fall of Charleston. Middleton was elected Governor of South Carolina in 1778, but declined the office. He served in the State senate in 1781 and 1782. He was a member of the board of trustees of Charleston College. He is buried in the family mausoleum, at Middleton Place.

Thomas Heyward, Jr.: He was born on his father's plantation, in St. Helena's Parish (now St. Luke's), in South Carolina, on July 28, 1746, and died at White Hall, in St. Luke's Parish, S. C., on March 6, 1809. He studied law in the Middle Temple in London, returned to South Carolina in 1771, and was admitted to the bar. He was a member of the Council of Safety in 1775 and 1776, and served in the Continental Congress from 1776 to 1778. He was 30 years old when he signed the Declaration. Heyward served several terms in the State house of representatives, was an officer in the militia during the war, and was captured by the British at the fall of Charleston, in May 1780, and was imprisoned for a year. He served as judge of the circuit court from 1779 to 1789. He was a member of the State constitutional convention in 1790. He was the founder and served, in 1785, as the first president of the Agricultural Society of South Carolina. He is buried in the family burial ground, on his father's plantation, Old House, in St. Luke's Parish.

Edward Rutledge: He was born in Christ Church Parish, South Carolina, on November 23, 1749, and died in Charleston, on January 23, 1800. Like the other signers from South Carolina, he studied law at the Middle Temple in London. He returned to this country, and was admitted to the bar in South Carolina in 1773. Rutledge served in the Continental Congress from 1774 to 1777, and was the youngest signer of the Declaration, being only 26 years old at the time. He was the brother of John Rutledge, who signed the Constitution and later served as Chief Justice of the United States Supreme Court. Like Middleton and Heyward, Edward served as an officer in the Army, and was captured and imprisoned by the British in May 1780. He served for several years in the State house of representatives, and in 1791 authored the act abolishing the law of primogeniture. In 1794, President Washington tendered him the appointment of Associate Justice of the United States Supreme Court, but he declined the office. He was elected Governor of South Carolina, and served from December 6, 1798, until his death. He married the sister of Arthur Middleton, a fellow signer of the Declaration. He is buried in St. Philip's Churchyard, at Charleston.

Thomas Lynch, Jr.: He was born in Prince George's Parish, Winyah, S. C., on August 5, 1749, and was lost at sea with his wife, sometime in 1779. Lynch, a member of a landed family, was educated at Eton and Cambridge and studied law at the Middle Temple like the other members of his delegation. He returned to America in 1772. Owing to his dislike for law, he did not practice long, preferring to be a planter. Lynch began his service in the Provincial Congress when he was just 25 years old, serving from 1774 to 1776. It was by accident that Lynch became a signer of the Declaration. His father, Thomas Lynch, Sr., was serving as a delegate, and became ill. Thomas Junior was elected to care for, and if necessary to substitute, for, his father, in 1776. The father was too sick to sign the document, and thus Thomas Lynch, Jr., attached his signature to the Declaration. He was 27 years old at the time, just a few months older than Rutledge, who was the youngest signer. Lynch served as an officer in the State militia in 1776. No other signer had so short a life or so sad a story as Thomas Lynch, Jr. Seeking to regain his own health, Lynch and his wife embarked on a sea voyage in 1779, expecting to land in southern France. They both were lost at sea in that year.

GEORGIA

Lyman Hall: He was born in Wallingford, Conn., on April 12, 1724, and died in Burke County, Ga., on October 19, 1790. Hall graduated from Yale College in 1749, studied theology, and preached for a short period of time. He studied medicine, moved to Liberty County, Ga., sometime after 1752, and continued the practice of medicine which he had begun earlier. He was sympathetic to the patriotic cause and was a moving spirit for independence in his State. He served in the Continental Congress from 1775 to 1780. He was 52 years old when he signed the Declaration. With the fall of Savannah, and the destruction of his property, he in 1778 moved his family north, where they lived until 1782. He served as Governor of the State of Georgia in 1783. He was buried on his plantation near Shell Bluff, in Burke County, but in 1848 was reinterred beneath a monument on Greene Street, in front of the courthouse, in Augusta, Ga.

Button Gwinnett: He was born in Down Hatherly, Gloucestershire, England, in 1732, and died near Savannah, Ga., on May 19, 1777. Gwinnett engaged in the mercantile business in Bristol, England, and later immigrated to this country, settling in Charleston, S. C. In 1765 he moved to Savannah, Ga., and continued in the mercantile business. A few years later he moved to St. Catherines Island, Ga., where he engaged in planting. He served in the Continental Congress in 1776 and 1777. He was 44 years old at the time he affixed his signature to the Declaration. From February to March 1777, Gwinnett served as Acting President and Commander in Chief of the State of Georgia. While serving as chief executive of Georgia, he was drawn into a controversy with the military authorities, particularly with Brigadier General Lachlan McIntosh. As a result, a duel ensued between the two men, and both were wounded on May 16, 1777. Gwinnett died a few days later from his wounds. He is buried probably in the Old Colonial Cemetery (now called Colonial Park), in Savannah, Ga.

George Walton: He was born near Farmville, Va., in 1741, and died near Augusta, Ga., on February 2, 1804. Walton attended the common schools, studied law, and was admitted to the bar in 1774. In 1775 he served as secretary of the Provincial Congress, and at the same time served as a member of the Provincial Congress, and at the same time served as a member of the council of safety. Walton served in the Continental Congress from 1776 to 1781 He was 35 years old when he signed the Declaration. Walton also has the distinction of signing the Articles of Confederation. He served as an officer in the First Georgia Battalion, was wounded, captured, and later released by exchange. He served as Governor of Georgia in 1779, and became Chief Justice of that State in 1783, serving until 1786. He served as Governor again in 1789, and Chief Justice in 1793. He was appointed to the United States Senate in 1795, and served until February 1796. In 1799 he was appointed judge of the middle circuit of Georgia, and served in that position until his death. He was buried in Rosney Cemetery, but in 1848 his remains were reburied with those of Lyman Hall, his fellow signer, beneath a monument in front of the court house on Greene Street, in Augusta, Ga.

Sources: Dictionary of American biography. Malone, Dumas. The story of the Declaration of Independence. New York: Oxford University Press, 1954, 282 pp. United States Congress. Biographical directory of the American Congress, 1774–1949. Washington: United States Government Printing Office, 1950.

THE SIGNERS OF THE CONSTITUTION

George Washington, 1732–99, Virginia: Planter, soldier, statesman; colonial officer in French and Indian War; Virginia Legislature; Continental Congress, 1774–75; Commander in Chief of Continental Army; Deputy to Constitutional Convention, President of it; President of the United States, 1789–97; Commander in Chief of United States Provisional Army.

John Langdon, 1741–1819, New Hampshire: Merchant; militia service during Revolution; Continental Congress, 1775–76; New Hampshire Legislature, speaker; Continental Navy agent; President of New Hampshire; Deputy to Constitutional Convention; Governor; United States Senator, 1789–1801.

Nicholas Gilman, 1755–1814, New Hampshire: Statesman; officer in Continental Army; Continental Congress, 1787–88; Deputy to Constitutional Convention; Congressman, 1789–97; New Hampshire senate; United States Senator, 1805–14.

Nathaniel Gorham, 1738–96, Massachusetts: Merchant, landowner; Massachusetts Legislature, speaker; Massachusetts Board of War and constitutional convention; Continental Congress, 1782–83, 1786–87; judge; Delegate to Constitutional Convention, Chairman of Committee of the Whole; Massachusetts Council.

Rufus King, 1755–1827, Massachusetts: Lawyer; Massachusetts Legislature; Continental Congress, 1784–87; Delegate to Constitutional Convention; United States Senator from New York, 1789–96, 1813–25; Minister to Great Britain; Federalist candidate for Vice President and President.

William Samuel Johnson, 1727–1819, Connecticut: Lawyer, Stamp Act Congress; Connecticut agent in England; Connecticut Council; judge; Continental Congress, 1784–87; delegate to Constitutional Convention; United States Senator, 1789–91; president of Columbia College.

Roger Sherman, 1721–93, Connecticut: Shoemaker, lawyer; Connecticut Legislature and Council of Safety; Continental Congress, 1774–81, 1784; signer of Declaration of Independence and Articles of Confederation; delegate to Constitutional Convention; mayor of New Haven; Congressman, 1789–91; United States Senator, 1791–93

Alexander Hamilton, 1757–1804, New York: Lawyer; aide to Washington and line colonel in Continental Army; Continental Congress, 1782–83, 1788; New York Legislature; Annapolis Convention; delegate to Constitutional Convention; part author of Federalist; Secretary of the Treasury, 1789–95; inspector general in United States Provisional Army.

William Livingston, 1723–90, New Jersey: Lawyer; New York Legislature; local New Jersey Committee of Correspondence; Continental Congress, 1774–76; commander of New Jersey Revolutionary militia; Governor of New Jersey; Commissioner to Constitutional Convention.

David Brearley, 1745–90, New Jersey: Lawyer; officer in Continental Army; New Jersey Constitutional Convention: chief justice of New Jersey; Commissioner to Constitutional Convention; United States district judge.

William Paterson, 1745–1806, New Jersey: Lawyer; New Jersey Provincial Congress, Constitutional Convention, Attorney General, and Council; Commissioner to Constitutional Convention; United States Senator, 1789–90; Governor; Chancellor; Associate Justice of Supreme Court, 1793–1806.

Jonathan Dayton, 1760–1824, New Jersey: Landowner; officer in Continental Army; New Jersey Legislature, speaker; Commissioner to Constitutional Convention; Continental Congress, 1788; New Jersey Council; Congressman, 1791–99, Speaker; United States Senator, 1799–1805.

Benjamin Franklin, 1706–90, Pennsylvania: Printer, statesman, scientist, philosopher; Pennsylvania Legislature; Deputy Postmaster General of Colonies; Albany Congress; Colonial agent in England; Continental Congress, 1775–76, signer of Declaration of Independence; Commissioner and Minister to France; President of Pennsylvania; Deputy to Constitutional Convention.

Thomas Mifflin, 1744–1800, Pennsylvania: Merchant, politician; Pennsylvania Legislature, Speaker; Continental Congress, 1774–75, 1782–84, President of it, 1783–84; aide to Washington, major general and quartermaster general in Continental Army; Continental Board of War; Deputy to Constitutional Convention; President of Pensylvania and Governor; Pennsylvania Constitutional Convention.

Robert Morris, 1734–1806, Pennsylvania: Merchant, financier; Continental Congress, 1775–78; signer of Declaration of Independence and Articles of Confederation; Pennsylvania Legislature and Council of Safety; Superintendent of Finance, 1781–84; established Bank of North America; Deputy to Constitutional Convention; United States Senator, 1789–95.

George Clymer, 1739–1813, Pennsylvania: Merchant; Pennsylvania Council of Safety; Continental Congress, 1776–77, 1780–82, signer of Declaration of Independence; Pennsylvania Legislature; Deputy to Consitutional Convention; Congressman, 1789–91.

Thomas Fitzsimons, 1741–1811, Pennsylvania: Merchant, militia officer in Revolution; Pennsylvania Council of Safety and Navy Board; Continental Congress, 1782–83; Pennsylvania Legislature and Board of Censors; Bank of North America; Deputy to Constitutional Convention; Congressman, 1789–95.

Jared Ingersoll, 1749–1822, Pennsylvania: Lawyer; Continental Congress, 1780; Pennsylvania Attorney General; Deputy to Constitutional Convention; United States District Attorney; municipal officer in Philadelphia; judge of Pennsylvania District Court; Federalist candidate for Vice President.

James Wilson, 1742–1798, Pennsylvania: Lawyer; Pennsylvania Provincial Convention; Continental Congress, 1775–77, 1783, 1785, 1786, signer of Declaration of Independence; Continental Board of War; Advocate General for France in America; Deputy to Constitutional Convention; Associate Justice of Supreme Court of the United States, 1789–98.

Gouverneur Morris, 1752–1816, Pennsylvania: Lawyer; New York Provincial Congress and Constitutional Convention; Continental Congress from New York, 1778–79, signer of Articles of Confederation; Assistant Superintendent of Finance; Deputy to Constitutional Convention; special mission to England; Minister to France; United States Senator from New York, 1800–03.

George Read, 1733–98, Delaware: Lawyer; Delaware attorney general and Legislature; Continental Congress, 1774–77, signer of Declaration of Independence; Delaware Constitutional Convention and Council; Continental Court of Appeals; Annapolis Convention; Deputy to Constitutional Convention; United States Senator, 1789–93; Chief Justice of Delaware.

Gunning Bedford, Jr., 1747–1812, Delaware: Lawyer; Delaware Legislature and Council; Continental Congress, 1783–85; Delaware attorney general; Annapolis Convention; Deputy to Constitutional Convention; United States district judge.

Jacob Broom, 1752–1810, Delaware: Surveyor, businessman, manufacturer; Deputy to Constitutional Convention; borough officer in Wilmington; Delaware Legislature; postmaster at Wilmington; bank director.

Richard Bassett, 1745–1815, Delaware: Lawyer; militia service in Revolution; Delaware Council of Safety, Legislature, and Constitutional Convention; Annapolis Convention; Deputy to Constitutional Convention; United States Senator, 1789–93; judge of Delaware Court of Common Pleas; Governor; United States circuit judge, but office soon abolished.

John Dickinson, 1732–1808, Delaware: Lawyer; Delaware and Pennsylvania Legislatures, speaker in Delaware; Stamp Act Congress; Continental Congress, 1774–76, 1779, signer of Articles of Confederation; president of Delaware; president of Pennsylvania; Annapolis Convention; Deputy from Delaware to Constitutional Convention. (Though not present at the signing, his signature was added, at his request, by George Read of Delaware.)

James McHenry, 1753–1816, Maryland: Physician; surgeon in Continental Army, military secretary to Washington, aide to Lafayette; Maryland Legislature; Continental Congress, 1783–85; Deputy to Constitutional Convention; Secretary of War, 1796–1800.

Daniel of St. Thomas Jenifer, 1723–90, Maryland: Planter; agent and receiver general for lord proprietary of Maryland; Maryland Legislature, Council, council of safety, and president of senate; Continental Congress, 1779–81; Maryland-Virginia Conference of 1785; Deputy to Constitutional Convention.

Daniel Carroll, 1730–96, Maryland: Planter; Continental Congress, 1781–83, signer of Articles of Confederation; Deputy to Constitutional Convention; Congressman, 1789–91; Commissioner for District of Columbia.

John Blair, 1732–1800, Virginia: Lawyer; Virginia Legislature, Provincial Convention, and Council; judge of General Court and Chancery of Virginia; deputy to Constitutional Convention; Associate Justice of the Supreme Court of the United States, 1789–96.

James Madison, 1751–1836, Virginia: Lawyer, statesman; Virginia Convention, Legislature, and Council; Continental Congress, 1780–83, 1787–88; Virginia-Maryland Conference of 1785; Annapolis Convention; deputy to Constitutional Convention; part author of Federalist; Congressman, 1789–97; Secretary of State, 1801–09; President of the United States, 1809–17; Virginia Constitutional Convention; rector of University of Virginia.

William Blount, 1749–1800, North Carolina: Landowner; paymaster in Continental Army; North Carolina Legislature, Speaker; Continental Congress, 1728–83, 1786–87; deputy to Constitutional Convention; Governor of Territory South of the Ohio River and Superintendent of Indian Affairs; Tennessee Constitutional Convention; United States Senator from Tennessee, 1796–97; Tennessee senate.

Richard Dobbs Spaight, 1758–1802, North Carolina: Planter; North Carolina Legislature; Continental Congress, 1783–85; deputy to Constitutional Convention; Governor of North Carolina; Congressman, 1798–1801; North Carolina Senate.

Hugh Williamson, 1735–1819, North Carolina: Merchant, physician; surgeon general of North Carolina militia; North Carolina Legislature; Continental Congress, 1782–85, 1787–88; deputy to Constitutional Convention; Congressman, 1789–93.

John Rutledge, 1739–1800, South Carolina: Lawyer; South Carolina Legislature; Stamp Act Congress; Continental Congress, 1774–75, 1782–83; South Carolina Council of Safety, Constitutional Convention, President, and Governor; judge of Chancery Court; deputy to Constitutional Convention; Associate Justice of Supreme Court of United States, 1789–91; Chief Justice of South Carolina.

Charles Cotesworth Pinckney, 1746–1825, South Carolina: Lawyer, soldier; South Carolina Provincial Congress, Council of Safety, Legislature, and President of Senate; colonel in Continental Army; deputy to Constitutional Convention; declined Cabinet positions; Minister to France; major general in United States Provisonal Army; candidate for President.

Charles Pinckney, 1757–1824, South Carolina: Lawyer; militia service in Revolution; South Carolina Legislature; Continental Congress, 1784–87; deputy to Constitutional Convention; South Carolina Council, Governor, and Constitutional Convention; United States Senator, 1799–1801; Minister to Spain; Congressman, 1819–21.

Pierce Butler, 1744–1822, South Carolina: Planter; officer in British Army before the Revolution; South Carolina Legislature; Continental Congress, 1787; deputy to Constitutional Convention; United States Senator, 1789–96, 1803–04.

William Few, 1748–1828, Georgia: Lawyer; Georgia Constitutional Convention, Legislature, and Council; militia service in Revolution; judge of Georgia County and Circuit Courts; Continental Congress, 1780–82, 1786–88; deputy to Constitutional Convention; United States Senator, 1789–93; New York Legislature and prison inspector; bank director; New York City Alderman.

Abraham Baldwin, 1754–1807, Georgia: Clergyman, lawyer; tutor at Yale; chaplain in Continental Army; Georgia Legislature; author of charter and president of University of Georgia; Continental Congress, 1785, 1788; deputy to Constitutional Convention; Congressman, 1789–99; United States Senator, 1799–1807.

Source: The Story of the Constitution, Sol Bloom, 1937, pages 54–64.

FPC Should Say "No" on the Canadian Gas Issue

EXTENSION OF REMARKS

OF

HON. EUGENE SILER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1957

Mr. SILER. Mr. Speaker, the State of Kentucky has a very important stake in the Canadian gas hearings now being held by the Federal Power Commission. Only West Virginia and Pennsylvania produce more coal than Kentucky, but our State's comparative position will become even further enhanced because neither of those States has the coal reserve strength of Kentucky. Beneath the soil within the boundaries of Kentucky are almost 60 billion tons of recoverable coal reserves—enough to last for approximately 900 years at the present rate of production.

Our mines have a working force of perhaps 40,000 men, and the wages which go into their paychecks have a very decided impact upon the business establishments within the 3 counties in eastern Kentucky and the 12 in western

Kentucky where bituminous coal is produced. Next to agriculture, coal has the highest value in products and is the biggest employer in the entire State. Kentucky cannot enjoy complete economic progress without a vigorous coal industry.

When a foreign product enters fuel markets of the Middle West or of the eastern portion of the United States, Kentucky's economy is injured. The millions of barrels of residual oil that have flowed onto the Atlantic seaboard from foreign refineries over the past decade have had a most injurious effect upon the Kentucky coal industry. That oil has also been responsible for loss of revenues and wages in the railroad industry of our State, and it has ultimately affected all wage earners—from bootblack to service station operator, from haberdasher to washing machine salesmen. The losses extend into our State, county, and local exchequers, into our churches, and into our charitable organizations.

Attempts to bring Canadian gas into the markets now being served by coal constitute another intended raid upon an industry that has already sustained more than its share of hardships through unwise import policies. The ambitious programs, of which the gas import plan is the latest venture, projected by world fuel merchants are astounding in their absolute disdain for domestic industry and labor. Save for the substantial profits that are to be realized by the pipeline people, what other gains would be forthcoming?

To exhaust a limited fuel resource such as natural gas while billions of tons of lignite and bituminous coal are within easy reach of consuming areas would be an extravagant use of a scarce source of energy regardless of where in nature's storehouse it may occur. At first glance into the Canadian gas proposals, a United States citizen might be inclined to say: "Let Canada send her natural gas into this country so that we can preserve our own resources." Even without concern for the American workers who would lose their jobs as a consequence, this simple conclusion is loaded with question marks.

What assurance have customers in the Midwest of a firm supply of a foreign product? Canadian statesmen have said time and again that the Dominion's newly discovered natural-gas supply should be reserved for use in Canadian homes and industries. If, after a few short years, those who advocate this policy succeed in having their views prevail, what would happen to those customers who meanwhile come to depend on Canadian gas?

Price of natural gas is a subject that has occupied considerable time on Capitol Hill and in the executive department for several year. It certainly cannot be arbitrarily dismissed in the Federal Power Commission hearings on the Canadian gas cases.

Who is to say that the controlling pipeline interests—or any segment thereof, whether it be producer or distributor—would not burden American customers with exorbitant price increases once this market had been seized and consolidated? The proposed pipeline to the Middle West from the Canadian line would bear the same public-utility status enjoyed by other lines throughout America, thus creating a fuel monopoly as soon as coal and competing oil products were displaced. When competition is out of the way, how high the price of imported gas would go is a matter over which no Federal, State, or local government body in the United States would have control.

Another question pertains to possible high export taxes that are quite likely to be imposed by the Canadian Government at some time in the future. How to get enough revenue to meet government spending is a perennial problem practically the world over. To levy a substantial tax upon a foreign consumer is a legal and accepted device that is naturally to be anticipated.

Let me make it clear that I am not challenging the integrity of the Government of Canada or its party in power. There has already been so much talk about the fantastic profits made by American investors in the pipeline that putting the squeeze on a United States consumer beholden to a fuel produced in the Dominion would seem the logical approach to bringing some of the dollars back across the border.

Until an assortment of global-minded officials in the State Department began to assume a progressively greater degree of power in the making of foreign-trade treaties two decades or so ago, equitable foreign-trade agreements were the recognized instrumentalities of international commerce. Since the so-called liberal element in Washington began to make fantastic concessions at the expense of our own industries and working forces, it has admittedly become very difficult to erect any semblance of protection against the onrush of foreign goods.

Perhaps the recent statement of Canada's new Prime Minister will bolster our chances of ruling out this new threat to the American coal industry. The Wall Street Journal for July 8 reported from Ottawa:

> Canada's new conservative government hopes to switch 15 percent of the nation's imports from the United States to Great Britain in a move that could slice more than $600 million a year from American exports now flowing into Canada at upward of $4 billion annually. Canada's newly elected Prime Minister John Diefenbaker told a press conference the switch from United States to United Kingdom wares is the foundation of his proposal for a British Commonwealth conference he wants to hold here.

In the light of this declaration, it would seem a sensible and easy matter for the Federal Power Commission to refuse extension of the Canadian pipeline into American markets. If an explanation is needed, the FPC need only point out that the decision is in the interest of the general welfare of the United States.

On the assumption that the Commission will follow this patriotic course, let me say that thousands of coal miners and railroad workers in Kentucky and neighboring States will be highly appreciative of this wise and considerate decision.